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PROCEEDINGS AND DEBATES OF THE 85th CONGRESS, FIRST SESSION

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 7, 1957

The House met at 12 o'clock noon.

President Lawrence S. Burton, of the Ogden Stake of the Church of Jesus Christ of Latter-Day Saints, Ogden, Utah, offered the following prayer:

Our Father which art in Heaven, we humbly bow our heads this morning before Thee in prayer and thanksgiving for Thy many blessings unto us individually and as a Nation. We thank Thee, Father, for our noble forebears, who laid the foundation of this very glorious country upon truth, righteousness, and justice. We thank Thee, Father, for those who have followed them in carrying forward those great principles. We are grateful, Father in Heaven, for this great legislative body, duly elected by the people to build upon this glorious foundation, and pray that Thou wilt bless them ea individually and collectively. We petition Thee, Father in Heaven, to bless this Nation that it may go forward even to greater heights; that it may continue to be the banner of truth and democracy to all nations of the earth, and hasten the time when freemen everywhere will enjoy the glorious principles of democracy which we enjoy here today. Bless and preserve this country. Bless our authorities and be with them at all times, we humbly beseech Thee in the name of our Lord and Saviour, Jesus Christ. Even so. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903;

S. 1408. An act to provide allowances for transportation of house trailers to civilian employees of the United States who are transferred from one official station to another;

S. 1535. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years; and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

FORT MYER REVIEW HONORING MEMBERS OF CONGRESS

The SPEAKER. The Chair recognizes the gentleman from Massachusetts to make an announcement.

Mr. McCORMACK. Mr. Speaker, a special retreat review will be conducted at Fort Myer, Va., at 4 p. m. on June 9, 1957, next Sunday, honoring the Members of Congress who are veterans of the Army and who have been invited to attend.

The veteran Members of Congress will be represented on the reviewing stand by our colleague the gentleman from Montana, Mr. LEROY H. ANDERSON.

The Silver Star will be presented to him during the ceremonies. LEROY ANDERSON is a major general in the United States Army Reserve. He was awarded the Silver Star but it has never been presented to him. It will be presented to him next Sunday afternoon at this ceremony.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 100]

Arends	Garmatz	O'Konski
Ayres	Green, Pa.	Philbin
Bailey	Gregory	Poage
Barrett	Gubser	Porter
Beamer	Gwinn	Powell
Blatnik	Harrison, Nebr.	Prouty
Bosch	Healey	Radwan
Bowler	Holtzman	Rhodes, Pa.
Buckley	James	Rogers, Colo.
Byrne, Ill.	Judd	Rogers, Mass.
Byrnes, Wis.	Kearney	St. George
Cederberg	Keeney	Schwengel
Chamberlain	Kelly, N. Y.	Shelley
Chudoff	Laird	Sheppard
Coudert	Lane	Simpson, Pa.
Curtis, Mo.	Latham	Taber
Dawson, Ill.	McConnell	Taylor
Delaney	McGovern	Teller
Dollinger	McIntire	Tewes
Donohue	Machrowicz	Utt
Dooley	Miller, Md.	Vursell
Dorn, N. Y.	Miller, N. Y.	Wainwright
Fallon	Minshall	Wier
Farbstein	Montoya	Withrow
Fino	Morano	Wolverton
Fogarty	Moulder	Zelenko
Friedel	O'Brien, Ill.	

The SPEAKER. On this rollcall 354 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, I am perfectly willing to defer to my colleague the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield such time as she may care to use to the gentlewoman from Pennsylvania [Mrs. GRANAHAN].

Mrs. GRANAHAN. Mr. Chairman, as a comparatively new Member of the House of Representatives, with a great deal yet to learn about national affairs and legislation, I nevertheless feel that on this subject of civil rights, of treating people as first-class Americans in all instances and in all cases, one does not have to be an expert on the obscure technicalities of the law in order to speak here.

I think it is a case of consulting with one's heart and conscience, and reaching one's decision from the standpoint of what is most in keeping with our ideals of true Americanism.

Either we believe the great concepts which were behind the Declaration of Independence and the Bill of Rights or we have mental reservations about them. Either we believe that all citizens of this country have a right to equal guaranties and equal treatment under the law or we are not quite convinced that the Revolution of 1776 was a good thing.

Of course no one will stand up on the Fourth of July and say our forefathers made a very bad mistake on that hot summer day in Philadelphia when they proclaimed the freedom of this Nation. We are accustomed to paying very lavish tribute each Independence Day to the spirit which motivated that Revolution and those patriots of long ago.

Can we match their courage, however, in meeting the serious social problems of our day?

Can we say in good conscience that we are as willing to attack deep-seated social ills?

They were fighting for civil rights, for their own civil rights. True, many of those who fought bravely for the concept of civil rights in those days were slaveowners who apparently saw no contradiction between their own yearnings for full freedom politically and the existence of slavery as an institution to which they contributed.

That is no reason to say that they did not exhibit courage or great political progress in fighting for political freedom. But obviously they did not go all the way toward full and complete freedom for all, even when many of these same great patriots gathered again to write the Bill of Rights.

But they started the pattern of American freedoms which we have expanded and improved and protected and spelled out more explicitly generation by generation. Yet even today we cannot claim that the United States of America is completely free of the taint of discriminations by reason of race or creed or color in the exercise of political, social, and economic rights.

That is why we need legislation such as this. This bill, labeled a civil-rights bill, actually does very little of a sensational nature. It is a sad commentary on the status of our social attitudes in this country that such a bill as this is necessary or even useful.

Actually, we know that not all American citizens have the full and complete and free opportunity to exercise their sacred rights as citizens—the most sacred of all being their right to vote. It is frequently denied. It is often abridged in one way or another. This is no secret—unfortunately it often happens right out in the open.

Such a situation must be corrected. If this bill helps in that respect, then it will indeed be most worthwhile legislation.

From the jockeying which is going on over this bill—and which has been going on for months during this session of Congress—it is obvious that attempts are being made to weaken this bill even further.

Mr. Chairman, I urge us all to search our own hearts and our own consciences. I urge that we consult God and seek His guidance in this matter.

If we believe in His teachings, we must believe in the decency and in the dignity of each person—each human being. We must believe, then, in the justice of full rights for all regardless of race, creed, or color.

We must stand for brotherhood and for human rights—and not hesitate to take our stand for what is right.

Mr. KEATING. Mr. Chairman, I yield such time as she may require to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I rise in support of the President's program on civil rights which is embodied in the bill, H. R. 6127. I oppose any crippling amendments which may be offered on the floor.

Mr. Chairman, Members of this House are now preparing to act on legislation to which the platforms of both parties are pledged. I am referring, of course, to civil rights.

I have a particular interest in this legislation. I have introduced legislation based on President Eisenhower's civil rights program during this session of Congress—legislation similar to that introduced by my distinguished colleague the gentleman from New York [Mr. KEATING].

But, even beyond that immediate interest, I am proud to address this body as a legislator who long has worked for the cause of civil rights in my home State of New Jersey, where it has been proven beyond question that civil rights legislation can be an effective safeguard of the God-given rights of equal opportunity and justice.

Today, in urging House support of the President's civil rights program, I also stand opposed to any amendments which would, in effect, cripple the intent and the effectiveness of this long-overdue legislation.

It is not my aim to discuss the technical aspects of this legislation. Such details are being fully explored in the lengthy debate on this question. Rather, I want to discuss the moral aspects which I feel should, in large measure, guide our actions on civil rights in this Chamber.

From this viewpoint, I believe it might be well for all of us in the Congress to recall the words contained in the platforms of our respective parties last year.

In Chicago, the leadership of the Democratic Party produced a platform document which included this pledge to the people of America:

> The Democratic Party is committed to support and advance the individual rights and liberties of all Americans. Our country is founded on the proposition that all men are created equal. This means that all citizens are equal before the law and should enjoy all political rights. They should have equal opportunities for education, for economic advancement, and for decent living conditions.

The Democratic Party then pledged:

> We will continue our efforts to eradicate discrimination based on race, religion or national origin. We know this task requires action, not just in one section of the Nation, but in all sections. It requires the cooperative efforts of individual citizens, and action by State and local governments. It also requires Federal action. The Federal Government must live up to the ideals of the Declaration of Independence, and must exercise the powers vested in it by the Constitution.
>
> The Democratic Party pledges itself to continue its efforts to eliminate illegal discriminations of all kinds, in relation to (1) full rights to vote, (2) full rights to engage in gainful occupations, (3) full rights to enjoy security of the person, and (4) full rights to education in all publicly supported institutions.

Now, I turn to the platform of my own Republican Party, forged in San Francisco late last August.

That platform pledged:

> This administration has impartially enforced Federal civil rights statutes, and we pledge that it will continue to do so. We support the enactment of the civil rights program already presented by the President to the 84th Congress.

The Republican platform continued:

> The Republican Party has unequivocally recognized that the supreme law of the land is embodied in the Constitution, which guarantees to all people the blessing of liberty, due process and equal protection of the laws. It confers upon all native-born and naturalized citizens not only citizenship in the State where the individual resides but citizenship of the United States as well. This is an unqualified right, regardless of race, creed or color.
>
> We believe that true progress can be attained through intelligent study, understanding, education, and good will. Use of force or violence by any group or agency will tend only to worsen the many problems inherent in the situation. This progress must be encouraged and the work of the courts supported in every legal manner by all branches of the Federal Government to the end that the constitutional ideal of equality before the law, regardless of race, creed, or color, will be steadily achieved.

Yes, these are the civil-rights planks in the 1956 platforms of the Republican and Democratic Parties.

I, for one, support the aims of these platforms.

Certainly, the need for such civil-rights legislation as we now are considering has been clearly established. A means must be provided for achieving a more effective enforcement of the rights already guaranteed by the Constitution and the laws of the United States, if there is to be an end to the shame of second-class citizenship, if we are to prove to the world that we really practice the freedoms that we preach.

Our Founding Fathers, nearly two centuries ago, set the goal which we are still seeking to achieve when they declared "that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

If we are to attain this goal, we must recognize that the rights and privileges of all Americans, regardless of race, color, or creed, are the responsibility of the Federal Government because those rights and privileges are anchored in the Constitution and the laws of the United States.

These rights, however, cannot be guaranteed if we continue to turn our backs on the need for stronger civil-rights legislation, or if we render ineffective this legislation with devious legislative devices.

In a final analysis, I believe that the questions we must honestly face as we act upon this civil-rights legislation are:

Are we in the Congress once more going to render only lipservice to the cause of civil rights—turn our backs on our platform pledges?

Or will we carry out the pledges of our respective party platforms and enact an effective civil-rights program to guarantee equal opportunity and justice for all?

My stand is clear. I will stand by the pledge of my party.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Ohio [Mr. HAYS]

Mr. HAYS of Ohio. Mr. Chairman, yesterday Members of the House, presumably all Members of the House, received a mimeographed letter signed by the gentleman from New York, Mr. ADAM CLAYTON POWELL, in which he both tried to persuade and threaten Members to

vote for this legislation. I called Mr. POWELL's office to tell them that I was going to reply to this letter, and his office told me that he was suffering from a heart attack which had occurred in New York, but that he had been moved to Bethesda Hospital in Washington. Apparently, from the information I got, the attack is going to last for 10 days or just until this debate is over. So, I felt it necessary this letter should be answered now. I would prefer, of course, that the gentleman in question the gentleman from New York [Mr. POWELL] should be on the floor. I would like to recall to you that last year when this legislation was being debated, the gentleman from New York [Mr. POWELL] was at sea on a vessel on his way to a vacation in Europe. The reason I bring this letter to your attention is because one paragraph says this:

As a final word to Democrats, let me say that the colored voters of the North are fed up with weak platforms and watered-down legislation. They are increasingly asking the question—Why send Pennsylvania and Ohio Democrats to Congress if they must take their orders from middlemen who serve the white citizens' councils in Mississippi and Alabama?

Now, I do not pay too much attention to any accusations made by the gentleman from New York, but I think it is fair, in view of this accusation, to sort of read the record and consider from whence this testimony comes. All 6 of the Democrats from Ohio—and I have not researched it—but I believe all of the Democrats from Pennsylvania voted for the civil-rights legislation last year, and all 6 of the Democrats from Ohio voted against the motion to recommit—all of this while the gentleman from New York who is making this thing such an issue was not able to be in the Chamber because it seemed to be more important to him to be leaving on a sea voyage to Europe for a vacation than for him to be here to vote on this important legislation; legislation on which he is now sending a letter threatening us if we do not vote for it. May I point that again this year the gentleman from New York [Mr. POWELL] is not here in person.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. I yield briefly to the gentleman.

Mr. WALTER. Does the gentleman not think that the most disappointed person in America, if this legislation is enacted into law, would be the gentleman from New York?

Mr. HAYS of Ohio. Yes. Because there would be nothing left for him to talk about.

I have always been told if you have evidence introduced—I am not an attorney, so I am trying in my feeble way to refute this—if you have evidence introduced, you consider from whence this evidence comes. Since Mr. POWELL is the sole source of this statement and since Mr. POWELL has made this accusation against Members from Pennsylvania and Ohio, maybe we should consider some of his previous statements. Why he made this accusation I do not know. I suppose that is as hard to explain as it would be to explain why he appeared with Earl Browder and William Z. Foster at a joint rally of the Communist Party in Madison Square Garden in 1944 and shared top billing with those two. Or it might be as hard to explain why he was the editor of a newspaper and the author of a column in which he one time identified the New York Times as "a Salsberger journal of first-class Negro baiters." I have heard the New York Times called just the opposite on this floor by many more people than the gentleman from New York [Mr. POWELL]. Or why when one time, when the distinguished gentleman from Texas [Mr. DIES] had the temerity to summon one of the columnists of Mr. POWELL's newspaper before his Committee on Un-American Activities, the Reverend Mr. POWELL wrote, "The sooner DIES is buried, the better." And he goes on quoting a lot of other trash that I will not quote because I do not want it to appear in the RECORD.

He winds up by saying, "The death of DIES is just as important as the death of Hitler." Well, Mr. DIES is here, full of vim, vigor, and vitality, I am happy to say. So that wish of the reverend gentleman from New York had no more reason than his dishonest statement against Members of Congress from Pennsylvania and Ohio.

Maybe we should consider why Mr. POWELL one time said, in 1944, that "the Soviet Union has renounced violence; that its position on religion is healthful; that it is in contradistinction to the United States. It—the Soviet Union—accepted the practices rather than the doctrines of Christianity, especially brotherhood."

This is the same gentleman who is saying that the Members from Pennsylvania and Ohio are taking orders from some middlemen from some white citizens council.

Right after the war, this gentleman, the Reverend Mr. POWELL, told the students of Middleboro College that "religion was in for a new reformation whose coming would be hastened by basically nonreligious forces, for orthodox religion has alined itself with the Western World, which is on the way out." Get that. That the Western World is on the way out.

Last June he made an address at Morehouse College in which he said, "Negroes must walk together, work together, fight together, resist together, and organize together." In other words, there is no person in my opinion in the United States who is doing more to divide Negro citizens from the rest of the citizens than the gentleman from New York, who sends this letter around.

I just want to tell you a little experience I had 10 or 12 years ago, when I was a county commissioner in Ohio. A Negro gentleman apparently of the same opinions as the gentleman from New York [Mr. POWELL], came into our county and called a meeting at which he asked all county officials to attend. Most of the county officials did attend. He made a speech. He said, "I have come here to tell you gentlemen we are going to organize a committee in every town of this county to see, insist, and be present to observe that the Negroes get every civil right which the Constitution of the State of Ohio guarantees them."

I do not recall his name at the moment, but I got up and took the floor and I said:

"I have just one word of advice to you. In the little village in which I live, we have some Negro citizens. They can and do live on any street in the town; they can and do go into any restaurant in the town; they can and do go to the same public school that all the other public-school children go to; they can and do attend the theater and sit where they like; they can and do attend the social functions of the school. The only thing you are going to do if you set up a committee to tell the people of Flushing that they have to do what they are already doing and what they have been doing for a hundred years is to make them determined that they will not do it any longer, because they are doing it voluntarily, and they do not want any outsider coming in and telling them they have to do something they already are doing because they want to do it."

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HAYS of Ohio. In just a minute.

I said further: "I am not only county commissioner, but I am also mayor of that town; and, if you come around there trying to upset the harmony in which the races live, I expect you will find yourself in jail for disturbing the peace and I will probably be too busy for about 3 weeks to hear your case."

Mr. CELLER. May I ask the gentleman if he is in favor of the bill or against the bill?

Mr. HAYS of Ohio. The gentleman has already said that the six Democratic Members from Ohio, of which he is one, voted for the bill the last time, and I expect to vote for the bill this time, but I do not preclude that I might vote for an amendment or two.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. HAYS of Ohio. I yield.

Mr. CELLER. Of course I do not know anything about the controversy that you are stirring up between the gentleman from New York [Mr. POWELL]——

Mr. HAYS of Ohio. Just a minute; I am not stirring up any controversy. Mr. POWELL stirred up the controversy.

Mr. CELLER. Does the gentleman not think it would come with better grace if he had made this statement when Mr. POWELL was in the Chamber rather than when he is in the hospital suffering from a heart attack?

Mr. HAYS of Ohio. May I say to the gentleman that I have already said I would much prefer Mr. POWELL's being present. But he circularized this letter from the hospital for the purpose of affecting the outcome of this bill and if there is to be any refutation of the letter it has to be now. I have not said anything about Mr. POWELL that I would not say were he present and I would much prefer, I say, that he were present.

Just one final thing: On the first Sunday of October 1956, Mr. POWELL asked his congregation how he, as a Congressman, could campaign for Stevenson or

Eisenhower when both parties take the Negroes' money and send it to Mississippi and other States to build separate schools. Four days later he saw President Eisenhower at the White House and startled the country by agreeing to campaign for him, and this is what he said:

In some mysterious way the President of the United States has changed his mind in 5 days.

Of course you all know the history of the White House issuing a denial of what Mr. POWELL said.

I merely cite a few of these things to point out to you that the Members from Pennsylvania and Ohio do not have to accept any dictation from anyone, especially from such a source as the quotes I have just read indicate. They do not have to apologize for their record to anyone, and they do not have to take slanders of the scurrilous kind that are in this letter from Mr. POWELL or anyone else. The Members from Pennsylvania and Ohio stand on their own two feet, and I think that it was a very small political trick that Mr. POWELL singled out those two States to try to make someone think that the Democrats from Pennsylvania and Ohio were some kind of dishonorable small people who were taking orders from some kind of undesirable person. The gist of his letter is that he is demanding that the trial by jury amendment not be accepted. I think he himself has made enough arguments to convince me that maybe the traditional American right of trial by jury amendment would be a good thing. Trial by jury is unknown in the Soviet Union which Mr. POWELL's statements seem to indicate he so much admires.

Mr. KEATING. Mr. Chairman, I yield such time as he may require to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of H. R. 6127. This civil rights bill would establish a Federal Commission on Civil Rights, would create an additional Assistant Attorney General's position in the Department of Justice, and would authorize the Attorney General to institute civil actions or applications for a permanent or temporary injunction, or restraining order, in cases involving a violation of civil rights, including the right to vote.

It seems to me that perhaps the most important single right of a citizen of the United States is the right to vote in a Federal election for the offices of President, Vice President, presidential elector, Member of the Senate, or a Member of the House of Representatives. I believe that this right to vote in a Federal election should be given every protection by the Federal Government.

It is deeply disturbing to hear reports that there have been incidents where citizens of the United States have been intimidated or threatened in an effort to prevent them from registering or from voting in a Federal election. In my opinion, the passage of this civil rights bill is most essential in order to provide proper protection to such citizens.

Many constituents in my Congressional District are very much interested in the passage of this civil rights measure. They feel that it is completely proper and just for the Federal Government to establish more clearly its position in this field of voting rights in Federal elections. I share their views on this subject and would like to urge that the House approve this civil rights measure.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HILLINGS].

Mr. HILLINGS. Mr. Chairman, I rise in support of the bill before us today for several reasons. In the first place, it is only right and fair that legislation of this kind designed to implement and carry out the constitutional guaranties on the right to vote for every American citizen, regardless of race, creed, or color, be enacted. It is only right and fair that the legislation necessary to implement that guaranty should be approved by the Congress.

This is important at a time when our country is trying to convince millions of people across the world that they should join our side, that they should turn deaf ears toward the Communist promises that are being made. It is right and fair at a time such as this that we enact legislation which will make sure that every American has the right to vote.

Further, Mr. Chairman, this is a moderate bill. The bill probably does not satisfy the extremists who feel we should have more drastic and more direct action to meet discrimination and interference with the right to vote. I submit the very fact that this bill is moderate in its approach makes it easier for all Americans to support it and will make the time come faster when we can eliminate all forms of discrimination in our country.

We have made real progress under President Eisenhower in the field of eliminating discrimination in America and we have done it in a quiet, efficient manner, without a lot of hullabaloo, shouting, and screaming that sometimes have characterized previous attempts to do something in the field, attempts which in many instances in the past, despite all kinds of promises, accomplished very little. We have eliminated segregation in the District of Columbia. We have eliminated segregation in our Armed Forces. This progress has been accomplished in just a few years' time, but always with a moderate and a fair approach to the problem, an approach designed not to take away the rights of our States or the rights of individuals in various parts of the country but at the same time to guarantee the right to vote for all American citizens.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I only have 10 minutes. I expect to be on the floor throughout the debate under the 5-minute rule and I hope to discuss this subject with the gentleman at that time.

Mr. Chairman, there has been much criticism in the Congress recently of the USIA—the United States Information Agency. Members on both sides of the aisle have attacked that agency on the ground its broadcasting techniques, its pamphleteering, or other devices used to carry our story across the world and behind the Iron Curtain are not being performed satisfactorily. But all the best broadcasting and techniques in the world would avail us little if we do not have the kind of system in America which does the things we tell the peoples of the world we do. One of these things is the right of all American citizens to vote regardless of race, creed, or color.

I consider this legislation just as important in our efforts to maintain the peace and to keep the Communists continuing on the downgrade, that side of the problem is just as important as the domestic aspect of this bill.

We are going to hear a great deal of discussion in the course of the debate on this bill on whether or not we should approve an amendment allowing a jury trial in contempt cases which might arise out of this particular legislation. I know it is very difficult for lawyers and nonlawyers alike to have a full comprehension and understanding of why it is important that those of us who favor this legislation should vote against the amendment to provide for a jury trial. It is difficult to explain because all Americans hold very dear the right to trial by jury in criminal cases or in all civil cases where the amount involved is $20 or more under the provisions of our Constitution. But I hope that those who have grave doubts about whether they should oppose this amendment will listen to the discussion which will take place concerning it, will listen to the discussion as we trace the history of jury trials in contempt proceedings. It is interesting to me that so many of those who are arguing so vociferously in favor of jury trials have done nothing in their own States to see to it that their own State laws are changed to provide for jury trials in similar proceedings, because there is not a State law in the country which has such a provision. Yet, those who are arguing in opposition to the bill on the ground that it is an interference with States rights have done nothing that I know of in their own individual States to see that their laws are changed, but they are confining their interest and their attack to this civil rights legislation which is now before us.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from New York.

Mr. CELLER. Is it not true, where a crime is committed, that we do not interfere with the right of trial by jury? All we do in this bill is to provide on the equity side of the court that the Attorney General can start an equity proceeding for an injunction to prevent the commission of a crime. It is prophylactic, it is prevention, so that we can nip in the bud a contemplated wrong, and in that sense there is no interference with the time-honored right of trial by jury, because there never has been shown a right of trial by jury of a contemner who has violated the order of the court.

Mr. HILLINGS. The gentleman is correct.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I would like to ask the gentleman this question, and I ask it in good faith. How does the gentleman reconcile the fact that Congress has given to the labor unions under section 3692 of title XVIII of the code the right of trial by jury in all contempt cases arising out of labor disputes? Now, how does the gentleman reconcile that with his apparent denial to give to his own constituents the right of trial by jury when they are brought up under this bill?

Mr. HILLINGS. Let me say to the gentleman that I cannot agree that we have given the right of trial by jury in contempt cases involving labor unions, because under the Taft-Hartley Act, which is currently the law of the land, that particular provision which was contained in some previous legislation does not apply. So, under my interpretation of existing law—and I think that most lawyers after studying the problem concur—there is now, today, no guaranty of trial by jury of labor unions in similar cases because of the existence of the Taft-Hartley Act.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from New York.

Mr. KEATING. On that point, the proof of the pudding is in the eating. Since the enactment of the Taft-Hartley Act, which has been on our statute books for 10 years, there has not been a jury trial in any case arising under that act, and in 2 cases where a jury was demanded, the court ruled that there was no right to a jury trial.

Mr. HILLINGS. The gentleman is correct.

There are two particular points at this time which I would like to raise in support of my contention that it is not right and proper to have a jury trial in contempt proceedings which might arise after the passage of this particular legislation. There will be more arguments advanced on that during the course of the debate. But there are two basic reasons I wish to bring up now. One of the reasons why a jury trial cannot apply in a situation where a court issues an injunction and then someone violates that injunction and is brought before the court for contempt is that time is of the essence, and if time were taken to have a jury trial under such a situation, the whole effect of the injunction would be null and void and there would have been no reason for the court to issue such an order in the first instance. That does not mean that the person in violation cannot be heard or have counsel; all those rights are preserved. But the very purpose for the court to issue an injunction in most instances, not only in this type of case but in labor strikes and other cases, is that time is of the essence and some action must be taken quickly. If this bill were passed and the court issued an order instructing the local election officials to allow a certain individual to vote, the action would probably come on the eve of an election. If the election official failed to act in response to the court order and then were called into court and sued, and there were a jury trial, in most cases the election would be over and the question would be moot. So it is important to consider the fact that time is of the essence in these cases.

A second reason which I consider equally important in opposing the jury trial amendment, which is going to be offered in this House next week, is the fact that to compel a jury trial in this situation in many ways challenges the integrity of our courts across the country.

One of the greatest authorities on this subject was the former Chief Justice of the United States, Mr. Taft, also a former President. Some of the Members have already read in the newspapers the quotation from former Chief Justice Taft which President Eisenhower used at his press conference this week when he discussed this very problem. But I think it is worth reading again and it is worth listening to. The words of our former Chief Justice certainly have a great bearing on any decision that we shall make in a situation of this kind involving the legal rights of individuals under our Constitution. This is what former Chief Justice and former President Taft said in 1908:

> The administration of justice lies at the foundation of government. The maintenance of authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders.

Mr. Chairman, I do not think I have to explain further or interpret what Chief Justice and former President Taft was saying. But just imagine if, every time a court isued an order in an equity proceeding, we would have to stop to have a jury trial, what would happen. It would make the court powerless to act and would make it almost impossible to see that any of its orders were enforced. It is a fundamental concept of our judicial system which is at stake here. If the jury trial amendment succeeds in this instance, then it could be applied in many other instances which could weaken our Federal judicial system.

Mr. SCOTT of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Pennsylvania.

Mr. SCOTT of Pennsylvania. Does not the gentleman agree that this so-called right of trial by jury is not being sought on behalf of the injured party at all; that the injured party is the man who is denied the right to vote. But this so-called right is being sought, not on his behalf, but on behalf of the man who violates the decree of the Federal court and seeks to postpone the effect of any action against him until it is too late to do the injured party any good.

Mr. HILLINGS. The gentleman is correct. It again points up the factor that we must always keep in mind in a case of this kind that time is of the essence. That is one of the major considerations.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, the gentleman has made a very excellent statement on the question of the jury trial. But does not the gentleman agree with me that the discussions that have taken place thus far have placed an overemphasis on the so-called right to trial by jury amendment and that we have thereby been diverted from consideration of the basic purposes of the bill, namely, to protect an equal right to that of trial by jury which is the right to vote. No democracy can exist without participation by its citizens in its affairs. The primary method of conducting its affairs is by citizens voting. There has not been much discussion on this floor of the abuses toward which this bill is directed, namely, of protecting the citizens of our country in their right to vote. Certainly, this deserves as much of our consideration as the amendment that is going to be offered. Let us not lose sight of the fundamental need for this bill.

Mr. HILLINGS. The gentleman from Illinois [Mr. YATES] has made an important observation and one in which I concur. In the course of the debate thus far, the opponents of this legislation very skillfully and cleverly have been able at times to take us away from the real issue because of their proposed amendment. We must keep in mind that our main objective is to see that all Americans in this country, regardless of race, creed, or color, have the right to vote, as guaranteed under the Constitution.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. HILLINGS. I yield to the gentleman from Mississippi.

Mr. COLMER. Of course, we ought to clarify one thing at this point. That is the question on which I wanted the gentleman to yield to me before. The gentleman says that the provisions of the Norris-La Guardia Act giving and preserving to labor the right of trial by jury are not now the law. He says that they have been repealed by the Taft-Hartley Act. I ask the gentleman to point out in the Taft-Hartley Act where that law was repealed. That is No. 1.

No. 2, if our contention is correct, that it is still the law of the land that labor enjoys that privilege, would the gentleman who is now addressing the House favor repealing that right that labor now enjoys?

Mr. HILLINGS. To take the second part of the question first, I do not think there is any reason to discuss the question of repealing such a right because such a question is moot. I am convinced that the Taft-Hartley Act changed the Norris-La Guardia Act to the point where there is not now this guaranty. In support of that, let me just cite a statement

of the Attorney General of the United States, the Honorable Herbert Brownell, which was placed in the CONGRESSIONAL RECORD by the distinguished gentleman from New York [Mr. KEATING].

Mr. COLMER. Before the gentleman does that, the gentleman said the question is moot. That was not my question. I asked the gentleman if our contention is correct that that right is now a right enjoyed by labor. Whether the gentleman would vote to take it away from them.

Mr. HILLINGS. Let me say as one who has taken a consistent position on this that, as I pointed out earlier, there is no State law in the land which provides for a jury trial in such a contempt proceeding. It is not contained in the labor laws as I interpret them today. If the gentleman's position were correct—and again, this is an "iffy" question—assuming a fact not in evidence, but assuming the gentleman's position is correct, I would take the position that he suggests.

Mr. COLMER. What is that?

Mr. HILLINGS. I would see to it that if the jury-trial amendment is turned down by this House, is not included in this legislation, that should be the consistent approach we should make in all cases where contempt citations are involved, including the labor cases.

Mr. COLMER. Did I understand the gentleman to say that if it is still in the law he would vote to take it away from them?

Mr. HILLINGS. No. In the first place, it is not in the law. In the second place, assuming it were, I think we should be consistent in the approach we are making to the contempt citations. It might be that in labor cases there would be something different involved. I was not a Member of the Congress when the Taft-Hartley Act was approved, so I do not have the background on it the gentleman has. But in similar cases, assuming labor legislation were involved in a similar type of contempt action, in my opinion we should be consistent.

Let me quote from the Attorney General's statement:

> It was only with the enactment of the Taft-Hartley Act in 1947 that the Government was given jurisdiction to seek injunctions in any substantial number of labor dispute cases and that act expressly provided that the jury trial requirement of the Norris-La Guardia Act should not apply to it. Hence it is probable that the statute which appears to grant jury trial in contempt proceedings for violation of injunctions issued in labor dispute cases (18 U. S. C. 3692) has no application to injunction suits brought by the Government under Taft-Hartley, which are, for all practical purposes, the only type of injunction suits (private or governmental) in labor dispute cases over which the Federal courts have jurisdiction. (See *United States v. United Mine Workers of America* (330 U. S. 258).)

That is a clearcut opinion of the Attorney General of the United States. He cites cases in support of it. I cannot see where any lawyer who has seriously studied this problem can argue effectively that a jury trial would apply in labor injunction cases.

Mr. COLMER. The gentleman has been very gracious with me. I hope he will yield further, because he can get plenty of time.

I wish the gentleman would give me a definite answer as to whether he would favor repealing that right if our contention is correct. I do not know that he gave me a definite answer on that, so I will put it another way: I will ask my friend if he had been present in the Congress at the time these alleged abuses had occurred if he would not have supported the Norris-La Guardia bill.

Mr. HILLINGS. Now the distinguished gentleman has very cleverly changed his question. The gentleman has now added the word "abuses." If we find that there are abuses of this particular bill we are now debating, and assuming that a jury trial provision is not contained within it, if we find there are abuses, then I think it is right and proper that this House should reconsider such action it may have taken to prohibit a jury trial. If we find in labor disputes cases under the Taft-Hartley Act that there are actually abuses involved in the handling of this type of contempt proceeding, we should seriously consider the addition of a jury trial amendment. But, in my opinion, in the absence of such a showing, we should be consistent in all forms of legislation where similar contempt proceedings are involved. In order for a court to act quickly, effectively, and fairly, I do not believe it is right and proper that a jury trial should be granted in such similar contempt proceedings whether they happen to involve labor, civil rights, or whatever the case be.

I urge that this civil-rights bill be approved by this House to strengthen our constitutional guaranty of the right to vote for all American citizens.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, the distinguished gentleman from New York [Mr. CELLER] and I have had a gentleman's agreement that we were going to discuss this question as to whether the right of labor to a jury trial had been repealed at a later time, and we were going to discuss it rather fully. But since the matter has arisen now, I would like to make a brief statement about it. It is evident here that there is a difference of opinion between lawyers about the question, and, of course, there is always a difference of opinion between lawyers, because if there were not none of us could make a living as lawyers. But I do want briefly to point to the law, and I hope the gentlemen who are interested in this will make a note of what I am going to refer you to in the way of the law, because this is quite an important question. It, perhaps, seems strange that all the gentlemen here on both sides of the House who are accustomed to defending the rights of labor should leave it to me to be the sole one to defend those sacred rights at this time. I had to do it in the Committee on Rules—these liberal gentlemen who have always been so vociferous in defending the rights of labor just would not defend them in that case. And the case is so clear to my mind that it just seemed to me that somebody ought to point out what the law is. There is no doubt in my mind as to what the law is, and that is what I want to point out to you. The first right of trial by jury was given in the Clayton Act. But the real substance of the thing was carried into the Norris-La Guardia Act in 1932, when labor was given the definite right to a trial by jury in contempt cases in all cases arising under the Norris-La Guardia Act, and just under the Norris-La Guardia Act. I happened to be here at that time, and it happens that I voted for the Norris-La Guardia Act. Then we come along to the Taft-Hartley Act. The distinguished gentleman from New York [Mr. CELLER] and the distinguished gentleman from New York [Mr. KEATING] both say that the Taft-Hartley Act repealed the right of trial by jury to the labor unions in those cases. That is the nub of the question that arises. Here is what happened: In the enactment of the Taft-Hartley Act it provided that in the enforcement of orders of the National Labor Relations Board that certain provisions with respect to the Norris-La Guardia Act should not apply. It cited 10 sections. It said that the sections from 1 to 10 and from 13 to 15 outlined in the United States Code should not apply in the enforcement of orders of the National Labor Relations Board. But it so happens that they omitted, and purposely omitted, two sections from that exclusion, and those two sections were section 111, which gave them the right to trial by jury. It omitted section 112, which gave labor the right to say, "This judge is prejudiced against us, and we want some other judge to try the case." The Taft-Hartley Act expressly included them from the exception and left that as the law.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I will when I finish my statement, if you will give me time.

That is the way the Taft-Hartley Act left the law. Bear in mind that the Taft-Hartley Act was passed in the year 1947. In 1948 the Congress, as shown in the Statutes at Large of the United States, solemnly enacted title 18 of the code into positive law. That became the law in 1948. What was said in that code at that time became the law in 1948. Then in the revision of the code, in title 29, at page 4453, section 111—that is the section giving them a jury trial. And remember that was a year subsequent to the passage of the Taft-Hartley Act. The note of the revisers under that section said: "That section is repealed." Then it says, "But it is now covered by section 3692." In other words, they simply transferred that and broadened it. So, let us see what section 3692 is. Remember that the Taft-Hartley Act was in 1947; the code was in 1948, and the code is the last word of Congress on that subject. And the most of you people voted for it. Let us see what section 3692 says. It does not say the same thing as the Norris-La Guardia Act. The Norris-La Guardia Act says they were entitled to a jury trial in all cases arising under the Nor-

ris-La Guardia Act, but in 1948 the Congress said more in section 3692. This is the law of the land today, and nobody can successfully dispute that it is the law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. SMITH of Virginia. Section 3692, "In all cases"—not only any case arising under the National Labor Relations Act and the Norris-La Guardia Act, but "in all cases, all cases of contempt arising under the laws of the United States governing the issuance of injunction or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury in the district in which the contempt is committed." Can anything be plainer than that?

Mr. CELLER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I wish to state that the gentleman from Virginia [Mr. SMITH] and myself had a gentleman's agreement that subsequently we would discuss this matter. I did not anticipate the subject of our contemplated debate was coming up today. We had agreed to participate in debate on Monday. I am prepared to meet the distinguished gentleman in "combat," as two contending lawyers, on Monday next at the beginning of the session—meet this great "defender" of liberalism, and I wonder whether labor considers the gentleman from Virginia a "defender" of labor. But I am sure they would say, "Beware of the Greeks bearing gifts." With reference to what he has said about the code and the Taft-Hartley Act and the Norris-La Guardia Act, nobody has ever stated, as far as I know, who represented the Judiciary Committee of the House, neither the distinguished gentleman from New York [Mr. KEATING] nor myself particularly, that the Taft-Hartley Act repealed the Norris-La Guardia Act. It did not. The Taft-Hartley Act waived the provisions of the Norris-La Guardia Act with reference to the injunction and, therefore, the Norris-La Guardia Act has no applicability whatsoever with reference to the Taft-Hartley Act and the National Labor Relations Board Act.

The Judiciary Committee codifies the statutes; it is our duty. We have been doing that for years. This is the first time I have heard any criticism about the codification work of the Judiciary Committee. In revision and codification we retain the best experts possible. Codification is very difficult work, but our duty as codifiers is not to change the law; we have no right to do that. We cannot change one iota the substantive law; we have to write the substance of the law and try to reconcile as best we can whatever conflicts may exist in the statutes. Therefore, we have continued the Norris-La Guardia Act in the new code and we say it is the law. We had no choice. But we could not disregard the Taft-Hartley Act which in effect waives the provisions of the Norris-La Guardia Act. We also include in the code the Taft-Hartley Act and the Norris-La Guardia Act. So when the gentleman from Virginia says that we indicate that there is a repeal of the provisions of the Norris-La Guardia Act, that just is not so.

As lawyers we evaluate those statutes. We come to the inevitable conclusion that the later statute waived the former statute; namely, Taft-Hartley waived the provisions, skirted around the provisions, if I may put it that way, of the Norris-La Guardia Act. That is the sum and substance of the matter. I shall be very glad to go more in detail on Monday next with reference thereto.

Mr. KEATING. Mr. Chairman, I yield myself 2 minutes. I agree with the gentleman from New York that it will serve a more useful purpose Monday to go into this thing more fully, but it seems to me that at this point in the RECORD it should be pointed out to the gentleman from Virginia, and others who are interested, that when the gentleman from Virginia sat here in this body with this piece of paper, a bill like we are considering today, both he and I, in voting for the Taft-Hartley law, voted to waive not the sections as he has given them, sections 101 to 110 and sections 113 to 115; the piece of paper that we considered here waived the provisions of sections 101 to 115. Section 111 was the jury trial provision. It was waived when we passed the bill in this body on a piece of paper similar to that which I now hold in my hand.

We lawyers are in some dispute over what the effect of codification was. Recodification bills go through here without any consideration on the floor. We are in dispute. The Attorney General has held that the provisions of the Norris-La Guardia Act, so far as jury trial is concerned, are waived by the provisions of the Taft-Hartley Act. I agree with it; the gentleman from New York agrees with it. The gentleman from Virginia disagrees.

It so happens that a court has passed on the question and has held that in a labor dispute under the Taft-Hartley Act there is no right of jury trial. This case was tried out in the fifth circuit.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield for a correction of the RECORD?

Mr. KEATING. It seems to me, therefore, that in the absence of something later that is the last word. It certainly was the intention of Congress in passing this piece of paper, the Taft-Hartley law, to waive the provisions of the Norris-La Guardia Act.

As I said before, the proof of the pudding is in the eating. To my knowledge, there has never been a jury trial in the hundreds and hundreds of labor disputes we have had in this country under the Taft-Hartley law, or since the NLRB was set up.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Virginia.

Mr. SMITH of Virginia. Would the gentleman be good enough to put in his remarks the reference to the case that decided that point?

Mr. KEATING. Yes.

Mr. SMITH of Virginia. May I ask a further question. Of course, this thing involves a far more serious question. It involves the question of the integrity and the reliability of the United States Code, which is depended upon by lawyers in 48 States of the Union as expressing the law. They do not go back to these technical things we are talking about. They look at the code, and the code says that title 18 was enacted into positive law in 1948, a year later than the Taft-Hartley Act. The reviser's note reads as follows:

> This title was enacted into positive law by act of Congress on June 25, 1948, chapter 645, volume 62, Statutes at Large, at page 683. The complete title as so enacted into positive law is set up herein.

If that is not the law of the land, how is a lawyer or a judge to determine what is the law of the land?

Mr. KEATING. The court has determined that and also the Attorney General. It is clearly the law that there is no right to a jury trial.

Mr. SMITH of Virginia. Will the gentleman name the cases that so hold?

Mr. KEATING. I will, yes. It is *National Labor Relations Board* v. *Red Arrow Freight Lines* (193 F. 2d 979 (5th Cir. 1952)).

Mr. SMITH of Virginia. Some of us would like to know what they are.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, today we are concerned with the relationship of the right to vote to the right of jury trial in contempt proceedings. The right of American citizens to vote is vital and at least equal to the right to jury trial. We must weigh the equities when one or the other is threatened. Certainly, the right of law-abiding citizens to vote without restraint is in every respect as important as the right of a wrongdoer to a jury trial. In most States the jury panels are selected from among the electors, and, therefore, the right to vote itself is fundamental and essential to the conduct of fair jury trials. It is in the nature of things that some people who seek to interfere or restrain others in their right to vote must give up their right to jury trial under these circumstances so that others—equal Americans—may have the right to vote, from which all authority in our Government develops.

The purpose of this legislation is to restrain, abate, or condemn a wrongful act before it occurs. The purpose of this law is to define and identify a wrongful act before it occurs. The purpose of an injunction is to restrain a mob from unlawful action or threats to engage in unlawful action. It is the only means known to give quick force and effect to a court determination that the civil rights of a citizen have been violated or threatened.

In my community restraining orders and injunctions have been used by the courts to limit the rights of picketing as well as to assure the rights of pickets to picket in an orderly manner. When these court orders were violated, citizens have been jailed without jury trial and without community complaint. In my

city, the citizens' right to assembly has been limited without jury trial by the exercise of the court's injunctive process. In one case, the menacing assembly of members of a group was prohibited at or near the judge's personal residence. The purpose of this legisaltion is to provide the polling place with similar protection from indignity.

The right of jury trial as well as the right not to testify against one's own self are rights protected by all for the benefit of very few who must rely upon them. If human rights can be given a priority, it seems to me that the right to vote precedes the rights of a person charged with a wrongdoing. The former are the rights of equal people in the manifestation of their equality while the latter are rights of people presumed to be innocent but suspect of possible wrongdoing.

If civil rights legislation is to be effective at all, it must be expeditious. The determination that civil rights have been transgressed upon after an election has been consummated are rights lost forever. Once lost, they cannot be regained or restored. By the time a suspected transgressor of civil rights could be brought to trial before a jury of his peers, the finding of the court would be a meaningless determination which would be history rather than a practical working of the law.

In relying on the use of the injunctive process, this Congress is not narrowing the liberty of man. It is extending it. It is creating a living law which faces up to the practicality of an existing situation and seeks to avoid the injury to citizens by deprivation of the right to vote before that injury occurs. It is to be expected and hoped that the mere existence of this power in the court will of itself be sufficient to render its use unnecessary. It is not contemplated that citizens will be imprisoned in large numbers or in groups. It is contemplated that they will respect the great and proper power with which our courts are vested.

The purpose of this legislation is not to eliminate trial by jury, as many of our colleagues would have us believe. Its purpose is to provide for compliance with the law which cannot be provided in any other way of which we know. The legislation anticipates that many varied means and devices may be developed by individuals and groups to circumvent the spirit of the law, and it vests the court by injunctive mandate to determine upon the facts what acts can or cannot be undertaken and then provides the court with the power of contempt proceedings where prompt compliance does not follow.

No one stands suspect. No one stands accused. If conditions arise which, when brought to the attention of the court, appear to invade or transgress upon the rights of citizens to exercise their right to vote and the court does so find upon the facts submitted, the court can issue its mandate directing those persons to cease and desist from pursuing in such conduct. If such persons feel that such order is arbitrary or capricious and without support in fact or law, they can take proper legal steps to appeal the action of the court. To this point no one has been hurt, and no one has suffered, and the civil rights of uncountable persons have been preserved. Only those persons who persist in a course of conduct found unlawful and restrained by the order of the court need worry about the likelihood of punishment. The right to vote without restraint or restriction is a fleeting right which passes with the day. Once lost, it can no more be restored than the day which has passed. Only the firm and well-considered directive of a court can prevent the infringement of this sacred and highly volatile privilege.

In his argument on the floor of the House yesterday, the gentleman from Virginia [Mr. POFF], argued that this legislation constitutes a mass indictment of the integrity of the entire southern populace of the country and that it would be irresponsible to charge that a whole people would be faithless to a solemn jury's oath. Permit me to point out to the gentleman that the conduct of contempt proceedings under this legislation will in every case be conducted before distinguished jurists of the Federal bench who have lived and who have developed in their home communities. In every respect they are products of the South. They know its traditions and its culture.

Can those who oppose this legislation logically contend that these gentlemen would ignore their obligation to comply with all corners of the law in passing upon the contempt charges which may be brought against their fellow men? Can it be contended that these are men who may be swayed by passion or prejudice or who will render arbitrary and indiscretionary judgments? I do not believe so.

Mr. Chairman, at the proper time, I shall ask unanimous consent to include following my remarks and as part of them a biographical sketch of the members of the Federal district courts in the South, gentlemen who were born and raised in the communities in which they now act and pass judgment as judges of the Federal district court. They are products of the schools of the South. Many were Members of this Congress and many have served with distinction throughout their entire careers. There is no reason for anyone to suspect that the legislation which we are considering today if enacted into law will not be administered in keeping with the highest traditions of American jurisprudence.

Mr. KEATING. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I first want to say that I shall not attempt to discuss the legal technicalities and the legal problems that are involved in this bill before us. I leave that to the distinguished members of the bar who are Members of this House. They are doing a pretty good job, I observe.

Secondly, I want to say that I shall not even attempt to discuss the provisions of the bill, nor what might happen if the provisions of the bill are translated into law. I shall leave that to others who are members of the Committee on the Judiciary. The chairman of the committee, the gentleman from New York [Mr. CELLER], and the ranking minority member of the committee, the gentleman from New York [Mr. KEATING], have done an excellent job covering the provisions of the bill. That leaves nothing for me to do but make a few general observations about the bill.

Mr. JOHANSEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-six Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 101]

Andresen, August H.	Fogarty	Moulder
Anfuso	Friedel	Multer
Arends	Garmatz	O'Konski
Ayres	Green, Pa.	Philbin
Bailey	Gubser	Poage
Barrett	Gwinn	Porter
Beamer	Harrison, Nebr.	Powell
Belcher	Healey	Prouty
Blatnik	Hébert	Radwan
Bosch	Holtzman	Rains
Bowler	James	Rhodes, Ariz.
Buckley	Jensen	Rhodes, Pa.
Byrne, Ill.	Keeney	Rogers, Mass.
Byrnes, Wis.	Kelly, N. Y.	St. George
Cederberg	Keogh	Schwengel
Chamberlain	Kilburn	Shelley
Chudoff	Krueger	Simpson, Pa.
Clark	Laird	Spence
Coudert	Lane	Taber
Curtis, Mo.	Latham	Taylor
Dawson, Ill.	McConnell	Teague, Tex.
Delaney	McCulloch	Teller
Dollinger	McGovern	Tewes
Donohue	McIntire	Thompson, La.
Dooley	Machrowicz	Utt
Dorn, N. Y.	Miller, Md.	Vursell
Eberharter	Miller, N. Y.	Wainwright
Fallon	Minshall	Whitten
Farbstein	Montoya	Wier
Fascell	Morano	Withrow
Fino	Morris	Wolverton
	Morrison	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill, H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 335 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] is recognized.

Mr. MASON. Mr. Chairman, I was trying to say when I was interrupted by the quorum call that I propose to make a few general observations on this bill and discuss the constitutional problems involved. That is all I propose to do. I was asked why I was standing over on that side when I usually stand over here and I said that I thought the people on that side needed the gospel according to Noah rather than the people on this side.

I want to serve notice, Mr. Chairman, that I will not yield until I have finished my statement, then I hope to have 5 or 10 minutes of very interesting fun with the questions that will be asked.

Mr. Chairman, in discussing the explosive subject of civil rights, I want to approach it without bias, discussing it both impartially and impersonally—if that is possible—ignoring the controversial seg-

regation issue almost entirely, placing the emphasis upon God-given human rights and States rights and the tendency of our leaders to sacrifice those rights in order to establish by law the mirage of civil rights.

We have all heard the old saying, "The cure can be worse than the disease." In connection with the proposed civil-rights legislation that saying may well apply. We can exchange States rights and our God-given human rights for a civil-rights program and be much worse off after the exchange. Let us not exchange the real blessings we now enjoy for the fancied or fictitious blessings that may be a part of the mirage known as civil rights.

Habits, customs, obligations are much more effective than any civil-rights program implemented by Federal laws. Custom is much more effective than any law because it polices itself. Laws are not particularly efficient. A law has little chance of being enforced if it does not have the approval and support of the majority of the people affected.

Mr. Chairman, prohibition was once the law of the land; it was a part of our written Constitution. However, because it did not reflect the conscience of the majority of our people, it was not enforcible from a practical standpoint and it had to be repealed.

Edmund Burke once said, "I know of no way to bring an indictment against a whole people." That statement applies in a democracy such as ours. It does not apply under a despot; it does not apply in Russia.

Any attempt to enforce a civil-rights law upon 48 States that have different conditions, different customs, different social standards, and people with different personal consciences is simply an effort to indict, to arraign, to try a whole nation, a whole section, a whole state. It just cannot be done in a democracy; it can only be done under a dictator. Is not that exactly what this civil-rights bill proposes to do? Must we surrender our precious guaranteed States rights in order to establish a program of civil rights? These are questions that bother me. They worry me. Is not the cure much worse than the disease?

Laws reflect reform; they never induce reform. Laws that violate or go contrary to the mores of a community never bring about social peace and harmony. Our times call for patience, for moderation, for gradual evolution—not revolution by Federal law or by Supreme Court fiat.

Mr. Chairman, today the 85th Congress under President Eisenhower is facing the same civil-rights proposal that the 81st Congress faced under President Truman. In 1948 President Truman gave the following as his civil-rights objectives:

First. We believe that all men are created equal under law and that they have the right to equal justice under law.

Second. We believe that all men have the right to freedom of thought and of expression and the right to worship as they please.

Third. We believe that all men are entitled to equal opportunities for jobs, for homes, for good health, and for education.

Fourth. We believe that all men should have a voice in their government, and that government should protect, not usurp, the rights of the people.

I say, these are all worthy objectives. No decent, law-abiding citizen would question these objectives nor oppose them. But, President Truman's methods for bringing about these objectives were questioned. His methods were opposed.

Mr. Chairman, I want to call your attention and the attention of the Nation to the fact—and this is the crux of this whole matter—that each and every one of these objectives is a State function, a State responsibility, a State obligation. They come within the police powers of the various States, and were definitely left to the States by the Constitution. Why then should the Federal Government violate States rights by assuming functions that belong to the States?

When the Federal Constitution was before the States for ratification, four of the States demanded guaranties that freedom of the press, of speech, and of religion would be a part of the Constitution. Nine of the States insisted that States rights be guaranteed. Thus the 10th amendment was made a part of the Bill of Rights so that the Federal Government would be restrained from ever interfering with the rights of the States under the Constitution.

The first nine amendments in the Bill of Rights deal with the rights of the people, God-given rights; the 10th amendment deals with the powers of the Federal Government. It limits those powers. It says, in effect, to the President, to the Supreme Court, and to the Congress: "You may do what the Constitution specifically says you may do, but you may do no more. Those powers that are not given you are either reserved to the States or they belong to the people." That is what the 10th amendment spells out, and we must not forget it in our desire to establish civil rights.

Mr. Chairman, time and again, from Chief Justice Marshall to Chief Justice Hughes, the United States Supreme Court has said that the wisdom or desirability of either Federal or State legislation to do for the people what might be for their good was not for the Court to decide, but simply whether the power to legislate in any particular matter had been delegated to the Nation, or was reserved to the States or to the people.

Justice Hughes, in deciding the Schechter "sick chicken" case, by which NRA's "blue eagle" died, said:

> It is not the province of this Court to consider the economic advantages or disadvantages of such a centralized system. It is sufficient to say that the Federal Constitution does not provide for it (295 U. S. 495).

Paraphrasing the remarks of Justice Hughes, I say, "It is not the province of this Congress to consider the social advantages or disadvantages of such a Federal civil rights proposal. It is sufficient to say that the Federal Constitution does not provide for it."

Mr. Chairman, after Lincoln had been elected President he wrote:

> The maintenance inviolate of the rights of the States and especially of the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection of our political fabric depends.

The Republican platform upon which Lincoln had been nominated and elected contained the following plank:

> The maintenance of the principles promulgated in the Declaration of Independence, and embodied in the Federal Constitution are essential to the preservation of our republican institutions, and that the Federal Constitution, the rights of the States, and the Union of the States, must be preserved.

Mr. Chairman, in those days political platforms were sacred pledges to be carried out by the successful party and the candidates of that party. The Constitution in that day was the solid, unchangeable foundation upon which our Government rested, the rule book that must be scrupulously followed by each administration that was entrusted by the voters with the Nation's affairs and well-being.

Such were the views and the opinions of Chief Justice Marshall and Chief Justice Hughes, two of our most distinguished Justices. Such were the views of the first Republican President, Honest Abe. How times do change.

Mr. Chairman, in 1952 Candidate Eisenhower, before he became President, said:

> The Federal Government did not create the States of this Republic. The States created the Federal Government. The creation should not supersede the creator. For if the States lose their meaning our entire system of government loses its meaning and the next step is the rise of the centralized national state in which the seeds of autocracy can take root and grow.

Those words, of course, were uttered when General Eisenhower was a candidate for the Presidency. Since becoming President, Eisenhower's actions have not carried out his preelection utterances insofar as States rights are concerned. Preelection utterances are no longer sacred.

Mr. Chairman, I had the good fortune to serve on the Commission on Intergovernmental Relations under the chairmanship of Dean Manion, one of the greatest constitutional lawyers in America. The one great principle he emphasized was that the purpose of the American Government is to preserve and protect our God-given rights; that the American Government is a mechanism for the protection of human rights; that civil rights are rights provided by law that definitely come under the jurisdiction of the States, not under the jurisdiction of the Federal Government; that, whenever the Federal Government undertakes to establish or set up a program of civil rights, it must of necessity encroach upon States rights and upon God-given human rights.

Can we afford to do that? Dare we violate the Constitution by ignoring the following clear and concise language?—

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Mr. Chairman, in my humble opinion, any Member of this House who votes for

the proposed civil-rights bill will violate his oath of office to uphold and defend the Constitution of the United States. We should refuse to do that, no matter how desirable the objective seems to be.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. JOHANSEN. I should like to commend the gentleman on his very able presentation. I would like to raise the question as to the gentleman's feeling and impressions with respect to the responsibility of the Federal Government for guaranteeing and safeguarding the right of citizens to vote and the extent to which he feels it is a Federal or a State obligation.

Mr. MASON. The right to vote is a civil right. Under the best interpretation of the Constitution, civil rights are rights granted by law and reside in the States and not in the Federal Government. The States can make whatever reservations they want as long as they treat all their citizens alike. They can say you have to pay a poll tax in order to vote. They can say you have to be 18 years old or 21 years old, if you want to vote. It is the States' business to do that and not the Federal Government's business.

Mr. JOHANSEN. What actions on the part of the State or failure to act on the part of the State would the gentleman construe to be a violation of the 15th amendment which guarantees that the rights of citizens shall not be denied or abridged by the United States or by any State.

Mr. MASON. That, in my opinion, after studying the Constitution for years and teaching the Constitution, is a general statement made in the Constitution that that shall be the general rule regarding all citizens regardless of the States in which they live. But, it still leaves to the State the right to draft laws, confining that right, explaining that right, or even limiting that right.

Mr. JOHANSEN. What would the gentleman say with respect to section 2 of the 15th amendment to the effect that the Congress shall have the power to enforce this article by appropriate legislation?

Mr. MASON. And the Congress has never done that—and the Congress has never done that.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. DINGELL. Does that mean the Congress does not have the power?

Mr. MASON. It does not.

Mr. DINGELL. Does not the language of the 15th amendment say, "Congress shall have power to enforce this article by appropriate legislation"?

Mr. MASON. It does.

Mr. DINGELL. Does the gentleman deny Congress has that power?

Mr. MASON. He does not.

Mr. DINGELL. The gentleman says this Congress does not have the power in spite of the clear language of the Constitution to that effect?

Mr. MASON. I am saying that Congress has the right to implement that general statement, but that Congress has never acted under that.

Mr. DINGELL. Do you not think it is about time Congress did that?

Mr. MASON. No, I do not because you were all challenged here the other day to produce one instance in your Congressional District where anyone was refused the right to vote, that had the right under these State laws, and not one Member could cite one instance.

Mr. DINGELL. I would like to say this to the gentleman, if the gentleman alleges there is no reason for passing this legislation——

Mr. MASON. That is what I do allege.

Mr. DINGELL. Then this is perfectly harmless legislation because it walks on no one's toes; is that not a fact?

Mr. MASON. And in passing it, you are violating in my opinion, the Constitution of the United States and your oath of office because you are legislating in a field that does not belong to the Federal Government.

Mr. DINGELL. I am going to quote the Constitution to the gentleman. It says:

> Congress shall have power to enforce this article by appropriate legislation.

That refers to the 15th amendment, and the Constitution says and I quote:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Mr. MASON. I have read that document and I have taught that before the gentleman was born. So maybe I know what is in it.

Mr. DINGELL. I want to say I have great respect for the gentleman's old age, but I happen to know a little constitutional law too, and both the courts, and I say he is wrong.

Mr. ASHMORE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. BOYLE. Referring to your original remarks as to the weight of custom, is it not true if you extend your argument regarding the weight of custom we would never have had democratic government?

Mr. MASON. Oh, no. Custom is something that has been established by being accepted generally by society as a whole, whether it is in this State or that State or the other State. When it is accepted by a majority of the people, regardless of the boundaries, then it becomes what might be called an unwritten law. And it is carried out generally by people without any laws on the statute books.

Mr. BOYLE. That seems to be in support of my proposition that if you are going to argue about the dignity and the permanence of custom, you rule out the possibility of ever having a democratic government or a democratic society.

Mr. MASON. Oh, I think the gentleman is absolutely wrong, because custom gradually changes in an evolutionary manner, and it is not practical to revolutionize custom by passing a law forcing everybody to do what the great majority do not believe in and do not want.

Mr. BOYLE. Will the gentleman yield further?

Mr. MASON. I am glad to yield to the gentleman.

Mr. BOYLE. The gentleman indicated in his opening remarks that the first 10 amendments to the Constitution are restrictive on Federal activity.

Mr. MASON. No. You did not understand plain English. I said that the first nine amendments dealt with human rights, God-given rights of persons.

Mr. BOYLE. That is right.

Mr. MASON. I said the 10th amendment limited the power of the Federal Government.

Mr. BOYLE. Therefore I renew my observation: Is it not true that you said that the first 10 amendments are restrictive on Federal activity?

Mr. MASON. No.

Mr. BOYLE. Just incidentally, appealing from "Noah's Treatise on Constitutional Law," let me enunciate a proposition that according to "Boyle's Treatise on Constitutional Law," the first 10 amendments to the Constitution are restrictive of Federal activity. I challenge anybody in the Congress to argue that that is not a true and correct representation of American jurisprudence.

Mr. MASON. We are not arguing that point with you. You are stating something that I did not state. You are stating that the first 10 amendments are restrictive on the Federal Government. I said the first 9 amendments dealt with persons, God-given human rights for those persons, and I said the 10th amendment limited Federal jurisdiction.

Mr. BOYLE. I was just agreeing with the gentleman, and sought to say that insofar as you adopt that position you are correct according to all of the ruling cases that enunciate that proposition.

Now will the gentleman answer this question: Does he agree that the subsequent amendments to the Federal Constitution are restrictive on State activities?

Mr. MASON. Some of them are; yes.

Mr. BOYLE. Are they not exclusively?

Mr. MASON. That has nothing to do with this problem that we are dealing with now.

Mr. BOYLE. It might help you to resolve the question of whether under the 15th amendment there is a limitation on State activity.

Mr. MASON. You are entitled to the gospel according to BOYLE and I am entitled to the gospel according to Noah.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman has stated that the right to vote is within the province of the States. I think I interpreted the gentleman's statement correctly. What would the gentleman do in the event that within any of the States there is an inability, there is an absolute restriction on the rights of cer-

tain American citizens within those States to vote for National or Federal offices?

Mr. MASON. I would say that that is not according to the Constitution; that should not be, according to the Constitution; and I defy anybody to prove that that is a fact.

We hear all this talk about poll taxes. The poll taxes apply to the white people as well as to the dark people; they treat all alike; and as long as it is a limitation on the right to vote in that State, treating all alike, I do not see anything wrong with it.

Mr. YATES. What about questions of violence?

Mr. MASON. We have questions of violence, but in the last 60 years that I have watched them and followed them they have been gradually disappearing until we have hardly any more. This is a gradual evolution, something you cannot bring about by law.

Mr. MOORE. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Chairman, I have asked for this time to discuss what I consider a very serious question of civil rights. I assume many of my colleagues know what I am going to talk about for they have heard me speak of this subject on numerous occasions. I should like to discuss civil rights.

We have heard discussions here on the proposition that the color of a man's skin has changed the right of some people. The rights I want to talk about today are the rights under the Constitution of the United States of the men wearing a particular type of suit who lose their constitutional rights and their civil rights—the man who wears the uniform of the United States, our Armed Forces, and leaves the shores of the United States to serve abroad, who then loses his civil rights.

I have been asked by some of my colleagues whether I intend to offer an amendment to this bill on the question of the status of forces. I want to take this time to say to my colleagues that I do not intend to offer an amendment on this bill. I do not think it is the orderly and proper way to approach the problem. I understand that we will have hearings shortly, however, before the Foreign Affairs Committee on the resolution as we had them last year. I am hopeful that the events and things that have happened will have pointed up the facts that the fears many of us have expressed in the past 3 years on the Status of Forces Treaty have now come about and that we will be able to have that resolution reported out to the floor of the House so that in an orderly and proper manner we may approach the question as to whether those treaties should be renegotiated or abrogated.

The resolution is House Joint Resolution 16. I feel that we can again present to the Foreign Affairs Committee evidence that will place us in a position where they will permit that resolution to come to the floor of the House for consideration.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from South Carolina.

Mr. RIVERS. The gentleman has taken so much interest in the Girard case and the whole concept of the Status of Forces Agreement, and he has gone into the facts surrounding the Girard case so fully I wonder if the gentleman would venture the assertion that Girard is being sold down the river primarily because of international political expediency to satisfy and save face with the Empire of Japan?

Mr. BOW. Well, I have had some feelings about that, of course, as my colleague knows. May I say that as far as the Girard case is concerned, I believe that the Members would be interested, since we are talking about laws and civil liberties, to know something about this particular treaty with Japan.

Mr. RIVERS. Let me make one further statement. The reason I asked that question is this: The military authorities in the theater of Japan refused to turn over Girard to the Japanese authorities and they were overruled. He on the ground floor was overruled by somebody somewhere in Washington.

Mr. BOW. I would like to go into the Girard case and discuss with the committee here today something about this Japanese treaty. There have been many stories around about this proposition and I think perhaps the House might like to know something about it. I will say I have practically lived with these treaties for the last few years and I think I know something about them.

Under the security treaty entered into between the United States and Japan, Japan asked the United States to keep troops in Japan. We hear many times that we are in these countries to protect ourselves, that we are there at the sufferance of these other nations; but the treaty itself is a request of this country to maintain our Armed Forces in Japan.

Now, there is no Status of Forces Agreement in the treaty itself. There is a provision in the treaty that there will be an agreement on the disposition of troops, and that is all. Then our Ambassadors got together and they entered into the agreement whereby Japan would have the right to try our men for off-duty offenses and that we would retain the right to try our men for on-duty offenses.

A Commission was set up of 2, 1 being an American officer who now is Admiral Hubbard and the other is a representative of the Japanese Government. They are the ones who are to determine whether a man is on duty, and we certify that young Girard was on duty. The fact of the matter is he was guarding American property under orders from an American officer when this incident occurred. So he was on duty, and our Government has maintained, and still maintains, that Girard was on duty.

But prior to this, and back some months ago, these two men said:

"Well, now, what is going to happen if we cannot agree on whether or not a man is on duty?"

There were only two men on the Commission, and there might be a stalemate. This is where I think we were in error. They talked it over in this meeting, and then their minutes were made up, and the minutes became a part of the agreement. In that we said that if the two men cannot agree, then we will submit it to a court to determine whether or not the man was on duty.

Mr. Chairman, what court do you think we agreed to send it to? To a court in Japan. So you see what we were up against. If these two men could not agree, then it was to go to a court. If there was to be a determination it would go to the Japanese court to determine whether or not the man was on duty.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Georgia.

Mr. LANHAM. I want to commend the gentleman from Ohio for the splendid fight he has been making for several years to try to get some modification of these Status of Forces Agreements. The gentleman will remember that last year I introduced a similar resolution and that I, along with the gentleman from Ohio, appeared before the Committee on Foreign Affairs to testify in favor of that resolution.

Mr. BOW. That is correct.

Mr. LANHAM. I agree with the gentleman this happening in Japan is, in my opinion, going to make it possible to get some action or at least to bring a bill to the floor of the House and see if we cannot do something to protect the men who serve us in foreign nations.

I am happy to note that a United States district court has temporarily enjoined the Secretary of State, Mr. Dulles, and the Secretary of Defense, Mr. Wilson, from surrendering Girard to the Japanese courts for trial.

If he is surrendered to the Japanese courts and denied his constitutional rights it will be an act of appeasement on the part of our administration that will be hard to justify.

Mr. BOW. I appreciate the gentleman's remarks.

May I just say this. It shows, in all of this fight I have been making, the necessity for American servicemen to have the right of trial by jury. One of the fundamentals of American jurisprudence is that a man has a right to trial by jury whether it is in the civil law or whether it is in the case of these men who are now sent overseas.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I could not more heartily agree with any words ever spoken on the floor of this House. I know of the fight that the gentleman from Ohio has made. I have been in the Yokosuka prison in Japan in which our men are held. I know their resentment at being denied a trial by jury. I also know that some of the sentences given were light; but the fact remains that the American soldier who is sent overseas, by action not his own, in my opinion has every right to the same protection under the Constitution, particularly if he is on duty, as would be his if he had remained in this country. I would like to remind the gentleman from

Ohio that there were—and it has been published—10 members of the House Committee on Foreign Affairs who voted to bring out the Bow resolution last year. I am very happy and proud to have been among that number; and I pledge my utmost support to the finish this year, to maintain justice for our men in uniform.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Michigan.

Mr. JOHANSEN. I would like to commend the gentleman for his statement.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. SCHERER. An identified Communist who appears before a congressional investigating committee, even though he is an alien, has the right to invoke the fifth amendment. Now, does an American soldier who is tried by a Japanese ecurt have that privilege?

Mr. BOW. No. Of course, he has lost that constitutional right.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. With respect to the Girard case as distinguished from the status of forces problems in general, did the gentleman say that in the Girard case this was after Admiral Hubbard and his opposite had discussed it before submitting it to a Japanese court?

Mr. BOW. If we had not agreed to turn Girard over, then the next step would have been to go to the Japanese court.

Mr. THOMPSON of New Jersey. With respect to the agreement to turn him over, one gentleman earlier said—I think it was the gentleman from South Carolina—that the decision was made here in Washington. Does the distinguished gentleman from Ohio know who made that decision in Washington?

Mr. BOW. No; I do not know who made it, but I am of the opinion it was made here in Washington and that Admiral Hubbard was under orders from the Department of Defense.

Mr. THOMPSON of New Jersey. Is it the understanding of the gentleman from Ohio that that decision was made by the Secretary of Defense, the Secretary of State, and by the President?

Mr. BOW. No; not the original decision to turn the boy over. It was not made on that level. Later it was made on that level.

Mr. THOMPSON of New Jersey. All right. But, ultimately a decision was made by the President of the United States and the Secretary of State and the Secretary of Defense, was it not?

Mr. BOW. To confirm the decision of Admiral Hubbard to turn him over.

Mr. THOMPSON of New Jersey. Now, could those officers, including the President, have reversed Admiral Hubbard's decision?

Mr. BOW. They could reverse the given word of the United States at that time; the position taken.

Mr. THOMPSON of New Jersey. They could. In other words, the ultimate responsibility, then, in the Girard case lies with the President, the Secretary of States, and the Secretary of Defense, does it not?

Mr. BOW. May I say to the gentleman, that I think it should be recognized that the United States Government under this agreement had given its word to turn the boy over. That was then reviewed, I think by Secretary Wilson or Secretary Dulles. To answer the gentleman, it would be on the basis that this country had given its word under an agreement which could not be revoked without breaking the word or the pledge of the United States. That is not my interpretation. I am saying now what they have said is the position that they have taken.

Mr. THOMPSON of New Jersey. I understand that, but there was a question, was there not, in the gentleman's mind but in the minds of other authorities, as to whether or not Girard was on duty?

Mr. BOW. No; I think I can say to the gentleman from New Jersey that I have never seen any question raised as far as American officials were concerned as to the on-duty status of this man. I think we have always maintained he was on duty. There was a question raised, however, by the Japanese as to whether he was on duty.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. Let me answer the question of the gentleman from New Jersey [Mr. THOMPSON] as to whether this man Girard was on duty or not. A press release by Secretary of State Dulles and Secretary of Defense Wilson as of the date of Tuesday, June 4, 1957, had this to say in one sentence. I quote verbatim from that release:

> The commanding general of Girard's division certified that Girard's action was done in the performance of official duty.

Mr. BOW. There is no question of that.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield further?

Mr. BOW. I yield.

Mr. THOMPSON of New Jersey. That being the case, and I concede that it is the case, then I fail to understand completely as I know the gentleman does, as well as the gentleman from Iowa [Mr. GROSS], how in the name of anything the soldier was turned over to the jurisdiction of a Japanese court by the President under these circumstances.

Mr. BOW. I might agree with the gentleman. I raised the question with Secretary Wilson originally and I have raised it with the President.

Mr. THOMPSON of New Jersey. I happen to be in basic disagreement with the position of the gentleman on the Status of Forces Agreement, but in this instance, I am in sympathy with his position.

Mr. BOW. In this case we have reached the millenium; the gentleman from New Jersey [Mr. THOMPSON] and I are finally in agreement on something for the first time I think since we have been in Congress.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. JOHANSEN. Is not the gentleman in agreement with the statement that the initial decision to surrender the man was made by someone higher than the admiral on the Commission and someone lower in the echelon than the Secretary of Defense?

Mr. BOW. I think the gentleman is correct.

Mr. JOHANSEN. And as far as the gentleman is concerned, the identity of that person or persons is unknown?

Mr. BOW. Unknown to me.

Mr. JOHANSEN. Does not the gentleman feel that it is a disturbing thing in the extreme that a yielding of the sovereignty of the Government of the United States and of the rights of a citizen can be made by a faceless member of the bureaucracy?

Mr. BOW. I think we should find out who it is and somebody should be removed.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. SCHERER. Is it not a fact that often when we turn a boy over to a foreign country to be tried, he cannot get a fair trial for the simple reason that there are prejudices and hatreds in the community in which he is to be tried by reason of the fact that such animosities are engendered when you have an army there protecting that foreign country? And as a result of these hatreds and prejudices, and evidenced by what happened on Formosa the other day, it is impossible to get normal safeguards thrown around such a boy so that he may obtain a fair trial in that foreign jurisdiction?

Mr. BOW. I think the gentleman is correct.

Mr. SCHERER. In this country, do we not provide for the right to apply for a change of venue when there is a feeling of animosity?

Mr. BOW. That is correct. If a man cannot get a fair trial in a certain area in this country, he may apply for a change of venue.

Mr. SCHERER. But there are no such provisions for a change of venue in 90 percent of the countries where these foreign cases might arise.

Mr. BOW. And let me say further that there are many other constitutional provisions that we have that are not recognized by the penal system of Japan.

Mr. SCHERER. There are at least 10 of them.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. GROSS. Has the gentleman made it completely clear that there is no such thing as a jury trial in Japan?

Mr. BOW. Yes.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield.

Mrs. BLITCH. I wanted to be sure that it is clear that there is no jury trial in Japan.

Mr. BOW. That is correct.

Mr. JOHANSEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JOHANSEN. Mr. Chairman the current outcry against turning an American serviceman over to the Japanese courts for an alleged offense while on duty is a belated public awakening to a situation about which a minority of Members of Congress—of whom I am one—have been protesting for several years.

In fact, I testified on this very matter—in opposition to the status of forces agreements—before the House Committee on Foreign Affairs on July 14, 1955.

Moreover, the main point which I stressed in this testimony 2 years ago becomes particularly significant in view of the present pending effort in the United States Federal Court to secure a writ of habeas corpus in behalf of Army Specialist William Girard. My argument, before the committee, was that surrender of an American citizen to a foreign court, or his conviction by a foreign court, effectively deprived that citizen of his constitutional right of petition, in American courts, for a writ of habeas corpus.

As my colleagues well know the writ of habeas corpus, going back to ancient English law, is a court order to a jailor or other officer having a prisoner in charge to bring him before the bar for inquiry as to the legality of his restraint from liberty. Our own Constitution—article I, section 9—provides that—

> The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

In my testimony before the House committee in support of a resolution opposing trial of American servicemen in foreign courts, I cited the Federal Court decision that an American serviceman tried and imprisoned by a French court could not be the subject of a writ of habeas corpus sought in a United States court. This decision, as I pointed out, was based on the finding that the court was without jurisdiction in the case—since jurisdiction had been turned over to the foreign government—and that American Army officials no longer possessed custody of the person for whom the writ was sought, and therefore could not be ordered to "produce the body."

Possible significance of the timing of the petition for writ of habeas corpus in the present Girard case is that apparently he has not yet actually been turned over to the Japanese authorities and, of course, has not yet been tried or convicted in a foreign court. It will, of course, be a matter of immense concern to see the outcome of these judicial proceedings.

The important, and outrageous, fact, at last dramatized for the American public in the present case, is that once an American serviceman is turned over to foreign courts the basic constitutional safeguard of petition for writ of habeas corpus in an American court is forfeited. In my judgment, many other constitutional rights and protections are also actually or potentially abrogated.

One of the other shocking aspects of the Girard case is, of course, the fact that the decision and the order turning Girard over to the Japanese authorities was made by some anonymous—as yet, at least—subordinate in the executive branch. Yet this decision was regarded by top Defense and State Department officials as a binding and irrevocable commitment of our Government.

It is appalling to think that an unidentified, "faceless" bureaucrat—one, therefore, subject to no accountability—can make a binding decision involving the rights of an American citizen and the sovereignty of the United States Government.

To me, the entire situation is intolerable, and I hope the present case will bring Congressional action ending this state of affairs.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Chairman, I agree with the gentleman from Ohio [Mr. Bow] on his views of the status-of-forces agreements, that this country maintains with many of the countries where our troops are now stationed. Several resolutions have been introduced in the House which request the President to make a revision of the present administrative agreements and treaties which permit foreign courts to have criminal jurisdiction over American servicemen in their country. Resolution No. 16, by Mr. Bow, seems to cover this important and sensitive subject.

I think it is agreed that Soldier Girard was on duty in Japan defending the property of the United States. It seems to me that with our troops now stationed in 72 places outside the United States that it is important that we extend to the American boy the protection of the flag and the Constitution when he is serving in these foreign countries.

In the case of Soldier Girard, apparently someone in the Defense Department made the decision that he should be tried in a Japanese court. It should be understood that Japan has no trial by jury. It seems also that with our troops and many civilian employees stationed in these foreign countries that their grows up a certain tension and prejudice against our troops and civilian personnel. This could not help but be reflected in any court procedure that might be followed. That was thoroughly demonstrated by what happened on Formosa in the recent riot that destroyed American property because there was a court martial decision that people of Formosa did not like. Formosa was supposed to be a friendly foreign nation.

Mr. Chairman, every Member of Congress is receiving letters and wires protesting this intolerable situation. A sample of such protest is a wire that I received from the American Legion which I read as follows. Grand Island Post 53, American Legion, at a special meeting on June 6, 1957, has gone on record as strongly opposing the action taken by the military in submitting Private Girard to trial by a Japanese court. This wire was signed by J. D. Morledge the commander.

Mr. Chairman, I will support the resolution by Mr. Bow and others that will not only give the American boy full protection but will cancel and modify the so-called, Status of Forces agreements.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. THOMPSON]; but I may say that this is the last time I shall yield for the purpose of this discussion. We are way off base here and should return to a discussion of the civil rights bill.

Mr. THOMPSON of New Jersey. Mr. Chairman, I am constrained to agree with the distinguished gentleman that this is extraneous to civil rights except that in a court-martial proceeding there is no trial by jury. So, the connection might be there, even though fairly remote.

If the gentleman from Ohio [Mr. Bow] would answer a question I would be grateful. We are in agreement perhaps for the first time, and this is delightful. In the colloquy a minute or two ago it was stated that the decision to hand William Girard over to Japanese authorities was made by some faceless person in the bureaucracy. Is that not correct?

Mr. JOHANSEN. That is the remark I made; yes.

Mr. THOMPSON of New Jersey. I would submit to the gentleman from Ohio this question: Is he in agreement with me that the ultimate responsibility need not rest with some anonymous, faceless person, but can be quite aptly placed in the Girard case on the person with the ultimate responsibility; namely, the commander in chief of the Armed Forces?

Mr. BOW. Then I would say to the gentleman from New Jersey, you are faced with this, that in the first instance the only question there was whether or not this boy should have been turned over for trial to the Japanese. After that is done, then the second question arises: What is the pledged word of the United States by a duly authorized and constituted representative of the United States under an agreement entered into between the United States and the sovereign nation; and after the word has been given on that, whether it should be broken by someone in a different echelon. To me, what the gentleman's real objection should be is to the agreement. I can see what the gentleman is attempting to do, of course.

Mr. THOMPSON of New Jersey. The gentleman and I are in agreement. The gentleman from Iowa is also in agreement. I think the consensus is that the

man was on duty. The gentleman said that therefore, under the Status of Forces Treaty, whether or not you agree with it, jurisdiction should have been retained by the military courts of the United States, but it was evident that the man was turned over by the Chief Executive, the Commander in Chief, the President of the United States. General Eisenhower, and not some nameless bureaucrat, must bear the responsibility for placing Girard's civil liberties into the hands of a Japanese court.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, I am bitterly opposed to this legislation which is known as the civil rights bill. This clearly is a misnomer and should be called the anti-civil-rights legislation. Frankly, in my opinion, it is the most civil rights destroying legislation that has ever come to my attention as a legislator. It is destructive not only of the rights and privileges of the people of this great Nation but it strikes at the sovereignty of our States. It strikes down the constitutional concept of our Government. It is a most drastic and indefensible proposal.

I desire to call attention briefly to just what the legislation permits. I think this should be done for a number of reasons, among them being the great effort that has been made and is being made by a large segment of the press, newspaper editors, columnists, radio and television commentators as well as many of the active proponents of this legislation to deceive the American people into believing that the main purpose in enacting this bill is to protect the voting rights of certain minority groups in the South. These same people are constantly referring to this anti-civil-rights bill as the right-to-vote legislation. Particularly has the Washington Post done this both in its editorial column and in its news articles. This is done, of course, to lull the American people, outside of the South, into believing that this is an innocent little measure that will provide better voting opportunities in the South and to permit the Federal Government to protect voting rights in certain cases. Anyone with any intelligence who is familiar with the provisions of this legislation knows that this is far from the truth—that actually this is the most drastic and far-reaching proposal almost ever proposed in America.

I am sure it is the first time in the legislative history of this great country that legislation has been reported out of a Congressional committee which, if enacted into law, deprives the people of this great country of so many fundamental rights that our forefathers intended to guarantee to them by the ratification of our great Constitution. The provisions in this legislation dealing with voting rights are mild compared to the other fundamental issues and rights involved. For a few minutes let us review just what this bill proposes.

First. Part I sets up a Commission on civil rights. This Commission is given authority to make a full study of all civil rights. It is given subpena power. It is given the authority to drag witnesses from all corners of the country. It will be a commission that has the authority under this legislation to harass, to browbeat and intimidate the American people in an endeavor to force them to succumb to the whims and wishes of the NAACP and other like organizations. It will be a sounding board for socialistic groups. It will be in a position to carry out the conspiracy between the NAACP, this administration and Brownell to compel State officials and other loyal Americans to submit to the obnoxious judicial tyranny of the Federal judiciary as exemplified by the Supreme Court of America, Hoffman of Norfolk and other judicial tyrants in the judiciary.

The Commission is permitted to accept the services of volunteers but the Commission is given authority to pay their travel expenses and per diem out of the United States Treasury.

It might be well to note at this point that the Committee on the Judiciary refused to put any limitation upon the amount of money that this Commission of inquisitors could spend in any one fiscal year. Every effort to limit the amount of money that might be spent was beaten down and the floodgates thrown open so that this counterpart of the bloody assizes might spread venom of hate throughout our land without thought of how much of the taxpayers hard-earned money was being spent in such political maneuvering in the attempted intimidation of honest American citizens. That briefly is just some of the things that the Commission is authorized to do under this proposed legislation.

Second. Part II provides for an additional Assistant Attorney General in the Department of Justice. It does not limit the number of assistants to the assistant. It will mean the setting up of a small gestapo under an Assistant Attorney General. It will mean a roving band of hatchetmen going throughout our land to stir up litigation to break down law and order so far as States and localities are concerned. They will be able to drum up fictitious charges against loyal citizens and hale them into court at the expense of the taxpayers of America. They will be like a pack of wild dogs or wolves turned upon a flock of defenseless sheep who are ready for the slaughter.

Third. Part III of the bill, which is the most iniquitous part of all, confers upon the Attorney General of the United States powers unheard of heretofore in a free country. At one stroke of the legislative pen it brushes aside all State administrative remedies; wipes out State sovereignty; it authorizes the Attorney General in the name of or on behalf of the United States to institute civil action in civil-rights matters whether or not the aggrieved party requests such procedure by the Attorney General or whether or not the aggrieved party objects to such action. In other words, the Attorney General is clothed with all power to come into the Federal court and against the wishes of the aggrieved party institute a civil action in the aggrieved party's behalf in the name of the Government. He does this at the cost of the taxpayers of America. He thus deprives the States of their right to enforce their criminal laws. He thereby deprives the defendant of a right of trial by jury.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ABBITT. I yield.

Mr. SMITH of Virginia. Would the gentleman agree with me that under this language, as it is drafted, which gives the Attorney General this power that that language would give no one any civil rights except the Attorney General.

Mr. ABBITT. It seems to me it deprives all segments of our society, all segments—minority and majority—except the Attorney General whoever he might be, the hatchetman of the administration that happened to be in power, and sets up a strong gestapo and a hatchetman to go around all over the country digging up strife and unrest in areas where they desire to do so.

It allows the Attorney General to make of the Federal local judge the administrator, the prosecutor and the executor of the functions of the States and localities.

The Federal judge would be allowed to operate the schools, the transportation system and many other functions of the local and State government. It will permit the Attorney General to harass, to browbeat, and to intimidate and humble the people of this great Nation into accepting sociological views of the particular Attorney General and the jurists trying the case. We will then have law by judicial fiat and injunction. We will then have enforcement of the criminal laws by contempt proceedings. Anyone who desires to stand up to the Attorney General, his roving henchmen and political hatchetmen, will be tried and cast into prison without any limitation as to the term of imprisonment or the intervention of a jury. Anyone with any intelligence who has studied this situation and who will be honest with himself must admit that our Founding Fathers who wrought out this great civilization for us never intended such to happen to the people and States of this great Nation. This legislation, if passed, strikes at the very heart and liberties of our people.

The real purpose of this part is to create jurisdiction in the Federal district courts to supervise, control, and dominate together with the Attorney General the internal management of local affairs, particularly in schools, transportation, and election issues. It is intended to compel certain segments of our society to change their habits, customs, mores, and social activities. It is an endeavor to foster upon the people of this country the sociological views and political philosophy of leftwing socialistic groups and permit them through the Federal judiciary to compel the acceptance of their views by placing this jurisdiction in the hands of the Federal judiciary and depriving the people of their time-honored right of trial by jury. It is felt that our people will be so intimidated that all resistance to the new order will be broken down. The right of a trial by jury before imprisonment is a sacred and constitutional right which must never be given

up if the people of this country are to retain their rights, privileges, and freedoms.

On occasions in the past, English-speaking people have been threatened with the loss of the right of a trial by jury. On every occasion the determination of the people to retain this right has withstood the pressure of tyranny and turned back the threat to their rights.

King George III of England did the very same thing to the American colonists that is attempted to be done by this legislation. He attempted to turn over to the admiralty courts all jurisdiction as to enforcing criminal laws in the American colonies, the effect of which was to deprive the colonists of a right of trial by jury. The Americans refused to submit to such tyranny. The Revolution followed and we have a great democracy in America today.

This legislation gives authority to Federal judges to enforce the criminal laws on the equity side of the Court, so the American people will be deprived of a jury trial. It is wrong, it is immoral, it is dishonest and a smear upon the good name of freedom-loving people all over our Nation. The test of all legislation is not what a good and wise man might do with it but what a bad man can do with it. Power is a dangerous thing. We could expect such legislation as this in a totalitarian government such as Germany under Hitler, Russia under Stalin, and Italy under Mussolini but it is unbelievable that in America, the land of the free and the home of the brave, such legislative proposals could be supported by people who profess to believe in democracy, who profess to cherish freedom and liberty and who pretend to love the heritage and ideals of our Nation.

Abraham Lincoln, who was the patron saint of the Republican Party, said on one occasion:

> You may burn my body to ashes, and scatter them to the winds of heaven; you may drag my soul down to the regions of darkness and despair to be tormented forever; but you will never get me to support a measure which I believe to be wrong, although by doing so I may accomplish that which I believe to be right.

Even without the civil-rights legislation, we have seen the evil that has been brought about by usurpation of power on the part of certain Federal judges. Without the right of trial by jury the people will be at the mercy and whims of the Federal judiciary. There is no hope for appeal to a political-minded sociological conscience of the Supreme Court of the United States.

The only hope of curbing some of the unbridled power of judicial tyranny permitted by this legislation is the preservation of the time-honored right of trial by jury.

Some of the Federal judiciary has already usurped power and authority never given them by the Constitution or the law of the land. They have already taken over certain functions of the States and localities and endeavored to browbeat whole communities into accepting their own philosophy as to sociological problems. Our people would have no way of combating this in the absence of a right of trial by jury.

The purpose of a jury trial is to protect all of our people from every section of the country from judicial tyranny at its worst. We must not lose sight of the fact, however, that even if the jury trial amendment is adopted, we will still have in the civil-rights legislation an iniquitous, wicked, liberty-destroying measure that will desecrate the Constitution, obliterate State sovereignty, and destroy the individual liberties of our people.

I call upon the Members of this body to consider well before they pass this legislation which by this part sets up the Federal judiciary as the law-enforcement agency of the police powers of our States and localities. It turns over to the Federal judges along with the Attorney General the authority and power to run our schools, our transportation system, election machinery, and many, many other functions in the so-called civil-rights areas. It wipes out the sovereignty of our States and the liberty of our people.

Fourth. Part IV permits preventative action in right-to-vote matters. It permits the Attorney General to institute in the name of the United States and on behalf of the United States civil actions dealing with election matters. All that was said about section III regarding jury trials, powers, and authorities of the Attorney General and the Federal courts applies equally to this part. It is abhorrent to our way of life and further infringes upon the rights and freedoms of our people.

Along with part III, it provides a device to bypass State laws, State remedies, State courts, and the right of trial by jury, thus depriving our people of their main protection from a tyrannical judicial oligarchy.

Mr. Chairman, I hope the people of America will realize before it is too late just what this bill does to our Constitution, to our way of life, to our freedoms and liberties, and to generations yet unborn. I trust that it will never be enacted into the law of the land.

Mr. POFF. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Chairman, those who support this bill have criticized those of us who oppose it for the delay which has occurred. They have impugned our motives and challenged our sincerity of purpose. In so doing they have been guilty of the same intemperance and intolerance with which they charge us.

I will not say that the delay has not been purposeful. Moreover, I contend that the delay, measured by every fair yardstick, has been productive. The delay has afforded time for more exhaustive hearings and given the members of the House Judiciary Committee more opportunity for more mature deliberation, as a result of which the bill before us today is infinitely less oppressive, offensive, and objectionable than the one which passed this body last year. While it is still unacceptable—and doubtless will be even more so when the amendatory process is concluded—the committee has, by reason of the delay, been able to make several positive and substantial improvements, some of which I would like to mention briefly.

First, we inserted a new section requiring the Commission in its hearings to observe the same rules of procedure which govern Congressional committee hearings, with certain important modifications. The subpena power under which witnesses may be compelled involuntarily to attend Commission hearings has been confined to the United States judicial circuit in which the witness is found or resides or transacts business. Many of us felt that it should have been confined to the State of residence. Such witnesses are guaranteed 8 cents per mile for travel expense, $12 per day for subsistence and $4 per diem for attendance upon the Commission hearings. Another meritorious modification provides that public disclosure of evidence given in executive session which might tend to defame, degrade or incriminate a person shall be a criminal offense.

Second, the bill has been amended to require complaints filed before the Commission to be in writing, under oath and specific in content. This amendment, which brings the prejury laws into play, is designed to discourage the filing of groundless, frivolous, vexatious, and

Third, the committee removed the extortionary complaints.
clause which empowered the Commission to investigate complaints of "unwarranted economic pressure" and study economic and "social" developments. No member of the committee was able to define the phrase "unwarranted economic pressure" and many of the proponents of the legislation joined with the opponents in the conviction that a civil rights commission should have no power to investigate a matter which cannot be classified as a civil right within the meaning of the Constitution. Had this clause not been removed, any small-business man—druggist, grocer, barber, baker—who declined on account of race to employ a job applicant should be subject to the expense, inconvenience and embarassment of an investigation by the civil rights commission. That would be nothing but FEPC by the back door.

Fourth, we removed the language which would have authorized the Attorney General of the United States to bring a suit for damages on behalf of one private citizen against another private citizen. While there are on the statute books laws which authorize such civil suits when the damages are contractual in nature, there is no precedent in American jurisprudence for such a suit when the damages arise out of a tort or a personal grievance.

Fifth, the committee did not remove the power of the Attorney General to bring a suit on behalf of one private citizen against another private citizen for injunctive relief to prevent the commission of a civil wrong, but we did require that such a suit be brought only upon the written request of the aggrieved citizen. In the legislation which passed the House last year, the Attorney

General had the power to bring such a suit with or without the request or consent and even against the will of the aggrieved citizen.

Sixth, we amended the bill to make the United States as a party to a suit in which the defendant prevails liable for court costs and reasonable attorneys' fees. In last year's legislation, the defendant was liable for these costs, even though he won his case.

These amendments approved by the Committee on the Judiciary were only a few of the many proposed by the opponents of the bill. Those which were rejected will be offered again when the bill is read for amendment. At this point, time will not permit me to discuss all of them. However, I would like to address myself to three which I consider of paramount importance.

First, the bill as now written vests the Federal district courts with jurisdiction over the legal proceedings authorized by the legislation "without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law." That language, if left in the bill, will have the practical effect of depriving State administrative agencies and State courts of their traditional jurisdiction over matters in this field. Heretofore, every case decided squarely on the point has held that in this field no litigant has a standing in the Federal court until and unless he has first exhausted all remedies available to him in State tribunals. I have prepared and inserted at page 665 in the printed hearings a legal brief on this question. It is my hope that the amendment to correct this defect, which I understand will be offered by the gentleman from New York [Mr. RAY] will be adopted.

Second, the bill as originally introduced authorized the Commission to investigate complaints of discrimination on account of religion as well as "color, race, or national origin." In the subcommittee, the word "religion" was removed. In the full committee, it was restored. I hope it will again be removed by amendment on the floor. For the sake of the preservation of the purity of the principle of separation of church and State, neither this Congress nor any commission created by it should trespass upon this delicate domain.

Third, in a criminal contempt proceeding arising out of a case to which the United States is a party, a defendant does not, under this bill as presently written, have the right to demand a trial by jury. An amendment guaranteeing a jury trial was defeated in the full committee with the use of proxies by a vote of 17 to 15. This amendment will be offered again on the floor by the gentleman from New York [Mr. MILLER]. Suffice it now to say that of all the civil rights we enjoy under the Constitution, none is more sacred than the right of trial by jury.

In this brief analysis, it is impossible to digest all of the obvious objections to this legislation or to forecast all of its insidious potentialities. Neither is it possible to make even a remote estimate of its probable cost. Even if the legislation were needed, it could not be justified from a fiscal standpoint at a time when the Congress, at the behest of the people, is striving to reduce Government spending. But the point is that the legislation is not needed. There is no civil right under the Constitution for the violation of which the Constitution does not already guarantee a remedy. Not only is there no need for additional legislation, but there is a great positive need for no legislation. In Government, as well as in private life, sometimes the best action is no action at all. In this period of social and cultural upheaval occasioned by the Supreme Court school integration decision, legislative action by the Federal legislature can only nurture the ill will, cultivate the prejudice, and inflame the personal passion on which the problem feeds and grows. This problem does not require legislation, police investigation, legal prosecution, or penal correction on the part of the Federal Government; rather, it requires on the part of the Federal Government patience, forbearance, and self-restraint. Never before has the Congress of the United States had such an opportunity to accomplish so much simply by doing nothing.

Mr. CELLER. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. DOWDY].

Mr. BROOKS of Louisiana. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN (after counting). Ninety-two Members are present. Not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 102]

Andresen, August H.	Fogarty	Multer
Anfuso	Friedel	O'Brien, Ill.
Arends	Garmatz	O'Konski
Ayres	Green, Pa.	Philbin
Bailey	Griffiths	Poage
Baker	Gubser	Porter
Barrett	Gwinn	Powell
Beamer	Harrison, Nebr.	Prouty
Belcher	Healey	Radwan
Blatnik	Holifield	Rains
Bosch	Holland	Reed
Bowler	Holtzman	Rhodes, Pa.
Brown, Mo.	James	Rogers, Colo.
Buckley	Kean	Rogers, Mass.
Byrne, Ill.	Keeney	St. George
Byrnes, Wis.	Kelly, N. Y.	Schwengel
Cederberg	Keogh	Scott, Pa.
Chamberlain	Kilburn	Shelley
Chudoff	Kluczynski	Simpson, Pa.
Clark	Krueger	Smith, Wis.
Cole	Laird	Spence
Coudert	Lane	Taber
Cretella	Lankford	Taylor
Curtis, Mo.	Latham	Teller
Dawson, Ill.	McConnell	Tewes
Delaney	McCulloch	Thompson, La.
Dollinger	McGovern	Utt
Donohue	McIntire	Vorys
Dooley	Machrowicz	Wainwright
Dorn, N. Y.	Mack, Ill.	Westland
Durham	Miller, Md.	Widnall
Eberharter	Miller, N. Y.	Wier
Engle	Minshall	Wigglesworth
Fallon	Montoya	Withrow
Farbstein	Morano	Wolverton
Fino	Morrison	Zelenko

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 321 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Texas [Mr. DOWDY] is recognized for 20 minutes.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. DOWDY. I yield to the gentleman from New York such time as he may desire.

Mr. ROONEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Chairman, I very much appreciate the courtesy and kindness of my distinguished friend, the gentleman from Texas [Mr. DOWDY], in yielding to me at this point.

I shall vote for the pending bill H. R. 6127 as written, and shall vote against all emasculating amendments including the so-called jury trial amendment. The bill in its present form would merely provide a minimum civil rights program and correct the most urgent needs of members of minority groups who have been treated as second-class citizens. It will provide protection against violence and give meaning to the right to vote in parts of the country where that right is now denied. I feel that the great majority of the American people support this legislation as written and without amendments and that it should be passed by the House after a fair time for full debate. What is guaranteed by the Constitution ought to be enforced.

Mr. MARTIN. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Massachusetts.

Mr. MARTIN. I want to inform the House that the Republicans have a very important conference scheduled for the rest of this afternoon. While we do not want to interfere with the debate, because we believe it should continue as long as possible, we hope there will be no more points of no quorum made before the time for adjournment arrives.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. SMITH of Virginia. I wonder if the gentleman would like for the Committee to rise now and give us an extension of time on the debate next week on the bill.

Mr. CELLER. I cannot consent to that.

Mr. MARTIN. Would the gentleman consent to coming in at 11 o'clock, let us say, on Monday?

Mr. SMITH of Virginia. How about adding a couple of hours to the time for general debate?

Mr. CELLER. Mr. Chairman, I will yield more time to the gentleman from Texas, if he needs it, but would the gentleman yield to me now?

Mr. DOWDY. I yield.

Mr. CELLER. Would the gentleman from Virginia repeat his question?

Mr. SMITH of Virginia. I wonder if we might not agree on a couple of hours

general debate on Tuesday and wind the thing up.

Mr. CELLER. That is on condition that we adjourn now.

Mr. MARTIN. I would think it would be better to come in early on Monday and run a little later on Monday evening.

Mr. SMITH of Virginia. I would have to object to that.

Mr. CELLER. I would be willing to come in at 12 o'clock and have an additional 2 hours of debate on Tuesday, if we adjourn now, so as to accommodate the gentlemen on the Republican side.

Mr. MARTIN. I have no objection to that.

Mr. DOWDY. Mr. Chairman, I am sorry that I have lived to see the day that men representing the American people here in the Congress of the United States stand up and say that they would willingly deprive the American people of the right of trial by jury in any kind of case. Having listened to all of the debate that has gone on here and hearing things that have been said, I went back to my office last night and picked up a copy of the Declaration of Independence and read it once again. There I found a number of things which I will mention as we proceed that were indictments by the American colonists against King George—things that were proclaimed as reasons why we should have our independence. And we won our independence for those reasons.

Mr. Chairman, far abler and more eloquent men than I have addressed you. They have pointed out the inherent dangers in this bill. I will try not to be repetitious of the things that they have said as I proceed; but they have shown the effect that this bill could and would very likely have upon the American Nation in the way of prostitution of the American people to the whims of a politically appointed Attorney General.

Our words and our pleading may not produce a single convert to our way of thinking, but it certainly will not be possible in the future for any Member of Congress who is here to claim that he acted in ignorance if, after hearing what we have said, he persists in voting for this vicious and evil bill.

I am sorry that more of the Members are not here to listen, to be educated, and to understand actually what is happening to the American people, if this bill is adopted.

There was a housewife who attempted to install a can opener on the wall, but after several unsuccessful attempts she was not able to get it fixed up. So she went and got her glasses to read the directions how to put it on the wall. When she returned the can opener was already installed and the cook was using it. She asked her, "Now, how did you get this up? You have told me you cannot read." She said, "Well ma'am, when you cannot read you have just got to think." What we want to do is to try to think a little bit and see what is confronting us.

This is a fundamental issue, striking directly at whether we shall have government by men or government by law in this country. My philosophy of government calls for government by law. The proposed bill would set up a despot in the Attorney General's office, with a large corps of enforcers under him, and his will and his oppressive action would be brought to bear on American citizens, just as Hitler's minions coerced and subjected the German people. If we had a would-be dictator in this United States of America today, the first thing he would want would be the enactment of a bill such as this.

You have heard statements made continually upon the floor that this is a moderate bill. Let us see what this moderate bill does. This so-called moderate bill abolishes and sets aside State remedies and sets aside State courts to try cases, and it puts into law the preemption that we have been complaining about; namely, the Supreme Court trying to judicially legislate. Examples are the subversion case from Pennsylvania, and another was the teachers' case from New York, and others that have been called to your attention from time to time. It does that, and in addition it does away with the jury trial. It gives the Attorney General a secret police, or State police, and allows him to bring lawsuits against a private individual in the name of the United States, but for somebody else. He does not even have to get the consent of the person for whom he brings the lawsuit and even without the knowledge of that person. It is without the consent and without the knowledge of the person that the suit is brought in behalf of.

In addition to that, the State and local officials and ordinary citizens of this United States of America can be denied their fundamental constitutional rights, not only the right of trial by jury but their rights of free speech, free press, and free assembly, and they are deprived of their liberty or property, or both, without due process of law. That is a moderate bill?

Now, let us do some more thinking about it and see if some of the statements that have been made on the floor of the House by the proponents of the bill can be reconciled. The gentleman from New York [Mr. KEATING] before the Rules Committee, stated that 80 to 90 percent of the purpose of this bill is to do away with jury trials. That is the reason we have it here. He says if you take that out of it you have got but 10 or 20 percent of the bill left. Similar statements have been made by other proponents as they come here. Out of the other side of their mouths they say that this bill would deprive no one of a jury trial, and they try to rationalize it. And to the unthinking person their arguments might seem almost plausible. But you will remember one thing, in our Declaration of Independence one of the indictments against the English King was "For depriving us, in many cases, of the benefits of trial by jury."

Let us again examine statements various Members have made here on the floor and prior to the consideration of the bill, including the committee chairman and ranking minority member. They say this bill is not intended to, and will not, deprive any person of any right he now has. Now, in my book if a person now has a right to a trial by jury and this bill, if enacted, would destroy that right, then that person would be deprived of a right. There can be no question about it.

We have the means of testing the sincerity of their claim that this bill would not deprive a person of a right to trial by jury. We can find out whether they are sincere in that or not. The proponents insist it is not their intention to deprive anyone of a right now possessed. If they are honest and sincere about that, let them accept a slight amendment to the bill so that it will not take away the right of jury trial, and they will still have their legal aid society down there in the Attorney General's office without otherwise depriving any person of a right now enjoyed.

All they would have to do in two places in the bill, on pages 10 and 12, is to strike out the words: "the Attorney General may institute for the United States or in the name of the United States" and in place thereof insert "the Attorney General may institute, in the name of the aggrieved party or parties." Then they would not deprive anybody of a right they now have. There is the "gimmick" in the whole bill, as far as jury trial is concerned.

If they are not willing to make that change in the bill then it is their intention and their deliberate and willful intent to deprive people of a right they now have. That cannot be disputed.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Georgia.

Mr. FORRESTER. In other words, what the gentleman is saying is that if they do not wish to deprive of a jury trial all on earth they have got to do is to cut out the words "in the name of the United States."

Mr. DOWDY. And require the suit to be filed in the name of aggrieved party or parties.

Mr. FORRESTER. That being true, does not that prove completely to the point where there can be no argument to the contrary whatsover that the purpose must be to eliminate the right of trial by jury?

Mr. DOWDY. That is what I have tried to say in my statement. This will test the sincerity of the people who say this does not deprive anyone of a right he now has—whether they agree to that amendment.

Last Sunday, as you will remember, Stalin's successor as Russia's chief, Nikita Khrushchev, made his first appearance before an American radio and television audience. As you all know, he is the Secretary of the Russian Communist Party and he actually runs the whole show in the Communist world. Undoubtedly the only reason the Communists agreed to the radio and television interview was that they felt it would be a good opportunity to put over some Communist propaganda to the American people.

Khrushchev was almost plausible; but all good liars are almost plausible. It was evident throughout the interview that it was pretty well rehearsed. The Red chieftain predicted that our grandchildren will live under a Marxian-Leninist social system, in other words, a Communist dictatorship.

It would seem from such a statement that Khrushchev was aware of the current effort being made to undermine among other things our right of trial by jury, which is a cherished heritage of all Americans. An all-out effort has been made to brainwash the American people to accept this abrogation of the right of trial by jury by calling this bill a civil rights bill. It is better named a civil wrongs bill. It does not protect any civil rights; it destroys.

The Communist front organization of lawyers calling themselves the National Lawyers' Guild, if I have the name right, claim to be the author of one of the bills in the last Congress, one of these so-called civil rights bills; and, of course, the bill here is supported by the Communist Party and its news organ, the Daily Worker. It is also supported by the National Association for the Agitation of Colored People, as well as other Communist front organizations and Red sympathizers in America. If we are unable to defeat this montrosity, a long backward step will have been taken toward the loss of a right which was first acquired by English people 700 years ago, and Khrushchev's claim that our grandchildren will live under a Communist dictatorship will be brought much closer to realization; it will be closer to realization than you and I like to contemplate.

The civil rights issue is merely a conflict between those who believe in forcing all citizens to conform to the dictates of a minority group in such matters as personal associates and employees, and those who believe in free choice by the individual in those matters. Basically, when reduced to its simplest terms, this issue, which is caused by the two opposing philosophies of government, is the outgrowth of the theory that the State should be all powerful and the master of the citizen. This theory, of course, reverts back to the old idea of government before the American patriots enunciated a new theory of government as expressed in our Declaration of Independence and in our Federal Constitution, in which all power inheres in the citizens and the State is their servant. Unless we understand this fact we are likely to be confused by the real issue in this so-called civil rights proposition.

It is easy to be misled by arguments put out in its favor which are usually clothed in pious and humanitarian sentiments. But one needs only to remember that when one citizen can tell another group with whom they may associate, who they may employ, who their neighbors may be, and where they may work, and what work they may do, and this dictation is enforced by the courts and the police power of the State, then the police state is here. It is around our necks, and what we may have said cannot happen will have already happened, as I see it.

The object of the pressures being exerted in favor of the civil-rights legislation by administration officials, by politicians and by many organizations selfishly interested in the extension of Federal power and control is not, in my opinion, primarily to benefit minority racial groups but, rather, it is to further abridge the rights of the 48 States and to weaken our constitutional form of government in preparation for the day when the United States can be made into a dictatorship. The battle for the blessings of liberty are not won yet, as witness the controversy here in our struggle to preserve the right of trial by jury, which was first so laboriously won by English-speaking peoples 700 years ago, and granted in the Magna Carta, and this present effort of the disciples of an alien philosophy to bring about in our own United States the shortcuts in legal procedures which are used in dictator nations. Such departure from the letter and spirit of the Constitution is chargeable to the suspicion, hatred, intolerance and irresponsibility of a part of our own body politic which has a lack of appreciation for, and fails to understand the age-old struggle of mankind to achieve our present-day blessings of liberty.

It is imperative that all Americans take time for a searching reflection. Notwithstanding the contributions of American patriots through the centuries, the far-sighted wisdom of the Founding Fathers of our Nation, and the written guaranties of the Constitution, liberty is not necessarily our permanent possession. Both external and internal pressures constantly assail it. It is axiomatic that every generation, to keep its freedom, must earn it through understanding of the past, vigilance in the present and determination for the future.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. I yield the gentleman 5 additional minutes.

Mr. DOWDY. It is easier to know how to combat a foreign enemy who challenges our right to those freedoms, and thus prevent a sudden collapse of the things we hold dear, than it is to subject ourselves to daily analysis and discipline for the purpose of preventing the internal erosion that can, with even greater effectiveness, destroy them. That internal erosion is today trying to get in its deadly licks.

I could talk some more about trial by jury, but I am going to do that under the 5-minute rule when that question comes up, because there are some other points I want to get to, as time allows.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. You see, some of us want the people of all religions and nationalities in this country to have the right to vote.

Mr. DOWDY. I thought the gentleman was going to ask a question and not make a speech. Will the gentleman please ask the question?

Mr. FULTON. I am. If that is the case and you do not think this is the correct method to obtain it, then what is the correct method to let these people vote?

Mr. DOWDY. Do you know of a single person denied the right to vote in the United States today? That challenge was made day before yesterday, and I reiterate it: There is no such situation existing in the United States. That is another reason why this bill is so silly.

Mr. FULTON. When I see Federal elections for various offices with only a few thousand votes, and a minor percentage, maybe 10 or 15 or 20 percent out of the total population voting, and then I am told that they cannot even vote, why, that is a situation which should not exist.

Mr. DOWDY. Just a moment. That is not unusual in a noncontested election.

Mr. FULTON. Or that Congressmen sit here elected by a very few votes, when I have to get elected by 180,000 to 200,000 votes very time.

Mr. DOWDY. Well, the population of my district is about 300,000 people, and all that are eligible vote if they want to.

Mr. FULTON. How many votes do you get out of that number?

Mr. DOWDY. There are usually 50,000 to 60,000 votes cast.

Mr. FULTON. Out of 300,000?

Mr. DOWDY. Yes.

Mr. FULTON. Well, do you think that is enough?

Mr. DOWDY. The children do not vote. They have to be 21 years of age to vote in Texas. I do not know how old they have to be in your State.

Mr. FULTON. Twenty-one. Is not somebody left out?

Mr. DOWDY. Anybody that wants to vote can vote in Texas. There is no question about that. We encourage them to vote. And if anybody here can stand up and say they know of a single person that is denied a vote, I will take time out to answer that. But, obviously, you cannot do it.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Illinois.

Mr. MASON. Illinois permits everybody to vote that wants to vote; so does Pennsylvania. Yet, Illinois never votes more than 50 percent of their registered voters, and I do not think Pennsylvania does much better.

Mr. DOWDY. I thank the gentleman.

Mr. FULTON. I can correct that for Pennsylvania. We do it, and I think better, in my State, than that.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Texas.

Mr. DIES. Is it not a fact that in Texas, in the primaries, sometimes as many as a million and a half or two million people vote, and then in the general election about 500,000 vote?

Mr. DOWDY. That is exactly right.

Mr. DIES. But that is not because they are being deprived of the right to vote.

Mr. DOWDY. It is because they do not go down to the polls and vote. There is nobody depriving them of the right to vote. Many of our general elections are without contest, and the voters do not turn out.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. Why all this talk about Federal elections? There is

no such thing in America as a Federal election. Every one of us is elected as a representative of a State. There is no such thing as a Federal election. You do not even vote for President or Vice President. We vote for electors in the States, and they can vote for anybody they want to, so there is no such thing as a Federal election.

Mr. DOWDY. That may be right.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Georgia.

Mr. DAVIS of Georgia. In view of the statements which have just been made, I would like to give this information about voting in my own district, of which Atlanta, Ga., is a part. We had a runover election there about the middle of May, and I would like for some of these bleeding hearts who plead for the colored race to listen to this. In that election, which has been analyzed by the Metropolitan Voters Council, 76 percent of the registered colored voters voted in that election as compared to 36.2 percent of the white registered voters. I should like to give the gentleman one other figure. Since 1956 the registration of colored voters in Atlanta, Ga., according to this analysis, has increased 9 percent whereas the registration of white voters in Atlanta, Ga., has increased only 6 percent.

Mr. DOWDY. That illustrates the point. Of course, in our general elections in Texas ordinarily there is no opposition on the ballot which accounts for the fact, as indicated by the gentleman from Texas [Mr. DIES] that in a general election in Texas there may not be more than half a million votes cast in the general election, though 3 or 4 times as many may be cast in the primaries.

The CHAIRMAN. The time of the gentleman from Texas [Mr. DOWDY] has again expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I am sorry, I cannot yield further at this time. I do want to proceed a little more with my statement, I think it is more important that I do so.

There is another provision in this bill that I think is just as dangerous and just as bad as the denial of the jury trial and that is the provision on page 10 and again on page 12, which says that these proceedings shall disregard entirely whether or not the aggrieved party shall have exhausted any administrative or other remedies that may have been provided by law.

Much of the debate and much of what I have said has concerned the jury trial but another point of at least equal importance has to do with the bypassing of the State courts and taking everything directly into the Federal court. That is contrary to the intent of the United States Constitution and reminds us of another of the indictments against the English King in our Declaration of Independence which stated:

He has combined with others to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws.

And this further:

For abolishing our most valuable laws and altering fundamentally the forms of our Government.

I would say that Miss Liberty sitting in the harbor in New York is shuddering on her pedestal over what might happen to the United States if this particular bill ever becomes law.

Mr. Chairman, I have talked too long already. I have gotten hoarse, although I have not taken as much time as I should have liked, because there are so many things that need to be said about this. But I trust and hope that if this monstrous bill is to be stuffed down the throats of the American people, we may at least have the amendments approved to preserve the right of trial by jury and wipe out that part of the bill that would destroy the States, the State courts, and the State remedies; and also that the Attorney General should be requested at least to have the consent of the person for whom he files suit before he files suit.

I will hope to discuss other dangers inherent in this bill under the 5-minute rule.

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. SANTANGELO].

Mr. SANTANGELO. Mr. Chairman, I am sorry the previous speaker refused to yield to answer a question.

Mr. DOWDY. Mr. Chairman, I will answer any question now, but I did not have the time before.

Mr. SANTANGELO. He challenged this body to produce evidence of any section of the country which denied people the right to vote. I am not a member of the committee which listened to the testimony, but I thumbed through it in the last few days and I came across some testimony before the committee to which I should like to call your attention. Let me say this: That when the testimony was presented to the committee, they had an examiner on that committee from Georgia who explored every facet of the charges or the statements that were made. There was no questioning as to this witness. I say the witness was Mr. Wilkins. Let me read the testimony. When they asked him whether there was any evidence of people being denied the right to vote, he testified as follows:

Prior to the 1954 election, we received firsthand reports on how prospective voters were intimidated. Perhaps the most impressive of these accounts came from a man who said that after he paid his poll tax he was called in by his employer. The employer ordered him to tear up the poll-tax receipt and stay away from the polls on election day if he wanted to keep his job. When the man complied, the employer added as he was leaving, "You had better not tell anyone I made you do this because I don't want the FBI after me."

This happened in the great State of Mississippi, where over 16,000 Negro citizens were there, and only 147 were registered voters. Is that an accident, or is it something which the Commission and the Attorney General should investigate? That is what we want.

This is on page 424 of the record of the hearings. The testimony was by Mr. Wilkins of the NAACP, an organization which some of the Southern States have sought to outlaw—yes, laugh if you will, but that is a sad and serious situation, when you can laugh at civil rights. Mr. FORRESTER is one of the great men on that committee, and he is here now. I read where he cross-examined many witnesses, and I read the testimony how he cross-examined, yet there was not a statement and nary a word from him contradicting such testimony.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield there?

Mr. SANTANGELO. Yes.

Mr. FORRESTER. I happen to remember very well what the gentleman was talking about. The gentleman is a lawyer, is he not?

Mr. SANTANGELO. It is presumed I am.

Mr. FORRESTER. We will certainly operate on that presumption.

Will not the gentleman be kind enough to admit that the charges made by the head of the NAACP were strictly hearsay and opinionated and as far-fetched charges as you have ever heard?

Mr. SANTANGELO. I do not so agree.

Mr. FORRESTER. Will the gentleman not agree as a lawyer that none of that testimony would have been admissible in any court of the United States?

Mr. SANTANGELO. If you took that position as a standard, 75 percent of this testimony would not have been admitted into evidence.

Mr. FORRESTER. I tried to urge that, and I could not get that fact over.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORRESTER. Mr. Chairman, I yield 1 additional minute to the gentleman from New York.

Now let me ask the gentleman this: Did the gentleman continue to read that record?

Mr. SANTANGELO. I read 400 pages of it.

Mr. FORRESTER. Is it not true that in the 84th Congress not one opponent was allowed to appear and testify?

Mr. SANTANGELO. I do not know. I was not on the committee, and I am not in a position to testify as to that.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from New York.

Mr. CELLER. I do not think that is a very fair statement at all.

Mr. FORRESTER. It is a correct statement.

Mr. CELLER. We heard everybody that wanted to be heard before the committee, without question.

Mr. FORRESTER. I want to say here and now that our distinguished chairman erroneously thought I was talking about the 85th Congress.

I asked a question of the gentleman and I want him to answer it. Has he read the record?

Mr. SANTANGELO. I read 400 pages of it.

Mr. FORRESTER. Is it not true that not one opponent was allowed to testify before that committee in the 84th Congress.

Mr. SANTANGELO. I know that I read some of your testimony where you opposed the bill.

Mr. FORRESTER. No, you did not; in the 84th I did not testify.

Mr. SANTANGELO. Not in the 84th, but in one of the records you testified—in the 85th. I was not in the 84th Congress. I do not know.

Mr. FORRESTER. You read the record?

Mr. SANTANGELO. Four hundred pages of it.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. SANTANGELO. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The gentleman from New York has brought out a very good point, that when people cannot register or vote and are not allowed on the rolls, there is then a small registration of voters according to the total population, who control everyone. Is that not the case in the areas about which the gentleman is talking?

Mr. SANTANGELO. It is, certainly, in the great State of Mississippi, as in the other poll-tax States, less than 5 percent of the citizens are permitted to register and vote.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield to me for a minute?

Mr. CELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia.

Mr. FORRESTER. I would like to ask the gentleman if this is not true. Is it not true that for the first time this year in the 85th Congress, the gentleman from New York [Mr. CELLER] did something no one else has ever done—he permitted the opposition to come in and testify; is that not true?

Mr. SANTANGELO. It may be so that he did that for the first time; I do not know.

Mr. FORRESTER. It is so.

Mr. SANTANGELO. I think it was quite proper for him to call upon both sides to testify before the committee.

Mr. FORRESTER. Let me ask the gentleman this: Did the gentleman read the testimony of the Governor of the State of Mississippi where he branded every one of those charges as absolutely untrue and challenged them to come in and prove their charges, and they did not prove them—they were as silent as the tomb? Did you read that?

Mr. SANTANGELO. Did I read his testimony?

Mr. FORRESTER. Yes, sir; did you read his testimony?

Mr. SANTANGELO. I did not read his testimony.

Mr. FORRESTER. I want to tell you that this is the record, and I just wanted to get that cleared up.

Mr. SANTANGELO. But the question is that there is no doubt about the fact that of 16,885 Negro citizens, 147 Negroes were registered, and of 10,000 white people, over 5,000 were registered. Why is that a fact?

Mr. FORRESTER. Would the gentleman want me to answer that? I will be very happy to do so.

Mr. SANTANGELO. Yes, I wish the gentleman would explain how less than 5 percent of Negroes in the great State of Mississippi are registered whereas in other States, where they do not have these situations of poll taxes and pressures, from 40 to 50 percent are registered citizens.

Mr. FORRESTER. I will be very happy to tell you, sir.

Mr. SANTANGELO. Do they not have the $1.75 poll tax?

Mr. FORRESTER. They register when they want to register. But, let me give you a little bit of history. In Mississippi and in Georgia, they did not want to vote for years because they called themselves Republicans and we do not have anything down there but the Democratic Party. It is a new thing with them, but they are coming on by leaps and bounds. In Atlanta, Ga., the other day 74 percent of the Negroes voted in the election and only 31 percent of the whites. What do you think of that?

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield.

Mr. FULTON. I was pleased to hear my friend say that in some counties and townships where 90 percent of the Negroes are not registered to vote, that actually 90 percent are Republicans according to your statement. Then only 10 percent are Democrats.

Mr. FORRESTER. No; I did not say that.

Mr. FULTON. Then 10 percent of Democrats are running the local area against 90 percent of Republican American citizens. Do you think that is right? Of course, it is not right.

Mr. FORRESTER. The gentleman is willfully misconstruing what I said. Eighty percent of them just cannot decide what side they are on.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NIMTZ. I yield 10 minutes to the gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Chairman, before coming to the amendment I intended to discuss, I would like to have the attention of the chairman of the Judiciary Committee and the chairman of the Rules Committee pertaining to the subject that those gentlemen are to discuss on next Monday. It seemed to be agreed by all who debated the question as to whether we now have a jury trial in contempt proceedings, that there had been a jury trial provided under the Norris-La Guardia Act, which was in force from 1932 to 1947. There was also debate as to whether or not that continued in effect after 1947. My question is, When that Norris-La Guardia Act was adopted——

Mr. CELLER. It was adopted in 1932, and it is in effect today, but as to the Taft-Hartley Act, as I said before, the Taft-Hartley Act in its provisions waived all the provisions of the Norris-La Guardia Act.

Mr. RAY. I am talking about the period between 1932 and 1947. Trial by jury was a part of the procedure during those years?

Mr. CELLER. Yes; but not where the Government was a party.

I think you forgot to state that the National Labor Relations Act was passed in 1935, and the National Labor Relations Act also waived provisions of the Norris-La Guardia Act.

Mr. RAY. I did not recall that being mentioned in the debate. But, at any rate, there was a time when trial by jury became a part of the procedure?

Mr. CELLER. But it only referred to those cases that originated under the Norris-La Guardia Act. It was limited to those cases.

Mr. RAY. There was a time, call it experimental, if you like, but there was a time when there was a trial by jury.

Mr. CELLER. That is correct.

Mr. RAY. Now, conceding that that is no longer a part of the procedure, that trial by jury is not applicable to anything today under these laws, what is the reason why another experiment should not be made, even though there is nothing like it in any of the other laws in which injunctions may issue? I did not expect to raise that for discussion today, but I think it is of interest to a number of people here, and that it might be dealt with on Monday.

Mr. CELLER. If you care to have me answer it now, I will answer it briefly.

There is no need for that inclusion of the exception now. There was need for it in 1932 because of the history of what we then called "government by injunction." The courts undoubtedly abused their rights, and the country was in outcry against the many unjust injunctions that had been issued by district courts throughout the length and breadth of the land against labor. The Congress then took cognizance of that situation. Now, after passing that act, if we find that the courts abuse their powers in the granting of injunctions, I would be the first to come into the well of the House and proclaim with all my power that we should take away that power of injunction from the courts, just as I did in 1932 when there was that abuse. I spoke as strongly as I could about putting restrictions upon the courts.

Mr. RAY. As I understood it, that means that in 1932 it was your view that the circumstances required a trial by jury remedy?

Mr. CELLER. I think so.

Mr. RAY. Under present circumstances you think trial by jury is not required in this law?

Mr. CELLER. I do not think we have reached that point. The Russians have a saying: You should never roll up your pants until you get to the river. When we get to the river and we find that there are abuses, I would be the first, as I say, to demand a change and that restraints be placed upon the judiciary with reference to the issuance of injunctions.

Mr. RAY. I think that clears up one point for me. Instead of dealing with the queston of what is in the law, we are dealing with the question of what should be in the law, and in the gentleman's judgment this change is not needed at this time.

Mr. CELLER. Right.

Mr. RAY. Others may say a remedy is required, but that is the question at issue in the case.

Mr. CELLER. That is correct.

Mr. COLMER. I wonder if the gentleman would yield to me briefly?

Mr. RAY. I yield to the gentleman from Mississippi.

Mr. COLMER. If I understand the gentleman from New York [Mr. CELLER] he would prefer to wait until abuses occur before he seeks a remedy. Now I am asking my friend from New York if he does not think it advisable, particularly under the philosophy of the gentleman from New York [Mr. CELLER] in 1932, that we should provide that safeguard in the bill now rather than wait for the abuse to occur?

Mr. RAY. If the gentleman will let me act on advice I have had from the chairman of the Judiciary Committee, I will not roll up my trousers on that one until the debate on Monday.

The amendment in which I am interested touches somewhat the issue which has been discussed today; in part it is quite different. There seems to be general agreement that one of the principal purposes of this civil rights bill is the grant of authority to the Federal courts to issue injunctions without regard to administrative or other remedies.

The amendment I propose would strike out those words "or other" which would let the courts disregard administrative remedies. It seems to me they are not applicable to the kind of problem presented when you have a question of interference with the right to vote. My amendment would let the Attorney General waive those, but would not let him disregard judicial remedies.

For that purpose I would add a sentence at the end of section 121 and at the end of section 122 to this effect:

> The district courts shall not exercise jurisdiction in proceedings authorized by this section if a plain, speedy, and efficient remedy may be had in the courts of the State or Territory in which the party aggrieved resided at the time the cause of action arose.

I think the meaning of that must be apparent to all who hear it even for the first time. If there is a plain, speedy, and efficient remedy in the State courts there is no occasion in my judgment for any suit to be carried on in the Federal courts.

There is precedent for this sort of treatment of a constitutional question which has been on the books for more than 20 years. Back in the 1910's and the 1920's rate regulation became general for public-service companies, prices were rising, and companies were having difficulty in making the necessary earnings. Rate commissions were having difficulty in justifying orders increasing rates.

Mr. NIMTZ. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. RAY. Mr. Chairman, the utilities went into Federal court claiming confiscation, deprivation of property without due process of law. That caused a lot of trouble. Finally Congress enacted section 1342 of title 28, United States Code, that in such cases the company might not maintain its suit in Federal court if a plain, speedy, and efficient remedy existed in the State courts. Thus the Federal court decided at the threshold whether there was such a remedy; and if there was such a remedy the case went to the State court. If not, it continued in Federal court.

That gave each State that wanted to exercise its sovereignty and retain jurisdiction over cases of that sort the opportunity to do so. Where the States did not take that action the remedy existed in the Federal court.

I think that example can be applied in this case. It would preserve the sovereignty of the States, it would assure that there was a backing up remedy in the Federal courts if the States did not so act.

The amendment has a broader implication. There is an established doctrine that when Congress preempts the field it excludes State action. Should this bill be enacted in its present form I do not know how far it would be held to preempt the field and render inoperative the State statutes that exist in many States and under which there are adequate remedies for any interference with the right to vote.

Mr. Chairman, I will say more about this when the bill reaches the amendment stage. I hope you will all be interested and will look into it.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. RAY. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I have been following the gentleman's statement with much interest. Some of us feel that time is of the essence in this matter. Has the gentleman given consideration to how much delay there might be if primary consideration had to be given to the question as to whether the State remedy is adequate or not?

Mr. RAY. It has not caused serious delay. It has worked well in the cases I have spoken about. All it takes is a paragraph in the pleading or in the bill of complaint. The Attorney General, starting a case in Federal court, would allege that no plain, efficient, or speedy remedy was available in the State court. The issue would be raised, and that question would be decided at the threshold. It would not take separate litigation.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. RAY. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Would the determination by the Federal court as to whether there was at the State level an adequate, speedy, and efficient recourse be based on existing statutes or laws or would it be based on the record of performance of the State courts or other agencies?

Mr. RAY. All of the things the gentleman mentioned can be taken into account by the Federal court.

Mr. JOHANSEN. I have in mind the allegation, I am not passing judgment on it, that justice cannot be secured by someone in certain State courts in the matter of the protection of the right to vote. I am wondering if that aspect of the matter would be weighed by the Federal court in making its determination?

Mr. RAY. I think the gentleman will find in the precedents appearing in the books that whether a remedy exists under State laws depends on the decisions, the course of decisions, as well as on the statutes.

Mr. JOHANSEN. That is, previous decisions?

Mr. RAY. Yes; and current decisions.

Mr. CELLER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, H. R. 6127 would create in the executive branch a so-called Civil Rights Commission composed of six members with power to investigate allegations that citizens are being deprived of their right to vote by reason of their color, race, religion, or national origin. This Commission would be empowered to study and collect information concerning legal developments constituting a denial of equal protection, and appraise the laws and policies of the Federal Government. In addition to this grant of investigative authority, which more appropriately falls within the jurisdiction of the Congress, the Commission would have subpena power which is given to few committees of the House of Representatives. The Commission would be empowered to employ an unlimited number of personnel, and up to 15 voluntary and uncompensated persons.

H. R. 6127 provides for an additional Attorney General in the Department of Justice, and would empower the Attorney General to institute in the name of the United States civil actions or other proceedings for preventive relief, including injunctions, restraining orders, and other orders. The United States would be liable for costs the same as a private person, and it would not be necessary for a complainant to exhaust his administrative remedies. Proceedings could be instituted by the Attorney General against any person who has engaged or is about to engage in any act of practice to deprive another of his voting rights.

This bill provides that a Commission is to be created to make a study and to obtain information regarding so-called civil rights. Although the purpose of the study is to obtain information, before there is any finding or recommendation by the Commission it is further proposed that the Attorney General be granted the unprecedented power to ignore the existing rights of the States by instituting such proceedings as he considers appropriate for preventive relief without the consent of the private party who is presumed to have been injured. Such proceedings would be instituted in the name of and at the cost of the United States and the party against whom the action is taken would be denied the right of a trial by jury. This unprecedented authority is being requested by the Attorney General in the name of making a living reality of the pledges of equality under law which are embodied in the Constitution, without reference to article III, section 2, of the Constitution, which provides that the trial of all crimes, except in cases of impeachment, shall be by jury.

We are proud that we have a government of law rather than a government of men, yet this bill would create a Commission which would apparently establish its own rules without statutory restriction, while using subpena powers

and employing uncompensated personnel. The testimony clearly indicates that the protection of the rights of the individuals who are to be brought before this Commission would be entirely dependent upon the caliber, judgment, and motives of the men to be appointed to the Commission. It is difficult to understand the reasoning of those who express their willingness to place their complete trust in a group of men serving on a Commission while at the same time they question the integrity of American juries and State judges. When questioned about the extremists who might be employed as uncompensated personnel by the Commission, the Attorney General indicated that this would enable the Commission to employ an outstanding expert who would not want to take pay from the Government because there might be a conflict of interest. This statement would indicate that this bill also carries with it a built-in exception on conflict of interest in the employment of uncompensated personnel by the Commission.

Eleven States were sufficiently concerned to send their representatives to testify before the House Judiciary Committee. Eight States were represented by an attorney general of the State and two States were represented by an assistant attorney general. Without exception, each State attorney general and assistant attorney general was opposed to this legislation. These proposals were viewed by them as an unwarranted centralization of power, and both unnecessary and undesirable. State officials took the position that the distrust of State governments, of State law, and of the State judicial processes implicit in the proposals were not deserved.

The Constitution of the United States and the statutes already existing provide every remedy and protection that any citizen of the United States could rightfully desire. As the minority report states, the existing statutes are broad enough to cover not only an action for damages, but include preventive relief in equity with the right of the court to grant an interlocutory or permanent injunction. I am glad that the existing law is not sufficiently broad to dispense with a trial by jury. I am also glad that existing law does not give to any Federal official authority to represent selected complainants at the taxpayers' expense while at the same time denying equal protection to defendants who are presumed under existing law to be innocent. The minority report points out that under the proposed legislation the Commission might subpena 10 or 15 witnesses for a complainant to appear at a remote location, with the Government paying travel and per diem allowances. At the same time, the defendant who is presumed under law to be innocent, would be required to appear at the same remote location at his own expense with the responsibility of getting his own witnesses and paying their expenses.

Not only would this proposed legislation establish a commission to investigate allegations that citizens are being deprived of their right to vote by reason of their color, race or national origin, but H. R. 6127 adds "religion." The minority report points out that the word "religion" was struck from the bill which appeared as a committee print on February 28, 1957, but reappeared in H. R. 6127. I am unaware of any testimony in the recent hearings of the Judiciary Committee which indicates that any citizen has been deprived of any right due to religious belief. In fact, the minority report states:

> In the hearings that have been conducted before the House Judiciary Committee over a period of many years, we have been unable to discover a single line of testimony from any individual appearing in person and on his own behalf contending that such person's civil rights had been abused.

Since America is universally recognized as a land of freedom, and recognized above all for religious freedom, I am unable to understand this effort to include religion in this proposed legislation. The inclusion of religion appears to be contrary to the first amendment of the Constitution, which states that Congress shall make no laws respecting an establishment of religon, or prohibiting the free exercise thereof. Inherent in the thinking of the individual American is the conviction that every citizen has a right to the enjoyment of religious freedom, and the inclusion of the word "religion" in this bill is inappropriate.

Also, inherent in the thinking of Americans is the belief that every accused person is entitled to justice in our courts, and the conviction that justice is safeguarded through trial by jury. The framers of the Constitution of the United States were intent upon preserving the right of trial by jury when they provided in article III, section 2, that—

> The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

It is inconceivable that the proponents of this legislation could conclude that the vast majority of Americans would be willing to accept less than a trial by jury for an accused person where human rights are concerned than they have been willing to accept for the adjudication of property rights. Yet, practically every State in the Union has provided for a trial by jury in eminent domain cases, while this effort is being made to abolish trials by jury in these cases involving human rights.

The proponents of this legislation seek to abolish trial by jury by bringing actions in the name of the United States rather than in the names of private parties. The purpose of section 3691 of title 18 of the United States Criminal Code is to provide that in contempt cases the accused, upon demand therefor, shall be entitled to trial by a jury, and to conform as near as may be to the practice in other criminal cases. Since this section does not apply to contempt committed in the presence of the court or suits brought or prosecuted in the name of the United States, an effort is being made to have the United States Government engage in the private practice of law for the specific purpose of avoiding jury trials. Section 3692 of title 18 of the Criminal Code, which follows the section I have mentioned, also clearly sets forth previous thinking covering judicial procedure in contempt cases. This section provides that, in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

There was good reason to provide for trial by jury in contempt cases growing out of labor disputes when the Norris-La Guardia Act was passed, just as there is good reason for providing for a trial by jury in contempt cases growing out of this proposed legislation. I was for trial by jury in contempt cases growing out of labor disputes when the Norris-La Guardia Act was passed, just as I am in favor of a guaranty of trial by jury in contempt cases growing out of so-called civil-rights cases. Trial by jury is a minimum and necessary guaranty for the individual in both cases. We cannot vary the right to trial by jury on the basis of the subject matter of a dispute. The question is one of guaranteeing justice to the individual, and justice is determined through guilt or innocence and not by the nature of the dispute. The accused are entitled to their day in court for contempt cases growing out of labor disputes and for contempt cases growing out of so-called civil-rights cases. To the American people, this day in court in both cases means a trial by jury.

To dispense with jury trials in the proposed legislation is contrary to the Constitution of the United States, existing statutory authority, and the inherent conception of American justice.

Mr. NIMTZ. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ALGER].

Mr. ALGER. Mr. Chairman, I realize the lateness of the hour and the small number of Members here. In the short time I have been here my colleagues have told me of the adage that little influence is exerted in the speeches we make. So I say to you that maybe I am speaking only because I do not want silence to be misunderstood to mean that the people of the city that we affectionately call Big D and the folks of Dallas County are voiceless on an issue like this. I do hope in passing maybe 1 or 2 things I say will have some merit to you.

In the first place, I am not a lawyer. Still, I have great respect for the things I have heard. I feel that what I lose in technicalities I might replace by grassroots impressions of this bill.

I am not going to belabor you with a lot of detail. I am taking the bill, and that is all I have here, and run quickly through it and pick out some of the things the man on the street may have to say; and I feel that maybe some of you will feel there is merit in this position. First of all, I would say in observing this bill, as much as the bill last year, this is not a racial bill at all. This is a political bill. I do not think anybody here on either side of the aisle can truthfully say, no matter how concerned they

may be about civil rights, that there is not a lot of politics involved. Insofar as to the degree that we use politics to solve this problem, I believe we will all agree that that will not be as good a solution as we could have worked out. So far as civil rights goes, everybody is for civil rights just as we are all against sin. There is no question about that. Last year, I might say to you, when I speak of the political implications in this, I did not sign the southern manifesto which was put out—again in the independence of my position; because some of my colleagues who signed that and appealed to the people of the Nation, saying here was a great States rights violation, very frankly, as I understood the voting records, they have not stood up so firmly for States rights on other issues other than the civil-rights issue. So I probably am a misfit on both sides of the aisle to some degree. Maybe what I lose in a lack of camaraderie I may gain in compensation by some independence. Now, as I look at the bill, it looks more like a violation of civil rights than it does a solution of the civil-rights problem. First of all, let us speak about the Commission. I understood that a Commission is to be set up to study possible violations of civil rights so that out of that august body's findings legislation can be suggested. What do we have? We find the two together. We have legislation which was to follow the wisdom of the Commission's findings in the same bill with the Commission. Obviously, the Commission is to have Godlike wisdom.

Passing on to page 4, I refer now both to this bill and the bill of last year. I have listened to as much of this as possible and the same was true last year. We made some changes from last year's bill which the gentlemen from New York, both the majority and the minority leaders of the committee have very excellently explained to us. I think I understand them. First of all, many of us are concerned about the subpena privilege of this Commission because anybody at the drop of a hat could go anywhere at his own expense, on his own time, for any distance and meet the wishes of the commission. What did we do? We cut back the distance traveled. Does that make any difference? How about the civil rights of the fellow who has to travel on his own time, which makes it all the worse, to meet the wishes of the commission. In any event, who is going to repay him. How about his civil liberty too?

Allegations are now to be made in writing. Do you recall the debate last year when the proponents of the bill did not feel there was anything wrong in not having a bill of particulars and the gentleman from Texas pointed out to us that having the allegations in writing this year, they have seen the light and put it in the bill. Also, they have taken out the matter of unwarranted economic pressure. I mention those two things for this point. They have left in religion. Could it be that if they had given any further thought to the bill an amendment might cause them to think that just as they amended it from last year in these other instances, they might agree to strike out religion too. There are only two subjects in our lives today that are not broadly touched by Federal law. I think one is the church and the other is our children's education.

Let us look here at page 6. Let us look at the top of the page. I am just going through the bill. Anyone of you who has the bill can follow me. On page 6, paragraph No. 2 it says: "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

I stood here, which is one of the few times I have taken the floor, to unfold to you the evidence before our committee last year which frankly shocked me, when I saw the evidences of brutality—the pictures of men being beaten almost to death with the police standing nearby in labor dispute and the police not taking a hand. I simply ask you—is that civil rights? Why have not my colleagues and friends from the North had something to say about civil rights in this matter of labor violence? I am certainly not afraid to mention it. I will do what I can to see civil rights protected.

Let us pass down on to the bottom of the page, where the bill provides that the Commission may accept and utilize services of voluntary and uncompensated personnel.

Think of that a minute. I am no attorney—but what contractual obligation is there between a person working for the Commission in this case and the Commission itself? Would you hire anyone in your office without pay? Where would be the loyalty? Would there be any contractual agreement between you? Even the people we hired at a dollar a day get that dollar a day. I will not labor that point further, but I just want to ask you these rhetorical questions. Now the number of people are limited to 15. I wonder why the number is limited to 15? If more than 15 were wrong, is it not equally wrong that we have 15? Why have any voluntary and uncompensated personnel? On the next page there is a penalty where there is a refusal to obey a subpena, and a man can be taken to jail without a jury trial. When a man is in jail and has not had a jury trial, how about his civil liberties?

On the top of the next page, I see we are going to appropriate money, so much as may be necessary.

In the next part we are going to add people, as many as are required to administer the Attorney General's business, an unlimited number.

At the bottom of the page I want to quote this and see how it sounds to you, as it will to constituents.

> Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third—

And then go back and read the paragraphs. I simply wonder if there is anything in our lives that cannot be fully covered by this particular clause. Where, then, are our civil rights, if the Commission or the Attorney General wants to file suit for any reason under the sun?

Then, at the bottom of page 10, the bill speaks of civil rights, including the right to vote. I want at this point to ask where anyone has outlined civil rights, if you take out the right to vote? How much has been said to us about other civil rights? What civil rights?

Then we go to part IV, and that bothers me particularly. This matter of States rights. I will be glad to put up my voting record against anyone in the matter of States rights. I want to preserve those rights. As I say, there is only one reason the Communists could not by subversion take over our country. The reason is the balance of power between State and Federal. There is no centralized voting, there is no central landownership, there is no central police power in Washington, but it is decentralized through the 48 States. But we will have none of these things if we transfer our power to the Federal Government, through tampering with our States voting law because then we will lose our State balance against Federal Government.

Then, on the last page, is spelled out how any taxpayer, through the use of his own money, can be sued by Uncle Sam. I ask you how is the fellow who is innocent going to be protected? Who is going to pick up the tab for him? Suppose he is declared innocent, after he has engaged an attorney and paid for all the costs; if he is not guilty, what does he get out of this? Who repays him?

I can understand why some attorneys may not be too concerned about this bill, because either way I think they will have more business. Those of us who do not enjoy a legal practice cannot appreciate the situation. To us it is a bad bill. We cannot appreciate the attorneys who say it is a bad bill, in not speaking out on the floor.

It seems to me we can kill more civil rights than we protect. Talk about a jury trial. It will be difficult to explain to anybody back home why you are against jury trials if that is passed.

Mr. COLMER. Mr. Chairman, I make a point of order.

Mr. ALGER. Would the gentleman withdraw that? I am almost finished.

Mr. COLMER. Yes; I will withhold it for the time being.

Mr. ALGER. Finally recognizing what the Supreme Court has done to us, I wonder what will be the construction of congressional intent when we on this floor have this great difference of opinion as to what we are actually trying to do, what the law actually means—I simply wonder what the Supreme Court will do to us now when they construe this bill later on, as to congressional intent.

Mr. COLMER. Mr. Chairman, I did not want to interrupt the gentleman from Texas, but I do think we should have a quorum present, and I make the point of order that a quorum is not present.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The question was taken, and the Chair being in doubt, the Committee divided and there were—ayes 28, noes 38.

So the Committee refused to rise.

The CHAIRMAN. The Chair will now count for a quorum. [After counting.] Eighty-two Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 103]

Andresen, August H.	Fogarty	Morris
Anfuso	Frelinghuysen	Multer
Arends	Friedel	O'Brien, Ill.
Ashley	Garmatz	O'Hara, Minn.
Ayres	Gray	O'Konski
Bailey	Green, Pa.	Osmers
Baker	Gregory	Philbin
Barden	Griffin	Pillion
Barrett	Griffiths	Poage
Beamer	Gubser	Porter
Belcher	Gwinn	Powell
Blatnik	Harden	Prouty
Bolton	Hays, Ohio	Rabaut
Bosch	Healey	Radwan
Bow	Hoffman	Rains
Bowler	Holifield	Reed
Breeding	Holland	Rhodes, Ariz.
Brown, Mo.	Holtzman	Rhodes, Pa.
Buckley	Horan	Riehlman
Byrne, Ill.	Jackson	Rogers, Colo.
Byrne, Pa.	James	Rogers, Mass.
Byrnes, Wis.	Jenkins	St. George
Cederberg	Jensen	Schwengel
Chamberlain	Jones, Ala.	Scott, Pa.
Chiperfield	Judd	Scrivner
Christopher	Kean	Shelley
Chudoff	Keeney	Simpson, Pa.
Clark	Kelly, N. Y.	Smith, Wis.
Clevenger	Keogh	Spence
Corbett	Kilburn	Stauffer
Coudert	Kirwan	Taber
Cramer	Knutson	Taylor
Cretella	Krueger	Teague, Tex.
Cunningham, Nebr.	Laird	Teller
	Lane	Tewes
Curtis, Mass.	Lankford	Thompson, La.
Curtis, Mo.	Latham	Utt
Dague	LeCompte	Vinson
Dawson, Ill.	McConnell	Vorys
Delaney	McCulloch	Vursell
Dellay	McGovern	Wainwright
Dempsey	McIntire	Westland
Dixon	McIntosh	Wharton
Dollinger	Machrowicz	Widnall
Donohue	Martin	Wier
Dooley	May	Wigglesworth
Dorn, N. Y.	Miller, Md.	Williams, N. Y.
Eberharter	Miller, Nebr.	Wilson, Ind.
Fallon	Miller, N. Y.	Withrow
Farbstein	Minshall	Wolverton
Fino	Montoya	Zelenko
	Morano	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 275 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

PROGRAM FOR NEXT WEEK

Mr. KEATING. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I should like to inquire at this time of the majority leader as to the program for next week.

Mr. McCORMACK. Mr. Chairman, beginning on Monday the consideration of the pending bill will be continued until that bill is disposed of. Of course, on Wednesday next there will be no session, in accordance with the unanimous-consent request heretofore granted.

If the civil rights bill is disposed of in time next week—you notice my words of qualification, limitation, and guardedness—there will be other bills brought up. They are:

The conference report on the third supplemental appropriation bill, H. R. 7221.

H. R. 6974, to extend the Agricultural Trade Development and Assistance Act.

S. 469, relating to the termination of Federal supervision of the Klamath Indians.

H. R. 7168, the Federal Construction Contract Procedures Act.

I make the usual reservation as to conference reports and that any further program will be announced later.

Mr. HALLECK. May I ask if the conference report on the third supplemental appropriation bill is in agreement?

Mr. McCORMACK. No; there are two matters in disagreement. There is one on the disaster insurance and the other on the tungsten.

Mr. HALLECK. Would it be expected that in all probability there will be a separate vote had on those matters that are in disagreement?

Mr. McCORMACK. I would expect that there would be a separate vote. We may take 2½ or 3 hours to dispose of that.

Mr. HALLECK. And as I understand it that conference report would not come up until the consideration of the pending measure is concluded?

Mr. McCORMACK. Nothing will come up until the consideration of the pending bill is completed.

Mr. CANFIELD. The gentleman referred to disaster insurance. Does the gentleman mean flood insurance?

Mr. McCORMACK. Yes; that is what I have in mind.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the gentleman from South Carolina [Mr. HEMPHILL].

Mr. HEMPHILL. Mr. Chairman, I want to join those gentlemen who on yesterday spoke in favor of a jury trial. I do not think any words of mine could add to the wisdom of their argument, but I do think it might be well to make one observation. While the judiciary was set up under the Constitution as a branch of the Government, the Congress has the power to set up the district courts. The Congress has the inherent power to prescribe for these district courts the rule by which these courts shall operate. If the Congress of the United States has the power to legislate, and if the Congress of the United States has the power to prescribe the rules for the courts of this land, as it does, then the Congress has the right to write into any legislation the right to a jury trial. So, it is a question of whether you believe in a jury trial and whether or not this fair way of deciding issues shall be put into this legislation.

But, I want to address myself to one other point which I think should be brought to the attention of the House. This legislation, insofar as I can determine, is the most dangerous piece of legislation offered in the last 10 years. Under this legislation, it is possible, if not designed, to do away with the system of free elections in this great country. I speak not only of those elections for seats in the House of Representatives or in the other body, but I speak of elections in any branch or subdivision of our national, State, or municipal governments. My reason for saying so is on page 11 of the bill. There is a reference to section 1971, title 42 of the United States Code. If you have not read that section, I beg you to read it before you vote on this legislation. I am going to read it to you because it has not been read before. It is not mentioned in the bill and it is not mentioned in the report in such a way to give the Members an idea of what this particular statute provides. This statute provides:

> All citizens of the United States who are otherwise qualified by law to vote in any election by the people of any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude. Any custom, law, usage, or regulation of any State or Territory by or under its authority to the contrary notwithstanding.

Then, my friends, we read into this legislation the implications which have arisen from certain decisions of the Supreme Court of the United States. I have in mind particularly the case of the Commonwealth of Pennsylvania versus Steve Nelson, wherein the Supreme Court of the United States said to the State of Pennsylvania, to your State and to mine, that insofar as sedition is concerned the laws of the Federal Government and the Smith Act of 1940 preempts or supersedes any other sedition act of a State legislature which prior to that time and since 1940 had been able to pass legislation against sedition, and it was not questioned that the States had that right until the Steve Nelson case was decided on April 2, 1957.

I want to call attention to certain things in this Steve Nelson case, because if they can do it on the question of sedition they can do it on the question of civil rights. If they can have a doctrine of preemption written into the Smith Act, which was not intended by the author, nor intended by the Congress which passed the act—and the author of the bill wrote to the Court and told them that it was not intended—despite that fact the Supreme Court said that the United States statute did preempt.

Now, we are confronted with the problem of voting. We are putting into the hands of the Attorney General of the United States the power to direct various district attorneys, on the eve of some Federal election if you please, or in those States where an election might be called either for Congress or for governor or some other office which some political party might deem necessary to hold, or some balance of voting in which some political party might think the Attorney General should take some action upon for the purpose of either hindering the election, starting unnecessary propaganda, or making sure that a certain candidate received or did not receive a certain block of votes. That is the danger of this legislation, because we are putting into the hands of the United States district attorney, and people under him, the power to meddle in State elections.

If you will remember the 10th amendment to the Constitution, and its provisions and its interpretations, the States are supposed to be supreme in the laws on elections.

I have here for the purpose of illustration the laws of my own State, which I think are inferior to none, having been tested and approved once by the Federal courts and approved often by the district courts.

Now listen just a minute to something that came from the Steve Nelson case, and you will see why I am scared of the preemption doctrine being put into the election laws.

In that case the Supreme Court said:

> It should be said at the outset that the decision in this case does not effect the right of the States to enforce their sedition laws at times when the Federal Government has not occupied the field and is not protecting the entire country from seditious conduct. * * * Nor does it limit the jurisdiction of the States where the Constitution in Congress has specifically given them concurrent jurisdiction as was done under the 18th amendment and the Volstead Act.

On its face that would not seem to cause any concern here, until we read the provisions of this bill. On page 10 of the bill, line 8, we start:

> The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

So we do not require under this legislation that the State laws, which have been recognized by the Constitution, shall be exhausted before we resort to Federal district court action. This bill gives the Federal authorities the right to bypass the State laws. It gives the district attorney in your district the right to meddle in your election, or defeat you if he is so minded, or his party is so determined. It has happened. Only this week another decision came down and I want to touch on it just briefly, the famous Jencks case. Jencks had asked that the Court look at certain records, and the former Attorney General of the United States dissented, pointing out that this Supreme Court across the way not only said that the Court should look into the files of the Federal Bureau of Investigation but that the defendant himself might look into those confidential files, when the defendant, by his original motion, never asked that authority.

Now you are faced with this proposition, you are faced with the proposition of either rejecting this legislation or bowing down again to the white-marble palace across the way, telling them that we are going to have legislation by decree just as they have in the Steve Nelson case, where they wrote into the Smith Act the doctrine of preemption that was never intended. And if you pass this bill you are going to have written into the legislation the doctrine of preemption which says that the Federal Government under this legislation has the right to go into your State and into your county and your city and say that your State laws do not apply.

We have all been in elections here. We know that on the eve of a primary or a general election after a long and hard campaign, people are tense, rumors are on the wings of the wind; propaganda has been spread, the candidates and their friends are nervous and worried about the outcome. Then what happens? One of the provisions of this bill states that when any person or persons are "about to engage" in anything which they say might keep some people from voting that the Attorney General or the district attorney or whoever else might be interested for political purposes shall come in and obtain an injunction and have other remedies attendant.

Suppose you win an election or are about to win; the other side knowing it is going to lose, but having in office a friend who is a district attorney who wants him to win because he was district attorney; he has affidavits made by his friends to say that certain things will happen or are about to happen, so he will keep certain people from voting, or we will say to the manager of ward 3 or precinct 4, or to the managers or supervisors or election commissioners: "You cannot act tomorrow in this election." What is the result? A whole box in that municipality is out of the picture because they know that particular part is going against them.

If you want that sort of thing and if you believe freedom-loving American people deserve that sort of treatment at the polls, then vote for this legislation. But if you want freedom of elections I ask you to consider what we are saying here.

Let me digress just a minute and tell you something about elections. In South Carolina—I can speak for no other State—every man regardless of his race, creed, or color, is allowed to vote, and we have had no difficulty at all. We have made great progress. This sort of legislation would be used only as a vehicle for those who would seek to undermine the very freedom of election that this bill pretends to seek.

You have seen the endorsements of this sort of legislation by organizations which are either pink or red. You have heard of the Communist Party endorsing this sort of legislation and certain ideologies and certain groups which have been sponsoring it.

I ask you to think about those things. I ask you to think, Mr. Chairman, because I believe that under the 14th and 15th amendments, and under the present statutes you have sufficient remedies. I ask the Members over the weekend to read title 42 of the United States Code—and those are laws which were passed in 1866 and 1870 which have been the civil rights of this land since 1870. Now, until 1957 those laws which have been sufficient, and under them this great land has enjoyed freedom and the prosperity we now enjoy, its civilization is the best in the world; the laws suddenly become inadequate, yet our industry and our country have flourished under the legislation enacted in, and which has been the law since, 1870. Then why in 1957 is it necessary to pass in this Congress the controversial legislation that you are considering here today? Why should you incite man against man at the polls? Why should you add fire or fuel to the flames which some have started? I might tell you that we in the South hold malice toward none. We do not want difficulty or trouble. We have neither fanned the fires nor fed the flames because we want and have made progress.

You have served with us in the Congress, you know what type of people we are. Then can you look us in the face and say: "I recognize the fact that you sat on the committee with me today, that you worked in the Congress with me day before yesterday, that you spoke in the well of the House, that I welcome your smile, yet you are the people whom this legislation is directed against."

I beg of you not to consider this legislation in that light. I would not stoop to consider legislation against any other section of the country. I would think it was beneath my dignity as an American and against all principles of freedom. Of course, while this is a federal government, do you realize what the United States means? It means a confederation of States united. I think the man from New Jersey or New York, the man from California or the man from Pennsylvania is just as good an American as I am. I think it is just as important to him to preserve America. I think it is important to him to look at this legislation and see the evils of it.

Mr. Chairman, I ask that this legislation be defeated.

It is true that this legislation does not specifically state that the Federal statutes shall preempt the election statutes already in existence in the various States, but we are in a period of serious governmental difficulty already arising out of the unfortunately successful effort by the Supreme Court to have the judiciary usurp the powers of the Congress. Some have correctly termed this "legislation by decree." If this has taken place before, and I am going to point out where it has, it could and would take place again.

I have reference specifically to the Steve Nelson case in which the Court read into the Smith Act of 1940, as amended in 1948, a docket of preemption, not originally intended by either the author of the act or the Congress which passed the legislation, and since the passage of the act, never before invoked to take from the State its right to prosecute for sedition.

No one seems concerned that the checks and balances so sacred to our forefathers, are now sacred only to the Congress. Neither the executive nor judicial branches of this Government longer recognize, or subscribe to original conception that each branch of the Government, supreme in its own sphere, would be checked by the other branches.

It concerns me here that some of those who propose this legislation, or support it, are so blind as to its effects. Either for political expediency, or for a cause they believe just, but which promises as its impact injustice to all America, they blindly follow Attorney General Brownell on his civil-rights bill.

The dissenting opinion by Mr. Justice Reid, Mr. Justice Burton, and Mr. Justice

Minton, recognized the necessity for adherence to constitutional principles, and quoted from Chief Justice John Marshall and others, whose real thinking on the Court was to preserve the Nation. They repeated, for the Nation, from title 18, section 3231 of the United States Code:

Nothing in this title shall be held to take away or impair the jurisdiction of courts of the several States under the laws thereof (18 U. S. C. 3231).

These dissenting Justices knew, and perhaps other know, that it is necessary that a State have adequate penal law.

To interfere with the penal laws of a State, where they * * * have for their sole object internal government of the country, is a very serious measure, which Congress cannot be supposed to adopt lightly, or inconsiderately. * * * It would be taken deliberately, and the intention would be clearly and unequivocally expressed (*Cohens* v. *Virginia* (6 Wheat. 264, 443)).

Finally we find this in the opinion:

The law stands against any advocacy of violence to change established governments. Freedom of speech allows full play to the processes of reason. The State and national legislative bodies have legislated within constitutional limits so as to allow the widest participation by the law enforcement officers of the respective governments. The individual States were not told that they are powerless to punish local acts of sedition, nominally directed against the United States. Courts should not interfere. We would reverse the judgment of the Supreme Court of Pennsylvania.

Now you must remember, considering this Nelson case, that the Department of Justice, through the Solicitor General of that day, now a distinguished jurist, filed a brief, as a friend of the Court, and our United States Government took the position, before the Court, that the Smith Act did not supersede or preempt the Pennsylvania Sedition Act. I quote from page 5 of the argument of the Solicitor General:

The Smith Act itself and its legislative history are barren of any suggestion that supersedure of similar State laws was intended. On the contrary, there is clear evidence that Congress was well aware of the existence of the State legislation and there is no evidence that it intended the Smith Act to affect such legislation. Moreover, the Smith Act is included in the Federal Criminal Code as reenacted in 1948, which includes a general saving clause to the effect that nothing in the code "shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof" (18 U. S. C. 3231).

Then the Solicitor General knew the inherent dangers in decisions such as was issued, and on page 7 of that brief I find the following language:

Moreover the field is that of criminal justice, which, in our Federal system, is primarily committed to the care of the States. This Court has stressed that it will not lightly infer that Congress, by the mere passage of a Federal act, has impaired the traditional sovereignty of the States. *Allen-Bradley* v. *Board* (315 U. S. 740, 749). It is settled that there is no constitutional obstacle to the punishment by both the States and the United States of the same acts.

Further on page 16 of that brief I find the bold statement in bold print:

Congress has not preempted the field of punishing seditious activities.

Let us recollect also, that there was no showing, in the Nelson case, that the State statutes as administered by the State, in fact was an obstacle to the accomplishment of the full purposes and objectives of the Smith Act. If such appeared, Congress would be free to eliminate such conflict.

The concluding statement in the brief spells out the dangers involved. The usurpation of the powers of Congress by the Court was predicted, and has happened. We have done nothing about it. The Communists do not want us to do anything about amending the Smith Act so that the States can prosecute also. They are happy and satisfied. They know that the Congress is close to the people, and that once the inherent powers of any branch of this Government is undermined, the Government as a whole is weakened. I quote from the brief again:

We have spelled out in this brief our reasons for concluding that Congress has not sought to displace State legislation prescribing advocacy of the violent overthrow of Government. Doubts as to the wisdom of such legislation or the possibility that it might be abused in practice should not be permitted to obscure the fact that within an area such as this, were Congress and not the courts to determine, within the constitutional framework, the extent, if any, to which the traditional sovereignty of the States must yield to the paramount Federal power. We have found no indication, express, or by implication, that Congress has at any time considered it in the public interest to displace State sedition laws. Of course, should it at any time appear to Congress to be in the public interest to limit the operation of such State laws, Congress is free to legislate to that end. The problem, if there be one, is a legislative problem to be dealt with by Congress.

For years the election laws have been the exclusive sovereignty of the States. Whenever any difficulty over election arose, it was handled in the State court, under proper authority and proper decree. There is no necessity of changing form and practice of Government in this regard.

But, some would say, the States have the right to handle elections, and this bill is designed at civil rights, instead of elections. I tell you that the States do have the right to hold elections, and to legislate concerning them, and I also tell you that this bill is designed to break down those rights, along with the purported civil rights theory of the bill.

Some may say, Well, Mr. Brownell would never do anything like that. I do not pass on that here, but who can say who will be Attorney General next, and what his motives may be, or whether the Communists will "slip one in on us," as they have done in other instances, namely, Alger Hiss.

We have been talking about the Smith Act, and the doctrine of preemption. While it may not be the intent of the legislation, and the distinguished chairman of the committee might well write the court that it was never the intention of this legislation to preempt the rights of the States over elections, the men across the way might do like they did in the Steve Nelson case, disregard what the lawyers call stare decisis, which means the guiding opinions of former years, and usurp the powers of Congress again to preempt the Federal Government into the election field. Then, what happens?

We know of the lust of power, we men who serve in the Congress. We have seen it through the years, some of you have had far more experience along this line than I ever hope to have. Suddenly there is thrust in the hands of the Attorney General of the United States—and he controls most of the District Attorneys, the Federal Bureau of Investigation, and a bureaucracy waiting to do his will—the duty or opportunity to stop a series of elections which will determine the control of the Congress, the naming of the President, or else, and he finds himself in a position of great power—he decides to capitalize upon it. The probabilities and possibilities are fantastic, but they are there.

But you are going to say to me that our Supreme Court, in past years has said that the States have the right to determine the manner and means of voting, except where there is discrimination. But I tell you that the decisions have implication, from which decisions, or preemption, such as the Steve Nelson case, could easily be drawn.

The power of Congress to legislate on the subject of voting at purely State elections is entirely dependent upon the 15th constitutional amendment, and is limited by such an amendment to the enactment of appropriate legislation to prevent the right of a citizen of the United States to vote, from being denied or bridged by a State on account of race, color or condition; since the amendment is, in terms, address to the action by the United States or a State, appropriate legislation for its enforcement must also be addressed to State action, not to the action of individuals—*Carem* v. *U. S.* (121 Federal 250, 57, C. C. A. 486, 61 L. R. A. 437).

In a case from my own State, South Carolina in 1871, the Supreme Court declared that Congress has the power to interfere for the protection of voters at Federal elections, and that power existed before the adoption of the 14th and 15th amendments to the Constitution—*U. S.* v. *Crosby* (Federal Case 14, 893, 1 Hughes 448).

The power of Congress to legislate upon the right of voting at State election rests upon the 15th amendment, and is limited to prohibitions of such discrimination by the United States, the States, and the officers, or others claiming to act under color of laws within the prohibition of the amendment—*U. S.* v. *Amstein* (6 Federal 819 (Indiana 1881)).

In case of *U. S.* v. *Lackey*, Kentucky decision originally (99 Federal 952, 107 Federal 114, 46 Circuit of Appeals, 189, 53 L. R. A. 660, 21 Supreme Court 925, 181 U. S. 621, 45 Law Edition 1032), our Court has held that the 15th amendment was meant to guarantee and secure to the Negro as such the same right to vote that the white man, as such, has; and under the power conferred upon Congress to enforce the same by appropriate legislation, any legislation having in view the sole object of protecting that right, if

adapted to that end, not otherwise unconstitutional, is valid.

These then are the implications.

Just suppose for one instance, that a State was marginal in some Federal election. A person of design, upon affidavits, could be informed that the election commissioners of the State, and of the various subdivisions of the State, were about to engage in some activities which would prevent some alleged segment of the population from voting. Immediately, in order that the State be out of the picture insofar as the election was concerned, injunctions, or writs, could issue, under the guise of civil rights and under this legislation, against those in charge of the election. After the election was over it would not make any difference, but confusion would come rampant, and the worst in American conception become possible.

It would do us no good to claim the State court had jurisdiction.

I know of no State which does not have adequate election laws. There is no complaint, openly in the bill, to this end.

But if we have been preempted in the field of sedition, is it not possible we will be preempted in the field of election?

It may appear to you that I have made here a lawyer's argument. I admit that I have, but this bill has come from the Judiciary Committee, whose members are acknowledged leaders of the legal profession, but I have endeavored to put it in language the other businessman can understand.

In order to accomplish preemption, in the Steve Nelson case, the Supreme Court of the United States overlooked similar questions which had been before the Court from other States.

In *Gitlow* v. *New York* (268 U. S. 652), the Court said:

> And the State may penalize utterances which openly advocate the overthrow of the representative constitutional form of government of the United States by violence or other unlawful means. (*People* v. *Lloyd* (304 Illinois 2324)). See also, *State* v. *Tachin* (92 New Jersey Law 269, 274); and *People* v. Steelik (187 California 361, 375). In short this freedom does not deprive a State of the primary in an essential right of self-preservation; which, so long as human governments endure, they cannot be denied.

Whitney v. *California* (274 U. S. 357 (1927)) was a case in which the United States Supreme Court sustained the constitutionality of the California statute which made it a felony for anyone knowingly to become a member of any organization advocating unlawful acts of force and violence as a means of accomplishing change in industrial ownership or any political change.

In *Gilbert* v. *Minnesota* (254 U. S. 325 (1920)), the Supreme Court upheld a Minnesota statute making it a misdemeanor to advocate the citizens of the State should not aid or assist the United States in prosecuting or carrying on a war.

As Pennsylvania was denied and deprived the right of prosecution, so may your State, and mine, be deprived of the right of having its own election law, and the doctrine of preemption takes us further down the road toward statism, and, eventually, socialism and destruction.

In *Rochin* v. *California* (342 U. S. 165) Mr. Justice Frankfurter said:

> In our Federal system the administration of criminal or justice is predominately committed to the care of the States.

In *Jerome* v. *The United States* (318 U. S. 101 (1943)), Mr. Justice Douglas said:

> Since there is no common-law offense against the United States, the administration of criminal justice under our Federal system has rested with the States, except that criminal offenses have been explicitly prescribed by Congress. In that connection, it should be noted that the double-jeopardy provision of the fifth amendment does not stand as a bar to Federal prosecution though a State conviction based on the same acts has already been obtained.

In his argument in the Steve Nelson case, the distinguished attorney general of Pennsylvania contended that the States have always had and still have the power of self-preservation, and this includes the power to prohibit advocating the overthrow of the Government by force and violence. He went on to say that for Congress to occupy the field and supersede the State's sedition law would completely reverse the well-established principle just discussed and deprive the State of the right to protect this very existence, its right of self-preservation.

Can you not see what may happen? Perhaps it is designed. This legislation bows the head of Uncle Sam to an organization known as the NAACP. I believe that it is a known fact that the Communist support, help in every way they can, and promote the NAACP.

I do not intend any implication to the authors of the bill that they are other than sincere American Congressmen. But the legislation is unnecessary; it is dangerous, and may well be the means toward the end of our system of free election.

Mr. ASHMORE. Mr. Chairman, I yield 10 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, one knows little about a particular problem unless he has lived with it. Since the Negro seems to be the subject of this legislation, I, having lived in his midst all of my life, believe I know something about him. Sponsors of this bill actually know little about our colored people. Their espousal of the bill is simply an expedient in the realm of make-believe—an attempt to make the Negro believe that he is acceptable to them in all respects, socially and otherwise. The object is to curry political favor. A casual glance at the ghettos of northern cities belies their statements. There the colored man is shunted further away from the white society than he is in the most segregated southern community; and when he does settle in a northern white community the whites flee the neighborhood in frenzied horror.

There are some who espouse the idea of enforced association between the races. Social contact between people of different races, or even within a single race, must be by mutual consent, of mutual desire, and of mutual will if it is to succeed. The mere passage of a law will not make people happy with one another. Unfortunately, however, there is a segment of our society which always shouts, "There ought to be a law," when they observe something they profess to be wrong. And if their position is one which can be pressed via political channels, as is the pending bill, the machinery is promptly set in motion. By political coercion and the enactment of laws they are trying to make us all alike—socially, economically, culturally, spiritually, and in every manner known to man. That is the objective.

Enforced integration, enforced social mingling, enforced association of any kind or character can never be a success. It makes no difference whether the effort is made between the races or within any particular race. The human being just happens to have individual and discriminating tastes. And these he will have throughout the ages. Laws will not change man's individuality. Laws will not change his color or his characteristics.

People of different races, different colors, and even of different faiths, segregate themselves. Every large American city has its racial segregated areas, although they are not referred to as such. It is not uncommon to find sections of our cities which are completely Jewish, or Protestant, or Catholic, or Chinese, or Negro, and so forth. It all comes from the desire of men of different races, colors, creeds, and characteristics to live among their kind. Personally, I think that was the plan of our Creator. Had He intended us to all be alike—an amalgamated, mulattoed mixture of man—surely he would have so created us.

Stripped of all of its lace and trimmings, this bill is purely political. While there are those here who forcefully espouse integration and mixology, they will, after this debate is concluded, withdraw to their own circle and continue their normal segregated way of living.

Although I have personally discussed the bill with many Members of the House, I do not find many who are really serious about it. There is widespread admission throughout the House membership that the measure is political. Everyone knows that without mention being made of it; and everyone also knows that if the vote were secret the bill would receive at most only about 50 votes.

Now, Mr. Chairman, if it be that there are those here who are serious and with whom civil rights is not a political issue, if they are serious about the desire to completely desegregate the country, if they are serious about accepting the Negro socially and in every other manner, then they should be willing to assume their fair share of the problem. There can be no dispute about the fact that a Negro problem does exist in our country; that it exists in each and every section where Negroes have collected in numbers; and that the problem is in proportion to the number in each area or city.

Nine men of the Supreme Court, influenced by various forces, some well intended and some sinister, have told us that we must abolish segregation, thus changing our way of life. For nearly 200 years we have lived in peace with our black brethren in the South. True, many of our Negroes have poor living standards, but so do many of our white people. I have observed comparable poor living conditions in Harlem, on Chicago's South Side and similar sections of our northern, eastern, and western cities.

The 1950 census will show that 70 percent of our country's Negroes prefer to live in the South. If the situation is so bad down there, if they are receiving treatment which is so unbearable, so intolerable, so inhumane, why is it that most of them continue to remain in the South? The fact that they do should be proof sufficient that their segregated life there is neither harsh nor undesirable. There is no restriction on migration to the North.

It is noteworthy that practically all of the agitation for integration, for civil rights, comes from Congressmen of States which have no Negro problem or from States which have a limited Negro population due to residential segregation, but have a powerful Negro bloc vote.

It would be a fine thing if those States who share their solution with the South would offer to share the problem. Let the State governments of those States whose representatives and press advocate integration and civil-rights legislation, make available accommodations for the number of Negro citizens necessary to bring their Negro population up to the national average of 10 percent. This includes housing and employment, as well as school and church facilities.

We will give their message wide publicity throughout the South so that our unfortunate segregated Negroes may migrate to their States. No fairminded American could object to this plan. Even the NAACP, the ADA, and both political parties could throw their tremendous weight toward this solution of this national problem. The plan is logical, practical, humane, democratic, and sound. Our northern friends will be given an opportunity to practice the civil rights, the equality, and the integration which they preach.

Industrialized agriculture is leaving many Negroes in the South without work. Thousands of them are moving northward each month in search of employment. I am told that Chicago alone is receiving as many as 3,000 per month, with comparable numbers to Detroit, St. Louis, Baltimore, Washington, and other upcountry metropolitan areas. A great number are moving west, to Los Angeles, San Francisco, Oakland, Seattle, and so forth. As the black hordes move in, our northern friends are having to dip deeper for more and more tax money to provide public services, housing, schools, and public welfare. Unfortunately, in the integrated North, East, and West, the Negro bears no larger share of the tax burden and cost of government than he does in the South. So, the problem is shifting but not as rapidly as it should in order to effect equitable sharing among all cities and States of the country.

An examination of this debate might give would-be Negro migrants an excellent clue as to what cities, congressional districts and States are extending the heartiest welcome. Of course, they cannot be too sure because we all know this is political. On the other hand, a degree of profound concern for the unfortunate southern Negro might be gleaned from some of the Members' statements. If so, it would be in the districts of those Members that the migratory inclined Negro might well establish a new residence.

Mr. Chairman, the thing which concerns me tremendously about this bill is the apparent willingness of so many in this House to take another step—a serious step, if you please—toward a strong centralized Federal Government. We are rapidly getting away from the principles which our forefathers wrote into the Constitution and particularly the principle that the States have reserved unto themselves all rights not specifically delegated to the Federal Government.

The snooping Federal Commission authorized by this bill, the personnel to be assigned to it, the additional personnel to be assigned to the office of the Attorney General, the voluntary employees of the Commission and all of the others that go along with this all-powerful investigatory establishment—all posing as the protectors of civil rights—will be nothing short of an assemblage of powerful Federal meddlers and spies created for the purpose of tormenting, abusing, and embarrassing southern white people.

It is clear that a governmental system containing investigators, spies, and Federal agents and Federal injunctions issued by Federal judges, without charge, jury trial or hearing, against persons who are miles away and have never been in the presence of the court, is a far cry from the United States Government we knew only a few years ago. If this bill is passed by Congress and the machinery contained therein is put into effect, we will have a government that even Russia will envy. It will be simpler and far more honest just to pull the veil of pretense and hypocrisy aside and say we are adopting the Russian method of dealing with the people. Such methods as are proposed in the pending bill will leave the people at the mercy of Federal spies, to be robbed of their liberties and freedom of choice, for all time to come.

I have noted with profound concern that it will be within the authority of the Commission to investigate allegations that citizens are being deprived of the right to vote by reason of religion. I am told that since no evidence was submitted to the committee that any citizen was, because of religion, being denied such a right, the committee struck this authority from the bill but later reinserted same by a very close vote.

Who are the people and of what religious faith do they belong that caused the committee to authorize such an investigation? The record is completely silent as to whom they are. We know that the bill is an appeal to curry favor with bloc voters but we do not know just what religious group it is with which some are undoubtedly attempting to placate and curry favor.

We are going far afield when we establish a Commission of the Federal Government armed with attorneys, agents, and spies and the power of subpena, and send it on a fishing expedition into the field of religion. And the followers of that faith which insists on the use of such power, when everyone knows that religious freedom in the United States remains inviolate, are asking for trouble.

I regret, Mr. Chairman, that the time has come in this Congress when we play one race against another, religion against religion, section against section, and even man against fellowman. These are grave times through which our Nation is passing. The very supporting principles on which our Government was founded and on which it developed are being attacked, in a persistent and subtle manner, from all sides by organized and sinister forces.

We are surrounded and engulfed in an atmosphere of so-called social science and one-worldisms. The masses of the people have been misled. They are not informed about what is taking place and for that reason they are not much concerned about the situation. They do not generally know that the provisions of our Constitution which guarantee their liberties are being whittled away by court decrees or are being abandoned, sidestepped, and by-passed.

In recent years large sums of money have been provided by the foundations that have sprung up tax-free all over the country to bring foreign Socialists, leftwing advocates and ideologists, and even Communists into our own country, together to labor for years to develop their un-American stuff and write a 1,500-page book, The American Dilemma, a term for a necessary choice between equally undesirable alternatives; a perplexing problem. This was done by the schemers for the purpose of selling the people on the idea, that our basic Government is wrong; that our Constitution is unfair and oppressive to the masses and ought to be changed as outmoded.

The same social philosophers have induced the Supreme Court to minimize the provisions which retain to the States and to the people powers not delegated to the United States, and they have caused the Supreme Court and other Federal courts to overrule sound and well-considered decisions that have been the law of the land for generations. They have caused the Supreme Court to hand down decisions which were shocking to those learned in the law—the law under which our Nation in 170 years has grown to become the greatest nation the world has ever known. These recent decisions by our present Supreme Court were based not on law and precedent, but solely on propaganda, sociological considerations and modern scientific authority as developed and propounded by the social scientists, the one-world advocates, the Communists and leftwing freethinkers. Such are the authorities cited by the Supreme Court for the new philosophy it adopted in its strange course on which it has launched our people.

It may be good and opportune that this civil rights question has come on for discussion at the present time. It may be that the publicity given the issues and the nationwide interest that has developed through the attempt of certain minority and political influences to push through Congress such monstrous proposals brought forward by its advocates, will arouse the people from coast to coast, and from the North to the South, to the dangers with which they are confronted and cause them to rise up in their might while there is yet time and defend their dearest possession, the Constitution of the United States of America.

This civil-rights business is all according to a studied and well-defined plan. It may be news to some of you, but the course of the advocates of this legislation was carefully planned and outlined more than 45 years ago. Israel Cohen, a leading Communist in England, in his A Racial Program for the 20th Century, wrote, in 1912, the following:

> We must realize that our party's most powerful weapon is racial tension. By propounding into the consciousness of the dark races that for centuries they have been oppressed by the whites, we can mould them to the program of the Communist Party. In America we will aim for subtle victory. While inflaming the Negro minority against the whites, we will endeavor to instill in the whites a guilt complex for their exploitation of the Negroes. We will aid the Negroes to rise in prominence in every walk of life, in the professions and in the world of sports and entertainment. With this prestige, the Negro will be able to intermarry with the whites and begin a process which will deliver America to our cause.

What truer prophecy could there have been 40 years ago of what we now see taking place in America, than that made by Israel Cohen? The plan was outlined to perfection and is being carried out by politicians who have fallen into the trap. Many thousands in America today who are in no sense Communists are helping to carry out the Communist plan laid down by their faithful thinker, Israel Cohen. Truly, vigilance is the price of liberty.

The grievances heaped upon the Colonies by George III and his Parliament sound almost like conditions in the United States Government today. They certainly would be very typical if this civil-rights legislation should become law. What were some of the grievances pointed out in the Declaration of Independence? Quoting therefrom we find the following:

> He has erected a multitude of new offices, and has sent hither swarms of officers to harass our people.
>
> He has combined with others to subject us to a jurisdiction foreign to our Constitution.
>
> Giving assent to their acts of pretended legislation (he is) depriving us in many cases, of the benefits of trial by jury.

How striking the similarity.

These are but a few of the complaints contained in the Declaration of Independence which brought on Revolutionary War. It is now proposed to reactivate, by so-called civil-rights legislation, many of the evils mentioned, and to surrender the wholesome provisions of the law put into the Constitution by the Founding Fathers to protect the liberties of the people.

I would seriously direct your attention to the right of trial by jury. No people can remain free and happy without it. This legislation plans to bypass and, by indirection, to rob the people of this right through scheme and trickery. It would substitute Federal district judges—some 200 of them—to take the place of juries. These, with all the faults, frailties, prejudices, and weaknesses common to human nature, armed with the power of injunction to enforce their decrees, with the legal force of the Attorney General to prosecute in the name of the United States, would proceed against the helpless citizen as he is selected by the Attorney General to be placed upon the sacrificial altar to satify some disgruntled person who might claim that he had been deprived of a civil right. Then by injunction such selected person would be summarily hurried off to prison without his constitutional right to trial by jury being exercised. He would not, as is the law in all criminal cases, be "presumed innocent until proven guilty beyond every reasonable doubt." He would be subjected by his Government, on being selected by the Attorney General, to this cruel and oppressive procedure. This is not America. Such legislation, if enacted and attempted to be enforced, I fear, would create a long period of unusual turmoil and oppression.

There was a period in England about 1685 known as the "Bloody Assizes" when a Judge Jeffries, and others, who, because of their cruelties, arrogance, and oppressive procedures against the people, are looked upon with ignominy to this day. We are told by history that upward of 300 persons were executed after short trials; that very many were whipped and imprisoned and fined; nearly 1,000 were sent to America to the plantations as slaves. History tells us that through the ages where justice is attempted to be administered in criminal or quasi-criminal matters without the right of trial by jury that oppression is the ultimate result. From what we have already seen, and this thing is not yet started, we could expect nothing better in America over the years.

The right of trial by jury is of ancient origin. It developed in England during the Saxon period before the coming of the Normans. Most authorities say it was first used extensively about 886 during the time of Alfred the Great. In the Magna Carta—1215—juries were insisted upon as the great bulwark of the people's liberties. The historian Redpath tells us: "In general terms Magna Carta was intended by its authors to prevent the exercise of arbitrary authority over the subjects by the English king. The royal prerogatives were limited in several particulars so that it became impossible, save in violation of charter rights, to practice despotism. Of the positive rights conceded and guaranteed in the charter, the two greatest were habeas corpus and the right of trial by jury. The first was the salutary provision of the English common law by which every free subject of the kingdom was exempted from arbitrary arrest and detention; and the second was that every person accused of crime or misdemeanor should be entitled to a trial by his peers in accordance with the law of the land."

This was the first firm foothold the people obtained against the autocratic power of the kings. The right of trial by jury has gone through many struggles with despots and those who are unwilling to risk juries doing the things the ruling political class wants done. The right of trial by jury is a shield, and the only safeguard and guaranty of the people against oppression. Should this right be removed from the people, for whatever excuse offered, the keystone to the arch of their liberties is taken away and the superstructure of their freedom would surely crumble. Federal courts, with injunctive power to enforce their decrees was never the plan of the framers of the Constitution for the Government of America.

I submit that this bill should be defeated; and, to say the least, it should not pass without fully safeguarding the rights of our citizens by assuring them of a trial by jury.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, at the proper time, I intend to offer an amendment to this bill to strike out section 121 of part III. This is a matter of great concern not only to the people of my district, but to our citizens all over the country.

I am opposed to all of the provisions of H. R. 6127. I am opposed to the entire bill for the reasons which have been so ably stated by its opponents in the course of this debate. Of particular concern to me, however, is section 121 of part III of this bill. This section purports to empower the Attorney General to institute civil actions for redress or injunctive relief in cases in which it is alleged that persons have engaged or there are reasonable grounds to believe that persons are about to engage in actions or practices in violation of the civil rights of other individuals.

As many of you know, I represent the Ninth Congressional District of Alabama. This district comprises Jefferson County and the city of Birmingham. Birmingham is recognized throughout the country as the industrial center of the Southeastern States. With a population of over 600,000, we play a vital role in the industrial economy of this country. In fact, we produce 9 percent of the total iron and steel production of the country and, believe it or not, 80 percent of the cast-iron pipe. My district is one of the few economically complete districts in the Nation. I have 70,000 members of organized labor numbered among my constituents and I also have the management for that labor located in my district.

Because of the tremendous industrial and manufacturing activity in the Ninth District of Alabama, I, as as its Representative, have a great deal in common with many of the northern Congressmen on my side of the aisle who represent labor districts in northern cities and also

many of the Members on the other side of the aisle who count among their constituents sizable segments of the industrial management of this country.

It is my contention that section 121 of part III of H. R. 6127 applies to labor-management relations just as it applies to race relations and, if you will bear with me for a few moments, I would like to explain to you why I have this view.

Section 121 reads as follows:

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "fourth" and "fifth," and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs first, second, or third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

You will note that this section refers to paragraphs first, second, and third of title 42, United States Code, section 1985, and adds paragraphs fourth and fifth. In order to better understand what I am talking about, let me read paragraph three of the existing law, title 42, United States Code, section 1985. It says, among other things:

If two or more persons conspire for the purpose of depriving any person of the equal protection of the laws or of equal privileges and immunities under the laws, the party so injured or deprived may have an action for the recovery of damages.

As you will see, paragraph 3 makes no mention of race, creed, color, or national origin. It is not intended that the benefits of this section should be extended only to those who have been deprived of the equal protection of the laws because of race, creed, color, or national origin. In fact, beginning in 1877, the Supreme Court—in what have been called the Granger cases—applied the 14th amendment and statutes enacted pursuant thereto to all "persons," including corporations. In the case of *Yick Wo* v. *Hopkins* (118 U. S. 356 (1886)), the Court, acting through Chief Justice Waite, settled once and for all the question of the extent of the 14th amendment and of the existing civil-rights laws, using these words in the opinion:

These provisions, i. e., equal protection of laws, are universal in their application, to all persons within the territorial jurisdiction without regard to any differences of race, of color, or of nationality.

It is a common misconception among our people that the 14th amendment and the present civil-rights laws apply only to those who have been deprived of the equal protection of the laws because of race, color, or national origin. But this is not so. They apply to all persons, and all persons are protected by them. This even includes corporations which have been defined, for the purposes of the 14th amendment and civil-rights statutes, as "persons."

Mr. Chairman, you will note that in paragraph 3 of the present title 42, United States Code, section 1985, the term "equal protection of the laws" is used. Just what does this phrase mean? The Supreme Court long ago, in the case of *Barbier* v. *Connolly* (113 U. S. 27 (1885)), defined it as the protection of equal laws. It requires—and I quote:

That equal protection and security should be given to all under like circumstances in the enjoyment of their personal and civil rights.

Based on what I have said before, I am sure that you will agree that the term "equal protection of laws" is not limited to race relations only. It embraces all other personal and civil rights which have been extended to the people in this country by the Constitution and also by the laws of the United States.

Now I get down to one of the major reasons why I oppose section 121 of part III of H. R. 6127. As I have said, the term "equal protection of laws" applies to all laws of the country which extend rights and privileges to citizens and other persons. The rights which I have particular reference to are those which were initially spelled out in the Wagner Labor Relations Act and later in the Labor-Management Relations Act of 1947, otherwise known as the Taft-Hartley Act. These rights appear in title 29, United States Code, section 157. With your indulgence, I would like to read this section.

RIGHT OF EMPLOYEES AS TO ORGANIZATION, COLLECTIVE BARGAINING, ETC.

Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities.

The first set of rights were extended by the Wagner Act, and the right to refrain from activities first mentioned was extended by the Labor-Management Relations Act of 1947.

It is my contention that these rights conferred by the Wagner Act and the Labor-Management Relations Act of 1947 are included within the meaning of the term "equal protection of the laws." These are laws of this country.

Section 121 of part III of H. R. 6127 extends to the Attorney General the authority to intervene in case of acts or practices which would give rise to a cause of action pursuant to the existing civil-rights laws. In other words, if two or more persons conspire to deprive another of equal protection of the laws, the Attorney General may institute a civil suit. He can do this without the consent of the alleged aggrieved party and even over his strenuous objection.

The Attorney General is given by this section 121 the authority to intervene in matters involving violations of the rights extended and conferred by the Wagner Act and the Labor-Management Relations Act of 1947. As I have quoted from these acts above, the right to join a labor organization is one of these rights. Also is the right to refrain from joining a labor organization. These are only two of the rights which are conferred on employees and employers by these acts; and if persons are deprived of these rights by others, they are denied the equal protection of the laws.

You can see what the result would be. All cases of complaints on behalf of a company against a union or a union against a company would be subject to intervention by the Attorney General. By giving the Attorney General this power, the bill, in effect, circumvents the National Labor Relations Board, which has a statutory jurisdiction over labor-management relations, and gives the Attorney General concurrent jurisdiction with the Board.

Section 121 of H. R. 6127 puts labor-management relations into the middle of politics. Instead of the Government being the umpire, as it presently is, the bill would actually make it a party litigant. A politically minded Attorney General could use section 121 of this bill to destroy either union or management, depending upon what would best serve the interests of the administration of which he is a part.

Let me give you an example. If an employee is fired for allegedly joining a labor union, he has a right guaranteed by the Wagner Act and as such, is deprived of his equal protection of the laws. The Attorney General could sue the company for this deprivation and have the unlimited resources of the country at his disposal.

On the other hand, if a union allegedly violated the rights of employees to refrain from joining labor organizations, as granted in the Labor-Management Relations Act of 1947, they will have been deprived of their equal protection of the laws. The Attorney General could file suits against the union, even without the consent of the alleged aggrieved employees, under the provisions of section 121 of this bill.

These rights, which I have mentioned, are protected by the National Labor Relations Board as are all other rights and privileges guaranteed by the Wagner Act and the Labor-Management Relations Act of 1947.

By plaguing either company or union with suits, the Attorney General could destroy or bankrupt either or both. This double-edged sword which is created by section 121 of H. R. 6127 could be used to persecute and hamstring labor or management, depending on what best suited the administration in power at that time. H. R. 6127 is a dangerous bill in many respects and I feel that one of the most important of these is the effect which section 121 will have in putting labor-management relations into politics.

In my humble opinion, the members of the committee from the North and West would do well to give careful consideration to the arguments I have presented. I believe that these arguments have force and substance and that H. R. 6127 will have a serious effect on our traditional concept of labor-management relations. Who knows, but that, if this bill is approved by the House and

the Senate, and is signed into law by the President, a year or so from now those who are presently supporting this legislation may come back into Congress crying for its repeal. I wouldn't be at all surprised.

It is for the reasons I have outlined that I intend to offer an amendment, at the proper time, to strike section 121 of part III from this bill, H. R. 6127.

Mr. ASHMORE. Mr. Chairman, I yield 15 minutes to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, we are told that the bill now under consideration, H. R. 6127, is a bill designed to protect the civil rights of persons within the jurisdiction of the United States. President Eisenhower and Attorney General Brownell have vigorously proclaimed that this legislation is necessary if the citizenship of this Nation is to enjoy full civil rights.

At the outset, I would like to make one thing abundantly clear: the people of the southern part of the United States are not depriving any persons of their constitutional and civil rights as has been so recklessly asserted by the President, the Attorney General, and the proponents of this legislation.

I believe that I can speak with some authority on this subject because of the experiences I have had in my private and professional life.

It has been my privilege to serve as a member of the North Carolina General Assembly where the problems of our entire citizenship were dealt with on the legislative front. It was my further privilege to serve for 11 years prior to entering the Congress in January of this year as district solicitor—which position is referred to in other States as district attorney—where an intimate association with the problems of all the people in the criminal courts was had.

In neither the legislative nor the judicial field did I find that there was any expression or any intimation on the part of any of our people to deprive their fellow citizens of the full rights of citizenship.

Needless to say, through my interest in the political life of the State, I had the further opportunity to observe the attitude of the people of the South toward the voting privileges of members of our society. In that field there has been no limitation imposed by law, custom, or practice upon the people in any social, religious, or racial group in the State of North Carolina.

The State of North Carolina has been a leader in the Nation in the field of education. It would be of interest to the members of this body to know that the public schoolteachers of North Carolina are paid salaries on a schedule which results in the average Negro schoolteacher in North Carolina earning higher compensation for their services than is earned by the average schoolteacher who is a member of the white race. Also, you will find that for many years members of the Negro race have served as members of the State board of education—the governing body for the educational program provided by the State of North Carolina.

I would further point out to my friends of the House that practically every major city in the State of North Carolina has a member of the Negro race upon the city council or governing body. In my own city one of our outstanding Negro citizens is now serving his fourth term on the city council and has in the past served as treasurer of the city. He was elected by his white colleagues to this post.

How many of you members from sections outside of the South can say that your people have been as considerate toward the members of the Negro race as has been true in North Carolina?

Much has been said in my private conversation with members of this body from other sections of the country about Negroes serving on the juries in the South. These questions by intelligent and information-seeking men lead me to the inescapable conclusion that there is an aura of complete misunderstanding hovering over the Members of the House who have not had firsthand opportunity to observe the true picture.

During my 11 years as prosecuting attorney in the 14th judicial district of North Carolina, I can say to you that there was never any discrimination in the selection of jurors by reason of race, sex, creed, or color. We had male jurors of both races. We had female jurors of both races. Seldom, if ever, was there a grand jury panel that did not have members of the Negro race.

Perhaps you would be interested in the experience of several years ago which we had in the courts of my district. A Negro man was indicted for the capital felony of murder in the first degree arising out of the death of one of the fine white citizens of Mecklenburg County, N. C. The defendant was financially unable to provide his own counsel. The distinguished presiding judge appointed two attorneys to represent him. One of those attorneys was a leading criminal lawyer of the white race. The other attorney was a Negro attorney of great learning and ability. The jury panel was composed of 8 white and 4 Negro jurors. In addition, the 13th, or alternate juror, was a member of the Negro race. When the jury of 12 commenced its deliberations it immediately elected as foreman and spokesman for the jury an outstanding Negro educator who had received his master of arts degree from the University of Cincinnati. This jury returned the verdict which carried with it the death penalty, and the defendant was later executed.

I point this out merely to show the attitude of fair play which exists between the races in my native Southland. This was not any unusual experience, except that it involved the death penalty. Similar experience in lesser cases, as well as in other capital cases, is the rule, and not the exception.

In 1954 while seeking reelection to the position of district solicitor, I was called upon to speak to an alliance of Negro clergymen in one of the cities of my district. After completing my presentation the chairman of the meeting asked if I would be willing to answer questions which some of the ministers would like to propound to me.

It was surprising to me to find that the questions most on the minds of those Negro ministers was their belief that undue leniency was being shown to members of their race by the judges in the criminal courts of North Carolina. There was not one word of complaint that the members of the Negro race had been unfairly treated. The complaint which they expressed was that the courts were not dealing as firmly with their race as was being done with members of the white race. They felt that their race should be held accountable to the same extent as members of the white race, and in that view I concur.

My friends, I could continue for many hours with examples and facts of the harmonious race relations which are now enjoyed in that section of this Nation toward which this vicious legislation is directed—the South.

Do you believe in good race relations? Do you believe in fair play? If so, it is my firm conviction that you will not participate in foisting upon the Nation this legislation proposed by President Eisenhower and Attorney General Brownell in the language of H. R. 6127.

No decent citizen of the South engages in the sort of conduct which this bill seeks to prevent. Its very language is an affront to the God-fearing, law-abiding, Christian people of our section of the country.

What does this bill purport to do? First, it would establish the Commission on Civil Rights. Second, it would provide an additional Assistant Attorney General with no duties to perform other than deal with the enforcement of the proposed legislation. Third, it would revise and amend the present civil-rights statutes that have been on the books for many years. And, fourth, it would seek to put the Federal Government in charge of every local election in this Nation.

The appointment of such a Commission would constitute an additional expense to the taxpayers of the country and would confer no new authority upon the Federal Government in any respect. It would merely create a new group to make those investigations which can now be made by the Department of Justice.

This Commission could become the greatest witch-hunting organization since the Salem massacre. It could become a gestapo organization which would breathe down the backs of the people of every area of this Nation.

It is my considered opinion that this Commission would be a stacked Commission which would close its eyes to the real problems confronting the people of this Nation and direct its attention merely to the forcing of the sociological opinions of the membership of the Commission upon the people of the United States.

To the same effect is the provision for an additional Assistant Attorney General. This is an unwarranted public office which the bill seeks to create and would constitute an unnecessary expense to the people of this Nation.

The present Attorney General has full authority to recommend the creation of

additional positions of Assistant Attorneys General. Such Assistant Attorneys General would be subject to the direction and supervision of the head of the Department of Justice. Certainly it is not proper that there should be one person set up to engage solely in stirring up strife between the people of the various races in this Nation.

The third part of the proposed act is the one which gives even greater concern to those of us who believe in constitutional government. It is noted that this provision of the bill would authorize the Attorney General of the United States "in the name of the United States" to bring a civil action and seek a permanent or temporary injunction against any citizen of the Nation whether the alleged injured citizen requested such proceedings or not. This portion of the bill further seeks to vest in the District Courts of the United States jurisdiction of such proceedings, and, in effect, wrests the historic jurisdiction of State courts away from them and ignores the time-honored jurisdictional requirements which have normally applied to Federal court jurisdiction.

Have we reached the stage in our American life at which thinking people would destroy the constitutional right of trial by jury?

Are the proponents of this legislation unwilling to recognize that the American system of having a cause adjudicated by a jury of 12 persons is worthy of perpetuation?

Are the proponents of this legislation saying to the Nation that while we recognize the labor unions have the right of trial by jury when injunctions are sought, that all other classes of our citizenship are not so entitled?

Mr. Chairman, in trying thousands of cases in my capacity as an attorney and as District Solicitor I have on several occasions been shocked by the decision made by a particular jury. Many times I have felt that the State had made out a case which pointed unerringly to a verdict of guilty. But on many occasions, to my great astonishment ,the jury, in the exercise of its authority, determined that the defendant was not guilty. To be sure, I experienced temporarily a sense of deep disappointment and felt that the jury had made a very bad mistake. Then, upon mature reflection, I invariably came to the conclusion that the jury system has its frailties but that as a democratic institution it should be preserved.

Human experience has divulged no better method of fairly, judiciously, and properly adjudicating claims between individuals and between governments and individuals than the system of jury trial which we have so long cherished in this land of ours.

Of course, we can point out cases which have shocked the public conscience when the verdict was returned. Is this sufficient ground for condemning and jury system?

A few days ago my attention was attracted to a news story with reference to a criminal trial in the State of California. The defendants were charged with kidnapping a lady. The case was tried in an atmosphere of great public interest. The jury determined that the defendants were not guilty. Thereupon, according to newspaper reports, the presiding judge of that court in California expressed his shock and disapproval of the decision made by the jury. But, my friends, I would unhesitatingly predict that an inquiry of that trial judge would bring the answer that in spite of this decision which failed to conform with his ideas of justice that he would still advocate the American system of trial by jury.

You and I as co-architects of the future course of this democratic government of ours have grave responsibilities which transcend political expediency as we arrive at a decision on this pending legislation.

I am astounded that part 4 of this proposed act would seek to put the Federal Government into control of the voting and ballot boxes of this Nation. It would do this through providing for injunctions by the Federal courts and Federal supervision of elections.

Are we to surrender to the Federal Government the right to regulate every phase of human life? Is there any tangible evidence which would show that the States of North Carolina, California, New York, Oregon, or any of the other 48 States have reached the point at which they are incapable of managing their own elections?

The present Federal law is completely adequate to take care of any misconduct in the elections where there is an election involving a position in the Federal Government. No further legislation in this field is needed.

I observe that the proponents of this legislation casually point out some particular instance in some community in the South where they contend that a member of some minority group has been deprived of the right to vote in an unlawful manner. But, even in their great zeal they are unable to support their argument with valid proof that it is the custom, law, or practice.

I can take you into any county in North Carolina at any election and show you three white people to each Negro person who feel that the election officials have not dealt fairly with them at election time in connection with their right to vote. This question frequently arises because of the lack of understanding of a particular person as to whether they are properly registered and also as to whether they are registered in the proper voting place. These questions are brought up at every election, but, unfortunately, no attention is paid to them unless it involves some member of a minority group. Then there is a great hue and cry by professional agitators who would try to make it appear that some misconduct was being engaged in by the local election board or officials.

Let us be fairminded. Let us recognize that all of the propaganda that is dispensed is not the gospel truth. And let us not indict the American people by the enactment of this proposed legislation which will cause our neighbors in other lands to interpret it as a recognition of the truth of false accusations which have been hurled about so freely.

In conclusion, Mr. Chairman, let me urge all of our colleagues to approach the decision on this critical legislation in the light of the preservation of the way of life which has made this Nation great. Let me urge upon you that you not trade American principles for trumped-up arguments of political expediency in this time of great concern in this land of ours.

America has prospered under constitutional government. There are many who wonder how much longer constitutional principles can stand up against the onslaughts of our present Supreme Court and those in our legislative branch who would recklessly whack away time-honored principles.

Mr. Chairman, in opposing this legislation I am compelled to point out to its proponents that their entire thinking is based upon misinformation and false charges.

There is no satisfactory evidence to support the position that this harsh and rash legislative act is needed.

Its enactment will not merely penalize the Southland, as many seem to think. It will penalize people of good will in every section of the Nation.

It will rise up to haunt those who today propose it because it is national in scope in spite of the apparent feeling of the proponents that it applies merely to one section of this Nation.

I am opposed to H. R. 6127 and every part of it and urge that the Members of this body aid those of us who believe in constitutional principles and strike it down at the conclusion of debate.

Mr. Chairman, as I conclude my remarks I would express the hope that in this atmosphere of great concern politically and otherwise we here today have the same courage as we approach our duty to our country and to its Constitution as we have had in other pursuits as we have gone through life to meet those attacks upon our Nation and those things for which it stands.

Mr. SANTANGELO. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SANTANGELO. Mr. Chairman, I am in favor of this bill, H. R. 6127. I am in favor of providing the means of securing and protecting the right to vote of any American citizen, whether he comes from Virginia or Ohio, whether he comes from New York or Mississippi. This bill is a far-reaching and explosive bill. This bill will determine whether we legislators have a pure heart to comprehend our American people and the rectified will to choose our high course of action.

I was impressed yesterday by the speakers of Mississippi and Virginia. I admired their forensic ability and was moved by their emotional appeal. I was impressed by the gentleman from Mississippi who declared that he was a Thomas Jefferson Democrat, and that we should not be the followers of Alexander Hamilton, but should follow Thomas Jefferson.

Well, let us analyze what he said. On July 4, 1776, the colonies declared their independence. The Declaration of Independence was written by the founder of the Democratic Party, Thomas Jefferson, who among other things, declared "all men are created equal and endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

Do the Negroes in Mississippi have liberty and the untrammeled right to vote? Do the Negroes have in the southern States of Texas, Mississippi, Virginia, Arkansas, and Alabama, those States which have poll taxes, the equal opportunity to vote? Let us look at the record.

The hearings in connection with the civil rights bill disclose very interesting and alarming situations—page 24. In Mississippi, a poll-tax State, in one county alone of 16,885 Negro voters, only 147 were registered voters, and out of a population of 10,344 whites, over 3,000 were registered voters. In Washington County, Miss., where 48,831 colored persons lived, only 126 were registered, while out of a total of 18,568 whites in the county, over 5,000 were registered.

One fact is crystal clear. Through changes in election laws, through trick questions, through economic pressures, the number of colored persons who are permitted to vote are restricted. It was estimated in the spring of 1955 that Negro registration had been reduced from 20,000 to about 8,000. In one county, Humphreys County, the number had dropped from about 400 to 91.

What does this bill do? It simply protects the Negroes' right to vote in Mississippi, in Texas, in Virginia, in Alabama, in Arkansas, and throughout these United States. It permits our Government through our Attorney General to obtain an order to stop any man or group of men, or any local body, from interfering with the Negroes' right to register and to vote.

When you gentlemen talk about the sacred right of trial by jury, you raise a bogus issue, you raise a phony issue. You oppose this bill on the basis of distrust and fear of our Federal judges, who are appointed by our President for life. I have confidence in our system of law. I have confidence in our Federal judges. I have faith in their integrity and in their honesty and in their wisdom.

For 70 long years Congress has stood still and has not enacted any civil-rights law. Our progress in the field of civil rights has come from the Supreme Court of the United States and through our Executive orders. The legislature has failed to act. Time has marched on and changes have occurred, but the Congress has not recognized the needs of an expanding America, the needs of a rising people. Let us show this Nation that we in Congress seek by legislative means the realization of our American dream—equality of opportunity for all. Pass this bill.

Mr. ASHMORE. Mr. Speaker, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

REDUCTION OF BENEFITS RECEIVED BY CERTAIN INDIVIDUALS PARTICIPATING IN THE OLD-AGE AND SURVIVORS INSURANCE FUND

Mr. COAD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. COAD. Mr. Speaker, sections 402 and 403 of title 42 of the United States Code deal with the reductions of benefits received by those individuals participating in the old-age and survivors insurance who earn more than $1,200 in any one taxable year.

The procedures for calculating and deducting extra earnings are very complicated and archaic, and in my opinion involve unnecessary administrative attention and expense. These costs are borne by the trust funds of social-security payments made by the participants in this program.

It is my contention that this is an insurance program as presently set up and operated and should not be continued as a forced retirement system. Once a person fulfills his obligations to the program through payments and other qualifying provisions of age he should receive full benefit without reductions because of what he may earn, regardless of the amount. These are the twilight years of these persons, and the present restrictions are unnecessary and serve only as penalties to our aged who have borne the burden of labor during the preceding generation.

Therefore, Mr. Speaker, I am today introducing a bill which will amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WALTER and include an article he wrote in a recent publication.

Mr. SMITH of Wisconsin and to include related matter.

Mr. ROOSEVELT and to include extraneous matter.

Mr. NEAL (at the request of Mr. HALLECK) and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1141. An act to authorize and direct the Administrator of General Services to donate to the Philippine Republic certain records captured from insurrectos during 1899–1903; to the Committee on Government Operations.

S. 1408. An act to provide allowances for transportation of house trailers to civilian employees of the United States who are transferred from one official station to another; to the Committee on Government Operations.

S. 1535. An act to amend the Federal Property and Administrative Services Act of 1949 to authorize the Administrator of General Services to make contracts for cleaning and custodial services for periods not exceeding 5 years; to the Committee on Government Operations.

S. 1799. An act to facilitate the payment of Government checks, and for other purposes; to the Committee on Government Operations.

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock p. m.), under its previous order, the House adjourned until Monday, June 10, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

930. A letter from the Administrator, Housing and Home Finance Agency, transmitting a draft of proposed legislation entitled "a bill to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes"; to the Committee on Banking and Currency.

931. A letter from the Chairman, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases in the Federal Communications Commission as of April 30, 1957, pursuant to Public Law 554, 82d Congress; to the Committee on Interstate and Foreign Commerce.

932. A letter from the Secretary of Commerce, transmitting a draft of proposed legislation entitled "a bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

933. A letter from Ross, McCord, Ice & Miller, of Indianapolis, transmitting the annual report of the Board for Fundamental Education for the year 1956, which was prepared by George S. Olive & Co., independent certified public accountants, pursuant to Public Law 507, 83d Congress; to the Committee on the Judiciary.

934. A letter from the Deputy Postmaster General, transmitting a report on three occurrences of overobligation of allotments by operational units within the Post Office Department for the two postal quarters ended January 11, and April 5, 1957, pursuant to section 3679 of the Revised Statutes (31 U. S. C. 665); to the Committee on Appropriations.

935. A letter from the Administrator, General Services Administration, transmitting a draft of proposed legislation entitled "a bill to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes"; to the Committee on Government Operations.

936. A letter from the Comptroller General of the United States, transmitting the first report on the audit of the Forest Service, Department of Agriculture, 1955–56; to the Committee on Government Operations.

937. A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes"; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COOPER: Committee on Ways and Means. H. R. 7954. A bill relating to the exemption of furlough travel by service personnel from the tax on the transportation of persons; without amendment (Rept. No. 543). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HILLINGS: Committee on the Judiciary. House Joint Resolution 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; with amendment (Rept. No. 541). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. House Joint Resolution 340. Joint resolution to facilitate the admission into the United States of certain aliens; with amendment (Rept. No. 542). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mrs. BOLTON:

H. R. 7988. A bill to amend the Veterans' Readjustment Assistance Act of 1952 to make the educational benefits provided for therein available to all veterans whether or not they serve during a period of war or of armed hostilities; to the Committee on Veterans' Affairs.

By Mr. DAWSON of Utah:

H. R. 7989. A bill to provide for the survey and establishment of the Glen Canyon recreation area in Arizona, Utah, and New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DELLAY:

H. R. 7990. A bill to change the method of computing basic pay for members of the uniformed services, to provide term retention contracts for Reserve officers, and for other purposes; to the Committee on Armed Services.

H. R. 7991. A bill to amend titles I, II, and III of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. DURHAM:

H. R. 7992. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HARRIS:

H. R. 7993. A bill to provide for Government guaranty of private loans to certain air carriers for purchase of aircraft and equipment, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 7994. A bill to amend section 902 of the Civil Aeronautics Act of 1938, as amended, so as to prohibit certain practices regarding passenger ticket sales and reservations; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLMES:

H. R. 7995. A bill to authorize the Secretary of the Army to sell certain lands at the McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash.; to the Committee on Public Works.

By Mr. McCARTHY:

H. R. 7996. A bill to amend section 2 (b) of the Bank Holding Company Act of 1956 to exclude from coverage under such act certain corporations the entire income of which, less expenses, is turned over to an exempt organization; to the Committee on Banking and Currency.

By Mr. MAHON:

H. R. 7997. A bill to amend section 31 of the Trademark Act approved July 5, 1946; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. R. 7998. A bill providing for a national advisory committee of county officials to facilitate coordination of county highways in the Federal-aid highway system; to the Committee on Public Works.

By Mr. O'BRIEN of New York:

H. R. 7999. A bill to provide for the admission of the State of Alaska into the Union; to the Committee on Interior and Insular Affairs.

By Mr. PERKINS:

H. R. 8000. A bill to provide disability retirement benefits for civilian employees of the Government in certain additional cases; to the Committee on Post Office and Civil Service.

By Mr. REUSS:

H. R. 8001. A bill to alleviate conditions of excessive unemployment and underemployment in depressed industrial and rural areas; to the Committee on Banking and Currency.

By Mr. ROGERS of Florida:

H. R. 8002. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; to the Committee on Government Operations.

By Mr. DURHAM:

H. R. 8003. A bill to amend the Atomic Energy Act of 1954, as amended, to increase the salaries of certain executives of the Atomic Energy Commission, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. McGOVERN:

H. R. 8004. A bill to provide for registration, reporting, and disclosure of employee welfare and pension benefit plans; to the Committee on Education and Labor.

By Mr. O'BRIEN of Illinois:

H. R. 8005. A bill to provide for the conveyance of an interest of the United States in and to fissionable materials in a tract of land in the county of Cook and State of Illinois; to the Committee on Government Operations.

By Mr. BECKWORTH:

H. R. 8006. A bill to amend title I of the Social Security Act to provide increased Federal matching of State old-age assistance expenditures thereunder; to the Committee on Ways and Means.

By Mr. COAD:

H. R. 8007. A bill prohibiting lithographing, engraving, or printing on envelopes sold or furnished by the Post Office Department; to the Committee on Post Office and Civil Service.

H. R. 8008. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. BROOMFIELD:

H. J. Res. 353. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 354. Joint resolution to authorize the designation of October 19, 1957, as National Olympic Day; to the Committee on the Judiciary.

By Mr. HALEY:

H. Res. 276. Resolution expressing the sense of the House of Representatives with respect to the trial of Army Sp3c. William S. Girard by a Japanese court; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States to improve the channel from Panacea, Wakulla County, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico; to the Committee on Public Works.

Also, memorial of the Legislature of the State of Florida, memorializing the President and the Congress of the United States calling for the relinquishment by the Federal Government of certain of its tax sources so that States will be revested with inherent taxing power to carry out their own traditional functions; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKLEY:

H. R. 8009. A bill for the relief of Josef (Szaja-Szmul) Inowlocki; to the Committee on the Judiciary.

H. R. 8010. A bill for the relief of Giovanni Di Nardo; to the Committee on the Judiciary.

H. R. 8011. A bill for the relief of Jacques Isaac Bukszpan; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 8012. A bill for the relief of Aida Amnely Solis de Benitez; to the Committee on the Judiciary.

By Mr. GREEN of Pennsylvania:

H. R. 8013. A bill for the relief of Zoi Volonaki Cicalo; to the Committee on the Judiciary.

By Mr. HIESTAND:

H. R. 8014. A bill for the relief of Miss Edith Dorn; to the Committee on the Judiciary.

By Mr. McINTOSH:

H. R. 8015. A bill for the relief of the Harmo Tire & Rubber Corp.; to the Committee on the Judiciary.

By Mr. OSMERS:

H. R. 8016. A bill for the relief of John Constantine Fafalios; to the Committee on the Judiciary.

By Mr. PERKINS:

H. R. 8017. A bill for the relief of Wiley J. Adams; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Technical Assistance Is No Crash Program

EXTENSION OF REMARKS
OF
HON. LAWRENCE H. SMITH
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 7, 1957

Mr. SMITH of Wisconsin. Mr. Speaker, we will soon have for consideration another so-called foreign aid bill. There is one phase of that program which, in my opinion, has considerable merit and I refer to technical assistance. This program was designed originally to serve much as our agricultural extension program has served the American farmer, only this principle would be applied to nations who desired assistance in the field of agriculture, health, and sanitation.

Mr. Speaker, as the program has developed over the years, technical assistance, as originally planned, has been losing its charecter and has become involved as part of a huge giveaway and is now mostly economic assistance.

The administrators of this program have too often considered technical assistance as a crash program, one designed to bring quick and everlasting results, something akin to the spectacular.

In 1953 it was my privilege to have been a member of a subcommittee of the House Foreign Affairs Committee which was authorized to visit the Middle East and check on the Arab refugee problem and also other programs that had been set up in that part of the world.

During our visit to Egypt and specifically Cairo the chief of the ICA mission at that time was anxious to show what had been done under his direction and he arranged a trip outside of Cairo for our inspection. In the automobile in which I was riding was the chief of the mission and an Egyptian who had several degrees from American universities and who had returned to his homeland to serve his people. On the way out the Egyptian and the American were discussing phases of the work and the progress being made at that time. I listened attentively while these two gentlemen talked and finally the chief of the mission turned to me and he said, "Congressman, you have been very quiet. We have been doing all the talking." My reply was that I had come to look and to listen but then I said, "However, I do have a question. Your conversation has been most interesting. My question is: 'How long do you think it will take to achieve its objectives?'"

Before the American could answer, the Egyptian replied quite promptly and vigorously, "Oh, it'll take about 200 years."

My American friend and the chief of mission was flabbergasted. He turned to the Egyptian and said, "Oh, Doctor, you don't mean that." The doctor replied, "Well, it'll take at least 100 years."

We are not fooling our foreign friends—they are realists. It is time that we quit trying to fool the American taxpayers.

Mr. Speaker, I relate this experience solely for the purpose of pointing out that a technical assistance program, if organized as originally conceived, is a long, long time project. It can never be related to the so-called crash programs.

The Story of the Month

EXTENSION OF REMARKS
OF
HON. JAMES ROOSEVELT
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 7, 1957

Mr. ROOSEVELT. Mr. Speaker, our colleague from Pennsylvania, the Honorable ELMER J. HOLLAND, recently wrote a newsletter which, in part, covers a subject which is all too little understood by many people. I am sure that it will be of great interest to many Members. Therefore, with the permission of Congressman HOLLAND, I am inserting it in the RECORD.

The newsletter follows:

THE STORY OF THE MONTH—WAGES, PROFITS, PRICES

Everyone who buys food and clothes—and a few of the luxuries—knows that it costs more to live today.

Why? There are several reasons, but the one we always hear about, the one that gets the greatest blame, is that wages are too high. It is because of them that prices are so high. This is not true.

The main reason for higher prices is that most of the big companies after granting a wage hike, increase the price of their goods many times more than the amount of the wage increase.

Look at United States Steel. In 1956 steelworkers gained wage and fringe benefits of approximately 20 cents an hour plus a later cost-of-living adjustment of 3 cents an hour. These gains cost the steel corporation about $94 million—even if there had been no increase in output per man-hour (which reduces cost of production).

What happened? Steel prices were raised $8.50 a ton last year, and another $4 a ton this year. This totals to an increase of $12.50 a ton in cost of steel and brought in $340 million a year more for United States Steel. That new income amounts to 3½ times the $94 million allowed in wage and fringe benefits.

The steel price increase was passed on to all of us as purchasers of steel. They were felt in higher prices for food, which was canned; for automobiles; for transportation, for just about everything we buy as steel is used in every business and industry.

The industry could have absorbed those wage and fringe benefit costs and still have reported enormous profits. But prices were raised and the unions were blamed because they secured better wages for steelworkers.

As a result of the price hike, United States Steel will get $246 million more in gross profits, and they will get an extra $118 million in net profits after taxes, even after paying higher wages and better fringe benefits.

Net profits after taxes for first 3 months in 1955, 1956, and 1957

1955	$72,652,000
1956	104,160,945
1957	115,478,109

The more wages paid and better fringe benefits provided means higher profits because the steel companies increase steel prices far more than enough to cover the cost of the higher wages and benefits.

Look at Ford and General Motors, the giants of the auto industry. They said in 1955 and 1956 prices would be higher on cars because they were forced to pay more wages. The gains in wages and benefits came to 20 cents an hour. However, in 1955—before prices were raised, but after the wage increase—General Motors profit, after taxes, was $1.41 for each man-hour for 400,000 employees. Ford's profit after taxes was $1.47 per man-hour.

You can see then, it is not the wages and fringe benefits that the big corporations pay that cause prices to go up. The true cause is the fact that the companies jump their prices far more than enough to meet the cost of wage and fringe benefits.

Immigration Controls Spell National Security

EXTENSION OF REMARKS
OF
HON. FRANCIS E. WALTER
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 7, 1957

Mr. WALTER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following article from the National Republic, June 1957, issue:

IMMIGRATION CONTROLS SPELL NATIONAL SECURITY

(By Hon. FRANCIS E. WALTER, of Pennsylvania, chairman, Committee on Un-American Activities, Subcommittee on Immigration, U. S. House of Representatives)

Another richly financed and highly organized campaign against the basic principles of our American immigration policy is now in full force. This campaign strikes not alone at our immigration policy, but endangers both the national security and sound cultural development of our country.

The number and type of immigrants coming into the United States has been a matter of Federal concern for more than a century. Throughout all our history immigration laws have been based on the premise that one of the first functions of sovereignty is control of both quality and quantity of prospective new citizens. The only yardstick in arriving at this determination has been the interest and welfare of the American people. Under international law, the right of every nation to control rigidly its immigration flow is recognized universally.

Immigrants coming into the United States are entering into the bloodstream of the Nation. It is like an injection into the bloodstream of an individual. It can be

beneficial to him, increasing his strength and vitality. But, if the injection is one of improper quality or improper quantity—it could be fatal.

A comprehensive picture of our current problems cannot be presented without an outline of the historical background of American immigration.

From the first settlement of the North American colonies to the end of the Revolutionary War in 1783, immigration to the New World was regulated, not by the colonists but by the governments of Europe. The interest of the European ruler was enhanced by the size of the population of his domain. The more abundant the labor force, the greater his power, and the more gold accumulated in the royal coffers. Consequently, all European rulers tried to prevent the exodus of their subjects, the peons, who were already attracted by the magnificence of the wide open land and the opportunities beckoning from across the seas.

The new settlers on this side of the Atlantic deliberately encouraged immigration. Here, more people meant more producers, more consumers, and more wealth to be extracted from the newly acquired soil and—last but not least—more people on the Indian frontiers meant increased safety of life and property.

It is estimated that in 1640, the population of the North American colonies numbered 25,000 and by 1700, had risen to 200,000. It took another 50 years to bring the population figure to the first million.

When the Articles of Confederation were adopted in 1777, the population of the 13 colonies was well over 3 million, and the first census taken in 1790 put it at 4 million. About two-thirds of the white population were of English, Scotch, and Welsh origin; about one-third were Dutch, French, German, Scandinavian, Spanish, and Portuguese.

Except for a short-lived restrictive period created by the alien and sedition law of 1798, immigration flowed into the United States unfettered by any legislation. The vast growth of the new American economy, its progression to the limitless frontiers of the West, and the ready acceptance of the newcomer by the thriving communities—already established—exerted an increasing attraction on poverty-stricken Europeans in the countries devastated by the Napoleonic wars. Recurring famines and the great industrial revolution resulted in increased population pressures and caused a gradual relaxation of the restrictive attitude of the European rulers, who suddenly reversed themselves and began to encourage emigration.

As a consequence, the first official record of arriving immigrants, established in 1820, indicated that the population of the United States had jumped to almost 10 million persons.

By that time public opinion in both Europe and America became aroused by reports of appalling conditions on vessels carrying immigrants on the transatlantic journey. Thousands were crowded in steerage space, where many died of hunger, thirst, and disease. In 1819, a law was enacted in the United States limiting the number of passengers a ship could carry, and prescribing the minimum amount of water and food to be aboard. The master of every ship reaching our shores was called upon to report the number of passengers and their personal data, such as age, sex, occupation, and country of origin. Thus originated our first immigration statistics.

The first legislative enactment which may be considered as relating to the quality of immigrants was passed in 1863. It prohibited Americans from carrying on the trade in Chinese coolies. Later laws, still qualitative in nature, established rules for the exclusion of immoral persons, paupers, and criminals.

A tremendous influx of Chinese immigrants after the discovery of gold in California prompted the enactment of the first Chinese exclusion law, in 1882. That trend of legislation continued, as witnessed by the enactment, in 1885, of a restrictive immigration measure aimed at prohibiting the importation of cheap labor from abroad.

A few years later, in 1891, Congress excluded insane persons, persons likely to become public charges, felons, feebleminded persons, polygamists, and persons convicted of crimes involving moral turpitude.

The ethnic pattern of our immigration began to change in the last two decades of the 19th century. About 1890, there appeared for the first time an appreciable number of immigrants from eastern and southern Europe. They came from the Balkans, Italy, and from Russia, where the czarist persecution of Jews began to drive out refugees in ever-increasing numbers.

These changes in the immigration pattern continued until after World War I. In the decade of 1871–80, almost 74 percent of our immigrants came from northern and western Europe, and only 7 percent from southern and eastern Europe. But, in the decade of 1900–10, only 22 percent came from northern and western Europe, while immigrants originating in southern and eastern Europe contributed about 71 percent.

It was about that time that the Congress turned its attention from qualitative restrictions to quantitative restrictions. The first law establishing a ceiling on the number of immigrants—a quota—was enacted in 1921. The second quota law was passed in 1924 and remained in effect with very little change until the enactment of the present law in 1952.

The 1924 act established the much discussed national-origins system, allocating to every national group a fixed proportion of immigrants based on that national group's proportion to the total population of the United States as of 1920. The purpose was to expand the population in orderly fashion from year to year, with roughly the same proportion of each immigrant strain as prevailed in 1920.

The 1952 law was not a step lightly taken. In final form the Walter-McCarran Act represented a comprehensive codification and modernization of some 148 immigration and naturalization statutes then on our books. The Congressional study group which produced this codification had been at work on the problem since 1947. Scores of hardship inequities were ironed out of the old hodgepodge of piecemeal legislation, as enacted during the preceding century.

All countries of the globe were granted immigration quotas without discrimination, under a formula equally applicable to all areas, regardless of the color of the skin or the shape of the eyes of their inhabitants.

At the same time, the new law made it infinitely easier to rid this country of foreign-born subversives, criminals, racketeers, narcotic peddlers, professional gamblers, and aliens who had originally entered illegally.

These, in brief, are the major features of the law so many fellow-traveler groups have been trying for 5 years to uproot and destroy. Few measures in all our national history have afforded the United States so much protection against criminal and subversive elements at so little cost.

Nor may it be said that the law was passed by parliamentary sleight of hand. The bill passed the House on April 25, 1952, by a vote of 206 to 68. The Senate passed it by a voice vote on May 22. President Truman vetoed the measure on June 25. But on June 26 the House repassed it 278–113, and on June 27 the Senate overrode the veto 57–26. The act became effective December 24, 1952. Any measure enacted over a Presidential veto must command overwhelming national support.

The House Committee on Un-American Activities disclosed in its 1956 annual report that the Communist Party has created or sponsored no less than 180 different fellow-traveler organizations in the United States, having as their principle purpose the repeal or destruction of the Walter-McCarran Act.

One of these organizations, styled the American Committee for Protection of Foreign Born, has been formally branded as completely dominated by the Communist Party. It is also described as the oldest creation of the Communist Party still active in the United States. The committee report added: "The American Committee for Protection of Foreign Born, while dealt with here as a single organization, is in fact a complex of organizations at times numbering more than 300."

Three central policies of the law are under attack from this and other leftist groups. The international campaign for repeal seeks first to destroy the national-origins principle. Second, the repeal movement seeks to admit an estimated 1 million new immigrants a year instead of the average of 225,000 annually under the prevailing system. Third, the Communist-front section of the repeal movement seeks to strike out of the law every provision for screening immigrants for subversive activities or advocacy of revolutionary tactics in their native lands.

History demonstrates clearly that there have been but few native Americans in the top ranks of the United States Communist Party. World-wrecking communism in America is purely an import. Without effective immigration controls, communism easily might gain a free hand in America.

No country in the world has received desirable immigrants more hospitably than the United States. Since World War II we have extended the hand of welcome to some 1 million permanent immigrants, including recently many Hungarian refugees from Communist terror.

In addition, we have welcomed in temporary residence some 200,000 students from 127 countries, many of these under direct grants from the United States Treasury.

No American ever should allow himself to be chagrined that our immigration policies are in any way wanting in considerations of humanity and Christian decency.

The sole purpose of our immigration controls has been to exclude undesirable criminal, revolutionary, and anarchistic elements from the national bloodstream.

Since the war, this country has taken one-third of all the displaced persons resettled throughout the world. We have but 6 percent of the world's land area, but we have taken more than 33 percent of Europe's refugees.

The world's population is growing infinitely faster than jobs and food supply. Human fertility is heading for what the census experts call a "population explosion." Japan today has 88 million people crowded into an area the size of Montana. Try to imagine, if you will, half of the United States population living in Montana.

Communist China has more people than she can count—somewhere in the neighborhood of 600 million.

Here in the United States, our own population growth currently adds a new city of Chicago to our total every year. New jobs are needed to keep pace.

It is not difficult to demonstrate statistically that our current population increase is entirely out of proportion to our rate of new capital accumulation. We have not yet begun to expand our production facilities,

housing, schools, and highways to accommodate our own foreseeable population increase. Unless we do expand new capital plant steadily in step with population growth, every American citizen faces the prospect of a lower standard of living somewhere in the not too distant future. Sound public policy would appear to dictate, therefore, that population increase should be held rigidly in line with our traditional American conceptions of living standards, education, and opportunity. In this equation our first consideration should be for the welfare of the American people.

Larger immigration quotas by the United States could never hope to solve the world's population problem. But careless handling of this explosive situation easily might undermine American prosperity and security for many generations.

No land in the world shows higher regard than the United States for the rights and privileges of immigrant minorities. But this noble tradition does not mean that the American people are ready to turn the country over completely to alien domination.

American citizenship for immigrants never has been a right granted by our Constitution. It always has been a high privilege, to be earned and retained by earnest support of our inspiring American traditions of freedom under law.

Only thus may we hope to grow in national strength and moral stature.

'The importance of foreigners into a country that has as many inhabitants as the present employments and provisions for subsistance will bear, will be in the end no increase of people, unless the newcomers have more industry and frugality than the natives, and then they will provide more subsistance, and increase in the country; but they will gradually eat the natives out. Nor is it necessary to bring in foreigners to fill up any vacancy which will soon be filled by natural generation." (Benjamin Franklin.)

Allies' Policy Toward Red China

EXTENSION OF REMARKS

OF

HON. WILL E. NEAL

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 7, 1957

Mr. NEAL. Mr. Speaker, within the past week the citizens of the United States were dumfounded, if I may make it even stronger, shocked, when some of our stanchest allies deserted us on our fundamental position that Red China should be commercially quarantined from the Free World. I do not need to remind you that we adopted this policy in regard to the Peiping regime because of China's inhuman and barbaric treatment of Americans in China at the time the Communist masters assumed control.

It was a policy of some 10 years' duration and our desertion by the British, French, Norwegians, and others of the Free World community serves to underline the changing picture of America's position today and what it amounted to a decade ago.

At the time we adopted our no-trade policy, America's position was secure as the financial and industrial giant on this planet. True, by loans, grants, and assorted forms of aid, we were able to maintain adherence to the China boycott policy. Now, it is of some concern to me when I consider the fact that perhaps we, unwittingly, have weakened ourselves to a point where our erstwhile stanch friends see fit to disregard and turn away from a basic American foreign policy.

During the 10 years in which we clung to commercial and diplomatic ostracism of the Communist masters of Russian and Chinese millions, we sacrificed a considerable portion of our own industrial capacity through liberalized tariff rates and trade agreements, in order to bolster and maintain the dollar balances of foreign countries. They, our allies, in turn used such dollar balances to come into our market for the purchase of machine tools and heavy durable equipment which enabled them thus to manufacture goods for the world market and with their cheap labor undersell American manufacturers.

It is my considered opinion that it will never be known just how much of American manufacturing costs of producing this export material for foreign aid have been absorbed by the United States Treasury. It seems to me, however, that throughout the years there has been a steady stream of America's wealth that has flowed outward in the form of gifts, grants-in-aid, and highly questionable loans. This growing stream is a highly important factor in high taxes which the American people are made to pay. Meanwhile, recipients of these gifts have attained the point of real, and, in some cases, crushing competition for the American businessman in world markets.

As a result of these strengthened economies, given sinew by successive administrations pledged and devoted to continue foreign aid, we are turning now to mass production of war materials for export purposes, hoping that such war materials will eventually give us firm recruits in our fierce determination to prevent extension outward of Russia's Iron Curtain. This is, of course, a highly debatable policy and only time can show its worth.

A second result that has come to pass from our prosperous friends is that they have assumed various postures of diplomatic independence which led to last week's instant case of their desertion of the United States on the China question.

I do not know what the will of this Congress will be on GATT and OTC but I do know that Members of this House will be under increasingly heavy pressure from producers of durable goods, international bankers and the prophets of "one world" in future weeks to lower tariff barriers and generally to launch this Nation upon something approaching free trade. When that day comes we will see a vast importation of foreign goods which will undersell products made at home. Thus our foreign friends will accumulate dollars to their credit in our own country with which to pay for the export materials which we supply them.

It might be timely to point out that while it was a great blow to have our friends repudiate our Chinese policy, there occurred another event almost parallel with it, which showed even better how anti-American blow the international winds. It was on Formosa that anti-American sentiment flared up into astonishing proportions, leaving even some of our most determined supporters of Nationalist China here on the Hill considerably shaken and taken aback. This riot occurred in one place where it had been almost automatically assumed that one of our best friends resided. If such violent anti-American feeling could flame up on Formosa, what of the situation in other countries which have been shored up and sustained by American dollars and aid?

It seems to me that much of what we have sought to accomplish in the way of a stable and peaceful world at such a staggering cost during the past postwar period may have come to naught. It is true that we have saved many a country from being gobbled up by the Russian bear but it is even truer that gratitude among nations, as among men, is a fragile thing.

I do not believe that America can stand totally alone in a hostile world. To exist as a Nation we must have alliances, but to have enduring and profitable alliances we, as a senior partner, must be strong internally. Even now while we enjoy unprecedented prosperity there are disquieting but abundant signs that the time of reaping of the economic whirlwind may not be too far in the future.

You may recall that during the week of May 12 the United States Treasury's offer of several million dollars' worth of bonds was a failure. While officially it was said that the low-interest yield was largely responsible for the lack of investors, it may be an ominous sign that private capital is increasingly afraid of Federal securities because of the staggering size of our $270-billion national debt. If that be true, then it means that public confidence in the fiscal policies of the United States Government has been severely shaken, and a shaken confidence in Government means a diminution of confidence in our economy and the political machinery of the Republic.

I think it is time for some stocktaking upon the part of those entrusted with making national policy. I, for one, believe that the entire question of foreign aid should be gravely and thoroughly reexamined and a new assessment of its true worth as an instrument of foreign policy be arrived at. I believe, further, that some consistency should be restored to the operation of the Federal establishment. By this I would strike a blow for the taxpayers by ruthlessly eliminating waste and extravagance to the double purpose that we might effect tax reductions and apply some of our savings to a reduction of our overwhelming national debt which hangs like the sword of Damocles over the heads of us all.

With a strengthened economy and our domestic economic household put in order, America need have no fears for the future; our labor and industry, possessing confidence in our way of life, can easily produce for the world market so

efficiently and cheaply that we can hold our own in any competitive situation. However, labor and industry, debilitated by the knowledge their taxes are being used to subsidize their competitors to the point where American goods can be undersold and shut out, have lost half the battle before it starts.

There is still time for us to redeem much of our past folly. It is not too late to restore the United States to its dominant position of world leadership which it had enjoyed immediately following World War II. But to redeem our past errors we in this 85th Congress must show the way. We have been amply warned by international events since the first of this year that perhaps, after all, we have been living in a fool's paradise and continually deluding ourselves that all is right with the world. I hope the time has come when we can see the handwriting on the wall. The letters are large enough for all to see.

SENATE

MONDAY, JUNE 10, 1957

Rev. S. Baxton Bryant, pastor, Whaley Memorial Methodist Church, Gainesville, Tex., offered the following prayer:

Our Father God, we thank Thee for the hunger for peace Thou hast placed in every human heart. In these trying days help us to keep faith that this hunger will make it possible for peace to come to all mankind. Never let us forget that Jesus prayed, "Thy kingdom on earth." Forgive us for sometimes growing "weary in well doing." Give us the patience, direction, and dedication that will lead the world to become a friendly neighborhood of nations.

We are thankful for our country and this able body that meets today. Bless each one of the Members as individuals. Be with them in their lonely hours of decision. Keep fresh in their hearts the high ideals and faith which burned so brightly when the oath of office was first taken. Make them daily conscious of the millions of prayers of their fellow countrymen. Be so present with them that after a hard day's work with trying and difficult problems they will feel that their labor has not been in vain.

Save us as citizens from being selfish and unreasonable in making demands upon our public servants. Give us the grace to pray more and criticize less. We make our prayer in the name of Him who loved us and gave himself for us. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Thursday, June 6, 1957, was approved, and its reading was dispensed with.

REPORTS OF COMMITTEES SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of May 13, 1957, the following reports of a committee were submitted on June 7, 1957:

By Mr. MAGNUSON, from the Committee on Appropriations:

H. R. 6070. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes; with amendments (Rept. No. 414).

By Mr. RUSSELL, from the Committee on Appropriations:

H. R. 7441. A bill making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; with amendments (Rept. No. 415).

Mr. HILL, from the Committee on Appropriations:

H. R. 6287. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes; with amendments (Rept. No. 416).

Under authority of the order of the Senate of June 6, 1957, the following report of a committee was submitted on June 7, 1957:

By Mr. GREEN, from the Committee on Foreign Relations:

S. 2130. A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes; with an amendment (Rept. No. 417); ordered to be printed with an illustration.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

LEAVE OF ABSENCE

On his own request, and by unanimous consent, Mr. MCCLELLAN was excused from attendance on the sessions of the Senate until next Thursday, because of official business.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on the District of Columbia and the Subcommittee on Public Roads of the Committee on Public Works were authorized to meet during the session of the Senate today.

ORDER FOR SENATE TO CONVENE AT 9:30 A. M. THE REMAINDER OF THIS WEEK

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate convene at 9:30 a. m., for the remainder of this week.

The VICE PRESIDENT. Without objection, it is so ordered.

VISIT TO THE SENATE BY HIGH SCHOOL STUDENTS FROM GAINESVILLE, TEX.

Mr. JOHNSON of Texas. Mr. President, the Christian gentleman who opened our session with prayer this morning, the Reverend S. Braxton Bryant, pastor of the Whaley Memorial Methodist Church at Gainesville, Tex., has with him in Washington a fine group of high school students.

These young people are seated in the gallery, and it is with pride in being their fellow Texan that I welcome them to the Senate. Nobody can look into their faces and talk with them without feeling a renewed confidence that the future of our country is in good hands.

To these young Texans and to their parents I extend my most cordial good wishes.

I ask unanimous consent that a list of those present from Gainesville be printed in the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WHALEY MEMORIAL METHODIST CHURCH, R. BAXTON BRYANT, MINISTER, GAINESVILLE, TEX.

Sponsors: Reverend and Mrs. Bryant, Rev. Charles Ray Peters, and Mrs. R. L. Bandy, Jr.

Young people: Miss Jo Haynes, Miss Sylvia Allbritton, Miss Judi Miller, Miss Lacrisha Bryant, Miss Jan Bandy, Miss Sue Swick, Miss Ann Sullivant, Miss Kay Sullivant, Miss Judy Sproles, Miss Emma Lou Beavers, Miss Patsy Schneider, Miss Rosalie Davis, Miss Jane Carroll, Ralph Bullard, Charles Huneycutt, Watt LeRue, Johnny Simpson, Ronny Meeks, Ernest Perkins, Bobby West.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to inform all Senators again that this week the Senate will meet early and run late. We shall have a Saturday session, if it is necessary, in order to take care of four appropriation bills which were reported by the Appropriations Committee last week, and the mutual aid bill, which I hope it will be possible to have the Senate consider by the middle of the week. We will try not to have rollcalls early in the morning or, any more than necessary, late in the evening, but we do expect to have long sessions.

There have been reported to the Senate appropriation bills for the District of Columbia; Independent Offices; Agriculture; and Labor, Health, Education, and Welfare. We shall expect to proceed to their consideration tomorrow morning, at 9:30, following the morning hour.

The 1958 budget estimates for these 4 bills totaled $13,081,043,998. The recommendations of the Senate Appropriations Committee total $12,128,830,459, representing a reduction of $952,213,539, almost $1 billion, or 7¼ percent below the budget estimates.

It is my information that the appropriation bills which have previously been sent to the President reflect a reduction of some 8 percent below the budget estimates.

In the case of the four bills referred to, the Senate committee recommendations are $11,377,121 above the amounts appropriated by the House. The principal reason for the Senate figures exceeding the House figures is that the committee

has recommended increases of almost $40 million for health and social welfare purposes over the figures approved by the House.

These increases are in line with the traditions of the 84th Congress. We have always felt deep concern for and have been willing to take effective action in the interests of the health and general welware of the people.

The Senate Appropriations Committee has studied these appropriation bills with extreme care and thoroughness. It has further reduced items which it believes are not essential for this year. Such reductions enabled it to recommend the increases in the fields of health and welfare, and still keep the bills 7 percent below the budget estimates.

I commend the committee for its careful and thorough work. I am confident the Senate will support the committee in all its recommendations.

It is anticipated that we shall begin the consideration tomorrow morning of the District of Columbia appropriation bill. We may have to change the schedule, but it is our present plan to follow that bill with the appropriation bill for the Department of Agriculture.

Either tomorrow or Wednesday the Senate will consider the Independent Offices and the Labor, Education, Health, and Welfare appropriation bills.

It is believed possible that by Wednesday we shall be able to take up the mutual security authorization bill, which has been reported to the Senate and is on the calendar.

I am hopeful that at an early date the atomic energy treaty will be reported, so that it, too, may be called up for consideration.

I announced last week that we expect to have a heavy schedule of work this week. I hope all Senators will arrange their plans accordingly, so that the work of the Senate may proceed expeditiously and with a maximum number of Senators available on the floor at all times during the consideration of these important measures.

If all Senators cooperate, I am confident it will be to the advantage of each, since, while we have many important bills to act upon, if we can avoid delays on the floor, we should be able to consider them in a minimum number of days.

There are many other important measures which will follow the bills I have announced. As soon as I am able to announce the schedule for such measures I shall do so on the floor.

I have called upon the chairmen of the standing committees to supply me with a schedule of measures they expect to act on and have available for the consideration of the Senate. As soon as I have their reports I shall announce it to the Members of the Senate.

I again call attention to the fact that tomorrow the Senate will convene at 9:30, and, after a morning hour and a quorum call, will proceed to the consideration of the appropriation bills.

MORNING HOUR

The VICE PRESIDENT. The Senate having met today following an adjournment, there is the customary morning hour.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Deputy Postmaster General, reporting, pursuant to law, on the overobligations of appropriations within the Post Office Department, during the two postal quarters ended January 11, and April 5, 1957; to the Committee on Appropriations.

PROPOSED TRANSFER BY NAVY DEPARTMENT OF OBSOLETE CRUISER TO CRUISER OLYMPIA ASSOCIATION, PHILADELPHIA, PA.

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Navy proposed to transfer the obsolete cruiser *Olympia* to the Cruiser Olympia Association, at Philadelphia, Pa., for the purpose of a public memorial; to the Committee on Armed Services.

AUTHORITY FOR ENLISTMENT OF ALIENS IN THE REGULAR ARMY

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes (with accompanying papers); to the Committee on Armed Services.

TRANSFER OF CERTAIN PROPERTY AND FUNCTIONS OF HOUSING AND HOME FINANCE ADMINISTRATOR TO SECRETARY OF THE INTERIOR

A letter from the Administrator, Housing and Home Finance Agency, Washington, D. C., transmitting a draft of proposed legislation to transfer certain property and functions of the Housing and Home Finance Administrator to the Secretary of the Interior, and for other purposes (with an accompanying paper); to the Committee on Banking and Currency.

REPORT OF FEDERAL HOME LOAN BANK BOARD

A letter from the Chairman and members of the Federal Home Loan Bank Board, Washington, D. C., transmitting, pursuant to law, the annual report of that Board covering the operations of the Federal Home Loan Bank System, the Federal Savings and Loan System, and the Federal Savings and Loan Insurance Corporation, for the calendar year 1956 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM

A letter from the Secretary of State, transmitting, pursuant to law, a report on the international educational exchange program, covering the period January 1 through June 30, 1956 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON FOREST SERVICE

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the Forest Service, Department of Agriculture, dated 1955–56 (with an accompanying report); to the Committee on Government Operations.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

A letter from the Administrator, General Services Administrator, Washington, D. C., transmitting a draft of proposed legislation to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes (with an accompanying paper); to the Committee on Government Operations.

CLAIM OF MCGAHEY BAND OF CHOCTAW INDIANS V. THE UNITED STATES

A letter from the Chief Commissioner, Indian Claims Commission, Washington, D. C., reporting, pursuant to law, that proceedings in the case of the *McGahey Band of Choctaw Indians, descendants of Alexander F. McGahey, Sussana Graham, and John B. Stewart*, v. *The United States* have been finally concluded (with an accompanying paper); to the Committee on Interior and Insular Affairs.

CONSTRUCTION OF SURVEYING SHIPS FOR COAST AND GEODETIC SURVEY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

REPORT ON BACKLOG OF PENDING APPLICATIONS AND HEARING CASES, FEDERAL COMMUNICATIONS COMMISSION

A letter from the Chairman, Federal Communications Commission, Washington, D. C., transmitting, pursuant to law, a report on backlog of pending applications and hearing cases in that Commission, as of April 30, 1957 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

REPORT OF BOARD FOR FUNDAMENTAL EDUCATION

A letter from Harry T. Ice, of the firm of Ross, McCord, Ice & Miller, Indianapolis, Ind., transmitting, pursuant to law, the audit and annual report of the Board for Fundamental Education for the year 1956 (with accompanying documents); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Oregon; to the Committee on Interstate and Foreign Commerce:

"Senate Joint Memorial 8

"To the Honorable Senate and the House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the Forty-ninth Legislative Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

"Whereas a large volume of nonsecurity cargo is regularly shipped by the United States Government and particularly by the Army and Navy through marine terminal facilities owned and operated by the Government, and very little of such cargo is routed over commercial marine terminal facilities owned or operated by public and private ports in the State of Oregon; and

"Whereas the public and private ports constitute an important part of the Nation's transportation facilities as proven by their capacity use during World War II; and

"Whereas the maintenance and operation of commercial marine facilities in a healthy condition adequately staffed with competent and experienced personnel are essential to the general welfare and defense of our Nation in time of war or emergency; and

"Whereas the public and private ports are ready, willing, and able, and should be permitted to handle a fair share of nonsecurity Government cargo at the regularly established tariff rates approved by the appropriate State and Federal regulatory agencies, or at fair and reasonable uniform negotiated rates: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the House of Representatives jointly

concurring therein), That the Legislature of the State of Oregon does hereby respectfully urge and memorialize the Congress of the United States to enact legislation similar to H. R. 2229, 85th Congress, which would require the appropriate agency or agencies of the United States Government to take such steps as may be necessary and practicable to assure that nonsecurity Government cargo shall be transshipped by the use of publicly or privately owned commercial marine terminal facilities, to the extent that such marine terminal facilities are available at fair and reasonable rates, in such manner as will insure a fair and reasonable participation of such commercial marine terminal facilities in the transshipment of such cargoes by geographic areas; and be it further

"Resolved, That copies of this memorial be sent to the President and Vice President of the United States, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and to all members of the Oregon congressional delegation.

"Adopted by senate May 11, 1957.

"ZYLPHA ZELL BURNS,
"Chief Clerk of Senate.
"BOYD R. OVERHULSE,
"President of Senate.

"Adopted by house May 16, 1957.

"PAT DOOLEY,
"Speaker of House."

A joint resolution of the Legislature of the State of California; to the Committee on Foreign Relations:

"Senate Joint Resolution 17, relative to criminal jurisdiction by foreign governments over United States members of armed forces and their civilian components

"Whereas the members of our Armed Forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than 50 countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guarantees which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components, and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"Resolved, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"Resolved, That the secretary of the senate is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"Senate Joint Resolution 35, relative to the proclamation of Senior Citizens Day

"Whereas the citizenry of the United States of America is composed in part of persons who have reached the golden age of sagacity, tranquility, and past memories; and

"Whereas though old in years, persons who have reached the zenith of life have gained wisdom and knowledge commensurate with their years; and

"Whereas the deeds of their youth, when coupled with the knowledge of their age, provides a wisdom of which this country can be justly proud; and

"Whereas these citizens have richly contributed their full measure to the welfare and prosperity of the United States through the years; and

"Whereas in consideration of their past and present labors and sacrifices for the well-being of not only the State but each citizen thereof, it is only fitting that a day be set aside for the recognition of the heritage which they have left and the wisdom yet available; and

"Whereas the Governor of the State of California has been requested to proclaim the fourth Sunday of each September as Senior Citizens Day in the State of California: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectively memorializes the President and the Congress of the United States to establish and proclaim the fourth Sunday of each September as Senior Citizens Day in the United States; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, the chairman of the appropriate committees of the Congress, and to each Senator and Representative from California in the Congress of the United States."

The petition of Edna D. James, of Oakland, Calif., praying for the enactment of House bill 358, to provide increased pensions for Spanish War widows; to the Committee on Finance.

Resolutions adopted by the Pennsylvania Department of Veterans' Affairs, International Benevolent Protective Order of Elks, Philadelphia, Pa., relating to increases in service-connected disability compensation, and so forth; to the Committee on Finance.

A resolution adopted by the Verdugo Hills, Calif., Republican Woman's Club, relating to the trial of Specialist 3d Class William S. Girard in a Japanese court, and the Status of Forces Treaty; to the Committee on Foreign Relations.

A resolution adopted by the Long Island General Assembly Fourth Degree (Patriotic), Knights of Columbus, Brooklyn, N. Y., relating to the Status of Forces Treaty; to the Committee on Foreign Relations.

A resolution adopted by the American Legion, Department of Alaska, Skagway, Alaska, relating to the so-called open-skies inspection affecting Alaska and other strategic areas of North America; to the Committee on Foreign Relations.

A resolution adopted by the board of directors, chamber of commerce of Honolulu, Hawaii, relating to airport and terminal construction at Honolulu International Airport; to the Committee on Interior and Insular Affairs.

A resolution adopted by the American Legion, Department of Alaska, at Skagway, Alaska, favoring the enactment of legislation to provide statehood for Alaska; to the Committee on Interior and Insular Affairs.

A resolution adopted by the annual convention of the American Defenders of Bataan and Corregidor, Inc., Albany, N. Y., favoring the enactment of House bill 4742, providing coverage under the War Claims Act of 1948, of veterans of Bataan and Corregidor; to the Committee on the Judiciary.

A telegram in the nature of a petition from the district stewards and pastors of the Philadelphia district of the Methodist Church, Jamaica, N. Y., signed by Rev. Charles L. Carrington, reporter, relating to the President's civil rights program; to the Committee on the Judiciary.

A letter in the nature of a memorial from the Manor Park Citizens' Association, Washington, D. C., signed by Ernest H. Pullman, corresponding secretary, remonstrating against the proposed demolition of the State, War, and Navy Department Building in the city of Washington; to the Committee on Public Works.

A resolution adopted by the American Institute of Architects, at Washington, D. C., favoring the enactment of legislation to establish the position of Federal Coordinator of Public Works Planning in the Executive Office of the President; to the Committee on Public Works.

A resolution adopted by the College Caucus of the Massachusetts Council of Young Republican Clubs, Boston, Mass., expressing sorrow at the death of the late Senator Joseph R. McCarthy, of Wisconsin; ordered to lie on the table.

A resolution adopted by the Board of Directors of the Verendrye Electric Cooperative, Inc., of Velva, N. Dak., relating to the construction of the Hells Canyon project; ordered to lie on the table.

RESOLUTIONS OF FLORIDA LEGISLATURE

Mr. HOLLAND. Mr. President, on behalf of myself, and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, House Memorial 1290 of the Florida Legislature, 1957, memorializing the Congress of the United States to improve the channel from Panacea, Wakulla County, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico.

There being no objection, the resolution was referred to the Committee on Public Works, and, under the rule, ordered to be printed in the RECORD, as follows:

House Memorial 1290

A memorial requesting the Congress of the United States of America to improve the channel from Panacea, Wakulla County, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico

Whereas Panacea is an unincorporated village in Wakulla County, Fla., situated on King Bay; and

Whereas the past several years have seen King Bay become almost landlocked because of silting and sand bars building up, blocking navigation to Apalachee Bay and the open Gulf of Mexico; and

Whereas the majority of residents of Panacea, Florida, rely upon having access to the Gulf of Mexico for their livelihood; and

Whereas the Constitution of the United States of America places the authority and responsibility for control and regulation of navigation in the Federal Government and bars action in this jurisdiction from the several States, Florida included; and

Whereas these people have no relief except and through action of the Congress of the United States of America: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Congress of the United States of America is hereby requested and memorialized to take immediate steps toward improving the channel from Panacea, Fla., through King Bay and Apalachee Bay to the Gulf of Mexico, to the end that the same may be navigable and safe for the passage of boats and other vessels and that at least a 6-foot channel at low water be maintained; and be it further

Resolved, That copies of this memorial be dispatched to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each member of the Florida delegation to the Congress of the United States and to the Chief of Engineers, Corps of Engineers, Washington, D. C.

Filed in office, secretary of state, June 3, 1957.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of the State of Florida, identical with the foregoing, which was referred to the Committee on Public Works.

Mr. HOLLAND. Mr. President, on behalf of myself and my colleague, the junior Senator from Florida [Mr. SMATHERS], I present for appropriate reference and ask unanimous consent to have printed in the RECORD, House Memorial 223 of the Florida Legislature, 1957, providing for the relinquishment by the Federal Government of certain of its tax sources so that States will be revested with inherent taxing power to carry out their own traditional functions.

There being no objection, the resolution was referred to the Committee on Finance, and, under the rule, ordered to be printed in the RECORD, as follows:

House Memorial 223

Memorial to the Congress of the United States calling for the relinquishment by the Federal Government of certain of its tax sources so that States will be revested with inherent taxing power to carry out their own traditional functions

Whereas the Congress of the United States has enacted legislation levying a tax upon virtually every conceivable source of our economy which could be subject to taxation; and

Whereas the tax so levied upon these sources by the Congress of the United States is so extreme in almost every case that no reasonable opportunity remains for the States to levy a tax upon these same sources; and

Whereas the sources of revenue remaining to the States are so limited and so few that the efficiency and scope of State activity is impaired and limited because of the lack of sufficient funds; and

Whereas it has become necessary for the Federal Government to, in many instances, make available to the States certain Federal funds thereby making the States dependent upon and subject to the requirements of the Federal Government in the expenditure of these funds; and

Whereas this situation violates the letter and intent of the Federal form of government adopted by these United States of America in that the States are thereby denied the inherent rights of sovereignty, specifically the right of taxation; and

Whereas the powers of governing the people of these United States of America is relation to both national and international affairs has become dangerously and unwisely centralized in the Federal Government; and

Whereas it is declared to be detrimental to good government for States to be dependent upon Federal aid in order to exercise their traditional governmental functions: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the Legislature of the State of Florida does hereby memorialize the Congress of the United States to make, or to cause to be made, a review of Federal taxation and Federal-aid programs with the view of a relinquishment by the Federal Government of certain of its tax sources for the purpose of making those tax sources available to the States, thereby enabling the States to finance their own traditional functions and thus eliminate Federal aid and control, reestablish State sovereignty, and eliminate the threat of possible despotic, inefficient, and chaotic centralization of government at the national level; and be it further

Resolved, That a duly attested copy of this memorial be mailed to His Excellency, the President of the United States, a copy to the Honorable Governor of Florida and the Governors of the other States, a copy to the Honorable President of the Senate, a copy to the Honorable Speaker of the House of Representatives, and a copy transmitted to each United States Senator and Member of Congress in Washington, D. C., from Florida.

Filed in the office of secretary of state, June 3, 1957.

The VICE PRESIDENT laid before the Senate a resolution of the Legislature of the State of Florida, identical with the foregoing, which was referred to the Committee on Finance.

DIVERSION OF WATER FROM THE GREAT LAKES—RESOLUTIONS

Mr. WILEY. Mr. President, I was glad to receive in the morning mail two resolutions from the State of Wisconsin in opposition to increased diversion of water from the Great Lakes.

As Senators know, I have strongly opposed, and shall continue to oppose, any attempts to divert water from the Great Lakes.

To unwisely lower the water level would jeopardize shipping; increase costs of harbor development around the Great Lakes; seriously impair the fine progress of work on the St. Lawrence Seaway; jeopardize our relations with our good neighbor, Canada; and create other problems.

Regrettably, H. R. 2, to provide increased diversion of water at Chicago, has passed the House of Representatives.

In considering this proposed legislation, however, I hope my colleagues in the Senate and on the Senate Public Works Committee, will remember the President has already twice vetoed this bill, as being contrary to the national interest.

As I mentioned, public officials and other individuals, as well as a great many communities in Wisconsin have, again and again, expressed their opposition to increased diversion of water from Lake Michigan.

I am pleased now to bring to the attention of the Senate resolutions adopted by the common council of the city of Racine, and the Racine Chamber of Commerce.

I ask unanimous consent that the resolutions be printed in the CONGRESSIONAL RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas the House of Representatives has adopted a bill authorizing increased diversion of Great Lakes waters at Chicago, Ill., which bill is now pending before the United States Senate; and

Whereas the city of Racine and other port cities and maritime interests on the Great Lakes have long supported the development of the St. Lawrence Seaway, together with the deepening and improving of the connecting channels of the Great Lakes, with particular reference to the Detroit River, Lake St. Clair, the St. Mary's River, and some shoal spots in the Straits of Mackinac; and

Whereas some of the aforesaid port cities have already undertaken substantial port development and other cities are planning improved facilities to permit handling of large vessels, all of which are dependent upon maintaining adequate channel depths; and

Whereas increased diversion of Great Lakes waters at Chicago will gradually lower lake levels, reduce channel depths and substantially interfere with the full realization of the economic benefits to be derived from the St. Lawrence Seaway and connecting channel projects; and

Whereas the benefits to be derived in the Chicago area through increased diversion are minimum when compared to the substantial damage to all of the communities bordering upon the Great Lakes; and

Whereas the ultimate solution to the Chicago Sanitary District problem is the construction of additional facilities and the use of improved methods and controls, other than simply flushing with the waters of Lake Michigan, which in itself is merely passing the Chicago Sanitary District problem on to the other communities bordering upon the Mississippi watershed; and

Whereas with particular respect to the city of Racine the proposed increased diversion of Great Lakes waters will substantially interfere with the Racine harbor and facilities already constructed as well as the proposed development of the entire south shore of the city: Be it

Resolved, That the mayor and common council of the city of Racine do hereby go on record opposing legislation the purpose of which is to authorize increased diversion of Great Lakes waters at Chicago, and we do hereby urge Senator ALEXANDER WILEY to oppose said legislation; and be it further

Resolved, That should it be deemed advisable the mayor or some other representative of the city selected by him, be authorized to appear and testify before the Senate committee expressing the opposition of the city of Racine to the proposed legislation; and be it further

Resolved, That the city clerk be and hereby is authorized and directed to transmit a certified copy of this resolution to Senator ALEXANDER WILEY.

Resolution of Racine Chamber of Commerce, Racine, Wis.

Whereas it has come to the attention of the Racine, Wis., Chamber of Commerce that the House of Representatives has approved a bill to authorize increased diversion of Great Lakes waters at Chicago, Ill.; and

Whereas the bill is now pending before the United States Senate; and

Whereas the city of Racine, Wis., and other port cities and maritime interests on the Great Lakes have expressed interest in and supported wholeheartedly the development of the St. Lawrence Seaway, including the deepening and improving of connecting channels of the Great Lakes, all of which

have been endorsed by the Racine, Wis., Chamber of Commerce; and

Whereas a number of port cities have made substantial improvements and investments in harbor facilities and others, including Racine, are making surveys and laying basic ground work for a realistic approach to permit maximum use of present and expanded facilities, all of which are predicated on the maintenance of adequate channel depths; and

Whereas further diversion of Great Lakes waters at Chicago could seriously affect and reduce channels depths, and thereby adversely affect the economy of the Great Lakes ports, including Racine, by tax reduction of benefits to be gained from the St. Lawrence Seaway: Be it

Resolved, That the Board of Directors of the Racine Chamber of Commerce, do hereby oppose legislation which would cause further waters to be diverted from the Great Lakes at Chicago, and do hereby urge Wisconsin Senator ALEXANDER WILEY, to oppose any such legislation; and be it further

Resolved, That the mayor of the city of Racine or a representative of the city, appointed by him, should it be advisable, be authorized to appear before the appropriate Senate committee, expressing the opposition of the Racine Chamber of Commerce to the proposed legislation; and be it further

Resolved, That the Secretary be authorized and directed to send copies of this resolution to Senator Alexander Wiley, Claude Ver Duin, executive secretary, Great Lakes Harbors Association, Mayor Jack H. Humble, William D. Stansil, executive secretary, Manufacturers' Association of Racine, and to other interested parties.

DARRELL WRIGHT,
Manager, Racine Chamber of Commerce, Racine, Wis.

RESOLUTION OF WILD RICE ELECTRIC COOPERATIVE, MAHNOMEN, MINN.

Mr. HUMPHREY. Mr. President, I have received a resolution from the Wild Rice Electric Cooperative of Mahnomen, Minn., protesting any raise in the interest rates on REA loans.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

WILD RICE ELECTRIC COOPERATIVE, INC.,
MAHNOMEN, MINN.

Mr. Sam Paskewitz, Mahnomen, Minn, offered a resolution that it was the sense of the membership that interest rates on REA loans should not be raised. Said motion was duly seconded and upon being put to a vote was duly carried.

A motion was then made by Henry Herfindahl, Lake Park, Minn., and seconded by A. C. O'Banion, Fertile, Minn., that the chairman appoint a committee of three to draft said resolution objecting to increasing of interest rates. That the chairman appoint Mrs. Sam Paskewitz, Mahnomen, Minn., Mrs. Olav O. Berge, Fosston, Minn., and Mr. Henry Herfindahl, Lake Park, Minn., who presented to the meeting a resolution as follows:

Whereas it has come to the attention of the members of the Wild Rice Electric Cooperative, Inc., that a movement is afoot to increase the interest rate paid by said co-op: Now, therefore, be it

Resolved, That the membership of the Wild Rice Electric Cooperative, Inc., go on record as wholeheartedly opposed to any increase; and be it further

Resolved, That the officers of said cooperative send copies of this resolution to all Senators and Representatives in Minnesota, North Dakota, South Dakota, and Wisconsin.

RESOLUTION OF MOOSE LAKE, MINN., LOCAL FARMERS UNION

Mr. HUMPHREY. Mr. President, I have received a resolution from the Moose Lake Local, Farmers Union, endorsing Senate bill 555, the Hells Canyon bill.

As a cosponsor of this proposed legislation, I am gratified to have the support of Minnesota Farmers Union groups, and I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Whereas Senate bill 555, which would authorize a high Federal dam at Hells Canyon, is shortly to be put to a vote; and

Whereas a favorable vote in the Senate will revive the chances for the full utilization of the natural resources of the middle Snake River for the benefit of the entire Northwest; and

Whereas these benefits will reach into the midwestern rural areas, including Minnesota, and will definitely result in a tremendous saving in lower cost phosphate fertilizer to the farmers of this area; and

Whereas defeat of Senate bill 555 will result in permanent loss of the peoples' right to benefit from a development of one of our country's greatest remaining natural resources: Now, therefore, be it hereby

Resolved by the Moose Lake Local of the Minnesota Farmers Union in regular meeting assembled, That we go on record in support of Senate bill 555, and that we petition our Senators, the Honorable EDWARD J. THYE and the Honorable HUBERT HUMPHREY, to support the Federal Hells Canyon bill and to cast a vote in favor of Senate bill 555 whenever the opportunity is presented and to work for its passage on behalf of the entire Midwest and Northwest United States.

ARCHIE KEITH, *President*.

THERMONUCLEAR BOMB TESTING—PETITION AND LETTER

Mr. HUMPHREY. Mr. President, I have just received from some constituents of mine in Minnesota a petition containing 1,200 names which was circulated in the Minneapolis and St. Paul area during the past 10 days. This petition asks the President of the United States and the Senators from Minnesota to take every step in their power to halt thermonuclear bomb testing.

I have just returned from Minnesota after a weekend visit and I can assure the Senate that the people of Minnesota are indeed concerned about this issue. A public opinion poll in our State so indicated.

As a symbol of their growing concern for the situation, I call to the attention of the Senate this petition, signed by 1,200 citizens. The signatures have all been verified. I call to the attention of the Senate a letter which accompanied the petition. I ask unanimous consent that the letter be printed in the RECORD, and I suggest that, rather than to burden the RECORD with the number of names I have mentioned, which would involve a considerable amount of printing, the Vice President refer this petition to the Joint Committee on Atomic Energy, where the hearings relating to the effects of thermonuclear bomb testing are being held. I had hoped that those hearings would bring to the American people the knowledge and information which is so important, as to whether or not these tests are injurious, and whether or not they should be continued.

The VICE PRESIDENT. Without objection, the letter and petition will be printed in the RECORD, and the petition will be referred to the appropriate committee.

The letter is as follows:

MINNEAPOLIS, MINN.,
ST. PAUL, MINN.,
June 6, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senate,
Washington, D. C.

SIR: Enclosed are copies of a petition which was circulated in the area of Minneapolis and St. Paul during the past 10 days. The original copies, signed by 1,200 persons, are in the office of the President, and the authenticity of the signatures may be confirmed there. This petition asks you and the President to take every step in your power to end thermonuclear testing.

From the reception given this petition among those to whom it was presented, one can conclude that there is considerable support for such a request. No group, scientific, political, or religious, has sponsored the petition. It was circulated and signed by persons who, acting only in their capacity as private citizens, are concerned with the potential danger resulting from radioactive fallout.

The widely critical attitude among many scientists toward the information on fallout published by the Atomic Energy Commission has led us, the signers, to the conclusion that when there is a possible threat to the American people and to people everywhere, the truly scientific and moral attitude requires the elimination of that threat. Even in cases where there is doubt, the benefit of that doubt should be given to mankind.

The Representatives from the State of Minnesota have been informed by letter that the enclosed copies are in your hands, and that the signed copies have been sent to the President. We urge you to heed the request of the 1,200 citizens who have indicated their wishes to stop thermonuclear testing.

Sincerely yours,

MRS. NANETTE M. ROBERTS.
MRS. JUDITH P. VELZ.
EDGAR V. ROBERTS.
JOHN W. VELZ.

The petition presented by Mr. HUMPHREY was referred to the Joint Committee on Atomic Energy, and ordered to be printed in the RECORD, without the signatures attached, as follows:

To: Dwight D. Eisenhower, President of the United States; Hubert Humphrey, United States Senator from Minnesota; Edward Thye, United States Senator from Minnesota.

Gentlemen:

In the light of recent disclosures made by a University of Minnesota scientist that the Midwest is the globe's top radioactive fallout area, we urge you, in the interests of our own personal safety and that of the generations to come to take every measure in your power to bring about the immediate and permanent end of thermo-nuclear testing. The tests in Nevada endanger our health, that of our children, and that of people all over the United States; ultimately these and any such tests endanger the lives of mankind everywhere.

In the interests therefore of humanity—interests which transcend those of State and Nation—we petition that you end thermonuclear racial suicide.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 904. A bill for the relief of Chrisoula Antonios Chegaras (Rept. No. 418);

H. J. Res. 272. Joint resolution for the relief of certain aliens (Rept. No. 426); and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 427).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 336. A bill for the relief of Angela Ferrini (Rept. No. 419);

S. 418. A bill for the relief of Elisabeth Trout (Rept. No. 420);

S. 627. A bill for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge (Rept. No. 421);

S. 660. A bill for the relief of Ursula Rosa Pazdro (Rept. No. 422); and

H. R. 1454. An act for the relief of Jeffrey Charles Medworth; (Rept. No. 423).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 520. A bill for the relief of Eleanor M. Horton (Rept. No. 424);

S. 1083. A bill for the relief of Maria Maniates (Rept. No. 425);

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens (Rept. No. 428); and

H. J. Res. 290. Joint resolution for the relief of certain aliens (Rept. No. 429).

By Mr. MORSE, from the Committee on the District of Columbia, without amendment:

S. 2194. A bill to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes (Rept. No. 430).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MURRAY:

S. 2242. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. ANDERSON:

S. 2243. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. ELLENDER (by request):

S. 2244. A bill to facilitate and simplify the work of the Forest Service, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. DIRKSEN (by request):

S. 2245. A bill for the relief of Moy Tong Poy; and

S. 2246. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Gubbins & Co., of Lima, Peru, and Reynaldo Gubbins; to the Committee on the Judiciary.

By Mr. ERVIN:

S. 2247. A bill for the relief of George John Coutsoubinas, Olga G. Coutsoubinas, Spyridon G. Coutsoubinas, and Agatha G. Coutsoubinas; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MCNAMARA):

S. 2248. A bill for the relief of James Richard Scarlett (Richard Kurosawa); to the Committee on the Judiciary.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 2249. A bill to authorize the sale of a certain number of merchant type vessels to Austrian citizens for use in the trade of Austria; to the Committee on Interstate and Foreign Commerce.

By Mr. MAGNUSON (by request):

S. 2250. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. STENNIS:

S. 2251. A bill for the relief of Manley Francis Burton; and

S. 2252. A bill for the relief of Mrs. Fumi Ishikawa Clark; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 2253. A bill to amend the act of May 4, 1956 (70 Stat. 130), relating to the establishment of public recreational facilities in Alaska; to the Committee on Interior and Insular Affairs.

By Mr. MAGNUSON:

S. 2254. A bill to eliminate the time limitation on certain grants under section 4 (a) of the Vocational Rehabilitation Act; to the Committee on Labor and Public Welfare.

By Mr. MAGNUSON (by request):

S. 2255. A bill to amend section 607 (d) of the Merchant Marine Act, 1936, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGLAS:

S. 2256. A bill for the relief of Luz Poblete and Robert Poblete Broaddus, Jr.; to the Committee on the Judiciary.

S. 2257. A bill to provide for the conveyance of certain interests of the United States in a tract of land in the State of Illinois; to the Committee on Government Operations.

By Mr. FULBRIGHT:

S. J. Res. 100. Joint resolution relating to the inability of the President to discharge the powers and duties of his office; to the Committee on the Judiciary.

(See the remarks of Mr. FULBRIGHT when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. SALTONSTALL:

S. J. Res. 101. Joint resolution to authorize the Secretary of Commerce to sell a certain war-built cargo vessel and for other purposes; to the Committee on Interstate and Foreign Commerce.

SPECIAL COMMITTEE TO ACT AS OBSERVERS AT TRIAL OF WILLIAM S. GIRARD BEFORE A JAPANESE COURT

Mr. GOLDWATER. Mr. President, I submit, for appropriate reference, a resolution creating a special committtee to act as observers for the Senate at the trial of William S. Girard before a Japanese court.

I should like to spend a moment explaining this resolution, in the hope that others of my colleagues may be interested in joining with me in sponsoring it.

Mr. President, the entire country has been made aware of the plight of Army Sp3c. William S. Girard. This young soldier, in the performance of his duty, accidentally killed a woman. He is now confined, awaiting trial in a Japanese court. This procedure is provided for in a section of an executive agreement.

There has been much debate about these executive agreements. This is one of the first instances brought to our attention of what can happen when agreements are made having the effect of treaties, and the Senate does not know anything about them.

Mr. President, there will be much discussion about this case before any suggestion is made that the Status of Forces Treaty be resorted to again. I think it is right that the Senate should concern itself with this matter, and devote much time to the discussion. To enable the Senate not only to have more information on this case, but also to insure that this boy gets a fair trial, the resolving clause of my resolution states in part:

Resolved, That (a) the President of the Senate of the United States is hereby directed to name a special committee of four Members of the Senate of the United States to act as observers for the Senate of the United States at and during the course of any trial of the said William S. Girard before any Japanese court or courts. Such committee shall select a chairman from among its members.

(b) Such committee shall be composed of two Members of the Senate Committee on Armed Services (one member to be from the majority party and one member to be from the minority party) and two members of the Senate Committee on the Judiciary (one member to be from the majority party and one member to be from the minority party).

Mr. President, I am submitting this resolution in the hope that the committee will act on it quickly so that the people of the United States may have the assurance that the Senate is interested in this case, and will perform its duties in respect to its constitutional pledges to keep the Constitution intact for all its citizens.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 145) was referred to the Committee on Armed Services, as follows:

Whereas Army Sp3c. William S. Girard has been charged with actions which allegedly caused the death of a Japanese citizen in Japan; and

Whereas the incident giving rise to such charges occurred while the aforesaid William S. Girard was on active duty with the Armed Forces of the United States in Japan and acting under the orders of his commanding officer; and

Whereas the Department of Defense of the United States is reported to have issued an order that the aforesaid William S. Girard be turned over to Japanese authorities for trial in Japanese courts for the alleged offense hereinbefore referred to; and

Whereas it is charged that the above reported order of the Department of Defense of the United States is in violation of the terms of treaties now existing between the Government of the United States and the Government of Japan, said treaties having been approved by the Senate of the United States; and

Whereas there is alleged to be considerable differences between the court procedures and rights of defendants in Japan and the United States; and

Whereas it is the duty of the United States Senate, which approved said treaties between

the Governments of the United States and Japan, to have a complete and detailed report on all matters relevant to the order turning the aforesaid William S. Girard over to Japanese authorities and to any trial of the aforesaid William S. Girard before any Japanese court or courts: Therefore be it

Resolved, That (a) the President of the Senate of the United States is hereby directed to name a special committee of four Members of the Senate of the United States to serve as observers for the Senate of the United States at and during the course of any trial of the said William S. Girard before any Japanese court or courts. Such committee shall select a chairman from among its members.

(b) Such committee shall be composed of 2 members of the Senate Committee on Armed Services (1 member to be from the majority party and 1 member to be from the minority party) and 2 members of the Senate Committee on the Judiciary (1 member to be from the majority party and 1 member to be from the minority party).

(c) All expenses incurred by the special committee under this resolution, including travel and costs of necessary staff and advisers, shall be paid out of the contingent fund of the Senate of the United States upon vouchers approved by the chairman of the committee.

HARVEY-WHIPPLE, INC. — REFERENCE OF SENATE BILL 2122 TO COURT OF CLAIMS

Mr. SALTONSTALL submitted the following resolution (S. Res. 146), which was referred to the Committee on the Judiciary:

Resolved, That the bill (S. 2122) entitled "A bill for the relief of Harvey-Whipple, Inc.," now pending in the Senate, together with all the accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

CONTINUANCE ON PAYROLL FOR A FURTHER PERIOD OF CLERICAL AND OTHER ASSISTANTS OF THE LATE SENATOR McCARTHY

Mr. WILEY. Mr. President, on May 2, 1957, Senator McCarthy passed on. Under the rule of the Senate, his payroll will be extended some 60 days.

In the meanwhile, I have been informed by his office directly and also in conversations with the minority leader, the Senator from California [Mr. KNOWLAND], and the Senator from New Hampshire [Mr. BRIDGES], that much work remains to be done in Senator McCarthy's office. It has been suggested that a resolution be submitted—and I have adopted the suggestion—to the effect that the period be extended until September 3.

The newspapers have released an article that on August 27, a special election will be held in Wisconsin to fill the vacancy created by the death of Senator McCarthy.

I submit a resolution and ask that it be referred to the Committee on Rules and Administration.

There being no objection, the resolution (S. Res. 147) was referred to the Committee on Rules and Administration, as follows:

Resolved, That the clerical and other assistants of the Honorable Joseph R. McCarthy, late a Senator from the State of Wisconsin, on the payroll of the Senate on the date of his death, shall be continued on such payroll at their respective salaries for a further period of 60 days from July 3, 1957, to be paid from the contingent fund of the Senate: *Provided*, That any such assistants continued on the payroll, while so continued, shall perform their duties under the direction of the Secretary of the Senate, and he hereby is authorized and directed to remove from such payroll any such assistants who are not attending to the duties for which their services are continued.

JAMES RICHARD SCARLETT (RICHARD KUROSAWA)

Mr. NEUBERGER. Mr. President, Defense Department officials have advised me that there are many hundreds of military families living abroad who have adopted orphan children of other nations. These adopted children have become members of the family, attached to their adoptive mothers and fathers. Many of these families are scheduled for rotation to the United States with the movement of military units over the next several months. In most cases these families are unable to bring their adopted children with them because the fourth preference immigration quotas under which the adopted children could be admitted to our country are heavily oversubscribed.

Thus, we have a most tragic situation which results in the breakup of many established families. Defense Department officials are giving most careful consideration to this problem. With the rotation of military units, the husband returns to the United States, while the wife either remains abroad with their adopted child or places the child in an orphanage and returns with her husband.

This most serious human and military problem only emphasizes the urgent need for general legislation to admit to the United States orphan children who have been adopted by American families. Private bills do not present an adequate remedy, and general legislation is needed.

Mr. President, last January 25 I introduced general legislation to admit 10,000 orphans who have been or will be adopted by American families, similar to the orphan section of the Refugee Relief Act which expired at the end of last year. I know of no opposition to admitting these orphan children to our country, and I hope that the Senate Judiciary Committee will be able to give prompt and favorable consideration to my bill or similar legislation.

Mr. President, on behalf of myself, and the distinguished Senator from Michigan [Mr. McNAMARA], I introduce, for appropriate reference, a private bill to permit Army Sgt. and Mrs. James L. Scarlett, a Michigan serviceman, who is stationed at the Army Garrison, Camp Schimmelpfennig, Japan, to bring their adopted 20-month-old Japanese-American son to the United States. Unless this private bill or general legislation is passed, this Army family will be unable to bring their son into the United States.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2248) for the relief of James Richard Scarlett (Richard Kurosawa), introduced by Mr. NEUBERGER (for himself and Mr. McNAMARA), was received, read twice by its title, and referred to the Committee on the Judiciary.

CONSTRUCTION OF TWO SURVEYING SHIPS FOR COAST AND GEODETIC SURVEY

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes. I ask unanimous consent that a letter from the Secretary of Commerce, requesting the proposed legislation, together with a statement of its purpose and need, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 2250) to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter and statement presented by Mr. MAGNUSON are as follows:

JUNE 7, 1957.

Hon. RICHARD M. NIXON,
President of the Senate,
United States Senate,
Washington, D. C.

Hon. SAM RAYBURN,
Speaker of the House of Representatives,
Washington, D. C.

DEAR MR. PRESIDENT: The Department recommends to the Congress for its consideration the attached draft of a proposed bill "To amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes."

There are also attached four copies of the statement of purpose and need in support thereof.

We have been advised by the Bureau of the Budget that it would interpose no objection to the submission of the draft legislation to the Congress.

Sincerely yours,

SINCLAIR WEEKS,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED FOR PROPOSED LEGISLATION "TO AMEND THE ACT OF AUGUST 5, 1955, AUTHORIZING THE CONSTRUCTION OF TWO SURVEYING SHIPS FOR THE COAST AND GEODETIC SURVEY, DEPARTMENT OF COMMERCE, AND FOR OTHER PURPOSES"

The proposed legislation amends the act of August 5, 1955, authorizing construction of two surveying ships for the Coast and Geodetic Survey, to increase the limitation of cost per vessel from $3,700,000 to $6,793,243

and to change the date from which cost increases are figured to April 4, 1957.

In response to an advertisement for bids for construction of one of the vessels a low bid of $5,813,243 was submitted. Contingencies, equipping and outfitting, design, supervision and inspection are estimated at an additional $980,000, making a total of $6,793,243. If the contract is not awarded by July 3, 1957, the contract price will be increased by the effect of escalation. It is estimated that if the escalation clause takes effect, the net increase in contract price will be a minimum of $362,946.

The Department wishes to emphasize that none of the requested increase in the authorization is the result of changes in the specifications of the vessel. The requested increase is caused solely by increased shipbuilding costs and adjustment of estimates. The Department urges immediate enactment of this legislation and the appropriation of funds thereunder in order that the present bid may be accepted at the unescalated figure.

PRESIDENTIAL SUCCESSION IN EVENT OF DISABILITY OF INCUMBENT

Mr. FULBRIGHT. Mr. President, I introduce, for appropriate reference, a joint resolution relating to the inability of the President to discharge the powers and duties of his office. I ask unanimous consent that the joint resolution, together with an explanation of its purposes, may be printed in the RECORD.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and explanation will be printed in the RECORD.

The joint resolution (S. J. Res. 100) relating to the inability of the President to discharge the powers and duties of his office, introduced by Mr. FULBRIGHT, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. Whenever the two Houses of Congress shall adopt a resolution declaring that the Congress believes that the President is unable, by reason of physical or mental disability, to discharge the powers and duties of his office, such resolution shall be transmitted to the Supreme Court of the United States, and the Court shall decide whether or not such inability exists. If the Court decides, by a majority vote of the authorized membership, that such an inability exists, the powers and duties of President shall devolve upon the Vice President, or if there be no Vice President, upon the person next in line of succession to the office of President, as provided by law.

"The Vice President or other person upon whom the powers and duties of the President have devolved pursuant to proceedings under this article of amendment shall continue to exercise such powers and duties until the end of the presidential term then in effect, unless it has previously been determined that the inability of the President no longer exists, in which event the President shall reassume the powers and duties of his office. Such a determination shall be made in the same manner as herein provided for determining the question of the President's inability to perform the powers and duties of his office.

"For the purposes of this article of amendment, a quorum in each House of Congress shall consist of two-thirds of the total number of members thereof.

"SEC. 2. In the event the Congress is not in session, and in the opinion of the Vice President, or if there be no Vice President, the President pro tempore of the Senate, and the Speaker of the House of Representatives circumstances exist which create a doubt as to the ability of the President to discharge the powers and duties of his office, they may by joint action call the Congress into special session for the purpose of considering whether the President is unable to discharge the powers and duties of his office.

"In the event the Congress is not in session, and in the opinion of the President pro tempore of the Senate and the Speaker of the House of Representatives circumstances exist which indicate that the inability which occasioned action pursuant to section 1 no longer exists, they may by joint action call the Congress into special session for the purpose of considering whether or not such inability still exists.

"SEC. 3. The provisions of this article of amendment shall apply to any person upon whom the powers and duties of the office of President have devolved in the same manner such provisions apply to the President.

"SEC. 4. This article shall not apply to any person holding the office of President when this article was proposed by the Congress.

"SEC. 5. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission."

The explanation presented by Mr. FULBRIGHT is as follows:

PURPOSE AND INTENT OF THE PROPOSED AMENDMENT

It is the purpose of the proposed amendment to provide for a succession to the Presidency in the event of the physical or mental disability of the President.

The proposed amendment provides that whenever the Congress believes the President is unable, by reason of physical or mental disability, to discharge the powers and duties of his office it shall request the Supreme Court to decide whether such disability exists and if the Court so decides, then the powers and duties of the President shall devolve upon the Vice President or upon the person next in line of succession.

The succession provided for by this proposed amendment shall continue to the end of the current term, unless the disability is sooner relieved, in which event the President will again assume his office.

The proposal provides for succession only after due consideration by the two Houses of Congress and by the Supreme Court. The action of both of these independent branches of the Government is required before a successor can assume the Presidency upon the disability of the President.

The proposed amendment provides for resumption by the President of his office in the same manner as was provided for relieving him of his burden when he became disabled; that is, by concerted action of the Congress and by the Supreme Court.

It provides for the possibility of disability even during periods when there is no Vice President.

The proposed amendment provides for succession even during possible periods when the Congress is not in session by reconvening the Congress upon the joint call of the presiding officers of both Chambers.

NECESSITY FOR THE PROPOSED AMENDMENT

The proposed amendment is nonpolitical in nature. It is not a Democratic or a Republican amendment. It is not a liberal or a conservative amendment. It is a necessary amendment in view of serious problems raised by the inadequacy of the Constitution, as it is now constituted, to provide for a continuity in the adequate performance of the powers and duties of the President in the event of his physical or mental disability. This proposed amendment properly meets the demands of the situation. It removes any uncertainty about the legality of any action taken during an incapacity of the President.

It has an impact on all three branches of the Government; yet no unilateral action by any single branch of the Government can be effective. The proposed amendment provides for a simple procedure and yet it provides for a deliberate reflection upon a grave constitutional change which can be effected in as relatively short a time as circumstance may require.

It allows for due consideration by both elected and appointed officials. It requires action by officials already provided for in the Constitution and it does not necessitate the creation of a new body of officials, commission, or agency.

The proposed amendment provides that final responsibility rests upon those of judicial temperament, appointed for life and, insofar as constitutional government can provide, beyond the temptations of political advantage. Yet, the Court cannot act unless first requested to do so by the separate and independent legislative branch of the Government.

This proposal requires a majority of a quorum of two-thirds of the total number of the Members of each House for adoption of a resolution. Hence, it precludes the possibility of a small cabal in either House achieving a political coup. At the same time it does not require so great a preponderance as to allow a small cabal to prevent, for political advantage, a necessary change in the executive.

There are those who have declared that to substitute another for an ailing President in the middle of his term is to contravene the wishes of the electorate. This is unrealistic. The Constitution already provides, and the electorate accepts the possibility of succession in the middle of a term because of a disability resulting from the death of the President. The succession of the Vice President in such circumstances is not considered to contravene the wishes of the electorate which had voted the President a 4-year term. So also this amendment does not contravene the wishes of the electorate. The disability may be short of death, yet it is no less an inability to discharge the powers and duties of his office. To ignore the possible consequences of such inability is to take grave risks with the future well-being of this Nation.

The requirement that the Congress should be directly involved in proceedings involving succession to the Presidency is necessary. The President is elected by all the people—so is the Congress. What other body under our Constitution is the alter ego of our citizenry?

It is therefore fitting and proper that no possibility of succession because of inability take place until the Congress has expressed its belief that the President may be disabled.

There has been some comment that the Supreme Court should be kept out of this problem since it is contrary to the traditional constitutional purposes for which the Court was established. There is little substance to such an argument. The Constitution already provides for the removal of a President for cause through impeachment

proceedings. The Constitution already provides that the Chief Justice of the United States shall preside over such proceedings. The problem herein is not a political problem. It is a national governmental problem. The matter can only be resolved by facing up to the responsibilities required under constitutional government. Hence, the participation by the Supreme Court in matters involving succession to the Presidency is not only already required by our own Constitution but nothing required of the Supreme Court under the proposed amendment can in any way be deemed to impair the dignity of the Court or cause it to become involved in partisan politics. Its action under this amendment would be nothing more than meeting constitutional responsibilities in a situation of concern to all our citizens.

It has been said that we have existed as a Nation for nearly 175 years without providing for the possibility envisaged by this proposed amendment and that in all that time no problem has arisen. To that all that can be said is that a Divine Providence has spared us thus far, but we are familiar with the fact that at least twice, and possibly more times, our Nation has been faced with the fact that the President was unable to discharge properly the duties of his office by reason of a physical or mental disability.

Indeed, only recently (May 14, 1957, District of Columbia Bar Association) the Attorney General pointed out that the United States cannot count on its past good luck that a President will not become disabled while in office. The question of succession, he pointed out, has become esepcially urgent because we are living in an atomic age.

The mere fact that we as a nation have been fortunate thus far is no reason to tempt providence in so important a matter as the presidency. It may well be that circumstances may never require that this amendment become operative. Yet prudence and common sense dictate that the probabilities are more likely than not that it will become operative. If and when such circumstances arise it will be too late to enact the necessary legislation. The time to repair the hole in the roof is before the rain begins, since human experience indicates that it will rain, even though we cannot predict with certainty when.

MUTUAL SECURITY ACT OF 1957—AMENDMENTS

Mr. JAVITS. Mr. President, I send to the desk for printing under the rule two amendments to Calendar No. 424, Senate bill 2130, a bill to further amend the Mutual Security Act of 1954, as amended, and for other purposes, reported from the Committee on Foreign Relations.

The VICE PRESIDENT. The amendments will be received, printed, and lie on the table.

Mr. JAVITS. Mr. President, by way of explanation of these amendments, one amendment deals with the entire question of international travel. There are tremendous possibilities in intenational travel for helping foreign nations, in the same terms in which we helped them under mutual assistance; and also tremendous possibilities for introducing our country to many travelers who do not come here now, as well as some possible financial benefit to our own country as well, especially in States which attract tourists during the tourist season. I shall have a great deal more to say on this subject in connection with the amendment, and also in connection with independent proposed legislation which I intend to introduce. I merely call attention to the fact that I sponsored a similar move in the other body when I was a Member there, which resulted in the inclusion of section 416, relating to the encouragement of international travel, in the Mutual Security Act. It is that section which I propose to amend. My amendment proposes a broad scale study and report dealing with the question of international travel, with a view toward a more affirmative action by our Government on that subject.

In connection with the international travel amendment, I ask unanimous consent to have printed in the RECORD an editorial entitled "Two-Way Ocean," published in the Washington Post and Times Herald of June 10, 1957.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 10, 1957]

TWO-WAY OCEAN

Last year, 576,000 Americans visited Europe. But only about 25,000 European tourists come to the United States annually. A chief reason for this great imbalance in transatlantic tourism has been the dollar restrictions imposed to varying degree by a number of European countries. The restrictions of Great Britain have been the most stringent; an ordinary traveler from the United Kingdom for 10 years has been allowed to take no more than 10 pounds in banknotes into the dollar area, which has made British visits to this country and Canada, for example, all but impossible.

The measure was adopted to conserve Britain's often-strained foreign exchange balances. But now Britain has found it possible to raise the limit to 100 pounds, or $280, which, while hardly an invitation to extensive or luxurious traveling, ought to help a great deal. The former arrangement, as Chancellor of the Exchequer Peter Thorneycroft observed, was an unnatural barrier between the English-speaking peoples. Another step that might help would be to set up somewhere a sort of clearinghouse to facilitate lecture engagements or temporary consulting positions for qualified European visitors to the United States, affording them a chance to earn additional sums here and prolong their visits. We'd like to see more of our European cousins.

Mr. JAVITS. The other amendment proposes to enlarge somewhat the provision relating to guaranties of private investment abroad. It is designed to introduce the private economy even more extensively into our mutual-security program, and enlarge the guaranties to cover revolution or insurrection. This measure has been previously passed by the other body, but has always failed in the Senate. I hope very much that, with the new emphasis on a long-range foreign-aid program, in terms of economic assistance, we may seriously consider this rounding out of the guaranty program.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. RUSSELL submitted the following notice in writing:

In accordance with rule XL, of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, the following amendment, namely:

Page 10, after the word "basis" on line 7, insert the following: ": *Provided further*, That provisions of the act of August 1, 1956 (70 Stat. 890–892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Mr. RUSSELL also submitted an amendment, intended to be proposed by him, to House bill 7441, making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, which was ordered to lie on the table and to be printed.

(For text of amendment referred to, see the foregoing notice.)

PRINTING AS A SENATE DOCUMENT OF REPORT OF A SUBCOMMITTEE CONCERNING PROBLEMS OF HUNGRY CHILDREN IN THE DISTRICT (S. DOC. NO. 43)

Mr. MORSE. Mr. President, I have just come from a special meeting of the Committee on the District of Columbia, and I report that it is the unanimous view of the committee that this request be made.

Mr. President, I ask unanimous consent to have printed as a Senate document the report of the Subcommittee on Public Health, Education, Welfare, and Safety, of the Committee on the District of Columbia, on the problems of hungry children in the District of Columbia.

The committee asks that the report be printed immediately as a Senate document, so that it will be available to Members of the Senate for discussion of District of Columbia affairs, not only in connection with the appropriation bill, but also in connection with several other District of Columbia bills which will be before the Senate in the next few weeks.

When I say unanimously, I should say that there was one member of the committee who did not pass judgment on the request. That is the Senator from New York [Mr. JAVITS] who could not be present at the meeting of the committee today. I want Senators to know that the Senator from New York has been closely following the work of the subcommittee, and he has given us great encouragement as the work has gone on. I take the liberty, although I want the circumstances to be clear, of saying to the Senate that I am positive that I can speak for the Senator from New York on this matter, because I am sure he will say, "I am glad you said that," when he sees me tomorrow morning, and that he would join with me in this request.

The VICE PRESIDENT. Without objection, the report will be printed as requested by the Senator from Oregon.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GREEN:

Address entitled "A Sense of Balance," delivered by him at the under the elms exercises at Brown University, on May 31, 1957.

By Mr. REVERCOMB:

Address entitled "The Basis of America's Foreign Policy," delivered by him before the St. Paul's Guild of St. Joseph's Catholic Church, at Huntington, W. Va., May 26, 1957.

By Mr. GOLDWATER:

Address delivered by him before Wisconsin Republican State convention on June 8, 1957.

By Mr. SMITH of New Jersey:

Address delivered by Senator BIBLE at 92d commencement of Rider College, Trenton, N. J., on June 8, 1957.

By Mr. JAVITS:

Address delivered by Senator CASE of New Jersey before annual convention of the Jersey State Federation of Labor.

ADDRESS BY THE SENATE MAJORITY LEADER BEFORE THE ANNUAL CONFERENCE OF UNITED JEWISH APPEAL

Mr. FULBRIGHT. Mr. President, last Saturday, in New York, the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], delivered one of the most intelligent and significant statements which has been made in recent months. It was well timed and appropriate. It was needed. Many people have sensed that our foreign policy has been negative, timid, and uninspired during the past several years.

The reaction of the administration to the unprecedented nationwide television broadcast of the principal leader of Russia was a supercilious comment by the White House Press Secretary—that "President Eisenhower was aware of the broadcast, but didn't see it." That, I submit was a negative, a timid, and an unimaginative and uninspired response to the Communist thrust.

I saw the broadcast. I think it presented us with a good opportunity to go into the merits of the Russian case. I believe the Russian case is defective. I believe Marxism is a false doctrine, but the way to convince the people of the world that it is false is to meet it head-on, just as the majority leader has suggested in his wise and thoughtful speech.

I urge every Member of this body to read the speech, and I beg and plead with the administration that it be not afraid to reason with the people of the world—yes, even with the people of Russia—about the merits of democracy.

I urge the administration, with all the sincerity I possess, to use some imagination, in dealing with the Communists, to accept their challenge to test our ideas in open debate before the eyes of the world.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the best speech I have seen in recent months.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE OPEN CURTAIN

(Address by Senate Majority Leader LYNDON B. JOHNSON, before the annual conference of the United Jewish Appeal, New York City, N. Y., June 8, 1957)

Mr. Chairman, distinguished guests, I am here tonight with a basic premise in my mind.

It is that you—the members of the United Jewish Appeal—are men and women who have dedicated their lives to helping your fellow man.

I do not assume this lightly—merely from the desire of a speaker to flatter his audience. It rests upon your enviable record.

I raise the point only as a predicate to the remarks which I plan to make tonight. This is the place and you are the people to whom I wish to define a new proposal.

THE WORLD WE LIVE IN

Never before in history have people been so badly in need of help. And the only kind of help that will serve today is the kind that the people supply for themselves.

There is no need to recite once more the realities of the modern world. We are all only too familiar with them—the cold war, the armaments race, atomic fallout, international misunderstanding.

Most of these factors have appeared before in history. There have been cold wars. International misunderstanding has been a normal state of affairs for centuries. There is nothing new about an armaments race.

But for the first time, we now face the prospect of destroying ourselves—not as the result of an armaments race but merely by indulging in the race.

THE ATOMIC RAIN

For several weeks our newspapers have carried daily headlines about the effects of atomic fallout. The scientists disagree as to the amount of damage that is being done to humanity by our nuclear tert explosions.

But even the most conservative state flatly that there is some risk.

I am no nuclear physicist. I do not pretend to have the scientific knowledge that would entitle me to pass judgment on genetics or the effects of strontium 90.

But I do know that the experts are talking about my children and your children. And it gives me no comfort to be told that some scientists think the risk to them is slight.

NO MONOPOLY

It is even less comforting to assess the probable future of the armaments race even assuming that our children escape the fallout danger—whether slight or tremendous. If it continues, the future is bleak.

The intercontinental ballistics missile with a hydrogen warhead is just over the horizon. It is no longer just the disorderly dream of some science fiction writer.

We must assume that our country will have no monopoly on this weapon. The Soviets have not matched our achievements in democracy and prosperity; but they have kept pace with us in building the tools of destruction.

With such weapons in a divided world, there will be little choice. We will return to the caves of our remote ancestors and burrow underground like the prairie dogs of west Texas.

REASONABLE ALTERNATIVES

There are reasonable alternatives to this unreasonable prospect. They are alternatives which are available to mankind—providing that mankind will adopt them.

Our present situation could have been avoided. Twelve years ago—when we had a monopoly on the atomic bomb—the United States offered to share the secrets of the atom with the entire world.

We asked in return only reasonable guaranties that the atom would never again be used in warfare. This offer had no parallel in history—and it would have converted the atom from an implement of death to an implement of life.

Two years later, this plan was approved by the General Assembly of the United Nations. It was blocked only by the Soviet Union and its satellites.

There is no point in reliving the past. I am not going to waste your time and my time in proving that the Soviets were wrong. Free people who have had access to the truth are already aware of the facts.

We live in the present. We no longer have a monopoly on atomic power. But there is a sound reason for recalling the events of 1946 and 1948. One aspect of those events may point the way to the future.

The Russian people have never had an opportunity to weigh the Free World's proposal for the control of atomic energy. They were never informed about it openly and frankly. They never knew that Stalin provoked an arms race that, if continued, must end in the total elimination of mankind.

Today humanity is a great deal closer to self-destruction than it was 10 years ago.

THE THREAT AND THE HOPE

And yet, because we are close to the threat, we may also be closer to hope. I do not foresee any quick utopian solutions. A happy ending to the atomic-hydrogen menace will not be easily found.

But I am convinced, to borrow Churchill's phrase, that if we cannot see the beginning of the end, we can at least see the end of the beginning.

There are pathways of peace and progress open to all humanity. The statesmen of the world have one overriding duty—to help light those paths.

Where lie the signs of hope? They lie in the realm of reason.

THE CHALLENGE

The challenge is truly immediate. It involves actions that can and must be taken this year, now, during the remaining 206 days of 1957.

Our basic need goes by the technical name "disarmament." That long, rather dull-sounding word represents a host of complicated problems. The answer—even a beginning to the answer—represents the hope of all mankind.

We must initiate action on five objectives, each contributing to our crusade for disarmament:

1. Controlled reduction of military forces by all countries.

2. A start on a mutual open-skies foolproof inspection system.

3. A frank and open search for a method of suspending tests of the bigger nuclear weapons, under airtight conditions which give full protection against violations.

4. A reduction of everyone's stockpile of nuclear weapons and means for delivery under copper-riveted methods of mutual inspection.

5. And this is the key to ultimate hope: A worldwide agreement—backed by absolute safeguards—that no nation will make any new fissionable materials for weapon purposes, neither the three present nuclear powers nor those who may soon have the capacity.

LET THE PEOPLE JUDGE

How do we launch this program? We do so in the only way possible—in the only way that accords with American traditions.

We must create a new world policy. Not just of open skies, but of open eyes, ears, and minds, for all peoples of the world.

I call for the open curtain. Let truth flow through it freely. Let ideas cleanse evil just

as fresh air cleanses the poisoned, stagnant mass of a long-closed cavern.

Mankind's only hope lies with men themselves. Let us insist that the case be submitted to the people of the world.

A few years ago this would have been utterly impractical. But great events have recently stirred the world. We must seize the hopes they suggest. We must not be blinded to those hopes by rigid reflections of the past.

Only 4 years ago the brutal Stalin died. Only a year ago the world learned that the new Russian leader, Khrushchev, has found it necessary to expose the depths of Stalin's evil. And only 6 days ago Khrushchev took advantage of America's facilities to come into our homes and state the Communist case.

I am glad that he did so. I have complete trust and faith in our people.

They will not be contaminated by open Communist propaganda.

We should welcome this example of direct argument.

But we must, I think, go much further than this. Let us take Khrushchev's technique and turn it back upon him. Let us use the program as the means to open the Iron Curtain.

As he has used our TV screens for his appeals, let us demand to use his screens for our appeal, the appeal of truth undefensive and undismayed.

We should ask Khrushchev to provide us with Sovietwide uncensored radio and TV facilities. We should call on him to allow spokesmen of our own choosing to come into Russian homes and state our case—the American case—to the Russian people.

RETURN TO FUNDAMENTALS

Let us get back to fundamentals. Let us return to the principles which made America strong and great and free.

The most important of these principles is that truth can be found in the free market place of ideas.

It is no secret to any of you that I am a Democrat. My political faith can be traced to many sources. One of them—and the most important of them—was Thomas Jefferson, who said:

"I know of no safe depository of the ultimate power of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

This is an elegant and graceful way of putting a basic truth that I learned in Johnson City, Tex. Stated more simply, it means: Never underestimate the intelligence of the people.

Sometimes they are misinformed. Sometimes the truth is withheld from them. But when they have the facts, their judgment will be good and fair and honorable.

FAITH IN THE PEOPLE

I have a deep and abiding faith in the judgment of the people who ride the range in the Texas hill country. They may not have the ease of expression and the grace of manner of those who were reared in more settled parts of our land.

But no demagog is going to lead the lean, spare Texan who runs the cattle on my ranch into the paths of bigotry. And Nikita Khrushchev is not going to convert him into a Communist.

He's just plain got too much sense. And I don't think that he is unusual. I believe that most Americans are like that.

They may speak with a different accent. They may plow cornland in Iowa or sew clothes in New York City. They may work on the docks in Seattle or run a department store in Kansas City.

They may be northern Yankees or southern Rebels. They may be Catholics, Protestants, or Jews. It makes no difference because they are all Americans.

I am not afraid to have them listen to Nikita Khrushchev or Karl Marx or Nicolai Lenin himself. They have the intelligence and the independence to make up their own minds.

I know there are some who are fearful of the effects of Communist propaganda upon our people. I am a Jeffersonian. I do not share those fears.

WELCOME COMPETITION

I favor granting Khrushchev or Bulganin or Molotov or any Soviet leader television time in America every week of the year. I demand in return only that they grant us equal opportunities for reaching the Russian people.

Let the Russians say what they wish. Let our people hear it to the bitter end. I have faith in them. I do not believe that there will be any Communist converts.

Khrushchev, in his broadcast, called for competition between socialist and capitalized states. There is one form of competition—the clash of ideas—that Americans would welcome with delight.

I am not talking of a propaganda offensive or waging peace. Those are the terms of advertising, and this country is not interested in making a mercantile item of peace.

I am not talking of merely one reply to Khrushchev by the President or some other official.

I am calling for an open curtain for full discussion of the immediate, urgent problems facing our people. We should insist on the right to state our case on disarmament in detail to the Soviet people. We should have weekly appearances during this year on Soviet radio and television, and we should offer similar facilities here.

THE TRUTH SHALL MAKE YOU FREE

Can Khrushchev find any reasonable objection to this procedure? Can he advance one logical reason why his people should not hear our proposals advanced from our lips as our people heard his proposals advanced from his lips?

Khrushchev said last Sunday: "We have to live on one planet." Let him show that he is willing to make this possible.

I am a man who trusts people when they have the facts. I believe in the Biblical injunction: "You shall know the truth and the truth shall make you free." The Russian people are capable of recognizing the truth when it is offered to them.

We should not let a single day pass without raising this issue. We should call it up in the United Nations; we should make it a basic proposal in all disarmament talks; we should insist upon it every time a Russian representative is within earshot.

Why not allow Soviet labor leaders to talk to our people in return for our labor leaders talking to theirs? Why not allow Soviet industrial managers to talk to our people in return for our industrialists talking to theirs?

Is there any good reason why American and Soviet farmers should not exchange views—in the plain sight of the whole world? Is there any reason why our scholars and our professional men should be barred from mutual exchanges with their Soviet counterparts?

Let the people know.

Let truth shine through the open curtain.

And when the people know, they will insist that the arms race, the nuclear explosions, the intercontinental missiles, all be banished. They will insist upon systems that safeguard us against world suicide.

THE PATH OF PEACE

Once again we will place our feet on the path of constructive activity. We will look forward with joy rather than with dread to our children's future.

We live in a world where over two-thirds of the people are "ill-housed, ill-clad, ill-nourished." When the madness of the nuclear arms race is halted, mankind's creative efforts can be turned to their relief. We shall survive this century only if we find how to substitute human dignity for human degradation.

The people in this room tonight are dedicated to the cause of helping—rather than destroying—humanity. You have worked through the years to bring a measure of security and a measure of decency to your fellow humans.

SANCTUARY

You have been associated with many humanitarian causes—and one of them is creating a sanctuary for the oppressed. That sanctuary, Israel, stands today—permanent and enduring—in the midst of what was once desert.

Creating that sanctuary meant that rivers had to be dammed; fields had to be tilled; houses had to be built; the resources of nature had to be tapped.

These are the tasks to which all of humanity should be dedicated.

We have had enough of oppression and wars; of trouble and turmoil; of the frustration of every normal human impulse. We have seen noble impulses thwarted and turned to ignoble ends. We have watched the fruits of genius warped and turned into the paths of destruction.

This is not the work of the people of the world. It is the work of the small groups of selfish and twisted men who withhold from their fellow human beings the indispensable tool of freedom—the truth.

As you go about your humanitarian work, I want to leave you with one thought tonight.

You are people who seek to build; not to tear down. And when doors are opened so the people of the world can find the truth for themselves, we can all turn to building—building a better life for ourselves and our children.

The people can be trusted. It is time the case be turned over to them.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Montana.

Mr. MANSFIELD. I wish to associate myself with the remarks made by the distinguished Senator from Arkansas, and to point out that the majority leader of the Senate did, in New York, on last Sunday, make a proposal for an Open Curtain.

I think the majority leader and the Senator from Arkansas are both absolutely correct, because the question before us is, What are we afraid of? Are we afraid of being contaminated by broadcasts by Mr. Khrushchev and others? If we are, then I think the country is in bad shape. I certainly hope we will live up to our responsibilities with courage and leadership.

Mr. FULBRIGHT. I thank the Senator from Montana.

Mr. MANSFIELD. Mr. President, if the Senator will yield, I ask unanimous consent to have printed in the RECORD at this point an editorial which appeared in this morning's New York Times on this particular speech.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE WAR OF IDEAS

The war of ideas is the key contest of our times. This is true because, among other reasons, the existence of nuclear weapons threatens to make any future shooting war

universal suicide. Nikita S. Khrushchev certainly understands the vital importance of this encounter. He has devoted much of his time these past few years to this contest, and it is to this struggle that his present activities in Finland are directed. In this country, however, the events of the past week following the Khrushchev television and radio interview over the Columbia Broadcasting System raise seriously the question of whether we understand the importance of the war of ideas and how to fight that war.

The facts are simple. A week ago yesterday Mr. Khrushchev was given the national facilities of CBS television and radio to give his views to the American people. There was no immediate rebuttal or exposure of his misstatements. Nor was there any reciprocal opportunity for a similarly authoritative American spokesman to present our views to the Soviet people, an opportunity Mr. Khrushchev should have been eager to give if he were sincere. Only yesterday was there a nationwide radio and television effort here to analyze Mr. Khrushchev's remarks and this was an anticlimax. No corresponding opportunity for speaking to the Soviet people has yet been given any authoritative American.

This is obviously an unsatisfactory situation. It is one from which a lesson should be learned if similar mistakes are not to be repeated. But we must understand the problem. That problem is not, as President Eisenhower said last week, that CBS is "a commercial firm in this country trying to improve its own commercial standing." The Columbia Broadcasting System acted in our tradition of free speech and free debate in the knowledge that what it was doing might also bring commercial harm.

The real problem is the lack of imagination in many quarters. This was shown by the failure to follow the Khrushchev interview quickly with adequate official analysis. Even more serious, the Khrushchev interview was not made the occasion for officially challenging the Soviet Government to give equal opportunity for presentation of our point of view to the Soviet people.

We need, obviously, a more positive and more imaginative attitude toward the war of ideas. An example of such an attitude is Senator LYNDON JOHNSON'S suggestion that radio and television be used to permit systematic presentation of American views to the Soviet people and Soviet views to the American people. Reciprocity is the key to the problem, and ideas such as Senator JOHNSON'S for a real exchange of ideas, not merely a one-way propaganda coup as Mr. Khrushchev succeeded in getting, certainly deserve serious consideration.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed an editorial from the Washington Post of this morning, on the same subject.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AN OPEN CURTAIN?

The Jeffersonian principle that truth will vanquish error "where reason is left free to combat it" may have been temporarily suspended in Russia after 40 years of Communist indoctrination. But even so there is still only one way to cope with the enforced ignorance of the Russian people on international affairs, which adds so greatly to the world's perils, and that is to beat everlastingly upon the Iron Curtain until it parts.

There will be a great deal of support for Senate Majority Leader JOHNSON'S proposal that the United States ought to press for fuller opportunities to state its case on disarmament and other issues to the Russian people. And most Americans will share Senator JOHNSON'S confidence that this country would have nothing whatever to fear from offering the Russians continuing and equivalent opportunities in the United States.

Fear that Communist speeches will imperil American democracy will be felt only by those with the least confidence in our institutions. By the same token, if the Communists have any confidence in their institutions they will not be afraid to allow information from non-Communist countries to cross their borders. An exchange of information is not going to prove Khruschev right or wrong in his boastful forecast that our grandchildren will live under socialism. Unless the aims of East and West are better understood, the grim issue may be whether or not our grandchildren will live at all, in either a socialist or capitalist world. That is the awful danger that gives force to Senator JOHNSON'S proposal for fuller access in each country to the views of other countries.

OBSTACLES IN SEARCH FOR WORLD PEACE

Mr. JOHNSON of Texas. Mr. President, it seems to me that there is one key to the situation which confronts us. It is the extent to which we have faith in the people when they have the opportunity to hear all the facts and weigh both sides of the issue.

Since the end of World War II, this country has consistently taken the lead in trying to bring peace and justice to this world. And yet, our proposals—some of the most daring and imaginative in history—have failed.

We offered to share the secrets of the atomic bomb at a time when we possessed a monopoly of those secrets. We offered to reduce the swollen armaments budgets of this world—and we made that offer in good faith.

We have poured out our treasure to help the unfortunate of this world to a better and more secure life. We have spent staggering sums to bring health and the blessings of modern science to the dark corners of the globe.

And yet, the world remains divided into two camps—each camp ready to leap into universal destruction.

There is only one reason for this situation. It is the success which the Communist leaders have had in withholding the truth from their own people.

They have gone even further. The Communist leaders have made possession of the truth—by any but a favored few—an offense against the state

This is the rock upon which every reasonable proposal has foundered since the end of World War II. It is the rock upon which future proposals well may founder.

The Russian people do not know. And I believe we should seize every opportunity to bring the truth to them. The Khrushchev broadcast strikes me as one of those opportunities.

I do not deplore the fact that a Russian Communist leader can state his doctrine directly to the American people. I would deplore, however, an attitude which states that we can do nothing about it.

The alternatives to breaching the Iron Curtain which seals out truth are bleak. Even though worldwide nuclear war should never come to pass, the arms race all by itself is enough to destroy us.

Since the end of World War II, this Nation alone has spent more than $416,381,606,900 on the cold war. And we have $44,098,235,520 left over that Congress has appropriated but which we have not yet got around to spending.

How many slums could have been cleared with that money? How many rivers could have been dammed at a fraction of that cost? How much power could have been generated to produce the goods of peace and prosperity?

Our national debt stands today at $274 billion. It hangs over our heads, threatening and menacing to our whole economy and to the economy future generations will inherit.

Would we be under that threat today if the people of the world had an opportunity to hear and to weigh all the facts?

The figures I have cited represent not only dollars but time and effort and resources. They could have been applied to research into cancer and heart disease; into reclaiming our soil; into bettering our lives.

As one who has confidence in people, wherever they may be, I favor giving them the opportunity to make up their own minds.

And in Khrushchev declines this proposal, let him explain why to the world. Let him explain why Americans can hear his case and why Russians cannot be permitted to hear our case.

It would be interesting to hear the Communist representatives explain this point in some such forum as the United Nations.

Mr. President, I have had my staff draw up a table on the amount of money this Nation has spent on the cold war since the end of World War II. I ask unanimous consent that this table be printed in the RECORD as a part of my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Expenditures, fiscal year 1946 through fiscal year 1957, and unexpended balances, June 30, 1957, for certain selected agencies

Agency	Expenditures fiscal year 1946, fiscal year 1957 (estimated)	Unexpended balances, June 30, 1957
Atomic Energy Commission	$15,000,000,000	$1,300,000,000
Department of Defense, military functions	342,900,000,000	37,400,000,000
Foreign aid	[1] 57,600,000,000	6,000,000,000
USIA	881,606,900	28,235,520
Total	416,381,606,900	44,098,235,520

[1] Total delivered.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CHURCH. I should like to associate myself with the remarks of my distinguished colleagues this morning in commending our distinguished majority leader for the address he made on Saturday evening in New York City. The Iron Curtain proposal contained in that address is both courageous and imaginative. I wish to commend the distinguished Senator from Texas for it, and to say to him that it represents the kind of

initiative that is so sorely needed in America's foreign policy. It is a most significant contribution. I want him to know that I appreciate what he did in New York, and I believe the American people at large will appreciate the speech he has made.

Mr. JOHNSON of Texas. I thank the Senator from Idaho.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SMATHERS. I should like to join my colleagues in commending our able majority leader for his speech Saturday evening in New York, as well as for the originality and courage of his ideas presented to us today. It is this type of incomparable leadership that we have come to expect from the Senator from Texas, who now sees, on the basis of the television appearance made by Mr. Khrushchev, an opportunity for us of the United States to breach the Iron Curtain of ideas which now separates the average citizen of Russia and the satellite countries from the people of America and the ideas and ideals of Americans.

We are satisfied, I am sure, that the average citizen of the Soviet Union and the satellite countries is just as anxious for peace as are we. However, they have not had the opportunity to learn what we really think nor how sincerely we desire peace. Surely in response to Mr. Khrushchev some spokesman for the people of America could make their desires and ideals clear to the people of the Soviet Union and the satellite countries.

I wish again to congratulate our majority leader for his demonstrated courage and vision. I am certain that this idea which he has planted and this challenge which he has issued to the leaders of the Soviet World will contribute much toward the solution of these now crucial problems which confront us.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. I wish to congratulate the Senator from Texas for the efforts and ideas he has contributed to the struggle for man's survival. Undoubtedly there is now a much better chance of arriving at some understanding whereby the United States and the Soviet Union, and all the nations of the world will be able to live in peace.

It was impossible to work along that line with Stalin. However, I believe that the present leaders of Russia realize that there is a much greater danger of war so long as the armament race goes on, and that through some kind of accident or some miscalculation these two great nations could be plunged into a world war, a war which neither Nation wants.

I believe that there is now a possibility that perhaps the Iron Curtain will be lifted. For many years the Communists would not permit that curtain to be lifted. The Communists did not want the people of their country to know that the people of other nations were living much better than they were. I think that the chances for arriving at a satisfactory disarmament agreement are much better today than they have been in the past.

The Senator has made a very significant contribution.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Mississippi.

Mr. STENNIS. I read yesterday the remarks of the Senator from Texas in his speech on Saturday evening, and was very much impressed indeed with the substance of it and the suggestions he made.

I believe there is a good chance that the speech will prove to be a landmark and turning point in international affairs, or in the cold war or the armament race—or whatever we may wish to term the present condition. Some such procedure as that suggested by the Senator from Texas is the only thing that will stop the arms race. I am not suggesting, of course, that we disband our military forces. Far from it. However, some kind of approach involving, perhaps, sitting down at the table together and talking things over will be necessary in order to reach the Russian people. I personally believe that Mr. Khrushchev has given us an opportunity which ought to be followed up. I very heartily commend the Senator from Texas for his remarks on Saturday evening and for his very timely remarks today. I hope he will continue to give his attention to this subject.

Mr. JOHNSON of Texas. I thank the Senator from Mississippi.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. SYMINGTON. Mr. President, along with my other colleagues, I congratulate the majority leader for his wise and constructive remarks in New York last Saturday evening. What the people of America desire, along with the people of all other countries is permanent world peace.

It is now clear that peace cannot be attained except through mutually agreed upon inspection proof disarmament. Such disarmament can never occur unless we open and maintain avenues of discussion with the rulers behind the Iron Curtain.

It is for that reason I again congratulate the able Senator from Texas for his outstanding contribution Saturday to permanent world peace.

Mr. JOHNSON of Texas. Mr. President, I am deeply grateful to my colleagues for their expressions of confidence. I wish to conclude with this one thought.

If this proposal were advanced by our Government I believe the eyes of the entire world would be looking toward Mr. Khrushchev for his reaction. If his reply were in the negative, we would have to explain why Americans can hear his case and see his face and hear his voice but why Russian people are denied the opportunity of hearing America's case.

Mr. GREEN. Mr. President, I wish to join my colleagues in paying tribute to the majority leader for the splendid work he has done. Overnight he has attracted the attention of the civilized world to a very important point in the present state of affairs, and I trust that the response to his appeal by the civilized world will be just what he has anticipated.

Mr. TALMADGE. Mr. President, there appeared in the Washington Star of today an editorial relating to the timely suggestion of the distinguished majority leader, the Senator from Texas. The editorial is entitled "An 'Open Curtain'" and reads as follows:

AN "OPEN CURTAIN"

LYNDON JOHNSON is making a typical American proposal in suggesting that the curtain be opened for a free flow of truth between the United States and the Soviet Union. And it is unlikely that many Americans, official or otherwise, would be apprehensive of the results if a genuinely free and uncensored exchange of "direct argument" via radio and television were established between the two countries.

At the same time, the Texas Senator himself put his finger on the major obstacle to opening this channel. It is, in short, that the Communist dictatorship has an abiding fear of the truth reaching its captive peoples. For it was this dictatorship to which he referred when he spoke of "the small groups of selfish and twisted men who withhold from their fellow human beings the indispensable tool of freedom—the truth."

There is, nevertheless, a timeliness to Mr. JOHNSON'S proposal. There has been clear indication that even the Communist leadership is appalled at what may be the consequences if continuing development of awesome new weapons someday leads the world to another all-out war. These men themselves appear to be seeking an alternative, even if designed for selfish purposes. In his television appearance before an American audience, Nikita Khrushchev boasted that the Communist states could hold their own in any form of competition with the capitalist world. Mr. JOHNSON has suggested one form—a competition of ideas, to be waged, not by politicians primarily, but by leaders of industry and workers, by farmers, scholars, and professional men, with the people as jury. We hope Mr. Khrushchev will accept the challenge.

I compliment the majority leader on his great speech, and I desire to associate myself with his remarks.

Mr. HUMPHREY subsequently said: Mr. President, I could not help but note with genuine gratitude and approval the fine address of the majority leader, the Senator from Texas [Mr. JOHNSON] before the annual conference of the United Jewish Appeal, in New York City on June 8. I note that in that address the majority leader has again called to the attention of the public the deep concern of the American people over the continuation of thermonuclear weapon testing.

He also made a most constructive proposal with respect to the Open Curtain, using great powers of persuasion, and offering a constructive argument for breaking down the Iron Curtain and trying to eradicate prejudice and differences.

I commend the Senator from Texas, as I understand others of my colleagues have appropriately done, for this thought-provoking, forward-looking, and most constructive message. It is a message which sets the theme for future thinking on the part of Members of the Congress, and I hope of all citizens throughout the land.

Mr. JOHNSON of Texas subsequently said: Mr. President, I shall not detain the

Senate long, but I desire to express my very deep thanks to the distinguished Senator from Arkansas [Mr. FULBRIGHT], the distinguished Senator from Montana [Mr. MANSFIELD], the distinguished Senator from Georgia [Mr. TALMADGE], the distinguished Senator from Idaho [Mr. CHURCH], the distinguished Senator from Missouri [Mr. SYMINGTON], the distinguished Senator from Mississippi [Mr. STENNIS], the distinguished Senator from Florida [Mr. SMATHERS], the distinguished chairman of the Senate Foreign Relations Committee [Mr. GREEN], and the distinguished Senator from Minnesota [Mr. HUMPHREY], for their kind and generous references to a speech which I delivered in New York on Saturday last.

OUR STAKE IN THE MIDDLE EAST

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by Mr. David Rockefeller, vice chairman of the board, of the Chase Manhattan Bank, at the Arkansas Bankers Association annual convention at the Arlington Hotel, Hot Springs, Ark., on May 22, 1957, entitled "Our Stake in the Middle East."

There being no objection, the address was ordered to be printed in the RECORD, as follows:

OUR STAKE IN THE MIDDLE EAST

It is a great pleasure for me to be here today at the Arkansas Bankers Convention in this land which has been so very hospitable to my brother, Win, and which he has adopted as his home. I am particularly happy to have a chance to see at firsthand the remarkable progress you are making in this part of the country. I know that banking has played a most important role in stimulating the sound development and expansion of industry, commerce, and farming in Arkansas and her neighboring States. From all I have seen and heard, the banks of Arkansas are to be congratulated on the fine job that has been done, and you should look forward with confidence to continued advances in the period ahead.

When Jeff Burnett of the Arkansas Bankers Association asked me to speak to you today, we talked about what I might say to you which would be of interest. I suggested that this might be an appropriate time to discuss "Our Stake in the Middle East." Developments in the Middle East have occupied substantial space on the front pages of our newspapers in the past 6 months. We have seen the seizure of the Suez Canal, the attack on Egypt, the U. N. cease-fire followed by the clearing of the canal, and more recently, the crisis in Jordan. In one sense, these events may seem remote, but in another they have a very important bearing on all of our lives.

The events we have mentioned have, indeed, been dramatic. Yet what I wish to emphasize today is not the news of the hour—or even of recent months—but rather the emergence of certain basic long-term facts and trends which cause the Middle East to assume a role of new and lasting importance for the whole Western World.

Why is it then that developments in the vast and far-away area of the Middle East should even affect banks and bank customers in the center of our country? To my mind, an answer to this question involves two main considerations. First, the Middle East is one of the key strategic areas of the world. We have a series of military bases there that form an integral part of our defense structure. These bases, and the recently proclaimed Eisenhower doctrine, reflect the importance which our Government assigns to the area from the point of view of our strategic defense against Russian aggression. Because it is at the crossroads of Asia, Europe, and Africa and contains 1 of the 2 major canals of the world, the Middle East is of crucial importance to the economies of all the nations of the Free World, both in peacetime and in war. If the cause of freedom is to win out, it is vitally important to us to secure the support of the peoples of this area in our efforts to work out a secure and lasting peace. This is the politico-military side of the picture.

There is, however, a second reason for our concern about the Middle East, it is an area which contains 70 percent of the world's proven oil reserves, but which now uses only 1 percent of the world's annual production. In contrast, the United States has only 15 percent of world petroleum reserves and uses more than half of all the petroleum and petroleum products the world now produces each year. Europe, the second most important market, has very little oil of its own. As the demand for oil in Europe and the America grows, the economic importance of Middle Eastern oil to the Free World grows correspondingly.

However, it could be that this very disparity between the countries having the big petroleum reserves and those which are the big consumers of petroleum will prove to be the basis for the development of sound and lasting economic relationships between the industrialized nations of the West and the underdeveloped nations of the Middle East. Both the United States and Western Europe need the oil which the Middle East can supply. By meeting this need, the Middle East can earn the funds and the foreign exchange necessary to support its general economic development.

To see why the nations of the Western World, and those of the Middle East, have a compelling mutual interest in development of the latter's vast petroleum resources, it is necessary to turn first to the basic trends in the world's supply of energy. An adequate supply of energy at reasonable cost—from coal, oil, natural gas, or other sources—is obviously a necessary condition for economic progress in the world of today. Our rising productivity depends on our ability to supplement human effort with energy applied through machines. Only through the harnessing of an ever-expanding amount of energy have we been able to increase our production at a rate that has exceeded the growth in our population. Only in this way has it been possible to keep pushing up our living standards.

Until recently, both the United States and Western Europe were able to provide the increasing supplies of the energy they needed to support industrial growth largely from domestic resources. During the past few decades here in our own country, we have had a truly phenomenal increase in oil and natural-gas production. But since 1920, our use of oil has multiplied 7 times, and our use of natural gas 10 times. Thus, despite our growth in production, we were forced to become a net importer of petroleum and petroleum products about a decade ago. We now import about a tenth of the oil we use.

It has been through developing our petroleum and natural-gas resources that we have been able to meet our expanding needs for energy at costs the Nation could afford to pay. Our use of energy has shown a long-term growth averaging 3.3 percent per year, or somewhat more than the average annual growth of our production of goods and services. However, the overall cost of supplying the energy the United States uses has increased from 4½ percent of our gross national product in 1900 to almost 7 percent today, a 55 percent increase. Energy is still relatively low-priced in our country, but it is important to our future growth that we keep it that way. A 50 percent increase in the relative cost of energy in the next 50 years might well slow down the rate at which we could afford to use more energy. Therefore, we must seek ways that promise to prevent the cost of the energy the Nation requires from exceeding the present ratio of 7 percent of total output.

In Western Europe, the problem is somewhat different. There, the primary source of energy has been coal—in fact, coal still provides 70 percent of all energy on that continent (as against about 20 percent in the United States). Nevertheless, as recently as 1948, Western Europe met almost 90 percent of its energy needs from domestic production of coal and other fuels. But since that time, the industrial economy of Western Europe has experienced a considerable growth, while their domestic production of coal and other energy sources was bumping against a ceiling. Thus, Western Europe is now importing about a fifth of its energy requirements (or twice the proportion we import). Here again, as is the case in the United States, the rising cost of energy is also a source of concern in Europe.

This brief review of recent trends in the United States and Western Europe shows that there has been a fundamental shift in the relationship between the demand for energy and the world distribution of energy sources. The industrialized nations of the West must now import a sizable part of the energy they use. However, the real significance of these trends emerges when you take a look at the future. A number of competent studies of probable future trends in the energy field have been made by governmental, international, and private institutions. In my opinion, which I hope is unbiased, one of the most authoritative of these is the recent report prepared by the petroleum department of the Chase Manhattan Bank.

But our studies show that the continued prosperity and expansion of the economies of our Nation and that of Western Europe depend on the accelerated expansion of petroleum production throughout the Free World, for they anticipate an increase in petroleum consumption in the Free World of more than 80 percent between 1956 and 1966. The increase for the United States itself is projected at 63 percent, whereas it is forecast that use in the rest of the Free World will more than double.

Where will we find the large petroleum supplies to meet this growing demand? Our petroleum department believes the United States domestic petroleum production may well rise almost 40 percent by 1966. However, it is unlikely to increase any more than this. It is not that the United States is running out of oil—far from it. But to continue to increase production 5 percent each year would involve a massive effort and a massive treatment. Even to sustain the 40 percent growth projected for 1966 means that we must find 1½ barrels of oil for each barrel produced, if we are to have adequate reserves. In the past 5 years, we have fallen short of this requirement.

The reason we have fallen short is that the cost of increasing our oil reserves has been rising steadily. I am told that the reserves added for each exploratory well drilled have declined from 450,000 barrels 10 years ago, to less than 200,000 barrels last year. And the cost of exploration has moved steadily higher. This is a hard fact with which I know all of you here in the Southwest are all too familiar.

In order to avoid a sharp advance in the cost of meeting our needs for petroleum, we must inevitably interest ourselves more actively in foreign sources of oil. I would like to emphasize that we should do this not to replace the present flow from domestic sources, but to supplement it. In looking

abroad for additional petroleum supplies, it is natural that we should consider first the areas closest to us. Various surveys that have been made show that production in Canada, Venezuela, and other nations in the Americas could be increased rapidly enough, and economically enough, to supply the bulk of the Western Hemisphere's requirements.

The situation in Europe, however, is radically different. Careful studies show that even with a large-scale investment program, the present prospect is that Western Europe's output of coal, oil, natural gas, and nuclear power combined could be increased by no more than a third in the next 20 years. That would meet little more than one-third of the area's anticipated requirements for an increased flow of energy to support continued economic advance. In the short-term future, the only source Western Europe can turn to for additional energy supplies at reasonable cost is the Middle East.

In point of fact, unless vast new and unanticipated deposits are discovered, it seems clear that the Western Hemisphere alone could meet only about half the foreseen requirements of the Free World as a whole for increased oil supplies during the next 10 years. And this is why the Middle East is so important. There is not the slightest doubt that the Middle East has the physical capacity to produce as much oil as is needed to balance world demand in the foreseeable future. Moreover, the basic costs of production in that area (assuming reasonable arrangements for tax payments to local governments) are likely to be lower than in other parts of the world.

Consequently, the Free World is becoming more and more dependent on the Middle East. This fact emerges most clearly when you consider that the future growth of the Western European economy is almost wholly dependent on an increased flow of Middle East oil. This is true despite the fact that oil shortage resulting from the recent crisis arising out of the closing of the Suez Canal was handled on an emergency and strictly temporary basis in admirable fashion with the help of the United States. The oil industry rose to the challenge and did a remarkable job in rearranging the flow of world oil to meet Western Europe's needs with a minimum of disruption. However, the very fact that Europe's use of oil is growing at a rate of 13 percent per year points to the fact that it will be more and more difficult to deal with a similar crisis should it occur a few years hence.

The Suez crisis emphasized how vulnerable future growth prospects in both Europe and the United States are to the shifting political tides in the Middle East. In Europe, this realization has acted as a powerful spur to the development of a common market encompassing six of the nations of Western Europe. This is a good thing for a free trade area in Europe (or the common market as it has come to be called) could strengthen the economies of the western European nations making them less vulnerable to external developments.

In addition, the Suez crisis has provided a great impetus to the search for oil in the Sahara Desert and in Latin America; to the building of huge tankers; and to plans for the construction of additional pipelines to move Middle East oil to Mediterranean ports where it can be shipped to Europe.

The impact of Suez on our own economy has been less dramatic, since we were able to surmount the recent crisis without resorting to rationing or other measures of the sort that evoke a widespread public response. Yet indirectly the long-run implications may well be as significant for the United States as for Western Europe. We have a vital interest in the continued military and economic well-being of Western Europe. On the military side, the NATO alliance is perhaps the keystone in our attempt to build a secure peace. But NATO would quickly be placed in jeopardy if an adequate flow of oil to Europe were interrupted. NATO's vulnerability to an oil shortage was brought home most vividly in the recent Suez crisis.

On the economic side, we should be concerned about Western Europe's energy problems since even with the substantial resources of the Americas, the Western Hemisphere does not appear to have a petroleum supply adequate to meet the requirements of the entire Free World in the next few decades. An attempt to do without Middle East oil would complicate our energy problems enormously, both from a supply and a cost point of view.

It seems clear, then, that the Western World has a most vital interest in the Middle East. In view of the perplexing political problems surrounding that area, this is far from a reassuring conclusion. What I should like to suggest today, however, is that we should not approach our position in the Middle East with a defeatist attitude. The problems we face offer us a challenging opportunity to demonstrate what can be accomplished through private foreign investment supplemented by a realistic program of Government technical assistance and developmental aid.

Consider for a moment the bare economic facts of the Middle East as we find them today. The area includes 19 political entities with a population of 80 million people. Most of the inhabitants now exist at a minimum subsistence level; so low a level, in fact, that the average income per person is probably no more than $100 a year. The overall economy of the area produces no more than $9–10 billion dollars of goods and services annually—a small amount indeed compared to our standards.

In this situation, earnings from oil if wisely used, could make a tremendous contribution to the area's economic development. Estimates are that the Middle East's share in last year's petroleum production amounted to approximately $1 billion. That was 4 times the amount the area received in 1950, only 6 years earlier. The $1 billion earned from oil amounted to about 10 percent of the total production of the Middle East, and to a third of its foreign exchange earnings.

Projections of the world petroleum demand for 1966 show that the Middle East could readily increase its annual production 2½ times by that year. Thus, earnings from oil could likewise increase to $2½ billion annually by 1966. Over the total 10-year period, the area could look forward to receipts of about $18 billion from oil development.

If these earnings could be channeled into productive investment, they could generate a significant rise in living standards throughout the Middle East. Experience around the world shows that the nations which manage to invest as much as 15-20 percent of their annual production in roads, industrial equipment, farm development and the like achieve a substantial rate of economic progress. Earnings from oil are sufficient to lift the rate of investment in the Middle East into this 15-20 percent range and thus help generate an upward movement in living standards throughout the area.

What is wanted is a program to sow the oil on the general pattern that has proven so successful in Venezuela. Venezuela has used oil earnings to finance general economic development. As a result, real income per person has increased 50 percent in the past 15 years. Similar results are achievable in the Middle East.

However, the problem of channeling oil earnings into growth-promoting activities is more complex in the Middle East than in Venezuela because there we are dealing with 10 political units of widely differing characteristics and problems. Moreover, direct receipts from oil production accrue to only 6 of these 19 nations. But other nations, as for example Egypt, Syria, and Jordan, could benefit from oil production, and could earn substantial sums by furnishing efficient facilities to transport oil to market. Egypt has been capitalizing on this through her control of the Suez Canal.

It is important to recognize, however, that in the long run no nation (not even Egypt) has a true monopoly of the means of transport for oil, or even of oil production. The huge tankers now being built are, in fact, too big to pass through the Suez. And the economics of tanker operations point to even bigger units.

Given time and sufficient capital investment in huge tankers, pipelines and the search for new oil reserves, the Western World could bypass any artificial barriers such as Egypt is using in Suez—barriers that are imposed under the influence of shortsighted political pressures. In any event, oil remains the major opportunity—the great resource—which, if intelligently used, can lift the Middle East from its present level of relative poverty.

Some Middle Eastern nations have already made good progress in putting oil earnings to work to support general economic development. Iraq has completed major flood-control projects on the Tigris and Euphrates Rivers, and is now working on a 6-year, $1½ billion development program. In oil-rich little Kuwait, where oil revenues amount to the fantastic figure of $1,100 per person each year, a program is underway to build roads, develop a port, and build a pipeline to bring water from Iraq.

However, the fact that oil earnings (the Middle East's major source of foreign exchange) are not evenly distributed throughout the region has led to uneven development. Some of the major oil-producing nations have greater annual revenues than they can use effectively in their present state of development, whereas other nations are hard pressed for funds to finance development. From a financial standpoint, therefore, there is need for a regional approach to the area's problems.

In fact, an impressive number of the Middle East's general problems can be solved efficiently only if handled on a regional basis. In broad terms, the two major problems are to develop a transportation system and to bring water to parched lands. Three concrete examples can be advanced to support the case for a regional, as opposed to a national, effort:

1. The waters of the Nile could be used to develop agriculture not only in Egypt, but also in Ethiopia and the Sudan;

2. The Jordan River could be developed to provide power and irrigation in a manner that would benefit countries surrounding it;

3. The Suez Canal could be widened and deepened to accommodate the huge tankers now being built, thus increasing the flow of trade through one of the major arteries of the world.

These are only a few of the many examples of what might be done if a method could be found to use the region's massive earnings from oil effectively.

One way of accomplishing this might be to establish a regional development authority which would channel the surplus funds of the nations with large oil earnings into productive activities throughout the area. While I am always reluctant to suggest the creation of a new agency in a world that is already generously endowed in this respect, I do not believe that any existing organization can fill the need. Moreover, in view of the nature of the problems, it would seem desirable to have a new agency that the Middle East countries would consider their own.

In setting up such a regional development authority, I would urge that its structure and operations be patterned on those of the World Bank, which, through its progressive ideals coupled with able and conservative management, has been by all odds the most effective of all our postwar international economic organizations. Such a regional development authority, I believe, should make only sound loans and investments. It should follow the World Bank practice of making sure that the projects it finances fit into an economically sound development program for the borrowing country. Its management should be competent and nonpolitical. In fact, it might be desirable to work out an arrangement by which the World Bank would provide technical assistance to the regional development authority in finding personnel and developing its pattern of operations.

If a balanced and constructive regional development authority could be established, it might be desirable to use it as the mechanism for handling a part of the $200 million of United States Government aid funds allocated to the Middle East under the Eisenhower Doctrine. In addition, if such an instrumentality were to exist, the oil companies themselves might see fit to take part in some of its activities.

There is, of course, no guaranty that such an authority would solve all the perplexing political, social and economic problems of the Middle East. Yet, I am sure it would be an important step in the right direction, for without it, it is hard to see how the varied and conflicting forces in the Middle East could be brought together to solve the complex economic problems which confront them. Such an authority would serve our interest in helping to promote the economic development of an area that is of crucial importance to our future security and prosperity. While economic growth is no panacea in itself, it may well be a prerequisite to progress on the social and political fronts and thus it can contribute importantly to world peace and stability.

I have talked today about developments in a part of the world that seems far away from us here in Hot Springs. Yet, as I have tried to show, what happens in the Middle East in the years ahead can have an important, perhaps even a decisive effect on our own Nation's security and prosperity. Middle East oil development can be expected to continue, and, in fact, some projections show that in 10 years production there will be four-fifths as large as that in the United States. Over a longer period, Middle East production of oil may exceed our own. This is bound to have a strong effect on our industry. As Middle East oil production expands, the area could become one of the fastest growing markets for United States machinery, equipment and other goods. Our total trade with this region, both exports and imports, now exceed a billion dollars. But if we keep our share of the market, our exports to the Middle East could go up almost 10 percent per year in the next decade. It seems to me more and more clear that American businessmen and bankers need to keep up to date and well informed on Middle East developments.

In stressing the importance of the Middle East and the opportunities that can be opened up by the effective use of its huge oil resources, I do not wish to minimize the very real difficulties we can expect to encounter on the political front. As all of you know, it is a region of historic racial, religious and political tensions, both domestic and international. It is also at present one of the primary targets of Soviet penetration. We can be sure that every possible device will be used by Russia to promote its interests in that area.

Yet, as I have tried to point out, the difficulty of the task should not blind us to the fact that the Middle East is vitally important to us, nor should it deter us from pursuing a positive and vigorous program. Fortunately, there is an interdependence between the Middle East and ourselves, for their only hope of using their oil effectively in the support of general economic progress lies in cooperating with the West.

Our task is first one of understanding. We cannot act intelligently until we know the history, the ambitions and the mentality of the people who, for centuries, have lived in the Middle East. Next, we must formulate a program which takes into account both our own objectives and theirs. Finally, we must proceed on our course with conviction, strength and statesmanship. Our stake in the Middle East is huge. Let us not lose it by inaction or an ill-considered move.

RELATIONS WITH REPUBLIC OF MEXICO

Mr. GOLDWATER. Mr. President, while we in the Senate are concerned about making friends for the United States all around the globe, we occasionally fail to remember that among our closest friends are the people who live immediately south of us, the Mexicans. There is a country whose belief in freedom is as firmly rooted as ours, whose concepts of a constitutional republic are as firm as ours, and whose people are as kind and generous, as religious and peaceful, as industrious and productive, as our own people. Mexico is not only a land of rich history, but a country with a charming present and a glorious future. It is a country to which we should send the very best representatives we can find as our ambassadors, and in the recent nomination and confirmation of Robert C. Hill we have done just that. From my long acquaintance with the Mexican people I feel certain that they will receive Bob Hill as a friend and as an eminent representative of the American people. I look forward to an even closer relationship with the Republic of Mexico when Mr. Hill assumes his duties as Ambassador to Mexico.

In this connection I ask unanimous consent that the hearings before the Committee on Foreign Relations of the United States Senate on the nomination of Robert C. Hill to be Ambassador to Mexico be printed at this point in my remarks.

There being no objection, the hearings were ordered to be printed in the RECORD, as follows:

STATEMENT OF ROBERT C. HILL, OF NEW HAMPSHIRE

Mr. HILL. Good morning, Mr. Chairman. Good morning, gentlemen.

The CHAIRMAN. I won't ask you to give your biography because I think you have been in such close connection with the Senate that we are probably all familiar with it.

KNOWLEDGE OF MEXICO

Have you any particular knowledge of Mexico to which you have been appointed?

Mr. HILL. Mr. Chairman, I have only visited Mexico once in my life, and I was there just for a few days. However, when I was Ambassador to Costa Rica and Ambassador to El Salvador, I had occasion to be well acquainted with the economic and political problems in Central America because of the nature of my duties and the proximity of the countries.

We had the weekly letter from Mexico City, a very informative document which was sent to all the embassies in the vicinity of Central America. I read that weekly letter, as well as the ones regarding Guatemala, Honduras, El Salvador, Nicaragua, Honduras, Costa Rica, and Panama. Over a period of 2½ years, it gave me a knowledge of Mexico and its problems.

When I came back to Washington and was Special Assistant for Mutual Security Affairs to the Under Secretary of State I was, from time to time, involved in discussions about such matters as the air agreement with Mexico. The Under Secretary asked me to participate in the meetings.

But as far as having traveled in Mexico, Mr. Chairman, I have only driven by automobile from Tapachula, Mexico, to Laredo, Tex., on the Pan-American Highway, and I have seen only the cities along that route.

I have not been to the Pacific coast or the Atlantic coast in Mexico. But I do feel that my experience in Washington and my 2½ years in the field do give me more than a speaking acquaintance with Mexico.

The CHAIRMAN. Do you speak Spanish?

Mr. HILL. Mr. Chairman, I speak Spanish so that I can get along socially. I would never attempt to negotiate in the language of the country that I was accredited to because I think that it is a bad mistake.

I have taken a lesson from Gladstone when he said, "I speak French fluently, but I would never negotiate in the language."

But as far as being able to get along with Spanish-speaking people, it has never been a problem because I like them.

The CHAIRMAN. Are there any questions anyone would like to ask?

Senator WILEY?

Senator WILEY. No; I have not any questions. I think he would make a good ambassador.

The CHAIRMAN. Senator FULBRIGHT, any questions?

Has anyone any questions?

MEXICAN AIR AGREEMENT

Senator SMITH. I would just like to greet Mr. Hill here. I have seen him a number of times, and it is a great pleasure. I told him I would vote against him but for his charming wife. Now I am going to change my mind and vote for him, too.

Senator LONG. I hope you will be on the job down there, Mr. Hill, by the time that air service from New Orleans to Mexico City is inaugurated.

Mr. HILL. Thank you very much, Senator.

As you know, the implementation of the Mexican bilateral air treaty with the United States can take effect after June 5 of this year. I understand there are still negotiations as to whom the route is to be given.

Senator LONG. There is just a question who will fly from New York.

Mr. HILL. There is; yes. I understand the nonstop flight is the one that is under deliberation at the moment. I hope you will come down for the inaugural flight.

Senator LONG. All the Senators involved think that Eastern ought to fly from New York, but I understand the examiner recommended Pan American, so there will be a dispute about that.

I would like to ask one or two more questions.

GRANTS AND LOANS TO MEXICO

Just from what you know about the problem, do you see any need of us making grants to Mexico for developmental purposes?

Mr. HILL. Senator, I have thought a great deal about this grant problem in Latin America. I made a speech in Los Angeles a few weeks ago on the problem. In the speech I took the position that I did not think the United States Government should enter into the grant programs in Latin America to any great extent.

You have exceptions, as you know—the economy in Guatemala, the situation in Bolivia, and the developing problem in Haiti. The situation in Mexico from an economic and industrial point of view is excellent. Their balance of payments and dollar standing is in good shape.

In my speech I stressed the beneficial effects of the free-enterprise system in the United States and said that as far as I could see there is room for expansion in Latin America.

I would recommend Government loans where they are justified on projects which are beyond the scope of normal banking practices.

As you know, Senator, there is a problem in Mexico that is a long-irritating one—the oil problem. You have not asked the question, but it is related to grants and loans.

I want to assure the committee I am not going to Mexico with any closed mind as to the oil problem. I recognize it has been troublesome since the nationalization of the properties many years ago.

What the Government of Mexico has in mind as far as loans to the oil industry there I do not know because I have not been in contact.

But I assure you I will go with an open mind, and I will accept an invitation of the Government of Mexico, if it is extended to me, to visit the oil properties in Mexico so that I can be well informed on the problem.

Senator LONG. It looks to me as though private capital is willing to go into Mexico and develop anything that needs developing by outside capital, if the Government will just give investors a fair deal, including assurances that they will have the opportunity to make some money and take that money out eventually. That is the impression I have had of Mexico.

Mr. HILL. Yes, sir.

Senator MORSE. Now that the witness has raised the Mexican oil question, I have a few questions I want to ask. I will direct some of them to Mr. Rubottom later. What is your attitude in regard to the development of Mexican oil?

ATTITUDE TOWARD MEXICAN OIL

Do you think the American Government should take the position that no loans should be made to Pemex as long as the Mexican Government nationalizes its oil and thereby exercises economic pressure to try to direct the domestic policy of another country to our liking.

Mr. HILL. Senator, as you well know, we have to deal with facts at hand in Mexico. They did nationalize the properties, and they have administered the oil properties for many years. They may have a good case as far as the need for money is concerned, but I want to hear both sides of the story.

But I want to assure you of this: I will not be a tool of any special interests in Mexico or any other country. I will go down there and examine the case. If I am asked for a recommendation, I will base it on the facts.

Senator MORSE. Is it not true that thus far the American Government has not looked with favor upon Mexican requests for loans for the development of oil resources, but has looked with favor upon loans for other phases of the Mexican economy?

Mr. HILL. I believe that is an accurate statement, Senator. It is a controversial problem and I recognize it.

INTERESTS OF AMERICAN OIL COMPANIES

Senator MORSE. Is it not true that great American oil companies have ever since the expropriation made strong representations to the American State Department that no loans be made to Pemex?

Mr. HILL. I could not answer that question, Senator, because I am not directly affiliated with the area officially yet. I do not know the situation.

Senator MORSE. Do you know anything about the famous Mexican Sabalo case?

Mr. HILL. No, I do not. I have not been briefed as yet by the Department on that subject.

Senator MORSE. Do you know whether or not a man named Ed Miller was once head of the Latin American desk in the State Department?

Mr. HILL. Yes, I knew him when I was associated with W. R. Grace & Co. I believe he is practicing law in New York.

Senator MORSE. Before he went to the Department was he not a member of the legal staff of the law firm of Sullivan & Cromwell in New York?

Mr. HILL. I don't know what Mr. Miller's affiliations were before coming with the Department of State, but I believe that he is associated with Sullivan & Cromwell now because he wrote me a letter of congratulations the other day and it was on the Sullivan & Cromwell stationery.

Senator MORSE. Do you know whether or not before he went to the State Department to take over the Latin American desk he was the attorney of Sullivan & Cromwell assigned to the Sabalo case?

Mr. HILL. I did not know that, sir.

Senator MORSE. Do you know whether or not, now back with Sullivan & Cromwell, he is again representing the firm in connection with the Sabalo case?

Mr. HILL. I do not know, sir.

RIGHT OF MEXICO TO EXPROPRIATE

Senator MORSE. Let the record show that no one disapproves more than I do the expropriation of the oil, but do you question the right of the Republic of Mexico to expropriate its oil if it decides that should be its domestic policy?

Mr. HILL. Senator, I would have to answer the question this way, because I can't speak from personal experience dealing with Mexico: I was in Costa Rica as Ambassador when the President of Costa Rica talked in terms of expropriating properties of an American firm, the United Fruit Co., in the area. I am aware of the nationalistic spirit that existed in Costa Rica.

Costa Rica later settled for a 33⅓ percent share of the profits, which was agreeable with the United Fruit Co. and as an observer I witnessed that negotiation in Costa Rica.

But as far as the Mexican situation is concerned, I could not give you a factual answer because I am not as yet acquainted with the problem that you raised.

We may object, and object strenuously when it affects an American corporation, but if the final decision is made and we have used the recourse of the courts and the properties are taken over, we have to try to work out the best arrangements we can.

Senator MORSE. The Mexican Government took over the oil projects, did it not?

Mr. HILL. Yes, sir.

Senator MORSE. The Mexican Supreme Court by unanimous decision sustained the expropriation under Mexican law, did it not?

Mr. HILL. That is my understanding.

Senator MORSE. We protested as we had a right to protest, and I think as we should have protested, in an endeavor to try to get them to follow another course of action, but they decided that was to be Mexican policy.

SETTLEMENT OF AMERICAN CLAIMS AGAINST MEXICO

We then cooperated, did we not, in the creation of an international commission for settlement of the financial claims of the foreign investors in the oil company, did we not?

Mr. HILL. I am not fully acquainted with the expropriation proceedings, Senator.

Senator MORSE. You do not know whether or not there was an international commission that was appointed and heard the respective contentions and reached a negotiated settlement as to the amount to be paid to the foreign companies?

Mr. HILL. No, sir; I have had no occasion to be acquainted with the facts on that particular issue.

Senator MORSE. Do you not know then that the famous so-called Sabalo case was within the jurisdiction of that commission?

Mr. HILL. I did not, sir.

Senator MORSE. Let me make clear I don't think the final settlement was as high as I would like to have seen it. When we go into international judicial proceedings, we have got to take our losses as well as our wins.

Mr. HILL. Yes, sir.

Senator MORSE. That is why I am at a loss to understand what is happening. I speak as chairman of the Subcommittee on Inter-American Affairs, and have made it a matter of interest to try at least to familiarize myself with South American problems.

I am at a loss to understand the attitude of the State Department over the years toward this Mexican oil situation.

In 1949, President Truman sent me down to Mexico on a confidential mission for him, including a conference with the President of Mexico, and I reported back to him.

I have no doubt, as I have said heretofore in the Senate, that our State Department is taking what I would call a disciplinary attitude toward Mexico in regard to oil. I find that very disturbing, and I shall talk to Mr. Rubottom about it later today. He after all is going to be your superior, isn't he?

Mr. HILL. That is correct, sir.

Senator MORSE. When you look at the chart of United States petroleum supply and demand that Senator O'Mahoney put in the RECORD yesterday in his exceedingly able speech on petroleum problems, you recognize that we are not only at the present time not producing our demand but have to rely on substantial imports. You might study further the O'Mahoney data which shows, I think, that in 1975 we will have, in the opinion of the experts, exhausted all possibility of discovery of new petroleum supplies in this country.

With that fact in mind, I am a little at a loss to understand the policy we are following in regard to Mexican oil just across the border. In case of war we are going to need that oil and need it awfully fast because of the existence of the Russian submarine fleet. I shall take up that with Mr. Rubottom.

NONINTERFERENCE IN INTERNAL POLITICS

Now when you go down to Mexico as Ambassador, do you think that the Ambassador as well as the members of his staff should follow a hands-off policy in regard to the oncoming Mexican presidential election?

Mr. HILL. I do, sir.

Senator MORSE. Do you agree with me that American embassies, diplomatic officials, should not seek to interfere in or influence the domestic elections of countries in which they hold posts?

Mr. HILL. Senator Morse, I agree with you 100 percent. There may be those that would disagree with me on this point. But I know from reading history that other governments that have been world powers who meddled in the internal affairs of a country where they had representatives hurt their position.

Senator MORSE. Do you know of your own knowledge whether there is any basis in some of the representations that are being made at the present time through such a medium as Hansen's Latin American letter to the effect that the United States State Department is not only dabbling but is heavily involved in the oncoming Mexican presidential election. It is alleged that officials of our State Department are going out of their way to say favorable things about one of the Mexican candidates by referring to him in speeches and using other nice diplomatic devices for creating the public opin-

ion in Mexico that if he were elected, that would be very acceptable to the present administration of the United States Government.

Mr. HILL. I am not familiar with the particular reference in the Hansen Latin American letter, but I want to assure you and members of the committee, Senator MORSE, that when Secretary Dulles asked me if I would go to Mexico, and I accepted, he then told me that the situation in Mexico with an election coming up is a very delicate one, that we were to be there as observers, we were not to try to exert any influence for one candidate or another.

He gave me permission to pick my political officer, the Minister, the economic counselor, and I asked him if I could give consideration to picking the consul general because that is very important with 12 posts in Mexico.

That permission has been granted. I am in the process of picking the staff. I already have an agreement regarding the most important post in my opinion, the political officer. He is an old-line career Foreign Service officer in the State Department in whom I have utmost confidence. I believe members of the committee know him, Raymond Leddy. I want to tell you that if I find any member of my staff showing any partiality to anyone that is running for political office, if that one-way service is inaugurated from Mexico City to New York nonstop, he will be on the next plane.

Senator MORSE. I want say that that statement commends itself to me very highly because I have been disturbed by reports that I have been receiving from Mexico about alleged interference of the American Embassy in Mexico City with internal Mexican politics.

I am not prepared to say that it is true. I am prepared to say, however, that the rumors are too widespread to make me happy.

HANSEN'S LATIN AMERICAN NEWSLETTER

Now, there is one other point that I want to raise with you, based again on reports in such a medium as Hansen's letter.

By the way, what is your opinion of the Hansen letter?

I have not reached any judgment on it.

As far as I know, as newspaper reporting goes, it is a letter that at least we ought to consider and check, of course, as to its authenticity.

Do you have any judgment on that?

Mr. HILL. Senator Morse, I first became acquainted with the Hansen Latin American letter in 1949 when I was with W. R. Grace & Co., and Mr. Grace, the president of the company, felt that Mr. Hansen was a brilliant economist, and despite the fact oftentimes he was in disagreement with State Department policy on Latin America, that his ideas were sufficiently important for the company to analyze them.

I did not know Mr. Hansen at that time. In 1951 Mr. Grace asked me to interview Mr. Hansen. He wanted to hire him as an economist, and I talked with Mr. Hansen. Mr. Hansen was offered a substantial salary and an important position, and he turned it down because he said that he had the freedom of thought in writing this letter that he would not have if he was working for a big corporation in New York. He thought his contribution would be to remain with this newsletter even if it was at a financial sacrifice.

After I left W. R. Grace & Co., I did not have occasion to see a Hansen Latin American letter until he wrote one recently about my appointment to Mexico, and it concerned me, some of the things that he said, and I brought the letter to the attention of State Department officials because I felt that was my duty and an obligation.

Senator MORSE. That letter I have not seen. I want you to know I am asking these questions about Hansen without knowledge that there was a critical judgment on your appointment.

Mr. HILL. It was critical of the State Department's policies of handling Latin American affairs, and it commented on Mr. Rubottom, Mr. Holland, Dr. Eisenhower, and myself.

Senator MORSE. I had not seen any reference to you.

I have seen references to Rubottom and to Milton Eisenhower and to the Secretary and to the past Ambassador, Mr. White.

Mr. HILL. Yes.

Senator MORSE. I will ask nothing further about Mr. Hansen of you. I have never met him. I have checked into many items, however, in his newsletter from time to time, and as I have checked into them to the extent that the subject matter has been within the realm of my knowledge to any extent, I have found the letter remarkably reliable.

GETTING IN TOUCH WITH PEOPLE

One of the criticisms of past Embassy practices in Mexico City, in the immediate past, has been that the Embassy has not gotten out in touch with the people of Mexico, but has limited itself pretty much, as I think Mr. Hansen said in the one letter, to the white collar, long-tail affairs within the Embassy to which great attention has been given to Mexican politicos. Too little attention has been given by the Embassy to the peasants, the farmers, small-business men, and other people in the ranks of which from time to time strong anti-American feeling flames up.

Will it be your practice as Ambassador to try to broaden the sphere of Embassy influence so that the people in the so-called lower income levels of Mexico will feel the influence of our Embassy as far as seeking to interpret American life, governmental policies and culture to them?

Mr. HILL. Mr. Chairman and Senator MORSE, in my opinion you have raised one of the most important issues that faces an American Ambassador when he is abroad. I was criticized by friends when I was in El Salvador and Costa Rica because I traveled over practically every foot of ground in the country.

I slept out in the country in tents that the United States Army provided, because of no facilities in small towns. I spoke at rallies in Spanish. True, my Spanish is not fluent, but I can speak it so it can be understood.

I traveled with the USIA groups often in the countries that I was accredited to, and I found that it was the best medium of getting to know the people. There is no substitute for the Ambassador meeting the people, if he will take the time to move around a country.

It is terribly important. I went into small hamlets in El Salvador where they had never seen an American Ambassador.

An ambassador was something that they might read about if they were fortunate enough to have money to buy a newspaper. I was talking with the Mexican Ambassador last night and I said to him "Mr. Ambassador, if I am confirmed by the United States Senate and I go to Mexico, it will be my hope to travel all over your great country." He said to me "There is nothing that would make more of an impact with the Mexican people than to see an ambassador out in the country talking with people from all walks of life."

I do not intend to be tied down by the routine of just going from one reception to another.

I hope to be able to get out each month for several days and thus see all the areas of Mexico. I would recommend this to any ambassador going abroad.

Senator MORSE. I want to commend you very highly for that too. There are members of this committee, the Senator from Iowa, the Senator from Alabama, the chairman Senator WILEY, Senator MANSFIELD, that have followed that policy to the extent possible as Senators.

I don't think we can begin to reach the good will that is created by that sort of an approach in American foreign relations.

I remember my trips to Mexico, and I have been in many parts of it. I got into areas that had never seen an American politician, and just talked to them, give them a chance to answer questions, which I think creates a tremendous good will, and on the basis of what I know about Mexico, I want to say on the record that in my judgment in recent years our Embassy has failed to reach the people of Mexico.

It has been reaching the top hierarchy all right, but it has not been reaching the people, and I am so glad to hear that this will be your policy. That is all the questions I have for this witness.

Senator MANSFIELD. Mr. Chairman.

The CHAIRMAN. Yes, Senator MANSFIELD.

Senator MANSFIELD. I think on the basis of Senator MORSE's questions, that Secretary Hill has an idea—I am sure he had it before—of the difficult and delicate task confronting him. I do want to say though that the Technical Assistance Subcommittee under the chairmanship of Senator HICKENLOOPER, did contact the ambassadors of all the countries in the world where technical assistance was being administered, and the frankest, most clearcut replies we received happened to be from the then Ambassador to El Salvador who had previously been Ambassador to Costa Rica and who is now before us for confirmation as Ambassor to Mexico.

PRAISE FOR NOMINEE

I think that he stood out head and shoulders above all the others in the frankness and the clarity of the reports he gave us in response to Chairman HICKENLOOPER's questionnaire.

I know that Secretary Hill has had a difficult and delicate job as Assistant Secretary of State for Congressional Relations. I think the record ought to show that he has performed his tasks superbly, that he has been impartial, nonpartisan. He has tried to keep the committee informed of developments. I think he has been a tower of strength to the Secretary of State and this administration and a tower of strength to this committee as well in ironing out differences and in attempting to arrive at mutual understanding.

I don't think that we could send a better man to this most difficult post than the present nominee before us. I wanted to say these remarks so they would be on the record, because I think Mr. Hill has a great future, and we are going to hear much of him and about him in the years ahead.

Mr. HILL. Thank you, Senator.

The CHAIRMAN. Are there any other questions to be asked?

Senator AIKEN. Mr. Chairman?

The CHAIRMAN. Senator AIKEN.

Senator AIKEN. Would it be out of order if as a fellow denizen of the north woods I move to approve Mr. Hill's nomination?

The CHAIRMAN. Since we have already heard two, I thought we would hear the others and then vote on them all at the same time.

Senator AIKEN. If I might have that privilege when the time comes.

Senator HICKENLOOPER. Then we will call upon the denizen.

Senator MORSE. Mr. Chairman, while the Ambassador is in the room, I want to say in supplement of what Mr. MANSFIELD said that Mr. Hill to my knowledge has been of great help to this committee on a good many occasions when he served as a liaison officer between the State Department and this committee. While he is still in the room, I wonder if he would have any objection to the

hearing involving him in executive session being made public.

I think it would be very beneficial myself. I did not realize, to be frank with you, we were taking Mr. Hill up. That is my fault because had I known it I would have asked to have it public.

The CHAIRMAN. Would you be willing to wait until we vote upon it?

Senator MORSE. Oh, yes, but I wanted to know while he is still here, if we should decide to make the transcript public, if he has any objection?

Mr. HILL. I have no objection, Mr. Chairman.

The CHAIRMAN. He says he has none. Are there other questions?

Thank you very much for submitting to this examination.

Mr. HILL. Thank you.

Mr. Chairman, before I excuse myself I would like to thank you as chairman of the committee and all the members on the Republican as well as the Democratic side for the cooperation that I have had in the last 15 months.

It has been probably the greatest experience of my life working with the members of the committee, and I would like to compliment you because I have always received every courtesy from you as the chairman and from all the members of the committee, even if there was difference of opinion, and I would like to take also the occasion to compliment your very efficient staff.

Some of the members I had not had a chance to know as well as others on the staff, but at all times they were helpful with the Department of State, even during times when there were broad avenues of disagreement.

Thank you very much.

The CHAIRMAN. When, as, and if you go as Ambassador to Mexico, we are going to miss you very much here and you carry with you under those circumstances the best wishes for success.

We can't hold the American Ambassador responsible for everything that happens there.

Mr. HILL. Thank you very much, Mr. Chairman.

Thank you, gentlemen.

LIGHT ON HELLS CANYON

Mr. CHURCH. Mr. President, yesterday, the Washington Post carried on its editorial page a Herblock cartoon depicting three precipitous waterfalls in the Hells Canyon, over which the public interest was taking a perilous plunge. The first of these was labeled "Loss of Hells Canyon Site," the second was labeled "Disclosure of Fast Tax Write-Off Gains for Private Power Co.," and the third bore the caption "Revelation of Stock Market Gains on Government Decision."

I regret that I cannot paint a word picture as vivid as that created by the cartoonist's pen, but I can insert into the RECORD the Post's lucid editorial carried on the same page, entitled "Light on Hells Canyon."

I ask unanimous consent that this editorial be printed, at this point, in today's CONGRESSIONAL RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 9, 1957]

LIGHT ON HELLS CANYON

While the Senate Antitrust Subcommittee is looking into the unusual activity of Idaho Power Co. stock in the interval between the granting of its fast tax writeoff and the public announcement of that action, interest in Gordon Gray's illumination of the murky Hell's Canyon situation is still keen. Mr. Gray's disclosures before the subcommittee were wrested from him by Senator KEFAUVER's persistent, knowledgeable, and skillful questioning. Two conclusions seem inescapable: One, that the Federal Power Commission's issuance of licenses to the Idaho Power Co. for the construction of dams on the Snake River was based on a mistaken premise; and, two, that Mr. Gray, as Director of the Office of Defense Mobilization, acted on extremely dubious grounds in issuing certificates of rapid tax amortization for construction of these dams.

The FPC based its issuance of licenses to the Idaho Power Co., in part at least, on the premise that the power potential to be developed by the private construction of the Snake River dams would be realized without expense to the United States. Its action cleared the way for private construction of two low dams instead of Federal construction of a single high dam at Hells Canyon—even though the single high dam would generate more power and produce other benefits to the Northwest. In point of fact, however, the grant of rapid tax writeoffs to the Idaho Power Co. will entail a very appreciable expense to the United States. They give the company, in effect, an interest-free loan for a 5-year period; this means that the Federal Government must pay interest on borrowed money to make up for the tax revenue it forgoes during this time.

On March 11, Secretary of the Interior Seaton wrote a letter to Dr. Arthur Flemming, who was then director of ODM, saying in crystal-clear language, "I recommend that you deny issuance of the accelerated tax amortization certificates requested by the Idaho Power Co." Mr. Seaton gave among the reasons for his recommendation that the "net cost to the Government in the case of the Idaho Power Co. application is inconsistent with the basis on which the FPC granted the license to the company." Nevertheless, Mr. Gray, when he succeeded Dr. Flemming as director of ODM, not only issued the tax amortization certificates but tried to conceal from the Senate subcommittee the fact that Secretary Seaton had recommended against doing so. Mr. Gray's concealment of the Secretary's letter entailed a lack of candor far from becoming to him, and Senator KEFAUVER performed a significant public service in bringing the letter to light.

There is justification for accelerated tax amortization to promote the construction of needed defense facilities which would not be undertaken by private concerns without this form of Federal subsidy. But the justification did not exist in the case of the Idaho Power Co.'s dams. The amortization represented a needless handout to the company, defended by Mr. Gray on the dubious ground that other companies had received it without consideration of the need for such grants as incentives. In the light of this handout and the considerable cost it involves to the Government, Congress ought now to step in and preserve Hell's Canyon, the choicest dam site on the North American Continent, for full development by a multiple-purpose high dam that will give the Northwest the power resources it needs.

CANADIAN FEDERAL ELECTION TODAY—ARTICLES BY MARQUIS W. CHILDS ON ASPECTS OF RECENT CAMPAIGN

Mr. NEUBERGER. Mr. President, today the people of Canada go to the polls to select a Parliament which will govern them for the next 4 or 5 years. This is a great event for all who live on the North American Continent. Canada is the largest of all the nations of this continent in area. It possesses vast resources and its future is unlimited. In the year 1900 Sir Wilfred Laurier, one of the most illustrious of all Canadian Prime Ministers, said, "This century belongs to Canada."

Canada is the closest ally of the United States, in war and in peace. Americans fought side by side with Canadians in World War II and in Korea. The great Alcan Highway to Alaska is largely on Canadian soil. Our strategic radar defense lines are located in Canada. American investors have staked over $9 billion on the success of Canadian industry. The policies and personnel of the Government of Canada are thus of major significance to our own destiny and to the fate of the free world.

The distinguished columnist, Marquis W. Childs, spent the week prior to the Canadian election in that far-flung land, talking with citizens and with Canadian leaders. His conclusions and opinions are of major interest to us of the Senate, as Canada votes today—from the American line to the Arctic Circle, from Newfoundland's headlands to the craggy shores of British Columbia.

I have a particular interest in Mr. Childs' salient observations about the Canadian elections because I served over 2 years in the Canadian sub-Arctic during World War II, and because the great Pacific Northwest region is now intimately concerned with reaching a satisfactory settlement with Canada over mutual use of the waters of the Columbia River for hydroelectric power and flood-control purposes.

Mr. President, I ask unanimous consent that there be printed in the body of the RECORD at this point two of Mr. Childs' articles which appeared in the Washington Post of June 4 and 5 and which discuss issues of importance in the campaign just concluded—including Canada's attitude toward the United States—and the effects of the uranium boom in northern Ontario.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 4, 1957]

CANADA ON THE EVE: ONLY SURFACE CALM

(By Marquis Childs)

MONTREAL.—Within a week some 6 million Canadians scattered across this broad land will go to the polls in a national election that has caused scarcely a ripple of interest.

The farmers on the prairies are unhappy because they are not sharing in Canada's high prosperity. You hear some grumbling because housing has not got going in sufficient volume. This is put down as one consequence of the Canadian policy of tight money intended, as in the United States, to hold down prices.

There are, in short, the familiar gripes of a democracy in the full tide of the great midcentury expansion that is taking place. Great new mining, industrial, oil and other enterprises have been opened up since the end of the war. Canada's birth rate during the past decade has been higher than that of the United States, Japan or India.

Yet beneath the calm surface is a current of discontent that substantially reduces the strength of the Liberal government in power for 22 years—so long that some Conservative candidates have appropriated the time for a change theme the Republicans used so effectively after Democrats had been in power for 20 years in Washington.

The discontent arises in no small part from the problems that grow out of living alongside a neighbor so vastly rich and powerful as the United States. Not by the wildest stretch of the imagination could one imagine a mob in Ottawa sacking the United States Embassy and tearing down the American flag. But in its sober and restrained fashion, the discontent here is related to the fury of the Chinese mob on Formosa.

The Canadian Government has been informed that the United States will shortly raise its tariff on lead and zinc. Canada sells annually to the United States about $50 million worth of these two minerals.

That may seem small, but Canadians measure it against the fact that the United States is selling to Canada about $1.2 billion more in goods than it buys from that country. While this trade deficit is partly offset by the investment of capital coming from south of the border, it is still a very large fact of Canada's economic life. And the big amounts of American capital in Canadian development have raised new problems of control and taxation.

Because this is a sober election campaign in the Canadian tradition, no one is hurling brickbats at Uncle Sam. The latest distrusts and suspicion of America are not being exploited. John G. Difenbaker, the Conservative leader, goes so far as to say:

"The bulk of Canada's trade is with the United States, and this country exports its irreplaceable raw materials in vast quantities. We have an enormous deficit in our trade with the United States. We Conservatives believe this dependency upon the United States has gone too far, that Canadian well-being, the Canadian economy are far too vulnerable to American whims and American reversals."

Some of the extreme Tories in Toronto, where still the sun never sets on Britain's Empire, are less polite. They talk about economic colonialism and the greedy power of the colossus to the south.

But, both by temperament and tradition, Canadians are restrained, and this applies to another issue—communism in government. Not long before the campaign began, the suicide of the Canadian Ambassador to Egypt, Herbert Norman, touched off a wave of anti-Americanism.

Later it was shown the Government had mishandled the Norman matter by withholding information in the first instance. Yet, thus far the opposition has made no use of these charges. When the visitor asks why, he is told, "If only because it would react against anyone who tried to bring it up."

If the professional prognosticators are correct, the Liberals will lose 20 to 30 seats, cutting their majority of 170 to around 140. This, in a House of Commons of 265 members, would still give them a working majority to form a government.

But there could be a sleeper in this quiet election—the kind of nasty surprise that has upset so many comfortable assumptions in recent months.

[From the Washington Post of June 5, 1957]

FIFTEEN THOUSAND A-BOMBS IN CANADA'S SOIL

(By Marquis Childs)

ELLIOTT LAKE, ONTARIO.—In what was trackless wilderness less than 3 years ago, the greatest uranium discovery of the Western Hemisphere today is being developed with breathtaking speed as new towns and big processing plants are carved out of the forest from month to month. The bulldozers and the trucks roar 7 days a week.

In dry weather, clouds of dust settle on newly painted houses, and roads are in mud when it rains.

New workers are constantly coming in as others, fed up with the pioneering life, get out. This is the Alaska gold rush without the dancehalls. And without, it should be added, the chance for the miner to make a big strike, as few did in the gold rush.

A geologist prospector, Franc Joubin, and his backer, Joe Hirshhorn, known today as the uranium king, put $30,000 into their Algoma Basin discovery and took out many, many millions.

Today wages are high, but so are prices. Most families are still living in trailers. Last winter an epidemic of acute hepatitis swept this uranium camp, with 300 cases at its height.

Yet for all the handicaps and hardships, production continues to grow. Great processing machines hauled in over primitive roads convert 1 ton of ore out of the shaft into 2 pounds of uranium oxide, which looks like bright yellow soap flakes.

A Canadian Government corporation has contracted to buy a billion dollars' worth of "yellow cake" out of the Elliot Lake area in the next 5 years. All of the elements of the revolution worked by the splitting of the atom are evident in this subarctic area where in winter temperatures drop as low as 60° below zero.

The Canadian Government sells virtually the whole output to the United States under contracts that run through 1962—enough, it is said, to make 15,000 atomic bombs. But because of fears that these contracts will then be terminated, there are reports of supplementary agreements to be negotiated with Britain in connection with Britain's fast-moving peacetime development of atomic energy.

A fierce union struggle is on, with the mine, mill, and smelter workers threatening to capture control of the Algomanordic local and its thousand men. The Communist-led union, expelled from the CIO, already has the local at Consolidated Denison, the largest uranium operation in the area.

They are financing intensive organizing efforts out of revenue coming from their grip on the nickel mines, the largest in the world, at nearby Sudbury. If they take over the locals of the five mines of the Rio Tinto Co., in which the Rothschild interests are dominant, they will have a leverage over an important segment of uranium production.

This is deeply disturbing to officials of both government and business.

When this was backwoods with a few dying lumber towns on the fringes, the Algoma East Riding, as Canada calls it parliamentary districts, was considered a safe seat for Lester B. Pearson, Minister of External Affairs in the Liberal government in power at Ottawa for 22 years.

In the forthcoming election, Pearson is being aggressively challenged by Merton Mulligan—Mulligan's the man—the Conservative candidate with the active backing of the powerful Conservative organization that controls Ontario's provincial government.

Mulligan, a big, barrel-waisted, black-haired native of the region and mayor of the little community of Thessalon, has been stumping the Riding since April, telling everyone who would listen that Algoma East needs a representative in Parliament who will look after its interests. He accuses Pearson of siding with the Russians in the Suez crisis of last November and of turning against Britain and the Commonwealth.

But the charge he returns to before every audience is absenteeism—Pearson's alleged neglect of the people in his own district while he travels around the world taking care of other people's affairs. This is Canada's brand of isolationism. Most observers feel it has not taken hold.

THE MUTUAL SECURITY ACT OF 1957

Mr. GREEN. Mr. President, I desire to invite the attention of the Senate to the fact that on last Friday, June 7, the Committee on Foreign Relations favorably reported the Mutual Security Act of 1957 to the Senate by a vote of 12 to 3. The committee proposed a net reduction of $227,300,000 in the $3.8 billion request of the President. The total amount authorized by the bill is $3.617 billion.

I call particular attention to the committee report which has been prepared in a form to present a clear description of each provision of the bill.

This morning at my direction, copies of the committee report, No. 417, and copies of the committee hearings were sent to the office of every Member of the Senate. The hearings total more than 800 pages, and I hope Members will have opportunity to study them carefully before the bill is considered by the Senate.

When the Mutual Security Act, S. 2130, is called up I will, of course, make a statement about its specific provisions and the way in which the committee dealt with proposals of the President.

In view of recent suggestions that Congress has been a source of delay in consideration of Presidential proposals, I wish to call the attention of my colleagues to the fact that the President's proposals have been before the Senate since only May 21. Only 18 calendar days have elapsed since we began consideration of this bill. Weekends and vacations have intervened, giving the committee only 11 working days for consideration of the proposals.

UNSCRUPULOUS CONTRACTORS FOR MILITARY PROCUREMENT

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Is there objection? The Chair hears none, and the Senator from Arkansas is recognized for 10 minutes.

Mr. McCLELLAN. Mr. President, during 1955 the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations held hearings in connection with the textile procurement in military services. We investigated procurement practices of the Armed Services Textile and Apparel Procurement Agency, a unit established in the Defense Department to coordinate procurement of the Army, Navy, and Air Force. Evidence was presented to the subcommittee showing that unscrupulous contractors had bribed and contrived with both civilian employees and armed services officers to improperly favor contractors in the award and administration of contracts. The subcommittee was confronted with graft and corruption.

One of the principals in the hearings was Harry Lev, who had delivered defective material to the Armed Forces. He corrupted and induced Government officials to betray their public trust. He endeavored to ingratiate himself into special favor with officials and employees of the Defense Department. He paid their hotel bills. He entertained them at home and on his yacht. He bought dresses and other items of clothing for female personnel of procurement.

Another principal witness, Marvin Rubin, held himself out as a fixer who had influence with Government procurement

officials through bribery and friendship. He was one of the contact men with the Army's Quartermaster Corps, and he represented several manufacturers. His method of operation differed from the usual five percenter in that he was operating on a larger financial return. Still another main witness in our investigation was Capt. Raymond Wool, of the Air Force, who was one of the contracting officers for the Procurement Agency. He had granted Harry Lev many important deviations on a naval white hat contract, resulting in substantial lower costs to Lev, and he had been very friendly with Marvin Rubin and Harry Lev.

Joseph G. Porreca was the chief inspector of the clothing branch of the textile division of the Quartermaster Corps. He accepted many gifts from Marvin Rubin and Harry Lev, including a deep freezer. He admitted in public testimony that he had committed perjury before this subcommittee in executive session.

Mrs. Mella Hort testified she had been the contract administrator employed by the United States Army Quartermaster Corps who administered garrison hat contracts and handled several of the Lev Co. Government contracts. She received many gifts from Marvin Rubin.

Maurice Ades testified that he had been a partner of Harry Lev in Puerto Rico. He was an active participant with Lev and Rubin in their many dealings with the United States Government.

I merely identify these people who testified before the subcommittee, and have refrained from giving detailed information, as we have submitted a report to the Senate on this particular investigation. Following the hearings, we submitted to the Department of Justice a transcript of the hearings. This resulted in criminal trials and convictions of Harry Lev, Marvin Rubin, Capt. Raymond Wool, Mrs. Mella Hort, and Maurice Ades in New York on the charge that they had conspired to defraud the Government of the United States. On May 15, 1957, the Federal court imposed the following sentences: Harry Lev, 9 months in prison and a $5,000 fine; Raymond Wool, 18 months in prison and a $1,500 fine; and Marvin Rubin, 15 months in prison and a $1,000 fine. Maurice Ades was given a suspended sentence, fined $1,500, and placed on probation for 2 years. Mrs. Mella Hort was given a suspended sentence, fined $1,500 and placed on probation for 2 years. Joseph Porreca entered a plea of guilty to the charge of conspiracy to defraud the Government of the United States, but has not as yet been sentenced.

Federal District Court Judge Irving R. Kauffman, who imposed the sentences, classified Rubin as follows:

> He is a man completely without any business principles. He is a man who impresses me as one who believes the laws of business are the laws of the jungle.

I desire to point out that the following appeared in an article in the New York Times of Thursday, May 16, 1957:

> Before the sentencing, Assistant United States Attorney Arthur Christy said a Congressional investigatian has disclosed a situation of which the public could truly be ashamed—a spectacle of Government employees who sold their public trust.

The convictions I have enumerated are a direct result of the investigation conducted by our subcommittee, and indicate, I think, in a positive manner the constructive work being done in attempting to expose and prevent instances of fraud, corruption, bribery, and inefficiency in the executive branches of the Government.

In 1956 the subcommittee continued its investigation, concentrating on the clothing procurement of the Quartermaster Corps of the Department of the Army. Once again we found that bribery, inefficiency, and improprieties existed in the Government procurement of millions of dollars of military clothing. A substantial amount of this clothing was purchased from a particular group of contractors who, through connivance, obtained improper favors, delivered substandard garments to the Armed Forces, and made unconscionable profits at the expense of the taxpayers. Three of the principals in this investigation were Joseph Abrams, Harold Hyman, and Murray Berman. Abrams, who was a certified public accountant, conspired with certain individuals to defraud the United States Government in the military clothing procurement field. Harold Hyman, a relative of Joseph Abrams, consistently invoked the fifth amendment as to various activities in which he had been engaged, particularly with relation to his bond transactions and his use of fictitious names in business dealings. Murray Berman, a trusted subordinate of Abrams, also invoked the fifth amendment on all pertinent questions concerning his association with Abrams and his dealings with various bonds.

On April 12, 1957, Joseph Abrams and Murray Berman were found guilty by a Federal court in New York City for misappropriating Government-owned clothing material and for conspiracy in making false statements to the Government. On the same date, Harold Hyman was found guilty of making false statements to the Government. On June 4, 1957, Joseph Abrams was sentenced to 2½ years in prison; Murray Berman was sentenced to 6 months in prison; and Harold Hyman was given a suspended sentence.

The convictions mentioned by me today do not include cases of other persons who were witnesses before the subcommittee and whose cases have been referred to the Department of Justice. For example, the case of Robert H. Pinner, who was an FOA consulting engineer and who was engaged in a grain storage project in Pakistan, is presently being handled by the United States attorney for the District of Columbia, and involves a possible perjury violation by Pinner. I mention this because it is anticipated that there will be additional convictions of witnesses who appeared before this subcommittee.

I wanted to bring to the attention of the Senate some of the results which are being achieved in our examination into the operations of the executive departments to determine whether there has been any waste, extravagance, inefficiency, or other improprieties.

As a result of our investigation, the Department of Defense has taken administrative action in an attempt to prevent such occurrences in the future. For example, the Army has abolished the Quality Clothing Evaluation Board which had existed and has set up a Contract Review Agency in the Philadelphia Quartermaster Depot. It is hoped that the internal corrective action taken by the Department of Defense will improve conditions and eliminate some of the evils that have been exposed.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. McCLELLAN. I am very happy to yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. At the very beginning, I commend the Senator from Arkansas for the distinguished and salutary work which his committee is doing. I listened with interest to the quotation which he made of the remarks of the judge with reference to Mr. Rubin, who, I believe, was the leader in the initial course of misconduct.

Mr. McCLELLAN. Rubin was one of the leaders, and certainly was one of the most reprehensible of the group.

Mr. LAUSCHE. The judge decried what Rubin had done. What was the penalty which the judge imposed upon this person, who contaminated the military personnel, took advantage of his country's need, and definitely was engaged in criminal conduct?

Mr. McCLELLAN. Two years, and a fine of $5,000, as I recall.

Mr. LAUSCHE. With good behavior, within what time can that man procure his release?

Mr. McCLELLAN. When he has served two-thirds of his sentence, which would be 16 months.

Mr. LAUSCHE. The point I wish to make is that I have frequently seen young men, men youthful in years, who took automobiles for unlawful rides, and who were sentenced to State reformatories to serve sentences of 14 months.

This is the case of a man who contaminated Government officials, who took advantage of his country, and whose conduct was described as being unpardonable. Yet, for such a man it is said that a sentence of 16 months is an adequate penalty.

I simply do not understand the workings of our courts—and I am not attempting to impose my judgment upon them. But the concept of comparative justice is indefensibly abused. My hope is that good will come of this case.

I commend the Senator from Arkansas for his work. I think that when transactions of this type are brought to light, the judges should understand that the entire United States Senate has had to concern itself with them, that the public is disturbed by the revelations, and that young soldiers, who serve in wars, wonder what is happening when a penalty of 16 months is given to such an enemy of our society. That is my understanding. I commend the Senator for his work.

Mr. McCLELLAN. I thank the Senator very much.

I may say, Mr. President, that we do not discover these things easily. We have to have a trained staff of competent investigators, and it sometimes takes a rather long and tedious process to get the information, to develop the testimony, and to ascertain the facts so we can make these exposures.

The fines which have been imposed do not begin to reimburse the cost to the taxpayers incurred in bringing the frauds to light and in getting criminals prosecuted.

I do not know what the court had in mind in imposing the light sentence. I am not critical of it, except I very much agree with the general viewpoint expressed by the distinguished Senator from Ohio. In my experience as a prosecuting attorney in my own State, and then some few years in investigative work, I have come to feel that sometimes I think our courts are too lenient with violators, particularly where they are apparently dedicated to that kind of living. In the case of a first offense, it is different, but the persons to whom I refer conspired; they became crooks and defrauders, and expended their energy along those lines. When we finally expose them, I should like to see greater penalties imposed.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield to the Senator from South Dakota.

Mr. MUNDT. Speaking as a member of the committee which the distinguished Senator from Arkansas heads, I wish to associate myself with his hope that some of the crooks who conspire deliberately to cheat and to obtain their livelihood at the expense of the taxpayers of the country can be adequately punished. I hope a way can be found so that when, after long and laborious hearings and efforts, we finally expose a racket, the result will not be merely a suspended sentence, or a small fine that amounts to only a fractional percentage of the profits that have been made.

I think we should make examples of faithless public servants who are guilty of efforts to destroy the Nation's defense effort or impair its solvency, by putting them in jail and keeping them there as long as the law allows.

Mr. McCLELLAN. I thank the Senator from South Dakota for his comment. He has made a very valuable contribution to the work of the committee.

Mr. President, I made this verbal report because, while we have submitted a written report on the work of the committee, the sentences and convictions are developments which have occurred subsequently to the time of the filing of the report. I thought our colleagues and the country would be interested in knowing the work of the committee has resulted at least in those convictions.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I yield to the majority leader.

Mr. JOHNSON of Texas. I think I divulge no secret when I say to the Senate that when I first came to the Congress as an employee of the Congress, I had a great admiration and respect for the distinguished Senator from Arkansas [Mr. McCLELLAN], first as a Member of the House, and later as a Member of the Senate. I know of no Member of this body to whom my colleagues owe a greater debt than to the senior Senator from Arkansas.

His objective manner, his constructive approach, his judicial consideration, his responsible handling of most difficult problems, as the agent of the Senate, have not only brought glory and respect to this body, but worldwide attention to the methods of the Senator from Arkansas and his committee. I want to express to him the gratitude of the majority leader, and of all Members of the Senate for whom I can speak, for the time he has spent, the great ability he has displayed, and the great credit he has reflected on the Senate and the Nation.

Mr. McCLELLAN. I thank the distinguished majority leader, but I wish to pass on all such agreeable remarks to members of the committee, because we operate as a committee. We operate cooperatively. We go into these tasks, I may say, without any thought, spirit, or attitude of partisanship, but simply to try to do a job for our country. Whatever little success the committee has had, whatever credit it may have brought to the Senate, each member is entitled to a share of the honor.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1958—AMENDMENT

Mr. MUNDT. Mr. President, tomorrow the Senate of the United States will discuss a very important appropriation bill, the appropriation bill for the Department of Agriculture. In connection with that bill, there is one amendment made by the Senate Appropriations Committee which I wish to call to the attention of Senators now, so that as they read the RECORD tomorrow morning they will be fortified with the knowledge and the facts made available to them on this new venture by the Appropriations Committee to endeavor to write agricultural legislation on an appropriation bill.

I wish to say, first of all, I oppose the amendment. It was adopted by a rather close vote.

I send to the desk an amendment proposed to be offered by me to the bill. My amendment seeks to undo the very serious damage done to the conservation reserve program by the amendment adopted by the committee.

My amendment simply strikes out of the bill language inserted by the Appropriations Committee, which provides, with regard to the conservation reserve program:

Provided further, That the average annual rental payment per acre shall not exceed $7.50 per acre for conservation reserve contracts entered into 30 days after approval of this act.

That amendment proposes an altogether new limitation and brings into being an altogether new mathematical factor which does not prevail in the soil bank or conservation reserve program as of now. At the present time the national average, which has been computed by the weighted formula, is $10.09. The committee amendment would impose a new legislative average of $7.50 an acre.

I point out that not one single thin dime of economy is involved in the amendment. It is agreed, with unanimity, I believe, by the Appropriations Committee, that we should provide $350 million for the conservation reserve program. The question is: How is the $350 million to be divided?

Under the normal procedure, according to the legislative act by which this appropriation is made, the $350 million would be divided among the 48 States by a formula which gives every State a fair opportunity to share in conservation reserve program dividends. If the formula is changed to $7.50—this new legislative formula, this new figure which has been grabbed out of the sky, because the sound of "seven" is somehow associated with being lucky—I think the program will not possibly be able to succeed and endure, because I submit any farm program which directly and deliberately discriminates against great sections of agriculture cannot long continue and prevail with the American taxpaying public.

Thirty-seven States would be discriminated against by the new $7.50 legislative formula average figure.

It seems to me—and I call this to the attention of the Senators from those States—that if I lived in a State such as Minnesota, I would want to examine the work of the Appropriations Committee very carefully, because, under the existing formula set up in accordance with the basic legislation, the annual payment per acre is $11. Of the contracts already signed, the average payment per acre is $9.9. When it is proposed to set apart farmers now receiving conservation reserve benefits at that level, by an act of the Appropriations Committee, and make the figure $7.50 average, not only are the people of Minnesota being discriminated against, but the farmers of Minnesota are being discriminated against.

Certainly, if I lived in the State of Ohio and represented the people of Ohio in the Senate, I would be greatly concerned by this action, because in the State of Ohio the figure is $12 an acre at the present time, but the average signup is $10.24 an acre, which means there is almost a $3 an acre reduction proposed by the act of the Appropriations Committee—which means, realistically, in my opinion, that the farmers of Ohio will be denied the benefits of the conservation reserve program for which they are being taxed.

I speak because I am concerned primarily with the total effect on the farm program of an action which discriminates against certain States because the land which they happen to have is more productive, or because the land has been evaluated at a level of annual return per retirement higher than $7.50.

This does not particularly concern the people of South Dakota, because in our particular area the average signup is

only $8.64 an acre. However, it certainly affects vitally the people of the State of Illinois, the people of the State of Iowa, the people of the State of Indiana, and the people of the State of Kansas. It certainly makes this program unworkable in the great State of Washington, with its wheatfields.

I wish to have some information placed in the RECORD at this point, Mr. President, because the amendment I have submitted will, of course, be discussed at length tomorrow. I think we should not go flying blind into an experiment which I am afraid can destroy the entire soil-bank program.

At this point in the RECORD, Mr. President, I should like to have appear a reprint from the information of the Appropriations Committee, which shows the conservation reserve program State by State, the approved annual payment rate per acre, and the average annual payment per acre under signed contracts, as of April 15, 1957, so that each Senator may compare that with what would happen unless my amendment striking out the $7.50 average acre limitation shall be approved.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Conservation reserve program—Approved State annual payment rates per acre and average rates on contracts reported signed as of Apr. 15, 1957

State	Approved annual payment rate per acre	Average annual payment per acre on signed contracts
Alabama	$8.00	$7.63
Arizona	9.00	13.47
Arkansas	9.00	7.89
California	12.00	9.81
Colorado	8.00	7.09
Connecticut	13.00	11.60
Delaware	12.00	11.42
Florida	8.00	7.39
Georgia	8.00	7.76
Idaho	11.00	7.81
Illinois	12.00	11.62
Indiana	12.00	10.42
Iowa	12.00	11.38
Kansas	10.00	10.32
Kentucky	10.00	8.57
Louisiana	10.00	6.94
Maine	9.00	5.62
Maryland	12.00	10.77
Massachusetts	13.00	8.01
Michigan	11.00	7.52
Minnesota	11.00	9.09
Mississippi	10.00	9.97
Missouri	9.00	8.39
Montana	9.00	8.52
Nebraska	9.00	8.13
Nevada	7.00	7.25
New Hampshire	10.00	3.16
New Jersey	13.00	10.70
New Mexico	8.00	8.05
New York	11.00	8.35
North Carolina	10.00	9.53
North Dakota	9.00	9.76
Ohio	12.00	10.24
Oklahoma	9.00	8.77
Oregon	12.00	10.48
Pennsylvania	11.00	8.09
Rhode Island	12.00	
South Carolina	9.00	8.74
South Dakota	9.00	8.64
Tennessee	10.00	9.09
Texas	10.00	9.53
Utah	11.00	8.89
Vermont	10.00	3.39
Virginia	10.00	8.30
Washington	13.00	11.07
West Virginia	10.00	7.02
Wisconsin	11.00	8.77
Wyoming	8.00	7.26
Total	[1] 10.11	8.84

[1] United States average when weighted by State goals.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

Mr. RUSSELL. Mr. President, I do not desire to labor the point at this time, since it will undoubtedly be discussed at length on the floor tomorrow; but I must submit that the statement of the distinguished Senator does not measure up to his usual accuracy. The amendment to which he referred could not possibly have the effect of bringing payments in any State down from $13 to $7.50. The total average payment is about $8.50, as I recall, though I do not have the exact figures before me.

We undertake to bring the figure down to $7.50. Applied equitably across the board, the reduction would be a little more than $1 per acre throughout the country in the payment for the conservation reserve.

Simply for the purpose of having it in the RECORD, I wish to point out that when mention is made of a $350 million program, as authorized by the appropriation bill, Senators will do well to bear in mind that this is a continuing program. Many of these contracts are entered into for a 10-year period. When a farmer enters into the program, there is a charge against the Treasury of the United States. If all the contracts were made on a 10-year basis, the $350 million per year program would obligate the Government for payments of $3½ billion.

I do not think that the action of the Senate Committee on Appropriations in undertaking to make a very modest reduction in these payments constitutes any blow to the farm program. Certainly I am as interested in the farm program as any other Member of the Senate, since I represent, in part, an agricultural State, and one which participates very largely in the conservation reserve program.

I should also like to have appear in the record the statement that these annual rental payments are in addition to the practice payments, which can amount to as much as $25 an acre, for putting the practice into effect. That money comes from the Treasury of the United States.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. MUNDT. I should like to point out—as I am sure the Senator intends to do—that the practice payment is a one-shot payment only.

Mr. RUSSELL. The Senator is correct.

Mr. MUNDT. For the first year.

Mr. RUSSELL. Of course, it is.

Mr. MUNDT. The Senator had not included that in his statement.

Mr. RUSSELL. The practice payment might be considered not to be a one-shot payment.

Mr. MUNDT. The practice payment?

Mr. RUSSELL. It could be more than one-shot, because it could be paid in 2 years. There can be only one practice payment made, though it may go over a period of 2 years.

Mr. MUNDT. For one practice.

Mr. RUSSELL. For one practice, the Senator is correct.

Mr. MUNDT. That is right.

Mr. RUSSELL. If the farmer who puts his land into the reserve, using the maximum that could be applied under the Senate amendment, were to receive $25 for the practice of putting it into the conservation reserve, and then $13 a year for 10 years to keep it in, he would get $25 for the practice payment and $130 for rental payments, and at the end of a 10-year period he would get the land back with a greatly increased value.

I do not think the action of the committee is going to work any great hardship on the program. It will undertake to bring about a little degree of realism in the application of the program.

I shall not labor the question now. It will undoubtedly be the subject of discussion on the floor tomorrow.

ORDER DISPENSING WITH CALL OF THE CALENDAR

On request of Mr. JOHNSON of Texas, and by unanimous consent, the call of the calendar today under the rule was dispensed with.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. TALMADGE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Hartwell Davis, of Alabama, to be United States attorney for the middle district of Alabama;

Clinton G. Richards, of South Dakota, to be United States attorney for the district of South Dakota;

James L. May, of Alabama, to be United States marshal for the southern district of Alabama; and

John F. Barr, of West Virginia, to be United States marshal for the northern district of West Virginia.

By Mr. JENNER, from the Committee on the Judiciary:

Jack Chapler Brown, of Indiana, to be United States attorney for the southern district of Indiana.

EXECUTIVE REPORT OF A COMMITTEE

Mr. HRUSKA. Mr. President, it is my pleasure to submit the report of the Committee on the Judiciary recommending confirmation of the nomination of Robert Van Pelt, of Lincoln, Nebr., to be United States district judge for the district of Nebraska.

Mr. Van Pelt is a native Nebraskan. He was educated in the schools of Nebraska, receiving his law degree from its State University College of Law in 1922. He has engaged in the general practice of law in Lincoln since that time. He had served as assistant United States attorney for Nebraska, and had taught at the college of law from which he graduated.

His law practice was statewide in the Nebraska courts. Much of it was trial work, a most desirable background for a jurist.

Mr. Van Pelt has been very active in civic, church, and other organizations. He served as State moderator for the Congregational Church. For many years he has been a member of the Doane College board of trustees, and until recently has been its chairman. He made a fine contribution also in his membership of the Lincoln School board and city zoning board.

His record and reputation is of the best for professional and personal integrity, capability, and character. I know he will serve in outstanding fashion as a worthy successor in the line of the very excellent Federal judges in my State.

Mr. Van Pelt has been nominated to succeed the Honorable John W. Delehant who recently retired after a distinguished 15-year record of service on the Federal bench. Happily for all concerned, however, Judge Delehant has indicated that he will accept assignment of further trial work as retired judge. Thus, his continued usefulness will be available in large measure, even though his successor will undertake, in addition to trial work, the administrative duties in connection with the judgeship.

Mr. President, Mr. Van Pelt has the capability and all the necessary attributes to serve as Federal Judge in outstanding fashion. He will be a worthy successor in the line of excellent jurists in my native State who preceded him.

It is my hope and recommendation that the Senate will confirm his nomination at an early date.

Mr. CURTIS. Mr. President, I wish to add a word in behalf of Robert Van Pelt, whose nomination will come before the Senate for consideration very shortly. He has had many years of experience and is one of the outstanding lawyers of our State. He is an excellent student, a seasoned practitioner, and an individual of the highest integrity. He has judicial temperament.

His nomination has met with the widespread approval both of lawyers and judges, and of the public as well, in the State of Nebraska.

I recommend him very highly for the position of United States district judge to which he has been nominated.

The PRESIDING OFFICER. The nomination will be placed on the Executive Calendar.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the nominations on the Executive Calendar. It will take just a moment.

The PRESIDING OFFICER. The nominations on the calendar will be stated.

UNITED STATES AIR FORCE

The legislative clerk read the nomination of Maj. Gen. Richard Clark Lindsay to be lieutenant general, United States Air Force.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES NAVY

The legislative clerk proceeded to read sundry nominations of members of the Naval Reserve for permanent promotion in the line and staff corps.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations will be considered en bloc; and, without objection, the nominations are confirmed.

IN THE NAVY AND IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Navy and Marine Corps which had been placed on the Vice President's desk.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the nominations in the Navy and the Marine Corps be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy and the Marine Corps will be considered en bloc; and, without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to ask the reporters for the Daily Digest to take notice of the announcement I made this morning that the Senate will convene each morning at 9:30 for the remainder of this week, that the Senate will be in session on Saturday, and will sit in the evenings, if necessary, until we dispose of the four pending appropriation bills and the mutual security authorization bill.

I should like to have the attachés of the majority and the minority of the Senate call the attention of each individual Senator to this announcement so that if he has any engagements he will be able to take proper notice of the convening time of the Senate and the fact that this will be a very long workweek. We will come early and stay late until we dispose of the measures which are pending.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. O'MAHONEY. I wish to invite the attention of the Senator from Texas to the fact that more than a week ago, at the request of the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS], I announced that hearings would be held on a bill which they had jointly introduced, affecting the Everglades National Park in the State of Florida, by the Committee on Interior and Insular Affairs, beginning at 10 o'clock on Tuesday morning.

More than 2 weeks ago, by direction of the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary, I gave public notice that on Wednesday morning at 10 o'clock the staff of that subcommittee would present to the subcommittee in open public session its analysis of the testimony which was heard and received by the committee. The public has been notified of both of these meetings.

I therefore ask unanimous consent that these two committees, the Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary, may sit during the sessions of the Senate.

Mr. RUSSELL. Mr. President, my attention was momentarily diverted.

Mr. O'MAHONEY. I believe the Senator from Georgia desires the floor to call up a bill.

Mr. RUSSELL. I did not understand the committees which were to meet.

Mr. JOHNSON of Texas. The Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary.

Mr. President, I think it is a proper request and I hope the Chair will put the question.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection to the request of the Senator from Wyoming. The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. RUSSELL. Mr. President, the unfinished business, coming over from last week, is H. R. 7143?

Mr. O'MAHONEY. Mr. President, I yield to the Senator from Georgia with the understanding that I shall not lose the floor.

Mr. RUSSELL. I thank the Senator.

Mr. President, the bill is of vital importance to the national security, but it is

not controversial. I appreciate the Senator's yielding so that I may make a brief statement.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

SUSPENSION OF TROOP CEILINGS IN THE ARMED FORCES

Mr. RUSSELL. Mr. President, the unfinished business, as I understand, is H. R. 7143.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 7143) to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strength of the Armed Forces.

Mr. RUSSELL. Mr. President, this bill would amend the act of August 3, 1950, as amended, so as to continue in effect the suspension of ceilings on the authorized personnel strengths of the Armed Forces.

These ceilings apply in normal times, when we are not engaged in either hot wars or cold wars, to the Armed Forces of the United States. The personnel strengths which were intended to apply in normal times total only slightly more than 2,000,000 persons.

Since the buildup of our Armed Forces following the hostilities in Korea, it has been necessary to suspend these ceilings. Periodically they have been suspended. The act of August 3, 1950, suspended the ceilings until July 31, 1954. Public Law 307 of the 83d Congress extended the suspension until July 31, 1957, at which time the peacetime ceiling will become effective unless the suspension is extended as contemplated by this bill.

I do not think that any Senator will challenge the necessity for a further extension so the peacetime ceilings will not apply on the 1st of July. The necessity for continuation of the suspension has not changed materially since 1950. The Armed Forces now have an active duty strength of approximately 2.8 million persons. While there is a widely shared hope that reductions in these active-duty numbers may be made possible in time by technological improvements and by a relaxation of international tension, we have not yet reached the stage where the size of our Armed Forces can be safely reduced to only slightly more than 2 million persons, as would be necessary if this bill were not enacted. The hope for a reduction which will be permanent lies in the yearning of our people for a relaxation of international tensions and the elimination of the danger of aggression against the Free World.

I might point out, Mr. President, that the effect of the reduction, if it came about, would be particularly acute in the case of the Air Force. Without an extension of the suspension of ceilings as provided in this bill, the Air Force would have to reduce its combat and support forces by almost one-half of its strength at the present time, or a reduction of about 400,000 persons. Obviously, the Air Force could not meet its commitments after such a reduction. The effects on the Army and the Navy would be not quite so drastic, but failure to continue suspension of the ceilings would cause both the Navy and the Army to reduce their strengths below levels planned for the next fiscal year.

For the period of time that the permanent personnel strength limitations are suspended, there comes into play a secondary ceiling of 5 million persons on the active duty personnel strengths of the Armed Forces. This secondary ceiling of 5 million will remain in effect during the extended period of suspension of the permanent ceilings involved in this bill.

H. R. 7143 would extend the suspension of the personnel ceilings until July 1, 1959. The termination of this suspension would coincide with the termination of authority to induct persons for military service under the Universal Military Training and Service Act.

These two subjects are, of course, intimately related. In 1959 it will be necessary for the Congress to review in their entirety problems of national defense as they relate both to the extension of the draft and to fixing the size of the Armed Forces after that date.

Mr. President, I cannot conceive of any objection to the passage of the bill.

Mr. O'MAHONEY. Mr. President, the Senator from Georgia has discussed a bill which I feel should be enacted.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H. R. 7143) was ordered to a third reading, read the third time, and passed.

CLAIM OF CHRISTOFFER HANNEVIG—CONVENTION BETWEEN THE UNITED STATES AND NORWAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 378, House Joint Resolution 185.

The PRESIDING OFFICER. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 185) to implement the convention between the United States and Norway for disposition of the claim against the United States on behalf of Christoffer Hannevig.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

There being no objection, the Senate proceeded to consider the bill.

BIRTHDAY ANNIVERSARY OF SENATOR BYRD

Mr. JOHNSON of Texas. Mr. President, today is the birthday anniversary of the senior Senator from Virginia, the distinguished and illustrious HARRY FLOOD BYRD. There is no more popular Member of this body, and no man in America who has made a greater or more constructive contribution to good government than HARRY F. BYRD, as Governor of Virginia, and as a Member of the United States Senate for many years. We are all deeply in his debt for his wise guidance, for his magnificent qualities of leadership, and for his always understanding attitude toward those of us who may not be so experienced as he is.

Mr. O'MAHONEY. Mr. President, it affords me great delight to join in the tribute which the Senator from Texas has paid to our good friend, the Senator from Virginia. I congratulate him personally, standing on the floor, upon the attainment of his "junior" status. He is not an old man yet, but he is a great man.

Mr. BARRETT. Mr. President, I wish to join the distinguished Senator from Texas and the distinguished Senator from Wyoming in the congratulations they have extended to our good friend, the senior Senator from Virginia.

Let me say to him that all the Members on this side of the aisle feel precisely as does the senior Senator from Texas with regard to the Senator from Virginia. I am sure that the people of the country generally join us in wishing him many happy returns of the day.

MUTUAL SECURITY ACT OF 1957—AMENDMENT

Mr. O'MAHONEY. Mr. President, last year, on behalf of the Senator from Arkansas [Mr. MCCLELLAN] and myself, I submitted an amendment to the Mutual Security Authorization Act, by which the officers and employees of the Government carrying out the programs authorized in that measure were to be under obligation to testify fully and frankly before the appropriate committees of Congress. The amendment was not endorsed by the administration at that time, and it failed.

I feel that there has been such a change in attitude, and such a wider comprehension among the people of the United States as to the amount of money which is being expended under mutual security, for military and economic aid to foreign countries, that the Senate is more ready now than it was a year ago to make certain that the Congress is fully advised with respect to the manner in which these funds are being expended.

The Senator from Arkansas [Mr. MCCLELLAN], as chairman of the Committee on Government Operations, has had many occasions to find representatives of the executive department refusing to give the committee information which it had the right to have, with respect to the manner in which these sums are being expended. It is only necessary to refer to the report which the Foreign Relations Committee has just submitted to the Senate, namely, Report No. 417, in support of the Mutual Security Act of 1957, to show how essential an amendment of this kind is.

How many people realize that the cumulative expenditures for military and economic aid through June 30, 1956, amounted to $35,359,329,000; that of this total sum, of great magnitude, there remained unliquidated obligations, as of June 30, 1956, amounting to $6,022,693,000; and that the estimated expenditures for the fiscal year 1957 amount to $3,852,547,000?

In the face of this amazing record of expenditure, we find that the program

for estimated obligations for the fiscal year 1958 amounts to $4,435,758,000, and that the estimated expenditures for the fiscal year 1958—we are almost in that year now—will amount to $3,911,369,000.

It is only necessary to recite these expenditures to realize how important it is that the committees of Congress should be fully advised of the manner in which such expenditures are being made. When we lend to other governments or give them huge sums for military purposes or economic purposes to be expended through their own agencies, we cannot be oblivious of the fact that there may be opportunities for waste and extravagance, to say nothing of possible corruption.

We owe it as an obligation to our people to make certain that the committees of Congress shall not be denied this information. This subject was a matter of comment in a television program about 2 weeks ago, over the Columbia Broadcasting System, in which the Senator from Georgia [Mr. TALMADGE], now presiding over the Senate, the Senator from South Dakota [Mr. MUNDT], the Senator from New Jersey [Mr. CASE], and I participated. During that discussion I raised this question:

The Senator from South Dakota indicated that he might be interested in sponsoring such an amendment. I received a letter from him containing the suggestion that if the amendment were patterned after the text of the Atomic Energy Act, in all probability he would be satisfied to join in the sponsorship of such an amendment.

I am very happy to be able to announce that when he had the opportunity today to examine the text of the amendment, he authorized me to write his name on the amendment as a cosponsor. The Senator from Oregon [Mr. MORSE], who is a member of the Committee on Foreign Relations, has indicated his desire to act as a joint sponsor.

As I present the amendment now, it is intended to be proposed in behalf of myself, the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MUNDT], the Senator from Oregon [Mr. MORSE], and the Senator from Georgia [Mr. TALMADGE].

I ask unanimous consent that the amendment may lie on the table through the next session of the Senate, so that other Senators, who may be inclined to do so, may add their names as cosponsors.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table for 1 day as requested by the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, in order that it may be clear to all who read the RECORD just what the amendment does, I should like to read the text of it into the RECORD.

On page 47, line 33, before the period, it is proposed to insert a semicolon and the following:

The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act, and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities.

FEDERAL INDIAN POLICIES ON HEALTH, WELFARE, AND RELOCATION

Mr. MANSFIELD. Mr. President, during the recent session of the Montana State Legislature, they passed several joint memorials pertaining to Federal Indian policies on health, welfare, and relocation.

The State legislature recognized the need for a study of the relocation program and, perhaps most important, they realized that something must be done to meet the employment needs of our Indians. As you know, many of our Indian reservations do not provide sufficient job opportunities.

I referred these memorials to the Bureau of Indian Affairs, and I have received their views and comments. So that the Senate may be fully informed as to the Bureau's position on these matters, I ask that Commissioner Glenn L. Emmons' letter of May 31, 1957, be printed at this point in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF INDIAN AFFAIRS,
Washington, D. C., May 31, 1957.

Hon. MIKE MANSFIELD,
United States Senate,
Washington, D. C.

DEAR SENATOR MANSFIELD: This is in further reference to our letter of April 11, and your letter of March 21, 1957, enclosing for comment and consideration three joint memorials passed by the Montana State Legislature pertaining to Indian health, welfare, and relocation.

Our comments on each of the memorials are as follows:

1. House Joint Memorial 6 recommends that "* * * the Congress of the United States make a thorough study of the effect of promoting off-reservation migration upon the American Indians' family; the advisability of extending family assistance programs to Indians away from reservations; the educational development of the relocated Indian child; the development of job opportunities at or near reservations; the development of Indian property resources and the equal participation for all Indians in Federal services such as the Indian Branch of Public Health Services."

The Bureau does not have any objections to a thorough study being made as suggested by memorial 6 if the Congress of the United States deems such a study as warranted and necessary. In the event a study is undertaken, the Bureau will be most happy to cooperate and assist in any way possible.

2. House Joint Memorial 14 recommends to the Congress of the United States that "* * * they more fully recognize the Federal responsibility in assisting and providing reasonable job opportunities, and necessary financial assistance, in cooperation with the State of Montana, and the counties thereof, for Indian people, regardless of where they reside within the State of Montana; and requesting further, that appropriate action be taken to insure that Indian people receive employment preference in connection with all contracts involving the use of labor on Indian reservation."

It is the Bureau's policy not to duplicate services of other agencies, either Federal or State, when such services are available to Indian people on the same basis as they are available to non-Indians. The Indian people, as citizens of the State and county in which they reside, are entitled to all the rights and privileges extended to other citizens in similar circumstances. Since local employment services are provided them, through the State employment service, as residents of the State, regardless of where they reside, we believe that the duplication of these services is not justified. It is the Bureau's position that the local employment services should continue with this responsibility in Montana as well as in other States. Accordingly, the Bureau of Indian Affairs and the Bureau of Employment Security on July 1, 1955, entered into an agreement, a copy of which is attached, regarding this point. This agreement was a revision of an earlier one entered into on July 25, 1950.

Since unemployment compensation benefit payments are provided, through certification by the State employment agencies, to assist eligible individuals during periods of unemployment, we do not believe it would be proper for the Bureau to comment on suggested increase or any change as to eligibility requirements for such benefit payments. The Bureau of Employment Security, Department of Labor, may be able to offer comments on the suggestions.

With reference to the suggestion concerning employment preference in contracts, the Bureau is restricted by the Federal policy of nondiscrimination as provided by Executive Order 10557, requiring the incorporation of a nondiscrimination clause in all Government contracts.

3. House Joint Memorial No. 15 recommends to the Congress of the United States that "* * * the necessary action be taken to have a policy established by the Department of the Interior and the Indian Bureau thereof, to purchase coal for use on the Tongue River and Crow Indian Reservation from the coal deposits existing on the Tongue River Indian Reservation, in order to promote the general welfare of the northern Cheyenne Tribe, both by providing employment on that reservation for the northern Cheyenne Indian people residing thereon, and by providing income for this exemplary tribal enterprise."

By letter dated April 11, 1957, we have authorized the area director, Billings area office, where both Tongue River and Crow Indian Reservations are located, to purchase coal locally for the fiscal year 1958, if such purchases meet the following criteria: (1) It will further the expressed policy of the Congress if a fair portion of contracts are placed with small business concerns; or (2) small mines are located in the vicinity of the using point; or (3) the purchase of coal will help the local economy; or (4) promote the general welfare of the tribe(s); or (5) supplement or provide income to Indians.

We believe that purchase of coal from the Tongue River Indian Reservation will meet the above criteria.

The memorials forwarded with your letter are returned, as requested. We appreciate your submitting them for our comments.

Sincerely yours,

GLENN L. EMMONS,
Commissioner.

COMMANDER QUICK'S APPOINTMENT AS COMMANDER OF THE WAVES

Mr. MANSFIELD. Mr. President, on August 1 the command of the WAVES will be turned over to Navy Comdr. Winifred Redden Quick, a native of Great Falls, Mont. The new director will assume the rank of captain and will be the only member of the WAVES entitled to wear the four stripes of a captain.

Commander Quick is the daughter of Mr. and Mrs. Dan A. Redden, former residents of Great Falls and Missoula.

She was one of many women who entered the branches of the armed services during World War II for strictly patriotic reasons and decided to make it a career. There are only four WAVES from the first WAVE class who are now on active duty. She has been awarded the Bronze Star Medal and she also wears ribbons for the American theater, Asiatic-Pacific, World War II Victory, and National Defense.

Montana is indeed proud of Commander Quick's accomplishments and I am taking this opportunity to wish her success in her new post as commander of one of our finest women's military organizations.

Mr. President, I ask that an article appearing in the May 19, 1957, issue of the Great Falls Tribune be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GREAT FALLS NATIVE TO DIRECT WAVES

An attractive and hard-working native of Great Falls will add a thin gold stripe to her wardrobe this summer and become director of the WAVES.

When Navy Comdr. Winifred Redden Quick assumes her new duties August 1 as the fifth director of the WAVES with the accompanying rank of captain, she will be the only member of the WAVES entitled to wear the four stripes of a captain.

Now assigned to duty in London as senior assistant to the assistant chief of staff for administration at the headquarters of Adm. Walter F. Boone, commander in chief of Eastern Atlantic and Mediterranean Naval Forces, Commander Quick will succeed Capt. Louise Wilde as WAVE director.

The daughter of Mr. and Mrs. Dan A. Redden, Commander Quick was born in Great Falls on November 26, 1911. Her parents moved soon after her birth to Missoula, where she attended the Sacred Heart Academy from 1917–22.

Her father, now deceased, was a Neihart businessman. Her mother now Mrs. George Lowe, lives in Corning, Calif.

"I have nothing but pleasant memories about my early years in Montana," the commander has reported, "I hope one day soon to return to Montana for a visit."

She was graduated from the University of Southern California in 1935 with a bachelor of education degree and did graduate work at Radcliffe College, Cambridge, Mass., in 1938. Commander Quick received her master's degree from Stanford University, Palo Alto, Calif., in 1952, after attending a Navy course in personnel administration there.

Her naval career began in August 1942, "for strictly patriotic reasons." Her brother, 10 years her junior, then was entering the United States Naval Academy. A naval aviator, he now is serving as a lieutenant commander in Japan.

Commander Quick, Captain Wilde and Comdr. Eleanor Rich and Winifred Love are the only four WAVES from the initial WAVES class remaining on active duty.

While on duty with the Bureau of Naval Personnel, Washington, D. C., the then Lieutenant Commander Quick was assigned in 1944 to 14th Naval District Headquarters in Pearl Harbor to prepare for assigning WAVES to that overseas station.

For her outstanding work on this assignment, she was awarded the Bronze Star Medal. She also wears ribbons for American theater, Asiatic-Pacific, World War II Victory, and National Defense.

Commander Quick will leave Navy headquarters in London late this month to take over her new 4-year post.

THE DEPARTMENT OF STATE AND THE CONDUCT OF FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, in recent weeks I have proposed amendments to two bills which have a vital and direct relationship to the conduct of the foreign policy of this Nation. I proposed to reduce the 1958 appropriation for the United State Information Agency to $60 million, some $35 million below the sum finally appropriated for that Agency. Last week I proposed to reduce the 1958 authorization for the mutual security program by a total of $800 million.

Both of these efforts to reduce the size of these operations failed. My efforts to reduce these funds have been characterized in various quarters as something akin to the use of a meat ax on the allegedly carefully designed, efficiently operated, and nicely balanced proposals of the President.

Let me say in the first place that I do not consider myself an enemy of the United States Information Agency or the mutual security program.

Last year I steered through the Senate a bill which would have given the Information Agency a foreign service of its own. I have supported larger budgets for the Information Agency than that which I was willing to support this year.

My record in support of the mutual security programs over past years indicates my belief in carefully administered and well-balanced aid programs. I have supported the point 4 program since its beginning and have urged its purification and expansion.

Despite the fact that I believe an information program is essential in our national interest and that foreign aid must be continued into the future, I have been compelled to seek their curtailment for reasons which are essentially administrative and constitutional in nature.

It has been my duty for a number of years first as a member of the Committee on Foreign Affairs of the House of Representatives and more recently as a member of the Committee on Foreign Relations of the Senate to visit many of our information and mutual security installations in the field. I have seen much good work. I have been much impressed by the caliber and devotion of many of the men and women in these jobs.

But having said that, I must also add that I have seen many, many instances of waste, or overstaffing, of the right hand not knowing what the left hand is doing.

I have seen instances in which the Ambassador and the local head of the International Cooperation Administration have been working at cross purposes.

I have seen information officers denied access to vital information in the possession of Ambassadors.

I know of instances in which operations of the information agency have led to violent protests from the very nations which we have been trying to impress with our information program.

I have seen plans hastily drawn and promises made, only to have their effect nullified by interminable delays in Washington.

I have seen imaginative men in the field with their spirit crushed by the top-heavy bureaucracy of Washington where a man's salary is often determined not by his ability to turn out work, but by his ability to put his initials on work done by others.

It may be that some waste is inevitable in any operation, government or private.

I am not convinced, however, that the way to deal with this problem is simply to make our appropriations generous enough to cover an item for waste and inefficiency.

My reasons specifically for proposing reductions in the mutual security program involve very largely the lack of imagination in the administration in dealing with the report of the Special Committee To Study the Foreign Aid Program. I grant that large portions of the committee's recommendations were accepted. But on vital matters, the administration has shown itself bound by a concept of agency accommodation rather than by a willingness to face reality.

Take the development fund as an example. I am convinced that had it not been necessary in the view of some elements in the executive branch to preserve that quasi-independent agency, ICA, the fund would more logically have been made an independent Government corporation, or have been given a close relationship to the Export-Import Bank.

Or take the case of defense support, as an example. If the Executive had been willing to face reality, I believe it would have abolished that category of aid and lumped all economic-type grant assistance together. But the administration was fearful that if the economic-type, grant-aid figure were to show in budget estimates as at least $1.2 billion—defense support, $900 million, plus special assistance, $300 million—this would look to the American people like too big a figure for gifts. The result is that the executive branch still seeks to hide economic grant aid to certain countries under the heading of defense support on the theory that such assistance is so closely related to the military effort of the United States and its allies that it cannot be separated therefrom. The inconsistency of this approach is shown, however, by the fact that the Executive is only asking that defense support be appropriated as part of the Defense Department budget, while the day-to-day

administration of the program is to be in the hands of ICA.

I believe there are two ways of getting at the waste and the misleading practices I have described here.

The first method is to reduce the funds available for these operations as I have proposed.

The second method is to centralize the conduct of our foreign affairs in the Department of State. Power and responsibility must go hand in hand.

The Department of State should be our first line of defense. The State Department should be the primary instrument of the Executive for advancing the foreign relations of the United States. It has long been accepted by both political parties that the United States can speak with only one voice in the conduct of foreign relations. Notwithstanding the inherent responsibility of the State Department, as our interests abroad have expanded, an organizational structure has mushroomed, permitting the United States to speak with many contradictory voices. The State Department has become partially paralyzed in the exercise of its responsibility. It has become crippled as the autonomous agencies have circumvented its control in conducting foreign relations. In particular, the United States Information Agency and the International Cooperation Administration are powerful autonomous instruments of United States foreign relations.

While it is regrettable that these agencies daily shape the course of our foreign relations without the benefit of close State Department direction, it is more to be regretted that the Secretary of State is a foremost advocate of this dualism.

The position taken by the Secretary of State on numerous occasions has been that these foreign operation functions of the United States Government cannot be incorporated within the State Department. The reason advanced is that the Department would then not be free to engage in policymaking. The Secretary of State is not alone in this mistaken view. It may be granted that policymaking is an important aspect of our foreign relations. There must be United States representation in the United Nations and in the world's capitals. There is a continuing need for high-level consultation, negotiation, coordination of State interests, and treatymaking. But this historical picture of diplomacy does not entirely satisfy the present needs of United States foreign relations.

With the growth of economic and military strength and political leadership, the responsibilities of the United States have expanded proportionately. Foreign relations is no longer solely a matter of representation and treatymaking, but involves the entire range of our global operations. Foreign policy is no longer something that can be coined exclusively within cloistered walls. For while the State Department is conceiving policy, actual policy is also being made by the operations of the quasi-independent agencies negotiating daily with foreign governments—daily determining the course of our foreign relations. A sharp line cannot be drawn between policy and operations. Operational activities of the agencies are not distinct from policy, but are rather the life and breath of foreign policy.

At present the agencies have separate headquarters in Washington and separate establishments in the field. In Washington, the theoretical organizational chart provides for top-level policy coordination by the Department of State. In practice, the policy is either lost in the course of implementation or the policy is simply a rubberstamping of what has become a de facto decision of the agency. In the field, in theory, the agency is under the umbrella of the ambassador. In practice, the field agency reports to its headquarters in Washington. Under present organization it is virtually impossible for the State Department to initiate and control policies in Washington or for the ambassadors to control policy in the field.

Mr. President, were this a mere question of internal organization only of concern to the administration, we would not burden the Senate. It is, however, a matter of concern to the Senate, affecting as it does the course of United States foreign relations. We may enumerate the specific consequences:

First, in the absence of continuing and direct supervision by the State Department, the agencies tend to mushroom their activities, often engaging in projects or programs not directly related to the key foreign policy objectives in the area.

Second, the activities of the agencies often work at counterpurposes to other agencies or to the Department of State.

Third, the present practice of multiagency operations abroad results in the snowballing of American personnel. A point is reached at which the presence of large numbers of Americans in a country works more against our interests than the program works to our interest. It is the familiar pattern. As the contingent increases in size, it is accompanied by the post exchange, American automobiles, American salaries, American high schools, American standards of living, and inevitably local animosity and friction.

Fourth, the lack of central unified operations within the State Department makes for a duplication of administrative functions and tends to build up excessive housekeeping services and personnel. This makes for inefficiency and waste, boosting the cost and lowering the effectiveness of our program. Quality is sacrificed to quantity. It incurs administrative problems growing out of disparity in salaries, emoluments, and services among personnel of the separate agencies.

Fifth, it places the United States Ambassador in an untenable position. While the ambassador waits to negotiate high policy, the minor officials of the agencies maintain daily contact with the officials of the country. This is often at the permanent secretary or ministerial level. These contacts give continuing shape to United States foreign policy. If there is a serious question at issue, the agency refers it back for decision to a desk officer in his agency in Washington. The desk officer of the United States Information Agency or the International Cooperation Administration in Washington then makes a decision, and United States policy is made. Ordinarily, the desk officer knows a great deal about the particular problems of his area, but is not expected to know the broader implications of total United States foreign policy. Yet the desk officer makes the day-to-day policy, cutting the ground from under the State Department in Washington, and leaving the ambassador in an awkward position. In this role, the ambassador is a ceremonial totem pole. The officials of the country look to the minor agency officials as the source of the living, real, dynamic, day-to-day policy. The ambassador spends considerable time trying to catch up with and cover up the operations of these minor agency officials. While the ambassador's economic affairs officer, public information officer, or political affairs officer—the regular foreign service personnel—are transmitting cables to Washington formulating high policy, the agency personnel are already way ahead implementing either that policy or its diametric opposite. Too often it is the opposite. Tragic as it may seem, in too many instances the focus of real power of the United States under this system is not the ambassador but the agency head. The agency head too often not only has the monopoly of decision upon the concrete issues, but has an edge on the emoluments of prestige and power. In some instances the agency heads even have had larger villas, more expensive automobiles, and more lavish representation allowances than the ambassador has had. In his recent testimony before the Senate Appropriations Committee the Director of the United States Information Agency characterized integration within the State Department as the tail wagging the dog. The present status of the State Department is fairly clear.

Sixth, there is yet another aspect too often overlooked. During the postwar period these quasi-independent agencies have been established to meet the United States worldwide responsibilities believed to be of an emergency or a temporary nature. The economic collapse of Europe, the resurgence of militant communism, the cold war, the Korean war and its aftermath all have called for large-scale United States operations abroad. To the extent that these have been massive operations and to the extent that they have been conceived as nonrecurrent measures, there has been some justification for the autonomous agency. We now are faced, however, with a new premise—a new point of departure calling for a changed outlook. That is what appears to be the evident truth; that while some programs may be phased out at an early date, other operations of the United States abroad are of such nature as to continue beyond the foreseeable future. Recognizing this, two conditions are evident: First, the existence of the autonomous agency tends to perpetrate those functions which could be phased out at an early

date. Second, those remaining nonmilitary functions that are recognizably of a permanent nature should be established on a permanent basis within a permanent department of the Government. It would appear that the total overseas personnel establishment could then be greatly reduced. Programs could then be administered by career personnel on a sound businesslike basis. Above all, they should be closely geared to all other foreign operations of the United States, and they should be administered in close harmony with United States foreign policy objectives. These conditions can be met only by incorporating the present autonomous agencies within the Department of State. Only by establishing the organization on a permanent basis will it be possible to phase out those programs that are not of a permanent nature.

Ironic as it may seem, one important consequence of the State Department's loss of control over many of the most important instruments of foreign policy is that the State Department must take the blame for the mistakes of the other agencies of government operating abroad. If the Voice of America makes a mistake damaging to our relations with a country or an area, who takes the blame? If the Department of Defense makes a mistake in its activities abroad, who takes the blame? If the International Cooperation Administration approves a grant to a country when it could have obtained a loan from the Export-Import Bank, who takes the blame?

In each case, it is the Department of State which takes the blame, both in the eyes of foreign nations and in the eyes of our own citizens.

Power and responsibility must be inextricably linked together for the efficient conduct of the foreign affairs of this Nation. That is not now the case.

One other illustration. The Committee on Foreign Relations has recently gone through the process of considering the Mutual Security Act of 1957. This is probably the most important foreign policy measure to be considered each year by the Congress. It provides the Congress with an opportunity to review the impact of the United States around the world. It gives the Congress an opportunity to question and to support, or reject, foreign policy issues throughout the world.

But who has the responsibility for presenting this program to the Congress? The presentation this year has been handled by the General Counsel of the International Cooperation Administration. Last year the presentation was handled by a short-term employee of the International Cooperation Administration. I do not reflect on these men and their ability. They have done fine work; indeed outstanding work, and they are a credit to their organizations and to the Government. But I submit, Mr. President, that Congress is as interested in foreign policy as the Secretary of State. I submit that just because the Secretary of State wants to relegate what he calls "operations" to the outlying realms of the executive branch, Congress should not be expected to accept truncated presentations of the foreign policies of the United States, even when put forth by able men from the operations coordinating facilities of the executive branch.

I do not insist that the Secretary of State drop his numerous duties to sit with the committees of Congress for days as they consider the mutual security legislation. But I do ask that the Department of State assume its responsibility for the coordination of foreign policy. I ask, for example, that it take the initiative in bringing together the scattered activities that have developed as the result of the generation of foreign currencies in surplus disposal programs throughout the world.

The foreign policy of this Nation can never become an effective instrument to advance the national interest, if we insist on administering it on a blunderbuss, shotgun basis.

These conclusions are not based solely upon personal observations, but are confirmed by numerous reports of my distinguished colleagues who have examined our programs around the world. The need for bringing these programs closer within the State Department has been voiced by committees of both the Senate and the House of Representatives, as well as by private agencies.

The Brookings Institution, in its report on the administrative aspects of foreign-assistance programs, prepared for the Special Senate Committee To Study the Foreign Aid Program, states pointedly:

> The present tendency of the executive branch has been to divorce the [State] Department as far as possible from operations, and to develop it only as a policy agency. The transplanting of the International Cooperation Administration functions into the Department was largely the resut of Congressional pressure and was accepted only with reluctance. Thus, many questions will remain difficult to settle until there is more agreement on the appropriate status and role of the Department of State.

The Special Senate Committee To Study the Foreign Aid Program, in its report on May 13, 1957, states:

> The committee suggests that the Secretary of State reexamine his position on this question with a view to continuing and speeding of the process of integration of the International Cooperation Administration into the Department.

The report of the Committee on Foreign Relations on overseas information programs, made on June 15, 1953, stated, with respect to the then existing seprate agencies:

> The argument for separate agencies must be weighed against the cost, the increased personnel, and the dangers of conflicting influences on foreign policy growing out of separate programs.

The Subcommittee on Technical Assistance of the Senate Foreign Relations Committee stated in its report on May 7, 1956:

> The subcommittee is not entirely satisfied with the extent to which the International Cooperation Administration has been integrated with the Department of State. It urges the Secretary of State, who is the official primarily responsible, to pursue the matter more vigorously.

The evidence would seem to contradict any possible belief that the United States is now achieving its policy objectives by speaking with many voices. We are beginning to reap the consequences of inundating the world with American personnel all bent upon diverse purposes. The recent anti-American riots in Formosa, whatever the justice of the incident, indicate, first, the close relationship of every American activity abroad to the attainment of policy objectives. Secondly, the anti-American riots indicate that, even in a country considered to be a stanch ally, there exists an underlying resentment that must have been simmering beneath the surface for some time. It points to the conclusion the policy objectives might better be achieved by a qualitative, integrated approach than through a massive unleashing of a multitude of agency personnel. In Japan current anti-Americanism is focused upon the Girard case, involving the shooting of a Japanese woman gathering scrap metal on a firing range. The Japanese people are aroused against the testing of nuclear weapons. Before that they were against the use of sacred Mount Fujiyama as a firing range for artillery. Before that it was isolated instances of nonconformance by American military personnel. Whatever the surface issue, the underlying resentment is related to the present multifarious, quantitative approach. It points again to the need for lodging foreign operations within the Department of State. The Girard case in Japan is illustrative. Inconceivable as it may seem, instead of the State Department initiating, administering, and controlling United States operations, this case never reached Ambassador MacArthur, but was referred to the Department of Defense in Washington. From Korea, Thailand, Vietnam, Laos, and Cambodia come reports that the efforts of one agency to build up the economy are being diluted by another policy respecting exchange rates on the dollar.

In yesterday's New York Times there appeared an article entitled "Forces Overseas Stir 'Inevitable Tensions'," written by Mr. E. W. Kenworthy, a very able reporter. I should like to read a part of the article:

> In another respect, the status of forces agreements recognize that these matters—
>
> Referring to the Girard case—
>
> cannot be left simply to legal procedure. They contain a provision that when there is a deadlock in the two-member committees set up to decide jurisdiction the issue shall be referred to the two Governments through diplomatic channels for settlement.
>
> Calmer heads in Congress this week felt that the Girard case would not have become the inflammatory issue it has if the diplomatic stage had not been ignored.
>
> The statement issued by Mr. Wilson and Mr. Dulles does not make clear just why the issue was not referred to top diplomatic levels before it got out of hand.

Mr. President, I ask unanimous consent that the entire article be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. MANSFIELD. I yield.

Mr. DOUGLAS. Do I understand correctly that in Japan, according to the executive agreement negotiated with the Japanese Government, if an offense is committed by an American serviceman while off duty, the serviceman is committed to the Japanese civil or criminal courts for trial?

Mr. MANSFIELD. That is correct.

Mr. DOUGLAS. But that if the offense is committed while the American serviceman is on duty, he is subject to American military discipline, and, hence, to American court-martial?

Mr. MANSFIELD. That is correct, providing there is no difference in interpretation.

Mr. DOUGLAS. Does the Senator from Montana say that in the Girard case there was a difference of interpretation?

Mr. MANSFIELD. There was, indeed.

Mr. DOUGLAS. What was the procedure prescribed by the executive agreement negotiated with Japan for cases where there is disagreement between Japanese and American authorities as to whether a man in on duty.

Mr. MANSFIELD. Under the procedure prescribed by the executive agreement, meetings would be held between representatives of the Japanese Government and the United States defense establishment in Japan to see if the differences could not be worked out.

Mr. DOUGLAS. Were such conferences held?

Mr. MANSFIELD. They were, but there was no conference held on the diplomatic level, as I understand. Consequently, Ambassador MacArthur did not know what was happening until it was over. Therefore, the State Department was not brought into the case.

Mr. DOUGLAS. Is it not true that the American Government has consented to have the Girard case transferred to a Japanese civil court?

Mr. MANSFIELD. According to the newspapers, and I think theirs is an accurate report, President Eisenhower agreed, at the request of Secretary of Defense Wilson and Secretary of State Dulles, to do so.

I see the Senator from Vermont [Mr. AIKEN] rising. I should like to ask him if I am correct or incorrect in my statement.

Mr. AIKEN. I think the RECORD ought to show that when the administrative agreement with Japan was made, which I believe was in February 1952, or a year prior to the ratification of the NATO Status of Forces Treaty, any of our officials acting upon it after the Girard case was supposedly following the terms of the agreement entered into in February 1952.

I should like to make this inquiry. In the view of the Senator from Montana, is it not possible for a person to be on duty and at the same time engage in activities which are not connected with that duty? Was there not a delicate question of law involved in the Girard case?

Mr. MANSFIELD. I agree with the Senator from Vermont. I think there are those questions. Perhaps one of them is before us at the present time.

Mr. AIKEN. My reason for bringing out what I mentioned was that I am now receiving communications which protest the Status of Forces Treaty and cite the Girard case. I want to make it clear that the Japanese agreement was an administrative agreement entered into a year before the Status of Forces Treaty was approved.

I believe in the editorial from which the Senator has been reading, from the New York Times, that was not made clear. I read that editorial, although I do not remember it in detail. It seems to me that it did not point out—but left the impression—that the Status of Forces Treaty was involved.

Mr. MANSFIELD. The Senator from Vermont is correct. This is not in the actual Status of Forces Agreement or treaty which was reported by the Committee on Foreign Relations and passed by the Senate, but it is a status of forces agreement in a somewhat similar isolated instance, in an executive manner, between the Government and Japan.

Mr. AIKEN. It is undoubtedly true that the administrative agreement entered into with Japan, and other similar agreements, led to the enactment of the Status of Forces Treaty.

Mr. MANSFIELD. The Senator is correct. This is not a part of the status of forces law.

Mr. AIKEN. That is what I wished to make clear, because so many of the correspondents seem to think this is the result of the Status of Forces Treaty.

Mr. DOUGLAS. I understand.

I hope the RECORD will ultimately be made clear precisely when this executive agreement with Japan was concluded, because I think that is an important point.

Mr. MANSFIELD. Yes.

Mr. DOUGLAS. To continue on the Girard case, is it not true that Specialist Girard was in uniform, on duty, on an American military reservation, and that his specific duty was to watch over the custody of property on the rifle range?

Mr. MANSFIELD. The Senator is correct.

Mr. DOUGLAS. Therefore, by any interpretation of fact or law it would seem as though he was on duty and subject to American court-martial.

Mr. MANSFIELD. I would say to my friend, the Senator from Illinois, that that was the interpretation placed on the Girard case by his commanding general in the Japanese theater.

Mr. DOUGLAS. One of the things that has puzzled me is this: The Senator has said that Ambassador MacArthur did not know of this case in Japan. It would seem to me that he should have known about it. Then the Senator said that after the decision to turn Specialist Girard over to the Japanese courts was made by some local representative of the Defense Department in Japan, this action was approved by the Secretary of Defense, by the Secretary of State, and by the President. Does that mean that Ambassador MacArthur was bypassed, and that the case went up from the local defense official to Washington?

Mr. MANSFIELD. As I recall the case, it was a decision made in Japan to turn Specialist Third Class Girard over to the Japanese authorities for trial in a Japanese court.

Of course, all such decisions are subject to review. The case reached the Office of the Secretary of Defense, Mr. Wilson, and he withheld judgment for a few weeks. Then, as a result of an agreement reached between Mr. Dulles, the Secretary of State, and Mr. Wilson, the Secretary of Defense, the case was brought to the attention of the President, who decided in favor of the decision made in Japan, which was evidently concurred in by Mr. Dulles and Mr. Wilson, that Girard should be turned over to the Japanese authorities, and that the case should be tried in the Japanese courts.

Since the Secretary of Defense held up the decision which affected Girard, I do not know whether our Ambassador to Japan, Douglas MacArthur III, was consulted. Up to that time, on the basis of what information I have, he was not consulted.

My idea is that all the agencies overseas operating in the name of the United States—whether the USIA, the ICA, the Defense Department, or any others—should be under some degree of control of the senior American officer in the country, and the senior American officer is the accredited Ambassador to the particular country. Ambassadors seem to have more experience, and perhaps they could be of a great deal of help in obviating such cases as the Girard case in Japan and the Reynolds case in Fomosa, and, very likely, others which have occurred in every country in the world in which American troops are stationed.

Mr. DOUGLAS. Mr. President, will the Senator yield to permit me to make a statement?

Mr. MANSFIELD. I am delighted to yield.

Mr. DOUGLAS. I think the administration made a grave mistake in turning over Specialist Girard to the Japanese court for trial. It is perfectly clear, as I have said, that he was on duty, in uniform, on an American military reservation guarding property under orders of his superior and that therefore neither under the executive agreement nor under any general precedent established by the status of forces treaty were the Japanese courts entitled to have jurisdiction in his case.

I submit that it is clear that the administration should not have ceded jurisdiction in this case. I am informed that Louis Girard in his interview at the White House a few minutes ago asked the President's representatives whether this decision meant that in the future it would be the policy of the President to turn over to foreign courts any American soldier on official guard duty who shoots a foreign citizen while guarding American property or whether the President was making an exception in the case of his brother. Mr. President, that question goes to the heart of the matter. But to it, I am informed the President's secretary, Mr. McCabe, replied that no decision on this matter could be made at this conference. Reliable eye witnesses

also report to me that Louis Girard was then told he should not ask such a question. But, I submit, Mr. President, that this is a question which the administration will have to answer before the bar of public opinion. In my measured judgment, if this is to be the policy of the administration we are in for endless trouble and countless cases of injustice. If it is not our policy, should young William Girard be made the innocent victim of the administration's desire to propitiate Japanese opinion? To do so is unfair and unjust.

I think it is possible that the administration leaned over backwards, and made a grave error, in this matter, because in the Formosa case they had made a mistake in the opposite direction.

As I understand the Reynolds case in Formosa, that was a case where an American soldier, while off duty and not in uniform, shot a Formosan citizen off a military reservation. Therefore, if there is a similar agreement with Formosa—

Mr. MANSFIELD. I understand there is none.

Mr. DOUGLAS. None at all?

Mr. MANSFIELD. No.

Mr. DOUGLAS. If there had been an agreement with Formosa similar to that in effect with Japan, or similar to the Status of Forces Treaty, it would seem that that case should have been tried by a civil court in Formosa. But the acquittal of Reynolds by an American court-martial stirred up so much popular opposition that I believe the State Department, in order to conciliate Japanese public opinion, made an error in the opposite direction and turned over to a Japanese court a man who was entitled to be tried—if tried at all, which is doubtful by an American court-martial.

I am not excoriating the motives of those responsible for these decisions, but I think it is proper for me to register my opinion that this was a very grave mistake and that we blundered, lurching first into the ditch on one side of the road and then, in an effort to recover ourselves, rushing into the ditch on the other side of the road. All this indicates an unsteady hand and a lack of clear and definite policy.

Mr. MANSFIELD. There is no question of that.

Mr. DOUGLAS. I believe I have the right to speak on this subject, since Specialist Girard comes from my State and I have been in rather close touch with the case ever since it developed. I hope that the administration will correct the mistake which it has made and discreetly but firmly recapture jurisdiction in the case for the United States, where I think it rightfully belongs.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Vermont.

Mr. AIKEN. I am glad the Senator from Montana pointed out that there is no analogy between the case in Japan and the case in Formosa, because there was no agreement with the Formosan Government which would have permitted Sergeant Reynolds to be tried in a local court.

Is it not possible that the administration might have taken into consideration the fact that there have been over 14,000 arrests mostly for minor offenses of American servicemen in foreign countries, with which we have had agreements, and to the best of our knowledge they have not been mistreated in the courts of the countries involved but, in the main, have received more lenient treatment than they would have received before a United States military court?

In my opinion, the Girard case did involve a rather delicate legal question, which I would not attempt to pass judgment on. I assume that those who are wiser in the ways of international law than I am did consider it and arrived at the conclusion which was ultimately reached.

Mr. DOUGLAS. May I say, Mr. President, that I am not attacking the Status of Forces Treaty. I voted for that treaty. Nor am I attacking the executive agreement with Japan. I am merely saying that even on the basis of the executive agreement with Japan, as I understand it, and the precedents of the Status of Forces Treaty itself, it would seem to me that when a man is on an American rifle range, in uniform, charged under the military orders of his superior officers with the duty of guarding emplacements and ammunition there, he is on military duty and it cannot be said that he is on duty one minute and when he rests he is off duty.

He is on duty until he is properly relieved and leaves the reservation. All the rules of military conduct prescribe that he cannot be a civilian at one moment and a military man at another. The general orders which every recruit must memorize require him to guard property under his care and to tend his post until properly relieved.

Mr. HRUSKA. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Nebraska?

Mr. MANSFIELD. I yield.

Mr. HRUSKA. Is it not true that the executive agreement does not make the test whether the man is on duty or not, but whether the act or omission of which he is guilty is within the performance of his duty; and if so, despite the fact that he was on duty it would be possible for the act of which he was guilty to be outside the performance of his duty and therefore subject to the jurisdiction of the Japanese courts?

Mr. DOUGLAS. The Senator from Nebraska is a lawyer and I am not a lawyer. We both, however, had some experience in the military service.

The question as to whether Girard was acting in the performance of his duty or not is a matter for an American court-martial to decide. If he were acting outside the authority reposed in him by his officers and in violation of commands given to him by his officers then he should be tried by an American court-martial.

We are not opposing a court-martial for Specialist Girard. We are merely saying that the question of whether he was performing his duty faithfully, according to orders given to him, is not a matter for a Japanese civil court to determine. It is a matter for an American military court to determine or for his commanding officer to decide.

Mr. HRUSKA. That is the point at issue. It is not so simple as saying that the man was not on duty, and therefore he is subject to Japanese jurisdiction. It is not that simple. That was the point which was controverted by the Japanese. It was contended that he was not in the performance of the scope of his duties at the time he committed the act of which he is now accused.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SMATHERS. It is my understanding that from the immediate superior of Private Girard on up the line to the commanding general, all ruled that he was actually in the performance of his duty, and that he was acting under their specific instructions. It seems to me that they are the ones who would be in the best position to determine whether he was acting within the scope of the proper performance of his duty; and they have ruled that he was.

Mr. MANSFIELD. That is correct.

Mr. DOUGLAS. Does the Senator from Montana say that is a correct statement of fact?

Mr. MANSFIELD. Yes. As was previously pointed out, the commanding general found that he was on duty, and that he should not be turned over to a Japanese court. But some higher authority thought otherwise, and sent the decision back to Mr. Wilson, the Secretary of Defense. Mr. Wilson held it up for a time. Then Mr. Wilson and Mr. Dulles got together with President Eisenhower, and they agreed that Girard should be turned over to the Japanese courts.

Mr. DOUGLAS. It would require a Philadelphia lawyer to argue that this man was off duty when he was in uniform, on a military reservation, guarding emplacements and ammunition under the military orders of his superiors.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I have a great deal of respect for the Senator's deep thought in the field of international relations. I do not know whether he is aware that last week I submitted a resolution to the Senate which, I believe, is before the Committee on Foreign Relations at this time. It would authorize the appointment of a committee of eight Senators to investigate this entire situation.

I was called from the Chamber and did not hear all the Senator from Montana had to say. However, so far as my own information as to the facts is concerned, I must disagree with a statement which he has just made, which I am sure he makes in all good faith, just as I believe, in good faith, that my own information is correct. For that reason it seems to me that what is needed in this entire area—and I ask the Senator if he does not agree with me—is to determine whether there has actually been a decision by the proper persons that Private Girard should be turned over to the Japanese authorities, and whether the decision was a proper one.

Second, there needs to be a general, impartial, and objective appraisal of this entire area, not only for the edification of the Senate, but also for the education of the American public, who do not understand the implications and the responsibilities which go with our troops when they serve upon the soil of our allies throughout the world.

I have almost made a speech, and I apologize to my good friend from Montana, but I did not know whether he was aware of the resolution to which I have referred.

Mr. MANSFIELD. I am.

Mr. ALLOTT. I did not know whether the Senator considered it worthwhile or not.

Mr. MANSFIELD. I think there is a great deal of merit to it. However, I do not see at what point we disagree, because I think this problem ought to be gone into, not only as it relates to Japan and to Taiwan, but to all countries in the world in which American troops are located.

The thesis of my argument is that in all overseas operations the Ambassador of the United States to the country concerned ought to be the head man in charge. He should be over the ICA, the USIA, the Defense Establishments, and all other agencies of the Government.

So far as the Girard case is concerned, the American Ambassador to Japan was not consulted. It was purely a military matter. If Ambassador MacArthur had been consulted, it is quite likely that the impasse, the delicate and difficult situation in which we find ourselves at the present time, would not have occurred.

So the burden of my argument today is that we ought to abolish the practice of having various agencies and their representatives speaking in the field of foreign policy. All the autonomous or semiautonomous organizations, such as the ICA, the USIA, and others, should be placed in the State Department, so that one department would speak, with one voice, in the field of foreign policy. This is only incidental, but had this subject been discussed with Ambassador MacArthur, it is quite likely the difficulty would have been alleviated, if not entirely obviated.

Mr. ALLOTT. Mr. President, will the Senator further yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. I was not directing my remarks so much to the conclusions the Senator has drawn as to a statement of fact which he mentioned a few moments ago, with which, so far, my own investigation does not lead me to agree.

Mr. MANSFIELD. What was the statement of fact?

Mr. ALLOTT. The statement of fact related to the responsibility for the decision. It is my belief that the decision in this case was not made at the level at which it should have been made. I do not believe that a decision of this type, to turn an American boy over for trial to anyone, anywhere, at any time, should be made at a level less than the Secretary of the Army, the Navy, or the Air Force, or the Secretary of the appropriate branch of the service.

Mr. MANSFIELD. We tried to point out that the decision was made in Japan. As the Senator from Florida [Mr. SMATHERS] has said, from the boy's company commander up through the commanding general—not the commander of the Far East area, but his commanding general—everyone felt that Specialist Girard should be tried by court-martial.

But when the case reached the area commander, he decided that it should be turned over to the Japanese courts. Then it came back to the Defense Secretary, Mr. Wilson, who held it up for weeks. Finally Mr. Wilson, Mr. Dulles, and the President got together, and they made the decision, based upon the executive agreement, which gave the President the power to turn Girard over to the Japanese authorities for trial.

Mr. ALLOTT. I do not believe we can settle the question of fact on the floor; but from the sequence of events and the facts which have been unearthed, so far as my own investigation is concerned—and my sources may not be nearly so good as those of the Senator from Montana—I would have to draw a different conclusion from that drawn by the Senator. However, as I have said, we cannot determine that question here.

I think this is a subject which we should investigate is an objective and impartial manner, because so long as we have troops throughout the world in the countries of our allies, we shall be faced with this problem. We owe it to ourselves, and we owe it to the American people, to let them know what this is all about, why this status of forces question arises repeatedly, and why we have before us this particular case, the Girard case, and the Taipeh case.

I thank the Senator.

Mr. MANSFIELD. Mr. President, I think the distinguished Senator from Colorado has made a real contribution.

I do not claim to know too much about this case. I know that the Senator from Colorado has made a rather intensive study since the incident occurred. I bow to his judgment, and I assure him that if I have made any errors in my statement today, they certainly have been unintentional.

Mr. ALLOTT. That was the reason why I said I did not wish to take issue with the Senator from Montana on the question of fact, because there have been so many purported "true versions" kicking around, first in one place and then in another. I have done my best to ascertain the facts. The facts disclosed by my investigation do not coincide with the statement of fact which the Senator from Montana has made. That is why I think we need an impartial select committee to look into this subject and let the American people and the Congress know what it is all about.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. RUSSELL. I do not wish to delay the distinguished Senator from Montana in the presentation of his very able statement.

I was somewhat concerned by the Senator's observation that the decision to turn Specialist Girard over to the jurisdiction of the Japanese courts was purely a military decision. I very greatly doubt the complete accuracy of that statement.

The decision may have been made at the level of the military commander in the Far East, but I have not the slightest doubt—though I have not been presented with detailed facts—that the decision was not made without consultation with the State Department in Washington. It is wholly contrary to natural impulses for any man who has spent many years in the military service to turn any serviceman under his command over to anyone else, when he has a procedure for dealing with the case.

I have been deeply concerned with respect to the entire Status of Forces Agreement. It is a sort of mass appeasement all over the world, of which I never did approve. It never seemed to me that it was necessary to make such concessions affecting the lives of millions of young Americans who are taken into the services, many of them against their wishes, in order to secure permission from those with whom we are associated to allow American troops to be stationed in their lands.

If the issue had been presented to these countries with the alternative—whether there should be a Status of Forces Treaty or whether the American troops should be withdrawn, there have been few demands that the troops be sent back to the United States. In most cases I believe they would have abandoned their insistence upon jurisdiction over American servicemen by foreign courts.

As a matter on fact, we had many more men stationed in Europe during World War I and in World War II, when our men were always and in all cases tried before American military courts, than we have overseas at the present time. Since the first American soldier reached Europe in World War I millions of our servicemen have been stationed in foreign lands subject only to the jurisdiction of American military tribunals.

I concede freely that as a general proposition up to now it is true that the courts of those countries have dealt more leniently with those surrendered to them for trial in foreign courts than our military courts would have dealt with them. That is not the question that is involved. We are dealing with the sacred constitutional rights of young Americans wearing the uniform of their country. In the effort to keep informed as to the operation of these Status of Forces agreements I appointed a subcommittee of the Committee on Armed Forces and I limited it to 2 members in trying to get as bipartisan a committee as possible. I appointed the Senator from North Carolina [Mr. ERVIN], who has been a distinguished jurist, and I also appointed the distinguished Senator from Vermont [Mr. FLANDERS], who has taken a great interest in these matters. They have held some hearings on the Girard case. Although I have not consulted with them and they have not filed a formal report with the full committee, I understand that they have had great difficulty in finding out who was responsible for the

original order to turn Girard over to the Japanese courts. It places a great problem on the President and the Secretary of Defense and the Secretary of State in connection with reversing that order, even if it was improvidently or improperly issued. They would have been in a much stronger position, if that commitment had not been made.

I hope that we will get all the facts in this case. I am sure the Senator from North Carolina and the Senator from Vermont will continue to pursue the matter in an effort to get all the facts. I ardently desire good relations with all the world, but I deem it a great tragedy that even one American soldier should be used as a sacrificial lamb in order to maintain cordial relations. I do not know Girard. However, in my responsibility to the men in the service, I should properly feel toward every one of them in a case of this kind just as I would if one of my own nephews, who is now on duty with the armed services, happened to be the individual involved. I know how I would feel if that situation were brought home to me. I would feel very greatly outraged to have one of my own family turned over to a foreign court under such circumstances as exist in this case. I do hope that a clarification may be had of this matter, because every time one of these men is tried it raises a stronger presumption as to the duty angle—as to whether he was in performance of military duty—and increases the insistence of foreign governments that all servicemen should be turned over to them for trial, regardless of circumstances. There should be some clarification. From my part, I have never been able to agree to the thesis that it was necessary, in order to get foreign nations to permit us to station troops in their countries, for their own defense, to turn over to their jurisdiction the American men who follow their country's flag. If an American citizen is following the flag under orders, he ought to enjoy every protection of the Constitution which that flag symbolizes.

Mr. MANFIELD. Mr. President, to repeat what I said, the Girard case in Japan is illustrative. Inconceivable as it may seem, instead of the State Department initiating, administering, and controlling United States operations, this case never reached Ambassador MacArthur but was referred to the Department of Defense in Washington. From Korea, Thailand, Vietnam, Laos, and Cambodia come reports that the efforts of one agency to build up the economy are being diluted by another policy respecting exchange rates on the dollar. The government of Madras State in India contends that the Neiveli lignite development program has been held up for 3 years while the plans have been shuttled between the ICA, the State Department, the Bureau of Mines, and the Patent Office. From Afghanistan and Iran are reports that present operations on the Helmand and Karadj Dams are salvage operations based largely on earlier ill-conceived actions of autonomous agencies.

These cases could be elaborated. They point to the consequences of speaking with many voices.

The President has the power under the Reorganization Act and the Mutual Security Act as amended to return the State Department to a strong position of leadership in the conduct of the foreign relations of the United States. I suggest that it may well be the sense of the Congress that the President assume the initiative to that end.

EXHIBIT 1

FORCES OVERSEAS STIR "INEVITABLE TENSIONS" BUT MOST CONFLICTS ARE SETTLED MORE EASILY THAN GIRARD CASE

(By E. W. KENWORTHY)

WASHINGTON, June 8.—In his "English traits," Emerson tells the story of the English lady traveling on the Rhine who overheard a German speak of her party as foreigners. She turned and said, "No, we are not foreigners; we are English; it is you that are foreigners."

The 19th-century English traveler has his 20th-century counterpart—the American serviceman (and his wife). The difference is that the upward of 1 million Americans now stationed in 79 countries are not tourists. They are where they are in furtherance of an agreed policy of Free-World defense.

Into tight, crowded countries, the American servicemen have come, bringing with them their accents, their electric refrigerators, their over-size cars, their higher wage scales and living standards. Above all they have brought, inevitably, their national attitudes and prejudices.

One of our national shortcomings (but probably in no greater degree than most nations) is a certain Philistinism. And this is likely to be even more evident among servicemen, most of them from unsophisticated backgrounds and with little previous foreign travel. The storied hills of Rome are nothing to Mount Wachusett, let alone Pike's Peak.

DIVIDED BLAME

The local population is not blameless. If the American serviceman throws his money around, local shops and restaurants also sometimes gouge him with a double price list. On social occasions and in the press there are constant barbs about America's "materialism," its "lack of culture," its "domineering foreign policy," its "lack of cooperation with its allies."

As Secretary Dulles remarked in a recent press conference, tensions are inevitable when large numbers of troops are stationed on foreign soil. Inevitably, also, the tensions have increased in Asia by the sensitivity there on color. In Japan there is also the fact that our troops came first as a victorious army of occupation.

This explosive mixture of national pride and sensitivity was touched off last January 30 by an incident on a military maneuver ground at Somagahara, Japan.

By last week the incident—largely through clumsy handling in the Departments of Defense and State—had become a major diplomatic issue between Japan and the United States. Petitions were pouring in to the White House. Senators and Congressmen were making intemperate speeches calling for the revision of treaty arrangements governing the status of our troops all over the world.

SHELL FIRED

All this came about because 21-year-old Army Sp3c. William S. Girard put an empty cartridge shell in a grenade launcher and fired it at a group of Japanese scavenging for scrap metal. Specialist Girard said he only meant to frighten the scavengers off. But the shell hit Mme. Naka Sakai in the back and killed her.

Specialist Girard's divisional commander certified to the two-member joint United States-Japan committee, set up by the Status of Forces Agreement, that the shooting took place in the performance of duty, and that Specialist Girard should therefore be tried by a United States military court-martial. The United States representative on the joint committee agreed. The Japanese member disagreed.

The Department of Defense at first supported the United States authorities in Japan, but as the deadlock persisted and Japanese opinion became inflamed, it directed its representative to waive jurisdiction. It was the affirmation of this decision, at first taken at lower levels in the Pentagon and State, by Secretaries Wilson and Dulles last Tuesday that set off the protests in Congress and the country.

POTENTIAL FRICTION

From the time that the United States began sending troops abroad in large numbers following the attack on South Korea, it was foreseen that one of the greatest potenial sources of friction would be the jurisdiction over American servicemen charged with offenses against foreign nationals.

Status of Forces agreements were negotiated with the NATO countries and Japan to deal with the problem. It was agreed that American courts-martial would have primary jurisdiction over offenses committed against foreign nationals in the performance of official duty, and for off-duty offenses if committed against other American nationals or American Government property. Local courts, however, would have jurisdiction for offenses against local laws and citizens when committed off duty.

But the negotiators for the United States and the host governments well understood that in a matter where national sovereignty and pride, as well as popular emotions, were so heavily involved, it was not sufficient merely to set up this line of jurisdictional demarcation. Therefore, it was agreed that both the United States military authorities and the host government could ask for waivers of primary jurisdiction.

As a matter of policy, United States authorities have asked for waivers in virtually all cases where it was agreed that the local government had primary jurisdiction. And as a matter of practice, the host governments have in the large majority of cases waived jurisdiction.

FIRST WAIVER

On the other hand, the host governments have rarely asked the United States to waive jurisdiction where there has been any dispute over whether an offense was committed on or off duty. In fact, the Girard case is the first case in which Japan has asked for such a waiver.

In another respect, the Status-of-Forces agreements recognize that these matters cannot be left simply to legal procedure. They contain a provision that when there is a deadlock in the two-member committees set up to decide jurisdiction the issue shall be referred to the two Governments through diplomatic channels for settlement.

Calmer heads in Congress this week felt that the Girard case would not have become the inflammatory issue it has if the diplomatic stage had not been ignored.

The statement issued by Mr. Wilson and Mr. Dulles does not make clear just why the issue was not referred to top diplomatic levels before it got out of hand. It says merely:

"The Department of Defense considered having the joint committee refer the matter in dispute to the two Governments for settlement, but rejected this procedure as inadvisable under the circumstances."

In any event, administration officials feel that if Specialist Girard is brought to trial

and convicted, his sentence will be light and probably suspended. As Senator SAM ERVIN noted this week, that "from the standpoint of sentences, American servicemen charged with crimes have fared well, and foreign courts have leaned rather backward to be lenient."

As an example, 2 marines convicted in 1956 of a particularly brutal rape were given sentences of 3 and 2 years respectively. Both sentences were suspended.

AMERICAN PRECEDENT

Several legislators this week were demanding that the United States revoke the Status of Forces agreements and insist on jurisdiction over offenses of American troops. These considerations did not weigh with other legislators, however. None of our principal allies, of course, would submit to such a demand. And they would be on firm United States constitutional ground in their refusal.

In the famous Schooner Exchange case Chief Justice John Marshall ruled that sovereign nations have exclusive jurisdiction over crimes committed on their territory, subject only to their willingness to relinquish it.

This decision was cited by a Federal district court in February 1956, when it rejected the petition of several servicemen in Japan for a declaratory judgment that the Status of Forces Agreement deprived them of their constitutional rights. The judge pointed out that in the absence of the agreement the plaintiffs would have been subject to the criminal jurisdiction of the Japanese courts anyway.

None of the critics of the agreements last week proposed the withdrawal of United States troops from overseas bases.

SOCIAL SECURITY MILESTONE—TEN MILLIONTH PERSON QUALIFIES FOR BENEFITS

Mr. NEUBERGER. Mr. President, on June 6 President Eisenhower and Secretary Folsom joined in hailing the fact that the 10,000,000th citizen had qualified for social-security benefits. They said it was a milestone. They said it was a great achievement. The President said it was a symbol that Government's "prime concern is the welfare of its people."

I am grateful that the President and his Secretary did not let this epic event go unheralded. Nor do I believe the event should pass without somebody on the Senate floor placing in the CONGRESSIONAL RECORD a few of the things which leading members of the Republican Party said about social security when it was first proposed and put into effect by President Franklin D. Roosevelt—largely over and against bitter Republican opposition.

It is grand for Republican leaders today to hail the 10,000,000th person to come under social security benefits. They are welcome to the fold. But it is equally pertinent that the RECORD should show that, had the Republican Party prevailed in its views, there never would have been a 10,000,000th person to qualify for social security—there never would have been a first person, either. There just would not have been any social security at all.

Mr. President, it probably is legal for a cannibal to send a telegram of condolences to the family of the victim he has just eaten for supper. And it is legal for a Republican to herald the advance of social security, that same social security program which the Republican Party denounced—horse, foot, and dragoon—and tried so hard and so desperately to keep off the statute books of our country.

Mr. President, "let's look at the record," as Al Smith used to say.

When the social security act was before the Congress, leading Republican spokesmen denounced it as "a threat to recovery" from the depression which gripped the Nation's economy. The Republican Presidential candidate of 1936—Governor Alfred M. Landon—was quoted in the New York Times story on a campaign speech in Milwaukee, Wis., as saying:

This is the largest tax bill in history. And to call it "social security" is a fraud on the workingman. * * *

I am not exaggerating the folly of this legislation. The saving it forces on our workers is a cruel hoax. * * *

To get a workable old-age pension plan we must repeal the present compulsory insurance plan. The Republican Party is pledged to do this.

A Republican campaign pamphlet of 1936 had this to say about the social security act:

The way they've rigged this thing and rushed it through Congress, it appears to me that they figure a lot of us are willing to trade our votes for a counterfeit insurance policy.

Denouncing social security apparently was a favorite Republican indoor sport during the year of the program's enactment. For instance, here is what Representative Robert F. Rich of Pennsylvania, said about the program:

And, following the course we are pursuing, and have been pursuing in the last 2 or 3 years, we are simply going to wreck the Nation as sure as the sun rises tomorrow morning.

And his fellow House Member, Representative JOHN TABER, of New York, used these words to describe the results of the program:

Never in the history of the world has any measure been brought in here so insidiously as to prevent business recovery, to enslave workers, and to prevent any possibility of the employers providing work for the people.

Mr. President, I could cite numerous other statements voiced by leading Republicans in the recent past to show their opposition to the social security program. But I think it unnecessary to labor the point. The record speaks for itself.

I am pleased that the passage of 22 years has apparently brought a complete reversal in attitude of Republican Party spokesmen toward social security. The cruel hoax of 1936 is now hailed as a bastion of financial security. I trust that the conversion will remain effective. I hope it is to be permanent.

PROPOSED CIVIL RIGHTS LEGISLATION—THE JURY TRIAL AMENDMENT

Mr. DOUGLAS. Mr. President, the Senate Committee on the Judiciary has adopted an amendment to S. 83, the civil-rights bill, providing for jury trials in all contempt cases which might arise under the provisions of the bill.

I may say in all kindness, without reflection upon the motives of any Senator, that this particular amendment is designed to weaken and destroy the effectiveness of the civil-rights bill and, in particular, to destroy those sections which would help to guarantee the right of Negroes to vote.

Parts III and IV of the bill provide that the Attorney General of the United States may institute "a civil action or other proper proceeding for redress, or preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order," when any person has engaged or is about to engage in specified conspiracies against civil rights, or in actions to deprive others of equal right to vote in general, special, or primary elections for Federal offices.

In other words, the Attorney General can institute civil action to protect the right to vote and can institute such action before an election or during an election rather than be compelled to wait until after some civil or criminal offense has actually been committed. The inadequacy of criminal penalties or judgments for damages after the injured person has been deprived of his right to vote is obvious. The new injunctive action is designed to be available in time to prevent such a deprivation. And if such injunctions are violated, the courts could hold the violators in contempt of court until they ended their violations and complied with the law. Or it could punish them as in other contempt cases. These are common compliance or enforcement procedures that are authorized in no less than 28 other Federal statutes, as well as being the accepted procedure in all equity matters.

Mr. President, there is no history of jury trials in such injunction contempt cases. The so-called "jury trial" issue in such cases is a new, unique, and radical departure from the precedents of our law. I have already placed in the RECORD a very thorough brief on this point, and I do not intend to repeat the arguments now. It is sufficient to say that the right of a jury trial—with one exception, namely, under the Norris-La Guardia Act, and that provision was later virtually repealed, which I explained in my brief—is not a normal part of the procedure in the American judicial system in injunctive proceedings, or for the trial of contempt in civil cases and in criminal cases where the Government is a party.

But let us go beyond that fact and show just what the so-called jury trial amendment really means. Let us see what it means in practice and how, in practice, it would hinder rather than extend the right to vote.

I have secured for the information of Members of Congress—and I ask unanimous consent to have it made a part of the RECORD at the conclusion of my remarks—a memorandum prepared by the Research Office of the Southern Regional Council, which I received from the Legislative Reference Service of the Library of Congress, concerning Negro voter registration in 11 Southern States, in

most cases classified by county. I shall include in the RECORD the explanation of how the figures were gathered and some comments on their accuracy, all of which I ask unanimous consent to have printed at an appropriate point in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. DOUGLAS. Throughout my remarks I shall use the terms "Negro" and "nonwhite" as synonymous, although I realize that the total of nonwhites in a given State may be very slightly greater than the total number of Negroes.

For instance, let me cite the State of Alabama. In Blount County there are 429 potential Negro voters, but not a single Negro has voter registration.

In Bullock County, there are 5,425 potential Negro voters, but only 6 Negroes are registered.

In Clay County there are 1,010 potential Negro voters, as of 1950, but not 1 of them is registered.

In De Kalb County there are 443 potential Negro voters, but none is registered.

In Jackson County there are 1,242 potential Negro voters, but none is registered.

In Lowndes County there are 6,512 potential Negro voters, but not a single Negro is registered.

In Marshall County there are 604 potential Negro voters; again, not one single Negro is registered.

In Morgan County there are 4,641 potential Negro voters; again, not a single Negro is registered.

In Tallapoosa County there are 5,083 Negro voters; again, not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; once more, not a single Negro is registered.

According to the figures which have been computed from the 1950 census, there were 516,245 Negro males and females over the age of 21 who were entitled to vote; but the number of Negroes registered was 53,336, or 10.3 percent.

I have here a list of all the counties in Arkansas. I invite a close inspection of the figures relating to each of those counties. I select a county at random.

Crawford County contains 414 Negroes over the age of 21. Only 21 of them registered, or 5.1 percent.

Poinsett County—named, perhaps, after the celebrated Joel R. Poinsett—contains 1,754 Negroes over the age of 21, but only 195 are registered, or 11.1 percent.

For the State of Arkansas as a whole, according to the 1950 census, there are 232,191 nonwhites of 21 years and over; but in the whole State only 67,851 Negroes were registered, or 29.2 percent of those who would be expected to be eligible.

In Georgia, the total number of potential Negro voters in 1950, 18 years of age and over, was 633,697. It is well known that the voting age in Georgia is 18. In 1956 the number of Negroes registered was 163,389, or only 25.6 percent of those who are potential voters had registered.

If one takes the figures by specific counties, one finds some very startlingly low percentages.

For instance, in Webster County, there were 1,313 potential Negro voters, and not a single Negro registered.

In Miller County there were 1,372 potential Negro voters, and only 6 registered.

In Lincoln County there were 1,617 potential Negro voters, and only 3 registered.

In Baker County, there were 1,819 potentially qualified voters—over the age of 18—and none registered.

In Bleckley County there were 1,588 potential Negro voters, over the age of 18—because 18 is the voting age in Georgia—and only 39 Negroes were registered.

In Louisiana there were 510,090 potential Negro voters as of 1956. The total number of Negroes registered in 1956 was 161,410, or 31.6 percent. I may say that, on a comparative basis, that is a relatively high percentage so far as Southern States are concerned, but even there slightly less than 1 Negro out of 3 was actually registered as a voter.

In Mississippi we have some figures for 13 counties taken from the State Times of Jackson, Miss., which represent the results of a survey which that newspaper made in the fall of 1956. Surely, this source is as unbiased and as accurate as one could wish for.

In Hinds County, there were 35,021 Negroes 21 years of age and over, but only 4,305 Negroes registered in 1956, or just about 1 Negro out of every 8.

In Marion County there were 4,103 Negroes over the age of 21, and only 500 of them were registered, or, again, about 1 in 8.

In Clarke County there were 3,849 Negroes 21 years of age and over, and none at all registered to vote.

In Smith County there were 1,400 Negroes over the age of 21, and only 13 registered to vote.

In Calhoun County, there were 1,893 Negroes over the age of 21, and 2 were registered. That is one-tenth of 1 percent.

In Tunica County there were 9,123 Negroes over the age of 21, and 38, approximately one-third of 1 percent, registered.

In Wilkinson County there were 4,558 Negroes over the age of 21, and 55 were registered, or about 1 percent.

In Sharkey County there were 4,533 Negroes over the age of 21, and 1 Negro registered out of nearly 5,000.

In Issaquena County there were 1,790 Negroes over the age of 21, and no Negroes registered.

I could go on.

I might say that I also have some figures for Mississippi, from a source which I believe to be reputable, but which has no responsibility for the fact that I am using the material. I am using this material without the knowledge of the person who prepared the information, but I have had the figures checked very closely, and I believe them to be very accurate.

They show, in brief, taking the State of Mississippi as a whole, that in 1950 there were in the State 497,354 Negroes of the age of 21 and over, but only 19,367 Negroes were registered in 1954, or about 4 percent of the total.

We have some interesting figures for South Carolina.

In Abbeville County there were 3,678 potential Negro voters. But only 15 were registered.

In Calhoun County, named, I presume after the great John C. Calhoun, the eloquent advocate of slavery and inequality, who has just been chosen as one of the five great Senators in the history of this body, there were 4,437 Negroes of the age of 21 and over, and not a single Negro was registered.

In McCormick County there were 2,625 potential Negro voters 21 years of age and over, and not a single Negro registered.

For the State of South Carolina as a whole, in 1950, according to the census, there were 390,024 nonwhites 21 years of age and over, but only 98,890 were registered, or 25.3 percent of the total.

Then we have Virginia. It is one of the States of the country which has one of the lowest percentages of Negroes taking part in elections. There were in the State in 1950 422,670 Negroes 21 years of age and over, but only 84,931 were registered in 1957, or only 20 percent of the total.

In Texas, for 95 out of their 254 counties, there were 550,992 potential Negro voters, but only 209,297 were registered, or 38 percent. However, I may say the 95 counties which we have listed, while they form a little less than 40 percent of the total number of counties, contain over 90 percent of the Negro population.

Further, Mr. President, we have the testimony of the distinguished Governor of Mississippi, the Honorable James P. Coleman, before the House Judiciary Committee on the civil-rights bill this year. He states, on pages 736 to 738, that in 1954 there were some 22,000 Negroes registered in the entire State of Mississippi.

So there is agreement between the detailed figures, by counties, I had prepared, and the figures given by Governor Coleman. He went on to say, however, that only 8,000 of the number registered had paid their poll tax, and hence only 8,000 of those 22,000 were eligible to vote, since Mississippi is 1 of the 5 States in the Union which retains the poll tax.

Governor Coleman further states, on page 736:

> In the 1955 primary for Governor, because at that election we elect everything in Mississippi from Governor on down to constable, it was said that approximately 7,000 of them voted.

So, in reality, only about 7,000 Negroes voted in Mississippi in 1955.

I may say the figures which Governor Coleman presented for 1954 were the result of a survey he had made while attorney general of the State.

If we look at the census figures for 1950, we know that as of that year there were 990,282 nonwhites in Mississippi, of whom 986,494 were Negroes. Of these, 497,354 nonwhites were 21 years of age or over. Therefore, in 1954 something just over 3 percent of the total nonwhites 21 years of age or over were reg-

istered to vote and only 1.4 percent of the nonwhites 21 years of age or over actually voted. That is only about 1 out of 100.

For comparative purposes, it is interesting to note that in the 1956 presidential election, approximately 240,000 whites in Mississippi voted. This figure is about one-third of the total number of white residents over 21 years of age. In other words, about 1 percent of the Negroes voted, whereas one-third, or approximately 33 percent of the whites voted.

These facts, Mr. President, are based on official census figures and on the testimony of the Governor of the State of Mississippi.

I have some further and more detailed figures concerning Mississippi, which, in view of the incomplete figures for that State from the Southern Regional Council's research, I ask unanimous consent to have printed in the RECORD.

I have obtained these figures as I have said from another reliable southern source. The person who gathered this material has no responsibility whatsoever either for the fact that I was able to gain the information or concerning the interpretation which I shall place upon the figures. That, of course, is true also of the figures from the Southern Regional Council. I ask unanimous consent that this table, showing figures for all Mississippi counties, be inserted at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Mississippi

County	1950 potential Negro voters	1954 number of Negroes registered	Percent
Adams	9,338	641	6.9
Alcorn	2,225	78	3.5
Amite	4,598	3	.1
Attala	5,179	34	.7
Benton	1,749	35	2.0
Bolivar	21,805	511	2.3
Calhoun	1,893	6	.3
Carroll	3,958	0	
Chickasaw	4,016	0	
Choctaw	1,482	19	1.3
Claiborne	4,728	111	2.3
Clark	3,849	0	
Clay	4,922	12	0.2
Coahoma	19,136	1,070	5.6
Copiah	7,841	16	.2
Covington	2,354	419	17.8
De Soto	8,013	1	.01
Forrest	7,406	16	.2
Franklin	2,294	70	3.1
George	618	0	
Greene	758	38	5.0
Grenada	4,980	39	.8
Hancock	1,131	449	39.7
Harrison	7,858	1,569	20.0
Hinds	35,021	4,089	11.7
Holmes	11,408	43	.4
Humphreys	7,712	37	.5
Issaquena	1,790	0	
Itawamba	470	42	8.9
Jackson	3,752	900	24.0
Jasper	4,313	9	.2
Jefferson	4,304	0	
Jefferson Davis	3,923	1,038	26.4
Jones	8,046	872	10.8
Kemper	4,023	20	.5
Lafayette	3,844	103	2.7
Lamar	1,118	0	
Lauderdale	12,965	1,039	8.0
Lawrence	2,229	268	12.0
Leake	3,835	66	1.7
Lee	5,531	97	1.8
Leflore	17,893	297	1.6
Lincoln	4,507	516	11.4
Lowndes	9,177	117	1.3
Madison	11,586	431	3.7
Marion	4,103	331	8.1
Marshall	8,210	15	.2
Monroe	6,734	18	.3
Montgomery	2,978	0	

Mississippi—Continued

County	1950 potential Negro voters	1954 number of Negroes registered	Percent
Neshoba	2,984	8	.3
Newton	3,687	52	1.4
Noxubee	6,764	0	
Oktibbeha	5,409	128	2.4
Panola	8,628	1	.01
Pearl River	2,454	0	
Perry	1,136	58	5.1
Pike	7,608	137	1.8
Pontotoc	1,847	6	.3
Prentiss	1,170	18	1.5
Quitman	7,344	234	3.0
Rankin	7,295	33	.4
Scott	4,329	15	.3
Sharkey	4,533	1	.02
Simpson	3,351	61	1.8
Smith	1,400	6	.4
Stone	746	25	3.3
Sunflower	18,949	114	.6
Tallahatchie	9,235	0	
Tate	4,989	0	
Tippah	1,603	144	9.0
Tishomingo	463	17	3.7
Tunica	9,123	27	.3
Union	1,904	67	3.5
Walthall	3,017	0	
Warren	12,312	1,099	8.9
Washington	25,823	1,464	5.7
Wayne	2,857	0	
Webster	1,243	3	.2
Wilkinson	4,558	40	.9
Winston	4,162	30	.7
Yalobusha	3,142	9	.3
Yazoo	11,126	81	.7
State	497,354	19,367	3.9

1950 census, nonwhite, 21 years of age and over	497,354
1954 number of Negroes registered	19,367
Percent registered	3.9

Mr. DOUGLAS. This table, which breaks down the number of Negroes registered in Mississippi by counties for 1954 and compares them with the potentially eligible Negro voters based on the 1950 census, shows that in 1954 some 19,367 Negroes were registered to vote in Mississippi out of a potential vote of 497,354. I believe these figures are accurate—for they are almost the same as those given by Governor Coleman.

Mr. President, let me point out that the figures I have presented indicate merely those who are registered or who are on the voting lists. The figures are not of those who actually voted. In some cases, particularly in those States where one must pay a poll tax, the number of qualified voters is considerably less than the number of "registered" voters, and the number of actual voters is still less than the number of qualified voters.

Therefore, the figures I have given are maximum figures. For example, the Governor of Mississippi, Mr. Coleman, stated that there were some 22,000 Negroes registered to vote in that State in the 1954 election. However, he estimated that only 8,000 actually voted, and gave as a reason the fact that many of the others had failed to pay the poll tax.

One further example should be noted. In the figures I have presented for Mississippi, the number of potential Negro voters for Bolivar County is 21,805, according to the 1950 census. The number of registered voters in 1954 was 511. Yet, from the official proceedings of a court case in December 1956, from which I shall later read, we know that only 14 Negroes in the entire county were, in fact, on the list of qualified voters.

Therefore my figures are the maximum ones, and I am amazed at the moderation I have shown in this matter.

In other words, the registered voters are not necessarily the same as the qualified voters, and generally vastly exceed in numbers the qualified voters, because in five States, as I have said—namely, Arkansas, Mississippi, Texas, Virginia, and one other—a poll tax is a further prerequisite to voting. Furthermore, in some States a requirement is imposed that the voter, in order to be qualified, must be able to interpret the constitution to the satisfaction of the examining officials.

For instance, I have here the sworn written application of one for registration as a voter in Mississippi, as introduced by Governor Coleman, found at pages 738–739 of the House hearings.

The applicant is asked to "write and copy, in the space below, section —— of the constitution of Mississippi."

The instruction to the registrar is, "You will designate the section of the constitution and point out the same to applicant."

Instruction 19 is that the applicant is to write in the space below "a reasonable interpretation—the meaning—of the section of the constitution of Mississippi which you have just copied." That could tax a Philadelphia lawyer, upon occasion.

Instruction 20 is to "write in the space below a statement setting forth your understanding of the duties and obligations of citizenship under a constitutional form of government." One can imagine the difficulty which a Negro would experience in many districts of the South in writing his interpretation of a constitutional form of government; that is, writing an explanation which would be satisfactory to the white registration officials.

In one county Negroes were asked to state what kind of a government we lived under. One Negro replied, "A democratic form of government." That was declared to be unsatisfactory. Then he said, "A republican form of government." That was declared to be unsatisfactory. The voter was ruled out.

There have been charges, very well supported in one case, that the applicant was asked to state how many bubbles could be created by a bar of soap, which is ridiculous.

For purposes of comparison, and to show that the proportion of those voting out of those generally eligible is not as high as it should be in the South and in many other parts of the country, I ask unanimous consent to have printed at this point in the RECORD a table showing for all the States for the 1956 Presidential election the percentage of those of voting age who actually did vote.

I read from this table, listing the States in order of the number of voters per 100 persons of voting age. It is interesting to note that the Southern States are at the very bottom of the list.

At the top is Idaho, with 77.3 percent of the voters of voting age actually voting. In Connecticut it is 76.6 percent; in Utah, 76.1 percent; in Massachusetts, 75.3 percent; in New Hampshire, 75.2 percent; in Rhode Island, 74.5 percent; in Iowa, 74.1 percent; in Illinois, 72.5 percent.

I am very proud that my own State is 1 of the first 10.

I see the distinguished Senator from Wyoming [Mr. O'MAHONEY] in the chair. I know he will be pleased to know that 68.9 percent of the persons of voting age in Wyoming actually voted. And they showed their good sense by returning the present Presiding Officer to the Senate.

In Oregon the figure is 68.4 percent.

In New York, with a large immigrant population, it is 65.5 percent.

Now listen to the figures for the Southern States, down toward the foot of the list.

The 38th State is Florida, with 48.3 percent.

The 39th State is North Carolina, with 47.6 percent.

The 40th State is Tennessee, with 46 percent.

The 41st State is Arkansas, with 39.9 percent.

The 42d State is Texas, with 38.1 percent.

The 43d State is Louisiana, with 37.2 percent.

The 44th State is Virginia, with 34.2 percent.

In the early days of the Republic, Virginia in the persons of Thomas Jefferson, George Mason, James Madison, and James Monroe, with a great galaxy of other Virginia statesmen, really was in the forefront of the struggle for democracy. Nevertheless in Virginia, at present, only about one-third of the potential voters actually vote at the time of a presidential election.

The 45th State is Georgia, with 30.4 percent.

Alabama is the 46th State, with 28.5 percent.

South Carolina is the 47th State, with 24.6 percent.

Mississippi is in last place, with 22.1 percent.

The PRESIDING OFFICER. The Chair understands that the Senator from Illinois asks unanimous consent that the entire table may be made a part of the RECORD at this point.

Mr. DOUGLAS. The Senator does.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Voter turnout for the 1956 presidential election

Rank	State	Number of voters per 100 persons of voting age
1	Idaho	77.3
2	Connecticut	76.6
3	Utah	76.1
4	Massachusetts	75.3
5	New Hampshire	75.2
6	Rhode Island	74.5
7	Iowa	74.1
8	Illinois	72.5
9	Indiana	72.4
10	West Virginia	72.4
11	Montana	72.3
12	South Dakota	72.0
13	Delaware	71.5
14	Washington	71.4
15	New Jersey	70.1
16	Colorado	69.6
17	Wyoming	68.9
18	Vermont	68.6
19	Oregon	68.4
20	Minnesota	67.8
21	Kansas	67.6
22	Missouri	67.4
23	Michigan	67.1
24	North Dakota	67.0
25	Wisconsin	66.6
26	Nebraska	65.9
27	New York	65.5
28	California	65.0
29	Ohio	64.9
30	Pennsylvania	64.9
31	Maine	64.5
32	Nevada	64.5
33	Oklahoma	64.0
34	New Mexico	62.1
35	Kentucky	56.7
36	Maryland	54.8
37	Arizona	49.8
38	Florida	48.3
39	North Carolina	47.6
40	Tennessee	46.0
41	Arkansas	39.9
42	Texas	38.1
43	Louisiana	37.2
44	Virginia	34.2
45	Georgia	30.4
46	Alabama	28.5
47	South Carolina	24.6
48	Mississippi	22.1

Voter turnout for the 1956 presidential election—Continued

Source: U. S. Department of Commerce, Current Population Reports, Oct. 5, 1956, p. 3, table 2; Estimates of Civilian Population of Voting Age for Nov. 1, 1956, and Statistics of the Presidential and Congressional Election of Nov. 6, 1956, U. S. Government Printing Office, Washington, 1957.

Mr. DOUGLAS. Mr. President, it is for the very reason that Negroes as a group are not registered and, therefore, do not vote in any great proportion in most Southern States, that we need a civil rights bill to protect and defend the right of Negroes to vote in Federal elections. Nothing is more basic to our way of life. Nothing is more important to the progress of our country and to economic and political justice. The figures I have presented show the basic situation that demands Congressional action for the protection of this constitutional right.

THE JURY TRIAL AMENDMENT

Now, Mr. President, in addition to the provisions of the civil rights bill which protect the right to vote through the use of the injunction, and contempt proceedings against those who may wish to violate such injunctions, the Senate Judiciary Committee has added a so-called jury trial amendment to the bill. This amendment is worded as follows:

Amend S. 83 by adding at the end thereof a new part appropriately numbered and reading as follows:

"PART —. TO SECURE THE RIGHT OF TRIAL BY JURY TO PERSONS CHARGED WITH CONTEMPT OF COURT IN ACTIONS OR PROCEEDINGS INSTITUTED PURSUANT TO THIS ACT

"SECTION 1. In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court."

Mr. President, much has been made of this amendment, but I believe I can show from the voting figures I have already introduced, plus the laws of some of the States, that this amendment in practice will nullify the protection of the right to vote which the civil rights bill is designed to protect.

HOW FEDERAL JURIES ARE SELECTED

Let us look, Mr. President, at the very fundamental facts to see how the Federal juries which are to try contempt cases if the amendment shall be enacted will actually be selected, and how they will be made up.

In title 28, chapter 21, section 1861 of the United States Code, the qualifications for jurors in the Federal courts are given. The key paragraph reads as follows:

Any citizen of the United States who has attained the age of 21 years and resides within the judicial district is competent to serve as a grand or petit juror unless—

Then four exceptions are given, of which the fourth reads as follows:

He is incompetent to serve as a grand or petit juror by the law of the State in which the district court is held.

I invite attention to that phrase. If a man, by State law, is incompetent to serve as a grand or petit juror, then he is incompetent to serve as a juror in a Federal court, not merely in the State courts. In other words, State standards for jurors determine Federal eligibility. This was contrary to the recommendations of the famous Knox committee which wanted uniform Federal standards for the selection of Federal jurors. But the 80th Congress, dominated as it was by the Republicans, decided otherwise. It would be interesting to speculate if this was part of the gentlemen's agreement, or "you scratch my back and I will scratch yours" which has prevailed for so long between most of the Republicans and most of our friends from the South.

In other words, Mr. President, a person 21 years of age or over is eligible to serve on a jury unless, among other things, he is incompetent to serve under the laws of the State in which the district court is held. And if he is incompetent by State statute to serve as a juror in a State court, he is ineligible to serve as a juror in a Federal court.

Let us see what the State laws are.

In the State of Arkansas, in the Parish of Orleans in Louisiana, which includes the city of New Orleans, and in the States of Mississippi, South Carolina, and Texas, a person must be eligible to vote in order to be competent to serve as a grand or petit juror in the State or parish.

ARKANSAS

In Arkansas, the statute provides that:

SEC. 101. Grand jurors—Qualifications. No person shall be qualified to serve as a grand juryman unless he is an elector and citizen of the county in which he may be called to serve, temperate, and of good behavior.

SEC. 208. Preparation of lists of petit jurors and alternates. The Commissioners shall also select from the electors of said county * * * persons to serve as petit jurors. (Ark. Ann. Stat., title 39.)

Therefore, Mr. President, in Arkansas, one must be an elector in order to serve on a grand or petit jury or a jury in the Federal district court.

In Arkansas—as is clear from the tables I have inserted in the RECORD—of the 232,191 potential Negro voters, only 67,851, or 29.2 percent, were even registered voters in 1955. Of course, many fewer than the 67,851 actually vote.

Therefore, in Arkansas, if a Federal court orders an individual to cease to threaten, intimidate, or coerce a Negro in order to assure his right to vote, or if the court orders a local official to place certain Negroes on the voters' list, or to protect their right to vote in any other respect, and if the court order is deliberately not carried out, then the individual shall—under the amendment already adopted by the Committee on the Judiciary—enjoy the right to a trial by jury for failing to carry out the court order and for, in fact being in contempt of court. In Arkansas, the jury will be composed exclusively of those who are qualified to vote, and those individuals or groups who are ineligible to vote or who fail to qualify to vote—perhaps by the local election official's very actions—are denied the right to be on the jury lists.

Thus, the system feeds on itself. The selection of juries, by law, is such that the overwhelming number, and in many cases all of the jurors, will be chosen from the white voters who, in most Southern States, would probably not convict a fellow white man for preventing a Negro from voting.

In those States which require eligibility to vote as a qualification for jury duty—and the practice is more widespread than the actual laws of the States indicate—each discrimination would reinforce the other.

The great proportion of Negroes are denied the right to vote. Because they are denied the right to vote, they are ineligible to serve on juries. Because they are ineligible to serve on juries in those States, they would be unable to protect their right to vote by jury action under the so-called jury-trial amendment.

That, Mr. President, is the real meaning of the trial-by-jury amendment, so far as the States which require jurors to be qualified voters are concerned.

LOUISIANA

In Louisiana, including the great city of New Orleans, it is only in Orleans Parish, that the prospective juror must, by law, be qualified to vote to serve on a jury.

The pertinent section is to be found in Louisiana Code Criminal Law and Practice (1943), section 194 (as amended by L. 1944, No. 151 (parish of Orleans)).

Section 194 provides that:

Selection of jurors; * * * The said commission shall select at large, impartially from the citizens of the parish of Orleans, having qualifications requisite to register as voters, the names of not less than 750 persons competent under this code to serve as jurors. (La. Ann. Rev. Stat. Title 15.)

In the parish of Orleans in 1956, it was estimated that there were 124,600 potential Negro voters. Of these, 31,880 or 25 percent, were registered to vote.

Therefore, in the parish of Orleans in 1956, 75 percent of the Negroes of the parish would be ineligible, by law, apart from any other action or event, to serve on juries which would try those who were charged with preventing Negroes from voting.

Again, this is what the jury trial amendment really means, namely, that those who are denied the right to vote are also, by reason of that very fact, denied the right to serve on juries which would try those who were charged with denying the right to vote to otherwise competent voters.

MISSISSIPPI

In Mississippi, at least 98 percent of the Negroes 21 years of age or over actually did not vote in the 1955 gubernatorial election, according to the testimony of Governor Coleman. Ninty-six percent of the Negroes 21 years of age or over are not even registered voters in the State of Mississippi.

In order to serve on a jury in Mississippi, one must be a qualified elector. The Mississippi Code—1942—section 1762 provides that—

SEC. 1762. Who are competent jurors: Every male citizen not under the age of 21 years, who is a qualified elector, and able to read and write, has not been convicted of an infamous crime, or the unlawful sale of intoxicating liquors within a period of 5 years and who is not a common gambler or habitual drunkard, is a competent juror.

It follows from this that a person who is not a qualified elector is incompetent to serve on a jury. Apparently, there is the further restriction that not only must one be registered, but the poll tax must be paid as a prerequisite to serving as a juryman, although *Myers* v. *State* (167 Miss. 76, 147 So. 308), holds that one who had paid one-half of his poll tax, the remaining half not being due under the statute at the time of the trial, was a qualified juror.

When we recall that the Federal statute provides that one may not serve on a Federal jury if he is incompetent to serve under the laws of the State, we can see that at least 96 percent of the Negroes in Mississippi, under the law and quite apart from any further restriction in practice, are unable to serve on Federal juries.

Therefore, in Mississippi, as in Arkansas and the Parish of New Orleans, Negroes whom the right-to-vote provisions of the civil rights bill are intended primarily to protect, are excluded by law from serving on Federal juries, which—under the jury trial amendment—would try those who fail to carry out the court orders to protect the right to vote.

SOUTH CAROLINA

In South Carolina, article 5, section 22, of the constitution of the State, provides that—

Each juror must be a qualified elector under the provisions of this Constitution, between 21 and 65 years, and of good moral character.

In *State* v. *Waitus* ((1953) 77 S. E. 2d 256), it was determined that the word "qualified" meant "registered." So, in South Carolina, one must be a "registered" voter in order to serve on a Federal jury.

In South Carolina, out of 390,024 potential Negro voters—that is, nonwhites 21 and over—only 98,890 Negroes were even registered to vote. Since each juror must be a qualified "elector"—and as "elector" means "registered" voter—only one-quarter are even potentially eligible to serve on juries. In South Carolina, Negroes represent about 34 percent of the total population of voting age, but only 16 percent of the total registration.

Therefore, in South Carolina, just as large numbers of Negroes are similarly denied the right in Arkansas, the Parish of Orleans, and the State of Mississippi, 75 percent of the Negroes 21 years of age or over would be denied, by law, the right to sit on a Federal jury which would try the cases of contempt arising out of the provisions of the civil-rights bill designed to protect their right to vote.

TEXAS

In Texas, the statute pertaining to jury service reads as follows:

ART. 2133. All persons, both male and female, over 21 years of age are competent jurors, unless disqualified under some provision of this chapter. No person shall be qualified to serve as a juror who does not possess the following qualifications:

1. He must be a citizen of the State and of the county in which he is to serve, and qualified under the Constitution and the laws to vote in said county; provided that his failure to pay poll tax as required by law shall not be held to disqualify him for jury service in any instance (Vernon's Ann. Tex. Civ. Stat. Art. 2133).

In practice, however, the jury lists in Texas are made up from the list of those who have paid their poll tax. This is true, for there is no other means by which a list of eligible electors is established—that is, there is no registration as such other than the list of those who have paid the poll tax.

In Texas, 90 percent of the Negroes live in the 95 counties listed in the table I have placed in the RECORD. In those counties, of a potential Negro vote of 550,992 of those 21 years of age and over, only 209,297—or 38.0 percent—were registered to vote in 1956.

Therefore, in Texas, as in Arkansas, Mississippi, South Carolina, and the Parish of Orleans, the fact that Negroes in large proportion are not qualified to vote, excludes them in large numbers from jury service in Federal trials.

Therefore, in those 95 counties in Texas—as in the other 4 States—the jury trial amendment means that those who are charged with failing to carry out a court order to place Negroes on voting lists, or those who are charged with preventing Negroes from voting by intimidation, coercion, or threats, will be tried by those whom they have allowed to vote, namely, in a word, virtually all white juries.

Mr. President, I now wish to touch on a matter which indicates that the situation is even more grave than that which is indicated by the figures I have given.

I have been confining myself up to now to the number of Negroes actually registered to vote, and have shown that by reason of the poll tax still further numbers in certain States are disqualified as voters, and hence are ineligible to sit as jurors. I have furthermore indicated that in certain States an additional hurdle is set up, which requires Negroes

to give a satisfactory interpretation of the State or Federal Constitution.

However, in the States which do not have explicit provisions confining juries to qualified voters, as well as in States which do, in practice there is an additional barrier thrown up, namely, in the way the lists of jurors are compiled.

I hold in my hand a copy of the famous Knox report, made by 5 eminent Federal judges in 1942 to the Judicial Conference. It deals with the selection of jurors in Federal courts. I ask unanimous consent that the salient passages of the report may be included in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 2.)

Mr. DOUGLAS. The Knox report—and the famous Federal judge, John C. Knox, was chairman of that committee—points out that in many districts the practice of making up a jury was substantially as follows: A jury commissioner, and a clerk of the court, are appointed, one from each party. I may say in that connection that in the past, and, to a large extent at the present time, the South is largely a one-party area. There is usually only one clerk and one jury commissioner.

These men, according to the Knox report, write to so-called "keymen" in the various counties and ask these keymen to suggest jurors. It is a little mysterious as to who these keymen are who are chosen to nominate jurors.

Sometimes they are businessmen, and sometimes they are local political leaders. In any event, they tend, certainly in the South, to be white citizens. If there are any Negroes who are designated as "keymen," and who therefore are given the power to make nominations, it would be most interesting to have that fact established for the record. However, my information is that in practice they are almost exclusively white southern businessmen and white southern political and professional leaders. These are the men who make up the original lists.

The list is then sent to the jury commissioner in the Federal court for that district. Then these commissioners make their selections, in some cases by turning a wheel, and in other cases by picking the names. Very few Negroes, I think—certainly a very small proportion of Negroes—find their way onto the lists. Still fewer are selected for jury duty. Therefore, Mr. President, the juries which will try these contempt cases, if the amendment is adopted, will be carefully winnowed, and the Negroes of the South will have very little representation on them.

HOW THE WHOLE THING WORKS

This discussion, I believe, shows how the jury-trial amendment, when coupled with the existing denial of the right to vote to thousands of Negroes, merely sets up a cycle in which:

First. Negroes are denied the right to vote.

Second. A civil-rights bill, we hope, is passed by Congress to protect and defend that right.

Third. An amendment is, however, added to provide jury trials for those who have prevented Negroes from voting.

Fourth. By law, Negroes are excluded from jury lists because these lists are composed, by law in five States and by practice in many others, of those who are on the voting lists.

Fifth. Therefore, the juries often would be composed predominantly of those whom the defendant has given the privilege of voting and largely exclude those or those groups who have been denied the right to vote.

Sixth. These jury members in turn would find it very difficult to exercise their fair judgment in civil-rights cases. They will be making decisions in many cases where there exists an atmosphere of tension, coercion, threats, and intimidation. If they support a Federal judge's order protecting the voting rights of Negroes, they know they will be exposed to economic pressure and possibly to physical violence. This would be true, in particular, of those jurors who might be willing on grounds alone of justice to support the order of a Federal judge.

But, for the most part, the jurors, because of the means of selection, will reflect the prevailing attitude and mores of the dominant forces in their communities. And this attitude in most sections of the South, either because of economic and political pressure, or because of tradition and practice, supports the conditions which now prevail and which substantially prevent Negroes from exercising the franchise.

IF JURY-TRIAL AMENDMENT IS DEFEATED WE WILL GET MORE REPRESENTATIVE JURIES

Conversely, if the so-called jury-trial amendment is not passed, and if the right to vote is more fully protected for Negroes and exercised by them, this will in turn mean that jury trials—where they are meant to be used in our judicial system—will be by juries more truly and fairly representative of the citizens of the areas they will serve. Paradoxically enough, from a verbal point of view, the defeat of the so-called jury trial amendment will in reality result in a restoration and maintenance of trial by jury in appropriate cases as it was originally intended to be used.

In other words, if we defeat the jury trial amendment, there will be many more Negroes qualified to vote, and, being qualified to vote, there will be many more Negroes on juries in the South, and those juries, therefore, when a race issue is involved, will be better able to give impartial judgment.

THE JURY TRIAL AMENDMENT WILL MAKE THE CIVIL-RIGHTS BILL INEFFECTIVE

The jury trial amendment, then, will nullify the protection of the right to vote in those areas where the right to vote most needs protection. It will nullify the protection of the civil-rights bill and the right-to-vote provisions of that bill in direct proportion to the discriminations against voting which now exist. Its effect then is to perpetuate those discriminations rather than to do away with them.

This is the real meaning, then, of the so-called "jury trial" amendment. The right to a trial by jury means the right of those who have intimidated, threatened, or coerced Negroes from voting to be tried by a jury composed of those whom they have not intimidated, threatened, or coerced. The jury will be composed of those who can vote, but not composed of those who have been denied the right.

I shall cite several cases to show how this works in action. The first is a dramatic recent illustration of a case in Alabama. The second is a case from Mississippi, and I shall read the excerpts from the decision in that case to show just how this system actually works.

THE JURY DECISION IN THE MONTGOMERY BOMBING CASE

We have all been aware of the bus boycott which occurred last year in the city of Montgomery, Ala. In that instance the protest of the Negroes was expressed without violence and by a policy of passive resistance.

Let the RECORD show that there were no acts of violence by Negroes; they merely refused to ride the buses, and they exercised great restraint.

In the concluding days of that struggle, several Negro churches were bombed, two of them being completely destroyed. Two young white men were arrested on the charge of bombing those churches, and in preliminary police examination they confessed. The case was then submitted for trial, and the jury returned a verdict of acquittal.

I hold in my hand an article published in the New York Times for May 31, 1957, describing the courtroom scene attending the verdict. I ask unanimous consent that the article be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 31, 1957]

TWO IN MONTGOMERY FREED IN BOMBING—ACQUITTED BY WHITE JURY OF ATTACK ON NEGRO CHURCH—SPECTATORS CHEER VERDICT

MONTGOMERY, ALA., May 30.—Two young white men were acquitted late today of the bombing of a Negro church.

The verdict by the 12 white jurors came after 1 hour and 35 minutes of deliberation and brought an outburst of applause from the packed courtroom after court had been adjourned.

The verdict cleared Raymond C. Britt, Jr., 27 years old, and Sonny Kyle Livingston, Jr., 19, of the charge of bombing the Hutchinson Street Baptist Church early on the morning of January 10 during an outbreak of violence that followed the end of city-bus segregation in Montgomery.

As the jury returned to the courtroom, Judge Eugene W. Carter, of circuit court, warned the crowd against any demonstration. But the moment court was adjourned, the spectators burst into loud applause and cheering.

FEARS RACIAL RIOTING

The verdict came after the prosecution had warned that acquittal might bring on racial rioting in Montgomery.

Four churches, the homes of two ministers supporting integration and a Negro taxicab stand and adjoining residence were bombed in two outbreaks of terrorism following the end of bus segregation in Montgomery.

Mr. Britt and Mr. Livingston were put on trial this week only for the dynamiting of one church. Mr. Britt also faces charges of dynamiting another church and the taxi-

cab stand. Two other men are awaiting trial on other bombing charges.

State and defense attorneys alike waved the banner of segregation in their closing arguments. The defense appealed for a verdict that would give encouragement to "every white man, every white woman, and every white child in the South who is looking to you to preserve our sacred traditions.

William F. Thetford, chief prosecutor, told the jury "we were on the very edge of racial rioting" before the two defendants and two other white men were arrested and indicted for the bombings last January.

WARNS OF THE KLAN

"We don't want racial rioting in Montgomery," he said. "But if one can play the game, both can. If you turn these men loose under the evidence the State has presented, you say to the Ku Klux Klan 'if you bomb a Negro church or home, it's all right.'

"Then," he continued, "the next thing you know it will be your church and your house, because it's a sword that cuts both ways."

John Blue Hill and John Harris, defense attorneys, argued that the verdict would "determine our very civilization and our way of life" in the South and that it must "go down in history as saying to the Negroes that 'you shall not pass.'"

Mr. DOUGLAS. Mr. President, the New York Times is a very responsible and accurate newspaper. I point out from the article something about the nature of the defense appeal.

"The defense" for the two young men who were on trial, according to the Times, "appealed for a verdict that would give encouragement to 'every white man, every white woman, and every white child in the South who is looking to you to preserve our sacred traditions.'"

The defense attorneys argued, again to quote the Times, "that the verdict would 'determine our very civilization and our way of life' in the South, and that it must 'go down in history as saying to the Negroes that "you shall not pass."'"

After the jury had been out for 1 hour and 35 minutes they brought in a verdict of acquittal. The account in the New York Times says that this brought an outburst of applause from the packed courtroom after court had been adjourned.

This was a case of two men, who had confessed that they had bombed the churches, being acquitted upon the plea that white southern manhood, white southern womanhood, and white southern childhood, were all looking to the jury to preserve their sacred traditions.

The defense attorneys argued "That the verdict would 'determine our very civilization and our way of life' in the South and that it must 'go down in history as saying to the Negroes that "you shall not pass."'"

After that plea to the jury and the charge of the judge, despite the confession and despite the evidence, the jury acquitted the defendants.

I have criticized that decision, and I have taken some very severe attacks in return from the southern press. I am not complaining about those attacks; one should be expected to endure them, as I do. I make no complaints. That is what one must expect. I am ready to endure other attacks in defense of what I believe to be correct and right.

May I point out also that some years ago a young Negro boy from Illinois went down to Mississippi, where he was accused of whistling at a white woman. I do not know whether he did this or did not. But he was murdered, and his body was thrown into a stream. Two men were put on trial. The circumstantial evidence certainly seemed compelling to me. The case was argued in a courtroom in very prejudicial fashion, one which certainly did not conform to what I would regard as due process or proper standards. The jury returned a verdict of acquittal. That was the famous Emmet Till case. It was an Illinois boy who was killed.

I think the Mississippi jury in that case disregarded what all the press reports indicated as being the clear evidence and the overwhelmingly preponderant testimony.

GRAND JURIES IN LOUISIANA

Assistant Attorney General Warren Olney III has placed in the record of the hearings of the Senate Subcommittee on Privileges and Elections the case of a grand jury which refused to indict where there had been a wholesale disqualification of voters in Ouachita Parish, La.

I ask unanimous consent to have some references by Assistant Attorney General Olney printed at this point in the RECORD.

There being no objection, the references were ordered to be printed in the RECORD, as follows:

STATEMENT BY WARREN OLNEY III, OCTOBER 10, 1956

No study of the political practices followed during the course of the 1956 presidential and senatorial elections could possibly be adequate or complete without including the mass disfranchisement in certain communities by unconstitutional means of thousands of legally registered voters. It presents a problem of major concern to the whole Nation and would appear to lie within the investigative jurisdiction of the Senate Subcommittee on Privileges and Elections.

I should like to illustrate what is going on, as well as to suggest how the subcommittee might be of public service by giving the facts on just one small parish. I will take as illustrative Ouachita Parish in the State of Louisiana.

On January 17, 1956, there were approximately 4,000 persons of the Negro race whose names appeared on the list of registered voters of Ouachita Parish as residing within wards 3 and 10 in that parish. It would appear that these persons were and are citizens of the United States, possessing all of the qualifications requisite for electors under the constitution and laws of Louisiana and of the United States, because a system of permanent voter registration, provided for under the laws of the State of Louisiana, was in effect in Ouachita Parish and all of these persons had registered and qualified for permanent registration and had been allowed to vote in previous elections.

As of October 4, 1956, the names of only 694 Negro voters remained on the rolls of registered voters for wards 3 and 10 of Ouachita Parish, the names of more than 3,300 Negro voters having been eliminated from the rolls in violation of the laws of Louisiana, as well as those of the United States. This mass disfranchisement was accomplished by a scheme and device to which a number of white citizens and certain local officials were parties.

The scheme appears to have taken form as early as January of 1956, and its principal purpose was to eliminate from the list of registered voters of Ouachita Parish the names of all persons of the Negro race residing in wards 3 and 10, and thereby deprive them of their right to vote.

On March 2, 1956, a nonprofit corporation, organized under the laws of the State of Louisiana, and called the Citizens Council of Ouachita Parish, La., was incorporated. Among its ostensible objects and purposes, as stated in its articles of incorporation, are the following:

"1. To protect and preserve by all legal means our historical southern social institutions in all their aspects;

"2. To marshal the economic resources of the good citizens of this community and surrounding area in combating any attack upon these social institutions."

Notwithstanding these stated objects, subsequent developments have demonstrated that one of the principal objects and purposes of the Ouachita Citizens Council was and is to prevent and discourage persons of the Negro race from participating in elections in the parish.

The names of the officers, directors, and members of the Ouachita Citizens Council will be made available to the subcommittee if the subcommittee wishes them.

CARRY OUT PLANS

During the month of March 1956 the officers and members of the citizens council began to carry out their plan to eliminate the names of Negro persons from the roll of registered voters. This scheme consisted of filing purported affidavits with the registrar of voters challenging the qualifications of all voters of the Negro race within wards 3 and 10, and of inducing the registrar to send notices to the Negro voters requiring them within 10 days to appear and prove their qualifications by affidavits of three witnesses. The scheme further consisted of inducing the registrar to refuse to accept as witnesses bona fide registered voters of the parish who resided in a precinct other than the precinct of the challenged voters, or who had themselves been challenged or who had already acted as witnesses for any other challenged voter. Of course it was a part of this scheme that none of the registered Negro voters would be able to meet these illegal requirements and upon the basis of such pretext, that the registrar would strike their names from the roll of registered voters.

These people in the Cuachita Citizens Council appear to have succeeded either by persuasion or intimidation in procuring the help and cooperation of the election officials of Ouachita parish.

COUNCIL USES FACILITIES

In April and May of 1956, the registrar and her deputy permitted the officers and members of the citizens council to use the facilities of the office of the registrar to examine the records and to prepare therefrom lists of registered voters of the Negro race. The citizens council was given free run of the registrar's office and was permitted to occupy the office and work therein during periods when the office of the registrar was not officially open to the public.

Between April 16, 1956, and May 22, 1956, the members and officers of the Ouachita Citizens Council filed with the registrar approximately 3,420 documents purporting to be affidavits, but which were not sworn to either before the registrar or deputy registrar of Ouachita Parish as required by law. In each purported affidavit it was alleged that the purported affiant had examined the records on file with the registrar of voters of Ouachita Parish, that the registrant named therein was believed to be illegally registered, and that the purported affidavit was made for the purpose of challenging the right of the registrant to remain on the roll of registered voters, and to vote in any elections. These purported affidavits were not prepared and filed in good faith, but were prepared and filed without regard to the

actual legal qualifications of the registrants to whom they referred.

AFFIDAVITS ACCEPTED

Prior to the filing of the purported affidavits, there were in ward 10 2,389 persons of the Negro race and 4,054 persons of the white race whose name appeared on the list of registered voters. The affidavits filed by the citizens council challenged all of the 2,389 Negro voters and challenged the qualifications of none of the 4,054 white voters registered in that ward. In ward 3 the citizens council filed purported affidavits challenging the qualifications of 1,008 out of the total of 1,523 Negro voters, but only 23 of the white voters who were registered in that ward.

The registrar, knowing that the pretended affidavits were not sworn to as required by law, and that the purported affiants had not in each case personally examined the records in the registrar's office pertaining to each challenged registrant, accepted the pretended affidavits for filing and mailed copies of them together with printed citations to the approximately 3,420 voters named therein, requiring them within 10 days to appear in the office of the registrar and to prove their qualifications. The citations and copies of the pretended affidavits were mailed to large groups of registrants at or about the same time with the knowledge that the ordinary facilities and personnel of the registrar's office would not permit the receiving of the proof of their qualifications from all of the registrants within the 10-day period. Of course it was intended that all challenged registrants of the Negro race who were thereby denied an opportunity to prove their qualifications would be eliminated from the roll of registered voters.

However, registrants of the Negro race responded to these citations in large numbers. During the months of April and May large lines of Negro registrants seeking to prove their qualifications formed before the registrar's office, starting as early as 5 a. m. But the registrar and her deputy refused to hear offers of proof of qualifications on behalf of any more than 50 challenged Negro registrants per day. Consequently most of the Negro registrants were turned away from the registrar's office and were denied any opportunity to establish their proper registration. Thereafter the registrar and her deputy struck the names of such registrants from the rolls.

INTERPRETATION REQUIRED

As to the Negro voters whose names have thus been stricken from the roll and who sought to register as voters, the registrar and her deputy, at the instigation of the citizens council and under the color of authority of the Louisiana Revised Statutes, required such applicants for registration to give a "reasonable interpretation" of a clause of the Constitution of Louisiana or of the United States and no similar requirement was ordinarily imposed upon persons of the white race. Regardless of the interpretations given, the registrar and her deputy declared them to be unreasonable. In this manner Negro applicants for registration, although possessing all the legal qualifications for voters under the laws of Louisiana and of the United States, were denied their right to register and qualify as voters.

For this serious condition there is no adequate remedy presently available to the Department of Justice. A criminal prosecution begun after the election would not restore to roll of registered voters of Ouachita Parish the names that have been unlawfully removed. It would not protect the integrity of the election of officers of the United States in the November election.

The Department of Justice has not been blind to the possibility that this kind of unconstitutional disfranchisement of citizens of the United States might occur and that more effective legal remedies are needed. The Attorney General in April 1956, presented proposals to both Houses of Congress for legislation which would authorize him to apply to the Federal courts for preventive relief by way of injunction in cases such as this. In testifying in support of these proposals the Attorney General pointed out to the Congress that although under present statutes the Department can prosecute after such deprivations of the right to vote have occurred, the Department could not seek preventive relief when violations are threatened. The Attorney General then illustrated his point as follows:

"In 1952, several Negro citizens of a certain county in Mississippi submitted affidavits to the Department alleging that because of their race the registrar of voters refused to register them. Although the Mississippi statutes at that time required only that an applicant be able to read and write the Constitution, these affidavits alleged that the registrar demanded that the Negro citizens answer such questions as 'What is due process of law?' 'How many bubbles in a bar of soap?', etc. Those submitting affidavits included college graduates, teachers, and businessmen, yet none of them, according to the registrar, could meet the voting requirements. If the Attorney General had the power to invoke the injunctive process, the registrar could have been ordered to stop these discriminatory practices and qualify these citizens according to Mississippi law."

The events which I have recited in Ouachita Parish, La., demonstrate how justified the Attorney General was in his plea to the Congress for legislation permitting him to seek preventive relief in such cases from the courts.

NOT CONFINED

The disfranchisement of American citizens is by no means confined to Ouachita Parish or to the State of Louisiana. The Department is in receipt of a complaint under date of September 21, 1956, that a similar scheme using the same technique, is in operation in Rapides Parish, La., under the guidance of a White Citizens Council. It is alleged that within a 10-day period the council had wrongfully caused the elimination from the rolls of over 200 properly qualified and registered Negro voters.

On September 22, 1956, a similar complaint was received from Pierce County, Ga., it being alleged that in August the qualifications of approximately 25 to 30 percent of the Negro voters of Pierce County were challenged while no challenges to any of the white voters were made. Thereafter most of the challenged voters names were stricken from the list so that they cannot now vote, although properly qualified. The full facts of this complaint have not yet been ascertained

These developments should demonstrate to everyone who believes in the basic principles of the United States Constitution that it is indeed regrettable that the legislative proposals of the Attorney General seeking civil remedies to protect the constitutional right to vote should have been bottled up in the Senate Judiciary Committee after having passed the House. The failure of the Congress to act in this particular has left the Department of Justice and the courts without the remedies and means necessary to secure the honesty and integrity of elections for Federal officers.

Under these circumstances, I respectfully suggest that a special responsibility rests upon the Senate Subcommittee on Privileges and Elections. This subcommittee is that agency of the Congress most directly concerned with elections. It is now engaged in the study of political practices during the presently pending elections. If this subcommittee would hold public hearings concerning this unconstitutional disfranchisement of citizens of the United States, it would indeed be, to quote the chairman's letter of invitation, in the interest of public enlightenment. It would also be of aid in the consideration of legislation in the next session of Congress. If such hearings were held in one or more of the places from which these complaints emanate, these abuses might well be stopped. I venture to predict that public hearings in these places prior to election would result in the names of hundreds of qualified voters being immediately restored to the registration rolls. Such a decision on the part of the subcommittee would be most helpful in contributing to a free and fair election.

ADDITIONAL COMMENTS OF WARREN OLNEY III, FEBRUARY 21, 1957

DEPARTMENT OF JUSTICE,

Hon. EMANUEL CELLER,
Chairman, Subcommittee No. 5 of the Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CELLER: On February 13 Mr. Jack P. F. Gremillion testified before your subcommittee. A part of his testimony related to a voter registration civil-rights case arising in Ouachita Parish, La., and to the action of a Federal grand jury convened in Monroe, La., to inquire into that and other civil-rights cases. Certain facts which the Department of Justice has in its files suggest that Mr. Gremillion's testimony might have left a misleading impression in a number of respects. Accordingly, we feel obliged to provide you with information which we have which is inconsistent with the impression left by Mr. Gremillion's testimony. These facts have not previously been provided by this Department to Mr. Gremillion. We are, however, sending him a copy of this letter.

We refer herein to Mr. Gremillion's testimony by subject matter and transcript page number.

Interpretation of Constitution by registrant, page 662:

"Mr. KEATING. Do you have an educational requirement of some nature in Louisiana in order to vote?

"Mr. GREMILLION. The requirement with reference to education provides they shall be able to read and write and interpret one part of the Constitution, of their choice.

"Mr. KEATING. One part of the United States Constitution?

"Mr. GREMILLION. Yes.

"Mr. KEATING. And they can choose it?

Mr. GREMILLION. Oh, yes. In other words, the registrar of voters cannot say, 'I want you to explain something' that is impossible to explain. They have the right of choice insofar as concerns the section or phrase of the Constitution they wish to interpret. They have their own choice on that, and nothing is foreplanned or forewarned."

COMMENT

In none of the 10 parishes in Louisiana which have been the subject of investigations by the Department is there any evidence that the registrar permitted the applicant for registration to choose which clause of the Constitution he wished to interpret. Specifically, in the case arising from Ouachita Parish, the investigation by the FBI disclosed that the registrar of voters in examining applicants for registration used a card on which was written an excerpt from the Constitution, which card was given to the registrar by the Citizens Council of Ouachita Parish. In one instance Mrs. Mae Lucky, registrar of voters of Ouachita Parish, asked an applicant for registration what our form of government is. The applicant replied, "A democratic form of government." The registrar said, "That's wrong—try again." The applicant said, "We have a republican form of government." The registrar then said that that answer, too, was wrong and

that the applicant would have to return after the next election to reregister.

Reply affidavit on behalf of challenged voters, page 667:

"Mr. GREMILLION. * * * When such a registrant is challenged, the registrar of voters is required, under the law, to forward a notice of the challenge, a complete copy of the same, together with a form which the challenged registrant has to execute by three bona fide voters registered in the same parish to the effect that the challenged registrant is a bona fide resident of that parish. This form is sent to the challenged registrant at the time that the notice of challenge is sent.

"If the challenged registrant does not appear within 10 days, the registrar shall remove his name from the rolls. If, however, the challenged registrant appears with three bona fide registered voters to assert the authenticity of his residence in the parish before his registrar of the voters, or deputy registrar, the challenge shall fail and the voter's name shall remain on the rolls. See Louisiana Revised Statutes of 1950, title 18, sections 132, 133, and 134."

COMMENT

In none of the ten parishes which were the subject of FBI investigations did the registrar make it a practice to send a form of reply affidavit to the challenged registrant. On the contrary, investigations in Bienville, Caldwell, De Soto, Jackson, La Salle, and Ouachita Parishes disclosed that the registrar in those parishes did everything to discourage the filing of reply affidavits in the statutory form and generally refused to accept them when offered.

In Ouachita Parish the registrar refused to accept as witnesses on behalf of a challenged voter bona fide registered voters of the parish who were not from the same precinct as the challenged voter. She also refused to accept as witnesses bona fide registered voters who had themselves been challenged. She also refused to accept as witnesses registered voters who had already witnessed to the qualifications of another challenged voter.

In Caldwell Parish the registrar refused to accept witnesses on behalf of a challenged voter unless they were accompanied by a law-enforcement officer and a member of the citizens council to identify them. He even refused to accept white persons as witnesses for Negro voters on the grounds that the witnesses were of a different race from the race of the challenged voters.

In Bienville Parish, where 560 of the 595 registered Negro voters were challenged, the registrar consistently refused to accept affidavits on behalf of registered voters which were in the statutory form and, as a result, the names of every one of the challenged Negro voters were stricken from the voting rolls.

In Jackson Parish, where 953 of the 1,122 Negro voters were challenged, the registrar also refused to accept for filing affidavits on behalf of challenged voters, which affidavits were in statutory form. As a result, all of the challenged Negro voters, with the exception of two who were physically disabled and therefore unable to fill out voter application cards, were stricken from the voting rolls.

In a number of parishes when challenged Negro registrants came to the registrar's office in response to the challenging citation, they were told by the registrar that they would have to see a private attorney in order to get the matter straightened out.

Ouachita incident was exceptional, pages 670–671, 702–703:

"The CHAIRMAN. Mr. Attorney General, I am reading from page 145 of the transcript of these hearings, where there was testimony given as follows:

" 'In Louisiana the White Citizens Councils have conducted a campaign to purge as many colored voters from the books as possible. In Monroe, La., representatives of the councils have actually invaded the office of the registrar of voting for the purpose of purging colored voters. The Assistant Attorney General in charge of the criminal division of the Department of Justice testified in October 1956 that over 3,000 voters had been illegally removed from the rolls of Ouachita Parish, in which Monroe is located.'

"Would you care to comment on that sir?

"Mr. GREMILLION. Yes.

"I actually do not know anything officially, or nonofficially, about the activities of the Citizens Council in my State. I am not a member, and I actually do not know. But I do know that up at Monroe they did have some difficulty with respect to voting. But that is definitely not a general rule throughout the State, and I think that is more or less an exception."

"Please do not attach too much significance to this Monroe affair in Ouachita Parish about which you already received testimony. An occurrence like that is typical in any State where political battles are involved. I personally know that that was a fight between two candidates in the mayor's race, and one candidate had the Negro votes and the other used this means of getting them off until that election was held. I regret that that had to happen. But do not judge the State of Louisiana by it. It could happen in any other State in the Union where you have politics. See what I mean?

The CHAIRMAN. Yes, sir.

"Mr. GREMILLION. So do not pay any attention to that Monroe affair. That is strictly politics, and that is why the people are back there today."

COMMENT

With respect only to cases which have been investigated by the FBI, the following numbers of Negro voters were challenged in each of the following parishes:

Bienville, 560; Caldwell, 330; De Soto, 383; Grant, 758; Jackson, 953; La Salle, 345; Lincoln, 325; Ouachita, 3,240; Rapides, 1,058; Union, 600.

Grand jury inquiry, page 677.

"Mr. GREMILLION. Mr. Dalton, one of my assistants here advises me on something that we were talking about in the Ouachita matter, the Monroe matter, and I want to remind the committee of this: that there were two grand juries that investigated these alleged discrepancies or purging of the rolls.

"The first returned an indictment, then the second one was convened, with Mr. St. John Barrett—I believe his name was—assisting, an assistant sent down from Washington. So that grand jury also failed to send down any indictments.

"So let me remind you this matter was investigated by two Federal grand juries."

COMMENT

There has been only one Federal grand jury empaneled in Louisiana which has inquired into civil-rights violations. This was empaneled on December 4, 1956, and has not yet been discharged. It was in session with respect to civil rights matters on December 4, 5, 6 and 7, January 29, 30 and 31 and February 1, 6 and 12. Witnesses were subpenaed and other evidence presented to the grand jury in connection with the cases arising in Caldwell, De Soto and Grant Parishes. No indictments were returned in these cases. On February 12, 1957, an attorney from this Department outlined to the grand jury the evidence which the Department had relating to cases arising in Bienville, Jackson and Ouachita Parishes, which evidence the Department believed indicated the commission of offenses against the laws of the United States and which merited presentation to a grand jury. After deliberating in private the grand jury announced through its foreman that it had determined that there was no possibility of indictments being returned in the Bienville, Jackson and Ouachita Parish cases even though the evidence was presented to them and a full inquiry conducted. The grand jury went on record as not desiring to hear any testimony in connection with these latter cases.

Reregistration of "Purged" Voters, Monroe, Ouachita Parish, page 672:

"Mr. KEATING. Have those names been put back on the rolls?

"Mr. GREMILLION. About 99 percent of them are back on the rolls, Mr. KEATING. That was under the provisions of the law which I read to you from page 2 of my statement."

COMMENT

Prior to the filing of the challenges in Ouachita Parish there were approximately 4,000 registered Negro voters in the parish. On October 6, 1956, after the "purge" was over and when the registration books closed for the November 6 general election there were 694 registered Negro voters. Thus, there were in excess of 3,000 Negro voters deprived of the right to vote in the general election of November 6.

Sincerely,

WARREN OLNEY, III,
Assistant Attorney General.

Mr. DOUGLAS. Mr. President, the point I am making is that with the selection of juries in the Federal courts in the South being what it is, both by statute and by practice, then considering the temper of the communities, and considering the fact that the jurors must go back into the communities from which they come, and that they do not have the protection of life tenure which a Federal judge has, there will be far less justice if a jury-trial amendment is included than if it is knocked out of the bill.

I hope, in later speeches which I intend to make on this subject from time to time, to produce additional evidence showing the great reluctance—in most cases the refusal—of southern jurors to convict white men for offenses against Negroes, even where the preponderance of the evidence of grave offenses is overwhelming.

If there are now instances of juries refusing to convict in cases of grave offense, I think we can get some idea of their added reluctance to convict in cases where the violation is simply depriving Negroes of the right to vote.

Mr. President, can you picture juries in Alabama, Mississippi, Georgia, South Carolina, or northern Florida convicting registration officials who, by one artifice or another, effectively prevent Negroes from registering to become qualified voters? That is the reason why many of us, and I hope ultimately the majority of the House and Senate will agree with us, do not wish to accept the jury-trial amendment. We believe that in the interest of justice, which is what we should serve, this cause will be better aided by having the judges, who are southern whites, who come from southern communities, and who share the mores of those communities, but who are somewhat insulated from improper pressure by life tenure, make the decisions, than by having cases tried by juries chosen from carefully culled jury lists, which either completely or preponderantly exclude Negroes.

THE MISSISSIPPI DECISION WHITEWASHING THE LIBERATION OF A JURY

A recent Mississippi case indicates some very humorous yet tragic features on this point. It is the case of Oliver Lee Walker against the State of Mississippi, decided on appeal by the Supreme Court of Mississippi on December 17, 1956. The original citation is volume 91, Southern, second series, page 1948, but it is reported in the very excellent Race Relations Law Reporter, volume 2, for April 1957. This law reporter is published by the Vanderbilt University School of Law, a white university—and a very reputable university, I may add.

Walker was a Negro. After being convicted of receiving stolen property and being sentenced to 3 years in the State penitentiary, he appealed. One of the grounds of his appeal was that there was a systematic exclusion of Negroes from the list of qualified jurors from which the petit jury was drawn.

The figures which I have introduced into the RECORD for that county, namely, Bolivar, show that there were something like 21,805 Negroes of the age of 21 years and over, but only 511 of whom were registered.

The court said, as the text appears at page 440 of the Vanderbilt University Race Relations Law Reporter:

Actually the proof showed that there were 14 Negro qualified electors in the county, and that the board of supervisors, at the regular April 1955 meeting, when the jury list for the ensuing years was approved, included in the list of potential jurors for the year seven, or one-half of the Negroes, who were qualified.

That was in Bolivar County, and there was no less than 21,805 potential Negro voters in that county.

There were 511 Negroes registered, but the court said there were only 14 who were "qualified," meaning that the poll tax and other disqualifications had been heaped on top of the difficult registration requirements.

Seven of those fourteen Negroes were placed on the jury list. Therefore, the court said, there was no prejudice in the selection of the jury, although none of them actually sat on the jury.

Of 21,805 potential Negro voters, only 7 were placed on the jury list. None of those was selected actually to serve on the jury. But because the number of qualified Negro voters was only 14, the court then said that since half of those qualified were placed on the list, there was, therefore, no discrimination. But in practice, the original court officials selected only one three-thousandths of the total number of Negro voters who were 21 years of age and over. The disqualification was in the ludicrously and tragically small percentage of the potential voters who were declared to be qualified. That is where the [illegible]h lies.

These figures are used by the Supreme Court of Mississippi as an argument to show that it was not a biased selection, the court saying, on page 441:

Although the proof showed no Negro served on the jury in the March 1956 term of court, this was not substantial evidence of discrimination against Negroes.

WE SHOULD GO INTO THIS MATTER STILL MORE FULLY

Mr. President, this is merely the first speech which I intend to make on this subject, because I think we need to go very thoroughly into what this proposed jury trial amendment means. We need to see in even greater detail how biased the selection of jurors in the South generally is, both by statute and by practice, and we need to review some of the decisions of juries in the past to see how difficult it has been for Negroes to get any real justice when their interests conflict with those of the whites.

Mr. President, I am about to yield the floor, but before I do so I ask unanimous consent that there may be printed in the RECORD at the conclusion of my remarks editorials from the New York Times, the Ogden (Utah) Standard-Examiner, and the Philadelphia Inquirer, and a letter to the New York Times.

There being no objection, the editorials and letter were ordered to be printed in the RECORD, as follows:

EXHIBIT NO. 1

SOUTHERN REGIONAL COUNCIL, INC.

From: Research office, Southern Regional Council.

Re Negro voter registration in Southern States.

The attached material on Negro voter registration was compiled in the summer of 1956 from official records or from the best estimates available from reliable sources in each county. The registration figures are for 1956 except in Arkansas, where only 1955 figures were available. There have been newspaper reports that Negro registration has decreased in Mississippi, but the Southern Regional Council cannot supply accurate figures for this State. The State Times of Jackson conducted a survey of Negro registration in some Mississippi counties in 1956, and excerpts from its report are included.

We do not have registration data for Tennessee. Because of Texas' extensive geographical area, and consultant did not travel throughout the State's 254 counties. It is estimated that 90 percent of Texas' Negro population resides in the 95 counties included in this report. The lack of registration data for many counties in North Carolina does not mean that there were no Negroes registered; we could not secure the number of registrants or a racial breakdown of registrants in these North Carolina counties. On all other States, a zero, blank space or dash means that there were no Negro registrants known to our sources of information. If a county has no Negroes registered, the column, "Potential Negro Voters," should be checked to determine if there are potential Negro registrants. This column includes the number of nonwhites 18 and over in Georgia and Kentucky; those 21 and over in all other States. The majority of the nonwhites in the South are Negroes, though a few persons of other races are found in some counties and included in the figures reported here.

The Southern Regional Council is aware of the excess of registrants over potentially eligible persons in some counties. However, these are the figures furnished from official records or other reliable sources. Where there is an excess, it may be due, in part, to the failure to purge registration lists and/or population growth since 1950.

ALABAMA

County	1950 potential Negro voters	1956 number of Negroes registered
Autauga	4,042	73
Baldwin	4,493	625
Barbour	7,158	220
Bibb	2,801	235
Blount	429	----
Bullock	5,425	6
Butler	6,024	805
Calhoun	8,304	1,800
Chambers	7,175	649
Cherokee	736	250
Chilton	2,027	350
Choctaw	4,822	112
Clarke	6,434	700
Clay	1,011	----
Cleburne	380	60
Coffee	3,114	600
Colbert	4,519	921
Conecuh	1,435	960
Coosa	1,828	450
Covington	3,157	175
Crenshaw	2,801	600
Cullman	249	81
Dale	2,454	380
Dallas	18,145	275
De Kalb	443	----
Elmore	5,543	226
Escambia	5,425	1,606
Etowah	7,672	2,000
Fayette	1,497	326
Franklin	700	200
Geneva	1,686	300
Greene	6,628	157
Hale	7,041	130
Henry	4,029	600
Houston	7,211	1,700
Jackson	1,242	----
Jefferson	121,667	7,000
Lamar	1,204	100
Lauderdale	4,022	495
Lawrence	3,010	408
Lee	8,954	500
Limestone	4,013	800
Lowndes	6,512	----
Macon	14,539	1,100
Madison	10,333	1,500
Marengo	10,226	170
Marion	384	200
Marshall	604	----
Mobile	45,493	6,400
Monroe	5,914	140
Montgomery	34,079	2,176
Morgan	4,641	----
Perry	6,351	300
Pickens	5,547	600
Pike	6,866	720
Randolph	2,728	1,171
Russell	10,135	560
Shelby	3,356	375
St. Clair	2,363	750
Sumter	8,700	295
Talladega	9,318	1,134
Tallapoosa	5,083	----
Tuscaloosa	14,157	5,500
Walker	3,850	2,800
Washington	2,835	600
Wilcox	8,218	----
Winston	63	----
1950 census, nonwhite, 21 years and over		516,245
1956, number of Negroes registered		53,366
Percent registered		10.3

ARKANSAS

County	1950 Negro population over 21	1955 Negro registrants	Percent registered
Arkansas	2,934	995	33.9
Ashley	5,062	1,361	26.9
Baxter	3	0	----
Benton	43	5	11.6
Boone	----	0	----
Bradley	2,744	1,210	44.1
Calhoun	1,277	844	66.1
Carroll	13	2	15.4
Chicot	6,924	2,588	37.4
Clark	3,228	1,067	33.0
Clay	6	0	----
Cleburne	2	0	----
Cleveland	1,061	371	35.0
Columbia	5,603	957	17.1
Conway	2,196	1,527	69.5
Craighead	998	292	29.3
Crawford	414	21	5.1
Crittenden	16,495	1,352	8.2
Cross	4,041	723	17.9
Dallas	2,504	1,033	41.2
Desha	6,511	2,518	38.7
Drew	3,118	1,038	33.3
Faulkner	1,480	430	29.0

ARKANSAS—Continued

County	1950 Negro population over 21	1955 Negro registrants	Percent
Franklin	91	23	25.3
Fulton	5	0	
Garland	3,751	2,520	67.2
Grant	370	231	62.4
Greene	40	5	12.5
Hempstead	5,244	1,452	27.7
Hot Spring	1,575	717	45.5
Howard	1,466	460	32.7
Independence	407	100	24.6
Izard	62	27	43.5
Jackson	2,067	1,215	58.8
Jefferson	21,174	5,774	27.3
Johnson	144	18	12.5
Lafayette	3,004	1,033	34.4
Lawrence	164	67	40.8
Lee	7,572	1,610	21.3
Lincoln	4,808	1,391	28.9
Little River	2,107	782	37.1
Logan	209	183	87.5
Lonoke	3,267	805	24.6
Madison	9	5	
Marion			
Miller	5,000	1,840	36.8
Mississippi	11,975	3,915	32.7
Monroe	4,930	1,031	20.9
Montgomery	24	15	62.5
Nevada	2,578	825	32.0
Newton	1	0	
Quachita	7,020	2,500	35.6
Perry	133	65	48.9
Phillips	15,226	3,561	23.4
Pike	294	86	29.2
Poinsett	1,754	195	11.1
Polk	9	0	
Pope	426	150	35.2
Prairie	1,192	900	75.5
Pulaski	28,881	8,364	29.0
Randolph	102	57	55.9
St. Francis	10,734	2,300	21.4
Saline	974	413	42.4
Scott	94	45	47.9
Searcy	3	0	
Sebastian	2,678	661	24.7
Sevier	610	235	38.5
Sharp	5	3	
Stone	3	0	
Union	8,434	2,570	30.5
Van Buren	59	31	52.5
Washington	309	40	12.9
White	726	288	39.7
Woodruff	3,549	954	26.9
Yell	335	55	16.4

1950 census, nonwhite, 21 years and over	232,191
1955 number of Negroes registered	67,851
Percent registered	29.2

FLORIDA

County	1950 potential Negro voters	1956 number of Negroes registered
Alachua	9,430	3,153
Baker	818	361
Bay	4,028	2,012
Bradford	1,408	859
Brevard	3,544	2,160
Broward	12,234	6,958
Calhoun	594	231
Charlotte	462	268
Citrus	879	580
Clay	1,230	1,193
Collier	1,402	741
Columbia	3,357	1,645
Dade	42,682	19,048
De Soto	1,229	807
Dixie	387	181
Duval	55,832	27,368
Escambia	14,521	6,733
Flagler	872	64
Franklin	904	521
Gadsden	10,930	5
Gilchrist	263	29
Glades	584	262
Gulf	1,129	481
Hamilton	1,983	567
Hardee	404	375
Hendry	1,034	135
Hernando	869	622
Highlands	2,054	1,243
Hillsborough	24,941	8,856
Holmes	326	130
Indian River	1,764	427
Jackson	5,843	3,430
Jefferson	3,272	183
Lafayette	176	0
Lake	5,110	1,363
Lee	3,017	1,818
Leon	11,213	4,046
Levy	2,107	603
Liberty	333	1

FLORIDA—Continued

County	1950 potential Negro voters	1956 number of Negroes registered
Madison	3,151	1,010
Manatee	4,425	1,686
Marion	8,387	4,324
Martin	1,374	706
Monroe	2,043	1,652
Nassau	2,123	1,223
Okaloosa	1,177	606
Okeechobee	406	348
Orange	14,321	3,137
Osceola	958	358
Palm Beach	22,253	6,520
Pasco	1,713	624
Pinellas	12,118	3,477
Polk	15,492	4,989
Putnam	5,199	1,779
St. Johns	5,053	2,051
St. Lucie	3,732	1,813
Santa Rosa	928	730
Sarasota	2,896	783
Seminole	6,881	2,242
Sumter	1,703	790
Suwannee	2,606	565
Taylor	1,945	91
Union	2,453	6
Volusia	10,415	5,761
Wakulla	833	345
Walton	1,651	954
Washington	1,656	743

1950 census, nonwhite 21 years and over	366,797
1956 number of Negroes registered	148,703
Percent registered	40.2

GEORGIA

County	Nonwhite population over 18, 1950	Negroes registered, 1956
Appling	1,356	1,068
Atkinson	897	408
Bacon	558	8
Baker	1,819	0
Baldwin	8,461	2,487
Banks	229	32
Barrow	1,235	413
Bartow	2,404	702
Ben Hill	2,659	918
Berrien	1,107	738
Bibb	25,993	5,140
Bleckley	1,588	39
Brantley	451	175
Brooks	4,693	707
Bryan	1,269	885
Bulloch	4,755	1,795
Burke	8,797	390
Butts	2,166	1,414
Calhoun	3,232	126
Camden	2,062	1,556
Candler	1,494	1,174
Carroll	3,578	939
Catoosa	183	129
Charlton	772	12
Chatham	33,272	9,720
Chattahoochee	1,510	8
Chattooga	1,030	1,020
Cherokee	473	320
Clarke	6,249	2,866
Clay	2,148	97
Clayton	2,070	275
Clinch	1,222	422
Cobb	3,935	1,948
Coffee	3,133	980
Colquitt	4,409	1,047
Columbia	2,451	487
Cook	1,861	750
Coweta	5,788	1,348
Crawford	1,806	125
Crisp	4,390	835
Dade	72	45
Dawson	0	0
Decatur	6,231	895
De Kalb	8,694	2,650
Dodge	2,863	2,068
Dooly	3,887	1,008
Dougherty	11,773	2,130
Douglas	1,020	730
Early	4,790	226
Echols	379	15
Effingham	1,838	211
Elbert	3,371	986
Emanuel	3,597	1,657
Evans	1,340	494
Fannin	47	63
Fayette	1,261	11
Floyd	6,046	2,730
Forsyth	25	[1] 20
Franklin	970	300
Fulton	99,347	24,441
Gilmer	14	6
Glascock	470	21
Glynn	6,069	2,185
Gordon	641	348

GEORGIA—Continued

County	Nonwhite population over 18, 1950	Negroes registered, 1956
Grady	3,442	827
Greene	3,548	2,586
Gwinnett	1,751	1,000
Habersham	381	300
Hall	2,357	1,421
Hancock	4,094	1,850
Haralson	721	319
Harris	3,380	275
Hart	1,803	[3] 327
Heard	867	388
Henry	3,657	1,529
Houston	3,835	443
Irwin	2,171	800
Jackson	1,571	436
Jasper	2,327	570
Jeff Davis	1,034	[1] 42
Jefferson	5,588	237
Jenkins	2,899	891
Johnson	1,717	416
Jones	2,223	536
Lamar	2,230	673
Lanier	926	473
Laurens	7,298	3,537
Lee	2,456	29
Liberty	2,825	2,453
Lincoln	1,617	3
Long	695	1,061
Lowndes	8,350	2,767
Lumpkin	82	73
McDuffie	1,158	356
McIntosh	1,879	1,197
Macon	2,914	54
Madison	2,056	141
Marion	4,821	126
Meriwether	5,727	1,207
Miller	1,372	6
Mitchell	5,955	345
Monroe	2,885	737
Montgomery	1,613	887
Morgan	3,264	[1] 738
Murray	96	28
Muscogee	20,031	9,987
Newton	3,860	[1] 1,539
Oconee	932	446
Oglethorpe	2,201	229
Paulding	602	418
Peach	4,270	640
Pickens	255	80
Pierce	1,295	425
Pike	1,915	372
Polk	2,795	[2] 1,390
Pulaski	2,371	248
Putnam	2,295	531
Quitman	1,005	[4] 45
Rabun	71	17
Randolph	4,971	473
Richmond	23,694	5,372
Rockdale	1,322	563
Schley	1,184	134
Screven	5,146	729
Seminole	1,631	22
Spalding	5,075	[4] 1,151
Stephens	1,268	514
Stewart	3,463	[1] 68
Sumter	7,441	485
Talbot	2,757	210
Taliaferro	1,575	888
Tattnall	2,384	1,681
Taylor	2,233	325
Telfair	2,375	[4] 101
Terrell	5,054	105
Thomas	8,246	1,700
Tift	3,576	913
Toombs	2,631	155
Towns	3	0
Treutlen	1,041	18
Troup	9,423	2,036
Turner	2,009	418
Twiggs	2,593	354
Union	0	0
Upson	3,822	542
Walker	1,389	1,136
Walton	3,236	598
Ware	4,979	1,098
Warren	2,836	200
Washington	6,387	1,353
Wayne	1,644	1,448
Webster	1,313	0
Wheeler	1,101	476
White	192	189
Whitfield	859	951
Wilcox	1,841	258
Wilkes	3,748	263
Wilkinson	2,621	327
Worth	4,837	322

1950: Potential Negro voters 18 years of age and over	633,697
1956: Number of Negroes registered	163,389
Percent registered	25.6

[1] 1954 data or 1956 totals divided on a basis of 1954 Negro-white ratio (some counties do not report racial breakdown for 1956).
[2] Estimate. Polk did not report a racial breakdown.
[3] 1952 Negro-white ratio applied to 1956 total.
[4] 1954 data.

LOUISIANA

Parish	Estimated Negro population over 21, 1956	Negroes registered, 1956
Acadia	4,500	3,448
Allen	2,470	1,811
Ascension	4,180	1,926
Assumption	3,380	1,992
Avoyelles	4,810	1,960
Beauregard	1,940	1,120
Bienville	3,980	587
Bossier	8,020	495
Caddo	43,770	5,500
Calcasieu	14,990	6,244
Caldwell	1,430	450
Cameron	250	236
Catahoula	2,070	330
Claiborne	5,980	17
Concordia	4,560	587
De Soto	6,480	762
East Baton Rouge	40,700	8,629
East Carroll	5,150	0
East Feliciana	6,390	1,361
Evangeline	3,290	3,262
Franklin	5,070	650
Grant	1,680	864
Iberia	7,130	4,225
Iberville	7,110	2,411
Jackson	2,240	1,113
Jefferson	13,690	6,097
Jefferson Davis	2,890	1,690
Lafayette	8,980	4,549
Lafourche	2,950	1,572
La Salle	860	742
Lincoln	5,420	1,166
Livingston	1,630	1,162
Madison	6,100	0
Morehouse	8,590	935
Natchitoches	8,350	2,954
Orleans	124,600	31,880
Ouachita	16,400	5,782
Plaquemines	2,840	49
Pointe Coupee	5,580	1,319
Rapides	20,500	3,160
Red River	2,600	1,512
Richland	5,230	740
Sabine	2,190	1,385
St. Bernard	1,140	802
St. Charles	2,350	1,949
St. Helena	2,170	1,694
St. James	3,740	2,117
St. John the Baptist	3,730	2,426
St. Landry	16,500	13,050
St. Martin	4,400	2,583
St. Mary	7,820	2,668
St. Tammany	4,450	1,997
Tangipahoa	9,550	3,749
Tensas	4,500	0
Terrebonne	5,880	980
Union	3,160	1,600
Vermillion	2,390	1,916
Vernon	1,470	891
Washington	6,520	1,806
Webster	6,940	1,769
West Baton Rouge	3,530	1,017
West Carroll	1,420	292
West Feliciana	4,000	0
Winn	2,480	1,400

Estimated Negro population over 21 in 1956.... 510,090
1956, number of Negroes registered..... 161,410
Percent registered..... 31.6

MISSISSIPPI

The State Times, of Jackson, Miss., surveyed a number of counties in the fall of 1956 to determine changes in Negro registration since 1952. The 1956 and 1952 registration figures listed below are those released by The State Times:

County	Nonwhite population over 21	Negroes registered, 1956	Negroes registered, 1952
Hinds	35,021	4,305	2,500
Marion	4,103	500	100
Clarke	3,849	0	0
Smith	1,400	13	1
Calhoun	1,893	2	3
Tunica	9,123	38	3
Wilkinson	4,558	55	50
Benton	1,749	35	35
Issaquena	1,790	0	0
Sharkey	4,533	1	1
Choctaw	1,412	13	18
Covington	2,354	440	311
Itawamba	470	36	12

NORTH CAROLINA

County	1950 potential Negro voters	1956 number of Negroes registered
Alamance	6,897	3,300
Alexander	516	----------
Alleghany	147	----------
Anson	6,143	1,560
Ashe	154	----------
Avery	151	----------
Beaufort	7,066	200
Bertie	7,016	400
Bladen	5,496	600
Brunswick	3,322	550
Buncombe	9,950	4,200
Burke	1,824	----------
Cabarrus	5,169	----------
Caldwell	1,574	----------
Camden	991	----------
Carteret	1,599	----------
Caswell	4,383	950
Catawba	2,878	100
Chatham	3,936	----------
Cherokee	172	50
Chowan	2,681	----------
Clay	44	----------
Cleveland	6,652	----------
Columbus	7,897	350
Craven	8,446	----------
Cumberland	14,275	1,200
Currituck	1,102	----------
Dare	241	----------
Davidson	3,563	2,000
Davie	1,143	325
Duplin	7,336	----------
Durham	20,101	9,050
Edgecombe	12,845	600
Forsyth	25,027	13,000
Franklin	6,643	----------
Gaston	8,163	----------
Gates	2,344	----------
Graham	113	----------
Granville	7,179	----------
Greene	3,690	----------
Guilford	22,309	8,000
Halifax	14,350	950
Harnett	5,924	900
Haywood	488	125
Henderson	1,319	----------
Hertford	6,210	700
Hoke	4,201	385
Hyde	1,207	50
Iredell	5,387	1,100
Jackson	732	----------
Johnston	6,686	1,200
Jones	2,238	165
Lee	3,214	585
Lenoir	10,266	2,050
Lincoln	1,593	500
McDowell	795	400
Macon	198	----------
Madison	105	50
Martin	6,117	1,500
Mecklenburg	29,472	8,075
Mitchell	35	----------
Montgomery	1,960	945
Moore	8,900	1,002
Nash	11,712	2,400
New Hanover	11,675	5,445
Northampton	8,206	500
Onslow	3,316	500
Orange	4,385	----------
Pamlico	1,549	100
Pasquotank	4,961	----------
Pender	4,180	----------
Perquimans	2,290	----------
Person	4,118	1,400
Pitt	14,057	500
Polk	799	400
Randolph	2,273	600
Richmond	6,065	1,252
Robeson	22,062	4,000
Rockingham	6,966	1,700
Rowan	7,080	2,500
Rutherford	2,828	----------
Sampsun	8,660	----------
Scotland	5,791	488
Stanly	2,329	----------
Stokes	932	----------
Surry	1,372	----------
Swain	706	----------
Transylvania	385	----------
Tyrell	939	----------
Union	4,666	1,095
Vance	7,179	1,000
Wake	21,902	5,000
Warren	6,908	800
Washington	2,730	----------
Watauga	129	----------
Wayne	15,141	1,500
Wilkes	1,482	----------
Wilson	10,964	1,500
Yadkin	576	200
Yancey	116	80

1950 census nonwhites, 21 years of age or over.... 549,741

SOUTH CAROLINA

County	1950 potential Negro voters	1956 number of Negroes registered	Percent
Abbeyville	3,678	15	0.4
Aiken	9,896	1,500	15.1
Allendale	3,891	350	9.0
Anderson	9,993	3,000	30.0
Bamberg	4,485	500	11.1
Barnwell	4,776	750	15.7
Beaufort	7,624	2,000	26.2
Berkeley	8,125	3,200	39.4
Calhoun	4,437	0	0
Charleston	34,111	6,000	17.6
Cherokee	3,692	1,000	27.1
Chester	6,788	650	9.6
Chesterfield	6,059	3,500	57.8
Clarendon	9,279	1,200	12.9
Colleton	6,768	1,200	17.7
Darlington	10,455	9,000	86.1
Dillon	6,520	4,000	61.3
Dorchester	5,772	800	13.9
Edgefield	4,312	800	18.5
Fairfield	5,931	550	9.3
Florence	16,650	1,600	9.6
Georgetown	7,321	2,100	28.6
Greenville	17,150	9,000	52.5
Greenwood	6,782	2,500	36.9
Hampton	4,607	350	7.6
Horry	6,969	2,700	38.7
Jasper	3,281	1,100	33.5
Kershaw	7,065	1,000	14.2
Lancaster	5,111	1,500	29.3
Laurens	7,313	700	9.6
Lee	6,246	1,500	24.0
Lexington	4,698	150	3.2
McCormick	2,625	0	0
Marion	8,668	1,500	17.3
Marlboro	7,460	200	26.8
Newberry	5,896	775	13.1
Oconee	2,457	2,000	81.4
Orangeburg	19,158	2,200	11.5
Pickens	2,364	900	38.1
Richland	28,383	12,500	44.0
Saluda	2,971	500	16.8
Spartanburg	17,546	7,000	39.9
Sumter	14,807	1,800	12.2
Union	4,879	1,500	30.7
Williamsburg	12,121	900	7.4
York	10,904	2,900	26.6

1950 Census: Nonwhite, 21 years of age and over.. 390,024
1956: Number of Negroes registered..... 98,890
Percent registered..... 25.3

TEXAS

County	1950 potential Negro voters	1956 number of Negroes registered
Anderson	5,323	1,488
Angeline	3,554	2,336
Austin	1,642	112
Bailey	141	78
Bastrop	3,385	1,103
Bell	5,273	1,264
Bexar	22,310	15,497
Bowie	8,813	3,012
Brazoria	4,470	2,765
Brazos	5,006	2,504
Burleson	2,318	835
Caldwell	1,785	481
Camp	1,946	779
Cass	4,332	947
Chambers	876	339
Cherokee	6,447	986
Collin	2,077	350
Colorado	2,567	1,139
Dallas	54,332	15,626
Dawson	550	62
Denton	1,362	231
De Witt	1,975	349
Ector	988	260
Ellis	5,841	1,711
El Paso	3,139	1,433
Falls	4,612	1,934
Fannin	1,851	638
Fayette	2,185	1,244
Fort Bend	4,437	858
Freestone	3,197	1,495
Galveston	15,520	6,490
Gonzales	2,134	896
Grayson	3,892	1,117
Gregg	8,595	2,398
Grimes	3,427	767
Guadalupe	2,101	699
Hardin	1,815	827
Harris	96,679	36,654
Harrison	12,840	3,914
Hays	718	210
Henderson	2,531	1,403

TEXAS—continued

County	1950 potential Negro voters	1956 number of Negroes registered
Hill	2,445	738
Hopkins	1,395	374
Houston	4,631	2,023
Hunt	3,411	1,157
Jackson	993	557
Jasper	2,790	1,273
Jefferson	26,477	10,567
Johnson	1,048	370
Jones	700	144
Kaufman	4,782	1,274
Lamar	4,617	1,721
Lavaca	1,291	674
Lee	1,399	616
Leon	2,538	1,426
Liberty	3,359	1,626
Limestone	3,959	1,894
Lubbock	4,481	2,016
McLennan	13,326	6,038
Madison	1,352	561
Marion	3,086	913
Matagorda	2,787	1,174
Midland	1,258	1,023
Milam	2,735	1,182
Montgomery	3,530	1,361
Morris	1,529	422
Nacogdoches	4,378	2,015
Navarro	5,574	1,513
Newton	1,923	1,081
Nueces	5,182	2,684
Orange	2,558	1,536
Panola	3,035	1,264
Polk	2,624	913
Potter	2,408	712
Red River	2,787	533
Robertson	4,371	1,114
Rockwall	770	283
Rusk	6,614	3,163
Sabine	1,198	361
San Augustine	1,515	601
San Jacinto	1,981	572
Shelby	2,963	615
Smith	12,599	3,713
Tarrant	26,495	8,571
Taylor	1,659	739
Travis	13,890	5,268
Trinity	1,576	1,023
Upshur	3,032	1,369
Victoria	2,051	1,898
Walker	4,322	1,406
Waller	3,150	1,063
Washington	3,957	3,750
Wharton	4,337	1,963
Wichita	3,935	1,006
Williamson	3,203	813
Total	550,992	209,897

1950 nonwhite in 95 counties	550,992
1956 Negroes registered in these 95 counties	209,897
Percentage registered	38.1

NOTE.—Texas has 254 counties. More than 90 percent of the Negro population resides in the 95 counties listed here. The figures of potential Negro voters are compiled from the census. The numbers registered are from the Southern regional council.

VIRGINIA

County	1950 potential Negro voters	1956 number of Negroes registered
Accomac	6,591	220
Albemarle	2,840	350
Alleghany	1,193	168
Amelia	1,999	555
Amherst	2,854	546
Appomattox	1,107	202
Arlington	4,248	1,185
Augusta	956	179
Bath	480	21
Bedford	2,916	1,066
Bland	79	12
Botetourt	891	----
Brunswick	5,503	705
Buchanan	6	----
Buckingham	2,493	290
Campbell	3,357	955
Caroline	3,086	406
Carroll	200	11
Charles City	1,930	704
Charlotte	2,702	284
Chesterfield	4,489	1,150
Clarke	746	255
Craig	13	----
Culpeper	1,907	452
Cumberland	1,906	340

VIRGINIA—Continued

County	1950 potential Negro voters	1956 number of Negroes registered
Dickenson	163	57
Dinwiddie	7,879	395
Elizabeth City	6,973	(1)
Essex	1,594	126
Fairfax	6,563	1,115
Fauquier	2,912	106
Floyd	236	104
Fluvanna	1,301	82
Franklin	1,750	307
Frederick	214	48
Giles	265	140
Gloucester	1,960	513
Goochland	2,515	657
Grayson	462	53
Greene	357	87
Greensville	4,506	790
Halifax	8,675	521
Hanover	3,388	764
Henrico	3,253	814
Henry	3,474	400
Highland	103	11
Isle of Wight	3,957	735
James City	1,590	330
King and Queen	1,795	205
King George	987	325
King William	1,888	1,146
Lancaster	2,015	415
Lee	257	97
Loudoun	2,098	531
Louisa	2,602	361
Lunenburg	2,905	500
Madison	976	79
Mathews	1,139	150
Mecklenburg	7,655	335
Middlesex	1,568	212
Montgomery	959	465
Nansemond	8,931	1,148
Nelson	1,882	352
New Kent	1,150	240
Norfolk	8,898	1,426
Northampton	5,105	529
Northumberland	2,118	716
Nottoway	3,607	655
Orange	1,791	247
Page	313	110
Patrick	626	80
Pittsylvania	9,271	502
Powhatan	1,349	329
Prince Edward	3,468	725
Prince George	3,129	175
Prince William	5,724	----
Princess Anne	1,524	1,800
Pulaski	1,165	695
Rappahannock	617	330
Richmond	1,077	235
Roanoke	2,321	539
Rockbridge	1,211	345
Rockingham	409	78
Russell	370	75
Scott	187	36
Shenandoah	231	75
Smyth	289	82
Southampton	7,972	575
Spotsylvania	1,470	335
Stafford	800	350
Surry	1,941	310
Sussex	4,034	540
Tazewell	1,667	267
Warren	663	137
Warwick	7,129	----
Washington	741	148
Westmoreland	2,285	331
Wise	1,376	207
Wythe	663	169
York	1,699	607
INDEPENDENT CITY		
Virginia Beach City	----	100
Warrick City	----	868
Alexandria City	5,129	1,640
Bristol City	704	110
Buena Vista	148	29
Charlottesville	3,079	2,110
Clifton Forge	645	171
Danville	6,517	1,448
Fredericksburg	1,224	357
Hampton	1,644	2,087
Harrisonburg	433	185
Hopewell	917	350
Lynchburg	6,506	2,506
Martinsville	2,825	352
Newport News	11,754	3,341
Norfolk	42,028	9,328
Petersburg	9,399	1,407
Portsmouth	19,196	3,444
Radford	369	144
Richmond	48,257	11,569
Roanoke	9,420	2,408
South Norfolk	1,434	868
Staunton	1,397	285
Suffolk	3,004	476

[1] Included with Hampton.

VIRGINIA—Continued

County	1950 potential Negro voters	1956 number of Negroes registered
INDEPENDENT CITY—con.		
Williamsburg	569	93
Winchester	722	91
Galax	----	15
Colonial Heights	7	----
Chesterfield Court House	----	----
Fall Church	90	42
Waynesboro	564	130
Covington	----	310
Norton	----	135

1950 census, nonwhite 21 years of age and over	422,670
1956 number of Negroes registered	84,931
Percent registered	20.1

NOTE OF METHOD OF DETERMINING TOTALS

Because of rounding, the 1950 potential Negro voter figures given on the State lists are not, in all cases, the same as the census figures. Therefore, in establishing the percent of Negroes registered, we have used the official census figures for the totals for nonwhites 21 years of age and over, on the one hand, and the number as given on the State lists by the southern regional council for the number of registered voters on the other.

The figures compiled by the southern regional council are the best figures available and while they may be criticized in some minor respects, there are no other more exact figures which are extant.

REPORT TO THE JUDICIAL CONFERENCE OF THE COMMITTEE ON SELECTION OF JURORS, 1942

USE OF KEYMEN IN RURAL AREAS

If the present practice followed in many rural districts of asking individuals known as keymen to suggest names of persons who might be available for jury service is used, it should in all cases be coupled with the procedure, explained elsewhere in this report,[1] of requiring the person whose name is so suggested to furnish a completed questionnaire which will satisfy the jury commission that the nominee possesses the qualifications which fit him to act as a juror. It would also seem advisable that the keymen asked to suggest names should be those citizens of the district who are most likely to be impartial and who are known to have a high sense of civic responsibility. This should be required particularly when the persons suggested by the keymen are not personally known to the court, the clerk, or the jury commissioner. City and town officials, school authorities, ministers, doctors, and leading businessmen would seem to be the most likely sources for suitable lists of names. It may also be well to consider the advisability of not calling too often upon the same persons to furnish names. By varying the sources of names it appears that a fair and qualified representation of all the community is more likely to be obtained.

* * * * *

It will be observed that under the letter of the law, all that the commissioners need do is alternately with the clerk to place names of qualified jurors in the box or wheel. However, the investigations of the committee show that most commissioners now do much more than that. Further, there are many districts where there is no pretense at literal compliance with the statutory requirement. The present activities and powers of the jury commissioners may be outlined somewhat as follows.

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[1] See p. 67, infra.

PROCURING NAMES

The clerk and the jury commissioner sometimes acting jointly but more often independently of one another send letters requesting designated persons to recommend names of prospective jurors. Sometimes compiled sources such as telephone and other directories, State jury lists, etc., are used. In many instances, names of persons known to the clerk or commissioner are placed upon the lists or into the box or wheel. Sometimes a combination of any 2, or all 3 of these methods is used in securing the names of prospective jurors. Further discussion of the methods employed in securing names appears in the section of this report dealing with the sources of names of prospective jurors.[3]

PREPARATION OF NAMES FOR THE BOX

After the names have been secured by these means some commissioners have them typewritten on cards. A few prepare the cards in longhand. Many have this work done by the clerical staff of the clerk's office, but some use their personal clerical assistants. Usually the commissioner eliminates the names of those he knows, or thinks, to be exempt or disqualified or undesirable for jury service. Where letters requesting names of prospective jurors are sent jointly by the clerk and commissioner, or where the clerk and commissioner work together on other sources of names, they sometimes select names alternately, or the clerk will use half the alphabet and the commissioner the other half.

[From the New York Times of June 7, 1957]

JURY TRIAL

The silent filibuster that has been going on all winter and spring against the administration's mild civil-rights bill has now ended in the House, and formal debate on the measure has begun at last. The bill has a good chance of passing there; but even if it does it will come up against much tougher, and longer-winded, opposition in the Senate.

Very different from the filibuster threat, and in some ways even more serious, is the jury-trial amendment that will be proposed as an addition to the bill in the House and that has already been added to it in the Senate version, which is still in committee. This amendment is the brainchild of the astute Senator ERVIN of North Carolina; and there is no doubt that it has a specious appeal. But it is really a device to undermine one of the most important provisions of the pending bill.

As introduced by the administration, the bill permits the Attorney General to seek injunctions in Federal court to prevent local officials from denying voting or other civil rights to anyone. The Ervin amendment provides jury trial for persons cited for contempt for violating injunctions so issued. Since trial by jury is one of the great guaranties of the individual against the power of the State, it may seem at first glance that this is only a reasonable effort to insure that justice is done.

But actually it is a means to block enforcement of the court decree either until it is too late to do any good or indefinitely—inasmuch as few if any southern juries would be likely to approve Federal action in such cases. Jury trial for contempt citations under the circumstances envisaged in the civil rights bill is not and never has been a normal legal procedure. As Senator CASE of New Jersey pointed out yesterday, none of the Southern States in the forefront of the effort to defeat the right-to-vote legislation has a provision for jury trial in contempt cases of the kind here involved.

The procedure envisaged in this bill is designed primarily not to punish an official for committing a crime, but to prevent him from committing a crime. The court's right to punish him for ignoring that kind of restraint is an expression of the authority of the court itself—an authority which, in Chief Justice Taft's words alluded to by President Eisenhower, "is essential unless we are prepared to embrace anarchy."

Nearly 2 months ago Senator DOUGLAS of Illinois entered in the CONGRESSIONAL RECORD a detailed and interesting brief on this whole subject, pointing out that the jury-trial amendment is not only meant to hamstring enforcement of the law but may well be unconstitutional itself. It would "deny to the Government of the United States its duty and its power to give the citizen effective protection in his right to vote and in his fundamental rights to equal protection and liberty and security under law."

[From the Ogden Standard-Examiner of June 3, 1957]

OUTCRY FOR JURIES

A pertinent provision in the civil rights bills, which President Eisenhower's administration is hoping to see passed, calls for punishment for those adjudged in contempt of court for denying civil rights to any person.

Many southerners are doing their best to prevent passage of civil-rights legislation and one of the delaying tactics is their demand that those accused of being in contempt shall be given jury trials, although contempt is not an offense usually tried by a jury.

One of the best answers to the southern argument, in our opinion, was made last week in the Senate by Senator PAUL DOUGLAS, Democrat, Illinois, who insists that the Negro will not get civil rights in the South if the jury trial demand is met.

"In the first place," DOUGLAS said, "the selection of jurors can be manipulated so that only those jurors will be chosen who will not convict a white man for preventing a Negro from voting. It is possible therefore to get just about the kind of jury the community wants. Furthermore, when the jurors have completed their work they go back into communities in which they live. If they have brought in a verdict supporting a Federal judge in an injunction matter protecting the Negroes' right to vote, they know they will be exposed to economic pressure and possibly even physical violence."

To the shame of the South, what the Senator says is true. Although the Federal judges in the South are all southerners, the South will not trust them, knowing the judges will defend and enforce civil rights for Negroes as well as others.

[From the Philadelphia Enquirer of June 5, 1957]

NEW SETBACK FOR CIVIL RIGHTS BILL

In their stubborn fight to prevent the passage of any civil-rights legislation that would really work to protect minorities, southern Congressmen have put forward various proposals which appear to stem from a high-minded concern for the rights of others.

The latest is the adoption of an amendment to the administration civil-rights measure which would guarantee jury trials to those accused of violating Federal court injunctions against denial of civil rights.

On the surface, this may look fine. The majority of the Senate Judiciary Committee which voted for the amendment advanced all manner of arguments in favor of the right of trial by jury.

But what the Senators—mostly southerners—did not say is that it would be difficult if not impossible, to get a conviction from southern juries of anyone accused of denying the right of a Negro to vote. In other words, a law with this trial-by-jury provision in it wouldn't work in the States where it is most needed. It would be a meaningless gesture.

The administration, in preparing its bill, provided that persons charged with denying voting rights to any person in violation of Federal court injunctions should be tried by Federal judges. This was not dreamed up simply to get around jury trials. It followed a well-established legal practice of trial by judges alone in contempt proceedings. And the southern foes of civil rights have not seen fit to challenge this practice until they could serve their own purposes by doing so.

Since the civil-rights bill was introduced at the beginning of the current session of Congress, it has run into one obstruction after another. Only now, after 5 months, is a bill ready to be debated on the floor of the House. In the Senate, it has not been approved finally by the Judiciary Committee and Chairman EASTLAND, an all-out supporter of racial discrimination, is in no hurry to complete action on it.

The fight is not over. But unless the Republicans and the northern Democrats vigorously counter these southern maneuvers, the result is liable to be no civil-rights legislation at all, or a bill which will have little practical effect in protecting minority rights in the South.

[From New York Times of May 5, 1957]

LETTERS TO THE EDITOR: TO TRY CIVIL RIGHTS CASE—OPPOSITION TO JURY AS DEVICE TO DEFEAT PROGRAM IS BACKED

(EDITOR'S NOTE.—The writer of the following letter has served as legal adviser to UNRRA and to the U. N. Secretariat, and was United States Reporter at Congresses of Comparative Law at The Hague and in London. He is professor of law at Tulane University.)

To the EDITOR OF THE NEW YORK TIMES:

Warren Olney 3d, the Assistant Attorney General, is justified in condemning bills now pending in the Congress which require jury trials in contempt of court cases. These cases arise from the National Government's proposed legislation to authorize the Attorney General to bring civil suits in instances of threatened violations of voting rights and of other constitutionally guaranteed civil rights.

The proceedings in the project of the National Government would be "suits in equity" which would not require jury trials. but the counterproposals that there be jury trials in such civil "suits in equity" come, as Mr. Olney describes it, from "opponents of more effective enforcement of the constitutional prohibitions against official discrimination based on race or color."

He says that a "disastrous" effect of the proposals to require jury trials in such cases "would be to give juries 'the completely novel power' to substitute their interpretation of the Federal Constitution and laws for that of the Federal judges."

JURY SYSTEM IN SOUTH

The opposition of Mr. Olney to the use of juries in civil liberties cases arising in equity is not a contradiction. It may be readily explained and understood in the light of the general repressive conditions prevailing in most of the South today, the consequences of which are that requirements and presuppositions for the administration of the jury system do not exist.

The jury system cannot flourish if the jury is not free from fear and if it cannot make objective determinations.

The introduction of the jury into equity activity, when it is not constitutionally required, under the social circumstances which obtain in most of the South at present would, as Mr. Olney says, be a clever device to nullify civil rights legislation. Indeed, it would pass off arbitrary determinations as determinations made under the rule of law.

[3] See pp. 13–30, supra.

You will recall that a bifurcation existed between common law and equity in the history of English law. The jury system obtained at law, but did not in equity.

The Attorney General is wise in invoking institutions of the civil law, such as equity, to secure constitutional rights of the Negro people which have been denied for almost a century, and which have been nullified in much of the South despite the recent decisions of the Supreme Court of the United States.

SUPPORTERS OF EQUALITY

The southern racists not only seek to intimidate the Negro, but also to silence the white people who recognize the equality of the Negro, who support the authority of the Supreme Court, and who give their primary allegiance to the Nation. Against these forces the southern racists have directed a cold terror, the force of which perhaps has not yet been appreciated elsewhere in the United States.

Under such circumstances of intimidation and fear which prevail throughout most of the South today civil rights legislation would be negated if enforcement thereof were entrusted to juries functioning in the midst of the cold terror. The situation which now exists in most of the South recalls the situation in feudal England, which explains in part the emergence of English equity.

Similar conditions of cold terror in the South today also justify the use of equity for the enforcement of certain civil rights of the Negro in an area of law where there is no question of constitutional guaranty of trial by jury.

You are correct, therefore, in writing in your editorial of April 26 that the proposed legislation of the National Government "is essentially moderate legislation, but its passage could have profound effects in extending a real equality of citizenship to the Negro in many parts of the country where equality does not now exist."

MITCHELL FRANKLIN.

NEW ORLEANS, LA., *April 30, 1957.*

Mr. DOUGLAS. I yield the floor.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1958—AMENDMENT

Mr. O'MAHONEY. Mr. President, I submit, on behalf of myself, the senior Senator from New Mexico [Mr. CHAVEZ], and the senior Senator from Illinois [Mr. DOUGLAS] an amendment proposed to be offered to H. R. 7665, the military appropriation bill, when it comes before the Senate.

The amendment which I am submitting will be referred to the Committee on Appropriations, where it will be my purpose, and the purpose of its supporters, to lay before the committee reasons why we believe the amendment should be adopted.

Let me say for the RECORD that after the passage of the National Security Act of 1947, which was the act that undertook first to unify the military services of the United States, there were constant attempts to bring about unification in the services of supply.

The Department of the Army, the Department of the Navy, and the Department of the Air Force each has its own procurement division. It has been pointed out over and over again that these three different procurement services in the three different departments of defense exercise an overlapping jurisdiction and cause the purchase of more material of common supply for the military forces than is actually needed to provide the Army, the Navy, and the Air Force with the materials, the food, the clothing, and the various other supplies which are needed.

This matter has been under investigation during the past 10 years by various committees of both the Senate and the House, under the leadership of Representative BONNER, who headed a subcommittee investigating a part of this problem, under the leadership of Representative HÉBERT, of Louisiana, under the leadership of Representative HARDY, and under the leadership of the Senator from Texas [Mr. JOHNSON], the Preparedness Subcommittee of the Senate, investigating the armed services, handled an investigation of this matter.

Bills were introduced, and objections were made to the bills in the department; but finally, in 1952, when I was chairman of the Subcommittee on Defense Appropriations of the Senate Appropriations Committee, I brought about the enactment of a rider which has since been known as the O'Mahoney rider, a legislative rider on the appropriation bill for fiscal 1953. The rider is known as section 638 of the Defense Appropriation Act of that year, and it reads as follows:

(a) Notwithstanding any other provision of law, and for the purpose of achieving an efficient, economical, and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations of functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production, warehousing, distribution of supplies or equipment or related supply management functions, except in accordance with regulations issued by the Secretary of Defense.

(b) This section shall be effective 60 days after the approval of this act.

At the time the amendment was adopted and the provision was written into law, it was assumed to be sufficiently plain and explicit to make sure that the various supply and procurement systems of the three parts of the military forces would be unified. I am sorry to say that has not been the fact. The three services are still competing with one another. That is so in the face of the conclusions reached by the various investigating committees of Congress, in the face of the action by the Appropriations Committee, and in the face of the action by Congress, supported by the signature of the President, in passing the bill containing the so-called O'Mahoney rider.

The Hoover Commission, through its task forces, has been most diligent in recent years and months in pointing out that the purpose of the law is being utterly disregarded. Perhaps I should not say "utterly"; perhaps there has been some attempt to bring about the elimination of overlapping and waste by cooperation among the departments, but the overlapping purchases are still a great source of waste.

Only this year, when the House was holding its hearings on the Defense Appropriation bill for 1958, I found, in the first part of the hearings, this exchange between Mr. SHEPPARD, of California, who is on the committee, and General Twining, head of the Air Force. This extract from the hearings was sent to me by the able leader of the majority in the House, Representative JOHN MCCORMACK, of Massachusetts, who has also called attention in the House to the economies which can be obtained if only we can bring about observance of the law. I read this extract from page 1070 of Part I of the Defense Department hearing in the House:

Mr. SHEPPARD. Having had an opportunity to review the respective missions that are assigned to the Army, Air Force, and Navy, have you any suggestion to make at this time that you think would be beneficial to the security of this Nation that has not heretofore been discussed? I am not referring to the dollar aspect now. I am referring to the mechanism of the military and all of its complexities as you have the ability to analyze it?

General TWINING. That is a pretty big question.

Mr. SHEPPARD. I know it is, and that is why I am asking you about it.

General TWINING. I think the things that we can do we have already started to do. I think it is important that the services be brought closer together, and each should learn to trust the other more and we should make mutual use of such facilities as the other may have to help the overall operation. In other words, we must have mutual trust and confidence between the services to support each other, instead of trying to accomplish the whole task independently. This we must avoid. We are making strides in that direction, but I think there is more room for improvement.

Mr. SHEPPARD. I want to compliment you on that comment; it is a very constructive observation on your part. I do believe you could use that admonishment to all branches of the services and not address it to any particular branch.

General TWINING. That is correct.

Mr. President, this is precisely what the sponsors of the amendment are attempting to do. In drafting the amendment, in cooperation with the task force of the Hoover Commission, I have sought not to eliminate section 638 of the Appropriations Act of 1953, but to strengthen it, to make it more effective, and to make it mandatory upon the Secretary of Defense that he take immediately the steps which are necessary if we are, at last, to succeed in having the three agencies act as one in the purchase of supplies which all need alike.

Mr. President, there was published in the Hoover Commission Task Force Report on Food and Clothing for April 1955, a history of the progress of the attempt to bring about this economy. Section 3, beginning on page 84, is entitled "Background From the Standpoint of Congress." This history takes up pages 84, 85, 86, and 87.

I ask unanimous consent that the extract from the Hoover Commission task force report be printed as a part of my remarks in the RECORD at this point.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

SECTION III. BACKGROUND FROM THE STANDPOINT OF CONGRESS

An evaluation of the organizational structure of the subsistence supply systems within the Department of Defense could not be

completely made without reviewing the extensive Congressional hearings, designed to bring about a more effective and efficient supply management program for all common items.

Soon after the outbreak of the Korean hostilities, the Congress became concerned over how well the Department of Defense was marshaling the Nation's resources under the industrial mobilization program. Among others, Senator LYNDON JOHNSON, Congressmen HARDY, HÉBERT, and BONNER headed the subcommittee investigating various facets of this problem. The Bonner subcommittee of the House Government Operations Committee devoted its attention to Federal Supply Management with particular emphasis on the military aspects. This subcommittee, in its report of June 27, 1951, covered, among other problems, the legislative framework for Military Supply Management and had this to say:

"In the public mind, unification of the Armed Forces was achieved by the National Security Act of 1947. An evaluation of the field operations under this act and its later amendments shows that unification, from a standpoint of military supply, rests largely on paper."

The subcommittee vigorously complained in the same report about each department manning and operating a supply system for common items and pointed out that "should the Air Force be permitted to organize and operate its own supply system, the Department of Defense would be underwriting a program of triplication rather than the unification sought in part at least by the act of 1947."

Further investigations by the Bonner subcommittee in the fall of 1951 disclosed that the Air Force was continuing to build a separate supply system for common-use items. In the winter of 1952, the Hardy and Hébert subcommittees also held hearings which reported disturbing facts to Congress concerning certain phases of military supply operations. The former committee reported on the deficiencies in the purchase functions, especially in the category of automotive materiel, and the latter reported on duplication and inefficiencies in the procurement, standardization, and cataloging fields. As a result of these investigations, which appeared to confirm the generally held Congressional opinion that the Defense Department was guilty of waste and extravagance, the attitude of Congress is clearly demonstrated in the following excerpts from the Senate debate on June 28 and 30, 1952.

Senator PAUL DOUGLAS introduced, on the floor of the Senate, a bill identical to that previously introduced by Representative BONNER on the floor of the House, H. R. 7391, as an amendment to the Appropriation Act for the Department of Defense: "to promote economy and efficiency through reorganization and integration of supply and service activities within and among the military departments." Under the proposed bill, the functions of the Munitions Board would be transferred to an Under Secretary of Defense for Supply Management who would be responsible to:

"(a) Develop standardized procedures and forms and service function;

"(b) Eliminate duplication and overlapping within and among the supply activities of the military departments in the fields of production, procurement, warehousing, and distribution;

"(c) Establish and operate depots for common items and other common supply and service installations throughout the United States;

"(d) Develop unified logistics organizations overseas;

"(e) Establish and operate a program to systematize scrap recovery, redistribution of excess material and surplus disposal, and coordinate such programs with the Department of Defense and with those of other departments and agencies of the Government having responsibilities in those fields;

"(f) Develop plans for recruitment and training of a professional corps of supply personnel within the Department of Defense."

Senator SALTONSTALL entered into the debate and said:

"When the unification bill was passed in 1947, the amendment which the Senator is now proposing was considered. It was one of those steps which the committee felt it did not want to take at that time. It felt it should not go that far in concentrating so much power in the Secretary of Defense. That was one of the problems which Secretary Forrestal had confronting him. Times have changed, and conditions have changed. Personally, I think there is considerable merit in what the Senator from Illinois is proposing. I want the record to show that I join with the Senator from Texas in suggesting that the Senator introduce a bill on the subject in January, and pursue it, so that the Unification Act may be amended somewhat along the lines the Senator from Illinois proposes. I believe it should be amended."

Senator O'MAHONEY concluded the debate by accepting the suggestion of Senators LYNDON JOHNSON and SALTONSTALL, and obtaining the concurrence of Senator DOUGLAS, in the following statement:

"I wish to say to the Senator from Illinois that the Subcommittee on Defense Production was unanimous in its feeling that the principle of the Bonner amendment should be enacted into law. But the committee was aware of the fact that it could not be enacted into law on an appropriation bill. I want the Senator to know that personally I have consulted with the Secretary of Defense and the Director of the Bureau of the Budget. I spoke to both of them and told them that the economy measure must be carried through. At the same time, I recognize the fact that the Committee on Armed Services of the Senate and the House are entitled as a matter of right to have the opportunity to examine into the far-reaching changes which would be made in unification."

Accordingly, as an interim measure, section 638 to the Defense Appropriation Act, or what is commonly known as the O'Mahoney rider was substituted for H. R. 7391, and adopted. It provided that:

"(a) Notwithstanding any other provision of law, and for the purpose of achieving an efficient, economical, and practical operation of an integrated supply system designed to meet the needs of the military departments without duplicating or overlapping of either operations of functions, no officer or agency in or under the Department of Defense, after the effective date of this section, shall obligate any funds for procurement, production, warehousing, distribution of supplies or equipment or related supply management functions, except in accordance with regulations issued by the Secretary of Defense.

"(b) This section shall be effective 60 days after the approval of this act."

The proposed Douglas bill was not resubmitted to the new 83d Congress, primarily because of the realinement of Congressional committees and the apparent desire on the part of Congress to give the new administration an opportunity to become oriented. The Riehlman subcommittee, which undertook the work of the former Bonner subcommittee, held hearings, however, on May 11, 12, and 20, and June 16, 1953, to determine what steps have been taken by the Defense Department to improve military supply management since the enactment of the O'Mahoney amendment. Their report on these hearings stated that:

"It is the conclusion of the subcommittee that the good intentions expressed by the various directives and by the O'Mahoney amendment have brought about only a slight degree of progress although it believes that the regulations and directives were well conceived."

The subcommittee's general conclusions were as follows:

"The subcommittee concludes that progress in the improvement of military supply management is distinguished by an inordinate slowness.

"The departments, on the one hand, agree unanimously with the need for carrying out the basic regulations for supply management improvement. On the other hand, they insist on further committee studies, dwell on the consequences of a 'fourth service of supply,' insist that the departments must improve themselves first and allege that the regulations really apply to another service. In the meantime they proceed as rapidly as possible to revise their present stock management systems, each in its own pattern, thus actually widening the differences in the very areas where they should be brought into harmony.

"The subcommittee has heard the familiar testimony of agreement by the department representatives with certain policies which must be implemented. It has heard many admissions of the present weaknesses of the departmental supply systems. It has heard the promises that before another year passes, things will be under control. The printed hearings of Congressional investigations are fraught with testimony of this kind. This has been equally true of the testimony before the Bonner subcommittee of the 82d Congress.

"Secretaries of the military departments have come and gone. New Congresses and Congressional committees take up the cudgels in behalf of more efficient Government operations. There is even a new administration which promises to create a top level organization with a reassignment of delegated powers to provide more effective action. The one constant in this great amount of activity is the uniformed forces, each dedicated to the preservation of its own systems and procedures.

"This devotion to duty and to the creation of a service esprit de corps, is particularly laudable in strategic and tactical operations. A blind loyalty to the separately administered theory as applied to the business phases of military operations, however, can be costly and wasteful. It is hoped that a bold philosophy of the administration's Assistant Secretaries of Defense can provide an enlightened and businesslike guidance to assure the Nation that it is getting maximum military security with a minimum of waste due to poor management."

The subcommittee's hope did not, however, materialize for despite the intent of Congress and in fact the actual law of the land, as expressed in the O'Mahoney rider, the Assistant Secretary for Supply and Logistics, in complete disregard of Department of Defense Directive 4000.8 that was issued in accordance with the requirements of the law, published a policy statement on November 13, 1953, with respect to an integrated supply system for common-use items, which stated in part:

"The experience of the military departments indicates that in order to reduce supply problems to manageable proportion, emphasis at this time would be more advantageously directed toward greater efficiency within individual departmental supply systems and supply management functions, development of fiscal procedural means for effective and economical cross servicing among the military services, and the closest practicable coordination of departmental supply systems. Future supply studies will not be confined to a review and analysis of a category of materiel, but will be directed toward the accomplishment of the foregoing principles on the basis of placing first

things first. In addition, in line with the policy of this office to remain out of operations, the responsibility for conducting studies as they are required will be delegated to the military departments. Since the directive setting up the supply studies is not in conformity with this approach, it is accordingly being rescinded."

Mr. O'MAHONEY. I also ask unanimous consent, Mr. President, that the full text of the amendment which I have already submitted be printed in the RECORD at this point.

The PRESIDING OFFICER. The amendment will be received, appropriately referred; and, without objection, will be printed in the RECORD.

The amendment, submitted by Mr. O'MAHONEY (for himself, Mr. CHAVEZ, and Mr. DOUGLAS) was referred to the Committee on Appropriations, as follows:

Amendment intended to be proposed by Mr. O'MAHONEY (for himself, Mr. CHAVEZ and Mr. DOUGLAS) to the bill (H. R. 7665) making appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes, viz: At the proper place in the bill insert the following new section:

"SEC. —. For the purpose of achieving an efficient, economical, and practical integrated supply system designed to meet the needs of the military departments without duplication or overlapping of either operations or functions, the President, within 180 days after the date of enactment of this act, shall submit to the Congress his recommendations for a civilian managed agency, to be under the supervision and direction of the Secretary of Defense, which shall be responsible for the procurement, production, warehousing, distribution of supplies or equipment, standardization of inventory control and other supply management functions for common supply items other than combat equipment, material, and directly related combat items."

At the proper place in the bill insert the following new section:

"SEC. —. Section 638 of the Department of Defense Appropriation Act, 1953, is amended to read as follows:

"'SEC. 638. (a) Notwithstanding any other provision of law, the Secretary of Defense shall take such actions as are necessary to achieve economy, efficiency, and effectiveness in noncombatant services, activities, and operations through the elimination of overlapping, duplication, and waste within and among the agencies of the Department of Defense.

"'(b) The Secretary of Defense, in order to provide for the effective accomplishment of this section, is hereby authorized from time to time to transfer, combine, and coordinate noncombatant services, activities, and operations within the Department of Defense.

"'(c) The Secretary of Defense is further authorized to transfer such property, records, and personnel and such unexpended balances (available or to be made available) of appropriations, allocations, and other funds of the military departments, as he deems necessary to carry out the provisions of this section.'"

CLAIM OF CHRISTOFFER HANNEVIG — CONVENTION BETWEEN THE UNITED STATES AND NORWAY

The Senate resumed the consideration of the joint resolution (H. J. Res. 185) to implement the convention between the United States and Norway for disposition of the claim against the United States on behalf of Christoffer Hannevig.

Mr. O'MAHONEY. Mr. President, the pending business is Calendar No. 378, House Joint Resolution 185, which is a noncontroversial measure.

The pending joint resolution would confer jurisdiction upon the United States Court of Claims to adjudicate a claim of Christoffer Hannevig of Norway against the United States, based on the requisition of certain properties by agencies of the United States Government during the First World War.

The validity of this claim has been consistently denied by the United States Government. Because the matter was a source of longstanding irritation between the United States and Norway, however, a convention was concluded, effective as of November 9, 1948 (62 Stat. 1798), under which it was agreed that the Hannevig claim would be referred to the Court of Claims, with possible appeal to the United States Supreme Court, in the event that the two governments were unable to reach a settlement by diplomatic procedures.

Such procedures having reached an impasse, article II of the convention has come into operation. Under that article, it was specifically recognized that the provisions for reference of the claim to American courts would be "subject to authorization by the Congress of the United States." The present joint resolution, therefore, has as its purpose the enactment of the requisite legislative authorization to enable the United States to comply with an international obligation assumed in the treaty. In other words, Senate Joint Resolution 64 merely gives effect to the procedures contemplated by the Senate when it originally gave its approval to the Convention.

House Joint Resolution 185, the companion bill, was approved by the House of Representatives on May 20, 1957.

The amount of the claim for which recovery will be sought before the Court of Claims consists of $25 million in principal, together with interest computed from 1917 at the rate of 6 percent. The claim is predicated upon losses sustained by Hannevig as a result of requisition orders affecting property interests which Hannevig is alleged to have had in certain ship construction and operating companies during World War I.

Despite its belief that the legal basis of the claim is very doubtful, the Department of State is anxious to have the issues adjudicated and disposed of once and for all by our courts to remove the case as a continuous irritation between the United States and Norway, and to comply with our obligation under the 1948 convention.

In my opinion, passage of this bill will contribute to more harmonious relations between the United States and Norway, and I therefore commend it to the Senate.

I may add, Mr. President, that Senate Joint Resolution 64, the companion bill, is on the calendar as Calendar No. 376. It is identical with the House-passed resolution, and has been reported by the Committee on the Judiciary.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. JAVITS. I understand this bill has been cleared with the minority side.

Mr. O'MAHONEY. It has been cleared, yes.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 185) to implement the convention between the United States and Norway for disposition of the claim against the United States on behalf of Christoffer Hannevig.

The joint resolution was ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the preamble is agreed to.

Without objection, Senate Joint Resolution 64 is indefinitely postponed.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

Mr. O'MAHONEY. Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 416, H. R. 6500, the District of Columbia appropriation bill. This bill is not to be acted upon today, I may say.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 6500) which had been reported from the Committee on Appropriations with amendments.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Minnesota.

ADDRESS BY GEN. LAURIS NORSTAD

Mr. HUMPHREY. Mr. President, the life and career of Gen. Lauris Norstad, the supreme allied commander of Europe, has been of particular interest to the people of Minnesota. General Norstad is a native Minnesotan of whom his predecessor General Gruenther once said:

He has one of the keenest strategic minds in the world today.

Over the past weekend, Minnesota has been honored with the return of this native son to deliver the commencement address at St. Olaf College in Northfield yesterday. General Norstad was awarded an honorary doctor of laws degree by St. Olaf College. While on the campus, he himself awarded commissions to the members of the ROTC group at St. Olaf.

Mr. President, I wish to join with fellow Minnesotans in expressing thanks to General Norstad for his willingness to

return to his native State to honor us by his presence and inspire us by his message.

General Norstad's commencement address was entitled "NATO: Plan for Peace." I ask unanimous consent that the text of this address, as well as an article about General Norstad's visit which appears in this morning's Minneapolis Tribune, be printed at this point in the RECORD.

There being no objection, the address and article were to be printed in the RECORD, as follows:

NATO: PLAN FOR PEACE

(Remarks by Gen. Lauris Norstad, supreme allied commander, Europe, at the commencement exercises St. Olaf College, Northfield, Minn., Sunday, June 9, 1957)

SUPREME HEADQUARTERS
ALLIED POWERS EUROPE,
Paris, France.

The honors which St. Olaf College is according us today are doubled for me by the fact that I share them with this graduating class. My emotions are particularly engaged because of my family's many associations here, and because as a boy I knew this school, this city, and this countryside. My roots are deep in Minnesota. If it had not been for the turn of events that sent me to West Point, I would have followed other members of my family to St. Olaf, and felt with you the pride and affection that thoughts of one's old school always engender.

Before leaving my post at SHAPE, I long considered what I would say to you. It occurred to me that your class of 1957 is being graduated 12 years after the Second World War, whereas my class of 1930 was graduated 12 years after the First World War—the war that had been fought, so my generation was told, to end all wars. This coincidence led me to compare our situation then with yours now. In my judgment, you have the better of it—and by an impressive margin.

To be sure, the 27 years between my graduation and yours—one generation—may seem long, as science teaches us to measure progress. But I can assure you, from my own experience, that 27 years seem but an instant where fundamental changes in national outlook are involved.

The June when I was graduated fell a few months after the great financial crash which ushered in a worldwide depression and marked the end of an era. The year of the crash—1929—was the year of the Kellogg-Briand Treaty, whereby great nations renounced war forever. The year the depression began—1930—was the year of the London Treaty, whereby the major victors of World War I agreed to reduce their most powerful weapon, their naval armaments. The irony is, 1930 also saw the emergence of Hitler, whose Nazis then scored their first important success at the polls. Democracy had already lost the day in Italy, and in the Far East the war clouds were gathering. Before another year was out, Japan would attack China through Manchuria. Thus, almost at the very hour that one-half of the world was taking its first tentative steps toward lasting peace, the other half was setting its grim course toward war.

How did my generation face this dichotomy? Yours could say we did so with pious hope rather than with realism. And you would be right. But, in justice to my class of 1930, what is so plain now was not so then—that our American policy of isolation and avoidance of international responsibilities was more appropriate to the small nation we had until recently been than to the first-class world power we had actually become.

The class of 1930 was brought up in a country flanked by vast oceans and by friendly neighbors. Even at that late hour and in the very shadow of the outer world's rancor and fear, we saw no reason to challenge the national credo that America's freedom and the prosperous harvest we fully expected to reap again were providentially insulated from the surging disorders of other continents.

Alas, that's how it was with us. And, in course of time, our bitter harvest included, along with the material prosperity, the frightful war that afflicted your childhood.

Let me now explain why I view your situation, your prospects, with optimism. As with us, a menace confronts you, too—the menace of communism, whether overtly armed or insidious. You are more fortunate than we were because you are aware of your danger—it has been branded for you. Equally important, that part of the world which thinks as we do is keeping watch against the threat. With the rest of the Free World, the United States has closed ranks against it. Best of all, from your point of view, the idea of outlawing war, which in my generation was no more than a hopeful and idealistic abstraction, has taken on a more meaningful form. Our power today is in place, alongside that of our many allies and friends, to keep war from happening.

Here, then, is the essential difference between your generation and mine. You start in an era of unequalled prosperity. There is, to be sure, an outer danger, but it has been recognized, and many nations stand with us to keep it from breaking loose upon the world. This does not mean that you will necessarily have an easy time. In some ways, your problems may be much harder than ours because the world, by reason of the new interrelationships of nations, has grown more complex. But at least you know what you are up against; and ready at hand, for your enlightened use, are the means for nourishing those values which St. Olaf has, I am sure, taught you to cherish—the ideas of freedom under justice.

What first turned us from the old viewpoint to the new? What made us now recognize for the first time the interests, the responsibilities we shared with like-minded nations? The answer is, the enemy—an enemy who had been our ally.

When World War II ended, our only wish was to bring the troops home. While we were so doing, while we were dismantling the greatest war machine in history, while we were scrapping airplanes, tanks and ships by the thousands and tens of thousands, we suddenly discovered that the Soviets, far from scrapping their weapons, too, were holding fast to them, developing new ones, and stockpiling them.

What roused us to the Soviet's perfidy was no one action, but a series—the threats against Iran, Greece, Turkey, and Berlin, one following hard upon the other. Our first counter was to offer the shelter of the Truman doctrine to Turkey and Greece. Next, when the Soviets wantonly blockaded Berlin, we improvised the airlift and broke the blockade. Finally, and most importantly, in April 1949, Western nations, we among them, signed the pact that brought to life the North Atlantic Treaty Organization—what we call NATO.

But the Soviet threat, as it materialized, had two edges. Those actions of ours that I have cited were devised to blunt the military edge. No less dangerous was the economic edge, for communism breeds in poverty and stagnation. The buckler we now presented was the Marshall plan. It was broad; it was strong; it was unique. It was also effective. Thanks to its protection, Western Europe's recovery from the almost mortal wounds of war was rapid, spectacular.

Thus, we Americans were astonished to find that, in the space of a few years, we had climbed down from our tower of isolationism to the common ground of international cooperation. We had helped to organize the United Nations and had joined it. And the Southeast Asia Treaty Organization. And the Australia-New Zealand-United States Pact. And the Organization of the American States. The Baghdad Pact we also helped to organize, though we are not full members.

Traditionally, our Middle West has been isolationist. Myself a middle westerner, I shared our general astonishment—and, later, our pride—at how far our country had moved forward into the world. What impresses me most today about our move is that it was a response not to any partisan or parochial stimulus, but to the will of the American people as a whole. From the Truman doctrine to the Eisenhower doctrine, what we have done in the world has been a forthright expression of the will—the hopes—of the Nation.

Our historic move has gone furthest into Western Europe. We and our allies, having fought two bloody wars there, have joined hands again to prevent the third and bloodiest. Where we have joined hands is NATO. To the subject of NATO, its origins, achievements, and ideals, I shall now address myself. Let me begin by declaring my conviction that the free world possesses no vehicle able to carry it more surely to the goal of peace, no tool better adapted to the maintenance of the Atlantic community's material well-being, no idea in deeper accord with the dignity and security of man.

There were many reasons why we and these other nations should have come together, but the most compelling was an emotion—fear. Eastern Europe was Soviet up to the Elbe, and Soviet power was straining against this frail, artificial frontier. Across it, the still free countries of Western Europe were paralyzed with terror. Factories were idle, stores were empty, despair prevailed.

Into this gray atmosphere, in 1951, came General Eisenhower, charged with organizing the common forces authorized by the treaty. Because NATO's every act derives from this treaty, and because the treaty speaks for itself in clear tones, I will quote its preamble:

"The parties to this treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments.

"They are determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law.

"They seek to promote stability and well-being in the North Atlantic area.

"They are resolved to unite their efforts for collective defense and for the preservation of peace and security."

NATO's military achievements have been its most conspicuous because its earliest preoccupation was military. However, the NATO idea has also been made manifest in associated fields, all contributing to the vitality—political, industrial, and spiritual—of the member nations. In contrast to pre-NATO Europe, factories are now humming, stores are thronged, and confidence is everywhere. Granted, Western Europe's magnificent recovery cannot be credited to NATO alone, but it could never have come so quickly or on so broad a front without confidence in NATO's strength and durability.

The Soviet threat remains, but opposing it now are not fifteen different nations, each threatened with separate and consecutive engulfment, but one community far too massive for even the voracious Soviets to attempt. The forces of this community have been welded together by NATO for the first time in history, and have been deployed as one, to deter and to defend. Together they give hope to ally and warning to foe that aggression cannot succeed.

We of NATO call these forces the Sword and the Shield. The sword is our retaliatory weapon. It includes the great power of our Strategic Air Command, and the Bomber Command of the United Kingdom. These long-range air forces are augmented by a variety of atomic components in the NATO commands, sea, land and air. The vast destructive power which they embody has been and will remain a most important element in the deterrent strategy.

Their effectiveness in no way suffers from the probability that the Russians will increase their own atomic quotient; for what deters the Russians now is their knowledge that no matter what damage they might inflict upon our alliance, the alliance is already able to retaliate in such crushing measure. Because of this potential of ours, it is hard for me to believe that any adversary would deliberately open an action which was bound to invite his own destruction.

The risk of war, so lessened by the sword forces, is further lessened by the forces of the shield. Since these forces are largely conventional, the question is sometimes asked whether they are needed in this nuclear age. Let me tell you about them briefly. They are drawn from air, ground and naval units supplied by us and all our allies, from Norway to Turkey. Their strength in numbers is considerable and is multiplied by the fact that, while diverse in origin, they man the line together. They are therefore at once weapon and symbol, and as such they add mightily to the deterrent.

The line they man has come to be the most sensitive and most critical in the world. No other line between the Communist bloc and the West is so well defined. No other line imposes such firm commitments: the 15 nations ranged behind it have agreed that an attack against one will be an attack against all; they have pledged a common defense.

If this line were not held, or were held only thinly, an opportunistic aggressor might be tempted to cross it and thereby confront us of the West with an accomplished fact and with the fateful decision whether to try to expel him. If we failed to try, we would default our solemn commitments, and that could be the end of the alliance. If we did try, it would be argued that we were the first to use force, and the terrible responsibility for starting the war would fall to us.

But, say that our forward line is defended along its more than 4,000 miles, and defended in such strength that considerable force would be required to break through it. Then the decision to use force first, with all its fateful implications, would be the aggressor's. Because such a decision would precipitate the avalanche of our retaliatory forces, it is inconceivable that he would take it without due thought. Hence a shield able to hold even momentarily would discourage action either headlong or opportunistic.

So the Shield forces, like the Sword forces, are part of our deterrent; their purpose is to prevent a war from starting. However, if the deterrent should fail, if war should come, the Shield would still have a critical function. It would defend NATO territory while the Sword forces were cutting the aggressor down.

All these considerations, these subleties of high strategy, may seem far from our green and pleasant State of Minnesota. Defense of the NATO line may seem less urgent to us Minnesotans than to the Norwegians, the Germans and the Turks who live along it. But I know, and I tell you, that NATO's shield is also ours.

Because I have talked so long about strategy, you musn't assume that I consider war inevitable. I do not. On the contrary, the prospects of peace seem to me brighter than a few years ago. For example, discussions of disarmament are under way in London. The sincerity and seriousness of the Russians remain to be seen. In any case, the essential condition for an acceptable plan is clear enough. It is that the pall of apprehension of a surprise attack be lifted from the world. President Eisenhower has stated this eloquently. If there can indeed be a meeting of minds here, a matching of reality with reality, a trading of fact for fact, then the heavy burden of armament may in time be laid down, and the world—it will be your world—can stand easy and breathe.

My elders used to long for the security, the tranquillity, the "good old days" of their childhood. There were few such days in mine, overshadowed as it was by the First World War, just as yours was by the Second. Here, I am confident, the parallel stops. For ahead of me lay the depression and, thanks to man's obtuseness, the certainty of a Second World War; whereas ahead of you, thanks to the wisdom and means we have so painfully acquired, lies a surer, happier prospect, the prospect of the good new days.

[From the Minneapolis Morning Tribune of June 10, 1957]

NORSTAD SAYS NATO FORCES ARE TOO POWERFUL FOR RUSS TO ATTACK

NORTHFIELD, MINN.—The forces of the 15 NATO nations are so massive that not even the "voracious Soviets" would attempt an attack, Gen. Lauris Norstad told the graduating class of St. Olaf College here Sunday.

"What deters the Russians," Norstad said, "is their knowledge that no matter what damage they might inflict upon our alliance, the alliance already is able to retaliate in crushing measure."

Norstad, who is supreme allied commander in Europe, said North Atlantic Treaty Organization (NATO) forces are so powerful that "their effectiveness in no way suffers from the probability" Russia will increase its own strength.

Norstad, an Air Force officer, defended the ground forces. "The question is sometimes asked whether they are needed in this nuclear age," he said.

The line held by the ground forces of NATO is the "most sensitive and critical" in the world, the general said.

"If this line were not held, or were held only thinly, an opportunistic aggressor might be tempted to cross it and thereby confront the West with an accomplished fact and with the fateful decision whether to try to expel him. If we failed to try, we would default our solemn commitments, and that would be the end of the alliance.

"If we did try, it would be argued that we were the first to use force and the terrible responsibility for starting the war would fall on us.

"But, say that our forward line is defended along its more than 4,000 miles, and defended in such strength that considerable force would be required to break through it. Then the decision to use force first, with all its fateful implication, would be the aggressor's."

Norstad was awarded an honorary doctor of laws degree by St. Olaf. He received the honorary hood from Doctors Agnes Larson, history professor, and Tillman M. Sogge, professor of economics and sociology.

Watching the ceremony were members of Norstad's Minnesota family—his mother, Mrs. Martin Norstad, two brothers and a sister. Norstad's daughter, Kristin, who accompanied her father here from Washington, also was in the audience.

Norstad, born in Minneapolis and reared in Red Wing, Minn., considered going to St. Olaf. His brother, Rev. Fredric Norstad of Minneapolis, is a St. Olaf graduate, as are other members of the family.

But his appointment to the military academy at West Point came along before he had a chance to enroll at St. Olaf.

The man who was responsible for Norstad's appointment to West Point also was in the audience yesterday. Representative AUGUST ANDRESEN, Republican, of Minnesota, was among the alumni of St. Olaf to receive citations at the program.

Honored with Norstad yesterday were Dr. Paul Ovrebo, chief of the devices branch at Wright Patterson Air Force Base, Dayton, Ohio, who received an honorary doctor of science degree.

Peter D. Tkach of Minneapolis, widely known as a music administrator in the Upper Midwest, received an honorary doctor of music degree.

Dr. Clemens Granskou, St. Olaf president, presented citations to the distinguished alumni. Besides ANDRESEN, they included:

Mrs. Cora Helgeson Ormseth, Havre, Mont., Dr. Henrik J. Svien, Rochester, Minn.; Dr. Bennett Ellefson, New York, and Dr. E. Clifford Nelson, Minneapolis.

PRICES AND WAGES

Mr. HUMPHREY. Mr. President, in current discussions as to rising prices, the charge is often made that the primary cause is the increase in wages.

The June 1 issue of Business Week magazine contains an excellent article on this very question which I invite to the Senate's attention. It is titled "A New Look at Prices and Wages." I ask unanimous consent that it be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HUMPHREY. This article is based on the recent report on productivity, earnings, costs and prices prepared by the Bureau of Labor Statistics at the request of the Joint Economic Committee. When this report was released, certain writers were quick to point out that it verified their position that wages are indeed the major cause of inflation. Business Week, however, throws a wet blanket on any such conclusion. It states:

Although the BLS report ducked the issue of causes, the burden of the report—which was clarified by Clague in an interview with Business Week—cast considerable doubt on the thesis that wage inflation has been the primary cause of price inflation through most of the postwar period.

In regard to whether price increases followed wage boosts or vice versa, the article makes this comment:

One obvious way of trying to determine which caused which would be to measure whether labor costs or prices moved up first. Subjected to this test, unit labor costs seem to have followed prices uphill through most of the postwar years—and particularly in those years when the inflationary heat was most intense.

Those who take the dogmatic position that wage increases are the cause of inflation should take special note of the article's concluding paragraph:

It's clearly going to take fuller and deeper analysis to prove or disprove the wage inflation thesis. For now, Clague is satisfied with a cautious and essentially negative conclusion: "Union rates didn't always lead the procession and aren't necessarily a major originating factor in inflation."

I should note for the RECORD at this point that Mr. Clague is Commissioner of the Bureau of Labor Statistics and a highly respected Government servant.

EXHIBIT 1

A NEW LOOK AT PRICES AND WAGES

A verbal battle has raged all throughout the postwar years—both in closed negotiations between unions and management and in public policy debates—over the question of just how much wage increases have had to do with price inflation. The key to the argument is whether or not wages have been gaining faster than productivity.

Theoretically, if productivity rises as much as wages, then prices need not rise at all. That's because higher paid workers turn out proportionately more goods.

CONFLICTING VIEWS

Those who hold that wage increases are responsible for the price rises in the postwar period argue that steep union pay boosts have not always been accompanied by similar rises in productivity. What has happened, they say, is that industries experiencing only small productivity rises, nevertheless, have been forced to raise wages as much as industries with larger productivity gains to their credit. And the result has been an overall increase in prices, the argument goes.

Opponents of this wage-inflation thesis counter that the high wage increases could not spread to industries where productivity gains were small if it were not for the fact that inflationary conditions already existed. They also claim that workers' real earnings actually have risen only as much as their productivity and that higher money wages have been necessary just to enable workers to remain in the race with the rising cost of living.

BLS STUDY

The latest episode in this long-run debate develops out of a report on productivity, earnings, costs, and prices Ewan Clague's Bureau of Labor Statistics prepared at the request of the Senate-House Joint Economic Committee (Business Week, May 25, 1957, p. 52).

Clague's report showed that average hourly earnings, including fringe supplements, rose 61 percent from 1947 to 1956, while output per employee man-hour rose only 26 percent. This fact was quickly seized upon by a number of Washington correspondents as proof that wage gains had in fact greatly exceeded productivity and were the principal cause of the 28-percent price rise for nonfarm goods and services.

WARNING

But Clague himself made no such interpretation. And the BLS report urges extreme caution in interpreting the data to prove cause-and-effect relationships. "Prices," says the report, "are subject to numerous influences of changing market conditions and costs of production, and a change in price cannot be explained by reference to any single factor, even one as large as labor costs. Where the figures indicate that prices and unit labor costs showed about the same increase, or that one or the other showed a greater increase during a particular year or period of years, this should be taken as a description of what happened and not necessarily as an explanation of what caused the change."

Although the BLS report ducked the issue of causes, the burden of the report—which was clarified by Clague in an interview with Business Week—cast considerable doubt on the thesis that wage inflation had been the primary cause of price inflation through most of the postwar period.

UNIT LABOR COSTS

The relevant data for studying the relationship between earnings and prices, the report holds, is not average hourly compensation but unit labor costs. An increase in average hourly compensation means an increase in labor costs only to the extent that it exceeds the increase in productivity—because unit labor costs are affected not only by the increase in hourly earnings but also by the number of man-hours required per unit. "It is in this sense," says the report, "that productivity is a crucial element in the wage-cost-price relationship * * * the margin within which wage increases can be granted without increasing production costs or curtailing the amount available for other income payments."

Average hourly compensation increased 61 percent from 1947 to 1956, but unit labor costs rose only 28 percent. And prices of goods and services produced by those workers increased 28 percent over the 10-year period.

Does this establish proof of a wage-cost-price inflation? Clague argues not necessarily—no more than it establishes proof that wage boosts are a direct result of rising prices.

One obvious way of trying to determine which caused which would be to measure whether labor costs or prices moved up first. Subjected to this test, unit labor costs seem to have followed prices uphill through most of the postwar years—and particularly in those years when the inflationary heat was most intense.

WHAT HAPPENED

Clague's study starts with 1947 because that was the first postwar year in which BLS had adequate benchmark data on productivity. The immediate postwar inflation, Clague says, was essentially due to the vast liquidation of wartime savings and heavy consumer demand for goods that weren't available during the war. At the same time, workers who had been enjoying heavy overtime earnings during the war, were striving to maintain their weekly take-home pay through boosts in hourly earnings. But Clague holds that it was the terrific liquidation of wartime savings and the buying spree, rather than the boost in wage rates, that shoved prices up so fast in 1946–1948. Nothing but a serious postwar recession and a big rise in unemployment could have prevented that inflation, says Clague.

In 1949 and 1950, unit labor costs actually declined to 104.5 (1947 equals 100) from their 1948 level of 106. But prices moved up from 106.5 in 1948 to 108 in 1949, and 109 in 1950. So prices were rising in those years, while unit labor costs dropped a bit.

In 1951, both prices and unit labor costs took a big leap upward. The reason, Clague says, was Korea, and the attempt to build a wartime economy in a hurry on top of an already fully employed peacetime economy. In 1952 and 1953, both prices and labor costs continued to move up more slowly—but labor costs went faster than prices. In 1958, labor costs had just about drawn even with prices for the period that began in 1947. Then in 1954 and 1955, prices widened the gap above labor costs a bit further. The reason for this, particularly in 1955, says Clague, was the onset of the great capital spending boom, which pushed up prices of capital and industrial goods faster than wages.

The year 1956, however, looked like a model of cost inflation—for productivity stood still, average hourly compensation climbed 4½ percent, and unit labor costs rose by the same percentage. Nonfarm prices rose 3.2 percent—apparently pushed there by rising unit labor costs.

MIXED REACTION

Some economists and businessmen don't accept Clague's evidence that labor costs have lagged behind prices during most of the postwar years as conclusive proof that rising wages were not the chief initiating factor in the postwar inflationary trend. They argue that employers often put their prices up first, in anticipation of coming wage boosts that they felt were inevitable. Hence, they maintain, Clague's data won't acquit the unions of the charge of having caused inflation by forcing excessive wage demands.

Meanwhile, labor spokesmen will use Clague's data to show that labor's income in the postwar years—measured in terms of constant prices—has increased only as much as the gain in actual productivity, and will insist that fast-rising money wages have constituted the workers' only defense against price hikes induced by other factors, such as wars, growth in public and private debt, consumer buying sprees, and capital spending booms.

It's clearly going to take fuller and deeper analyses to prove or disprove the wage inflation thesis. For now, Clague is satisfied with a cautious and essentially negative conclusion: "Union rates didn't always lead the procession and aren't necessarily a major originating factor in inflation."

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like to call to the attention of all Members of the Senate that we will meet tomorrow morning at 9:30, and that we will meet every morning this week at 9:30, in the hope that we may be able to complete action on the appropriation bills which are now on the calendar, as well as on the mutual security authorization bill, and perhaps also on the atomic energy treaty, in the event it is reported to the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. What would be the Senator's disposition with respect to committee meetings which are regularly scheduled for those hours or shortly thereafter?

Mr. JOHNSON of Texas. They will be handled as they are always handled under the Senate's procedure. The chairman or the ranking minority member of the committee will ask the leadership on each side to make such a request, or perhaps make the request themselves after clearing it with the membership of the committee. If there is no objection, the committees will be given permission to meet.

It is impossible to have committees meeting and have the Senate voting at the same time.

Mr. JAVITS. I may say to the Senator that we have been trying to hold a meeting of the Committee on Rules and Administration, and this will have been the second time that it will have been caught by an early meeting of the Senate, and the impossibility of getting any Senator to ask permission or to have permission granted that the committee meet to deal with some very important business.

Mr. JOHNSON of Texas. I do not know what the Senator means by the

word "caught." The Committee on Rules and Administration has been functioning very effectively throughout the years, and I have no doubt that it can continue to transact its business.

If there is sufficient urgency to justify the holding of hearings, I am sure permission will be granted.

The Senator's administration has an interest in the appropriation bills and in the mutual-security bill, in connection with which the Secretary of State, as recently as 3 o'clock this afternoon, has requested action within this week, if possible. That cannot be done if we meet only on Monday, Wednesday, and Thursday. We must meet early in the morning and sit until late in the evening to accomplish that much work.

Of course, there are times when we do not have such measures on the calendar.

The Senator from Texas would like to proceed with the consideration of one of the appropriation bills this afternoon. But under the rule an appropriation bill must lie over for 3 days, and it cannot be taken up until tomorrow morning. However, beginning at 9:30 tomorrow morning we will consider the bills, and we will attempt to avoid what Mr. Adams, the "Assistant President," calls a lag in Congressional work.

A number of appropriation bills and a number of other important measures have been placed on the calendar. The Senator from Texas will recommend that the Senate convene early and remain in session late, with no committee meetings being held, until we can dispose of those measures, which must be acted on before June 30.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. The Senator from New York is only trying to ascertain from the Senator from Texas whether in a proper case he would be sympathetic to such a request. I have in mind measures pending before the Committee on Rules and Administration, having to do with an amendment of rule XXII, and which may have some bearing on the consideration of some important proposed civil-rights legislation.

Mr. JOHNSON of Texas. The Senator from New York well knows that the Senator from Texas is the author of a proposal to amend rule XXII. The Senator from Texas is under no illusions, however, about being able to amend rule XXII before proposed civil-rights legislation is acted on, because under the rules of the Senate, as the Senator from Texas has previously informed the Senator from New York, cloture would not apply on a motion to consider a proposed change in the rules, and he has no doubt that there would be some extended discussion of a motion to consider any such amendment that might be reported.

The Senator from Texas expects some one will move for action in the field of civil rights as soon as the House has concluded its action, which will be in the next few days. I do not think it would be the better part of wisdom to take action on any of the rules proposals pending before the Committee on Rules and Administration without full and adequate hearings or without giving interested persons an opportunity to state their positions, although the position of the Senator from Texas is well known both in his own State and throughout the country. If the committee, in its judgment, desires to hold hearings on the subject, and it desires to hold them this week, and if that meets with the pleasure of the Senate, of course, it can be done. The Senator from Texas will have no objection.

Mr. JAVITS. I do not wish to detain the Senate or the Senator from Texas with a long recital of the fact that I have been trying for more than 2 months, without success, to schedule hearings. Be that as it may, I think it is sufficient for this purpose to have the expression of the Senator from Texas. I may add that I know the whole country appreciates the point of view of the Senator from Texas with respect to the matter of rules, which has been evidenced by his sponsoring, himself, together with the largest number of Senators ever to sponsor any such bill, a proposal for an amendment.

I thank the Senator from Texas.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. CHAVEZ. It happens that, under the rules of the Senate, I am the chairman of the subcommittee which is handling the largest appropriation bill in the Senate, involving possibly $12 billion more than the cost of all the other departments of the Government. We are trying to comply with the desires of the leader of the majority, but we are holding hearings—important hearings—and we cannot rush through in a few days a bill providing for a budget of $38 billion.

It is my purpose to continue the hearings. If it is necessary for members of the subcommittee to come to the floor to vote on any bill, we shall be here to vote. But I do not want to say that we will not meet tomorrow morning at 10 o'clock and continue the hearings on the Defense Department appropriation bill, which is an important bill.

It is my desire to comply with the wishes of the Senator from Texas and to report the bill as soon as it is impossible to do so.

Mr. JOHNSON of Texas. I thank my friend from New Mexico, who is always cooperative.

As the Senator from New Mexico so well knows, the Committee on Appropriations has the permission of the Senate to meet during the sessions of the Senate throughout the year. It is the one committee for which an exception has been made.

So far as the Senator from Texas is concerned, he is perfectly agreeable to having other committees meet when, in the judgment of the leadership and the Senate, it is necessary for the committees to transact business. However, the Senate now has ready for consideration four appropriation bills. The fiscal year will expire on June 30. These bills must be passed and go to conference with the other body. The conference reports must be agreed to and adopted by both Houses, and then sent to the President.

It is hoped that it will be possible to do that between now and June 30 in the case of the 16 regular appropriation bills. Action has been completed on only 4 appropriation bills. That means there are 12 appropriation bills remaining.

Today is June 10. If we acted on one appropriation bill a day, it would require practically every day remaining this month.

In addition, there is pending in the Committee on Foreign Relations a very important treaty which the administration is anxious to have considered.

There is also the Mutual Security bill, on which the Committee on Foreign Relations has acted, but the minority views on which will not be filed until Wednesday. No hearings, even, can be held on the Mutual Security appropriation bill until the Mutual Security authorization bill has been passed. The House is waiting for the Senate to act first. So these considerations make it very important that the Senate convene early and stay late.

Thus far we have avoided Saturday sessions. Thus far the Senate has passed some 300 measures. Thus far we have a very creditable record. But we must realize that we are now coming around the last bend in the road. Between now and June 30 it will be necessary for us to work overtime.

Then, if we do our job well, we will have the months of July and August and whatever other months may be necessary in which to transact business which does not have a deadline.

Mr. CHAVEZ. That is the very reason why I think it is important that the Subcommittee on Appropriations which is handling the Defense Department bill proceed with its hearings. As I stated before, more money is provided in that bill at this time than in all the other appropriation bills combined.

We will try to comply with the desires of the majority leader to work with dispatch. I do not think that even the foreign aid or any other bill is more important than the appropriation bill concerning the Department of Defense. I hope that, if it is not contrary to the desires of the Senator from Texas, the majority leader, we may proceed with the hearings and try to report to the Senate a bill which will meet the demands of the moment.

Mr. JOHNSON of Texas. There is nothing in the mind of the majority leader which would prevent the Senator from New Mexico from having his subcommittee meet mornings, afternoons, or evenings.

The session has been rather light today. There may be some yea-and-nay votes on the appropriation bills; but in the long history of the Senate, the Committee on Appropriations has always had permission to meet during the sessions of the Senate.

The Subcommittee on Department of Defense Appropriations is a part of the Committee on Appropriations, and it may meet as often as it chooses and sit as long as it desires. I know that under the chairmanship of the able Senator from New Mexico, it will perform its duty as it sees it.

Mr. CHAVEZ. I know the order as to the committee's meeting; but I still desire to work and cooperate with the Senator from Texas.

Mr. JOHNSON of Texas. The Senator from New Mexico always does that.

Mr. CHAVEZ. I thank the Senator from Texas.

ADJOURNMENT TO 9:30 TOMORROW

Mr. JOHNSON of Texas. Mr. President, if there are no other Senators who desire to address the Senate, then, pursuant to the order previously entered, I move that the Senate stand in adjournment until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Tuesday, June 11, 1957, at 9:30 a. m.

NOMINATIONS

Executive nominations received June 10, 1957:

DEPARTMENT OF THE AIR FORCE

Richard E. Horner, of California, to be an Assistant Secretary of the Air Force.

IN THE NAVY

Having designated in accordance with the provisions of title 10, United States Code, section 5231, Rear Adm. Robert B. Pirie, United States Navy, for commands and other duties determined by the President to be within the contemplation of said section, I nominate him to have the grade, rank, pay, and allowances of vice admiral while so serving.

Vice Adm. Cato D. Glover, Jr., and Rear Adm. James H. Thach, Jr., United States Navy, when retired to be placed on the retired list with the rank of vice admiral in accordance with the provisions of title 10, United States Code, section 5233.

IN THE AIR FORCE

The following-named officers for promotion in the Regular Air Force under the provisions of sections 8298, 8299, and 8304, title 10, United States Code. All officers are subject to physical examination required by law.

MAJOR TO LIEUTENANT COLONEL

Line of the Air Force

Brinton, Rachel W., 21330W.
Stulb, Joseph G., Jr., 7736A.
Clark, Wallace N., 10401A.
Cheney, James S., 8336A.
Dech, Robert W., 7941A.
Loomer, Perry D., Jr., 11137A.
Rydstrom, Jean F., 7982A.
Pawlowski, Harold I., 8770A.
Ward, Joseph L., 9001A.
Bruch, George D., 9032A.
Hannigan, John F., 9445A.
Taylor, Joe D., 6985A.
Kandel, Alfred, 8730A.
Seifert, Henry L., 12702A.
Caffall, Joseph M., 18077A.
Stubbs, James M., 9360A.
Williamson, Philip J., 11754A.
Clark, Joseph J. F., 12525A.
Mangerich, Walter E., 8971A.
Pearson, Ralph J., 10090A.
Hesler, Robert A., 6407A.
Beasley, William D., 6443A.
Bonnett, Donald E., 6465A.
Burns, Robert, 6480A.
Phaneuf, Eugene O., 6484A.
Hughel, George K., 8514A.
Suta, Nicholas H., 6664A.
Knaus, John V., 9155A.
Latham, William R., Jr., 6729A.
McGuigan, Thomas H., 6732A.
Wernlein, Frank A., 6733A.
Baucom, George E., Jr., 6734A.
Sexton, Ralph E., 6737A.
Caldwell, Herman B., Jr., 6738A.
Zachmann, Robert F., 6739A.
Lavier, Eugene C., 6742A.
Cousins, Otie C., 6743A.
Cole, Benjamin H., 6744A.
Conner, William F., 6745A.
Schmidt, Fred C., Jr., 6746A.
Asprey, William P., 6748A.
Fahlstedt, Alfred A., 6750A.
Howell, Ernest M., 6751A.
Blood, Arlie J., 6752A.
Winebrenner, Louis E., 6755A.
Sharp, Charles E., 6756A.
Wysocki, Chester C., 6757A.
Reed, Vincent R., 6759A.
Baker, Hollis H., 6761A.
Bogren, Stanley E., 6762A.
Lyons, Ralph J., 6763A.
Taylor, William E., 6764A.
Heard, Wade C., 6765A.
Nash, Russell J., 6766A.
Faulk, Melvin W., 6767A.
Dowling, James K., 6770A.
Foster, John W., 6771A.
Becnel, Joseph R., 6773A.
Strathy, Charlton G., 6774A.
Hassenmiller, Marshall G., 6775A.
Simon, Edwin H., 6776A.
Egan, Paul F. G., 6777A.
Jones, George P., Jr., 18071A.
Nowark, Charles G., 6778A.
Hoffman, Harold J., 6779A.
Hunter, James H., 6781A.
Simon, Edward R., 6782A.
Weaver, William J., 6784A.
Kendrick, Donald, 6786A.
Fish, Vinton A., 6787A.
Stone, Lynn E., 6788A.
Plourd, Webster W., 6789A.
Boatright, Loyd A., 6790A.
Dereskevich, Alger S., 6791A.
Ulrich, Robert C., 18063O.
Crowder, Robert G., 6793A.
Nestor, Joseph E., Jr., 6794A.
Clerici, Henry J., 6795A.
Peabody, Prentice B., 6796A.
Beall, Arthur W., 6797A.
Rawls, Charles A., 6798A.
Warner, George O., 6799A.
Buckley, Russell W., 6800A.
McCredie, Cassius M., 6801A.
Schott, Carl V., 6802A.
Carlson, Ragnar L., 6803A.
Pilkington, Thomas M., 6804A.
Bertling, Stephen J., 6806A.
Douglas, Gene L., 6807A.
Speer, Maurice E., 6809A.
Verbruggen, George J., 6810A.
Hardy, Kermit W., 6811A.
Gotchey, Robert E., 6812A.
Hannley, Vincent P., 6813A.
Martin, Ralph G., 6815A.
Coade, William A., 6816A.
Elder, Harold W., Jr., 6817A.
Oyler, George C., 6818A.
Zohn, Bernard, 6820A.
Stanley, Gregory Q., 6821A.
Wilson, Jerald B., 6823A.
Cocke, Charles E., Jr., 6824A.
Koszarek, Frank A., 6825A.
Duncan, Ivan M., 6826A.
Rector, Walter S., 6830A.
Menth, Blaine B., 6831A.
Schou, Andrew J., 6832A.
Anderson, Bernard E., 6833A.
Allen, John T., 6834A.
Campbell, Herbert M., 6836A.
Lockhart, Russell D., 6837A.
Knabel, Lewis J., 6838A.
Moll, Robert G., 6839A.
Dresser, Cornelius S., 6840A.
Campbell, Dick M., 6842A.
Arnold, Robert W., 6843A.
Lueke, Kenneth L., 6844A.
Huskey, Homer A., 6848A.
Landwehr, Virgil H., 6849A.
Ashley, George R., 6850A.
Scales, John C., 6851A.
Baker, Carl K., 6852A.
Haas, Chester R., 6855A.
Vick, John O., 6858A.
Maloney, Edward J., 6859 A.
Miller, Edwin M., 6860A.
Demun, Earl E., 6861A.
Mineur, George E., Jr., 6862A.
Rethman, Vincent C., 6864A.
Watkins, James D., 6865A.
Breindel, George J., 6866A.
Grubaugh, Glover P., 6867A.
Griffith, Frank T., 6868A.
Flannigan, Ralph E., 6869A.
Greene, Grover Y., 6871A.
Webb, Joe S., 6873A.
Stanton, George L., 6874A.
Hemminger, George C., 6875A.
Johansen, Ernest W., 6876A.
Karably, Louis S., 6877A.
Jones, James M., 6879A.
Glenn, Charles S., 6880A.
Vega, Carl E., 6881A.
Arnold, Dixon J., 6882A.
Schindler, Wilbur J., 6883A.
Kurowski, Walter C., 6884A.
Barclay, Errol D., 6885A.
Hare, James C., 6887A.
McCarthy, John P., Jr., 6889A.
Brantner, James A., 6890A.
Reed, Everett G., 6891A.
Patch, Dwight D., 6892A.
Shay, Michael, 6894A.
Thornton, William H., Jr., 6900A
Miller, Danforth P., Jr., 6901A.
Martin, Patrick J., 6902A.
Kochel, Michael J., 6903A.
Bowman, Sam W., Jr., 6907A.
Gainer, Hubert W., 6908A.
King, James P., 6911A.
Gibson, Dick F., 6912A.
Jones, Richard G., 6913A.
McGregor, Oris E., 6916A.
Walters, Robert W., 6917A.
Duff, Elmer H., 6918A.
Reed, Edward B., 6919A.
Leach, George S., 6920A.
Rogers, Woods W., Jr., 6921A.
Boyd, Edwin I., 6922A.
Barber, George A., 6925A.
Stanley, Ralph W., 6926A.
Murphy, Bruce C., 6928A.
Gustafson, Wayne A., 6930A.
Latane, David E., 6932A.
Ward, James A., 6934A.
McGuire, Thomas C., 6935A.
Hill, Charles H., 6936A.
James, Harold C., 6938A.
Brunson, William P., 6940A.
Mannon, Willard B., 6941A.
Robbins, Harold W., 6942A.
Govocek, Joseph G., 6944A.
Weaver, Marvin E., 6945A.
Polivka, Emil W., 6947A.
Newell, Edward W., 6948A.
Karas, Christopher J., 6951A.
Wagner, Carl E., 6952A.
Peterson, Martin E., 6953A.
Henderson, Walton B., 6954A.
Bowman, Frank M., 6955A.
Martin, Charles A., 6956A.
Osgood, Lynden T., 6957A.
Mears, Forrest E., 6959A.
Debons, Anthony, 6961A.
Thompson, Lorenzo M., 6963A.
Fertig, Norman, 6965A.
Witt, Lynn E., Jr., 6966A.
Hippenstiel, Charles R., 6967A.
Weiss, Sidney, 6970A.
Reifsteck, Calvin D., 6971A.
McGee, Joseph B., 6974A.
Rohr, Loudin L., 6975A.
Seay, William W., 6976A.
Wallace, Wesley F., 6977A.
Scurlock, Reagan A., 6978A.
Giles, Melvin C., 6980A.
Molyneaux, Silas R., 6981A.
Bland, Ruskin M., 6983A.
Riddle, Edmund R., Jr., 6986A.

Ash, Robert P., Sr., 6987A.
Hammond, William, 6989A.
Blanco, Ira J., 6992A.
Monaco, John, Jr., 6993A.
Bruey, Thomas J., 6995A.
Barbour, Walter R., 6996A.
Berry, Gleneth B., 6997A.
Tracy, Joseph F., 7000A.
Gooch, Ritchie B., 7003A.
Loftus, Joseph F., 7005A.
Tatum, William, 7009A.
Harris, Joe L., 7010A.
Caples, Robert O., 7012A.
Zielinski, Urban J., 7013A.
Lawler, John F., Jr., 7014A.
Bero, Francis, 7016A.
Westberg, Kenneth C., 7017A.
O'Rourke, John B., Jr., 7019A.
Cruver, Harry F., 7022A.
Brasier, Carl O., 7024A.
Ross, William O., 7026A.
Loughran, Harold R., 7027A.
McCurdy, John W., 7032A.
Barber, Zeneth O., 7034A.
Timm, Paul A., 7036A.
Quesada, Anthony, 7040A.
Scherer, John J., 7043A.
Crowder, Harlan B., 7044A.
Ransier, Harry D., 7045A.
McIntosh, Wayne W., 7046A.
Carey, Robert H., 7047A.
Parks, Richard W., 7048A.
Mahon, August C., 7049A.
Stublarec, Michael J., 7050A.
Haaf, Arthur H., 7051A.
Connell, Leonard T., 7052A.
Skelton, Milton B., 7055A.
Matsko, George, 7057A.
Torr, Francis E., 7058A.
Sandifer, John D., Jr., 7059A.
Jones, Waldo B., 7060A.
Davitt, Ralph G., 7061A.
Davis, Jerome N., 7062A.
Berry, Edmund B., III, 7063A.
Burnett, Melvin M., 7065A.
VanDeusen, Clark B., 7066A.
Schwartztrauber, Ernest P., Jr., 7067A.
Williams, William M., 7068A.
Devine, John E., 7069A.
Stone, Francis M., 7070A.
Schonka, Joe M., 7071A.
Johnson, Andrew E., 7072A.
Raley, James A., 7074A.
Bourgault, Samuel P., 7075A.
Maiersperger, Walter P., 7076A.
Belcher, Delbert R., 7077A.
Battalio, Samuel T., 7079A.
McMillan, Shubal K., Jr., 7080A.
Pitts, Arthur S., II, 7083A.
Dumont, Harold J., 7085A.
Lack, Wendell D., 7086A.
Blood Keneth E. 7087A.
Jacobson Alden D., 7088A.
Ward, George P., 7089A.
Stiefel, Max A., 7090A.
Stroud, Conley B., Jr., 7093A.
Jones, William D., 7094A.
Heino, Alfred V., 7096A.
Panko, Albert R., 7097A.
Buford, William M., 7098A.
Nelson, John A., 7099A.
Craig, Warren G., 7100A.
Rogers, Carleton W., 7101A.
Miller, Hubert E., 7102A.
Broich, Lee A., 7103A.
Montgomery, David F., 7105A.
Seab, Malcolm W., 7107A.
Bradford, Oscar A., Jr., 7109A.
Savage, Rollin R., 7110A.
Goddard, Guy H., 7111A.
Baker, Frederick J., 19991A.
Stainback, Frank P., Jr., 7112A.
Crow, Duward L., 18061A.
Winfree, Isaac O., 7113A.
Anderson, Windsor T., 7114A.
Gilbert, Willard R., 7115A.
Perkin, Irving R., 7118A.
Cochran, Wharton C., 7120A.
Avery, Hamilton K., 7121A.
Weidner, Joseph J., 7122A.
Rosenbaum, Bert S., 7123A.
Woodruff, Roscoe B., Jr., 7125A.
Doerr, George R., 7129A.
Funderburk, William O., 7131A.
Miller, Carl L., 7132A.
McElroy, Mansell B., 7133A.
Flummer, George A., 7134A.
Symes, Isaac M. B., 7138A.
Schultze, David R., 7139A.
Oss, Louis H., 7141A.
McCleary, George C., 7144A.
Reid, Robert J., Jr., 7145A.
Hause, Milton M., 7148A.
Gramm, Raymond N., 7149A.
Dunkelberger, Vance E., 7150A.
Smith, Woodrow W., 7152A.
Schofield, Charles S., 7153A.
Heydon, Thomas A., 7154A.
Stroud, Walter C., 7155A.
Barnett, Clyde H., Jr., 7156A.
Howell, John R., 7158A.
Wiener, Murray A., 7159A.
Edenbo, John W., 7161A.
Mitchell, Harry L., 7163A.
Machosek, John J., 7164A.
Gillesby, Fred G., 7165A.
Leetch, Donald G., 7166A.
Jenkins, Robert M., Jr., 7169A.
Jablecki, Leon S., 7170A.
Kursar, August, 7172A.
Bouknecht, Robert W., 7173A.
Dobbs, Ross E., 7174A.
Bellman, Arthur B., 7175A.
Farley, James V., 7179A.
Paskvan, Paul R., Jr., 7181A.
Martin, Clyde J., 7182A.
Parker, Stanley E., 7185A.
Bussey, Carver T., 7187A.
Zins, William E., 7190A.
Hassemer, David W., 7191A.
Fogg, Lewis W., III, 18069A.
Crosby, James E., Jr., 7192A.
Gaines, Robert U., Jr., 7193A.
Cunniff, Paul J., 7194A.
Avriett, Giles C., 7195A.
Cumiskey, William T., 7196A.
Young, Franklin F., 7199A.
Hahn, Albert P., Jr., 7200A.
Miller, Verlin A., 7202A.
Hanzel, Thomas C., 7204A.
Button, Ervine J., 7205A.
McDaniel, Armour G., 7207A.
Webb, Rudelle B., 7208A.
Smith, Gerald T., 7211A.
Mather, William A., 7212A.
Coverley, Edwin D., 7217A.
Scheible, Wilbur R., 7218A.
Humphres, Earl C., 7219A.
Childress, Peter M., 7221A.
Anderson, Rex V., 7223A.
Flint, Raymond L., 7224A.
Little, Edward L., 7225A.
Trearse, Albert, 7226A.
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Blair, Samuel V., 8032A.
Peterson, Harry G., 8033A.
Howell, Winfred D., 8034A.
Anderson, Delynn E., 8035A.
Geary, Leo P., 8037A.
McClure, John C., 8038A.
Carter, Roger M., Jr., 8039A.
Sherwood, Joseph H., Jr., 8040A.
Ryan, John L., 8041A.
Fuhrmeister, Ralph S., Jr., 8042A.
McComb, William J., 8043A.
Kendall, Paul C., 8044A.
Strickler, Marshall H., 8047A.
Moffitt, Franklyn E., 8048A.
Tilley, Thomas M., 8049A.
Lathan, Allan A., 8050A.
Bird, Clement W., 8051A.
Small, Arthur, 8052A.
Reed, Henry C., 8053A.
Sullivan, Woodruff T., Jr., 8054A.
Radetsky, Harold A., 8055A.
Blum, Edward F., 8056A.
Omohundro, Thomas T., 8057A.
Hagreen, Robert J., 8058A.
Harris, William B., 8059A.
Kelly, Converse B., 8060A.
Riva, Daniel F., 8061A.
Rathbun, Edward L., 8062A.

Uhrich, George A., 8064A.
Jones, David R., 8065A.
Roth, John Y. C., 8066A.
Tainsh, Alexander S., 8068A.
Parsons, James W., 8069A.
Roberton, Eddie J., Jr., 8070A.
Brooking, George R., 8071A.
Sauer, Robert R., 8072A.
Douglas, Paul P., Jr., 8073A.
Slocum, Paul J., 8074A.
Ritchie, William D., 8076A.
Roddy, Edward F., 8077A.
Durbeck, Arthur G., 8079A.
Mitchell, Mack A., 8080A.
Renwick, Donald D., 8081A.
Morse, Donald M., 8082A.
Klein, Raymond P., 8084A.
Walsh, Martin R., Jr., 8085A.
Amann, John R., 8086A.
Quillen, Monroe C., 8087A.
Willetts, David L., 8088A.
Ramsey, Glyn W., 8089A.
Calhoun, William R., Jr., 8090A.
Carey, John A., 8091A.
Short, William W., Jr., A8092A.
Cole, George P., 8093A.
Elliott, William W., 8094A.
Ellington, Edward H., 8095A.
Marks, Leonard P., 8096A.
Dunham, William D., 8097A.
Cook, Walter V., 8098A.
Little, James W., 8099A.
Ryden, Donald A., 8101A.
Phillips, Herbert L., 8102A.
Stellenwerf, William A., 8104A.
Johnson, Charles W., 8105A.
Holcombe, Richard E., 8106A.
Cruikshank, Arthur W., Jr., 8107A.
McClatchy, Howard L., 8109A.
Hawkins, William B., Jr., 8110A.
Price, Robert F., 8111A.
Oglesby, Sam R., Jr., 8112A.
Sylvester, Joseph J., 8113A.
Whittaker, Roy E., 8115A.
Stansbury, Jay W., 8116A.
Roby, Albert W., Jr., 8117A.
Napier, John G., 8118A.
Gregory, James M., Jr., 8119A.
Jose, Elmer H., Jr., 8122A.
Halloran, Robert P., 8036A.
Yundt, Robert W., 8124A.
Nye, Robert M. C., 8125A.
Williams, Charles C., 8126A.
Aenchbacher, Arthur E., 8127A.
Brown, William F., 8128A.
Robinson, Edgar A., 8129A.
Fahey, James M., 8131A.
Thorne, James H., 8132A.
Carlton, Robert N., 8133A.
Carpenter, David E., 8134A.
Rahn, Gilbert F., 8135A.
Hetzel, Robert L., 8136A.
Gardiner, Paul E., 8137A.
Foley, Robert P., 8139A.
Moore, William P., 8140A.
Hutchison, Jacob A., 8141A.
Conklin, Howard E., 8142A.
Wilson, James A., 8143A.
Teubner, Harold C., 8145A.
Wallace, Eugene D., 8146A.
Neece, Richard D., Jr., 8147A.
Joyal, Philip E., 8149A.
Shook, Harold G., 8151A.
Cranfill, Niven K., 8152A.
Ghram, Elmer F., 8153A.
Booker, Brooks W., Jr., 8155A.
Rogers, Robert C., 8156A.
Bones, James C., 8157A.
Maher, William L., 8158A.
Robertson, Raynor E., 8160A.
Gandy, Hilliard L., 8161A.
Lewis, Richard C., 8162A.
Fulcher, Stanley A., 8164A.
Neal, Philip A., 8165A.
Jefferson, Harold D., 8166A.
Crosland, Roy T., 8167A.
Ard, Roswell W., 8168A.
Beahan, Kermit K., 8169A.
Lewis, William C., 8170A.
Martin, Fred A., 8171A.
McAbee, William H., 8172A.
Conway, Victor C., 8174A.
Lee, Carl C., 8175A.
Lanford, William A., 8176A.
Oliver, Ralph L., 8177A.
Friley, Kenneth O., 8178A.
Larson, Harold J., 8180A.
Cook, James R., 8182A.
Parsons, Irvin M., 8183A.
Hodge, Dexter L., 8185A.
Jernigan, William L., 8186A.
Weitzin, Richard F., 8187A.
Huntley, William H., Jr., 8188A.
Stell, Glenn A., 8189A.
Pickett, Lawrence J., 8190A.
Greene, James B., 8192A.
Dale, James R., Jr., 8193A.
Zeigler, Jack S., 8194A.
Hey, Winston S., 8195A.
Jolly, David C., 8196A.
Dieffenderfer, James C., 8197A.
Parsons, Samuel P., 8198A.
Desportes, John A., 8199A.
Coleman, Kenneth D., 8200A.
Estes, Chandler B., 8202A.
Brown, Harold L., 8203A.
Merrill, Charles T., 8204A.
Glaser, Leonard T., 8205A.
Knox, George L., 8206A.
Dillon, Stephen P., 8209A.
Hester, Thomas J., 8210A.
Hardin, Ernest C., Jr., 8211A.
Oglesby, Stuart R., 3d, 8212A.
Bickford, Jack C., 8213A.
Greathouse, Harry S., 8214A.
Davis, Glendon V., 8215A.
Butler, Earl H., 8217A.
Myers, Henry V., 8219A.
Meeker, Everett R., 8220A.
Howell, Henry R., Jr., 8221A.
Long, Joseph E., 8222A.

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Oden, Lewis H., Jr., 19950A.
Espey, James G., Jr., 21757A.
Wallace, Henry G., 21838A.
Fixott, Richard S., 21837A.
Lechausse, Ralph M., 20818A.
Hederick, Rogers, 19952A.
Ayars, Laurence S., 21840A.
Norcross, John A., 21759A.
McKaig, Malcolm C., 19953A.
Quashnock, Joseph M., 25487A.
Armstrong, William R., 21839A.
Frediani, Alexander W., 19236A.
Miller, Edward S., 19576A.
Rhoades, Gordon H., 22393A.
Townsend, Frank M., 20819A.
Dorris, Henry C., 19282A.
Mann, Joseph L., 20820A.
White, Fletcher H., 26690A.
Katzberg, Arthur J., 22394A.
Nuttall, James B., 19239A.
Davis, David W., 26729A.
Mears, Claud M., 21841A.
Hardy, James T., 26731A.
Veit, John P. A., 27973A.
Burnett, Jack F., 24107A.
Strub, Giles J., 19241A.
Rothe, Courand N., 19251A.
Webb, Hamilton B., 19307A.
Keeley, William T., 20821A.
Alexander, Charles P., 19303A.
Patterson, Robert A., 19250A.
Chapman, Jules B., 22981A.
Eggeling, Ian N. J. 19311A.
Defries, William A., 19254A.
Jernigan, James P., 21722A.
Smith, Willard H., 27974A.
Underwood, Edgar H., Jr., 19262A.
Greider, Lester S., 25459A.
Park, Oakley K., 20823A.
Larson, Thurman A., 19314A.
Stuart, Lawrence D., 26692A.
Collins, Thomas A., 27483A.
Steinkamp, George R., 24108A.
Andrew, Samuel E., 27485A.
Martin, Archibald G. M., III, 22543A.
Lett, James E., 19258A.
Schlechter, John F., 19300A.
Karmany, William H., 21724A.
Turner, Edwin W., 24646A.
Graham, Wistar L., 24185A.
Wiedeman, Goeffrey P., 19264A.
Davis, James M., 19309A.
Cox, Philip A., 19315A.
Goss, Frank A., 19259A.
Ellingson, Harold V., 19235A.

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Monaco, Salvatore L., 20005A.
Osborn, Ewalt M., 18909A.
Long, George A., 18905A.
Zieger, Karl O., 18906A.
Jones, Thomas K., 19744A.
Avenell, Rollin C., 18940A.
Johnston, Leonard S., Jr., 19743A.
Elwell, Kenneth R., 18903A.
Lightner, Lee M., 18923A.
Hester, Warren R., 18919A.
Smith, Lloyd S., 18929A.
Gordon, George D., 19627A.
Clifford, William B., 18920A.
Senn, William W., 18941A.
Long, James E., 18934A.
Mohnac, Alex M., 18921A.
Rooney, John E., 18927A.
McEvoy, John R., 18907A.
Rock, George W., 18953A.
Johnson, Franklin A., 18917A.
Kane, John P., 18931A.
Harris, Norman O., 18937A.
Coombs, Robert L., 18908A.
Kartman, Jules D., 18918A.
Benhart, Sherwood F., 18926A.
Brookreson, Kendrick, 18932A.
Reese, Wallace K., Jr., 18942A.
Thornberry, Wayne W., 18957A.
Harley, William M., Jr., 19616A.
Kephart, Norbert C., 18914A.
Crofut, Vincent E., 18922A.
Massey, John T., 18959A.
Armstrong, Russell H., 19911A.
Gibson, Joseph R., 18912A.
Schulte, George N., 18913A.
Miller, Ernest L., 18915A.
Pugnier, Vincent A., 18928A.
Butler, James M., 18935A.
Myers, Warren C., 18958A.
Leonard, Leo J., 18954A.

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Gorman, Lester J., 18999A.

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Nielsen, George L., 19438A.
Payne, Robert B., 19439A.
Crowell, Gene W., 19440A.
Thomas, Frederick W., 19564A.
McInerney, James J., 19441A.
Haines, Charles C., 19442A.
Streeter, Russell E., 19443A.
Waters, John J., 19444A.

Nurse Corps

Daniel, Margaret E., 21919W.
Evans, Claretta, 20918W.
Bryant, Frances L., 20945W.
Slattery, Lucile C., 21965W.

Medical Specialist Corps

Lawrence, Dorothea M., 21184W.

Chaplain

Rogers, Vernon A., 18770A.
Ellenbogen, Edward, 18771A.
Geigel, Francis G., 18772A.
Montcalm, Rosario L. U., 18773A.
Sullivan, Jeremiah E., 18775A.
Baumgaertner, Martin W., 18778A.
McCandless, Paul C., 18780A.
Partin, Delbert C., 18781A.
Duhan, Henry, 18782A.

CAPTAIN TO MAJOR

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Hammond, Fred B., Jr., 19774A.
Birnbaum, Myron L., 20018A.
Higgins, Fred J., 20019A.
Dickson, Donald C., Jr., 21430A.
Green, John O., 24260A.
Berry Cooley C., 20020A.
Yandala, Gust J., 19775A.
Michels, Robert W., 19783A.
Vague, Harold R., 22991A.
Eichner, Leonard, 19776A.
Murray, Francis P., 21437A.
Rowland, Dwight R., 20023A.
Horlick, Walter I., 23180A.

Eberhart, Francis C., 19780A.
Portrum, Peter, 19778A.
Bandy, George R., 20031A.
Thomasson, Samuel M., Jr., 20025A.
Gold, Morton J., 20034A.
Goodwyn, Marvin W., 20030A.
Ensley John J., 21778A.
O'Donnell, William J., 20574A.
Shawhan, Zac G., 20576A.
Pulling, Barton S., 22569A.
Donahue, John J., 20028A.
Hogan, Raphael J., 19784A.
Delafield, Dean E., 20026A.
Schulte, George A., 20044A.
Wilson, George M., 21777A.
Pettitt, Bert E., Jr., 17698A.
Lineham, Thomas U., Jr., 18112A.
McGowan, Samuel B., 20572A.
Price, Robert H., 20571A.
Slade William A., 20573A.
Taylor, Charles K., Jr., 18113A.
Guilfoyle, William A., 20029A.
Glines, Carroll V., Jr., 20579A.
Taylor, Jay J., 20580A.
McAnally, Paul E., 20581A.
Woolf Simpson M., 20569A.
Yusievicz, John J., 20582A.
Kuehl, Albert R., 21436A.
Avise, Herbert J., 18114A.
Eagle, Comly J., 18115A.
Smith, Donald H., 19782A.
Yeager, Paul M., 18116A.
Holland, Billy S., 21781A.
Fowler, Oscar F., 20583A.
Pierce, Russell K., Jr., 18118A.
Nole, Jack D., 20598A.
Buchta Joseph, 20036A.
Frizzle, Bernard E., 21442A.
Gruber, Kenneth W., 20623A.
Hill, Marcus L., Jr., 20622A.
Gallagher Rial F., 20621A.
Brown, Jack R., 20599A.
Stewart, Walter C., Jr., 20639A.
Simpson, Russell R., 19565A.
Dotson Herbert P., Jr., 20587A.
Myers, Andrew J., Jr., 20769A.
Brinson, William L., 18117A.
Ecklund Eugene, 20600A.
Melucas, Paul J., 20640A.
Hurlburt, Dana F., 18119A.
Kemerling, William E., 21460A.
Johnson, Arthur H., 22684A.
Urquhart, Charles T., Jr., 20584A.
Desaussure, Hamilton, 15486A.
Jewell, Malcolm E., 20588A.
Johnson, George A., 20672A.
Schmidt, Howard R., 18123A.
Staples, Johnston R., 20578A.
Wilson, William W., 22571A.
Kelley, Carroll W., 22992A.
Minow, James W., 23651A.
Wilson, Richard S., 18121A.
Jensen, Lloyd K., 20624A.
Harmon, William A., 21438A.
Davis, Bruce, 18120A.
Case, Richard D., 20040A.
Talbot, George E., 18126A.
Luber, Vernon N., 18127A.
Peterson, Howard W., 24307A.
Lane, Joe V., 25454A.
Jones, William M., 20641A.
Adcock, James K., 20589A.
Yates, John H. 20041A.
White, Boyd B., 20626A.
Wendt, Willard A., 20625A.
Light, Herbert M., Jr. 18128A.
Joyce, Daniel G. 25605A.
Perry, James W., 20673A.
Blanck, Eugene L., 21433A.
Boutwell, Rufus C., Jr., 20033A.
Sandvig, Kenneth L., 20595A.
Frazier, Max E., 21456A.
Vogler, Alfred F., 20670A.
Montour, Gilbert E., 19790A.
Mitchell, Collins P., 22570A.
Wine, Joseph R., Jr., 19788A.
Morton, Walter P., Jr., 18129A.
Prince, Robert A., 21779A.
Kelly, Charles E., 22995A.
Locklear, James Q., 18133A.
Rutherford, Richard T., 18134A.
Burnett, Elvin E., 20601A.
Kohrman, Elwood N., 20602A.
Littlewood, Theodore P., 20642A.
Farrell, Thomas D., 16200A.
Raphun, Leland R., 18130A.
Silliman, James G., 22644A.
Doiron, Claude J., Jr., 20596A.
Greenspun, Morris J., 21432A.
Moehle, Charles F., 18131A.
Petkus, Walter A., 22613A.
Smith, Gayle L., 20683A.
Syphers, Victor K., 24316A.
Greene, Sidney, 20658A.
Peters, Francis D., Jr., 18137A.
Bray, Leslie W., Jr., 18136A.
Bush, Frederick E., 20643A.
Hand, F. Ned, 19789A.
Spiro, Bernard, 20627A.
Rath, Leland J., 20620A.
Mandina, Sidney R., 18125A.
Gilpin, Harry D., 18124A.
Allen, Nelson, 21434A.
Weddle, Walter M., 20024A.
Henry, Mervin L., 20604A.
Monaco, Anthony W., Jr., 20605A.
Huke, Theodore C., 20027A.
Moore, Jack K., 18135A.
Hanton, John T., 18138A.
Gaertner, Adolph, Jr., 20603A.
Wier, Charlie Y., 21785A.
VanHoy, Leslie B., 22645A.
Smith, Bennie C., 18141A.
Busha, George F., 20628A.
Williams, Wilson B., 20668A.
Long, Robert F., 18142A.
Glover, Jerry C., 20659A.
Latella, John J., 20032A.
Alexander, Ernest L., 18143A.
Steves, Walter T., 22581A.
Craft, William C., 20043A.
Bobbitt, Aubrey M., 20644A.
Clay, Richard L., 22647A.
Warren, Joseph B., 22586A.
Lunsford, George M., 22646A.
Baleski, John J., Jr., 25490A.
Williams, Paul E., 25501A.
Bridges, John L., 22643A.
Egender, Herbert F., 24317A.
Niemczyk, Julian M., 20671A.
Sharp, Stuart M., 20629A.
Gasiewicz, Sigmund I., 22994A.
Blanton, Franklin D., 21458A.
Bohannon, James R., Jr., 18146A.
Clisham, Winston H., 22618A.
Phillips, Lowell G., 18050A.
Hall, Harvey P., 20674A.
Barns, William F., 20630A.
Holt, Garland E., 20607A.
Mills, Clarence H., 22650A.
Ezell, William O., 22649A.
Degennaro, Carlo N., 20570A.
Krysakowski, Joseph E., 19791A.
Henry, David W. Jr., 20590A.
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Becker, Robert H., 24318A.
Delbeccaro, Vincent J., 19779A.
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Doe, Irving C., 18155A.
Mathews, James E., 20021A.
Smoak, Andrew W., 22652A.
Muldoon, James E., Jr., 22651A.
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Leavick, Franklin M., 13296A.
Jones, Ralph F., 22734A.
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Porter, Fletcher S., 22672A.
Chapman, John M., Jr., 17700A.
Herrera, Alfred C., 20608A.
Mandros, William J., 20692A.
Chew, John C., 25611A.
Gibson, Charles A., Jr., 13470A.
Hawes, Warren H., 18160A.
Reeder, William D., 18161A.
Kelly, James W., 21462A.
Bush, Russell L., 22654A.
Kohl, Don R., 22655A.
Sims, William M., Jr., 23680A.
Segura, Wiltz P., 23681A.
Collins, Perry V., 18156A.
Farr, John W., 20660A.
Gehri, Donald H., 22717A.
Davies, John V., 21780A.
Hamilton, Calvin L., 18139A.
Vohs, Lester J., 23670A.
O'Hara, David B., 24319A.
Snyder, Earl A., 21446A.
Reiss, Leonard, 21439A.
Kester, Clifford D., 18163A.
Taylor, Joseph T., 20611A.
Lien, Arthur M., 22574A.
Hoban, Richard M., 23658A.
Schuering, Alvin G., 18166A.
Traylor, Horace C., Jr., 18165A.
Stroff, Michael J., Jr., 20648A.
Goppert, Jean G., 18167A.
Reuteler, Bruce E., 18168A.
Dill, Glenn E., Jr., 22615A.
Davidson, B. H., 22575A.
Dunn, Buel A., 23701A.
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McDonald, William T., 22673A.
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Montgomery, Joe S., 20633A.
Bass, Robert A., 20632A.
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Hubbard, Thomas P., 22590A.
Ayres, Frank L., 18173A.
Hagemann, Joseph A., 22657A.
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Botvidson, Charles C., 12155A.
Oliphant, Stephen A., 12283A.
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Hill, Cowan S., Jr., 13557A.
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Craig, Robert P., 20649A.
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Lewis, Henry S., Jr., 19794A.
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Baker, Marshall E., 20675A.
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Jones, David B., 18183A.
Rood, Eric W., 22620A.
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Anderson, George O., 18184A.
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Grant, Alexander W. J., 20703A.
Clancy, John W., 26445A.
Fligor, Robert D., 16287A.
Dodds, John E., 16289A.
Borders, John E., 16290A.
Ohrt, Robert T., 16291A.

Smith, Harry E., Jr., 16292A.
Bailey, James W., 16293A.
McCall, Bruce D., 16294A.
Saxton, David W., 22674A.
Logan, Harvey B., 26434A.
Smith, Marshall L., 16295A.
Giraudo, John C., 16296A.
Vines, John H., 16298A.
Crowder, Charles E., Jr., 16299A.
Rotstan, Robert, 17723A.
Rementer, William J., 18250A.
Bartholomew, Gabriel P., 22659A.
Gray, Donald U., Jr., 18223A.
Von Romberg, Robert P., 16301A.
Luke, Miles K., 16302A.
Fong, George H., Jr., 16303A.
Johnson, Robert C., 22648A.
Emmons, Richard A., 25516A.
Catlin, Benjamin S., 3d, 16304A.
Allen, Charles S., 16305A.
Wenrich, George L., 27542A.
Hardin, Clarence C., 16306A.
Gordon, Earl H., 16307A.
Schmidt, Gordon A., 16308A.
Jabara, James, 16309A.
Creech, William T., 16310A.
Reese, William H., 16311A.
Trommershausser, John, 18300A.
Ely, John T. A., Jr., 25506A.
Ketcherside, Robert P., 25724A.
Manning, Clark P., 16312A.
Ross, Donald H., 16313A.
Levens, Thomas O., 16315A.
Weber, Arthur E., 16316A.
Shaver, Dorwyn D., 16317A.
VanVleet, Gerald E., 16318A.
Craig, William L., 16319A.
Dart, Melvin, 16320A.
Courtney, Clyde W., 16321A.
Gessner, Louis F., 16322A.
Harkiewicz, Joseph, 16323A.
Obenshain, Ray L., Jr., 12923A.
Nestle, Roger W., 23669A.
Whisner, William T., Jr., 16324A.
Stahl, Frederick N., 20737A.
Naylor, Harold L., 23676A.
Fox, Arthur A., 16326A.
Stewart, James L., 22691A.
Shepherd, William C., 16327A.
Burdick, Joseph B., 16328A.
Hill, James A., 24324A.
Keen, Robert J., 16331A.
Prater, Otis A., 16332A.
Sautters, Clyde W., 16333A.
Ulrich, Robert J., 16334A.
Melchar, Charles E., 20725A.
Anderson, De Lane E., 20693A.
Ferris, Paul V., Jr., 16336A.
Barber, Edwin F., 16338A.
Stevenson, Charles S., 16339A.
McCollum, Clodius M., Jr., 25811A.
Staggs, Homer J., 16341A.
Haggard, Richard L., 17725A.
Findlay, Ralph F., 22631A.
Broughton, Roy J., Jr., 27677A.
Jenkins, Woodrow W., 16342A.
Vincent, Donald W., 16343A.
Abendhoff, Gerhard R., 22628A.
Thompson, George W., 17726A.
Bryan, James T., 23009A.
Krynovich, George, 24313A.
Sitton, Ray B., 16345A.
Carruthers, Warren L., 16348A.
Osborn, Arthur L., 16350A.
Wilson, Ernest R., 23694A.
Springer, Paul R., 17715A.
Thompson, James W., Jr., 22841A.
Dietrich, William A., 16351A.
Anania, August R., 16352A.
Winters, Sterling P., Jr., 16354A.
Snyder, John T., 18302A.
Anderson, Charles K., 20616A.
Gailer, Frank L., Jr., 22592A.
Weems, Monard D., 16355A.
Welsh, William F., 22676A.
Edwards, Lloyd C., Jr., 24314A.
Baker, John C., 16357A.
Sapp, Glenn E., 16358A.
Mateny, Henry, 16359A.
Townshend, Jesse F., Jr., 20724A.
Irwin, Donald S., 16360A.
McKeever, Wendell E., 16361A.
Merrill, William L., 16362A.
Franklin, Benjamin L., 16363A.
Stanley, Richard E., 16364A.
Herndon, James E., 16365A.
Perreault, Lucien E., Jr., 16366A.
Laney, A. Louis, 16367A.
Jones, Lois C., 21399W.
Clark, Kenneth B., 22625A.
Faulkner, Norman A., 23008A
Meeker, Thomas B., 22799A.
Risinger, Fred S., Jr., 16368A.
McCarthy, Giles J., 25620A.
Faulkner, Joseph, 16370A.
Miller, John J., 16371A.
Eagle, Garland W., 16372A.
Johnson, Edward J., 16373A.
Williamson, William B., Sr., 16374A.
Brown, Raymond, Jr., 16375A.
Powell, Billie W., 16376A.
Dick, Reay S., 16377A.
Laatsch, Oliver F., 16378A.
Pancake, Dale C., 16380A.
Sheppard, William L., 16381A.
Ross, S. L., Jr., 16382A.
Jarvis, Irby B., Jr., 16383A.
Green, Kenneth J., 16384A.
Finley, Allen A., 16385A.
Guier, William C., 16386A.
Weed, William A., 16387A.
Menzie, William R., 16388A.
Perry, Frank V., 16389A.
Johnson, Andrew, Jr., 16391A.
Milton, John L., 16392A.
Hoag, James H., Jr., 16393A.
Middleton, Henry M., Jr., 16394A.
McGaw, James E., 16395A.
Myers, Earl E., 16396A.
Campbell, Leslie J., Jr., 16397A.
Catallo, Albert L., 16400A.
Harrington, Charles E., 16401A.
Denomy, Robert W., 25510A.
Luke, William H., 16402A.
Norris, James R., 22772A.
Hurley, James C., 16403A.
Stephens, John E., 23001A.
Argersinger, James B., 16404A.
Christopher, Richard S., 16406A.
Galloway, Robert C., 16407A.
Lyons, Richard E., 18306A.
Higgins, Leo A., 16408A.
Moseley, Elwyn A., 20716A.
Harrell, Jesse R., Jr., 16409A.
Holcomb, Thomas H., 16410A.
Wallace, John N. Jr., 16411A.
Montel, John P., 16412A.
Matthews, Charles L., 16413A.
Hearn, Joseph E., 23000A.
Biggs, David H., 26469A.
Thumser, Louis F., Jr., 16414A.
Knight, James A., Jr., 16415A.
Glass, Donald R., 16416A.
Ford, Milton R., 16417A.
Aldrich, Thomas A., 16418A.
Polezoes, Stanley, 26762A.
Poynor, James L., 16419A.
Mahl, Floyd D., 25496A.
Robinson, Thomas M., 16420A.
Scott, George S., 16421A.
Hilton, Garland B., Jr., 23723A.
Byrum, Gerald B., 16422A.
Barnes, Roy A., 16423A.
Dixon, Billy V., 16425A.
Routh, William N., 16426A.
Russell, Charles C., 23660A.
McCaulley, Roger A., 16427A.
Hobday, Henry C., Jr., 16428A.
Rossman, Russell J., 16429A.
Usis, Felix M., Jr., 16430A.
Cloppas, William P. J., 16431A.
Johnston, James E., Jr., 16433A.
Kaltman, Semen E., 16434A.
Maybell, James L., 16435A.
Renick, Ned W., 20701A.
Kuhlmann, Duane A., 23702A.
Shaffer, Robert L., 16436A.
O'Clock, Robert, 17899A.
Hammond, George R., 16437A.
Halferty, Robert M., 16438A.
Kahley, Don E., 16439A.
Porter, Wayne C., 16440A.
Avance, Donald E., 16441A.
May, Bedford D., 25774A.
Schmidt, Carvel W., 16443A.
Thurber, George F., 16444A.
Adams, John A., 16445A.
Reynolds, Benoni O., 23003A.
Brown, Melvin G., 16447A.
Clarke, Robert E., 16448A.
Harman, Robert W., 16449A.
Walker, Harry C., Jr., 16450A.
Brown, Leslie A., Jr., 16452A.
Bryan, Raymond J., 16453A.
McNeilly, Charles R., 16454A.
Biagini, Arthur T., 16456A.
Leidemer, Henry M., 16457A.
Reese, Eugene K., 16458A.
Campbell, Russell C., 16461A.
Popp, Vern B., 16462A.
Blankenship, Jack F., 16463A.
Bersanti, Norman P., 16464A.
Cranford, Earl C., 16465A.
Hooten, William J., 16466A.
Wahl, Richard G., 16467A.
Larkins, James R., 16468A.
Betterton, Robert A., 16469A.
Davis, Charley L., 22701A.
Hall, Roland P., 24342A.
Young, Donald J., 16470A.
Bodinger, Norman E., 23715A.
Armstrong, William P., 16471A.
Jones, Robert H., 16473A.
Kelley, Jack W., 16474A.
League, Miles R., 18286A.
Curtis, Curtis D., 16475A.
Dulle, Albert B., 16476A.
Sherman, Robert F., 16477A.
Horangic, Nicholas P., 16478A.
Glover, Douglas C., 16479A.
Coleman, Walter V., Jr., 16480A.

Medical Corps

Bradley, William G., 23052A.
Yerg, Raymond A., 24192A.
Bell, Horace S., 24650A.
Parish, Herman S., Jr., 24109A.
Flaherty, Bernard E., 22399A.
George, John H., 23101A.
Anderson, James B., 21687A.
Jernigan, George C., Jr., 22546A.
Sorensen, Charles C., 20844A.
Green, Harry C., Jr., 20838A.
DeLoach, James F., 22398A.
VanPelt, James F., Jr., 24124A.
Austin, George N., 22556A.
Reynolds, George E., 22955A.
Wright, Walter D., 23063A.
Kurth, Robert J., 22401A.
Swindell, Herbert V., 25328A.
Williams, Robert L., 19767A.
Fenno, Richard M., 21848A.
Crabtree, Sam F., 22987A.
Flinn, Don E., 23582A.
Levine, Robert, 22559A.
Smith, Dasil C., 20542A.
Marriott, William R. V., 24648A.
Alfred, Harry C., 21908A.
Ferris, Curzon C., Jr., 25729A.
Talley, Thomas P., 22962A.
Dewey, Walter W., 22958A.
Freedman, Martin J., 21690A.
McCauley, Ralph T., 25329A.
Azzato, Nicholas M., 23580A.
Shirley, Robert E., 23102A.
Whitsell, Wilber R., Jr., 24196A.
Morgan, Robert F., 20543A.
Morese, Kenneth N., 23579A.
Roads, Wesley A., 24667A.
Goltra, Evan R., Jr., 27480A.
Leslie, James T., Jr., 19768A.
Caris, Timothy N., 21854A.
Furey, Joseph A., 27590A.
Collins, Frederick G., 21737A.
Thompson, William W., 24122A.
Bittick, Paul, Jr., 21910A.
Reiner, Robert N., 27596A.
Coles, John E., 24129A.
Holcomb, Thomas M., 22404A.
Bashore, Sidney M., 25728A.
Robison, Jack R., 22550A.
Powers, Douglas F., 24654A.
Wesp, Joseph E., 23055A.
Ballinger, Edwin R., 21692A.

Warren, Donald J., 24114A.
Hines, Henry L., 24201A.
Preston, Rhea S., 19770A.
Dawson, Robert G., 24115A.
Rul-Lan, Carlos D., 29613A.
Haskins, Donald M., 22942A.
Chandler, Frank W., 24110A.
Claiborne, Earl R., 22549A.
Westerbeck, Charles W., 24200A.
Youngblood, Robert W., Jr., 22943A.
Smith, J. Lewis, Jr., 24194A.
Gathright, Alan J., 25649A.
Kern, Sidney B., 19769A.
Lofton, Joseph E., 19844A.
Burdick, Kenneth H., 24113A.
Weigel, Arthur E., 26353A.
Ford, Charles F., 19568A.
Worthman, Robert H., 19966A.
Coffey, Roy B., 22948A.
Baker, Claude D., 25463A.
Rutledge, Guy L., Jr., 22944A.
Oliver, George J., Jr., 23056A.
Berry, Charles A., 22414A.
Nafis, Warren A., 23581A.
Livermore, David I., 19533A.
Bos, Norman C., 25488A.
Noll, Leland E., 26357A.
VanDuyne, Charles M., 24116A.
Starrett, Jack R., 29273A.
Wheaton, Jerrold L., 29472A.
Marshall, Strother B., 29615A.
Ryan, Arthur E., 29614A.
Paul, Jesse W., Jr., 29620A.
Flaherty, Robert A., 23118A.
Wrede, Henry F., Jr., 25647A.
Spiro, Franklyn C., 22964A.
McGrade, Hugh P., 24123A.
Gabby, Samuel L., Jr., 22413A.
Baker, Benjamin R., 24112A.
Wolter, David F., 26363A.
Jones, Robert F., 27584A.
George, John W., 22555A.
Martin, John T., 20056A.
Pollock, Clifford R., 21689A.
McClain, Roland E., 21691A.
Douglas, William K., 19967A.
Ferguson, Richard H., 21853A.
Cassidy, James E., 24195A.
Cox, Charles L., Jr., 27493A.
Musgrave, Paul W., 26355A.
Greene, John R., 27608A.
Puglisi, Anthony J., 19612A.
Gregory, R. D., Jr., 22956A.
Donnell, Alonzo M., Jr., 22957A.
Rosewall, Charles R., 24133A.
Schlattner, William H., Jr., 24186A.
Neely, Samuel E., 21767A.
Rountree, William C., 20016A.
DeTreville, Robert T. P., 22974A.
Logan, John B., 19608A.
Kohl, John M., 19965A.
Sturr, Robert P., Jr., 23171A.
Auld, David, 20540A.
Beyer, David H., 20846A.
Rudolph, Robert L., 21597A.
Morrissey, Robert W., 24193A.
Guice, Charles E., 25635A.
McLin, Leonard D., 19835A.
Clark, Ernest J., 20059A.
Sanford, William G., 23107A.
Maas, Gerald I., 25462A.
Hennessen, John A., Jr., 20013A.
Keegan, James M., 21731A.
Murphy, Paul D., 22565A.
Baker, Neill H., 19576A.
Meyers, John C., 19915A.
Tucker, Andrew L., 22970A.
Booth, Latimer H., 27489A.
Hogan, Peter D., 20837A.
Roth, Charles W., 19929A.
Borman, James G., 20836A.
Good, Raphael S., 22969A.
Relyea, William V., 23121A.
Wilkins, Paul C., 24191A.
Regan, Thomas C., 24198A.
Claro, Joseph J., 23593A.
Gibbs, Charles E., 24111A.
McGettigan, Manus J., 23060A.
Ainsworth, George E., 23212A.
Murray, William N., 25648A.
Berger, Walter J., Jr., 23168A.
DeMinico, Charles P., 21598A.
Ritzinger, Frederick R., Jr., 25721A.
Bryan, Richard S., 24664A.
Cote, Richard H., 19545A.
Archdeacon, John R., 23658A.
Grant, Bowie L., 29616A.
McElvain, Wilbert H., 24662A.
Pfrommer, John R., 29473A.
Langelier, Paul R., 20014A.
Adams, Robert H., 22960A.
Moritz, Henry C., Jr., 24652A.
Stecher, William N., 29807A.
McKeen, Charles L., 23591A.
Cutler, Kay R., 26631A.
Robbins, Jack H., 27492A.
Hartman, Harold F., 24221A.
McCann, John P., 20528A.
Schwarting, Bland H., 22959A.
Flanagan, Brian P., 24649A.
Fitch, Ray F., 24655A.
McKay, William M., Jr., 25645A.

Dental Corps

Krause, Lyndon S., 20522A.
Jakob, Robert H., 20832A.
Ketcham, Frank H., 21685A.
Book, William H., 22395A.
Hewson, John M., 21594A.
Miller, William A. C., Jr., 21845A.
Hase, Robert R., 23163A.
Zukowski, Alphonse A., 21593A.
Poor, Willard H., 21728A.
Weber, Carl E., 21426A.
Merrill, Bob K., 23120A.
McMahon, Cahrles A., 25731A.
Hoskins, Sam W., Jr., 25695A.
Morris, Charles C., 20834A.
Petty, George B., 23584A.
Manners, Philip, 21729A.
Wilson, Howard R., Jr., 18969A.
Hayden, Arthur L., 24119A.
Brown, Charles A., 26634A.
Burnette, Elmer W., Jr., 25666A.
Dybowski, Eugene L., 18964A.
Copeland, Henry I., Jr., 22396A.
Hartley, Jack L., 18972A.
Zellers, Howard W., Jr., 24121A.
Runco, Joseph G., 25466A.
Zellhoefer, Robert W., 27598A.
Bowman, Robert G., 25465A.
Stumpf, Arthur J., Jr., 23058A.
Jones, Eugene H., 18962A.
Morgan, Howard H., 20835A.
Townsend, Lewis F., Jr., 18960A.
Reilly, Robert L., Jr., 20833A.
Kreutzer, Joseph J., 24204A.
Milbourn, Arthur L., 21849A.
O'Leary, Timothy J., 18966A.
Dunham, David R., 18970A.
McCully, Albert C., 20524A.
Jackson, James T., 24117A.
Thompson, Robert L., Jr., 20523A.
Gillespie, Carroll C., Jr., 22984A.
Cox, John, 25664A.
Hannon, Harrison J., 26359A.
Jaslow, Charles, 20553A.
Rogers, Joseph C., 18965A.
Williams, Marion R., 21727A.
Ayres, William E., 22976A.
Baldwin, Kenneth H., 24205A.
Chapman, John A., 19618A.
Turk, Roy S., 22988A.
Reese, Robert T., 19629A.
Staerkel, Julius G., 26736A.
Jamieson, Glenn W., 18971A.
Hughes, Wilbur R., Jr., 25693A.
Kurth, Donald E., 29276A.
Wyatt, James L., Jr., 19847A.
Hoot, Norman G., 21847A.
Raab, Lester W., 26360A.
Weaver, Robert N., 24140A.
Hill, Robert E., 19971A.
Leonard, Ovide R., 29650A.
Best, Robert N., 29729A.
Ambrose, James A., 19622A.
Schilb, Enslie I., Jr., 21732A.
Cole, James B., 29412A.
Fritz, Jackson W., 29413A.
Ayres, Elmer V., 19619A.
Potts, Henry R., 25467A.
Stillson, William T., 26696A.
Masters, William Z., 19919A.
Knoll, Oliver J., 19969A.
Funk, Edward C., 27978A.
Barale, Philip A., 21600A.
McCall, Clarence M., Jr., 22408A.
Sprague, William G., 25667A.
Bergmann, Robert W., 21764A.
Malloy, Charles B., 24660A.
Davis, Edward E., 29299A.
Kolodny, Stanley C., 27981A.
Tarsitano, John J., 27495A.
Grant, Ambrose G., 24675A.
Szmyd, Lucian, 19261A.
Sundberg, Paul V., Jr., 19846A.
Dickson, Edward E., 22978A.
Welborn, Joseph F., 19766A.
Ryan, Robert L., 20061A.
Smith, Richard A., 25665A.
Gosselin, Carlton F., 25730A.
Sherman, John R., Jr., 19842A.
Jordan, David R., 21742A.
Baird, Ernest M., II, 22415A.
Mueller, Roy L., 21428A.
Speiser, Warren H., 27983A.
Bateman, Herbert E., 25696A.
Detamore, Robert J., 19624A.
Louis, John D., 20058A.
Logan, Franz W., 25482A.

Veterinary Corps

Couch, J. B., 21601A.
Nichols, Wilbert C., 19920A.
Kyner, Roy E., Jr., 21602A.
Weil, Frederick, 21604A.
Nettles, William D., 19845A.
Hornickel, Edward P., 21606A.
Dalziel, George T., 21605A.
Armstrong, James, 21603A.
Hayman, William P., Jr., 21866A.
Greer, Russell F., 21867A.

Medical Service Corps

Smyth, Kenneth E., 21619A.
Holihan, Francis L., 21607A.
Beck, William S., 21612A.
Foley, Frank R., 21870A.
Marolf, Kenneth L., 21613A.
Deverick, Theodore R., 19513A.
Zellers, Billy B., 21614A.
Tayloe, Leon T., 23076A.
Cook, Raymond J., 21610A.
Little, Herman I., 21616A.
Woolf, Henry M., 21615A.
Schult, Harold G., 21617A.
Johnson, John A., 21611A.
Swimmer, Adolph H., 24233A.
Saul, Lee I., 21871A.
Weller, William E., 21618A.
Herrin, Daniel M., Jr., 21620A.
Goings, Charles E., Jr., 19522A.
Dykstra, John J., 21634A.
Darling, Kenneth P., 19523A.
Kimball, Lorenzo K., 21869A.
Connolly, Owen F., 21868A.
Roftis, Robert J., 21623A.
Edmonds, Clarence W., 19524A.
Smith, Frank K., 19525A.
McDermaid, Richard, 19575A.
Winkelblech, Donald R., 21624A.
Hines, William H., 19526A.
Weiss, Earl, 23222A.
Share, James M., 19527A.

Nurse Corps

O'Brien, Dominica B., 21917W.
Fleming, Pearl M., 21943W.
Marquis, Jeanne R., 21936W.
Bell, Adeline T., 21968W.
Thompson, Catherine M., 21048W.
Dorsey, Anna J., 20928W.
Ball, Adele M., 21091W.
Skinner, Alice L., 20994W.
Pharris, Edna L., 21168W.
Hosey, Margaret K., 20984W.
Slade, Eleanor M., 21157W.
Richey, Margaret A., 21989W.
Jernigan, Marguerite L., 21991W.
Elder, Virginia M., 21169W.
O'Donnell, Mary E., 21992W.
Kirkhoff, Kathryn M., 20959W.
Neese, Sara K., 21998W.
Fuller, Mildred L., 20989W.
Holmes, Sarah B., 20964W.
Dehart, Dorothy M., 21106W.

Ditchfield, Flora J., 21065W.
Hart, Willie E., 21109W.
Smith, Carol V., 21173W.

Medical Specialist Corps

Creech, Kathleen R., 21201W.

Chaplain

Stillwagon, Grover E., 20851A.
Bennett, John S., 21856A.
Sharbaugh, Cornelius A., 188806A.
Paulk, Ivan L., 20853A.
Evans, John T., Jr., 18807A.
Brenner, Arthur E. K., 20858A.
Barringer, John D., 20857A.
Glaize, Charles H., 20854A.
Wakefield, Charles W., 20852A.
Terry, Roy N., 21429A.
Minor, Earl W., 20855A.
Larkin, Timothy J., 21855A.
Pullen, Oden M., 21859A.
Woodruff, James R., 27659A.
Mattheson, Raymond T., 20861A.
Trent, B. C., 26649A.
Shoemaker, Harold D., 27660A.

FIRST LIEUTENANT TO CAPTAIN

Line of the Air Force

Cunningham, Robert W., 28210A.
Henschel, Harold C., 28194A.
Tapie, Henri L., 28335A.
Williams, Henry B., 28196A.
Howard, Francis W., 28188A.
Sykes, Edmond P., 28311A.
Purdy, Channing L., 26401A.
Jones, Robert L., 28197A.
Shippey, Edwin F., Jr., 28341A.
Falls, Joseph F., 28217A.
Jones, Herschel D., 28306A.
Murphy, Elmer E., 28313A.
Kinard, Robert L., 28219A.
Neuhauser, Albert L., 28342A.
Marker, Michael M., 28199A.
Damen, Robert C., 28215A.
Myers, Pierce M., Jr., 28312A.
Heller, Gilbert L., 28305A.
Burns, Joseph, 28334A.
Reiss, Donald A., 28333A.
Graybill, Harold L., 28222A.
Magnan, Mark W., 28204A.
Nadon, Norman C., 28207A.
Planinac, John W., 28318A.
Hudspeth, Edwin G., 28223A.
Burns, John J., 28203A.
Daniels, Robert W., 22860A.
Doll, George A. J., 28321A.
Nicholson, Gilbert O., 28205A.
Marker, Stanley N., 28329A.
Bonseigneur, Paul J., Jr., 28216A.
Pallouras, James L., 23910A.
Cogburn, Charles S., Jr., 28190A
Skaggs, Alvin D., 23931A.
Parr, Ralph S., Jr., 28206A.
Curtis, Andrew R., Jr., 28218A
Algeo, John B., 23925A.
Strand, John H., Jr., 22858A.
Rogers, Dow A., Jr., 28214A.
Myers, William D., 28323A.
Skipper, Francis H., 23945A.
Kiernan, John W., 28212A.
Traendly, Eugene W., 24578A.
Deegan, Thomas J., 28320A.
Neville, Thomas J., 28336 A.
Lindberg, William E., 28308A.
Wood, James W., 28202A.
Berggreen, Cole J., 23941A.
Downhill, Jack E., 24587A.
Lane, Gerald R., 23903A.
Drumm, William H., Jr., 28224A.
Boyd, William C., 28319A.
Dennis, Robert, 23901A.
Smithwick, Edward F., 23940A.
Daniel, William J., 28191A.
Zettler, Vincent V., Jr., 24600A.
Stallcup, Edward E., 28315A.
Friss, Raymond J., Jr., 23907A.
Ebersole, Howard R., 24476A.
Stewart, Homer J., 24603A.
Tilford, William A., 28229A.
Perrone, Michael, 28238A.
Lorenzo, Donald W., 23936A.
Finefrock, George H., 24602A.
Keickhaefer, Robert V., 24543A.
Clark, Roy T., Jr., 24594A.
Tischoff, Tom B., 24601A.
Murray, Jack G., 24490A.
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Conti, Julius R., Jr., 22141A.
James, David R., 22225A.
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Eppley, Lawrence L., Jr., 22168A.
Price, Jack L., 22307A.
Peake, Erwin C., 22299A.
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Brown, Larry F., 24859A.
Boyle, James M., 24861A.
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Boyer, Wallace R., 26960A.
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Stickney, Frank A., 26959A.
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Kanaap, Herman L., 26963A.
Sifers, Samuel L., Jr., 25907A.
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Bott, James F., 23603A.
Smithson, Claud J., Jr., 23615A.
Fox, Arthur E., 23605A.
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Gibson, William H., 23606A.
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Powers, William E., 23023A.
George, Harry E., Jr., 23043A.
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Hansen, Edward L., 26580A.
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Noe, Richard D., 26972A.
Braly, Harold C., 27738A.
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Allen, Gordon J., 25598A.
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Bynum, Paul H., 26973A.
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Levy, Eugene D., 26723A.
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Griffin, Joseph M., 26975A.
Kaehlert, Donald A., 26976A.
Blan, Kennith W., 28391A.
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Sanders, Elisha P., 26977A.
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Krumpe, Robert H., 23016A.
Short, William K., 27744A.
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Rose, James E., Jr., 25917A.
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Shoaf, James E., 27749A.
Schimberg, Richard J., 25600A.
Hodges, Vernon W., 27752A.
Block, Robert L., 27751A.
Murphy, Patrick J., 27750A.
Roig, Robert W., 26999A.
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Reagan, Thomas J., 28396A.
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Crocker, John C., 26980A.
Frink, John P., 28397A.
MacAlpine, James G., Jr., 26982A.
Long, Patrick G., 26981A.
Abbott, Leslie W., 27754A.
Hope, Raymond L., Jr., 28398A.
Kuntz, David T., 28399A.
Conrad, David M., 25919A.
Stevens, Henry L., Jr., 26985A.
Savoye, Richard O., 26984A.
Dobbs, Maurice T., 27755A.
Moore, Billy J., 25920A.
Short, Robert F., 27756A.
Henry, Frederick P., 27757A.
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Kuchta, Joseph D. A., 25922A.
Cowan, Arista H. III, 28401A.
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Lewis, Gladstone S., Jr., 23018A.
Emmert, Merle W., 23017A.
Bowen, Donald J., 26986A.
Johnson, Jay J., 28403A.
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Schultz, Paul G., 23091A.
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Danner, Bruce L., 25927A.
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Foster, Robert E., 26994A.
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Rozsa, Allen C., 24606A.
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James, John H., Jr., 22916A.
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Fass, Franklin R., 27765A.
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George, Konrad, 25930A.
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Vechik, Donald, 26998A.
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Stull, Ned R., 27766A.
Gavin, Frederick J., Jr., 28410A
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James, Vernon L., Jr., 29287A.
Schwarz, Richard H., 29291A.
Barnard, George W., 29433A.
Nuernberger, Louis G., 29459A.
Sullivan, John B., 29452A.
Henry, Raymond W., 29440A.
Miller, Robert T., 29326A.
McCloskey, John F., 29316A.
Davidson, W. Harley, 29432A.
Viren, Fred K., 29284A.
Carilli, Albert D., 29454A.
Daley, John G., 29435A.
Perkins, David E., 29453A.
Bunnell, David J., Jr., 29451A.
Crummett, John D., 29462A.
Dodson, Jerry G., 29456A.
Higgins, Lloyd M., 29441A.
Netick, Joe, Jr., 29460A.
Patterson, Lewis T., 29455A.
Priebe, Cedric J., Jr., 29442A.
Richardson, Howard D., 29461A.
Todd, John N., III, 29448A.
Zirbel, Clyde C., Jr., 29434A.
Welch, Carlos O., Jr., 29458A.
Walls, William L., 29450A.
Williams, J. O., Jr., 29447A.
Dunaway, James B., 29430A.
Soisson, Ferdinand L., Jr., 29313A.
Spicer, Robert F., 29438A.
Neft, Louis G., 29431A.
Borgia, Charles A., 29444A.
Woolley, Galen S., 29505A.
Story, William C., 29490A.
Rollins, Lawrence T., 29502A.
White, Lynn C., 29494A.
Penry, James K., 29501A.
Fulton, John F., 29499A.
Leigh, John E., 29500A.
Markham, Charles W., 29507A.
Steinman, Paul A., 29493A.
Alexander, Thomas H., 29492A.
Rabkin, Richard, 29509A.
Ross, Rudolph J., 29503A.
Thomas, Frank W., Jr., 29504A.
Camp, Thomas F., Jr., 29497A.
Allen, Sam T., 29495A.
Benson, Jack O., 29491A.
Dyer, Maurice E., 29498A.
Titus, Charles O., 29508A.
Carlson, Kenneth P., 29632A.
Null, Francis C., Jr., 29633A.
Rueve, William W., 29641A.
Longenhagen, John B., 29642A.
Radlet, Paul J., 29634A.
Bailey, Dewey J., Jr., 29643A.
McNealy, Donald E., 29647A.
Guin, Jere D., 29636A.
Snodgrass, W. T., 29639A.
Anderson, Albert S., 29640A.
Bowman, Edwin A., 29645A.
Beahan, Laurence T., 29646A.
Cook, Elwyn C., 29637A.
Yamauchi, Hiroshi, 29506A.
Weatherall, Richard H., 29635A.
Calverley, John R., 29446A.
Cross, James L., 29780A.
Demetry, James P., 29777A.
Broussard, Lawrence O., Jr., 29778A.

Dental Corps

Gadbois, Norman C., 27527A.
Wright, William G., 27650A.
Hall, Gaylord L., 27526A.
Kochler, Gilbert L., 27655A.
Johnson, Carl E., 29293A.
Urata, Wallace T., 29301A.
Boxwell, David O., 28133A.
Hitchens, James A., 29302A.
Esterl, Norman L., 29294A.
Logan, Thomas P., 29657A.
Hungerford, Richard W., 29817A.
Morrow, Robert M., 29658A.
Smith, James R., 29818A.
Leitzel, Robert G., 29819A.

Veterinary Corps

Anderson, Donald L., 29331A.
Rushing, Ernest B., Jr., 29332A.
Shill, Otto. S., Jr., 29333A.

Medical Service Corps

Colon, Howard, 25337A.
Haas, Raymond O., 24241A.
Delong, Merrill B., 29336A.
Metcalf, Robert D., 25681A.
Harper, Oliver F., Jr., 23237A.
Berlow, Leonard, 23239A.
Griffith, Llewellyn B., 24238A.
Archibald, Erwin R., 25685A.
Seaquist, Maurice R., 25344A.
Kirkel, Hubert P., 23238A.
Murphy, James D., 25674A.
Jones, Bruce, 24240A.
Keeffe, Loren J., 27537A.
Braden, Robert W., 25339A.
Overfelt, Clifford D., Jr., 25340A.
Smith, Francis J., 29334A.
Hirsch, Jerome A., 25350A.
Ables, William A., Jr., 25675A.
Richardson, Toxie W., Jr., 24242A.
McIntyre, Walter V., 24243A.
Williams, William L., 24244A.
Tribble, William D., 25341A.
Freud, Sheldon L., 24245A.
Gray, Pat B., 25676A.
Diedrich, Frederick J., Jr., 24246A.
Bell, Herbert E., 22542A.
Etter, Hal G., 24247A.
Long, Ralph S., Jr., 24248A.
Collins, Harry R., 25342A.
Trager, Leonard W., Jr., 25677A.
Pitts, Donald G., 24250A.
Baber, Winston D., 25678A.
Guerin, Michael D., Jr., 27535A.
Loper, Lester R., 24251A.
Gibble, Thomas B., 24252A.
Burke, William E., 25343A.
Truelove, James W., 25739A.
McAllen, Daniel L., Jr., 25679A.
Skafidas, Gregory J., 25740A.
Busch, Emery B., Jr., 24253A.
Watson, Robert A., 25680A.
Hartman, John L., Jr., 27536A.
Allen, George F., 26718A.
Farmer, Jack N., 25741A.
Cardarelli, Alexander J., 24254A.
Gabel, Richard J., 25345A.
Isbell, Frank M., 26751A.
Parker, Gene H., 24255A.
Butcher, Bruce A., 25704A.
Moyer, James E., 25683A.
Cortner, Robert H., 25347A.
Nengebier, Robert A., 25742A.
Mixson, Marion H., Jr., 25349A.

Nurse Corps

Rolwing, Miriam D., 27546W.
Carlson, Mary S., 25764W.
Lauderbaugh, Norma J., 25766W.
Shugart, Ernestine B., 26656W
Miedwig, Ruth C., 27544W.
Eisele, Pauline A., 26659W.
Wood, Edith, 26657W.
Kellam, Agnes L., 28012W.
Caddell, Joan M., 29343W.
Evans, Mary J., 29344W.
Marshall, Louise A., 26658W.
Grim, Patricia A., 27550W.
Bates, Modena L., 28013W.
Roop, Mary E., 29345W.
Momrow, Esther M., 24258W.
Wikoff, Lois J., 29346W.
Thomas, Patricia A., 25355W.
Wallace, Mary E., 26663W.
Welborn, Ella E., 26664W.
Zirkle, Robbie J., 26662W.
Pelzer, Betty J., 26660W.
Veitch, Janet, 26666W.
Nixon, Eva C., 26661W.
James, Phyllis M., 25354W.
Chamberlin, Mary A., 28177W.
Dejesuscruz, Maria, 28014W.
Betzold, Margery E., 28015W.
Collavo, Laverne M., 24259W.
Fritts, Doris J., 27547W.

Medical Specialist Corps

Hayton, Marian J., 29352W.
Coursey, Junie M., 27553W.

Chaplain

Connelly, George R., 28158A.

SECOND LIEUTENANT TO FIRST LIEUTENANT

Line of the Air Force

Saxe, Charles L., Jr., 28940A.
Carney, Charles R., 28941A.
Johnson, Richard D., 28942A.
Garczynski, Frank B., Jr., 28943A.
Courtaney, Dennis E., 28944A.
Jackson, Richard H., 28945A.
Eck, Kevin F., 28946A.
Dalton, William M., 28949A.
Purkhiser, Joe B., 28948A.
Bouchard, Richard M., 28947A.
Bierik, William V., 28950A.
Schmidt, George J., 28951A.
Tonz, John J., 28952A.
Christian, Daniel R., 28953A.
Nancarrow, George E., 28954A.
Williams, Ernest W., 28955W.
Harvell, Joe L., Jr., 28957A.
Bradshaw, Gene, 28958A.
Baugh, David S., 28959A.
Floyd, Charles R., 28960A.
Thompson, James K., 28962A.
Boone, George T., 28963A.
Seegers, James F., 28964A.
Rogers, Charles E., 28965A.
Doyle, James K., 28966A.
Olin, Richard E., 28967A.
Beckwith, Charles A., Jr., 28968A.
Schelonka, Edward P., 28969A.
Fisher, James L., 28970A.
Gordon, John N., 28971A.
Fluhr, Wallace E., 28972A.
Graff, Robert S., 28973A.
Taylor, Kenneth W., Jr., 28974A.

Medical Service Corps

Fisher, Elwood E., 29341A.
Blakeney, Joe F., 28011A.
Lynch, Jeremiah R., 29342A.

NOTE.—Dates of rank of all officers nominated for promotion will be determined by the Secretary of the Air Force.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Alice H. Hyatt, Grady, Ala., in place of S. C. Athey, retired.

Harry Y. Dempsey, Jr., Jacksonville, Ala., in place of J. T. Martin, retired.

ALASKA

Victor R. Milligan, Ketchikan, Alaska, in place of P. N. Ripley, retired.

John G. Williams, Sr., Yakutat, Alaska. Office made Presidential July 1, 1947.

ARKANSAS

Hubert E. Holland, Dardanelle, Ark., in place of J. D. Gault, retired.

CALIFORNIA

Kathryn Jean Long, Alcatraz, Calif., in place of E. R. Martin, deceased.

Marshall N. McFie, Anaheim, Calif., in place of L. H. Hoskins, resigned.

Other M. Parker, Cuyama, Calif. Office established July 18, 1953.

Evelyn L. Hash, Fields Landing, Calif., in place of D. W. Mitchell, retired.

Jesse Ralph Layton, Fullerton, Calif., in place of F. D. Lowrey, removed.

Manuel George Sousa, Half Moon Bay, Calif., in place of L. E. Watts, deceased.

Roy A. Hubbell, Hollister, Calif., in place of W. H. O'Brien, deceased.

Madeline B. Hord, Johannesburg, Calif., in place of M. F. MacQuiddy, resigned.

George S. Bringle, McCloud, Calif., in place of P. W. McGrorty, retired.

Mary Frank Donau, Manzanita Lake, Calif., in place of A. S. Donau, resigned.

Raymond E. Caudill, Port Chicago, Calif., in place of G. H. German, deceased.
Kenneth B. Johnson, Salinas, Calif., in place of J. L. Murphy, retired.
Loren Burns Kirby, San Fernando, Calif., in place of T. R. Wilson, resigned.
Jesse J. Parks, Jr., Tustin, Calif., in place of C. H. Campbell, transferred.

COLORADO

Beulah B. Mays, Briggsdale, Colo., in place of B. W. Jenkins, transferred.
Lloyd E. Simpson, Paonia, Colo., in place of T. H. Wand, retired.
Bruce N. Cramb, Wiley, Colo., in place of C. H. Davis, retired.

CONNECTICUT

Arthur L. Pepin, Jewett City, Conn., in place of L. E. Boucher, deceased.
Jeanne H. Wright, New Preston, Conn., in place of W. J. Gilbert, declined.

DELAWARE

Edward G. P. Jones, Jr., Delmar, Del., in place of R. R. German, retired.

FLORIDA

Orlue E. Hendrickson, Crawfordville, Fla., in place of L. H. Raker, deceased.
William J. Durrance, Fort Meade, Fla., in place of S. G. Turnley, deceased.
George E. Jordan, Indiantown, Fla., in place of M. M. Gold, removed.

GEORGIA

Ava L. O'Dillon, Bishop, Ga., in place of W. F. Wells, Jr., resigned.
Opal McKoon, Luthersville, Ga., in place of M. E. Reeves, deceased.
George M. Freeman, Quitman, Ga., in place of J. D. Kilpatrick, resigned.
John Clyde Twiggs, Sr., Young Harris, Ga., in place of W. R. Hall, retired.

IDAHO

Joseph A. Gillett, Declo, Idaho, in place of L. A. Gillett, retired.

ILLINOIS

James S. Rutter, Addison, Ill., in place of J. S. Rutter, resigned.
Donald R. Harris, Bethalto, Ill., in place of Kenneth Henkhaus, deceased.
William K. Stevenson, Biggsville, Ill., in place of L. E. Dixon, deceased.
John F. Wooldridge, Broughton, Ill., in place of Winifred Hughes, removed.
Melvin V. Mader, Forest Park, Ill., in place of A. H. Schuler, deceased.
Roy E. Thomas, Marengo, Ill., in place of C. T. Carney, removed.
William V. Martin, Odell, Ill., in place of J. L. Langan, deceased.
Francis E. Overstreet, Raritan, Ill., in place of E. A. Houtchens, resigned.
Emery E. Tipsord, Saybrook, Ill., in place of W. O. Butler, retired.
Hugh H. Holsapple, Toledo, Ill., in place of R. B. Grissom, deceased.
Clarence E. Harden, Tolono, Ill., in place of C. E. Harden, transferred.

INDIANA

Henry E. Rippe, Hobart, Ind., in place of W. G. Black, retired.
Victor J. Hubers, St. Meinrad, Ind., in place of R. K. Hubers, retired.

IOWA

Adolph L. Opsal, Armstrong, Iowa, in place of M. E. Daries, removed.
Kenneth L. Shaw, Camanche, Iowa, in place of L. P. Beans, retired.
Richard F. Messler, Rockford, Iowa, in place of C. L. Schmidt, transferred.

KANSAS

Glenn O. Tarrant, El Dorado, Kans., in place of F. H. Steiger, retired.
Ernest R. Dicks, Hutchinson, Kans., in place of R. E. Hockaday, retired.
Edgar L. Wiltse, Paola, Kans., in place of W. H. McDowell, resigned.
Burl D. Prussing, Shawnee, Kans., in place of Beth Constance, resigned.
Gailen R. Braden, Wakefield, Kans., in place of C. P. Gates, retired.

KENTUCKY

Mattie L. Riley, Benton, Ky., in place of C. B. Cox, retired.
Mary E. Wilson, Bypro, Ky., in place of A. B. Hall, removed.
Richard D. Spaulding, Clay City, Ky., in place of M. G. McGuire, deceased.
Bethel G. Hall, Clearfield, Ky., in place of A. M. Bowne, retired.
Frank M. Powell, Danville, Ky., in place of R. D. Stigall, transferred.
Earl M. Spangler, Highsplint, Ky., in place of E. J. Lovitt, resigned.
William R. Parker, Hodgenville, Ky., in place of E. D. Enlow, retired.
Charles E. Sullivan, Horse Cave, Ky., in place of J. H. McGee, Jr., removed.
Nathan I. Clements, Union, Ky., in place of N. R. Huey, retired.

LOUISIANA

Robert J. Rossi, Gonzales, La., in place of L. S. Gonzales, resigned.

MAINE

Emery S. Dickey, Brooks, Maine, in place of K. B. Morehead, removed.
Marvel W. Harshaw, Brownville Junction, Maine, in place of W. P. Rosebush, deceased.
Gordon Gould, Hinckley, Maine, in place of E. A. Simoneau, retired.

MARYLAND

Luther V. Winstead, Clinton, Md., in place of R. R. Ripple, resigned.
Richard E. Howard, Funkstown, Md., in place of R. G. Williams, retired.

MASSACHUSETTS

Cyrus I. Dennis, Leominster, Mass., in place of M. E. O'Toole, retired.

MICHIGAN

Frank B. Sheridan, Allendale, Mich., office established November 1, 1954.
Gordon Arthur Young, Coloma, Mich., in place of N. J. DuVall, retired.
Eilleen D. Wood, Lacota, Mich., in place of N. B. Dewey, retired.
Norman F. Smith, Marlette, Mich., in place of J. S. Dunsford, retired.
Daniel C. Stanchina, Norway, Mich., in place of C. J. Bal, resigned.
Barbara J. Miller, Sanford, Mich., in place of E. C. Hess, retired.

MINNESOTA

Raymond O. Halvorson, Ceylon, Minn., in place of H. A. C. Saggau, removed.
Charles H. Bordwell, Keewatin, Minn., in place of O. A. Olson, retired.
Jay F. Aykens, Steen, Minn., in place of M. F. Griffin, removed.
Alexander E. Rathmanner, Winsted, Minn., in place of A. P. Fasching, transferred.

MISSISSIPPI

Abram C. Abraham, Leland, Miss., in place of W. W. Armstrong, retired.
Emma J. Cummings, Pheba, Miss., in place of J. C. Washington, deceased.

MISSOURI

Tony E. Cates, Ellsinore, Mo., in place of P. G. Wingo, deceased.
Lena V. McMurry, Moscow Mills, Mo., in place of G. T. Carter, deceased.

NEBRASKA

Stanley J. Smith, Daykin, Nebr., in place of V. P. Adams, deceased.
Dean J. Rocke, Hallam, Nebr., in place of E. M. Alberts, retired.
Helen E. Sirrs, Palmyra, Nebr., in place of M. B. Bouck, resigned.
James J. Fuchs, Platte Center, Nebr., in place of Kitty Hennessy, retired.

NEVADA

Florence J. Holman, East Ely, Nev., in place of E. I. Hermansen, retired.

NEW HAMPSHIRE

Herbert R. Seldon, Gossville, N. H., in place of G. H. Yeaton, retired.
Mary E. Nichols, Lincoln, N. H., in place of A. D. Towers, declined.
Jessie G. Thompson, Moultonboro, N. H., in place of R. E. Goodwin, retired.
Helen C. Sleeper, North Haverhill, N. H., in place of C. W. Southworth, retired.
Henry F. Stapleton, Pittsfield, N. H., in place of L. E. Sheehan, deceased.
Delwyn E. Philbrick, Rye Beach, N. H., in place of H. J. Hayes, retired.

NEW JERSEY

William E. Stevens, Broadway, N. J., in place of J. S. Howell, retired.
Wesley H. Beekman, River Edge, N. J., in place of R. B. Cunningham, removed.
Joseph E. Mott, Tuckerton, N. J., in place of K. C. Wetmore, deceased.

NEW MEXICO

Otto Klaudt, Deming, N. Mex., in place of M. C. Wehmhoner, transferred.

NEW YORK

Henry A. Goetz, Albany, N. Y., in place of J. P. Hayes, removed.
Harry F. Sackinger, Bolivar, N. Y., in place of J. S. Dempsey, Sr., resigned.
Fred Hoffman, Jr., Brockport, N. Y., in place of E. T. Mulhern, retired.
Merlin G. Ham, Claverack, N. Y., in place of H. J. Sagendorph, retired.
Walter A. Labuda, Climax, N. Y., in place of M. F. Lockwood, deceased.
Laverne Robert Staebell, East Pembroke, N. Y., in place of M. N. Seamans, resigned.
Rex L. Steele, Elizaville, N. Y., in place of A. L. Coons, retired.
Raymond W. Delaney, Endicott, N. Y., in place of A. J. Hand, retired.
Alice A. Holvik, Great River, N. Y., in place of M. E. Drywa, resigned.
John A. Baugh, Jr., Middle Grove, N. Y., in place of C. A. Stedman, retired.
Robert W. Betts, Millport, N. Y., in place of H. C. Fiala, resigned.
Daniel V. Walker, Oyster Bay, N. Y., in place of J. A. McGarr, deceased.
Willard C. Schmitt, Westbury, N. Y., in place of J. J. Bennett, transferred.

NORTH CAROLINA

Grady S. Tucker, Locust, N. C., office established October 17, 1955.
Jake H. Wright, Jr., Middlesex, N. C., in place of R. A. Parker, resigned.
James H. Canipe, Morven, N. C., in place of N. R. Kibler, retired.
William K. Delbridge, Norlina, N. C., in place of T. T. Hawks, deceased.
Charles Clifton Mock, Pfafftown, N. C., in place of Mamie Pfaff, retired.
Robert W. Sharpe, Sharpsburg, N. C., in place of Estelle Eason, removed.
Malcolm Vance Hickman, Winston-Salem, N. C., in place of W. B. Booe, resigned.

NORTH DAKOTA

George J. Dietz, Belfield, N. Dak., in place of S. O. Doyle, retired.
Donald C. Hawley, Hope, N. Dak., in place of P. L. Freund, retired.

OHIO

Thomas Royal Gatton, Butler, Ohio, in place of D. R. Swank, transferred.
Francis T. Kristenak, Clay Center, Ohio, in place of W. R. Samsen, retired.
Howard M. Nicol, Cuyahoga Falls, Ohio, in place of E. E. Eller, resigned.
Joseph D. Hallock, Diamond, Ohio, in place of R. H. Johns, retired.
Herman L. Kruse, Edgerton, Ohio, in place of H. J. Brown, retired.
Nick C. Marrale, Leroy, Ohio, in place of L. E. Gorham, retired.
Elvah Davis, Lockwood, Ohio, in place of L. W. Rice, retired.
Nora Bell A. Might, McCutchenville, Ohio, in place of M. E. Parsell, resigned.

Fred A. Stanley, Newton Falls, Ohio, in place of L. B. Griffith, retired.
Gene C. Alexander, Rarden, Ohio, in place of Paul McKinley, removed.
Oliver T. Van Sickle, Somerset, Ohio, in place of I. A. Downey, deceased.
Hugh F. McPhee, Struthers, Ohio, in place of John Sekerak, retired.
Ila M. Porter, Vincent, Ohio, in place of L. V. Haddow, retired.
Robert L. Meese, Wilmot, Ohio, in place of Ralph Meese, deceased.
Adam J. Reay, Windham, Ohio, in place of H. M. Parker, retired.

OKLAHOMA

R. Ray Heath, Stillwater, Okla., in place of H. A. McNutt, resigned.
Jack Shackelford, Webbers Falls, Okla., in place of M. D. Harmon, retired.

OREGON

Clara T. Lane, Wheeler, Oreg., in place of B. B. Nunn, retired.

PENNSYLVANIA

Francis P. Golden, Coudersport, Pa., in place of C. D. Patterson, retired.
Elba I. Coder, Mapleton Depot, Pa., in place of C. E. Bell, retired.
Frank K. Seaman, Sr., Marietta, Pa., in place of E. B. Miley, retired.
Louis K. Weintz, Matamoras, Pa., in place of Frank Mager, retired.
Mary A. Boyd, Mount Braddock, Pa., in place of N. Y. Phelan, deceased.
Hugh R. Saxton, Nicholson, Pa., in place of L. A. Wallace, retired.
Ernest T. Thomas, Red Hill, Pa., in place of C. C. Bernd, retired.
Thaddeus C. Sharer, Saylorsburg, Pa., in place of J. F. Siegel, retired.
Elmer C. Bentz, Scottdale, Pa., in place of G. S. McCurdy, retired.
John Kenneth Long, Shippensburg, Pa., in place of C. F. Hockersmith, retired.
Lee L. Altemose, Tatamy, Pa., in place of E. S. Happel, retired.
John G. Butler, Williamsburg, Pa., in place of J. K. Morrison, retired.

PUERTO RICO

Efrain Pouport, Las Piedras, P. R., in place of Angeline Frias, retired.

SOUTH DAKOTA

Gilbert M. Ruden, Hurley, S. Dak., in place of R. A. Bishop, resigned.

TENNESSEE

Dan L. Clapp, Corryton, Tenn., in place of C. S. Nicely, transferred.
Willie H. Cook, Liberty, Tenn., in place of J. E. Hale, retired.

TEXAS

George L. Hanke, Aspermont, Tex., in place of W. M. Robbins, declined.
Joseph P. Hutton, Canadian, Tex., in place of P. V. Bryant, retired.
Lonnie E. Nordt, Damon, Tex., in place of L. C. Nordt, deceased.
Jane R. Davis, Fritch, Tex., in place of W. C. Lee, deceased.
Edith M. Casey, New Caney, Tex., in place of G. B. Davis, retired.
Coleete O. Brown, Notrees, Tex., in place of C. J. Brown, resigned.
Vernon L. Naul, Overton, Tex., in place of W. A. Gillespie, retired.
Robert C. Watson, Plains, Tex., in place of Cora Read, retired.
George W. Kemp, Richardson, Tex., in place of W. C. Wallis, transferred.
Uvaldo Serna, San Diego, Tex., in place of L. F. Garcia, removed.
Birdie L. Lindsey, Simms, Tex., in place of N. E. Webb, retired.

VIRGINIA

George Paschal Grindstaff, Damascus, Va., in place of W. C. Mock, deceased.
Arthur B. Chard, Fieldale, Va., in place of Johnnie Wilson, removed.
Kenton H. McCoy, Lexington, Va., in place of M. L. Beeton, retired.
Louis A. McVey, Meadowview, Va., in place of H. C. Browning, retired.

VIRGIN ISLANDS

Charles E. Clarke, Frederiksted, V. I., in place of Adele Berg, resigned.

WASHINGTON

Lawrence V. Grape, Ione, Wash., in place of G. H. McFaul, retired.
Jackson D. Hubbard, Othello, Wash., in place of B. H. Barton, retired.
Ivan K. Keve, Waitsburg, Wash., in place of G. C. Houtchens, retired.

WEST VIRGINIA

Fred E. Wiseman, Charleston, W. Va., in place of J. W. Singleton, removed.
Evelyn Wolford, Edgarton, W. Va., in place of L. J. Weaver, resigned.
Ruby Cobb, Glasgow, W. Va., in place of A. C. Moore, retired.
Andrew J. Stacy, Iaeger, W. Va., in place of R. B. Cooke, resigned.
Myrtle H. McCane, Mallory, W. Va., in place of L. M. Powell, resigned.
Frederick F. Murphy, War, W. Va., in place of R. T. Hauck, resigned.
John J. Miller, Winona, W. Va., in place of R. L. Pugh, retired.

WISCONSIN

Frederick M. Griswold, Lakemills, Wis., in place of F. C. Wolff, retired.
Warren R. Erdmann, Oakfield, Wis., in place of E. E. McKnight, retired.
Norbert F. Schumerth, West DePere, Wis., in place of H. F. Vande Hei, deceased.

WYOMING

George W. Nichols, Big Piney, Wyo., in place of G. L. Barp, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 10, 1957:

UNITED STATES AIR FORCE

The following-named officer under the provisions of section 8066, title 10, United States Code, to be assigned to a position of importance and responsibility designated by the President in rank as follows:

Maj. Gen. Richard Clark Lindsay, 476A, Regular Air Force, in the rank of lieutenant general.

PROMOTIONS IN THE NAVY

The following-named officers of the Naval Reserve for permanent promotion in the line and staff corps as provided by law:

TO BE REAR ADMIRALS

Line

John J. Bergen	Clyde W. King
George A. Parkinson	Charles R. Khoury
Duncan S. Baker	Lloyd V. Berkner

Medical Corps

Waltman Walters	Morton J. Tendler
Benjamin Tenney, Jr.	William G. Hamm

Supply Corps

George D. Horning, Jr.

The following-named appointments or

ADDITIONAL APPOINTMENTS AND PROMOTIONS IN THE NAVY AND MARINE CORPS

The nomination of Wilbur D. Latham and 1,404 other persons for appointment or promotion, in the Navy or in the Marine Corps, which were received by the Senate on May 27, 1957, were confirmed today, and may be found in the proceedings of the Senate for May 27, 1957, under the caption "Nominations," beginning with the name of Wilbur D. Latham, which appears on page 7717, and ending with the name of Charles McLennan, which is shown on page 7720.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 10, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the gracious and beneficent God and Father of us all, we rejoice that our beloved country from the beginning of its history has been a haven and home for a vast multitude of Thy children seeking the blessings of freedom.

Grant that in these turbulent and troubled days, when the problems of interhuman relationships seem so acute, we may never allow anything to divide our people and mar that unity of spirit upon which our national security and very existence depend.

May our leaders in church and state be inspired and blessed with a clear vision of Thy divine will and be equal to the arduous task of establishing a social order that has in it the spirit of comradeship and cooperation, of justice and good will.

Help us to speed the coming of that day when not only all who live within the borders of our land but men and nations everywhere shall be merged into a beloved community and into a commonwealth of free and peace-loving people.

We are praying especially for our President, beseeching Thee to hasten his recovery to health and to share Thine eternal wisdom with the doctors and nurses, enabling them to know just what to do. Thou art the Great Physician and we shall give Thee all the praise.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Friday, June 7, 1957, was read and approved.

PARLIAMENT OF GHANA

The SPEAKER laid before the House the following communication, which was read:

THE SPEAKER, NATIONAL ASSEMBLY,
PARLIAMENT HOUSE,
Accra, May 29, 1957.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES OF AMERICA,
Washington, D. C., United States of America

DEAR MR. SPEAKER: I have been requested by the National Assembly of the Parliament of Ghana to convey its thanks to the House of Representatives of the United States of America for its resolution of March 6, 1957, extending to us its most cordial greetings and good wishes on the occasion of the independence of Ghana.

Your action is highly appreciated, and may we wish you in return all success and God's blessing.

Yours very sincerely,
Sir EMMANUEL C. QUIST, O. B. E.

TRANQUILIZERS AND PEP PILLS

Mr. NEAL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. NEAL. Mr. Speaker, public alarm over increasing consumption of the so-called tranquilizers and pep pills was highlighted last week by the American Medical Association meeting in New York City.

Public health workers and administrators of mental health institutions have for some time recognized the extent to which voluntary resort to these drugs is endangering the character and mental stability of youth and adults alike.

The Interstate and Foreign Commerce Committee has just completed hearings on proposed legislation aimed at policing the sale and distribution of trade-named preparations containing these dangerous drugs in one form or another.

Evidence indicating the widely distributed sources through which they are bootlegged leads one to doubt the effectiveness of remedial legislation authorizing anything less than a nationwide, fully manned policing organization.

The Pure Food and Drug Administration should be given sufficient funds and personnel to compel full and complete reporting of quantities manufactured, when, where, and to whom sold, and the brand names under which they are distributed. This would make it difficult for unlicensed persons to make the drugs available promiscuously as is now the custom.

But mere legislation can by no means succeed in suppressing the sale of widely heralded nostrums promising so much to emotionally unstable individuals seeking relief for their frustrations when sensational news writers and advertising displays continue to impress the public with the marvelous results following their use without reference to the ill effects following improper use.

The real danger lies in lack of knowledge. Adults who are frustrated and incapable of appreciating the ill effects are prone to fall to the easy habit of turning to drugs. On the slightest pretext they become habitues, even as the narcotic addict allows the craving to destroy the will to resist. The personality becomes lost. They become venders for profit. They seek out the unsuspecting youth in schools, social gatherings, anywhere where groups and individuals can be tempted to experience a "thrill." It is here that youngsters learn to try anything once, and many of them slowly lose their willpower and self-control.

So, parents, teachers, and responsible elders, by disseminating knowledge of the dangers inherent in these drugs, will prepare the background needed to beware the temptation offered by venders and illegal dispensers of such drugs.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. CHRISTOPHER. Mr. Speaker, I object.

CALL OF THE HOUSE

Mr. SMITH of Virginia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 104]

Alger	Granahan	Osmers
Anfuso	Gregory	Philbin
Bailey	Harvey	Poage
Barrett	Healey	Powell
Bass, N. H.	Hoeven	Prouty
Zeamer	Holland	Radwan
Blatnik	Holtzman	Rains
Bosch	James	Roosevelt
Bowler	Kearney	Santangelo
Buckley	Keeney	St. George
Byrne, Ill.	Latham	Seely-Brown
Chudoff	LeCompte	Shelley
Cooley	McConnell	Smith, Wis.
Corbett	McIntire	Taylor
Coudert	Machrowicz	Teague, Tex.
Dawson, Ill.	Mason	Teller
Dempsey	May	Wainwright
Dollinger	Michel	Walter
Donohue	Miller, Md.	Wigglesworth
Dooley	Montoya	Willis
Engle	Morano	Withrow
Fisher	Moulder	Wolverton
Fogarty	Multer	Zelenko
Frelinghuysen	Norrell	
Garmatz	O'Konski	

The SPEAKER. On this rollcall 359 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

Mr. KEATING. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, I am strongly opposed to this bill. I think the proposed legislation, which this committee is considering, could lead to the destruction of our judicial system and even our form of government.

First, may I say that I served in the Mississippi Legislature 1 session, and served almost 9 years as district attorney in my section of Mississippi, prior to coming to the Congress. In my position as district attorney, I dealt with law-enforcement officers throughout the southern area, and I had the opportunity to learn something of what goes on in my section of the South.

May I point out that the arguments advanced in favor of the legislation which you are considering are based upon an erroneous conclusion as to what the facts are. I do not believe there is any question in anyone's mind but that this legislation is directed toward the South. Yet you are wrong in your belief as to conditions there.

I would like to read to you the Mississippi statute as to who can vote. I quote:

> Every inhabitant of this State except idiots, insane persons, and Indians not taxed, who is a citizen of the United States, 21 years old and upward, and who has resided in this State 2 years, and who is able to read any section of the Constitution, or if unable to read the same, who is able to understand the same when read to him, or give a reasonable interpretation thereof, and who shall have been duly registered as an elector by the officers of this State under the laws thereof, and who has never been convicted of the crime of perjury, forgery, embezzlement, or bigamy, and who has paid taxes which may have been legally required of him, and which he has had an opportunity to pay according to law for 2 preceding years, and shall produce satisfactory evidence that he has paid such taxes on or before the 1st day of February of the year in which he shall offer to vote, shall be a qualified elector in the city of his residence, and shall be entitled to vote in any election held not less than 4 months after his registration. Any minister of the gospel shall be entitled to vote after 6 months' residence in the election district, city, town, or village if otherwise qualified. No others than those above included shall be entitled or shall be allowed to vote in any election.

It has been the belief in my State back through the years that voting was a privilege. We are all familiar with the law which says that the qualification of the electors is a matter of State determination. It has been the belief in my State that if a person were not interested to the point of registering, if he were not interested to the point of paying $2 in support of schools, little was to be gained by any assistance on the part of anybody to force such a person to register or to pay this poll tax in time.

I would like to also correct an impression about the poll tax in Mississippi. We make exemptions on the poll tax for those over 60 years of age. We make exemptions for those who are only 21 years of age for their first vote. We make exemptions for certain persons who have disability. But all persons are obligated to pay the poll tax in Mississippi, irrespective of whether they vote or not. The only connection between voting and the poll tax in Mississippi is that, if you care to vote, you must pay before the 1st of February in the year in which you offer to vote.

I think that Mississippi might have repealed the poll tax many years ago except for the pressure from Washington to force them to repeal it. The poll-tax requirement is in the constitution. It would require a constitutional amendment to remove it. It is my sincere belief that except for pressure from Washington, in all likelihood Mississippi would have followed other States in repealing the poll tax.

On the other hand, we do get about a million dollars from the poll tax, which is a considerable amount when it comes to trying to support schools during this period when we are doing our dead level

best to improve school facilities. I believe if you were to check the matter, you would find a bigger percentage of improvement in the South, and particularly in Mississippi in the last 20 years, in the progress that has been made in providing ample school facilities, than anywhere else in the country.

We cannot solve this matter by catering to the pressures that are right now centered on us, because the purpose of those drives is not to correct a thing that I know does not exist down there, but it is an appeal to other areas.

This issue has gotten into the realm of pressure politics here in the Congress.

I have been here long enough to have friends in Congress from Chicago tell me how elections were handled on occasion in some areas there. I recall that former Representative Marcantonio told a group of us that so long as he jumped on Congressman John Rankin, of my State, occasionally, he could stay in Congress as long as he lived. He followed it up and said if Mr. Rankin jumped him on occasion, Mr. Rankin would stay here as long as he lived. As we all can see, this goes beyond a mere legislative situation.

We have tried to have honest elections in my State; and, in spite of all our efforts, we, like every other State that I know of, have a continuing problem with that fly-by-night type of citizen, of which every State has a number, who on the eve of the election can be bought one way or the other. I am glad that it is a limited number in my area. I think it is a limited number in other areas. I am not going to give away the Members of Congress, but since I have been here I have been close enough to Members from all sections to where I know our problem is a general one. May I say I think it is much less than in many of these areas. Thus, it is that we require registration in advance. We require a toll tax of $2 per year, which you can see is peanuts, if I might use that term to describe how small it is. The only thing is that a man who wants to vote must pay it on or before the 1st of February in the year in which he votes, and our primaries come along in August and the elections in November.

What is the purpose of that? The purpose is to keep some candidate or some group of people backing some candidate, whatever their reason, from going out on election eve and through the use of money, promises, or some other thing, throwing an election from one side to the other. We have a Corrupt Practices Act in Mississippi which is directed toward the same thing. In none of these, or in the substantive law, will you find where there is any attention paid to color.

We have a situation down there, which may not prevail forever, but it has a long time, of having a one-party State. I would like to show you the figures in the 1951 election, a general election, where for all candidates for State offices, governor, and all other candidates, the vote in the whole State of Mississippi was 42,047. Why is that? Not a single Democratic nominee had an opponent. Many of your own relatives did not vote because there was no contest. In my State the Republican Party does not even have a primary. They meet in convention and select their candidates. The same is true of the other minor parties which have appeared from time to time.

Thus it is that in our general election we do not even have any contest, and therefore nobody pays any attention to the voting. We will say last year was an exception to that, in view of President Eisenhower's national popularity—he did not carry my State—but we did have more attention to the general election since there was a contest on between the feelings of more Mississippians than heretofore existed.

We get to another thing in connection with this, which we think is sound, judged by all prior Supreme Court decisions. We in my State have felt that we wished to have justice in the courts. We wish all our citizens to have justice in the courts. In the years that I was district attorney, and as I told you I was for almost 9 years, I recall hardly any instance where a Negro or a colored person was before that court that I did not have from 1 to 10 people, if the defendant had any kind of character or standing at all, coming to ask me to let him off leniently. It is usual and it is typical.

It is hard for people in northern areas to understand why we are so excited about these things, because in the North you live segregated. I live here in Washington, but I live out in a white area. I will see more Negroes the day I go home to my little town of about 3,500 people than I see in Washington in the course of a whole congressional session, because here they live in a certain area, and we live in another area. You know it is true. It is true in New York and Chicago.

During the Democratic convention I had the privilege of driving over South Chicago. I was driven by a citizen of Chicago. I asked him how they were meeting the integrated school problems. He said, "We don't have any real problem in Chicago. The minute the Negroes move into a white block or move into a white school, the first year it is mixed up a little bit, the second year the whites move out and give it to them." We do not do that in our area. We live integrated. We do not have segregated sections in our cities because, in all seriousness, we have more love and more appreciation for the good colored citizens in our area than I have found in the 15 years I have been in Congress in any other city or any other State in the Nation.

In other words, I can clearly see that the efforts of some in Congress definitely stem from back-home pressures from the northern areas. It does not come from the areas where you set out so graciously to correct what we know needs no correction.

As I started to say, in the handling of justice in our section, we have felt that a person who was interested enough in public affairs to register and pay $2 and do it by the 1st of February to retain his right to vote would make a better juror. Jurors in the State of Mississippi must be qualified electors. I think it is sound. I think it is sound for the administration of justice. I know our courts to a great extent are getting into bad standing with the American people—not just in the South, because of the segregation decision—but because as we know, in the field of jurisprudence and the field of judicial law they have gone far beyond what the court has done in many years past. There are other things that contribute greatly to this feeling in the rest of the country that you need to do something to whip the South in line because we are mistreating somebody. I say it is not so. But it is easy to see why that feeling in the public mind has been built up.

I will indicate to you why we are so helpless to correct that. Last year the Judiciary Committee of the United States Senate had its hearings. At that time one of the Senators raised the question of the Till case, which happened down in my area. It is one of those tragedies that all right-thinking people, white and colored, deplore. It is one of those cases where the sheriff of my county, a fine citizen, when he heard of it, set out and did what every officer would do, went out and made a search and found a body and brought the body in, and went through all that any officer should do.

The judge of that judicial district is a fine citizen; and he gave every right, not only to the State in its prosecution of the case, but every right to the defendants as the law required. They made every effort to obtain all the evidence that was available; and it was properly presented.

The attorney general of the State sent an assistant to help the very fine district attorney. Everything in the world was done to present the strongest case possible to that jury. I will agree that subsequent to that trial, and in recent months, there have been magazine articles by these two defendants which would lend some weight to a belief that they might have been guilty. But I will point out to you that in the trial of all cases, not only in my State, but elsewhere, the defendant is not required to testify against himself. It is a principle that has existed in the English law back to Magna Carta days.

You may second guess the jury which tried that case. It is an age-old pastime on the part not only of the public, but of lawyers, to second guess or find fault with a jury decision. But the sheriff of that county, who had performed his duty, testified before that jury that in his opinion the body which had been found, and which had to be proven beyond a reasonable doubt to be that of the claimed deceased, was older, more mature, and had been in the water much longer than could have been possible with regard to Till.

We deplore the whole thing but, in comparison, I could point to what I read has happened in Chicago, what I read has happened in New York every day.

Here is the thing I wish to point out. While so much is made of the Till case—and if you had been on the jury you might have decided differently, or if I had, I might have—that jury was sworn to acquit the defendant unless they believed him guilty beyond every reason-

able doubt. That is the test in all the courts in all the States and in all the land. But in testimony before the Judiciary Committee last year, I pointed out what the Mississippi people would do. I called attention to a case. I went back after that and got the file out. This case was in the adjoining county of Yalobusha, Miss. This paper is of the date January 24, 1936. "William C. Mitchell sentenced to hang Friday, March 13, for murder of Negro." On the front page of that paper there is an editorial, which makes this statement:

> Twelve good Yalobusha County men deliberated the fate of William Clark Mitchell. After about an hour they returned with a verdict of guilty as charged. The judge immediately pronounced the sentence which was that on March 13, 1936, the defendant should be hanged.

The jury in that case was composed of 12 white citizens of that county. Not a newspaper carried any reference to my statement before the committee as to the case, because it did not serve the purpose of putting the heat on this political issue which is being blown up for the purpose of carrying votes in our northern cities.

This was the case of a white man killing a Negro:

The case went to the Supreme Court. The Supreme Court affirmed it. Subsequently, in the southern State—and the defense was mental lapse and mental troubles—a judge in a lower court of the State issued a writ of error coram nobis, saying that the man was insane and the court was unaware of it, if it had been aware he would not have been indicted, and if they had indicted they would not have tried him, and all of that. So a stay of execution was granted; the lower court set that aside, and a new date was set. It went back to the Supreme Court, and the Supreme Court affirmed it again.

This man had been in the military service; and just prior to the actual execution the VFW and the American Legion got into it. The Governor did commute the sentence to life imprisonment, and the man is serving his life sentence 20 years later.

Now, against that story, showing what the southern people do when the proof warrants it, I have a paper from Memphis, Tenn., in which it was announced that Chief Justice Warren stayed the execution of a Negro citizen who was to be executed in Mississippi. It says that counsel for Goldsby, who was born in Mississippi, and so on, who was convicted of the shooting of a white lady in 1954, appealed on grounds there were no Negroes on the grand or trial juries. Earlier Federal Judge Allen Cox, of the north Mississippi district, had refused a stay of execution. The United States Supreme Court had previously reviewed the Goldsby case and affirmed the Mississippi Supreme Court conviction, which upheld the conviction and sentence.

Mr. and Mrs. Nelms, owners of a place of business, refused to render curb service to a carload of Negroes. I will not review the testimony in connection with the case; but the Negro, Goldsby, who was the only one who had a gun, shot Mr. Nelms and shot his wife through the throat, and she died. That was in 1954.

The State courts moved in proper manner and tried the case in proper manner. It went to the Supreme Court. Here the Chief Justice has issued a reprieve or stay of execution, notwithstanding that his own Court had affirmed the lower court's decision, notwithstanding that they had said that the evidence amply warranted the verdict. According to the press, the reprieve was based on the fact that there was no Negro on the grand jury or the petit jury.

As I have pointed out to you, we have had a one-party State. Because certain people move from one community to another over a very short period of time, frankly, very few of them do qualify. That is not an effort to keep them from qualifying as voters. But if you let a man vote who just got to town it would be like we read occurs in Chicago or New York—we would have people moving voters in by the carloads on election day to swing an election. We are sound, in my judgment, in requiring residence, not only in the county or State, but in the precinct in which the voter votes. If you did not have that he could vote here and go to the next precinct and vote there, and so on down the line.

I dare say that the chances of finding a Negro who had taken the trouble of registering or taken the trouble of paying his poll taxes, who had met the qualifications of an elector in the county, would be about one out of a thousand in a normal drawing of juries by chance so as not to have a fixed trial. The chances would be one to a thousand of having a Negro on the jury unless you deliberately put him there. With all the love and respect we have for people of all races, when the Chief Justice of the United States Supreme Court, or any other court, says that you have to hand pick and put on any jury a particular man, or a particular color of man, or a particular race of man, it amounts to jury picking, if not fixing, by the Supreme Court. That is the type of action which has got the administration of justice in terrible standing with the public generally. When we see people who are accused of violent crimes frequently have their case dragged around for years and years before there is any conclusion; when we see a Justice of the Supreme Court, who presumably took part in a decision affirming the lower court's decision earlier, going against his own decision a few weeks later, it can only lead to less regard for the courts.

I hope I made myself clear in presenting these matters to you. I have two Negro colleges in my district. I have many friends who are Negroes. I know that they enjoy more respect, more support, more assistance, and everything that you can mention that would be good and fine in my section than you will find in New York City, Washington, D. C., or Chicago. In the United States there are people who would like to have the Negroes vote for them on election day. There are people here who would like to use their support, and there are people who like their money; but it has been my observation that they, themselves, largely want to be left alone.

We have helped them. They have helped us. I think our record in the South compares most favorably with any in the country.

Now, we turn to what would be done in this effort to stir up a lot of agitation, for you would not correct anything. Let us look at this bill that you are considering. Take subsection (b) of section 104, entitled "Powers of the Commission." It says that the Commission may accept and utilize services of voluntary and uncompensated personnel, and pay any such personnel actual and necessary travel and subsistence expenses incurred while engaged in the work of the Commission, or in lieu of subsistence a per diem not in excess of $12.

Under that provision the Commission could accept the services of members of the NAACP and pay them $12 a day to win any election.

Mr. Chairman, if you will go back in the files, or I could do it, you will find that on the eve of every national election for the last several terms, the Attorney General, whoever he was, has come out with some statement of what he is going to do in the South. The origin of the Dixiecrat Party in the South was an action by Justice Clark, who was then Attorney General. We had a terrible occurrence in Smith County, Miss. It was on the eve of an election. Tom Clark announced to the press—it was in the press before they knew it anywhere else—what he was going to do in the way of sending Department of Justice people into Smith County, Miss. That case in Smith County had been properly handled, and I think you would agree it was properly handled. But our governor, and the judges, and the officers who were discharging their duties as good, conscientious Americans, were treated as though they were completely against law and order, and treated as though they were in favor of destruction of everybody's rights.

That resulted in the feeling on the part of our governor, the late Fielding Wright, that led to the States' Rights ticket in Mississippi.

If this bill is passed, you may presume that surely a Commission would not do that. Again, you are getting into a government of men rather than a government of restrictions. You have not spelled that out in the law. It would depend on who was on the Commission and how badly they wanted to win an election. I have seen some individuals want to win elections very, very strongly in my years here in the Congress.

When you get 3 people in the Republican Party and 3 people in the Democratic Party on the Commission and each group trying to get the Negro vote in New York and in Chicago, where does that leave the rest of us?

I think that it weakens the very framework of our Government when that occurs, and it has occurred regularly. These commissions have quasi-judicial authority. They are in the nature of your courts. Their findings in most instances as to the facts are conclusive. It really endangers our country.

Now, going to the power of the subpena under this bill, which you are considering, subpenas for the attendance and testimony of witnesses and/or the

production of written or other matter may be issued over the signature of the Chairman of the Commission or such subcommittee or any person designated by such Chairman.

Under that provision the Chairman could drag any citizen, north or south, all over the country. It is to be remembered that those who would appoint half of the members of this Commission are the ones who recommend this legislation.

Let us turn to one that is even worse than any of that. The provision marked as part IV or III of the bill:

> Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraph 1st, 2d, or 3d, the Attorney General may institute for the United States or in the name of the United States but for the benefit of the real party in interest a civil action or other proper proceeding for redress or preventive relief, including an application for permanent or temporary injunction, restraining order, or otherwise. In any proceeding the United States shall be liable for cost the same as a private citizen.

Mr. Chairman, under that provision the Attorney General could move in and take punitive actions against private citizens for what he, the Attorney General, thought such citizens might have thought. The Attorney General, who recommended this legislation, could sue for a person who did not want to sue. He could complain for a private citizen who had no complaint. He could penalize other private citizens because he believed they were about to engage in an attempt. What difference between the power which would be given here to the executive and a dictatorship?

Under that provision the right to trial by jury goes out the window. The Supreme Court has rendered its decision in the segregation cases. In the Clinton, Tenn., case they issued an injunction restraining the folks who were before the court, and who had been made subject to the suit. Subsequently, the FBI was sent into the area and 16 persons whose names were not in the original action, who were not parties defendant, whose names had not been used in the order of the court, were arrested and are now being held for contempt of that court. That means that the Supreme Court, as evidenced by the district court in that instance, has announced what it says the law is, and then has announced further if you do not obey the law we will throw you in jail, or at least we have the right to; and we have you before us for contempt, where that can follow, without trial by jury, if the pending legislation becomes law. Such a course absolutely violates all the common law, all the substantive law, all the statute law in every English-speaking country that I know of since the 12th century.

The question asked here: If the Court is going to do that, do you not think it would be better for us to pass legislation here saying what the penalties are, and so forth?

Is there any basis for believing that if a Supreme Court will go so far as to announce the law, then carry it out by announcing that since we announced it everybody is bound to it, and we will throw you in jail for contempt, is there any feeling on the part of anybody that any statute we might pass might clip the Court's wings in that instance? No. What you will do in passing legislation, since they are going to destroy the right to trial by jury, is pass a statute saying that the legislative division of the Government has put its mark of approval on what the Court is doing—except that we will say that you should not go further than this, that, or the other.

In this bill before you, you give the Attorney General the right to injunction.

Is it not serious that you would consider legislation here that the only people who could defend themselves against are the 435 Members of the House and the 96 Senators? Every other man in the United States—and we would be subject to it if we left our positions here—would be subject to being grabbed up by the Attorney General for what he might believe we had thought.

The conditions that exist in my part of the country have been described to you. We are proud people. But the minute the force of Federal Government goes into an area where we are living on good terms with each other, where we work together, it will make a situation 10 times worse than it has ever been; and our situation in the South has always been a hundred times better than you folks in northern cities have any idea. I mean that.

But I say, if this legislation becomes law, mark my words, you are going to have a third party in the South. When you get a third party in the South, you are probably going to have a fourth party in the Midwest or Far West or maybe in Chicago or New York. Then we are going down the hill to what has occurred in other places.

Such action as you propose might lead to the multiplicity of parties which has practically destroyed the effectiveness of the French Government, which is also one of the real problems in Italy so far as effective government is concerned. Such a step really will be set in motion the minute you pass a civil-rights bill on the basis that you have to make the South do something, which the majority of the committee voted out last year, and which I tried to point out is based on completely erroneous view of the facts. They are completely in error about what conditions are down there.

In the process of passing this legislation, you are endangering not just the situation between white and colored citizens; but whatever the motivating force is, you are writing into substantive law, or you would in this bill, provision which would reach every section of the United States. If you will check Hitler's actions in Germany or Stalin's actions in Russia, the first thing they did was issue an order; and they, too, always claimed it was to help some group. Then when they issued the order, they arrested the citizens like they did in Clinton, Tenn., cited them for actions against the Government order, without the right of a jury trial. The Government said, "We issued the order, we are supreme. Of course, we are doing it for a good purpose." That is what Hitler said, that is what Stalin said. But they said, "We issued an order, and you have to subject yourselves to it; and if you do not do it, you will go to jail; and you have no right to trial by jury."

Have we reached that day in the United States? And it is all because of an erroneous belief as to conditions in my area, if I give credit to honesty on the other side. On the other hand, there is much to indicate that nobody cares how we get along down South, for as you know we get along together much better than other sections on this issue.

I say that Hitler or Stalin took over in those countries by first having the courts to issue an order. They enforced that order by grabbing people up for not carrying the order out. They gave them no right to trial by jury. Now draw your parallel. The Supreme Court issued this nonsegregation decision. In the view of myself and many lawyers in this country, it amounted to a constitutional amendment, and we know the Constitution provides how it shall be amended. Having issued that order, which I absolutely believe amounts to a constitutional amendment, judging by what happened at Clinton, Tenn., the Supreme Court said what the law is—Congress has not passed any act, the Supreme Court says now what the law is—therefore, you folks on this school board down here have to obey that law. They were brought properly before the Court. Then those that were so instructed before the Court presumably obeyed the Court's order. But here the district judge has called in 16 other people who had not been before the court, were not parties to the suit, and cited them for contempt of his court, which would lead to imprisonment. I ask you if you cannot see the parallel between the two if this bill becomes the law?

I feel very, very strongly that the legislation before us would be destructive to our form of government. I say that in all sincerity and in all candor, and as calmly as I know how. I am talking about the broad authority that would be given in this. I am talking about what could be done. When you get to where you can bring a man into court and enjoin him for what you think he has been thinking, it is going just about as far as you can go.

If you pass this legislation, you can enjoin a man about to attempt an act. I think you can go a little further than you can with the statutes with which I am familiar.

I have reference to the wording "about to engage in any act," which constitutes looking into a man's mind to ascertain the facts without any overt act.

I think quite definitely it is a departure from what we have had in any law I have ever dealt with; and I have prosecuted cases of a similar type, where they had engaged, and things of that sort. If the man had not engaged, and if you set out as Attorney General to take action under this, and you went in and charged that he was about to engage, if he had actually made an overt act, he was in the process of engaging, but if he had not

committed an overt act, then you would have to get him because he was about to engage; and there being no overt act, the only way you could do it would be by reading his mind.

I wish to make one concluding statement. You are presumably basing your actions on a situation which you believe exists in the South. I say you are erroneous in your beliefs. You are basing your arguments on what you would do if you had the job of carrying out the authority which would be granted by this legislation. I am saying that the authority is much broader and would lend itself to doing many things that you do not conceive a man would do. If it were the next election year, and highly important to carry Chicago, Detroit, or New York, it might be easy to send these FBI agents down South. We have seen examples of that in the past. This bill would lend itself to all kinds of chicanery of that type. It would permit the Attorney General to sue for people who did not want to be sued for, and make complaints for folks who did not want to complain.

I suggest in all candor, since the Attorney General can go and slash out at anybody with the Government paying all the cost, that you might—and I am serious about this—use the same language for the Attorney General. If you can move against somebody who is about to engage in something, you ought to give the same privilege to the citizen. Except for being a Member of Congress, under the ruling in the Clinton, Tenn., case, the judge might be able to cite me for what I said here today.

If the Attorney General can go into court, with the Government paying all the costs, and take action against a man because he believes he is about to engage in something, I think you should give the citizen the right to go into court and enjoin the Attorney General because he thinks he is about to do something. I would suggest this amendment:

> Whenever any private individual believes the Attorney General or any representative of the Federal Government has engaged or is about to engage in any of the actions or practices authorized in this act, such private individual may institute for the United States, or in the name of the United States, but for the real party in interest a civil action or other proper procedure for redress or preventive relief including an application for a permanent or temporary injunction, restraining or other order. In any proceeding hereunder the United States shall be liable for costs the same as the private person.

It would simply give the individual the same right you would give the Attorney General, that is, of stopping him from harassing him to death.

May I repeat, this bill permits the Attorney General to anticipate the actions of somebody and go into court without the approval of that person. My amendment would permit a person, who anticipated the Attorney General was beginning to attempt or beginning to engage in certain actions, to go into court and issue a restraining order against the Attorney General for violating the rights of such citizen.

If you really want to protect the rights of the individual citizens of this country, Mr. Chairman, the place to start, so far as this bill is concerned, is to adopt such an amendment, and let the private citizen have the right to go into court and restrain the Attorney General.

The point I am making is that you are writing legislation that has so many loopholes, which lends itself to so many interpretations, and that is so loosely prepared, the actions I am talking to you about are possible under the bill. What occurred would be dependent upon the class and type of man you had in the Attorney General's Office. If the Attorney General, let us say, thought he could help his party by saying he thought I was about to engage in making an attempt, and filed a suit in court to enjoin me under this bill, then under my proposal if I could see he was about to do that to me I would be permitted to go into the same court and charge that the Attorney General was about to embarrass me; and I believe I have a right to a court order to restrain him from accusing me of depriving some of my friends of their rights.

Can you not see that charges under this bill would be the most effective means of carrying elections? You could inflame great blocks of voters in dozens of cities in this country. If this bill becomes the law, in any election the Attorney General could say, "I am sending the FBI there, and I am filing these suits"; then when the election is over, the issue is moot. This bill opens itself to that type of politics which would be injurious to the Nation.

As I said earlier, I believe we have more love and affection and more respect for each other, both races, in my section of the country than you will find in New York City, Detroit, Washington, or any place you go. If left alone, we have much less of a problem than the rest of the country.

But it is highly popular in many sections of the country to run against something far away. I was out in a Midwest State last fall where a Member of Congress gives the TVA every kind of fit when speaking in his section. The TVA is down in Tennessee. He is out in the Midwest. He is a good friend of mine, and I told his people he is the smartest politician that I know. He runs against the TVA, thousands of miles away from him, and makes it a big issue in his district every election year, and wins. It keeps him from explaining what goes on in his own district. Perhaps I should be as smart as he.

It is popular in the rest of the country to run against the South. We do not have anything like the problems you have in New York, Detroit, or anywhere else.

I want to be frank with you. I think this measure is much more dangerous than if you provided jail sentences and even penitentiary sentences, because there we would have the right to trial by jury. When you take action through the civil courts, where they can issue an order and throw you in jail for contempt of court, though you had no notice and perhaps did not even know of the order, you have bypassed protection the English-speaking people have had since the 10th century. This bill, in my humble judgment, is much more dangerous than a criminal statute.

Here you would destroy the greatest protection that the English people fought for, the right of trial by jury. If judges can say what the law is, then issue an order, arrest persons and put them in jail for not obeying the order which perhaps they did not even know about—similar to what could have happened in Tennessee if this bill were law, you really have a court directed dictatorship.

Mr. Chairman, if all were of the same race, and if all were white, believe me, the civil rights bill before us today would be highly dangerous and could lead to the destruction of our system of government.

Mr. KEATING. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. DENNISON].

Mr. DENNISON. Mr. Chairman, I rise in support of H. R. 6127 in its present form and without any amendments thereto.

I am aware that much of the debate has turned on some rather fine legal points. I am also aware that many in this body still have some very serious questions about this legislation. Because I feel so strongly that this bill should be passed I would like to address myself to one or two points of contention which are of a legal nature in the hope that I can contribute some perspective to this civil rights bill and particularly to the right to vote section.

First, we must remember that the purpose of this measure is to give legal effect and vitality to the 15th amendment of the Constitution of the United States, which provides:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

No one questions the wisdom of that section. No one doubts that it is the supreme law of the land. The Constitution says so in article VI as follows:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

And all of us here have sworn to uphold it.

The purpose of this bill is to protect all people—we are all created equal, are we not?—in their constitutional right to vote irrespective of their color, race, religion, or national origin.

Is there a one in this Chamber today who does not believe in the right of each and every American citizen to vote irrespective of his color, race, religion, or national origin?

Is there a one here who doubts that all men are created equal—that is what

the Declaration of Independence says, does it not?

Is there a one here today who believes that a man or a woman seeking the right to vote may or should be discriminated against in the attempt to exercise that right? Is there a one here today who would ever approve discrimination of that kind in the exercise of one's right to vote?

I take it that we agree that the right to vote is a most sacred right which is the very foundation of our republican form of government. This being the fact, it is equally evident that we are unanimous in our resolve to protect every American citizen in the exercise of his right to vote—anytime he so desires—and irrespective of any racial or religious difference he may have.

In our common resolve to uphold and defend the Constitution and particularly article XV thereof, we must decide how best to do so; so as to give the fullest effect to the clear intention of the Constitution. Obviously, we must develop a method which will at once be both speedy and yet completely consistent with all the fundamental principles of the common law.

This bill, H. R. 6127, has been devised to meet those requirements. I need not remind you that it provides for the granting of an order by a district court judge which says to one who threatens to discriminate against another: "You shall not interfere with that man's right to vote by reason of his color, race, religion, or national origin." This order is called an injunction.

Much has already been said about an injunction. I need say no more than that it is an extraordinary right. It requires a judge to prevent a wrong before it has been committed. A judge whose authority is invoked has a duty to prevent such wrong especially where the commission of it would result in an irreparable loss, such as the loss of the right to vote at a given election.

Injunctive relief, as has been mentioned, exists in many cases. It exists against management in certain labor cases. It exists in our State and in most States against labor unions where violence or a threat of violence occurs in connection with a strike.

The fact that such relief exists for the prevention of a wrong does not constitute a prior indictment of either management or labor. It follows that the bill under consideration for the prevention of an act which the Constitution definitely says is wrong is not an indictment of a people. This law does not state that any specific wrong exists—that must be ascertained before the injunction could be issued—but it does say that if some interference in the right to vote is made, it can be prevented.

Now, if the person against whom the court order is issued obeys the order, that is the end of it. If he does not, he may then be cited for refusing to obey the court's order and tried for his alleged contempt of the court. The controversy on this bill centers on the treatment of one who is charged with disobeying the injunction.

In the contempt proceedings, under our law, the defendant will have available the time-honored rights which have always been accorded a litigant before the bar in such cases. He shall have the right of counsel; he shall have the right to face his accuser; he shall have the right of examination and cross-examination; he shall have the right to produce witnesses in his behalf. His trial shall be conducted according to the usual rules of evidence. He shall enjoy the presumption of innocence until proven guilty beyond a reasonable doubt. He shall have a right to testify on his own behalf or he may protect himself by the fifth amendment. And if after he has enjoyed all these rights he is then found guilty, he may appeal his case to a higher court.

Coequal with our acknowledged obligation to uphold and give real effect to the constitutional right to vote without impairing the rights traditionally available to a defendant under the common law is our duty to maintain and guarantee a free and independent judiciary without which the whole fabric of government—the separation of powers—would erode.

The greatest question of our day is the survival of our democratic way of life. In my opinion the greatest bulwark of a free society is a free and independent judiciary. A court is only free when it retains within itself the power to enforce its own order without intervention of some other tribunal. If it lie in the mouths of anyone except a higher court to challenge an order of any court then that court may soon become the handmaiden and the servant of those to whom it must defer.

Article II of the United States Constitution establishes a separate and independent judiciary. At the first session of the first Congress of this country the principle of a free and independent judiciary was enacted into law. Among other things this act of Congress gave to the courts of this land the power to administer oaths—consider the consequence if it did not have that power and if some other person or body did—the power to make its own rules—what if court's rules were made by others—the power to enforce its judgments and the power to punish for contempt of court. These powers belong to no one else nor should they.

These inherent powers, and there are others, of the courts of our land permit the courts the independence and respect that they now have. Once we give to anyone else any of these powers, we seriously weaken the integrity of our judicial system.

Historically, and with good reason, our courts have been charged with the enforcement of their own orders. Please observe that I distinguish between the enforcement of an order of the court and a law. In the trial of a person accused of violating a law enacted by a legislature a jury usually is given the authority to determine whether that law has been violated. The Constitution gives the authority. But in the case of the violation of an order of court, such as an injunction, it is the court which must decide whether or not a violation exists. If it could not, the very power of the court to make the order in the first place would become a mockery for it would not have the ability to enforce it. To deny a court this power or to give it to any other body would be a tragic obstruction of justice.

The Constitution recognizes the need for inherent powers in a court if it is to be free and independent. Thus we find no provision for a trial by jury in contempt cases.

In the case of Gompers against Bucks Stove & Range Co. the Supreme Court of the United States said:

> And, if upon the examination of the record it should appear that the defendants were in fact and in law guilty of the contempt charged, there could be no more important duty than to render such a decree as would serve to vindicate the jurisdiction and authority of courts to enforce orders and to punish acts of disobedience. For while it is sparingly to be used, yet the power of courts to punish for contempts is a necessary and integral part of the independence of the judiciary, and is absolutely essential to the performance of the duties imposed on them by law. Without it they are mere boards of arbitration whose judgments and decrees would be only advisory.
>
> If a party can make himself a judge of the validity of orders which have been issued, and by his own act of disobedience set them aside, then are the courts impotent and what the Constitution now fittingly calls the judicial power of the United States would be a mere mockery.
>
> This power has been uniformly held to be necessary to the protection of the court from insults and oppressions while in the ordinary exercise of its duties, and to enable it to enforce its judgments and orders necessary to the due administration of law and the protection of the rights of suitors. (*Bessett* v. *Conkey* (194 U. S. 324, 333).)
>
> There has been general recognition of the fact that the courts are clothed with this power and must be authorized to exercise it without referring the issues of fact or law to another tribunal or to a jury in the same tribunal. For if there was no such authority in the first instance there would be no power to enforce its orders if they were disregarded in such independent investigation. Without authority to act promptly and independently the courts could not administer public justice or enforce the rights of private litigants. (*Bessett* v. *Conkey* (194 U. S. 337).)

The right of a court to enforce its own orders without resort to any other authority finds its clearest expression in Carter's case (1899) decided by the Supreme Court of Appeals of Virginia (96 Va. 791). This was an appeal from a contempt conviction during the proceedings of which the defendant demanded a jury trial. A statute was then on the books in Virginia granting a right to trial by jury in such cases. In holding the jury trial statute unconstitutional as being contrary to the concept of a free and independent judiciary the Virginia court stated:

> The power to punish for contempts is inherent in the courts, and is conferred upon them by the Constitution by the very act of their creation. It is a trust confided and a duty imposed upon us by the sovereign people which we cannot surrender or suffer to be impaired without being recreant to our duty.

In concluding that the Virginia jury trial statute was unconstitutional the court said:

> That in the courts created by the Constitution, there is an inherent power of self-defense and self-preservation; that this power

may be regulated but cannot be destroyed, or so far diminished as to be rendered ineffectual by legislative enactment; that it is a power necessarily resident in and to be exercised by the court itself, and that the vice of an act which seeks to deprive the court of this inherent power is not cured by providing for its exercise by a jury; that while the legislature has the power to regulate the jurisdiction of circuit, county, and corporation courts, it cannot destroy, while it may confine within reasonable bounds, the authority necessary to the exercise of the jurisdiction conferred.

It was suggested in argument that to maintain the position that to entrust juries with the power to punish for contempts would impair the efficiency and dignity of courts, disclosed a want of confidence in that time-honored institution. May it not be said in reply that to take from courts a jurisdiction which they have possessed from their foundation betrays a want of confidence in them wholly unwarranted by experience? The history of this court, and indeed of all the courts of this Commonwealth, shows the jealous care with which they have ever defended and maintained the just authority and respect due to juries as an agency in the administration of justice, but our duty, as we conceive it, requires us not to be less firm in vindicating the rightful authority and power of the courts.

We cannot more properly conclude this opinion than by a quotation from a great English judge: "It is a rule founded on the reason of the common law, that all contempts to the process of the court, to its judges, jurors, officers, and ministers, when acting in the due discharge of their respective duties, whether such contempts be by direct obstruction, or consequentially; that is to say, whether they be by act or writing, are punishable by the court itself, and may be abated instanter as nuisances to public justice.

"There are those who object to attachments as being contrary, in popular constitutions, to first principles. To this it may briefly be replied, that they are the first principles, being founded on that which founds government and constitutes law. They are the principles of self-defence; the vindication, not only of the authority, but of the very power of acting in court. It is in vain that the law has the right to act, if there be a power above the law, which has a right to resist; the law would then be but the right of anarchy and the power of contention" (Holt on Libel, ch. 9).

Whatever opinion may be entertained of some of his predecessors, Chief Justice Holt was no servile minion of arbitrary power. He was an actor in that great revolution which ended forever in Great Britain the pernicious dogma of the divine right of kings, which first recognized the will of the people as the only rightful source of government, and established the independence of the judiciary as one of the surest bulwarks of free institutions.

Certainly the right of a court to hear contempt proceedings stands on the very same foundation as trial by jury *Rex* v. *Almon* (24 Law Quarterly Review, 184).

In conclusion let me say by way of summary that this body can by this bill carry out its solemn obligation to uphold and defend the Constitution—and particularly the right of those irrespective of color, race, religion, or national origin, who desire to vote. This body can by passing this bill meet a need that has existed for almost 100 years—a need to give vitality to that part of the Constitution guaranteeing a person the right to vote irrespective of color, race, religion, or national origin.

This body can by this bill uphold the Constitution while at the same time protect the rights of those who are accused of violating it and most important of all—this body can do this and maintain the dignity and integrity of the court system so that our courts may still be the custodian and guardian of their own orders and ultimately of our liberties.

Let it be said when this great debate is over that the flag which flies over this very Chamber never flew more proudly and that henceforth no citizen—no, not one—shall because of a difference in appearance or religion be denied his right to participate as a free American in the free elections of this land.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DENNISON. I yield to the gentleman from New York.

Mr. KEATING. I only wish every Member of this body could have heard the fine analysis of this problem which the gentleman from Ohio has given us. This is one of the most constructive speeches I have ever heard on the floor of this House. I regret that every Member was not present. I certainly commend the gentleman for the obvious study which he has devoted to this problem and the excellent grasp of the subject he has displayed. The gentleman has demolished completely the argument for an amendment to put into this bill something entirely new to Federal jurisprudence, the so-called jury-trial amendment.

Mr. DENNISON. I thank the gentleman.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. DENNISON. I yield to the gentleman from New York.

Mr. HENDERSON. I join in the commendation of the very fine and scholarly remarks of my colleague from Ohio. I think they show a very deep study of the subject and are most beneficial to the Members of the House.

Mr. DENNISON. I thank the gentleman.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. DENNISON. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I join in the statement of my colleague from New York [Mr. KEATING] in complimenting our colleague from Ohio [Mr. DENNISON] on this remarkable, unemotional, factual, and judicial presentation of this controversial aspect of the bill. We should have had the entire membership of the House present.

Mr. DENNISON. I thank the gentleman.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, the bill before us today has as its avowed purpose the protection of the civil liberties of the American people. I submit that, if enacted into law in the form in which it is presented to us, it will destroy civil liberties instead of protecting them. It will create far more racial strife than it will eliminate. It will gravely endanger our system of constitutional liberties.

This bill has been written with the stated intent of eliminating wrongs which are alleged to take place in the Southern States. The exhaustive hearings before the committees in both the House and the Senate have proved this indictment of a whole people to be insupportable.

But the legislation is far more than a matter of concern to the Southern States alone. If these provisions, which would deny normal constiutional liberties to our citizens, are allowed to become law, they will serve as precedent for the denial of similar freedoms to all Americans throughout the country. The great danger of this legislation is that it could crush the foundation stone of our system of liberties, and by the day-to-day action of Federal Government, grind those liberties to dust. Unlimited governmental power in this field is an open doorway to those governmental powers inherent in the totalitarian dictatorships we look upon with such foreboding and disdain.

TRIAL BY JURY

There are many specific encroachments upon liberty which this bill would establish as law, but undoubtedly the greatest of these would be the denial of the right of trial by jury to those charged with violations of the act. Throughout the history of our judicial system, the right of trial by jury, preceded by proper indictment by a grand jury and carrying with it the right to confront and cross-examine witnesses, has been a basic safeguard of our freedom. American citizens have considered the right of trial by jury as part of their inviolate heritage as American citizens. It has come down to us through the centuries, and as a people we first proclaimed this in the Stamp Act Congress of 1765 when we condemned an act of the British Parliament which in many details was similar to the bill which confronts us today.

When the amendment is offered to provide adequate provision for trial by jury in this bill, I hope to speak at greater length on this issue. The question must be fully discussed in order that all Members may understand beyond doubt the grave decision that will confront us when the time comes to pass upon this fundamental issue of whether we are to continue as a Nation of men dedicated to the strength of freedom and protected, not coerced, by the law.

Here for the third time in this century the United States Congress is called upon to debate the right to trial by jury in contempt cases. In 1914 the Clayton Act, and in 1932 the Norris-LaGuardia Act, both extended this basic safeguard to the American people accused of contempt by the courts. Thus we have already behind us a history of legislation and experience that make it evident beyond question that the injunctive process is susceptible to abuse and that any infringement by this means on the safeguards provided our citizens should be guarded against.

We have these safeguards because down through the hundreds of years of English and American history, we have time and again proved their essentiality to law and order over tyranny and the chaos bred of tyranny. These are the

bastions raised against the onslaught of too great power in the hands of too small men. Are we to suppose that men will be any less subject to error in the future than they have been in the past?

OVERLOOK

In the heat and press of the day's problems, it is often difficult to look to the years ahead of us. Thus, men often overlook the end effect of their acts in their haste to achieve the goal of the moment. This was recognized by Justice Brandeis, when he stated in Olmstead against United States:

> Experience should teach us to be most on our guard to protect liberty when the Government's purposes are beneficent. Men born to freedom are naturally alert to repel invasion of their liberty by evil-minded rulers. The greatest dangers to liberty lurk in insidious encroachment by men of zeal, well-meaning but without understanding.

The proponents of this legislation excuse their invasion of the historic right of trial by jury on the ground that in some fields it has not been effective. Faced with the fact of the violence they would by this means do, they assert that the objective they seek excuses the evil they propose. This philosophy of government has no place in a democratic society. Even if it were to be conceded that the objective is worthy, it could not be worthy enough to warrant the destruction of the very basis upon which our system of justice rests.

The principles upon which our Government was founded, and upon which we have progressed to our position as the world's most fortunate people, may not be swept aside by the vicissitudes of the moment. If this were true, we would have lost our liberties long ago.

The sponsors of this bill say, in defense of what they propose, that the criminal prosecutions have been cumbersome and slow, and that jurors have been reluctant to indict and convict. They say that we must have a shortcut to accomplishment of the desire objective. Shortcuts are excellent devices, if all you seek is speed. They are seldom conducive to safety. The little wisdom of seeking a shortcut is dealt with very appropriately by Judge Henry Clay Caldwell, presiding judge of the United States Court of Appeals for the eighth circuit, in his opinion in Hopkins against Oxley Stave Co.

> It can make little difference to the victims of shortcut and unconstitutional methods, whether it is the mob or the chancellor that deprives them of their constitutional rights. It is vain to disguise the fact that this desire for a shortcut originates in the feeling of hostility to trial by jury. * * * A distrust of the people means the overthrow of the Government our fathers founded.

Although a century and a half of development has produced great changes in many of our political institutions, the fundamental principles of our judicial system have continued the same in most essential respects, including trial by jury. Trial by jury is the one judicial power which the people have reserved unto themselves; it is the foremost institution for the administration of justice in a democracy; it constitutes the basis of free government. It assures that justice will be dispensed, not only with the utmost purity, but in a manner calculated to merit the confidence and satisfaction of the people.

ATTORNEY GENERAL'S POWER

In H. R. 6127, the Attorney General is given the power, at his own discretion, to bypass, circumvent, and evade the constitutional right of indictment by grand jury and trial by petit jury of State and local officials as well as private American citizens in civil actions arising under sections 1971 and 1985 of title 42 of the United States Code. The provision that those civil actions are to be brought "for the United States, or in the name of the United States" is inserted in H. R. 6127 for the deliberate purpose of depriving the individuals charged with indirect contempt for supposed violations of injunctions issued in civil rights cases arising under sections 1971 and 1985 of title 42 of the United States Code of the benefits of jury trials and limited punishments to which they would otherwise be entitled under sections 402 and 3691 of title 18 of the United States Code. Sections 402 and 3691 of title 18 of the code stipulate in express terms that the right to demand a trial by jury does not apply "to contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States."

This legislation, presented to us in a cloak of alleged nobility, is in fact an attempt to deprive the people, all of the people, of the right clearly reserved to them by the Constitution, "the trial of all crimes shall be by jury." Congress has enacted statutes which protect a citizen's right to vote and which prohibit acts that would deprive a citizen of his franchise. Any person who commits such an act is guilty of a crime against the Government. Any method of removing jurisdiction from the judgment of his peers endangers a citizen's most fundamental liberty. An eminent legal authority, S. S. Gregory, in his address as president of the American Bar Association in 1912, very aptly summed up this threat to our constitutional rights when he stated:

> The real question involved is whether trial by jury shall be retained in all essentially criminal prosecutions in the Federal courts. Where the law prohibits an act, the effect of enjoining against its commission is merely to change the procedure by which the guilt of the person charged with doing the act thus prohibited shall be ascertained and his punishment fixed. By enjoining against the commission of crime and then proceeding on a charge of contempt against those accused of committing it, the administration of the criminal law is transferred to equity and the right to trial by jury and all other guaranties of personal liberty secured by the Constitution are destroyed.

The proposals which have been submitted to us today would give far greater power to the Attorney General of the United States, whoever he might be, than has ever been conceived, or conceded, to be necessary. We cherish the tradition that ours is a government of law, not of men. If we enact this bill, we shall have turned our backs upon this concept of government which has served us so remarkably well. This bill vests so much authority in one individual, the Attorney General, that any power-seeking occupant of that office could literally destroy, through the power of his own office, any and all of the protections accorded our citizens by the vast body of our law.

These proposals would become operative upon the initiative of the Attorney General. In other words, the Attorney General would have full freedom to decide whether the law had been violated. Action would be taken only against such persons as the Attorney General might select. Such a situation would literally wipe out the concept that courts are supposed to administer equal and exact justice in complying with laws which apply in like manner to all men in like situations. The dangers inherent in such a grant of power to a single official are great, even if we disregard the possibility of deliberate abuses. The abuses which could develop in the hands of an Attorney General who deliberately set out to use his power for personal or political purposes are almost unimaginable.

BREACH OF RIGHTS

The power which this bill would confer upon the Attorney General obviously involves a major breach of the rights reserved by the Constitution to the States. The most obvious example of this is the elimination of the right to seek administrative remedy within the States. Under the powers which would be granted here, the Attorney General could nullify State statutes for one citizen, while other citizens whose situations he chose to ignore would be powerless to avail themselves of the bounty of his whimsical judicial largesse.

This bill would empower any Attorney General to litigate, at public expense, virtually all claims of virtually all aliens, citizens, and private corporations within the jurisdiction of a State that they had suffered intentional discrimination by the action of State or local officials, taken under State statutes or municipal ordinances, or orders or regulations made under them pertaining to elections; public education; business and trade; labor; charges, prices, and interest; railroads, motor carriers, telegraph companies, public warehouses, and other public utilities; ad valorem income, inheritance, license, and sales taxes; local public improvements; highways and streets; buildings; fish and game; the keeping of animals; civil remedies and procedure; crimes and criminal procedure; and all other matters committeed by our system of government to State control.

Congress would be unwise in the extreme if it should approve a bill authorizing any Attorney General to open, at the expense of the taxpayers, such a Pandora's box of many legal miseries. The abuses inherent in this legislation, and its overwhelming threat to our traditional American liberties, are more than enough reason for the Congress to reject this bill.

But even if we elect to consider the bill only from the point of view of its effect upon race relations within our country, there is still every reason to reject it. The operation of the system of injunctive process which would be instituted by this bill would unceasingly stir and em-

broil new racial disputes throughout the country. Actions of this nature would clearly make more difficult, if not impossible, any further progress toward more harmonious race relationships throughout the entire country, for it should be noted now and then, lest some of our fellow citizens conveniently forget it, that the problems of race relationships are not confined to the South, or to the Negro. They spread from border to border and coast to coast, in all climates and colors and garbs.

We seek, I believe, in this body the well-being of all our fellow citizens, and the citizens who will stand in our places in the years to come. We do them no service if we actively add to the divisive forces among us and destroy the bulwark of a nation's liberties in questing after a solution to the problems of individual peoples in their struggle to live together in amity and independence.

Those of us who measure the merit of legislation on the basis of what it will contribute to improved conditions for our citizens will do well to reject the legislation before us today.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I want to take this opportunity to urge the immediate adoption of the civil rights bill in exactly the form in which it was reported by the Judiciary Committee. My only regret is that this Congress cannot make even stronger assurances for the protection of civil rights.

As Americans, we cannot be proud that this legislation has become necessary. The cruel facts of southern resistance to equal citizenship have compelled action with no further delay. Our democracy cannot develop and assume its proper place in world leadership as a just and moral nation if we permit discrimination against the various racial, religious, or ethnic groups which make up our Nation. To prove itself worthy of world leadership, our free-enterprise system must emphasize freedom as strongly as we strive for enterprise. With our own house in discriminatory disorder—we are scarcely positioned to struggle for a better world.

It is regrettable that the Congress of the United States must legislate against depressing conditions of intolerance which exist in several States of the South and it is also regrettable that Congress has been so slow to act. The sad fact is that for several generations Congress has failed to make any substantial contribution to the fight for equal opportunity for all Americans.

The cause of civil rights and expanded civil liberties received its first impetus in the administration of the late Franklin Delano Roosevelt. If it were not for the tremendous problems brought on by depression and the war, tremendous gains would have been achieved. These aims were revived by former President Harry Truman who in 1948 gave the following as his civil-rights objectives:

1. We believe that all men are created equal under law and that they have the right to equal justice under law.

2. We believe that all men have the right to freedom of thought and of expression and the right to worship as they please.

3. We believe that all men are entitled to equal opportunities for jobs, for homes, for good health, and for education.

4. We believe that all men should have a voice in their government, and that government should protect, not usurp, the rights of the people.

Mr. Truman further stated that these basic civil rights are the source and the support of our democracy. Former President Franklin Delano Roosevelt and former President Harry Truman were the first national Executives since the Civil War to address themselves to the problems of discrimination and the evils of segregation. President Dwight D. Eisenhower recognized the national scope of the problem and continued to propound what has become an established Executive position with respect to civil rights.

The Supreme Court decision was a brilliant contribution. Many States and many large cities of the North have made a tremendous drive against discrimination in housing and in employment. It is in the Congress of the United States where the struggle for human betterment in this vital area has been retarded.

The inertia of Congress on this vital issue of our times is most difficult to comprehend. Certainly Congress is close to the public pulse—or should be. It is difficult to believe that the Representatives of this assembly should allow themselves to be behind the times and much slower than the executive branch of the Government or the judicial branch of the Government recognizing the simple principles of equal living in recognizing the need for implementing these principles with laws that could bring them about.

There was a time before the decision of the Supreme Court when many Members of Congress could believe that somehow or another the problems of the South with respect to discrimination would be resolved. It has since become apparent that time has accentuated rather than mitigated the problem. It has persisted and worsened with each passing day. Without the speedy and universal effect of laws prohibiting discrimination and segregation and their immoral effects, the dignity of all men throughout the broad reaches of this country cannot be attained. This legislation must become law in its present form.

I have given this legislation serious and careful study, and as a lawyer and as a former judge I see no place where it can give cause for concern to any but those who would seek to transgress upon the civil rights of another person as established by a court directive subject to full review. Liberty is a creation of the law, and the right of all people to freely participate in our elective process must come about through the suppression of acts or the conduct of other persons who would seek to restrain or impede these rights. Certainly the right to unrestrained voting is equal to any other right accorded citizens of the United States.

This legislation will not cure all of the problems of discrimination and segregation in the United States. It is only the step of a child where a man's gait is required. Segregation in housing is perhaps the greatest impediment to the development of a modern American society. Segregated housing develops segregated neighborhoods which in turn develop segregated schools, churches, and other community facilities. That segregation in turn encourages delinquency and crime and poverty, as well as other social evils. Large areas of needed legislation remain the work of a future Congress, and it is incumbent upon us to concentrate upon what can be done now.

The vast unexplored resource in America is the tremendous productive capacity which we suppress and ignore because of the artificial barriers of racial discrimination. Only an equality of opportunity can bring this richness of America to the surface. Only in an atmosphere of social freedom can the individual develop to his maximum capacity. These principles of freedom and equality of opportunity have made our Nation great, and when they are extended and applied to all of our citizens, our Nation will enjoy a growth and maturity which we cannot today comprehend.

No one has disputed the power of Congress to regulate Federal elections or to prohibit racial discrimination, and since Congress has this power, it faces no other alternate but to legislate in the interest of all the people and insure that every person can enjoy his full measure of the privileges as well as the immunities of citizenship. The highest privilege of citizenship is the equality of opportunity which is a basic American concept, and to make that privilege possible our Nation must develop a legal immunity to prejudice, discrimination, and their costly attributes.

Mr. CELLER. Mr. Chairman, I yield 20 minutes to the distinguished member of the Committee on the Judiciary, the gentleman from Tennessee [Mr. FRAZIER].

Mr. FRAZIER. Mr. Chairman, the bill under consideration, H. R. 6127, is supposed to protect civil rights but in reality if it once goes into operation it will constitute one of the greatest assaults on the cherished rights of our citizens, and our States, and our local governments ever perpetrated on a freedom-loving people.

The bill operates on the wrongful hypotheses that the State governments are no longer able to enforce their laws; that the executive, the legislative, and the judicial officers of our States are violating their oaths to support the Constitution of the United States.

I urge you to oppose this legislation; because it is not needed and its enactment would unjustly reflect discredit on the people and governments of our States; because it would result in further invasion of areas of government that properly belong to the States; because it would establish and set in motion an inquisition that could accomplish nothing except to intensify distrust and misunderstanding; because it would grant to the Attorney General of the United States—the power to sue individuals on behalf of other individuals—heretofore

unheard of powers, among them the use of the writ of injunction as a means of intimidation. The Attorney General of the United States urges that the Congress confer upon him the authority to institute civil suits in the United States courts for—the benefit of the real parties in interest—for the redress and prevention of violation of civil rights. The authority to apply for writs of injunction is a provision that the Attorney General has asked for especially.

This bill would authorize the Attorney General to institute a class action and, under general allegations of widespread violations of civil rights, obtain an injunction applicable to a whole community—a virtual Federal interdict. The language of the bill does not exclude mandatory injunctions, so the power to coerce is one of the powers that would be granted by this legislation. Such power is too great to be conferred—the mere conferring of it is a violation of freedom.

The enactment of this legislation—H. R. 6127—would break down the last vestige of the rights of the individual States.

The real issue involved is whether Federal authority should be expanded to cover matters which heretofore have been recognized as within the jurisdiction of the States.

This legislation is not only a violation of the rights of the Southern States, at which it is aimed, but its enactment is a violation of the rights of each and every one of the 48 States. It applies to the North, and the East, and the West, as well as to the South. While it may be directed at the South, it can well become a two-edged sword applying to you gentlemen from Missouri, New York, Massachusetts, Ohio, and California. And the time will doubtless come—if it should be passed—that you will rue the day you, in your misguided moments, allowed this legislation to pass.

Part 1 of the bill before us provides for the establishment of a Commission on Civil Rights, composed of six members appointed by the President. It provides for their compensation and expenses, and sets forth what the Commission is supposed to accomplish. Now, what is the duty of this Commission?

First. To investigate allegations in writing under oath or affirmation that certain citizens are being deprived of their right to vote by reason of the color, race, religion, or national origin of the victim.

Second. To study and collect information concerning legal developments, constituting a denial of equal protection of the law under the Constitution.

Third. Appraisals of the laws and policies of the Federal Government with respect to equal protection under the Constitution.

The Commission is also authorized to employ a full-time staff director, and such personnel as it desires.

It may hold hearings at such times and places as it sees fit; issue subpena for witnesses which may be served by any person designated by the Commission. In the case of contumacy or failure to obey a subpena, upon application of the Attorney General of the United States, any United States district court shall have jurisdiction to issue an order to require such witnesses to appear before the Commission, or subcommittee, and failure to do so may be punished by the Federal court as contempt.

The authors of this proposal contemplate that it will yield thousands of complaints and even more thousands of subpenas will be issued. The various allegations will, in the first instance, be incontrovertible and wholly ex parte and the principal concerned, against whom the charges are made, when summoned as a witness is given no opportunity to cross-examine. True, the person summoned as a witness may have counsel—section 102—but only for the purpose of advising him of his constitutional rights.

Actually it is contemplated that the Commission sought to be set up by the proposed bill will go on a huge fishing expedition to catch unwary election officials and other citizens in its nets, and the southern regions are expected to yield the largest catch.

Bait will be furnished by the NAACP, the Civil Rights Congress, and other left-wing organizations.

Now, having set up this Commission with powers never before conferred on any commission, and rarely on committees of this Congress, and with unlimited personnel at a tremendous cost to the taxpayers for the purpose of conducting investigations of alleged and, in most cases, imaginary wrongs, and to make recommendations for correcting these supposed violations of civil rights, and before the commission can make a single investigation or recommendation, this fantastic legislation proceeds in part II, to create an additional Assistant Attornel General to assist the Attorney General in his duties; to head a new division in the Department of Justice, entailing the employment of many additional lawyers at great cost to the public.

In the Committee of the Judiciary inquiry was made as to the number of additional lawyers the new division would require—50 or 100 or more, but no agreement could be reached.

For 15 years I served as a United States attorney, and I know, from experience, that for years and years there has, and now exists in the Department of Justice, a Civil Rights Section, just as competent to do this work as a new division, and to which section the Attorney General has the right and can assign as many or as few of his highly paid attorneys as he so desires. With this section already established, why burden the taxpayers with the creation of another division?

Part III of the bill relates to the old conspiracy statute of July 31, 1861, first enacted at the outbreak of the War Between the States, and to the Ku Klux Act of April 20, 1871.

The present proposals are much more far reaching and even more obnoxious than the law of 1871.

Under the provisions of H. R. 6127, the Attorney General is authorized to institute civil actions in the name of the United States or on behalf of the United States for injunction or other relief. Whenever one was engaged in or there was reasonable grounds to believe that one was about to engage in acts that would give rise to a cause of action under existing law, and the consent of the aggrieved individual is not a necessary precedent for such suit—such action may be taken even though parties have failed to exhaust State remedies available to them.

Part III, which is the most iniquitous part of the bill, confers upon the Attorney General of the United States powers unheard of heretofore in a free country. It supersedes and sets aside all State administrative remedies; wipes out State sovereignty; it authorizes the Attorney General in the name of or on behalf of the United States to institute civil action in civil-rights matters whether or not the aggrieved party requests such procedure by the Attorney General or whether or not the aggrieved party objects to such action. In other words, the Attorney General is clothed with all power to come into the Federal court and against the wishes of the aggrieved party institute a civil action in the aggrieved party's behalf in the name of the Government. He does this at the cost of the taxpayers of America. He thus deprives the States of their right to enforce their criminal laws. He thereby deprives the defendant of a right of trial by jury.

It allows the Attorney General to make of the Federal local judge the administrator, the prosecutor, and the executor of the functions of the States and localities.

The real purpose of this part is to create jurisdiction in the Federal district courts to supervise, control, and dominate, together with the Attorney General, the internal management of local affairs, particularly in schools, and elections.

The Attorney General seeks, by these additions, to have conferred upon him the powers to enforce these sections by injunctions.

Part IV of the bill amends the existing law by an entirely new section. The proposed amendment would make it unlawful for any person, whether acting under color of the law or otherwise, to intimidate, threaten or coerce any person for the purpose of interfering with the rights of such other person, to vote at any special or primary election relating to Federal officers. An additional subsection provides a remedy for such interference in the form of a civil action instituted by the Attorney General on behalf of the United States or in the name of the United States to prevent anyone from interfering with or about to interfere with the right to vote.

As in part III, there is a waiver of State remedies. The present proposal provides a new remedy. The scope of the proposed amendment goes far beyond what the statute now encompasses, The proposed amendment includes primary elections held solely or in part for the purpose of selecting or electing any such candidate. Thus, it can readily be seen that by this legislation, the Attorney General seeks not only to control our general elections but even our primaries. Since the inception of this Government the Congress has never legis-

lated in the election field except to fix the date for holding national elections and to implement the 14th and 15th amendments by providing enforcement through criminal statutes.

It has never been questioned that basically and fundamentally matters of elections are controlled by the States. This bill proposes for the first time to inject the power of the Federal Government in the area of voting rights. And this is brought about by authorizing the Attorney General to seek injunctions in civil cases in the name and on behalf of the United States. The one and only means of such enforcement is through contempt proceedings. The contempt is punished by fine or imprisonment. Under Federal law, where contempt of court is also a violation of Federal or State law, the accused is guaranteed the right to demand a trial by jury.

Although the Attorney General seeks authority to handle these cases as civil actions, and would delude us into believing that; it is apparent that we are subjecting our people to criminal process. Section 2691 of title 18—Crimes and Criminal Procedure—United States Code, states that contempt of an injunction constitutes a crime. But where suit is brought in the name of the United States as contemplated by the bill a trial by jury may not be had.

Parts III and IV of the bill provide a device to bypass State laws, State remedies, State courts, State judges, and State agencies. Here is the second step deliberately planned to strike down States rights. Finally, under the calculated scheme of the bill all actions instituted would be filed in the name of or on behalf of the United States and tried before the Federal courts and in the enforcement of Federal court orders and decrees through contempt proceedings the defendants would be deprived of trial by jury.

By this legislation you abandon the sovereignty of the States. Our citizens are deprived of the sacred right of trial by jury.

You confer upon the Attorney General unheard of powers. You give him the power to investigate all national elections. He is empowered with the authority to investigate and supervise the primaries, not only of the Democratic Party, but also of the Republican Party. This goes further than any statute ever before enacted.

Under the Constitution the States are the sole judges of the qualifications of the voters and throughout the long history of the United States, the manner in which our elections are held has been a time honored function of the States. The broad language of this bill would open practically the entire field of elections, including State primaries to Federal intervention. The intrusion of the Federal Government into this field has not heretofore been permitted or even considered, except in instances clearly defined by the 14th and 15th amendments. No man should be trusted with that much power.

In my State of Tennessee the Negro has the same voting rights as any white citizen. If he has qualified by registering, he can and does walk up to the polling place on election day and casts his vote like any American citizen. We have no poll tax in Tennessee—but when we did every citizen who had paid that tax, which went for the maintenance of the public schools, whether he be black or white, was entitled to vote and to have his vote counted. I never in all my experience have known of an instance in my State when a voter who had qualified was deprived of his right to vote because of his race or color.

We have provided equal educational opportunities for him despite the fact that the Negro race paid less than one-tenth of the taxes imposed for educational purposes, and the white people have uncomplainingly paid the rest.

You, who advocate the passage of this legislation in a misguided effort to protect the civil rights of the Negro in the South, know not what you do. In this bill you jeopardize the rights of every citizen of the United States.

I wish that each and every one of you would come to my State—you would realize how needless is this legislation. In the 15 years I served as United States attorney in a district covering 41 of the 95 counties of the State, I never had presented to me a complaint that a Negro had been deprived of his right to vote or had been intimidated, or had his civil rights interfered with in any manner. But I did have many complaints of violations of the civil rights of others brought to me after every election. It is true most of them were violations of the Hatch Act, and as United States attorney it was my duty to have these complaints investigated, which I did. We prosecuted many of these cases.

I know this legislation is not needed; I know it is not wise. In reaching this conclusion I have been influenced by no prejudice against the Negro. I bear him no grudge. I entertain for him no unkind feeling. I have never failed to condemn every act of lawlessness inflicted upon the Negro and have always demanded for him a fair and impartial trial when he was charged with violation of the law.

Mr. Chairman, I know the Negro—his faults and his virtues—and he has many virtues. My knowledge and observation of the Negro race covers almost the span of my life, for they helped nurse me in my infancy, played with me in my boyhood and I have known and studied them in my mature manhood. I have defended them as a lawyer, prosecuted them as a United States attorney—I have tried and passed sentence on them as a judge. I would do the Negro no wrong. I would help him if I could.

I would strengthen him when he is weak. I would teach him by practical and industrial education to be a better man. I would shield him from his own weaknesses and excesses. I would steady his stumbling feet as he treads the stony way that leads up to his moral and material betterment.

Living in the South, I know this is the attitude of the white people of the South. It is difficult for you who have not grown up with them to understand this attitude.

If you are not advocating this legislation purely as a gesture in the hope of winning the Negro vote in future elections, if you want to preserve the rights of the Negro as well as every other citizen, then vote against this iniquitous bill.

Do not by the passage of this legislation jeopardize the civil rights of every citizen of the United States. I urge you to defeat this bill designed to destroy the last vestige of the individual rights of the States you represent.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. COOPER. I desire to congratulate my colleague from Tennessee on the splendid speech he has made and I concur with him fully in his very able statement. I have always opposed legislation of this type and am strongly opposed to this pending bill. I will ask the gentleman if he will not agree with me that the fact is that this is not candid legislation; that it was conceived in an atmosphere of political expediency and certainly should not be enacted into law.

Mr. FRAZIER. I certainly agree with the gentleman and appreciate his statement.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Louisiana.

Mr. BROOKS of Louisiana. I want to also join with my colleague, the gentleman from Tennessee [Mr. COOPER], in congratulating the gentleman upon a masterful presentation of the merits and demerits of this bill. I know the gentleman has had many years' experience as United States attorney, and with that experience his knowledge of this subject is transcendent. I want to congratulate him on the splendid presentation made in this speech.

Mr. FRAZIER. I thank the gentleman.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Florida.

Mr. MATTHEWS. Mr. Chairman, I wish to congratulate the distinguished gentleman from Tennessee. I wish all of our colleagues could have heard the excellent presentation that he has made. I join with him in sincerely hoping that this iniquitous piece of legislation will meet overwhelming defeat.

Mr. FRAZIER. I thank the distinguished gentleman from Florida.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to commend the gentleman for one of the finest statements I have heard made in this debate. It shows that the gentleman has given a great deal of study to this subject which is of such vital interest to the South and to all America.

Mr. FRAZIER. I thank the gentleman.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to my distinguished chairman, the gentleman from New York.

Mr. CELLER. I am very happy to state that I have always found the gentleman who is now occupying the floor to be a most dedicated Member of this House, who has rendered valuable service on the Committee on the Judiciary, and I am always happy to be associated with him. While I necessarily do not agree with the principle announced, I know it was, from his point of view, a very praiseworthy statement, and I am anxious to have the gentleman now in the well know that your dear ones have been listening to your speech.

Mr. FRAZIER. I thank my distinguished chairman.

Mr. SHUFORD. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from North Carolina.

Mr. SHUFORD. I want to associate myself with others who have spoken, commending the gentleman on the fine speech he has presented on this burning issue. I think he has done a masterful job, and I am sorry that more Members were not here to hear it.

Mr. FRAZIER. I thank the gentleman.

Mr. LOSER. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. LOSER. Mr. Chairman, I want to join my very distinguished colleague from Tennessee [Mr. FRAZIER] in the magnificent address that he has made to the Members of this great body. I have known him for many, many years. He is a worthy son of a very distinguished father. His father was a member of the United States Senate from Tennessee. He likewise served as Governor of our State, and the gentleman now addressing us has served as United States attorney. I am happy to join with him in this magnificent address that he has delivered here today. I concur in his very fine statement.

Mr. FRAZIER. I thank my distinguished colleague for his very flattering statement.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. FRAZIER. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. I would like to join with my colleagues from Tennessee and other parts of the Nation in commending my colleague [Mr. FRAZIER] for the very fine address he has given on this subject. Certainly his membership on the committee and the years given to the study of this subject qualify him as an expert on this matter.

Mr. FRAZIER. I thank the gentleman.

Mr. HARDY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARDY. Mr. Chairman, I have studied this bill and the report, and before the general debate started I was greatly disturbed by many of the far-reaching new proposals advanced in the name of protecting civil rights. As I have listened to the debate, I have become more and more disturbed.

I am grateful to my able colleagues who have presented so clearly an outline of many of the dangers inherent in this legislation. They have discussed the constitutional implications of this measure. They have pointed out encroachments on the rights which the Constitution assigned to the States. More importantly they have pointed out the danger that legislation of this type may actually circumscribe the liberties which our forefathers thought they were assuring for all time when they approved the first 10 amendments to the Constitution, our incomparable Bill of Rights.

Under our Constitution every citizen is entitled to equal freedom and equal justice and equal opportunity. Surely, I know as well as anyone else that inequities exist—there are injustices, prejudices, sometimes hatred and frequently misconduct. I do not believe however, that these are singularly applicable to any specific geographic section of our Nation or to any particular group within our population. In a Nation of nearly 170 million people inequities and injustices and prejudices are bound to exist. They will always exist as long as human beings are human.

All of us want to promote fairness and to eliminate inequities, but in seeking this elusive objective we must not create greater injustices than we relieve.

Every citizen of our Nation is entitled to the liberties provided in our Constitution. But, as we try to assure them we must be careful not to take away or to restrict the liberties of others.

As we in this Congress approach a vote on this legislation, we should ask ourselves whether in the name of promoting equity we would produce greater inequity—in the name of granting rights to some people, we would take away the rights of others—in the name of promoting harmony, we would actually create discord—in the name of promoting amity, we would engender hatred.

Let us not forget that no matter how hard we try, we cannot by law control the relationships of one human being to another—the attitudes—the morals and the behavior. Many of these intangibles respond only to divine law and when we encroach on this field, failure is inevitable. The brotherhood of man under the fatherhood of God is a desirable objective, but it is something which will be fostered only by putting grater reliance on our churches and our schools. The coercive force of law in these areas is wrong. Let us not make the mistake of passing this measure.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to a very praiseworthy member of our Committee on the Judiciary, the distinguished Representative from Virginia, Governor TUCK.

Mr. TUCK. Mr. Chairman, I thank the gentleman from New York for allotting me this time. While I wholly disagree with him on this subject and rise to express unalterable opposition to the bill in its entirety, I am glad to be able to say to him and to my colleagues that he has at all times presided over the deliberations of the Judiciary Committee with ability, firmness and impartiality and in a manner to reflect credit upon the high public station to which he has been elevated.

My colleagues on the Judiciary Committee who have preceded me in opposition to this bill, particularly the gentleman from Louisiana [Mr. WILLIS], and the gentleman from Virginia [Mr. POFF], and the gentleman from Tennessee, have expressed themselves so clearly and so succinctly and so convincingly, and have marshaled their thoughts and views in such a skillful and dexterous manner that I am hesitant and reluctant to address myself to the subject because I know that I do not come with the cold logic they had and I cannot measure up to the high standards of excellence set by them and others.

As we are today closing this historic debate, I hope that despite our divergent views, we can all approach the subject in a spirit of amity and of good will and that we can consider the problem with hearts unfilled with emotion and minds unclouded by prejudice or by passion.

The whole proposal since its inception has accomplished nothing except to foment strife and misunderstanding and to engender bitterness and hatred where cordiality theretofore existed among persons of different views and different races. It is unfortunate that a proposal of such an inflammatory nature should ever have been made and I predict that its adoption will be marked by countless future years of irritation and acrimony.

A few days ago someone handed me an editorial from the Norfolk (Va.) Journal and Guide, wherein the editor of that newspaper referred to the public services of my colleague, the gentleman from Virginia [Mr. ABBITT], and me in a scornful and disdainful manner. Among other things he said that we, as representatives of the dominant political party, were probably the two most cunning and astute political maneuverers the Commonwealth of Virginia had produced for more than 100 years and that we were employing our talents for the sole purpose of creating discord between the races and riding herd over the minority.

I regret that that editorial was ever written. It would not have been but for the bitterness following in the wake of the Court decisions and the clamor for the so-called civil rights bill. I challenge this unwarranted and untrue newspaper statement. The editor of this newspaper was not fair enough to point out the large increase in public appropriations made upon my recommendation for the education of the colored people of Virginia. He did not mention that I had signed an executive order making available hundreds of thousands of dollars for the establishment of a State park for Negroes. Nor did he think to point out that I requested the State to purchase the Booker Washington birthplace where the colored people named one of the buildings after me. The editorial did not mention the fact that more money was made available during my 4-year administration for the treatment and eradication of tuberculosis among the colored people of our State than all previous administrations combined from

the foundation of the Virginia Health Department down to that time. I am not a recent convert to fairness and to harmony between the races. More than 30 years ago as a young member of the Legislature of Virginia I voted for Governor Byrd's anti-lynch law, and there has not been a single death by lynching in Virginia since that time.

As Governor I tried to serve the colored citizens of Virginia with courtesy and consideration. I have never used the powers of any office to which I have been elected in a harsh or unfair manner toward any man or any set of men regardless of race or color, and what is more, I never will. The conduct of the people of Virginia is such that they can stand today at this threshold and upon our record, as always, unruffled, unashamed and unafraid.

But this bill is not designed to improve the lot of the colored man or to confer upon him any rights he does not already have. It confers no rights upon anyone except the Attorney General of the United States. At the same time, it deprives all others of existing rights and strikes a fatal blow at the vitals of the fundamental principles upon which this Government is based. It is not the worthy and innocuous piece of legislation that its proponents claim. It is not the right to vote bill that the Washington Post and others contend. If that is all it were, few voices on this floor and elsewhere would be heard in opposition to it except for the fact that it authorizes the United States Government to invade areas heretofore reserved exclusively to the States by the Constitution of the United States. The real vice of this bill is that it destroys our Constitution and shatters our Bill of Rights.

Let us see what it does. Part I establishes a Federal Commission on Civil Rights, which under incredibly broad powers of subpena and which under vaguely defined duties and powers could dispatch a traveling band of inquisitors throughout the land to harass our citizens and to impede them in the discharge of their public and private duties.

On the flimsy ground of mere allegations, the Attorney General favors saddling upon the entire Nation the burden of a new national commission operating independently all over the Nation; applying its inquisitions and intimidations whenever and wherever it chooses; dragging citizens away from their businesses and from their homes and loved ones at any time and for any distance and to any place the new Commission desires, upon the compelling force of subpena; merely to investigate whether and to what extent these allegations are well founded and to try and bring about the correction of any conditions the Commission determines to be civil rights violations.

The utter lack of necessity for the creation of any such Civil Rights Commission as is contemplated in this pending legislation is shown by the testimony of the Attorney General himself.

The Commission will function, in practical effect, as an arm of the NAACP, the American Civil Liberties Union, and other leftwing bodies. It would be financed from the United States Treasury at what cost the sponsors cannot or will not predict.

It is shocking to the intelligence to hear this described as a moderate beginning on the civil rights bill, and it is the first time to my knowledge that any responsible legislative body has undertaken to create a study commission and at the same time and in the same measure proceed forthwith to legislate upon the subject.

Part II may not at first glance appear so objectionable, but even scant knowledge of the operations of Federal bureaucracy will present an unerring picture of the course this new division on civil rights would pursue. It would unquestionably plunge the country into widespread litigation and such groups as the NAACP would keep it supplied with alleged causes of action. The existing civil rights section of the statutes provide the Attorney General with all of the authority necessary and the Attorney General has admitted that he has authority already to assign civil rights enforcement duties to any of the present Assistant Attorneys General.

The Department of Justice has done very well, these many years, without such a division. No compelling reason can be advanced for establishing it now. The provisions of part II would do nothing to improve domestic tranquillity in the complex and very delicate field of civil rights, but on the contrary would surely lead to discord, strife, and a deeper bitterness. These self-styled moderates would release upon the country a horde of political bloodsuckers and harpies clothed with the badge of power and authority who could and no doubt would in instances reduce us to a "police state" and thus make life unbearable and intolerable.

Some of the worst evils of the proposed legislation lie concealed in part III. It would provide weapons by which the entire State and Federal relationship would be effectively destroyed. Age-old guaranties of personal rights would be stripped away. Government by law in which State powers are preserved and individual rights are protected would be replaced with government by injunction—government by the uncheckable whims of Federal judges. Countless alleged denials of equal protection of the laws, however fantastic, would be translated into binding injunctions obtained without regard to State remedies and State courts.

The effect of this section of the pending bill would be to place the powers of a tyrant in the hands of every Federal judge, some of whom have clearly acted in a bombastic and arrogant and injudicial manner. Under the catch-all term of "equal protection of the laws" almost anyone may contend that he is being deprived of something. Upon the flimsiest allegations of an "about to" conspiracy—without even the consent of prospective plaintiffs and even against their will—the Attorney General may demand an ex parte injunction, without notice and without hearing.

As a member of the Judiciary Committee and as a lawyer with some concept of ethical conduct, it was sickening and saddening some months ago to hear the Attorney General of the United States beseeching and imploring the Congress of the United States to place him and the high office which he holds in partnership with runners and cappers and those who would engage in the unorthodox and despicable practice of barratry, champerty, and maintenance.

This section contains the most dangerous and objectionable of all the proposals; namely, it would deprive citizens of the right to trial by jury. It would violate the sacred precincts of the constitutionally imbedded system of jury trial by permitting the United States to become a party to what appears to be a civil suit, develop it into a criminal procedure and result in the abolishment of the time-honored means of applying the sanctions of the penal statute. The right of an accused person to demand the nature and cause of his accusation, to be confronted by his accusers, and to call witnesses in his behalf, would be banished and set at naught.

An accused person by the law of the land is entitled to the right of speedy and impartial trial by a jury of his peers in the locality where the alleged violation was committed. It is hornbook law that every person accused of crime is presumed to be innocent. This would conform to the principles enunciated in our Bill of Rights. Those of us who oppose this legislation do not contend that any judge should be deprived of the right to try a person for contempt and impose punishment in a case where the contempt was committed in the presence of or close proximity to the court because we do not want to hamper and impede the administration of public justice.

To undertake to minimize the importance of the jury trial in contempt proceedings on the ground that they are an outgrowth of a civil action is a lethal doctrine and does not conform to my concept of our American way of life.

It would be more appropriate to entitle part III as an act to ratify and confirm the decision of the Supreme Court of the United States delivered on May 17, 1954, and its subsequent decisions in the Illinois case, the two Pennsylvania cases, the New York case, the New Mexico case, the California case, the Du Pont case, the FBI case, and a host of others. In all of these cases, the Court ignored precedents of long standing and undertook to write the substantive law of the land without regard to the rights of the Congress, the States, or the people. The Supreme Court, as at present constituted, has shown by these decisions great concern for the preservation of the integrity of the 5th amendment to the Constitution and none for the 10th.

If these decisions are allowed by the Congress to stand, I can tell you now that our local and State governments will topple over into the abyss of destruction and remain nothing more than the hollow shells of a lost liberty. It is a sad commentary that the Supreme Court, the very instrumentality set up in the Constitution by the Founding Fathers for the protection and preservation of our rights should use the powers supposed to be conferred to rape the people of liberties they have enjoyed for hundreds of years.

Proponents of the bill in part IV completely overlook and refuse to recognize the fact that there are no Federal elections, no Federal election machinery and no constitutional provision for it. The Constitution expressly negates any consideration of such authority in the Federal Government. It is absolutely clear that such authority rests solely with the States. Under our Constitution the legislatures of the respective States have the mandatory duty and right to regulate their own electoral process. The Attorney General has no power over State elections and should never be permitted to meddle with them. The exhaustion of State administrative remedies is one of the oldest, most thoroughly established, and salutary rules in American jurisprudence. The amendment relating to the right to vote would abolish this principle.

Attempts to invoke these so-called civil-rights proposals constitute a blatant expression on the part of the Congress of the United States to the effect that the people and the officials, and particularly the judges of the respective States, are a faithless and perfidious lot. In such a situation, I cannot sit idly by without uttering a vigorous protest.

If you strike down the power of the States to control their own affairs and their own elections and concentrate all power in Washington, you strike at the heart of what has made this Nation great. I do not stand alone in the enunciation of this sound doctrine. In support of this I can call as witnesses many distinguished men and great Americans, both past and present.

A distinguished gentleman stood on the portico of the capitol of a Southern State and made the following statement:

> The Federal Government did not create the States of the Republic. The States created the Federal Government. The creation should not supersede the creator. For if the States lose their meaning, our entire system of Government loses its meaning and the next step is the rise of the centralized national state in which the seeds of autocracy can take root and grow.

That same gentleman the following year made this statement:

> I am here because of my indestructible conviction that unless we preserve in this country the place of State government with the power of authority, the responsibilities, and the revenues necessary to discharge those responsibilities, then we are not going to have America as we have known it. We will have some other form of government.

Those are beautiful and statesmanlike expressions of the views and principles which have made our Nation strong and great. I subscribe to them 100 percent. They sound as if they were made by Patrick Henry, Thomas Jefferson, John Calhoun, John Tyler, Woodrow Wilson, or Harry Byrd, or by all of them, but they are not. The first is a quotation from a speech made by Mr. Eisenhower in the campaign of 1952, and the second is a quotation from President Eisenhower's address to the National Governors' Conference in Seattle, Wash., in 1953. I am sorry that he has seen fit to place the influence and power of the office of President behind proposals that will utterly destroy principles which he claims to espouse.

I wonder if we of the present generation do not take our rich heritage and the priceless privileges which we enjoy as commonplace. We must never be unmindful of the sacrifice made by our forefathers and of their struggles to secure these blessings. It behooves us ever to be vigilant in our determinations to preserve them. It is not inappropriate at this time to reflect upon the history of our Constitution and the first 10 amendments.

Some years ago I read the life of John Marshall by the great historian, the late Senator Beveridge, of Indiana. I commend these books to every American.

In his matchless volumes on the subject of Marshall, he devotes 161 pages to the Constitutional Convention of Virginia which convened in Richmond on June 2, 1788. Patrick Henry, prematurely old at 52, was there; Pendleton, walking heavily under the burden of his years and a cripple, was there, as were Randolph, Monroe, Marshall, and Richard Henry Lee, who were young men barely past the age of 30. Mr. Beveridge described in some detail these men and James Madison, Thomas Jefferson, Benjamin Harrison, signer of the Declaration of Independence and destined to be the father of a President of the United States and the great-grandfather of another. The presiding officer of the convention was Virginia's first law teacher and able chancellor, the aged and white-haired George Wythe. There came also from Gunston Hall the aristocratic and brilliant, but gouty, George Mason. Throughout the entire proceedings the great influence of Washington for the adoption of the Constitution hovered over the convention. Mason and others of almost equal brilliance had come to unite with Patrick Henry to oppose the adoption of the Constitution unless it was amended to embody the principal provision of the Virginia Bill of Rights. For the first time in American history a shorthand reporter was there to report the debate and the proceedings which continued for 22 days. It was a great array of talent and patriotism.

Senator Beveridge says that the array of ability, distinction, and character on both sides was notably brilliant and impressive. He added, that seldom, if ever, in any land or age, had so gifted and accomplished a group of men contended in argument and discussion at one time and place.

For what were Henry, Mason, Monroe, Grayson, and others contending? They were seeking to guarantee the very principles for which we contend today, the preservation of the individual and States rights, and to take care that certain imperishable truths should be embodied in the fundamental law of the land. They believed that all power is vested in and consequently derived from the people, that magistrates are their trustees and servants, and at all times amenable to them. They believed, among other things, that each State had a right to maintain a well-regulated militia, that no soldier shall in time of peace be quartered in any house without the consent of the owner. That the people have a right to be secure in their persons and to be protected from unwarranted searches and seizures. They contended that the freedom of the press is one of the great bulwarks of liberty and can never be restrained but by despotic governments; and any citizen may freely speak, write, and publish his sentiments on all subjects, being responsible only for the abuse of that right.

And above all they believed that in criminal prosecutions a man has the right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage without whose unanimous consent he cannot be found guilty; that none shall be deprived of life or liberty, except by the law of the land or the judgment of his peers; nor be compelled in any criminal proceeding to give evidence against himself, nor be put twice in jeopardy for the same offense.

They joined with the great Roger Williams of Rhode Island and his band of hearty followers who established that State, small in area and population but great in its determination and rocky strength of character. It is, as you know, represented on this floor now by the distinguished gentleman who presides over our deliberations today. Rhode Island was the last of the Colonies to adopt the Constitution and so zealous were the followers of Roger Williams to maintain and preserve the autonomy of the States and to guarantee complete and absolute separation of church and state, that the adopting resolutions of Rhode Island contained language substantially as follows: That religion or the duty which we owe to our Creator as well as the manner of discharging it can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love and charity toward each other. No religion is worthy or has a right to exist which has to depend for its support upon government or law.

As a result of the debates in the Virginia convention which aroused other States, and on account of the determination of such men as Patrick Henry, George Mason, and Roger Williams and others, the Congress at the very next session submitted the first 10 amendments which were promptly ratified by the requisite number of States.

What would Jefferson and these other men, who founded our Government on the basis of State sovereignty, think of a Federal bureau established to go into Southern States originating suits against their citizens as punishment for conforming with State laws and State constitutions?

What have we done to deserve such treatment? We believe we are worthy to be accorded a place and full fellowship in the sisterhood of States. Henry fanned the flame of the American Revolution, and Jefferson penned the Dec-

laration of Independence. Madison authored the Constitution. Mason drew our immortal Bill of Rights which is now embedded in the first 10 amendments to the Constitution. It is true that we engaged in a war for the maintenance of these principles, fighting to the last ditch with the most conspicuous bravery in human history. But after 4 long years of arduous struggle we were compelled to surrender at Appomattox to the sheer force of numbers after our soldiers had won everlasting world esteem. We took our defeat with fortitude. Our men, many of them crippled and old, went home in April to impoverished lands and depleted resources, but the bloody fields of April had by fall become rich with a teeming harvest. As I sit here in this Congress and witness the handing out of billions to defeated nations, many of them wholly unworthy, I think of the kind of Marshall Plan brought to the South to bring about our reconstruction. It was the Marshall Plan in reverse. No section of the country before nor since the War Between the States has contributed more, in any respect, to the defense of the United States than the South. The blood of our citizens is mingled with the blood of yours on every sea and battlefield of the world from the early American Indian wars to the late Pacific wars. Yet, we are to be punished because we disagree with Federal decrees designed to destroy the oldest way of life in the Nation and a decree based on the authority of the writings of one Gunnar Myrdal, a Swedish Socialist imported to the United States in 1939 by the Carnegie Foundation of Alger Hiss fame.

In conclusion, Mr. Chairman, there is one source of encouragement today. We live in the knowledge that the love of liberty never dies. There are tyrants today who no doubt believe they have forever enslaved mankind. They are absolutely wrong because we all know that suffering humanity from the icy tundras of Siberia to the banks of the picturesque Danube is at this hour longing for freedom. The history of the world shows that you may enslave a whole generation of people and the next generation will rise up to destroy the oppressors and restore liberty.

We of the South are fighting these proposals because we want to preserve freedom. What we lack in numbers, we make up in our determination to protect the States and the rights of the people. We know that the form of Government we have enjoyed and cherished for lo these many years cannot long endure if the States are to be mere provinces of the Central Government. I appeal to you of other States to join us in this struggle for America. Let me remind you that you cannot impeach our rights without jeopardizing and endangering your own and all others. You who gleefully support this bill to punish the South may some day find yourselves like Haman of old, impaled and hung on the scaffold he built for Mordecai. We do not pretend or imagine ourselves to be football players on the gridiron, and we do not have quarterbacks and coaches to direct us. We are American Congressmen, the free and untrammelled representatives of the unterrified people.

In these turbulent and tragic days, what are our plans? What is our motto? It is this: We will not be afraid. We will never surrender to the flagitious forces of evil which threaten to destroy America. We will not give in to anger, or hatred, or jealousies. We will never be unkind to any man, woman, or child. We will trust God and bravely face the future.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, on Friday last I referred to the educational situation in North Carolina in the remarks that I made on the floor. In that statement I referred specifically to the salary schedule of white and Negro teachers and pointed out that the Negro teachers in North Carolina have a higher average annual income than is had by the white teachers.

In order to have the latest possible statistics on this question I communicated with Dr. Charles F. Carroll, superintendent of public instruction of the State of North Carolina, and he has given me the following statistical information with reference to the school year 1955–56. This information is as follows:

NUMBER AND AVERAGE SALARIES PAID FROM STATE FUNDS

The average annual salaries paid to teachers for 9 months' service, classified principals for 10 months' service, supervisors for 10 months' service for 1955–56 are reflected in the following:

	White	Colored	Total
1. Number:			
Classroom teachers	22,105	8,576	30,681
Classified principals	1,223	413	1,636
Supervisors	174	55	229
Total	23,502	9,044	32,546
2. Average annual salaries:			
Classroom teachers	$3,098.96	$3,194.81	------
Classified principals	5,039.38	5,146.30	------
Supervisors	4,013.16	4,151.38	------

My purpose in making this information available to my colleagues is to further indicate that the pending so-called civil-rights legislation is not in the best interest of this country. It can do nothing other than to disturb the splendid relations and fair treatment which the people of the South of all races have enjoyed in the past.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, the jury trial phase of this debate has been ably and thoroughly presented by the speakers who have preceded me.

I do not see how one could hear the arguments presented by these able lawyers and students of the Constitution and fail to be convinced of the danger—the threat to the American form of government which is involved in this attempt to destroy the right of jury trials.

I would not let the opportunity pass without placing myself on record as being unequivocally opposed to this attempt to strike down what I regard as one of the foundation stones of free government. It is a potent weapon, a strong protection, one of the greatest shields which the believers in free government have yet devised against tyranny and oppression. Trial by jury has been the prized possession of Anglo-Saxons since the English barons forced King John to grant Magna Carta at Runnymede in 1215. I cannot forget today the words of John Greenleaf Whittier, reminding us that "We too are heirs of Runnymede."

I believe with that great Englishman, Lord Brougham, in his statement that, "All we see about us, kings, lords, and commons, the whole machinery of the state, all the apparatus of the system, and its varied workings, end in simply bringing 12 good men into a box."

It has been a shocking thing to me to hear Members take the floor during this debate and with seeming unconcern advocate the tearing down of this great provision which has stood throughout the centuries as a barrier and protection of every citizen, however weak and helpless he might be, against tyranny and oppression by any government, however powerful it might be, either Federal or State.

In the limited time which has been allotted to me, I shall endeavor not to repeat the arguments of the able Members who have spoken in behalf of the jury trial amendment on both sides of the aisle. I concur in those arguments, and I shall proceed to discuss other matters relating to this pending legislation.

This is needless legislation. Such demand as there is for it is political and artificial. The hullabaloo which has been stirred up over it was created by radical and rabble-rousing organizations such as Americans for Democratic Action, NAACP, and a string of other organizations of the same character, who have developed an expert technique in propaganda broadcasting.

I direct your attention to material in the printed hearings on this bill itself which illustrate my statement that this legislation is useless. On page 344 of the printed hearings, you will find appendix B to a statement of the Attorney General which begins on page 325. This statement of the Attorney General illustrates the absurd, ridiculous and unreasonable extent to which the Attorney General and the Justice Department have gone in pandering to the NAACP.

This statement of the Attorney General and the appendix which is found on page 344 of the hearing was introduced by Chairman EMANUEL CELLER of the Judiciary Committee at a committee hearing before Subcommittee No. 2 of the Judiciary Committee.

I want you to notice the ridiculous and absurd number of complaints of violations of civil rights which was stirred up and caused to be filed with the Justice Department by this radical organization, the NAACP.

In the years for which total number of complaints of alleged civil-rights violations were given and total number of cases tried and convictions secured, the figures given by the Attorney General

were as follows: In 1940, 8,000 civil rights complaints were received; no figures given as to how many cases prosecuted, or how many convictions secured. In 1942, 8,612 complaints received; prosecutive action taken in 76 cases; no statement as to how many convictions or acquittals. In 1946, 7,229 complaints were received in civil rights and political cases. Fifteen cases were prosecuted, in which five convictions were secured. In 1947, 13,000 complaints were received; 12 cases were prosecuted, of which 4 defendants were convicted. In 1948, 14,500 complaints were received; 20 cases prosecuted; no figures given as to convictions. In that same statement the Attorney General estimated that 15,000 complaints would be received during 1949.

Certainly when a situation exists where 13,000 complaints are filed alleging violations of civil rights, of which 12 were considered worth trying, and of that 12 cases tried 4 convictions were secured, undoubtedly the world's record is broken for the filing of groundless complaints.

Yet these groundless charges, stirred up by the NAACP, 41 percent of whose officers and directors are cited in the records of the House Committee on Un-American Activities as having connection with subversive organizations, caused the harassment and hindrance, and in some cases intimidation, of policemen, sheriffs, prosecuting attorneys, and law enforcement officers all over this country. It cost the taxpayers millions of dollars to process 13,000 groundless complaints. The Department of Justice, according to the testimony of witnesses, maintains in the Federal Bureau of Investigation 172 specialists on civil-rights matters, and the Attorney General maintains in his Civil Rights Section 7 civil-rights attorneys and 4 other civil rights employees.

While the Attorney General's office is spending millions of dollars of the taxpayers' money on this civil-rights foolishness, he is costing the taxpayers of the country other millions of dollars which could be saved if money spent for employees in this useless civil rights section were used to employ attorneys to try cases which are 5 years and more behind in the tax division and court of claims, cases in which interest is running against the Government, and will finally have to be paid, at the rate of $5,000 per day, or nearly $2 million per year. If the Attorney General would use this money which he is wasting fooling with 13,000 groundless civil-rights complaints, and hire lawyers to catch up with these untried cases in which interest is running against the Government, these millions of dollars could be saved.

Testimony on this waste of taxpayers' money is found in the statement of Attorney General Brownell on page 56 of the Senate State, Justice, and Commerce Subcommittee hearings on May 10, 1956, and the testimony of Mr. W. E. Burger on page 47 of the State, Justice, and Commerce Subcommittee hearings of the House on March 2, 1953.

One might well ask why the United States Department of Justice would continue year after year to encourage and magnify thousands of groundless complaints, which their experience of 18 years since the Civil Rights Section was set up in 1939 has demonstrated to be groundless. I think the testimony of Mr. S. A. Andretta, administrative assistant to the Attorney General, on page 149 of the State, Justice Senate subcommittee hearings for fiscal 1957 let the cat out of the bag and gives the answer. This is that testimony:

Senator JOHNSON. Mr. Andretta, I want to ask you 1 or 2 questions. I understand that the appropriation carries provision for several lawyers in the Civil Rights Section; is that right? I understand it is seven.

Mr. ANDRETTA. Yes; it is.

Senator JOHNSON. I understand that, going back to 1951, you have had the same number.

Mr. ANDRETTA. Yes; the same staff.

Senator JOHNSON. If you were not asking for any additional people in the Civil Rights Section in all these years—1952, 1953, 1954, 1955—why is it that you are asking for a whole new Division in an election year, 1956?

Mr. ANDRETTA. I don't know how to answer that.

Senator JOHNSON. Thank you very much.

Now, the same question presents itself with reference to these pending bills. If the 18 years' experience with this Civil Rights Section in the Justice Department shows that as many as 13,000 civil-rights complaints will be stirred up and filed in a year, of which all but 4 were groundless, what reason is there for creating a new Civil Rights Division, which could be done under this legislation?

One reason, I think, is this: Although there are many good law-abiding Negroes in this country, nevertheless the bulk of the crimes of violence are committed by Negroes. The records show it, and there is no escaping the truth of it. This radical organization, the NAACP, under the guise of protecting civil rights, runs to the assistance of Negro criminals and seeks to protect them from the punishment for the crimes they commit. This has been their record.

This pending legislation, if enacted, would tie the hands of the law-enforcement officers throughout the country, and would place law-abiding men, women, and children at the mercy of brutal, merciless, hardened criminals.

Much of the crime of this country is committed by dope addicts. A Federal Narcotics Bureau report issued on February 15 shows that 60 percent of the drug addicts in the United States are Negroes, and that news item and that report from the Narcotics Bureau is carried in the Washington papers of February 15, 1957. That article and that report says that Negroes represent about 10 percent of the total population, that the Bureau's breakdown gave the figures that 60 percent of the United States drug addicts are Negroes. The breakdown shows white population, 87.8 percent, with 29 percent of the addicts; Mexican, 1.5 percent, and 4 percent of the addicts; Puerto Rican, 0.2 of 1 percent of the population, 5 percent of the addicts. Other races, 0.5 of 1 percent of the population, 2 percent of the the addicts.

The article is as follows:

SIXTY PERCENT OF UNITED STATES DRUG ADDICTS ARE NEGROES

WASHINGTON, February 15.—A Narcotics Bureau report that 60 percent of United States drug addicts are Negroes was made public Friday.

Negroes represent about 10 percent of the total population, the report said. It was contained in testimony by Narcotics Commissioner H. J. Anslinger to a House Appropriations Subcommittee in closed hearing February 4.

The bureau's breakdown gave these other figures: White population, 87.8 percent of the total, with 29 percent of the addicts; Mexicans, 1.5 percent of the population, 4 percent of the addicts; Puerto Rico, 0.2 percent of the population, 5 percent of the addicts; other races, 0.5 percent of the population, 2 percent of the addicts.

Representative PASSMAN, Democrat of Louisiana, said in a statement the analysis was furnished at his request. He commented it shows an extremely one-sided racial distribution of addiction, and he added:

"I think this is significant and should be brought into true perspective, so that the problem may be factually and objectively recognized by the public."

Here in the city of Washington, the Nation's Capital, where both white and black ought to make the best possible showing, crime records for fiscal year 1955 show that of major crimes committed, 82 percent were committed by Negroes, the figures being 1,947 committed by whites, 9,053 committed by Negroes. The crime records of the Federal Department of Justice show that of 13 Eastern, Northern, and Western States, including Illinois, New Jersey, New York, Ohio, and Pennsylvania, the rate per 100,000 of Negroes in prison on felony charges was 681 percent over whites. The same crime records show that in the 10 Southern States the Negro is a better citizen than his northern counterpart, the rate of Negroes per 100,000 in prison on felony charges there being only 248 percent over whites.

Law-enforcement officers in every section of this country know that this pending legislation would seriously cripple law enforcement.

On February 1 of this year Police Chief William H. Parker, of Los Angeles, Calif., in speaking to the California Peace Officers' Association, pointed out the danger of this legislation. He told the association that those very bills pending before the Judiciary Committee, being the civil-rights program offered by the Eisenhower administration through Attorney General Brownell, would put the police out of business.

That is not my language. That is the language of Chief Parker, of the Los Angeles Police Force. He further stated that he opposes the proposal to establish a Federal commission to investigate alleged civil-rights violations by local law-enforcement agencies. He declared that such a group, a Federal Civil Rights Commission, would play into the hands of Communists, "who know they cannot bring about a revolution or make advances in the face of a resolute police force."

Gentlemen, the California Peace Officers Association, after hearing Chief Parker, authorized its executive commit-

tee to petition Congress to "look at both sides and beware of legislation which might seriously cripple law enforcement."

The article is as follows:

PARKER HITS CIVIL-RIGHTS LEGISLATION—LAW ENFORCEMENT MAY BE HAMPERED, HE TELLS OFFICERS

FRESNO, February 1.—The California peace officers Association, at the urging of Police Chief William H. Parker, of Los Angeles, asks Congress to be careful of any civil-rights legislation which would hamper law-enforcement officers.

The group's action was taken here today. The executive committee was authorized to caution Congress to "look at both sides and beware of legislation which might seriously cripple law enforcement."

San Diego Police Chief Elmer Jansen, association president, said the action will not commit the organization to oppose or support any specific legislation, but will state the organization's views.

Parker declared the civil-rights program offered by the Eisenhower administration through Attorney General Herbert Brownell "would put the police out of business."

He said he opposes a proposal to establish a Federal commission to investigate alleged civil-rights violations by local law-enforcement agencies.

Parker declared such a group would play into the hands of Communists, "who know they cannot bring about a revolution or make advances in the face of a resolute police force."

There is no necessity for this legislation in order to protect voting rights. The law now on the statute books is ample to protect any person from being deprived of his right to vote. I call your attention to the case of Thornton et al. against Martin et al., registrars of Randolph County, Ga., No. 520 in the United States District Court for the Middle District of Georgia, Columbus Division. This case was tried in 1955.

The suit was brought by nine Negro plaintiffs on behalf of themselves and others who alleged that their names had been illegally removed from the voters' registration list in 1954. A jury verdict was taken in which the allegations of the plaintiffs were sustained and $880 damages were awarded to the named plaintiffs. A decree was entered by the court upon the jury verdict in which the registrars were ordered to place the names of 134 Negroes back on the voters' list within 10 days of the decree, and the order was complied with.

If there are any other Negroes in Georgia or anywhere else who claim they are illegally deprived of the right to vote, the same remedy under the same law is available to them in the United States district court just as in the Randolph County case. Being brought under Federal laws, and tried in a Federal court, the same remedy is available to citizens of any State, a fact which is well known to the Attorney General and his civil-rights section.

The Negro population of this country is 10 percent of the total population. By far the great majority of the Negroes—about two-thirds—have lived and now live in the South.

In the South we have had the burden of educating them, carrying them on the relief rolls, furnishing housing for them, and solving the multitude of problems that arise whenever two races live in close proximity in large numbers; and these problems do arise whenever this condition exists, whether it be South, North, East, or West.

We have dealt generously with the Negro in the South.

In the South, we have known for many years that, if Negro children are to be educated, the cost of educating them would have to be paid for by white people. I live in De Kalb County, Ga., whose population is 210,000. It was 186,000 in 1950. The city of Atlanta lies in Fulton County and De Kalb County; and I want to give you some facts about our treatment of Negro children which may be news to some of you.

In 1950 I requested the superintendent of county schools in my home county to give me figures from his records regarding the number of Negro children in our county public school system, the cost of operating those schools, and by whom that cost was paid.

The facts were that we had 2,042 Negro children in the county public school system; that the county, not including the State contribution, spent $85.33 per pupil on white and colored alike, which amounted to $174,243.86 the county paid toward the education of these Negro children.

His information further showed that Negro property owners in De Kalb County paid school tax upon 1,348 parcels of real estate, total valuation of $357,320, net valuation after deducting homestead exemptions, $77,600. Negro property owners paid taxes upon 842 items of personal property, gross valuation $79,500, net valuation after homestead exemption $50,750. The Negro property owners thus paid school tax on $128,350 of taxable property. Our school tax rate is $1.50 per $100. The total amount of school taxes paid by those property-owning Negroes was $1,925.35.

The county operated 4 Negro school buses to haul Negro schoolchildren to the county public schools at an annual expense of $2,000 each, or a total expense just for school buses of $8,000. So the total school taxes paid by the Negroes of De Kalb County into the county school system was not enough to pay the operating expense of one school bus; it was less than one-fourth the actual money spent by the county to haul their children to the schoolhouses. The $1,925.35 would provide less than $1 per pupil for the 2,042 Negro children who attend the county public schools.

We have known all through the years that we have to carry the tax burden. We have carried it uncomplainingly, and are now carrying it uncomplainingly, because we know that if the burden of educating their own children were carried by the Negroes, they simply would not be educated. Last year, in 1956, I asked the county school superintendent to furnish me the same information which he previously furnished me in 1950. Last school year the State of Georgia paid $92.35 per pupil for operating purposes, De Kalb County paid $51.70 per pupil, making a total of $144.05 per pupil. Of the $51.70 local payment the Negro taxpayers paid $1.93 per pupil; the white taxpayers paid $49.77 per pupil. In the past 6 years the De Kalb County Board of Education has spent $1,377,223.28 rehousing Negro children and purchasing school equipment for them. This represents $517.95 per Negro pupil in capital outlay.

The value of Negro property in my home county has grown now to $326,920, and their annual school taxes for 1956 amounted to $5,124.47, which, as I stated before, amounts to $1.93 per Negro pupil.

On Sunday, December 11, 1955, De Kalb County dedicated 13 new school buildings. Eight of those were for white children, and five of them were for Negro children. At this time all Negro children in our county are in new classrooms. All Negro schools meet full standards for accreditation; of the Negro teachers, 17 percent hold master's degree; 75 percent hold bachelor of arts or bachelor of science degrees, and only 8 percent have less than 4 years of college. No Negro teacher with less than a bachelor of science degree has been employed in the last 5 years.

We have provided for the Negroes in the South uncomplainingly, and as I stated above, the great majority of them are in the South.

While we have been doing this, other sections of the country, instead of helping to solve the problem, have made it worse by meddling, by criticism, by promoting dissension and ill feeling with a holier-than-thou attitude, and by sponsoring such legislation as this now under consideration.

Now, if any obligation rests upon white people to carry these burdens, it is not an obligation which rests upon the South alone. It is an obligation of all the people, in every section. Throughout the years, we in the South have discharged not only our obligation but yours also.

It is time now for you of the North, the East and the West to accept your share of this burden. If it is a Christian duty to do more for the Negroes than we have been doing, then by the same token, an equal share of the responsibility rests upon the North, the East, and the West. Those sections of the country cannot discharge their Christian obligation or civic obligation by pointing the finger of criticism at the South and saying "dig deeper—do more."

If you want them treated better, take your share of them, and deal with them in your own States and in your own jurisdictions.

Many of the Members of this House who, in the past, have supported this ridiculous and absurd civil rights legislation do not have a handful of Negroes in the entire State. Let me say to you, your protestations of alarm and concern have a decided hollow ring when we stop to consider that your complaints are directed against a people who have for generations uncomplainingly carried not only their own burden, but yours also. Let me say to you, stop evading your own responsibility. Take your share of the country's Negro population and care for them. It will not only help your own self-respect. It will given you an understanding of a problem which you have never had, and which you do not now have.

Unless you are willing to do what you are demanding of the South, then your attitude is hypocrisy, and your claims are sham.

This burden cannot be shared equally if the bulk of the Negroes are kept in the South. The equitable way to distribute it is for the North, the East and the West to take your share of the Negroes. You have not done it up to this time.

Even the small percentage of the Negroes who have left the South for other sections have been relegated to Negro ghettoes; they have been grossly overcharged for rent; they have been segregated in residential areas, and through this means segregated in the schools pretty much to the same extent as they were segregated in the South.

They have been discouraged from coming to your sections. In some instances they have even been sent back to the South because the citizens in the so-called "promised land" refused to take them with their string of inevitable "dependent children" and put them on the relief rolls. One Negro woman who went to Cleveland, Ohio, from Sumter County, Ala., last year with eight dependent children, was actually banished back to Alabama by a judge of the Cleveland juvenile court. No work was furnished for them; no means of livelihood provided; they were simply sent back against their will from Cleveland, Ohio, to Sumter County, Ala. Here is the news item as it appeared in the Atlanta Journal on June 8, 1956:

NO RELIEF IN OHIO, JOBLESS MOTHER AND EIGHT ORDERED BACK SOUTH

CLEVELAND, June 8.—Because they are not eligible for relief funds in Ohio, a jobless Negro mother and her eight dependents were under a court order Friday to return to Livingston, Ala.

The mother, Mrs. Martha Winston, 40, objected tearfully to the ruling by Juvenile Court Judge Albert A. Woldman Thursday.

"I brought the children here because I didn't want them to grow up in the South," she said. "I won't go back South."

"Do you want your children to starve?" asked the judge as he issued the order to return to Alabama. "Do you want that little baby to die?"

"I'll do the best I can, and if that's not enough, then it's up to the Lord," the woman replied.

But Friday, the court ordered deputies to go to the family's home in an East Side slum section and put all nine on a bus or train for Alabama.

The dependents are seven children—the oldest is a 17-year-old girl—and an 11-day-old infant born to the girl out of wedlock.

Between them and relief aid in Ohio is a law that only persons who have lived in Ohio a year can qualify.

Mrs. Winston and her husband separated 5 years ago. She said she came to Cleveland 4 years ago because she could not earn a living in Alabama. She brought her children here last October.

As a means of getting the family's plight to the attention of the court, Mrs. Winston was charged with neglect of six children under 16 by keeping them out of school.

"I kept them out," she said, "because they did not have any shoes or clothes to wear."

She said she occasionally was able to get a day or two of work. But the family had eaten nothing in the last 2 days.

A local welfare representative told Judge Woldman that the Sumter County, Ala., relief organization had acknowledged the children to be legal residents of Alabama and entitled to relief there.

"If these people are allowed to remain here, your honor, word will get back to the South and we will be flooded with similar families," the welfare representative told the court.

You will note from the last paragraph in this news item that the Cleveland people "do not want to be flooded with similar families."

This attitude and desire to rid themselves of responsibility and place it all upon the South is not a Christian attitude or a religious attitude. So I say to you take your own percentage of them, give them the same treatment you are asking the South to give them, and then you can with good grace criticize us for any deficiency. So, it is a fact that other sections of this country have discouraged Negroes from coming and casting their lot in those sections. The time is here now for you to show good faith. There is pending in the House, H. R. 4672, introduced by Representative ANDREWS of Alabama. The purpose of this bill is to authorize the Federal Government to assist dissatisfied Negroes in moving away from the South, and going to the North, East, or West to seek more satisfactory living conditions. Why not support this bill and thus secure an equitable distribution of the Negro population into every State in this Union?

We in the South believe that we have maintained the best possible race relations throughout the years until rabble-rousing and meddlesome, trouble-making organizations and individuals began to meddle in these race relations.

We have had in the South just about twice as many Negroes as are scattered throughout the entire balance of the Nation. To be exact, according to the 1950 census there were 15,042,286 total Negro population in the United States. The total in the South was 9,654,664, leaving a balance of 5,387,622 for the remaining three-fourths of the States. In the Southern States the average Negro population is approximately one-third of the whites. In some of the southern States Negro population is more than one-third of the white.

It is a cruel fact that hypocritical representations of some contemptible politicians seeking Negro votes have created false hope in the minds of southern Negroes. Some Negroes have accepted these hypocritical statements at face value and are moving into such cities as New York, N. Y., Chicago, Ill., Detroit, Mich., Columbus, and Cincinnati, Ohio, and elsewhere, believing that they will be accepted into schools, churches, and all phases of community life. When they arrive, they find the opposite is true. They are herded into squalid tenement quarters like cattle. They are overcharged. They are cheated. If they settle in a white neighborhood the white people rush to move away as if the bubonic plague had struck the community. Although Negroes are not segregated by law, they are segregated by reason of residence, and the only way their children can be sure of attending nonsegregated schools is for the school authorities to haul Negro children from Negro communities past Negro schools, and enter them in white schools in white communities, and on the other hand to haul white children from white communities past white schools and put them in Negro schools and Negro communities.

It is hypocritical for so-called liberals in other sections of the country to point an accusing finger at the South and say we are more intolerant and have more racial antagonism than other sections in the face of occurrences in other sections; in the face of such occurrences as fights between 300 white and Negro school students at the Kansas Municipal Stadium on April 24, last year; a fight between about 200 whites and Negroes, with thousands of spectators milling about, in Asbury Park, N. J., on July 2, last year; a fight between white and Negro sailors in Honolulu on June 9, last year, resulting in the death by stabbing of 1 white sailor; fighting between white and Negro Air Force recruits in Crocker, Mo., on June 1, last year; a racial disturbance in Muncie, Ind., on June 10, last year, resulting in the closing down of a newly integrated swimming pool in that city; Memorial Day race riots last year in Crystal Beach, Ontario, which was referred to in newspaper stories as a nightmare of flashing knives and sobbing, frightened passengers; a riot at Newport, R. I., among 1,500 white and Negro sailors and marines, their wives, and women companions, on September 18, last year, which completely wrecked a club and sent 15 sailors to a hospital; 1,110 taxi drivers in St. Louis going on strike on August 18, last year, in protest against the hiring of Negro taxicab drivers.

On July 25, last year, a Toronto judge upheld an apartment-house owner in his refusal to rent to a Negro. There were cross burnings and court hearings in Columbus, Ohio, on November 14, last year, resulting from Negroes moving into a white section in Columbus; banishment of a Negro woman and 8 children from Cleveland, Ohio, on June 8, last year, although the woman tearfully protested she did not want to return to Alabama.

Ohio seems to be learning something about the race problem. On August 1, last year, a Negro, one I. W. White, Jr., executive director of the Council To Aid Migrant Workers in Cleveland, wrote a letter to an Alabama schoolteacher advising him to urge his pupils to stay in the South instead of coming North. He was reported as having said that "the exodus North of southern Negroes has hurt the battle of Negroes to obtain 'first-class citizenship'." The Ohio Supreme Court, on April 18, last year, upheld an amusement park near Cincinnati in refusing to admit a Negro.

The papers are constantly carrying news stories of similar occurrences and of racial problems in the North, East, and West. Several years ago Sgt. John Rice, an American Indian who was killed in Korea, was refused burial in a privately operated Sioux City, Iowa, Memorial Park Cemetery. Burial in that cemetery is limited to Caucasian only, and the body of the American Indian sergeant was finally interred at Arlington National Cemetery.

While I am talking, I want to refute all the charges which have been made, either directly or by innuendo, so far as they apply to my district and State, that Negroes are deprived of the right to vote.

The city of Atlanta is in my Congressional District. An analysis prepared by the Metropolitan Voting Council in Atlanta revealed that more than 73 percent of Atlanta's registered Negro voters cast ballots in the recent city primary as compared to 54 percent of the registered white voters. The analysis further showed that in the runover primary held about the middle of May, 70.4 percent of the Negroes voted in the runoff election, as compared with only 36.2 percent of the white voters. There are approximately 28,000 registered Negro voters in the city of Atlanta. This information is carried in a news story in the Atlanta Constitution of June 3, 1957.

The same newspaper carries an article in its June 7, 1957, issue which states that Negro voting strength increased in 97 Georgia counties last year. According to this article the records in the Secretary of State's office in Georgia showed 158,000 registered Negro voters in Georgia in 1956, which was an increase of about 20,000 over the 1954 figures. White registration in the 2-year period gained 2 percent, while Negro registration in the same period gained 15 percent.

Mr. Chairman, if equity is to be done, we in the South are obligated to carry one-fourth of the Negro population of the United States. We have been carrying two-thirds of it.

Instead of maligning and criticizing the people of the South, let the North, East, and West now assume their proportionate share of this problem. You will better understand it, and you can clear your own conscience by accepting your own responsibilities, which you have not done up to the present time.

That is what should be done instead of passing this bill.

In closing, let me again urge that the amendment to provide trial by jury be adopted. It would be most tragic if by some evil chance this bill should be passed and become law without the jury-trial provision. I would remind you of the eagle in Aesop's Fables which had been shot down by a hunter's arrow. As it fell to the ground dying, the eagle noticed that the shaft of the arrow which had taken its life was tipped with eagle feathers. "Alas!" it cried as it died, "we often give our enemies the means for our own destruction." To destroy jury trials, whatever might be the reason, is to hand a weapon to those who would destroy free government and individual liberty.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, when I look at the so-called civil-rights bill—read it and closely examine the contents of the bill, and possible effects that it will have on the people of this country, I must rise to oppose it.

Before I get into a discussion as to the provisions of the bill, however, I want to thank the distinguished chairman of the Judiciary Committee for allowing the opposition to be heard in committee. For the first time in over 4 years both sides of the question were given an opportunity to express their views. This is right and just, for it allowed the several governors and attorneys general of the States to be heard. As I recall it, there were only 4 days of hearings scheduled on the pending civil-rights bills this year; but the Judiciary Committee held hearings for many days, and some of the opponents were given the opportunity to object.

Now let us examine some of the purposes and contents of H. R. 6127. As stated in the committee report, the bill is "designed to protect the civil rights of persons within the jurisdiction of the United States." In order to try to accomplish this goal they want to establish a Civil Rights Commission, create another position of Assistant Attorney General, and it proposes the enactment of new laws for the enforcement of the right to vote. These purposes are stated in the report. Let us analyze these provisions for a moment.

Part I of the bill will establish a Commission on Civil Rights. This seems on the surface to be a simple little thing. You hear much to the effect that it will be a nonpartisan Commission which is to be appointed by the President and approved by the Senate. This seems to be innocent enough. But under part I of this bill some very broad rules of procedure are set forth. These rules grant to the Commission some broad powers that very few commissions are granted. And if any person is brought before the Commission in executive session, the testimony and evidence submitted could only be made public at the consent of the Commission. But getting back to the Commission itself and the staff—let me quote from the report on page 7: "It authorizes the employment of a full-time staff director and such other personnel as the Commission deems necessary." This is granting entirely too much power and authority to the Commission. Of course, there has been no estimate given as to the cost of this bill. It would seem to me that the Congress ought to have some estimate of the cost of a Government agency before any money is appropriated to allow the agency to operate.

On last Thursday during the debate the distinguished chairman of the committee made this statement:

> The purpose of the Commission is to make an overall study to get the complete picture throughout the Nation.

As I understand it, it is the purpose of this Commission to make recommendations to the Congress for legislation. I think that it is the duty of Congress to investigate and legislate, and it would seem to me that this bill not only has anticipated the findings of such a Commission but that there is no need whatsoever for the Commission. The Executive branch of the Government could establish a Civil Rights Commission if it so desired. Let us keep separate the duties of the three branches of this Government.

Now part II of the bill provides for the appointment of an additional Assistant Attorney General in the Department of Justice. This is absolutely needless, in my opinion. They have a Civil Rights Section down there in the Department of Justice already, but it is apparent that the bureaucrats of this administration want to enlarge Government. I am not one to stand here and criticize only this administration, for this whole idea came from the minds of former administrations. But the inconsistencies of this administration are so glaring that I am compelled to cite one or two. Many times during the past few years the President has suggested that more efficiency in government could be attained. I even recall something he said about wanting to clean up the mess in Washington. Well, I am one to say that, if this bill is enacted into law, this country will really be a mess, for the very rights granted to individuals under the Constitution of the United States will be taken away.

But when we get to part III of the bill I truly get upset, for this is the part of the bill that provides that whenever any person has engaged in, or there are reasonable grounds to believe he is about to engage in, some act to violate someone else's rights, then he can be hauled into court by the Attorney General. No evidence that a crime has been committed would have to be shown. The Attorney General would have the discretion to determine whether or not the rights were about to be violated. It is my opinion that no dictator ever had such power and authority, and I do not believe that we should grant this power to anyone in this country.

Then we move on down to part IV of the bill. This is the provision that grants to the judge the power to legislate, prosecute, punish, and execute. Under this provision of the bill, the executive branch of the Government will dictate to the individual states who is to be a qualified elector for any election. There are many cases in the courts in former times which have shown that the right to vote is derived from the States. This is clearly a case, I think, of the Federal Government preempting the field so far as voting rights are concerned.

From the looks of things we are slowly but surely coming to the stage whereby the individual States of this Nation are losing their sovereignty, a sovereignty which is granted both implicitly and expressly since the formation of this great Republic. This Government of ours is destroying itself by relegating vested authority to various bureaus and agencies. Give them an inch. They do not stop at a mile, but continue to every corner of the Nation. They are taking away the very liberties that have made this country great.

Aside from the abominable features which I have mentioned here, there are 1 or 2 basic, fundamental reasons for my being vigorously opposed to H. R. 6127. During the past 5 or 6 months we have been having the battle of the budget. It has been parried back and forth between the Congress and the Executive. First, we told him to tell us where to cut. Then he says that it is our prerogative to cut. Of course his team has made some statements about the budget, also. But every time that he makes a statement in defense of his budget it is always with the connotation

that the budget must remain as is, or our defense and national security will be weakened.

The authorization for appropriations of funds is included in this bill. But nothing is reflected in the budget for the expenditures that will be inherent with the passage of this bill. So let us look long and closely at this bill.

The rights of the States must remain inviolate. The rights of the individual must remain unimpaired. If this bill were to become law by some strange quirk, this country would no longer be a free Republic. Entirely too much authority has been granted to our administrative agencies of the Government in the past. It is high time that we do something about this trend toward the bureaucracy of government. It is time for us in Congress to put our foot down and cease this foolishness. It can be done by an overwhelming vote to kill this bill.

There is no evidence contained in these hearings which justifies legislation of this kind. If this, the record of these hearings, is what the proponents of the civil rights legislation must rely upon, then they have presented nothing in support of the bill.

The men who established our dual system of government entrusting local affairs to the State governments and national concerns to the Federal Government were no ivory-tower theorists. They were practical men of affairs, who knew that an all-powerful central government is a constant threat to liberty. They knew that the only effective insurance against tyranny is found in strong local governments functioning under the watchful eyes of the people from whom they derive their powers. These principles are as valid today as they were in 1787. Having taken an oath to support the Constitution, I cannot vote for a bill such as H. R. 6127, which flouts these fundamental truths.

Some Members of this distinguished body are economy minded. To those Members I should like to state that I can see no earthly reason for starting a new agency in this Government at present. For you and I know that once an agency has been authorized by law, then it grows. And as the agency grows, so grow the appropriations to carry on the functions of the agency.

The Attorney General has the FBI under his jurisdiction at present. If any criminal conspiracy exists which would injure, oppress, or intimidate the people in exercising or enjoying the rights and privileges secured to them by the Constitution or laws of the United States, the FBI should and could investigate.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, as we continue debate on the pending measure—an almost perennial consideration of this controversial legislation—it should be pointed out that the same bill in one disguise or another has come before us in every 1 of the 6 Congresses in which I have been privileged to serve. The repeated defeat of this measure attests to its defaults and shortcomings.

Most of the debate on the pending measure this year has centered around two basic challenges—namely, that this measure would create a virtual "Gestapo" of investigations and actions aimed directly at the South—and certainly I am in agreement as to the intended general purpose and the force of direction of this measure—and

Second, that the right of trial by jury—jury trial—is denied to our citizens under this measure—this is an abridgment or denial of a basic right which is fundamental under our Constitution and our concept of government.

Besides these two basic objections to the bill, I am moved to observe that the measure is neither necessary nor desirable.

One of the first tests as to whether we should pass any bill, it seems to me, is to determine whether such a measure is needed. It is not our habit here to pass unnecessary and unneeded bills. The most fatal weakness of the pending bill is simply that it fails to meet this essential-needs test.

As we know, the bill proposes to deal with alleged denials of, or interference with, the right of citizens to vote.

I venture to say that no one believes more strongly and sincerely in the free exercise of suffrage than I do. I have the honor to represent a State where that right is truly enjoyed by all citizens and where, indeed, the minority, whose rights are said to be most abridged, is given the full right to vote; and it can be said, with accuracy, that the minority in the most recent national election in my State determined the outcome of the election.

As all citizens have the right to vote I cannot, therefore, conceive of any circumstances which would make this law applicable to my State.

We have heard a great deal of argument and debate that the bill would apply most pointedly to 1 or 2 or a few States of the South. The evidence that has been produced has been of the vaguest hearsay character or based on deductions from voting statistics—evidence that could not stand the simplest test of legal competence.

The second test of need is represented by the question: Assuming there is a problem, are our present laws adequate to solve it? The proposed legislation also fails to meet this test. We now have not only constitutional guaranties of the rights concerned but statutory laws which offer methods of enforcing the right to vote as well as means of redress for abridgment of these rights.

In short, measured by the two standards—whether a problem exists and whether existing laws are capable of dealing with it—we fail to see any real need for this legislation.

Besides the lack of need, there is also a very simple test for measuring the possible erosion any law might cause in our basic rights. We should also consider whether this proposed law would make it possible for the overeager, the overzealous, or the unscrupulous to oppress any sizable segment of our citizens. The answer in this instance, as many of my colleagues have already well pointed out, is a clear "Yes."

Therefore, Mr. Chairman, I repeat the measure is neither necessary nor desirable—it is objectionable and I want to record my opposition to the bill as it stands. I shall vote for the trial-by-jury amendment in an effort to perfect the bill somewhat, but shall vote against the measure.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Chairman, I favor passage of the civil-rights bill presently under consideration because I believe there is a real need to implement the constitutional right to vote to which all qualified American citizens are rightfully entitled.

Those who oppose this legislation base their principal argument on the premise that there is no violation of the right to vote and therefore there is no necessity to protect against a danger which is form but not substance.

All of us, I believe, know better. We know that there are powerful segments within our society whose prejudice has been frozen into the conviction that Negroes are second-class citizens, and who seek to perpetuate the myth that Negroes are indifferent to and even enjoy this second-class status. All of us are aware, however, of the malicious and evil doings of the Ku Klux Klan, white citizens councils, and other similar organizations who pose as jury, prosecution, and enforcement agency in many communities.

We know, if we look at election totals, that millions of American citizens in the South are not exercising their right of franchise. I, for one, refuse to believe that this is simply a manifestation of indifference.

I believe that if effective efforts were made to encourage rather than discourage large-scale participation in the election of our national officials, many districts now considered automatic might become marginal and many of our colleagues from marginal districts would disappear from the Washington scene. This serves to confirm the suspicion of many that in great measure the antagonism to this legislation stems not from a sincere interest in making our elections truly free and democratic but rather from an interest in perpetuating the status quo, and preventing individual citizens from exercising their right to vote, as guaranteed in the 15th amendment of the Constitution.

I submit, Mr. Chairman, that the legislation before us is needed and that all of us in our hearts know that it is needed.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. Mr. Chairman, I have listened with great interest to numerous speeches on the proposed civil rights bill now being considered by the House. I am at a loss to understand how this piece of legislation ever came before

the national Congress for consideration when we have pending hundreds of bills of great importance. My colleague, Congressman MARTIN DIES, in a speech he delivered on the floor of the House last Wednesday, June 5, asked any Member of Congress who could name any instance in which any person in his respective district had not been accorded his full rights as an American citizen to stand up. He also asked any Member to stand up who could name any person who had been deprived of his individual right to vote in any State or district.

It was quite difficult to understand why no Member of Congress stood up and still we have numerous red-hot speeches demanding this type of legislation. I am certain that you will agree with me that it does not take a master mind to see that this legislation is politically inspired and certain people in both parties are doing their utmost to lure the vote of the colored people. However, it is rather difficult to understand why certain people in both parties would prefer having the vote of the approximately 13 million colored people residing in the United States than to pay some attention to the more than 50 million white people residing in the southern States.

We all know that this proposed legislation is pointed directly at the South. I am strenuously opposed to the provision of this bill which abolishes jury trials. I am as much or more opposed to setting up a commission to which the high-ranking NAACP members could be appointed to administer this act. I am also opposed to appointing another Assistant Attorney General for the purpose of handling civil rights affairs when no one on the floor of the House will publicly state that he knows of any person in his district who has been deprived of his civil rights. We have a number of Members of Congress who feel that this type of legislation will not vitally affect their sections of the country. However, I am of the opinion that if this bill ever becomes a law, it will sooner or later vitally affect the people in all sections of the United States as it will be equal to any law, rule or regulation used by the Kremlin behind the Iron Curtain.

I have lived in a section of the country where there are almost as many colored people as there are white people and I certainly haven't heard any colored people complain that they haven't enjoyed the fullest consideration as to their civil rights or as to their voting privileges. I know that every person in my district is permitted to vote if he so desires. I further know that before every election practically all the candidates make radio speeches and other individual drives to persuade people to go to the polls and vote. In fact, in almost every election the candidates get up a fund for the purpose of employing drivers and purchasing gasoline to transport people to the polls free of charge to vote on election day.

The pending bill certainly will not protect any rights that are not already protected by the Constitution of the United States. We certainly have ample statutes to safeguard the rights of every citizen of the United States. I think we should have learned a lesson from the old prohibition act which did not have the sympathy of the majority of the people of this country. If a bill such as the pending civil rights bill is ever enacted into law, it will certainly be resented by all State law enforcement officers and I seriously doubt if the Government law enforcement officers will continue to enjoy the fine cooperation they have always received from all State and local law enforcement officers.

I am extremely opposed to the provision of this bill which will permit a Federal law enforcement officer to arrest and indict a person who is accused of thinking of performing an overt act. I just find it impossible to believe that 435 able and highly educated Members of Congress would sit here and pass a bill with any provision of this type as this could be used in campaigns in which some person had become disgruntled because he had been defeated or in numerous other occasions which I could mention. This provision is certain to backfire not only in the South but in every district, every county, and every community if it is enacted into law. I certainly believe that the jurors in my State consider their solemn oath as a juror as a direct edict of honor and trust. I have never heard of any juror in the State of South Carolina being accused of not performing his duties as a juror in a highly respectable manner. I am certain that we all agree there is no safeguard more perfect for our citizens than the sacred right of a trial by jury.

Again, I want to call to the attention of the Members of this House that it is absolutely impossible for any legislative body to legislate morals and civil rights. The people in the individual communities will take care of matters of this nature and the statement of one of our great statesmen who stated that "The least governed are the best ruled people" is certainly one of the finest statements ever recorded. I do hope that the Members of Congress will take sufficient time to think over the provisions of this bill thoroughly before they cast their vote. I trust the entire bill will be defeated as it is certainly not needed and it has been proven on the floor of the House that it is not necessary since no Member has stated that anyone in his district has not enjoyed his complete civil rights under the provisions of the Constitution.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I have been sitting here listening to the debate for several days. It seems, as the debate goes on, that we seem to be concerned with two points. The first seems to be whether or not we have the right to debate it; and whether or not we have the right to enact it into law if we do debate it. And the second question is whether or not there should be a right to a jury trial in cases of contempt arising under this bill.

Mr. Chairman, I took the trouble to go to the Library and get out a copy of the Constitution of the United States. I just want to read the 15th amendment. It reads as follows:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2 follows and says this:

> The Congress shall have power to enforce this article by appropriate legislation.

To me, Mr. Chairman, and I believe to the people of this country, I am sure that means this——

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am sorry, I cannot yield at this time. I shall be glad to yield later.

Mr. WILLIAMS of Mississippi. I wish the gentleman would read articles III and X while he is at it.

Mr. DINGELL. Mr. Chairman, that means to me and to the people of this country that we not only have the right, but we have the duty to enact such legislation as this, and that this is the barest minimum form of a bill. I have heard this bill called a civil-rights bill. It may be that, and indeed it does touch upon the field of civil rights. But I think this bill is more correctly characterized as a bill to guarantee all of our citizens the right to vote, wherever they may be. I say to my colleagues and to my friends in the South that this bill is not a punitive bill. Indeed, this bill is a good deal weaker than I and many of the other people of this country would like to see enacted by this Congress.

Mr. Chairman, why do I say this? It sets up a Commission to inquire into violations of voting rights. It establishes a Civil Rights Division in the Department of Justice, and it allows the civil remedy of injunction. I want you to note that; it allows only a civil remedy, injunction, to be used in cases where a citizen has cause to believe that his right to vote, his right to cast a vote may be impaired by action somewhere. Note that we do not change existing criminal law in such a way as to place a criminal section in the law, or a section which would apply criminal punishment to those who would deprive our citizens of the right to vote.

Mr. Chairman, I say this and then I want to go into the subject of injunctions. This is a very mild, a very easy, a very gentle bill. Indeed, it is the very minimum bill that I think this Congress could pass that would even be worth the trouble of bothering with.

The first two things could be done by the President of the United States with only certain small exceptions. The setting up of the commission to inquire into the violation of voting rights could be done by the President of the United States without any action of this Congress. And I must confess that I find myself somewhat at a loss to explain why the Congress would have to do this except that the committee has done this. They have provided for the subpena power so that the President and the President's commission can use this power to enable them better to get the facts on the deprivation of voting rights.

It provides also for the establishment of a Civil Rights Division. As you recall, I introduced a bill of this sort during the last session of Congress. The reason is just this. It adds a little bit of dignity to the division of the Department of Justice which would enforce civil-rights complaints and it offers an opportunity of a slightly larger budget, a few more people to do this very important work.

The last portion—and this is the portion that I think is entirely equal and fair and reasonable to everyone—it allows the use of a civil remedy, injunction, to enforce the civil rights of our people. Now what is this injunction? Injunction is an old established form of equitable relief that has existed in equity since the beginning of the courts. Now I want to try to boil this red herring of jury trial in contempt proceedings down to size and discuss it with you.

First of all, we must remember that when a man is brought into court in answer to a pleading for injunctive relief he has all of the procedural rights which he could have in any court anywhere. He has the right to appear and testify in his own behalf. He can cross-examine witnesses. He can use the subpena power of the court to secure witnesses in his own behalf. He has opportunity for a full, fair, and complete hearing and the right of appeal. If the court decides the party against whom injunction is sought is fair and right and just, he will prevail and no injunction will ever issue from the court. Remember compliance with the injunction will prevent contempt proceedings from being instituted.

I do not believe in justice to any judge, and believe me, particularly in the cases cited by our southern colleagues, that southern judges, born, raised, and educated in the South, would be less than fair to citizens of the South. I think the charge that judges hearing these cases would be unfair is false indictment not only of the judges in the South but an indictment of the southern people themselves, if it is true, and I say it is not.

Remember, contempt proceedings do not begin until after the injunction is violated. Then, the defendant has all rights which are guaranteed by the due-process clause of the 14th amendment. Compliance at any time with the court order at any time will lift the contempt proceedings at any point.

But let us go further. What is this cry of jury trial and denial of jury trial that we have heard here for these several days? I want to read this to you. The real fact of the matter is this. Never in courts sitting as courts of equity, has the jury trial been regarded as a matter of right; never.

We have heard about the founders of the Constitution guaranteeing our people the right to jury trial. That is true. But the real fact of the matter is that the founders of this country, the authors of the Constitution, never intended that the jury trial would apply to equity cases, to hearings before a court sitting as a court of equity. They had never heard of it. If you had mentioned this to any of the lawyers who sat in the conventions which drafted our Constitution, they would have been surprised to hear you even mention jury trial in connection with equity proceedings. This was a form of relief, and was a remedy to which jury trial had never been available through the whole history of the English system of jurisprudence.

As a last clincher on this, I want to cite to you a few cases. Those Members who come from Southern States will find it perhaps a little bit interesting. The courts of the South, like other courts of the other States of this Union have always denied jury trial in contempt proceedings. For example, in Mississippi, when the question of a contempt jury trial was raised it was disposed of by the State's highest court with this language:

> We do not think it necessary to discuss the error assigned because of the court's action in denying appellants the right of trial by jury in this proceeding for contempt, further than to say that they were not entitled to a jury trial.

The court said that in *O'Flynn* v. *State* (89 Mississippi 850; 662; 43 So. 82).

The same ruling was made in the controlling case in North Carolina and in the principal case in South Carolina, Tennessee, and Texas.

The case in Virginia has already been cited. And that case is particularly interesting. I would like to make this one point. An attempt to require a jury trial in cases involving contempt was ruled to be unconstitutional by Virginia's Supreme Court of Appeals. Can you imagine that? The Virginia Court said that an attempt by the Legislature to tie the right of jury trial to contempt proceeding was unconstitutional according to the Constitution of Virginia. I cite Carter's case, 96 Va. 791. That is an old case, which has never been opposed or upset by the courts of Virginia.

So I say this to you: This is the mildest form of the bill to be offered to this Congress or by a Member of this Congress. I myself do not think it goes far enough. I do not think that any of the fears of any of the Members expressed here today have any real foundation. I think they perhaps err in being overzealous through a basic lack of understanding of what the real nature of the remedy in this bill is.

All I can say again is, a fair hearing is offered in this bill. Remember that when an injunction is granted, it is only granted on fair hearing. If the injunction is violated the citizen under the order of the court has right to full, fair and impartial hearing on the contempt. If the defendant complies with the court order the court may lift the contempt proceedings.

So I say it is a mild, an easy bill, and I hope the Congress will enact it. It is not punitive, and is not aimed at anyone or any part of the country.

At a cost of well over $62 billion since World War II, we have conducted a public relations campaign all over the world to secure our neighbors and allies around the globe against communism. Yet, Mr. Chairman, here in the House we are engaged in a political tug-of-war which can undo much of the good our foreign aid has done. This tug-of-war is being waged over civil-rights bills.

Regardless of the aid we have given nations over the world, we cannot be sure of their friendship or their confidence so long as they can find in the conduct of our own affairs reason to question the sincerity of our advocacy of democratic ideals.

The situation, simply stated, is that while we do speak loudly, our actions speak still more loudly.

In many countries where we are urging acceptance of democracy, the people are being called upon to revolutionize their thinking in order that they may adopt the social and political philosophy we espouse. It is an obvious fact that these people doubt the effectiveness of such philosophy when it is not universally accepted in this country where our history and heritage present no obstacle to its acceptance.

In national affairs, we have a responsibility of leadership which cannot be delegated or assumed by anyone else. As a part of that responsibility we can no longer interpret the needs of our country in terms of sectional interests. For all of our thousands of square miles of wonderful country we are not a divided people, not a cluster of political or economic grouping, we are a nation, molded and shaped by common problems, common enemies, common interests, and common aspirations. He who harms any of us, harms us all. When any of us grow, we all grow. When the least of us falls, all of us are hurt just that much.

We in Michigan send the products of our industry to every part of the country. The people who come to Michigan to work in our industry and to harvest our crops come from all over the country. A Michigander today, yesterday was a Tennessean, an Alabamian, or a South Carolinian. What happens in Michigan has just as important an impact outside Michigan as it does there. Correlatively we in Michigan are not free from the effects of that which happens in other parts of the country.

So it is, Mr. Chairman, that we are one big family and the reputation of our family in matters of social justice and democratic government is a proper subject for our concern.

Opponents of the civil rights bills appears to feel that democracy within our country can be conducted on a regional or sectional basis. They suggest that there can be coexistence of democratic forms of government within our country with denial of basic human rights. With the entire world suffering from the problems arising from the attempted coexistence of western democracy and Russian communistic imperialism, it is hardly logical that we can expect to continue any satisfactory arrangement within this country of an attempt at the same thing. Deprivations of rights to any segment of our people are as incongruous to the United States as they are to a free world.

Now what of these civil rights bills? The imperfections in our laws which are sought to be removed affect all of us. Some of us insist on viewing them only in terms of their application where our Negro citizens are affected. It is impossible to interpret our laws and principles so as to include only part of our people

and the application of laws and principles on a restricted basis will destroy their validity. Tolerance to discrimination in government is inconsistent with democracy in government. So long as this inconsistency exists each of us is in danger of losing his freedom. We will have, in fact, already lost that freedom, and will in time, feel the effect of the loss. I do not pretend to be a political prophet or seer, but it is not impossible that there will come a day when those who seek hardest to prevent the equal application of the law may have greatest need of such equality.

Our history is full of examples where new immigrants faced discrimination because they were used to different ways, spoke other tongues, or appeared different physically, than did the old residents. Germans fleeing from war in their homeland, Irish escaping famine, Welsh, Italians, Poles, seeking freedom from foreign oppression, Slavs, Greeks, Chinese, and Japanese all faced prejudice on arrival in America. Religious bias has harmed Protestant, Catholic, and Jew alike.

I believe, Mr. Chairman, that our country is moving on and that we shall have the kind of democracy we espouse. We shall leave discrimination and segregation, which are relics of the past, far behind us.

This will happen because our existence as a country depends on it and on the existence of our way of life may depend the continued existence of mankind. We have seen, during our lifetime, how, during crisis, minorities face the wrath of the majority when the cause of the minority does not appear compatible with the will of the majority. It is then that principles of equal protection of the law come to the aid of such a minority, to prevent its persecution. We have only to look at Germany, at Russia, and at the other areas of totalitarian rule to see what happens where no such tradition or law exists.

Congress has managed for many years to avoid coming to grips with civil-rights legislation. On occasion some legislation has passed the House only to die in the Senate. It may be that during elections we can pad our records by flowery speeches poured out for circulation back home. This may deceive the voters. We cannot, however, by this device or any other, deceive history. History will not even accept the assertions of some of us that a few of our number thwart us in passing this legislation. It further will not accept the wornout excuses by our respective parties that each is prevented by the other from fulfilling our platform promises. Again I say that what we do speaks so loudly that our oratory goes unheard.

I would particularly urge that members of my own party take a serious look at the record. We have commanded the respect of our people by insuring that our programs be in tune with their needs and aspirations. For two decades we were 95 percent successful. In one area alone we failed. We did not pass civil-rights legislation, yet these measures were in complete harmony with the social philosophy of the New Deal and the Fair Deal. There was sectionalism within our party then, even as there is now, but we were able to get most of our program adopted despite it. The challenge we face today is to bring all of our party behind the civil-rights legislation. This is not a problem facing one section of our country alone. To our people of the South I say that we of the North may well find as many reasons for passage of legislation of this sort in our own backyards as we do in yours. It is a problem whose solution requires action by all men working together in all parts of our dear land.

It is not a challenge which we can let go unanswered. I am confident we can meet it, because there are those who have demonstrated that they have the courage and the ability to lead those persons in our party who oppose these measures. Real leaders have put over other programs which may have been initially unpopular to some of their constituents, and I feel that they can do so again. History is often the best test of good legislation. Here is really a vital test to our leadership, for we will have to step forth in the face of varying amounts of unpopularity of this legislation in all our districts. Yet I believe that we can look with encouragement on the events which have transpired following integration of schools in many communities. Those who have accepted responsibility for leading a community in making adjustment have not suffered politically or otherwise. They have been recognized for the high character demonstrated by their actions. You see, Mr. Chairman, we must not underestimate the true character of most of our people. A people with a heritage founded in religious faith and tempered by suffering in battles against wilderness, tyranny, and economic disaster can rise above prejudice and hate if permitted to do so by courageous leadership.

I appeal to the character of those whom the people have given a responsibility which only men of great attributes can and should assume. Let us put aside delays which hurt our country and our people. Let us rise above pettiness, subterfuge, and fear, and pass this bill. The Congress of the United States must be worthy of its sacred trust, and in the end, when history is all that remains of us, the United States, our people, and we in the Congress will be judged in the light of what we do here and now.

Mr. CELLER. Mr. Chairman, I yield 20 minutes to the gentleman from South Carolina [Mr. ASHMORE].

Mr. ASHMORE. Mr. Chairman, I do not have time to discuss all of the ramifications of this legislation. It would take longer than you would like to listen to any one person to discuss them in detail in the first place. Therefore, I think it best to try to clarify one of the main issues involved in this proposed legislation, and that is the question that revolves around the right of trial by jury. Listening to the debate last week, convinced me that much confusion exists because of ignorance of the law, incorrect interpretations of the law, or misleading statements regarding the law. I hope my chairman, the gentleman from New York [Mr. CELLER] and the minority leader on our Committee on the Judiciary, the gentleman from New York [Mr. KEATING] will remain during my few remarks. I want them to hear what I have to say, and if I make any incorrect statements, I am sure they will correct me. Also, I have a challenge I would like to make to them near the end of my remarks.

The proponents of this legislation have made several claims regarding its real purpose. First, they say it is a moderate bill; that it makes no drastic changes in the present law regarding civil rights. Third, they say it just strengthens the hand of the Federal Government in enforcing civil-rights legislation. I admit that on page 9, part III, the title is: "To strengthen the civil-rights statutes." That is set out as the purpose of part III, but there is another clause in the title to part III, "and for other purposes." We lawyers realize that phrase "and for other purposes" can cover a multitude of sins. So I ask you to watch for some of these sins as we go along studying this matter. The proponents of this legislation, and particularly the leaders in the two parties, make these assertions. They say these changes which are brought about by the legislation are very simple and clear, and that they do not hurt anyone. They tell you they are innocent of any deception in the bill; that they have no ulterior motive concealed and hidden in the language of the bill. Well, let us look a little bit further into that as we go along.

Last week my chairman, the gentleman from New York [Mr. CELLER] and the gentleman from New York [Mr. KEATING] both told the House that it was not one of the primary purposes of this bill to deprive any person of a trial by jury when that person was charged with violating the election laws. Let us analyse the bill and remove the smokescreen and see what the picture really is when we search out all of the truth. The gentlemen from New York [Mr. CELLER and Mr. KEATING] will, I believe, admit that under the present law it is a criminal offense to violate civil-rights legislation. If you violate those rights of another person or any of them, particularly their voting rights, then you have committed a crime under the law of the land today. In other words, today if a person is accused of violating the civil rights of another, he must be indicted by a grand jury and tried and convicted by a petit jury before he can be punished for such law violation. Now, they claim this bill simply says in such a case as this, although it is still a crime under the law and will be whether this bill passes or not, that they are simply transferring these cases that are now criminal cases from the criminal courts over to the civil or equity side of the court. That, I believe, is their contention without any dispute—simply taking what is now a criminal act and transferring it over to the equity court where it can be tried without a jury.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. CELLER. I must most respectfully disagree with that conclusion. While it is true a violation of the right to vote is a crime, this bill does not seek to punish

any crime. This bill seeks to prevent the commission of a crime. In the first instance, where there is a crime, you have to show willful intent. In the second instance, when you are in an equity court, you do not have to show willfulness. You present the facts to a judge, which clearly indicates that a crime may have been committed. The judge issues an injunction. They are two different things, and they cannot be lumped together in the way the distinguished gentlemen seeks to do.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. SMITH of Virginia. It seems to me that the statement just made by the gentleman from New York [Mr. CELLER] that certain things had to be proven in order to send a man to jail under the criminal law that do not have to be presented if you send him to jail under this law is an argument that it is easier to put a man in jail under the proposed law than it is under existing law.

Mr. ASHMORE. I thank the gentleman for his comment. That is one of the reasons why I say they are trying to take away the jury trial.

So, to restate what I have stated, this bill simply says, according to my friends, that any person charged with violating the election laws, although it is still considered a crime—and it is a crime—will find his case transferred from the criminal court to the civil or equity side of the Federal court. Now, that is what they say would happen, and that is what happens. It simply takes the criminal case and puts it in the equity court. Then the Attorney General may do what? I am going to read from page 10 of this bill itself, and tell you what the Attorney General may do if this bill is passed:

> The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

Now when you do that you have taken this man's rights from him insofar as trial by jury is concerned. They say this transfer is an innocent act; that it does not mean very much when you transfer a case from the criminal court to a court of equity, but let us see what really happens when that is done. What is the result of this transfer? In equity court you have no grand jury presentment. In equity court you have no right, and no one contends that you have the right, to be tried by 12 of your peers. So, when that so-called little innocent, innocuous transfer is made from the criminal court over to the equity court, the person charged has lost both of his rights that he would have had had he been tried in the criminal court. In other words, he no longer has the right to demand a presentment by a grand jury and a trial by a petit jury before he can be convicted.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. Will the gentleman get me more time?

Mr. CELLER. I will.

Mr. ASHMORE. I yield.

Mr. CELLER. I have before me the South Carolina statute concerning contempt, civil and criminal contempt, and the contemner, one who violates a court order in your States, cannot have a trial by jury to determine his guilt or innocence.

Mr. ASHMORE. Is the gentleman talking about the Federal law now? The bill we are debating applies to Federal law, not State.

Mr. CELLER. I have just mentioned the situation that exists in your own State.

Mr. ASHMORE. Well, there are various situations that revolve around or could be connected with a trial for contempt of court. I do not know whether the statute you are referring to or the law you are referring to has to do with contempt of court in the presence of the court or not. That is another question. Nobody contends that a trial by jury should be had in a case of that kind.

Mr. CELLER. Contempts in your State do not warrant a jury trial, when there is a violation.

Mr. ASHMORE. Let us keep our mind on this bill here that we are considering now, the one the gentleman is trying to push through, the one he says is innocuous, mild and moderate, and does not lessen or reduce the rights of a man who is charged under the law.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. YATES. Does the gentleman know of any equity proceedings brought by the United States where a trial by jury is granted?

Mr. ASHMORE. Yes, and I will read it to the gentleman when I get to that part.

If they are not trying to evade trial by jury what is the purpose of making the transfer from the criminal court to the equity court? I say, of course, that is the fundamental reason for making the transfer.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I do not yield for the moment.

Mr. RIVERS. If the gentleman will yield to me, I say to him, do not yield to these people who are trying to knock you off the track.

Mr. ASHMORE. I thank my friend for his advice.

Moreover, my friend, the chairman of the Committee on the Judiciary and the gentleman from New York [Mr. KEATING], the ranking minority member of the Committee on the Judiciary, when we were debating this matter in the Judiciary Committee, this question of the right of trial by jury, we hemmed them up into such a close corner, we came so near passing the amendment to grant the right of trial by jury, that the gentleman from New York [Mr. CELLER] said—pardon me for repeating the language he used: "If you do that you take the guts out of the bill," and the gentleman from New York [Mr. KEATING], corroborated his statement. That to me was admitting what I am saying, that this is the essence of the legislation they want to pass, that this is one of the fundamental reasons why they want this law passed, so a man charged with contempt under these circumstances cannot get a trial by jury.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield at that point?

Mr. ASHMORE. Briefly.

Mr. ROGERS of Colorado. Did I understand the gentleman to state that this bill would in any manner permit the transfer of a criminal indictment in a Federal court over to the equity side?

Mr. ASHMORE. Oh, no, no; you know better than that, Mr. ROGERS, you know better than that, good lawyer that you are you know I did not say you could take a man who has been indicted for criminal contempt and try that indictment in equity.

They are going to take him to equity before he is indicted; he never gets indicted; 18 grand jurors never pass on his case; 12 jurors, his peers and equals, never pass on his case. They took that right away from him when they put his case in equity court; so the question never gets to his 12 peers or to the 18 grand jurors, and he cannot have the protection that the Constitution and statutes of this land grants to those charged with crime.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further on that point?

Mr. ASHMORE. Briefly.

Mr. ROGERS of Colorado. No; no criminal indictment has been returned. He is charged with no crime.

Mr. ASHMORE. Yes. When you violate the order of a judge, the injunction of a court, you are committing a crime in those cases where the law makes it a crime, for instance, when you violate the election law that is a crime. The gentleman knows that, does he not?

Mr. ROGERS of Colorado. No.

Mr. ASHMORE. The gentleman does not know that. The gentleman had better read his Constitution and the United States Code of laws.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. ASHMORE. If I can get some more time.

Mr. CELLER. I will yield the gentleman more time.

Mr. ASHMORE. I yield further to the gentleman from Colorado.

Mr. ROGERS of Colorado. Prior to the time when injunction is granted—the gentleman is familiar with the civil procedures of the Federal court where it is the duty and obligation of the United States marshal to serve the summons or subpena to the individual, calling him into court; the gentleman is familiar with that, is he not?

Mr. ASHMORE. Oh, yes.

Mr. ROGERS of Colorado. And does not the gentleman know that once a man is subpenaed into court the judge has his opportunity to pass on the question of whether or not an injunction should be granted or denied?

Mr. ASHMORE. I am not talking about injunctions. I will get to that in a few moments. I am not contending that you ought to have a jury trial to determine whether or not an injunction is going to be granted.

Mr. ROGERS of Colorado. But in order to get before the court on contempt of an injunction the court must first have jurisdiction. The gentleman knows that.

Mr. ASHMORE. Yes. This bill gives the jurisdiction to the court.

Mr. ROGERS of Colorado. And where the jurisdiction is granted the person is then summoned to court and to show whether or not an injunction should be granted against him. Now, that is the procedure that is to be followed long before he will ever be cited for contempt. Is not that true?

Mr. ASHMORE. That is true; yes.

Mr. ROGERS of Colorado. All right; once he is in court he is apprised of what his duties and responsibilities are, for instance, say it is an election official of a State or any other official who is accused and has responsibilities outlined in the injunction.

If he does not follow the court's order in the matter, does the gentleman feel that the court then should be relieved of the responsibility of enforcing its order and pass it over to 12 men?

Mr. ASHMORE. No; I do not claim that he should be relieved from enforcing the order; but if a man is going to be charged with violating that injunction and brought up before the court, I say that the judge should not act as a prosecutor, sit as a judge hearing the evidence and determining the facts, and then turn around and sentence the same man that he passes judgment on who is accused of violating his, the judge's own order. Twelve jurors should pass on that and that is the general custom under the Federal law. They have the right to pass on that not in injunctions, but in contempt charges. The gentleman knows the difference.

Mr. ROGERS of Colorado. The point I am trying to emphasize is this: In order for a citation for contempt to issue there must first be an order based upon some evidence. Certainly after the court has heard the evidence and has entered the order, and then if a citation for contempt is thereafter issued, there is a procedure, that the gentleman is well aware of, which would require affidavits and proof to the court before he would enter any order for contempt; is that not true?

Mr. ASHMORE. Yes.

Mr. ROGERS of Colorado. Well, does the gentleman agree that the courts should be put in the position of enforcing their own orders?

Mr. ASHMORE. In certain cases, yes, when the contempt occurs in the presence of the court. What about the many cases where this Congress said there should be a trial by jury in a charge of contempt growing out of certain cases; for instance, labor law violations, which is the same situation as you have here?

Mr. ROGERS of Colorado. What violations?

Mr. ASHMORE. Injunctions growing out of violations of labor laws. What is the difference between that and a contempt growing out of the violation of a voting law? They both involve human rights, one the right to work, the other the right to vote. Can the gentleman make any distinction there?

Mr. ROGERS of Colorado. Yes.

Mr. ASHMORE. Why should they not be on the same parallel?

Mr. ROGERS of Colorado. For the same reason that if you are going to enforce amendments 13, 14 and 15 of the Constitution of the United States, you have got to put it within the control of the courts.

Mr. ASHMORE. Let me ask the gentleman this question: If you were charged with contempt of court growing out of an injunction in connection with another person's voting rights, would you want a trial by jury? Now answer yes or no, answer the categorical question, yes or no.

Mr. ROGERS of Colorado. If I had been summoned——

Mr. ASHMORE. The gentleman is not answering the question yes or no.

Mr. ROGERS of Colorado. The answer would be no, and let me explain the reason why. If I was an election official in the State of South Carolina or of any other State and I were called into Federal Court and the question of what I should do or not do as it results in discrimination because of race, color or creed, and a court order was entered which enjoined me from doing certain things, then if I went out and deliberately violated that court order, does not the gentleman think I am subject to punishment for violating a court order?

Mr. ASHMORE. Yes, if you will come in and plead guilty to violating the court order. But what if you said you did not violate it, you denied the charge, then it is a question of fact for the jury to decide. Who should decide questions of fact but 12 of your peers? You know you would rather have 12 men decide that question than a court who would have the power to bring you in and charge that you are in contempt of court. He thinks you are in contempt or he never would have ordered you to come in and show cause why you are not in contempt of court.

Mr. ROGERS of Colorado. Then your first position is that you are going before a prejudiced judge?

Mr. ASHMORE. He can be prejudiced. I do not say they are all prejudiced.

Mr. ROGERS of Colorado. The gentleman is familiar with the Federal procedure?

Mr. ASHMORE. I will say it is more likely and more human for one man to be prejudiced than it is for 12 men to be prejudiced.

Mr. ROGERS of Colorado. Does the gentleman feel that the judge who is appointed for a particular district will be more prejudiced than 12 men who may live in that district?

Mr. ASHMORE. Why, of course. He may not even come from the district. I know of some who do not.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Ohio.

Mr. McCULLOCH. I would like to know, by reason of the fact that my colleague is such an able and such a careful lawyer, whether or not I correctly understood his statement that if the United States of America were a party plaintiff in a case involving a violation of the law under the Taft-Hartley Act and the defendant was ordered to do something, which he did not do, and then was cited for contempt of court, that the person would be entitled to a trial by jury.

Mr. ASHMORE. That is my understanding, yes.

Mr. McCULLOCH. I am of the opinion that that is not the law, and I will state it positively.

Mr. ASHMORE. Excuse me. Did the gentleman say Taft-Hartley or Norris-La Guardia?

Mr. McCULLOCH. Taft-Hartley or even the Norris-LaGuardia Act, if the United States were a party plaintiff.

Mr. ASHMORE. Oh, no. If the United States was a party plaintiff, he does not get a trial by jury in either case.

Mr. McCULLOCH. And he has not been entitled to a trial by jury under those conditions since 1935, or before that, ever, has he?

Mr. ASHMORE. I do not think he ever was where the United States Government was the party plaintiff, and that is the reason I say they put the language in this bill which makes the United States Government a party plaintiff, which I am trying to lead up to, so as to keep a man from getting a trial by jury.

Mr. McCULLOCH. That is not the reason.

Mr. ASHMORE. But the gentleman will admit, if they take this bill with that language in there and institute a suit "for the United States"—and I am reading from the bill—"or in the name of the United States," you will admit and agree with me that then he cannot and will not get a trial by jury.

Mr. McCULLOCH. I certainly agree with what the gentleman stated. And if the gentleman desires more time, we will provide every reasonable amount of time so that we can get to the heart of this very difficult technical question.

At the risk of repetition, I want to again ask this question: Is it not your understanding and belief that whenever the United States Government is a party plaintiff under the labor laws of this country, which have been in effect since 1935 and before, that in such a case as we have been describing a person cited for contempt is not entitled to a trial by jury?

Mr. ASHMORE. Correct, sir.

Mr. McCULLOCH. All right. Now we have established that point, and it is so important. If the gentleman will yield further, I would like to say, as has so ably been pointed out by our colleague the gentleman from Colorado [Mr. ROGERS], that in the first instance a suit must be brought against a defendant. All witnesses he desires to call in his behalf he may call; a court of equity must make a finding of fact and law and

enter a decree which—and I quote from the Rules of Civil Procedure—shall be specific in terms and shall describe in detail that which he is required to do before he may even be cited for contempt. And even then he may appeal to the United States Court of Appeals if the order or decree, in his opinion, was improperly entered. That procedure has been followed, in effect, in accordance with Anglo-Saxon and American jurisprudence in equity cases for more than half a thousand years.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. Briefly.

Mr. FORRESTER. The gentleman did not say it, but I want to say it. I want to say that the Norris-La Guardia Act makes no exception whatsoever as to a jury trial even when the United States is a party. And I refer the gentleman to the CONGRESSIONAL RECORD when that bill was on the floor of this House in 1932, where the gentleman, Mr. Blanton, offered an amendment to that effect and it was defeated by a vote of 127 to 22.

Mr. ASHMORE. I thank the gentleman for his contribution. Mr. Chairman, I had several other matters I had intended to touch on, but we have taken up so much time discussing this point that I am going to hurry on and not use all of the items in my notes.

The proponents of this legislation, as I knew they would, deny that this change, this transfer is for the purpose primarily of taking a defendant's case out of the criminal courts and thus avoiding a trial by jury. They say that is not the purpose; at least they indicate that, and some of them have said that on the floor last week. They say the purpose is this: We want to get it in equity court so we can get an injunction and stop the crime before it happens.

I grant that that is one of the things they say, that they have no intention of avoiding the trial by jury. But the thing they do would avoid a trial by jury. It sounds all right, Mr. Chairman, until you analyze it and you see what they are really doing to the man charged with this law violation. So, for the sake of argument, let us admit that an injunction should be granted in certain cases when the facts justify it.

In order to get an injunction, you have a hearing in the judge's office. The person complaining would write out a statement saying that, "I have been intimidated in some manner with reference to my voting rights. I have been coerced. I have been threatened. I have been mistreated and told that if I would vote a certain way or if I did not vote a certain way, such-and-such a thing would happen to me." The hearing takes place before the judge and before the district attorney; before the complaining party and his lawyer, if he has one, and before the accused or the defendant and his lawyer, if he has one, and before witnesses, if there are any witnesses to be heard.

As I stated a few moments ago to my friend and chairman, the gentleman from New York [Mr. CELLER], I do not say that there should be a jury at that hearing. The law has never said that you should have a jury on the question of an injunction. We do not demand one at that stage. So those who have been thinking that we want a jury to determine whether or not an injunction is going to be granted may just forget it. Nobody claims that and nobody wants that.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman.

Mr. McCULLOCH. And again I should like to say that we shall be happy to yield as much time as we take by these interruptions. We are very happy the gentleman is always so courteous.

The injunction about which the gentleman is now talking is a preliminary injunction, is it not?

Mr. ASHMORE. It usually comes in that manner, but it could be a permanent injunction.

Mr. McCULLOCH. And in most cases without any notice whatsoever; is that right?

Mr. ASHMORE. He just sends out a subpena telling John Jones to come in Monday morning at 10 o'clock and show cause why he should not be enjoined from doing so-and-so.

Mr. McCULLOCH. And that is usually a preliminary injunction?

Mr. ASHMORE. Well, I think so.

Mr. McCULLOCH. Which, under the rules of the Federal court, remains in effect not to exceed 10 days unless it is extended by consent of the parties or by good cause shown by the plaintiff, in this case the United States Government.

Will not the gentleman admit to the Committee that during this time there just would not be any citation for contempt, during the period of the preliminary or temporary injunction? And if there were a citation for contempt, would not the gentleman tell the Committee that there would certainly be complete opportunity for the defendant, under the Rules of Civil Procedure, to defend himself with every witness and to any reasonable length to show that he was not in contempt of the court for violating the decree which had been issued?

Mr. ASHMORE. Of course, he could present witnesses and defend himself.

Mr. McCULLOCH. Further, would the distinguished gentleman from our committee agree that in most instances this injunctive relief would be sought to prevent that which would be unlawful before the overt act was committed?

Mr. ASHMORE. Yes; that is one purpose of the bill.

Mr. McCULLOCH. Is not that one of the best approaches known to the law of man, not only in the Anglo-Saxon system of jurisprudence but in all other systems?

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I yield 5 minutes to the gentleman from South Carolina.

Mr. ASHMORE. I agree with the gentleman, if that is the extent of his question, that injunctive relief is for the purpose of preventing an act from happening before it does happen. As I stated a few moments ago, I agree with the contention of those of you who say that that is one of the purposes, but I say that that is not the entire purpose of the bill and that is not the fundamental purpose that we object to so strenuously.

Last week one of the Members, I believe it was my colleague from California [Mr. HILLINGS], made an argument that impressed some of the Members, I am sure, because I could tell from the reactions of the Members, and from the questions that were raised. One of the things he said was that time is of the essence in a matter of this nature. I agree with you that time is of the essence when you are trying to stop a crime before it happens. But the gentleman from California [Mr. HILLINGS] left the impression, whether intentionally or not, upon many of us that the issuance of an injunction would be delayed if a jury-trial guaranty is put in this bill as we are demanding and fighting so hard for. I contend that that is not correct. The jury trial does not come into the picture at all at the time and at the moment when the injunction is being considered, that is, the decision as to whether or not it shall be granted. I think all lawyers will agree with me on that.

I would cite you this example of where time may be of the essence but where it does not affect the jury trial for contempt. I cite you the Clinton, Tenn., case. There the judge issued an injunction which covered the whole town, village, and everybody around and about, ordering that they not do certain things. The injunction was issued. It was in effect. Some time later 16 people were charged with violating that injunction, and it was said, "You are in contempt of court." The judge in so many words charged them with being in contempt of court for violating his injunction. The injunction still stands, but those 16 people have not as yet been tried for contempt of court. They have been granted a trial by jury at the will and pleasure of the court, but if this law, the bill we are now considering, had been in effect, with this language in here which says that the action must be brought in the name of the United States, and for and on behalf of the United States, they would not, and could not, have gotten a trial by jury. The point I particularly wanted to make there was as to the time element. The injunction was granted. It is still in effect, as far as I know. It was granted last September, and no jury trial was asked for. No one expected a jury trial under these circumstances. The people who were accused of violating the injunction a few days later now say, "We have a right for 12 jurors to pass on the evidence and to conclude whether or not we did violate the injunction, whether we did what the judge told us not to do." Whether we are in contempt of court. That is where the jury trial comes in. That is the only place we have ever asked for it, and that is the only place that anyone opposed to this legislation expects it to be granted.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to my chairman if he will give me more time.

Mr. CELLER. In that case, that is, the case of Joheather McSwain et al.

against County Board of Education of Anderson County, Tenn. et al., it was a private suit. This was not a suit by a Federal official or anybody connected with the Federal Government. Certain individuals were suing, and it is interesting to note that a jury trial has been ordered. It is also interesting to note that part of the injunction is as follows:

Ordered, decreed by the court that the aforementioned persons, their agents, servants, representatives, and attorney and all other persons who are acting or may act in concert with them be and they are hereby enjoined.

So the burden of proof is to show that they were all acting in concert. But the important thing to note is that this was not a case brought by either the State government or the Federal Government or the Attorney General. This was a private suit brought against the county board of education of that particular county.

Mr. ASHMORE. Yes, and Mr. Chairman, these will be private suits if John Smith charges Sam Brown with violating his election law rights and voting rights. The suit will be brought in his name, if you take this language out of this bill, which I am challenging you to do. If you take it out, then a suit can be brought by one person against another and it will not make the United States Government a party plaintiff. If you do make the Federal Government a party plaintiff, then the great Government of this country, being a party plaintiff, the individual has no chance of a trial by jury. In the case in Tennessee, which you are speaking of and of which I am speaking, the United States Government was not a party plaintiff.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KEATING. Mr. Chairman, I am glad to yield 5 minutes to the gentleman, if he desires additional time.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. BARDEN. I merely want to ask the gentleman if that horrible illustration, which the gentleman just referred to which took place in Clinton, Tenn., was not exactly the type of situation that brought about the passage of the Norris-La Guardia Act.

Mr. ASHMORE. It certainly was.

Mr. BARDEN. And at that time the distinguished chairman here of the Committee on the Judiciary fought valiantly to protect the right of trial by jury.

Mr. ASHMORE. He was against a blanket injunction and was in favor of a trial by jury at that time.

Mr. BARDEN. Exactly.

Mr. ASHMORE. And I want my chairman to vote today the same as he did when we were considering the Norris-La Guardia Act. I cannot understand why he has changed his mind to save my life. I stand for a trial by jury in both cases.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield for a comment.

Mr. ASHMORE. I yield.

Mr. McCULLOCH. I would like, when this matter comes to a vote either in committee or before the House, that the vote not be on the basis of the emotion which is engendered when a labor bill is up before the House or, on the other hand, the emotion that is engendered when a civil rights bill is up before the House. I do hope the members of the committee or the Members of the House, as the case may be, will vote in accordance with the best traditions of Anglo-Saxon and American jurisprudence.

Mr. ASHMORE. I certainly agree with the remarks of my colleague.

Mr. LOSER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. LOSER. I want to express my appreciation of the statement made by the gentleman on the other side, that the Members of the House, when they come to vote on this all-important measure will realize that we are dealing with a precious right afforded us under the Constitution.

Mr. ASHMORE. Even a sacred right.

Mr. LOSER. I would like to ask the gentleman this question. I believe the gentleman made the statement that except for the fact that this bill provides the United States shall be made a party that there will be a jury trial upon the request of the accused, provided the contempt is a criminal contempt and it is a violation either of Federal law or State law.

Mr. ASHMORE. The gentleman is exactly correct.

Mr. LOSER. That is the law at the present time and it has been the law under the laws of the United States for more than 40 years.

Mr. ASHMORE. Yes, sir.

Mr. LOSER. A jury trial in criminal contempt cases is provided as long as the United States Government is not a party.

Mr. ASHMORE. Yes, sir; the gentleman has clarified that point very well indeed.

Mr. LOSER. Then, again, is it not, if I may ask this further question, is it not a fact that in this bill there has been inserted language making the United States a party in order to deprive persons charged with criminal contempt. their right to a trial by jury; is that not correct?

Mr. ASHMORE. The gentleman is correct. That is what I intended to say and I thank the gentleman for clarifying what I was trying to say.

Mr. LOSER. I thank the gentleman.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. YATES. The gentleman from Tennessee [Mr. LOSER] correctly points out that this is a sacred right. If the gentleman will permit me, I would like to read from a United States Supreme Court decision, something which is also a sacred right. I read from the case of Smith against Allwright, in which the Court said:

The United States is a constitutional democracy. Its organic law grants to all citizens a right to participate in the choice of elected officials without restriction by any State because of race. This grant to the people of the opportunity for choice is not to be nullified by a State through casting its electoral process in a form which permits a private organization to practice racial discrimination in the election. Constitutional rights would be of little value if they could be thus indirectly denied.

Mr. ASHMORE. That is correct.

Mr. YATES. That is a right which is more particular in this bill than the right of trial by jury.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. RIVERS. That same thing about which the gentleman is asking is now protected, because everybody recognizes the Allwright case is the law and is protected by the statutes of this country.

Mr. ASHMORE. Yes.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. McCULLOCH. Lest there be some misunderstanding of what my position is going to be, I will clarify it right now. Unless there are factors that develop that I cannot think of at this time, factual developments and constitutional developments, I am not going to support an amendment to provide for a trial by jury, to determine whether or not a defendant in such a case has violated an order or decree of court, in which the United States is the party plaintiff.

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. ASHMORE] has again expired.

Mr. McCULLOCH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Will the gentleman yield further?

Mr. ASHMORE. I yield.

Mr. McCULLOCH. I appreciate what one of our colleagues said after I had said something about the test that I wished would be applied here.

I cannot agree with the statement that the Constitution of the United States guaranteed a trial by jury in such cases. It is my studied judgment that the Constitution of the United States did not provide for a trial by jury in this kind of an equity case, whether the suit was brought by an individual or whether it was by the Government.

Mr. ASHMORE. If I may interrupt. That was a criminal case, and in this case they are trying to make it equity, so that they will not get a trial by jury.

Mr. McCULLOCH. But the case in chief, out of which a contempt could occur, is still an equity case, which has long been chartered in the kind of jurisprudence I have been talking about.

Mr. ASHMORE. Of course, it grew out of an equity case, but it is a criminal case.

Trial by jury would not in any respect interfere with the prevention of a wrong before it occurs. If a person is charged with the violation of an order or injunction that a judge has handed down, then he would be charged with contempt of court.

That is where we say the right by trial by jury comes in, for many reasons, but particularly for this one. I refer to section 3691 of the United States Code, title 18, which is entitled:

Jury trial of criminal contempt: Whenever a contempt charge shall consist in willful disobedience of any lawful restraining process, order, rule, decree, or command of any district court of the United States by the

doing of or omitting to do any act or thing in violation thereof, the act or thing done or omitted also constitutes a criminal offense, under any act of Congress, or under the laws of any State in which it was done or omitted, the accused, the defendant upon demand therefor, shall be entitled to trial by jury.

That is the law of the land. The United States Code is the lawyer's bible. I am reading from it. You cannot get around it: "Which trial by jury shall conform as near as may be to the practice in criminal cases."

Now, here is where the gimmick comes that was referred to by the gentleman from Louisiana [Mr. WILLIS] the other day, here is where they have rigged the law:

This bill—

This section says—

Shall not apply to contempt committed in the presence of the court.

Of course not; no lawyer would contend that—

Or so near thereto as to obstruct the administration of justice.

Of course, that is axiomatic.

Nor to contempts committed in disobedience of any law, writ, process, order, rule, decree, or command entered in any suit or action.

I call the attention of the gentleman from New York [Mr. CELLER] to this:

Trial by jury shall not be granted when the action is brought or prosecuted in the name of or on behalf of the United States Government.

Now, let us turn to page 10 of the bill.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield again?

Mr. ASHMORE. I yield to the gentleman.

Mr. McCULLOCH. So there may be no misunderstanding of what I said about the basic and constitutional law of the land, and notwithstanding section 3691 of title 18 of the Code of the United States which the gentleman has read, I repeat the statement I made, that there is no fundamental guaranty of a trial by jury in this kind of case by the Constitution of the United States. This is statutory law with which I have no quarrel if it be understood that that is the case.

Mr. ASHMORE. It is the law, is it not, Mr. McCULLOCH?

Mr. McCULLOCH. It is the law.

The CHAIRMAN. The time of the gentleman from South Carolina has again expired.

Mr. CELLER. I yield the gentleman 5 additional minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I would like to read to the gentleman from article III of the Constitution of the United States.

Mr. ASHMORE. Yes; but read it to the gentleman from Ohio; he is the one who needs it; he is confused; I am not.

Mr. WILLIAMS of Mississippi. I read:

The trial of all crimes except in cases of impeachment shall be by jury; and such trial shall be held in the States where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

I leave it to the gentleman's judgment whether article III makes any exception to the right of trial by jury in any criminal case.

Mr. ASHMORE. It does not in my way of thinking.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield further?

Mr. ASHMORE. I yield.

Mr. McCULLOCH. Notwithstanding the section that has been read, I leave judgment of the constitutional question and the statement that I made to a time when there is less emotion than there is on this particular question right now, and the kind of case especially for preventive injunctive relief. That was not defined as a crime, nor is it of that nature.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield.

Mr. WILLIAMS of Mississippi. I challenge the gentleman or anyone else to show me any exception made in the United States Constitution to the right of a trial by a jury of his peers of any person accused in a criminal case.

Mr. McCULLOCH. If the gentleman will yield further.

Mr. ASHMORE. I yield.

Mr. McCULLOCH. I reply again by saying that the case which we just discussed is not a criminal case.

I can join with the distinguished gentleman from Mississippi in making such statement any time; but that is not at point here.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I will yield if the gentleman will give me sufficient time to complete my statement.

Mr. KEATING. I will give the gentleman additional time.

Mr. ASHMORE. I yield to the gentleman from New York.

Mr. KEATING. Let us see what there is in the Constitution in addition to what the gentleman from Ohio said. It provides that in a criminal case or in a civil case where the amount involved is over $20 the defendant shall have the right to trial by jury.

At the time the Constitution was adopted, it was well established in the common law, which we adopted here, the difference between suits at law and suits in equity. In suits in equity there was never a right to a jury trial.

We are dealing with suits in equity for injunctions to restrain crimes, or to restrain acts which are wrong, whether they are criminal or otherwise. The courts have repeatedly held, in a case such as this, that a defendant is not entitled to a jury trial. There is not even a claim here on the part of the jury trial proponents that there is any constitutional right to a jury trial.

It has been consistently held by the courts that because of this distinction between suits in law and equity, the constitutional provision relating to a jury trial does not apply to an injunction suit resulting in defiance of the court's order, and consequently a contempt.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from South Carolina.

Mr. RIVERS. By what right, by what stretch of the imagination—I am not talking about common law, I am talking about the constitutional law of this country—have you or anyone the right to put a man in jail if he has not committed any crime? We have abolished putting him in jail for debt. Then you say you will put him in jail for equity. When you put him in jail, Mr. Chairman, he is in jail. You can interpret that in any way you want. But if he has not committed a crime what business is he doing in jail? I refer you respectfully to the third article of the Constitution. I refer you to that most respectfully.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Ohio.

Mr. McCULLOCH. The punishment is for the violation of an order, if there be a violation.

Mr. RIVERS. That is not the law today.

Mr. McCULLOCH. It is the law.

Mr. RIVERS. That is not the law today. You want to write in here something making the United States a party to the original case, like in a criminal case. Then you got him. You have him then.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. McCULLOCH. I want to say that even in South Carolina, the home State of my good friend I am advised there is no provision for trial by jury and you cannot have a trial by jury if a person is cited for contempt for violating the decree of a court of equity. I would be glad to be corrected if I have been improperly advised as to the law of the State of South Carolina.

Mr. RIVERS. We are not talking about the law of South Carolina. We are talking about the law that you want to put on the books here to let a Federal judge try him, a Federal judge who is looking for promotion to the Court of Appeals and from there he is looking for promotion to the United States Supreme Court. We want to get away from that. We want to let a man be tried by a jury of his peers before you incarcerate him in that jail where you have the judge, and jury and the man with the key to the jail. We do not believe in that.

Mr. McCULLOUGH. I am pleased that this argument should come from my very, very good friend, a distinguished and able gentleman [Mr. RIVERS] from that great States' right State of South Carolina. I am willing to forego any further request for further time on this particular question.

Mr. RIVERS. The gentleman knows I have great affection for him and I would never impugn his motives, but I say to him when a man is in jail, he is in jail. You try to get him out under this injunction relief and I will eat your hat.

Mr. LOSER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Tennessee.

Mr. LOSER. I am wondering if the distinguished gentleman from Ohio will yield a minute to me

Mr. ASHMORE. I yield to the gentleman.

Mr. LOSER. I just did not want to be misunderstood in my discussion here with reference to a trial by jury. I thoroughly understand that in equity there is no right to a trial by jury as a matter of right in contempt cases. But, does not the gentleman from Ohio agree that the Norris-La Guardia Act and the Taft-Hartley Act are wholly immaterial and collateral and shed no light on the question that is now before the House for determination?

Mr. McCULLOCH. I think generally one might say yes.

Mr. LOSER. You say that is a correct statement, do you not?

Mr. McCULLOCH. Generally, that is a correct statement, except as to give a backdrop to many other things that have been injected into this discussion.

Mr. LOSER. Well, there is no backdrop about it.

Mr. McCULLOCH. Well, I would not agree to the gentleman's statement if it is unequivocal.

Mr. LOSER. Well, what is the exception, please?

Mr. McCULLOCH. I said whenever the United States of America is a party plaintiff in a suit growing out of such a violation.

Mr. LOSER. Mentioning the United States is the point I wanted to bring up. You will agree, I believe, that under section 3691 of the United States Code, title XVIII, in contempt cases the accused is entitled to a jury trial upon his request provided the contempt is a criminal contempt and the act complained of is a violation either of the State law or the Federal law and the United States is not a party. You agree to that?

Mr. McCULLOCH. You say that the United States is a party?

Mr. LOSER. Is not a party, I said.

Mr. McCULLOCH. Why, certainly, because we are talking about a case here where the United States is a party.

Mr. LOSER. So, section 3691 of the United States Code presently is the law.

Mr. McCULLOCH. Where the suit is between private individuals.

Mr. LOSER. Do you agree I made a correct statement of the law?

Mr. McCULLOCH. Well, as a matter of fact, I am advised that there are no such cases under the Norris-LaGuardia Act.

Mr. LOSER. Now, would the gentleman answer that question?

Mr. McCULLOCH. Yes, if the gentleman will not interrupt me when I am answering.

Mr. LOSER. All right, sir.

Mr. McCULLOCH. In the first place, I know of no such cases under the Norris-La Guardia Act which you described, and I do not say that to try to avoid an answer to your question. I am giving you a factual answer. If anyone does know of any case which would answer your question contrary to any inference I may have left, I would be very happy if they would say so.

Again at the risk of repetition, whenever the United States of America is a party plaintiff in any of these suits growing out of labor legislation, certainly since 1935, if not always before, there has been no provision, to my knowledge, for a trial by jury on a citation for contempt for violation of a decree in equity. Now, members of the committee, I just cannot make a statement that is plainer than that. I am sure that every lawyer in the committee and most, if not all, of the laymen of the committee will understand that statement.

Mr. LOSER. The gentleman from Ohio has failed completely and miserably to answer my question. I am wondering if the distinguished gentleman from New York [Mr. KEATING] would give us a categorical answer to the question propounded.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from New York.

Mr. KEATING. I will be very glad to deal with this Norris-La Guardia question.

Mr. LOSER. I am not inquiring about any labor law.

Mr. KEATING. The gentleman has asked what, if any, bearing that has on this matter here, and the bearing is only this, that it has been contended for some months, since this issue arose, that there is a right to a jury trial in cases involving labor disputes. And, it has been asked, what is there about defendants in such cases that is any more sacrosanct than the election officials who might possibly violate an order here and be brought to book?

That is a reasonable question and the answer to it is that there is no right to a jury trial in labor disputes today. There has not been, not only since the Taft-Hartley Act, but since the Wagner Act, any right to a jury trial in cases involving labor disputes.

I cited in my remarks the other day a case so holding, and I have here a very helpful analysis, which I want to put in later in the day, from the brief of the National Labor Relations Board in that case. There they dealt squarely with the question of whether there was a right to a jury trial. It was held in that case that there was no right, and that is the only case that has come to my attention.

I recently propounded an inquiry to the National Labor Relations Board as to why the question had not been raised more frequently. They explained to me that all of the lawyers dealing with such disputes, the defendants' lawyers representing unions, understand now and agree that there is no right to a jury trial in such cases.

It is only in that connection that the question has arisen. Otherwise, if the contention of the proponents of the jury trial amendment were correct, there would be one situation where, in our Federal jurisprudence, there was a right to a jury trial today. It does not exist. It does not exist when a businessman is brought to book under the antitrust laws. It does not exist in any other field of Federal jurisprudence. My position is, why should we single out this particular legislation to put into our Federal jurisprudence something which has never been there before?

The CHAIRMAN. The time of the gentleman from South Carolina [Mr. ASHMORE] has again expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LOSER. Mr. Chairman, if the gentleman from South Carolina will yield further, I enjoyed the discourse of the distinguished gentleman from New York [Mr. KEATING] on the labor law, but I was inquiring about civil law, and not the labor law. I only inquired whether or not an accused charged with contempt was entitled to a jury trial under the law of the United States, section 3691, when the charge is a criminal contempt and the act is a violation either of State law or Federal law, and the United States is not a party. Is he entitled to a jury trial in that type of case?

Mr. KEATING. I will say to the gentleman that there cannot be any such type of case, so I cannot answer the question. There could not possibly be any such case under the Norris-La Guardia Act today.

Mr. LOSER. I am not talking about the Norris-LaGuardia Act. I am talking about some fellow charged with violating the election laws and an injunction has been issued in the Federal court. I have made a correct statement of the law, Mr. Chairman, and I defy any Member of the Congress to dispute that. It is indisputable. It is the question that was very ably debated by the gentleman from Louisiana [Mr. WILLIS].

Mr. CELLER. Mr. Chairman, will the gentleman yield to me?

Mr. ASHMORE. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, what the gentleman has stated is correct, where the United States is not a party; in other words, where the contemner, the man who violates the injunction, is also guilty of a crime of the State or of the Federal Government, he is then entitled to a jury trial. But that is not the case where the Government brings the suit or the Government is a party.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. ASHMORE. I yield to the gentleman from Mississippi.

Mr. COLMER. When it is all said and done, and following the statements of the two distinguished gentlemen from New York, the fact remains that this bill was drawn purposely to avoid a jury trial, was it not?

Mr. ASHMORE. That is what I have been contending in the hour or more I have been up here.

Mr. LOSER. If the gentleman from South Carolina will let me make this concluding statement, I want to express to the very distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER], my thanks for having categorically answered my question, when there has been so much evasion on the other side. I thank him so much.

Mr. ASHMORE. I thank the gentleman from Tennessee for his contribution.

Regardless of what the opponents of my contention say, about the right of jury trial being guaranteed in the Constitution, let me remind you that article III of the Constitution has been read and it does grant a jury trial. Also the United States Code which I hold in my hand, in section 3691 provides for trial by jury in contempt cases. This code is the lawyers bible. It is in there in plain language. Every man who is charged with committing a criminal contempt shall have a jury trial unless the United States Government is a party plaintiff to the action. I contend that this language, "The Attorney General may institute for the United States, or in the name of the United States, a civil action," if kept in the bill, does take away from a man the right of trial by jury, guaranteed by United States Constitution and section 3691, United States Code. Therefore, I challenge my friend, the Chairman of the Committee, Mr. CELLER, and the ranking minority member, Mr. KEATING, to strike these 12 words from this bill, if that is not the main, fundamental, basic reason for putting them in the bill. Take out those 12 words, "for the United States, or in the name of the United States." It will not keep you from getting an injunction and it will not interfere with the time element. It will just prove that a man charged with a violation of an injunction can have the right of trial by jury. If you want to do what you say you mean, if you are sincere, I say strike those words out. If you do not strike them out, I say, as Emerson said, "The things you do speak so loud that I cannot hear what you say."

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Chairman, I am fully conscious of the fact that this is an emotional issue. In the minds of those who support this bill, all who oppose it will be cataloged as segregationists and promoters of racial and religious discrimination. Further, that any Member from Texas who opposes will hereafter be denominated as a "reactionary southerner." However, I cannot refrain from speaking at this time.

The easy course for me would be to remain silent and vote on this bill. The hard course is the one I am taking. I do so because of a very deep personal feeling that this legislation is contrary to the letter, spirit, and intent of the Constitution I have sworn to support and defend. I am equally convinced that this proposal will aggravate, rather than eliminate, the condition which confronts us.

LEGISLATION WILL AGGRAVATE CONDITION

Texas has been my home all of my life. Fortunately, my city of San Antonio has throughout the years been remarkably free of ill will generated by religious or racial differences. Unfortunately, some years past this was not true in some other parts of Texas. Too well do I remember the days during the early 1920's when the Ku Klux Klan achieved a degree of ascendancy. Those were dark days for many in Texas. Based upon prejudice against Negroes, Catholics, Jews, and the foreign born, it seemed for a time that organization would accomplish its nefarious purpose. In many areas all but their membership were driven from public office, public employment, and even private employment. Threatening parades of men wearing masks, burning crosses, floggings, and murders were rampant.

Who put a stop to Ku Klux Klan ascendancy in Texas and the South? I assure you the objects of their prejudice did not do it. The decent native born white Protestants of Texas and the South did. They were the only ones who could have done it. The majority of them being of good will, right triumphed. The influence of the Ku Klux Klan was broken. They were driven from their parades, their murderers and floggers were convicted. They were isolated to the pastures. They lost their respectability.

No legislation accomplished that. No injunctions, no trials for contempt of court could have accomplished it.

We, in Texas, thought that religious prejudice had been eliminated for all time. But then, as today, the politicians intervened to revive it. Al Smith was nominated by the Democrats in 1928. Religious prejudice then had its greatest day in the South and other places. The purveyors of hate who had been run out, who had lost their respectability, were brought back to positions of influence. For whose benefit? For the benefit of the Republican candidate for President of the United States. I would like to ask those members of the minority party who bleed here today about discrimination and prejudices: Where were you in 1928? When I was being beaten over the head in 1928, where was the great Republican Party which is so solicitous for minorities? You know where you were. You were sitting back with great satisfaction profiting by my discomfort.

Prejudice was then in its greatest ascendancy. It then looked as if it could never be dislodged again. As I have said, the majority of Americans are people of good will. The campaign of hate and prejudice of 1928 brought a consciousness of the injustice of the situation to many people of good will. A reaction began which condemned the purveyors of ill will to oblivion. There followed in Texas a long period in which prejudice progressively disappeared and was well on its way to elimination, until the current bitter feeling on the question.

This type of legislation, and debate such as we have had and are having on it, serves to add fuel to the flames.

It has been said that the legislator who does not know history is likely to repeat it. Let us recall the history of the times immediately before the Civil War. When I recall those happenings and compare them to what I see going on around me now, frankly, I am frightened. I am frightened because of the similarity of occurrences in the two periods.

The Dred Scott decision, to my mind a fantastically erroneous one, created bitterness in the United States. There followed hotheaded and acrimonious debate and charges which did not end until secession and civil war resulted.

The antisegregation decisions of the Supreme Court have created bitterness, debate, charges, and countercharges such as have not torn our country since the Dred Scott decision.

We are bound to wonder if cooler heads in this very Chamber might not have prevented the horrible Civil War. We must wonder if that bitter conflict could have been avoided if politicians had not sought to take advantage of the feelings of the times for their own ends. We wonder whether those who bring legislation such as this to this floor ever read the history of the period from the date of the Dred Scott decision until Fort Sumter.

This is no time for the consideration of divisive issues. This is a time for calm judgment and cool heads. Those who complain of recent Supreme Court decisions, proclaim them erroneous, seek means of circumventing and talk of interposition, should remember that Lincoln, who proclaimed the Dred Scott decision would be reversed, was elected President; 4 years of bitter war determined the issue contrary to the holding of the Supreme Court and still three constitutional amendments were necessary to remove its construction from our Constitution. Those who are critical of those who disagree with the Supreme Court should remember that no less an American than Abraham Lincoln did the same at another time.

Passage of this legislation at this time can do nothing other than create ill will, disunity, and division. Those sought to be protected by it will, instead, be the objects of increased injustice.

SUPREME COURT DECISION

I do not agree with those members of the legislature of my own State who are advocating new laws for racial segregation and racial discrimination. I point again to the fact that the decision of the Supreme Court, even if erroneous, is still the law of the land. Just as recrimination, intemperate debate and, even, civil war could not remove the Dred Scott decision from our law, those actions of the legislature are ineffectual and can only aggravate the situation. The decision of the Supreme Court can be set aside by one of two actions, and none other. They are, first, reversal of the decision by the Supreme Court itself; or second, an amendment to the Constitution.

COMMISSION IS INQUISITION

This bill would create, in the executive branch, a Commission on Civil Rights. It would have power to issue subpenas and be the sole judge of pertinency of testimony and evidence adduced at its hearings. There is, therefore, no limit to the range of the inquiry other than the decision of the Commission that it is pertinent. Lawyers talk about "competent", "relevant", and "material" evidence. Those are words well known and well understood by lawyers. Without guideposts, this Commission, whose members need not be lawyers or judges, has no limitation upon them. Once

these laymen determine testimony is pertinent all other rules of evidence are gone. Hearsay can be admitted; or can it? Confidential communications between husband and wife, lawyer and client, physician and patient, and penitent and confessor, if deemed pertinent, in the sole judgment of the Commission, go into the record.

And this Commission may accept and utilize the services of voluntary and uncompensated personnel to the extent of 15 at any one time. Is it hard to imagine the type of individual who will volunteer for this service? Only zealots and crusaders who will find at last an opportunity, while the Government is paying the expense of travel and subsistence, to vent their spleen upon those with whom they differ.

The bill provides that witnesses may be accompanied by counsel, for what purpose? "For the purpose of advising them concerning their constitutional rights." That is all. Even though the Commission or its own counsel develops only a portion of a transaction, and that adverse to the witness, his lawyer cannot ask a single question to develop the remainder of the transaction or the portion favorable to him.

However, the subsection immediately following the provision of counsel is probably more illuminating than it was intended to be. For there the Chairman is authorized to censure and exclude from the hearing any counsel the Chairman determines has been guilty of breaches of order, or decorum, or unprofessional ethics. In addition, the Chairman may punish any such conduct. What punishment? Fine? How much? Jail? How long? What the section actually says is that the Chairman can kick counsel out whenever he so desires, put him in jail, fine him, or what not. The Chairman does it, not the court, as in the case of contempt or failure to appear.

WHERE DOES THE COMMISSION SIT

The Commission sits wherever it wants to sit. Subpenas may require the attendance of a witness at any place in the judicial circuit in which he is found, resides, or transacts business. What can that mean? Let us take the fifth circuit, in which I live. The fifth circuit includes districts in Georgia, Florida, Alabama, Mississippi, Louisiana, all of the State of Texas and, get this, the Panama Canal Zone.

Leaving out the Canal Zone—even though the Commission could sit there and compel the attendance of a witness from any of the States I have named—witnesses can be forced to travel as much as 1,500 to 2,000 miles. From El Paso, Tex., or Brownsville, Tex., to northern Georgia, is as far as from New York to Minneapolis or St. Paul, or farther. Witnesses can be dragged across the country into a strange neighborhood, away from friends, to be questioned in open or executive session about any subject the Chairman deems to be "pertinent." His expenses and fees will be paid, but not his counsel. If serious reflection is cast upon him or if he is charged with the commission of a crime, he can secure the attendance of witnesses to relieve him of the opprobrium only if the Commission sees fit to grant his request.

No inquisition ever exceeded the possibilities of what is proposed here.

EQUITY SHOULD RELIEVE FROM THE HARSH RULE OF LAW

Every lawyer knows the history of the development of courts of equity. The formed actions of the common law were completely inflexible. Whether justice be done or not, all cases at law were determined by the rigid rules of law. The Chancellor, as the "keeper of the King's Conscience," gradually granted relief designed to give justice, notwithstanding the rigid rule of law. Courts of equity, from their beginning in England down to and including today, have always been the forum in which to soften the rule of law dispensed in courts of law. But not under this proposed law. For the first time, equity will be as harsh and worse than law courts.

It is shocking that the great Committee on the Judiciary would report to the House a proposal to reverse the course of legal history.

TRIAL BY JURY

This bill does deprive the citizen of the right of trial by jury for alleged actions for which he has heretofore had that right. When this question was first raised, I doubted its sincerity. Close study has convinced me the denial is real and substantial.

Injunctions have been authorized by statute in a variety of cases in which they were not formerly issuable. However, I know of no instance in which a code of conduct has been prescribed which is enforceable by injunction. Violations of law are enforceable by fine or imprisonment after convictions by a jury.

The right of trial by jury existed long before Magna Carta. That charter recognized its existence, and ratified and confirmed it. Prior to our Declaration of Independence, trial by jury existed in the Colonies. Even George III did not abolish trial by jury in the Colonies. The Declaration of Independence complained:

> For depriving us, in many cases, of the benefits of trial by jury.

Not in all cases, but in "many cases." What happened was that the administration of George III determined that the American Colonies should pay the expense of their administration and military protection, and produce a return to the mother country. England was afraid that excise and stamp taxes would be so unpopular in the Colonies that juries would not convict. Therefore, she made a violation of those laws triable in courts of admiralty where trial by jury did not exist. In other words, resort was had to a stratagem to eliminate the right of trial by jury.

That is exactly what we have in this bill, a stratagem for the purpose of depriving citizens of the right of trial by jury. Any person guilty of the wrongs sought to be reached by this bill is, and should be, guilty of a violation of the criminal laws of the States or of the United States.

The sole purpose of the injunction authorized in this bill is to bring these violations of the law within the general rule that a jury trial shall not be had in a contempt case to which the United States is a party. That is the only reason for specific legislative authority for the institution of a civil action for injunction for the United States, or in the name of the United States.

I say that is a stratagem to avoid trial by jury just as George III resorted to a strategem to deprive the colonists of that sacred right.

This is a most dangerous precedent. Grant, if you will, that there be minority groups in the United States who need protection. Still this is not the way to give it to them. If you can circumvent our ancient institutions to protect a minority, it is much easier for a majority to persecute a minority by the same character of action. Minorities require the protection of those ancient and tried institutions. If this Congress establishes a precedent that today we can circumvent trial by jury in the supposed interest of a minority, a succeeding Congress can do the same thing to oppress them. Only by the maintenance of our constitutional processes and maintaining them inviolate can all our people be secure.

This is bad legislation. It will aggravate a situation it purports to eliminate. It permits an inquisition which can and will be used now and in the future to oppress the humble citizen. It violates the right of trial by jury. It should not be adopted. If this proposal becomes law, many will long regret that it did.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, I rise in opposition to H. R. 6127. This proposed legislation has been widely publicized as a civil-rights bill. Many people have fallen for this incorrect reference, as denoting the nature of the proposal. Many are supporting the bill in the sincere belief that it is designed for the protection and preservation of certain existing constitutional guaranties, and to afford any person who feels himself or herself aggrieved, a mode or method of insuring their free exercise of these constitutional rights. I hasten to point out to these unsuspecting individuals that such is not the case. Personally, I yield to no one in my desire to preserve and perpetuate the basic God-given rights of man and those rights and guaranties provided in the Constitution of this great United States. If this bill had such a noble purpose, it would have my full and vigorous support, as well as the support of many others who have raised their voices in opposition.

I beg those of you, who have accepted as gospel the general statements which have been made in support of this legislation, to read and read carefully each word, each sentence, each paragraph, and each section of this bill. Carefully scrutinize the phrases, the clauses, as well as the punctuation marks, so that you may fully, clearly, and distinctly understand what is being sought.

Please do this, because, in my humble opinion, the passage of this type legislation will carry this country across a political threshold and into an area from which there can be no retreat. The time has come to cast aside the heavy wine of emotionalism and to exercise our God-given thought processes with the highest degree of soberness and rationalism. Otherwise, we, in our own lifetime, may have the occasion to wonder what happened to our constitutional, as well as our God-given rights.

I first call to your attention that the bill begins by providing for the creation of a body politic that is completely foreign to, if not in violation of, the basic principles of a democratic form of government—a misnamed agency referred to in the bill as a "Commission on Civil Rights." Misnamed, I say, because this Commission of questionable political ancestry is clothed with the powers and the duties to violate civil rights. This Commission is to be composed of six members, to be appointed by the President and confirmed by the Senate. Their only qualification is that they must belong to some political party. Yet, this Commission will be vested with powers quasi-judicial, judicial, and extra judicial; and, it is provided with a license for a period of 2 years and 2 months to run rampant across the breadth and length of this Nation, its Territories and possessions, prying into the personal and business affairs of all and, especially, those unfortunate victims who may have been marked in advance for political, if not physical, destruction—a Commission so powerful that it was not considered necessary by the author of this bill to vest it with rulemaking powers. It was apparently assumed that the creation of this omnipotent body carried with it unlimited rulemaking powers for the exercise of whatever functions it might desire to undertake. Therefore, the only requirement concerning rules of the Commission seems to be that such rules shall be made available to a witness before the Commission. Please keep in mind that this Commission is granted additional powers to enforce its edicts regardless of how unreasonable or irrational those rules or regulations might be. The Chairman is clothed with the authority to determine when a person, whether he be the witness or counsel, is guilty of breaches of order, decorum, or professional ethics, and has the power to exclude individuals from the hearing at his own discretion. The Commission has the power to classify information, evidence, and testimony coming into its hands and is answerable to no one for its actions. It has the power to suppress evidence and testimony on the one hand, yet on the other it is the sole judge of the pertinency of testimony and evidence adduced at its hearings. The latter means that this Commission, composed of men who do not possess any particular qualifications, will be vested with the power to arbitrarily and capriciously demand and require any and all information concerning an individual, a group of individuals, association, partnership, corporation—municipal or private—or other entity, no matter how unrelated or remotely connected with the issue at hand such evidence or information may be. Mind you, this may be done with total disregard for the laws and the rules of evidence that have been used in our judicial system in the protection of constitutional rights for many, many years. The Commission may subpena witnesses and require their presence at any hearing to be held inside the judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code, wherein the witness is found, or wherein the witness resides, or wherein the witness transact business. I beg of you to weigh carefully the meaning of this power. The act itself, in subdivision K of section 101, is cleverly drawn so as to indicate to the casual reader that the Commission is limited in its right to subpena witnesses; that it cannot subpena the witness to a hearing outside the judicial circuit in which the witness is found or in which he resides, or in which he transacts business. Let me point out that this does not mean the witness can only be called before a hearing in the judicial circuit in which he ordinarily conducts his business and in which he resides. It simply means that if he wants to protect himself so that he will be hailed before a hearing in that particular area, he must remain within the confines of his judicial district. Once he sets foot out of that district for pleasure, for business or for anything else, he is fair game for this Commission or one of its subcommittees.

The members of the Commission are to receive the sum of $50 per day, plus a per diem allowance of $12 for subsistence, or their actual expenses, and all necessary travel expenses. It has the power to employ each and every person it wants. The only limitation on this power is the control in Congress of the purse strings. If the Commission can get the Congress to appropriate $10 million they can hire people until that amount is committed. In addition, they have the right to utilize the services of voluntary and uncompensated personnel. They can pay these people their actual expenses for subsistence and travel allowance or can pay them $12 per day in lieu of subsistence, plus travel. This simply means that statutory approval is placed upon the employment of informers, stool pigeons, and professional gossip mongers. It will be remembered that it was this weapon which served Hitler so well in centralizing the power in Germany and in searching out and annihilating those who had the temerity to disagree with his infamous policies. It may also be remembered that it is this method of operation which has so well served the Communists in their rise to power. Let us ask ourselves these questions: Are we, in this country, so devoid of honesty, integrity, and ability that we must resort to the questionable tactics of totalitarianism? How can the adoption of the method of communism and facism save or perpetuate a democratic form of government? Are we so blind that we are permitting ourselves to destroy that which we cherish and hold so dear?

So very much more could be said in the nature of a warning as to what can and probably will happen should this iniquitous piece of legislation be placed upon the lawbooks of this country. But let us hope that we, our children, and our grandchildren may be spared the sad experiences that could result from such action. Let us hope and pray that the Representatives of the people of this land, elected in a true and democratic way of life, will assume and execute the responsibiilties placed upon them under the Constitution and the laws of this great Nation, and will not meekly submit to the clamor of those who would destroy us; nor surrender the powers and responsibilities with which we have been entrusted to an undemocratic and totalitarianism group, vested with the powers to destroy, and with responsibility to no one, and for which there is no precedent in the history of our Nation.

Let us move on to part 2 of this proposal. We find that not only do the proponents propose to set up a new Bureau to further burden the already sorely overburdened taxpayers, but also to create more Federal employees in the Department of Justice. In fact, the bill provides for an additional Assistant Attornel General, to be appointed by the President, to receive compensation at the rate prescribed for other Assistant Attorneys General. This appears on its face to be of little consequence because of the innocence of the language. But we must not lose sight of the fact that the creation of this office is for the purpose of affording another agency inside the Justice Department to enforce transgressions upon the rights of the individual, both constitutional and God-given. We must presuppose that the Department of Justice will be before this Congress seeking vast additional appropriations with which to pay personnel to serve under this new Assistant Attorney General; personnel to aid and assist the vast army of personnel employed by the Commission in extending the tentacles of a strong central government into every bailiwick in this Nation and into the home of every American citizen, to seek out and promote unfounded litigation, to turn one section of this country against another, and to create suspicions that will pit neighbor against neighbor and brother against brother. Is anyone so naive as to think that the employees of the Commission will not be shifted over to the Justice Department, when and if the Commission ceases to exist?

Let us pay particular attention to part 3 of the act which speaks of strengthening the civil rights statutes. It is this section which denies to the individual in America, three, if not more, or his most precious rights. First, as was pointed out previously, this bill actually authorizes the promotion by Government employees of litigation between citizens. Yet, once the lawsuit is promoted, the complainant or aggrieved person, whichever you want to call it, is denied the right to proceed in his own name. He is denied the right to say whether or not he will proceed with the litigation or that he has satisfied himself he is not aggrieved and does not care to proceed further. He becomes the ward of the Federal Government, and the Attorney General of this Government

becomes his alter ego vested with the power to use him or misuse him as a pawn, as the Attorney General may desire. The loss of this right to the allegedly aggrieved person creates a situation that destroys in the defendant the most precious right every American citizen enjoys. I speak of the right of trial by jury.

Whether or not the framers of this bill were purposeful in the language used in the bill is a matter on which the minds of men may differ. Whatever might have been in the minds of those who wrote the bill, is, in my opinion, of little consequence. No matter what was intended or what may not have been intended, the language of the bill is misleading to the average or casual reader who is unversed in the intricacies of the legislative processes and in the rubrics of the law. It is my opinion that the provision in the bill authorizing the Attorney General of the United States to institute a civil action for preventive relief was intended to lead the people to believe that this was a cloak of protection being thrown around them by the great and all-powerful Federal Government. The truth is that the language contained in this bill creates a situation whereby the Attorney General of the United States may proceed with or without the consent or agreement of anyone whomsoever, against any and all persons whom he may choose, and such persons may be tried and subjected to punishment including confinement in prison, without having the right to present their side of the story to a jury in accordance with the guaranties of the Constitution. If it was not the purpose of the framers of this legislation to bring about that result, they why did they cut off the right of the individual to proceed under this act? The reason is very simple. If they permitted the individual to proceed under this act, a jury trial could not be denied the accused. In other words, the Attorney General wants the power to take that individual, whom he desires to victimize, subject him to trial before one man, and be able to send him to jail as a virtual political prisoner without being required to meet the standards of proof necessary, under the laws of this Nation and the several States, to take away the freedom of an individual.

The granting of such power would place in the hands of the Attorney General of this Nation powers far beyond those enjoyed by the highest office of this land, the President of the United States.

In conclusion, I point out that one of the most important guaranties in the Constitution is repealed by this legislation. I speak of that portion of article 5 of the Constitution which reads as follows:

> Nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb.

I say to you that if this bill becomes the law of the United States it will be possible for a man to be twice tried for the same identical offense. In one trial he can have the right of a jury to pass upon his guilt or innocence. In the other, he is denied that constitutional right. In other words, a citizen of the United States of America could be sent to jail at the discretion of a Federal judge for the same identical offense of which he had been previously acquitted by a jury of his peers. In fact, he could be acquitted by a jury of his peers in the morning, yet be tried for the same, identical offense that afternoon, and be sent to jail by the same judge who presided over the trial at which he was acquitted.

I challenge the proponents of this legislation, or anyone else, to deny that such result could occur.

This proposed legislation is, in my opinion, the most dangerous proposal that has been brought before the Congress. Its destructive potentialities cannot and must not be underestimated if the United States of America, as a sovereign Nation dedicated to the democratic principles of its own Constitution, is to survive. To surrender to the philosophies underwritten by this bill is to yield to the principles of totalitarianism without a fight.

I cannot urge you too strongly to act with the greatest caution. Do with your own lives as you please, but do not shackle and burden the bodies and lives of future generations with political chains that, to remove, may well require bloodshed.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. PORTER].

Mr. PORTER. Mr. Chairman, an observant and painstaking man wrote a book entitled "An American Dilemma" in 1944. The documentation presented then by Gunnar Myrdal stands today. And our American dilemma stands with us.

The United States which would have all nations equal—and condemns suffering and inequality in other lands, has not resolved its own dilemma.

I find it hard to answer the friend from another nation when he asks me why my country has so long dragged its feet on this issue of civil rights. There is a great gap between our ideals and realizations. It is an unnecessary gap.

We say one thing. We live by another.

Recently I was proud to join with 82 of my Democratic colleagues in a joint statement in which we pledged all-out support for the civil rights bill, H. R. 6127. I repeat our statement that it is obvious Democrats alone cannot pass any civil-rights legislation, and, indeed, it should not be Democrats alone.

Bipartisan support from all corners of this land should rally in support of this minimum piece of legislation. Crippling amendments must not be allowed to kill what is before us.

Obviously civil rights apply throughout the Nation, not just in one sector. Regardless of race, color, creed, or national origin, democracy and its blessings belong to every American. I offer these comments not as meaningless platitudes, but as allegedly true statements which, until now, have not been true. It is high time that we interpret democracy in its true meaning.

Nearly 100 years ago Abraham Lincoln said "let us have faith that right makes might; and in that faith let us to the end, dare to do our duty as we understand it." Lincoln's words point up our quandary. What is "duty as we understand it"?

I believe duty first means equal justice for all under the laws of our land. It is the long overdue duty of Congress to insure equal justice.

Long before Lincoln spoke a man named Thomas Jefferson drafted a document we know as the Declaration of Independence. Jefferson wrote, in part, "that all men are created equal and independent, that from that equal creation they derive rights inherent and inalienable, among which are the preservation of life, and liberty, and the pursuit of happiness."

It is high time, I think, for us to remember we live in a world that is three-quarter colored, that we are the minority, and that, indeed, it sounds fantastic to our friends abroad when they hear of our reticence to grant equality to the majority we insist on terming the minority. Our moral leadership in the world can rise no higher than our moral accomplishments at home. The American dilemma is before us. We cannot solve it by this legislation, but we can take a long stride in the right direction.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I rise in opposition to the civil rights bill, H. R. 6127.

In the first place I am opposed to the creation of the Civil Rights Commission that the bill attempts to set up.

In the second place I am opposed to the appointment of an additional Assistant Attorney General to head up a Civil Rights Division in the Department of Justice.

In the third place I am opposed to the broad grant of powers with which this bill attempts to invest the Attorney General.

In the fourth place I am opposed to the manner in which this bill overlooks, or slights, or fails to recognize the rights of the States.

In the fifth place I am opposed to the manner in which this bill deprives the citizen of his right to trial by jury in contempt cases.

There are many other legitimate objections which I could recite to this bill. However, I have indicated, I believe, to a sufficient degree the shortcomings of this so-called civil-rights bill. So, I shall return now to the objections I have listed and discuss them as best I may in the limited time at my disposal.

Let us see about this Civil Rights Commission. As I approach this subject, I must say that the field of civil rights has been worked recently about all it will stand.

A Commission on Civil Rights would open the floodgates, and encourage disgruntled persons, and professional civil rights organizations like the NAACP to pour out an unending stream of allegations of civil-rights violations. These allegations would be heard by the Commission. They would be publicized and

played up by those who had axes to grind.

What would these allegations of civil-rights violations cover? The bill says in section 104 that:

> The Commission shall (1) investigate allegations that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin.

What would be the substance of the allegations that the Commission would hear? History indicates that most of the allegations would be without basis of fact. Thirteen thousand civil-rights complaints in 1947 netted 4 convictions. In 1940, only 12 prosecutions were recommended out of 8,000 civil-rights complaints.

By the same token, why should we create a civil-rights division in the Department of Justice, and appoint another Assistant Attorney General to head up the division? I ask the members of this House whether or not the civil-rights violations in this country are so much worse than any other existing category of violations as to warrant the creation of this new division?

And, then, may I ask why should the Attorney General be given the broad grant of new powers outlined in this bill? As I understand it, the United States Attorney General would be authorized to bring a lawsuit and obtain an injunction against a citizen, if complaints were made to the Attorney General that a particular citizen was "about to engage in acts" that would violate existing law. The complaining person would not be required to use the State courts, but could go directly to the Attorney General or his assistants, and thence into the Federal courts.

Further, the bill would give the Attorney General of the United States the right to bring a lawsuit against anyone for "being about to interfere with the right to vote of another."

Furthermore these lawsuits would be brought in the name of the United States. Therefore, any charge that a citizen was in contempt of court for failure to lawfully comply with an order of the court in one of these cases would be tried before the court without a jury.

Now, about the bill as a whole, my feeling is that the bill and the machinery it sets up will serve as a sounding-board for agitators, however well intentioned, and the result of the bill will be greater difficulty in coming to and maintaining a state of harmony and good relations, so much to be desired by both races.

No two races have ever lived together in such close harmony and understanding, and mutual respect, as have the white and colored races of the South in recent years. While the pattern of southern living has been segregated, there has nevertheless been mutual understanding of and respect for the problems of each race on the part of the other. There have been enough people of both races desirous of mutual goodwill that the problems which arose could be, and were, settled in an amicable and friendly fashion.

Now, all this agitation of the race problem in the South has been largely carried on by people who do not understand the problem, or by people who want to exploit the problem for every possible selfish advantage. Now, unfortunately, the day has come throughout the Southland, when there is a growing distrust, a growing feeling of agitation, and a lack of harmony and good neighborliness in the daily relationships between the races. The NAACP seems to have taken upon itself, and I might say from all outward appearances seems gladly to have assumed, the burden, and the responsibility of keeping the issues stirred throughout the South, and throughout the country. The result has been that the art of good relationships between the races in the South has in the opinion of many been set back for at least a generation.

Recent events in the South, in altogether too many instances, have as between the white and colored races resulted in distrust where there was once trust; confusion where there was once harmony; bitterness where there was once friendship; misunderstanding where there was once mutual respect.

These are the things which I worry about in connection with this bill. One-third of the people of Alabama are colored.

I want to see both the white and colored races make progress, in my State, and throughout the country. I know they cannot make progress under this bill. I know it is a bad bill. I hate to see the majority of this House attempt to foist it on people who do not want it, and on people whom it will do no good, on people who cannot possibly benefit by it.

Of course, I hope the House will not pass the bill. If it does pass it, I trust that it will do so only after it has been greatly improved by the amendments which will be offered tomorrow and the next day. I hope the amendment guaranteeing the jury trial will be adopted.

As a lawyer, I know that juries are human, and fallible, but, Mr. Chairman, I have great respect for their integrity and sound judgment overall. I would be for a jury in almost any situation where facts must be investigated into. Had I been in Congress when the Norris-La Guardia bill was before the House I would have voted for it, and would have voted for the provisions which extended the benefits of a jury trial to laboring people who were charged with violating injunctions in labor dispute cases. I am not afraid of jury trials. I know that when dictators have sought to arrogate unto themselves absolute power one of their first acts has been to usurp, abolish, or destroy the jury system of their country.

Mr. Chairman, I resent the implication that southern juries will not convict in proper cases. I wish that time permitted me to draw on my own experience as a lawyer to cite specific cases where juries have rendered just verdicts in cases involving disputes between members of the separate races. Southern juries are just as fine, just as honorable, just as honest, just as sincere, just as able as are to be found anywhere in the United States.

When I appeal to you to grant jury trials in these injunction cases, I appeal to you not as a southerner, not as a partisan in the political field, not as a partisan in the field of civil-rights legislation, but instead I appeal to you as an American. Let us not say to the world that we do not trust the jury system, or any of the people that make up the jury system. Let us realize that one of the greatest civil rights of all Americans, whether white or colored, is the right to be tried by a jury.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. RILEY].

Mr. RILEY. Mr. Chairman, I am opposed to this bill because I believe it to be an assault upon the inherent rights of the individual. I believe it to be a restriction of civil rights rather than an extension of such rights. The legal objections to this bill have been well covered both in the minority report and on the floor by those of the legal profession, but I wish to emphasize some of my reactions as a layman.

In the first place, the bill is unnecessary. Adequate remedies already exist both in the Federal statutes and in those of most of the States. Negroes vote freely in my State and I know of no recent incident wherein any member of that race has been denied this right. As a matter of fact, the principal difficulty that the NAACP and other agitators, that come into my State have, is in getting them to register, and to vote after they register. Acting on our own initiative, we have made much progress in the improvement of relations between the races. If left alone, this progress will continue. Race relations are improved only by mutual cooperation and understanding. This bill will drive a wedge between the races so as to make such cooperation and understanding virtually impossible.

Of course, as everyone knows, this bill is politically inspired. It is designed to capture the Negro vote in the metropolitan centers of the North. If enacted, and I realize that only a miracle can stop it, additional proof of this will come with the propaganda from the headquarters of both major parties, supercharged with claims of credit for its passage.

This bill will give aid and comfort only to those who seem to believe that the 10th amendment was repealed by the 14th. Every new assault upon the rights of the States seems to sail under the banner of the 14th amendment, the scope of which is ever being increased by the legislative decisions of the Supreme Court. Today we are witnessing, in this body, another step in the emasculation of our Constitution, led this time by the President and his Attorney General, and backed by the assurance that such will be upheld by the Supreme Court. It is heartbreaking, indeed, to see these high officials not only condone, but affirmatively demand, that which is so foreign to any but a totalitarian form of government.

The Civil Rights Commission created in the bill purports to have a life of only 2 years, but I hope that that deceives no one. It is the old foot-in-the-door tech-

nique with which we are all familiar. Once enacted we will be swamped with bills providing for its extension and for the enlargement of its powers. And I must add that I have never heard of creating a commission to investigate conditions to recommend legislation, and in the same bill propose legislation along the lines which the commission is supposed to investigate.

The recently added requirement that allegations made to the Commission must be in writing and under oath is an improvement, but it still does not require the consent of the party allegedly injured and apparently may be done over his objection. This is certainly depriving an individual of his basic right—the right of a free American to decide his own course; the right guaranteed him under the Constitution. The same is true of the civil action for injunctive relief which the Attorney General, under parts III and IV, may seek in the name of the United States but in reality in behalf of one individual against another individual, bypassing all administrative or other remedies available to the injured party. I do not believe that this has any precedent in Anglo-Saxon jurisprudence.

The power given the Attorney General by parts III and IV are to be enforced by a staff of unknown size under the direction of a new Assistant Attorney General provided for in part II. This staff, plus that of the Commission, will comprise a new Federal Gestapo unlike anything this country has ever known. The concentration of power in the hands of a few is always dangerous. The concentration of power in one man is even more so although that individual may be of a fair mind. In the hands of a politically minded Attorney General, the dangers are overwhelming.

This bill strikes at the very heart of the 6th amendment which is our guaranty of trial by jury. Its proponents are too clever to make a direct or general assault upon that amendment and too timid to propose its repeal. Instead, they attempt to come in through the back door with a new approach which will circumvent this precious constitutional right. Unfortunately, we can expect no help or recognition of this fact from the present Supreme Court.

Much has been said to the effect that this injunctive process is not new and that some twenty-odd statutes now authorize the Government to seek injunctions in cases wherein the acts sought to be enjoined are also crimes. As questionable as this procedure is, it must be pointed out that it has never been extended to cases involving alleged wrongs by individuals against individuals, but has been restricted to the regulation of business activities or Government contracts—activities falling generally within the commerce clause of the Constitution. None of the activities which may be enjoined under present law necessarily involve moral turpitude, whereas this is very definitely involved in a charge that an individual has deprived another of his rights. It was held by the Supreme Court in the case of *Callan* v. *Wilson* (127 U. S. 540) that a conspiracy to invade the rights of another is a grave offense which must be tried by a jury. The conspiracy, charged there, was to prevent an individual from earning a livelihood.

I fail to see how those of you who are lawyers can go back to your homes, face your fellow members of the bar, and tell them that you voted to deny to fellow Americans the right of trial by jury. But evidently you can. While you are boasting to them of substituting the injunction for the jury, be sure to tell them that, while the Department of Justice has not been able to deport Harry Bridges because the Supreme Court has wrapped him in the Constitution, you have given that Department the power to ignore the Constitution in proceedings against my people, most of whom are descendants of our Founding Fathers and who have answered the call to arms by this country in every case save one. Nearly a century later you are still exacting your pound of flesh for that war.

If this injunction is a new panacea to prevent all evil, why was the right to vote honored by its creators? Is this more important than the right to life, freedom of speech, freedom of religion, or the right of a trial by jury? If this method can prevent wrong in one case, presumably it can in another. Apparently we are on the threshhold of a new discovery which will make murder, rape, burglary, and robbery things of the past. All we have to do, we are told, is to substitute the injunction for the trial by jury.

My answer is simply this: Take care that you are not hanged by your own noose. The problems of human relations are not solved by depriving one element of our people of their constitutional rights. All the laws enacted will not improve such relations one iota. They may temporarily win a few votes. But such laws will destroy the foundations of the greatest government mankind has ever devised.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, this bill is the only legislation considered by this body since I became a Member five years ago for which absolutely no need is shown. No evidence, in committee or in general debate, has been offered to show that the welfare of our country requires its passage. Rather is it shown by a careful reading of the committee hearings, and from the debate of three days here in the House, that this bill is brought for political reasons only. Moreover, it is obvious that the proponents of the legislation are so bent on reaping political gain they are blind to the consequences of lodging such power as the bill proposes in one man—an Attorney General. Furthermore there is callous disregard for the rights of States and their chosen officials as well as a complete lack of respect for the 10th amendment to the Constitution of the United States.

Distinguished lawyers in this body, and many who are not members of the legal profession, have pointed out weakness after weakness and danger after danger in this bill yet those who support it charge on with reckless abandon toward the destruction of the very foundation of this Government, the rights of our States to manage local and State affairs. But, despite these legal analyses of many able attorneys, who are members of the Committee on the Judiciary, pointing out the inherent dangers, and notwithstanding the warnings of history against the substitution of government by man for a government by laws, and regardless of the unmet challenge to show a single instance supporting the need for this bill, supporters turn a deaf ear to reason and join the clamorous music of political emotions.

Time after time, from member after member, I have heard for the three days of this debate the challenge to show one single instance of a person being denied the right to vote by reason of his color and no one has answered. Through page after page of testimony I have sought one single reference establishing that one has been denied the right to vote because of his color and I have seen no such statement.

On the other hand what are the facts? From all States of the South, the section at which this bill is aimed, there is abundant evidence to support the fact that the Negro is being protected in his right to vote. The gentleman from Georgia [Mr. DAVIS], pointed out earlier some of the results of a recent election in Atlanta, Ga., for mayor and councilmen. Seventy-six percent of the registered Negro voters voted in that city election while only 36 percent of the registered white voters voted. Moreover in that same election a Negro candidate contested for councilman from 1 ward against 2 white candidates and a runover between 1 white candidate and the Negro was required. In that runover the Negro received more than 22,000 votes out of approximately 53,000 total votes cast. Does that evidence any denial of the right to vote?

Furthermore no poll tax is required for registration. Throughout our great State of Georgia the registration laws are universally applied to white and Negro alike. In my own district in north Georgia, records show that the majority of the Negroes eligible to register for voting purposes are registered and in all elections more than 50 percent of those registered come to the polls and vote.

So, while we who oppose this effort to further usurp State powers and responsibilities cite facts and figures to prove the absence of any need whatsoever for this legislation, those who support it continue to ignore the challenge to offer one instance proving the presence of need. And, while we appeal only to reason in our effort to preserve the integrity of our States, supporters of this iniquitous bill succumb to political emotion and clamour and march blindly ahead into certain trouble, and, I fear, disaster.

This is no time to point the accusing finger at any section of our great country. Certainly that is true when not a single evident fact is advanced to attest to the accusation. This is a time rather to truthfully appraise the progress we in the great Southland have made, noting as we appraise that

throughout our history the only obstacles to true harmony and respect between whites and Negroes in the South have been the legal obstacles thrown up by unwise legislation from Congress, and unsupported, unwarranted, and un-American decisions by an injudicious Supreme Court.

I shall not burden the committee with repetitious statements addressed specifically to the legal aspects of this bill except to say that I concur especially in all that the gentleman from Louisiana [Mr. WILLIS], and the gentleman from Virginia [Mr. POFF], have so ably said. No lawyer can study those arguments and not be profoundly moved and no laymen can hear or read the same without entertaining profound fear of the consequences of such legislation.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, the basic issue before the House today involves the blood stream of America.

The question to be decided is whether we continue this Nation as a United States of America composed of 48 sovereign States, or do we surrender to complete, absolute, Federal bureaucracy?

Is the Constitution of the United States to become the weapon of our own destruction or will it continue to be the cornerstone of the form of government that has withstood the test of time, the trials and tribulations of a growing nation, the onslaught of wars, and the tragedy of depressions?

Are we to continue as the shining hope of mankind, or are we to fade into the twilight of mediocrity?

We have before us today a bill spawned in the nest of politics, and dedicated to the proposition that all men and women have one valuable asset that must be obtained at all costs—their votes.

Here we have a bill which establishes a "Federal snooping commission" to investigate the allegations that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin.

In addition, the Commission would "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution, and appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

But having established the Commission to determine whether or not citizens have been deprived of their right to vote, the bill then proceeds to beg the question by amending existing law so as to give the Attorney General the right to bring a civil action in the name of the United States for preventive relief, including injunctions, restraining orders, or any other orders that may be necessary, even before any proof has been offered or established that individuals have been denied the right to vote.

And to do this we must create a new Assistant Attorney General, together with an unknown number of assistants.

In other words, we are being asked to meekly acquiesce in the assumption that the States of the United States of America do not have the competency, or the desire to protect their own citizens. It must be done under the all-seeing eye of a Federal appointee who may proceed "without regard to whether the party aggrieved shall have exhausted any administrative or any other remedies that may be provided by law."

Never before has this body been called upon to make a decision so far reaching in its effects.

Do you suppose for 1 moment that this will be the end of Federal infiltration into the reserved powers of the States?

Can you not see that this is the beginning of the end for State governments as we know them?

Can you not see that as a result of passing legislation of this nature the next step will be a commission to pass upon the qualifications of any individual to hold a Federal office?

Can you not see that this bill destroys once and for all the concept that an American citizen is not only a citizen of the United States, but of the State in which he resides?

Do you believe for 1 moment that this Commission will go out of existence after a period of 2 years has passed? Can anyone in this House be so naive as to believe that this Commission is a temporary thing to do its work in 2 years and then disappear from the scene?

Stop and think what you are doing.

You are giving a commission the authority to sit as a roving Federal grand jury to investigate allegations in writing under oath that citizens of the United States are being deprived of their right to vote by reason of their color, religion, race, or national origin.

Henceforth, no board of elections, no county clerk, no county officer or State official connected in any way with the voting process will be safe from the wild, unsubstantiated charges of discrimination. If the election board fails to register an individual for any number of valid reasons, it will be subject to subpena by the Commission to answer imaginary charges that an individual has been deprived of his right to vote by reason of his color, his race, his religion, or his national origin.

For at least the next 2 years and probably for the indefinite future, every registrar of voters in each State of the Union will be exposed to the possibility of being subpenaed before the Commission to answer charges perpetrated by every half-baked, rabble-rousing, so-called minority organization in the United States.

How stupid can we be. How ridiculous can we get.

Now the Commission is also going to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

What do the words "legal developments constituting a denial of equal protection of the laws under the Constitution" mean?

Why, obviously, since there is no definition in the bill, those words will mean whatever the Commission wants them to mean. It means that the Commission will have the authority to investigate every State law on the statute books that deals with man's relationship with man. It means an investigation of the marriage and divorce laws; an investigation into the laws of personal property, and the laws of real property.

You can rest assured that the Commission will, at its first opportunity, investigate and report on the State laws prohibiting miscegenation, for there can be no doubt that the Commission will take advantage of each unrestricted word in this bill to break down every aspect of separateness in America, regardless of its justification, on the theory that this bill is a legislative mandate that all men and women must hereafter conform to a common mold.

It matters not what the customs of the community have been for the last 300 years. It matters not what the American people have understood to be their rights, privileges, immunities, responsibilities, and limitations under the Constitution and under the State governments, in the past.

This Commission, and mark my words well, is being given the authority to rewrite the Constitution of the United States. For behind the Commission stands the big club—the all-knowing, all-powerful Attorney General of the United States, who will now be able to proceed against every individual in the United States against whom a charge has been levied without worrying as to whether or not a criminal charge can be proved.

Do you suppose for one moment that the Commission will confine its meddling to interim reports to the President?

No, my friends, this Commission will become the tool of the Attorney General—the saboteurs of American social insitutions as we know them—and the purveyors of gossip, rumor, and half-truths.

And the information will be used by the Attorney General through the plenary powers that are given to him in other portions of the bill.

No public official who has any connection with voting shall henceforth be safe in the exercise of his statutory duties, for under the terms of this bill he may be enjoined from exercising even a statutory requirement if, in the opinion of one man, a Federal appointee, his action amounts to an attempt to intimidate, threaten, coerce, or interfere with an individual seeking to exercise the right of ballot. Every State law setting up the qualifications for voting for Federal office holders will hereafter be subject to complete Federal review on the basis of the slightest allegation of intimidation, coercion, or interference, regardless of how or why these qualifications were established.

If a policeman attempts to prevent a drunkard from entering a voting booth, he must be ready to spend endless days in a Federal court answering a charge of interfering with a voter because of his race, color, religion, or national origin.

If an employer and his foreman do not give their employees a whole day off in order to vote, they may well find themselves before a Federal court, answering a charge of conspiring to pre-

vent, by intimidation, an employee from "giving his support or advocacy" of a candidate for Federal office. For under the terms of this bill, the Attorney General will bring the action in the name of the United States. And the Attorney General will have unlimited funds, unlimited attorneys, and unlimited power.

But, my friends, the most significant part of this bill—the most dangerous aspect of this proposed legislation—the most fantastic sacrifice that we are being asked to make in exchange for this imaginary cure to an imaginary ill—is the surrender of the hearthstone of democracy, trial by jury.

Bear in mind that convictions for violations of court decrees will be obtained before a Federal judge through civil proceedings, and since the United States will be a party of the proceedings instituted by the Attorney General, trial by jury will be eliminated.

In their zest to protect the so-called minorities, the proponents of this legislation would destroy a statutory guarantee of trial by jury.

The proponents of this legislation will not even agree to give elected State officials the same guarantee of trial by jury that is afforded labor leaders. The reason is not difficult to find.

The Attorney General of the United States summarized the situation succinctly, even though he may not have so intended. When appearing before the Judiciary Committee, this is what the Attorney General said:

> Enactment of these proposed civil remedies would not enlarge or in any way clash with the constitutional limitations on the Federal Government to act in this field. It would rather permit the Federal Government to take civil remedial action instead of having to depend solely upon criminal procedures.

And then comes the true analysis of the situation, and I quote the Attorney General:

> In many case, I am convinced it would make the difference between success and failure in meaningful protection of the civil rights of our citizens.

What the Attorney General means is that he cannot prove criminal cases but before the right Federal judge in a contempt proceedings, convictions will be much easier. In fact, they will be almost guaranteed.

Mr. Chairman, I cannot believe, I refuse to believe, that the proponents of this legislation have any true concept of what they here propose.

They are seeking to eliminate what they have been told is a wrong to certain citizens of the United States.

They have not even established the fact of the "wrong."

Who appeared before the Judiciary Committee and testified as to an actual incident in which he was deprived of his right to vote?

Did anyone come before the Committee and state that he attempted to vote on a certain day and was denied the right to vote?

Did anyone come before the Committee and testify that he attempted to register and that a registrar denied him that privilege?

Did anyone name names? No.

But there were many wild charges by the National Association for the Advancement of Colored People and other organizations who would reduce us all to a common level.

I have long ago learned to mistrust do-gooders who profit by the chaos and turmoil they engender.

Mr. Chairman, the issue today is more basic than the efforts on the part of some to subjugate the South; the issue is more basic than amendments to the United States Code. The issue is our form of government—whether it shall perish or continue in future glory as it has in the past.

What we are considering here today constitutes, in my opinion, the most serious threat to constitutional government that has ever been before the House.

The Constitution of the United States, in the 10th amendment, provides that:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

Mr. Justice Brandeis in the case of Erie Railroad versus Tomkins, said:

> There stands, as a perpetual protest against its repetition, the Constitution of the United States, which recognizes and preserves the autonomy and independence of the State, independence in their legislative and independence in their judicial departments. Supervision over either the legislative or the judicial action of the States is in no case permissible except as to matters by the Constitution specifically authorized or delegated to the United States. Any interference with either, except as thus permitted, is an invasion of the authority of the States, and, to that extent, a denial of its independence.

Well, Mr. Chairman, we have seen the independence of these sovereign States of America invaded by the Supreme Court of the United States in its efforts to remold the Constitution.

The Supreme Court has recently engaged in what I consider to be an unwarranted invasion of the prerogatives of the legislative branch of the Government. I am firmly convinced, and have so stated, that this action by the Supreme Court of the United States was unjustified, illegal, and unwarranted, but I have enough confidence in the people of the United States to believe that the will of the people in the long run will prevail.

To paraphrase a recent decision of the Supreme Court of the State of Florida:

> Whatever one's ideology may be, whether one is a strong defender of State sovereignty, or an equally fervent advocate of centralized government, I think the great majority of persons would agree that if the death knell of this fundamental principle of Jeffersonian democracy is to be tolled, the bells should be rung by the peoples themselves as the Constitution contemplates.

Thus, I do not believe the American people want this Federal Commission snooping and spying into practically every phase of American life. I don't believe they will tolerate an uncontrollable Federal grand jury, supposedly limited to a life of 2 years. And as soon as the American people realize the magnitude of the powers given to this Commission and to the Attorney General under the provisions of this bill, you will hear from them.

I am growing tired of these constant references to the oppressed minorities in these United States. I am speaking now for the oppressed majority—the men and women of this Nation who have made the Nation what it is today.

The men and women who, when they fully understand the issues involved in this proposed legislation, will rise in their wrath to strike it down.

I will not be a party to a proposition that would abolish the social and economic diversification of this Nation.

I will not subscribe to the assumption that the 48 sovereign States of these United States are incompetent, and indolent, in their protection of those who desire to exercise the privilege of the free ballot.

I will not be a party to proposed legislation that seeks to impose by criminal sanctions, a philosophy of equality that does not, in fact, and can not, in fact, exist.

I will not be a party to legislation that not only encourages, but will seek the statutory blessings of the Federal Government with regard to the marriage of white with blacks.

I will not be a party to legislation that destroys the pride of race, be it white, black, red, or yellow.

I will not be stampeded by organizations who pretent to represent minority groups.

I know my people, white and black, and they do not want this legislation.

I believe firmly that my people are no different than the people in the West, the East, and the North, all of whom are proud of their own national origin, proud of their own race, proud of their own religion, and proud of their own color.

I will not be a party to legislation that will destroy that pride and will cast a cloud upon their heritage.

I will not be a party to legislation that seeks to debase the sacredness of religion for political advantage.

I will not be a party to a proposition that laughs at tradition; scoffs at custom, and makes a mockery of the ways of life that have made this Nation what it is today.

I will not be a party to mongrelization by legislation.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to the gentleman from Alabama [Mr. GRANT].

Mr. GRANT. Mr. Chairman, let me at the outset pay my respects to and to state what a debt of gratitude the people of my section and the lovers of constitutional government all over this Nation owe to the members of the Judiciary Committee who fought so valiantly and successfully to delete so many punitive and harsh terms from this bill.

Although the bill was brought to the committee from a subcommittee recommending that it be passed as written, those men that we owe a debt of gratitude began a careful and considerate analysis of the bill with the determination that if it could not be defeated that they would eliminate just as much of the undesirable sections as possible. In the opening

statement of the minority report to this bill, these men said:

> Beginning in 1861 and continuing through almost half of the year 1865, one of the greatest of all wars was fought upon our soil. Brother was arrayed against brother, and thousands of our finest young men, both Federal and Confederate, offered up their lives for principles that they believed in. The value of those men has never been surpassed, and probably never equaled.

Let me upon this occasion say to these men and those who voted against favorably reporting this bill, if I may somewhat paraphrase what they have said about another generation. You, too, have shown your value to the people of this country in your noble legislative fight to save constitutional government for our nation.

No legislative committee has ever been called upon to consider a more vicious and vindictive piece of legislation. It is bad enough now but the Judiciary Committee eliminated many most undesirable features. And the irony of it all is that the proponents of this monstrosity have the nerve to stand upon this floor and say, "Take your medicine, much of the ill has been eliminated; we are now bringing you a moderate bill."

For the past week, Members have been receiving propaganda from leftwing organizations demanding that there be no changes on the floor. Crippling amendments they call any amendment offered. I do not want to cripple the bill; I want to kill it outright—kill it as dead as a dodo.

The members of the committee, in their working over of this bill, definitely improved it in that a new section requiring the Commission in its hearings to observe the same rules of procedure which govern Congressional committees was added and the bill was amended to require complaints filed before the Commission to be in writing, under oath, and specific in content. The committee also removed the section which empowered the investigation of complaints of unwarranted economic pressure and authority to study economic and social developments. This section, of course, had nothing to do with civil rights and was a FEPC section under another name.

The committee did a good thing when they removed from the bill the section authorizing the Attorney General to bring a suit for damages on behalf of one private citizen against another. There is no precedent in law for such action when the damages arise out of a tort or a personal grievance. Time does not allow me to explain all of the bad things that they were able to eliminate from the bill, but the Members of this House who are only considering the bill as it came to the House should read the bill as it came from the subcommittee and see just what the proponents of this harmful legislation wanted to do.

I realize that this House is going to pass some kind of a bill. The proponents of this legislation must have something to shout about. I trust that none of the supporters will fall out among themselves as to who is to get the credit or who is doing the most for the Negro race as was done by two active supporters several years ago when the charge was made on the floor by one that the other was so active because he wanted to run for a higher office in his State. I am sure that none of the supporters of the present bill are playing politics.

Amendments will be offered by me or someone from the Judiciary Committee to strike or clarify certain sections of this bill. The leading one is to insert a provision guaranteeing to a defendant the right of trial by jury. Much argument is being used here by the proponents of this bill that this should not be done. Some lawyers seem to be in disagreement as to whether the right of jury trial in contempt cases under the National Labor Relations Act and other Federal statutes has been repealed. The advocates of this legislation point to certain laws that have provisions for enforcement through injunctions obtained by the Federal Government. However, I believe that you will find that the injunctions were a device designed to be used as a special remedy which could be made available in courts of equity to enforce civil or private rights between individuals. No such relationships exist between the Government and the people in the enforcement of laws based on such private civil rights. Regardless of arguments to the contrary, the enforcement of Federal laws against the people is criminal law and by what other names it may be called, it is pure and simple criminal prosecution for refusal to obey the laws.

Without entering further into the technical and legal aspects of this question, let me say we are not here called upon to make a decision as to just what implication is to be or should be placed upon some prior legislation. The issue is plain and short. Do not confuse it; you will be called upon to cast your vote upon the question as to whether you approve or disapprove of trial by jury to a defendant brought before the court under this legislation. There is no middle ground. You are either for jury trial or against the right of trial by jury.

The Congress in 1914 passed the Clayton Act which provided for jury trials in contempt cases, and may I say that the author of this act was none other than the chairman of the Judiciary Committee, Henry D. Clayton, of Alabama, who later served with distinction for many years as district Federal judge in my district.

Why is there such an objection here to the right of trial by jury? What is more sacred, personal rights or property rights? The Federal Constitution provides that—

> In suits at common law where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

So by this legislation a person who is sued in a civil action for $20.01 is given greater protection than in a contempt case where his freedom and rights can be taken from him and he be sent to jail. A person accused of stealing one penny has the right of trial by jury, yet a person whose sentence would be many, many times greater under this legislation has no such right. You can stand here and argue until doomsday but you are not going to convince the people of America that there is any substitute for trial by jury. I never thought that I would sit upon this floor and hear such arguments as have been made against jury trials. The reason given by one of the proponents of this legislation, and please listen at this, are: First, "Time is the essence" and second, "A jury trial challenges the integrity of our courts across the Nation." Those are his words. Ponder these words. In the name of justice and liberty what are you here trying to do?

This legislation gives the district courts jurisdiction of proceedings instituted pursuant to it and stipulates that it shall exercise the same without regard to whether the party aggrieved shall have exhausted other remedies. It simply means that the Federal courts are given the right to bypass the State courts. This means that the Attorney General, through the district attorney, may if he so desires, meddle in the elections in your State. Just another gadget for Washington to take over in all the States. This is dangerous legislation. It should be opposed by all Americans regardless of race. This has far-reaching implications and should be amended.

If there is anyone who should be here clamoring for the right of trial by jury, it is those that the proponents of this bill claim it is enacted for. I am surprised that in your zeal you have gone so far as to create something that would destroy that which you claim you want to preserve, namely, protection of a minority race.

There are other amendments that will be offered in order to perfect as much as possible a bad bill. You know as well as I do that all the trouble in the South at the present time stems from the school-integration decision of the Supreme Court. Few of you would stand upon this floor and defend that decision. You know that it was legislation by a Court that the decision was not based upon law. This Congress would never have passed such legislation. You who give lipservice to States rights now have an opportunity to defend these rights. You violate States rights by the adoption of this legislation and in fact nullify the 10th article of the Constitution which provides in unmistakable terms, "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Oh yes, many talk about the other nine articles which deal with the rights of the people but you forget the 10th which deals with the powers of the Federal Government.

Let us defeat this legislation. Whatever might be the purpose of its sponsors it can do no one good and can in the end do irreparable damage to those who you claim you seek to help. Strife and ill will will follow in its wake. If it is your wish, if it is your desire to foment trouble and strife in the South, to retard its industrial and economic development you are on the right track, for it will certainly do it.

Where is the demand for this legislation? If you are serious, if you are sin-

cere and really want to help the Negro in the South, help us improve his economic status. When he asks for bread do not give him a stone. He cannot eat social equality. How many of you whose hearts bleed so here today for the southern Negro have ever tried to do anything about helping him as a tenant, sharecropper, or small landowner better his situation. We of the South ask you to help us. We do not claim there is no problem. It was being solved by men of good will of both races until ill-advised so-called leaders from other sections came in. They have done irreparable harm to the cause of the advancement of the Negro race.

Yes, our problems are many and we have been solving them through better schools, better jobs, better housing, and better economic conditions. No section of this Nation or any people have made more and better progress in the past 10 years than the Negroes in the South. Some of you seem to think that you can, by social legislation, raise the standing of the Negro. You and your phony racial ideas. The great majority of the Negroes are not interested in social equality. They do not want conditions as some of the so-called leaders and troublemakers in the North contend. They want to be the best Negroes possible, give their children an opportunity for a schooling, an opportunity to earn a good living, adequate housing, and employment. The great majority of the people of the South want them to have these things. Mark my word, such legislation as this is not going to help the Negro. Our future economic development and prosperity is tied with the Negro race. Neither race is going to advance unless the other does.

You who today think that you are punishing the South may wake up on a somewhat not too distant tomorrow and find that your liberties have been taken from you. This is only the start. Set up this Commission and for the next 2 years you will have a multiplicity of suggestions for legislation and in all probability legislation to make a permanent commission.

Several times during this debate argument has been made against the American jury system because two defendants who were tried for dynamiting were freed by a jury in Montgomery, Ala., and also to the fact that the NAACP was fined $100,000 by a judge in Montgomery because they refused to turn over its membership list. The only thing I can see from this argument is that you believe the defendants in one case should have been tried by a judge instead of a jury and in the NAACP case there should have been a jury trial instead of it being tried by the judge.

The NAACP was originally given a much smaller fine and only upon continued and persistent refusal to obey the Court order was it increased. The NAACP should be as subject to the laws the same as white organizations, whether it be the White Citizens' Council, KKK, or any other. No organization in Alabama is going to be a law unto themselves.

I hold no brief for law violation regardless of whether it be by white people or the NAACP. I do not approve of violence and the people of my district do not approve of it regardless of why the violence might be committed or whom it might be committed against. Make no mistake about that.

Before all this agitation started race relations in Montgomery were as harmonious as any place in the world. Whites and Negroes worked together in peace and harmony. There was nothing for the betterment of the Negroes of the city that the great majority of the white people were not interested in. Montgomery has been known far and wide as a city of friendship and neighborliness where the people of both races lived in harmony and mutual respect. Tens of thousands of young men of this Nation have trained at Maxwell and Gunter Fields. Ask them what they think of Montgomery. The people of Montgomery need no defense at my hands but I am not going to let go unchallenged these statements that justice does not prevail there. None of these things would have ever developed if it had not been for the fact that some of these modern-day carpetbaggers and agitators came to town intent upon stirring up strife and turmoil.

Law and order does function in Montgomery. Arrests were made, several defendants were indicted by a grand jury and two of them were duly tried. A jury of good and tried men said that the State did not convince them beyond a reasonable doubt that the defendants were guilty. Who are we to say that they were. There are yet others to be tried. I want to say that defendants in Montgomery, whether white or negro are going to receive justice and that the courts and juries are not going to be browbeaten and intimidated by outsiders and troublemakers.

I call the membership's attention to a news item in a Montgomery paper of last week which is as follows: "Citizens Unit States Stand Against Strife." The Montgomery County Citizens Council declared yesterday it does not condone violence and civil strife and advocated a "continuation of friendly relationship between the races." W. B. Wyatt, chairman of the board of directors, issued an 8-point statement of principles which he said was approved by the local directors.

The statement:

1. We are dedicated to States rights and local self-government.

2. We believe in constitutional government and the diversion of power set out in the Constitution of the United States.

3. We believe in the preservation of customs and traditions.

4. We firmly believe in separate but equal school systems.

5. We do not condone violence and civil strife.

6. We believe in the continuation of friendly relationship between the races.

7. We believe in the right of all races to select or reject their associates socially.

8. We are dedicated to elimination of Communist influence in our Government and educational and religious institutions.

I am getting pretty well fed up with the argument that has been made on this floor that we must pass such legislation as this to build up the prestige of our Nation among the free people of the world. Think of it, this Nation the greatest on earth which is the envy of the world, which has spent billions and billions of dollars over the earth is now being told that in order for all this aid to be effective we must change our way of life.

Yes, you have the votes as you claim to pass this legislation and use the South as a whipping boy but as surely as the night follows the day many of you will live to regret it. It is legislation aimed directly at the South. It is vindictive and will not stand the test of time. It will not help those who you profess to help and will in the end retard the development of the Negro race in the South.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Tennessee [Mr. LOSER].

Mr. LOSER. Mr. Chairman, at the outset, I desire to express my appreciation to the distinguished gentleman from New York [Mr. CELLER] for yielding to me this time to speak on the bill under consideration. Of course, I am opposed to it. I consider it a vicious piece of legislation.

It gives me great concern because it implies that a large segment of the population of the Nation are a lawless people, and that it is necessary to set up another commission in the executive branch of the Government to go about the country holding hearings, under the guise of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

I am dreadfully afraid that it will destroy the very civil rights that it purports to secure and protect.

The bill is couched in sophisticated language, and many of its provisions are mere repetition of the civil rights statutes now in force.

It is deceptive and misleading, in that it appears on its face to be bipartisan, and therefore nonpartisan, by providing that the Commission of 6 shall be made up of 3 Republicans and 3 Democrats. It is further deceptive and misleading in that the President of the United States is authorized, in section 103 (a) of the bill, to appoint as members of the Commission persons "in the service of the United States Government." The only qualification for membership on the Commission is that 3 members shall be Democrats and 3 shall be Republicans. This would enable the President to appoint as members of the Commission persons now serving as Congressmen, although the bill states that the Commission on Civil Rights is created in the executive branch of the Government. The bill indicates, in section 105, subsection (d), that Congressmen may be appointed because it exempts members of the Commission from operation of section 281 of title 18 of the United States Code. Section 281 is a part of the Criminal Code of the United States, and under its provisions a Member of Congress violating the same is punishable by a fine of not more than $10,000 or imprisonment of not more than 2 years.

It is indeed a startling innovation in the legislative process when a commission in the executive branch of the Government is or can be, if the Executive so chooses, presided over and governed by

members of the legislative branch. This is destructive of the constitutional provision relative to the separation of powers.

Time, place, and policy combine to decry the approval of this bill.

Even if the general policy of the bill were sound, which it is not; even if it were appropriate to promulgate such a policy here rather than in the legislatures of the States, which it is not; even so, the tensions and exigencies of the present time should stay our hands from a step that cannot fail to add fuel to the fires of ill will lately engendered by a sudden social controversy and the disturbance of long-established custom incident to recent judicial decisions.

It is, of course, an historic fact that social changes do take place and that with the passage of time long-established customs are altered. Unfortunately, it is also true that during a period of transition there is always present the temptation to hasten by radical legislative action the pace of change or compel its course to conform to some partisan's predilection. Very often, however, it is such legislative impatience that works woe to the very movement which it seeks to aid and retards rather than accelerates the progress which its proponents profess to desire.

Our own history is replete with examples. The Alien and Sedition Acts did not serve to counteract the violence of expression at which they were aimed, but on the contrary brought about the destruction of the political party which sponsored them. The fugitive slave legislation but added fuel to a controversy that many yet believe could and should have been amicably composed, although their purpose was said to be no more than to make certain the enforcement of law already upon the statute books and the protection of long-established property rights that were undisputed. The enactment of national prohibition laws brought to an end the steady progress of a public sentiment against the license and sale of alcoholic liquors and reversed a tide that up to that point had appeared irresistible.

These are but illustrations of the preacher's words of wisdom that "for everything there is a season, and a time for every matter under heaven." Again by the same authority we are told that there is "a time to reap and a time to sow; a time to keep silence and a time to speak." Very emphatically I desire to state my feelings that upon the subject now debated this is a time when the Congress of the United States can best promote the public welfare by silence.

Can it be seriously asked whether the kind of investigation and inquisition authorized by this resolution would aggravate the racial friction that until lately was on the way to extinction, at least in the South? It would necessarily do so for it would furnish a forum not only for the honestly dissatisfied but likewise for the increasing number of those with selfish interests, men who cannot profit in quiet waters but can ride the waves of passion and prejudice and who are quick to seize such an opportunity. Unfortunately conditions are such as to provoke demagogues and at this time we should eschew legislation which invited their activities.

But even if the times were more auspicious for an effort to enforce by law a major change in social customs, it is not to Federal action that proponents of change should address themselves. Traditionally and properly the States have been the sources of statute law defining the conduct of one man toward another and I have heard no convincing argument why they should not continue to be such source. The fact that they are such is the virtue of our Federal system and the likelihood that they will remain so is the warrant for believing in our continued civil peace and social well-being.

There is, however, an even weightier reason for opposing this bill, for its words and substance affront the very civil rights to which its proponents assert allegiance. To clothe Federal authority with what should be the prerogative of the State is evil, but to arm such authority with the power to supersede jury trials and compensatory actions with a system of injunctions and contempts is to strike at the very root of civil rights under a pretense of supporting them.

To say, as the bill before us does say, that a suit shall lie and a restraining order issue whenever "there are reasonable grounds to believe that any person is about to engage in any act or practice which would give rise to a cause of action" pursuant to the act, is to create a wholly unlimited authority in a governmental agency to harrass and oppress citizens whose only fault is that they are suspected of being able to put a denounced purpose into execution. I wonder if any statute of Nazi Germany ever went to such an extent in dispensing with the necessity of an overt act in providing punishment for no more than the existence of a naked purpose.

I am aware that a court might construe the term "reasonable grounds" as requiring something more than a suspicious countenance or an intemperate expression, but we must take the language of the bill as it appears and if it be conceded that a court might well find such language so unreasonable in its literal terms that it would have to be amended by judicial construction, such concession is in itself proof of the vice now complained of.

There are other provisions of the bill that would require supplementary interpretation before we could know their actual extent and practical operation. The bill does not meet the test that should be made of legislative novelty, namely, that it should spell out its reach and limitations so clearly that there may be no doubt of its boundaries. On the contrary it leaves us to guess how much its inquisitorial processes may be available to make partisan political hay and to conjecture how far its procedural innovations may be used to uproot such ancient landmarks as trial by jury, presumption of innocence and an untrammeled right of personal opinion.

We are being asked to swallow too much in the name of civil rights and to accept risks that would not be invited under a less high-sounding title. For these reasons I oppose the passage of the measure. At the proper time I propose to submit certain amendments to the bill.

Mr. CELLER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, one would think from the debate that has been indulged in, at least by some Members on this side of the aisle, that we are taking away rights heretofore granted. This bill does no such thing. This bill does not take away the right of trial by jury. The right of a jury trial of a contemnor, a man who is charged with contempt, has not been generally accorded and is not a constitutional right. I should like to read part of a decision of the United States Supreme Court decided in 1890. It is as follows:

> It has always been one of the attributes, one of the powers necessarily incident to a court of justice that it should have this power of vindicating its dignity, of enforcing its orders, of protecting itself from insult without the necessity of calling upon a jury to assist it in the exercise of this power.

There have been for a brief space rights accorded for jury trial, but when those rights were accorded, they were given by the Government as a matter of grace and not as a matter of right. I am referring to the Norris-La Guardia Act concerning labor disputes and before that the Clayton Act. But what was given has been taken away because the National Labor Relations Act and the Taft-Hartley Act, in so many words, withdrew that right which was given in the Norris-La Guardia Act in a limited number of cases. The two acts that I have mentioned waived specifically provisions of the Norris-La Guardia Act. So that today we are in the position in labor disputes of not according to labor, that may be guilty of violations of court orders, any right of trial by jury.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the distinguished gentleman from Louisiana.

Mr. WILLIS. I know the gentleman is familiar with the fact that the 16 defendants in the Clinton, Tenn., case who are charged with criminal contempt are entitled to a trial by jury and will be tried by a jury. The gentleman admits that; does he not?

Mr. CELLER. The court ordered that trial by jury.

Mr. WILLIS. Does not the gentleman have confidence in the fact that the court ruled on the law as it stands today, namely, that they asked for and under the law they were entitled to, and the judge ruled that they will be tried by a jury? Is that not true?

Mr. CELLER. That was a private lawsuit instituted by private persons against the education department of a particular county. That is not a case where the Government is involved.

Mr. WILLIS. Will the gentleman answer this question?

Mr. CELLER. I will try to.

Mr. WILLIS. Under the same identical facts and circumstances under which these defendants are being tried by a jury for contempt, if the bill of injunction had been filed under this act, these same defendants today would not

be entitled to a trial by jury. Will not the gentlemcan admit that simple fact?

Mr. CELLER. That is what we call a suppositious case. It is very difficult to answer that question.

Mr. WILLIS. And yet, the gentleman contends that certain rights are not being taken away.

Mr. CELLER. I will say if a suit is instituted by the Attorney General on behalf of the Government under any and all circumstances in Clinton or out of Clinton, there would not be a right of trial by jury to the contemnor.

Mr. WILLIS. And the gentleman knows that all actions authorized to be filed under this bill will be filed by the Attorney General.

Mr. CELLER. I cannot answer that, sir—I do not know.

Mr. WILLIS. Will the gentleman look at the top of page 10, where it says all actions must be filed by the Attorney General?

Mr. CELLER. There is nothing to prevent private suits to be brought.

Mr. WILLIS. I am talking about suits to be filed under this bill. Will the gentleman point to me where under this bill one single new right or cause of action is given to an individual? Will he not admit that all actions will be filed by the Attorney General?

Mr. CELLER. I cannot say that. The words are permissive. The Attorney General is not ordered. The word used is "may" and not "shall." So there is a difference in that regard. A private person may still institute a suit under the bill also.

Mr. WILLIS. Then the gentleman does admit that suits instituted by the Attorney General under this act that may result in contempt, a trial by jury will not be had because the Government will be a party to the suit?

Mr. CELLER. That is absolutely true. There is no question about it.

Mr. WILLIS. The only difference it makes is that the people in Tennessee are being tried by a jury and under this bill they would not be.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. CELLER. Mr. Chairman, I yield myself 3 additional minutes.

The distinction the gentleman makes will not hold. Too much is made of the fact that many years ago, when I was much younger incidentally, I voted for a jury trial in connection with violations of labor injunctions, in the sense that I voted for the Norris-La Guardia Act, and I made a speech in the well of this House in support of my position. Now the reason why I voted for the Norris-La Guardia Act was that the courts had been granting, willy-nilly, without good grounds or should I say on coffee grounds, injunctions against labor. There were grave abuses of the power of injunction, and the Nation was aroused. Congress took notice and said under the circumstances it would be well for the Congress to intervene and to limit the issuance of injunctions. I make this statement, if we pass this bill and there is a repetition of the abuse that occurred prior to the passage of the Norris-La Guardia Act, I would be the first to offer a bill to curb the power of the court to grant such injunctions. The mere fact that I voted for the Norris-La Guardia bill has been ballooned out of all proportions. The issue is not whether or not I, the gentleman from New York, did or did not vote for the Norris-La Guardia Act. The issue is the bill before us. I might repeat what I said before the Rules Committee when I was charged with inconsistency. I said it was General Lee who said to General Beauregard, "True patriotism sometimes requires of men to act exactly contrary at one period to that which they do at another period." For that reason I am well within my rights, under the circumstances that exist today, to advocate with all the power within me the passage of H. R. 6127, just as I was within my rights to strongly argue for the passage of the Norris-La Guardia Act in 1932.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 5 additional minutes.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. I would just like to add a comment to the colloquy had between the gentleman from New York and the gentleman from Louisiana in which the inference was made that rights would be infringed. For such an inference to be drawn would be unfortunate. There is nothing in this bill which does away with any existing right of an individual to bring an action for damages or for injunctive relief against another individual, or individuals, who interfere with his rights.

It is impossible to envision whether all cases in the future, all actions to be brought, would be brought by the Attorney General or whether they would be brought by individuals.

Mr. WILLIS. Mr. Chairman, will the gentleman yield to me that I may ask the gentleman from New York a question?

Mr. CELLER. In just a minute. I just want to call attention to part 3 which is entitled "To Strengthen the Civil Rights Statutes, and for Other Purposes." This title in effect adds two paragraphs, called fourth and fifth, to the old Ku Klux statute of 1871. That statute gave considerable rights to individuals whose civil rights were being filched from them particularly by State officers or others acting in conspiracy against those whose rights were thus being corroded. Under that old civil rights statute not only private suits for damages, but also for injunctive relief could be had by those aggrieved for the violation of the rights accorded to them and guaranteed to them by that old statute of 1871.

So there is nothing new in the situation. Of course in the Clinton case there was a private suit brought against quite a number of individuals. In that kind of case, which is different from the cases envisaged by the bill before us, surely there can be trial by jury. There can be no question of doubt where there is a violation of the court injunction and the same act is also a violation of either a State or a Federal statute; but the point is that we have any number of bills that we have passed in this House in the last few decades where we refused, we actually refused to give trial by jury to those who had violated orders of the court.

The gentleman from New York mentioned the antitrust laws. There is a Securities and Exchange Commission Act; the False Advertisements Act; the False Products Labeling Act; the Fair Labor Standards Act; the Longshoremen's and Harbor Workers' Compensation Act; the Wool Products Act; the Stockyards Act; the Submarine Cables Act; the Sugar Quota Act; the Water Carriers' Act; the Flammable Fabrics Act; the Electric Utilities Act; the Atomic Energy Act, and many more.

We heard no quarrel when those bills were being considered in this Chamber, no one raised a voice saying that where there was a violation of an injunction there should be a jury trial; all those provisions were accepted without remonstrance, without let or hindrance, and now we have this sudden outcry.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Illinois.

Mr. BOYLE. As a matter of fact all during the last sessions of the 84th Congress not one of the great lawyers who now are insisting on the right of trial by jury even suggested that such an amendment should be incorporated in the civil rights bill. Is not that right?

Mr. CELLER. The gentleman is correct.

Mr. BOYLE. Mr. Chairman, will the gentleman yield for a further observation?

Mr. CELLER. I yield.

Mr. BOYLE. If an amendment providing for a trial by jury was so necessary—certainly its absence would have been unconscionable—is it not a fair observation to say that any one or all of the lawyers in the House who now are insisting upon the proviso would have come forward and had it included in the bill in the last session of the 84th Congress?

Mr. CELLER. Not only that but see how impossible this law would become if you granted the right of trial by jury to anyone who would violate the order of the court. There are all kinds of orders issued by a court. There is the subpena, which is an order of the court, there is the subpena duces tecum which requires an individual to produce in court certain documents. In one of these cases that may be brought or will be brought by the Attorney General there may be 30 defendants in that one case. One individual will say after he has received the subpena that he questions the subpena. Then the court would say, "You have to testify pursuant to that subpena." He would say, "I will not testify, I did not get the subpena." There it becomes a question of fact. He could demand a trial by jury to determine that question as I understand the proposed jury trial amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, that determination might be by another court before a jury. If the determination is against him, he could take an appeal to the circuit court of appeals, then probably to the Supreme Court.

In that same case another defendant could say, "I shall appear in court but I will not answer, I will not submit the documents that were called for by the subpena duces tecum." The court will order him to produce the documents. He will refuse and the court will then find him in contempt. He will demand a jury trial on the question of whether the subpena duces tecum has been served or whether it is proper for him to give the information that is described in the subpena duces tecum. That case could be tried before a jury outside this particular case, far distant probably. Then if there is an adverse decision the individual could take an appeal again to the circuit court of appeals, and possibly to the Supreme Court.

There may be 3 or 4 such cases in the original matter. How long would it take before the original case has been terminated? You would have nothing but procrastination, deliberate procrastination. You would render this whole act abortive if you can have jury trials at every twist and turn in the progress of a case. For that reason I do hope that men who are falling for this specious argument will think twice before they vote for a trial by jury amendment.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Louisiana.

Mr. WILLIS. I hope the gentleman did not mean to indicate that we were advocating an amendment which would deprive a Federal judge of punishing for contempt committed in the presence of the court or so near thereto as to obstruct justice, such as in the case of the subpena, where he said the man appeared before the court and said, "No, I will not produce the books." Of course, the court has the power to punish that man and we are not asking for any such language.

Mr. CELLER. Suppose he denies there was the service of a subpena? That is not in the presence of the court. He could obfuscate the whole proceedings and hold the proceeding up indefinitely if you would give him a trial by jury under those circumstances.

Mr. Chairman, I now yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, on last Friday, June 7, at page 8536, of the CONGRESSIONAL RECORD, I discussed the subject at length in defending the right of organized labor to a trial by jury, and I was surprised to have as my opponents the gentleman from New York [Mr. KEATING], and the gentleman from New York [Mr. CELLER]. I just want to say a word; I do not want to be repetitious, and I do not want to get into that discussion, because it may lead us off the track of what we are doing today, and I do not want to get off the track chasing rabbits, because we have some other very important animals to chase before we get through, and I want to stick to that. But, I just want to say this: The Taft-Hartley Act that these gentlemen contend repeals the right of organized labor to a right of trial by jury in contempt cases was passed in 1947. Title XVIII of the Code, which includes section 3692, which gives labor the right of trial by jury in all cases involving contempt was passed a year later, and I think anybody that knows anything about law knows that the latest piece of legislation on the subject governs.

The gentleman from New York referred to a decision in which he says the right of trial by jury was denied. Now, that was not a Supreme Court case; that was a circuit court case, and the opinion is very brief. It was dismissed because it was not a contempt proceeding, and contempt was in manner involved. But, in that case it was not a labor union that was seeking a trial by jury; it was the employer.

Now, to bring the matter up to date, I would like the record to show that I referred to the case of Tinder against United States, decided by the Supreme Court of the United States and found in Volume 345 United States Supreme Court Reports at page 565, which settled that question for all time.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has again expired.

Mr. CELLER. Mr. Chairman, I yield myself 1 additional minute.

I yield to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. It does not refer to the labor section, but it refers to another section of title 18 and just says flatly and conclusively that the latest law is the law, that title 18 which was enacted into positive law and which is later than the Taft-Hartley Act, is the law, and how anyone can dispute it, I do not know.

My only reason for raising the question is that the Committee on the Judiciary is the official body of this Congress to revise the Code, and the Code of the United States is dependent upon by lawyers, thousands of them all over the United States, as being the law which Congress has passed, and which is the law of the land; and an attack on the integrity of the United States Code by the people who revise it seems to me a very unfortunate situation.

Mr. CELLER. Mr. Chairman, I yield myself 2 additional minutes in order to reply to the gentleman.

I am not going to enter into any technical argument as to the Tinder case, but I am going to place in the RECORD a complete answer to the contention made by the gentleman from Virginia [Mr. SMITH]. I am going to put into the RECORD, as my own remarks, a brief entitled "Jury Trials in Contempt Proceedings With Special Reference to Labor Injunctions."

I do hope that the Members will read these two documents which are a complete and smothering answer to the contention made by the gentleman from Virginia [Mr. SMITH].

The matter referred to is as follows:

MEMORANDUM RE TINDER v. U. S. (345 U. S. 565)

The gentleman from Virginia cannot gain any comfort from the opinion in *Tinder v. United States*. That case involved a substantive change in the law relating to thefts of mail matter by providing a lesser punishment where the value was less than $100. The change was proper inasmuch as the revision of title 18, Crimes and Criminal Procedure, was considered by the Committee of the Judiciary which has jurisdiction of revision of the laws and bills relating to crimes, and which, of course, may report bills changing the criminal code.

The intent to make the change was set out fully in the committee report on the bill as part of the revision notes explaining each section.

The Supreme Court agreed that only a change in punishment provisions according to the value of the theft was intended and that there was no intention to create a new substantive offense. Recognizing that the revision notes in the committee report were incorporated to explain changes in substantive law the court stated: "It would have been a simple matter for the reviser, or Congress, to have made clear, had such been the intent, that stealing an article or thing from an item of mail otherwise intact, is to be regarded as a less serious offense than stealing the item of mail itself. A highly technical distinction of this sort, which could easily have been spelled out, cannot be imposed on the general words "any such article or thing" in the concluding proviso of section 1708.

What the court clearly said and held was that no further change was intended than that which was explained in the committee report. Again the court adhered to the general proposition that a codification makes a change in existing law only to the extent that a clear intention to make such a change is manifested by the Congress, and the courts will not infer additional changes.

JURY TRIALS IN CONTEMPT PROCEEDINGS WITH SPECIAL REFERENCE TO LABOR INJUNCTIONS

There is no constitutional right to a trial by jury in either a criminal or civil contempt proceeding (*in re Debs*, 158 U. S. 564).

There is a serious question of constitutional law as to whether or not the Congress has the power to enact legislation granting the statutory right to a jury trial in a civil contempt proceeding. The specific issue here is whether or not such an enactment encroaches upon the equity jurisdiction intended by the Constitution. (See *Michaelson v. U. S.* (266 U. S. 42).)

The Congress first provided for a trial by jury in a criminal contempt case in 1914. The enactment of the Clayton Act (38 Stat. 730) in section 21, provided that one who wilfully disobeyed a lawful order of a Federal court by doing any act which also constituted a criminal offense under any Federal or State statute shall be proceeded against for contempt. Section 22 of the same act provided that the accused could demand a trial by jury. Section 24 of the act, however, provided exceptions to the right of the accused for a trial by jury in a criminal contempt; these exceptions were contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States.

These sections of the Clayton Act, namely, sections 21–25, were repealed by section 21 of Public Law 772, 80th Congress, 1st sess., 62 Stat. 864 (1948). 18 U. S. C. 402, 3285,

3691, (62 Stat. 701) contains the substance of these provisions at the present time.

In 1932 the Congress enacted the Norris-La Guardia Act, the act of March 23, 1932 (47 Stat. 70). This act, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", restricted the power of Federal courts to issue restraining orders and injunctions in certain cases involving or growing out of a labor dispute. Section 11 of that act provided as follows: "In all cases arising under this act in which a person shall be charged with contempt in a court of the United States (as herein defined), the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed: *Provided*, That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court." That provision was contained in section 111 of title 28, United States Code, until it was repealed by the act of June 25, 1948 (ch. 645, sec. 21, 62 Stat. 862). The reviser's footnote relating to the repeal is as follows: "Section 111, act Mar. 23, 1932 (ch. 90, sec. 11, 47 Stat. 72), related to contempts, speedy and public trials by jury, and is now covered by section 3692 of title 18, Crimes and Criminal Procedure."

The enactment of section 11 of the Norris-La Guardia Act afforded the contemnor in a criminal contempt proceeding for violation of a restraining order or injunction arising out of a labor dispute as defined in the Norris-La Guardia Act the right to a trial by jury in all cases except those heretofore mentioned; namely, in the presence of the court or so near thereto as to constitute an obstruction of justice or the disobedience of an officer of the court in respect to the court's orders. This provision had the effect of limiting the exception to the right to trial by jury provided for in the Clayton Act. Specifically, it affected the exception wherein jury trial in a criminal contempt proceeding was not available where the United States was a party to the original action. Moreover, the applicability of section 11 of this act was limited. In the conference report (H. Rept. 821, 72d Cong., 1st sess., p. 6 (1932)) the statement of the managers on the part of the House is as follows: "The House bill (sec. 11) provides that in cases arising under sections 3, 4, 5, 6, and 7 of this amendatory act in which a person is charged with criminal contempt of a court of the United States, the accused should enjoy a speedy public trial by jury. The corresponding provision of the Senate amendment (sec. 12) is broader, in that it relates to all cases in which a person is charged with contempt in a court of the United States. The conference agreement applies only to cases arising under the act under consideration in which a person is charged with contempt in a court of the United States."

In 1935 the National Labor Relations Act was enacted into law (49 Stat. 449 (1935), 29 U. S. C., sec. 160). The Wagner Act, as it is popularly known, provided the National Labor Relations Board with power to deal with unfair practices, and it further granted jurisdiction to the courts in certain cases to enforce the orders of the Board. While the National Labor Relations Act does not expressly provide for contempt proceedings, they are a corollary of the judicial power to issue enforcement orders. In House Report 1371, 74th Congress, 1st session, page 5 (1935), there is the statement to the effect that if an unfair practice is resumed or continued "there will be immediately available to the Board an existing court decree to serve as a basis for contempt proceedings." In the sections of that act relating to prevention of unfair labor practices, provision is made for the enforcement of the Board's orders by petition in circuit courts of appeals; jurisdiction is conferred upon the courts to issue temporary restraining orders or other temporary relief, and to issue decrees enforcing, modifying the order of the court. Section 10 (h) of the National Labor Relations Act of July 5, 1935 (49 Stat. 455) provided as follows: "When granting appropriate temporary relief or a restraining order, or making and entering the decree enforcing, modifying, and enforcing as so modified, for setting aside in whole or in part, an order of the Board, as provided in this section, the jurisdiction of the court sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., Supp. VII, title 29, secs. 101–115)."

It is obvious, therefore, that the National Labor Relations Act (sec. 10 (h)) waived the Norris-La Guardia Act in its entirety, as applied to cases coming within the purview of the National Labor Relations Act itself. Not only were the courts authorized to issue injunctions, which had been banned under the provisions of the Norris-La Guardia Act, but it is clear from the language of the act and the statement of legislative intent as contained in the report, that the provisions of the Norris-La Guardia Act would not be applicable both as to the issuance of injunctions to enforce the Board's order nor to the power of the court, sitting in equity, to enforce such orders of the court. As an equity court, the court has ancillary jurisdiction to effectuate its decrees and to prevent them from being frustrated. (28 U. S. C. 1651; *Local Loan Co.* v. *Hunt* (292 U. S. 234); *Julian* v. *Central Trust Co.* (193 U. S. 93, 112); *Root* v. *Woolworth* (150 U. S. 401, 410–413); see also, *Steelman* v. *All Continent Corp.* (301 U. S. 278, 288–289); *Dugas* v. *American Surety Co.* (300 U. S. 414, 428); *Moore* v. *N. Y. Cotton Exchange* (270 U. S. 593); *Looney* v. *Eastern Texas R. R. Co.* (247 U. S. 214).)

It is apparent that Congress did not intend the Norris-La Guardia Act provisions to apply to the proceedings arising out of the operations of the National Labor Relations Act. Here it should be noted that only a few years before, Congress had provided for the right to trial by jury in a criminal contempt proceeding arising out of certain labor disputes. Therefore, it is a reasonable assumption that when consideration of the National Labor Relations Act was before the Congress, it was cognizant of the then-existing rights afforded for a jury trial in criminal contempt proceedings arising out of those labor disputes. A fair deduction is that if Congress had intended to continue the right to a trial by jury in such circumstances, it would have specifically so provided. Yet the clear and unequivocal wording of section 10 (h) of the National Labor Relations Act (supra) clearly indicates a waiver of all the provisions of the Norris-La Guardia Act, including the provisions for a jury trial, in cases where the Government was a party to the original action.

The subsequent legislative history of the National Labor Relations Act sustains this position beyond all doubt. In 1947 the National Labor Relations Act was amended by an act popularly known as the Taft-Hartley Act (Labor-Management Relations Act, 1947, 61 Stat. 136; 29 U. S. C. 141–188). That act, as it dealt with unfair labor practices, specifically section 10 (h) contained the exact wording of section 10 (h) of the original National Labor Relations Act; this language was a complete waiver of all the provisions of the Norris-La Guardia Act as to proceedings involving the issuance of injunctions and the enforcement thereof as authorized by the National Labor Relations Act. That such was the specific legislative intent is clearly indicated in House Report No. 245, 80th Congress, 1st session, page 43 (1947), "Section 10 (h) remains unchanged in the amended act."

The Taft-Hartley Act also provided the President with authority to seek injunctions against strikes which imperiled the public health and safety and authorized the Attorney General to seek the same, and provided the authority for the courts to issue them. (Sec. 208 (b) of the Taft-Hartley Act (61 Stat. 155) provided as follows: "(b) In any case, the provisions of the act of March 23, 1932, entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' shall not be applicable.") Here is the second instance of a complete waiver of the entire Norris-La Guardia Act. The legislative intent to the effect that the Norris-La Guardia Act was inapplicable to proceedings under the amended National Labor Relations Act, is clearly indicated in H. Rept. 245, 80th Conf., 1st sess. page 9 (1947), which states "Second, the bill arms the President with authority to seek injunctions against strikes that imperil the public health and safety, and authorizes courts to issue injunctions in such cases without regard to the Norris-La Guardia Act."

That same report, on page 43, further states: "But it also makes the Norris-La Guardia Act inapplicable in suits and proceedings involving violations of contracts which labor organizations voluntarily and with their eyes open, enter into. Among other things, this change makes applicable in such cases as these the rules of evidence that apply in suits involving all other citizens."

The third indication of the inapplicability of the Norris-La Guardia Act to cases arising under the National Labor Relations Act, as amended, is contained in section 302 (e) of the act of June 23, 1947. (61 Stat. 158) Section 302 which makes it unlawful for an employer to pay an employee's representative, and for the latter to accept the same, contains in subsection (e) the following language: "* * *, without regard to the provisions of * * *, and the provisions of the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts, sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C. title 29, secs. 101–115)." This section conferred jurisdiction upon the United States courts to restrain violations of this section of the Taft-Hartley Act.

Further evidence of the fact that Congress was cognizant of the existence of the rights under the Norris-La Guardia Act and that it was the legislative intent to waive the Norris-La Guardia Act in regard to cases under the Taft-Hartley Act, is found in statements contained in the minority views as set forth in the report accompanying the bill (supra). For example, on page 64, "By making practically all strikes unlawful, it repeals the Norris-La Guardia Act, signed by President Hoover." On page 100, "It grants the district courts authority to issue injunctions, thus taking away the long-standing benefits of labor's hard-won rights under the Norris-La Guardia Act. It goes beyond that and gives the district court the right to include provisions in order "to facilitate the voluntary settlement of disputes." This provision amounts to compulsory arbitration, and if the parties fail to comply with the provisions set forth by the court to facilitate the settlement of the dispute, they could be held in contempt of court." Page 107, "In 1932 Congress finally passed the Norris-La Guardia Act, which expanded the definition of 'labor dispute' and restricted the jurisdiction of Federal courts to issue injunctions in such

disputes." Certainly it cannot be maintained on the basis of legislative history that in enacting the Taft-Hartley Act Congress meant to preserve within its provisions any of the rights afforded to labor under the previously enacted Norris-La Guardia Act.

If additional evidence to sustain this contention is necessary, one merely has to refer to Conference Report, House Report 510, 80th Congress, on the Taft-Hartley Act. In the statement of the managers on the part of the House, page 57, is the following statement: "(17) Sections 10 (g), (h), and (i) of the present act, concerning the effect upon the Board's orders of enforcement and review proceedings, making inapplicable the provisions of the Norris-La Guardia Act in proceedings before the courts, were unchanged either by the House bill or by the Senate amendment, and are carried into the conference agreement."; on page 64, referring to section 208, is the following language: "The Norris-La Guardia Act was made inapplicable."

The history of the enforcement of the National Labor Relations Act, as amended, affords proof that in contempt proceedings arising out of violations of court orders enforcing the act, there is no right to a trial by jury as had been provided for in the Norris-La Guardia Act. In these cases the Government has been a party to the original action and under existing law there is no right to a trial by jury, in a criminal contempt proceeding, and the exception provided in the Norris-La Guardia Act does not apply. Over the years in the enforcement of the National Labor Relations Act, the Board has rarely petitioned for criminal sanctions because it considers civil contempt the more appropriate instrument for regulating the behavior of labor and management. In the few instances where it has petitioned for contempt citation, the courts have been reluctant to grant it, preferring civil sanction over the criminal. However, there have been instances where the Board has petitioned for both civil and criminal contempt citations, and the court has referred the matter to a master. The absence of cases in point as to the applicability of the Norris-La Guardia Act, so as to provide for a jury trial in contempt citations, is also proof that there is no such right under the Labor-Management Relations Act. If such a right existed since 1935, there should be at least one case controlling, yet no such ruling case can be found.

That the provisions of section 11 of the Norris-La Guardia Act are limited to those cases arising under the act is clearly indicated by the Supreme Court in its decision in *United States* v. *United Mine Workers of America* (330 U. S. 258 (1947)). In that case the union and its president were adjudged guilty of civil and criminal contempt and fined for violating a temporary restraining order issued in a suit by the Government in a labor dispute arising while the coal mines were in the possession of and were being operated by the Government, pursuant to an Executive order under authority conferred upon the President by the War Labor Disputes Act. In its ruling, the court held that the Norris-La Guardia Act was inapplicable to the factual situation before the court. Although the defendants had waived an advisory jury before the district court, nevertheless on appeal they urged their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. The court, on page 298, treated this point as follows: "We need not treat these at length, for defendants, in this respect, urge only their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. But section 11 is not operative here, for it applies only to cases 'arising under this act', and we have already held that the restriction upon injunctions imposed by the act do not govern this case. The defendants, we think, were properly tried by the court without a jury." The footnote, set forth the pertinent language of section 11. Footnote 69 stated: "We believe, and the Government admits, that the defendants would have been entitled to a jury trial if section 11 applied to the instant contempt proceeding and if the case arose under the Norris-La Guardia Act".

In the same case Justice Frankfurter, in a concurring opinion on page 311, stated: "And so I join the opinion of the Court insofar as it sustains the judgment for criminal contempt upon the broad count of vindicating the process of law" (2). Footnote (2) reads as follows: "Since, in my view, this was not a conviction for contempt in a case arising under this act the jury provisions of section 11 of the Norris-La Guardia Act do not apply. For obvious reasons, the petitioners do not claim that the Constitution of the United States affords them a right to trial by jury."

It is clear, therefore, that the right to a trial by jury as provided in the Norris-La Guardia Act was confined by the wording of the act itself to those cases arising under the act.

It has been contended that in the revision and codification of title 18 of the United States Code in 1948, at which time that code was enacted into positive law, Congress restored the right to a trial by jury in criminal contempt cases arising out of a labor dispute. Such a contention is predicated upon title 18, United States Code, section 3692, which reads as follows:

"SEC. 3692. Jury trial for contempt in labor disputes.

"In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders or process of the court." (June 25, 1948, ch. 645, sec. 1, 62 stat. 844.)

The argument for this contention is that by the enactment of the subsequent act, namely, title 18, the Congress restored to labor the right to a trial by jury in a criminal contempt proceeding which was denied to it under the provisions of the previously-enacted National Labor Relations Act, as amended. Stress seems to be laid upon the fact that section 3692 uses the phrase in all cases and the conclusion is that the codification is a new enactment and prevails over the Taft-Hartley Act. The wording of section 3692 of title 18 is practically verbatim the wording of section 11 of the Norris-La Guardia Act. The main difference appears, however, in that the Norris-La Guardia Act uses the language in all cases arising under this act" while the codification employs the language "in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute."

Support for the contention is based upon a canon that a later law supersedes an earlier one to the extent that they are inconsistent. That canon is true only in cases of later legislation that clearly is intended to change substance.

An examination of the legislative history of section 3692 of title 18, United States Code indicates beyond any question of a doubt that there was no legislative intent to make a substantive change in the law. Once again it must be noted that here Congress in 1948 was dealing with a very important right, namely, the right to trial by jury in contempt proceedings arising out of a labor dispute at practically the same period of time when it was taking away that right in 1947 in at least three specific instances, under the Taft-Hartley Act. The legislative history of the revision of title 18 as contained in the report does not support the contention that the enactment of section 3692 carried the legislative intent to change substantive law. The reviser's notes clearly support that argument. For example, the reviser's notes as contained in title 18, section 3692, are as follows: "Based on section 111 of title 29, United States Code, 1940 edition, Labor (March 23, 1932, ch. 90, sec. 11, 47 Stat. 72)." In other words, section 3692 was based upon the original section 11 of the Norris-La Guardia Act. In addition, the revision of title 18 specifically repealed that provision of the Norris-LaGuardia Act, as indicated by the reviser's notes. Section 21 of the revision act itself set forth a schedule of the revised statutes which were specifically repealed at the time of its enactment into positive law. Included in that list, and specifically mentioned, is the act of March 23, 1932, chapter 90, sections 11 and 12, volume 47, Statutes, pages 72 and 73; title 29, United States Code, sections 111 and 112. That citation refers specifically to sections 11 and 12 of the Norris-La Guardia Act. Nowhere is there any mention made of any intent to change substantive law. The whole effect of such enactment was merely to transfer from title 29 into title 18 the provision providing for a jury trial in criminal contempt proceedings arising out of certain labor disputes. Indicative of the fact that such was the intent, namely to merely transfer and not alter substantive law, is the comment contained on page 379, Federal Practice and Procedure Rules Edition, Barron, volume 4: "Under title 18, United States Code Annotated, section 3692, a defendant charged with contempt arising under laws of the United States governing the issuance of injunctions or restraining orders growing out of a labor dispute is entitled to a jury trial. The same exceptions outlined in the next preceding paragraph also apply here." The reference to the exceptions in the next preceding paragraph are as follows: "This section, however, does not require a jury trial if the contempt was committed in the presence of the court or so near thereto as to obstruct the administration of justice or, if the contempt consists of disobedience of any lawful writ, process, order, rule, decree or command of the court issued in any suit or action brought or prosecuted in the name of, or on behalf of the United States." The particular section being referred to in this latter instance is section 3691 which guarantees a jury trial for contempt which consists of the willful disobedience of any lawful writ, process, rule, order, decree or command of any United States district court which also constitutes a criminal offense under any act of Congress or under the laws of any State in which it was done or committed. The author of that book, W. W. Barron, Esquire, was engaged as chief reviser by the law publishing companies who were employed in connection with the revision of title 18 of the United States Code.

Finally, the usual canon of construction hereinbefore mentioned, does not apply to a codification statute, such as the revision of title 18, United States Code, which is involved here. The courts have upheld the contrary presumption in a codification statute that the law is intended to remain substantially unchanged as a continuation of existing law and mere changes in style and terminology do not result in changes in substance nor impair the precedence value of earlier judicial decisions and other interpretations. The following authorities affirm this principle:

Stewart v. *Kahn* (11 Wall. 493, 502 (1871)).

Smythe v. *Fiske* (23 Wall. 374, 382 (1874)).

McDonald v. *Hovey* (110 U. S. 619, 628 (1884)).

United States v. *Ryder* (110 U. S. 729, 740 (1884)).

United States v. *Sischo* (262 U. S. 165, 168 (1923)).

Walsh v. *Commonwealth* (224 Mass. 239, 112 N. E. 486, 487 (1916)).

In re Sullivan's Estate (38 Ariz. 387, 300 Pac. 193, 195 (1931)).

State ex rel. Rankin v. *Wibaux County Bank* (85 Mont. 532, 281 Pac. 341, 344 (1929)).

Sigal v. *Wise* (114 Conn. 297, 158 Atl. 891, 894 (1932)).

Martin v. *Dyer-Kane Co.* (113 N. J. Eq. 88, 166 Atl. 227, 229 (1933)).

Norfolk & Portsmouth Bar Assn. v. *Drewry* (161 Va. 833, 172 S. E. 282, 285 (1934)).

Sutherland, Statutory Construction (3d ed., Horack (1943), secs. 3709, 3710).

In this particular instance, the presumption that the substance of the existing law was not changed by the enactment of section 3692 of title 18, is strongly buttressed by the absence of any evidence of a legislative intent or purpose to make a substantive change in the existing law. The enactment of section 3692, title 18, United States Code did not in any way amend the existing law as contained in the Labor-Management Relations Act of 1947 and therefore in any criminal contempt proceeding arising out of the National Labor Relations Act, as amended, there is no right to a trial by jury.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Chairman, I rise in opposition to the measure now under consideration.

Mr. Chairman, I am extremely concerned over the far-reaching and harmful effects that will almost certainly result if the legislation now before us is enacted into law. This proposal is unquestionably the most dangerous that has been considered in the House of Representatives since I have been a Member of this body.

Although the bill is cited as a civil-rights measure, it will not, in my opinion, safeguard civil rights. On the contrary, it will not only undermine civil rights but, at the same time, it will destroy time-honored rights of the individual States. In addition, it entails the spending of an indeterminate amount of money at a time when the national debt is unbelievably high and the Congress is in the midst of an effort to reduce the Federal budget.

Two important safeguards for the rights of the individual were instituted by our forefathers when they framed a constitution for this country—specific prohibitions against certain kinds of governmental action and a diffusion of powers between the Federal Government and the governments of the individual States. If we are to maintain a democratic form of government, then these long-established principles must be continued. Yet, the legislation now before us strikes a lethal blow at those basic foundations of freedom and democracy.

History teaches us that individual rights are protected by denying powers to government, not by increasing them. Guarantees against too much government and the checking of power by other power have been the traditional safeguards of our liberties. Despite these facts, a measure has been allowed to reach the floor of the House of Representatives which contains provisions directly infringing upon those established and time-tested doctrines. H. R. 6127 does not deny power to the Federal Government, as does the Bill of Rights, but instead it vests the Central Government with new powers with which it can oppress the individual citizen. Under the terms of this measure, the Federal Government is given the power to supervise the States in matters traditionally within the field of State authority.

Our own system of government was created in opposition to the invasion of local authority by the overwhelming ambitions of a distant government. Our forefathers died to assure their descendants of a democratic government based on the principle of local autonomy. Most of the great spokesmen of American liberty from the time of Thomas Jefferson have insisted that the Central Government be given an absolute minimum of power, and that the only safe repositories of governmental power are those authorities that are closest to the people.

But instead of assuring the continuation of local autonomy, the modern proponents of civil-rights legislation seek to increase the powers of the Central Government. In the name of liberty, they support principles which have ever been destructive of that liberty.

Part I of H. R. 6127 advocates the creation of a Commission on Civil Rights for the purpose of investigating the necessity of civil-rights legislation. Yet, the remainder of the bill proposes the very legislation whose need is supposed to be investigated. If an investigation is what the proponents of this legislation really want, then I cannot understand why the commission's conclusions are prejudged. Generally, investigations produce recommendations which in turn serve as the basis for remedial legislation. In H. R. 6127, we create an investigative body, presume the results of its investigation, and proceed to enact legislation—all in the same bill. The peculiarity of this procedure can only raise doubts in the minds of many as to the real purpose of this investigative commission.

The President already has the authority to create a commission in the executive branch of the Government, but he cannot authorize the power of subpena for such a commission. This power of subpena, given to the proposed Commission on Civil Rights under part I of the legislation, is one that should be jealously guarded. Yet it is given, under the terms of H. R. 6127, to an appointive commission composed of six men whose only required qualifications are political.

When investigative commissions are set up, efforts are usually made to make certain that the membership is unbiased or at least of varying viewpoints. The proposed Civil Rights Commission, however, has no philosophical standards, no geographical requirements, and no educational prerequisites. All six members can be from the same State and can have the same opinions on the issues they are supposed to investigate. Although this may not be likely, it is a possibility, and Congress should not leave broad loopholes of this type in the far-reaching measure we now have under consideration.

Armed with the power of subpena, this Commission can compel the attendance of witnesses anywhere within a judicial circuit for the purpose of giving testimony on an alleged deprivation of civil rights. Several States often comprise a judicial circuit, making it necessary for a subpenaed witness to travel quite a distance to appear at the Commission hearing.

The accused, as I understand the legislation, must bear the financial responsibility of transporting himself and any witnesses to the designated place, while the person or organization making the allegations will receive $4 daily for their attendance and traveling time, in addition to 8 cents per mile for going from and returning to their place of residence.

Besides this, the prosecution's witnesses are entitled to an allowance of $12 each day for expenses of subsistence, including the time necessary for traveling to and from the site of the hearing. This could conceivably result in a tremendous cost to the Federal taxpayer.

Other expenses incurred by the Commission will include the payment of the members of the Commission at $50 per day for each day of work and reimbursement for necessary travel expenses plus a per diem allowance of $12 per day in lieu of actual expenses for subsistence.

In addition, it will be necessary to pay a full-time staff director and such other personnel as the Commission deems advisable. There is even more expense entailed by the provision of the bill permitting the Commission to utilize the service of voluntary and uncompensated personnel who must be reimbursed for travel and subsistence expenses. Actually, it is impossible to estimate the total cost of this proposed Commission on Civil Rights.

Part II of H. R. 6127 provides an additional Assistant Attorney General who is expected to be in charge of a new Civil Rights Division in the Department of Justice. There is no limit in this legislation on the number of attorneys who can be hired by this new department, also at great expense to the taxpayer. In fact, it is my understanding that when interrogated, representatives of the Justice Department could not even estimate the number of persons who might be employed in this new division.

There is already established in the Department of Justice a civil-rights division, fully competent to handle civil-rights cases. Judging by the small case load reportedly handled by this section, the appointment of an additional Assistant Attorney General with innumerable assistants might appear at first glance to be based on the fallacy that there is some advantage in creating more Government jobs. After more careful consideration, however, many have reached the conclusion that this new division of lawyers is intended to displace United States attorneys who are familiar with local laws and customs.

It is evident, then, that part II of this legislation—and I think a reading of the majority report will emphasize my viewpoint—is designed to enable the Federal Government to invade all of the States

and subdivisions in matters relating to integration, the field of education, and even interstate and intrastate matters, including primary election. There is no doubt but that this would constitute a constant threat, not only to all State and local governments, but also to virtually every officer and agent of such governments.

As we examine H. R. 6127 further, its provisions become more and more alarming. Part III of the bill is entitled "To Strengthen the Civil Rights Statutes, and for Other Purposes," while part IV is "to provide means of further securing and protecting the right to vote." But the powers granted under parts III and IV are far more dangerous than their titles would indicate. These sections provide a device whereby State laws, State courts, and all State officials are bypassed in deference to the Federal courts.

Under parts III and IV, Federal judges would be permitted to issue injunctions against anticipated violations of civil rights and then proceed to punish local officials and private citizens without any reference to State remedies. The accused violator of civil rights could then be punished without even the benefit of trial by jury.

In clause 3 of section 2 of article 3 of our Constitution, the framers of that document stated, in the broadest possible terms, that "the trial of all crimes, except in cases of impeachment, shall be by jury."

The fifth amendment declares that no person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger.

Amendment 6 of the Constitution states that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Also, in the seventh amendment, it is provided that in suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved.

It has been stated by several proponents of H. R. 6127 that the right to trial by jury in contempt cases is not guaranteed by the Constitution. This statement is correct as far as civil contempt proceedings are concerned. But, when the power of injunction is used as an ultimate means of depriving persons of their liberty without trial by jury, as is the obvious purpose of H. R. 6127, then the spirit, if not the letter, of the Constitutional guarantee of jury trial would appear to be violated. In any event, Congress in 1914 inserted in the Clayton Act a stipulation that whenever an act charged as contempt of court is of such character as to constitute a criminal offense under any statute of the United States, or under the laws of any State, the person accused should be tried by a jury if he so requests. Congress at the same time made an exception to this general rule which provides that the right to jury trial in contempt cases should not pertain to suits brought in the name of the United States. It is under that exception that the right to trial by jury will be denied if H. R. 6127 is enacted into law. This legislation does not give to individuals the right to file suit for alleged violations of their civil rights. Only the Federal Government is given the right to file suit, with or without the consent of the aggrieved party. Therefore, since the Federal Government will constitute the plaintiff in all suits, the right to trial by jury is conveniently wiped out by this ill-conceived legislation.

Under the general and sweeping language of H. R. 6127, the Attorney General is authorized to grant relief "whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any acts or practices" which would deprive any other person of his civil rights. This bill does not require that any such deprivation shall have been committed, or attempted, or even threatened. It permits the Federal courts to step in whenever a person is about to invade someone's rights. But how can the Attorney General or anyone else determine when a person is about to do something?

This provision, coupled with the broad and vaguely defined rights which may be protected by injunctive relief, virtually gives the Federal courts a blank check to write new criminal laws, affix the penalties, and prosecute and punish offenders without any of the safeguards that experience has taught us are necessary to preserve individual liberties.

Mr. Chairman, it is obvious that H. R. 6127 is fraught with hazardous provisions. Although we are aware that this measure is aimed at one particular section of the United States, we should not overlook the fact that its provisions will apply with equal force to all sections of this country and can be used to harass, intimidate, and victimize any citizen anywhere in this great Nation.

I urge the Members of the House of Representatives to defeat this extremely dangerous bill.

Mr. KEATING. Mr. Chairman, I yield myself 2 minutes.

In conjunction with the remarks of the gentleman from New York [Mr. CELLER], I rather regret that we are not going fully into this question today of the effect both of the Wagner Act and the Taft-Hartley Act on the Norris-La Guardia Act, because it is perfectly clear that since the Wagner Act, and since the Taft-Hartley Act, there has been no right to a jury trial in any labor dispute case.

I hold in my hand the public law which was passed in the 80th Congress, the Taft-Hartley Act so-called, and in this paragraph it reads exactly the same as the Wagner Act. It refers to the very section relating to a jury trial which is contained in the Norris-La Guardia Act and says that:

When granting appropriate temporary relief for a restraining order or making and entering a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part an order of the Board, as provided in this section, the jurisdiction of courts sitting in equity shall not be limited by the act entitled—

And then follows the long title of the Norris-La Guardia Act, and then the specific citation: United States Code, supplement VII, title 29, sections 101 to 115.

Section 111 was the one relating to jury trials. It is true that the only case where this question has arisen, that I know of, is the one cited in my remarks yesterday, which is a decision of the Federal court of appeals—*National Labor Relations Board* v. *Red Arrow Freight Lines* (193 F. 2d 979 (5th cir. 1952)).

When we go back into the House, I shall ask to insert at this point in the RECORD as part of my remarks a portion of a brief filed by the National Labor Relations Board on this very subject of the right to a jury trial in labor dispute cases. It is very informative. It is perfectly clear. It is somewhat long, but it is a clear argument, which was adopted by the court. Jury trial was denied. It is the only case on the subject.

JURY TRIALS IN CONTEMPT PROCEEDINGS WITH SPECIAL REFERENCE TO LABOR INJUNCTIONS

There is no constitutional right to a trial by jury in either a criminal or civil contempt proceeding (*In re Debs* (158 U. S. 564)).

There is a serious question of constitutional law as to whether or not the Congress has the power to enact legislation granting the statutory right to a jury trial in a civil contempt proceeding. The specific issue here is whether or not such an enactment encroaches upon the equity jurisdiction intended by the Constitution. (See *Michaelson* v. *U. S.* (266 U. S. 42).)

The Congress first provided for a trial by jury in a criminal contempt case in 1914. The enactment of the Clayton Act (38 Stat. 739) in section 31, provided that one who willfully disobeyed a lawful order of a Federal court by doing any act which also constituted a criminal offense under any Federal or State statute shall be proceeded against for contempt. Section 22 of the same act provided that the accused could demand a trial by jury. Section 24 of the act, however, provided exceptions to the right of the accused for a trial by jury in a criminal contempt; these exceptions were contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, contempts committed in disobedience of any lawful writ, process, order, rule, decree, or command entered in any suit or action brought or prosecuted in the name of, or on behalf of, the United States.

These sections of the Clayton Act, namely, sections 21–25, were repealed by section 21 of Public Law 772, 80th Congress, 1st session, 62 Stat. 864 (1948). 18 U. S. C. 402, 3285, 3691 (62 Stat. 701), contains the substance of these provisions at the present time.

In 1932 the Congress enacted the Norris-La Guardia Act, the act of March 23, 1932 (47 Stat. 70). This act, entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," restricted the power of Federal courts to issue restraining orders and injunctions in certain cases involving or growing out of a labor dispute. Section 11 of that act provided as follows: "In all cases arising under this act in which a person shall be charged with contempt in a court of the United States (as herein defined), the accused shall enjoy the right to a speedy and public trial by an impartial

jury of the State and district wherein the contempt shall have been committed: *Provided*, That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to writs, orders, or process of the court." That provision was contained in section 111 of title 28, United States Code, until it was repealed by the act of June 25, 1948 (ch. 645, sec. 21, 62 Stat. 862). The reviser's footnote relating to the repeal is as follows: "Section 111, act March 23, 1932 (ch. 90, sec. 11, 47 Stat. 72), related to contempts, speedy and public trials by jury, and is now covered by section 3692 of title 18, Crimes and Criminal Procedure."

The enactment of section 11 of the Norris-La Guardia Act afforded the contemnor in a criminal contempt proceeding for violation of a restraining order or injunction arising out of a labor dispute as defined in the Norris-La Guardia Act the right to a trial by jury in all cases except those heretofore mentioned, namely in the presence of the court or so near thereto as to constitute an obstruction of justice or the disobedience of an officer of the court in respect to the court's orders. This provision had the effect of limiting the exception to the right to trial by jury provided for in the Clayton Act. Specifically, it affected the exception wherein jury trial in a criminal contempt proceeding was not available where the United States was a party to the original action. Moreover, the applicability of section 11 of this act was limited. In the conference report (H. Rept. 821, 72d Cong., 1st sess., p. 6 (1932)) the statement of the managers on the part of the House is as follows: "The House bill (sec. 11) provides that in cases arising under sections 3, 4, 5, 6, and 7 of this amendatory act in which a person is charged with criminal contempt of a court of the United States, the accused should enjoy a speedy public trial by jury. The corresponding provision of the Senate amendment (sec. 12) is broader, in that it relates to all cases in which a person is charged with contempt in a court of the United States. The conference agreement applies only to cases arising under the act under consideration in which a person is charged with contempt in a court of the United States."

In 1935 the National Labor Relations Act was enacted into law (49 Stat. 449 (1935), 29 U. S. C., sec. 160). The Wagner Act, as it is popularly known, provided the National Labor Relations Board with power to deal with unfair practices, and it further granted jurisdiction to the courts in certain cases to enforce the orders of the Board. While the National Labor Relations Act does not expressly provide for contempt proceedings, they are a corollary of the judicial power to issue enforcement orders. In H. R. report 1371, 74th Congress, 1st sess. 5 (1935) there is the statement to the effect that if an unfair practice is resumed or continued "there will be immediately available to the Board an existing court decree to serve as a basis for contempt proceedings." In the sections of that act relating to prevention of unfair-labor practices, provision is made for the enforcement of the Board's orders by petition in Circuit Courts of Appeals; jurisdiction is conferred upon the courts to issue temporary restraining orders or other temporary relief and to issue decrees enforcing, modifying the orders of the court. Sec. 10 (h) of the National Labor Relations Act of July 5, 1935 (49 Stat. 455) provided as follows: "When granting appropriate temporary relief or a restraining order, or making and entering the decree enforcing, modifying, and enforcing as so modified, for setting aside in whole or in part, an order of the Board, as provided in this section, the jurisdiction of the court sitting in equity shall not be limited by the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' shall not be applicable." Here is the second instance of a complete waiver of the entire Norris-La Guardia Act. The legislative intent to the effect that the Norris-La Guardia Act was inapplicable to proceedings under the amended National Labor Relations Act, is clearly indicated in House Report 245, 80th Congress, 1st session, page 9 (1947), which states "Second, the bill arms the President with authority to seek injunctions against strikes that imperil the public health and safety, and authorizes courts to issue injunctions in such cases without regard to the Norris-La Guardia Act."

That same report, on page 43, further states: "But it also makes the Norris-La Guardia Act inapplicable in suits and proceedings involving violations of contracts which labor organizations voluntarily and with their eyes open, enter into. Among other things, this change makes applicable in such cases as these the rules of evidence that apply in suits involving all other citizens."

The third indication of the inapplicability of the Norris-La Guardia Act to cases arising under the National Labor Relations Act, as amended, is contained in section 302 (e) of the act of June 23, 1947. (61 Stat. 158.) Section 302, which makes it unlawful for an employer to pay an employee's representative, and for the latter to accept the same, contains in subsection (e) the following language: "* * *, without regard to the provisions of * * *, and the provisions of the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts, sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., title 29, secs. 101–115)." This section conferred jurisdiction upon the United States courts to restrain violations of this section of the Taft-Hartley Act.

Further evidence of the fact that Congress was cognizant of the existence of the rights under the Norri-La Guardia Act and that it was the legislative intent to waive the Norris-La Guardia Act in regard to cases under the Taft-Hartley Act, is found in statements contained in the minority views as set forth in the report accompanying the bill, supra. For example, on page 64, "By making practically all strikes unlawful, it repeals the Norris-La Guardia Act, signed by President Hoover." On page 100 "It grants the district courts authority to issue injunctions, thus taking away the long-standing benefits of labor's hard-won rights under the Norris-La Guardia Act. It goes beyond that and gives the district court the right to include provisions in order "to facilitate the voluntary settlement of disputes." This provision amounts to compulsory arbitration, and if the parties fail to comply with the provisions set forth by the court to facilitate the settlement of the dispute, they could be held in contempt of court." Page 107 "In 1932 Congress finally passed the Norris-La Guardia Act, which expanded the definition of 'labor dispute' and restricted the jurisdiction of Federal courts to issue injunctions in such disputes." Certainly it cannot be maintained on the basis of legislative history that in enacting the Taft-Hartley Act Congress meant to preserve within its provisions any of the rights afforded to labor under the previously enacted Norris-La Guardia Act.

It is obvious, therefore, that the National Labor Relations Act (sec. 10 (h)) waived the Norris-La Guardia Act in its entirety, as applied to cases coming within the purview of the National Labor Relations Act itself. Not only were the courts authorized to issue injunctions, which had been banned under the provisions of the Norris-La Guardia Act, but it is clear from the language of the act and the statement of legislative intent as contained in the report, that the provisions of the Norris-La Guardia Act would not be applicable both as to the issuance of injunctions to enforce the Board's order nor to the power of the court, sitting in equity, to enforce such orders of the court. As an equity court, the court has ancillary jurisdiction to effectuate its decrees and to prevent them from being frustrated. (28 U. S. C. 1651; *Local Loan Co.* v. *Hunt* (292 U. S. 234); *Julian* v. *Central Trust Co.* (193 U. S. 93, 112); *Root* v. *Woolworth* (150 U. S. 401, 410-413); see also *Steelman* v. *All Continent Corp.* (301 U. S. 278, 288–289); *Dugas* v. *American Surety Co.* (300 U. S. 414, 428); *Moore* v. *N. Y. Cotton Exchange* (270 U. S. 593); *Looney* v. *Eastern Texas R. R. Co.* (247 U. S. 214).)

It is apparent that Congress did not intend the Norris-La Guardia Act provisions to apply to the proceedings arising out of the operations of the National Labor Relations Act. Here it should be noted that only a few years before, Congress had provided for the right to trial by jury in a criminal contempt proceeding arising out of certain labor disputes. Therefore, it is a reasonable assumption that when consideration of the National Labor Relations Act was before the Congress, it was cognizant of the then-existing rights afforded for a jury trial in criminal contempt proceedings arising out of those labor disputes. A fair deduction is that if Congress had intended to continue the right to a trial by jury in such circumstances, it would have specifically so provided. Yet the clear and unequivocal wording of section 10 (h) of the National Labor Relations Act (supra) clearly indicates a waiver of all the provisions of the Norris-La Guardia Act, including the provisions for a jury trial, in cases where the Government was a party to the original action.

The subsequent legislative history of the National Labor Relations Act sustains this position beyond all doubt. In 1947 the National Labor Relations Act was amended by an act popularly known as the Taft-Hartley Act (Labor-Management Relations Act, 1947; 61 Stat. 136; 29 U. S. C. 141–188). That act as it dealt with unfair labor practices, specifically section 10 (h) contained the exact wording of section 10 (h) of the original National Labor Relations Act; this language was a complete waiver of all the provisions of the Norris-La Guardia Act as to proceedings involving the issuance of injunctions and the enforcement thereof as authorized by the National Labor Relations Act. That such was the specific legislative intent is clearly indicated in H. R. Rept. 245; 80th Congress, 1st session, page 43 (1947), "Section 10 (h) remains unchanged in the amended act."

The Taft-Hartley Act also provided the President with authority to seek injunctions against strikes which imperiled the public health and safety and authorized the Attorney General to seek the same, and provided the authority for the courts to isue them. (Sec. 208 (b) of the Taft-Hartley Act (61 Stat. 155) provided as follows: "(b) In any case, the provisions of the act of March 23, 1932, entiled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes,' shall not be applicable." Here is the second instance of a complete waiver of the entire Norris-La Guardia Act. The legislative intent to the effect that the Norris-La Guardia Act was inapplicable to proceedings under the amended National Labor Relations Act, is clearly indicated in House Report 245, 80th Congress, 1st session, page 9 (1947), which states "Second, the bill arms the President with authority to seek injunctions against strikes that imperil the public health and safety, and authorizes courts to issue injunctions in such cases without regard to the Norris-La Guardia Act."

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The third indication of the inapplicability of the Norris-La Guardia Act to cases arising under the National Labor Relations Act, as amended, is contained in section 302 (e) of the act of June 23, 1947. (61 Stat. 158.) Section 302, which makes it unlawful for an employer to pay an employee's representative, and for the latter to accept the same, contains in subsection (e) the following language: "* * *, without regard to the provisions of * * *, and the provisions of the act entitled 'An act to amend the Judicial Code and to define and limit the jurisdiction of courts, sitting in equity, and for other purposes,' approved March 23, 1932 (U. S. C., title 29, secs. 101–115)." This section conferred jurisdiction upon the United States courts to restrain violations of this section of the Taft-Hartley Act.

Further evidence of the fact that Congress was cognizant of the existence of the rights under the Norri-La Guardia Act and that it was the legislative intent to waive the Norris-La Guardia Act in regard to cases under the Taft-Hartley Act, is found in statements contained in the minority views as set forth in the report accompanying the bill, supra. For example, on page 64, "By making practically all strikes unlawful, it repeals the Norris-La Guardia Act, signed by President Hoover." On page 100 "It grants the district courts authority to issue injunctions, thus taking away the long-standing benefits of labor's hard-won rights under the Norris-La Guardia Act. It goes beyond that and gives the district court the right to include provisions in order "to facilitate the voluntary settlement of disputes." This provision amounts to compulsory arbitration, and if the parties fail to comply with the provisions set forth by the court to facilitate the settlement of the dispute, they could be held in contempt of court." Page 107 "In 1932 Congress finally passed the Norris-La Guardia Act, which expanded the definition of 'labor dispute' and restricted the jurisdiction of Federal courts to issue injunctions in such disputes." Certainly it cannot be maintained on the basis of legislative history that in enacting the Taft-Hartley Act Congress meant to preserve within its provisions any of the rights afforded to labor under the previously enacted Norris-La Guardia Act.

If additional evidence to sustain this contention is necessary, one merely has to refer to Conference Report, H. Rept. 510, 80th Cong., on the Taft-Hartley Act. In the statement of the Managers on the part of the House, page 57, is the following statement: "(17) Sections 10 (g), (h), and (i) of the present act, concerning the effect upon the Board's orders of enforcement and review proceedings, making inapplicable the provisions of the Norris-La Guardia Act in proceeding before the courts, were unchanged either by the House bill or by the Senate amendment, and are carried into the

conference agreement."; on page 64, referring to section 208, is the following language: "The Norris-La Guardia Act was made inapplicable."

The history of the enforcement of the National Labor Relations Act, as amended, affords proof that in contempt proceedings arising out of violations of court orders enforcing the act, there is no right to a trial by jury as had been provided for in the Norris-La Guardia Act. In these cases the Government has been a party to the original action and under existing law there is no right to a trial by jury, in a criminal contempt proceeding, and the exception provided in the Norris-La Guardia Act does not apply. Over the years in the enforcement of the National Labor Relations Act, the Board has rarely petitioned for criminal sanctions because it considers civil contempt the more appropriate instrument for regulating the behavior of labor and management. In the few instances where it has petitioned for contempt citation, the courts have been reluctant to grant it, preferring civil sanction over the criminal. However, there have been instances where the Board has petitioned for both civil and criminal contempt citations, and the court has referred the matter to a master. The absence of cases in point as to the applicability of the Norris-La Guardia Act, so as to provide for a jury trial in contempt citations, is also proof that there is no such right under the Labor-Management Relations Act. If such a right existed since 1935, there should be at least one case controlling, yet no such ruling case can be found.

That the provisions of section 11 of the Norris-La Guardia Act are limited to those cases arising under the act is clearly indicated by the Supreme Court in its decision in *United States* v. *United Mine Workers of America* (330 U. S. 258 (1947)). In that case the union and its president were adjudged guilty of civil and criminal contempt and fined for violating a temporary restraining order issued in a suit by the Government in a labor dispute arising while the coal mines were in the possession of and were being operated by the Government, pursuant to an Executive order under authority conferred upon the President by the War Labor Disputes Act. In its ruling, the Court held that the Norris-La Guardia Act was inapplicable to the factual situation before the Court. Although the defendants had waived an advisory jury before the district court, nevertheless on appeal they urged their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. The Court, on page 298, treated this point as follows: "We need not treat these at length, for defendants, in this respect, urge only their right to a jury trial as provided in section 11 of the Norris-La Guardia Act. But section 11 is not operative here, for it applies only to cases arising under this act, and we have already held that the restriction upon injunctions imposed by the act do not govern this case. The defendants, we think, were properly tried by the Court without a jury." The footnote set forth the pertinent language of section 11. Footnote 69 stated: "We believe, and the Government admits, that the defendants would have been entitled to a jury trial if section 11 applied to the instant contempt proceeding and if the case arose under the Norris-La Guardia Act."

In the same case Justice Frankfurter, in a concurring opinion on page 311, stated: "And so I join the opinion of the court insofar as it sustains the judgment for criminal contempt upon the broad count of vindicating the process of law" (2). Footnote 2 reads as follows: "Since, in my view, this was not a conviction for contempt in a case arising under this act the jury provisions of section 11 of the Norris-La Guardia Act do not apply. For obvious reasons, the petitioners do not claim that the Constitution of the United States affords them a right to trial by jury."

It is clear, therefore, that the right to a trial by jury as provided in the Norris-La Guardia Act was confined by the wording of the act itself to those cases "arising under the act."

It has been contended that in the revision and codification of title 18 of the United States Code in 1948, at which time that code was enacted into positive law, Congress restored the right to a trial by jury in criminal contempt cases arising out of a labor dispute. Such a contention is predicated upon title 18, United States Code, section 3692, which reads as follows:

"SEC. 3692. Jury trial for contempt in labor disputes.

"In all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court." (June 25, 1948, ch. 645, sec. 1, 62 Stat. 844.)

The argument for this contention is that by the enactment of the subsequent act, namely, title 18, the Congress restored to labor the right to a trial by jury in a criminal contempt proceeding which was denied to it under the provisions of the previously enacted National Labor Relations Act, as amended. Stress seems to be laid upon the fact that section 3692 uses the phrase "in all cases" and the conclusion is that the codification is a new enactment and prevails over the Taft-Hartley Act. The wording of 3692 of title 18 is practically verbatim the wording of section 11 of the Norris-La Guardia Act. The main difference appears, however, in that the Norris-La Guardia Act uses the language "in all cases arising under this act" while the codification employs the language "in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any case involving or growing out of a labor dispute."

Support for the contention is based upon a canon that a later law supersedes an earlier one to the extent that they are inconsistent. That canon is true only in cases of later legislation that clearly is intended to change substance.

An examination of the legislative history of section 3692 of title 18, United States Code indicates beyond any question of a doubt that there was no legislative intent to make a substantive change in the law. Once again it must be noted that here Congress in 1948 was dealing with a very important right, namely, the right to trial by jury in contempt proceedings arising out of a labor dispute at practically the same period of time when it was taking away that right in 1947 in at least three specific instances, under the Taft-Hartley act. The legislative history of the revision of title 18 as contained in the report does not support the contention that the enactment of section 3692 carried the legislative intent to change substantive law. The reviser's notes clearly support that argument. For example, the reviser's notes as contained in title 18, section 3692, are as follows:

Based on section 111 of title 29, U. S. C., 1940 ed., Labor (Mar. 23, 1932, ch. 90, sec. 11, 47 Stat. 72)." In other words, section 3692 was based upon the original section 11 of the Norris-La Guardia Act. In addition, the revision of title 18 specifically repealed that provision of the Norris-La Guardia Act, as indicated by the reviser's notes. Section 21 of the revision act itself set forth a schedule of the revised statutes which were specifically repealed at the time of its enactment into positive law. Included in that last, and specifically mentioned, is the act of March 23, 1932, chapter 90, sections 11 and 12, volume 47, Statutes, pages 72 and 73; title 29, United States Code, sections 111 and 112. That citation refers specifically to sections 11 and 12 of the Norris-La Guardia Act. Nowhere is there any mention made of any intent to change substantive law. The whole effect of such enactment was merely to transfer from title 29 into title 18 the provision providing for a jury trial in criminal contempt proceedings arising out of certain labor disputes. Indicative of the fact that such was the intent, namely to merely transfer and not alter substantive law, is the comment contained on page 379, Federal Practice and Procedure Rules Edition, Barron, volume 4: "Under 18 U. S. C. A., section 3692, a defendant charged with contempt arising under laws of the United States governing the issuance of injunctions or restraining orders growing out of a labor dispute is entitled to a jury trial. The same exceptions outlined in the next preceding paragraph also apply here." The reference to the exceptions in the next preceding paragraph are as follows: "This section, however, does not require a jury trial if the contempt was committed in the presence of the court or so near thereto as to obstruct the administration of justice or, if the contempt consists of disobedience of any lawful writ, process, order, rule, decree or command of the court issued in any suit or action brought or prosecuted in the name of, or on behalf of the United States." The particular section being referred to in this latter instance is section 3691 which guarantees a jury trial for contempt which consists of the willful disobedience of any lawful writ, process, rule, order, decree or command of any United States district court which also constitutes a criminal offense under any act of Congress or under the laws of any State in which it was done or committed. The author of that book, W. W. Barron, Esq., was engaged as chief reviser by the law publishing companies who were employed in connection with the revision of title 18 of the United States Code.

Finally, the usual canon of construction hereinbefore mentioned, does not apply to a codification statute, such as the revision of title 18, United States Code, which is involved here. The courts have upheld the contrary presumption in a codification statute that the law is intended to remain substantially unchanged as a continuation of existing law and mere changes in style and terminology do not result in changes in substance nor impair the precedence value of earlier judicial decisions and other interpretations. The following authorities affirm this principle:

Stewart v. *Kahn* (11 Wall. 493, 502 (1871)).

Smythe v. *Fiske* (23 Wall. 374, 382 (1874)).

McDonald v. *Hovey* (110 U. S. 619, 628 (1884)).

United States v. *Ryder* (110 U. S. 729, 740 (1884)).

United States v. *Sischo* (262 U. S. 165, 168 (1923)).

Walsh v. *Commonwealth* (224 Mass. 239, 112 N. E. 486, 487 (1916)).

In re Sullivan's Estate (38 Ariz. 387, 300 Pac. 193, 195 (1931)).

State ex rel Rankin v. *Wibaux County Bank* (85 Mont. 532, 281 Pac. 341, 344 (1929)).

Sigal v. *Wise* (114 Conn. 297, 158 Atl. 891, 894 (1932)).

Martin v. *Dyer-Kane Co.* (113 N. J. Eq. 88, 166 Atl. 227, 229 (1933)).

Norfolk & Portsmouth Bar Ass'n v. *Drewry* (161 Va. 833, 172 S. E. 282, 285 (1934)).

Sutherland Statutory Construction (third edition, Horack, 1943), sections 3709, 3710.

In this particular instance, the presumption that the substance of the existing law was not changed by the enactment of section 3692 of title 18, is strongly buttressed by the absence of any evidence of a legislative intent or purpose to make a substantive change in the existing law. The enactment of section 3692, title 18, United States Code did not in any way amend the existing law as contained in the Labor-Management Relations Act of 1947 and therefore in any criminal contempt proceeding arising out of the National Labor Relations Act, as amended, there is no right to a trial by jury.

As I said earlier, one of the reasons why jury trial has seldom been demanded is that labor lawyers, so-called, have accepted as a clear statement of the law just what the law said when it was passed, namely, that that provision was waived.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. Mr. Chairman, I think at the outset it might be stated that in my judgment the very form in which this bill finds itself at this time is adequate proof of the fact that even in the great field of civil rights it is possible for us here in the Congress to make mistakes that upon sufficient reflection we correct.

You will remember a year ago when this bill was on the floor of the House I said I was a great believer in civil rights, and I repeat that statement today. In the course of my motion a year ago to recommit this bill I pointed out that I did so because I thought in its then form it would destroy more civil rights than it would promote. I pointed out that under the bill a year ago this Commission created in this bill could subpena anyone in this country anywhere and keep him interminably at his own expense. That has been corrected in this bill.

I charged a year ago that this bill permitted the Commission created to investigate loose allegations of unwarranted economic pressure, and that such economic pressure if being exerted on the ground of religion would mean we would attempt to legislate in this Congress that a Catholic publication must hire an atheist if he applied for a job and was otherwise qualified in that field. That has been corrected in this bill.

I charged a year ago that in an emotion-packed bill such as this the Congress would retain no jurisdiction over the operation of this Commission if we allowed it to hire an unlimited number of volunteers to work in this field and to pay them a per diem allowance. That has been corrected in this bill.

I charged a year ago that the bill in its then form permitted the Attorney General to institute actions in the name of people who never even asked for or consented to his action. That has been corrected in this bill.

Now we get down to the simple question, in my judgment, of this matter of jury trial. A lot has been said about this question of jury trial, which has no relation at all to the amendment which I am talking about and to which I referred when I talked about an amendment to this bill providing for a jury trial.

I am not talking about these cases in the Securities and Exchange Commission or the Atomic Energy Commission or in any other field of civil contempt. As an illustration, in this bill, as I discussed with the counsel of the committee the other day, this commission can subpena a witness to appear and testify. If that witness fails to appear, the commission can secure the services of the Attorney General to get an injunction or an order demanding that that person appear before the commission. If that person does not appear in pursuance to the court order, the Attorney General can seek a trial in contempt against that person. Now I am not in favor of a jury trial in that proceeding. That person has committed no act which is a crime under the penal laws of this country. He has failed to obey a court order and the court has the right to enforce its orders in the civil field without a jury trial. But, what I am talking about is what this bill does in the criminal contempt field. I was not in the Congress when the Norris-La Guardia Act was passed. But, if I were, I would have voted for it because I believe in trial by jury, when you are trying a man for an act which is a crime, even though the same act may also be in contempt of court. I was not in Congress when it was allegedly repealed by the Taft-Hartley or the Wagner Act. But, I find no record that anyone then made a statement on the floor that they were in favor of repealing the right of laboring people to trials by jury in labor cases even though that may have been the legal effect of the passage of the act. But, if I had been in Congress at that time, I would not have voted to take away from labor their right to a jury trial in contempt cases. Labor is for this bill—so they say. But, I wonder if they really understand the precedent it creates for labor because if this is passed in its present form without a trial by jury in criminal contempt cases, it means that at some future time it may be alleged that you cannot get a conviction of a laboring man in, let us say, laboring Pennsylvania because of the fact that all of the jurors would be members of a labor union. So, therefore, you enjoin laboring people from committing assaults or blowing peoples' houses up, all of which are crimes and for which they may be indicted and get a jury trial, but you may restrain them by injunction from doing those things, and then when they assault someone you send them to jail not for an assault but for contempt of court, and they go to jail for the same act which constitutes a crime, but without a jury trial. It is alleged, and it has been alleged all the time that this bill creates no new rights, and that is correct. But, if it creates no new rights, it creates no new wrongs. What it does do is to give the Attorney General of the United States the right to proceed against individual Americans in two different ways for the same act. Either he may indict and try before a jury or he can get a restraining order and then try in contempt without a jury trial at all the same individual for the same act which he now has all the authority in the world under existing penal code to try, prosecute and convict, if guilty, in this country without this legislation. What worries me about this question is this. We are talking about the fact that there is no precedent in these cases because under the law of this country, and it always has been the law where the United States is a party to an action, there shall be no trial by jury.

Now, that is true, but because there have been abuses in the labor field at one time it was provided that even in that field, where the United States was a party, there would be a jury trial. Now we are legislating in a new field. If I had my way, I would be in favor of legislation which would provide that in all cases of criminal contempt there shall be a jury trial—in all cases. But, in any event, we are now legislating in a new field. I say that we have the right, and it seems to me the duty to see, if there is no precedent in this field, that we establish one, to make sure that the Attorney General cannot proceed against individuals for the same act for which he might proceed against them today, but in a way which permits him to circumvent the trial by jury requisite. If you follow the theory and philosophy of this bill to its logical conclusion, it could mean that in every single case regarding all the penal statutes of this country we might provide a method by which the Attorney General can reach the same individual for the same act. Thus, we would give the Attorney General the power to proceed against individuals which would put them in jail to rot, the very thing which we fought to establish our independence from in this country.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. CELLER. It does not follow that the action that constitutes contempt must necessarily be a crime. It could be a tort.

Mr. MILLER of New York. I am talking about my amendment, which I have in mind, which relates only to criminal contempt, and, as defined in the statute, only those acts which are today a crime.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. MILLER of New York. I yield.

Mr. CELLER. I understand, then, you are contemplating offering an amendment limiting this matter to criminal contempt?

Mr. MILLER of New York. That is all. Just for those acts which today constitute a crime.

Mr. CELLER. As defined in title 18?

Mr. MILLER of New York. That is correct.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. KEATING. There is nothing unusual, is there, in providing that the

same acts might give rise to a prosecution for a crime, or an injunction proceeding to restrain the continued commission of those acts? Is that not something which is common, not only in the Federal jurisdiction but in the State of New York?

Suppose you and I walk out and you hit me as we are going across the street and I do not like it, but I swallow that, and the next day you hit me again and I do not like that. I have two remedies. I can go to the District Attorney and have you charged with assault, or I can bring an action in equity for an injunction to stop you from continued assault.

Mr. MILLER of New York. You can, and if you do I get a jury trial.

Mr. KEATING. Not in the injunction suit.

Mr. MILLER of New York. Yes.

Mr. KEATING. Then, if you hit me a third time, in that case you are in contempt of court, and there is no jury trial in such a case.

Mr. MILLER of New York. Under the Federal jurisdiction, if you are the plaintiff, there is now.

Mr. KEATING. I am talking about New York State.

Mr. MILLER of New York. It does not make any difference. The proceeding which you are talking about would be for the District Attorney to get an injunction for you? There is no such proceeding as that.

Mr. KEATING. You can bring an action against continued wrongful acts.

We have cases time and again of actions in a court of equity in the State of New York where an act is sought to be enjoined which may in addition be a criminal act, but it may be that the complainant rather than proceed criminally, wanted to proceed by injunction in order to restrain the continuation of the act before it took place. In the event, after the court issues an order restraining that action from taking place someone defies that order, the one defying it has no right to a jury trial.

Mr. MILLER of New York. I am not talking at all about the injunction proceedings. In other words that is one reason why the Attorney General wanted this particular legislation because of the haste he claimed was necessary. I am not talking about that because under my proposed amendment there is no prohibition or objection at all to the Attorney General getting his temporary injunction or getting his permanent injunction eventually. All we are talking about here is what happens when the defendant is brought into court for his trial for the violation of a court order. Then what has haste got to do with whether he has a trial or not?

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. KEATING. Mr. Chairman, I yield the gentleman five additional minutes and ask him if he will yield to me.

Mr. MILLER of New York. I yield.

Mr. KEATING. If on the eve of election an effort were made to interfere with an election, and an injunction was sought to restrain such interference, it would result in undue delay amounting to a denial of justice if a jury had to be impaneled and the man tried by a jury, because in the meantime the election would have taken place and the question would be moot.

Mr. MILLER of New York. He would have to be charged with being guilty or he would not be in court at all.

Mr. KEATING. He would not be in court without having been charged.

Mr. MILLER of New York. But he would have been charged already with committing the crime.

Mr. KEATING. The court would act to restrain him or prevent him from doing something. Then if he continued and you had to impanel a jury to determine whether or not he was guilty, the election would be over and your whole question would be moot.

Mr. MILLER of New York. That does not in my judgment follow at all. In other words, once you get him into court theoretically the speediness of the trial loses significance. At that point when you go into court and he is standing trial the question is how long is the trial going to take. I am thinking of procrastination. Why, a defendant could take days even without a jury in submitting all kinds of evidence for the defense if he wanted to. To my mind that does not reach the problem at all.

Mr. WILLIS. Mr. Chairman, does the gentleman yield?

Mr. MILLER of New York. I yield.

Mr. WILLIS. I think the gentleman has made a very clear and penetrating statement. I was intrigued in connection with one passage of his argument. Let me see if I followed the gentleman correctly. The gentleman argued, did he not, that under this bill a man charged with criminal contempt could be sent to jail by a Federal judge without a jury. Now, suppose that for one reason or another the district judge held him to be not in contempt; then, under the same facts he could still be prosecuted, could he not?

Mr. MILLER of New York. That is right.

Mr. WILLIS. Is not that in essence double jeopardy, putting his liberty twice in jeopardy?

Mr. MILLER of New York. Except that it is a violation of two different statutes.

Mr. WILLIS. That is correct, two different statutes, but there would be no such situation under present law; it is what could happen by virtue of the passage of the bill now before us.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield to the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Under the gentleman's amendment, would the defendants in the Clinton case be entitled to a jury trial notwithstanding the United States was an original party to the proceeding?

Mr. MILLER of New York. Yes; they would.

Mr. RIVERS. Under your amendment?

Mr. MILLER of New York. Yes.

Mr. RIVERS. And in the school cases under the unconstitutional opinion given by the Supreme Court, if they got an injunction against an entire community, under this bill the entire community could be put in jail for violation of the injunction. Under your amendment every one of them would have the right to a jury trial?

Mr. MILLER of New York. If the act which it is alleged they did which violated the injunction is also an act under the laws of the United States Government.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. MILLER of New York. I yield to the gentleman from New York.

Mr. CELLER. I wonder whether the gentleman will put in the RECORD the amendment that he contemplates offering?

Mr. MILLER of New York. Yes; I will be glad to.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Chairman, the committee has listened patiently to the debate for these several days, and off of the record of all of the individuals who have taken the floor and who have spoken on this very serious piece of legislation, it is patent that there is a terriffic amount of talent in the House of Representatives. I would be uncomplimentary to anybody's powers of perception if I at this late date was to assume even by inference that I probably could add anything new to that which has already been stated. The ground has been very well covered. Brilliant addresses, brilliant remarks, brilliant questions have punctuated all of the debate. What we have seen on the floor here today has further demonstrated the excellence and the brilliance of the individuals who compose this great body.

I believe there is one observation, however, that has not been concurred in yet and I want to record my agreement in it at this time. When my very good friend, MENDEL RIVERS, said that if a man is in jail he is in jail, the gentleman uttered a very profound philosophical observation, because under the principle that a thing can be and cannot be simultaneously I do not think anybody is going to quarrel with the factuality of that remark.

I had the honor of serving here in the last session. I further had the honor of being a member of the Judiciary Committee. As a member of the Judiciary Committee I was on section 2, the section that heard all of the testimony and all of the witnesses on the bill covering the civil rights bill in the last session. On that committee was the fine gentleman from Georgia, Mr. Forrester; the great lawyer from New York, Mr. Miller; and those very fine and equally brilliant lawyers, the late Chauncey Reed, Mr. Burdick, Mr. Donohue; and the chairman, Thomas Lane. It is truly remarkable how much you learn to respect and to accept and to appreciate people's viewpoints when you sit with them day after day after day and see the workings of their fine legal minds.

Mr. Chairman, if civil rights means anything generically, it means merely the protection of the rights of all individuals, particularly minority groups, to

security, to liberty, and to vote as American citizens. That, simply, is pretty much just what the area of civil rights encompasses.

We all know, and it has been heard several times—yes, a dozen times—that the first 10 amendments to the Constitution are restrictive on Federal activities and that the subsequent amendments are restrictive on State activities. When you talk about the 13th amendment and the 14th amendment and the 15th amendment, you are talking about legislation that limits and characterizes the rights of States, so that when we view the 15th amendment, we see it guarantees the right of people everywhere in the United States to vote, irrespective of race or creed or color or servitude or sex.

Under all of the cases interpretating and adjudicating this amendment the Supreme Court has a right to enunciate what constitutes and is the supreme law of the land. The weight of authority is the 15th amendment, is self-executing, and inherently has all the elements to effect its design and purpose.

The present civil-rights bill reiterates, codifies, and reenunciates the right of everybody in the whole United States to security, to liberty, and to the right to vote. When you weigh this bill you are talking about a bill that is ordinary, matter of fact, and reasonable as any civil-rights bill could be drafted. Personally, I do not think it goes far enough, but it is not for me to work my will on the subcommittee or on the full judiciary committee or on the House. I merely say that if you want to be honest and if you want to talk about this bill, you have to talk about it in connection with the guaranties of the 15th amendment. You all know the rights created by the 15th amendment have corresponding duties which devolve upon everybody. Let us now draw back aghast and be unduly worried with an individual or a group of individuals who will not appreciate or honor the guaranties of freedom of voting and who are unmindful of the duties that the 15th amendment imposes on all of us. Contained in this bill is civil remedy for the enforcement of civil rights. There are a lot of valid reasons for the need of this bill. The area of civil rights, looking at it from my background, my pedigree, and my judgment fortified by 3 years of study, research, and testimony of a great number of witnesses, indicates that from time to time the civil rights of people have not been fully protected and preserved. The need for better enforcement or a better firming up of the guaranties of the people under the Constitution of my work on the committee was demanded. A civil remedy appears more effective and workable like a criminal remedy, because there a lot of wonderful people, honest as the day is long, who have different philosophies and different viewpoints about civil rights making criminal prosecutions hard to secure and somewhat ineffectual. And, that is all well and good.

The testimony developed that under existing law, you have to firm up the 15th amendment. You have to make it more articulate so that it means to everybody in all sections of the country just what the law says in its very words.

No justifiable objection exists against having the rights protected by a civil proceeding. It is not nearly so harsh in a civil proceeding which finds the person or persons going to the Attorney General and registering complaint under oath that their rights are being injured or taken away or abridged or are about to be taken away or abridged. What happens then? The Attorney General examines the physical facts and sees whether predicated upon existing law and the verified physical facts, a case is made out. If the Attorney General is satisfied that it does, he files an application for an injunction in court. The court in its wisdom, looking at the four corners of the petition for an injunctive writ, passes upon the sufficiency of the recitals. If the injunction issues, the individual is served with an injunction writ restraining him—from what? Restraining him from not recognizing and appreciating and guaranteeing another American's rights.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. BROOKS of Louisiana. I would like to ask the gentleman this question. I have studied that provision in reference to injunctive relief. I notice no restrictions at all on the injunctive order which the court may issue. Does the gentleman construe that, as I do, that a Federal judge, sitting here in the District of Columbia could issue an order prohibiting the doing of certain things on suspicion that there might be some chance of the law being violated, and that that would be binding upon a man in California, or a man in Louisiana, or a man in Maine or a man, let us say, in Minnesota? Is that the construction the gentleman places on it?

Mr. BOYLE. I would say no. I would say merely to the gentleman's hypothesis that no injunction writ should issue.

Mr. BROOKS of Louisiana. What limitation does the gentleman place on the judge?

Mr. BOYLE. I think any injunction that is predicated solely on information and belief does not meet the true test for injunctive relief.

Mr. BROOKS of Louisiana. Does not the gentleman construe this wording to mean that the order issued in the District of Columbia would bind anyone in California just as well?

Mr. BOYLE. No; I do not. As a matter of fact, I do not think the language indicates that at all. I do not think the District of Columbia is the place where you would make your application for an alleged infraction that is taking place somewhere in a judicial district.

Mr. BROOKS of Louisiana. There is no restriction in the bill.

Mr. BOYLE. I think there is.

Mr. BROOKS of Louisiana. I could not find it. I would be glad if the gentleman would point it out to me.

Mr. BOYLE. I think there is.

Mr. BROOKS of Louisiana. Will the gentleman point it out?

Mr. BOYLE. I cannot take the time at this moment to do that.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman.

Mr. McCULLOCH. I think the Code of Civil Procedure beyond any question wil answer the question of the distinguished gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. The Code of Civil Procedure is not a part of this statute.

Mr. McCULLOCH. I know, but the courts are bound by the Code of Civil Procedure. And, in addition, I am sure that the gentleman will agree with me that this would not be the proper forum in which to bring a defendant into court, and he could not be brought into court.

Mr. BROOKS of Louisiana. I would say it is not the proper forum; there is no question about that.

Mr. McCULLOCH. This forum would not have jurisdiction, and therefore, in my opinion, could not issue a valid order if it were challenged.

Mr. BOYLE. That is my understanding, and I thank the gentleman very much.

Mr. McCULLOCH. I refer the distinguished gentleman from Louisiana to paragraph (d) of rule 67 of the Civil Rules of Procedure.

Mr. BROOKS of Louisiana. I did not find it as clear as the gentleman seems to think it is.

Mr. BOYLE. Let this record indicate that I am a firm believer in the right of trial by jury in criminal cases. The right to a trial by jury in criminal cases represents a 700-year struggle for human rights and I would be the last one to impose any roadblocks or to do anything that would diminish those rights. However, if you are going to encourage the three branches of our Government to be separate, distinct, and coextensive, you must agree that you cannot tie the hands of a court, especially since the legal decisions from time out of memory have enunciated and reenunciated the inherent right of the courts by contempt proceedings to take care of their decretal orders, to take care of infractions against their dignity. Thus the reason for the rule every court shall have power to compel obedience to its lawful judgments, orders, and process. When an individual is brought into court, for violation of an injunction previously issued against him restraining him from interfering with a person's right to vote, he has a perfect right to appeal that order if he wants to, but so long as the injunction order is on the books unchanged or unmodified, then the man is right within almost the presence of the court. If an individual wants to arbitrarily ignore the injunction which says, "You shall not interfere with the rights of Mr. 'B'," then of course he acts at his peril. And what is so shocking or unconscionable about sentencing an individual who flagrantly violates the order of the court being adjudged in contempt? Absolutely nothing.

If time permitted, I would like to go through this brief of 176 pages which details what the law of injunctions is obtaining in almost every State. Very

few States afford the contemnor a trial by jury.

When this bill came up on the floor in the last session of Congress none of the lawyers in my subcommittee raised the point of trial by jury because they knew that the right of the court to enforce its own injunction decrees was a right that was part and parcel of the imprimatur or the sanction of a court. If you take that right away from the courts of course you are tying the court's hands. But in addition to that, to accept the position of the opponents of this bill you have to assume that the executive branch of this Government will not do its level best with its responsibilities, which are care, obedience, loyalty, and duty to account; but assuming that is not the case, transmitting that fact, you still have to go a step further, and assume that the judiciary of this great country, the judges that constitute the Federal courts, are not going to be able to look at this problem and render a decision under a rule to show cause why a person should not be held in contempt of court. In a proceeding of this character the question is: Has the order of the court been violated?

I submit that the amendment for a jury trial is an afterthought. I submit that although I believe in a jury trial in criminal cases. There is a real difference between a crime under a statute and criminal contempt proceedings. The issues are not the same. The fact that a fellow wants to arbitrarily ignore and contravene the order of the court and ends up in jail is far different from the case where the individual commits a crime—against the United States because he is guaranteed the right of a trial by jury. In no instance where the United States is a party do you have the right of a trial by jury in pure injunction cases.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. GROSS. I have sat here for several days and have tried to listen with an open mind to this discussion of the pros and cons on the question of jury trials. I am becoming more and more convinced, since it appears there are no two lawyers—or at least not much more than two lawyers in this body who can agree on this thing that, perhaps, the best thing we can do is to put a provision in this bill for a jury trial and leave it to 12 good men and true to decide.

Mr. BOYLE. In answer to the gentleman, I say he is one of those individuals, whom I referred to earlier, with all kinds of talent, and when he makes observation after listening with as open a mind for all of these days, he comes to that opinion, I respect him for making that observation. I say I think it would be a shame if we burdened this legislation with trial-by-jury amendment solely because I have not made myself clear. The courts have a right always to punish for contempt and they should not have to get the opinion of 12 good men and true when they adjudicate to the simple question of whether or not there was in fact a violation of a court order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from Louisiana [Mr. LONG].

Mr. LONG. Mr. Chairman, much has been said here today about the constitutionality of this bill. It has been argued that this measure will not take away any of a person's rights for trial by jury in criminal cases. Yet this law is a redraft of a criminal law.

One of the fundamentals to me in our Constitution is a guaranty of the right of trial by jury. In my humble opinion, if this bill is passed, and there are many good lawyers who believe as I do, you will find that men will be brought into court and tried without the rights of trial by jury having been preserved. They would be sentenced to jail and forced to serve sentences. This is suppose to be a civil-rights law.

In my State of Louisiana, we have no objections to any man, regardless of his race or color, voting. Of course, we have laws that are applicable to both races and if an individual qualifies under the laws, he is entitled to vote. There might be instances in communities where more white people qualified to vote than there are colored, but there might be more colored people in another community qualified to vote. The relationship between the white man and the colored man in our State is very fine. The colored man has his schools and his communities, and he is happy with them. The only trouble that we are having in Louisiana are cases in which some interloper NAACP group or other organization of that kind comes in and stirs up strife and hatred in what was otherwise a friendly relationship between the two races.

Again, I want to say that I believe I know a parallel case as far as the civil rights of a man are concerned.

As I said before, they are saying that a man will not be denied his rights to trial by jury under this law.

On June 30, 1955, we had under consideration in this House of Representatives a bill which would have made it impossible for our Government to enter into treaties whereby our boys could be tried in a foreign country. It was argued then if a man was on the grounds occupied by our troops, where he was entitled to be and in line of duty, that he could not be snatched and tried in a foreign country, and very likely an unfriendly court.

Yet, I would like to cite a case now that, regardless of the argument made here back in 1955, has happened today. William S. Girard, of Illinois, is today facing a trial by a Japanese court.

Maybe it would be well to remember just a few things about Japan. A few years ago, as everyone here remembers, Japan made a sneak attack on Pearl Harbor. Today, in the hull of the U. S. S. *Arizona* lying at the bottom of the Pacific Ocean at Pearl Harbor, there are 1,102 good American boys as a result of this sneak attack. Twenty-four are from my home State of Louisiana and four from my district.

Knowing the temper of the Japanese and how anxious they are to get hold of this American soldier for trial makes one's blood run cold. If Girard is turned over to Japanese courts, then his rights under the Constitution will be denied him because in Japan they have no trial by jury. This man, because of an accident, will probably be allowed to rot in a Japanese jail—fed to the wolves, as it were, by our diplomats. Why? Because they say that it is imperative that we maintain good relations with Japan.

How many mothers whose sons are on foreign soil and serving their country will understand that their sons will not be sacrificed on the altar also for diplomatic relations?

I repeat, this case is parallel to the issue now under consideration.

The problems which arise from a biracial society are many and cannot be solved by passing a law or taking a position one way or the other on one of these several vital issues. We in the South with its large Negro population, through many years of contact, have learned the colored man's ways and he has learned ours. To say that a man in New York, where the Negro population is 6 percent, would know as much about this problem as a man in Louisiana where the population is 33 percent, is not speaking realistically.

One cannot understand these problems by mere observation. We in the South have had actual contact with the situation. I firmly believe that if we let each State handle its own civil rights, there will be no insurmountable difficulty or trouble.

In my opinion, and in the opinion of many who have had an opportunity to observe firsthand the progress of the Negro in the South, vast improvements have been made in his lot. I do not believe that anyone feels the questions which have arisen and which confront a biracial society have been answered, but the important thing is that great and consistent progress has been made toward the solution of these problems.

In a biracial society such as we now have in the South the Negroes have their own professional men and own businessmen, their own working groups, their own organizations, churches, associations, and so forth, which are doing well and which are making steady advancement and improvement.

In the great State of Louisiana our election laws permit equal opportunity to both Negro and white voters. During the tenure of my brother, the late Huey P. Long, as Governor of Louisiana, we abolished the poll tax long before there was any agitation in this matter. When the children of the State of Louisiana were given free schoolbooks, those same free schoolbooks went to Negroes without discrimination. For many years the State of Louisiana has given free lunches to schoolchildren, both Negro and white. There are many fine schools in Louisiana for Negroes and the opportunity for self-improvement in our State is exceedingly great for Negroes. The problems that do exist can best be solved in the local areas by the people involved who have to live with these problems and who therefore understand them better. Aggressors who go into southern areas from other sections of the country clearly for political purposes do not have an understanding of the prob-

lems which exist and operate in the South.

With respect to integration in our schools, I have said in the past, and repeat here today, both the white and Negro races are satisfied with the existing situation and the only exception is that small group which aggravates the circumstances and creates dissension. The colored people in the State of Louisiana have their own sections in the towns and cities, and are happy and content to stay there in those areas which they have gravitated to and which are established as their part of town. These communities have their own churches and recreational facilities. Negro businessmen and professional men operate in these communities very successfully. To disturb these arrangements would not improve the relationship between the white and Negro races in the South and would generate hatred, strife, discontent, and economic hardship which presently do not exist.

For the Federal Government to intrude by stepping behind State lines violates the principles of States' rights. The people in Louisiana, my home State, and I am sure the same is true in other States, feel that the rights in the individual States begin at the border of the State and that the State Legislature and State police power can and should regulate their school systems. As a firm believer in States rights, I strongly oppose any attempt to pass legislation which strives to force mankind to alter his mode of life as based on custom, tradition and personal beliefs.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, like the other ladies and gentlemen who have sat through these almost 3 days of debate, I think, perhaps, some of us who are not lawyers can now for the first time appreciate how it is possible to get a 5 to 4 Supreme Court decision. I cannot help, however, from remarking that as the debate has proceeded on the technical arguments, the legal arguments that have to do with the right of jury trial, hardly a word has been said here as to the fundamental moral question which is raised by this particular legislation. This legislation is called for by the President of the United States. It is called for by his Attorney General. It has been called for by many previous administrations, not capriciously, because there is a fundamental moral need to enforce a part of the Constitution of the United States. I believe it was the gentleman from Texas who asked of this House if anyone knew of any cases, in our districts, which required this legislation. I think it would be well for all of us to go back, if we do not come from such districts and satisfy ourselves that there is a need for this legislation and that there has been that need for a good long time. I would refer all of you, first of all, of course, to the hearings, to the hearings on the Senate side and then the hearings on the House side. I can give you the pages to read in which the Attorney General of the United States specifically cited the reasons, the cases, for this legislation. And anybody who cares to do so can, I am sure, then go to the Department of Justice and read the sworn complaints of actual people who claim and who want redress because their rights to vote as guaranteed to them as citizens of the United States have been denied, and who believe their rights are in jeopardy.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I have only 5 minutes. I will yield later.

Mr. DIES. I will not take the gentleman's time.

Mrs. CHURCH. Mr. Chairman, I rise to a point of order. I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] Ninety Members are present; not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 105]

Alger	Ford	O'Konski
Anfuso	Frelinghuysen	Osmers
Bailey	Garmatz	Philbin
Barrett	Granahan	Poage
Bass, N. H.	Harvey	Powell
Beamer	Healey	Prouty
Belcher	Hillings	Radwan
Bennett, Mich.	Hoeven	Santangelo
Bosch	Holifield	St. George
Bow	Holtzman	Scrivner
Bowler	Horan	Seely-Brown
Brown, Mo.	James	Shelley
Buckley	Keeney	Smith, Wis.
Budge	Kilburn	Spence
Burdick	Latham	Taylor
Byrne, Ill.	LeCompte	Teller
Chudoff	McConnell	Vursell
Cooley	McIntire	Wainwright
Coudert	Machrowicz	Wharton
Dawson, Ill.	Mason	Wigglesworth
Dempsey	May	Williams, N.Y.
Dollinger	Miller, Md.	Willis
Donohue	Miller, N. Y.	Withrow
Dooley	Morano	Wolverton
Eberharter	Moulder	Zelenko
Engle	Multer	
Fogarty	Norrell	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 355 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from California [Mr. ROOSEVELT] is recognized.

Mr. ROOSEVELT. Mr. Chairman, just prior to the quorum call, I had tried to express my humble opinion that while the House had participated in one of the most brilliant legal debates that has been held for a long time, perhaps we have somewhat wandered from the great moral issue which is before the House in this bill: In particular I asked the Members of the House whether they would be good enough to go back over the information available to the membership as to the fundamental moral need for this bill.

Mr. Chairman, if there is one citizen of the United States in our democracy who is unable to vote because of intimidation or because his basic, constitutional right to vote is being denied to him by any unlawful means, it is important to our democracy that that wrong be righted by the action of the Congress of the United States.

It would also be well for us to recognize that there is immediately available to the Communist propagandizers of the world the greatest issue that can be used against free people and democracies if they can point to the United States as not securing one of the fundamental rights of its Constitution to every American citizen. But I will not draw upon that further because I think it is more important first for us to look at it as something that we must cure within our own house.

The issue of trial by jury has been brought before us. Those of us who are not lawyers, will listen to the arguments with this fundamental thought in mind: Is this and any amendment, which is proposed to this bill, aimed fundamentally at preserving a right of the individual, or is it aimed at destroying the effectiveness of the bill itself?

I have justified confidence in the two fine gentleman from New York who are in charge of this debate in saying that if there is any amendment offered on this floor which does in any way try to secure rights which are the justified rights of all the citizens and at the same time which does not destroy the effectiveness of this bill, they will give it favorable and serious consideration.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from California.

Mr. ROOSEVELT. Up to this point, and I think this is not unfair criticism, we have not yet heard any amendment or any effort at trying to describe an amendment, with the possible exception of the amendment proposed by the gentleman from New York [Mr. MILLER]—whose amendment Mr. CELLER has said he will consider when it is available in written form—which would not directly destroy the heart of the bill itself. I hope this House when it comes into the debate under the 5-minute rule will do all that it can in its wisdom to sift out those amendments with that criterion in mind, that we may do what the Constitution calls upon us to do, implement the applicable amendments of the Constitution.

Let us remember always the basic, fundamental thesis of the legislation. We are not seeking to punish anyone. We are seeking simply to prevent anyone from denying the right to vote or to coerce anybody in his rights or her rights under the Constitution. No one can be punished who does not willfully violate an order of the Court to enforce its orders.

I personally believe, after listening to the debate, that this bill accomplishes those purposes. I know that with the evidence before us, if we again fail this year to right these wrongs which have been brought before us year after year by Republican and Democratic administrations; if we fail at a time such as this in the history of the world our right to be the leader of the free peoples of the

world, seeking peace for all mankind, will indeed be seriously questioned and undoubtedly imperiled.

Finally, in conclusion, I hope that the House will pass H. R. 6127 and that it may be a signal to all the world that this House, representing directly the people of the world's greatest democracy, has exercised with courage its duty.

Such action will remove the accusation that our devotion to fundamental rights and freedoms is but lip service. It will make of our Constitution a truly living thing. It will justify those who long to be sure that a free people will guard with justice and insistence the rights of all, every one of its citizens.

Mr. CELLER. Mr. Chairman, I yield such time as he may care to use to the gentleman from North Carolina [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, on July 17 of last year, in a speech on the floor of the House, I opposed a bill which I believed to be dangerous and destructive to our constitutional system of Government. That bill was the vicious and vindictive H. R. 627, the so-called civil rights bill, which, fortunately for the American people did not become the law of the land. But H. R. 627 has not rested long in its grave. Its corpse, and that of its predecessors have been resurrected and today the Congress finds itself debating H. R. 6127.

Mr. Chairman, it is about H. R. 6127 that I wish to speak for a few minutes. I will not try, in the brief time allotted to me, to analyze the bill. The measure and its various sections have been thoroughly discussed so far on this floor and I dare say there is not a Member of the House who is not familiar with it. But, Mr. Chairman, I would not be faithful to my conscience and the trust placed in me by the people of my Congressional district if I did not oppose, with all the strength at my command, this assault on the Constitution of the United States. The proponents of H. R. 6127 tell us that it is necessary to have this measure enacted in order to protect the constitutional rights of our fellow Americans. From the arguments that have been advanced on the floor of this House in support of this measure and from reading some of the inflammatory, journalistic propaganda being circulated today throughout the land, one, if he did not know the truth, would be led to believe that Americans are a race of uncivilized barbarians.

Where, I ask of those who are so convinced of the great and pressing need of this legislation, are Americans being denied of their fundamental rights in such a wholesale manner as would justify the revolutionary features embodied in this bill? Where, in the great State of North Carolina are citizens being deprived of their constitutional rights to life, liberty, and the pursuit of happiness?

Mr. Chairman, let us be frank about this legislation. Let us admit that it is directed at those States south of the Potomac—States which have had the courage in the past to oppose tyranny from whatever source, and which stand united today as never before to protect their way of life within the framework of the Constitution of the United States. The breakdown in local law and order contemplated in H. R. 6127 does not exist in North Carolina nd her sister Southern States.

The bill that we have before us is a radical and revolutionary measure designed to strip the States of this Union of the sovereignty they have so jealously guarded since the founding of the Republic.

If the measure we now have under debate becomes law the States will nave ceased to exist in their true constitutional sense, and the strong centralized government the enemies of democracy have so long strived to secure will at last become a reality.

The Constitution of the United States is on trial in this debate. Within recent times it has suffered at the hands of the executive and judicial branches of our Government. If H. R. 6127 becomes law it will be further stripped of some of its fundamental provisions.

Mr. Chairman, I do not believe that our forefathers ever contemplated that the day would come when the Congress of the United States would seriously consider creating a Presidential Commission to rove about the land and intimidate and harass free Americans. I do not believe they had the remotest idea that someday their children's children would attempt to create an Assistant Attorney General for the sole purpose of interfering with the rights of the sovereign States.

Mr. Chairman, could we truthfully say that our forefathers ever dreamed that the day would arrive when the Congress would even debate, much less seriously interfere with the right of trial by jury? No. Had any of these things been realized by the Founding Fathers as a future possibility, we might never have had a Union. Certainly the Constitution as submitted to the States and the people had adequate safeguards against such usurpation of power.

We have come a long way since the representatives of the original colonies fashioned our fundamental law and thus molded a nation.

Mr. Chairman, the guiding spirit of our progress is the firm adherence to the basic and time-tested principles embodied in the Constitution of the United States. That great document sets up definite areas of action for the Central Government and the sovereign States. Those powers not expressly granted to the Federal Government are reserved to the States and the people thereof. Mr. Chairman, the Federal Government has only those powers given to it in the Constitution. The rest remain with the States and no creature of the Federal Government, including the Congress itself, can usurp these sovereign powers. Only the people, through an amendment to the Constitution, can give away any of their sovereignty.

It is tragic to witness the great erosion of basic liberty which is taking place today in America. Slowly but surely the Federal judiciary, the executive, and unfortunately the Congress, are drawing a noose tight around the neck of the individual States and in time they will cease to exist as sovereignties and become administrative provinces, if a halt is not called.

Mr. Chairman, the brakes must be applied here in the Congress. If the States do not find a champion of their constitutional rights in this Capital, then I fear their decline has become complete.

It, therefore, behooves each and every one of us to look to the broad issues involved in the radical bill which we have under debate. Let us search our conscience, and if it becomes a choice between the Constitution as we understand it and the measure now under debate, let us, without hesitation, stand by the great charter of all our liberties.

Mr. Chairman, it is with a sense of sadness that I hear loyal, patriotic and dedicated Americans debate whether or not their fellow citizens are entitled to a trial by jury. It is hard to visualize that such would ever come to pass in the United States. Trial by jury is so fundamental to the Anglo-Saxon race that we ought to accept it without question.

Mr. Chairman, it might be well for us to pause a few moments and reflect upon the great price that has been paid by the English-speaking peoples for the right we are attempting to deny to our own countrymen today. Our Anglo-Saxon forefathers won a great victory when they wrestled the Magna Carta from King John of England. And in that immortal document—the first of a long line of charters that was to give dignity to the individual and liberty to the work—was a guaranty of the right of jury trial. Mr. Chairman, in clause 39 of the Magna Carta, King John promised that no freeman should be taken or jailed "except by the legal judgment of his peers or by the law of the land." That great right arm was granted on June 15, 1215—over 700 years ago. Ever after man was to be tried by his fellow man. Five hundred and sixty-one years to a day after Magna Carta, on June 15, 1776, Virginia gave to the world its magnificent Declaration of Rights. Articles 8 and 11 of that great document guaranteed the right of jury trial.

So, Mr. Chairman, it is well for us to consider the past and the history of the origin of our liberty, for in so doing we might be more mindful of the sacred nature of our institutions and more determined to protect them from the assaults of ill-advised and radical measures, such as H. R. 6127.

I am convinced that there is no demand today for such an extraordinary departure from our fundamental rights of citizenship as are the provisions of H. R. 6127. We have committees of the Congress composed of duly elected Representatives of the American people which have the constitutional right, at any time, at any place, to investigate the denial of basic rights to American citizens.

What is the great compelling reason that forces us to abandon trial by jury; to create a super investigating commission? Why must we literally go beyond the Constitution itself in order to enact a measure that will satisfy the demand of minority pressure groups?

Mr. Chairman, in addition to the Congress of the United States, there are 48 State constitutions dedicated to the preservation of the rights of the citizens of this Union, and as many State legislatures ready to investigate and provide by due process of law remedies to safeguard the basic freedoms of our people. The States are the natural guardians of the civil liberties of the American people and Congress should exert every effort to strengthen the power of the States in this respect. We should not—we must not—let political expediency or personal passions sway our better judgment whenever we are legislating in this field.

What this Congress does with H. R. 6127 will have a profound effect on the future of our Nation. If this bill becomes law the point of no return will be passed on the highway we are now traveling toward constitutional irresponsibility. H. R. 6127 will deal a mortal blow to the historic role the States now play in the Union and Federal power will be supreme in every phase of economic, social, and political life of the Nation.

Mr. Chairman, it is my firm belief that the United States will enter a period of decline if the States of this Union are stripped of their sovereignty. The happy and harmonious balance we have had in the past between State and Federal power has enabled us to become a leader of the world. Destroy that balance and it is my conviction that we will have centralized despotism.

In conclusion, Mr. Chairman, I call on the Members of this Congress to reaffirm their faith in the Constitution of the United States and strike down this bill, which, if enacted, will do violence to our fundamental institutions. Let us dedicate ourselves to the task of strengthening our States, for only in their strength can America survive.

Mr. CELLER. Mr. Chairman, I yield 30 minutes to the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Chairman, I am not given to coming down to the well of the House and speaking on all occasions. The truth of the matter is it just so happens this is the first time that I have been in the well of the House during this particular session of the Congress, and it is the first time I have injected my thoughts and my ideas in the debate on any legislation that we have been considering. But, Mr. Chairman, if you will pardon me for this observation, and I say this in all humility, I honestly believe I know something about this legislation. I believe it the duty of a man when he walks into the well of this House, and when he addresses you, to be of the opinion that he might make some contribution, particularly when we are engaged in one of the most complex pieces of legislation that has ever been submitted to a Congress.

Mr. Chairman, I have been a member of the committee that has heard this legislation. I have been engaged in the study of this legislation for approximately 3 years. I tell you here and now that I oppose this legislation. I am not going to talk to you just about an amendment providing for jury trials in contempt cases. I am completely aware that the hour is late, but I say to you—bear with me—bear with me for the work's sake because I say to each and every one of you—never have you in all your service in the Congress been engaged upon such a serious matter as you are now being called upon to reflect upon and vote upon. Upon my word of honor, I say to you that this is not an innocuous bill. It is not a watered down bill. This is a bill that strikes at the very vitals of constitutional government, and when I say that I am measuring my words.

I do not pose as an expert on morals. I will tell you what I do know. I do claim credit for having been a country lawyer for 30 years, and in my limited way I would not be surprised but what I have tried as many criminal cases as any man in this House. I have tried them by the thousands and the thousands.

I heard one of our distinguished Members on the floor today say we did not understand the basic operations of this bill. Well, he is a brilliant young man, but you know there is always a possibility that if you will let a little experience talk sometimes, those who have been through the mill, those who have been whipped in the courtroom lots of times—you know that is important too in understanding there can be two sides. One of the worst things that can happen to a young lawyer is to win his first 3 or 4 cases. You just about ruin him. The thing to do is to let him lose about a half a dozen and make him wonder whether he is ever going to win one. Then he will begin to realize that there are two sides, and that he had better approach that problem from two sides.

Now, Mr. Chairman, I want to talk to you seriously today, and I want to talk to you from my heart and my soul. I want to lay this matter on your hearts. I am talking to you Republicans. I am talking to you Democrats. I have got a right to talk to you. I have got a right to talk to you because, above all, and before you are Democrats and before you are Republicans, first you must be Americans.

I want to tell you this. I have felt no compulsions whatever in leaving this Democratic side over here and walking over there with you, and you know it. Just let the issue be a matter of conscience with me, and if I think you are right, I will walk over there with you, vote with you, and I will apologize to no man for it. As a matter of fact, if the time ever comes when I cannot do it, somebody else is going to get the Congressman's job from the Third District of Georgia.

I want to talk to you in that vein. I want to talk to you as Americans, because you and I have got a whole lot of work to do. You know I want to work with you. I will have to confess that I am getting a little tired of hearing all of this argument about what the Communists are going to think of us. Well, I have been hearing that argument for 25 years now and if we have ever appeased them, that is news to me.

I think of that old Biblical quotation: "For what is a man profited, if he shall gain the whole world, and lose his own soul?" or, "What shall a man give in exchange for his soul?"

I am talking to you about the soul of America. I am talking to you about the things that made us great. I am talking to you about indispensable things. I am talking to you about things that separate the sheep from the goats and separate the men from the boys.

Now I want to say this to you, I have followed this legislation from its very beginning in the Eighty-fourth Congress. It is true that you have some records, consisting purely of hearsay, indicting my people, the people of the South; but, my friends, I want to plead with you now, to tell you, for the first time you are getting legislation that is going to hurt you.

I know the gun is aimed at my people; oh, yes, I understand that; you know I thoroughly understand what this will do to my people, and I want you to be sympathetic with my people.

You know, I like Yankees; God knows I do, I married one of them; and I want to tell you another thing. There has never been a truer woman in this world than that little Yankee wife that I have got. But I want to tell you something else, too; up to the present time there has never been a more devoted southerner than she.

Now let us get down to hardpan. I am talking to you and I want in particular to talk to these lawyers. I made a speech to the Georgia Bar Association last week and I want to tell you something I said to them. I said to them that a constitutional government is in the gravest danger, but the ones who are to save it are the lawyers of this country. That this is one job you cannot turn over to the ministry; it is not the ministers' job. You can ask the ministers to save the souls of people but you must ask the lawyers to save the soul of this Nation.

If you will examine into this record I said that if you eliminate hearsay evidence, opinion evidence, we stand thoroughly acquitted at the judgment bar. I have gone over this record with a fine-toothed comb and there is not one allegation against our people that would stand up in any court of the United States. I am asking you lawyers to be lawyers. I tell you that up to the 85th Congress and at a time when there was not one southerner on the subcommittee, when the closest one to my people was from Ohio or the State of New Jersey, I say this to you, that for the first time those gentlemen accorded to the opposition an opportunity to come in and testify. You say, Shame. Of course it is a shame, but it is true.

I take off my hat to our distinguished chairman, the gentleman from New York [Mr. CELLER], and I say to you that he for the first time gave my people the slightest opportunity to come up and testify against one of the charges made by pressure groups—and you know they are pressure groups. Let us not kid ourselves; let us get down to hardpan; you know they are pressure groups, you know they are. But for the first time, in the 85th Congress, we were even permitted to open our mouths.

And do you know what you did? I want to tell you what you did. You acquitted yourselves as lawyers, and you took things out of that bill that you passed on the floor last year, and it is to your credit.

Let me tell you what you did last year on the floor. I tried to tell you about it then, but let me tell you what you did: You passed a law last year that set up a commission to investigate allegations as to unwarranted pressures on account of race, creed, religion, and so forth. By the grace of the Most Holy God, you violated the first amendment to the Constitution of the United States. That is what you did. That is what you did. Is there any lawyer who wants to dispute me?

I say to you that if the Senate had not stopped the bill over there that is the kind of law you would have had, because the first amendment says that there shall be no law relating to the establishment of religion or the free exercise thereof. Yes, Mr. Chairman, you had better inquire about this legislation.

The American Civil Liberties Union in an article which appeared in the Washington paper told you why they wanted that law relating to unwarranted economic pressures on account of religion and I want to tell you what they said. They said, "We are getting tired of Catholic priests telling their membership to boycott certain picture shows or to read certain books." That is what they say. Yes, you are getting tired, are you? All right. Whenever you say that a Catholic Church cannot teach its membership whatever it wants to, then you are telling the Jews they cannot do something, you are telling the Baptists, the Methodists, the Presbyterians, you are telling every religion on the face of the earth they cannot do it. In the name of God. Mr. Chairman, under the first amendment you have the right to discriminate in religion. That is why our people came over here. You know, we just simply are not conformists. I am not a conformist. But you are trying to make everybody conform. Do you catch what I am trying to tell you?

The subcommittee took that provision out. Then pressure mounted so heavily, yes, I am telling you, pressure mounted so heavily that the word "religion" was put back there in an innocuous sort of way. All on earth it says now is that you cannot discriminate on a person's right to vote because of his religion. You know that you do not need that? Do you not know that the Constitution guarantees you the protection, the equal protection of the law? Listen to me. I never heard a person in my life say that he was denied the right to vote because of his religion. I never have and I ask you, and you, and you, and you, have you ever heard of it? Of course not.

Mr. Chairman, you are getting ready to hear it. You are giving them a start. You have given them the suggestion, and that is all on God's earth some men need. No, I am not going to move to take it out. There is not the slightest religious discrimination down where I live, but I tell you this, you are letting them get their foot in the door and you better not start it.

Let us talk a little more about this Commission. Do you know what that Commission is going to do? It is just going to investigate allegations under oath that persons have been discriminated against in their right to vote because of race, religion, and so forth. But let me say—if I am wrong stop me—you have to file an allegation under an oath that a man has been discriminated against, but did you know that under that Commission when they start inquiry nobody is under oath any more? Did you know that? I am telling you that is right. I know this legislation. When that Commission goes out and starts investigating, not one time will any man be under oath, not one time will he be subject to perjury or to false swearing. He can make wild-eyed charges and run that Commission up and down the countryside with impunity and without any violation of the law whatsoever.

I will tell you another thing about that Commission. You say you want to balance the budget. If you do you better not pass this legislation. There is provided $50 a day for every member of that Commission, plus traveling expenses, plus $12 per diem, not more than $50 a day for the staff directors, for the secretary, for the stenographer. You have to pay for the offices, you have to pay for subpenaing of the witnesses, and so forth.

I will tell you another thing. We never could pin them down, and you cannot pin them down now, and I challenge any man to get up on the floor and tell me what it is going to cost. Now, is that of any importance to you?

Now I will tell you another thing about this Commission. They have got a right to subpena you to go anywhere within your judicial district. Well, let me give you a concrete example there. Down in the district where I live you can subpena a man in the Canal Zone to go to San Antonio, Tex. Cold facts. That word "circuit" sounds good, but when you get down and you analyze it, then you can see what I am talking about.

Now, you want to send out somebody to investigate. You know, I will tell you something that would be revolutionary, but, by the grace of God, I want to do it, and I want to help you do it, and that is I want to see Congress quit abdicating its responsibility. If you think that these kinds of charges exist, I want to see you have a Congressional committee. I want to see you make the investigation. Let the gentleman from Georgia, TIC FORRESTER, challenge you. I am challenging you. Get rid of this legislation. Come on next year with an investigation. Put us under television; put every one of them under oath; put all my people under oath, but, in the name of God, let the good people of the United States see it and let them hear it. Let them look at those witnesses, their demeanor on the stand, their opportunity for knowing or not knowing what they are saying about it. And I make you this proposition. I do not care who you select to question those witnesses. You know, I would be willing if you would just let a little fellow like me just defend the other side of it, just cross-examine them some, just make them come on and let their milk down, just get the cold truth. I am your Huckleberry. I am ready whenever you want to go. Yes; I am willing to throw this case into the hands of the American people, and, just as sure as you live, it is going to the American people. You are not going to escape your responsibility. Do not kid yourself.

And I want to tell you something else. It is not a question of whether Attorney General Brownell wants this bill. Oh, no; the responsibility is with the Congressmen. You are the ones that the people are going to ask, Why did you deny the people the right of trial by jury? And they ought to ask you, and they are going to ask you, and you had better give consideration to it while there is yet time.

Now, let us go to part II of this bill. It says that they shall appoint an Assistant Attorney General. Does that not sound sweet? The only trouble is they did not tell you how many assistants to the Assistant Attorney General they are going to need. Now, let me tell you, that Will Maslow, general counsel of the American Jewish Congress, testified before the committee that they needed at least 50, and nobody disputed it. Well, at a salary of $10,000 a year—I assume they will get more, but that is $500,000. Do you know why they want them? I want to tell you why they want them. Because they want to set up regional offices; because they want attorneys down on the ground where they can go down and they can talk to the witnesses; where they can work up the case from the beginning; where they can work for months and months; where they can go to the grand jury; where they can bring these petitions for injunction; where they will have the whole power of the omnipotent Government, with money no object, because the taxpayers are paying the freight. That is what they want them for. And then, my friends, in addition to that, there is a stipulation that not more than 15 uncompensated personnel should be allowed to serve, but they get $12 per day per diem. Now, you know what that is for. Now, I want to tell you what it is for, and I am going to be honest with you Republicans. This is not new with you. Mr. Truman beat you to it on that. That was the NAACP and those other pressure groups. Anybody want to deny that? The record shows that is who it was and that is the only kind you can expect to work for nothing. You were not born yesterday. I say it is a shame and I say it is not to the credit of this Congress; you ought to be doing it yourself.

Then there is a stipulation that you are going to waive disqualifications of people in order to let them serve. Oh, no, that is not right. There are 170 million people in this country. You have not gotten down to such a dearth of men that you have got to pick up somebody who is disqualified and put him on this Commission to make this kind of investigation. And I tell you you had better be scared of it. You have got more sense than that, and I know you have.

Let us get down to part III. Part III adds two subsections to what is known as the conspiracy law. A lot of the fellows like to call it the Ku-Klux-Klan law. I have never been a Ku Klux. I do not believe in such organizations, but I want you to know I do not believe in these ragtag pressure groups, such as the NAACP and a whole lot of others here. And I want to tell you another thing. If the chips were down in America, when it came to preserving the flag of the United States, I would have to pick the Ku Klux over some of this rotten stuff. I am just telling you plainly now, because it is something you ought to hear. I have never heard of one of those Ku Klux who advocated the violent overthrow of your country. No, I am against these other un-American groups completely.

I am a courthouse man. I believe in the law. My whole life has proved that. I was a prosecuting attorney for 27 years. The courthouse is the proper forum to settle disputes.

But let us get down and see about this conspiracy law. Some of them say that this is just to protect against an impending wrong. Do you still want to stand on that, you gentlemen who made that statement? Do you still want to stand on that? I am telling you that is not right. I am telling you that it says that when an act has been committed or when you are about to engage. It reminds me of the old solicitor general down home who had too many words in his indictment and the judge asked him about it and he said, "You know, Judge, I put those in in order to try to catch him coming and going."

But here is what the bill says. You have got a completed act and you have got "about to engage."

Listen to me now; I do not know any Federal law. Federal courts are something to scare country lawyers and country folk and humble people. And you know it. You have never seen one of those in your life that was not to some extent autocratic. Am I right about that or am I wrong? I am talking from 30-odd years of experience as a lawyer. You know what I am talking about.

You just tell me what "about to engage" means. Just imagine—"about to engage in a conspiracy." Why, the very essence of conspiracy is that there must be an overt act committed, and until that overt act is committed, every lawbook in the country says that you have a right to recant, a right to repent and disassociate yourself from it. And if that be true, you have not committed a crime.

You say you do not have to worry about it, but yes, you do, too. You just get an injunction against those who are about to engage. Maybe you do not know what it means. The judge will not know what it means. But the trouble is that the judge may think he knows what it means and if you have innocently done something that he thinks may come within the purview, he gets you for it and puts you in the penitentiary; he puts you in prison; and do not kid yourself. They put you in prison. It may be illegal, and probably is, but the trouble is you are in prison. You can go to prison for violating an invalid edict laid down by a judge. Did you know that? Well, you can. You are just risking putting your hide in jail when you say "No matter how much it stinks, I am just sure it is not right." But do not violate the order of that judge. If you do, you are long gone.

Let us see what else is said: When you engage or are "about to engage," the Attorney General in the name and on behalf of the United States shall bring suit for injunctive relief or a restraining order or other order. What that "other order" means I do not know. But I know something about injunctions and I know something about restraining orders.

Under no circumstances would I tell you that that is unconstitutional. Do you know why? Any lawyer that tells a client today a thing is unconstitutional is a fool. He has not practiced law 30 days. I will tell you this, though. It was unconstitutional, and I hope that someday I can have a part with you and you in restoring constitutional government in this country. That duty is on you. You cannot throw it off. Never has your country needed a constitutional government more than it needs it today.

Let me tell you why it is unconstitutional. I have a right to go to court. I have a right to stay out of court. The Attorney General has no right to decide for me whether I want to go into court with a case or whether I do not.

Let me show you how foolish that is. That Attorney General may think that I ought to go to court, and I might know that I do not have any case. I might know that I have done something I did not want that judge to know I did. He might get me in that court and he might get me where I had to incriminate myself.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 additional minutes to the gentleman from Georgia.

Mr. FORRESTER. I am going to ask the gentlemen to be kind and give me lots of time. I have not even eaten. I was supposed to speak at 1 o'clock but I have had to sit here until 4:30 p. m. and not eaten yet. I am a little weak, but I am still going strong.

I want to tell you this much. It was unconstitutional. Yes, you might discover that a man had committed a crime by taking him into court against his will. Did you ever stop to think about that?

Let us see what else you have in all this sweet little bill, this precious little bill that would not harm a 6-month-old baby. Let me show you what it does. It is the most unequal thing I ever heard of. While you talk about morality, while you talk about eliminating prejudice, while you talk about making everybody equal, here is what you are doing. You are throwing the greatest legal burden in the entire world upon the shoulders of one little old poverty-stricken man, in most of the cases. Against him you are giving the services of a department that has 1,700 lawyers, 94 district attorneys, and the assistant district attorneys are as thick as the sands of the sea. You are giving against him a law firm that even a billionaire could not improve on, and you are giving it free of charge. You are giving it at the taxpayers' expense.

Meanwhile what happens to the poor little defendant. You know they have forgotten him entirely. But you know he breathes. Actually, there is a little life in him. Maybe he has been badly treated because maybe while he is at home with his wife and children, the FBI has been down there working on him for 2 or 3 months. They have gotten affidavit after affidavit. Maybe they have 100 affidavits. That poor man did not know anything about it. Then, all at once here comes an ex parte order and he is directed to stop whatever he is doing immediately and appear at a Federal courthouse the next day. You say, "FORRESTER, surely that does not happen in America." Yes; it does happen. It is happening now in America. I am going to talk to you about a case, and I know what I am talking about. Anybody who wants to challenge it can challenge it. But I want to show you something. I want to show you an injunction granted in the school case down in Clinton, Tenn. I want to show you something that ought to outrage the sensibilities of every person in this country. I want to preface it by saying I think the judge is a good man, but I just do not think the judge knew too much about the law. Let me tell you something about the case of Kasper. I hold no brief for Kasper. Kasper is from Brooklyn—I do not know—he may be good or he may be bad. But he is a human being and he is an American. Yes, I say to you that case did start out as a private suit of Joheather McSwain versus the Board of Education in Clinton, Tenn., but the great Attorney General would not let it alone. They ordered the schools desegregated. They went to the Supreme Court of the State of Tennessee and the supreme court agreed with the United States Supreme Court. Our Southern courts always have done that. Our Southern courts follow the law. Our Southern courts have a record which is comparable to any court in this country. It is nothing short of amazing to me to hear people talk about our courts because there is no way on earth for you to sustain any such allegation as that. Look at the Georgia decisions. Look at the Louisiana, Maryland, Tennessee, and Arkansas decisions and tell me—tell me—do you have any justification whatsoever for criticizing those courts? But they ordered the schools desegregated. I do not know what Kasper did. If Kasper was guilty, then he ought to be in the penitentiary. But I want to tell you what happened. I think it was on the 29th day of August, they went over and got an order restraining those folks from interfering—and I want you to hear this. I wish my chairman were here. This was an ex parte order. This is an order without notice. This is an order that the defendants knew nothing about. The defendants had no idea that the FBI had been down there. The FBI had been down there for days and days and days hunting them like partridges. Then they got that

order. I want you to hear this. This is an order by the court:

That the aforementioned persons, their agents, servants, representatives, and attorneys—

Did you know that their lawyers were enjoined? Did you know that? Do you believe in that? Well, that happened. When did it happen? It happened on August 29, 1956. Do you know that they enjoined them from any word or act—completely violative of the amendment relating to free speech? Let us see what else happened. The injunction was issued at 6:07 p. m. At 8:00 p. m. that night an order was issued directing Kasper and the other defendants to be in the Federal courthouse in Knoxville, Tenn., at 10:30 a. m. the next morning. In heaven's name do you call that fair? There was no opportunity whatsoever to prepare a case. They went into court. There they were tried on the injunction and on the contempt order and although he had a right to a jury trial, the poor man did not know he had it and he did not have time to consult lawyers to find out that he had it, and he was put on trial and convicted and given 12 months. At no time was he advised by the court that the law gave him the right of trial by jury.

Oh, yes. An indictment means something to me. It may not mean anything to some of you folks, but the right of trial by jury and the right of indictment mean something to that man.

But let us move on. Later 16 others were brought into court under a blanket order saying that they had violated that injunction. They had the judge there ready to try these defendants. But some other lawyers came in and they said, "Wait a minute, Judge; you are not going to do that, Judge. We have a right to a jury trial, to begin with." But they did not get it right then. The case was postponed. Now, listen to me. I want you to hear this. Along about February of the next year the United States Government was made a party to that proceeding. Does anybody want to challenge that? Made a party to it. Why were they made a party to it? The answer is simple. The only excuse for making the United States a party was to deprive these people of the right of a trial by jury. Do not kid me. There is no lawyer here who would dispute that. You are too honest for that. That was the only excuse for it. But these lawyers said, "Wait a minute. You cannot come in here by amendment, you cannot change this private suit." It was only about 30 days ago that the Government said, "Yes, you are entitled to the right of a trial by jury. It was like pulling their eyeteeth to get them to say that. The Attorney General did not want them to have a jury trial. I am going to tell you that jury trials are constitutional. I am going to stand to your face and tell you. I am going to prove it, too. I have got wonderful company with me. Do you know who I have? Donald Richberg, Chief Justice Taft, Brandeis, Cardozo, Holmes, Al Smith, James Girard, Easby Smith and platforms of the Democratic and Republican parties. Yes, I have just got what is supposed to be the cream of the crop. I am not going to apologize to you for saying that. I am going to tell you yes, they have got a constitutional right. This is to deprive them of that constitutional right. There is no other argument. You cannot get out from under it to save your soul. Because if you did not want to deprive them of their constitutional rights you did not have to put the United States in there as a party. Yes, I am more willing to give the Government any power they want about our atomic secrets. I am willing to give them any power for defense, but I am not willing to set up a dictatorship as a pastime.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. FORRESTER. Will the gentleman from New York give me some more time?

Mr. KEATING. Let us see how we come out. The gentleman from Colorado has given the gentleman 10 minutes.

Mr. FORRESTER. I want to talk about this bill, and I want to lay it on the line. I am saying to you that under part IV and part III, you are entirely preempting the rights of your States. Do not kid yourselves. I would not have you ignorant. If you are going to pass this legislation, I want you to know that you are wrecking the rights of your sovereign States. I want to put that on your conscience. Do not tell me you are not doing it. See the Cloverleaf Butter case from Alabama and in the Nelson case up in Pennsylvania. You cannot escape now. You are right here where you are going to decide that issue. I just wonder why in the name of God that we should not be here trying to straighten up that terrible decision of the United States Supreme Court that you have got to turn over all the files of the FBI. Why are we not trying to do something about our mutual security? Why are we not trying to do something about the courts that have just utterly made wrecks out of our Constitution? Then we would be proud of ourselves.

Listen, now. Let me tell you about this part IV. Do you think that just applies to voting? If you do you believe in fairies. Part III and part IV, those things are so broad that it covers every civil right, every last one of them; it gives them the right to go into all these school cases. Oh, yes, it does; Mr. Brownell admitted it. You will find it in the record.

Yes; you are touching every facet of your national life. Now, listen. Election. Do you think it refers only to Congressional elections? It refers to all primaries; it refers to every election: State, county, municipal, township, school district; it applies to the election of a common justice of the peace. Does anyone want to challenge that? I say it does.

I am telling you if you pass this bill, you will have rung the death knell of your State and your county election laws. Do not kid yourselves.

There has been argument here about States having the right to regulate their elections. You know, I am sorry I cannot agree with them. It does say that you can do it, until Congress steps in. And it says that Congress can come in and exercise—listen to me now; that is just exactly what Congress is doing, stepping in under that provision of the Constitution that has never been used before. Now, let us see about injunctions and talk about them. By the way, before I forget that, someone has said that no State has any law providing contempt trial by jury. Let me answer that; let me just knock the stuffing out of that argument. Now, listen. Let me tell you something. Down in Georgia, and every other State, we have an attorney general, but that attorney general has got nothing on earth to do with the prosecuting attorneys. None of them ever tried to tell me what to do. Is that right or is it not right? I tell you there is not an assistant district attorney who would even nol-pros a case until he had the consent of the district attorney. I never will forget a thing that happened to me. I got a recovery judgment in a condemnation case. The assistant district attorney came to me and asked if I would settle for a certain figure. I told him I would. He asked me to go to Atlanta with him, that a Department of Justice man from Washington was coming there and he wanted to see him. I went up there and we both met that man. There was that poor little district attorney shaking in his boots telling the Department of Justice man that Forrester has submitted a proposition to him and he wanted his approval. I had not done any such thing. He had submitted it to me, but he was scared to tell the Attorney General he had done so. I said no, that he had made the proposition to me, that I had made no proposition. I won out and won the case.

Now let me tell you something else. You lawyers know what I am talking about. I want to tell you another thing. The Attorney General has nothing to do with the appointment of a judge of the Supreme Court of Georgia, has nothing to do with the appointment of any of these officers. They are elected by the people. That is a tremendous difference, too, is it not?

I want to tell you another thing about it: Never has the attorney general of any State been given the right to, at the taxpayers' expense, go into courts and get injunctions for private individuals or against private individuals, and they never will. There is not a State in the Union that would do such an evil thing; and I tell you here and now if you ever hear of Georgia going crazy, if you ever hear of a suggestion of that kind, if it is necessary I will resign from Congress and go back and fight that thing, because I tell you that we will never let such a thing occur.

Let me tell you another thing, and that is about jury trials on injunctions in State courts. You have them. Do you know that? That is something for you to think about. You cannot get a permanent injunction down in Georgia without a jury trial. So you see with that argument you are hard put when you come up with it.

One distinguished gentleman said on yesterday that time is of the essence, so you cannot have jury trials. You know, the jury trial is only for contempt. I think you can barbecue a defendant just about as good on Friday as on Monday. I do not see why you have got to hang a man on Monday. Tuesday may be all right. It has nothing on earth to do with injunction orders. It is only an order where you are going to take him from his wife and children and put him in the penitentiary. That is the only time the jury comes in.

I want to tell you something about jury trials for contempt and I want you to listen to me. In 1932 Donald Richberg, Judge Frankfurter and those men I am talking to you about talked about the evils of the jury trial and the intoxicating power of the courts relating to injunctions. They said that there never has been a court that did not believe in the inherent power of the court; yet he says that it is a figment of the imagination, they have no such inherent power. You gentlemen remember when our Democratic President talked about his inherent power in connection with the steel industry. You did not have a better friend over there than I. I was chairman of the subcommittee and I am the one who told him he did not have that power. Now, do not talk to me today about that, there is no such thing as inherent power.

Let me prove it to you. Go back to your common law. Donald Richberg said that he had a study made of injunctions and contempts in England beginning back in 1200, up to the time of the Revolution and he found that all trials for contempt were before a jury from the year 1200 to the time of the Revolution with the exception of 2 cases. He said that in the first Judicial Act it may be inherent, but the Congress did not think so and the Congress said no injunction shall be granted except after a hearing. You see, you have it in here without a hearing. Then he went on and said, they have always said that they have that power. But, listen to me, you are the ones to decide it and have the judges quit making the law. Rise up to your task and you make them. The Constitution says that the judicial system shall be composed of a Supreme Court and such other inferior tribunals as the Congress shall dictate. You are the one to say whether they are going to have jury trials or whether they are not.

Donald Richberg said that even in the Michaelson case, even when they had the law under the Clayton Act, they were entitled to trial by jury, the lower court said we are interfering with inherent rights, the court of appeals said that is all right, but the United State Supreme Court said it is not so, that the Congress has the right to create you and the Congress has the right and responsibility to regulate.

Let me tell you something about judges. I did not say this, no southerner said this. It was said that up here in Ohio during the days of labor difficulty you granted injunctions without cause.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. FORRESTER. Mr. Chairman, I am getting right down to the meat in the coconut on this thing. This is what you said and this is why you got that vote 362 for jury trials and 14 against. You said that they were enjoining lawyers of the labor unions. Yes. But did it excite you when they enjoined Kasper's lawyers? Is that moral, is that legal? Mr. Richberg said that they enjoined the labor union in one case and said to them they had to work and said that a man by the name of Clarence Darrow had to publish a statement in the paper, that there was no law requiring a man to work. Oh, you know Mr. Darrow and Mr. Richberg would have been in jail under this order granted against Kasper in the year 1956. You say it is not legal. No, it is not legal, but this is a manmade law. But it will jail you just the same as if it was legal.

Now, I want to go back and I want you to study and see what this debate reflects. Here is what Mr. La Guardia said. Now listen to me. I want you to hear me now. About these judges, he said that the United States was an arch-offender; that the United States court was the one that was violating the people's rights. That was the language he used. He was not talking about State courts. He said that the Government was the most unfair of all, and he said that Mr. Daugherty, the Attorney General, in a case made the statement that he was looking around for a judge, "and I happened to think about Judge Wilkerson." He said, "I was delighted to get hold of him. I talked to him for a minute or two, and he agreed with me every step of the way." Then my distinguished chairman, the gentleman from New York [Mr. CELLER], said to him, "Will the gentleman, Mr. La Guardia, yield?" And he said he would. And, he said, "Is it not true that about 2 or 3 weeks before that Mr. Daugherty had earnestly and actively urged the appointment of Mr. Wilkerson to the bench?" And Mr. La Guardia said. "That is true. I had not intended to bring that up, but it is positively true." Now, there is your crookedness. And, I did not expose it. Nobody from the South exposed it. It came from your section of the country. Yes, the blood and bones of people cry out to you about the tyranny of so-called inherent powers of the courts of the United States.

Now, let me come down to this. I told you and I said this was constitutional. Let me tell you why it is constitutional. This is nothing on earth but a subterfuge, and you know it is nothing but a subterfuge. You say that you are going to emasculate this bill if you take it out. That proves exactly what I am saying.

Now, the Constitution guarantees to every man accused of a crime the right of trial by indictment, the right to a public trial, the right to a fair trial, the right to be confronted with witnesses, the right to have an attorney, and the right to have compulsory processes for his witnesses. Now, what you are doing, you are destroying those rights and designedly so. Is that plain enough? Designedly so. And, there is not a man in this Chamber that does not know it.

And, I will lay down this proposition of law, and I challenge anybody to deny it. What you cannot do directly you cannot do by indirection. You cannot do by subterfuge that which you cannot do when you come out in the open. That is why I say that the Constitution does guarantee it. Why, you can take a man into court on a contempt proceeding here. You can put him in prison. You can go and indict him and take him before the grand jury simultaneously. You can punish him twice for the same offense. Anybody want to dispute that? Well, I am telling you, and you know it.

Yes, my friends, it is reeking with injustice. You say that you want to cure prejudice. In the name of God, do not try to cure prejudice and let the medicine be prejudice. And, I will tell you what you do, go back and find where my distinguished chairman said that this marks the end of the ex parte injunction; and I called the Norris-La Guardia bill the anti-injunction bill. That is what he said. I want to tell you this: The right of trial by jury is too precious for you to tamper with. In the name of God, I cannot understand how any lawyer on earth would want to tamper with it. The evening is late. We are almost drawing to a close. But, I want to tell you, the saddest epitaph that could ever be written in memory to the vanishing of liberty is that those who were the creators, those who were the defenders, would not lift a hand to save it while there was yet time.

Mr. CELLER. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HERLONG. Mr. Chairman, a few days ago I received a letter which reads in part as follows:

> I am a Negro airman stationed here at Mather Air Force Base, Calif. I have but one more enlistment to serve before retirement from the Air Force. At the present my plans are to build my retirement home in West Palm Beach or Miami, Fla. With only a few more years before my retirement, I would like to get started with my building plan. * * * I find it rather hard to get assigned to any southern base of my choice. I would like to be assigned to West Palm Beach Air Force Base, Fla., not only because of my plans for building a home there, but because I was born in the South and love the South plus the fact that I respect the traditions and sovereignty of the Southern States. I have faith in our southern political leaders and the fight to maintain and preserve our way of life for the welfare of all concerned. I am not trying to give you a political speech, but it is just that I can't stand these so-called liberal States and their laws.

Mr. Chairman, I quoted these portions of this letter so that this Congress and the world may know as we in the South already know that there is no problem

in the South that men of good will cannot solve, and they can solve their problems without legislation. I ran a check on this letter to be sure that it was authentic and found it to be so. I shall not give the name of the airman who wrote the letter for his own protection. It took a lot of courage for him to write me as he did, because he did not know to what use I was going to put his letter. I can tell you that it is my honest opinion that if the NAACP got hold of his name and address, he would have need to be afraid. I have found from my experience in the South that the average Negro is more afraid of what would happen to him in the way of reprisals from the NAACP than he is of anything else in the world. The professional Negro is using him in a political tug-of-war and against his will. If this bill should pass he would be the further dupe of these professional agitators because he would find himself in court against his will not as a defendant but in an effort to try to support charges not made by him but against his will and without his consent. Talk about inhumane treatment—it would really be cruel and frightening to a southern Negro to have that happen to him, and he would, for the sake of protecting himself, agree with any words that these agitators wanted to put in his mouth.

The very nature of this legislation before us indicates that no person's mind will be changed by what is said here. If we have any appreciation for the blessings of freedom in this country, however, we had better pay very close attention to what is done here. To convict a person on a criminal charge without even a jury trial strikes at the very heart of our American system. It is depriving the individual of a right that I say is greater than the right to vote. Please understand that I have no objection to any properly qualified American citizen voting, but to put that right paramount to the right of a man to enjoy being tried by an impartial jury is to effectively put the cart before the horse.

I earnestly plead with you to think carefully of the rights of all Americans before you vote on the jury-trial amendment. If you let logic rather than emotionalism control your vote, you will adopt the jury-trial amendment and our system will be preserved. If you do not, heaven only knows what will happen to us.

Mr. KEATING. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. CURTIS].

Mr. CURTIS of Massachusetts. Mr. Chairman, I rise in support of this bill and against the jury trial amendment.

This bill should be called the constitutional rights bill. Its primary purpose is to protect the right to vote and other constitutional rights.

The right to vote is basic to the very existence of a government which derives its powers from the consent of the governed. The right to vote is the key which opens the door to the protection of other rights. Local officials, themselves depending on the votes of the people, will listen to the demands and protect the rights of voters, as they will not do for nonvoters.

There was evidence before the Committee on the Judiciary that in some sections of the country people are being deprived of their right to vote. There was evidence that better protection of that right is needed. The Attorney General has stated that effective enforcement of civil rights is impossible "with the legal tools now available."

In view of this evidence it is the plain duty of the Congress to strengthen and protect the right to vote. There can be no question here of the violation of States rights because the 15th amendment of the Constitution of the United States, after first proclaiming that the right to vote shall not be denied, provides:

> The Congress shall have power to enforce this article by appropriate legislation.

Appropriate legislation to protect this and other rights is now before the House. Favorable action is important not only domestically, but also from the point of view of America's position before the world. On his recent return from Africa, Vice President NIXON reported as follows on the effect of discrimination in the United States:

> As a result of skillful propaganda primarily inspired by the enemies of freedom, a consistently distorted picture of the treatment of minority races in the United States is being effectively presented in the countries I visited. Every instance of prejudice in this country is blown up in such a manner as to create a completely false impression of the attitudes and practices of the great majority of the American people. The result is irreparable damage to the cause of freedom which is at stake.

Under existing law the right to vote is enforced mainly by criminal prosecution. That means punishment after the crime has been committed. The present bill permits preventive relief by authorizing the Attorney General to seek injunctions forbidding the deprivation of voting rights when he has reason to believe, and can prove in court, that deprivation is about to take place. The bill merely adds a new method for the enforcement of existing laws which protect constitutional rights.

This year much emphasis is being placed by opponents of the bill on the alleged deprivation of the right of trial by jury which would result from this bill. Amendments are proposed to grant the right of trial by jury in contempt proceedings arising under this bill.

Such a right is inconsistent with the prompt and orderly administration of justice. What it means is that after the main case in which the injunction was granted has been tried and disposed of, a second and separate jury trial must be had in order to make that decision effective.

Presidential candidate Taft refuted a similar suggestion in 1908, saying:

> Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders.

It is plain that there is no constitutional right to a jury trial in contempt cases. Indeed, Prof. Paul A. Freund of the Harvard Law School well pointed out in his letter printed in yesterday's New York Sunday Times:

> The real constitutional issue has not been over a supposed right of jury trial in this class of cases; it has been quite the reverse, namely, whether the judge may be deprived of his historic power to punish for contempt without a jury.

It is noteworthy that the courts of many of the Southern States have held that it was unconstitutional to provide for jury trials in contempt proceedings. A further noteworthy point is that when this same bill was before the House last year, the argument about deprivation of jury trials was scarcely mentioned.

It is, of course, true that Federal laws at one time granted jury trials in certain contempt proceedings arising out of labor disputes. The coverage of those laws has since been greatly reduced by amendment, if not altogether repealed.

There were special reasons for granting such jury trials which do not exist here. Injunctions that were generally regarded as unduly broad and unfair had been granted in labor disputes. The injunctions in those cases sometimes enjoined acts which might have been performed by hundreds of strikers, and there was frequently a difficult question of fact as to whether the individual striker had in fact violated the injunction.

No such situation could arise under the pending bill, and jury trials should not be granted in cases of contempt arising under it. Such a grant would destroy one of the primary purposes of the bill, which is to give prompt and effective protection to the most fundamental rights possessed by American citizens.

The real question before the House, and before the American people, is whether better methods of enforcement of the civil rights laws are needed, and whether injunctive relief is a fair and proper method under all the circumstances. I am convinced that it is, and urge the Members to support this legislation and oppose any crippling amendments.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, I am abashed to follow the eloquence and the brilliance of the gentleman from the Third District of Georgia; but if it is any source of cheer or comfort to the gentleman from the Third District of Georgia to know that the gentleman from the Third District of Michigan shares the concern that he has expressed over the burgeoning powers of centralized Federal Government, the gentleman from the Third District of Georgia is welcome to that cheer. And let me say further that apparently there are a few citizens in

the Third District of Michigan who also share that deep concern.

Mr. Chairman, I voted against the so-called civil-rights bill in the last Congress.

Thereafter, during last year's primary and general election campaigns, I made every effort to apprise the citizens of my district of that fact and of the reasons for my vote.

In addition, I apprised them, as I had done 2 years before, of my purpose to support the President and the Republican program, if elected, insofar as my conscience and judgment dictated, but without ever being in any sense a rubberstamp representative.

Those, then, are the terms and conditions of my present employment. I cannot and will not seek or accept that employment on any other terms.

Barring modifications of this bill beyond anything I can now imagine, I expect to vote against the so-called civil-rights bill again this year.

And I shall again, to the best of my ability, apprise the citizens of my district of that vote and of my reasons therefor. They will, of course, in due time, again record—favorably or unfavorably—their judgment of my stewardship in this and other matters.

Because in what I have just said, and in what I am about to say, I am speaking with unwonted and perhaps unpolitic frankness, I hope no one will think me either arbitrary, or flippantly defiant or unsympathetic to those who would redress human wrongs, or that I am professing a purity of motive above any of my colleagues.

Having said this, may I, in this same vein of frankness, offer a word to any fellow Republicans who may think they see potential party advantage in support or adoption of this legislation.

Conceivably, tomorrow's election, and even control of the next Congress, might be won by today's vote for this bill.

But if perchance today's vote should hereafter be proven wrong in principle, it is inevitable that the wrong will ultimately be discovered and exposed.

Then would certainly follow the subsequent reversal of popular sentiment, the subsequent repudiation at the polls, the subsequent condemnation of public and personal conscience for choosing the cynical course of imagined expediency and opportunism.

It is, I suppose, a hopelessly naive viewpoint, but I can conceive of circumstances in which the Republican party could be a far more potent force for good and greatness in the Nation—a far more likely candidate for subsequent and substantial victory—as a minority party of conscience and principle rather than as a majority party of expediency. I merely invite my Republican colleagues to give that possibility earnest consideration.

My main purpose in adding to an already overburdened record of debate on this bill, is to list and briefly discuss three areas of deep and sincere concern on my part with respect to the subject under consideration before this House.

I have no citations of law to quote, no complex constitutional arguments to present, no involved precedents to cite. I shall not try to explain the difference between various types of contempt proceedings, with or without jury trial, or differences between civil actions in which the Government of the United States is a party and those in which it is not.

All of this is important to this debate and all of it has already been presented far more ably than I could hope to do it.

However, I have a very strong feeling that for better or worse, the American people are going to pass over these complex and complicated technical issues and react to this whole problem in much simpler, more commonsense, more down-to-earth fashion. So it is in these terms that I want to speak now.

The first area of my deep concern is the conviction that in dealing with this problem of civil rights in relation to race, color, or national origin, we are guilty of an overreliance upon government—government in general, increasingly centralized and federalized government in particular.

Unquestionably government, local, State, and Federal, has its role to play—and is already playing that role—in this area of human relationships and problems.

But I submit that one of the insidious effects of looking primarily to government for the solution of problems is that it tends to progressively discourage looking elsewhere for solutions.

And very often, if indeed not usually, the solution, or a very large part of the solution, does lie elsewhere.

It seems to me that this principle applies with particular force and urgency to the delicate and complex and difficult problems of social relationships—especially problems complicated by factors of race, color, and divergent national origin.

Of course, there is always an area of necessary and legitimate activity for government in this field, just as there is in the field of domestic relations. We have laws, and governmental power and penalties, relative to marriage and divorce and family relations. But surely we are all wise enough to know that there is no law which can compel mutual affection, esteem, and respect between a man and woman, and surely we are all wise enough to know that no true marriage or domestic felicity could survive solely on the basis of a government-imposed relationship.

It seems to me that the amazing and to me shocking "General Statement" on pages 4 to 6 of the Judiciary Committee's majority report all too obviously attempts to equate progress toward perfection in the matter of civil rights and interracial relations, with a constant expansion or intensification of governmental power and activity, particularly Federal governmental power and activity.

I prefer the premise so eloquently stated by David Lawrence that "Voluntarism is freedom's greatest vehicle of progress." The key to justice, to effective concern for human rights and their advancement, to improvement of human opportunities for all, to substantial progress in more cordial and fruitful human relationships, seems to me always to lie first and preeminently in innate human good will, in individual initiative, in moral suasion, in the law written on "the fleshy tables of the heart," and in the force of high example.

I am deeply concerned over the excessive reliance upon the power of government—particularly because I believe this proposed legislation demonstrates the reverse law of gravity in government whereby authority and power seem always and inevitably to gravitate to the top. To me there is and always will be something incongruous about the argument that the more we concentrate power in centralized federal government, the more we assure freedom.

A second matter of deep concern to me is our seeming determination, with respect to delicate and complex and difficult problems of human relationships, to incessantly, persistently, and insistently talk ourselves and each other into trouble, tension, and controversy.

I believe in freedom of speech and public expression. I do not believe in surrendering to some sort of compulsive urge to constantly and incessantly talk about one problem or subject.

I believe in the therapeutic value of "talking a problem out" but I believe, also, that we can talk a problem back in again in aggravated form just by failing to recognize also the therapeutic value of occasional silence.

Reverting again to the analogy of the husband and wife, there undoubtedly are times when the partners in a marriage must discuss problems involved in living together. However, I know of nothing more explosive than a continuous and nagging rehash of those problems.

I believe in the necessity and virtue of a public exposé of evils and abuses so that there may be brought to bear the corrective force of the American spirit of fair play, the power of public opinion, and, within reasonable limits, the policing of necessary legislation.

But I also believe that there ought to be an occasional accentuation of the positive, an occasional reporting to our fellow citizens of the gains and accomplishments and progress which have been made in and out of Government with respect to these problems.

Buried in the hundreds of pages of testimony before the House Judiciary Subcommittee and the committee of the other body is much inspiring testimony—by colored as well as white witnesses—as to progress and gains which have been made and are being made in sound, healthy, and mutually fruitful relations between citizens of different color, race, and national origin—particularly in the South. If I have any major criticism of my southern friends, it is for what may be their failure adequately and graphically to tell that true story to the Nation.

My point is that if we must constantly talk about these problems, why not at least occasionally talk about the things of good report.

Now, a third and final matter of concern. Ostensibly the purpose of this, and of similar civil rights legislation, and of the incessant drumfire of discussion and agitation, is to minimize and eliminate human intolerance.

I am fearful, however, that in the zeal—however honest and sincere—to eliminate one form of human intolerance we are in real peril of falling victim, quite unwittingly, to another and even more dire and disastrous form of human intolerance.

I deplore and abhor the malevolent intolerance of racial prejudice and discrimination and the abrogation of human and political rights which follows in its wake.

But I am even more apprehensive—and I am sure that human history justifies the apprehension—of the potential intolerance of the righteous—or self-righteous—zealot and reformer, particularly when he is armed and equipped with the apparatus and awful police power of centralized federal government.

In a word, I regard as a bad bargain, indeed, the exchange of ignorant and malevolent intolerance for the intelligent, skillful, and powerful intolerance of those obsessed with the rectitude of their cause and the urgency of imposing their reforms upon their fellow citizens.

Of course, I attribute no such intolerance to my colleagues who favor the proposed legislation. But I do invite your attention to two sentences from the general statement in the majority report to which I have already referred:

> Although our record as a nation is definitely one of progress toward the achievement of the ideal for which this Government was established, it would not be proper to permit stagnation at any point prior to reaching, as far as humanly possible, the true American way of life. As human beings subject to the frailties of our nature, perfection is something that is never achieved but must be honestly and conscientiously striven for during every moment of our existence.

As personal goals of sincere men, as the aspiration of voluntarism, as the inner and spiritual motivation of freemen, I can subscribe to and applaud these noble purposes, even though I am human enough to wonder if this striving for perfection must literally continue during every moment of our existence. But insofar as the suggestion in these words—and in their context I think the suggestion is all too apparent—is that it is the business of government, and particularly of centralized federal government, to compel and command these purposes and this strife for perfection during every moment of our existence, I want no part of it.

And I say that to identify such purposes with the power, the authority, and the penalties of centralized federal government is to toy with a form of intolerance which ought to strike fear to the hearts of all freedom-loving Americans without regard to race, color, or national origin.

I spoke at the outset of the risks involved in sacrificing principles to expediency. I close with a quotation which contrasts the attitudes of expediency and principle with respect to the matter of concentration of power in Washington.

> Expediency said: "We cannot allow our fine new ideas to be at the mercy of 51 separate State and Territorial legislatures. It is so much quicker and easier to plan, finance, and direct all major projects from Washington."
>
> Principle says: "Geographical balance of power is essential to our form of free society. If you take the centralization shortcut every time something is to be done, you will perhaps sometimes get quick action. But there is no perhaps about the price you will pay for your impatience: The growth of a swollen, bureaucratic, monster government in Washington, in whose shadow our State and local governments will ultimately wither and die."

I subscribe wholeheartedly to the sentiments so eloquently voiced in his acceptance speech last August by President Dwight D. Eisenhower.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DIGGS].

Mr. MILLER of Nebraska. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. MILLER of Nebraska. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-four Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 106]

Alger	Ford	Multer
Anfuso	Frelinghuysen	Norblad
Ashley	Garmatz	Norrell
Avery	Gathings	O'Konski
Ayres	Granahan	Osmers
Bailey	Gray	Perkins
Baker	Gregory	Philbin
Barrett	Gubser	Pillion
Bass, N. H.	Harvey	Poage
Beamer	Healey	Powell
Bennett, Mich.	Hillings	Prouty
Berry	Hoeven	Radwan
Bolton	Holifield	Reece, Tenn.
Bosch	Holtzman	Reed
Bow	Horan	Rogers, Tex.
Bowler	James	Santangelo
Breeding	Jenkins	St. George
Brown, Mo.	Kearney	Scrivner
Buckley	Keeney	Seely-Brown
Budge	Kilburn	Shelley
Burdick	Kirwan	Siler
Byrne, Ill.	Krueger	Smith, Wis.
Byrnes, Wis.	Latham	Spence
Cannon	LeCompte	Steed
Chiperfield	Lennon	Taylor
Christopher	McCarthy	Teller
Chudoff	McConnell	Thomas
Clevenger	McFall	Thompson, N. J.
Cooley	McGovern	Thompson, Tex.
Coudert	McIntire	Tollefson
Davis, Tenn.	Machrowicz	Udall
Dawson, Ill.	Magnuson	Vinson
Dempsey	Mason	Wainwright
Dollinger	May	Westland
Donohue	Meader	Wharton
Dooley	Miller, Md.	Wigglesworth
Durham	Miller, N. Y.	Williams, N. Y.
Eberharter	Mills	Withrow
Engle	Montoya	Wolverton
Flood	Morano	Zelenko
Fogarty	Moulder	

Accordingly the Committee rose; and the Speaker pro tempore [Mr. KILDAY] having assumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H. R. 6127, and finding itself without a quorum, he had directed the roll to be called, when 308 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ROGERS of Colorado. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DIGGS].

Mr. DIGGS. Mr. Chairman, I suspect that at this late hour and also because of the very thorough discussion of the legislation now before us that there is little I can do to change anyone's mind. But as a cosponsor of a similar proposal, permit me first of all to say I am gratified because of the tenor of the debate up to this moment. I am gratified because it has not been generally characterized by certain kinds of inflammatory statements and expressions with those few exceptions when certain opponents of the bill felt it incumbent upon themselves to reduce the discussion to the usual harangue about the NAACP and other right-thinking organizations and their usual harangue about the relationship between this subject and so-called racial superiority. I think the provisions of this bill have been ably discussed and described by Members of both parties representing various parts of the country. May I compliment the opponents of this bill because I do not believe anyone could have heard or read their testimony without being impressed with their adroitness and their determination in presenting their viewpoints. As a matter of fact, they have been so resourceful that they have maneuvered this entire debate with little exception into an area which is entirely apart from the main objectives of this bill. I shall not attempt to belabor the merits of the bill because I think they have been ably and amply discussed.

May I just use this one sentence to describe how I, particularly, feel about the principal proposed amendment? And when I say that in connection with the so-called trial by jury proposal, I hope that all of us who have an open mind will remember that only when a person refuses to obey a court injunction ordering him not to deprive a person of his voting privilege will this so-called contempt procedure become operative. I am not going to endeavor to elaborate on the significance of this legislation as it relates to our kinship with other people in this world, and especially the darker people of this world, but may I remind you of the statement of the Vice President of the United States when he returned from his historical trip to the continent of Africa; may I remind you of the statements made by our distinguished colleague, the gentlewoman from Ohio [Mrs. BOLTON], and may I remind you of the statements that are being made by our emissaries and our statesmen and certain other Members of Congress week after week and year after year about the relationship between the treatment of our so-called minority peoples in this country and the prestige of the United States in the Free World. I can certainly attest to the fact that as a member, and a privileged member of the delegation selected from this House to go to Africa, we were constantly questioned about the treatment of mi-

nority groups and peoples here in the United States.

I tell you that I have seen stories concerning racial incidents relating to the matter on this floor not only in Africa but also on the European Continent; and if anyone thinks that their provincialism is going to keep these stories from being circulated in these particular areas or keep these stories from affecting the prestige of our country they are mistaken. And certainly these stories are not of the kind of broad concept of democracy that justifies their opposition here in the Congress of the United States.

I would like to take just a few moments, because of the tenor of the discussion up to this time, to give you a little of the background which gave rise to this legislation, to bring this particular measure back into focus on the question whether or not any person anywhere in the United States is permitted to exercise his most important privilege, and that is the privilege of the franchise.

On this floor during this debate the statement has been made: Bring us some evidence of people who have been deprived of their voting privilege here in the United States. We have been challenged to come forth with evidence of this deprivation. Let me say that I am prepared to name you entire counties in these United States where the Negro people are not permitted to vote. I can tell you about counties, for instance, in the State of Florida: Taylor, Madison, Gadsden, and Jefferson Counties, where Negroes are not registered to vote.

I can carry you over into the State of Alabama and refer you to counties in that particular State where Negroes are not registered to vote, and I have the information before me where Negroes in Lowndes County—if I pronounce it correctly—and Wilcox County, Ala., are not permitted to vote.

And I can tell you about the subterfuge that is used in other counties which keeps Negroes' voting privileges down.

I can tell you, for instance, in the State of Alabama about certain additional burdens which are required of Negroes. For instance, there must be present in some of these areas, when a Negro is registering, an elector to sign the application of the Negro, but this is not required of the other people. The Negro, consequently, must have a white person sign his application in certain areas of this State. A Negro cannot do this in many counties in Alabama, as many whites will not sign the application of Negroes.

We have a situation in Alabama where in a couple of counties the members of the board of registrars have resigned rather than register Negroes. This has been the case in Bullock and Macon Counties in Alabama.

With relation to the processing of applications, many who fail to receive their certificates have been told that the applications have not been processed; but the white applicants in most instances receive their certificates immediately upon registering.

Many boards discourage Negroes from voting in Alabama by pretending to be busy when they come in to register, failing to recognize their presence, or that a Negro is applying for registration. In some instances when they finally recognize him he is told that there is not a quorum of the registrars present and the Negro's application cannot be registered.

In some instances the place used for Negroes will accommodate only one person and, therefore, there is a long line where only one person can fill out the questionnaire required at a time, and the long wait discourages some; others must go back to work.

We have a situation where some boards make no pretense whatsoever but tell Negroes they are not registering Negroes while others may be considerate and pretend that there are just no blanks available. Still others are told to come back at some future date and are continually told to come back at some future date.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CELLER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DIGGS. Mr. Chairman, many times boards will show by their obvious resentment that they do not want to be bothered.

I could go on and on and cite these subterfuges which are being used in this particular State.

I could also swing over to the State of Mississippi and point out to you 13 counties in the State of Mississippi that do not have one Negro registered on their books. I invite any Representative from that State to explain why a Negro in any of these 13 counties is not registered. I am talking about counties whose population ranges from 12 percent all the way up to 74 percent in Jefferson County, and there are no Negroes registered to vote. I invite the distinguished Representatives from that State to explain why there are no Negroes registered in those particular counties.

Mr. Chairman, on the basis of the testimony that was given in the hearings from the people living in these various sections, who have pointed out that through intimidation, coercion, and subterfuge, they are kept from the polls, this is ample testimony why this legislation is so sorely needed. I have not heard on this floor during the entire debate anyone come up with a solution of this particular problem, other than the solution which is incorporated in this legislation.

The reason that we are here today seeking relief on the Federal level is because the offending States are not protecting the right to vote on the part of these people to whom I have referred. They do not want that kind of States rights because they know that once full participation of the ballot is in the hands of all the people they will have to, of course, answer to all of the people as it relates to matters in which they express an interest here in Washington.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. DIGGS. I yield to the gentleman from Pennsylvania.

Mr. FULTON. A statement has been made to me on the floor that the Negroes who are not registered were not interested in voting. I doubted that because I come from a Northern State. I would like to have the gentleman, as he knows so many of them, tell us whether these Negroes really want to vote and take an interest in the civic affairs of their communities, because there are many of us on the floor, regardless of color or religion, who want them to have that right and who want to find out how to get them the right to do so.

Mr. DIGGS. In all fairness to the gentleman, the question of voter participation is approximately the same in all areas, at least in the northern areas among a particular group as in any other particular group. You do not find a marked lag between the participation of people in the voting processes, whether they are Negro or white, when they have the opportunity to vote.

I want you to look at the statistics. For instance, let me cite these 13 particular counties. In Carroll County, Miss., which has a Negro population of 57 percent, not one Negro is registered in the entire county.

In Chickasaw, 44.5 percent Negroes, not one Negro registered; Clarke County, 40.7 percent Negroes, not one Negro registered; Issaquena, 67.4 percent. Incidentally Issaquena County is the birthplace of my father. Jefferson County, 74.5 percent Negroes, not one registered. Lamar County, 15.9 percent Negroes; Noxubee, 74.4 percent; Pearl River, 21.8 percent; Tallahatchie, 63.7 percent.

And may I remind you that Tallahatchie County is the county where the Till trial was held.

When you consider the fact that you have to be a registered voter in Mississippi as a condition precedent to serving on juries, you can see how this can become compounded so far as the Negro people are concerned, not only as it relates to voting but as it relates to all rights in those particular States. I could go on and on to point that out.

Mr. FULTON. I want to compliment the gentleman on a brave and fearless statement, because he certainly has pointed out instance after instance. Then, does it not become incredible when said by people on this floor that the Negro in those sections does not want to vote and does not want to be registered when not even one Negro is registered in any of those counties that you have just listed.

Mr. DIGGS. The gentleman is correct.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. BARDEN].

Mr. BARDEN. Mr. Chairman, this piece of legislation has aroused considerable interest with me. I do not think anyone would question the fact that there is a very sharp issue drawn here over the question of jury trials. I went to the trouble to look up something

about the history of juries. I investigated the record in many of the foreign countries. I went back to the beginning—to the time the British people met King John and made him kneel and assure them that that privilege—trial by jury—must remain and be a part of their law. They thought then, and I think now, that this safeguard of individual rights is too precious to be batted around and on trial at this late hour. We have a great democracy. We have won the hearts of the world so far as people wanting to come to the United States is concerned. We have these precious institutions designed to preserve the rights of people, and give them fair play and fair trials. Unfortunately so many of our newcomers are misled and they unthinkingly join in movements such as the passage of this bill. We know what has happened in France. We know what happened in Japan. That is why so many good people in America do not want that boy of ours tried in a country that does not have trial by jury. It is not just a whim with them—it is serious and it should be serious to those who probably have not stopped to think about it. I have observed in the history of every single nation, that as the jury trial and the courts were whittled down, central government grew—the rights of the people shrank. As far as voting is concerned, with me that is the right of every citizen in America.

So far as I am concerned, I shall throw no block in the way of it, and I have and do encourage it. But now we will take a country that so many like to refer to. I do not talk about it very much because I think there has been too much talking and not enough done about it. I refer to Soviet Russia. When the Russian revolution took place and the Bolsheviks took over, there has not been a jury trial in Russia since that time. When Hitler took over, with one stroke he abolished the states and all jury trials. Did this help minority groups? Did this preserve anybody's civil rights? Should that be a warning to people or should we forget history—forget even our own history and fall into the same troubles? I want to read you something now that might be of interest. This has received official approval of the Soviet Government. It was written and passed out by Krylenko, public prosecutor in many important cases and the official writer on the judiciary of Russia. Here is the language:

> Our judge is above all a politician, a worker in the political field; and, therefore, he must know what the government wants and guide his work accordingly. Therefore the court must—

Now listen—

> be organized so that there is a possibility of directing the judgment in conformity with the aims of state policy as pursued by the government.

Is there anyone in this Chamber who does not recognize the fact that the Attorney General is given more power in this bill than anyone else? Is there any doubt in the mind of any person here that the present Attorney General and those who have preceded him, regardless of the administration, Democratic or Republican, is a political figure and he is the spokesman who carries out the administration's policy?

No one would deny that.

Now, just take this langauage, if you please, strike out what Mr. Krylenko said, strike out where he puts "judge" and say this:

> Our Attorney General is, above all, a politician, a worker in the political field; and, therefore, he must know what the Government wants and guide his work accordingly. The Attorney General must be organized so that there is a possibility of directing the judgment in conformity with the aims of State policy as pursued by the Government.

This is too hard to explain and too horrible to embrace. Frankly the political odor of this bill is terrible and offensive.

Now I am forgetting all this tommyrot about how many murders took place in some gentleman's district or other illegal incidents which might have occurred. If it is bad we all want to stop it, but for Heaven's sake, let us not be so drastic that in our treatment for the headache we amputate the patient's head; and that is now about the type of prescription you are attempting to write.

We must not forget that the jury system has played a conspicuous part in the defense of popular rights against attempts of tyrannical exercise authority by executive Governments from the beginning of the jury system.

I can live under any law the rest of you can live under; I can live under the law with this jury clause in it, but I want to say to my friends who wrote this bill, whoever it was that came up with this language probably said, "This will do it," did not render any service to this democracy; and I say now it bears every earmark of legislative trickery.

Those are pretty strong words. I have practiced law a long time. I administered the law. It has always been repulsive to me to see any attempt in the courthouse, or otherwise, to deprive an American citizen of his rights and to treat him unfairly.

I am not going to be one to try to justify my voting for language that fixes it so you could do indirectly what you are just a little afraid you could not do directly to the extent you wanted to do.

I do not want to see this bill passed as it is, and I sincerely hope it will be defeated.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. BARDEN. Will the gentleman yield me 5 additional minutes?

Mr. CELLER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. BARDEN. Now I will just hand it back to you.

I requested time last week. You have been very liberal to everyone else. You can take back your time. I must say your conduct with reference to this small request is consistent with the import of this legislation which you espouse—unfair.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, it is incongruous that year after year this House is thrown into a turmoil spending days upon days of its valuable time debating the same question of civil wrongs that certain elements of this country are determined to ram down the throats of all the citizens of this country; for this bill under consideration, if passed, will not apply solely to any one section of the United States but to all of its integral parts. However, as long as we continue to be faced with this issue, we of the South will not hesitate to be in the vanguard of those who fight to preserve the civil rights of the individual, no matter where he may live.

I wonder if it has occurred to the Members of this body that chaos, Gestapoism, and an utter disregard of the rights of individuals has been avoided so far in this country by the thin gray line from the South? The majority of the House membership has, time after time, ridden roughshod over the Members of the House whose love of the principles upon which this country was founded has been and is now being demonstrated in no uncertain terms.

I have often heard it said privately and on the floor of the House that this bill would be decided along sectional lines. It is extremely difficult for me to decipher such reasoning, if it actually be true. An American citizen is no less an American citizen in New York, Illinois, Kansas, California, and so forth, than he is in Georgia, Alabama, Mississippi, or Virginia. The right of trial by jury is as sacred to an American citizen in Pennsylvania or Ohio as it is to a citizen in South Carolina, North Carolina, or Tennessee.

In the light of the glorious history of this Nation, it is heart rending to me to see this attempt to deprive the American citizen of the rights for which the blood of so many men has been spilled in places all over the world. With what spirit can the man in the service of his country today and in the future fight, yea, even give his life? How will it be possible for a mother to give her son or a wife her husband to battle without cause?

We have the spectacle of a Supreme Court which rules without regard for the Constitution or the Congress. We have the spectacle of a United States Attorney General representing to the Congress that this legislation, the sole purpose of which is to take away the civil rights of the people of the United States, is urgent and necessary. We have the spectacle of the President of the United States saying he will use any means at his disposal to see that this legislation is passed. This is not the same kind of philosophy espoused by our President either in his first or second campaign for office.

Shall we now have the House of Representatives, the only governing body of this Nation that is really close to the people, making a like spectacle of itself by disregarding completely the civil liberties of the people by passing the abortive legislation at present under consideration? In God's name, I pray not.

Oh, liberty, how many injustices are committed in thy name.

One of the greatest injustices in the history of our Nation shall have been committed if this bill finds its way to the statute books.

Seldom, if ever, in the lifetime of a person, is it given to him or her to rise to the heights of glorious living as the opposition to the passage of this bill affords. In our day and age, we usually look back as far as Washington, Jefferson, Jackson, and Lincoln for our examples of great courage. These names will always be revered as long as we have the courage to hurl back every attack on the system of government that they spent most of their lives in establishing and preserving for us.

If, as has been said, this bill is supposed to capture the minority bloc vote of the colored people in the Northern States, it is an insult to the intelligence and to the integrity of those colored people. It has been my position in life to live in the midst of colored people. My observation is that they love liberty and freedom of movement just as well as any of the white people I know. This bill is no respecter of persons. The colored citizen and the white citizen will suffer under it if it becomes law. In such an event, how do you who are sponsoring this bill expect to justify your action? Or, do you think that it will be too late for you to "pay the piper," so to speak, and it will be upon the shoulders of those who come after you to bear the burden of the issue—that is, provided we still have the representative process of government as we know it today.

I would rather feel that there are enough Members of this body who will fail to bend the knee to a false idol that will bring about in this country a Hitler or a Stalin whose oppression of racial minorities were the cruelest and most heartless exhibitions in the entire history of mankind. If this bill passes, it opens the door to just such a situation.

I plead with each of you who is undecided or who has made up his mind to vote for this bill, to think of the freedom that all peoples have enjoyed in these great United States from the time we first became a country, and then to think of the grave threat to freedom that is embodied within this bill and vote against it—kill it—do not let the cancer of indecencies that are sure to arise if this bill is made into law be upon your hands.

Mr. CELLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, again, as the days of June are riding toward the longest day in the year and the beginning of the death of summer, we are enrapt in the emotions attending the passing of an old order and the birth of a new. I feel that my dear friends from the Southland today, as they have before, are standing on the edge of a lost battlefield fighting for something that they believe in but that they know has passed forever.

But, Mr. Chairman, we are making progress. We are marching forward to greater heights to advance the dignity of all men and fulfill the mandates of our destiny.

I remember when I was going to law school we were told that there was a time when people who suffered from wrongs for which there was no remedy went to the king and asked the king to exercise his conscience, to do the right thing even though there was no approach to the right in the existing law. And so came our court of conscience, our court of equity.

There have been wrongs. I do not think any of us doubts that through fear or for other reasons many people of the Negro race in certain parts of our country have not been voting, certainly in the numbers that we would desire and we would expect in proportion to their population. And our Republic cannot exist unless we give to all of our citizens the right to vote. In a representative democracy that is the most sacred of all the rights.

I respect the right to a jury trial. I think no one loves an American jury more than do I; and I have had, in my humble way, the privilege of talking to juries in many cases, and in many States including the great State of Tennessee. But I know the limitations of the jury system. The right to a jury trial means the right to a trial by jurors of your peers and in a climate that is without bias and without prejudice. That is the American concept of trial by jury. And so we have always been very careful to protect the right to trial by jury with the right to a change of venue.

Let a horrible crime be committed in any county or any community and someone who is not popular in that community is suspected and arrested for the crime. Because human nature is what it is, it is conceivable that it would not be possible to have a fair and impartial trial in that county or in that community and a change of venue is granted to another county where such bias and prejudice may not obtain.

In our great State of Illinois we protect that right to a change of venue to the extent that we make it mandatory upon our judges to grant a change of venue when a showing is made merely by affidavit. That I think should be borne in mind.

What is our situation now? We have in a section of our country—and I am not scolding; when you are born and brought up in a social order, it is hard to change; we all fight change from the status quo—so we have in that section a feeling that white supremacy still obtains, that in a world in which the white constitutes a relatively small minority, we can go on living, today as it was yesterday, on the standard of white supremacy.

In the section where that feeling obtains, human nature being what it is, it would be difficult to find a jury that would pass upon the facts and not the law.

The jury is given the determination of the facts, not the determination of the law. In Illinois, when an attorney is examining the prospective members of a jury, he asks if they will reach their decision from the evidence that they hear in the court and following the law as given to them by the judge on the bench. It was never intended that jurors should pass upon the law. Yet it is difficult for the layman to distinguish between what is law and what is fact, and, no matter how conscientious he intends to be in the performance of his duties as a juror and in his respect for his oath, his determination of what is fact and what is law must subconsciously be influenced, and his confusion multiplied, when against the law itself, he is strongly and emotionally opposed.

Once a law of the land is enacted by passage of a bill by the Congress, and signatured by the President, it is effective upon all persons in our Nation. It was never intended by the makers of our Constitution that a law of the land should be submitted to trial by jury so that in one community it would be accepted and enforced and in other communities would be rejected. It is self-evident that government could not continue to function in such a situation.

I should regard it as a splendid tribute to the judicial temperament and integrity of Southern judges, which should not go unnoticed by my colleagues from the Southland, that no one from the North in these many hours of emotion-heated debate has raised the slightest question as to how the judges in Southern districts would act in the judicial administration of a law that might not meet with their personal approval. It is hard for me to understand why similar confidence has not more often, in the debate, been voiced by my friends from the South, unless it be that they wish the law itself, and not the facts as they apply to individuals, to be passed upon by laymen and not by judges learned in the law and charged with its interpretation.

Mr. Chairman, I trust that the bill will pass unamended, and that our country will go on in the new day, undisturbed by the passing emotions of a change from the status quo, bravely and wisely meeting in the future as it did in the past the challenges of broadening horizons.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, in the course of my experience in Congress, I have seen one political bill after another pushed forward by active supporters in the Congress as being panaceas for all racial troubles. These bills have taken the form, over the course of the years, of one type of remedy or another. They have been termed force bills, antilyinching bills, F. E. P. C. bills, antipolltax bills, and civil-rights bills. These bill have all been pushed with different degrees of vigor over a period of many years, and finally have been pushed out of the realm of active support through a change in the political complexion of racial minorities throughout the country.

I have always conducted myself and my affairs fairly. I have tried to see that the remedies given by law applied to the colored and white people alike. I have supported many measures of benefit to the colored people of Louisiana, as well as to the whole United States. Of all of the bills that have come before us in the time I have been in Congress, H. R. 6127,

introduced by Mr. CELLER of New York, is probably the most vicious bill that I have seen. The bill has properly been termed "the administration bill on civil rights." It is clearly directed against the South. It is pushed forward as a palliative of all social and racial problems and iniquities.

The bill is divided into two parts, roughly speaking. The first provides for a commission to be appointed by the President and provides powers and duties. The second portion provides additional provisions granting injunctive relief at the request of the United States Attorney General.

It is this second provision of the bill which is particularly vicious.

It is not the rights which are supposed to be protected under section 131 of the bill with which I have the primary concern. It is, rather, the new methods and new powers granted for the enforcement of this provision—especially the broadening of the injunctive power of the Federal courts. Under subsection C of part 4 of the bill they may have the Attorney General, and this means all of his subordinates, if they suspect that a right has been violated or is about to be violated, go into a Federal court and ask for an injunction. There is no limit or restriction upon the breadth or depth of the injunctive order. It is left entirely to the discretion of the court as to how far it may go in "enjoining the countryside," and there is absolutely no limit as to the number of people or the size of the area which this injunction may cover. For instance, as I conceive of this bill, the Attorney General of the United States could, prior to election involving Federal officials, go into a court in the District of Columbia and obtain an injunction covering everybody in the United States. No provision is made in the bill for the publication of the terms of the injunction.

No requirement is made that the defendant must be a party to the injunction or that he must have willfully intended to violate the injunction. On the contrary, the whole matter is entirely dependent upon the will of one Federal judge as to whether or not the order should be issued, and what should be the scope of the order.

A defendant, whether he be within the jurisdiction or out is bound by this decree which may be rendered at will by the order issued in chambers without knowledge or publication. If a defendant violates the injunction, a summary order may be issued in court, and he may be tried by a judge without jury, in a summary proceeding and sent to jail. His only appeal is to the court of appeals in cases of violation of injunctions, and this has proven in the past to be an ineffective and ineffectual remedy to the defendant facing a jail term because of violation of any court order of this character.

The power to punish for contempt of court under the common law theory has been left largely, if not entirely, to those who violate the peace and order of the courtroom or are guilty of a violation of order in the presence, actively or constructively, of the court. Under the terms of this bill, no subject restriction is placed on the court, and the court could issue an order at the request of the Attorney General, and followed by summarily placing in jail anyone who violates its terms.

The power to punish for contempt should continue to be restricted to those committing an act within the presence of the court. The power to issue injunction should certainly be limited in its scope and under no circumstances should one man, even though he be a Federal judge, be allowed to issue an order prohibiting the world, as it were, from taking certain actions. If, however, the injunction is going to be general in scope and cover everyone, whether cited by court at the time the injunction is issued or otherwise, the least that we English-speaking people should expect from our Government is that we should be tried on a citation for contempt for violation of such an injunction by a jury of our peers.

Does the bill before us contain this safeguard? On the contrary, this measure in its expressed terms provides for the trial of our people for violation of an injunction without a jury. It provides for trial by injunction as one would be tried for creating a disorder in the presence of the court—a summary method of handling justice. All reference to jury trial in this bill is abandoned.

From time immemorial, I know of no right which has been more jealously guarded by our people than the right to a trial by jury. This right is referred to in our Declaration of Independence as one of the grievances requiring our independence from Great Britain. I refer to that sacred document written in 1776, entitled "The Declaration of Independence of the United States of America," wherein the King of England is charged in that "he has obstructed the administration of justice, he has made judges dependent on his will alone, he has erected a multitude of new offices and sent hither swarms of officers to harass our people," and further, "for protecting—large bodies of troops—by a mock trial from any punishment for any murders they should commit on the inhabitants of these States.

Then, after a long 4-year war had been brought to a successful conclusion, and our Founding Fathers gathered in Philadelphia to frame a constitution, they completed that immortal document. They submitted it then to the several States for ratification. They found, however, our States were loath to ratify even this historic document without adding to it safeguards for what has been known throughout history as the Bill of Rights. These States insisted upon, before ratification of the Constitution, ten amendments being added. And one of these ten amendments provided:

> Amendment VI. The accused shall be entitled to speedy and public trial by an impartial jury.

And then again, even in civil suits at common law:

> Where the value in controversy exceeds $20, the right of trial by jury shall be preserved.

Without these safeguards, including others just as sacred, such as freedom of worship and freedom of speech, our Constitution would never have been ratified and become the law of our land. We would not have developed under it and operated under it almost 200 years except for these safeguards. These stipulations were not placed in the Constitution of the United States by mere happenstance. They were placed there because of basic logic and because generations of men and women had, throughout the ages, learned to fear despotic power and government which would sometimes terrorize people and destroy every vestige of liberty for which free men have fought and died. These States and the people who controlled the thinking of the Thirteen Original Colonies had a fundamental fear of the King of England and of despotism wherever it might be found.

This fear dates back through time and the ages to the day when the representatives of the English people met on the meadow at Runnymede and forced an unwilling sovereign, King John of England, to agree to certain principles. As all English-speaking people everywhere know, our forebears demanded of a despotic sovereign in what we call the Magna Carta, that—article 39:

> No freeman shall be taken or imprisoned or dissesed or exiled or in any way destroyed, nor will we go upon him nor send upon him, except by the lawful judgment of his peers.

Article 40:

> To no one will we sell, to no one will we refuse or delay, right or justice.

Further in this same immortal document, signed almost 800 years ago, we find article 52:

> If anyone has been dispossessed or removed by us, without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him.

Thus we see that the right to trial by jury has been jealously guarded by English-speaking people for almost a thousand years. In fact, so important was the Magna Carta to the free people of Western Europe and the Western Hemisphere that, during the course of World War II, the British Government was persuaded to send this immortal document to Washington. During the long course of the Battle of Britain, when day and night German bombers strafed London and other British towns and cities, reducing them to rubble, this document reposed in the Library of Congress in Washington, D. C., and not until peace returned to a troubled world was this document allowed to leave our shores and resume its place of dignity and security in the capital of the British Isles.

This bill is a political measure. Its proponents are so anxious to gain political advantage that they are willing to sacrifice every one of our cherished institutions to gain it, and they are willing to strike down those fundamentals of government which almost one thousand years of struggle by English-speaking people were required to safeguard and consecrate. They would tear down all of this in one measure to be pushed through Congress under the lash of the

political whip applied by a minority of our people. They are willing to destroy everything for which we and our forefathers have fought for generations. I know of no more vicious measure which could be presented to this Congress for its consideration.

I do not know that the provisions of this measure may be applied literally, or the full extent of the authority which is given to Federal courts. Federal judges are, on the whole, men of conscience and principle. They should, when they read the broad authority given the Attorney General and their own courts, surely feel a revulsion against the indiscretion of our Congress in passing the measure, and the willful bigotry of many of those throughout the Nation who support the measure and are willing to urge its adoption.

This statement and this speech are not meant to give the reasons why this measure is vicious and why it should be defeated. I have merely tried to develop one particular feature of this bill, which is that it is unworthy of the consideration of the Congress of the United States.

I hope the measure will be defeated and our people be allowed to proceed in their daily occupations without the molestations of an Attorney General bent on changing the morals, habits, and social customs of a great people. No one man should wish and certainly no one man should have all the power given in this measure to the Attorney General of the United States.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. I wonder if the gentleman can enlighten me as to the meaning of the language on page 5 of the bill, reading:

> (b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service.

Can the gentleman tell me who in Government it is expected to appoint to this Commission?

Mr. BROOKS of Louisiana. I do not know, of course, who would be appointed.

Mr. GROSS. Would that be some Member of the House, some Senator, or some bureaucrat downtown?

Mr. BROOKS of Louisiana. I do not know.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. BROOKS of Louisiana. I yield.

Mr. GROSS. This appointee would not serve without pay; he would draw the compensation, apparently, that he presently draws in Government, but he would not be entitled to the per diem compensation set up under the terms of this bill. I am wondering, however, who in Government would be appointed to this Commission. Evidently there must be some reason for this provision.

Mr. BROOKS of Louisiana. The gentlemen who wrote this bill seem all to have gone. I wish they were here to answer the question.

Mr. CELLER. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. ANDREWS].

Mr. NICHOLSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. NICHOLSON. Can the Chair inform me when the Committee will rise?

Mr. ANDREWS. If the gentleman will yield to me, I am happy to report that I think I am the last speaker.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me?

Mr. ANDREWS. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman think a quorum is present?

Mr. ANDREWS. If the gentleman makes the point I will yield back the balance of my time.

Mr. GROSS. I simply asked the question.

Mr. ANDREWS. Mr. Chairman, no man in America would rather see happy racial relations in America and especially in the South, than I.

I say to you that in my humble opinion this bill will not bring about a happy relationship between the races but will add to the tremendous problem that we have there today.

We had no problem in the South until the Supreme Court of the United States in May of 1954 ordered our schools integrated. Stop and think for 1 minute of some of the problems that confront us in the South. We have counties there were the ratio is 8 to 1, 7 to 1, 6 to 1, 5 to 1, and I think I can say that it will be years, and years, and years before we integrate the schools in that section of the South.

Mr. Chairman, I am worried about this problem. Last year I had the legislative council draft a bill, introduced it, but never had a hearing on it. I reintroduced that bill this year and still have not had a hearing on it. But I believe that my bill is the only answer to the problem that you are trying to correct with this civil-rights bill.

My bill provides for the creation of a Human Resettlement Commission. I expect to offer that bill as an amendment to or as a substitute for the pending civil-rights bill at the proper time. More than likely a point of order will be raised against the germaneness of my bill to the pending bill. But I want to submit to you that I cannot conceive of a true friend, not a political friend, but a true friend of the Negro raising that point.

What does my bill do? It provides for the appointment of a Commission by the President, composed of three members, to be confirmed by the Senate. It provides that the Commission will set up as many regional and district offices as are necessary; and it provides further that any Negro who shows to the satisfaction of the Commission, first, that he is a worker—we do not want to place a charge on any community—he must first show to the Commission that he is a worker, that he is carrying his own weight. And, second, that he is unhappy with local laws, customs, and traditions that prevail in the State where he then resides. Upon making that proof to the Commission he will then be eligible for a long-term, low-interest rate Government loan in an amount sufficient to move himself, the members of his family, and his household goods to any State of his choice. And it will be the duty of the Commission to assist him in finding that new home where he will be happy. If he is unhappy in Alabama because his children cannot go to an integrated school, let the Commission point out that in California they have integrated schools. And, bear this in mind, those of us in Alabama have no complaint whatsoever with the way in which the Californians run their schools. The same applies to the other States.

You ask, Why such a bill? There is ample precedent for this bill. When we had the Dust Bowl back in the thirties, this Government moved thousands of Oakies out to the west coast because of economic conditions. And following the end of World War II, we had the Displaced Persons Commission, after which my bill is patterned, under which this Government brought into this country literally thousands of people from foreign countries. Why did they come? They were unhappy with local laws, customs, and traditions that prevailed in the countries from whence they came.

Does the bill make sense? Take a look at the statistics. Take a look at the proportion of Negroes and whites in America. In Mississippi they have 45 percent colored, and I will say that in many cases those colored are concentrated in certain sections of the State. That is where you find the ratio of 8, 7, 6, 5, and 4 to 1. In my State of Alabama the ratio is 32 percent colored. Most of them are concentrated in the southern part of the State, and again we find the ratio all out of proportion to what it should be: 8, 9, 7, 6, 5, and 4 to 1.

Now, look at the west coast from where we have so many advocates of civil-rights legislation. Take Oregon. The ratio of colored to white in Oregon is 0.0076, and I was told about a city in the State of Washington where the ratio is 0.129. Do you know what I was told in the city of Yakima? I was told that a Negro was not permitted to be on the streets after dark. Is it true? I was with the gentleman from Houston, Tex., ALBERT THOMAS, when we were told of it in the lobby of a hotel there, that a Negro was not permitted on the streets after dark. Now, I ask you which is worse for the Negro, to be denied the privilege of voting or being denied the use of public streets after dark? No, my amendment will put the blood test on the friends of the Negroes, the blood test of sincerity, and I challenge the true friend of the Negro to make a point of order against it. If you want to help them, here are the ways and means by which they can be helped. You are going to hurt them if you adopt this civil-rights bill with or without a jury amendment.

Mr. MATTHEWS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Florida.

Mr. MATTHEWS. I appreciate the gentleman giving me a minute after his very fine speech to correct the RECORD. A few minutes ago, the gentleman from Michigan [Mr. DIGGS] remarked that Madison County, Fla., in the Eighth

Congressional District, did not have a Negro vote. I rushed to the cloakroom and called the editor of the Madison County paper, and he told me that last year there were nearly 1,000 Negroes registered in Madison County, Fla., and many, many hundreds of them voted. I resent very much my district being pointed out here, Madison County, as a county that does not respect the rights of its fine Negro citizens.

Mr. GRANT. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Alabama.

Mr. GRANT. I just wanted to say to the gentleman from Florida that I am surprised that he paid any attention to what the gentleman from Michigan said. That gentleman and his colleague here, the gentleman from New York [Mr. POWELL], have done more damage to the Negro race in the South than any other two men since this country was founded.

Now, to come back to the gentleman from Alabama, does the gentleman seriously believe that any of these people who are pressing this legislation would be for this worthwhile amendment that he is advocating here, because if they were, it would take a good many of the people from the South who would move into their districts and they then could not tell us how to run things in the South; they would have a problem of their own.

Mr. ANDREWS. Let me say in conclusion that I earnestly believe if you went into one of those counties down there in Alabama or Mississippi or the other sections of the South where the ratio is topheavy with Negroes, and went through there with a fine-tooth comb, you would not find over half a dozen at the outside who were unhappy and who wanted to leave. And, I want to tell you that my bill is written in all sincerity. If you pass this civil-rights bill, I predict it will not remain the law long, because I know and you know that it is written in the heat of insincerity.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman.

Mr. HOLMES. Would the gentleman kindly repeat, for the benefit of the House, the reference he made to the city of Yakima, Wash.?

Mr. ANDREWS. I stated that 3 years ago next September, I was there with Congressman ALBERT THOMAS, of Texas. We had lunch at the new hotel and were told that Negroes were not allowed on the street after dark in Yakima.

Mr. HOLMES. I am quite familiar with that city, it being the largest city in my Congressional district. I have never heard of a ruling or an ordinance of that sort by the city.

Mr. ANDREWS. That was my only visit there.

Mr. HOLMES. I just wanted to clarify that remark.

Mr. ANDREWS. What is the Negro population there, if the gentleman knows?

Mr. HOLMES. I am not able to tell the gentleman.

Mr. ANDREWS. Percentagewise.

Mr. HOLMES. Percentagewise it would be maybe 1 or 2 percent.

Mr. ANDREWS. I thank the gentleman.

Mr. CELLER. I have no further requests for time.

Mr. KEATING. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, the gentleman did have a request a couple of days ago. I think the greatest favor I can do for my colleagues is to say that I yield back the balance of my time but sometime tomorrow I shall try and show what they are trying to do.

Mr. FLYNT. Mr. Chairman, I rise in opposition to H. R. 6127 and in support of the jury trial amendment which will be offered to insure and guarantee a trial by jury to any person charged with what is referred to as criminal contempt. During the 3 days of general debate I have listened to the remarks of my colleagues on this subject and I have not heard any advocate or sponsor of this legislation give any evidence that there has been any deprivation of voting rights. The broad power given to the Commission on Civil Rights, to the Attorney General of the United States, and to an Assistant Attorney General who will head up the proposed Civil Rights Division of the Department of Justice are indeed comparable to the broad powers which totalitarian dictators have in the past seized for themselves.

Let us face the facts as they really exist and I call upon the advocates of this legislation to concede three things:

First. That this legislation is altogether unnecessary.

Second. That its purpose is not to correct any existing wrongs or to create any new rights.

Third. That is simply an attempt to grasp more power for the Federal Government in a field heretofore reserved to the several States.

Mr. Chairman, I am sure that my colleagues who have listened throughout this general debate have noted that there seems to be a desire on the part of some to speak of violation of civil rights and civil liberties in areas far distant and remote from the geographical areas represented by Members who sponsor and advocate the passage of this legislation. From this and this alone it seems to be evident and clear that this is punitive legislation aimed at a particular geographical section of the United States. Those of us who reside in and represent that section are outraged and we resent any categorical accusation leveled against us, our people, our States, and our section. We sometimes wonder if this categorical accusation and mass indictment is not activated by malice or other equally nefarious motives. Let me quote the words of the chairman of the House Judiciary Committee which appear on page 8490 in the RECORD of June 6, 1957, when he quoted an expression familiar to us all: "Before they take the beam out of my eye, let them look to the mote in their own." I therefore return that same thought to those of you who categorically accuse us and urge that you look for violations in your own areas, seek to correct them, and grant to us the simple fact that we are law-abiding, God-fearing citizens who are just as anxious to respect and obey the law as are the people in any other area not only of this country but even of the entire world.

There have been more exaggerations, misstatements, and outright falsehoods concerning deprivation of voting and other civil rights than about any other subject before this Congress or before the American public generally. In the district which I represent, I have never during my service in Congress known of a single individual to be deprived of his or her right to vote nor have I ever known of any person or persons to be intimidated or threatened in any way because they sought to exercise that sacred right. Before my election to Congress I served as solicitor general (prosecuting attorney) for a 4-county superior court circuit and during my service in that office I never knew or even remotely heard of any citizen in that circuit being deprived of the right to vote or threatened and intimidated in any way. In time of war and in time of peace, I have devoted my time and my efforts and my limited talents and abilities to a protection of democratic processes and the rights, liberties, and freedoms of individuals.

I sincerely believe that this legislation, if enacted into law, will destroy more civil rights than it will ever protect and will create more unauthorized and unwarranted centralization of power in the hands of a few than any legislation proposed in Congress of which I have any knowledge.

If there exists in this country any person with vile and vicious dreams and ambitions of dictatorial power he could wish for no legislation to further those ambitions than the passage of legislation such as is contained in H. R. 6127.

Mr. Chairman, in his rise to power in Nazi Germany, Adolf Hitler could not have asked for a better-equipped vehicle in which to ride to absolute power of life and death over the German people than a vehicle like this so-called but misnamed civil-rights legislation. Let me remind those of you who remember Hitler's rise to power that he used the vices and schemes which at that moment appealed to the passions of the German people, and upon receiving their acclamation he gradually made the German Reichstag completely subservient to his dictatorial power and made the German courts vassal administrative agencies which wrote into judicial fiat, order, and decree his desires and his commands and, having destroyed the liberties and freedoms of the German people, thereafter sought to destroy not only the right of trial by jury but the very right to life itself without a trial of any kind with or without a jury of any kind.

Let us give serious thought and consideration to the creation of absolute powers in any executive department, any Assistant Attorney General, or any Federal court which might even conceivably or possibly destroy any of the rights presently guaranteed to American citizens under our Constitution and statute laws.

Let us remember that the only true test of the propriety of any legislation

is not what good men will do with it but what bad men might do with it.

We cannot assume that the men appointed under the provisions of H. R. 6127 will always be good men, guided and motivated by the highest type of thoughts and methods. Let us study this legislation section by section and paragraph by paragraph. If there is one section, one paragraph or one part of it which could destroy civil rights rather than protect them, let us by amendment eliminate that section, paragraph and part.

For example, in section 102 (k) the Commission is empowered to issue subpena to compel the attendance and testimony of witnesses at any point within a given judicial circuit as defined in the United States Code. This means that the Commission on Civil Rights could issue a subpena to a resident of Florida or even the Virgin Islands or the Panama Canal Zone directing the attendance of the person on whom the subpena is served to appear at a point as much as 2,000 miles away in Fort Worth, Dallas, or El Paso, Tex. Therefore, by the simple procedure of harassment, the Commission on Civil Rights, if composed of men of unworthy methods, could harass and hound an individual to exasperation, exhaustion, or almost to death itself. Therefore, it would seem to be fitting and proper that the subpena powers of the Commission be limited to a given judicial district within a given State rather than permitting it to extend over a large portion of the Western Hemisphere as one or more of the judicial circuits do extend.

For another example of patent dangers inherent in the language of the bill itself, in section 101 (b) it is provided that the President can appoint 6 men of the same philosophy and ideology to be members of the Commission and leave unrepresented on that Commission all citizens whose philosophy and ideology may differ with those who are appointed. The provision that not more than three members shall at any one time be of the same political party is wholly inadequate to give representation to the school of thought represented by both the present opponents and advocates of this legislation.

Section 105 (b) of the bill provides for acceptance and utilization of volunteers and uncompensated personnel. Why, Mr. Chairman, it is self-evident that such volunteers and uncompensated personnel would make their services available continuously and frequently to air personal grievances and greed to foment strife and ill will and to contribute to the perpetual harassment of others. The language of the bill itself virtually admits this by providing that not more than 15 persons as authorized by subsection 105 (b) shall be utilized at any one time. Mr. Chairman, I would suggest as a proper amendment the deletion of subsection 105 (b) in its entirety.

The same can be said about section 105 (d) which exempts such volunteers and uncompensated personnel from the operations of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code and section 190 of the revised statutes (5 U. S. C. 99).

Subsection 105 (e) in providing all Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties clearly indicates doubt in the minds of the authors of the legislation that there may be, and probably shall be, many times and many instances where no public official and no Federal agency could in good conscience cooperate fully with such a Commission on Civil Rights.

Section 121, contained in part III of H. R. 6127, makes the unusual provision that private litigation between parties involving tort actions shall be instituted not by the party aggrieved and not at his instance and direction, but that such actions shall be instituted by the Attorney General for and in the name of the United States.

It gives to the Attorney General the right to ask a civil remedy on the equity side of the courts for an actual, fancied, or even fictitious act which may in fact be a violation not only of a court order, but indeed of substantive law—State, Federal, or both.

Therefore, Mr. Chairman, it is imperative that an amendment to provide for jury trial in such cases be added to this bill.

The distinguished gentleman from New York, the chairman of the Judiciary Committee of this House, in relating other acts which provided for injunctive relief and denied jury trial, asked, among others, this question, which appears on page 8490 of the CONGRESSIONAL RECORD of June 6, 1957:

> Where were those gentlemen, who now come forward and who indicate grave anxiety about the protection of [jury trial] civil rights when we were passing those bills?

In answering that question I cannot attempt to speak for any other Member of this House except myself, but for my part during at least a part of that time I was in the Armed Forces of the United States engaged in combat with the forces of the same Hitler to whom I referred to earlier as the man who sought to deny to all members of a certain religious faith not only the right of trial by jury but even the right to live without a trial of any kind.

In complete frankness in answering the gentleman's question, I want to tell him most respectfully that if I had been in Congress during the time that any of the acts to which he referred were passed, that I would then, as now, have spoken out against criminal trials by judges instead of by juries. It is highly possible that sometimes a jury, ranging in numbers from 5 to 12, might make a mistake, but my experience and my lessons in history have taught me that basic rights of freemen are safer in the hands of a jury than in the hands of a tyrannical judge.

It has not been too many centuries since a British judge, named Jefferies, convened the courts known in history as the Bloody Assizes and decreed death penalties for those whose only crime was daring to exercise their right of free speech. Let me sound this solemn warning that if the right of trial by jury is threatened that those of you who participate in its destruction may help embalm our Constitution and inter in the dark abyss of oblivion the sacred rights and liberties of a proud and freedom-loving people.

Mr. Chairman, an amendment will be introduced to specifically provide for and guarantee a jury trial in all instances where a violation of the terms of an injunction also constitutes a violation of substantive law, Federal or State. Its purpose is to amend the bill to spell out the sacred and constitutional guaranty of the right to a jury trial in certain cases.

Nothing in this amendment is designed or intended to prevent any court from summarily punishing for contempt any person guilty of a contemptuous act or otherwise creating any disorder in the courtroom or in the presence of the court.

It is fundamental that the court must have summary authority to punish such actions of contempt in order to maintain order and decorum in the court. That right has never been questioned in the history of jurisprudence and is not questioned now. Nothing in this amendment can be so construed.

Let me also point out that nothing in this amendment is designed or intended to deny to any court the right to see that its orders, writs, and decrees are enforced and carried out against whom or to whom they are directed.

As a lawyer I respect courts and our system of law, but as an American citizen, first, and a lawyer, second, I feel that the right of trial by jury is a sacred and constitutional right which must never be trespassed upon.

Until a few months ago I thought that that right was clear, and I did not think that it had to be spelled out; but in some quarters that thought apparently is not being shared.

Therefore, I believe it necessary to spell it out and in words that all who read may understand that the sacred right of trial by jury shall not be abridged nor shall it be denied.

It does not take away from any court or any judge the right to maintain order and decorum within the courtroom nor does it deny to such court or such judge the right to punish willful violations of the terms of any order, mandate, writ, process, rule, decree, or command of the court.

It does, however, provide that no American citizen shall be fined or imprisoned or both for an act of contempt of court committed outside the presence of the court and involving a proceeding to which he was not a party until a legally qualified and impartial jury passes upon the question of his guilt or his innocence.

Absolute power whether vested in an executive officer or in a judicial officer is a dangerous thing and would most certainly destroy our framework of government and the basic guaranties of individual liberties which are spelled out in the Constitution of the United States and I believe in the constitutions of all 48 States.

Mr. Chairman, let me call to the attention of my colleagues a time-honored statement which was foremost in the minds of the framers of our Constitution and has been predominant in the minds and hearts of generations of Americans

since then who have believed in constitutional government. I do not know who authored this thought; if I did, I would be glad to give this as a quotation from him and to give him credit for the statement when he said "power corrupts; absolute power corrupts absolutely."

If and when the right of trial by jury and other constitutional rights of freemen are abrogated by men in whatever position they may serve, then one by one they will all be stricken down and swept away; and it will toll the death knell of our constitutional form of government and our Nation, which was conceived in liberty and dedicated to freedom.

Those of you who are familiar with the history of the development of our jury system and the right of trial by jury are well aware of the historical background of this sacred guaranty of freedom. Many years ago when the Anglo-Saxon system of jurisprudence was being developed in England, the powers of a monarch were absolute and complete, based partially on the theory of the divine rights of kings. At one time the King of England had the power to take away the life, liberty, or property of any of his subjects without consulting with or obtaining the concurrence of anyone else.

That worked all right as long as the king was a good king, but kings are human, too, and a bad king had the same powers and the same autocratic authority that his predecessor, the good king, had. This right of absolute despotism under a bad king resulted in many unjust, oftentimes inhuman executions by beheading, by hanging or even by disemboweling. One king became so tyrannical and his unwarranted executions were so vicious and flagrant that the English people decided they would not put up with it any longer and that henceforth no Englishman could be executed until the question of his guilt or innocence had been passed upon by a jury of his peers.

In 1215 when the barons wrested the Magna Carta from King John at Runnymede, foremost among the rights secured by that basic instrument of the rights of man was the right of trial by jury. Centuries later when the Constitution of the United States of America became the basic and fundamental law of our land it contained the following provision:

> In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation.

It is basic that a contempt citation which involves a violation of substantive law is the same as a criminal prosecution. Therefore, the constitutional provision cited above should apply.

Mr. Chairman, during the 3 days of general debate there has been much discussion as to whether a trial-by-jury guaranty is a new concept to criminal procedure. I submit that there is nothing new in it; that it is as old as Anglo-American jurisprudence itself. It is one of the things which has distinguished English-speaking peoples from all others and has provided for a Government directly close to the people governed.

Let me emphasize that there is nothing in this amendment to deny to any court or any judge the complete right to maintain order and decorum in his court and to force compliance with any order or decree or other mandate issued by him or his court to parties to pending litigation.

This amendment is designed, however, to prevent any one man from attempting to enjoin the entire citizenry of a community, city, county, or State or even a Nation. If the injunctive power of any court, either State or Federal, ever becomes so broad that it can enjoin any and everybody without naming, describing, or designating them, then each court will become a legislative body and a law unto itself without regard for either statutory or constitutional safeguards of the individual's rights to his life, his liberty, and his property, and without regard for established law and precedent.

There are none so blind as those who will not see. There are none so deaf as those who will not hear. Mr. Chairman, I urge my colleagues on both sides of the aisle of this House to consider long and well before they shall vote to deny a jury trial in what amounts to a criminal prosecution for an alleged violation of the substantive law.

I urge the adoption of the jury-trial amendment.

Mr. Chairman, there is one phase of this bill which is so dangerous that it might well serve as the wrecking crew of all election and voting laws in all of our States. In part IV, section 131, in its entirety, is so vague and indefinite that it could, and probably would, under the doctrine of preemption, not only void all existing election and voting laws, but, indeed, might at the same time write out of the law all provisions for punishing violations of voting rights under the provisions of both Federal and State laws now in existence and of force and effect.

Under subsection 131 (b), it would be possible, though I sincerely hope not probable, for a person not even registered to vote under the laws of his State, with the collusion of an unscrupulous member of the Commission on Civil Rights or an employee of the Civil Rights Division of the Department of Justice, seek and obtain an injunction which could completely disrupt the ordinary processes of holding an election in any precinct in this country, and the authority for it and the power to do it is clearly contained in lines 1 through 8 on page 12 of this bill.

We cannot assume that laws will be enforced as Congress intends and it is highly possible, indeed, it is probable, that this legislation might some day be used as a weapon of tyranny to destroy Constitutional rights and guaranties of liberty and freedom to the American people.

Mr. Chairman, nearly every single line and every single section, part and paragraph of this bill is inherently dangerous. There can be no doubt that it could be used to cripple and destroy the very same civil rights which it is presumably designed to protect.

There is no need for legislation of this kind and where there is no need, new legislation ought not to be proposed. It is punitive legislation, designed and aimed at an entire region of our Nation, and it has historically been true from the days of Haman to the present time that weapons infamously designed for destruction are turned upon and destroy those who brought them into being. Edmund Burke, a truly great civil libertarian in the highest and most noble sense of the word, cried out in the British House of Commons: "You cannot indict an entire people." No legislation inspired and drafted to accomplish punitive aims can long have hopes of bringing about a durable solution to the problems and conditions it erroneously seeks to correct.

Mr. Chairman, I sincerely hope that this legislation will not be enacted into law.

Mr. CELLER. Mr. Chairman, I have no further requests for time.

Mr. KEATING. Mr. Chairman, I have no further requests for time.

Mr. CELLER. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. KILDAY] having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

CONGRESSIONAL POLICY ON POSTAL RATES

Mrs. PFOST. Mr. Speaker, I ask unanimous consent that the gentlewoman from Pennsylvania [Mrs. GRANAHAN], the gentleman from New York [Mr. SANTANGELO], and I may have permission to file additional minority views to accompany the bill H. R. 5836, readjustment of postal rates and establishing a congressional policy for determination of postal rates, and for other purposes, to be printed as Part 2 of House Report No. 524.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE NEED FOR BALANCE IN OUR FLOOD-CONTROL PROGRAMS

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I have already addressed this House upon the subject of the terrible flood disaster in Oklahoma and our neighboring States which has inflicted an awful toll in lives lost and property damaged throughout the Southwest.

One of the unfortunate results of this tragic flood has been the attempt by a few people to place the blame for this disaster upon one of the great services of this Government, the Army engineers, and to discredit the role of large dams and reservoirs in flood control and prevention.

Army engineers' estimates that more than $118 million in flood damage in Oklahoma and Texas was prevented by existing dams and structures have not been successfully contested, but the fact of flooding below some dams has been used to argue that "big dams will not do the job."

It would be just as fair to argue that "little dams will not do the job, either," because they did not prevent downstream flooding in areas where some small dams have been constructed.

The obvious answer to both of these unfair charges is the simple fact that we have barely made a start on our flood-control programs, both on the watershed and downstream. Had the authorized programs been completed, both upstream and on our main stems, we might have had a fair test of the programs, but no such test has been afforded in the present flood.

On the Arkansas River, for example, engineering plans call for a great reservoir at Keystone and tributary protection by dams at Eufaula, on the Canadian, at Oologah, on the Verdigris, at Markham Ferry, on the Grand—and at a number of other points upstream on these tributaries.

Can we say that big dams have failed in the floods on the Arkansas, when only two dams now stand in eastern Oklahoma where half a dozen are needed?

All the present floods have proved is the need for a completed control system, both on the watershed and the main stem, if the job is to be done effectively.

Oklahoma's delegation in Congress has been united in support for a balanced flood-control program, giving strong support not only to the projects of the Army engineers, but also to the watershed programs of the Soil Conservation Service, and to the reclamation projects of the Department of Interior.

In this balanced approach lies the best promise for real success in the all-important battle to control and conserve both our soil and our water—and the sooner we join ranks in this battle, the better off our State will be.

One of the best editorials I have read on this subject appeared recently in the Sapulpa Herald, by R. P. Matthews, and was reprinted in the Tulsa Tribune of June 4, 1957. The text of this editorial, entitled "Let's Avoid Dam Foolishness," follows:

LET'S AVOID DAM FOOLISHNESS—SAPULPA PUBLISHER SAYS BOTH BIG AND LITTLE NEEDED TO HALT FLOODS

(By R. P. Matthews)

The "big dam-little dam" controversy is flaring up again over Oklahoma in the wake of the torrential rains which are drenching the State periodically.

The "big dams" pooh-pooh the "little dams" and the "little dams" belittle the "big dams" and everybody gets into the act mostly, it seems in some cases, as an outlet to take their prejudices for a gallop.

The truth of the matter lies not in either adamantine stand.

For when Mother Nature works herself into a "mood" she tosses theory out the door and breaks every tradition in the book.

Man is still a mere infant in knowledge as far as analyzing the actions of the elements are concerned, at least of analyzing them to the point wherein he can say "This I know and this will happen."

Little dams are good; they are a part of good farming and ranching. They impound needed water for animal husbandry. Properly built and managed, they furnish a fish supply for the family owning them, and recreation.

They help to impound the ordinary rains, even help confine and constrict hard rains.

The usages, plus good soil practice such as keeping it filled with humus to store water, comprise a sound program.

But, drop a cloudburst, or any rain of abnormal proportions and the volume of water falling on a given area is going to fill the little ponds quickly and lead to flash floods of disastrous potentials.

In weather abnormalities you can't build enough little dams to stop and impound the full force of the huge tonnage of water that falls on an acre of land.

Neither can the large dams completely contain the fury of the tempest.

The value of big dams is often nullified by improper management of the surplus waters but that is a human trait we are compelled to accept.

Human errors afflict every field and we cannot, in justice, then listen to those who analyze half way into the situation and trot out theories when it's our homes being used as guinea pigs.

The floods of this spring season in Oklahoma have wrought much damage. Minor control floods have occurred in the Grand River Valley and other low spots in eastern Oklahoma under that valley's influence.

Those floods were controlled and were just the top of the huge waters that were stopped cold.

Think what would have happened if the Grand River Dam had not been in place.

I mention it but the same premise is true below every other great reservoir in Oklahoma.

The misery and damage that Tulsa had to undergo for a couple of weeks and which was passed on down the Arkansas River to the sea would have been largely thwarted if Keystone Dam would have been in place.

Oklahoma needs big dams.

Oklahoma also needs little dams.

Oklahoma is going forward to great things and water, the "white horses" of Mother Nature, will be the determining factor.

Let's not listen to these "little voices" who seek to stop the "big dams" with plausible, but uncertain theories.

Let's be equally assertive of the values of little dams, thousands and thousands of them scattered in the upper reaches of the watershed.

Let's quit our dam foolishness.

We can be big about little dams but we don't dare be little about big ones.

It'll take both to stop a 6-inch rain.

MISSILE JUPITER

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the Army's intermediate range ballistic missile, Jupiter, has flown successfully. There can no longer be doubt about its possibilities as an effective weapon. Behind it is the finest team of ballistic missiles experts assembled outside the Iron Curtain. The Secretary of Defense should promptly order full speed ahead on this project, subordinating it to no other.

To do so will require some backing up on the part of the Secretary of Defense on what must appear as a poorly considered order. He took jurisdiction of this version of the IRBM from the Army some months ago, stating that future development of such a missile would be carried on by the Air Force after July 1. To have the rug jerked out from under them in such a fashion undoubtedly was a severe morale blow to the team which was developing Jupiter. Regardless of who is to have jurisdiction of IRBM after its development is complete, there should have been no interference with the developmental processes of such an important weapon. Yet, despite this morale blow, the guided missiles team behind Jupiter continued to press forward with outstanding success.

Now Jupiter, the only successful IRBM outside the Iron Curtain is dangling in midair. The Secretary of Defense has stated that he will continue its development as long as it is justified from the emergency fund voted to him by the Congress. To me this is poor reward for successful effort. But pursuant to his recommendations, Congress thus far has budgeted no money for the continuation of Jupiter and unless funds are forthcoming from the Secretary's emergency fund, the project automatically will die on July 1. A realistic appraisal of the accomplishments of the Jupiter team and the success of their missile should bring an immediate about-face and an announcement that work will continue on Jupiter under the jurisdiction of the Army's team. Our position in the field of guided missiles is altogether too insecure to warrant taking a chance or to justify jockeying control between branches of the service. There is much evidence that Russia has a head start on us in the IRBM field. Evidently, Russia entered upon a crash program for the development of a weapon approximating the IRBM shortly after World War II. For this purpose, she had the services of many of the leading German scientists who were instrumental in developing the V–1 and the V–2 weapons. From the great land mass which Russia controls, she can and undoubtedly has positioned IRBM launching sites to reach all of Europe and much of the Mideast as a counter-threat to the ring of American bases which surround Russia. A successful and usable American IRBM is a necessary answer to Russia's missile potential while we wait for an effective intercontinental ballistic missile.

TRANSFERRING TO FTC AUTHORITY TO PREVENT UNFAIR TRADE PRACTICES BY MEATPACKERS

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Mr. Speaker, consumers and livestock growers throughout the country express concern about the increasing spread between what housewives pay for meat products and what the livestock producers receive. The producers complain especially about the unfair trade practices in the purchase of and distribution of livestock and livestock products, and insist upon corrective legislative measures.

Senate bills 1356 and 405 by Messrs. O'MAHONEY and WATKINS, and House bills 5282 and 5283 by Messrs. CELLER and DIXON are designed to improve the situation. The packers and the stockyards appear to be the only industry not under the supervision of the Federal Trade Commission, and as a result there are indications that Federal Trade Commission defendants are acquiring 20 percent or more of the stock in meat packing firms in order to escape prosecution by Federal Trade Commission for unfair trade practices.

Cases in point are FTC Document No. 6409, Armour & Co., 1956; FTC Document No. 6172, Carnation Co. et al., 1956; FTC Document No. 6458, Food Fair Stores, Inc., 1957; Blanton Co., St. Louis, 1957; and FTC Document No. 6555, Renaire Corp., 1957.

The above-mentioned bills are all designed to give the FTC authority to regulate unfair trade practices by meatpackers, as was the case before 1922; but also to permit the United States Department of Agriculture to retain regulatory control over the industry. It is my pleasure and privilege to include in the RECORD the testimony of Senator ARTHUR V. WATKINS before the House Antitrust and Commerce and Finance Subcommittees on the above-mentioned bills to transfer to FTC authority to prevent unfair trade practices by meatpackers:

BILLS HAVE BIPARTISAN SPONSORSHIP

(Statement before House Antitrust and Commerce and Finance Subcommittees on bills transferring to FTC authority to prevent unfair trade practices by meatpackers)

Mr. Chairman, the public has come to expect and demand that Government reinstate, where possible, and maintain by law as much price and other competition as the public interest necessitates in those areas of the economy in which it works badly or where little of it exists. This public concern is reflected in the platform of both political parties. It is a matter of bipartisan concern.

For example, the 1956 Republican platform declares:

"The Republican Party has as a primary concern the continued advancement of the well-being of the individual. This can be attained only in an economy that, as today, is sound, free, and creative, ever building new wealth and new jobs for all the people.

"We believe in good business for all business—small, medium, and large. We believe that competition in a free economy opens unrivaled opportunity and brings the greatest good to the greatest number."

Republicans also at that time pledged themselves to "a continuously vigorous enforcement of the antitrust laws" (p. 7).

On the other hand, members of the Democratic Party at their 1956 convention pledged themselves to maintaining "competitive conditions in American industry," and likewise "to the strict and impartial enforcement" of the laws "designed to prevent monopolies and other concentrations" of economic power (p. 18).

Thus both of our major political parties are committed to the objective of maintaining a free and expanding economy by fostering the growth of competition. For this reason, among others, I was happy to join with Senator O'MAHONEY in sponsoring S. 1356 in the Senate. The five bills which constitute the basis of this joint hearing also reflect the same bipartisan concern.

S. 1356, as well as those bills before this joint committee, is designed to prevent unfair trade practices and other unlawful restraints in interstate commerce by persons engaged in processing and distributing meat and meat products. This they do, individually or collectively, by amending either the Federal Trade Commission and Clayton Acts or both, so as to return to the FTC jurisdiction over the meatpacking and distributing industry, and by amending the Packers and Stockyards Act so as to eliminate the authority the United States Department of Agriculture has to prevent unfair trade practices under title II of that act, but which it has not effectively administered for thirty-odd years.

USDA ENFORCEMENT HAS BEEN INADEQUATE

In the years prior to 1921 and before passage of the Packers and Stockyards Act, the FTC's investigation of packers resulted in the filing of antitrust suits by the Justice Department against some five national packers. Apparently rather than face prosecution, these packers signed a consent decree which since then has prevented them from dealing in 140 food and nonfood products, chiefly vegetables, fruit, fish, and groceries; using their distribution facilities for the handling of any of these 140 products; owning and operating retail meat markets, and dealing in fresh milk or cream.

In 1921, when the Congress was considering passage of legislation to regulate stockyards, the five national packers, who had signed the consent decree, were able to convince Congress that prevention of unfair trade practices in that industry should be transferred from the FTC to the USDA. Materials which have been circulated in opposition to the bills now being considered by this joint committee by the association representing these large national packers, listed several reasons why a transfer was desirable then, and why such authority now should remain with the USDA. Consider these reasons:

"Meatpacking, being at the time the country's largest single industry, was of sufficient importance to warrant establishment of a separate, specialized agency; the FTC was an investigative rather than an administrative body and hence did not have the power nor the specialized knowledge necessary to do an effective job of administration; the Department of Agriculture had in existence the necessary bureaus and personnel to undertake administration of the act. Moreover, existing personnel were well equipped to undertake supervision of the complicated relationships characteristic of the livestock and meat industry."

Regardless of the merits these arguments may have had in 1921, it is evident that 36 years of ineffective administration or nonenforcement of title II renders them completely valueless today. Experience clearly indicates that the Congress made a mistake when it transferred authority to regulate trade practices of packers from the FTC, a specialized agency handling antitrust matters, to the USDA, which did not then and does not now have a separate regulatory agency. On no less than four occasions since 1935, bills have been introduced to correct this mistake. The question of jurisdiction over meatpackers thus is not of recent origin as opponents of these bills have contended.

Mr. Chairman, a review of USDA experience in the administration of the Packers and Stockyards Act will make this conclusion more obvious. The best general summation of this matter was given the Senate Antitrust and Monopoly Subcommittee last June by Mr. Millard J. Cook, who for 25 years—1929 to 1955—was employed by the USDA in the enforcement of the Packers and Stockyards Act. During the last 10 years of his service, he was the head of the unit doing this enforcement work. Mr. Cook told the subcommittee:

"In the early years of the administration of the act * * * they [USDA] undertook rather extensive studies of the operations of packers. * * * They brought quite a few actions. * * * They brought quite a few employees, and took on as many as 30 part-time employees. They had relatively a large appropriation. * * *

"From 1921, when the act was passed, up until about 1928 or 1929, they [Packers and Stockyards Administration] were an independent agency, and they reported directly to the Secretary of Agriculture * * * in the late 1920's prior to my becoming an employee of the Division, it was made a division of the old Bureau of Animal Industry" (transcript, June 28, 1956, pp. 336–337).

When asked why this transfer of its status was made, Mr. Cook replied:

"Well, I know only from comments that I have heard made. I was new in the organization, and the comments were made to the effect that the Secretary at the time was not favorable to the act. He disliked the act.

"And I think that some of the feeling of Secretary Jardine boiled over into the Bureau of Animal Industry, because thereafter there was not the inclination to go out and initiate investigations of monopolistic practices" (transcript, June 28, 1956, p. 379).

By contrast with the vigorous activities of earlier years under title II, which Mr. Cook has so vividly described, the laxity of USDA enforcement since the late 1920's is attested to by (1) its failure to ask for adequate funds; (2) its failure in turn to maintain an adequate staff; (3) its failure to acquire adequate economic data about packer activities and to use it for enforcement purposes; and, under these circumstances, its failure to enforce the act is indicated by (4) the paucity of significant cease and desist orders in areas of regulation, which the USDA now asks the Congress to leave in its hands on the promise to repent and "administratively sin" no more.

USDA HAS NOT SOUGHT ADEQUATE APPROPRIATIONS

In answer to questions of committee members concerning requests for funds made by the Packers and Stockyards Division during the 10 years he was head of it, Mr. Millard J. Cook replied as follows to the Senate Subcommittee on Antitrust and Monopoly last June:

"I made many recommendations; yes. I usually met with a pessimistic approach that it was useless to attempt to get any more money and that the explanation given to me was that Congress wouldn't be interested in appropriating more money for us to do a better job than we were doing.

"I think you will find in the Department's records that there are numerous recommendations for increased appropriations. There were innumerable oral conferences with my superiors on the need for increased appropriations.

"I think there were a few instances in which my immediate superiors recommended increases, but then when it got into the hands of the budget people in the Department, they scaled down those increases" (transcript, June 29, 1956, p. 366).

This is a story of lack of concern by not only the superior administrative but also

budget officials of the USDA. Recent experience by the Packers and Stockyards Branch in this respect is not unlike the resounding echo of a broken phonograph record.

On July 6, 1956, I introduced S. 4177 in the Senate. The Senate Agriculture Committee to which it was referred requested a report from the USDA on July 10, 1956. In the meantime, the USDA's 1958 fiscal year budget request went to the Bureau of the Budget. Its request for new obligatory authority amounted to $4.7 billion. Of this request, $178,000 was for the purpose of posting additional stockyards under title III of the Packers and Stockyards Act. Not one dollar of new obligatory authority was requested by the USDA for expansion of its enforcement activities under title II of that act for the 1958 fiscal year.

Did the Packers and Stockyards Branch request additional new funds for title II enforcement? If so, what happened to that request? The answers to these questions were given to the Senate subcommittee during the hearings on S. 1356, a companion bill to those you have before you now, a few weeks ago by one witness who stated:

"It was reported the Packers and Stockyards Branch requested $200,000 be placed in the USDA budget to employ personnel to start enforcing the meat packer provisions of the act. The entire amount requested by the Branch was knocked out of the budget by the Department itself" (transcript, May 2, 1957).

Notwithstanding this background the USDA on December 21, after the Department's 1958 fiscal year request had gone to the Bureau of the Budget, rendered a report recommending against enactment of S. 4177. In spite of this negative report on a bill to transfer title II authority back to the FTC, and in spite of the Senate Subcommittee's hearings on the meat industry of a year ago, the testimony of the USDA before the House Subcommittee on Agricultural Appropriations makes it plain that the Department did not, until S. 1356 and the bills now before this joint committee were introduced, intend to pay more proper attention to the enforcement of title II.

On February 7, Mr. Roy D. Lennartson, Deputy Administrator, Agricultural Marketing Service, told the House Appropriations Subcommittee:

"We are asking for $178,000 to provide for additional posting and supervisory activities under the Packers and Stockyards Act.

"By the end of this fiscal year, we are hoping we will have something like 70 percent of the eligible yards posted. Granted this increase * * * at the end of the fiscal year 1958, we will have about 94 percent of all the eligible yards posted.

"The reason we have directed our attention at the yards, is because it is essentially down at this level where the impact is greatest on the producer. The act requires of the yards posted under the act, that the market agencies be bonded, that the yards provide adequate facilities, that their rates be reasonable, that their scales be checked, and that their trade practices be reviewed constantly.

"Although we have been criticized recently for not devoting some of the funds under this act to explorations into trade practices on the part of packers and others outside the yards, I think our policy has been sound in attempting first to use our funds to bring the impact or benefits of this act down closest to where the producer can obtain them" (hearings, pt. 2, p. 946).

The Department, of course, is to be commended for having concern and determination to effectively enforce title III. This is recognized by the bills before this joint committee, since they leave undisturbed the USDA's responsibility in the area which, as Mr. Lennartson pointed out, most concerns the livestock producers—namely, the regulation of all activities at stockyards including the buying and selling of livestock, rates paid for stockyard services, etc.

But, concern about title III activities is not an acceptable substitute for lack of effective enforcement of the unfair trade practice provisions of title II relating to meatpackers. It has been only since the introduction of S. 1356 and the bills before this joint committee that the USDA has shown any renewed interest in attempting to enforce title II.

Assistant Secretary Butz, before the Senate subcommittee on May 22, 1957, indicated that the USDA recently had "redirected an additional $20,000 of Department funds for Packers and Stockyards Act enforcement during the last part of this fiscal year" (transcript, p. 675), and that "we have made tentative provision to transfer some $75,000, if we can find the competent personnel to strengthen the work next fiscal year" (transcript, p. 676).

Should this tentative provision even see reality, these funds transferred would be $125,000 less than the Packers and Stockyards Branch requested but which the Department itself denied. Yet Mr. Butz also told the subcommittee that the Department would not make a supplemental request for title II funds, but that "we anticipate requesting from Congress additional funds for administering the act, particularly title II, in our next budget request" (formal statement).

These facts concerning the appropriations history of title II enforcement make it plain that USDA plans for more vigorous enforcement continue to be merely tentative and anticipatory, as they have been for 30 years.

ADEQUATE TITLE II ENFORCEMENT STAFF LACKING

By contrast with the vigorous activities in earlier years under title II as described by the former head of the Packers and Stockyards Branch, responsibility for prevention of unfair trade practices by meatpackers today not only under title II but under title III as well here in Washington, D. C., is vested in the Trade Practices Section of the Packers and Stockyards Branch of the Livestock Division of the Agricultural Marketing Service. A separate and specialized Packers and Stockyards Agency has long since been dispensed with, although the Hoover Commission made such a recommendation in 1949. This Trade Practice Section was staffed by two marketing specialists and a stenographer at the time the bills before this committee were introduced, and I presume the Section is still so staffed, since I have not received information to the contrary.

Not even one of these two marketing specialists, or a single employee in any of the 20 understaffed field offices maintained by the Packers and Stockyards branch is engaged fulltime in title II enforcement. A review of the USDA's April 4, 1957, self-appraisal report on the Packers and Stockyards Act administration indicates, in addition, as does the Department's appropriation request that the great bulk of the work of this section and the Packers and Stockyards branch itself—nearly 90 percent—is spent in title III enforcement.

Now, these remarks are not to be deemed criticism of the personnel of the trade practice section of the Packers and Stockyards branch itself. The personnel of the Packers and Stockyards branch are to be commended for their efforts to obtain more funds and to expand their title II activities. But it is meant to be criticism of several national administrations for the almost complete lack of action in the past to support the Packers and Stockyards branch and thereby to comply with the congressional mandate given the USDA in 1921 to prevent unfair trade practices in the meatpacking industry. The simple facts are that the Packers and Stockyards branch has not been permitted to obtain an adequate enforcement staff for administration of the fair trade practices provisions of title II of the act relating to meatpackers.

This self-appraisal report I have referred to states that "the organization that is maintained in administering the Packers and Stockyards Act permits a high degree of flexibility in planning and conducting major investigations and in meeting the fluctuating demands of different district offices. This is because the entire field force may be actively utilized in such an investigation whenever necessary" (p. 8).

This statement appears to be a self-directed gratuity rather than a fact, as is revealed by examination of Mr. Butz and Mr. D. M. Pettus, Acting Director, Livestock Division, Agricultural Marketing Service before the Senate subcommittee. Consider the following colloquy between these gentlemen and myself:

"Senator WATKINS. Mr. Secretary, * * * is it not true that in the Ogden, Utah, area you have 2 marketing specialists and 1 clerk—3 people to regulate 26 packers in 3 States, 12 of them in Utah, 13 in Idaho, and also 1 in Oregon?

"Mr. PETTUS. Those are the people permanently assigned to that location. When we have an investigation underway, we frequently bring in people from other markets and from our Washington area and add to our staff.

"Senator WATKINS. If they do not have any bigger staff in other areas than in this, what would you have to enforce the law where you are moving them from?

"Mr. PETTUS. We leave a reduced staff.

"Senator WATKINS. For instance, in Billings, Mont., you have one marketing specialist and 1 half-time clerk, as I get it, to regulate 5 packers in Utah, 3 in Idaho, 2 in Wyoming, and 11 in Montana, 21 altogether. How in the world can you take anybody from that area to help somewhere else such as the Ogden, Utah, area if the others are manned in the same way?" (transcript, pp. 695–696).

At this point, Mr. Butz asked Acting Director Pettus to explain how a case 2 years ago in the Ogden, Utah, area was handled. In part Mr. Pettus replied:

"Mr. PETTUS. I cannot recall at the moment how many people we had looking into the particular transaction, but we try to operate it with as few people as possible because we are spread so thin, Senator" (transcript, p. 697).

To which I replied, with the colloquy continuing as follows:

"Senator WATKINS. I recognize you are spread thin, and that is our complaint—that you do not have enough force to do the job in title II.

"Mr. PETTUS. We agree with you, and I think that is pointed out.

"Senator WATKINS. You have not had for nearly 36 years.

"Mr. PETTUS. I agree with you, sir.

"Senator WATKINS. We think that is a long enough trial period. With all the problems that have been handed to Agriculture, we thought we would certainly find someone who would be glad to get rid of this matter of law enforcement in the field in which the FTC has a special interest by reason of the act of Congress creating it as an independent regulatory agency—a special arm of the Congress.

"Mr. BUTZ. It is quite true for 26 years [that] it has not been adequately enforced, but don't you think when the sinner confesses and resolves to do better he should be given a chance?" (transcript, pp. 697–698).

In a few words, the Department admits that title II has not received adequate enforcement; yet, paradoxically, it has not asked for and apparently will not ask for adequate appropriations. Under these circumstances, what reasonably prudent person

would not conclude that responsibility for prevention of unfair trade practices involving meat packers should be returned to the Federal Trade Commission, where it was before passage of the Packers and Stockyards Act of 1921? Is not 25 or 30 years of inadequate enforcement a long enough trial period?

USDA DOES NOT ATTEMPT TO OBTAIN DATA ESSENTIAL TO DETERMINATION OF TITLE II VIOLATIONS

During the course of the Senate subcommittee's hearings on S. 1356, Mr. Butz, the major spokesman for the USDA, indicated that the Department, while willing to give the FTC jurisdiction over the wholesaling and retailing of meat, nonmeat food, and nonfood products of a firm not principally engaged in meat packing and processing, nevertheless would not voluntarily give up jurisdiction over such activities by a firm principally engaged in meat packing because:

"In that case it is necessary to have general supervision over that because sometimes, as has been alleged, they may use profits in their nonmeat activities, you see, to engage in discriminatory pricing practices on meat" (transcript, p. 751).

But in fact, does the USDA obtain such data from meat packers? No, Mr. Chairman, on a regular basis they do not, nor does the USDA even require packers to report their losses or profits on their meat operations or any nonmeat food product or nonfood product operation. As one witness summarized this administrative shortcoming to the Senate subcommittee last summer:

"Under the Packers and Stockyards Act every company doing an interstate meat business has to report a financial statement as of the end of each year but never have the packers and stockyards administration required the national packers to submit a statement of their meat operations separately from their total operations. That has been one of the failures of properly administering the Packers and Stockyards Act, in that you cannot get the definite information" (transcript, June 21, 1956, p. 21).

The statement of this witness is substantiated by the USDA's Packers and Stockyards Administration self-appraisal report of April 4, 1957, to which I have already made reference, as I shall point out shortly.

When asked during the Senate hearings on S. 1356 a few days ago whether the USDA was continuing to investigate charges of market sharing by packers, since the Department of Justice dropped its major suit in 1953 against several national packers based on this practice, Mr. Pettus, acting director, Livestock Branch, Agricultural Marketing Service, replied:

"Not as a specific follow-up of that overall case, but in our various types of records that we get on packers, the reports that we get each year, and our observations, we have continued to look over the entire question of sharing (transcript, p. 664).

Great stress was placed by Mr. Pettus upon information contained in packer reports, or as he put it information "that we get ourselves directly from the packers, under the act" (transcript, p. 665).

Now, what does the self-appraisal report say about the content and use made of reports submitted annually by packers to the Packers and Stockyards Branch? Namely this:

"The annual reports of meat packers are received by the 20 district offices that are maintained by the Packers and Stockyards Branch. * * * Information contained in these reports is primarily concerned with ownership, organization, and financial conditions. * * * The annual reports of the top four packers are forwarded to the Washington office of the branch where they are retained in a permanent file.

"Although the annual reports of packers are received, there is no tabulation or statistical analysis made of the information contained in them for the purpose of determining industry trends, problems, or conditions" (p. 14).

Might one not logically ask, as a result: Why, in fact, are these reports not reviewed for the purpose of determining industry trends, problems, or conditions? Why even require reports in the first place unless they are reviewed in order to further the carrying out of specific objectives of the Packers and Stockyards Act?

Insofar as title II is concerned, the Department is charged with the responsibility of preventing unfair trade practices by meatpackers, yet these reports do not even require packers to show losses on their meat, nonmeat food products, and nonfood product operations. Such information, however, is essential to determine whether a firm is absorbing losses in one area or line of operation in order to eliminate competitors, but making up the loss in other areas and lines of operation where its position is better established in the market. If none but the reports of the top four packers are sent to Washington, how could the Department ever detect various market-sharing arrangements which limit competition for livestock and mean lower prices to producers? The odds are that it could not make such a detection, let alone produce evidence sustainable in a court of law.

The self-appraisal report confirms these observations by correctly suggesting that:

"Effective administration and prompt enforcement of any regulatory measure such as the Packers and Stockyards Act are highly dependent upon the availability of adequate information and the use made of this information in the job that must be done. Packers and others subject to the act are now required to file annual reports. In the past, the Department of Agriculture has consistently adhered to a policy of requesting from those subject to this act a minimum of information in their reports.

"This raises the question as to whether both the timeliness and the content of these reports from packers might be improved and whether the information supplied should be in more pertinent detail for analysis and interpretation. Such reports would help pinpoint industry or individual problems and assist in bringing about more effective and economical administration of the act. This is so, particularly in view of the information such reports can reveal relating to trends, shifts, emphasis, degree of concentration in the industry, etc." (pp. 20–21).

But more disturbing, Mr. Chairman, than failure as a matter of routine to get such data, is the refusal of the Department of Agriculture at the policy level to take action against a packer even when the Packers and Stockyards Branch's Trade Practice Section has developed adequate information to warrant full-scale investigation and perhaps formal charges. Such a recent case involved certain alleged unfair trade practices prohibited by title II of the Packers and Stockyards Act on the part of Safeway Stores, which, if sustained would be violations of that act. The following colloquy between the Senate subcommittee counsel, Mr. McHugh, Mr. Pettus, and Mr. Lee D. Sinclair, Chief, Packers and Stockyards Branch, clearly develops this fact. Mr. Sinclair recommended to his superiors:

"That the case be fully investigated and that we attempt to get sufficient funds to carry out that investigation.

"Mr. McHUGH. You were overruled in this recommendation?

"Mr. SINCLAIR. In effect there was an overruling; yes.

"Mr. McHUGH. Was the matter considered again after it was returned to you with this notation for conducting a study?

"Mr. SINCLAIR. Well, I brought it up again about January of this year with Mr. Reed, the Director of the Livestock Branch. Mr. Reed told me later that he had taken it up again and that we should not investigate it.

"Mr. McHUGH. Well, what did that mean to you? With whom?

"Mr. SINCLAIR. Well, I understand it to mean his superiors, who would be Mr. Lennartson, Mr. Wells, and Mr. Butz.

"Mr. McHUGH. After that, did you concur in the decision that was made not to go forward with this investigation, but to conduct this research study?

"Mr. SINCLAIR. Well, we weren't asked about that.

"Mr. McHUGH. Did your opinion as to the best manner of handling this problem change any?

"Mr. SINCLAIR. No."

Now, I am not critical of the decision to undertake a broad economic study of the practice involved in the Safeway case. However, I am critical of the lack of action to stop such a practice when preliminary investigation by the Trade Practice Section seemed to verify a violation of title II. Both actions could, and should, have been undertaken.

Many witnesses who appeared before the Senate subcommittee listed dozens of similar instances involving practices carried on by packers which the USDA has not even bothered to investigate. This is not an isolated case, as these same witnesses, I believe, have told, or will tell, this joint committee.

PROPOSED USDA AMENDMENTS TO S. 1356 AND RELATED BILLS

The Packers and Stockyards Act vests the Secretary of Agriculture with authority to issue cease and desist orders with respect to packers who engage in unfair trade practices under title II. While a small number of such cease and desist orders, in and of itself, obviously is not a good indicator of whether title II has been and is being enforced, a small number of cease and desist orders, under title II, however, do indicate nonenforcement, in my judgment, when coupled with these facts: (1) USDA has never asked for sufficient funds to enforce the act; (2) the Packers and Stockyards Branch, since the early 1920's, has been understaffed and spread too thin to do the job title II requires; and (3) the growing volume of complaints of unfair trade practices by packers which, due to lack of desire and facilities, the USDA has done little or nothing about.

No, to say the least, it is unlikely that the small number of cease and desist orders—32 since 1921—is attributed to any other fact than noninterest and concern on the part of the USDA since the early 1930's.

The USDA reports on S. 1356 and the bill before this joint committee suggest amendments which would, if accepted, take the very heart out of the bills. The heart of these bills is to place meatpackers under effective enforcement by giving back to the FTC—where it was before 1921—the authority contained in title II of the Packers and Stockyards Act to prevent unfair trade practices by packers. With respect to preventing unfair trade practices by meatpackers in the buying and selling of livestock at stockyards, the USDA, by these bills, keeps its present jurisdiction. Exclusive jurisdiction with respect to the prevention of unfair trade practices by packers in the wholesaling and retailing of meat, nonmeat food products and nonfood products is given to the FTC, which now has such authority with respect to all other firms.

Since 1921, 16 of the 32 cease-and-desist orders have been issued until title II to packers for refusal to pay for or accept livestock. Ten such orders have been directed against this unfair trade practice involving

stockyards. Under the bills before the committee, the USDA can, if it will, prevent such practices.

Now the major objection the USDA had to S. 1356 was that it, as do the bills before this committee, gives exclusive jurisdiction to the FTC over the buying and selling of livestock away from stockyards. This is true, and there appears to be good reason for it. The remaining six cease-and-desist orders issued for refusal to pay for livestock took place away from stockyards. All 6, however, were issued in 1938—19 years ago. In only 1 out of 36 years of jurisdiction, therefore, has the USDA issued such an order which involves off-yard buying and selling of livestock.

Additional reason for giving exclusive jurisdiction to FTC over packer buying and selling of livestock away from stockyards is found in the USDA testimony before the House Appropriations Committee, to which I have already directed your attention. Mr. Roy D. Lennartson, Deputy Administrator, Agricultural Marketing Service, you will recall, told the House Appropriations Committee on February 8, 1956, that the USDA wanted $178,000 to post 150 additional stockyards, which then would bring the number of eligible yards posted up to 94 percent. He then continued:

"Although we have been criticized recently for not devoting some of the funds under this act to explorations into trade practices on the part of packers and others outside the yards, I think our policy has been sound in attempting first to use our funds to bring the impact or the benefits of this act down closest to where the producer can obtain them.

"In addition to the posting of the 150 yards next year, we are hopeful that some of the funds requested would be available to begin some investigations into the buying practices of packers off the yards; in other words, into the feed lots, into the direct-buying areas, and so on, in the concentrated areas of livestock production" (hearings, pt. 2, pp. 946–947).

Not being able to post even all the eligible stockyards, this appears to mean that during the 1958 fiscal year, the USDA is only hopeful that it can begin looking into off-yard packer buying activities. USDA's concern about country buying seems indeed to be a potential and anticipatory one, rather than one which will result in immediate administrative action.

Based upon these facts, I have reservations as to why the USDA, after little concern for 36 years about off-yard buying and selling activities, should be permitted to keep such jurisdiction. In addition, consider these facts: In the last 36 years the USDA has issued 5 cease-and-desist orders involving weight and grade frauds in the buying and selling of livestock, 3 of which were issued to packers operating at a stockyard. Now, under the bills before you, the USDA can still issue such orders against packers. Its exclusive jurisdiction over packer activities at stockyards under title III is not impaired by these bills. But what is its off stockyards record where weight and grade frauds are involved? It has issued only two such orders since 1921 and not one in the last 20 years.

So why, in light of this and of the foregoing facts should the USDA complain that to give FTC jurisdiction over off-yard buying and selling by packers would impair its effectiveness? It seems to me that it has a poor record to base this contention on.

The remaining 11 cease and desist orders issued involved restraints, preferences, price fixing, and discriminations. Of the 11, the USDA has not issued one against a packer at a posted stockyard involving the buying and selling of livestock. It did issue one against Armour & Co. in 1922 in the conduct of a nonposted yard which gave certain privileges to a few shippers. In the correct sense of the term, it has never issued such an order against a packer for such unfair trade practices off yards. Why should it complain that the bills before this committee deprive it of needed authority to regulate off-yard buying and selling of livestock?

The USDA, while it would give the FTC jurisdiction over the wholesaling and retailing activities of a firm not principally engaged in meatpacking as to its meat, nonmeat food and nonfood products, will not consent voluntarily to giving the FTC jurisdiction over the wholesaling and retailing activities of firms principally engaged in meatpacking and processing. Based upon the USDA's record of nonenforcement in this area, such jurisdiction, in my opinion, ought to be returned to the FTC where such authority was before 1921.

The remaining 10 cease-and-desist orders were issued against packers involving restraints, preferences, price fixing, and discriminations in the wholesaling of meat. But it is important to note that in the last 18 years the USDA has issued only one such order. Not since the mid-1930's has the Department evidenced any concern in this area.

But more significant still is the fact that the USDA has never issued a cease-and-desist order against a packer which involved the wholesaling or retailing of nonmeat food products or nonfood products. Yet the Department of Agriculture insists on keeping this jurisdiction and at its discretion permitting the FTC to handle such a complaint when the USDA wants to permit it.

The transfer of jurisdiction to the FTC over the wholesaling and retailing of meat, nonmeat food, and nonfood products is the very heart of the bills before this committee, since these bills do not disturb the USDA's authority to regulate stockyards in every respect in which they can now regulate them. The very statements I have quoted of USDA spokesmen indicate that this area—title III of the Packers and Stockyards Act—has been, is, and will continue to be their area of major concern. None of the bills before this committee disturbs the USDA's authority under title III to regulate the buying and selling of livestock at stockyards.

On the other hand, the great majority of the groups which have either testified before this committee or who I am sure will yet testify or file statements have or will urge you to give the FTC such authority over the wholesaling and retailing activities of packers. Why? Because the firms they represent must compete with the packers in the wholesaling and retailing of meat, of nonmeat food products, and nonfood products. Yet, as they have told you, while they are subject to the effective enforcement of the Federal Trade Commission Act, as were the Big Five packers before 1921, these packers and others as well are subject to the Packers and Stockyards Act under which the USDA has not issued a cease-and-desist order involving the wholesaling and retailing of meat in the last 10 years. Under this authority also, the USDA has never issued a cease-and-desist order against a packer in the wholesaling of a nonfood or nonfood product.

These witnesses and the firms they represent are concerned under these circumstances, because 3 of the 1920 consent-decree signers recently have petitioned the courts to set aside those portions of that order which would permit these packers to process and sell 140 food and nonfood products, own and operate retail meat markets, sell fresh milk and cream, and operate distribution facilities for handling these products.

Should this petition be granted, these firms fear, and rightly so, the ramifications continued USDA noninterest in the enforcement of the unfair trade practices of title II would have upon their businesses, since to all intent and purpose these 3 of the biggest 10 packers would be free, as are other packers, to expand into every segment of the food industry and nonfood industries as well.

But whether the consent decree is granted or not, the activities of these packers outside the area prohibited by the consent decree are so extensive that their competitors are likely to be hurt unless packers are put under the same set of trade-practice rules to whose jurisdiction they are subject. In this respect, it should be noted that in 1950 one or more of the 4 largest packers shipped 21 classes of food products in interstate commerce and 58 classes of nonfood products. Nonmeat food products comprised 6.6 percent of their total shipments. Nonfood products, exclusive of the byproducts of their meat operations, constituted 6.7 percent of their total shipments in interstate commerce, and nonfood byproducts shipped accounted for an additional 4.9 percent. Thus, 18.2 percent of their total shipments comprised nonmeat food and nonfood products.

Yet, these packer-owned operations now are not subject to the FTC, but their competitors are subject to the jurisdiction of the FTC. This without doubt gives an unfair competitive advantage to packer-owned enterprises. Under these circumstances who, as a competitor of Swift & Co., wouldn't be concerned about this situation when in 1955 that firm, for example, produced 4 percent of the Nation's butter; 87 percent of the cheese; 9 percent of the margarine; 19 percent of the peanut butter; 14 percent of the refined lard; 6 percent of the salad and cooking oil; and 15 percent of the shortening?

Why, these witnesses ask, and rightly so in my opinion, should the trade practices of a firm like Wilson Sporting Goods, selling nonfood products, be under USDA while its competitors like Spaulding, under the USDA proposal be subject to the FTC? Why, they ask, should Swift and Armour in the wholesaling of nonmeat food products such as cheese, canned milk, eggs, soups, etc., be under the USDA and their competitors like Campbell Soup Co. and Safeway Stores be under the FTC, as the USDA proposes?

In closing, let me say that I agree with Mr. E. M. Norton, the spokesman for the National Milk Producers before the Senate subcommittee, who, on that occasion, said: "The only conclusion we are able to draw—is that the Packers and Stockyards Act has effectively shielded the packers from regulation under the Federal Trade Commission Act and that the unfair trade practices of the packers have not been subject to adequate control under title II of the Packers and Stockyards Act." Enactment of the bills before you in a large measure will remedy this situation.

PERSONAL ANNOUNCEMENT

Mr. KEATING. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CURTIS] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, because of necessary absence, I did not vote on rollcall 96 in the House on June 5, 1957, on the question of passing House Resolution 259 for the consideration of the civil rights bill, H. R. 6127. Had I been present, I would have voted "yea" on this rollcall.

PROTECTION OF AMERICAN SOLDIERS ABROAD

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HENDERSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HENDERSON. Mr. Speaker, the time has come for the Congress of the United States to take active steps for the protection of American soldiers abroad. For several years, several Members of Congress have warned the people of the United States of the grave injustice which has been made possible by the status of forces agreements and treaties we have made with the other nations of the world.

In an effort to defend ourselves and to assist other nations to remain free and independent, we have stationed American troops in more than 40 nations of the world. In most cases, our troops are on foreign soil at the request of the host nations.

Some of the troops that are stationed there are volunteers who have made the Armed Services a career. Others are young men who have been inducted into the Armed Forces and are serving willingly but not necessarily voluntarily. Certainly, they are not volunteers when it comes to the question of overseas service, particularly when that overseas service involves them in a diplomatic, international arrangement whereby they are deprived of their rights as American citizens. Those men are defending, or standing ready to defend, the principles of Americanism, including rights to American type of justice. Yet in so doing, they are being deprived of those same rights.

The incident which occurred recently in Formosa was generated in part because the Formosan Government has not had the right of trying American GI's for incidents committed during off duty time. Status of forces agreements have granted that right to other nations. The Girard case in Japan, which is receiving so much attention, is a most unfortunate incident in which it now appears that the American Government has relinquished jurisdiction of an American GI to the Japanese for trial even though his commanding officer certified that he was on duty at the time. These developments point up the urgent necessity for bringing to the floor for immediate action House Resolution 16, introduced by my colleague from Ohio, Mr. Bow.

This Congress, and we as Members of it, cannot permit lives and liberty of American soldiers to be jeopardized in this way. If the nations of the world which are reaping the benefits of having American soldiers stationed on their soil, will not accord us the privilege of being responsible for the conduct of our own soldiers, then we need also to give grave consideration to the question of whether or not those troops should be permitted to remain there. It is time that America regained its old prestige and became again a dynamic force for liberty and right, instead of a simpering, pasty-faced subordinate. It is most questionable whether the flag of the United States should fly in areas where American rights are not accorded those who hold that flag.

In these remarks, I do not mean to imply that we as a nation wish to minimize or discount in any way offenses which are committed by United States troops against the civilian populations of nations in which Americans are stationed.

When such unfortunate developments occur, the guilty must be punished. Our system of law including the Code of Military Justice includes as a basic concept the respect for human rights. These rights are universal and do not discriminate against any nation or people.

Mr. Speaker, I am confident that I am not alone in my feelings. I am confident, too, that my colleagues are receiving many letters from constituents, as I am, protesting the position this Nation has taken in the Girard case. The following are excerpts from letters, representative of the feeling, which I am receiving.

The first reads as follows:

> Either the newspapers are gravely misrepresenting the facts or we are doing a very grave injustice to the boy Girard and a very dangerous thing to the overall welfare of the United States, if we permit Japan to try this boy.
>
> Does a boy who has been forced into the armed services, and forced to go overseas, also surrender all the rights, privileges, and immunities of a citizen of the United States guaranteed him under the Constitution? This principle could apply to every country of the world, even to Saudi Arabia where a boy stealing $5 may have his hands cut off.
>
> Certainly Congress can do something about this matter. I can tell you that parents of boys in the service and boys who have served or will serve are greatly disturbed over this situation. Thank you for your kind consideration.

The second one is longer and by a man with deep disappointment at the recent turn of events:

> This particular letter I write to you is in regard to the lad who is up for trial in the courts of the country of Japan for a certain deed that resulted in the death of a Japanese.
>
> I only wish I were in a position to say my piece where it really counts.
>
> I have a brother who suffered dreadfully at the hands of the Japs in the last war and is now dead from the results of this treatment. My brother was not in the service at the time, but was a civilian in the pursuit of his work on Wake Island.
>
> On behalf of my brother and all those who suffered and died from the terrible treatment the Japs gave them, I ask the question—who's talking?
>
> It was not my endeavor to seek revenge after the war, but when the people of Japan plus the Government of Japan make an issue of this kind and my Government lets them get away with it, I just lose this much faith in my Government, at least in its elected representatives.
>
> I want my Government to stand back of the boys it has called into the service to its very limit.
>
> I want my Government to say what it means and mean what it says to all countries, especially in this instance.

CONVERSIONS OF MUTUAL SAVINGS AND LOAN ASSOCIATIONS

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am addressing my remarks to H. R. 7629, a measure that I introduced on May 20, 1957, and which is now under reference to the Banking and Currency Committee. Because of the wide public interest in the subject matter of this proposed legislation, I think it proper that I should now explain its purpose and the urgency of its enactment.

During the 84th Congress, 2d session, bills were introduced in both bodies proposing amendments to existing law in order to protect shareholders of mutual savings and loan associations insured by the Federal Government from losses and abuses attendant to conversion of such associations into permanent stock-type institutions. These conversions are permissible in some States.

Views of responsible Federal agencies and of Members of Congress were summarized in statements made in the House by me on July 5, 1956, and in the other body by the senior Senator from Montana [Mr. MURRAY], on July 20, 1956, at the time of introduction of our respective bills, H. R. 12058 and S. 4255.

Last year when the Senate Banking and Currency Committee was considering recodification of Federal statutes relating to financial institutions, the Federal Home Loan Bank Board renewed earlier suggestions that the Congress consider the problems involved in mutual savings and loan associations that seek to convert to nonmutual stock companies.

Specifically, the Board suggested that the Senate committee consider whether the Board should not be empowered to regulate conversions of State-chartered mutual institutions into stock-type nonmutual institutions where the mutual accounts were insured by the Federal Savings and Loan Insurance Corporation. The Board pointed out it had such authority where the converting institution was a Federal savings and loan association and sought to convert into a State-chartered nonmutual institution, and that the Board was actively considering adoption of procedural standards in such cases.

The Board was of the opinion, however, that the same problem was involved in the case of an insured State-chartered mutual seeking to convert into a nonmutual institution as in the case of conversion of a Federal chartered mutual institution into a State-chartered nonmutual institution, and suggested that it be given comparable power to regulate conversions of State-chartered mutual institutions whose accounts are insured by the Federal Government—committee print, October 12, 1956, pages 150 to 151, Senate Banking and Currency Committee, Study of Banking Laws, Leg-

islative Recommendations of the Federal Supervisory Agencies.

The Advisory Committee for the Study of Federal Statutes Governing Financial Institutions, in its advisory report to the Senate committee, disapproved the recommendation of the Federal Home Loan Bank Board in the following language:

The Committee disapproves the requested extension of the power of the Board over insured State-chartered mutual associations on the ground that control over such a conversion of a noninsured institution should lie with the authorities of the State concerned and not with Federal authorities. (Committee print, Dec. 17, 1956, p. 36, Senate Committee on Banking and Currency, Study of Banking Laws, Report of the Advisory Committee for the Study of Federal Statutes Governing Financial Institutions and Credit, p. 36).

The Chairman of the Federal Home Loan Bank Board, in subsequent testimony before the Senate Committee on Banking and Currency, pointed out the manifest inconsistency between the Advisory Committee's disapproval of the FHLBB recommendation, as stated by the Advisory Committee, and what the FHLBB had in fact suggested in the way of broadening its powers over conversions. What FHLBB was seeking was to have Congress spell out clearly its right to regulate those State-chartered mutual institutions whose accounts were insured by the Federal Government and which sought to convert to stock-type institutions of a nonmutual character.

Thus it would appear that the advisory committee mistakenly broadened the scope of regulatory power the Board suggested be given it. Be that as it may, the problem is still present and is not solved in S. 1451, which bill is largely a recodification of and elimination of obsolete provisions of existing laws. Fundamental changes were avoided to achieve this objective.

In summary, the Board has indicated to Congress that it is disturbed about the potential for abuse in conversion of mutual savings and loan associations into nonmutual institutions. It has taken precautions to prevent abuse insofar as it has regulatory powers, and it has brought to the attention of Congress that area where it feels it needs additional powers—that is, where federally insured State-chartered mutual institutions are involved. If the situation needs corrective legislation, only the details of language remain.

H. R. 7629 is intended to resolve the problems.

The law now requires a State-chartered savings and loan association, when it applies for Federal insurance of its accounts, to agree that it will not, after it becomes insured, issue a form of securities not approved by the insuring Federal agency. This requirement is in subsection (b) of section 403 of title IV of the National Housing Act, as amended—title 12, United States Code, section 1726.

Section 1 of the bill proposes to add a new sentence to the above subsection making it mandatory for the insuring Federal agency to disapprove an issue of securities by, or a change in organization of, an insured State-chartered mutual institution that undertakes to convert into a stock-type company. If the insured institution persists in doing so, the Federal insurance is required to be terminated. This would not be an encroachment of the Federal Government upon the power of States to regulate their own institutions. All section 1 of the bill proposes is that if an insured State-chartered institution follows a course of action susceptible of abuse and injury to its shareholders, it will no longer be entitled to the benefits of Federal insurance.

Similarly, section 2 of the bill proposes to strike out that portion of existing law which permits a Federal-chartered savings and loan association to convert to a State institution upon an equitable basis—that is, to a nonmutual-type institution.

CHRYSLER CORP. FOUR-STAR TAXICAB DRIVER PROGRAM

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am including in my remarks a description of the Chrysler Corp., Plymouth and Fargo Divisions, four-star taxicab driver program for 1957, also a brief description of the rating given Mr. Edwin R. Erickson, from my district, as a driver-nominee in this program. He is a wonderfully fine man and an excellent driver. May I say also that last year there was also a very fine taxicab driver from my district who was a four-star winner.

The documents to which I have referred are as follows:

NINETEEN FIFTY-SEVEN FOUR-STAR TAXICAB DRIVER PROGRAM—SAFETY, COURTESY, SERVICE, CITIZENSHIP

TRIBUTE

The taxicab drivers of America have become an institution and an important contributor to our everyday life, adding to our pleasure and convenience—and are an ever-ready part of our civilian defense structure in case of emergency.

The taxicab driver, as an individual, is a substantial member of his community. His contribution in safety, courtesy, service, and citizenship serves well his community and the public.

The taxicab owner has for years exerted every effort to improve his service to the American public, and to increase highway safety by example and instruction.

In recognition of these facts—and in tribute to the profession—Chrysler Corp., through its Plymouth and Fargo divisions, salutes all taxicab drivers through the four-star driver awards.

Plymouth and Fargo divisions of Chrysler Corp. announce fourth national four-star taxicab driver program. Thirty "four-star taxicab drivers" will be chosen to be guests of Plymouth and Fargo divisions of Chrysler Corp., for a 3-day visit to Detroit in June of 1957.

1. The basis of selection will again be the same four-star principles which governed the selection of the four-star drivers in previous years—safety, courtesy, service, citizenship.

2. Driver awards and recognition. Each driver will receive the following: $250 in cash, "four-star driver" certificate of award, air or rail transportation to and from Detroit, $100 cash advance for incidental travel expenses, hotel and meals furnished while in Detroit.

3. Participating drivers will be selected from any organized fleet consisting of 10 or more taxicabs. An organized cab fleet can be either company-owned fleet, individually owned fleet, organized associations made up of individual owners.

4. Taxicab companies who were represented in 1954, 1955, or 1956 are eligible for participation again in 1957, although a four-star driver who was selected in 1954, 1955, or 1956 will not be eligible again for a period of 3 years following the year of his award.

5. In order to encourage interest in all sections of the country, 30 four-star drivers will be selected from groups of cities according to population: 4 from cities of 1 million population or more; 11 from cities of 500,000 population to 1 million; 11 from cities of 100,000 population to 500,000; 4 from cities under 100,000 population (the 1950 United States national census will be used in establishing the population of cities).

In each of the above categories, the committee will select a representative number of drivers who have had 5 to 10 years, 10 to 15 years, and 15 years or more of continuous service with the company sponsoring them. These men will be selected primarily for their safety, courtesy, and citizenship records.

6. An official awards committee will make the final selection of 30 four-star drivers. This committee will consist of an expert in accident prevention; the head of the Nation's top organization active in competitive automotive events; representatives of the American Taxicab Association and the National Association of Taxicab Owners, as follows: President, NASCAR, director, Daytona Beach International Safety and Performance Trials; manager, accident prevention department, Association of Casualty and Surety Companies; the presidents of each association; the national secretaries of each association. N. W. Seidel, vice president, Chrysler Corp., Fargo division, and G. E. Brugman, fleet manager, Chrysler Motors Corp., Detroit, Mich., will act as coordinating chairmen with no vote in the selection of the drivers, and will only coordinate and follow the project to a conclusion.

7. Suggested methods for driver selection. The manner in which the nominee is selected is left entirely in the hands of the management of each individual company. The following are merely suggestions:

In some fleets, the management may want the drivers to participate in the selection. This can be done by having drivers nominate one or more of their fellow drivers, and then having a committee, including driver representation and management, make the final selection.

Companies having more than one garage may wish to nominate one driver from each garage, and then have the selection made by a committee consisting of garage superintendents and management.

In some cities, management has submitted 2 or 3 nominees to disinterested parties, such as the director of public safety, the police commissioner, and a newspaper publisher, who have made the final selection.

8. Each company wishing to participate in the four-star driver program should submit the name and complete qualifications of its nominee on the printed application form which accompanies this book of instructions. All applications must be postmarked not later than midnight, May 1, 1957, or they cannot be given consideration.

9. The official awards committee will announce its selection of the 1957 four-star

drivers on May 16, 1957. Ceremonies of recognition and presentation of awards will be made June 9, 10, and 11 in Detroit.

10. The decision of the official awards committee will be final.

The Chrysler Corp., together with the Plymouth and Fargo divisions, wishes to acknowledge the cooperation and many contributions of the American Taxicab Association and the National Association of Taxicab Owners in supporting the four-star driver program, which pays tribute to outstanding taxicab drivers who faithfully serve the public in their communities.

QUALIFICATIONS FOR CONSIDERATION AND SELECTION OF FOUR-STAR DRIVERS

Safety: A driver with an outstanding safety record. A driver who thinks of his customer's comfort and safety at all times.

Courtesy: Follows company policies. A neat, presentable driver who is a credit to his company and proud to serve his community as only a taxicab driver can. He is often the first point of contact a visitor has in a strange city—first impressions are everlasting.

Service: Years driving a taxicab, number of miles driven (approximate), good attendance record.

Citizenship: Good community record with interest in civic affairs. Association with church work, youth groups, lodge, clubs, sports, and hobbies. The above examples of civic interests are given only as a guide.

Taxicab company name: Diamond Taxi, of Lowell, Inc.

Street address: 128 Warren Street.

City: Lowell.

State: Massachusetts.

Name of sponsoring company executive: Thomas J. Sullivan.

Title: President-treasurer.

Name of nominee: Edwin R. Erickson.

Street address: 194 Appleton Street.

City: Lowell.

State: Massachusetts.

Please enter the facts in support of your driver-nominee in the spaces following each heading below:

1. SAFETY

1. Has driver won any award for a long safety record or has he made some outstanding contribution to the cause of safety on our streets and highways? Edwin has been a consistent receiver of awards and pins during his employment with us. His reputation is probably best stated by the registrar of motor vehicles, Rudolph F. King.

2. Does this driver have respect for the safe mechanical condition of his taxicab, and does he drive with consideration for maximum fuel economy and the long life of his vehicle? Edwin is a perfectionist. He advocates and practices the placing of the transmission in neutral at all traffic stops.

3. What has this driver done to increase his knowledge and understanding of the fundamentals of motorcar driving, such as stopping distances, the effects of rain, snow, ice, temperatures, etc. on various road surfaces? Edwin is always hungry for knowledge about safe driving. Present at all monthly safety meetings of our company and he has sat on our reviewing board more often than any other employee because of his ability, attitude, and experience.

2. COURTESY

1. In what ways does he build his company's prestige in his contacts with the public? A quiet, soft-spoken gentleman, Edwin loves his work and is a dedicated taxi driver, as he says, "It is with a sense of newness daily that I report for work. I like people. I like to listen to them and sometimes I have to play the role of adviser."

2. How does this driver qualify regarding neatness, both as to his taxicab and his person? Having been a private chauffeur for over a year for a very exacting lady he learned that neatness pays because nearly 70 percent of our taxi customers are ladies.

3. How is he regarded by his fellow drivers? He is a confidant and their personal advisor. They do not hesitate to go to him for advice—for they know it is sound. Sound as Plymouth Rock.

4. How do taxi customers feel about this driver? Have special comments or requests been made in his behalf? Through the years we have received praises for Edwin. The way he is regarded in Lowell is best illustrated by the letters of the mayor, the city manager, and the superintendent of police.

5. Does this driver offer courtesies and assistance to customers according to company policies? His employment records show no complaints of any kind.

3. SERVICE

1. Number of consecutive years driving for present employer? 19 years.

2. Number of consecutive years driving without a chargeable accident? 19 years.

3. Number of consecutive years without any accident? 15 years.

4. Attendance record? Exceptional, 1 or 2 days a year, mostly ½ days.

4. CITIZENSHIP

1. Has the nominee performed some outstanding act of heroism, kindness, or honesty in the course of his daily work? On the death of his wife's parents, who had raised him from a baby, Edwin and his wife adopted Arthur Erickson at the age of 11 and raised him to the fine man he is today. Attested by the picture of he, and his wife, and three boys.

2. Does he take an active interest in church work, youth activities, lodge work, clubs, sports, hobbies, or any other civic affairs which add to the well-being of the people of his community? At St. John's Episcopal Church Edwin worked with the Boy Scout troop and assisted in the production of church plays.

3. Is he a citizen of whom his community can be proud? Positively yes—may we refer you to all the letters pointing out this fact.

GENERAL

In the space below, please state any other particulars bearing on this driver's character or accomplishments which you feel should be brought to the attention of the awards committee:

In every company in the taxicab industry there is a nucleus around which the entire personnel operating and maitnaining the company is built.

The owner may buy the finest taxicabs, equip them with the most expensive equipment, have the best stand locations, have thousands of friends and customers but without the taxicab drivers, they can only operate one cab. Edwin, through the years, has been a member of our nucleus.

He has trained drivers, advised them and as a safety team captain has watched and corrected them. Even as he has watched over his adopted son, Arthur, so he has given of his time and effort to novice taxicab drivers coming into our organization.

We are very proud to nominate Edwin R. Erickson.

Title: President-treasurer.

Date: April 4, 1957.

WHO IS RESPONSIBLE FOR THE TREASURY'S FISCAL CRISIS?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, on Thursday, June 6, 1957, the New York Times published a lengthy lead editorial entitled "A Problem Is Not a Crisis." The editorial seeks to absolve the outgoing Secretary of the Treasury from blame for the mishandling of our public debt and the resultant critical financial situation now confronting our Government. The Times editorial charges "political opponents and other critics of the administration" wish to employ the term "'crisis' to describe a number of pieces of unfinished business that rate the designation 'problems.'" Who are the political opponents and other critics that the Times has in mind? Could it be the editors of the Wall Street Journal who wrote on Monday, June 3, 1957:

> The plain, simple, and incontrovertible fact is that the Government of the United States is in a fiscal mess. To put it bluntly, the Treasury of the richest Nation on earth is short of money.

Could it be the editors of Barron's? On June 3, 1957, they listed the following bill of particulars in their indictment of the outgoing Secretary of Treasury:

1. Has been compelled to raise money with distressing frequency and at steadily rising costs.

2. Serious financial straits (of the Treasury) have posed a mounting threat to overall economic stability.

3. While the Nation remains as solvent as ever, debt-management policy has come perilously close to bankruptcy.

Are these the "pieces of unfinished business" the Times speaks about? I wonder if the editor of the Times believes the term "crisis" should not be used in referring to the debt-management situation until the Treasury concedes it has gone bankrupt, and is unable to raise the necessary funds to insure the continued operations of the Government of the United States?

I am not being facetious or frivolous in making these remarks. For the state of our finances is in serious condition after 5 years of debt-mismanagement, Alice-in-Wonderland monetary policy and giveaway fiscal policy.

Mr. Speaker, who has carried out these policies for the past 5 years? Has it been the Democrats or Republicans? Did the Democrats approve those policies or did they protest and oppose them from their inception, warning they would lead directly to the crisis we face today? I ask these questions because the Times editorial insists that the Republican administration and the Secretary of Treasury are not to blame for the "problems" that exist today.

The Times editors assert they are the type of problems that "might be expected to beset an administration that (1) inherited a huge public debt, consisting in the main of short term obligations, and (2) has been compelled to do its refinancing for 2 years now under conditions of uninterrupted prosperity and tightening money rates."

To what lengths will a great newspaper go in order to shield a favored administration from just and well deserved criticism? In this instance, the Times appears to have been willing to go as far as necessary, including gross misrepresentation of the facts.

Let us examine the excuse that the administration inherited a huge public debt composed mainly of short-term obligations. Five years ago short term bills and certificates constituted only 25 percent of the total marketable debt. Today the proportion is close to 29 percent.

The plain truth is that this administration inherited a debt—which the Democrats had managed successfully for 7 postwar years—composed in the main of bonds and nonmarketable issues. Such issues constituted close to 70 percent of the public debt on December 31, 1952. Today the proportion is below 65 percent. The Times has repeated Republican propaganda about inheriting a huge short-term debt for so long that it has come to believe it as gospel truth. The Republicans needed a good excuse to break the long-term interest rate and so they manufactured a myth about the need to refund the debt—to lengthen its maturity. This was the reason they gave for putting out the 3¼-percent 30-year bond in April 1953. The proof that the debt structure in 1952 corresponded to the needs of the economy and of investors generally lies in the fact that the Republicans have failed to lengthen its maturity in 5 years. The average maturity of the public debt today is shorter than when the Republicans inherited it 5 years ago.

Republican manipulation of the debt structure and of interest rates has caused some very serious shifts in the ownership of the debt, which has contributed to its instability. For example, one of the primary aims of the Democrats was to encourage as wide an ownership of the public debt as possible by striving to increase the amount of savings invested in series E and F bonds. The Democrats also tried to reduce the amount of the marketable debt so as to insulate debt-management operations from market fluctuations.

After 5 years of Republican debt mismanagement, here is what we find. United States savings bonds down from $57.9 billion outstanding December 31, 1952, to $55.6 billion outstanding March 31, 1957. And redemptions are continuing to outrun sales at a substantial rate. Total nonmarketable issues, including savings bonds as well as the investment series bonds, down from $77.6 billion on December 31, 1952, to $67.3 billion on March 31, 1957. During this 5-year period, the total amount of the public debt subject to the daily fluctuations of the money market was boosted from $148.6 billion on December 31, 1952, to $159.9 billion on March 31, 1957.

INTEREST RATE INCREASES TO BANKS 24.3 TIMES GREATER THAN INCREASES ON TRUST FUNDS

A closely kept secret about Republican debt management has been its exploitation of the various trust funds—such as the old-age and survivors insurance trust fund, the national service life insurance trust fund, and the other Government invested accounts. In the past 5 years, the Treasury has increased the number of special issues it gives these accounts, in exchange for the cash it uses for general expenses, from $39.1 billion on December 31, 1952, to $45.6 billion on March 31, 1957. The interesting thing about this greater use of the trust fund money to invest in its own securities is that the Treasury is paying an average rate on these special issues of only 2.702 percent today compared with the average of 2.678 on December 31, 1952, or an increase of only 0.024 percent. In contrast, the Treasury has boosted the average interest rate it pays on marketable obligations from 2.099 percent on December 31, 1952, to 2.684 percent on March 31, 1957, or 0.585 percent. In other words, it has increased the average interest rate paid to banks and other lenders 24.3 times greater than increase in the average rate paid on funds borrowed from the old-age and survivors insurance trust account, from the veterans national service life insurance trust fund, from the Government employees retirement funds, the railroad retirement account, and the unemployment trust fund.

This is the way in which the debt-management operations of the Treasury under a Republican administration have discriminated against the millions of workers, farmers, veterans, civil service employees, and small, independent businessmen who are the main beneficiaries of these trust funds.

The Treasury has not hesitated to use this trust fund money to bail itself out of debt-management difficulties when it fund it necessary to do so. And in doing so, it has paid the trust funds far less of an increase in average interest rates than it found necessary to pay the bankers, the life insurance companies, and other lenders.

CREATION OF ARTIFICIALLY TIGHT MONEY CONDITIONS

So much for excuse No. 1, Mr. Speaker. Now we come to the second excuse given by the Times for the Treasury's problems. We are told that the Treasury was "compelled" to do its refinancing under tight money conditions. My question is who "compelled" the Treasury to borrow under such conditions? The answer is that no one "compelled" it to do so. The truth is that from the start of 1953, Treasury debt management officials have had as their primary objective the creation of artificially tight money conditions. This fact was recognized by a New York Times writer, Mr. Joseph Loftus, who wrote in the Sunday New York Times, April 26, 1953: "There is no doubt that the Government is paying more to hire its money than is necessary."

In a report issued May 18, 1953, entitled "Refunding the Public Debt," Dean G. Rowland Collins and Dr. Marcus Nadler of New York University's Institute of International Finance, warned against the impact of Treasury refinancing operations:

> If mishandled, refunding could not only have a detrimental effect on business activity but saddle the Nation for years to come with higher rates of interest and an increasing debt burden which may prove to be unwarranted. Lengthening of maturities of outstanding Federal obligations does not appear to be a pressing problem. • • • There is no special urgency to reduce the volume of bank-held debt, since business activity and the price structure have caught up with the supply of deposits created during the war (p. 15).

The excuse that the Treasury was compelled to do its refinancing under tight money conditions is a specious one. The Treasury debt-management crisis results from a conscious policy pursued by the Treasury and at its behest the Federal Reserve, directed toward markedly decreasing the liquidity position of the commercial banks and corporations who comprise an important part of the market for Government securities.

The argument that the Treasury was compelled to do its refinancing at higher interest rates is refuted by the often repeated statements of the Secretary of the Treasury that interest rates are still low by historical standards. Moreover, Secretary Humphrey has been one of the few Treasury Secretaries in our entire history who has stated publicly that he did not feel it was his duty to keep the interest rate on the public debt as low as possible to prevent loading the people of the country, their children and grandchildren, with a hugh and unnecessary burden. Contrast the position of Secretary Humphrey with that of former Secretary of the Treasury William G. McAdoo. Charged with the enormous task of financing World War I, Mr. McAdoo later wrote:

> My decision to adhere to low rates on bond issues saved an immense sum to the people of the United States. I could not reconcile myself to the idea of loading them with a huge and unnecessary burden, although I knew it would make my task easier in selling bonds (Crowded Years, Reminiscences of William G. McAdoo, Boston: Houghton Mifflin Co., 1931, p. 381).

Mr. Speaker, the problems of Secretary Humphrey were his creation. They were not foisted upon him by compulsion or coercion. Nor did he inherit any problems from the preceding Democratic administration as the Times editors falsely maintain.

Mr. Speaker, we come now to the familiar excuse that the Treasury's problems have been due to the necessity of fighting all-out inflation. For 5 years, we have been told that the Republicans were going to prevent inflation and preserve the purchasing value of the dollar. The inflation excuse, like the myth of the huge short-term debt, was created by the Republicans to justify higher interest rates. When the Republicans took over in 1953, there was no threat of inflation. Prices on the average had been stable for nearly 2 years, from February 1951 to December 1952. It was only after the Republicans took office and began to restrict credit, boost interest rates and by their general economic policies encourage the giant monopolies to boost their prices and profits that inflation started. Since 1952, there have not been any general inflationary pressures due to an overabundance of money and credit or an excess of purchasing power relative to the supply of goods. What we have had is a selective administered price type inflation. Giant monopolies have been charging all the traffic can bear. They have boosted their profits to record

levels. They have gone on a modernization and expansion spree, which has made them bigger and stronger, while their competitors have been made weaker. They have gobbled up scores of smaller firms in the most extensive consolidation and concentration movement since the 1890's. This is what lies behind the post-1952 inflation. The capital spending binge of the giant monopolies has not been deterred in the slightest by the tight-money policy or high interest rates.

MYTH THAT DEMOCRATS CAUSED INFLATION

It is time to expose the myth that the Secretary of the Treasury sacrificed the needs of debt-management in the interest of curbing an inflation inherited from the Democrats. Nothing could be further from the truth. Republican propaganda asserts that the American dollar was debased by Democratic cheap money policies and artificially low interest rates. But the facts show the following. In the 12½ peacetime years from 1932 to 1952, the years of so-called easy money and artificial low interest rates, the average yearly increase in the cost of living index amounted to 2 points. The increase this past year alone was 4.6 points. So in the last year under the Republican high interest, tight-credit, anti-inflation policy, the cost of living rose two and a half times faster than it had on the average during 12½ peacetime years of so-called cheap money and artificially reduced interest rates under the Democrats.

That shows how phony is the charge of Democratic debasement of the value of the dollar through cheap money policies. The truth is, and the Republicans know it, that we could not wage World War II and the Korean war at the 1939 price level. To have done so would have required a capital levy large enough to wipe out the war-generated savings. If the Republicans wanted to confiscate over $150 billion worth of individuals' and business' savings in order to maintain the prewar purchasing power of the dollar, why did they not say so? And what would have happened to our economy in 1946 without the $150 billion increase in liquid asset holdings from 1939 to 1945. We now come to the final point in the Times' editorial. This is the allegation that the increased burden of interest, which the Secretary of the Treasury has imposed on the Nation for years to come, is less than the added cost to Government would have been, if inflationary pressures had been left unchecked. This is, first of all, a specious line of reasoning for it assumes that higher interest rates have prevented prices from increasing more than they would have done if the rates had not been raised. There is no proof for that proposition at all. On the contrary, all the evidence is against it.

Now let us see what the extra interest cost has been. So far, the annual interest burden on the debt has risen $1.5 billion over what it was in 1952. But if we were to refinance the debt at present rates, and the debt will have to be refinanced in less than 4 years, the extra annual interest cost would be $4.5 billion. In 1952, Government purchases of goods amounted to $21 billion. This excludes Federal civilian and military payrolls. Assuming no change in the kinds of goods purchased, how much would prices have had to rise since 1952 to increase expenditures by $4.5 billion a year? The answer is 22 percent. In other words, the rise in the interest charge on our national debt since 1952, which will be at least $4.5 billion when the entire debt is finally rolled over, has been equivalent to a 22-percent increase in the average price of goods the Federal Government purchased in 1952. Does the New York Times really believe that if interest rates had been permitted to remain at 1952 levels prices would have risen 22 percent? The argument has been repeated over and over again, namely that the extra interest charges on the public debt offset billions, which would otherwise have had to be paid on account of price increases. It ignores the fact that we shall have to pay the higher interest rates for years to come—in some cases 30 to 40 years—while no one has yet maintained that prices of commodities will go up and stay there for 30 or 40 years.

Mr. Speaker, I ask permission to insert at this point in my remarks a summary table, which shows the composition of the public debt and the interest rates on the securities making up the public debt on December 31, 1952 and on March 31, 1957, 5 years and 3 months after Secretary Humphrey took over the management of the debt.

Public debt outstanding

[In billions]

	Dec. 31, 1952		Mar. 31, 1957	
	Amount	Average interest rate	Amount	Average interest rate
Marketable:		*Percent*		*Percent*
Bills	$21.7	1.915	$25.3	3.261
Certificates	16.7	1.897	19.4	3.320
Notes	30.3	1.755	34.4	2.380
Total	68.7		79.1	
Bonds	79.8	2.320	80.8	2.482
Total marketable	148.5	2.099	159.9	2.684
Nonmarketable:				
United States savings bonds	57.9		55.6	
Treasury savings notes	5.8		none	
Treasury bonds, investment series	13.4		11.4	
Depository bonds	.4		.2	
Total	77.6		67.2	
Special issues (United States trust funds)	39.1	2.678	45.6	2.702

Source: U. S. Treasury Daily Statement and Treasury Bulletin.

In conclusion, I would like to repeat what I have said many times before. The interest-rate policy of this administration had only one objective and it was not to curb inflation. That objective was to increase the profits of lenders, the giant banks, insurance companies, and investment banking houses. This was not my view alone. On May 11, 1953, the day I submitted House Concurrent Resolution 98 calling on the Federal Reserve to support Government securities at par and stop the rise in interest rates, Mr. David Lawrence, the well-known political columnist, wrote as follows in the Washington Evening Star:

At last, a lenders' market. Higher interest rates finally reverse 20-year injustice to those who have money to lend for private gain.

The article begins:

Perhaps because the topic is a technical one, the most significant development in a quarter of a century has passed unnoticed by the general public. It is a fact that at last the wages of money have finally been awarded an increase * * *. The truth is, the step just taken emancipates * * * the lenders or savers from the bondage of cheap money.

What Mr. Lawrence omitted to say in his column was that the object was not to release lenders or savers from the bondage of cheap money, but to put the people of the United States and their Government back in bondage to the money trust from which Franklin Roosevelt emancipated them. It was Franklin Roosevelt who moved the financial capital of the United States from New York to Washington where it rightly belongs. It has been the Republicans who have placed us in the position where we are ruled by the New York bankers again. Will we once again have to witness the spectacle of a President of the United States forced to come to terms with the Money Trust in order to keep the Nation solvent? This happened before under Republican administrations. Will it happen again?

FEDERAL FLOOD INDEMNITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Connecticut [Mr. SADLAK] is recognized for 20 minutes.

Mr. SADLAK. Mr. Speaker, as Members of the House know we shall have before us shortly the conference report on the third supplemental appropriation bill. Some of the items in this bill are in dispute between the House and Senate conferees. There is one item of great importance to all of us and that is $14 million needed to start the Government's flood-insurance program. The Congress established this program last year with the enactment of the Federal Flood Insurance Act which the President signed into law on August 7, 1956.

The House rejected this necessary $14 million by a teller vote of 127 to 97. The Senate restored the item.

Now I want to go into great detail about a section of this law—the flood-zoning provisions—because there have been implications made here that this whole program is a bit of Government paternalism and that by starting it with $14 million we are about to go on a one-, two-, or three-billion-dollar handout spree.

I have read the hearings and debates on this subject and I did not see anywhere a detailed account of the flood-zoning provisions—which, if we will study them, will show that this is a businesslike program with many built-in

protections against excessive losses to the Government.

I should like at this point to quote verbatim from the provisions in the statute covering flood zoning:

Section 12 (b) of Public Law 1016 reads as follows:

No insurance or reinsurance shall be issued under the provisions of this act on any property declared by a duly constituted State or local zoning authority, or other authorized public body, to be in violation of State or local flood zoning laws.

Section 12 (c) of the statute reads as follows:

After June 30, 1958, no insurance or reinsurance shall be issued under the provisions of this act in any geographical location unless an appropriate public body shall have adopted and shall keep in effect such flood zoning restrictions, if any, as may be deemed necessary by the Administrator to reduce, within practicable limits, damages from flood in such location.

As if these protective provisions were not enough, the Congress inserted section 9 which reads:

The Administrator may from time to time issue appropriate regulations regarding the classification, limitation, and rejection of risks assumed by him under authority of this act.

Note that word "rejection" in this section of the statute. The Administrator is authorized to reject applications for this flood insurance and this will be done where operating experience reveals that the Government would be running too great a risk in issuing policies.

Most of our States, including my own State of Connecticut, have long recognized the benefits of planning and zoning as a means of providing for the orderly development of the country. The Federal Flood Insurance Act supports existing zoning ordinances by denying flood insurance to properties in violation of existing ordinances. This provision can be of great benefit to States and localities.

The application of zoning to future developments in the flood plains of the rivers of this country introduces a new concept in our program to minimize the disastrous effects of floods.

Whereas, we have tried in the past to keep water away from man by constructing flood-control works, the Congress in the flood insurance act has determined to keep man away from water by flood plain zoning, thus flood insurance will work, hand in glove, with present and future flood control and preventive measures.

In short, flood insurance will only be available in areas subject to periodic flooding where the type and location of improvements have been restricted by zoning and the potential flood losses thereby reduced. In such circumstances, flood insurance rates can be kept relatively low.

New England is deeply interested in the Federal flood indemnity program because it will afford a new and much needed tool with which to accomplish a reduction in flood damage.

This region is organized for flood control and flood prevention. Public and private groups have joined with various agencies of the Federal Government to provide for better utilization of water resources and prevention of damaging floods through the construction of dams and reservoirs. They are prepared to assume responsibility for flood zoning in highly exposed areas as an important part of their comprehensive programs.

Under an Interstate Compact, the States of New Hampshire, Massachusetts, Vermont and Connecticut have organized the Connecticut River Control Commission whose duty is to sponsor flood-control measures in this great river valley.

Similar Commissions may be set up under additional compacts for the Thames River which runs through Massachusetts, Connecticut and Rhode Island, and the Merrimac River in New Hampshire and Massachusetts.

There is also a Connecticut River Watershed Council, a semiprivate group which is promoting flood prevention in the Connecticut Valley. The chairman of this group is the distinguished editor of the Hartford Times, Hartford, Conn., Mr. Ward Duffy.

An outgrowth of the New York and New England Interagency Committee on Water Resources is the New England Resources Committee headed by Walter White of New Hampshire. This group comprises representatives of the 6 New England States and 7 Federal agencies, all concerned with conservation and proper utilization of water resources in the New England region.

All these agencies and groups hope to be able to cooperate with the Federal Flood Indemnity Administration in its efforts to reduce flood damage through proper flood plain zoning. The responsibility for such zoning, however, rests primarily with State and local governments. The FFIA cannot zone the country by Federal mandate; but it can greatly strengthen the efforts of State and local governments in zoning for better land use, restriction of subdivision development and prevention of stream encroachment.

As I understand it, flood insurance will be written everywhere throughout the country until June 30, 1958. After that date, the Commissioner of the Flood Indemnity Administration may require State and local governments to adopt flood zoning restrictions as a condition precedent to the underwriting of flood insurance.

The New England States are not alone among the various States in seeking to cooperate with the Federal Flood Indemnity Administration, in this new effort to keep man away from water.

Through the Council of State Governments close liaison has been established by the Federal Flood Indemnity Administration with State officials concerned with State participation in the insurance program. Many of the States, it is reported, are taking steps to accomplish flood zoning in collaboration with the Federal Government. The whole country is greatly disturbed over the terrible losses just recently sustained in Kentucky, West Virginia, Virginia, Oregon, Washington, Hawaii, Texas, Louisiana, Oklahoma, Idaho, Missouri, and Arkansas.

Damage in these States has been so severe that the flooded areas have been declared disaster areas for purposes of Federal relief.

Looking at the record of flood damage over the years, it will be seen that 80 percent of the land area of the country is subject to periodic floods.

If we can reduce and minimize the losses suffered by our people through zoning, we have an added reason for investing public funds in the Federal flood indemnity program.

You have heard it said in responsible quarters that the flood-insurance program will launch the Government on another billion dollar spending binge. This is strictly impossible.

It is true that we have authorized the Flood Indemnity Administration to underwrite $3 billion of insurance, but that sum is not the measure of the Government's liability.

Anyone familiar with property insurance will know that the total face amount of the policies in force is not important. The losses under these policies are the prime consideration.

My belief is that the Government's losses cannot be excessive simply because of the built-in protection afforded by the zoning and other provisions in the statute, and safeguards which have been incorporated into the program.

Conscientious, sound administration of this law will not only prevent large losses by the Government, but will go far toward reducing the enormous potential damage to property subject to recurrent floods.

Mr. Speaker, it is my earnest hope that when this third supplemental request for $14 million comes before the House that favorable action will be taken and I recommend this to you.

URSULINE ORDER AT SPRINGFIELD, ILL., CELEBRATES 100TH ANNIVERSARY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. MACK] is recognized for 5 minutes.

Mr. MACK of Illinois. Mr. Speaker, during the summer of 1857, five nuns of the Ursuline Order arrived in Springfield, Ill., and established the Convent of St. Joseph, which has continued for 100 years as a center of religious training and culture in Central Illinois.

Mother Mary Joseph Woulfe, the four nuns who came with her to Springfield, and the many who followed over the century have given unstintingly of their energies, teaching children of all races and creeds.

During the single school year of 1956–57, Ursuline nuns taught more than 3,700 persons in Springfield. These included students of Springfield Junior College, founded by the Ursulines in 1929 and today one of Illinois' leading coeducational institutions of higher learning.

The Ursulines of Springfield also conduct the Ursuline Academy, a girls' high school; the Blessed Sacrament, St. Joseph and St. Aloysius elementary schools; and an adult educational center at Springfield Junior College.

Thus, it is with great pride that I congratulate Reverend Mother Ernestine, O. S. U., the present superior and president of Springfield Junior College, and take this opportunity to inform the House of the Ursulines' century of achievement in Springfield.

When Mother Mary Joseph Woulfe arrived in Springfield on Friday, August 21, 1857, she was accompanied by Mother DeSales and Sisters Agatha, Veronica, and Martha. Mother Joseph Woulfe was a native of County Cork in Ireland. She made her profession as an Ursuline Sister in Charleston, S. C. She was superintendent of Assumption Ursuline Convent in Cincinnati, Ohio, for 7 years and then was transferred to St. Martin's Convent, Brown County, Ohio. With the permission of Archbishop J. B. Purcell, of Cincinnati, and at the request of Rt. Rev. H. D. Junkee, first bishop of Alton, Ill., diocese, which later became the diocese of Springfield, Mother Joseph Woulfe was named superior of the group of Ursulines that established the convent in Springfield. Her companions also were from Brown County, Ohio. Later Mother Charles Maloney, of Charleston, S. C., joined the founding group.

Without a single piece of furniture, the Ursulines first settled in Springfield in an old dwelling called the Farnsworth house. With some assistance from the bishop and through the kindness of the people, they opened their first school within 17 days of their arrival. It was attended by both Catholics and non-Catholics.

In 1867, 10 years after their arrival in Springfield, the Ursulines opened a new academy and monastery. The quality of their teaching was now recognized over a wide area, and many boarders and day students were enrolled in their school.

Through the years many additions were made to the original buildings, beginning with a chapel in 1895, completion of the monastery building in 1901, and an auditorium known as St. Ursula's Hall, dedicated in 1909. Junior college classes were started in the old Brinkerhoff home in 1929. Mother Barbara Klaholt, of Springfield, was then superior of the Springfield Ursulines and the first president of the junior college. Ground for the present junior college building was broken on February 7, 1930, and the structure was ready for occupancy the following September. With the permission of the Very Reverend Mother St. Jean Martin, prioress general, the college classes were opened to men as well as to women.

In 1941, a signal honor was bestowed upon Mother Mary Joseph Woulfe by Delta Kappa Gamma, National Organization of Women Educators. Each year this group honors an outstanding pioneer educator from each State. Mother Mary Joseph Woulfe was chosen to represent Illinois for 1941 because of her foresight in the field of education, for her excellent work in developing and encouraging the parochial school idea, and for the fact that she established the first school of music in the vicinity.

Throughout the years the Ursulines of Springfield have ever tried to maintain and to uphold the high standards of teaching the ideals of true religious life, and the progressive foresight which is the inheritance bequeathed them by Rev. Mother Mary Joseph Woulfe and her capable courageous group of cofoundresses.

FARMING IS THE NATURAL AND GOOD LIFE

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, our Republic was born in what has come to be known as the Age of Enlightenment. During this period of time intelligent people discarded the traditional ways of the feudal period which were accepted generally as eternally right, natural, and not subject to improvement, and in its place substituted reason to show us better ways. An aggressive search for better ways started and continues to this good day.

New methods of cultivation were developed in agriculture. Our love and concern for the soil, its use, conservation, and nature was born during this period. Two of our early leaders, Washington and Jefferson, were among those who put aside traditional prejudices and tackled agricultural problems scientifically. Jefferson said that "those who labor in the earth are the chosen people of God."

Farming was man's fundamental pursuit and it was the natural and good life. Our early farmer came from a working class of people in Europe and early frontier life helped to develop a democratic spirit and pride in the virtues of industry, thrift, and labor which is present today on our American farm.

Our forefathers knew that agriculture must prosper if our new Nation was to prosper. A move started in the Second Continental Congress to set up a Department of Agriculture where problems confronting our farmers could be studied and properly researched. In 1776 two resolutions recommending aid to agriculture were adopted. One of the resolutions contained a clause, which was later stricken, proposing the establishment of a standing committee of Congress to correspond and assist the agricultural societies which were to be set up in each of the Colonies. George Washington 2 decades later, in his last annual message to Congress advocated the establishment of a board of agriculture to collect and diffuse information. A House committee favorably reported a bill but it never came to a vote. In 1817 a bill was prepared and submitted to the Committee of the Whole establishing a national board of agriculture. Again no further action was taken.

Consuls and naval officers abroad continued to follow the example set by Benjamin Franklin in sending home seeds and improved breeds of domestic animals. John Quincy Adams recognized this practice by instructing all United States consuls to forward rare plants and seeds to Washington. During the Adams administration a botanical garden was set up and a committee on agriculture was established in the Senate. The House created its committee 5 years before this in 1820.

In 1836 our Commissioner of Patents on his own initiative distributed seeds obtained from abroad to our farmers. In 1839 Congress appropriated $1,000 for the threefold purpose of collecting agricultural statistics, conducting agricultural investigations, and distributing seeds. This money provided for the establishment of an Agriculture Division in the Patent Office.

In the year 1860, after nearly a century of discussion the ground was laid for the establishment of an executive department of agriculture. A bill creating the United States Department of Agriculture became a law on May 15, 1862. Our land-grant college bill passed during the same year—July 2, 1862. Here we have the most significant legislation for agricultural education in the United States. This law provided that a State might receive 30,000 acres of the public lands within its borders for each Representative and Senator it had in the Congress. The proceeds derived from the sale of the land was to be invested and the income used to create and maintain colleges.

Our first experiment station was erected in 1875 at Wesleyan University in Middletown, Conn. After 1880 a number of State agricultural colleges established stations.

The next milestone along the way was the establishment of our Extension Service. This Service is a cooperative undertaking by the Federal, State, and local governments. The Smith-Lever Act passed by Congress in 1914 provided for our Extension Service. Our extension work is conducted today in over 3,000 counties in our country by our county and home demonstration agents.

After its establishment the Department of Agriculture was looked upon primarily as an agricultural research agency. Today it has other functions which have grown enormously in recent years. Our State experiment stations have also grown steadily along with college teaching and extension in the land-grant colleges. Our Department of Agriculture today directs its research to the solution of problems of regional or national significance. Many of the same problems are handled by the State experiment stations—especially those relating to local conditions.

Our research has brought about abundance. Our experiment stations and Extension Service have many achievements to their credit. Production and demand can be brought together by the full cooperation of our agricultural research service, experiment stations and Extension Service. Development of new uses for our agricultural commodities, new markets, new crops and greater emphasis on animal agriculture will solve our surplus problem and bring together production and demand.

The results of our research and control achievements must be carried directly to the farmer in order to be properly utilized. Our farm family must

have the facts. This mission is assigned in the main to our county and home demonstration agents. These men and women are responsible for carrying sound information directly to our farm people. This dedicated group of men and women are properly recognized as leaders in agriculture in their communities. I might say at this point Mr. Speaker, that our county and home demonstration agents are not adequately paid and in order to keep these people in extension work it is imperative that the Federal, State and county officials raise salaries immediately.

It is impossible to measure adequately the benefits derived from the service rendered by our county and home demonstration agents. My home State of Kentucky is served by well trained, qualified, dedicated county and home demonstration agents. The Second District of Kentucky is one of the large agricultural districts of the State. We have strong agricultural organizations in each of the 15 counties. Outstanding farmers with well cultivated farms prevail throughout my district.

Intelligent, energetic young men and women in the Second District of Kentucky belong to the different organizations for young people—Future Farmers of America, Future Homemakers of America, and 4-H Clubs. For a great number of years these young men and women have received awards for their many accomplishments.

We have in my district this year a group of young people of whom we may all be proud. Young people who are the recipients of benefits gained from our Department of Agriculture, agricultural research, marketing, experiment stations, and Extension Service. The encouragement of families, county and home demonstration agents, and friends, combined with their own ability, energy, and ambition have resulted in their winning many of the top honors and offices in the 4-H Clubs, Future Farmers of America, and Future Homemakers of America. Helen Stinnett of Hopkins County and Harold Smith from my home county of Warren are 2 of the 4 holders of this year's top awards in 4-H Club work in Kentucky. Myra Tobin of Breckinridge County was elected president of the Kentucky Future Homemakers of America. Barbara Landrum of Simpson County was elected first vice president, Alice Hayes of Warren County was elected parliamentarian, and Virginia Below of Union County was elected reporter. Two hundred dollar scholarships for home economic studies were awarded Romanca Oliphant, Allen County, and Dorothy Joiner of Union County. Miss Tobin was named a candidate for National FHA vice president and the alternate was Pixie Priest of Ohio County.

Billy Joe Mitchell of Smiths Grove in my home county of Warren was named 1957 Kentucky Star Farmer by the Kentucky Future Farmers of America. Larry F. Parrish, of Henderson County was district winner for the Green River district.

It is good to know that with the development of such fine, intelligent and well instructed young people the future farmers and homemakers of my district will not lack the right sort of leadership and knowledge. These young people have answered a challenge and I predict that answering challenges will become a habit with them.

Mr. Speaker, farm life has been deeply affected by present day agricultural problems. Changing conditions demand constant experimentation, more research, new crops, new markets and more extension service. We have come a long way in agriculture, and our love and concern for the soil, its use, conservation and nature will continue on into the future.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LECOMPTE (at the request of Mr. CUNNINGHAM of Iowa) for an indefinite period, on account of illness.

Mr. BAILEY, for 2 weeks, on account of official business, attending ILO Conference at Geneva, Switzerland.

Mr. MILLER of Maryland (at the request of Mr. MARTIN) for 1 week, on account of illness.

Mr. MAY (at the request of Mr. HOSMER) for Monday and Tuesday, June 10 and 11, 1957, on account of illness in his immediate family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 20 minutes today, to revise and extend his remarks and to include extraneous matter.

Mr. SADLAK, for 20 minutes on today, and to revise and extend his remarks.

Mrs. ROGERS of Massachusetts, for 5 minutes on today.

Mr. MACK of Illinois, for 5 minutes on today.

Mr. CRAMER (at the request of Mr. BALDWIN), for 45 minutes on tomorrow.

Mrs. ROGERS of Massachusetts, for 5 minutes on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. LANKFORD.

Mrs. KEE.

Mr. CHAMBERLAIN and to include commencement address of the Vice President at Michigan State University, and additional extraneous matter.

Mr. RODINO (at the request of Mr. ALBERT) and to include extraneous matter.

Mr. FLOOD (at the request of Mr. CELLER).

Mr. KEATING, his remarks made in Committee of the Whole today and which he will make in Committee of the Whole in consideration of the bill under the 5-minute rule, and to include extraneous matter.

Mr. BARRETT.

Mr. RODINO.

Mr. GRIFFIN (at the request of Mr. BALDWIN) and to include extraneous matter.

Mr. HASKELL and to include extraneous matter.

ADJOURNMENT

Mr. CELLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 3 minutes p. m.) the House adjourned until tomorrow, Tuesday, June 11, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

938. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, to provide for the readiness of industrial capacity for defense production or mobilization reserve purposes"; to the Committee on Armed Services.

939. A letter from the Secretary of the Army, transmitting a draft of proposed legislation entitled "A bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes"; to the Committee on Armed Services.

940. A letter from the Acting Secretary of the Navy, relative to the proposed transfer by the Department of the Navy of the obsolete cruiser *Olympia* to the Cruiser Olympia Association, a nonprofit organization incorporated under the laws of Pennsylvania, pursuant to title 10, United States Code, section 7308; to the Committee on Armed Services.

941. A letter from the Chairman, Federal Home Loan Bank Board, transmitting the annual report of the Federal Home Loan Bank Board for the year ending December 31, 1956, pursuant to section 17 (b) of the Federal Home Loan Bank Act, as amended; to the Committee on Banking and Currency.

942. A letter from the Acting Secretary of the Treasury, relative to reporting the payment of £2,949.6.3 to the City Line, Ltd., 75 Bothwell Street, Glasgow C.2., Scotland, in full settlement of a claim for damage to the steamship *City of Karachi*, pursuant to title 14, United States Code, section 646 (b); to the Committee on the Judiciary.

943. A letter from the Chief of Legislative Liaison, Department of the Navy, transmitting a draft of proposed legislation entitled "A bill to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes"; to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. PFOST: Committee on Post Office and Civil Service. Part 2, minority views on H. R. 5836. A bill to readjust postal rates and to establish a Congressional policy for the determination of postal rates, and for other purposes (Rept. No. 524). Referred to the Committee of the Whole House on the State of the Union.

Mr. FRAZIER: Committee on the Judiciary. H. R. 7536. A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of

the First War Powers Act, 1941; with amendment (Rept. No. 544). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3940. A bill to grant certain lands to the Territory of Alaska; without amendment (Rept. No. 545). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4635. A bill to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended; without amendment (Rept. No. 546). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4830. A bill to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes; without amendment (Rept. No. 547). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARTLETT:

H. R. 8018. A bill to amend section 27 of the Merchant Marine Act, 1920, as amended (46 U. S. C. 883); to the Committee on Merchant Marine and Fisheries.

By Mr. DAVIS of Georgia:

H. R. 8019. A bill to extend the coverage of military service under the old-age, survivors, and disability insurance system to include inactive duty training; to the Committee on Ways and Means.

H. R. 8020. A bill to amend section 11 of the act of April 1, 1942 (56 Stat. 197, ch. 207); to the Committee on the District of Columbia.

By Mr. HARRIS:

H. R. 8021. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HILLINGS:

H. R. 8022. A bill to amend the Internal Revenue Code of 1954 to provide, in the case of professional athletes, an income tax deduction for depletion of physical resources; to the Committee on Ways and Means.

H. R. 8023. A bill to make the antitrust laws applicable to certain aspects of designated professional team sports; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 8024. A bill to amend title II of the Social Security Act to provide that the wife or widow of an insured individual shall be deemed to have been living with him, at the time required for entitlement to benefits, if at such time they were separated without fault on her part; to the Committee on Ways and Means.

By Mr. MOSS:

H. R. 8025. A bill to amend the act of September 26, 1950, to extend the Tehama-Colusa conduit to Yolo County, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. NEAL:

H. R. 8026. A bill to continue availability of funds for surveys and planning under title VI of the Public Health Service Act; to the Committee on Appropriations.

By Mr. SAYLOR:

H. R. 8027. A bill to provide for the admission of the State of Alaska into the Union; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H. R. 8028. A bill to transfer to the Civil Aeronautics Administration the airport revenue bonds issued by the city of Elkins, W. Va., and presently held by the Reconstruction Finance Corporation; to the Committee on Banking and Currency.

By Mr. CHRISTOPHER:

H. R. 8029. A bill to provide for the payment of claims for supplies and services furnished the irregular or guerrilla forces of the former Commonwealth of the Philippines during World War II; to the Committee on the Judiciary.

By Mr. MATTHEWS:

H. R. 8030. A bill to amend the Agricultural Adjustment Act of 1938 with respect to acreage history; to the Committee on Agriculture.

By Mr. GATHINGS:

H. R. 8031. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage reserve program up to July 15, 1957; to the Committee on Agriculture.

By Mr. MILLS:

H. R. 8032. A bill to provide that in 1957 farmers in areas adversely affected by excessive rainfall and flooded conditions may plant their unused cotton-acreage allotments to rice; to the Committee on Agriculture.

H. R. 8033. A bill to permit farmers in areas affected by excessive rainfall and flooded conditions to include acreage in the acreage-reserve program up to July 15, 1957; to the Committee on Agriculture.

By Mr. ZABLOCKI:

H. R. 8034. A bill to repeal the tax of 20 percent of all amounts paid for admission, refreshment, service, or merchandise at any roof garden, cabaret, or other similar place; to the Committee on Ways and Means.

By Mr. BONNER:

H. R. 8035. A bill to amend the North Pacific Fisheries Act of 1954; to the Committee on Merchant Marine and Fisheries.

By Mr. GWINN:

H. J. Res. 355. Joint resolution proposing an amendment to the Constitution of the United States relative to abolishing personal income, estate, and gift taxes, and prohibiting the United States Government from engaging in business in competition with its citizens; to the Committee on the Judiciary.

By Mr. ALBERT:

H. Con. Res. 181. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. BELCHER:

H. Con. Res. 182. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H. Con. Res. 183. Concurrent resolution for the establishment of the National Cowboy Hall of Fame and Museum; to the Committee on Interior and Insular Affairs.

By Mr. MORRIS:

H. Con. Res. 184. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. STEED:

H. Con. Res. 185. Concurrent resolution for the establishment of the National Cowboy Hall of Fame and Museum; to the Committee on Interior and Insular Affairs.

By Mr. JARMAN:

H. Con. Res. 186. Concurrent resolution favoring congressional recognition of the National Cowboy Hall of Fame and Museum to be located at Oklahoma City, Okla.; to the Committee on Interior and Insular Affairs.

By Mr. FLOOD:

H. Res. 277. Resolution expressing the sense of the House of Representatives with respect to the trial of Army Sp3c William S. Girard by a Japanese court; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the Federal budget; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the extension of the Folsom South Canal within the counties of Sacramento and San Joaquin, State of California; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the proclamation of Senior Citizens Day; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Maine, memorializing the President and the Congress of the United States to enact legislation concerning unjustified price increases of crude oil and refined petroleum products; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States relative to joining in taking appropriate steps for submission of a constitutional amendment which clearly and unequivocally defines State rights as understood by our forefathers; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H. R. 8036. A bill for the relief of Frances Monteleone; to the Committee on the Judiciary.

H. R. 8037. A bill for the relief of Mrs. Helga E. Findenig Brackner; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H. R. 8038. A bill for the relief of Margie C. Stewart; to the Committee on the Judiciary.

By Mr. CURTIS of Massachusetts:

H. R. 8039. A bill for the relief of Edward L. Munroe; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 8040. A bill for the relief of Hugh Man-bok Wong and Lucy Lee Wong; to the Committee on the Judiciary.

H. R. 8041. A bill for the relief of Edmund Yick Ming Chan; to the Committee on the Judiciary.

By Mrs. DWYER:

H. R. 8042. A bill for the relief of Domingos Jose Barreto; to the Committee on the Judiciary.

By Mr. JONES of Alabama:

H. R. 8043. A bill for the relief of Alfred C. Conder; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8044. A bill for the relief of Rocco and Emanuele Interlice; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 8045. A bill for the relief of Santina Hella Reichardt Spaulding; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. R. 8046. A bill for the relief of Joaquin A. Bazan; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 8047. A bill for the relief of Hassen Berri; to the Committee on the Judiciary.

By Mr. REECE of Tennessee:

H. R. 8048. A bill for the relief of Mrs. Billie Reed Holt; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 8049. A bill for the relief of Eventhia K. Perdaris; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8050. A bill for the relief of Kiyohito Tsutsui; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

269. By Mr. PATMAN: Resolution of the Red Henderson Post, No. 483, the American Legion, Inc., Cooper, Tex., strongly opposing the trial of any United States servicemen accused of any felony or misdemeanor by foreign courts; favoring the trial of such young men only by United States military or civil courts; and urging Congress to make a complete restudy of all treaties of this country which by their terms make our boys who enter the service of their country subject to trial and punishment by foreign courts; to the Committee on Foreign Affairs.

270. By the SPEAKER: Petition of the faithful navigator, Long Island General Assembly, Knights of Columbus, Woodside, N. Y., petitioning consideration of their resolution with reference to reaffirming support of legislation which would restore the protection of our Federal Constitution to the fundamental rights of United States citizens serving abroad as members of our Armed Forces; to the Committee on Foreign Affairs.

271. Also, petition of the national commander, American Defenders of Bataan and Corregidor, Inc., Jersey City, N. J., petitioning consideration of their resolution with reference to requesting passage of the bill H. R. 4742; to the Committee on Interstate and Foreign Commerce.

272. Also, petition of Eva I. Lucas, Houston, Tex., requesting a congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of Government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

273. Also, petition of A. L. Puddy, Houston, Tex., requesting a congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

274. Also, petition of the commander, the American Legion, Department of Alaska, Juneau, Alaska, petitioning consideration of their resolution with reference to urging that statehood be granted to Alaska; to the Committee on Interior and Insular Affairs.

275. Also, petition of the executive director, the American Institute of Architects, Washington, D. C., petitioning consideration of their resolution with reference to recommending enactment of a statute creating in the Executive Office of the President the position of Federal Coordinator of Public Works Planning; to the Committee on Public Works.

276. Also, petition of the president, Chamber of Commerce of Honolulu, Honolulu, T. H., petitioning consideration of their resolution with reference to requesting approval and ratification of the provisions of section I of joint resolution 32, Session Laws of Hawaii 1957, by the adoption of a bill in substantially the form included in said joint resolution; to the Committee on Interior and Insular Affairs.

EXTENSIONS OF REMARKS

Address by Hon. Theodore Francis Green, of Rhode Island, at Brown University

EXTENSION OF REMARKS
OF
HON. THEODORE FRANCIS GREEN
OF RHODE ISLAND
IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1957

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, an address which I gave at the under-the-elms exercises at Brown University on Friday, May 31, 1957.

This address, entitled "A Sense of Balance," I believe may be of interest to the Members of the Senate.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A SENSE OF BALANCE

(Address of United States Senator THEODORE FRANCIS GREEN at the Under the Elms exercises, Brown University, Providence, R. I., May 31, 1957)

It means a great deal to me, a great deal more than I can easily express, to meet with you Under the Elms today.

I first saw these trees, at least most of them, when I was a little boy. I have seen them year after year ever since—excepting 2 years when I was a student in Germany. The most memorable occasion for me, under these elms, was in 1887—just 70 years ago—when I graduated and bade them "goodby" and read them a farewell poem. You see it took a long while for them to recover from that shock—but I am grateful for their ultimate forgiveness.

Most of these stately elms have stood here for a long time, in cold and in heat, in dry seasons and wet, in wartime and peace, quietly pursuing the business of being elm trees, undisturbed, so far as we can observe, by recurrent crops of frightened freshmen and solemn seniors hurrying by, or by the great and fundamental changes which have taken place in this world since they were seedlings.

We humans can learn from all of nature. We can learn from these trees. The secret of much usefulness and success, of good health and a tranquil mind, lies in this capacity to go quietly ahead with the business of existence, undisturbed and undismayed by passing stress and turmoil. Yet, such is the balance in nature that we cannot be wholly insulated from our surroundings, any more than a tree can be. In dry country a tree will send its roots far down, searching for water. It is well known that a sapling will push its way through cracked rock in order to survive. A tree in dense forest will become tall, reaching upward toward the light.

If it is the part of tranquillity to be properly unconcerned with the world around us, it is the part of survival to be properly concerned. It is this balance we must cultivate, and it is of this balance I wish to speak today, particularly as it relates to matters of American foreign policy, which has gradually become my chief concern as a United States Senator in Washington.

There are certain areas of this country which question whether foreign policy should ever have been invented in the first place. I am happy to say that the record shows that Brown University is by no means such a place. During my undergraduate years here and later, here and abroad, I became increasingly impressed by the contribution my alma mater has made to this subject which has become probably the most important subject our Government has to deal with. Let me give you some of the highlights.

William Learned Marcy, Brown class of 1808, had his first taste of foreign affairs when he led an attack which captured a Canadian outpost in the War of 1812. Apparently this whetted his interest in matters beyond our borders, for in 1853 he became United States Secretary of State, and greatly distinguished himself by the handling of important and delicate matters, including the Gadsden Treaty of 1853 with Mexico, and the Reciprocity Treaty of 1854 with Great Britain.

Richard Olney, who received his degree from Brown in 1856, served as United States Secretary of State from 1895 until 1897. He induced the British government to submit to arbitration its dispute with Venezuela over the boundary between Venezuela and British Guiana, and wrote a remarkable official note, sustaining the right of the United States to interfere, and giving a wide interpretation to the Monroe Doctrine.

John Hay, of the class of 1858, after serving as private secretary to President Lincoln, was given posts as a diplomat in Paris, Vienna and Madrid, later became Assistant Secretary of State, then Ambassador to Great Britian, and finally served as United States Secretary of State from 1898 until his death in 1905. Among his services were the signing of the first Hague Conference Treaty for World Conciliation, negotiating the original treaty for the Panama Canal, and assisting with the settlement of the Russo-Japanese War. John Hay, by the way, was the author of his class poem, which was considered quite above the average. You see, a class poet may go far. I hope today's may do so.

Charles Evans Hughes, class of 1881, was Secretary of State from 1921 until 1925. He negotiated more than 50 treaties, presided over the Washington Conference on Limitation of Armament, was chairman of the United States Delegation to the Sixth Pan American Conference in 1928, and was a judge of the Permanent Court of International Justice from 1928 until 1930, when he was named Chief Justice of the United States Supreme Court.

This is a good record for Brunonians, but it is by no means the end of the story. Secretary of State Dulles informs me that at last count there were 28 Brunonias on present active service with the State Department, including John Joseph Muccio, Class of 1921, formerly Special Representative of the President to the Republic of Korea, winner of the Distinguished Service Award, and now Ambassador to Iceland.

Over the past 3 years, Mr. Dulles tells me also, that Brunonians have won appointments to the Foreign Service at the rate of two a year. I feel confident that this interest and this service will continue.

No account of the contributions of Brown to foreign affairs would be complete without a mention of our former President, Dr. Wriston. There is no need for me to enumerate his achievements before this audience. You know them well. You know that his courage, his breadth of outlook, his progressive spirit, his ability to command confidence and respect have been given unstintingly to the Nation and the world, as well as to this university, which cordially returns the devotion he has bestowed upon it.

Dr. Wriston's central achievement here at Brown was, I believe, to strengthen in all its aspects the tradition of liberal learning. One of the chief products of this learning is the balance of which I have spoken, the inner guide that distinguishes an educated, civilized man; that gives him the capacity to thread his way among dangers and difficulties and to chart a course of honor and safety through unknown waters. I hope that some of you here today may follow the same path trodden by our fellow Brunonians, some of whom I have mentioned.

Let me review with you a few of the ways in which our foreign policy today must achieve a vital balance. We must, first of all, know to what extent we must be involved, and to what exetent we should be involved, in the destinies of other nations. If our own survival depends upon the survival of certain other lands, and if they in turn must have our help in order to survive, then the most elemental self-interest, if nothing else, demands that we do what is required, and not less than is required, to insure their survival and strength. There is little room for hair-splitting here.

But, the fact that we must necessarily cooperate with other peoples does not give us license to run their lives for them, nor to squander our substance in doing things for them they should be doing for themselves. There is a balance between too much and too little, and we must seek that balance.

In the second place we must make it clear to ourselves, and to the world, not only to what extent we are involved, but also why we are involved in these matters in lands far away. Our legitimate interest in surviving causes us to help others to survive. We have also a legitimate interest in prospering, which causes us to desire that others be prosperous also. These things are related.

We have interests, and we also have obligations. We have obligations to abide by the terms of the promises we make, the treaties we sign, the rules and customs of international law, the Charter of the United Nations. We have obligations to live up to the heritage of freedom, which breathes from the traditions, from the monuments, from the very lands around us here. We must remain true to the religious faith upon which our freedom is founded. We must be true to our very humanity, which we share with other humans, whatever their race or station.

Our honor as well as our survival hang upon maintaining a proper balance, between our legitimate interests and our inescapable obligations. Upon that proper balance depends not only our peace of mind, but also peace among the nations.

So, clear thinking is needed about why and to what extent we must become involved in the affairs of the rest of the world. But, knowing why we do a thing, and knowing how much of it to do, still leaves us with the most troublesome problem of all—how to get it done. It is easy enough to become involved in an argument over a coming football game. But, then you have to win it, and that requires something more than second-guessing and armchair quarterbacking.

First and foremost of all, we must learn patience in our foreign dealings. We are living in a time when changes in the attitude of the Soviet Union, which may well be coming, will come slowly; when problems such as beset the Middle East will require a generation or more for solution; when development such as the young nations seek is slow to the point of anguish, difficult, and often disappointing.

But, for all our patience, we cannot yield the initiative. We must be restlessly probing for avenues to move ahead, and when we find them we must exploit them, not with timidity or penury, but with energy and vision, with courage and will, and if possible with good humor, even when now and then we make a mistake.

Just as we must be patient, so we must be bold. But, as we must be bold, we must be cautious. The Soviet Union is waving the olive branch of disarmament again, and it appears this branch may possibly have a little more substance than the same old stage prop they have waved before. Yet our foreign policy has been and must continue to be a leading from strength, not weakness, because weakness does not prevent wars, it invites them.

But, even though we must be cautious, we still must trust—and hope—and continue to negotiate because we know there is as much danger in too little disarming as there surely would be in too much.

So, we must sail our ship of policy between the devil and the deep sea between the whirlpool and the rock. We cannot drop anchor where we are; we cannot turn back. Either we sail on, or we sink.

And, just as there is balance in our methods, so there will be balance in our moods. We know the fear of awful destruction, and know there is no shame in such a fear. We know the thrill of winning a gamble that must be taken, of meeting a challenge as it comes. We know the joy of creating, not merely a poem or a painting, but a nation, a civilization, a new world. We know the reward, beyond all other rewards, of giving our best to people we love, to a Nation we love, to values we love; of being true—in the highest sense—true to ourselves.

I wish you well, you seniors, as you go out from here. In your childhood and student days you have seen the birth of a perilous and wonderful age. Now go out and share in its maturing. And, I pray that you may keep your balance.

May your lives and the life of the world you are joining grow as this Nation and this university have grown. May they flourish and endure, and become strong and beautiful, like these old elm trees around us here this afternoon.

Time Should Be Given Koevago To Answer Khrushchev Broadcast on CBS

EXTENSION OF REMARKS

OF

HON. HARRY G. HASKELL, JR.

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1957

Mr. HASKELL. Mr. Speaker, on June 2, 1957, the boss of the Russian Communist Party, Nikita S. Khrushchev, appeared on the television program, "Face the Nation," on the Columbia Broadcasting System. His answers to the questions submitted to him were nothing but the usual Soviet distortions of the truth.

In my district, in a suburb of Wilmington, Del., the last freely elected mayor of the city of Budapest is now living. Yesterday, he wrote to the Columbia Broadcasting System and requested that he be given time to answer the statements made by Khrushchev, and especially the latter's assertion that the Kadar regime is the true representative of the people of Hungary.

The best way to disprove that statement would be for the Soviet Union to conduct free elections in Hungary and allow the Hungarian people to decide whom they desire to be governed by.

I know of no one who would be more qualified to give the American people the true picture of the tragic situation that now exists in Hungary than Mr. Joseph Koevago, the last free mayor of their capital city.

Mr. Koevago was very active in the resistance movement against the Nazis, and during World War II was a major factor in organizing the underground. As a result of his attempts to strengthen ties with the Western countries, he was, in 1946, thrown into prison by the Communists for 6½ years.

Mr. Koevago was the last freely elected secretary general of the Small Holders Party, the majority party in that heroic nation. Since escaping from Hungary, he has been to London, Paris, Brussels, and other parts of the free world to enlist assistance for his enslaved people. He is continuing these activities here in the United States. Mr. Koevago was one of the leaders of the October revolution in Hungary last year.

Today, I sent a telegram to Dr. Frank Stanton, president of the Columbia Broadcasting System, urging that Mr. Koevago's request for time to answer the outright lies by the Soviet Communist Party boss, Khrushchev, be granted.

There is no American spokesman who would be more capable of making such an answer and in presenting the true picture to the American people of Soviet brutality in Hungary.

I hope that the Members of Congress will support Mr. Koevago's efforts to obtain time on this nationwide television network, to give the American people the truth about Hungary.

Soviet Deportation of Baltic Peoples in 1940

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1957

Mr. RODINO. Mr. Speaker, the brave but unfortunate people of the three Baltic countries—Estonians, Latvians, and Lithuanians—have had long histories. But fate was most cruel to them in 1940. In that year these three countries, once the secure home of rising young democracies, were forcefully annexed to the Soviet Union and many hundreds of thousands of their inhabi-

tants were uprooted from their homes. These innocent and helpless victims of the Soviet Union's aggression of 1940 are still suffering in some distant and desolate corner of the Soviet prison empire.

Since then the free world has heard practically nothing about them except from those few who have had the extraordinary luck to escape. And the fate of millions of Estonians, Latvians, and Lithuanians in their homeland is not much better. If they were not deported, they certainly suffered much privation and hardship during the war, and are still suffering under the unrelenting tyranny of Soviet communism. We have even heard that the native population of the coastal areas of these countries were moved to the interior in order to make room for Asiatic people brought in to settle there. Outrageous and almost unbelievable this may sound, yet the deliberate policy of the Soviet Union seems to be to colonize these frontiers exposed to the West with people from other parts of the Soviet Union. This of course adds to the misery and suffering of the native population, but since they are living in what is little more than a concentration camp, it is not surprising.

We in the West are fully cognizant of these heart-rendering facts. We are well aware of the sad fate that befell to those deportees and of the unbelievable lot of those who are living in the three Baltic countries. I wholeheartedly sympathize with their unfortunate lot, and ardently hope that soon a way will be found to ameliorate their lot and free these deserving citizens of the free world.

Polish Aid Agreements

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mr. FLOOD. Mr. Speaker, as you know I have been very active in urging the satisfactory conclusion of the negotiations between this country and Poland concerning economic aid to Poland by our Government.

As you will recall, during the negotiations I introduced a resolution in the House, House Resolution 248, which states, in part, that "the United States should speedily furnish substantial economic and technical assistance to the people of Poland, subject to careful control through the use of inspection teams or otherwise to insure that commodities and equipment so furnished will not be diverted to Russia or her satellites but will remain in Poland for the purpose of strengthening her internal economy and bolstering her people in their quest for freedom."

I am certain, Mr. Speaker, that our Government agencies will follow through with shipments of American products to Poland, and also arrange for shipment of surplus agricultural products to Poland as well as permit the receipt by the people of Poland of gifts from their relatives here in this country.

I was gratified to learn that agreements have been arrived at on the allocation of funds to finance the sale of various food products and textile raw materials for Polish currency.

It is interesting to note that the bank loans will be repaid in dollars at 4½ percent interest beginning in 5 years and extending to 20 years.

Mr. Speaker, there is no doubt in my mind that the Polish people have never been, are not now, and never will be pro-Communist, despite indescribable sufferings and persecutions by the Communist.

There is also no intelligent doubt that the Polish people want a free and independent Poland and will always trust the United States as Poland's true friend.

The 85th Congress

EXTENSION OF REMARKS
OF
HON. ELIZABETH KEE
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 10, 1957

Mrs. KEE. Mr. Speaker, about this time every year, a hue and cry goes up that Congress is two-thirds of the way through its session and has done nothing. This year and this Congress are no exceptions, as I have learned by reading my favorite political writers, commentators and news analysts. The criticism is never entirely justified and is frequently misleading. And so I am moved to say a good word for Congresses generally—since apparently so few people ever do.

Mr. Speaker, somehow, the impression has gotten about that unless the Nation's great legislative body is busily engaged in grinding out laws—like a giant buzz saw gnawing through wood and scattering the chips where it may—nothing is being accomplished. Of course, this simply is not so and I can think of nothing that could be worse for the country if it were. Laws passed in haste must inevitably be repented—and repealed—at leisure.

Each Congress develops a character and objective distinctly its own, but always in response to the public mood. When people are restless and reaching out toward new goals, you will find a Congress seething with action—scurrying about and eagerly seeking the means to achieve those goals. When the people are satisfied and wish, primarily, to be let alone, then you will have a Congress that is conservative and contemplative, reviewing, correcting and amending, but seldom pioneering in new fields.

From the vantage point of my seat in the House of Representatives, I would say that the character of the 85th Congress, as it has developed so far, is somewhere between the two extremes. It is neither especially progressive nor is it ultraconservative. It is deliberative.

Knotty problems and tremendous challenges face the 85th Congress; and I, for one, am content that it is not to be hurried into making any hasty, and possibly erroneous, decisions. Civil rights, foreign aid, amending the immigration laws, Federal aid for school construction, extending the minimum wage coverage, regulating election campaign contributions and tightening the lobbying law—these are some of the major questions to which this Congress must find the answers.

These answers, when they are found, are bound to affect the lives of all of us—and conceivably, a good many people could be hurt. That is why I am very glad that neither our leaders, the chairmen of our committees, nor the Members will allow themselves to be rushed or pressured into quick action.

At the moment I would say that the major objective of the 85th Congress is economy—the squeezing of the fat out of the budget. For years, Government spending has been the target of political barbs and public criticism—and again, I say, much of it justified, a good deal of it unfair and selfishly inspired. This year, both the House and Senate are determined to do something about it and are concentrating upon this single goal almost to the exclusion of the rest of the legislative program. At least, all other proposals are considered first in the light of whether or not they will add to Government spending.

To date, the House has cut more than $4 billion from the administration's budget estimates by painstaking examination, item by item, of its vast proposed expenditures. If you do not believe that this is something of a feat, try keeping track of every cent you spend in 1 month. Then go back and see how you can reduce that spending by 5 percent or better, without changing appreciably your mode of living. This is what the House has done on a tremendously greater scale and without detracting to any marked extent from the public good or the national well-being.

This accomplishment, alone, would constitute an outstanding record for the 85th Congress—to reestablish Congressional control over spending in the executive branch of the Government. It is by no means all that has been accomplished so far.

Important to the Fifth District, and in fact to all of West Virginia, especially in those areas damaged severely by the January floods, is the legislation enacted which increased by $80 million the lending authority of the Small Business Administration.

The borrowing power of the Federal National Mortgage Association has been increased by $500 million to ease the mortgage-money market, and both House and Senate have passed housing bills which are now in conference and which, ultimately, will help homebuyers and the construction industry, allow lower downpayments on FHA-insured loans, and make it easier for elderly people and large families to obtain adequate housing.

In the House a number of veterans' benefit bills, long sought and urgently needed, have been passed. Among them are bills to increase the rates of compensation for service-connected disabilities

and dependency allowances; to increase the maximum allowable for direct housing loans; to increase the monthly pension payments to widows of Spanish-American War veterans; and to make permanent the Missing Persons Act, authorizing continued pay to next of kin of personnel missing in the course of duty.

Nor does any of this take into account the vast scope of the work now going on in the committees of Congress—work which will shortly begin to bear fruit as each committee reports out the bills which are the results of its labors and both Chambers quickly pass these bills in rapid succession.

Mr. Speaker, this is the pattern which has been established in the Congress over the years. And although our good friends, the news reporters in the Press Galleries, are prone to describe this activity as "the rash of bills pushed through in Congress' last-minute rush to adjourn," it is, of course, nothing of the sort. It is final action coming after much hard effort, long deliberation, and careful weighing of the end results of each bill's passage.

In the estimation of this Representative, the best Congresses are those that pass the fewest laws—but take the time and thought to make them good ones.

The Basis of America's Foreign Policy

EXTENSION OF REMARKS

OF

HON. CHAPMAN REVERCOMB

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address entitled "The Basis of America's Foreign Policy," which I delivered before the St. Paul's Guild of St. Joseph's Catholic Church, on May 26, 1957, at Huntington, W. Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE BASIS OF AMERICA'S FOREIGN POLICY

(Address by Senator REVERCOMB)

I speak to you today on a problem that may well be uppermost in the minds of every American. Stated simply, it is this: "How can the United States contribute most to conditions that give greatest assurance of peace in the world and security for our own people?"

This problem is not new, to be sure, but the conditions that confront us today are quite different from what they were only a few years ago. Therefore, we must be prepared to think anew and act anew.

However much we may wish to wash our hands of the responsibility that is thrust upon this country, we cannot escape the grave task with which we are faced. However much we might prefer to take comfort in our economic and military strength, the inescapable fact remains that we cannot afford to go it alone. Alliances with other nations have become as essential to our own security as the hydrogen bomb or the intercontinental missile. The security of our own shores depends as much on preventing the Communists from taking over the Middle East as from taking over the Philippine Islands.

The reason for this new set of conditions on which world peace hinges is obvious when we consider the facts. The advent of the air age, and with it the hydrogen bomb and the guided missile, has brought all nations into such close proximity that every part of the world has become a potential battlefield. When one pauses to consider the fact that it will soon be possible for an enemy power to direct guided missiles with unerring accuracy upon our cities from points thousands of miles away, it becomes graphically clear that the nation which seeks to stand alone is inviting its own destruction.

In the face of these indisputable realities, unpleasant though they be, it becomes abundantly clear that 19th century policies are inadequate to meet 20th century conditions. And we must either rise to the occasion and accept the responsibility that is America's or risk the danger of losing all that we hold dear.

I need not remind you that there is still abroad in the world an ideology that is alien to the beliefs of every person who gives allegiance to God. I need not remind you that if the perpetrators of this evil design carry out their avowed aim, which is world conquest, the way of life that you and I cherish will be lost.

There are those who say to me, "But why should we be concerned with what is happening in the far-off Middle East?" I say to you, in reply, that what happens in that distant part of the world may well determine whether or not we are able to keep communism from engulfing our own shores.

We know that if a forest fire is burning in the direction of our homes, we do not wait until the flames are lapping at the doors before moving to check its advance. If a flood is descending upon us, we do not stand idle until it has engulfed our homes before taking action to avert the danger. By the same criteria, we must acknowledge that it is folly of the worst sort to sit idly by, taking comfort in our own strength, while nation after nation is being absorbed into the Communist camp. In my judgment, the greatest danger from these aggressors lies in their well-conceived plan of taking over country after country until America is left isolated and standing alone. This must not be permitted to happen. Whatever the cost, we must bolster the strength of those free nations which are resisting the Communist tide. The moral and financial support we give them now may well save us billions of dollars, to say nothing of American lives, at some future day when the danger has swept much closer home.

I subscribe wholeheartedly to the basic tenets of the foreign policies on which the leaders of this country have embarked. It is an altruistic policy, to be sure, founded on the high moral conception that the dignity of man requires that he be permitted to enjoy certain inalienable rights, not the least of which is the right to exercise a voice in his government. This is not to say that this country should seek to impose its way of life on any nation, but rather that our deep love of human freedom compels us to employ a part of our substance and strength to help prevent the people of other nations from being enslaved against their wills.

In the main, however, our foreign policy is based on the simple expedient of self-preservation. So long as communism poses the threat that it does today, self-interest demands that we join forces with every nation which is resisting this evil force. It is an obvious fact, certainly one well known to our military leaders, that should the oil-rich Middle East fall to the Communists, our own security would be lessened by an incalculable degree. By the same token, should all Asia fall to the Communists, we know that it would be only a matter of time until the aggressor would be moving from island to island across the Pacific. Such is the nature of the evil force we are called upon to resist in the interest of our own self-preservation.

I am convinced that if war is to be averted, if civilization is to be spared the horrifying experience of an atomic conflict that is certain to engulf the whole world, communism must be stopped before it has made great new advances. Every gain they make, wherever it may occur, will inevitably increase the chances of war. On the other hand, if we stand firm, if we lend our support to those nations now actively resisting this aggressive force, war may be averted.

I believe that security is better defended by standing together with those who fight against a common enemy than by staying neutral on so dangerous an issue until one by one our friends are destroyed. This is not a time for neutrality. We cannot be neutral in the face of proven danger. Where would Christendom be today if Christ had been neutral on the subject of the moral life of man?

No one can say that the policy this Nation is pursuing will guarantee conditions of peace. The results that already have come from that policy, however, are encouraging. I cite a recent example.

Only a few weeks ago it looked as though the little kingdom of Jordan was ripe for a Communist coup. Internal dissenson had created conditions ideal for that purpose. What was the result? President Eisenhower, implementing the principles embodied in the Middle East doctrine, threw the full moral support of this country behind Jordan. The United States Sixth Fleet was moved into a strategic position in the Mediterranean—not as a threat of war, mind you, but rather as a warning to those who would exploit Jordan's internal difficulties that this country would tolerate no outside intervention. The result of that action has been to keep Jordan's Government in the anti-Communist alliance.

The basic aim of our whole foreign policy, then, is to deter aggression. This is true in eastern Europe, in the Middle East and in Asia. This policy has already paid off in all three areas. Only a few days ago, in an address before a joint session of Congress, the president of the 2-year-old Republic of Vietnam, a strategic south Asian country, emphasized that American foreign aid had been largely instrumental in preventing his country from falling to the Communists. I quote from his address:

"In the face of increased international tension and Communist pressure in southeast Asia, I could not repeat too often how much the Vietnamese people are grateful for American aid, and how much they are conscious of its importance, profound significance, and amount * * *. This action has contributed to the defense of southeast Asia and prevented the raw materials of this area from falling into Communist hands."

It is only reasonable, in considering the task we have undertaken, to ask: "How long and to what extent must America extend aid to other nations?" I think we must advance military aid until such time as the Free World is sufficiently strong that the Communists will not dare risk starting a war. As for economic aid abroad, I am convinced that the time has come when such aid should be in the form of loans rather than gifts. It is to our interest, of course, that the nations of the free world be both economically and militarily strong. However, nearly all foreign nations outside the Communist orbit are now in a stronger economic position than ever before, and such help as they require should not be at the expense of endangering our own economy.

The burden of maintaining strong defenses here at home and of bolstering the military strength of nations which subscribe to the basic principles of human freedom is heavy, to be certain. A large percentage—more than 60 cents out of each tax dollar—is going for that purpose. I say in all earnestness, however, that so long as this menace remains a threat to America's security, we must stand prepared to make whatever sacrifice may be required.

I deplore the high cost of this policy—but it is less costly than war. I deplore the necessity of the policy itself—but we cannot ignore realities.

A few weeks ago, it was my privilege to talk at some length with a foreign correspondent who has covered wars and uprisings in nearly every part of the world for the last two decades. The man I refer to is Larry Allen, a former West Virginia newspaperman, who had only recently returned from Vietnam. He had experienced firsthand the tactics of the Communists in Indochina and other Asian countries. He said to me: "If the day should ever come that the American citizen is required to pay 80 cents out of every dollar he earns to provide this country with adequate defenses against communism, I would say that it's a small sacrifice to make." He went on to say that no one who has not witnessed firsthand the horrors of Communist enslavement can begin to imagine what life is like under that totalitarian ideology so alien to all that we in this country hold dear.

We must continue on in the task that world circumstances has assigned to us. We must not falter in the world responsibility that is ours. We must cast aside partisan politics at the water's edge and stand united in our defense of American liberties. We must earnestly, seriously seek the pathway that leads to conditions of peace.

It is my conviction that if we do not falter, if we do not let down our guard, if we do not show signs of weakness, the time will come when the threat of enslavement will have passed away. Then the vast sums of money we are now spending for defense purposes can be used for internal improvements here in America or turned back to our people in the form of tax relief.

Indeed, there are already heartening signs that the strength of the free world is reaching a point where the aggressor nations are growing more wary. We know that the peoples behind the Iron Curtain are growing more and more restive, and there is reason to believe that the time will come when the deterrent influences of the free world will more than balance the warmaking potential of would-be aggressors.

Until that day comes, however, we must stand firm against further Communist aggression in any part of the world. Any other course can well lead to disaster for free peoples everywhere, our own included.

Michigan's Tax Policies

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1957

Mr. GRIFFIN. Mr. Speaker, press notices concerning Michigan's tax policies and their effect within the State upon industrial expansion, or lack of it, have reached all over the country.

There follows an article summarizing the situation which appeared in the June 6, 1957, issue of the Muskegon (Mich.) Chronicle:

(By William C. Kulsea)

LANSING, June 6.—The boyish grin is gone. The shoulders are stooped. The pout of the lower lip is more pronounced. Even the green-and-white polka dot tie has lost its swagger.

For the first time in nearly 9 years, Gov. G. Mennen Williams has been hurt politically.

From nearly all sections of Michigan, from California, from Texas, from New York, and from Massachusetts reports are coming in that Williams is driving industry out of Michigan.

His opponents are crying that the Governor's tax policies are chasing industry out of the State, and preventing new business from coming in.

The Governor has been shouting back—"It's libel on the reputation of the State"—"irreparable damage is being done"—"This is mass hysteria"—"This is politics both in Michigan and in Washington."

But his denials are coming into an echo-chamber, and so far are being heard only by his partisans.

And even some of them are beginning to wonder. Reports reaching the executive office are that Negroes in Detroit are asking "Why is Soapy chasing industry out of the State?"

The story is a prairie fire among many minority groups. Many are taking a backward glance at their 46-year-old favorite to see what all this means, why are so many losing jobs, why doesn't Williams come out and say it isn't so and make it stick.

"It's a bum rap," say his aids.

The peerless public-relations organization operated by Paul W. Weber, his press secretary, so far is stalled. It doesn't know how to fight back.

Here's the problem, as outlined by one of the Governor's aids:

"It's a hard thing to fight. Take a man who owns a plant in Michigan. He decides to expand. He spends some money for minor expansion of his Michigan facilities and then announces he's going to build a new plant in Kentucky. He says he's doing that because taxwise it will be cheaper for him to do that there than in Michigan.

"It's a personal matter. It's his plant, his money, and his problem with taxes. It's his own idea and there's no way you can disprove it. There have been so many of these cases lately that you can't begin to cope with them all.

"It's propaganda. We know it, but we can't fight it with the same formula we used in other cases."

It all began innocently enough several months ago. The Governor said a University of Michigan study showed that taxation is not an important factor in having industry locate in a State.

The Republicans in the legislature screamed like they had just caught a burglar at the State treasury safe.

Leading the pack was the house speaker, George M. Van Peursem, of Zeeland. He was aided by businessmen and industrialists who took issue with the Governor's interpretation of the report. One of them was Harlow H. Curtice, president of General Motors.

Williams took off after Curtice on the theory that "his blast" was the most damaging, but he was too late.

Curtice deepened the wound with these phrases:

"* * * Even the present level of business taxation in Michigan has already led us to locate plants in other States, where the taxes per General Motors job are less than one-half of the present taxes per job in Michigan. This will also be taken into consideration in the placement of additional plants.

"Obviously, if the Governor's plan of taxation is adopted the resultant excessive tax level will be even greater influence in our decisions with respect to locating new plants and providing new job opportunities."

This and a prior statement by Curtice triggered a reaction that has painted Williams as a tax-happy Governor.

For 7 of the 8 years he has been in office, Williams has been asking the legislature to adopt a corporate profits tax. It hasn't.

Editorial writers all over the country responded to Curtice's statement.

The Financial World warned: "His [Curtice's] words serve as a voluble reminder that no one State has a monopoly of natural resources or labor and it behooves State governments to be efficient and reasonable lest they lose competitive position."

The Buffalo Evening News: "Michigan * * * is risking the loss of industry to other States."

The Chicago Tribune: "The State that punishes industry with heavy taxes will not get new plants, other things being equal."

Tampa Daily Times: "It is equally true that industry will shy away from those States with inefficient governmental organization and heavy tax loads."

New Bedford (Mass.) Standard Times: "Every company must give major consideration to the tax factor when choosing a site for manufacturing facilities."

Omaha Evening World-Herald: "Obviously, there is a point at which returns from increasing tax rates and new forms of taxation begin to diminish. Michigan may be nearing that point."

Washington Evening Star: "There should be some reasonable balance between the tax burden and the advanges received in return. It is an area in which economic considerations, rather than political ones, should be prevailing."

In the Governor's office, his aids have one thing to smile labout. It's 18 months before the next gubernatorial election next year, and the controversary may blow over.

Mr. Speaker, whether the charges and countercharges concerning Michigan's tax policies are true or false, the publicity attending them has not enhanced the State's reputation as a home for industry. Since I represent a Congressional district where there is now considerable unemployment, I believe it is essential that an appropriate committee of the State legislature get to the bottom of this matter as quickly as possible and straighten it out, if possible. There follows a letter which I mailed today to the presiding officers of the two houses of Michigan's Legislature:

JUNE 10, 1957.

Hon. PHILIP A. HART,
President, State Senate.
Hon. GEORGE M. VAN PEURSEM,
Speaker, State House of Representatives, The Capitol, Lansing, Mich.

GENTLEMEN: In recent weeks, national, as well as State-wide, attention has focused upon the tax policies of Michigan and their effect upon industrial expansion, or the lack of it, within our State.

I am very interested in this subject because at the present time there is considerable unemployment in northwestern Michigan, particularly at Muskegon and Traverse City. Several plants in that area have closed their doors during the past year, while at the same time, I am aware through conversations with some of my Ohio colleagues in the Congress, that Ohio is now flourishing industrially with many new jobs being created there.

The purpose of my letter is not to point an accusing finger or to pass judgment; but I believe that the many laboring people who are out of work, as well as the rest of the

citizens of Michigan, are entitled to know some facts. If State tax policies or other conditions are causing industries to prefer other States to Michigan, then unfortunately it is the laboring people of our State who are the real losers—not industry. In view of the recent nationwide publicity, which has been very damaging to our State's reputation, I believe the charge that State and local tax policies are discouraging industrial expansion in Michigan, should now either be substantiated or discredited.

Accordingly, I wish strongly to urge that an appropriate committee of one or both houses of the State Legislature commence immediately to study and conduct a thorough investigation of the charge.

If I can be of assistance in any way, please let me know.

Sincerely yours,

ROBERT P. GRIFFIN,
Member of Congress.

Address by Hon. Barry Goldwater, of Arizona, Before Wisconsin Republican State Convention

EXTENSION OF REMARKS
OF
HON. BARRY GOLDWATER
OF ARIZONA
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. GOLDWATER. Mr. President, I ask unanimous consent that the address I made before the Wisconsin Republican State convention on June 8, 1957, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR BARRY GOLDWATER BEFORE THE WISCONSIN REPUBLICAN STATE CONVENTION, JUNE 8, 1957

For many reasons I am pleased by this opportunity to come to Wisconsin tonight.

First, and quite naturally, it is a privilege to meet with your outstanding State Republican organization, as it is an honor at any time to join with those of our citizenry who are actively dedicated to the cause of good government through the enunciation of basic Republican principles.

Second, and of particular importance to the party of Abraham Lincoln, it is good to visit the State in which, just over 100 years ago, the ideal of Republicanism was transformed into the reality of the Republican Party.

We are fortunate today in recalling our first century of service to this Nation, to be able to acknowledge that those same ageless precepts and purposes which guided the men in the little schoolhouse at Ripon still provide the motivation for our party's efforts.

The Republican Party is now, as it was in the beginning, committed to the proposition that man, as a child of God, is a free being, and that governments are created among men to serve and protect the liberties of the individual.

The Republican Party is today, as it was 100 years ago, a party dedicated to the goal of reserving to the States and to the people the power to regulate their own lives, unhampered by any semblance of Federal domination.

We believe that the thesis of individual incentive and private initiative is good—good for the country and good for all its citizens—and we are pledged, as always, to the strengthening of that economic and political system which enables men to realize and enjoy the products of their own labors through the sheer joy of personal accomplishment in a free and competitive society.

As Republicans, it is our historic obligation to preserve inviolate the principles embodied in the Declaration of Independence and the Constitution of the United States. And we vigorously reject any concept which suggests that these are no longer applicable to our governmental pursuits.

Indeed, for 20 long and painful years our Nation followed bureaucratic byways toward a collectivist goal under the devious direction of New Deal and Fair Deal administrations.

For 20 years the traditional Democrat philosophy of Jefferson and Jackson was subverted and destroyed, and all that remains of the foundation of that once great party is now desperately crying out for a restoration of loyal leadership which does not, because it cannot, respond.

Many times I have suggested to my Democrat friends that there is a place for them in Republican ranks, and that they would be welcome. For our party has not and never will write off the value of States rights and limited, conservative, economical Government.

Neither will we ever abandon the principles of Republicanism for the siren song of socialism.

Another reason that I am glad to be with you this evening is because Joe McCarthy, your Senator, was my good friend, and a man of whom all Republicans can be justly proud.

Joe and I became friends long before either of us entered the Senate and, with his usual good judgment, whenever the weather in Appleton or Washington got too cold for him, he used to come out to Arizona and enjoy some of our priceless sunshine which nobody has ever figured out how to put in bottles and ship back East.

During the time that I had the good fortune to serve with him in the Senate, I found further evidence of his distinction as a Senator, as a Republican, and as a friend. He was a faithful, tireless, and conscientious American. He fought just as hard for the things he believed were right as he did against the things he knew were wrong.

Joe McCarthy gave himself—his life—to the service of his God and his country. He did a job that no other man could, or would, do. He was completely selfless and his single motive was the preservation of those principles which make it possible for the Republican Party to proclaim now its fulfillment of the confidence of all Americans.

Because Joe McCarthy lived, we are a safer, freer, more vigilant Nation today. That fact, even though he no longer dwells among us, will never perish. And I know you will join with me in thanking God that while Joe lived he made a contribution to his countrymen that will forever redound to the credit of the people of Wisconsin and to your Republican organization.

Finally, I am proud, as a Republican, to come to this State which has twice accorded to Dwight D. Eisenhower such an overwhelming vote of respect. And I am gratified to be able to report to you that, with the passing of each day, this Republican administration grows in stature and in the sight of the American people.

To those of us who watched with alarm the chaos, corruption, and communism which was rampant under the New Deal and Fair Deal administrations, it is surely rewarding to know that, under Republican leadership, dignity, decency, and dedicated Americanism have been restored to the halls of our Government.

After 20 years of rule by a philosophy whose watchword was crisis, the affairs of our Nation are now directed by a leadership whose watchword is peace.

Now, we might ask, who is really responsible for these achievements? A modern Republican might answer: Arthur Larson or Paul Hoffman. But Arthur Larson did not even vote in 1954 and 1956, and Paul Hoffman, who was a member of the Truman administration, has not been conspicuous for achievement in political, or other fields.

To this question of who deserves the credit for the accomplishments of these past 5 years, a citizen for Eisenhower might reply that it is the President himself. Yet I know that he considers himself as only one member of a large team, and I believe President Eisenhower would be the first to deny the indispensability of any single personality in the overall effort to bring good government to our land.

You and I gathered here, of course, might say that the genius for these recent gains resides solely in the Republican Party; and, indeed, comparatively speaking, it must be admitted that our party has succeeded in righting many of the evils perpetrated by the New Deal disciples.

Yet, to be completely accurate, may I suggest that it is the innate good sense of all the American people, and their increasing dedication to and understanding of our constitutional, free-enterprise way of life, that has provided the real impetus for this return to sanity and morality in government.

The Republican Party has always sought to reflect the combined, cumulative thinking and beliefs of men and women of good conscience who are devoted to representative government and committed to the maintenance of the dignity of the individual.

That is why there is, and always will be, room in our ranks for men of such widely differing personalities and viewpoints as Dwight Eisenhower and Joe McCarthy.

That is why, when we are in pursuit of a principle, we must divorce it completely from any considerations of personality; for to judge an ideal merely in terms of the individual who propounds it is to insult both the ideal and the individual.

It is this capacity of Republicanism to embrace the honest disagreement of honest men that gives our party its best opportunity for future achievements for the good of all. And there is no place among Republicans for the use of compulsion or other inducements to enforce a specialized will or belief upon the party as a whole.

Indeed, we have never subscribed to that collectivist conclusion that the sum is greater than the total of its component parts.

Right and justice and honor and truth and devotion to the cause of mankind are not the products of an organization. They are and always will be a reflection of the principles of the men and women who are members of that organization.

In the Congress today the Republican Party is engaged in debating the merit and wisdom of the proposed budget for fiscal 1958. There is a wide divergence of opinion and belief. I am among those who think that this budget can and should be cut in the interest of preserving the economic freedoms and fiscal integrity of this Nation. There are others who think that any reduction in this budget would imperil our future security.

May I submit that this disagreement is a healthy situation. It is an expression of the sincere conviction of each individual. And out of this debate there will be produced a final conclusion, strengthened and tempered by the cumulative wisdom of those contributing to that decision.

I suggest, too, that the Republican Party will be stronger and more unified because of this experience. The President's position of leadership will be enhanced. For history teaches us that when men of conscience have disagreed and have resolved their disagreements in a climate of mutual respect the

cause of representative government has been well served.

There are some members of the opposition party who think they, in this struggle, are witnessing the disintegration of the Republican Party. They are, I think, extremely shortsighted and engaging, perhaps, more in wishful thinking than in objective analysis.

They are, I suggest, incapable of recognizing the dynamic strength of this political faith which has grown so steadily in wisdom and stature and in its ability to serve the people by virtue of its constant rejection of the feudalistic concept of a political organization which requires subservience and acquiescence of its members.

You and I, as Republicans in 1957, can be grateful to this administration for having repudiated the thinking of those who urge the concept of one-man rule, for having reaffirmed our ancient faith in the tripartite system of government, and for having enlisted in this cause of freedom those who would serve rather than those who would master.

Strong in the faith of Lincoln and in the proven record of our party of principle, we can answer now and for all time the cynical demands of those who would divert us from our chosen course by reaffirming these highest concepts of Republicanism.

Address by Hon. Clifford P. Case, of New Jersey, Before New Jersey State Federation of Labor

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EXTENSION OF REMARKS

OF

HON. JACOB K. JAVITS

OF NEW YORK

IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent that there be printed the CONGRESSIONAL RECORD a most distinguished address delivered by the junior Senator from New Jersey [Mr. CASE] before the annual convention of the New Jersey State Federation of Labor, at the Traymore Hotel, Atlantic City, on Monday, June 3. In the address the Senator from New Jersey dealt with the implications to American labor of the current hearings by a special Senate committee; and also pointed out the great responsibility of labor leadership today to provide for internal grievance machinery and other safeguards which will be self-generating within unions themselves, as an obligation to trade union membership, and as another opportunity—so many of which have been availed of in the past—further to advance real trade union statesmanship.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

In the current wave of discussion about organized labor, there may be some who might be tempted to try to make the names of Beck and Brewster synonymous with all the 15 million Americans who belong to labor unions. I think it would be useful to take a look at the situation and attempt to bring the matter into proper perspective.

Testimony developed thus far before the McClellan committee indicates that the officers of one of the major unions have abused their power and misused their trust. This is a grave matter and it is good to know that law enforcement officials have been taking action and that the leadership of the labor movement has acted promptly to condemn and remedy such abuses.

Further steps are necessary and I suggest these:

1. Establishment of a program by union leadership to bring democratic procedures and protections to all members.

2. Enactment of adequate legislation to protect the health and welfare funds run by unions and managements alike, so the hard-earned money of union members and their families are protected. But, let me emphasize, I do not mean legislation aimed at burning down the whole home of labor in order to roast a few pigs.

At the heart of this corruption problem lies the need for making unions the democratic institutions which the founders envisioned. Clearly, the best insurance of honest unionism lies in an alert and informed membership.

There is much that the leadership of the labor movement can do to assure that the rank and file of locals actually, as well as theoretically, make the decisions. Business has the problem of bringing adequate facts before the stockholders so that they can make the proper decisions. It is just as important in unions that members have full information.

I urge the AFL–CIO Executive Council to consider setting up a code of minimum standards of self-government for its member unions.

The AFL–CIO, even before the current revelations, took a firm and frank stand on ethical practices in the labor movement. In December 1955, long before the Beck-Brewster hearings, the AFL–CIO convention noted that "the vast majority of labor union officials accept their responsibility and trust. They endeavor honestly to carry out the democratic will of their members and to discharge the duties of their office. Yet the reputations of the vast majority are imperiled by the dishonest, corrupt, unethical practices of the few who betray their trust and who look upon the trade union movement not as a brotherhood to serve the general welfare, but as a means to advance their own selfish purposes or to forward the aim of groups or organizations who would destroy our democratic institutions."

And, in June 1956, the executive council established a committee on ethical practices to help keep member unit: "free from any and all corrupt influences" and last month the council spelled out a recommended code of financial and certain democratic practices for member unions.

My suggestion today is that the executive council of the AFL–CIO take further steps to strengthen the stewardship of funds and improve the decision-making process within unions. Since our unions have developed in varying ways, they now have varying degrees of democracy in their procedures. It is important to put a floor under these procedures so that certain minimum protections are provided to union members.

At present, I am told, about a half billion dollars a year is paid by members in dues. The executive council has suggested a number of fiscal checks, including outside audits and bonding of disbursing officials. In addition, there should be ample opportunity for union members to have a voice in the determination of all major policies including those involving expenditures and to receive full and accurate reports of union activities including financial transactions.

The provision for election of officers varies. Some are chosen by national conventions, some by referendums of the membership, some for 1-year terms, some for 5-year terms. In some cases, voting is by show of hands, in others by secret ballot. The executive council has recommended that election of officers be held at least every 4 years, but other provisions for elections should also be spelled out. Surely, members should be assured of a right to regular and not too far apart elections of officers by secret ballot.

There should be an opportunity for individual members to appeal from arbitrary action by union officers. The nature of the appeal could be defined better by the leadership of the labor movement. No union members should be afraid to speak out for fear of losing his membership, or his job.

No union should have any objection to these requirements and I recognize fully that many unions already have such safeguards.

Unfortunately, there are some who do not want to admit this. The Beck-Brewster revelations have been seized on by groups which have long—and unsuccessfully—urged restrictions on labor. Now they say they are acting on behalf of the union rank and file who have been abused by such leaders. It is interesting to note that these suggestions have been put forward by national groups who have been quick to oppose any increased regulation of their own interests, but who feel that more regulation is better for unions. Their theory seems to be that in order to make union members stronger, it is necessary to make all unions weaker.

From such sources has come a recommendation for new legislation to prohibit present union security arrangements. They demand a national right-to-work law. This has a ring reminiscent of those who 20 years ago argued against child labor legislation on the grounds that it interfered with a 10-year-old's right of contract. This legislation would mean unions and managements that have peacefully negotiated contracts for union shop agreements would have to cancel them. Such a law would be a major step toward disintegration of labor unions. I agree with Secretary of Labor Mitchell that down this road lurks labor-management chaos.

Even the late Senator Robert A. Taft, coauthor of the Taft-Hartley Act, stated during the Congressional debates that he was opposed to such legislation. He said: "I have hesitated to support the complete outlawing of the union shop, because the union shop has been in force in many industries for many years and to upset it today would destroy relationships of long standing and probably would bring on more strikes than it would cure."

Such sources have made other legislative suggestions, which although less direct, are not really aimed at protecting individual members but rather would have the effect of weakening unions and their position. Let me remind you that such proposals would affect not merely Messrs. Beck and Brewster, but all decent, honest union members as well. In the long run, the process of collective bargaining would be severely hampered and one of the major forces in achieving the world's highest standard of living would be hindered and hurt.

On the other hand, there has been some useful legislation proposed in the Senate to help safeguard union members against the raiding of immoral union leaders in collusion with cooperative employers. The legislation of Senator PAUL DOUGLAS and Senator IRVING IVES for reporting on the estimated $25 billion of union pension and welfare funds deserves urgent and earnest consideration. The amendments proposed by Secretary of Labor Mitchell should also have quick action. The union members who count on the life insurance, sickness pay, hospitalization, medical and pension benefits should be protected from the shysters and sharpshooters attracted by these large sums of money.

Another legislative proposal which deserves prompt consideration is that proposed by Secretary Mitchell to make public financial statements now required under the terms of the Taft-Hartley law and to provide penalties for any false items reported.

Unions were not organized to provide a few privileged individuals with fast horses and fancy haberdashery. They were, and are, men and women who join together to bargain more effectively than they could individually. They sought, and seek, to give the working man a position of respect and dignity in the community; to help him give his children a more abundant life; to protect him against oppressive employers, the sweatshop and other hazards.

Philip Murray described it this way: "Organization fundamentally means but one thing and that is clothing and bread and butter and pictures on the wall and carpets on the floor and music in the home and enlarged opportunities for children to receive the benefits of better education."

Inevitably, some who rose to power in the labor movement have been corrupt, selfish men, less interested in the workingman's welfare than in their own. Unions were not alone in attracting men of this kind; their parallel has been found in those who have organized vast corporate empires, bled them and let them crumble, destroying the savings of thousands of Americans.

In the ranks of selfish men who have abused the trust of their fellow men, the names of Dave Beck and Frank Brewster will have an unenviable place. Their disregard for the rights of the membership of the teamsters union and their contempt for the entire labor movement have been demonstrated before the Senate Select Committee on Improper Practices in the Labor or Management Field. The committee has had evidence of the use of members' dues for mansions, costly automobiles, racing stables, and other luxuries which has put all unionism under a cloud.

Mr. Brewster says there was a gift for the rank and file, too—the health and welfare funds negotiated in contracts. But he did not mention that the collective-bargaining efforts of the teamsters' western locals and their hard-earned $5 a month dues had something to do with this. The hundreds of employers who contribute to this fund and the milk drivers, long-distance drivers and others who work hard to earn it must have winced when they heard Brewster's statement.

Once before some unions were infiltrated by unscrupulous individuals, then bent on perverting the legitimate activities of union members to assist Communist propaganda. Courageous and perceptive leaders in the labor movement saw the challenge, forced the issue, and drove these unions out of the responsible house of labor.

George Meany and the AFL–CIO executive council have acted quickly and unanimously in regard to Beck.

There have been several hopeful signs that the membership is reviving interest in the affairs of the union and in the transactions of the treasury of its western conference. I have read of Beck's proposal for a union fund to help defend himself, and of a million dollar public relations fund to tell his side of the story. That these have been rejected are good signs. A wiser use of members' dues would be for a full-scale audit and legal accounting of the western conference, as well as the general treasury. In this way the members could recover any moneys improperly taken from the treasuries, as well as any profits derived by persons using such moneys.

The major role in dealing with malfeasance of the officers must be taken by the 1.4 million members of the teamsters union. The future of the union, as well as the role of all organized labor, will depend in large measure on them. They are the parties directly aggrieved—it is their money. Even more, it is their union.

Finally, in the interests of further putting this situation in perspective, let me quote to you from an editorial in a current issue of a national publication:

"When the McClellan committee began looking into the affairs of Dave Beck and the teamsters early this year, it was widely observed that the labor movement was at last getting the sort of hard senatorial scrutiny that business had been subjected to in the 1930's. Such a scrutiny was certainly long overdue—as the seamy revelations in the Beck case attest—but events of the last few weeks have also made it abundantly clear that business practices will be, and should be, a major part of the investigation into improprieties in the field of labor-management relations. Indeed, it was clear before this committee began its public hearings that unethical and just plain crooked deals between businessmen and union leaders were commonplace in many industries. In retrospect, the most surprising thing about these deals is the complacency with which they were widely regarded. What the McClellan hearings have done is dissipate the notion that labor relations in the United States are in good shape today just because there is relatively little violence.

"Just how much responsibility do businessmen bear for Beckism in labor relations? The problem involves only a small proportion of businessmen, of course—just as it involves relatively few labor leaders. But certainly there are some United States businessmen who are in no position to assert any moral superiority over their union opposite numbers. There are some cases, to be sure, in which businessmen may almost be forgiven for making a dishonest deal. When a small retail store is hit during its busy season by pickets who do not represent any employees, and who are interested principally in getting paid off, the proprietor may often face a practical choice between making a deal and going broke. But all too often the employer who portrays himself as a hapless victim of union racketeers is, in fact, merely an opportunist, who would rather pay off a crooked union leader than incur any economic hardship. In unions, the improprieties are apt to stem from racketeering; in business management, they stem principally from moral laziness."

The editorial concludes, "The problem of Beckism in business is not merely a question of strengthening labor law; it is also a challenge to business ethics."

This may sound like an editorial from a labor publication. But, actually, it comes from the June issue of Fortune, the distinguished business journal. To the views expressed, I say "Amen."

Public opinion should not aim the blame for misconduct at a few labor leaders and ignore the culpability of a few businessmen. It takes both to make a dishonest deal and it takes both to keep an agreement honest.

Independent Airlines Set New Safety Record

EXTENSION OF REMARKS
OF
HON. RICHARD E. LANKFORD
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1957

Mr. LANKFORD. Mr. Speaker, it is with extreme pleasure that I call attention of my colleagues to the fact that the Nation's independent airlines have established a new passenger safety record for the air-transportation industry.

I am informed by Mr. Jesse F. Stallings, president of Independent Airlines Association, that the independent airline industry has completed over 18 months of fatality-free operations to surpass a previous record established by the scheduled airlines in domestic operations between March 26, 1939, and August 31, 1940.

The supplemental air carriers—formerly known as nonscheduled lines—have flown in excess of 2½ billion passenger-miles without a fatal mishap since November 17, 1955.

Restricted as to the amount of civilian common carriage business they may do, the independent airlines have developed the market for peacetime transportation of military personnel and are rendering a great service to our national-defense effort, as well as saving the Government considerable money in this respect. These lines also represent an essential element of the Nation's reserve airlift capacity available for use in case of national emergency.

So on the occasion of establishing this new safety record I offer congratulations to the Nation's small businesses in air transportation.

Address by Secretary of Agriculture Before Wyoming Stock Growers Association

EXTENSION OF REMARKS
OF
HON. FRANK A. BARRETT
OF WYOMING
IN THE SENATE OF THE UNITED STATES

Monday, June 10, 1957

Mr. BARRETT. Mr. President, I attended the 85th annual convention of the Wyoming Stock Growers Association at Lander, Wyo., on Thursday, June 6 last. Secretary of Agriculture Ezra Taft Benson delivered a forceful address to the 1,200 members and guests assembled on the occasion. The address received favorable mention in the press throughout the West.

I ask unanimous consent that a copy of Secretary Benson's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE WYOMING STOCK GROWERS ASSOCIATION, LANDER, WYO., JUNE 6, 1957

I consider it a high privilege as well as a challenging responsibility to meet with you today.

I want to talk with you as citizen to citizen, as farmer to farmer, rancher to rancher, sincerely and honestly about the agricultural situation. My only purpose is—as it always has been—to seek what is best for agriculture.

We must face facts with the utmost honesty. The American people want the truth, and I have supreme confidence in the good judgment of rural people, who are the salt

of the earth—and a great bulwark for American freedom.

We need to take a good look at the livestock picture—and at the agricultural picture as a whole.

Where do we stand? What is our goal? What road should we travel to get where we want to go?

First, where do we stand as regards livestock?

Livestock production has climbed to a level higher than any previously known. Our people—on a per person basis—had more meat last year than in any year on record. In the past half century, our national population has almost doubled. Meanwhile the number of people engaged in agriculture has dropped 40 percent. Yet our meat consumption last year—167 pounds per person—reached the highest point in more than 50 years.

This was top performance production-wise. But it brought with it serious problems of unsatisfactory prices—problems that were compounded by drought.

Now the familiar cycle in cattle numbers has apparently turned. A 7-year expansion in cattle on United States farms has come to an end. After climbing from about 77 million at the beginning of 1949 to nearly 97 million head at the beginning of 1956, the cattle inventory this past January was down by 1.6 million. What is probably more important, the cow herd alone was reduced by 1.2 million from the high level of 1955. Hog production also has eased off for the present.

Market prices of cattle and hogs are now generally $2 to $3 per 100 pounds higher than at this time last year.

The decrease in cattle numbers may continue for a time. But we do not expect a big drop in numbers such as occurred in 1934 and 1947. We look for a gradual strengthening of prices for cattle—a moderate trend, not runaway prices, such as those of 1951, which brought an aftermath of trouble. A more permanent improvement is to be preferred, and that is what we hope is in prospect.

All in all, the longer range outlook for prices to cattle producers is brighter than it has been for several years.

This is good news, especially here in Wyoming, here beef cattle bring in a larger part of total farm income than in any other State except Nevada. Beef accounts for half of all your farm cash receipts.

Wyoming was one of the few Western States that did not reduce cattle inventories last year. You will benefit considerably if prices of feeder cattle this summer and fall retain a higher level than last year, as we expect they will.

The improvement in the cattle situation is part of a general trend in agriculture as a whole. Last year, as you know, the realized net income of farm operators rose about 4 percent—the first peacetime rise since 1947. We expect another increase of perhaps 4 percent this year.

So much for where we stand. Now, what is our goal, our objective, for agriculture? We have stated it many times. We seek an agriculture that is expanding, prosperous, and free—for the benefit of the entire American people.

What do those words mean?

Expanding speaks for itself. We are a dynamic people. Agriculture is a dynamic industry. It must expand to keep pace with the economy.

Prosperous, as I see it, means a constantly improving abundant life for farm and ranch people in fair comparison with that of other groups of our population.

By free, I do not mean freedom to exploit others. I do mean freedom for an individual to make his own decisions, to manage his own affairs. I mean freedom as conceived in the Declaration of Independence, constitutional freedom which so safeguards the right of choice of each individual as to provide the greatest possible opportunity for us all.

I wish I could report to you that the recent gains agriculture has made—and is now making—mean that this goal of an expanding, prosperous, and free agriculture is immediately in sight.

But I cannot. The basic problems have not been fully solved. The objective is not close at hand.

We must not allow current progress to lull us into complacency. This progress has been achieved in large measure through temporary, emergency programs, and at great expense. These programs are relieving the pressure of surpluses but they do not remove the cause.

True, we have some of the major tools we need to deal with the current emergency—disposal programs, the soil bank, and the beginning of flexibility in price support. The Agricultural Acts of 1954 and 1956 were first steps in the right direction, and they were enacted with bipartisan support. But we have never contended that they were the complete solution to our farm and ranch problems.

We are still saddled with one requirement that we don't need—that price supports on the basic commodities be increased as soon as surpluses are moved. Under the price support formula in the old basic law, once the Government stocks in the warehouses are cleaned out, the door must be opened to build them up again.

The past consequences of this formula have been extremely damaging, not only for producers of the basic crops, but for agriculture as a whole. Both at home and abroad, markets have been lost. Foreign farm production has been increased. Exports of some American crops have declined. Foreign products have been attracted to our shores.

Shrinking markets have forced drastic acreage controls upon our farmers. But this has not solved our problems. It has merely spread them. Diverted acres were shifted to other crops—and the consequences onto other producers—until almost every farmer and rancher, regardless of the crop or the livestock he raises, has been hurt.

Many of the diverted acres went into oats, barley, and grain sorghums—the end products of which were more meat, milk, and eggs at a time when markets were already glutted.

We all agree that agriculture is entitled to a fair share of this Nation's record prosperity. The question is how does agriculture—how do you livestock producers—get a fair share.

In my belief you will get it out of efficient production—balanced production—and better marketing.

You will not get it out of Government.

You will not get it out of acreage allotments and marketing quotas.

You will not get it by Government price-fixing, and you never have.

You will not get it through research and education and cooperation and free initiative.

You will get it out of building new markets and strengthening the private and cooperative marketing machinery.

There is a new dimension in the farm picture that makes management of agriculture by rigid formula totally unworkable. I refer to the amazing technological revolution that has been, and is, going on in agriculture.

Since 1920 crop production per acre has risen more than 25 percent. Tremendous changes have occurred in the livestock business too. Production per breeding unit—that is per cow, per sow, per hen on an aggregate basis—has gone up 72 percent. Even compared with 1935–39 we are now getting 40 percent more beef per cow of the breeding herd.

In view of this revolution, we cannot balance total supply and demand by acreage allotments on the basic crops. Farmers will not accept, legislators will not vote, and from a practical standpoint administrators cannot impose the kind of controls which, at the price objective specified by the old basic law, would be necessary to bring production into line with market outlets.

Nor can we build a healthy outlook for the corn, wheat, or cotton producers by steadily fencing them in. On a 55-million-acre minimum national allotment we now produce more than enough wheat for all our needs, domestic and export. On an allotment calculated to produce 10 million bales of cotton, we grew almost 15 million. On the smallest corn acreage allotment we ever had, and with a drought in the western Corn Belt, and with the beginnings of a soil bank, 1956 corn production approached an all-time record.

For these three crops, plus tobacco, peanuts, and rice, we have programs in effect to control production and support prices according to a legal formula. These six crops bring in only one-fourth of farm income. Yet for these six crops, surpluses are greater, costs are higher, infringements on individual liberty are more extensive, international relations are placed in greater jeopardy, and farmer complaints are louder than for all of the 200 or so other farm commodities combined.

I want to emphasize one fact above all: The basic rigid price support formula in the old law is directly contradictory to the objective of an expanding, prosperous, and free agriculture.

To expand, agriculture needs new markets. The application of the basic price support formula has caused markets to be lost. It will cause further loss of markets if it is applied in the future.

To be prosperous, agriculture must be able to compete successfully against foreign and substitute products. The restrictions of this formula have given agriculture's competitors an almost unbeatable price advantage. It would continue to do so in the future.

To be free, farmers must be permitted to make their own management decisions on their own farms and ranches. The application of this formula requires controls that transfer the management of agriculture into the hands of Government. It is doing so now and it will continue to do so as long as the rigid formula remains in the law.

This is the fundamental problem we face in agriculture. We must confront it. We dare not ignore it. I have testified before the Congress and I have emphasized before agricultural groups that we should further reexamine the old basic farm law—and that we should do so now.

I am not proposing that we scrap farm programs or that we scrap price-support programs. I am saying that we need to revise some of our programs so that they may better serve the needs of our farm people. We are now ready to take the next step in this direction. Let us use the time while the soil bank and the disposal programs are in effect to make the transition to a sounder price-support policy.

As you know, the cost of farm programs is much in the public eye. A key part of these programs is the acreage reserve of the soil bank. The acreage reserve is a temporary, emergency, costly, and voluntary program. We came to it reluctantly because of the emergency situation brought on by the war and by unsound price-support policy.

The acreage reserve did not have a fair trial last year. It was not authorized until after most crops had been planted. Now the attempt is being made to destroy it, even before we can measure the results of a full year's operation. The soil bank is being blamed for failures caused by the outmoded programs of the past which made the soil bank necessary in the first place. Except for these failures, there would be no need of a soil bank today.

The simple fact is that every acre in the acreage reserve—whether that acre is high yielding or low yielding—means an acre that is not adding to surpluses of the basic crops. If it is allowed to work, the acreage reserve can lessen the undue stimulus to livestock production which has caused your industry many of its present problems.

Though it is contrary to my philosophy to pay farmers for not producing, agriculture cannot be expected to bear the complete burden of adjustment in a situation which is a national responsibility.

Management of agriculture by fixed Government formula is assuredly not the road to a dynamic, expanding, and free agriculture. But is there another road?

Of course there is.

There is the road of more freedom for farmers and ranchers to produce, coupled with less reliance on price support by rigid formula. We should begin to move away from acreage controls while the soil bank and the surplus disposal programs are in effect. We must not wait until, having disposed of surplus stockpile No. 1, we have built up surplus No. 2. Let us not put off the making of necessary changes until they are forced upon us.

Let us price our products so they will sell.

Let us not price support our products at levels which make overproduction almost inevitable—which dry up markets and require severe controls on farmers.

Let us expand markets—markets for food and markets for industrial and nonfood uses of agricultural products.

Let us give special attention to the problems peculiar to small farmers. Our Rural Development Program is successfully launched. It can help open the doors of opportunity to more than a million farm families with incomes of less than a thousand dollars a year. We hope this program will grow in scope and effectiveness.

Let us, above all, build up our markets for livestock products—wholesome, tasty, nutritious foods that people can and will purchase in larger amounts if the price is attractive.

Increasing and decreasing the livestock population is the time-honored method of adjusting the food supply to changing needs. The amount of flexibility provided by this system is tremendous.

When we consume more of our food in the form of livestock products, we need the output of many more acres to produce feed.

Livestock condense about 7 pounds of dry matter in the form of grain and other feed to about one pound of dry matter in the form of meat, milk, and eggs. The other 6 pounds are converted into heat and energy or waste. Thus, far more agricultural resources are needed to provide a diet which contains a high percentage of livestock products.

The American consumer has been increasing his consumption of livestock and poultry products. But on a per capita basis he is still behind the Australian, the New Zealander, or the Argentinian in meat consumption. We can go farther in shifting consumption to milk, eggs, and other highly nutritious livestock products.

Of course markets for more animal products must be potentially available before we begin producing for them. Expansion in output of meat animals, poultry, and dairy products should occur only gradually. Sharp increases can be disastrous, as we found a little over a year ago with hogs. But we have been moving toward a greater animal agriculture during the past 20 years and we can move further.

From time to time livestock markets will become glutted and prices will be disrupted. In such periods timely and vigorous Government purchase and diversion programs should be used to help bolster prices and help producers adjust to market demands. Such programs have been undertaken by this administration.

Here are some of the things we have done. When we came to Washington in 1953 we found grading of beef compulsory and prices controlled and falling. We removed Government restrictions and we undertook a vast beef-purchase program to help stop the decline in prices. Since that time, we have reinstituted purchases whenever it appeared necessary. Last fall, for example, the market was almost swamped with cows and young stock from drought regions. We bought 72 million pounds of beef at that time to help move the big supplies into consumption.

We have worked with industry to market beef—and not only beef but dairy products, pork, and other plentiful foods.

Just a year ago, in support of the recommendation of the cattle and beef industry, we adopted USDA Standard as the newest grade of beef. Very recently the Department put out a new 1-minute TV film that makes the most of beef's best points—its flavor, its use in many appetizing dishes, and the generous supplies that are currently available. We produced this film in support of the livestock industry's campaign to merchandise beef.

We have expanded our export markets. Our shipments of livestock and livestock products in this current fiscal year are estimated at nearly $350 million—an increase of 50 percent over the total of 3 years earlier—and 10 times the amount shipped in prewar years. Under Public Law 480, we have sold or authorized for purchase about 125 million pounds of beef to Israel, Spain, and Turkey—a tonnage equivalent to about 250,000 head of cattle.

Special programs of an emergency nature have been provided to help livestock producers. For example, emergency credit and low-cost feed have been made available in drought areas.

What we have fought for, and what we are now fighting for, is sound and practical. It makes good sense. That has been the ultimate test to which we have subjected every program. I will not support any program that does not make sense.

I have opposed direct price support of livestock. I have done so because, in my judgment, it just won't work. It is not sound. It would hurt the livestock industry. That is why I resisted the pressures of the cattle caravan which came to Washington a few years ago. I will never advocate any policy or program which I believe is not in the best interest of farmers and ranchers and fair to all our people—regardless of pressure.

If livestock producers had been subjected to the kind of price controls and production straitjackets other segments in agriculture have had during the past 10 years, your industry would never have achieved anything approaching its present growth. You might have lost ground under the restrictive hand of Federal regulations and quotas—much as some other segments of agriculture have lost ground under these restrictions.

Tremendous opportunities beckon to animal agriculture in the longer range future. A strong economy is the basis for big livestock markets, and the economy of the United States is healthy and rapidly expanding. Compared with the 1951-53 average, we may have opportunity to increase production of cattle and calves by as much as 50 percent in order to meet prospective demand less than 20 years from now. We all remember the phenomenal rise in livestock production during World War II. This was accomplished under the incentive of an almost insatiable demand. To attain the livestock production anticipated for 1975, we would need to increase output at about two-thirds the annual rate of increase of the war years. For peacetime, this is a tremendous opportunity. It involves growth over a period of two decades, not a spurt of just a few years. It involves an annual increase one and a half times the rate of growth from the mid-forties to the early fifties.

Your is the most expandable part of our farm market. Our people will buy more livestock products if they are priced right and the quality is right.

We know that when the American housewife buys milk, meat, and eggs, she is not merely buying food for the family, she is buying taste and convenience as well. You as livestock producers are facing a real challenge. Your production efficiency will play no less a role in the market of the future than will be played by processing and marketing efficiency. You have got to keep up to date. You can no more rest content with outmoded farm and ranch management than a manufacturer can be content to go along with the management practices of prewar days.

Increased research on nutrition, disease control, better breeding, more profitable use of byproducts and improved marketing will help lower production costs and smooth the flow of livestock products into consumption.

Here in the West, cattle feeding has expanded rapidly and has taken on a distinctive character. The number of cattle on feed in the West this past January 1 was 3½ times the 1930-34 average. Nearly one-third of all fed cattle marketed in 1956 came from Western States. Your feeding is resourcefully designed to utilize a variety of feeds that take the place of the Midwest's plentiful corn. Feeding is a more specialized enterprise here in the West. Your cattle are fed faster for quicker sale, and the turnover rate in feedlots is higher. Through expanded feeding of cattle, western producers are taking advantage not only of their own fast-growing western market for beef but of the increased demand for fed beeves with finish.

All of our farmers—all of our people—have a vital stake in reaching the objective—an expanding, prosperous, and free agriculture. But I can think of no group in America to which this objective is more essential than it is to you producers of livestock. We can have a more dynamic and prosperous agriculture. We can have a free agriculture. To achieve it we must plan ahead now. There is no room for complacency. The agricultural revolution has made the price support, acreage-control program obsolete. Let us reexamine the old basic law. We are now ready for the next step forward.

Here in America we have the world's highest level of material living—and it is the product of an expanding, prosperous, and free economy.

But the history of nations presents this shocking picture. As nations become more prosperous—as their standard of living increases—they become more interested in preserving luxuries and comforts than the ideals and principles which made them great. Any nation which would trade freedom for security deserves neither and will lose both.

God forbid that this should happen to our agriculture or to our Nation.

We are a prosperous people today because of a free enterprise founded on spiritual, not material, values. Free enterprise is based on freedom of choice—free agency—an eternal God-given principle. The Founding Fathers, inspired though they were, did not invent the priceless blessing of individual freedom and respect for the dignity of man. No, that priceless gift to mankind sprang from the God of Heaven and not from government. The Founding Fathers welded together the safeguards as best they could, but freedom must be continually won to be retained.

With the help of a kind providence let us get on—now—with the job of building a prosperous, expanding, and free agriculture in a prosperous, expanding, and free America—an America which is economically, socially, and spiritually sound.

Rider College Commencement Address by Hon. Alan Bible, of Nevada

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Monday, June 10, 1957

Mr. SMITH of New Jersey. Mr. President, on Sunday, June 8, Rider College in Trenton, N. J., had its 92d commencement. On that occasion honorary degrees were conferred by the college on our distinguished colleagues, the Senior Senator from New Hampshire [Mr. BRIDGES], who because of his recent indisposition was unable to be present; the junior Senator from Nevada [Mr. BIBLE], and myself.

In Senator BRIDGES' enforced absence, Senator BIBLE made an outstanding and significant commencement address. It was a great pleasure for us in New Jersey to have Senator BIBLE with us, and I ask unanimous consent that his address be published in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH GIVEN BY SENATOR BIBLE AT RIDER COLLEGE, TRENTON, N. J., JUNE 9, 1957

It is an honor and a privilege for me to appear at the commencement exercises of Rider College.

This day belongs to the graduates of the class of 1957 and to the parents whose sacrifices have made it possible for this goal to be reached. I hope that every one of you will pause to sufficiently appreciate and to say thanks for the help you have received.

Graduates of Rider College have much of which they can be proud. Since 1865, Rider has grown from a small business college to the fine institution which you know today. It is my understanding that Rider is embarking on a $10 million building project which will give your school one of the finest campuses in the East. This is a significant sign of the progress being made by Rider. You can face the future confidently with the realization that you have received excellent preparation here at Rider College.

The word "commencement" which is used to describe these ceremonies means a "beginning." In this sense, today is a beginning for you who are about to be graduated. I do not intend to impose on your time. I promise to be brief. I well remember my college days, and I think I know the part of the program for which you are waiting.

You are a selected group. You were selected for admission to this college. You were screened through 4 years of study. You have been given an opportunity. You have attained an objective. At the same time, you have assumed a responsibility which you cannot lightly disregard. As Thomas Huxley said, "The greatest end of life is not knowledge but action."

The faculty of this college has equipped you with the knowledge. Sometimes at considerable pain to you and, I suspect, some irritation to them. Your equipment is excellent. You cannot plead ignorance to your fellow men. You must accept the duty and responsibility which, although not contained in the wording of your degree, is, nevertheless, clearly your obligation.

As you leave this campus and seek employment in different parts of the United States or, indeed, the world, the direct test of what you have learned here will be demonstrated by your daily actions. All of you are intelligent or you could never have completed the course of academic studies which has been presented in the seminars and lecture rooms of this college.

I suggest to you, however, that your distinguished faculty has not been teaching subject matter alone. They have been teaching young men and women. They have been instilling in you the principles of fidelity, honesty, moral courage, industry, integrity, and loyalty. These facets of your education are eternal. The subject matter changes—the learning process is constant if one would keep apace in today's world. But a freeman who thinks like a freeman, who talks like a freeman, and acts like a freeman will remain a freeman in prosperity, in adversity—whatever the future may bring.

It is fashionable today to decry the times in which we live. I hold to the theory, as expressed by the English historian Macaulay, that: "Those who compare the age in which their lot has fallen with a golden age which exists only in imagination, may talk of degeneracy and decay; but no man who is correctly informed as to the past, will be disposed to take a morose or desponding view of the present."

Personally, I know that the present is a great improvement over the past; I am confident about the present, and I am optimistic about the future. This is my belief, and I have dedicated what talents I have toward it. I hold no brief with those who beat their breasts and say that our civilization is going to Hades in a handbasket and that the decline of the West is in progress.

To me the future of this Nation belongs to the youth. As I have witnessed, throughout the length and breadth of this land, the education of young men and women, dedicated to love of country and service to humanity, I am personally confident that the future is in good hands.

I do not mean to suggest that the road which you will travel in the years ahead is an easy one. You will face adversity in many forms. There will be moments when your courage is shaken and you will be torn with indecision. These are facts which you must recognize.

I do suggest, however, that during those moments of doubt the spiritual quality of you, as Americans, achieves its greatest significance.

There is no one among us who can deny that the affairs of men are guided by the hand of a Creator. It is inconceivable—as a matter of personal philosophy—that this spiritual hand which guides us will permit the destruction of this Nation before its mission to humanity and God is achieved. I draw strength from this concept, even in the darkest hours of decision.

Whatever the sacrifices, I have no doubt as to the ultimate outcome in the struggle between a philosophy dedicated to the improvement of man as opposed to one which seeks only to destroy him. H. G. Wells once said: "Human history becomes more and more a race between education and catastrophe." To me, this is a race which can have only one outcome. Education will conquer.

To avoid despondency and despair, one has only to consider the progress that has been made in the last century in human relations. Less than 100 years ago, there was human slavery in these United States. Today, that very thought is intolerable. Women were regarded as chattels without political equality. That, too, has disappeared.

The concept of attempting to seek solutions to world problems on a world basis had not yet been born. Today we have the United Nations. It remains our responsibility to be constructively critical of the United Nations in the hope that it can be made to work better. There is no doubt that without the deliberately obstructive tactics of the Soviet Union much more progress toward peace could have been made. You probably know that of the 81 United Nations vetoes in the last 11 years, 78 were cast by Russia. Perhaps by a realistic appraisal of the situation, we can go forward despite the Communists. Imperfect though the United Nations is today, it is a vehicle for the exchange of ideas and discussion of mutual problems. We are at least trying.

In the field of medical science more specific achievements have been made. What would Abraham Lincoln and his wife, Mary, have given for $5 worth of antibiotics when their son died? What would Calvin and Grace Coolidge have given for a few dozen sulfur tablets when the precious life of their son was being drained away by septicemia? What would thousands of parents have given for the miracle drugs of today which were not available while their children were being stricken with diseases of diphtheria, pneumonia, tetanus, and others which are almost unknown to modern parents. Perhaps today with the Salk vaccine we are on the threshold of a new victory of man over disease.

Each generation feels as though it has not done a proper job in the conduct of its affairs. Each generation feels as though it has burdened its children with its own mistakes. This eternal conscience which never lets us rest is in itself an indication of the striving for improvement which characterizes our society.

Of course, there are problems, and very serious ones. Today's problems are perhaps the most complex the world has ever known. They do not yield to simple solutions.

There is the problem of communism. I regard this atheistic philosophy not as a government in any sense of the word but as a great international conspiracy aimed at world conquest and domination. It challenges the very survival of this Nation and all the people of the free world. I would not appease communism by any action which sacrifices one inch of free land, one human life or one American principle.

I believe that whenever any free individual is forced into bondage, to that degree America becomes enslaved. So long as I am able, I shall oppose communism with all the resources at my disposal.

If the world is to be free, young men and women like you must carry on the fight long after I and others like me have disappeared.

As a citizen, aware of the dangers which threaten our way of life, you young men may be called upon to serve in the Armed Forces of your Nation. Just as the pioneer Davy Crockett instructed his sons in woodcraft and in the handling of weapons for their own protection against hostile savages, your country must train you for your own safety and the security of your loved ones.

It would be pleasant if the world had reached the point where no danger existed. It would be desirable if you men could be allowed to get on with your chosen careers and not have to devote a portion of your time to military training. The present necessity, however, is not one of our making. You must, therefore, accept your civic responsibility of military service with the realization that its ultimate purpose is your self-perpetuation. This is one of the realities of the times in which you live.

There is also the problem of atomic energy. This powerful source of energy is viewed by some as a threatening monster which will destroy the world. We know that the "atom" has no morals, no ethics. It is a natural force like any other which can be used for good or evil.

It is man directed and its use will reflect the character of those who guide it.

I personally feel that the possession of nuclear weapons, and the ability to deliver them, by the United States restrained the Communists from overrunning all Western Europe, and allowed sufficient time for free people to raise their own defenses.

I envision great strides in the benign applications of atomic energy in medicine, biology, agriculture and industry. I am convinced that as the years go by the benefits to mankind will be enormous and will dwarf into insignificance the weapons aspect of this physical phenomenon.

If my vision is to be realized, there must be dedicated realistic men who have enough commonsense to protect us from destruction while we forge ahead in the cause of humanity.

There is the problem of individual responsibility. There has grown up a cult throughout the world, and to a considerable degree in our land, of those who believe that government should accept the complete responsibility for the lives of its citizens.

Those people all have one thing in common. They want something for nothing. They want to spend more than they make; reduce taxes and increase benefits.

Their beliefs are in direct opposition to the political philosophy which made this Nation great. The new order which was given to the world in 1776 was based upon the philosophy that man was a rational animal, that given opportunity he could take care of himself without injuring his neighbors; that he had certain inalienable rights which government could not diminish or circumscribe.

The only true security is in the daily satisfaction of a job well done. One has only to read the daily paper to realize that no man knows when he will die. Life is not measured in years alone or by material acquisitions, rather in terms of service, accomplishments, and spiritual rewards. Better to have lived for 50 years enjoying fully every second of the time; doing great deeds; winning the love of friends and neighbors; than to eke out a miserable existence for a century where life was an empty pulp.

The problem basically has been stated in the Scriptures, "Bread cast upon the waters returns a thousandfold."

It was also said: "Give and you shall receive."

If you give of yourself in the service of others, you will be rewarded accordingly.

I get very restless with those who constantly apologize for the American system. Of course there are inequities and injustices which should be corrected. Americans should support every constructive suggestion for the refinement of our social system. Nevertheless, I am conscious that our society has provided more opportunity for spiritual and material development of humanity than has ever before been possible.

Destructive critics of our way of life annoy me. They are so busy looking at the few spots of mud that they never lift their eyes and observe the blue sky above.

Every privilege in this world carries with it a responsibility. Every opportunity implies an obligation. Every possession has affixed a duty.

Whether or not the sphere of righteousness extends rapidly or slowly in your lifetime, will ultimately depend on the attitude each of you adopts. Never were there greater challenges. Never was there more opportunity.

It has been said that there are three ingredients in a good life: Learning, earning, and yearning.

Here at Rider, you have been given the opportunity and the equipment of learning. When you leave this institution you will begin the process of earning—earning not only material things but earning the respect, the love, and the friendship of people with whom you associate. To a tremendous degree, your future, and the future of your generation, will depend upon the things for which you yearn. If you yearn for freedom, individual responsibility, and opportunity, you and your children shall have it. You can transmit the legacy you inherited. It is within your power to make future generations refer to the last half of the 20th century as "the golden age."

This country and the free world needs leadership. We don't need people who are willing only to become one of the crowd; we need men and women who are individuals and who stand for individual principles. God give us wisdom to profit from the mistakes of yesterday; God give us courage to face the problems of today; God give us vision to plan for the challenges of tomorrow.

Vice President Nixon's Michigan State University Commencement Address

EXTENSION OF REMARKS

OF

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, June 10, 1957

Mr. CHAMBERLAIN. Mr. Speaker, the people of Michigan and the Sixth Congressional District were honored yesterday when the Vice President of the United States, the Honorable RICHARD M. NIXON, addressed the graduating class at the 99th annual commencement of Michigan State University at East Lansing.

The Vice President's analysis of current governmental questions in terms of permanent intellectual principles and each individual's civic responsibilities merit the attention of Members of Congress. The question now before the House, the civil-rights bill, is most particularly a case in point. Also, the clear and concise statements on foreign aid, labor legislation, and the Khrushchev challenge, should be carefully examined by each Member of the House as well as all citizens.

The Vice President's address follows:

ADDRESS OF THE VICE PRESIDENT OF THE UNITED STATES AT THE 99TH ANNUAL COMMENCEMENT, MICHIGAN STATE UNIVERSITY, EAST LANSING, MICH., JUNE 9, 1957

I hope that each member of this graduating class will make a personal and lifetime commitment to take an active part in the political life of your communities.

Some of you should run for office. Don't avoid your responsibility in this respect with the usual excuse that politics is a dirty business. If you believe it is, get into it and do something about it.

Those of you who do not make politics a career can participate on a volunteer basis in the political activities of the party of your choice. I can assure you that both of our major parties can use and need new blood and new leadership.

All of you can help create the intelligent and informed public opinion which is essential if a democracy is to survive. The two most dangerous enemies of successful democratic government are ignorance and prejudice. You are particularly qualified by your background and experience to fight and defeat them in the communities in which you live.

Those of you who become doctors, lawyers, teachers, engineers, businessmen, homemakers, will be tempted to adopt the attitude: Why borrow trouble? Don't take a position on controversial issues. If you do, always support what appears to be the popular side of the question.

I urge you today not to fall into that error. Have the courage to take a position on the great issues of our time. And in doing so, don't let a Gallup poll make up your mind for you. What may be the easy or popular answer to a hard question may not always be the right one. If you believe what appears to be an unpopular position is the right one, make it your business to make it the popular one.

Now I realize what I have just said amounts to nothing more than pious platitudes unless we get down to cases. Let me be specific by discussing some of the controversial issues on the Washington scene today.

You have been reading and hearing about the labor racketeering investigation being conducted by the MCCLELLAN committee. We can all agree that this investigation is serving a useful purpose in exposing the activities of union officials who broke faith with their union membership. The hearings are being conducted with dignity and fairness in the very best tradition of Congressional investigations. They have served to remind us that no leader of government, business, or labor is so big or so powerful that he cannot be made to account for his actions before the elected representatives of the people.

Now, however, we come to the more difficult question. What legislation should be passed to avoid such abuses in the future? Public opinion at this moment would probably support legislation of the most drastic character which would have the effect of curbing legitimate union activities as well as the abuses that have been exposed in these hearings. The tendency for most people is probably to go along with this prevailing sentiment.

But what is the right thing to do? Organized labor today is going through a period of trial comparable to that endured by the business community 20 years ago. Its leadership is being scrutinized and tested. Some union leaders have been shown to have failed badly in their positions of trust.

But we should not repeat the mistake of 20 years ago and blame an entire movement for the blunders and crimes of a minority. Rather we should help outraged union members to restore honesty and integrity to their unions. The protection of the integrity of union welfare funds and the insurance of democratic procedures in the conduct of union business are among the objectives which Congress should properly consider in determining what legislation should be adopted. The aim of any legislation in this field must not be to weaken or destroy unions, but to give union members the tools they need to make all unions follow the good practices which many unions follow today.

I would go further and suggest that this is a golden opportunity for American business men to encourage and make friends of the honest and sincere men who constitute the great majority of union officers. Now is the time to build lasting good will in labor relations, rather than to ostracize all union leadership, good or bad, and create the conditions which would lead to bitter industrial strife in the years ahead.

Let us turn to the international field for our second controversial issue. We have just signed an agreement to send $95 million worth of surplus agricultural commodities to Poland. Should the Congress appropriate the necessary funds to carry out this agreement?

The first reaction of perhaps a majority of people would be that to send aid to a Communist country is not only wrong but foolish. Why should the American people be taxed to help a nation which might be alined against us in the event of a conflict?

But how will the interests of the United States best be served in this instance? Let us look at the situation in Poland at this time. There is no question but that Poland is a Communist country. But the Polish people have been displaying increasing evidence of their determination to follow a course independent of the Soviet Union.

In response to that popular sentiment, the leaders of the Polish Government have been trying to soften the features of communism that do the most violence to human nature.

The churches of Poland have much greater freedom than in the past and the cardinal primate of Poland is allowed not only to exercise his function but to leave the country at will. The powers of the secret police have been substantially reduced. While the Polish press is not free by any means by our standards, it has a greater degree of freedom now than it has had in many years. Some farmers have been allowed to own their farms—a marked deviation from strict Communist-theory practice.

These, then, are our alternatives:

We can drive the Polish people and Government back to complete domination by Moscow in the hopes that Poland will then be an economic burden on the Soviet Union. If we follow this course, we are, in effect, saying that there is no evolutionary road to independence for a people dominated by communism and that violent revolution is their only resort if they want to be free.

Our other alternative is to help Poland progress toward greater internal freedom and increasing independence from the Soviet Union with the hope that Communists in other lands will see that freedom, and freedom alone, brings out the best qualities in men. We do this not because we approve of communism, but because we believe that the explosive power of freedom is great enough to destroy communism once it is given a chance to flourish.

In making this decision we are under no illusions that our policy is certain to succeed. The Polish people and Government might still be forced back under the complete domination of the Soviet Union. But certainly here is a gamble worth taking. If because of our action the movement toward independence and freedom is enabled to remain alive and to grow in Poland, the other satellite countries will have an example which they in turn can follow.

We should favor any step that will promote freedom and even limited independence in a Communist state. By our action we will be announcing to the world that we are not writing off the Polish people or any of the other millions who are held in bondage behind the Iron Curtain.

A related controversial issue in the international field will soon be debated on the floor of the Senate. It is the question of what we should do about our foreign aid programs. Here again the snap judgment of many people might well be—why should the Congress appropriate our hard-earned tax dollars to aid people in other lands? We often hear the term "giveaway" applied to this whole program.

It is relatively easy to develop public support for the military phase of this program. When we realize that it costs on an average 5 times as much for the maintenance of an American soldier abroad as it does for a fighting man of the allies we aid, it is obvious that a vote to cut foreign military aid is not a vote for economy but is actually a vote for larger budgets in the years ahead.

It isn't a question of whether such countries as Korea, Formosa, Indochina, Pakistan, and Turkey, which have common borders with the Communist world, should have adequate defense forces. We learned in Korea that if they are attacked, we will become involved.

The question is how the necessary forces can most economically and effectively be maintained.

Two and eight-tenths billion dollars in foreign military aid results directly in at least $15 billion worth of defense for ourselves and the Free World. These conclusions, then, are inevitable. Cuts in our military aid program will result in more taxes and expenditures for the American people rather than less. And spending less for aid abroad would not only mean more dollars for defense at home but it would inevitably mean more American boys in uniform.

I am confident that the Senate will follow the lead of its Foreign Relations Committee in refusing to make substantial cuts in the amounts requested by the President for this program and that the American people, as they know the facts, will overwhelmingly support that decision.

But let us turn now to a far more difficult phase of our foreign aid program. The President has asked for a billion dollars for the purpose of foreign economic assistance programs. The greater part of this money will not go to nations allied with the United States militarily. Most of it will go to countries in Africa, the Near East and Asia which are uncommitted or neutral in the world struggle.

How can we justify spending the taxpayers' money in this way?

Let us examine the breakdown of the people in the world today. The world is roughly divided into thirds, both in area and in population—one-third free, one-third Communist, and one-third uncommitted. The Communists know that if they can win a substantial part of the 700 million people who live in the uncommitted areas of Asia and Africa to their side they will not have to fight a war in order to achieve world domination. If they succeed in this objective, the overwhelming majority of the world's people will be under Communist control and the Free World will be denied access to economic resources essential for our survival.

I have visited most of these countries. I have talked to their leaders and to their peoples. After centuries of poverty they are determined to have economic progress which will lead to a better life. They would prefer to have this progress and retain their independence and freedom. But make no mistake about it. If we give them no other choice they will be forced to turn to the Communist world for help.

The Communists know this. That is why they are making every effort to meet the needs of these countries for education, technical assistance and political advice. And that is why we are spending a billion dollars a year for our economic and information programs.

I have seen our program in action. There has been some waste and inefficiency in their administration. But when we consider the tremendous stakes involved we can only conclude that the remedy for these difficulties and errors is to try to do a more effective job and not to give up and let the Soviet Union start taking over the world.

Mr. Khrushchev in his television broadcast to the American people last Sunday predicted that our grandchildren would live under socialism. By socialism he, of course, meant the communism we see in the Soviet Union today. But he significantly added that the Soviet Union would win the struggle for the world through other than military means.

The greatest danger the Free World faces today is not defeat or surrender in war. It is defeat by means other than war. When we consider the fact that the Communist World has gained 600 million people since World War II without the Soviet Union being involved directly in war we can see the danger that confronts us. If we allow the Communists to win the uncommitted areas of the world, the balance of power and resources and men will be such that the Free World will be strangled into submission by the Communist World.

The billion dollars we are spending for economic assistance to these uncommitted areas, therefore, is an investment in our own freedom and independence. It is the premium we pay to insure our survival as a free people.

May I turn finally to a controversial but vital domestic issue which has a far greater effect on our foreign policy than many of us realize. I have referred to the great battle which is going on in the world for the allegiance of the peoples in the uncommitted nations.

These people are alike in several respects. Their economies are underdeveloped. Most of them are newly independent. All of them belong to races which are not white. I can testify from personal observation and experience that even more than independence and economic progress the people of Asia and Africa want and deserve recognition of their equal dignity as individuals and as nations in the world community.

We can tell them, as we do, that we respect that dignity and that we consider them to be our moral, political, and social equals. But the impression people have of America abroad is determined more by what we do than what we say. And the question that is inevitably asked is: Do you really believe in equality when you practice racial discrimination in your own country?

Now the easy answer to this question is either to ignore the problem or to say "Let the Government do it." There are some things the Government can do in this field. The enactment of the civil-rights bill now before Congress would be an effective step toward living up to our democratic ideals.

But, in the final analysis, legislation will not solve the problem with which we are confronted. A law is only as good as the will of people to obey it. And this must come from the hearts of people themselves.

In every community where racial tensions exist today—and let me emphasize that this is not a problem which is limited to the South—there is need for moderate, constructive action by people of both races. We must not allow the extremists and demagogs to take over this field by default.

It is only through the willingness of public-spirited citizens in all walks of life to assume personal responsibility for removing the causes of racial prejudice that we can assure the progress that eventually will make the American dream of equality of opportunity a reality for all of our citizens.

In discussing some controversial issues today, I would not like to leave the impression that we should be skeptical or discouraged as to the eventual outcome of this great struggle which is going on between the forces of freedom and slavery in the world today.

We are going to win. We are going to win because we are on the right side, the side of freedom, justice, belief in God against the forces of slavery, injustice, and atheism.

I know that the members of this class will be a mighty force in your communities and in this Nation in developing the enlightened public opinion which will support our national leaders as they continue to work for the cause of independence, freedom, and peace.

SENATE

TUESDAY, JUNE 11, 1957

The Senate met at 9:30 a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God, eternal love, Thou source of all life and light, we would yield our flickering torch to Thee. Amid all the confusions and uncertainties in the realm of national debate and decision, we bow in this hallowed shrine of our dear-bought liberties to listen for the still small voice. We are grateful for the Republic's inspiring witness that our democratic processes run so deep that they are not disturbed even by the global dislocations of these violent days and that our America still stands with lamp held aloft, a beacon of freedom for all the earth.

Facing now unfinished tasks calling for courage and sacrifice and wisdom, upon all public servants who, sharing the heavy load of these epochal days, shape our policy and guide our destiny, pour, we pray Thee, in double measure Thy enabling grace. In the vital decisions which even now are lifting themselves above the horizon, keep our goals clear, our hearts pure, our spirits courageous, as we never turn our backs but march breast forward. We ask it in thy Name that is above every name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Monday, June 10, 1957, was approved, and its reading was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, the Subcommittee on Welfare and Pension Fund Legislation of the Committee on Labor and Public Welfare and the Subcommittee of the Government Operations Committee holding hearings on Senate bill 6 were authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Interstate and Foreign Commerce was authorized to meet today during the session of the Senate.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Finance was authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Government Contracts of the Committee on Government Operations and the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs were authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. LAUSCHE, from the Committee on Banking and Currency:

Andrew Downey Orrick, of California, to be a member of the Securities and Exchange Commission.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be called.

UNITED STATES DISTRICT JUDGE

The Chief Clerk read the nomination of Robert Van Pelt to be United States district judge for the district of Nebraska.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The Chief Clerk proceeded to read sundry nominations of United States attorneys.

Mr. JOHNSON of Texas. I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of district attorneys will be considered en bloc; and, without objection, the nominations are confirmed.

UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

Mr. JOHNSON of Texas. I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations of United States marshals will be considered en bloc; and, without objection, the nominations are confirmed.

Mr. JOHNSON of Texas. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

AMENDMENT TO THE BUDGET, LEGISLATIVE BRANCH (S. DOC. NO. 44)

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1958, involving an increase in the amount of $30,000 for the legislative branch (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

READINESS OF INDUSTRIAL CAPACITY FOR DEFENSE PRODUCTION

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to provide for the readiness of industrial capacity for defense production and mobilization reserve purposes, and for other purposes (with accompanying papers); to the Committee on Armed Services.

PROMOTION FOR CERTAIN OFFICERS IN THE NAVAL SERVICE

A letter from the Assistant Secretary of the Navy, transmitting a draft of proposed legislation to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes (with accompanying papers); to the Committee on Armed Services.

SETTLEMENT OF CLAIM FOR DAMAGE TO STEAMSHIP "CITY OF KARACHI"

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, payment to the City Line, Ltd., Glasgow, Scotland, in full settlement of a claim for damage to the steamship *City of Karachi*, incurred on August 16, 1955; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc, were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Appropriations:

"Senate Joint Resolution 30

"Joint resolution relative to the Federal budget

"Whereas the proposed peacetime budget of the Federal Government has now reached the unprecedented sum of almost $72 billion; and

"Whereas approximately one-third of the income of the Nation is now paid out to the various levels of government in the form of taxes; and

"Whereas this volume of taxes and expenditures is imposing an intolerable burden on the working people of the Nation, especially the young people who have no income except what they earn by their toil and sweat: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to reduce the proposed Federal budget to manageable

proportions so that the tremendous tax burden on the citizens may be eased; and be it further

"*Resolved*, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A joint resolution of the legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 16

"Joint resolution relative to the extension of the Folsom South Canal within the counties of Sacramento and San Joaquin, State of California

"Whereas the expanding economy of Sacramento and San Joaquin Counties requires that supplemental supplies of water be delivered into said counties; and

"Whereas many public agencies of the two counties, including Galt Irrigation District, North San Joaquin Water Conservation District, Stockton East San Joaquin Water Conservation District, Clay Water District, Elk Grove Irrigation District, Woodbridge Water Users Conservation District, Sacramento County Water Agency, and San Joaquin County Flood Control and Water Conservation District, have shown grave concern as to their need for such supplemental water supplies by making applications for water to appropriate State and Federal agencies, and otherwise; and

"Whereas said public agencies have an ultimate need for not less than 800,000 acre-feet of supplemental water for use of the lands and the inhabitants thereof within their boundaries; and

"Whereas the United States Government has constructed Folsom Dam and reservoir and Nimbus Dam and reservoir which can provide needed supplemental supplies in the two counties and the Honorable John J. McFall and the Honorable John E. Moss have introduced bills, H. R. 4580 and H. R. 4584 in the 85th Congress, 1st session, to authorize construction of the Folsom South Canal to serve the lands of said public agencies; and

"Whereas construction of Nashville Reservoir on the Cosumnes River would augment needed water supplies in the irrigable areas of Sacramento and San Joaquin counties as well as control damaging floodwaters which now waste into San Francisco Bay; and

"Whereas the construction and operation of Nashville Reservoir and the operation of said Folsom Dam and reservoir as a multiple-purpose project to provide said supplemental water supplies to said two counties will be consistent and compatible with its operation for protection against ravaging floods of lands and improvements along the American and Sacramento Rivers and the Sacramento-San Joaquin Delta: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California (jointly)*, That the State of California memorializes the Congress of the United States to enact legislation to authorize the construction and operation of said Folsom-South Canal; and be it further

"*Resolved*, That the State of California urges the United States Department of the Interior to complete as soon as practicable the studies now in progress regarding the proposed Nashville Reservoir; and be it further

"*Resolved*, That the Secretary of the Senate be directed to transmit a copy of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Senate of the State of Oklahoma; to the Committee on Public Works:

"Enrolled Senate Resolution 52

"A resolution memorializing the Congress of the United States and the Appropriations Committees thereof to direct special attention to the land-procurement practices of the Corps of Army Engineers in the Oologah Dam area on the Verdigris River in northeast Oklahoma

"Whereas the Oologah Dam on the Verdigris River in northeastern Oklahoma is in the very early initial phases of construction, with work proceeding on only the first stage embankment contract on one side of the river, under the direction of the Corps of Army Engineers; and

"Whereas only a few hundred acres of land actually have been acquired for the project and with condemnation proceedings now in progress on an additional few hundreds of acres of land; and

"Whereas this $37 million project will finally take more than 70,000 acres of land in a well-developed and productive agricultural and ranching area, resulting in the dislocation of several hundred farm homes and related schools, churches, cemeteries, Federal and State highways, county roads, electric power lines, telephone lines, oil transportation pipelines and gas lines; and

"Whereas the proposed lake will inundate and destroy the birthplace and home of the great Oklahoman, Will Rogers, which has become a national shrine and each year is visited by thousands of Americans who have come to love the simple and homely virtues of this great man; and

"Whereas on the lands to be taken for the Oologah Dam project is located a sizable portion of the world's greatest shallow oilfield, which has been producing oil continuously since its discovery before the turn of the century, and which today is recognized as having been the birthplace of the oil business in Oklahoma, the laboratory where secondary recovery was first tried and proven in Oklahoma and the field which has produced more oil by the water-flood repressuring method of secondary recovery of oil than in any other field in Oklahoma; and

"Whereas the United States Bureau of Mines, in a report dated August 1, 1951, stated that a recoverable reserve of more than 50,000,000 barrels of oil could be produced by today's known methods from the more than 25,000 acres of proven productive but undeveloped lands that are to be taken for the Oologah Dam project; and

"Whereas a portion of the lands to be covered by Oologah Lake have now been developed for the production of oil and this developed area is now producing several thousand barrels of oil each day; and

"Whereas the developed oil lands to be inundated by Oologah Lake now give employment to hundreds of oilfield workers, pay tens of thousands of dollars each year in taxes to the State of Oklahoma and to the United States, and produce millions of dollars worth of economic wealth annually; and

"Whereas the oilfield is served by a crude oil purchasing company whose storage tanks, pump stations, gathering lines and pipeline transportation system are located on lands to be inundated by the Oologah Lake; and

"Whereas the same crude-oil purchasing system, tank, farms, pump stations and transportation lines that will be inundated by Oologah Lake also serve other oil-productive acres located on lands adjacent to the proposed lake; and

"Whereas the engineering difficulties that will result for the pipeline operation following the building of Oologah Dam and the loss of business to the pipeline as a result of abandonment of that part of the oilfield that will be inundated by Oologah Lake could make it unprofitable and economically impossible to operate the pipeline oil gathering system to serve the remainder of the oilfield and with the resulting loss of a pipeline market for that part of the oilfield adjacent to the lake, the entire oilfield could be forced to shut down, with a further economic loss to the entire section of the State; and

"Whereas congressional appropriations for the Oologah project, which is a very minor part of the Arkansas Basin development program, were first made last year after almost 20 years of being seriously questioned as to the economic feasibility and the doubtful advisability of destroying a great known recoverable reserve of oil and a tremendously rich agricultural area; and

"Whereas the farmers and ranchers and oil producers of the Verdigris River area repeatedly through the years have voiced their objections to this project in personal and delegation appearances before the Congressional Appropriation Committees of both the House and Senate; and

"Whereas proponents of the project residing in other parts of Oklahoma and other States have envisioned great economic gains to groups of people, cities and towns, transportation users and great industrial organizations as a result of the construction of Oologah Dam, it was also recognized that a great displacement of people and business operations in the Oologah Dam area must occur if the project was to be built and, therefore, solemn assurances were repeatedly given to the people and business concerns to be displaced by said Oologah Dam both by the Congressional committees and the personnel of the Corps of Army Engineers that, in the event of the construction of the project, every effort would be made to see that the people in the affected area would not be forced to bear unjust and undue economic hardship and loss while others are reaping the great economic gains that proponents have promised would result from the building of Oologah Dam; and

"Whereas appraisals and purchases of land and residential properties in said Oologah Dam area are in the process of being started at this time by the land procurement office of the Corps of Army Engineers; and

"Whereas appraisement of property in the Oologah Dam area is being made on the basis of assumed values in the present location with no consideration being given to replacement cost in kind in another location; and

"Whereas appraisements of many properties in the Oologah Dam area are being made without due recognition of the known mineral values in the form of valuable coal deposits, gas reservoirs, and oil; and

"Whereas representatives of the Corps of Army Engineers procurement office in Tulsa, Okla., are quoted in newspapers of recent date as telling oil producers and mineral owners that "only in the dam site and construction area does the Government have definite plans for buying mineral holdings outright," but would seek only to acquire flowage easements on minerals and "under the flowage easement agreements oil operators would be required to subordinate their operations to the basic functions of the dam and reservoir"; and

"Whereas the appraisement and procurement policies being followed by the Corps of Army Engineers in the Oologah Dam area have met with the active and determined opposition of the landowners as is evidenced by the fact that the Corps of Army Engineers only recently has found it necessary to resort to condemnation action to acquire much of the initially needed lands in the dam site and construction area; and

"Whereas in the condemnation actions pending as of this date against the landowners in the immediate vicinity of the Oologah Dam itself, said actions covering more than 1,500 acres which is underlaid with

valuable coal deposits, attorneys representing the Corps of Army Engineers have petitioned the court to take the surface land rights and reserve to the present owners all mineral rights and values, and to subordinate the reserved mineral rights and values to the "prior rights of the United States to flood and submerge the land as may be necessary for the construction, operation, and maintenance of said project"; and

"Whereas under several hundred acres of said lands now being condemned by the Corps of Army Engineers for the Oologah Dam project, the schoolchildren of the State of Oklahoma own one-half of the mineral rights and values; and

"Whereas the schoolchildren of the State of Oklahoma, through the trusteeship of the State School Land Commission, own thousands and thousands of acres of mineral rights under lands located in the remainder of the Oologah Dam area, the Keystone Dam area, the Eufaula Dam area and in other areas where such projects are planned; and

"Whereas the mineral rights and values owned by the schoolchildren of the State of Oklahoma in the Oologah Dam area now under condemnation will be forever inundated and the value of said mineral rights will therefore be eternally lost to the schoolchildren of the State of Oklahoma; and

"Whereas the schoolchildren of the State of Oklahoma will suffer great and irreparable loss of wealth if the Corps of Army Engineers continue, through the length and breadth of the Oologah Dam area, the Keystone Dam area, the Eufaula Dam area and in the other areas where like projects are planned, this policy of taking, without payment, the mineral rights and values belonging to the schoolchildren of the State of Oklahoma, and by force of condemnation then subordinating those mineral rights and values to the prior rights of the United States to flood and submerge said mineral rights and values: Now, therefore, be it

"Resolved by the Senate of the 26th Oklahoma Legislature of the State of Oklahoma, That we respectively urge, request, and petition the Congress of the United States to make such inquiry into the land procurement procedures of the Corps of Army Engineers, issue such directives, and take such action as may be necessary to insure the fulfillment of the intent of Congress in the protection of the rights of the people in the Oologah Dam area and in safeguarding the mineral values and rights of the schoolchildren of the State of Oklahoma in accordance with the laws and Constitution of the United States; and be it further

"Resolved, That the chief clerk of the Senate of the State of Oklahoma be directed to send a copy of this resolution to the President of the United States, the Vice President of the United States, each Member of the Congress of the United States, the Director of the Bureau of the Budget of the United States, and to the Chief of the United States Corps of Army Engineers.

"Adopted by the Senate the 22d day of May 1957.

"DON BALDWIN,

"President pro tempore of the Senate."

A letter in the nature of a memorial from Mrs. Mildred F. Garlow, Deer Clan Mother of the Seneca Nation, Allegheny and Cattaraugus Reserves, Lewiston, N. Y., remonstrating against the construction of the Kinzua Dam on the Allegheny River, at Kinzua, Pa.; to the Committee on Appropriations.

A resolution adopted by the San Gabriel Valley Republican Women's Club, Temple City, Calif., relating to the trial of Sp3c. William S. Girard by a Japanese court; to the Committee on Armed Services.

A resolution adopted by the Americanism committee of the American Legion, First District, New Orleans, La., favoring the cancellation of the Status of Forces Treaty; to the Committee on Foreign Relations.

The petition of George Gauss, of Denver, Colo., praying for the enactment of legislation to provide increased pensions for retired postal employees; to the Committee on Post Office and Civil Service.

THE LATE SENATOR McCARTHY—RESOLUTION

Mr. CURTIS. Mr. President, on Wednesday, May 9, 1957, the Committee on Rules and Administration adopted a memorial resolution related to the passing of our late colleague, Senator McCarthy, of Wisconsin. On behalf of the chairman of the committee [Mr. HENNINGS], and as the ranking Republican member of the committee, I should like to read the resolution into the RECORD at this point:

Whereas Joseph R. McCarthy has been called to rest by his Creator; and

Whereas the people of the State of Wisconsin as well as those of all the other States of the Union will long remember his dedicated service to the principles he cherished; and

Whereas we his colleagues on the Senate Committee on Rules and Administration will miss his enthusiastic and friendly participation in our work: Now, thereore, be it

Resolved by the members of the Senate Committee on Rules and Administration assembled, That we hereby express our deep personal loss, and that we extend to his widow, his family, and other loved ones our heartfelt sympathy.

COMMITTEE ON RULES AND ADMINISTRATION.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1873. A bill to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska (Rept. No. 431).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 1054. A bill to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn. (Rept. No. 432).

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL APPROPRIATIONS, EXPENDITURES, AND UNEXPENDED BALANCES

Mr. BYRD. Mr. President, the Joint Committee on Reduction of Nonessential Federal Expenditures today has compiled a report on unexpended balances remaining in appropriation accounts for executive agencies of the Federal Government as of April 1.

The report shows the total in these balances at that date was $89.1 billion. Funds available at the start of the year last July had been $140.2 billion. Expenditures through March 31 had totaled $51.1 billion.

The President, in his January budget, estimated these agencies would carry nearly $70 billion, in unexpended balances in old appropriations into the new fiscal year beginning the first of next month. These balances are nearly as great as the new funds requested by the President for the coming year.

The President requested new appropriations and other expenditure authorizations totaling $73.3 billion. If these were enacted during the present session, as requested, there would be more than $140 billion available to Federal agencies in the coming year. Funds available for highways, and through other Federal trust funds, would be in addition.

As of this date, I doubt if it is physically possible even for Federal agencies to spend $140 billion to $150 billion in 1 year. But with this much spending authority available, it is entirely possible that expenditures will exceed the $71.8 billion expenditure estimate. This would be possible no matter how much appropriations currently before Congress are cut.

I cite these figures as concrete evidence of the extent to which Congress has lost control over annual Federal expenditures through existing appropriation procedures. It is annual expenditures—not annual appropriations—against annual revenues which determines whether there is to be a deficit or a surplus.

It is highly questionable as to how much we can control debt and inflation until we get control over expenditures.

The report is strictly factual, based on figures from the records of the Fiscal Service, Bureau of Accounts, Department of the Treasury, and on figures to be found in the President's budget document for fiscal year 1958.

I ask unanimous consent to have printed in the RECORD a statement by me as chairman of the committee which summarizes the report.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD

BALANCES AS OF MARCH 31, 1957

Executive agencies of the Federal Government entered the fourth quarter of the fiscal year, ending June 30, with balances in appropriations and authorizations totaling $89.1 billion. Total available for expenditure in the year had been $140.2 billion, and expenditures through March 31 totaled $51.1 billion.

Military functions

Balances remaining available for expenditure for military functions at the beginning of the final quarter of the year totaled $45.7 billion. Total available for military expenditure in the year had been $74.1 billion, and expenditures through March 31 totaled $28.4 billion.

Other national security

Balances remaining available for expenditure in other national security programs such as atomic energy, strategic and critical materials, and expansion of defense production as of the beginning of the fourth quarter of the year totaled $3.3 billion. Total available for other national security expenditure in the year had been $5.1 billion, and expenditures through March 31 totaled $1.8 billion.

Foreign aid

Balances remaining available for expenditure in foreign-aid programs at the beginning of the final quarter of the year totaled

$7.7 billion. Total available for foreign-aid expenditure in the year had been $10.4 billion, and expenditures through March 31 totaled $2.6 billion.

International affairs

Balances remaining available for expenditure in international affairs programs at the beginning of the fourth quarter of the year totaled $3.1 billion. Total available for international affairs expenditure had been $3.2 billion, and expenditures through March 31 totaled $125 million. Export-Import Bank balances of $2.9 billion were included in the March 31 total.

Domestic-civilian

Balances remaining available for expenditure in domestic-civilian programs at the beginning of the final quarter of the year totaled $29.3 billion. Total available for domestic-civilian expenditure had been $47.5 billion, and expenditures through March 31 totaled $18.2 billion.

These figures are shown in a report today by the Joint Committee on Reduction of Nonessential Federal Expenditures on Federal appropriations and authorizations, expenditures, and unexpended balances through March 31, 1957.

The figures are from the records of the Fiscal Service, Bureau of Accounts, Department of the Treasury. They show prior-year balances, appropriations for the current year, expenditures through March 31, and the unexpended balances as of that date for all the accounts of the executive branch of the Federal Government including the Government Printing Office.

ESTIMATED BALANCES AS OF JULY 1, 1957

As compared with the actual balances in executive agency accounts, as of March 31, totaling $89.1 billion, the President's January budget document estimated the total would be down to $69.8 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Military functions

As compared with the actual balances for military functions, as of March 31, totaling $45.7 billion, the President's January budget document estimated the total would be down to $37.4 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Other national security

As compared with the actual balances for other national security such as atomic energy, strategic and critical materials and expansion of defense production, as of March 31, totaling $3.3 billion, the President's January budget document estimated the total would be down to $2.7 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Foreign aid

As compared with the actual balances for foreign aid programs, as of March 31, totaling $7.7 billion, the President's January budget document estimated the total would be down to $6.2 billion on July 1, exclusive of new appropriations currently being enacted for next year.

International affairs

As compared with the actual balances for international affairs, as of March 31, totaling $3.1 billion, the President's January budget document estimated the total would be down to $2.5 billion on July 1, exclusive of new appropriations currently being enacted for next year.

Domestic civilian

As compared with the actual balances for domestic-civilian programs as of March 31, totaling $29.3 billion, the President's Januany budget document estimated the total would be down to $21 billion on July 1, exclusive of new appropriations currently being enacted for next year.

A tabular summary follows:

Summary by categories of appropriations and other authorizations, expenditures, and unexpended balances, executive branch of the Federal Government,[1] showing appropriations and other authorizations by current and prior years; and 1957 expenditures, and unexpended balances, as of Mar. 31, 1957; with budget estimates of balances at start of fiscal year 1958 and fiscal year 1959

[In thousands of dollars]

	Appropriations and authorizations [2]				Expenditures through Mar. 31, 1957	Unexpended balances as of Mar. 31, 1957	Budget estimate of balances available at start of fiscal year	
	Balances in prior-year appropriations and authorizations	Current appropriations and authorizations, fiscal year 1957 [3]	Transfers [4]	Total after transfers			1958 (July 1, 1957)	1959 (July 1, 1958)
National security:								
Military functions	38,490,265	36,175,156	−602,487	74,062,934	28,350,868	45,712,065	37,427,727	37,869,806
Strategic and critical materials	767,306			767,306	228,096	539,210	342,306	127,305
Expansion of defense production	970,081			970,081	113,033	857,049	970,081	920,081
Atomic energy	1,414,270	1,961,079	−62,379	3,312,970	1,431,032	1,881,937	1,350,384	1,530,217
Total, national security	41,641,922	38,136,235	−664,866	79,113,293	30,123,029	48,990,261	40,090,498	40,447,409
Foreign aid (mutual security):								
Military assistance	4,614,533	2,017,500		6,632,033	1,488,458	5,143,575	4,017,991	3,867,991
Other	2,029,756	1,767,383	−57,568	3,739,571	1,146,712	2,592,859	2,223,686	2,417,193
Total, foreign aid	6,644,289	3,784,883	−57,568	10,371,604	2,635,170	7,736,434	6,241,677	6,285,184
International affairs [5]	2,863,588	357,287	−28,094	3,192,781	124,871	3,067,911	2,488,718	2,232,985
Total, other than domestic civilian	51,149,799	42,278,405	−750,528	92,677,678	32,883,070	59,794,606	48,820,893	48,966,578
Domestic civilian	24,200,637	27,020,746	−3,718,071	47,503,310	18,246,325	29,256,989	20,993,782	21,442,391
Total	75,350,436	69,299,151	−4,468,599	140,180,988	51,129,395	89,051,595	69,814,675	70,408,969

[1] Includes Government Printing Office.
[2] Excludes trust and deposit fund accounts.
[3] Includes supplementals through Mar. 31, 1957.
[4] Represents adjustments necessary for technical, budgetary and accounting purposes, including transfers to surplus, cancellation and adjustments of borrowing and contract authorizations, etc.
[5] Includes U. S. Information Agency, State Department, Export-Import Bank of Washington and Tariff Commission.

NOTE.—Figures are rounded and may not add to totals.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE:

S. 2258. A bill to require that litigants in cases reviewed by the Supreme Court be accorded an opportunity for hearing before that Court, and for other purposes; to the Committee on the Judiciary.

By Mr. AIKEN:

S. 2259. A bill to improve the efficiency of the Government by regulating the outside employment by officers and employees of the departments and agencies of the Government, and for other purposes; to the Committee on Government Operations.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2260. A bill for the relief of Annalies Kramer; to the Committee on the Judiciary.

By Mr. CHAVEZ (for himself, Mr. MCNAMARA, Mr. NEUBERGER, Mr. SCOTT, Mr. CARROLL, Mr. MARTIN of Pennsylvania, Mr. CASE of South Dakota, Mr. KUCHEL, Mr. COTTON, Mr. HRUSKA, and Mr. REVERCOMB):

S. 2261. A bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. CHAVEZ when he introduced the above bill, which appear under a separate heading.)

By Mr. JENNER:

S. 2262. A bill for the relief of Hasan Muhammad Tiro; and

S. 2263. A bill for the relief of Karel J. V. Nikijuluw; to the Committee on the Judiciary.

By Mr. KERR (for himself, Mr. MONRONEY, and Mr. YARBOROUGH):

S. 2264. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture and Forestry.

By Mr. BUTLER:

S. 2265. A bill to authorize the sale of a certain number of merchant-type vessels to citizens of, or the Government of Uruguay for the coastwise trade of South America or for certain other services not competitive with United States flagships; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. BUTLER when he introduced the above bill, which appear under a separate heading.)

By Mrs. SMITH of Maine:

S. 2266. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard; to the Committee on Armed Services.

By Mr. EASTLAND:

S. 2267. A bill for the relief of the minor child of the late Julia Rodgers Baker; to the Committee on the Judiciary.

By Mr. THURMOND:

S. 2268. A bill to prohibit the charging of a fee to view telecasts in the home; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. THURMOND when he introduced the above bill, which appears under a separate heading.)

By Mr. KERR:

S. 2269. A bill relating to additions to the tax for failure to file a return in certain cases involving amounts received in settlement of claims against the United States; to the Committee on Finance.

By Mr. CHAVEZ:

S. 2270. A bill for the relief of Yee Mah Mee; to the Committee on the Judiciary.

CERTAIN DISTRIBUTION AND APPROVAL OF NEW PUBLIC BUILDING PROJECTS

Mr. CHAVEZ. Mr. President, on behalf of myself, and Senators MCNAMARA, NEUBERGER, SCOTT, CARROLL, MARTIN of Pennsylvania, CASE of South Dakota, KUCHEL, COTTON, HRUSKA, and REVERCOMB, I introduce for appropriate reference, a bill to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes.

The general purpose of the bill is to extend the Lease Purchase Act to June 30, 1960. The present act expires on July 22, 1957. The bill includes certain technical provisions which may be helpful in encouraging potential investors to make loans on lease purchase projects at reasonable interest rates.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes, introduced by Mr. CHAVEZ (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

SALE OF CERTAIN MERCHANT-TYPE VESSELS TO URUGUAY

Mr. BUTLER. Mr. President, I introduce, for appropriate reference, a bill to authorize the sale of a certain number of merchant-type vessels to citizens of or the Government of Uruguay for the coastwise trade of South America or for certain other services not competitive with United States flagships. I ask unanimous consent to have printed in the RECORD a statement explaining the purpose of the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 2265) to authorize the sale of a certain number of merchant-type vessels to citizens of, or the Government of Uruguay for the coastwise trade of South America or for certain other services not competitive with United States-flag ships, introduced by Mr. BUTLER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The statement presented by Mr. BUTLER is as follows:

THE PURPOSE OF THE BILL

The purpose of this bill is to authorize the sale of certain number of merchant-type vessels to the Government of Uruguay, or the citizens of Uruguay, for employment in trades or services that will be noncompetitive with United States-flag vessels.

The economy of Uruguay is, in many respects, in the incipient stages of its development. There is a growing coastwise trade between Uruguay and other countries in South America. There is also a tremendously increasing ore movement between Uruguay and Japan and between Uruguay and Europe. It has been exceedingly difficult for Uruguayan industry to obtain vessels in the private market to accommodate these movements. United States-flag vessels have never participated in such movements. The sale of the vessels authorized hereunder would, therefore, be calculated to promote the economic development of our friendly neighbor, Uruguay, without resulting in any adverse competitive effect to the interests of the American merchant marine.

Any sales made under the bill being herewith introduced would be subject to the following conditions, which are quoted verbatim in the bill:

"(1) Repair work necessary to place any vessels purchased hereunder in class according to the standards of the American Bureau of Shipping shall be done in a domestic United States shipyard;

"(2) Any vessels purchased hereunder shall be employed for their remaining economic lives in the coastal service of South America or in such other services that are not competitive with vessels registered under the laws and flag of the United States;

"(3) Any vessels purchased hereunder shall not trade with Communist-controlled nations at any time during their remaining economic lives;

"(4) Any vessels purchased hereunder shall be available to the United States in times of military or economic emergency and may be requisitioned by the United States for this purpose, and such vessels shall be subject to the provisions of section 902 of the Merchant Marine Act, 1936, as amended, to the same extent as if they were owned by citizens of the United States; and

"(5) Any vessels purchased hereunder will not be transferred or sold by the original purchaser or purchasers without the prior approval of the Maritime Administrator."

These conditions would insure that the purposes for which the vessels are to be sold would be effected. Such sales would provide a substantial amount of work for domestic shipyards, who despite the recent shipping boom, are greatly in need of repair work. It is also provided that the vessels would be used for their entire economic lives in trades not competitive with vessels of United States flag registry and would also not be employed in trade with Communist-controlled or Communist-inspired nations. The purchasers of these vessels are willing that they shall be subject to the same provisions of the Merchant Marine Act of 1936 providing for requisition in times of national emergency as would vessels registered under the laws of the United States and owned by United States citizens. In order to insure that the vessels sold hereunder will not be subject to speculative profits upon transfer, it is also provided that the vessels shall not be transferred or sold by the original purchasers without the prior approval of the Maritime Administrator.

In all respects, this bill should have the effect of promoting the economic development of Uruguay and to enhance the interests of the foreign policy of the United States. It should greatly promote the friendly relations with our good neighbor, the Government of Uruguay, with no expense to the United States taxpayers, and no detriment to the interests of the American Merchant Marine.

PROHIBITION AGAINST FEE FOR VIEWING TELECASTS AT HOME

Mr. THURMOND. Mr. President, I introduced for appropriate reference, a bill to prohibit the charging of a fee to view telecasts in the home.

For some time I have been considering this matter, and I have come to the conclusion that the result of permitting pay television to be used generally would be the same as having the Congress impose a new tax on the people of this country. In effect, the people who now view television without additional cost, after the purchase of their sets, would have to start paying additional fees or charges, or be denied the privilege of seeing their preferred programs.

Perhaps that would not take place immediately with the institution of pay television, but I am sure it would soon follow once pay television were approved.

I have read in the newspapers recently in connection with the possible transfer of New York baseball teams to the west coast, that contracts have already been arranged to telecast those games on pay television instead of free, as at present.

Several pay-television interests have been lobbying for the approval of their plans for several years. Their motive is the motive of profit.

My interest is the public interest, and I believe that action should be taken now to protect the public.

If we permit the Federal Communications Commission to grant approval for experimental pay television programs, as the Commission has decided it presently has authority to do, then we must face the fact that it would be most difficult later to tell the experimenters, who had spent millions of dollars, that pay television had been classified as against the public interest.

Persons who had invested their money without being warned by the Congress would then have cause to complain because they had not been stopped. Therefore, we should act promptly.

If there were any assurance that pay television would be provided purely as a supplement to prevent service and that no person would be deprived of the privilege of viewing programs now being shown free, then we would not have to be concerned about this matter. But there is no assurance and there can be none that programs now seen free would not soon be bought up by the producers of pay television programs.

There is no proof that pay television would provide the public with better programs.

The one sure thing about pay television is that it would cost the public more than the present system costs.

I feel that the Federal Communications Commission should have the power to exercise great discretion in matters of

scientific concern. The Congress cannot and should not try to decide questions of scientific detail after Congress has once established the broad policies which the Commission is to follow.

However, pay television has raised another question. This is a matter of policy completely divorced from scientific development. In my opinion the Congress here has the clear duty of protecting the public interest. I believe we should proceed to do so by enacting the bill I am introducing.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2268) to prohibit the charging of a fee to view telecasts in the home, introduced by Mr. THURMOND, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

PROTECTION OF CIVIL RIGHTS OF CERTAIN PERSONS—AMENDMENT

Mr. EASTLAND. Mr. President, I submit, for appropriate reference, a proposed amendment to Senate bill 83, designed to protect the rights of members of the Armed Forces of the United States and their families serving in foreign countries.

My implacable opposition to any form of Federal civil-rights legislation is well known, but if there is any one area in which Federal civil-rights legislation is justified it is to protect American citizens who are by circumstances forced to reside in areas outside of the continental limits of the United States. Here the protection of one or more of the several States cannot be extended, and it is only through some form of Federal legislation that the constitutional guaranties contained in the Bill of Rights can be effectively asserted to protect our citizens against subjection to systems of jurisprudence for the trial of criminal cases that are alien to the common law and to the established judicial procedures of this country.

The provisions of the amendment are self-explanatory. I urge its most serious consideration.

The VICE PRESIDENT. The amendment will be received, printed, and referred to the Committee on the Judiciary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. KNOWLAND:

Broadcast by him of the program Face the Nation, over the CBS television network, June 9, 1957.

By Mr. JENNER:

Broadcast by him on May 19, 1957, in tribute to the late Senator McCarthy.

Statement prepared by him on the status-of-forces treaties.

By Mr. SMITH of New Jersey:

Address delivered by Senator CASE of New Jersey, at commencement exercises of Rollins College, Winter Park, Fla., June 7, 1957.

By Mr. JAVITS:

Letter addressed by him to the Committee on Foreign Trade Education, Inc., dealing with the United States foreign trade policy and approval of the Organization for Trade Cooperation.

By Mr. CASE of South Dakota:

Article entitled "Sonic Boom," written by Senator GOLDWATER and published in the magazine Planes.

By Mr. THYE:

Article entitled "Poles Crowd United States Display at Trade Fair," written by Colin Frost, and published in the Washington Post and Times Herald of June 10, 1957; and statement issued by Senator THYE under date of August 2, 1954, dealing with exhibits by the United States at world fairs.

NOTICE OF HEARINGS ON H. R. 3028, TO PROVIDE FOR THE RELIEF OF CERTAIN FEMALE MEMBERS OF THE AIR FORCE (AND RELATED BILL S. 1305)

Mr. O'MAHONEY. Mr. President, on behalf of a subcommittee of the Senate Committee on the Judiciary consisting of Senators ERVIN, of North Carolina; BUTLER, of Maryland; and myself, chairman, I desire to give notice that public hearings have been scheduled for Tuesday, June 18, 1957, at 2 p. m., in room 424, Senate Office Building, on H. R. 3028, to provide for the relief of certain female members of the Air Force, and related bill, S. 1305. At the indicated time and place all persons interested in the proposed legislation may make such representations as may be pertinent.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

C. Enard Erickson, of Minnesota, to be United States marshal for the district of Minnesota for a term of 4 years. (Reappointment.)

Darrell O. Holmes, of Washington, to be United States marshal for the eastern district of Washington for a term of 4 years. (Reappointment.)

Edward L. Scheufler, of Missouri, to be United States attorney for the western district of Missouri for a term of 4 years. (Reappointment.)

Omar L. Schnatmeier, of Missouri, to be United States marshal for the eastern district of Missouri for a term of 4 years. (Reappointment.)

Richard Beal Kidd, of Arkansas, to be United States marshal for the eastern district of Arkansas for a term of 4 years. (Reappointment.)

Leonard G. Hagner, of Delaware, to be United States attorney for the district of Delaware for a term of 4 years. (Reappointment.)

Howard Call, of Utah, to be United States marshal for the district of Utah for a term of 4 years. (Reappointment.)

Harry Jennings, of Michigan, to be United States marshal for the western district of Michigan for a term of 4 years. (Reappointment.)

On behalf of the Committee on the Judiciary notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, June 19, 1957, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF HEARING ON NOMINATION OF JEAN SALA BREITENSTEIN TO BE UNITED STATES CIRCUIT JUDGE, 10TH CIRCUIT

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Wednesday, June 19, 1957, at 10 a. m., in room 424, Senate Office Building, upon the nomination of Jean Sala Breitenstein, of Colorado, to be United States circuit judge, 10th circuit, vice Walter A. Huxman, retired.

At the indicated time and place all persons interested in the above nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Indiana [Mr. JENNER], and myself, as chairman.

NOTICE OF HEARINGS ON SENATE BILL 5

Mr. THURMOND. Mr. President, I wish to call to the attention of the Senate that a special subcommittee of the Government Operations Committee will hold open hearings on S. 5 on Tuesday, June 18, at 10:30 a. m. in room 357 of the Senate Office Building. S. 5 is a bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to prevent the allocation of procurement contracts to certain designated geographical areas, and for other purposes. Anyone desiring to present either oral or written testimony should contact Mr. Glenn K. Shriver, of the Government Operations Committee staff.

THE OPEN CURTAIN—ADDRESS BY SENATOR JOHNSON

Mr. CHURCH. Mr. President, yesterday's edition of the New York Times contained an article by that celebrated journalist, Mr. Arthur Krock, dealing with the statesmanlike address delivered last Saturday evening in New York City by our distinguished majority leader, the Senator from Texas [Mr. JOHNSON].

Since the article contains noteworthy commentary on the significance of this address, I think that it should be called to the attention of the American people at large. I therefore ask unanimous consent to have the full text of the Arthur Krock article published in the body of today's CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE NATION

(By Arthur Krock)

CONSTRUCTIVE IDEAS FROM THE OPPOSITION

WASHINGTON, June 10.— When a leader of the opposition to the party in power offers a public proposal which is constructive and

at the same time is an effective partisan move, that is the highest type of political leadership. Such was the speech in New York Saturday night on disarmament and Soviet-American relations by LYNDON B. JOHNSON, of Texas, the spokesman of the Senate Democrats.

It offered a sound, shrewd program to counteract Soviet propaganda, particularly the propaganda in the television interview the Columbia Broadcasting System had with Nikita Khrushchev. The Johnson speech projected definite ideas, contrasting with the lack of them in administration suggestions how to deal with the issues raised by Khrushchev. These ideas, if adopted, could effectively put on the Soviets the burden of proof whether they are sincere in their professions for ending the nuclear weapons race. And they established the Democratic Party in full partnership with the President in his effort to make a start toward disarmament.

This last element was of great political significance. The party of which the President is the leader historically claims credit for ideas and their processing that culminate in achievement and makes these claims a basis for asking the people to continue it in power. President Eisenhower has a program for the beginning of disarmament that will be revealed in detail by his deputy, Harold E. Stassen, at the proper time in the current negotiations with the other nuclear powers. But on the collateral point discussed by Senator JOHNSON—how to inform the Russian masses of the facts which have prolonged the nuclear weapons race, facts their rulers have suppressed or distorted—the administration has never come forward with proposals as precise as JOHNSON'S.

"Free people who have access to the truth," he said, are well aware that when the United States "had a monopoly on the atomic bomb * * * and offered to share the secrets * * * with the entire world * * * in return for reasonable guaranties that the atom would never again be used in warfare," and this offer was approved by the U. N. Assembly, it was the Soviets and their satellites that blocked it. But the Russian people do not know this. And the Senator, taking the Khrushchev broadcast as his example, concentrated on means to give the information.

A world with open ears

This means, he said, would be not just "open skies" but "open eyes, ears, and minds for all the peoples of the world. I call it the 'open curtain.' Let truth flow through it freely. Let ideas cleanse evil just as fresh air cleanses the poisoned * * * mass of a long-closed cavern."

The aspiration is not new, and no political party or person has a copyright. But the method proposed by JOHNSON is the most definite that a political leader of his stature has outlined in the discussions that followed the Khrushchev broadcast.

He would have the United States Government ask the Kremlin for uncensored, free-flowing radio and TV facilities for the use of "spokesmen of our own choosing to come into Russian homes and state the American case." On that condition these statements would be made regularly, not "merely one reply to Khrushchev by the President or some other official." Americans would appear weekly on the Soviet media of communication "and we should offer similar facilities here—to Bulganin or Khrushchev or Molotov or any Soviet leader every week in the year." The American case on disarmament would thus be made known to the Russian people.

"We should not let a single day pass," said JOHNSON, "without raising this issue [with the Kremlin on the free flow of information]. We should call it up in the United Nations; we should make it a basic proposal in all disarmament talks; we should insist upon it every time a Russian representative is within earshot." Labor leaders, managers of industry and farmers, as well as public officials, on both sides would be heard. "And when the people [everywhere] know they will insist that the arms race, the nuclear explosions, the intercontinental missiles * * * all be banished. They will insist upon systems that safeguard us against world suicide." (Or, as a current couplet runs, "Atomic war has a simple sequel. All men are cremated equal.")

The Texas Senator voiced a high hope that would be long in maturing, possibly too long to avert the debacle of civilization which would be the consequence of international nuclear war. But the Johnson method would supply an atmosphere in which this hope would have a good chance of survival.

The speech of the Senate majority leader provided his party with a firm and constructive position on the greatest issue of the day. And of this the Democrats stand in need, frustrated as they are by the President's advocacy of domestic and international programs they could not as a party oppose because so much of the basic structure is their own product.

The incident illuminates the type of leadership, never partisan for mere partisanship's sake, by which JOHNSON has been able to effect more legislative unity among the Democrats than they have shown for a number of years.

THE SITUATION IN THE FAR EAST

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed in the body of the RECORD following my remarks a very informative and interesting article entitled "A Silent Crisis In the Far East: The Guns Are Not Booming, but—." The article was written by Fred Sparks for the Scripps-Howard newspapers, and as the title indicates, deals with the situation in the Far East.

Normally I would ask that an article of this kind be printed in the RECORD, but Mr. Sparks is an outstanding foreign correspondent and writer, with an excellent knowledge of conditions in the Far East. I think this article is of far-reaching significance, and raises certain warning signals. I believe that all Members of the Congress should have it brought to their attention, so I ask that it be printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SILENT CRISIS IN THE FAR EAST: THE GUNS ARE NOT BOOMING, BUT—

(By Fred Sparks)

Free Asia is in serious danger; the silent crisis is now.

Not from a Red Chinese blow. But from contagious defeatism that might accept the Peiping regime as the undisputed, direct or indirect master of hundreds of millions of brown and yellow people who ask little—but freedom.

The new crisis has been created not by bullets, but by talk and hesitation. Talk of trade with Red China, talk of neutralizing Formosa. Hesitation to strengthen South Korea—while acknowledging North Korea's buildup:

What is at stake for America is the loss of a vast buffer of proved friendship and, yes, the military service of your son, brother or friend—his very life.

CONVINCED

As one who has spent more time in the Orient since the end of World War II than in the United States, and is still in touch with developments there, I am convinced our friends in free Asia are demoralized today. Demoralization is the prologue to disintegration.

While we were occupied with spectacular doings in the Middle East—the endless frictions between Arab and Israeli, the Soviet grab for power in the oil deserts—the prestige of Red China, which spoonfeeds its young a "Hate America" diet, has been elevated to new arrogant heights.

What are the fresh fever points? Why does the patient weaken?

TRADE

England, followed by others, eased restrictions set up during the Korean conflict. Merchants from Birmingham and Lille now hasten to the court of the great Red Khan in a manner of bootlickery, order books in hand.

This itself would hardly discourage free Asians. For they have seen England and France compromise in the Orient before.

But the foreigner they depend on is the United States. And—as in the Middle East—we have of necessity moved independently.

Then just the other day President Eisenhower (under terrible pressures) opened wide the possibility of American trade with Communist China.

Consider the free Vietnam soldier, his youth spent fighting communism. Abandoned by France, today he packs an American carbine. Daily he sees an American officer, his regimental adviser. He is told: To the north is your mortal foe; there can be no compromise.

What now if he hears of Detroit peddlers offering wares to this same Communist enemy? Who can distinguish between military and nonmilitary cargo? Cannot a civilian truck transport troops? Cannot a shovel spade a foxhole as well as a garden?

Do you blame this boy if he is puzzled tonight? (I pity the many American military friends I have who today are training Formosans, Koreans, Thailanders, Vietnamese. I can imagine the questions they are being asked.)

In Saigon, in Bangkok the Red underground can make good use of this new trend. They can quietly advise community leaders: "Well, see how it's going? America is shifting. Make the best deal you can—while you can."

KOREA

As every general, admiral, and U. N. observer has stated, Communist North Korea laughs at the agreement forbidding retooling and reinforcing armies present when the truce document ended the killing.

Still, we refuse to send in modern tools. Our infantrymen watching the bleak armistice line are threatened with brutal beating when it should please Peiping again to push south.

You can assume, then, South Korea's declining morale. Seoul is 2 jeep hours from Communist bunkers. Twice half that country was subjected to the tyrant; thousands of innocents died in bloodletting.

FORMOSA

The unfortunate flash mob madness that sacked our T'ai-pei Embassy has again stirred those who used to label Red China's leaders "agrarian reformers" without territorial hunger.

Important politicians and columnists—whose Asian journeys are limited to occasional plates of won ton soup in Washington's chop suey parlors—now cry for a neutralized, demilitarized Formosa.

A militarized, partisan Formosa is a club of peace. That late giant, Philippine President Ramon Magsaysay, predicted that without the shield of Formosa, communism would chain his own country in 3 years.

By threatening the mainland coast, Formosa borrows time for Hong Kong, a spoil Red China means eventually to have. In the crown colony's tea rooms, Peiping's

agents boast: "Hong Kong can be taken by telephone."

INSIDE RED CHINA

Millions gagged by the absolute state still dream of liberation. Priests hold clandestine prayer meetings like ancient Christians in Roman caves. Well remembered are missionary schools, American friends, western democracy.

Today's "two Chinas" campaign means their slavery will never end. And such talk is precious for the Communist brainwashers.

OVERSEAS CHINESE

There are 13 million in southeast Asia. Energetic, wise, they nearly dominate the finances of a half dozen countries.

So far, we have managed to keep them at worst, neutral. We have argued against remittances to relatives inside Red China, insisting that every dollar dispatched muscles the communist war machine.

If Formosa collapses, or if American merchant ships anchor in Shanghai, their resistance would be snipped like a ribbon before a new bridge; they'd be a prefabricated fifth column.

As appeasement mounts, I can recall just a few Asian lives we have influenced:

The brown Cambodian girl who learned the true nature of communism sitting barefoot in an American library, a sturdy structure ringed by paddy-mud huts.

The young Chinese, captured fighting for communism in Korea who, under our influence, refused to go home (sentencing his parents to what penalties?) He chose Formosa, tattooed his chest with bitter anti-Mao slogans.

The North Korean professor, a straggle of white beard on his chin, who fled his work, his books, after hearing brave words defying communism, offering hope, on the American Government's radio.

These people are depressed today. The mood is spreading. Can you blame me for being convinced that the silent crisis is now?

THE FOREIGN AID PROGRAM

Mr. SMITH of New Jersey. Mr. President, last Friday the Senate Foreign Relations Committee reported the mutual security bill for 1958. This bill includes several significant changes for the improvement of the mutual security program, the most noteworthy of which are the creation of a long-term revolving loan fund to promote the economic development of underdeveloped nations, and a 2-year authorization for military assistance.

The bill initiates a major step in the improvement and continuity of the mutual security program, and it is gratifying and pleasing to note that a good part of the Nation's press is strongly supporting this action. I ask unanimous consent that editorials from the Washington Post of June 8, the Washington Evening Star of June 8, the Christian Science Monitor of June 8, and the New York Times of June 9, favoring the bill, be printed in the RECORD following my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 8, 1957]

BIPARTISAN INVESTMENT

The Senate Foreign Relations Committee's approval of a $2 billion revolving fund from which future foreign-aid loans would be made is undoubtedly a major victory for the Eisenhower administration. The important fact about the committee's action, however, is that it is a victory for the bipartisan foreign policy which the country has followed since World War II. That policy has gone through several different phases since it was launched by Secretary of State Marshall 10 years ago. The action of the Foreign Relations Committee indicates that it still has a strong appeal in the halls of Congress.

What the President and the committee have done is to adjust the policy of aiding our friends and allies to the need of the times and to make the whole program more palatable to the economy minded. The developmental aspects of the program have operated under a real handicap in the past because of the uncertainty as to whether aid would continue longer than the year for which it was authorized. Major undertakings to help backward countries improve their standards of living could not be launched under such limitations. The program now approved by the Senate Committee is of indefinite duration and the funds requested by the President would be authorized for 3 years ahead.

If Congress follows the lead of foreign relations, aid to our allies will no longer be a piecemeal affair. It will have the dignity and effectiveness of a long-range policy that must have very substantial support in both parties to survive. The Democratic majority on the Foreign Relations Committeee has been eminently wise to recognize this and to subordinate politics to the welfare of the Nation.

The committee's action does not necessarily mean that the demand for economy is subsiding on Capitol Hill. Rather, we surmise, it reflects a realization that abandonment of foreign aid would necessitate a sharp upward step in our own military spending to avoid serious losses in national security. The intimate connection between foreign military aid and defense was emphasized when the committee opened the way to acceptance of the President's idea of tying this part of the aid appropriations to our domestic defense budget. That is precisely where the cost of arms for defense of the Free World belongs.

The committeee's attempt to swing administration of the bill away from the International Cooperation Administration to the State Department is a vote of no confidence in the ICA director, John B. Hollister. It is not a sound practice to upset a logical organization pattern because a Congressional committee does not like an Administrator, but this action is a pointed hint to the President that the program ought to be in more sympathetic hands.

The major question now is whether Congress as a whole will follow the committee's courageous lead. In our opinion it will, if it weighs this program, as carefully as the committee has done, against the dismal alternative of Free World disintegration. It is not a question of pleasing or displeasing the President but of continuing this country's most successful bipartisan investment in peace.

[From the Washington Evening Star of June 8, 1957]

TO IMPROVE FOREIGN AID

The Senate Foreign Relations Committee has done a significant and commendable thing in approving President Eisenhower's request for a long-term revolving fund of $2 billion for future economic aid abroad. The objective of the fund is to help finance important developmental projects on a loan basis, and to enable our country to commit itself in advance to such aid. Among other things, assuming that Congress as a whole will follow the committee's lead, this will mean that our mutual-security program, for the first time since its inception, will allow for flexibility of planning and for firm commitments to specific undertakings over a period of years.

In other words, both for our own Government and for friendly and allied governments overseas, an element of uncertainty would thereby be removed, whereas heretofore our international assistance efforts have been subjected annually to unpredictable changes, depending on Congressional moods that vary from season to season. Such a stabilizing reform would undoubtedly make our foreign aid more effective. This is so because it would permit the kind of planning ahead and the kind of long-range commitments that are essential to the orderly programing and successful completion of large-scale projects. These are the projects whose construction requires a relatively long period of time—projects of a sort that cannot very well be undertaken if there is no advance assurance that our American contribution to them will not be withdrawn, from one year to the next, by budget-cutting forces in the Senate and House.

The fact that the Senate Foreign Relations Committee has recognized this reality, and acted in keeping with it, has been described as a major victory for President Eisenhower. But it is more than that. Actually, wholly apart from politics and personalities, it is a victory for commonsense—a victory that can serve our own country's best interests by increasing the effectiveness of our foreign aid in such vital areas as Asia and the Middle East. Accordingly, what we must hope for now is that both Houses of Congress will support the committee's wise action with a resounding affirmative vote. Not to do so would amount to shortsightedness of the worst kind.

[From the Christian Science Monitor of June 8, 1957]

BETTER BASIS FOR AID

The Senate Foreign Relations Committee has taken a major step toward improving the mutual security (foreign aid) program. It has accepted the Eisenhower-Dulles plan for a long-term revolving loan fund to promote the economic development of friendly nations. And it is recommending the requested authorizations of $500 million for the coming year and $750 million for each of the two following years.

The committee has also opened the way for adoption of the administration's proposal to put military aid into the defense budget. While not promising any definite saving of defense expenditures, this is a useful move for accurate labeling of costs. It should remove much misunderstanding and take considerable wind out of the giveaway bellows.

However, the committee's action in proposing an advisory loan committee to give the State Department ultimate control of the revolving fund is not so evidently a step toward clarification. It could fuzz up the administration of the program. While it is well for the State Department to be consulted about loans which are bound to have diplomatic effects, actual operation of the economic development program could benefit from having its own independent and expert management.

The move was apparently designed to bypass John B. Hollister, International Cooperation Administration director, who is reported less than enthusiastic about the program he handles. But personality should not control the shaping of effective aid measures. Administrators may change; poor systems tend to remain. We trust that the Senate as a whole or the House will find simpler, better controls for the revolving fund.

But the establishing of this $2-billion fund is the heart of the new mutual security program which has been in the making for 2 years. Lessons learned from flaws in the old program, plus studies by several officials and

unofficial groups of businessmen and experts—all this weight of information supports the new proposals.

No magic formula will remove all the difficulties inherent in this kind of operation. New loopholes for abuses may appear. Opposition to and misunderstanding of spending on any type of foreign aid may persist.

But the shift from gifts to loans is sound. The clearer distinction between military and economic aid and the emphasis on long-term development are definitely moves in the right direction. One valuable byproduct of long-term planning should be encouragement both of private investment and of aid from other free countries to the underdeveloped nations.

Much remains to be done in obtaining final approval and wise administration of a new program, but the prospects now are bright and warrant deep satisfaction.

[From the New York Times of June 9, 1957]

SECURITY VERSUS THE CALENDAR

President Eisenhower seems this weekend to have won two victories for his foreign aid or mutual-security policy. First, the Senate Foreign Relations Committee, whose power in that field is not inconsiderable, has satisfied itself with a $227 million cut in his $3.6 billion foreign-aid request for the coming fiscal year. Second, and more important, the committee has endorsed the principle of continuity in foreign aid.

To make this continuity possible the committee voted in effect to give the President the $2 billion long-term revolving fund for which he has asked. The committee also accepted a 2-year authorization for military aid in place of the customary 1-year authorization. This recommendation, if accepted by the Senate and House, would mean that there would have to be only one wrangle over military foreign aid next year; that is to say, a debate as to how much of the amount authorized would actually be appropriated.

The value of continuity in foreign-aid programs has been pretty well demonstrated by 10 years of experience. The country had this particular bear by the tail and there never was any real question among practical legislators of letting go. The sums asked and granted might go up and down. There might be a shift among the countries benefited. Military aid might outrun economic aid. Loans might overtake grants. Ingenious specialists might invent the concept of defense-support programs to bolster up military programs.

But the flow of assistance to our allies and friends inevitably went on. Indeed, it acquired a certain unity because the whole project of strengthening democratic countries economically and in a military way was continually stimulated by the policies of Soviet Russia.

In his mutual security message of more than a year ago President Eisenhower maintained that "we should be able to assure the nations of the free world that we will continue to participate in particular nonmilitary projects and enterprises which will take a number of years to complete." Last month, picking up some of the recommendations made in March by the International Development Advisory Board under the chairmanship of Eric A. Johnston, he emphasized in the economic field reliance "more upon loans than upon gifts," and urged the establishment of a development loan fund with enough capital to allow steady and continuing operations. For that purpose he asked $500 million the next fiscal year and $750 million for each of the 2 succeeding years.

The President also asked a little under $152 million for technical assistance. This, too, should be part of a long-term plan, but it doesn't look as though it would become so at this session of Congress.

It is clear that we are settling down at the end of the first decade of foreign aid or mutual assistance into what is likely to become a long-range policy. One phase of this policy will doubtless be the permanent inclusion of military assistance, as the President advocates, under the domestic defense budget. Defense doesn't stop at our own frontiers any more, and this we will have to continue to recognize. The second development is certain to be the acceptance of economic cooperation also, though largely in the form of repayable loans, as a continuing part of our budget.

There is nothing startling in all of this. The foreign aid budget, part of which will be repaid, runs around 4 or 5 percent of the Federal budget. It shouldn't be wasted and, despite some possible inefficiency, not much of it really is wasted. It buys us in security and in good will much more than it costs us. And it will buy us more if we spend it wisely and on a long-term program than it will if we play marbles with it every time a new fiscal year rolls around.

Now we must hope that the Senate will follow its committee's lead when floor debate begins this week, and that the House, also, will recognize the exacting facts of our international life.

THE OPEN CURTAIN

Mr. SMITH of New Jersey. Mr. President, after the morning hour yesterday, I had the privilege of reading in full the address which was delivered by our majority leader, the Senator from Texas [Mr. JOHNSON] before the annual conference of the United Jewish Appeal. This address was entitled "The Open Curtain," and in the address our distinguished majority leader made a suggestion which I feel should be considered very carefully and sincerely by every Member of this body on both sides of the aisle.

After referring to the subject of disarmament, the Senator from Texas said:

LET THE PEOPLE JUDGE

How do we launch this program (of disarmament)? We do so in the only way possible—in the only way that accords with American traditions.

We must create a new world policy. Not just of "open skies"—but of open eyes, ears, and minds, for all peoples of the world.

I call for the "open curtain." Let truth flow through it freely. Let ideas cleanse evil just as fresh air cleanses the poisoned, stagnant mass of a long-closed cavern.

Mankind's only hope lies with men themselves. Let us insist that the case be submitted to the people of the world.

Very properly many of the Senator's colleagues on his side of the aisle rose to commend the address. At the time I had not read the address, but upon reading it I am glad to rise and commend the Senator, as I feel a matter of this importance should be taken entirely out of the realm of partisan politics and we should all join seriously in considering the dramatic and important suggestion which has been made. I am personally glad to identify myself with the remarks of the distinguished majority leader.

We can trust the people of our United States and we can trust the people of Soviet Russia, if they know the facts.

Mr. President, a great American once said, "You can fool all the people some of the time and you can fool some of the people all the time, but you cannot fool all the people all the time." This was none other, of course, than our great leader, Abraham Lincoln, who made this immortal statement nearly 100 years ago.

I want to thank the majority leader for what he said and to express my hope that together we can explore the policy of taking the whole matter to the people of the world by having an "open curtain" for this purpose.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I yield.

Mr. JOHNSON of Texas. Of course, my good friend from New Jersey pleases me greatly when he associates himself with some of the thoughts I expressed on Saturday evening. The senior Senator from New Jersey, who is a leader in the field of our relations with other nations, and who has fought so long and so hard that the people of the world might have a degree of peace, will be a tower of strength in any peace movement that might be launched.

I know he understands, and understands well, that I had no thought whatever of making any partisan suggestion in the field of foreign policy. The fact that my friend from New Jersey, ardent Republican that he is, can subscribe to some of the things I said, indicates that it was not a partisan statement. Certainly, I had no intention of having it become one. My friend has always been overly generous with me, and I should like to have him know that he has my deep gratitude.

Mr. SMITH of New Jersey. I thank the Senator.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JAVITS. I know that a number of Members of the Senate have identified themselves with the demand voiced by the majority leader in my hometown on Saturday evening, for what in essence is equal time in freedom of access to the Russian people.

I, too, should like to express my agreement with that point of view.

I am very pleased, indeed, that the distinguished Senator from Texas made his speech in my hometown of New York. I know it was magnificently received. Unfortunately, I could not stay until the conclusion of the affair, but I was there to greet the Senator from Texas.

The Senator's speech represents the kind of initiative which the American people are very proud to note, because of their deep confidence in their cause. Regardless of party, we are grateful to the Senator from Texas for showing best the American propensity to take on all comers in regard to principles in which we so thoroughly believe as our governmental constitutional system and the freedoms under which we want men and women to live.

Mr. JOHNSON of Texas. Mr. President, I wish to express my appreciation for the kind words of the Senator from New York. In addition, Mrs. Johnson and I express our grateful appreciation for his thoughtful courtesy in welcoming us to his city. We are very pleased that he could associate himself with the thoughts I expressed on Saturday evening.

Mr. MANSFIELD. Mr. President, I, too, was impressed by the commentary of Mr. Arthur Krock, in the New York Times of June 11, 1957, entitled "Constructive Ideas From the Opposition." I wish to compliment the distinguished Senator from Idaho [Mr. CHURCH] for inserting the column in full in the RECORD. It furnishes some good food for thought. I was especially impressed by the part of the statement by Mr. Krock which reads as follows:

> The Texas Senator voiced a high hope that would be long in maturing, possibly too long to avert the debacle of civilization which would be the consequence of international nuclear war. But the Johnson method would supply an atmosphere in which this hope would have a good chance of survival.
>
> The speech of the Senate majority leader provided his party with a firm and constructive position on the greatest issue of the day. And of this the Democrats stand in need, frustrated as they are by the President's advocacy of domestic and international programs they could not as a party oppose because so much of the basic structure is their own product.
>
> The incident illuminates the type of leadership, never partisan for mere partisanship's sake, by which JOHNSON has been able to effect more legislative unity among the Democrats than they have shown for a number of years.

The speech by the distinguished majority leader is just another indication of the responsible attitude which the Democrats have shown during the course of this administration. It is to be hoped that responsible officials downtown will be able to read the majority leader's speech and give it the credit which is its due.

So far as the writer of the commentary, Arthur Krock, is concerned, he is, of course, as everyone knows, one of the great journalists of our generation. He, like our distinguished majority leader, has also performed a service to the country in giving publicity to constructive, well thought out, and intelligent views.

Mr. MANSFIELD subsequently said: Mr. President, the news ticker has just brought us the report that Secretary of State John Foster Dulles welcomes the proposal of our majority leader for an open curtain policy.

This is good news indeed. It is my hope that the Secretary will not only welcome the idea but will instruct America's representatives to press it vigorously, forthrightly, and in the same imaginative spirit in which the Senator from Texas spoke.

Mr. Dulles tells us that a similar proposal was made by the United States, Great Britain, and France in 1955. At the time, he said, it was rejected by the Soviet Communist leaders but presumably it still stands.

I do not believe we should be discouraged because a proposal for reciprocal exchanges has been rejected once. I believe we should renew it with full vigor and with full enthusiasm.

When the proposal was made in 1955, there was no adequate springboard. We now have that springboard—the Khrushchev broadcast—and we should use it.

I hope the Secretary of State will instruct America's representatives to press the proposal at every opportunity. I hope it will be raised in the United Nations; in the current disarmament talks; whenever a Soviet representative is within earshot.

There is no time to be lost. The great need of this war-weary world is for an end to strife and conflict and the best way to end it is to submit the case to the people.

LABOR LEADERSHIP

Mr. NEUBERGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated June 10, 1957, which I sent to Mr. George Meany, president of the American Federation of Labor and Congress of Industrial Organizations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES SENATE,
COMMITTEE ON PUBLIC WORKS,
June 10, 1957.

Mr. GEORGE MEANY,
President, American Federation of Labor and Congress of Industrial Organizations, Washington, D. C.

DEAR MR. MEANY: I should like to take this opportunity to compliment the leadership of the AFL–CIO for the prompt and effective manner in which they are moving to eliminate from the ranks of labor those officials who have violated their trust. Only if integrity and union democracy are safeguarded, can the labor movement fulfill its basic purpose of protecting the living standards and working conditions of the membership.

In this connection, may I please call to your attention the action of certain high officials of the carpenters union who have just taken the fifth amendment before the Senate Public Works Roads and Highways Subcommittee, in connection with alleged misuse of Federal highway funds in the State of Indiana.

I know that you and your associates will scrutinize this situation quite as thoroughly as you already have been doing with the conditions prevailing among some of the top leaders in the teamsters union.

With every good wish, I am,
Sincerely,

RICHARD L. NEUBERGER,
United States Senator.

NEUTRALIZATION OF NORWAY

Mr. NEUBERGER. Mr. President, a great many fine people of Norwegian ancestry live in my State, and they already have started to communicate with me over the unfortunate suggestion by the Republican leader of the Senate, the distinguished senior Senator from California [Mr. KNOWLAND], that the United States agree to neutralize Norway as quid pro quo for Soviet troop withdrawals from Hungary. Naturally, these people of Norse heritage are indignant.

It is my hope the minority leader will acknowledge that his suggestion was in error, lest it do incalculable damage to our prestige abroad. Surely it is a serious thing for our standing among nations when a responsible leader of the administration's party in the Senate implies that a valiant nation like Norway is a pawn, to be moved about at will by the United States. Dare we imply that only we possess sovereignty and others merely supineness?

During World War II, the men and women of Norway bravely opposed Nazi invasion. Only a few months ago, these same people courageously rejected a Soviet threat of atomic retaliation unless Norway would submit to the Russian orbit. Is such a country to be regarded as a mere missile in the rivalry between the United States and the Soviet Union?

For many decades Britain suffered in world opinion because, in the words of the poet of empire, Rudyard Kipling, other lands were considered "lesser breeds without the law." If eminent American political leaders are now to consign to such a fate a proud people with a great legacy and tradition like Norway, then all our military might and pomp will not bring us true or enduring friendship.

In conclusion, Mr. President, I ask unanimous consent that an editorial from the Washington Post and Times Herald of June 11, 1957, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KNOWLAND'S BRAINSTORM

It is difficult to believe that Senate Minority Leader KNOWLAND was serious when he suggested that Norway be neutralized in return for withdrawal of Soviet troops from Hungary. Of course, he, along with all the free peoples of the world, would like to see Hungary liberated. He realizes that the Russians are not likely to consider the evacuation of that unhappy land without some major concession. But this scarcely justifies him in reaching into his grab bag and coming up with the mischievous idea of sacrificing Norway.

Mr. KNOWLAND was apparently not trying to speak for Norway but only suggesting that the United States pressure that country into leaving the North Atlantic Treaty Organization in exchange for Hungarian freedom. This does not, however, make his suggestion any less reprehensible. Rather, it carries an outrageous and wholly unwarranted implication that Norway is an American pawn in somewhat the same way that Hungary is a Russian pawn.

A few months ago the Kremlin tried to blast Norway out of NATO by threatening her with obliteration if she permitted her bases to be used for an attack on Russia. The Oslo government calmly replied that it was none of the Kremlin's business how Norway might choose to defend herself. Washington might get an even sharper answer if the State Department were foolish enough to adopt Mr. KNOWLAND's suggestion. Norway is a member of NATO because of the protection it affords her against aggression. Members of this alliance have solemnly pledged themselves to regard an attack on one as an attack on all. Nothing would destroy this bulwark of peace and freedom so quickly as a suggestion from the United States that one of the partners be sacrificed in an international horse trade. Since Mr. KNOWLAND has chosen to publicize his own brainstorm, the State Department should publicly consign it to the first available trash can.

BIRTHDAY ANNIVERSARY OF SENATOR BYRD

Mr. PASTORE. Mr. President, yesterday was the 70th birthday anniversary of our distinguished colleague, Senator HARRY F. BYRD, of Virginia. I regret that I was not personally present to extend my felicitations to him on his 70th

birthday anniversary, but I may say now that since I have been a Member of the Senate there has been between us a friendship I have cherished deeply.

I extend to Senator BYRD my personal felicitations, and wish for him many more years of service to his country and to his State, and wish him a long life of good health and happiness.

Mr. MARTIN of Pennsylvania. Mr. President, yesterday was a great day in the history of the United States Senate, when HARRY F. BYRD, the distinguished senior Senator from Virginia and the Chairman of the Committee on Finance, celebrated his 70th birthday anniversary.

Senator BYRD is a statesman of the old school. I have had the honor of serving with him on the Committee on Finance since I first came to the Senate. He is fair and impartial, and renders every decision according to what he thinks will be in the best interests of the United States.

I extend to him my sincere congratulations on his birthday anniversary yesterday, and I wish him many more years of health and happiness.

Mr. SMITH of New Jersey. Mr. President, I am happy to join with my colleagues in offering congratulations to Senator HARRY F. BYRD, who celebrated his 70th birthday anniversary yesterday. I did not know of it at the time; I have just now received news of it.

There is no Senator in the whole body whom any of us reveres, respects, and loves more than HARRY BYRD, the distinguished senior Senator from Virginia. Harry came to the Senate long before I did; but in all the time I have been a Member of the Senate I have always felt that he was a tower of strength in his convictions with regard to the fiscal structure of the United States.

I am more than happy to join in the encomiums, as we might call them, of this great Senator.

PAN AMERICAN WORLD AIRWAYS

Mr. BEALL. Mr. President, momentarily, it is hoped, the Civil Aeronautics Board will be reaching a decision on the New York-Washington-Mexico City nonstop service case. The people of the State of Maryland and the city of Baltimore hope that the successful applicant for this route will be Pan American World Airways.

This desire of ours is not just wishful thinking, because a Civil Aeronautics Board examiner who conducted extensive hearings in this matter several months ago has been most decisive in his recommendations. Without qualification, the examiner has recommended that Pan American be awarded the certificate.

Our selfishness—if it may be so called—stems from our continued belief that Baltimore's Friendship Airport offers unlimited facilities for any airline with foresight enough to use it as a base of operations. Pan American has informed the Civil Aeronautics Board and the public that it intends to use Friendship as its Washington terminal upon being certificated by the CAB.

Mr. President, this is a most unique case in many respects. Here we have a case involving 2 litigants, only 1 of which has ever flown a commercial operation between the United States and Mexico. This Pan American has been doing for more than 28 years. The issues have become so confused that a nationally syndicated columnist, on his radio program, accused Pan American of having done no pioneering in Mexico. I offer for this body's consideration page 12 of the Mexico City News issue of Thursday, May 23, 1957, and a story entitled "PAA Completes 29 years of Travel Service Here," and I ask that a copy of the article be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BEALL. Mr. President, the charge has also been made that to give Pan American this route would provide that carrier with a monopoly. Where is the monopoly? Eastern Air Lines, as soon as it completes the necessary formal steps required by the Mexican Government, will begin operations between New Orleans and Mexico City. Please keep in mind, Mr. President, that Eastern has one of the most extensive route systems of all our domestic carriers through which to flow traffic into New Orleans for flights to Mexico City. Remember also, Mr. President, that Eastern already has a nonstop operation between New York and New Orleans and once it implements its service to Mexico City it will have a traffic generating center far outstripping the facilities available to Pan American which, we must always keep in mind, has no domestic operations whatsoever.

Where is the monopoly, Mr. President? The only way a monopoly could exist would be for the Civil Aeronautics Board or the President of the United States, who rules in international cases, to override the powerful and unequivocal recommendations of the Civil Aeronautics Board examiner and give this nonstop operation to Eastern. Such action—which we hope and trust will never come—would give Eastern Air Lines two exclusive routes into Mexico City from New York and Washington, one nonstop and the other via New Orleans, and would still confine Pan American to its short-haul operation originating in Houston.

The charge has been made, Mr. President, by some of our distinguished colleagues, that the airline-subsidy bill would be increased should Pan American be awarded this certificate. Nothing could be further from the truth. All evidence presented in the hearings before the examiner were to the contrary. As recently as May 29, the general counsel for Pan American in oral argument before the full Civil Aeronautics Board waived any subsidy claims for Pan American. Actually, Mr. President, there is every reason to believe that subsidy payments to Pan American, as a result of this route award, would be substantially reduced. Pan American has estimated these reductions to be $2,300,000 and, while the examiner did not accept this figure, he agreed the reduction would be very large.

I hold no particular brief for either of the litigants in this matter. We, in Maryland, insist that Friendship Airport is deserving of consideration as an alternate for the overcrowded facilities at Washington National Airport. We will support any reasonable offers of service from a recognized scheduled carrier. Pan American has made this offer and we see in the Mexico City service a great opportunity for the city of Baltimore to be placed on the air-trade routes of the world.

Mr. President, any examiner for a regulating agency has an important position of trust. He is the man who sits through many hours of argument, hearing all sides of any controversy. In this case, the examiner's final recommendations are worthy of careful consideration:

> The selection of Pan American will contribute to a considerable reduction of mail-pay subsidy. This carrier alone has experience as an overseas competitor with the foreign-flag operator now entrenched in the New York-Mexico City market. Pan American can also effectively serve the Mexico traffic that does not proceed east of New York because it is in a position to provide high-quality service for the local New York-Mexico City travelers; it has the capacity for promoting large-scale tourist travel to Mexico; and it can provide one-carrier service to points beyond Mexico City, thus integrating tourism in the general Latin American area with its service to Mexico City. Of the two applicants, Pan American is in the far better position eventually to exploit and promote the potentially large vacation and tourist market of Mexico City. * * * Other countries regard a proper participation by their flag carriers in the movement of traffic between third countries as an important and legitimate goal of national policy. It is no less so for the United States.
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> In sum, the Congressional policy as expressed in section 2 of the act as applied to the facts of record in this case requires the nonstop authorizations for Pan American. This carrier, as the only applicant able to provide all the types of public service required by the route and afford one-carrier services beyond each end of the route, can provide the most effective United States-flag competition in an area of travel now dominated by a foreign-flag operator. Pan American's certification will save the Government money in mail-pay costs and insure the proper development of a potentially strong foreign market. These vital considerations of our national interest outweigh any preference for Eastern's proposal stemming from greater optimism, initial plans for all-coach flights, route integration with domestic service, probable diversion of Eastern's revenues, and any color of right Eastern may have on the ground that its 1946 award for Mexican service failed of implementation. In other words, if the needs of the traveling public are best to be prompted and served, if full American-flag participation in the two large markets herein involved is to be recaptured and held, if we are to take advantage of integrating and solidifying our own flag services between Europe and Latin America, if a rare opportunity for reducing air-carrier subsidy is to be taken—in short, if the public interest in an economically sound, financially strong and subsidy-free air transport is paramount—the choice of carrier in this proceeding is crystal clear. The choice is Pan American.
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> Pan American is a long-established carrier holding certificates of public convenience and necessity and air-operating certificates. Pan American's history of successful operations and its showing on this record, leave no doubt that it is fit, willing, and able to

perform the services herein found required by the public convenience and necessity.

It is understandable, Mr. President, that local geographical and political considerations should enter into a case of this kind. But I fail to understand how certification of Pan American from New York and Washington to Mexico City could adversely affect any of our sister States to the southeast. Certainly their commerce would be best served through an aggressive campaign by Eastern to build up its New York-New Orleans-Mexico City operation. Virtually all of our friends to the south can be funneled through New Orleans, via Eastern one way or other. Certainly on operations of these types, one carrier cannot provide maximum service in duplicate. One of these routes would have to suffer.

In conclusion, Mr. President, let me suggest that there is plenty of potential air traffic available to both Pan American and Eastern. In fact, a lively and spirited competition could be generated between the two carriers because I am certain that a great many travelers would enjoy a brief holiday in historic and enchanting New Orleans before continuing on to Mexico City. It seems to me that any argument from any of my distinguished colleagues from the Southeast against certificating Pan American on this nonstop service becomes irrelevant when the great potential of Eastern's flights to Mexico through New Orleans is realized.

Mr. President, I know that I speak for the great majority of the people of Maryland and Baltimore when I earnestly suggest to the President of the United States and the Civil Aeronautics Board that rapid certification of Pan American Airways to serve Mexico City through the modern and uncrowded Friendship Airport be accomplished.

EXHIBIT 1

PAA COMPLETES 29 YEARS OF TRAVEL SERVICE HERE

Pan American World Airways has completed 29 years of providing air travel service in Mexico.

PAA's first United States-Mexico route was put into operation in March 1929 from Brownsville to Mexico City via Tampico.

During this time Pan American has invested $12 million in promoting tourism in Mexico, according to a company pamphlet recently published citing Pan Am's role in pioneering aviation here and in other parts of Latin America.

"One of the positive results of that pioneering job by Pan American is the steady growth in traffic between the United States and Mexico.

"Ten years ago, PAA carried 62,510 passengers to and from Mexico City. Last year the figure rose to 89,597," the pamphlet stated.

"In its program of fostering United States-Mexico air ties, Pan American, through Cia Mexicana de Aviacion, established schools for mechanics, navigators, meteorologists, and radio operators in Mexico City. For this, Mexican employees awarded PAA executive vice president Wilbur L. Morrison, a gold medal * * *.

"Hundreds of Mexican pilots and other technicians have been brought to PAA bases in Miami and other points in the United States for special training," it added.

The publication was prepared as an answer to a radio broadcast by Drew Pearson stating that a group of Southeast Senators would fight PAA certification for the New York-Mexico City route which will be awarded soon. According to Pearson, one of the Senators had said that another airline had pioneered the route and should be awarded the certificate.

ALEXANDER MEIKLEJOHN

Mr. MURRAY. Mr. President, on May 10 of this year, on the campus of St. John's College, in nearby Annapolis, Md., a meeting was held to honor one of the greatest educators this or any other nation has ever known—Dr. Alexander Meiklejohn. The occasion marked the 85th anniversary of Dr. Meiklejohn's birth and the 30th anniversary of his establishment of the experimental college at the University of Wisconsin.

The meeting was arranged by alumni and former faculty member of the experimental college, acting on behalf of a far greater group of Alexander Meiklejohn's friends and admiers. This wider group includes those acquainted with the many other facets of his work over a period of 60 years—dean at Brown University, president of Amherst College, founder of the California School of Social Studies, and eloquent defender of constitutional liberties.

On this occasion there was announced the establishment of an annual Alexander Meiklejohn award for academic freedom, to be administered by the American Association of University Professors, through a gift from the experimental college alumni—a most fitting tribute and memorial.

A few years ago I had the rare and stimulating privilege of traveling with Alexander Meiklejohn as we were en route to the initiation of UNESCO. His breadth of vision and depth of understanding, his kindness, his gentleness, his alertness of mind and his ever-present sense of humor impressed me no less than they have all the others who have been privileged to know him. I am sure he is well known to other Members of this body, through his writings, and particularly because of his eloquent statement on the meaning of free speech and the first amendment, delivered before the Senate Subcommittee on Constitutional Liberties in the autumn of 1955.

Mr. President, I have read with keen interest and a deep awareness of its great importance to our country, the address delivered by Dr. Meiklejohn at the Annapolis meeting. At a time when we in the Congress are belabored by demands that we undertake crash programs aimed at the rapid development of great numbers of scientists, specialists, and technicians of all sorts, when we are told that our national survival depends on our engaging in a race to turn out greater and greater numbers of highly trained, albeit little learned, men of knowledge, it behooves each of us and all of those charged with a more direct responsibility for the education of Americans to study and to ponder and to act on the basis of the principles so clearly set forth by Dr. Meiklejohn in his address, for unless we see to it that our men of knowledge are primarily men of understanding, and that our scientists are men of wisdom, rather than of training alone, while we might win the battle of numbers, we would be sure to lose the war for freedom, for justice, and for the preservation of the truly great values without which nothing is of value.

Because of its great import, Mr. President, I ask unanimous consent that Dr. Meiklejohn's address, entitled "The American College and the American Freedom," be set forth at this point in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE AMERICAN COLLEGE AND AMERICAN FREEDOM

President Weigle, Dean Klein, the faculty and other members of the St. John's community, we of the Experimental College come here, in response to your very kind invitation, to celebrate the 30th anniversary of the birth of our own college. May I express to you our deep appreciation of an act of courtesy which is, I think, unique in the academic life of the United States. There are, as you know, many differences in the method and the content of teaching of our two institutions. And yet, your invitation and our acceptance of it indicate, I am sure, a fundamental kinship, an identity of purpose, between us. Through many happy and exciting days and weeks and months on this campus I have recognized the depth and the warmth of that kinship, and have delighted in it. Coming here, we of the Experimental College find ourselves at home.

The committee in charge of this celebration has commissioned me to discuss with this assemblage the theme "The American College and American Freedom." Before plunging into my topic may I single out my fellow guests and say to them two brief words of greeting and of gratitude? Quite apart from their intrinsic appropriateness these words may serve, after a long separation, to bring us on speaking terms again.

First of all, my fellow Ex-Collegers, it is for me, highly stimulating and very pleasant, to be with you once more. To the organizers who, by imagination and industry and good will, have finally brought us together, all of us, including the organizers themselves, owe a debt of gratitude which, I trust, we shall pay in full by enjoying the fruits of their labors.

And second (speaking personally for myself) I must thank you for the kindness with which, while celebrating the anniversary of the college, you speak to one another, and to me, of my birthday. No one could ask, no one could give to a man of so many years, a more welcome birthday present than your assembling here, in mood of recollection, now gives to me. Thirty years ago when—to quote from Robert Burns—"we were first acquent," you were wide-eyed boys agog to enter college. At that time I was not very much older than some of you are now. Together with a dozen or so good friends whom we called advisers I was trying to think through and to bring into active and lusty being a college which would start you, or speed you, along the road toward educated living. And now, by some strange miracle of generosity on your part, you give me, as a birthday present, one more fling at you, one more chance to teach—I did not say "instruct"—to spur and challenge you about the purpose which, in the years between 1927 and 1932, we served together in Adams Hall, on the shore of Lake Mendota, in Madison, Wis.

The committee in charge of our celebration has requested, or directed, me to present my topic by posing a question or questions and offering an answer or answers in such a way that throughout all our meetings there may run a continuous effort of

reflection and discussion concerning men and their minds, and especially concerning the freedom of American minds. The plan seems to be that, so far as we are capable of it, our reunion shall take on that mingling of gaiety and seriousness, of belief and bewilderment, which the symposium of Plato long ago established as the model of revelry and conversation which are proper to reasonable beings. As I say that, I am wondering if you recall as vividly as I do that morning meeting of the college at which George Russell, whom his readers knew as "AE," spoke to us about the symposium, telling us that whatever he had won of human wisdom had its source in the sayings of the wise Diotima as she was quoted by Socrates in that beautiful and powerful platonic discussion of the nature of human love. At this point, too, before the argument begins, I must pay my respects to my two very good friends, Alan Barth and Harold Taylor, who have been summoned by the committee to give my argument a going over when I have got it stated. They are dangerous fellows both. It may be that when they have had their say there will be nothing left of my suggestions for you to talk about.

Shall we, however, summon our courage to try what the committee tells us to do? Shall we go Socratic to the limit for a day or two? If we do follow that program, then our celebration must find its fun in gay and fearless questioning of whatever we are, whatever we think, and whatever we care for. We must subject to critical assessment the truth or falsity of what we believe, must ponder ruefully over much that we have done and plan to do in a confusing and self-defeating contemporary world. The committee is, I am sure, right in thinking that these are the activities which our college would wish us to carry on and to enjoy in celebration of its birth. Can we enjoy them? If not, it is, I fear, all too clear that however much we celebrate, we are not celebrating a college.

Since we have been separated from one another for many years and have traveled many different paths, it will be wise, I think to make a slow beginning of our symposium. Let me then, in reminiscent mood, seek to reopen the lines of communication by referring to two features of the past which we have in common.

THE EXPERIMENTAL COLLEGE

First, then, I remind you that at the reunion of 1942, when we celebrated the college on the 10th anniversary of its ending, 9 wise young members of the alumni group were called upon to answer on paper and by voice the question, "How do I fit in?" These men had worked in many occupations since leaving Madison and each of them spoke of his special work with deep concern. They were a lawyer, a doctor, an administrator of the Tennessee Valley Authority, an organizer for a labor union, a sculptor, a university teacher of history, a machinist, an employment supervisor, a writer of plays. And yet, to my keen delight, they were also speaking as members of a college whose general interest, while referring to all their occupations, was wider and deeper than any one of them, than all of them together. As I listened to their words, I knew the recorded fact that Henry Adams had died 30 years before those papers were read and that Plato's writing had come to an end 24 centuries earlier than that. But still, on that happy morning I heard both Adams and Plato speaking. They were there in the words and phrases through which 9 stories were told, in the questions and answers by which 10 years of busy living in the United States were critically examined and interpreted. That was true, I am sure, in 1942. We had tried to make it true from 1927 to 1932. I now suggest that it is still true in 1957. Since we are a college, Plato and Adams are here, waiting and eager to talk with any one, with any group, which seeks to find its way toward educated living. But so, too, are many others. John Dewey, whose gospel we often challenged, and who challenged ours, and Thorstein Veblen, Aristophanes, and Lincoln Steffens, Thucydides, and Frederick Turner, the builders of the Parthenon, the builders of American railroads, Solon, and Thomas Jefferson—these and a host of other friends and teachers are always present where a genuine college is. They are now ready to talk with us here, just as, three decades ago, they stirred and puzzled us and tried to make us think, in Adams Hall. The road toward understanding of men and their world is often hard to travel; just now it is even hard to find; but it is not, for one who looks around him as he goes, a lonely road. To go to college, if one really goes to a college, is to be initiated into a fellowship of learning. It is that permanent fellowship which our impermanent little college now celebrates as, in these meetings, it celebrates itself.

And, second, it will perhaps stir old memories, and so reestablish old relations of controversial give and take, if we look once more at the curriculum, the course of study, which our college required of all its members. There were no separate subjects, so called in that curriculum. We made no carefully devised incursions into such special fields of investigation as economics or art, physics, or logic, and the like. We were seeking to learn, not how new knowledge may be won, but how knowledge already available to us may be so interpreted and reinterpreted as to be of use in the planning of human welfare. To that end, we studied not subjects but civilizations—civilizations taken each in its entirety—and only civilizations. In the freshman year, advisers and pupils alike were thrown into the attempt to become acquainted with the city-state of Athens, in the age of Pericles and the decades which followed. After the fashion of critical observers just come to town, interested in the manner of life, the successes and failures, the joys and sorrows, the merits and defects, of a human enterprise, we read and considered together the records which that most self-expressive of civilizations has left of its daily experiences, its great achievements, its tragic blunders. So far as we could do it we shared in those experiences, those achievements and blunders, as if they were our own. And the study culminated in the endeavor to see and feel the city as Plato saw and felt it, to join with him, as pupils and critics, in the reflecting upon and planning of his Republic.

The second task was assigned to our pupils at the end of the freshman year. It was to be worked at during the summer vacation and continued, as a separate project, during the first half of the sophomore year. We called it a regional study of some American community which each of you chose as having special interest for him. Dealing with vastly different intellectual and cultural material, you were commissioned to write a critical examination of a nearby human enterprise just as you had tried to interpret that Grecian city, distant from us in time and space and circumstance, which still gives guidance and insight and warning to the Western World.

And, finally, as your third task, the main business of the sophomore year, you were asked, with the help of your advisers, to derive, from the records of the creative activities of the United States of America, the beginning of an understanding of this Nation of ours, what it cares for, what it does and fails to do, what it thinks about and fails to think about. As youthful Americans, you were to share, with mind and feeling and will, in the making and sustaining and transforming of the community of which you are members. And here again your success in the venture was assessed by your ability to read a book. You were asked to write a review of the account which Henry Adams gave of his own education. It seemed to the advisers that, insofar as you could see and interpret what Adams was saying about the United States and his attempt to understand it, could critically give assent or dissent to his assessment of our national career (our national destiny), you would have made a beginning in that process of education which the college wished you to suffer and enjoy.

Now, it is easy to see what was, and what was not, what is, and what is not, the purpose which animated that curriculum. When we asked you to size up, as a going, or not-going, concern, some American village or city or district, when we cultivated and tested your ability and your eagerness to share with Plato and Adams the intellectual criticism and the emotional solicitude with which they planned for their respective communities, we were trying to initiate you into an art, the most difficult as well as the most important, the most practical as well as the most intellectual, activity in which the human mind can engage. It is the art of intelligent practical judgment, of understanding your own life and that of the community of which you are a member, of so understanding them that you can share with your fellows in the making of those decisions which determine individual and social welfare. As I say this, I must remind you that the college which we celebrate made no provision for the teaching of the techniques of scholarly investigation, gave no training in the methods by which new knowledge is won. Other institutions should do that work. But we, as a college, had neither time nor interest for it. In our final report to the faculty of the University of Wisconsin, we said:

"To put the matter very bluntly, the college is as much and as little interested in the training of scholars as it is in the making of bankers, legislators, grocers, or the followers of any other specialized occupation or profession."

We imposed upon you and upon ourselves a required curriculum, with no elective, because we were convinced that standing apart from all special interest, from all specialized studies, there is a common interest, a common unspecialized form of study, which surpasses all of them in urgency and difficulty and significance. It is the need of understanding what we know. And that requires of us that we learn to use our minds in a way which, in content, in method, in presupposition, and in result, is radically different from any of the kinds of thinking by which scholarly research is done. To develop the power and zest for engaging in that creative inquiry is, in our opinion, the only legitimate purpose of an American college.

Having thus talked about what colleges should be trying to do, may I close and summarize this part of my argument by reading some lines from a poem. Poets are very useful for bringing together into a single flash of insight the labored thinking of our prose. The lines are taken from John Masefield's poem called Biography. Looking back upon the delights of his youth, Masefield savors again the excitement and joy of belonging to a college. He says—

"O Time, bring back those midnights and those friends,
Those glittering moments that a spirit lends
That all may be imagined from the flash.
The cloud-hid god-game through the lightning gash;
Those hours of stricken sparks from which men took
Light to send out to men in song or book.
Those friends who heard St. Pancras' bells strike two
Yet stayed until the barber's cockerel crew.

Talking of noble styles, the Frenchman's best,
The thought beyond great poets not expressed,
The glory of mood where human frailty failed,
The forts of human light not yet assailed,
Till the dim room had mind and seemed to brood
Binding our wills to mental brotherhood,
Till we became a college, and each night
Was discipline and manhood and delight,
Till our farewells and winding down the stairs
At each gray dawn had meaning that Time spares,
That we, so linked, should roam the whole world round
Teaching the ways our brooding minds had found
Making that room our chapter, our one mind
Where all that this world soiled should be refined."

I have talked long—I fear too long—and, perhaps, too sentimentally about what an American college is and, hence, what it ought to be. We must now discuss as briefly as we can, what American freedom is, and hence, ought to be. When that has been done we may be ready to try to determine the relation of each of these to the other.

FREEDOM AND LIBERTY

As we enter upon the attempt to recognize freedom when we see it, and when we are troubled by its absence, we should, I think, recall some discouraging remarks about that venture, which were uttered by Abraham Lincoln in a public speech given in 1864. In characteristically shrewd and ironical words, Lincoln says that we Americans who love freedom so passionately do not seem to know what it is. Using what is for him the equivalent term "liberty," he speaks of freedom as follows:

"The world has never had a good definition of the word 'liberty,' and the American people, just now, are much in want of one. We all declare for liberty; but in using the same word we do not all mean the same thing. With some the word 'liberty' may mean for each man to do as he pleases with himself, and the product of his labor; while with others the same word may mean for some men to do as they please with other men, and the product of other men's labor. Here are two, not only different, but incompatible things, called by the same name, liberty. And it follows that each of the things is, by the respective parties, called by two different and incompatible names—liberty and tyranny."

And having thus stigmatized our failure to understand the most significant factor in our lives, Lincoln proceeds to illustrate that failure in a form which cuts deeply into our current controversies about segregation as between white men and black. He continues:

"The shepherd drives the wolf from the sheep's throat for which the sheep thanks the shepherd as his liberator, while the wolf denounces him for the act, as the destroyer of liberty, especially as the sheep was a black one. Plainly, the sheep and the wolf are not agreed upon a definition of the word 'liberty'; and precisely the same difference prevails today among us human creatures, even in the North, and all professing to love liberty. Hence we behold the process by which thousands are daily passing from under the yoke of bondage hailed by some as the advance of liberty, and bewailed by others as the destruction of all liberty."

Is it true, as Lincoln here suggests, that much which we Americans call freedom is found, when carefully examined, to be tyranny? Shall we agree that much which is commonly called tyranny is, in fact, a necessary feature of our freedom? I, for one, am sure that, at both these points, he Great Emancipator is right. And, further, the ambiguities and self-contradictions in our thinking about ourselves are much wider and deeper than the brief statement here quoted from him can tell. I venture as a generalization which will run through the arguments which are to follow in this paper, the assertion that when we Americans talk about our Nation as free, we do not know very well what we are talking about, in fact we prefer, on the whole, not to know what we are talking about. In explanation and I hope, in support, of that accusation, I begin by offering two less general remarks.

First, throughout our history, but especially in recent decades, our Nation has had unequaled opportunities for the creation of external wealth and power. With a new world open before us for our conquest, we have seized upon those opportunities by the methods of what we call private or competitive business enterprise. The success of these methods has been so quick and so great that it has become a source of amazement, of envy, and of terror to the rest of the world. But the strains and stresses of that success, the preoccupation with material achievement, have been so intense that we have more and more substituted for the ideal of inner dignity and self-respect which lies at the heart of our institutions, the pseudo-ideal of competitive efficiencies, of victory over others. Our prevailing maxim for young people, as well as old, is not now "Be good" or "Do good," but rather "Make good." Under the guidance of that maxim we have become eager and aggressive in defense of our individual competitive rights. But our only effective common purpose is that of forever raising higher and higher what we call the standard of living. And the illusions, the meaninglessness inherent in that purpose have penetrated into every corner of our common life. That is the basic reason why the schools and colleges which are, presumably, commissioned to study and teach the ways of freedom are so weak, so confused, so ineffectual. My first remark is, then, that insofar as a society is dominated by the attitudes of competitive business enterprise, freedom, in its proper American meaning, cannot be known and, hence, cannot be taught.

And, second, this substitution of a false ideal for a true one has built up among us a national defect of disposition or of character which hinders all our attempts to educate ourselves. That defect is a strong defensive antipathy against self-criticism, an insistence upon intellectual conformity, an irrational fear lest by the use of our minds, we might discover that we are not, in fact, what we intend or profess to be. I am not here suggesting that we fear intellectual activity as such. We have, of course, no terror of the brilliant investigations which make possible the curing of our diseases, no dread of the scientific research or the technological inventing which enables us to create external wealth and power with enormous efficiency. But the men whom we fear because of their thinking are the critics, men who would question the value or wisdom of these intellectual achievements, who would block progress by standing, like Socrates, in the middle of the busy thoroughfare, asking themselves and others whose ears they can catch, where the road leads. Such men are, as of old, corrupters of our youth and deniers of our gods. They do not follow loyally and contentedly what we call the American way of life. They are dreamers, do-gooders, eggheads, to be ignored or laughed at; or, if that does not suffice, punished and suppressed. And this craving for intellectual conformity, this timidity of mind, more than any other single factor, has brought it about that our teachers labor in vain as they seek to educate the people of a Nation which fears and despises the very essence of what education is.

What, then, is American freedom? May I say to you, my fellow ex-collegers, that ever since you and I parted company 25 years ago, the major part of my time and energy has been given to the attempt to answer that question. In reporting to you now "How I fitted in," I shall not give you an organized lecture on my findings. I shall follow the usual procedure of the college by telling you of a series of questions and assertions which still puzzle me. I do so in the hope that we may discuss them together.

First, I mention a point on which there is, I think, some progress to report to you. Following a suggestion given to me 40 years ago by Walton Hamilton, and worked out with my colleagues in the San Francisco School of Social Studies, I seem to have discovered that, as we study American freedom, the best reading material available for the purpose is found in the Federal Constitution and in the judicial opinions by which it has been interpreted. That material is filled with controversy and with significance for the understanding of our national life. I deeply regret that when we puzzled out a sophomore course of study in the Experimental College we had not realized how it might be used. If any one of you or any number of you should someday share in starting another experimental college, or in making more experimental one which is now conventionalized, I hope you will consider the suggestion I am now making.

My second topic is, in form, semantic. It has to do with the defining of the difference between the two terms "freedom" and "liberty," as they are used in the Bill of Rights. These two terms serve as instruments for defining the relations between individual Americans and the governing agencies which they have collectively established. And the Constitution has great value for our discussion because, in its own reference, it sharply separates these two words which are commonly regarded as interchangeable. The fifth amendment, on the other hand, speaks of religion, speech, press, assembly, and petition. And its tremendous assertion is that Congress and, by implication, all other governing agencies, are denied any authority whatever to abridge those freedoms. The fifth amendment, on the other hand, speaks of liberty. And liberty, it appears, is within the scope of governmental restraint. The Declaration of Independence, it is true, had made the flaming pronouncement that all men are "endowed by their Creator with unalienable rights" and that "among these are life, liberty, and the pursuit of happiness." But the Constitution, in flat contradiction of the earlier document, soberly provides that, by action of the Government, all three of these rights, as we call them, may be taken from us, may be alienated. That may not be done "except by due process of law." And yet the fact remains that, when public needs seem to justify such action, and when it is done fairly and with proper procedure, men may be ordered to go into battle to destroy other men's lives, to lose their own, their business activities may be confined within this or that set of limits; they may be required to pay into the public treasury such unequal shares of their yearly income as the Government decides that it needs to take. But those men are still, in the meaning of the Bill of Rights, freemen, whose liberties are properly abridged.

The third intellectual venture in which I invite you to join is that of defining the revolutionary conception of freedom which dominates the Constitution and which finds its most explicit indication, if not expression, in the first amendment. Why did our forefathers adopt the dictum, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the

people peaceably to assemble, and to petition the Government for a redress of grievances"? And why do we, when our minds are clear, hold fast to the same intention?

At this point in the argument, I am sorely tempted to draw you into discussion of the paradoxes and controversies into which, during the last 15 or 20 years, I have been plunged by proposing an answer to that question. I would much like to have your help in holding my ground or your consolation if I am forced to give it up. But the lack of time forbids me to yield to that temptation. I can only try very briefly to tell you what, as I see it, is the idea for which the American Revolution was and is being fought and won.

The constitutional principle which, for purposes of warfare and rebellion had been effectively, though inaccurately, proclaimed by the Declaration of Independence was that of political self-government. For centuries our forefathers had suffered, and had seen other common men suffer, from the tyranny of being governed by others. Priests, kings, barons, nonrepresentative parliaments had, by superior force, imposed an arbitrary control upon them. But now the time and the opportunity had come to establish a political order in which the people governed would also be the governors. The rulers and the ruled would be the same persons. No man would be required to obey a law in the making of which he had not had an equal share with his fellow citizens.

Against this background, the first amendment finds its significance in the fact that the terms "religion," "speech," "press," "assembly," and "petition" refer to those activities of judgment-making in which the process of governing consists. And it is obvious that unless the judgment making of the people is, individual by individual, completely independent, unless it can be kept safe from any external interference, the program of popular self-government becomes futile and a sham. Now it was at this point that the makers of the Constitution envisaged the danger that representative officials and agencies chosen by the people might, under the new regime, attempt, as tyrants had done before, to govern the sovereign people without their consent by exercising powers which had not been delegated to them. And it is to prevent that catastrophe that the first amendment makes its ringing declaration, setting an absolute limit to the power of the legislative body and, by implication, to the powers of all other representative agencies. The need for that provision and for its unqualified enforcement, was never more clearly revealed than during the war-tormented years through which we have passed since 1919. Just as the tyrants of old had always justified their acts of suppression by the plea that religion, speech, press, assembly, or petition, in this case or that, threatened danger to the general welfare or to the national security, so our officials and our courts of these current days have invaded our freedom, appealing to the same justification. But the first amendment will have none of it. Speaking for a society whose members have decided to be free, it denies and outlaws that plea of danger. If the amendment does not mean that, it does not mean anything. Whatever political freedom turns out to be, we Americans have decided to have it and to take it straight.

Fourth, I have just spoken with much enthusiasm concerning the first amendment. And yet, for the purposes of the teacher, for dealing with the questions with which we are here concerned, it is a strangely unsatisfying statement. It takes under its protection five different human activities, but gives no unifying principle which could bind them together into a common significance. But, even worse than that, its provisions are merely negative. It seeks to prevent something from being done rather than to get something done. It protects our freedoms, but gives no assurance that, in actual practice, we Americans have and use any freedoms which are worth protecting. The difficulty just suggested does not, I presume, trouble those who, under the spell of the Declaration of Independence, think of freedom as a gift with which all men are endowed from birth. But to those of us who have spent our lives, as teachers, in the desperate attempt to find some way by which Americans, including ourselves, can become free, that belief seems meaningless and negligible. Freedom is not a gift. It is an achievement. It can be won only by hard work and good fortune—the good fortune including normally much help from others.

Now, if these things are true it follows that our attempt to understand the Constitution must go beyond politics, must attempt to find elsewhere the goal toward which the education of our self-governing people is, or should be, directed. And here, the teacher, more directly than any other member of our community, must be able to serve as our guide, the interpreter of ourselves. The persons who are commissioned to lead our people, young and old, into the ways of freedom, must understand what freedom is. What, then, have they to tell us about it?

Before trying to answer that question, we must carefully note the fact the education, good or bad, is won from the personal and social influences of a surrounding community, as well as from the teaching given in schools and colleges. Which of these is more important, it would be hard to tell. But, in any case, they must be considered separately.

As a starting point for some brief remarks about schooling, I offer you a provocative statement concerning British teaching which I picked up when in Oxford 3 years ago. It was written by a master of Eton College in the days, three-quarters of a century ago, when Brittania still ruled the waves, and the upper class boys and young men who went to Eton and like public schools were being educated to rule Brittania. As a teacher in the service of that aristocratic governing group, William Johnson Cory wrote as follows:

"At school you are not engaged so much in acquiring knowledge as in making mental efforts under criticism. A certain amount of knowledge you can indeed with average faculties acquire so as to retain, nor need you regret the hours you spent on much that is forgotten, for the shadow of lost knowledge at least protects you from many illusions. But you go to a great school not so much for knowledge as for arts and habits; for the habit of attention, for the art of expression, for the art of assuming at a moment's notice a new intellectual position, for the art of entering quickly into another person's thoughts, for the habit of submitting to censure and refutation, for the art of indicating assent or dissent in graduated terms, for the habit of regarding minute points of accuracy, for the art of working out what is possible in a given time, for taste, for discrimination, for mental courage and mental soberness."

That description of what should go on in the minds of persons who are being prepared to govern a community seems to me unusually significant and suggestive. What I have to say here about the teaching of freedom in our American schools and colleges may be said in a few brief comments on Mr. Cory's words.

Since we are, as a nation, committed to self-government rather than to an aristocratic tyranny, it is evident that, as contrasted with the special privileges of Mr. Cory's upper class group, all our citizens must, so far as possible, be equally educated. And that being true, it follows that our task of educating our rulers is immeasurably more difficult than that which confronted the public schools of England, 75 years ago. It implies, for example, that, for a long time, we as well as the Britain of today must accept a lowering of the standards of teaching achievement set by an aristocracy.

Further, in spite of the quantitative difference just suggested, Mr. Cory's words go straight and piercingly to the heart of our American teaching enterprise. Every phrase which he utters about the "arts and habits" of "making mental efforts under criticism" should startle us into awareness of the failure of our schools and colleges to provide the preparation needed for the "judgment-making" which free men must be able to do.

But a strange and striking feature of Mr. Cory's account of the purpose of teaching is that he does not mention the curriculum, the content of study, with which a school or college should deal. And the explanation of that fact is, I think, that, in the Eton which he knew, the choice of subject matter on which pupils should practice their arts and habits was made, not by the school, but by the compact social group to which, both by external and inner commitment, teachers, pupils, and school, all alike, belonged. In fairness, I must add that, in the life and manners of that group, as in its schools, there were great possibilities of smugness, of cruelty, of stupid and insensitive conformity. And yet it had a purpose and could teach it. I doubt that, in the making of the modern world, the public schools of Britain have been surpassed with respect to their success in teaching the arts and habits needed by those who govern.

It should also be said again that in sharp contrast with Mr. Cory's Eton, our American schools and colleges do not find in our society any such intellectual and cultural purposiveness as that which he could count on to give content and direction to his work. As a new and highly conglomerate people, still in the early stages of its making into a Nation, we have, it is true, a code of behavior which we call a way of life. But, as Abraham Lincoln suggests, that way of life is sadly unaware and afraid of its own meaning and intention. There is throughout our society, I am sure, a generous passion for freedom. But that passion, marching blindly on under the banner of liberty, drives us toward enslavement of our fellows and of ourselves, toward tyranny and, hence, away from freedom. Our national education is, as yet, in its crude and unformed beginnings. We fail to educate our children chiefly because we have not had time or integrity or courage to educate ourselves.

The fifth step in our argument should by logical sequence deal with the influence upon education exerted by nongovernmental attitudes and agencies. I can, however, take time merely to mention 2 or 3 of these. Supporting our teaching is the intense but often misguided American belief in the usefulness of scholastic learning. But on the other side, our attempt at understanding is blocked and misdirected by a wide array of privately managed activities which are clearly hostile to education in self-government. One of these forces against which the colleges especially need to be protected at the present moment is the insatiable greed of the corporations and other business agencies for an output of technologically trained scientists as well as of potential business executives. At a time when our private colleges are suffering from financial stringency, that greed threatens their teaching with a fundamental distortion. And, further, correlative with this threat to the colleges is the dreadful effect upon public attitude and opinion which comes from the mass-communication industries, as they are conducted by business enterprise. In my opinion, those agencies, and especially radio and

television, are, day by day, year by year, doing more damage to the minds of our people than the schools and colleges are doing good. They have made dominant again in our society the mental trickiness, which, long ago, Plato saw corrupting the mind and spirit of Athens—the trickeries which can prove (that is, make plausible) any belief, whether true or false, can, at a price, make the worse appear the better cause. Because of them, our national intelligence is, I believe, steadily losing ground. Madison Avenue is more powerful and more dangerous than the hydrogen bomb. What shall we do about it in defense of our freedom?

And now, in conclusion, I must summarize my argument by telling of the mortal combat which, during the 60 years of my teaching, has been waged in the American college. If I had the art for doing it, the story might be told in the form of a medieval mystery in which God and the devil contend for possession of the souls of men. The devil, one of whose favorite devices is that of raising for men the standard of living, thereby succeeds in lowering the standard of human intelligence. Since the battle, as we see it, takes place within colleges, it is fought in the field of the mind. Two sets, two kinds of intellectual activities are at war with one another. In spite of their hostility they are strangely akin in origin and in character. After all, the devil is, as you know, an angel. But he is a fallen angel, a rebel. He must, therefore, be subdued, brought back to fellowship and sanity. Can it be done? How can it be done?

The two contestants, as seen within the college, are the passion for knowledge and the passion for understanding. In one camp are the intellectual strivings by which men seek to add new knowledge to the vast stock of it which, in various departments, we already possess. In the other camp are the intellectual strivings to so interpret and reinterpret what we now know that it will play its proper part as the servant of an understanding which plans for human welfare. The question at issue is not "Shall knowledge be destroyed?" It is, rather, "For what ends shall knowledge be used, and by what kind of thinking shall the using be done?"

As I phrase that question my mind goes back to the days when, in 1897, my teaching began. Through the strange, mechanical, and, shall I say, devilish, device of an elective system, the old classical curriculum had been giving way before the inroads of a new scholarship. And I can still feel the thrill of excitement and hope, mitigated by a confused anxiety, with which we younger teachers welcomed the broadening and deepening, which the new forms of investigation promised to bring to our learning and teaching. We began to speak proudly and confidently of our newly devised university college which, through the addition of specialized graduate teaching, would fuse together the pursuit of knowledge and the pursuit of understanding on a higher level of intellectual enterprise. But today, so far as I can see, that hope is dead. The two elements did not fuse. Scholarship has not informed and inspired the search for understanding. On the contrary, stimulated and made powerful by its strong appeal to the externalized and competitive impulses of American life, it has specialized in disconnectedness, in lack of meaning. It has thus obscured the older purposes of the college and driven them from the field. The curriculum has now become merely a vast collection of mutually unintelligible subjects. The members of the faculty have, professionally, little if any intellectual acquaintance with one another. And pupils are encouraged to pursue each his own separate studies, without regard for or interest in what, in other classrooms, his friends may be doing. The combining of the university and the college into a university college has torn into fragments the community of learning which the older college intended to be.

How shall the damage be repaired? How shall the college become again a place of understanding? First of all, it must be separated from the university, must become a distinct and independent institution, aware of its own purpose, which is radically different from that of the university, and resolute in the pursuit of that purpose. And, further, the college must be small enough and coherent enough to be in a vital and dominating sense, a community which will bind together all its teachers and all its pupils in the carrying on of their common enterprise.

I have said that the pursuit of knowledge has heretofore invited disaster by tearing apart what we know about men and their world into relatively meaningless fragments. As against that procedure what we now need is that in pursuit of understanding there be cultivated and practiced an equally severe and rigorous intellectual discipline which will endeavor to put the minds of men together again into a pattern as meaningful as the facts allow. That pattern will not be created by mere good will. The needed unity can be won, only as the total body of human knowledge and purpose is brought within the scope of an organizing group intelligence. The brilliant achievements of scholarly investigation must be matched, they must be surpassed, by the concerted efforts of intellectual interpreters. The college must think its way through knowledge toward wisdom.

I need hardly add that if this transformation of the college is to be attempted, the demands made upon the teacher whether he works in Ghana or Russia or England or Israel and so on, will be radically changed and magnified. His work will be both more important and more difficult than that of the investigator. He will no longer be merely an instructor in English composition or banking or chemical engineering or foreign language. He will be, in the measure of his ability, one of the world's thinkers, just as all free citizens should be, grappling with the world's problems, carrying assurance to his pupils and to the surrounding community that it is a free man's business to do what he can with his mind in relation to these problems. He must think and teach in the interest of freedom for all men.

The situation which now faces the teacher and all of us is one of tragic severity.

It is possible, as we all know, that this blundering untutored race of men, through the sudden access of brutalizing power which knowledge brings, will soon destroy itself. But there is also hope that for the first time since man began his education among the carnivores, we may by patience and intelligent use of knowledge construct a world that sensitive and timid natures could regard without a shudder.

It is that hope which must guide us as we press forward toward the radical transformation of all our American liberal teaching up to and through the college and far beyond it. May I in closing leave with you some words written by Rabindranath Tagore of India in which our teaching purpose finds fitting expression? He says:

"Where the mind is without fear, and the heart is held high—
There knowledge is free;
Where the world has not been broken up into fragments by narrow domestic walls;
Where words come out from the depth of truth;
Where tireless striving stretches its arms towards perfection;
Where the clear stream of reason has not lost its way into the dreary desert sand of dead habit;
Where the mind is led forward (by Thee) into ever-widening thought and action—
Into that heaven of freedom (my Father) let my country awake."

ALEXANDER HAMILTON

Mr. POTTER. Mr. President, I have long been an ardent admirer of Alexander Hamilton, and have been delighted that this bicentennial year has brought him greater honor by the people of the United States.

Every day we as Americans may be thankful for his brilliant efforts in constructing our Constitution and governmental setup, and it gives me personal pleasure when a young constituent also realizes his worth.

James Copeland, a senior at Ann Arbor High School, because of his knowledge of the times and work of this founding father, has been selected to represent Michigan at the American Students Constitutional Convention at Independence Hall in Philadelphia, June 18–21. My letter of congratulations to Mr. Copeland follows:

DEAR MR. COPELAND: Sometimes in the vicissitudes of history, our greatest men are not given as exalted a place in our history as they deserve. Alexander Hamilton is one of these men.

Surrounded by other historical greats such as George Washington and Thomas Jefferson, these figures have tended to take the limelight. The Alexander Hamilton Bicentennial year, and perceptive young men like yourself competing on contests based on the life and work of Alexander Hamilton, are important aids in giving him the honor he deserves.

Congratulations on your winning this award. May I wish you an inspiring time in Philadelphia and extend the hope that you may be successful in achieving further honors.

Sincerely yours,

CHARLES E. POTTER.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I am about to suggest the absence of a quorum. When a quorum has been obtained, I hope the Senate may proceed to the consideration of the appropriation bill for the District of Columbia.

I appeal to all Senators to be present in the Chamber as much of the time as possible during the consideration of the appropriation bills which will be brought before the Senate this week.

I also express the hope that Senators will cooperate by confining their remarks to the pending business. I realize that there are occasions when Senators must discuss subjects not relevant to an issue under debate, but I hope they will not do so during the remainder of the week of June 10, because there are four appropriation bills which must be passed and go to conference, and the conference reports must be agreed to and sent to the White House before the end of the fiscal year.

If my colleagues will cooperate with me, we shall have a morning hour each morning, so that Senators may transact routine business and make statements. Then we shall proceed to the consideration of the appropriation bills and have

thorough, detailed explanations of them and perhaps get some action on them.

Mr. President, I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of Calendar No. 416, House bill 6500, the District of Columbia appropriation bill.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

Mr. WILLIAMS. Mr. President, I do not think the Senate should consider this appropriation bill without having a quorum of the Senate present. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hickenlooper	Morse
Barrett	Ives	Morton
Beall	Jackson	Murray
Bible	Javits	Neuberger
Carroll	Jenner	Pastore
Chavez	Johnson, Tex.	Robertson
Church	Knowland	Russell
Dirksen	Lausche	Smith, N. J.
Ellender	Mansfield	Talmadge
Goldwater	Martin, Pa.	Williams
Hayden	McNamara	

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. McCLELLAN] is absent by leave of the Senate on official business.

The Senator from Arkansas [Mr. FULBRIGHT] is absent on official business.

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], the Senator from Maine [Mr. PAYNE], and the Senator from Utah [Mr. WATKINS] are absent because of illness.

The Senator from South Dakota [Mr. MUNDT] is detained on official business.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The PRESIDING OFFICER. A quorum is not present.

Mr. JOHNSON of Texas. Mr. President, I move that the Sergeant at Arms be instructed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ALLOTT, Mr. ANDERSON, Mr. BENNETT, Mr. BRICKER, Mr. BUSH, Mr. BUTLER, Mr. BYRD, Mr. CAPEHART, Mr. CARLSON, Mr. CASE of New Jersey, Mr. CASE of South Dakota, Mr. CLARK, Mr. COOPER, Mr. COTTON, Mr. CURTIS, Mr. DOUGLAS, Mr. DWORSHAK, Mr. EASTLAND, Mr. ERVIN, Mr. FREAR, Mr. GORE, Mr. GREEN, Mr. HENNINGS, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. JOHNSTON of South Carolina, Mr. KEFAUVER, Mr. KENNEDY, Mr. KERR, Mr. KUCHEL, Mr. LONG, Mr. MAGNUSON, Mr. MARTIN of Iowa, Mr. MONRONEY, Mr. NEELY, Mr. O'MAHONEY, Mr. POTTER, Mr. PURTELL, Mr. REVERCOMB, Mr. SALTONSTALL, Mr. SCHOEPPEL, Mr. SCOTT, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SPARKMAN, Mr. STENNIS, Mr. SYMINGTON, Mr. THURMOND, Mr. THYE, Mr. WILEY, and Mr. YARBOROUGH entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. PASTORE obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JOHNSON of Texas. This is the second quorum call we have had. I thought it only fair to notify all Senators that the Senate was about to consider an appropriation bill, therefore, I suggested the absence of a quorum. After the roll had been called through the "Y's," I asked that the order for the quorum call be rescinded, so a general statement could be made. But at the insistence of the Senator from Delaware [Mr. WILLIAMS], who is a very prudent, careful, and economy-minded Senator, there was another quorum call and Senators had to leave committees they were attending.

I have no desire to bring the business of the Senate to a standstill while Senators make general statements on the District of Columbia appropriation bill. I think it ought to be possible for them to carry on their committee business and, when we reach the voting stages on the bill, to summon them into the Chamber by a quorum call. But I have no other course open to me, in view of the position which has been taken by my friend, the Senator from Delaware. Therefore I want each Senator to know that when the absence of a quorum is suggested and when the order for the quorum call is not rescinded, Senators who fail to appear and to have their names recorded will not be listed in the RECORD.

Under present conditions 48 Senators constitute a quorum. Some thirty-odd other Senators are in committees transacting the public business, or are engaged on other official business. Some of them come to the desk, as the distinguished Senator from South Carolina [Mr. JOHNSTON], who is now in the well, is doing, and ask that their names be put on the quorum call.

Mr. JOHNSTON of South Carolina. Mr. President, I was already recorded.

Mr. JOHNSON of Texas. I want my friend from South Carolina to be recorded. I want all of my colleagues on both sides to understand that during the consideration of the appropriation bills, when a quorum is requested and obtained, the Senators who do not happen to have answered to their names will not be listed automatically on the roll. With that notice, I ask the Parliamentarian and the Chair hereafter, when quorums are suggested and the suggestions are not withdrawn, to record only the Senators who are present in the Chamber.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Delaware.

Mr. WILLIAMS. Mr. President, the Senator from Texas [Mr. JOHNSON] saw fit to make reference to the fact that I insisted upon the presence of a quorum.

I might point out that I have no objection to the Senate convening at 9:30 a. m., if that is the Senator's wish. I am perfectly willing to cooperate. Two appropriation bills are to come before the Senate today, 1 providing for nearly $200 million and 1 providing for more than $3½ billion. There were present five Members of the Senate. Certainly the American people have every right to expect, even under the leadership of the Democratic Party, that a quorum of the Senate will be present when we are passing upon bills totaling nearly $4 billion.

I point out to the majority leader, since he appears to be in such a great rush to get these four bills through, that one, the District of Columbia appropriation bill, was reported on June 6, and the other 3 on June 7, and the 4 appropriation bills involve about $15 billion. These bills have been before the committees of Congress about 8 or 10 weeks. They have been on the Senate calendar only a few hours.

The Senator from Texas is now in a great rush, although the Senate was in session only 3 days last week. Apparently he now wants to keep the Senate in session from 9:30 a. m. until about 10 p. m., so that Senators will not have time to study these bills, and also so that the Senate can go back to a democratic 3-day week.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PASTORE. What is the pending order of business?

The PRESIDING OFFICER. Consideration of the District of Columbia appropriation bill, H. R. 6500, Order No. 416.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Rhode Island yield?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Texas?

Mr. PASTORE. I yield.

Mr. JOHNSON of Texas. Mr. President, the distinguished chairman of the subcommittee, I assume, intends to make a detailed explanation of the bill which his committee has reported.

Mr. PASTORE. I do.

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that the reason we did not take up this bill yesterday, and the other bills yester-

day, was because of our desire to provide every Senator with as much time as possible to consider them before they were brought before the Senate. This bill was reported last Friday, I believe; is that correct?

Mr. PASTORE. Last Thursday.

Mr. JOHNSON of Texas. Last Thursday. At that time I asked that copies of the hearings, the bill, and the report be delivered immediately, Thursday afternoon, to certain individual Senators.

I do not know that it is unusual to have hearings, bills, and reports delivered on Thursday or Friday, and to have the bill taken up the following Tuesday. I think perhaps more delay has ensued in this case than is normal in connection with appropriation bills.

I have no desire to have any bill considered without the presence of or the knowledge of as many Members of the Senate as is possible. During the general statements, during general discussions, and during speeches on extraneous issues, I shall not ask that a quorum be present. But before we start reading the bill for amendments or before we vote on the bill, I shall ask that a quorum be obtained. I shall ask that we have a yea-and-nay vote on final passage of the bill.

I now ask, Mr. President, that the yeas and nays be ordered on final passage, so that all Senators may know we will have the yeas and nays when debate is concluded.

The PRESIDING OFFICER. The yeas and nays are requested on the passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, I have one additional statement. It involves repetition, but I want all Senators to know about it.

We will ask that a quorum be present before the bill is passed and before we start amending the bill. If a live quorum is demanded Senators who do not appear in the Chamber will not be listed.

Mr. PASTORE. Mr. President, I ask unanimous consent that the committee amendments to H. R. 6500 be agreed to en bloc, with the exception of the amendments on page 2, line 1, relating to the Federal payment; on page 4, line 3, concerning funds for the executive office; and on page 7, line 21, relating to the appropriation for public schools; and I ask that the bill, as thus amended, be considered as an original text for the purpose of amendment, and that points of order shall not be waived.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Rhode Island?

Mr. MORSE. Reserving the right to object, I desire to ask the Senator from Rhode Island one question.

I understand my colleague, the Senator from Pennsylvania [Mr. CLARK], is going to offer an amendment as to housing. Is that covered?

Mr. PASTORE. That is not covered in the three items I have mentioned, but I am perfectly willing to include it. That is not a Senate committee amendment as such, which is the reason it was not included.

Mr. MORSE. That is perfectly satisfactory.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Federal Payment to District of Columbia", on page 2, at the beginning of line 21, to strike out "$9,121,100" and insert "$9,631,100", and on page 3, at the beginning of line 1, to strike out "$5,971,100" and insert "$6,481,100."

Under the subhead "Department of General Administration", on page 4, line 18, after the word "Incorporated", to strike out "$4,525,000" and insert "$4,545,000."

Under the subhead "Regulatory Agencies", on page 6, line 16, after the word "morgue", to strike out "$1,200,000"' and insert "$1,215,000."

Under the subhead "Department of Occupations and Professions", on page 6, line 18, after the word "Professions", to strike out "$287,000" and insert "$294,800."

Under the subhead "Public Schools", on page 7, line 11, after the word "Agriculture", to strike out "$375,598" and insert "$408,666" and on page 8, line 6, after the word "District", to insert a colon and *"Provided further,* That this appropriation shall be available for the payment of retirement costs to the public school food services fund."

Under the subhead "Recreation Department", on page 8, at the beginning of line 22, to strike out "$2,145,000" and insert "$2,161,000."

Under the subhead "Metropolitan Police", on page 10, line 13, after the word "otherwise", to strike out "$18,100,000" and insert "$18,201,000", and in line 14, after the word "amount", to strike out "$1,952,850" and insert "$1,969,000."

Under the subhead "Department of Vocational Rehabilitation", on page 11, line 18, after the word "Habilitation", to strike out "$200,000" and insert "$208,500."

Under the subhead "Courts", on page 12, line 2, after the word "Justice", to strike out "$4,488,500" and insert "$4,534,600."

Under the subhead "Department of Public Health", on page 12, line 25, after the word "mile", to strike out "but not more than $840 per annum for such automobile" and insert "with the limitation of the annual amount available for such automobile to be fixed by the Commissioners"; on page 14, line 3, after the word "Health", to strike out "$28,130,000" and insert "$28,229,300", and in line 6, after the word "exceed", to strike out "$16" and insert "$18."

Under the subhead "Public Welfare", on page 16, line 15, after the word "committed", to strike out "$12,450,000" and insert "$13,136,000", and in line 19, after the word "individual", to insert a colon and *"Provided further,* That when specifically authorized by the Commissioners this appropriation may be used for visiting any ward of the Department of Public Welfare placed outside of the District of Columbia and the States of Virginia and Maryland."

Under the subhead "Department of Buildings and Grounds", on page 17, line 4, after the word "investigations", to strike out "$2,000,000" and insert "$2,010,000."

On page 17, line 10, after the word "amount", to strike out "not exceeding 4 percent of a total of not more than $2 million of appropriations made for such construction projects and not exceeding 3¾ percent of a total of the appropriations in excess of $2 million" and insert "to be administratively determined by the Commissioners."

Under the subhead "Department of Vehicles and Traffic", on page 19, line 12, after the word "years", to strike out "$1,350,000" and insert "$1,438,000."

Under the subhead "Motor Vehicle Parking Agency", on page 20, line 9, after the word "meters", to strike out "$519,000" and insert "$602,900."

Under the subhead "Washington Aqueduct", on page 21, line 21, after the word "water", to strike out "$2,250,000" and insert "$2,322,000."

Under the subhead "National Zoological Park", on page 24, line 23, after the word "keepers", to strike out "$770,000" and insert "$798,000."

On page 25, after line 5, to insert:

"PERSONAL SERVICES, WAGE SCALE EMPLOYEES

"For pay increases and related retirement costs for wage-scale employees, to be transferred by the Commissioners to the appropriations and funds from which the employees are properly payable, $1,162,500 of which $142,000 shall be payable from the highway fund, $101,600 from the water fund, and $56,400 from the sanitary sewage works fund."

Under the heading "Capital Outlay—Public Building Construction", on page 27, line 11, after the word "expended", to strike out "$10,496,000" and insert "$10,733,000"; in line 13, after the word "and" to insert "such amount as may be determined by the Commissioners", and in line 14, after the amendment just above stated, to strike out "$569,475."

Under the subhead "Department of Highways", on page 29, at the beginning of line 11, to strike out "$14,591,000" and insert "$15,301,000", and in the same line, after the word "which" to strike out "$14,391,000" and insert "$14,901,000."

Under the subhead "Washington Aqueduct", on page 33, line 20, after the word "For", to insert "continuing construction of flocculation-sedimentation basin at Dalecarlia", and on page 34, line 9, after the word "expended", to strike out "$190,000" and insert "$958,000, of which $768,000 shall not become available for expenditure until July 1, 1958."

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a portion of the committee report, from page 1 through page 6.

There being no objection, the excerpt from the report (No. 409) was ordered to be printed in the RECORD, as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, report the same to the Senate with various amendments and present herewith information relative to the changes made:

Amount of bill as passed House	$192,530,300
Amount of increase by Senate (net)	4,052,420
Amount of bill as reported to Senate	196,582,720
Amount of regular and supplemental estimates for 1958	209,504,800
Amount of appropriations, 1957	198,253,379
The bill as reported to the Senate—	
Under the estimates for 1958	12,922,080
Under the appropriations for 1957	1,670,659

GENERAL STATEMENT

The bill provides a total of $196,582,720 for the 1958 expenses of the District of Columbia government. This sum is $1,670,659 below the 1957 total appropriations, is

$12,922,080 below the 1958 budget estimates, and $4,052,420 in excess of the House allowances. Included in the increase recommended over the House bill is $2,715,200 in supplemental requests not previously considered by the House.

Percentagewise, the total recommended is 0.8 percent below the 1957 available funds, 6.2 percent under the total budget estimates, and 2.1 percent over the House allowance.

A summary of the appropriation bill, by type of expenses, follows:

	1957 appropriations	1958 estimates	House bill	Senate committee recommendations	Senate increase over House bill
Operating expenses	$150,143,350	$161,417,000	$157,081,300	$159,618,720	$2,537,420
Capital outlay	48,110,029	48,087,800	35,449,000	36,964,000	1,515,000
Total	198,253,379	209,504,800	192,530,300	196,582,720	4,052,420

The major increases in operating expenses involve $1,162,500 for wage-scale employees and $570,000 for an expanded public-assistance program. For the capital outlay increases, the sum of $768,000 is essential for solicitation of bids and award of construction contracts on a new plant facility of the Washington Aqueduct, and $510,000 is necessary for cost of designing and constructing a bridge on Park Road over Piney Branch to replace the existing closed structure.

Since 1955 the capital outlay appropriations have aggregated $119,507,819, and with the 1958 proposal of $35,449,000, there would be available $154,956,819 in the 4-year period of the 10-year public works program initially scheduled at an estimated overall cost of $305 million.

FEDERAL PAYMENT AND LOANS

The committee recommends that $20,500,000 be the payment by the Federal Government to the general fund of the District of Columbia. This sum is $500,000 over the House allowance but $2,500,000 below the sum authorized by the Revenue Act of 1956. In approving the additional amount the committee recognizes that there exists an obligation on the part of the United States to contribute toward the ever-increasing expenditures of the Government of the District of Columbia, many of which are uncontrollable and highly essential. Furthermore, the committee concluded that the increased payment was justified in consideration of the supplemental requests submitted and the amendments proposed to the House bill, as well as the overall fiscal position of the District Government.

The committee has agreed with the House on the Federal payments and loans proposed to other funds, except in the highway fund where the loan authorization has been increased by $510,000 to finance the construction of a bridge on Park Road over Piney Branch, as a replacement of the existing closed structure. It was the unanimous opinion of the committee that the estimated cost of $500,000 for construction of a fishway at Little Falls Dam is greatly in excess of the original estimate of $350,000, and is quite disproportionate to the overall cost ($776,000) of the dam itself. Therefore, the construction of the fishway should be reevaluated and serious consideration given before any authorization is made.

REVENUES, OBLIGATIONS, AND SURPLUS

In the bill recommended to the Senate the estimated surplus as of June 30, 1958, is $4,448,747 as compared to $2,223,167 under the House bill. The difference of $2,225,580 represents the increased fund requirements of $4,284,420 proposed in the Senate bill ($3,284,420 for cost of amendments, proposed and $1,000,000 reserved for supplementals) minus the $6,510,000 increased revenue availability ($5,500,000 above the revenue estimates of April 11, 1957, $500,000 increased Federal payment, and $510,000 in additional loan authorization to the highway fund). The surpluses are distributed by funds as follows:

General fund	$2,350,702
Highway fund	26,335
Water fund	385,778
Sanitary sewage works fund	311,043
Motor-vehicle parking fund	1,374,889

OPERATING EXPENSES

Executive office: The committee recommends an appropriation of $369,770, an increase of $7,270 over the House allowance and $17,630 under the budget estimates. The additional sum is required to enable the Board of Elections to carry out the requirements of Public Law 376, 84th Congress, in maintaining a permanent registry.

Department of General Administration: The committee has approved the sum of $4,545,000 for the operating expenses of this Department in the fiscal year 1958. This sum is $20,000 over the House allowance, and $28,000 under the budget estimates. The increase proposed is considered necessary to help alleviate the increased workload in the Divisions of Administrative Services, Finance, Personnel and Management.

Regulatory agencies: The committee has approved the additional sum of $15,000, which added to the House allowance of $1,200,000 will provide a total of $1,215,000 for operating costs of the 8 activities. The recommended allowance is $33,600 under the budget estimate of $1,248,600, and $134,386 above the 1957 available funds. Testimony presented to the committee indicated the additional sum is needed to cope with the workload in four activities; namely, control of alcoholic beverages, administration of parole laws, Wage, Safety and Hour Division, and filing, recording property and corporation papers.

Department of occupations and professions: The committee proposes an appropriation of $294,800, the budget estimate, and an increase of $7,800 over the House allowance. The increase will provide for 2 additional positions required in the processing and issuance activity where it was indicated the workload has increased 18 percent over the previous year.

Public schools: The committee recommends the appropriation of $37,246,050 for operating expenses of the 6 activities indicated in the District's public-school system for the fiscal year 1958. This sum is an increase of $86,050 over the House allowance, is $543,150 below the revised budget estimates of $37,789,200, and is $1,749,374 in excess of the 1957 available funds aggregating $35,496,626.

The additional $86,050 will provide $57,200 requested in the supplemental estimate submitted to the Senate in Senate Document 42 for costs ($42,000) in reallocation of 241 wage-board employees, and costs ($17,200) in promoting 86 class 18–B teachers to class 18–C; and $26,850 to provide $1,500 additional for curriculum printing, $4,950 for group testing material, and $20,400 for instructional supplies and materials.

In disapproving the request for $440,250 to provide 89 additional teaching positions, the committee considered the House allowance of 175 additional positions in the supervision and instruction activity for the ensuing fiscal year to be sufficient to continue the improvement in program now under way. The funds provided will also reduce the pupil-teacher ratio from the present 35 to 1 to the ratio of 33 to 1.

The committee also believes that within the funds provided, school officials can maintain continuous reevaluation of this program for remedial reading and speech therapy, and also provide three additional teachers for extremely mentally retarded children, with the possibility of increasing the number of pupils now attending the Military Road School.

Testimony adduced in the hearings indicated that certain improvements are necessary for continued accreditation of the teachers college. The committee is aware of the lack of physical facilities for the college. School officials are now considering plans for transferring the college to an existing building until such time as a new building can be provided. Provision of the requested additional library books must await this decision since space is lacking in the present college building. The necessary part of the printing and binding requested can be provided, by existing funds, as can the position of professor of elementary education at the graduate level. The committee feels certain that school officials will exercise all possible care in maintaining the teachers college as a completely accredited institution.

The committee is likewise aware of the grave problem presented by older retarded children and children with severe behavior problems in the regular classrooms. The school administration should consider seriously some means of providing school space for this group, with separate classrooms for boys and girls, and with a program of instruction geared to their abilities.

The committee also deems it advisable for school officials to use the average daily membership rather than the peak enrollment figures in October as a basis for any compilations of school population.

Department of Recreation: The committee proposes the estimate of $2,161,000 for this Department, or an increase of $16,000 over the House bill, and $258,000 in excess of the current year appropriation.

The additional sum will permit the improvement of services and programs in 14 of the various recreation centers.

Metropolitan Police: The committee recommends the sum of $18,201,000, the budget estimate, for operating expenses of the Department in the fiscal year 1958. This sum is $101,000 over the House allowance and is $429,476 above the total comparative figure for 1957. The added sum will provide 24 additional full-year positions to the uniformed force.

The committee agrees with the Departments' plan for separate promotional examinations for the detective force and the uniformed force, but feels the cost of the necessary additional official positions should be absorbed by funds already available.

Department of Vocational Rehabilitation: The committee has approved the sum of $208,500, an increase of $8,500 over the House allowance. The additional sum was requested in supplemental estimate, Senate Document 42, and is necessary to permit the District to pay its share of the rehabilitation program for patients discharged from St. Elizabeths Hospital, as authorized by Public Law 565, 83d Congress.

Courts: The committee has approved the revised budget estimate of $4,534,600 for operating expenses of the courts in the fiscal year 1958. This amount is $46,100 over the

House allowance and is considered necessary for the efficient operation of the various courts. The sum is to be applied as follows:

Juvenile court, $21,900 ($13,600 for reallocations; $6,300 for 2 positions and related costs).

Muncipal court, $21,700 ($14,410 for additional personnel and related costs in civil division; $7,290 to annualize positions in domestic relations branch.

Municipal court of appeals, $2,500 for equipment in the clerk's office.

Department of Public Health: The committee recommends $28,229,300, or an increase of $99,300 over the House allowance. The additional sum is needed for care of indigent patients in the contract hospitals of the District of Columbia, and such sum added to the House allowance will provide $1,484,800 for the fiscal year 1958. This amount is $439,800 above the current-year allowance for medical charities. Also recommended is an increase in the inpatient per diem rate to $18, increase of $2 over the House bill, and $4 over the budget estimate.

Department of Public Welfare: The committee recommends an appropriation of $13,136,000 for operating expenses of the Department in the fiscal year 1958. This sum is an increase of $686,000 over the House allowance, and is considered essential for an expanded program of public assistance in the District. It was the feeling of the committee that the additional sum, of which $570,000 was submitted as a supplemental estimate, was sufficient to permit this important program to function until such time as the Commissioners could more clearly determine what portion of available revenues might be apportioned to this new program. The $686,000 is distributed as follows:

Continue payments at current level	$116,000
Surplus food program	150,000
Assistance payments in lieu of unpaid court orders	200,000
Emergency assistance grants	75,000
Improve services	100,000
Remove ceiling on payments	45,000

The committee has restored to the bill language to enable officials of the Department to visit wards located outside the District of Columbia.

Department of Buildings and Grounds: The committee recommends $2,010,000, an increase of $10,000 over the House allowance and $86,000 under the budget estimate. This is the amount requested in Senate Document 42 for survey of electrical wiring.

The committee has approved language to enable the Commissioners to determine administratively the amount to be allocated for plans and specifications for the various construction projects, as is the practice followed by executive agencies.

Department of Highways: The committee agrees with the House allowance of $7,050,000 for the Department, and has accordingly disapproved the increase requested in the amount of $177,100 to provide $157,500 for increased contract costs and increased workload on street projects, and $19,600 for the purchase of driver training cars. However, in denying the request, the committee has no objection to the financing of these projects within available funds.

Department of Vehicles and Traffic: The committee recommends $1,438,000, an increase of $88,000 over the House allowance of $1,350,000 and a reduction of $19,000 in the budget estimate. The increase over the House allowance will provide for the installation of a central control of the District's traffic signal system. This was requested as a supplemental amount in Senate Document 42.

Motor Vehicle Parking Agency: The committee recommends $602,900, an increase of $83,900 over the allowance of $519,000 and is in the amount of the budget estimate. This increase will cover the costs of the fringe parking project proposed at Michigan Avenue and Harewood Road NE. (Soldiers' Home area).

Washington Aqueduct: The committee recommends $2,322,000, an increase of $72,000 over the House bill and a reduction of $6,000 in the budget estimate. The increase is in the amount of the supplemental estimate to cover wage-board increases for employees and related costs.

National Zoological Park: The committee recommends $798,000, an increase of $28,000 over the House allowance of $770,000 and is in the amount of the budget estimate. The increase over the House allowance will provide for additional positions for increased workload and for maintaining new restroom building.

Personal services, wage-scale employees: The committee recommends $1,162,500, an increase of $1,162,500 over the House bill, and is in the amount of the budget estimate. This amount is necessary to pay the average increase of 11 cents per hour for the District regular wage-board employees.

Public building construction (capital outlay): The committee recommends $10,733,000, an increase of $237,000 over the House bill, and a reduction of $3,644,800 in the estimate. The $237,000 increase was requested in a supplemental estimate (S. Doc. 42) and is needed to carry out the electrical modernization program in District elementary and secondary schools. The total program will eventually cost around $810,000.

Highway Department (capital outlay): The committee recommends $15,301,000, an increase of $510,000 over the House allowance of $14,791,000. The proposed increase is for the construction of the bridge on Park Road over Piney Branch, as a replacement of the existing closed structure.

Washington Aqueduct (capital outlay): The committee recommends $958,000, an increase of $768,000 over the House allowance of $190,000, and is in the amount of the budget estimate. Testimony in the course of the hearings was to the effect that with this authorization it would be possible to advertise for bids and award a contract for construction during fiscal 1958 without expenditure of funds in 1958.

Mr. PASTORE. Mr. President, in order to recapitulate, I desire to make a few brief remarks with respect to the District of Columbia appropriation bill for 1958, which carries the unanimous approval of the committee.

The bill is $12,922,080 under the estimates for 1958; $1,670,659 under the appropriations for 1957; and $4,052,420 over the bill as passed by the House.

Included in this increase is $2,717,200 in supplemental requests not considered by the House. Some of these essential items are as follows:

One million one hundred sixty-two thousand five hundred dollars for Wage Board increases to so-called blue-collar workers—an uncontrollable item;

Five hundred and seventy thousand dollars for the cost of expanding a much-needed public assistance program;

Five hundred and ten thousand dollars for construction costs involved in the replacement of the Park Road bridge, an item extremely important to the Northwest tax-paying public for crosstown travel; $237,000 for a modernization program in connection with electrical wiring in elementary and secondary schools; and $99,300 to provide the full estimate requested by the Hospital Council for the care of indigent patients in the private hospitals of the District of Columbia.

The bill as reported will provide the District with sufficient funds to carry out its financial responsibilities in the ensuing year, and yet provide an overall estimated surplus on June 30, 1958, of approximately $4,400,000. Such surplus, contained in five different funds, is required to meet the ever-increasing expenditures of the District government. As Senators well know, the city is still growing in population, and added financial burdens are imposed through the necessary expansion of the school system and the health and welfare departments, as well as the increasing obligation of affording adequate protection through the police and fire departments.

It seems only fair that the Federal Government should assume its share of this increased obligation, the local taxpayers having contributed their share through the increased taxes imposed by the Revenue Act of 1956. Accordingly, the bill provides for a Federal payment of $20,500,000, as compared with the House allowance of $20 million, and the authorized allowance of $23 million. This additional $500,000 seems adequate, in proportion to the $4 million plus which is proposed to be added to the House figure.

That, in a very concise, and I hope very clear, fashion, pretty well recapitulates the bill, and states the general point of view underlying the bill which is now pending.

I wish to relinquish the floor at this moment, before a quorum call is asked for, and before the bill is read for amendment, because I understand that other Senators wish to speak.

The PRESIDING OFFICER. The clerk will state the first committee amendment passed over.

The CHIEF CLERK. On page 2, line 1, after the word "and" it is proposed to strike out "$20,000,000" and insert in lieu thereof "$20,500,000".

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. MORSE. Mr. President, I wish to make a brief statement on the general problem which confronts us, but I think I shall base it upon an amendment to the committee amendment, which I now send to the desk on behalf of myself, the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BEALL], the Senator from Pennsylvania [Mr. CLARK], and the Senator from West Virginia [Mr. NEELY]. I offer the amendment and ask that it be stated. It is really a substitute for the the committee amendment.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 1, in lieu of the figure proposed to be inserted by the committee, namely, "$20,500,000", it is proposed to insert "$23,000,000."

Mr. MORSE. Mr. President, I shall be exceedingly brief in my comments on this important amendment.

At the outset I wish to say, with all the sincerity at my command, that I deeply appreciate the work of the Senator from Rhode Island [Mr. PASTORE], as chairman of the Appropriations Subcommittee on the District of Columbia Affairs. There is no doubt in my mind, and in the minds of other members of the District of Columbia Committee—because we discussed the differences which exist between the District of Columbia Committee and the Appropriations Committee at a special meeting yesterday afternoon—that the Senator from Rhode Island has done a conscientious and exceedingly able job as chairman of the Appropriations Subcommittee on District of Columbia Affairs.

I wish to say to the Senator from Rhode Island that although some marked differences exist between the District of Columbia Committee and the Appropriations Committee with respect to certain matters of policy, which also involve appropriation issues, without exception we are deeply appreciative of what the Senator from Rhode Island has done in the interest of the District of Columbia on item after item. I wish to say today that in my opinion the people of the District of Columbia are, indeed, fortunate to have as chairman of the Appropriations Subcommittee on District of Columbia Affairs, to whom is entrusted the consideration of District of Columbia appropriations, a man with a social conscience, a man who is dedicated to the welfare of the District of Columbia.

Therefore it pains each one of us on the District of Columbia Committee to find ourselves in opposition to the Senator from Rhode Island and his committee on any point, major or minor. We wish to assure him and the Appropriations Committee that our difference in regard to this appropriation bill springs only from our deep conviction that more money should be appropriated in the interest of doing what we consider to be deserved fiscal justice to the District of Columbia.

Whatever I may say, and whatever any other member of the District of Columbia Committee may say in the course of the debate today, based upon discussions which we have had among ourselves, must not be interpreted in the slightest degree as any criticism of the Senator from Rhode Island or any other member of his subcommittee or of the full Committee on Appropriations. We have an honest difference of opinion, as a matter of public policy, in respect to the subject matter of the first committee amendment.

The first amendment goes to the question of the appropriations Congress ought to contribute to the District of Columbia budget. It goes back to the fact that in our opinion Congress is bound, we think, to appropriate the full $23 million, which we believe previously was promised the District. There can be very sincere and honest difference of opinion about that, but I shall state our case. We pray consideration of it on the part of the Senate.

We realize that the District of Columbia in the last year has raised more in taxes than was expected. However, we do not believe that is any justification for Congress not going forward with what we consider to be its commitment of the full $23 million.

Before I read the justification for the Federal payment based upon previous legislation passed by Congress, I wish very quickly to cover these points.

We believe that the $23 million should be appropriated, first, because the District is limited in taxation. It is not really what we can call a free-taxing district. It is not free to impose some of the taxes which are imposed by municipalities in our own States. It is limited because the Federal Government is the largest industry in the District, and it is tax free. The District of Columbia is not in a position to impose taxes on the great Federal holdings in the District.

In the second place, 42.8 percent of the land in the District is owned by the Federal Government. That is a terrific amount to take out of the tax resources of any municipality.

It is estimated—I am satisfied reliably—that if this land were taxable, it would yield $20,400,000 in real-estate taxes alone. If the Federal Government were taxable as a private employer of comparable size would be, the Federal payment would be $47.5 million.

One hundred and eighty-seven million dollars, in round figures, represented by property belonging to foreign governments and tax-exempt agencies, is exempt from taxes in the District. Then, too, we have imposed—and rightly so—building restrictions in the District of Columbia which hold down real-estate values. If such restrictions were not imposed by Congress, it would be possible to permit the construction of taller buildings in the District of Columbia, which would be greater revenue-producing buildings, and therefore would produce a greater tax return.

Furthermore, we must keep in mind that a great many of the people who earn their living in the District of Columbia have their residences outside the District or have their legal domicile elsewhere. It is a remarkable percentage, compared with other municipalities in many other parts of the country.

Then, too, we have a great many military personnel in the District, who are not paying taxes into the District treasury.

The District cannot extend its boundaries. In our own States, when a great metropolitan area grows up around a large city, sooner or later the metropolitan area is taken in by the city as the city expands, thus increasing the tax income of the city. That cannot happen in the District of Columbia because of its physical situation.

Therefore, the members of the Committee on the District of Columbia feel that the Senate should take into account this situation, and that the Senate should restore the full $23 million which, in our opinion, Congress, in fact, has committed itself to pay.

I ask unanimous consent to have printed in the RECORD at this point, without taking the time to do more than to hit the highlights, some material on page 76 of the hearings of the Joint Committee on Fiscal Affairs of the House and Senate Commitees on the District of Columbia, held on January 11, 16, and 17, 1956.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Turning to the matter of expenses, the District incurs increased costs over and above those incurred by an ordinary city because it is the Nation's Capital. Some examples of these increases are as follows:

1. The Fine Arts Commission and the National Capital Planning Commission require that most public works structures be designed to harmonize with the Federal master plan for the Capital City. The new Highway Bridge cost $1.2 million, or 21 percent extra because of this. The Municipal Center is also an illustration of fine monumental construction consistent with such concepts.

2. The federally conceived plan of the city calls for wide, beautiful, tree-lined streets such as few other major cities enjoy. Planting and maintaining these trees is costing $400,000 this year, and further increases are in sight. Wide streets also mean additional paving costs.

3. An unusually fine federally operated zoo is wholly paid for by the District of Columbia. The cost this year is about $700,000.

4. The National Park Service receives about $2 million each year from the District of Columbia for maintenance and operation of federally owned and controlled parks in the city.

In addition, the District pays approximately $540,000 per year to support the Park Police. This is considerably more park land and more park expenditures than are customary in comparable cities.

5. The large volume of Federal structures imposes significant demands on our police, fire, sanitation, and other services, which cannot be precisely computed in dollars, but which nonetheless add to the cost of building and operating the city. Approximations of some of these costs are as follows:

Police, special details	$60,000
Fire, special services	90,000
Cleaning streets in Federal areas	175,000
Installing curbs and gutters abutting Federal property	50,000
Motor-vehicle titling, etc., of Federal vehicles	15,000
Temporary home for soldiers and sailors	35,000

6. The District is unique in being subject to Federal legislation that adds considerably to the cost of maintaining the city. For instance, under Public Law 648, 79th Congress, as amended, the District is required to share the cost of Federal grants for the construction of a hospital center and other hospitals. The potential liability for these purposes is $17.5 million.

7. Because of Federal expansion in the area, Washington is now completely encircled by a thickly settled area that is more populous than the city itself, and which requires the construction of expensive arterial highways to enable suburban populations to move to and from the city. The fact that two rivers have to be crossed by much of this traffic requires the construction of very costly bridges.

Mr. MORSE. Mr. President, as is stated in these hearings, the District in-

curs increased costs over and above those incurred by an ordinary city because it is the Nation's Capital.

On page 76 are cited some of the examples of these increases:

1. The Fine Arts Commission and National Capital Planning Commission require that most public works structures be designed to harmonize with the Federal master plan for the Capital City.

2. The federally conceived plan of the city calls for wide, beautiful, tree-lined streets such as few other major cities enjoy.

The memorandum I have inserted sets forth the total cost of this item.

3. An unusually fine federally operated zoo is wholly paid for by the District of Columbia. The cost this year is about $800,000.

5. The large volume of Federal structures imposes significant demands on our police, fire, sanitation, and other services.

6. The District is unique in being subject to Federal legislation that adds considerably to the cost of maintaining the city. For instance, under Public Law 648, 79th Congress, as amended, the District is required to share the cost of Federal grants for the construction of a hospital center and other hospitals. The potential liability for these purposes is $17.5 million.

7. Because of Federal expansion in the area, Washington is now completely encircled by a thickly settled area that is more populous than the city itself, and which requires the construction of expensive arterial highways to enable suburban populations to move to and from the city.

In fact, Mr. President, we cannot even get a full contribution from the Federal Government to build a bridge across the Potomac, to bring Government workers from Virginia into the city, but insist that a considerable part of the cost of the construction of any such bridges be paid by the District.

Thus I could go on and point out that there are many special costs which the District must bear because it is the Nation's Capital and because it is the Federal City, and that there is an increased obligation on the part of Congress to appropriate the $23 million, for which some of us plead this morning.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. May I ask the Senator from Oregon how the extra $2,500,000 would be spent if his amendment were adopted?

Mr. MORSE. It could be spent for a great many of the items we will discuss, which must necessarily be restricted.

Mr. DOUGLAS. First, let me say that I congratulate the Senator for the interest he has taken in the many children of the District who lack food and who are really half starved. My wife made some inquiry into the subject some months ago, and she was shocked to find large numbers of children, living in areas bordering on high-rent residential districts, who were obviously half starved.

The Senator from Oregon and his colleagues have done an excellent job in publicizing that fact. I would heartily approve of adding appropriations for that purpose. I would also approve of added appropriations for hospitals, schools, and for the general welfare functions of the city, which I think are underfinanced. Will the Senator give any assurance as to what he intends to do on those points?

Mr. MORSE. Mr. President, we shall make some specific recommendations, as the Senator will learn, as the debate proceeds. Let me name one such expenditure.

For example, we have the so-called 83 percent formula which is now being used for welfare cases. That ought to be 100 percent. What actually happens is that needy families in the District get only 83 percent of the allowances——

Mr. DOUGLAS. For minimum subsistence.

Mr. MORSE. For minimum subsistence; and the experts believe that ought to be 100 percent. That item alone would amount to $1,500,000.

Mr. DOUGLAS. That would take the major proportion of the $2,500,000.

Mr. MORSE. It would take the major proportion. The Senator from Pennsylvania [Mr. CLARK] will offer an amendment proposing an increase in the number of schoolteachers. One cannot sit in the Committee on the District of Columbia and listen to the testimony of the educational authorities who come before us without knowing that a serious shortage of teachers exist.

I hope Senators will mark my words, because I want the Senate to know that I engage in no conscious overstatement in the course of this debate; to the contrary, I intend to lean over backward to make certain that the arguments I make this morning will have to be classified as understatements with respect to the need for more funds.

Let me discuss the question of the shortage of schoolteachers. We have listened to the school authorities who have testified before our committee. The members of my subcommittee are alarmed over the serious educational crisis which is developing in the Nation's Capital. It happens to be our opinion, I may say to the Senator from Illinois, that we cannot remain silent concerning a failure to provide the $23 million when we know what the schools of the District of Columbia need.

My recollection is that $440,000 is needed to provide the 89 additional teachers who the school authorities were unanimous in stating should be provided.

I turn now to the matter of hospitals. There is a dreadful shortage of hospital beds in the District of Columbia. Let me say most respectfully that there are many good hospitals here. But the testimony shows that the District of Columbia is operating 1 hospital, a part of the structure of which dates back to 1876. When one walks into it, he knows it is that old. Yet, let me very quickly say to those in charge of that hospital that they are deserving of the appreciation of every citizen of the District of Columbia for the magnificent work they are doing in keeping that old structure in a usable condition and in a remarkably sanitary condition, considering all the handicaps under which they work.

But it is the handicaps about which we are speaking. As the doctors and surgeons who testified before us made clear, a time simply comes when there is a limit to what can be done with an obsolete structure.

Again I speak most respectfully when I say that, as the chairman of the Subcommittee on Public Welfare of the Committee on the District of Columbia, I shall do everything that is within my power, at least, on the floor of the Senate today to plead for the restoration of the funds which I think Congress is really committed to appropriate, for reasons I shall set forth in a minute, in order to meet the great social and humanitarian needs of the District of Columbia. That happens to be our thesis.

Mr. DOUGLAS. From my observations and from living in the District of Columbia 9 years, I think the District does need to spend more money for welfare, for schools, and for hospitals, and that the specific items by which the Senator from Oregon and, I understand, the Senator from Pennsylvania would increase the budget are very worthy causes.

But this is the doubt in my mind: whether the increase of $2,500,000, which I am certain is needed, should be made from an added Federal appropriation or should be made by added taxes upon the real estate located in the District of Columbia. I should like to develop that point for a moment, if I may.

Mr. MORSE. If the Senator will permit me to interrupt him, I should like to make a modification of what I said, because I do not want anyone to be misled by what I said.

When I said that increasing the percentage of the allowances for needy families would take care of $1,500,000 of the $23 million, I mean that that amount should be put in the budget. The money ought to be there. Then, because of certain parliamentary rules which confront us, it would be necessary to make an additional appropriation for that specific purpose by way of a supplemental appropriation bill. But now is the time to make the money available. Unless it is made available, it cannot be handled by way of a supplemental appropriation bill.

Now I yield further to the Senator from Illinois.

Mr. DOUGLAS. Two years ago my wife and I decided that we would build a house in the District, because a Senator's duties compel him to be here from 9 to 10 months a year. Before we did that, however, we canvassed houses already constructed, and we compared the cost of constructing houses inside and outside the District, with particular reference to Maryland.

We found that one of the great advantages of the District of Columbia in comparison with Maryland was a much lower real estate tax level. For instance, in the region near Bethesda, Chevy Chase, and Silver Spring, we found that a house on the District of Columbia side of the street, which acted as the dividing line, had a much lower tax rate than the house on the Maryland side. I did not have the exact figures prepared on the subject, but I can only say that the difference was very appreciable. It was clear that

the District of Columbia tax rate was much lower than the Maryland tax rate.

This, on the surface, would seem to be extraordinary, because the District of Columbia is not a manufacturing city; and generally it is necessary to have manufacturing where the value per acre is higher, in order to support a low tax rate.

Mr. PASTORE. Mr. President, will the Senator yield for an observation of this point?

Mr. DOUGLAS. Yes; I yield.

Mr. PASTORE. I think at this juncture it would be rather pertinent to state that such a study is underway now, and that a report is expected to be made in a very short time. However, I am not justifying the lower rate.

Mr. DOUGLAS. Can the Senator from Rhode Island confirm my general impression that the effective tax rate in the areas of Chevy Chase, Silver Spring, and Bethesda is appreciably higher than the effective tax rate for a house and lot of equal value in the District of Columbia?

Mr. PASTORE. It is my understanding that in the areas which have been mentioned by the able Senator from Illinois, an appraisal has already been made, and the tax has gone up somewhat.

The Senator from Illinois used the word "appreciable." That is a hard word to use in making a comparison. But the tax rate in the District of Columbia is lower than it is in the Maryland communities to which the Senator referred.

Mr. DOUGLAS. It is lower in the District of Columbia.

Mr. PASTORE. It is lower in the District.

Mr. DOUGLAS. Could the Senator from Rhode Island estimate how much lower?

Mr. PASTORE. No; I would not dare to do that; but I can place the information in the RECORD.

Mr. DOUGLAS. I hope the Senator from Rhode Island will do so. I think it would help very much in a discussion of the bill.

I heartily agree with the purposes for which the Senator from Oregon and the Senator from Pennsylvania are striving. I think they are to be commended for so doing. But, very frankly, what has been taking place in the District of Columbia, so far as I can tell, has been a determined effort by the Board of Trade to keep down the tax rate in the District of Columbia. The effect of that has been to starve city services, to starve welfare, to starve education, to starve hospital and medical care, and, in general, to exercise a blighting influence upon the District.

As Senators well know, the District of Columbia is probably unique among the big cities of the country in having the largest proportion of houses which have a high valuation. Let one go through the Northwest section of this city, in which I suppose most of us live, and instinctively the question arises, Where does all the money come from to buy and maintain these houses and keep the grounds up? There is square mile after square mile of extremely high valued houses. I think this is largely due to the fact that the District of Columbia is the capital of the United States. I do not suppose that the $22,500 salary which we receive as a salary will maintain many blocks; but there are also here large numbers of Federal employees. Despite the fact that they are constantly pleading poverty—and I think perhaps many of them are underpaid—it is true that when two members of the family work—which is quite common—there is then a relatively large family income, and that is another very real reason why people like to put their money into homes.

There is not much night life in the city of Washington, at least so far as I have been able to observe. I am frank to say that I have not hunted for it very much. [Laughter.]

So Washington is a community of home dwellers, and that is all to the good. However, that means that the average value per house is high. The location in the city of Washington of the Congress, which passes the laws, draws to the city large numbers of diplomats, the retired wealthy lobbyists and public relations men and also persons who have large expense accounts, and who can obtain deductions, for income-tax purposes, for many of the expenditures they make. The result is that large numbers of persons with relatively high incomes are drawn to the city of Washington; and, as a result, the tax rate is low.

I think the social services of the city of Washington should be supported more adequately than they are. In times past—until I was forced to make a study of the comparative tax rates—I thought that the Federal Government's share of the expenses of the Government of the District of Columbia should be increased, since as it is perfectly true that a very large percentage of the ground, namely approximately 40 percent, in the District of Columbia is used for public buildings. But after I made a study of the tax rates in the periphery of the District of Columbia, and observed the striking fact—2 years ago—that property in Maryland was taxed at a much higher rate than property in the District of Columbia, it seemed to me that the tax rate in the District of Columbia should be increased. It was my impression, as a result of that study, that the tax rate in Maryland was much higher than that in the District of Columbia.

In view of that fact, it seemed to me that the best remedy was to increase the tax rate in the District of Columbia. That would mean that those of us who own homes in the District of Columbia would pay more taxes, but I think we should accept that, and I wish to say that I think the Board of Trade of the District of Columbia has followed a very shortsighted policy in using all its influence to keep down the tax rate. I think the property owners in the District of Columbia should bear the increased municipal costs to the degree of their ability, rather than constantly demand that the Federal Government meet the increased costs. For although the Federal Government removes property in the District of Columbia from taxation, the Federal Government draws to the District of Columbia the lobbyists, diplomats, the relatively high-paid Government employees, and the public-relations men; in other words, all those found in the modern periphery of the Government, and the entourage which thus is attracted to the District of Columbia, live well, in good houses—which is fine—and they could pay increased taxes if the board of trade would permit the District of Columbia Commissioners to increase the real-estate tax.

I should like to ask this question: Would not it be possible for the District of Columbia Commissioners to increase the tax rate on real estate in the District of Columbia?

Mr. MORSE. Mr. President, I am very glad the Senator from Illinois has raised this point. I shall comment on it in a moment.

First, inasmuch as the Senator from New York [Mr. JAVITS] has been on his feet, I shall be glad to yield to him at this time, if he desires that I do so.

Mr. JAVITS. Yes, Mr. President; will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. JAVITS. I should like to point out to the Senator from Illinois that I think he makes a very persuasive case for increasing the real-estate tax in the District of Columbia. However, it seems to me that the increased revenue thus obtained should be used for quite another purpose. In other words, Washington, D. C., is one of the very few cities in the United States which has a 1-percent levy on food purchased at grocery stores—a levy which is regressive, and which bears very heavily on the persons of the lowest incomes. The tax at present yields approximately $2,225,000 a year—incidentally, almost exactly the amount the Senator from Oregon wishes to have added to the contribution the Federal Government makes to the budget of the District of Columbia.

In this connection, let me point out that the Senator from Oregon and I have joined in sponsoring a bill which would repeal the present 1 percent sales tax imposed in the District of Columbia on food purchased for consumption in homes. Let me say, in that connection, that a sales tax on food consumed in homes is basically a levy upon those who can least afford to pay taxes; and among the Nation's largest cities, such a tax is imposed only in Chicago, Detroit, and St. Louis, in addition to Washington, D. C. On the other hand, New York, Philadelphia, Boston, Los Angeles, San Francisco, and Baltimore, among other cities, have no such tax.

If the Federal Government does its part in increasing the contribution it makes to the budget of the District of Columbia—and for that reason I intend to support the amendment of the Senator from Oregon, which, incidentally, would mean that in that event the Federal Government would pay only approximately 12 percent of the aggregate cost of maintaining the District of Columbia, which certainly would not seem to be inequitable—then, in view of the present regressive sales tax on food consumed in homes in the District of Columbia—a tax which is quite an un-

usual one—and in view of what the Senator from Illinois has said regarding the deficiencies of the real-estate tax imposed in the District of Columbia, it seems to me that the Senator from Illinois would have a much better case in favor of increasing the real-estate tax in the District of Columbia after the present tax on food consumed in homes in the District of Columbia had been removed.

Mr. DOUGLAS. Mr. President, I should now like to ask whether it is within the power of the District of Columbia Commissioners to increase the real-estate tax rate in the District of Columbia?

Mr. MORSE. Yes; it is.

Mr. DOUGLAS. If it is within their power, could not the revenue thus obtained be used for welfare, hospitals, and education in the District of Columbia?

Mr. MORSE. Before I reply to that question, let me say that I have been advised by the counsel of the committee, Mr. Gulledge, that the rule in the District of Columbia is that the Commissioners cannot reduce the real-estate tax below $2.20, but they can increase it.

Mr. DOUGLAS. Precisely so. But, they can increase the tax rate on real estate in the District of Columbia; is that correct?

Mr. MORSE. Yes; and in a moment I shall comment on that point.

Mr. DOUGLAS. Second, if the real estate tax rate in the District of Columbia were increased, could not the additional revenue thus obtained be used to make increased appropriations for welfare activities in the District of Columbia, which I believe are needed, and for added hospital care and for added education?

Mr. MORSE. The answer is "Yes."

Mr. DOUGLAS. Then why should not we put pressure on the Commissioners of the District of Columbia to increase the real estate tax rate, rather than have Congress increase the Federal grant to the District of Columbia, thus making it unnecessary for the Commissioners to increase the real estate tax rate.

Mr. MORSE. I shall discuss that point in a moment.

Mr. BEALL. Mr. President——

Mr. MORSE. First, Mr. President, I yield to the Senator from Maryland.

Mr. BEALL. Mr. President, I thank the Senator from Oregon for yielding to me.

The Senator from Oregon answered the Senator from Illinois by stating that the real estate tax rate in the District of Columbia is $2.30. Let me say that the same is true in the case of Montgomery County, Md. Furthermore, a reassessment of properties is now being made in the District of Columbia. The assessment of properties, rather than the tax rate, is the crux of the entire matter. During the last year there has been set up the necessary machinery for the reassessment of real estate in the District of Columbia.

Mr. DOUGLAS. Let me ask the Senator from Maryland, who is very much interested in matters affecting the District of Columbia, whether it is true that the tax rate on real estate in Montgomery County has now been increased, so that it is on a level with that in the District of Columbia.

Mr. BEALL. I understand it is now the same, namely, $2.30.

Mr. DOUGLAS. That was not the case 2 years ago, was it?

Mr. BEALL. I do not know as to that.

Mr. DOUGLAS. What is the rate in Prince Georges County, as compared with that in the District of Columbia?

Mr. BEALL. I do not have that information, but I shall get it.

Mr. DOUGLAS. What is the comparative rate across the river in Virginia, as compared with the rate in the District of Columbia?

Mr. MORSE. I shall ask the committee clerk to obtain that information for the RECORD.

Mr. PASTORE. Mr. President, if the Senator from Oregon will yield to me, let me say we shall obtain all that information in 15 or 20 minutes.

Mr. DOUGLAS. But we need the information in connection with the amendment of the Senator from Oregon; and it will not do us much good to have the information tomorrow morning, inasmuch as we are to vote today on the amendment.

Mr. PASTORE. I realize that; but we shall obtain the information within a very few minutes.

Mr. DOUGLAS. Is it the impression of the Senator from Rhode Island that the tax rate in the adjoining counties of Virginia is higher than that in the District of Columbia?

Mr. PASTORE. That is correct.

Mr. DOUGLAS. Is it appreciably higher?

Mr. PASTORE. That is a difficult question to answer. In that connection, we should wait until we obtain the information which is about to be provided.

Mr. DOUGLAS. Let me inquire of the Senator from Maryland as to the situation in Takoma Park, Md.?

Mr. BEALL. A part of Takoma Park is in Prince Georges County, and another part is in Montgomery County.

Mr. DOUGLAS. Does the Senator from Maryland have any information as to the tax rate in Prince Georges County, as compared with that in the District of Columbia?

Mr. BEALL. We are now obtaining that information.

Mr. DOUGLAS. Mr. President, I do not wish to usurp the role of the Senator from Oregon, but this is a very important matter.

Mr. MORSE. I am glad to have the Senator from Illinois proceed, and of course I appreciate the importance of the matter.

Mr. DOUGLAS. Incidentally, Mr. President, let me say that I do not think the Senate should be dealing with this subject, because in this connection the Senate is acting merely as a city council. Instead, I think there should be home rule in the District of Columbia, so that these matters could be dealt with by the local authorities.

However, since the Senate is at present forced to act as the city counsel for the District of Columbia, it is obvious that the Senate must do its duty in that connection.

Mr. MORSE. I am glad the Senator from Illinois has raised that point, and I should like to have the people of the country realize that today, in connection with the pending measure, the Senate is acting as the city council for the District of Columbia.

Mr. DOUGLAS. I was once a member of the Chicago City Council, and realize the importance of the matters we are discussing.

Mr. MORSE. Then the Senator from Illinois should feel very much at home at this time

Mr. DOUGLAS. But I wish to say that I think the Washington Board of Trade has dominated the District of Columbia Commissioners for a long time, under both Democratic administrations and Republican administrations; and they have helped to keep down the tax rate, and have helped to starve the welfare facilities of the people of the District of Columbia, and then they have blamed the Federal Government for not dishing out enough money to support the welfare activities.

When we come to act on the appropriation bill, I think we should vote for added appropriations for welfare, for health, and for hospitals. I think we should vote that way, but at the moment I am uncertain whether we should vote for an increase in the Federal contribution to the District. I would rather vote for appropriations for the specific purposes, and make compliance mandatory on the District, and then compel the District Commissioners to increase the tax rate, and therefore overcome the opposition of the Board of Trade. I think there has been a news blackout over the District on these issues with the Board of Trade helping to keep down the tax rate, and then "passing the buck" to the Federal Government.

Mr. MORSE. I am very glad to have this contribution from the Senator from Illinois. I shall comment on his statement, but first I yield to the Senator from Rhode Island.

Mr. PASTORE. I merely wish to make the observation that I do not know whose fault it is, but I believe this whole metropolitan area should be made consonant as an area with respect to the tax structure, health benefits, social welfare, and what have you.

Fundamentally, there are substantial problems involved, and more so on the District level than are normally found on the national level, because here in the District we have direct contact with the personalities involved. The human problems sometimes become even more human, because we are dealing directly with the people who are affected by our decisions.

I might say at this point that I wholeheartedly agree with the distinguished Senator when he talks about home rule for the District. There will be at least some semblance of home rule. So long as the responsibility is ours, we will meet it with all the alertness, conscientiousness, and industry at our disposal; but I hope the day will come when there will be some semblance of home rule in the District, whereby the people who pay the taxes will decide how the tax money

shall be spent. After all, the Federal Government makes a contribution of approximately 10 percent to the expenses of the District. It may be a little higher or a little lower than that. But it is a rather incongruous situation for us to be telling the people who pay the taxes how they should spend the tax money, when the Federal Government contributes only 10 percent of the amount to be spent.

The fact remains that, no matter what we do with respect to the $23 million item, we still have the problem of the sales tax, which was raised by the distinguished Senator from New York [Mr. JAVITS]. We still have the problem of only 83 percent of the subsistence allotment being paid. We can decide those questions, but they belong in the District committee. That committee has jurisdiction over them. That, however, does not relieve the Senate of the responsibility of deciding what it shall do about the $23 million.

I desire to say, in fairness, that while I represent the committee in this particular matter, one of the problems I wrestled with, one of the items which affected my consciousness more than any other, was the question of what we shall do about feeding the poor. An item amounting to about $170,000, as suggested by the committee, has been placed in the bill to take care of that matter. We have a plan for setting up five food centers in the area. Thus far we have had an emergency program. Now we expect to have a permanent program. All the things that have been projected must be done, but they will not assist the Senate this morning in reaching a decision on the $23 million item.

I say a legal and a moral responsibility rests on the Federal Government to make a fair contribution to the District, because about 42 percent of the land in the area is owned by the Federal Government. However, let us not delude ourselves with the idea that it is not a great advantage to the people of the District to have the Capital located here. I only wish it were in Providence, R. I. I would complain very little about that fact.

Mr. PASTORE. Let us not worry over the fact that the Capital is located here. It is a wonderful thing for the District. I wish it could be located in Rhode Island. We could use it there, and use it very well. But that is not the point before the Senate. The question we have before us is what is legally and morally right. We are confronted with certain practical and realistic matters which we must face.

Certainly, my responsibility in dealing with the budget for the District of Columbia is slightly different from the responsibility of the Senator from Oregon, for whom I have the highest respect. I have to measure the tone and temperament of the Congress. I have to measure the feeling of the House. I have to look into the background of various matters. I have to look into the question of surpluses. The District of Columbia Committee has done all those things. The Appropriations Committee has not come forward with this budget because the committee did not love the people of the District as much as it loved everybody else. I do not say we love them more or less. We are just as conscious of social problems as is anybody else. But we have come forth with a bill which I think we have shaped and rounded to make sense and that will do the things which should be done for the District.

If the Federal contribution is increased by $2½ million, it will not go for operating expenses. What will happen? The yield from income taxes paid in the District of Columbia has amounted to $5½ million more than was estimated. I do not think we can shy away from that fact, or shy away from our moral and legal responsibility of making an appropriate contribution. Realistically and practically, the House voted $20 million. Since that time there has been an increase in the yield of District income taxes amounting to $5½ million. There has been a surplus on paper, because this money is still in the United States Treasury. When something is said of money being available or not available, I point out that the United States can never afford to have the District of Columbia become bankrupt. This is a model city, and it should be a model city, because the National Capital is located here.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. I should like to have Washington be a model city. It is a model city in many respects, but in many other respects it is not a model city. It is not a model city so far as the Potomac River is concerned, which, as the Senator from Oregon has pointed out, is an open and running sewer. It is not a model city so far as care of the poor is concerned. It is not a model city so far as hospitals are concerned. The poor people in the city of Washington fare very badly indeed.

The only question in my mind is whether the taxpayers of the country should meet the costs, or whether those who live in $25,000, $35,000, $45,000, $50,000, or $100,000 houses should not pay more taxes for the relief of the people in need in the city, instead of keeping the tax rate down and starving the welfare services.

Mr. PASTORE. The Senator is correct; when I said "model city," I meant it in a comparative sense.

Coming back to the point I was making, there exists an estimated surplus of $4,400,000. The money about which we are talking is money which has been paid by the taxpayers of the United States. Whether we are talking about a debt we owe as a nation, or whether we are talking about an obligation we owe to the District of Columbia, we are talking about the same people. We are talking about the same money. We are talking about the same responsibilities. We are talking about the same burdens.

This is one of the problems on which the Senator from Rhode Island spent some restless nights in trying to arrive at a solution in his own mind. We have a national debt of approximately $275 billion. We have the largest peacetime budget we have ever had in the history of the Nation, $71,800,000,000. The yield from income taxes in the District of Columbia was not known to the Members of the House when the House voted for a Federal contribution of $20 million. The yield from income taxes was $5½ million more than was estimated. There is already a surplus of $4,400,000 in the District treasury. So what do we do? Do we go to the taxpayers of the Nation with this practical picture and say, "Let us take $2½ million more out of the right hand and put it in the left hand, so it can be invested and pay an interest return"? That is the proposition with which I had to deal.

I realize that the argument does not avoid our responsibility of meeting our obligations, but we tried to act as fairly as we could. We recognized the fact that we raised the budget over the House figure by $4 million. Therefore, I was one of those who insisted that we raise the Federal contribution. We did it as fairly as we could by way of compromise. I am afraid that if we raise it any further, first of all, the only result will be a great many speeches on the floor of the Senate and second, it will not be agreed to by the House. We have the stark reality facing us that there is a current fluid surplus. True enough, the Commissioners could build up a greater surplus. I am all for that. As a practical proposition, the Government owes $275 billion, and the national budget calls for $71.8 billion. On the other hand, the District has a surplus of more than $4 million. What should we do in a situation like that?

I love the District as much as does anyone else, and I desire to be fair to its people; but we also have to be fair to all the citizens of the United States. We reached about as sensible a solution as possible. If we are wrong, in the opinion of the majority of the Senate, we shall be bound by whatever the Senate decides, but I have explained why we acted as we did.

Mr. DOUGLAS. Mr. President, will the Senator yield to me for the purpose of asking a question of the Senator from Rhode Island?

Mr. MORSE. I yield.

Mr. DOUGLAS. Suppose the Senate votes down the Morse amendment and then adopts amendments increasing the appropriations for welfare, for health, and for education, in the sum of $2½ million. Will that action be binding on the Commissioners, and will they then have to meet these mandatory increases?

Mr. PASTORE. Yes; out of the District's own money, the $4.4 million.

Mr. DOUGLAS. Out of the surplus, or by increasing taxes?

Mr. PASTORE. I do not believe they are going to raise the real-estate taxes as of the moment. I do not think they should, until the full report on reappraisal is available. When that is made, I hope taxes in the District will be on a comparative level with taxes in the neighboring communities.

Speaking for myself, I am sure the Commissioners are conscious of the situation. I do not know that there is any fault on the part of the board of trade or of the Commissioners, and I do not want to get into that kind of dis-

cussion. They all seem to be very fine people.

Dealing with the District appropriation bill is a new experience to me. It was the first time I had to do deal with this budget. It was very interesting. I devoted much time and study to it and I enjoyed myself immensely.

I have always wondered why I, from the State of Rhode Island, should be deciding the fiscal problems of the people of the District of Columbia. It seemed to me it would be better if people solved their own problems. But that is beside the point. The responsibility is ours now. We must meet it. We did meet it.

Mr. DOUGLAS. I think it is extraordinary that in times past we have not had this comparative study of the relative actual rates of real-estate taxation in the District of Columbia, as compared to Montgomery and Prince Georges Counties in Maryland and Fairfax and Arlington Counties in Viriginia. I can only say, after having personal experience with this matter 2 years ago, that the actual tax rate in Montgomery County was appreciably lower than the rate in the District. The tax rate in Prince Georges County, I believe, was lower. The Senator from Maryland has assured us that now the tax rate in Montgomery County is equal to that of the District, but we have had no comparative figures for Prince Georges County and no comparative figures as to the neighboring Virginia counties.

Mr. PASTORE. We will have them.

Mr. DOUGLAS. The very expert Senator from Rhode Island states that in his opinion the effective tax burden in Fairfax and Arlington Counties, Virginia is appreciably higher than that in the District of Columbia.

Mr. PASTORE. It is higher.

Mr. BEALL. Mr. President, will the Senator yield to me?

Mr. PASTORE. Before any yielding is done, I should like to say to the Senator from Illinois that everything he has said is true, but let us not forget that if the real estate taxes or the appraisals are raised in the District of Columbia they should not be used as an excuse for cutting down the Federal contribution, because the Government makes its contribution in lieu of taxes. If the burden is raised on the real estate owners in the District of Columbia, then we will have to raise the $23 million ceiling. I am in favor of that. As the obligations move up on the part of the real estate owners, we must not forget that the United States Government is a real estate owner.

Mr. BEALL. The Government owns about 40 percent of the property.

Mr. PASTORE. Absolutely. We should raise the $23 million when the taxes are raised. It may be necessary. All that remains for the future. I do not think we are going to straighten that out today.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Maryland.

Mr. BEALL. I should like to answer a question propounded by the Senator from Illinois [Mr. DOUGLAS].

The tax rate in Prince Georges County, I understand, is now $4.25. In Virginia the rate in Arlington County is $3.24 per hundred, and in Fairfax County from $3.25 to $3.31. They have a graduated tax there. In Alexandria it is $2.75 per hundred. So the taxes are really higher in suburban Washington than they are in the District.

Mr. DOUGLAS. That is what the Senator from Illinois has been saying. May I, furthermore, ask about the valuations? The actual tax which one pays depends both on the percentage of market value at which a property is assessed and the normal tax rate itself.

Mr. BEALL. The Senator is correct.

Mr. DOUGLAS. What is the valuation, let us say, fixed on a $25,000 house? Is the relative valuation lower in the District than it is on the same property in the surrounding communities?

Mr. BEALL. I do not know what it is on a $25,000 house. I cannot take one item. We do know that some 2 years ago the District Commissioners set up a perpetual assessment system. We found that the properties were far underassessed.

Mr. DOUGLAS. In the District?

Mr. BEALL. In the District.

Mr. DOUGLAS. As compared with other localities.

Mr. BEALL. Compared with some of the other localities, yes.

Mr. DOUGLAS. That is the point.

Mr. BEALL. That is not true in Virginia, because they have different rates because of the assessments in Virginia. I understand, though I do not have the figures, that that is true. I may be wrong.

Mr. DOUGLAS. With a lower rate in the District as compared with most of the adjoining counties, and with a lower percentage valuation as compared to the real value, that means the effective tax rate on a $25,000 or $50,000 home is appreciably less in the District than in the suburbs. The actual rate is less. It seems to me that great pressure should be put upon the District Commissioners to raise the real-estate tax rate,

Mr. MORSE. Mr. President, I shall now take the floor in my own right for a few minutes to tie the ends of the debate together. I shall yield again as soon as I make some comments upon the very helpful observations of my colleagues in this debate.

First I should like to have the attention of the Senator from New York [Mr. JAVITS]. He was engaged on another matter yesterday afternoon, so that he could not be with us in our discussion of these budgetary problems, with the result that I took his name on the floor of the Senate, not in vain, I hope. I should like to have him check the CONGRESSIONAL RECORD to make certain that I in no way misrepresented his point of view. I did not say that he had taken a definite position. As he will see in the RECORD, I said in effect that I was sure I could say the Senator from New York would agree with the general policies which we have advanced, because I know the great help he has been to me on the District of Columbia Committee in regard to these problems. However, I thought I owed it to the Senator to invite his attention to the RECORD, where his name was used by me in debate yesterday afternoon. If the RECORD should need a modification in any way, he knows I would be the first to propose the modification.

Now I should like to have the attention of the Senator from Illinois [Mr. DOUGLAS] for a moment. I wish to give him assurance, as chairman of the Subcommittee on Public Health, Education, Welfare, and Safety of the District of Columbia Committee, that although I do not go forth looking for work, I do try to perform my duties. He has raised a question, namely, that of taxes, which I think it now becomes a duty of my subcommittee to go into. I wish to give the Senator assurance that I shall proceed forthwith to put the staff to work on an investigation of the tax problem from the standpoint, first, of an accurate comparison of tax rates not only between the District of Columbia and outlying districts in this area, but between the District of Columbia and cities of comparable size in the United States, and also in regard to the assessment valuation matter, which is even more controlling than the rate, in my judgment.

I desire to have the staff ascertain what the policy is in regard to the valuation assessment. I am not a good witness on this subject, because my experience is exceedingly limited. I happen to own a house in the District of Columbia, and I own a house just outside the city limits of Eugene, Oreg. Taking into account the difference in valuation of the two pieces of property and the taxes I pay on each, I should say that my taxes in the District of Columbia are not lower than the taxes on my Eugene property. However, I shall check into that subject again, from the standpoint of the two issues which the Senator has raised. However, I have no doubt that there could probably be some improvement on the part of the officials of the District of Columbia in following either a rate policy or a valuation policy which would raise more money from real property privately owned in the District of Columbia.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. I do not wish to prolong the discussion with the Senator. I have been a guest of the Senator from Oregon in his charming home outside the city of Eugene, and I have spent some very happy hours with him there.

As the Senator from Oregon realizes, he lives in a relatively sparsely settled area outside the city of Eugene. The cost of the public facilities, roads, sewers, welfare programs, and so forth, would be very much less there per capita than it is in Washington. Even so, the Senator's offhand judgment that his taxes are not any higher here in Washington than there is rather eloquent, because we might expect them to be much higher, in view of the greater per capita cost of local government.

I hope the Senator will have the study to which he has referred made, dealing with both the tax rate and the relative assessment of the given percentages of valuation. If I felt that it was necessary

to increase the Federal contribution to prevent youngsters from starving to death, or being half starved in the city of Washington, I would certainly vote for an increased Federal contribution. I intend to vote for the specific appropriations for welfare programs as they come before us, because I think the Government should concern itself more with the welfare of men and women, and not make the management of money the dominant standard. But if by denying an increase in the Federal share, and by voting for specific increases in the detailed budget, we could force the Commissioners to increase the real estate tax rate, I would be for that.

Mr. MORSE. I assure the Senator from Illinois that the tax study will be made. I shall set it in motion immediately.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. Apart from the distinguished senior Senator from Illinois [Mr. DOUGLAS], who is always interested in the budget, and the distinguished junior Senator from Illinois [Mr. DIRKSEN], who is the ranking Republican on our subcommittee, it is a great compliment to this community to have present on the floor of the Senate today 4 members of the District of Columbia Committee, who are vitally concerned with these problems and are willing to stand up and say something about them. I think it is a refreshing scene. It is a great compliment to the people of the community.

That has been my experience with the committee. Fine public-spirited people come before the committee and testify on behalf of the budget, in an effort to see to it that the local schools are properly maintained, and that the social programs of the District are kept in order. There is a tremendous amount of interest in this community.

Coming back to the perennial gripe—I think that is perhaps the best way to describe it—in connection with home rule, I believe that if we should leave the people of the District of Columbia alone, and allow them to operate their own community, it would become a marvelous community.

Mr. MORSE. The Senator is quite right.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I believe that this theme should be underlined time and again. Perhaps, with so many of us vitally interested in the problem, something at long last can be done. It is almost ridiculous that a community of adult persons living in the District of Columbia cannot have the right to conduct their own affairs. This debate illustrates the situation. It is high time for us to get our teeth into the problem. It is ridiculous that Congress should have to act as a common council for the city of Washington in connection with such elementary matters as real estate taxes, welfare programs, and so forth.

At a time when the energies of Members of Congress are to so great an extent devoted to questions involving the defense and security of the United States, I am appalled and shocked at the situation in which Congress must act as a city council. More and more of us are coming to feel that we cannot afford to allow that situation to continue.

Mr. MORSE. Mr. President, I certainly agree with the Senator from New York. I thank him for adding to our argument for home rule. Home rule has been the subject of a running debate ever since I first came to the Senate, 13 years ago. I hope to see the time when Congress will enact a home rule law for the District of Columbia.

Mr. DOUGLAS. Mr. President, will the Senator yield?

I quite agree with the Senator from New York. Home rule for the District of Columbia is needed.

In my opinion, one of the chief quiet forces working against home rule for the District of Columbia has been the Board of Trade. If there were an elected municipal council in the city of Washington, there would be greater appropriations for schools, greater appropriations for welfare programs, and greater appropriations for hospitals. Therefore, in order to keep down the tax rate, as well as for reasons involving the question of segregation and the race issue, certain interests in the District of Columbia wish to keep the District under Federal tutelage. I think Federal tutelage should be abandoned as rapidly as possible.

However, in the meantime we have a responsibility. I regret that we must take time from more important duties to become a common council for the city of Washington; but so long as we are a common council, we must do that job as best we can. So while it may be ridiculous to take up as much time as we do on this subject, in view of the other problems before us, nevertheless, with the legal distribution of responsibility as it is, we have a duty to make as wise and humane decisions as possible.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. BEALL. It seems that we are all in accord with respect to the question of home rule. I do not see why we do not now temporarily lay aside the appropriation bill and pass a home-rule bill. No one is arguing against it.

I think we should invite the attention of the Senator from Illinois to the fact that, at long last, the Washington Board of Trade has now endorsed home rule. More recently the junior chamber of commerce has sponsored home rule. So I think we are all getting together. Bodies which have opposed it in the past are now sponsoring home rule. Everyone wants it.

If I may proceed for a moment, I concur in what the Senator from Oregon [Mr. MORSE] has said. In particular, I wish to compliment the Senator from Rhode Island [Mr. PASTORE] for the fine job he has done.

For 4 or 5 days I sat with him as a member of the Appropriations Subcommittee. He approached the subject just as he would have approached an important subject when he was chief executive of his own State. He was Governor of his own State for several terms. I was very much pleased with the intelligent, workmanlike manner in which he approached the subject under consideration.

To get down to the proposed increase in the Federal contribution, Congress, sitting as a city council, has authorized certain expenditures; and we have recommended certain expenditures. With Congress acting as a city council and recommending expenditures, the least we can do is to provide a part of the money to pay for them.

As the Senator from Oregon pointed out, we have the health problem. We have the problem of providing for the necessary number of teachers, and for an adequate police department, of which the people of the District of Columbia are very proud. There is no finer police force in the country. But if we are to assume the responsibility of recommending additional appropriations for these purposes, we certainly should provide the money.

The question arises as to the proposed figure of $23 million for the Federal contribution. We all agreed, individually and collectively, at one time or another, that the Federal Government's contribution should be greater than it now is. We say so privately. Why should we be concerned about what the other body will do? If we think the appropriation, for this purpose, should be larger, let us tell the other body, and tell the people of the country, how we feel about supporting the Nation's Capital and providing for the cost of operating it. We cannot disregard the District of Columbia. After all, this is the Nation's Capital. It is our responsibility.

Some reference has been made to the Potomac River. I should like to call to the attention of the Senator from Illinois that the Potomac River, to the high watermark on the Virginia side of the river, belongs to the State of Maryland. The State of Maryland has full jurisdiction over it. However, I know that the State of Maryland wishes to cooperate with the District of Columbia.

I certainly do not believe that the measley little amount we are asking for, in an additional appropriation, should be objected to. It is certainly little enough to do, when we sit here in Congresss and take first one building and then another building off the tax rolls of the city.

I am not criticizing any of the local organizations. However, it certainly seems to me that, as the Senator from Oregon has pointed out, the Federal Government should make a substantial contribution. Let us do the right thing in the Senate, and I am sure the Members of the other body will see the light and go along with us.

Mr. MORSE. I thank the Senator from Maryland. I appreciate his help

very much. I now yield to the Senator from Rhode Island.

Mr. PASTORE. I have before me a comparison of real estate taxes as between the District of Columbia, Montgomery and Prince Georges Counties in Maryland, and nearby localities in Virginia. I wonder whether the Senator from Oregon wishes me to put this material in the RECORD.

Mr. DOUGLAS. I wonder whether the Senator from Rhode Island would summarize it.

Mr. MORSE. I suggest that the Senator put it in the RECORD first.

Mr. PASTORE. I shall put it in the RECORD at this time. I ask unanimous consent, Mr. President, that the statement I have before me be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REAL PROPERTY TAXES

DISTRICT OF COLUMBIA

Rates: Effective rate of approximately $1.15 to $1.38 per $100. Actual rate of $2.30 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

MARYLAND

Rates: Montgomery County: Effective rate of approximately $1.15 to $1.62 per $100 depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.30 to $3.23 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

Prince Georges County: Effective rate of approximately $1.21 to $1.32 per $100 depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.425 to $2.6325 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

VIRGINIA

Rates: Arlington County: Effective rate of approximately $1.08 per $100. Actual rate of $3.24 per $100 of assessed valuation. Assessed valuations are approximately one-third of current market value for most properties.

Alexandria: Effective rate of approximately $1 per $100. Actual rate of $2.75 per $100 of assessed valuation. Assessed valuations are approximately 42.5 percent of appraised value which is between 80 and 90 percent of current market value for most properties.

Fairfax County: Effective rate of approximately $1.08 to $1.10 per $100. Actual rates vary from a base of $3.25 to $3.31 per $100 of assessed valuation. Assessed valuations are approximately 32 percent of current market value for most properties. There is, in addition, a flat fee of $18 for each property unit for refuse collection.

Mr. PASTORE. First, with reference to the District of Columbia: The effective rate is approximately $1.15 to $1.38 per $100. This refers to real estate taxes, of course. The actual rate is $2.30 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties.

Those figures are for the District of Columbia. I think the figure the Senator from Illinois is interested in is the 50 to 60 percent of current market value.

With relation to Maryland, in Montgomery County, the effective rate is approximately from $1.15 to $1.62 per $100, depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.30 to $3.23 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current market value for most properties. That is in Montgomery County.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. So that the actual rates in Montgomery County are higher than they are in the District of Columbia.

Mr. PASTORE. They are slightly higher.

Now with reference to Prince Georges County. The effective rate is approximately from $1.21 to $1.32 per $100, depending upon the location of the property and the services rendered. Actual rates vary from a base of $2.425 to $2.6325 per $100 of assessed valuation. Assessed valuations are between 50 and 60 percent of current value for most properties. These rates are again slightly higher than in the District.

Mr. DOUGLAS. Again the actual rate, in Prince Georges County, is higher than in the District.

Mr. PASTORE. Only slightly higher. I think it is fair to say that.

Mr. DOUGLAS. By 10 percent at least.

Mr. PASTORE. Oh, no. They vary from 2.425—

Mr. DOUGLAS. It is 2.3, is it not?

Mr. PASTORE. It is 2.3 in the District.

Mr. DOUGLAS. That is what I mean. $2.43 is 5 percent above $2.30, and $2.63 is over 10 percent greater.

Mr. PASTORE. That is $2.30 to $2.40 per $100. Of course if we take the ceiling, it might be $3.23.

Mr. DOUGLAS. Exactly so. Not all the taxes are levied at the lowest rate, any more than a man's golf game can be always better than his average.

Mr. PASTORE. Without quibbling over decimal points, I believe the Senator from Illinois is correct.

In Arlington County, the effective rate is approximately $1.08 per $100. The actual rate is $3.24 per $100 of assessed valuation. This is important to note. Assessed valuations are approximately one-third of current market value for most properties.

Mr. DOUGLAS. There the actual rate is 40 percent higher than in the District of Columbia.

Mr. PASTORE. In Alexandria, Va., the effective rate is $1 per $100. The actual rate is $2.75 per 100 of assessed valuation. Assessed valuations are approximately 42.5 percent of appraised value, which is between 80 percent and 90 percent of current market value for most properties.

Mr. DOUGLAS. But the actual rate is $2.75, as compared with $2.30, or 45 cents more or 20 percent more than in the District.

Mr. PASTORE. That is correct.

Fairfax County. The effective rate is from $1.08 to $1.10 per $100. Actual rates vary from a base of $2.25 to $3.31 per $100 of assessed valuation. Assessed valuations are approximately 32 percent of current market value for most properties. There is, in addition, a flat fee of $18 for each property unit for refuse collection.

Mr. DOUGLAS. Waiving the flat fee, that indicates an actual rate which is in places $1 higher than the District rate of $2.35, or 40 percent higher than the District rate. Then the $18 flat fee must be added on top of this.

I thank the Senator from Rhode Island for introducing these figures into the RECORD. They establish clear proof that the real-estate taxes in the District of Columbia are appreciably lower than the real-estate taxes on corresponding valuations outside the District.

There is an obligation upon the District Commissioners, in order to provide adequate funds for those children of the District who are half starved—and there are many who are half starved—and in order to provide adequate hospital care and proper public schools, to raise the real-estate tax rate.

I am a little doubtful whether the best way to do it is to increase the Federal appropriation, or to put pressure upon the District Commissioners to try to put human values first.

Mr. MORSE. I wish to say to the Senator that he should retain his doubt a little longer, because I believe we can shed some further light on this subject before we are through.

Mr. PASTORE. Of course, if we chop this into bits, we can easily massacre the whole thing. There is no sales tax in some of these suburban areas as there is in the District.

Mr. DOUGLAS. But a sales tax falls most heavily on the low-income group. It is a regressive tax. It is further proof of how the tax policies of the District of Columbia have protected the upper income group. A sales tax is a tax on the poor to help the poorest.

Mr. PASTORE. I am not debating the philosophy of the various taxes. I am merely stating the picture as it exists. It was not my doing, and I doubt very much that there will be any undoing because of this debate.

Mr. MORSE. Mr. President, I should like to proceed with and complete my argument, which will really be very brief. I see the Senator from Illinois [Mr. DIRKSEN] in the Chamber. He and I had a little chat this morning. He has another engagement today, and he said to me, "Wayne, how long do you think you will be?"

I said, "I won't take very long."

I have not yet taken very long, but I have been on the floor a long time, and I have been very much helped by my colleagues in the debate. As a result of what has been put in the RECORD, I can be even more brief than I had planned to be. However, I do wish to

tie some of the loose ends together, as I see the need for some knots.

I wish to call to the attention of the Senate the fact that the 1956 family income per household in Washington, as compared with the urban areas, shows an interesting comparison. The median income for the District is $4,900, as compared with $6,773 for the families in the populous urban areas. I believe these figures have some bearing on the problem of taxation. We have the figures in the RECORD, from the Senator from Rhode Island, but Senators will receive in the reasonably near future a memorandum on this whole picture.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from Oregon yield to the Senator from Ohio?

Mr. MORSE. I yield.

Mr. LAUSCHE. Did the committee have before it a schedule showing the per capita cost of government, with the District of Columbia included?

Mr. MORSE. I do not know whether the Appropriations Committee had such a schedule.

Mr. LAUSCHE. I have here some figures which are interesting. I should like to read them into the RECORD.

Mr. MORSE. I should like to have the Senator do so.

Mr. LAUSCHE. It appears that the District of Columbia is 12th in the list of cities in per capita expenditures. Its per capita expenditure for governmental purposes is $170.

Long Beach, Calif., seems to have the highest per capita expenditure for governmental purposes, $257. My home city, Cleveland, has $150; Cincinnati, $180; Columbus, $115; Chicago, $135; San Francisco, $190.

Washington, D. C., has a per capita expenditure of $170. I recognize that that is not reflective of the services rendered in the fullest degree. I believe these figures cover welfare, school, and general administrative service expenditures.

The table shows that Washington is 12th with an expenditure of $170 a person. Chicago, with an expenditure of $135 per capita, is below Washington, D. C.

I do not know exactly what interpretation must be made of these figures, but they show in a measure that the District of Columbia, from a per capita standpoint, has maintained a pretty good level compared with other cities throughout the country.

I have one further question to ask of the Senator from Oregon. I have been reading the RECORD and have found a table showing the number of teachers in the District of Columbia, but I have not been able to find a table showing the number of pupils. The Senator from Oregon stated that a part of the $3 million would be used to aid schools. Does the Senator from Oregon know the number of pupils per teacher in the District of Columbia now?

Mr. MORSE. Yes. Let me comment on that question. We are well aware of the problem of the overcrowded schoolroom while the teacher is teaching a class. But we also have the problem of an inadequate number of schoolrooms, making it impossible to conduct classes on a full-day basis in some of the schools, which, of course, increases the education problem.

The teacher-pupil ratio, as I recall, is 36 students to a teacher. I will supply the exact figure for the RECORD. I think it is 36 to 1. I think the appropriation for which we are asking will reduce the ratio to 32 to 1.

Mr. CLARK. Mr. President, will the Senator from Oregon yield? I think I can answer the specific question of the Senator from Ohio.

Mr. MORSE. I yield.

Mr. CLARK. The ratio of pupils to teachers in the District of Columbia the year before last was 36 to 1. At that point a 3-year plan was evolved, which would permit the ratio to be brought down, in 3 years, to 30 to 1.

Last year the first step in that 3-year program was approved by Congress, and additional teachers were authorized. This year the second step was intended to bring the ratio down to 32 to 1. Next year it would reach 30 to 1.

However, because of the action of the House and of the Committee on Appropriations, that schedule has not been met; and unless the amendments which we intend to offer in a few minutes are agreed to, the ratio will remain at 33 to 1, whereas the Board of Education wanted to bring it down to 32 to 1.

I wonder if what I have said is in accordance with the understanding of the Senator from Rhode Island.

Mr. PASTORE. I do not wish to impugn the statement made by the distinguished Senator from Pennsylvania, but his statistics are a little incorrect. This is what the latest figures show.

In the elementary schools, the ratio of pupils to teachers is 34.7 to 1. In the junior high schools it is 23 to 1. In the senior high schools it is 28 to 1. In the vocational high schools it is 24 to 1.

As to elementary schools, the District of Columbia is 12th in the list of comparable size cities in the teacher-pupil ratio.

I am not trying to convey the impression that I am satisfied that this should be our goal; but the fact of the matter is that the situation is not too bad.

Mr. LAUSCHE. I certainly think we ought to be careful not to make it appear that the situation is of a defensible character. The actual figure submitted by the Senator from Rhode Island would seem to indicate that except for the elementary schools the ratio of pupils to teachers is rather sound.

Mr. PASTORE. And it ranks rather high by comparison.

Mr. CLARK. Mr. President, will the Senator from Oregon yield further, to permit me to ask the Senator from Rhode Island a question?

Mr. MORSE. I yield.

Mr. CLARK. I call the attention of the Senator from Rhode Island, who, of course, gave the matter far more attention than I did, to page 97 of the hearings before the Committee on Appropriations, which I read with some care. I quote from the statement concerning the requested increase as presented to the committee by Dr. Hobart M. Corning, the Superintendent of the District of Columbia Public Schools:

> The Board of Education approved, in March 1955, a revised pupil-teacher ratio standard for the elementary schools. This reduced the standard ratio from 36–1 to 30–1. Rather than attempt to effect this change all in 1 year, the Board of Education decided that it would be more practical to program it over a 3-year period. The 1958 budget contains the second portion of that program. To keep on schedule it should be possible to establish a 32–1 ratio during the 1958 fiscal year. This will require restoration of $341,550 for 69 teaching positions. It is important that elementary school classes be reduced in size as rapidly as possibly in order to facilitate more homogeneous groupings of students and also to permit more individual attention from the teachers. These improvements in ratios are necessary to the raising of the achievement levels of the elementary school students.

My question is, Is Dr. Corning wrong?

Mr. PASTORE. No. The Senator from Pennsylvania reads well and reads correctly. But I was reading statistics which came to the committee only yesterday from the budget office of the District of Columbia. These are the latest figures. What the Senator from Pennsylvania read is what Dr. Corning testified to; and for Dr. Corning I have the greatest respect and admiration. I do not say he exaggerated anything; but what I cited are the latest figures we have received from the District budget office.

Mr. CLARK. Could the distinguished Senator from Rhode Island and I agree that the situation with respect to the elementary schools, which is the burden of my amendment which will be debated in a few minutes, was essentially correctly stated by Dr. Corning?

Mr. PASTORE. Essentially; yes, I would go that far.

Mr. CLARK. I thank the Senator.

Mr. PASTORE. I would go that far. But there is something else the Senator from Pennsylvania must bear in mind. The whole presentation must be related to and correlated with the lack of facilities in the District of Columbia.

There are now 48 split classes in the first and second grades. I do not think that is a desirable way of educating children. There ought to be full-day classes for every pupil from the first grade up. But because of a lack of facilities, there are now, in the first and second grades, 48 classes in the morning and in the afternoon.

The House figures will enable the school system to have 175 such classes. If we allow what the House deducted, there would be 300 such classes.

The big question before our subcommittee was whether this amount could be absorbed properly or whether the pupil-teacher ratio would suffer a case

of indigestion. Taking all that into account, we went along with the figure of the House.

Mr. CLARK. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield.

Mr. CLARK. I may say to my distinguished colleague that assurances were given to my office and the office of the distinguished Senator from Oregon from the Board of Education, through the staff of the Committee on the District of Columbia, that as of this morning classroom space is available on the basis that for the first and second grades only, 308 classes will be operating on a part-time basis. The Board of Education assured us that part-time classes are less damaging at those grade levels, and that part-time classes are preferable to crowded classrooms on a full-time basis for those age groups.

I know the Senator from Rhode Island and I have gone through the happy family experience of having young children. And although I am opposed in principle to part-time classes, I suggest to him that perhaps children in the first and second grades can absorb about all the education they can get in either the morning or the afternoon. Therefore, I think that while it is most unfortunate to have part-time classes in the first and second grades, it is far more important in the higher grades to have more teachers than to have part-time classes.

Mr. PASTORE. I go along with that suggestion. I hope I am not being placed in the position of having to defend an inadequate school system in any community. As a matter of fact, when I was Governor of Rhode Island, it was my responsibility, in order to meet a teacher situation which was quite serious, to take the necessary steps. Therefore, when I became Governor I instituted the imposition of a sales tax, which was not a popular thing for a Democratic governor to do.

I am quite willing to assume my responsibilities in this connection, too. However, this item does not involve the difference between having everything and having nothing. There are more than 4,000 schoolteachers in the District of Columbia; and the answer to the question of whether the children of the District of Columbia will be educated or will not be educated does not depend on the 69 teachers proposed to be eliminated. Instead, the question is how many split classes there will be.

I realize that Dr. Corning has said it is better to educate in that way, rather than to have large classes. But the question is, How large is "large"? I myself would rather have 33 pupils under 1 teacher, all day long, although I would not for a moment attempt to suggest that I have the knowledge possessed by Dr. Corning. But if 69 teachers are eliminated, and if 4,000 teachers remain, such an elimination will make very little difference, as between large classes and small ones—whether there will be 33 pupils or 32 pupils in a classroom.

On the other hand, the important question is how to take care of the situation, and to do it gradually, progressively, and systematically, without running into a case of indigestion. We believe that the way to solve the problem is the one we have indicated.

Mr. MORSE. Mr. President, I should like to say to the Senator from Ohio [Mr. LAUSCHE] that when I answered his question I was speaking from recollection. I now have before me the information on the basis of which we acted in the Committee on the District of Columbia.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD, in connection with my remarks, a table showing the enrollment in elementary schools, junior high schools, senior high schools, and vocational schools in the District of Columbia for October and March 1945–46 through 1956–57.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Enrollment in the elementary, junior high, senior high, and vocational high schools for October and March, 1945–46 through 1956–57

School year	Elementary	Junior high	Senior high	Vocational	Total
(1)	(2)	(3)	(4)	(5)	(6)
1945–46—Oct. 26	51,223	19,901	14,759	1,363	87,246
Mar. 14	51,285	19,899	14,746	1,387	87,317
1946–47—Nov. 1	52,315	19,623	14,974	1,655	88,567
Mar. 13	52,375	19,614	15,097	1,897	88,983
1947–48—Oct. 31	53,425	19,323	14,766	1,947	89,461
Mar. 11	53,635	19,288	14,811	1,975	89,709
1948–49—Oct. 22	54,448	18,814	13,689	1,792	88,743
Mar. 3	54,967	18,973	13,599	1,950	89,399
1949–50—Oct. 21	58,089	19,069	12,965	2,038	92,161
Mar. 2	55,400	19,200	12,944	2,145	89,689
1950–51—Oct. 20	58,809	19,591	12,359	1,840	92,599
Mar. 1	56,110	19,590	12,199	1,891	89,780
1951–52—Oct. 19	60,493	20,412	12,129	1,720	94,754
Mar. 6	58,724	19,913	12,103	1,801	92,541
1952–53—Oct. 24	62,431	22,267	12,301	1,736	98,735
Mar. 5	62,149	20,139	12,308	1,736	96,332

Public schools of the District of Columbia—Enrollment in the elementary, junior high, senior high, and vocational high schools for October and March, 1945–46 through 1956–57—Continued

School year	Elementary	Junior high	Senior high	Vocational	Total
(1)	(2)	(3)	(4)	(5)	(6)
1953–54—Oct. 23	64,797	22,442	12,196	2,095	101,530
Mar. 4	64,737	20,401	12,169	2,221	99,528
1954–55—Oct. 22	65,702	22,447	12,377	2,420	102,946
Mar. 3	65,747	20,912	11,984	2,408	101,051
1955–56—Oct. 21	67,845	21,594	13,218	2,311	104,968
Mar. 1	67,565	21,109	11,955	2,087	102,716
1956–57—Oct. 19	70,224	20,530	13,112	2,122	105,988
Mar. 7	69,839	20,034	11,851	1,950	103,674
1957–58 [1]	73,743	19,491	13,579	2,228	109,041
1958–59 [1]	76,857	19,038	12,809	2,134	110,835
1959–60 [1]	79,564	20,907	11,956	2,019	113,546
1960–61 [1]	82,268	21,340	11,238	1,932	116,790
1961–62 [1]	85,320	22,438	11,127	1,925	120,810

[1] Estimated.

Prepared by Department of General Research and Statistics, Office of the Statistician, Apr. 17, 1957.

Mr. MORSE. Mr. President, let me say to the Senator from Ohio that the last figure shown is for March 7 of this year, and is 103,674 students. The table is broken down among the various schools. That figure compares with 87,246 students as of October 26, 1945.

I also ask unanimous consent to have printed at this point in the RECORD the latest figures we have obtained from the District of Columbia officials on the subject "Number of classrooms available as of September, for school years 1945–46, through 1956–57," which shows that as of September 1957 there were 3,959 classrooms, as compared with 3,274 classrooms in 1945, which figures need to be read, of course, in the light of the testimony regarding the meaning of the statistics, insofar as the operational work of the officials is concerned.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Number of classrooms available as of September for school years 1945–46 through 1956–57

School year	Senior high schools	Vocational high schools	Junior high schools	Elementary schools	Total
1945–46	726	181	657	1,710	3,274
1946–47	726	181	657	1,710	3,274
1947–48	726	181	657	1,747	3,311
1948–49	726	181	681	1,726	3,314
1949–50	733	217	657	1,708	3,315
1950–51	685	217	760	1,797	3,459
1951–52	685	221	775	1,813	3,494
1952–53	752	221	809	1,847	3,629
1953–54	752	221	827	1,899	3,699
1954–55	752	221	845	1,934	3,752
1955–56	752	221	845	1,981	3,799
1956–57	752	221	930	1,975	3,878
March 1957	752	221	930	2,012	3,915
September 1957 [1]	752	221	930	2,056	3,959
September 1958 [1]	755	221	934	2,064	3,974
September 1959 [1]	755	221	947	[2] 2,249	4,172
September 1960 [1]	802	221	947	[2] 2,249	4,219

[1] Increases based on completion of projects included in fiscal year 1956–58 budgets.

[2] Includes 16-room health school.

Prepared in the Department of Buildings and Grounds Apr. 19, 1957.

Mr. MORSE. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD a table showing the number of students per classroom, for the school years 1945–46, through 1956–57, in the various schools, and indicating for elementary schools for the year 1956–57, the figure 35.6, which is rather close to the figure I gave from recollection, namely, 36 students.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Public schools of the District of Columbia—Number of students per classroom for school years 1945–46 through 1956–57—Based on number of classrooms available in September and student enrollment in October of school years

School year (1)	Elementary (2)	Junior high (3)	Senior high (4)	Vocational (5)	Total (6)
1945–46	30.0	30.3	20.3	7.5	26.6
1946–47	30.6	29.9	20.6	9.1	27.1
1947–48	30.6	29.4	20.3	10.8	27.0
1948–49	31.5	27.7	18.9	9.9	26.8
1949–50	34.0	29.0	17.7	9.4	27.8
1950–51	32.7	25.8	18.0	8.5	26.8
1951–52	33.4	26.3	17.7	7.8	27.1
1952–53	33.8	27.5	16.4	7.9	27.2
1953–54	34.1	27.1	16.2	9.5	27.4
1954–55	34.0	26.6	16.5	11.0	27.4
1955–56	34.2	25.6	17.6	10.5	27.1
1956–57	35.6	22.1	17.4	9.6	27.1
1957–58 [1]	36.6	31.6	18.0	10.0	27.3
1958–59 [1]	37.2	20.4	17.0	9.6	28.0
1959–60 [1]	36.5	21.1	15.8	9.1	27.1
1960–61 [1]	36.7	22.5	14.1	8.7	27.7

[1] Based on estimates.

Source: District of Columbia government Apr. 26, 1957.

Mr. LAUSCHE. Mr. President, the last figure stated is for what year?

Mr. MORSE. For the present year. The figure for the junior high schools is 22.1; that for the senior high schools is 17.4; and that for the vocational schools is 9.6. Of course, shop work is taught in the vocational schools. The total or average is 27.1. As I recall, the Senator from Ohio said that places Washington in 12th position among the cities of comparable size in the United States.

Mr. LAUSCHE. No; I was speaking of the total expenditures for all purposes.

Mr. MORSE. I beg my colleague's pardon. I have placed the figures in the RECORD because of a misapprehension on my part regarding the question asked by the Senator from Ohio. Of course, I do not have to tell him that when we are engaged in debate as rapid as that in which we have been engaged this morning, and when we deal first with tax matters, and then with enrollment matters, and then with the figures for classrooms, we cannot always be as accurate as we wish to be.

Recently, the testimony given to me, as chairman of the subcommittee, was that in the elementary schools in the District of Columbia, the number of students per class was approximately 36.

I also wish to have printed in the RECORD a letter written by General Lane, one of the Commissioners of the District of Columbia, under whose jurisdiction the school problems in the District of Columbia come in the first instance.

Let me read from the letter:

The following comment is based upon the data presented in these tables and graphs:

They are the tables I have just placed in the RECORD.

I read further: •

1. Our elementary schools have registered steadily increasing enrollment since 1945. The postwar construction program began to produce classrooms in 1949 when the pupil-classroom ratio was 34 to 1. From 1949 to 1955 the construction was equal to the increased enrollment, but in 1956 it fell further behind. We shall lose more ground in 1957 and 1959, regain some in 1959 and 1960.

That means that between 1957 and 1959, some ground will be lost, and then ground will be regained in 1959.

I read further from the letter:

These figures project a deficiency of 170 classrooms in 1960 based on a ratio of 34 to 1 or a deficiency of 493 classrooms on a ratio of 30 to 1.

In other words, the ratio of 30 to 1, as the Senator from Ohio knows, is the standard ratio, which educators seem to be in remarkably uniform agreement in advocating as the proper one.

So by 1960 there would be a projected deficiency of 493 classrooms. That is why the Senator from Pennsylvania and I have been so insistent in urging a school-construction program, and have also been so strongly in support of a bill, which we shall get before the Senate later, in favor of granting for the District of Columbia borrowing power for school-construction purposes, whereas the District of Columbia already has borrowing power for sewer, highway, and water purposes.

I read further from the letter from Commissioner Lane:

2. Junior high schools have held a generally level enrollment since 1945. School construction has reduced the student-classroom ratio from 30 to 1 in 1945 to 22 to 1 in 1956. This ratio will remain about the same through 1960.

That is a rather interesting observation, although it is somewhat difficult for me to understand—namely, that with the steady increase in enrollment in elementary schools, we should expect the ratio in the case of the junior high schools to remain rather constant. However, I shall try to understand the basis for that statement. I raise a question as to the soundness of that deduction by the Commissioner. At any rate, that is the information which he supplies.

I read further from the letter:

3. Senior high schools have registered a decreasing enrollment from 1945 to 1956. Some new construction has been added and the new Congress Heights High School is in the program for completion by 1960. The student-classroom ratio has decreased from 20 to 1 in 1945 to 18 to 1 in 1956 and will further decrease to 14 to 1 by 1960.

Let me say that when we speak of the 30-to-1 ratio as the one generally accepted and advocated by educators, we must not make the mistake of believing that it is the ratio which should apply to both the elementary schools, the junior high schools, and the senior high schools. The ratio for the elementary schools is 30-to-1; that for the junior high schools and the senior high schools, as used by educators, is considerably lower.

I read further from the letter:

4. Vocational high schools have registered a generally steady enrollment and classroom availability in the period. The student-classroom ratio averages about 9 to 1.

5. In the school year 1955–56 a little ground was lost in the elementary and senior high schools, but some ground was gained in the other schools. There was an over-all reduction of 0.3 pupil per room for the year.

6. In the school year 1956–57, there was further crowding in the elementary schools but a corresponding improvement in all other schools. There was no change in the over-all ratio of pupils per room.

7. For the school year 1957–58, improvements in the space situation may be expected to occur only in the junior high schools, with a slight space deterioration in all other schools. The result would be a net increase of 0.4 pupil per room in the overall average.

8. The total program shows a generally steady student-classroom ratio averaging about 27 to 1 from 1945 to 1960.

It is my understanding that the improved ratios in junior and senior high schools in this period reflect the deliberate policy of the school authorities as well as some reduction in enrollment. This policy is apparent in chart 3 in the diverging graphs for elementary schools and junior high schools.

I understood him to mean that they followed the stricter policy of excluding some students. Mr. President, this is not the time to debate that question, but I hope at some time, on this we can debate it, since we ought to consider it unthinkable that because of tighter requirements, and because we do not have the facilities to keep him in school there should be eliminated from a school a single student who could go on a little further.

In a democracy I believe such a failure is exceedingly dangerous. I did not mean to speak on this question, but it is involved in the debate. So far as I am concerned, I want a boy or a girl to go as far in school and to receive as much training as his or her intellectual capacity will permit, because the country needs that kind of brainpower. I can imagine nothing worse than a waste of human resources in a democracy. In view of the great struggle we shall have in the century ahead with Russia, we had better not be wasting any brainpower.

If it be true, as this statement implies, that we have in a way kept pace in high schools because we have been fol-

lowing a stricter elimination program, I raise the question, "Should that be done if the space were available?" If the answer is no, then I say it is a shocking program that is being followed, because we are putting dollars ahead of children. What we are doing, I may also say, is putting dollars ahead of a strong democracy. I hold to the point of view, Mr. President, that we ought to enable boys and girls to go through school as far as their mental capacity will take them. That is what the country needs to do in the developing of brainpower.

I know my friend from Rhode Island and I do not differ on this question. I had no idea, 5 minutes ago, that we would be debating this subject, but Commissioner Lane's point raises it with regard to the school studies.

Mr. President, what we must do with cold statistics is to translate them into the human values involved. Here is a tremendous question of policy raised by the cold statistics. If it means what I think it means, I am not for it, because I am not going to vote in the Senate of the United States at any time for eliminating from educational training a boy or a girl who could go on another year or 2 years and get benefit from it. We need children with that kind of training.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. I wish to say to the distinguished Senator from Oregon I could not agree with him more. I would be very quick to resign from any committee that would adopt a policy which would encourage our youngsters to drop out of school.

Looking at page 4 of the report of the committee, it will be seen that the committee goes a step further than the suggestion made by the distinguished Senator from Oregon. I read from page 4:

> The committee is likewise aware of the grave problem presented by older retarded children and children with severe behavior problems in the regular classrooms. The school administration should consider seriously some means of providing school space for this group, with separate classrooms for boys and girls, and with a program of instruction geared to their abilities.

I think we ought to encourage schooling, and children remaining in school on every possible level. I agree with the Senator when he states that we ought to utilize the inherent talents of our youngsters. That objective was uppermost in the minds of all the members of the committee, and I do not think we faulted in that respect.

Mr. MORSE. I appreciate that sentiment very much. The matter is covered by my opening statement. When I say that, I mean I appreciate the committee report so much that I am not happy in finding myself in disagreement with any part of it; but I have my responsibilities, as I see them, as chairman of the Legislative Subcommittee on District of Columbia Affairs.

What we have here is a difference in point of view in regard to legislative recommendations, in contrast with appropriation recommendations.

The last point in the Lane letter reads:

> The total program shows a generally steady student-classroom ratio averaging about 27 to 1 from 1945 to 1960.

Mr. President, I ask unanimous consent that the entire letter of Commissioner Lane addressed to the Senator from Utah [Mr. WATKINS] be incorporated in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D. C., May 6, 1957.

The Honorable ARTHUR V. WATKINS,
United States Senate,
Washington, D. C.

DEAR SENATOR WATKINS: I am writing in further response to your letter of April 11 as promised in my acknowledgment of April 15.

Statistical and graphical data have been assembled by types of school for the period 1945–60. Data for periods beyond the spring of 1957 are estimates based on the best information available at this time. The following are attached:

Description:	*Table*	*Graph*
Number of classrooms available	A	1
Enrollment	B	2
Number of students per classroom	C	3

The following comment is based upon the data presented in these tables and graphs:

1. Our elementary schools have registered steadily increasing enrollment since 1945. The postwar construction program began to produce classrooms in 1949 when the pupil-classroom ratio was 34 to 1. From 1949 to 1955 the construction was equal to the increased enrollment, but in 1956 it fell further behind. We shall lose more ground in 1957 and 1959, regain some in 1959 and 1960. These figures project a deficiency of 170 classrooms in 1960 based on a ratio of 34 to 1 or a deficiency of 493 classrooms on a ratio of 30 to 1.

2. Junior high schools have held a generally level enrollment since 1945. School construction has reduced the student-classroom ratio from 30 to 1 in 1945 to 22 to 1 in 1956. This ratio will remain about the same through 1960.

3. Senior high schools have registered a decreasing enrollment from 1945 to 1956. Some new construction has been added and the new Congress Heights High School is in the program for completion by 1960. The student-classroom ratio has decreased from 20 to 1 in 1945 to 18 to 1 in 1956 and will further decrease to 14 to 1 by 1960.

4. Vocational high schools have registered a generally steady enrollment and classroom availability in the period. The student-classroom ratio averages about 9 to 1.

5. In the school year 1955–56 a little ground was lost in the elementary and senior high schools, but some ground was gained in the other schools. There was an overall reduction of 0.3 pupil per room for the year.

6. In the school year 1956–57, there was further crowding in the elementary schools but a corresponding improvement in all other schools. There was no change in the overall ratio of pupils per room.

7. For the school year 1957–58, improvements in the space situation may be expected to occur only in the junior high schools, with a slight space deterioration in all other schools. The result would be a net increase of 0.4 pupils per room in the overall average.

8. The total program shows a generally steady student-classroom ratio averaging about 27 to 1 from 1945 to 1960.

It is my understanding that the improved ratios in junior and senior high schools in this period reflect the deliberate policy of the school authorities as well as some reduction in enrollment. This policy is apparent in chart 3 in the diverging graphs for elementary schools and junior high schools.

No account is taken in these statistics of obsolete schoolhouses now used for administrative or other purposes, nor of the pending obsolescence of other schools currently in use. No projection has been made of plans now under consideration by the school authorities to convert a high school to teachers' college use and convert the Wilson and Miner Teachers College buildings to elementary school use. Other problems involving the location of existing schools in relation to population needs are not analyzed.

Although we have enrollment projections to 1962, we have limited our building projections to the fiscal year 1958 budget program now before Congress and scheduled for accomplishment by calendar year 1960. Our further construction program is now under study by a citizen advisory committee to the Commissioners, and any prediction at this time would be premature.

The report of the Committee for the White House Conference on Education shows on table 2, page 32, certain classrooms to be built in 1955–56. The figure of 77 for elementary schools includes 36 rooms in temporary additions to existing schools and 41 permanent classrooms in buildings started or continued but not completed in that year. The 39 junior high school classrooms (Hart) were under construction and completed for the next school year along with Woodson Junior High School which has 46 classrooms. The 8 senior high school classrooms are in temporary additions to Anacostia Senior High School. The graphs and tables enclosed herewith refer exclusively to permanent construction and do not count existing temporary classrooms.

Tables 1 and 3 of the committee report refer to needs based on detailed plans of school authorities. It is apparent that these plans would require sharp further reductions of pupil-classrooms ratios in all schools.

For your further information, analysis of our 1955–56 school capital outlay program indicates that 52 percent was for elementary school construction and 48 percent was for other school construction. In 1956–57, 76 percent was for elementary schools and 24 percent for other schools. For 1957–58 our budget at this time carries 39 percent for elementary schools and 61 percent for other schools. This breakdown includes new capital outlay items only and excludes major repair and improvement costs.

It appears to me from analysis of these statistics, that the District of Columbia building program has kept abreast of overall enrollment increases in the past 12 years but has favored secondary schools at the expense of elementary schools. It has not provided the lowered pupil-classroom ratios sought by school authorities.

It appears to be within the capacity of the District of Columbia Government to meet the increased enrollment projected for the next 5 years. By concentration on elementary school construction it should be practicable to bring that pupil-classroom ratio down to 34 to 1 within normal budget planning.

It is difficult for me to express a judgment on the needs stated by our educators in the White House Conference Report. Obviously they are beyond the capabilities of current

budgetary programing. Since these requirements are not related to overall pupil-classroom ratios, it is not practicable to compare even the stated requirements of the several States. My inclination is to accept as a budgetary obligation the attainment of pupil-classroom ratios being met by other comparable cities and to leave to the educators the efficient utilization of the plant provided. Unfortunately we do not now have data on the pupil-classroom ratios of other cities which would guide us in making a comparison.

The Board of Education has submitted a $69 million capital outlay program to the Board of Commissioners for completion during the next 5 years. This was planned as a borrowing program. But other capital outlay projects are also urgently needed. Currently the whole public works program is being reviewed by a committee of outstanding local businessmen. The committee is making every effort to expedite its findings.

With kindest personal regards,

Sincerely yours,

T. A. LANE,
Brigadier General, United States Army, Engineer Commissioner.

Mr. MORSE. Mr. President, I beg the cooperation of my colleagues for a few minutes, while I finish my summary remarks on this subject.

Going back to the issue before the Senate, the question is, "Should we increase the Federal contribution to the District from $20,500,000 to $23 million?" Those of us on the District of Columbia Committee who are sponsoring the amendment say "Yes," and for the reasons I shall state. The Senator from Rhode Island commented on the fact that, as chairman of the District of Columbia Committee, he has to take into account the temper of the Congress. I understand that. He points out that the Appropriations Committee has increased the House allowance by $500,000.

I may say, good naturedly, that some charge me with being a horse trader. I am a horse trader when it comes to horses, and enjoy it as a hobby. I will do a certain amount of horse trading, within the framework of principle, in the legislative process. I think what is now proposed is within the framework of principle. I say to the Senator from Rhode Island that if he recommends $20,500,000 and takes it to conference, I think he is very optimistic if he thinks he will get $20,500,000.

Mr. PASTORE. I am most optimistic, and I hope the amount will be sustained, because I think it is based on logic.

Mr. MORSE. I wish conference committees would act in accordance with the principles of logic, but I have been in too many of them to hope that in this case the conference committee will act to sustain the fine ideal expressed by the Senator from Rhode Island. When I speak about the compromise principle in this matter, we have to face up to the fact that conference committees at least frequently compromise as between amounts. I would feel much more comfortable if the Senate conferees went into conference with a $23 million figure as against the House $20 million figure. I have some reason to believe that we would come somewhere near getting a figure of $21,500,000. That would about split the difference, although, who can tell? I do not predict. I only express my belief that is about what would happen, based upon conference practice.

I wanted to mention that I think we ought to go into conference with a $23 million figure because I believe the facts warrant it.

The first main argument I make in support of the $23 million figure is to be found in the Appropriation Committee's hearings, on page 22, where Commissioner McLaughlin, President of the District Commissioners, is reported as testifying about the justification. I shall read from page 22. I think this is the best summary of the justification for the $23 million.

The Organic Act of June 11, 1878, contained the first legislative provision definitely recognizing the obligations of the Federal Government to share in the cost and development of the District. It provided, in part, that—

"To the extent to which Congress shall approve of said estimates, Congress shall appropriate the amount of 50 percent thereof; and the remaining 50 percent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States and of the District of Columbia; * * *."

From 1878 until around 1910 the financial scene was comparatively peaceful in the District of Columbia. Estimates of appropriations and revenues were submitted to the Treasury and transmitted to Congress. Funds were appropriated and spent. The 50–50 distribution was approximately complied with. Between 1902 and 1910, when the District had insufficient funds to meet its obligations, the Secretary of the Treasury was authorized to advance funds. The act of March 3, 1909, provided that the expenses of all departments charged against the revenues of the District of Columbia were to be included in the estimates. The relations between the District of Columbia and the Federal Government were very amicable.

However, shortly after 1910 the District began to accumulate a revenue surplus—

It sounds as if the reference is to the present, does it not, when we hear the argument about a revenue surplus of some $4 million? Let us go back to the history:

However, shortly after 1910 the District began to accumulate a revenue surplus, and the efforts to reduce the ratio began. The debates upon the question were persistent and vigorous even though no national issues were involved, and a Joint Select Committee of 3 Senators and 3 Congressmen was appointed in 1915, which delivered majority and minority reports. But no reduction was made until 1921, when the ratio changed to 60 percent payment by the District of Columbia and 40 percent Federal.

The payment was reduced to 10 percent in 1921.

This did not expressly repeal the 50–50 provision of the organic act, but provided for 60–40 for 1 year. The 60–40 method was made permanent in the appropriation act for 1923 and continued until 1925. Beginning with the fiscal year 1925, Congress began ignoring its definite obligation under the organic act, and its own substantive law, and commenced appropriating the Federal share in a lump sum each year to and including the fiscal year 1939. These lump-sum appropriations varied from $9,500,000 down to $5 million. The lump-sum idea was made permanent in the District of Columbia Revenue Act of 1939, and beginning with that year an annual payment of $6 million was authorized. For the fiscal year 1947, the payment was increased from $6 million to $8 million. Under the District of Columbia Revenue Act of 1947, the authorized annual payment was set at $12 million, of which $11 million was for the general fund and $1 million for the water fund.

On March 5, 1946, Senate Document No. 203 was approved. It was entitled, "Fiscal Relations Between the Government of the United States and the District of Columbia, Report of the Subcommittee on the District of Columbia of the Committee on Appropriations as Approved by Said Committee on Appropriations." It is a very illuminating report. It gives a history of the relationship between the District and Federal Governments and indicates how those investigators felt this matter should be handled.

Under the head of "Suggested Recommendations," the report stated:

"It is believed that it is the desire of the Federal Government to assume its proper share of the expenses for the upkeep and operation of the National Capital. This findingis based upon the following facts:

"1. The District of Columbia is the seat of the Federal Government set aside for Federal purposes, with full legislative powers retained by the Congress.

"2. The area of the District of Columbia is fixed. It cannot expand. Therefore, when the Federal Government purchases property the tax revenue previously received on such property is lost to the District and cannot be replaced. The residents of the District in fairness should not be expected to make up such loss in revenues by increased taxes.

"3. The enormous increase in the expenses of the District of Columbia during the past 10 year has been occasioned by the tremendous expansion of the Federal Government, with no commensurate increase in the payment by the Federal Government. During the past 6 years there has been no change in the amount of the annual payment.

"4. The residents of the District through increased taxes have adequately, fairly, and cheerfully provided their share of the cost of operation and upkeep of the National Capital."

Mr. Chairman, in our thinking this city is something far beyond the concern of the people of the District of Columbia because it is a Federal city established by the Constitution as such and as the seat of the Federal Government. The Senate has always recognized the obligation of the Federal Government toward the District and we respectfully request that this $3 million be restored.

I wish to have printed in the RECORD at this point a table which is to be found on page 81 of the hearings of the joint subcommittees on fiscal affairs of the House and Senate for 1956, previously referred to, which sets forth the Federal Government contribution from 1924 to 1957. I wish to read a ratio or two.

In 1924 the payment was 39.49 percent. In 1938 it had dropped to 12.21. By 1945 it had dropped to 9.58. In 1946 it was 9.27. In 1952 it was 8.58. In 1954 it was 8.52, which was the lowest. It is now, for 1956, back to 14.43.

I ask unanimous consent that the table be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. FREAR in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

District of Columbia apropriations payable from the general revenues of the District of Columbia for the fiscal years 1924–57, exclusive in each case of appropriations payable from the highway fund, the water fund, the sanitary sewage works fund, the motor vehicle parking fund, and trust funds, and the apportionment of appropriations between the District of Columbia and the United States

Fiscal year	Total appropriations	District of Columbia share	United States share	Percentage of United States share
1924	$23,903,754	$14,463,330	$9,440,425	[1] 39.49
1925	31,175,672	22,030,317	9,145,355	29.33
1926	31,139,730	22,139,638	9,000,092	28.90
1927	33,951,478	24,950,987	9,000,491	26.51
1928	34,894,148	25,892,358	9,001,790	25.79
1929	35,957,970	26,957,753	9,000,217	25.03
1930	40,694,306	31,694,306	9,000,000	22.12
1931	45,625,286	36,125,252	9,500,034	20.82
1932	43,840,022	34,339,911	9,500,111	21.67
1933	39,626,998	31,851,847	7,775,151	19.62
1934	29,700,737	24,000,708	5,700,029	19.19
1935	34,620,004	30,080,709	4,539,295	13.11
1936	38,295,952	32,588,424	5,707,529	14.90
1937	40,182,768	35,177,768	5,005,000	12.46
1938	41,143,818	36,118,792	5,025,026	12.21
1939	40,494,451	35,494,451	5,000,000	12.35
1940	41,777,885	35,777,768	6,000,117	14.36
1941	43,136,909	37,136,909	6,000,000	13.91
1942	47,401,269	41,401,269	6,000,000	12.66
1943	49,422,932	43,422,932	6,000,000	12.14
1944	54,642,247	48,642,247	6,000,000	10.98
1945	62,599,125	56,599,125	6,000,000	9.58
1946	64,728,423	58,728,423	6,000,000	9.27
1947	72,584,314	64,584,314	8,000,000	11.02
1948	81,744,086	70,744,086	11,000,000	13.46
1949	86,017,985	75,017,985	11,000,000	12.79
1950	98,331,275	87,331,275	11,000,000	11.19
1951	103,924,822	94,124,822	9,800,000	9.43
1952	121,265,978	110,865,978	10,400,000	8.58
1953	113,589,327	103,589,327	10,000,000	8.80
1954	129,111,304	118,111,304	11,000,000	8.52
1955	139,578,760	119,578,760	20,000,000	14.33
1956 [2]	143,365,868	125,365,868	18,000,000	12.56
1957 [2]	152,475,391	130,475,391	22,000,000	14.43

[1] Prior to 1923 the percentage of the United States share was set at 50 percent.

[2] Estimates: Items for 1957 include estimates of $13,215,500 proposed for later transmission and a proposed increase in Federal payment of $2,000,000.

NOTE.—The restoration of the $2,000,000 reduction in Federal payment, made in 1956, will increase the percentage for fiscal year 1956 to 13.95 percent.

Mr. MORSE. What deduction am I to gather from this? Before I make my deduction, I wish to quote from Commissioner McLaughlin, whose testimony appears on page 24 of the hearings. He quotes the law of March 31, 1956. The Senate will recall that was based upon an amendment offered in the Senate, which proposed the Federal contribution be raised to $24 million. It went to conference, I may say, and came back $23 million, which was pretty good, for we lost only $1 million in 1956. But that is where the $23 million was born. I desire to put some clothing on the baby today, because I think we ought to dress it reasonably well.

Mr. McLaughlin pointed out in his testimony what Congress said in the law:

There are authorized to be appropriated as annual payments by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $20 million for each of the fiscal years 1955 and 1956, and the sum of $23 million for the fiscal year 1957, and for each fiscal year thereafter: *Provided*, That so much of the aggregate annual payments by the United States appropriated to the credit of the general fund as is in excess of $13 million for each of the fiscal years 1955 and 1956, and $16 million for the fiscal year 1957 and subsequent fiscal years, shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on and after July 1, 1954. If in any fiscal year or years a deficiency exists between the amount appropriated and the amount authorized to be appropriated, additional appropriations are authorized for subsequent fiscal years to pay such deficiency or deficiencies.

I ask unanimous consent, Mr. President, that the several paragraphs in which Commissioner McLaughlin testified in regard to the justification of the $23 million be printed in the RECORD at this point in my remarks.

There being no objection, the paragraphs were ordered to be printed in the RECORD, as follows:

STATEMENT OF COMMISSIONER ROBERT E. MCLAUGHLIN ON FEDERAL PAYMENT

Mr. Chairman, we are requesting the restoration of $3 million in the Federal payment to bring it up to the $23 million amount authorized by the Revenue Act of 1956 (Public Law 460).

The year 1946 seems to be the starting point for District of Columbia large-scale budget difficulties. It was the beginning of inflation as far as the District was concerned, and necessitated 15 days of hearings before the Joint Subcommittee on Fiscal Affairs during the 1st session of the 80th Congress, on methods of acquiring additional revenue through taxes and other means.

Out of this hearing came amendments to the Revenue Act of 1939 which imposed approximately $9½ million in increased taxes (general fund) upon our residents.

In that year (1947) the Federal Government was paying $8 million as its share toward the expenses of the District of Columbia government. Up to 1947 the water fund received no portion of the annual payments made by the Federal Government.

The Congress, having considered all the facts, in the Revenue Act approved July 16, 1947, provided in article VI as follows:

"For the fiscal year ending June 30, 1948, and for each fiscal year thereafter, there is hereby authorized to be appropriated, as the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $12 million, of which $11 million shall be credited to the general fund of the District of Columbia and $1 million shall be credited to the water fund of the District of Columbia."

This relief carried us into the fifties. Then came the District of Columbia Public Works Act of May 18, 1954, amending the Revenue Act of 1947.

It was estimated that by this act our residents would pay $14.5 million per annum (all funds) additional taxes each year. As its part toward this great program, Congress provided as follows:

"SEC. 2. (a) For the fiscal year ending June 30, 1955, and for each fiscal year thereafter, there is hereby authorized to be appropriated, in addition to the sums appropriated under section 1 of this article, an annual payment by the United States toward defraying the expenses of the government of the District of Columbia in the sum of $9 million: *Provided*, That so much of the aggregate annual payments by the United States appropriated under this article to the credit of the general fund as is in excess of $13 million shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on or after July 1, 1954.

"(b) If in any fiscal year or years, a deficiency exists between the amount appropriated and the amount of $20 million authorized by this article to be appropriated, additional appropriations are hereby authorized for subsequent fiscal years to pay such deficiency or deficiencies."

Our burdens being greater than we could bear compelled us to return to the Joint Fiscal Committee for additional taxes. As a result Public Law 460, District of Columbia Revenue Act of 1956, was passed. By it, the income tax and other taxes were raised to produce approximately $8 million (general fund) in 1958 and each year thereafter. As a result of the understanding with Congress, the Commissioners raised the real-estate taxes approximately $2 million a year. The Congress having again considered all the facts, amended section 2 of article VI of the Revenue Act of 1947 by increasing its authorization of Federal payment $3 million so that the total is now $23 million. Section 2 now reads as follows:

"There are hereby authorized to be appropriated, in addition to the sums appropriated under section 1 of this article, as annual payments by the United States toward defraying the expenses of the government of the District of Columbia, the sum of $9 million for each of the fiscal years 1955 and 1956, and the sum of $12 million for each fiscal year thereafter: *Provided*, That so much of the aggregate annual payments by the United States appropriated under this article to the credit of the general fund as is in excess of $13 million for each of the fiscal years 1955 and 1956, and $16 million for the fiscal year 1957 and subsequent fiscal years shall be available for capital outlay only, and then on a cumulative total basis only to the extent of not more than 50 percent of the cumulative total of capital outlay appropriations payable from such general fund which becomes available for expenditure on and after July 1, 1954."

The taxpayers as the committee can well understand had no way of escape and have been compelled to meet these very heavy increases in taxes.

The Federal Government on the other hand has failed to meet its obligation.

Because the increase in the Federal payment was a part of the program of increased taxes on District of Columbia residents, the Commissioners feel that the Congress has a moral obligation to pay the full $23 million and meet its part of this increased tax program.

In 1956 it appropriated $18 million in lieu of the authorized $20 million.

In 1957 it appropriated $20 million in lieu of the authorized $23 million.

As to this $5 million the Commissioners are content to withhold claim therefore until its new capital program is ready for submission.

As to the $3 million withheld by the House, the Commissioners most earnestly request full restoration.

On July 5, we appeared before the Senate Appropriations Committee on the supplemental appropriation bill for 1957 and presented considerable historical data in reference to the Federal payment. At this time, we merely wish to refresh your recollection with a brief résumé of the Federal payment history up to and including 1947.

The Organic Act of June 11, 1878, contained the first legislative provision definitely recognizing the obligations of the Federal Government to share in the cost and development of the District. It provided in part, that—

"To the extent to which Congress shall approve of said estimates, Congress shall appropriate the amount of 50 percent thereof; and the remaining 50 percent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States and of the District of Columbia; * * *."

From 1878 until around 1910 the financial scene was comparatively peaceful in the District of Columbia. Estimates of appropriations and revenues were submitted to the Treasury and transmitted to Congress. Funds were appropriated and spent. The 50–50 distribution was approximately complied with. Between 1902 and 1910, when the District had insufficient funds to meet its obligations, the Secretary of the Treasury was authorized to advance funds. The act of March 3, 1909, provided that the expenses of all departments charged against the revenues of the District of Columbia were to be included in the estimates. The relations between the District of Columbia and the Federal Government were very amicable.

However, shortly after 1910 the District began to accummulate a revenue surplus, and the efforts to reduce the ratio began. The debates upon the question were persistent and vigorous even though no national issues were involved, and a joint select committee of 3 Senators and 3 Congressmen was appointed in 1915, which delivered majority and minority reports. But no reduction was made until 1921, when the ratio changed to 60 percent payment by the District of Columbia and 40 percent Federal. This did not expressly repeal the 50–50 provision of the organic act, but provided for 60–40 for 1 year. The 60–40 method was made permanent in the Appropriation Act for 1923 and continued until 1925. Beginning with the fiscal year 1925, Congress began ignoring its definite obligation under the organic act, and its own substantive law, and commenced appropriating the Federal share in a lump sum each year to and including the fiscal year 1939. These lump-sum appropriations varied from $9,500,000 down to $5 million. The lump-sum idea was made permanent in the District of Columbia Revenue Act of 1939, and beginning with that year an annual payment of $6 million was authorized. For the fiscal year 1947, the payment was increased from $6 million to $8 million. Under the District of Columbia Revenue Act of 1947, the authorized annual payment was set at $12 million, of which $11 million was for the general fund and $1 million for the water fund.

On March 5, 1946, Senate Document No. 203 was approved. It was entitled, "Fiscal Relations Between the Government of the United States and the District of Columbia, Report of the Subcommittee on the District of Columbia of the Committee on Appropriations as Approved by Said Committee on Appropriations." It is a very illuminating report. It gives a history of the relationship between the District and Federal Governments and indicates how those investigators felt this matter should be handled.

Under the head of "Suggested Recommendations," the report stated:

"It is believed that it is the desire of the Federal Government to assume its proper share of the expenses for the upkeep and operation of the National Capital. This finding is based upon the following facts:

"1. The District of Columbia is the seat of the Federal Government set aside for Federal purposes, with full legislative powers retained by the Congress.

"2. The area of the District of Columbia is fixed. It cannot expand. Therefore, when the Federal Government purchases property the tax revenue previously received on such property is lost to the District and cannot be replaced. The residents of the District in fairness should not be expected to make up such loss in revenues by increased taxes.

"3. The enormous increase in the expenses of the District of Columbia during the past 10 years has been occasioned by the tremendous expansion of the Federal Government, with no commensurate increase in the payment by the Federal Government. During the past 6 years there has been no change in the amount of the annual payment.

"4. The residents of the District through increased taxes have adequately, fairly, and cheerfully provided their share of the cost of operation and upkeep of the National Capital."

Mr. Chairman, in our thinking this city is something far beyond the concern of the people of the District of Columbia because it is a Federal city established by the Constitution as such and as the seat of the Federal Government. The Senate has always recognized the obligation of the Federal Government toward the District and we respectfully request that this $3 million be restored.

Mr. MORSE. I now come to the question of the obligation which I think we owe the District. I have been very much interested in the comments of my very dear friend from Illinois [Mr. DOUGLAS]. We said in the 1956 act that the amount of the Federal contribution should be $23 million. I think we made a pledge. I think we ought to keep it. I think we should make available the $23 million.

Suppose we should do so. Would any of it be wasted? Let me say to my friend from Illinois that the report on hungry children will be printed as a Senate document. Senators were to have received copies of it today, but it will be reprinted tonight, because there are some errors in it, which are not the fault of the printer. Certain material was omitted which should have been included. We have already made arrangements to have it reprinted tonight.

The recommendation of the subcommittee of the District of Columbia Committee entails an amount of $2,800,000 over and above the amount included for welfare in the pending bill.

Mr. DOUGLAS. Could that not be met by reducing the surplus?

Mr. MORSE. I am coming to that.

We know that we cannot do everything this year. We do not expect to do everything this year. However, we thought we owed it to the Senate to set forth what we think we should do with regard to the welfare program. If we carry out the recommendations of the subcommittee report—a subcommittee which spent weeks in very hard work on the study of the welfare problems in the District of Columbia—we shall need $2,800,000 over and above the amount allocated by the Appropriations Committee. We are not proposing any waste.

We now come to the question of the surplus, some $4 million plus. First, let me point out that the District Commissioners cannot spend that surplus unless it is appropriated. I think it should be appropriated. I am in favor of doing so. However, as the Senator from Rhode Island [Mr. PASTORE] has pointed out, the amount is broken up. I read from the committee report, beginning at the top of page 3:

REVENUES, OBLIGATIONS, AND SURPLUS

In the bill recommended to the Senate the estimated surplus as of June 30, 1958, is $4,448,747 as compared to $2,223,167 under the House bill. The difference of $2,225,580 represents the increased fund requirements of $4,284,420 proposed in the Senate bill ($3,284,420 for cost of amendments, proposed and $1 million reserved for supplementals) minus the $6,510,000 increased revenue availability ($5,500,000 above the revenue estimates of April 11, 1957, $500,000 increased Federal payment, and $510,000 in additional loan authorization to the highway fund). The surpluses are distributed by funds as follows:

General fund	$2,350,702
Highway fund	26,335
Water fund	385,778
Sanitary sewage works fund	311,043
Motor vehicle parking fund	1,374,889

I appreciate the help of the Senator from Rhode Island. I should like to ask him a question, because I wish to be absolutely accurate.

First, am I correct in my understanding that the District Commissioners cannot spend any surplus revenue unless it is appropriated? The Public Works Review Committee is now reviewing the entire public-works program authorized by the 83d Congress. I assume that some of the final recommendations will be implemented through surplus funds.

After the Review Committee has made its report to the Commissioners, they expect to make recommendations to the Congress for appropriations for the expenditure of these funds. However, many of these funds are earmarked funds, so to speak, and will be used for the various classifications listed on page 3 of the report.

Mr. PASTORE. Let me answer the question in this fashion: Speaking, now, with respect to the five funds to which reference has been made, namely, the general fund, the highway fund, the water fund, the sanitary sewage works fund, and the motor vehicle parking fund, the District Commissioners could no more spend this money without direct appropriation by Congress than they could spend the $2½ million we would be adding if we adopted the Senator's amendment. So if we were to adopt the Senator's amendment today, unless we are contemplating the appropriation of more money for other purposes, the additional sum would go into the funds we are talking about, and the $4,400,000 would become $6,900,000, but that money would have to be appropriated at a later date.

Mr. DOUGLAS. Or today.

Mr. MORSE. We must do it in another bill.

Mr. PASTORE. It is not proposed to do it today.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. DOUGLAS. Do not the Senator from Oregon and the Senator from Pennsylvania [Mr. CLARK] intend, at a later time today during the consideration of the pending bill, to propose increases in the appropriations for welfare, the appropriations for hospitals, and the appropriations for education?

Mr. CLARK. Mr. President, if the Senator from Oregon will yield to me, I should like to answer the question.

Mr. MORSE. I am happy to yield.

Mr. CLARK. I thank the Senator from Oregon for yielding to me. I hope the Senator from Rhode Island will pay

close attention to what I am about to say.

To answer the question of the Senator from Illinois, it is my understanding that, after the pending amendment is voted upon, amendments will be offered, which would restore to the budget the original recommendations of President Eisenhower with respect to appropriations which went to the House, were cut out by the House, and were not restored by the Senate.

Under the rules of the Senate we are not entitled to propose today any higher appropriations than those requested by the Bureau of the Budget, or recommended by a standing committee of the Senate. Therefore, a point of order would properly be raised if we were to attempt today to do more than restore the Eisenhower budget figures.

However, it has been my thought—and I believe also the thought of the Senator from Oregon—that if we could get the Federal payment increased, the District Committee would urge—and I think with some success—upon the Commissioners that they come forward with a deficiency appropriation bill to put this money to use, to meet the great need which has been outlined by the Senator from Oregon.

Mr. MORSE. Let me say to my friend from Illinois that in the opinion of those of us on the District of Columbia Committee who are urging the increase, the first thing we should do is to reaffirm the act of 1956 by a $23 million contribution by the Federal Government. That is what my amendment would do. What we say—with all due respect to the Appropriations Committee—is that we think Congress should live up to the $23 million commitment. Second, as the Senator from Pennsylvania has pointed out, a point of order could be raised if we were to offer an amendment with respect to any item which would go above the budget estimate. We have no doubt that a point of order would be raised. There is no doubt that we would fail to obtain unanimous consent.

So we say, "Put it in the surplus account today, and give us an opportunity to go after it with some very much needed authorization legislation and appropriation legislation for the very type of humanitarian causes about which the Senator from Illinois has spoken."

I cannot speak for the Commissioners, but let me tell the Senate what I think they would do. If we were to increase the Federal contribution to $23 million, the District Commissioners would not be slow in coming forward with requests for the expenditure of the money in such a manner as to meet the approval of both the District of Columbia Committee and the Appropriations Committee after they had the opportunity to review the requests. We would have an opportunity to review them. I do not have any doubt, I may say, Mr. President, that the District Commissioners would proceed at once to recommend a wise expenditure of any increase in the surplus we could add today.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I have almost completed my argument. I have only one little clincher to add; then I shall yield to the Senator from Illinois. I am convinced that if the $23 million Federal contribution should be appropriated today, a great many Senators in future months will say to us, "We are extremely glad that you made the fight for the $23 million, because it was sorely needed." I may say that it is sorely needed for the very causes the Senator from Illinois speaks of.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. I yield first to the Senator from Illinois. Then I shall yield to the Senator from Rhode Island.

Mr. DOUGLAS. I should like to call attention to page 9 of the report of the committee. It is an item-by-item comparison of the budget estimates and the amounts recommended by the Committee on Appropriations. I should like to invite the attention of the Senator from Oregon to the item of public schools.

In next to the last column the Senate figure is shown as $543,150 below the budget estimate. Therefore, if an amendment is adopted—

Mr. MORSE. That is the amendment of the Senator from Pennsylvania, which can be agreed to today.

Mr. DOUGLAS. That can be adopted today. Even without an increase in the Federal contribution, that will compel the District Commissioners to reduce their surplus and add to what is spent on public schools about half a million dollars.

Mr. MORSE. I believe the Senator from Rhode Island should answer that, in order to preserve the continuity of the debate.

Mr. PASTORE. If we appropriated any amount of money that had not been recommended by the Senate committee, without adopting the $2½ million amendment suggested by the Senator from Oregon, the money would have to come from the $4,400,000 which is in the surplus.

Mr. DOUGLAS. That does not worry me at all. I think it is much better to take care of the schools than to accumulate an idle surplus.

Mr. PASTORE. We do not have to do it, because, as I said before, we have taken care of all the requests in a very logical, sensible, and rational way.

As I have already explained, I am pretty well convinced that, with the 143 additional teachers allowed by the House, we have a situation where this increase can be properly absorbed. I am afraid that if we did add the amount, we might cause a lopsidedness which would deter an extension of school facilities.

Mr. DOUGLAS. All I am trying to argue—and I think the point is clear—is that we could appropriate today at a later point in this appropriation bill $543,150 more for the public schools and still keep within the President's budget estimate, and therefore no point of order could be legitimately raised against it.

Mr. PASTORE. The Senator is correct.

Mr. DOUGLAS. That is all I am trying to say. Similarly, if the Senator will look at the item of Department of Public Health, the fourth item from the bottom of page 9, he will note that the Senate bill calls for $481,400 lesss than the budget estimate. Therefore we could appropriate $481,400 more at a later point in the consideration of the appropriation bill, and no point of order could be legitimately raised against that.

The pinch seems to come on the Department of Public Welfare, which concerns me the most.

Mr. MORSE. That concerns me the most, too.

Mr. DOUGLAS. The President asked for $13,136,000. The House-passed bill contains the sum of $12,450,000, which was a reduction of $686,000. The Senate Committee on Appropriations has very properly raised this amount back to the President's budget estimate. So that if the Senator from Pennsylvania is correct, and if an additional appropriation were made for the welfare grants, a point of order could be made.

I hope very much that a point of order would not be made, because I affirm again that my wife and I know from personal experience that there are many children in the District of Columbia who are half starved. As I have said, my wife is interested in a Boys' Club. In going to that Boys' Club she has found children grossly underweight, and who, when they are offered food, seize the food like animals.

That is a disgraceful situation. That is perhaps the strongest argument that has been produced in favor of increasing the amount of the Federal grant. If increasing the amount of the Federal grant is the only way of saving these semistarved children from starvation, I think the increase should be made.

Mr. PASTORE. Mr. President, will the Senator yield on that point?

Mr. MORSE. I shall be happy to yield to the Senator in a moment.

Mr. DOUGLAS. I hope no point of order will be raised if we move to increase the Senate appropriation above the President's budget at a later point in the debate, because I think the evidence is fairly clear that if we could get an overall adjustment of the District budget, we would not have to increase the Federal contribution, and that then the District of Columbia would have adequate funds with which to provide improved schools and improved hospital care and improved assistance to the needy. If because a parliamentary situation or because of the pressures of local business interests it is impossible to get enough funds with which to do this, it is a very sad state indeed.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. PASTORE. I think the record should be corrected. Of the problem mentioned by the distinguished Senator from Illinois, which problem has been exhaustively and penetratingly investigated and surveyed by the distinguished Senator from Oregon, the District Commissioners are very conscious.

They have put into effect an emergency program, and they have now come forward with a permanent program. They admit that further study needs to be conducted with relation to some of the points raised by the report which

was submitted by the distinguished Senator from Oregon.

Contained in the bill is a supplemental amount, which was not considered by the House, namely, $686,000, to meet the very situation of which the Senator from Illinois speaks. We have added the amount for the very reasons which have been recited by the distinguished Senator from Illinois. That matter came before the subcommittee and we thoroughly considered it. There are to be set up five new centers where food will be distributed, and the cases of which the Senator speaks will be taken care of.

The Commissioners know they confront a problem, and they have suggested a solution. They will be prepared to take care of it under this budget.

Mr. DOUGLAS. I may say that the Commissioners have been very remiss in their duty in not recognizing the problem before this. The dominant groups in the city of Washington have been callous to what has been going on right before their eyes.

Mr. PASTORE. Be that as it may, my concern is with what is happening and what is in the bill I am managing on the floor. Insofar as the pending bill is concerned, that problem is being taken care of.

Mr. MORSE. Mr. President, I ask unanimous consent to have reprinted as a star print Senate Document No. 43, the report of the Subcommittee on the Problems of Hungry Children in the District of Columbia, in order to correct some mistakes which were made.

As I understand the parliamentary situation, all we have to do is get consent to have the document reprinted.

The PRESIDING OFFICER. Without objection, the Senate document will be reprinted as a star print.

Mr. MORSE. Mr. President, I close with these three points very quickly made:

First, I do not believe that in the year 1957 we should lower the Federal contribution to the District of Columbia, which we had approved to the amount of $23 million in 1956, for the reason that, in my opinion, there is no justification for lowering the amount; to the contrary, a strong case can be made for increasing the amount. At least, we ought to hold to the $23 million.

Second, I point out that if we approve the $23 million, any of the so-called surplus money, because of the parliamentary situation which prevails, could forthwith be authorized and appropriated by proposed legislation involving the pending recommendations, so that the money would be spent for the benefit of the District of Columbia.

Third, it is just and fair to the people of the District of Columbia that Congress maintain at least the $23 million contribution to the District of Columbia, particularly in view of the record which has been made here this morning as to contributions in the past, and as to the original intent of Congress concerning the part it ought to pay for District of Columbia operations.

I appreciate very much the objectivity of the Senator from Rhode Island [Mr. PASTORE] during the entire debate. He has been very helpful in clarifying the issues.

To the Senator from Illinois [Mr. DOUGLAS], I may say that I recognize we have a tax problem; but what he must not overlook is that even if there were the ideal tax program about which he has spoken, there are still so many needs in the District of Columbia to make Washington a model city—and it ought to be a model city—that it would be necessary to appropriate many, many millions of dollars more than the $23 million for which we are pleading in order to do the things in the District of Columbia which ought to be done.

As I said on the floor of the Senate the other day, I do not care where this problem is pricked; there oozes out of it, in my opinion, a dereliction in the carrying out of obligations on the part of all concerned—the board of trade, the taxpayers, the churches. Yes, let me say very respectfully, I wish we had more support from the ministerial groups in the District of Columbia in regard to these great humanitarian problems. I say this as a churchgoer.

But I think the problem of welfare in the District of Columbia is so serious that we should not be haggling here today over whether we ought to appropriate as the Federal contribution the amount which was provided in 1956. What we ought to be thinking about is the increases which we should be voting in order to eliminate the social-welfare problems in this city, which can be eliminated by adequate appropriations.

I rest my case on the basis of the record we have made.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Is my understanding correct that an amendment offered by the Senator from Oregon is pending?

The PRESIDING OFFICER. The Senator from Texas is correct.

Mr. JOHNSON of Texas. Does the Senator from Oregon desire the yeas and nays on his amendment?

Mr. MORSE. Yes; I do.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment offered by the Senator from Oregon.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. Mr. President, if no other Senators desire to address themselves to the amendment offered by the Senator from Oregon——

Mr. DIRKSEN. I do.

Mr. JOHNSON of Texas. Then I shall suggest the absence of a quorum. I hope that we may have a vote on the amendment shortly afterward, because it is now the noon hour, and many of our colleagues will miss an opportunity to vote unless we vote early.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Beall	Bush
Allott	Bennett	Butler
Anderson	Bible	Byrd
Barrett	Bricker	Capehart
Carlson	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Payne
Case, S. Dak.	Javits	Potter
Chavez	Jenner	Purtell
Church	Johnson, Tex.	Revercomb
Clark	Johnston, S. C.	Robertson
Cotton	Kefauver	Russell
Curtis	Kennedy	Saltonstall
Dirksen	Kerr	Schoeppel
Douglas	Knowland	Scott
Dworshak	Kuchel	Smathers
Eastland	Lausche	Smith, Maine
Ellender	Long	Smith, N. J.
Ervin	Magnuson	Sparkman
Flanders	Mansfield	Stennis
Frear	Martin, Iowa	Symington
Goldwater	Martin, Pa.	Talmadge
Gore	McNamara	Thurmond
Green	Monroney	Thye
Hayden	Morse	Wiley
Hennings	Morton	Williams
Hickenlooper	Murray	Yarborough
Hill	Neely	
Holland	Neuberger	

The PRESIDING OFFICER. A quorum is present.

Mr. CLARK. Mr. President, the Senate is about to vote, I hope, on an amendment to the District of Columbia Appropriation bill. The amendment was submitted by the Senator from Oregon [Mr. MORSE], on behalf of himself, the chairman of the Committee on the District of Columbia [Mr. NEELY], the ranking minority member of the committee [Mr. BEALL], the Senator from Nevada [Mr. BIBLE], and myself.

The purpose of the amendment is to add to the bill the sum of $2,500,000, so the payment to be made by the Government of the United States to finance the District of Columbia will be restored to $23 million, the sum at which the Federal contribution was fixed by the District of Columbia Revenue Act of 1956.

Mr. President, it is rare, indeed, I think, when a political issue so clearly raises a question of ethics and morals as does the pending amendment. In making that statement I wish to assure my good friend, the distinguished junior Senator from Rhode Island [Mr. PASTORE], that I have the greatest of sympathy for the position which he, as chairman of the appropriations subcommittee, has taken in this regard. I also wish to say that I have read with interest the hearings, in which he stated to the witnesses his deep concern that the Government of the United States keep its pledged word.

The simple question before us is whether the Congress is to keep its word. There is no need to discuss at this time the long and, in my judgment, discreditable record of promises to the District of Columbia broken in the past by the Federal Government. This particular broken promise goes back only 2 years. In 1956, as a condition to the imposition of new taxation on the people of the District of Columbia—namely, heavier income taxes and heavier real estate taxes—the Congress authorized an annual Federal payment of $23 million. The citizens of the District of Columbia have kept their part of the bargain, but now it is proposed that the Congress break its part. In fact, the Congress was not long in breaking its commitment; it broke it very soon after it was made. In 1956, there was a failure to appropriate $2 million; in 1957, there was a failure to appropriate $3 million. At

the present time, it is proposed that the appropriation be $3 million less than it should be.

Mr. President, what moral justification can there be for failing to live up to the open covenant with the citizens of the District of Columbia, as a result of which the income taxes and real estate taxes in the District of Columbia were raised. In order to comply with its part of the bargain made in that connection, the contribution made by the Federal Government should be fixed at $23 million.

It will be recalled that if the pending amendment is agreed to and is enacted into law, the Congress will be appropriating approximately 12 percent of the total fiscal requirements of the District of Columbia, whereas in earlier days the Congress paid for as much as 50 percent of the cost of operating the District of Columbia.

If I were to stop here, I imagine no Member of the Senate would object to adoption of the amendment.

However, what are the arguments which are made in opposition to the amendment? It is said that the tax collections in the District of Columbia are between $5 million and $5,500,000 greater than had earlier been anticipated. That is correct. But does that excuse a default on this obligation, particularly when, as a result of action taken by the Congress, the citizens of the District of Columbia have been committed to make annual principal and interest payments on a public-works program authorized by the Congress on the assurance that this money would be available, in order to meet those interest and principal payments?

It will be said that without the Federal payment now proposed, there will be an estimated surplus, under the Senate version of the pending bill, of approximately $4,448,000 in the District of Columbia, as of June 30, 1958. That, too, is true.

It will also be said that taxes in the District of Columbia are lower than those in other cities; and perhaps that is true, although in my experience with municipal finance, one finds himself in a mire of quicksand when he tries to determine the comparative tax rates for various cities, in the light of the statistics presently available.

Those are the arguments in opposition to the amendment. But it cannot be denied that the schools in the District of Columbia are inadequate in respect to the space needed for the schoolchildren. Indeed, under the pending bill it is proposed that the construction of one school be abandoned, because the funds required for constructing it have been said not to be available.

It cannot be said that there are not hungry children in the District of Columbia; neither can it be said that the public-works program or the urban redevelopment program in the District of Columbia are adequate. Sufficient funds for all those purposes must be provided, if the District of Columbia is to be a modern American city. For that purpose, not only are the funds proposed in the pending amendment needed; but, in addition, many additional millions of dollars are needed.

It will also be said, and cannot be denied, that if the Congress is to break its word, the citizens of the District of Columbia have a right to be released from the obligations imposed upon them by the Congress; and it will be said that if Congress is to make a cut in this payment, taxes in the District of Columbia should be reduced.

Mr. President, I close with this thought. What we are asking be done—and I say this particularly to my colleagues on the other side of the aisle—is to restore the recommendations of the President of the United States. The full $23 million program was recommended to the Congress by the President of the United States. Thus, the President has kept his word, and I ask, rhetorically, whether in the end the Congress will break its word. I hope the amendment will be adopted.

Mr. DIRKSEN. Mr. President, before I address myself to the amendment, I wish to say a word about the devotion and zeal of the chairman of the subcommittee in the preparation of the bill providing appropriations for the District of Columbia. The distinguished Senator from Rhode Island [Mr. PASTORE] has brought to this undertaking unselfishness, and a zeal and a devotion that are most commendable. I recognize that it is a labor of love. It is something that does not translate itself into general interest. There are no votes involved back home in doing a job of this kind, and one who assumes this task in the interest of the Nation's Capital certainly deserves the thanks of his colleagues. So I salute the Senator from Rhode Island for an exceedingly fine performance and for work well done.

The question pending before the Senate is an amendment offered by the distinguished Senator from Oregon [Mr. MORSE] to increase the lump sum payment from the Federal Treasury to the District of Columbia by $2,500,000. It is true the budget estimate was $23 million. The House scaled the figure down to $20 million. The Senate Committee on the District of Columbia, of which I am a member, has restored one-half million dollars. So the distinguished Senator from Oregon would add the other $2½ million, although there is presently no suggestion as to how the money shall be spent.

There was a larger return from income taxes in the District of Columbia than was anticipated, and as a result there exists a rather comfortable unexpended balance of $4,500,000. If the pending amendment shall prevail, unless other amendments are offered directing how the money shall be expended, it will mean that the balance in the District treasury will be increased from $4,400,000 to roughly $6,700,000.

I think the amendment is unnecessary. I believe the District can get along on $20,500,000. Moreover, I doubt whether there is an obligation upon the Senate to appropriate the entire amount. To be sure, in the act of 1956 it was provided that for 1955–56 there should be an appropriation of $20 million, and that for 1957 and subsequent years there should be a lump-sum payment of $23 million. That, however, in my judgment, is a ceiling. There may be leaner years for the District of Columbia than this year, and if there are, more money will be necessary. The authorizing power will exist. The legislative authority will be available in order to make the payment of more money possible.

So, as I look at the budget in the large, as I look at the appropriation bill that is presently before the Senate, I believe the subcommittee has done well in taking care of all the needs of the District of Columbia. There was some action on supplemental items which were not even presented to the House of Representatives.

I hope the amendment will not prevail. I think we have done very well for the District. I can remember other years when I lifted my voice for more money in the lump-sum fund for the District of Columbia. But in proportion as we are requesting the rest of the country and the other agencies of Government to make sacrifices, so it is not too much to ask that, in relation to the funds taken out of the Federal Treasury for payment to the District, there be some sacrifice in fiscal 1958.

In the present session the very first appropriation bill which came to the floor was at the House figure, and represented a cut of $80 million in the budget estimate. Four appropriation bills for the regular agencies of Government which have been passed by the Senate contained amounts under the House figures. In some cases the conference figure was below the House figure, which represented a very substantial reduction in the budget estimate. So it is not too much to ask that this year, instead of making a Federal contribution to the District of $23 million, we provide $20,500,000. That is half a million dollars above the House figure. The committee added $500,000 in order to provide for certain items in the bill, such as the increase in per diem allowance in hospitals for indigent patients.

All in all, I think the bill is well rounded. I think it will meet all the needs of the District of Columbia. I urge the Senate not to adopt the pending amendment.

I add one other thought. I think it is healthy for us to spend a good many hours on the District of Columbia appropriation bill. I have seen the time when the bill has gone through the Senate in 15 or 20 minutes. However, this is the Nation's Capital, which belongs to all the people of the country. They are entitled to know that, because we have arrogated to ourselves total jurisdiction over its affairs, we give some time to those affairs.

I served for 16 uninterrupted years on the District of Columbia Committee of the House of Representatives. I did not ask for the assignment on the committee, which, in part, handles appropriations for the District of Columbia, but I willingly accepted that responsibility. In this instance the committee have sought to discharge their responsibility as best they know how. We believe we have reported to the Senate a solid bill. We commend it to the Senate. When the final roll is called on the bill, we hope it will be passed by an overwhelming

majority, without the pending amendment to raise the lump sum payment. There will be a record vote on the amendment, and I sincerely hope it will be voted down.

Mr. PASTORE. Mr. President——

Mr. JOHNSON of Texas. Mr. President, does my friend the Senator from Rhode Island desire any time?

I wish to suggest the absence of a quorum before the Senate votes. If there is to be any further discussion, I shall withhold the suggestion. If there are no Senators who desire to address themselves to the amendment, I suggest the absence of a quorum, and express the hope that we may have a vote as soon as a quorum is present.

Mr. MORSE. Mr. President, I do not think that is fair to the Senator from Rhode Island. I think he should speak before or after a quorum call. I do not believe the Senator from Rhode Island understood what the Senator from Texas said. He does expect to speak about 10 minutes.

Mr. PASTORE. No, I do not expect to talk for 10 minutes; I expect to talk for only 2 minutes.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I understand the Senator from Rhode Island desires to address himself to the pending amendment.

Mr. PASTORE. Mr. President, first I desire to thank the distinguished Senator from Illinois for his complimentary remarks, and to tell him I enjoyed very much working with him on this very important appropriation bill.

I merely desire to make two or three points, Mr. President. First of all, we must bear in mind that if the pending amendment should be adopted—and I recommend that it not be adopted—it would increase the surplus of the District from $4,400,000 to about $6,900,000.

It would not affect the operating functions of the District government. At this time, in view of the fact that the House had already appropriated $20 million as the Federal contribution before it was learned that the tax yield from the District of Columbia income-tax increase was $5½ million more than the estimate, I think it would be very unwise to disturb this appropriation bill, which is the product of long, tedious hours of thorough and penetrating study. We feel we have come before the Senate with a well-rounded bill which will provide adequate service for the people of this community, and will be accepted by the Commissioners, by the school department, by the Health Department, and by all departments of the District government. It is a good bill, and I recommend at this time that the amendment of the Senator from Oregon [Mr. MORSE] be rejected.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Have the yeas and nays been ordered on the amendment?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. This record vote is on the Morse amendment to increase the lump-sum payment by $2½ million, is it?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE] to the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Arkansas [Mr. FULBRIGHT] is absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Utah [Mr. WATKINS] are absent because of illness.

The Senator from Kentucky [Mr. COOPER] and the Senator from South Dakota [Mr. MUNDT] are detained on official business.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] and the Senator from South Dakota [Mr. MUNDT] would each vote "nay."

The result was announced—yeas 23, nays 62, as follows:

YEAS—23

Beall	Humphrey	Murray
Bible	Javits	Neely
Butler	Johnston, S. C.	Neuberger
Carroll	Kefauver	O'Mahoney
Case, N. J.	Kennedy	Payne
Case, S. Dak.	Long	Scott
Church	McNamara	Symington
Clark	Morse	

NAYS—62

Aiken	Goldwater	Morton
Allott	Gore	Pastore
Anderson	Green	Potter
Barrett	Hayden	Purtell
Bennett	Hennings	Revercomb
Bricker	Hickenlooper	Robertson
Bush	Hill	Russell
Byrd	Holland	Saltonstall
Capehart	Ives	Schoeppel
Carlson	Jackson	Smathers
Chavez	Jenner	Smith, Maine
Cotton	Johnson, Tex.	Smith, N. J.
Curtis	Kerr	Sparkman
Dirksen	Knowland	Stennis
Douglas	Kuchel	Talmadge
Dworshak	Lausche	Thurmond
Eastland	Magnuson	Thye
Ellender	Mansfield	Wiley
Ervin	Martin, Iowa	Williams
Flanders	Martin, Pa.	Yarborough
Frear	Monroney	

NOT VOTING—10

Bridges	Langer	Watkins
Cooper	Malone	Young
Fulbright	McClellan	
Hruska	Mundt	

So Mr. MORSE's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment on page 2, line 1.

The amendment was agreed to.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Antimonopoly Subcommittee of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I should be extremely reluctant to object. However, the fact is that I am a member of that subcommittee. The agricultural appropriation bill will be before the Senate shortly, and I feel compelled, as a member of the subcommittee dealing with that bill, to be present. I think the request should be withdrawn. I should dislike to object, but I think I am entitled to attend one of those sessions.

Mr. MANSFIELD. Let me say to the acting minority leader that this request was cleared with the minority leader [Mr. KNOWLAND].

Mr. DIRKSEN. I am sure he did not understand my situation. I am presenting it on a personal basis. I would have to interpose an objection.

Mr. MANSFIELD. Mr. President, I withdraw the request.

I ask that the Committee on Agriculture and Forestry be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MORSE. Mr. President, on behalf of the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. BEALL], the Senator from Pennsylvania [Mr. CLARK], and myself, I send to the desk an amendment to the committee amendment on page 7, line 21, and I ask for the yeas and nays on this amendment. It is the so-called teachers' amendment.

Mr. DIRKSEN. Mr. President, may the amendment first be stated?

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. On page 7, line 21, after the word "vehicles" it is proposed to strike out "$37,246,050" and insert "$37,686,300."

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Will the Senator from Oregon indulge the Chair

in order that the committee amendment on page 4, line 3, may be disposed of? The amendment will be stated.

The CHIEF CLERK. On page 4, line 3, after "investigations" it is proposed to strike out "$362,500" and insert "$369,770."

The amendment was agreed to.

Mr. MORSE. Mr. President, I should like to have the attention of the Senator from Rhode Island [Mr. PASTORE]. He made the request that all the committee amendments be considered en bloc, save and except the three amendments which we are in the process of considering. I wonder if we can consider the remaining committee amendments, and then come to those three amendments.

The PRESIDING OFFICER. The Chair was attempting to take up the amendments in order.

The clerk will state the next committee amendment passed over.

The next committee amendment passed over was, on page 7, line 21, after "vehicles" to strike out "$37,160,000" and insert "$37,246,050."

The PRESIDING OFFICER. The clerk will now state the amendment proposed by the Senator from Oregon [Mr. MORSE] for himself, the Senator from West Virginia [Mr. NEELY], the Senator from Maryland [Mr. BEALL], and the Senator from Pennsylvania [Mr. CLARK] to the committee amendment.

The CHIEF CLERK. On page 7, line 21, it is proposed to strike out the committee figure, "$37,246,050" and insert "$37,686,300."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE], for himself and other Senators, to the committee amendment on page 7, line 21.

Mr. MORSE. Mr. President, I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. MORSE. Mr. President, I should like to have the attention of the acting minority leader and the acting majority leader for a moment, while I discuss the request for the yeas and nays.

There has been the greatest of cooperation between the District of Columbia Committee and the Appropriations Committee. We have differences with respect to a few appropriation items. Many members of the District of Columbia Committee desire very much to have a yea-and-nay vote on some items relating to District of Columbia affairs. I sincerely hope that I may have the yeas and nays on my amendment.

Mr. PASTORE. Mr. President, will the Senator yield in order that I may request the yeas and nays?

Mr. MORSE. I yield.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on the amendment of the Senator from Oregon.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I shall be very brief on this amendment. It calls for the restoration of 89 teaching positions in the public-school system, at a total cost of $440,250. The expenditure would be broken up as follows:

69 elementary teachers	$341,550
8 special elementary teachers	39,600
5 psychologists	26,000
3 supervisor directors	20,400
4 clerks	12,700
89	440,250

Assurances have been received from the Board of Education that classroom space is available on the basis that for the first and second grade only 308 classes will be on a part-time basis. The Board of Education assured us that part-time classes are least damaging at this grade level and that part-time classes are preferable to crowded classrooms for this age group.

The 5 psychologists are necessary to make an inroad on the backlog on some 3,000 achievement tests that were unable to be processed this year. Provision of this professional category will permit far greater service to the pupil in permanent administration of the achievement test, thus permitting the teacher to have a psychological tool for them in their remedial work with the children. I wish to call to the attention of the Senate that the school board relinquished $102,900 from their earlier estimate through the elimination of the new health school and the expansion of the transportation unit attached to it, for the reason that the health school will not be completed until the fall, and estimates for this will be included in next year's budget.

With regard to the recruitment of teachers, the Board of Education has assured us that based on the experience of last year, by the end of September all teaching positions had been filled. Last year 164 additional teachers were authorized. The Board of Education feels that if this amount is included in the budget at this time, recruitment for this year will be equally successful.

I am submitting the amendment on behalf of the Senator from Pennsylvania [Mr. CLARK]. In the District of Columbia Committee, we divided up our work. I was to offer the amendment the Senate has just voted on, which would have resulted in Congress continuing the Federal contribution to the District at $23 million, which we felt the Government had committed itself to pay in 1956. This amendment is offered by the Senator from Pennsylvania, and he is joined in offering it, as the clerk has read, by myself and the Senator from West Virginia [Mr. NEELY], and the Senator from Maryland [Mr. BEALL].

The Senator from Pennsylvania has had to leave the Chamber for the time being on a very important matter, and I am presenting his amendment. I told him I would be very happy to present it for him.

My argument in behalf of the amendment is simply this. I believe in following the experts. We in the Senate are not educational experts. The educational experts have testified before our committee. I mean by that, the school administrators of the District of Columbia. They convinced us that the additional teachers are sorely needed for the children of the District. There is no true economy in economizing at the expense of adequate educational facilities and services for our children. The experts whom we have hired in the educational field tell us that they ought to have these additional teachers. We believe there is no waste in their recommendations. I have the highest regard for Dr. Corning. I have worked closely with him, and I have always found him truthful, and on the conservative side when it comes to financial recommendations.

My good friend from Rhode Island has referred to the surplus of some $4 million or more that is available. First, I wish to say that there is great need for the surplus. There is great need for the full amount asked for in the previous amendment. However, that question has been settled for this year.

The situation is that the additional teachers can be hired within the surplus. What that amounts to in effect is saying to the District officials, "You have the surplus. We want $440,000 of it, in round numbers, used for the teachers who the experts in the educational field say are needed, in order to give the service to the boys and girls of the District they ought to have for the next school year." That is my case, and I rest on it.

Mr. PASTORE. Mr. President, I recommend to the Senate that the amendment be rejected. This is an item which was of great concern to the members of the committee. Naturally so, for it involves schools and children in the schools. It refers also to the quality and the quantity of the teachers in the District necessary properly to educate the children.

In the District now there are 4,490 schoolteachers, in the various categories. The House allowed 175 new teachers; 264 had been asked for. Only this morning we received from the budget officer of the District of Columbia Committee a breakdown of the teacher-pupil ratio. We find that in the elementary schools at the present time the ratio is 1 teacher to 34.7 pupils.

In reaching our conclusion, Mr. President, we did not do so lightly; we gave this subject very serious attention. We listened very attentively to what Dr. Corning had to say. At the present time, in the first and second grades, there are what may be called part-time classes, or split classes; there are classes in the morning and classes in the afternoon. There are 48 such classes. Under the amount allowed by the House, there would be 175 such classes. The amount which is sought by the amendment would allow 300 such classes.

Fundamentally, the very serious situation in the District is the lack of school facilities. There is a changing population, of course, but that situation improves from year to year.

We have gone into this subject very carefully. We believe that the amount allowed by the House will enable the schools to do a satisfactory job. We believe they can absorb the work. While it might not be Utopia, we feel that we are meeting the problem adequately as

of the time, and believe that the authorities will be able to get along with the amount appropriated without any sacrifices in the quality of education. For that reason, I ask that the amendment be rejected.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. LAUSCHE. Is the Senator able to state whether or not the ratio of teachers to pupils in the senior classes is below or above the average in the country?

Mr. PASTORE. I would not wish to say whether it was below or above. I say that it compares very favorably. I might give the ratio. The ratio in the junior high schools is 23 pupils to 1 teacher, which compares very favorably with other cities. With relation to the senior high schools, the ratio is 28 to 1. With relation to vocational high schools, it is 24 to 1. Those figures compare very favorably with those for most other communities. As a matter of fact, the District of Columbia stands 12th among cities of comparable size so far as the teacher-pupil ratio is concerned.

Mr. LAUSCHE. It is 12th in the country?

Mr. PASTORE. That is correct.

Mr. LAUSCHE. Am I correct in stating that on the basis of 100,000 pupils, there are 4,050 teachers available in the District, and, therefore, to strike an average, it means that in the several classes there are 25 pupils for each teacher?

Mr. PASTORE. That is true in some classes, yes. There may be other classes where there are more than 34. As Dr. Corning has explained, "They do not send us pupils in blocks of 32 or 34." The situation in some classes depends on geographical location and type of population. There may be 24 in some classes and in other classes there may be 30 or 29, depending upon the location.

This ratio is an academic figure at best. It does not spread itself uniformly. It merely stands for a situation the school authorities would like to accomplish. It is very commendatory and laudatory. However, the allowances made by the House, we believe, will provide a very satisfactory level.

Mr. LAUSCHE. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. LAUSCHE. If the allowance in the House bill is approved, what will be the ratio with reference to the elementary schools?

Mr. PASTORE. It will be a little more than 33 to 1. The reason I say that is the presentation made to our committee was predicated upon the present ratio of 36 to 1. The last statistics we received, today, show that it is 34.7 to 1. I do not say this in any criticism of anyone who presented the figures. Those were the figures the authorities had as of the time.

Mr. MORSE. My reply to the Senator from Rhode Island will be very brief.

First, I point out that of the 89 teachers provided for in the appropriation, 69 will be elementary schoolteachers. It is in the elementary schools of the District where the serious problem exists.

In addition to the 69, there would be 8 special elementary teachers needed to work in the elementary schools with problem children who need assistance.

We would add five psychologists. Let me tell Senators that if they had worked with us on the Committee on the District of Columbia in the matter of educational affairs they would know how sorely needed are the psychologists.

There would be also 3 supervisory directors and 4 clerks.

The major problem in the District of Columbia school system is in the elementary schools. The figures I placed in the RECORD this morning show that the present ratio of pupils to teachers in the elementary schools is 35.6 to 1.

It is true that in the junior and senior high schools the ratio is more comparable with the ratio across the country. But, as I said also earlier in the debate today, educators are remarkably uniform in their point of view that in the elementary schools the ratio should not be higher than 30 to 1. The bill reported by the Committee on Appropriations would reduce the present ratio, as the Senator from Rhode Island says, to 33 to 1. The amendment which the Senator from Pennsylvania [Mr. CLARK] has offered, and which I am sponsoring in his behalf, would bring the ratio down to 32 to 1.

The next point I hope Senators will keep in mind is that there are additional teacher problems in the District of Columbia from the standpoint of the school buildings. That is what I meant when earlier today I pointed out the testimony of Dr. Corning and others to the effect that if something is not done about a school construction program in the District of Columbia by the year 1960, there will be a fearful crisis, so far as physical facilities are concerned.

The teaching burdens of the teachers in the elementary schools of the District of Columbia are greatly increased, because of the obsolete facilities in many, many schools. The testimony is that classes are being held in the ends of corridors; and that large linen closets, with a little remodeling, have been turned into classroom facilities. Every available square inch in old, old buildings is being used to accommodate the children.

I stress these things because we do not tell the complete story when we make the point that the ratio at present is 35.6 to 1. The burden is really much greater, because if the 35.6 to 1 ratio for elementary children were in effect in a modern school building, the teaching problem would not be so serious as it is at the present time.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. KUCHEL. Will the Senator from Oregon state again the amount which his amendment, or the amendment of the Senator from Pennsylvania, would increase this budgetary proposal?

Mr. MORSE. The total amount is $440,250. For the 69 elementary school teachers, the amount would be $341,050. For the eight special elementary schoolteachers, it would be $39,600.

But mark this, I say to the Senator from California: We have heard much justification today for not increasing the Federal contribution to the District to $23 million, the amount to which Congress increased it in 1956, because there is a surplus of a little more than $4 million. Here is $440,000 which can be taken from the $4 million surplus. I think the Senate ought to go on record today as saying to the District of Columbia Commissioners, in effect, "Take that amount out of the surplus and use it to provide a better education for the children of the District of Columbia."

If that be done, a blow will be struck for a stronger democracy; because as we strike a blow for better education, we strengthen democracy, too.

Mr. KUCHEL. I may say to the Senator from Oregon that I have more than a passing interest in the school system in the District of Columbia. Our daughter attends a public school in the District of Columbia, and I am prepared on any occasion to assist in the proper recognition by Congress of the needs of the school system in the District, as I think the Senator from Oregon well knows.

But I am a little perplexed and confused when the opposition to the amendment offered by the Senator from Oregon is in the hands of my able friend, the Senator from Rhode Island [Mr. PASTORE], in whom I have a great amount of faith. Some of us are a little distraught in wondering whether the Subcommittee on the District of Columbia Appropriations has adequately considered the problem. I do not want to sit here and vote willy nilly for increases or decreases; in any event, I believe, and so does the Senate, that we must give the District of Columbia schools what is needed to educate the children who attend our District schools.

Mr. PASTORE. Mr. President will the Senator from Oregon yield at that point?

Mr. MORSE. I yield.

Mr. PASTORE. So that the matter will be understood, and understood properly, the junior Senator from Rhode Island loves children as much as does anyone else and he is just as much interested in the school problem as is anyone else.

Mr. KUCHEL. I am certain of that.

Mr. PASTORE. As a matter of fact, when I was the Governor of my State, I sponsored the institution of a sales tax, which was a rather strange thing for a Democratic governor to do, in order to make our schools better and to pay our teachers higher salaries.

The committee has analyzed every single item in this budget with the most minute care. We have reviewed and rereviewed the action which was taken by the House. We started with the idea that in the District there are approximately 4,490 schoolteachers. It is true that the school authorities asked for 212 additional teachers, and received from the House 175, in various categories.

They explained to us that they have at present 48 of the so-called split classes; that is, afternoon classes and morning classes. The House bill limited them to an increase which would provide for 175 such classes. The school authorities

feel it is desirable to have 300 such classes. But this does not mean the difference between a loaded classroom and one which has the 30-to-1 or 31-to-1 ratio.

A very peculiar situation exists in this community. If the pending amendment were agreed to, it would not guarantee that there would be 32 pupils in every classroom. The size of the class would vary throughout the District of Columbia. The teachers are used in every part of the District, provided they are engaged in elementary school teaching.

The committee has reviewed all the testimony, and has found that the school system can well absorb the amount which was granted by the House. It is true that the system has asked for the extra 89 teachers, but the committee felt, after reviewing the matter very carefully, that what is most needed in the community are more school facilities.

The practice of having one schoolteacher instruct her class in the morning until noontime, and having another teacher come in the afternoon to teach another class in the same schoolroom, is bad, to my way of thinking. It may be a little better than having overcrowded classes; but, after all, the difference should not be between having split classes and large classes. It should be the difference between 32 pupils to 1 teacher and 33 to 1.

Naturally, we must look at the budget with relation to the entire panorama which was presented to the committee. We have looked at it very carefully. I think we have been human enough in what we have done. I believe the budget to be a good one. I do not think that the question whether the children of the District are taught properly depends on the adoption of the amendment. All that could happen from its adoption would be that possibly there might not be so many split classes as the school authorities would like to have.

The important consideration, which I think must be emphasized, is that the teaching personnel is predicated upon the peak pupil population. Naturally there are not so many schoolteachers as are authorized. But I think the school authorities can live with this condition and get along with it. I dare say that the school situation in the District of Columbia, while it is not, possibly, what we would like to have it, at the optimum, compares well with school systems in other cities of the country in the same population group. The District of Columbia stands 12th in comparison with comparable cities.

I assure the distinguished junior Senator from California, who I know is very much interested in the subject, that we are not doing an injustice to the District of Columbia schools. We are not giving them everything they want, but we are giving them pretty nearly everything they have requested. They can live with the amount provided and perform reasonably well in the community, so far as education is concerned.

Mr. MORSE. I shall reply very briefly to the Senator from Rhode Island. First, I think we have to make a decision as to whose advice we shall follow. Shall we follow the advice of the District of Columbia Subcommittee on Appropriations—and I have great respect for each member of that subcommittee—in regard to the educational needs of the District of Columbia? Or shall we follow the strong case which was made by the educators of the District of Columbia as to what the children of the District need by way of teacher facilities during the next year? I wish to say to the Senator from Rhode Island that he is not a stronger supporter of the proposal for more school buildings in the District of Columbia than I am. The provision of additional school buildings is a part of the program of the District of Columbia Committee. But additional school buildings will not be provided next year. However, in my judgment an adequate number of teachers must be appropriated for. I think that is perfectly clear when the educators themselves say, "This is what we need." Inasmuch as no Senator has placed in the RECORD information to show that the demands of the educators are in any way unreasonable, I believe the Senate should follow the recommendation of the experts.

Mr. PASTORE. Of course we should consider the experts' recommendation. But does the Senator from Oregon mean to say that a Member of the Senate cannot disagree with the Secretary of State or with the President of the United States?

Mr. MORSE. Of course not, and I have done so on more than one occasion.

Mr. PASTORE. Of course. In this case we are disagreeing with the recommendation of the educators. We do not have to accept as factual all the presentations which are made to us.

Mr. MORSE. That is quite true.

Mr. PASTORE. I do not mean to say that the witnesses before our committee endeavored to deceive us. However, after all, I have been connected with government for a long time, and I know that every so often we have to allow less than is requested. Certainly we must study and scrutinize the requests. After we did that in the present case, we reached the conclusion I have stated.

I repeat that the requested teacher-student ratio is predicated upon the peak student population.

Our committee has recommended a reasonable amount, in view of the amount requested. I repeat, that I think a rational, reasonable, and wise job has been done by the committee.

Mr. MORSE. Mr. President, I reply by stating that, of course, it is proper for us to disagree to requests which are made of us, if we have a sound basis for such a disagreement. But in the present case, I think there is no factual basis for disagreeing to the requested 30 to 1 ratio.

Mr. President, I come now to a most delicate point in connection with the pending debate; and in connection with this point, I speak with the utmost respect for the Appropriations Committee. My point is that in this case there is a conflict between the judgment of the legislative committee and that of the Appropriations Committee, and in part there is a question as to whether the Appropriations Committee of the Senate is to be substituted for the legislative committee.

At this time let me say—in the presence of the great Senator from West Virginia [Mr. NEELY]—that on matters of education, I know of no legislative committee of the Senate which goes into the details of the legislative problems more thoroughly than the Senate Committee on the District of Columbia has done. Furthermore, I know of no other committee—and I am sure it is not the Appropriations Committee—which has devoted to the educational problems of the District of Columbia the time, research, and analysis that the District of Columbia Committee of the Senate has devoted.

The time has come for some Member of the Senate to point out, on the floor of the Senate, that great weight should be given to the recommendations of a legislative committee which has made such a thorough study of educational problems in the District of Columbia as the Committee on the District of Columbia has made.

The Committee on the District of Columbia informs the Senate today that the addition of the proposed 89 teachers should be made in the interest of education in the District of Columbia. In making that statement, I have complete respect for the Appropriations Committee. But I do not fear successful contradiction when I say that the Appropriations Committee has not made the study the District of Columbia Committee has made regarding educational problems in the District of Columbia.

I have great respect for the Appropriations Committee. However, when the educators make this request, and when the legislative committee also makes the request, then, unless the Appropriations Committee can present more evidence than it has presented thus far, I think the Senate should vote against the cut proposed by the Appropriations Committee, and should vote in favor of sufficient appropriations for the necessary number of teachers; and the Senate should resolve the doubts in favor of the children of the District of Columbia. That is my case.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Oregon yield to the Senator from Rhode Island?

Mr. MORSE. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. Is the Senator from Oregon taking the position that if his amendment is rejected the Senate will have violated a fiat issued by the District of Columbia Committee?

Mr. MORSE. No; not at all. I am saying that the Appropriations Committee does not have the information the District of Columbia Committe has regarding the educational problems in the District of Columbia, and the Appropriations Committee could not be expected to. In my judgment, when a legislative committee makes a recommendation to the Appropriations Committee, in connection with a matter such as this, the

presumption is in favor of the recommendation made by the legislative committee, and the Appropriations Committee should have good cause for saying that it will overrule the recommendation of the legislative committee. Otherwise, the Appropriations Committee would soon be the superlegislative committee of the Senate. That is my position.

Mr. PASTORE. What does the Senator from Oregon mean by the statement about overruling a decision made by the legislative committee?

Mr. MORSE. I say that because the District of Columbia Committee has recommended that this additional number of teachers should be provided.

Mr. PASTORE. Did the Committee on the District of Columbia hold a hearing on that item?

Mr. MORSE. We had a long hearing on the educational system of the District of Columbia.

Mr. PASTORE. Am I to understand that the District of Columbia Committee held a hearing on this particular item while the Appropriations Committee was also considering it?

Mr. MORSE. Not in the case of the 89 teachers.

Mr. PASTORE. Of course not.

Mr. MORSE. But we made a survey of the entire matter.

Mr. PASTORE. But the whole survey is a platitude and a generalization.

Mr. MORSE. Mr. President, why does the Senator from Rhode Island say the whole survey is a platitude and a generalization? The survey is based upon detailed evidence on issue after issue, as the evidence was presented before the committee.

So far as the District of Columbia Committee is concerned, it has a thorough understanding of the educational needs of the District of Columbia; and I do not intend to have the judgment of the Appropriations Committee substituted for that of any legislative committee of the Senate. I think it is about time that we make clear to the Appropriations Committee that, after all, the presumptions are in favor of the position taken by the legislative committees.

Mr. PASTORE. Mr. President, will the Senator from Oregon yield further to me?

Mr. MORSE. I yield.

Mr. PASTORE. I do not imagine for a moment that that is what the Appropriations Committee did. The bill came to the Senate from the House of Representatives. The House had already acted on the bill. Educational officials of the District of Columbia and representatives of the school system and the Commissioners testified before our committee. We went over the matter very carefully.

It is entirely proper for the Senator from Oregon to disagree with me; that is his privilege. But a recommendation for 89 additional teachers was never included in a report written by the District of Columbia Committee. I realize that the District of Columbia Committee made an overall survey of the school situation in the District of Columbia, with which I heartily agree. I am as much interested in the educational standards of the District of Columbia as is any other Member of the Senate. But, after all, I have the responsibility of going into the case in detail, and of considering the testimony of all the witnesses, not merely that of the head of the department, who may have been the one who made the request. The House had voted an appropriation sufficient for 175 additional teachers, whereas funds sufficient for a larger number of additional teachers had been requested.

This morning we were confronted with a new statistical report from the Commissioners; and from that report we learn that the situation is even better than the committee had been told it was.

I believe that the program under the recommendation of the Appropriations Committee will be a well-rounded one, and I do not believe that either the teachers or the students in the District of Columbia will be penalized as a result. I think the program recommended by the Appropriations Committee is a generous and reasonable one which will do much good to educational life in the District of Columbia.

Mr. MORSE. Mr. President, I shall close by saying that I have the utmost respect for the Senator from Rhode Island and for the sincerity with which he arrives at his judgment. However, I completely disagree with his conclusions.

In my judgment, the recommendations of the Appropriations Committee regarding this teacher item will, if followed by the Congress, cause great injustice to be done to the boys and girls of the District of Columbia. In my judgment, the Senate this afternoon cannot justify economizing at the expense of the services which the educators have said will be needed by these boys and girls next year. I believe that the doubts should be resolved in favor of the boys and girls.

Furthermore, in order to make my position perfectly clear, I wish to state that when a legislative committee makes a study similar to the one the District of Columbia Committee has made regarding the educational problems in the District of Columbia, the presumption is in favor of the judgment of the legislative committee.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Eastland	Kuchel
Allott	Ellender	Lausche
Anderson	Ervin	Long
Barrett	Flanders	Magnuson
Beall	Frear	Mansfield
Bennett	Goldwater	Martin, Iowa
Bible	Gore	Martin, Pa.
Bricker	Green	McNamara
Bush	Hayden	Monroney
Butler	Hennings	Morse
Byrd	Hickenlooper	Morton
Capehart	Hill	Mundt
Carlson	Holland	Murray
Carroll	Humphrey	Neuberger
Case, N. J.	Ives	O'Mahoney
Case, S. Dak.	Jackson	Pastore
Chavez	Javits	Payne
Church	Jenner	Potter
Cooper	Johnson, Tex.	Purtell
Cotton	Johnston, S. C.	Revercomb
Curtis	Kefauver	Robertson
Dirksen	Kennedy	Russell
Douglas	Kerr	Saltonstall
Dworshak	Knowland	Schoeppel
Scott	Stennis	Wiley
Smathers	Symington	Williams
Smith, Maine	Talmadge	Yarborough
Smith, N. J.	Thurmond	
Sparkman	Thye	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] for himself and other Senators to the committee amendment on page 7, line 21. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that if present and voting, the Senator from Pennsylvania [Mr. CLARK] and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE] and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER] and the Senator from Utah [Mr. WATKINS] are absent because of illness.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] would vote "nay."

The result was announced—yeas 27, nays 57, as follows:

YEAS—27

Beall	Jackson	McNamara
Bible	Javits	Monroney
Carroll	Johnston, S. C.	Morse
Case, N. J.	Kefauver	Morton
Church	Kennedy	Murray
Cooper	Kuchel	Neuberger
Douglas	Long	Payne
Hennings	Magnuson	Symington
Humphrey	Mansfield	Yarborough

NAYS—57

Aiken	Ervin	O'Mahoney
Allott	Flanders	Pastore
Anderson	Frear	Potter
Barrett	Goldwater	Purtell
Bennett	Gore	Revercomb
Bricker	Green	Robertson
Bush	Hayden	Russell
Butler	Hickenlooper	Saltonstall
Byrd	Hill	Schoeppel
Capehart	Holland	Smathers
Carlson	Ives	Smith, Maine
Case, S. Dak.	Jenner	Smith, N. J.
Chavez	Johnson, Tex.	Sparkman
Cotton	Kerr	Stennis
Curtis	Knowland	Talmadge
Dirksen	Lausche	Thurmond
Dworshak	Martin, Iowa	Thye
Eastland	Martin, Pa.	Wiley
Ellender	Mundt	Williams

NOT VOTING—11

Bridges	Langer	Scott
Clark	Malone	Watkins
Fulbright	McClellan	Young
Hruska	Neely	

So Mr. MORSE's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 7, line 21.

Mr. MORSE. Mr. President, I should like to explain very briefly the parliamentary situation, on the basis of which

I shall make a parliamentary request. The Senator from Pennsylvania [Mr. CLARK], as I stated previously, has been called from the floor on a matter that requires his absence from the floor of the Senate.

I desire to have the Senate consider an amendment on page 4, line 3, of the District of Columbia appropriation bill.

We have already adopted that amendment in the consideration of the bill. I have taken up the matter with the chairman of the subcommittee, and he is perfectly willing that the vote whereby the amendment was agreed to be reconsidered, and that action be taken on the Clark amendment, on which there will be no yea and nay vote.

Therefore, I move to reconsider the vote whereby the Senate adopted the committee amendment on page 4, line 3.

Mr. KNOWLAND. Mr. President, reserving the right to object, I wonder whether the Senator could indicate to the Senate what the amendment to the amendment would do.

Mr. MORSE. The amendment would change the figure $369,770 to $387,400. It involves $8,430 for the Office of Urban Renewal and $9,200 for the Planning Advisory Council. The Senator from Rhode Island and I intend to make a brief legislative record on this matter, and possibly enter into an understanding, if the consent of the Senate is given to reconsider the vote on the amendment.

Mr. KNOWLAND. I have no objection to reconsideration for the purpose of permitting an explanation.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Will the Senator from Oregon withhold his request until the vote has been taken on the committee amendment on page 7, line 21, which is to strike out "$37,160,000" and to insert in lieu thereof "$37,246,050"?

Mr. MORSE. I withhold my request.

The PRESIDING OFFICER. The question recurs on agreeing to the committee amendment on page 7, line 21.

The amendment was agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none.

Mr. MORSE. The justification for the amendment I propose is to be found on page 37 of the hearings. It reads:

> This amount is requested to carry out a program to stimulate further, and to coordinate the already awakened interest of individuals and organized neighborhood groups in activities for combating neighborhood blight, and for clearing up existing slum areas by rehabilitation, conservation, cleanup and maintenance; linking these activities with governmental work in order to obtain the maximum advantage of such combined efforts to prevent further deterioration of areas of the city.

The amount requested for that activity is $8,430.

The amount requested for the Planning Advisory Council is $13,600. The statement which appears on page 37 of the hearings reads:

> This amount is requested to provide a working staff for the Commissioners' Planning Advisory Council.

I now yield to the Senator from Rhode Island.

Mr. PASTORE. The Senate went along with the House in deleting from the appropriation bill the item for the additional employee for the urban renewal activity. The request was for 1 additional member for a 5-member staff. As I understand, the purpose was to engage an employee who would promote, with civic groups through the mailing of written paraphernalia, an interest in the removal of blight and in urban renewal activity.

In view of the interest being demonstrated by the Committee on the District of Columbia, I am perfectly willing to take the amendment to conference to see what can be agreed upon.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon to reconsider the vote by which the committee amendment on page 4, line 3, was agreed to? The Chair hears none, and it is so ordered.

Mr. MORSE. I now offer my amendment, on page 4, line 3, to strike out "$369,770," and insert in lieu thereof "$387,400."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon to the committee amendment on page 4, line 3.

Mr. MORSE. Mr. President, I told the Senator from Rhode Island, earlier, that I believe in compromising.

Mr. PASTORE. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. PASTORE. I notice, in reading the explanation of the plan——

Mr. MORSE. We are going to reduce the amount. The plan is included in the amendment. I was about to say that it will be necessary to modify the amendment.

I told the Senator from Rhode Island earlier in the debate today that I recognize, in the matter of disagreements on appropriation bills, that it is sometimes necessary to engage in the procedure of compromise. I am very happy to accept a compromise. I would prefer the larger amount, but it will be necessary to modify the figure in the amendment, so as to add only $8,430 to the committee figure on line 3, page 4. Add $8,430 to the $369,770, and take the amendment to conference.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, line 3, it is proposed to strike out "$362,500" and insert in lieu thereof "$387,400."

Mr. MORSE. No; that is not correct. I said I wished to modify the amendment by adding to the figure "$369,770" "$8,430," which makes a total of $378,200, to cover the Office of Urban Renewal.

Mr. PASTORE. That would make the total $378,200.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Oregon to the committee amendment is agreed to.

Without objection, the committee amendment as amended is agreed to.

The bill is open to further amendment.

Mr. MORSE. Mr. President, I offer my last amendment, again offering it on behalf of the Senator from Pennsylvania [Mr. CLARK], for myself, the Senator from West Virginia [Mr. NEELY], and the Senator from Maryland [Mr. BEALL]. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 18, line 18, it is proposed to strike out "$1,840,000" and insert in lieu thereof "$1,885,700."

Mr. MORSE. Mr. President, in explanation of the amendment, I read from page 157 of the committee hearings:

> The cuts in funds made by the House on this vital link in the housing and slum prevention program will have the effect of delaying effective enforcement of the apartment house chapter after its adoption by the Commissioners. Such enforcement effort as could be devoted to the apartment house inspection, over and above that of one new inspector allowed by the House, would necessarily be diverted from the area enforcement or block and complaint work. This is a very undesirable alternative in that it would critically reduce, if not practically eliminate, Housing Code enforcement in all but the licensed multiple housing categories.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. I am willing to take this amendment to conference. The background and history of the matter is as follows: The amount as presented in the budget estimate to the House was rejected by the House, primarily for the reason that the code had not been completed. It was expected by the Commissioners that the code would be in operation by July 1 of this year. But at the time the District officials appeared before the House committee, it was uncertain whether that mark could be reached.

Since then, we have been notified that the code has been completed, and there is every prospect that the additional personnel can be profitably employed. Ten additional inspectors would be required, together with the related expense for the enforcement of the apartment house chapter of the housing regulations.

I am perfectly willing to take the amendment to conference.

Mr. MORSE. I appreciate the Senator's statement. The Senator from Rhode Island is completely correct when he says that the reason why the House rejected the request was that the housing code had not been completed by the District government. It has now been completed. I ask unanimous consent that the text of it be printed at this point in my remarks.

There being objection, the text was ordered to be printed in the RECORD, as follows:

[G. P. 47-2328, Order No. 57-1023]

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D. C., June 6, 1957.

Subject: District of Columbia Housing Regulations, Amended. Department of Licenses and Inspections.

Ordered, That the District of Columbia Housing Regulations, 1955 edition, as amended, are hereby further amended by adding

the following provisions to be designated as chapter 6:

"CHAPTER 6, ARTICLE 610, SPECIAL LICENSING REGULATIONS RELATING TO APARTMENT AND APARTMENT HOUSES

"SEC. 6101. Incorporation of chapters 1, 2, and 3 by reference

"Chapters 1, 2, and 3 of these housing regulations of the District of Columbia are incorporated in this chapter 6 by reference and made a part hereof, and the provisions contained in said chapters 1, 2, and 3, together with the provisions contained in this chapter 6, shall be applicable to premises used or held out for use as an apartment or apartment house: *Provided*, That whenever any provision contained in this chapter 6 shall conflict with or supersede a provision contained in chapters 1, 2, or 3, the provision contained in this chapter shall be applicable.

"SEC. 6102. Scope.

"This chapter 6 of the housing regulations of the District of Columbia shall be applicable to every building or part thereof occupied or used or held out for use as an apartment or apartment house, whether tenant or owner occupied.

"SEC. 6103. License.

"6103.1. No license to operate an apartment house business shall be issued to a person not a resident of the District of Columbia, unless such nonresident, as a condition of such license, maintains an office in the District of Columbia, appoints or employs and maintains an attorney-in-fact, general agent or manager who is a resident of the District of Columbia, or maintains an office in said District, and notifies the Superintendent of Licenses and Permits of such appointment or employment. Such licensee shall likewise notify the Superintendent of Licenses and Permits, within 5 business days, of any change in the appointment or employment of such attorney-in-fact, general agent or manager. In all cases of a nonresident licensee, notice of any action to be taken with respect to the license issued to such licensee may be served upon the attorney-in-fact, general agent or manager appointed or employed by such nonresident licensee.

"6103.2. Upon certification to the Superintendent of Licenses and Permits by an office of the District of Columbia required to serve notices in connection with the operation of an apartment-house business, that a licensee, or the attorney-in-fact, general agent or manager of such licensee, cannot be found after reasonable search, proceedings against the licensee may be instituted by serving notice, in the manner prescribed in section 2701.5 of these regulations, upon either the licensee or any person who has been designated by the licensee as his attorney-in-fact, general agent or manager, and whose designation has not been rescinded by such licensee in a written notice of recission sent to the Superintendent of Licenses and Permits.

"SEC. 6104. Registration of tenants.

"The license shall establish and maintain, within 5 business days after the opening of said business, a book, books, record or records in which shall be written in English the name of each tenant of every apartment in the apartment house together with the number of the apartment in which such tenant is residing. The said book, books, record or records shall be kept current and in good repair at all times within the District of Columbia, and shall be open for inspection by the departments of the government of the District of Columbia responsible for enforcement of District of Columbia laws and regulations.

"SEC. 6105. Posting of information regarding building management.

"The licensee shall provide information regarding the building management in a notice framed under clear glass or plastic and shall post such notice or cause the same to be posted in a conspicuous place in the apartment building to which such notice applies. The notice shall contain the name, address, and telephone number of a responsible representative of the building management who may be reached in the event of complaints or emergency situations. The notice shall also contain information regarding the manner in which such representative or his alternate may be reached after normal working hours and on Sundays and holidays.

"SEC. 6106. Designation of apartments.

"Each apartment entrance door shall be distinctively numbered or lettered and all other rooms in the apartment buildings, other than rooms in individual apartments, shall be distinctively identified."

By order of the Board of Commissioners, District of Columbia.

ANN GHORNETT,
Secretary to the Board.

Mr. MORSE. I appreciate the cooperation of the chairman of the committee in agreeing to take the amendment to conference.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Oregon [Mr. MORSE], for himself and other Senators, is agreed to.

Without objection the committee amendment, as amended, is agreed to.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Frear	Morse
Allott	Goldwater	Morton
Anderson	Gore	Mundt
Barrett	Green	Murray
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Humphrey	Potter
Butler	Ives	Purtell
Byrd	Jackson	Revercomb
Capehart	Javits	Robertson
Carlson	Jenner	Russell
Carroll	Johnson, Tex.	Saltonstall
Case, N. J.	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kefauver	Scott
Chavez	Kennedy	Smathers
Church	Kerr	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Curtis	Lausche	Stennis
Dirksen	Long	Symington
Douglas	Magnuson	Talmadge
Dworshak	Mansfield	Thurmond
Eastland	Martin, Iowa	Thye
Ellender	Martin, Pa.	Wiley
Ervin	McNamara	Williams
Flanders	Monroney	Yarborough

The PRESIDING OFFICER (Mr. SCOTT in the chair). A quorum is present.

House bill 6500, the District of Columbia appropriation bill, has been read the third time. The question now is, Shall the bill pass?

On this question the yeas and nays have previously been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], and the Senator from West Virginia [Mr. NEELY] are absent on official business. The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senators from Arkansas [Mr. FULBRIGHT and Mr. MCCLELLAN], the Senator from Arizona [Mr. HAYDEN], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Utah [Mr. WATKINS] are absent because of illness.

If present and voting, the Senator from Nebraska [Mr. HRUSKA] and the Senator from Nevada [Mr. MALONE] would each vote "yea."

The result was announced—yeas 83, nays 1, as follows:

YEAS—83

Aiken	Frear	Morton
Allott	Goldwater	Mundt
Anderson	Gore	Murray
Barrett	Green	Neuberger
Beall	Hennings	O'Mahoney
Bennett	Hickenlooper	Pastore
Bible	Hill	Payne
Bricker	Holland	Potter
Bush	Humphrey	Purtell
Butler	Ives	Revercomb
Byrd	Jackson	Robertson
Capehart	Javits	Russell
Carlson	Jenner	Saltonstall
Carroll	Johnson, Tex.	Schoeppel
Case, N. J.	Johnston, S. C.	Scott
Case, S. Dak.	Kefauver	Smathers
Chavez	Kennedy	Smith, Maine
Church	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Mansfield	Thye
Eastland	Martin, Iowa	Wiley
Ellender	Martin, Pa.	Williams
Ervin	McNamara	Yarborough
Flanders	Monroney	

NAYS—1

Morse

NOT VOTING—11

Bridges	Hruska	Neely
Clark	Langer	Watkins
Fulbright	Malone	Young
Hayden	McClellan	

So the bill (H. R. 6500) was passed.

Mr. PASTORE. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PASTORE, Mr. MCCLELLAN, Mr. JOHNSON of Texas, Mr. BIBLE, Mr. FREAR, Mr. DIRKSEN, Mr. IVES, and Mr. BEALL conferees on the part of the Senate.

RETURN TO THE FLOOR OF SENATOR PAYNE

Mrs. SMITH of Maine. Mr. President, the Senate has heard the response to the call of the roll by one of our distinguished colleagues, the junior Senator from Maine, and welcomes his return to the Senate. His colleagues are happy to see him back from his absence which was forced by illness. It is gratifying to see him return, looking so much like himself. This could not be if he had not exerted every effort to get well.

We who have seen the junior Senator from Maine in his faithful and constant attendance in the Senate since he first joined it in 1953 knew that he would do this very thing; knew that he would recognize the value of obeying his doctor and his wife in his effort to recover.

Mr. President, the Senate, I am sure, joins me in welcoming the junior Senator from Maine back, with the hope that it will not be long before he will be back in his Senate seat all the time.

Mr. KNOWLAND. Mr. President, I wish to join with the distinguished senior Senator from Maine [Mrs. SMITH] in the remarks she has made regarding the return of the junior Senator from Maine [Mr. PAYNE]. There is certainly no more valued Member of this body than the distinguished junior Senator from Maine, who has been absent because of illness, and I know that all Senators on both sides of the aisle were very much pleased and relieved to see him back in the Chamber again, for during the years he has been a Member of the Senate, he has made a valuable contribution to the Senate's legislative work and to the great decisions which this body must make.

THE PUBLIC DEBT REDUCTION ACT OF 1957

Mr. BYRD. Mr. President, the Senate Finance Committee had a most constructive and interesting session this morning in the consideration of S. 1738, introduced by the Senator from Massachusetts [Mr. SALTONSTALL].

The purpose of this bill is to bring about reductions in the public debt and the legal ceiling on the authority of the Federal Government to borrow.

The Senator from Massachusetts made a very able presentation, as did the Senator from Colorado [Mr. ALLOTT].

As there is much valuable information contained in their remarks as to our fiscal situation, I ask unanimous consent that these two presentations before the Finance Committee be printed in the body of the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE PUBLIC DEBT REDUCTION ACT OF 1957

(Statement by Senator LEVERETT SALTONSTALL, of Massachusetts, before Senate Finance Committee, hearings on S. 1738, June 11, 1957)

I very much appreciate this opportunity to appear before your committee and present to you my thoughts in connection with the Public Debt Reduction Act of 1957, S. 1738. I am very pleased that your committee has decided to consider this bill; I think that discussion of the enormous problems of managing the Federal debt and indeed of congressional responsibility for such management is certainly welcome and may help us to produce useful ideas in this important and complicated field. There are undoubtedly many improvements which the committee may wish to add to the bill, and I will certainly welcome any discussion of these.

Problems of Federal debt management and of using the national debt as an instrument of sound economic policy are probably as pressing today as ever before in our history. Five times during the history of our Nation the expenditures of war have created heavy public debts. Each time many informed people felt that our debts were so large we could never recover from them. Following four of these wars these predictions were proved wrong; our Nation restored its credit and reduced or eliminated the debts it had incurred. We are now carrying the burden of the largest debt of our history caused by the Second World War. In the 11 years following the war, we have not as yet devised a systematic and orderly system of debt reduction. It is directed to this problem that I have drafted this bill and invited the attention and thoughtful consideration of my colleagues here in the Congress.

In our discussions of the problems of reducing the national debt we must recognize in the first instance the lessons of history. Following each of the five debt-producing wars which I have mentioned a moment ago, we have had a serious inflation of commodity prices. It has become a well recognized political and economic maxim that the painful experience of inflation and the painful experience of the deflation which inevitably follows each inflation is an unfortunate aftermath of deficit finance. It is equally well recognized that the sooner these problems are met and positive steps taken to restore governmental credit, the less hazardous is the aftermath of war.

In 1790, public debt was $72.4 million, or $19 per capita. Through the efforts of Alexander Hamilton as Secretary of the Treasury the Government indebtedness was gradually reduced. It rose again following the War of 1812. Following the Civil War the debt was $2.6 billion or slightly over 50 percent of our national income. In the years following the Civil War the debt was reduced by almost two-thirds. After the First World War our debt was appreciably reduced by sinking fund legislation. Coincident with the evolution of a war finance philosophy throughout our history has been the development of a characteristically American tradition, that is the paying off of the debts we incur. Not only is such a philosophy consistent with a free democratic government, but it has paid dividends in the strength which it has given to us—confidence in our credit and steadily increasing national wealth. Fiscal integrity—whether individual or national—has been a symbol of good, typically American commonsense.

Early in 1946 the Committee on Public Debt Policy, which I shall speak more about later, was formed under the auspices of the Falk Foundation. In one of their first reports that best summed up the lessons of history about national debt, the Committee pointed to the necessity for financing wars and of inflation and deflation following these wars. They pointed to the tremendous dangers of the inflationary forces created by World War II and of the unprecedented national debt. They pointed to the serious economic implications of billions of dollars annually expended for debt interest and service. They spoke of the "national tradition" to "pay down our war debts promptly" and they said very aptly, "throughout our history, the greatest obstacles to national strength and the most acute dangers of fiscal collapse have been weak financial policies, but never inadequate or failing resources. During the 157 years from 1792 through 1948, we have had 95 years of net surplus in our national budget and 62 years of net deficit. That record is good enough to encourage us—and poor enough to put us on guard."

To bring this record up to date since 1948, we have had 6 deficit years and 3 years of budget surpluses (including fiscal year 1957).

As we reflect on the problems of our Nation's debt, it is well to remember the great wisdom of the words of George Washington in his Farewell Address September of 1796:

"As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burdens which we ourselves ought to bear."

Economists generally regard the relationship of the debt to our national income as the best indicator of the debt's burden on our economy. Our national debt today represents 82 percent of our national income. Today we realize, as we perhaps could not foresee a few years ago, that our role of leadership in world affairs and in times of critical and uncertain peace have made greater demands upon our economic resources than during any comparable peacetime period in our history. In my judgment it is more necessary than ever to be coldly calculating about our ability to sustain our debt and to maintain vigorous national credit and financial resources.

Before discussing the purposes of the legislation which I have proposed I should like for a few moments to describe the bill and its operation.

S. 1738 proposes to make use of a very simple device to effect by legislation a systematic and orderly process for reducing the national debt and controlling the expenditures of the Federal Government. The bill amends the Second Liberty Bond Act which has established a maximum ceiling on the size of the national debt. The debt limit which now is established at $275 billion merely provides that the debts of the United States, regardless of appropriations or expenditures, can, at no time, exceed the ceiling. Reduced to simplest terms, S. 1738 merely says that each year automatically this ceiling, which has been in recent years such an effective brake on Federal expenditures, will be gradually lowered. In each year a small percentage of the preceding year's Federal net revenue is subtracted from the maximum debt ceiling. In other words, the amount of money established as a maximum which at any one time can be outstanding in debt obligations is gradually diminished in each year by a percentage of Federal receipts.

Once enacted, in the first year of operation the bill proposes that the ceiling on the national debt be lowered by 2 percent of the net tax revenue of the United States for the fiscal year ending 12 months prior to the first scheduled debt reduction. According to the dates now provided in the bill, this means that at the beginning of the following fiscal year an amount equal to 3 percent of the net revenue for fiscal year 1958 is used and so on until July 1, 1961, and each year thereafter when an amount equivalent to 5 percent of the net revenue of the United States for the fiscal year preceding will be set aside for the automatic reduction of the ceiling on the national debt. These figures have been selected because they are gradual and moderate; yet

if adopted would be effective in achieving the aims and purposes of the bill. The figures are moderate in that existing programs need not be disrupted. The figures, I believe, are realistic because they can be applied within the present framework of Federal revenue and the reductions which they would cause would not, in my judgment, be in any way disruptive of our great prosperity or weaken our national defense. I believe that these percentages would produce the control over our expenditure levels which the bill seeks while at the same time gradually reducing the size of our debt. I certainly hope to have the advice and counsel of this learned committee upon the proper percentage levels for the reduction proposed.

In summary, these provisions of S. 1738 operate as a control on the national debt ceiling and not an actual reduction of the debt itself. Should the bill be enacted, a fixed sum, depending on the relation of the actual debt to the ceiling, would have to be appropriated automatically, much as debt interest is automatically appropriated now, to keep the outstanding obligations within the reduced statutory ceiling. A proposed change to this bill would require such an item to be included in the budget.

In principle, this proposal utilizes the ceiling on the national debt as a brake on Federal spending. This same device has been very effectively employed by this committee in recent years to prevent further increases in our debt and to control the level of national spending. The bill alters the status quo very little. At the present time, the actual public debt is very close to the prescribed debt ceiling. A deficit budget at the present time would mean that authorized expenditures could not be fulfilled without exceeding the statutory ceiling. The existing requirement is that the Treasury Department incur no further debts in excess of the ceiling. This bill merely adds the requirement that the debts we have already incurred be reduced very gradually to stay within a ceiling prescribed by Congress.

Gradually decreasing ceilings would impliedly require surplus budgets by requiring that expenditures be kept a fixed percentage below revenues. At the present time we have mandatory expenditure in each budget—interest on the public debt. This is the largest single item in the budget, approximately $7½ billion. I know of no valid reason, should Congress determine that national policy dictate a reduction in the debt, why an additional fixed charge for debt retirement along with debt service should not be required. The bill, in other words, is no more of a restriction upon the ability of the Federal Government to meet its obligations and commitments than is the current rigid debt ceiling.

In summary, the essence of this bill and the only way in which it can be truly distinguished from our existing fiscal debt control is that this bill imposes the necessity for budgetary surpluses to stay within a gradually declining debt ceiling.

Three suspension provisions have been written into this bill. One of these is for use in time of war when we realize a necessity for deficit spending to maintain our security. Section 3, D (1) and (2), describe the conditions under which the bill would be suspended in time of war. A second provision now states that the President may recommend the suspension of this bill because of economic conditions existing or threatening and if the Congress concurs by a concurrent resolution the automatic reduction of the debt ceiling will be suspended for that fiscal year. I shall refer to this provision later in my discussion. A third provision of the bill merits explanation. The amount of reduction of the public debt ceiling which is effected by this bill each year will be reduced by an amount equal to the loss of revenue resulting from any tax reduction enacted by Congress during that fiscal year if, and only if, Congress so provides. Congress may provide for the suspension of the operation of this bill to the extent of the loss of revenue caused by tax reductions. The purpose of the third provision which has effect for two fiscal years (1 year following the tax reduction) is to give greater flexibility to the provisions of this bill and to permit the temporary suspension of this bill in any years when the budgetary surplus referred to above is used for a tax reduction. By including such a provision, we do not foreclose the possibilities of general tax reduction, but rather we encourage a general tax reduction since the lowering of the debt ceiling makes mandatory budget surpluses, to be used in the first instance for debt reduction or alternatively, if Congress desires, to permit a loss of tax receipts without creating a deficit budget. The purpose of this provision is not to disregard the intent and aim of reducing the national debt; it is to create the flexibility which is necessary for any such far-reaching proposal to have lasting effectiveness. We simply say, in effect, that we will have budgetary surpluses and we will use these to reduce our national debt, but if Congress feels that our tax rate should be lowered in the national interest, this same device can be used as the means for achieving it.

No legislative proposal can be successful which attempts to impose upon future Congresses the judgment of the Congress passing the legislation. Should this bill be enacted we would be providing merely the mechanism by which each succeeding Congress could exercise its own judgment.

I asked the Comptroller General to provide statistical material which I felt might be helpful to the committee in properly analyzing and interpreting the effects of this proposed legislation. Upon the conclusion of my remarks, I shall ask the Comptroller General's representative to discuss very briefly for you the projected, predictable results of this bill. Because I feel it helps orient our discussion in the first instance, I should like to mention one very revealing statistic. Had this bill been enacted in 1951, and assuming the bill's operation was not suspended during the past 6 years, the public debt would not today be $275 billion; it would be $260.6 billion, and in these very few years we would have made a significant start toward the repayment of our public debt. The interest on the debt would not be $7.4 billion but would be slightly under $7 billion; in other words, almost one-half billion dollars would be available for productive expenditures, which is now used for debt service. I believe the Comptroller General's representative will substantiate these figures.

When I first began to discuss this idea in January, I solicited the comments and advice of many economists and others with vast experience in the fiscal affairs of our Government. The response has been generally very favorable and I have received many helpful and constructive criticisms, a few of which I feel it would be in order to mention briefly at this time.

The most common objection to the enactment of this legislation that I have been able to ascertain is that the bill is a straitjacket type of proposal. My answer to this is simply that as discussed earlier the bill is extremely flexible. It merely lowers the ceiling annually on our debt which requires somewhat reduced expenditure rates, as related to Federal income, to stay within the ceiling. This I believe is no more inflexible than the existing debt ceiling. I recognize the problems which the bill presents in estimating Federal receipts so as to know the precise amount by which the ceiling is decreased each year. It is not necessary, however, to establish the reduced ceiling figure until very shortly before the close of each fiscal year, at which time it is my understanding that the Treasury can predict with great accuracy the level of Federal receipts to which the percentage of reduction is to be applied. One criticism which I have heard is perhaps valid at the present time, but I hope will soon be overcome by other changes which have been proposed in our appropriations system. In order for this bill to operate properly, certain information may be necessary which is not now readily available. A greater relationship between appropriations and expenditures is necessary. S. 434, commonly known as the accrued expenditures bill, would, in my opinion, provide the necessary information and control by which the provisions of this bill could operate. This bill would also virtually require the establishment of a single-budget-bill system which has been advocated by your distinguished chairman. Both of these bills would provide the mechanism for informing both the administration and the Congress of the expenditure limits within which the bill I have introduced would operate. If S. 1738 were enacted, a single-budget bill would follow as a natural consequences as would greater attention to the expenditure levels of the Government.

A constitutional amendment requiring in each year balanced budgets is of course the most effective means to prevent deficit financing. I am very interested in the commendable proposal which your distinguished chairman, among others, has made and which is embodied in Senate Joint Resolution 36. Should such a constitutional amendment be offered, we would certainly be assured of much greater fiscal stability. I believe that the proposal in S. 1738 is a very appropriate legislative companion to such a constitutional amendment.

The purposes behind this proposed legislation are properly oriented by reference to the nature of the debt which was very well expressed by your distinguished chairman in a recent address before the United States Chamber of Commerce:

"Terrible debt is another evil resulting from the fiscal record the past 25 years. The direct debt of the Federal Government has increased from $16 billion in 1932 to the present debt of $275 billion. That is 1,600 percent. Interest in 1932 cost taxpayers $599 million. Now it is $7 billion yearly, or 10 percent of Federal revenue. Higher costs are in prospect, interest rates on Federal bonds have been increased. If all the Federal debt were refinanced on the basis of the higher rate now being paid, interest costs would increase to approximately $9 billion.

"Public debt is not like private debt. If private debt is not paid off, it can be ended by bankruptcy, hurting relatively few people. But if the public debt is not paid off with taxes, the end is disastrous inflation or repudiation. Either would destroy our form of government.

"In addition to the $275 billion direct Federal debt, the Federal Government has accumulated contingent liabilities of at least $250 billions. These are obligations the Federal Government has guaranteed and insured, such as $40 billion in Federal housing programs.

"The direct Federal debt is equivalent to the full assessed value of all the land, all the buildings, machinery, livestock and everything of tangible value in the United States."

As we analyze the public debt, its implications and its economic gravity, we realize the unique character of the debt financing capability of our own Federal Government. State constitutions and local charters are replete with limitations imposed on officials in incurring public debts. Forty State constitutions require either constitutional amendments or a public mandate to authorize debts beyond certain specified limits. In the Federal Government our only means of control is a statutory ceiling on the public debt, the ceiling which this bill seeks to amend. The reasoning behind a limitation

upon the ability of a government to borrow money is best summed up by the late Prof. H. C. Adams in his well known treatise on public debts:

"As self-government was secured through a struggle for mastery over the public purse, so must it be maintained through the exercise by the people of complete control over public expenditures * * * any method of procedure, therefore, by which a public servant can veil the true meaning of his acts, or which allows the Government to enter upon any great enterprise without bringing the fact fairly to the knowledge of the public, must work against the realization of the constitutional idea. This is exactly the state of affairs introduced by a free use of public credit. Under ordinary circumstances, popular attention cannot be drawn to public acts, except they touch the pocket of the voters through an increase of taxes; and it follows that a government whose expenditures are met by resort to loans may, for a time, administer affairs independently of those who must finally settle the account."

Few governments relate expenditures to revenues in as limited a degree as we do in the Federal Government. This was very ably pointed out by a joint committee of the Congress in 1946 convened to recommend improvements in operations to enable Congress to better meet its constitutional responsibilities. We need only look to the British system of fiscal control for an excellent illustration. Under the English system, no expenditure measure can be enacted without a corresponding revenue provision. I hope that the bill which I have introduced will be a means by which Congress can exercise a more responsible political control over its greatest constitutional power—the power to tax and to spend.

I have described the purposes of this bill as fivefold:

First, to reduce the enormous national debt which computed on a per capita basis is $1,613.38.

The second is to reduce the amount of money which must annually be appropriated for the payment of interest.

The third is to combat the ever-present dangers of inflation which are as grave today as they have been in recent years.

The fourth objective is to rebuild economic reserves and to promote greater financial stability so that our country may have the economic means to battle the true dangers of Communist military and economic aggression.

Finally, the bill is designed to provide a means for controlling the expenditure levels of the Federal Government while surpluses are being accumulated for debt reduction and/or tax reduction.

My discussion earlier touched upon the necessity for debt reduction. Certainly our Government has no more vigorous and effective advocates of fiscal integrity and debt reduction than the esteemed chairman and distinguished members of this committee. Many other thoughtful persons and groups have urged upon us the necessity for such debt reduction. In 1953 the Committee on the Federal Debt printed its recommendations in a book published by Prof. Charles Abbot of Harvard. The committee had been established as a 20th century fund study. The committee was chairmaned by Arthur Upgren, professor of economics at the University of Minnesota. The analysis made by Professor Abbot is a very comprehensive examination of the economic effects of our national debt. Among the committee's conclusions was a very positive recommendation for reduction of the national debt:

"Must the debt remain outstanding in such large amounts? Would it not be better to keep our National Government, on which our safety as a people depends, unencumbered so that it may be able to borrow again in large amounts with great ease at any emergency? Even though the committee recognizes the impossibility of complete debt retirement within generations, it does argue for whittling down the debt whenever possible.

"This committee proposes that a program be developed for the retirement of the Government debt. Such a program must be flexible, and the committee recognizes that it must be improvised to mesh with the economic conditions of the times. Nevertheless, a fairly specific objective or formula is needed if consistent progress is to be made toward the goal of retirement. * * *

"The committee maintains that any debt, public or private, is a drag on the economy unless it increases the productive abilities of the Nation. A productive asset is the source of new goods and new income that flow out to the community. The income generated by the productive asset pays interest charges and amortizes the principal of the debt. Contrariwise, a debt arising from a nonproductive expenditure can be serviced as to interest charges and repayments only by garnering and diverting income from some productive resource elsewhere."

A few years ago a committee on public debt policy was established as I mentioned earlier by the Falk Foundation. The chairman of the distinguished committee was our present Under Secretary of the Treasury, W. Randolph Burgess. The committee included such familiar names as Sherwin Badger, Marion Folsom, H. B. Wells, George W. Smith, Charles Abbot, to name just a few. The reports of the committee contained very powerful conclusions of the necessity for debt reduction:

"It is therefore plain that the American people should be seriously concerned about their Nation's debt. The problem is how to make that concern effective, how we can live safely with this gigantic obligation, with a minimum of hardship and the least drain on the vitality of our economy. We must be realistic enough to face our fears, size up our dangers, and decide what can be done to avert them.

"And so, sudden catastrophe is not the real danger surrounding our national debt. The biggest perils are more subtle, and they are four: (1) The dilution of the dollar; (2) the risk of boom and bust, (3) the smothering of enterprise, (4) the loss of human freedoms.

"To avert the four dangers just discussed, this country must have a clear-cut policy for debt management. The program should have two objects, either of which is useless unless the other is realized. One is expert handling of the financial phases of the debt; the other is nourishment of a dynamic, stable national economy. Even if we are technically perfect in handling the debt, the achievement is futile unless the country is financially strong, with a national income capable of the burden of debt service."

"Political pressure for spending and tax reduction is so great that much can be said for setting up a fixed statutory requirement for debt retirement. As pointed out in chapter 2, the amount of debt retirement should be related to the prosperity of the country, and in a good year we ought to retire more debt than in a bad one. Heavy retirement of debt in prosperous times would be a check to overexpansion and inflationary tendencies. Contrariwise, a smaller retirement, or even a temporary suspension of retirement, in times of adversity would relieve some of the burden of taxation and would help the processes of recovery.

"Under any standards we ought to make a good beginning at debt retirement in times of boom prosperity."

An audit report to the Congress of July 1956 by the Comptroller General recommended a review by Congress to consider "the desirability of revising the machinery for debt retirement on a more realistic basis."[1]

The Tax Foundation has made several very enlightening studies of the problems of debt retirement and among its distinguished board are some of our Nation's leading experts in this field:

"There is evidence that there is more understanding and concern among citizens over our Federal debt trends. * * *

"They know that individual integrity is the cornerstone of individual credit. They are firm in their belief that national integrity is likewise basic. Citizens unquestionably support the need for a reappraisal of our debt policy and the adoption of definite plans for debt retirement.

"The time has arrived when a definite though flexible debt-retirement policy should be devised and followed. But it may be a will-o'-the-wisp if not related to expenditure control."

These citations represent but a few of the many learned studies and recommendations which have been made in recent years. By far the best statement which has yet been offered was made by our President just a year ago when he said:

"By no means do I believe they should cut taxes until we have made some little start on reducing the enormous national debt. There is such a thing as fiscal integrity; I don't care whether it is an individual or a nation."

And again in his economic report to the Congress:

"In times like these we should bend our thoughts to the desirability of debt reduction. Once a budgetary surplus comes definitely into sight and economic conditions continue to be favorable, we should begin reducing our huge public debt. Such an act of fiscal integrity would signify with unmistakable clarity that our democracy is capable of self-discipline. It would add to the confidence that people need to have in the Government, if they are to plan boldly for their own and their children's economic future."

These are wise words.

I am confident that this proposal would, if enacted, help to control the level of Federal expenditures. Until we begin to make a concerted and self-disciplined effort to reduce systematically Federal expenses, not only in this year's budget, but in each succeeding year's budget, we are only creating an illusion for our people when we speak of tax reduction, economic stability, or reduced public indebtedness.

Certainly the awareness on the part of the American people for economy and efficiency in the operations of their Government has never been more clearly demonstrated than in this session of Congress. I think we all realize the necessity for achieving in each year's budget review the greatest degree of control possible over Federal spending. There have been many worthwhile proposals in this session to achieve this end. Here in the Senate, we have already passed legislation for a special budget review committee. We are actively seeking passage of legislation for presenting budget estimates on an accrued expenditure basis. In this connection, and certainly very clearly related to these proposals, it would seem that we would also want to institute a legislative mechanism by which we could guarantee a relationship between expenditures and revenue in each year's budget. To the extent that this proposal gives Congress greater control over the distribution of Federal revenue, I believe that it is particularly timely not only as a plan for debt reduction, but as a plan for

[1] Audit Report to the Congress of the United States—Review of use of cumulative sinking fund for retirement of public obligations fiscal years 1921 through 1955.

effective expenditure control. We have certainly recognized both the dangers and the unpopularity of uncontrolled Federal spending.

Probably the most important criterion for fiscal policy in inflationary periods is a budgetary surplus and an expenditure control. The public debt and budget deficits add tremendously to the strain on our economic resources when our economy is being pressured by a demand for goods and services. These are economic facts which I need not discuss in detail; they have been ably demonstrated by the economists whom I have earlier cited. I do wish to emphasize, however, the necessity of directing our most thoughtful efforts to the very real dangers of inflation. Those of us who recall the terrible inflations in Europe following the First World War are keenly aware of the economic hazards and the potential disasters which these phenomena represent. To the extent that this proposal would control governmental expenditures and would begin to reduce an enormous national debt, both of which are powerful inflationary forces, we would be taking a very significant step forward in the direction of protecting savings, preserving the value of the dollar, and guarding against the ultimate hazards of national bankruptcy.

The one thing which our Nation must guard most carefully against is certainly well known to all of us in this room. The dangers of communism do not come exclusively from the possibilities of military or armed attack.

I should also like to ask the committee then we are fully conscious of the real dangers which we face in an economic struggle with communism. For the security of our Nation, it is as necessary to be prepared with national economic stability as it is with intercontinental weapons. Economic stability assures us that we can maintain our high level of production, our high standard of living, and our present industrial potential. Our economy is presently as strong as it has ever been; we must keep it this way and strengthen it in every way possible. A policy which is designed to combat inflation is essential for the economic welfare of our country, and, correspondingly, is a weapon in our hands against the economic penetration of communism and Marxism.

If we were to be thrust into another major war in the immediate future, it goes without saying that we would need to expend great sums of money and undoubtedly to finance our military effort with a deficit budget. My concern is that there would be an adequate financial and productive reserve available to fight such a war. One way to be sure that there will be is to begin now to reduce systematically the debt which we incurred in the last war. I am not an economist, but it would certainly seem that there is some maximum to the debt which any nation can sustain. Keeping in mind our present high debt level, it is a matter of some concern as to how high we could increase this debt if we necessarily had to fight in another war. To reduce it now in times of prosperity and time of great national productivity will help us to prepare a reserve for the possibility it again may be needed to protect the security of our Nation. Just as expending money for military preparedness is essential for national defense, so is conserving our economic resources essential to our national security.

I trust that this discussion has acquainted you with the provisions of this bill. I trust further that we have been able to convey to you some of the motivations and purposes which caused me to offer this legislation. By no means do I contend that any single proposal is an answer to all of our fiscal problems. I do ask that this proposal be considered as I believe it has considerable merit, is timely and important. I am sure there are many changes and additions which those of you who have great experience in this field can make to improve the bill. I believe that it is workable.

The legislative counsel who drafted this bill for me has studied it again and has made a number of minor clerical revisions which I would very much appreciate your committee consider during your discussion on this bill.

One objection which has been raised concerning the operations of S. 1738 may have considerable merit. It has been said with reference to subsection (e) (2) of section 21, which provides for the suspension of this bill when economic conditions threaten, that the invocation of this provision could have possible repercussions on the business and financial world inasmuch as such a recommendation by the President might indicate an approaching recession in business activity. In view of this objection, I should like to ask the committee to consider one deletion of the word "necessary" on line 3, of page 7 and in substitution thereof the inclusion of the word "desirable"; and on lines 4 and 5 of page 7 the deletion of the words "because of economic conditions existing or threatening." I think that such a change might also be helpful in view of the possible urgency of a war-preparedness period during which it would be necessary in the national interest to expend sums of money for national defense, probably with deficit financing. This provision thus amended would cover a wide range of situations, not only economic but when military preparedness is essential in contemplation of open hostilities.

I should also like to ask the committee to consider the inclusion of the addition of a section at the end of this bill which would amend the Budget and Accounting Act to provide that the President include in each year's budget an item of a sufficient surplus of funds to cover the debt reduction or tax reduction which would be brought about by the reduced debt ceilings under the terms of the act. This additional provision would insure that the budget submitted by the Executive in each year would contain an item specifically reserved for debt reduction so that the needed surplus to effectively reduce the ceiling would be thus appropriated.

I have put dates in the bill to give it substance; naturally these dates should be made to conform with the schedule for the bill's consideration.

I should like at this time to ask the committee's consent to read a few statements in connection with this bill which I have received from persons whose business it is to consider fiscal policies and money matters. I should also like the committee's consent to insert in the RECORD a selection of editorials and commentaries which have been published about S. 1738.

SYSTEMATIC REDUCTION OF PUBLIC DEBT, S. 1738, SENATOR SALTONSTALL

(Statement of Senator ALLOTT before the Senate Committee on Finance, June 11, 1957)

Mr. Chairman, everyone worries about the national debt. S. 1738 does something about it—something constructive in terms of reducing it. I want to state my unequivocal support of it. If I read my mail correctly, I have some solid backing in Colorado.

My very distinguished colleague from Massachusetts, in introducing this bill made very accurate observations in justification of this bill. He stated that controlled reduction of the national debt is essential to (1) reduce the tremendous sum required annually for payment of the interest charges, (2) to control Federal spending, (3) to prepare for tax relief, (4) to combat inflation, and (5) to make us stronger for the economic struggle in our fight to meet the threat of communism. His analysis is so obviously sound and complete that he leaves little to be said, but I want to add a few thoughts about the disaster which I believe lies at the end of the fiscal road we are now traveling.

First I want to say that I am neither an economist nor an expert on public finance. And I do not know that Senator SALTONSTALL's bill is the best one that can be devised to deal with this problem. It may well be that what is needed is a constitutional rather than a statutory limitation. It may also be that the timing and amount of debt reduction should be altered. I only know that the future of the Republic requires a realistic look at the alarming delinquency of present procedures for developing Congressional fiscal policy, with particular emphasis on control of spending and reduction of debt. A 1955 report to Congress by the Comptroller General (Audit Report to the Congress of the United States, Review of Use of Cumulative Sinking Fund for retirement of Public Obligations, 1921–25) clearly states the need for revising the machinery for debt retirement on a more realistic basis. That report goes on to note that Federal debt policy has become increasingly important in the trend of Government spending, stability of the dollar's purchasing power, and the general economic level.

A recent independent committee study pointed to 4 real perils surrounding our national debt: (1) The dilution of the dollar, (2) the risk of boom and bust, (3) the smothering of enterprise, and (4) the loss of human freedom.

But our people have not needed a Government agency to point out the hazards of ignoring the $275 billion debt in hopes it would go away. They know it won't. They know that interest payments on it account for about one-tenth of our budget expenditures. They know that individual integrity is the basis for individual credit and recognize that national fiscal integrity is just as important.

Herbert Miller, who is an expert on these problems, stated the problem quite accurately when he said:

"There is evidence that there is more understanding and concern among citizens over our Federal debt trends than is reflected by Congressional action. This concern stems from a basic understanding of human nature born of intimate and close experience and observation. Most Americans know that human needs and wants are practically unlimited while resources to satisfy them are relatively limited. When Government assumes a role of providing for those unlimited needs and wants, and competitive political ambitions contend in outbidding and outpromising each other to supply those wants, they know the aggregate of individual and group wants is likely to be more than available resources can meet prudently. If the immediate cost of supplying such wants can be deferred and diffused by using debt to finance them, prudent citizens know that some harness is needed in the incurrence of debt and some definite retirement policy must invoke the fiscal discipline of paying our debts."

The debt which until recently had been mounting steadily must be brought under effective control. In 1914 the debt was less than $1 billion. In 1940 only $49 billion, and 5 years later it had risen to $269 billion. With great effort it has been contained at about $275 billion and even reduced slightly during the past few years. This amount is far beyond what many economic thinkers consider our peril point, that is, the point where the public's confidence in the Government's ability to pay its debts begins to deteriorate. So the problem really is one of national security.

I think it is interesting to note that only five of these United States do not have con-

stitutional controls on deficit financing. In 1954 the average per capita debt of those States which require constitutional amendments was $43. The average per capita debt for the 20 States which require a vote of the people was $49. In contrast, for those eight States which have no constitutional restrictions or minor ones, the average per capita debt was $77. That there is a need for control of public debt is evidenced by the number of States with such controls. And the effectiveness of such controls is nicely attested by the comparative debt figures mentioned.

The extraordinary thing is that there is no comparable constitutional control at the Federal level. Perhaps our Founding Fathers thought the operations of the Federal Government were so circumscribed that this type control was unnecessary. But at this point, it appears obvious that some control is vital, and S. 1738 strikes me as an approach to the problem that will do the job, at least until someone suggests something better.

Mr. Chairman, I am concerned about the fact that we as individual Members of Congress do not really have an opportunity to shoulder the responsibility for our fiscal operation. In this regard I am very much interested in a proposal recently introduced by Senator WILEY and cosponsored by many of my colleagues, providing for a joint budget committee and a legislative budget. I make this point only to emphasize the obvious fact that S. 1738 does not solve, nor attempt to solve all our fiscal problems. And it is not clear how much progress we can make toward a really sound fiscal operation until expenditure control is effectuated. But we must take these problems one at a time, and I personally entertain no doubts that S. 1738 is essential legislation, and strongly urge its favorable consideration by this committee. We need fiscal procedures which make the incurrence of debt an issue in each fiscal year and relate that issue to expenditures and income.

Without it our ship of state has too much sail and too little anchor. The time has arrived to adopt the flexible debt retirement policy devised by my good friend from Massachusetts, with of course, such improvements as I feel certain this committee can develop.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 422, H. R. 7441, the agriculture appropriation bill.

The PRESIDING OFFICER. The clerk will state the bill by title, for information.

The CHIEF CLERK. A bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, I should like to inform the Senate that our present plan, when we complete action on the Agriculture appropriation bill, is to proceed to the consideration of the independent-offices appropriation bill. As all Senators know, we have a convening hour set for tomorrow, 9:30 a. m., and the Senate will remain in session late this evening, in order to get as far along as possible.

Mr. RUSSELL. Mr. President, in the consideration of the agricultural appropriation bill, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill as thus amended be considered as original text for the purpose of amendment, and that no points of order be waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Department of Agriculture—Title I—Regular Activities—Agricultural Research Service—Salaries and Expenses," on page 3, line 1, after the word "or", to strike out "3" and insert "5."

On page 3, line 6, after the word "stations", strike out "$48,994,890" and insert "$58,794,890", and in the same line, after the amendment just above stated, to strike out *"Provided,* That not to exceed $25,000 shall be available for alterations of buildings, without regard to limitations prescribed herein" and insert in lieu thereof *"Provided,* That the limitations contained herein shall not apply to $1,955,000 for the construction of buildings or to replacement of buildings needed to carry out the act of April 24, 1948 (21 U. S. C. 113a);".

On page 3, at the beginning of line 17, to strike out "$25,682,000" and insert "$26,082,000."

Under the subhead "State Experiment Stations," on page 4, line 25, after the word "Agriculture," to strike out "$29,003,708" and insert "$30,003,708," and on page 5, line 3, after the word "all," to strike out "$29,503,708" and insert "$30,503,708."

Under the subhead "Extension Service—Cooperative Extension Work, Payment and Expenses," on page 6, line 11, after "(69 Stat. 683–4)," strike out "$47,606,000" and insert "$49,370,000," and in line 14, after the word "all," to strike out "$49,101,000" and insert "$50,865,000."

Under the subhead "Agricultural Marketing Service—Marketing Research and Service," on page 8, at the beginning of line 8, to strike out "$14,041,700" and insert "$14,141,700."

On page 8, line 21, after the word "States," to strike out "$14,274,900" and insert "$14,324,900."

Under the subhead "Foreign Agricultural Service," on page 10, line 2, after "(70 Stat. 1034)," to strike out "$3,902,300" and insert "$4,052,300," and, in line 7, after the word "basis," to insert a colon and *"Provided further,* That provisions of the act of August 1, 1956 (70 Stat. 890–892), and provisions of a similar nature in appropriation acts of the Department of State for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service."

Under the subhead "Office of the Secretary," on page 15, at the beginning of line 14, to strike out "$2,640,660" and insert "$2,664,060."

On page 16, after line 20, to strike out:

"SOIL AND WATER CONSERVATION

"For necessary expenses to carry out soil and water conservation programs authorized in the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590a–590q), the Watershed Protection and Flood Prevention Act, as amended (16 U. S. C. 1001–1007), the Flood Control Act, as amended and supplemented (33 U. S. C. 701–709), subtitles B and C of the Soil Bank Act (7 U. S. C. 1831–1837 and 1802–1814), the acts of May 10, 1939 (53 Stat. 685, 719), October 14, 1940 (16 U. S. C. 590y–z–10), as amended and supplemented, June 28, 1949 (63 Stat. 277), and September 6, 1950 (7 U. S. C. 1033–1039), $535 million, to remain available until expended: *Provided,* That not to exceed $40 million shall be available for administrative expenses in carrying out sections 7–17 of the Soil Conservation and Domestic Allotment Act and subtitles B and C of the Soil Bank Act of which not less than $30 million may be transferred to the appropriation account "Local administration, section 388, Agricultural Adjustment Act of 1938"; *Provided further,* That not to exceed $7,200,000 shall be transferred to and merged with the appropriation "Salaries and expenses, Agricultural Research Service, Research" for soil and water conservation research, of which $1,200,000 shall be available for construction of buildings and for the acquisition of necessary land therefor, and not to exceed $20,000 for alterations of buildings, without regard to limitations prescribed in this Act: *Provided further,* That this appropriation shall be available pursuant to title 5, United States Code, section 565a, for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed $10,000 and the cost of altering any one building during the fiscal year shall not exceed $3,750 or 3 per centum of the cost of the building, whichever is greater; not to exceed $150,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the Act of August 2, 1946 (5 U. S. C. 55a); and for the temporary employment of qualified local engineers at per diem rates to perform the technical planning work: *Provided further,* That the unexpended balances of appropriations heretofore made for "Watershed protection", "Flood prevention", and "Water conservation and utilization projects" shall be merged with this appropriation: *Provided further,* That programs included hereunder shall be subject to the following additional provisions:

"Agricultural conservation program: This appropriation shall be available for administrative expenses in connection with the formulation and administration of the 1958 program of soil building and soil and water conservation practices under sections 7 to 15, 16 (a) and 17 of the Soil Conservation and Domestic Allotment Act, as amended (amounting to $250 million, including administration, and no participant shall receive more than $2,500, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community); and for the purchase of seeds, fertilizers, lime, trees, or any other farming material, or any soil-terracing services and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein. Not to exceed 5 percent of all the allocation for the 1958 agricultural conservation program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed one percent may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions.

"Conservation reserve program: No part of this appropriation shall be used to enter into contracts with producers which together with contracts already entered into would require payments to producers (including the cost of materials and services) in excess of $250 million in any calendar year, and for purposes of applying this limitation, practice payments shall be chargeable to the first year of the contract period.

"Conservation operations, Soil Conservation Service: This appropriation shall be available for preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures as may be necessary to prevent floods and the siltation of reservoirs); operation of conservation nurseries; and classification and mapping of soils: *Provided further,* That in the State of Missouri, where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State under sections 1 to 6 of the Soil Conservation and Domestic Allotment Act, as amended, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district.

"Flood prevention: No part of the funds expended in accordance with the Flood Control Act, as amended and supplemented, shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated."

On page 21, after line 3, to insert:

"SOIL CONSERVATION SERVICE

"Conservation operations

"For necessary expenses for carrying out the provisions of the act of April 27, 1935 (16 U. S. C. 590a–590f), including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures as may be necessary to prevent floods and the siltation of reservoirs); operation of conservation nurseries; classification and mapping of soils; dissemination of information; purchase and erection or alteration of permanent buildings; and operation and maintenance of aircraft; $73,545,000: *Provided,* That the cost of any permanent building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same to any such building and with the exception of buildings acquired in conjunction with land being purchased for other purposes, shall not exceed $2,500, except for eight buildings to be constructed or improved at a cost not to exceed $15,000 per building and except that alterations or improvements to other existing permanent buildings costing $2,500 or more may be made in any fiscal year in an amount not to exceed $500 per building: *Provided further,* That no part of this appropriation shall be available for the construction of any such building on land not owned by the Government: *Provided further,* That in the State of Missouri, where the State has established a central State agency authorized to enter into agreements with the United States or any of its agencies on policies and general programs for the saving of its soil by the extension of Federal aid to any soil conservation district in such State, the agreements made by or on behalf of the United States with any such soil conservation district shall have the prior approval of such central State agency before they shall become effective as to such district: *Provided further,* That no part of this appropriation may be expended for soil and water conservation operations under the act of April 27, 1935 (16 U. S. C. 590a–590f), in demonstration projects: *Provided further,* That not to exceed $5,000 may be used for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the act of August 2, 1946 (5 U. S. C. 55a): *Provided further,* That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the service."

At the top of page 23, to insert:

"WATERSHED PROTECTION

"For expenses necessary to conduct surveys, investigations, and research and to carry out preventive measures, including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act, approved August 4, 1954 (16 U. S. C. 1001–1007), and the provisions of the act of April 27, 1935 (16 U. S. C. 590a–590f), to remain available until expended, $25,500,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the Department for watershed protection purposes."

On page 23, after line 12, to insert:

"FLOOD PREVENTION

"For expenses necessary, in accordance with the Flood Control Act, approved June 22, 1936 (33 U. S. C. 701–709), as amended and supplemented, and in accordance with the provisions of laws relating to the activities of the department, to perform works of improvement, including not to exceed $100,000 for employment pursuant to the second sentence of section 706 (a) of the Organic Act of 1944 (5 U. S. C. 574), as amended by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), to remain available until expended, $13,220,000, with which shall be merged the unexpended balances of funds heretofore appropriated or transferred to the department for flood prevention purposes: *Provided,* That no part of such funds shall be used for the purchase of lands in the Yazoo and Little Tallahatchie watersheds without specific approval of the county board of supervisors of the county in which such lands are situated."

On page 24, after line 6, to insert:

"WATER CONSERVATION AND UTILIZATION PROJECTS

"For expenses necessary to carry out the functions of the Department under the acts of May 10, 1939 (53 Stat. 685, 719), October 14, 1940 (16 U. S. C. 590y–z–10), as amended and supplemented, June 28, 1949 (63 stat. 277), and September 6, 1950 (7 U. S. C. 1033–1039), relating to water conservation and utilization projects, to remain available until expended, $350,000, which sum shall be merged with the unexpended balances of funds heretofore appropriated to said Department for the purpose of said acts."

On page 24, after line 16, to insert:

"GREAT PLAINS CONSERVATION PROGRAM

"For necessary expenses to carry into effect a program of conservation in the Great Plains area, pursuant to section 16 (b) of the Soil Conservation and Domestic Allotment Act, as added by the act of August 7, 1956 (70 Stat. 1115–1117), $10 million, to remain available until expended."

On page 24, after line 22, to insert:

"AGRICULTURAL CONSERVATION PROGRAM SERVICE

"For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16 (a), and 17 of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936, as amended (16 U. S. C. 590g–590 (o), 590p (a)–590q), including not to exceed $6,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; $212,000,000, to remain available until December 31 of the next succeeding fiscal year for compliance with the program of soil-building and soil- and water-conserving practices authorized under this head in the Department of Agriculture and Farm Credit Administration Appropriation Act, 1957, carried out during the period July 1, 1956, to December 31, 1957, inclusive: *Provided,* That not to exceed $24,698,000 of the total sum provided under this head shall be available during the current fiscal year for administrative expenses for carrying out such program, the cost of aerial photographs, however, not to be charged to such limitation; but not more than $5,025,800 shall be transferred to the appropriation account 'Administration expenses, section 392, Agricultural Adjustment Act of 1938': *Provided further,* That none of the funds herein appropriated shall be used to pay the salaries or expenses of any regional information employees or any State information employees, but this shall not preclude the answering of inquiries or supplying of information at the county level to individual farmers: *Provided further,* That such amount shall be available for administrative expenses in connection with the formulation and administration of the 1958 program of soil-building and soil- and water-conserving practices, under the act of February 29, 1936, as amended (amounting to $250,000,000, including administration, and no participant shall receive more than $1,500, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community): *Provided further,* That not to exceed 5 percent of the allocation for the 1958 agricultural conservation program for any county may, on the recomendation of such county committee and approval of the State committee, be withheld and allotted to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Soil Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 percent may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further,* That for the 1958 program $2,500,000 shall be available for technical assistance in formulating and carrying out agricultural conservation practices and $1,000,000 shall be available for conservation practices related directly to flood prevention work in approved watersheds: *Provided further,* That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming material, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary under programs provided for herein: *Provided further,* That no part of any funds available to the Department, or any bureau, office, corporation, or other agency constituting a part of such Department, shall be used in the current fiscal year for the payment of salary or travel expenses of any person who has been convicted of violating the Act entitled 'An act to prevent pernicious political activities,' approved August 2, 1939, as amended, or who has been found in accordance with the provisions of title 18, United States Code, section 1913, to have violated or attempted to violate such section which prohibits the use of Federal appropriations for the payment of personal services or other expenses designed to influence

in any manner a Member of Congress to favor or oppose any legislation or appropriation by Congress except upon request of any Member or through the proper official channels."

At the top of page 28, to insert:

"SOIL-BANK PROGRAMS

"Conservation reserve program

"For necessary expenses to carry out a conservation reserve program as authorized by subtitles B and C of the Soil Bank Act (7 U. S. C. 1831–1837 and 1802–1814), $162,940,000: *Provided*, That not to exceed $18,000,000 shall be available for administrative expenses of which not less than $13,500,000 may be transferred to the appropriation account, "Local administration, section 388, Agricultural Adjustment Act of 1938": *Provided further*, That no part of this appropriation shall be used to enter into contracts with producers which together with contracts already entered into would require payments to producers (including the cost of materials and services) in excess of $350,000,000 in any calendar year, and for purposes of applying this limitation, practice payments shall be chargeable to the first year of the contract period: *Provided further*, That the average annual rental payment per acre shall not exceed $7.50 per acre for conservation reserve contracts entered into 30 days after approval of this act."

On page 28, line 21, in the subhead after the word "Acreage," to strike out "Reserve, soil bank" and insert "Reserve program."

On page 29, line 2, after the figures "$600,000,000," to strike out "*Provided*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops", and, in lieu thereof, to insert "*Provided*, That not to exceed $34,500,000 of the total sum provided under this head shall be available for administrative expenses: *Provided further*, That no part of this appropriation shall be used to formulate and administer an acreage reserve program which would result in total compensation being paid to producers in excess of $500,000,000 with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $5,000 with respect to the 1958 crops."

Under the heading "Title II—Corporations—Limitation on Administrative Expenses", on page 30, line 17, after the word "exceed", to strike out "$34,398,000" and insert "$35,398,000."

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. I did not understand the last part of the request, about no points of order.

Mr. RUSSELL. The reason for including that in the unanimous-consent request, to be perfectly frank with the Senator from Oregon, is that there is one amendment which is subject to a point of order. I did not wish to have any Senator say I took advantage of him by having incorporated in the bill under a unanimous-consent request an amendment which he could not reach by a point of order.

Mr. MORSE. I misunderstood the language. It can be reached.

Mr. RUSSELL. It can be reached, and that is the purpose for including the statement in the unanimous-consent request.

Mr. MORSE. I wish to accommodate myself to the wishes of the Senator from Georgia. I have a few questions I should like to raise about the committee report. The questions will of course relate to some items in the committee report. Does the Senator prefer to have me wait until the Senate goes over the bill amendment by amendment?

Mr. RUSSELL. Mr. President, I wish to make a very brief statement with respect to the over-all size and composition of the bill. I do not think it will take more than 5 to 8 minutes. Then I shall be delighted to refer to any item in the bill in which any Member of the Senate is interested.

Mr. ANDERSON. Mr. President, will the Senator from Georgia yield for a request?

Mr. RUSSELL. I yield.

Mr. ANDERSON. I have been tied up in another conference which I must attend. I wonder if the Senator from Georgia would mind permitting me to take 2 or 3 minutes on another subject.

Mr. RUSSELL. If the Senator does not think it will take any longer than that I shall be happy to yield.

Mr. ANDERSON. Not over 5 minutes. I thank the Senator from Georgia.

THE JOHNSON DOCTRINE

Mr. ANDERSON. Mr. President, there have been many comments on the daring and imaginative proposal which the majority leader made in New York last Saturday night.

I rise to add my voice to the commendations which his address has received. But I wish to go further and comment on what appears to me to be the heart of his proposal.

For a number of years, I have been closely associated with the atomic energy program. I have followed the development of the atom from a horrible weapon of destruction to a horrible weapon of total annihilation.

It is my considered opinion that the nations of the world must find some means of controlling the atomic arms race—or run head on into catastrophe.

From the very beginning, the United States has consistently followed the policy of trying to bring the atom under control. We have been generous—more generous than any other nation in history—in our proposals.

We offered to share all the secrets of the atom at a time when we had a monopoly. We offered arms reduction. We offered mutual inspection.

Every proposal has been turned down—either rejected flatly or lost in endless haggling.

I have little hope that future proposals will be accepted until we find ways and means of cracking the Iron Curtain. And there can be no halt in the arms race, no end to the present pattern, until we can find mutually acceptable proposals.

Mr. President, that is why the proposal of the majority leader is so appealing to me.

I am convinced that we must find a means of limiting nuclear explosions under conditions that guarantee the mutual security of all nations.

I am convinced that the Communists would not be able to reject reasonable and honorable proposals cynically if their people knew the truth.

I am convinced that we cannot bring the truth to their people unless we find some way of breaking through the Iron Curtain.

The majority leader proposes to use the Khrushchev broadcast as a technique for penetrating the curtain that seals out truth. That would represent a bold and daring response to the Khrushchev broadcast—and we need bold and daring reactions.

Mr. President, the Johnson doctrine is one that appeals to all Americans who think it through.

It is based on confidence in the strength and vitality of this country. It rejects timidity and the concept that we are helpless in the face of disaster.

Mr. William H. Stringer, chief correspondent for the Washington Bureau of the Christian Science Monitor, commented at length on the proposal yesterday.

I ask unanimous consent that the article by this distinguished commentator and analyst be printed in the body of the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LYNDON JOHNSON, STATESMAN

(By William H. Stringer, chief, Washington bureau, the Christian Science Monitor)

WASHINGTON.—It is not simple for the Democratic majority leader in the Senate to don the full toga of bipartisan statesmanship. His first job is to shepherd legislation through that august upper chamber, to give it a Democratic flavor, to write a farseeing record on which his party can run in the next election.

But LYNDON B. JOHNSON, the Senate majority leader, in a quite remarkable speech at New York, has sounded an eloquent plea for imagination in foreign policy, for getting on with the disarmament negotiations with Moscow, and for boldness in a radio-TV exchange of ideas between the United States and the Soviet Union.

And, noting the way in which this plea parallels and supports what President Eisenhower is trying to do in the difficult, painstaking field of disarmament, Washington is immediately reminded of Senator Walter F. George and how he cleared a "space for maneuver" around the President before the summit conference at Geneva and at the time of the Formosa resolution. And one thinks of the late Senator Arthur H. Vandenberg and his conversion to internationalism and how this so markedly saved the day in the United States Senate for Marshall plan aid and the NATO alliance.

Senator JOHNSON made his New York speech, before the United Jewish Appeal, at a moment when President Eisenhower needs domestic allies in his endeavor to explore the prospects of first-step disarmament with the Soviet Union.

Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, has declared that the Soviets cannot be trusted in any sort of agreement. The Chairman of the Atomic Energy Commission, Lewis L. Strauss, has stressed many technological reasons why genuine disarmament is next to impossible. Without Mr. Eisenhower's own wish to wage peace, disarmament expert Harold E. Stassen's hands would be almost impossibly tied at the London talks, and indeed he already has had to return to Washington for further talks because of snags in the discussions.

This is a significant moment in Soviet-American relations. It is a time for caution, as always. But it may also be a moment

when careful diplomacy can make some headway on the arms-control front. And it is a moment when the breach in the Iron Curtain represented by the Khrushchev radio-television interview a week ago can conceivably be exploited into a larger exchange of fusillades in this "war of ideas."

Into this picture strides Senator JOHNSON with a speech in which he urgently calls for action on five phases of disarmament, most of them closely approximating the Eisenhower administration's own thinking and proposals. Thus the Senator from Texas throws his powerful weight inferentially against those who would so hedge and restrict Mr. Stassen at London that he could not reach a first-step arms-control agreement this side of the next appearance of Halley's comet.

Controlled reduction of military forces, a start on the "open skies" inspection system, a search for methods of suspending tests of the big weapons, a reduction in nuclear-weapons stockpiles, and a global agreement not to make new fissionable materials for weapons—by the present atomic powers and the "fourth nations," too—these are the Johnson proposals.

Simultaneously, he makes an imaginative bid for reciprocal exchange of broadcasts through the Iron Curtain—in which the United States would present its own case on disarmament in detail to the Soviet people via Soviet radio and television. In return the Soviet leaders would be allowed to broadcast over the American networks.

Let the reciprocal broadcasts be every week of the year if need be, says Senator JOHNSON.

This address was a useful contribution to American policy. It should stir American thinking. The administration should welcome it. It is the voice of a new and wide-visioned Texas. It is the voice of the Senate in its most thoughtful traditions. It is the view of a Senator whose energies, dedication, and generalship have given his opinions great weight in that gentlemen's club.

If Senator JOHNSON continues in this vein, he will help bipartisanship where it most needs helping. He has already brought a Jeffersonian breath of fearless mental freedom into the current worry about whether Mr. Khrushchev's talk contaminated the American people. Of the Khrushchev demarche Senator JOHNSON says:

"I am glad he did so. I have complete trust and faith in our people. * * * Khrushchev is not going to convert the lean, spare Texan who runs the cattle on my ranch into a Communist. He's just plain got too much sense."

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. ANDERSON. I will yield to the able Senator from Montana, if the able Senator from Georgia will permit me to do so.

Mr. RUSSELL. I yield.

Mr. MANSFIELD. Mr. President, I wish to ask the Senator from New Mexico, the former Chairman of the Joint Committee on Atomic Energy, and at the present time the ranking member and vice chairman of the committee, if I understood correctly that what he said on the matter of the suspension of bomb tests was not to call for a total suspension, but instead for a multilateral suspension above a certain level of strength?

Mr. ANDERSON. Yes. I wish to say to the able Senator from Montana, I was in support of the proposals made by scientists. We know the safe level of fissionable material which can be put in the atmosphere by all countries. It is something in the neighborhood of from 4 megatons of fission products to 10 megatons of fission products. Somewhere in between is the safe limit. I have said that so long as we stay within the 4 to 10 megatons of fission products—not the total tonnage of bombs, but of fission products—we ought to be able to secure an international agreement among Russia, Britain, and ourselves, which would still leave plenty of room to test all of the devices now being tested at Las Vegas proving ground or in the far Pacific, all of the devices the Russians want to test, and all the devices the British want to test, provided we try to use cleaner bombs—not totally clean bombs, but cleaner bombs than we have been using. I believe it can be done. It should be done. I believe this country ought to move boldly in that direction.

Mr. MANSFIELD. I thank the Senator.

Mr. CHAVEZ. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from New Mexico?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I like the statement made by my colleague from New Mexico. I think he is correct. But I would not want the Senate to understand now that what he thinks is right and what I think is right, as to what the people of New Mexico are thinking, correctly reflects their views. I do not know, and I desire to make this statement for that very reason. While we appreciate the statement made by the junior Senator from New Mexico, and I agree with it completely, I do not know whether it reflects the feeling of the people of my State.

AGRICULTURAL AND FARM CREDIT ADMINISTRATION APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

Mr. RUSSELL. Mr. President, I desire to make a very brief statement to the Senate to explain the reasons why this bill is presented to the Senate in such a substantial amount over the appropriations for fiscal year 1957.

The bill which is before the Senate at the present time includes, for all purposes—expenditures for loans, and to restore the impaired capital stock of the Commodity Credit Corporation—the total sum of $3,668,732,157. The amount of the appropriation for the current fiscal year was $2,026,689,968.

This is the largest agricultural appropriation bill which has been presented to the Senate, certainly, since the days of the processing tax and the large payments which was made in the early thirties to the farmers.

Mr. President, it may look as if it is a very large appropriation—and it is. Inured as we have become to large expenditures, a sum in excess of $3.6 billion is a great deal of money. But I wish to point out to the Senate that the appropriations carried by the bill, large as they are, are $550,714,000 below the original estimates which were submitted to the Congress by the Bureau of the Budget. That reduction came about because of the fact that the President himself reduced the budget estimate for the soil bank by $254 million, and the Senate committee has reported a bill which is $296,714,460 below the revised budget, and $24,157,600 below the amount of appropriations carried in the bill as it came to us from the other body.

Mr. CASE of South Dakota. Mr. President, will the Senator yield very briefly?

Mr. RUSSELL. I am glad to yield to the distinguished Senator from South Dakota.

Mr. CASE of South Dakota. I hope it will not be considered out of order for me to tell the Senate that some years ago, in the House of Representatives, Representative James W. Wadsworth, of New York, who previously had served in the Senate, when an appropriation bill for the Department of Agriculture, in carrying large sums, came before the House, reminded that body of the time when his father, a former Representative from the State of New York, came home one day shaking his head. Jim Wadsworth's mother asked, "What is the trouble?" And the elder Wadsworth said, "You know, we passed an appropriation bill for the Department of Agriculture today that ran to $25 million."

Mr. RUSSELL. That was prior to the days of the first billion-dollar budget, I suppose, when Czar Reed said that this was a billion-dollar country. We have now reached the point where it is a $73 billion country budgetwise; and, on the basis of expenditures of allocated funds, it is much nearer an $80 billion country each year.

I sometimes fear that the figures have become so astronomical that the average Member of this body, including the present speaker, cannot fully comprehend their magnitude. Sometimes we deal with them more as a line of digits than as dollars which the American taxpayer must contribute in order to meet the cost of Government.

Mr. President, I wish to deal briefly with the reason why the appropriations for the fiscal year 1958 are so substantially larger than they were for the fiscal year 1957.

Of the increase which I mentioned, namely, $1,642,000,000 there is $763 million for the soil bank. We did not appropriate for it for the year 1957, for the soil-bank program. This bill carries $763 million for next year for the soil bank and $473 million will be required next year to replenish the capital stock of the Commodity Credit Corporation. It will be recalled that when we passed the soil-bank provision last year we made no appropriation for its operation. We placed a limitation on the total amount which could be expended, but we gave the Department of Agriculture wide discretion, and told them to operate the program through the Commodity Credit Corporation, with the full knowledge of every Member of Congress that it would be necessary to restore the capital of the Commodity Credit Corporation.

I wish to point out that, excluding the soil bank program, this bill carries only about a $9½ million increase for the regular activities of the Department, over and above the sum that was available for the current year. The largest part of that item—indeed, practically all of it—is for research in various fields.

We allowed the Extension Service an increase of $1,764,000 above its appropriation for the current year. That is substantially less than the budget estimate, but it represents an increase in the amount which it had for the current year.

For the payments to State experiment stations we allowed an increase of $1 million.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARRETT. For the purpose of expanded utilization research on wool, I am very much interested in the item for the Western Regional Research Laboratory at Albany, Calif. I should like to inquire if provision is made under the item of $58,794,800 on page 3 of the bill for Agricultural Research Service of $400,000 to obtain about 30 items of experimental equipment and for additional personnel to conduct wool research projects during fiscal 1958 and another item of $105,000 for the building. The equipment will be used to convert the raw wool into finished products.

Mr. RUSSELL. There is $105,000 for the pilot wool plant, to be constructed at Albany, Calif. I do not have the operation figure, but I think it is approximately the figure given by the distinguished Senator from Wyoming.

Mr. BARRETT. I appreciate the consideration given by the committee to this item. I think it is a very wise provision in the bill.

There is one other item about which I am very much concerned. I refer to the item on page 4, line 17, for the Meat Inspection Service. It seems to me that the effect of that provision will be that the Department will be required to reduce its force considerably.

Mr. RUSSELL. No. The Senator is in error about that. The Department will not be compelled to reduce its force, because the proposed appropriation is the same net amount which it had last year for this purpose. The Department has gone to the Civil Service Commission to ask for upgrading of positions, to provide an increase in salaries for meat inspectors. If it applies an increase in salaries it will have to reduce its force. That is not the result of congressional action. In recent years that has become a very popular way to obtain salary increases. The Department will upgrade a position and say, "This is a more important position than we thought it was for 25 years. We will spell out about eight pages of fine print describing the duties to the Civil Service Commission." As a result, salaries for the various positions are upgraded two or three thousand dollars, and when Congress comes to make appropriations the next year it wonders why all the increases have occurred. The Congress has been bad enough about increasing salaries; but when we find it done by this wholesale method, through the Civil Service Commission, it is doubly bad.

Mr. BARRETT. I should like to ask the Senator if the increases recommended by the Civil Service Commission are not in fact mandatory on the Department.

Mr. RUSSELL. I do not so understand.

Mr. BARRETT. I am given to understand that they are mandatory, and that it is necessary for the Department to put them into effect.

The Classification Act of 1949 authorizes the Civil Service Commission to set job standards and under sections 501, 502, and 503, I am advised that these standards are mandatory on the departments.

It seems to me that the Senator ought to take into consideration the fact that the grades under which the inspectors are working at present are extremely low. I do not know of any employees in the legislative branch who start at grade 3, at $3,175 a year.

The next, grade 4, is $3,400, and grade 5 is $3,670.

Mr. RUSSELL. How many of them actually receive any such salaries? The Senator well knows that he has given the minimum salary. In most cases that applies for only 6 months. Then the Department starts to increase salaries. Does the Senator have before him the figure representing the average salary of those engaged in meat inspection work?

Mr. BARRETT. I have not.

Mr. RUSSELL. I think it is approximately $2,000 more than the figure the Senator has given.

Mr. BARRETT. I do not know about that, but I do know that grades 3 to 5 run from $3,175 to $3,670. The Civil Service Commission recommends that these men be started at $3,670. I submit to the distinguished Senator that if the Department is required to place these recommendations of the Civil Service Commission into effect, there is no alternative except to reduce the meat inspection force. I understand that that would involve a reduction of from 100 to 125 inspectors over the country.

Mr. RUSSELL. We had no such evidence before us.

Representatives of the Department appeared before us and urged that the appropriation be increased so that, for the first time, the Government would assume the cost of buying white clothing for the inspectors to wear. No statute authorizes the purchase by the Government of such clothing. We enacted a special statute in order to buy uniforms for mail carriers and some others. It may be desirable for us to give the meat inspectors white suits. There is no statute authorizing it; but the Department added several hundred thousand dollars for that purpose. It asked for several hundred thousand dollars in order that it might apply the increased salary scale, and it asked for a substantial amount to employ new inspectors.

Mr. BARRETT. There is no question about that. To take care of the estimated additional workload, the Department asked for $1,212,000 to provide for 192 additional man-years of employment, but that request was not granted. I also understand that the request, with reference to uniforms, was not granted, either.

Mr. RUSSELL. No; it was not. The Senator from Georgia will oppose it as long as he can stand here. He will oppose any such policy of having department officials ask for money for an item that is not authorized by law.

Mr. BARRETT. If the force is reduced by 120 men then the end result will be to back up the cattle in the yards and hold them there until the inspection can be made with a reduced force.

Mr. RUSSELL. Of course, as all of us know, that is the argument that is made every year when we deal with the item of meat inspection. There is a provision in the law to the effect that when there are not adequate funds with which to pay the inspectors from the Federal Treasury, and the packers want the meat inspected, the packers must themselves pay the fees in the form of overtime paid to the inspectors.

For the past 10 years packers have striven valiantly to have the entire cost of the inspection borne by the taxpayers through the Treasury of the United States. They have been very successful in their endeavor, because we have increased the number of inspectors. Last year we provided $281,000 for additional inspectors. Now we find that for fiscal year 1957 there were more man-years of employment paid in the inspection service than there had ever been in the history of the country.

We find that the number of livestock estimated to be slaughtered in 1957 is 4½ million head below the number slaughtered in 1956. It is perfectly true that the number of plants inspected has shown a slight increase. The number has increased from 1,148 to 1,241. The packers are paying by way of overtime approximately $300,000 less in 1957 than they paid in 1956. In 1956, they paid $4,440,000. In 1957, it is estimated they will pay $4,137,000.

Furthermore, Mr. President, there is a general clause in the organic act of the Department of Agriculture which allows the Department to make transfers within its appropriations. It can transfer not to exceed 7 percent of the amount appropriated in a fiscal year for miscellaneous expenses from one division or bureau to another division or bureau. The only limitation is that it shall not exceed 7 percent of the appropriation for the agency.

Last year the Department transferred, under this clause, $103,000 to the meat inspection division. That law is still in effect. Here we have before us a bill making the most substantial appropriation ever made to the Department of Agriculture, and the Department can transfer up to 7 percent of miscellaneous expenses from one division to another division. Under the transfer power, it can transfer funds to the meat inspection service, if the situation should reach the point so vividly described by the Senator from Wyoming, with the animals backed up in the yards.

Mr. BARRETT. I thank the Senator.

Mr. RUSSELL. I may say to the distinguished Senator from Wyoming that I have conferred with the Senator from Illinois [Mr. DIRKSEN], who is greatly interested in this subject, and with the Senator from Minnesota, who has an amendment, and who is also vitally concerned with this matter. I am hopeful that we may be able to draft an amendment that can be accepted and taken to conference, and which will provide a reasonable increase in this field. However, I regard the requested increase of $2,132,000 as greatly excessive.

Mr. BARRETT. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. I yield.

Mr. BARRETT. I am not concerned with the kind of increase the Senator visualizes. I am advised that the Civil Service Commission would start the inspectors at $3,670, instead of $3,175. I do not know how any man, with a family, can do work of the character required, for $3,175 a year. It seems to me that the recommendations of the Civil Service Commission are modest. It would cost $165,000 merely to raise the starting salary to $3,670 a year. In addition to that, I am advised that the increase the Civil Service Commission has made necessary in order to meet the pay standards it has set will cost another $590,000.

Therefore, I hope the committee will accept an amendment which will take care of these two items.

Mr. RUSSELL. I must say to the distinguished Senator that I could not agree to an amendment which would provide such a large increase in this appropriation bill. When we reach these items, amendments will be offered, and we will discuss them at that time. However, at this stage of the proceedings, I could not accept any amendment which would raise the appropriation for the Department of Agriculture by such a large amount.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. I should like to express the hope that some provision will be made to take care of the packing plants. I am particularly interested in the smaller plants, which find the inspection fees a considerable burden. It seems to me that we should try to help small business, and not follow a policy which discriminates in favor of the large packers and against the small packers.

Mr. RUSSELL. Mr. President, there are a number of packing plants in my own State. All of them are relatively small. Of course, whether large or small, they do not like to pay the overtime they have been paying, in order to make up the difference in the cost of inspecting the meats they process, as between the amount that is appropriated and what it actually costs. There was a time when a distinguished Member of the Senate was successful in having adopted a provision requiring the meat packers to pay the whole cost. It is my own individual viewpoint that they should do that today—every dime of it. It is an adjunct to their work. However, that issue is not now before us. Congress saw fit later to repeal that provision. There has never been a time when the meat packers have not had to pay a substantial sum each year for the overtime work involved in the inspection of the meat, to the extent that the amount was not covered by the appropriation.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. I should like to ask the able Senator from Georgia if I am correct in understanding that the appropriation in the bill for so-called utilization research is $14,145,000.

Mr. RUSSELL. I will have the exact figures for the Senator in a moment, but I may say that the utilization research has fared far better in the pending bill than any other item. It received an increase of $2 million, practically all that had been requested.

Mr. CAPEHART. I was about to ask the able Senator from Georgia with reference to that point. Is it not a fact that the appropriation this year will be approximately $14 million, whereas last year it was $12 million, and the year before it was approximately $9 million?

Mr. RUSSELL. Those figures are approximately correct.

Mr. CAPEHART. On page 2 of the report, under "Regular activities," reference is made to an item of $58,794,890 for research, which is an increase of $9,800,000 above the House appropriation. The report states:

> This increase consists of $2 million for utilization research and to strengthen research in carrot breeding.

Mr. RUSSELL. First I should to say that $7,200,000 of that is involved in a transfer, and is not an increase.

Mr. CAPEHART. I should like to know who it was that asked for money to strengthen research in carrot breeding.

Mr. RUSSELL. I will say to the Senator that service on the subcommittee on Agricultural Appropriations has been one of the great experiences of my senatorial career. I have found it to be the most educational process in which I have ever participated. I have learned a great deal by having people explain to the subcommittee why various commodities stand in need of development and marketing from areas about which I know nothing. No other phase of my work has taught me so much.

I wish the whole Senate could have been present to see the presentation made by the persons who are interested in growing carrots and who wanted a small sum appropriated to enable them to engage in research to produce a carrot which would be edible all the way through, without having the core or pulp which is so often found in carrots. They had carrots at the hearing. They showed them to us. They have made some progress in their research. But there are 1 or 2 questions which they think can be answered only by research on the national level. It will not cost a large sum; I think about $12,000 or $15,000 a year will be the total cost.

I remember that 3 or 4 years ago a group came before the committee. They were interested in onion research. I believe they were from Idaho, or perhaps it was Michigan. Merely at the mention of onion research, one might say, "My gracious alive, what is onion research?" But those persons intrigued my curiosity, and on my motion there was included in the bill $15,000 above the budget so as to provide for research in onions. In 2 years the group came back with pictures which showed uniformity in the onions. I was amazed at the size of the onions. There was practically a revolution in onion production in this country.

Senators may be interested to know that in the field of winter wheat the seed which is now planted was not commercially available 4 years ago. Research has developed entirely new breeds of rust-resistant and wilt-resistant wheat. It has revolutionized wheat growing by farmers who produce wheat. The farmers of the Nation are practically prostrate today. If it had not been for the advances of research, which have brought down the unit cost of production they would have been exterminated.

Mr. CAPEHART. Being a farmer myself, I will take the Senator's word for that, but I am not particularly conscious of that fact; neither am I prostrate. I am in pretty good shape as a farmer.

Mr. RUSSELL. If the Senator depended completely on his farm for his income, while he might not be prostrate, he might be a little bent.

Mr. CAPEHART. I make money on my farm every year; I always have. My point is that we have an agricultural appropriation bill of almost $4 billion——

Mr. RUSSELL. Oh, the Senator wonders why that figure was mentioned, does he?

Mr. CAPEHART. No, no; not at all. My question is, Did the Department of Agriculture ask for more than the amount provided in the bill for utilization research?

Mr. RUSSELL. Yes; they asked for $185,000 more than we allowed.

Mr. CAPEHART. Only $185,000?

Mr. RUSSELL. That is correct. That item fared better than did most others in the bill.

Mr. CAPEHART. I am very much discouraged with the Department of Agriculture. We are considering an agricultural appropriation bill providing almost $4 billion. That is an extremely high tax load with respect to agriculture. Yet it is proposed to spend only about $14 million for utilization research. I am not criticizing the committee, because the committee included in the bill everything which the Department of Agriculture requested to enable it to find new uses for farm products in industry, although we have been spending over the years hundreds and hundreds of millions of dollars for agricultural appropriations alone.

Again I say I am not criticizing the committee, because the committee knows what the Department asked for. But Congress is appropriating millions of dollars annually to show the farmer how to grow more and more and more—even $15,000 for research in carrots—when the problem today is overproduction, and a lack of markets in which to sell farm products.

What Congress ought to do, in my opinion, is to appropriate $100 million or $200 million of the $4 billion to find new uses

for farm products in industry, to enable the farmer to grow more instead of less, but to have more markets for what he grows.

I am not criticizing the committee; I am criticizing the Department of Agriculture.

Mr. RUSSELL. I hope the Senator will be pleased to know that in the argument which the committee made for appropriations to provide an increase for utilization research, the fact that the Senator from Indiana had introduced a comprehensive bill along this line was mentioned by more than one member of the committee.

Mr. CAPEHART. I understand that. I introduced such a bill last year and again this year. The Senate passed the bill last year, as the Senator from Georgia will remember, to establish a Commission, known as the President's Commission on Utilization Research. That Commission now is making its final report, after studying the whole problem of finding new uses for farm products.

Yet the Department of Agriculture has not asked for an appropriation in this bill to carry out the recommendations which the Commission will make.

I am almost tempted to vote against the Department of Agriculture appropriation bill for the reason that Congress is appropriating literally billions of dollars for agriculture, or at least hundreds of millions, but no effort whatsoever is being made by the Department of Agriculture to spend any money to find new uses for farm products in industry.

I know of one manufacturer who spent last year more than $80 million in an effort to find synthetic products so that he would not have to use cotton. Yet the Department of Agriculture asks for only $14 million for the purpose of research. Last year they asked for $12 million. The year before that they asked for $9 million. In the years before that, the amount they requested in order to find new uses for farm products in industry was even less. That is a disgraceful situation.

Eventually the taxpayers of the Nation will be made bankrupt if we continue to encourage the farmers to grow more, by showing them how to grow more, while on the other hand we ask the American taxpayers to pay for the surpluses.

Why do we not get wise? Why does not the Department of Agriculture get wise and start attacking the problem on the basis of finding new uses for farm products? The only way to find them is to use "gumption." I use that term because it is a good old Indiana and Georgia expression—"gumption." It means using a little bit of common horse sense.

Mr. RUSSELL. Indeed it does; the Senator does not have to explain that word to me.

Mr. CAPEHART. The Department of Agriculture could use a little gumption in seeking new uses of farm products in order to alleviate the farm problem. The farmer will not be helped by the Government spending millions and millions of dollars to show him how to grow more, to get his production high, but have his markets low. In order to utilize the surpluses, it will be necessary to find ways of bringing the market up to the production, and to push both the production and the markets up. To do that, it will be necessary to find new uses for farm products in industry.

I do not know what we can do to get the Department of Agriculture to undertake this work. We provided them with five laboratories. Yet the Department has not asked for any money or help to get the work done.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Illinois, who is a distinguished member of the subcommittee.

Mr. DIRKSEN. I think one of the real functions of the subcommittee in taking testimony is to determine, in every case, the amount that can be usefully and productively spent. The committee could dump $100 million into the bill for utilization research; but if the work was not organized, if there were no technicians striving for a definite goal, instead of searching around for a lot of chemical curiosities, we would get nowhere.

In addition, we would be wasting much of the public's money. It is all very well to say that $100 million, $20 million, or $5 million, should be spent in research; but personnel are required to do the research. Simply looking into a test tube or using a bunsen burner in a laboratory will not do the job. Some competency is required. A huge undertaking such as this will require time for organization. I believe the committee, in its discretion, has undertaken to move as fast and prudently as the work can be done productively.

Mr. CAPEHART. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. Of course, it is necessary to have more manpower and other assistance; but when will a start be made to organize and begin such a program? Are we going to ask the American people to spend $4 billion every year primarily because the Department of Agriculture will not organize itself on a basis to get the work done which Congress authorizes it to perform?

The Senator from Illinois is 100 percent correct. Certainly it is not feasible to look down a test tube. But neither does private industry look down a test tube. At least, we ought to do as much as private industry does.

The Senate remembers the development of the synthetic rubber program. The Congress appropriated $700 million, and the head of the program was instructed to commence the production of synthetic rubber, to build a pilot plant, and to engage in research, design, engineering, and all the other phases of the program. We can make similar provisions in the case of new uses for agricultural products.

The Senator from Illinois talks in the same way that those in the Department of Agriculture do. Under those circumstances, it is no wonder that the necessary development do not occur. We are aware of that situation. But what is the sense of urging the appropriation of $4 billion for the purchase and use of agricultural surpluses, and the appropriation of $60 million to show the farmers how to grow more and more agricultural commodities, when we have too many now, and then to propose that as little as $14 million be appropriated for the purpose of finding new industrial uses for farm products?

I can remember the time when, in Indiana, soybeans were not grown by the farmers. Today, soybeans are used very widely in industry; and today the soybean crop is one of the big cash crops in the United States, and I would dislike to think what would be the situation of the farmers in Indiana today if soybeans were not grown. The extensive use of soybeans in industry has resulted from research.

The almost 6 million farmers in the United States cannot do this job themselves. Some imagination is needed in the Department of Agriculture, in connection with research, if the necessary job is to be done. The report of the President's Commission will come to us the day after tomorrow, I believe; and the members of the Commission are practically unanimous in recommending research to find new industrial uses for farm products. This problem will not be solved in any other way.

Frankly, Mr. President, I become tired listening to the statements of the Department of Agriculture that the necessary technicians cannot be obtained and therefore it is impossible to solve the problem.

Mr. RUSSELL. Mr. President, I was in the process of making a brief general statement, which I do not think would have required more than 10 minutes, if I had not been diverted.

The Senator from Illinois has asked me to yield briefly to him. I shall do so, and then I wish to conclude my brief statement. Thereafter, I shall yield the floor; and the bill will be open to general discussion.

Mr. MUNDT and other Senators addressed the Chair.

Mr. RUSSELL. Mr. President, several Senators wish to speak, but I have agreed to yield at this time to the Senator from Illinois. I now yield to him.

Mr. DIRKSEN. Mr. President, I have never seen the time when an argument comparable to that made by the Senator from Indiana has not been made; and that goes back to the days when I was chairman of the Agricultural Appropriations Subcommittee in the House of Representatives. But I have discovered that in the field of agriculture, as in the field of physical health, progressive steps have to be taken.

All the money on this side of the Rocky Mountains could be dumped into the Department of Agriculture, but that would simply be a waste of money.

The Congress is appropriating hundreds of millions of dollars for the institutes of research in the fields of health, including studies regarding arthritis, rheumatism, cancer, and various other diseases; and some results have been obtained. But over a period of time, pure research must be done; and after a while it becomes applied; and later it becomes really practical. But it is impossible to jump over the various necessary steps.

Our distinguished friend, the Senator from Indiana [Mr. CAPEHART] would like

to rush by them; he says, "Just appropriate the necessary funds, and the Department will find the proper persons, and will solve the problem overnight." But, Mr. President, that is not possible.

I am no tyro regarding these matters. I helped conduct the first experiments—down by the Memorial Highway between Washington and Mount Vernon, in 1933—with anhydrous alcohol produced from surplus grain, to be mixed with gasoline, and then to be converted into premium fuel. What was the answer? We found that a new carburetor was called for, and that new design was necessary, and that various special processes were required. In that connection we have not gotten very far, although 1,800 stations were selling such fuel in Nebraska.

So I know something of the difficulties involved; and they will not be solved by saying, "Give the Department $50 million or $100 million and, presto, we will have the solution."

Mr. CAPEHART. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. Mr. President, I shall yield briefly to the Senator from Indiana, but thereafter I desire to complete my statement.

Mr. CAPEHART. Mr. President, I would prefer to have the Government waste $100 million in an effort to solve the problem of finding new industrial uses for agricultural products, rather than to have the Government waste hundreds of millions of dollars in connection with telling the farmers how to grow more and more, even though at the present time it is impossible to sell all the commodities the farmers are producing.

There can be only one answer to this problem, regardless of whether rapid progress or slow progress is made. I say we had better begin to make rapid progress, and we should spend the necessary funds on research and on developing new industrial uses for agricultural products, if we are ever going to begin to solve the farm problem. I am not unmindful of the fact that much time is required and that such developments cannot occur over night.

But a start must be made. It is ridiculous for as little as $14 million to be spent in an effort to develop new industrial uses for agricultural products, when I could name, if I had the time to engage in a little research, a thousand private industries in the United States which spend twice, 10 times, or 20 times that amount of money on their own research.

As I said a moment ago, I know of one company in the State of Georgia which spent more than $80 million in an effort to find synthetic substitutes for cotton. Yet the Department of Agriculture requests the small sum of $14 million for the purpose of engaging in research for the benefit of all the farmers in the United States. That amount is $2 million more than the amount provided last year, and $5 million more than the amount of 2 years ago.

Mr. MUNDT addressed the Chair.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from Georgia has the floor. Does he yield?

Mr. RUSSELL. Mr. President, I hope the distinguished Senator from South Dakota will permit me first to finish my brief explanatory statement. Five or six Senators wish to discuss the item of utilization research; and after I have finished my brief statement, I shall be glad to yield for a discussion of that matter.

Mr. President, I was discussing the fact that in the case of the total bill, the appropriations for the regular activities represent an increase in the amount of only $9,500,000 over the appropriations made for the fiscal year 1957. The largest item is for utilization research.

Most of the total increases provided by the bill do not concern the regular activities of the Department of Agriculture. An increase of $297,501,493 is required to restore the capital impairment of the Commodity Credit Corporation for losses sustained in 1956. The bill also includes increases over 1957 totaling $572,226,556 for special activities. These are programs—including sales of commodities for foreign currencies under Public Law 480, the International Wheat Agreement, emergency famine relief to friendly peoples, and animal disease eradication activities—which are carried out using Commodity Credit Corporation funds, and the Corporation is subsequently reimbursed by appropriation, in order to restore its capital structure.

Mr. President, a large part of the appropriations carried by the pending bill could more properly be charged to the foreign-aid program. In considering the Department of Agriculture appropriation bill, it is important to note that much of the funds in the bill do not go to the American farmer.

For example, the bill includes $637 million to reimburse the Commodity Credit Corporation for sales of commodities for foreign currencies under Public Law 480. It also includes similar reimbursement items of $94,483,518 for emergency famine relief to friendly peoples, and $92,930,611 for the International Wheat Agreement.

Mr. HUMPHREY. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. Mr. President, if the Senator from Minnesota will permit me to do so, first I should like to complete my brief statement.

Mr. HUMPHREY. I shall be glad to wait.

Mr. RUSSELL. Mr. President, a number of the items included in the bill are not primarily for the benefit of agriculture. Among those items is the one of $100 million for the school-lunch program and the one of more than $45 million for the school-milk program.

Also included in the bill are $16,586,000 for meat inspection and over $22 million for the eradiction of brucellosis and tuberculosis in livestock—activities which primarily benefit the consumer.

While all of these programs are necessary, I think it is important for us to note that very substantial appropriations—over $1 billion—in the bill are primarily for the benefit of consumers and others, rather than for the benefit of the farmers and ranchers of the Nation.

Over one-half a billion dollars of the appropriations represent expenditures on REA and Farmers Home Administration loans which are repayable, and on which the repayment history is excellent.

Mr. President, having concluded my brief statement, I am glad to yield. I promised first to yield to the Senator from South Dakota [Mr. MUNDT]; and at this time I am pleased to yield to him, if he wishes to have me do so.

Mr. MUNDT. I thank the Senator very much. I simply wanted to make a few comments relative to the colloquy engaged in by the Senator from Illinois and the Senator from Indiana, and to point out that there is validity in what they both have said, but I think, first, that the committee in giving the Department a $2 million increase over the House figure for utilization research, has provided in the bill all the money the Department of Agriculture has requested; and, second, all the money the Department of Agriculture shows any indication that it can use.

I do not think it is going to provide any solution for the Senator from Indiana to suggest that the Department have $10 million or $20 million or $50 million more. I agree with the Senator from Illinois in that regard. We are providing in this bill the maximum goahead for the existing research utilization in the Department. I myself offered an amendment to increase the amount $2 million. I believe it carried unanimously or with only a few dissenting votes. That amount was within $185,000 of what the Department had requested. As the distinguished chairman of the subcommittee has stated, it was the greatest single increase received by any service in the Department of Agriculture.

What we in the Congress should do is recognize the challenge of research into uses for farm products. We should move in the direction of establishing a separate commission or board or director of research in the utilization of farm products for industrial purposes, and should provide for that group a considerable sum to put such a program on a crash basis, as we did in the field of synthetic rubber and guided missiles, or as we would do in any area where we want to get progress. We are never going to get a program out of the wormwood stage by putting such a program in a department which employs only hired scientists. We are going to make progress only by utilizing the genius of America, from its industrial organizations, its educational institutions, and its chemical plants. If we provided funds and a director, and gave him enough latitude so he could spend money in subsidies, bonuses, and incentive payments working with private industry we could get somewhere. But, so far as the Department of Agriculture is concerned, at the slow pace at which it is moving, I am sure the $2 million is going to be enough.

Mr. RUSSELL. I am sure the Senator from South Dakota means $2 million added to what has already been appropriated.

Mr. MUNDT. Yes; I refer to the $2 million additional.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I had promised to yield to the Senator from Oregon. Then I shall be happy to yield to the Senator from Nebraska.

Mr. MORSE. I should like to ask the Senator from Georgia a question or two. Before I ask the questions, I wish first to express my very deep appreciation for the great leadership the Senator from Georgia has given the Senate for many years in connection with agriculture appropriation bills.

Mr. RUSSELL. I thank the Senator.

Mr. MORSE. I do not think agriculture has a greater friend in the entire Congress than the distinguished Senator from Georgia. I want the Senator from Georgia to understand that the questions I shall raise in regard to the appropriation bill are raised not with any criticism at all. I wish him to know that the questions are based on inquiries I have received from people in my State and from farm organizations. I want him also to know that I do not believe in participating in political gestures. I could offer a series of amendments based upon the protests I have received, but, unless the chairman of the subcommittee feels that there is some chance for an amendment on any of the points raised being adopted, I shall not, as a mere political gesture, offer an amendment.

My first question goes to the matter of the cuts in funds for experiment stations, which the Senator has discussed somewhat already. It is my understanding that the House cut $4,500,000 from the payments to State experiment stations as called for in the budget estimate. It is my understanding that the Senate bill, as reported by the Senator from Georgia, in effect restores $1 million of that cut. Is that correct?

Mr. RUSSELL. The Senator from Oregon is correct. The reduction, of course, was made in the budget estimate, not in the current appropriation, I may say. The Senator from Oregon is well aware of the fact that we have manifested an intense interest in the work of the State experiment stations in recent years. Since 1952 the committee and the Congress have increased annual appropriations for the State experiment stations from $12,670,000 to $29,503,000. The bill before the Senate allows an increase of $1 million over the current appropriation.

No Member of the Congress believes more strongly than I do in the State experiment station work. Many of the most amazing developments in our agricultural revolution have come about as a result of the cooperative work between the Federal Government and the State governments at the State experiment stations.

The Senator from Oregon is, of course, aware of the fact that this is a rather unusual year for dealing with almost any appropriation. The fact that the committee allowed a $1 million increase over the current appropriation did give this activity a slightly preferred status over those which did not get an increase of even $1, or took a reduction.

I would have liked to have seen the $4½ million appropriated. I am sure it could have been programed and the money well expended; but, in my judgment, we are in a better position if we keep the appropriation at an increase of $1 million, and insist on that amount in conference, than if we arrived at an unrealistic figure that would cause us to lose the entire item if it were taken back to some other body for a vote.

Mr. MORSE. Am I correct in my understanding that the Senate committee has allowed $9,800,000 more than the House figure for the entire agricultural research program?

Mr. RUSSELL. No; a part of that represented a transfer. The House took soil and water conservation research out of the regular research program and put it under Soil Conservation Service. The Senate committee restored it. A part of the increase is reflected in that item. The real increase is only about $2,800,000. However, that figure does not include the appropriation for the State experimental stations, which will be found under another item.

Mr. MORSE. So the increase for agricultural experiment stations is a little more than $3 million.

Mr. RUSSELL. The total increase in the research appropriation is considerably more than $5 million throughout the bill.

Mr. MORSE. A little more than $4 million?

Mr. RUSSELL. Yes.

Mr. MORSE. The Senator, in his explanatory remarks, spoke about plant diseases, experiment station funds, and brucellosis. I should like to tell him of a conversation on the long distance telephone last night, which is supported by some telegrams I shall ask to put in the RECORD. Mr. Ed Coles, who is president of the Oregon Cattlemen's Association, who is one of the great agricultural leaders in Oregon, and who works closely with various research groups—and I also had strong representations on this matter from our experiment stations—asked me if I was aware of the fact that the brucellosis program as provided in the bill is not adequately financed in the sense that a great many of the State programs will have to be cut out. He points out that, as the Senator from Georgia and I know to be the case, discoveries are still being made in regard to the effects of brucellosis.

Just a few days ago we read in the press about the findings of a medical research group in regard to health hazards to human beings caused by brucellosis, over and above those which were previously known as constituting serious threats to human life.

Mr. Coles pleaded with me over the telephone last night to seek on the floor of the Senate today to get the viewpoint of the Senator from Georgia in regard to the brucellosis program, and to see if there is any chance at all of getting some increase in the brucellosis fund, because, as he reports to me, a reduction in funds for the program will do great damage to State programs which are already underway, by which it is hoped to stamp out Bang's disease. Will the Senator from Georgia enlighten me as to what he thinks the situation is in regard to the brucellosis program?

Mr. RUSSELL. Mr. President, I can say to the distinguished Senator that this is a program the details of which the eminent Senator from Oregon, an outstanding cattle breeder, is more familiar with than I am. I have dealt with the problem in the agricultural appropriations bills for years. This is the 25th such bill. I can remember when a chairman of the full Committee on Appropriations, who had a herd of cattle, shuddered at the suggestion that there could be any such thing as Bang's Disease, and opposed an appropriation for that purpose. That has been within the last quarter of a century, for I am not talking about what happened in the 1800's.

Of course, a great deal has been found out about this disease. It is not only very costly to the farmers for it causes them to lose calves, but it is also a threat to the human consumers of milk and dairy products. We have had a program for many years which has undertaken to deal with it.

I will say to the distinguished Senator that at the present time we are appropriating $20 million for this purpose, which is the full amount authorized by law. The increased authorization, to $20 million, was not passed until 1956. Prior to that time, it was approximately $15 million. This bill carries the full amount authorized by law. It would take legislation to enable us to increase the Federal appropriation for this activity.

Mr. MORSE. I thank the Senator very much. That is precisely the kind of information I needed in this colloquy in order to properly advise Mr. Coles in regard to it.

Mr. Coles raised another question in connection with the so-called meat preservation experiments, and he pointed out that Oregon State College had joined in a cooperative research program on meat preservation. They have hired their personnel. They have committed their contribution to the program.

Mr. Coles is advised that this bill does not carry a sufficient amount of money for the meat preservation experiment program, and he wanted me to raise a question today with respect to whether or not the chairman of the committee thought there was any possibility of having restored to the budget the funds which the Department of Agriculture had previously been authorized to expend. Is the chairman aware of such a program?

Mr. RUSSELL. Mr. President, I must say if that is the fact it grows out of a departmental decision in allocating the $1 million increase we have proposed. We may be counting our chickens before they are hatched in the case of the $1 million. There has been no reduction in the program and the appropriation for last year. The fact is we have allowed the full amount of the budget requested for this item for several years. We allowed, in this bill, a $1 million increase over last year.

I am not completely familiar with the activity to which the Senator refers, but I think it is one in which 3 or 4 States and the Federal Government are cooperating.

Mr. MORSE. The Senator is correct. Several State colleges are cooperating.

Mr. RUSSELL. I have a recollection that I have heard of that particular project. There is nothing to prevent the Department of Agriculture from allocating from this $1 million increase, when and if it is approved, a sufficient amount to help carry on that work, although of course it means the funds will have to be spread rather thin, because it is $1 million out of a $4½ million budget estimate.

Mr. MORSE. My guess is that what is happening is that the Department of Agriculture officials involved are probably advising that if the $4½ million for experimentation work is not restored, they will have to cut such projects.

Mr. RUSSELL. That they will not be able to make an allocation for this work.

Mr. MORSE. That leads me to the next question, and I should like to have the Senator's frank appraisal, after which I am going to follow his judgment.

I have received certain telegrams, and I am going to ask permission to insert them in the RECORD. I should like to ask the opinion of the chairman on the point I now mention: If I carry out the suggestion in some of these telegrams, namely, to offer an amendment to increase the amount for experiment station allowances by $4½ million assuming for the moment that I succeeded in having it adopted by the Senate—which could be a false assumption, since I am inclined to think I would not be able to do so, over the objection of the Senator from Georgia—would that make it more difficult for the Senator in conference to hold the $1 million already added to the bill, as it came from the Senate committee?

Mr. RUSSELL. Mr. President, let me say first to the Senator from Oregon that he of course understands how a Senator in charge of a bill can be placed in a certain position. Although the Senator from Georgia might be strongly in favor of the $4½ million increase for the State experiment stations, he had difficulty getting $1 million from the committee he represents on the floor, and he is committed to that amount. It would be his duty to defend the increase, or to at least keep it limited to what the committee recommended.

Mr. MORSE. The Senator would have equal difficulty, in the conference committee, even in holding some of the Senate conferees?

Mr. RUSSELL. I had not reached that point. It is my intention to insist very vigorously upon this Senate amendment when and if this bill reaches the conference stage with the other body. If it were a $4½ million item, and the Senate insisted, I think there would be a very remote possibility that the amendment would ever carry on the floor of the House, whereas a $1 million increase would have a substantially better chance of approval.

Mr. MORSE. The Senator in his general statement on the bill also mentioned the matter of research and experimentation in connection with plant diseases, such, for example, as the potato blight. Does the amount of money for research into plant diseases fall into the same category which involves the $4½ million cut on the House side?

Mr. RUSSELL. No. There are some different phases involved. There is the purely Federal research, and then there is the joint State-Federal research. I do not remember at the moment whether the research in the case of potato blight is done purely as a Federal function, or as a joint State-Federal function, but whatever its status is there can be no reduction in that research, because we have provided on the minimum the same amount of money they have for the current year.

Mr. MORSE. I wish to thank the Senator from Georgia very much. I have decided to make any future remarks on my own time, later on in the debate.

Mr. RUSSELL. I am always glad to hear the remarks of the Senator from Oregon on agricultural matters. He has always been a valuable friend of the American farmer.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. RUSSELL. I am glad to yield to the Senator from Minnesota.

Mr. HUMPHREY. I wish to thank the chairman of the committee. I can assure my colleagues that my questions will be few and to the point.

With respect to the expenditures covered by the bill, I listened to the Senator from Georgia list the reimbursements to the Commodity Credit Corporation. I should like to ask the Senator if in the bill and in the report the amounts which are to be reimbursed to the Commodity Credit Corporation for our foreign policy requirements are grouped as such?

Mr. RUSSELL. They are not.

Mr. HUMPHREY. It seems to me that somewhere in the discussion of this agricultural appropriation bill the expenditures which relate to foreign policy matters ought to be tabulated. For example, consider the sales of surplus commodities under Title I, Public Law 480, the donations under title III, and the activities under title II of Public Law 480. All this relates to the fulfillment of American foreign policy objectives.

Mr. RUSSELL. Of course, the Senator from Minnesota is correct. For that reason, although it is not spelled out in the bill, it is all to reimburse the Commodity Credit Corporation for its impaired capital structure. I read the figures so that they would appear in the RECORD, and stated that practically $1 billion of the money was more in the field of international relations and foreign policy than in the field of agriculture.

I gave a figure of $637 million to reimburse the Commodity Credit Corporation for sales of commodities for foreign currencies. There is $94.5 million for emergency famine relief for friendly peoples. There is $92,930,000 for the International Wheat Agreement.

Mr. HUMPHREY. All those relate to specific objectives in American foreign policy.

Mr. RUSSELL. Yes. I stated that there was more than $1 billion in the bill which might be included in the category not having to do primarily with the agricultural situation in this country.

Mr. HUMPHREY. Some of the foreign currencies we have are not considered an asset to the Department of Agriculture until they are converted into dollars, or reimbursed.

Mr. RUSSELL. A great deal of it never is reimbursed at all.

Mr. HUMPHREY. That is correct. Therefore, it is considered a loss.

Mr. RUSSELL. It is a complete loss.

Mr. HUMPHREY. It may be that some other department or service of the Government gets the benefit of the use of such currencies.

Mr. RUSSELL. The State Department has personnel in all those countries, and some of the counterpart funds are used by them. Some of the counterpart funds are spent on activities within the country.

Mr. HUMPHREY. Indeed.

Mr. RUSSELL. For the improvement of railroads or highways, or for building dams or irrigation projects.

Mr. HUMPHREY. To the extent of about 60 percent.

Mr. RUSSELL. Yes.

Mr. HUMPHREY. We are going into that study now. I wanted to have the RECORD show that the expenditures which have been listed as Department of Agriculture expenditures, and have been heralded in the press as a four or five billion dollar cost for agriculture, are not all agricultural costs.

Mr. RUSSELL. Of course not. One of the most commendable programs in the bill is the school-lunch and school-milk program, which costs $145 million, not including the surplus commodities which are given. Only 13 percent of the schoolchildren of the country could possibly be purely farm children. The program helps children in urban communities. It is a good program, but it is not properly chargeable strictly to agriculture.

Mr. HUMPHREY. It is not an agricultural cost.

Mr. RUSSELL. It is not an agricultural cost. Even the cost of the meat-inspection service is charged to the farmer, but the meat-inspection service protects the American consumer who buys meats on the market.

There is also a tendency, in looking at the size of the bill, to say that all of it is appropriation; but more than half a billion dollars represents loans made through the Rural Electrification Administration and the Farmers' Home Administration, both of which have excellent records of repayment. The money is turned back into the Treasury.

Mr. HUMPHREY. How much of this appropriation would the Senator estimate could be attributed directly to expenditures or costs for the operation of a farm program, as related to the farm economy?

Mr. RUSSELL. I have never approached the question directly in that way. However, the sums of $637 million, $95 million, and $93 million, involve sales for foreign currencies, and emergency famine relief under the International Wheat Agreement. Then there is $310 million worth of materials secured in

barter, which goes into the stockpile for the national defense effort. The sum of $225 million goes for shipping, under the proviso that one-half of it must be shipped in American bottoms. I have not totaled all the items.

Mr. HUMPHREY. They total about $1,300,000,000.

Mr. RUSSELL. About $1,300,000,000 or $1,400,000,000 of this amount is properly chargeable to international relations and foreign policy, rather than to the farmers.

Mr. HUMPHREY. There is another $500 million in loans made through the REA and the FHA.

Mr. RUSSELL. There is $145 million for the school lunch and milk program, and $17 million for the meat inspection item.

Mr. HUMPHREY. So about $2 billion out of this appropriation could be declassified, as being nonagricultural.

Mr. RUSSELL. It represents activities which are just as important to any citizen of the United States living in a penthouse in New York as they are to a farmer in Minnesota or Georgia.

Mr. HUMPHREY. I thank the Senator for his observations and for the information he has given.

I should like to ask one question on the subject of brucellosis control. I heard the Senator from Oregon [Mr. MORSE] asking about it. Would the appropriation before us result in cutting down a State program, such as that carried on in the State of Minnesota?

Mr. RUSSELL. No. No reduction in the appropriation is involved. The appropriation recommended is $20 million, which is the full amount authorized by law, and the same as the amount appropriated last year.

Mr. HUMPHREY. So we can continue with the same schedule we had last year?

Mr. RUSSELL. There will be just as much money as was carried in the bill for the present year.

Mr. HUMPHREY. Through the fiscal year 1958?

Mr. RUSSELL. Yes.

Mr. HUMPHREY. I should like to ask a question in reference to the soil-conservation program. I refer the Senator to the language on page 26, line 6, under the head, "Agricultural Conservation Program Service." The amount which is fixed as the maximum for any participant under the soil-conservation program is $1,500. Is that correct? I believe the House set the figure at $2,500.

Mr. RUSSELL. The House had placed the figure at $2,500, but the amount carried in the bill at present, and the amount which has been carried for the past 3 or 4 years, it $1,500. Without being apprised of the specific reasons for the increase, the Senate committee went back to the old figure, so that we could ascertain if there was any justification for the increase when we meet with representatives of the other body in conference.

Mr. HUMPHREY. I appreciate that, and I shall not press the item at all. I merely wish to explore the subject for a moment with the Senator.

As I understand, the reason given by the proponents for the increase in the House, which was agreed to by a majority, relates to what we call gully control. In the hilly country, there is a great deal of soil erosion due to the rapid flow-off of water, and gullies develop. Because of the increased cost of labor and materials for gully repairs and conservation practice relating to gully repair, the $1,500 item has been considered to be too small. I ask the Senator, when he goes to conference on the bill, to examine quite carefully the debate.

Mr. RUSSELL. I shall approach the question with an open mind. The Department did not ask to have the amount increased to $2,500. No testimony was submitted to the committee in justification of the increase. In the absence of any reason for the increase being called to our attention, we set the figure at the old level of $1,500. I shall certainly approach that subject with an open mind when the bill goes to conference.

Mr. HUMPHREY. Let me ask the Senator again with reference to the conservation reserve program. As I understand, the maximum amount provided on page 28, line 18, is $7.50 an acre "for conservation reserve contracts entered into 30 days after approval of this act."

As I recall, the national average last year was around $11.

Mr. RUSSELL. The average paid under contracts concluded, up to this year, is $8.84.

Mr. HUMPHREY. Yes; I remember that.

Mr. RUSSELL. The figure in the Senate committee version of the bill represents a reduction of $1.34 throughout the Nation, which would have to be applied. I shall discuss that question later. The Senator from South Dakota has an amendment seeking to eliminate that reduction, but I shall take the position that the committee's action was completely justified in the light of the testimony before us. Very large practice payments are made, some of them for building dams. In one instance the payments amounted to as much as $1,062, in addition to annual payments for the land which is flooded. That is an extreme case and the most expensive one I know of. This is an effort to get the Department to be a little more careful in examining the conservation reserve program, in which I think we all have more hope and faith than in the acreage reserve program.

Mr. HUMPHREY. I am glad to hear the Senator say that, because I feel that the conservation reserve program offers the greatest opportunity for long-run good.

Mr. RUSSELL. Over the long run; yes.

Mr. HUMPHREY. In my State, for example, the average payment was around $11 an acre, I believe.

Mr. RUSSELL. This provision would not bring down the maximum that is paid for any one type of land in the Senator's State. The farmers may still be paid just as much as they have been paid on the highest level, but they would find it necessary, in classifying the land as to productive land and marginal land, and so forth, to bring the State average down——

Mr. HUMPHREY. I should say that I think it was about $11.

Mr. RUSSELL. It would bring the average down to about $1.34 less than that.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. AIKEN. The figures given to me by the Department of Agriculture indicate that the current average for Minnesota is $11, and that if the bill as it is written passes, the average would be $8 for the coming year, rather than $11.

Mr. RUSSELL. That cannot possibly be correct.

Mr. AIKEN That is the advice I have received from the Department of Agriculture.

Mr. RUSSELL. If the Senator will look at the language on page 28 of the bill, he will see that the bill provides:

> That the average annual rental payment per acre shall not exceed $7.50 per acre for conservation reserve contracts entered into 30 days after approval of this act.

If he will then look at the column under Minnesota, he will see that the average payment for Minnesota is $9.09 an acre. That is the average annual payment per acre on signed contracts.

Mr. HUMPHREY. That is correct.

Mr. RUSSELL. It is $9.09 for Minnesota.

Mr. HUMPHREY. That is why I said I was not certain about the $11 figure. I heard both figures mentioned.

Mr. MUNDT. Mr. President, there is no need for any uncertainty about it, because it is $11. That was the offering rate. The actual signup rate shows in the right-hand column as $9.09. That is due to the fact that in the States there are some nondiverted acres, which are not included, and as a consequence there is a reduction, which is shown in the righthand column. The Senator from Minnesota can be assured that if a $7.50 acre rate prevails every time a State somewhere gets $10 an acre, some other State will get $5 an acre, in order to maintain the $7.50 rate. Therefore, it will pull down the returns of the farmers in Minnesota substantially.

Mr. HUMPHREY. My concern is that we must make the rental price adequate enough to induce farmers to enter the program.

Mr. MUNDT. And to deal equitably with the farmers who cooperate.

Mr. HUMPHREY. I hope we can get out of the acreage-reserve program, which was a limited program, and get into the conservation-research program, because that is the one that offers the long-term good.

Mr. MUNDT. As the Senator realizes, as a member of the committee, that day is not too far removed. This program will run, I think, for a contemplated 10 or 11 years.

Mr. HUMPHREY. As I understand, the Senator from South Dakota has an amendment to offer on that point.

Mr. MUNDT. The Senator is correct.

Mr. HUMPHREY. I shall be very much interested in it.

Mr. AIKEN. I merely wish to state that the Department of Agriculture advised me last evening that the $10.11 figure is the national average and that if the $7.50 figure becomes law it will affect the States which the Department lists in its letter to me. The letter goes on to list about a dozen selected States. In that list Minnesota is shown as $11 under the current level, and $8 under the $7.50 maximum.

Mr. RUSSELL. I believe the figures that the Senator from Vermont has before him are the figures which were furnished to the Committee on Appropriations. They were furnished to show the situation in the States represented on the Committee on Appropriations. Minnesota happens to be one of those States. Those figures deal with the original amendment, not with the present amendment. The original amendment, which was approved by the subcommittee, placed a flat average of $7 an acre within the States. When we got to the full committee, that portion of the bill was rewritten on a national average basis.

Mr. AIKEN. I am merely submitting the figures which I received from the Department of Agriculture.

Mr. RUSSELL. That does not conform with the testimony given to the committee, because the figures we have show the average payment per acre on signed contracts.

Mr. HUMPHREY, Mr. AIKEN, and Mr. CURTIS addressed the Chair.

Mr. RUSSELL. Mr. President, the Senator from Idaho [Mr. CHURCH] has been on his feet for some time to ask some questions. I feel that the fact that he has been asking recognition for some time, and because I have yielded to 6 or 7 other Senators, I should first yield to the Senator from Idaho.

Mr. CHURCH. I thank the Senator for his courtesy. I should like to say at the outset that the Senator from Georgia and the committee should be commended for the work they have done on the bill. I, for one, certainly concur in the sentiment expressed by the distinguished Senator from Georgia with respect to the importance of the agricultural research work. I want to commend him and his committee for the recommendations they are making generally in this regard.

Mr. RUSSELL. I thank the Senator.

Mr. CHURCH. I have a question which concerns the soil and water conservation research program. It was my understanding originally that the budget estimates included a total increase for soil and water conservation program work in the amount of $840,000. When this was called to my attention I was naturally interested in knowing what part of the increased amount would be spent in the State of Idaho. Upon inquiry, I was informed on April 15 of this year by Mr. B. T. Shaw, Administrator of the Agricultural Research Service, as follows:

> There is currently allocated $40,810 for soil- and water-conservation research in Idaho. This includes $33,160 at Boise and $7,650 at St. Anthony. The 1958 budget estimates include a total of $88,920 for this research in Idaho, of which $46,100 is for program increases and $2,010 is to meet increased retirement costs under Public Law 854 (84th Cong.).

Mr. Shaw then sets forth where the increased amount is to be used.

This morning, after the committee had taken its action on the bill and rendered its report, I received another communication from Mr. Shaw, in which he advises me that the total allocated under the Senate report for soil- and water-conservation reseach, as allocated by the Department of Agriculture, permits only $411,600 to be available as an increase for the research program.

He states in his letter that inasmuch as less than half of the original amount called for in the budget estimate has been allowed by the committee, none of the increased programing that had been contemplated for Idaho is now contemplated by the Department. He concludes by saying:

> We regret that it will not be possible to go ahead with this important program in Idaho under the bill as reported by the Senate committee.

I should like to ask the distinguished Senator from Georgia whether the report I received from Mr. Shaw today conforms with the committee's own understanding as to the allocation of this money for soil- and water-conservation purposes.

Mr. RUSSELL. Of course, I cannot answer that question definitely in specific terms. The committee allowed an increase over the current appropriations of approximately a million and a half dollars, as I recall it, for soil- and water-conservation activities.

The Bureau of the Budget had asked for $840,000. The matter of allocating increases is within the purview or the domain of the Secretary of Agriculture. I was advised by the very efficient staff representative of the committee that the Department had told him that some $88,920 would be available for the State of Idaho under this appropriation. As to the accuracy of that statement, I cannot say, because the Department has the authority to allocate and divert the funds. But there is no reason on earth for completely discontinuing the work, even if it were dealt with on a percentage basis under the Senate appropriation. The Department would have to allow about half of the $46,000, if they were to be fair to the activities in Idaho.

The whole budget increase was not allowed, it is true, and the Secretary has the authority to allocate the funds. But if the Department brought the item here as a budget request, they must have thought it was valuable to them, so they should, at least, carry on a part of the activities with the substantial increase of almost $500,000 which was allowed in the bill.

Mr. CHURCH. That would be my view. I certainly hope the Department of Agriculture, in using the money which is made available, will conform with the expression of views by the chairman of the subcommittee.

Mr. RUSSELL. I certainly hope the Department will make some effort to deal with the problem which the Senator has in mind, because the committee has allowed about half the request.

Mr. CHURCH. I thank the Senator from Georgia.

Mr. President, in line with the impressions expressed by the distinguished Senator from Georgia, and in order that the research programs to which I have made reference might be more fully identified, I ask unanimous consent to have printed at this point in the RECORD the correspondence to which I have made reference.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington, D. C., April 15, 1957.

Hon. FRANK CHURCH,
United States Senate.

DEAR SENATOR CHURCH: Thank you for your letter of April 3, 1957, concerning correspondence on soil and water conservation research in Idaho, from Mr. Don G. Fredericksen, President of the Idaho Association of Soil Conservation Districts. In accordance with your request, a copy of our reply to Mr. Fredericksen is enclosed.

We appreciate your interest in this phase of our research program.

Sincerely,

B. T. SHAW, *Administrator.*

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington D. C., April 15, 1957.

Mr. DON G. FREDERICKSON,
President, Idaho Association of Soil Conservation Districts, Gooding, Idaho.

DEAR MR. FREDERICKSON: Thank you for your letter of March 28, 1957, concerning soil and water conservation research in Idaho and proposed increases for this research in fiscal year 1958.

There is currently allocated $40,810 for soil and water conservation research in Idaho. This includes $33,160 at Boise and $7,650 at St. Anthony. The 1958 budget estimates include a total of $88,920 for this research in Idaho, of which $46,100 is for program increases and $2,010 is to meet increased retirement costs under Public Law 854 (84th Cong.).

The program increases are as follows: +$25,400, to expand existing research at Boise on the development of improved drainage practices, irrigation methods, water application systems, and general soil and water management for more efficient use in crop production. This is a part of a total increase of $424,000 to increase efficiency in water management in relation to irrigation; +$20,700, to initiate research at Moscow, Idaho, to establish data on streamflow characteristics and rainfall relationships of representative agricultural watersheds for design of measures and structures for soil and water conservation. This is a part of a total increase of $208,000 for expanding research in watershed hydrology.

We hope this provides the information you desired. A copy of this letter is being sent to Congresswoman GRACIE PFOST and to Senator FRANK CHURCH, in accordance with their wishes.

Sincerely,

B. T. SHAW, *Administrator.*

UNITED STATES
DEPARTMENT OF AGRICULTURE,
AGRICULTURE RESEARCH SERVICE,
Washington, D. C.,
June 11, 1957.

Hon. FRANK CHURCH,
United States Senate.

DEAR SENATOR CHURCH: In response to a telephone request this morning from Mrs.

Barnes of your office, there is shown below a breakdown of the funds provided for soil and water conservation research in the Senate Report on the Agricultural and Farm Credit Administration Appropriation bill, 1958, as interpreted to the Department by the staff of the Senate Appropriations Committee:

Base, fiscal year 1957	$5,391,110
Increases for facilities:	
U. S. Salinity Laboratory—Riverside, Calif.	[1] +120,000
Soils laboratory, reclamation State	+450,000
Soils laboratory, Midwest	+450,000
Soils laboratory, Mississippi	+450,000
Soils laboratory, Southern Piedmont Soil Conservation Experiment Station	+275,000
Increase to meet retirement costs	+252,290
Subtotal	7,388,400
Senate report authorized a total of	7,800,000
Increase provided for program research	+411,600

[1] Includes $20,000 for alterations.

The budget estimates included a total increase for program work in the amount of $340,000. Inasmuch as less than half of this amount would be available under the Senate report, it has been necessary for our research people to select the problems which are most important from the nationwide point of view. Under this requirement, the increase originally allocated to Idaho in the amount of $46,100, as mentioned in my letter of April 15, 1957, to Mr. Don G. Frederickson, President, Idaho Association of Soil Conservation Districts, would not be included in the amount made available by the Senate committee action.

We regret that it will not be possible to go ahead with this important program in Idaho under the bill as reported by the Senate committee.

Sincerely,

B. T. SHAW, *Administrator.*

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CURTIS. I thank the distinguished Senator from Georgia. I wish also to express my appreciation for his dedication to the cause of agriculture, not only in the handling of this bill, but throughout the years.

Mr. RUSSELL. I thank the Senator from Nebraska.

Mr. CURTIS. I particularly wish to mention his interest and assistance in getting underway a program of industrial uses of surplus agricultural products. Likewise, I would commend the soundness of the words expressed by the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. MUNDT], and the Senator from Illinois [Mr. DIRKSEN]. Theirs is a viewpoint which is not only sound; it is one which has vision and which provides an opportunity for a sounder solution of agricultural programs.

I believe there are great opportunities for the development of new markets for the farmers by increased industrial uses. I do not think that objective can be attained, however, by merely increasing the dollar amount of the appropriation for that purpose. Congress should undertake to write a legislative policy. That policy should create an authority—I believe it should be a board with a director—charged specifically with this objective. The board should be given power not only to utilize the research facilities of the Government, but also to contract with private parties, with land grant colleges and other colleges, yes, even with foreign agencies, because industrial products may well be developed which will have great possibilities for export.

Such a policy should also incorporate a plan for incentive payments to farmers, so as to encourage them to grow new crops. It should provide incentive payments to business to undertake to use the crops for industrial purposes. This good earth of ours can produce several thousand different types of plants. Our agriculture industry has confined its production to perhaps 150 kinds of plants down through the years. Agriculture has been researched out of its own markets. The soles of perhaps three pairs of shoes out of four are made of products other than leather. Synthetics have taken markets away from the producers of cotton, wool, and flax.

More research is needed, but it needs to be coupled with a program of action. One of the important steps in such a program is that of trial commercialization, so that the ideas developed in the laboratories will not remain on the shelves, but will be set in motion.

We might learn a lesson from the development of synthetic rubber in World War II. The United States Government floundered around until a policy was determined to fix in one place the responsibility to produce synthetic rubber. It was produced from agricultural products, under the leadership of a distinguished citizen from my State, Mr. William Jeffers. The agricultural problem needs to be approached in that way again.

The Commission appointed by the President has done outstanding work. Very shortly I shall submit to the Senate a legislative proposal based upon the Commission's recommendations. In doing so, I shall communicate with each Senator and send him a copy of the bill, in the hope that all or many Senators will join in cosponsoring its introduction.

I thank the distinguished Senator from Georgia.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. STENNIS. I commend the Senator from Nebraska for the work he has done as the author of the bill to provide for a commission on the utilization of farm products. I think the commission's report will prove to be a very useful one and a milestone in finding additional uses for agricultural products. I commend the Senator highly for his work in this matter.

Mr. CURTIS. I thank the Senator from Mississippi.

Mr. STENNIS. I wish to add a word to what has been said with regard to the agricultural research program, in which utilization and unit cost feature have been emphasized. I point out that it is still true that the production of agricultural commodities needs to have continuing research programs, not especially at the present time for increasing yields, perhaps, but, as the chairman of the subcommittee pointed out a few minutes ago, for improving the quality of the products grown. As he stated, perhaps 90 percent of the wheat grown in States like North Dakota is grown from a species of seed which has been developed within the past 4 years through production research, although it was chiefly produced in order to obtain rust and disease resistance. These programs should be continued in order to improve production which will always have an important place in agriculture.

I regret that even though the chairman of the subcommittee offered an amendment and led the fight in the subcommittee for an increase in funds, the amount for agricultural research for State experiment stations in sustaining a 10-percent decrease under the budget estimate. Perhaps that is the largest decrease of any program of its kind which we have passed on to date.

This year Congress will be called upon to appropriate more than $4 billion for military research. The fact that that amount is appropriated for military research and development does not justify any particular figure for agricultural research, but it certainly proves that the Nation is able to provide the money.

One thing that can be said with reference to the decrease is that for 2 consecutive years there had been an appreciable increase in funds for agricultural research, and that an enlarged program has been put into effect. It is now a going concern. I hope the decrease now will not mean—and I do not feel it will mean—an abandonment of the program or that it will be curtailed in future years. I think the record ought to be made clear on that point now.

The same is true of the Extension Service, which is sustaining an appreciable decrease under the budget estimate, although the amount is being increased in the Senate version of the bill over the House version.

I hope that decrease does not indicate that we are to abandon the expanded program in any way. We have increased the Extension Service funds in recent years. It must be continued on a broader and broader scale each year; and I certainly hope the expansion of the program will be continued, as it is more justified.

Mr. RUSSELL. Mr. President, I wish to say that I have never known a more ardent supporter of the State research experiment stations and the Extension Service than the distinguished Senator from Mississippi. Regardless of whatever action the committee may take in the future in respect to these appropriations, I can assure the Senate that votes will be taken on motions which will be made by the distinguished Senator from Mississipi, and which I am quite confident I shall be able to support, to see to it that this very important work is properly maintained.

Mr. STENNIS. I thank the Senator from Georgia. I merely wanted the RECORD to show that there is strong sentiment for a continuation of the enlarged programs for both the Extension Service and for agricultural research.

ACREAGE RESERVE PHASE OF THE SOIL BANK

Mr. President, the acreage reserve phase of the soil-bank program is not

the correct approach to our basic agricultural problem. The farm program as a whole will rue the day it was forced into a system of awarding Federal payments for failing to plant or cultivate land. A full reappraisal of this program, and particularly its effect on farm income and its impacts on the local economy, is urgently needed. While the short-run money gains of this program are tempting, I believe that the farmers who continue to cultivate and improve their land will not only be better off in the long run, but will help out other segments of the local economy who are dependent on the land. These segments include tenants, renters, merchants, bankers, ginners, and other processors at the county and community level. While I will vote for funds to operate this program for another year at a reduced level, I shall do so only because no other program is now available as a substitute. I strongly believe that the acreage reserve should be systematically abolished.

The commitments of large acreages of land placed in the acreage-reserve program will encourage inefficiency, disrupt the balance of our local economy, and will in the end bring strong criticism of the agricultural program. A large part of the total budget request for the entire Department of Agriculture for fiscal year 1958 is for the acreage reserve; and even with this great expenditure to encourage idle acres, the Secretary of Agriculture has predicted that the acreage allotment for cotton in 1959 will be 3.5 million acres less than we have in the current year. This level of acreage would be far too low for economic survival of the cotton farmer and the cotton industry. This is clear admission on the part of the Department of Agriculture that the acreage-reserve program will not work and that it does not provide a sound approach to our basic problem.

The most serious threat of a program of this nature is that it encourages idle acres, without adequate safeguards for sound conservation measures, and in the final analysis it will tempt farmers to sell their homesteads. Land values are increasing, and will continue to become more valuable as population increases. Many rural communities at the present are experiencing widespread shifts in land ownership. Farms are getting fewer and larger; and as this pattern develops, local stores, banks, and merchants will feel the full impact of fewer customers. Special attention must be given to reappraising our present program with the objective of encouraging full utilization of all land from the standpoint of restoring fertility and increasing income. The acreage reserve program could make a much greater contribution to agriculture by using at least a part of the funds for meeting competition and stimulating expanded markets for agricultural products, and thereby increasing acres.

I shall vote for the appropriations for this program for 1958 with the full hope and belief that a substitute program will have to replace the acreage reserve after 1958.

CONSERVATION RESERVE PHASE OF THE SOIL BANK

The conservation reserve part of the soil bank is a more constructive measure, since it is an investment in terms of the future, and will give long-range benefits to each individual participating. This phase of the program, however, needs to reach more of our small and family-size farmers. It is these small landowners who have the most difficult problem of idle acres and erosion.

Mr. WILEY. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. EASTLAND in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. RUSSELL. I am delighted to yield to the Senator from Wisconsin.

Mr. WILEY. I wish to join the other Members of the Senate who have complimented the distinguished Senator from Georgia. I always listen with profit and with great interest to what he has to say, because he has a logical mind, and he always records the facts.

Mr. RUSSELL. Mr. President, the Senator from Wisconsin flatters me beyond my deserts; but I appreciate it, nevertheless.

Mr. WILEY. No, Mr. President, I do not flatter the Senator from Georgia; what I have said is the general consensus of all the other Members of the Senate. I am not in the habit of speaking carelessly or, as the saying is, "throwing bouquets." Instead, I am in the habit of stating facts.

Let me say, first, that I was interested in the discussion regarding research. I am satisfied that the answer lies in that direction. In Wisconsin, 18 billion pounds of milk are produced. In the Southland, oleomargarine has taken up to 50 percent or more of the spread market.

Mr. RUSSELL. I may say to the Senator from Wisconsin that the Southland is not responsible for all of that, because the soybean production in Illinois has also contributed largely to the production of oleomargarine.

Mr. WILEY. I agree. I was referring to oleomargarine only as an example. The increased use of oleomargarine has curtailed the market for butter and, consequently, the market for milk.

The Senator from Georgia remembers that last year I introduced a bill—and I expect to introduce a similar bill this year—providing for the establishment in Madison, Wis., which, after all, is the milk center of America, of a research laboratory. When I consider the miracles which have been accomplished regarding the utilization of corn, I realize that we have only touched the surface in the case of what can be done with the constituents of milk. For instance, I have a friend who makes what I regard as the most delicious candy made in the United States; and in making the candy, he uses, for 40 percent of the candy, processed cheese. It makes excellent candy, as I can testify, for I have eaten samples of it. That is only an indication of what can be done in utilizing the constituents of milk and their products.

The cow has been called the mother of the race; and I believe it obvious that from milk it is possible to obtain extremely important products which can be utilized in many ways. As a result, I believe it will be found that the farm income in the State of Wisconsin can be greatly increased; and in that case there would be no need for the Government to provide any form of direct or indirect subsidy.

I may say that many groups are experimenting in respect to the utilization of milk. Other industrial groups are experimenting with wheat, specifically.

Certainly a laboratory which would concentrate upon research on milk, should be established. If it is established, I believe the answer to the problem will be found.

In connection with the vast production of milk, which is increasing all over America, I think various matters must be considered. First, we must consider how to increase consumption.

The other day I read a newspaper account which stated that in the metropolitan area of Washington, D. C., 50,000 persons will receive food assistance. Think of that, Mr. President. However, the milk produced in Wisconsin cannot be shipped into Washington, D. C.; certain barriers prevent that. Therefore, increased consumption must be provided for, in the first place; and, in the second place, better distribution must be arranged; and, in the third place, utilization programs of the type we have been discussing must be provided.

The distinguished Senator from Minnesota addressed himself to a problem which is quite general, although it is particularly localized in Wisconsin. In the western part of Wisconsin, bordering the Mississippi River, there are hills; and on the farms in that area, great gullies are virtually stealing the top soil.

Previous appropriation bills have included a limitation of $1,500 on the amount which could be used for gully control. That program worked well when a dollar was worth a dollar. However, today a dollar is worth only fifty cents. Last year approximately 89 gully-control projects of that type in Wisconsin could not be commenced because of the $1,500 limitation. In 1955, Wisconsin returned to the fund $1,758,000; and in 1956, Wisconsin returned to the fund $750,000.

Recognizing the seriousness of the soil-erosion situation, the House of Representatives has voted—as stated by the Senator from Minnesota—a maximum limitation of $2,500. That will not cost the Government anything; but it will make possible the development of the 89 projects which are for the purpose of preventing the erosion of the top soil in the western part of Wisconsin into the Mississippi River and its tributaries.

Therefore, Mr. President, I hope the Senator from Georgia will give most earnest consideration to the provision voted by the House of Representatives.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement on this subject made by Representative JOHNSON. In his statement he quoted certain Wisconsin

officials. The statement appears on page 7018 of the CONGRESSIONAL RECORD of May 15. Representative JOHNSON described very fully the situation, and quoted from conservation officials in Wisconsin.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. JOHNSON. Mr. Chairman, I rise in opposition to the amendment striking out the figure $2,500, lowering the present limitation in the bill before us.

I am principally interested in seeing the limitation left as it is in the bill so that more work can be done on gully control structures in States with a topography like we have in western Wisconsin. The present limitation was established at a time when construction costs were considerably less than they are today. People active in this work in Wisconsin tell me that the limitation is blocking gully control work because of increased costs. An incomplete survey in Wisconsin shows that 89 projects for gully control were not started last year because, under the present limitation in the law, the Government could not enter into the construction beyond the $1,500 figure.

Many of the farms and hilly areas of western Wisconsin and other States with similar topography are unable to progress any further with soil conservation work unless the amount allowed for gully-dam construction is increased. The old $1,500 limitation accounts for the fact that many States are not using the total ACP appropriation. Wisconsin returned $1,758,000 in 1955, and the preliminary figure for the year 1956 shows that the State returned $750,000.

In speaking to people engaged in soil-conservation work, I was told that for a number of years it has been impossible for the State to proceed with major gully-control work because of this provision in the law. They told me that if this exception were not included in the law, they would be able to go into the various watersheds, do part of the gully-control work on individual farms and, when the total project came up for planning, the cost-benefit ratio would come out favorably and the project would be eligible for Federal assistance.

I believe every member of this committee is aware that, if this condition is permitted to exist, areas where the gullies have made such headway will be without value for future farming operations and we will have a country similar to China, where soil erosion was permitted to run rampant for centuries. The gullies I refer to in my district have made such headway that, even if the farmers follow the conservation practices set up for them, they are unable to retard these large gullies from making further advances through the valleys without doing special gully-control work.

Let me quote from letters I have received from Wisconsin soil-conservation leaders concerning the price limitation. The first statement is from Mr. Henry E. Graff, chairman of the Eau Claire County board, and Mr. Arthur Donaldson, chairman of the Eau Claire County agricultural committee:

"The $1,500 limitation per farm in the AC program has deferred the installation of large control structures. Construction costs have gone up to a point where the $1,500 limitation does not provide for equitable cost sharing on large structures. It is our understanding that sizable unexpended balances from the AC program have been returned. We believe it would be far better to encourage the structure program by raising the present limitation and using at least a portion of the unexpended balance for permanent structures."

I should also like to quote from the letter of a man engaged in soil-conservation work in western Wisconsin:

"You are familiar with the rugged terrain of this area. Many of our farms have large gullies on them. In order to prevent them from spreading, it is necessary to construct earthen and mechanical structures at their heads. This sometimes runs as high as $6,000 for a single gully. The average cost is probably close to $3,000. Most of the farmers in this 6 or 7 county area cannot financially afford to spend this much on these gullies. The agricultural-conservation program of the Agricultural Conservation and Stabilization Service of the Department of Agriculture helps share the cost of these practices. The law states that the Government will pay 75 percent of the cost of these structures. However, another section of the same law states that no farm may earn over $1,500 in any 1 year. In the case of gully control structures costing $3,000, the percentage immediately falls from 75 percent to 50 percent because of the $1,500 limitation. I understand that a change in the law requires an act of Congress. I feel that the $1,500 limitation should be removed in case of structures and the 75-percent limitation alone apply."

The Dunn County Soil Conservation District annual report for 1956 also recommends a change in the law, and I shall quote in part from it:

"We would like to make one recommendation for a change in the above-mentioned ACP. We have an estimated 150 large gullies in need of gully control structures. Many of these will cost the farmers from $3,500 to $5,500 to install. Under the present ACP the Government will reimburse the farmer 75 percent of the cost of gully-control works. This is fine, but Congress has imposed a maximum payment per farm of $1,500. Under this regulation the farmer is not able to recover anywhere near 75 percent of the cost. For the benefit of the gully-control program, we would like to see the $1,500 ceiling raised to $3,500 per farm for gully-control work only. Most of our farmers find themselves in a financial stress and are unable to spend necessary money to halt large gullies which are eating into valuable cropland and in some cases building sites. In most cases, these gullies are a threat to neighboring farms as well as to public highways."

In reply to an inquiry I made of a county agent to Wisconsin, I received the following statement:

"There is one item on which we might get more done, if the ASC aid was a little more realistic. The present incentive payments on erosion control structures put in by a farmer are 75 percent of the cost, with an upper limit of $1,500. In this area, the average cost of structures has been about $3,000, and a top of around $6,000, which means that the average man only gets about 50 percent of the cost back, and in the larger ones, they would get as little as 25 percent."

This situation is not confined exclusively to my district. I am told the same problems exist in Kentucky, eastern Iowa, parts of Missouri and Nebraska, and perhaps in many other States of which I am not aware. I believe the purpose of the restriction is to prevent a few large farms from receiving large grants under the ACP, and I am in favor of this purpose. However, I would like to see the language changed so that the limitation of $1,500 for individual farmers for doing gully-control work is raised to a figure compatible with current construction costs, or excepted entirely.

Mr. WILEY. Mr. President, if my colleagues will examine the statement I have just placed in the RECORD, they will realize that this situation must be met head-on, and that it will be possible to do so without costing more money.

Mr. RUSSELL. Mr. President, I can assure the distinguished Senator from Wisconsin that, if in the conference any sound reason for increasing the amount for this item is advanced, I shall approach it with an open mind. I am not adamant about the matter. The amount had been $1,500 for many years, and no evidence whatever as to why an increase should be made was presented by the representatives of the Department or by any other witness. In view of that fact, the committee decided to use the old figure, not having knowledge of the reasons which prompted the House to vote for an increase.

Coming from Georgia, I certainly believe in preserving the assets of the Nation. If our civilization is to endure as long as the Roman Empire endured, we must pay more attention than we have heretofore paid to the conservation of our soil. Every year, a smaller number of acres is required to support a person in the United States. I believe that at the present time 3.4 tillable acres are required for each person in the United States. With the population of our country increasing at the rate of approximately 7,000 a day, it is obvious that it is essential that all our fertile land must be conserved and protected.

Mr. WILEY. I thank the Senator from Georgia. It was for the reason I have stated that the House of Representatives voted the allowance of $2,500. As I have said, many of the projects cannot be completed under the smaller allowance; and in the last 2 years large amounts of money have been returned to the Treasury, as a result of the smaller allowance.

Knowing the situation as I do, I wish to state that an increase in this item would represent the type of statesmanship the Senator from Georgia always manifests.

Mr. RUSSELL. I thank the Senator from Wisconsin.

Mr. MONRONEY. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Georgia yield to the Senator from Oklahoma?

Mr. RUSSELL. I yield.

Mr. MONRONEY. I wish to congratulate the chairman of the subcommittee on the splendid job he has done on the Soil Conservation Service items and those relating to watershed protection in the case of the upstream dams. I appreciate very much the increase the committee has recommended, even though it is not quite so large as the one we wished for. Nevertheless, we realize that the budgetary pressures are very great.

Mr. RUSSELL. I may say that those 2 or 3 items are about the only ones in the bill which received the full amount of the budget estimates.

Mr. MONRONEY. I realize that, and we appreciate very much the fact that they were not cut.

In my State and elsewhere in the Southwest we have just experienced the most devastating floods in our history.

As the distinguished chairman of the subcommittee knows, our rivers have washed hundreds of thousands of tons of sand and silt onto the fertile bottom lands through which the rivers flow. From one end of the State to the other, there has been great flood damage. In the case of Oklahoma alone, more than $50 million of damage has been done. The farmers are desperate; they wonder whether there will be any way for them to rehabilitate their land and to get rid of the sand which covers the land and to remove the large trees and logs and debris which litter the fields.

I wish to ask the distinguished Senator from Georgia whether in agricultural legislation there is authority which will permit appropriations to be made later on, to help these farmers defray a part of the cost of putting their lands back into shape.

Mr. RUSSELL. I think there is no question that there is authority for that activity, because such assistance has very properly been given in times past, when disaster as a result of flood has stricken various areas. I hold in my hand the overall law. It pertains to disaster relief. It is certainly sufficiently broad to cover almost any conceivable restoration of land damaged because of flood.

Mr. MONRONEY. Does the Senator refer to Public Law 875?

Mr. RUSSELL. Yes.

Mr. MONRONEY. That law deals, however, primarily with public agencies and not with private ones.

Mr. RUSSELL. As I understand, that is the authority which is utilized for the transfer of funds which have been appropriated for the President's disaster relief fund to the Department of Agriculture, to carry on the specific work which the Senator has in mind.

Mr. MONRONEY. Under the Department of Agriculture rules relating to soil conservation and ACP, the funds can be used to rehabilitate the land and to restore its productive capacity. Is that correct?

Mr. RUSSELL. That is correct. That is my understanding.

Mr. MONRONEY. But the floods occurred too late to enable the situation to be taken care of in the present or current appropriation bill. There are no estimates from the Department of Agriculture, are there?

Mr. RUSSELL. There is no specific request in connection with the floods which have been mentioned. Not being able to get a budget estimate, naturally the committee did not go into the field to examine the situation. Unquestionably, it is a matter which should be dealt with. I am of the opinion that there will be at least one, if not two or three, supplemental appropriation bills. If there is not sufficient authorization at the present time, such an authorization can be taken care of in a supplemental appropriation bill. As one member of the Appropriations Committee, I shall certainly lend a very sympathetic ear to any presentation which the Senator from Oklahoma may make with regard to appropriations in this field.

Mr. MONRONEY. I appreciate that assurance, because the States of Oklahoma, Texas, Louisiana, Arkansas, and parts of Missouri and Kansas are in rather desperate shape as a result of the flood conditions that now exist.

In the third supplemental appropriation bill, a copy of report on which I hold in my hand, funds in the sum of $4 million are appropriated for the Department of Agriculture for this type of work; but I understand that all but $1½ million of that will have to be reimbursed to the President's fund. Then, in another place, a reimbursement of $11,500,000 is provided in the conference report, which will also be used to reimburse the President's disaster relief fund.

Mr. RUSSELL. If the funds can be reimbursed, there is no reason why we cannot reallocate the funds for disaster. I thought that was the purpose of disaster relief funds.

Mr. MONRONEY. I am glad to hear the Senator say that, because we shall desperately need some funds which will be available to agriculture through the President's disaster relief fund, which is now depleted. It will be replenished with money through the third supplemental appropriation bill. That money again needs to be applied to agriculture so that clearing of the land can take place.

Mr. RUSSELL. I hope the administration will take cognizance of this condition and submit a regular budget estimate for necessary relief as a result of the ravages of the flood. If that is not done, I hope the Committee on Appropriations will consider the matter. Whether it is necessary to replace the President's disaster relief fund or make a direct appropriation to the Department of Agriculture, I hope some steps will be taken to alleviate this condition, which is so disastrous to the farmers. I understand in the area of flood many farmers have not even planted crops. Perhaps they are better off than those who had planted crops, because those who had planted them lost their seed, fertilizer, and labor, and the land is now covered with logs and debris. If that is not a disaster, then I am unable to understand the implications of the word.

Mr. MONRONEY. It could become a permanent disaster unless the silt and debris is removed.

UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me so that I may propound a unanimous-consent request?

Mr. RUSSELL. I yield for that purpose.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that an order be entered that when proposed to the pending bill H. R. 7441, the Agricultural and Farm Credit Administration bill for the fiscal year 1958, debate on the amendment of the Senator from South Dakota [Mr. MUNDT] striking out, on page 28, beginning with the colon in line 17 down through the matter in line 20 and inserting a period, submitted for printing on June 10, 1957, and lettered "B," shall be limited to 1 hour, to be equally divided and controlled, respectively, by Mr. MUNDT and the majority leader: *Provided*, That no amendment that is not germane to the provisions of the matter proposed to be stricken out shall be in order.

In the event any other amendment is proposed, debate shall proceed under a like arrangement as to the division and control of time.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 1 hour, to be equally divided and controlled, respectively, by the majority and minority leaders.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. MUNDT. Mr. President, reserving the right to object, and I shall not object, I should like to have the majority leader give me his assurance that he will help me get a yea and nay vote on my amendment.

Mr. JOHNSON of Texas. I want to assure the Senator he will get a yea and nay vote. I do not want to assure him that I will help him get it. I have discussed it with the minority leader. The Senator will get a yea and nay vote on his amendment.

Mr. THYE. Mr. President, I just came from a committee meeting. Reserving the right to object, may I ask what the proposed agreement provides?

Mr. JOHNSON of Texas. One hour of debate on the amendment of the Senator from South Dakota, 30 minutes to a side; 1 hour on any other amendment, 30 minutes to a side; 1 hour on the bill, 30 minutes to a side.

Mr. CARLSON. Mr. President, reserving the right to object, am I to understand that the Senator from Texas has proposed a limitation of 30 minutes to a side on the Mundt amendment and a total of 1 hour on other amendments?

Mr. JOHNSON of Texas. It is the same on all amendments.

Mr. CARLSON. I shall not object to the unanimous consent request, but I think the Mundt amendment is a most important amendment so far as agriculture is concerned and so far as the conservation reserve program is concerned.

Mr. JOHNSON of Texas. I asked the Senator from South Dakota to suggest the amount of time he would like to have, and the consent request was formulated with his full knowledge and approval.

Mr. CARLSON. If the Senator from South Dakota is willing to accept it, I am, of course, willing to abide by his decision, but I think this is one of the most important amendments to the bill.

Mr. MUNDT. I agree with the Senator. I shall be glad to allocate some time to him, because I do not intend to take all the time that will be allotted to me.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas? If not, the unanimous-consent agreement is entered.

Mr. CARLSON. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield to the Senator from Kansas.

Mr. CARLSON. I did not wish to let this opportunity pass without paying tribute to the very distinguished and able Senator from Georgia. Agriculture is in good hands when he is in charge of bills pertaining to it. I share the views

expressed by the Senator from Mississippi [Mr. STENNIS] on the items having to do with agricultural research, experiment stations, and extension work. I know the chairman of the subcommittee has been as generous as he thinks he could be under the circumstances. I have listened to the debate this afternoon. I sincerely hope this is not the beginning of a program of reducing appropriations for these important agencies.

Mr. RUSSELL. I can assure the Senator that if there is any reduction in these appropriations, it will be over my vigorous protest.

Mr. CARLSON. That is the reason I said agriculture is in good hands.

Mr. RUSSELL. I appreciate the commendatory remarks of the Senator from Kansas.

Mr. CARLSON. I should like to ask one or two questions in order to obtain explanations. I have read the committee report. I notice about 3 pages are devoted to the soil and water conservation programs. Some of that I do not understand; and maybe that is expressing it mildly.

One question I should like to ask is, what has happened to the water facilities program under the bill, and what will happen to it.

Mr. RUSSELL. I will say to the distinguished Senator that the water facilities program is one of the few items in the bill which has received an increase over the appropriation for the current year. The appropriations for the watershed protection for the present fiscal year are $17.5 million. This bill, as presented to the Senate, carries $25.5 million.

There is a carryover of about $4½ million in that item, but the item received the full amount of the budget estimate, including an increase of some $8 million.

Mr. CARLSON. One of the things which concerned me, if I may say so, was the provision on page 6, which reads:

Provided further, That the unexpended balances of appropriations heretofore made for "Watershed protection," "Flood prevention," and "Water conservation and utilization projects" shall be merged with this appropriation.

Mr. RUSSELL. Permit me to say to the Senator that when this bill was considered in the other body they undertook to merge the appropriations for the agricultural conservation program, the old soil conservation program, the conservation reserve under the soil bank, the watershed program, the Soil Conservation Service, the small dam program, the Great Plains program—a total of budget activities for which budget estimates of $668½ million were submitted. In order to bring about a reduction in the bill, the House lumped them all together and made a lump sum appropriation of $535 million to meet budget estimates of $668½ million.

The Department, be it said to its credit, did not wish to merge the appropriations, which would certainly diminish the ability of the Congress to keep in contact with the programs, by doing away with line item appropriations. We restored the separation of these appropriations and made a specific appropriation for each activity.

In the bill the Senator will find language following the precedents of the past, which make line item appropriations instead of lump-sum appropriations.

I wish to be perfectly frank. We had great good luck. The funds which were estimated for the soil conservation reserve were not all used. I think that was primarily due to the fact that the acreage reserve was given greater priority, and more emphasis was placed upon it. There was about $100 million which was not needed to meet the payments under the conservation reserve program, and by virtue of that fact we were able to allow the full amount of the budget estimates, including the soil conservation service, the pilot plant projects, the conservation districts, and other activities.

Mr. CARLSON. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. CARLSON. I wish to state I sincerely hope that the views of the Senate committee, which I trust will be the views of the Senate, prevail in the conference. I think it is most important that we keep these appropriations separate and tied to their individual programs.

Mr. RUSSELL. There is no way the Congress can possibly control the programs, and determine which program should be expanded and which program should be diminished, unless we have line item appropriations, where they are separated. If we lump them all together we transfer any authority we might exercise to the Department of Agriculture.

Mr. CARLSON. Yes. I wish to say I appreciate very much the views of the chairman on this item. I know of no program which is more important to the great Midwest than the control of water at the source. It affects conservation and the growth of that section industrially and agriculturally, through holding back a volume of water which can be used for beneficial purposes. I sincerely hope that the funds will be sufficient to carry on that fine program.

Mr. RUSSELL. I believe the funds will be adequate. As I stated, there was a carryover. All the funds were not used, and we have a carryover for the present year, although the program is increasing and is popular.

The Senator did not refer to the amount of flood damage which was eliminated by carrying on this program where the water arises.

Mr. CARLSON. I appreciate the Senator's comment.

Mr. THYE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the distinguished Senator from Minnesota.

Mr. THYE. Mr. President, I wish to commend the distinguished Sentor from Georgia, the chairman of the Agriculture Subcommittee of the Committee on Appriations. As a member of the Senate Committee on Appropriations, I am quite familiar with the amount of detailed hearing work that was involved in developing the information which enabled this bill to be brought to the Senate floor.

There are several phases of this appropriation bill which are most constructive. One of the programs for which the bill provides is the rural-development program. That promises a great deal of future benefit to the areas of the Nation where farm income is at a minimum.

I know in northern Minnesota, in the cut over area, this program is being developed, and it holds promise of increasing income and making it possible for the farmers to stay on the small farms in that part of the State. That is true also of northern Wisconsin and Michigan, as well as some of the Southern States.

Another desirable feature, of course, is the restoration of funds for the acreage-reserve program of the soil bank. It would have been a serious mistake if the Senate had not reinstated those funds, because we did not have a history of complete operation for a full year under the acreage-reserve program. If any program will reduce farm surpluses and also conserve the fertility of our land, it is the soil-bank program with its conservation and acreage-reserve aspects.

The able and distinguished chairman of the subcommittee, the Senator from Georgia [Mr. RUSSELL], did a very successful job in piloting that provision of the appropriation bill through the Appropriations Committee.

There was one other phase of the appropriation bill with which I was disappointed, and that was the restriction of $7.50 per acre under the conservation phase of the soil bank. I think that is a mistake. I do not believe we have a sufficient history so that we can justly criticize the Department of Agriculture in its administrative handling of the conservation reserve phase of our soil-bank program. With this restriction being imposed, it appears as though we are criticizing the Department. It appears as though we are restricting its future operations.

I hope the amendment offered by the distinguished Senator from South Dakota [Mr. MUNDT] will prevail. That will remove the restriction.

Other than that restriction, Mr. President, I would say that this is a very good agricultural appropriation bill. It promises to continue the administrative functions of Public Law 480 in disposing of our surplus agricultural commodities and products.

Those two phases, the soil bank and Public Law 480, represent the only certainty that the farm economy is going to be improved in the future. Those two phases of this appropriation bill hold out hope for agriculture that they will bring the agricultural economy into balance with the rest of the Nation's economy, which is at an all-time high.

Again I commend the distinguished Senator from Georgia for his most constructive and able chairmanship of the subcommittee which handled the agricultural appropriation bill.

Mr. RUSSELL. I am very grateful to the distinguished Senator for his kind

comment, and for the very fine assistance he always renders as a member of the Appropriations Committee.

Mr. NEUBERGER. Mr. President, I wish to comment comparatively briefly on the bill.

First, I have been favorably impressed with the adroitness and knowledge with which the chairman of the subcommittee has handled the rather difficult and complicated questions that have been addressed to him.

I was particularly interested in the discussion earlier today, when the distinguished senior Senator from Indiana [Mr. CAPEHART] was raising the question of additional funds for the use of agricultural products for industrial purposes. This particular issue reminded me of a letter which had been sent back in February to the senior Senator from Oregon [Mr. MORSE], a copy of which was sent to me, by one of the most distinguished educators and agricultural economists in my State. I refer to Dr. A. L. Strand, president of Oregon State College.

In this letter Dr. Strand emphasized the fact that the increased use of agricultural products for industrial purposes can, in many instances, be a mirage, and that it can actually divert us from the need for increased research, by which the farmer's methods can be made more effective, and as a result of which agricultural products can be used for their primary purpose, which is to feed the people of our Nation and some of the rest of the world.

I should like to include in the RECORD, if I may, because this subject was discussed earlier today, the letter which came to the senior Senator from Oregon and myself in February 1957, from the very eminent educator and agricultural expert to whom I have referred, Dr. A. L. Strand, president of Oregon State College. This should be of real interest to my colleagues.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OREGON STATE COLLEGE,
Corvallis, Oreg., February 12, 1957.

Senator WAYNE MORSE,
Washington, D. C.

DEAR SENATOR MORSE: I'm glad your name is not on CAPEHART's Senate bill 724 to establish "an Industrial Agricultural Products Administration."

The expenditures of the Federal Government are high enough, without running another $100 million into a blind alley each year.

How many times does it have to be demonstrated that farmers are not going to profit from the industrial use of agricultural products? Alcohol from potatoes, corn, etc., is uneconomic. Alcohol can be made so cheaply from sugar wastes that this established method can drive any other method out of the market unless it has a subsidy. Does this administration intend to go into subsidies to promote the use of agricultural products? The scientific truth that stands in the way of any large success of this bill is that carbon-hydrogen-oxygen chains are available to industry through cheap and constantly available nonagricultural materials (coal, petroleum). Through my association with the Quaker Oats Co. for 25 years, I observed the development of furfural which is used in the dewaxing of automotive fuels, the manufacture of nylon, etc. At first it was made from oat hulls. That worked for a while, as long as oat hulls were worth only $2.50 per ton for fuel. When oat hulls came into demand for livestock feeds they were worth fifteen to twenty dollars per ton. The return through furfural was about $8 or $8.50. And so the company turned to cottonseed hulls and finally to corncobs, which are the basic material now. But the farmers never got a cent more for their oats or corn on account of furfural. That was not because of any unfairness on the part of the manufacturer; he just can't pay more. The gathering of corncobs requires some labor, and this throws some money into agricultural communities, but not much.

If this proposed new agency is established, exempt from civil service, it will rob the USDA and our institutions of scientific personnel who are producing now. Such a raid at this time would be very unfortunate for even a good cause, but to raid us to launch a dead duck.

This is a Wallingford promoters' bill to fool the farmers and make them believe something great is being done for them. Remember the starch promoters who took in the Grange in Washington and would have nicked Oregon, too, if our organization hadn't stopped it.

Sincerely,

A. L. STRAND,
President.

Mr. NEUBERGER. Mr. President, I understand that the 1958 budget estimates for the Department of Agriculture included $34,003,708 for the subappropriation "Payments to States, Hawaii, Alaska, and Puerto Rico," an increase of $4,500,000 over the current appropriation of $29,503,708. However, the House bill disallowed this increase, but $1 million has been restored by the Senate Appropriations Committee.

The budget increase was recommended in order, first, to meet rising costs of research under this appropriation; and second, initiate new projects and expand some already under way. The fields of research covered by the proposed increase are crop production, plant diseases and insects, animal production, animal diseases and parasites, water use and conservation, soils and fertilizers, agricultural economics, farm mechanization and structures, marketing and utilization, home economics, and forest crop production. The various States have a heavy backlog of urgent requests for research on State and local problems in these fields.

Present research on many major problems facing the American farmer are not adequate to meet his needs or to arrive at a solution at an early date. Because of differing climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing of crops and livestock which can best be solved by the States, or cooperatively by two or more interested States. Such research is supplementary to the national and regional interests of the Department of Agriculture. To foster research between these two interdependent groups, Federal-grant funds have been appropriated for many years. Under this program the States provide about three times the amount of funds provided by Federal grants. While the majority of grant funds must be matched by States, most of them more than match the Federal portion.

If there is no increase in the appropriation, it will not only be impossible to conduct the additional research which is needed, but rising costs of research will necessitate a reduction in research at State agriculture experiment stations from present levels.

The great importance of agriculture research has been emphasized in letters and telegrams I have received from Oregon in recent days and weeks. In a letter, F. L. Ballard, associate director of extension at Oregon State College, Corvallis, Oreg., explains that State and local interests are increasing their contributions to research.

Industry for example, is increasing its investment in research every year. A letter from F. E. Price, dean and director of Agriculture at Oregon State College, addressed to each member of the Oregon delegation, contains a table from the April 27 issue of Business Week. I ask unanimous consent, Mr. President, to have that letter included in the CONGRESSIONAL RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OREGON STATE COLLEGE,
Corvallis, Oreg., May 13, 1957.

OREGON DELEGATION,
United States Senate, House of Representatives, Washington, D. C.

MRS. GREEN AND GENTLEMEN: When I read the following table as regards research spending by private industry, I thought of Oregon's delegation who are confronted with the question of supporting or not supporting additional Federal funds for agricultural research. The following figures, taken from the April 27 issue of Business Week, indicate that United States private industry plans to boost its spending on research by 50 percent in the next 4 years. You will also note that they have made a substantial increase in 1957 over 1956:

Research spending aims at $9,000,000,000 a year by 1960

[Millions of dollars]

	1956	1957	1960 planned
Primary metals	97.9	109.6	145.8
Machinery	506.2	577.1	704.1
Electrical equipment	1,148.9	1,309.7	1,637.1
Aircraft and parts	1,557.8	2,274.4	3,161.4
Fabricated metal products and ordnance	165.2	173.5	209.9
Professional and scientific instruments	252.1	300.0	453.0
Chemicals and allied products	497.8	527.7	617.4
Paper and allied products	42.8	47.9	57.5
Rubber products	73.1	81.9	95.0
Stone, clay, and glass	58.5	66.1	80.6
Petroleum products	204.8	225.3	277.1
Food and kindred products	76.0	85.1	96.2
Textile mill products and apparel	33.8	36.5	42.3
Other manufacturing	1,071.2	1,156.9	1,272.6
All manufacturing	5,786.1	6,971.7	8,850.0
Nonmanufacturing industries	310.4	347.1	418.8
All industries	6,093.5	7,318.8	9,268.7

Source: Base statistics (1953), National Science Foundation.

We have many problems relating to production efficiency and methods of reducing costs of production which can only be undertaken when additional funds are available, as we are working on as many of these as we can with present funds. In behalf of Oregon agriculture, I hope that you will see fit to support appropriations for additional agricultural research.

Very truly yours,

F. E. PRICE,
Dean and Director of Agriculture.

Mr. NEUBERGER. Mr. President, the Oregon Potato Council in a recent wire warned of new potato diseases of a serious nature and still unnamed which threaten the yield and quality.

In certain sections of Oregon the growing of bulbs is an important phase of our agriculture. A letter from Mr. Carl A. DuBosh, president of the bulb growers, stresses the need for research of they are to meet competition from the bulb industry of Holland.

Lyle W. Hammack, who is a prominent figure in the Oregon dairy industry, writes:

Most certainly the tax burden on business today is really becoming a problem. However, Dick, it seems to me unwise to cut appropriations that are designed for research that does ultimately produce new wealth in economy.

Phil Farrel, president of the Oregon Seed Growers League, emphasizes the same thought in saying:

This organization believes that in economy moves we should make a distinction between money that will increase our income, and money that, once spent, is gone forever.

His letter tells of a study of wild bees, important for the pollinization of seed crops, which may languish because the cut in the budget request will deny the $1,500 matching funds they require. This is a small investment in an Oregon agriculture industry whose sales last year were in excess of $20 million.

Roy Stevenson, president of the Oregon Weed Conference, has added his organization's support for greater investments for research. He writes that "weed control is the biggest production problem confronting the American farmer," and he explains that their effective work depends on the testing program carried on by the local experiment stations assisted by Federal Research funds.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks several illuminating telegrams which I have received from leaders in agriculture in my State.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

KLAMATH FALLS, OREG., *June 7, 1957.*
Hon. RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Request that you do everything possible to restore to the budget the recommended funds for support for agricultural research work at the land-grant colleges. This is necessary to forestall a curtailment of agricultural experimental work which is of great value to our agricultural development.

Respectfully yours,
KLAMATH COUNTY COURT.
C. MACK, *County Judge.*
E. W. GOWEN, *Commissioner.*
JERRY RAJNUS, *Commissioner.*

KLAMATH FALLS, OREG., *June 10, 1957.*
Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

Urgently request restoration of $4½ million in current budget for agricultural research vitally important to the future welfare of our farmers.

FRANK G. HOWARD,
President, Klamath Basin Water Users Protective Association.

NYSSA, OREG., *June 10, 1957.*
Senator RICHARD NEUBERGER,
Senate Office Building,
Washington, D. C.:

We strongly urge restoration of $4 million for agricultural research. Our agricultural economy is more dependent now that ever before on research.

PAUL HOUSE,
President, Oregon Reclamation Congress.

Mr. NEUBERGER. Mr. President, the research committee of the National Association of Wheat Growers in a report given by the committee chairman, Floyd Root, of Wasco, Oreg., on the occasion of their annual meeting in Lincoln, Nebr., this past February, included the following significant paragraph:

This committee recognized that major improvement in the status of agricultural research in general, and of wheat research in particular, has been largely due to the combined efforts of several commodity groups interested in effecting increased appropriations for such research. Therefore, this committee recommends that the NAWG continue and expand its efforts toward increased total appropriations for agricultural research with full recognition for the research needs of other segments of agriculture.

I have made these references to the thinking of Oregon agricultural leaders, Mr. President, to indicate that representative opinion in Oregon approves a more generous support of agriculture research. The wisdom of such an investment is confirmed in messages from those so closely identified with the industry.

Mr. President, I should like to ask several brief questions of the able chairman of the subcommittee.

I am sure the chairman realizes that some States do not benefit as much as do other States from the various price-support and soil-bank programs of the Department of Agriculture and of the Congress. I happen to help represent a State which, with the sole exception of the wheat crop in eastern Oregon, raises very few agricultural commodities which come under the price-support umbrella, or are included within the various phases of the soil-bank program. If I am not mistaken, as of Decemeber 31, 1956, farmers in our State have received only $170,000 under the soil-bank program, which the chairman realizes is a very small sum.

Mr. RUSSELL. It is my understanding that the soil-bank program, particularly the conservation reserve phase of it, is open to States without regard to the type of agriculture within any State.

Mr. NEUBERGER. That is true.

Mr. RUSSELL. The degree of participation varies greatly, but some States receive practically nothing. In the State of Nevada I believe there was perhaps one contract.

Mr. NEUBERGER. It so happens that comparatively small farm acreages, with crops of a diversified nature, have at least not lent themselves to the various aspects of the soil-bank program.

Mr. RUSSELL. The Senator is correct; and they will not share in the most remunerative part of it, namely, the acreage reserve program, because that is limited to the basic commodities.

Mr. NEUBERGER. That is correct. I am sure the distinguished chairman of the subcommittee, whose knowledge and experience in this field are far greater than mine, will agree that there are certain States which, because of the general structure of their agricultural economy—that is to say, comparatively small farm acreages with crops of a highly diversified nature—have not thus far adapted themselves to the price-support program or to the soil-bank program.

Mr. RUSSELL. That is certainly true; and, of course, the acreage reserve program has been peculiarly applicable to the corn areas. Up until now they have received the lion's share of the fund, and will do so this year.

Mr. NEUBERGER. Corn is king under the acreage reserve program.

Mr. RUSSELL. There is no question about it.

Mr. NEUBERGER. I know that the chairman of the subcommittee realizes that there is absolutely no criticism of him implicit in anything I have said.

Mr. RUSSELL. I must disclaim any responsibility for the basic legislation creating the soil-bank program.

Mr. NEUBERGER. I realize that.

Mr. RUSSELL. Members of the Congress generally labored for many weeks undertaking to get an agricultural program across that was wise. Despite all the inherent difficulties involved in trying to reconcile the basic crops as well as the areas to which the Senator from Oregon refers, we finally did get a bill; but the President dashed the work of art on which we had labored for so many months to the floor and crushed it with one stroke of the pen.

Then we were confronted with the problem of the soil bank or nothing. I took the soil bank rather than nothing. Otherwise I saw no advantages whatever in the program.

Mr. NEUBERGER. I am aware of the emergency circumstances which confronted the leaders in the Senate and in the House when the soil bank program came before them, after the President had vetoed the original farm bill.

The meat of the coconut is this: I am sure the chairman of the subcommittee realizes that in many States, which have been outside the major farm programs, one of the few direct ways in which agriculture can benefit is from research carried on at the college experiment stations and elsewhere. I know that the chairman of the subcommittee has been a supporter of these research activities, but he is likewise aware of the concern which has been felt throughout many farm States because of the cut in research appropriations.

Mr. RUSSELL. Let us keep the record straight. There has been no cut in research appropriations. The bill before us, as reported from the committee, would appropriate more money for State experiment research stations than has ever been appropriated in the history of the United States. We did not allow the full amount of the budget estimate. There has been an increase of 133 percent in appropriations for State experiment research stations during the past 5 years, or since 1952. I am not satisfied with the appropriation in the bill, but there is no reduction. We could not get the full amount of the budget estimate.

Mr. NEUBERGER. There are certain necessary programs which had been contemplated, and which, because of the size of the appropriation, however much it may be, still will have to be curtailed to some extent, in view of the plans which have been made previously. The full budget recommendation has not been granted. The telegrams which the senior Senator from Oregon and I have received have so indicated.

Mr. RUSSELL. Any plan which was based upon the full budget estimate might be somewhat curtailed.

Mr. NEUBERGER. The only assurance I seek from the chairman of the subcommittee—if it is compatible with his own ideas to give it—is that there is no thought now, and there will be no thought in the future, that these important research programs undertaken by the Department of Agriculture through the experiment stations and in other ways, are to be diminished or curtailed substantially in any way.

Mr. RUSSELL. Certainly the Senator from Georgia would stand on his feet in the Senate, and fight as long as he could stand, against any reduction in this program. There is ofttimes a difference as to the amount by which it is possible to increase them. This happens to be a year of austerity with reference to the national budget. Under ordinary circumstances there is not great difficulty in securing appropriations for the Extension Service and for the State experiment stations. We have been very successful, particularly in the Senate, with respect to that field of endeavor. We have been privileged to allow very large increases during recent years.

Certainly no cutback has been effected that I know of, or that is contemplated at all. I hope that come next year we may move forward with accelerated speed. However, this year is not the most advantageous year to ask to move forward in this field. That is my judgment.

Mr. NEUBERGER. I desire to thank the Senator for his assurances. I again wish to emphasize that I agreed with him completely when he expressed some reservations and doubts about the appropriation of vast sums of money for industrial uses of farm products.

I believe, however, that we should concentrate to a great degree in trying to increase the efficiency of our farms and the efficiency of our agricultural production, and to increase the use of those commodities for food purposes.

Mr. RUSSELL. If we cannot do something to bring about a reduction in the unit cost of production of all farm commodities, as well as obtain other uses for farm products, the American farmer is on the way of the dodo.

Mr. NEUBERGER. Certainly so far as the family-size farm is concerned.

Mr. RUSSELL. Yes; I have in mind the family-size farm. We will eventually have these great corporate farms that will be able to operate. After we have eliminated the family-size farms there will be the large farms, or corporate-size farms, which will be able to operate and expand with the increase in our population. However, the family-size farm has already diminished in numbers in many areas of our country. If that trend continues, the family-size farmer will be eliminated.

Mr. NEUBERGER. If that happens, the family-size farm will be replaced by an impersonal enterprise, almost as impersonal as the Soviet type collective farm.

Mr. RUSSELL. I cannot think of anything which would be more calculated to impair the spiritual and physical strength of the country than the elimination of the farm boy on the individual size farm, with his home on the land. If we ever degenerate to a corporate agricultural system, and if that is all we will have, we will have eliminated something from this country that has contributed more than any other single factor to the upbuilding.

Mr. NEUBERGER. I could not concur more completely with the Senator from Georgia. In my own State already there is a saying in rural areas that there are only two ways of getting a farm. One way is to inherit a farm, and the other is to marry a farm. Most people familiar with the situation know that it is now virtually impossible in the State of Oregon, at least, for a young man to borrow money and incur a debt and to put a mortgage on the land, and have any success in being able to pay off the mortgage and eventually owning his farm outright. That is regarded as being virtually impossible today in the rural areas of my State.

Mrs. Neuberger's family happen to be dairy farmers. My mother-in-law has often told me that if the farm had not been in their family for many years, and if they did not own the farm outright, they could not possibly run it today, if they had to pay off a debt on the farm, in view of the price squeeze that they have been subjected to and the other difficulties that they must face today. Therefore they could not possibly, under such conditions, pay the interest or the principal on any debt on that farm, and still continue to retain their property. This is not a healthy situation. The family-sized farm has been the backbone of rural America. If that institution cannot successfully survive, our country will suffer. That is why I have emphasized the economic difficulties faced by Mrs. Neuberger's family on their farm in the Northwest.

Mr. RUSSELL. That situation may be more acute with respect to dairy farms, because that is a rather expensive method of farming. But I believe generally speaking it applies across the board.

Mr. NEUBERGER. That is becoming increasingly true, and it is very unfortunate. I again wish to thank the Senator for his patience and tolerance, in answering my inquiries.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. SYMINGTON. I congratulate the distinguished Senator from Georgia on the most comprehensive and intelligent bill he has brought to the floor of the Senate.

Mr. RUSSELL. I thank the Senator.

Mr. SYMINGTON. The Senator from Missouri would ask 1 or 2 questions. Does the able Senator believe the bill is primarily a bill in favor of the family-size farm; and therefore an effort to maintain that size farm as a part of the American way of life?

Mr. RUSSELL. The Senator from Missouri, as a distinguished member of the Committee on Agriculture and Forestry, knows that the bill contains appropriations to implement policies which are prescribed by law or by the Department of Agriculture. There are some phases of the bill which tend to preserve the family-size farm. I refer particularly to the Farmers' Home Administration and the Rural Electrification Administration, and some of the loan programs. However, by and large, the policies which are now being followed, generally speaking, are in my opinion completely destructive of the family-size farm. There is nothing we can do about it in an appropriation bill. It is a matter of policy.

Mr. SYMINGTON. Knowing the distinguished Senator's firm belief in the value of the family-size farm, may I ask if he believes that to the greatest extent possible this appropriation bill recognizes the importance of preserving the family-size farm?

Mr. RUSSELL. Insofar as the items that benefit the family-size farm are concerned, I have always given them priority, and I have done so this time in this bill, and the committee has done it consistently.

Mr. SYMINGTON. I thank the Senator. Inasmuch as there has been some criticism expressed in my State that the bill does not recognize the family-size farm, I am very glad to have the distinguished Senator say that to the best of his ability he has sought to give it recognition in the pending bill.

Mr. RUSSELL. Taking it as a general proposition, we know that a good law poorly administered is not so effective as a bad law well administered. This concerns a question of national policy. The basic policies must be changed if the family-size farm is to be able to survive in this world of concentration.

Mr. SYMINGTON. May I again express complete approval of what the distinguished Senator has stated, because during the years I have been in the Senate what has worried me as much as the farm policies of this administration has been the administration of those policies, in such matters as administration drought relief and administration of the county committees.

Whatever the future holds for the family-size farm—and we have now lost over a half million farm families, and over 2 million farmers, in the past 4 years—I know that the distinguished Senator from Georgia agrees that the future of these farmers depends almost as much on the administration of the policies as it does on the policies themselves.

Mr. RUSSELL. The loss to which the Senator has referred is one of the great tragedies of our era.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. COOPER. I should like to join other Senators in expressing apprecia-

tion for the work done by the senior Senator from Georgia in maintaining through this bill our agricultural programs.

Mr. RUSSELL. I thank the Senator, but I must say that I am not entitled to all this credit. I have a very able and outstanding committee, and I am merely the vehicle that undertakes to express their views.

Mr. COOPER. There has been a great deal said in the course of the debate about the small family-size farm.

I am very much interested in the rural development program—among other programs of the Department of Agriculture—because it is related to preserving the life of many small farms. I might say to the Senator that my State is in many respects similar to his State. I hope he will accept the fact of similarity of our agricultural programs.

Mr. RUSSELL. There is no question about the fact that both of us have, unfortunately, areas in our States where the income of our agriculture has been far below the average level.

Mr. COOPER. The Senator knows that in many of the counties of our States the farmers do not get much help from price-support programs, although they are protected by them, and must be protected by them. Also, many of them are not able to purchase or use the modern machinery that large farms use. Also, they are far from cities, and consequently there is not much opportunity for part-time employment by farmers.

There are three pilot projects in my State that have done outstanding work. They serve adjoining counties and in fact, our State. There is a great deal of enthusiasm about the possibilities of this program. I know the Senator has studied the program, and I should like to ask him some question about it. I should like to ask him whether he believes the total of appropriations will adequately support the future of the program.

Mr. RUSSELL. The Senator realizes, of course, that this is a rural development program, which could prove to be of great significance. It has not yet operated long enough for me to say that it is a solution for the low-income counties, but certainly it is worthy of trial. Some of the officials in the Department of Agriculture have been greatly interested in it and have promoted it as vigorously as they possibly could. The bill does not allow all that was asked for the rural development program, but it does carry almost the full amount.

Mr. COOPER. The report states that the amount has been increased by $1,764,000, but it is not clear whether for rural development or for the entire extension service.

Mr. RUSSELL. No; that is for the whole Extension Service. As I recall, the Department expected to allocate about $1,300,000 to the rural development program from a total budget estimate of about $5 million. So the committee provided that the Department could spend up to $500,000 of the $1,764,000 increase which was allowed. As a matter of fact, the rural development program got half of the actual increase.

Seven hundred and sixty thousand dollars of that money was necessary to avoid a net loss in the State Extension Service, so we allowed half of the net increase granted to the Extension Service for the rural development program.

Mr. COOPER. In the report, on page 3, I find this language:

> Not to exceed $500,000 of the increase of $1,764,000 may be expended for rural development work in States which heretofore have had no rural development program.

I understand the concern of the committee to extend the program to States which have not had the program started; but does the Senator from Georgia interpret the language to mean that this is mandatory?

Mr. RUSSELL. No; I do not. The language is:

> Not to exceed $500,000 of the increase of $1,764,000 may be expended for rural development work in States which heretofore have had no rural development program.

In the way the provision was finally worded, I do not think it is a limitation at all, although, frankly, it was proposed as a limitation. Some members of the committee raised the issue that their States did not have any rural development counties designated. My State had two such counties designated. I did not wish to seem selfish and seem to try to get more money for my State when other States did not have any. So the provision was really intended as a limitation, but I do not think, upon reading it, that it accomplishes that purpose.

Mr. COOPER. I take it, then, that the Senator's judgment is that the language could be interpreted as being a flag to the Department of Agriculture to look around, to see if it is possible to initiate new projects, but not to cripple existing programs.

Mr. RUSSELL. I interpret the language to mean that before the Department actually reinforces the work in States which have rural development programs, they shall inaugurate it in States which do not have it but which wish to have it. I understand that some 20 States have the program now, and it is proposed to install it in 25.

Certainly there is no desire on my own part to start it in more counties in my State until other States, which have had no opportunity to share in the program, have had that opportunity.

Mr. COOPER. But the committee does not mean that the work which has been started in States shall be cut back?

Mr. RUSSELL. Oh, no. This is not a cutback. Whether or not it is a limitation, the language applies only to the increase.

Information has come to me since the report was prepared that the Department does not approve of this. They say they want about $250,000 with which to go into States that have heretofore had no activity, but they want to spend some money in other States.

I can assure the Senator from Kentucky that in the conference with the other body it will be necessary, before this item shall ever be agreed to at all, to undertake to make certain that the matter is clarified so that the rural development program may secure the maximum benefit from this appropriation.

Mr. COOPER. I thank the Senator from Georgia.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. HOLLAND. I may say, first, that I appreciate the frankness and also the fairness of the Senator from Georgia. My State is one which as yet does not have any rural development program in operation, but programs for two counties, the counties of Suwannee and Calhoun, have been planned and will be set up in fiscal 1958 under the decision of the committee, as was so ably explained by the Senator from Georgia.

We have no desire to preclude other States which already have rural development programs from continuing with those programs; and if the new money provided is more than adequate to meet the needs to establish programs in States which do not yet have programs, we, of course, would expect it to be used for all States alike, wherever it was needed. But we certainly feel that States which have yet felt no benefit from the program should come first. I am certain the Senator from Kentucky will agree that that is the fair and proper way to approach the program.

Mr. RUSSELL. I may say, as a matter of legislative history, for whatever it may be worth, that it was the unanimous opinion of the Committee on Appropriations that in the allocation of the increased appropriation, when and if it be secured, priority should be given to those States which heretofore had not shared in the rural development program. That was the opinion of the committee, as I understood it. But it was not intended to the exclusion of improving the program in States which now have it.

However, if it comes to the issue of giving the money to States which do not have it or expending it in States which do have it, the committee intended that priority be given to States which did not have the program.

Mr. HOLLAND. I thank the Senator. I think that approach is fair. I am certain that every Senator will agree that States which are large agricultural States, and which have not had any beginning of the program, though it is needed in some of their counties, should at least have the chance to share in it before there is expansion in States which already have the program and have profited from it in their own limits.

Mr. COOPER. I appreciate the fairness of the statements of both the Senator from Florida and the Senator from Georgia. There is another problem involved. I can understand the feeling of the people of a State needing this program, and that it should be initiated. On the other hand, I think it is worth while to point out that there are a few agricultural States in the Union which have much higher levels of agricultural development and larger incomes than others. I call back to mind the purpose of the act. It is not to divide the money

among the States, but to reach and assist needed areas, wherever they may be.

Mr. RUSSELL. That undoubtedly was the purpose of the program when it was instituted in the Department of Agriculture. I do not think it is contemplated to institute the program in some of the States.

Mr. HOLLAND. I certainly understand and agree with the philosophy of the Senator from Kentucky that the program was not to be used where it is not needed. A large part of Florida, the peninsula part of the State, is prosperous in its agricultural operations. Certainly we would not expect any program of this kind to be placed there. But that part of our State which is producing basic agricultural commodities, and frequently in very small amounts per farm, has felt the difficulties which are generally present now in areas which produce staple commodities.

Two of our counties have been chosen for these particular programs. We certainly would not expect any portion of our State which is in a prosperous condition agriculturally to be favored by having one of these programs located there.

I certainly think we are all at one on this. We want the program to be established where it is needed; we want it to work when it is established; and we want it to be established this coming year, in the first instance, in areas which have not had the benefit of it but which do have a crying need for it.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. REVERCOMB. I have listened with great interest to the discussion concerning rural development. I am drawn into the discussion by the fact that the State which I represent, in part, is very much interested in the program. Several of the pilot counties are located in West Virginia.

I do not draw from the discussion that because of the language any preference would be given to the States which have not already proceeded with the rural development programs. That would be based, as originally intended, upon the need of the locality and where the program could best be worked out.

I wish to ask the able Senator from Georgia to state the total proposed appropriation for rural development.

Mr. RUSSELL. Of course the Senator from West Virginia knows that this is an intensive program, not a nationwide program.

Mr. REVERCOMB. I understand.

Mr. RUSSELL. At the present time I believe it applies to only approximately 57 counties, of the more than 3,000 counties in the United States.

Mr. REVERCOMB. Yes; they are called pilot counties, as I recall.

Mr. RUSSELL. That is correct.

The appropriation for the current year is $2,061,000. The appropriation proposed for next year is approximately $2,900,000.

Mr. REVERCOMB. How do those appropriations compare with those in prior years?

Mr. RUSSELL. If the bill as reported by our committee to the Senate is enacted, there will be an increase of approximately $850,000 in the appropriation for the rural development program.

Mr. REVERCOMB. I thank the Senator from Georgia.

Mr. RUSSELL. That is an approximate figure; I have estimated it.

Mr. LAUSCHE. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I am glad to yield to the Senator from Ohio.

Mr. LAUSCHE. I have listened with great interest to the distinguished Senator from Georgia, who has said that the present farm program of the Federal Government is destructive of the small farmers of the Nation.

Mr. RUSSELL. Mr. President, I said I thought the whole trend has been one which is destructive of the small farmers. There is no doubt in my mind that we are in an age of bigness. That is causing the increase in the tempo of business. Industrial plants are becoming larger. That trend is found in all fields of activity in the Nation, and undoubtedly there is a trend toward elimination of the small farmers. All the available statistics show that is the case.

Mr. LAUSCHE. I share the apprehension of the Senator from Georgia about the impact on our society of elimination of the small farmer. My concern is that the programs thus far evolved help the big man, not the little man.

Mr. RUSSELL. I share the Senator's view.

Mr. LAUSCHE. Am I correct in understanding that, despite the repeated statements which have been made, the present soil-bank program is not working in the way expected? I understand that the bill as reported to the Senate contemplates implementing the soil bank with the funds which will be needed.

Mr. RUSSELL. Yes; within limits. Of course, for this year there is no limitation on the amount which any one producer can receive from the soil bank. I think the largest payment made was approximately $61,000, and there were a number about that size. But under the terms of the pending bill, as reported to the Senate, there is a limitation of $5,000 on the amount which any one producer can receive. That limitation is proposed because we propose that the total amount be reduced. Therefore, we propose the limitation, in order to assure that all the smaller producers will be able to participate in the program.

Mr. LAUSCHE. Yes. Does the plan undertaken by the bill, as reported by the Senate committee, differ from the plan sponsored and approved by the House of Representatives, in the case of the soil bank?

Mr. RUSSELL. The House voted to eliminate the soil bank for the fiscal year 1958, and proposed that there be no soil-bank provision.

Mr. LAUSCHE. I suppose the House did so on the basis of the statement made by the sponsor of the soil bank, the Secretary of Agriculture, and on the basis of the general experience; namely, that the soil bank is not workable and is not producing the results contemplated.

Mr. RUSSELL. I wish to say that most of that must be an estimate. The only crop in connection with which the soil bank has received any real trial, and for which we could obtain figures for consideration, has been corn. Although a very large amount of money was spent on the soil-bank program in the commercial corn area, the largest crop of corn in history was produced. From that point of view, the soil-bank program failed. But the weather conditions, and so forth, were exceedingly good.

This year we shall have a real test as to whether the soil-bank program will reduce production—which was the purpose—and yet will enable the farmer to have an income similar to the one he would have had if his regular crop had been produced. In my own view, the soil-bank program cannot be truly effective, because if a man places in the soil bank some of the acreage he normally uses for production, the tendency will be for him to improve—by means of the use of more or better fertilizer and by other means—the production on the acreage remaining to him; and, as a result, his production per acre will be increased.

So, on balance, I doubt that the program will produce the desired reduction of production, unless there are 1 or 2 bad crop years.

Mr. LAUSCHE. Then am I correct in understanding that the House has voted to eliminate completely the soil-bank program, insofar as the fiscal year 1958 is concerned?

Mr. RUSSELL. That is correct.

Mr. LAUSCHE. On the other hand, I understand that the recommendation of the Senate Subcommittee on Agricultural Appropriations is that, within certain limits, the soil-bank program be continued.

Mr. RUSSELL. We voted to direct the Department not to engage in a program exceeding $500 million for 1958. In other words, we would authorize a program of that magnitude. The House version of the bill includes language providing that there be no soil-bank program in 1958. The bill as reported by the Senate Committee on Agriculture provides that there may be a soil-bank program of not to exceed $500 million. The basic authorization was $750 million. So, the effect of the recommendation of the Senate committee is to cut $250 million from the authorization.

Mr. LAUSCHE. Let me ask the Senator from Georgia to state his opinion regarding the reason why the soil-bank program should be continued, if it has not worked well, at least in the first year.

Mr. RUSSELL. As I stated a while ago, a year's experience has been had only with corn produced in the commercial corn area.

I am not wedded to the soil bank. I am supporting the authorization included in the bill as reported to the Senate, for the year 1958, because I hope it will be a means of taking care of some small, individual farmers during that year, until the Congress can enact another farm bill. The soil-bank program has not worked out altogether well in

my own State this year. I know that many farmers have left their farms, and I know that has frequently been because of the soil-bank program. In some of the small rural communities, the business interests are suffering. When a farmer puts into the soil bank some of the land he owns, the Government compensates him very fairly. But the result is to slow down the volume of business activity in the small rural communities.

However, the soil-bank program is the only program we have in this field. I say in all frankness to the Senator from Ohio that I am far from enthusiastic about this program. I am supporting it only because it is the only program we have for the farmer for the year 1958.

Mr. LAUSCHE. Does the $5,000 limitation on the payments reflect itself in the $250 million reduction?

Mr. RUSSELL. No; not really to that extent. This year the program is for approximately $614 million. So as much as could be reflected in that way would be approximately $100 million.

Mr. LAUSCHE. Then, am I correct in understanding that the view of the Senator from Georgia regarding the soil-bank program is that it does not work well?

Mr. RUSSELL. I think it would be fairer to say that it is my judgment that it is not going to work well this year, because it has not been applied to wheat and cotton until this year, and no man can say for certain how it will work for them. It certainly did not work in the case of corn last year. In my opinion it will not be too effective in the case of wheat and cotton this year, although I may be mistaken. I have been mistaken many times in my life. I do not say it cannot work; I say it has not worked thus far.

Mr. LAUSCHE. But the House of Representatives has stated, in effect, that the soil-bank program has not worked, and the House has voted that the entire soil-bank program be eliminated; is that correct?

Mr. RUSSELL. The House of Representatives voted to eliminate the program completely. I hope the Senate will take a record vote on this item.

Mr. LAUSCHE. Is there to be a record vote on it?

Mr. RUSSELL. This is an item in the bill as reported to the Senate.

Mr. LAUSCHE. I thank the Senator from Georgia very much indeed.

Mr. MUNDT. Mr. President, I call up my amendment identified as amendment B.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 28, beginning with the colon in line 17, it is proposed to strike out all down through line 20, and insert in lieu thereof a period.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota.

The Chair would like to remind the Senator at this point that the unanimous consent which the Senate has agreed to is now in effect.

Mr. DIRKSEN. Mr. President, will the Senator yield for the purpose of my suggesting the absence of a quorum?

Mr. JOHNSON of Texas. With the understanding that the time for it be taken from both sides.

The PRESIDING OFFICER. Is there objection?

Mr. MUNDT. With the understanding that it not be charged to either side.

Mr. JOHNSON of Texas. It will not be charged against the Senator's amendment; it will be charged against the bill. We have additional time on the bill.

The PRESIDING OFFICER. With that understanding, the Clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection it is so ordered.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. How much time was consumed on the quorum call?

The PRESIDING OFFICER. Six minutes.

The Senator from South Dakota has the floor.

Mr. MUNDT. Mr. President, we are operating under a unanimous consent agreement which allows 30 minutes to a side, so I ask the Chair to advise me when I have consumed 10 minutes.

My amendment, Senators, simply strikes from the bill an amendment suggested by the committee which is new, novel, and untried insofar as the conservation reserve feature of the legislation is concerned.

At the present time the bill operates against two fixed factors, the amount of money which is available, which in this bill is $350 million, and the further fixed limitation that no individual, no corporation, or no farmer shall get over $5,000 in payments from the conservation reserve phase of the soil bank.

The committee amendment, which was adopted by our committee by a vote of 8 to 11, provides a new limitation of $7.50 per acre as a national average. I opposed that limitation amendment in the committee. The amendment I now have before the Senate will repeal that unfortunate action taken by the committee.

I should like to point out, first of all, that there is not a single Senator in the Chamber who knows exactly how that committee provision is going to affect the farmers of his State, because not a single word of testimony has been taken in hearings on the subject. Nobody testified for it. Nobody testified against it. The Department of Agriculture representatives were not consulted. This is a step in a direction which, in my opinion, will make this program largely inoperative in 37 States of the Union—States like Michigan, Ohio, Illinois, Washington, Oregon, Missouri, Indiana, and New York, where the land values and the productivity are relatively high, because it eliminates consideration of the proximity of the land to an urban area, or the productivity of the ground, or the type of product raised on the soil, and arbitrarily establishes a $7.50 national average.

That is the first reason why I think the Senate of the United States should decline and refuse to gamble with the prosperity of the farmers of the States of the Union by enacting legislation of this kind, on which not a single word of testimony has been recorded and which could virtually black out entirely farmers of certain States and producers of certain products.

In the second place, I point out that the provision creates a completely unworkable, impossible administrative monstrosity, because when three constant factors are added together—the $350 million which is available, the $5,000 limitation, and then the newly proposed $7.50 per acre national limitation—I ask Senators to put themselves in the place of the person administering it. It would confound a Solomon and perplex a Plato.

The Administrator could not possibly sign up the farmers who come in from the South, the North, or the West—the farmers who would say, "How much will I get for my conservation reserve?" He would have to say to them, "We cannot tell you, until every last farmer in America, from every State and county, has applied, because we have to meet a legislative mandate and strike a $7.50 average."

Consequently it would be impossible for the farmer to come into the county office, negotiate with the county committee, and receive for the land the conservation reserve payments per acre to which he would be entitled on the basis of the productive record and economic factors involved. He would have to wait until all farmers from every area had made application since only then could the national average be determined.

The third reason we should reject this proposal, Mr. President, is that not a single nickel of economy is involved in it. We are all agreed that $350 million should be spent for the conservation reserve program, not mentioning how we are going to divide up the $350 million. Our committee was unanimous about that. Who is going to get it? That is the question. Is it going to be made available only to farmers in those States which have the cheap land, the arid land, the eroded land, where the farmers can come within the $7.50 limitation, or will it be made available to farmers all over the country? The Senator from Idaho, for example, comes from a State where there is irrigated land. Not a single acre of irrigated land could come in under this program, at $7.50 an acre as a national average.

May I point out that at the present time only one State in the Union operates with a $7 average. That is the State of Nevada. How many people were there who signed up at the $7 average in Nevada? One. One farmer signed up for a conservation reserve at a $7 average.

When we extend that to $7.50 and make it a national average we will reduce the efficiency of the program and the scope of the program, and limit it to farmers in areas where the land lacks productivity.

Mr. CURTIS. Mr. President, will the Senator yield to me?

Mr. MUNDT. I am happy to yield, briefly.

Mr. CURTIS. I thank the distinguished Senator.

The soil bank does call for considerable money. I think it is a question of how long it could be carried on financially. But so long as it is to be operated, its purpose is to reduce or lower production.

Mr. MUNDT. The Senator is correct.

Mr. CURTIS. We cannot do that by taking out of production the poor and unproductive land. If we are going materially to affect production, we will have to take out the high producing acres. We cannot do that for a minimum payment.

Mr. MUNDT. The Senator is exactly correct. It would reduce the dividends the country as a whole would receive materially from the soil bank by limiting the application of this program to the unproductive land, as the Senator from Nebraska has pointed out.

Let me point out something else to the Senate. This $7.50 provision creates a great inequality, because it means that the people who signed up for contracts in 1956 or 1957 will continue to be paid at whatever average they happened to sign up for with the local committees. However, those people signing up in 1958 and the years ahead will have to arbitrarily comply with the $7.50 national average. We will have all kinds of controversies and all kinds of confusion, with farmers within a single county being paid different amounts for the very same practices and the same type of soil. Part of them will be paid, by accident—of calendar date—having signed up earlier—the kind of payment to which they are entitled, and the other part will receive, by action of the committee, payments scaled down to meet the $7.50 national average. Where is there either logic or justice in such a program?

I will further point out that at the present time the Department of Agriculture has set up as a guidepost for itself a proposed national average of $10.11 per acre, but it is not bound by the action of Congress. That is not a legislative mandate. If the Department should find on the average that it has paid $12 or $13, or $8.44, as was actually the case this year, they can continue to increase the amounts that are offered to the people in the counties, until they can attract the land necessary for the conservation reserve, just so long as they come within the broad mandates of Congress, pay no more than $5,000 to any farmer, and expend no more than $350 million from the standpoint of the total amount.

I should like to invite the attention of Senators to page 8590 of the RECORD of yesterday, the RECORD for June 10, 1957. There Senators will observe a chart, which shows how this would affect each State and each area. There it is pointed out how the law operates at the present time. It is pointed out that the average annual payment per acre on signed contracts in almost every case—all but one, incidentally—is lower than the approved annual payment rate per acre. They are lower, because in every State there are some nondiverted acres, which are included in the contracts farmers make. The nondiverted acres are acres not planted in cropland. These are paid only 30 percent of the regular rental rate. If the $7.50 is cut down to 30 percent, it is a very small amount.

The PRESIDING OFFICER. The time the Senator from South Dakota has yielded to himself has expired.

Mr. MUNDT. I yield myself 3 additional minutes.

It is said, and rightly said, that if we adopt the $7.50 national average, that would not mean we could not put the rate up in some county and reduce it elsewhere, correspondingly. That is true, but certainly every time we offer one farmer $10 per acre to retire his land in the conservation reserve, some other farmer has to be offered, and has to accept, $5 per acre. If we offer a farmer more than $10 per acre, then some other farmer must be cut down below $5.

It has been demonstrated from the RECORD that in Nevada, which is probably not the plushiest and most productive agricultural State in the Union, where they tried to operate with a $7 average per acre, one lone Nevada farmer walked up to a county some place and signed up in the conservation reserve—one, and one only.

I say we are entitled to give this program a fair trial. We are entitled to give the administrator a chance to operate and make the program available, so that it can reduce the number of acres, provide fertility, and bank it ahead for the years to come.

Mr. President, I ask unanimous consent, at this point in my remarks, to have printed in the RECORD a carbon copy of a letter dated June 11, 1957, sent by Mr. Earl L. Butz, acting secretary, to the chairman of the subcommittee, the distinguished Senator from Georgia, the Honorable RICHARD RUSSELL, which explains some of the reasoning stated by the Department of Agriculture. I read one sentence:

> We are greatly disturbed lest the $7.50 national average rate be so low as to nullify the entire program.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 11, 1957.

Hon. RICHARD RUSSELL,
United States Senate.

DEAR SENATOR RUSSELL: There are two features of the USDA appropriation bill as reported from your committee which disturb the Department seriously. This letter is written so that you may be advised of these danger points before final action is taken in the Senate. Your assistance in bringing about the changes noted is respectfully requested.

1. We appreciate very much your committee's action in raising the conservation acreage limit to $350 million. We feel that this action indicates an awareness of the need for more realistic limits, but we are greatly disturbed lest the $7.50 national average rate be so low as to nullify the entire program.

It is entirely unrealistic to have an authorization of $350 million and a $7.50 national rate. This would appear to contemplate the establishment of a 1957–58 goal of between twenty and thirty million acres ($7.50 rental rate plus the cover practices, divided into the $350 million) in contrast to the actual achievement of less than 7 million in 1956–57 with the $10.11 rate.

If we could acquire no more than 6¾ million acres toward a goal of 20 million at $10.11, it seems hardly reasonable to expect any appreciable amount with the sharply reduced figure of $7.50.

We strongly feel that this national average figure should be increased.

2. The 1957 acreage reserve program of the soil bank was based upon the authority contained in the original act of $750 million, but it resulted in a commitment of only $600 million. The administrative difficulty of operating a voluntary program such as the acreage reserve does not permit the utilization of the maximum funds available. It is therefore obvious that limiting the expenditures to $500 million would allow the actual utilization of a total figure considerably lower than that.

The administration has always taken the position that the acreage reserve program is a temporary measure, designed to bring about a sharp reduction of acreage over a short period of time. If the goal is to spend $500 million in this endeavor, then obviously in a voluntary program, the authorized ceiling must be set at a considerably higher figure. If, however, the goal is to bring about the greatest possible acreage reduction under the provision of the law, then there should be no ceiling at all, and every farmer should be given a full opportunity to share in the program if he chooses. You have seen the disappointment in the faces of farmers in your State who were turned away—and you were quick to endorse our efforts to see that all were given an opportunity to participate.

We feel that these two changes are so vital to the goals of both your committee and the Department that we respectfully solicit your support in the Senate as these measures are considered.

Sincerely yours,

EARL L. BUTZ,
Acting Secretary.

Mr. MUNDT. I do not believe that the Senate capriciously, without a word of testimony, wishes to scrap and scuttle the soil bank, or to jeopardize it to the point of nullifying the entire program.

I also ask unanimous consent, Mr. President, to have printed in the RECORD some comments on charges that the soil-bank program attracts nonfarm people to purchase farmland and place it in conservation reserve which I have had prepared because a study has been made of that, and there is no evidence that that has become in any sense a national nuisance or weakness in the program.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

COMMENTS ON CHARGES THAT SOIL-BANK PROGRAM ATTRACTS NONFARM PEOPLE TO PURCHASE FARMLAND AND PLACE IT IN CONSERVATION RESERVE

Several news and feature stories recently have charged that land has been purchased by nonfarm interests, placed in the conservation reserve, and that the annual payments during the life of the conservation reserve contract pay a large portion of the purchase price. The following facts relate to these charges.

In our free society nonfarm people are not only free to purchase land from farmers

with or without a soil-bank program, but this has been done increasingly since World War I. There is little evidence to show that such purchases in 1957 ultimately are followed by conservation reserve contracts to any greater extent than land purchased and operated by active farmers. In fact, there is some evidence to the contrary.

The Department was authorized to commit up to $450 million for the 1956 conservation reserve program and the same amount for the 1957 program. Of the $900 million authorized by Congress only $124,186,000 were obligated through the April 15, 1957, closing date for signing 1957 conservation reserve contracts. If rates offered by the Department were as attractive to nonfarm people as has sometimes been charged it would seem that the programs would have resulted in the obligation of a greater percentage of the amount authorized by Congress.

Participation in the conservation reserve has been lowest near large population centers of nonfarm people and highest in strictly rural regions. For example, no conservation reserve contracts were signed in Westchester, Rockland, or Nassau Counties in New York; in Fairfield County, Conn.; or in Bergen, Passaic, Hudson, or Essex Counties, N. J., which surround New York City. Similarly, no contracts were signed in Middlesex and Norfolk Counties adjoining Boston, Mass.; only 1 contract was signed in the county in which Pittsburgh is located; 3 contracts were signed in the county of which Cleveland, Ohio, is the county seat; none were signed in the counties in which Cincinnati, St. Louis, and San Francisco are located; only 11 contracts were signed in the county of which Detroit is the county seat; Dallas County, Tex., has only 1 contract; and Los Angeles County, Calif., has only 9 contracts. In contrast to these statistics, several counties in rural up-State New York have from 100 to 162 contracts; several agricultural counties in Ohio have nearly 100 contracts; while the farming areas of Texas frequently have from 100 to over 300 contracts per county.

The attached table shows the relative unpopularity of the conservation reserve program close to urban centers:

Conservation reserve program: Contracts signed through Apr. 15, 1957, in specified metropolitan areas

City	County in which located		Contracts in all adjoining counties
	Name	Number contracts[1]	
Boston	Suffolk	None	None
New York City	Various	None	None
Philadelphia	Philadelphia	None	29
Pittsburgh	Allegheny	1	100
Cleveland	Cuyahoga	3	103
Cincinnati	Hamilton	None	67
Detroit	Wayne	11	147
Indianapolis	Marion	3	25
Chicago	Cook	5	51
St. Louis	St. Louis	None	4
New Orleans	Orleans	None	None
Houston	Harris	11	17
San Francisco	San Francisco	None	4
Los Angeles	Los Angeles	9	9
Total, 14 metropolitan areas		43	556

[1] The average number of contracts for all counties in the United States, both rural and urban, is 28.

Prepared by: CSS, Soil Bank Division, June 3, 1957.

Mr. MUNDT. I yield back any remaining time.

Mr. THYE. Mr. President, will the Senator yield for 2 minutes?

Mr. MUNDT. I yield 2 minutes to the distinguished Senator from Minnesota.

Mr. THYE. Mr. President, the distinguished Senator from South Dakota [Mr. MUNDT] has stated the question so clearly and so well that there is nothing which can be added. I wish to say that I fully concur with his remarks.

I am a member of the Appropriations Committee. I endeavored to prevent the $7.50 ceiling being placed upon the conservation reserve program of the soil bank. I believe it will have the effect of defeating the program.

We have endeavored to encourage participation under the conservation reserve aspect of the soil bank, because it is soil building, and it will take out of production many acres of land.

These are long-term contracts. This is a 3-year or more program. Therefore, this will be a soil building program over the years, and will preserve the fertility of the land. I think the limitation would be a very serious mistake, and that it would have the effect of destroying one aspect of the soil bank program which Congress enacted only a year ago.

We have no actual history of the administrative functioning, to determine whether it is advisable to continue this program in the future. I most strongly urge my colleagues to defeat this provision in the conservation reserve aspect of the soil bank by the adoption of the amendment offered by the Senator from South Dakota [Mr. MUNDT].

If there is any additional time, I yield the time back.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. THYE. I yield, if I have any time left.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUNDT. I yield an additional minute to the Senator from Minnesota to answer the question of the Senator from Kentucky.

Mr. COOPER. I have before me a statement which indicates that last year about 7 million acres went into the conservation reserve program, at an average payment, as the Senator from South Dakota has said, of $8.84 an acre. Does the Senator believe that reducing the average annual payment to $7.50 would bring about the results which the soil bank program is designed to accomplish? Would it bring into the soil bank program sufficient acreage to cover the $350 million?

Mr. THYE. It would not. We had hoped, when we enacted the soil bank law, that 20 million acres would come under the conservation provision of the soil bank. We did not succeed in obtaining that large an acreage in contracts last year, and we have not succeeded so far this year. For that reason, if we reduce the amount per acre, we can be certain that a lesser number of acres will come in under contract, and that there will be fewer participants in the program.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CARLSON. Mr. President, will the Senator from South Dakota yield me some time?

Mr. MUNDT. I believe that the time available to me is almost exhausted. I suggest that the proponents of the committee amendment have time.

Mr. RUSSELL. Mr. President, I have had no requests for time. I intend to take about 10 or 12 minutes on this amendment, as the proponent of the committee amendment. I think I am entitled to do so at the conclusion of the debate. I have received no requests for time from any other Senator. I doubt very much if I shall require more than half the time available to me.

Mr. MUNDT. I yield 2 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I rise in support of the amendment offered by the Senator from South Dakota. I firmly believe that if the committee provision is retained in the bill and becomes law, we may just as well save $350 million of the Federal taxpayers' money. I cannot conceive how the program would ever function under the committee proposal.

The only way to appraise a farm program is to try to understand how it actually works on the farm. In Kansas last year we were paying $10 an acre for soil conservation acreage reserve land. In 1958, if the committee provision prevails, we shall be paying $7.50 an acre.

It is reasonable to assume that about 1 million acres of marginal land were taken out of production. Most marginal land was taken out at $10 an acre. How could we expect a farmer in our State who lives on land adjoining land which was taken out of production last year for $10 an acre, to take his land out at $7.50? I contend that the restriction would completely destroy the program.

I believe that this program offers a great opportunity. I think it is the best part of the soil-bank program. I agree with the chairman of the subcommittee with regard to the soil-bank program as a whole. I do not have very much faith in the acreage reserve program, but I have great faith in the conservation reserve feature of the program.

If we had paid $6.50, or if we had had a $7.50 limitation last year, and then increased it to $10 for this year, we would have rendered a real service to soil conservation, and the program would have worked.

I would sincerely regret to see the limitation in the committee amendment approved. I hope the amendment of the Senator from South Dakota will prevail. There are millions of acres of marginal land which should be put back into grass. We have an opportunity to have it put back into grass, if we adopt the amendment of the Senator from South Dakota. If we adopt the committee amendment, I think it will be the end of the soil-conservation reserve program.

Mr. HUMPHREY. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. Mr. President, may I inquire how much time I have?

The PRESIDING OFFICER. The Senator from South Dakota has 13 minutes remaining. The opponents of the amendment have 30 minutes.

Mr. RUSSELL. I shall be glad to yield to the distinguished Senator 3 minutes, even if he wishes to employ it for purposes of subversion.

Mr. MUNDT. I appreciate that.

Mr. HUMPHREY. The Senator is very generous.

Mr. MUNDT. I yield 2 minutes from the time of the proponents of my amendment.

Mr. HUMPHREY. I am very grateful to the Senator from Georgia.

Mr. RUSSELL. The Senator is about to attack the position of the committee. If he does not wish to use the 3 minutes——

Mr. HUMPHREY. I am most grateful.

The PRESIDING OFFICER. It is the understanding of the Chair that 3 minutes have been allocated from the time of the opponents of the Mundt amendment, and 2 minutes from the time of the proponents, or a total of 5 minutes.

Mr. HUMPHREY. Mr. President, in the 2 minutes allowed me by the proponents of the pending amendment, I wish to make 1 or 2 observations.

It is understandable that in a program as new as the conservation reserve program there may be some abuses. It is also understandable that it requires a certain period of time to arrive at fair rental prices, in terms of not only the fair rental rate, but a rate which will act as an incentive to gaining compliance or participation in the program.

There was established, as a national goal for the conservation reserve program, some 20 million acres to be removed from production. The going rate was about $10.11 an acre. That rate of $10.11 an acre as a national average produced less than 7 million acres of farmer participation.

I happen to believe that the conservation reserve program merits continued national support.

The acreage reserve program is of an emergency, temporary nature, designed to remove a great many acres from production under the price support program, in order to reduce immediately the surpluses which had accumulated under the farm program.

The conservation reserve program is designed to conserve land, to take out of production marginal land, to reforest land, and to put some land that was in production back into grass. It was designed as a real soil bank for the years to come.

It has had a very weak start at $10.11 an acre for a national average; and I submit that to reduce the price to $7.50 would only weaken the program further. As a matter of fact, there is evidence that it would be wise to have a higher figure than even the present national average of $10.11 an acre, in order to encourage participation by the farmers who own the land.

One complaint which has been made is that a great deal of land has been taken out of production by nonfarmer owners. I suppose there are some nonfarmer owners who have bought up land and have put the land under contract with the conservation reserve. I have no doubt that there is plenty of that, to start with. But the Department was authorized to commit about $450 million a year for 2 years, 1956 and 1957. Of that amount of $900 million, which has been authorized by Congress, only $124,186,000 has been obligated, through April 15, 1957.

If the business people, the insurance interests, and the nonfarm people had been abusing this program, there would have been considerably more obligated than $124,186,000. If the rates being offered by the Department of Agriculture today were excessive, we can rest assured that the nonfarming investors would have been utilizing this program to a much greater extent than they have done to date.

I hope the amendment of the Senator from South Dakota will be adopted. I believe there is little or no dispute about the fact that we should change the present situation, and there is much that would indicate that we should continue to develop some history under this program, so as to provide for its effectiveness.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MUNDT. We are ready to vote if there is no further debate. Does the Senator from Minnesota yield back the remainder of his time?

The PRESIDING OFFICER. The Senator from Minnesota has no time to yield back. His time has expired.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement on the pending subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I was gratified to see that the Senate Committee on Appropriations has recommended restoring funds for operation of the acreage reserve program of the soil bank in 1958, to a total of $350 million. An impartial appraisal of the value of this program must necessarily await the results of the 1957 operations. The results in terms of reducing surplus production may not then appear to justify the cost. But this program was also designed by the Congress to protect and increase farm income, and should not be abandoned until we have something better to take its place.

"Don't be an in-and-outer" is time-tested advice for any farmer considering his individual operations—and is sound counsel for those charged with responsibility for our national farm programs as well. It may be that the continuing examination of this and our other farm programs, both by the Congress and by the Department of Agriculture, will point to helpful modifications which can be made to improve and build on this program in the year of grace provided by this authorization.

SOIL BANK—CONSERVATION RESERVE

On the other hand, I oppose the committee's recommendations regarding the conservation reserve. Appropriating an additional $100 million for this work will be an idle gesture if limitations are imposed so that only a fraction of the $350 million now in the Senate bill can be used. A national average rental payment of $7.50 per acre is just such a restriction which will tend to defeat the program.

Last year, the average payment in Kentucky was $8.57 per acre and in the Nation $8.84. It is hard to believe that an average of $7.50 per acre will attract more farmers. Even in Kentucky, $7.50 per acre will attract only the least-productive land—and very little of that. It would do little or nothing to decrease crop production, which is one purpose of the program.

The conservation reserve, it seems to me, is the part of the soil bank of greatest long-range value. It is the part which can contribute positively to our deposit of national wealth as it builds value back into the soil and onto the land. It has been subject to comparatively little controversy, and has met with general satisfaction, as farm programs go. Although off to a more modest beginning than the acreage reserve, it appears to lend itself to improvement as experience is gained with the possibilities it offers. We should make that improvement possible instead of hamstringing this program.

The conservation reserve best lives up to the soil bank name. It pays dividends to the farmer, and to the Nation, in the form of increased soil fertility, enhanced land values, improved conservation practices. In this way, it builds for the future in addition to helping adjust past and present problems of surplus production.

I urge the Senate to consider carefully what the effect of this proposed per-acre limitation on conservation reserve payments will be—in terms of the possibly disastrous effect on the conservation reserve, and in terms of yet another off-again, on-again farm program.

If the Department of Agriculture is to carry out the responsibilities with which it is charged for operating an effective conservation reserve, it surely should be given the necessary discretion in setting these rates. For myself, I believe an average rate at least as high as last year's national average of $10 an acre is needed to obtain greatest benefit from, and wider participation in, this worthwhile program, but at least it should not be cut to $7.50. The limitation of a total payment of $5,000 to one individual protects against abuse.

I would like to mention here that several ways in which an effective conservation reserve may contribute substantially toward solving what have been persistent and difficult farm problems—provided it is not crippled by unrealistic or arbitrary limitations. First, it directly attacks the troublesome problem of diverted acres—which has been a source of very great difficulty in connection with our wheat, cotton, and rice programs.

Second, it makes a positive contribution for the future, in improved individual farmlands and in our basic national resource, as I have mentioned. For farmers themselves, and for the Nation, it provides a "nest egg" which may prove of great value in future years. In this, it is in the best traditions of our long-established soil- and water-conservation programs.

Third, when entire farms are put into the soil bank in this way, there is no longer a problem of increased yield on these reduced acres. As my colleagues well know, this continuing problem is in large measure responsible for the difficulty in which we find our farm programs today—both in our price-support programs and in the acreage reserve. Quantitative controls may provide an answer to smaller and smaller allotments for some commodities, but meanwhile we should not ignore the new advance made on this front so far—in the conservation reserve.

Fourth, it provides a continuing, stable program, with contracts of 3, 5, and 10 years' duration. As a longer-range program, and compared to the attention received by the acreage reserve, the conservation reserve is developing more slowly, and, I believe, more soundly. It can continue to develop in usefulness if rental payments can be set at the levels necessary to make the program work.

Finally, the conservation reserve promises (through the farm-pond practices) to help stabilize our water tables, to keep runoff at the headwaters of our watersheds, to conserve moisture on the hills and steeper slopes being planted to trees and reseeded to grass. It is a most important element in our reforestation program. I believe the conservation reserve will be effective in helping attain these desirable and long-established goals. In future years we may well look back on the conservation-reserve program of the soil bank as a central, valuable part of our various farm programs—reaching out in many directions to assist in solving our manifold farm problems.

I therefore urge the Senate to sustain the full amount recommended by the committee, but to eliminate the $7.50 limitation which would nullify the effectiveness of this program.

Mr. RUSSELL. Mr. President, as a friend of and a firm believer in the conservation reserve program, I rise to support the committee amendment. The amendment was not in its present form when it was originally adopted by the subcommittee, and a great deal of the argument and material offered here today in opposition to the amendment is not applicable, because it applies to the original amendment, which limited the payments within the States to an average of $7. The amendment as now written limits the average over the Nation to $7.50.

I will not bore the Senate, or those Members of the Senate who are present, with reading the formula which was devised by the Department of Agriculture for the application of the program. I have undertaken to look into this program and I can assure the Senate that the committee amendment will permit payments per acre at as great a rate as those which have been made within any State, although it will compel a national reduction, on the average, of about $1.34 an acre for the rental payments.

In my opinion, such a reduction is not only justifiable, but is desirable. We are dealing now with a program that can last for 10 years. When $1 is committed for rental payment, it means that on the 10-year contract the dollar must be paid 10 times.

Therefore, when we talk about this $350 million program, we must bear in mind the fact that we are dealing in terms of billions of dollars and not millions of dollars, because it could run to $3½ billion.

I believe in this program, but, in my opinion, if Congress does not adopt an amendment which will bring about a reduction in some of the payments which are being made, and put a stop to some of the things which are being done under this program, we will have ample cause to regret it.

Senators will have cause to regret it because they will be criticized for committing the Treasury of the United States to payments of this nature over such a long period of time, when they are not justified. Senators who are really interested in farm legislation will face a reaction in the form of a revulsion of public sentiment, which will come about when all the things that are being done under this program are revealed.

I realize that the purpose is to take land out of production. However, how are Senators going to justify paying $1,062 for building a fishpond and then paying the farmer $11 an acre for 10 years for the land that is covered by the water in the fishpond?

That is an extreme case, but it is a case that has happened already under this program.

When the columnists start to write about it, they will not write about the hundred meritorious cases, but they will write about something like that. The result will be to condemn the new farm legislation, and to raise an issue against every Senator who does not show some interest in at least trying to bring about some modification of this program.

The committee amendment does not affect the practice payments, some of which range as high as $88.74 an acre. For the planting of trees, a farmer gets $88.74 an acre as a practice payment. He will get an average rental payment for 10 years, and he will wind up getting more than $200 from the Government for improving 1 acre of his own land, and after that he still retains the land.

Senators may be able to justify such a condition if they wish to do so. I think we ought to put up a little sign reading, "Bring this down." The $1.24-an-acre reduction on the rental payments will not hurt the program. It will help the program.

I know the Department of Agriculture is opposing the committee amendment. There has never been any commission on agriculture that did not believe its formula to be sacrosanct, and did not believe itself to be omniscient.

I read to the Senate the formula the Department has used. I have not been able to understand it completely. Some of my learned brethren may be able to understand it. It provides:

FORMULA FOR DETERMINING STATE CONSERVATION RESERVE REGULAR ANNUAL RATES FOR 1956–57

Conservation reserve regular annual payment rates per acre were established for each State composed of:

I. A constant amount of $5 per acre, plus

II. A variable amount per acre determined separately as follows:

A. Establishing a State productivity index representing the corn feed value equivalent of nonirrigated oats, barley, sorghum grain, and 6 types of hay yields for the most recent available 10-year period.

B. Establishing a State land value index of farmland using a ceiling of $200 per acre for States having average values higher than $200 (to exclude influence of mineral and urban values).

C. Establishing a composite State index by giving the productivity index (A) a weight of 3 and the land value index (B) a weight of 1, and dividing the sum by 4.

D. Multiplying $5 by the State composite index (C).

The national weighted average of the State rates resulting from the sum of I and II above is $10.09 per acre.

III. For example, for a typical State:

A. The productivity index of equivalent corn feed value of the 9 crops described in II–A above was 74 percent of the national average.

B. The land value index described in II–B above was 41 percent of the national average.

C. The composite State index described in II–C above was 65.75 percent.

D. The composite index multiplied by the $5 national variable rate resulted in a variable rate for the State of $3.29.

E. When the variable rate of $3.29 described in II–D and III–D above was added to the constant $5 rate for all States described in I above, the indicated result is $8.29. This was rounded to the whole number of $8 as shown in the regulations.

Section 485.163 Annual payments—(a) Amount of payment. An annual payment will be made to the producers on the farm for the period of the contract upon determination by the county committee that they have fulfilled the provisions of the contract entitling them to such payment. The amount of the annual payment shall be determined by multiplying the rate or rates of payment per acre determined in accordance with paragraph (b) or paragraph (c) of this section by the number of acres determined in accordance with paragraph (d) of this section.

That is the formula which has been established. It will be seen that what is provided and what we are not supposed to touch, because it is sacrosanct, is an average rental payment that is based on a certain kind of hay, indeed, on six kinds of hay. If a farmer does not grow 1 of those 6 kinds of hay, it will weigh greatly against him in applying the formula. That shows that this is not something that is so sacrosanct that we may not even look at it.

I am a friend of conservation. I have stood on the floor of the Senate when the ACP had been eliminated completely on the other side of the Capitol, and have fought here at a time when it looked as though it would be overwhelmed and it would be impossible to keep the program alive. I believe in conservation today, but I do not believe in this kind of reckless, foolish spending of the tax dollars of the American people in some isolated cases. I do not say that this applies everywhere, but I say that if we do not show a willingness to bring some realism into this program, we will not be doing the farmers a service; instead, we will be doing them a disservice, because these things will come out and they will be made issues, not only within parties, but on the Congressional District level and in the State campaigns.

Mr. President, it is going pretty far afield when farmers can get such substantial sums for a practice. I daresay that in some cases, before the law was passed, some farmers would have been glad to get that much for the land, instead of only for the practice.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the tables which appear on

page 135 and page 130 in the memorandum on the amendments.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Conservation reserve program—Approved State annual payment rates per acre and average rates on contracts reported signed as of Apr. 15, 1957

State	Approved annual payment rate per acre	Average annual payment per acre on signed contracts
Alabama	$8.00	$7.63
Arizona	9.00	13.47
Arkansas	9.00	7.89
California	12.00	9.81
Colorado	8.00	7.09
Connecticut	13.00	11.60
Delaware	12.00	11.42
Florida	8.00	7.39
Georgia	8.00	7.76
Idaho	11.00	7.81
Illinois	12.00	11.62
Indiana	12.00	10.42
Iowa	12.00	11.38
Kansas	10.00	10.32
Kentucky	10.00	8.57
Louisiana	10.00	6.94
Maine	9.00	5.62
Maryland	12.00	10.77
Massachusetts	13.00	8.01
Michigan	11.00	7.52
Minnesota	11.00	9.09
Mississippi	10.00	9.97
Missouri	9.00	8.39
Montana	9.00	8.52
Nebraska	9.00	8.13
Nevada	7.00	7.25
New Hampshire	10.00	3.16
New Jersey	13.00	10.70
New Mexico	8.00	8.05
New York	11.00	8.35
North Carolina	10.00	9.53
North Dakota	9.00	9.76
Ohio	12.00	10.24
Oklahoma	9.00	8.77
Oregon	12.00	10.48
Pennsylvania	11.00	8.99
Rhode Island	12.00	
South Carolina	9.00	8.74
South Dakota	9.00	8.64
Tennessee	10.00	9.09
Texas	10.00	9.53
Utah	11.00	8.89
Vermont	10.00	3.39
Virginia	10.00	8.30
Washington	13.00	11.07
West Virginia	10.00	7.02
Wisconsin	11.00	8.77
Wyoming	8.00	7.26
Total	[1] 10.11	8.84

[1] United States average when weighted by State goals.

Estimated funds required for contracts signed by farmers through Apr. 15, 1957, by contract period and fiscal year [1] (subsequent to fiscal year 1958)

Fiscal year	Annual rental payments				Practice payments, subtotal	Grand total
	3-year contracts [2]	5-year contracts [2]	10-year contracts [2]	All contracts, subtotal		
	1	2	3	4	5	6
1959	$3,600,000	$41,100,000	$16,740,000	$61,440,000	$7,400,000	$68,840,000
1960	3,600,000	41,100,000	16,740,000	61,440,000	900,000	62,340,000
1961		41,100,000	16,700,000	57,800,000		57,800,000
1962		41,100,000	16,700,000	57,800,000		57,800,000
1963			16,700,000	16,700,000		16,700,000
1964			16,700,000	16,700,000		16,700,000
1965			16,700,000	16,700,000		16,700,000
1966			16,700,000	16,700,000		16,700,000
1967			15,100,000	15,100,000		15,100,000
Total	7,200,000	164,400,000	148,780,000	320,380,000	8,300,000	328,680,000

[1] Data reported on signed contracts have been adjusted for estimated incompleteness of reports and expected alterations by ASC committees.

[2] Because the 1956 program was offered too late for completing practices during 1956, all 3-year contracts, and most 5-year and 10-year contracts, signed in 1956 were automatically extended by 1 year.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. LAUSCHE. Will the Senator please restate the proposition of paying $88, first, for the planting of trees, and then the subsequent payments?

Mr. RUSSELL. I think the rental payments in the area to which I referred would be on 13 acres, so $130 would be paid over a 10-year period. Then at the end of that period of time the farmer will get his land back greatly improved.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield. I said that that was in the highest case.

Mr. AIKEN. I suggest that if certain land is planted to trees, the farmers do not get the full value. They get 30 percent of the rental value for 10 years.

Mr. RUSSELL. That varies within the States under this formula. The Senator from Vermont has very low rental in his State, because the farmers in his State have not been planting the right kind of grasses. They did not produce a great deal of corn that had a corn value in arriving at this formula. But the arrangement varies within the several States.

Mr. AIKEN. We get 30 percent over a 10-year period.

Mr. RUSSELL. That is what the farmer gets in Vermont. I do not want to go into all the States, because comparisons are misleading. Where the payment was $11 an acre for the land in the fishpond, the farmer got $1,062 to build the pond. That was more than that State had for its average rental payment.

Mr. AIKEN. If the farmer plants corn or tobacco or wheat land to trees, he would get the full value. If he plants grassland, he gets only 30 percent of the rental value.

Mr. RUSSELL. If he does it for the feed value equivalent of oats, barley, or sorghum grain, he gets more than 30 percent of the value. The Senator's State happens to be one of the States which receives the lowest payments.

Mr. AIKEN. Where grassland exists, we believe a good grassland farm is entitled to as much consideration as the farm of a man who raises barley and oats.

Mr. RUSSELL. He does not get it under this formula.

Mr. AIKEN. He has not got it so far.

Mr. RUSSELL. No.

Mr. President, no one can tell me any program will be wrecked when we are proposing only a very modest reduction of 8 or 10 percent in the annual rental payments to be made. We are not touching practice payments or reducing them in any way. I would be less than frank if I did not say I thought these payments ought to be reduced much more than the amendment envisions.

Let us say a farmer does not put any land in the conservation reserve. Therefore, it is not attractive to him. The truth is that everyone was dealing with the acreage reserve; they were not considering the conservation reserve. The farmers were so busy working out their acreage reserve programs that they did not get around to the conservation reserve program.

But, Mr. President, do not doubt that they will come into that program this year. When they do get the 10-year contracts, we will have that increase in the budget for the next 10 years as an obligation of the United States Government which will be just as sacred as the payment of the interest on the public debt.

To anyone who says we should not even adopt this limited, modest reduction, I say that, in my opinion, it does not go nearly far enough, without wrecking the whole conservation program, and without paying an income to the farmer.

I am perfectly willing to leave for the record the effect that this program will have on future farm legislation, as to whom was the real friend of the farmer: whether we want to grasp everything we can get now in the new program, and bring the whole farm program into disrepute, or whether we want to put up a slowdown sign, a very modest slowdown sign, to the Department of Agriculture in allocating these tremendous sums.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ALLOTT. I wish to take issue with the statement the Senator from Georgia has just made, although he has made it in complete candor, about people grasping for every penny they can get. Actually we are engaged in promoting a false farm economy anyway. We will never get a true farm economy so long as we are trying to build a farm economy on six basic commodities.

With respect to the soil conservation program as it applies to the farm economy, the truth of the matter is that approximately 76 or 77 percent of the farmers of the United States are left completely out of the program unless they can participate in the acreage reserve. Some 23 or 24 percent of the

farmers of the United States can participate in the acreage reserve.

Mr. RUSSELL. Let me point out to the Senator from Colorado that we have cut down the acreage reserve program for next year by a much higher percentage than it is proposed to cut this program. We have cut back the acreage reserve program from $612 million to $500 million. There will be more of a reduction in acreage reserve payments next year than this amendment contemplates there will be in the conservation reserve.

Mr. ALLOTT. In my opinion, the amount should be cut and evened out more than that.

Mr. RUSSELL. I hope the Senator from Colorado will not, in my limited time, place me in the position of defending the acreage reserve program. I do not believe in it.

Mr. ALLOTT. If I am encroaching upon the Senator's time, I apologize. I will procure time from another Senator.

Mr. RUSSELL. I will yield to the Senator. I find I have more time available than I thought I had.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CAPEHART. I would much prefer to take 10, 15, or 20 percent of the amount it is planned to spend for the acreage reserve and the conservation reserve and to put it into research, to find new uses for farm products, so that the farmer could build up his production of commodities as much as he could build up his crop of grass. That is what we ought to be doing. At least, we ought to be trying to do it, because then we would be trying to do something worthwhile.

Mr. RUSSELL. The Senator from Indiana has a theory with which I have considerable sympathy. But we are now confronted with a fact in the form of an actual item in an appropriation bill.

I find I have more time than I thought I had, so I shall be glad to yield further to the Senator from Colorado.

Mr. ALLOTT. I appreciate the kindness of the Senator from Georgia. I think there has been too much emphasis on the acreage reserve.

Mr. RUSSELL. I agree.

Mr. ALLOTT. Not enough emphasis has been placed upon the conservation reserve. In most Western States, if we exclude wheat, there is no basic commodity; therefore, there is no acreage reserve. We still have only 23½ percent.

But, by the same token, we eliminate everybody who has irrigated land, who cannot enter into the conservation reserve on the basis of $6.50, $7, or $7.50 an acre. That is the point I wish to make. I appreciate the Senator's yielding to me, because I think this is an important consideration.

Mr. RUSSELL. It is tremendously important. I am perfectly willing to agree that there is a disparity between basic commodities and other commodities in the two programs. I assume there is an even greater disparity between some of the basics within the acreage-reserve program. Some commodities get a great deal more than others in that program.

For the first time, I have been placed in the light of being an enemy of the farmer. I am perfectly willing to make a record. I hope there will be a record vote, even if I am the only Member of the Senate who votes for the amendment, because I want the RECORD to show that, within my limitations as a member of the Committee on Appropriations, I did all within my power to try to put Congress on notice that if this program were allowed to run on as it is today, without any interest being shown in reducing the payments, the program would, in the long run, be very detrimental to the interests of American agriculture.

Mr. HUMPHREY and Mr. THYE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I have only about 5 minutes left, and I should like to reserve most of that time. But I will yield briefly to the junior Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I want the RECORD to be perfectly clear that the senior Senator from Georgia not only is a friend of the farmer, rather than his enemy, but that he has been a stalwart soldier for American agriculture.

I want it perfectly clear, moreover, that in the disagreement we may have over these funds, many of us are learning a great deal from the argument being made by the Senator from Georgia. My only interest in the matter was to see to it that we do not get ourselves into a straitjacket in terms of the fixed fee in the bill, which would in any way limit the effectiveness of the program.

Mr. RUSSELL. It does not fix the fee on a single acre of land in the United States.

Mr. HUMPHREY. Except as a flat fee for the national average.

Mr. RUSSELL. The highest fee can be paid now; but on the marginal and submarginal land less will have to be paid to bring the average down.

Mr. HUMPHREY. It is fair to say that we are at the exploratory stage in the program, and the argument made by the Senator from Georgia, to my mind, is a constructive argument.

Since I have taken a point of view different from that of the Senator from Georgia, I would not want the RECORD to indicate for a minute that I have not been one who thoroughly appreciates his generous and great contributions to agriculture and agricultural legislation.

Mr. RUSSELL. I appreciate the Senator's comments.

Mr. THYE. Mr. President, if the Senator from Georgia will yield briefly to me, let me say that no Member has a higher regard for him than I have. If ever there was a friend of agriculture, the Senator from Georgia has demonstrated year after year that he is a friend of agriculture.

If any Senator has any misgivings, they are on the basis of a fear that the program will be in bad repute unless some ceiling is imposed on the acreage allotment.

I cannot fully agree with the Senator in regard to the tree-planting program, however, because if a tree-planting contract is signed, the farmer will be putting the acres planted to trees under a long-term contract, one applying for not less than 15 years, and the farmer will not receive the maximum annual rental on that acreage. Instead, he will receive the minimum annual rental, which might amount to as little as $3 or $4 an acre. Yet on that acreage he will grow a crop of trees which will be very beneficial to future generations.

Mr. RUSSELL. Mr. President, that is quite correct, but the average paid for tree rentals in my State is somewhat higher than the amount the Senator from Minnesota has indicated. Although such use is beneficial to future generations, and on that basis I have supported all conservation measures, let us not lose sight of the fact that it is very beneficial to the man who owns the land and who places it under the program and receives the payments for rental. This is a conservation program which really can be profitable to the farmer. The modest overall reduction of $1.34 an acre will not hurt the program. Any figures which would show that it would be necessary to make a reduction of more than $1.34 an acre merely indicate that for some reason the Department of Agriculture has decided to make more than the average cut in the particular State concerned. But if the Department decides to make a fair application across the board, the reduction cannot be more than $1.34 an acre.

It is my judgment that sound government and prudent expenditure of public funds, as well as avoidance of depletion of what little reserve the farmer has in the bank of good soil in the Nation, dictates that the Senate, if it be wise, adopt the committee amendment.

Mr. President, I reserve the remainder of the time available to me.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The Senator from Georgia has 4 minutes remaining, and the Senator from South Dakota has 10 minutes remaining.

Mr. MUNDT. Mr. President, I yield 3 minutes of my time to the Senator from Illinois [Mr. DIRKSEN].

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. DIRKSEN. Mr. President, both the pending committee amendment and the amendment submitted to it by the Senator from South Dakota [Mr. MUNDT] were roundly discussed in the Appropriations Committee.

I certainly respect and admire the conviction the distinguished Senator from Georgia brings to this cause. I am fully sensible of the zeal and devotion he has given to the entire cause of agriculture; and I speak from a wealth of experience, dating back to the days when he and I sat across the conference table from one another, during the consideration of agricultural appropriation bills. However, I believe the arithmetic of this case is against him, and is in favor of

the position taken by the Senator from South Dakota.

The approved rental would be $12 an acre; but for every acre on which $12 would be paid, it would be necessary to find another acre on which $3 would be paid; that would be necessary in order to arrive at the average of $7.50.

Mr. RUSSELL. Mr. President, the Senator from Illinois knows that the national average is $7.50; that figure is not based on the situation in Illinois.

Mr. DIRKSEN. That is correct. I am saying that for every acre on which $12 was paid, in the case of my State, it would be necessary to find another acre on which $3 was paid. Under those circumstances, I cannot see any incentive for a farmer to engage in the program. If that is so, why have the program? In that case, we might just as well delete the $350 million from the bill, and forget about the conservation reserve.

I am also afraid that so much rigidity would be imposed on the program, that the Secretary of Agriculture would find it very difficult to administer. How would he be able to know how many acres and what kind of acres would be placed under the program, let us say, next year? He would have no idea. Then when he found he had to operate under an average limitation, perhaps he would be able to make only tentative contracts with the farmers, until he was able to discover whether one average limitation for the entire country was to be applied. That would be a difficult piece of administrative work to undertake. I would prefer to see this run for at least 1 year, and then, on the basis of experience, and if these fears are confirmed, perhaps a limitation of this kind could be established.

The PRESIDING OFFICER. The 3 minutes yielded to the Senator from Illinois have expired.

Mr. DIRKSEN. Mr. President, will the Senator from South Dakota yield to me 1 additional minute?

Mr. MUNDT. Mr. President, I yield 1 additional minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 1 additional minute.

Mr. DIRKSEN. I thank the Senator from South Dakota.

Mr. President, in summary let me say that, at one end of the scale, some very good land might come in; but at the other end of the scale, some very bad land might come in; and that would not improve the conservation reserve and the attainment of its objectives.

Therefore, I hope the amendment of the Senator from South Dakota to delete the limitation provided by the committee amendment will be agreed to by the Senate.

Mr. MUNDT. Mr. President, I yield 2 minutes to the distinguished ranking minority member of the Senate Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN].

The PRESIDING OFFICER. The Senator from Vermont is recognized for 2 minutes.

Mr. AIKEN. Mr. President, although this appropriation bill as a whole is a good one, and received a great deal of study and thought on the part of the Appropriations Committee, and particularly on the part of its chairman, yet I believe that if the Senate adopts the committee amendment restricting the payment on land put into the conservation reserve, it will be going a long way toward defeating the purpose of that part of the soil-bank program.

I believe that the amendment of the Senator from South Dakota to the committee amendment should be agreed to. If it is agreed to, I believe it will result in the withdrawal of a great deal more land from production, and the placing of that much more land into forests, recreational areas, sodded land, and land planted to clover or soil-conserving crops; and in that way the purpose for which the soil bank was established will be effected.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. RUSSELL. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator from Georgia has 4 minutes remaining, and the Senator from South Dakota has 4 minutes remaining.

Mr. MUNDT. Mr. President, inasmuch as no other Senators on this side wish me to yield time, I shall sum up the case for my amendment.

First of all, in regard to what the Senator from Georgia said about the reduction from $8.44 to $7.50, which would now become the legislative mandate, let me say that those figures are not the comparable ones. Instead, we must compare the $7.50 proposed legislative mandate with the $10.11 national average used by the Department of Agriculture in connection with the allocations. That is the case, because in every State of the Union, there are a number of nondiverted acres. Actually, 400,000 acres of the 700 million acres thus far in the conservation reserve are these nondiverted acres, which are paid for at 30 percent of the prevailing State rates. So if the Senators from Washington or the Senators from Missouri, or the Senators from Oregon intend to vote to deprive the farmers of their States of an opoprtunity to participate in the program, at least such Senators should let the RECORD show that they will be voting to scuttle the program in their area and to deprive the farmers of their States of those benefits, in view of the record as it now stands, as shown by a study of this debate, because the figures to which I have just referred are the comparable ones, and the committee proposes that they be cut some $2.75 an acre, on the average, rather than the 8 or 9 percent referred to by the Senator from Georgia.

Something was said about fishponds, by Senator RUSSELL. I am never reluctant to argue in favor of fishponds. I was in favor of placing fishponds and marshes into the conservation program. I am in favor of that. I made the motion and lead the successful fight in our Agriculture Committee when we incorporated inundated acres in the basic soil bank legislation. I can think of no better use for idle acres than impounding water and providing nesting places for ducks and providing breeding places for fish and recreational areas for children. We have provided for it in this soil bank program and I am happy to reaffirm my support of it despite the remarks of the distinguished Senator from Georgia.

If the farmers are being paid a specific amount per acre, that is being done because the land which was taken out of cultivation resulted in a decrease to the farmer of that much income before the land was put under water. Had that not been uncultivated land, the farmer would be getting 30 percent less than that rate of income. I am proud that the Izaak Walton League, the sportsmen's clubs and the American Wildlife Federation favor the use of part of the soil bank program for wildlife purposes to restore wet lands and recreational opportunities.

As to putting a halt to the program, all the committee proposal would do would be to halt it in States like Washington, Kansas, Oregon, Ohio, Indiana, Illinois, and other similar States, because we would still be spending the same $350 million we would otherwise spend. In the coming years it does not make any difference whether we divide the $350 million among all the States of the Union, as I propose to do, or place quarantines on States like Washington, Oregon, Indiana, Ohio, and Illinois.

I suggest that, having a program which is national in scope, it should be nationally supported. To do that we should adopt my amendment and place economic factors above political favoritism.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. MAGNUSON. Mr. President, will the Senator from Georgia yield 1 minute to me?

Mr. RUSSELL. I yield to the Senator from Washington.

Mr. MAGNUSON. The Senator from South Dakota has mentioned the States of Washington and Oregon, in which payments have been above the national average of $8.84. As the Senator from Georgia knows, in my State the payments run between $10 and $16. There was some fear that an express limitation of $7.50 an acre would shut off States like Washington, or similar States—some 30 States—from the possibility of receiving payments within those amounts.

The PRESIDING OFFICER. The minute of the Senator from Washington has expired.

Mr. MAGNUSON. I should like to ask the Senator from Georgia this question: Despite the fact that the average is $8.84, and that the payments in some States, such as the State of Washington, are higher, under the amendment submitted by the Senator from South Dakota the same amounts now paid could still be paid, could they not? If the Department of Agriculture administers this program in the same way it has, trying to equalize the payments, it is still possible that it will pay the same amounts for the land that is set aside in the State of Washington. Is that correct?

Mr. RUSSELL. The Department could make the same maximum payment, but I must be frank and say that it would be necessary, on the poorer type lands, to make lower payments. I would say it would not be necessary to reduce the payments made in the State of Washington, but the national average would have to come down about $1.34 an acre.

Mr. MAGNUSON. It would not discourage those who really wanted to put the highly cultivated land, or the top land, into the conservation reserve.

Mr. RUSSELL. I should like to think the Department of Agriculture will have enough judgment to maintain the payments on the productive land.

Mr. MAGNUSON. That is the whole purpose of the provision.

Mr. RUSSELL. Mr. President, I wish to address myself to the pending amendment. We hear much about economy. We now have an amendment before us that affords a real test as to how Senators feel about economy.

I wish to point out again that when one dollar is obligated under this program, we are committing ourselves, under the program, to pay $10 in a $350-million program. If it is obligated at $10, over a 10-year period, we have obligated ourselves to that extent. We have a chance to vote not only to save $1.34 an acre this year, and bring some measure of realism into this program, but to save it over a period of 10 years. We are not going to do any good by piddling around with some minor adjustments in the program when we vote for a program on which we shall have to pay year after year.

If Senators are for economy in Government, if they are interested in demonstrating that they have an interest in it other than a mere bookkeeping or arithmetical interest, this is a mighty fine chance to show it. Senators can effect real economy without injuring any part of the conservation reserve program. Indeed, in my opinion, Senators will strengthen it.

I hope the committee will be sustained.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Dworshak	Kerr
Allott	Eastland	Knowland
Anderson	Ellender	Kuchel
Barrett	Ervin	Lausche
Beall	Flanders	Long
Bennett	Frear	Magnuson
Bible	Goldwater	Mansfield
Bricker	Gore	Martin, Iowa
Bush	Hayden	Martin, Pa.
Butler	Hennings	McNamara
Byrd	Hickenlooper	Monroney
Capehart	Hill	Morse
Carlson	Holland	Morton
Carroll	Humphrey	Mundt
Case, N. J.	Ives	Murray
Case, S. Dak.	Jackson	Neuberger
Church	Javits	O'Mahoney
Cooper	Jenner	Pastore
Curtis	Johnson, Tex.	Potter
Dirksen	Johnston, S. C.	Purtell
Douglas	Kennedy	Revercomb
Robertson	Smith, N. J.	Thye
Russell	Sparkman	Watkins
Saltonstall	Stennis	Wiley
Schoeppel	Symington	Williams
Scott	Talmadge	Yarborough
Smith, Maine	Thurmond	

The PRESIDING OFFICER. A quorum is present. The question is on agreeng to the amendment offered by the Senator from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MUNDT. Does the vote now come on the so-called Mundt amendment, and will an affirmative vote be a vote to strike out the $7.50 limitation?

The PRESIDING OFFICER. The Senator is correct.

On the amendment of the Senator from South Dakota the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN], is absent by leave of the Senate on official business.

I further announce, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Maine [Mr. PAYNE] is necessarily absent, and if present and voting, he would vote "yea."

On this vote the Senator from New Hampshire [Mr. COTTON] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from New Hampshire would vote "nay," and the Senator from Nebraska would vote "yea."

Mr. BARRETT (after having voted in the negative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the negative.

Mr. BARRETT. I wish to change my vote to "yea."

Mr. SALTONSTALL (after having voted in the negative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the negative.

Mr. SALTONSTALL. I vote "yea."

Mr. JACKSON (after having voted in the affirmative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the affirmative.

Mr. JACKSON. I vote "nay."

Mr. MUNDT. Mr. President, I ask for the regular order.

Mr. KNOWLAND. Mr. President, I demand the regular order.

The VICE PRESIDENT. The clerk must have time to tally the vote.

Mr. MORSE (after having voted in the affirmative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the affirmative.

Mr. MORSE. I vote "nay."

Mr. NEUBERGER (after having voted in the affirmative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the affirmative.

Mr. NEUBERGER. On this vote I have a pair with the Senator from Arkansas [Mr. MCCLELLAN]. If he were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I therefore withhold my vote.

Mrs. SMITH of Maine (after having voted in the negative). Mr. President, how am I recorded?

The VICE PRESIDENT. The Senator is recorded as having voted in the negative.

Mrs. SMITH of Maine. I vote "yea."

The result was announced—yeas 40, nays 38, as follows:

YEAS—40

Aiken	Curtis	Morton
Allott	Dirksen	Mundt
Barrett	Flanders	Potter
Beall	Goldwater	Purtell
Bennett	Hennings	Revercomb
Bricker	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Butler	Humphrey	Smith, Maine
Capehart	Ives	Smith, N. J.
Carlson	Javits	Thye
Carroll	Jenner	Watkins
Case, N. J.	Knowland	Wiley
Case, S. Dak.	Kuchel	
Cooper	Martin, Iowa	

NAYS—38

Anderson	Jackson	Murray
Bible	Johnson, Tex.	Pastore
Byrd	Johnston, S. C.	Robertson
Church	Kennedy	Russell
Douglas	Kerr	Scott
Dworshak	Lausche	Sparkman
Eastland	Long	Stennis
Ellender	Magnuson	Symington
Ervin	Mansfield	Talmadge
Frear	Martin, Pa.	Thurmond
Gore	McNamara	Williams
Hayden	Monroney	Yarborough
Hill	Morse	

NOT VOTING—17

Bridges	Hruska	Neuberger
Chavez	Kefauver	O'Mahoney
Clark	Langer	Payne
Cotton	Malone	Smathers
Fulbright	McClellan	Young
Green	Neely	

So Mr. MUNDT's amendment was agreed to.

Mr. MUNDT. Mr. President, I move that the Senate reconsider the vote by which the amendment was adopted.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from South Dakota.

The motion to lay on the table was agreed to.

Mr. RUSSELL. Mr. President, I suppose I shall have to offer an amendment in order to get a little time.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Therefore, Mr. President, I move on page 28, in line 14, to strike out the figure "$350 million" and insert in lieu thereof the figure "$250 million."

The VICE PRESIDENT. How much time does the Senator desire to yield to himself?

Mr. RUSSELL. I have 30 minutes, I believe, on the amendment. I shall consume only a few minutes, and then yield back the remainder of my time.

First, I wish to say that the amendment which has just been adopted was adopted by a strictly party vote. We have not had a great many true economists—with the exception of the distinguished Senator from Delaware [Mr. WILLIAMS], who is a true economist—but we have had a great deal of talk about economy, but do not always vote for it. I believe there were 1 or 2 affirmative votes on this side of the aisle, but aside from that, I believe this is one of the few times when we have had a strictly party vote on an agricultural issue. I would have much preferred to have the amendment disposed of strictly on its merits, even though it had lost by a much larger vote, than to have it determined as a party issue.

I believe the Senate has made a great mistake. However, that is one of the benefits of serving in the Senate; that is, we can always question the wisdom of the majority.

Mr. President, I have offered an amendment, and I hope the Senate will give me a yea-and-nay vote on it. I wish to say to my colleagues on this side of the aisle that I do not ask any of them to vote for the amendment for any reason on earth except on its merits, certainly not for personal reasons. I am offering the amendment because in committee, when the motion was made to increase the total amount which would be available for the conservation-reserve payments above the House figure by $100 million, I voted for it, with the understanding that there would be at least some effort made to show that there was some concern on the part of the Senate about the payments which were being made. I therefore reoffer the amendment now to give economy advocates a chance to cast an economy vote, which is spelled out in terms of dollars and cents, rather than in terms of trying to clean up a program and to save a few hundred million dollars from it.

Leaving aside all that I have said, if we are to maintain these high payments, and if we are to permit fishponds to be constructed at a cost of $1,062 and then pay the farmer who built the pond $11 an acre for 10 years with money taken from the Federal Treasury, and in addition permit him to enjoy the benefits of the fish which are in the pond—and incidentally he would get the fish free from the Government—then it seems to me that we should hold this program down and have a chance to evaluate it.

The expenditures for this year for this program were about $172 million. Even if the amendment is adopted, it will give leeway for an increase of about $70 million during the next year. It will be possible to build a great many dams or fish ponds, and to make a great many practice and rental payments with $172 million.

I do not offer the amendment facetiously. I certainly do not offer it out of resentment because the last amendment was adopted. I do so because I voted to increase this amount in committee, and because I thought that some effort was going to be made to put some little economy into the program.

Certainly if the rates of payment are to remain as high as they are, there will be a heavy obligation on the part of the Government, because the money will be paid out 3, and 5, and 10 times over. If we look at it from the standpoint of 10-year contracts, it will mean $2,500,000,000, even at the lower figure.

I do not wish to labor the point. I merely wish to have a yea-and-nay vote on the amendment.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. Is the Senator's amendment offered to the figure that deals with the dam-building program or with the conservation-reserve program?

Mr. RUSSELL. The dam-building program is a part of it. We pay for dams under ACP and in the soil bank. The two programs run along together.

Mr. CASE of South Dakota. I did not catch the Senator's statement with reference to where the amendment would come in the bill. Is it directed to the program that deals with the soil conservation program or is it to be a part of the new soil bank program?

Mr. RUSSELL. It is directed to the soil bank program. It does not touch the ACP program. A great deal has been made here of the fact that this program is in its infancy; that it is being tried out.

The Senate has decided in its wisdom—and the decision may be right—not to disturb the scale of payments now being made. It amounts to having the Government committed to another billion dollars of expenditures, whether the payments are proper or not. The amendment will allow a reasonable increase in this program over the next year of about $70 million. It will give us time to evaluate and study and recheck the practice payments and rental payments. They appeared to me as being a little high, and also to the distinguished Senator from North Dakota, who offered the amendment in the committee. However, if we want to keep the high payments, let us not embark on such a large program, but hold the program to $250 million, because it can cost a billion dollars before it is over.

I do not wish to labor the point. I wish to go on record myself on this amendment. Therefore I ask for the yeas and nays on the amendment.

The VICE PRESIDENT. The yeas and nays have been requested. Is the request sufficiently seconded?

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, I reserve the remainder of my time.

Mr. DIRKSEN. Mr. President, will the Senator yield, only for the purpose of refreshing my memory and that of other members of the committee?

Mr. RUSSELL. I yield.

Mr. DIRKSEN. I believe the Senator from Georgia proposed to make the amount $350 million.

Mr. RUSSELL. That is completely in error. The Senator from South Dakota [Mr. MUNDT] offered the $350 million amendment. I stated I thought that amount was too high. I leave it to the conscience and integrity of the Senator from South Dakota to say if that is not a fair statement. I want the RECORD to show that the Senator from South Dakota not only nodded his head but also said that my statement was correct.

Mr. DIRKSEN. But did not the Senator from Georgia say that $325 million was agreeable to him?

Mr. RUSSELL. I said I thought we should not go higher than that amount, in any event; but $300 million was as high as I thought we should go.

Mr. DIRKSEN. Am I correct in my recollection that that was deleted by the Mundt amendment, and that the vote was actually 11 to 8 in the full Committee on Appropriations, although after the total amount was first written into the bill, and we had a long discussion about the $7.50 limitation, all members of the committee were fully informed about that, and still there was an almost even division in the committee on this limitation?

Mr. RUSSELL. I do not remember the exact vote; I think it was 13 to 9.

Mr. DIRKSEN. I think it was 11 to 8.

Mr. RUSSELL. Anyway, the margin was strongly in favor of the position I took. But I do not see what light that throws on the matter. I am not here representing the committee. I stated I was not. I am here in my individual capacity as a Senator from Georgia, offering an amendment which I believe in good conscience should be agreed to.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Under the unanimous consent agreement, in which the time is divided on this and other amendments, I should like to inquire about the provision as to the control of the time.

The Senator from Georgia has offered an amendment. He obviously would have control of the time of the proponents of the amendment. I wanted to clarify the situation, because there have been some requests for time on this side of the aisle.

The VICE PRESIDENT. Under the agreement on the Mundt amendment, which applies to this and other amendments, the majority leader would control the time, unless he took the other position on the amendment.

Mr. JOHNSON of Texas. As I understand the unanimous-consent agreement, I control the time in opposition, but I should be glad to yield to whomever the Senator from California suggested I should yield to.

Mr. RUSSELL. Mr. President, I hope this hiatus is not coming out of my time. [Laughter.]

Mr. JOHNSON of Texas. Under the agreement which has been entered into, the majority leader would control the time in opposition to the amendment. According to our practice, when the majority leader is in favor of an amendment, the time is controlled by the minority leader. Since I am in favor of amendment, I ask unanimous consent of the Senate that I be permitted to yield the control of the time in opposition to the amendment to the minority leader.

The VICE PRESIDENT. The minority leader will control the time in opposition.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, the amount of $200 million, which the Senator from Georgia would allow for carrying on the conservation reserve program this year, is $50 million less than the amount allowed in the House bill.

Mr. RUSSELL. Oh, no; it is identically the same. I said $250 million.

Mr. AIKEN. I understood the Senator to say $200 million.

Mr. RUSSELL. It is identically the same.

Mr. AIKEN. But if the amendment shall be agreed to, it will mean breaking commitments to the farmers of the country next year. This year, with the program only getting partially started, more than $177 million is being spent. It is expected that the program will approximately double next year, provided there is no change in the rate paid for land put into the conservation reserve. The Senate has voted that there will be no change.

Therefore, $350 million will be needed next year. If it is not provided, it will be necessary to go to the farmers of Montana, Washington, Missouri, New York, and other States, and to say, "We have broken our faith with you. We are not going to pay you what we said we would pay."

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. AIKEN. I have no time to yield. If the Senator will give me time, I will yield.

Mr. RUSSELL. I will yield 1 minute to the Senator. Certainly that should be sufficient.

When we know that the contracts in force required only about $80 million for rental payments, and the other contracts were for practice payments, we are breaking commitments with nobody in the amendment.

Mr. AIKEN. The Department of Agriculture tells me they expect the conservation-reserve program to be about doubled next year, and that will require about $350 million. They cannot possibly operate the program with $250 million. If that is all we will appropriate, it would be necessary to say, "We are not going to give you the amount which we said we would give you."

We can go to the people of those States and say, "We are not going ahead with the forestry program which we had planned so as to put the United States in a self-sufficient position in the interest of national security."

We can say, "We are not going to let you set this land aside for wildlife refuges."

We can say, "We have decided not to pay you for putting some of the land into recreational areas, of which we are so desperately short in this country, and which all city people are anxious to have."

We can say, "We are not going to pay you the full amount we said we would pay you for taking land out of poor crops and putting it into cover crops, so that at the end of 5 years' time it will be much better than it is now."

We can say, "We have simply lost interest in building up the soil under the conservation reserve."

Also, we can go to many States of the Union—I think more than half of them—and say, "The proposal we made to you last year, under which we gave you money to expand the State nurseries by 400, 500, or 600 percent, is all off now. You can throw those trees away, because we are not going to let you have any more of a program than you had during the last year."

Mr. President, I do not think we want to do that. I consider that when we have made a commitment, we should provide the means for keeping that commitment. If the objective or the purpose is to destroy the conservation-reserve program, we have a good chance to do it. But I do not think we want to do that. We have made a commitment which should run for 2 years more—or for 1 year more at least. We are just beginning to try out that program this year. Certainly we do not want to go back on our commitments at the first opportunity we have.

It is unthinkable that the Senate should commit itself to a program, and then deliberately undertake to destroy the program or to cripple it by not appropriating the amounts of money necessary to carry it on.

Mr. KNOWLAND. Mr. President, I yield 4 minutes to the senior Senator from Minnesota.

Mr. THYE. Mr. President, the only reason why a soil bank provision was enacted as a part of the farm program was to endeavor to reduce the overall number of acres which are harvested every year. There is no way in the world by which crop production can be reduced except by curtailing the number of acres on which crops are grown or from which they are harvested. The most economical phase of the entire farm program last year was that involved in crop reduction.

If a farmer goes into the acreage reserve program, he is paid up to $47 or $50 an acre to place productive acres under the contract. But under the conservation phase of the soil bank, acreages are being contracted for at the rate of $3, $4, and $5 an acre, although in a few instances in my State the rate has gone above $11 an acre.

If a farmer plants trees, he enters into a 10-year contract. He ties his land up for 10 years. He takes it out of production for that number of years. He gets $3, $4, or not to exceed $5 an acre under that long-term contract.

Trees are being grown on that land which will benefit future generations. Not only is the countryside being beautified, but the fertility of the land is being built up, because if it is planted 25 or 30 years from now, it will be virgin land from which crops may be harvested. Therefore, the conservation aspect of the soil bank is the most economical phase of the entire farm program.

Mr. President, we should consider the money which is being poured out under Public Law 480 in order to dispose of surplus commodities in foreign countries. Consider the billions of dollars which are going into that program. What is happening? We are taking the fertility out of our land and are putting it into giveaway programs for the benefit of foreign countries.

I regret that my distinguished friend from Georgia saw fit to offer this amendment. He is one of the greatest friends agriculture has ever had. But in this instance he is acting against the interests of agriculture. He is denying to agriculture the conservation aspect of this program, which is the cheapest, the most economical and the most beneficial to American agriculture.

For these reasons, I most sincerely hope that the Senate will reject the amendment. To adopt it will be taking a backward step, rather than a step forward with a constructive, sound farm program.

Mr. HUMPHREY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield 3 minutes to the Senator from Minesota.

The VICE PRESIDENT. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President, it appears to me that the amendment would have been more properly offered if the proposed limitation had been placed on the national average payment per acre, because if the national average payment had been reduced to not to exceed $7.50 an acre, the sum total of the appropriation carried at this point in the bill might well have been reduced.

However, since the Senate has taken a contrary view, and has overridden the committee amendment, and has sustained the present position of the Department in regard to the payments under the conservation program, which average approximately $8.84, it seems unwise to strike $100 million from this appropriation item.

It has been made perfectly clear here that the conservation program was slow

in getting started. That occurred because during the first year of the soil bank, the emphasis was upon the acreage reserve section. Some of the delay occurred because of politics, and some of it occurred because of the lack of incentive. Regardless of that, we realize that the acreage reserve program is at best a temporary expedient for the purpose of reducing production. I say it has not worked well—but even the acreage reserve should be continued. The action of the House in eliminating the acreage reserve program in 1958 is unwise.

But the conservation reserve program is dedicated to getting marginal lands out of production and to storing fertility in the soil, rather than to storing the products of the soil in bins. The conservation reserve program is for reforestation, wildlife refugees, recreational areas, and building up the fertility of soil which has had its fertility depleted.

Therefore, if we were now to reduce the appropriation for the program, we would be turning back on what we began in a very affirmative way. If we were to reduce the appropriation, it might be possible to get by for 1 year. But if the appropriation for the program is cut now, we shall be saying to the farmers of the Nation that the conservation reserve program is to be limited and is in retreat, and that they cannot depend on it. We must remember that under the conservation reserve program there is a plan for long-range programing. Instead, those contracts are for 3, 5, 10, or 15 years. This is the kind of program that is needed in order to prevent certain areas of the country from becoming desert areas. This is the kind of program that is needed in the Great Plains and in cutover sections and in sections where the productive capacity of the soil has been depleted. This program must not be sacrificed. I am willing to take the gamble of having the Government spend a little too much for the conservation reserve, rather than to have it spend too little. Therefore, Mr. President, with all deference to Senators who believe to the contrary, I plead with my colleagues on this side of the aisle to vote for the appropriation necessary to put this program into operation.

We must remember that this will be the maximum, and there will be no mandate that all of the appropriation be spent. Since the Senate has voted to strike out the limitation proposed by the committee—and by my vote I helped the Senate take that action, because I thought that was the right thing to do—it seems to me that the full $350 million will be needed, now that the Senate has said there will be no limitation per acre on the payments on the conservation reserve contracts.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from South Dakota [Mr. MUNDT].

The VICE PRESIDENT. The Senator from South Dakota is recognized for 5 minutes.

Mr. MUNDT. Mr. President, I sincerely hope that our good friends on the Democratic side of the aisle will give cool and calm consideration to the presentation they have just heard from my friend and neighbor, the Senator from Minnesota [Mr. HUMPHREY].

I was no less disappointed than was the distinguished Senator from Georgia at the distinctly partisan vote taken on the previous amendment, when, almost without exception, our friends on the Democratic side of the aisle voted against my amendment removing the restriction in the payment, as proposed by the committee. Since that was a partisan position, and a partisan vote, however, I am proud to be able to say that there were exceptions, and that the Senator from Minnesota [Mr. HUMPHREY], the Senator from Florida [Mr. HOLLAND], and one or two other Senators on the Democratic side of the aisle voted as I am sure they would, namely, in conformity with the position taken by our agricultural committee and in favor of my amendment to sustain that position.

Since the vote was a partisan one, Mr. President, I was never more proud than I was of the position taken by Senators on the Republican side of the aisle, the Senators who belong to our party. Mr. President, the farmers of the Nation will study that rollcall vote and will study the record of this debate in that connection, and they will observe that, almost without exception, the Senators on the Republican side of the aisle voted to stand by the commitments made to agriculture, and refused to shortchange the American farmer. Every Republican in America can be proud of the record made by the Senators of his party tonight.

In fact, Mr. President, I plead with my Democratic friends not to permit petulance or disappointment because of the defeat they had on the other amendment to induce them to vote for the proposed slash of $100 million in the appropriation needed in order to comply with the soil-bank promises made to the American farmers. If Senators wish to see the income of the farmers in their States really drop, let Senators vote for the pending amendment, which would reduce the appropriation by $100 million, taking that amount directly away from the American farmer, who has been promised it by legislation enacted by his Congress.

If Senators wish to penalize the farmers who have entered into such contracts with the Government, and if Senators want to see such farmers have to throw up their hands in despair at the action of a Government which, one year, promises them a $450 million program, and the next year reneges, let Senators vote for the pending amendment. Let the rollcall tell the story. Certainly, our farmers have a right to expect some kind of assistance and some kind of helpful revision in the program the Congress presents on agricultural problems.

No other program operates for the benefit of the farmer in this area today. Certainly, if the Senate votes to roll a stone up the hill one day, and then to roll it down the next day, like Sisyphus, the farmers will have nothing on which to rely. I certainly hope that all Democratic Senators will vote unanimously this time, as they almost did on the other amendment; but in this case I hope all Democratic Senators will vote in favor of the $350 million item and not to cripple our soil-bank program before it is even given a fair trial.

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the Senator from Kansas [Mr. CARLSON].

The VICE PRESIDENT. The Senator from Kansas is recognized for 2 minutes.

Mr. CARLSON. Mr. President, I think the Senate acted wisely in voting against the $7.50 per acre limitation, on a national average; and I believe it would be unwise for the Senate to vote to reduce by $100 million this $350 million item.

As I stated regarding the other amendment, if a cut is to be made, as proposed by the committee amendment, we might just as well eliminate all of the $350 million.

I firmly believe that if the other amendment had been adopted, even more than the proposed $350 million might have been needed.

I do not have a great deal of faith in the acreage reserve, even though some others do. But in the present case we are dealing with the conservation reserve program, which might well have an appropriation of $500 million. We have 131.9 million acres of class 4 land, some of which should be in grass, and some of it should be in trees. Let us get the land back to grass and to trees, and let us increase by a small number of dollars the per acre payments to be made, instead of trying to maintain a program calling for payments of $10, $15, $30, $40, or $50 an acre.

So I urge the Senate to vote for the full amount of $350 million, which was the amount called for in the committee amendment as reported by the Senator from Georgia [Mr. RUSSELL].

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Florida [Mr. HOLLAND].

The VICE PRESIDENT. The Senator from Florida is recognized for 5 minutes.

Mr. HOLLAND. Mr. President, I have been somewhat disappointed to hear Senators speak of the last vote as if it were purely a party vote. So far as I am concerned, I do not take a party position on matters gravely affecting the agricultural life of the Nation. That has been my position on the issue of price controls and in matters in the field of conservation, as well as other matters, and that was my position in regard to the vote taken recently.

On the contrary, both in the Appropriations Committee and on the floor of the Senate I have voted my convictions, which were to the effect that the limitation sought to be imposed would be very hurtful in parts of the Nation. We must remember that this is a national question, not a State question.

On this particular part of the argument, I agree completely with the position already taken by my able friend, the junior Senator from Minnesota [Mr. HUMPHREY].

I think that this program, the conservation reserve program, is the very heart of this whole soil bank approach. Conservation reserve means we are going to be planting trees and we are going to be building soil and we are going

to be building up the fertility of cultivated acres, many of which are worn out. If there is anything in the soil bank that appeals to people who want to build up fertility in the soil and restore fertility to wornout soil, it is the conservation reserve program. My only point is that the approach under the committee proposal is too timid, because it allows only $350 million for that which is the heart of the program, whereas the authorization last year set up a $450 million program for the conservation reserve for the year 1958.

I do not like to see us march right back down the hill when an issue of this kind comes before us. Particularly, I do not like to see any approach to this question on a partisan basis. I decline to follow anyone on a partisan basis on this kind of issue.

As I recall the vote, I heard several votes on this side of the aisle in support of the recent action taken on the amendment of the Senator from South Dakota—the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the senior Senator from Florida, myself, and others whose vote I perhaps did not hear. I am sure the reason why most of the votes on this side were cast the other way was due more to the fact that they were trying to stand by the committee action and back up a very popular and effective subcommittee chairman. It happened that the Senator from Florida had taken a different position in the committee, and he took it in voting on the floor, although he did not say anything about it.

I hope we shall not approach this kind of question from a partisan standpoint. I hope we shall not be cutting the heart out of the conservation reserve program for this approaching year by reducing the appropriation $200 million below that which we authorized for fiscal 1958 when we passed the bill a little over a year ago. I hope the amendment of the Senator from Georgia will be defeated.

Mr. MORSE. Mr. President, I wonder if the proponents will allow me 1 minute?

Mr. RUSSELL. I gladly yield 1 minute to the Senator from Oregon.

Mr. MORSE. I shall be frank in my explanation of why I shall vote against the amendment. I have checked it with conservation and forestry groups in my State. They all point out that, so far as my State is concerned, this program is highly to be desired from the standpoint of conservation and wildlife refuges, as mentioned by the Senator from Minnesota. Therefore, while I am disappointed whenever I do not vote with the Senator from Georgia, in the interests of conservation in my State, I shall vote against the amendment.

Mr. CASE of South Dakota. Mr. President, will the Senator from Illinois yield 2 minutes to me?

Mr. DIRKSEN. I yield 2 minutes to the Senator from South Dakota.

Mr. CASE of South Dakota. Personally, it is difficult for me to understand the purpose of the amendment. If there is anything to conservation, I should think we would want to offer the maximum opportunity for achieving conservation. If the money is not contracted for, it will not be spent; but if the purposes of conservation, for which the conservation reserve program was established, are to be accomplished, money has got to be appropriated in order to make the program effective. If the acres are not signed up, the money will not be spent.

On pages 684 and 685 of the hearings there appears a table showing the payment an acre, and the extent, under the conservation practices carried out under the 1956 conservation reserve program. This table is followed by footnotes which describe the practices for which payments are allowed. From these I read:

The first column is A–2, "Planting a permanent cover of grasses and legumes for soil protection."

The next is A–4 for "Treatment of cropland with lime to permit the use of grasses and legumes, soil improvement, and protection."

The next—A–7 is "Planting trees or shrubs for erosion control, watershed protection, shelter belts, or forestry purposes."

I may say that the A–7 practice was the only one used in my State last year.

Next—B–7 is "Dams, pits, or ponds to permit the protection of educated cover."

C–14 is "Dams, pits, or ponds for irrigation water."

D–1 is "Planting grasses or legumes for winter cover."

D–2 is "Planting grasses or legumes for summer cover."

G–1 is "Establishing and managing cover for wildlife."

The VICE PRESIDENT. The time of the Senator from South Dakota has expired.

Mr. DIRKSEN. I yield 1 additional minute to the Senator from South Dakota.

Mr. CASE of South Dakota. Senators as you can see, they are all for conservation purposes. If the acres are not signed up, the money will not be spent. Why should we not let the program go forward at least at three-fourths the rate which was envisioned when the soil-conservation program was adopted? Why not approve the $350 million as the bill is presented? The authorization originally was $450 million.

Under the next paragraph which deals with the acreage reserve, the amount of program is limited to $500 million. Thus, if the pending amendment should prevail, instead of the soil-bank program being permitted to carry on at the authorized rate of $1,250 million, it will be funded at the rate of only $750 million. That will be a reduction of $500,000,000, for the operation of the soil bank under what was authorized when adopted by the Congress last year.

If the purposes of the conservation practices are not good, kill the program outright. But if the conservation practices are desirable, we should provide the funds. If the signup does not require this amount, the money will not be spent.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I shall vote against the pending amendment. I wish to point out that if there is provided only $250 million to carry on the program, $165 million of that will be necessary to carry out existing contracts, and there will remain only $85 million for new contracts.

It is my belief that the soil-bank program should be given a fair trial. I am rather disappointed that the distinguished Senator from Georgia is seeking to reduce the appropriation relative to the conservation reserve acres portion of the soil bank. As the Senator from Florida pointed out, the authorization amounts to $450 million per year for that part of the soil bank. Even if the Senate goes along with the recommendations of the Appropriations Committee, we shall be short $100 million of the amount authorized in the law.

I wish to say I voted against the Mundt amendment when it was up for consideration, although I favored it. I made a strenuous effort before the committee, to defeat the committee amendment, to limit acreage payments, as the Senator from South Dakota knows. Having lost my fight before the committee, I resolved to follow the committee bill as reported. Such a course is in keeping with my policy of standing with the committee on which I am privileged to serve. Only in a few instances have I violated that policy.

The VICE PRESIDENT. The time of the Senator from Louisiana has expired.

Mr. RUSSELL. Mr. President, I wish to make a few brief observations with respect to some of the arguments which have been made against my amendment. Some Senators have sought to make it a test of whether or not a Senator is in favor of conservation if he votes in favor of the amendment. I shall have to leave that to time.

The bill contains a program of conservation, under the agricultural conservation provision, of $250 million, in addition to the $250 million proposed by the amendment, which will provide, in the next year, a half billion dollars' worth of conservation activities in the United States, which will be just twice what we have had in any year for the past 8 or 10 years. So there is no dearth of funds for conservation. The soil conservation program is here; it is working; it is in operation.

I am somewhat amazed to hear the argument which is made here that, because the Soil Bank Act authorized $450 million for a conservation reserve program, we could not decrease that program next year and be consistent with the provisions of the act.

I am surprised to hear that argument come from Senators who say they are all for the soil bank program. They rise on the floor of the Senate and say, "We must have at least a $350 million program next year, an increase of approximately $175 million over what we have today." Yet nobody has proposed to touch the acreage reserve program, which has been cut back $250 million from the amount authorized this year.

Talk about consistency. We are spending $612 million this year on the acreage reserve program. There is a limitation here of a $500 million program for next year. Nobody has talked about that. That is a cutback.

The amendment I have offered allows for a substantial increase in the conservation reserve program for the next year.

Then comes the attempt to make a test of supporting the soil bank, based upon whether or not the Senators vote down the amendment I have proposed. If a Senator is consistent in supporting the soil bank all he has to do is strike out all these limitations and restore a $750 million program next year for the acreage reserve.

We hear about the $350 million. Under the basic act the limitation on the acreage reserve program is $750 million a year.

I wish to put all Senators on notice. If they desire to be consistent, there is a limitation in this bill of $500 million on next year's acreage reserve program, and that is a cutback of $112 million from what we are spending on it this year. So if Senators are consistently supporting the whole soil bank program, they have to authorize expenditures totaling $1.2 billion next year for the conservation reserve and the acreage reserve programs.

Talk about consistency. Some say I am not consistent although I provided an increase for the conservation reserve. Senators stand calmly by and see a reduction made in the acreage reserve program, which was supposed to be the part of the program which would get us out of the surplus surfeit that has been harassing and bedeviling us for so many years.

I am as strongly committed to the cause of soil conservation as any Member of the Senate, but, Mr. President, that does not mean I am willing to throw away money—paying, for instance, $1,000 for a fishpond, and then paying the farmer $11 an acre for the land in the fishpond covered by the water. Senators can go ahead and adopt that kind of practice if they want to do it—and they apparently do. I am in favor of conservation, but I am not in favor of paying as high as $88.50 an acre for the practice of planting trees, and then paying the man who owns the land and to whom we have given $88.50 an acre for the practice, a rental of $16.50 a year, for 10 years, while the trees he planted at Government expense are making him rich, and can be garnered after the program is ended.

Senators can call that conservation if they wish. I think some farmers will find it pretty good business, and it is practiced at the expense of the American taxpayer.

The amendment merely proposes to limit this program to $250 million next year. That will provide an increase of about $75 million. It would allow much more than that by way of increase, if the practice payments, were reduced, because the rental paid this year is only $61 million.

We can make good every contract we have made.

I was surprised to hear the distinguished Senator from Vermont [Mr. AIKEN] say that we are breaking our commitment to the American farmers if we do not double the conservation reserve program, when he is breaking that commitment by supporting a $500 million acreage reserve program, which is a cutback of $112 million from what we are paying this year.

I am not under any illusion, Mr. President, as to what will happen to this amendment. I was not under any illusion when I offered it.

I have heard a great deal said here about economy. I want the RECORD to show that the dollars we speak of so glibly will have to be paid, under the very loose program which has been adopted by the Department of Agriculture, for a period of 10 years. When Senators vote for $1 they are voting for $10. I hope the American taxpayers know that. These bills have to be paid for the next 9 years.

Senators may call that partisanship, if they wish. I do not care what they call it. It is my philosophy that conservation is a good thing, but I do not believe in strewing money around needlessly.

We have a great conservation program. We have the ACP program, calling for $250 million a year, in this bill. That is one conservation program which has not been touched or reduced by the soil-bank program; indeed, the soil-bank program has been pyramided on top of it.

I want to relieve any Member of the Senate who would be willing to risk being called my friend of any obligation to vote for this amendment. The Senator from Florida [Mr. HOLLAND] referred to that suggestion in his remarks. Senators should vote their consciences as they see them, because I am not offering the amendment as chairman of the committee. I am not appealing to Senators for the sake of any friendship. I am offering the amendment because I feel it is my duty to try to hold this program in some kind of a check and not let it expand too much under the present loose administration, when I know that the payments under contracts entered into so gaily have to be paid year after year over the period of the next 10 years.

We are only planting the seed when we enlarge this program, but there will result flourishing trees which we will have to supply with water at the expense of the American taxpayer for the next 10 years.

Mr. CHAVEZ. Mr. President, will the Senator yield for a moment?

Mr. RUSSELL. I yield.

Mr. CHAVEZ. I had to go to New Mexico over the weekend, and I was told about what the Senator is now discussing, I believe. Mr. McDonald, a dairyman farmer living near Clovis, N. Mex., told me, personally, that owners of land which was not worth more than $20 came under this program and were paid $75. Thereafter, when the owners received the $75 under the program, they would put the land up for sale, and go to work at the airbase.

Mr. RUSSELL. Mr. President, I do not doubt that this program has been abused. I have not had the staff or the facilities to run down all the rumors I have heard as to land which has been sold and title transferred, with no obligation on the buyer to pay for the land except through the soil-bank payments. I do not say that practice is widespread, but if one case happened in the name of conservation it is one case too many. This is a program we ought to believe in, certainly when we permit this much of an increase, when we know the payments have to be multiplied by 10 in the long run, we must add the expense of a billion dollars which would be involved if we increase this appropriation $100 million.

Mr. President, I reserve the remainder of my time.

Mr. KNOWLAND. Mr. President, how much time do I have left?

The VICE PRESIDENT. The Senator from California has 4 minutes.

Mr. KNOWLAND. I yield 3 minutes to the Senator from Illinois [Mr. Dirksen].

Mr. DIRKSEN. Mr. President, there is no element of consistency or inconsistency involved in this matter.

Mr. RUSSELL. I am glad the Senator makes that confession, because it has been argued here that I was not consistent.

Mr. DIRKSEN. I have never made that argument.

Mr. RUSSELL. I did not say the Senator had.

Mr. DIRKSEN. I simply submit to the Senate this program is exactly what the name implies; it is a conservation acreage-reserve program, and it is meant to conserve the acres of this Republic on a 3-year contract, or a 5-year contract, or a 10-year contract, or in some cases on a 15-year contract. We do not make a commitment entirely over a 10-year period.

This whole matter was promulgated in the first instance in the Committee on Agriculture and Forestry of the Senate. The distinguished chairman of that committee, the Senator from Louisiana [Mr. Ellender], stood today in the Senate and said he was opposed to the amendment offered by the Senator from Georgia. The distinguished Senator from Florida [Mr. HOLLAND], a member of the Committee on Agriculture and Forestry, and one thoroughly devoted to the cause of agriculture, stands in his place in the Senate and opposes the amendment offered by the Senator from Georgia. The distinguished Senator from Minnesota is a member of the Senate Committee on Agriculture and Forestry. He helped to fashion and shape the program. He stands in his place tonight and opposes the amendment of the Senator from Georgia.

Is it necessary to marshal any more testimony? Is it necessary to summon any more witnesses against the very thing which the distinguished chairman of the subcommittee proposes to do; namely, to cut this program by $100 million? If we intend to cripple it, let us eliminate it altogether. But if we are to have a conservation program, if we are to have a program to which Member after Member in the Senate Appropriations Committee has addressed himself with vigor, let us support it. On the other hand, there was little enthusiasm for the acreage reserve program. It must be apparent to those who have followed the destinies of agriculture that this is the one thing upon which those leaders have set their hearts as the hope of the American farmer and the hope of the country in conserving the rich natural resources of our soil.

Mr. President, I do not think it is necessary to say anything further so far as those who brought this program before the Senate in the first instance last year are concerned. If we are to have a program, let us not stand it on one leg. Let us give it a fair chance, and vote the entire $350 million. In doing so we shall still be $100 million under the authorization brought in by the legislative Committee on Agriculture and Forestry.

I therefore trust that the amendment of my very distinguished friend from Georgia will be roundly rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, have I any further time?

The VICE PRESIDENT. The Senator has 11 minutes remaining.

Mr. RUSSELL. I shall use about 2 minutes to inject a somewhate lighter note into this argument.

I must express to the Senator from Illinois my deep appreciation for the high compliment he has paid the distinguished Senator from Louisiana [Mr. ELLENDER] and the distinguished senior Senator from Minnesota [Mr. HUMPHREY]. I regret that the light did not strike him when the farm bill was before us last year. It has just now come to his attention that they are men who are worthy of being praised.

This issue is merely a matter of degree. The overall authorization in the bill of which the distinguished Senators to whom I have referred were architects is, over a 4-year period, $450 million in any 1 year.

It is but natural that the fathers of the soil bank—godfathers as well as putative fathers—should look upon it with more favor than those of us who have the annual chore of appropriating funds for it. It is all a question of degree. The total authorization under the law, over a 4-year period, is $450 million in any 1 year. The farmers signed contracts for about $172 million for this year. So if they have $350 million, they will have as much again next year. If they have $250 million, they will not have quite as much as they have.

The question of the nurseries, raised by the Senator from Vermont [Mr. AIKEN], is not involved in the slightest degree in the amendment. The nurseries are in operation, and the money is in the bill for them.

No Senator likes to think that he is a slave to consistency. We know that consistency is the hobgoblin of small minds. Therefore, no Senator would admit that he had to be bothered with consistency. I express the hope that the Senator from Illinois will recognize the leadership of the Senator from Louisiana and the Senator from Minnesota when we bring a real soil-bank bill to the floor of the Senate.

Mr. DIRKSEN. If a real bill comes to the floor of the Senate, I shall be more than delighted to follow in the footsteps of those distinguished Senators.

Mr. RUSSELL. The Senator from Illinois did not share the views expressed by them.

Mr. DIRKSEN. Only because one item was not included in the bill.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL].

Mr. RUSSELL. Mr. President, I am ready for a vote. I yield back any time remaining to me.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time and suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

Mr. KNOWLAND. Mr. President, I withdraw the suggestion of the absence of a quorum.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Georgia [Mr. RUSSELL]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Rhode Island [Mr. GREEN], the Senator from Tennessee, [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent on official business by leave of the Senate.

On this vote, the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Rhode Island [Mr. GREEN]. If present and voting, the Senator from Illinois would vote "nay" and the Senator from Rhode Island would vote "yea."

I further announce, if present and voting, the Senator from Tennessee [Mr. KEFAUVER] and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce the Senator from New Hampshire [Mr. COTTON], that the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The result was announced—yeas 26, nays 52, as follows:

YEAS—26

Anderson	Ervin	Kerr
Barrett	Frear	Lausche
Bible	Goldwater	Mansfield
Byrd	Hayden	Monroney
Chavez	Johnston, S. C.	O'Mahoney
Dworshak	Kennedy	Pastore
Purtell	Russell	Thurmond
Revercomb	Saltonstall	Williams
Robertson	Smith, Maine	

NAYS—52

Aiken	Gore	Morton
Allott	Hennings	Mundt
Beall	Hickenlooper	Murray
Bennett	Hill	Neuberger
Bricker	Holland	Potter
Butler	Humphrey	Schoeppel
Capehart	Ives	Scott
Carlson	Jackson	Smith, N. J.
Carroll	Javits	Sparkman
Case, N. J.	Jenner	Stennis
Case, S. Dak.	Johnson, Tex.	Symington
Church	Knowland	Talmadge
Cooper	Kuchel	Thye
Curtis	Long	Watkins
Dirksen	Magnuson	Wiley
Eastland	Martin, Iowa	Yarborough
Ellender	McNamara	
Flanders	Morse	

NOT VOTING—17

Bridges	Green	McClellan
Bush	Hruska	Neely
Clark	Kefauver	Payne
Cotton	Langer	Smathers
Douglas	Malone	Young
Fulbright	Martin, Pa.	

So Mr. RUSSELL's amendment was rejected.

Mr. HUMPHREY. Mr. President, I send to the desk an amendment which is offered on behalf of the Senator from Missouri [Mr. SYMINGTON], the Senator from Colorado [Mr. CARROLL], the Senator from Oregon [Mr. MORSE] and myself. I ask that the amendment be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 4, line 17, it is proposed to strike out the figure "$16,586,000," and insert in lieu thereof the figure "$18,388,000."

Mr. HUMPHREY. Mr. President, the amendment deals with the section of the appropriation bill which refers to the Federal Meat Inspection Service. The committee provided for $16,586,000. The administration budget request was for $18,718,000. The amendment submitted by us provides for $18,388,000, an increase of $1,802,000.

The amount will take care of the additional inspectors who are recommended by the Department of Agriculture, plus the increase in funds which will be necessary to put into effect the reclassification program which has been ordered by the Civil Service Commission.

I would have the RECORD note that the Meat Inspection Service is obligated to put into effect a reclassification program during fiscal year 1958, at a cost of $590,000. It is also obligated to supply uniforms to inspectors, at a cost of $230,000. The amendment does not take into consideration the $230,000 for uniforms. It was the feeling of the sponsors of the amendment that this amount could be absorbed in the appropriations which would be made available to the Service.

It should be crystal clear that if the $590,000 is not supplied for the additional increment in salaries, due to reclassification, it will have to be supplied at a later date in a supplemental appropriation bill. If an amendment is offered to our amendment, or a substitute is offered to the amendment, as I have heard it indicated, the Senate will be required at a later date to pay the bill for the reclassification. It is merely a matter of whether we wish to do it now in the appropriation bill before us or whether

we want the RECORD to indicate for the moment that we were a little economy minded, and then within a few months take care of it in a supplemental bill.

One other point I should like to make is this: During the past 9 months meat inspection had to be temporarily curtailed in the meat packing plants in 18 cities throughout the Nation, because replacements were not available when the regularly assigned inspectors were unable to work.

It should be further noted that the meat packing industry is being decentralized. There is a reason for that. Let me say to my friends in the areas where beef cattle have become an important part of the economy, that the packing houses have become decentralized so that they will be closer to the sources of supply of cattle, because it is cheaper to ship dressed beef than it is to ship cattle. The packers prefer to be closer to the source of supply and also prefer to be closer to the market for the processed product. The facts I have indicate that during the past 5 years the number of meat packing plants covered by the Federal Meat Inspection Service has increased from approximately 900 to 1,300.

That is an increase of 407 plants. In servicing those plants, the inspectors have had to be assigned to 500 cities and towns in 1957, in contrast to 400 cities and towns in 1953.

The number of animals inspected has increased from 90 million in 1953 to 110 million in 1957.

The manning of the meat inspection organization has simply not kept pace with this increase, either in the number of packing plants, the number of locations or communities, or the numbers of cattle which had to be handled in the packing operations.

We all know that a meat inspector stands right along the production man in a packing plant. If there is not an adequate number of meat inspectors to handle the production, there is only one thing to do, and that is to cut down the production. When the production is cut down, it means a tightened supply. When there is a tightened supply, the price is raised. So when production is cut down, not only is there a tightened supply, but the price is raised, and the farmer is denied a readily available market for his livestock.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CASE of South Dakota. Is it not true that this is one amendment which will benefit both the consumer and the producer, in that it will protect the consumer and will aid the producer?

Mr. HUMPHREY. It is my feeling that it will surely do that. I cannot imagine that we would want to have less than adequate inspection of meat.

I am certain the argument also will be made that under the amount recommended, with payment by the packers of overtime, they can get adequate Federal inspection. But I would have the RECORD further show that when overtime is paid, that amount is included in the cost of the product which goes to the consumer.

Mr. CASE of South Dakota. Mr. President, would the Senator from Minnesota object to my asking unanimous consent to have telegrams I have received on this subject printed in the RECORD following his remarks?

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the Senator from South Dakota may have the telegrams printed in the RECORD following the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MAGNUSON. Mr. President, I ask unanimous consent that I may have the same privilege of having a series of telegrams printed in the RECORD following the conclusion of the remarks of the Senator from Minnesota.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HUMPHREY. Mr. President, I bring to the attention of the Senate the fact that the Civil Service Commission has spent almost 2 years working out schedules of compensation to become effective July 1, 1957. In other words, in about 15 or 16 days an entirely new compensation schedule will go into effect for veterinarians and others engaged in the Federal meat inspection service. Congress will have to provide the money. If it does not provide the money now, it will be necessary to provide it when Congress returns next January.

I feel that that states my case. I hope the Senate will agree to my amendment.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. CARROLL. The correspondence I have received from Colorado corroborates everything the distinguished Senator from Minnesota has said on the floor. That is why I am so happy to join with him in offering the amendment. As the Senator from South Dakota has said, the amendment will benefit and protect both the consumer and the producer.

I congratulate the Senator from Minnesota on the clear and concise presentation of his statement.

Mr. McNAMARA. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. McNAMARA. I wish to compliment the Senator from Minnesota for his excellent, concise statement. I join with him wholeheartedly in offering the amendment.

Mr. HUMPHREY. Mr. President, I have used as much time as I need. I yield the floor.

EXHIBIT 1

MITCHELL, S. DAK., *June 3, 1957.*

FRANCIS CASE,
Senate Office Building,
Washington, D. C.:

On June 5, Senate Subcommittee on Agricultural Appropriations will act on providing funds for Federal meat inspection during ensuing year. Theoretically inadequate appropriation will undoubtedly result in the ultimate reduction of Government inspection personnel, thus resulting in the curtailment of handling of livestock. We sincerely urge passage of proper appropriation for adequate meat inspection.

GEORGE A. HORMEL & CO.,
DAVID W. COREY, *General Manager.*

SIOUX FALLS, S. DAK.

Hon. FRANCIS CASE,
Washington, D. C.:

Urgent please use influence provide additional funds over this year's budget for agriculture research service, United States Department of Agriculture and avoid serious interference with important inspection control and research activities and injury to livestock and meat industries and consumers.

J. B. Sigrist, Cathryn J. Cammack, Walter G. Wachob, Francis J. Barron, W. John Duhon, George Casady, Carl S. Nash, Philip A. Ray, B. A. Jacoby.

BELLE FOURCHE, S. DAK.

Senator FRANCIS CASE,
Washington, D. C.:

Please support aggricultural appropriations bill retaining the $2 million for utilization research.

WESTERN SOUTH DAKOTA SHEEP GROWERS ASSOCIATION,
JOHN WIDDOSS, *Secretary.*

WATERTOWN, S. DAK., *June 4, 1957.*

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.

DEAR SENATOR CASE: I am writing this letter to urge you to support the President's budget proposal for the Meat Inspection Service, that is, a total appropriation of $18,718,000 and especially the $1,212,000 earmarked for the hiring of the new inspectors.

I have worked in the packing industry for over 20 years, and I fear very much the danger of relaxing to the very least on strict Government inspection. I sincerely urge you to back this program with all your power, for better health and sanitation in the packing plants of these United States.

Thanking you for your past support,
I remain,

WILLIAM J. FOX.

WASHINGTON, D. C., *June 11, 1957.*

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.:

Please support amendment restoring Meat Inspection Service funds during Agriculture budget debate today-tomorrow. Additional inspectors desperately needed. Temporary curtailments in meat production because inspector shortage already occurred in 18 cities. Higher meat prices for consumers, unemployment among workers, lower cattle prices for farmers will result unless cuts restored.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN, AFL–CIO,
EARL W. JIMERSON, *President,*
PATRICK E. GORMAN,
Secretary-Treasurer.

WASHINGTON, D. C., *June 11, 1957.*

Hon. FRANCIS CASE,
Senate Office Building,
Washington, D. C.:

Unless amount requested by USDA for essential meat inspection services is restored by the Senate it will mean layoff of Federal meat inspectors and curtailment of production in packing industry to the detriment of both livestock producers and consumers. Urge you to support restoration of USDA budget request when meat appropriation comes before Senate for vote today or tomorrow.

AMERICAN MEAT INSTITUTE,
ALED P. DAVIES.

EXHIBIT 2

June 6, 1957.

Senator WARREN G. MAGNUSON,
United States Senate Building,
Washington, D. C.:

Please support the President's budget proposals for the Meat Inspection Service that

is a total appropriation of $18,718,000 and especially the $1,212,000 earmarked for the hiring of the new inspectors. We wish to point out the dangers to consumers, packinghouse workers and farmers if additional inspectors are not added to the Meat Inspection Service. Thank you for your full cooperation.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN OF NORTH AMERICA,
CHARLES J. MENTRIN,
International Vice President.

SEATTLE, WASH., *June 6, 1957.*

Senator WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Please support the President's budget proposals for the Meat Inspection Service that is a total appropriation of $18,718,000 and especially the $1,212,000 earmarked for the hiring of the new inspectors. We wish to point out the dangers to consumers, packinghouse workers, and farmers if additional inspectors are not added to the Meat Inspection Service. Thank you for your full cooperation.

WASHINGTON FEDERATION OF BUTCHERS,
GEORGE COREY, *President,*
CHARLES J. MENTRIN, *Secretary.*

OLYMPIA, WASH., *June 10, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Request your support for additional funds for this year's budget for United States Department of Agriculture, Agricultural Research Service, to eliminate reduction which will seriously interfere with important inspection, control, and research activities and do serious injury to livestock and meat industries and consumers.

NATIONAL ASSOCIATION FEDERAL VETERINARIANS,
IRWIN ERICKSON,
Resident Secretary.

OLYMPIA, WASH., *June 10, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Urge favorable consideration budget needs Agricultural Research Service for vitally needed research and disease eradication work. Such action necessary to economy agriculture interest and for protection consuming public. We are grateful for your past support and trust this matter will receive your full attention.

WASHINGTON STATE VETERINARY MEDICAL ASSOCIATION,
WILLIAM F. HARRIS, *Secretary.*

WASHINGTON, D. C., *June 11, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Please support amendment restoring meat inspection service funds during Agriculture budget debate today, tomorrow. Additional inspectors desperately needed. Temporary curtailments in meat production because inspector shortage already occurred in 18 cities. Higher meat prices for consumers, unemployment among workers, lower cattle prices for farmers will result unless cuts restored.

AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN, AFL-CIO,
EARL W. JIMERSON, *President.*
PATRICK E. GORMAN, *Secretary-Treasurer.*

WASHINGTON, D. C., *June 11, 1957.*

Hon. WARREN G. MAGNUSON,
Senate Office Building,
Washington, D. C.:

Unless amount requested by USDA for essential meat inspection services is restored by the Senate it will mean layoff of Federal meat inspectors and curtailment of production in packing industry to the detriment of both livestock producers and consumers. Urge you to support restoration of USDA budget request when meat appropriation comes before Senate for vote today or tomorrow.

AMERICAN MEAT INSTITUTE,
ALED P. DAVIES.

Mr. RUSSELL. Mr. President, I desire to say a few words in opposition to the amendment. However, in the atmosphere which prevails here, I have no strong feeling that I may be able to influence the Members of the Senate. But I ought, at least, to give the views of the committee as to why the amendment should not be approved.

This is not a new issue. Every year we have a a fight over the meat inspection item. Historically, Congress has appropriated some money for meat inspection. If it was not enough to go around, the packers are compelled to call in the inspectors and pay them for the overtime during which they inspect beyond time for which they were paid from appropriated funds. As a matter of fact, I have certain figures which were supplied to me by one of those urging the amendment. I may say the amendment has been well urged. All the packers have joined together this year, and that is quite a powerful force to strike at Congress, because mighty few States do not have a few packing plants within them. I know there are quite a few in my own State, I am glad to say. The packers have urged—they have always urged—that all of this cost be placed upon the taxpayers, instead of having the packers bear any of the cost. This year is as good a year as any to urge that philosophy, although I am very much opposed to it. I do not believe the proposed increase can be justified.

It is admitted by the proponents of the amendment that the cost of the overtime to be paid by the packers in 1957 will be less than it was in 1956. There will be no great increase. It simply comes down to a question of whether or not the taxpayers should bear the entire cost of the inspection, or whether we believe the packers should continue to pay the part they have paid historically.

I realize that a pay increase is involved in the appropriation. I do not approve of pay increases which are made in this fashion. I am somewhat old fashioned in my approach to this budget. In this case the Department of Agriculture asked the Civil Service Commission for the authority to reclassify meat inspectors. The Civil Service Commission granted the authority, and the Department of Agriculture reclassified the meat inspectors and resubmitted the reclassification to the Civil Service Commission. The Civil Service Commission approved it, and that may be binding on Congress. If it is, it ought not to be, because it is not a good system of appropriating money to give departments and the Civil Service Commission the right to raise the salaries of Federal employees, when Congress is thereby committed unalterably to paying them. For my part, I do not propose to be required to approve appropriations under any such practice as that.

Of course, Senators will vote as they see fit. Undoubtedly the proposal will appeal to many Senators. But I do not believe in being placed in a position, myself, in which I must vote for an increase whether I like it or not, due to administrative action in the executive branch of the Government.

There has been a slight increase in the number of packing plants due to the decentralization process. Contrarywise, this has somewhat reduced the size and capacity of each of those plants, so that there is not quite so much inspection now. The estimate I have for 1957 as to the approximate number of livestock to be slaughtered, which was furnished me by the Western States Meat Packers Association, Inc., which strongly supports the amendment, states that the estimated slaughter for 1957 is 104 million and not 110 million or 111 million, as related by the Senator from Minnesota.

In my opinion, an increase of some 25 or 30 meat inspectors might be justified. I do not want to advise the Senate on this matter, but I could justify an increase of that number to take care of the decentralization of the meatpacking plants.

But so far as I am concerned, I intend to vote against any proposition by which I am tied, string haltered, and delivered, so that I cannot do other than to vote for salary increases which are instituted, as this one is, by the executive department.

I certainly do not think there is any commitment, as the Senator from Minnesota said there was, concerning the uniforms which were included in the budget this year. There has been meat inspection in the United States for about 40 years or longer. I have forgotten exactly when it was that Dr. Wiley's admonition was finally recognized.

The Government has never paid for the uniforms up to now. I have been unable to find any act of Congress which authorized the appropriation of the taxpayers' money to buy all these white uniforms. Supplying the uniforms has always been a part of the job.

When it came to the mail carriers, Congress said it was necessary to pass an act to authorize an appropriation to buy their uniforms. But in this case the Department has asked for an appropriation to buy the clothing which the inspectors wear, although they have been buying their own clothing for many years.

I have great sympathy with the inspectors and anyone else who is not drawing a salary which is regarded by them as adequate. I think it would be appropriate for the proper committees of Congress to consider proposing legislation dealing with increases in salaries. But so far as this amendment is concerned, I think it increases the figure in the House bill too much. I shall vote against the amendment.

I yield 5 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, when the House dealt with this item, they took

the 1957 appropriation and added $936,000 for the necessary retirement money. That was the way the bill came to the Senate. The restoration requested was $2,132,000. It included $220,000 for uniforms, the authority for which I think is doubtful; and I quite agree with the chairman of the committee on that point. It embraces also $590,000 for pay increases which are expected to become due in July. I am not sure it is mandatory; but if it is mandatory, then of course the Department can easily get a supplemental estimate and can send it to the Bureau of the Budget, and it can be messaged to the Congress before the session ends.

The remainder of the amendment, $112,000, was for 190 extra positions. I am inclined to agree with the chairman of the committee on that point, and I had hoped we could reach a compromise amount. At the pay levels of GS–4 and GS–5, we could make provision for 45 additional inspectors at a cost of $240,000. So I thought I would submit a substitute for the amendment offered by the Senator from Minnesota; and I should like to have the substitute reported, in the hope that the distinguished chairman of the committee will be able to accept the substitute, in order to meet the need for some additional inspectors.

Mr. HUMPHREY. Mr. President, before the substitute is offered, I should like to make 1 or 2 corrections, so there will be no misunderstanding of the figures I presented in connection with the amendment. I did not include the $220,000 for uniforms.

Mr. DIRKSEN. That is correct.

Mr. HUMPHREY. I think there is doubt as to any obligation on the part of the Congress to provide uniforms. My amendment does not include them.

Mr. RUSSELL. I am glad the Senator from Minnesota clarified that point, for I thought he said something about an obligation to provide uniforms.

Mr. HUMPHREY. I said the Department stated there was such an obligation, but I do not believe there is such a legislative obligation.

The counsel for the Department feels that Congress is obligated to make $590,000 of salary adjustments. Regardless of whether there is such a legal obligation, certainly veterinarians do not have to work for the Federal Government at peasant salaries. Instead, they can work at a living wage for Parke-Davis & Co. or other private companies.

The truth is that veterinarians are in short supply; and if they are to work for the Federal Government, some salary adjustments must be made.

Mr. RUSSELL. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. RUSSELL. Whose time is being used at present?

Mr. HUMPHREY. My time; and I am glad to yield to the Senator from Georgia.

Mr. RUSSELL. Very well.

The Senator from Minnesota has referred to veterinarians, but these employees do not have to be graduate veterinarians.

Mr. HUMPHREY. No; not all of them.

Mr. RUSSELL. We have made several increases in the pay of the meat inspectors; that has been done during the last several years, and there has never been any deficiency in the number of meat inspectors, because of the salary paid.

Last year we provided for a fifty or sixty increase, and the jobs were snapped up at once. Higher salaries were not required, as in this case.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DIRKSEN. Can the substitute be offered before the Senator from Minnesota has used or yielded back the remainder of his time?

The VICE PRESIDENT. Not under the unanimous-consent agreement.

Mr. RUSSELL. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. Did the Chair rule that an amendment to the amendment of the Senator from Minnesota is not in order?

The VICE PRESIDENT. Under the unanimous-consent agreement, as such agreements have been construed, when the time is limited, such an amendment would have to be considered at the conclusion of action on the pending amendment.

Mr. RUSSELL. But after the time on the first amendment has been consumed, an amendment to it will be in order; is that correct?

The VICE PRESIDENT. Yes.

Mr. CASE of South Dakota. Mr. President, would an amendment in the nature of a perfecting amendment be in order?

Mr. HUMPHREY. Mr. President, as I understand, we can accomplish the purpose by a modification of the amendment; and the author of an amendment has the privilege of modifying it, as I understand.

The VICE PRESIDENT. That is correct.

Mr. HUMPHREY. Mr. President, I wish to say most respectfully to the chairman of the subcommittee and to the Senator from Illinois [Mr. DIRKSEN] that there may be an argument as to whether all 192 of these inspectors are required. The Department of Agriculture made the request. The Meat Inspection Service has had a very honorable and enviable record. I do not know of any time when anyone has been able to accuse it of padding the payroll. Furthermore, the Meat Inspection Service has a fine professional record, and it should be maintained.

The amount I have requested on behalf of my colleagues and myself is $1,802,000, composed of $1,212,000 for the inspectors, and $590,000 for the increased salaries.

The Senator from Illinois is proposing an amendment of approximately $240,000. It seems to me that we should face the obligation of paying the bill for the compensation of Federal employees. Therefore, if the Senator from Illinois has no objection, I shall modify my own amendment, so as to reduce the figure from the maximum amount of $1,802,000, as an increase, to the amount of $1 million, which would change the committee amendment to $17,586,000. That will provide $590,000 for pay increases, and will provide $410,000 for additional inspectors.

I submit that the Department could make a legitimate request for 192 inspectors, and I submit it is not presumptuous to assume that it might well be in line to provide for 50 or 60 inspectors. I believe this is a fair compromise, and can be worked out with the House of Representatives, which voted a much smaller amount; but this compromise will provide some leeway, so as to enable Members of the Senate of competent and expert knowledge, who will be the conferees on the part of the Senate, to work out the matter in conference.

Mr. DIRKSEN. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. DIRKSEN. I wish to state that I feel obligated to go along with the chairman of the subcommittee on this item, because in the subcommittee and in the full committee we accepted it, and we so reported it to the Senate. Before I undertook to act on the matter, I discussed it this morning with the Senator from Georgia. When I first proposed an amendment of $500,000, he said he would accept it and take it to conference. We then thought that $240,000 was enough to add, and the Senator from Georgia agreed to accept that amount. I cannot go beyond that figure.

But the Senator from Minnesota now suggests that we add $1 million. I must stay with the figure we discussed this morning; and on that basis I must necessarily support my distinguished friend, the Senator from Georgia.

Mr. HUMPHREY. What do we intend to do about the funds for the compensation of Federal employees? The Civil Service Commission really sets up the pay schedules; and unless we are prepared to overrule the Civil Service Commission by act of Congress, the bill will come due. I must confess that there have been times when I myself have been compelled to delay paying some of my bills, but one's bills generally catch up with him.

Mr. DIRKSEN. The advice I have received is that the order will not be released until July.

Mr. HUMPHREY. That is only about 16 days from now.

Mr. DIRKSEN. I refer to the order regarding pay increases, and in that connection there is actually no authority before us at the present time. But if the authority exists, it will be easy to send up a supplemental estimate for $590,000, to cover the pay increases involved.

Mr. HUMPHREY. But when that comes to us, the Federal employees who are supposed to receive the pay increases will have already been on the job at the lower pay schedule. Instead, we should deal with Federal employees in the same way that the employees of private firms are dealt with. In other words, when

they are told that they will receive a pay increase, the pay increase should be made.

Mr. DIRKSEN. A rather nice question is involved when the Department goes to the Civil Service Commission, and the Civil Service Commission allegedly issues an order to be effective in July of 1957. But that does not provide the authority, in my judgment at the moment, to embrace a $590,000 pay increase.

Mr. RUSSELL. Mr. President, I wish to make only one or two observations.

Although the committee held rather exhaustive hearings, the committee was not told that this finding was as immutable as the law of the Medes and the Persians. A certain amount was asked for, just as additional inspectors were asked for. The committee was not told it was absolutely binding on us. I do not say it is or it is not; I only say I oppose appropriating the money before the order has been actually issued.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ANDERSON. Have not the Senator from Georgia and other Senators many times agreed that if a certain raise in schedule came about and an emergency appropriation was necessary, they would grant it immediately? I can testify, from having been in the Department of Agriculture, that the Congress can act quickly. It so happens that the able Senator from Illinois was referring to a particular responsibility of the Department. I am attracted to what the Senator from Illinois has said, that if a request for the $590,000 is made, the Senator from Georgia will act upon it.

Mr. RUSSELL. Mr. President, I do not want to be committing myself before the question is considered. I will deal with it fairly, but I do not want to be put in a false position.

Mr. ANDERSON. I said if a request is made, the Senator from Georgia will act promptly. He might turn it down.

Mr. RUSSELL. I certainly would give it every fair consideration.

Mr. ANDERSON. Mr. President, has the amendment been offered?

Mr. HUMPHREY. Mr. President, I have visited with the Senator from Illinois. We can expedite action. We need not quibble over how or when we are going to pay the extra sum for the revised compensation schedule. I think we shall all act in good faith when the request comes before us. In order to get on with the program and give the Department much needed extra inspectors and give the conferees an opportunity to use their good judgment on the final figure for the service if there is no objection, I further modify my amendment to the figure suggested by the Senator from Illinois. The distinguished chairman of the subcommittee has indicated his willingness to accept the proposal.

Mr. RUSSELL. Does the Senator from Minnesota modify his amendment accordingly?

Mr. HUMPHREY. I modify my amendment accordingly.

Mr. RUSSELL. If he does, I am willing to take the amendment to conference, and do the best I can.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Minnesota [Mr. HUMPHREY], as modified.

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. LAUSCHE. Mr. President, I offer an amendment, which I ask to have stated.

The VICE PRESIDENT. The amendment of the Senator from Ohio will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 29, beginning with the word "Provided" in line 6, to strike out down through line 15, and insert in lieu thereof the following:

Provided, That no part of this appropriation shall be used to formulate and administer an acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any one producer in excess of $2,500 with respect to the 1958 crops.

Mr. LAUSCHE. Mr. President, Members of the Senate, my amendment, if adopted, will restore the bill to the status it occupied when it left the House, as relates to the acreage reserve program.

I confess to my colleagues that I had some hesitancy about submitting this amendment. My conviction that it ought to be acted upon has grown primarily as a result of repeated statements made in the Senate this evening concerning the doubtful validity of that part of the soil program dealing with the acreage reserve.

The purpose of the program when originally adopted was to reduce production so as to diminish the surplus products of farmers. Admittedly, that objective has not been attained. The contrary is the fact. Surpluses have increased. I recognize that, for the purpose of enjoying political tranquility, it would be far better if I did not offer this amendment.

I should like further to state that in the casting of my vote on the amendment proposed by the Senator from South Dakota [Mr. MUNDT], I did not do so on a political basis. I further want to state that I did not change my vote on a political basis. If there is to be a tolling by the citizenry of the votes cast, it will not be said that I cast my vote on the basis of party dictation. It was cast because I believed in the soundness of the presentation made by the Senator from Georgia.

For 6 months I have listened to the arguments about what has happened with the soil-bank program, especially in relation to the acreage reserve. It has been uniformly stated that surpluses are increasing. Now, my query is, Why are we putting $500 million into a program which we know does not achieve the objective which was contemplated when the program was originally adopted?

I have my own belief why we are appropriating the $500 million. From my standpoint, I owe an obligation to practice the virtues that are being preached today, and that is to put the fiscal condition of the country on a sound basis. To achieve that end, we cannot be giving away money.

My proposition is simple. I propose to restore the bill to the status it occupied, with regard to the reserve acreage program, when it came to the Senate from the House. I propose to do that because I have learned, in my experience as a lawyer and as a judge, that when a reason is the predicate for the adoption of measures in law, and it is found that the reason no longer exists, the law fails.

I wonder if there is anyone within the Senate Chamber who can feel with conviction that the acreage reserve phase of the soil-bank program is diminishing the surplus products, as was contemplated when the bill was originally passed.

Mr. THYE. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield to the Senator from Minnesota.

Mr. THYE. Whether I be rather bold in rising to the occasion, or to the remark of my distinguished friend, the Senator from Ohio, or not, I can say that the acreage reserve program was not put into operation until late in the calendar year 1956. It did cause quite a number of acres to lie idle.

Neither the Senator from Ohio nor I could, with any great degree of certainty, state the number of bushels of grain or the number of bales of fiber by which our overall crop was reduced, but we do know a sizable number of acres were withdrawn from production.

In the present year we know that a number of very fertile acres are under contract. In that category are some fertile acres in the western part of the great State of Ohio. That is one of the large producing areas, or, to state it another way, the yield per acre of corn and soybeans in the fertile field of Ohio is tremendous. Every acre that has gone into the acreage reserve program has been removed from the possibility of producing corn or soybeans as the case may be. Every acre under contract in the acreage reserve in Illinois, Iowa, Wisconsin, Missouri, and Nebraska will not produce corn or soybeans. Every acre taken out of production has reduced our surpluses by that much.

It is the surpluses that have brought about the ruinous, low prices for agricultural commodities. We are today spending more than a billion dollars under Public Law 480 to try to barter away our farm surpluses, because it is a known fact that such surpluses are weighing down the national market and have brought to the agricultural economy not a recession but an actual depression. A depression is now existing in the agricultural economy. In yearly income the agricultural economy has dropped from around $16 billion to around $11.6 billion. We do not wish to have any greater strain placed upon the farm economy than such a drop has entailed.

In only one way can we effect a reduction in the overall crops produced in America, and that is by a reduction of acreage. We cannot induce the farmers to let their acres lie idle unless we in some manner compensate them, because the farmers are paying, for good fertile land, from $3 to $4 an acre in taxes. The farmer has to pay insurance,

and he has his investment in all the chattel properties on his land. He must maintain his fire insurance, and pay upkeep on the buildings. All of that is a plant cost. We cannot ask him to permit his acres to lie idle, unless we compensate him in some way.

There was wisdom behind the acreage reserve program and the plan to compensate the farmer for permitting his acres to lie idle. Once we get production down, the surpluses will diminish, and the farm prices in our very high national economy, with the full employment we are enjoying, will come up to a level of equality. That is what we are striving for.

If we place a $2,500 limitation on the acreage-reserve program, many, many fertile acres will not go under contract in the State of Ohio, as well as in the States of Illinois, Nebraska, Iowa, or southern Minnesota, where there are so many productive corn and soybean acres. That is the situation we face.

If the Senator from Ohio wishes to take the responsibility of trying to represent agriculture and to provide the necessary appropriations to finance Public Law 480, and to provide a program for surplus milk and giveaway programs for various other commodities, he will, in the future years, have to be much more bold than most of us have been on the floor of the Senate. But if we proceed with the soil bank in a reasonable, intelligent manner, as provided in the bill as now written, and as amended this afternoon, I honestly believe that we will bring the agricultural economy into balance with the economy of the other segments of the Nation, which today is at the highest level recorded in history.

That is why I say I believe the amendment offered by the Senator from Ohio approaches the subject in the wrong way. In its wisdom the Committee on Appropriations put in a limitation of $5,000 which anyone can draw on the acreage reserve phase of the soil-bank program.

I say to the Senator from Ohio, frankly, I know he is an exceedingly intelligent man, and he is a very courageous man.

Mr. LAUSCHE. I thank the Senator very much.

Mr. THYE. I believe the Senator is approaching this subject in the wrong way. The Senator proposes a limitation which would deny farmers a reasonable participation in the program. If we do not obtain a reasonable participation, we will not have a program, but we will have a lot of men in the field acting as if they are administering a program, when, in reality, they have nothing to administer except a lot of office space. They will do a lot of marking of time in attempting to carry out a partial acreage reserve program and to reduce the overall crop harvest which we might have if all the acres in a given county should be harvested.

So, I say to the Senator from Ohio, I believe the proposed amendment is the wrong approach. I believe the Senator will be doing a disservice to himself and to the farmers of the State of Ohio by endeavoring to have such an amendment adopted.

Mr. LAUSCHE. I appreciate very much the sincerity of the statement made by the Senator from Minnesota. I do not hesitate in stating to him that he has given expression to the most optimistic interpretation of the results of this law that I have heard here or anywhere else. I know that the practical results thus far obtained do not support the argument made by the Senator from Minnesota.

Mr. THYE. Mr. President, will my friend, the Senator from Ohio, yield again?

Mr. LAUSCHE. If the Senator will permit me, I will yield to him later.

Mr. THYE. The Senator is very kind.

Mr. LAUSCHE. Moreover, I should like to express definitely the judgment that from the standpoint of the farmers of Ohio, the fact is that the little 80-acre or 100-acre farmer has not been helped by this law.

Mr. THYE. Mr. President, will the Senator yield at that point?

Mr. LAUSCHE. I will yield later.

I have been through the farm area of Ohio. Repeatedly the statement has been made "Our acreage is too small to be benefited by this law."

Mr. THYE. Mr. President, will the Senator yield at that point? As an attorney, I think he has answered his own argument.

Mr. LAUSCHE. Will the Senator permit me to continue my own argument? I may say that I do not take exception, but the Senator from Minnesota spoke longer on the subject than I did, yet I am the mover of the amendment. If the Senator will permit me, for the moment, I should like to conclude my statement.

In other words, the Senator tried to take the ball out of my hands. I hope he will indulge me while I try to recover it.

The VICE PRESIDENT. The Senator from Ohio declines to yield.

Mr. LAUSCHE. I desire to repeat that tonight, in this Chamber, there must have been at least 10 statements made by Senators who spoke on the former amendment that the law was not achieving its objective. It is on that basis that I offer this amendment. In my judgment it is a giveaway program. In my judgment the purpose is to offer balm, and I do not contemplate doing so. It is on that basis that I submit the amendment.

I now yield to the Senator from Minnesota.

Mr. THYE. Mr. President, the distinguished Senator from Ohio was most considerate and very, very tolerant, I will say, because I did speak at some length, and it was actually by way of rebuttal to the argument advanced by the distinguished Senator. However, the Senator from Ohio threw out a challenge; and whether I was bold or otherwise, I accepted the challenge.

The Senator from Ohio actually answered his own argument, because the Senator from Ohio said that the small farmer was not being benefited. Mr. President, we do not want to reduce the number of acres of the small farmer's operation, because a man on an 80-acre farm or a 160-acre farm is in need of the 80 acres or the 160 acres of land in his operation in this modern age. He has his tractor and other equipment. Whether he operates the farm as a 1-man operation, or with a man and a boy as an operator, he requires that land.

What we are endeavoring to do is to reduce the acreage which is productive; and the reserve phase of the soil bank is the program which will reduce the number of acres. If we can take 50 acres from a 500-acre farm and place them in the reserve program, we are reducing the potential for developing or producing a surplus. If we can get the surplus down, we need not worry about the man on the 80-acre farm, because if there were not a surplus overhanging the national markets today, with the high consumer buying power, with the national economy at an all-time high, we would have a market which would pay more than 100 percent of parity. If we did not have surpluses overhanging the market, wheat would be selling at full parity; corn would be selling at full parity; beef would be selling at full parity, and so would eggs.

That is the question. If we can get the surplus down, we need not worry about the good farmers on the 80-acre or 160-acre farms in Ohio. The market place will give them full parity on any commodity they grow. That is the purpose of the soil bank.

If we establish a ceiling of $2,500 in the bill on the acreage-reserve program, we foreclose the opportunity to bring some of the productive land on the large farms under contract, thus reducing the potential production in harvest of a given year.

Therein lies the basic foundation of the entire soil-bank program. We are trying to get acres out of production, whether they be used in the production of cotton, soybeans, sorghum grains, or other crops. Under the old acreage-control program, when we allotted a farmer a certain number of acres of wheat, a certain number of acres of corn, or a certain number of acres of cotton, we had no soil bank. All the farmer did was to comply with his wheat-acreage allotment or his corn-acreage allotment. What did he do with the diverted acres? In the Southwest they were planted to sorghum grains. They were producing feed crops in competition with corn. In the Northwest, in Washington, Idaho, and Montana, they were planted to barley, another feed crop competitive with corn.

In the South the cotton acreage was reduced, but the acres were planted to soybeans or to corn, as was the case in Missouri. Such crops were competitive with the feed grains of the North.

When the time for harvest came, there were harvested as many bushels of feed grains as were ever harvested before. The former wheat acreage was converted into feed grains, and the cotton acreage into feed grains.

We then conceived the idea of the soil bank, and we enacted it. We wrote a conservation feature into the soil bank, to encourage taking acres out of production and putting them under a long-term contract, or planting them to trees if the land was not suited for the production of corn, wheat, or cotton.

All this was designed to reduce the overall surplus; but before we had an

opportunity to have 1 year's history or 1 year's trial we commenced to chop down the program. It was as though we had planted a seedling 1 day, but before the seedling took root we chopped it down. That is what the Senator from Ohio is trying to do by his amendment. He would not permit the conservation or the acreage reserve aspect of the program to operate. He would cripple the program before it had an opportunity to prove its ability to reduce the overall crop.

The pending amendment would defeat the very purpose we wrote into the law, and the very purpose the distinguished Senator from Ohio is endeavoring to accomplish, namely, to help the small farmer.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

Mr. LAUSCHE. Mr. President, I ask for the yeas and nays on my amendment.

Mr. RUSSELL. Mr. President, I hope we may have the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, I wish to make a brief observation. I am sure Senators clearly understand that the effect of the amendment proposed by the distinguished Senator from Ohio would be to place the bill in exactly the same position it was in when it came to us from the House.

In the House of Representatives the House voted to appropriate funds to discharge all contracts which had been entered into with respect to the calendar year 1957. These programs operate on a calendar-year basis.

The House action prohibited any acreage reserve soil bank program in 1958. That is the issue presented to us in the amendment offered by the distinguished Senator from Ohio. If the amendment prevails, there will be no acreage reserve program in 1958.

Of course, no one can say with certainty whether the soil bank acreage reserve program will bring about the reduction in production which it was designed to accomplish. We do know that the program was applied to corn last year, and it did not prove very effective in reducing the production of corn. We had a bumper corn crop.

It is undoubtedly true that in many instances the farmer will put a part of his acreage in the acreage reserve program, and then, with the payments which he receives, he will fertilize more heavily, cultivate more intensively, and produce more on fewer acres than he had theretofore produced on his entire acreage.

If I were to cast my vote on this amendment guided solely by the standard which the bill sets up, as to whether or not it would reduce or control production, I would support the amendment offered by the Senator from Ohio. However, I shall vote against the amendment for a different reason.

We have in this country no active farm program to help the farmer except the acreage reserve program. Whether it is effective or ineffective, it does get some money into the hands of the farmer.

Our people are enjoying the greatest national income our country has ever known. Every segment of American life save and except the farmer enjoys today a greater income, whether on an individual basis, or an average, across-the-board basis, than it has ever enjoyed before.

In other words, all our people except the farmer are eating at the table of Dives, the rich man. That is a very rich diet. Our people are living upon a high standard, with a high income.

The poor old farmer occupies the position of Lazarus. He is sitting down near the table, his body covered with sores. He is beaten down, squeezed almost to death in a cost squeeze, with the price of what he sells going down and the cost of what he must buy going up. He is covered with sores, crippled, ill, and battle worn. He is sitting there waiting for this little crumb.

I do not think this is a very good law. It has many defects; but I cannot vote to deny poor Lazarus, the farmer, the little crumb he gets from the soil bank program. For that reason I shall vote against the amendment offered by the distinguished Senator from Ohio.

Mr. President, I yield back the remainder of my time.

Mr. NEUBERGER. Mr. President, will the Senator from Ohio yield, that I may ask him a question on his amendment?

Mr. LAUSCHE. I yield.

Mr. NEUBERGER. As I understand, the amendment offered by the Senator from Ohio is in two parts. It has not been printed, so we have had to rely on its being read by the clerk. Am I correct in presuming that these are the two parts of the amendment offered by the Senator from Ohio: One part forbids the Government from entering into acreage reserve contracts for any crops that are grown during 1958; is that correct?

Mr. LAUSCHE. That is correct.

Mr. NEUBERGER. The second part of the amendment places a $2,500 ceiling on any payments which can be made to any one farm unit under this program. Is that correct?

Mr. LAUSCHE. The Senator is correct. The language is a restoration of the language contained in the House provision, and the $2,500 would be limited to the payment of those obligations in 1958 that were incurred in 1957.

Mr. NEUBERGER. I understand that is approximately the language of the bill as it came from the House.

Mr. LAUSCHE. It is the exact language.

Mr. NEUBERGER. I personally believe that there is a great deal of merit in the $2,500 limitation on what can be paid to any one farm unit. My principal criticism of the operation of the program, certainly in the Pacific Northwest, has been that it has proved of some advantage to the great ranching operations, but, with very few exceptions, has been of no advantage to the small-size farms.

The one objection I have to the amendment is that it completely eliminates the program after 1958. I have not fully decided how I shall vote on the amendment, but I wish to say for the RECORD that there is a great deal of merit and a great deal of commonsense and a great deal of wisdom in applying a $2,500 ceiling to any payments which can be made to any one farm operation.

Mr. LAUSCHE. I may say that those who feel that there should be a program will have an opportunity to develop it. If the program for 1958 is repealed, it will put pressure upon us to evolve a program that will achieve the results described by the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. MORTON in the chair). The time of the Senator from Ohio has expired. All time for debate has expired.

Mr. DIRKSEN. Mr. President, it is very difficult to hear from this side of the Chamber, but the Senate should be advised that the impact of the amendment is to kill the acreage-reserve program for the crop year 1958. In addition to that it would put a $2,500 limitation on payments to the producers. In other words, there will be no acreage-reserve program in the crop year 1958 under the amendment.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. All time for debate has expired.

Mr. HUMPHREY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Is it within the rules of the Senate for an appropriation bill to contain a proviso to the effect that before programing the 1958 agricultural program with respect to the soil bank, the appropriate committees of the Senate and the House shall undertake a complete investigation of the soil bank and its operation?

The PRESIDING OFFICER. The Chair rules that that is not a parliamentary inquiry.

Mr. HUMPHREY. What is it?

SEVERAL SENATORS. Vote! Vote!

Mr. HUMPHREY. I suggest that that be done.

The PRESIDING OFFICER. All time for debate has expired.

The yeas and nays have been ordered. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Knowland
Allott	Ervin	Kuchel
Anderson	Flanders	Lausche
Barrett	Frear	Long
Beall	Goldwater	Magnuson
Bennett	Gore	Mansfield
Bible	Green	Martin, Iowa
Butler	Hayden	McNamara
Byrd	Hennings	Monroney
Capehart	Hickenlooper	Morse
Carlson	Hill	Morton
Carroll	Holland	Mundt
Case, N. J.	Humphrey	Murray
Case, S. Dak.	Ives	Neuberger
Chavez	Jackson	O'Mahoney
Church	Javits	Pastore
Cooper	Jenner	Potter
Curtis	Johnson, Tex.	Purtell
Dirksen	Johnston, S. C.	Revercomb
Dworshak	Kennedy	Robertson
Eastland	Kerr	Russell

Saltonstall	Sparkman	Thye
Schoeppel	Stennis	Watkins
Scott	Symington	Wiley
Smith, Maine	Talmadge	Williams
Smith, N. J.	Thurmond	Yarborough

The PRESIDING OFFICER. A quorum is present.

Mr. BYRD. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement of my reasons for supporting the amendment offered by the Senator from Ohio [Mr. LAUSCHE].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ACREAGE RESERVE PROGRAM

(Statement by Senator BYRD)

I hope the Senate will reject the committee amendment relative to the soil bank acreage reserve program, and restore language adopted by the House of Representatives.

The Senate Committee amendment provides that up to $500 million can be paid to producers with respect to 1958 crops, under this program, and allows any one producer to receive up to $5,000.

The language in the bill as it was passed by the House provides no funds appropriated in this bill "shall be used to formulate and administer the acreage reserve program with respect to the 1958 crops, or in total compensation being paid to any producer in excess of $2,500 with respect to 1958 crops."

The proposition is a simple one.

The Senate committee amendment would continue the acreage reserve program of the soil bank uninterrupted at the rate of a half-billion dollars next year and allow $5,000 for each recipient. This is twice the $2,500 allowed under the soil-conservation program.

The House language would stop the program even with contracts already entered into, insofar as the new money is concerned, and limit individual payments to an amount not exceeding those paid under the soil-conservation program.

To reject the Senate amendment would provide no new money for new soil bank acreage program contracts. That is what I hope the Senate will do.

This multi-billion-dollar soil bank program is in two principal parts: (1) the acreage reserve program, and (2) the conservation reserve program.

Under the acreage reserve program, the Secretary of Agriculture determines what is to be paid producers for reducing acreage in basic commodities. The rates vary between commodities.

Under the conservation reserve program, the Secretary agrees to share the cost of establishing conservation practices on land placed in conservation reserve and pay the producer an annual rental on the land.

Rejecting the Senate committee amendment would not affect the conservation reserve program. It would not affect contracts in force on the acreage reserve program. It would preclude new contracts with new money under the acreage reserve program.

Frankly, the more I see of this soil bank operation, the more I am convinced the conservation program is being exploited as badly as the acreage reserve program is being abused; that both programs are helping a minimum of farmers who need assistance; and that the whole program has failed by far to justify the cost to taxpayers.

Unfortunately the conservation reserve program is tied to long contracts, and it is impractical to knock out appropriations for it at this time.

But the acreage reserve program works on annual contracts with each crop year. For this reason this part of the program can be stopped so far as new contracts with new money are concerned.

That is what I hope the Senate will do.

The President himself has pointed up the disappointment in the program in the most tangible way possible. He reduced his request for appropriations. In his January budget document he requested a total of $1,254,000,000. In April the request was revised down to $1 billion.

The acreage-reserve program started out with a January budget request of more than $750 million. It was later revised down to about $700 million. The House Appropriations Committee reduced it still further to $600 million. And the House itself provided that none of this should be obligated against 1958 crop contracts.

A good word for this program is hard to find.

The only justification for the so-called soil bank was to reduce production by limiting acres planted to a crop.

The Secretary of Agriculture admits it will not work, and he has pointed out that production limitations based on acres do not result in lower production of crops.

It is a documented fact that this program is a national scandal. There is a printed report by the surveys and investigations staff to the House Appropriations Committee containing 100 printed pages on the subject. It is devastating, with case after case of extravagance, abuse, and inequity. It cannot be denied that the program has operated with great injustice to the farmers who need assistance, as a windfall to persons not entitled to it, and as a useless drain on taxpayers.

Not only have the President and the Secretary of Agriculture demonstrated their disappointment in the soil bank, but Chairman COOLEY, of the House Agriculture Committee has described it as follows:

"We have had evidence of many abuses of the program. It has not only resulted in plowing under farmers, but farm communities and the people in those communities. We had evidence to the effect that it is a very wasteful program, that it actually costs more than twice as much to put a bale of cotton into the soil bank as it does to put it into foreign markets on a subsidized program."

Following Mr. COOLEY in the House debate on this provision, Congressman JAMIE WHITTEN, chairman of the House Appropriations Subcommittee on Agriculture said:

"* * * here is what is involved: this is a payment to farmers to leave land out of cultivation. * * * The chief tragedy of this approach is that the farmer loses his production on his acres; but to the public it looks like he is getting something for nothing. If this program is continued, the farmer will lose much more in public good will which will be reflected in votes of Members of Congress against sound farm legislation."

Virginia is one of the majority of States suffering discrimination under this program but, about the time this bill was to come before the House, a member of the Virginia delegation was met by a constituent who said cut the budget, but save that soil bank. He gave this as a reason not to cut the soil bank: "I had a little patch that I could put wheat in, and I put it in the soil bank. The Government paid me more money for it than if I had planted the wheat, done the work, and sold the wheat."

So on the record to date we have the disappointment of the President and the Secretary of Agriculture in this program, and we have the criticism of both the chairman of the Agriculture Committee and the Agriculture Appropriations Subcommitee in the House of Representatives.

Here is what the House report on this bill says: "The soil bank was offered last year as another answer to the farm problem. It is based on the philosophy that the way to help American agriculture is to reduce American production.

"It was offered as a temporary stop-gap measure, in view of the fact that the present program of reduced-price supports, acreage reductions, increased research and education, and other measures advanced by the Secretary had failed and the farmers' plight had gotten worse and worse. In fact, a careful reading of the law clearly shows that one of the principal purposes of the program was to get some money into the farmers' hands last fall.

"While there may be some value to the conservation reserve portion of the program, findings developed by a special investigation conducted by the committee, and information received from various sources throughout the country, raise serious questions concerning the acreage-reserve program. Despite the signup of some 12 million acres at an estimated cost of $260 million under the 1956 acreage reserve program, production for most crops was higher in 1956 than in previous years.

"Most farmers who placed a portion of their land in the acreage reserve stepped up production on the balance of their land. Further, much of the land placed in the acreage reserve was drought land which would not have produced a good crop in any event.

"Officials of the Department feel that the 1957 acreage reserve program will show better results. However, only 75 percent of the participation expected has materialized to date, and if conditions improve in the drought areas participation will be even less than now indicated."

The House committee continued by asserting that if the program were pushed, it would have a damaging effect on local business, and it referenced its investigations by saying:

"Instances are cited and others have later appeared where the amount of rental paid to remove land from production exceeds the total value of the land. Instances are also reported where land removed from production from one crop, for which Federal payment is made (a so-called basic commodity), has been put into other crops, thereby creating double income on such land. Numerous instances also have been reported where nonfarm people have invested in land, with the expectation that acreage reserve payments from the Government will more than repay their full investment in a few years. Also some cases have been cited where individuals have leased land from the Federal Government and have placed it in the acreage reserve program at rates higher than those paid under the Federal lease."

The report might have gone on to show that while the soil bank has failed to produce any constructive results in its application to the so-called basic crops, it is increasing surpluses and problems in other agriculture areas.

Barley plantings, for example, are substantially up in the spring of 1957.

The poultry industry has had its difficulties, and now soil-bank depositors are taking fliers in poultry, to cite another example of the grief this program is causing.

The Senate committee in its report does not attempt to defend the program. In fact, it says: "There is some doubt that the acreage reserve program will achieve its objective of reducing surpluses. * * * The committee recommendation will provide authority to plan a 1958 program but unless the 1957 program proves to be more successful than anticipated it is doubtful that the authorization will be given for a 1959 program."

With such a lack of enthusiasm for the program—with such a negative approach—as the committee demonstrates, I suspect that it would not object too strenuously if the Senate rejected its amendment.

Let's look at this program another way for just a moment. Using relatively recent, but incomplete, reports of acreage and conservation reserve soil bank signups for this crop year, it will be found that 1 State with population of 2,060,000 stood to receive $86,800,000. This was more than the payments accruing to 25 other States combined, with a total population in excess of 70 million. One-third of the States were listed to receive 75 percent of the money.

Looking at the conservation reserve alone, an April report by the Department of Agriculture showed that 1 State with a population of 7,700,000 was signed up to get $27,277,000. This was more than the combined amounts going to 37 other States with a total population of 121 million.

But more important than this kind of consideration is the fact that we are dealing here with a program which admittedly is a failure. We are proposing to finance it further in this bill. The only excuse given for the Senate amendment is the contention that if this program is not continued, there is not another program ready to take its place.

I earnestly submit to the Senate the proposition that:

I believe the patriotic farmers of this country would prefer to reduce the Federal budget by a half-billion dollars under current conditions, than to waste it on a bad agriculture program.

I sincerely hope the Senate committee amendment will be rejected. When a better agriculture program is presented we will consider it, and if it has merit we will appropriate for it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. LAUSCHE]. On this question the yeas and nays having been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce, if present and voting, the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

If present and voting, the Senator from Connecticut [Mr. BUSH], the Senator from Nebraska [Mr. HRUSKA], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Maine [Mr. PAYNE] would each vote "nay."

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The result was announced—yeas 7, nays 71, as follows:

YEAS—7

Byrd	Lausche	Williams
Frear	Neuberger	
Goldwater	Robertson	

NAYS—71

Aiken	Green	Morton
Allott	Hayden	Mundt
Anderson	Hennings	Murray
Barrett	Hickenlooper	O'Mahoney
Beall	Hill	Pastore
Bennett	Holland	Potter
Bible	Humphrey	Purtell
Butler	Ives	Revercomb
Capehart	Jackson	Russell
Carlson	Javits	Saltonstall
Carroll	Jenner	Schoeppel
Case, N. J.	Johnson, Tex.	Scott
Case, S. Dak.	Johnston, S. C.	Smith, Maine
Chavez	Kennedy	Smith, N. J.
Church	Kerr	Sparkman
Cooper	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Long	Talmadge
Dworshak	Magnuson	Thurmond
Eastland	Mansfield	Thye
Ellender	Martin, Iowa	Watkins
Ervin	McNamara	Wiley
Flanders	Monroney	Yarborough
Gore	Morse	

NOT VOTING—17

Bricker	Fulbright	McClellan
Bridges	Hruska	Neely
Bush	Kefauver	Payne
Clark	Langer	Smathers
Cotton	Malone	Young
Douglas	Martin, Pa.	

So Mr. LAUSCHE's amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I desire to place two matters in the RECORD before the vote is taken on the passage of the bill. Earlier today I participated in a very helpful colloquy, for legislative history purposes, with the Senator from Georgia [Mr. RUSSELL], in regard to the cut by the House of $4,500,000 for payments to State experiment stations.

The PRESIDING OFFICER. The Chair wishes to state that time has been allotted for debate on the bill.

Mr. JOHNSON of Texas. How much time does the Senator from Oregon desire?

Mr. MORSE. Three or four minutes.

Mr. JOHNSON of Texas. I yield 4 minutes to the Senator from Oregon.

Mr. MORSE. Mr. President, I had a colloquy with the Senator from Georgia concerning the $4,500,000 cut on the House side for payments to State experiment stations. The Senator from Georgia pointed out that the Senate bill restores $1 million of that cut. He frankly stated to me on the floor of the Senate that he considered that to be the maximum amount which we could vote in the Senate and have any hope of holding in conference, so I yielded to his judgment, because I know that the Senator from Georgia, as chairman of the subcommittee, has no peer in the Senate when it comes to giving us advice in regard to what is likely to happen in conference.

However, as I said earlier, I have many representations from the Forestry Service in the State of Oregon, the Oregon State College, the Klamath County Court, and many other organizations in Oregon, asking for the restoration of the $4,500,000.

In view of the earlier discussion, I think it is only fair to them that I place their statements in the RECORD, so that they can appear with the explanation which has been made concerning the cut.

Mr. President, I ask unanimous consent that the telegrams and letters be printed at this point in the RECORD.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

CORVALLIS, OREG., *May 21, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urge restoration House cuts agricultural research budget. Oregon needs research.

W. P. MCCULLOCH,
School of Forestry, Oregon State College.

KLAMATH FALLS, OREG., *June 7, 1957.*

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building,
Washington, D. C.:

Request that you do everything possible to restore to the budget the recommended funds for support for agricultural research work at the land-grant colleges. This is necessary to forestall a curtailment of agricultural experimental work which is of great value to our agricultural development.

Respectfully yours,

KLAMATH COUNTY COURT.
C. MACK, County Judge.
E. W. GOWEN, *Commissioner.*
JERRY ROAJNUS, *Commissioner.*

NYSEA, OREG., *June 10, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We strongly urge restoration of 4 million for agricultural research. Our agricultural economy is more dependent now than ever before on research.

PAUL HOUSE,
President, Oregon Reclamation Congress.

GRESHAM, OREG., *June 10, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

We urge your assistance in reinstating at least 4½ million in agricultural research grants to States. Oregons $80,000 share vitally needed for research on Oregon's agricultural crops. Curtailment of productive expenditure is false economy in both business and Government.

GRESHAM BERRY GROWERS,
LEON V. HUBBARD.

KLAMATH FALLS, OREG., *June 10, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Urgently request restoration of $4½ million in current budget for agricultural re-

search vitally important to the future welfare of our farmers.

FRANK G. HOWARD,
President, Klamath Basin Water Users Protective Association.

CORVALLIS, OREG., *May 21, 1957.*

KENNETH FRIDLEY,
Washington, D. C.:

Recent House action eliminated proposed increases in grants to States for research under Hatch Act. Budget office recommendations included $4½ million, from which Oregon station would receive $43,406 of regular Hatch fund and about $30,000 of regional research fund for research on development of hardy winter barley varieties, control of perennial weed, range management, efficient use of water, soil fertility, soil classification, control of plant diseases, livestock production, and utilization of agricultural products. Senate will act on this legislation soon. I presume you will want to explain to Oregon Senators the importance of these funds to Oregon agriculture. Dr. E. C. Elting, of the State experiment station division of ARS can supply you with additional details.

R. W. HENDERSON,
Assistant Director, Oregon Agricultural Experiment Station.

SALEM, OREG., *May 21, 1957.*

Hon. WAYNE MORSE,
Senate Office Building,
Washington, D. C.

Understand agricultural research fund is being left out of agriculture budget. Oregon's share $40,000. $4,000 specifically earmarked research on potato diseases. We must have this fund as new potato diseases that are of serious nature although they are still unnamed could affect the yield and quality thereby greatly affecting potato farmers income. State legislation has no way to supplement this fund this session. Please study this thoroughly and see that Oregon gets the $40,000 agricultural research money. This is urgent to our farm economy. Made phone calls for directions. This matter has specifically been requested by the commissioners.

OREGON POTATO COMMISSION.
BEN DAVIDSON, *Administrator.*

WASHINGTON, *May 23, 1957.*

MARVIN VAN CLEAVE,
President, Oregon Strawberry Council, Salem, Oreg.:

Retel May 22. Share your concern over House cut in budget for agriculture appropriation item designated payments to States—State experiment stations. Have addressed joint letter to Senator RUSSELL, subcommittee chairman, urging restoration of full $4½ million cut. We recognize importance of agriculture research funds and regard cut as false economy. Will do everything possible assist. Please convey this message to all growers at your statewide meeting. Regards.

WAYNE L. MORSE,
United States Senator.
RICHARD L. NEUBERGER,
United States Senator.

SALEM, OREG., *May 23, 1957.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Recent House action eliminated proposed increases to States in grants for research. Am informed this would cause a $73,000 cut in budget for Oregon experiment station and would eliminate vital work on strawberry projects. Increasing research investment is essential to Oregons 3,000 growers and $10 million grower income. Oregon growers are trying to raise $20,000 a year to supplement present research and this cut by the House is most discouraging. This thing will be discussed at a statewide growers meeting Friday. Your aid is earnestly solicited. Letter follows.

MARVIN VAN CLEAVE,
President, Oregon Strawberry Council.

MAY 24, 1957.

Hon. RICHARD B. RUSSELL,
Chairman, Agriculture and Related Agencies Subcommittee, Senate Appropriations Committee, Washington, D. C.

MY DEAR SENATOR: It is our understanding that your subcommittee is about to mark up the appropriations bill relative to appropriations for the Department of Agriculture.

We are very much concerned over the fact that the House reduced the budget request for the item designated "Payments to States—State Experiment Stations" from $33,503,708 to last year's figure of $29,003,708.

We are apprehensive that this cutback will deprive the States of opportunities to expand agricultural research projects that are of great urgency in so many areas of our Nation. In fact, if this appropriation stands as recommended by the House, it will actually represent a cut in research, because the appropriation has to cover salaries, in-grade increases, and other incidental increased costs.

It seems to us that a restoration of the $4,500,000 eliminated by the House for this item would bring about real economy through savings of crop losses and increased quality and quantity of production.

Illustrative of the views of many Oregon constituents who have protested the House action on the research program is the enclosed copy of a telegram addressed to us by Mr. Ben Davidson, administrator of the Oregon Potato Commission, Salem, Oreg.

We shall greatly appreciate the subcommittee's consideration of this matter and we urge the restoration of the $4,500,000 eliminated from the budget request for the State experiment stations program.

With best personal regards.

Sincerely,

WAYNE MORSE.
RICHARD L. NEUBERGER.

Mr. MORSE. Mr. President, I also ask to have printed at this point in the RECORD certain other material discussing the need for agricultural research in brucellosis, plant parasites, plant diseases, and animal diseases.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

I should like to point out that the various States have a heavy backlog of urgent requests for research on State and local problems in these fields. The increase was recommended in order to meet rising costs of research and initiate new projects and expand some already underway. The fields of research covered by the proposed increase include crop production, plant diseases and insects, animal production, animal diseases and parasites. Present research on many major problems facing the American farmer is not adequate to meet his needs or arrive at a solution at an early date. Because of differing climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing of crops and livestock which can best be solved by the States, or cooperatively by two or more interested States. The States provide about three times the amount of funds provided by Federal grants. While the majority of grant funds must be matched by States, most of them more than match the Federal portion. I should like to give just one example of many in my State of Oregon. Under the requested increase of $4,500,000 the formula would have provided for an increase of $43,406 for the Oregon agricultural experiment station. It was planned to use $4,000 of this amount for research on late blight of potatoes. Late blight has a habit of appearing suddenly and destructively in regions where it had not previously been considered a factor. The Senator from Louisiana [Mr. ELLENDER], who knows how to raise such excellent potatoes, will remember that the epidemic in the southern potato crop in the winter and spring of 1943–44 produced heavy losses where the disease had not been seen for 30 years or more.

This is an example of the kind of preventive research provided for in this increase. I urge the Senate conferees to insist on retaining this item—it cannot afford the customary "split the difference" with the House. It will more than pay for itself with the matching funds from the States.

UNITED STATES DEPARTMENT OF AGRICULTURE, STATE EXPERIMENT STATIONS, AGRICULTURAL RESEARCH SERVICE

The 1958 budget estimates for the Department of Agriculture include $34,003,708 for the subappropriation "Payments to States, Hawaii, Alaska, and Puerto Rico," an increase of $4,500,000 over the current appropriation of $29,503,708. However, the House bill disallowed this increase.

The budget increase was recommended in order to (1) meet rising costs of research under this appropriation and (2) initiate new projects and expand some already underway. The fields of research covered by the proposed increased are crop production, plant diseases and insects, animal production, animal diseases and parasites, water use and conservation, soils and fertilizers, agricultural economics, farm mechanization and structures, marketing and utilization, home economics, and forest crop production. The various States have a heavy backlog of urgent requests for research on State and local problems in these fields.

Present research on many major problems facing the American farmer are not adequate to meet his needs or arrive at a solution at an early date. Because of differing climate, soil, market outlets, and other local conditions, each State has distinct problems of production and marketing of crops and livestock which can best be solved by the States, or cooperatively by two or more interested States. Such research is supplementary to the national and regional interests of the Department of Agriculture. To foster research between these two interdependent groups, Federal-grant funds have been appropriated for many years. Under this program the States provide about three times the amount of funds provided by Federal grants. While the majority of grant funds must be matched by States, most of them more than match the Federal portion.

If there is no increase in the appropriation, it will not only be impossible to conduct the additional research which is needed, but rising costs of research will necessitate a reduction in research at State agricultural experiment stations from present levels.

Estimated allotments to State agricultural experiment stations under the $4,500,000 increase requested for 1958

Alabama	$99,855
Alaska	19,708
Arizona	28,400
Arkansas	82,872
California	90,035
Colorado	37,534
Connecticut	30,348
Delaware	21,801
Florida	49,064
Georgia	103,340
Hawaii	26,194
Idaho	32,686
Illinois	95,471
Indiana	82,721
Iowa	84,105
Kansas	58,034
Kentucky	103,319
Louisiana	70,332

Estimated allotments to State agricultural experiment stations under the $4,500,000 increase requested for 1958—Continued

Maine	$33,225
Maryland	41,744
Massachusetts	37,385
Michigan	90,392
Minnesota	81,705
Mississippi	103,126
Missouri	91,049
Montana	31,130
Nebraska	51,145
Nevada	19,737
New Hampshire	24,917
New Jersey	37,002
New Mexico	31,148
New York	90,883
North Carolina	140,041
North Dakota	39,346
Ohio	108,829
Oklahoma	67,085
Oregon	43,406
Pennsylvania	116,703
Puerto Rico	96,263
Rhode Island	20,837
South Carolina	79,316
South Dakota	38,916
Tennessee	104,952
Texas	140,116
Utah	26,970
Vermont	26,595
Virginia	89,616
Washington	49,374
West Virginia	64,849
Wisconsin	82,950
Wyoming	23,429
Total	3,240,000
Regional research fund	1,125,000
Administration	135,000
Total	4,500,000

EXTRACTS FROM THE YEARBOOK OF AGRICULTURE, 1953

One of the most tragic events in history led to the beginning of real knowledge about plant diseases and to the development of the science of plant pathology. That was the Irish famine in the middle of the 19th century. Two circumstances were responsible. First, the impoverished population had become almost wholly dependent on their potato gardens for food. Second, the potato crop for 2 years, 1845 and 1846, was almost wholly destroyed by late blight. Accounts of physical misery and spiritual anguish suffered because of the devastation caused by this one disease go far beyond anything that ordinary experience equips one to understand. Ireland lost almost a third of its population between 1845 and 1860 as a direct result of the outbreak of late blight. A million people died from starvation or from disease following malnutrition. A million and a half more emigrated.

The outbreak in Ireland was part of a pandemic—that is, the disease suddenly became widespread and destructive almost simultaneously in several European countries and in the United States as well. As far as can be determined, the disease had appeared in these regions not more than 2 or 3 years previously. In the meantime, the pathogen evidently increased and became widely distributed, so that when the weather became generally and extremely favorable, as happened during the years of the pandemic, it could attack rapidly and in force over a wide area at once.

Why did this outbreak overwhelm the Irish and affect other peoples much less? The answer is not simple. It lies partly in agricultural and partly in political history. But essentially it is that miserable economic conditions led to the almost sole reliance of the Irish peasantry on the easily grown, productive, and filling potato for their main food.

In other places food resources were more varied so that destruction of the potato crop did not have anywhere near the same importance.

Even after this grimmest of epidemics abated, its consequences remained. The disease had become a fixture in potato culture. It was more or less evident almost every year, and serious outbreaks, although none again so disastrous as the great pandemic, occurred from time to time whenever the weather was favorable. The tragic drama of the famine was one of the decisive factors in subsequent social and economic policy. Its influence on British-Irish relations is still felt.

Of course, circumstances must be unusual indeed for such extreme disaster to be caused by the attack of a plant disease, or, for that matter, by anything else. There have been other records of famine due to the severe occurrence of a plant disease. In 1733, more than a century before the Irish famine, 12,000 persons on one Japanese island died because of failure of the rice crop, caused perhaps by stunt, a virus disease. Early settlers in Australia are said to have suffered more than once from lack of food because their grain crops were destroyed by leaf rust. Actually, however, except for the toll of human lives that make it so terrifying and so impressive, famine is comparatively minor as an expression of the importance of plant diseases.

Nowadays help can reach victims quickly almost anywhere in the world, and there is less and less likelihood of famine or excuse for it.

* * * * *

That last statement is true except in times of stress and emergency, of disrupted transportation and world upheaval. Late blight is said to have had a place in the defeat of Germany in the First World War. In 1917 it destroyed about a third of the potato crop, which made up a large part of the wartime diet of the Germans. Reduction in the already scanty food supply contributed to the breakdown in morale and physical endurance that led to the end of the war. Here again, this required a favorable combination of circumstances; seldom does a single plant disease influence military affairs to that extent. Plant diseases can cause or aggravate serious shortages in wartime, however, all the more so because then fewer varieties of crops are apt to be grown; their products, whether for food or other consumption, are urgently needed in greater quantity than usual; replacements or substitutes are hard to get or are unsatisfactory; diversion of chemicals necessary in the manufacture of fertilizers and fungicides to other use hampers control of parasitic and non-parasitic diseases; and the overloaded transportation facilities multiply the effects of all the other factors.

* * * * *

Some of the most dreaded diseases of crops are of moderate importance or are scarce or even absent a good part of the time. But they can attack with great suddenness and destructiveness in certain seasons, or perhaps during several consecutive years. Among them are wheat stem rust and potato late blight, which are probably the most famous of plant diseases because of the importance of the hosts almost everywhere and because of the extraordinary severity of epidemic outbreaks of either disease.

* * * * *

Late blight has a habit of appearing suddenly and destructively in regions where it had not previously been considered a factor. The epidemic in the southern potato crop in the winter and spring of 1943–1944 is a good illustration. Contributing factors in that outbreak were: The especially abundant supply of inoculum that resulted from wartime relaxation of seed requirements; exceptionally wet weather, favorable temperatures; lack of experience with the disease; and difficulty of control, the result of the early heavy attack, weather that prevented efficient application, and scarcity of control materials. The total result was the most severe and widespread epidemic ever known in the South. Losses were heavy in some States where the disease had not been seen for 30 years or more.

* * * * *

One cannot study a parasitic plant disease without taking into account the influence of temperature and moisture on the pathogen, on the reaction of the host, and on consequent disease development. Obviously, a connection so regular must have great practical significance.

* * * * *

If we can tell when an outbreak is likely to happen, we can prepare for it and reduce losses. In particular, we can overcome the difficulty in the use of expensive chemical control measures arising from the fact that routine application is wasted in years when the disease is absent, but, on the other hand, when it does attack protection must be prompt and continuous to do any good. With such a choice farmers are apt to take a chance and often will sustain severe losses. Forecasting enables sound judgment instead of wasteful guessing on the need for control measures.

Prediction does not always help in control but does enable farmers to reduce their losses in other ways. For instance, there is no practicable shorttime control measure available for wheat leaf rust, but forecasts issued early in the season allow farmers to plow up their wheat and plant some other crop or to pasture their fields if a serious outbreak is indicated. Thus they can recover at least part of their season's investment.

* * * * *

Late blight of potato is a downy mildew caused by a fungus, Phytophthora infestans. The mildew, or flour-like spots, usually on the lower surface of the leaf, distinguishes the disease from other leaf spots on the potato plant. Humid conditions favor it. Despite its name, the first infection often occurs soon after the plants emerge when favorable moisture and temperature prevail. At 70° to 75° F. the fungus grows so fast inside the leaves that within a week after infection it causes dead spots one-half to 1 inch in diameter. The entire plant may be killed within 2 weeks. The brown discoloration of the foliage brings to mind the terms "blight" and "rust."

Mr. MORSE. Mr. President, again I say to my constituents who have urged me to offer amendments increasing the amount that I do not believe in engaging in simple political gestures. I may say for the RECORD that I could offer the amendments they suggested that I offer. But it would be hopeless, because, as the Senator from Georgia has pointed out to me, the Appropriations Committee would oppose the amendments. Also, he has given me his sincere and honest advice that our best hope of holding the amounts we have provided by means of the amendments recommended by the Appropriations Committee is to support the Senate committee version of the bill. The Senator from Georgia has pointed out that the real danger is that if we try to increase those amounts, we may wind up in conference with lesser amounts.

Therefore, on the basis of the statements made today, I am not offering the amendments suggested by these groups, because, as I have said before on the floor of the Senate, I think we have obtained, under the leadership of the Senator from

Georgia, the best possible bill we have any hope of having enacted at this session of Congress, in view of what is almost a fixation, I may say, regarding economy this year at the expense, in item after item of many bills, as I experienced it early today in connection with the District of Columbia appropriation bill, of human welfare and human needs.

Mr. NEUBERGER. Mr. President, I desire the RECORD to show that I supported the amendment offered by the junior Senator from Ohio [Mr. LAUSCHE] because I believe there must be imposed an extremely rigid ceiling on what can be paid by the Government to any one farm unit under the acreage-reserve program. Unless we do that, we shall be aiding only relatively large agricultural operations, and we shall continue to be unfair and discriminatory to the family-size farming undertaking.

The PRESIDING OFFICER. Does the Senator from Texas yield back the remainder of the time under his control?

Mr. JOHNSON of Texas. Mr. President, I am prepared to do so, if the minority leader will do likewise.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time, under the same condition.

Mr. JOHNSON of Texas. Then, Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is, Shall the bill pass?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce, if present and voting, all of the Senators listed above would have voted "yea."

Mr. DIRKSEN. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. COTTON], the Senator from Nebraska [Mr. HRUSKA], the Senator from Nevada [Mr. MALONE], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from Nebraska [Mr. HRUSKA], the Senator from Connecticut [Mr. BUSH], the Senator from Nevada [Mr. MALONE], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Maine [Mr. PAYNE] would each vote "yea."

The result was announced—yeas 78, nays 0, as follows:

YEAS—78

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kennedy	Smith, Maine
Church	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Curtis	Kuchel	Stennis
Dirksen	Lausche	Symington
Dworshak	Long	Talmadge
Eastland	Magnuson	Thurmond
Ellender	Mansfield	Thye
Ervin	Martin, Iowa	Watkins
Flanders	McNamara	Wiley
Frear	Monroney	Williams
Goldwater	Morse	Yarborough

NOT VOTING—17

Bricker	Fulbright	McClellan
Bridges	Hruska	Neely
Bush	Kefauver	Payne
Clark	Langer	Smathers
Cotton	Malone	Young
Douglas	Martin, Pa.	

So the bill (H. R. 7441) was passed.

Mr. RUSSELL. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. RUSSELL, Mr. HAYDEN, Mr. HILL, Mr. ROBERTSON, Mr. ELLENDER, Mr. YOUNG, Mr. MUNDT, and Mr. DWORSHAK the conferees on the part of the Senate.

THE KHRUSHCHEV STATEMENT ON THE COMMUNIST SYSTEM

Mr. KNOWLAND. Mr. President, in the television program on Sunday, June 2, Mr. Khrushchev, the First Secretary of the Communist Party, had an interview which was rebroadcast in the United States. At that time the following question was asked of him by Mr. Cutler:

> Mr. Khrushchev, do you have any fear that if you withdraw your troops from certain states in Eastern Europe, those countries would all remain Communist?

In reply, Mr. Khrushchev answered in the following words:

> You seem to think that the Communist system in some country can be held up by our armed forces. But I wouldn't defend a Communist system of that kind. The Communist system must be based on the will of the people, and if the people should not want that system, then that people should establish a different system. And for that reason we have no fear of withdrawing our troops from any country of Eastern Europe or from Eastern Germany, and we are certain that the people themselves will defend their system even better without that.

Mr. President, as the distinguished majority leader has spoken on another aspect of this situation, it seems to me that Mr. Khrushchev has opened up a situation of which this country and the Free World should take full advantage. Based on that, I addressed a letter to the Secretary of State, under date of June 8, 1957. Because of some misinterpretations or misunderstandings of the proposal, I desire to read into the RECORD at this time the letter I addressed to the Secretary of State. I wish to say that prior to releasing this letter, I personally discussed the matter with the Secretary of State, and he said he had no objection to my making the letter public. The letter reads:

> DEAR MR. SECRETARY: It seems to me that Mr. Khrushchev in his television appearance of Sunday, June 2, has given us an opportunity to call his hand. He would be placed in the position of carrying out his expressed belief or being exposed as a dealer in typical Communist propaganda.
>
> When Mr. Cutler asked him the question, "Do you have any fear that if you withdraw your troops from certain states in Eastern Europe that those countries would all remain Communist?"
>
> In his reply he said, " • • • You seem to think that the Communist system in some country can be held up by our armed forces. But I wouldn't defend a Communist system of that kind. The Communist system must be based on the will of the people, and if the people should not want that system, then that people should establish a different system. And for that reason we have no fear of withdrawing our troops from any country of Eastern Europe or from Eastern Germany, and we are certain that the people themselves will defend their system even better without that."
>
> I would strongly recommend that we challenge him in this area to demonstrate his expressed faith in communism and in an area where his country already has treaty and moral commitments to withdraw.
>
> 1. When Austria became free of Soviet occupation the legal basis for retaining troops in Hungary terminated.
>
> 2. The last legal Government of Hungary under Nagy repudiated the Warsaw Pact which removed even this doubtful justification for the presence of Soviet forces.
>
> 3. The United Nations has passed 10 resolutions relative to Hungary including those relating to Soviet troops' withdrawal and the holding of free elections.
>
> In view of the above and with the consent of our associates in the North Atlantic Alliance including, of course, Norway, I would hope that we would confront Khrushchev and the Soviet Union with the challenge to live up to their prior commitments and obligations and to test the popularity of 10 years of Communist domination by giving the people of Hungary the opportunity of voting for a government of their choice in secret, free elections under United Nations supervision.
>
> In exchange we and our allies could agree that Norway would become a member of the Baltic neutral bloc.
>
> If this proposal was not satisfactory, an alternative would be that the Soviet Union withdraw from Latvia, Lithuania, and Estonia, live up to their previous treaties of friendship and nonaggression with those three Baltic Republics, return the thousands of Latvians, Lithuanians, and Estonians from Soviet prison camps and agree to United Nations-supervised free elections in these three Baltic Republics. The Free World and the Soviet Union to thereafter jointly agree to guarantee the frontiers of the Baltic neutral bloc against any aggression.
>
> Khrushchev has given an opening which should not be ignored. It would give us an opportunity to test his words against Soviet deeds. This is fully in line with earlier expressions of President Eisenhower

that the Soviet Union should demonstrate by "deeds and not words" that it was prepared to lay the groundwork for peace with honor.

With best personal regards, I remain,

Sincerely yours,

WILLIAM F. KNOWLAND.

Mr. President, I make this letter public because of the misunderstanding, first, that there was any proposal made that this be done without full consultation with all our allies, including Norway; secondly, that the opening Khrushchev gave us should not be bypassed or ignored; thirdly, even if Norway and other NATO nations should agree to it, we would still not leave them to the tender mercies of the Communist world, but with guaranties to a Baltic neutral bloc.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I desire to express my appreciation to my colleagues for their cooperation in passing two important appropriation bills today and sending them to conference. I hope we shall be as successful tomorrow in acting on two other appropriation bills, namely, Order No. 421, H. R. 6070, the independent offices appropriation bill, and Order No. 423, H. R. 6287, the Departments of Labor, and Health, Education, and Welfare appropriation bill.

Mr. President, I now desire to make a motion.

The PRESIDING OFFICER. The Senator from Texas has the floor.

INDEPENDENT OFFICES APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 421, H. R. 6070, making appropriations for independent offices.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. JOHNSON of Texas. Mr. President, under the previous order, the Senate will meet tomorrow at 9: 30 a. m. There will then be a morning hour, a quorum call, and the consideration of the independent offices appropriation bill, provided such procedure is agreeable to the chairman and ranking minority member of the subcommittee. If by chance that should not be agreeable to them, we would substitute the Labor-Health, Education, and Welfare appropriation bill.

We hope to pass both appropriation bills tomorrow, and then proceed to the consideration of the mutual security authorization bill.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, if there are no Senators who desire to address the Senate, pursuant to the order previously entered, I move that the Senate stand in adjournment until 9:30 o'clock a. m. tomorrow.

The motion was agreed to; and (at 10 o'clock and 18 minutes p. m.) the Senate adjourned, the adjournment being, under the order entered yesterday, June 10, 1957, until tomorrow, Wednesday, June 12, 1957, at 9:30 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 11, 1957:

UNITED STATES DISTRICT JUDGE

Robert Van Pelt, of Nebraska, to be United States district judge for the district of Nebraska.

UNITED STATES ATTORNEYS

Hartwell Davis, of Alabama, to be United States attorney for the middle district of Alabama for a term of 4 years.

Jack Chapler Brown, of Indiana, to be United States attorney for the southern district of Indiana for a term of 4 years.

Clinton G. Richards, of South Dakota, to be United States attorney for the district of South Dakota for a term of 4 years.

UNITED STATES MARSHALS

James L. May, of Alabama, to be United States marshal for the southern district of Alabama for a term of 4 years.

John F. Barr, of West Virginia, to be United States marshal for the northern district of West Virginia for a term of 4 years.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 11, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, Thou art daily calling and commanding us to enthrone in our life the spirit of good will and brotherhood, of kindness and love.

May we manifest in our character and conduct this spirit which we profess to believe in our hearts.

Grant that we may be partners with one another in the great enterprise of extending this same spirit throughout the whole world.

Help us to think and act in terms of humanity and may the common welfare of each be the concern of all alike.

Give us a profounder sense of our kinship and may we seek to strengthen those ties and bonds which will draw the members of the human family closer together.

In Christ's name we pray. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces; and

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig.

THE GIRARD TRIAL

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I believe all veterans are concerned over the abandonment of William S. Girard by the present administration. Any man who has ever worn the uniform of his country feels proud of it and expects his uniform to be honored and protected by his country.

We have no status-of-forces treaty with Japan so there is no treaty under which Japan can demand that we do this. If we have secret agreements to surrender our men to foreign jurisdiction, it is contrary to everything the man in uniform has stood for and fought for through the years.

We have lost face in the Far East by our stupid, vacillating foreign policy in that area. Let us not lose faith with the men in uniform we are ordering to foreign soils to protect American freedom.

I am vigorously opposed to the surrender of Private Girard to the Japanese Government for trial. I hope the administration will heed the voice of the American people and demand that this man be tried by an American court or court-martial.

The American people also demand the facts. If this man was on a military reservation, there is no excuse, no authority, and no justification to surrender him to Japanese civil authorities. Does our Government mean to admit that our court-martial would not mean a fair way of trial? William Girard must not be sacrificed either for political expediency or to bolster a weak foreign policy.

Let us not forget that every American is important and that this country has survived because it has protected zealously the rights of the individual.

COMMITTEE ON FOREIGN AFFAIRS

Mr. BURLESON. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit this afternoon during the session of the House.

The SPEAKER. The Chair cannot entertain a request like that. The bill presently under consideration is being read for amendment. A request like that is granted only during general debate.

Mr. BURLESON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURLESON. Any committee will be allowed to sit during the session this afternoon?

The SPEAKER. Not by request.

Mr. BURLESON. Mr. Speaker, a further inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURLESON. Mr. Speaker, may I assume that any similar request subsequently made during the 5-minute rule on the pending bill will not be entertained by the Chair?

The SPEAKER. That is correct.

CALL OF THE HOUSE

Mr. COLMER. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Bailey	McCarthy	O'Konski
Beamer	McConnell	Powell
Belcher	Machrowicz	Preston
Blitch	Mason	Prouty
Bowler	May	Radwan
Dooley	Miller, Md.	Taylor
Engle	Mills	Vursell
Fogarty	Montoya	Wigglesworth
Gubser	Morrison	Wolverton
Holtzman	Moulder	

The SPEAKER. On this rollcall 403 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, all time for general debate on the bill had expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield to the gentleman from New York.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia have his time extended for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, when I thought of asking for this time this morning I was of the impression that those who have been so insistent upon the passage of this bill would be desirous of speeding its consideration. With that in view, I suggested that the Chairman ask unanimous consent that the bill might be considered as read so that we might proceed expeditiously with the consideration of the matter. However, that request was not complied with, so we will now have to begin the reading of the bill and go through it section by section, which will probably cause some considerable delay in the consideration of the bill and we will not be able to complete it as rapidly as I had hoped.

Mr. Chairman, in the consideration of this grotesque monstrosity with which we have been engaged for this last week or so, there are a great many defects. However, I consider that in this bill there are three fundamental, important things that everybody in this House who stops to think and read the bill, and its implications, would be anxious to have adopted. I want to discuss them very briefly in the time given to me as I did not discuss the matter during general debate.

First, is the one that has been talked about a great deal and that is the jury trial amendment which should undoubtedly be adopted in some form. Then, there is the question of the States' rights provisions in this bill under which the Federal Government takes away from the jurisdiction of the courts the law that has been the law since the beginning of this Republic—that a person could not go into the Federal courts seeking relief until he had first exhausted those remedies provided for him in his State. That is a fundamental proposition of law that this bill, for the first time in the history of this Republic, seeks to repeal. The third provision is that provision found on page 10 beginning on the first line. That provision provides that the Attorney General shall have dictatorial authority over the civil rights granted under this bill. In other words, what it provides, and I think it would be informative for Members to look at that as I read it, is as follows:

The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief.

What I am trying to say is that that gives no one but the Attorney General of the United States power under this bill to give anyone any protection concerning civil rights under this act. It protects only the civil rights of the Attorney General of the United States. No individual citizen in the United States is entitled to claim any relief under this act.

Mr. Chairman, I did want to discuss the jury-trial amendment briefly. There has been a great deal of conversation and debate and argument about the jury-trial amendment. The truth about the opposition to the jury-trial amendment is that the proponents of this bill do not want anybody who is charged with contempt under this act to have the opportunity of a trial by jury of their case. Is there any doubt about that in anybody's mind?

Mr. HOFFMAN. Mr. Chairman, I make the point of order that the Committee is not in order. There is a rumble of talk throughout the entire Chamber and one cannot hear even in the front row of seats.

The CHAIRMAN. The point of order is well taken. The gentleman from Virginia will suspend. The Committee will be in order.

The gentleman may proceed

Mr. SMITH of Virginia. Mr. Chairman, I am fully aware that there are many Members in this House who are not going to listen to any reason about it, and I do not want to detain them, but I do hope that they will not interfere with the opportunity of others who are really serious about this bill and who want to consider it from a logical standpoint.

Mr. Chairman, the Attorney General of the United States in his testimony before the Senate committee said this—this is on page 6 of the hearings of the committee of the other body:

Jurors are reluctant to indict and convict local officials in a crimination prosecution even though they recognize the illegality of what has been done. As a result, not only are the election officials freed, but also the Government is not able to get an authoritative determination regarding the constitutionality of what was done.

Again he said:

In attempting to achieve the constitutional goal with respect to civil rights of an individual, it has been a mistake for the Congress to rely so heavily on criminal law and have made so little use of the more flexible and often more practical and effective processes of the civil courts.

Which means that the Federal judge could yank a man in and try him and send him to jail without a trial by jury.

Now, it is difficult for me to conceive why there should be so much argument about this jury trial amendment. What the jury trial amendment will do will be to follow the present law, section 3691 of title 18 of the Criminal Code, and provide that his jury trial shall not be taken

away from him by reason of the fact that the Government, under this act, becomes a party to the litigation. It is admitted that under the present law if the Government did not bring this suit every citizen of the United States, charged with this offense, would be entitled to jury trial. That is provided in section 3691. The difference between that and this is that by this very acute and devious proposal the Government of the United States is substituted for the private individual, and by reason of that fact and only by reason of that fact he is thereby deprived of a jury trial which is given to him under existing law, section 3691 of title XVIII.

I do not know what all the fuss is about. I want to quote to you what the chairman of this committee said and what the ranking minority member, the gentleman from New York [Mr. KEATING], said during general debate, when they were berated for having brought in a bill that was going to deprive a citizen of the right of trial by jury in a case which, but for the presence of this law he would be entitled to under existing law, if the Government is not a party he is entitled to a trial by jury. He is entitled to it today under existing law. For instance, we have two sets of civil-rights laws. One is the criminal provision and the other is the civil provision, which provides civil remedies for citizens whose rights are invaded. He can proceed either way he wants to, either under the criminal provision or the civil provision, but in either case he gets a trial by jury for an offense for which he is going to be tried. If this iniquitous piece of legislation is enacted he will be deprived of that right to trial by jury. If anybody questions that, I would like them to say so now. No one rises to question my statement. Nobody can question it. It is obvious. All you have to do is to read this bill.

Mr. KEATING said, when this question was under discussion, at page 8501 of the RECORD—he interrupted the gentleman from Maryland [Mr. HYDE], who was making the very point I am making, and he said:

> I will say to the gentleman that I was the author of this provision as it came to me from the Justice Department. I say to the gentleman categorically that, while it may be an admission of ignorance, it never entered my mind that I was taking away anybody's right to a jury trial when I introduced this measure or when I voted for it in committee and in the last Congress.

In response to that, the gentleman from New York [Mr. CELLER], chairman of the committee, rose, and he said, at page 8502:

> I want to say at the outset I agree with what the gentleman from New York [Mr. KEATING] said with reference to our motives. As I said before, I am a libertarian—

Now do not get that mixed up with "libertine"—

> I am a libertarian, and I would not want by any stretch of the imagination to take away any rights from anyone.

When proponents on the Democratic side and the Republican side both say we never had any intention of taking away any right of trial by jury, what is the argument about? If that is correct, and I do not doubt their sincerity, why do you not just say: "All right, put it in; that is what we intended"?

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. KEATING. I just want to say to the gentleman that it not only was not in our minds but it was not in the mind of any Member of this Congress who voted for this bill the last time it was up.

Mr. SMITH of Virginia. Today, however, it is in the mind of every Member of this Congress and every Member of the body on the other side of the Capitol, and it is in the minds deeply—and do not forget it—of the American people, that Congress is seeking to deprive a man of his right to trial by jury. I do not care whose mind it was in when it started; everybody knows about it now. Do not fool yourself. The American people are alerted to this assault on their liberties.

There is another reason I do not think we ought to have any dispute about this jury trial amendment. Over in the other body the gentleman who has been most obstreperous, most urgent in his support of the civil-rights bill, this bill, if you please, is the senior Senator from Missouri. He has never given an inch until yesterday, but on yesterday he proposed in the Senate, an amendment intended to be proposed by Mr. HENNINGS to the bill S. 83, to provide civil rights, and so forth. That proposed amendment which is advocated by the chief proponent of the Senate bill reads as follows:

> Amendment intended to be proposed by Mr. HENNINGS to the bill (S. 83) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, viz: Amend S. 83, as amended on June 3, 1957, by the Senate Committee on the Judiciary, by adding the word "criminal" in that amended part, section 1, after the words "In all cases of" so that the part will now read:
>
> "PART —. TO SECURE THE RIGHT OF TRIAL BY JURY TO PERSONS CHARGED WITH CONTEMPT OF COURT IN ACTIONS OR PROCEEDINGS INSTITUTED PURSUANT TO THIS ACT
>
> "SECTION 1. In all cases of criminal contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.
>
> "This section shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court."

The proponents in the other body seem to have recognized what the gentlemen who have been opposing it on this side refuse to recognize, the obvious fact that it is taking away from every American citizen his inalienable constitutional right to trial by jury in a criminal case; and if it were not for this little gimmick that makes the Government the prosecutor there would have been no question of the right of trial by jury for every American citizen.

Mr. Chairman, I am sorry to have taken the extra time, but I did want to advise the House that in my humble judgment the three most vital things in this bill are: First, the jury trial; second, the civil-rights provision taking away administrative remedies; and, third, this inordinate, this extraordinary, unusual, and unprecedented power given to the Attorney General of the United States to determine whether the person shall receive any of his rights under the civil rights bill, or denied those rights.

Mr. RIVERS. Mr. Chairman, I rise in opposition to the pro forma amendment, and ask unanimous consent to proceed for 5 additional minutes.

Mr. HOLLAND. Mr. Chairman, reserving the right to object, if we are going to extend the time of these Members now later in the day we will find we have taken too much time and others will be deprived of the opportunity to be heard.

I object to the extension of time.

The CHAIRMAN. Objection is heard.

The gentleman from South Carolina is recognized for 5 minutes.

Mr. RIVERS. Mr. Chairman, the reason I asked for the additional 5 minutes was that I was unable to get an opportunity to speak on this bill during general debate. I did not know I transgressed anybody's rights by requesting 5 additional minutes before you hang us.

Mr. Chairman, I have an abundance of evidence to justify the remarks I am about to make and since I do not have the time to take up all of the things I want to discuss, I will advance my argument to that provision of the Constitution, Article III, which says that everybody shall be entitled before going to jail or staying out of jail to a trial by jury.

The distinguished gentleman from Virginia [Mr. POFF], the distinguished gentleman from Maryland [Mr. HYDE], and another distinguished member of the committee, the gentleman from Louisiana [Mr. WILLIS], gave you three of the greatest treatises I have ever heard on the right to trial by jury.

Let us look at this for a moment. I heard one Member get up yesterday and say that we have heard the greatest legal arguments he has ever heard on this floor. I happen to be a lawyer, although a lot of you perhaps would not know it. He said that we have heard many other arguments. We heard one Member speak on the morality of this thing. He gave us a great treatise on the morality. I address myself to the commonsense approach to this matter, any way you want to take it.

What is the practical application, I ask you gentlemen who are lawyers? I once was in the Department of Justice. I am speaking of trial by jury. Do you know how a jury panel is approved before a jury is impaneled in a criminal case? And this is a criminal case, I do not care what they call it. This involves criminal proceedings. The FBI screens every person whose name is in the jury box of a Federal Court. Any of you who have practiced in the Federal courts know

that. In addition to that, the Treasury agents, the Alcohol Tax Unit and its agents who go out and get these bootleggers do the same thing. So the people are screened and rescreened. You do not have a bunch of hoodlums appearing in that jury box. The jury is taken from the other group and that is the group that we want to ask you to send these people before. Of course, I am not for the bill, I am just trying to promote the guaranties of a fair Anglo-Saxon American way of going to jail. It is that group that we ask you to send him to, a jury of our peers, before you send us on a one-way ticket to Atlanta, Ga., or Leavenworth, Kans.

What is the practical application of that? Everybody knows who knows anything about the law that when you are cited for contempt before a judge, if the contempt takes place before him, you do not need any witnesses. He has sense enough to see to that, if the contempt is sufficiently close to the court so that you do not need any witnesses. He can forthwith sentence you. But when it is out of his sight and at some other place, it is not a question of law. I say to you it is then a question of fact and if it is a question of fact it has a right to go to a jury. That is all the proponents of the jury-trial provision claim. They are asking that that question of right be determined by an impartial jury and that it be tried in the district in which it is alleged to have been committed. That is all there is to it. I do not care what they talk about so far as proceeding on the civil side or the criminal side is concerned. When you are cited for contempt, you are headed for the jailhouse, unless you get a trial by jury.

Now, Mr. Chairman, what is the other practical application? The Attorney general is the sole prosecutor in the name of the United States Government. He is backed by that seal up there that the Puerto Ricans almost shot down. He comes into court with that seal behind him representing a figmentary individual, so to speak. He walks into court with this thing that both of the gentlemen have claimed has no parentage.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. HOLLAND. Mr. Chairman, I withdraw my objection.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIVERS. I thank the distinguished gentleman very kindly. As much as we differ on various things, we agree on some things: He and I have the same name.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from New York.

Mr. CELLER. We do have the same name, which means "God be with us."

Mr. RIVERS. Although we have the same name meaning "God be with us," sometimes it is "God help us."

But, take the practical application. You have got an Attorney General walking into the courthouse before a Federal judge, like they did down in Tennessee. I do not know the facts about the Kasper trial. I heard the gentleman from Georgia talk about it yesterday, but I am not familiar with Kasper. I would not know him from Adam's house cat. But, certainly he is headed for jail. They enjoined him at 9 o'clock at night, and the next morning they sentenced him. That is what you heard the gentleman say yesterday. Now, he was entitled, in my opinion, to a jury trial. I do not care where he came from. Somebody said he came from Brooklyn, but he was certainly entitled to a jury trial. He was in Tennessee at the time.

Now, your Federal judges, they lack a lot of being without sin. Some Federal judges are either looking for promotion to the Supreme Court or looking to the circuit court of appeals for a promotion. But, if you make them the judge and the jury and give them the keys to the jail, how many fair trials will you get with the Attorney General backing them up?

Now, we are against this bill. You know how they select these juries, as distinguished gentlemen as you are, in the Federal courts. All we ask is to give that man the right to a fair trial when they come before these ambitious people who are either on the way to the Supreme Court or on the way to the circuit court of appeals, hopefully on the way to a promotion. And, many of these men have been great people when they were in the Congress here, but when they put on that black robe, they were as cold as a dead Eskimo. They undergo a complete metamorphosis; they make a 180° turn; you would not recognize him if he passed you on the king's highway.

There are other civil rights in this bill which ought to be protected, but that is the main thing which we have to address ourselves to, just as these three gentlemen announced in their treatises, that the man is to stay out of jail if a jury of his peers so decides or finds out or determines, and that is the thing which we come to you today for. Do not let political expediency haunt you for the remainder of your natural lives. Being in Congress is not worth it. Do not let your service in this Congress be such a temporary thing that when you leave here they will not even take note, as the poet says, of your departure. A jury trial is only practical; it is only reasonable; it is only following what has been done in this country since the memory of man runneth not to the contrary.

Mr. HOFFMAN. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. HOFFMAN moves that the Committee do now rise and report the bill to the House with the recommendation that the enacting clause be stricken out.

THE PROPOSED LEGISLATION IS COSTLY, UNNECESSARY—TENDS TO DEPRIVE CITIZENS OF A BASIC CIVIL RIGHT

Mr. HOFFMAN. Mr. Chairman, in what may be here said, neither directly nor indirectly will the ability, the purpose, nor the sincere desire of the bill's proponents to protect the civil rights of our citizens be questioned.

The President has several times told us that increased spending, either by individuals, private organizations, or the Government, will add to the present danger brought on by inflation. The party platform, to which the President has asked us to adhere, calls for economy, the preservation of our financial integrity. We should, therefore, scrutinize carefully all legislation which authorizes additional appropriations as does this bill and in an undetermined amount.

The committee has not been given even an estimate of the new, additional Federal appropriations which will be made necessary by the enactment of this bill. It creates a new Federal agency, with the usual authority to spend Federal money. It provides for the addition of another assistant attorney general, with an adequate staff, the cost of which no one has thought necessary to even estimate.

Experience demonstrates that both the Commission, the assistant attorney general and his staff will find ever-increasing duties, the performance of which will add millions of dollars to the annual national budget.

It is my desire to go along with the Republican administration every time that is possible. No one, not even the President himself, or our congressional leaders, finds it possible to agree on every proposed bill. Lately attention was called to the fact that we should stand on the platform. That is as it should be. It is the honest thing to do, but since when has either party found that possible? Neither party has ever had a perfect record.

We remember how Roosevelt was elected on a platform promising a 25 percent reduction of expenditures and employment? Adherence to the gold standard? What happened? He fell off that platform on all three counts within 6 months, but was reelected three times afterwards.

So while talking about party platforms and political expediency, the party which promises the most seems to win elections.

The 1956 platform of the Republican Party promised economy.

Did we ever pause to think of the economy pledge in our platform while this bill was being debated, that here in this bill is provision for a new Commission, a new agency, and so far as I can recall there has not been a single word uttered about the cost? With contradictory promises in a platform, we must make a choice. In my judgment, economy must prevail over new, unneeded agencies or commissions.

How much will we authorize to be appropriated by this bill? No thought has been given to that.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Iowa.

Mr. GROSS. May I say to the gentleman that a short time ago I tried to elicit from one of the proponents of this bill even a rough estimate of the cost of the

Commission and the new Attorney General, but I got no information.

Mr. HOFFMAN. I gather if we as Republicans want to win, we have just got to out-promise and out-spend our friends on the other side.

Mr. GROSS. That seems to be the thing to do.

Mr. HOFFMAN. I cannot do that: Promise and not deliver. We cannot afford to win in that way at that cost.

LEGISLATION UNNECESSARY

The legislation is unnecessary for the reason there is now in the Federal Government ample authority to protect the civil rights of all citizens, if that be the sincere desire of those administering the Department of Justice.

For his protection, the citizen needs, not new and additional legislation in this field, but the enforcement of that now on the books.

Section 104 (a) (1) of the bill states that:

> The Commission shall—
> (1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

Under the present law, it is the duty of the Department of Justice and, at its request, of the FBI, to do everything outlined in this paragraph.

If either is incapable of performing its duties because of a lack of ability or money, then new individuals should be employed and appropriations increased.

Section 104 (a) (2) makes it the duty of the Commission to "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

The Committee on the Judiciary, headed by the very able and industrious gentlemen from New York [Mr. CELLER and Mr. KEATING], has imposed upon it the duties specified in that paragraph.

Section 104 (a) (3) charges the Commission with the duty to "appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution."

That authority is now expressly vested in the House Committee on Government Operations, which last Congress, in addition to the usual contingent funds appropriation to regular standing committees, had $995,000 to perform its duties.

The bill is entitled "A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States."

In truth and in fact, if adopted, as written, the legislation will tend to deny and prevent the exercise of the civil rights of citizens, in that, among other things, it denies the right of a citizen to a trial by jury—a constitutional right—when accused of criminal contempt.

Not a single civil right is even remotely referred to in the bill, except the right to vote. To add insult to one's intelligence, Section 104 (a) (1) fails to prescribe any duty upon the Commission to investigate interference with the right to vote unless that right is denied "by reason of color, race, religion, or national origin."

If we are honestly interested in protecting the right to vote, why not write in a simple provision that, if the citizen's right to vote is interfered with, the person interfering should be prosecuted?

Why confine the reason for protection of the right to vote to one of the four reasons just given? It is not because someone wants to get the support of a particular minority group. Or is it?

It is strange indeed that men of such ability as those on the Committee on the Judiciary should just forget for the moment that there are other ways of depriving a citizen of his right to vote or having his vote counted aside from the four reasons enumerated in this bill.

If the right to vote is interfered with because of color, race, religion, or national origin, such interference is made a crime subject to criminal prosecution by the Attorney General or by application for an injunction, the violation of which may result in a jail sentence without a jury's decision or to both. But if those who so conspire, stuff the ballot box, or prevent me from voting for any reason other than 1 of the 4 indicated, no offense under this bill is committed, nor has the Attorney General any right under this bill to interfere.

Nor is my right to vote in a State or municipal election protected even though the interference be for 1 of the 4 reasons mentioned in the bill. Certainly the right to vote in any election is just as much a sacred constitutional right of citizenship as the right to vote for President, Vice President, presidential elector, Member of the Senate or the House of Representatives, Delegates or Commissioners from the Territories, as is provided in part IV, section 131 (b).

It is my charge that the bill, as drawn, is not an honest, sincere attempt to protect the citizen's right to vote. That it protects that right only if the interference is with the right to vote for the officials named, and because of 1 of the 4 reasons outlined in section 104 (a) (1).

A FALSE TITLE OR LABEL

If the same rules were applied to the construction and the administration of this bill as are used by the Food and Drug Administration in construing and enforcing the laws enacted for the protection of the health of our people and for the prevention of fraud, the bill and the arguments in its support would be barred from the mails.

The title of the bill clearly states that its purpose is to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States. Protection of the right to vote is limited to voting for 7 elective officers, and as a further limitation for only 1 of 4 reasons.

Some individuals, less charitable than Members of the House, have characterized the bill as an attempt to use Federal funds, agencies, and officers in an effort to secure the political support of a minority group or groups.

REAL EFFECT

Whatever may be the real purpose of the proponents of the bill, and let us once again assume that the sole desire is to protect civil rights, the effect—the result—is to deprive a citizen of his right to a trial by jury when accused of conduct which may be a crime if the accusation is made as provided in this bill by the Attorney General of the United States.

DENIAL OF RIGHT TO TRIAL BY JURY

The right to trial by a jury of his peers was won only as the result of a long and a bitter fight. It has long been regarded as the most effective method of securing justice, of protecting the rights, both civil and criminal, of the individual. It is doubtful if in the last 20 years there has ever been as much idle chatter over the issue as to when the citizen was or was not entitled to a trial by jury as has occurred in the debate over this bill.

So far as can be recalled, no opponent of the bill has contended that the issue of whether an injunction should or should not be issued should be determined by a jury. The question as to whether an injunction should or should not be issued is concededly properly the function of the judge.

Memory is that all that those who insist that provision for trial by jury be inserted in this bill desire, is that one charged with the violation of an injunction, shall be granted that right.

If it was the desire, the intent, to draft a bill denying to the citizen the right to a trial by jury when accused of acts which were criminal in their nature, it is doubtful if a more effective bill could be phrased. It is conceded that when the United States is a party to an action, trial by jury is not guaranteed.

Evidently, to avoid trial by jury, this bill, in addition to making the performance of certain acts criminal, explicitly provides for proceedings "for the United States or in the name of the United States" by the Attorney General.

By that provision prescribed in section 121 of part 3, the right to trial by jury on the question of whether a citizen interfered with the right to vote for any 1 of 7 Federal officials, is denied. A very clever, deceptive, but very effective, piece of drafting.

Though reminded during the debate, as we often were, that an Attorney General is to be trusted, permit me to quote Thomas Jefferson, who said:

> In questions of power, then, let no more be said of confidence in man, but bind him down from mischief by chains of the Constitution.

For an example that an Attorney General may at times be used by biased, subversive groups, permit me to call attention to the persecution, some years ago, of some 30 citizens, 4 or 5 of whom were undesirable individuals, by the then Attorney General.

The Washington Post, to serve its own selfish political and financial ends, through one of its employees, Dillard Stokes, using an alias, instigated and deliberately carried on a conspiracy to, and it did for 4 years, persecute citizens who were brought in from across the continent to answer the false charge of sedition.

Here in Washington for 4 long years, those defendants were viciously persecuted by a Special Assistant Attorney General William Power Maloney, because of a conspiracy fathered by the Washington Post.

Never convicted, exonerated by the courts, after a defense by Washington lawyers appointed by the courts who served without compensation, the Post ultimately, editorially, conceded the falsity of its charge, half-way apologized for its action. That case, and you'll find a running account of it in the press of the day and in the CONGRESSIONAL RECORD of June 1, 1950, volume 96, part 6, pages 7933–7937 demonstrated again that, as Thomas Jefferson said, we should bind down administrative officials by law, see to it that our Government does not become one by men.

On November 23, 1946, the indictment—which was the result of the conspiracy to which the Washington Post was a party—was quashed by Chief Justice Laws. Of that indictment, and its dismissal, the Washington Post editorially commented.

Permit me to read:

[From the permanent CONGRESSIONAL RECORD, vol. 96, pt. 6, p. 7935]

SORRY EXPERIMENT

The Department of Justice had been unconscionably dilatory in handling the sedition cases which Chief Justice Laws threw out of the District Court yesterday. Nearly 2 years have elapsed since the death of Chief Justice Eicher halted the notorious mass trial. At that time, Government witnesses had been giving testimony for more than 7 months and vast piles of so-called evidence remained to be read into the record. When the war in Europe was over, the Department sent its prosecutor, O. John Rogge, to Germany in search of additional evidence. On his return, despite his sensational innuendoes against various prominent citizens, he recommended dismissal of the sedition cases. Mr. Rogge was later dismissed for disclosing confidential material in his report. But the Department of Justice still insisted on keeping the cases open and was found in opposition when Chief Justice Laws finally brought this sorry incident in our judicial history to a close.

Whether the Government might have convicted some of the defendants if they had been tried individually is a question that can never be settled. But one conclusion is obvious. It was a colossal blunder to herd 30 persons of widely differing backgrounds and no specific relation to one overt act into a single trial. The unwieldy character of the trial contributed in no small measure to the farcical aspects which it soon developed. The effect was to bring American justice into contempt. But at last the court has acted to end that deplorable experiment in circumstances which should make it stand out as a warning against any similarly hysterical move if we are again involved in war.

Permit me to summarize. This bill is not, as the title states, a bill to secure and protect the civil rights of persons within the jurisdiction of the United States.

At its best, it is but an attempt to further protect the right to vote for certain Federal officials when denied for 1 of 4 named reasons.

To offset that, it calls for unnecessary and costly legislation, provides for the denial of the citizen's right to a trial by jury when accused by the Attorney General of the United States of certain acts which are also by the bill made a criminal offense, subject to criminal prosecution.

It is costly, needless legislation, giving opportunity for subversive groups to use at the taxpayer's cost the office of the Attorney General and the courts to further their own purposes through the citizen's right to a fair, impartial trial by jury.

Mr. CELLER. Mr. Chairman, I rise in opposition to the motion.

Mr. Chairman, all I can say in a word is that the gentleman who has just addressed us in his usual eloquent way is seeking to throw a lot of dust and trying to indicate that we are taking away certain rights.

We are trying by this bill to protect rights. What rights? Constitutional rights.

The 15th amendment reads:

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Then:

The Congress shall have power to enforce this article by appropriate legislation.

The bill before us is appropriate legislation to enforce the provisions of the 15th amendment, which I have just read.

We have had brought before us in the committee evidence of rights taken away, of people who were deprived of their right to vote. Many were denied those rights. We seek by this bill to prevent the denial of those rights.

The lofty language used to defend the historic right of trial by jury by the distinguished gentleman who has just spoken to us contrasts mightily with his stony silence, for example, when we had the situation in a number of States where contempt citations were issued against the National Association for the Advancement of the Colored People, with no jury trial. I recall in one of those cases there was a fine inflicted of $100,000, a rather tall sum of money for that group, yet I heard nothing by way of outcry that there was no trial by jury in that case, from the gentleman from Michigan.

I know that during the prohibition era there were some 42,000 padlock injunctions, where valuable properties were padlocked and liquidated because there had been violations of injunctions. I heard no outcry either in this Chamber or by the gentleman from Michigan. I do not know whether he was in the House at that time, but those from the State of Michigan said naught about it.

I would say that the tears that are now being so copiously shed for the so-called lack of jury trial are just crocodile tears. This argument of jury trial is advanced to hinder and hamper the passage of the bill.

All that the Attorney General can do under this bill is, when he receives a complaint that there is an intended or prospective violation of civil rights, a taking away of civil rights, is to apply to a court, and the court issues an injunction so that the civil rights might be preserved, so that the crime or tort shall not be committed. It is not a question of jury trial whatsoever. All the Attorney General does is go into the court and ask the equity side of the court for this injunction, and the court grants the injunction to prevent the commission of a crime. That is all this bill does.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEATING. Do we not have today in the field of enforcement of the antitrust laws an exact parallel to this situation? Where several businessmen get together and conspire to fix prices, they are committing a criminal act. The Government can proceed against them criminally. If the Government proceeds against them in a criminal action, they get a jury trial. The Government can also proceed against the conspirators by injunction to restrain the continuance of such unlawful acts; and, if they continue the acts, then they are in contempt of court. In that event they are tried by the court without a jury.

Mr. CELLER. The gentleman is eminently sound in the observation that he has made.

The CHAIRMAN. The time of the gentleman from New York has expired.

All time has expired.

The question is on the motion offered by the gentleman from Michigan.

The motion was rejected.

Mr. DIES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, the gentleman from New York says that we are shedding crocodile tears because through this subterfuge you are undertaking to dispense with the right of trial by jury. I wonder if my friend the gentleman from New York [Mr. CELLER] was shedding crocodile tears in 1930 when he stood on the floor of this House and urged the Congress to adopt jury trials in labor cases. Let us see what he said. As the poet said, "Oh, consistency thou art a jewel." I want to see if my friend has any jewels. This is what he said:

An examination of the precedents in this country in the State and Federal courts, shows that the word "intimidation" forms the basis of the greatest abuses in labor injunctions. All the cases seem to indicate that the word "intimidation" is not capable of exact definition and hence the courts have become laws unto themselves.

Well, this bill is written around the word "intimidation," the very word that Mr. CELLER denounced in 1930, he has incorporated in this bill today. He proposes to have the citizens of this country tried under that general definition.

Then, what did he say about the word "threat" which he uses in this bill today.

He says the same objections apply to the word "threat." He was asked a question by Mr. Eaton—"What about threats?"

Then the gentleman from New York [Mr. CELLER] said, "That would be subject to the same objection."

And this is the very basis of this bill. The very basis of this bill is the use of the words, "intimidation" and "threat." What are the facts? The facts are that an injunction is an extraordinary proceeding. It is never granted except in unusual circumstances. As every lawyer knows, it is never granted until the litigant can show that he has exhausted his remedy at law and that irreparable damages will result to him. Have they exhausted their remedies at law? Read the report. Read all the statutes that were passed by the jaundiced and embittered mind of Thaddeus Stevens and those who sought to impose upon the South military rule. Read the number of statutes that are still on the statute books covering every conceivable case of possible violation of the civil rights law. We have ample statutes, both criminal and civil, and there is adequate remedy at law. Of course, the argument is that the southern juries will not enforce the law. Well, what is happening in Chicago and New York and in other sections of the North. I just read an article in Reader's Digest quoting the sheriff of Cook County depicting the many situations of discrimination which occur in the city of Chicago. The article intimated that Chicago is on the verge of a racial outbreak that will be worse than anything that has ever been seen in the South. And yet this whole legislation is aimed toward the South. We all know that. There can be no doubt about it, because when we asked the question whether or not there is any evidence that civil rights have been violated, the proponents cite hearsay and unsupported charges that Negroes are denied the right to vote in the South. You would naturally assume that before proposing this extraordinary and summary remedy of injunction, substituting it in effect for criminal and civil statutes, and clothing the Attorney General of the United States with the power to appear on behalf of litigants, whether they want him to appear or not—you would naturally assume that you would not give the Attorney General and Federal judges all of this power when experience shows it may be abused unless there is a clear showing of necessity. If it were abused in the labor cases to such an extent that the gentleman from New York [Mr. CELLER] denounced it and led the fight to undo the folly of it, what assurance do you have that the same abuses will not be repeated in civil-rights cases? What field is more explosive than civil rights? Bulls would rush into the china closet. They would undertake by meat ax to deal with a question that requires evolution and understanding and tolerance and years of trial and error.

They speak of certain information that has come to them that in some counties in a few States, Negroes do not vote. When I heard that I was amazed at the tremendous progress that had been made. Only a few counties were cited, and I am sure that the information of the NAACP has not been underestimated. Yet here was a small area. I can remember well that in my lifetime that situation would have extended over a large portion of the United States. Yet, year by year, the Negro and the white in the South have made tremendous progress. In my State, as I said on this floor, and no one will deny it. There is not a Negro citizen who is denied the right to vote, and the truth is that they are voting in large numbers in every election. In fact in one of the largest Negro boxes in Houston my opponent got 6,000 votes as against 23 for me. So I know they are voting. They are voting in Texas. And they are voting in many of the other Southern States. But you are not content with this great progress made through good will and tolerance. You must revive the same spirit that actuated the Reconstruction Congresses who said "We will force this about. We will not wait a month or a year, but we will enforce it by the bayonet." So they had the Freedmen's Bureau and the Ku Klux Klan statutes and they had the Army and the Navy in order to disfranchise southerners, and what happened in Texas and in the South? The Negroes, who were not ready for citizenship and wholly incapable of discharging their civic responsibility, took complete control of the States, and they took over the legislatures until finally the whole state machineries of the South bogged down. You are not content with that experience.

Oh, you are very clever. You seek through legal means to disguise what is essentially dishonest—an effort to substitute one man's opinion and one man's judgment for trial by jury. How can it hurt you to adopt this amendment? The judge will still have the right to issue preliminary injunctions and temporary restraining orders. If someone is denied the right to register or denied the right to vote after he has registered, the judge of the court can immediately issue a temporary injunction to accomplish every legitimate purpose. Why are you unwilling to preserve this great institution of jury trial? I will concede that you can dispense with it. I am not arguing that it is a constitutional right, as it would be interpreted by the present Supreme Court, to have a trial by jury in these cases. I simply plead with you, if you are going to enlarge civil-rights remedies—and God knows there is ample remedy now—if you are going to let the Attorney General of the United States be the attorney for every fancied or real grievance in the United States, at the expense of the American taxpayer, something that has never been done in a free country in a field that is as delicate and as explosive as civil rights, the least you can do is to provide a trial by jury.

I will tell you what you are going to do—and mark my words—you are going to create a lot of mischief. You are not going to help the Negro; you are not going to help the whites; you are not going to help anyone; you are simply going to pass a political bill which has been advertised as civil-rights legislation. You know that you do not want to go home, some of you, and have to explain that this is not, in fact, civil-rights legislation; therefore, you will vote for this bill just as you would vote for any bill labeled "Civil Rights."

But I will tell you what is going to happen: This bill and all legislation based upon force, upon summary proceedings, upon the judgment of one man, upon interference with the efforts of the people of the South to work out one of the most difficult problems in all history, will only delay the solution of the problem.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want the membership to know that I have always had and will always continue to have an affectionate regard for the gentleman from Texas, although I emphatically am in disaccord with what he says.

I do not know why he attached to me such importance, why a good many Members in opposition to the bill seem set upon parading here today what I said many, many years ago, in fact, 25 years ago, a quarter of a century. Of course, what one says 25 years ago may not be cogent or logical in today's setting. Much water, of course, has gone over the dam in those 25 years; indeed, I have grown up, too. I would say that I did not stop growing in 1932; I continued to grow. I think I have had more experience, that I have grown older, and I hope a litttle more sensible.

Twenty-five years is a long time, and time marches on.

As to "consistency, thou art a jewel," I think there is an element of consistency in what I said a quarter of a century ago and what I am saying now, because a quarter of a century ago we had before us a history of abuses by the courts and judges in the issuance of injunctions in labor disputes; hence there was a national outcry and a demand for remedial legislation, with the result that we passed the Norris-LaGuardia Act.

We had abuses then; we have a history of abuses now, abuses of the right to vote. We have a history of abuses of the right of equality in education and transportation, and in housing. We have the abuse of the right of equality on almost all levels of cultural and economic life.

I seek today to legislate to correct abuses just as I sought legislation 25 years ago to correct abuses then. That in a way is consistency.

I will also say to the gentlemen that life is full of inconsistencies. I remember reading not so long ago the following:

> Health inspectors in Doncaster, England, noted that the biggest smoke nuisance in town was the local factory producing smokeless fuel.
>
> Invitations to the dedication of a new elementary school in Camden, N. J., carried this note at the bottom: "No children, please."
>
> A hospital patient in Scranton, Pa., about to undergo surgery, made out his will on the back of a get-well card sent by a friend.
>
> A Detroit woman who was embarrassed because her given name of Eddie was too masculine petitioned the court to change it to Billie.

I give these illustrations, you will forgive me, facetiously. Yet there is an element of truth in these episodes.

Of course, we have these inconsistencies, and we have inconsistencies by the gentleman from New York, myself. But we have to weigh each case on its merits.

If you are going to throw in my face what I said a quarter of a century ago, and say what I said then must be said now, it is going to be very difficult to get anything done in a decent and logical manner.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Maryland.

Mr. HYDE. Did I understand from what the gentleman says that in his mind it is perfectly possible that the so-called jury trial provision in this bill will not stand the test of time?

Mr. CELLER. There are no specific provisions for jury trial in this bill. I said yesterday that if there are abuses on the issuance of injunctions, if this bill passes, I would be the first to come here and endeavor to curb the powers of the court just as I did 25 years ago. I think trial by jury will always stand the test of time but that does not mean that you have to have a trial by jury for everything. I would say that most of the wrongs committed in this country are redressed without trial by jury. Consider the multitudinous number of misdemeanors that are tried without juries. I venture the assertion—I am giving a rough guess only—that 85 percent of the wrongs are redressed with no trial by jury.

Mr. MATTHEWS. Mr. Chairman, I move to strike the requisite number of words.

(By unanimous consent (at the request of Mr. LONG), Mr. MATTHEWS was allowed to proceed for 5 additional minutes.)

Mr. MATTHEWS. Mr. Chairman, I am certainly grateful to the House for permitting me this privilege and I want you to know also that I appreciate the fair treatment that we from the Deep South have received under the terms of the debate. I only wish now that you would take one more step and vote solidly with us and defeat this terrible bill.

Mr. Chairman, I rise in opposition to the so-called civil-rights legislation. At the outset of my remarks, I want to refer to the statement made by the gentleman from Michigan [Mr. DIGGS]—and I quote from him on page 7780 of the RECORD of June 10 this year—when he said:

> I can tell you about counties, for instance, in the State of Florida: Taylor, Madison, Gadsden, and Jefferson Counties where Negroes are not registered to vote.

Mr. Chairman, anytime anyone mentions my district on the floor of this House and he gives incorrect information, I feel that it is my duty to give you the facts. As I pointed out in my remarks on page 7784 of the June 10 issue of the RECORD this year, immediately after the gentleman from Michigan [Mr. DIGGS] made his statement about my district, I went to the telephone and talked to the editor of the Madison County paper, Mr. Curry Merchant, Jr., and asked him to give me information about the number of Negro citizens registered in Madison County. He told me there were nearly 1,000 Negroes registered in Madison County, Fla., and that many, many hundreds of them voted in the election last year. Since that time, I have found that the exact registration in 1956 of Negro voters in Madison County was 945. Now this county has a population of 14,000, with a white registration in 1956 of 5,272. The fact that there were more white registrations in proportion to the total population than Negro registrations does not have a thing in the world to do, Mr. Chairman, with civil rights. It has to do with the desire of people to become registered and go to the polls to cast their ballots. I repeat again that Madison County, Fla., respects the rights of its fine Negro citizens, and I resent any incorrect information that is given to this House to the contrary.

I should like to point out that the gentleman from Michigan mentioned Taylor County, the only other county of the four he mentioned in Florida which is in my Congressional district, as a county that does not have any Negro citizens registered. I have verified the records and find that in 1956 there were 77 Negroes registered in Taylor County, which indicates again that somebody is giving the proponents of this terrible legislation some information that to say the least is not wholly accurate.

Now, Mr. Chairman, I want to point out that although the proponents of this legislation are in both parties, that opponents also are in both parties. This is a sectional problem. Every member of the Republican Party from the Deep South, and every member of the Democratic Party from the Deep South, is opposing this legislation. It is my sincere conviction that there will be no political advantage to be derived from supporting this bill for either party. Yet I am just as convinced as I can be that there will be many votes cast for this bill because of the belief that it will help get votes in the next election.

Mr. Chairman, many speakers have commented on the nonemotional aspects of this argument on civil-rights legislation, and Members have been congratulated for toning down their emotions. I am sure that you realize that this legislation is pointed at the Deep South, and naturally, those of us from that great area of the country have difficulty in toning down our emotions. There is implied in this legislation a charge hurled at the Anglo-Saxon people of the Southland that other Americans have no confidence in our laws—you have no confidence in our courts and juries—and you feel that there should be super-duper legislation passed giving the Federal Government the right to supersede our State courts.

This legislation is clearly in violation of State rights, and the longer tenure I have in Congress, the more amazed I am to note the number of my colleagues who seemingly have no conception at all of States rights. I admit that this theory has sometimes been taken advantage of in that too often we expect the financial benefits of the Federal Government to help our States, and we are not willing to assume the responsibilities that we should assume as States. However, I want to emphasize, as I have done before, that to me the Jeffersonian conception of States rights is as sacred a conception of the Constitution as any other part of it. This is a republic; we are a sovereign nation composed of many sovereign States, and this Republic could never have been created if the various States had not submitted to its creation. The difficulty of bringing together kindred States with kindred feelings in a commonwealth of nations is graphically illustrated in our fight to obtain a Constitution for ourselves in the colonial history of this country. In modern history the great difficulty of the European nations, with common cultures and backgrounds, assuming even any kind of an economic union, amply illustrates how difficult it is to make the people of different mores and traditions conform to one tyrannical despotic standard imposed by a central government. Many facts point to the great necessity of preserving the rights of our States, and yet if this iniquitous legislation were passed, there would be an appeal to Federal courts before local administrative remedies were exhausted, and in fact, there would be every effort to encourage the direct participation of the Attorney General and the Federal Government in cases that ought to be left to the adjudication of local courts and juries.

This terrible proposed legislation would make our Attorney General a Gestapo agent, which let me emphasize to you, would be the first time in the history of America that that has been done. I shudder to think of the great efforts that both parties would make in the Southland at the time of a general election to convince certain pressure groups of the parties' determination to win their votes at all costs.

Mr. Chairman, I have previously inserted in the RECORD a legal argument against this proposed legislation. I appeared before the House Committee on the Judiciary and protested this legislation in the terms of that legal brief. It is not my purpose today to review that material. The legal aspects of this question have been thoroughly debated. Surely even those who vote for this civil-rights bill would give us in the Southland the right of trial by jury, but as far as I am concerned, a Federal court armed with the power that would be given if this legislation were passed would be able to put southern citizens in jail by contempt procedures in civil cases. And whatever we think about the fine points of law, basically the evil results are retained in this bill.

I want to review some of the comments that have been made about why this legislation should be passed. For several days I have read thoroughly every speech in the RECORD and I find this statement on the part of one of our colleagues who urges that this bill be passed, and said, "I urge that we consult God." Now this would imply that those who are for this legislation act better in the pattern of the Almighty than those of us who oppose it. When I first went to college I was preparing for the ministry. I studied some theology and some Greek. To be perfectly frank, about the only Greek I remember

are some of the words in the Greek alphabet from alpha to zeta, both inclusive. I do remember a little of my theology and I have tried to retain an interest in matters religious all my life. I say humbly that if you examine objectively the personal lives of those who are in favor of this bill and then if you examine in the same spirit of objectivity the lives of those who oppose this bill, I believe it could be safely said that those in opposition do not live less after the pattern of the Almighty than those who are proposing this legislation.

I think the most alarming statement which has been repeated many times, however, in behalf of this legislation, is the idea that if we pass it, we can make friends and influence people, that we can prove to the whole world that we are a great democratic country fighting for the rights of all our people. Here are some of the quotations from recent talks of our colleagues that argue for this point of view:

Here is an opportunity to prove to the world.

Let us make it perfectly clear to Russia, to the world.

The Voice of America will also be jammed.

Impress the Communist world.

Our country is trying to convince millions of people across the world.

Communist propaganda will be directed at the United States if we do not pass this bill.

Let us pass it as a signal to all the world.

Let us prove that we have kinship with darker peoples of the world.

This bill will increase the prestige of the United States in the world.

Many times during this debate we have heard emphasized this idea that one reason we ought to have civil-rights legislation is because it would improve our relations with the remainder of the world. Speakers have stated that we are criticized in other areas of the world because of our discrimination against certain races. Now, I do not doubt but what some of our world travelers and some of our newspaper reporters have heard segments of foreign peoples criticize us because of supposedly race discrimination, but I doubt the validity of any claim that maintains this is a problem as far as our relations with other nations of the world are concerned. For example, have we had a Gallup poll in Africa to determine whether or not that recently liberated continent feels that race relations in America are a paramount problem in maintaining good relationships with Africa? How in the world can we have a valid poll representing the majority of the people of Africa when it is my understanding about 200 different dialects are spoken? Africa does not even have a solid line of communications. Or who among us has taken a Gallup poll in India to ascertain whether or not the people of that ancient and venerable civilization feel that the race problem in America is of chief concern to them. Certainly India with its caste problem understands some of the problems that America has, perhaps better than any other nation in the world. Or let us consider, please, the positions of the various peoples in the Orient. Do we have a valid Gallup poll in the Philippines, or in South Korea, or in Japan, or in Formosa, to indicate the fact that if we just had civil-rights legislation everything would be hunkydory between the United States on the one hand and these individual nations on the other?

What I wish to emphasize, Mr. Chairman, is that if we are being sold on this so-called civil-rights legislation because of the fact that it will influence people, my feeling is that we are being not only oversold, but we are being sold down the river.

Just what does America have to do to influence people? Give me, if you please, the example of another great nation who has been chiefly instrumental in winning two world wars and has not demanded 1 foot of territory as a result of victory. Yet, America poured here precious blood and resources into the 2 recent world conflicts and came out of it with a debt approximating now $275 billion, with a loss of hundreds of thousands of the flower of her manhood and with victory, yet with not any semblance of material gain. If we cannot make friends because of this action of our American people, what does it take to win friends and influence people? Since that time, Mr. Chairman, we have poured out over $60 billion of our material resources to the nations of the world to help them help themselves. We have sent our manpower into the areas of South Korea when we took upon our shoulders largely the responsibility of the Free World. In facing final victory, we were halted by the diplomacy of our allies from winning final victory and thus suffered an insult to our national honor—unknown before in all of our proud history. When we do all this, and we have not sold ourselves to the Free World as a friendly people, what does it take to win friends and influence people?

Consider the recent events in Formosa. The American Embassy was despoiled and the precious Stars and Stripes was hurled to the ground. The official representatives of our people were beaten and humiliated, and we have stood patiently by because of our overwhelming desire to be friendly. When we do all this, and we have not been successful in giving the other nations of the world a good impression of us, just what does it take to win friends and influence people?

No, Mr. Chairman, the other nations of the Free World are not too concerned about civil-rights legislation in America which is directed at the honor and integrity of the Deep South. There is one possible exception—Communist Russia is tremendously interested. They are gleeful, their leaders are rollicking with laughter because now through this diabolical legislation we are dividing our people, we are setting one section of the country against the other, because it should be emphasized again this is a sectional problem. The pressure groups who are pushing for this legislation constantly refer to the South as the battleground. So certainly Communist Russia is very gleefully viewing this terrible episode in Congress.

What do the other free nations of the world want, Mr. Chairman? First of all, many of them want just enough food to feed their people. There are over 1 billion people in the world today that do not even get 3 square meals a day. Do you think a billion people are interested in this civil-rights debate when they are hungry, emaciated, starved? I submit to you that for the majority of these poor, unfortunate people whose friendship we are told we must win if we win the cold war against Russia, have as their chief concern just getting food to eat.

Greece wants Cyprus; France wants peace in her empire; England wants Nasser put in his place; many nations want our money, but not our advice; Israel wants navigation rights in the Suez; the deported Arabs want a home. These needs are so urgent I doubt that in the minds of these people this debate takes precedence.

The spirit of the day in nations throughout the world is nationalism. Those in our country and through the years have preached the only way for the salvation of the world is for America to give up her form of government and to dilute it with some kind of a world government organization would do well to note the overwhelming surge of nationalism. The nations who have just emerged from colonial powers want technological advances just as America has them. They want our machinery, they want our know-how, they want our standard of living. They are in a hurry, and I think they are more concerned about these things than they about the internal problems of America. Some of these nations, I am sorry to say, Mr. Chairman, want our money without any responsibility. They resent even a suggestion on our part as to how they should spend our money. But above everything else, they want to run their business just as exactly as they want to run it—and I think I have every right to assume they would have no respect for the United States of America unless we ran our business just as Americans want to run it.

I say then, Mr. Chairman, that to try to sell this iniquitous piece of legislation on the basis of the fact that it will help us win friends and influence people is incorrect.

This so-called civil-rights legislation is iniquitous because it establishes a precedent of going to the Federal courts without first exhausting local legal remedies; it makes of the Attorney General of the United States a possible Gestapo agent; it violates the proper conception of States rights; and in fact, will lead to the entire destruction of States rights; it is unnecessary because there are sufficient laws on the statute books to deal with civil-rights problems; and this bill is aimed at one section of the country, the great Southland which I represent and which I think has set a high standard for the remainder of the Nation to follow in its earnest endeavor to improve the opportunities of our people of all races and creeds.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS, of Iowa: "On page 1, strike out all of the language beginning with line 3 through line 10, and on page 2 all of the language beginning with line 1 and continuing through line 13."

Mr. GROSS. Mr. Chairman, I am sure that every Member of the House has read this bill and knows what this amendment would do. I should like to have offered an amendment to strike out all of title I, but I am convinced that would have been subject to a point of order.

Title I deals with the establishment of still another commission in Government and vested with extraordinary powers, I may say. I am prepared, if this amendment is adopted, to offer further amendments to strike out all of the sections which deal with the establishment of the commission. My position with respect to more commissions and assistant attorneys general, assistant secretaries and assistants to assistants, is well established. I am opposed to the creation of more boards, bureaus, commissions, assistant secretaries and assistants to assistants in this Government. We have them falling all over themselves now at heavy cost to the taxpayers. The Department of Justice, to which we appropriate millions of dollars each year, has ample facilities and plenty of money to take care of this situation.

I have said that extraordinary powers would be granted to this commission and I am sure that those of you who have read this bill know of these extraordinary powers. For instance, this commission reports to whom? It is a creature of Congress, but to whom does it report? To the President of the United States. Not to the Congress that creates the commission. I could go on and enumerate the extraordinary powers this commission would have.

I do not intend to do so, because all of you have read the bill and you all know the powers contained therein. I have no intention of taking the time to belabor the amendment. I am opposed to the establishment of a new and expensive commission. I hope the amendment will be adopted.

Mr. WILLIS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I have an amendment at the desk in form identical with the amendment now under debate. As the gentleman pointed out, we normally would have to await the full reading of the section, but if this amendment prevails of course the net effect of it is to delete part I from the bill.

Part I of the bill would establish a Civil Rights Commission in the executive branch of the Government. If that is the real purpose behind it, there is no need for this section at all because the President of the United States already has the power to establish a commission in the executive branch of the Government. The truth of the matter is that former President Truman established a Commission on Civil Rights in the executive branch of the Government. President Eisenhower established in the executive branch of the Government a Commission on Education.

Why, then, is this proposal before the Congress? That is one of the bugs of the bill. The reason, and the only legal reason, why they bring the matter to the Congress is in order to get subpena power. The President can establish a commission in the executive branch of the Government but he cannot grant subpena power. So the most important and vital part of this part of the bill is the subpena power.

The idea is to give this commission the power of cross-examination, the power to bring books and records before the commission, the power to hail people, including ministers of the Gospel, by the way, in the fashion the bill is drafted, across State lines, there to submit themselves to cross-examination, and open up their books and personal papers; and perhaps, and no doubt, it would result in a contempt proceeding, so that a man hailed from one State to another, offending the commission, could be tried away from home before a strange Federal judge and without a trial by jury.

The Commission would be given authority to investigate allegations that people are being deprived of their right to vote on account of color, race, religion, and national origin. I do not know about the testimony on the Senate side, for I have enough trouble trying to follow the hearings on the House side, but I think my chairman, the gentleman from New York [Mr. CELLER], will concede that on the House side at least there was no testimony that people were being deprived of their right to vote on account of religion. The proponents of the bill point out that the real reason for the bill is to protect the right to vote—to further secure and to protect the right to vote. If that is true, if that is the real reason for the bill, you already have laws on the books, both criminal and civil, protecting the right to vote. But, in addition to that, parts II, III, and IV deal with civil rights and deal directly with the right to vote, for example. So, hearing the testimony, the majority of the committee already reported out legislation; so what possible work is there left for the commission to do? We already have parts II, III, and IV on the subject of the protection of the right to vote. Now the bill says the reason for the commission is to investigate allegations that people are being deprived of their right to vote. Under the provisions of parts II, III, and IV that allegation is assumed to be true. The majority is satisfied with the legislation that is already proposed; so we would be creating a useless commission, and the only reason for coming to the Congress is to grab the subpena power.

Mr. Chairman, I hope the amendment will be defeated.

Mr. BOYLE. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am sorry that I have to take issue with my good friend and fellow member of the Committee on the Judiciary regarding the absence of any proof in the hearings on the House side to the effect that there was evidence of intimidation.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I am glad to yield.

Mr. WILLIS. I said that to my knowledge I did not know of any testimony in the record before the House dealing with proof or even indicating that people are being deprived of the right to vote on account of religion. I would like the gentleman to address himself to that, and for my information—for my serious information—to indicate at this point in the record the passage in the House committee report on that subject.

Mr. BOYLE. In answer to the gentleman, within the 5 minutes I have under the rules, I do not have the time to go through not only this volume of testimony that was elicited in the 85th Congress, but also to the testimony adduced in the 84th Congress. As a member of the civil-rights subcommittee in the 84th Congress, and I heard all kinds of testimony to that effect. I think, if the gentleman goes into the record, at least of the 84th Congress, you will find there ample and sufficient testimony to satisfy the inaccuracy of your observation.

Mr. Chairman, now let us get back to the question of whether or not, as we stand here today, there is a need for this commission.

In answer to the amendment, I might say to the gentleman from Iowa [Mr. GROSS] that, although a Republican, he is not in sympathy with President Eisenhower's thinking regarding the necessity of the establishment of this commission. The record is replete with evidence that the Republican administration feels there is an absolute need for such a commission, and I say that I, too, feel there is need for such a commission. If the commission did nothing more than give the right of subpena, it would be ample reason and justification for its existence, because no commission set up by the President himself, without an act of Congress, would have that very valuable and necessary device.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. In just a minute, I will yield, since I mentioned the gentleman's name. Going back to the proposition, you need subpena power to compel people to come before the committee. You need subpena powers so that these people who are in fear of being intimidated might come and testify before the committee. Notions of subpena power or notions of committees having the right to investigate, run down the whole gamut of the administration procedures. Every one of the commissions, without exception, has at least broad subpena powers. This regulatory body that we are setting up has some geographical limitations, whereas most of the others do not.

I now yield to the gentleman from Iowa.

Mr. GROSS. Did the gentleman say I was not in sympathy with the President, or something to that effect?

Mr. BOYLE. No. I said out of sympathy with this recommendation of the President, setting up a commission.

Mr. GROSS. But I am in sympathy.

Mr. BOYLE. Oh, certainly; and I am too.

Mr. GROSS. Just a minute. I am in sympathy with the taxpayers of this country. Will the gentleman tell me what this Commission will cost the taxpayers?

Mr. BOYLE. I would be the last one to represent to the gentleman that I was

under the impression that it would not cost anything, because the realism of this bill is that it is going to cost something. But how in the name of heaven can you use an argument of a mere sum of money for enforcement against deprivation of the rights of free people to their security, to their liberty, and to their right to vote? If you ask is this bill going to cost some money and if so we are not going to pass it, I say do not stand idly by because it is going to cost some money, inaction does not solve the problem.

Mr. GROSS. Can the gentleman give us a rough estimate of what these $350-a-week commissioners, plus all their retinue, plus the other 15 people they are going to name to some kind of an advisory committee, plus everything that goes with it, is going to cost?

Mr. BOYLE. The gentleman asks a very fair question, and I would love to answer it. The testimony was that the Attorney General did not think it was going to cost a great deal because they had enough personnel that would be able to handle this phase of activity.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. BOYLE] has expired.

(By unanimous consent, at the request of Mr. YATES, Mr. BOYLE was granted 5 additional minutes.)

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. YATES. Does not the gentleman believe that the purposes of this bill are of sufficient importance to warrant the expense which is involved?

Mr. BOYLE. I would say that, within reasonable limitations, that is very true. I know the gentleman from Iowa [Mr. GROSS] feels somewhat like I do, that probably in a conceptual situation there is almost enough law on the statute books to take care of all offenses in this very particular area, if everybody tried to exhaust the potentialities of existing law.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield.

Mr. ABERNETHY. In his opening remarks the gentleman said that a number of people of a certain religious faith in the South were denied the right to vote because of their faith. Will the gentleman tell the House what faith he was referring to?

Mr. BOYLE. There is evidence of denial because religion was not mutually exclusive and it applies to more than 1 of the 4 or 5 major faiths, as I recall the testimony in the 84th Congress.

Mr. ABERNETHY. Who gave the testimony?

Mr. BOYLE. I cannot recall. I do not have that record here, but I promise the gentleman when I get an opportunity I will research the committee testimony of the 84th Congress, and I will be happy to favor him with the page and testimony haec verba.

Mr. ABERNETHY. And the names of witnesses and the people involved.

Mr. BOYLE. That is right.

Mr. ABERNETHY. I would appreciate that information. I have been waiting to get it for several days.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. I yield to the gentleman from Massachusetts.

Mr. NICHOLSON. What is there to stop the Atttorney General from prosecuting an individual now for efforts to violate the election laws?

Mr. BOYLE. I do not think there is anything, but I do want to say that as far as my understanding of the present statutory law is concerned, it becomes real hard for neighbors to put teeth into those conspiratorial statutes by prison sentences and most often you do not get a chance to act until the election has been held. In that case you find yourself prosecuting an alleged felony in July, August, or Christmas, that was committed in a previous November, or possibly in the primary months of the preceding election.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield further?

Mr. BOYLE. I yield.

Mr. NICHOLSON. What we are doing is passing a bill through this Congress which just tells the Attorney General he can do in the future what he can do now if he wants to apply the law which is already on the statute books.

Mr. BOYLE. That is a good observation, but I think this bill does something different. It substitutes remedies, although using almost the same words or about the same language. It provides a civil remedy and the purpose of a civil remedy I think will be to firm up the guaranties under the 15th amendment.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. FORRESTER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am heartily in favor of this amendment. Let me tell you some of the reasons why.

The executive department has all authority necessary to set up any executive commission the Executive might desire. If we are going to set up another commission, I ask you why should we abdicate? Why should we set up a Presidential commission when the President has complete authority to do it for himself?

And if you are going to set up a commission why in this world do you not accept my challenge of yesterday? Why do you not defeat this bill and set up a Congressional investigating committee? You are the ones who are charged with making the laws of this country. You are the ones who are going to be responsible to the voters in this country. I ask you in simple justice, if you have got to have a commission, why not a Congressional commission? The gentleman from Illinois [Mr. BOYLE] just got up here, and he is in favor of this legislation, but as a lawyer he tells you you have already got all the laws on the books that you need to enforce civil rights where you have any righteous complaint. But if you are going to have a commission anyway, why do you not accept my challenge? Why do you not give us a commission right here in the Congress? Why do you not put it on television? Why do you not let the people back home hear it and why do you not let them see? Are you afraid? Oh, how I would like to meet you over there, I would like to meet the NAACP, and all of the rest of those boys and put them under oath. The kind of commission you have here is silly. Not a single witness will be under oath, did you know that? They can lie with impugnity. You are inviting lies, you are inviting perjury, you are inviting false swearing. It is a sad commentary upon the Congress of the United States.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Illinois.

Mr. BOYLE. Is it a fact I served with the gentleman in the 84th Congress in connection with this very bill?

Mr. FORRESTER. The truth of the matter is that the gentleman and myself are in harmony on most everything except this and I hope I can get him in harmony on this one.

Mr. BOYLE. I want to say for the benefit of the record that the gentleman in the well of the House is a very fine lawyer. I should like to make the further observation at no time during all of the hearings did he come forward with a suggestion that maybe we ought to attach to the procedure as it refers to this committee the oath and the cross-examination features.

Mr. FORRESTER. My friend is a mighty fine individual until you say "civil rights." Then he gets beside himself. I tried my best to tell the gentleman, but you would not let me tell you. You sealed my lips over there. You would not let me bring in witnesses, you would not let me do anything. You did not consider this bill 2 hours and the gentleman knows it.

Now I want to tell you why you are putting a commission in this bill.

Mr. BOYLE. The gentleman did not answer my question in the first place, and, secondly, does he mean to tell the House now that we never considered this bill for more than 2 hours in the 84th Congress?

Mr. FORRESTER. I certainly do mean to tell you that. I told you that last year, I told you on the floor, and I tell you again today, and the RECORD will prove it.

Mr. BOYLE. I do not know, but I think the gentleman and I were in many sessions there a long, long time. Whether he wants to put a different interpretation on it I do not know, but I know very well I was in attendance hour after hour and days and days. If the gentleman will recall, on 3 or 4 occasions I was the individual who requested the Attorney General, Mr. Brownell to come before the subcommittee and give us the advantage of his thinking.

Mr. FORRESTER. I do not mean to tell you the hearings were only 2 hours. I do say the legislation was not considered 2 hours. That reminds me. You know, I asked Mr. Brownell three times in the 84th Congress. He would not come over until you were ready to report H. R. 627. It is purely political. It was only when it appeared that the Celler bill would be reported that he showed any interest whatever.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(By unanimous consent (at the request of Mr. HALEY) Mr. FORRESTER was allowed to proceed for 5 additional minutes.)

Mr. FORRESTER. Mr. Chairman, here is what I was about to say. This is a sad day in America. For the first time in the history of America you have started legislating on religion, and that should be enough to stop this Commission in its tracks.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I have been trying for several days to find out what people it is or what religious faiths have been discriminated against. That is what this bill is driving at. Now, did the gentleman hear any testimony to the effect that any person of any particular faith was being denied the right to vote because of his faith? Did the gentleman hear any testimony to that effect?

Mr. FORRESTER. Let me answer this categorically. It is a mythical issue, mythical witnesses. I heard all that evidence, and I tell you—you can get the record and see—that there is not one scintilla of testimony that anybody has been discriminated against on account of their religion. It is positively a fact that not one person testified there had been anywhere any discrimination in the right to vote because of religion.

Mr. ABERNETHY. Well, if that is true, then what is the object of this being in the bill? Is it an attempt to butter up some group of people in the country? If so, what group?

Mr. FORRESTER. That is right; nothing but kowtowing to the minority groups, and the majority of the minority groups do not want it. Do you know who called my attention to this? One of the greatest lawyers in Georgia, who is a Hebrew friend of mine. He said to me, "Tic, for God's sake don't let the people of America start arguing and fighting over religion."

Mr. ABERNETHY. Well, that is the only statement that the gentleman has heard on that point, then?

Mr. FORRESTER. That was not in committee. There was nothing in the hearings. His statement was made to me in my office.

Mr. ABERNETHY. Did not the committee first take this out of the bill?

Mr. FORRESTER. Of course they took it out, and they took it out after my Hebrew friend, Hon. Charles Bloch, got up there before the subcommittee and just laughed it out. He said, "How in the world are you going to square it with the first amendment?" Do you know who took it out? The seven gentlemen constituting that subcommittee, and the nearest one to the South was either Ohio or New Jersey. They took it out because they are good lawyers.

Mr. ABERNETHY. And then it was put back?

Mr. FORRESTER. It was put back in an innocuous sort of way. This is lipservice. It is not going to hurt except where you are bringing religion in, and I hate to see it come in.

Mr. ABERNETHY. Will it not just make things worse if the situation is bad, and I do not agree that the situation is. I do not believe the situation exists that they are attempting to correct.

Mr. FORRESTER. You are now fixing to start trouble.

Mr. ABERNETHY. Why, of course.

Mr. FORRESTER. Because if a man is looking for some sort of remedy, it is amazing how he can discover certain things that he never thought of before. Yes, you are fixing to get into trouble now. This has been a land of religious freedom, but what you are fixing to do, you are fixing to do something now that you will wish to God you had not started.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. As a trial lawyer, I am sure the gentleman is an able trial lawyer, and we are all interested in getting a fair and impartial trial when we are handling a lawsuit, whether it be criminal or civil. Now, in your State or your district, what is the method of summoning a venire of jurors, whether it be in the Federal court or some other court? How do they do it?

Mr. FORRESTER. Why, they draw them out of the jury box.

Mr. BYRNE of Illinois. How do they arrange the jury box? What determines the names that go into the jury box?

Mr. FORRESTER. What did the gentlemen say?

Mr. BYRNE of Illinois. What determines what names go into the jury box? Do you have a system of jury commissioners or who are the people that determine who the jury men and women are to be?

Mr. FORRESTER. That is right, and I am glad my friend brought that up. You get your list.

Mr. BYRNE of Illinois. What is the answer to my question?

Mr. FORRESTER. What is your question? You have not asked a question.

Mr. BYRNE of Illinois. I certainly have asked a direct question.

Mr. FORRESTER. Well, ask me again.

Mr. BYRNE of Illinois. All right. What determines who are the men and women whose names go into the jury box?

Mr. FORRESTER. I told you. The jury commissioners.

Mr. BYRNE of Illinois. You did not tell me anything yet.

Mr. FORRESTER. I told you the commission. They are the ones who determine that. Let me tell you another thing.

Mr. BYRNE of Illinois. Complete your answer and answer the first thing first. You have a registrar, is that right?

Mr. FORRESTER. That is right. A jury commissioner.

Mr. BYRNE of Illinois. One or more?

Mr. FORRESTER. I think there are five. I am not sure.

Mr. BYRNE of Illinois. You think there are five?

Mr. FORRESTER. Yes.

Mr. BYRNE of Illinois. How long have you been practicing law in your community?

Mr. FORRESTER. Well, I was in the practice of law 30 years, and I won a whole lot more than I lost, and I will be glad to meet you in the courtroom any time you want to.

Mr. BYRNE of Illinois. Back in my community I won them, too, because I only represented the innocent if they had enough money to hire me.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. FORRESTER] has again expired.

Mr. BOYLE. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for an additional 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I am glad to yield to the distinguished gentleman from Georgia.

Mr. DAVIS of Georgia. Mr. Chairman, I do not think the gentleman from Georgia in the well understood the question of the gentleman from Illinois [Mr. BYRNE].

Mr. FORRESTER. He wanted me to answer it his way.

Mr. DAVIS of Georgia. I would like to give him the details. In Georgia we have 5 commissioners who are appointed by the superior court judge. Every 2 years they revise the jury boxes, which are the grand jury boxes and the petit jury boxes. When the jurors are to be drawn, the judge of the superior court tells the clerk of the court who keeps the boxes sealed and locked in his office all the time, to bring them into open court, into the courtroom and there the clerk, the sheriff and the judge open those boxes, in open court and draw out the names. The sheriff reaches into the box and pulls a name out. He hands it to the judge. The judge reads it. The clerk records the name on the list right there, where everybody can see and hear what is being done.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman.

Mr. HOFFMAN. Will the gentleman from Illinois tell us how they get them in Chicago when they are trying the Capone gang?

Mr. BYRNE of Illinois. Yes; the gentleman from Michigan [Mr. HOFFMAN] raises a very good question. I come from an area——

Mr. FORRESTER. Please answer the question briefly, as it is on my time.

Mr. BYRNE of Illinois. I shall be glad to make it as brief as I can. In Chicago they talk about "blue ribbon juries." You ought to put that in quotation marks—"blue ribbon juries"—because I do not think you can get a fair and impartial trial in that way. The gentleman from Michigan [Mr. HOFFMAN] asks how we get them in the Capone case. They send out to the post-

masters and say, "Send in half a dozen jurors," or something to that effect. They ask for jurors to volunteer their services in these so-called "blue ribbon juries," but you cannot get a fair and impartial trial anywhere in the United States of America in that way.

Mr. HOFFMAN. Well, that is Chicago.

Mr. FORRESTER. Mr. Chairman, may I make this observation? I want to tell you something else about the voters' list. That is made a month or 2 months before election day. There is no excuse in the world for one waiting around to the eve of the election to appeal to the courts for his rights unless he is crooked. You see, this is just what this legislation is going to do. They are naturally going to wait until the eve of the election to come in and enjoin your elections and destroy your election processes. I know that.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Florida.

Mr. HALEY. For the information of the gentleman who was inquiring about how jurors are selected may I say that in my great State of Florida the jury commission, as we call it, is recommended by the board of county commissioners; and I might say they are all Republicans at this time, men appointed by the Governor of the State. I might say also that 25 years ago in Florida we had Negro jurors serving on juries and their names were in the box from which the names of jurors are drawn. Those are taken from the registration rolls of the county in which the people reside. And there is no discrimination because of race, color or creed.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Georgia.

Mr. LANHAM. That was the point that I intended to make and that is what I think the gentleman from Illinois [Mr. BYRNE] was trying to determine. In the State of Georgia, too, Negroes are in the jury box at every term of court and serve both on the grand jury and the petit jury.

Recently, just a few years ago, the FBI sent some snoopers down into one county of mine, Cobb County, alleging that Negroes were not in the jury box there. After they sent the FBI down there suggesting that they better not try this Negro rapist who had been convicted and sentenced to die, and whose sentence had been reversed on some technicality by the Supreme Court, and after snooping around and suggesting that he not be tried again, he was again tried and was convicted. They found out that the jury commissioners in this county were not guilty of any discrimination whatever and entirely cleared them on the only charge that was made against them.

Mr. FORRESTER. Yes. May I say to the gentleman that the Supreme Court reversed the case, saying you had discriminated. Mr. Brownell sent his officers down there in order to persecute you. Then he told the House Judiciary Committee he had investigated and found out it was not so.

Mr. LANHAM. Exactly.

Mr. FORRESTER. So you had the Supreme Court saying you did and the Justice Department saying you did not.

Mr. LANHAM. That is right.

Mr. BOGGS. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, last Sunday a week ago in a very historic telecast the boss of the Communist Party in Russia took to the American air and television waves to answer certain questions propounded to him by American journalists. This man, obviously a dedicated Communist, had a great deal to say, all Communist propaganda. One of the things he said was that our grandchildren would live under communism. He went on further to say in justification of this statement that communism represented the way of the future, that his system, the Russian system, was the new system, and that as other systems had vanished from the face of the earth our American system would vanish and would give way to this alleged new system.

I know that many answers are being made to Mr. Khrushchev. I know that to any American, who has the slightest knowledge of Americanism or the slightest appreciation of the great system under which we live, the Khrushchev statements on their face are palpable lies, because if there is any modern system on the face of this globe whereby men determine the affairs of their fellowmen, it is the system under which we as free Americans live and breathe.

What Mr. Khrushchev does not seem to understand is that his system, his Communist system, is probably the most reactionary system that ever existed on God's earth; that within it is incorporated all of the tyranny ever known to mankind; and that in contrast thereto our system, the American system, is the most revolutionary thing that ever occurred to mankind. Now why is this? Well, I think it is because of just a few fundamental considerations. When our forefathers, God bless them, had the courage to sit down and write our Constitution and to draft our Bill of Rights, they did something which was revolutionary then, which is revolutionary now, and which is much more vital to the future of mankind than all of the reactionary devices that communism could ever conceive of. Why? Why is our system, why is our American system the most dynamic force on the face of God's earth? Because, in my judgment, and I think in the judgment of every student of history and of any student of philosophy, it frees the strength and power of men by giving them dignity and freedom.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. BOGGS. Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

Mr. BYRNE of Illinois. Mr. Chairman, I object.

Mr. BOGGS. I thank the gentleman very much.

Mr. LONG. Mr. Chairman, I ask unanimous consent that I may proceed for 5 minutes.

Mr. BYRNE of Illinois. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. The gentleman from Illinois withdraws his objection. Without objection, the gentleman from Louisiana may proceed for 5 additional minutes.

Mr. BOGGS. I appreciate the reason for the gentleman objecting. This is by way of digression, but I might say to the gentleman from Illinois, I have the highest respect for every Member in this body. I know why the gentleman objected to my request because back here a few weeks ago when we were debating the appropriation bill for the Department of Health, Education, and Welfare, the gentleman made some reference which I am certain was inadvertent and was not intended to be personal to the distinguished gentleman from Rhode Island [Mr. FOGARTY], about his profession, and I, at that time, objected to the gentleman proceeding further. I can assure the gentleman I have nothing but the highest regard and respect for him, and I appreciate the gentleman withdrawing his objection, and I thank him very much.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I yield.

Mr. BYRNE of Illinois. At that time I was making my maiden talk as a freshman, and I appreciate your kind words and I have the utmost respect for the gentleman from Louisiana.

Mr. BOGGS. I thank the gentleman very much.

Mr. Chairman, to pick up what I was saying, I think what we have done in our country has been the most revolutionary thing in the world because we have given our people a climate of freedom where they can grow. This climate of freedom has made our country the greatest Nation in history; has guided our Nation from its early agrarian days to its present position of industrial power.

We have done this despite the fact that many of the things that we maintain are for the moment not popular. All of you know that several of our original States would not join this Union until we had ratified the Bill of Rights.

The Bill of Rights are very real. They exist, and they work every day. These rights exist not only for popular movements or for things that appeal to most of us, but for the things that are difficult and hard to take. For instance, all of you know, and all of you get mail every day saying, "Why do you not do something about the fifth amendment?" When a Communist comes before a committee of the House or the Senate, or when some other person comes before a committee and will not even say who his father is, and pleads the fifth amendment, if we bow to a particular Gallup poll at the very moment under particular circumstances, believe me, we could resubmit the fifth amendment and the fifth amendment might be repealed. God forbid.

There are so many other instances of these rights being part of our lives. Sometimes we go home and we turn on the radio, and it is November and some fellow is running against us and, oh

brother, the things he can think of to say about us, and we do not like it a bit. Down deep inside so many of us say, "Why should that fellow be allowed to get up and say such things?" Or we might pick up a newspaper, and there we read an editorial with which we violently disagree. Or we might know of a religious sect or a religious group whose concept of worshiping our Master differs entirely from our own, and may even be reprehensible to us, but because of the Bill of Rights, because of the guaranteed liberties to Americans, that man continues to make that radio speech against me or against any of you, and the editorialist continues, and as long as he lives within the realm of the law of libel and slander, the American system functions.

Mr. COLMER. Mr. Chairman, will the gentleman yield briefly?

Mr. BOGGS. I will be glad to yield to the gentleman from Mississippi.

Mr. COLMER. The gentleman refers to those who plead the fifth amendment and contempt of the Congress of the United States. Is it not a fact that even those people whom the gentleman says the Gallup poll would deny that right possibly, even those people now have the right of trial by jury, under the law of the United States?

Mr. BOGGS. Yes, sir; that is correct. That is why I think that any thinking Member of this body will hesitate a long time before he votes against the amendment providing trial by jury.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. Certainly I yield to the gentleman from Illinois.

Mr. BOYLE. Is it not true that in the question just put to you it has been made a crime by statute, and that is why you are entitled to a trial by jury?

Mr. BOGGS. Now the gentleman is a lawyer, and he is a good lawyer, and I have the greatest respect in the world for the gentleman. I would not even attempt to put my very little knowledge of constitutional law against the gentleman's, but I would say in reply to the gentleman, the question is in the nature of what happens to the individual. If I am hauled into a Federal court, and I am charged with contempt of that court, say it is a civil contempt, and therefore, under the Attorney General's interpretation, I am not entitled to a trial by jury, what ultimately happens to me?

The judge might send me to jail time and time again. I do not know, and I wish the gentleman would answer for me, what rights do I lose thereby?

The CHAIRMAN. The time of the gentleman from Louisiana has again expired.

(By unanimous consent Mr. Boggs was allowed to proceed for 5 additional minutes.)

Mr. BOGGS. I would like to ask the gentleman from Illinois this question: If I am sentenced to a year and a day for violation of a court order, let us say the order of the Eastern District Court of the State of Louisiana, and I am sent to the Federal penitentiary in Atlanta for a year and a day, do I lose my civil rights? Am I able to vote when I return home? Or am I in exactly the same category had I served a year and a day as a felon?

Mr. BOYLE. I do not know just what the law of the gentleman's home State of Louisiana provides in that case.

Mr. BOGGS. I am talking about Federal law; I am not talking about State law.

Mr. BOYLE. That was not in the hypothesis that the gentleman gave me, and I do not know.

Mr. BOGGS. Oh, no; the hypothesis I gave was the violation of an injunction under the provisions of this bill, and I was sentenced to over a year in the Federal penitentiary for the contempt without trial by jury.

Mr. BOYLE. In that hypothesis where there is not a felony and you are put in jail for contempt of an injunction writ I would say "No."

Mr. BOGGS. The gentleman does not know?

Mr. BOYLE. I say categorically "No."

Mr. HAYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I would be very happy to yield for enlightenment.

Mr. BOYLE. There is no loss of citizenship or the right to vote under an adjudication when one is found in contempt of court.

Mr. HAYS of Ohio. I would just like to point out another facet of the gentleman's speech in which he was talking about Mr. Khrushchev and the Soviet Union. I would just like to point out that according to my understanding there is no such thing as trial by jury in the Soviet Union, it is virtually unknown, as far as I know.

Mr. BOGGS. I do not know, but I think there is no such thing as trial by jury in Russia or any other Communist country.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. Certainly I yield to the chairman of the committee.

Mr. CELLER. I have checked on some of the commitment statutes in various States. In the gentleman's own State we find this to be the law:

> Every court has inherent powers to enforce the orders which it has power to render, and to punish as being a contempt every interference with or disobedience of its processes or orders as well as every act.

Mr. BOGGS. My time is limited; I cannot yield further.

Mr. CELLER. Let me finish now. Then it goes on to another title:

"District courts civil and criminal cases in contempt."

Mr. BOGGS. I thank the gentleman but this power is very limited in the courts. My recollection is that the maximum sentence is 10 days, applied in very limited situations.

Mr. CELLER. There is no jury trial in the gentleman's State, I want to say.

Mr. BOGGS. Let me proceed, please.

Mr. CELLER. I only want to emphasize the fact that in the gentleman's State there is no jury trial.

Mr. BOGGS. I thank the gentleman. He is talking about 2 or 3 different things. Actually, as I understand the gentleman's proposal here—and, mind you, I am not the constitutional lawyer the gentleman is and other members of the Judiciary Committee are—but actually what you are trying to do is extend the equity concept in the power of the courts to this concept of mass contempt. From the point of view of what happens to the individual, maybe he does not lose his citizenship, I do not know; I have not been reassured on that point. But I know that his status ultimately is not any different from that of the man who went to jail tried by a jury; he is still a prisoner of the United States of America.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am sorry, not at the moment. I will be pleased to yield to my distinguished colleague in just a moment.

And in any event while we lawyers may understand this roundabout concept of equity, believe you me it is pretty difficult for the average layman to understand; and the more you read Attorney General Brownell's pronouncements in this particular matter, the more convinced you are that he is operating under one of the most discarded philosophical notions that ever hit the mind of man, namely, that the end justifies the means. That is what is really involved.

What is really involved is that regardless of what violence is done to the fundamental concept of justice and freedom which, as I said a moment ago, has been the most revolutionary concept that ever hit this world, that regardless of what is done to those basic American concepts, that some law that he, Mr. Brownell, can enforce from Washington must be put on the books.

Mr. HARRISON of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, on the question of whether these are criminal proceedings or whether they are civil proceedings, I would like to summon on the question to sustain the position that they are criminal proceedings a fairly respectable witness. This is from the opinion of Mr. Justice Holmes in the case of *Samuel B. Gompers* v. *The United States* (158 U. S. 604) in which Mr. Justice Holmes said:

> These contempts are infractions of the law, visited with punishment as such. If such acts are not criminal, we are in error as to the most fundamental characteristic of crimes as that word has been understood in English speech.

The gentleman from New York has said that from time immemorial this sort of procedure has been substituted for trial by jury in contempt cases. Not according to Mr. Justice Holmes have they been recognized as crimes from time immemorial because he said:

> So truly are they crimes that it seems to be proof that in early law they were punished only by the usual criminal procedure and that, at least in England, it seems they still may preferably be tried in that manner.

I say to the gentleman from New York that the first time in a United States court an injunction was used as a weapon in a political and economic dispute arose in the *Deb's* case (158 U. S. 564) in 1894 during a period of nationwide hysteria over the strike against the Pullman

Co. in Chicago. That is the first time the doctrine ever received approval in Federal courts.

I would like to say that I hold here the Democratic Party platforms beginning in 1896 and continuing each 4 years thereafter until 1912 demanding trial by jury in all cases of contempt outside of the presence of the court. It was in that atmosphere, Mr. Chairman, that in 1908 William H. Taft—not President Taft, not Chief Justice Taft but William H. Taft—candidate for office and under heavy assault for his position made the statement that has been quoted here in debate which culminated in the ridiculous statement that "To give a man trial by jury would lead to anarchy."

Again in 1912 the Democratic Party took the same position, and I have the platform here.

In that year the results were different and the Democrats put in the Clayton Act and put on the statute books a provision that there shall be a trial by jury in these cases. That matter came before Chief Justice Taft for decision. This case was argued brilliantly by Donald Richberg, and I earnestly urge the consideration of the brief in that case. There, however, those who sought government by injunction, those who sought to use the injunction as a weapon in a political and economic dispute, found that Chief Justice Taft was not Candidate Taft because of an opinion to which he subscribed. Chief Justice Taft subscribed to the principle of constitutionality of such legislation in cases of contempt arising out of the presence of the court.

Now, the gentleman from New York has said that he has moved from his position of 25 years ago. He has, indeed. He has progressed all the way to the point that he now stands on the position of Taft Republicanism of 1908 and 1912.

Now, I have another witness. How do these injunctions work in operation, just as proposed in this bill? I have another witness I would like to call.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield to the gentleman from Louisiana.

Mr. WILLIS. As a matter of history, and not politics, what was the position of President Wilson?

Mr. HARRISON of Virginia. President Wilson signed the Clayton Act. President Wilson ran on the Democratic platform in 1912 and on the Democratic platform of 1916. In 1916 the Democratic Party reviewed what it has accomplished in those 4 years, and said, "We have given to the workingman the right of trial by jury in cases of contempt committed out of the presence of the court."

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HARRISON of Virginia. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARRISON of Virginia. Now, I said I had another witness, and this is a witness as to how this injunction works. The name of the witness is a great immortal, Louis Brandeis, who, in the course of his dissenting opinion in the case of *Truax* v. *Corrigan* (257 U. S. 316, 366) tells how it works. He tells how long it had been customary to imprison people in economic and political disputes by injunction. He said further:

> In America the injunction did not secure recognition as a possible remedy until 1888. When a few years later its use became extensive and conspicuous, the controversy over the remedy overshadowed in bitterness the question of the relative substantive rights of the parties. In the storms of protest against this use many thoughtful lawyers joined.

And, may I mention some of them: Alton B. Parker, John W. Davis, Donald Richberg.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield to the gentleman from New York.

Mr. CELLER. With reference to those things that the distinguished gentleman has uttered, I wish to state that some of those opinions were expressed before 1914, when this Congress passed the statutory definition of criminal contempt.

Mr. HARRISON of Virginia. Oh, no; most were not.

Mr. WILLIS. Mr. Chairman, if the gentleman will yield further, did not Mr. Taft become a member of the Supreme Court after 1914?

Mr. HARRISON of Virginia. Mr. Taft was appointed by President Harding in 1921.

But to continue the quote from Justice Brandeis:

> The acts enjoined were frequently, perhaps usually, acts which were already crimes. But in equity issues of fact as of law were tried by a single judge, sitting without a jury. Charges of violating an injunction were often heard on affidavits merely, without the opportunity of confronting or cross-examining witnesses. Men found guilty were committed in the judge's discretion, without either a statutory limit upon the length of the imprisonment, or the opportunity of effective review on appeal, or the right to release on bail pending possible revisatory proceedings. The effect of the proceedings upon the individual was substantially the same as if he had been successfully prosecuted for a crime; but he was denied in the course of the equity proceeding, those rights which by the Constitution are commonly secured to persons charged with a crime.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. SANTANGELO. Mr. Chairman, I ask unanimous consent the gentleman may proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HARRISON of Virginia. Continuing this quotation:

> That through such proceedings a single judge often usurped the functions not only of the jury but of the police department; that in describing the conditions under which strikes were permissible, and how they might be carried out, he usurped also the powers of the legislature; and that incidentally he abridged the constitutional rights of individuals to free speech, to a free press, and to peaceful assembly.

You can take your position with the Republican Party of 1908 or 1912, if you want to; but, for me, I will stand with Holmes, Woodrow Wilson, Brandeis, and John W. Davis.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. I yield.

Mr. SANTANGELO. I heard the gentleman lament concerning the trial without a jury; the gentleman is against a trial without a jury?

Mr. HARRISON of Virginia. Yes, sir.

Mr. SANTANGELO. Even if the gentleman got a trial by jury, would he still be against the bill?

Mr. HARRISON of Virginia. Certainly; does the gentleman want to know why?

Mr. SANTANGELO. I have not asked the gentleman why.

Mr. HARRISON of Virginia. I am going to answer the gentleman's question. Because there is no presumption of innocence; there is no right to bail; there is no right to be confronted by one's accusers; there is no right to cross-examination of witnesses. Under these proceedings a man could be imprisoned on affidavit.

Mr. SANTANGELO. Mr. Chairman, will the gentleman yield further?

Mr. HARRISON of Virginia. Yes.

Mr. SANTANGELO. This bill is to provide for and protect people who are denied the right to vote; that is the purpose of the bill. Is your State of Virginia a poll-tax State?

Mr. HARRISON of Virginia. This bill is to make votes for the Republican Party; and the gentleman is simple enough to vote for it.

Mr. DOWDY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to get back to the amendment that is pending before the Committee at this time. If I recall correctly, I offered this amendment in the full Committee on the Judiciary when the bill was there being considered.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. BOYLE. We had trouble hearing the gentleman's opening remarks. Would the gentleman be good enough to repeat them?

Mr. DOWDY. I just stated that it was my memory that it was I who offered this amendment in the full Committee on the Judiciary when the bill was up for consideration there.

Mr. BOYLE. The gentleman is referring to the amendment offered by the gentleman from Iowa [Mr. GROSS]?

Mr. DOWDY. I think there is only one amendment before the Committee at this time.

Mr. BOYLE. The gentleman from Louisiana [Mr. WILLIS] said that he was joining in and had an identical amendment.

Mr. DOWDY. I do not think that has anything to do with what I did in the Committee on the Judiciary.

This bill proposes another unnecessary Federal commission on top of the many that we have here. This commission would have powers far greater than the numerous other commissions

in the Federal Government. For example, it would be given an unprecedented power of subpena, never heretofore given to any Federal bureau. Under this power it could and would reach out and command your people and mine to travel as much as several thousand miles to appear before it. The commission could and would also use its power not only to hail private citizens before it, but force them to bring and open their private books and papers for public inspection on a mere suspicion. It would not only interfere with the liberties of all the people but it would have almost unlimited power to regiment our people.

There is this ambiguity or contradiction in the bill itself. The first part sets up a commission to investigate what should be enacted to protect civil rights, and then in later sections proceeds to enact legislation along the very line the commission is to look into.

This one bill first states a need for study, evaluation, and recommendations as to needed legislation, while contemporaneously it goes about as far as is conceivably possible in enacting legislation about which it first acknowledges that a study is needed.

The subpena power of the Commission is much too broad and gives rise to the possibility of requiring any citizen to appear at hearings hundreds and even thousands of miles from his residence in answer to any charges whatsoever, no matter how absurd and ridiculous they might be. Such arbitrary power reminds us of another of the grievances that I mentioned on Friday when I spoke about the indictments against the English King in our Declaration of Independence. I named several of them then and I shall name more now.

One of those grievances that led to these words being incorporated in one place in the Declaration of Independence as one of the indictments of the English King:

> He has erected a multitude of new offices, and sent hither swarms of officers to harass our people, and eat out their substance.

Another indictment in the Declaration of Independence is this:

> For transporting us beyond seas to be tried for pretended offenses.

This so-called civil-rights bill does just that. If this bill is enacted, the day could well come when outraged Americans would rise and curse every Member of Congress who voted to so oppress them as in this bill here.

Since such a commission is wholly unnecessary, any funds spent by it would be a shameful waste of public moneys. I do not see why we should do it.

Here we find a great pressure to authorize another commission when we are trying or at least we should be trying to cut down on Government spending. If this Commission is created it will cost additional millions upon millions of the taxpayers' hard-earned dollars. No one will deny that. I must oppose it for these and many other reasons.

I might say in connection with this that I think anyone would agree that former Senator Herbert Lehman of New York was an ardent champion of so-called civil-rights legislation, yet he had this to say about a proposal similar to this in a statement he made before the Judiciary Committee in 1956:

> There are three bills pending before you reflecting the same proposal to create a Federal Commission to study, conduct investigations, and report on the status of civil rights in our Nation today. I, myself, do not give this proposal a top priority. Civil rights have been extensively studied in previous years by many Congressional committees, including this one—

The one he was speaking to then—

> by many private groups, and by the President's Committee on Civil Rights in 1947. All of this study material is available.

That material is still available today.

Furthermore, aside from the fact that such a commission would be a wasteful duplication, there is absolutely no necessity for Congress to provide for the creation of such a body since the President already has the power to create such a commission if he so desires.

I want to quote again from Senator Lehman to conclude my remarks. He said this:

> I must point out that if the administration is sincerely interested in creating a commission, and it has established much less important study commissions by executive order, the President could easily proceed to appoint a commission tomorrow.

Mr. Chairman, I feel that the amendment offered by the gentleman from Iowa [Mr. GROSS] should certainly be adopted.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman not think we have already had too much ruling by delegation of authority to boards, bureaus, and commissions in the Government?

Mr. DOWDY. Undoubtedly so.

Mr. BONNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Chairman, it is a bold layman who comes down to this well in the face of all the controversy between such brilliant lawyers. No wonder the laymen of this Nation are confused. It was interesting to hear the gentleman say the other day that if it were not for these controversies concerning the law, there would not be so much business in the law as there seems to be today. Mr. Chairman, that is not what I am about to say, and you can rest assured that I will not offend the feelings of any man no matter what his nationality or race may be.

Mr. Chairman, the pages of history are full of the records of the rise and the inevitable fall of dictatorships. While the fundamental basis of our form of government is abhorrent to the principles they advocate, there are times when pressure arises which tends to induce a small part of our population to embrace them unwittingly. If there is a place such as Hell, and I have been taught to believe it, I can just picture Hitler, I can just picture Hitler looking to this distinguished body and saying, "You criticized my Gestapo and today you are following suit. You thought of setting up a division in the Department of Justice with the power to do the very things that we hated in the Gestapo."

It makes me shudder today for the future of our country to think that good Americans, learned in the law, can rise and say that their fellow citizens can have no right to a jury trial for an alleged offense—an alleged offense—and it puts us right in the path of dictatorship. Since the days of the Magna Carta freemen have cherished that privilege and have rightly regarded it as their main bulwark against oppression. To seek to deprive us of that protection in a matter as important as this is to attempt to reverse the course of history and puts us back when men were subject to the whims of whatever petty tyrant had control of the government at the moment. Ladies and gentlemen of this House, when you go home after the House has passed this bill without providing trial by jury, and you are asked by the average layman to whom was this fundamental and constitutional privilege denied, all of you with legal training or otherwise will have difficulty in explaining to the overwhelming majority of the people of the Nation who are laymen why you have deprived him of what he believes and has been taught to believe is his greatest protection under the law. As a layman, and primarily associated with laymen, in all probability I hear more expressions from the people with respect to the courts, the judiciary, and the legal profession than you who are in the profession and do business in the courts.

I regret that I must be perfectly frank and say that the rank and file of people are losing confidence in the courts and, to some extent, losing confidence in the legal profession. I regret to say this, but I hear it. The legal profession is not protecting its profession as it should, and the courts are not conducting themselves as they should. And with this monstrosity thrown into the courts and the Department of Justice, how in the name of God do you expect them to rise in stature and gain any additional confidence among the people?

This is not due to any prejudice on the part of the people, because they know, and I know, and all laymen know that once the respect of the courts and the legal profession is destroyed, democracy will be eliminated in this great Nation and around the world. Look at the fancy decisions of our Supreme Court, if you will, please. Not based on law, but on fiction and sociological writing. In God's name, how can they expect to be held as learned men in the law and respected by laymen of this Nation?

I hold no brief for those who abuse any minority group, be it black, white, or yellow, and I firmly believe in the right of all citizens to exercise their full privilege as citizens. Certainly his-

tory has demonstrated time and again that we cannot successfully legislate upon the matter of social custom and the attitudes of our people.

A prime example, and one within our memories, was the ill-fated Volstead Act. That ill-advised, ill-fated legislation, though well-intentioned, undoubtedly produced more disrespect for law than any other single piece of legislation ever enacted by the Congress.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BONNER] has expired.

(By unanimous consent, Mr. BONNER was granted 3 additional minutes.)

Mr. BONNER. The results this legislation proposes to accomplish by coercion have been steadily and healthily approaching fulfillment at an ever increasing rate during these past 90 years. The development of our American culture will continue and be strengthened on a sounder basis if left to the good will of men and women. Immorality will not continue when exposed to light.

Yes, Mr. Chairman, while we have criticized Russia, this legislation is leading in its footsteps, and those in the Kremlin are enjoying the episode that is taking place here in this House today.

Again I say, history speaks with a louder voice against such legislation than anything we here in the House of Representatives can say today. I hope, if it is the determination of the House to pass this bill, that those who are so enthusiastically for it will stop and ponder whether they shall be the judge to an extent of depriving citizens of trial by jury.

In closing, Mr. Chairman, I think it fitting to quote from a recent report filed in the Senate by the scholarly and distinguished Senator from North Carolina, my esteemed friend, the Honorable SAM ERVIN, Jr., who was a member of the Superior Court of the State of North Carolina, and a distinguished member of the Supreme Court of the State of North Carolina, and unquestionably one of the best brains in the country today and, without doubt, a gentleman of the highest integrity, and a scholar who has no peer.

I quote him. He said:

> This bill would vest in a single fallible human being, namely, the temporary occupant of the office of Attorney General, regardless of his character or qualifications, autocratic and despotic powers which had no counterpart in American history and which are repugnant to the basic concepts underlying and supporting the American Constitution and legal systems.

Crocodile tears and all that is attempted under this legislation will never do the United States any good, will never do my colored friends at home any good, who are privileged to come in and vote whenever they please, and will never do democracy around the world one iota of good.

Mr. RAINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. RAINS. Mr. Chairman, let me say first that it is hard to believe the Congress of the United States is actually considering legislation which forces those of us who still respect our Constitution, regardless of the Supreme Court, to stand here in defense of the Bill of Rights and the Magna Carta.

I understand full well that we are living in the atomic age, the age of nuclear power, of intercontinental missiles, 4-day workweeks, pushbutton kitchens, air-conditioned automobiles, and finally, the age of modern Republicans.

The administration, guided by modern Republican Brownell, is now ready to repudiate the principal bulwark of Western World liberties for 1,000 years—the right to trial by a jury of one's peers. The absurd arguments which Mr. Brownell presented in his plea for the unique powers which this bill provides should raise the question in every mind as to what is the real motivation behind such a measure.

For many years we have gone through the annual hassle over this catch-all legislation but never, in the ominous course of this political football, have I ever been more seriously concerned. For today, my friends, we are asked to turn all of our courts over to the Executive, in effect, and while the present Supreme Court evidently sets little store by precedent, or the law, if you approve this bill you will surely hand them a precedent which will haunt every Congressional district from border to border and coast to coast.

For that reason I do not think we in the South are fighting alone this year. There are too many million Americans who believe in our Constitution and in the principles of justice from which it came. There are too many millions who, like the Barons of Runnymede, have defended the very thing which this bill would now take from us.

I want to quote a few sources, doubtless familiar to many of you, on the subject of trial by jury.

Blackstone, perhaps the greatest legal scholar of all time, said:

> Trial by jury is a trial that hath been used time out of mind in this Nation and seems to have been coeval with the first civil government thereof. In Magna Carta it is more than once insisted as the principal bulwark of our liberties.

The late Chief Justice of the Pennsylvania State Supreme Court, Robert von Moschzisker, in his book, Trial by Jury, emphasized the need for reform in some of our State laws relating to jury trials, but, quoting from Justice Thompson, in Warren against Commonwealth, he states:

> The framers of the Constitution undoubtedly knew and intended that legislation must provide the form under which the right to trial by jury was to be enjoyed, and they meant no more than that it should be enjoyed under regulations which should not take away the right.

Prof. Robert L. Henry, an Oxford scholar and authority on Anglo-Saxon contracts, had this to say in his legal essay, The Story of the Criminal Jury:

> The fact that the popular courts in the form of the criminal jury have persisted for some 800 years in Anglo-Saxon countries; the fact that they have functioned in the form of the quaestio in Republican Rome for perhaps 600 years; the fact that as soon as the peoples of Europe became free and assumed control of their governments that reestablished the popular court in the form of the jury for criminal trials, and that this institution has already survived for nearly one thousand and fifty years, would seem to indicate a deep-seated and universal desire on the part of the people to participate in the administration of the criminal law. We must retain such popular participation in some form.

George Washington had something to say on jury trials. In a letter to General Lafayette, dated April 28, 1788, Washington described attitudes prevailing at the Federal convention. He reported that no one objected to the Bill of Rights or trial by jury, and explaining to Lafayette, why the latter was not spelled out in detail, Washington wrote:

> It was only the difficulty of establishing a mode which should not interfere with the fixed modes of any of the States that induced the convention to leave it, as a matter of future adjustment.

Thus you see that our constitutional fathers were concerned about States rights and for that very reason, undoubtedly, stated many of the principles in the Constitution only in general terms.

Today we have an administration determined to override State laws, nullify State judicial systems, run State voting machinery; in short, to establish a new bureaucracy so strong that there is no way of even predicting where its powers might end.

We are asked to authorize a Civil Rights Commission and to approve a new Civil Rights Division in the Justice Department. In regard to the Commission, I seriously question the purpose of any such body which is allowed to use volunteer personnel at random. In this instance, it is not difficult to picture the army of meddlers, and the organizations which would send them, to go about the land prying into the privacy of all our citizens.

Mr. Speaker, no one seems to know just how many aspects of our living this bill would really encompass. Nowhere have I ever seen civil rights actually spelled out in black and white.

I question the motivation behind this entire bill. I am not calling it an anti-South measure only but rather anti-American. The grievances, more imaginary than real, which such legislation in itself would incite and inflame would stretch from ocean to ocean, and those of you from outside the South had best keep this in mind.

Finally, let me say that I am amazed that such a brazen attempt to knock down State laws and to expand executive powers has come from an administration whose leader said, at the governors conference in Seattle, only 4 years ago:

> I am here because of my indestructible conviction that unless we preserve in this country the place of State government with the power of authority, the responsibilities and the revenues to discharge those responsibilities, then we are not going to have America as we have known it. We will have some other form of government.

Mr. Chairman, it is my belief that enactment of this bill would indeed be a

giant step toward that "some other form of government" to which President Eisenhower referred 4 years ago.

Mr. WHITTEN. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, this debate has stirred up lots of legal terminology and interpretation. I happen to be a lawyer. Some of the discussion by the proponents of this measure remind me of the old story to the effect that you could tell a doctor's ability by how simple he could describe medicine. The more simple his words the bigger or better doctor he is. The better a lawyer was the more understandable he was with this exception: A good lawyer, when his case was no good, would often use all kinds of technical language which had a way of leading the layman far afield from the real issue. I am afraid the lawyer proponents of this measure are in the latter category.

Mr. Chairman, it does not make any difference actually whether this action of depriving citizens of the right to trial by jury is done through this means, that means, or the other means. It does not really matter if the bill destroys constitutional or merely statutory rights to trial by jury for I say without any fear of contradiction that as of today, for the violation of certain laws, the violators are entitled to a trial by jury. If this bill becomes law the persons who violate those same laws will not be entitled to trial by jury. That being true there is no basis for any Member to misunderstand what you would do if you vote for this measure.

How that is brought about is easy to understand by those who are trained in the legal profession. I say again that it is as simple as this: Today you have a right to trial by jury in some cases. If this bill becomes law you will not have that right in those cases.

Mr. Chairman, it has been said here that this bill is directed at the South, but I say further it is directed toward the North, in an effort to get votes in the North. I would like for some of my northern friends to listen to this. It is true that in many Southern States a relatively few Negroes vote, and I would like to explain to you why that is true. In view of this very kind of legislation passed after the Civil War, the white people, for the preservation of life and of property, yes, and in the interest of orderly government itself, were forced into a white primary which was legal until a few years ago. Every election was determined in that white primary election. We have never had enough contest in November elections to count, you might say, until a few years ago. When Republicans were in power, we had to dress up some renegade Democrat like a Republican in order to fill the postmasterships. I say to you that for generations the elections were determined in the white primary. There was no contest in November, therefore, no incentive for any nonwhite to be interested in voting. That is one of the reasons. It is true that in the last few years since the white primary was discarded by the Supreme Court there has been a little more interest on the part of the Negro citizens to register and vote in a big part of the South, but not a great deal because of the background of disinterest.

Let me tell you something else that may be an important factor. In the South we were smart enough to profit by what was going on in other sections. We saw each major party and its platform set out to get the votes of these minorities in New York, Detroit, and Chicago. The platforms were a bid for that vote from the colored citizens in those areas and each 4 years the bids of those running for office became higher and higher. We saw in the South that it was not to anybody's advantage to go out and solicit the registration of huge groups of voters who were disinterested, then bid among ourselves and pay the costs of trying to get their votes on election day.

Virtually nobody locally has promoted registration and voting of these groups. I would say that in recent years more and more Negro citizens are becoming interested. More and more of them are registering. More and more of them are voting.

Now, in certain sections, since the Supreme Court decision in the school integration cases, there are many good Negro citizens who normally would be interested. In my area—and I have a town where more than 50 percent of the population is Negro, and I believe I can call every one of them my friend—I say to you that under present conditions the good colored citizens that I know of in that area have lost interest in voting for the time being because to do so they are afraid it would identify them with the NAACP and identify them with these agitating elements in this country, and they want no part of it. They do not wish to have any part in destroying the fine relationships which have existed.

I was district attorney 9 years in my section of the country, and I say to my friends in New York and Chicago—and I spent much time in both places—that the Negro citizens in my section of Mississippi enjoy more privileges and enjoy more rights than the colored citizens in any city that you can name, and that includes Washington, D. C.

No; this bill was not written because you have any real interest in us down there. It was written as a further bid for the Negro vote in the large cities of the North. Should it pass each major political party will be claiming credit for its passage. Is it not kind of odd that the two chief proponents of this measure are from the State of New York. They say they are looking after our affairs in Mississippi and in the South. It may be that they have been in my State; it may be that they have been in the South but I doubt it. Of course this is smart politics for many of you. You can go back home to such Northern cities and point with great gusto to what you did to straighten out things in the South, thousands of miles from you. What you will be doing really is covering up in an effort to avoid facing up to what goes on in your own district. Is it not odd that on the eve of every national election for the last three elections the Attorney General, not having the powers that he would have under this bill, has issued an announcement that the FBI was being sent into some Southern States just before the election and, my friends, the original draft went to the press in the northern cities and carbon copies went to the FBI as to the alleged violations. At that time the Attorney General did not have the power that would be given under this bill, but they did use the power of sending out the FBI in an appeal to the bloc votes of these northern cities in these national elections. Just how far do you think they will go if this bill should become law? May I say to you that as bad as this bill is, and however you may argue about the legal maneuvering of its language to shift criminal offenses over to so-called civil remedies, it is as certain as the night follows the day that people who now have the right of trial by jury for certain violations of the law would not have it if this bill becomes law. It is as simple as that.

Now, if you will analyze the effects of this bill, we will have serious difficulties in a few isolated places in the South. And, that is bad. No, the major damage will be done because in every election actions will be taken down South for northern consumption in an effort to get the northern vote. But, the thing that is serious to me is the fact that we have been willing to jeopardize our very form of government, both parties, in an effort to obtain the votes of these great minority blocs. They are desired so that certain groups can stay in political power and in office; that here we are interested in politics to the point that we would weaken the heritage we have from English jurisprudence which has made this country great. My friends, you can look to South America, you can look to Germany, you can look to Russia. There are many nations where the right of trial by jury has not been as carefully protected in law as it has by English-speaking peoples. But, I will tell you that the nations which have stood best the test of time have been largely those which trace back to the English-speaking peoples who won the right of trial by jury in the Magna Carta from King John. We should jealously guard that right.

And, I say to my friend who is the chairman of this committee, I feel that in my judgment he would meet his responsibility more fully if he recognized or rather admitted these facts. For him to come here and admit that a judge and an Attorney General could take advantage of the people of this country under the terms of this bill, and yet support it, is hard for me to understand. He admits they could, and he says, "But, if they do, I will call my committee together and do something about it." No, it is high time, my friends, that we turn back to law and let us get away from men. We have long been a nation of laws and not of men. Every student of government, every great man in our political history, has always warned that we must protect the people by laws and not trust to the whims and caprices, nor the political desires, of men.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. WHITENER. I would like to ask the gentleman from Mississippi if we have not overlooked another basic civil right as we have discussed this matter. As I understand the proponents, they say that they are converting this matter into a civil proceeding and that, therefore, it is consistent with time-honored principles. Is it not true that in a civil proceeding there is no obligation under the Constitution or any of the decisions of our courts to furnish the accused with counsel? Would not this procedure deprive an indigent individual of the constitutional right to be represented by counsel in the case which might result in his imprisonment?

Mr. WHITTEN. It certainly would, under present conditions.

Mr. Chairman, the thing which is most alarming here today is to see so many members raise the bid for the Negro vote to the point of taking away the right of trial by jury. Each year the bid gets higher and higher. If this bill becomes law, and God forbid, next year the proponents of this bill will be in with another raising of the offering price for Negro votes to an even higher level.

It was Lord Benchley, I believe, who said in the 17th century that a democracy could not long endure, for the elected representatives of the people would give away the country in order to keep getting elected.

Mr. Chairman, this bill makes me wonder if Lord Benchley was more right than he may have thought.

Mr. SIKES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the House the theme of civil rights is an old and familiar one. If it serves any useful purpose, it is that it helps both the proponents and opponents to get reelected. But that is the end of its value. It is of no consequence legislatively. The bill is going to die in the Senate. All of us anticipate that. We are in the process of wasting 2 weeks discussing something we have no expectation we shall see written into law.

Our legislative accomplishments in this session have not been monumental. Two more wasted weeks do not add to make a total which is any more impressive. A good friend on my side of the aisle said to me a day or so ago, "I guess this is just something I have to vote for and you have to vote against." So, here we are right where we were when civil-rights legislation was offered in the last Congress and right where we will be when it is offered in the next.

I do not question the sincerity of any person who has spoken on this subject, but I insist there is no need for this legislation. I insist that its enactment would accomplish nothing but added tension, misunderstanding, and mistrust between the races. We have had attempts at reform by administrative edict and reform through a new phenomenon—legislation from the courts. If this is an attempt at reform by Congressional mandate, we have had too much of that sort of thing already without accomplishing any good or useful purpose. The questions this measure proposes to treat cannot be so simply dealt with.

My friends here know that I am not an extremist. I try to see both sides of a question. Some questions go far too deep to be settled by edicts of the courts or acts of the Congress. You cannot change the thinking or the customs of millions of people overnight. Reforms, which I do not think are a basic purpose of this bill, cannot be sold to the people in advance without an understanding and acceptance of the need of reform. People must be allowed to feel their way on broad social problems and to adjust according to temperament and environment. The impatience of the sociologists, with whom we are overafflicted, changes this not at all.

Regardless of where you stand, this legislation will be improved by the safeguard of jury trial. If it were good legislation, it could not be harmed by that safeguard. I consider it bad legislation which needs the protection afforded by jury trial. On this amendment, we should be unanimous in approval.

If this measure were to become law, the inclusion of trial by jury would greatly temper its impact. Trial by jury so long recognized as a guaranty of individual rights would remove the suspicion of star-chamber proceedings and would clip the wings of zealots out to make a reputation by demagoguery or persecution. The responsibilties of citizenship are not always fully understood even in this enlightened land. Trial by jury would help to bring it more clearly to the consciousness of all groups. I would not want to have to tell my people I was reluctant to give them that protection.

Nonetheless, we are for 2 weeks inflicted with the biennial ordeal of civil rights. It is my earnest hope that it can be completed with a minimum of tension and bitterness between ourselves. There is much good legislation that is needed, on which we can agree; much that should be done for the good of the Nation before we find ourselves at the end of another session, now not far distant.

Mr. CELLER. Mr. Chairman, just to check the opinion of the Members, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

Mr. DAVIS of Georgia. I object, Mr. Chairman.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto terminate in 30 minutes.

The CHAIRMAN. The question is on the motion.

The question was taken; and on a division (demanded by Mr. KEATING) there were—ayes 93, noes 74.

Mr. ABERNETHY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. ABERNETHY.

The Committee again divided, and the tellers reported there were—ayes 121, noes 89.

So the motion was agreed to.

Mr. SMITH of Virginia. Mr. Chairman, out of my generous spirit, I yield back the time allotted to me.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, those of you who have been here during the period of time that I have had the privilege of serving in this Congress know that my votes have not been sectional. I have voted for the development of your harbors and your rivers, the dredging of your harbors and the damming of your rivers. Because I believe in the development of all our natural resources; furthermore, I think it a misnomer to refer to such expenditures as "pork barrel." I have voted with you people in the North, in the big cities, who needed public housing. I do not need it in my district. I have some of it, but you need it and I voted with you. I have not been sectional in my voting.

This bill is aimed at me and the people whom I represent. It is part of a conspiracy in America today to make the South appear to be decadent, to make the people appear to be ignorant and biased and prejudiced.

There was an article in American Mercury last month that shows how some of the people who make our moving picture shows, the editors of some of our newspapers, and the publishers of some of our magazines are all picking on Dixie. I think one reason for it is that because in the South during the past 15 years, since we have been unshackled from unfair freight rates, the South has made marvelous progress industrially. That may account for it in some measure. Just why everybody is now picking on the South, I do not know, but they are. These warped presentations are not representative of the South of today but untrue caricatures. It looks like some of you people here today are going along with that gang in spite of what I have done to try to help you. But I cannot put this on a personal basis. I know some of you feel like you have to vote for this legislation.

You do not, because it is not necessary that you come back to Congress or that I come back to Congress. But I have had friends tell me that if they did not get a vote from certain minority groups they would not come back to Congress.

I tell you, Mr. Chairman, there is something more important than your coming back to Congress or my coming back to Congress.

You think this is our problem, the problem of the South; it is, but the gun is pointed at your head just as certainly as it is at our heads, because you are guilty, too. It is your problem, too.

The gentleman from Texas told you of the explosive situation that exists in the city of Chicago today. It is liable to blow up into a race war at any time because you in Chicago are discriminating against the same people that you say we are discriminating against.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. LANHAM. I cannot yield at this point.

I read in Look magazine during the past year the story of Dearborn, Mich. This in Michigan. In Dearborn, Mich., they will not let a Negro spend the night. They will not let a Negro spend the night in that city of Michigan; and the mayor was reelected because he had succeeded in keeping the Negroes from coming into that city.

As I say, it is your problem just as much as it is ours; and you are guilty just as much as we are guilty. Your ancestors sold us the slaves and you are guilty for that reason; your ancestors and my ancestors justified slavery, and they sinned. Even the churches tried to justify, to rationalize, slavery. That was a sin.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

(By unanimous consent Mr. DAVIS of Georgia and Mr. O'HARA of Illinois yielded their time to Mr. LANHAM.)

The CHAIRMAN. The gentleman from Georgia is recognized for 10 additional minutes.

Mr. LANHAM. The fact that we have this problem and the fact that you have this problem is proof of the immutability of moral law. You cannot violate it without being punished, and neither can I. The sins of the fathers are visited upon the children to the third and fourth generation, and you are seeing the truth of that Biblical saying today. So it is your problem, and it is my problem.

We have been trying to solve it in the South, and we have been solving it. The Negroes vote in my State. I am including with my remarks a copy of an article that appeared in the Atlanta papers a few days ago. You will see from that editorial that the Negro vote is increasing faster in the State of Georgia than is the white vote in spite of the fact that the Negroes are moving North.

As proof of the statement I make I am quoting an article which appeared in the Atlanta Constitution for Friday, June 7, written by William M. Bates, entitled, "Negro Voters Increase in 97 Georgia Counties." Mr. Bates says:

Negro voting strength, which was revived as a political issue in Atlanta's recent city primary, increased in 97 Georgia counties last year.

This sharp upswing in Negro voter registration, underway for several years, appears to be general throughout the State and is not limited to big cities.

Some rural counties, in fact, have the highest percentage of registered Negro voters. And in one county—Liberty—Negro voters outnumber whites by almost 400.

According to records in the secretary of state's office, Negro registration hit a new high of about 158,000 last year. This was an increase of about 20,000 over figures compiled in 1954.

During the same period, white registration increased by about the same figure to approximately 1,075,000.

REGISTRATION GAIN

This amounted to a gain of about 2 percent in white registration and about 15 percent for Negroes in the 2-year period.

The potential strength of Negro voters in Georgia was given new significance by the Atlanta primary in which a colored candidate for the board of aldermen forced a runoff with a white candidate.

Governor Griffin broke precedent by publicly endorsing the white candidate and urging whites to bloc vote against the Negro. The white candidate won, but the election has caused much concern in some State political quarters.

EIGHT COUNTIES

There are now eight counties in which the number of Negro voters is about half as great or more than the white registration.

In addition to Liberty, these counties are Camden, Taliaferro, Muscogee, Long, McIntosh, Green, and Hancock.

Generally speaking, the trend in registration in the various counties is the same for whites and Negroes. In most instances where there was an increase in white voters, there was also an increase in Negro registrations.

The same was generally true for drops in registration.

THIRTY DECREASES

Thirty counties reported decreases in the number of registered colored voters between 1954 and 1956 and 97 had increases. The remaining 32 counties either did not report changes or county officials did not make a breakdown of white and colored voters.

The increase in Negro voter registrations has been going on since the end of World War II when the Supreme Court struck down the white primary in Georgia and elsewhere in the South.

About 1 out of every 7 Negroes is now registered to vote compared with about 5 out of every 12 whites.

The increase in Negro registration has taken place at a time when the colored population in Georgia is dropping.

According to the United States Census Bureau, Negro population in Georgia declined from 1,085,445 to 1,064,001 between 1940 and 1950. The State's overall population gained 320,855 during this period.

There's another factor about the Atlanta city primary that has not escaped the attention of State-level politicians.

The Metropolitan Voting Council reported that 73 percent of the city's registered Negro voters went to the polls in the first primary compared to 54 percent of the white voters.

In the runoff primary, in which the Negro aldermanic candidate was defeated, the Negro turnout was 70.4 percent against only 36.2 percent for the whites.

Besides there are adequate statutes on the books guaranteeing the right to vote and other civil rights. Not only is this true but Negroes serve on the board of education of the city of Atlanta, and as indicated in the above-cited article a Negro recently ran for the council in that city and in the first primary was the leading contender.

It is true the Negroes often vote en bloc but, of course, that is their privilege, and as far as Georgia is concerned I know of no effort in any part of the State to prevent the Negro from voting. So, as I say, this bill is wholly and entirely unnecessary. I am convinced it was conceived in misunderstanding and born in politics. It is a slap in the face of one great section of our Nation. It is just a part of the popular effort to discredit Dixie and make the people of the South appear to be decadent, prejudiced, and of a low order of intelligence. I wish I had the time to quote in this connection from an article which appeared in the American Mercury and which was inserted in the RECORD by Georgia's junior Senator, Hon. HERMAN TALMADGE, on page A4360 of the daily RECORD for June 5. The writer of that article makes it clear that there is apparent conspiracy among some radio commentators, newspapers, magazines, and even book publishers to belittle and mislead the people of other sections about social and economic conditions in the South. Part of this may be due to the fact that for the past 10 or 15 years industry in the South has been expanding and growing at a great rate. The South's industrial potential lay undeveloped for years as a result of oppressive reconstruction laws after the War Between the States and the unfair freight rates which shackled us for so long. In this connection I am sure that Negroes in Atlanta, Ga., and other large cities of our State have more economic advantages and live fuller and better lives than in any other State in our Union. Not only do they take part in politics but they own their own banks, they have several insurance companies of their own, and there is absolutely no effort made to prevent their entering into any business that they may desire.

Moreover, there are three or more fine educational institutions conducted by and for the members of the Negro race. Race relationships had been good until the Supreme Court decision of 1954 decreeing the end of segregation in our schools; and the interference following that decision, in our State by the NAACP and other leftwing and even Communist-front organizations, reversed the trend to better race relations. There is no doubt in my mind that all these things have set back by at least a generation the welfare of the southern Negro. Race tensions have increased and animosities have been rekindled—all of which had been gradually disappearing in the South.

Consequently, to any person who knows the real facts and is not misled by so much of the propaganda about the South now circulating, it is perfectly obvious that this bill is not needed and is simply a part of the struggle by certain members of both parties to corner the minority group votes in other sections of our country.

This is going to be your problem 10 years from now more than it will be ours, because they are leaving and are going north. Your problem is going to increase as ours diminishes.

I know there are probably spots in the South where the Negro has been denied the right to vote. It is not true in my State. It may at one time have been true; but we have been making rapid progress. But all this agitation has set back the progress of race relations in the South for a generation. That is what has happened, and it is going to be worse if you pass this bill.

I want to say just a few words about the jury trial amendment. It is an astounding thing to me. Before I continue, let me say that I was one of the few southerners who voted against the Hartley bill when it was upon the floor of the House. It was my first year in Congress. That was an iniquitous and vicious bill. I am glad I voted against it.

It went to the Senate. Senator Taft got it modified. The Senator sent it back here in much better shape than it was when we in the House had to vote on it. But, still, after the President had vetoed it I voted to sustain his veto. If

I had known that the friends of labor on the floor of the House during this week were going to renege and admit that the Taft-Hartley had changed or superseded the Norris-La Guardia law so that now labor is not protected in the matter of strikes, my action in opposing the Taft-Hartley law would have been even more vigorous. Because of that fact I am more glad than ever that I voted against the Taft-Hartley Act. After I went back to my State I told the people, our laboring people, the reasons that the act was passed. It was because of abuses under the Wagner Act and I told them they were going to have to live with the law and that they were going to have to make the best of it. They then tried to do that. But I did not know, I do not believe any of you thought, that when we passed the Taft-Hartley Act you were taking away from labor the right to a trial by jury in strike cases. But that is what your leader from New York says you have done. But, he says, he has grown. He says he did not stop growing when he was 32. Well, I wonder if he has grown to the point that he does not want labor to be protected in these strike matters. Is that how far he has grown? Have you grown to that point? Do you approve of the statements made on the floor of this House by those who pretend to be the friend of labor that the Taft-Hartley Act has repealed or it has limited or it has in some way superseded the law which guarantees to the laboring man the right, the fundamental American right, the right guaranteed us by English jurisprudence all down through its history from the time of Runnymede, are you willing to say by your vote today that you approve that statement? Are you going on record as saying that the laboring man is no longer protected by the law that was passed to protect him? I do not believe you want to do that. I do not believe you have thought about what you are doing.

You may have to vote for this bill, you may think you have, but you do not have to vote against the amendment involving trial by jury. I would hate to be any one of you and go back to my home and have to justify my vote against that fundamental right. You say it is necessary because juries will not convict. In the first place that is not true. I was prosecuting attorney for 6 years before I came to Congress and time after time I have seen juries convict white men on the testimony of Negroes. The juries in our State have leaned over backward to protect the rights of Negroes who were being tried in our courts. That juries will not convict is a false assumption; but even if true, it is a cynical thing to say that because juries might not convict the right of a trial by jury should be denied the accused. It just violates all of the rules of moral law and you cannot do it with impunity.

This bill is not necessary, it is not right. It is conceived in misunderstanding and it is born in politics. I hope that if you have to vote for the bill you will vote for the jury-trial amendment, which will be persuasive authority of the right of the laboring man to protection from arbitrary decisions and rulings by the court. At the same time it will preserve the right of trial by jury for those charged with the violation of injunctions issued under this act.

Oh, you know what they had to go through, and yet you sit here today and apparently approve what both gentlemen from New York say, when they say that the Taft-Hartley law and other legislation has repealed or superseded the law which protected the laboring man when he is accused of violating an injunction issued by the court in the matter of a strike.

In the next place the bill is, in my opinion, the most dangerous legislation that has been sponsored with any hope of passage since I have been a Member of Congress. It is an invasion of the rights of the States to regulate their own affairs and will result in the loss of many of the rights guaranteed to the States and their citizens by the Bill of Rights. However much the leading proponents of this bill may profess to be ignorant of any such intention, nonetheless, this bill takes a portion of the criminal law relative to civil rights and seeks to transfer it to the equity courts of our land. This for the sole purpose of denying the right of trial by jury to those charged with violation of such provisions of the criminal law now transferred to the equity courts. As the distinguished gentleman from Virginia [Mr. POFF] told you a few days ago, if you were on the floor to listen to his remarkable address, George III tried this very "gimmick" to transfer provisions of the criminal law to the equity courts of England for the very same purpose. Those of you who claim you do not know that this was the purpose for taking literally the words of the criminal law and writing them into the legislation are certainly naive, not to say gullible. The Department of Justice knows that this is the reason for the transfer of this identical language from the criminal code to this bill for they have stated that it was done because they say southern juries will be reluctant to convict. This is a cynical philosophy that advocates any means however violative of our fundamental constitutional rights if it results in what its proponents claim to be a desirable end.

It is a false indictment of the South. For 6 years before I came to the Congress I was prosecuting attorney for the Rome judicial circuit composed of three counties in the northwestern section of Georgia, and my observation was that juries leaned backward in an effort to be fair to Negro defendants in our courts. In fact they often convicted white people upon testimony of Negro witnesses. One case I recall very well—a Negro who was obviously guilty of shooting at another Negro was cleared by a jury because of the amusing and forceful statement he made to the jury. A better speech he made than his own counsel. Under the laws of the State of Georgia a defendant may not be sworn, but can make a statement to the jury on his own behalf, and the judge must charge the jury that it may believe the statement instead of the sworn testimony. That is what I think the jury did in the case of the Negro who was a better counsel than his own lawyer. It is often said that a defendant who is his own attorney has a fool for a client, but it certainly did not prove so in the case to which I have referred.

At Clinton, Tenn., we have the spectacle of the judge making a law applicable to a particular situation and then attempting to punish persons alleged to have violated this order who were not parties to the suit before the court and many of whom, no doubt, had no actual knowledge of the court's order. You will recall that the Attorney General, Mr. Brownell, sent his prosecutors into the State and substituted the United States Government as a party to that suit so that the accused persons would not be entitled to a trial by jury. There was such a reaction to this unfair and disgusting procedure on the part of the present Attorney General that the court upon motion of defendants' counsel finally agreed that the accused persons should have a trial by jury. This agreement on the part of the court was apparently a move to try to prevent the Congress from writing into this bill a guarantee of a right to trial by jury for those accused of violating a general injunction such as that passed by the judge in Tennessee. It was a sort of Mother Hubbard injunction—a law which covered everything but touched nothing as a Mother Hubbard has been defined.

In this connection I am amazed at those of you who profess to be the friends of organized labor. You have taken the position in this case that the guaranties written into the law assuring a jury trial to members of labor unions charged with the violation of injunctions in labor cases have been repealed or superseded by the Taft-Hartley law. This is a most dangerous position it seems for any person to take who claims to be a friend of America's working people. What an untenable position this places you in when next you try to write into the Taft-Hartley law a provision that will guarantee such right of trial by jury to members of the labor unions.

You who were here when the Labor Relations Act of 1947 was passed know that I was one of the few southern Representatives who voted against the iniquitous Hartley bill as it was known in the House. This bill was so outrageously unfair to labor union members that frankly I could not see how any Member could vote for it who believed that labor unions should continue to exist.

After it went to the Senate it was amended and became known as the Taft-Hartley bill. Mr. Taft who while favoring legislation to correct abuses that had arisen among the leaders of the labor union movement modified the extreme provision of the Hartley bill and when it came back to the House it was certainly a much more moderate law than that which was first passed in the House. However, there were harsh provisions in the law that should be modified. Senator Taft himself favored such modification and had he lived no doubt they would already have been written into the law.

After the President vetoed the bill I again was one of the few southern Members of the House who voted to sustain

the President's veto and thus against the enactment of the Taft-Hartley Act.

After its enactment, however, I took every occasion to urge members of the labor unions to learn to live with the law and to correct the abuses which had given rise to its passage. I have been perfectly frank with them in saying that I doubted that the law could be repealed and urged them to live within its terms.

So I approach this problem of a jury trial for those who violated injunctions with a desire to protect the labor unions in the rights guaranteed to them prior to the passage of the Taft-Hartley law which certain so-called friends of labor now claim were repealed or modified by the Taft-Hartley law. It is inconceivable to me that those of you who pretend to be labor's friends are willing to endanger labor's rights to a jury trial when accused of violating injunctions passed by a court of equity.

So I am convinced that even where charges in the nature of criminal contempt are made in the name of the Federal Government or any other government those charged with such offenses should be guaranteed a trial by a jury. It is sophistry to say that to protect a civil right of one hindered from voting justifies the denial of a fundamental constitutional right such as that of trial by jury. This is putting expediency above principle. In 1916 Woodrow Wilson said, and deep down in your hearts you know it is true, that:

A point in national affairs never lies along the lines of expediency. It always rests in the field of principle. * * * Justice has nothing to do with expediency. Justice has nothing to do with any temporary standard whatever.

As I have said this law is a slap at the South and I warn you that while today racial problems seem to be confined to the South, such is not the case. Recently I read an article which told of the explosive situation which now exists in Chicago and an article in Look some months ago which told of the city of Dearborn, Mich., where a Negro is not permitted to spend the night. The problem is growing by leaps and bounds in the districts many of you represent, and the denial of the right to trial by jury which seems to you today to be directed only at the South is really a gun pointed at your own heads for as surely as we live today and present trends continue the problem will be more your problem than ours within the next 10 years.

I am quoting here a syndicated column by David Lawrence entitled "It Was a Wise Move To Insert Jury Trial in Civil Rights Bill":

It was a wise move on the part of the Senate Judiciary Committee this week to recommend that jury trials be provided by law in contempt cases arising out of the enforcement of civil rights. It will do more to help the cause of public understanding on the integration-segregation issue and similar questions than anything the Congress or the courts have done thus far.

This is because the action by the Senate committee comes at a time when emotion has been substituted for reason in many parts of both the North and the South in dealing with matters of law and constitutional rights.

A dramatic example was the case last week in Montgomery, Ala., when a white jury acquitted two white men who were defendants in a case involving the dynamiting of a Negro church. No one was injured, but the property was damaged. It was apparent from the way the case was summed up by the prosecuting attorney and defense counsel that the issues were presented in the background of current antagonisms. Although the defendants had signed a confession, the claim was made later that it had been irregularly processed—that it wasn't made at police headquarters but in a hotel room under circumstances which led to the expression of many doubts.

SHOCKED

This correspondent spent the weekend in Alabama and talked to many people about the integration question. Notwithstanding the individual beliefs of citizens generally, it is fair to say that many people who are on the antisegregation side were shocked by the verdict of the jury at Montgomery. Yet in some respects the verdict wasn't surprising. As one man in the South put it, "Why should not 12 men in Alabama express their feelings in a verdict, when 9 sociologists on the Supreme Court do the same thing?"

Reference was made specifically to some of the recent cases of rape committed by Negroes against white women—cases in which confessions were duly recorded and guilt plainly established, only to have the Supreme Court of the United States reverse such verdicts on technicalities and allow the defendants to go free.

Emotionalism has brought a state of tension that is not going to be cured by any provision of law denying jury trials merely because the privilege has been or might be abused. While contempt committed inside a courtroom always has been punishable by a judge without a jury trial, and attempts to violate directly the terms of an injunction are ordinarily within the power of a judge alone to punish, the real issue is whether the judge's injunctions can be stretched to cover crimes committed outside the courtroom itself that normally are tried by juries.

It is better, therefore, for Congress to err on the side of caution and to put faith and trust in the people in all sections of the country, rather than to assume in advance that they cannot be trusted in the jury box. To apply such faith is to follow the path of reason as against emotionalism.

For the racial questions are far from settled, and those persons who think that, by the order of any court, the people of the South or of any other section will approve an edict which they honestly believe is not constitutional just do not understand the workings of human nature. The crusade, for instance, against the 18th amendment on prohibition—the willful disregard of the provisions of the law by millions of people—showed clearly that a reform which isn't sold to the people in advance by thorough understanding isn't accepted just because it is solemnly proclaimed as "the law of the land."

A CONDITION

It is a condition rather than a theory which confronts the Nation in dealing with the racial question which now has begun to present problems in all parts of the country, and not just in the South. Violence will not solve it, nor will coercion by broad injunctive orders of the courts. An adjusted society has to come voluntarily out of the processes of reason.

The amendment to the law which would grant jury trials in contempt cases involving alleged crimes is bound to assist the cause of reason. It puts the responsibility squarely upon the people to see to it that jury trials are fairly conducted and fairly resolved.

There are, of course, extremists on both sides. Their number will diminish, however, only as a sense of fairness develops through the application of reason instead of violence. That is why the grant of a jury trial in criminal contempt cases would be a progressive step toward a better understanding of the responsibilities of citizenship. But if Congress, on the other hand, does deny jury trials, far more ground will be lost than gained in the emotionally complicated, if not presently unsolvable, problem of sociology and government.

Fundamentally this whole act is unsound and a dangerous threat to the rights of the States and still more important it concentrates power in the Attorney General such as no individual official in America has ever enjoyed before.

Within this bill are the seeds of a Soviet-type Gestapo, of secret informers, and, if the bill should become law, we would be faced with the knock on the door at midnight of the secret and unpaid agents of the commission set up by this bill and the tools of the Attorney General. We could be jailed without the benefit of trial by jury and at the instigation of faceless informers. The minds of Khrushchev, Bulganin, or Stalin himself could not have conceived a more dangerous surrender of individual power to a Government official, politically minded as our Attorneys Generals usually are.

I warn you that in passing this bill you create a Frankenstein monster that can destroy us all. Power corrupts and absolute power corrupts absolutely, as it has been said. No Attorney General should be entrusted with such power as this bill would give him.

The people of my district have tasted the bitter brew concocted of the unwarranted interference by the present politically minded Attorney General who sent his snoopers into Cobb County, Ga., not to protect anyone's civil rights but to interfere with the administration of the courts of law in that great county of my district. He did this without consultation with and, I believe, over the objection of the United States district attorney for the northern district of Georgia. He did it upon the insistence of the NAACP which had interfered in the defense of a Negro rapist who had twice been convicted of the offense and who was at the time of his last offense of the same sort serving a sentence for one of the previous assaults upon white women. Moreover, the accused had admitted a third such offense and was convicted and sentenced to death though represented by able counsel appointed by the court and later had his conviction affirmed by the Supreme Court of Georgia where he was represented by one of the ablest lawyers in the State employed by the NAACP.

And the snoopers who made the investigation did not confine themselves to an investigation but slyly made suggestions which the officers of the court took to be an attempt to prevent further prosecution of the Negro who, in the meantime, had been granted a new trial by the United States Supreme Court upon a trivial point of law.

Although it gives me no pleasure to do so, I can now report that the Negro was tried again, was sentenced to death, appealed his case to the Supreme Court of Georgia, where it was affirmed, and

was executed recently after the Governor had refused to commute his sentence.

The charges of irregularities in the operation of the courts of Cobb County, Ga., were wholly without foundation and the snooping investigators finally made a report clearing the county officials of the charges that had been made against them.

These laws would affect adversely the South today, but they may well be used in the future by politically minded Attorneys General against every one of you and the people of the States in which you live. In conclusion, let me warn you that you had best lay aside any political impulses that might cause you to vote for this bill, and kill it.

The Chairman recognizes the gentleman from New York [Mr. KEATING] for 5 minutes.

Mr. KEATING. Mr. Chairman, we have wandered rather far afield from the amendment upon which we are about to vote. This amendment seeks to strike out the entire section 101 which creates the Commission on Civil Rights. If carried, it would entirely eliminate, for all practical purposes, part I of the bill. It is simply the beginning of an effort, Mr. Chairman, to tear this bill apart section by section.

The opponents of the measure, knowing that it cannot be defeated in its entirety, will offer amendment after amendment, I apprehend, to weaken the bill, to take out essential parts of the bill. And this will be followed by others.

Nowhere today in our Government is there any agency with the authority to study the very important question of whether there are American citizens who are not being properly protected in their constitutional rights. This field of constitutional rights is admittedly a technical one and, we know, it is perfectly apparent that there are serious problems in connection with it.

Those who have worked in the field recognize the need for investigation and serious study. Although this bill before us, in parts III and IV, would broaden the protection which people now have in this area, there are still problems and questions which this bill does not attempt to answer.

There were other bills before our committee with provisions much more drastic than this. They were rejected. Many of them, however, are entitled to study. It would be up to such a commission to study them. We do not have sufficient facts now, in our opinion, to make findings and recommendations beyond those embodied in this measure. That is why the President has recommended, and the committee has reported, a bill which calls for the creation of a bipartisan commission to do research in this field. I call attention to the fact that it would be limited in its scope. It would complete its work in 2 years. It would be bipartisan in its character.

It is not at all unusual for such a commission to be created by Congress to make studies and reports such as those contemplated by this legislation. We have now the Commission on Government Operations. We have the Commission on Intergovernmental Relations and the Commission on Government Security, all of them created by us in Congress, and all of them attempting to get the answers to some of the great problems which face our country.

Congress has conferred on all of these commissions substantially the powers which are given to this commission in this legislation. They are not unusual. They are not arbitrary powers, and those who are to wield them are commissioners to be appointed by the President of the United States and confirmed by the Senate. Certainly the last agency on earth that could be viewed as suspect, or viewed with any fear on the part of any citizen in this land, or any Member of this body, would be an agency set up to look into the rights guaranteed by our Constitution. This very Commission is created to preserve and to protect those rights.

Mr. Chairman, I hope this amendment will be defeated.

Mr. SHELLEY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHELLEY. Mr. Chairman, in the course of the debate on H. R. 6127, the civil rights bill, the gifted constitutional lawyers among my colleagues on both sides of the issue have probed in detail the legal and constitutional questions which arise. They have come to no general agreement. Two basic areas of disagreement appear. Let me make my own position on those basic issues clear. I support this bill in its entirety and in supporting it I stand with those who regard the Constitution as a guarantor rather than a denier of the rights of man.

First is the question as to whether the Congress has the right under the Constitution to legislate on civil rights at all. In February if this year I stated to the Committee on the Judiciary my view that—

> The Constitution, which guarantees to the States certain rights, does not guarantee them the right to do wrong.

Nothing in this debate or in the thousands of words that have been spoken or written on the issue since have changed my strong conviction in that regard one whit. Our Government under the Constitution is a government of laws and not of men. When we find, as we do now, that over a period of many years the voting rights and other civil rights of a large body of our fellow citizens have been denied them by the actions of men and the inaction of law, the law and the Congress as the ultimate lawmaking body must assert itself. The 15th amendment to the Constitution specifically states with regard to voting rights that "Congress shall have power to enforce this article by appropriate legislation." Nothing can be clearer. To say, as some have said, that because the Congress has not seen fit to use this power in the past they should not or cannot do so now is pure nonsense. There is no statute of limitations on the rights and the duties of the Congress as prescribed in the Constitution. There is, on the other hand, a limit on the extent to which those who defy the Constitution can be allowed to carry that defiance. To hold otherwise is to reject every principle upon which the Declaration of Independence and the Constitution are based. To hold otherwise is to forget that section 2 of article IV of the Constitution declares that—

> The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

How is that provision to be upheld if the Congress and the Executive do not have the power to legislate and to enforce through the Federal courts laws protecting those privileges and immunities? It may be held that this section guarantees to any citizen of the United States that, while he is within the boundaries of any particular State, he is entitled only to those privileges and immunities which such State is willing to accord him. But Congress must know that the framers of the Constitution were not blind moles any more than we are. We must not limit our vision to a dark tunnel of ignorance as to what goes on within the several States, and the clear implication of section 2, article IV, is that the Constitutional Convention of 1787 did not intend that we should.

The second basic legal issue on which disagreement appears is on the question of trial by jury in contempt cases arising under the provisions of this civil rights bill. The opponents of the bill, apparently conceding that they will lose the first battle as to the Congress' power to act, are in the classic phrase "retreating to positions previously prepared" by setting up a holding action on the issue of trial by jury. The analogy to military action is apt in that this maneuver is an obvious feint to divert the House and public opinion throughout the country from the true purpose and from the main objective of the campaign; namely, to hold the line against any effective legal protection for the voting rights and other civil rights of large blocks of our citizens.

The House has been buried under a mass of legal citations on the pros and cons of this argument. The issue seems to me to be completely clear. The Constitution deals with the right to trial by jury in two places: Section 2, article III says that—

> The trial of all crimes, except in cases of impeachment, shall be by jury.

And the sixth amendment states that—

> In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury.

And I want to emphasize the word "impartial." The contempt proceedings which may result from the provisions of H. R. 6127 are not crimes or criminal prosecutions within the clear meaning of the Constitution. They must be under the terms of the proposed law civil contempt proceedings. Under precedents reiterated time after time by the courts and in common law any judge and any court has the right to enforce

injunctions or restraining orders issued by it through the power of a finding of contempt of court with appropriate punishment. This is not a new and a barbarous concept as many of our distinguished colleagues would have us believe. It is as old as the courts and written law.

Trial without jury has precedent in these times in admiralty and other special court proceedings. It may be unfortunate that circumstances prove the necessity of resorting to it in civil rights cases, but that is the case. It is significant that the only exception to such a finding by a judge without a jury trial which the opposition to the present bill can find is that in the Norris-La Guardia Act. As has been shown conclusively that exception has since been waived by the terms of the Taft-Hartley Act.

It is further significant, and I do not believe the point has been brought out here, that the Norris-La Guardia Act contained an exception to the exception; namely:

That this right shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice or to apply to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court.

This debate has brought out that a great many of the anticipated violations of court orders under this bill would occur under just such circumstances. Thus, the use of the Norris-La Guardia Act provision as an argument against the terms of H. R. 6127 is knocked into a cocked hat as easily as the claim that we do not need the bill at all because there is nobody in this country who suffers from the loss of civil rights.

Mr. Chairman, I had not intended to spend so much time on these legal issues which have been more ably presented by the distinguished chairman of the Committee on the Judiciary and other learned Members of the House. The great body of people in this country are not concerned with the legal niceties of this situation where it cannot be shown that the action proposed here would do violence to the basic rights and constitutional guaranties of our citizens, or to the rights reserved to the States. Proof of that is certainly lacking. In that case our first concern must be that the remedy we apply is good enough to cure the existing sickness. H. R. 6127 is an absolute minimum dosage if it is to be effective. The committee has bent over backwards in removing from the bill a great many proposals which might have intruded the Federal Government too far into the affairs of the States. This bill for the first time attempts to provide legal insurance that the civil rights of all of the people of this country will be protected impartially no matter where they may live. Let this Congress seize the opportunity we have today to establish a new landmark on the road to full equality for all, regardless of race, creed, or color. We can do so by passing H. R. 6127 without weakening amendments. If we yield on these minimum demands we will have failed to answer the voice of those crying in the wilderness of discrimination, asking that they be set on the path leading to enjoyment of their dignity as creatures of God and brothers of all men.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield back my time.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from New York [Mr. KEATING] stated that the Commission would complete its work in 2 years. Will the gentleman from New York [Mr. CELLER] point out where in the bill there is a termination date for this Commission?

Mr. CELLER. The gentleman will find it on page 6, starting on line 9 and running through line 16.

Mr. GROSS. I do not believe that provides for the termination. It states that the Commission shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

Mr. CELLER. Now read further.

Mr. GROSS. "Sixty days after the submission of its final report and recommendations the Commission shall cease to exist."

I thank the gentleman from New York and I am convinced.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS) there were—ayes 88, noes 127.

So the amendment was rejected.

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: On page 1, strike out all after the enacting clause and insert the following:

"ESTABLISHMENT OF COMMISSION ON HUMAN RESETTLEMENT

"SECTION 1. There is hereby created a commission to be known as the Commission on Human Resettlement (hereafter in this act referred to as the 'Commission').

"MEMBERSHIP OF THE COMMISSION

"SEC. 2. (a) The Commission shall be composed of three members appointed by the President by and with the advice and consent of the Senate.

"(b) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

"ORGANIZATION OF THE COMMISSION

"SEC. 3. The Commission shall elect a chairman and vice chairman from among its members.

"QUORUM

"SEC. 4. Two members of the Commission shall constitute a quorum.

"COMPENSATION OF THE MEMBERS OF THE COMMISSION

"SEC. 5. Each member of the Commission shall receive compensation at the rate of $17,500 per year.

"STAFF OF THE COMMISSION

"SEC. 6. (a) The Commission shall have power to appoint and fix the compensation of such personnel as it deems advisable, in accordance with provisions of the civil service laws and the classification act of 1949.

"(b) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 stat. 810).

"EXPENSES OF THE COMMISSION

"SEC. 7. There is hereby authorized to be appropriated so much as may be necessary to carry out the provisions of this act.

"DUTIES OF THE COMMISSION

"SEC. 8. (a) The Commission is authorized, upon application therefor, to grant a relocation loan in accordance with this Act to any Negro living in any State in which racial segregation is practiced, to enable such Negro to move to any State in which racial segregation is not practiced.

"(b) Each applicant for a relocation loan shall specify in his application the State, and the town, city, or other location in that State, to which he desires to move, the names of the members of his immediate family who will move with him, the amount of furniture, household effects, and other personal property which he plans to have moved to that location, and such other information as the Commission may require.

"(c) After an application has been approved, the Commission shall consult with the applicant with a view to ascertaining the expenses that he will incur in moving to the new location and for which he may obtain a relocation loan. The expenses for which an applicant may obtain a relocation loan shall be limited to the expenses of transportation of the applicant and his immediate family, the expenses of moving furniture, household effects, and other personal property, and a reasonable amount for immediate living expenses of the applicant and his family after the applicant has moved to the new location. The Commission shall determine the total of the expenses referred to in the preceding sentence that will be so involved in moving to the new location and shall grant the applicant a relocation loan to pay such expenses. No relocation loan shall be made to any applicant in an amount in excess of $1,000.

"(d) No applicant may receive a relocation loan under this act unless he establishes to the satisfaction of the Commission that he has a general reputation in the community in which he resides for working.

"PROVISIONS RELATING TO RELOCATION LOANS

"SEC. 9. (a) Each relocation loan may be made available to the applicant in a lump sum or, if the Commission determines that the loan will not be needed by the applicant in a lump sum, the loan may be made available to the applicant from time to time in amounts as needed.

"(b) Relocation loans made under this act shall not be assignable, shall be exempt from the claims of creditors, and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the payee.

"(c) If any applicant for a relocation loan under this Act who has received any portion of such loan, spends all or any part of such portion for any purpose other than a purpose for which such loan was made, he shall be fined not more than $1,000 or imprisoned not more than 6 months, or both.

"INTEREST ON RELOCATION LOANS AND REPAYMENT

"SEC. 10. (a) Each relocation loan made under this act shall be repaid in monthly installments, in amounts prescribed by the Commission at the time payment of such loan is first made to the applicant. Such loans shall bear interest at the rate of 2½

per centum per annum, compounded annually.

"(b) Each relocation loan made under this act in the amount of $500 or less shall be repaid to the Commission in not less than 10 years; each such loan made in an amount in excess of $500 shall be repaid to the Commission in not less than 20 years.

"DEFINITION

"SEC. 11. As used in this act, the term 'State' means each of the several States and the District of Columbia."

Mr. CELLER. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane.

Mr. ANDREWS. Will the gentleman reserve his point of order?

Mr. CELLER. Will the gentleman insist upon pressing for his amendment?

Mr. ANDREWS. I would like to say that I would like to have the amendment adopted.

Mr. CELLER. If the gentleman insists upon it, I must make the point of order now. Unless the gentleman is willing to withdraw his amendment after he makes his 5-minute speech, I shall insist on the point of order.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent that I may proceed for 5 minutes.

Mr. CELLER. And I will reserve my point of order.

The CHAIRMAN. Without objection, the gentleman may proceed.

There was no objection.

Mr. ANDREWS. I would like to ask the gentleman from New York if he is opposed to this amendment, which is a bill now pending before his committee.

Mr. CELLER. There is a Russian proverb that you do not roll up your pants until you get to the stream.

Mr. ANDREWS. This bill was before your committee last year, and we never had a hearing. It is before your committee this year, and I doubt if we will get a hearing. I did appear before your committee and discussed this bill.

Mr. CELLER. Will the gentleman yield?

Mr. ANDREWS. I yield.

Mr. CELLER. I believe the gentleman did appear before our committee and did testify at length on this amendment or on the so-called human resettlement when we were considering the civil-rights bill.

Mr. ANDREWS. That is right, and I asked you to incorporate it in your civil-rights bill.

As I understand the civil-rights bill, the main purpose of it is to help the Negroes of the South. I submit to you that my amendment or my bill will give the Negroes of the South far more help than will this so-called civil-rights bill. My bill simply provides that if they are unhappy down there they will have ways and means of leaving and going to some State where they will be happy.

I submit to you that the proportion of Negroes in the South is out of line with what it should be. We have counties in the South where the ratio of Negroes to whites is 8 to 1. The population ratio in Mississippi is 45 percent, and yet out in the State of Washington the ratio is .0129. Up in North Dakota the ratio is .0005.

Now we have done the best we could for them in the South. If they are unhappy, I am perfectly willing for them to leave, and I think it is only fair that some of these other States, whose Representatives have so much sympathy for and interest in these Negroes, to take some of them from us if they want to leave. But you would be surprised how few would like to leave. It has been said on the floor that they fare better in the South than they do anywhere in this United States. The purpose of the bill pending before the House at this time is to help a certain group of people who at the present time live in the South. I submit to you that the purpose of my amendment is to help that same group. I submit further that the only hope for better relations between the white and colored people of America is not to pass the civil-rights bill that will penalize people of a certain section of this Nation, as the pending bill will do, but to pass a bill that will make it possible for those people who are today unhappy where they happen to be living to move to some other place.

There is ample precedent for this bill. Following the end of World War II we had a Displaced Persons Commission. My amendment was drawn almost word for word like the Displaced Persons Commission Act.

What did we do under that bill? We established a commission and they brought literally hundreds of thousands of people into this country from foreign countries. Why did they come here? Those who came to America were unhappy with local laws, customs, and conditions that prevailed in the countries whence they came. That is all my bill does; it provides that any American citizen who is living in a State today and who finds himself unhappy with local laws, customs, and traditions in that State will be eligible for a Government loan to move from that State.

The CHAIRMAN. Does the gentleman from New York insist on his point of order?

Mr. CELLER. Mr. Chairman, I renew my point of order.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Alabama offers an amendment to which the gentleman from New York [Mr. CELLER] makes the point of order that it is not germane to the bill.

The Chair has examined both the bill under consideration and the amendment offered by the gentleman from Alabama.

The Chair finds that the bill under consideration provides for the securing and protecting of the civil rights, whereas the amendment offered by the gentleman from Alabama provides for the creation of a Commission on Human Resettlement which deals more with economic benefits than with civil rights.

The Chair holds that the amendment is not germane and, therefore, sustains the point of order.

The Clerk will read.

The Clerk read as follows:

RULES OF PROCEDURE OF THE COMMISSION

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this Act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than $1,000, or imprisoned for not more than one year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness atending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code, wherein the witness is found or resides or transacts business.

Mr. LOSER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LOSER of Tennessee: On page 4, lines 21 and 22, strike out the language "judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code" and substitute in lieu thereof the word "State."

Mr. LOSER. Mr. Chairman, I want to call to the attention of the committee what seems to me to be a rather vicious provision in this proposed bill and if the members of the committee will get their

copies of the bill before them and turn to page 4, I would like for all of you to follow me for just a minute.

I do not believe there is a member of the bar present in the room who cannot support this amendment with good grace. It does not affect the bill at all other than it is a protection to those persons who may be called to testify before this Commission. I should like the members of the committee to look at line 17, page 4, and follow me for just a minute. There it is stated:

> The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the judicial circuit of the United States, as defined in section 41 of title 28 of the United States Code, wherein the witness is found or resides or transacts business.

It may appear to you from a superficial reading that this provision of the contemplated law is innocuous and inconsequential, but I want to call to your attention title 28, section 41, of the United States Code.

That section of the United States Code sets up 11 judicial circuits in the United States and in the Territories and possessions of the United States. The First Judicial Circuit is the District of Columbia. I will move on down to the Fifth Circuit for the purpose of making my point. The Fifth Circuit consists of Alabama, the Canal Zone, Florida, Georgia, Louisiana, Mississippi, and Texas. So this bill as presently drafted provides that a witness can be compelled to appear before the Commission at any point in a judicial circuit—namely, at any point in any one of the several States.

To illustrate my point, may I say that the Commission created by this act can set itself up in the Kenilworth Hotel in Miami Beach and call some poor unfortunate out yonder in El Paso, Tex., to come down to Miami Beach and testify before this Commission.

And if that gentleman fails or refuses to come he can be cited to appear before the Commission in the Kenilworth Hotel and moved down there by a United States marshal and required to testify, and if he is cited for contempt, if he is found guilty of contempt, after the United States attorney cites him in the Federal District Court in Miami, he can be tried by that judge in Miami Beach, if a court sits there—and I am sure it does—for contempt of court, and when he makes his defense, if he has a certain witness in his hometown in El Paso, Tex., he will be required at his own expense to bring to Miami Beach one or a dozen witnesses to testify to his good character, if he so elects.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman from New York.

Mr. CELLER. If the gentleman will refer to the bill, particularly on page 8, he will find that only the district court to which the Commission shall repair in the event there is a refusal to obey a subpena can punish him in any way or compel compliance with the subpena. The Commission cannot compel compliance; only the court can.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. ROGERS of Texas. Mr. Chairman, I ask unanimous consent that the gentleman from Tennessee [Mr. LOSER] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LOSER. The section that the distinguished chairman of the committee refers to provides that—

> In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business,

So it provides specifically and categorically that if the Commission is sitting in Miami Beach, Fla., and it cites a person for his failure to appear from El Paso, Tex., then it is reported to the district court in the southern district of Florida, and he can be required to come there.

Now, if he fails to answer, or is guilty of some act of contempt if he does answer, then it is reported to a district court in the southern district of Florida where he will be tried. And, I know of no greater travesty, no greater reflection upon the integrity of the members of the legal profession than to submit to you for your approval such a vicious and reprehensible provision.

Listen to this, members of the committee. It not only provides that it can happen in the Fifth Judicial Circuit, but it provides that if the Commission should so see fit to go out to Honolulu and sit, and hear, and determine what is happening in that island, they can subpena some man or some woman from Alaska about any violation of his civil rights. They can call you people from Arizona, from California, from Idaho, from Montana, from Nevada, from Oregon, Washington, even from Guam.

Mr. Chairman, I know of no more vicious and reprehensible section of an act than what I have called your attention to, and all that I am asking you to do is this: This does not hurt the bill, Mr. Chairman; it does not hurt the bill. All that I ask is and all this amendment provides is that whatever State or Commonwealth this Commission is holding its meeting in, that the witness be called in his own State, if he is guilty of an act of contumacy, and let him be tried in his own State. That is the law of the land. That is the law of our forefathers who came over here on the *Mayflower*. Let a man be tried wherever he resides, and I cannot see why any man would object to such a provision as I have offered here.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the distinguished gentleman from Virginia.

Mr. SMITH of Virginia. The gentleman has disclosed such an atrocious invasion of the rights of American citizens in this ridiculous provision of this bill that I am wondering if the gentleman in charge of the bill will not agree to his amendment.

Mr. LOSER. I have great admiration and respect for our very distinguished chairman. I have learned to love him here during these months, as I have some of my friends over here. I am just wondering if the distinguished gentleman from the great State of New York would not yield just this little one inch so that a man would have the right to be tried in his own State. I do not believe the chairman would want one of the citizens of Brooklyn to have to be called down to Guam or Hawaii.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman.

Mr. WILLIS. May I say that this amendment was offered before the full committee. There was a quorum present. We are all lawyers. Those who were present voted in favor of this amendment. It was defeated by the production of proxies of those not present.

Mr. BAKER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the distinguished gentleman from Tennessee.

Mr. BAKER. Mr. Chairman, I want to compliment my colleague from Tennessee on a very fine argument and a fine amendment.

Mr. LOSER. I thank the gentleman.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the chairman of the committee.

Mr. CELLER. Of course, under existing law, under title 28 a United States district court now may subpena anyone from any part of the country. He is not limited even to the judicial circuit. He can subpena him even from a foreign country, if the person is a citizen. So that there is nothing novel or new in this provision.

I might say, Mr. Chairman, that when it comes to commissions such as the Federal Communications Commission, the Civil Aeronautics Board, the Interstate Commerce Commission, the Federal Trade Commission, the Federal Housing Commission, the Atomic Energy Commission, there is no such limitation such as the gentleman seeks to impose in this bill. Those Commissions may subpena from any part of the land and compel a man to come to Washington. So that I say again there is nothing new about that.

The CHAIRMAN. The time of the gentleman from Tennessee [Mr. LOSER] has expired.

Mr. LOSER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LOSER. Mr. Chairman, I would like to say to my distinguished friend from New York that he has correctly stated the law. I am not talking about a witness being subpenaed; you pay his expenses, so much per diem; I believe $12, and so on. That is all right. But I am talking about trying him for contempt thousands and thousands of miles

away from his home. I say that is a travesty and a reflection upon Anglo-Saxon thinking, that such a bill should be brought into the Congress of the United States. Here you are talking about trying a man in Guam who lives in Miami, or vice versa. Even El Paso, Tex., is 2,500 miles from Miami Beach. And you can take a man and try him under such circumstances.

I appeal to the finer sensibilities of the members of the bar, a great profession. I just cannot believe; it is inconceivable to me that partisanship aside, Republicans or Democrats, just fair play, respectability, doing unto others as you would like others to do unto you, would impel everyone to vote for this amendment. It is just fair play and decency.

Mr. Chairman, I would like the opportunity to bring a message to you from Tennessee. I say that Tennessee today joins with the grand Old Dominion, the Commonwealth of Virginia, South Carolina, Louisiana, Texas, and the galaxy of Southern States in opposing this vicious piece of legislation. But if you are determined that it shall become law, if you are determined to send into the Southland these 15 itinerant carpetbaggers to search out their friends and their neighbors, and to array class against class, neighbor against neighbor, and friend against friend, under the guise of protecting the civil rights of these people, then at least accept the amendment which I have offered.

Listen; down in my country we want their support. If I may be permitted to say, I have heard it said that thousands of dollars have been spent in major campaigns in my State and in my city in order to get every person of any race, color, or creed registered and qualified to vote. I thank goodness that I list them among my friends. Forty-five percent of the population of my community is colored. I have had the pleasure and the privilege of serving as the district attorney in that area for more than a quarter of a century. At no time within my recollection has a man of color or any man, without reference to his religion, received from me consciously an unfair deal. I have prosecuted thousands and thousands of people, but at no time have I ever sought to try a man away from his home unless he had come into my district and had committed a crime.

So I appeal to you, ladies and gentlemen of the committee; the Members of the greatest parliamentary body on earth, presided over by a man who has made the greatest contribution to the legislative processes of the greatest Nation in the world in its history, and I refer to our distinguished and beloved Speaker.

I do not believe that you members of the bar and I do not believe that you nonmembers would want to be hailed down in my neighborhood if you live in Texas, and there tried for contempt of court.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield to the gentleman from New York.

Mr. CELLER. That would not be the case. You have to be within the judicial circuit, and New York is not in the same circuit as Miami.

Mr. LOSER. That is exactly right, New York is not in the same circuit. New York is in the second circuit, and it does not bother you too much because the other two States in your circuit are nearby. But I am talking about the poor unfortunate individual who lives in El Paso, and this Commission sits down in Miami in the Kenilworth Hotel, if you please, and I just imagine they would, because they provide here that their actual and necessary expenses shall be paid plus $50 a day.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. LOSER. Mr. Chairman, I ask unanimous consent to proceed for 3 minutes, and then I will conclude. There is something that has not been referred to.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LOSER. There is just one other phase of this matter that I want to call to your attention. There is not a single requirement for membership on the commission other than that he be a Commission other than that he be a Democrat or a Republican. The very distinguished gentleman from New York [Mr. KEATING] suggested that it would be bipartisan. Suppose the President of the United States, and he has that power under this bill, decides to appoint as members of this Commission the distinguished gentleman from Rochester as the Republican member and the distinguished gentleman from Brooklyn as the Democratic member. Two members can go about the country with their horde of itinerant carpetbaggers looking around to see what they can do.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield.

Mr. ABERNETHY. I think the gentleman has described more qualifications than they are required to have. They do not have to be Democrats or Republicans—they just have to be a member of a political party. That is all the bill says.

Mr. LOSER. That is right.

Mr. ABERNETHY. They just have to be politicians, that is all.

Mr. LOSER. I thank the gentleman. The amazing thing to me about the requirements of this Commission, to illustrate the point that I make, is that it is entirely within the realm of possibility that the gentleman from Rochester and the gentleman from Brooklyn might be two members of the Commission because the members of the Commission are exempted from the operation of section 281 of title 18 of the United States Code. I wonder how many have gone to the trouble to discover what section 281 is. I will tell you what it is. It is a felony statute. It is in the criminal code of the United States. It exempts Members of Congress from receiving gratuities for any service that they might render in connection with the performance of their duty as members of this Commission. So I say it is contemplated by the draftsmen of this statute that Members of Congress would be eligible; and I say to you in all frankness that I do not have any objection to it at all. But, it does seem as a matter of fair play, and I would say a bit of respectability, that there should have been some geographical limit placed upon the membership so that there would have been some semblance of bipartisanship or nonpartisan conduct, if you please. Now I have made these observations—I have attempted to recite the law. I submit myself now for whatever time is available to answer any question that any Member of Congress wants to propound.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. LOSER. I yield.

Mr. ABERNETHY. Did I understand the gentleman to say that there was a waiver put in this bill so that Members of Congress could be appointed to this Commission and draw compensation therefor? In other words, are the provisions of the statute which would prevent them from serving on this Commission and drawing compensation waived; is that the situation?

Mr. LOSER. Let me read the section. It is on page 5, section 103, subsection (b):

> Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Mr. ABERNETHY. In other words, the answer to my question is "Yes"; is that it?

Mr. LOSER. Yes.

Mr. ABERNETHY. Then I think that answers it clearly enough and one would not have to go any further than that.

Mr. LOSER. Let me answer you in this way. I assume that the Members of the Congress are in the service of the United States and, therefore, they are eligible for appointment to the membership of this Commission. The exemption which the distinguished gentleman from Mississippi inquired about is the $12 a day that they are going to draw and the subsistence including fees and tips—so I say I am hopeful, extremely hopeful, that we will consider this thing of the question of the right of subpena—let it be limited to the State in which the witness lives, in order that he might be near his friends and neighbors, if not with them.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ROBERTS. Mr. Chairman, this bill impinges upon vital principles—the right to trial by jury, the rights of the States to govern themselves. It invades fields for the Federal Government in which the Government never before has entered. It would pour out an indeterminable amount of money with no promise of equitable return. It would be

another step toward ultimate centralization of Government. It would breed mistrust and conflict. And, with all this, it would provide no new right, no new privilege to any citizen of this Nation.

The signposts of approaching centralization of powers have long been apparent. You can see them along the path taken for the past 20 years by the Supreme Court. In decisions as recent as yesterday, this Court has demonstrated great pains to protect the fifth amendment. But what of the 10th amendment? What of the powers reserved to the States? These have been recklessly overlooked, brazenly defied.

The Supreme Court tossed aside judicial precedent in its integration decree. It showed an amazing lack of concern for the rights of the citizens, of the States, and even of the Congress. Under this Supreme Court, we are traveling a road to tyranny. One of my distinguished colleagues has called it, most appropriately, "a centralized Federal tyranny." This trend manifests itself in the civil force measure now before us. This bill would further the move to centralize all Government in Washington and, more specifically, in the Office of the Attorney General. This is an impossible course. In 1837, a distinguished northern general, Gen. George B. McClellan, wrote:

> In a country so vast as ours, with such great differences of topography and climate, with a population so numerous and derived from such a variety of sources, and, in consequence of all this such diversity of habits, local laws, and material interests, it is impossible for a centralized government to legislate satisfactorily for all the domestic concerns of the various parts of the Union.

And yet, that is the course upon which this bill attempts to navigate. This bill even dares to push the Federal Government into the field of elections, special and primary. The Members well know that there is no such thing as a Federal election, nor is there any Federal election machinery. Each election is a State election, conducted under State law, in harmony with the Constitution of the United States. This is as the people want it and this is how our Founding Fathers intended it.

There has been a lot of talk about jury trials and indeed, there needs to be additional talk, if that is what it takes, to show those who would favor this bill why this right must be protected. Loss of jury trials is a serious abrogation. It was one of the complaints of the colonists when they set down their Declaration of Independence, charging King George with "depriving us, in many cases, of the benefits of trial by jury."

It was grounds for asserting the people's rights, for fighting for them, as it were. George IV heard the people's voice when he arbitrarily wrested this right from the early Americans. And the Attorney General will hear this voice re-echoed down the decades. Patrick Henry was right when he said he judged the future by the past. We can well profit by reading our history books. The citizens of today will not sit idly while the rights of their States are usurped. They will not twiddle their thumbs perfunctorily while their rights to jury trials are encroached upon.

A law that cannot be enforced is worse than no law at all. This bill, should it become law, would not be enforceable by its repugnancy to thousands of good citizens.

If no other argument appeals, this bill should be rejected from a purely economic standpoint. Estimates on what the proposed Civil Rights Commission would cost the taxpayers have been conjectural, but they have been tremendous. And what assurance is there that the Commission would cease to drain the taxpayers' dollars at the end of the proposed 2 years? Does anyone honestly think the minority pressure groups would allow such a powerful tool to perish once they have succeeded in spawning it? We diligently try to keep the budget in line, to trim the fat from the lean, and then there comes along such legislation as this, attempting to create an entire, new Government agency and to spend an inestimable sum of money to make it function. It is puzzling paradoxy.

Mr. Chairman, to truly protect the rights of the people, to preserve the rights of the States in their own affairs, to curtail further centralization of power in the Federal Government, and to wisely use the taxpayers' hard-earned dollar, it seems imperative to me that we reject H. R. 6127.

Mr. PORTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I appreciate the position of my colleague from Tennessee. I know that he speaks sincerely. Certainly I know that he must have been a very effective prosecutor and a very fair one. But I am interested that my colleague from Tennessee and the others here who are so anxious to improve this bill are not intending to vote for it when they have it improved.

I think the amendment offered by the gentleman from Tennessee would, contrary to his assertion, hurt the bill, because the bill is addressed to a regional problem, and to limit the subpena power of the Commission, even to greater extent than is the case with Federal district courts, as the able chairman pointed out, would be to tie the hands of the Commission in attacking what is a regional problem. We may disagree, and I am sure we do, about what we should do with respect to the solution of this regional problem, but if we are trying to solve it by this method, trying to make the Commission effective, then we should not tie its hands and say its power should be limited with respect to subpenas to a single State. So I say it would certainly hurt the bill. It is all right to be against the bill. Many will vote against it. But I do not think we should say it would improve the bill to limit the Commission's power in this manner.

The gentleman from Tennessee said this could give rise to a "vicious and reprehensible" practice of calling some man from Texas to Miami Beach. I do not think it is fair to assume that this would be done without reason. I do not think it is fair to assume that the President would appoint a person on the Commission who would do this. Therefore, I think it is fair to assume that the Commission would act in good faith, would use its subpena powers as necessary and justified, and that therefore the fears that there would be injustice of a sort that could be called vicious and reprehensible certainly are not warranted under these circumstances.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. PORTER. I yield.

Mr. CELLER. If this amendment passes, you have a situation where you confine the work of the Commission to a single State, and the Commission would be hampered in its labors. They have to hold hearings in probably 30 or 40 different States. When you consider that their life is but 2 years, very little could be accomplished. Otherwise they would simply hold their hearings in the judicial circuit which takes in a group of States. To insist upon their holding their hearings in individual States may sound nice but it is purely specious and, as the gentleman says, this is a regional proposition rather than a State proposition.

Mr. PORTER. I heartily agree with the gentleman.

Mr. O'HARA of Illinois. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise because of my affectionate concern for my dear friend from Texas, MARTIN DIES. I do not want him to become convert to the eloquence of his own oratory so that tonight he would lie restless and unable to sleep worrying about that time when there will be in the city of Chicago a race riot. It was nice of my dear and beloved friend from Texas to suggest that such should come to my city of Chicago. I am glad to know that he is thinking of Chicago, and I am certain that he would like to know what is the real situation there.

Yes; we have a very large Negro population.

Yes; a considerable part of it has come in recent years from the Southland.

Yes; one boy came from the State of Mississippi in the year 1950 looking for opportunity. He came to our Chicago. He worked there to obtain his education; and I am happy to tell my dear friend from Texas that it was my great privilege within the last few months to appoint that young man, winning in a competitive examination with a very slight fraction under the maximum possible, to a cadetship at one of our great service academies.

Yes; two of the wards in my district are represented in the city council of Chicago by Negro aldermen. Two of the committeemen are Negroes, and there are no better aldermen or better servitors of the public interest anywhere than these committeemen and these aldermen.

Yes; within the last decade or two we did have in our Chicago a prejudice, and we were practicing discrimination. Only a few years ago, maybe 10 years ago, the Chicago Bar Association lifted the ban against entry into the Chicago Bar Association of Negro lawyers. A Negro lawyer was elected to one of our higher State courts. Within the last year the

Chicago Bar Association took a poll reflecting the esteem in which the city judges are held by the lawyers in Chicago, and this Negro judge, Judge Wendell Green, led all judges sitting on the bench in the esteem and approval of the lawyers of Chicago.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA of Illinois. Not for the moment because I have waited for some time to answer the suggestion of my dear beloved friend from Texas that in Chicago we are going to have a race riot. I have only 5 minutes. In that time I wish to tell my friend and my colleagues that in Chicago we have learned to live together in real brotherhood, and we are living together in harmony and mutual helpfulness because the representatives of the white race and of the Negro race are all doing their best to contribute to the building of a fine, wholesome climate in which men and women and children of all races, creeds, and stations can strive together for the attainment of contentment. And in Chicago we have learned to measure men and women only by character and by their contribution in practice and in example to their fellow Americans.

I know the concern of you in the South. You are accustomed to the old order; you are fearful of what may happen in this changing order. I want merely to give testimony to what has happened in our Chicago. It should allay your fears of what will come to pass when the old order completely has been replaced with the new order of the new day of our generation. We have accepted the concept that there cannot be a God in Heaven if His children are to be measured by the color of their hair or the hue of their skin. That is our faith strengthened by experience, and that is why we say to you, our beloved friends in the South, put upward to the heavens your eyes, have courage to depart from the status quo to follow the broadening path of progress and faith that as we work together in mutual respect for the dignity and the rights of all, our country will attain the purpose of her destiny.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I rise at this time to try to get some information with relation to paragraph (g) of this section, appearing on page 3 of the bill, referred to by the gentleman from Tennessee [Mr. BASS] some time ago.

I would appreciate if someone would answer the question as to whether that section was not primarily put in there for the purpose of protecting witnesses that might appear before the Commission and if it is not, therefore, a good section.

Mr. CELLER. Yes; I think the gentleman is correct in that statement.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. There was a great deal of testimony by Members who appeared before the subcommittee who stated that irresponsible individuals would be making wild charges. If they came before this Commission and it was an open meeting and they made accusations against individuals which were untrue and unfounded, or that may tend to injure the reputation of certain people, we then authorized the committee to have an executive session and by having an executive session they could evaluate as to the responsibility of this particular individual and the testimony that he might give. So, in order to make sure that the rights of the individuals would be protected, we provide that the testimony shall not be released unless the committee does so itself.

Mr. ROOSEVELT. May I ask the gentleman from Georgia [Mr. FORRESTER] whether he does not think this is probably a good section to leave in the bill?

Mr. FORRESTER. I will be glad to answer the gentleman's question. He is not talking about this provision referring to circuits and with reference to which an amendment is pending?

Mr. ROOSEVELT. I am talking about section (g) on page 3.

Mr. FORRESTER. With reference to that section, if I recall correctly, the gentleman from Pennsylvania [Mr. WALTER] suggested that as a safeguard and it is my understanding it was put in there as a matter of protection.

Mr. ROOSEVELT. I thank the gentleman.

Mr. BYRNE of Pennsylvania asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. BYRNE. Mr. Chairman, I am very happy to have this opportunity to indicate my support of H. R. 6127, the Civil Rights Act of 1957. This is a measure that deserves the support of every single American citizen, and therefore, I should say, it deserves most particularly, the support of every single Congressman.

We have all come here to Washington as the delegates of different areas and of different people; our backgrounds are varied; our points of view are widely contrasted. But we have all come here, I hope, with one aim foremost: the good of the whole country. The Civil Rights Act of 1957 is one of the most important measures that has come before this House and it is unquestionably a measure that is directed at the good of the whole country.

In broad outline, this measure represents an attempt to insure that no person may be denied the equal protection of the laws in the exercise of any one of his civil rights, and most particularly in the exercise of his right as a citizen of the United States to vote in the national elections. American democracy has been based from its very inception upon the principle that every citizen may vote. "No taxation without representation" was the cry on the lips of the men who first fought for our independence. It is equally appropriate today. When a single individual is wrongfully deprived of his rights, it is a violation of the Constitution. When a whole group of people are systematically excluded, it is a national shame and a crime.

In the Bible, it is clearly written "Inasmuch as ye have done it unto one of the least of these My brethren, ye have done it unto Me." The meaning of those words is inscribed deeply into our Constitution, into our Bill of Rights, into every great document of our history. America as a country owes much of her greatness to the spirit of this quotation. It has been possible in this country for every individual to claim a position for himself based upon his own abilities. Legally, every individual has been entitled to the equal protection of the laws. The civil rights of even the most unpopular minorities have been protected against the wrath of unthinking majorities by the force and influence of a Constitution conceived in a spirit of religious and political tolerance.

Today the United States is taking its rightful place as a leader of the free world. We are insisting that every Nation in the world is entitled to hold free elections at which all citizens may vote without fear or favor. But unfortunately we are not taking the same interest in our own American scene where civil rights are being denied to various groups on the wholly illegal grounds of racial prejudice.

The Civil Rights Act of 1957 represents a moderate and carefully thought-out effort to protect important civil rights. It provides for a bipartisan commission to study the whole field and investigate alleged violations of civil rights. It provides the person who has been discriminated against with the opportunity to appeal to the Attorney General for assistance where he cannot afford to hire his own lawyer. And it provides for civil rather than criminal punishments for those who are convicted. Surely there is nothing in this bill that could offend any sincere or loyal American.

This measure is not a partisan bill. It is not aimed at any one region, although there are some who appear to have such guilty consciences about their treatment of minorities that they are prepared to look upon this bill as a personal or sectional insult. It is aimed against any individual, anywhere in the country who unlawfully attempts to deprive another of his rights. Our ancestors were prepared to fight a revolution to win these rights. It is only fitting for us to make sure that they are defended, wisely and well, wherever they may be challenged. In this spirit, the Civil Rights Act of 1957 was conceived, and in this spirit, I ask that you give your support to the measure.

Mr. METCALF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I had not anticipated speaking on this bill. I rise in favor of the amendment offered by the gentleman from Tennessee, but I am going to vote for the bill when it comes to final vote. I feel that dragging a man a long way from his home to testify before a commission that may be a hostile commission is not in the best interests of justice in this country.

Mr. Chairman, I live in a district that is incorporated in the Ninth Judicial Circuit. It is a huge district. It has been described here. It is easier to get from Helena, Mont., to Washington, D. C., than it is to get from Helena, Mont., to San Francisco, Calif., which is the

seat of the ninth circuit. This Commission could hold a hearing in Los Angeles, Calif., and it would be twice as hard for witnesses or for people to appear before that Commission in Los Angeles as it would be for them to appear in the city of Washington. It is easy for the chairman of the Committee on the Judiciary, it is easy for the gentleman from New York, to say that the circuit in which he resides is small. But, this bill, I believe, is not aimed at the South. This bill has something to do with the rights of people to vote in my State, and the reason I am going to vote for this bill is because I feel it will protect the civil rights of people in Montana, Washington, and in the Dakotas. But, I want the people of Montana and Washington and the Dakotas to have an opportunity to appear before a commission in the same region, in their home areas. So, I feel that we should give them the opportunity that the gentleman from Tennessee has so eloquently asked for, and I urge that this particular amendment be adopted in order that, if there are some charges, the defendant be called before a commission in his home community, in a nearby community, and that he be tried and present his testimony in that way rather than be dragged off to Los Angeles or Tucson, Ariz., or other areas that were described by the gentleman from Tennessee.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. I certainly want to extend my personal thanks to the gentleman for his deep and profound sense of fair play and equity. We have been on this bill now for 3 or 4 days, and there are some in the House who sincerely have been trying to bring to the Members of the House amendments which would treat people as human beings and treat them fairly, particularly with regard to the proceedings of this Commission and the courts. And, I can see in the gentleman's statement a little ray of hope and a little ray of sunlight that this House, before it concludes its action on this bill, is going to rise to a sense of fair play and high responsibility and adopt amendments which some, deep down in their hearts, know are right and fair but on which, up until now, I know they are wavering and say they do not know whether they can vote for or not.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. METCALF. I yield to the gentleman from California.

Mr. ROOSEVELT. In view of that statement, I would like to ask the gentleman whether he is in agreement, however, that the previous proposition regarding jury trials, would injure the bill.

Mr. METCALF. Well, I will roll up my pants when I come to that stream, I will say to the gentleman.

Mr. YATES. Mr. Chairman will the gentleman yield?

Mr. METCALF. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman subscribes to the argument of the gentleman from Mississippi, and I think essentially the reason the gentleman from Montana wants this bill and the gentleman from Illinois wants this bill is that we are trying to provide the blessing of the Constitution for all Americans and provide equal justice under law for all Americans. Is that not a fact?

Mr. METCALF. Exactly. And, I believe the right to vote is just as important to certain minority groups in the State of Montana as it is in the State of Mississippi. I feel that there are some discriminations in the State of Montana, but if this Commission comes out to the State of Montana to investigate, I want the witnesses that appear before that Commission to appear in their own communities, in their home environment, and have an opportunity to present their testimony there rather than be dragged off to the State of California where they may be sitting in the Biltmore Hotel in Los Angeles.

Mr. KEATING. Mr. Chairman, I would like again to bring the problem before us into its proper perspective. We have heard, in the debate on this amendment, about extraneous matters which do not pertain to the exact problem before us, which is whether we will change the wording on page 4 from "judicial circuit of the United States" to "State." In other words, whether we will require that any hearing of this commission be held in the State where the witness is supenaed.

Now, this particular provision was the subject of considerable discussion in our subcommittee and in the full committee. Under the bill passed last year in this body there was absolutely no limitation upon where the witness could be subpenaed, and that was in accordance with the manner in which all other commissions are set up.

I have before me the provision relating to the Commission on Government Operations. It is in line with that of other commissions similarly constituted and says that—

> The Commission or, on authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this act, hold such hearings and sit and act at such times and places, and administer oaths, and require by subpena or otherwise, the attendance and testimony of such witnesses * * * as the Commission or such subcommittee or member may deem advisable.

In other words, the Commission on Government Operations, the Commission for Government Security, the Commission on Intergovernmental Relations, and all other commissions that have been created may require the attendance of witnesses anywhere. Time after time we have been confronted here in Washington with trials for contempt of those who have been brought here from other parts of the country.

The representation was made to us that it was not fair to bring witnesses from other parts of the country to Washington, that this Commission would only sit in Washington, and that we should, therefore, place some limit on the points to which witnesses could be brought. There was a lot of discussion whether it should be limited to the State where the witness resided, or to his judicial district or circuit, or whether there should be any limitation at all in the bill. This provision was inserted in the nature of a compromise, as a concession to the opponents of this measure, and in recognition of the unfairness, perhaps, of bringing all of these witnesses to Washington and having all of the hearings here. Even this, as I have said, is an exception to anything we have ever done before.

It is sought by this amendment to limit it to the State. I do not apprehend that the residents of Texas are going to be so terribly upset over having their expenses paid to Miami Beach to attend a hearing. I think it is no great hardship when you limit it to the judicial circuit. There are 11 of them in the United States. There is still a regional limit. We have certainly bent over backward to try to be fair in the matter.

Mr. CELLER. Mr. Chairman, will the the gentleman yield?

Mr. KEATING. I yield to the gentleman from New York.

Mr. CELLER. If we provided for these hearings in every State, there are 48 States. Ordinarily there was the suggestion to hold the Commission's hearings anywhere and then there were suggestions that we limit it to the United States district. There are 96 districts. It would make it difficult for the Commission to visit 96 districts just as it would be difficult for the Commission to hold hearings in 48 States. So we provided as a compromise for 11 judicial circuits, and I think that is a pretty good compromise and should prevail.

The CHAIRMAN. The time of the gentleman from New York [Mr. KEATING] has expired.

Mr. KEATING. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Ohio.

Mr. VORYS. I wanted to ask whether the Committee on the Judiciary does not think that the Federal judicial districts of this Republic are fairly well apportioned to the population of the States, so that that is a fair way to arrange such a matter?

Mr. KEATING. That was the feeling of the committee, I will say to the gentleman from Ohio. This is a provision in the bill where we gave recognition, as the chairman has said, to the fact that this bill probably could be improved somewhat over the bill which passed this House last year. I repeat, there was nothing in that bill, and there has been nothing that I am aware of in any legislation creating any of these commissions, which has ever placed any limit on the places where witnesses could be required to attend.

Therefore, it is my feeling that we have gone as far as we should be asked to go in taking account of the possibility that witnesses were going to be hauled here and there and were going to be inconvenienced by being taken from one place to another. There would be

no inconvenience under the bill the way it now reads, because they would all be required to attend in the same general part of the United States.

I therefore hope that the committee will not accept this amendment, and will agree with our committee that we have already made all of the concessions that we should in that regard.

Mr. DAWSON of Illinois. Mr. Chairman, almost 10 years ago, on June 29, 1947, a great President, President Truman, stood befor the Lincoln Memorial and with profound insight pointed out that—

> Civil rights today means not only protection of the people against the Government, but protection of the people by the Government.

I recall also President Truman's state of the Union message to Congress, delivered in this very Chamber, on January 5, 1949, in which he said:

> The driving force behind our progress is our faith in our democratic institutions. That faith is embodied in the promise of equal rights and equal opportunities which the founders of our Republic proclaimed to their countrymen and to the whole world. The fulfillment of this promise is among the highest purposes of Government.

Today, we who legislate for all the people of our great Nation are engaged in a truly historic debate on the civil-rights bill, H. R. 6127, a debate which will determine whether we really believe in fulfilling that promise which is among the highest purposes of Government.

What this Congress does on this bill is being watched not only throughout our country, but all over the world. For this is a day when the eyes of men everywhere in the world are turned upon us, to see whether we really believe in the democracy that we profess.

Ask yourselves, my colleagues of the Southland where I was born and grew to manhood, ask yourselves: "How will the people of other nations respond to our efforts to stem totalitarianism abroad, if we do nothing to protect and strengthen the basic rights of citizenship of our own people, right here at home?"

I say to you, with all the candor and seriousness I can muster, that our country is not so strong, that the ultimate triumph of democracy is not so certain and inevitable, as to permit us to ignore what the world thinks of us.

The right to security of person and the right to vote are perhaps the two most fundamental rights of citizenship. No democracy can exist without them. The basic purpose of the civil-rights bill is to protect these rights. It is a fair, moderate, and proper way to deal with the growing threat to law and order that is developing in our country.

It is a bill, furthermore, which seeks to prevent, rather than to punish, violations of law. It invokes judicial remedies in civil proceedings, rather than the harsh method of criminal prosecution. It will protect not only the civil rights of citizens seeking to exercise their right to vote, but also will protect the local official who, under local pressures to discriminate, must often choose between community ostracism and criminal prosecution. It is, therefore, a bill which is essential to the welfare of our Nation.

The civil-rights bill will not deny due process to anyone. Any defendant will be entitled to a full hearing in open court, in his own judicial district, before any injunction could be issued against him. He will have the right to counsel, and the right to cross-examine witnesses. If an injunction is issued, the defendant can appeal to the circuit court of appeals. If he disobeys the injunction, he will again have his day in court, with counsel, before any order of contempt is issued against him, and this order also he can appeal to the circuit court of appeals. I have full confidence that the district courts, the courts of appeals, and the Supreme Court, will be most scrupulous in safeguarding the rights of any defendant.

We are hearing, in this debate, a great to-do about the right to jury trial. The jury trial proposal, I say to all of you, insofar as this bill is concerned, is neither fair, nor in accord with our traditional system of American jurisprudence.

I say it is not fair because its basic purpose in this bill is to give a privileged position to local officials who not only violate their duty to protect the constitutional rights of citizens seeking to vote, but also defy the orders of Federal judges which are issued pursuant to the law of the land.

I say it is not in accord with our traditional system of American justice because there has never been a constitutional right to a jury trial in a civil case; because the right to a jury trial in a criminal case is in no way altered by this bill; because it is unconstitutional for Congress to deprive a court of equity of its inherent powers to enforce its decrees; and because the jury trial proposal will enable community prejudice to block judicial enforcement of existing and valid laws.

There is not a single State in this Union which provides for trial by jury in contempt cases. There is utterly no precedent in the legal history of a single Southern State, or in any other State in the Union, for such a proposal. I ask you, my colleagues, why, oh why, are you trying to impose a jury trial in contempt proceedings under this bill? Is it because you want to continue to deny to men and women of Negro ancestry that right of full citizenship which is theirs both under God and under our Constitution? Is such a purpose decent, or moral, or right? You know in your heart that that is not true Americanism. You know that that is not the way to make America grow greater and stronger.

I speak to you as one American to other Americans. I speak to you as legislators who must carry and fulfill the great responsibility of voting for what is best for all America. I urge you to reject the crippling amendments that some of my brethren are misguidedly proposing, and to vote for the civil-rights bill.

Mr. SHUFORD. Mr. Chairman, I am opposed to H. R. 6127, the so-called civil rights bill, for I do not think it is legislation in the best interest of the American people.

All of us believe in the right of every citizen to enjoy the privileges and immunities granted by our Constitution, but the provisions of this bill afford no such guaranty. The proponents of the measure, apparently seeking to correct some imaginary infraction of the election laws of the several States, particularly in the South, have looked only to the political end they seek and have failed to look to the method by which they seek to obtain that end. The adage that "the cure is worse than the disease" certainly applies in this instance for this bill will deprive the people of rights and liberties of the highest order which are very dear to them.

The bill provides for the useless establishment of an expensive Commission supposedly to study civil rights questions, and also creates another expensive and useless department in the Attorney General's Office, manned by an additional Assistant Attorney General and staff. The designated duties of this Commission and the new Assistant Attorney General cannot help but impress one that Gestapo methods may arise by reason of their activities. Their powers are broad, with no responsible supervision over their acts and conduct. Certainly, there is no place in the American life for such provisions.

There is one part of the bill to which I wish to address myself particularly, namely, those provisions which will deprive the people of a right of trial by jury in criminal contempt proceedings, thereby establishing government by injunction. The bill gives to a Federal judge the right to try criminal cases on the civil side of the document and to employ equity rules for that purpose, thus dispensing with the constitutional guaranty of the determination of the issue of guilt or innocence by a verdict of a jury. This "gimmick" was accomplished by transposing, almost word for word, the Federal criminal statute, safeguarding the right of a person to vote, to the civil section of the law and then providing that in all such cases the United States should be a party to the action with the right to the judge of a district court to issue injunctions to restrain the anticipated infraction of the law and the attendant right of punishment for contempt in case the judge deemed his restraining order violated in any respect. This proceeding is not new for it was tried in certain actions growing out of labor disputes and abandoned as oppressive. Why, I ask, is this proceeding necessary? The United States Government has an adequate remedy in law for the violation of the criminal statute. Why, I further ask, should we attempt to adopt a proceeding that has heretofore been tried and failed miserably?

Recently, in a press interview, the President of the United States quoted a statement of former President William Howard Taft as his authority for opposing an amendment to the bill permitting trial by jury in injunction cases. The Washington Evening Star took the President and Mr. Brownell, his Attorney General, to task for calling in the late President Taft as a witness. I think it well to quote this editorial in its entirety to show how far afield the proponents of this bill have gone in their endeavor

to curb the civil rights of the American people:

For reasons which are obscure to us, the Attorney General has called the late William Howard Taft as a witness in his behalf in his opposition to the jury trial amendment to the proposed civil rights bill. And at his press conference last week the President joined Mr. Brownell.

Early this month the Attorney General wrote to several Members of Congress arguing against the jury trial amendment. And he quoted the former President and Chief Justice to this effect:

"The administration of justice lies at the foundation of Government. The maintenance of the authority of the courts is essential unless we are prepared to embrace anarchy. Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders."

On its face, this sounds impressive—and it certainly impressed Mr. Brownell. But let's look a little closer. Mr. Taft made the statement in a speech accepting the Republican nomination in 1908. It was a political speech—a speech attacking a Democratic proposal to provide for jury trials of persons accused of violating labor injunctions.

A year later, on September 16, 1909, Mr. Taft made another speech, and we commend it to Mr. Brownell's attention. For by that time Mr. Taft had been elected, and it is fair to say, we think that his real attitude toward jury trials became clearer. The truth is that Mr. Taft, a former judge even at that date, did not think very highly of the American jury system. He thought that "a judgeship is a great office and the man who holds it should exercise great power and he ought to be allowed to exercise that in a trial by jury." He deplored the practice of letting juries "follow their own sweet will, influenced by all the arts of counsel." He spoke chidingly of the "weaknesses, the timidities, and the ignorance of juries." In short, Mr. Taft preferred the English system, where, as he put it, a murder case would be disposed of in 2 or 3 days, and where "the judge controls the trial."

But let us go back to the 1908 speech. Why does Mr. Brownell cite it in support of his current opposition to jury trials in civil-rights cases? For the plain fact is that Mr. Taft was mistaken. Despite his opposition, Congress did provide for jury trials in labor cases. And the country did not sink into anarchy, nor did the provision prove to be an insidious attack upon the judicial system. In short, Mr. Taft was just about as wrong as a man could be in 1908. Why does Mr. Brownell call him to the witness stand in 1957?

Since the President and Mr. Brownell have seen fit to quote then candidate Taft, as above set forth, I do not understand why they did not quote from President Taft's inaugural address of March 4, 1909, when he said: "What remains is the 15th amendment to the Constitution and the right to have statutes of States specifying qualifications for electors subjected to the test of compliance with that amendment. This is a great protection to the Negro. It never will be repealed, and it never ought to be repealed. If it had not passed, it might be difficult now to adopt it; but with it in our fundamental law, the policy of southern legislation must and will tend to obey it, and so long as the statutes of the States meet the test of this amendment and are not otherwise in conflict with the Constitution and laws of the United States it is not the disposition or within the province of the Federal Government to interfere with the regulation by Southern States of their domestic affairs."

Mr. Chairman, the pending bill will not protect any rights that are not already protected by the Constitution of the United States. We have ample statutes to safeguard the citizens of this great country of ours. I sincerely hope that the measure will be defeated for it is unnecessary legislation and not in the best American tradition.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. LOSER].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 106, noes 76.

Mr. CELLER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. LOSER and Mr. CELLER.

The Committee again divided, and the tellers reported that there were—ayes 116, noes 89.

So the amendment was agreed to.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the pending bill.

The SPEAKER. Is there objection?

There was no objection.

Mr. REUSS. Mr. Speaker, I rise in support of the civil-rights bill, H. R. 6127. I am opposed to all amendments which would weaken this measure, including the so-called trial-by-jury amendment.

It has been claimed by the opponents of this bill that its purpose is to deprive citizens of constitutional rights by punishing them without a jury trial. Nothing could be farther from the truth. The purpose of this bill is very simple: It is to guarantee the sacred constitutional right to vote of every citizen by preventing attempts to deprive them of their vote, rather than waiting to punish the offenders when it is too late to give the victims back the vote that they have lost. The bill seeks to punish no one. It is only those who would willfully defy the protective orders of the Federal courts who would choose to subject themselves to punishment for their misdeeds.

I trust that this amendment will be soundly defeated and that this House, and this Congress, will then go forward to enact a measure which will go a long way to protect our citizens, wherever they may live and whatever their race or religion, in their inalienable right to cast their ballot in freedom and dignity.

THE DOMINICAN REPUBLIC

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, during recent weeks there has developed in this country a grave situation which merits the most attentive consideration of this Legislative Body. I refer to the unbridled and concerted attacks upon our ally and good neighbor the Dominican Republic. A veritable barrage of insults and invective has been leveled at this little country both on this floor, in our press and on our radio and television broadcasts. The language in which these charges are couched has been heretofore reserved for describing our attitude toward warlike and fanatical enemies.

I have to date refrained from raising my voice in protest of these unwarranted assaults upon our Dominican friends, in the fond hope that some reason and commonsense would replace emotion in our national disposition toward this affair. But events of recent days made it clear that the proverbial head-in-the-sand attitude will not still this controversy or heal the breach in our long-standing good relations with the Dominican Republic, which these assaults have produced.

In the vanguard of the severest critics stands a Member of this body lending the weight and dignity of his office to the castigation of this neighboring country. Although the conduct of foreign affairs is the proper prerequisite of the Secretary of State, every Member of Congress has the unqualified right and, on occasion, even the duty to voice his sentiments toward our Nation's management of international relations. And it is our prerogative to criticize, within bounds, those responsible for the conduct of foreign affairs whether it be the President of the United States, the Secretary of State or the leaders of this House. But a Member of this House has transgressed all reasonable limits of authority and propriety in waging his campaign of vituperation against our Caribbean friends.

On Sunday last, the New York Times, a newspaper noted for its accuracy, carried a story that this Congressman had addressed a group of dissident, disjointed and frustrated Dominican expatriates in Puerto Rico. In the course of the meeting, this United States Representative is reported to have expressed sympathy with the revolutionary ambitions of this

mob against the de jure de facto government of the Dominican Republic.

Words are not within my grasp to express the sickening, appalling horror that I felt upon reading of such action by a Member of this body. Search your memories for a precedent in which an American official, be he legislative or executive, has openly supported the violent overthrowing of the government of a friendly allied country. I have not done so and it is heartening to say that I recall no such instance. Visualize the effect that such action could wrought on our relations with other sovereign states of the world, needless to mention our friendly neighbors.

Like many another country in this hemisphere, the United States was instrumental in freeing them from the yoke of European oppression. The Dominican Republic has risen from the depths of colonial depresstion to a position of material and spiritual well-being and stability almost unequaled outside of our borders. They have steadfastly supported our policies not only in the Western Hemisphere but throughout the world. They have generously and eagerly given up of their sovereign territory for the installation of military bases essential to our national defense and security. They have encouraged American investment in their country and have seldom if ever sought American financial subsidy.

If the government of a friendly and allied country has acted in a manner contrary to the best judgment of the United States, it is the right of the Secretary of State to officially express disapproval and in extreme cases demand retribution. But such is a far cry from attempting to undermine or overturn the government of another country, particulary an allied neighbor. Angry and deliberate protests were raised against England and France for their recent action in the Middle East, but never was it suggested that the governments of those countries should be toppled by revolutionary or even democratic means.

It is the duty of our Government, both legislative and executive, to denounce such brazen encroachments upon the sovereign right of the Dominican Republic. Criticize we may, if warranted protest we must, but never should we alienate or seek to destroy the government of a neighbor, an ally, and a friend.

SPECIAL ORDER TRANSFERRED TO THURSDAY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask that the special order granted me for today be vacated and that I may have the same permission for Thursday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REPLICA OF THE "MAYFLOWER"

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article from the New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, as the replica of the *Mayflower* which came to this country years ago is approaching Nantucket Light, I think all of us who are descendants from those gallant people who came over on that little ship should ask ourselves what we have done to carry on the courage and self-sacrifice of those people. We owe them a debt of gratitude that we can never repay.

The article which I wish to include is as follows:

SIGNIFICANT VOYAGE

As *Mayflower II* slips under spring skies toward Massachusetts Bay, she makes a handsome and significant picture. Into her building and sailing has gone the labor of love—the bonds of affection between two great nations, the nostalgia of men who have recreated the old sea ways of the days of oak, hemp, and canvas, the abiding respect which a little group of pilgrims impressed upon posterity. And above all, the little craft with her sails bravely set above that archaic hull brings a sense of history; of the passage of centuries of striving; of small beginnings that flourished mightily through courage and faith.

How accurately *Mayflower II* represents her predecessor in detail, probably no one will ever know. Students of ancient shipwrightry have searched old books and records for hints; the sum of knowledge about the Pilgrim vessel itself is small indeed. The more than 3 centuries that have elapsed since the older *Mayflower* set her gallant little band ashore at Plymouth have left scant remnants of fact about her.

And so it is with the Pilgrims who sailed in her to the New World. A few—Governor Bradford, for a notable example—left clear marks in history. But for the others, it is hard to know which were of simple faith and which ambitious; which were gnawed by doubts and needed stiffening in crises; which gave courage to the rest. With them it is as with their ship—there may have been cracked beams and unsound timbers in the fabric, yet the journey was made, the job was done.

In the misty places of history, legend sometimes sheds a light that never was on land or sea. Were there men and women in the Plymouth Plantations who died despairing; disillusioned with a land that had brought them neither peace of mind nor ease of body? It is hardly possible that all could look back on the hardships of that long voyage in a cranky little ship, on the toils, the dangers, and the deprivations of building a home upon the harsh coast of a vast, untraveled continent, with a sense that it had been wholly worth while. Old homes in England, exile in tolerant Holland, must have been gilded in memory to some, even when Plymouth was well established, and colonies were springing up about the bay. Freedom is not everyone's highest goal.

If such there were, it does not greatly matter. What is important is that a group of stalwart souls set out in a raw, new land to worship God in their own manner and to order their affairs by their own wills. And the seed they planted grew like the corn Massasoit's Indians taught them to cultivate. In time it mingled with the other crops that were being, or soon to be, grown on little clearings hacked out of the wilderness—at Jamestown, at New Amsterdam, and New Sweden; in Rhode Island, where Roger Williams seceded from the secessionists of Massachusetts; in Maryland, where Lord Calvert's Catholics found refuge and gave it; among Pennsylvania's Friends and Georgia's freed debtors. They all helped to build here a land of the otherwise minded, diverse in race and creed, united in hope. Divisions there were; wrongs crept in, as in any human society. But implanted in the very soil of the patchwork community that grew up unplanned was the fundamental thesis of the law: no wrong without a remedy.

For 350 years, the American Nation has been growing in size and in material strength. And as it grew it sought to root out the evils that it saw. As the growth continues, so must the striving toward great spiritual goals. For whatever faults the people who sailed to this continent in ships like the *Mayflower* may have possessed they left the heritage of a struggle for freedom and human welfare as their richest legacy. It must never be dissipated in the time of power and wealth.

ONE HUNDRED AND FIFTIETH ANNIVERSARY OF THE BIRTH OF ABRAHAM LINCOLN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MACK] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, Springfield, Ill., is Abraham Lincoln's hometown. It is the place where he spent most of his adult life. It is where he practiced law and where his children were born. The people of Springfield and surrounding counties elected him to Congress in 1846. It was from Springfield that Lincoln went forth to challenge Stephen Douglas in the famous series of debates that so clearly defined the great issue of that time. It also was in Springfield that Lincoln in 1860 began a journey that was to place him in a position of unprecedented power as President of a divided nation. He never saw Springfield again. But Lincoln lies buried in Springfield and he is so much a part of that city that even now residents born long after his death think of him as a departed neighbor as well as a national hero.

It is fitting, therefore, that plans are being made in Springfield for observing 2 years hence the 150th anniversary of the birth of Abraham Lincoln. Because of the national, and even international, importance of this anniversary I have today introduced in the Congress a joint resolution to establish an Abraham Lincoln Sesquicentennial Commission.

This Commission would be composed of 19 members including the President of the United States, the Vice President, and the Speaker of the House. In addition, there would be 4 Senators appointed by the Vice President, 4 Representatives appointed by the Speaker and 8 public members appointed by the President.

It would be the duty of the Commission to make plans for the Lincoln sesquicentennial observance in 1959. In

preparing its program, the Commission would be directed to give consideration to any plans submitted to it, and to correlate the various plans of State and civic organizations.

Mr. Speaker, I hope that the House of Representatives will take immediate action on this resolution. It is imperative that this resolution be approved before we adjourn so that the Commission can be appointed this year. We have only 2 years to plan the Lincoln Sesquicentennial. Thus, it is important if we are to do honor to this great President, that Congress take the first step now.

THE CONGRESSIONAL QUARTERLY AND ITS 22 ISSUES

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. CRAMER] is recognized for 45 minutes.

Mr. CRAMER. Mr. Speaker, on Wednesday, May 22, the gentleman from New Jersey [Mr. THOMPSON] commented on a study prepared by the Congressional Quarterly, which purports to show the support President Eisenhower is receiving from the Members of the 85th Congress.

If the gentleman from New Jersey had addressed us prior to July 27, 1956, I could well understand his accepting the data presented by the Congressional Quarterly as accurate, unbiased statistical material. However, the CONGRESSIONAL RECORD, volume 102, part 11, pages 15067–15072, presents an exhaustive analysis of the Congressional Quarterly's method of measuring the support President Eisenhower received from the Congress. It was prepared by the senior Senator from Kansas. This analysis is so completely documented that it is difficult for one to be deceived today by the so-called objective, nonpolitical statistics prepared by what my friend from New Jersey calls the nonpartisan Congressional Quarterly of May 16, 1957. We have had several refutations by respected Members of the House of these statistics by Congressional Quarterly in the past few days, but I would like to expand on this subject because of its extreme importance to every American.

The Congressional Quarterly was founded by Nelson and Henrietta Poynter, who also publish the St. Petersburg Times, a leading newspaper in my congressional district. The Poynters are Democrats and have nearly always supported national Democratic programs in the St. Petersburg Times, which, of course, is their prerogative. They are extreme partisans. I do not question their sincerity, but I have never accepted the Congressional Quarterly as an objective, nonpolitical, factual document.

When supposedly nonpartisan data is presented for use by the press of the country whatever their political leanings to show that the Democratic leadership has given President Eisenhower more support than the Republican leadership, it becomes necessary to review such statistics with a great deal of care to determine the true facts.

Allusions to the Congressional Quarterly that would infer some official status when quoted by newspapers across the Nation is graphically illustrated in the St. Petersburg Times of Sunday, May 19, 1957, on the editorial page where, under the byline of Henrietta and Nelson Poynter—as before noted owners both of Congressional Quarterly and the Times—the statement is made "The extent of the Congressional revolt is demonstrated in the Congressional Quarterly survey of support of the President in the 85th Congress." Such unqualified reference is, with the tie-in of the word "Congressional," an out-and-out attempt to mislead as to authority and source.

The Poynters article, deviously intending to indicate a GOP revolt by such members as Minority Leader JOSEPH MARTIN, Representative CHARLES HALLECK and Republican Whip LESLIE ARENDS, also included an evaluation of support of the President by the Florida delegation. I am shown as in support of the administration programs 32 percent of the time as opposed to my support in the 84th Congress, according to Congressional Quarterly, 79 percent of the time. I might point out that the President has never called on me as a Member of the House of Representatives blindly to support any of his proposals at any time and I do not anticipate I shall ever be called upon to qualify any of the convictions that I hold. This I would never do. However, the figures as prepared by Congressional Quarterly are, in my opinion, completely misleading and false as to my actual conviction and belief that the programs presented by the President are in the great majority sound and have received my support. I have and shall continue to vigorously support a great percentage of this program presented by President Eisenhower.

The Congressional Quarterly analysis of the 85th Congress attempts to measure our support for President Eisenhower's program by recording the positions we took in the House of Representatives on only 22 rollcalls. The Congressional Quarterly study included a mixture of House and Senate rollcalls. The Congressional Quarterly release states:

> The weakening of Republican support has caused the President some legislative losses. His position was upheld on 19 of the 31 rollcall votes in 1957 for an average of 61 percent. In the Democratic 84th Congress (1955–56), the President's winning average was 72 percent; in the Republican 83rd Congress (1953–54) it was 83 percent.

The mixture of House and Senate votes completely confuses the issue. In my remarks I will make no attempt to discuss votes in the other body. I feel confident that some Members of that body will see that the facts are correctly presented.

President Eisenhower in the various messages he has sent to the Congress, including his budget message and the state of the union message, made more than 60 legislative proposals, more than a score of them of major importance. It is absurd to attempt to measure the support we are giving President Eisenhower by recording votes on a few rollcalls, while the major portion of his program is bottled up in committees under Democratic chairmen. I need not remind this body that the Democratic Party has a majority on every committee. The Democratic leadership decides the form in which legislation will be reported to the Congress and whether it will ever even come before us for a vote.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. If the majority leader would permit me to finish, I will be delighted to.

Mr. McCORMACK. Leave us Democrats out, and we will let you alone. But, when you start talking about bills being bottled up in committee, I cannot sit here and take that idly.

Mr. CRAMER. I will be delighted to yield to the majority leader just as soon as I conclude my remarks.

Mr. McCORMACK. I have said all I want to say.

Mr. CRAMER. To cite from a later issue of Congressional Quarterly—for week ending May 31—in which they again flatly state the decision on items for consideration was their own, only 6.6 percent of the President's requests to the 85th Congress had been approved and 3.53 percent rejected with an amazing 40 percent not even having been considered in any way by this democratically controlled Congress. I challenge anyone to deny that, with these their own figures, the analysis of support was badly based on a very low number of votes—and by assuming such editorial position in the light of democratically controlled committees and Congress highly indicative of who is supporting whom.

On April 17 our friend, the gentleman from Indiana [Mr. HALLECK] said that "with the 1st session of the 85th Congress just about half over, the scoreboard of accomplishment is still almost a complete blank." He further observed that "after 3½ months of this session, I can only conclude that the Democrat-controlled committees of the House and Senate have been indulging in a political turtle derby to see who can stall the longest on vital legislation."

The only way one can measure the support accorded the President is in terms of his entire program and on the basis of enough rollcalls so that a few votes on two bills do not completely distort the picture. Contrary to their support statements even Congressional Quarterly seems to recognize this fact in the progress of the President's program as indicated above.

Last August the gentleman from Pennsylvania [Mr. SIMPSON] prepared an exhaustive review of the support President Eisenhower received in this body during the 83d and 84th Congresses. Unlike the Congressional Quarterly, he did not attempt to compile this record on the basis of a few issues. He waited until the books were closed and all the votes had been counted. This study appeared in the CONGRESSIONAL RECORD, volume 102, part 11, pages 15670–15678. I am including the table

prepared by the gentleman from Pennsylvania in my remarks, so that we may see where the record stood when the Congressional Quarterly started compiling statistics on the 1st session of the 85th Congress:

All Eisenhower rollcalls

Congress	Number of votes	Eisenhower position				Opposed to Eisenhower position			
		Republicans		Democrats		Democrats		Republicans	
		Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
83d	123	19,985	61.5	12,498	38.5	9,717	71.7	3,833	28.3
84th	129	17,969	55.0	14,725	45.0	11,718	68.5	5,394	31.5
Total	252	37,954	58.2	27,223	41.8	21,435	69.9	9,227	30.1

Let me summarize the statistics by quoting from the remarks by the gentleman from Pennsylvania [Mr. SIMPSON]:

After eliminating procedural votes and votes on items which were not a part of President Eisenhower's program, there were 123 votes involving his program in the 83d and 129 votes in the 84th Congress—a total of 252 such votes. On the 252 votes, Republicans cast 37,954 of the votes for President Eisenhower's program, or 58.2 percent of the total. The Democrats cast 27,223 such votes, or 41.8 percent of the total. On these 252 issues, the Democrats cast 21,435 votes in opposition to President Eisenhower, or 69.9 percent of all the opposition votes.

Now let us examine the substance of this so-called analysis by the Congressional Quarterly of support for President Eisenhower, to which the gentleman from New Jersey referred on May 22. It is based on 22 House rollcalls. Actually, we had an opportunity to record our position on 30 rollcalls through May 12, the terminal date of the Congressional Quarterly study. By the selection of rollcalls to be included in the President's program, the Congressional Quarterly can prove anything that it wishes. They attempt to give the impression that they are merely reporting our votes as recorded by the Clerk of the House. However, the Clerk of the House does not determine which votes measure support for President Eisenhower and which are in opposition to his program. This is solely an act of editorial judgment on the part of the Congressional Quarterly.

Yet, when these tabulations are repeated in newspapers throughout the land, as was earlier pointed out in the St. Petersburg Times quotation, they are reported without any reference to the fact that the judgment of the Congressional Quarterly on the question of issues chosen and the basis for determining Presidential position or party position on each given issue is the sole and deciding factor. Nor is any weight given to the importance of respective votes, whether on minor or major issues—on $50 million or a proportionately small $30,000.

There is, further, no consideration given in regard to the position taken by party leadership on given issues which surely would reflect party position as well as support of the President.

Eight rollcalls were omitted by Congressional Quarterly. Three of the omitted rollcalls involved House Resolution 190, a resolution which requested the President to "indicate the places and amounts in his budget where he thinks substantial reductions may best be made."

It would be absurd to think that this resolution had the President's support and unanimous opposition to the resolution was given by the Republican leadership of the House. The strict party line support of the Democratic side of the aisle certainly justifies inclusion of these three votes in any tabulation on support of the President. Congressional Quarterly arbitrarily has omitted this vital declaration of support or nonsupport. The seriousness of such omission is dramatically highlighted when publication of my own record was made by the St. Petersburg Times in the first district of Florida which I represent. Although I supported the President on the occasion of these 3 votes in the House on H. R. 190 and the entire Florida delegation unanimously opposed the President, 7 of the 9 Democratic Members of the delegation are therefore cited by Congressional Quarterly as having better records of support than have I.

Many of us remember that we spent the entire day on March 12 debating the passage of House Resolution 190. Three rollcalls were taken: One on the rule to consider House Resolution 190; one to recommit the resolution; and one on the adoption of House Resolution 190. Only 10 Republicans voted for the adoption of this resolution. One hundred and seventy-five opposed it. The significance of this resolution in terms of the President's budget can only be appraised by the remarks of Members during the general debate. For example, the gentleman from New York [Mr. MULTER] proposed a 10 percent across-the-boards reduction of the entire budget. He further said:

The Eisenhower administration by its budget proposes to increase Federal employees to 2,447,933, an increase of almost 76,000 over the year 1956. Let us put a limit on this administration of 2 million Federal employees. That will be 1 Federal employee for every 83 men, women, and children in the country. That should be enough.

In other words the gentleman from New York proposed that we eliminate 447,933 Federal employees, a reduction of 18.3 percent of the total recommended in the President's budget.

The Democratic leadership can hardly be recorded as approving of the President's budget when they took the unprecedent step of virtually asking him to submit an entirely different budget. Yet we now find Democratic Members advising the President that they have been supporting his budget, while those of us on this side of the aisle are supposedly opposing him.

By omitting these three rollcalls the Congressional Quarterly completely distorts the current controversy over the President's budget. These rollcalls gave the Democrats an opportunity to record themselves in favor of economy. Their votes on the specific amendments selected by the Congressional Quarterly now give them an opportunity to show that they support the President. The Congressional Quarterly is completely partisan by omitting three appropriation votes of the greatest significance.

They selected 22 rollcalls to measure support for President Eisenhower, and 15 of the 22 involved amendments to appropriation bills.

Mr. Speaker, in other words, we have only 7 rollcalls, other than these 15 appropriation measures to reflect support for the President. This is an absurdity.

Let me list those seven rollcalls for the RECORD. Congressional Quarterly, incidentally, did not see fit to let the Nation's editors or the public know just what the issues were on which it based its tabulation of the record votes in the House and that it had chosen to demonstrate purported support of the President's program. These are from the best information I can gather the issues and the President's indicated position:

One. Adoption of the rule to consider Mideast doctrine. A yea vote for the President.

Two. Passage of the Mideast resolution. Yea vote for the President.

Three. Agreement of the House to Senate amendment of Mideast resolution. Yea vote for the President.

Four. Defeat of motion to recommit corn bill. Nay vote supported President.

Five. Defeat of corn bill. Yea vote supported President.

Six. Adoption of resolution to authorize Patman investigation of monetary policies. Nay vote supported President.

Seven. Passage of joint resolution to defer interest payments on British loan. Yea vote supported President.

Now let us examine the 15 rollcall votes on amendments to appropriation bills which the Congressional Quarterly selected for their analysis. Fourteen of these rollcalls were votes on amendments to H. R. 6287, the appropriation bill for the Departments of Labor and Health, Education, and Welfare. The 14 rollcalls were on proposals to effect reductions in this appropriation bill totaling $68,282,100. The significance of these votes can only be appreciated in terms of examining the President's original budget request.

On March 26, as we opened debate on this bill, the gentleman from Rhode Island [Mr. FOGARTY] said:

The budget the President requested Congress to enact this year totaled $2,981,277,581. We have allowed this year $2,862,502,881, or a cut in the President's budget of about $119 million.

This cut of $119 million was made by the Appropriations Committee. It consists of 50 members, 30 of whom are Democrats and only 20 are Republicans. Certainly this $119 million cut in the President's budget was the result of votes by the Democrats. Yet the Democratic members of the Appropriations Committee who thus cut the budget are not shown as having failed to support President Eisenhower.

The amounts involved in the 14 amendments on which rollcall votes were recorded total $68,282,100. This is 57.4 percent of the amount which was cut by the committee. Yet the Congressional Quarterly makes no comment regarding the action taken by the members of the Appropriations Committee.

I should say that the amount involved in 13 of these amendments totaled only $18,282,100. One of them involved a cut of only $30,000, another was for $50 million, nearly 3 times the total of the other 13 amendments and yet all the amendments were equally weighted in the Congressional Quarterly tabulations. In reference to this $50 million item, I might point out that Republican whip of the House, the Honorable Leslie Arends—most unjustly and unfairly shown by this publication as only a 50-percent supporter of the President—said:

> Because of lack of support from the other side of the aisle, the amendment to eliminate $50 million for grants-in-aid for sewage disposal plants was defeated. In all the amendments this was the largest single cut proposed. The record shows that 81 percent for the cut were Republicans, but around 84 percent who voted against it were Democrats. Here is a program the administration did not initiate. It was initiated by the Democratic 84th Congress, and once on the statute books, the administration had to budget it. Here was a chance to save $50 million, but we find voting against the cut those very same Members on the other side of the aisle who so enthusiastically called on the administration to recommend places to reduce expenditures.

Again the selection of votes for the purpose of tabulation by Congressional Quarterly shows what I believe to be bias in what is purportedly a nonpartisan service. This type of reporting tends to follow the line of Democratic leadership which would fool the public into believing theirs is the party of economy—yet such is not the case nor has it ever been.

Mr. Speaker, in view of the fact that the gentleman from New York [Mr. MULTER] suggested a 10 percent across-the-board budget cut when we discussed House Resolution 190, I was interested in examining his votes on the 14 amendments to H. R. 6287. I find that he voted 9 times against any reduction in the budget. On the other 5 votes he was absent. I have great respect for the gentleman from New York, and I am not citing his record to cause him any embarrassment. His votes follow those of the Democratic leadership. They are attempting to completely confuse public understanding with regard to the budget. They preach economy. They suggest impossible reductions, and then vote against every amendment which would reduce the amounts appropriated. For this performance the Congressional Quarterly gives them a high support score.

Let us examine the one other vote on an appropriation bill selected by the Congressional Quarterly, an amendment to H. R. 6871 providing appropriations for the State, Justice and Judiciary for the fiscal year 1958.

The President asked the Congress to appropriate $227,714,552 to operate the Department of State. The Appropriations Committee recommended $180,382,743. This is a reduction of $47,331,809, or 20.8 percent of the amount requested. Yet, once again, the Congressional Quarterly selected an amendment proposing a reduction in this appropriation bill of $7,039,958 to measure support for President Eisenhower.

I believe we should go still further in examination of issues and votes selected by Congressional Quarterly and the relative partiality that has been demonstrated. Here are the first three votes on the Middle-East resolution—House Joint Resolution 117:

First, Adoption of rule to consider, passed, 262 to 146; Democrats for, 118; Democrats against, 95; Republicans for, 144; Republicans against, 51.

Second, Passage of Mid-East resolution, 355 to 61.

Third. Agreement of House to Senate amendments, 350 to 60.

Here in only 1 of the 3 votes is any partisan issue involved. In the first and test vote the Republican Members are clearly in greater support of the President than the Democrats. In the other two votes little opposition is indicated by either party. This most graphically illustrates the weakness of the standards used by Congressional Quarterly. The complete error of such type of measurement was, as earlier mentioned, well documented by Senator SCHOEPPEL, of Kansas, in his remarks of last year and at which time he deplored "the Congressional Quarterly's method of showing support in percentages makes it impossible for any editor to determine what the true facts are." I concur with the Senator wholeheartedly. Issues are included even when there is little or no dispute—as plainly illustrated above—between the Democrats and Republicans of the House, as expressed by the party leadership, and of course this tends to give the Democrats a much higher base score going into the true test votes on controversial or contested issues. After determination of such as the test vote on the issue above and where the Republicans are shown by far the greater supporters of the President, certainly the near routine concurrence in the other two should not weigh as much in overall tabulation.

Mr. Speaker, I know of no way of weighing votes. By examining the record for an entire Congress, which was the procedure followed by the gentleman from Pennsylvania [Mr. SIMPSON], it is possible to get a fair picture, providing the Democratic leadership of this House permits us to vote on the President's program.

Tabulations such as these prepared by the Congressional Quarterly, based on a few votes, are bound to distort the true measure of support the President is receiving from the two parties in the Congress. It is for this reason that I hesitate to suggest any other group of votes so early in the session. However, in view of the prominence given the Congressional Quarterly's distorted tabulation, I have prepared support scores for the Republican and Democratic leaders and myself compared to the dean [Mr. SIKES] of the Florida delegation based on the 7 votes used by the Congressional Quarterly, other than the 15 votes on amendments to the appropriation bills I have discussed. I have substituted 3 votes on House Resolution 190, asking the President to virtually submit a new budget for these 15 votes.

In other words, I have prepared support scores based on 10 votes, 3 of which reflect the attitude of Members toward the President's budget as a whole, as against the specific minor budget items selected by the Congressional Quarterly. Here are the support and opposition scores based on these 10 votes:

	Supported	Opposed
Republicans:		
Martin	100	0
Arends	100	0
Halleck	100	0
Cramer (Florida)	100	0
Democrats:		
McCormack	60	40
Albert	60	40
Sikes (Florida)	20	20

To be perfectly fair and to better indicate to you how omission or inclusion of certain items such as the 15 votes of amendments to appropriation bills can affect tabulations such as these I would further like to include a tabulation of these record votes on the appropriation bills, in addition to the 10 used above. In this instance, however, on the 14 votes that would have cut still further funds for the Department of Health Education, and Welfare the amendments are considered in toto—if the Members record showed that he supported 8 or more of these cuts he is in opposition to the President. If he has opposed eight or more he is in support of the President. We will also include the other vote included by Congressional Quarterly on the defeat of the amendment that would have cut an additional $7 million for International Organizations from the appropriation for State, Justice, and Judiciary funds. This places 12 votes in the record.

	Supported	Opposed
Republicans:		
Martin	92	8
Arends	92	8
Halleck	92	8
Cramer	83	17
Democrats:		
McCormack	66	34
Albert	66	34
Sikes	25	75

Mr. Speaker, I am not suggesting that any Member be rated on 10 votes, 12 votes, or on 22 votes, but all of us who are familiar with the debates which have taken place during this session of the Congress I am sure will agree that these 10 votes in the first chart or the 12 in the second are more significant and provide a more reasonable weighing than those selected by the Congressional Quarterly.

I do not claim that the above tabulations show the correct support scores. It does clearly show what you can do with statistics by selecting issues from the very few rollcall votes available for analysis so early in the session.

Mr. Speaker, it is significant that the cutoff date of May 12, selected by the Congressional Quarterly, excludes two important rollcalls which have already taken place, which further alter the support scores of the Republicans and Democrats in terms of President Eisenhower's position.

On May 15 we voted on the Harrison amendment to H. R. 7441, the fiscal 1958 appropriation for the Department of Agriculture. The passage of this amendment bars the use of funds for the soil bank acreage reserve program on 1958 crops. The Congressional Quarterly says that a nay vote on this issue supports the President's position. The Congressional Quarterly shows that only 46 Democratic Members voted nay on this measure. One hundred and forty-one Republicans voted in support of the soil bank.

Even more recently we had another opportunity to measure support for President Eisenhower. On May 29 we recorded our votes on H. R. 7665, the Department of Defense appropriation bill for 1958. We all remember that the Republican leadership stressed the need of restoring some of the cuts made by the Appropriations Committee in this measure, which so directly affects national security. A motion was made to recommit this bill with instructions to increase the appropriations for national defense by $313 million. This motion was defeated. It represents a blow to our national security and has a far greater significance in terms of support for President Eisenhower than the many votes selected by the Congressional Quarterly on other appropriation measures. On this rollcall 203 Democrats voted in opposition to President Eisenhower. May I point out that the leadership of the Democratic Party who were opposed to reducing minor appropriations for social security and welfare programs had no hesitancy in disregarding President Eisenhower's urgent request for these defense funds.

If we add these 2 votes to the 10 I used in the first chart above, making a total of 12, which the Congressional Quarterly concedes are important votes to the President, the score of the Republican leaders and myself remains 100 percent. The vote for the Democratic leadership and the dean of the Florida delegation drops.

	Supported	Opposed
McCORMACK	50	42
ALBERT	58	42
SIKES	16	84

Yes, Mr. Speaker, when all the votes are in, I am satisfied that the Republican record will reflect substantial support for the President's program. It will not be 100-percent support on every rollcall. The President does not expect us to act as rubber stamps. It is a disservice to the country and to the entire Free World to attempt to give the impression, as the Congressional Quarterly does, that the Republican Party, as represented in the Congress, is a group apart from the executive branch, and that we reject the President's leadership. Nothing could be farther from the truth.

Mr. Speaker and gentlemen of the House, it grieves me that I should feel called upon to expose these matters today. To me it is apparent that through the deception of this publication a liberal political philosophy completely opposed to that of the President is being foisted upon the Nation. I hope that responsible members of the press and the public are aroused at this time and choose to seek the true facts—not those of the highly prejudiced Congressional Quarterly.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. SMITH of California, for the balance of the week, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ANFUSO (at the request of Mr. EDMONDSON) and to include extraneous matter.

Mr. SHEEHAN.

Mr. SMITH of Virginia, the remarks he made in Committee of the Whole and insert a brief extract.

Mr. BOLAND (at the request of Mr. VANIK) and include extraneous matter.

Mr. GARMATZ.

Mr. VAN ZANDT (at the request of Mr. BALDWIN).

Mr. BURNS of Hawaii in two instances and to include extraneous matter.

Mr. BREEDING (at the request of Mr. McCORMACK).

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 52 minutes p. m.) under its previous order, the House adjourned until Thursday, June 13, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

944. Under clause 2 of rule XXIV, a letter from the Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to amend title 10, United States Code, with respect to agreements for length of service of graduates of the United States Military, Naval, and Air Force Academies, and for other purposes" was taken from the Speaker's table and referred to the Committee on Armed Services.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GORDON: Committee on Foreign Affairs. Report on foreign policy and mutual security pursuant to House Resolution 29; without amendment (Rept. No. 551). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 3877. A bill to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes; without amendment (Rept. No. 548). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 44. An act to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico; with amendment (Rept. No. 549). Referred to the Committee of the Whole House.

Mr. COOLEY: Committee on Agriculture. S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.; without amendment (Rept. No. 550). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALBERT:

H. R. 8051. A bill to provide for an emergency acreage reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

H. R. 8052. A bill to provide for increased participation in the acreage reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. ANDERSON of Montana:

H. R. 8053. A bill to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; to the Committee on Interstate and Foreign Commerce.

By Mr. BARTLETT:

H. R. 8054. A bill to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in the Territory of Alaska; to the Committee on Interior and Insular Affairs.

By Mr. BATES:

H. R. 8055. A bill to promote the increase and diffusion of knowledge of the polar regions, the Arctic and Antarctic; to the Committee on Interior and Insular Affairs.

By Mr. BENTLEY:

H. R. 8056. A bill to amend title II of the Social Security Act so as to permit the State of Michigan to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. BOYKIN:

H. R. 8057. A bill to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. BOYLE:

H. R. 8058. A bill to require the Secretary of Health, Education, and Welfare to fix a minimum standard of 3.5 percent butterfat

for whole milk; to the Committee on Interstate and Foreign Commerce.

By Mr. BREEDING:

H. R. 8059. A bill to provide an improved farm program; to the Committee on Agriculture.

By Mr. BYRNE of Pennsylvania (by request):

H. R. 8060. A bill to prohibit the military departments from entering into contracts with certain persons; to the Committee on Armed Services.

By Mr. COLE:

H. R. 8061. A bill to amend the Servicemen's and Veterans' Survivor Benefits Act to provide that all retired members of the uniformed services who served not less than 35 years on active duty and who thereafter die shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. EDMONDSON:

H. R. 8062. A bill to amend the public-assistance provisions of the Social Security Act to provide that the value of restricted Indian lands shall not be taken into account in determining the need of any Indian for such assistance; to the Committee on Ways and Means.

H. R. 8063. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

H. R. 8064. A bill to provide for increased participation in the acreage-reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. FINO:

H. R. 8065. A bill to provide that cigarettes sold in interstate commerce shall be packaged and marked so as to show the nicotine content of each package; to the Committee on Interstate and Foreign Commerce.

By Mr. HILLINGS:

H. R. 8066. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. JARMAN:

H. R. 8067. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

By Mr. KILDAY:

H. R. 8068. A bill to provide improved opportunity for promotion for certain officers in the naval service, and for other purposes; to the Committee on Armed Services.

By Mr. MORRIS:

H. R. 8069. A bill to provide for increased participation in the acreage-reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

H. R. 8070. A bill to provide for an emergency acreage-reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

By Mr. ROBESON of Virginia:

H. R. 8071. A bill to authorize the Secretary of the Army to convey an easement over certain property of the United States located in Princess Anne County, Va., known as the Fort Story Military Reservation, to the Norfolk Southern Railway Co. in exchange for other lands and easements of said company; to the Committee on Armed Services.

By Mr. SISK:

H. R. 8072. A bill to provide for the distribution of the land and assets of certain Indian rancherias and reservations in California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEED:

H. R. 8073. A bill to provide for an emergency acreage reserve program in areas determined to be major disaster areas; to the Committee on Agriculture.

H. R. 8074. A bill to provide for increased participation in the acreage reserve program by producers of basic commodities in major disaster areas; to the Committee on Agriculture.

By Mr. TEAGUE of Texas:

H. R. 8075. A bill to amend the Veterans' Readjustment Assistance Act of 1952 so as to make the conditions governing the payment of education and training allowances under that act more nearly uniform with the conditions applicable to the payment of educational assistance allowances under the War Orphans' Educational Assistance Act of 1956; to the Committee on Veterans' Affairs.

H. R. 8076. A bill to provide for the termination of the Veterans' Education Appeals Board established to review certain determinations and actions of the Administrator of Veterans' Affairs in connection with education and training for World War II veterans; to the Committee on Veterans' Affairs.

By Mr. ANFUSO:

H. R. 8077. A bill for the relief of certain relatives of United States citizens and lawfully resident aliens; to the Committee on the Judiciary.

By Mr. DAWSON of Illinois (by request):

H. R. 8078. A bill to further amend the Reorganization Act of 1949, as amended, so that such act will apply to reorganization plans transmitted to the Congress at any time before June 1, 1959; to the Committee on Government Operations.

By Mr. DEMPSEY:

H. R. 8079. A bill to amend the act of June 20, 1910, to give the State of New Mexico greater flexibility in the investment of moneys derived from lands held in trust by virtue of such act; to the Committee on Interior and Insular Affairs.

By Mr. HALE (by request):

H. R. 8080. A bill to provide a method for regulating and fixing wage rates for employees of Portsmouth, N. H., Naval Shipyard; to the Committee on Armed Services.

By Mr. HAYS of Ohio:

H. R. 8081. A bill to improve the foreign policy of the United States by amending the United States Information and Educational Exchange Act of 1948 (Public Law 402, 80th Cong.); to the Committee on Foreign Affairs.

By Mr. HILLINGS:

H. R. 8082. A bill to authorize the payment of compensation for certain losses suffered as the result of the outbreak of poliomyelitis following the early use of poliomyelitis vaccine; to the Committee on the Judiciary.

By Mr. FASCELL:

H. R. 8083. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; to the Committee on Government Operations.

By Mr. BATES:

H. J. Res. 356. Joint resolution to authorize the Secretary of Commerce to sell certain vessels to certain citizens of the Federal Republic of Germany; to the Committee on Merchant Marine and Fisheries.

By Mr. MACK of Illinois:

H. J. Res. 357. Joint resolution to establish a commission for the celebration of the 150th anniversary of the birth of Abraham Lincoln; to the Committee on the Judiciary.

By Mr. ALLEN of Illinois:

H. J. Res. 358. Joint resolution to establish a Lincoln Sesquicentennial Commission for the purpose of celebrating the 150th anniversary of the birth of Abraham Lincoln (1809–65), 16th President of the United States; to the Committee on the Judiciary.

By Mr. FLOOD:

H. J. Res. 359. Joint resolution to provide for a commission to make available information as to the basic differences between the theories and practices of the American way of life and the theories and practices of atheistic communism; to the Committee on Education and Labor.

By Mr. JUDD:

H. J. Res. 360. Joint resolution designating the corn tassel as the national floral emblem of the United States; to the Committee on House Administration.

By Mrs. ROGERS of Massachusetts:

H. J. Res. 361. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. SCOTT of Pennsylvania:

H. J. Res. 362. Joint resolution authorizing an appropriation for the participation of the United States in the preparation and completion of plans for the comprehensive observance of that greatest of all historic events, the sesquicentennial of the birthday of Abraham Lincoln; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. Con. Res. 187. Concurrent resolution expressing the sense of the Congress with respect to the revision of so-called "status of forces" agreements contained in treaties and other international agreements to which the United States is a party; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oregon, memorializing the President and the Congress of the United States requesting enactment of legislation similar to H. R. 2229, 85th Congress; to the Committee on Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLATNIK:

H. R. 8084. A bill for the relief of Tokiko Takahashi; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 8085. A bill for the relief of Joso Grgas Grando; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 8086. A bill for the relief of Henry Bouvier; to the Committee on the Judiciary.

By Mr. LANHAM:

H. R. 8087. A bill for the relief of Yuko Azuma; to the Committee on the Judiciary.

By Mr. ROBSION of Kentucky:

H. R. 8088. A bill for the relief of Miss Mame E. Howell; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H. R. 8089. A bill for the relief of Angela Parrino; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

277. Mr. PATMAN presented a petition of Mmes. J. B. Strong, H. W. Segers, L. H. Segers, Alton Garrison, Sam L. Lunsford, S. L. Granger, and J. R. Moore, Sr., members of the Woman's Missionary Union, New Hope Baptist Church, Marshall, Tex., favoring the passage of H. R. 2542 and H. R. 3663 and requesting that hearings be held on same which was referred to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Status of Forces Treaties

EXTENSION OF REMARKS
OF
HON. WILLIAM E. JENNER
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement prepared by me on the Status of Forces Treaties.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATUS-OF-FORCES TREATIES

(Statement by Senator WILLIAM E. JENNER)

The explosive issue of what legal jurisdiction our servicemen will be subjected to, if charged with crime in foreign countries, has now erupted into dangerous international crises, in Japan, Free China, and Korea.

This problem has been seething, below the surface, for several years. Just a year ago I appeared before the Senate Foreign Relations Committee to ask them to hold hearings on a resolution of mine, and a similar resolution by Senator McCarthy, on this issue.

My resolution called on the Executive to invoke the clauses in the Status of Forces Treaty, which permitted our Government to revise article 7 of the treaty or to abrogate it in proper diplomatic form.

The case of Army Sp3c. William S. Girard is the most important indication of where we are going.

This American serviceman was engaged in practice firing, on the firing range. Japanese citizens had been warned to stay off the firing range because it was dangerous.

There was no personal quarrel between the American soldier and the Japanese citizen. He was involved in no rowdyism, criminal act, or personal hostility. He was engaged in duties connected with a clearly military action.

Under the treaty the American Government and the host government have concurrent jurisdiction over offenses arising in connection with military duties or military property, with primary jurisdiction resting with us. The recent argument that in the pauses to rest between firing rounds, Private Girard lost his role in a military operation, and was engaged in leisure-time activities is pure nonsense. To surrender jurisdiction over him is a pure political surrender. Someone was able to overrule the Secretary of Defense, who quite properly wished to give our fighting men full confidence that our Government stood with them.

Someone was willing to make an American soldier a pawn in moves on the international chessboard, however disastrously it would affect the morale of our fighting men.

The absurdity of this decision is highlighted by the State Department's equally absurd position, in reverse, in Free China. Here the soldier was clearly not engaged in military activities. We knew the Chinese Government had fought for a hundred years against arbitrary and unjust imposition of extraterritorial rights by foreign governments engaged only in trade. But we ignored the obligation to treat the Chinese as fairly as our other allies.

In a brief presented a year ago to the Senate Foreign Relations Committee, I summarized the judicial decisions dealing with this issue.

There is a long record of decisions going back to Chief Justice Marshall emphasizing the main point at issue—the troops of a friendly power visiting foreign countries, partake of the nature of the sovereignty, and are treated in law like a visiting sovereign. The same principle explains the legal immunity granted to diplomats by every law-abiding nation.

The enormity of the Status-of-Forces Treaties is this. The State Department gave up the sovereign rights of this country, and the dignity of our soldiers as part of our national sovereignty, but they did not see any reason for giving up the immunity granted our diplomats.

Let me point out another aspect of this treaty which will rise to plague us someday. The Status of Forces Treaties surrender American jurisdiction not only over our fighting men, but over their wives and children. They also surrender jurisdiction over what is lightly called civilian components of our Armed Forces. How many civilians are today subject to trial and imprisonment in a foreign country, perhaps for nothing more serious than reacting to Communist attempts to start street fighting? How many Americans might suddenly find themselves abroad and subject to a foreign court in the event of an emergency?

All Americans regret the deaths of any citizens of other countries as a result of any act of our fighting men. We know that large numbers of visiting troops always create problems. That is normal among all nationalities. We understand the desire of other nations to retain all the marks of full sovereignty. I am sure they will try to do their best to give our men a fair trial. But we cannot ask our young men to serve their country in foreign lands, and then take from them the protection of our Constitution.

It involves no diplomatic problem whatever for the State Department to open negotiations for a change in these treaties, to give American fighting men and their wives and children the protection of American laws. The procedure for reopening this question was put into the treaty as a safeguard for all nations. As I said a year ago, if Americans are willing to surrender their Constitution they certainly should not begin with our fighting men.

Kamehameha I: A Great Leader

EXTENSION OF REMARKS
OF
HON. JOHN A. BURNS
DELEGATE FROM HAWAII
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BURNS of Hawaii. Mr. Speaker, today, June 11, is set aside in Hawaii as Kamehameha Day—a Territorial holiday—in honor of the great Hawaiian King, Kamehameha I. It is a day in which the people of Hawaii pay honor and tribute to this first king of all the major Hawaiian Islands, the king who, in the early decades of the 19th century, united the major islands for the first time under one ruler.

It is a day in which the people of Hawaii reflect upon, honor, and express—in feast and celebration—their profound gratitude for the generosity, the tolerance, the almost boundless humanity and friendship which the native Hawaiian, more than anyone else, is responsible for in present-day Hawaiian life, and which characterizes that life as democratic and as American in the deepest senses of those words.

Kamehameha I is perhaps best known generally as a great warrior king, but he was an even greater leader in peace—in fact his exploits as a warrior will be completely misunderstood if they are not viewed as his attempt to realize for all the Hawaiian people a perpetual and joyful peace.

When Kamehameha was a young chief, already controlling the island of Hawaii and showing signs of the greatness to come, a famous Hawaiian kahuna—or priest—appeared before him and prophesized: Kamehameha was to conquer and unite all the islands, thereafter to enable his people to live in a lasting and prosperous peace.

That this was his motive and his vision, Kamehameha gave full evidence at the very first opportunity—immediately after gaining full control of the island of Hawaii. Among other things, he ordered the planting of foodstuff on all available land, and began the development of an irrigation project considered by later viewers as a most amazing accomplishment.

In his first official act when he had gotten control of all the islands, he told his people to go home and stop fighting, to turn from war to the building of an enduring peace.

He promulgated the famous Law of Mamalahoe which I give here in translation:

O my people, honor thy gods. Respect alike the rights of men both great and humble; see to it that the aged and the children may go their ways in peace, and lie down to sleep by the roadside without fear of harm.

He set up projects to increase food production, and became his own best example to his people by establishing several food farms of his own which he personally worked. To insure free medical service to all he set up a school for medical kahunas, and he set up schools of training for arts and crafts—free for all people.

He issued another famous edict:

There shall be no idle person in the land.

The Hawaiian workday was 4 hours; Kamehameha made plans for occupying the rest of the time with healthful games and play. From time immemorial the Hawaiians had observed the makahiki season, lasting from October through January, as a time of recreation and rest. The season was dedicated to Lono, the god of fertility; it was the harvest time in which warfare and contention were absolutely forbidden. It was unthinkable to the Hawaiian that in harvest, the time of life and growth, men should kill each other and their means

of subsistence. First the harvest was gathered, then the taxes collected, and the remainder of the time the people spent in feast and celebration. It is to be noted too that before the coming of the foreigner the Hawaiians had no intoxicating liquor, and the energy and joy that animated their festivity had and needed no artificial inducement. For this season too Kamehameha provided plans to enhance the leisure occupation of his people.

Kamehameha I embodied fully the hopes and aspirations of the people; he was in the deepest sense a man of the people. Often he walked among them disguised to study the efficacy of his government, to ask questions and to solicit suggestions. In work and in play he led his people toward that full life, without bitterness or greed, which he, and his people, saw as their destiny.

The motto of Hawaii—Ua Mau Ke Ea O Ka Aina I Ka Pono—the life of the land is preserved by righteousness—while it was proclaimed by the later Kamehameha III, is most really the expression, in everything he did, of this greatest Hawaiian King, Kamehameha I. When he died in 1819—the year before the missionaries arrived—a great keen, such as never heard in Hawaii before or since, arose over all the islands.

Things did not come true exactly as Kamehameha I visualized them. But his people are great, their generosity and their tolerance vitally characterize American democracy as it exists in Hawaii. Kamehameha I is to his people, and to the people of Hawaii generally, "first in war, first in peace, and first in the hearts of his countrymen." An inspiration and an ideal to all, particularly to his own.

For these reasons, and many more, the people of Hawaii honor today—as many communities in America today honor their own great men of the past—the native Hawaiian people and their great leader, Kamehameha I, for all they have given and mean to Hawaii.

Personally, and on behalf of Hawaii's people whom I have the honor to represent, I express to the native Hawaiian people on this Kamehameha Day the deep gratitude and affection of the people of Hawaii for you, and for all you mean, and will mean in greater measure in the future State of Hawaii, United States of America.

A Tribute to a Maryland Veteran: Wm. R. Clay

EXTENSION OF REMARKS
OF
HON. EDWARD A. GARMATZ
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. GARMATZ. Mr. Speaker, in May of 1957, the National Commander of the Disabled American Veterans, the Honorable Joseph F. Burke, on the behalf of the department of Maryland at the State convention of this organization held in Baltimore, Md., presented to William R. Clay a certificate of recognition for outstanding service to the veterans of our State.

Mr. Clay, a 38-year-old Government career attorney as well as a civic and veterans' leader, received the highest citation which the Disabled American Veterans award, for "his years of outstanding service in the field of veterans' legislation in the interest of the veterans of the State of Maryland."

His many friends know this leader as "Honest Bill Clay," the veteran's friend. He has been active since 1944 in the DAV and the American Legion, having held national, State, and local offices in both organizations. Over a period of 10 years he has addressed thousands of veterans in our State and in the District of Columbia relative to programs of interest to both organizations.

For the last 7 years, Mr. Clay has served as department legislative officer for the Disabled American Veterans, and since 1953 has been a member of the committee for the American Legion, serving as department legislative chairman during the years 1955–56.

At the present time he is vice chairman of the Allied Maryland Veterans Council whose membership comprises the Veterans of Foreign Wars, the American Legion, Disabled American Veterans, Military Order of the Purple Heart, AMVETS, Jewish War Veterans, Spanish-American War Veterans, World War I Veterans, Catholic War Veterans, and 29th Division Association, whose combined membership represents well over 60,000 veterans of our State.

As a result of his knowledge of rights and benefits of veterans and their dependents and his legislative background, he is considered by veteran leaders, members of the State legislature, and by the Maryland Congressional delegation as a complete and dedicated veteran's friend.

Domestic Parity Plan for Wheat

EXTENSION OF REMARKS
OF
HON. J. FLOYD BREEDING
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BREEDING. Mr. Speaker, under leave to extend my remarks, I would like to call to the attention of my distinguished colleagues my introduction of legislation to provide a domestic parity plan for wheat.

We are all concerned with overproduction of our agricultural commodities. We all want to find an adequate and profitable outlet for our overproduction above our domestic needs. We need this two-price plan in order to maintain domestic prices at the desired level and at the same time sell our surpluses on the foreign market.

Under the two-price plan, which could apply to commodities other than wheat, each producer would be given an allotment covering his share of the domestic consumption of his product at full parity. The remainder could be sold on the world market or carried for future use.

In introducing this bill it is my desire to fill a serious need for a farm program tailored to a specific commodity and which will at the same time fit into the overall agricultural picture. I am sure many of you are familiar with it. It appears evident that with the passage of time more serious consideration must be given to the relative merits of a new farm program. The domestic parity plan is a workable plan for the agricultural producers of our Nation to salvage and build anew a sound economy.

The domestic parity plan for wheat is highly favored by many people of the Fifth District of Kansas. It is my sincere intention to work for the passage of this bill.

Organization for Trade Cooperation

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. JAVITS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a letter which I wrote on June 6, 1957, to the Committee on Foreign Trade Education, Inc. This organization has recently published a research study entitled "The Returns Are In," which provides new evidence of the great importance of our national foreign-trade policy to the success of United States foreign policy. In my letter I have stressed the importance of Congressional approval of the Organization for Trade Cooperation this year. Failure to authorize membership in the OTC would seriously jeopardize the position of the United States as world leader.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

I am very impressed with the committee's research study, "The Returns Are In" which I have just finished reading. You provide new evidence of the vital importance of our national foreign trade policy to the success of United States foreign policy.

And, as you point out, whether the United States will assume membership in the proposed Organization for Trade Cooperation is, right now, solid proof that our country seeks to maintain the economic leadership of the Free World. I note that your research study brings this out clearly, as you report that more than 68 percent of the leading foreign newspapers surveyed agree that Congressional failure to authorize membership in OTC would seriously compromise United States world leadership.

The overriding importance of positive action on OTC is also spelled out by the fact that 89 percent of the Asian editors in your sample indicate that the Communists have already used our inaction on OTC for a "special line of propaganda" against the United States. I can corroborate this from my own experience. In my trip through the Asian countries early last winter, I again and again found evidence that where our foreign economic policy has an isolationist tinge, the Communists have picked it up as "proof

of America's duplicity and inability to do the job."

I know, therefore, by firsthand experience, that trade policy is an all-important factor in the success of our foreign policy. And I am sure that Congressional approval of OTC this year is the next indispensable step in making clear to the world that we are determined to maintain our leadership for freedom.

OTC has great importance to the prosperity of our economy as well. By giving the General Agreement on Tariffs and Trade a continuing, day-by-day administrative arm, the agreement will become more effective and do more to promote the interests of our American exports. OTC is, therefore, as Secretary of Commerce Weeks has told the Congress, "absolutely essential if United States agriculture, labor and industry are to receive maximum benefits from GATT."

It is important to remember that exports are vitally important to the growth of our prosperity. In 1957 exports should reach the neighborhood of $20 billion. These exports mean prosperity and jobs to the people in my own State. And similarly exports promote the livelihood of people throughout our Nation—roughly 4,500,000 families now being directly dependent on export trade for their incomes.

By backing down on OTC, GATT could suffer seriously, opening the door to the European neutralists and perverting the new common market and discriminating against United States exports.

Down to essentials, then, the question is whether we will have OTC or whether we will revert to obsolescent protection theories of the 1920's.

You can, of course, be sure that I will be in the forefront of those fighting in behalf of the President's recommendation of OTC.

But, to be realistic, I must say that winning the battle on OTC during this session—during the next 8 weeks—is only possible if the Congress feels that the people wish us to keep our world trade initiative.

You have endeavored to demonstrate that everyday people, having no self-serving interest in trade, can be mobilized to build a stronger trade policy—to make our foreign policy more effective and our prosperity more solidly based. Your Committee on Foreign Trade Education, Inc., has grown in 3 years from a handful in New York to an organization that maintains chapters and affiliates in many of our cities and that has a bipartisan volunteer membership in 36 of our States. You are called now to the field of national responsibility in the grassroots fight for winning United States adherence to OTC.

I am, with all best wishes for your success, assuring you of my cooperation in your objective.

Sincerely,

JACOB K. JAVITS,
United States Senate.

United States Exhibits at World Fairs

EXTENSION OF REMARKS
OF
HON. EDWARD J. THYE
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article which was published yesterday in the Washington Post and Times Herald, entitled "Poles Crowd United States Display at Trade Fair."

I brought this subject to the attention of President Eisenhower in the winter of 1954, following my visit to Bangkok, Thailand, where I witnessed an international trade fair, at which the United States was endeavoring, but not very successfully, to show a picture of what America has done not only in the field of machine development but also in the fields of culture, art, and human relations. Both the Soviet Union and Japan had very impressive exhibits.

Later in 1954 President Eisenhower wrote a letter to the Committee on Appropriations recommending that $5 million be appropriated for United States exhibits at international trade fairs.

At that time I issued a press release with reference to the appropriation.

Therefore, Mr. President, I ask unanimous consent that both the article and my statement of August 2, 1954, be printed in the RECORD.

There being no objection, the article and statement were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 10, 1957]

POLES CROWD UNITED STATES DISPLAY AT TRADE FAIR

(By Colin Frost)

POZNAN, POLAND, June 9.—Thousands of luxury-starved Poles stampeded the United States exhibits at the opening of the Poznan International Trade Fair today. Scores of extra police were called in to control them.

The American display of the products of 300 firms gave a dazzling answer to the now diminished propaganda that capitalism means poverty. By nightfall about 50,000 Poles had seen it.

Twenty-nine countries packed their products into the 40-acre grounds. Western nations dominated the show.

The United States is taking part in the fair for the first time since World War II. Its exhibition is calculated both to boost business and to show the Communist world how the United States lives.

It includes a typical American home packed with the household appliances that most homemakers in this part of Europe can only dream of.

There were displays of textiles, radios, household gadgets, sports goods, toys, frozen foods, and all the other consumer goods that crowd United States store windows but are rarities here.

Premier Josef Cyrankiewicz and other officials were among the earliest visitors.

The Premier told United States trade officials: "I am glad to see you here and I hope we shall be doing good business together in the future."

The reaction among most Polish visitors was sheer amazement. "We cannot even believe that things like these exist," said one woman.

"Is it true that ordinary people can buy these things abroad?" asked another.

"Suren," a Polish-speaking United States Embassy officer told her.

Some private visitors wanted to buy—especially the toys. A few pulled out wads of dollars—part of the great underground reservoir of greenbacks that is almost a second currency in Eastern Europe.

West Germany's exhibit—covering the whole range of booming German industry—is the largest. It takes more than twice the space of either the British or United States.

The United States exhibit is in a huge pavilion built of aluminum and covered with plastic.

SENATOR THYE URGES EXHIBITS BY UNITED STATES IN WORLD FAIRS

Senator EDWARD J. THYE expressed strong approval of action taken by the Senate Committee on Appropriations in connection with the supplemental appropriations bill in meeting the request of President Eisenhower for additional funds to permit participation by the United States in international fairs and expositions during the coming year. The President had advised the committee that there will be approximately 75 such international trade fairs and that the administration feels that participation in at least 30 of them would be useful in drawing attention to American products and the benefits of the free enterprise system. The Senate Committee on Appropriations allowed $5 million for this and related purposes.

"I am convinced that American participation in these international trade fairs is of great importance to this country in its international affairs and I am very much pleased at the action taken by the Senate Committee on Appropriations of which I am a member. It will enable our Government to help in coordinating American exhibits and make possible a better rounded and more impressive picture of what America has done not only in the field of machine development but also in the field of culture, art, and human relations.

"When I returned from my trip to the Orient last winter one of the first things I did was to bring to the attention of President Eisenhower my impression of a visit to a trade fair being conducted at Bangkok in Thailand where I saw the extensive and well displayed exhibits of the Soviet Union in a building which dominated the fairgrounds. The automobiles and farm machinery displayed did not in any manner compare with machines and equipment of American manufacturers, and I question whether some would be serviceable in actual field operations. But they did capture the imagination of the people and thousands saw this exhibit and passed through the Soviet building.

"I know that the totalitarian Government of Russia can simply commandeer the material for such exhibits and is willing to spend thousands to set them up, but I am certain also that American industry and business under the encouragement of our Government could far exceed anything the Soviet Union can do in this field.

"It seems to me that the United States should assume reasonable participation in international fairs both in our fight for markets in the international field and in showing to the people of the world what has been achieved in the United States under our free enterprise system and our democratic principles of government. I am sure that much good will flow from this effort and I strongly endorse it on the basis of my own observations in the areas where it is so important that America be understood and appreciated by the people."

Proposed Amendment to Natural Gas Act

EXTENSION OF REMARKS
OF
HON. EDWARD P. BOLAND
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BOLAND. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement made by me to the Committee on Interstate and Foreign Commerce today

on the proposed amendment, H. R. 6790, to the Natural Gas Act:

Hon. OREN HARRIS,
Chairman, House Interstate and Foreign Commerce Committee, Washington, D. C.

DEAR MR. CHAIRMAN: May I take this opportunity to testify in opposition to H. R. 6790, the bill before your committee that would amend the Natural Gas Act so as to remove Federal controls over the sale of gas at the wellhead.

I am very deeply concerned over the effect of such legislation which would mean higher gas bills for the consumer—the little man who is now feeling the pinch of inflation.

Mr. Chairman, I represent the Second District in Massachusetts which is hundreds of miles away from the section of the country where natural gas is obtained. My constituents are captive consumers of natural gas. They buy it from a distributing company which in turn buys from a gas transmission line company. If the controls are removed, you can readily see who is going to dig down into their pockets to pay for the increased costs of this gas to the gas transmission line company at the wellhead—the little consumer, of course. The intermediary consumers will merely pass the added costs down the line.

Remove the Federal regulations with this legislation and you wipe out the price protection that the gas user now has and is entitled to under the Supreme Court's ruling in the now celebrated 1954 test case of the Phillips' Petroleum Co. That decision conclusively stated that the Federal Power Commission does possess regulatory authority over the independents under the act.

To strip the Commission's authority to control natural gas prices at the wells would be a direct financial blow to the end consumer. This bill before your committee should be rejected in the public interest.

Sincerely yours,

EDWARD P. BOLAND,
Member of Congress.

President Eisenhower's Reply to Congressman Sheehan's Letter on 11th Illinois District Public Opinion Poll

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EXTENSION OF REMARKS
OF
HON. TIMOTHY P. SHEEHAN
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. SHEEHAN. Mr. Speaker, on May 27 I released the results of my annual public opinion poll—see daily RECORD of May 29, page A4169. At the same time I sent these results, with a letter, to President Eisenhower, and the contents of this letter were embodied in my news release of May 27, as follows:

In each of the 7 years that I have been in Congress, I have polled a cross section of the people in the 11th Congressional District of Illinois to ascertain their viewpoints on important questions of the day.

I attempt, in every possible way, to make this poll impartial, and this year, sent approximately 120 questionnaires into every voting precinct in my district; so that, approximately 1 of every 4 voters in the area received the questionnaire. In selecting the names from the poll sheets, we have no prior knowledge of the politics of the recipients.

It is my political philosophy that, as a Congressman, it is my duty to speak to the Congress and to vote the issues before the Congress on the basis of the will of the majority of the people in my district, assuming my people are informed as to pertinent facts on the issues and their will is not contrary to the general welfare of the country. In other words, my vote on issues before Congress will be predicated upon the will of the majority of my constituents unless the will of the majority is not clearly discernible; then a Congressman must use his own wisdom and conscience in voting for whatever is best for his constituents, bearing in mind the general welfare of the whole country.

The only way I could, in clear conscience, oppose the will of the majority of my people would be on the basis that I knew of facts or circumstances which were not known to my people, or that, by following the will of my constituents, I would be voting against the greater good of the country as a whole. In that event, it would be incumbent upon me to go back to my people and explain to them the circumstances and conditions of which I knew, and of which they had no knowledge.

It is to be noted that a rather stable percentage of the people in the 11th Congressional District, varying from 64 to 73 percent over the last 5 years, are overwhelmingly in favor of the United States continuing as a member of the United Nations. There has been a very noticeable and decided lessening of support for the foreign-aid program, so that this year's poll shows the high point of nearly 79.8 percent of the people opposing the proposed $4.4 billion foreign outlay. The comments from many of the people of the 11th District in answering the questionnaire clearly show their low regard of this program. One of the interesting aspects of a public-opinion poll of this type is the very great amount of comments we get from people answering the questionnaire, who put their views on the side, on the back, and frequently attach many other pages of comments stating their views on the questions. It is to be noted that question No. 11, "Do you favor more adequate laws providing for full disclosure to the public and to the United States Government of the operation of union pension and welfare funds?" received the highest percentage of favorable replies of all the 15 questions on the poll. This question also showed the least amount of people, 3.6 percent, who had no opinion on the subject.

With reference to questions No. 3 and No. 4, "Do you approve of the Republican foreign policy in general?" "Do you approve of the Eisenhower administration to date?" I have written a similar letter to both President Eisenhower and the Honorable Meade Alcorn, national chairman of the Republican Party, as follows:

"President DWIGHT D. EISENHOWER,
"The White House, Washington, D. C.

"DEAR MR. PRESIDENT: Knowing from previous reports that you take note of congressional public-opinion polls, I am respectfully calling to your attention the results of my 1957 survey.

"As a Republican, I am most deeply concerned with the answers to questions No. 3 and No. 4, results of which you can observe from the enclosed copy of my extension of remarks to appear in the CONGRESSIONAL RECORD on May 27.

"You will note that on question No. 3, 'Do you approve of the Republican foreign policy in general?' in 1953, 78.5 percent of the people replied favorably; and in 1954, only 52.9 percent agreed. And you will further note that in Cook County, Ill., in 1954, the Republican Party suffered one of its worst defeats in 20 years. In 1955, the percentage of those in favor of the Republican foreign policy increased to 56.9 percent, and in 1956, to 62.3 percent—the year in which you and the Republican Party had a great victory in the State of Illinois.

"The present 1957 percentage has dropped to an alltime low, i. e., only 35.9 percent in favor of the Republican foreign policy. In my opinion, this means that since last November, our policies have lost most of their appeal to the type of voter residing in my congressional district.

"The yearly trends are as follows on question No. 4, 'Do you approve of the Eisenhower administration to date?'

"Year:	*Percentage approval*
1953	84.2
1954	58.0
1955	65.3
1956	76.4
1957	41.8

"You will note that the previous low point in 1954 showed very disastrous results for the Republican Party in the elections held in Illinois. The present survey also shows an alltime low for support of the Eisenhower administration to date, and I would be very fearful of the results of any elections held at this time.

"It is to be fervently hoped that by the time the November 1958 elections roll around, the Republican foreign policy and the domestic aspects of our administration will be changed in order that the people of the 11th Congressional District and the State of Illinois will again support the policies which had been received with such wide acceptance up until the election of November 1956.

"Respectfully,

"TIMOTHY P. SHEEHAN,
"Member of Congress."

President Eisenhower acknowledged my letter of May 29 as follows:

THE WHITE HOUSE,
Washington, May 29, 1957.

The Honorable TIMOTHY P. SHEEHAN,
House of Representatives,
Washington, D. C.

DEAR MR. SHEEHAN: Your poll reminds me that public support for any given program waxes and wanes here and there over the country even though the program is not basically changed.

Your poll indicates that last year the Nation's foreign policy was favored by almost two-thirds of your correspondents. For the same foreign policy your poll indicates support by one-third in 1957 and by one-half in 1954.

Obviously foreign policy cannot ricochet about in the same fashion. The administration will hold steadily to the course deemed essential to the national interest. The alternatives to our present efforts are grim. They are, in this order, a fortress America, then a bankrupt America, then a regimented America — finally, a defeated America. My belief is that most citizens are well aware of these alternatives. I think our people will hold fast in the effort to keep this Nation on a sound road in world affairs.

As for our domestic policies, these conform to the pledges of the Republican Party in its platform adopted 9 months ago in San Francisco and to my own campaign commitments based on those pledges. I have no intention of welching on my own or the party's word. I think no loyal Republican should. For us to do so would be, in my opinion, a long step toward party defeat and dissolution.

Sincerely,

DWIGHT D. EISENHOWER.

Family Reunification Immigration Bill

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. ANFUSO. Mr. Speaker, I am today introducing a bill to reunite the families of certain United States citizens and lawfully resident aliens in this country. I call this measure "the family reunification immigration bill."

One of the basic tenets of our immigration policy and immigration laws throughout the years has always been the principle of uniting families. It is logical and humanitarian. It makes for better citizenship. It makes sense.

I am not the original author of this bill. That credit belongs to our distinguished colleague from Pennsylvania, the Honorable FRANCIS E. WALTER, who is the chairman of the House Immigration Subcommittee. His bill is based on the traditional American principle of uniting families. In introducing this measure, our colleague has shown that he possesses a keen understanding of the problems and devotion to the best ideals in American life.

Mr. Speaker, I want to take this opportunity to extend my sincerest congratulations to Congressman WALTER for his wise action in this matter. In fact, I am going a step further in associating myself with his action by introducing his bill in order to give it added strength. I hope this will encourage others in Congress to do likewise by associating themselves with Congressman WALTER in his efforts to unite these families.

Briefly, the bill provides that relatives of United States citizens and lawfully resident aliens, who are eligible for second and third preferential status under the Immigration and Nationality Act, shall be admitted as nonquota immigrants. This applies specifically to parents, wives, and children under the age of 21 of such citizens and resident aliens. It is these people, these separated families, whom this bill would unite without any quota charge.

I am informed that the total number of people involved in this bill, and by that I mean the number of people abroad who would be eligible for admittance to this country if this bill is adopted, is estimated at about 17,000 to 19,000. Of these, about 11,000 would be from Italy, and the remainder from Greece and other European countries.

These are mostly people who had applied for entry to the United States under the Refugee Relief Act of 1953, but for various reasons remained behind when the breadwinner of the family came here first to establish firm economic roots. In the meantime, the Refugee Relief Act expired at the end of last year and the families remained separated and stranded. In most instances they were from Italy and Greece, and the quotas of these two countries are heavily oversubscribed so that no other relief is possible for the reunification of these families.

Unless we take action along the lines advocated by Congressman WALTER in his bill, these families face many long years of separation and great hardships. It would be most heartrending and inhumane to continue such separations. I believe it is morally incumbent upon Congress to take early steps for the enactment of this legislation and reunification of these families, and in this way correct some of the faults and frustrations of the Refugee Relief Act.

Mr. Speaker, the proposed legislation is a step in the right direction and a laudable beginning. We are faced with a pressing situation and it should be dealt with promptly. It cannot wait until we have had a thoughtful and complete reexamination of our immigration policy. For this reason, I strongly urge that action be taken on this measure at the earliest possible moment during the current session of Congress, and thus save these families needless hardships and long delays.

Don Blanding

EXTENSION OF REMARKS
OF
HON. JOHN A. BURNS
DELEGATE FROM HAWAII
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. BURNS of Hawaii. Mr. Speaker, the people of Hawaii and his friends in every part of the world mourn today the unexpected passing of Don Blanding, poet laureate of Hawaii, who died on June 9 in Los Angeles.

His love of adventure and his lust for life led him to many parts of the world. He fought under foreign flags in revolutionary wars; in World War I he was a pilot in France. He established his reputation in New York as an artist and interior decorator and poet, but his spiritual home, until the day of his untimely death, remained in the islands.

No matter where he pursued his restless talents it was always to Hawaii and to the people of Hawaii, for whom he had an overwhelming affection, that he returned.

Donald Benson Blanding was born 62 years ago on his father's ranch in Kingfisher, Okla. The world beckoned and at the age of 17 Don left Oklahoma, never to return. Soon thereafter he was fighting in the small wars of revolt plaguing the Central American Republics at that time. When World War I came he became a military pilot and flew with the American forces in France. Returning to the United States after the armistice, he paused in New York. There he witnessed an event which was to alter his life and shape the course of his destiny.

This was his attendance of a revival of the stage production Bird of Paradise, whose locale was the exotic South Seas islands. That night, Blanding has told us, he heard the call of paradise, and he responded eagerly.

Hawaii did not disappoint Don Blanding. Under its tropical skies Blanding's great artistic gifts and creative capacity were energized and inspired. His first volume of verses about Hawaii appeared. Then another and a third, Vagabond's House, which sold 150,000 editions and established Blanding as a major poet.

His artistic versatility grew. As an artist, he illustrated his own published works. He staged Hawaiian pageants, designed the colorful Polynesian costumes and stage sets.

In 1928 Blanding originated Hawaii's famed Lei Day, which is celebrated annually on May 1 and has become an internationally noted event. One of Hawaii's most delightful festivals and the only one of its kind in the world, it is dedicated to the lei as a symbol of Hawaii's hospitality, aloha, and wealth of beauty.

Travelers from all over the world came to witness its annual celebration.

Because he knew Hawaii and her people so well, Don Blanding loved them both.

A dozen volumes of his verse attest to this love and understanding which he tried to communicate to the world. But, he rhymed, it was not enough to read his poems in order to become one with the gentle peoples of Polynesia. In Vagabond's House, Blanding warned, you will never know Hawaii:

'Til you've seen the lunar rainbow's phantom arch across the blue
And having watched the Southern Cross dip in the sea;
'Til the singing boys have stabbed your heart with music through and through
'Til you've raced the silver surf at Waikiki.

Don Blanding was in every sense of that meaningful Hawaiian word a true kamaaina, son of Hawaii.

He left to the people of Hawaii, and to all of us, a legacy of the love of laughter and beauty, of wisdom and wit. With him go the appreciation, the love and the deep aloha of all that knew him.

Dedication of Altoona (Pa.) Memorial K4 Steam Locomotive at Horseshoe Curve on the Pennsylvania Railroad System

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 11, 1957

Mr. VAN ZANDT. Mr. Speaker, on Saturday, June 8, 1957, it was my privilege to participate in the dedication of a K4 steam locomotive as a memorial to the long history of faithful service of steam locomotives and those who built and operated them over the Nation's ribbons of steel.

This K4 steam locomotive No. 1361 was presented to the city of Altoona by

the Pennsylvania Railroad Co. as a permanent monument to the historic partnership between the community, the railroad, and the iron horse.

Old No. 1361 was one of the earliest of the 350 K4's built at Altoona, Pa. It was placed in service May 18, 1918, and for more than 35 years it hauled trains of the great Pennsy passenger fleet over the mainline between New York, Harrisburg, and Pittsburgh. Countless of its trips were around the famed horseshoe curve which is one of the great triumphs of railroad engineering. When old 1361 was finally retired to make way for the modern diesel No. 1361, it had rolled up nearly 2½ million miles—the equivalent of nearly 100 trips around the world.

K4 locomotive No. 1361 is an especially appropriate memorial for the city of Altoona, Pa., where 5 generations of skilled workmen built a total of 6,783 steam locomotives for the Pennsylvania Railroad.

The following program marked the dedication of the K–4 memorial locomotive during which time I delivered an address on the historical development of the steam locomotive:

PROGRAM

Presiding, Howard W. Lindaman, director of water, parks, and public property, city of Altoona.

Music, massed bands, Altoona public and parochial schools.

National Anthem.

Flag-raising, color guard, Blair-Bedford Council, Boy Scouts of America.

Invocation, Rev. Cedric Tilberg, First Lutheran Church.

Presentation, Pennsylvania Railroad, George R. Weaver, assistant manager, heavy repair shops; Walter W. Patchell, vice president, research and development; Morton S. Smith, vice president and regional manager.

Acceptance, Mayor Robert W. Anthony; Deborah Hersperger, kindergarten, Adams School; Martin Hughes, Jr., first grade, Holy Rosary School.

Prayer of dedication, Rabbi Nathan Kaber, Temple Beth Israel.

Remarks, the Honorable James E. Van Zandt.

Benediction, Rev. Father John P. Manning, St. Leo's Church.

Taps, Kenneth Woodring, William Mackey.

Civic committee: Howard W. Lindaman, chairman; Mrs. Samuel Albright, Miss Helen Barclay, Thomas Bloom, Robert W. Boyer, Francis T. Brown, Dr. A. Bruce Denniston, George P. Gable, Robert L. Hite, J. E. Holtzinger, Mrs. Lynn Hunter, Will Ketner, H. L. Kimble, David M. Langkammer, Mrs. Harold McCullough, Rev. Francis A. McNelis, Mrs. Matilda Madden, Dr. Fred Miller, Louis H. Murray, Edward Scala, C. F. Schick, Lawrence Schrenk, Mrs. Luke Sill, Capt. William Stephens, Roy Thompson, G. R. Weaver, Gerald P. Wolf, Hon. James E. Van Zandt.

REMARKS OF THE HONORABLE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE DEDICATION CEREMONIES OF THE K–4 LOCOMOTIVE AT THE HORSESHOE CURVE, ALTOONA, PA., JUNE 8, 1957

This is an historic occasion.

My contribution to this program is summed up in the well-known saying, Time Marches On.

Yes; time has marched on, because it was in the year 1804 when a steam locomotive was developed which could haul loads over a fixed track.

However, the steam locomotive which was to serve as a model for many years was not developed until 1829.

Therefore, it is proper to say that this K4S locomotive, No. 1361, built in the Pennsylvania Railroad shops by the ingenuity and the hands of Altoona residents, will stand for years to come as a monument to the era of steam locomotives.

History tells us that back in the year 1829 the locomotive, that was to serve as a model for many years, was the famous Rocket built by the Stephensons in England. It weighed but 5 tons and was the first locomotive with a horizontal tubular boiler.

Burning wood for fuel, it hauled 38 carriages, with a total of 90 tons weight, at a speed of from 12 to 15 miles per hour. Under favorable conditions, and if the carriages were unloaded, the speed could be increased to 28 miles an hour.

From about 1830, locomotives were American built, the first being Peter Cooper's Tom Thumb, which weighed less than 1 ton.

In December 1830, the locomotive named "Best Friend" was built in New York City and started regular service on the Charleston & Hamburg Railroad. It was the first locomotive to haul a train of cars in regular service.

The first coal-burning locomotive was built in 1852.

From that time until the turn of the century, improvements were made, until locomotives with 6 pair of driving wheels, weighing over 100,000 pounds and burning coal were developed for heavy duty railroad traffic.

During this same period, air-brake equipment was developed, together with track tank and scoop for taking water on tenders. Among the inventions of the period was the automatic coupler. The first bituminous coal-burning locomotive made its appearance.

Beginning in 1900, locomotives became larger and more powerful. Their designs were different, and their hauling power and speed were increased.

In 1939, locomotives equipped for both freight and passenger service continued to become larger and to keep pace with the march of time—they were streamlined from coupler to coupler.

The last steam locomotive, built by the American Locomotive Co., was completed in 1948, after 97 years of continuous production.

Since that date, this plant and other outstanding locomotive producers has converted to full-scale diesel electric production.

The year 1950 marked the end of commercially built steam locomotives for mainline service in the United States, and the switchover of railroad power to other forms, principally diesel, had its beginning.

The first diesel electric-powered train was the Burlington "Pioneer Zephyr," with a 600-horsepower locomotive, which twas about one-fourth the size and one-fifth the weight of the steam engine of the same horsepower in 1933. The first diesel for road freight was put into service in 1941 by the Santa Fe Railroad.

Thus the trend toward complete dieselization was marching forward. From the early 1940's to the present time, many improvements have been made in railroad motive power.

Not only have the power and speed of the diesel been increased considerably, but also electric motors have been installed and gas turbine electric power has been developed.

Challenging the present diesel electric era of railroad motive power is the gas turbine locomotive equipped with a 20,000-gallon tender, supplementing the 7,500 gallons of fuel carried in the locomotive body tanks.

This gas turbine locomotive is capable of traveling almost 1,500 miles without refueling. This type of locomotive provides operating improvements and decreased maintenance costs that indicate—it could prove to be the locomotive of tomorrow.

Speaking of tomorrow, and mindful of the fact we are living in the nuclear age, one may find 10 to 15 years from now atomic-powered locomotives that depend on a small charge of atomic fuel in a nuclear reactor smaller than a good-sized trunk, capable of providing enough energy to power the locomotive a distance equal to more than once around the earth at the Equator.

At this moment, five of the Nation's largest railroads, together with some half dozen large manufacturing corporations, are sponsoring the construction of the atomic-powered locomotive.

This locomotive will generate as much steam as the biggest conventional steam locomotive now on the rails. Instead of steam being produced by coal or oil, several pounds of uranium will do the job.

Yes, time marches on.

In 1804 the steam locomotive was born. Then came the diesel electric locomotive, followed by the gas turbine locomotive. And now, the atomic-powered locomotive is "just around the corner."

Truly, in dedicating this Pennsylvania Railroad K4S locomotive, No. 1361, we give lasting recognition to one of the most exciting chapters in the history of the railroad industry.

At the same time we pay a marked tribute of respect and esteem to railroad employees who built these locomotives and those who manned them as they traveled countless miles over ribbons of steel.

May "Old 1361" also prove a constant reminder, not only of the greatness of the America of yesterday, but also of the strong, modern America of tomorrow—as time marches on.

Address by Hon. Clifford P. Case, of New Jersey, at Rollins College, Winter Park, Fla.

EXTENSION OF REMARKS
OF
HON. H. ALEXANDER SMITH
OF NEW JERSEY
IN THE SENATE OF THE UNITED STATES
Tuesday, June 11, 1957

Mr. SMITH of New Jersey. Mr. President, on Friday, June 7, at the commencement exercises of Rollins College, Winter Park, Fla., my colleague, the distinguished junior Senator from New Jersey [Mr. CASE], received an honorary degree and delivered the address of the occasion. I ask unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS DELIVERED BY SENATOR CASE OF NEW JERSEY ON THE OCCASION OF RECEIPT OF AN HONORARY DEGREE OF DOCTOR OF LAWS AT THE ROLLINS COLLEGE COMMENCEMENT, WINTER PARK, FLA., JUNE 7, 1957

One of the great issues of our time is posed by the development of nuclear and thermonuclear weapons of truly awful capacity. We have created forces capable of destroying all living things. We cannot allow a situation to arise, or circumstances to develop, in which we are at the mercy of such forces instead of in command of them. We can, and we must, keep them under conscious control.

This means first of all, I believe, that we cannot afford to rely wholly, or almost

wholly, on the threat of unlimited nuclear retaliation for the defense of ourselves or the Free World. Either we keep ourselves prepared to fight little as well as big wars, and in various parts of the world, or we may face a choice between slow strangulation by gradual Communist encroachment and unleashing an allout thermonuclear catastrophe. And it is generally agreed that in such catastrophe the chances of our survival would be negligible.

In the second place, it confronts us with the question, no less difficult but equally of essential importance—Is there no way in which we can put an end to the sterile and sensely competition in weapons of total destruction?

Deep concern as to the possible hazards to our own and to future generations from radioactive fallout has been expressed by responsible scientists in the current hearings before the Joint Committee on Atomic Energy. They are not agreed as to the degree of danger, but to us as laymen the importance of their testimony is the added urgency it gives to efforts to limit nuclear competition.

There are other considerations which impel attention. There are now three nations which have demonstrated their capacity to produce thermonuclear weapons. Surely no one will welcome the entry of other nations into this field. Nuclear weapons in many hands could not help but create new tensions and dangers. But, in the absence of some limitation internationally agreed to, is it realistic to expect that other nations will not proceed with nuclear weapon development on their own?

Ignoring the recent series of Soviet tests, Communist propaganda has stepped up its efforts to excite fear and apprehension among the people of the world. We can recognize the propaganda for what it is. But this does not, cannot, justify failure on our part to search out every path that offers promise of lessening world tensions and lightening the dark cloud of potential catastrophe that now hangs over the world.

As the President put it at a press conference a few weeks ago:

"It seems to me that the more any intelligent man thinks about the possibilities of war today, the more he should understand you have got to work on this business of disarmament. * * * I think our first concern should be making certain we are not ourselves being recalcitrant, we are not being picayunish about the thing. We ought to have an open mind and make it possible for others, if they are reasonable, logical men, to meet us half way so we can make these agreements.

"Now, on the other hand, any nation that is facing a government which has a history of breaking treaties, and so on, that we have encountered in our dealings with the Soviets over these past years, we have to be especially careful of the inspection systems, systems in which we can have confidence. We must, at the same time, though, keep our minds open and keep exploring every field, every facet of this whole great field, to see if something can't be done. It just has to be done in the interest of the United States."

And that is what the United States is doing in the disarmament talks now going on in London.

The very fact that serious negotiations are taking place provides some ground for hope that the unhappy impasse in which we have been living for some years now may finally be broken.

Let me emphasize I am not suggesting we can or should expect full blown disarmament. Practical and political obstacles preclude any such possibility. Rather what we seek to achieve is a first step that would serve to impose some degree of control over armaments and that could provide a base for later steps. Thus the news reports indicate our representatives are exploring such possibilities as establishment of mutual aerial inspection zones and some measure of ground inspection, some limitation on the testing of at least the larger nuclear devices as well as of nuclear stockpiles through the diversion of future output of fissionable material to peaceful uses. In addition, there are suggestions looking toward reduction in conventional arms and forces.

It has been suggested that our policy up to now has been to consider no agreement which was not to our net security advantage. I doubt that this is in fact a true statement if by it is meant that we would consider no agreement unless we believed it would improve our position in relation to our enemies.

But whatever the situation may have been in the past, we surely cannot let any such narrow limitation control our future policy. The security of this country must always be our first objective. But surely the attainment of that objective requires our willingness to explore all avenues and all possibilities which have any reasonable promise of reducing the awful threat which nuclear and thermo-nuclear weapons pose to all mankind alike.

Of course, no agreement should impair our relative position in regard to our enemies. But true progress can only be made, and this should be our goal, by reaching agreements which are to the mutual advantage of all nations and all peoples. Especially in this vital area, no agreement is possible unless all parties are convinced, at the outset and at the end, that its attainment will leave them in no worse position in relation to other nations.

The administration needs to be upheld in what I believe it is trying to do in the direction of a limited, first-step agreement. The path is difficult. For example, as the President suggested at his recent news conference, we must include our allies in our deliberations at the same time as we get down to serious negotiations with the Russians. But the will is there, I believe, and we ought not miss any chance to negotiate.

Whether at this time real progress toward disarmament can be achieved I do not know. In view of the stakes, the effort to reach agreement is surely worth making. Indeed a nation under God and dedicated to peace can do no less.

Tribute to the Late Senator McCarthy

EXTENSION OF REMARKS

OF

HON. WILLIAM E. JENNER

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1957

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the text of a radio broadcast by me on May 19, 1957, in honor of the late Senator McCarthy.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JENNER

My friends, I should like to talk to you about the Senate of the United States.

On the morning of May 6, the rostrum in the Senate Chamber was banked with flowers, white and a glowing red. The casket in front of the rostrum was covered with the American flag, and a Marine guard stood at attention. The chaplain of the Senate, the Reverend Frederick Brown Harris, of the Methodist faith, spoke of Senator Joe McCarthy's great courage in exposing "cunning foes who plot the betrayal of our freedom." The Reverend William J. Ewalt, who married Senator McCarthy just 4 years ago, read the Catholic service of sorrow for the dead, and hope for their triumphant entry into their heavenly home.

I am not going to speak to you about Senator Joe McCarthy's great fight to uncover the secret enemies of our country, nor of the way his life was destroyed by the venomous, vengeful, unremitting attacks of his foes. You know the story.

I wish to speak today about the Senate.

There were 40 Republicans and 37 Democrats present. These men were not present, most of them, for any official act of mourning. They were present as human beings, sorrowing for the tragedy they had witnessed, and in which they had had a part.

All of the Democrats (except the newly elected Members) had voted for the censure resolution. The Democratic Speaker of the House, from Texas, and the Democratic majority leader, from Massachusetts, were also present to pay their respects.

Nearly half of the Republicans who attended had voted for the censure, but they too came as human beings, only too well aware how deep was the suffering now ended.

One Cabinet member, Secretary Summerfield, was also present.

I wish to say to you, my friends, that a terrible breach in the American civil order began to heal on that day. We had come nearer than any of us guessed, to a breakdown in the American genius for political self-control.

Only one who lived through it can imagine the fierce pressure that was brought to bear upon the Members of the Senate 3 years ago, to accept the Communist myth about Joe McCarthy. According to their character assassins, he was violating the traditions of American fair play by asking witnesses questions. He was "helping the Communists" because he did not falter in his efforts. He was accused of all kinds of personal indiscretions, some charges too odious to mention among gentlemen. All of these Communist charges were of course put forward by innocents and secret collaborators who did not bear the brand of their master.

Joe McCarthy has been completely vindicated of all the personal charges hurled against him, especially of the baseless slander that he had not paid the income taxes he owed. But my story today is of how the Senate is freeing itself of the poisonous influences that beclouded its judgment wherever disguised Communist influence was at work.

The attack on Joe McCarthy was managed at every step like a military campaign, except that the Communists use words, instead of bullets, because words are more deadly.

Fulton Lewis in his broadcast stated what I believe to be true, that most of the Republicans who voted against Senator McCarthy were sorry they had done it, but had been unable to resist the overwhelming pressure. It is important, to the American people, to find out who put that irresistible pressure on the Senate, and why.

The Communist attack on the Senator from Wisconsin was in part an attack on the Senator as an individual, because, like General Patton, he had dared go forward after each contest. He had come so close to the citadels of their power that he must be destroyed.

But the attack on Senator McCarthy was also an attack on the Senate. The Communists knew the friends of Senator McCarthy were loyal. The anti-Communists

knew how great was the triumph won by the enemy in the censure vote. The Communists believed they could stir up, in the American Senate, a bitter factional battle, like that which has turned many a parliament in Europe into a milling crowd impotent to serve their country.

During the debate on the censure resolution, I pointed out again and again that the real attack was against the Senate of the United States. I pointed out that the Bolsheviks had a well-established policy of reducing parliamentary processes to impotence. I said the attack was managed by a conspiratorial general staff, and no one man could fight a conspiracy. I pleaded with the other Senators to see the danger, and to join ranks in protecting our Nation.

It was too early, the pressure was too great, for most Members to see.

The censure vote split the Republicans in Congress down the middle. It placed the Democrats as a body in opposition to the Republicans. What a setting for the favorite Communist device of pouring gasoline on the little fires of controversy.

Americans can hardly imagine how fortunate a thing it was for our country that that factional split was avoided. We have to look at the parliaments of Europe from pre-Fascist Italy to present-day France, to know how great was our danger.

Joe McCarthy made no effort to rouse the passions of his followers and make his humiliation into a bitter national battle. No man in American political life ever had so great an opportunity for demagoguery, or refused so gallantly to take advantage of it.

But the split in the Senate was avoided also because of some deep instinct within the membership, to keep our political stability at all costs. The American people are the heirs of 700 years of self-government, that is, of political responsibility. That deep-ingrained sense of political responsibility held us firm while the Communits used their most brilliant leaders, their cleverest strategems, and their most helpful stooges to make the Senate keel over.

Joe McCarthy was a victim of that silent struggle from 1954 to 1957, because he did not realize how many people were coming to see his charges were true. The struggle was with forces too vast and too hidden to be managed normally.

This struggle, within the ranks of the Senate, between the cleverest attempts at subversion of its Members and the deepest national instincts of political stability, was too new in America, too close to political life or death, to be expressed in words. Every nation of Europe, subjected to such pressure, has caved in. Our inner struggle had the dimensions of a fight for preservations of the last stronghold of representative government in the world.

I hope we have won through. Only a few weeks ago, the same forces which like a mighty bellows, turned the disagreements over Joe McCarthy into a consuming flame of hate throughout the country, tried to repeat every one of their murderous stratagems to make the Norman case into a similar attack, to split the Senate into factions, and make it impotent to protect our Nation.

This time the Senate was ready. All the blasts the Communists could turn against us, all the lies and smears, were ready to be hurled, if the Senate leaders had shown the slightest indecision. The Senate stood firm.

Our country is still in danger. The American people look to the Members of their Congress to be the watchmen on the city wall, to warn them of attack. I believe the Members of the Senate can now recognize the enemy with a clarity they did not have 3 years ago. I believe that never again will disguised Communists be able to rout the Congress when it must stand fast.

I do not know anything which would bring more happiness to Joe McCarthy than to know his sacrifice has not been in vain, that the watchmen on the wall will stand guard, however dark the night, or however insidious the enemy.

The day when the Senate met to pay the last honors to Senator McCarthy may be the day when our country began its slow and painful upward climb out of the poisonous morass of Communist seduction, to the light of American honor, and dignity, and loyalty of true Americans for one another.

Sonic Boom

EXTENSION OF REMARKS
OF

HON. FRANCIS CASE

OF SOUTH DAKOTA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1957

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an interesting article on the sonic boom, the new sound of air power, written by the junior Senator from Arizona [Mr. GOLDWATER], which appeared in the May 29 issue of Planes, published by the Aircraft Industries Association of America, Inc., Washington, D. C.

As my colleagues know, the Senator from Arizona is the only qualified jet pilot in the Senate, and we are proud of him.

I commend it to the attention of the Senate.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SONIC BOOM

(By Hon. BARRY M. GOLDWATER, of Arizona)

(EDITOR'S NOTE.—Senator BARRY M. GOLDWATER, of Arizona, is a colonel in the United States Air Force Reserve, and the only Member of the United States Senate who is a qualified jet pilot. He has flown most of the supersonic fighters in the Air Force inventory. Senator GOLDWATER joined the Air Force in 1941 and during World War II served in the Far East with the Air Transport Command. He attended Staunton Military Academy and the University of Arizona. Senator GOLDWATER was elected to the city council of Phoenix in 1949 and reelected in 1951. He was elected to the United States Senate in November 1952. He is a member of the American Legion and the Veterans of Foreign Wars. Senator GOLDWATER is chairman of the board of Goldwaters, of Phoenix.)

A new sound of air power progress will become more apparent as America opens its doors to the summer season, and more supersonic aircraft are delivered to the military services. This sound is the sonic boom—manmade thunder. It is one of the most widely misunderstood phenomena of high-speed flight, and has been blamed for damage that couldn't have been inflicted by an atomic bomb.

The United States Air Force recently reported some initial findings of a study of sonic booms to find out how they are caused, the damage they can do and, even more important, the damage they cannot do. The study was made by scientists and structural engineers of the Wright Air Development Center, largely based on investigations of claims from citizens who thought, correctly in a few cases and incorrectly in most cases, that their homes had been damaged by the sonic boom.

The researchers found out many things, but it should be a matter of relief to the citizenry that the study proved the sonic boom, from usual operating altitudes:

Cannot crack foundation walls or pavement.

Cannot crack plaster walls installed according to most building codes.

Cannot cause roofs to buckle or crack.

Cannot do any structural damage, but under some circumstances can damage glass panes and improperly installed doors.

There is nothing mysterious about the sonic boom. In fact, muleskinners in my State of Arizona once created booms of a minor variety when they crackled their whips over the teams. The tip of the whip actually exceeds the speed of sound and causes the characteristic sharp crack.

Basically, sound is wave lengths of various pressures hitting the ear, and they result from any surge of energy. The strong arm of the muleskinner provides the energy that creates the crack of the whip. The wave lengths can be compared to the ripples created by a rock tossed into a still pond. Ordinary conversation is a series of pressure wavelets pulsating against the ear like ripples of water slapping the shore of the pond.

An explosion is no more than a very strong pressure wave created by a sudden release of energy. These strong waves of pressure are known as shock waves because of their intensity.

The sonic boom can also be explained by this established law of sound. Shock waves are not visible except under laboratory conditions where highly specialized photographic equipment can catch their distinctive shape. If the shock wave created by a supersonic aircraft in flight were visible, it would resemble a shallow dish as it attaches to the airplane at the exact speed of sound. The speed of sound varies according to altitude and temperature. At sea level, it is 760 miles per hour, and at 40,000 feet the speed of sound is 660 miles per hour.

When the plane exceeds the speed of sound, the waves are swept back from the nose at sharp angles until they form the cone shape of a funnel. Here is the making of a sonic boom.

The shock wave travels through space, but, unlike the ripples of water that it basically resembles, there are only one or two ripples. This wave, which has been formed by the tremendous energy of the aircraft flying at supersonic speed, reaches the ground at the speed of sound. However, the shock wave is obstructed by anything it comes against—trees, buildings, automobiles—anything it touches. The power it possesses is constantly dissipated at it passes through the air. It is robbed of its energy by the friction it creates in its passage through the air and on the ground. Guided missiles create a sonic boom as they move through the air, as do aircraft capable of supersonic flight during climb. But this sonic boom never reaches anyone's ears since it dissolves in its upward flight.

However, when the increase in pressure occurs at the eardrum, we have a sound. Anyone in the path of the cone's high pressure air will hear the sound as the cone passed over him. The aircraft dragging the cone along is travelling at a very high rate of speed, and, since the high pressure is concentrated in a very small volume, this sound is a sharp crack which sounds much like a thunderclap.

This, essentially, is all there is to the cause of the sonic boom. It is man-made thunder with the aircraft playing the role of an electrical discharge or lightning.

A loud thunderclap can generate a pressure of about a half-pound per square foot, and a loud sound from a boiler factory will produce a pressure of about one pound per square foot. The noise of a sudden thunderclap will startle or frighten people while the boiler room noise, which is continuous, will do neither, simply because it is expected.

Reducing the analogy even further, a person shouting "boo" behind a man will startle him more than a "boo" shouted by someone he sees before him. It's only fair to note, however, that the degree of surprise depends on who is doing the booing.

The Wright Air Development Center engineers and scientists made a thorough investigation of representative cases of the damages alleged to have been caused by the boom. They had a substantial background of experience in shock waves caused by explosions to draw upon in arriving at their conclusions.

First, the engineers and scientists observing the effect of shock waves generated by atomic explosions never detected structural damage to the flimsiest structures at pressures less than 70 pounds per square foot. In tests where aircraft have dived from 35,000 feet, exceeded the speed of sound, and then pulled out at 25,000 feet, the pressure of the wave created has been no greater than 5 pounds per square foot. Even when the aircraft descended to 10,000 feet before pullout, the pressure did not reach 10 pounds per square foot. Supersonic operations are rarely performed at altitudes less than 20,000 feet since the pilot requires this altiture as a safety factor for recovery from the dive. The Air Force even carried its recording instruments to a mountain top to obtain a pressure reading. They registered an aircraft flying at supersonic speed 280 feet away and the maximum reading was 33 pounds per square foot. The jet pilots I know are much too wise to attempt supersonic flight at an altitude of 280 feet except for the most urgent operational reasons.

Air Force regulations also state that sonic and supersonic speeds during straight and level flight will be commenced and terminated at altitudes above 30,000 feet over land areas, and above 10,000 feet over water areas. Sonic booms are not intentionally performed during tactical missions, and when training programs require speeds that could produce a sonic boom, the flight must be conducted over specially designated areas under close supervision. These regulations governing training missions are also applied by the aircraft industry in conducting test flights of new aircraft.

By simple arithmetic, the pressure produced by the usual sonic boom is less than one-twentieth the pressure required to cause structural damage to a flimsy structure. The behavior of homes and industrial buildings of brick, block, and frame construction tested by nuclear explosions reveals that it takes pressure on the order of 150 to 300 pounds per square foot to cause damage ranging from plaster cracks to wall and roof cracks.

The WADC engineers made a calculation study of a wood stud wall with a plaster inside surface. The walls were between 8 and 10 feet in height and constructed from 2 by 4 studs. Suppose we overlook the strength contributed by the sheathing, siding, and plaster and assume that the stud takes all the load. On a single stud the load is about 67 pounds. The maximum tension in the stud at the middle is 200 pounds per square inch of stud.

Most building codes require that the stud be fastened to the plate by three 12-penny nails. These nails provide the shear resistance. The shear strength of the nails is about 300 pounds and the tensile strength of the wood is at least 1,000 pounds per square inch. Building authorities say that in order to prevent plaster cracks, the deflection at the middle of the beam should not exceed 1/360th of the span length.

As long as a 10-foot stud does not bend more than one-third of an inch at the middle from its normal position, the wall plaster will not crack. By calculation, the deflection of our wall stud under the heaviest load imposed by a sonic boom would be only 30 percent of the deflection required to crack the plaster.

Calculations of this kind can be extended to various elements of the house—roofs, side walls, and porches. The sonic boom falls far short of causing sufficient load to crack plaster, floors, roofs, and walls. The force exerted by the boom is like a giant giving the whole house a very light and very quick touch.

So far the structure has been discussed as if it had no openings. Now let's take a look at the windows and doors. The sash and frame of a window, of course, are more than strong enough to withstand the relatively minute force of the boom.

The window glass is another matter. Glass, in one sense, is a strong material, but it is brittle compared to other building materials when used in thin sheets. The methods by which it is manufactured are apt to produce internal lockup stresses. In addition, the glass may be bent ever so slightly when it is installed. Thus a light, sharp blow can shatter a glass pane.

I do not want to imply that a sonic boom will always break windows. Ordinary window glass, properly installed, will break at pressures of 18 to 70 pounds per square foot, a much greater force than the boom produces. In fact, the Air Force, in a recent demonstration, directed some booms at a large plate of glass held in a frame. Five successive sonic booms failed to shatter the glass and only when the glass was loosened in its frame did the boom cause it to shatter.

Doors, with the exception of their glass area, are strong enough to resist boom forces. The weak points are the lock and hinges. If a lock is loose fitting, the impact of the boom may be sufficient to jar the opening and cause the door to slam against the wall. Under this condition or if the door is slightly ajar, the hinges might pull loose or cause a split in the door jamb.

Bricks, plaster, and mortar do not have any measurable ability to creep or move along its surface. When laid up into walls or ceilings, they also get locked up stresses which are caused by curing of the mortar or plaster, shrinkage due to the drying out of mortar or plaster and the effect of expansion and contraction between hot summer and cold winter temperatures.

These materials have very little give or resilience. They stand these force combinations indefinitely or fail after 1 or 2 seasonal cycles. If the boom forces were appropriate, brick, block, or plaster stressed near the point of failure by a combination of locked up or seasonal forces might be overloaded; but since the boom force on a structural element is far less than a good stiff windstorm or, in most cases, less than that of a healthy boy jumping on the floor, it is difficult to see how a wall could remain poised just at the point of failure for any length of time without being tipped in or broken by other more frequent forces.

Ground vibrations are another matter subject to misunderstanding for very good reasons. For example, it was reported to the Air Force that structures were shaken violently and the ground was jumping up and down an inch or two when large aircraft flew overhead. Even the scientists sent to investigate the matter admitted to this feeling. Yet, measuring devices with the most sensitive instruments available indicated no movement, but slamming a screen door drove the measuring device completely off the scale.

The scientists found that we get false perceptions of movement because the sense organs in the skin only require pressures measured in a millionth part per square inch to cause a sensation of movement. It is difficult for anyone to believe there is no vibration, but the most exacting scientific tests have proven there is none.

The sonic boom will not cause ground vibrations, that could damage basement walls, floors, or concrete walks and driveways. Investigations of nuclear explosions which produce many times the pressure of a sonic boom show that there is very little effect on the ground near the point of impact or on pavements, pipes, or foundation footings.

The question then arises as to why structural damage is claimed after a sonic boom. Basically, this is because the homeowner, after hearing a sonic boom, is certain that the noise must have caused some damage. He makes a careful inspection of his home, probably the first time he has gone over the house looking for damage in several years. And, of course, he finds crack after crack. The immediate conclusion is that the boom caused the wall and ceiling cracks. The owner is convinced that the cracks did not exist before the boom occurred. This is a completely natural reaction. The cracks hadn't been detected before, simply because the householder had never looked carefully for them.

A simple test will prove this point. Take a flashlight and go over your walls and ceilings. You will find numerous cracks that you didn't know existed. It is also possible to check whether the cracks are recent or not. Where the plaster has parted, the edges of the rupture will be gray or weathered on an old crack and the plaster will be white on a recent crack.

The Air Force has a dual responsibility on damage claims. It is the policy of the Air Force to make prompt payments for damage caused by its operations. At the same time, the Air Force has a tremendous obligation to the taxpayers to expend each dollar appropriated in a proper manner. The great bulk of the claims received are from people who are honestly convinced that the damage was caused by Air Force operations. The Air Force completely respects the right of the citizen to claim this damage, and a thorough investigation is made. But the scientific knowledge acquired by their investigations of what a sonic boom can do and cannot do must be considered in denying or approving the claim. This is evidence that cannot be ignored.

There are, of course, cases where the claims are patently ridiculous. During a recent demonstration, several sonic booms were deliberately made. One man's residence was located 13 miles from the airport where the boom was directed. The atomic bombs dropped on Hiroshima and Nagasaki did not cause damage to Japanese residences beyond an 8-mile radius. This fact, however, didn't stop the owner from claiming damage from a sonic boom at almost twice the damage limit of an A-bomb.

Another man with two business establishments and a house located in a triangle 7, 5 and 2½ miles apart, with the closest corner of the 3 buildings located 4 miles from the airport, promptly put in a claim for damage on all 3 buildings.

The Air Force, like all Government agencies in a democracy, is highly responsive to the demands of the public it serves. Protests to the commanders of air bases across the Nation and to the Pentagon are given prompt attention and remedial action is sought. In many cases, a simple fix is possible; in other cases, the Air Force cannot eliminate the cause of the protest without serious damage to operations.

It is difficult to readily identify the aircraft causing a sonic boom. This is due to the high altitudes where most supersonic operations are conducted, and a sonic boom created at high altitude may be heard 20 to 30 miles away from the path of the plane. Atmospheric conditions play a significant part in the propagation of these sound waves.

Although Air Defense identification zones are in existence, aircraft operating within them, once identified as friendly, receive no further attention. These zones are established to identify aircraft entering the zone from an outside point.

Absolute identification of the aircraft causing the sonic boom is further complicated by the fact that, except for certain

required position reports en route, a jet aircraft may not be known to be in a designated area at a certain time.

The Air Force now has under consideration the development of an instrument that would automatically record the time, position and flight direction of a plane when it exceeds the speed of sound. Such an instrument will be vital in fixing the responsibility for any damage a boom may cause.

The noise created by turbojet engines is a thorny problem in the relations between the Air Force and the citizens of cities they defend. But the Air Force started an intensive program of public education on jet noise.

Community leaders were invited to nearby airbases for tours; they talked to the commanders and the pilots of the jet aircraft. Landing patterns were rearranged so that the least inhabited areas were in the flight path. The Air Force explained that a jet taking off at 2 o'clock in the morning was not prompted by the desire of a pilot to get his flying time. An unidentified plane had been reported, and the jet was ordered to make an interception.

Once these points were explained, the complaints on jet noise dropped. In fact, jet noise complaints apparently reached their peak last year, and the Air Force estimates that fewer complaints will be received this year despite a growing number of aircraft entering service equipped with high-thrust jets. The noise of the jet planes still exists and will continue to exist for many years, but the annoyance has been lessened through public understanding.

Public appreciation of cause and effect, of necessities that far outweigh inconveniences is an invaluable national asset. Certainly we would not want to equip our Air Force with supersonic aircraft and then forbid the pilots to fly at these speeds. Pilots must know the performance capabilities of their aircraft if they are to be employed some day against the enemy.

The sonic boom is a new noise that we must accept as part of freedom's price.

Problems in Foreign Relations

EXTENSION OF REMARKS

OF

HON. WILLIAM F. KNOWLAND

OF CALIFORNIA

IN THE SENATE OF THE UNITED STATES

Tuesday, June 11, 1957

Mr. KNOWLAND. Mr. President, on June 9 I had the privilege of participating in a broadcast of the program entitled "Face the Nation," and I ask unanimous consent that a transcript of the broadcast be printed in the RECORD.

There being no objection, the broadcast was ordered to be printed in the RECORD, as follows:

FACE THE NATION

(As broadcast over the CBS Television Network, June 9, 1957, 4 to 4:30 p. m., CBS Radio Network, June 9, 1957, 9:30 to 10 p. m.; guest, the Honorable WILLIAM F. KNOWLAND, United States Senate, Republican of California; moderator, Griffing Bancroft; panel, William H. Lawrence, New York Times; Walter Cronkite, CBS News; James Shepley, Time-Life; producer, Ted Ayers; associate producer, Beryl Denzer)

ANNOUNCER. Senator KNOWLAND, face the Nation. You are about to see the Republican leader of the United States Senate, WILLIAM F. KNOWLAND, face the Nation, with questions from veteran correspondents representing the Nation's press: William H. Lawrence, Washington correspondent for the New York Times; Walter Cronkite, of CBS News; and James R. Shepley, chief of the Washington Bureau of Time and Life. And now, substituting for Stuart Novins, the moderator of Face the Nation, from CBS News and Public Affairs, Griffing Bancroft.

Mr. BANCROFT. Senator KNOWLAND is a man of many responsibilities. A California newspaper publisher and Member of the United States Senate for 12 years now. He is not only the Republican floor leader, but a member of perhaps the three most important Committees on Capitol Hill—on Appropriations—on Atomic Energy—and on Foreign Relations. So, Senator KNOWLAND, you have to cope not only with budgetary and political wars here at home, but with the cold war overseas as well. So, let's get started with our first question from Mr. Shepley.

Mr. SHEPLEY. Senator KNOWLAND, your colleague, LYNDON JOHNSON, of Texas, the Democratic leader of the Senate, proposed in a speech last night that following the appearance of Chairman Khrushchev on this program last week, that United States and Russian leaders should have equal time on the opposite radio and TV networks, each and every week of the year. You, as Republican leader of the Senate, endorse this proposal?

Senator KNOWLAND. Well, I thought Senator JOHNSON had made a constructive and interesting proposal. I certainly would think we would want to be sure that the American representative got equal time and was not just limited to being looked at and heard by the Communist hierarchy in the Soviet Union. If he could assure real equal time, that the people of Russia were getting the information, I think it might be helpful.

Mr. CRONKITE. Do you think, Senator KNOWLAND, that in the case of the Khrushchev interview last week on this program, Face the Nation, we should ask for equal time to answer that particular broadcast?

Senator KNOWLAND. Whether we should ask for equal time to answer that particular broadcast, I think it may be a little late to do that now. The time to have done it was perhaps before the broadcast was made, but over a year ago I suggested that at the United Nations, where they get a wide distribution by television and radio of the proceedings, that before the Soviet Union was able to take advantage of the American audience that he and his government should agree that equal time would be given to Ambassador Lodge and the spokesmen of the Western World, along the same general line.

Mr. LAWRENCE. Senator, do you get the impression that there has been any net change in the climate or in the relations between the United States and the Soviet Union as a result of events in the last week or 2 weeks?

Senator KNOWLAND. I personally, Mr. Lawrence, do not believe the Soviet Union has changed its long-term objectives. I am concerned that they may be interested for propaganda purposes of talking about a new agreement, but I have no confidence that they will live up to this new agreement if they enter into it, any more than they have the whole string of agreements that they have violated, and it seems to me that what the free governments of the world should do is to insist that they at least live up to some of the agreements they have already made. For instance, the 10 resolutions passed on the Hungary situation have not been abided by, by either the Soviet Union or by the captive government of Kadar in Hungary and apparently, now the Soviet Union is using the smokescreen of some interest in disarmament in order to make the world forget about the atrocities in Hungary.

Mr. LAWRENCE. You brought up this Hungarian revolution and I was interested in Khrushchev's assertion—that is all it was, it was hardly a statement of the fact, but his assertion—that the Russians would be willing to withdraw their troops from the captive—from the countries of Eastern Europe, the satellites—captive countries, if we would withdraw our troops from Europe and he expressed the belief that even if Soviet troops left, that these countries would still remain under the Soviet type of government. You agree with this?

Senator KNOWLAND. I do not agee with Mr. Khrushchev's statement. I do not believe that the Kadar government of Hungary would last a day or week if the Soviet troops were withdrawn.

I do not believe that we should try to get a settlement of the withdrawal from all of Europe or perhaps from all of Eastern Europe at one time. I think a good test of the good faith of Mr. Khrushchev and if he was speaking for the Soviet Government, would be to say, "All right, let's take a test. Hungary is the place. This is the time. The United Nations has passed 10 resolutions. Now comply with those 10 resolutions. Withdraw your forces, let there be free elections. You said that communism is a great success. You had an opportunity to impose communism in Hungary for over 10 years. Now let the world see whether the people in free elections would vote for communism or would not."

It seems to me that we ought to put Mr. Khrushchev on the spot; focus world attention on that issue. He has opened it up for us, and I don't think we ought to let him build a smokescreen now by talking about other agreements when here is a specific case where they can demonstrate whether the people of Hungary really want communism.

Mr. LAWRENCE. In your view, would there be a quid pro quo for this? I mean would we, in return for their withdrawing from Hungary, is there anything that we would do or should do?

Senator KNOWLAND. Personally, I would be willing to agree, provided it met the approval of our allies, to say you have talked about a Baltic neutrality situation. If Norway is willing to work with us on this situation, that Norway would join the neutral bloc of the Baltic states in exchange for your pulling out of Hungary and giving the people of Hungary a chance to determine by free elections whether they want communism. Now here would be a test. It would be a limited test. It would be a quid pro quo and would give a chance to see whether Mr. Khrushchev's appearance was only propaganda which I think it was, or whether he was speaking in good faith for his Government and the world would understand.

Mr. CRONKITE. Senator KNOWLAND, is anything being done to put that suggestion of yours into effect?

Senator KNOWLAND. I have written a letter to the Secretary of State suggesting that that be done.

Mr. SHEPLEY. Senator, would you add that, for the purposes of the test, any other countries, say Poland, for example?

Senator KNOWLAND. I don't think that you can solve all these problems at once. Personally, I think we should always seek to get a withdrawal ultimately of the Soviet forces from Poland, Rumania and Bulgaria, and the other captive nations, but we are not going to do that all at one time, and here is a chance to test out Mr. Khrushchev's alleged offer, and his statement that communism could exist if Soviet troops were withdrawn. I think we could, if he doesn't want to take Hungary as an example, we could offer him the alternative—let him withdraw from Latvia, Lithuania, and Estonia, to live up to the agreements that the Soviet Union signed in 1939. Let them become a part of this so-called Baltic neutral bloc in exchange for Norway becoming a member of the so-called Baltic neutral bloc.

Mr. SHEPLEY. Your proposal of Norway as a quid pro quo for Hungary is very interesting, and I was wondering if you had thought of a quid pro quo later for Poland?

Senator KNOWLAND. No; but if you were taking country by country, if he was willing to test whether the people of these captive nations really liked communism and felt it was a paradise as he visions it, why, then, maybe we could try and say that we would be willing to withdraw our forces from, let us say, Greece, so that we would try country by country and let's see how it works out.

Mr. BANCROFT. Senator KNOWLAND, have you had any reply from this letter?

Senator KNOWLAND. No; I have not because the letter was just written on Saturday.

Mr. BANCROFT. When did you write the letter?

Senator KNOWLAND. Just yesterday.

Mr. CRONKITE. Senator, a moment ago, in discussing disarmament you seemed a little less optimistic about the sincerity of the Russians in this particular case than do Secretary of State Dulles and Harold Stassen. Do you feel that they are too optimistic?

Senator KNOWLAND. They are more optimistic than I am. I certainly wish them every luck. There is no man in the world today and the people of Russia must understand this, there is no man in the world today more devoted to peace than is President Eisenhower. He will take any honorable steps to try and gain a real peace in the world and try and gain a limitation of armaments, but I think the Government and the people of the United States have a right, in view of the unbroken record of violations of their prior agreements, to insist, as Senator JOHNSON said on yesterday, that there be some ironclad guaranties, some brassbound guaranties, that this is not just going to be some words without any deeds following it up, and I just don't believe that the Soviet Union has any intention of agreeing to an effective system of inspection, and without it, I think we would jeopardize the security of this Nation and perhaps the freedom of the entire Free World if we merely took their word without insisting on effective guaranties.

Mr. SHEPLEY. On that point, Senator, what is your understanding of the status of the disarmament talks between Mr. Stassen and the Russian delegate in London?

Senator KNOWLAND. So far as I know there have been preliminary conversations with our allies first, so that they would understand some of the proposals that the Government of the United States has in mind. I have no doubt there have been preliminary discussions with Soviet representatives. I am not in a position to go into any details of it nor do I have any up-to-the-minute latest information.

Mr. SHEPLEY. Is it your understanding that these safeguards and controls of which you have just spoken are, indeed, part and parcel of the new American proposals?

Senator KNOWLAND. I believe that to be the case. I believe that that has been the position of our Government in the past. I have no reason to believe they would change it. I think it would be a very serious mistake to merely take the Soviet word without effective guaranties, and I don't believe that either Democrats or Republicans in or out of the Congress would support a proposal that merely gave us another scrap of paper with the signature of the Soviet Union without some effective guaranties on it.

Mr. SHEPLEY. Well, sir, both the President and Mr. Khrushchev have mentioned a general agreement with the proposition of going on with some initial step, some first thing first without awaiting an entire disarmament package. Do you have any idea what that first initial step might be?

Senator KNOWLAND. No; and I have no particular objection to trying it piecemeal, because we are not going to solve all the problems of the world at one sitting, so to speak, but I do believe that we have a right to expect a fair quid pro quo. Secondly, I think we have a right, based on the undisputed record of Soviet violations of their treaty obligations in the past, to make sure that whatever is agreed to, can be effectively inspected.

Mr. CRONKITE. Senator, if I may change the subject at the moment with the agreement of you gentlemen, most of our competitors for world markets are about to resume trade with Red China. You have been an outstanding spokesman for Nationalist China and for Formosa, for the policies of alliance with them in the past. Do you think that the time might be ripe now for us to review our policies toward Red China trade?

Senator KNOWLAND. I think on all foreign policy, no one can freeze their thinking and you have to, obviously, deal with the facts as they exist and as they change from time to time. Personally, I think it is a mistake under existing world conditions to open up the trade of strategic materials with Communist China.

Now, there is argument sometime as to what strategic materials are, but in the recent British announcement it indicated that locomotives, trucks, perhaps entire rubber industrial plants would be shipped. To me they are strategic and to the British Board of Trade they may not be. I, sometime ago, during the Korean war, I told a British friend of mine that I would be perfectly willing to accept the proscribed list of the British orders-in-council of World Wars I and II if there was any dispute as to what would help an unfriendly country.

Now, we have to keep in mind that Communist China only has a truce in Korea. There is not a peace treaty yet in regard to that country. They have violated the armistice terms in Korea; they have violated the armistice terms in southeast Asia; they are still holding American civilians in Communist prisons in violation of their pledged word at Geneva just a year and a half or 2 years ago; they are still making threats to take over Formosa by force of arms. In these conditions, to build up a potential aggressor in that area of the world, it seems to me to be as imprudent as the businessmen who were willing, for dollars, to ship scrap metal and oil to the war lords of Japan in 1939, in 1940, and early 1941, that came back at us, at our battle fleet at Pearl Harbor on the morning of December 7.

I hope those that are pursuing this course don't find that the end result is the same.

Mr. CRONKITE. According to Mr. Lawrence's esteemed publication, in a report today some of your own constituents are urging that course, importers and exporters in the San Francisco area.

Senator KNOWLAND. Yes; some of them dealt in sending scrap iron and oil to the Japanese war lords, too, but I think they have lived to regret it and I think the country learned and lived to understand that that was a shortsighted policy. For temporary profit, this Nation was endangered and a potential enemy was built up so he could make war, drive us out of most of the Pacific, overrun all of China and get down and knock on the doors of Australia.

Mr. LAWRENCE. Senator, I wonder if I could ask you a few questions of a domestic character. You announced some time ago that you would not be a candidate for reelection in 1958.

Senator KNOWLAND. Yes; that announcement still stands and I have no intention of changing it.

Mr. LAWRENCE. Well, I was about to say that some of my friends in California tell me that your friends, quite a few of them, are urging you to change it.

Senator KNOWLAND. There has been some suggestion, but I have written to them and told them that my decision is going to remain what it was.

Mr. LAWRENCE. Well, what will be your future political role, if any? Do you have any plan to run for governor?

Senator KNOWLAND. I have no plans at the present time. As I announced before, when this session is over I intend to return to California, to get over the State from the Oregon line to the Mexican border, a distance of about 1,000 miles to consult with the people of California and following that, I will make a decision.

Mr. LAWRENCE. But you would be—what is the purpose of this survey trip? Get reacquainted with your State?

Senator KNOWLAND. No, I generally get out there after every sesssion to acquaint them with some of the problems here in Washington. It will be partialily that and partially to have a chance to talk with the people of California regarding 1958.

Mr. LAWRENCE. You are aware, of course, that a great many people are talking about you running for governor?

Senator KNOWLAND. I am aware that California will elect a governor and a United States Senator in 1958, and I think they will elect a Republican governor and a Republican Senator.

Mr. SHEPLEY. Senator, may I pursue that question just a little bit? People also say that the reason you are interested in the governorship is because it would considerably enhance your chances for the Republican nomination for the Presidency. Can you tell us now whether you are interested in the Republican nomination for the Presidency?

Senator KNOWLAND. 1960 is a long ways off and the bridge of 1958 in any event would have to be crossed first. I believe the record of this administration is such that the American people will elect a Republican administration in 1960.

Mr. SHEPLEY. You are not saying that you are not a candidate for the Presidency?

Senator KNOWLAND. No, I am not at this point making any statement in regard to 1960. I have no crystal ball that looks that far in advance.

Mr. CRONKITE. Senator, I don't think you need a crystal ball for this one. In March 1956, you said—that was, of course, during the primary periods before the last election—you said that the party must be unified and greater representation must be given in the campaign, if possible, and afterward certainly, to the Taft wing of the Republican Party. You feel that those conditions have been met?

Senator KNOWLAND. Well, I had reference particularly to the campaign of 1956 at the time. I think that throughout the country, members of all groups in the Republican Party were taken into the campaign organization. I think in the various State organizations they did not discriminate between one Republican and another. Personally, I don't believe in hyphenated Republicanism. I have said before I am a Republican—period. I think the label "Republican" is sufficiently broad that men may have honest differences of opinion and still consider themselves as Republicans without having to hyphenate the term.

Mr. CRONKITE. You mean modern Republicanism?

Senator KNOWLAND. Well, any kind of prefix to a Republican, I don't think is necessary. I think in and of itself it tends to be divisive and anything which divides our party I think is a mistake.

Mr. CRONKITE. You think that the present leadership of the party, under Chairman Meade Alcorn, is giving adequate representation to the so-called Taft wing of the party?

Senator KNOWLAND. I believe so. I have great confidence in Mr. Alcorn. I think he did an outstanding job as chairman of the arrangements committee. Having served on the national committee and on the arrangements committee when I was on the national committee, I think I know something about the problems. His going out to the grassroots has been highly helpful. It has given people a chance to express themselves,

and I think Mr. Alcorn is to be commended in the job he is trying to do.

Mr. LAWRENCE. Senator, let's go back if we may to this business of differences of opinion which you mentioned just a moment ago. Now the President made a speech on Friday, this National Republican Conference, in which he said, among other things, that it was the duty of Republican leaders in the Congress and in the party to see to it that the platform pledges of 1956 were enacted into law and that men should not let preference for detail or differences about detail between them and the administration keep them from carrying out these platform pledges. Now you have often disagreed with the President on vital and important matters.

Senator KNOWLAND. I know of no basic platform pledges upon which I differ materially from the President. As a matter of fact, according to Congressional Quarterly, I stand among the six highest Republicans, percentagewise, in support of the President's program, both domestic and foreign, with the percentage, I think, of 89 percent. There are three others who have that percentage. There are 2 that have 100 percent. But out of that 6, we are the top 6 out of 47. I think that is a pretty good batting average.

Mr. LAWRENCE. Well, I did not really mean to put that into the personal sense of a quarrel between you and the President, but I was getting at this business of getting the platform enacted into law, and the duty of the leadership to see that it is done. What are the chances of the school-aid program going through this session, the way the President wants it?

Senator KNOWLAND. There are lots of problems connected with the school-aid legislation. In the first place, Democratic leadership has indicated that that will not be taken up until after the civil-rights legislation is disposed of; depending on what happens on the civil-rights legislation, may depend on whether the so-called Powell amendment is offered to the aid-to-education bill. Some people believe that if that was added in the House or in the Senate, that might kill the legislation. There are various alternatives that have been suggested. Some favor, as you know, grants just to the needy States; some want to expand it to grants to States whether they are needy or not, which is far beyond the purview of the President's original recommendation; some believe that the needy States could be amply taken care of without grants, but with a kind of educational RFC funds where needy school districts had difficulty in floating their bonds or floating them at a reasonable interest rate might borrow from the Federal Government to repay the entire amount and have no obligations otherwise to them, at the same interest rate that the Federal Government is able to borrow funds, and this would not get into the difficulties that might follow grants-in-aid where the Federal Government ultimately would want controls.

Mr. CRONKITE. Senator, getting back to more specific political-type questions, if we may. How widespread do you believe the disenchantment is among the conservative Republicans over the Eisenhower budget?

Senator KNOWLAND. I think there has been concern throughout the country. I think the grassroots conferences to which we referred that Mr. Alcorn has had, has indicated that there is a feeling that every effort should be made by the Congress without hurt to our national defense, to reduce the $71.8 billion budget, and personally, I believe the budget should be reduced. I believe the Congress will reduce it by at least $3 billion. I favor them doing that and I think that will be done at this session of Congress, and can be done without harm to our national defense.

Mr. BANCROFT. Senator KNOWLAND, on that $3 billion, do you count in that, then $2½ billion out of defense?

Senator KNOWLAND. No; I don't believe the ultimate defense budget will have as deep a cut as the House proposed.

Mr. BANCROFT. But you are now supporting virtually all of the foreign aid program, are you not?

Senator KNOWLAND. Yes; I voted to report the foreign aid authorization bill from the Foreign Relations Committee on Friday, and I believe that the bill that has come out has been substantially a good bill. It did cut about $225 million off the original request which I think is modest and I think is supportable. The matter, of course, still goes to the House and then to conference and then the appropriation bills will have to follow.

Mr. SHEPLEY. Senator KNOWLAND, before we finish I would like to return to some of the questions raised by Communist boss Khrushchev last week. One of his major points was that the Soviet Union, the first Communist experiment on the earth, in the period of some 40 years, has been catching up with the world's greatest productive nation, the United States. He made the point that they have been catching up in production of milk and butter which he said they would reach our level, per capita, next year; meat in 1960. Soviet statistics are dubious at best, but we do know that they have created atomic weapons and hydrogen weapons and that they have jet airplanes that can fly across the ocean and reach our own country. I would like to know whether you have given any thought to the general proposition of how we stand in the competition with the Soviet Union and whether we are doing enough to keep our own country ahead of them in the important regards.

Senator KNOWLAND. I think we are ahead of them. I think the free enterprise system and free governments will keep ahead of them and that is one reason why I have opposed giving American financial aid to the nations behind the Iron Curtain. Khrushchev says we are in a great struggle between Marxian socialism and the free world. Now I think we can win that struggle, but I don't think we can win it if we tax the American people to support Communist economic and political systems and that is why I am opposed to taking the taxpayers' money to bolster up Communist systems in nations which are allied under the Warsaw pact where they are under occupation of Soviet forces. We know under the Marshall plan and under the subsequent mutual aid, why have we put these funds in? In our mutual interest. It has been to strengthen the economic systems of free nations of the world. Why? Because that strengthens their political systems. That strengthens their defensive capabilities and I have been for it.

Now, if you take the opposite side of that coin, if we make the people living under communism happy, if we make communism a success, we in turn, strengthen the war-making potential of Communist nations and I am opposed to doing that with the funds of the American people.

Mr. SHEPLEY. Are you satisfied that we are doing enough on our own in the way of educating scientists and in the way of producing for the common enjoyment of our own people, and for the rest of the Free World?

Senator KNOWLAND. I think we are doing a great deal. I thing we can do more because I never want to see us get into a secondary position vis-a-vis the Soviet Union or any of the Communist states.

Mr. LAWRENCE. Senator, one quick question. As a Member of Congress, will you try to do anything to stop this loan to Poland which the administration is now negotiating?

Senator KNOWLAND. We can't stop the one that has already been given, but on the Appropriations Committee I think a limitation in the appropriation bill would be effective, and I don't believe as long as they are under Soviet occupation, that American taxpayers should be asked to support Communist political and economic systems.

Mr. BANCROFT. I am afraid that is all the time we have, and Senator KNOWLAND, many thanks for coming here today to Face the Nation, and our thanks also to today's panel of newsmen: William H. Lawrence of the New York Times, Walter Cronkite of CBS News, and James Shepley of Time and Life. This in Griffing Bancroft substituting for Stuart Novins. We invite you to join us again next week for another edition of Face the Nation. Our program today originated in Washington.

SENATE

WEDNESDAY, JUNE 12, 1957

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, in whose eternal peace our fretful, restless spirits are quieted—the fierce tempests sweeping across our divided world have left us weary with watching and guarding the ramparts of freedom. These testing times have found out our every weakness. In the midst of bewilderment and perplexity we turn to the infinite calm of Thy changeless love that we may find inner sustenance, wells of living water to restore our souls, courage in battling for the truth, and serenity under strain. Steel our hearts for the austere disciplines of self-control, and grant us the power and the purpose to match great needs with great deeds.

We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, June 11, 1957, was approved, and its reading was dispensed with.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Rules and Administration and the Subcommittee on Government Contracts of the Committee on Government Operations were authorized to meet during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Subcommittee on Public Lands of the Committee on Interior and Insular Affairs and the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary were authorized to hold a joint meeting during the session of the Senate today.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committee and subcommittees were authorized to meet today during the session of the Senate:

The Committee on Interstate and Foreign Commerce.

The Public Lands Subcommittee of the Committee on Interior and Insular Affairs, on the Everglades National Park and on S. 77—C. & O. Canal.

The Subcommittee on Fiscal Affairs of the Committee on the District of Columbia.

The Internal Security Subcommittee to sit in New York, N. Y.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate today.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AMENDMENT OF TITLE 10, UNITED STATES CODE, RELATING TO LENGTH OF SERVICE OF CERTAIN GRADUATES

A letter from the Secretary of the Navy, transmitting a draft of proposed legislation to amend title 10, United States Code, with respect to agreements for length of service of graduates of the United States Military, Naval, and Air Force Academies, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

ESTABLISHMENT OF OFFICE OF DEPUTY JUDGE ADVOCATE GENERAL OF THE NAVY

A letter from the Chief of Legislative Liaison, Department of the Navy, Washington, D. C., transmitting a draft of proposed legislation to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

RESOLUTION OF CITY COUNCIL OF CITY OF TWO HARBORS, MINN.

Mr. THYE. Mr. President, I present, for appropriate reference, a resolution adopted by the City Council of the City of Two Harbors, Minn., protesting against any increase in the diversion of water from the Great Lakes at the city of Chicago. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Whereas the city of Chicago is "stealing" water from the Great Lakes in dangerous quantities; and

Whereas officials of State and local governments, port authorities and shipping companies have protested the diversion from Lake Michigan of water to be used to flush Chicago's sewage down the Mississippi River; and

Whereas the Lake Superior level has dropped considerably the past years which has been very noticeable at our municipal water and light plant: Therefore be it

Resolved, That the City Council of the City of Two Harbors, Minn., go on record opposing an increase in diversion of waters and that copies of this resolution be sent to United States Senators EDWARD THYE and HUBERT HUMPHREY and Congressman JOHN BLATNIK.

Adopted this 3d day of June 1957.

FRANK EIDE, *President, City Council.*

Attest:

RAYMOND W. GUSTAFSON, *City Clerk.*

Approved by the mayor of the city of Two Harbors this 4th day of June 1957.

DAVID BATTAGLIA, *Mayor.*

RESOLUTION OF SOUTH CAROLINA CHAPTER, INTERNATIONAL ASSOCIATION OF PERSONNEL IN EMPLOYMENT SECURITY

Mr. THURMOND. Mr. President, I present, for appropriate reference, a resolution from the South Carolina Chapter of the International Association of Personnel in Employment Security. I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Whereas the South Carolina Chapter of the International Association of Personnel in Employment Security is a professional organization of 383 employees of the South Carolina Employment Security Commission, salaries for which agency are wholly paid from Federal funds through the Bureau of Employment Security of the United States Department of Labor; and

Whereas it has come to our attention that the National Congress has or will have under its consideration House Resolution 4959 and Senate bill 1693, which are designed to extend the privileges of the Federal Employees' Group Life Insurance Act of 1954 to State employees wholly paid from Federal funds; and

Whereas we are informed that the provisions of these resolutions allow an employee to obtain group life and accidental death and dismemberment insurance in multiples of $1,000 equal to the next highest $1,000 above his annual compensation at a rate not to exceed 25 cents biweekly or $6.50 per annum for each $1,000 of his group insurance, we feel that this insurance would be of great benefit to the some 540 employees of the South Carolina Employment Security Commission: Now, therefore, be it

Resolved, That this South Carolina Chapter of the International Association of Personnel in Employment Security, in annual convention assembled at Myrtle Beach, S. C., on this 18th day of May 1957 does hereby petition the South Carolina Congressional delegation to exert every effort to effect passage of House Resolution 4959 and/or Senate bill 1693; and be it further

Resolved, That a copy of this resolution be sent to each United States Senator and Member of Congress from the State of South Carolina, and that a copy of this resolution also be incorporated in the minutes of the 1957 annual convention of this South Carolina Chapter of the International Association of Personnel in Employment Security.

Members of executive committee: Clara Bell K. Shands, president; Ralph C. Morgan, vice president; D. Colie Craft, treasurer; Louise W. Hays, secretary; Kathryn E. Lewis; Charles P. Scoville; Richard I. Lane; Esther R. Boswell; B. Frank Godfrey; Addison Bostain; John M. Jeter; Thelma Evans, members.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself and Mr. MURRAY):

S. 2271. A bill relating to the imposition of a tax on the importation of zinc and lead; to the Committee on Finance.

(See the remarks of Mr. MANSFIELD when he introduced the above bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 2272. A bill to provide for tax adjustment based on increase or decrease in Federal project authorizations; to the Committee on Finance.

(See the remarks of Mr. BENNETT when he introduced the above bill, which appear under a separate heading.)

By Mr. EASTLAND (for himself, Mr. HOLLAND, and Mr. AIKEN):

S. 2273. A bill to provide an alternative acreage-adjustment and price-support program for the 1958 crop of cotton, and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. EASTLAND when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 2274. A bill for the relief of Mario Lazzarotto; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2275. A bill to amend section 15 of the District of Columbia Alcoholic Beverage Control Act; and

S. 2276. A bill to amend the District of Columbia Alcoholic Beverage Control Act; to the Committee on the District of Columbia.

By Mr. O'MAHONEY:

S. 2277. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

AMENDMENT OF INTERNAL REVENUE CODE RELATING TO TAX ON IMPORTATION OF ZINC AND LEAD

Mr. MANSFIELD. Mr. President, earlier this month the administration presented to Congress, after 2 years in the making, what it considers to be its long-range minerals program to give some new life to many segments of our domestic mining industry. As we all know, the domestic mining industry of this Nation is faced with many economic problems. The continued deterioration of the stability of one of our basic industries will ultimately weaken this country's defense effort.

I was extremely disappointed with the program presented. There was nothing new, and in the instance of the lead and zinc mining, the program presented would mean a slow death to these miners and the communities which serve them.

The lead and zinc miners are in need of help. Therefore, on behalf of my

colleague, the distinguished senior Senator from Montana [Mr. MURRAY] and myself, I introduce, for appropriate reference, a bill, which, if enacted, would impose a tax on the importation of zinc and lead.

The administration suggested a complicated combination of higher tariffs and excise taxes on imports, putting a floor of 17 cents a pound under lead, and one of 14½ cents under zinc. This would not help our lead and zinc miners. In the instance of lead mining, the average production cost in this country is near 17 cents; and it is just under 15 cents for zinc.

On May 29, the very able Representative from Montana's western district, LEE METCALF, introduced in the House proposed legislation which would provide the necessary relief for this segment of our mining industry. The bill I am introducing today is a companion to that bill.

In brief, the bill I have introduced provides that whenever the domestic price, averaged over 1 calendar month, fell below 18 cents for lead and 15 cents for zinc, an import tax of 6 cents a pound would automatically replace the existing tariff upon imported lead and zinc. The President would suspend the special tax after the domestic market price averaged at least the minimum price for 2 consecutive months.

Enactment of this bill will set a price at which domestic miners can produce and sell in this country.

During times of emergency everyone is concerned about the welfare of our domestic mining industry; but as soon as foreign markets are secure, our domestic industry is forgotten. It is about time this industry got some recognition in time of peace.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2271) relating to the imposition of a tax on the importation of zinc and lead, introduced by Mr. MANSFIELD (for himself and Mr. MURRAY), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That (a) chapter 38 of the Internal Revenue Code of 1954 (relating to import taxes) is amended by adding at the end thereof a new subchapter as follows:

"SUBCHAPTER H—ZINC AND LEAD

"Part I. Zinc.
"Part II. Lead.

"Part I—zinc

"Sec. 4611. Imposition of tax.
"Sec. 4612. Periods of application.
"Sec. 4613. Miscellaneous provisions.

"SEC. 4611. Imposition of tax.

"In lieu of any other tax or duty imposed by law, there is hereby imposed on articles imported into the United States which are dutiable under paragraph 77, 393, or 394 of the Tariff Act of 1930, a tax of 6 cents per pound on the zinc contained therein, to be paid by the importer. All taxes and duties imposed under such paragraphs are hereby suspended. For purposes of the tax imposed by this section, the term 'United States' includes Puerto Rico.

"SEC. 4612. Periods of application.

"(a) In general: The tax imposed by section 4611 shall be applied or suspended successively from time to time under the following specific circumstances and conditions:

"(1) Such tax shall apply only to articles imported after the conclusion of a calendar month in which the average domestic market price of slab zinc (prime Western, free on board, East St. Louis, Ill.) for such month is below 15 cents per pound.

"(2) When for any two consecutive calendar months the average domestic market price of slab zinc (prime Western, free on board, East St. Louis, Ill.) for each of such months has been 15 cents per pound or more, and at the end of such 2-month period is 15 cents per pound or more, the Tariff Commission 10 days after the conclusion of such period, shall so advise the President, and the President shall, by proclamation, not later than 15 days after he has been so advised by the Tariff Commission, suspend such tax only until the domestic market price of slab zinc averages below 15 cents per pound for 1 calendar month, whereupon such tax shall be automatically reimposed, subject to suspension and reimposition successively under the provisions of this section.

"(b) Definitions:

"(1) Average domestic market price: For purposes of subsection (a), the average domestic market price of slab zinc for any calendar month shall be the average market price per pound for such slab zinc (prime Western, free on board, East St. Louis, Ill.), and in determining such average market price of slab zinc for any calendar month, the Secretary or his delegate shall be required to base his findings upon the average price of slab zinc (prime Western, free on board, East St. Louis, Ill.) for such calendar month, reported by the Engineering and Mining Journal's 'Metal and Mineral Markets'.

"(2) Month: For purposes of this part, the term 'month' means a calendar month.

"(c) Determinations final: Determinations by the Secretary or his delegate under this section shall, for purposes of this part, be final and conclusive.

"SEC. 4613. Miscellaneous provisions.

"(a) Entry under bond: All articles described in paragraph 77, 393, or 394 of the Tariff Act of 1930, imported after the effective date of this act, shall be duly entered by the importer by payment of the tax imposed hereunder, if applicable, or under bond in double the amount of the estimated tax, except that if such tax is not applicable, such articles must be entered under bond in such amount.

"(b) Articles withdrawn from warehouse: Articles withdrawn from bond regardless of when imported shall be subject to the tax imposed by section 4611, unless such articles are withdrawn from bond for export or to be sold for consumption during a calendar month in which such tax is suspended under the provisions of section 4612.

"Part II—Lead

"Sec. 4621. Imposition of tax.
"Sec. 4622. Periods of application.
"Sec. 4623. Miscellaneous provisions.

"SEC. 4621. Imposition of tax.

"In lieu of any other tax or duty imposed by law, there is hereby imposed on articles imported into the United States which are dutiable under paragraphs 72, 391, or 392 of the Tariff Act of 1930, a tax of 6 cents per pound on the lead contained therein, to be paid by the importer. All taxes and duties imposed under such paragraphs are hereby suspended. For purposes of the tax imposed by this section, the term 'United States' includes Puerto Rico.

"SEC. 4622. Periods of application.

"(a) The tax imposed by section 4621 shall be applied or suspended successively from time to time under the following specific circumstances and conditions:

"(1) Such tax shall apply only to articles imported after the conclusion of a calendar month in which the average domestic market price of common lead (in standard shapes and sizes delivered at New York, N. Y.), for such month is below 18 cents per pound.

"(2) When for any 2 consecutive calendar months the average domestic market price of common lead (in standard shapes and sizes delivered at New York, N. Y.), for each of such months has been 18 cents per pound or more, and at the end of such 2-month period is 18 cents per pound or more, the Tariff Commission, 10 days after the conclusion of such period, shall so advise the President, and the President shall, by proclamation, not later than 15 days after he has been so advised by the Tariff Commission, suspend such tax only until the domestic market price of common lead averages below 18 cents per pound for 1 calendar month, whereupon such tax shall be automatically reimposed, subject to suspension and reimposition successively under the provisions of this section.

"(b) Definition:

"(1) Average domestic market price: For purposes of subsection (a), the average domestic market price of common lead for any calendar month shall be the average market price per pound for such common lead (in standard shapes and sizes delivered at New York, N. Y.), and in determining such average market price of common lead for any calendar month, the Secretary or his delegate shall be required to base his findings upon the average price of common lead (in standard shapes and sizes delivered at New York, N. Y.), for such calendar month, reported by the Engineering and Mining Journal's Metal and Mineral Markets.

"(2) Month: For purposes of this part, the term 'month' means a calendar month.

"(c) Determinations final: Determinations by the Secretary or his delegate under this section shall, for purposes of this part, be final and conclusive.

"SEC. 4623. Miscellaneous provisions.

"(a) Entry under bond: All articles described in paragraph 72, 391, or 392 of the Tariff Act of 1930, imported after the effective date of this act, shall be duly entered by the importer by payment of the tax imposed hereunder, if applicable, or under bond in double the amount of the estimated tax, except that if such tax is not applicable, such articles must be entered under bond in such amount.

"(b) Articles withdrawn from warehouse: Articles withdrawn from bond regardless of when imported shall be subject to the tax imposed by section 4621, unless such articles are withdrawn from bond for export or to be sold for consumption during a calendar month in which such tax is suspended under the provisions of section 4622."

(b) The table of subchapters for such chapter is amended by adding at the end thereof.

"Subchapter H—Zinc and lead."

(c) This act shall apply only with respect to articles entered or withdrawn from bond after the effective date of this act. The Secretary of the Treasury is authorized to make all necessary regulations to enforce the provisions of this act.

TAX ADJUSTMENT BASED ON FEDERAL PROJECT AUTHORIZATIONS

Mr. BENNETT. Mr. President, I introduce, for appropriate reference, a bill to provide for tax adjustment based on

increase or decrease in Federal project authorizations. I ask unanimous consent that the bill be printed in the RECORD, and lie on the desk for 1 week, so that any Senators who wish to do so may join me in cosponsoring it. I will welcome any helpful comments.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and lie on the desk, as requested by the Senator from Utah.

The bill (S. 2272) to provide for tax adjustment based on increase or decrease in Federal project authorizations, introduced by Mr. BENNETT, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Tax Adjustment Act of 1957."

TITLE I—TAX ADJUSTMENT ORDERS

SEC. 101. (a) Whenever any committee of the Congress (other than the Appropriations Committees) requests a report from a Government agency on a bill or joint resolution proposing legislation which, if enacted, or a treaty which, if ratified, will authorize or require the expenditure of Federal funds, the Director of the Bureau of the Budget shall estimate the costs of such legislation or treaty for the fiscal year under way, the ensuing fiscal year, and susbequent fiscal years, and shall transmit such estimates in each case to the committee or committees concerned. In the event any committee reports any such bill or joint resolution, the Director of the Bureau of the Budget shall make a like estimate of the costs of such legislation or treaty as reported, and such estimate shall be included in the committee report.

(b) At the conclusion of each session of the Congress, the Director of the Bureau of the Budget shall make such a cost estimate (including necessary revision of any estimates made under subsection (a)) for each public law enacted and each treaty ratified during such session. The Director shall cumulate all such estimates and shall deduct from the total thereof the amount (in annual cost) of all authorizations which have lapsed or terminated during the current calendar year.

SEC. 102. On the basis of the net amount of the project cost estimates for any calendar year under section 101 the Director of the Bureau of the Budget shall prepare a tax adjustment order so framed as to provide such increases in income-tax rates effective over such period of time as may in his judgment be necessary to meet the estimated increase in project authorizations or requirements. If the total of lapsed or terminated authorizations or requirements exceeds new authorizations or requirements, the tax adjustment order shall provide for corresponding decreases in such tax rates.

SEC. 103. A tax adjustment order shall be submitted to the President by the Director of the Bureau of the Budget, for transmittal to the Congress on or before January 10 of the year following the year during which the laws or treaties on which it is based were enacted or ratified, and shall become effective in the manner provided in section 104. All orders shall be numbered serially without regard to the year in which transmitted. The delivery of any order shall be made to both Houses of the Congress on the same day and shall be made to each House while it is in session. The Director of the Bureau of the Budget shall also submit in connection with each tax adjustment order a statement setting forth his findings and conclusions upon which such order is based.

SEC. 104. (a) A tax adjustment order transmitted to the Congress pursuant to section 103 shall become effective at 12:01 o'clock antemeridian, eastern standard time, on the expiration of the first period of 60 calendar days of continuous session of the Congress following the date on which the order is transmitted to the Congress; but only if, between the date of transmittal and the expiration of such 60-day period there has not been passed by either of the two Houses a resolution stating in substance that the House does not favor the order.

(b) For the purposes of subsection (a)—

(1) the continuity of session of the Congress shall be considered as broken only by an adjournment of the Congress sine die; but

(2) in the computation of the 60-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

(c) Notwithstanding the provisions of subsection (a), a tax adjustment order may take effect at a later date than the date on which it would otherwise take effect under the provisions of subsection (a), if such later date is specified in the order.

SEC. 105. The Director of the Bureau of the Budget is authorized to employ such personnel as he determines necessary to assist in carrying out the duties and functions imposed upon him by this act.

SEC. 106. The Director of the Bureau of the Budget is authorized to prescribe such rules and regulations as he determines necessary to carry out the provisions of this act and to perform the duties and functions imposed upon him by this act.

SEC. 107. The Secretary of the Treasury shall, at the request of the Director of the Bureau of the Budget, furnish to the Director such information as the Director determines necessary to enable him to perform his duties and functions under this act. The Director may, from time to time, request from any other department or agency in the executive branch of the Government any information which such department or agency may have in its possession, or which is available to it, and which the Director determines necessary to enable him to perform his duties and functions under this act.

TITLE II—EXERCISE ON CONGRESSIONAL RULEMAKING POWER

SEC. 201. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 202); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

SEC. 202. As used in this title, the term "resolution" means only a resolution of either of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the does not favor Tax Adjustment Order No. , transmitted to the Congress by the President on , 19 .", the first blank space therein being filled with the name of the resolving House and the other blank spaces therein being appropriately filled.

SEC. 203. All resolutions with respect to a tax adjustment order introduced in the Senate shall be referred by the President of the Senate to the Committee on Finance, and all resolutions with respect to a tax-adjustment order introduced in the House of Representatives shall be referred by the Speaker of the House to the Committee on Ways and Means.

SEC. 204. (a) If the committee to which has been referred a resolution with respect to a tax-adjustment order has not reported it before the expiration of 10 calendar days after its introduction, it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such tax-adjustment order which has been referred to the committee.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same tax-adjustment order), and debate thereon shall be limited to not to exceed 1 hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same tax-adjustment order.

SEC. 205. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a tax-adjustment order, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

(b) Debate on the resolution shall be limited to not to exceed 10 hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

SEC. 206. (a) All motions to postpone, made with respect to the discharge from committee or the consideration of a resolution with respect to a tax adjustment order, and all motions to proceed to the consideration of other business, shall be decided without debate.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a tax adjustment order shall be decided without debate.

Mr. BENNETT. Mr. President, I ask unanimous consent to have printed in the RECORD a statement, prepared by me, relating to the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BENNETT

This year we have been working on our annual appropriation task in a new and different atmosphere. There is unmistakable evidence that the continually rising cost of Government has aroused the American people, and we are responding to their demands by our attempts to reduce appropriations.

Because the President is required to submit to us, in his annual budget message, an estimate of the funds needed to operate the

Government for the next fiscal year—he has borne the brunt of public criticism for the size of his proposal. But in the last analysis, it is we, the Congress, rather than the President whose actions are under fire. At least, we must share the responsibility. This is true because we, in the exercise of our constitutional power, passed the laws which created the programs and projects whose cost makes up an important part of the high budget.

Because we feel secure in the power of the Government to raise funds, through taxes or by borrowing, we tend to separate the consideration of the benefits of a program from a resolute measuring of its cost. The first phase, the authorization, is the pleasant one. Here we are giving people what they want. Here we are carrying out party platform pledges, or our own campaign promises. Often such programs carry very low costs to start with, but these have a tendency to increase when they become firmly fixed in the pattern of Federal services. If they serve all the people, their costs will reflect the increase in the general population. If they serve our senior citizens, their costs will increase as the life span lengthens. If they require the long-time investment of funds, their original estimates tend to expand in the presence of annual civilian wage increases and inflation. But we do not have to think of these things when we authorize them. At that point we may be said to be in the happy state of the wife who has open charge accounts all over town. She concentrates her thinking on what she wants to buy—not on the day the bills come due.

But, to carry that simile a little further, we seem to have come to the point where the bills have piled up too high—the American people are objecting. So we are doing the best we can to postpone some, to force economies in others, but we still are not getting at the root of our problem.

Today I am introducing a bill, which I offer for appropriate reference. It is intended to force us to consider two phases of this problem which we can now ignore—and do, usually.

The first section of the bill is intended to make sure that when the appropriate committees of the two Houses, and the Houses themselves, consider and approve a bill or a treaty, they will have before them an authoritative estimate of the cost of the program the bill or treaty would create. Then they would be able to weigh its benefits against its impact on future appropriations, and be in a position to develop a more responsible judgment.

The machinery for this is simple, and basically already set up. Today nearly all bills are submitted to the affected agencies for comment, which agencies in turn submit the bill and their proposed comment to the Bureau of the Budget for review. My bill, if enacted, would impose on the Bureau of the Budget, as part of its review of the bill, the responsibility of providing an estimate of the costs that the bill would entail, so that this would be available at every stage of the legislative process.

The second objective of the bill is to make sure that enough tax revenue will be available to meet these costs when they are committed. Taxes are too high now, and no one wants more than I to see their climb halted and reversed. But there is another related value that I am equally anxious to protect—a balanced budget. That balance has been painfully achieved, and for the good of the country we must not slip back into deficit spending in a period of high prosperity. But under our present system, the balance is always uncertain, and we in the Congress have no way of knowing in advance how any law, or laws, we pass will affect it.

I realize that the proposal my bill contains has little chance for consideration soon. But I offer it in the hope that it will serve to stimulate interest in this problem and its solution, both in the Congress and in the country. If this wave of concern over the budgetary and fiscal problems of the Government is more than a flash in the pan, some such program may eventually be adopted.

The second proposal really rests on, and grows out of, the first. If Congress, with its knowledge of the estimated cost of new programs, enacts them into law, the Bureau of the Budget would be required at the end of every annual session of each Congress to accumulate and compile a total of all such new costs created by new legislation and treaties, and translate that total into a figure which would represent a percentage of each income tax rate, personal and corporate.

Let us look at an example of how this might operate. Let us assume a collection of $40 billion produced by existing rates on personal and corporate income. Then let us assume that Congress were to pass new laws creating additional costs for the next fiscal year, of $1 billion (net after the Bureau had deducted the expected savings from any existing programs that would not carry over). Since 1 billion is 2½ percent of 40 billion, this percentage of increase would be applied to every tax rate. A 2½ percent increase in the base rate for personal income taxes would make the applicable rate for the next year 20.5 percent. The corporate rate of 52 percent would become 53.3 percent. Conversely if there were a net decrease in the cost of Government operations and programs, a reduction in the tax rates would also be possible.

In order to put teeth in the program, the bill provides that when the cost and its effect on the rates have been calculated, they will be reported to the President, who will in turn transmit the figures to the Congress; and that unless either House of Congress, by affirmative action within 60 days after the receipt of the President's message, specifically rejects the tax adjustment, it shall become immediately effective, making the new rates apply to taxes on income of the year in which the new costs were committed.

This is not a surrender of the taxing power of Congress. It can still adjust the basic rates when conditions warrant or require it. But it does put new legislation directly on a pay-as-you-go basis, and it does give added protection to the balance of the budget. Its chief value is that it forces Congress and the country as a whole, to face the cost of any proposal when considering its benefits.

ALTERNATIVE ACREAGE ADJUSTMENT AND PRICE SUPPORT PROGRAM FOR 1958 COTTON CROP

Mr. EASTLAND. Mr. President, on behalf of myself, the Senator from Florida [Mr. HOLLAND], and the Senator from Vermont [Mr. AIKEN], I introduce, for appropriate reference, a bill relating to cotton.

The bill has the support of the American Farm Bureau Federation. The bill provides that when farmers vote in the fall on acreage allotments for the following year, they be given an option, first, to support the present program of flexible price supports, with an acreage in 1958 of 17,600,000 acres; or, second, to vote for price supports of 75 percent of parity and a 20-percent increase in acreage, or for a national acreage allotment of 21,100,000 acres.

The economists consider that the bill will increase the net farm income, and also will not cost the Government as much money.

As acreage has been reduced, the unit cost of production has increased. The bill simply lets the farmer decide whether he wants 75 percent of parity and a 20-percent increase in his acreage, the acreage allotment to be figured for the farmer, with each farmer taking his 1957 allotment and adding 20 percent in order to get the allotment which would be figured under the bill.

Farmers may choose whichever system they want; the majority vote will control.

Middling inch cotton, under the second option, of 75 percent of parity, would be roughly, according to the figures of the Department of Agriculture for 1958, 32 cents a pound. Middling inch and 1/16th cotton, which is grown in the West, the Central Belt, and the Southeast, would figure roughly 34 cents a pound. Middling inch and 1/32d cotton would figure roughly 33¼ cents a pound.

The purpose of the bill is to increase the net income of the cotton farmer. It has the support of the Farm Bureau Federation.

I hope the bill will be enacted, so the farmers can take their choice as to whether they desire to expand the markets and make more money, or to go on with a gradually declining cotton allotment.

If the bill is not passed, then in 1959 the national allotment will shrink from 17,600,000 acres to 12,800,000 acres. The bill will prevent a drastic further reduction in acreage. By acquiring new markets, as has been done under the cotton export program, it will be possible to have a 20-percent expansion of acreage and to increase the net income of the cotton grower.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2273) to provide an alternate acreage-adjustment and price-support program for the 1958 crop of cotton, and for other purposes, introduced by Mr. EASTLAND (for himself, Mr. HOLLAND, and Mr. AIKEN), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

MUTUAL SECURITY ACT OF 1957—AMENDMENTS

Mr. LONG submitted amendments, intended to be proposed by him, to the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, which were ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. REVERCOMB:

Address delivered by him before the Southern Conference of Young Republicans Federation, in Charleston, W. Va., on April 13, 1957.

By Mr. BUTLER:

Address by him delivered at Founders' Day dinner, New York, and an article en-

titled "President for a Year," written by Kyle Smith, published in the July issue of American Mercury Magazine; both on the subject of John Hanson, of Maryland.

By Mr. WILEY:

Statement by him and exhibits relating to the outstanding work of the People-to-People Foundation.

NOTICE OF HEARINGS ON SENATE JOINT RESOLUTION 73 AND S. 1174

Mr. GREEN. Mr. President, I give notice that on June 18, at 10 a. m., the Committee on Foreign Relations will hear nonadministration witnesses on Senate Joint Resolution 73, a joint resolution to increase the ceiling on the authorized United States contribution to the International Labor Organization.

The room where this hearing will be held will be announced later.

On June 19, at 10 a. m., the committee will hear executive branch witnesses on S. 1174, a bill to increase the borrowing authority of the St. Lawrence Seaway Development Corporation and for other purposes. On June 20, at 10 a. m., nonadministration witnesses will be heard on this bill. Both of the hearings on S. 1174 will be held in room 457 of the Senate Office Building.

THE FOREIGN RELATIONS OF THE UNITED STATES—THE "OPEN CURTAIN"

Mr. JOHNSON of Texas. Mr. President, Secretary Dulles has stated that he welcomes the idea of the "open curtain" and that it is similar to proposals this country has made in the past.

It is fortunate that the Secretary is in such complete agreement. It should be possible to advance the proposal with redoubled vigor.

It is my intention to explore this question with the Secretary to determine methods by which Congress can reinforce the hand of our negotiators. Our representatives should have the united backing of our people when they urge the "open curtain" upon the Communist leaders.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the transcript of Mr. Dulles' news conference on June 11, 1957.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

SECRETARY DULLES' NEWS CONFERENCE OF JUNE 11, 1957

(The following is the State Department's release of Secretary of State John Foster Dulles' news conference today, which is authorized for direct quotation:)

Secretary DULLES. We are very happy to have in our group today 11 correspondents from Brazil to take part in and witness one of our distinctive American institutions—a press conference.

Now, if you have questions.

Question. Mr. Secretary, Mr. Stassen came home at the end of last week for consultations just, I think, about 2 weeks after he had been here, and stayed longer than we had thought he would stay. Could you tell us what these talks are about?

Answer. The problem of working out these disarmament proposals is a very difficult, complicated problem, and it has many delicate aspects in relation to our allies, many of whom are directly or indirectly concerned in these matters. And while in substance the position of the United States was decided upon by the President before Mr. Stassen went back the last time, there are procedural complications which have developed in relation to NATO which made it seem desirable for Governor Stassen to return and have some further talks on that aspect of the matter. I am seeing him this afternoon.

Question. Mr. Secretary, are the differences with our allies substantive differences, or are they annoyed by the way that the negotiations are being conducted with the Russians?

Answer. Well, I would not want to say or use the expression that they are "annoyed." There are some very genuine problems, almost inescapable problems as to procedure, as to whom you talk with first, and who thinks his views are having the greatest weight. That is always one of the great problems of working out a matter of this sort, where you have allies who are very properly concerned. And I would say that the difficulties that have arisen are nothing that were unusual, but I do think that they were of a character which required a closer review of our procedures in these matters, relationships to NATO, and the like. You see, we have complications due to the fact that the Federal Republic of Germany is not a member of the United Nations, and that these discussions are being carried out under the auspices of the United Nations; yet Germany is very deeply involved. The working out of these procedures is a matter of some difficulty, of some delicacy, which I think justified having a further talk here with Mr. Stassen.

Question. Do these questions, Mr. Secretary, center around the so-called European inspection zone idea? Is that what the difference is about?

Answer. Well, you are talking now about the substance rather than of the procedural aspects of the matter. We do not yet know definitely what the views of our allies are about the so-called European zone. At the moment, the question is the procedures for dealing with that matter and getting an authoritative expression of views. There have been some discussions with NATO, and there will be continuing discussions with NATO as one forum through which the attitude of our continental allies can be worked out, and the question of the European zone is one matter. As I say, we do not yet have any definitive expression of views from our continental allies as to what they think about a European zone.

Question. Well, will Mr. Stassen be able to present an American position at the table in London to the Soviets before this matter is settled with all our allies?

Answer. I don't think that there should be an official presentation of a United States position until aspects of it which relate to our allies have been clarified with them. I think I made clear here on a number of occasions that the question of whether or not, in the first phase of the inspection and control which goes with limitation of armament, that whether in that first phase there should be a European zone is, in our opinion, primarily a matter for the Europeans themselves to express a view about. I think that we would feel that it was quite possible to get started adequately without a European zone. The question is whether they want to have a European zone in the first phase or whether they do not; and that is primarily a matter for them. I do not think any official United States position should include a European zone unless we know that the continental allies, in particular, which would be affected, want it in. Neither should we present a position which excludes a European zone if they want a European zone to be in. And it is the procedures for ironing out those matters which are being worked on at the present time.

Question. Mr. Secretary, isn't one of the problems further complicating the situation what might be called an unresolved conflict within the American administration as to how to proceed basically? I mean by that, a body of thought within the administration with respect to wanting to go further with the European zone, with respect to cessation of tests of weapons, and that sort of thing, and another body of thought against that sort of thing.

Answer. No. I think that the differences within the United States administration have been authoritatively resolved by action which the President took.

Question. Which action is that, sir?

Answer. The action which he took before Governor Stassen went back the last time, which I announced from the White House following a meeting with the President.

Question. Mr. Secretary, then is it correct from what you say that the United States will be unable to propose any European zone or any proposal affecting troops, cutting troops, or armaments in Europe unless there is a unanimous agreement of all the NATO countries whose territory would be involved?

Answer. I don't know whether the word "unable" is the correct word. Certainly we would not be disposed to present as an American program a program which involved Continental Europe and dealt with either inspection there or the positioning of forces there unless that was concurred in by all of the countries that were involved.

Question. Mr. Secretary, to put it another way around, are we going to make a solid proposal on aerial inspection of the Arctic?

Answer. That, of course, also involves the concurrence of Canada and possibly of Denmark in relation to Greenland, possibly of Norway, depending on just where the line is drawn. But subject to the concurrence of those countries we are prepared to make a solid proposal covering the Arctic area.

Question. You anticipate, Mr. Secretary, that the Canadian elections yesterday might have some effect upon the concurrence which you said a few weeks ago that the Canadian Government had given?

Answer. Well, I assume that the new government, assuming that a new government is constituted, would want to take a fresh look at the matter, yes, and that might involve some delay.

Question. Mr. Secretary, do you share personally the view of some people in the administration that an Arctic zone alone offers more protection against surprise attack to the United States than it would to the Soviet Union, and that part of any agreement, balanced agreement, between the United States and the U. S. S. R. would necessitate some agreement in Europe where the Russians presumably are most fearful of attack?

Answer. I don't know what the Soviet view of that matter is. I would say this: That any inspection of any part of the Soviet Union offers more protection to the United States, because we do fear and think we have reason to fear that under certain circumstances that the Soviet Union might attack. I don't think that the Soviet Union has any legitimate ground to fear any attack from anywhere in the United States or any of our bases. If you try to evaluate these different areas in terms of the likelihood that one or another would attack, then I think you are using a very difficult equation. I think that to find a substantial area where this initial step can be taken which will test out the procedures for aerial inspection and coordinated ground inspection, that that is the important thing. I don't think anybody expects that we would stop with that. The important thing is to find some place to get started. Now, there are always going to be some reasons, I suppose, against finding any areas. But there seem to be more legitimate complications with respect to a European

zone, that would involve many more countries, and might involve such political matters as the reunification of Germany. So, it may be felt that in the interests of getting started quickly we should explore the possibilities of an area which did not include Continental Europe. I have no basis to form an opinion one way or another as to whether the Soviet Union is insistent upon a European zone.

Question. Mr. Secretary, would you believe these problems can be worked out and Mr. Stassen can present a plan at the London Conference?

Answer. Well, I can't foresee how quickly they will act. I know that these matters are very difficult and they involve very serious decisions. We ourselves have taken a good many months to debate the pros and cons within our own Government. I do not think we can fairly expect our allies to make a decision in just a few days merely to suit our convenience or the convenience of the Soviet Union.

Question. Mr. Secretary, a part of the question as to when Mr. Stassen can go back to London. Do I correctly gather from this answer that he intends to remain in Washington until the positions of the allies are settled?

Answer. Oh, no; because the question of his staying here is unsettled at the present time. I haven't seen Governor Stassen yet. We are seeing each other at 4 o'clock. He was yesterday at his son's commencement, I believe, and this morning I am engaged, as you see, and we are seeing each other this afternoon at 4 o'clock. Until we have had a talk then, I would not want to say, could not say what the plans might be for his return.

Question. Will other people be in on this conference, from defense and atomic energy, as before?

Answer. No. At this stage, it involves matters of our diplomatic relations with our allies, which does not primarily concern any department except the Department of State. Perhaps Under Secretary Herter will be there, but it will be a State Department conference.

Question. Mr. Secretary, isn't it completely likely that Mr. Stassen will present a proposal which, in effect, omits the European zone idea until it is decided upon by our allies in terms of whether or not we should even propose it?

Answer. Well, that prejudges the attitude of our allies, and, as I say, we do not yet have any solid indication from our allies as to whether they want or do not want a European zone in the first phase, and the conditions which they might want to attach to having such a zone in the first phase. There is this whole problem of the political implications of any disarmament matter and the solution of political problems. The general attitude of the Europeans, the continental Europeans, is that it may be desirable to explore at least the possibility of a political settlement of the continental problem, particularly the problem of German reunification, before we move in the disarmament field in relation to an area which would include Germany. But that matter is being studied by them intensively at the present time, and I would not want by anything to imply either a positive or a negative response on their part to that question.

Question. Well, that also implies that you expect them to act fairly quickly, because Mr. Stassen is supposed to present a proposal this week, isn't he?

Answer. Well, let me make perfectly clear this: this is not a bilateral negotiation. It is not just between the United States and the Soviet Union. And we are not going to throw into the discard the views of our allies merely in the interest of making progress on a bilateral basis with the Soviet Union. We attach first importance to our relations with our allies, and we shall not sacrifice that relationship with our allies just in order to make speed with the Soviet Union.

Now I think that the Soviet Union understands the situation, and that the kind of procedures that we will work out will not involve any rupture in any way of the negotiations or of progress. I think there will be things that can be talked about with the Soviet Union perhaps on an informal basis, which will not involve any of these major problems, but which will still be matters which have to be talked about at some stage. This problem is infinitely complicated. It has many facets, and there are plenty of facets about which we can talk with the Soviet Union which don't involve or prejudice or prejudge in any way this particular matter of a European zone. So I think that useful progress can probably be made in talks with the Soviet Union without in any way coercing or seeming to coerce, or confronting our allies with a fait accompli.

Question. Mr. Secretary, speaking of allies, Senator KNOWLAND has suggested that it might be possible to neutralize Norway in exchange for Soviet withdrawal from Hungary. How do you feel about such a proposal?

Answer. Well, I fully share Senator KNOWLAND's feeling that every proper effort should be made to get the Soviet troops out of Hungary. And I believe that if we can find a way to test the sincerity of what Mr. Khrushchev said in that respect we should try to find it. But I feel this about our mutual security, collective security arrangements:

These arrangements, according to my concept, are arrangements such as are made in any civilized community to gain security. These are not military aggregations; they are not alliances, in the ordinary sense of that word—they are an effort to do within the free world the kind of thing that should preferably have been done through the United Nations. The United Nations Charter, as you recall, contemplated a system of collective security under its Security Council, with forces, facilities, airplanes and so forth at the disposal of the Security Council. Now that concept was never realized because of the Soviet veto. Therefore, we are trying to realize it within the Free World, and the mutual-security arrangements which have been created as between, I think, 45 nations represent an effort to do that. And I do not think it is appropriate to suggest that any free-world country which wants to participate in collective security should withdraw from it. It would be like suggesting that some of us here in Washington should agree that our own homes, houses, should no longer have police protection. Well, that would not be a suggestion that would be welcomed. And I doubt whether it is appropriate to suggest that a nation which wants to share in collective security should give that up.

Question. Mr. Secretary, Prime Minister Kishi from Japan will be here next week. I wonder if you could tell us, sir, what problems you feel might exist between the two countries which his visit will help solve; and whether you feel that this visit is as important as he says it is when it opens a new era of relations between the two countries?

Answer. I consider that this visit is very important and comes at a formative period in the relations between our two countries. Japan since the war has been in the process, you might say, of finding herself again as a potential great power, and I use that term "great" not in the term of ability to impose your will upon others but in the ability to play a constructive role in world affairs and in the creation of collective security. And I feel that there is a growing feeling in Japan that a new stage is approaching in the relations of Japan to the rest of the world and I hope and believe that we will have a chance to talk that over constructively with Mr. Kishi when he is here. I do regard it as a very important meeting coming at an important time.

Question. Mr. Secretary, getting into the inter-American field, there is going to be an economic conference in Buenos Aires in August. Could you tell us who will head the United States delegation, whether it will be Mr. Humphrey or Mr. Anderson, and whether any new policy will be enunciated there?

Answer. I doubt very much that it will be Secretary Humphrey. Whether or not it will be Secretary Anderson or possibly Mr. Burgess, that I don't know—that's a matter for them to work out. And I would also not want to discuss the policies because, as you know, those conferences are primarily held under the auspices of the treasury departments, the finance departments, of the different countries, not under the auspices of the State Department.

Question. On a related subject, Mr. Secretary, the representatives of the presidents of the 21 American Republics issued a report last month, which was made public on May 25, proposing certain steps to strenthen the economic phase of the Organization of the American States. I wonder if you have seen the report and can tell us how quickly the United States plans to implement its part in the program?

Answer. Yes; I have seen the report. I think it is a constructive report. There are different parts of it which will have to come into force at different times, and there is no one date for everything that can be done there. But I see no reason why the United States should not carry forward its part in that at a rapid rate. There are no matters which cannot be dealt with, I think, within the compass of presently agreed policies. I think what is proposed is important. It is constructive, not when measured by the yardstick of dollars, which I think is a very fallible measuring rod for these matters, but in terms of getting new concepts underway, and I think we can respond rather quickly to the recommendations of the committee.

Question. Mr. Secretary, the Soviet Union has proposed a rather large-scale resumption of cultural and other forms of exchange between itself and the United States. Could you tell us whether you favor such a resumption, and along what lines?

Answer. Well, I favor the resumption, but not necessarily along the precise lines that the Soviet proposes. You may recall that at the meeting of the Foreign Ministers which came after the summit conference, that is, the meeting held in October and November 1955, some 18 months ago, the United States, with the British and the French, put forward a very comprehensive package of proposed exchanges—a 17-point proposal. That included, for example, a proposal for reciprocal presentations on current affairs by radio, with someone from the United States who would have an opportunity to speak to the people of the Soviet Union. I think we proposed that there should be an allotted time of a period of half an hour every month, and that they, in turn, would have a half hour to make a presentation to the United States of their views and policies. I was very glad, indeed, to see the strong endorsement of that concept by Senator JOHNSON the other day. He made almost exactly the same proposal, or at least adopted, you might say, the same proposal that the United States had made at that time. But his reinforcement of that at this juncture is a very useful thing and is again a demonstration of the bipartisan character of our foreign policy. We are constantly pressing the Soviets, for example, for these reciprocal facilities to speak to the Soviet people. So far, they have been adamant in their refusal. I remember Molotov said that he would not be willing to have exchanges of that sort because it would present the Soviet people with what he called social scum.

Question. Mr. Secretary, since Khrushchev's television appearance and since this issue has come alive again, has the United States made any specific proposal to the Soviet Union for reciprocal radio or television time, or do you propose to do so?

Answer. Well, we have been pressing them consistently since the original formulation of that proposal 18 months ago. I can't say with positiveness as to whether or not we have pressed it again upon them within the last day or two. But I know that that is one of the items which is on the list, which is being watched here for us in the State Department by Ambassador Lacy. I talked to him on the phone last night and he said that it is constantly in his mind. I don't think a concrete proposal has been made within the last day or two, but he has been pressing and we have been pressing for that kind of exchange off and on, with consistency, for the last 18 months.

Question. Well, Mr. Secretary, does that mean that as of now the proposal, the specific proposal for a one-half hour exchange each month, or in any period of time you would specify, is an open proposal on the part of the United States to the Soviet Union?

Answer. It is. And that has been made perfectly clear repeatedly to the Soviet Union.

Question. Mr. Secretary, has any progress been made in negotiations with Egypt to get a closer adherence to the United Nations' six principles for operating the Suez Canal?

Answer. There are no new developments along that line other than the bilateral talks which have beeen conducted by some nations with reference to easing, from a fiscal standpoint, the conditions of transit. That is perhaps one aspect of bringing the Suez Canal into line with the six principles in that it does away with monetary restrictions which might be an impediment. The French are in the process I think of concluding discussions of that sort; possibly other governments have been having them. But, aside from that, I think no progress has been made.

Question. Mr. Secretary, on another point, President Eisenhower, in discussing trade with Red China at his news conference last week, said that he belongs to the school of thought that believes that in the long run trade cannot be stopped between countries and that you will either have authorized trade or clandestine trade. Further, he said he did not see as much advantage as some people in maintaining tougher trade controls on shipments to Red China than on shipments to the Soviet bloc in Europe. Could you tell us how you stand on this, sir?

Answer. Well, let me first say that you left out the last part of his sentence.

Question. That he does not favor abolition.

Answer. He said he did not favor the total abolition of the differential.

Question. That's right, sir.

Answer. And that is an extremely important point because that is the position we took at the Paris talks and with respect to which we had the support of a substantial majority of the nations that were represented there. An effort has been made to suggest that the United States stood alone in that matter. Actually, at this conference, a substantial majority of the nations shared the United States position and not the position of the United Kingdom, and that is the position which the President expressed at his last press conference when he said he did not favor a total abolition of the differential.

The problem as I see it is this, that China has only a limited amount of foreign exchange with which to buy goods abroad and the question is how high, in terms of strategic value, are the goods you are going to let China buy? It is, I think, highly doubtful that the total volume of China's foreign trade will be increased by a total abolition of the differential. It will, I think, mean that instead of buying commodities of less strategic value, they will concentrate their buying upon goods of higher strategic value because their great effort today is to build up their war potential and their heavy industry that supports it. I feel that the views of the United States, which carries the primary responsibility for peace in the area, should have weight with respect to that matter.

Question. Mr. Secretary, what is the exact position today of the United States Government regarding the situation in Algeria? There have been some rumors in Paris that the United States Government would be more active in trying to promote a negotiated settlement of the conflict. Can you comment on that?

Answer. The United States has no plan for intervening or interfering in that matter in any way. I received the suggestion, which I may have referred to here, some little time ago, from the Arab ambassadors, that because the United States gives military assistance to France we should attach to it certain conditions in relation to Algeria. And I asked whether they really felt that assistance from the United States of a military character or military support character should have attached to it political conditions, and on reflection I think that they would not want that kind of a policy applied to them.

Question. Mr. Secretary, the other day at his news conference, Mr. Eisenhower seemed to invite the inference that he disapproved of a broadcasting system inviting Mr. Khrushchev to appear on an American program, the inference being that somehow it was lopsided or that it embarrassed the administration. Then he went on to say that, whereas he himself would probably not appear in answer, that others of the administration might. I'd like to ask you a few questions against that background.

First, is an appearance of this kind by Mr. Khrushchev or some other foreign figure, whether he be Communist or not, considered by the administration to be detrimental propaganda that you would like not to see; and, second, would you yourself object to appearing as one of the American Government figures in the exchange with Soviet Russia, if that is worked out?

Answer. Well, I don't want to be commenting upon what the President said in this respect, because he speaks for himself and his views on these matters are naturally controlling upon the Department of State. And we welcome that.

Now, on the question of appearances, I think this: I have considerable doubt as to the value of these one-shot operations so far as the Soviet Union is concerned. I think what we need to get and should get is a regular opportunity on a reciprocal basis to speak to each other's peoples. That was the view that we took at the Geneva Conference. That is the view we have held ever since. It is the view that was expressed very eloquently by Senator JOHNSON, the day before yesterday, I think it was.

Now, if you can get this on to a regular basis, I would think that leading American figures could be found who would appear on these programs. And I would not see any inherent objections to my doing so. Actually, of course, this press conference is being recorded on radio and television, and if the Soviets wanted to play this back in the Soviet Union, I'd be delighted. If they would rather have one that was specially geared into a discussion of Soviet-American relations, I'd be delighted to have that kind of a press conference. But, as I say, I think that what we should strive for is to have a regular system, if we can get it, and not just a kind of a one-shot operation which I think would not have the desired impact of really bringing to the Soviet people an adequate understanding of our policies.

Question. Mr. Secretary, returning to the China trade question, do you see any possibility of a common, unified approach being worked out by the 15 nations making up the China Control Committee; in other words, is there still room for a negotiation with Britain and is there a likelihood that a common approach might be worked out short of total abolition of the China differential?

Answer. Well, there is one aspect to the matter which is still open for negotiation and which is important, and that is the size of the quotas of items which will now be on the China No. 2 list, I think it is called. You see, on the COCOM list, which applies to the Soviet Union and which the British would now apply equally to the Chinese, we have three categories. One is goods which are totally forbidden. The second is articles which are allowed to go within specified limits. And the third is the so-called watch list, where the shipments are reported but where no limitations exist unless and until the volume of shipments seems to call for further action.

Now, in the case of the No. 2 list, which is the quota list, the actual quotas for China have not yet been agreed upon and they are still subject to negotiation. And there is a possibility of a measure of agreement in that respect which would be helpful.

Question. Mr. Secretary, in answer to the earlier question on trade with Red China, you pointed out that a majority of the countries in this 15-nation group did support our view, that there should be a differential. My question was based on President Eisenhower's remark that he did not personally see as much of an advantage in maintaining a differential at all, even though he did not favor complete abolition of it. My question was, Do you share that view, and if so why did we propose a differential to begin with?

Answer. Because, as President Eisenhower said, he did not favor—nor do I favor, nor does, I think, anyone in the American Government favor—a total abolishment of the differential. And we proposed a reduced differential but not a total abolishing of the differential, which is exactly the position President Eisenhower took.

Question. Mr. Secretary, do you have any fears or any evidence that the American people were taken in or bamboozled by Mr. Khrushchev in his appearance on TV?

Answer. Well, I think myself that the American people are sufficiently versed in the vocabulary of communism so that they were not fooled in any way by that statement. I didn't see the statement myself or hear it, because I was fortunately on my island where we don't go in for things of that sort. But from what I hear of it, it is pretty much in line with what the Soviets have been saying in a great many ways in the last 2 or 3 months. There has been a plethora of propaganda notes sent out by the Soviet leaders. They have been writing notes that look almost as if they had hired a letterwriting bureau to do the work for them. And they have been pouring out notes in an unprecedented rate. I got a list the other day of 15 or more long diatribes which had been sent to one or another of the free-world governments, all pretty much along the same lines. Those lines had all been printed or reported in substance in our press, and of course we have been hearing that kind of thing off and on now for a good many years. I don't think that the American public is fooled by what is the essence of repetition of that kind of stuff.

Question. Mr. Secretary, at your May 14 news conference, you told us that there were some Supreme Court decisions to back up your policy of prohibiting newsmen from going to Red China. And you gave us a number of citations. Some of us have looked up those citations and we found they don't really support your view at all as far as the Supreme Court decision is concerned. There

was one that seemed to. And it was the Mickey Jelke case in the New York court. Can you clarify this for us? [Laughter.]

Answer. Well, I will tell you I have a new legal adviser now. You know, one of the axioms of the legal profession is that it is a great mistake to be your own lawyer. Perhaps that is a self-serving axiom for the legal profession. At any rate, I apply it now. We have now a new legal adviser, Mr. Becker, who is beginning to work here with us, taking Mr. Phleger's place. He is beginning to get into this, and if you want to discuss the impact or meaning of decisions by the Supreme Court and the highest courts of our States, I suggest you take it up with him. And if you can, have your own lawyers prepare their version of it. It may cost you some money, I warn you.

Question. Thank you, sir.

Mr. SCOTT. Mr. President, the freedom loving peoples all over the world have caught new glimmers of hope for true global peace in recent developments here in the United States and at the United Nations disarmament conference in London.

In today's edition of the Washington Post there appears an article quoting Secretary of State Dulles supporting the "open curtain" proposal of the distinguished majority leader, the Senator from Texas [Mr. JOHNSON], in a speech last Saturday.

The text of that speech, which is certainly an example of the forward-looking and realistic leadership offered by our majority leader, has already been included in the RECORD. Secretary Dulles should be congratulated for endorsing the views expressed by the majority leader, and I ask unanimous consent that the text of the article carrying his comments be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DULLES, JOHNSON AGREE ON SOVIET TV EXCHANGE

The United States wants, and may soon ask for a regular radio-television exchange with the Soviet Union, Secretary of State John Foster Dulles made clear yesterday.

He expressed pleasure at what he termed the "strong endorsement" of such an idea—first advanced by the United States some 20 months ago—by Senate Majority Leader LYNDON B. JOHNSON, Democrat, of Texas, in a Saturday speech in New York. JOHNSON called for an open curtain policy, in the wake of Soviet Communist Party boss Nikita Khrushchev's American television appearance.

Other officials at State indicated yesterday that it may be a couple of weeks at least before any new, firm proposal can be put to Moscow. They cited such problems as how to get regular time on American radio and TV, how to pay for it, and how to determine who would appear on the Soviet air to represent the United States.

JOHNSON, it is known, had sent Dulles a copy of his speech as he did to other administration officials. He is determined to press the matter. Dulles cited the Johnson speech as a "demonstration of the bipartisan character of our foreign policy."

Dulles told his press conference that the first American offer for a reciprocal half-an-hour-a-month on the air still stands. The offer was made at the last Big Four Ministers meeting in Geneva in October 1955.

But, said Dulles, the then Soviet Foreign Minister, V. M. Molotov, rejected the idea on the grounds it would present the Soviet people what he called social scum.

The Secretary made it clear he takes a poor view of a "one-shot" reply to Khrushchev. What "we need to get and should get," he said, "is a regular opportunity on a reciprocal basis to speak to each other's peoples. That was the view we took at the Geneva Conference. That is the view we have held ever since. It is the view that was expressed very eloquently by Senator JOHNSON."

VIEW OF KHRUSHCHEV'S ANSWERS

Dulles said he would not personally object to going on Soviet television and that he would be delighted to have his press conference shown there or even a press conference "specifically geared into a discussion of Soviet-American relations."

JOHNSON had called for discussion of American disarmament proposals on such programs.

Asked if he felt the American people were taken in or bamboozled by Mr. Khrushchev in his appearance on TV, Dulles said he didn't think so. He said Khrushchev's replies had followed recent Soviet propaganda.

Dulles said the United States had been pressing the Soviets for a radio-TV exchange but he added that no concrete proposal has yet been made in the wake of the Khruschev appearance.

As to other types of exchanges sought by Kruschchev in the technical and cultural fields, Dulles said he favored resumption of exchanges, suspended at the time of the Hungarian revolt, but "not necessarily along the precise lines" proposed by Moscow.

DEFENSE PLANNING—ALICE IN WONDERLAND

Mr. SYMINGTON. Mr. President, as the Senate draws closer to a vote on the Defense Appropriations bill, it is becoming increasingly clear that we are entering the realm of Alice in Wonderland.

On the evening of May 14, the President of the United States, in a nationally advertised telecast to the American people, said:

I earnestly believe that this defense budget represents, in today's world, the proper dividing line between national danger on the one hand and excessive expenditures on the other. If it is materially cut, I believe the country would be taking a fearful gamble.

Twenty-eight days ago, therefore, the President, in effect, urged the American people to persuade the Senate to restore reductions in the military budget made by the House of Representatives, including some $638 million cut by the House from the Air Force alone.

But 11 days ago, on May 31, Secretary of the Air Force Douglas in his second letter of protest to the Secretary of Defense against Defense Department Directive 7200.4, protesting the effects of this directive, said:

If we are required to adhere to the present expenditure objectives for fiscal year 1958 * * * we would need to eliminate some $4 billion of programed weapon systems in the fiscal year 1958 and prior programs—

And—

the estimated reduction in fiscal year 1958 and prior programs would be approximately $3.4 billion in aircraft and missiles and $800 million in major procurement other than aircraft.

What, therefore, does President Eisenhower want: Does he want an addition to the Air Force of $638 million—or does he want a reduction in the Air Force of $4,200,000,000?

Does the President support his own telecasted recommendation to raise Air Force funds over six hundred million dollars—or does he support the directive of his own Secretary of Defense to reduce Air Force funds over $4 billion?

The Senate has the right to know before it votes.

Equally important, the people have the right to know—what does the President want?

Mr. President, as a result of this extraordinary directive, recently there have been three able and informative editorials on this subject in the Washington Evening Star.

The first, written on June 2, was entitled "Efficiency or Folly?"

The second, on June 6, is called Wrong-Way Emphasis.

The third, of June 7, bears the title "Defense Snafu."

I respectfully request my colleagues to note the last paragraph of this editorial of June 7 which reads as follows:

Mr. Eisenhower has said that his $38 billion defense budget would supply only the minimum defense needs of the country. If we are not going to get this minimum with $38 billion, assuming restoration of the House cuts, he ought to step forward and ask for more money.

Mr. President, I ask unanimous consent that these three editorials be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Sunday Star of June 2, 1957]

EFFICIENCY OR FOLLY?

As we understand it, Defense Secretary Wilson's Air Force procurement directive has been issued in an effort to promote greater efficiency in contracting and financing procedures. Like a lot of other well-intentioned things, however, it apparently would do more harm than good. Indeed, according to its critics, it would have a seriously adverse effect on American security by impeding the Nation's missile program and projected buildup of intercontinental jet bombers.

This is the firm view, at any rate, of Senator SYMINGTON of Missouri, and his grave misgivings are shared at least in part by Air Force Secretary Douglas who has formally protested against the directive. And the same sort of concern, of course, is felt by men like Generals Twining and LeMay whose direct responsibility it is to keep our country as strong as possible in the skies. In their opinion, as indicated by reports from the Pentagon, Mr. Wilson has laid down a rule that cannot be followed without causing a potentially dangerous slowdown in the whole procurement effort.

Thus, under the Wilson directive, the Air Force would have to have on hand all the funds necessary to pay for an entire project or weapons system before it could contract for or spend any money on components of that project or system. This would seem to mean, for example, that unless the cash were available for the building of a complete bomber, advance orders could not be placed for the bomber's engines or other parts which require from 18 to 21 months to construct. As the critics see it, the effect of such a restriction would be roughly the same as slashing an additional $3.5 billion from the Air Force's already slashed budget.

And what would this mean? In Mr. SYMINGTON'S judgment, it would mean a heavy cut in the buildup of B–52's and make almost impossible the procurement of the

new B-58's, the Nation's first supersonic jet bombers. Certainly, if this is the truth of the matter, then Mr. Wilson's directive ought to be rescinded forthwith as something that would constitute not efficiency, but the most bumbling kind of folly.

[From the Washington Evening Star of June 6, 1957]

WRONG-WAY EMPHASIS

It is something of a shock to read that the Defense Department apparently issued its controversial directives restricting Air Force installment buying without any exact calculation of their effect on the procurement program. And yet that is, in substance, what Assistant Secretary Wilfred McNeil, department controller, told the Senate Military Appropriations Subcommittee.

Testifying before the committee, Mr. McNeil said he had been told the directives might affect from $1 billion to $3.5 billion worth of contracts for modern planes and missiles, but he added that "no definitive analysis" has yet been made. He acknowledged further that "we really are in bad shape" if the restrictions should interfere with procurement as drastically as charged.

Mr. McNeil defends the orders as aimed at keeping spending on a "sound business" basis. This is a worthwhile objective by itself and there is no doubt that procurement practices should be kept under scrutiny and control. The prevailing consideration, however, should be the estimated military needs for national security. It is most disturbing if so-called fiscal readjustments are being made without prior determination of their impact on building up the essential airpower.

[From the Washington Evening Star of June 7, 1957]

DEFENSE SNAFU

The situation in the Defense Department, if one may borrow a familiar phrase, seems to be in a dreadful mess.

As we get the story, defense expenditures in the fiscal year beginning July 1, assuming that the present rate is maintained, will be $42 billion. But only $38 billion has been budgeted for that year, and there isn't any more. So the Budget Bureau is insisting that the Defense Department hold its spending within the $38 billion limitation, and Defense Secretary Wilson has issued directives designed to accomplish this.

Deputy Defense Secretary Quarles and Air Force Secretary Douglas are opposed to the Wilson directives. If the directive banning installment buying stands, says Mr. Douglas, the Air Force would need to eliminate some $4 billion of weapons systems. He says this would be a major disruption of the Air Force program, and that certainly is no exaggeration. Nor is this all. Other programs would have to be eliminated, or stretch-outs instituted, throughout the Armed Forces.

For the rest of the story, one must turn back to Congress. The House has decreed a $2.5 billion cut in the $38 billion budget, and the President has said it is imperative that $1.2 billion of this be restored if the Nation is to have an adequate defense structure. As we understand it, however, the President, when he said this, was not taking account of the cutbacks that may become necessary through the miscalculations in the Defense Department. If the $4 billion cutback to which Mr. Douglas referred has to be made on top of the cut ordered by the House, the Defense Establishment is going to be in pretty sad shape.

This really is a question of dollars versus defense. If more money is needed, the President ought to say so—in addition to appealing for restoration of the cuts which have been made on Capitol Hill. It may be embarrassing for him to admit that defense requirements have been underestimated—due, apparently, to a reduction in so-called lead time for the production of weapons—but this difficulty should not be resolved by letting the national security take the rap.

Mr. Eisenhower has said that his $38 billion defense budget would supply only the minimum defense needs of the country. If we are not going to get this minimum with $38 billion, assuming restoration of the House cuts, he ought to step forward and ask for more money.

OKLAHOMA COMMEMORATIVE STAMP

Mr. MONRONEY. Mr. President, on June 14, for the third time in history, a new United States commemorative postage stamp will be issued from Oklahoma. The occasion is the opening of the semicentennial exposition celebrating Oklahoma's 50th anniversary as a State. The arrows-to-atoms stamp is a 3-cent, blue oblong with a horizontal arrow, superimposed on a solid outline map of the State, and piercing the orbital emblem which has become symbolic of atomic energy. The stamps will be sold both at the Oklahoma City Post Office and at Boomtown post office, a replica of Oklahoma City's first post office at the exposition grounds.

The two earlier stamps from Oklahoma were the Will Rogers 3-cent purple stamp in 1948, with a photograph of our great humorist and his well-known words, "I never met a man I didn't like," issued at Claremore, Okla., and the brown and white 3-cent Indian centennial stamp of 1948, issued to commemorate the 100th anniversary of the settlement of the Five Civilized Tribes in Oklahoma.

Issuance of the semicentennial stamp brings to mind the colorful growth of our postal service, started long before there was a State of Oklahoma when most of what is now Oklahoma was just a slice of the Louisiana Purchase, with odd corners of it labeled Arkansas Territory, Cimarron Territory, and Greer County, Tex. History moves on through the period when the present State was a patchwork of Indian nations, into an era when the Postal Guide listed both Indian Territory and Oklahoma Territory along with the States, up until the day of Oklahoma's admission to statehood, November 16, 1907, when at least one envelope, which has been preserved, was postmarked both "Ind. T" and "Okla." at the changeover hour.

With the help of the Library of Congress, Oklahoma Historical Society publications, old records at the Post Office Department, and my staff, I have gathered together and embodied in a statement some highlights of early Oklahoma post offices. Much of the basic research in this field was done by the late Grant Foreman, and by George H. Shirk, a practicing attorney in Oklahoma City.

I ask unanimous consent to have my statement printed in the RECORD following my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OKLAHOMA POST OFFICES

(Statement by Senator MONRONEY)

Unfortunately most of the records of what appears to have been the first post office in what is now Oklahoma were destroyed in 1828 when a group of settlers who preferred Arkansas burned Miller Courthouse in protest at the transfer of the area north of the Red River to the Choctaw Nation by the Government. Miller Courthouse had been established as a post office on September 5, 1824, with J. H. Fowler as postmaster, soon after Miller County had been formed from what later became southeastern Oklahoma and northeastern Texas.

About the same time, the Government had pushed west from Fort Smith, Ark., to establish a post in what is now northeastern Oklahoma on Grand River about 3 miles from its mouth. It was called Cantonment Gibson and made a post office on February 28, 1827. Although the name was changed to Fort Gibson in September 1842, and there was an interval of 7 days in July 1839 when it was not operating, Fort Gibson probably has a good claim as the earliest post office which still is operating at the present time.

Fort Gibson was abandoned as a military post later, surveyed for a townsite by the Cherokee Nation, reoccupied by troops during the Civil War, abandoned, reoccupied, and finally abandoned by the Army in 1890.

First postmaster was Gen. John Nicks, commander of the Arkansas militia, who was serving as suttler (apparently supplier) at Cantonment Gibson in 1827. He also was honored a year later in the naming of Nicksville, established as a post office April 28, 1828, in what is now Oklahoma. That office was then a part of Lovely County, Ark., but was discontinued in 1829 after the area was ceded to the Cherokee Indians.

Fort Towson, Choctaw Nation, was the fourth post office established in our present State in September 1832, with George C. Gooding as postmaster. For many years it was known as Doaksville, and briefly it was called Camp Phoenix, but since 1903 it has been Fort Towson again at a site 1 mile away.

It was named in honor of Gen. Nathan Towson, paymaster general of the Army, and located near the mouth of the Kiamichi River about 7 miles from the Grand River. The post was used variously as a center of Government influence among the Choctaws and Chickasaws, as the residence of the Indian agent, and later by Confederate forces in the Civil War. It was there that Gen. Stan Watie surrendered in June 1865.

A number of letters in Post Office Department files list Choctaw Agency as the State's first post office, but it appears to be fifth, in later research. It was established June 26, 1833, in Arkansas Territory, with F. W. Armstrong as the first postmaster. The name was changed to Scullyville, changed back to Choctaw Agency, and discontinued in 1871 shortly before a post office named Oak Lodge was established at the same location. Oak Lodge still was listed at the time of statehood.

Eagletown, now in McCurtain County, apparently is the direct descendant of Eagletown, established July 1, 1834, and believed to be the first permanent town established by the Choctaws on their removal to the West. It was discontinued for 11 years between July 2, 1866, and June 4, 1877. Incidentally, many historians believe that the name Oklahoma, is derived from the Choctaw words meaning Okla (people) and homma (red). The Choctaws then were not referred to as Indians, but as "the Choctaw Nation of Red People."

Fort Coffee, Choctaw Nation, abandoned for Fort Smith 3 years later, was established as a post office April 20, 1835, and Kidron, in Cherokee Nation, opened September 17, 1835. Its name was changed to Marble Salt Works for awhile, then to Kedron.

Fortunately, the post-office records reveal something of what these early post offices were like in connection with Park Hill, established May 18, 1838, with Samuel Newton as postmaster, and later changed to Tallequah.

Some time between August 1855 and May 6, 1856, the spelling on the records in the office of the Postmaster General was changed by pen to read Tahlequah. That illustrates a difficulty common to many post offices in Indian Territory. Clerks in Washington were unfamiliar with Indian spellings. A little later, citizens in what is now Nowata, Okla., thought they were naming their town Noweetah, an Indian word meaning welcome, but a postal clerk in Washington made it Nowata, and so it remained.

Park Hill, by 1840, was served by a contractor who left Fayetteville, Ark., Tuesday at 5 a. m., stopped at Eutaw, Sylva, Park Hill, and Cherokee Agency (established in January 1840), and finished the 75-mile drive to Fort Gibson (Cant. Gibson) by 7 p. m. on Wednesday. The Park Hill postmaster's salary was $44 a year, and postal rates were, in 1838, as follows:

For every letter composed of a single sheet of paper conveyed not exceeding 30 miles, 6 cents; over 30 miles and not over 80, 10 cents; over 8 miles and not over 150, 12½ cents; over 150 and not over 400, 18¾ cents; over 400, 25 cents; and every double letter or two pieces of paper, double said rates; every triple letter, or three pieces of paper, triple said rates; every packet of 4 or more pieces of paper, or one or more other articles, and weighing 1 ounce avoirdupois, quadruple said rates, and in that proportion for all greater rates.

These early rates are especially interesting, since by March 3, 1885, 22 years before statehood, first-class mail rates had dropped to 2 cents each ounce or fraction, anywhere in the States, with local mail the same, and penny postcards a reality. Ten years after statehood, in November 1917, our present 3-cent rate per ounce or fraction thereof on first-class mail went into effect.

Although the earliest postoffices of our State were in what was Indian Territory at statehood, by November 16, 1907, there were about 700 each in Indian Territory and Oklahoma Territory, which saw its first postoffice on September 28, 1869, at Fort Sill, Comanche County, with John Evans as postmaster. That total of about 1,400 is almost twice as many as are now listed in the State, since travel has become faster.

Neither of our largest cities was among the first post offices. Oklahoma City was established as Oklahoma Station December 30, 1887, on a railroad route from Arkansas City, Kans., to Purcell, I. T., with the Southern Kansas Railway Co. as contractors. Tulsa, Creek County, was earlier, established March 25, 1879, with Josiah C. Perryman as postmaster.

One other development in Oklahoma post history should be added. First rural delivery service in what is now the State was established August 15, 1900, at Hennessey, in Kingfisher County, with Albert W. Darrow as the first carrier.

Through all these years, before and after statehood, we have had a great tradition for service, often over and beyond the call of duty, from both our city and rural carrier who still comprise one of the finest groups of public servants in the Nation.

WISCONSIN'S CONSTRUCTIVE EFFORT TO AID SMALL INDUSTRY

Mr. WILEY. Mr. President, I wish to bring to the attention of the Senate an outstanding example of real, constructive grassroots effort to aid small business.

All too often, we find people, organizations, and even State governments looking to Uncle Sam to lead the way in, and perhaps to pay for, programs in any and all fields.

Today I am happy to focus the spotlight on a meritorious program which has been developed by cooperation between State officials and public-spirited citizens in Wisconsin.

Recently, Vernon Thomson, Governor of the Badger State, appointed an 11-man advisory board of retired business leaders and executives as a special advisory group to small industry.

The functions of this board are to provide new, young—and all too often struggling—businesses with topnotch assistance in resolving their many problems.

As we know, most of these small businesses, in the early stages of development, simply cannot afford to pay high-priced consultants. The members of the advisory board have agreed to charge for their service according to a firm's ability to pay.

I believe our Governor, Vernon Thomson, is to be commended for taking this action in organizing this fine group. Mr. Robert Koob, director of the State division of industrial development, is to be congratulated for recommending the formation of the advisory board. Moreover, each and every member of the advisory board is to be commended for participating in this excellent program.

A recent article in the Milwaukee Journal gives more detail about this fine endeavor. I ask unanimous consent to have the article printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ELEVEN-MAN BOARD NAMED TO AID SMALL INDUSTRY—THOMSON ESTABLISHES GROUP TO PROVIDE GUIDANCE FOR FIRMS IN EARLY YEARS

MADISON, WIS.—A small industry advisory board composed of 11 retired industrial leaders was established Friday by Governor Thomson.

The board was formed to assist the State division of industrial development in providing guidance on problems confronting young, small industries in Wisconsin.

Robert Koob, director of the division, had suggested the formation of the advisory board. He said that many small firms were financially unable to hire management consultants at $100 to $150 a day. The retired industrialists have agreed to charge according to a firm's ability to pay.

AID IN DIFFICULT YEARS

Governor Thomson said that because most business failures occurred in early years of operation and were traceable to lack of experience in management, the advisory board should help Wisconsin's industrial development by helping these industries during their difficult years.

"These retired business leaders are performing a noteworthy public service in offering the experience of their many successful years of business management to our small industries now struggling with the varied problems of growth and expansion," he said.

MEMBERS LISTED

The Governor stressed that the consulting service would be available only to small businesses unable to afford regular consultant services.

The first meeting of the advisory board will be held in Madison soon, Koob said.

Members of the board appointed by Thomson include:

W. D. Kyle, Sr., Milwaukee, former president of the Line Material Co.; A. M. Van Douser, Wausau, retired secretary-treasurer of the Marathon Corp.; Dan K. Brown, Neenah, former president and chairman of the board of the Neenah Paper Co.; James N. Black, Janesville, former sales and advertising vice president of the Parker Pen Co.

P. M. Petersen, Kenosha, retired vice president of sales of S. C. Johnson & Son, Inc.; Lee W. Melcher, Oconomowoc, former general manufacturing executive; Harold L. Geisse, Wausau, former utilities executive; Elmer G. Voigt, Racine, retired chairman of the board of the Western Printing & Lithographing Co.; Allen Abrams, Wausau, former vice president of the Marathon Corp.; A. F. Stoffel, Racine, former credit executive of S. C. Johnson, and Oscar O. Eggebrecht, Wausau, retired division executive of the Marathon Corp.

CIVIL USES OF ATOMIC ENERGY—AGREEMENT FOR COOPERATION WITH GOVERNMENT OF IRAQ

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an agreement for cooperation with the Government of Iraq, together with accompanying correspondence. This agreement was signed on June 7 and was received at the Joint Committee on Atomic Energy on June 7. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U–235 in uranium, enriched up to a maximum of 20 percent U–235.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 7, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there is submitted with this letter:

1. An executed agreement for cooperation between the Government of the United States of America and the Government of Iraq concerning civil uses of atomic energy;

2. A letter dated May 27, 1957, from the Commission to the President recommending approval of the agreement; and

3. A letter dated May 28, 1957, from the President to the Commission containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security, approving the agreement, and authorizing its execution.

This agreement, as executed, makes cooperation possible between the United States and Iraq on the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. Iraq, if it desired to do so, would be able to engage United States companies to construct research reactors, and private industries in the United States will be permitted, within the limits of the agreement, to render other assistance to Iraq. No restricted data would be communicated under this agreement. The Atomic Energy Commission, however, would lease to Iraq up to 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quantity as, in the opinion of the Commission, is necessary to permit the efficient and continuous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Iraq or while fuel elements are in transit. This expressed limitation will restrict Iraq in

determining the choice of reactor to be constructed to a research reactor.

You will note that the agreement includes in article V provisions for the sale or transfer of research quantities of materials of interest in connection with defined research projects. The amount of special nuclear material which would be made available to Iraq under this agreement would not be important from the military point of view.

Article VIII of the proposed agreement records the obligations undertaken by Iraq to safeguard the special nuclear material to be leased by the Commission and article IX contains the guaranties prescribed by section 123 of the Atomic Energy Act.

This agreement expresses the hope and expectation of the two Governments that this first stage of cooperation will lead to further development of the peaceful uses of atomic energy in Iraq.

The agreement will enter into force when the two Governments have exchanged notifications that their respective statutory and constitutional requirements have been fulfilled (art. XI).

Sincerely,

H. S. VANCE,
Chairman.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., May 27, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed proposed agreement entitled "Agreement for Cooperation Between the Government of the United States of America and the Government of Iraq Concerning Civil Uses of Atomic Energy," and authorize its execution.

The agreement has been negotiated by the Atomic Energy Commission and the Department of State pursuant to the Atomic Energy Act of 1954, and is, in the opinion of the Commission, an important and desirable step in advancing the development of the peaceful uses of atomic energy in Iraq in accordance with the policy which you have established. The agreement would permit cooperation between the two Governments with respect to the design, construction, and operation of research reactors, including related health and safety problems, the use of such reactors in medical therapy, and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under this agreement, but the Commission is authorized to lease to the Government of Iraq up to 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235 for use as reactor fuel. You will note that article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U-235, U-233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

The Government of Iraq, if it desires to do so, may engage United States companies to construct research reactors, and private industry in the United States will be able, under the agreement, to render other assistance to the Government of Iraq. This agreement expresses the hope and expectation of the two Governments that this first stage of cooperation will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Iraq.

Following your approval and subject to the authorization requested, the agreement will be formally executed by the appropriate authorities of the Government of Iraq and the United States and then placed before the Joint Committee on Atomic Energy in compliance with section 123c of the Atomic Energy Act of 1954.

Respectfully,

H. S. VANCE,
Chairman.

I certify this is a true and correct copy.

R. N. SLAWSON, Jr.,
Acting Chief, Asia-African Branch,
Division of International Affairs.

THE WHITE HOUSE,
Washington, May 28, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. STRAUSS: Under date of May 27, 1957, you informed me that the Atomic Energy Commission had recommended that I approve the proposed Agreement for Cooperation Between the Government of the United States of America and the Government of Iraq Concerning the Civil Uses of Atomic Energy, and authorize its execution. The agreement recites that the Government of Iraq desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States and United States industry with respect to this program.

The recommended agreement has been reviewed. It calls for cooperation between the two Governments with respect to the design, construction, and operation of research reactors, including related health and safety problems; the use of such reactors in medical therapy; and the use of radioactive isotopes in biology, medicine, agriculture, and industry. The agreement contains all of the guaranties prescribed by the Atomic Energy Act of 1954. No restricted data would be communicated under the agreement, but the Commission is authorized to lease to the Government of Iraq up to 6 kilograms of contained U-235 in uranium enriched up to a maximum of 20 percent U-235 for use as reactor fuel. In addition, article V of the agreement would permit the Commission to transfer limited quantities of special nuclear materials, including U-235, U-233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provision of section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) determine that the performance of the proposed agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; (2) approve the proposed Agreement for Cooperation Between the Government of the United States and the Government of Iraq enclosed with your letter of May 27, 1957; and (3) authorize the execution of the proposed agreement for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

It is my hope that this agreement represents but the first stage of cooperation in the field of atomic energy between the United States and the Government of Iraq, and that it will lead to further discussions and agreements relating to other peaceful uses of atomic energy in Iraq.

Sincerely,

DWIGHT D. EISENHOWER.

I certify that this is a true and correct copy.

R. N. SLAWSON, Jr.,
Acting Chief, Asian-African Branch,
Division of International Affairs.

AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF IRAQ, CONCERNING CIVIL USES OF ATOMIC ENERGY

Whereas the peaceful uses of atomic energy hold great promise for all mankind; and

Whereas the Government of the United States of America and the Government of Iraq desire to cooperate with each other in the development of such peaceful uses of atomic energy; and

Whereas the design and development of several types of research reactors are well advanced; and

Whereas research reactors are useful in the production of research quantities of radioisotopes, in medical therapy and in numerous other research activities and at the same time are a means of affording valuable training and experience in nuclear science and engineering useful in the development of other peaceful uses of atomic energy including civilian nuclear power; and

Whereas the Government of Iraq desires to pursue a research and development program looking toward the realization of the peaceful and humanitarian uses of atomic energy and desires to obtain assistance from the Government of the United States of America and United States industry with respect to this program; and

Whereas the Government of the United States of America, acting through the United States Atomic Energy Commission, desires to assist the Government of Iraq in such a program;

The parties agree as follows:

ARTICLE I

For the purposes of this agreement:

(a) "Commission" means the United States Atomic Energy Commission or its duly authorized representatives.

(b) "Equipment and devices" means any instrument or apparatus and includes research reactors, as defined herein, and their component parts.

(c) "Research reactor" means a reactor which is designed for the production of neutrons and other radiations for general research and development purposes, medical therapy, or training in nuclear science and engineering. The term does not cover power reactors, power demonstration reactors, or reactors designed primarily for the production of special nuclear materials.

(d) The terms "restricted data," "atomic weapon," and "special nuclear material" are used in this agreement as defined in the United States Atomic Energy Act of 1954.

ARTICLE II

Restricted data shall not be communicated under this agreement, and no materials or equipment and devices shall be transferred and no services shall be furnished under this agreement to the Government of Iraq or authorized persons under its jurisdiction if the transfer of any such materials or equipment and devices or the furnishing of any such services involves the communication of restricted data.

ARTICLE III

1. Subject to the provisions of article II, the parties hereto will exchange information in the following fields:

(a) Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

(b) Health and safety problems related to the operation and use of research reactors.

(c) The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

2. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application.

ARTICLE IV

1. The Commission will lease to the Government of Iraq uranium enriched in the

isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of research reactors which the Government of Iraq, in consultation with the Commission, decides to construct and as required in the agreed experiments related thereto. Also, the Commission will lease to the Government of Iraq uranium enriched in the isotope U–235, subject to the terms and conditions provided herein, as may be required as initial and replacement fuel in the operation of such research reactors as the Government of Iraq may, in consultation with the Commission, decide to authorize private individuals or private organizations under its jurisdiction to construct and operate, provided the Government of Iraq shall at all times maintain sufficient control of the material and the operation of the reactor to enable the Government of Iraq to comply with the provisions of this agreement and the applicable provisions of the lease arrangement.

2. The quantity of uranium enriched in the isotope U–235 transferred by the Commission under this article and in the custody of the Government of Iraq shall not at any time be in excess of 6 kilograms of contained U–235 in uranium enriched up to a maximum of 20 percent U–235, plus such additional quality as, in the opinion of the Commission, is necessary to permit the efficient and continous operation of the reactor or reactors while replaced fuel elements are radioactively cooling in Iraq or while fuel elements are in transit, it being the intent of the Commission to make possible the maximum usefulness of the 6 kilograms of said material.

3. When any fuel elements containing U–235 leased by the Commission require replacement, they shall be returned to the Commission and, except as may be agreed, the form and content of the irradiated fuel elements shall not be altered after their removal from the reactor and prior to delivery to the Commission.

4. The lease of uranium enriched in the isotope U–235 under this article shall be at such charges and on such terms and conditions with respect to shipment and delivery as may be mutually agreed and under the conditions stated in articles VIII and IX.

ARTICLE V

Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Iraq, including source materials, special nuclear materials, byproduct material, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Iraq by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Iraq, by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U–235, 10 grams of plutonium, and 10 grams of U–233.

ARTICLE VI

Subject to the availability of supply and as may be mutually agreed, the Commission will sell or lease, through such means as it deems appropriate, to the Government of Iraq or authorized persons under its jurisdiction such reactor materials, other than special nuclear materials, as are not obtainable on the commercial market and which are required in the construction and operation of research reactors in Iraq. The sale or lease of these materials shall be on such terms as may be agreed.

ARTICLE VII

It is contemplated that, as provided in this article, private individuals and private organizations in either the United States or Iraq may deal directly with private individuals and private organizations in the other country. Accordingly, with respect to the subjects of agreed exchange of information as provided in article III, the Government of the United States will permit persons under its jurisdiction to transfer and export materials, including equipment and devices, to and perform services for the Government of Iraq and such persons under its jurisdiction as are authorized by the Government of Iraq to receive and possess such materials and utilize such services, subject to:

(a) The provisions of article II.

(b) Applicable laws, regulations, and license requirements of the Government of the United States and the Government of Iraq.

ARTICLE VIII

1. The Government of Iraq agrees to maintain such safeguards as are necessary to assure that the special nuclear materials received from the Commission shall be used solely for the purposes agreed in accordance with this agreement and to assure the safekeeping of this material.

2. The Government of Iraq agrees to maintain such safeguards as are necessary to assure that all other reactor materials, including equipment and devices, purchased in the United States under this agreement by the Government of Iraq or authorized persons under its jurisdiction shall be used solely for the design, construction, and operation of research reactors which the Government of Iraq decides to construct and operate and for research in connection therewith, except as may otherwise be agreed.

3. In regard to research reactors constructed pursuant to this agreement, the Government of Iraq agrees to maintain records relating to power levels of operation and burn-up of reactor fuels and to make annual reports to the Commission on these subjects. If the Commission request, the Government of Iraq will permit Commission representatives to observe from time to time the condition and use of any leased material and to observe the performance of the reactor in which the material is used.

4. Some atomic energy materials which the Government of Iraq may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Iraq, the Government of Iraq shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Iraq or to any private individual or private organization under its jurisdiction, the Government of Iraq shall indemnify and save harmless the Government of the United States against any and all liability (including third party liability) from any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Iraq or to any authorized private individual or private organization under its jurisdiction.

ARTICLE IX

The Government of Iraq guarantees that—

(a) Safeguards provided in article VIII shall be maintained.

(b) No material, including equipment and devices, transferred to the Government of Iraq or authorized persons under its jurisdiction, pursuant to this ageement, by lease, sale, or otherwise will be used for atomic weapons or for research on or development of atomic weapons or for any other military purposes, and that no such material, including equipment and devices, will be transferred to unauthorized persons or beyond the jurisdiction of the Government of Iraq except as the Commission may agree to such transfer to another nation and then only if in the opinion of the Commission such transfer falls within the scope of an agreement for cooperation between the United States and the other nation.

ARTICLE X

It is the hope and expectation of the parties that this initial agreement for cooperation will lead to consideration of further cooperation extending to the design, construction, and operation of power-producing reactors. Accordingly, the parties will consult with each other from time to time concerning the feasibility of an additional agreement for cooperation with respect to the production of power from atomic energy in Iraq.

ARTICLE XI

1. This agreement shall enter into force on the day on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such agreement and shall remain in force for a period of 5 years.

2. At the expiration of this agreement or of any extension thereof the Government of Iraq shall deliver to the United States all fuel elements containing reactor fuels leased by the Commission and any other fuel materials leased by the Commission. Such fuel elements and such fuel materials shall be delivered to the Commission at a site in the United States designated by the Commission at the expense of the Government of Iraq and such delivery shall be made under appropriate safeguards against radiation hazards while in transit.

In witness whereof, the parties hereto have caused this agreement to be executed pursuant to duly constituted authority.

Done at Washington, in duplicate, this 7th day of June 1957.

For the Government of the United States of America:

WILLIAM M. ROUNTREE,
Assistant Secretary of State for Near Eastern, South Asian, and African Affairs.

W. F. LIBBY,
Commissioner, United States Atomic Energy Commission.

For the Government of Iraq:

M. SHABANDAR,
Ambassador of Iraq.

I certify that this is a true and correct copy.

R. N. SLAWSON, Jr.,
Acting Chief, Asian-African Branch, Division of International Affairs.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there further morning business? If not, morning business is concluded.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Loftus E. Becker, of New York, to be legal adviser of the Department of State;

James M. Langley, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary to Pakistan; and

Vinton Chapin, of New Hampshire, and sundry other persons, for promotion in the Foreign Service.

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Ben H. Guill, of Texas, to be a member of the Federal Maritime Board for a term of 4 years; and

Bernard R. Berson, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey.

The PRESIDING OFFICER (Mr. CARLSON in the chair). If there be no further reports of committees, the nomination on the Executive Calendar will be stated.

SECURITIES AND EXCHANGE COMMISSION

The Chief Clerk read the nomination of Andrew Downey Orrick, of California, to be a member of the Securities and Exchange Commission.

Mr. JOHNSON of Texas. Mr. President, I should like to invite the attention of the Senate to the fact that the nomination presently under consideration was reported to the Senate and placed on the calendar only yesterday. I wish to comment briefly on the nomination. I should like to have the attention of the distinguished minority leader and the assistant minority leader, the Senator from Illinois [Mr. DIRKSEN], because Congress is coming under fire occasionally with respect to its record.

Mr. Andrew D. Orrick is being reappointed as a member of the Securities and Exchange Commission. His term expired on June 5.

As I have said, Mr. Orrick's nomination was reported to the Senate and placed on the calendar yesterday, and I understand there have been many urgent requests made to the Committee on Banking and Currency and to the Senate itself to act quickly upon it.

I should like to inform the Senate that Mr. Orrick's nomination was submitted to the Senate on May 27, although the White House knew that his term was to expire on June 5.

I have read many criticisms coming from Mr. Adams, of the White House, about the lag in our Congressional activity. I should like to inform Mr. Adams, who is now on a New England vacation, I understand, that the Senate considers it important to hold full and thorough hearings on nominations, and that it would be much appreciated if he could send the President's nominations forward early enough to give the Senate sufficient time to perform its constitutional duties.

There was no deep, dark secret about the fact that this term was to expire on June 5. We do not feel that if a nomination is sent to the Senate at sundown the day before the expiration of the term, the White House can expect us to perform our constitutional functions thoroughly of advising and consenting to the nomination, without the nominee going off the payroll. In this instance the committee has been unusually diligent and has acted with great dispatch.

I hope the Senate will concur in the nomination this morning. If that is done, we may possibly save Mr. Orrick a day's pay.

I express the hope that in the future when it is known that terms are expiring, and it is desired to avoid delay, the executive department will perform its function on time.

The PRESIDING OFFICER. The question is: Will the Senate advise and consent to the nomination of Andrew Downey Orrick to be a member of the Securities and Exchange Commission?

The nomination was confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the President will be so notified.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

CALL OF THE ROLL

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Monroney
Allott	Hayden	Morse
Anderson	Hennings	Morton
Barrett	Hickenlooper	Mundt
Beall	Hill	Murray
Bennett	Holland	Neuberger
Bible	Hruska	O'Mahoney
Bricker	Humphrey	Pastore
Butler	Ives	Payne
Carlson	Jackson	Potter
Carroll	Javits	Purtell
Case, N. J.	Jenner	Revercomb
Chavez	Johnson, Tex.	Russell
Church	Johnston, S. C.	Schoeppel
Cooper	Kennedy	Scott
Cotton	Kerr	Smathers
Dirksen	Knowland	Smith, Maine
Dworshak	Kuchel	Stennis
Eastland	Lausche	Symington
Ellender	Long	Talmadge
Ervin	Magnuson	Thurmond
Flanders	Mansfield	Thye
Frear	Martin, Iowa	Watkins
Goldwater	Martin, Pa.	Wiley
Gore	McNamara	Williams

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The PRESIDING OFFICER. A quorum is present.

INDEPENDENT OFFICES APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I ask that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which is H. R. 6070.

The Senate resumed the consideration of the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

Mr. MAGNUSON. Mr. President, the independent offices appropriation bill for 1958 makes appropriations for independent offices, boards, commissions, and corporate agencies and many of the other activities of Government under this category. Seventeen of these agencies are engaged in regulatory, research, and service operations, and approximately eight are engaged in corporate operations of the Government.

The bill, as passed by the House of Representatives, was in the amount of $5,385,201,700.

As the bill has been reported to the Senate by the Committee on Appropriations, the appropriation items are decreased in a total amount of $6,976,900. In short, the bill as reported to the Senate by the Senate Committee on Appropriations calls for appropriations of $5,378,224,800.

The appropriations for 1957 for these agencies amounted to $5,990,841,826.

The amount of the regular and supplemental estimates, 1958, was $5,924,165,000.

The amount of the bill as reported to the Senate is under the estimates for 1958 by $545,940,200.

The amount of the bill as reported to the Senate is under the appropriations for 1957 by $612,617,026. In other words, there is a considerable saving over both the 1958 estimates and the 1957 appropriations.

Mr. WILLIAMS. Mr. President, at this point will the Senator from Washington yield?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Delaware?

Mr. MAGNUSON. I yield.

Mr. WILLIAMS. Am I correct in understanding that $525 million of the amount of savings results from a change in policy on the part of the Congress

in paying for retirement, in that each agency now pays its own 6½ percent of the employee payroll into the civil service retirement fund, whereas prior to this time that money was appropriated by the independent offices appropriation bill.

Mr. MAGNUSON. That is correct.

Mr. WILLIAMS. So the $525 million of claimed savings are, in reality, not savings at all, but will be paid under other appropriations. Is that correct?

Mr. MAGNUSON. That is partially correct in the case of the agencies other than the ones included in this bill.

Mr. WILLIAMS. That is correct.

Mr. MAGNUSON. Although the bill does include the funds for the 17 Government agencies and the 8 corporate agencies.

Mr. WILLIAMS. But they are included in other appropriations, rather than those in this bill, are they not?

Mr. MAGNUSON. That is correct.

Mr. WILLIAMS. So the $525 million of claimed savings are, in reality, not reductions in appropriations, but relate to items transferred elsewhere.

Mr. MAGNUSON. They are partial savings for the agencies not included in the 17 and the 8 corporate agencies. This matter involves a transfer of the funds for the agencies not within this group.

Mr. WILLIAMS. How much of the $525 million applies to them?

Mr. MAGNUSON. I do not have those figures.

Mr. WILLIAMS. How much applies to these agencies?

Mr. MAGNUSON. I have not added up the total of the amount of money needed for mandatory retirements in the case of each one of them.

Mr. WILLIAMS. Nevertheless, a substantial amount to which I am referring is, in reality, included in other appropriation bills—in the State Department, Commerce, and Post Office appropriation bills, for instance—is it not?

Mr. MAGNUSON. I do not know the percentage.

Mr. WILLIAMS. My point is that when it is said that the appropriations carried by this bill are $612,617,026 less than the appropriations for 1957, that figure is not an accurate one, because $525 million of that amount are not actual savings.

Mr. MAGNUSON. Of course the figure is accurate. It speaks for itself. I have merely stated the amount the pending bill is under the 1957 appropriations and the 1958 estimates. The Senator from Delaware asked me a question, and I answered "yes." In connection with the bill, there is a transfer of mandatory retirement funds for the agencies not included in the bill; but the bill does include the funds for the mandatory retirements in the case of the 17 regulatory research and service agencies and the eight corporate agencies.

Mr. WILLIAMS. That is correct. Nevertheless, the $525 million was always paid, previously from appropriations made by the independent offices appropriation bill. So although the pending bill calls for appropriations for $612,617,026 less than the appropriations for 1957, most of that amount does not really constitute a saving. It will show up in other appropriation bills later.

Mr. MAGNUSON. I disagree with the Senator from Delaware, but there is no use laboring the point.

I merely have stated the difference between the 1957 appropriations, the 1958 estimates, and the appropriations carried in the bill as reported to the Senate; and I believe that my addition and subtractions are correct.

As contrasted to last year's appropriation bill, the pending bill involves numerous shifts in the case of various Government agencies. For instance, the Post Office Department bill was said to involve great savings for that Department. However, the fact is that there was a shift in the payment of subsidies to the Civil Aeronautics Board, and there were some increases in mail pay. Nevertheless, the figures speak for themselves.

Mr. WILLIAMS. That is correct; but my point is——

Mr. MAGNUSON. Mr. President, if the Senator from Delaware will permit me to finish my addition and subtraction, I shall be glad to discuss these savings.

Mr. WILLIAMS. Perhaps that would be better.

Mr. MAGNUSON. Yes.

Mr. President, as I was saying, the bill as reported to the Senate calls for appropriations in the total amount of $5,378,224,800; and that amount is $545,940,200 less than the estimates for 1958, and it is $612,617,026 less than the appropriations for 1957. In short, the bill as reported to the Senate calls for a decrease of $6,976,900 as compared to the House version of the bill.

The net decrease from the House version of the bill results from increases totaling $11,215,100, and decreases totalling $18,192,000.

The bill provides, as I have pointed out, appropriations in the total amount of more than $5 billion for the 17 agencies of the Government engaged in regulatory, research, or service operations, as well as $17 million for administrative expense limitations in the case of the 8 corporate operations.

The increases recommended by the Senate committee, over the House version of the bill, amount to $11,215,100; and the reductions under the House version of the bill amount to $18,192,000. In short, there is a net decrease of $6,976,900.

The detailed figures are as follows:

One hundred and seventeen thousand dollars is recommended for restoration of the full budget estimate for annuities for Panama Canal construction employees and Lighthouse Service widows. This item is necessary because the Congress passed a bill increasing the annuities for the Lighthouse Service widows, and also for the Panama Canal construction employees. I believe the House of Representative did not provide the full amount of the budget estimate and we have restored the amount in this bill.

Another increase is in the amount of $5,750,000 for partial restoration of the cut voted by the House of Representatives in the operating expenses of the Public Building Service. One million dollars of that is for increased leasing expenses, and the remainder is for improved cleaning of public buildings. It is for the regular Government buildings maintenance. In its testimony, the General Services Administration pointed out to the committee that the maintenance and cleaning of public buildings is somewhat behind schedule. Some sort of cleanliness standard is used, and the buildings are at present at 77 percent of the minimum standard. The amount recommended would permit much needed work to be done in the case of the public buildings.

Another item is $20,000 for the planning of a border station at Dunseith, N. Dak., for the accommodation and use of the Bureau of Customs and the Immigration and Naturalization Service.

Eight thousand and five hundred dollars is for the purpose of microfilming the part of the Confederate service records known as the Consolidated Index of the States. That program will be carried on by the National Archives; and it involves putting together a great many Confederate soldiers' service records, which now are located in various agencies scattered over the city of Washington. This appropriation will begin the program, and probably next year further indexing will be done.

MICROFILMING OF CONFEDERATE SERVICE RECORDS

Mr. STENNIS. Mr. President, will the Senator from Washington yield?

Mr. MAGNUSON. I yield.

Mr. STENNIS. Mr. President, I wish especially to thank and commend the members of the Independent Offices Subcommittee for their recommendation in connection with the microfilming of Confederate service records.

The $8,500 amount so recommended will enable the completion of a microfilm copy of the Consolidated Index of the States, and marks the beginning of the availability of copies of these priceless documents at cost to local patriotic groups throughout the country. It is a measure of preservation of the priceless and irreplaceable original records, and I do not believe that any money could be better spent for historical purposes than this small item.

This program should continue over the years until microfilm copies of all these records are made so that they may be properly preserved and also made available at small cost to patriotic organizations throughout the Nation.

Mr. MAGNUSON. To continue my statement, $1,710,000 is proposed by the Senate committee to be added to the bill for the purpose of equipping the new hospital in the District of Columbia. A great deal has been said about that matter on the floor of the Senate during the past few days. The hospital has been completed at great expense. It is about ready to be opened; it will be opened in October or November. The cost of equipment has increased so much that the authorization for the whole program is not sufficient, and $1,710,000 is needed. That was the testimony of all those involved—the administrators, the doctors, and the Washington Hospital Corporate Board. The appropriation of the $1,710,000 is contingent upon the extension of the authorization, which is now before Congress, and which was ap-

proved by the District of Columbia Committee of the Senate, I believe last Thursday.

There is an item of $120,000, a new item, for work on housing studies, which was authorized by the Housing Act of last year. In that particular case, the housing bill authorized studies to be made by the Housing and Home Finance Agency. The bill having been passed late in the last session, or just before Congress adjourned, that item was not put in the budget. All members of the Housing Subcommittee of the Committee on Banking and Currency and others interested urged—because the House did not consider the item at all—that we authorize the beginning of the study, and the committee has recommended the amount of $120,000 for that purpose.

The committee recommends an increase of $500,000 for the Interstate Commerce Commission, which is a partial restoration of the cut which the House made. The necessity for the increase is due to added work at the Commission because of legislation enacted by the Congress. The legislation requires a great deal of additional inspection work. Furthermore an extra burden has been put on the ICC because of the tremendous growth of motor transportation carriers and because of added safety work in connection with compliance with the Motor Carriers Act.

The committee also recommends an increase of $1 million in the appropriation for the National Advisory Committee for Aeronautics, which represents a partial restoration of the cut made by the House. In that particular case the House committee voted $71 million. On the floor of the House a cut of $1 million was made in the item. The Senate committee restored the amount cut, making the amount $71 million, which was the item in the bill as the House committee reported the bill.

The committee has recommended an increase of $1,989,600 in the appropriation for the medical administration and miscellaneous operating expenses of the Veterans' Administration, which is a partial restoration of the cut made by the House, plus an additional $1 million for medical research in the fields of heart disease, mental illness, cancer, neurological diseases, and arthritis.

The committee report mentions the fact that last year the Senate passed a bill providing a $10 million fund for research, as a result of an amendment offered by me and other Senators. We have found that the money spent for that research, in cooperation with National Institutes of Health, has repaid the Government many times over. The program is to be continued. The reason for the additional $1 million is that, for some peculiar reason, the Bureau of the Budget, early this spring, failed to include $1 million of that $10 million fund. The committee has restored that fund to the Veterans' Administration.

Those are the increases the committee has recommended over the House amounts.

The decreases in the bill under those provided by the House are as follows:

The committee recommends a reduction of $14,250,000 in the amount provided by the House for the Veterans' Administration. That particular appropriation totals $2,826,250,000, or nearly $3 billion. The appropriation requests submitted to the budget in that case are submitted on estimates for the whole fiscal year.

The Veterans' Administration has been pretty accurate in its estimates. It has not been wrong in its estimates, in many cases, by more than 1 or 1½ percent, or, I think at the most, 3 percent, in a given year. The Veterans' Administration could not know exactly whether its estimates would prove to be correct, considering the huge amount of $3 billion which is appropriated for it, until early the next year. So the committee thought it wise to keep the Veterans' Administration as closely as possible within its limitations, without eliminating any payments, allowing a leeway of from one-half to 1 percent.

Of course, it would be necessary, if the Veterans' Administration found it was running short of funds, for it to come to Congress next year for supplemental funds, or, if it expended less than the estimated amounts, the money would be retained for later payements.

We feel that the program in this particular case is more than adequately taken care of.

The committee recommends a reduction of $3,940,000, in the appropriation for readjustment benefits. In that case, the estimates of the Veterans' Administration vary somewhat, because the very name of the item, readjustment benefits, means that literally. The Veterans' Administration estimates the amount necessary for that item as best it knows how, but sometimes it is off in its estimate by a small percentage. The item is necessary because of the mandatory provisions of law. The Veterans' Administration cannot estimate exactly its needs for each year, and when the Administration is short of funds, it requests supplemental amounts.

The committee recommended a reduction of $2,000 from the amount provided by the House for the National Capital Housing Authority, putting the appropriation back to the 1957 level.

Some increases were provided in language amendments to cover limitations on travel expenses and limitations on administrative expenses, as well as additional automobiles for Selective Service and Veterans' Administration.

Among other language amendments is one involving the restoration of a proviso exempting from conflict-of-interests statutes the members of the International Organization Employees Loyalty Board under the Civil Service Commission.

The committee inserted a new proviso prohibiting during the year the use of funds for a proposed new Federal Office Building No. 7. There is pending condemnation proceedings to acquire the whole block in the vicinity of Jackson Place, 17th Street, Pennsylvania Avenue, and H Street. It involves the condemnation of many buildings with which many Senators are familiar. I refer to the block on the west side of Lafayette Square, in which is located the headquarters for the National Grange, the Decatur House, Brookings Institution, the old Court of Claims Building, and the Blair House. I refer to the block containing those buildings.

It was found that the General Services Administration was not quite ready with its plans for the use of that square, which would disrupt such organizations as the headquarters for the National Grange. The committee thought we could wait at least a year, or until there was something more definite regarding that particular plan.

The committee restored a proviso authorizing the unused balance to be applied to contracts for public buildings. That would come under the Lease-Purchase Act. The General Services Administrator felt he needed that leeway or flexibility.

The committee restored language to permit the continuation of available funds of $145,700,000, plus $6,500,000 anticipated recoveries, or a total of $152.2 million, for operations of the General Services Administration under the stockpiling program. The budget estimate figure was $130 million. The House provided $19 million. That item was lost on the floor. The committee felt the stockpiling program should proceed.

The testimony will show—I do not think this is classified information—that we are well along with the completion of certain items in the stockpile. This is a program the General Services Administration conducts at the behest of the Office of Defense Mobilization. They have, as I have said, $152 million in carryovers and recoveries, with which to continue the program. We felt that was sufficient, and the officials of the General Services Administration were in agreement with us. So we inserted language to permit them to continue the program.

We inserted a provision giving the General Services Administrator authority for a 5-percent transfer between operating expenses, but with an aggregate limitation of $5 million. This agency is, of course, comparatively new as Government agencies go. It has been given more and more work to do. It does much work on behalf of other agencies. We felt there should be some flexibility within the discretion of the Administrator to transfer operating expense funds.

We inserted a proviso for 10 field positions at GS–16. There was strong testimony as to the need for aid in better administration. This will not result in the hiring of additional personnel.

We inserted a provision authorizing the continuance of the real-property inventory, and the printing of such inventory as a Senate document. This was a directive which the Senate Committee on Appropriations itself made to the General Services Administration in last year's appropriation bill and in previous years.

As to the National Science Foundation, the House had earmarked a limitation on the funds for the program for high-school science and mathematics teachers under the program. We took that out of the bill, and again gave some flexibility to the National Science Foundation, to permit it to carry on its program, which the members of the committee felt

was most important. It is a program in the field of science and mathematics, and affects teachers engaged in work having to do with the basic tenets of physics, mathematics, and science in the high schools. The appropriation will enable the Foundation to embark upon the program nationwide.

We deleted the earmarking for registration, classification, and induction activities of local boards under the Selective Service System. The committee strongly recommends that the Administrator take a good look into the possibility of consolidating throughout the United States many of the selective-service boards. There still are in existence some 4,000 such boards. Many of them meet only two or three times a year. It is thought that in many cases the county boards could be consolidated, and some money could be saved.

I have pointed out the earmarking of medical research under the Veterans' Administration. The amount recommended includes also $344,000 for mandatory payments to the civil service retirement fund, so it is a $1 million increase for research. This $344,000 is a mandatory payment which the Veterans' Administration must make in that particular branch of its administration.

I have covered the decreases in the committee amendments. Unless there are questions to be asked, I ask unanimous consent that the committee amendments be agreed to en bloc, that the bill, as thus amended, be considered for the purpose of amendment as the original text, and that no points of order be waived.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Title I—Independent Offices—Civil Service Commission," on page 3, line 22, after the word "performed", to insert a colon and *"Provided further,* That nothing in sections 281 or 283 of title 18, United States Code, or in section 190 of the Revised Statutes (5 U. S. C. 99) shall be deemed to apply to any person because of appointment for part-time or intermittent service as a member of the International Organizations Employees Loyalty Board in the Civil Service Commission as established by Executive Order 10422, dated January 9, 1953, as amended."

On page 4, line 9, after "(64 Stat. 465)", to strike out "$2,300,000" and insert "$2,417,000."

Under the heading "Federal Civil Defense Administration", on page 5, line 5, after the word "exceed", to strike out "$598,000" and insert "$800,000."

Under the heading "Federal Power Commission", on page 7, line 10, after the word "exceed", to strike out "$325,000" and insert "$335,000."

Under the heading "Federal Trade Commission", on page 7, at the beginning of line 19, to strike out "$237,000" and insert "$251,250."

Under the heading "General Accounting Office", on page 8, line 5, after the word "exceed", to strike out "$1,500,000" and insert "$1,600,000."

Under the heading "General Services Administration", on page 8, line 20, after the word "exceed", to strike out "$205,300" and insert "$238,650", and in the same line, after the word "travel", to strike out "$127,464,000" and insert "$133,214,000."

On page 9, line 10, after the word "exceed", to strike out "$250,000" and insert $270,000."

On page 10, line 6, after "(40 U. S. C. 341)", to insert a colon and *"Provided,* That no part of such funds shall be used during the current fiscal year for preparation of drawings and specifications, acquisition of sites, design, planning, construction, or in any other manner for or in connection with proposed Federal office building Numbered 7 on square 167 in the District of Columbia (project Numbered 3–DC–05, General Services Administration prospectus submitted July 13, 1956)."

On page 10, line 18, after the figures "$1,331,100", to insert a colon and *"Provided,* That the Administrator of General Services may enter into contracts during the fiscal year 1958 for which the aggregate of annual payments for amortization of principal and interest thereon shall not exceed the unused portion of the $12,000,000 limitation applicable prior to July 1, 1957, under the Independent Offices Appropriation Act, 1957 (70 Stat. 343)."

On page 11, line 2, after "(40 U. S. C. 341)", to strike out "$2,125,000" and insert "$2,145,000."

On page 11, after line 3, to insert:

"Hospital facilities in the District of Columbia: For an additional amount for expenses necessary in carrying out the provisions of the act of August 7, 1946 (60 Stat. 896), as amended, authorizing the establishment of a hospital center in the District of Columbia, including grants to private agencies for hospital facilities in said District, $1,710,000, to remain available until expended: *Provided,* That the limitation on the total amount for completion of the hospital center is increased from $21,700,000 to $23,410,000: *Provided further,* That this paragraph shall become effective only upon approval of the increased authorization proposed in S. 2194 and/or H. R. 7835, 85th Congress."

On page 11, line 20, after the word "exceed", to strike out "$120,000" and insert "$192,500."

On page 12, line 11, after the word "exceed", to strike out "$110,000" and insert "$123,900."

On page 12, line 20, after the word "exceed", to strike out "$44,750" and insert "$52,000", and in line 21, after the word "travel", to strike out "$7,254,500" and insert "$7,263,000."

On page 13, line 1, after the word "exceed", to strike out "$25,000" and insert "$27,500."

On page 13, line 3, after the word "materials", to strike out "For necessary expenses in" and insert "Funds available for"; in line 6, after the numerals "1946", to strike out "including" and insert "during the current fiscal year shall be available for"; in line 9, after the word "materials", to insert "establishment and operation of a buying station at Santa Fe, N. Mex., to handle purchases of mica under the General Services Administration purchase programs for domestic mica, established pursuant to the Defense Production Act of 1950, as amended,", and in line 23, after "(7 U. S. C. 1704 (b))", to strike out the comma and "to remain available until expended."

On page 15, line 14, after the word "exceed", to strike out "$10,230,000" and insert "$10,830,000", and in line 15, after the word "exceed", to strike out "$137,700" and insert "$168,900."

At the top of page 17, to insert:

"Not to exceed 5 percent of any appropriation made available to the General Services Administration for the current fiscal year by this act may be transferred to any other such appropriation, but no such appropriation shall be thereby increased more than 5 percent: *Provided,* That such transfers shall apply only to operating expenses, and shall not exceed in the aggregate the amount of $5,000,000."

On page 17, after line 7, to insert:

"The Administrator is authorized, without regard to the Classification Act of 1949, as amended, to place 10 positions at the field level, in addition to those otherwise authorized, in grade GS–16 in the general schedule established by said act."

Under the heading "Housing and Home Finance Agency—Office of the Administrator", on page 17, line 19, after the word "travel", to insert "The salary of a general counsel, but not in addition to staff otherwise authorized, which shall hereafter be at the salary rate of grade GS–18;" and on page 18, line 17, after the word "exceed", to strike out "$1,500,000" and insert "$2,000,000."

On page 18, after line 18, to insert:

"ADMINISTRATIVE EXPENSES, HOUSING STUDIES

"For administrative expenses in carrying out the program authorized by section 602 of the Housing Act of 1956 (70 Stat. 1113), $120,000, to remain available until June 30, 1958."

Under the heading "Interstate Commerce Commission", on page 19, line 22, after the word "exceed", to strike out "$200" and insert "$500"; in line 22, after the amendment just above stated, to insert "uniforms or allowances therefor, as authorized by law; purchase of not to exceed 80 passenger motor vehicles of which 62 shall be for replacement only"; on page 20, at the beginning of line 1, to strike out "$1,085,000" and insert "$1,185,000", and in the same line, after the word "travel", to strike out "$16,500,000" and insert "$17,000,000"; in line 2, after the word "which", to insert "(a)"; in the same line, after the word "than", to strike out "$1,350,000" and insert "$1,363,500"; in line 4, after the word "than", to strike out "$950,000" and insert "$956,600"; in line 6, after the word "activities", to strike out the colon and *"Provided,* That no part of the foregoing funds" and insert "(b) $225,000", and in line 10, after the word *"Provided"*, to strike out *"further."*

Under the heading "National Advisory Committee for Aeronautics", on page 20, line 17, after the word "contracts", to insert "for the making of special investigation and reports and"; in line 19, after the word "exceed", to strike out "$380,444" and insert "$425,000"; at the beginning of line 21, to insert "purchase of 10 passenger motor vehicles for replacement only", and on page 21, line 2, after "(5 U. S. C. 55a)", to strike out "$70,000,000" and insert "$71,000,000."

Under the heading "National Capital Housing Authority", on page 21, line 11, after the word "Act", to strike out "$40,000" and insert "$38,000."

Under the heading "National Science Foundation", on page 22, line 3, after the word "exceed", to strike out "$150,000" and insert "$200,000"; in line 4, after the word "exceed", to strike out "$300" and insert $400", and in line 7, after the word "expended", to strike out the colon and *"Provided,* That of the foregoing amount not less than $9,500,000 shall be available for tuition, grants, and allowances in connection with a program of supplementary training for high school science and mathematics teachers."

Under the heading "Securities and Exchange Commission", on page 22, line 23, after the word "exceed", to strike out "$197,500" and insert "$241,000."

Under the heading "Selective Service System," on page 23, line 9, after the word "expenses", to insert "purchase of 44 passenger motor vehicles for replacement only, including 1 at not to exceed $4,000;", and in line 14, after the word *"Provided"*, to strike out "That of the foregoing amount $19,410,000 shall be available for registration, classification, and induction activities of local boards; *Provided further."*

Under the heading "Veterans' Administration," on page 24, line 12, after the word "law", to insert "purchase of 6 passenger motor vehicles for replacement only, including 1 at not to exceed $5,000:", and in line 16, after the word "which", to strike out "$18,500,000" and insert "$17,500,000."

On page 25, line 7, after the word "exceed", to strike out "$992,200" and insert "$1,100,-

000"; in line 14, after the word "equipment", to strike out "$20,773,800" and insert "$22,763,400", and in line 15, after the word "which", to strike out "$10 million" and insert "$11,344,000."

On page 26, line 4, after the word "materials", to insert "purchase of 100 passenger motor vehicles for replacement only."

On page 28, line 1, after "(38 U. S. C. 631 and 661", to strike out "$2,840,500,000" and insert "$2,826,250,000."

On page 28, line 11, after the numerals "1956", to strike out "$787,987,000" and insert "$784,047,000."

Under the heading "Independent Offices—General Provisions," on page 33, after line 23, to insert:

"SEC. 109. The detailed information from the annual inventory report on real property currently being compiled by the General Services Administration shall continue to be furnished to the Committees on Appropriations and Government Operations of the Senate and House and summary statements and tabulations therefrom hereafter issued annually as Senate documents."

Under the heading "Title II—Corporations—Federal Home Loan Bank Board," on page 34, line 19, after the word "of", to strike out "$1,200,000" and insert "$1,300,000."

On page 36, line 13, after the word "exceed", to strike out "$650,000" and insert "$700,000."

Under the heading "Housing and Home Finance Agency," on page 37, line 14, after the word "exceed", to strike out "$1,327,000" and insert "$1,427,000."

On page 38, at the beginning of line 18, to strike out "$970,000" and insert "$1,940,000", and on page 39, line 6, after the word "States", to strike out the colon and "*Provided*, That all expenses, not otherwise specifically limited in connection with the programs provided for under this head shall not exceed $500,000, but this limitation shall not apply to expenses (other than for personal services) in connection with disposition of federally owned projects."

On page 41, line 10, after the word "exceed", to strike out "$12,305,000" and insert "$13,170,000."

Mr. DIRKSEN. Mr. President, I wish to offer one amendment to the bill. I offer it with the concurrence of the chairman and members of the committee. It relates to an item which comes under the General Services Administration, and proposes, on page 13, line 2, to strike out "$1,330,000" and insert "$1,700,000."

The effect of the amendment would be to increase by $370,000 the item for operating expenses, under Transportation and Public Utilities Service, for the General Services Administration. The figure now in the bill was the result of a clear inadvertence on the part of the committee. The committee agreed that the item should be increased.

These funds are used by the GSA to appear on behalf of various agencies of Government before the rate-making bodies with respect to transportation and utility management. I think their record has been exceedingly good. They anticipate that with these funds they will probably save in the neighborhood of $9 million or more. I believe Mr. Floete and his associates have done an exceedingly fine piece of work in this field. We wish to restore the $370,000 to the total amount for the General Services Administration.

Mr. MAGNUSON. Mr. President, it was an inadvertence, because in this particular case, as the Senator from Illinois will remember, a year ago the Committee on Appropriations was very critical of the General Services Administration for not appearing on behalf of the Government in cases involving rate increases.

Inasmuch as the Government is the biggest buyer of transportation in the world, we felt that the public interest should be protected, and this appropriation is for that purpose. The General Services Administration have set themselves to that task.

As the Senator from Illinois has pointed out, I think they have saved the Government much money in the long pull. This appropriation is to enable the General Services Administration to continue a very important feature of their operations. I shall be glad to accept the amendment.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on agreeing to the amendment offered by the Senator from Illinois [Mr. DIRKSEN].

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, in connection with the item for the Securities and Exchange Commission, I wish to offer a very brief memorandum for the RECORD. The Senate increased the travel limitation applying to the Securities and Exchange Commission. They were allowed additional personnel, but the effectiveness of the personnel will be measured in large degree by the amount of field work they can do in pursuing the various complaints and problems which come before the Commission.

The Commission has done a notable piece of work, especially so under the chairmanship of Mr. J. Sinclair Armstrong, who has now advanced to the post of Assistant Secretary of the Navy. He has made this Commission a very effective agency in the field.

There has been a tremendous growth of their business. They need the travel money recommended. While we did not allow all they said was required, I believe we gave them about one-half of their request for travel expenses.

In that connection, Mr. President, I ask unanimous consent to have printed in the RECORD, only for the purpose of having it available when the bill goes to conference, so that we can make the case with the conferees, the statement I send to the desk.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF SENATE COMMITTEE ON APPROPRIATIONS RECOMMENDATION FOR SECURITIES AND EXCHANGE TRAVEL LIMITATION

The effectiveness of the Securities and Exchange Commission's accelerated enforcement program depends upon two key factors: (1) Maintaining a staff adequate to discharge the exacting duties of the program; and (2) availability of travel funds to give this personnel the mobility necessary to cover the large geographical areas in which the investigative work must be accomplished. The Senate Appropriations Committee has confirmed the House bill, which provides funds for 92 additional employees for the fiscal year 1958. The Senate's recommended travel limitation for the Securities and Exchange Commission of $241,000 is absolutely essential if the Commission is to continue to conduct its fraud investigations and broker-dealer inspections. These cannot be done by the staff sitting in their offices. Investigators and inspectors have to go to witnesses if they are to collect evidence, and visit broker-dealer's offices if they are to inspect.

It is my understanding that the Commission requested a travel limitation of $284,500, or an $87,000 increase over that provided for fiscal 1957. The Senate Appropriations Committee has allowed an increase of $43,500 or, one-half of the requested increase. No one is more in favor of economy of operation in Government than I am. The Congressional policy for the protection of the investing public against misrepresentation, fraud, manipulation and other abuses, which contributed to the economic collapse in the 1930's, requires the Congress in the public interest to continue to support the Securities and Exchange Commission in this most essential area of law enforcement.

I urgently appeal to my colleagues of the Senate, to sustain the committee's recommendation of $241,000 for travel of the Securities and Exchange Commission.

Mr. MAGNUSON. For the RECORD, I may say that in that case the committee increased only the travel limitation, from $197,500 to $241,000. This has become a very important part of the work of the Commission.

Mr. DIRKSEN. The Senator is correct.

Mr. MAGNUSON. Mr. President, I submit another amendment, with which the Senator from Illinois is familiar, I believe. I offer an amendment relating to a matter which arose since the committee met, which involves the sum of $35,000 for the Selective Service System. The amendment speaks for itself.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 23, line 14, after the numeral "$27,000,000," it is proposed to insert the following: "together with $35,000 of the unobligated balance of funds appropriated for this purpose in the 'Independent Offices Appropriation Act, 1957,' for the National Advisory Committee on the Selection of Doctors, Dentists, and Allied Specialists, of which not to exceed $4,000 may be used for travel."

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed in the RECORD a letter from General Hershey explaining this proposed amendment. There has been established and is now in process of operation, a national advisory committee on the drafting of doctors, which is a very important matter. Because this item was not in the budget, and affects a new branch of the Selective Service System, it can be very helpful in dealing with the knotty problem of what to do about the drafting of medical personnel. The amendment would provide only a sufficient amount to take care of the small needs of the advisory committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
Washington, D. C., June 11, 1957.

The Honorable CARL HAYDEN,
Chairman, Committee on Appropriations, United States Senate.

DEAR MR. CHAIRMAN: Reference is made to H. R. 6070, the independent offices' appropriation bill, in which is included the Selective Service System appropriation for 1958.

No provision was made in this bill to provide funds for the National Advisory Committee, set up under the so-called doctors

draft law, which is due to expire June 30, 1957.

It now appears that H. R. 6548, 85th Congress, to amend the Universal Military Training and Service Act, as amended, as regards persons in medical, dental, and allied specialist categories, will be enacted into law. This bill would, among other things, reinstate the Advisory Committee. As stated above no funds for this committee are in the present appropriation bill for 1958.

In order to provide funds in fiscal year 1958 for this committee we would like to be authorized to expend unobligated funds appropriated for the use of the committee in fiscal year 1957, in the amount of $35,000.

This would be possible if the Senate print of H. R. 6070 of June 7, 1957, is amended as below.

On page 23, line 14 after "$27,000,000," insert the following: "together with $35,000 of the unobligated balance of funds appropriated for this purpose in the 'Independent Offices' Appropriation Act, 1957' for the National Advisory Committee on the Selection of Doctors, Dentists, and Allied Specialists, of which not to exceed $4,000 may be used for travel."

We would request this amendment be inserted in the independent offices' appropriation bill for 1958.

Sincerely yours,

LEWIS B. HERSHEY, *Director.*

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I send to the desk an amendment which I offer on behalf of myself and the Senator from Virginia [Mr. ROBERTSON].

The Senator from Virginia who serves on the Committee on Appropriations, deals with matters of this kind. Since I am the chairman of the Committee on Post Office and Civil Service, I also deal with matters pertaining to insurance.

I should like to invite the attention of the Senate to the fact that a similar amendment to the one I am submitting was adopted by the Senate in the form of a bill, and has already been sent to the House. It was reported unanimously from the Post Office and Civil Service Committee. The purpose was to take care of those insurance companies which have not already been taken over. Some have been taken over, and others have not.

I invite the attention of Senators to the fact that this amendment will not necessitate any appropriation. The money will be taken out of the insurance fund, which has accumulated, up to the present time, to approximately $100 million. We think it is absolutely necessary to treat all the employees alike, and to treat all the insurance companies alike.

I ask unanimous consent to have printed in the RECORD at this point as, a part of my remarks, a statement from the Civil Service Commission which shows the necessity of enacting such legislation at this time. It must be done immediately, because the time within which the insurance companies can be taken over will soon expire. That being so, I ask the chairman of the subcommittee to take the amendment to conference.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPENSE LIMITATION

ADMINISTRATIVE EXPENSES—EMPLOYEES' LIFE INSURANCE FUND

General statement

The Federal Employees' Group Life Insurance Act (5 U. S. C. 209ff) (as amended by Public Law 356, 84th Cong. (69 Stat. 676), August 11, 1955), provides that the employees' life-insurance fund is available for any expenses incurred by the Civil Service Commission in the administration of the act within such limitations as may be specified annually in appropriation acts.

There are approximately 2,156,000 employee participants in this country and overseas. This is approximately 96 percent of the employees who are eligible. Estimated insurance coverage for this group is $10 billion.

By August 17, 1957, approximately 149,000 members of 25 Federal and District of Columbia employee beneficial associations with assets of approximately $18 million and insurance coverage of approximately $221 million will also be insured because of the August 11, 1955, amendment to the law, which authorized the assumption by the life-insurance fund of insurance agreements of employee beneficial associations and permitted insurance coverage for employees now in Federal service. Coverage under the original law was limited to retired and separated employees only.

Through June 30, 1956, $117,100,000 was withheld from the salaries of employees covered under the regular program and deposited into the fund. The Government contributed $58,550,000 to the fund for this group. It is estimated that in fiscal year 1958, $66,700,000 will be paid into the fund by these members, and $33,350,000 by the Government. Employees in this group contribute 25 cents per $1,000 of insurance each biweekly pay period, and the Government contributes one-half that amount.

Through June 30, 1956, $83,200,000 has been paid under the policy in life-insurance benefits to survivors of insured members and in dismemberment benefits to insured members. There are approximately $12 million in accrued benefits awaiting the filing of papers and claims. It is estimated that $60 million in life-insurance and dismemberment benefits will be paid out in fiscal year 1958.

Most of the difference between receipts and benefit payments under the policy is placed by the insurer in a contingency fund which is used primarily to pay benefits accruing to the survivors of retirees—a group which will rapidly increase as more insured employees reach retirement age. As of November 19, 1955, the end of the last completed policy year for which an accounting has been made, there was a total reserve of $50,779,000, of which $47,633,600 was held as a special contingency reserve by the insurer at interest, and $3,145,400 was on deposit in the Treasury of the United States.

Through June 30, 1956, individuals whose beneficial life-insurance agreements have been assumed by the fund paid $248,900 into the fund. It is estimated that in fiscal year 1958, $1,700,000 will be paid into the fund by this group. Former members of beneficial associations continue to pay premiums according to the rate schedules in effect at the time their life-insurance agreements were assumed by the fund, but the Government makes no current contributions to the fund for these individuals as it does for employees covered under the regular program.

There is no contingency reserve fund to be held by the insurer under the policy covering members of beneficial associations. That policy calls for a refund to the Commission at the end of a policy year of any premiums in excess of the total of claim expense, and risk charges under the policy. The refunded premium would be deposited in the Treasury of the United States to the credit of the employees' life insurance fund. No such refund is due as yet because the first policy year does not end until December 31, 1956.

Forecast of supplemental request for increase in administrative expense limitation for fiscal year 1957

Total required 1957	$194,000
Present limitation, 1957	117,500
Increase in limitation, 1957	76,500

The Commission had to discontinue negotiations for assumption of the 9 remaining beneficial associations comprising 95,000 members in fiscal year 1956 because the amount allowed in the administrative expense limitation was insufficient to permit completion of this work. Also in fiscal year 1957, the expense limitation is insufficient to permit the assumption of the remaining beneficial associations. The assumption of the insurance agreements of members of Federal and District of Columbia employee beneficial associations includes the cost involved in setting up individual records as well as preparing notices of premiums due, and receiving, depositing, and accounting for individual premium payments. The expense limitation requested for fiscal year 1958 does not include an amount to provide for takeover costs. The increase in fiscal year 1958 covers only the amount needed to fully maintain the additional 95,000 members of the 9 employee beneficial associations not yet in the program.

NARRATIVE JUSTIFICATION

Fund requirements for administrative expenses

The estimates for administrative expenses for fiscal years 1957 and 1958, shown on the comparative summary statement, are based on actual experience during 1956, and expected workloads in fiscal years 1957 and 1958.

The August 1955 amendment resulted in 25 beneficial associations with a membership of approximately 149,000 becoming eligible for assumption by the life-insurance fund of their life-insurance agreements. In fiscal year 1956 the administrative expense limitation was inadequate to handle this anticipated additional workload. During that year the fund assumed 16 beneficial associations with approximately 54,000 members, assets of approximately $5 million, and insurance coverage of approximately $82 million. Because the limitation was inadequate, it was necessary to discontinue negotiations for the assumption in fiscal year 1956 of the remaining beneficial associations with approximately 95,000 members. Likewise in fiscal year 1957, funds available do not provide a sufficient amount to take over the remaining beneficial associations.

With the exception of the contribution to the retirement fund, the increase requested is needed to defray the cost of servicing 9 additional beneficial associations with approximately 95,000 members. Requirements for fiscal year 1958 are as follows:

Fiscal year 1957 expense limitation	$117,500
Increase for contribution to retirement fund	11,600
Additional requirements for maintenance costs resulting from the assumption of approximately 95,000 members of 9 beneficial associations	103,900
Total estimate for fiscal year 1958	233,000

The amount shown in the summary table on page 138 under "Other contractual services" reflects the costs of services performed and materials purchased by the Civil Service Commission for which the Commission

will be reimbursed by the employees' life-insurance fund.

A number of functions are required by law to be carried out by the Commission. Among the more important ones are:

1. The purchase of a group policy from a private insurance company to provide the benefits authorized.

2. Determining or redetermining that the insurer and reinsurers meet the eligibility conditions for carrying the policies under which Federal employees are insured.

3. Arranging for assumption by the life-insurance fund of life-insurance agreements of certain Federal and District of Columbia employee beneficial associations for the members; determining that the proper amount of assets is received by the fund from the associations; and collecting premiums thereafter from eligible individuals for insurance under the group program.

4. Determining eligibility of employees retiring under the Civil Service retirement system and other Federal civilian retirement systems for continuance of their life insurance after retirement without cost to them.

5. Arranging for insured individuals to receive appropriate certificates, notices, and information concerning their rights, privileges, and benefits.

6. Auditing the claim, mortality, expense, and risk charges of the insurance company and the office established under the program for payment of benefits.

7. Prescribing the operating regulations, rules procedure, and form for the Commission, employing agencies, and individuals.

8. Developing and maintaining financial and statistical data for management use, and for annual reporting to the Congress.

9. Receiving and accounting for employee withholdings and agency contributions to the fund, and maintaining necessary control accounts and records.

10. Answering inquiries from individuals and agencies on insurance matters.

Under the program, all insurance payments to claimants are settled by an administrative office of the insurer upon receipt of certification of the insurance status of the person on whose account the claim is being made. In the case of an employee not retired, the certification is made by the last employing office, and it is unnecessary for the Commission to be involved in any recordkeeping for such individual. In the case of retired employees, and those individuals insured because of the assumption of life-insurance agreements of beneficial associations, the Commission acts as the central agency for certification of insurance status at the time of death of the insured. Because the Commission already has all necessary records, obtained from employing agencies at retirement, or at time of taking over the beneficial associations' life-insurance agreements, there is some individual recordkeeping in these cases.

The Commission administers the Civil Service Retirement Act as well as the Federal Employees' Group Life Insurance Act. The retirement and insurance activities are closely related and many of the day-to-day insurance functions affecting rights, benefits, and privileges of individuals are performed by the same employees who perform retirement functions. Employees who perform both functions allocate time and cost to each activity as the work requires.

APPROPRIATION: EMPLOYEES' LIFE INSURANCE FUND ADMINISTRATIVE EXPENSE LIMITATION—FISCAL YEAR 1957

General statement

The figures below show the total requirements, the present limitation, and the amount of increase for which this request is being made:

Total required, fiscal year 1957	$194,000
Present limitation, fiscal year 1957	117,500
Increase in limitation, fiscal year 1957	76,500

The Federal Employees' Group Life Insurance Act (5 U. S. C. 209, ff., as amended by Public Law 356, 84th Cong., 69 Stat. 676, Aug. 11, 1955) provides that the employees' life insurance fund is available for any expenses incurred by the Civil Service Commission in the administration of the act within such limitation as may be specified annually in appropriation acts.

The amendment of August 1955 authorized the Commission to arrange for the assumption by the life insurance fund of insurance agreements of all members of Federal and District of Columbia employee beneficial associations, including those members still in the Federal service. This resulted in 25 beneficial associations with a membership of 149,000 becoming eligible for assumption of their life insurance agreements by the life insurance fund. However, the administrative expense limitation authorized for fiscal year 1956 was inadequate to handle this increased workload. The fund assumed 16 beneficial associations with approximately 54,000 members before funds were expended to the extent of the limitation. The Commission then discontinued negotiations for the assumption of the remaining 9 beneficial associations with a membership of approximately 95,000.

Mr. JOHNSTON of South Carolina. The expense limitation of $117,500 for fiscal year 1957 is barely sufficient to maintain the regular insurance program for active Federal employees and to service the accounts of association members already assumed by the fund. Unless additional limitation is provided it will be impossible to take over the remaining beneficial associations.

A further delay in taking over these associations may result in their being placed in a precarious financial position. As of this date, some of the associations are liquidating part of their assets in order to pay claims to survivors of association members. Since there is no provision for their writing further insurance agreements, thus bringing younger members into the organization and providing cash for the payment of claims, their financial position will become more serious as time passes.

Therefore, a request for an increase of $76,500 in the expense limitation is being submitted in order that funds will be available to complete arrangements for assumption of the remaining associations before the legal deadline of August 17, 1957. As the expense limitation included in the Commission's budget request for fiscal year 1958 does not provide for the increased workloads in connection with the assumption of the remaining beneficial associations, it is essential that the increased limitation be made available at the earliest possible date.

Summary of Commission's efforts to obtain adequate expense limitation to assume and service insurance of members of beneficial associations as required by amendment to Public Law 598, Federal Employees' Group Life Insurance Act of 1954

Date		Explanation
June 30, 1955	Amount of limitation authorized in fiscal year 1956 appropriation, $80,000.	Restricted amount to be expended from life-insurance fund for administration of the regular program of Federal employees' group life insurance.
Aug. 11, 1955	Amendment to Federal Employees' Group Life Insurance Act of 1954, Public Law 356, 84th Cong.	Authorized the Commission to arrange for assumption by the fund of insurance agreements held by 149,000 members of 25 nonprofit associations of Federal or District of Columbia employees by Aug. 17, 1957.
Feb. 13, 1956	Fiscal year 1956 supplemental request to Congress for $112,350 increase in limitation.	The increased limitation requested was to enable the Commission to assume the insurance agreements of the 25 beneficial associations as provided in Public Law 356. This supplemental estimate was required because the amendment to the Life Insurance Act was passed on Aug. 11, 1955, after the Commission's regular 1956 appropriation was approved June 30, 1955.
May 19, 1956	Amount of limitation increase approved by Congress in fiscal year 1956 supplemental appropriation, $37,500.	This reduced amount permitted the Commission to take over only 16 beneficial associations with 54,000 members, and it had to discontinue negotiations with the 9 remaining associations.
Dec. 14, 1955	Fiscal year 1957 regular request to Congress included $186,700 as the amount of limitation to be authorized to administer the life-insurance fund.	This request included funds which would be adequate to (1) take over the 9 remaining associations with 95,000 members, (2) administer the regular Federal employees' life-insurance program, and (3) service all the 149,000 members of beneficial associations.
June 27, 1956	Amount of limitation authorized in fiscal year 1957 appropriation, $117,500.	This limitation provided only enough funds for maintenance of the regular life-insurance program and servicing of the 54,000 members of the 16 associations already taken over.
Mar. 21, 1957	Fiscal year 1957 supplemental request to Congress for an increase of $76,500 in the limitation.	As funds were not provided in the regular fiscal year 1957 appropriation limitation, shown above, the Commission again requested funds to enable it to assume the 95,000 members of the 9 remaining beneficial associations. This was the 3d request made to increase the expense limitation for purposes of assuming the beneficial associations and, as of Mar. 27, 1957, it is still pending in Congress.
Jan. 7, 1957	Fiscal year 1958 regular request to Congress included $233,000 for the expense limitation to administer the life-insurance program.	This amount would provide for maintaining the regular program and servicing the full 149,000 membership of the 25 beneficial associations. It was based on the assumption that funds will also be made available through the fiscal year 1957 supplemental request to enable the Commission to take over the 9 remaining associations with 95,000 members. The House reduced this amount to $123,800. The amount of limitation allowed in the House bill will not quite provide enough funds to maintain the regular Federal employees' program and to service the 54,000 members of beneficial associations taken over last fiscal year. Obviously, this limitation would not provide for servicing an additional 95,000 members which should be taken over if the supplemental appropriation for 1957 is approved.
		The Commission has made 3 attempts to obtain expenditure authority to carry out its responsibility under the amended law; however, in order to carry out the intent of this legislation (Public Law 356, 84th Cong.) it is necessary that (1) the 1957 supplemental request be approved in order to take over the insurance agreements of the remaining 9 beneficial associations, and (2) the full amount of the fiscal year 1958 request be restored and authorized by Congress in order to maintain the whole program as required by law.

SCHEDULE A.—*Life-insurance agreements assumed by the Commission*

Association	Membership	Insurance in force	Assets
		Millions	
Secret Service Beneficial Association	54	$0.05	$13,000
Death and Disability Department, NFPOC	2,100	2.0	22,000
Municipal Employees' Group Life Insurance Association	1,400	2.1	4,000
Los Angeles Post Office Employees	1,500	1.5	60,000
Immediate Benefit Association, Baltimore Post Office	560	.5	13,000
Bureau Protective Association (Bureau Engraving and Printing)	1,200	.3	24,000
GPO Group Life Insurance Association	3,800	6.2	325,000
Railway Mail Mutual Benefit Association (Chicago)	4,800	7.2	399,000
Interstate Commerce Commission Club	240	.4	5,000
Employees Welfare Association, VA	4,600	6.8	222,000
Commerce and Justice Beneficial Association	9,300	17.0	1,216,000
Department of Labor Beneficial Association	3,000	5.1	568,000
Washington Navy Yard Group Life Insurance Association	3,990	5.4	161,000
Post Office Immediate Benefit Association (District of Columbia)	1,500	1.4	87,000
Agriculture Beneficial Association	15,370	25.8	1,934,000
Census Bureau Beneficial Association	800	.2	4,300
Total	54,214	81.95	5,057,300

SCHEDULE B.—*Life-insurance agreements to be assumed by the Commission*

Association	Membership before Insurance Act	Membership today	Insurance in force[1]
			Millions
Navy Department Beneficial Association	31,996	27,165	$46.4
War Department Beneficial Association	23,372	20,322	35.0
Treasury Department Beneficial Association	19,397	17,622	29.2
Metropolitan Police Relief Association	4,111	3,185	4.0
Department of Interior Beneficial Association	3,985	3,578	5.9
Chicago Post Office Employees Association	8,400	(1)	4.2
Philadelphia Navy Yard Group Life Insurance Association	9,770	(1)	12.7
Firemen's F. and F. Relief Association	810	(1)	.8
Branch 24, NALC, Encino, Calif.	800	(1)	.6
Total	102,617	[2] 95,000	139.0

[1] Not included in sample of present membership.

[2] Estimated.

The PRESIDING OFFICER. The amendment offered by the Senator from South Carolina will be stated.

The LEGISLATIVE CLERK. On page 4, line 11, it is proposed to strike out "$123,800" and insert "$309,500."

Mr. MAGNUSON. Mr. President, this is a subject which has given the committee considerable concern, as it has concerned the distinguished Senator from South Carolina and his committee.

Some time ago we embarked upon a program for Civil Service Commission to take over various Government-insurance programs. Considerable progress has been made with the project, but there are still a few left which have not been taken over. I believe there are nine left. The fund is a large one, and we are trying to complete the program.

The Senator from Virginia [Mr. ROBERTSON] has been vitally interested in this question. The amendment was submitted to the committee, and the committee stayed with the House amount, but I think we can take this amendment to conference and obtain some agreement with the House conferees and the House Appropriations Committee regarding the entire program. The sooner it is completed the more money we shall save, and the better off the employees who contributed their money will be. I think it is a good amendment.

I think the RECORD should show that there is a very small attendance of Senators in the Chamber. Many are at committee meetings. However, the Senator from Virginia [Mr. ROBERTSON], as well as many other Senators, are necessarily absent because a great naval review is in progress at Hampton Roads. Many Senators were invited, and felt that it was very desirable that they be present. That is why the Senator from Virginia is not present. Except for the circumstances I have mentioned, I would suggest the absence of a quorum at this time. However, the fact is that the Senate has already passed a bill similar to this amendment, and sent it to the House.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON].

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, first I wish to compliment the distinguished chairman of the subcommittee on his diligence and the thoroughness with which he has gone into the bill.

This is a rather complicated measure, dealing with all the regulatory agencies of the Government, as well as the Veterans' Administration, the Housing and Home Finance Agency, and many others.

The chairman of the subcommittee has devoted a great deal of time and attention to the bill, and I extend to him by felicitations for a job well done.

I have only one comment to make with respect to the bill, and it relates to the Veterans' Administration. I feel that I should make this comment in order to disabuse the mind of anyone who may entertain any fears or apprehensions about what may happen in the field of veterans' readjustments, benefits, and pensions.

When the bill was before the House, the amount for compensation and pensions was reduced by $149 million. An examination of the House committee report will disclose that the only reason was that it was felt that there might have been an error in the estimates. After all, these appropriations are based upon estimates, and the amount set apart each year for this item depends upon the attrition in that field, and on how many veterans' cases will be presented in the course of the fiscal year in which pensions and compensation must be paid.

The House committee evidently felt that there might have been an error, and that the Veterans' Administration might have overestimated the number of cases. As a result, the appropriation was decreased by 5 percent. I think the history of the Veterans' Administration and its capacity in this field indicate that there will not be that much difference between 1957 and 1958.

Compensation and pensions are on a contractual basis. They are the responsibility of Government, and they must be paid. I think the record should be made abundantly clear to the veterans, to their dependents, and to the veterans' organizations, that as times goes by, if it is discovered that there are not sufficient funds for the fiscal year to meet the needs in all the cases which will be presented, it is the sense of the subcommittee and of the Senate that the Veterans' Administration should, of course, come forward with a deficiency estimate, so that sufficient funds may be made available.

This appropriation differs slightly from other appropriations, in that there is no fiscal year end in connection with the appropriation, so the money is available at a net level, in proportion as the cases are compensated.

It may be—and I am confident that this is the probability—that after the first of the year the Veterans' Administration will find, on the basis of its experience for the first 6 or 7 months of the fiscal year 1958, that the $149 mil-

lion, or a portion thereof, will be necessary in order to meet the Federal Government's responsibility to veterans. We want the Veterans' Administration to know the attitude of the subcommittee and of the Senate. We want the Veterans' Administration to be able to refer to the RECORD to show that it is the sense of the subcommittee that if additional funds are required, we shall feel duty-bound to assist the Veterans' Administration in expediting the enactment of a deficiency or a supplemental appropriation bill, so that the responsibility of the Government will be fully met in veterans' cases.

The same thing is true with respect to readjustment benefits. As I recall, there was a cut of $41 million. The aggregate in the cases of pensions, compensation, and readjustment benefits, was $190 million. Here again, the Federal Government is in a contractual relationship, and has an abiding obligation to veterans to carry on the readjustment program. If it is discovered, after this reduction is made, that there are not adequate funds to carry out every phase and aspect of the program, the Administrator will submit to the Bureau of the Budget his request for a deficiency appropriation, and it will be expeditiously handled when it comes to the House and Senate in the calendar year 1958. I wish the record to be perfectly clear on that point. I am confident that the chairman and other members of the subcommittee share the viewpoint which I have expressed.

Mr. MAGNUSON. Mr. President, I heartily concur in the statement of the Senator from Illinois. It was the feeling of the subcommittee that the Government must meet its commitments in connection with these items. It is possible that there may be an overestimate or an underestimate. However, within 6 or 7 months we shall know a little more accurately what the needs will be. We are committed to give consideration to any requests which may be made for additional appropriations. No harm will be done to the program.

I think the Senator from Illinois has made a fine explanation of the situation.

Mr. DIRKSEN. I may add that the Veterans' Administration submitted a table which appears in the RECORD, in what we refer to in the Appropriations Committee as the "side slips," showing the increase in cases from 1951 to the estimated number of cases in fiscal 1958. The total numbers, as presented to the Senate committee are shown on page 266. I think it would serve a very useful purpose if that table were printed in the RECORD, as well as the table on page 267, headed "Comparison of Compensation and Pension Appropriation, Average Cases and Total Obligations, Fiscal Years 1956, 1957, and 1958."

I ask unanimous consent that those tables be printed in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

VETERANS' ADMINISTRATION

COMPENSATION AND PENSIONS APPROPRIATION

Justification of request for restoration of $149,500,000.

The compensation and pension requirements have steadily increased since 1919 from a total expenditure of $233,460,635 to $2,797,006,657 in fiscal year 1956. There follows a summary of cases and expenditures from fiscal year 1951 through fiscal year 1956, and in addition an estimate for fiscal year 1957 and fiscal year 1958, showing percent increase:

Fiscal year	Average cases	Total expenditures	Percent increase
1951	3,054,255	$2,171,172,166	
1952	3,123,120	2,180,268,787	0.4
1953	3,252,008	2,419,245,173	11.0
1954	3,366,568	2,481,503,017	2.6
1955	3,475,296	2,681,726,077	8.1
1956	3,525,828	2,797,006,657	4.3
1957	[1] 3,623,724	2,896,000,000	3.5
1958	[1] 3,718,405	3,003,000,000	3.7

[1] Estimated.

The fiscal year 1958 appropriation request of $2,990 million, which was based on an anticipated carryover from fiscal year 1957 of around $13 million, was reduced by the House Appropriations Committee by 5 percent to a total of $2,840,500,000. This reduction has the effect of providing $66,500,000 less for fiscal year 1958 than will be expended for fiscal year 1957, even in view of a steadily increasing cost from year to year as reflected above.

The following detailed table broken between compensation and pension reflects the estimated changes by periods of service from fiscal year 1957 to fiscal year 1958. From this chart, it can readily be seen which categories are increasing or decreasing trendwise. The substantial increasing roll is World War I pension cases as reflected in the chart. The average age of World War I veterans in civil life as of June 30, 1956, is 62.3 years. Due to this advanced age, it is expected that the pension rolls as covered by this appropriation will steadily increase.

Comparison of compensation and pension appropriation, average cases and total obligations, fiscal years 1956, 1957, and 1958

	Trend		Actual, fiscal year 1956		Difference		Estimated, fiscal year 1957		Difference		Estimated, fiscal year 1958	
	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations
Total obligations		(+)		$2,796,378,989		$99,621,011		$2,896,000,000		$107,000,000		$3,003,000,000
Compensation, total	(+)	(+)	2,464,933	1,863,751,780	3,190	20,866,220	2,468,123	1,884,618,000	−220	23,803,000	2,467,903	1,908,421,000
Living veterans, total	(−)	(−)	2,081,182	1,448,979,809	−1,141	−2,978,809	2,080,041	1,446,001,000	−7,303	−6,886,000	2,072,738	1,439,115,000
Spanish-American War	(−)	(−)	371	814,506	−42	−103,506	329	711,000	−37	−80,000	292	631,000
World War I	(−)	(−)	233,203	222,021,677	−11,761	−11,031,677	221,442	210,990,000	−12,313	−11,481,000	209,129	199,509,000
World War II	(−)	(−)	1,613,691	1,041,306,401	−13,086	−8,916,401	1,600,605	1,032,390,000	−14,601	−9,418,000	1,586,004	1,022,972,000
Korean conflict	(+)	(+)	170,270	140,755,998	20,410	14,381,032	190,680	155,137,000	12,641	8,333,000	203,321	163,470,000
Peacetime service	(+)	(+)	63,647	44,081,257	3,338	2,691,743	66,985	46,773,000	7,007	5,760,000	73,992	52,533,000
Deceased veterans, total	(+)	(+)	383,751	414,771,971	4,331	23,845,029	388,082	438,617,000	7,083	30,089,000	395,165	469,306,000
Spanish American War	(−)	(−)	1,170	1,128,756	−74	−10,756	1,096	1,118,000	−46	−35,000	1,050	1,083,000
World War I	(−)	(+)	53,563	53,372,026	−1,968	5,854,974	51,595	59,227,000	−1,924	5,147,000	49,671	64,374,000
World War II	(+)	(+)	276,056	297,919,606	1,170	8,237,394	277,226	306,157,000	2,374	11,849,000	279,600	318,006,000
Korean conflict	(+)	(+)	33,682	42,898,960	2,073	2,367,040	35,755	45,266,000	2,499	3,971,000	38,254	49,237,000
Peacetime service	(+)	(+)	19,280	19,452,623	3,130	7,396,377	22,410	26,849,000	4,180	9,757,000	26,590	36,606,000
Pensions, total	(+)	(+)	1,060,895	882,693,676	94,706	80,705,324	1,155,601	963,399,000	94,901	84,046,000	1,250,502	1,047,445,000
Living veterans, total	(+)	(+)	623,543	603,142,304	66,993	65,098,696	690,536	668,241,000	71,535	69,232,000	762,071	737,473,000
Yellow-fever experiments	(1)	(1)	1	1,650	0	350	1	2,000	0	0	1	2,000
Indian wars	(−)	(−)	168	228,217	−29	−40,217	139	188,000	−27	−37,000	112	151,000
Civil War	(1)	(1)	1	−5,291	−1	5,291	0	0	0	0	0	0
Spanish-American War	(−)	(−)	57,244	73,201,201	[2] −4,141	−5,946,201	53,103	67,255,000	−5,103	−6,458,000	48,000	60,797,000
World War I	(+)	(+)	506,740	474,457,335	64,971	64,780,665	571,711	539,238,000	70,502	69,580,000	642,213	608,818,000
World War II	(+)	(+)	57,207	53,422,436	5,371	5,450,564	62,578	58,873,000	5,239	5,214,000	67,817	64,087,000
Korean conflict	(+)	(+)	1,872	1,775,185	829	849,815	2,701	2,625,000	940	936,000	3,641	3,561,000
Peacetime service	(−)	(−)	310	61,571	−7	−1,571	303	60,000	−16	−3,000	287	57,000
Deceased veterans, total	(+)	(+)	437,352	279,551,372	27,713	15,606,628	465,065	295,158,000	23,366	14,814,000	488,431	309,972,000
Mexican War	(−)	(−)	9	3,992	−1	−992	8	3,000	−1	0	7	3,000
Indian wars	(−)	(−)	1,210	708,768	−27	−19,768	1,183	689,000	−24	−14,000	1,159	675,000
Civil War	(−)	(−)	5,827	3,238,915	−466	−288,915	5,361	2,950,000	−477	−241,000	4,884	2,709,000
Spanish-American War	(−)	(−)	81,983	54,277,533	2,181	262,467	84,164	54,540,000	−647	−114,000	83,517	54,426,000
World War I	(+)	(+)	316,745	199,330,242	22,212	12,992,758	338,957	212,323,000	20,764	12,575,000	359,721	224,898,000
World War II	(+)	(+)	30,992	21,546,244	3,494	2,435,756	34,486	23,982,000	3,193	2,220,000	37,679	26,202,000
Korean conflict	(+)	(+)	491	408,902	325	227,098	816	636,000	563	390,000	1,379	1,026,000
Peacetime service	(−)	(−)	95	36,776	−5	−1,776	99	35,000	−8	−2,000	85	33,000

[1] Static.

[2] Amended award due to overpayment.

Comparison of compensation and pension appropriation, average cases and total obligations, fiscal years 1956, 1957, and 1958—Continued

	Trend		Actual, fiscal year 1956		Difference		Estimated, fiscal year 1957		Difference		Estimated, fiscal year 1958	
	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations	Cases	Amount	Average cases	Total obligations
Other		(−)		$49,933,533		+$1,950,553		$47,983,000		−$849,000		$47,134,000
Emergency officers disability retirement (World War I)	(−)	(−)	1,771	3,871,369	−117	−100,369	1,654	3,771,000	−46	−105,000	1,608	3,666,000
Adjusted service and dependent pay	(−)	(−)	14	4,281	−8	−2,281	6	2,000	−2	0	4	2,000
Subsistence allowance for disabled veteran trainees	(−)	(−)	22,245	28,294,319	−2,245	−2,872,319	20,000	25,422,000	−1,800	−2,288,000	18,200	23,134,000
Initial burial allowances [1]	(+)	(+)	114,600	17,763,564	6,900	1,024,436	121,500	18,788,000	7,500	1,544,000	129,000	20,332,000

[1] Figures shown represent estimated fiscal year totals, not averages.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WILLIAMS. I was discussing earlier with the Senator from Washington the claim of a $525 million saving on the retirement item. I am not criticizing what the committee has done, because the committee was following the law. I voted for that law about a year ago. It compels the various agencies of the Government to pay into the retirement fund the Governments proportionate part of the retirement cost.

I am referring to page 10 of the committee report. The report shows no appropriation for the civil-service retirement fund, although last year there was a contribution of $525 million. The report then claims a saving of $525 million this year.

The point I make is that this is not a true saving. It is not a saving below last year's appropriation, but actually is money that will be appropriated in the various other agency appropriation bills as they come to us.

Mr. DIRKSEN. I believe that is an accurate statement. I should like to elaborate on it. With respect to the payments to the retirement fund, the committee encountered considerable difficulty. There had been no disposition on the part of Congress to make adequate appropriations to cover the Federal Government's share of the contribution to the Federal retirement fund. It had assumed rather astronomical size. To include in a single bill the whole amount of the money the Government owed, would certainly unbalance any budget.

Last year we inserted in the bill a rather substantial amount, but not enough to bring the Government up to date or to make it current under its obligation with respect to its payment to the retirement fund.

Since that time this matter has had the sustained attention of the Bureau of the Budget. The Bureau hit upon the device of assigning to the appropriation for each agency its proportionate share of what it owed to the retirement fund. We have done that in every appropriation bill we have considered this year and those we will consider this year for fiscal year 1958. We have added those items to the respective appropriation bills. In that way each agency supports out of its own appropriation the amount that must be paid into the retirement fund. That practice will be followed with respect to all appropriation bills which are still to be considered before the end of June.

Mr. WILLIAMS. The Senator is correct. That has been done as a result of a law which Congress passed, requiring each agency to contribute 6½ percent by way of matching funds, with the employees contributing the other 6½ percent out of their salaries. I think that is the proper procedure.

Mr. MAGNUSON. It lays the whole thing on the table. The Senator from Delaware and the Senator from Illinois will remember how we struggled year after year with the total amount for the Civil Service Commission. Congress never appropriated its share. At one time, I believe the Government was more than a billion dollars behind in interest alone. For 4 years we appropriated absolutely nothing so far as the Government's share was concerned. The Government employees, of course, continued to put their money into the fund. We piled up this huge debt. Last year we appropriated an amount, but only by way of annuity costs for that year.

Mr. DIRKSEN. There have been years——

Mr. MAGNUSON. Mr. Earl Cooper, of the staff, has just reminded me that the Government is more than $17 billion in arrears on its share.

Mr. DIRKSEN. There have been years when only a very modest amount has been appropriated.

Mr. MAGNUSON. Sometimes nothing at all.

Mr. DIRKSEN. An executive commission was appointed for the purpose of studying the subject, and it has made its recommendations. Of course it had to be rather mindful of how much would be recommended in any given year, in order not to upset the budget and the budget calculations.

To make it abundantly clear, what happened yesterday in connection with the agricultural appropriation bill is a case in point. The House took an amount of money that had been allowed for meat inspection in the agricultural appropriation bill for 1957 and it added $936,000 as that function's share of the retirement fund, and the sum of the 2 was the amount allowed by the House for the Meat Inspection Service for the fiscal year 1958.

Mr. WILLIAMS. That is correct.

Mr. DIRKSEN. That same device has been used all through the appropriation bills this year.

Mr. WILLIAMS. That is correct. Frankly, I think this is the proper procedure and better than the one we followed in the past. The Government should each year automatically make its contribution, if we are to support the retirement system, and not let the obligation accumulate for the years to come.

I have advocated this sound business practice for years and was glad to support the legislation last year enacting this requirement into law.

Mr. MAGNUSON. We made a good start with this procedure. We know what it costs and where we are from year to year. It has been one of the real problems, however. Some of us have been amused by the argument which has been made in answer to the suggestion that the Government contribute its share. The argument has been that the Government did not need to make its contribution, because if the Government went bankrupt and was not able to make good on its promise, and the fund were to be liquidated, the fund would be no good anyway. In the meantime, the employees have been putting in their share into the fund.

I think the fund is in much better shape now. Of course, I still do not know how we are ever going to make up the amount of money that is due.

Mr. WILLIAMS. That is one of the problems we should have considered at the time we were passing bills and increasing the benefits. It has always been my position that when we pass a bill giving additional benefits, whether it is in connection with salaries or retirements, Congress should put a price tag on the bill and provide the money with which to pay for it. It is so easy to pass a bill giving something to someone, in the hope that some Congress in the future will meet the cost.

The point I am trying to make is that on page 1 of the report there is shown the figure of $5,378,224,000 as the amount contained in the bill, and it is stated also that that amount is $612,617,000 below the appropriations for 1957, for a comparable bill.

The bill is not $612 million under last year's appropriation, because a substantial portion of the $525 million, shown as a saving in connection with payments to the civil-service retirement fund, is not in reality a reduction in appropriations.

Mr. MAGNUSON. The Senator has his figures wrong. It is in there——

Mr. WILLIAMS. I should like to finish my statement.

Mr. MAGNUSON. I have the floor, I believe.

Mr. WILLIAMS. No; the Senator does not have the floor. If the Senator will permit me to finish my statement, I would appreciate it. The point I am making is that scattered through this bill are the proportionate parts of the retirement costs that the agencies included in the bill will have to meet. The remainder will show up in other appropriation bills. Therefore the $525 million is not, in effect, a true saving, because that money will have to be included throughout the other agency appropriation bills.

Mr. MAGNUSON. So far as the Senator has gone, he is correct, with his figures.

Mr. WILLIAMS. In other words, while that figure was eliminated from the pending bill it will appear later in other places.

Mr. MAGNUSON. It was never put in the bill before. We had never appropriated for the Government's share.

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. MAGNUSON. Last year was the first time we appropriated money for the Civil Service Commission for the retirement fund, and that was only to pay the interest. Therefore we are dealing with something that was never contained in the bill in previous years.

Mr. WILLIAMS. I know it was not done in all years but it was in several years, including last year.

Mr. MAGNUSON. It was not done at all.

Mr. WILLIAMS. It was done last year and in other past years.

Mr. MAGNUSON. Only with respect to annuity costs.

Mr. WILLIAMS. Last year it was $525 million.

Mr. MAGNUSON. We have permitted the interest to pile up.

Mr. WILLIAMS. It does not make any difference whether it is for interest or for principal. I am referring to dollars appropriated.

Mr. MAGNUSON. It makes a great deal of difference to the Government employees.

Mr. WILLIAMS. When the Senator has finished his statement, I have a question to ask the Senator from Illinois.

Mr. JOHNSTON of South Carolina, Mr. MAGNUSON, and Mr. DIRKSEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois has the floor. To whom does the Senator from Illinois yield?

Mr. DIRKSEN. Rather than yield to any Senator, I should like to yield the floor.

Mr. MAGNUSON. I wish to yield the floor also.

Mr. WILLIAMS. Would the Senator from Illinois comment on that point, so as to get the record straight? He is a member of the committee. I do not think it is entirely correct to say that we are passing a bill with a saving of $612 million below last year's appropriation. The Senator from Illinois has already pointed out that approximately $200 million represent obligations which the Government will have to meet either today or later so far as the veterans are concerned. None of us are proposing to reduce the veteran benefits as provided for in existing law and all of us recognize that we will have to meet these obligations, even if it requires a supplemental appropriation bill tomorrow. Is that not correct?

Mr. DIRKSEN. That is correct.

Mr. WILLIAMS. Therefore, that $200 million is not, in effect, a saving, so far as the taxpayers are concerned.

Mr. DIRKSEN. If there is a supplemental request next year, then, of course, it could be determined whether it would be a saving on not.

Mr. WILLIAMS. That is correct.

Mr. DIRKSEN. The cold statistic at the moment, it is a saving; but it may not be a saving in actuality if more cases are presented, and the Veterans' Administration needs additional funds.

Mr. WILLIAMS. The point I make is that the Veterans' Administration and the other Departments have estimated, they are going to need X amount of money to meet their obligations under the existing law. There is no thought, so far as I know, on the part of anyone to change the existing law.

Mr. DIRKSEN. That is correct.

Mr. WILLIAMS. Therefore, if these estimated obligations are accurate, we are going to put the money back at a later date.

Mr. DIRKSEN. Yes. I like to have my position known, so that the complete picture can be seen.

I think I carried the flag pretty well for the Postmaster General under some difficulties; but there is pending at present in the House of Representatives and also in the Senate Committee on Appropriations a supplemental estimate for $149 million. That represents the $58 million we took out plus the additional estimate based upon what the Department believes the increased mail volume will be for the fiscal year 1958. If Congress should allow that amount, then, of course, what was claimed as a saving in the first instance will not only not be a saving, but we will, in fact, have appropriated more for the Post Office Department than the amount of the original estimate. That would be true in the case of the Veterans' Administration.

The reason I emphasize this now is that there will be an influx of letters from rather anxious veterans and the dependents, from the American Legion, from the Veterans of Foreign Wars, and from the Disabled American Veterans. I do not want to be particularly scolded; I simply want to make it plain to them that this is not a fiscal year-end appropriation.

Therefore, they can spend it as they go; and when more than the estimated number of cases are presented, they should come to Congress and with clean hands say, "We need more money." Then it will be our duty to provide more money if they need it.

Mr. WILLIAMS. I agree with the Senator from Illinois. Certainly if that point is reached, Congress should recognize the situation and take action.

So far as the retirement system is concerned, I agree fully with the procedure now being followed by the committee and Congress. But I think we should have a true picture to present to the American people of what we are doing at this time.

The civilian employee payroll is now around $10 billion a year. Under the existing law, which was passed last year, each agency will put up 6½ percent of its annual payroll into the civil service retirement fund. It is true that part of which is included in this bill will represent the agencies' contribution into the retirement fund but that amount will not be $525 million, which we appropriated last year. That difference which will later appear in other appropriation bills cannot be claimed as a saving here today.

The $525 million which is claimed as a saving in this instance is not a saving of $525 million as far as the American taxpayer is concerned. It will be offset by approximately $650 million scattered throughout this and other appropriation bills. Whether the $525 million appropriated last year represented back interest or represented principal is immaterial. It is not a comparable saving, except as that portion is represented in the retirement systems of the agencies directly involved in this particular bill.

Mr. DIRKSEN. So far as the funds which were carried in the bill have been distributed through other appropriation bills, whatever the amount is, the Senator from Delaware is eminently correct.

Mr. President, before I yield the floor, I wish to pay tribute to the very genial, efficient, hard-working clerk of the subcommittee, Earl Cooper. Early and late, with great capacity, with great fidelity, and with a fine knowledge of the whole appropriation technique, he has been in attendance on the committee and the bill for a long time. I do not quite know how the Committee on Appropriations would ever function without these very capable, unselfish public servants who, unheralded and unsung, perform their duties in behalf of the Senate and the people of the United States. I think all of them deserve a salute.

But as the ranking Republican on this particular subcommittee, I emphasize the fact that I have enjoyed the fruit of Earl Cooper's labors, of his counsel and his help. So I salute him for the outstanding work he has done.

Mr. MAGNUSON. Mr. President, at this point I join in the remarks of my friend from Illinois. I think we expressed our feelings to Mr. Cooper privately, but we are glad to say so publicly.

Mr. President, I do not know what the Senator from Delaware [Mr. WILLIAMS] is driving at. I want the record to be clear that if he has any objection to the figures, he can change the record. The amount of the appropriations for fiscal 1957 was $5,990,841,826. The amount in this bill as reported to the Senate is $5,378,224,800. That is a reduction from the 1957 appropriation.

I think the record should be clear that when one talks about savings and speaks about reductions, it should be made clear that we are dealing with something which in Congresses previous to this was never included in the bill at all. The Bureau of the Budget never included any money for retirement purposes.

Last year Congress took care of only the annuity costs, and that amounted to $500 million. That was the first time it had ever been in the bill.

Now we have adopted a new procedure, with which I am certain the Senator from Delaware agrees. We have laid the figures on the table. In this bill there is an appropriation of a sizable sum of money for this purpose for each of 17 regular agencies and 8 corporate agencies. The Veterans' Administration pays out more Government retirement money, I think, than does any other agency in the Government, except possibly the Department of Agriculture.

Regardless of whether the amount is called a reduction or a saving, the appropriation in this bill is under the amount for 1957; and we have saved considerable money because many of the departments have grown. To operate a department or an agency such as the Interstate Commerce Commission, the Federal Communications Commission, the Federal Trade Commission, the Securities and Exchange Commission, the Veterans' Administration, the General Services Administration, or the Housing and Home Finance Agency, with the many and increasing activities which Congress sometimes imposes upon them, within the same amount as was appropriated last year is a saving. So the amount provided in this bill is a reduction.

I do not know what the Senator from Delaware is trying to prove. The committee worked hard. We made some substantial cuts. I think we have combined justice with efficiency.

The matter of the Government employees retirement fund is something which can be put in one place or another. The Senator from Illinois [Mr. DIRKSEN] pointed out very vividly and explicitly what was done concerning the Veterans' Administration payments. This is a sum of $3 billion, or pretty close to it, within a few thousand dollars. What we did was to vary that figure about one-half of 1 percent. Of course, we shall be morally and legally obligated and committed some time next year, when there may be some estimates which may be under that amount.

I am certain the Senator from Delaware would not want to have money appropriated which it was not necessary to appropriate until it was actually needed. It does not harm the program at all. The whole trouble is that for many years Congress did not face up to the matter of the Government's contribution to retirement. Last year we made a half gesture by saying we would appropriate the annuity costs and nothing on the interest on the deficit.

Mr. JOHNSTON of South Carolina. Mr. President, much has been said about the retirement fund. When the Committee on Post Office and Civil Service held investigative hearings concerning the retirement law and got ready to report a bill, we learned that the Government had woefully failed to appropriate the proper amounts each year to match the funds of the workers. So the committee thought something should be done about the matter.

As the Senator from Delaware will remember, we provided in the law that each year hereafter each department should include its annual share of retirements to be appropriated and not let the fund run behind.

For the information of the Senate, at the present time the deficiency in the fund, as of October 1956, is $17,454,088,000. I also wish to call attention to the fact that, with the total interest for 1957 also lacking, $496,883,000 can be added to the other amount.

We thought something should be done to prevent the fund from running on and on in this manner, with the result that in the years to come the Government would be called upon to provide a huge amount, perhaps not the $17 billion, but possibly $30 billion or $40 billion or $50 billion. That is what it could amount to unless the Government meets its obligation year by year.

I also wish to point out that the Government is paying only 3 percent at the present time for this money, which belongs to the employees, although the Government is paying 3½ percent to those on the outside. So the Government is not paying any more than it should pay to this particular fund, for the money it is using.

The PRESIDING OFFICER (Mr. MORTON in the chair). The bill is open to further amendment.

Mr. WILLIAMS. Mr. President, I do not think there is the disagreement between the Senator from Washington and myself that he thinks there is. I believe there is simply a misunderstanding.

When we compare the amount provided by the bill as reported to the Senate with the amount of last year's appropriations, it is said that there is a saving of $525 million, insofar as the retirement payments are concerned. I understand that approximately 40 percent of the estimated obligation for retirement payments is represented by the obligation in connection with the agencies covered by the bill. In that case, if we assume that $200 million represents the retirement obligation of these agencies, then 60 percent of the claimed $525 million of savings are not in effect a true saving but will show up in other appropriation bills. I think the Senator from Washington will agree on that point.

I am not taking exception to what has been done, as regards having the Government make its contribution on an annual basis. In fact, in 1948, when the Congress made a major revision in the Civil Service Retirement Act, I offered such an amendment. It has always been my position that the Government, in the case of any retirement system, should make its annual payments into the retirement fund the same as any other employer. I advocated the same principle a few days ago, when the Metropolitan Police bill was before us; and I took exception to the fact that there was no fund into which the employer or the District of Columbia was making contributions, along with the employees.

What we are doing nationally now, in the case of the civil service retirement system, is what I think should have been done many years ago. That would have eliminated all the claims about making an appropriation one year, and the following year claiming that a saving had been made when an appropriation was not made. Everyone knows that the Government's obligations must be met, regardless of when the appropriation is made.

So I think the Senator from Washington will agree with me to that extent, namely, that in the case of the Government employees not affected by this bill, their proportion of the $525 million cannot correctly be claimed as a saving, insofar as the pending appropriation bill is concerned.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

Mr. JOHNSTON of South Carolina. Mr. President, I notice, on page 17 of the bill, beginning on line 8, the following language:

> The Administrator is authorized, without regard to the Classification Act of 1949, as amended, to place 10 positions at the field level, in addition to those otherwise authorized, in grade GS–16 in the General Schedule established by said act.

If Senators will look at page 17 of the bill, beginning on line 8, they will see that particular language has been inserted in the appropriation bill. Therefore, it constitutes legislation in an appropriation bill. The provision has already been adopted, but had I noticed it previously I would have raised a point of order.

I call this matter to the attention of Senators because in the Committee on Post Office and Civil Service we have a great deal of trouble with respect to placing some personnel in certain classifications. If that is done here and there in appropriation bills, it becomes a patchwork proposition, and does not become subject to the proper study which it should be given by the committee which is supposed to keep this matter in line.

I ask members of the Appropriations Committee not to do this. I ask them to please call it to the attention of the Committee on Post Office and Civil Service, so that we will do what is right in the best interest of all the employees in the Government.

I thought I should make these remarks for the RECORD, even though the provision has already been adopted. I

thought I should call the matter to the attention of the Senate and to the attention of all Senators who are now present.

Mr. MAGNUSON. Mr. President, I think I ought to take half a minute to say to the Senator from South Carolina that I entirely agree with what he has said. This year we made a serious attempt in the committee to put into one group all the suggestions which were made with reference to personnel and then to approach the Committee on Post Office and Civil Service with respect to the matter. It turned out that some agencies were more insistent than others. I think the Senator from South Carolina is absolutely correct in the point he has made, but I firmly believe that the General Services Administration needs the higher type of personnel in the field.

Mr. JOHNSTON of South Carolina. I thank the Senator from Washington. Taking the bill overall, he has done an excellent job. I have called attention to this matter because if this is done with respect to one department, we can expect other departments to ask that they be accorded the same privilege.

Mr. MORSE subsequently said: Mr. President, because of the fact that I was writing the minority views on the mutual security bill, I was unable to be present in the Chamber for participation in any of the debate on the independent offices appropriation bill.

However, the RECORD should show that I had a consultation with the very able chairman of the subcommittee, the Senator from Washington [Mr. MAGNUSON], and made certain suggestions to him. I received the usual accommodations from him. I wish to say that I think he is deserving of the highest commendation for the excellent job he did as chairman of the subcommittee. I wish particularly to commend him for the position the subcommittee took, and to commend all the members of the subcommittee for the position they took with regard to the District of Columbia Hospital Center.

Later today I shall have something to say about the appraisal which was made on the floor of the Senate yesterday concerning the report of a subcommittee of the Committee on the District of Columbia on the so-called hungry-children issue. This morning I received several protests in regard to what I am sure was an unintended critical evaluation of that report, and one which cannot be substantiated on the record. The report is filled with specific recommendations and is based on a voluminous body of evidence. It is based upon weeks of very careful study and investigation by a great number of persons holding official positions in the District of Columbia in addition to members of the committee.

We intend to make the specific recommendation of the study the basis of a series of legislative proposals affecting the District of Columbia, not only in this session of Congress, but in the next session of Congress. In our judgment it is an exceedingly sound report, and is anything but a report based upon generalities and platitudes. However, when the Senator involved who is a very dear friend of mine is on the floor of the Senate I shall discuss the subject of his criticism later in the day on my own time. I am of the opinion that the press statement this morning about this incident does not reflect the true views of my colleague in respect to his evaluation of the report of the subcommittee of the District of Columbia on the hungry children problem.

Further by way of legislative history with respect to the independent offices appropriation bill, I should like to express my keen disappointment at the action of the Appropriations Committee in limiting the funds of the National Science Foundation to the $40 million approved by the House despite a request by the administration for $65 million. As I indicated in a statement to the subcommittee, this is, indeed, false economy. For the reasons more fully developed in my remarks on June 3, as noted in the RECORD, I feel that it is urgent that the facilities for support of basic research and graduate fellowships in all the sciences, including the social sciences, be maintained at levels that will not injure the national welfare.

Even within the $40 million limitation set by the Appropriations Committee, I trust that the National Science Foundation will move ahead with the social science research program I had previously recommended. I note that the subcommittee has introduced greater flexibility in the Foundation's budget by removing a limitation of $9,500,000 fixed by the House for support of institutes for high-school teachers.

I thank the Senator from Washington [Mr. MAGNUSON] for the great help he was to me in support of this recommendation, which I made to him in personal consultation.

I hope that the Foundation will take advantage of this increased flexibility to provide adequate research and fellowship support for the social sciences.

I also wish to say that I appreciate the fact that the Senator from Washington, as chairman of the subcommittee, agrees with me that it would be appropriate and desirable for the National Science Foundation to spend $1 million of the $40 million appropriated, or only 2½ percent, for its developing program in the social sciences.

Mr. President, I had intended to cover another point because it demonstrates, in my opinion, the relationship that should exist between the Senate Appropriations Committee and a legislative committee of the Senate. I refer to the item included in the independent offices appropriations bill of $1,710,000 to equip the Hospital Center in the District of Columbia.

It will be recalled that last week I reported to the Senate a rather extraordinary procedure which was followed by the District of Columbia Committee in regard to the hospital center bill. We had spent practically the entire day, Mr. President, listening to witnesses testifying in support of the bill S. 2194, which would authorize the $1,710,000 necessary to equip the Hospital Center which is to be opened on September 1—a hospital center, by the way, which is the result of congressional action taken some 11 years ago, when the Congress of the United States took note of the fact that hospital facilities in the District of Columbia were in many respects so obsolete that something had to be done to improve them.

As I pointed out in my brief remarks on this matter the other day, some of the hospital facilities went back to 1876 or earlier. As doctors, surgeons, and other health experts testified before the District of Columbia Committee the other day, a terrific waste of money is involved in the maintenance of some of the obsolete facilities.

It will be recalled I reported to the Senate that the situation was considered to be so serious that, after we listened to doctors, surgeons, and other health officers make a case that we thought was unanswerable, we were greatly surprised to have representatives of the Bureau of the Budget suggest that the $1,710,000 request for authorization in S. 2194 should be cut down to $500,000. The medical authorities, without exception, testified if that were done, it simply would be impossible to make full use of the facilities.

The committee took a recess and went into another room, in executive session, and unanimously voted to report the bill. The committee knew the Appropriations Committee was meeting at the same time. In fact, the Appropriations Committee had made a request of the District of Columbia Committee to send each witness directly from our committee room to the Appropriations Committee room. There the witnesses repeated their testimony. We then requested a member of our subcommittee, the distinguished Senator from Pennsylvania [Mr. CLARK], to appear before the Appropriations Committee and present the point of view of the subcommittee of the Committee on the District of Columbia, and give the Appropriations Committee our reasonable assurance that when the full committee met to consider the bill our recommendation for its favorable report would be adopted. That is exactly what happened. The full District of Columbia Committee unanimously approved S. 2194, and the Appropriations Committee was notified.

Not only that, Mr. President, but I had a personal discussion with the chairman of the subcommittee and with certain other members of the Appropriations Committee, in which I presented to them the conclusions of the District of Columbia Committee and the evidence which supported our conclusions and recommendations.

I desire to say, Mr. President, as chairman of that subcommittee—and I am authorized to speak for that great humanitarian, the chairman of the District of Columbia Committee, the Senator from West Virginia [Mr. NEELY], who wished to have the same point of view expressed in his behalf this afternoon as I am expressing in my own behalf—that we are deeply appreciative of the cooperation we have received from the Appropriations Committee in regard to this matter. I am sure the people of the District of Columbia are going to be as

deeply appreciative of it, also. I pray the appropriation will be agreed to in conference. I use the word pray advisedly, because I think it is the proper term to employ with reference to the sick and the aged people of the District of Columbia who will need the care afforded by the hospital facilities which the appropriation will provide. I pray that the conference will retain the amount. I want to thank the Appropriations Committee for its cooperation.

I say this, Mr. President, because of the criticism I made yesterday afternoon—or, rather, a question I raised yesterday afternoon in the course of debate—with respect to the relationship which should exist between a legislative committee and the Appropriations Committee. That relationship should be a relationship whereby a presumption exists in favor of the recommendations of the legislative committe.

Mr. President, I have heard this matter discussed on other occasions; not very often, but several times in the past 13 years. I think it would be most unfortunate, Mr. President, if the Appropriations Committee did not always respect that presumption. By that I do not mean the Appropriations Committee should always accept the recommendations of any legislative committee, because, as I have said so many times, the system of checks and balances we talk about is not a system of checks and balances only among the three coordinated branches of Government but, if we understand our constitutional history, it is also a system of checks and balances within each of the three coordinate branches of Government. This is an example of the Appropriations Committee exercising a check upon a legislative committee; but not a veto, in the sense, Mr. President, that the Appropriations Committee should ever proceed on the basis of performing the functions of a legislative committee. It should only check to find out whether or not this rebuttable presumption, which I think should prevail in support of the legislative committee's recommendations, is in fact rebutted by the evidence before the Appropriations Committee.

I cannot think of a finer example of the relationship I am talking about than what transpired between the District of Columbia Committee and the Senate Appropriations Committee with respect to S. 2194. Therefore, on behalf of the chairman of the Committee on the District of Columbia, and on behalf of myself as chairman of the subcommittee—and I am sure, if I took the time to poll the members of the Committee on the District of Columbia, there would be a unanimous expression of appreciation—I thank the Appropriations Committee for including in the independent offices appropriation bill the amount of $1,710,000, the full amount needed, as the experts unanimously testified, to equip the Hospital Center so that it can be made available in humanitarian service to the sick, injured, and hospitalized on September 1 of this year.

It is to be understood, also, that my remarks on this matter will be incorporated in the RECORD along with the remarks I made on the independent offices appropriation bill earlier.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on the final passage of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that, if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

The result was announced—yeas 72, nays 0, as follows:

YEAS—72

Aiken	Bible	Church
Allott	Bricker	Cooper
Anderson	Butler	Cotton
Barrett	Carlson	Dirksen
Beall	Carroll	Dworshak
Bennett	Case, N. J.	Eastland
Ellender	Kennedy	Pastore
Frear	Kerr	Payne
Goldwater	Knowland	Potter
Gore	Kuchel	Purtell
Green	Lausche	Revercomb
Hayden	Long	Russell
Hennings	Magnuson	Schoeppel
Hickenlooper	Mansfield	Scott
Hill	Martin, Iowa	Smathers
Holland	Martin, Pa.	Smith, Maine
Hruska	McNamara	Stennis
Humphrey	Monroney	Symington
Ives	Morse	Talmadge
Jackson	Morton	Thurmond
Javits	Mundt	Thye
Jenner	Murray	Watkins
Johnson, Tex.	Neuberger	Wiley
Johnston, S. C.	O'Mahoney	Williams

NOT VOTING—23

Bridges	Douglas	Neely
Bush	Ervin	Robertson
Byrd	Flanders	Saltonstall
Capehart	Fulbright	Smith, N. J.
Case, S. Dak.	Kefauver	Sparkman
Chavez	Langer	Yarborough
Clark	Malone	Young
Curtis	McClellan	

So the bill (H. R. 6070) was passed.

Mr. MAGNUSON. Mr. President, I move that the Senate insist on its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. MARTIN in the chair) appointed Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. RUSSELL, Mr. MCCLELLAN, Mr. DIRKSEN, Mr. SALTONSTALL, Mr. MUNDT, Mr. POTTER, and Mr. YOUNG conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I should like the RECORD to show that the minority leadership has presented us with a calendar which clears the following measures:

Calendar No. 111, S. 913, to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes.

Calendar No. 130, H. R. 4815, to provide permanent authority for the Postmaster General to establish postal stations at camps, posts, or stations of the Armed Forces, and at defense or other strategic installations, and for other purposes.

Calendar No. 131, Senate Concurrent Resolution 20, authorizing an investigation by the Federal Trade Commission into the activities and practices of companies engaged in the production, distribution, or sale of newsprint in interstate commerce.

Calendar No. 192, S. 495, to authorize the acquisition of the remaining property in square 725 in the District of Columbia and the construction thereon of additional facilities for the United States Senate.

Calendar No. 193, S. 728, to authorize the acquisition of the remaining property in squares 725 and 724 in the District of Columbia for the purpose of extension of the site of the additional office building for the United States Senate.

Calendar No. 249, S. 1164, to make the evaluation of recreational benefits re-

sulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes.

Calendar No. 301, S. 864, to provide for the transfer of certain lands to the State of Minnesota.

Calendar No. 302, S. 2051, to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

Calendar No. 331, S. 60, to authorize the construction, operation, and maintenance by the Secretary of the Interior of the Fryingpan-Arkansas project, Colorado.

Calendar No. 341, S. 943, to amend sec. 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services.

Calendar No. 382 through Calendar No. 388.

Calendar No. 407 through Calendar No. 414.

Calendar No. 417 through Calendar No. 437.

We are giving consideration to having all those measures taken up.

In addition, although it has not been cleared by the minority, we expect to have the Senate proceed to the consideration of Calendar No. 330, Senate bill 555, to authorize the construction of the Hells Canyon Dam, as soon as we can find time to have the bill brought up by motion.

I want all Senators to know that the appropriation bills have high priority. The mutual aid authorization bill will follow them, and also the atomic treaty, which is due to be reported in the next day or two from the Foreign Relations Committee.

If we have any time between those measures, it may be that the Senate will proceed to the consideration of any of the measures I have listed today.

Of course, before the Senate proceeds to the consideration of the Hells Canyon Dam bill, I shall give adequate notice to the minority leadership, because they have asked that the bill be held, and I have not determined a definite date when a motion will be made to have the bill brought up. But I shall do so in the near future.

Mr. President, when we have concluded action on the appropriation bills, I hope later in the day, or later in the week, to bring up by motion all the bills on the calendar which may have been cleared. They will include private bills and other noncontroversial bills which have been cleared by the respective leaderships.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1958

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of House bill 6287, Calendar No. 423.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, I wish to announce that when the Senate concludes action upon House bill 6287, it is the intention to proceed with the consideration of the mutual security authorization bill. It is not expected that there will be any votes on that bill today but there will be general discussion. There will not be a late session. If we are able to dispose of the pending appropriation bill and have general discussion on the mutual security bill, we can conclude today's business rather early.

Mr. HICKENLOOPER. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. POTTER. It was impossible to hear what the Senator had to say.

Mr. JOHNSON of Texas. I stated that the Senate would proceed with the consideration of House bill 6287, the bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes. In the event action is completed on that bill, it is planned to proceed with the consideration of the mutual security authorization bill, but I do not expect any votes on that measure today.

In the event the Senate is able to conclude action on the pending appropriation bill, which I believe will not require a great deal of time, there will not be an evening session. I wish Senators to have that definite notice, so that if they have engagements they can keep them.

Unless something unforeseen develops, it is expected that the appropriation bill for the Departments of Labor, and Health, Education, and Welfare will be passed within a few hours, to be followed by general discussion on the mutual security authorization bill but without votes on that bill today. Minority views are to be filed tonight, and I do not wish to have action on the bill until copies of the minority views are available to Senators.

Mr. POTTER. Will there be a vote on the mutual security bill tomorrow?

Mr. JOHNSON of Texas. I do not know when there will be a vote on it. There will be general discussion this afternoon. Probably several amendments will be offered. Just when a vote will be reached, I am unable to tell this far in advance. I have set aside Wednesday, Thursday, Friday, and Saturday for consideration of that bill. I hope we shall be able to dispose of it by late Saturday.

Mr. MORSE. Mr. President, according to the announcement of the majority leader, he hopes to take up the mutual security bill today. I have no objection to taking up the mutual security bill today based upon any parliamentary point, because of any pending minority views. The RECORD is clear that I have until 5 o'clock this evening to file minority views. I finished dictating them 30 minutes ago, and they will be on the desks of Senators tomorrow.

My understanding is that during the course of the discussion today the majority will begin the presentation of their point of view on the mutual security authorization bill, but that no votes will be taken upon any amendment to it. The minority views are based upon a proposal involving the submission of an entire series of amendments which would save the taxpayers hundreds of millions of dollars which, in the opinion of the minority, are now being inexcusably wasted.

PRINTING OF INDIVIDUAL VIEWS OF SENATOR MORSE ON MUTUAL SECURITY AUTHORIZATION BILL

Mr. MORSE subsequently said: Mr. President, I have been advised by the Parliamentarian that it is necessary for me to ask unanimous consent to file my minority views on the mutual security bill by 5 o'clock this afternoon. The record is as follows:

There was a colloquy the other day, when we announced from the Committee on Foreign Relations that the bill had been favorably reported by the committee, and that the minority views would be filed by 5 o'clock today. Apparently at that time a request should have been made for permission to file them by 5 o'clock today. I now ask unanimous consent that I may be authorized to file my minority views and the supplementary views of the Senator from Louisiana [Mr. LONG] by 5 o'clock this afternoon, with the understanding that they will be printed overnight and placed on Senators' desks tomorrow morning.

Mr. KNOWLAND. The Senator has stated the situation correctly. It was certainly understood in the Committee on Foreign Relations that the distinguished senior Senator from Oregon would have an opportunity to file his views by 5 o'clock today. The legislative history is clear on that point. If a technicality was not complied with, the Senator certainly should be entitled to have the permission to comply with it.

Mr. MORSE. I wish to say that the distinguished minority leader has once more demonstrated the many courtesies he has extended to me in the 13 years I have been a Member of the Senate. I appreciate his attitude very much.

Mr. LONG. Mr. President, I have not had an opportunity to read the views prepared by the Senator from Oregon. I thought that perhaps I should like to associate myself with the statements in the Senator's minority views. However, the Senator from Oregon believes, since he feels so strongly on this matter, the views should be personal to him.

Mr. MORSE. I thank the Senator from Louisiana for his comment. He will see my statement before it is filed, as will the Senator from North Dakota [Mr. LANGER]. However, because of the position I took in committee with respect to certain legal aspects in connection with the matter under discussion, I would not wish to ask my colleagues to associate themselves with my point of view, but, rather, speak only for myself. I state in my minority views that I share the views of the Senator from Louisiana [Mr. LONG] and the Senator from North Dakota [Mr. LANGER], that the bill should be drastically cut in many particulars. The Senator from Louisiana will have an opportutity to read my views, although my position in the committee was somewhat different from the position the Senator from Louisiana took in respect to some of the reasons for dissenting. I do not think it would be fair to the Senator to ask him to join in my minority views. I have taken it for granted that the Senator from Louisiana, by his expression of his own personal minority views, will make his position very clear on this issue.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. RUSSELL. I am not a member of the Committee on Foreign Relations, but I shall read the Senator's statement with a great deal of interest. I am particularly concerned about some phases of the program as reported to the Senate by the Committee on Foreign Relations. I am particularly concerned about the so-called revolving fund, which removes all the economic aid from any real congressional control, by setting up a permanent fund, over which Congress will have, at best, very limited control.

I do not know whether the Senator from Oregon approves of that particular phase of the bill. Some of us, who are concerned about it, will have an opportunity to vote to retain in the Congress of the United States some measure of control over the program. A number of other items in the bill disturb me also.

I shall look forward eagerly to the Senator's amendments, in the hope that some of them will be along the line of my thinking, so that I may support the effort to make the program more realistic.

Mr. MORSE. It was not my intention, in making my unanimous-consent request, to open debate on the mutual-security bill. I do not think it would be courteous to the chairman of the Committee on Foreign Relations for me to do so.

I wish to say very quickly in passing, to my good friend from Georgia, that I am not at all surprised, inasmuch as he is such a great constitutional lawyer, that he should make the observations he has made. I wish to assure him that one section of my minority views is given over to the constitutional question, and to what I consider to be an abdication by Congress of its legislative duties under the Constitution.

Having served with the Senator from Georgia for a number of years on the Committee on Armed Services, and although there may have been some times when we voted differently, I cannot recall when we ever voted differently on any major item before the committee, and, in fact, I cannot recall any minor one, for that matter, when we voted differently; I should like to say to him that I also take the position in my minority views that tremendous savings can be made in the military budget. It should no longer be considered a sacred cow, but should be put on the legislative operating table of Congress in order that we may cut out some of its cancers.

I press my unanimous-consent request.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is so ordered.

MUTUAL SECURITY ACT OF 1957—MINORITY AND SUPPLEMENTAL VIEWS

Subsequently, Mr. MORSE, as a member of the Committee on Foreign Relations, submitted his minority views, together with the supplemental views of Mr. LONG, on the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, heretofore reported by Mr. GREEN from that committee which were ordered to be printed as part 2 of Report No. 417.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, in order that Senators may be on notice, I ask unanimous consent that on the question of the passage of the pending measure, the Labor and Health, Education, and Welfare Departments appropriation bill, the yeas and nays be ordered.

The yeas and nays were ordered.

Mr. HILL. Mr. President, the bill under consideration provides an appropriation of $2,885,290,781 for the Departments of Labor, and Health, Education, and Welfare. This amount is an increase of $38,459,200 over the House bill, but is under the budget estimates for 1958 by $96,636,800.

The committee has approved a total of $354,348,600 for the Department of Labor, an increase of $5,288,400 over the House bill. Included in the committee's recommendation are items totaling $321,800,000, or 90.81 percent of the budget estimates, for which funds must be provided. Included are grants to States for unemployment compensation and employment service administration, $260 million, paid out of the earmarked Federal unemployment tax revenues; in other words, that amount comes out of revenues raised by special taxes and does not come out of the Federal Treasury.

For unemployment compensation for veterans, the bill provides $36,800,000.

For unemployment compensation for Federal employees, $25 million is included.

For the Department of Health, Education, and Welfare the committee recommends a total of $2,516,707,381. Included in the recommendations are items totaling $1,768,700,000, representing 70.27 percent of the Department's estimates, for which funds must be provided for grants to States for public assistance, $1,600,000,000; for payments to school districts, $127 million; and for assistance for school construction in federally impacted areas, $41,700,000. The basic legislation for these three programs definitely commits the Congress to provide whatever funds are required.

Not included in the above category, but certainly programs which permit little or no reduction from the budget estimates, are those for grants to States for maternal and child welfare; for grants to States for vocational rehabilitation; for grants to States for hospital construction; for grants to States for waste treatment works construction; and for assistance to States for local public health units. These together with the items for public assistance and school construction and school maintenance and operation total in excess of $2 billion.

The increases recommended throughout the bill are at a minimum when consideration is given to the fact that this bill was under consideration by the House for 10 days, with extensive amendments offered on the floor of the House and numerous reductions made in the amounts recommended by the House Committee on Appropriations, following extended, detailed, and exhaustive hearings, during which the bill was thoroughly examined and considered. Senators will recall that on the day of passage of the bill in the House there were 14 yea-and-nay votes.

Increases recommended by our committee for the Department of Labor only partially restore the reductions effected by floor amendments under the House committee recommendations. For one item—the Mexican farm labor program—we recommend the same amount as the House committee allowance.

The substantial increases approved by our committee are for medical research in the killing and crippling diseases—cancer, heart disease, mental illnesses, arthritis, and metabolic diseases, neurological disorders, and blindness. For each of these items the committee recommends increases in excess of the budget estimates. In total, we have approved increases of $32,027,000 for the National Institutes of Health for use in the fight against killing diseases.

Last year our committee reported to the Senate a bill containing amendments for increases in these same items amounting to $56,282,000 over the budget estimates, or 44.48 percent over the amounts requested.

This year's recommendation of increases, totaling $32,027,000, amounts to 16.84 percent over the amounts requested.

It is recalled that there were doubts expressed last year as to whether the funds recommended by the committee last year would be wisely and prudently

spent and whether there was available manpower to carry on the additional research possible with the greatly increased funds. The Senate committee considered the matter very thoroughly, and the position of the Senate committee was fully vindicated. Manpower was available, and the funds have been wisely and prudently expended.

Mr. President, following the usual procedure, I ask unanimous consent that the committee amendments be considered en bloc, and that the bill as amended be considered as original text for the purpose of amendment, with this exception:

The distinguished Senator from South Carolina [Mr. JOHNSTON], who is the chairman of the Committee on Post Office and Civil Service, has called attention to the language on page 30, line 18:

Provided, That the Chief and Assistant Chief of the Training and Standards Branch of the National Institute of Mental Health shall each be compensated at a salary rate not to exceed $17,500 per annum.

The committee included this proviso in the bill, conscious of the fact that more than half of the hospital beds in the United States today are occupied by patients suffering from mental illness, and that the cost of mental illness runs into billions of dollars each year.

The Senator from South Carolina has called attention to this proviso, and I have consulted with the distinguished Senator from Minnesota [Mr. THYE] who is the ranking minority member of the subcommittee, and formerly was the distinguished chairman of the subcommittee.

So in asking unanimous consent that the Senate amendments be agreed to en bloc, we do not ask unanimous consent that the proviso beginning on line 18, page 30, and ending on line 22, which I have just read, be included. That means, then, that the proviso will be stricken from the bill.

The Senator from South Carolina has advised me that he and his committee are giving their thought, attention, and consideration to this very matter now; they are examining into the question at this very time.

Mr. JOHNSTON of South Carolina. Along that line, last year, if Senators will recall, approximately 800 of the supergrade positions were acted upon. At present, the Committee on Post Office and Civil Service is holding hearings and is considering the matter. Even today, in order to conserve the time of the Senate, I am having lunch with the chairman of the Civil Service Commission, to discuss with him matters pertaining to the various grades, such as the one concerned in this instance. The committee will then look into the matter.

As I understand, the provision beginning on line 18 and ending on line 22, of page 30, will be stricken from the bill.

Mr. HILL. That is correct.

Mr. THYE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. THYE. I may say to the distinguished chairman of the Committee on Post Office and Civil Service that the salary range of $17,500 for this particular position would be proper. I regret that it is found to be necessary to strike the provision from the bill. But with the assurance that the chairman of the Committee on Post Office and Civil Service, the committee having jurisdiction of the question of salaries and qualifications, and all other matters relating to the civil service, will take the matter under consideration and will include it in a study to make certain that the salary range will be adjusted as it should be adjusted, I shall not object to the striking of the provision. But in the committee the decision was made to report the bill to the Senate with this provision included.

Mr. JOHNSTON of South Carolina. Inasmuch as the committee had already included the provision in the bill, I wish to state that we shall give the matter special treatment. But the Senator from Minnesota, who served for so many years on the committee of which I am chairman, knows what we have to do in the case of placing certain employees in the super grades under the Classification Act. In that connection there are many headaches, because when one case of that sort comes up, other employees wish to be treated similarly.

Mr. THYE. I appreciate that. If I had remained on the Committee on Post Office and Civil Service, I would now be its senior Republican member. However, I had long endeavored to obtain a seat on the Appropriations Committee; and a number of years ago I had to decide whether I would leave the Committee on Post Office and Civil Service, in order to become a member of the Appropriations Committee. I regretted leaving the Committee on Post Office and Civil Service, because of the excellent work it does on matters relating to the classification of employees.

Let me say that the Senator from South Carolina is doing an excellent job as chairman of the committee, and I am confident that this particular position will have his personal attention. In all justice, the proposed increase in salary should be made.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the Senator from Minnesota for his kind remarks concerning me. During the many years he and I served together on the committee, everything was very, very pleasant; and he did excellent work there. At that time we worked together both on subcommittees and on the full committee. His work was excellent, and I know he is doing equally fine work at present on the Appropriations Committee.

Mr. THYE. I thank the Senator from South Carolina.

Mr. President, let me inquire whether the distinguished chairman of the Subcommittee on Appropriations for Health, Education, and Welfare has completed his statement on the bill.

Mr. HILL. Yes.

At this time I wish to join in what the senior Senator from Minnesota has said, namely, that the salary in this case certainly should be $17,500. I know how able and devoted is the senior Senator from South Carolina [Mr. JOHNSTON], the chairman of the Committee on Post Office and Civil Service; and it is gratifying to have him tell us now that the matter will receive his particular attention, and that, in fact, he is already giving it his best attention. I wish to thank the Senator for what he is doing in regard to this item, because the salary in this particular case really should be $17,500. So I thank my very able and distinguished friend, the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Mr. President, I thank the Senator from Alabama for his remarks about me, and also for what he has said about this particular item.

I wish to say that I have examined this appropriation bill, and it shows a great deal of study. The Senator from Alabama has done an excellent job on the bill.

Mr. HILL. I thank the Senator from South Carolina. We have a very hard-working subcommittee, and the bill as reported represents the teamwork of all of us. We particularly appreciate what the distinguished Senator from Minnesota [Mr. THYE] has done in connection with bringing the bill before the Senate.

Mr. President, following the precedent, I ask unanimous consent that the committee amendments, except for the proviso on page 30, in line 18, be considered and agreed to en bloc; and that the bill as thus amended be considered for the purpose of amendment, as original text; provided, however, that no point of order against any amendment shall be deemed to have been waived by the adoption of these committee amendments.

The PRESIDING OFFICER (Mr. CHURCH in the chair). Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

Under the heading "Title I—Department of Labor—Office of the Secretary", on page 2, line 11, after the figures "$1,480,000", to strike out the comma and "of which not more than $170,000 shall be for international labor affairs", and in line 13, after the amendment just above stated, to insert a colon and "*Provided*, That the limitation of $154,490 for international labor affairs appearing in the Department of Labor Appropriation Act, 1957 (70 Stat. 423) is increased to $159,490."

Under the subhead "Office of the Solicitor", on page 3, line 9, after the word "Solicitor," to strike out "$2,021,000" and insert "$2,191,000", and in the same line, after the amendment just above stated, to strike out the comma and "together with not to exceed $365,000 to be derived from the highway trust fund created by section 209 of the Highway Revenue Act of 1956."

Under the subhead "Bureau of Employment Security", on page 5, line 8, after "(5 U. S. C. 55a)", to strike out "$5,558,000" and insert "$6,000,000, of which $5,874,400 shall be derived by transfer from the Federal unemployment account in the unemployment trust fund, and".

On page 6, at the beginning of line 7, to strike out "$249,814,000" and insert "$260,000,000", and in the same line, after the amendment just above stated, to insert "of which $10,000,000 shall be available only to the extent necessary to meet increased costs of administration resulting from changes in a State law or increases in the numbers of claims filed and claims paid or increased salary costs resulting from changes in State salary compensation plans embracing employees of the State generally over those upon which the State's basic grant (or the allocation for the District of Columbia) was based,

which increased costs of administration cannot be provided for by normal budgetary adjustments."

On page 9, line 15, after the word "laws", to strike out "$2,236,200" and insert "$2,500,000."

Under the subhead "Bureau of Labor Statistics", on page 11, line 7, after "(5 U. S. C. 55a)", to strike out "$7,124,000" and insert "$7,225,000."

Under the heading "Title II—Department of Health, Education, and Welfare—Food and Drug Administration", on page 12, line 25, after "(21 U. S. C. 61–64)", to insert "including purchase of not to exceed 89 passenger motor vehicles of which 51 shall be for replacement only."

On page 13, line 22, after the word "equipment", to insert "purchase of not to exceed four passenger motor vehicles for replacement only."

Under the subhead "Office of Education", on page 16, line 22, after "(20 U. S. C., ch. 2", to insert a semicolon and "70 Stat. 1126"; on page 17, at the beginning of line 1, to insert "and section 9 of the act of August 1, 1956 (70 Stat. 909)"; in line 3, after the word "training" to insert "and $228,000 for vocational education in the fishery trades and industry including distributive occupations there"; in line 5, after the amendment just above stated, to strike out "$33,442,081" and insert "$33,750,081", and in line 9, after the word "year", to insert a colon and the following additional proviso:

"*Provided further,* That the amount of allotment which States and Territories are not prepared to use may be reapportioned among other States and Territories applying therefor for use in the programs for which the funds were originally apportioned."

On page 17, line 20, after the figures "$5,000,000" to insert a colon and the following proviso:

"*Provided,* That the amount of any State's allotment from this appropriation which such State certifies will remain unpaid to it on June 30, 1959, may be reallotted by the Commissioner among other States applying therefor in proportion to their rural population, and deemed part of such allotments, except that no State's allotment shall be so increased as to exceed the allotment which would be made to it were this appropriation equal to the maximum authorized under such act."

On page 19, after line 18, to insert:

"President's Committee on Education Beyond the High School: For salaries and expenses for the President's Committee on Education Beyond the High School, including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), and expenses of attendance at meetings, $200,000."

Under the subhead "Public Health Service", on page 22, line 15, after the word "General", to strike out "$19,592,000" and insert "$22,592,000."

On page 24, line 6, after the word "aircraft", to strike out "$6,200,000" and insert "$6,250,000."

On page 24, after line 18, to strike out:

"Grants for waste treatment works construction: For payments under section 6 of the Water Pollution Control Act, as amended, $50,000,000, to remain available only until June 30, 1959."

And in lieu thereof to insert:

"Grants for waste treatment works construction: For payments under section 6 of the Water Pollution Control Act, as amended (70 Stat. 502), $45,000,000 which together with the amount appropriated under this head in the Second Supplemental Appropriation Act, 1957 (70 Stat. 769) shall be applied to payment on account of allotments made for the current and preceding fiscal years pursuant to said act, such sums to remain available only until June 30, 1959: *Provided,* That allotments under such section 6 for the current fiscal year shall be made on the basis of $50,000,000."

On page 25, after line 24, to insert:

"Surveys and planning for hospital construction: The funds appropriated under this head in the Supplemental Appropriation Act, 1955 (68 Stat. 810) shall remain available for expenditure until June 30, 1959."

On page 26, line 6, after "(5 U. S. C. 150)", to insert "including $1,186,000 to be available only for payments for medical care of dependents and retired personnel."

On page 27, line 15, after the word "General", to insert "purchase of not to exceed 75 passenger motor vehicles, of which 50 shall be for replacement only;", and in line 22, after the word "act", to strike out "$40,000,000" and insert "$42,500,000."

On page 28, line 11, after the word "projects" to insert "and training grants", and in line 14, after the word "thereto", to insert "purchase of not to exceed eight passenger motor vehicles for replacement only."

On page 28, after line 19, to insert:

"National Institutes of Health Management Fund: For the purpose of facilitating the economical and efficient conduct of operations in the National Institutes of Health which are financed by two or more appropriations where the costs of operation are not readily susceptible of distribution as charges to such appropriations, there is hereby established the National Institutes of Health Management Fund. Such amounts as the Director of the National Institutes of Health may determine to represent a reasonable distribution of estimated costs among the various appropriations involved may be advanced each year to this fund and shall be available for expenditure for such costs under such regulations as may be prescribed by said Director, including not to exceed $2,500 each fiscal year for entertainment of visiting scientists when specifically approved by said Director, and for the operation of facilities for the sale of meals to employees and others at rates to be determined by said Director to be sufficient to cover the cost of such operation and the proceeds thereof shall be deposited to the credit of this fund: *Provided,* That funds advanced to this fund shall be available only in the fiscal year in which they are advanced: *Provided further,* That final adjustments of advances in accordance with actual costs shall be effected wherever practicable with the appropriations from which such funds are advanced."

On page 30, line 1, after "grants-in-aid," to strike out "and to contract for supplies and services by negotiation, without regard to section 3709 of the Revised Statutes, in connection with the chemotherapy program;" and insert "and to contract on a cost or other basis for supplies and services by negotiation, without regard to section 3709 of the Revised Statutes, in connection with the chemotherapy program, including indemnification of contractors to the extent and subject to the limitations provided in title 10, United States Code, section 2354, except that approval and certification required thereby shall be by the Surgeon General;", and in line 12, after the word "act", to strike out "$46,902,000" and insert $58,543,000."

On page 30, line 16, after the word "diseases", to strike out "$35,217,000" and insert "$39,421,000, together with not to exceed $4,573,000 of the unobligated balance of the fiscal year 1957 appropriation granted under this head."

On page 30, at the beginning of line 25, to strike out "$33,436,000" and insert "$38,784,000."

On page 31, line 7, after the word "diseases", to strike out "$17,885,000" and insert "$23,548,000."

On page 31, line 17, after the word "blindness", to strike out "$18,887,000" and insert "$24,058,000."

On page 31, after line 23, to insert:

"Retired pay of commissioned officers: For retired pay of commissioned officers, as authorized by law, and payments under the Uniformed Services Contingency Option Act of 1953, such amount as may be required during the current fiscal year."

Under the subhead "St. Elizabeths Hospital", on page 32, line 16, after the word "illness", to strike out "$3,000,000" and insert "$3,085,800."

Under the subhead "Social Security Administration", on page 33, after line 22, to insert:

"Construction, Bureau of Old-Age and Survivors Insurance: For an additional amount for 'Construction, Bureau of Old-Age and Survivors Insurance' for construction of an office building and appurtenant facilities, including acquisition of land, $5,710,000, to be derived from the Federal Old-Age and Survivors Insurance Trust Fund which, together with sums heretofore appropriated for these purposes, shall establish a limitation of cost of $31,080,000: *Provided,* That the established limit of cost may be exceeded or shall be reduced by an amount equal to the percentage increase or decrease, if any, in construction costs generally dating from October 1, 1956, as determined by the Administrator, General Services Administration, and the amount to be derived from the aforesaid trust fund shall be increased or decreased accordingly: *Provided further,* That the immediately preceding proviso shall be effective only if a contract for construction is executed on or before December 1, 1957."

On page 34, line 22, after the word "year", to strike out the colon and *"Provided,* That not more than $104,000,000 of the amount herein appropriated shall be used for expenses of State and local administration: *Provided further,* That none of the amount herein appropriated shall be used to cover any costs of State and local administration incurred prior to July 1, 1957."

Under the subhead "Office of the Secretary," on page 38, line 3, after the word "exceed", to strike out "$425,000" and insert "$449,000."

Under the heading "General Provisions," on page 39, after line 23, to strike out:

"SEC. 208. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 15 percent of the direct costs."

On page 40, line 8, after the numerals "1959", to insert a colon and the following proviso:

"*Provided,* That existing obligational authority to the Department of Health, Education, and Welfare for preparation of plans and specifications for the construction of the general office and the dental research buildings of the National Institutes of Health, and the National Library of Medicine building of the Public Health Service, shall remain available until June 30, 1958."

On page 40, after line 23, to insert:

"SEC. 211. To the extent and under the conditions provided by regulations of the Secretary, officers (including commissioned officers of the Public Health Service) and employees of the Department of Health, Education, and Welfare may hereafter, in connection with their attendance at meetings or in performing advisory services concerned with the functions or activities of the Department, be permitted to accept payment, in cash or in kind, from non-Federal agencies, organizations, and individuals, for travel and subsistence expenses, to be retained by them to cover the cost thereof or deposited to the credit of the appropriation from which the cost thereof is paid, as may be provided in such regulations."

Under the heading "Title VI—Federal Mediation and Conciliation Service," on page

44, line 6, after the words "per diem", to insert a semicolon and "Government listed telephones in private residences and private apartments for official use in cities where mediators are officially stationed, but no Federal mediation and conciliation service office is maintained."

Mr. THYE. Mr. President, I wish to join the chairman of the Appropriations Subcommittee, the distinguished Senator from Alabama [Mr. HILL], in commenting on this particular appropriation bill.

The only appreciable increase in the appropriation items included in the bill as reported to the Senate, over those included in the bill as passed by the House of Representatives, is in the items for the National Institutes of Health, in the fields of cancer research, mental health, heart disease, dental health, and other diseases. We felt completely justified in following the recommendations of the National Association on Health in the case of these items, because the history of this matter has been that when funds could properly be used and when the necessary facilities, research workers, scientists were available, the funds were allocated and were made available for continued research; but that if the necessary facilities, research workers, technicians and scientists, were not available the funds have not been allocated. So we felt perfectly justified in recommending these increases in the items.

Otherwise, the bill is very much the same as it was when it was passed by the House of Representatives.

I wish to say that the distinguished chairman of the Appropriations Subcommittee, the Senator from Alabama [Mr. HILL], held extensive hearings; and in a most searching manner he proceeded to obtain information regarding every item, whether in the field of health, education, and welfare, or in the field of labor.

In my opinion the bill as reported is an excellent one in the case of every item. Most certainly the Senator from Alabama has done a splendid job in getting the bill into such shape that all Members of the Senate are able to understand what it contains. I hope it can be passed without further amendment.

Mr. HILL. Mr. President, will the Senator from Minnesota yield to me?

Mr. THYE. I am glad to yield to the Senator from Alabama.

Mr. HILL. The distinguished Senator from Minnesota has been a member of the subcommittee handling the bill longer than any other member of the subcommittee. He has been a most devoted member of the subcommittee, and formerly he was its distinguished chairman. Certainly he knows about all the items and provisions of the bill, and he has contributed very greatly to the work of the subcommittee and to the writing of the amendments to the bill.

Mr. STENNIS. Mr. President, will the Senator from Minnesota yield to me?

Mr. THYE. I am delighted to yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, as a member of the subcommittee who attended as many hearings as possible, I wish especially to commend the Senator from Alabama [Mr. HILL], the chairman of the subcommittee, and the Senator from Minnesota [Mr. THYE], the ranking minority member of the subcommittee, for the very fine attention they gave to the vast number of subject matters included in the bill. They did so day after day, week after week, and month after month; in fact, their attention to these subject matters extends from one year to another, during every month of the year, I am sure.

Mr. THYE. Mr. President, during the recesses of Congress there have been times when many of us who serve on the subcommittee have gone to various universities, colleges, and research centers, and have tried to acquaint ourselves with the work being done in the field of research. We have done that right at the laboratories, where the scientists have demonstrated what they were actually accomplishing by means of the research funds which had been made available. That interest on our part has not only carried us into the field, so as to become acquainted with the work being done by the scientists, but it has also kept us in close contact with those who work in these fields.

In its report the committee has stated what has been done to expand the research facilities, as well as to encourage the best of our youth to engage in such research work.

Mr. STENNIS. I thank the Senator for that information. Mr. President, if I may have the floor——

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Mississippi has the floor.

Mr. STENNIS. Let me further say that of the many subjects on which the subcommittee, led by those whose names I have mentioned, has passed on, I think none is more important than the health program, to which they have given such fine attention. In this connection, the Senator from Maine [Mrs. SMITH] should also be mentioned, because of her very fine knowledge of the subject matter, and her special attention to it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I wish to join the Senator from Mississippi in the richly deserved tribute which he has paid to the Senator from Maine.

Mr. STENNIS. I thank the Senator from Alabama. He is a Senator dedicated to his work, his State, and the Nation. He is most dedicated to those constructive activities that serve mankind.

I wish particularly to point out at this time the close attention which the subcommittee gave to the public-health program's operations at the State and county level, and which resulted in the increase voted by the subcommittee in that particular appropriation.

Mr. President, those programs operate, not through the public-health office alone of each State, but through the doctors, the nurses, the various patriotic organizations, the PTA's, and other groups and citizens generally.

If I may take a few minutes, I should like to read some of the remarkable accomplishments of this particular service in my State, led by an outstanding doctor, Felix J. Underwood. I asked him to send me these figures. I marvel so at what they show that I want to preserve them in the RECORD.

For instance, in Jasper County, Miss., in 1940, there were 345 recorded cases of malaria. In 1955, there were no cases of malaria.

In another county, in 1940, there were 150 such cases. In 1955, there were none.

In the same county, in 1940, there were 33 cases of pellagra. In 1950, there was not a single case of pellagra.

In the same county there were 254 cases of measles in 1940, and only 2 cases in 1955.

In another county, there were 94 cases of malaria in 1940, but there were no cases in 1955.

In still another county, there were 302 cases of malaria in 1940, but not a single case in 1955.

In another county, there were 21 deaths from malaria in 1925, but not a single death from such cause in 1955.

In that particular county, there were 24 deaths from pellagra in 1925. In 1955, there was not a single death from that disease.

The same comment could be made with respect to many of the other counties.

Those statistics illustrate the very fine and effective work the program has accomplished over the years, with a very small contribution by the Federal Government, and the expenses shared by the State and county governments. It represents an excellent illustration of cooperation and contribution at the three government levels, and most effective accomplishments as a result.

Mr. HILL. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. HILL. I happen to be familiar with the work Dr. Underwood has done. The Senator has spoken about cooperation between the Federal Government and the States. I am glad the Senator did so, because fine a doctor as Dr. Underwood is, he certainly had the wholehearted support and cooperation of the Senator from Mississippi, which was necessary. Unless Dr. Underwood had had the support which he received from the Senator from Mississippi, it would not have been possible for him to do the work he did. The Senator from Mississippi has been an outstanding leader in carrying forward this program, particularly in supporting the local county health units, as well as other great programs for the health of the American people.

Mr. STENNIS. I appreciate the remarks of the Senator from Alabama. I am a latecomer in this field. I appreciate particularly what the Senator from Alabama has said about Dr. Underwood, who is an outstanding doctor, and one of the most consecrated men I have ever known.

Mr. MORSE obtained the floor.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from New York.

Mr. JAVITS. Mr. President, I express my appreciation to the senior Senator from Oregon [Mr. MORSE], who has

graciously allowed me to take the floor before him, because I have an engagement waiting for me to fill now.

I wish to make a few comments on this very important bill. I have had a great many people inquire as to the work of the committee. I think the committee, on balance and in total, has done a splendid job.

I had a great deal of experience with such measures in the House of Representatives when I served there, and I had the great honor of being the author of the national heart disease research program bill. So I am very familiar with the criterion which should be used in a judgment on this appropriation bill.

I might say, too, that no bill dealing with the National Institutes of Health, with regard to a program for health research, ought ever to be discussed in the Congress without mentioning the name of one of our colleagues in the House, Frank Keefe, of Wisconsin—a very conservative man, a very economy-minded man, who nevertheless got his teeth into the whole problem of Federal research into serious diseases and other medical problems, and carried his efforts through to fruition, and initiated, in the other body of Congress, appropriations which are now standard, as reflected in this appropriation bill.

With respect to specific matters, I should like to commend the committee very highly for recognizing one of the most important problems which face our institutions of higher learning, and for allowing, in spite of the fact that it was not allowed in the other body, $200,000 for the President's Committee on Education Beyond the High School. I hope very much, knowing the caliber of the men concerned, they will stand fast by that item in conference.

We have 1,400,000 boys and girls who are expected to graduate from high school this year. By 1965 the number will be in excess of 2 million. By 1970 it will be about 2,200,000. Yet we find that about 200,000 students who are of college caliber have difficulty in trying to attend college for financial reasons; and about 100,000 in the gifted category, who could be leaders in sciences and professions, will not be able to attend college because of financial difficulties.

Such a situation cries aloud for action on a loan bill for college students, such as I have sponsored, or a so-called college bill, which has been sponsored by others. Such action certainly demands the greatest priority, even as an element—and I think this is writing it down considerably, but it still must be said—in the anti-Communist struggle. The Soviet Union graduates twice as many engineers as we do. It trains students from other countries—one of the most critical elements of foreign policy in which we could engage—to the number of about 250,000, while we train 36,000, which is a new high.

I commend the committee for some recognition of this problem and for giving consideration to the matter.

I think also the committee has done splendidly in giving attention to libraries and hospitals, particularly in rural areas, which are necessary to bring the cultural level of the country even higher than it is.

Moreover, the committee has done very well with respect to the matter of the organized trucking industry and the administration of the minimum-wage levels on Federal highway construction.

I should like to address a question to the chairman of the subcommittee upon one matter, and that relates to the provision contained in the bill for dental research. I think the committee is to be commended for its recognition of the critical contribution to health of dental research.

I should like to suggest to the chairman of the subcommittee that some reply should be given to the dental societies, especially the American Dental Society and the Dental Society of the State of New York, which feel that attention should have been given to the recommendation for an appropriation of $3,700,000 for construction of a research building for a National Institution of Dental Research.

I might say to the chairman of the subcommittee that the reference made to that question is at page 854 of the hearings, relating to a preliminary appropriation for planning of the building.

I hasten to add that I am not in any way finding fault, but I feel that when such a great body of professional people express an interest, some reply ought to be given to them.

Mr. HILL. Mr. President, I am delighted that the Senator from New York raised this question. I want him to know I feel just as he does, that that building should be constructed, and should be constructed at the earliest possible moment.

Let me say also that at the present time there is what we might call a freeze on construction, as the Senator perhaps realizes. The administration is not going forward with construction of new buildings at this time.

But the committee has provided for the continuation of the availability of some $200,000, so that there will be no delay so far as preparing the plans for this building is concerned. In other words, the committee continues the availability of $200,000, appropriated last year, so that the administration may go forward and make blueprints and plans for the building contemplated. As soon as the freeze is lifted and the administration is ready to proceed with new construction, we certainly hope we have the funds provided in a supplemental or deficiency bill.

As is the Senator from New York, the Senator from Alabama is most anxious and eager to see this construction under way, to see this building started, and to see it finished.

Mr. JAVITS. I thank the Senator from Alabama very much, and I wish to commend him personally. I know how hard he has worked on this matter, and what a great contribution he has made to the cause of the American people, in this appropriation bill and otherwise. I would have expected the Senator to say what he has said. I feel the dental profession should be tremendously encouraged by the disposition shown by the chairman of the subcommittee. I thank him very much.

Mr. HILL. I thank the Senator from New York.

Mr. JAVITS. Mr. President, I yield the floor.

Mr. MORSE obtained the floor.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. MORSE. Mr. President, I yield to the Senator from Kansas with the understanding I do not lose my right to the floor.

Mr. CARLSON. Mr. President, I much appreciate the courtesy of the very able Senator from Oregon for giving me this opportunity to pay tribute to two outstanding members of the committee, who have devoted so much time to preparing and bringing before the Senate not only the fine report submitted, but an outstanding appropriation bill, which I think deals fairly with health, education, and welfare.

I know that the three agencies could not have had more able Senators handling their appropriations, or, what I appreciate most, Senators who handled the matter with greater sympathy. I think they have rendered an outstanding service by their work on this bill.

I wish to mention one item in which I am particularly interested, namely, the mental health program. If I read the report correctly, an additional amount of $8,777,000 was recommended for that program.

I have had some experience in dealing with mental health programs, and I appreciate the increase in the sum appropriated by the bill. I sincerely hope the House will approve the increase.

My State has been fortunate, in that it has had the privilege of using the Menninger Foundation, not only nationally known but internationally known, in establishing its mental health program. In cooperation with State health agencies and the medical profession, my State adopted a mental health program in 1947.

I should like to report to the Senate that, in 1955, 75 percent of the people who were admitted to the State hospital for mental illness were released before the end of 12 months. That is an example of the experience we are having in our State. Mental illness can be cured. It can be treated at home.

The expansion in the program made possible by the increase recommended in the appropriation will, I think, mean much not only to the patients themselves, but to their friends, their families, to the State, and to the Nation.

To the very able Senator from Alabama [Mr. HILL] and the ranking minority member, the Senator from Minnesota [Mr. THYE], the junior Senator from Kansas wishes to say he is deeply indebted for the fine way in which they have handled this appropriation.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CARLSON. The Senator from Oregon has the floor.

Mr. MORSE. I yield.

Mr. HILL. I wish to thank the distinguished Senator from Kansas for the kind and generous words he has spoken

to the Senator from Minnesota and the Senator from Alabama.

I might say that the distinguished Senator from Rhode Island [Mr. PASTORE] has been one of the most interested and effective members of the subcommittee. Particularly has he been helpful in the matter of the health appropriations.

I wish to say to the distinguished Senator from Kansas that his State is recognized as the great pioneer State in the matter of mental health. The State of Kansas has done many things in that field. It has set an inspiring and challenging example for the other 47 States. The great program which the State of Kansas is now carrying forward was ably aided and abetted by the distinguished Senator when he was the governor of Kansas. The Senator from Kansas, while Governor, had the vision to see the possibilities in the field of mental health, and, as governor, took the lead in launching the great programs which have done so much not only for the mentally ill in the State of Kansas, but, by setting this challenging example, have done so much for all the States and all the people of the United States.

Mr. THYE. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. THYE. I wish to thank the distinguished Senator from Kansas for referring to the work of the subcommittee. I can say, Mr. President, that every member serving on the subcommittee has been diligent, although we have busy schedules, and oftentimes there would be more than two appropriation subcommittee meetings scheduled for hearings at the same time. There were times when it was almost mandatory on some of the Senators to attend other appropriation subcommittee sessions, or other legislative committee sessions, and therefore it was not possible for all the subcommittee members to be sitting at the same hearing.

However, on this particular subcommittee there serves the distinguished Senator from Michigan [Mr. POTTER], who was present at a great number of the hearings, as well as the Senator from Rhode Island [Mr. PASTORE], and the Senator from Maine [Mrs. SMITH].

I could proceed to name every one of the subcommittee members, each of whom devoted an enormous amount of personal time to study of the question of appropriations affecting health matters.

I should like to refer now to the work of the State of Kansas and of the distinguished Senator from Kansas [Mr. CARLSON] while he was Governor of the State, in the field of mental health.

I was Governor of Minnesota during the war years, when we were oftentimes denied the full complement of institutional employees necessary, because they were not available. We could not build. However, we had an interim committee which was studying the needs for institutional improvements, including what was necessary in building expansion, as well as program development.

Our State was fortunate to have as its next executive, Governor Youngdahl. He made a most outstanding record for treatment of mental health and the development of facilities for treatment of mental health.

I know that the distinguished Senator from Kansas [Mr. CARLSON] is familiar with what was done in Minnesota, because he, as Governor of Kansas, was working in that field along with Governor Youngdahl, and they both were availing themselves of the enormous amount of research which the military was compelled to do in the mental-health field, because of the mental fatigue and mental breakdowns which occurred in the military services under the pressures of World War II.

So we have advanced far by reason of the assistance of Congress, and because of men like the Senator from Kansas [Mr. CARLSON] and Governor Youngdahl, who were serving as governors of their respective States. They were availing themselves of the knowledge which had been gained in the military mental health work. The people of the Nation are beginning to appreciate the work of the Senator from Kansas and Governor Youngdahl, now Judge Youngdahl, as well as the work of the distinguished Senator from Alabama [Mr. HILL], who has served as chairman of this subcommittee and has done such constructive work in the committee and in the Congress.

Mr. CARLSON. Mr. President, will the Senator from Oregon yield me another minute?

Mr. MORSE. I am glad to yield to the Senator from Kansas.

Mr. CARLSON. I regret to trespass on the time of the Senator from Oregon, who has been so generous, but I cannot let this opportunity pass without stating that I did not intend to omit the name of any member of the Appropriations Subcommittee. I did not start by naming the individual members, because I could not recall all the names. Every member has worked diligently, and has done an outstanding piece of work in bringing forth this appropriation bill. The Senator from Alabama [Mr. HILL] and the Senator from Minnesota [Mr. THYE] have performed a great service.

With regard to the mental health work in Kansas, let me say, in no spirit of egotism, that in all my public service I gained more satisfaction from the mental health program which was started in my State in 1947 than from any other phase of my activities. It was not the Governor of Kansas who did it. The people of Kansas did it. At one time, we were ranked 47th in the list of States in the field of mental health. Today we are third among the States of the Union, and our record is outstanding in obtaining results. It is a great satisfaction to know that in Kansas when people are committed to a mental institution, 75 percent of them are returned home well and cured within a year. That is the record within my State.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Rhode Island.

Mr. PASTORE. I visited the Senate of the United States when I was Governor of my State 7 or 8 years ago. I shall always remember that the very first personality to whom I was introduced on the floor of the Senate was the distinguished Senator from Alabama [Mr. HILL]. If my memory serves me correctly, he was the party whip at that time.

I need not tell his colleagues, who know him possibly better than I do, that that friendship has grown over the years. He left an impression with me on that day which will remain with me always.

It has been my pleasure to serve as a member of the subcommittee. It is one of the most exhilarating, satisfying, and proudest associations I have had in my service in the Senate.

I believe that LISTER HILL is one of the great personalities in this body. He is a great humanitarian. He loves his fellow men. I think he exemplifies the eternal commandment to love one's neighbor as oneself. LISTER HILL deserves a great deal of credit for the fine job he has done as a member of the subcommittee. The people of the Nation are fortunate to have a man of his caliber and quality as chairman of the subcommittee, and I am proud to call him my friend.

Mr. POTTER. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from Michigan.

Mr. POTTER. I thank the distinguished Senator from Oregon for yielding in order that I, too, may pay tribute to the chairman of the subcommittee which handled this appropriation bill.

It has been my privilege to serve on that subcommittee ever since I became a member of the Appropriations Committee. I am constantly amazed at the knowledge of the Senator from Alabama [Mr. HILL] with respect to all phases of the agencies whose appropriations are considered by the subcommittee, particularly as they relate to health matters. He brings to the subcommittee not only profound knowledge, but sympathetic understanding. I assure Senators that that spirit radiates to the other members of the committee, by reason of his leadership.

I again commend the chairman for a masterful presentation. I know, from the work which has already been done in the field of research in the great institutes of health, that thousands of lives have been saved as a result of such research. We should be impressed when we stop to realize the areas we are about to break through in the field of medical research, and the great potentialities for safeguarding the lives of the people of this country. Only a small amount of money is appropriated for these purposes, as compared with the amount appropriated for research in the military field, whether it be in connection with aircraft, or any other feature of military endeavor.

This research program costs probably less than the research on a bomber. Nevertheless, this is a program which saves and preserves the lives of American citizens, rather than being used for destructive purposes.

Once again I wish to express my great admiration for the senior Senator from Alabama [Mr. HILL].

Mr. HILL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Alabama.

Mr. HILL. I thank the Senator from Michigan for his most kind and generous words. I repeat what I said a few minutes ago, that it was teamwork which brought this bill to the floor.

Mr. POTTER. The team needed a good captain, however.

Mr. HILL. No member of the team was more faithful and devoted than the distinguished Senator from Michigan, and no one contributed more than he did.

Mr. POTTER. I thank the Senator.

Mr. LONG. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. LONG. I wish also to compliment the distinguished chairman of the subcommittee for the fine work he has done in the preparation of this bill and bringing it before the Senate.

I note that in some instances there have been increases over the amounts allowed by the House. I am particularly happy that there were increases in the fields in which they were made, dealing primarily with health research, and the effort to find a cure for cancer, for various heart diseases, allergies, arthritis, metabolic diseases, and various other ailments, also neurological studies, studies in the field of blindness, and other activities.

Someday we shall find the cure for most of these causes of human suffering and early death. It is unfortunate that in many instances the cure will be found much too late to benefit those who are living today. However, many people will be benefited, and many will live better lives and longer lives because of the additional funds being provided by this bill to carry forward the program of health research. I know of no expenditure which could be made by the Government which would pay greater dividends than the funds expended in health research.

The Senator from Alabama [Mr. HILL] was one of those who first recognized the great need in this field. He has fought diligently in behalf of health research. The bill provides less money than he would like to see available for these purposes, but I suppose it is as much as could be provided at this time to go forward with the program.

I thank the Senator from Alabama for seeing to it that at least the items in the field of health research did not suffer in the process of reducing governmental expenditures.

Mr. HILL. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield to the Senator from Alabama.

Mr. HILL. I thank the Senator from Louisiana for his kind and generous words. We have made definite progress in the field of the diseases to which the Senator refers, but there is much yet to be done. Every 2 minutes during which we have been considering this bill, a man, woman, or child in this country has died from cancer. More people die each year from diseases of the heart and circulatory system than from all other causes combined.

More than 50 percent of the hospital beds of the country today are occupied by people suffering from some form of mental illness. We have made progress, but the battle must continue. As the distinguished Senator from Louisiana has so well said, we must stand dedicated to winning this battle over crippling and killing diseases.

Mr. LONG. Mr. President, will the Senator from Oregon further yield?

Mr. MORSE. I yield.

Mr. LONG. In line with what the Senator from Alabama has said, I would be the first to agree that there are a great number of places in the budget where worthwhile economies can and should be made. But certainly the items which have been increased are items which should be increased. The program should be expanded.

I hope the Senator from Alabama will be successful in maintaining these items when he goes to conference with Members of the House.

Mr. MONRONEY. Mr. President, I should like to join my colleagues who are not members of the subcommittee in expressing appreciation for the excellent work which has been done on the appropriation bill before the Senate, not only by the members of the subcommittee, but by its great chairman, the Senator from Alabama [Mr. HILL]. I doubt if any other man in the past decade has done so much for so many in attempting to eradicate or eliminate or reduce human suffering from every phase of American life and in establishing health facilities and great research projects in cancer and other diseases which have afflicted mankind for generations, and in bringing about appropriations commensurate with the importance of such projects in the national picture.

We can feel that America is a much better place because the Senator from Alabama has been able to guide, with the fine ability he has, the development of this great research program in medicine.

Mr. NEUBERGER. Mr. President, I feel certain that Senator HILL knows my particular interest in the urgent subject we are discussing today. It is a marvelous tribute to the Senator from Alabama that the funds have been increased over the budget estimate and over the House allowances for the various vital aspects of the National Institutes of Health, such as the National Cancer Institute, the Institute of Mental Health, the National Heart Institute, and related activities.

I doubt if any Senator, no matter how eloquent he might be, could say anything on the floor of the Senate today that would add to the encomiums which have come so deservedly to the Senator from Alabama.

However, I should like to presume on the time of the Senate to refer to a tribute to LISTER HILL that I heard from another man who is far better equipped than any Senator could possibly be to tell of the good deeds and the marvelous work of the Senator from Alabama in this very critical realm.

Perhaps because of my interest in the field of medical research, I have had an opportunity recently to become well acquainted with Dr. Sidney Farber, the great professor of pathology at the Harvard Medical School and head of the Children's Hospital for Cancer and Related Diseases in Boston. Dr. Farber has the heartbreaking and challenging task of having responsibility over 300 children who are afflicted with cancer and with various forms of cancer, such as leukemia. I doubt if any human being could have such a responsibility without being deeply moved and emotionally touched. Sidney Farber is a person of warm humanitarian impulses. Dr. Farber said to me: "Senator, I could not carry on the task each day of being with hundreds of children who are doomed to die of cancer unless I felt that somehow, somewhere, we would make a discovery, a breakthrough which would spare children in the future of this dreadful fate."

Then Dr. Farber went on to say—and I am trying to paraphrase his words as accurately as I can from remembering an experience which was so vivid to me—"Senator, when that time comes, and when that marvelous event occurs, there is one man, not in the field of science or medicine, who will deserve credit along with those in the field of medicine and related sciences, and that man is your colleague in the United States Senate, LISTER HILL."

I doubt that anyone could go through either dictionaries or various thesauri of the English language and express a greater tribute to a person than what was said about Senator HILL by this man who is trying to keep alive little children who suffer from leukemia or other forms of cancer.

A few weeks ago Mrs. Neuberger and I visited the National Institutes of Health, because I felt that we should see for ourselves this phase of our Government about which we have been talking in the Senate. We spent the better part of a day in the companionship of the doctors who are studying at the clinical center the cases which might lead to further discoveries in the field of malignancies, heart disorders, arthritis, mental diseases, and other ailments that plague the human race. We saw for ourselves the dedicated service of the doctors, nurses, and technicians at this core and heart of the Government's medical-research program.

I would presume too much on the time of the Senate if I were to relate all the favorable things that I heard said about the pioneering work of Senator LISTER HILL in this field. I can say, however, that few men in their time leave behind them enduring monuments, but the prolonging of human life and the relieving of human suffering will be the most enduring monument that any Senator could possibly leave. Such an edifice will be the work done in the field of health research and the required appropriations for undertaking that work by our colleague, the Senator from Alabama.

Mr. HILL. Mr. President, I wish to express my very humble and deep ap-

preciation to the Senator from Oregon for his generous words.

Mr. NEUBERGER. I merely wish to add that every word was meant from the heart. I cannot emphasize that too strongly.

Mr. President, in conclusion I ask unanimous consent to have printed in the RECORD at this point an excerpt from the newsletter of June 11, 1956, written by my wife Maurine and myself, which indicates our appreciation and thankfulness over the increases in support for the National Institutes of Health last year. The same sentiments prevail now as were expressed in this newsletter of ours entitled "On the Frontier of Life and Death."

There being no objection, the excerpt from the newsletter was ordered to be printed in the RECORD, as follows:

WASHINGTON CALLING

(By Richard and Maurine Neuberger)

ON THE FRONTIER OF LIFE AND DEATH

Readers of our newsletter will remember the speeches we made in the 1954 campaign, urging an increase in Federal funds for medical research, particularly toward trying to find the cause and cure of that grim killer, cancer. Some editorials were hostile. Others claimed we were extravagant, forgetting that 40 million people among our present population are doomed to be afflicted by cancer.

Anyhow, we have pounded away ever since arriving in the Senate. I became a cosponsor of Senator MARGARET CHASE SMITH'S bill for greatly expanded appropriations in the realm of medicine and medical education. After all, a Nation which spends billions for armament and for liquor and tobacco, should not be parsimonious when methods for prolonging human life may be lurking just beyond the research scientist's microscope or test tube.

Our efforts have helped, perhaps, to bring results. Where the most troublesome of all maladies exist, appropriations for fiscal 1957 have practically been doubled over the present fiscal year. Compare the figures, as just reported by Senator LISTER HILL'S committee:

	1956	1957
National Cancer Institute	$24,978,000	$48,432,000
National Institute of Health, operating budget	5,929,000	11,922,000
Mental health functions	18,001,000	35,197,000
National Heart Institute	18,898,000	33,396,000
Dental health functions	2,176,000	6,026,000

In our opinion, these are virtually the most important Government appropriations of all. Can a warship, a dam, a highway, compare even remotely with some miraculous discovery which might lead to the solving of the terrible riddle of malignancy? Oregon residents will be proud to know that Senator WAYNE MORSE made a powerful speech against fiscal stinginess where funds involving human life are concerned.

I still believe these present sums, substantial though they are in contrast with earlier years, are not enough. The atom was never cracked until President Franklin D. Roosevelt set aside $2 billion for a crash program to do the job. Under this impetus, a generation of research and discovery was crammed into a few years. Why not the same sense of urgency in launching an all-out attack by science and knowledge against cancer, heart disease, and mental illness?

All of you have read how this administration is supposed to emphasize human values. Yet budget requests by the administration in these vital areas of cancer, mental health, heart, and dentistry totaled only 61 percent as much as the funds authorized by the Senate. Actions speak louder than words.

Mr. EASTLAND. Mr. President, I desire to endorse everything which has been said on the floor about the distinguished Senator from Alabama [Mr. HILL]. I do not believe there has ever been a Member of the United States Senate who has had a more distinguished career in this body than has Senator HILL. I do not believe there is a Member of this body who has more personal friends among his colleagues than has Senator HILL.

I think history will record that during its long history there has never been a Member of the Senate who has more constructive legislation bearing his name than has Senator HILL. The country is better off because of the distinguished service which he has rendered. I wish him many more years of constructive service in the Senate.

Mr. HILL. Mr. President, I express my heartfelt appreciation and thanks to the Senator from Mississippi for his very generous remarks.

Mr. EASTLAND. I thank the Senator. I think he deserves them.

APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, I should like to refer briefly to a matter to which I referred earlier this morning when I said that at a later time today I would discuss a misunderstanding which I believe developed in the debate on the floor of the Senate yesterday. Not that it concerns me particulary, because I know the Senator from Rhode Island very well, and I know of the kindness of his heart and the absence of any intention on his part of any desire to make any criticism of the work of any committee.

However, because of the unfortunate reference in the press this morning to a part of the debate, I believe in fairness to all concerned, there should be clarification of an exchange which occurred on the Senate floor yesterday in regard to a document relating to the problems of hungry children in the District of Columbia, which was printed as Senate Document No. 43, by authorization of the Senate. The Senator from Rhode Island and I were engaged in debate. We were discussing the position taken by the District of Columbia Committee with regard to the need for 89 additional schoolteachers.

The Senator from Rhode Island said:

Mr. PASTORE. Did the Committee on the District of Columbia hold a hearing on that item?

Mr. MORSE. We had a long hearing on the educational system of the District of Columbia.

Mr. PASTORE. Am I to understand that the District of Columbia Committee held a hearing on this particular item while the Appropriations Committee was also considering it?

Mr. MORSE. Not in the case of the 89 teachers.

Mr. PASTORE. Of course not.

Mr. MORSE. But we made a survey of the entire matter.

Mr. PASTORE. But the whole survey is a platitude and a generalization.

Mr. MORSE. Mr. President, why does the Senator from Rhode Island say the whole survey is a platitude and a generalization? The survey is based upon detailed evidence on issue after issue, as the evidence was presented before the committee.

It is apparent that the Senator and I were talking about two different things. He was talking with regard to one item, the 89 teachers, and I was talking about the report of the committee, in which reference was made to a good many issues. Certain references in the press this morning allege that the statement of the Senator from Rhode Island was interpreted as criticizing the report of the Committee on the District of Columbia, which certainly was not the intention of the Senator from Rhode Island. I am sure he will understand why I make this statement on the floor of the Senate. Some ardent supporters of the District of Columbia Committee within the District of Columbia have called this morning about this matter. I do not want from what appears in the RECORD any unjust inference to be drawn about the Senator from Rhode Island, the committee or anyone else.

Mr. PASTORE. I thank the Senator from Oregon. Let me say that if in any way I have caused any distress to my distinguished and very intimate friend from Oregon, I regret it very much. On the other hand, if it is a misunderstanding, I am very quick to try to clarify the matter. Naturally, in the heat of debate, there occur retorts and refutations and rebuttals and other statements, and sometimes on the spur of the moment a general statement is made that may lead to some misunderstanding.

Certainly that was not the intent of the junior Senator from Rhode Island. We were talking at the time, as I recall, about the 89 schoolteachers. I was trying to pinpoint that as a specific matter. When I said, "platitude and generalization," I had reference to the whole panorama of the survey with reference to the school problem and the social problem. I meant to say, I hope I did say, and I am sorry that anyone should have misunderstood what I did say, that so far as the 89 teachers were concerned, that matter had not been discussed in the survey; that the survey, of its very nature, had to be a general, overall study of the educational and the social problem in the community.

Mr. MORSE. The Senator is completely correct.

Mr. PASTORE. If there has been any misunderstanding, I hope my remarks this morning have clarified the situation.

I repeat: If I have caused any embarrassment or distress to my friend, the distinguished Senator from Oregon, I am very sorry for it, and I hope what I have said will clarify the matter.

Mr. MORSE. It has not caused any embarrassment or distress to me. As the Senator knows, that is pretty hard to do. But in fairness to the Senator from Rhode Island I think it should also be pointed out that when the surveys were presented to the Subcommittee on the District of Columbia, the Senator from

Rhode Island, I felt, went out of his way to be very helpful and very complimentary of the work which the Committee on the District of Columbia was doing.

I told the Senator then, and I tell him now, that I appreciate that very much. I say for the RECORD today that I am satisfied—in fact, I am willing to predict today—that with respect to the recommendations on which we shall seek action by way of legislative change in the years immediately ahead, recommendations which are covered by this particular survey, and which go to the matter of human welfare, the Senator from Rhode Island will be on our side more often than he will be against us.

Mr. PASTORE. I remember very well the incident to which the Senator has referred. As a matter of fact, the appearance of the distinguished Senator from Oregon before our committee was very helpful. I say as sincerely and honestly as I can say it that if there was only one motivation which the distinguished Senator from Oregon had in presenting his report to our committee, it was the bigness of his heart. I said then, and I now repeat, that I have the highest respect and admiration for the distinguished Senator from Oregon. He included in his report many things—and many of the statements he made before our subcommittee to relate to things—which are very close to my interest and of great concern to me. I hope the day will come in this community when serious attention and thought will be given and action will be taken with respect to the report submitted by the Senator from Oregon.

Mr. MORSE. I appreciate that statement. The Senator from Rhode Island is quite correct in saying that in the heat of debate, when we as lawyers are pressing as hard as we can the points we are urging, sometimes others misunderstand the motivation of our language.

I want the Senator from Rhode Island to know that if, in our debate yesterday anything I said could possibly be interpreted as a reflection upon him, that was not my intent, because he knows, as I think it is very proper for me to say, that our friendship is one which I consider to be one of the most intimate I have. No criticism of the Senator from Rhode Island was intended by any of our exchanges yesterday.

Mr. PASTORE. If I loved the Senator from Oregon before the debate took place, then I love him even more afterward.

Mr. MORSE. I thank the Senator from Rhode Island.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1958

The Senate resumed the consideration of the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

Mr. NEUBERGER. Mr. President, earlier in the day, when I was discussing the remarkable work done by the Senator from Alabama in the field of appropriations for health research, I neglected to mention a matter which I believe should be stated today on the floor of the Senate. After all, I am of the opinion that none of these great gains could have been made, had it not been for the complete cooperation of the distinguished senior Senator from Arizona [Mr. HAYDEN], the chairman of the full Appropriations Committee. I certainly believe his name should be mentioned here, in connection with the great strides which have been made in the making available of funds for the National Institutes of Health, in particular, under the appropriation bill for the Department of Health, Education, and Welfare. I believe that the Senator from Alabama [Mr. HILL], who is always magnanimous, will have no objection to my making reference to the complete cooperation he has received in this respect from the senior Senator from Arizona [Mr. HAYDEN], the chairman of the Appropriations Committee.

Mr. HILL. Mr. President, will the Senator from Oregon yield to me?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Oregon yield to the Senator from Alabama?

Mr. NEUBERGER. I yield.

Mr. HILL. Mr. President, not only have I no objection, but I am gratified and very happy that the Senator from Oregon has paid this tribute to the Senator from Arizona [Mr. HAYDEN], because certainly the Senator from Arizona richly deserves every word that has been said of him by the Senator from Oregon.

Mr. NEUBERGER. Mr. President, I feel certain that we would not have had the salutary results in medical-research funds which have been achieved through the direct guidance of the Senator from Alabama [Mr. HILL] if it had not been for the excellent work of the Senator from Arizona [Mr. HAYDEN].

Mr. HILL. That is entirely correct.

Mr. COOPER. Mr. President, I should like to call attention to the item of $5 million for grants for library services. I know the Senator from Alabama is aware of the fact that Congress authorized an annual appropriation of $7,500,000, I believe, for a period of 5 years.

Mr. HILL. The Senator from Kentucky is correct.

Mr. COOPER. Last year, there was an appropriation of $2,050,000. Of course, the item in this bill is more than twice that large; namely, $5 million.

My State is one of those which has taken advantage of this program. By means of these contributions, bookmobiles have been placed in service in the counties of Kentucky. Kentucky has joined with private organizations in providing all the matching funds required in order to make the program wholly effective; and in a period of 3 years the circulation of books through this service in my State has increased from zero—except for the circulation of books through agencies already in existence—to 2 million books in 1953–54, and to 5 million books in the next year, and to 6 million books last year.

I wish to ask the Senator from Alabama whether, from his study of the program and the bill, he can say that the $5 million appropriation will permit States such as mine, which have taken advantage of the program, to complete their programs; and will the Federal Government be able to match the funds provided by the States?

Mr. HILL. Let me say to the Senator from Kentucky—and I know of his great interest in this matter—that I cannot say it will permit his State to complete its program. But I can say that the $5 million provided in the bill will permit the State of Kentucky to make very definite progress with its program. As the Senator from Kentucky knows, the $5 million item in the bill is $2 million above the budget estimate, which was for only $3 million.

As the Senator from Kentucky also knows, the program is a new one. The authorization legislation was enacted only at the last session of Congress; and in one of the very last deficiency appropriation bills at the last session, we included an appropriation of $2,050,000 for the program.

The pending bill carries an appropriation of $5 million, which is $2 million above the budget estimate of $3 million, which means that certainly very definite progress can be made by Kentucky, Alabama, and other States.

Furthermore, the committee has included in the bill language which will permit all the $5 million to be used. In other words, we have followed a precedent which we have followed with reference to other funds, when there is a cooperative program between the Federal Government and the States or the local communities, namely, inasmuch as some States will not be able to go forward with their programs, since perhaps their legislatures have not met, or have not passed the necessary enabling legislation, we provide that when the funds are not used by some States, such unused funds can be allocated to the States which are ready to go forward, and are going forward, with their programs.

So, I think we can say that by means of the increase of $2 million over the budget estimate, the State of Kentucky and the other States which are ready to go forward can make very definite progress with their programs.

Mr. COOPER. Mr. President, I appreciate the Senator's statement, and I know he joins me in the belief that this library program offers an opportunity to bring books to thousands and even millions of people who live in remote areas and do not have an opportunity to share in the service of the city libraries.

Mr. HILL. Yes; as the Senator from Kentucky says, today there are millions of persons who have no library service at all, and many more millions who have wholly inadequate library service.

I know how interested the Senator from Kentucky is in this matter. He made to our committee a strong statement in behalf of this appropriation item.

Mr. COOPER. I thank the Senator from Alabama.

Mr. President, let me say there is really nothing I could add to the well-deserved tribute which has been paid to the Senator from Alabama for his support of

many humanitarian, humane measures in many fields of legislation. Not only has he given them his support, but, as has been stated, he has initiated great programs which well serve the country.

I know something of the high regard in which the Senator from Alabama is held in my own State, where he has visited and has spoken. I know that the people of Kentucky have said that he is a humanitarian and that he has humane ideals; but, better still, he has carried his ideals into practical effect.

So I join with the other Senators who have paid their tribute to the distinguished Senator from Alabama.

Mr. HILL. Mr. President, I thank the Senator from Kentucky, and I express to him my deep appreciation for his kind and generous words.

Mr. BIBLE. Mr. President, I should like to ask a question of the able chairman of the subcommittee, the Senator from Alabama [Mr. HILL]. I, too, wish to join in the very fine and well-deserved tribute which has been paid to him.

Previously, I talked to the Senator from Alabama about a problem concerning my State; it involves the Indian colony at Elko, Nev. The committee was asked to include in the bill an item of $40,000, for the purpose of building sewer and water facilities, as an emergency health matter, within the city limits of Elko, Nev.

In the committee, I pointed out that there is precedent for making this particular approach, because exactly the same thing was done in the case of the needed sanitary facilities in other Nevada towns.

After complete control of the construction of sanitary facilities was given to the Department of the Interior, the duties of the Department in that regard, in the case of sanitation and health matters, were transferred to the Health Service, in 1955.

In the committee I asked why, with that precedent in mind, these steps could not be taken, insofar as the Public Health Service and the Department of Health, Education, and Welfare are concerned with this particular situation.

I have been advised by the chairman of the subcommittee that this item was not allowed. I wonder whether he will give us an explanation of the reason therefor.

Mr. HILL. Mr. President, I am delighted to have the distinguished Senator from Nevada ask the question.

He appeared before our subcommittee, and he made an excellent and most persuasive statement.

The difficulty in this case is that there is no authorization for this appropriation item, although there is pending before the Committee on Interior and Insular Affairs of the Senate and before the House Interior and Insular Affairs Committee a bill which would authorize the appropriation to which the Senator has referred.

From the statement of the Senator from Nevada, it seems to me that this is an appropriation which should be made, and that this work should be done. I hope the Senator may be able to get action on the authorization bill, and that we may take the matter up at a little later date, in a supplemental appropriation bill. As the Senator knows, under the rules of the Senate it is not necessary for the authorization of an appropriation to pass both Houses of Congress and be signed by the President. If the bill can be reported by a Senate committee and passed by the Senate, it is completely in order to put the appropriation in an appropriation bill.

Certainly, the Senator made a very strong case before our committee. I hope the authorization may be provided, so we can go forward with the appropriation.

Mr. BIBLE. I very much appreciate the cooperation, the friendly attitude, and the statement of the Senator from Alabama.

I may point out that there was an area of doubt as to the necessary authority in this particular matter. It was my hope, since it had been accomplished before, when the Interior Department had exactly the same functions, that the purposes could be accomplished under a transfer.

I may say further that there is pending before the House a specific authorization bill, in order to clear up the area of doubt. It has passed a subcommittee of the House. It is before the full committee of the House on this very day.

I thank the distinguished chairman of the subcommittee for his assurance that, as this bill moves along its legislative path, we shall have the opportunity of having the matter considered again when a supplemental appropriation bill comes before the Senate. I cannot stress too strongly the critical health problem involved and the need for attention to it.

Mr. HILL. I will say to the Senator from Nevada he will have my full cooperation in getting consideration of this matter.

Mr. BIBLE. I certainly appreciate that statement.

Mr. MORSE. If I may have the attention of the Senator from Alabama [Mr. HILL], I wish to say first that nothing has been said by way of commendation of the Senator from Alabama, the Senator from Minnesota [Mr. THYE], the ranking minority member of the subcommittee, and the distinguished chairman of the full committee, the Senator from Arizona [Mr. HAYDEN], with which I do not completely wish to associate myself.

I should like to add, Mr. President, that in the day-by-day grind of our work in the Senate—and that accurately describes it, because I believe I can be a witness to the fact that probably few people realize the strenuous nature of service in the Senate and the amount of effort individual Senators put into it—I think sometimes we are not always, as Senators, fully appreciative of the services other Senators render to each one of us and render to the people of the States we represent. I do not know of a case in which such a comment is more apropos than in connection with the distinguished senior Senator from Arizona [Mr. HAYDEN]. I believe no Member of this body will dissent from the point of view I now express, that each of the other 94 Senators is greatly indebted to the Senator from Arizona for the many services he renders. On behalf of the people of my State I wish to express these words of appreciation today.

We are dealing here with a bill which embraces appropriation provisions with respect to health. I share in all the tributes and commendations which have been uttered with respect to the Senator from Alabama [Mr. HILL] and the Senator from Minnesota [Mr. THYE], but in my judgment, Mr. President, there is no man in the Senate who could more appropriately be called the major sponsor of humanitarian legislation in the appropriation field, as it relates to the health of American citizens, than the senior Senator from Arizona [Mr. HAYDEN].

I like to think of LISTER HILL as a disciple of CARL HAYDEN in this field. If we wish to use another figure of speech, he is a very able pupil of a wonderful legislative teacher, CARL HAYDEN. I like to think of these health bills as monuments which will constitute for decades living tributes to CARL HAYDEN's wonderful legislative work.

Certainly the Senator from Alabama [Mr. HILL] and the Senator from Minnesota [Mr. THYE] deserve the high tributes of the Senate for the great work they have done in the same field. Year after year LISTER HILL comes before the Senate with the subcommittee appropriation report. It is interesting that seldom, as we say in Senate cloakroom language at least, is there a "hassle" over a Lister Hill report, because he always has his reports in the excellent shape in which this report today is drawn. As one Senator I wish to thank along with him, the Senator from Minnesota [Mr. THYE] and the other members of the subcommittee, for the fine work they do on this subject matter.

I wish to say to the Senator from Alabama that any questions which I raise about this report are not based upon any criticism at all, but are merely seeking information, and are designed to make legislative history. They are only propounded in an effort to pave the way for a future program which may really strengthen the hand of the Senator from Alabama next year and the year after, as he brings other appropriation requests before the Senate.

Mr. HILL. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HILL. I wish to thank the Senator for the very kind words he has spoken of the Senator from Alabama. I particularly wish to express my appreciation for what he has said about the distinguished Senator from Arizona [Mr. HAYDEN].

When I first became a Member of the House of Representatives, as a very young man, the distinguished Senator from Arizona was a Member there. He was there rendering fine service, just as we see him here day by day contributing to what the Senate does. He is a man whose name is seldom seen in the headlines. In fact, we seldom see his name in the newspaper. He is too busy

with his work here for that. Day after day he is faithfully carrying the tremendous burden that falls to the lot of the chairman of the Senate Committee on Appropriations. He is always at his place working, laboring and fighting for the welfare of the people.

There is really no way for us to express the appreciation which is due the Senator from Arizona for all the work he does and the contribution he makes to the labors of the Senate.

I am delighted that the Senator from Oregon has paid his tribute to the Senator from Arizona.

Mr. MORSE. I think what I have said about the Senator from Arizona is a gross understatement. I hope in private conversation with him some of these days to express myself even more intimately and affectionately than I think perhaps would be appropriate on the floor of the Senate.

I should like to say to the Senator from Alabama that I have been very glad to discover, as I have studied the report, that the Senator, as chairman of the subcommittee, and his colleagues on the subcommittee, have not been caught up in what I would call a sort of whirlwind gust of economy at the expense of human needs. Certainly we should save the taxpayers money when it can be saved, but, in my judgment, we are not making any true saving when we seek to reduce needed appropriations to protect the health of the people.

I am glad to read this report and the figures contained in it, and to take note of the fact that no meat ax was used. On the contrary, the committee held its ground in almost every instance by providing at least the amount of the budget estimate. I think I would have favored some recommendations over and above the budget requests in certain instances, as I shall point out in a moment, but I have gone through the report, and I am pleased to be able to say to my constituents that I do not think the Hill subcommittee engaged in any false economy in this report. By false economy I mean the cutting of budget estimates in any way which could not be justified on the basis of the evidence before the committee.

For example, I notice on page 14 of the report, in connection with funds for the study of venereal disease problems, that the committee held fast to the budget request; likewise with regard to funds for tuberculosis. There was a slight reduction in the item for communicable diseases—not much, but some. I wonder if the Senator from Alabama can tell us why the committee decided that it should not recommend the full amount in that instance.

Mr. HILL. The House allowed $6,200,000. We increased the amount to $6,250,000, which is only $10,000 below the budget estimate. In other words, with an estimate of $6,260,000 we are $10,000 below the estimate. The fact is that the Department did not ask for the restoration of the additional $60,000, but we put the amount back to $6,250,000.

Mr. MORSE. I am glad the Senator made the latter point. This is a case in which the Department did not ask for the restoration. The responsibility, therefore, in part at least, must be placed at the door of the executive department itself. After all, I think we must admit that the presumption, in the first instance, ought to be in favor of the Department's request. When we go above the Department's request, we must have good cause, on the basis of the evidence presented, for doing so. I am glad we are making a record on the point that the Department itself did not ask for the $60,000 restoration.

Mr. HILL. We are only $10,000 below the budget estimate. The figure is $6,250,000.

Mr. MORSE. I turn now to page 15, under the heading "Sanitary Engineering Activities"; also the item headed "Grants for Waste Treatment Works Construction."

In connection with sanitary engineering activities, the budget estimate was $13,063,000. The committee recommended $12,640,000.

In the case of grants for waste treatment, the budget estimate was $50 million, and the committee allowed $45 million.

I think the Senator from Alabama knows the great interest of the Senator from Oregon in the subject of stream pollution control. I happen to believe that among all our domestic issues it is doubtful if anyone could name one more important than the conservation of America's water supply. The Senator has heard me say many times—but it needs to be said many more times—that civilizations do not climb with falling water tables. History proves that as the water table of a nation goes down its civilization soon follows,

In this country, in my judgment, we are inexcusably wasteful of our water. We are guilty of unconscionable pollution of our streams and our water resources.

In 1956, as I recall, we passed the so-called Blatnik bill dealing with water pollution. It contained provision for at least some Federal aid to municipalities, which desired to build modern sewage-disposal plants.

In view of my great interest in the problem, I thought that, for the legislative record, I should ask the Senator from Alabama the reason for the reductions below the budget estimates for sanitary engineering activities and grants for waste treatment.

Mr. HILL. According to the testimony before the committee dealing with grants for waste treatment, the committee recommendation of $45 million will provide funds for all projects which would be provided for if we had recommended the full $50 million in the bill, on this basis: Some of the States and localities are not ready to go forward with these works. As the Senator knows, this is a new program. The legislation authorizing it was introduced in the House by Representative BLATNIK, of Minnesota, and was passed only in the closing days of the previous session of Congress.

We are assured that the $45 million recommended by the committee will take care of all the projects which are ready to go forward, to as full an extent as though we had provided the full amount of $50 million in the bill. So this reduction in no way cuts down the program. If the Senator will notice the language in connection with the appropriation, it is made clear that the allotments are made on the basis of $50 million.

All the projects can go forward. No single project will be denied by reason of this reduction.

Mr. MORSE. I am glad to make this record and have the comments of the Senator from Alabama.

Some weeks ago I spoke at a conference of Southern States, held at Raleigh, N. C., on the municipal sanitation problem. I found a remarkable interest in the implementation of the Blatnik bill.

I also found, in the discussions which took place at that conference, that some of our municipal officials were surprised to learn that funds are available. Therefore, I should like to use this debate as a springboard for giving a little advice to the Department concerned. I think it needs to do a better job of informing the municipalities of America about this program.

Mr. HILL. The funds are available.

Mr. MORSE. The funds are available; and next year the Senator from Alabama will have justification for recommending a much larger sum, on the basis that there will then be a clamor for Federal aid in this field by an increasing number of municipalities. Too many municipalities throughout the country are polluting streams by turning them into open sewers filled with raw sewage, when they ought to be building pollution-control plants and sewage-disposal plants.

The purpose of the Blatnik bill was to encourage them to do that very thing. I am taking the time to raise the point in regard to this item, because if we are to stop stream pollution, the municipalities have a duty to take this problem to their taxpayers and to urge that bond issues be voted, if necessary, to raise the municipal contribution to such a program as this, thus permitting it to qualify for this aid.

We are talking in Washington, D. C., I therefore also give that little advice to the Commissioners of the District of Columbia and to the more than 500 "aldermen" of the District of Columbia, the Members of Congress. I believe that we aldermen ought to do a much better job of providing for sewage disposal here in the Capital City of the Nation. Since Washington has a hybrid type of government, under which no one gets a chance to vote on municipal affairs except Members of the Congress, we ought to encourage the District Commissioners to try to apply to the District the provisions of the Blatnik bill. I know of no reason why it should not apply to the District of Columbia. Of course, I know it will be said, "We have some plants and some improvements in our plants." However, the fact is that the sewage-disposal improvements which have been made in the District of Columbia in the past few years are already obsolete. The time has come to have a real sewage-disposal system in the District of Co-

lumbia, which will not dump into the Potomac River any material which would make it undesirable to use the water of the area for recreational purposes, such as swimming and boating. That has not been done.

Mr. HILL. Mr. President, will the Senator include also fishing?

Mr. MORSE. Yes; and good fishing, too. I should like to be able to enjoy some good fishing in the Potomac.

I desire also to commend the Senator for the recommendation on page 22 of the report with respect to the National Cancer Institute. The budget estimate was $46,902,000, the House allowance was the same, and the committee recommendation was $58,543,000.

The Senator from Alabama and I covered that point. We must face the fact that with respect to the terrible plague of cancer—and that is what it is becoming—we have a public responsibility as Senators to appropriate money and to do whatever can be done to seek to conquer it.

I wish particularly to commend the Senator with reference to the item for mental health activities, on page 23 of the report. The 1958 budget estimate was $35,217,000, and the committee recommendation is $39,421,000. I wish to say offhand that I think that is the type of item which could be increased, as a matter of fact.

Mr. HILL. Mr. President, will the Senator yield at that point?

Mr. MORSE. I yield.

Mr. HILL. There is available an unexpended balance of $4,573,000. Therefore the total amount available will be $43,994,000, or practically $44 million.

Mr. MORSE. I believe the Senator will agree with me that the mentally sick are in many respects the truly forgotten people of America.

Mr. HILL. Certainly in the past they have been the forgotten people.

Mr. MORSE. That has been true in State after State.

Mr. HILL. They are put into institutions and the doors are closed on them. After that, in many cases, that is the end so far as they are concerned.

Mr. MORSE. The situation is being improved.

Mr. HILL. The situation is improving because of tranquilizing drugs and other drugs, and because new techniques have been developed. It is interesting to note that until last year there was an increase in the number of patients in the mental hospitals. There was an increase each year at the rate of approximately 10,000. In other words, each year 10,000 more people entered mental institutions than had been in them in the previous year. Last year, for the first time, there was a definite trend in the other direction, and instead of an increase, there was a decrease of 7,000.

Mr. MORSE. It is very gratifying to hear the Senator say that, as well as to hear the report made by the Senator from Kansas [Mr. CARLSON] earlier in the discussion. It shows what can be done when a State proceeds to make the mental health problems of the State a matter, if not a major concern, certainly a considerable concern of the State government. There is no doubt that every dollar spent for mental health is a dollar well spent.

There is scarcely a Senator who cannot point to a case close to him, involving a friend or an associate or perhaps someone else, who, to his utter surprise all at once develops a mental condition that tends to become progressively worse unless quick treatment is given and facilities for quick treatment are made available to him.

We owe it to our fellow men, from humanitarian motivations, to see to it that we never economize on this item.

I am glad to know the Senator says an unexpended balance is available and therefore the total amount available is approximately $43 million.

Mr. HILL. The total amount available is $43,994,000, or almost $44 million.

Mr. MORSE. I also wish to commend the Senator for the item concerning arthritis and metabolic disease activities, as shown on page 27 of the report. The budget estimate was $17,885,000, and the committee recommendation is $23,548,000.

Before I ask my question I wanted to say these things about the report.

Mr. HILL. I may say that there is also an increase over the budget estimate for the National Heart Institute.

Mr. MORSE. Yes, I wanted to comment on that also. Again I am glad to see an increase for that item. No one should be guilty of any economizing with respect to any of these research projects or research funds in connection with any of the serious diseases which threaten the health of America.

Mr. HILL. I may say that there is also a very definite increase in the funds available for neurology and blindness. That takes in, of course, epilepsy and cerebral palsy and deafness and blindness, and other ailments.

Mr. MORSE. Yes. If the Senator will permit me, I should like to have him help me make a little legislative history on another item. We have done that before. I should like to refresh the Senator's recollection as to the history of the project. The Senator knows that for the past 2 years the Senator from Oregon, the 2 Senators from Virginia, and the Senator from Alabama himself, of course, have been very much interested in a pilot rehabilitation center in Virginia. It is connected with the Anderson Clinic in Arlington, Va., but not connected with it in any financial way. It is a pilot rehabilitation center. It is headed by a fine doctor, Dr. O. Anderson Engh, who in my opinion performs, far beyond anything that is called for in the line of duty, a great many humanitarian services for the people of this area and the patients who are sent to him.

The Senator will recall that some years ago, when this particular appropriation was before the Senate, we provided within it language which would authorize the expenditure of funds to help conduct the services of the pilot rehabilitation center, but no funds for construction. The Senator will also recall, I am sure, that this particular clinic is certainly an excellent example of what the people of a community can do by way of voluntary contributions not only of money, but also of personal service, in order to come to the humanitarian aid of fellow citizens who because they are unfortunately suffering from terrible physical handicaps need vocational rehabilitation.

In the Arlington-Alexandria area—and I should like to repeat this for the RECORD this year—a small group of community organizations and agencies—the Rotary Club, Kiwanis Club, the Lions Club, the United Daughters of the Confederacy, and various church groups and women's organizations—have devoted their personal services as well as their time and considerable money to this so-called pilot rehabilitation center. That center is located in Arlington, Va.

The RECORD should show also, before I ask the Senator from Alabama any questions about this, that to this center, under the direction of the distinguished Dr. Engh, were sent a good many Federal employees, not only from the District of Columbia, but from elsewhere in the United States who had been injured at their work.

Speaking now only hypothetically, and not in relation to any specific case—but it is typical—assume that this afternoon someone in the State Department should walk into an open elevator shaft, fall down, and injure his or her spine, and that as a consequence partial paralysis overtook the person. It is quite possible that the Federal employee might be sent to the so-called Engh Clinic for rehabilitation.

It happens to be the theory of Dr. Engh that the program should be, as he says, under one roof. There is the possibility of permanent muscular disability fixing itself upon the patient. The problem, then, is one of vocational rehabilitation and guidance, so that the person can be brought back into productive life. Such a pilot plant, we have agreed in the past, is needed. So language has been provided in bills heretofore to make it possible for the Department to place some money in the clinic to help with the program.

As the Senator from Alabama is aware, the junior Senator from Virginia [Mr. ROBERTSON] has introduced a bill on this subject, S. 2068. I ask unanimous consent that the text of S. 2068 be printed in the RECORD at this point in my remarks.

There being no objection, the bill (S. 2068) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the second sentence of section 4 (b) of the Vocational Rehabilitation Act (29 U. S. C. 34 (b)) is amended to read as follows: "Sums made available for such a pilot demonstration center in the Washington area may be used for the construction of facilities, including future expansion, equipment, and such services as hospitalization, domiciliary care, and rehabilitation training, including costs of board and room of trainees and other services essential to the program, as in the discretion of the Secretary are deemed desirable."

Mr. MORSE. Mr. President, the Senator from Alabama knows that the senior Senator from Virginia [Mr. BYRD], the junior Senator from Virginia [Mr. ROBERTSON], and I, after studying the matter, came to the conclusion, to which the Senator from Alabama agreed, that

if any funds were to be used for construction purposes, it would be necessary to pass new authorizing legislation. So the Senator from Virginia [Mr. ROBERTSON] introduced S. 2068, which provides for an amendment of the Vocational Rehabilitation Act, to read as follows:

Sums made available for such a pilot demonstration center in the Washington area may be used for the construction of facilities, including future expansion, equipment, and such services as hospitalization, domiciliary care, and rehabilitation training, including costs of board and room of trainees and other services essential to the program, as in the discretion of the Secretary are deemed desirable.

Am I not correct in my understanding that the appropriation bill of which the Senator from Alabama is in charge today does not include any language which would authorize the Secretary of Health, Education, and Welfare to use any of the funds being appropriated to that agency for construction purposes at the Engh Rehabilitation Clinic?

Mr. HILL. The bill does not carry any funds for construction purposes at the Engh Clinic, because there is no authorization for the appropriation of such funds. As the Senator from Oregon well knows, the purpose of the bill introduced by our colleague, the junior Senator from Virginia [Mr. ROBERTSON], is to authorize the appropriation of such funds.

Mr. MORSE. Is it not true, however, that such funds as are appropriated in the bill to the Department of Health, Education, and Welfare, can, as in the past, in the judgment of the Secretary, be used for assistance to the Engh Clinic, except that the funds may not be used for construction?

Mr. HILL. The Senator from Alabama knows of nothing in the appropriation bill which would in any way affect the terms of the basic act, which we know as the Vocational Rehabilitation Act of 1954, under which funds were made available to the Engh Clinic for maintenance and operation.

Mr. MORSE. If the Senator from Alabama will now put on another committee hat for a moment, and speak to me as the chairman of the Committee on Labor and Public Welfare, it is true, is it not, that S. 2068 is pending before the Senator's committee, of which I also have the honor to be a member, and that the bill will be scheduled for hearing, so that Dr. Engh, the junior Senator from Virginia, the Senator from Oregon, and others interested in the bill may have an opportunity to make an official record in support of the bill?

Mr. HILL. We shall be delighted to schedule hearings on the bill introduced by the junior Senator from Virginia. The present occupant of the chair, the distinguished Senator from Michigan [Mr. MCNAMARA], also is a member of our committee and is a member of the Subcommittee on Health. I am certain he would be delighted to attend the hearing when the Senator from Oregon, the Senator from Virginia, and other witnesses appear in behalf of the bill.

Mr. MORSE. I am authorized by the junior Senator from Virginia to say that he joins with me in urging that early hearings be held on the bill. I am authorized also to speak on behalf of the senior Senator from Virginia [Mr. BYRD] in assuring the Senator from Alabama that the senior Senator from Virginia, too, is very much interested in early hearings on the bill and a favorable consideration of it.

Speaking hypothetically, assuming that S. 2068 is favorably reported, is passed by Congress, and is signed by the President before Congress adjourns this year—in fact, a sufficient length of time before adjournment this year so that further consideration could be given to the funds necessary to implement it—is it not the opinion of the Senator from Alabama that appropriate requests still could be made this year for consideration in connection with a supplemental appropriation request?

Mr. HILL. If the bill is passed and becomes law during this session of Congress, it will be entirely in order to ask for an appropriation in a supplemental or a deficiency appropriation bill.

Mr. MORSE. Perhaps I should state my question in this way: Does the Senator from Alabama expect or contemplate that a supplemental or a deficiency appropriation bill probably will be reported to the Senate by his subcommittee before adjournment?

Mr. HILL. Supplemental and deficiency appropriation bills are not handled by subcommittees; they are handled by the full Committee on Appropriations. In the closing days of a session of Congress, invariably a supplemental or a deficiency bill is considered by the full committee.

Mr. MORSE. I thank the Senator very much for his assistance.

Mr. President, I shall close now with a very brief statement. I want the RECORD to show that I shall continue to do everything I can to assist the two Senators from Virginia in obtaining favorable action on S. 2068, for these reasons:

I think the Engh Clinic, as a pilot clinic for vocational rehabilitation, is one of the great experimental rehabilitation centers in this country. I recognize that in the medical profession there are different theories and views as to the best way to approach the vocational rehabilitation problem. But the results, in my judgment, are always the test in a matter such as this.

I believe that any evaluation of the results of the remarkable work which Dr. Engh and his associates have been doing in the rehabilitation of persons in connection with the pilot clinic program which he is operating in Arlington, Va., would prove the soundness of the program and justify an appropriation of Federal funds as an aid to the construction of needed additions to that clinic.

Labor has donated thousands of manhours of overtime in helping to build a wing of that clinic. But the time has come when it is necessary to complete the physical facilities by way of construction by the expenditure of funds, rather than in the expectation that the work can be done completely through the donation of services. There will, however, continue to be a substantial donation of free time on the part of labor in the building trades.

The question, and let us get it before the Senate by way of a preliminary hearing on the bill, is the question of Federal interest. Are we setting up a program that is singular, based upon a Federal interest; or are we proposing support for a program which might equally well be requested by a clinic in San Francisco or El Paso or Boston, Mass., or elsewhere in the Nation? It seems to me the answer is that there is a great Federal interest in the clinic, for a reason I stated earlier, because many injured Federal employees are referred there.

Furthermore, let me make crystal clear, as I speak in advance in support of Senate bill 2068, that this enterprise is not in any way whatsoever a private-business enterprise. Instead, the clinic is conducted by Dr. Engh as a completely humanitarian program. It is separate and distinct from the Anderson Clinic or hospital, in which Dr. Engh is also, as I recall, the head of the medical staff. This is a vocational rehabilitation center. Every dollar of Federal money which would be appropriated to it, following the passage of Senate bill 2068, would be well spent, and would foster what I have been heard to say so frequently is one of the great duties of the Congress, to honor our humanitarian obligation to bring medical aid to unfortunate people who need the specialized service that this rehabilitation center is designed to provide.

I desire to thank the Senator from Alabama for his assistance in enabling me to make the legislative record I have made regarding these items.

Mr. GOLDWATER. Mr. President, will the Senator from Alabama yield to me?

The PRESIDING OFFICER (Mr. MONRONEY in the chair). Does the Senator from Alabama yield to the Senator from Arizona?

Mr. HILL. I am delighted to yield to the Senator from Arizona.

Mr. GOLDWATER. On page 2 of the report, I notice that in the case of the Office of the Solicitor, it was recommended that there be transferred from the highway trust fund an amount of $365,000; but that after seeking the advice of its counsel, the committee decided against doing so. Can the Senator from Alabama give us a brief explanation of that matter and of why that decision was reached?

Mr. HILL. I may say there was a question of whether these trust funds are available for such a purpose. We submitted the matter to the office of the legislative counsel of the Senate, and we received an opinion that such an appropriation from the trust fund is not authorized. I shall be delighted to ask unanimous consent to have the full opinion of the legislative counsel printed in the RECORD, if the Senator from Arizona would like to have me do so.

Briefly, the legislative counsel held that these funds are for highway-con-

struction purposes, and are not to be transferred to some other agency of the Government, for legal service or other services, but that they are trust funds, and that there is imposed a trust to make sure that they are used for the construction of highways, and are not transferred to other agencies, for use for other services or purposes.

Mr. GOLDWATER. I would be very happy to have the Senator from Alabama have the opinion printed in the RECORD, because I have been receiving from the Far West suggestions that this fund is already being tampered with in this respect. This is the first instance I have seen in print of that. I have heard that the highway trust fund is being used to finance other agencies of the Government. If that is true, I think the Senator from Alabama has done a very commendable thing in making the decision he has made.

So I shall appreciate it if the Senator from Alabama will have the full opinion printed in the RECORD.

Mr. HILL. Certainly. Then, Mr. President, I ask unanimous consent to have printed at this point in the RECORD the opinion of the legislative counsel on the matter of the transfer of the trust fund to the Labor Department, or, for that matter, to any other department.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

MEMORANDUM FOR SENATOR HILL

Pursuant to your request we have examined the provisions of the Federal-Aid Highway Act of 1956 and the Highway Revenue Act of 1956 for the purpose of submitting an informal opinion as to whether or not such acts authorize the appropriation of moneys out of the highway trust fund to the Secretary of Labor (or more particularly, to the Office of the Solicitor of the Department of Labor) to defray expenses incurred in carrying out the duties imposed upon him under section 115 of the Federal-Aid Highway Act of 1956. For the reasons given below, it is our opinion that such an appropriation from the Trust Fund is not authorized.

THE LAW

Section 209 (f) (1) of the Highway Revenue Act of 1956 reads as follows:

"(f) Expenditures from trust fund.—

"(1) Federal-aid highway program.—Amounts in the trust fund shall be available, as provided by appropriation acts, for making expenditures after June 30, 1956, and before July 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations)."

Paragraphs (2), (3), and (4) of section 209 (f) contain authorizations to make expenditures (without further appropriations being made therefor) from the trust fund to repay advances, to reimburse the Treasury for amounts paid with respect to gasoline used on farms or used for nonhighway purposes, and to reimburse the Treasury for certain amounts paid as floor stocks refunds. Section 210 (e) authorizes appropriations out of the trust fund to enable the Secretary of Commerce to make the study and investigation required by section 210. There is no other authority in the act for expending or appropriating moneys from the trust fund, so that if the act authorizes appropriations to the Department of Labor from the trust fund it must be found in the paragraph quoted above.

LEGISLATIVE RECORD

There is little in the legislative history of the acts from which to derive assistance in deciding the question posed. The House committee report on H. R. 10660 contains the following statement: "In most respects the highway trust fund is to be handled in a manner similar to that provided for the trust fund for the old-age and survivors insurance program." The Senate committee report contains an identical statement.

In explaining the expenditures referred to in section 209 (f) (1) of the Highway Revenue Act of 1956, the House report contains the following statement: "The expenditures referred to are those which normally have been paid out of the appropriation entitled 'Federal aid highways, Bureau of Public Roads, Department of Commerce'." Again the Senate committee report contained the same statement, although it must be remembered that the bill as reported by the Senate committees did not contain the so-called Davis-Bacon Act provision.

A review of the discussion of H. R. 10660 when it was under consideration on the floors of the House and Senate has failed to disclose any comments pertinent to this inquiry, although a good portion of the debate in both Houses was devoted to the provision which was eventually enacted as section 115.

DISCUSSION

Section 209 (f) (1) of the Highway Revenue Act of 1956 contains an express authorization for expenditure of the trust fund to meet those portions of the administrative expenses of the Bureau of Public Roads which are payable from appropriations made for Federal-aid highways. Section 21 of the Federal Highway Act (23 U. S. C. 21) authorizes the Secretary of Commerce to deduct a percentage of the appropriations made for Federal-aid highways to be used for administration of the Federal-aid highway program and for carrying on necessary highway research and investigational studies. No specific amount is appropriated in the annual appropriation acts for the administration by the Bureau of the Federal-aid highway program. While it is likely that, even without the express authorization contained in section 209 (f) (1), the administrative expenses of the Bureau of Public Roads would, under the authority of section 21 of the Federal Highway Act, have continued to be payable from appropriations out of the trust fund for Federal-aid highways, it was evidently felt necessary to eliminate any doubts that might arise by putting the express authorization in the Highway Revenue Act of 1956. This authorization continued the existing practice and budgetary procedures with respect to the expenses of the Bureau of Public Roads in administering the Federal-aid highway program. But we should emphasize that this matter was considered to be of sufficient importance to be specifically provided for in the act. The logical inference is that, if the expenses of the Department of Labor were also to be defrayed out of the trust fund, an express authorization would have been included in the act.

While it may be argued that the language of section 209 (f) (1) is broad enough to imply an authorization to use the trust fund to defray the expenses of the Secretary of Labor, we do not believe that such a construction should be placed upon this paragraph in the absence of a more specific indication of legislative intent. Such a construction would make it possible for the expenses of the Secretary of the Treasury in managing and operating the trust fund, the expenses of the Internal Revenue Service in collecting the revenues which go into the trust fund, and the expenses of any other officer or agency of the Government relating to Federal-aid highways to be defrayed from the trust fund. As was noted above, the committee reports indicate that, in general, the highway trust fund is to be handled in a manner similar to the Federal old-age and survivors insurance trust fund. The Social Security Act expressly authorizes the use of the Federal old-age and survivors insurance trust fund to meet or reimburse the administrative expenses incurred by the Treasury Department in implementing that act (including the expenses of collecting the taxes which go into the Federal old-age and survivors insurance trust fund). Without doubt consideration was given to including a similar authorization in the highway trust fund, and it would be expected that a similar express authorization would have been included if the expenses of the Treasury Department in implementing the Federal-Aid Highway Act of 1956 were to be defrayed from the highway trust fund. There appears to be no greater reason for inferring authority to defray from the trust fund the expenses incurred by the Department of Labor in implementing the Federal-Aid Highway Act of 1956 than for inferring authority to defray from the trust fund the expenses incurred by the Treasury Department in implementing such act. In view of the fact that the highway trust fund was patterned after the Federal old-age and survivors insurance trust fund, the absence of express authorization to defray administrative expenses, except with respect to the Bureau of Public Roads, seems almost conclusive that no such authorization was intended.

As was stated above, the only statement in the committee reports explaining the meaning of section 209 (f) (1) indicates plainly that the expenditures referred to are those normally paid out of appropriations made to the Bureau of Public Roads for Federal-aid highways. This statement, far from furnishing a basis for inferring a legislative intent to defray the administrative expenses of other agencies out of the trust fund, once more shows that Congress intended that only the administrative expenses of the Bureau of Public Roads be so defrayed, since such expenses had, under authority of section 21 of the Federal Highway Act, been paid from such appropriations.

The establishment of a trust fund obviously was to prevent an encroachment upon the increased revenues raised by reason of the enactment of the Highway Revenue Act of 1956, as well as to earmark these revenues, and some of the revenues raised from then existing sources, to meet the obligations of the United States under the Federal-aid highway program. Since Congress has seen fit to establish a trust fund for the purpose of meeting these obligations, we believe that the objects for which the trust fund moneys are to be expended should be narrowly, rather than liberally, construed.

CONCLUSIONS

1. There is no express authorization in the Federal-Aid Highway Act of 1956 or the Highway Revenue Act of 1956 to defray the expenses incurred by the Secretary of Labor under section 115 of the first-named act out of the highway trust fund established by section 209 of the second-named act.

2. There is nothing in either of the two acts from which an authorization to meet such expenses out of the trust fund can properly be implied. Since section 209 (f) (1) contains an express authorization with respect to the administrative expenses of the Bureau of Public Roads, the accepted rules of statutory construction lead to the

conclusion that authority to defray the administrative expenses of any other agency out of the trust fund would also have been expressly stated and should not be derived by implication.

3. There is nothing in the legislative history of the two acts which indicates a legislative intent that the expenses of the Secretary of Labor under section 115 are to be met out of the trust fund. The Davis-Bacon Act provision was thoroughly debated on the floors of the House and Senate, but we could find no reference to such a use of the trust fund to meet the expenses of carrying out the provision. The House committee report does not mention such a use. On the other hand, the legislative history does support the conclusion that, with respect to administrative expenses, only the expenses of the Bureau of Public Roads are to be paid from the trust fund. The committee reports of both Houses indicate that the Highway Trust Fund was patterned after the Federal Old-Age and Survivors Insurance Trust Fund. This latter trust fund authorizes payment or reimbursement to the Department of Health, Education, and Welfare (which administers the old-age and survivors insurance program) and the Treasury Department (which administers the trust fund and collects the taxes which go into the trust fund) for their administrative expenses. Therefore, if the Highway Trust Fund is to be available to defray the administrative expenses of any agency other than the Bureau of Public Roads, the act would contain an express authorization for such purpose.

The committee reports also state, in explanation of the trust fund provision, that the expenditures referred to are those normally paid out of the appropriation to the Bureau of Public Roads for Federal-aid highways. Under existing law, the expenses of the Bureau in administereing the Federal-aid highway program, are paid from this appropriation.

4. Provisions of law reciting the purposes for which a trust fund may be used should be narrowly construed. In the absence of a strong indication of legislative intent, authorizations for expenditures out of a trust fund should not be created by implication.

Respectfully,

JOHN H. SIMMS,
Legislative Counsel.

MAY 7, 1957.

Mr. GOLDWATER. Mr. President, on page 18 of the report, in connection with the construction of Indian health facilities, I notice that the committee has recommended a reduction of $2,704,000. Am I correct in assuming that the reduction is recommended because an abundance of money was left over last year?

Mr. HILL. I would say to my distinguished friend that $11 million was left over last year, and the $11 million is available for construction.

Mr. GOLDWATER. On the same page I notice that the committee states that—

This allowance will make available $2,596,000 to completely modernize 5 Indian health hospitals in line with minimum Hill-Burton standards—

And so forth. Can the Senator from Alabama state the names of the five hospitals?

Mr. HILL. I shall be very glad to obtain the names; it will take a moment to do so.

In the meantime, if the Senator from Arizona will note the next paragraph on page 18 of the report, I wish to call attention to the following:

Funds are now, and have been, available for construction of hospitals at Sells, Ariz., and Gallup, N. Mex.; the need is unquestioned and great, and the committee will expect the Department to proceed immediately with resumption of work already authorized by the Congress.

Mr. GOLDWATER. Mr. President, I wish to thank the Senator from Alabama for what he has said, because both my senior colleague [Mr. HAYDEN] and I have known for some time of this need. So I hope the Department will listen to the admonition of the Senator from Alabama and the other members of the committee and will get to work on the hospitals.

Mr. HILL. Mr. President, the five hospitals referred to are as follows:

Pine Ridge Hospital, at Pine Ridge, S. Dak.

Rosebud Hospital, at Rosebud, S. Dak.

Hopi Reservation Hospital, at Keems Canyon, Ariz.

Fort Apache Hospital, at White River, Ariz.

Blackfoot Hospital, at Browning, Mont.

Mr. GOLDWATER. I thank the Senator from Alabama very much.

I wish to add my words of commendation to those which have been expressed not only about the distinguished Senator from Alabama [Mr. HILL], but also about his professor, my senior colleague from Arizona [Mr. HAYDEN].

Mr. KNOWLAND. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I am glad to yield.

Mr. KNOWLAND. I do not want this opportunity to pass without joining in the remarks which have been made in regard to the oustanding job done by the distinguished senior Senator from Alabama [Mr. HILL]. I regret that earlier I was out of the Chamber when other Senators spoke on that subject.

Let me say that some years ago it was my privilege, as a member of the party then in the majority in the Senate, to serve as chairman of the subcommittee over which the Senator from Alabama [Mr. HILL] now presides. He and I worked very closely together at that time, when he was the ranking minority member of the subcommittee. Since then he has become chairman of the subcommittee; and the senior Senator from Minnesota [Mr. THYE] has become the ranking minority member.

It has been my personal observation over the years that the Senator from Alabama has not only served with distinction the people of his own State, but he has been one of the most valued Members of this body.

I also wish to say that the distinguished senior Senator from Arizona [Mr. HAYDEN], under whose leadership both of us serve on the Appropriations Committee, has been an inspiration to the entire committee. I feel that with the heavy burdens which sometimes are carried by Members on both sides of the aisle, it is well and it is pleasant, I think, at times for us to express the deep affection we have for our colleagues across the aisle. Even in the heat of partisanship, I think we never lose sight of the fact that in dealing with the great problems of human welfare, and in the day-to-day operations of the Government, there are no real partisanship divisions between us.

Mr. HILL. Mr. President, I thank the Senator from California for his very kind words. I wish to say that when the distinguished Senator from California was chairman of the subcommittee, he did so much and made so many contributions in the different fields covered by the bill, that his example is today an inspiration to our subcommittee, and we are proud that he continues to be a member of the subcommittee. He is always extremely able, devoted, and helpful, and makes many, many fine contributions to the work of the subcommittee.

Mr. HUMPHREY. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. HUMPHREY. I regret very much that I could not be present earlier; I have been tied up today in committee.

Will the Senator from Alabama tell me what the committee did in terms of the apprenticeship-training program, in which I am very much interested.

Mr. HILL. We left that program where it is today, to wit, with the Vocational Education Division of the Department of Health, Education, and Welfare.

Mr. HUMPHREY. What did the committee do in terms of the appropriation for it?

Mr. HILL. Its appropriation is a part of the appropriation for vocational education. We allowed the entire amount which has been authorized for vocational education. In other words, we recommend the appropriation of the full amount which today is authorized for vocational education.

Mr. HUMPHREY. In other words, that is for apprenticeship training in the Department of Labor?

Mr. HILL. No; this is in the Department of Health, Education, and Welfare.

Mr. HUMPHREY. What about apprenticeship training in the Department of Labor?

Mr. HILL. The House denied funds for that purpose. The committee did not restore them. As the Senator knows, some question has been raised as to jurisdiction in this matter. We provided the full funds for the vocational education program under the Department of Health, Education, and Welfare, but we did not add the funds for the Bureau of Apprenticeship under the Department of Labor.

Mr. HUMPHREY. Has that not been an established activity of our Government for some time?

Mr. HILL. No. There has been a question, a very serious question, of a conflict as between the two Departments, as to which Department should carry on this work, I will say to the Senator.

Under the circumstances, in view of this disagreement, in view of the fact that the House disallowed this item, and it would have meant an additional appropriation in the bill, the Senate com-

mittee did not recommend the inclusion of the item.

Mr. HUMPHREY. I wish to say, most respectfully, that this program has been one of the most effective programs in the history of my State. More than 10,000 apprentices have been graduated since 1939, under this program.

Mr. HILL. The Senator has stated that a certain number of apprentices have been graduated. A fine job has been done in his State. Such a program comes under the vocational education program.

Mr. HUMPHREY. No; it comes under the apprenticeship training program of the Department of Labor. The request of the Bureau of the Budget was for $3 million.

Mr. HILL. Let me say to the distinguished Senator that we allowed $3,600,000.

Mr. HUMPHREY. In other words, the program is going on?

Mr. HILL. Certainly.

Mr. HUMPHREY. I am not worried about who is going to operate it, so long as it continues. I thank the Senator for the information.

I also understand that the budget request for the library services was actually increased. Is that correct?

Mr. HILL. It was increased $2 million.

Mr. HUMPHREY. May I ask whether there are provided physical rehabilitation facilities under the hospital construction program?

Mr. HILL. Yes. The rehabilitation category is included in the hospital appropriations.

Mr. HUMPHREY. I wish to commend the Senator. I thank him very much for his willingness to answer the questions. As the Senator will see, the people of my State are keenly interested in the item we are discussing. I have received two or three hundred letters on the subject. I wanted to assure my correspondents, through this colloquy, the matters had been discussed fully in committee and properly taken care of on the floor of the Senate.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. ANDERSON. Will the Senator from Alabama tell me what the library appropriation was?

Mr. HILL. $5 million, which is $2 million above the budget estimate.

Mr. ANDERSON. Therefore, I can wire back to those who have sent telegrams to me, expressing the hope that the appropriation will be $5 million, and say the Senator from Alabama and the Senators on his committee have done what they requested.

Mr. HILL. The Senator from New Mexico can say we recommended it, and the Senator from New Mexico and other Senators adopted the recommendation.

Mr. HUMPHREY. Can we also say we salute the distinguished Senator from Alabama, the chairman of the subcommittee, for his diligence and his devotion to duty, and we thank him for the kindness of his heart?

Mr. HILL. I thank the Senator from Minnesota.

The PRESIDING OFFICER. If there be no further amendments to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. HILL. Mr. President, I ask unanimous consent that in the enrollment of the Senate amendments to the bill, the Secretary be authorized to make changes which may be necessary in the section numbers.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KENNEDY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Arkansas [Mr. MCCLELLAN] is absent by leave of the Senate on official business.

I further announce that if present and voting, the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], the Senator from Alabama [Mr. SPARKMAN], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from New Jersey [Mr. SMITH], and the Senator from North Dakota [Mr. YOUNG] are absent on official business.

The Senator from New Jersey [Mr. CASE] is necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Connecticut [Mr. BUSH], the Senator from Indiana [Mr. CAPEHART], the Senator from South Dakota [Mr. CASE], the Senator from Nebraska [Mr. CURTIS], the Senator from Vermont [Mr. FLANDERS], the Senator from Nevada [Mr. MALONE], the Senator from Massachusetts [Mr. SALTONSTALL], and the Senators from New Jersey [Mr. SMITH and Mr. CASE] would each vote "yea."

The result was announced—yeas 71, nays 0, as follows:

YEAS—71

Aiken	Hickenlooper	Morton
Allott	Hill	Mundt
Anderson	Holland	Murray
Barrett	Hruska	Neuberger
Beall	Humphrey	O'Mahoney
Bennett	Ives	Pastore
Bible	Jackson	Payne
Bricker	Javits	Potter
Butler	Jenner	Purtell
Carlson	Johnson, Tex.	Revercomb
Carroll	Johnston, S. C.	Russell
Church	Kennedy	Schoeppel
Cooper	Kerr	Scott
Cotton	Knowland	Smathers
Dirksen	Kuchel	Smith, Maine
Dworshak	Lausche	Stennis
Eastland	Long	Symington
Ellender	Magnuson	Talmadge
Frear	McNamara	Thurmond
Goldwater	Mansfield	Thye
Gore	Martin, Iowa	Watkins
Green	Martin, Pa.	Wiley
Hayden	Monroney	Williams
Hennings	Morse	

NOT VOTING—24

Bridges	Curtis	McClellan
Bush	Douglas	Neely
Byrd	Ervin	Robertson
Capehart	Flanders	Saltonstall
Case, N. J.	Fulbright	Smith, N. J.
Case, S. Dak.	Kefauver	Sparkman
Chavez	Langer	Yarborough
Clark	Malone	Young

So the bill (H. R. 6287) was passed.

Mr. HILL. Mr. President, I move that the Senate insist on its amendments and request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HILL, Mr. CHAVEZ, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. PASTORE, Mr. THYE, Mrs. SMITH of Maine, Mr. DWORSHAK, Mr. POTTER, and Mr. IVES conferees on the part of the Senate.

"OPEN CURTAIN" PROPOSAL BY SENATOR JOHNSON OF TEXAS

Mr. SYMINGTON. Mr. President, the reaction to the "open curtain" proposal advanced by our majority leader last Saturday indicates clearly that the American people respond to bold and imaginative ideas.

There have been some who have expressed fear of the effect of Soviet Communist statements made openly by the Russians. But most Americans have

enough confidence in the strength of our system to realize that it is not going to be toppled by such propaganda.

They agree with the majority leader that the best response would be to take Khrushchev's technique and turn it back upon him. They feel that the Khrushchev broadcast was a glorious opportunity that should be seized upon and turned into a weapon for the spread of the truth.

The Kansas City Star—one of the leading newspapers of my State—sums up the situation well in an editorial. It points out that "the issue boils down to a question of trust in the good sense of the American people."

"Senator JOHNSON bases his approach on confidence in the people," the editorial says.

The editorial also makes the point of the importance of the timing of Senator JOHNSON's remarks. A few years ago, the proposal would have been impractical. Today—because of the Khrushchev broadcast and other developments—the "open curtain" may be attainable.

I ask unanimous consent that the editorial be inserted in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BREAK THE IRON CURTAIN AND LET IDEAS FLOW

Maybe Senator LYNDON JOHNSON sounded a little idealistic in his New York talk to the annual conference of the United Jewish Appeal Saturday night. But it was idealism grounded in the commonsense of a basic proposition: Our search for eventual peace must start with a policy calling for an open curtain, a policy not only of "open skies but of open eyes, ears, and minds for all the peoples of the world."

A few years ago such a proposition might have been so much a part of the American dream that it would hardly have seemed worth restating. That was when Stalin's Russia had a monopoly on the Iron Curtain.

Plainly Senator JOHNSON was talking to Americans who have themselves become fearful of a free exchange of ideas, a fear of becoming contaminated at least or influenced by the sinister con man of the Kremlin. One example is the substantial criticism of the Khrushchev TV interview for general telecasting in this country. Another example, not mentioned by JOHNSON, is the State Department's opposition to letting American reporters go to Red China. This, too, reflects a rather widespread feeling in this country.

Strangely, many Americans, but certainly not a majority, have become dependent on iron and bamboo curtains raised by their Communist enemies. The issue boils down to a question of trust in the good sense of the American people. Senator JOHNSON bases his approach on confidence in the people. He says, "I am not afraid to have them listen to Nikita Khrushchev or Karl Marx or Nicolai Lenin himself. They have the intelligence and independence to make up their own minds." To support this view he cites his own Democratic Party's heritage from the philosophy of Thomas Jefferson.

Starting with such confidence the Senate's majority leader calls for every effort in an all-out exchange of ideas or arguments. Let the President or some other high official ask for the right to a telecast in Russia. Let Russian labor leaders speak in this country on condition that American labor leaders speak to their people. And so, he hopes, the exchanges might continue until there would be no curtain to stop the flow of ideas which are the basic approach to any relaxing world tensions.

If you share the confidence in American good sense you do not become alarmed by the fact that the Russians would sling a lot of propaganda in this country. This would simply require informed Americans to stand ready to expose Russian lies to make sure that our public was fully informed. And the American people have had a long experience with separating truth from fancy in the speeches of some of their own politicians.

Frankly, we would be surprised if the Russians would have enough confidence in their system to permit a real flow of Free World ideas into their country. They have to face a long record of failing to make communism stand up by any means except force of arms.

But JOHNSON was talking about a sound American, not a Russian, approach. If the Russians would not go along they would have to take the onus for continuing the Iron Curtain. As for the idealism in this approach we only suggest that it will be a sad day for America if it ever loses its native idealism in the search for eventual world peace.

Mr. NEUBERGER. Mr. President, I think all of us who believe in the free exchange of ideas across the wide vistas of the world have been thrilled and inspired during the past week by the great challenge voiced by the majority leader of the United States Senate, the senior Senator from Texas [Mr. JOHNSON].

In the New York Post for Monday, June 10, there was published an illuminating editorial on the proposal of the Senator from Texas, which was originally voiced at a banquet of the United Jewish Appeal, in New York City on June 9. In a free test of philosophies, Senator JOHNSON believes that democracy is certain to win.

I ask unanimous consent that certain salient portions of the editorial from the New York Post of June 10 be printed in the RECORD at this point as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

THE GREAT NONDEBATE

The sad, astonishing thing is that the Communists are exacting vast propaganda dividends out of this episode without even being challenged to permit a free American presentation on their own soil.

Surely this is a competition we should welcome. As Democratic Senate Chieftain LYNDON JOHNSON wisely said the other night, we should be demanding "an open curtain for full discussion" and insisting on "the right to state our case on disarmament in detail to the Soviet people." We need, he said, a policy "not just of open skies" but "of open eyes, ears, and minds for all peoples of the world." Yet we have blunderingly allowed the Russians to pose as champions of free debate while Messrs. Eisenhower, Meaney, and others mumble disconsolate critiques of CBS.

Frozen minds cry that debate with Khrushchev is as worthless as debate with Adolph Hitler would have been. They miss the point that the Soviet thrust is increasingly being pressed in ideological terms, and that the nature of nuclear weapons has altered all the dimensions of international conflict. In vast uncommitted areas the Communist mystique is infinitely more powerful, complex, and subtle than nazism ever was, and it must be met with something more than strident military posturings.

The CBS Khrushchev interview set the stage for a momentous international debate in which able democratic spokesmen could have exposed the last myths of Communist despotism. Mr. K's comments on Hungary alone could have provided the text for devastating counterattack. But our stars seem determined to remain coyly in the wings, talking to themselves.

LABOR'S DILEMMA

Mr. NEUBERGER. Mr. President, I ask unanimous consent to include in the body of the CONGRESSIONAL RECORD a most illuminating section from the report of Norman Zukowsky, general secretary-treasurer, to the Eighth Regular Convention of the International Leather Goods, Plastics, and Novelty Workers' Union at Atlantic City, N. J.

I particularly want to call to the attention of the Senate the recommendations by Mr. Zukowsky that genuine and bona fide friends of the labor movement bring forth legislation which will seek to prevent dishonesty, dictatorship, and embezzlement in the labor movement—lest the enemies of labor impose punitive bills that would impede the ability of our trade unions to protect the living standards and working conditions of their members.

Mr. Zukowsky and his associates have made a significant recommendation, which I believe merits the attention of thoughtful and fair Senators on both sides of the aisle.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

LABOR'S DILEMMA

The labor movement as a whole faces a period when hysteria, born of the revelations by the Senate committee probing racketeers, threatens to engulf the Nation and lead to ultrarestrictive, punitive legislative action that will cripple the legitimate trade unions as much—or perhaps even more so—than the corrupt ones which are a minority.

We can deplore the findings of the Senate committee; unfortunately however, we can neither ignore them nor deny them. For the ugly fact is that corruption and racketeering does exist in some unions today. It has deep roots. The labor movement, prior to the current outcry, did not clean its own house.

So even as we point a suspicious finger at the antilabor bias of many of the committee's members and speculate (perhaps correctly in the long run) about the possibility of tough laws, we must admit that without this committee, without its exposures, without the "climate" it helped to create, the AFL–CIO itself would not have been able to move against the crooks and profiteers within its ranks.

Our old and esteemed friend, David Dubinsky, president of the powerful International Ladies' Garment Workers' Union, made that fact clear in a ringing speech in April on the boardwalk of Atlantic City when he appeared at the UAW convention.

Dubinsky said, in no uncertain terms, that the AFL–CIO would never have been able to clean up except for the Senate committees. He pointed out that the exposures of the Douglas committee on the looting of welfare funds provided the only evidence on which labor was able to move against 3 corrupt internationals and 2 crooked Federal labor unions. He conceded that the actions against Beck would have been impossible without the facts unearthed by the

McClellan committee. The AFL–CIO had not made its own investigation; it had no other evidence.

There are fears which I share, that the exposures of the McClellan committee—documented though they are; undeniable though they may be—may do all of labor irreparable harm before the storm dies down. This fear runs through many sections of the labor movement, including many which are violently antiracketeering.

There is, I believe, only one way to cope with this problem. The answer is not, of course, to fight the committee because it has dug up facts which embarrass us. The answer is not to say that after all, industry is corrupt too. (I believe that to be true but it does not alter the fact that some sections of labor are corrupt or crooked.)

The answer is, I believe, in an intelligent counteroffensive by the decent forces in labor, political and community life. This counteroffensive must be predicated on an acceptance of the fact that corruption inside labor has grown to the point where labor alone cannot effectively root it out. Labor must have additional tools—in this instance, legislation—to assist it. But the tools must be of a kind that are made by persons sympathetic with the desire of legitimate labor to clean out the crooks. They must not be tools which hack away at the good and bad at once.

There are many sober minds in Congress grappling with this problem today. There are men who wholeheartedly support the basic aims of decent labor who want to help the unions devise the right kind of laws—laws that will hit at the corrupt but not injure the clean unions.

The leaders of legitimate labor must meet with these men of the stripe of a DICK NEUBERGER or a WAYNE MORSE, of Oregon; or a MCNAMARA, of Michigan; or a JAVITS or an IVES, of New York, or a KENNEDY, of Massachusetts, to name but a few, and jointly come up with proper recommendations for laws.

For one fact is clear—and it would be suicidal for the leaders of American labor to sidestep it—there will be laws aimed at curbing crooked unions. There is no way of stopping this trend, in my opinion.

It is no longer a question of whether or not laws—it is solely a question of what kind of laws.

I hope that the Meanys, Reuthers, Dubinskys, Potofskys, and other forward-looking national leaders of American labor will take the lead in initiating a national conference with important legislators from both parties in both Houses of Congress—honest conservatives and honest liberals alike—for the purpose of drawing up specific recommendations for the laws that must come.

Only in that way do I envision avoiding the kind of blunderbuss bill which would indiscriminately hit all unions—good and bad. And only in that way can labor win the respect of the community as a whole, without which we cannot fulfill our traditional historic mission as a force for good for our members and for the State, city, or village in which we live and work.

The theme of these comments has, as you have noted, been political. This was deliberate, for labor must—more than ever before—participate in the political arena and not just to act as a check and balance against the extremists who will try to use the McClellan findings for hysterical purposes, but literally to safeguard the gains union members have made through the years.

What is gained today in a union contract can be wiped out tomorrow by some piece of repressive legislation. A hard-won standard on one level can be offset by a reactionary State legislature, for example, which can rewrite some statute.

The point needs no elaboration here. You all know what I mean. And the sudden rash of so-called right-to-work laws in State after State—and the introduction of national law of that kind in Congress—is just the opening gun.

If we sit back and hope to live as a union solely on the basis of a union contract, we are not only in for a rude awakening but we do not deserve to be invested with the responsibilities of administering our union. Political apathy is political suicide today.

KAISER STEEL CORP. EXPANSION

Mr. KUCHEL. Mr. President, one of the most astounding aspects of the tremendous population growth and industrial development in California, and in the West generally, during and since World War II has been the development of new industries and the utilization of resources on the Pacific coast and in the Mountain States.

Only a century ago, California was the American frontier. Today, with a population approaching 15 million, California is a vital and integral factor in the entire American economy.

Much of the amazing development of the past two decades can be traced to the establishment of completely new industries. And as such new ventures prospered, other activities started and flourished until today California is the source of a great variety of products shipped all over our Nation and all around the world.

An impressive example of the constant expansion of our western economy was an announcement recently that the Kaiser Steel Corp., a company which has contributed in a host of ways to the industrial progress of California, will increase an expansion program which had been budgeted at $113 million by an additional $81 million.

This undertaking is emphatic proof, I believe, of the pace at which California is forging ahead. When the Kaiser program is completed, the capacity of the West's biggest steel producer will be virtually doubled. A plant first constructed in the early days of World War II, in an area devoted to citrus growing and other types of agriculture, it will have the ability to turn out 3 million tons annually and supply materials which are in great demand and essential to the expanding economy of California and our neighboring States as well.

The new undertaking is truly ambitious. It is evidence of faith in the future, and proof that the company's earlier confidence was justified. The increased program will provide Kaiser's plant at Fontana in San Bernardino County, not far from my own home community, with a fourth blast furnace, a mill capable of turning out 144-inch steel plate, 3 more oxygen steelmaking furnaces, 90 new coke ovens, a new electrolytic tinplate line, and other facilities which will bolster the whole economic and industrial foundation of the State, the West, and the Nation.

These facilities, which will lead to employment of 2,700 additional workers at Fontana and other Kaiser operations, will have undeniable benefits to California. But it should be noted they also will contribute importantly to our Nation's security. Most of us readily remember the critical shortages of iron and steel which confronted the United States during the national emergency before Pearl Harbor and the early days of our involvment in World War II. We also can recall the superhuman accomplishments which made California an important arsenal during that conflict and the later hostilities in Korea. This expanded California steel industry is designed to serve our Nation in peace. It will also be an indispensable adjunct in event of another war.

I take these few moments, Mr. President, to call attention to the significance of a phrase which is often used—"the growing West"—and to note that progress continues undiminished in the State which I have the honor in part to represent in this body.

CONSTRUCTION OF TOLL BRIDGE ACROSS RAINY RIVER, MINN.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 439, Senate bill 1054.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1054) to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the distinguished senior Senator from Minnesota [Mr. THYE] has brought to the attention of the minority leader and myself the importance and urgency of passing this bill at the earliest possible date.

The Committee on Public Works, which considered the bill, recommends its passage.

The bill would extend the time for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

It may be that the distinguished senior Senator from Minnesota, the author of the bill, has a statement to make. If so, I yield for that purpose.

Mr. THYE. Mr. President, I thank the distinguished majority leader for having the bill considered at this time. The existing act authorizing the construction of the bridge expires on the 16th day of this month. Unless we pass the bill there will be the question of the expiration of the authorization for the construction of the bridge. That is the urgency. It is as simple as that. It is merely an authorization bill.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first section of the act entitled "An act to revive and reenact the act authorizing the village of

Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River, at or near Baudette, Minn., approved December 21, 1950," approved June 16, 1955 (69 Stat. 159), is amended by striking out "commenced within 2 years and completed within 4 years" and inserting in lieu thereof "commenced within 4 years and completed within 6 years."

MUTUAL SECURITY ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 424, S. 2130.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to and the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Mutual Security Act of 1957."

SEC. 2. Title I, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to military assistance, is further amended as follows:

(a) Amend section 103, which relates to authorizations, as follows:

(1) Strike out subsection (a) and substitute the following:

"(a) There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1958 to carry out the purposes of this chapter not to exceed $1,800,000,000, which shall remain available until expended. There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1959 to carry out the purposes of this chapter not to exceed $1,500,000,000, which shall remain available until expended."

(2) In subsection (b), strike out "and of section 124."

(3) In subsection (c), add at the end thereof the following new sentence: "When appropriations made pursuant to this section are used to furnish military assistance on terms of repayment within 3 years or earlier, dollar repayments, including dollar proceeds derived from the sale of foreign currency received hereunder to any United States Government agency or program, may be credited to the current applicable appropriation and shall be available until expended for the purposes of military assistance on terms of repayment, and, notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law relating to the use of foreign currencies or other receipts accruing to the United States, repayments in foreign currency may be used for the purposes of this chapter: *Provided*, That the authority in this sentence shall apply to repayments from not to exceed $175,000,000 of the appropriations used for such assistance."

(b) In section 104 (a), which relates to infrastructure, strike out in the first sentence the word "already"; strike out "$780,000,000" in the first sentence and substitute "$1,000,000", and strike out the second sentence.

(c) In section 105 (b) (3), which relates to conditions applicable to military assistance, strike out the words between "Asia" and ", the President."

(d) Amend section 107, which relates to waivers of law, as follows:

(1) In subsection (a), strike out "1262 (a), and title 34, United States Code, section 546 (e)" and substitute "7307 (a)."

(2) In subsection (b), strike out "Revised Statutes 1222 (10 U. S. C. 576)" and substitute "title 10, United States Code, sections 3544 (b) and 8544 (b)."

(e) Repeal section 108, which relates to transfer of military equipment to Japan.

SEC. 3. Chapter 2 of title I of the Mutual Security Act of 1954, as amended, which relates to southeast Asia and the Western Pacific, and direct forces support, is hereby repealed.

SEC. 4. Title I, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to defense support, is further amended as follows:

(a) Amend section 131, which relates to general authority, as follows:

(1) In subsection (a), before "designed" in the first sentence, insert "specifically."

(2) Strike out subsection (b) and substitute the following:

"(b) There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1958 to carry out the purposes of this section not to exceed $800 million, which shall remain available until expended. There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1959 to carry out the purposes of this section not to exceed $710 million, which shall remain available until expended."

(3) Strike out subsection (c), and redesignate subsection "(d)" as subsection "(c)."

(4) Add a new subsection (d) as follows:

"(d) To the extent necessary to accomplish the purposes of this section in Korea (1) assistance may be furnished under this section without regard to the other provisions of this title and (2) the authority provided in section 307 may be exercised in furnishing assistance under subsection (a) of this section; and funds available under this section may be used for payment of ocean freight charges on shipments for relief and rehabilitation in Korea without regard to section 409 of this act."

(b) Repeal section 132, which relates to the Korean program.

SEC. 5. Title I, chapter 4, of the Mutual Security Act of 1954, as amended, which relates to general provisions relating to mutual defense assistance, is further amended as follows:

(a) In section 142 (b), which relates to agreements, strike out in the first sentence "chapter 2 or" and "or under title II."

(b) Section 143 is amended to read as follows:

"SEC. 143. Assistance to Yugoslavia: In furnishing assistance to Yugoslavia, the President shall continuously assure himself (1) that Yugoslavia continues to maintain its independence, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that the furnishing of such assistance is in the interest of the national security of the United States. The President shall keep the Foreign Relations Committee of the Senate, the Foreign Affairs Committee of the House of Representatives, and the Appropriations Committees of the Senate and of the House of Representatives fully and constantly informed of any assistance furnished to Yugoslavia under this act."

(c) Add a new section 144 as follows:

"SEC. 144. Southeast Asia: Assistance under this title shall be made available subject to the provisions of sections 141 and 142, except that (1) in the case of assistance to the Associated States of Cambodia, Laos, and Vietnam, and (2) in the case of assistance (not to exceed in the aggregate 10 percent of the amount appropriated pursuant to section 121, excluding unexpended balances of prior appropriations) to other nations in the area of southeast Asia, the President may waive specific provisions of section 142 to the extent he may deem necessary in the national interest to carry out the purposes of this act. The President or such officer as he may designate shall report each instance of such waiver to the Foreign Relations, Appropriations, and Armed Services Committees of the Senate and the Foreign Affairs, Appropriations, and Armed Services Committees of the House of Representatives within 30 days."

SEC. 6. Title II of the Mutual Security Act of 1954, as amended, which relates to development assistance, is further amended by striking out the heading of the title, "Development Assistance," and substituting "Development Loan Fund"; by striking out the section number and heading of section 201 and striking out subsections (a) and (b) of section 201; by redesignating subsection (c) of section 201 as subsection (d) of section 537 and striking out therein "this title" and "411 (c)" and substituting, respectively, "section 400 (a)" and "411 (b)"; and by inserting the following new sections:

"SEC. 201. Declaration of purpose: The Congress of the United States recognizes that the progress of free peoples in their efforts to further their economic development, and thus to strengthen their freedom, is important to the security and general welfare of the United States. The Congress further recognizes the necessity in some cases of assistance to such peoples if they are to succeed in these efforts. The Congress accordingly reaffirms that it is the policy of the United States, and declares it to be the purpose of this title, to assist, on a basis of self-help and mutual cooperation, the efforts of free peoples to develop their economic resources and to increase their productive capabilities.

"SEC. 202. General authority: (a) There is hereby established a fund to be known as the 'Development Loan Fund' (hereinafter referred to in this title as 'the Fund') to be used by the President to finance activities carried out pursuant to authority contained in this title.

"(b) To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions (not to include grants or direct purchases of equity securities), to or with such nations, organizations, persons, or other entities, and on such terms and conditions, as he may determine, taking into account (1) whether financing could be obtained in whole or in part from other free world sources on reasonable terms, (2) the economic and technical soundness of the activity to be financed, and (3) whether the activity gives reasonable promise of contributing to the development of economic resources or to the increase of productive capacities in furtherance of the purposes of this title. The Fund shall be administered so as to support and encourage private investment and other private participation furthering the purposes of this title, and it shall be administered so as not to compete with private investment capital, the Export-Import Bank or the International Bank for Reconstruction and Development. The authority of section 401 (a) of this act may not be used to waive the requirements of this title or of the Mutual Defense Assistance Control Act of 1951 with respect to this title, nor may the authority of section 501 of this act be used to increase or decrease the funds available under this title. Guaranties under this subsection shall be subject to the provisions of section 413 (b) (4), except subparagraph (F) thereof. The administrator of the Fund shall furnish to the Foreign Relations Committee of the Senate and to the Foreign Affairs Com-

mittee of the House of Representatives a report on each financing operation or transaction involving more than $10 million of the Fund's assets and involving an activity requiring longer than 1 year to complete. Such report shall be made at the time such financing operation or transaction is consummated.

"SEC. 203. Capitalization: (a) There is hereby authorized to be appropriated to the President without fiscal year limitation, for advances to the Fund, not to exceed $500 million. In addition, unless disapproved in the appropriation act appropriating funds pursuant to the authorization contained in the preceding sentence, the Secretary of the Treasury is authorized and directed to make, beginning in the fiscal year 1959, loans to the Fund in amounts needed to cover obligations incurred against the Fund. Except as provided in section 204 (b) of this act, the maximum amount of obligations incurred against the Fund during the fiscal year 1958 shall be $500 million, during the fiscal year 1959 shall be $750 million, and during the period beginning in the fiscal year 1960 shall be $750 million; and any unused portion of the maximum applicable to any period shall be added to the maximum applicable to the succeeding period.

"(b) For purposes of the loans provided for in this section, the Secretary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act as now in force or as hereafter amended, and the purposes for which securities may be issued under the Second Liberty Bond Act are hereby extended to include this purpose. The President shall determine the terms and conditions of any advances or loans made to the Fund pursuant to this section.

"SEC. 204. Fiscal provisions: (a) All receipts from activities or transactions under this title shall be credited to the Fund and, notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law relating to the use of foreign currencies or other receipts accruing to the United States, shall be available for use for purposes of this title.

"(b) The President is authorized to incur, in accordance with the provisions of this title, obligations against the Fund in amounts which may not at any time exceed the assets of the Fund. The amount of such obligations also may not exceed the limitations specified in section 203 (a) of this act except that, to the extent that assets of the Fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations. Obligations incurred against the Fund which are subsequently canceled shall not be counted for purposes of the limitations on obligations specified in section 203 (a). The term 'assets of the Fund' as used in this section shall mean the amount of liquid assets of the Fund at any given time including any amount of capitalization authorized pursuant to section 203 (a) of this act which has not been advanced or loaned to the Fund as of such time. The Fund shall be available without fiscal year limitation for any obligations or expenditures in connection with the performance of functions under this title, including repayment of loans made to the Fund pursuant to section 203 (a) of this act.

"(c) In the performance of and with respect to the functions, powers, and duties vested in him by this title, the President shall prepare annually and submit a budget program in accordance with the provisions of the Government Corporation Control Act, as amended; and he shall cause to be maintained an integral set of accounts which shall be audited by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required.

"SEC. 205. Powers and authorities: In carrying out the purposes of this title, any officer or agency of the United States designated to exercise authorities provided for hereunder may, in addition to other powers and authorities provided to such officer or agency pursuant to this act or otherwise by law, and as the President may direct: enter into, perform, and modify contracts, leases, agreements, or other transactions, on such terms as may be deemed appropriate, with any agency or instrumentality of the United States, with any foreign government or foreign government agency, or with any person, partnership, association, corporation, organization, or other entity, public or private, singly or in combination; accept and use gifts or donations of services, funds, or property (real, personal or mixed, tangible, or intangible); contract for the services of attorneys; determine the character of and necessity for obligations and expenditures under this title, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations; acquire and dispose of, upon such terms and conditions and for such consideration as such officer or agency shall determine to be reasonable, through purchase, exchange, discount, rediscount, public or private sale, negotiation, assignment, exercise of option or conversion rights, or otherwise, for cash or credit, with or without endorsement or guaranty, any property, real, personal, mixed, tangible or intangible, including, but not limited to, mortgages, bonds, debentures (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes, drafts, checks, bills of exchange, acceptances including bankers' acceptances, cable transfers and all other evidences of indebtedness or ownership (provided that equity securities may not be directly purchased although such securities may be acquired by other means such as by exercise of conversion rights or through enforcement of liens, pledges or otherwise to satisfy a previously incurred indebtedness), and guarantee payment against any instrument above specified; issue letters of credit and letters of commitment; collect or compromise any obligations assigned to or held by, and any legal or equitable rights accruing to, such officer or agency, and, as such officer or agency may determine, refer any such obligations or rights to the Attorney General for suit or collection; and otherwise take any and all actions determined by such officer or agency to be necessary or desirable in making, carrying out, servicing, compromising, liquidating, or otherwise dealing with or realizing on any transaction or operation authorized by this title. No officer shall be designated to be the administrator of the Fund except by appointment by the President by and with the advice and consent of the Senate.

"SEC. 206. Advisory Loan Committee: There is hereby established an Advisory Loan Committee, referred to in this section as the 'Committee', which shall advise and consult with the President, or such officer as he may designate to administer the Fund, with respect to basic policy matters arising in connection with the operations of the Fund and with respect to each new obligation against the Fund in excess of $10 million. The Committee shall consist of the Deputy Undersecretary of State for Economic Affairs, the Chairman of the International Development Advisory Board acting in his individual capacity, the administrator of the Fund, and representatives designated by the President from the Export-Import Bank, the Department of Agriculture, the Department of Commerce, the United States representation in the International Bank for Reconstruction and Development, and such other representatives of Government agencies as the President shall deem necessary to insure proper coordination of the Fund's activities with the activities of other sources of capital which flows abroad. The Deputy Under Secretary of State for Economic Affairs shall be Chairman, and the administrator of the Fund shall be Vice Chairman, of the Committee. The administrator of the Fund shall furnish to the Committee all necessary information to enable the Committee to form a judgment with respect to the subjects referred to in the first sentence of this section. If the administrator of the Fund follows a course contrary to the advice of a majority of the Committee with respect to any such subject, he shall furnish to the Committee and to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a statement of his reasons for doing so."

SEC. 7. Title III of the Mutual Security Act of 1954, as amended, which relates to technical cooperation, is further amended as follows:

(a) In section 304, which relates to authorization, strike out subsections (a) and (b) and substitute the following: "There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $151,900,000 to carry out the purposes of this title."

(b) Amend section 306, which relates to multilateral technical cooperation, as follows:

(1) Strike out the text of subsection (a) and substitute the following:

"$15,500,000 for the fiscal year 1958 for contributions to the United Nations Expanded Program of Technical Assistance: *Provided*, That, notwithstanding the limitation of 33.33 percent contained in the Mutual Security Appropriation Act, 1957, the United States contribution to this program may constitute for the calendar year 1958 as much as but not to exceed 45 percent of the total amount contributed to the program for that period, for the calendar year 1959 as much as but not to exceed 38 percent of the total amount contributed to the program for that period, and for the calendar year 1960 as much as but not to exceed 33.33 percent of the total amount contributed to the program for that period."

(2) Strike out the text of subsection (b) and substitute the following:

"One million five hundred thousand for the fiscal year 1958 for contributions to the technical cooperation program of the Organization of American States."

SEC. 8. Title IV of the Mutual Security Act of 1954, as amended, which relates to other programs, is further amended as follows:

(a) Insert before section 401 the following new section:

"SEC. 400. Special assistance: (a) There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $250 million for use on such terms and conditions as he may specify for assistance designed to maintain or promote political or economic stability or for assistance in accordance with the provisions of this act applicable to the furnishing of assistance under title I, section 304, section 405, or section 407 of this act. One hundred million dollars of the funds authorized to be appropriated pursuant to this section for any fiscal year may be used in such year in accordance with the provisions of section 401 (a).

"(b) For the purpose of promoting economic development in Latin America there is hereby authorized to be appropriated to the President not to exceed $25 million, which shall remain available until expended, and in the utilization of such sum preference shall be given to (A) projects or programs that will clearly contribute to promoting health, education, and sanitation in the area as a whole or among a group or groups of countries of the area, (B) joint health, education, and sanitation assistance programs

undertaken by members of the Organization of American States, and (C) such land resettlement programs as will contribute to the resettlement of foreign and native migrants in the area as a whole, or in any country of the area, for the purpose of advancing economic development and agricultural and industrial productivity: *Provided*, That assistance under this sentence shall emphasize loans rather than grants wherever possible, and not less than 90 percent of the funds made available for assistance under this subsection shall be available only for furnishing assistance on terms of repayment in accordance with the provisions of section 505."

(b) Amend section 401, which relates to special fund, as follows:

(1) Strike out the title of this section and substitute "President's Special Authority".

(2) In subsection (a), strike out "to be appropriated under subsection (b) hereof" in the first sentence and substitute "for such use by section 400 (a) of this act"; before ", in furtherance of" in the first sentence, insert "or any act appropriating funds pursuant to authorizations contained in this act."

(3) Strike out subsection (b).

(4) Redesignate subsection "(c)" as subsection "(b)."

(c) In section 402, which relates to earmarking of funds, strike out all preceding "shall be used" in the first sentence and substitute "Of the funds authorized to be made available in the fiscal year 1958 pursuant to this act (other than funds made available pursuant to title II), not less than $200,000,000."

(d) Amend section 403, which relates to special assistance in joint control areas, as follows:

(1) In subsection (a), strike out the subsection designation "(a)"; and in the second sentence strike out all following "the President" and substitute "for the fiscal year 1958 not to exceed $11,500,000 to carry out this section."

(2) Strike out subsection (b).

(e) Amend section 405, which relates to migrants, refugees, and escapees, as follows:

(1) In subsection (a), strike out the words between "appropriated" and "such amounts"; and strike out the last sentence.

(2) In subsection (c), strike out the words between "appropriated" and "for contributions" and substitute "for the fiscal year 1958 not to exceed $2,233,000."

(3) In subsection (d), strike out the words between "President" and "for continuation" and substitute "for the fiscal year 1958 not to exceed $5,500,000."

(f) Amend section 406, which relates to children's welfare, as follows:

(1) In subsection (a), strike out the subsection designation "(a)"; and strike out all following "exceed" and substitute "$11,000,000 for the fiscal year 1958 for contributions to the United Nations Children's Fund."

(2) Strike out subsection (b).

(g) In section 407, which relates to Palestine refugees in the Near East, strike out the first two sentences in subsection (a) and substitute in lieu thereof the text of the present subsection (b) with the addition of the following sentence: "In determining whether or not to continue furnishing assistance for Palestine refugees in the Near East, the President shall take into account whether Israel and the Arab host governments are taking steps toward the resettlement and repatriation of such refugees."; strike out the subsection designation "(a)"; and strike out subsection (b).

(h) In section 408, which relates to the North Atlantic Treaty Organization, strike out in subsection (a) the words between "appropriated" and "such amounts."

(i) Amend section 409, which relates to ocean freight charges, as follows:

(1) Strike out the text of subsection (c) and substitute "There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $2,200,000 to carry out the purposes of this section."

(2) In subsection (d), strike out all preceding "to pay" in the first sentence and substitute "In addition, any funds made available under this act may be used, in amounts determined by the President,"; and strike out the second sentence.

(j) In section 410, which relates to Control Act expenses, strike out the words between "President" and "for carrying out" in the first sentence and substitute "for the fiscal year 1958 not to exceed $1 million."

(k) Amend section 411, which relates to administrative and other expenses, as follows:

(1) In subsection (b), strike out the words between "President" and "for necessary" and substitute "for the fiscal year 1958 not to exceed $33 million"; strike out "and section 124"; and before the period at the end of the subsection, insert "and functions under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U. S. C. 1691 and the following) performed by any agency or officer administering nonmilitary assistance."

(2) Strike out subsection (c), and redesignate subsections "(d)" and "(e)" as subsections "(c)" and "(d)", respectively.

(l) Repeal section 412, which relates to Chinese and Korean students.

(m) Repeal sections 419 and 421, relating, respectively, to World Health Organization and Food and Agriculture Organization, which repeals shall not be deemed to affect amendments contained in such sections to acts other than the Mutual Security Act of 1954, as amended; and add the following new sections:

"SEC. 419. Atoms for peace: (a) The President is hereby authorized to furnish from funds made available pursuant to this section, in addition to other funds available for such purposes, and on such terms and conditions as he may specify, assistance designed to promote the peaceful uses of atomic energy abroad. There is hereby authorized to be appropriated to the President for the fiscal year 1958 not to exceed $7 million to carry out the purposes of this section.

"(b) The United States share of the cost of any research reactor made available to another government under this section shall not exceed $350,000.

"(c) In carrying out the purposes of this section, the appropriate United States departments and agencies shall give full and continuous publicity through the press, radio, and all other available mediums so as to inform the peoples of the participating countries regarding the assistance, including its purpose, source, and character, furnished by the United States. Such portions of any research reactor furnished under this section as may be appropriately die stamped or labeled as a product of the United States shall be so stamped or labeled.

"SEC. 420. Malaria eradication: The Congress of the United States, recognizing that the disease of malaria, because of its widespread prevalence, debilitating effects, and heavy toll in human life, constitutes a major deterrent to the efforts of many peoples to develop their economic resources and productive capacities and to improve their living conditions, and further recognizing that it now appears technically feasible to eradicate this disease, declares it to be the policy of the United States and the purpose of this section to assist other peoples in their efforts to eradicate malaria. The President is hereby authorized to furnish to such nations, organizations, persons, or other entities as he may determine, and on such terms and conditions as he may specify, financial and other assistance to carry out the purpose of this section. Not to exceed $23,300,000 of the funds made available pursuant to authorizations contained in this act (other than title I, ch. 1, and title II) may be used during the fiscal year 1958 to carry out the purpose of this section."

SEC. 9. Title V, chapter 1, of the Mutual Security Act of 1954, as amended, which relates to general provisions, is further amended as follows:

(a) Amend section 503, which relates to termination of assistance, as follows:

(1) Strike out the subsection designation "(a)"; and in the last sentence of subsection (a) strike out "subsection" and substitute "section."

(2) Strike out subsection (b).

(b) In section 504 (a), which relates to small business, strike out "chapters 2 and" and substitute "chapter."

(c) Amend section 505, which relates to loan assistance and sales, as follows:

(1) In subsection (a), strike out "assistance" in the first sentence and substitute "Except as otherwise specifically provided in this act, assistance"; and after "commodities" both times it appears in the second sentence, insert ", equipment, materials."

(2) In subsection (b), strike out the first sentence; and strike out "shall" both times it appears in the second sentence and substitute "may."

(d) In section 509, which relates to shipping on United States vessels, strike out the first sentence.

(e) In section 511 (c), which relates to retention and return of equipment, after "materials" the first time it appears, insert "on a grant basis"; and strike out "(other than equipment or materials sold under the provisions of section 106)."

(f) In section 513, which relates to notice to legislative committees, after "act" the second time it appears in the first sentence, insert "or acts appropriating funds pursuant to authorizations contained in this act."

SEC. 10. Title V, chapter 2, of the Mutual Security Act of 1954, as amended, which relates to organization and administration, is further amended as follows:

(a) In section 521, add the following new subsection:

"(c) The President shall continue to exercise the powers conferred on him under chapter 3 of title I, relating to defense support, only through the Secretary of State and his subordinates."

(b) In section 523, add the following new subsection:

"(c) Under the direction of the President, the Secretary of State shall:

"(1) coordinate the various forms of assistance authorized by this act so that the foreign policies of the United States may be best served thereby; and

"(2) determine the value of the program under chapter 1 of title I for any country."

(c) In section 524 (b), strike out the second sentence.

(d) In section 525, strike out the first sentence.

(e) In section 527 (c), which relates to employment of personnel, after "shall be entitled" in paragraph (1), insert ", except to the extent that the President may specify otherwise in cases in which the period of the employment or assignment exceeds 2 years,"; and before the period at the end of paragraph (2), insert ": *Provided, however*, That the President may by regulation make exceptions to the application of section 528 in cases in which the period of the appointment or assignment exceeds 2 years."

(f) In section 534, which relates to reports, after "504,", insert "202, 400."

(g) In section 535 (b), which relates to cooperation with nations and international organizations, before "in furtherance of" in the first sentence insert "consistent with and"; and before "nations" where it appears for the first time in the first sentence insert "free."

(h) Amend section 537, which relates to provisions on uses of funds, as follows:

(1) In the opening clause of subsection (a), within the parentheses, strike out "and section 124."

(2) In subsection (a), paragraph (1), strike out "1957" and substitute "1958."

(3) Amend the text of subsection (a), paragraph (10), to read "rental or lease outside the continental limits of the United States of offices, buildings, grounds, and living quarters to house personnel; maintenance, furnishings, necessary repairs, improvements, and alterations to properties owned or rented by the United States Government abroad; and costs of fuel, water, and utilities for such properties;."

(4) In subsection (a), paragraph (17), strike out "or" preceding "(iii)"; and after "another" insert ", (iv) when he is temporarily absent from his post under orders, or (v) when through no fault of the employee storage costs are incurred on such furniture and effects (including automobiles) in connection with authorized travel."

(5) In subsection (c), strike out "$12,000,000" and insert "$18,000,000"; and strike out "in the fiscal year 1957."

(6) Add the following new subsection:

"(e) Funds available under this act may be used to pay costs of training United States citizen personnel employed or assigned pursuant to section 527 (c) (2) of this act (through interchange or otherwise) at any State or local unit of Government, public or private nonprofit institution, trade, labor, agricultural, or scientific association or organization, or commercial firm; and the provisions of Public Law 918, 84th Congress, may be used to carry out the foregoing authority notwithstanding that interchange of personnel may not be involved or that the training may not take place at the institutions specified in that act. Such training shall not be considered employment or holding of office under title 5, United States Code, section 62, and any payments or contributions in connection therewith may, as deemed appropriate by the head of the United States Government agency authorizing such training, be made by private or public sources and be accepted by any trainee, or may be accepted by and credited to the current applicable appropriation of such agency: *Provided, however,* That any such payments to an employee in the nature of compensation shall be in lieu of or in reduction of compensation received from the Government of the United States."

SEC. 11. Title V, chapter 3, of the Mutual Security Act of 1954, as amended, which relates to repeal and miscellaneous provisions, is further amended as follows:

(a) In section 543, relating to saving provisions, insert the following new subsections:

"(d) Funds appropriated pursuant to provisions of this act repealed by the Mutual Security Act of 1956 or the Mutual Security Act of 1957 shall remain available for their original purposes in accordance with the provisions of law orginally applicable thereto. References in any act to provisions of this act repealed or stricken out by the Mutual Security Act of 1957 are hereby stricken out; and references in any act to provisions of this act redesignated by the Mutual Security Act of 1957 are hereby amended to refer to the new designations."

(b) Amend section 544, which relates to amendments to other laws, as follows:

(1) Repeal subsections (a), (c), (d), (e), (f), (g), (h), and (i), which repeals shall not be deemed to affect amendments contained in such subsections to acts other than the Mutual Security Act of 1954, as amended; and redesignate subsection "(b)" as subsection "(a)."

(2) Add the following new subsections:

"(b) Public Law 174, 79th Congress, as amended, is hereby further amended by striking out '31.5' in the proviso at the end of section 2 and inserting '33.33.'

"(c) Section 104 (h) of the Agricultural Trade Development and Assistance Act of 1954, as amended (Public Law 480, 83d Cong., 7 U. S. C. 1704) is amended by changing the period at the end thereof to a comma and adding: 'such special and particular effort to include the setting aside of such amounts from sale proceeds and loan repayments under this title, not in excess of $1 million a year in any one country for a period of not more than 5 years in advance, as may be determined by the Secretary of State to be required for the purposes of this subsection;'."

(c) In section 546 (b), relating to construction, strike out "Atomic Energy Act of 1946, as amended (42 U. S. C. 1801)" and substitute "Atomic Energy Act of 1954, as amended (42 U. S. C. 2011)."

(d) Repeal section 547, which relates to reduction of authorizations.

(e) In section 549, relating to special provision on availability of funds, strike out "chapter 3 of title I," and strike out the comma following "title III."

Mr. JOHNSON of Texas. Mr. President, I have a very brief statement I should like to make in connection with the motion that has been agreed to by the Senate.

First I should like to inform the Senate that it is our plan to hear the presentation of the pending measure by the very able and beloved chairman of the Committee on Foreign Relations, the senior Senator from Rhode Island [Mr. GREEN]. Any other Senator who cares to address himself to the pending measure will have an opportunity to do so this afternoon. I do not anticipate that we will have any votes or that we will have an evening session today.

Tomorrow morning the Senate will meet at 9:30 as usual. Following the morning hour, we may consider some of the noncontroversial bills on the calendar. They are the bills which I enumerated earlier in the day, and which will appear in the RECORD.

I am hopeful that we shall be able to stay late enough tomorrow and on Friday and on Saturday to conclude action on the mutual security authorization bill this week. It was reported last Thursday. We have given ample time for the majority and minority to report their respective views. It will have been before the Senate on Wednesday, Thursday, Friday, and Saturday—4 days—and I therefore appeal to my colleagues to cooperate with us during this month of June and to be diligent in attendance and attentive to this extremely important measure.

Mr. President, if we are unable to conclude consideration of the measure this week, of course it is needless to say that I expect to have the Senate convene early next week and remain late until we get the authorization bill behind us.

Next week I am hopeful that we will have some more appropriation bills to consider. The appropriation bill for the Department of the Interior should be on the calendar.

I commend the distinguished Senator from Rhode Island [Mr. GREEN] and his entire committee, both the majority and minority members, for the very thorough job they did in connection with the pending bill, and for the long hours they spent in an attempt to report to the Senate a measure which would meet with the approval of a majority of the Members of the Senate. They did a thorough job and an effective job. I am hopeful that the bill as recommended to us by the experienced Senators who sit on the great Committee on Foreign Relations may pass without substantial amendments. I look forward to hearing the Senator from Rhode Island.

Mr. GREEN. Mr. President, it is my duty to present to the Senate the report of the Committee on Foreign Relations in support of S. 2130, as amended, the Mutual Security Act of 1957.

Although I speak of the presentation of this bill as a duty, it is also a privilege, because members of the Committee on Foreign Relations have done such a careful job on the proposals of the President. The bill as it is reported from the Committee on Foreign Relations is greatly improved over the version which was submitted to the Senate and introduced by the Senator from Wisconsin [Mr. WILEY] and myself, by request, on May 22.

In view of recent suggestions that the Congress has not acted with sufficient alacrity on presidential proposals, I call attention to the fact that the President's message on the Mutual Security Act was not received this year until May 21. One day later, on May 22, S. 2130 was introduced, embodying the President's proposals, and on that very day the committee began its hearings. The committee has met long hours to receive testimony in public and private session and to mark up the bill. The finished bill was reported to the Senate on June 7, just 18 calendar days after the President's message was received. But if one does not count weekends and a holiday which intervened the committee has reported this bill only 11 working days after its submission and introduction.

It occurs to me that this may be a speed record for the consideration of an important proposal submitted by the President. Had there not been so many suggestions that Congress has been dawdling, I would let the matter drop here. But in all fairness I must add that although the President's message was received on May 21, it was not until June 3 that the committee began to receive from the executive branch the detailed justification for its proposals. This has meant as a practical matter that the committee had only 5 working days to master the details of the President's proposals. That would have imposed an impossible task had it not been for the fact that many of the President's proposals bore the imprint of the earlier work done by the Special Committee To Study the Foreign Aid Program.

I do not mean to cast any reflection whatsoever on the many executive branch employees who worked long hours to help the committee in its consideration of this bill. But I do suggest that those elements in the administration and the press which are so free in their criticism of Congress might bear in mind that delay is not always solely or even chiefly attributable to Congress.

Despite the committee's speed in reporting the bill, the proposal of the President for the authorization of a mutual security program of $3.8 billion for next

year was given most careful consideration. The President's recommendations are entitled to the greatest respect. However, I would be less than candid if I did not say that I believe the work of the committee has greatly improved the President's proposals and that the end product will better serve the interests of the people of the United States.

I believe the legislation as approved by the Committee on Foreign Relations deserves, in turn, the most careful and serious consideration on the part of all Members of the Senate. While I do not preclude the possibility that the Senate may make additional changes in the pending bill which will further improve it, it does seem to me that doubts as to particular amendments which may be offered should be resolved in favor of the committee's recommendations. It may be bold to make such a suggestion. I do so, however, from a conviction that members of the committee during the past year have spent so much time and energy in a total reexamination of the concept of foreign aid that they have to a man become outstanding experts on this subject.

Senators will recall that last July the Senate created a Special Committee To Study the Foreign Aid Progam. The Senate instructed that special committee—on which I have served as chairman since last January—to undertake exhaustive studies to determine the extent to which foreign aid serves, does not serve, or can be made to serve the national interest. I shall not take the time now to review the extensive work of the special committee. Suffice it to say that the report of the special committee served as a guide to the executive branch in the preparation of its proposals on foreign aid this year. That branch, however, did not adopt all the recommendations of the special committee for what seemed to it to be good and sufficent reasons. In some instances, the Committee on Foreign Relations has accepted the administration's judgment, and provisions have remained in the bill which were contrary to the proposals of the special committee. In other instances, however, the Committee on Foreign Relations concluded that the recommendations of the special committee should have been followed by the administration. As a result, a number of important changes have been made in the legislation as proposed by the executive branch.

I do not want to leave this brief discussion of the work of the special committee without paying high tribute to each and every member of that group. As my colleagues know, in addition to all members of the Committee on Foreign Relations, the special committee included in its membership the distinguished chairman of the Committee on Armed Services [Mr. RUSSELL]; the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL]; the outstanding chairman of the Committee on Appropriations [Mr. HAYDEN]; and the able senior Senator from New Hampshire [Mr. BRIDGES]. These members added great strength to the special committee. They were understanding and conscientious in their work. Many of their ideas and suggestions are to be found in the final product.

I turn now to the Mutual Security Act of 1957, to S. 2130 itself. Members will recall that there were grave doubts expressed on the floor of the Senate last year as to the desirability of continuing this type of legislation. Foreign aid was in serious trouble at that time. Many Senator, I am sure, went along with the measure last year only on the assurance that there would be major revisions in the legislation this year on the basis of full study by the special committee and studies by the executive branch.

Mr. President, the bill now before the Senate reflects the results of all those studies. It is a legislative expression of the beginning of a major revision of foreign aid. The impact of the change will be felt this year and increasingly in the years ahead.

What are some of the immediate changes? In the first place, the amount of the authorization is reduced. Last year, Congress appropriated $3.766 billion for foreign aid. This year the President's budget originally called for an increase to $4.4 billion. While the Senate's special study of the program was in progress, however, the President himself reduced that total by $500 million. The Committee on Foreign Relations in weighing this legislation was convinced that the figure could, without damage to the national interest, be reduced by another $227 million. It has, therefore, recommended to the Senate a total figure for fiscal year 1958 or $3.637 billion. This reduction is, in the opinion of the committee, intelligent economy. It is not a meat-ax cut. The committee knew what it was about because its members, as members of the special committee, had studied the foreign aid program from every conceivable angle.

I am convinced that the reduction will not impair the national interest. Indeed, I believe the reduction will work, positively, to the benefit of the national interest. It will compel a tighter administration of the program. It will compel a more careful evaluation of each and every project of foreign aid which may be undertaken.

For the same reasons, Mr. President, I believe that there should not be any further substantial reductions in the authorizations contained in the measure. Depending on future developments, additional economies may be possible in future years. They should be the result, however, of the same kind of careful study which has preceded the committee approval of this measure if they are to serve the national interest. Let us have economy based on facts and not on presumptions. That is the only way in which the Senate can discharge its dual responsibility of helping to safeguard not only the nation's purse, but what is even more important, the nation itself.

Economy is important, but there is something of even greater importance. That is the long-range safety and freedom of the United States and the long-range interests of the people of the United States. If I thought that the freedom of this country or the welfare of its people would be served by a foreign aid program of $6 billion or even $10 billion, I would not hesitate for one moment to recommend such an increase to the Senate and to vote for it myself.

It is because I believe on the basis of our present knowledge that the overall amount proposed in this bill, the amount of $3.6 billion, is an accurate expression of the extent of the national need for this program that I confidently bring this measure, on behalf of the Committee on Foreign Relations, before the Senate.

Let me say further that the improvements in the bill over previous foreign aid legislation do not stop with economy. The committee's changes in the bill have served to clarify the purposes of foreign aid. We have taken the first steps in distinguishing between those aspects of foreign aid vital to national defense or to political interests, and those aspects essentially of a business nature and designed to help ourselves by helping others. I say, "the first steps," because much will depend on how the administration interprets the changes which have been written into the legislation. Congress will set the pattern in this legislation. It is for the executive branch to follow through. I may say that while I am chairman of the Foreign Relations Committee, I will do my best to see that the other branch does carry through.

What are the changes which have been made in this connection? In the first place, the committee has separated military aid and the economic type support necessary to maintain it from the other parts of the proposed legislation. Military assistance and defense support constitute the bulk of the grants of foreign aid. In the bill, $2.6 billion, or 68 percent of the total authorization, is related to defense. We authorize this military-type aid not for 1 year, but for 2 years, with a reduction already provided for next year. We have permitted this 2-year authorization at the urging of the executive branch, which contended that it will make for a far more efficient and economical administration of military aid and its connected economic support. Furthermore, this change will make it possible for military assistance next year to be included in the regular budget of the Department of Defense, which is where it belongs.

One of the important conclusions reached by the special committee was that a larger portion of the funds annually made available for foreign aid should be on a loan basis. The administration agreed with the conclusion of the special committee that assistance devoted to helping underdeveloped countries grow should be provided on a loan basis. This increased emphasis on loans instead of grants as a form of assistance is reflected by differences between the bill this year and the bill last year. Last year 80 percent of so-called development assistance was required to be in the form of loans. The development assistance figure last year was $250 million. This year, however, virtually all funds for development assistance are to be on a loan basis and virtually none on a grant basis. In lieu of provision of some grant funds for development assistance,

the committee has agreed with the administration to centralize all economic development assistance in a revolving fund which will operate on a repayable basis. It is the committee's clear understanding that this means that economic development aid is to be placed on a businesslike basis. The legislation requires loans, as contrasted with the strange admixture of loans and grants, of wisdom and waste, which has characterized these activities in recent years.

The committee expects this fund, which is to start out with $500 million the first year, to operate in close coordination with the Export-Import Bank, the International Bank, and various other agencies concerned with overseas economic undertakings, and with private investment capital which flows abroad. It will also be closely coordinated with our general foreign policy.

Probably I should elaborate briefly on the operation of the development fund. As Members know, for many years the Export-Import Bank and the International Bank have made loans to foreign countries and foreign nationals for development purposes. These have been bankable loans. But at the very same time the administration, with some pressure from the Congress, has also developed what it has called the soft loan. These soft loans have involved tenuous commitments to repay, low rates of interest, and long terms for repayment. They have not been the type of loans which breed self-respect in the borrower. In fact, some of these loans have become devices for giving money away in a form that has involved only lipservice to loan requirements in past legislation. These soft loans will be done away with.

It is the committee's purpose, in calling for the establishment of the development fund, to provide a source of credit which would be available for operations of a type not yet able to command bank credit. The difference between the loan fund and other forms of credit is illustrated by the situation of the honest, able, sincere young man who goes to the bank to borrow $1,000 to get himself started in business. The young man has no assets except his confidence in himself, a willingness to work hard, and a firm intention to repay every cent he borrows.

In this situation, few banks would loan the man enough money to get his business started. But a young man with that kind of promise, with confidence in himself, deserves help. He may be able to find some generous man in the community who is willing to take a chance on the young man's future.

That is precisely the way the development fund is to operate. It will be available for projects which cannot get commercial credit. It will be used in those underdeveloped nations where the people and their governments know that man can make progress if he works hard and is willing to pay his debts. The fund is for the purpose of promoting growth and independence and freedom. It is a device by which the American people can invest in the future development of peoples dedicated to freedom. It should not become a device for international relief.

The President's proposals did not originally provide for the kind of close coordination of the fund with these other activities which the committee believes necessary. The committee therefore wrote into the bill provision for an advisory loan board, which will include representation from the principal interested departments and agencies, and which will be under the chairmanship of the Deputy Under Secretary of State for Economic Affairs.

In my opinion, this addition is one of the most important provisions of the bill. I believe the advisory board is essential if we are to bring about an end to the dangerous and costly confusion of innumberable official agencies competing with each other and with private enterprise in assisting other nations abroad. Not only has this practice been costly; it has held us up to the amusement and the ridicule, if not the contempt of other nations.

As for other parts of this bill, the committee has fully endorsed the United States point 4 program, and raised the authorization for this operation to the figure of $151 million. Of all the foreign-aid measures which this country pursues, point 4 has been the most modest in cost, the least pretentious in operation, and the most consistently successful in results. I believe the program should not be confused with more grandiose undertakings. I believe that the simple person-to-person contact which it promotes does a great deal of good, and should have the full and unswerving support of the people of the United States.

Finally, the committee has provided funds for various forms of special assistance, as requested by the administration. These funds amount to $250 million. These are funds for political and humanitarian purposes. A considerable part of them may be spent at the discretion of the President, since needs and crises cannot always be anticipated. It is my hope that the President will be exceedingly discreet in the expenditure of these funds, and it would be most gratifying if a substantial part of them might revert to the Treasury at the end of the fiscal year 1958. If that were the case, I personally would be more receptive to the executive branch estimates of needs in the future.

Mr. President, I said earlier in my remarks that this bill represents a beginning in major changes in foreign aid, both in concept and in administration. The Congress has built, so to speak, the framework of this new house. It will be the duty of the executive branch to finish it and to furnish it in a fashion best suited to the needs of the Nation.

The study of foreign aid which we have made during the past year has convinced me that a continuance of this program is necessary for the security and welfare of the people of the United States. It has also convinced me, as it has, I am sure, other members of the committee, that the key to its acceptance both at home and abroad lies in the fashion in which its policies are devised and administered by the executive branch.

The Congress cannot run this program on a day-to-day basis, although I must say there is a great temptation to try to do so, in view of some of the poor administrative practices the committee has uncovered. Our Government has a President and an executive branch for that purpose. We cannot do their jobs, but when we do ours, we have a right to insist that they also do theirs.

I believe that if S. 2130 is passed as it has come from the committee, the Senate will have done its share. It will have done so in a nonpartisan way, because I am proud to report there has been no trace of partisanship either in the work of the special committee or in the work of the Foreign Relations Committee. It will have done its work in a responsible fashion. It will have made a major contribution to the foreign policy of the United States, which now has become inextricably interwoven with the safety and welfare of the people of the world.

I feel confident that the Senate and the House of Representatives will do their parts, and that the President and the administration will do theirs in following through.

Mr. KNOWLAND. Mr. President, will the Senator from Rhode Island yield?

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Does the Senator from Rhode Island yield to the Senator from California?

Mr. GREEN. I yield.

Mr. KNOWLAND. Speaking as the minority leader of the Senate, and also as a member of the Foreign Relations Committee, I should like to take this opportunity to compliment the distinguished Senator from Rhode Island for his service as chairman of that very important committee of the Senate. He attended, as he always does, most diligently to his duties there. He presided over the sessions, which, as he has quite correctly stated, were not tinged with partisanship in any sense of the word. As is quite proper in our legislative committees, there were some differences of opinion and there were some divided votes. Various Senators serving on the committee had different ideas. But when the bill was put into its final form, it embraced various suggestions which had come from the administration, and many which had come from subcommittees of the Senate, and others which had developed from the discussions in the committee.

I wish to state that in my opinion the committee did an excellent job in protecting the position of the Congress as a coordinate and coequal branch of the Government. In the general consensus, the bill is a good one, and is entitled to receive the support of the Senate.

I wish to say to the Senator from Rhode Island that I think the entire Senate owes him a debt of gratitude for the long hours he has devoted to this important bill in getting it ready for consideration by the Senate. As the Senator knows, it is only a part of the legislative process. In some years in the past the House has originated the authorization bill. The Senate has acted

on it after the House has acted. In this case the Senate is moving first. The bill will have to go to the other House of Congress. It will then have to clear a conference between the two Houses. When that part of the legislative process is completed, then the House Appropriations Committee will start consideration of an appropriation bill dealing with the specific funds to be appropriated. After that committee has cleared the bill, the House will act on it. It will have to come to the Senate and run the gantlet of the Senate Appropriations Committee, and finally of the Senate itself. When the Senate has acted, that bill will have to go to conference.

So the bill before the Senate now in effect will set the outside limits of the funds which are to be provided, and I think all Members of the Senate should keep that fact in mind. However, I want to say that both the minority and majority members of the committee devoted long hours of service to bringing the bill to this stage of the legislative process, and I again commend the Senator from Rhode Island.

Mr. GREEN. Mr. President, I thank the minority leader for his friendly and generous words, which make worthwhile the work the committee has done.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. MANSFIELD. I join with the distinguished minority leader in congratulating the chairman of the Foreign Relations Committee for the outstanding work he has performed in conducting the hearings relative to the bill. Not only has he done fine work in presiding over the hearings connected with this bill directly, but during the past year he has been an excellent chairman in conducting, during most of that period, the investigation of the foreign-aid program called for by the Senate resolution adopted last summer.

As the chairman well knows, there are differences of opinion as to how good this particular bill is. To a large extent, those differences were worked out in committee, but I want the RECORD to show, as the Senator from California has so ably stated, that the hearings had been conducted and the decisions had been arrived at on a nonpartisan basis. The chairman of the committee allowed everyone to have his say. The explanation for every amendment offered was courteously listened to. Every member felt he had been given every consideration.

Again I thank the chairman of the committee for doing an outstanding job, which, of course, is a usual characteristic of the chairman of the committee.

Mr. GREEN. I thank the Senator heartily for his agreeable words of approval, which mean a great deal to me.

Mr. JOHNSON of Texas. Mr. President, there is nothing I could add to what I said when I brought the bill up by motion, about the very fine, patriotic service of the distinguished chairman of the committee. I do wish to commend him for pointing out to the Senate and to the country that, while some of the members of the executive department were talking about a lag in Congress, they were not able to submit their own recommendations on such an important measure as the one now pending before the Senate, namely, the Mutual Security Act of 1957. As I understood the distinguished chairman, it was not until June 3, some 8 or 9 days ago, that the witnesses were ready to appear and testify and give their recommendations on the bill.

Mr. GREEN. That is correct.

Mr. JOHNSON of Texas. It seems to me that people who live in glass houses should not throw stones, and an administration that is lagging as much as this one is in submitting recommendations in such an important field as the Mutual Security Act ought to be somewhat restrained in its observations about the dispatch with which Congress handles the matter.

I am hopeful my colleagues in the Senate will be prepared to discuss the bill the remainder of this afternoon and early in the morning when we assemble, because I want to demonstrate, not only to the Congress but to the Executive, and to the people, that while Congress is unjustly branded, it is efficient and effective, and it acts in accordance with its conscience and what it believes to be in the national interest.

I thank the Senator for the great contribution he has made in maintaining this fine standard.

Mr. GREEN. I thank the Senator for his kind comments, and I yield the floor.

Mr. COOPER. Mr. President, I have enjoyed the very clear presentation of the new mutual aid program by the senior Senator from Rhode Island.

It occurred to me, as I listened to the Senator who spoke as chairman of the Foreign Relations Committee, that the pending bill marks a major advance in the development of the mutual security program and certainly in the field of economic assistance. I speak particularly of the new Development Loan Fund which the bill establishes. During the current debate over the budget Members of Congress—and certainly many people of the country, if I read my mail correctly—have questioned the effectiveness of our economic assistance program. Among other things, they question whether funds are effectively used and go into projects and programs, in the countries receiving aid, which are of value. I think the Development Loan Fund established by this bill will assure, if the bill is finally approved, continuity of aid, and consequently more effective programs. It will provide an answer to some of the questions raised against the mutual security program.

The very fact that continuity of aid is possible, where appropriate, to beneficiary countries will enable them to select wealth-producing projects for the use of our aid funds. This will be more beneficial to them as well as to the United States.

It will enable the United States to assure that aid funds go into wealth-producing projects, and will not be assigned to less effective programs, simply because countries aided could not be sure that aid would be forthcoming when needed to complete their larger and more valuable plans for development. Further, I believe it will be psychologically beneficial if countries can borrow rather than secure needed aid through grants. It will tend to promote good relations between the United States and countries receiving our help.

As the Senator was speaking, I glanced at the list of countries that will be aided by this bill. From a quick calculation, I noted that 14 or 15 countries on the list have become independent in the last 10 or 12 years. A great purpose of our economic assistance is to aid and promote the economic advancement of these countries.

In doing this, we assist them, also, to secure their political independence. If these newly independent countries maintain their political independence and sovereignty, a great purpose of the foreign policy of the United States would have been accomplished. I join with other Senators in congratulating the Senator from Rhode Island and his committee on their fine work.

ARTHUR SEW SANG AND OTHERS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 382, Senate bill 1566.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1566) for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You.

Mr. JOHNSON of Texas. The purpose of the bill is to grant the status of permanent residence in the United States to Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You. The bill provides for the appropriate quota deductions and for the payment of the required visa fees.

The bill was favorably reported by the Committee on the Judiciary. I hope it will be passed by the Senate.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1566) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Naturalization Act, Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fees. Upon the granting of permanent residence to such aliens, as provided in this act, the Secretary of State shall instruct the proper quota-control officer to deduct five numbers from the appropriate quota for the first year that such quota is available.

ADMISSION INTO THE UNITED STATES OF CERTAIN ALIEN CHILDREN

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 383, House Joint Resolution 289.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 289) to facilitate the admission into the United States of certain alien children.

Mr. JOHNSON of Texas. Mr. President, before action is had on the joint resolution I should like to make a brief statement.

The purpose of the joint resolution is to grant to four minor children adopted or to be adopted by United States citizens the status of nonquota immigrants, which is the status normally enjoyed by the alien minor children of citizens of the United States.

The Committee on the Judiciary has carefully considered the measure, and recommended its enactment. I hope the Senate will act favorably.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The joint resolution (H. J. Res. 289) was ordered to a third reading, read the third time, and passed.

SHEW SHEI LAN AND CHOW SHONG YEP

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 384, Senate bill 1581.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1581) for the relief of Shew Shei Lan and Chow Shong Yep, which had been reported from the Committee on the Judiciary with amendments in line 4, after the word "Act," to strike out "Shew" and insert "Sheu," so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of sections 201 (a) and 202 (b) of the Immigration and Nationality Act, Sheu Shei Lan and Chow Shong Yep shall be deemed chargeable to the quota for the Asia Pacific triangle.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill, as amended, is to enable Sheu Shei Lan and Chow Shong Yep to enjoy the immigration status of persons born within the Asia Pacific triangle. The purpose of the amendment is to correct the spelling of one name.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Sheu Shei Lan and Chow Shong Yep."

CECELIA VACCARO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 385, H. R. 1451.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1451) for the relief of Cecelia Vaccaro.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to enable a former native-born citizen of the United States to regain her United States citizenship which was lost by voting in a foreign election on April 1, 1946.

I hope the bill will be favorably acted upon.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 1451) was ordered to a third reading, read the third time, and passed.

ELLEN G. MARINAS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 386, H. R. 1765.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1765) for the relief of Ellen G. Marinas.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to deem Ellen G. Marinas to be the minor alien child of her father, a citizen of the United States.

I hope the bill will be favorably acted upon. It has been favorably recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 1765) was ordered to a third reading, read the third time, and passed.

ELDA MONDILLO

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 387, H. R. 1837.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1837) for the relief of Elda Mondillo.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to deem Elda Mondillo to be the minor alien child of her father, a citizen of the United States.

The bill has been favorably reported by the Committee on the Judiciary. I hope it will be acted upon by the Senate.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 1837) was ordered to a third reading, read the third time, and passed.

MRS. THEODORE ROUSSEAU

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 388, H. R. 1359.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Mrs. Theodore (Nicole Xantho) Rousseau shall be deemed to be within the purview of section 354 (3) of the said act.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill, as amended, is to place the beneficiary within a category of persons exempt from certain expatriating provisions of the immigration laws, to which exemption she would normally be entitled, were it not for the fact that she was formerly a citizen of the country in which her foreign residence is located. The bill has been amended in accordance with the suggestion made by the Department of State.

The Committee on the Judiciary favorably recommends the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ALESSANDRO RENDA

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 407, Senate bill 18.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 18) for the relief of Alessandro Renda.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to Alessandro Renda. The bill provides for an appropriate quota deduction and for the payment of the required visa fee. The bill also provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

The bill has been favorably recommended by the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 18) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Alessandro Renda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available. A suitable or proper bond or undertaking, approved by the Attorney General, shall be given by or on behalf of the said Alessandro Renda in the same manner and subject to the same conditions as bonds or undertakings given under section 213 of such act.

KYU YAWP LEE AND HIS WIFE HYUNG SOOK LEE

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 408, Senate bill 250.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 250) for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to Kyu Yawp Lee and his wife, Hyung Sook Lee. The bill provides for appropriate quota deductions and for the payment of the required visa fees.

I hope the bill will be approved by the Senate.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 250) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Kyu Yawp Lee and Mrs. Hyung Sook Lee shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

SUSANA M. UMANOS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 409, Senate bill 254.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 254) for the relief of Susana M. Umanos.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to grant the status of permanent residence in the United States to Susana M. Umanos. The bill provides for an appropriate quota deduction and for the payment of the required visa fee.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 254) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Susana M. Umanos shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

CONSIDERATION OF CERTAIN MEASURES ON THE CALENDAR

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that it be in order for the clerk to call for consideration measures on the Senate Calendar from Order No. 410 through Order No. 433.

Mr. KNOWLAND. Mr. President, will the Senator from Texas agree to eliminate Calendar No. 415, Senate bill 931?

Mr. JOHNSON of Texas. Yes, eliminating Calendar No. 415, Senate bill 931. I refer to all those Calendar items with the exception of Calendar No. 415.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

FUMIKO SHIKANUKI

The Senate proceeded to consider the bill (S. 255) for the relief of Fumiko Shikanuki.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement on the purpose of the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to enable the fiancée of a United States citizen veteran of our Armed Forces to enter the United States for the purpose of marrying her citizen fiance and to thereafter reside in the United States.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 255) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Fumiko Shikanuki, the fiancée of Robert George Cartee, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Fumiko Shikanuki is coming to the United States with a bona fide intention of being married to the said Robert George Cartee and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Fumiko Shikanuki, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Fumiko Shikanuki, the Attorney General is authorized and directed to record the lawful admisison for permanent residence of the said Fumiko Shikanuki as of the date of the payment by her of the required visa fee.

GAETANO MATTIOLI CICCHINI

The Senate proceeded to consider the bill (S. 303) for the relief of Gaetano Mattioli Cicchini.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to grant to the minor child adopted by a citizen of the United States the status of a nonquota immigrant which is the status normally enjoyed by alien minor children of United States citizens.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 303) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Gaetano Mattioli Cicchini, shall be held and considered to be the natural-born alien child of Frances Harriet Cicchini, a citizen of the United States.

KATARZYNA SIWIK

The Senate proceeded to consider the bill (S. 252) for the relief of Katarzyna Siwik, which had been reported from the Committee on the Judiciary with an amendment on page 2, line 3, after the word "act," to insert a colon and "*Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provision of section 212 (a) (6) of the Immigration and Nationality Act, Katarzyna Siwik may be granted a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act, under such conditions and controls which the Attorney General, after consultation with the Surgeon General of the United States Public Health Service, Department of Health, Education, and Welfare, may deem necessary to impose: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of said act: *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to one who is afflicted with tuberculosis in behalf of the mother of a United States citizen veteran of our Armed Forces. The bill also provides that the beneficiary will submit to any necessary medical treatment for her tubercular condition and provides for the posting of a bond as a guaranty that the beneficiary will not become a public charge.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MIYAKO UEDA OSGOOD

The Senate proceeded to consider the bill (S. 284) for the relief of Miyako Ueda Osgood, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That in the administration of the Immigration and Nationality Act, Miyako Ueda Osgood, widow of John David Osgood, a deceased United States citizen who served honorably in the Armed Forces of the United States, shall be deemed to be a nonquota immigrant.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to grant the status of a nonquota immigrant to Miyako Ueda Osgood which is the status she would be entitled to were it not for the death of her husband. She is the widow of a United States citizen who served honorably in the Armed Forces of the United States.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA MATILDE PICALLO

The Senate proceeded to consider the bill (S. 286) for the relief or Maria Matilde Picallo, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph 9 of section 212 (a) of the Immigration and Nationality Act, Maria Matilde Picallo may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act. This act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of the mother of a lawful permanent resident of the United States. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF INTERSTATE COMMERCE ACT, AS AMENDED

The Senate proceeded to consider the bill (S. 939) to amend section 22 of the Interstate Commerce Act, as amended, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That section 22 of the Interstate Commerce Act, as amended (49 U. S. C. 22), is further amended by inserting after the section designation the figure (1) and by adding at the end thereof the following:

"(2) All quotations or tenders under paragraph (1) of this section for the transportation, storage, or handling of property or the transportation of persons free or at reduced rates for the United States Government, or any agency or department thereof, including quotations for retroactive application whether negotiated or renegotiated after the services have been performed, shall be in writing or confirmed in writing and a copy or copies thereof shall be submitted to the Commission by the carrier or carriers offering such tenders or quotations in the manner specified by the Commission. Submittal of such quotations or tenders to the Commission shall be made concurrently with submittal to the United States Government, or any agency or department thereof, for whose account the quotations or tenders are offered or for whom the proposed services are to be rendered. Such quotations or tenders shall be preserved by the Commission for public inspection. The provisions of this paragraph shall not apply to any quotation or tender which, as indicated by the United States Government, or any agency or department thereof, to any carrier or carriers, involves information the disclosure of which would endanger the national security."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a brief statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this bill is to amend section 22 of the Interstate Commerce Act (49 U. S. C. 22) under which the United States Government and State or municipal governments are allowed free or reduced rates from carriers subject to the Interstate Commerce Act for the carriage, storage, or handling of property. In addition, the section allows the United States Government transportation of persons at free or reduced rates.

The terms of the bill, as introduced, would limit the granting of such free or reduced rates to time of war or national emergency, as declared by Congress or the President. Further, the bill would provide that any rates, fares, and charges, and rules, regulations, and practices made under section 22 "shall be conclusively presumed" to be lawful and not subject to attack, except for fraud or clerical mistake, after the date of their acceptance or agreement by duly authorized Government officials. Further, the measure would provide that such arrangements under section 22 could be canceled upon not less than 90 days' written notice by any of the parties thereto. Finally, S. 939 would prevent consideration of the reduced rates, fares, and charges as evidence of lawfulness of other rates, fares, and charges and would provide that enactment of the bill would have no effect on transactions other than those carried out under its provisions.

The proposal incorporating the terms of S. 939, introduced at the request of the Interstate Commerce Commission, is contained in Interstate Commerce Commission Legislative Recommendation No. 3, page 160, 70th Annual Report to the Congress. Public hearings were held by the Surface Transportation Subcommittee, and all desiring to testify were heard.

In view of the record made in the hearings, the Committee on Interstate and Foreign Commerce cannot approve S. 939 as originally introduced. The provisions of the bill for limiting free or reduced rates on traffic for United States, State, or municipal governments to time of war or national emergency does not seem to constitute necessary legislation because the problems of these governments as shippers are markedly different from those of commercial shippers subject to the Interstate Commerce Act. Likewise, the terms of the bill that would leave these governments practically without recourse upon acceptance of a section 22 quotation are certainly not in the public interest. The taxpayer, we believe, should not be accorded a shorter period of limitation than the 2 years accorded commercial shippers.

The Committee therefore recommends that in lieu of S. 939 a new paragraph be added to section 22 of the Interstate Commerce Act that would require carriers to submit to the Interstate Commerce Commission copies of section 22 quotations simultaneously with their submittal to the agencies and departments of the United States Government. The Commission would not have any regulatory authority over rates made under section 22, but would be required to make such section 22 tenders or quotations available for public examination. Carriers would not be required to submit to the Commission tenders or quotations under section 22 applicable solely for traffic of State or municipal governments. Nor would carriers be required to submit to ICC copies of such tenders or quotations, disclosure of the contents of which the Government agency involved indicated would endanger national security.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF UNIVERSAL MILITARY TRAINING AND SERVICE ACT

The Senate proceeded to consider the bill (H. R. 6548) to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories.

Mr. JOHNSON of Texas. Mr. President, the purpose of H. R. 6548 is to authorize the President until July 1, 1959, to issue special calls for physicians and dentists and other allied specialists who are otherwise liable for induction under the regular draft. Under existing law the President has no authority to induct persons from among the various age groups on the basis of their professional or technical skill. The bill will provide such special authority with regard to physicians and dentists and other allied specialists. It is expected that this legislation will operate in a manner similar to the doctor draft law under which commissions will be offered to all physicians and dentists who are qualified to receive a commission.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H. R. 6548) was ordered to a third reading, read the third time, and passed.

PERMISSION FOR RETIRED OFFICER OF THE NAVY TO BE EMPLOYED IN COMMAND STATUS AT PORT LYAUTEY, MOROCCO

The Senate proceeded to consider the bill (H. R. 7505) to permit a retired officer of the Navy to be employed in command status at Port Lyautey, Morocco.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of this measure is to permit Capt. Christian Harold Duborg to remain in a command status at Port Layutey, Morocco, after he has been placed on the retired list.

Capt. Christian Harold Duborg is now in command at United States Naval Activities, Port Lyautey, Morocco. He is required to be retired from the Navy on June 30, 1957, after having completed 30 years of service. Captain Duborg has been participating with the Department of State and other elements of the Department of Defense in negotiations with the Moroccan and French Governments on military base rights. It is anticipated that these negotiations will continue for some time after the date on which Captain Duborg will retire. His experience and familiarity with the subjects of the base-rights negotiation make desirable his continued retention in command there.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR APPROPRIATIONS TO CONSTRUCT OFFICE BUILDING FOR ATOMIC ENERGY COMMISSION—BILL PASSED OVER

The bill (S. 1918) to amend Public Law 31, 84th Congress, to increase the authorization for appropriations to the Atomic Energy Commission for the construction of a modern office building in or near the District of Columbia to serve as its principal office was announced as next in order.

Mr. KNOWLAND. Mr. President, I think we should have an explanation of this bill.

Mr. JOHNSON of Texas. I ask that the bill be passed over. The amount involved does not bring the bill within the category of the others, and I ask that action on this measure be deferred.

The PRESIDING OFFICER. The bill will be passed over.

CHRISOULA ANTONIOS CHEGARAS

The Senate proceeded to consider the bill (S. 904) for the relief of Chrisoula Antonios Chegaras.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that a statement as to the purpose of the bill be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill is to grant to the child adopted by citizens of the United States the status of a nonquota immigrant, which is the status normally enjoyed by alien minor children of United States citizens.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bil.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Chrisoula Antonios Chegaras shall be held and considered to be the natural-born minor alien child of Antonios Chegaras, a citizen of the United States.

ANGELA FERRINI

The Senate proceeded to consider the bill (S. 336) for the relief of Angela Ferrini, which had been reported from the Committe on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of section 101 (b) of the Immigration and Nationality Act, Angela Ferrini shall be held and considered to be within the purview of section 101 (a) (27) (A) of the said act.

So as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of section 101 (b) of the Immigration and Nationality Act, Angela Ferrini shall be held and considered to be within the purview of section 101 (a) (27) (A) of the said act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to enable Angela Ferrini, the daughter of a United States citizen, to enter the United States as a nonquota immigrant which is the status normally enjoyed by the alien minor children of United States citizens. The purpose of the amendment is to clarify the language of the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELISABETH TROUT

The Senate proceeded to consider the bill (S. 418) for the relief of Elisabeth Trout, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be," to insert "issued a visa and be," so as to make the bill read:

Be it enacted, etc., That, nothwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Elisabeth Trout may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to convictions of crimes involving moral turpitude in behalf of the wife of a United States citizen veteran of our Armed Forces. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILHELMINE ALDRIDGE AND OTHERS

The Senate proceeded to consider the bill (S. 627) for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingebert Kathe Aldridge, which had been reported from the Committee on the Judiciary with an amendment on page 1, line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Wilhelmine Aldridge may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That the provisions of this section shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this act.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge, shall be held and considered to be the natural-born alien children of John Aldridge, a citizen of the United States.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to convictions of crimes involving moral turpitude in behalf of the wife of a United States citizen. A further purpose of the bill is to grant to the minor children adopted by a citizen of the United States the status of nonquota immigrants which is the status normally enjoyed by alien minor children of United States citizens. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

URSULA ROSA PAZDRO

The Senate proceeded to consider the bill (S. 660) for the relief of Ursula Rosa Pazdro, which had been reported from the Committee on the Judiciary with an amendment in line 5, after the word "be", to insert "issued a visa and be", so as to make the bill read:

Be it enacted, etc., That, not withstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Ursula Rosa Pazdro may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. I ask unanimous consent to have printed in the RECORD at this point a brief explanation as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to waive the excluding provision of existing law relating to a conviction of crimes involving moral turpitude in behalf of the wife of a United States citizen member of our Armed Forces. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JEFFREY CHARLES MEDWORTH

The Senate proceeded to consider the bill (H. R. 1454) for the relief of Jeffrey Charles Medworth, which had been reported from the Committee on the Judiciary with an amendment to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Jeffrey Charles Medworth, a British subject who was born in India, shall be deemed to have been born in Great Britain.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to deem Jeffrey Charles Medworth to have been born in Great Britain. The bill has been amended in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELEANOR M. HORTON

The Senate proceeded to consider the bill (S. 520) for the relief of Eleanor M. Horton, which had been reported from the Committee on the Judiciary with amendments in line 3, after the word "provisions", to strike out "of paragraphs (9) and (10)"; in line 4, after the letter "(a)", to insert "(9)", and in line 5, after the word "be", to insert "issued a visa and be"; so as to make the bill read:

Be it enacted etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Eleanor M. Horton may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this act shall apply only to grounds for exclusion under such paragraphs known to the Secretary of State or the Attorney General prior to the date of the enactment of this act.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended is to waive the excluding provision of existing law relating to the conviction of crimes involving moral turpitude in behalf of the wife of a United States citizen member of our Armed Forces. The bill has been amended to delete reference to section 212 (a) (10) which does not apply and has been amended further in accordance with established precedents.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIA MANIATES

The Senate proceeded to consider the bill (S. 1083) for the relief of Maria Maniates, which had been reported from the Committee on the Judiciary with amendments in line 4, after the word "act," to strike out "the minor child,"; in line 5, after the name "Maria," to strike out "Maniates," and insert "Maniates", and in line 6, after the word "natural-born", to insert "minor"; so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, Maria Maniates shall be held and considered to be the natural-born minor alien child of Mr. and Mrs. Philip Maniates, citizens of the United States.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement as to the purpose of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the bill, as amended, is to grant to the child adopted by citizens of the United States the status of a nonquota immigrant, which is the status normally enjoyed by alien minor children of United States citizens. The bill has been amended to clarify the language. They presently reside in Winchester, Mass.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN ALIENS

The Senate proceeded to consider the joint resolution (H. J. Res. 272) for the relief of certain aliens.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution is to grant the status of permanent residence in the United States to 7 persons, and to cancel deportation proceedings in the case of 2 persons. The joint resolution provides for the payment of the required visa fees and for the appropriate quota deductions, where necessary. In two cases included in the joint resolution, provision is made for the posting of bonds as a guaranty that the beneficiaries will not become public charges.

The PRESIDING OFFICER. The question on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 308) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of four aliens. In one case the joint resolution also waives the excluding provisions relating to one who has been deported and has received a visa by fraud. In one of the cases, the beneficiary is to be admitted to the United States temporarily for the purpose of marrying her United States citizen finance.

The PRESIDING OFFICER. The question is on the third reading and passage of the joint resolution.

The joint resolution was ordered to a third reading, read the third time, and passed.

WAIVER OF CERTAIN PROVISIONS OF THE IMMIGRATION AND NATIONALITY ACT

The Senate proceeded to consider the joint resolution (H. J. Res. 274) to waive the provision of section 212 (a)

(9) of the Immigration and Nationality Act in behalf of certain aliens, which had been reported from the Committee on the Judiciary with amendments on page 1, line 11, after the name "Giordano," to insert "and," and on page 2, line 1, after the name "Spensier," to strike out the comma and "and Mrs. Anna Hoczak Aumueller Cathey."

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement concerning the purpose of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The purpose of the joint resolution, as amended, is to waive the excluding provision of existing law relating to the commission of crimes involving moral turpitude in behalf of 16 persons who are spouses of United States citizens or lawfully resident aliens. The joint resolution has been amended to delete the name of one alien whose case was included in the joint resolution as it passed the House of Representatives.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

JOINT RESOLUTION AND BILL PASSED OVER

The joint resolution (H. J. Res. 290) for the relief of certain aliens was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask that the joint resolution be passed over.

The PRESIDING OFFICER. The joint resolution will be passed over.

The bill (S. 2194) to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia and for other purposes was announced as next in order.

Mr. JOHNSON of Texas. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. JOHNSON of Texas. Mr. President, I understand that the distinguished senior Senator from Wisconsin [Mr. WILEY], the ranking minority member of the Committee on Foreign Relations and former chairman of that fine committee, is present in the Chamber and ready to address himself to the pending bill.

Mr. WILEY. Mr. President, I rise to support the chairman of the Foreign Relations Committee [Mr. GREEN] who has spoken on the Mutual Security Act of 1957.

The report itself goes into detail and shows the various items, so I shall not attempt to analyze, or even support, the various items specifically.

I have sat in this body time and again and listened to irresponsible criticism and put the label of "giveaway" on foreign aid. Time and again, I have seen magazine and newspaper articles pick up a few instances of mismanagement and then blast the whole aid program as a waste of taxpayers' money. I have seen the results of this irresponsibility in my own State and throughout the country. In fact, I am seeing it now. One of the candidates for the high office of United States Senator says he is coming down to Washington and do away with the whole foreign-aid program.

Let us see what the foreign-aid program is about. Let us go into the question from the standpoint of applying the law of self-preservation to this beloved country of ours.

Because so many people have used the expression "giveaway" there are many who wonder why we give away billions to foreign countries, when we need so many things at home, and when we could all stand a tax cut. I wish to answer that question very briefly.

By and large, the people are not being misled by this Nation. The people are wiser than some give them credit for being.

There are those who are being misled by erroneous statements of those who should know better, to the point where more and more they are ready to jeopardize the security—and I use that word advisedly—and the welfare of the Nation for a mythical saving on this program.

Those who are more interested in the sensational than the sane can take credit for this development. They can also prepare themselves for a fearful retribution from the American people, if their irresponsibility and misinformation should get this Nation into serious trouble.

The Nation is headed for trouble—and serious trouble—unless we get the facts straight on the mutual assistance program. What we need is a little less heat and a great deal more light. Let us have some understanding of what we are trying to do with the aid program before we start shooting at it from the hip. Let us find out in whose interest this program really is before we throw it out the window. Let us ask ourselves some searching questions. Is this program really foreign aid, or is it mostly American interest?

Those are the questions every citizen has a right to ask when he pays his taxes.

Let us take the first charge, that we are giving away billions of the taxpayers' dollars. That is enough to give concern to the American people and to the Congress, and it should.

But what we do find if we look below this sensational charge? We find, first, that almost all the money appropriated under the program is spent here in the United States. These funds are spent for tractors, for conveying, for mining, and for construction equipment, and for other products of our industry. They pay for aircraft, engines, and parts. They are used for shipping charges paid to American merchant marine companies. All in all, it has been estimated that 600,000 workers are employed in the United States, directly or indirectly, as a result of mutual aid expenditures.

These appropriations also go to buy wheat, corn, cotton—yes, and diary products—for shipment abroad. At the present time, this country exports $2 billion worth of agricultural products. Of the principal commodities, 60 or 70 percent are exported under one kind of aid program or another.

What does all that add up to? If we cut off these aid programs, we would have to figure out new ways of supporting the aircraft industry, the shipping industry, agriculture, and other economic activities. We would have to do this unless we were willing to see a serious industrial decline; unless we were willing to see the surplus of wheat and corn and other crops start mounting again.

Let me make it clear that I am not suggesting that the mutual aid program is or ought to be a make-work project or a device for disposing of agricultural surpluses.

The point I am trying to make is that most of the billions of so-called giveaways stay right here at home. They make an impact upon our economy. They provide jobs. They add to our economy. They add to the economic current of the Nation. They serve the American economy, as well as provide aid to friendly nations abroad. I say it is better for us to have this program, which can do some good in the world, instead of seeing American factories stand idle and to have food rotting in the warehouses.

Or perhaps the critics of this program would rather dump the food into the sea or burn it.

When products are sent abroad under the program, what are they used for? They go to feed the hungry. They clothe the naked. They help other nations to rehabilitate and develop themselves. They help our friends. They help them stay free. That is what they did in Western Europe under the Marshall plan. That is what they did in Korea and in Formosa and in the Philippines, and in Indochina. Is that what the critics object to?

Would they rather have this country try to maintain itself as an island of plenty and freedom in a sea of human misery and totalitarianism? How long do they think we could hold out in that kind of fool's paradise?

I might say parenthetically, Mr. President, that today it was my privilege to be the guest at a luncheon where there were some 8 or 9 fine young men from Minnesota, and 1 from my own State of Wisconsin. They are studying foreign relations and foreign policies. They asked some questions. One of them said, "Senator, what is the difference in the world as between now and when you came to Washington some 18 years ago?"

I had to tell him that when I came to Washington it took 45 days to travel around the world; now it can be done in 44 hours. When I came to Washington, Wisconsin and Minnesota were isolated mentally and physically. Now there are only a few mental isolationists left. We are more vulnerable to attack over the great circle route than is New York City.

Then I discussed with these young people the fact that all this was before

the bomb exploded at Hiroshima, when 90,000 lives were snuffed out. Now the H-bomb is many times more powerful. Now we are neighbor to every other nation in the world.

As a consequence, it is imperatively necessary that we appraise the facts and do what is necessary to secure our own safety. It is in the interest of our security that the mutual security program be put into operation.

They asked many other questions. The young mind is alert to the changed world conditions in which we live. I am glad to see it. What we are spending is contained in a budget which, compared to the national income, is the smallest such budget in years.

Then these young people asked, "Senator, are we not self-sufficient ourselves, and able to look after ourselves?"

I said, "Of course not. We do not have on this continent the necessary vital materials with which to build the things which are necessary."

I told them that that is one reason why, under the Eisenhower program, we have said to the Kremlin, "Keep out of the Middle East." That is where 70 percent of the known oil reserves are located. If the Kremlin gets control of that oil and can choke off Europe, it will have a passageway to Africa, where are found the highly vital strategic materials we must have.

Consequently, I had to impress them with the fact that we are not living unto ourselves; that we could not, if we tried. The world has changed. With that change there has come a change in our responsibilities. The mutual-security program is one of those responsibilities.

Let me say to those who contend we can live unto ourselves alone: Will we be able to stand alone in a world in which jet planes span the Atlantic in a matter of hours, when Milwaukee and Minneapolis are natural targets for guided missiles coming over the polar route from Russia, and when those cities are only 5 or 6 hours from the bombers in Siberia?

Therefore we must do the things that are necessary. We are spending from thirty-five to forty billion dollars on our military program. A part of the mutual assistance is the military program.

I say to the critics of the program: Do they object to the fact that it builds a degree of military resistance to communism? Would they rather we tried to provide the resistance all by ourselves? We could not do that.

That is what would be involved if we tried to do it. In the first place, the aid programs help other non-Communist nations to maintain 200 divisions under arms. Do critics know what it would cost to enlarge our own Armed Forces by that number? The cost would run many times the price of the aid program. It costs something like $3,500 a year to feed, clothe, and house the average American soldier under arms. It costs $105 a year to feed a Turkish soldier. I have been told that for the price of maintaining 1 American division, it is possible to maintain 10 Turkish divisions. All these are facts which we must consider in the shrunken world in which we are neighbor to every other nation.

What price do the critics put on the bases in Europe, in the Middle East, and in Asia, which are essential to our military operations in the event of war? Do they think the friendly countries which make these bases available to us will meet us half way if we fail to meet them half way?

But more important than the dollars and cents considerations of foreign aid is the spiritual struggle in which the world finds itself. We are locked in battle for the loyalty and devotion of men to freedom and to totalitarianism. Mutual-aid programs foster an esprit de corps among free peoples everywhere. They strengthen the bonds of freedom. They help to knit the community of free nations closer together. We need friends in this world, just as other nations need friends. We can expect others to be friends and to be considerate of our needs only as we are considerate of theirs.

Let the critics of this program turn inward in their petty and narrow views of this program. They are out of step with the great majority of the American people. What is more, they have blinders on their eyes and do not see what the program has accomplished and will accomplish. They twist and distort the greatness of heart, the nobility of spirit, and the openness of the humanity of the people of the United States.

Once the American people know the whole facts, however; once they know that these programs are not an extravagant giveaway, but are a national necessity, they will support the foreign-aid program. They will know it is a program to keep America free. When the people understand that, they will support the mutual-assistance program. They will support it, as the Senate will support it, because it is in the interest of the United States of America, our Nation, and we in the Senate have the responsibility to make certain that we take the steps which are necessary to preserve our country in this atomic age.

It was not long ago, while the Committee on Foreign Relations was interrogating the Secretary of State, that I called attention to the fact that after Pearl Harbor the United States had 2 years in which to get ready to "pick up the pieces." I asked the Secretary how long we would have to get ready now.

He said, "It is only a matter of minutes. We have to be ready."

So, Mr. President, in considering what is needed for our self-defense, and to make us self-sufficient by building ourselves so strong that no other nation will attack us, the mutual-assistance program is a part and parcel of that defense.

In the interests of freedom, humanity, and peace, I shall vote for the bill.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, if there are no other remarks to be made, then, pursuant to the order previously entered, I move that the Senate stand in adjournment.

Mr. JOHNSON of Texas. Mr. President, I had hoped that some other Senators would be present to address themselves to this very important measure. I dislike to have the Senate adjourn so early.

Mr. KNOWLAND. There are some important committee meetings to be held this afternoon.

The PRESIDING OFFICER. The question is on the motion of the Senator from California.

The motion was agreed to; and (at 3 o'clock and 54 minutes p. m.) the Senate adjourned, the adjournment being, under the order entered on June 10, 1957, until tomorrow, Thursday, June 13, 1957, at 9:30 o'clock a. m.

CONFIRMATION

Executive nomination confirmed by the Senate June 12, 1957:

SECURITIES AND EXCHANGE COMMISSION

Andrew Downey Orrick, of California, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1962.

EXTENSIONS OF REMARKS

The People-to-People Foundation

EXTENSION OF REMARKS

OF

HON. ALEXANDER WILEY

OF WISCONSIN

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1957

Mr. WILEY. Mr. President, I ask unanimous consent that there be printed in the CONGRESSIONAL RECORD a statement I have prepared regarding the outstanding work of the People-to-People Foundation, together with several exhibits I desire to have printed along with my statement.

There being no objection, the statement and exhibits were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WILEY

THE OUTSTANDING WORK OF THE PEOPLE-TO-PEOPLE FOUNDATION

I am pleased to report new evidence of the splendid accomplishments of the people-to-people program.

I had been pleased to discuss this subject, it will be recalled, on April 29, as reflected on page A3131 of the daily CONGRESSIONAL RECORD.

Later I had made reference to it on May 31, as indicated on pages A4210–A4212 of the daily RECORD.

FORTY-TWO OUTSTANDING LEADERS

Since then I have been in touch with many of the 42 committee chairmen—leading figures in all walks of life—who are spearheading two-way international communication in every known area of human activity.

I should like to mention now a few of their responses.

WHAT THE INSURANCE INDUSTRY IS DOING

Mr. Frederic W. Ecker, the distinguished president of the Metropolitan Life Insurance Co., reported that a letter and enclosures on the people-to-people program had been sent to 5,000 insurance companies throughout our country, and to certain organizations overseas.

Mr. Ecker wrote, in a letter of June 6 to me: "The response to my letter of March 4 has been most gratifying. We have heard, in the most enthusiastic terms, from a great many insurance companies all over the country. I feel sure that most of them have taken some positive action along the lines we have suggested in the leaflet, What We Can Do. Also, stories have appeared in the insurance press throughout this country and, in some cases, overseas telling about the people-to-people program and about the activities of the insurance committee."

VARIED PUBLIC RELATIONS COMMITTEE WORK

Mr. Edward L. Lipscomb, of the National Cotton Council of America, described the broad-gaged activity of the public relations committee, of which he is chairman. For example, a four-page leaflet created by his committee is being distributed through the cooperation of the transportation industries committee in no fewer than 1 million copies.

"Within the next few days," he writes, "50,000 companion posters" are being printed.

A helpful four-page bulletin entitled "People-to-People News," produced by the public relations committee, is being sent to the key individuals engaged in this effort throughout our land.

LETTER WRITING OVERSEAS

From the chairman of the letter writing committee, Mrs. Anna Lord Straus, came word that her group will be more than happy to receive requests for overseas correspondents—requests which may come in to various Congressional offices—for overseas correspondents.

These requests from our constituents will be acted upon by arranging for the American letter writers to be put in touch with people of other countries.

GOOD WORD FROM EDUCATION COMMITTEE

From Miss Corma Mowrey, cochairman of the people-to-people education committee, came word: "We are grateful for your comments to the Senate."

And then the encouraging word that "This program has unlimited possibilities."

BOOK COMMITTEE REPORTS

From Mr. George Brett, chairman of the book committee of the People-to-People Foundation, came the good word, "When I say worthy cause, I feel that the PPP is just that. It does seem to me that the people of the United States could, through this magnificent idea of the President, effect a great deal of good will throughout the world." Various publishers, librarians, and other individuals in related fields are working with Mr. Brett.

MANY HOBBYISTS AT WORK

From Mr. Harry L. Lindquist, chairman of the hobbies committee, came a leaflet describing how American stamp collectors, coin collectors, people interested in antiques, models, prints and etchings, outdoor sports, photography, gardening, painting and sculpture, toolwork, printing, needlework, nature studies, ham radio, and many other fields, are beginning to take hold of the immense opportunities available to them to contact their opposite numbers abroad, through the PPP.

These, then, are but a few samples of how these outstanding American leaders are forging ahead in welding constructive links with people overseas.

LATEST FOUNDATION BROCHURE

I attach hereto two items which I believe will further illustrate this program. The first is the brochure which has just been printed by the foundation. I append to it the press release from Mr. Charles E. Wilson, as issued through the office of Mr. Ed Kirby at foundation headquarters, in room 603 of the Carnegie Hall Building, 881 Seventh Avenue, New York City.

The second is an illustration of what one of the committees can do, and is doing. It consists of the leaflet conveyed to me by Mr. Ecker, chairman of the insurance committee, to which I made reference at the outset.

MANY SENATORS INTERESTED

It is my intention at a later date to comment to the Senate on additional progress of the foundation, and I am asking one of the professional members of the Foreign Relations Committee staff as well, to extend further cooperation with this grand program. I know that my brother Senators on this committee and on other committees are proud, as I am proud, of this grassroots good-will effort.

STATEMENT FROM THE PEOPLE-TO-PEOPLE FOUNDATION, INC., ROOM 603, CARNEGIE HALL, 881 7TH AVENUE, NEW YORK, N. Y., MONDAY, JUNE 10, 1957

"People make the world go around, and it's high time people all over the world get to know each other—the sooner the better," said Charles E. Wilson, president of the People-to-People Foundation, Inc., in releasing an information brochure today, telling how it operates.

The "people-to-people" idea was conceived last fall when President Eisenhower appealed to a group of national leaders representing all phases of American social, civic, economic, and religious life to find not one method, but thousands of methods, by which people can gradually learn a little bit more about each other and thus create a friendlier world environment in which governments may find solutions for peace.

The foundation was subsequently chartered as a privately operated and financed corporation, nonpartisan and nonsectarian, designed to assist those agencies with programs and people already at work in the international exchange field, and to stimulate additional two-way communication between the American people and their world neighbors.

"Our American people want to know more about the people and the world we live in. To bring this about, 42 committees have been established to arouse two-way communication in every known area of human activity; 1,000 volunteer workers are now engaged in developing programs which will invite reciprocal action and counterpart organizations in every country of the world," Mr. Wilson declared.

"The work of these 42 committees embraces practically every know field of human interest and human relations. We will start wherever people's interests begin, whether it be in biology or bird watching, farming, 4–H Clubs, fine arts, education, religion, youth activities, music, or in 1 or more of the 62 hobbies being actively pursued

"Our job is to help establish personal connections between these people through their known interests. From such common denominators of interests will come people-to-people understanding about each other's ways of life, jobs, church, children, and hopes for the future," he said.

"The mass-communications industries are also with us," Mr. Wilson added. "We are receiving excellent support from the advertisers, the press, motion pictures, radio, and television. Each has its own way of transmitting ideas, and all are needed in this massive communications effort to make friends for America and to give other peoples the opportunity to be seen and heard and make friends with us," he said.

"We have enlisted the technique of our famous cartoonists as a unique means of conveying ideas, and we are inviting the cartoonists in other countries to bring us their messages, as well.

"Some 35 million foreign-born and first-generation Americans are writing over 200 million letters a year to their relatives and friends in their old countries.

"Additional hundreds of thousands of letters are being written by 'pen-pals' all over the world, arranged through schools, clubs, and churches.

"This year we have 37,000 foreign students in our midst, future prime ministers and national leaders. Hundreds of communities throughout the United States are enlarging their hospitality programs accordingly. Many cities have engaged in affiliations with other cities in Europe, Japan, and the Pacific region, exchanging teachers, pupils, officials, music, and art.

"Our Armed Forces are cooperating with steps to improve community relations in the foreign lands where they are still on duty patrolling the peace of the world.

"The 2 million Americans who are traveling abroad this year have been reminded that they have a face-to-face opportunity to make a friend or an enemy for the 160 million of us who stayed at home.

"We sincerely believe that people all over the world are ready as they never have been to respond to a people-to-people understanding. They are weary of war and rumors of war. And they want each other, as well as their governments, to know it. They know that never again can man resort to war as a means of settling disputes. Neither can they afford much longer the staggering debt of new armaments to build up a Frankenstein machine of defense which dare not be unleased, lest civilization be cremated. I am sure they feel as President Eisenhower felt when he told us, 'Every bomb we can manufacture, every plane, every ship, every gun in the long run has no purpose other than negative: To give us time to prevent the other fellow from starting a war, since they know we won't.'

"I am certain," said Mr. Wilson, "we will find people have more things which draw them together than those which drive them apart. Fear of the atom bomb is one thing which links all men; so is the love of their children. The only sure way to a peaceful as well as to a more pleasant world in which to live is through people-to-people understanding," Mr. Wilson concluded.

WHAT YOU SHOULD KNOW ABOUT THE PEOPLE-TO-PEOPLE PROGRAM—HOW IT OPERATES, WHAT YOU CAN DO

Officers: Dwight D. Eisenhower, honorary chairman; William J. Donovan, chairman; Albert C. Jacobs, vice chairman; Charles E. Wilson, president; George V. Denny, Jr., Richard R. Salzmann, vice presidents; William J. Vanden Heuvel, secretary; John L. Weinberg, treasurer.

Directors: Dr. Louis H. Bauer, Al Capp, William J. Donovan, Albert C. Jacobs, Judge Juvenal Marchisio, Mrs. William Barclay Parsons, Frank Stanton, Charles E. Wilson.

WHAT IS THE PEOPLE-TO-PEOPLE PROGRAM?

It is a program launched by President Eisenhower at a White House conference in September 1956. It is designed to promote contacts and activities among individuals around the world which will further international understanding and friendship. Private in character, the program is distinct from official Government activity. At the White House conference about 50 leaders in various aspects of our economic, social, and cultural life who had been appointed chairmen were asked to organize committees to develop not one, but thousands of methods of people-to-people contacts through every avenue of communication. The President

and the Secretary of State, after underscoring the natural limitations of the efforts of governments to maintain peace and to deal with the hazards of the present armaments race, called upon the committee chairmen to help create a climate in which governments can work more effectively toward securing peace with justice and liberty for all.

WHAT ARE THE COMMITTEES ACTUALLY GOING TO DO?

Each committee is autonomous and voluntary and is expected to initiate its own program in its particular field. For example: the letter writing committee is working with those organizations experienced in or desirous of stimulating person-to-person correspondence between individual Americans and individuals abroad. A nationalities committee, working with some 35 million foreign-born and first-generation Americans, is encouraging both letter writing and two-way travel to promote international friendship and understanding. The music, fine arts, cartoonists, books, and writers committees will promote the same objectives through both media and person-to-person exchanges. The advertising organizations, business organizations, business council for international understanding, the sports and youth committees, the transportation agencies and travelers committees will encourage emphasis on these objectives in worldwide conferences and meetings. The women's groups committee is undertaking a study of community reactions and resources concerning the thousands of foreign visitors, both students and leaders, who come to this country each year. The committee on medicine and health plans interchange at medical meetings and exchange of medical information. These are simply indicative of the variety and scope of the activities now in operation or planned by the 41 committees whose membership now includes nearly 1,000 distinguished leaders.

IS THE PEOPLE-TO-PEOPLE PROGRAM SOMETHING NEW?

No, it is not. People-to-people activities have been conducted by private organizations and also by Government for many years. The International Educational Exchange Service of our State Department will handle the exchange of some 6,000 persons this year (1957) and anticipates that this total will reach 8,500 next year. The Institute of International Education, a private, nonprofit agency which administers exchange-of-persons programs involving approximately 5,000 students, teachers, and others annually, has been in operation since 1919. It serves both Government and private organizations. The National Education Association, through its 74 units, conducts international educational conferences, administers an Overseas Teacher Relief Fund, conducts teacher travel tours in more than 50 countries, participates in student exchange programs, publishes pamphlets, guides, manuals, teaching devices which go to all parts of the world, and entertains more than 600 foreign visitors each year. The American National Theater and Academy (ANTA), through the President's fund and in cooperation with the State Department and USIA, sends representative artistic groups and individuals abroad to reflect the cultural side of American life to peoples of other nations, and arranges the appearances of similar groups from abroad before American audiences. Of course, churches and other religious organizations all have, as an integral part of their own life, people-to-people contacts around the world.

HOW THE PROGRAM DEVELOPED

During the past 10 years the National Agricultural Extension Service has developed the National 4-H Club Foundation which has sponsored, organized and carried on the International Farm Youth Exchange (IFYE), under which outstanding 4-H young people from our country are sent to live for some months with farm families in other lands, which in turn send some of their young people to live in farm homes in this country. In 1956 62 young Americans spent 5 months in European and Near East homes under this plan, and 77 from South America, Asia, and Latin America lived with us about the same length of time. The Experiment in International Living, the American Friends Service Committee, Rotary International, and the American Association of University Women are but four of many private American organizations which have pioneered successfully for many years in people-to-people activities. The Institute of International Education census, included in their publication Open Doors, shows for 1956-57 that there are about 33,000 foreign students now in our colleges and universities. With the technicians, specialists, and leaders brought under the International Cooperation Administration and other Government programs, and the foreign students here in secondary schools, the total figure for foreigners in all these categories coming to the United States annually is approximately 60,000.

THE PRESIDENT'S CALL TO THE PEOPLE

When President Eisenhower announced his people-to-people program at a White House conference last September, he was putting an emphatic stamp of approval on these and similar activities. Moreover, for the first time in history, the head of a great State called on the people, as private citizens, "to get together * * * to work out not one method but thousand of methods by which people can gradually learn a little bit more of each other." This is essentially the purpose of the people-to-people program.

WHY THE PEOPLE-TO-PEOPLE FOUNDATION?

It became apparent at once that such a vast program as that called for by the President would require equally substantial financing. The Government, through its various agencies, was spending an estimated $40 million on people-to-people activities, not including the Voice of America. Private organizations, whose activities were almost wholly unrelated, were spending an estimated $20 million. The need was clear for a central agency to raise funds from private sources and to provide machinery for ready exchange of ideas, techniques and inspiration. On February 4, 1957, the People-to-People Foundation, Inc., was formally organized with the committee chairmen serving as trustees, eight of whom were elected to the board of directors.

WILL THE FOUNDATION RAISE ALL THE MONEY FOR THE PEOPLE-TO-PEOPLE PROGRAM?

No. Each committee is independent and autonomous and may work through and with many organizations and institutions. Most of these have long established loyalties and sources of revenue. The foundation will seek financial support for new and effective methods of expanding and strengthening people-to-people contacts around the world, and for the increase and expansion of activities based on the sound principles developed over the years by the pioneers in the field. The foundation will assiduously avoid competition with any established people-to-people enterprises, government or private.

ARE PEOPLE-TO-PEOPLE FOUNDATIONS IN OTHER COUNTRIES ANTICIPATED?

Definitely. The people-to-people program is a two-way program. The United States has a great deal to learn from other cultures and peoples. Mr. Charles E. Wilson, president of the foundation, in a recent speech stated:

"I can envision, in the not too distant future, groups of individuals representing our 41 committees going to the 4 major areas of the world: Europe, the Near East, the Far East, and Latin America—to learn from personal association with the people themselves something of the truth about the situations in these areas. We want to sit down and talk with our world neighbors, to listen to whatever they have to tell us, to attend their sports events, their dances, their schools and churches, and to meet with them on their farms and in their factories. * * *

"And when we have set our programs in motion, may we not expect counterpart organizations to be established in other countries where people share our vision of a peace made secure through people-to-people associations?"

WHAT ABOUT CONTACTS WITH PEOPLE BEHIND THE IRON CURTAIN?

The object of the program is to establish understanding and friendship with people wherever they may be. But we all recognize that difficult problems exist with respect to reaching those peoples now living in police states. President Eisenhower recognized this in his talk last September when he said:

"In short, what we must do is to widen every possible chink in the Iron Curtain and bring the family of Russia, or of any other country behind that Iron Curtain, that is laboring to better the lot of its children—as humans do the world over—closer into our circle, to show how we do it, and then to sit down between us to say, 'Now, how do we improve the lot of both of us?'"

WHAT CAN BE ACCOMPLISHED THROUGH A PEOPLE-TO-PEOPLE PROGRAM?

President Eisenhower put it this way:

"Every bomb we can manufacture, every plane, every ship, every gun, in the long run has no purpose other than negative: to give us time to prevent the other fellow from starting a war, since we know we won't.

"The billions we pour into that ought to be supported by a great American effort, a positive, constructive effort that leads directly toward what we all want: a true and lasting peace."

STATEMENT FROM INSURANCE COMMITTEE, PRESIDENT EISENHOWER'S PROGRAM FOR PEOPLE-TO-PEOPLE PARTNERSHIP, 1 MADISON AVENUE, NEW YORK, N. Y., MARCH 7, 1957

Several thousand insurance chief executives were urged yesterday to integrate their company efforts with President Eisenhower's people-to-people program for better international relations.

In an appeal to the insurance executives, Frederick W. Ecker, president of the Metropolitan Life Insurance Co. and chairman of the Insurance Committee of the People-to-People Partnership Program, proposed a wide range of special activities which the insurance companies and their personnel could undertake toward development of better overseas relations. The proposed undertaking went to the officers of 4,225 accident and health, casualty, fire and life insurance companies, stock and mutual, throughout the country.

"The purpose of the program is to enlist the friendship-making and opinion-molding capacities of individual Americans in order that they and individuals in other countries may become mutually better acquainted," Mr. Ecker said. "The end in view is to help to build the road to an enduring peace. This is a job in international relations which can be done by all of us."

John A. Diemand, president of the Insurance Company of North America, is vice-chairman of the committee; Devereux C. Josephs, chairman, New York Life Insurance Co., is treasurer; and Chester L. Fisher, Jr., Metropolitan Life Insurance Co., is secretary.

The insurance company executives were urged continuously to reemphasize the statement by President Eisenhower, in launching this program, to the effect that "there is no problem before the American people—indeed,

before the world—that so colors everything we do, as does the problem of preserving the peace and providing for our own security."

The President was also quoted as saying that "if our American ideology is eventually to win out in the great struggle being waged between the two opposing ways of life, it must have the active support of thousands of independent private groups and institutions and millions of individual Americans acting through person-to-person communication in foreign lands."

A long list of possible activities for the insurance offices was proposed, including:

Survey of company personnel for language talents and foreign acquaintances.

Use of company house organs for messages.

Promotion of personal correspondence, person to person, by company personnel, to foreign contacts.

Greetings abroad on significant occasions.

Mailing inserts in overseas correspondence.

Contact booklets for personnel, policyholders, and stockholders.

Personnel exchanges.

Encouragement of travel, including possibility of extra vacation time for purpose of making foreign insurance contacts.

Hospitality programs, to welcome foreign visitors in this country.

Establishment of American bookshelves in foreign insurance offices, libraries, schools, and hospitals.

Book and magazine distribution overseas.

Social contacts, including son or daughter exchange-visits.

Insurance press and insurance meeting interchanges. Routing of some foreign-trade publications through the company offices.

Address by Hon. Chapman Revercomb, of West Virginia, Before the Southern Conference of Young Republicans Federation

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EXTENSION OF REMARKS

OF

HON. CHAPMAN REVERCOMB

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I delivered before the Southern Conference of Young Republicans Federation, in Charleston, W. Va., on April 13, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

It gives me real pleasure, indeed, to address this regional conference of Young Republicans. The enthusiastic interest your organization has taken in the political life of the Nation is inspiring indeed, and I commend you for the splendid work you are doing. You are making a great contribution to the Republican Party and to the Nation's progress.

Youth has a very important place in the political life of our country. No institution, however noble its aims and objectives, can long survive or remain strong unless it attracts new vitality. The surest way to kill any institution is to close its doors to young people. You who are assembled here today represent the leadership of the Republican Party of the future. You are wanted—you are needed—for the Republican Party has a place for every American, young or old, from every walk of life, who believes in the basic principles that brought about our party's creation, and which have guided it for more than a century.

The Republican Party can have but one objective if it is to serve its purpose. That objective must be to provide good government in the best interest of all Americans including primarily the maintenance of the liberty of its citizens and the security of the Nation.

Any political party that is to survive for long must be motivated by two things.

One, it must subscribe to a set of basic principles that are vital to the welfare of the country.

Two, it must be capable of meeting new problems as they arise.

Our country is faced with new and serious problems, and we know that they must be solved. This is no time to argue over party labels. This is no time to expend our energies and dissipate our strength in intraparty dissension over trivial issues. We all subscribe to the sound basic principles that have defined the Republican Party from its inception, and as far as I am concerned, these principles are as adequate for meeting the problems of this day as they were for solving the problems that confronted the Nation 100 years ago.

Our first concern as a political party must be to govern well, to meet new problems as they emerge in this rapidly changing age.

Our second concern should be to maintain a strong, united party dedicated to the country's welfare.

Our third concern should be to interest more Americans, particularly young people, in those basic principles on which our party was founded.

Let me say at this point that no political party can justify its existence unless it proves capable of solving new problems as they arise. Eighteenth century thinking is insufficient to cope with 20th century needs. As each case is new, we must think anew and act anew.

The Republican Party was established on principles that provide the framework for achieving the greatest good for the greatest number of people, the old as well as the young, the man who meets a payroll as well as the man who works for a wage. Our concern must be as much for the welfare of those who are physically and mentally unable to care for themselves as for those who captain our industries. And I contend that there is room within the framework of the Republican Party for men and women of every age, of every walk of life, who believe in the basic principles which have guided our party all through the years.

And it is my conviction that within the framework of these basic principles we can find a solution to the problems of this century. However, we must recognize these problems and proceed to meet them head-on with effective measures if we are to preserve the kind of America that we would like to leave to our posterity.

The big task facing the Republican Party today, as I see it, is twofold.

First, it is to work toward a condition of peace so that our people may not have to live under a cloud of atomic war. With peace in a practical world goes the necessity of strong defenses lest our desire for peace fails, and we are put to the use of arms for our security.

Second, it is to foster the kind of economic system that provides the greatest good for the greatest number.

In the field of foreign relations, we must recognize the fact that America cannot afford to go it alone. We must recognize the fact that alliances are as vital to our own security as they are to the freedom and security of other nations which subscribe to our way of living.

In the face of the ever-present threat of Communist enslavement, in the face of a constant danger of attack by nuclear weapons, isolationism is as impractical in the field of foreign relations as the horse and buggy are in today's industrial society. We must strive to live at peace with all nations, but to seek refuge in the belief that we can find security as an "island fortress" in this age of H-bombs and guided missiles is folly of the worst sort. We must go out to meet this dangerous expansion before it engulfs our own shores. That is the aim of the Eisenhower foreign policy. I believe that it offers the greatest security for America and, at the same time, provides the best approach to world peace.

We must support a strong national defense, so vital to the security and well-being of every American. It is true that almost two-thirds of the Federal budget now goes for defense purposes—but I say to you, in all earnestness, that so long as our freedom and security are threatened from without by those who would enslave all peoples, we cannot—we must not—weaken our defenses.

Equally as important as a strong defense is the fostering of a sound economy here at home.

In many parts of the world, even in non-Communist countries, the theory that government should be the source of all planning and all control has gained great headway. Yet, when we contrast the remarkable success of a free economic system in the United States with the comparative poverty and dissatisfaction in foreign nations, it is easy to see the superiority of our system of government. Liberty has succeeded in developing original thinking, original methods, and new ideas. It has succeeded in giving wide distribution of property and income to our people. It has brought about a steady rise in the standard of living enjoyed by all the people. We must conclude, therefore, that only the free can solve the problems of production.

During the past 4 years of the Eisenhower administration the country has enjoyed its greatest industrial expansion in history. The output of goods and services has set one record after another. Employment has reached an all-time high. Our people earn higher wages than ever before—they are better fed, better clothed, and better housed than ever before. The Nation's industrial capacity continues to expand at a healthy rate, creating new jobs for a rapidly growing population. According to the latest report from the Department of Labor, nearly 800,000 more people were employed in March of this year than in March a year ago.

I consider it imperative, therefore, that we maintain a climate that is favorable to economic growth and expansion. For, let us remember that it is only by maintaining a strong, healthy productive industrial system that we can hope to improve the living standard of all the people. This country has advanced to a favored position among the nations of the world because the individual has enjoyed the right to keep the proceeds of his own efforts. To destroy that incentive is to invite economic decadence.

At the same time, we must recognize the importance of sound fiscal policies. We must seek to curtail Government spending wherever it can be achieved without weakening our defenses or impairing essential public services vital to the well-being of the people.

Foreign spending for economic aid to others can be curtailed. Not only are those countries now on their financial feet but they have risen to new heights of economic soundness.

We must think not only in terms of operating under a balanced budget, we also must look to retirement of the national debt—and we must look to the earliest possible relief for the tax burden our people are bearing.

In our desire to effect economies, however, we must exercise caution. The meat-ax approach to budget cutting is neither wise nor practical. I am for reducing the budget, to be sure, but I do not favor postponing or eliminating those public-works

projects which add to the Nation's wealth, which provided jobs for our people, and which are vital to the economic expansion of the country. Improved highways, for example, are a necessity. They cost a great deal of money, but those who call for great reductions in Federal spending would be the last to say that we should junk the new Federal-highway program. On the contrary, this program should be accelerated as much as possible if our highway transportation system is to keep pace with the Nation's industrial growth. Likewise, conservation of our soil and water, for which a great deal of money is being spent, is too important to the Nation to neglect.

I cite these as examples of Federal programs that should not be eliminated or curtailed.

Living as we are, in a society that is highly industrialized, in which an overwhelming majority of our people must look to industrial employment for a livelihood, it becomes a responsibility of the people, through their government to care for those who are unable to care for themselves. It is a moral obligation of government to provide the minimum needs of the aged and the handicapped.

I believe the American people are convinced that with the tremendous productivity of our free country, we can prevent extreme hardship and poverty in the United States. I favor liberalizing the Social Security Act to permit all permanently disabled workers over 50 to receive benefits. How much better, it seems to me, to have these people qualify for disability pensions under social security than to compel them to depend on public relief, as so many are now required to do under the present rigid provisions of the social security law affecting disability benefits.

Another problem peculiar to our highly industrialized civilization is the decrease in job opportunities for those workers between the age of 40 and retirement. Many industries have shown a greater preference in recent years for younger workers, making it increasingly difficult for the older age worker to obtain new employment after he reaches the age of 40 or 45. This, perhaps, is not a problem that can or should be solved by legislation. However, it is imperative, I feel, that the older age group receive greater consideration in job opportunities if we are to prevent a needless waste in human resources and provide for this great body of citizens a feeling of reasonable security. We must recognize this as one of the human problems of the 20th century and seek its solution. The Government can and should take the lead in encouraging more job opportunities for the older age group on Government works and services, while private industry must be prevailed upon to recognize the growing seriousness of this problem and work toward its solution.

Still another problem we must recognize is that which faces small business in this age. Despite the high level of prosperity the country as a whole is enjoying, this segment of the business community is experiencing hardships.

The smaller business enterprises, employing only a few workers, are as vital to the Nation's economic well-being as the giant corporations employing thousands. They must be given encouragement to grow and prosper. There is no better way to assist small business, in my judgment, than to provide it with much-needed tax relief this year. It is my hope that general tax reductions for the individual can follow no later than next year. That is a goal on which we must set our sights.

I have tried to outline what I believe should be the role of the Republican Party now and in the future. Our big responsibility is to meet and solve human problems, to work toward a stable peace, and to maintain a strong economy here at home. And to achieve those aims, we must enlist the aid of every American who believes in the basic principles of human liberty and a free economy.

John Hanson, of Maryland

EXTENSION OF REMARKS

OF

HON. JOHN MARSHALL BUTLER

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Wednesday, June 12, 1957

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an article entitled "President for a Year," written by Kyle Smith, as it appears in the July issue of American Mercury magazine.

Also, it is requested that this article be followed by a speech on the subject of John Hanson, of Maryland, which I delivered on March 22, 1957, before the Maryland Society of New York.

There being no objection, the article and address were ordered to be printed in the RECORD, as follows:

PRESIDENT FOR A YEAR

(By Kyle Smith)

His likeness stands in Statuary Hall in our Nation's Capitol, yet few of the thousands of annual visitors give it more than a passing glance. He had a rendezvous with destiny in shaping America's future, yet most history books omit mention of his name.

Despite this neglect, those rare students of history who delve into the annals of the Continental Confederation period generally agree that, were it not for the stubborn idealism of this man, Wisconsin might now be a part of Massachusetts, New York could lay claim to Kentucky and part of Ohio, and Illinois, Michigan, and Indiana might be territorial possessions of Connecticut. In fact our entire westward expansion, step by giant step in the form of free and independent States, would have been jeopardized.

The name of the man the history books forgot is John Hanson.

Among his partisans are those who claim he should be officially recognized as our first President. It can be argued that if we were to reckon historical periods as does France, for instance, he would be ranked as the first President of our first Republic.

John Hanson was born at the family estate of Mulberry Grove, Charles County, Md., on April 3, 1721. His family history bears a touch of high romance due to the marriage of his great-great-grandfather, a humble London merchant, to the granddaughter of the Vasa line of Scandinavian kings. Their son, the first John Hanson of the line, was killed in the Battle of Lutzen during the Thirty Years' War while vainly attempting to shield his cousin, King Gustavus Adolphus. In recognition of his heroism his sons were later given grants of land in the colony of New Sweden in the New World.

He grew to manhood during the turbulent years of Maryland's history when she was being passed back and forth among British royal claimants like a shuttlecock in an imperial badminton game. He also had a first-hand chance to observe the conduct of the French and Indian Wars in which incompetent British military leaders were unable to stem defeat without the assistance of young George Washington and his colonial recruits. John Hanson was one of the country's leaders who read the signs of the times aright.

He served the State of Maryland continuously in public office from 1756—when he was elected to the Maryland Assembly—until his death in 1783.

Immediately after the news of Bunker Hill on June 15, 1775, he assumed leadership in organizing two companies of riflemen. All Marylanders, however, were by no means eager to risk their fortunes by plunging into war against Britain. The State was enjoying prosperity, had grown to fourth in population, and suffered no pressing grievances at the moment. But to John Hanson the road ahead was clearly defined. He demonstrated his firmness of purpose at a special meeting of the Maryland Provincial Convention held on the eve of the Revolution.

A resolution was under consideration which, if adopted, would put Maryland in the war forthwith. Opinions pro and con were heatedly aired. The moment was critical. There was even talk of a compromise.

Suddenly a tall, vigorous, middle-aged man rose to address the chair. His air of quiet authority drew the attention of every man in the chamber. It was John Hanson.

"These resolutions ought to be passed, and it is high time," was his terse comment.

He sat down, and, in a characteristic gesture, folded his arms. After a moment of dead silence someone made a motion that the resolutions be adopted without delay. This was done enthusiastically, unanimously. Maryland had entered the Revolutionary War.

Even at the beginning of the war, when the odds against the untried Continental Army seemed overwhelming, he had no doubt as to the outcome.

"We will win the war with George Washington in the field if we do our share at home," he wrote to a friend. "In the end we will establish an Inseparable Union, and ultimately it will become the greatest Nation in the world."

Concurrently with the progress of the war his own greatest battle, the western lands fight, was shaping up.

Love of the grand gesture by European monarchs, and cartography that was more fanciful than accurate, were factors that threatened to disrupt the new Nation while it was a-borning.

In 1609 James of England granted to Virginia a section of land "from Point Comfort 200 miles southward along the seacoast, and all the land throughout, from sea to sea, west and northwest."

In 1662 Charles II gave the State of Connecticut grants for a large part of what is now Ohio, Indiana, Illinois, and Michigan. Two years later he gave his brother James land holdings in Ohio and Kentucky. When James became king he gave this territory to the State of New York.

In 1691 William and Mary gave to Massachusetts what is now southern Michigan and most of Wisconsin.

Other States had lesser claims, and confusion was worse confounded by the superimposed claims of private land companies with loosely drawn charters.

In 1775 the colonies were largely governed by customs that had grown into laws. The organization that existed between them could hardly be called a Congress. In recognition of the need for unity and power in a more centralized government the Articles of Confederation were drafted in 1778 and submitted to the States. It took very nearly 4 years to bring about their ratification.

No provision had been made in the articles for the disposition of the western lands. It was taken for granted they would become the property of the States having the best claim to them. This was the familiar pattern of the times. This was the premise on which the delegates laid their plans.

All but John Hanson. In the free and independent union he envisioned for his country, such a procedure would be an anachronism.

Hastily summoning the Maryland delegation, he set forth his views and, as usual, got their support. They advanced a resolution

which exploded in the convention with bombshell force. It read:

"That the United States in Congress assembled shall have the sole and exclusive power to ascertain and fix the western boundary of such States as claimed, to the Mississippi or South Sea (Gulf of Mexico), and lay out the land beyond the boundary so ascertained into separate and independent States from time to time, as the circumstances of the people may require."

This resolution was promptly buried. It received only one vote. In its place a proviso was added that no State be deprived of property for the benefit of the United States.

This was the signal for furious activity. States, anticipating great profits, set up land offices and prepared to sell off their possessions.

In the midst of the turmoil sat John Hanson with folded arms, adamant against any compromise. The backlands must become the property of the Nation as a whole. Any other course, he maintained, would be attended by "great mischiefs."

As he predicted, the "mischiefs" came about. The scramble for profits caused strained relations between the States. Problems of administration began to pyramid. Tempers flared; claims and counterclaims flew.

Finally Virginia revealed an attitude of compromise. New York followed, and the stalemate was broken. Victory for the Maryland resolution was in sight. On March 1, 1781, ratification was complete. The Continental Congress was a thing of the past, and the Continental Confederation came into being.

Of this event Gilbert Grosvenor, president of the Geographic Society, wrote in the National Geographic magazine of February 1927:

"To the illustrious Marylanders, John Hanson particularly, belong the credit of suggesting and urging a policy that changed the whole map of the United States and the whole course of our national life.

"Ohio, Michigan, Wisconsin, and Minnesota are States in the Union today because of the practical sagacity of these men."

The first action of the Confederation was to elect John Hanson president, on November 5, 1781.

The first communication issuing from this country to bear the constitutionally authorized designation, "President of the United States in Congress Assembled" was a letter sent by Hanson to Louis XVI of France shortly after he took office.

The term "Do-nothing Congress" could hardly have been applied to this first legislative body. In addition to routine matters they accomplished the following:

Established the American consular service by exchange of consuls with France.

Inaugurated a penal system for the States.

Authorized the first United States census.

Granted a charter to the Bank of North America, the first bank in our history under national auspices.

Organized an Inspector's Department of the Army with Baron von Steuben in charge.

Adopted the great seal with its motto, "In God We Trust."

Floated its first international loan.

Endorsed ratification of a treaty between the United States and Holland.

Initiated the franking privilege for Congressmen, and authorized free postage for men in military service.

This strenuous term of office, following as it did upon his arduous war activities, proved to be too great a tax on John Hanson's health, and he became ill. He urged the Confederation to appoint a successor, but this they refused to do. After an absence of a few weeks he returned and served the remainder of his 1-year term.

Shortly after his retirement from office he was again stricken, this time fatally. He died November 22, 1783, at his home in Frederick County. He was buried at Oxon Hills, Md.

A fitting epitaph might be the words of Justice O. W. Holmes, who in referring to him in his speech on heroes and idealists, said:

"Men who never heard of him will be moving to the measure of his thought."

JOHN HANSON, OF MARYLAND

(Address by Senator JOHN MARSHALL BUTLER, Founders' Day dinner, the Maryland Society of New York, March 22, 1957)

Mr. Chairman, distinguished guests, ladies and gentlemen, before proceeding with my prepared remarks, may I take this opportunity to thank you, Mr. Chairman, in particular, and the membership of the Maryland Society of New York, generally, for the lovely treatment accorded my wife and me during our brief stay with you.

Your chairman was most gracious, leaving to me the choice of a subject upon which to speak, so long as it was not political.

Knowing of no people who take greater pleasure and pride in the life and deeds of our founders than we of the Free State of Maryland, I have selected as my subject John Hanson, of Mulberry Grove, one of two great men whose statues honor Maryland in Statuary Hall in the Capitol at Washington; the other being Charles Carroll, of Carrollton, a signer of the Declaration of Independence.

I have chosen to speak of John Hanson, who, as I will point out later, was referred to as "the President of the United States in Congress assembled" for two reasons. First, he was one of the alltime great men of America, and, second, his fame, in my opinion, has never equaled his magnificent contribution to the solid foundation of our State and Nation. John Hanson, of Mulberry Grove, was a descendant of John Hanson who was a second cousin to the King Augustavus Adolphus of Sweden, both of whom fell at Lützen in 1632. The Hanson, who fell at Lützen beside his king, had four sons who, after the death of their father, became the wards of Christiana, daughter of Augustavus Adolphus, who succeeded to the throne of Sweden. It is quite apparent that those four wards of the queen were not overly endowed with worldly possessions, as we find them 10 years later—when the oldest was but 25 and the youngest, 12—shipping off with John Printz, the newly appointed Governor of New Sweden, for adventure in the New World.

Four years earlier, the first Scandinavian colony in the New World had been established when, in the middle of March 1638, two small ships under the command of a Dutch captain named Peter Minuit and bearing immigrants from Sweden and Finland—the latter having been long a part of Sweden—made safe harbor in Delaware Bay, proceeded up the Delaware River to the Brandywine and there made port at what is now Wilmington.

This colony existed under Swedish rule for 18 years when by force of arms it came under Swedish rule and later under British rule until the day of independence. During this whole period New Sweden retained its Scandinavian characteristics and racial basis, and from it went stalwart men and women into the nearby settlements of Pennsylvania, New Jersey and Maryland,the four Hanson brothers being among those who moved over the Elk River trail into Maryland.

The youngest of the four, John Hanson, was the grandfather of John Hanson, of Mulberry Grove. He went first to Kent Island and then to St. Marys, the capital of the Calverts. He did not long stay in St. Marys, for as early as 1656 we find him in Charles County, the newly developing section of the State of Maryland, centering around Port Tobacco where Protestant settlers were clearing land and building homes.

Within a few years he was well established and was spoken of as Col. John Hanson. He had 7 children, the youngest of whom was Samuel—who had 6 daughters and 4 sons—of whom the famous John Hanson of the Continental Congress was the fourth, born in 1715 at Mulberry Grove, the family estate overlooking Port Tobacco Creek in Charles County.

John Hanson of Mulberry Grove spent his early manhood in an atmosphere of revolution. The American revolution has many breeding grounds. Massachusetts was the first. Virginia, Pennsylvania, New York, and Maryland were others. When patriot met patriot brave and wise words were spoken. At no place were there more meetings of this character than in Maryland; at no place in Maryland than in the little group of homes centering on Port Tobacco Creek in the southern part of Charles County. Such men as the Stones, the Jenifers, Hansons, Craiks, Browns, Smallwoods, Howards, Briscoes, Thomases, Mitchells, and Contees lived there. The place was indeed the crossroads of the American colonies, for there were the ferry crossings of the Potomac used by men of affairs from both the North and the South. George Washington was a friend and neighbor of them all. Indeed so close and endearing was the relationship that it was to Dr. Craik and Dr. Brown that Martha Washington, the wife of the first President, turned in his last illness.

Living in this atmosphere, it was but natural that young Hanson took to politics. He was elected term after term to the Maryland House of Delegates. He was there when the share of the tax England sought to levy on the Colonies for the French and Indian War was debated. The stamp tax, the Boston Tea Party, and other issues in quick succession were to result in war. Revolution was brewing. In the midst of all of this John Hanson of Mulberry Grove took a remarkable step. He moved with his family to Frederick, Md.

This was in 1773 on the very eve of the Revolution, and he was then 58 years of age. Why the move was made remains a mystery. But the West was then beckoning and perhaps Hanson saw a better opportunity to serve his State at this western outpost. Charles County—he may well have reasoned—still had the Stones, the Jenifers, and others.

He remained a member of the house of delegates from Charles County until 1773 when, upon his removal to Frederick, he was elected a member to that body from his new county. He became immediately a man of great influence. He had much political experience; he was a man of mature years; he had many friends throughout the State. In addition, he was a man of considerable wealth. Overnight Frederick County had found a man who had no peer in the province, who was loved and respected by all, whom the State could give to the coming Union of States.

Events were moving fast. A meeting over which John Hanson presided at Frederick courthouse in June 1774, adopted a resolution declaring that the cause of the Massachusetts colony was the cause of all, pledging the cooperation of Frederick County and urging the State of Maryland to join the other Colonies to advance this common endeavor. Thereafter delegates, headed by Hanson, were sent to Annapolis to attend a general congress. This general congress, which later became known as the convention, sent delegates to a general congress of the Colonies to be held at Philadelphia.

The British moved out of Boston; Paul Revere made his famous ride; American patriots fell at Lexington and Concord. It was necessary, indeed imperative, that Frederick County have some form of government if it were to render effective and timely help to

a new nation in the making. A committee of observation was formed, of which John Hanson was a member and the guiding spirit. Hanson had been tolerant of debate, patient of delay, but now was the time of action. He hurried back from Annapolis to Frederick County, raised two companies of troops to go to Boston. They were the first armed force ever to cross Mason and Dixon's Line to join up with the Green Mountain and the White Mountain boys in the cause of freedom under the banner of his young friend and neighbor of Charles County days, George Washington.

Hanson was a man of fertile mind. He did not overlook even the slightest detail. As the guiding spirit of the committee for observation, he established patrols of minutemen throughout western Maryland which resulted in the exposure of the Dunmore conspiracy which, had it succeeded, would have brought the Indian tribes into the war against the Colonies. During these trying days John Hanson, between trips from Annapolis to Frederick, was building a gunlock factory and barracks at Frederick.

He never became so immersed in these subsidiary activities as to be out of touch with the debate then going on in the convention at Annapolis touching upon the question of how far Maryland would support the resolutions of the Continental Congress, it having earlier instructed her Delegates not to sponsor a final break with England until so specifically advised. Not until June 1776 were these instructions altered. John Hanson, upon that occasion, closed the debate with these words: "These resolution ought to be passed, and it is high time."

And pass they did, making it possible for Maryland's men in the General Congress of the Colonies to vote for independence.

The Congress, which on July 4, 1776, voted for independence, could not really be considered to be a Congress. Its Delegates had no authority but to debate and advise—each Colony retaining unto itself to act as it pleased, notwithstanding the action of the Congress. It was but a coalition of brave men with a common purpose. The need for a more perfect government was apparent to all; but such was not to be. At least, not for another 5 years, because John Hanson at that time took a stand on principle which he had to win if the peoples of the new Nation then in the making were to live in peace and harmony together.

Hanson's stand was in opposition to the land claims of Virginia, New York, Pennsylvania, and Connecticut. Their claims arose out of the undefined and, therefore, indefinite distance to which they believed their land extended westward.

To fully understand the war of politics which underlay the war of independence, one must make a brief review of the land claims which had grown up in Colonial America. For instance, when Peter Minuit landed at Wilmington, in 1638, he immediately negotiated with the Indians for the purchase of land. The deed of conveyance for the land described the northern, eastern, and southern boundaries of the land with some particularity, but the western boundary of the land conveyed was described as extending westward for an "undefined or indefinite distance." This same language had been used in many of the grants from the King and in others; and it, therefore, seemed that the States of Virginia, Pennsylvania, New York, and Connecticut had valid claims.

This immediately put John Hanson in a very difficult and embarrassing position. He was a close friend of Gen. George Washington, and was devoted to the cause of liberty, yet he was obliged, for the sake of principle, to lead the political opposition which seemed, at that time, to make union impossible. He was to hear it said many times that he was hindering the prosecution of the war for independence.

Twelve of the 13 Colonies had voted to ratify the Articles of Confederation. It was Maryland alone who stood out and refused to ratify. It was John Hanson who introduced the Maryland resolution as an amendment to the Articles of Confederation in this language:

"That the United States in Congress assembled shall have the sole and exclusive right and power to ascertain and fix the western boundary of such States as claimed to the Mississippi, or south sea, and lay out the land beyond the boundary so ascertained into separate and independent States from time to time as the number and circumstances of the people may require."

This resolution was buried and the other 12 colonies pressed their fight for the ratification of the Articles of Confederation which contained a clause that no State should be deprived of any territory for the benefit of the new Union.

As time passed, the pressure on Hanson grew, but he stood firm. He reasoned that in the end his plan to let the Nation grow by federalizing the western lands must prevail. Otherwise, he said those who objected to colonialism, while fighting it from abroad, would be imbedding it in the American system. The opponents of the Maryland resolution accused Hanson and the men of Maryland of blocking union and hindering the war effort. They likewise said that we were using our geographical location to block traffic between the North and the South which, of necessity, must flow through our State if the war were to be prosecuted with effect. Hanson countered by saying: "Suppose Virginia sold her western lands and thereby raised enough money so it would not be necessary for her people to pay taxes, would not Marylanders then desert Maryland and move to Virginia in order to avoid paying the taxes laid upon them by the colony of Maryland?" He also reasoned that if the frontier was to be owned by only a few of the several States of the new Union, would all of the States join together to fight to defend it? He further asked whether the land-rich colonies were ready to be taxed acre for acre with the others for the prosecution of the war. Otherwise, he urged, they should surrender their claim to such lands.

As the dispute wore on, the chance of compromise with England grew more remote; and the idea of perpetual union grew stronger in the minds of all Americans. Hanson's idea of a Nation which would grow in area and numbers, adding new States to the 13 along the seaboard as the population and situation warranted, was beginning to be understood by his fellows in the Continental Congress. The State of New York was first to give in and cede its western lands. Hanson's far-seeing plan for a great America had won approval. The Articles of Confederation were ratified, and a Nation had been born. Hanson had made a monumental contribution to his new country.

John Hanson was elected to the Continental Congress in December 1779. For him, the transition from the local to the national scene was not too sharp because, as I have pointed out, debate had been had in the Maryland Legislature of which Hanson was a leading member on most, if not all, of the issues then before the Congress. But it is not to be assumed that his duties were to be made easy. The western lands question had made Maryland's position difficult and trying. Hanson must do double duty. His State must do more than was asked of it in the prosecution of the war if its position on the lands issue was not to be misunderstood.

Hanson was more than 66 years of age—one of the oldest Members of the Congress. But 3 short years before, his son, Peter Hanson, a lieutenant of the Maryland line, had fallen mortally wounded at Fort Washington. Notwithstanding, the many handicaps under which he labored, his services were of such high order that he was reelected to the Congress for a second term in February 1781—taking his seat on February 22—a birthday then not celebrated and perhaps not even noticed.

On November 5, 1781, John Hanson was unanimously elected president of the Continental Congress. He was the first to ever be elected to that position for a definite and stated term and hence has many times been referred to as the first President of the United States—his title being "President of the United States in Congress Assembled."

While we of Maryland most willingly accept this most glorious appellation for our very distinguished and revered forebear, substantial basis for the claim that he was the first President is not to be found in the history of our State or Nation. But, John Hanson was, nonetheless, one of the great men of his time, one of the great men of our history, one of the founders of our State and Nation. He was almost solely responsible for the fight which made the United States a country which, from the very beginning could live in peace and harmony with itself and his foresight and courage have never been surpassed by any Marylander from his day forward.

Thank you.

SENATE

THURSDAY, JUNE 13, 1957

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, with the gates of the morning, open to us, we pray, the portals of a wayside shrine of Thy sustaining grace, for these are times that try our souls, and the margin of our inner strength seems often perilously low. We are standing in the need of courage and fortitude and stability. With the light that never fails upon the way our feet must take, send us forth forgiven, cleansed, and strengthened with might.

As we turn to waiting tasks, may the love of friends, the confidence of those who trust us, the spur of conscience, the vision of our best which lures us, be the high white stars to lead us on o'er moor and fen and crag and torrent, till the night is done and the gates of the morning open into the light of eternal day. We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., June 13, 1957.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBERT GORE, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. GORE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Wednesday, June 12, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees were authorized to meet during the session of the Senate today:

The Committee on the District of Columbia; and

The Committee on Finance.

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Foreign Relations was authorized to sit during the session of the Senate today.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The ACTING PRESIDENT pro tempore. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Loftus E. Becker to be legal adviser of the Department of State.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of James M. Langley to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

The ACTING PRESIDENT pro tempore. Without objection, nomination is confirmed.

The Chief Clerk proceeded to read sundry nominations of Foreign Service officers.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations of Foreign Service officers be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE FEDERAL MARITIME BOARD

The Chief Clerk read the nomination of Ben H. Guill to be a member of the Federal Maritime Board.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The ACTING PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

LEGISLATIVE RECORD

Mr. JOHNSON of Texas. Mr. President, this has been a very productive week. The Senate—by hard work and perseverance—has disposed of four appropriation bills.

We now have before us the mutual security authorization bill. It is my hope that we can dispose of it before the end of the week—possibly by late Saturday.

I believe my colleagues are entitled to some warm congratulations—not merely because of the volume of the work, but because of its quality.

The figures thus far disclose that the Senate is meeting the demand of our people for economy in Government—and meeting it intelligently and prudently, without taking "meat-ax" swings.

We have acted upon eight regular appropriation bills. They are the Treasury-Post Office bill; the State-Justice-Judiciary bill; the Commerce Department bill; general Government bill; the District of Columbia bill; the Agriculture bill; independent offices bill, and the Labor-HEW bill.

President Eisenhower, in his budget submitted in January, requested $18,420,419,321 for these measures. The total Senate allowance has been $17,033,469,142. That represents a reduction of $1,386,950,179, or 7.5 percent below the budget estimates.

The Senate figure is also $32,391,570, or 2 percent below the House figure.

The bill now pending before us is some $800 million less in authorization than the President requested in his budget. As I recall, his original request for foreign aid was $4,400,000,000. The bill before us would authorize in the neighborhood of $3,600,000,000. So if the bill as reported by the committee shall be passed, the budget request will be reduced by some additional $800 million, making a total reduction of more than $2,200,000,000.

Mr. President, this is a good start on the question of the budget. The greatest part of it still lies before us—the foreign aid bill, the public works bill, and the Defense Department appropriation bill. I have no crystal ball, and I am not willing to make any predictions as to whether we can maintain the same economy rate. But the work we have done represents more than a fourth of the budget. And a 7.5 percent reduction is a good omen.

These cuts have been made without slashing essential services. I thought it was particularly revealing, for example, that we managed to grant increases in a number of the amounts requested by the Budget Bureau for health research.

In cancer research, the increase amounted to $11,500,000.

In mental health research, it amounted to $4,200,000.

In heart research, it amounted to $5,300,000.

In arthritis research, it amounted to $5,600,000.

In neurology and blindness research, it amounted to $5,100,000.

This is useful money—the kind that helps people ward off pain and death. I personally regret that the state of the world is such that we cannot devote more of our money, energy and resources to such projects.

Mr. President, there are still six appropriation bills that should be passed by June 30. We have a great deal of work before us.

Fewer than 15 working days remain in this month. But if we continue at our present rate, we may be able to dispose of most of the appropriation bills before the deadline, and dispose of them efficiently and in good order.

COMMITTEE SERVICE

On motion of Mr. KNOWLAND, and by unanimous consent, it was

Ordered, That Mr. MARTIN of Pennsylvania be, and he is hereby, assigned to service on the Committee on Post Office and Civil Service.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour for the introduction of bills and the transaction of other routine business. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIEN DEFECTORS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain alien defectors (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint Resolution 28

"Joint resolution memorializing Congress to enact H. R. 5538, relative to the withdrawal of public lands for defense purposes

"Whereas the increasing amount of Federal public lands which are being withdrawn from settlement, location, sale, or entry, for the use of the Department of Defense or reserved for such use, is having serious adverse effects in those areas of the State in which a large percentage of the total area is under Federal ownership; and

"Whereas such withdrawals and reservations involve lands in which there are currently being developed rich deposits of many strategic minerals, vital to our defense, which will be lost to the Nation if the lands are withdrawn or reserved for the use of the Department of Defense; and

"Whereas such withdrawals and reservations have further adverse effects on the areas within which they are located by cutting off access roads, by taking more lands off the tax rolls of the counties in which they are located, and by increasing unemployment due to the cessation of mining activities on such lands; and

"Whereas there is now pending before the Congress of the United States H. R. 5538, which would provide that further withdrawals, reservations, or restrictions of more than 5,000 acres of public lands of the United States for use by the Department of Defense must first be approved by act of Congress; and

"Whereas the enactment of this measure would assist in alleviating the serious problems being caused by such withdrawals and reservations: Now, therefore, be it

"*Resolved by the Senate and the Assembly of the State of California (jointly)*, That the legislature of this State respectfully memorializes the Congress of the United States to enact H. R. 5538; and be it further

"*Resolved*, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution adopted by the National Association of Credit Men, at Miami Beach, Fla., favoring a reduction of governmental expenditures; to the Committee on Appropriations.

A letter, in the nature of a petition, from the Mining and Metallurgical Society of America, New York, N. Y., signed by William F. Boericke, secretary, enclosing a resolution adopted by that society, relating to tax reductions; to the Committee on Finance.

A resolution adopted by the Board of Supervisors of La Salle County, Ill., relating to the Status of Forces Treaty and the trial of Army Sp3c. William S. Girard by a Japanese court; to the Committee on Foreign Relations.

A resolution adopted at the 12th annual convention of the American Defenders of Bataan and Corregidor, Inc., Albany, N. Y., relating to a study of the health conditions of former prisoners of war; to the Committee on the Judiciary.

RESOLUTION OF ASSOCIATED INDUSTRIES OF OSHKOSH (WIS.) ON BEHALF OF TAX REDUCTION BILL

Mr. WILEY. Mr. President, I have received today from M. S. Daily, executive vice president of the Associated Industries of Oshkosh, Wis., a resolution favoring enactment of a bill now pending before the House Ways and Means Committee—H. R. 6452, as introduced by Representative ANTONI N. SADLAK, of Connecticut.

The resolution relates to the overall problems of America's economy, including conserving funds, debt reduction, and also an issue which I personally have been pleased to stress very often, namely, supplying adequate incentive to private enterprise to expand.

I ask unanimous consent that the resolution be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolution in Support of H. R. 6452

Whereas the steeply progressive individual income tax rates which are clearly discriminatory, unfair, and unreasonable tend to destroy individual initiative to produce, accumulate, and invest; and

Whereas the corporate tax rates severely restrict the normal flow of funds into capital investment, so necessary for producing jobs for the citizens who are entering our labor force each year; and

Whereas the constantly increasing trend of Federal spending threatens to absorb the increased revenues which are produced each year from economic growth; and

Whereas a serious threat exists to our free enterprise system, our standard of living, and the stability of our employment, unless Federal spending is by the exercise of economies by Congress and the administration, and Federal revenues reduced through tax reduction: Now, therefore, be it

Resolved, That the Congress of the United States undertake immediate steps to guard against such an economic situation, by enacting into law a realistic tax reduction program as provided through H. R. 6452, introduced March 28, 1957, by the Honorable ANTONI J. SADLAK, of Connecticut, and a member of the Ways and Means Committee; and that Associated Industries of Oshkosh, Inc., endorses the resolution submitted by the Honorable ANTONI J. SADLAK; furthermore

That Federal expenditures be reduced, that revenues derived from economic growth be used first for tax reduction, and that economy in Government be furthered by the adoption and enforcement of the Hoover Commission recommendations; and it is believed

That the steady growth of the economy and the population justify such reductions, and at the same time permit the balancing of the budget, with reduction in the national debt; furthermore

That this resolution, properly inscribed, be forwarded to the Congressional delegation and to the Governor of the State.

Signed this 11th day of June 1957.

JOHN L. VETTE, Jr.,
President, Associated Industries of Oshkosh, Inc.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 28. Concurrent resolution to print a compilation of materials relating to the development of the water resources of the Columbia River and its tributaries (Rept. No. 433);

S. Con. Res. 31. Concurrent resolution favoring the fulfillment of the program recommended by the National Historical Publications Commission for the publication of certain documents (Rept. No. 434);

S. Res. 141. Resolution extending to January 31, 1958, the authority of the Special Committee To Study the Foreign Aid Program (Rept. No. 435); and

S. Res. 147. Resolution to continue on the payroll for a further period the clerical and other assistants of the late Senator Joseph R. McCarthy, of Wisconsin.

By Mr. McCLELLAN, from the Committee on Government Operations, without amendment:

H. R. 4945. An act to provide for the conveyance of certain real property in West Palm Beach, Fla., to the Port of Palm Beach District (Rept. No. 436).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN of Pennsylvania:

S. 2278. A bill to make Flag Day a legal public holiday; to the Committee on the Judiciary.

(During the delivery of the speech of Mr. SMITH of New Jersey:)

Mr. NEELY. Mr. President, will the Senator from New Jersey yield?

Mr. SMITH of New Jersey. I yield to the Senator from West Virginia.

Mr. NEELY. Mr. President, on behalf of myself, the Senator from Maryland [Mr. BEALL], and the Senator from New York [Mr. JAVITS], I introduce, for appropriate reference, a bill to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2279) to exempt from taxation certain property of the B'nai B'rith Henry Monsky Foundation, in the District of Columbia, introduced by Mr. NEELY (for himself, Mr. BEALL, and Mr. JAVITS), was received, read twice by its title, and referred to the Committee on the District of Columbia.

Mr. NEELY. Mr. President, on behalf of myself, and the Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill to establish uniform qualifications for jurors in the Federal courts.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 2280) to establish uniform qualifications for jurors in the Federal courts, introduced by Mr. NEELY (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. SMITH of New Jersey. Mr. President, I am so happy to see the Senator from West Virginia [Mr. NEELY] on the floor today, and I was more than glad to yield to him that he might introduce bills.

By Mr. IVES:

S. 2281. A bill for the relief of Albert N. Towner; to the Committee on the Judiciary.

By Mr. ALLOTT:

S. 2282. A bill for the relief of Alfred Hafermaas; to the Committee on the Judiciary.

By Mr. McCLELLAN (by request):

S. 2283. A bill to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON (for himself and Mr. BRIDGES):

S. 2284. A bill to amend the Rural Electrification Act of 1936, so as to change the interest rate applicable to loans and to provide for the payment by borrowers of a fee to assist in paying the administrative costs incident to loans; to the Committee on Agriculture and Forestry.

By Mr. WILLIAMS:

S. 2285. A bill for the relief of Ching Wol Nyo Ko; to the Committee on the Judiciary.

By Mr. FULBRIGHT:

S. 2286. A bill to assist State programs for small business, and for other purposes; to the Committee on Banking and Currency.

By Mr. CASE of South Dakota:

S. 2287. A bill to amend section 1 of the act of April 16, 1934, as amended by the act of June 4, 1936 (49 Stat. 1458), entitled "An act authorizing the Secretary of the Interior to arrange with States or Territories for the education, medical attention, relief of distress, and social welfare of Indians, and for other purposes"; to the Committee on Interior and Insular Affairs.

By Mr. NEELY:

S. J. Res. 102. Joint resolution to provide for the designation of a certain parcel of land in Washington, District of Columbia, as John J. Pershing Memorial Park; to the Committee on the District of Columbia.

REPORTS BY EXECUTIVE AGENCIES, RELATING TO PROJECTS FOR CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES

Mr. MURRAY. Mr. President, on behalf of myself, and the distinguished chairman of the Committee on Public Works, the Senator from New Mexico [Mr. CHAVEZ], I submit a resolution. We are joined as cosponsors by our distinguished colleagues, the senior Senator from Oklahoma [Mr. KERR], the junior Senator from New Mexico [Mr. ANDERSON], the junior Senator from Colorado [Mr. CARROLL], the junior Senator from South Dakota [Mr. CASE], the senior Senator from Nevada [Mr. MALONE], the junior Senator from Michigan [Mr. McNAMARA], the junior Senator from Oregon [Mr. NEUBERGER], the junior Senator from Wyoming [Mr. O'MAHONEY], the junior Senator from Idaho [Mr. CHURCH], and the senior Senator from Oregon [Mr. MORSE].

This resolution prescribes the procedures for and contents of reports to the Senate by the executive agencies with respect to proposed projects for conservation and development of land and water resources.

It is the intention of the chairman of the Committees on Interior and Insular Affairs and Public Works, the Senator from New Mexico [Mr. CHAVEZ] and myself, to secure the comments of the executive agencies, and then to hold a public hearing on the resolution. It is our hope that during this session we will have endorsement of the Senate in establishing improvements in authorization procedures. The purpose of the improvements is to confirm the exercise of the Congressional responsibility that exists under the Constitution, and to assure full conservation, development, and utilization of the land and water resources of the Nation.

This resolution is submitted in order to achieve two important purposes. The first purpose is to assure continued exercise by the Congress of its constitutional powers to encourage the comprehensive conservation, development, and utilization of the land and water resources of the Nation. There is a tendency for the Congress to lose, in part, its responsibility for determining the program. This tendency develops in the absence of explicit Congressional statement of its requirements. Under those circumstances, executive definition and limitation of the program have restricted the proposed projects that are before the Congress for authorization.

In the 84th Congress, the Senate took note of this situation and adopted Senate Resolution 281. That resolution is a first step to counteract the potential loss of Congressional control. Senate Resolution 281, 84th Congress, called on the Committee on Interior and Insular Affairs and the Committee on Public Works jointly to recommend policies and criteria for the authorization of land and water resource projects.

The resolution submitted today is in response to that direction of the 84th Congress. Today's resolution specifies the basis on which the benefits of proposed projects can be evaluated, and on which fair and equitable allocations of costs can be made. This will provide full information regarding proposed projects, and it will enable the Congress to specify the terms and conditions, particularly with respect to repayments and local contribution. It will provide the basis for fixing rates for sale of electric power generated at Federal projects.

Heretofore, full information on these important matters has not been available to the Congress. As a result, project authorizations have sometimes left the way open for executive action at variance with Congressional intent.

One example of this is the Missouri River basin project. Testimony in the hearings before the Interior and Public Works Committees demonstrated that in the absence of explicit direction from the Congress, that great project is administered under executive regulations unsanctioned by the Congress. The people of the seven States of the basin are deeply concerned by this situation. Their economy and way of life are vitally affected by the uncertain and changing policies regarding operation of the main-stem reservoirs and the marketing of electric energy.

This and similar situations led the Comptroller General to recommend that policies and criteria for land and water resource projects should be established by the Congress. The Bureau of the Budget, the Federal Power Commission, and the Secretary of the Army made similar recommendations. The resolution I have offered today for myself and my colleagues will provide the basis for such criteria and policies.

It should be noted that the resolution deals with procedures of the Senate and its committees. It does not deal with or seek in any way to regulate the proper functions of the executive branch.

The second purpose of our resolution is to assure that proposed projects will provide for full conservation, development, and utilization. The Nation's land and water resources must not be dissipated by inadequate conservation or partial development. This is a present danger. It results from inadequate economic analysis and evaluation.

These inadequate procedures were instituted by a directive of the Bureau of the Budget in 1952. That directive is designated as Bureau of the Budget Circular A–47. It, and its various amendments, made radical changes in long-established policies. These changes in planning procedures and policies that the Budget Bureau set up in 1952 exclude many worthwhile and needed conservation projects. Furthermore, they result in increasing the financial burden on the States and local entities such as irrigation districts, municipal water districts, and the local people generally. The Budget Bureau procedures seek also to increase the financial burden of users of inland waterways. Those policy changes have not been sanctioned by the Congress.

It is not our purpose to tell the executive branch how to conduct its work in planning projects. It is not our purpose to influence the executive branch in any recommendations to the Congress relative to land and water projects. Our resolution does not in any degree have that purpose or effect.

What our resolution does do is to assure that full information is provided to the Congress on these important problems. With such information the Con-

gress can make decisions as to the policy matters, and the Congress can then prescribe the purposes of the projects. This will be done through the regular and established methods of project authorization.

When the Senate considered this matter in the 84th Congress, it directed the Interior and Public Works Committees to study the procedures for authorizing projects so as to provide full information on potential utilizations, costs, allocations, payout, and benefits. This study has been made by the staffs of the two committees. Other committees of the Senate and the House were consulted. The agencies of the executive branch collaborated. State and local governmental agencies were consulted. A wide representation of nongovernmental groups and organizations participated in the studies. A summary of the results of this work have been circulated in four committee prints.

I mention these studies to make it clear that the present resolution is based on a thorough analysis of the problems by all of the interests concerned. It is the consensus that the proposed improvements in authorization procedure will supply the needed information and will expedite the work of the committees. The improvements will also provide for resolving the uncertainties in allocations and electric power rate making at Federal projects.

I ask that the resolution be referred to the Committees on Interior and Insular Affairs and Public Works, jointly.

The ACTING PRESIDENT pro tempore. The resolution will be received and referred, as requested by the Senator from Montana.

The resolution (S. Res. 148), submitted by Mr. MURRAY (for himself and other Senators), was referred to the Committees on Interior and Insular Affairs and Public Works, jointly, as follows:

Whereas the sense of the Senate, stated in Senate Resolution 281, 84th Congress, is that the Congress will continue to exercise its constitutional powers to encourage the comprehensive conservation, development, and utilization of the land and water resources of the Nation, and that reports to the Congress in support of authorization of such projects should (a) include evaluations made in accordance with criteria prescribed by the Congress, and (b) fully disclose the results of studies and analyses of the potential utilizations, costs, allocations, payout, and benefits, both direct and indirect; and

Whereas pursuant to said Senate Resolution 281, the Committee on Interior and Insular Affairs and the Committee on Public Works jointly have reported to the Senate that, in order to evaluate projects proposed for authorization, certain information is needed in addition to that regularly submitted by the executive branch in support of proposed projects, such information being related to selection of plans of development, costs, benefits, reimbursements or contributions required of local interests; and

Whereas such information is needed also for consideration by the Senate in connection with legislation to establish policies and criteria regarding allocations of project costs, and for evaluations of project benefits, which policies and criteria the Comptroller General of the United States, the Bureau of the Budget, and the Secretary of the Army have recommended should be established by the Congress; and

Whereas the program for conservation, development, and utilization of the land and water resources of the Nation is impaired by delay in the delivery to the Congress of reports on projects proposed for authorization: Now, therefore, be it

Resolved, That it is the sense of the Senate that procedures for evaluation of land and water resource projects should be improved, and that the agencies of the executive branch of the Government responsible for the preparation of reports relative to the authorization of land and water resource projects be, and are hereby, requested to furnish, in connection with such reports, the following information in addition to the data now presented in support of project authorizations:

Information relative to alternative plans for the water resource projects that may reasonably be considered physically feasible of construction consistently with the advice of the Department of the Army, or the Department of the Interior, or the Department of Agriculture. With respect to each potential project, in addition to a description of the project, the information should include, but not be limited to—

(1) Estimated costs of construction, operation, maintenance, and replacement, together with a plain and succinct statement of the basis upon which all such estimates are made.

(2) Benefit-cost ratio calculated from direct tangible benefits and costs.

(3) Description and, to the extent possible, computation of indirect and intangible net benefits including but not limited to (a) protection of life and property; (b) improvement of transportation; (c) conservation of water, soil, and forest resources; (d) wildlife conservation; (e) recreation; (f) abatement of pollution, including salinity; (g) control of sedimentation; (h) maintenance and enhancement of the agricultural, commercial, and industrial economy of the area affected.

(4) Physical feasibility and costs of providing capacity in the project works for current needs and future uses that may reasonably be anticipated to develop during the useful life of such project works.

(5) Allocations of costs, to be calculated (a) by at least 3 methods, namely, the separable costs remaining benefits method, the priority of use method, and the incremental cost method; and (b) on at least 2 time periods for amortization, namely, 50 years or the useful life of the facilities, whichever is the lesser, and 100 years or the useful life of the facilities, whichever is the lesser.

(6) Description of the extent to which the Federal, State, and local governmental agencies, and nongovernmental entities have evidenced interest in participating in the construction or operation and maintenance of the potential project, or in obtaining its benefits, including, in the case of electric energy, information relative to the preference status of governmental agencies, municipalities, and cooperatives; and the manner in which it is proposed to accomplish coordination and cooperation, and the estimated Federal costs of such participation.

(7) Estimated schedules of repayments of reimbursable costs that would be within the estimated financial resources of the potential use area, such schedules to show also the deferred repayment of the portion of the costs allocated to uses that may be anticipated to develop in the future.

(8) Probable effects of the potential project on State and local governments, including, but not limited to (a) the costs of local government services; and (b) the enhancement or reduction of tax revenues, together with the amount of potential tax revenue that would be foregone by Federal development in lieu of non-Federal development of the project. The estimated amounts of tax revenue enhancement and tax revenue foregone as a result of the project should be shown in calculations of project benefits and costs.

(9) In support of proposed increases in the authorizations of appropriations for continuation of the construction of basinwide projects, proposed schedules of investigations and construction should be supplied, including descriptions of the units to be undertaken, and deviations in schedules of construction supplied in support of prior authorizations.

SEC. 2. That reports on surveys and investigations or project reports relative to the authorization of land and water resource projects should be delivered to the Congress not later than 6 calendar months after the date on which reports are circulated to the Federal agencies and to the affected States pursuant to section 1 of the act of December 22, 1944 (59 Stat. 887). The agencies of the executive branch responsible for preparation of such project reports be, and are hereby, requested to deliver to the Congress such reports not later than 6 months after they have been submitted for comments to the governors of the affected States.

SEC. 3. That authorizations of water resource projects should specify the method by which the allocation of costs shall be determined.

AMENDMENT OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949

Mr. McCLELLAN. Mr. President, I introduce, for appropriate reference, a bill which is being introduced at the request of the Administrator of General Services, who states that this proposal is a part of the legislative program of the General Services Administration for 1957.

The bill proposes to establish an Administrative Operations Fund, on a permanent basis, to accord with action taken by the Congress in the Independent Agencies Appropriations Act of 1956, on recommendations of the Committee on Appropriations. According to the Administrator, the creation of this fund has facilitated review of appropriation estimates and is in consonance with Congressional policy as expressed in the Budget and Accounting Procedures Act of 1950.

I ask unanimous consent that the letter addressed to the President of the Senate by the Administrator of General Services on June 6, 1957, outlining the need for this proposed legislation, be incorporated in the RECORD as a part of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2283) to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes, introduced by Mr. McCLELLAN, by request, was received, read twice by its title, and referred to the Committee on Government Operations.

The letter presented by Mr. McCLELLAN is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., June 6, 1957.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D. C.

MY DEAR MR. PRESIDENT: There is forwarded herewith draft of legislation "To further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes."

This proposal is a part of the legislative program of the General Services Administration for 1957.

This proposed legislation would amend the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), by adding a new section to title I which would establish an Administrative Operations Fund on a permanent basis.

An administrative operations fund was included in the act of June 22, 1956, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1957, and for other purposes. The provisions of this act permitted the establishment of a single disbursing account to which amounts included in each program appropriation for staff costs are transferred for purposes of budgetary control and expenditure.

Experience has shown that this fund has facilitated review of appropriation estimates since budget estimates for each program include the amount of staff costs. This proposal is in consonance with Congressional policy as expressed in the Budget and Accounting Procedures Act of 1950 (64 Stat. 832).

During the fiscal year 1957 GSA's operations under this fund have disclosed the need for minor adjustments between sources of funds to keep financing in line with small fluctuations in program workloads. This has been accomplished within the total annual limitation.

The proven advantages of the Administrative Operations Fund confirm the feasibility of continuing this fund on a permanent basis. Operating under the provisions of this fund has simplified GSA's internal budget control and accounting by eliminating the necessity for keeping several sets of budgetary accounts under the old system. Legislative authorization of this fund will give greater assurance of permanence, and not make this fund subject to a point of order annually when appropriation language is under consideration.

The enactment of this proposed legislation would not increase the expenditure of Federal funds.

The General Services Administration urges prompt and favorable consideration of this draft bill.

The Bureau of the Budget has advised that it interposes no objection to the submission of this bill to the Congress.

Sincerely yours,

FRANKLIN G. FLOETE,
Administrator.

MUTUAL SECURITY ACT OF 1957—AMENDMENTS

Mr. MORSE. Mr. President, on behalf of myself, and the Senator from Wyoming [Mr. O'MAHONEY] I submit amendments, intended to be proposed by us, jointly, to the Mutual Security Act of 1957. I ask that the amendments be printed, so they will be available to the Senate tomorrow. The amendments will restrict the development loan authorized for next year to $500 million, and will delete from the bill the proposed authority to borrow $1,500,000,000 through 1960.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and lie on the table.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE UNITED STATES AND PORTUGAL CONCERNING CIVIL USES OF ATOMIC ENERGY

Mr. PASTORE. Mr. President, I ask unanimous consent to have printed in the RECORD an amendment to the agreement for cooperation with the Government of Portugal, together with accompanying correspondence. This agreement was signed on June 7, and was received at the Joint Committee on Atomic Energy on June 11. It is a standard research agreement which provides for the lease of up to 6 kilograms of contained U–235 in uranium, enriched up to a maximum of 20 percent U–235.

There being no objection, the amendment to the agreement was ordered to be printed in the RECORD, as follows:

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., June 11, 1957.

Hon. CARL T. DURHAM,
Chairman, Joint Committee on Atomic Energy, Congress of the United States.

DEAR MR. DURHAM: Pursuant to section 123c of the Atomic Energy Act of 1954, there are submitted with this letter:

1. An amendment, signed in Washington, June 7, 1957, to the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning the Civil Uses of Atomic Energy dated July 21, 1955;

2. A letter dated May 14, 1957, from the Chairman of the Atomic Energy Commission to the President recommending approval of the amendment; and

3. A letter dated May 22, 1957, from the President to the Chairman of the Atomic Energy Commission approving the amendment, authorizing its execution, and containing his determination that it will promote and will not constitute an unreasonable risk to the common defense and security.

Articles I and III of the amendment include new provisions designed to clarify the responsibilities assumed by the parties to the agreement with respect to liability for any information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium for defined research projects related to the peaceful uses of atomic energy.

The amendment will enter into force when the two Governments have exchanged written notifications that their respective statutory and constitutional requirements have been fulfilled (art. IV).

Sincerely yours,

LEWIS L. STRAUSS,
Chairman.

MAY 14, 1957.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: The Atomic Energy Commission recommends that you approve the enclosed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233, and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Following your approval and subject to the authorization requested, the proposed amendment will be executed by the appropriate authorities of the Governments of Portugal and the United States. In compliance with section 123c of the Atomic Energy Act of 1954, the amendment will then be placed before the Joint Committee on Atomic Energy.

Respectfully yours,

LEWIS L. STRAUSS,
Chairman.

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs.

THE WHITE HOUSE,
Washington, May 22, 1957.

The Honorable LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission,
Washington, D. C.

DEAR MR. CHAIRMAN: Under date of May 14, 1957, you informed me that the Atomic Energy Commission recommended that I approve a proposed amendment to the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, dated July 21, 1955, and authorize its execution.

Articles I and III of the amendment include new provisions designed to clarify responsibilities assumed by the parties to the Agreement with respect to liability for any causes arising out of the handling or use of information or data, special nuclear material or fuel elements transferred pursuant to the Agreement.

Article II of the amendment would permit the transfer of limited amounts of special nuclear materials, including U–235, U–233 and plutonium, for defined research projects related to the peaceful uses of atomic energy.

Pursuant to the provisions of Section 123 of the Atomic Energy Act of 1954 and upon the recommendation of the Atomic Energy Commission, I hereby (1) Determine that the performance of the proposed amendment to the agreement will promote and will not constitute an unreasonable risk to the common defense and security of the United States; and (2) approve the proposed amendment to the Agreement for Cooperation Concerning Civil Uses of Atomic Energy Between the Government of the United States of America and the Government of Portugal enclosed with your letter of May 14, 1957; and (3) authorize the execution of the proposed amendment for the Government of the United States by appropriate authorities of the United States Atomic Energy Commission and the Department of State.

Sincerely,

DWIGHT D. EISENHOWER.

I certify this to be a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

AMENDMENT TO AGREEMENT FOR COOPERATION BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF PORTUGAL CONCERNING CIVIL USES OF ATOMIC ENERGY

The Government of the United States of America and the Government of Portugal, desiring to amend the Agreement for Cooperation Between the Government of the United States of America and the Government of Portugal Concerning Civil Uses of Atomic Energy, signed on July 21, 1955, hereinafter referred to as the "agreement for cooperation," have agreed as follows:

ARTICLE I

Article I of the agreement for cooperation is amended to read as follows:

"A. Subject to the limitation of article V, the parties hereto will exchange information in the following fields:

"1. Design, construction, and operation of research reactors and their use as research, development, and engineering tools and in medical therapy.

"2. Health and safety problems related to the operation and use of research reactors.

"3. The use of radioactive isotopes in physical and biological research, medical therapy, agriculture, and industry.

"B. The application or use of any information or data of any kind whatsoever, including design drawings and specifications, exchanged under this agreement shall be the responsibility of the party which receives and uses such information or data, and it is understood that the other cooperating party does not warrant the accuracy, completeness, or suitability of such information or data for any particular use or application."

ARTICLE II

The following new article is added directly after article III of the agreement for cooperation:

"ARTICLE III (A)

"Materials of interest in connection with defined research projects related to the peaceful uses of atomic energy undertaken by the Government of Portugal, including source materials, special nuclear materials, byproduct materials, other radioisotopes, and stable isotopes, will be sold or otherwise transferred to the Government of Portugal by the Commission for research purposes in such quantities and under such terms and conditions as may be agreed when such materials are not available commercially. In no case, however, shall the quantity of special nuclear materials under the jurisdiction of the Government of Portugal by reason of transfer under this article, be, at any one time, in excess of 100 grams of contained U-235, 10 grams of plutonium, and 10 grams of U-233."

ARTICLE III

1. Article VI, paragraph A, of the agreement for cooperation is amended by deleting the phrase "uranium enriched in the isotope U-235 leased from the Commission" and substituting in lieu thereof the phrase "special nuclear materials received from the Commission."

2. The following new paragraph is added to article VI of the agreement for cooperation:

"D. Some atomic energy materials which the Government of Portugal may request the Commission to provide in accordance with this arrangement are harmful to persons and property unless handled and used carefully. After delivery of such materials to the Government of Portugal, the Government of Portugal shall bear all responsibility, insofar as the Government of the United States is concerned, for the safe handling and use of such materials. With respect to any special nuclear materials or fuel elements which the Commission may, pursuant to this agreement, lease to the Government of Portugal or to any private individual or private organization under its jurisdiction, the Government of Portugal shall indemnify and save harmless the Government of the United States against any and all liability (including third party liability) for any cause whatsoever arising out of the production or fabrication, the ownership, the lease, and the possession and use of such special nuclear materials or fuel elements after delivery by the Commission to the Government of Portugal or to any authorized private individual or private organization under its jurisdiction."

ARTICLE IV

This amendment shall enter into force on the date on which each Government shall receive from the other Government written notification that it has complied with all statutory and constitutional requirements for the entry into force of such amendment and shall remain in force for the period of the agreement for cooperation.

EMENDA AO ACORDO DE COOPERAÇÃO ENTRE O GOVERNO DOS ESTADOS UNIDOS DA AMÉRICA E O GOVERNO DE PORTUGAL SOBRE OS USOS CIVIS DA ENERGIA NUCLEAR

O Governo dos Estados Unidos da América e o Governo de Portugal,

Desejando alterar o Acordo de Cooperação entre o Governo dos Estados Unidos da América e o Governo de Portugal sobre os Usos Civis da Energia Nuclear, assinado em 21 de Julho de 1955, referido neste documento como acordo de cooperação,

Acordaram no seguinte:

ARTIGO I

O artigo I do acordo de cooperação é alterado para se ler como segue:

"A. Tendo em conta as restrições mencionadas no artigo V, deverão as partes contratantes trocar informações sobre as seguintes matérias:

"1. Desenho, construção e operação de reactores experimentais e seu uso como instrumentos de investigação científica de engenharia e de terapêutica.

"2. Problemas de saúde e de segurança relacionados com o funcionamento e uso de reactores experimentais.

"3. Uso de isótopos radioactivos em estudos de física e de biologia, terapêutica, agricultura, e indústria.

"B. A aplicação ou o uso de dados ou informações, qualquer que seja a sua natureza, inclusive os planos de desenhos e especificações trocados em virtude deste acordo, far-se-á sob a responsabilidade da parte que os receber e usar, ficando entendido que a outra parte não garante que tais dados sejam exactos, completos, ou adequados para determinado uso ou aplicação."

ARTIGO II

Após o artigo III do acordo de cooperação acrescentar-se-á o novo artigo seguinte:

ARTIGO III (A)

"Materiais de interesse relacionados com projectos definidos de investigação científica que digam respeito a usos civis de energia nuclear, empreendidos pelo Governo Português, inclusive materiais primários, materiais nucleares especiais, produtos secundários, outros radioisótopos e os isótopos estáveis, serão vendidos ou, em outras circumstâncias, serão cedidos para fins de estudo ao Governo de Portugal pela Comissão, nas quantidades e segundo os termos e condições que se acordarem, quando não seja possível obter os referidos materiais pelas vias comerciais ordinárias. Em caso nenhum, porém, a quantidade de materiais nucleares especiais sob a jurisdição do Governo de Portugal, por motivo de transferência que se efectue de acordo com este artigo, poderá ser em qualquer momento superior a 100 gramas de conteúdo U-235, 10 gramas de plutónio e 10 gramas de U-233."

ARTIGO III

1. É alterado o artigo VI, parágrafo A, do acorda de cooperação eliminando a frase "urânio enriquecido no isótopo U-235 cedido pela Comissão" e substituindo em seu lugar a frase "materiais nucleares especiais recebidos da Comissão."

2. Ao artigo VI do acordo de cooperação acrescentar-se-á o novo parágrafo seguinte:

"D. Alguns materiais geradores de energia nuclear, que o Governo de Portugal possa solicitar que lhe sejam fornecidos pela Comissão, de acordo com este convénio são prejudiciais às pessoas e à propriedade se não forem manejados e usados cuidadosamente. Depois da entrega desses materiais ao Governo de Portugal, este Governo assumirá toda a responsabilidade, em relação ao Governo dos Estados Unidos, para manejar e usar com segurança esses materiais. Com respeito a quaisquer materiais nucleares especiais ou elementos combustíveis que a Comissão, em virtude deste acordo, possa ceded ao Governo Português ou a qualquer individuo ou organização particular sob a sua jurisdição, o Governo de Portugal indemnizará e eximirá o Governo dos Estados Unidos de toda a obrigação e de toda a responsabilidade (inclusive reclamacões de terceiros), qualquer que seja o motivo que possa surgir da produção ou frabricação, propriedade, cessão e da retencão e uso de tais materiais nucleares especiais ou elementos combustíveis depois da entrega feita pela Comissão ao Governo de Portugal ou a qualquer pessoa ou organização particular autorizada sob a sua jurisdição."

ARTIGO IV

Esta emanda entará em vigor na data em que cada Governo receber do outro Governo notificação por escrito de que cumpriu com todos os requisitos legais e constitucionais para a entrada em vigor da aludida emenda e permanecerá em vigor pelo periodo de duração do acordo de cooperação.

In witness whereof, the undersigned, duly authorized, have signed this amendment.

Done at Washington, in duplicate, in the English and Portuguese languages, this 7th day of June 1957.

Em testemunho do que, as partes contratantes, devidamente autorizadas, assinaram esta Emanda.

Feito em Washington, em duplicado, e nas linguas Inglesa e Portuguesa, aos sete dias do mês de Junho de 1957.

For the Government of the United States of America:

Pelo Governo dos Estados Unidos da America:

C. BURKE ELBRICK,
Department of State.
LEWIS L. STRAUSS,
Chairman, United States Atomic Energy Commission.

For the Government of Portugal:

Pelo Governo de Portugal:

L. ESTEVES FERNANDES,
Ambassador of Portugal.

I certify that this is a true and correct copy.

LEONARD B. PHILLIPS,
Division of International Affairs, AEC.

ATOMIC ENERGY COMMISSIONER THOMAS E. MURRAY

Mr. PASTORE. Mr. President, today the Free World is engaged in a life or death struggle with the Kremlin, as each seeks superiority in nuclear weapons. The competition is equally keen in the development of nuclear energy for peaceful purposes.

Our first concern, then, as a nation is to have in our Atomic Energy Commission men who by their character, ability, and experience have demonstrated the qualities of leadership which will enable us to win in the contest.

Such a man is Thomas E. Murray, whose current term will expire on June 30 next. It is the authority and prerogative of the President of the United States to renew the service of this able man.

Those of us who have been closely associated with Mr. Murray are keenly aware of his ability and his contribution to our common effort in a very difficult field.

We are proud of the fact that we have called to the attention of the President of the United States our feelings in the matter. Otherwise we would be remiss in our obligation as Senators in affairs which so deeply concern our national security.

Apropos of the pending appointment, there appears in the Electrical World, in its issue of June 10, 1957, an article which I highly recommend to the attention of the Members of the Senate. For that reason, I ask that the article be made a part of my remarks and be printed at this point in the body of the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WILL MURRAY WIN AEC REAPPOINTMENT?

(By V. Craig Richter)

COMMISSIONER'S HOPES FOR RETAINING POST RISE; IKE, THOUGH NONCOMMITTAL, MAY FAVOR SECOND TERM DESPITE STRONG OPPOSITION FROM STRAUSS

Washington experts have been convinced for some time now that there was not a chance in the world that President Eisenhower would reappoint to the Atomic Energy Commission Thomas E. Murray, Democrat, whose term expires June 30.

Basically, this stems from the heated opposition of AEC Chairman Lewis E. Strauss, who is Eisenhower's closest adviser on atomic matters—plus the manner in which Eisenhower gave a brusque but noncommittal reply to a question on the subject at a news conference.

Now Murray and his supporters are campaigning for reappointment. They believe Eisenhower might eventually decide in Murray's favor.

OFTEN A LONE DISSENTER

Murray and Strauss have been at each other's throats on a number of issues. The other two AEC Commissioners, Dr. Willard F. Libby and Harold S. Vance, have not become publicly involved in the squabbles, but invariably they have lined up with Strauss whenever the chips were down. Thus Murray frequently has been the lone dissenter on AEC.

Now the Murray forces contend if Eisenhower can be reached by the proper people, he might override Strauss. They believe, in fact, an indication of utility industry support for Murray would swing the scales in his favor.

Murray's friends point to the advantages to the administration that would stem from his reappointment. It would contribute toward placating congressional Democrats, they say, and stop the Democratic threat to scuttle the administration's atomic power reactor program including the liability insurance bill.

On the other hand, failure to reappoint Murray promises to produce a real donnybrook in Congress to the detriment of the atomic-power program. Certainly congressional Democrats would look with suspicion on an AEC minus Murray—the one Commissioner who has never hesitated to clash with Strauss' policies when he felt they were wrong.

BROUGHT UNWELCOME PUBLICITY

Murray, who believes strongly that Government-industry dealings must be in the open for all to see, has had his worst rows with Strauss over AEC secrecy. He gave aid and comfort to Strauss' foes in the Dixon-Yates and Power Reactor Development Co. cases so Strauss policies in both cases have brought publicity that the industry and AEC would have preferred to avoid.

With regard to reactor acceleration, Murray's position has been consistent. He has argued all along for Federal financial and technological assistance—that the early costs of atomic power are fairly staggering without any guaranty of quick improvement, and that time is of the essence, not for domestic reasons, but for international political prestige reasons.

Representative JAMES VAN ZANDT (Republican, Pennsylvania) said as much in introducing his reactor acceleration bill recently. Murray has said it for 2 years.

Murray doesn't want the Government in business any more than the stanchest Republican does. But he believes it is shortsighted of industry to oppose the Government in undertaking extremely costly gambles in building large-scale prototype power reactors primarily as an instrument of international policy. He argues that stopping the Government today does not insure that there won't be Federal commercial atomic powerplants at some future date under another administration.

The reappointment would solve many problems for the President. The Republicans would have trouble finding another Roman Catholic Democrat with Murray's qualifications.

DEFENDS POWER INDUSTRY

He knows the power industry (and has never hesitated to defend it in principle) first through his father who built many power stations and later through running the family electrical manufacturing business. As a mechanical engineer, Murray has over 200 electrical and welding patents to his name.

His standing in Congress is good. This was demonstrated when he backed Eisenhower's position with regard to the International Atomic Energy Agency. Although the Senate has not yet ratified the treaty, there was noticeable lessening of important GOP opposition to it after Murray spoke. His reappointment would help smooth the way in Congress for resolving the tangled web of future atomic power reactor policy and atomic liability insurance.

Mr. MANSFIELD. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. MANSFIELD. I desire to associate myself with the Senator from Rhode Island in the remarks he has just made.

All of us know that Commissioner Thomas E. Murray, of the Atomic Energy Commission, is filling a term which will expire on June 30 of this year. Mr. Murray has been known as the great dissenter, on occasion. Personally, I think it would be a good idea if a good dissenter were maintained on the Commission, and especially a man of the integrity, the ability, and the capability of Commissioner Murray, who is one of the country's outstanding citizens, and who is a real asset to the Atomic Energy Commission.

I sincerely hope the President will reappoint Commissioner Murray. I also hope the President will form his judgment of Commissioner Murray on the basis of what he has accomplished and the fine and devoted service he has rendered to the country over the past several years. I realize, of course, that the question of Mr. Murray's reappointment is the President's prerogative and responsibility. I venture to express the hope that he will exercise his own good judgment in this matter and recognize the great contribution, the outstanding integrity, and the tremendous asset Mr. Murray is to the Atomic Energy Commission.

Mr. PASTORE. I thank the Senator from Montana.

Mr. President, if we properly evaluate the tremendous development and success and progress we have achieved in the field of developing nuclear and thermonuclear weapons, we properly assess the great value of this great American, Thomas E. Murray, as a member of the Atomic Energy Commission.

Mr. HUMPHREY. Mr. President, the Washington Daily News for Monday, June 10, published a lead editorial entitled "AEC Needs Murray."

Those of us who know Thomas E. Murray's record on the Atomic Energy Commission wholeheartedly agree. I sincerely hope that those who make the final decision will have the good sense to recommend and reappoint Commissioner Murray to the AEC.

I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

AEC NEEDS MURRAY

Thomas E. Murray's first term as a member of the United States Atomic Energy Commission, now nearing its end, has proved him to be a fine public servant.

He is a practical man, dedicated to free enterprise, with a long and successful career behind him. Commissioner Murray is also a philosopher, an articulate defender of what he believes is right. And events have often shown him to be right.

His views have at times clashed with those of Lewis L. Strauss, AEC's Chairman. His occasional dissents have been vital in the final fixing of some of the policies of the great agency upon which the security of our country and that of the Free World so largely depends.

Recent congressional hearings on radioactive fallout from atomic and hydrogen weapons have shown vividly the wide differences of opinion among trained scientists on the dangers involved.

These point up the necessity of insuring that the AEC, above all other Government agencies, shall never become a mere rubber stamp, blindly approving the views of one man or one group of men.

The whole atomic enterprise is so young, so complicated, so vastly important that only out of a clash of opinions can AEC select the proper course toward its twin objectives: first, the military security of our country; and, second, the application of this mysterious force to the advancement of mankind.

Mr. Murray, a devout man, is a strong supporter of the President's atoms-for-peace program which could lead to the establishment of God's peace.

Chairman Strauss doubtless will have great influence in President Eisenhower's decision on whether to reappoint Mr. Murray.

A big man in his own right, Mr. Strauss was himself an occasional dissenter in earlier days of this atomic agency. He will increase in stature when he shuns those who put unanimity above all else, and recommends the reappointment of Mr. Murray.

The country, the Eisenhower atoms-for-peace program, and the AEC need men like Tom Murray.

TRIBUTE TO SENATOR DOUGLAS

Mr. NEUBERGER. Mr. President, our colleague the senior Senator from Illinois [Mr. DOUGLAS] has been performing a remarkably thorough job in documenting his support of effective civil-rights legislation. This feat is a tribute to the Senator and to his capable staff.

On June 12, the Pulitzer prize-winning correspondent of the New York Times, Mr. James Reston, recognized this outstanding work by the Senator from Illinois in a column written by Mr. Reston for his paper.

Regardless of viewpoint, all of us in the Senate respect ability and thoroughness. Furthermore, I myself share the viewpoint of the Senator from Illinois on his civil-rights position. Therefore, Mr. President, I ask unanimous consent to have printed in the body of the RECORD the tribute paid to our colleague from Illinois [Mr. DOUGLAS] by Mr. James Reston, of the staff of the New York Times, which is one of the great newspapers of our country and of the world.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOUGLAS TAKES ON SOUTH—A VIEW THAT THE SENATOR IS EMERGING AS CHIEF CHAMPION OF CIVIL RIGHTS BILL

(By James Reston)

WASHINGTON, June 11.—Senator PAUL H. DOUGLAS, Democrat, of Illinois, is emerging as the most effective advocate of the Eisenhower administration's civil-rights bill in the Senate.

The white-thatched professor from the Middle West is contending with another powerful orator in the Democratic Party, Senator SAM J. ERVIN, Jr., of North Carolina, for domination of what promises to be the most acrimonious debate of the session.

Every few days now, Senator DOUGLAS appears on the floor armed with heavy catalogs of facts, to prove that the Negro in the South is being deprived of his right to vote in Federal elections.

Here is just a sample of his statistical armory from yesterday's installment:

In Alabama, only 10.3 percent of Negroes over 21 years old in the 1950 census were registered to vote.

In Blount County, Ala., "There are 429 potential Negro voters, but not a single Negro has voter registration."

In Bullock County, there are 5,425 potential Negro voters, but only 6 Negroes are registered.

In Clay County, there are 1,010 potential Negro voters, as of 1950, but not one of them is registered.

In De Kalb County, there are 443 potential Negro voters, but none is registered.

In Jackson County, there are 1,242 potential Negro voters, but none is registered.

In Lowndes County, there are 6,512 potential Negro voters, but not a single Negro is registered.

In Marshall County, there are 605 potential Negro voters; not a single Negro is registered.

In Morgan County, there are 4,641 potential Negro voters; not a single Negro is registered.

In Tallapoosa County there are 5,083 potential Negro voters; not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; not a single Negro is registered.

AND ON TO OTHER STATES

On he goes from Alabama to Arkansas and Georgia, reeling off figures compiled by the research office of the Southern Regional Council.

"For the State of Arkansas as a whole," he said, "according to the 1950 census, there are 410,342 nonwhites of 21 years and over, but in the whole State only 67,851 Negroes were registered, or 16.5 percent of those who would be expected to be eligible.

"In Georgia, the total number of potential Negro voters in 1950, 18 years of age and over, was 633,679. * * * In 1956, the number of Negroes was 163,389, or only 25.6 percent of those who are potential voters."

The Senator for Illinois fills the pages of the CONGRESSIONAL RECORD with comparable figures for the other States in the South; only 25.3 percent of those registered in South Carolina; 20 percent in Virginia, and in Mississippi, only a fraction over 3 percent.

Against this torrent of figures, Senator DOUGLAS presents his argument in favor of the administration's bill. It would protect the Negro's right to vote through the use of a Federal court injunction, and authorize the judges in the Federal courts to bring contempt proceedings against anyone who violates the injunction.

This has been characterized by Senator ERVIN as an "insulting and insupportable indictment of a whole people * * * as drastic and indefensible a legislative proposal as was ever submitted to any legislative body in this country."

Accordingly, Senator ERVIN and his supporters have succeeded in getting the Senate Judiciary Committee to amend the bill so that anyone charged with defying a Federal court injunction in a civil rights case would have a jury trial.

DOUGLAS REPLIES

Let's see what this means, Senator DOUGLAS tells the Senate.

"This amendment in practice," he declares, "will nullify the protection of the right to vote which the civil-rights bill is designed to protect. * * * In the State of Arkansas, in the parish of Orleans, which includes the city of New Orleans, and in the States of Mississippi, South Carolina, and Texas, a person must be eligible to vote in order to be competent to serve as a grand or petit juror in the State or parish. * * * Thus, the jury-trial amendment, when coupled with existing denial of the right to vote to thousands of Negroes, merely sets up [this] cycle:

"First. Negroes are denied the right to vote.

"Second. A civil-rights bill, we hope, is passed by Congress to protect and defend that right.

"Third. An amendment is, however, added to provide jury trials for those who have prevented Negroes from voting.

"Fourth. By law, Negroes are excluded from jury lists because these lists are composed, by law in five States and by practice in many others, of those who are on the voting lists.

"Fifth. Therefore, the juries often would be composed predominantly of those whom the defendant has given the privilege of voting and largely excludes those or those groups who have been denied the right to vote.

"Sixth. These jury members in turn would find it very difficult to exercise their fair judgment in civil-rights cases.

"They will be making decisions in many cases where there exists an atmosphere of tension, coercion, threats, and intimidation. If they support a Federal judge's order protecting the voting rights of Negroes, they know they will be exposed to economic pressure and possibly to physical violence. This would be true, in particular, of those jurors who might be willing on grounds alone of justice to support the order of a Federal judge."

None of this, however, persuades Senator ERVIN and his southern colleagues. For every fact presented by the Senator from Illinois, the Senator from North Carolina has a string of citations on the basic right of trial by jury.

He brushes aside Senator DOUGLAS' assertion that trial by jury in such injunction contempt cases is a new, unique, and radical departure from the precedents of our law, and proclaims with great eloquence that government by injunction is abhorrent to those who love our constitutional and legal systems.

Thus the debate is joined, and there are no two more learned nor worthy antagonists in the Senate to lead it.

COST AND DAMAGE ESTIMATES ON THE DISASTER CONDITIONS IN THE STATE OF TEXAS

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter I have received from Mr. Welcome Wilson, Administrator of region 5 of the Federal Civil Defense Administration. The letter is detailed, and I shall not read all of it. It is necessarily an incomplete report of damage suffered by Texans in the recent disastrous series of floods. Included are estimates from FCDA, the Corps of Engineers, the United States Bureau of Public Roads, the Small Business Administration, the American Red Cross, and agencies of the State of Texas. Included also are estimates of the cost of temporary repairs to public facilities.

It is an appalling picture of damage and disaster, much of which could have been prevented by construction of proper flood control facilities. More than half this damage could have been prevented by flood control facilities already authorized but still unconstructed.

The moral is plain: Flood control construction pays for itself in some areas in 1 year.

We have had in the State a total damage of over $150 million. The tabulation shows temporary repairs to the extent of $930,000, to public buildings and structures alone.

The loss in livestock is itemized by counties and by number.

The tabulation also shows that with respect to crops and livestock alone we have suffered damage by more than $27 million.

There is also shown the number of people killed and injured; as well as the number of homes destroyed and damaged. Those losses are all enumerated. More than 9,000 families and more than 36,224 people have been affected. A number in excess of 8,000 have received mass care. Thousands have been injured.

I shall not go into detail but I ask that the report in its entirety be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL CIVIL DEFENSE ADMINISTRATION,
DENTON REGIONAL OFFICE,
Denton, Tex., June 8, 1957.

HON. RALPH YARBOROUGH,
Senate Office Building,
Washington, D. C.

DEAR SENATOR YARBOROUGH: We have assembled preliminary cost estimates together with damage estimates developed by State and Federal agencies as a result of the recent and current disaster conditions in the State of Texas. These estimates are divided into the following categories: (1) estimates of cost of temporary repair to public facilities eligible under Public Law 875; (2) agricultural damages; (3) summary report by the United States Bureau of Public Roads; (4) Small Business Administration; (5) Corps of Engineers summary; (6) American Red Cross; (7) general.

I

I am listing below estimates by counties of cost of temporary repair to public facilities eligible for reimbursement under Public Law 875, 81st Congress, which have been surveyed to date. These estimates cannot be considered complete for the following reasons:

1. All applications requesting assistance have not been received at this time.

2. Our regional inspections on damage conditions not directly pertaining to protection of life or health hazards have not been accomplished.

3. Continuing heavy rains causing additional damage make it impossible to make requested second inspections.

For convenience of study, public facilities estimates have been divided as follows:

1. Health and sanitation (includes vector control, mass immunization, decontamination of private water wells, repair of public water and sewer systems and debris clearance).

2. Roads and bridges (includes county-owned and maintained roads and bridges and city streets and bridges. Roads and bridges on the Federal Aid System, of course, are not eligible for assistance under Public Law 875).

3. Preventive construction (includes preventive construction on levees and river embankments to prevent further damage to public and private property).

4. Schools and public buildings:

County	Health and sanitation	Roads and bridges	Protective construction	Schools and public buildings
Bell	$14,333	$278,403.74		
Bexar	12,105			
Brazoria	12,106		$21,650.00	
Briscoe	1,842			
Burnet	2,669	58,382.50		
Calhoun	5,669			
Collin-Rockwall	300			
Comanche	120	22,640.00		$20,493.10
Dallas	4,050			
Fort Bend	9,475			
Gregg	2,350			
Grimes	822			
Hamilton	1,352			
Hood	1,629	10,279.00		
Houston		20,233.30		
Lampasas	53,021	10,910.00		
Leon	1,368	20,822.00		
Limestone		60,000.00		
Matagorda	1,665			
McLennan	27,727	115,214.00		
Milam	9,844			
Palo Pinto		3,630.17		
Parker	1,583	6,410.22		
Somervell	849	1,232.00		
Tarrant	14,977	6,663.92		
Victoria	25,425	1,970.00	1,969.17	
Williamson	26,414	20,239.00		
Wichita	3,115			
Young	2,994			
Total	237,795	637,020.61	23,619.17	29,493.10

Health and sanitation	$237,795.00
Roads and bridges	637,020.61
Protective construction	23,619.17
Schools and public buildings	29,493.10
Grand total	927,927.88
Round off	930,000.00

II

Following is a listing of agricultural damages by counties compiled by the Agricultural Extension Service, Texas A. and M. College, from questionnaires sent to county agriculture agents. These are estimates from the agent with advice from local people.

County	Crop damage		Livestock damage		Other
	Acres	Amount	Number head	Amount	
Anderson	80,000	$430,000	200	$20,000	
Angelina	10,000	150,000	200	10,000	
Austin	15,000	125,000	1	800	
Bandera	264	8,027	16	355	
Bell	63,750	1,912,500	30	3,000	
Blanco	6,000	150,000	75	11,250	
Bosque	1,000	15,000	100	2,000	
Bowie	7,755	377,750	0	0	
Brazos	8,000	160,000	60	750	
Brown	350	3,000	14	1,500	
Burleson	25,000	1,500,000	25	2,500	
Burnet	15,000	500,000	0	0	
Caldwell	5,000	25,000	1	200	
Calhoun	1,000	10,000	0	0	
Cameron	15,000	6,500	0	0	
Cherokee	34,000	[1]	550	41,250	
Coleman	4,000	75,000	0	0	
Collin	43,000	514,800	40	1,800	
Colorado	1,000	20,000	0	0	
Comanche	0	0	204	2,500	
Cooke	2,000	2,000	0	0	
Coryell	50,000	175,000	0	0	
Cottle	500	3,000	6	300	
Crockett	100	1,000	500	7,500	
Dallas	30,000	800,000	0	0	
Donley	6,000	300,000	40	3,200	
Ellis	15,000	60,000	20	3,000	
Falls	40,000	600,000	0	0	[2] $150,000
Fort Bend	16,250	403,400	0	0	[3] 200,000
Freestone	2,000	20,000	350	43,750	[4] 25,000
Goliad	2,000	15,000	0	0	
Gonzales	1,400	42,000	0	0	
Grayson	10,000	200,000	17	2,000	
Gregg	5,000	75,000	10	1,000	
Grimes	10,000	150,000	0	0	[5] 100,000
Guadalupe	20,000	100,000	25	3,000	
Hamilton	25,000	800,000	1,010	23,250	
Hardeman	15,000	300,000	0	0	
Hardin	3,000	75,000	400	20,000	
Harris	500	2,500	15	1,500	
Henderson	50,000	190,000	70	7,000	
Hill	2,500	45,000	0	0	
Hood	1,000	230,000	0	0	
Hopkins	10,000	250,000	30	7,500	
Houston	18,700	240,280	150	15,000	
Hunt	30,000	300,000	100	10,000	
Irion	0	0	450	5,500	
Jack	1,000	10,000	150	15,000	[6] 120,000
Jackson	2,000	20,000	0	0	
Jones	4,000	200,000	0	0	
Karnes	2,100	65,000	0	0	
Kaufman	125,000	1,675,000	50	600	
Kendall	500	15,000	35	1,000	
Kinney	200	$439	25	$3,000	
Lampasas	4,000	100,000	500	30,000	
La Salle	4,000	50,000	0	0	
Lavaca	1,500	60,000	0	0	
Lee	2,500	150,000	18	1,800	[6] $30,000
Leon	100,000	1,100,000	90	5,000	
Limestone	1,500	22,500	50	3,750	
McLennan	53,000	1,560,000	120	14,640	
Madison	4,400	154,000	27	3,000	
Martin	100,000	250,000	0	0	
Matagorda	300	8,000	0	0	
Milam	20,000	560,000	150	15,000	
Montague	3,500	200,000	0	0	
Montgomery	100	750	0	0	
Morris	3,000	60,000	0	0	
Nacogdoches	500	10,000	13	3,000	
Navarro	111,250	1,462,000	0	0	
Newton	1,000	15,000	500	25,000	
Nueces	2,000	25,000	0	0	
Palo Pinto	9,800	100,000	150	2,500	
Panola	900	30,000	100	10,000	[7] 96,000
Parker	7,500	250,000	100	2,000	
Pecos	300	15,000	200	4,000	
Polk	8,100	2,000,000	0	0	
Rains	12,000	100,000	0	0	
Reagan	150	3,000	1,000	7,000	
Refugio	1,200	60,000	12	720	
Robertson	[1]	850,000	0	0	
Rusk	1,000	20,000	800	25,000	
Sabine	250	5,000	0	0	
Smith	20,000	60,000	4	400	
Somervell	3,000	35,000	12	900	
Tarrant	10,000	125,000	0	0	
Taylor	1,500	15,000	0	0	
Tom Green	4,000	20,000	802	21,300	[8] 40,000
Trinity	15,000	75,000	0	0	
Tyler	500	2,000	0	0	
Upshur	3,000	30,000	0	0	
Upton	0	0	500	10,000	
Van Zandt	60,000	1,200,000	25	2,500	
Victoria	13,000	55,000	70	9,000	
Walker	1,000	50,000	30	5,000	
Waller	10,000	250,000	15	1,500	
Washington	12,000	150,000	0	0	
Wharton	10,000	100,000	30	5,000	
Williamson	30,000	750,000	800	31,250	
Wise	80,000	800,000	200	20,000	
Wood	1,000	50,000	25	2,500	
Young	3,000	180,000	9	950	
Zavala	125	40,000	0	0	
Total, 103 counties	1,567,744	25,994,446	11,979	533,615	761,000

[1] Unknown.
[2] Improve and open pastures.
[3] Loss from beef cattle.
[4] Wildlife loss.
[5] Pasture damage to 20,000 acres.
[6] Fences.
[7] Pastures.
[8] Turkeys lost (20,000).

NOTE.—Total money loss, $27,289,061.

III

The estimates presented by the United States Bureau of Public Roads have been incorporated in the public facilities damages listed under I. However, these figures do not include the second and most recent flood conditions. To date, the Bureau of Public Roads estimates that they have spent $2,500 for salaries, overtime, and travel of engineers. There is no indication at this time what, if any, requests will be made to the Bureau of Public Roads for assistance and debris clearance, temporary repair, and restoration of roads and bridges eligible under the Federal road program.

IV

Of the 29 counties that have been declared disaster counties by the Small Business Administration for the reason of flood and/or tornadoes, applications have been received from the following 7 counties:

County	Number of applications accepted	Amount
Tarrant	5	$14,550
Dallas	20	102,124
Tom Green	4	128,900
Taylor	3	8,000
Hamilton	4	48,600
Limestone	1	1,000
McLennan	1	3,750
7 counties		306,924

V

In addition to the loan of several specialists, the Corps of Engineers has approximately $70,000 which they are using in connection with making aerial surveys, post flood surveys and estimates, and operating flood-control reservoirs on an emergency basis. They are requesting $25,000 for making emergency levee repairs on the East Fork and Middle Trinity River Basin. As these repairs are made, they will be in a position to state value of services rendered by county breakdown.

VI

The American Red Cross statistical report shows the following:

Counties	Killed	Injured	Homes		
			Destroyed	Minor damage	Major damage
Bastrop	0	5	5	5	5
Bell	3	3	13	120	120
Bexar	0	10	0	600	0
Brazoria	0	1	6	20	200
Briscoe	20	46	30	24	18
Brown	0	0	0	25	0
Burnett	0	0	0	20	0
Cherokee	0	0	1	12	0
Collin	0	0	0	5	2
Dallas [1]	1	6	2	441	1
Crosby	0	0	30	12	11
Donley	0	1	5	30	0
Freestone	1	1	1	0	5
Fort Bend	0	0	0	5	0
Gregg	0	0	0	10	0
Hamilton	0	1	0	10	0
Hill	0	5	1	5	5
Hunt	0	0	0	25	0
Lamar	0	3	0	20	1
Lamb	0	16	77	4	5
Lampasas	0	15	28	336	46
Liberty	0	0	0	15	0
Lynn	0	0	10	100	10
McLennan	0	9	0	200	15
Martin	0	0	6	6	4
Matagorda	0	0	0	25	0
Nacogdoches	0	0	0	5	1
Parmer	0	0	1	20	6
Palo Pinto	0	1	3	25	2
Parker	1	0	2	100	5
Smith	0	6	15	40	9
Tarrant	1	1	0	439	146
Taylor	0	4	0	170	15
Tom Greene	0	0	1	135	10
Travis	0	0	0	4	1
Upshur	0	0	0	1	2
Van Zandt	0	0	0	3	1
Victoria	0	10	0	200	5
Wichita	0	0	0	19	1
Williamson	0	5	1	40	10
Young	0	0	0	8	11

[1] Excludes tornado.

The number of persons evacuated cannot be determined at this time. We know that 9,056 families have been affected; 36,224 people affected; 8,080 people received mass care. In the hardest hit areas between 7,000 and 10,000 people have been evacuated from 1 to 4 times due to additional flooding in the same areas. The American Red Cross has received better than 37,038 applications for rehabilitation of homes, furniture, food, clothing and medical care.

VII

We have had extensive help from the military as well as many other major agencies, but at the present time, no estimate of expenses or charges from the military or other agencies can be made for use of helicopters, planes, equipment, and personnel.

Please bear in mind that these estimates are certainly initial or preliminary estimates in the purest sense. There are many areas in the State that are still submerged by flood waters and other areas in which resurveys will be necessary, and most of all, conditions have changed very little for the better. There are areas in the State that received 5 inches of rain Tuesday, June 4.

As we can provide more detailed and complete reports, we will be glad to furnish them to you.

Sincerely,

WELCOME W. WILSON,
Regional Administrator.

SUGGESTION OF PRESIDENT EISENHOWER TO TURN POST OFFICE OVER TO BUSINESS

Mr. NEUBERGER. Mr. President, I was greatly disturbed to learn that the President of the United States, on June 12, suggested to a group of Congressmen of his own political party that the Post Office Department might be turned over to private business for operation.

I am alarmed by this report because, in my opinion, any such policy would mean the early end of the system of rural free delivery which has been such a boon and blessing to the farm population of our country. Let me explain what I mean.

It is obvious that it costs infinitely more to deliver a letter in sparsely settled rural areas than in crowded cities. Yet, under our United States Post Office Department, a standard rate for first-class letters prevails everywhere in the land. It costs me 3 cents to send a personal letter a few blocks to downtown Washington from the Senate Office Building. It likewise costs me 3 cents to send that same letter 3,000 miles to a friend of mine at the remote end of the rural route out of Imnaha, Oreg., in the granite heart of the great Wallowa Mountains.

This kind of policy has made it possible for men and women to go into the American hinterland and to build it up, and yet still to maintain economical and frequent contact with their friends and business outlets elsewhere in the land. But, under a private-business system, would such a system continue? Business is predicated mainly on a profit. Telephone rates, for example, rise for every few miles of distance added to a long-distance call. I do not criticize the telephone company for that. It is not a charitable or service institution; it is a business operated for profit.

But I wonder what would happen to the families in the most farflung and isolated realms of the United States, geographically, if the Post Office Department is detached from our Government and operated under the same rules as private business? I trust President Eisenhower has not ventured his latest proposal seriously. As a member of the Senate Committee on Post Office and Civil Service, I urge him to make it clear that his recommendation was intended in jest and not as a serious advocacy from the White House.

After all, Mr. President, our Post Office Department has been conducted as a governmental function under such illustrious Chief Executives as Thomas Jefferson, Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, Woodrow Wilson, and Franklin D. Roosevelt—and I think they qualify as citizens who have had the welfare of this country at heart.

DEFENSE PLANNING—MORE "ALICE-IN-WONDERLAND"

Mr. SYMINGTON. Mr. President, at the present time the Secretary of Defense is considering the May 31 letter of protest written to him by the Secretary of the Air Force, presenting the shocking impact that Defense Department Directive 7200.4, issued as of May 31, would have on the program of airpower promised the American people by the President.

Unless this directive is revised promptly it may well result in reducing and stretching out this program as follows:

Elimination of orders for the F–106 fighter, the advanced all-weather interceptor.

Reduction of about 200 in the orders placed for the F–104 day fighter.

Reduction of more than 100 F–101B McDonnell all-weather interceptor fighters.

These three aircraft were planned as the main defense aircraft for the continental United States.

A cutback in orders for the F–105 interceptor fighter.

Elimination of one wing of C–130 tactical air transports. This of course further reduces the modernity of the Army.

Elimination of orders during the fiscal 1958 for any B–58's, the new supersonic bomber which is twice as fast as any other bomber produced in the free world.

Production slowup of the KC–135 jet tanker used to refuel the B–47 and B–52 bombers. The shortage of this plane is already acknowledged to be a serious matter.

Cancellation of the Snark intercontinental winged missile.

Cancellation of the Navaho ramjet intercontinental missile.

Cancellation of the Matador tactical winged surface-to-surface missile.

Cancellation of the Rascal air-to-ground missile, plus its newer version with greater range.

Cancellation of the Falcon air-to-air missile.

The Department of Defense has admitted that no analysis of what this

directive would actually do to the program was made before it was issued.

Again we ask therefore—does the President support his own telecasted recommendation to the American people to raise Air Force funds over $600 million—or does he support this directive of the Department of Defense to reduce Air Force funds over $4 billion.

Congress and the people have the right to know—what does the President want?

TWENTIETH ANNIVERSARY OF THE FOUNDING OF THE AMERICAN GUILD OF MUSICAL ARTISTS

Mr. JAVITS. Mr. President, last evening I had the honor of speaking at the 20th anniversary dinner of the American Guild of Musical Artists, which is comprised of some of the most distinguished singers and instrumentalists of our time in the classical music field. I also had the honor of bringing to the dinner the greetings of the President of the United States.

I ask unanimous consent to have printed in the RECORD, as a part of my remarks, the address delivered by Mr. Lawrence Tibbett, the honorary president of AGMA, detailing the distinguished 20-year history of this organization.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

SPEECH DELIVERED ON 20TH ANNIVERSARY OF FOUNDING OF AGMA AT ROOSEVELT HOTEL, JUNE 12, 1957, BY LAWRENCE TIBBETT

In the beginning of most every organization some one individual is very often spoken of as being the pioneer or the instigator of that organization. Usually I will find upon close and honest scrutiny of the process of organization of any movement involving many people of similar interests—that it's the result of many minds converging simultaneously upon a given idea and surely no movement can come to full fruition until this is so.

Twenty years ago there was nothing novel in the idea of this guild at all and most obviously nothing new in the idea of people in related fields of work banding together to acquire voice, and achieve a balance of negotiating power between the employer and the employee. When, 22 years, ago I saw the immediate necessity of forming a protective, bargaining and negotiating organization for performing artists in the classic music fields, I vainly thought that I was the first among performing musicians in this country, past or present, to give birth to this brain child. But my pride of authorship was soon deflated. When I approached Jascha Heifetz and Frank Chapman and Richard Bonelli about it they said that they too had seen the inevitability of a guild and were on the point of enlisting my aid. Also I found out that four of the most illustrious singers of their time and whom I knew had tried to organize opera and concert artists about 35 years ago. Those artists were Lucrezia Bori, Alma Gluck, Edward Johnson, and John McCormack and probably many more pioneers of whom I know nothing. Anyway, the four before-mentioned artists were real pioneers; were working alone, before others had become fully conscious of the need for organization. Also I should mention that as early as 1864 various groups of performing artists had achieved protective organization in several European countries.

Now let me briefly give you some facts and significant milestones in our 20-year history—really 21 years. In February 1936 I called a meeting in my home of artists of prominence to pass upon and or amend a tentative constitution and bylaws, and to plan a second larger meeting of about 40 of the greatest musical interpreters in our country. The purpose of this second meeting was to raise funds and to discuss the workability of our proposed constitution. Twenty-one artists—all celebrated names—came to my apartment. We passed favorably upon constitution and bylaws and each one of the 21 subscribed $300 to help organize. We elected a temporary board, set a date—April 17, 1936—for a general meeting and selected Henry Jaffe as our counsel. Those 21 artists we now call our founding fathers and yesterday we specially honored those remaining alive. At the first general meeting we enrolled about 200 new members and not long after that we applied for and received a subcharter from the Associated Actors and Artistes of America, which is our parent body in the American Federation of Labor.

Then not long after came our first and today still our most important single employer agreement—the Metropolitan Opera Co. agreement with AGMA. That contract was not all we wanted nor felt we deserved, but it was the most powerful step we have ever taken in our advance to our present status—we now cover practically the whole field of our defined jurisdictions.

We have here tonight official representatives of the powerful AF of M and I cannot let this opportunity pass without acknowledging our debt to the AF of M and its then great president Joe Weber. When we were at an impasse with the Metropolitan and a strike seemed certain and a victory less so, Joe Weber intervened on our behalf and we got the agreement.

For the next 12 to 15 years AGMA went on to many victories, many defeats and many delays. In those early years of AGMA's existence both employer and employee often looked upon one another as enemies bent upon vengeful destruction. But now I can safely say that so-called opponents and proponents in our various struggles in these last 20 years now realize that both sides are basically interdependent. We all know that in most negotiations sharp differences of opinion exist. We all know that abuse of power made unions a necessity. We also know that often when power is achieved in labor unions that they also often abuse that power. Alas, these characteristics are all too human.

Now let me say that to my knowledge, in the whole labor movement, in no union has the power of government remained more firmly in the hands of the working members themselves than in AGMA. Our paid executives and administrators could never be classed as unioners. Mistakes we have made—but they were made in the firm and honest belief that we were doing the best thing for the whole profession.

I must say in closing that nothing in my lifetime has given me greater satisfaction than to see my labors on behalf of the welfare of my colleagues come to happy fruition in our 20-year-old brain child—AGMA.

THE IMPORTANCE OF AMERICAN FOUNDATIONS

Mr. WILEY. Mr. President, one of the very interesting recent phenomena on the American scene has been the tremendous growth of private foundations, designed to foster constructive activities in virtually all walks of life.

The private philanthropic spirit—the voluntary zeal to finance worthy public goals—has long been a characteristic of our countrymen, from men of great wealth to men of humble means. Through foundations, that philanthropic spirit is encouraged, channeled, and facilitated.

If one were to review progress in America during the past decade—scientific progress, cultural, educational, and other progress—one could hardly write a history of such progress without recording the impressive service rendered by innumerable foundations.

In this week's Time magazine is a most interesting article on the varied work of the great Ford Foundation. It is, as we know, now under the able presidency of Dr. Henry Heald, a former president of the Armour Institute, and a former chancellor of New York University. He is the well-qualified individual now responsible for the administration of the Nation's largest foundation, with some $2.7 billions in resources. I feel that Dr. Heald and his associates have a very deep sense of the broad responsibility and trusteeship which is theirs.

Other great foundations also bear the illustrious names and responsibilities of pioneers of American free enterprise—Carnegie, Rockefeller, and so forth. These men accumulated vast wealth. But, contrary to Communist lies, these men recognized their deep social responsibility to use that wealth for the public good. The Rockefeller Foundaton, the Carnegie Foundation, and other famed organizations bear the stamp of the greatness of their founders and the greatness of the foundations' contributions to America.

Men may, and do, honestly differ on this or that particular allocation by the Ford or other foundations. But as Dr. Heald points out, in the Time article on this week's newsstands, "the whole function of a foundation is to discriminate, to pioneer, to show by example, to be prudent, but not afraid, to be risky but not foolhardy, to explain fully. It has," he pointed out, "the moral responsibility to be great."

As all of us are well aware, part of the responsibility of all foundations derives from the tax exemption they enjoy. In this age of high taxes burdening 160 million Americans, a tax exemption is a matter of deep significance to all.

I noted with deep interest, therefore, an editorial in this morning's New York Times which points out striking findings in the first annual report of the Foundation Library Center. This is a most valuable organization designed as an assembly point for long-needed information concerning foundations. The Times editorial stresses a phase with which I believe every thinking American will agree. It is this: All foundations owe the public a responsibility for full disclosure—not just bare statistics, but full description—of the way in which tax-exempt funds are utilized. Virtually all of the great foundations, of course, discharge that disclosure responsibility. Some do not. Some foundations have not fulfilled their accountability.

The occasional malfunctioning of some foundation should not result in tarnishing the good name of all foundations. We in America believe that when the

light of full public knowledge and understanding is brought to bear on all the foundations in this land, there will be less of a tendency for tax-exemption privileges to be occasionally misused.

I send to the desk the text of the Times editorial, and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 13, 1957]

FOUNDATION REPORTING

American foundations control a pool of funds worth some $7.2 billion, out of which they gave away about $600 million in 1956. Gifts to them enjoy tax deductibility by the donors and the income from their investments is given tax exemption by Federal and State laws. But considering the vast power of foundations and the exceptional privileges they and their supporters enjoy, the public knows far too little about most of them.

Striking evidence of this is found in the first annual report of the Foundation Library Center, which was set up last year to help fill the void. A nonprofit educational agency—initially supported by the Carnegie Corp. and directed by F. Emerson Andrews—the center is a repository of all available facts about foundations which it makes freely open to all those who need to use them.

This first report gives some reasons for the public's ignorance—for which the foundations and Government are in part responsible. Many foundation reports are models of what they should be, especially those of the largest ones. But of the 84 foundations with assets over $10 million, only 44 issue any annual or biennial reports at all. Of the 659 with assets of $1 million to $10 million, only 22 make such reports, and but 11 out of the 4,000 with assets under a million.

Government is also remiss. Compulsory periodic public reporting to State agencies hardly exists at all—not even in New York. All tax-exempt foundations must file annual financial statements with the Federal Internal Revenue Service. These may be examined by the public at its district offices—except for donations received, which are kept secret. But the reports are largely statistical and far less revealing than they should be, especially as to details of grants and the purposes for which they are made.

Full disclosure—through Government agencies and their own published annual reports—is sound policy for all foundations. Both their importance in our national life and the privileges they enjoy require it.

SALARY AND EXPENSE ALLOWANCES OF ALBERT F. HARTUNG, PRESIDENT OF WOODWORKERS UNION

Mr. NEUBERGER. Mr. President, the distinguished senior Senator from New Hampshire [Mr. BRIDGES] recently made public a list of the salaries and years in office of American labor leaders, which I am told was prepared by the staff of the Senate Republican policy committee, of which the Senator is chairman.

I have now been sent a copy of a letter from Mr. William Botkin, international secretary-treasurer of the International Woodworkers of America, which offers a correction of the report on this list by the international president of that union, Mr. Albert F. Hartung. Mr. Hartung's salary is not $14,785.13, as reported, but the more modest amount of $9,100, or about $175 a week, according to Mr. Botkin. The remaining sums represent the costs of Mr. Hartung's necessary travels on behalf of his international union.

Mr. President, I mention this matter because the headquarters of the union in question, the International Woodworkers of America, is in Portland, Oreg., near the vast forests from which most of its members win their livelihood, and because I am well acquainted with President Hartung of the woodworkers, who is typical of the best of American trade-union leadership.

I ask unanimous consent to have this letter of correction printed in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL WOODWORKERS OF AMERICA,
Portland, Oreg., June 6, 1957.

Hon. STYLES BRIDGES,
United States Senate Building,
Washington, D. C.

DEAR SENATOR BRIDGES: I have before me a copy of the Daily Labor Report, Special Supplement No. 15, entitled "Salaries and Years in Office of American Labor Leaders," a report of the Senate Republican policy committee staff, dated May 1957 (official text).

In the text of your statement you make the comment that "the salary figures are not derived from any investigation by either lawyers or accountants, but are rather figures furnished by the Unions themselves." It is quite obvious that you gathered this financial information from the forms filed with the Department of Labor and it should be noted on this form that it requests listing the aggregate compensation and allowances exceeding $5,000 during the preceding year of the individual union's three principal officers.

Our organization, the International Woodworkers of America, not only list the three principal officers, but we list all employees of our organization who receive an aggregate compensation and allowances exceeding the $5,000 figure.

I note, however, that in listing the name of our organization, the International Woodworkers of Amreica, under the column listed as salary for our international president, Mr. A. F. Hartung, you have the figure $14,785.13. Now the form filed with the Department of Labor does not request the filing of the salary only of the three principal officers of a labor organization. To the contrary, it requests the aggregate compensation and allowances paid. I have filed the information requested and so stated on the form by the Department of Labor and in the case of A. F. Hartung, president of the International Woodworkers of America, while you state in your compilation that his salary was $14,785.13, the truth of the matter, and as filed on the form with the Department of Labor, this was his salary and in addition, his total expenses for the year. In other words, Mr. Hartung drew a total salary of $9,100, which is based on a rate of $175 per week.

In addition his expenses were paid of $5,685.13, which made a total of $14,785.13. The expenses of $5,685.13 represents plane, train, and lease automobile expense, a per diem of $8 per day for meals and incidentals when away from his international headquarters, telephone, and telegraph expense.

I am therefore requesting that you make a correction to show the true salary paid to our international president, Mr. A. F. Hartung, which is $9,100 per year.

Thanking you for your assistance, I am
Sincerely yours,

WILLIAM BOTKIN,
International Secretary-Treasurer.

Mr. NEUBERGER. In conclusion, we all hope for the early recovery of the Senator from New Hampshire following his hospital confinement.

SENATE SUBCOMMITTEE ON DISARMAMENT

Mr. MANSFIELD. Mr. President, in the June 1, 1957, issue of the Washington Post and Times Herald there appeared an editorial entitled "Keep It Going." This editorial referred to the work of the Senate Subcommittee on Disarmament, of which the Senator from Minnesota [Mr. HUMPHREY] has had the privilege of being chairman during the past 18 months.

I ask unanimous consent that this editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

KEEP IT GOING

On June 30 the Senate Subcommittee on Disarmament is scheduled to go out of existence unless its life is prolonged. We think that in one form or another the work of the subcommittee ought to be continued. Since its creation nearly 2 years ago, the subcommittee under the chairmanship of Senator HUBERT HUMPHREY has conducted extensive hearings and published some extremely useful studies in the general area of arms control. It has been valuable in broadening the knowledge of its members in both parties. The cost has been insignificant, and the subcommittee's contributions to greater understanding of the issues ought to be maintained, especially in view of the hopes for some sort of limited agreement with the Russians.

The simplest course would be to extend the subcommittee as an offspring of the Senate Foreign Relations Committee. If, however, the Foreign Relations Committee is reluctant to continue a standing subcommittee, it might be possible to reconstitute the body as a special committee of the Senate. Notwithstanding the emphasis in the LaFollette-Monroney Act on avoidance of special committees, the disarmament unit already has more or less this status since it cuts across committee lines. It is composed of members from the Foreign Relations and Armed Services Committees as well as from the Joint Committee on Atomic Energy. Whatever the precise formula, the work needs to be kept alive as a symbol of the Senate's concern with a subject that affects every American.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. MORSE. Mr. President, yesterday, several speakers representing the majority side on the mutual-security bill presented their points of view. It has been suggested that I make the first speech this morning and present some of the minority points of view. That I shall do. I thank the Senator from New Jersey [Mr. SMITH] for his courtesy in allowing me to present these minority views, and I understand the Senator from New Jersey will then follow with the presentation of further majority views. Mr. President, I shall make this speech without yielding for

any interruption, so that my views may be presented in continuity in the RECORD, save and except for possible yielding at a later time to the majority leader for a matter not connected with my speech.

I

BACKGROUND OF FOREIGN AID BILL

Mr. President, the Committee on Foreign Relations has reported S. 2130 favorably to the Senate. I voted against this bill in committee and submit herewith, for the consideration of the Senate, the reasons for my opposition.

Let me make clear at the outset that I yield to no member of the committee in my support of the concept of mutual assistance among nations. I am not unaware that in the kind of world in which we live our own safety as a nation is closely linked with the safety of other nations. I am not deaf to the sound of jet bombers and missiles overhead, and their implications for our international relations. Nor am I blind to the dangers to freedom implicit in the expanding power of totalitarian communism. I realize fully that the world changes into an ever-closer unit under the compulsion of technology. I know that these changes have required unusual measures of assistance to other nations and new ties with other nations and I have supported such measures and ties many times in the past. I shall support them again in the future. I shall support them, however, only when it is clear to me that such measures are essential to the national interest and the welfare of the United States. I shall support them only when they do not do violence to the spirit of the Constitution. I shall support them only when the are designed and pursued in accordance with the due processes of our system of government.

When one of these measures or ties contributes, however, to a rising tide of anti-Americanism throughout the world—as foreign aid has contributed in recent years—I believe the time has come to pause and take stock. When foreign aid degenerates into a ritual of annual appropriations of vast sums of the taxpayers' money without clear and adequate understanding or concern as to reasons for the expenditures, it is time to ask, What for? When billions of dollars are used to arm and support nations which have little sympathy with freedom, it is time to look very closely at the course on which we are embarked. When military and political aid goes to Communist or other totalitarian countries of one stripe or another on the theory that we are building alliances in defense of freedom, it is time to ask ourselves what kind of alliances? On what side will these allies be if the bombs begin to fall?

When the Congress goes on year after year delegating ever-increasing authority over vast sums of money to the executive branch, it is time to ask what is happening to constitutional processes. What is happening to the authority of Congress over the Nation's purse strings?

These questions have troubled many Members of the Senate. Read through the debates of the past 2 or 3 years on foreign aid. In page after page the doubts are recited. The amount it too high. Aid in too many instances is making enemies, not friends of their people. Congress is recklessly abdicating its powers to the executive branch. Millions of dollars are being wasted on arms and other aid which may someday be turned against us, as it was in the Chinese Communist aggression in Korea.

All these doubts and others are what has been troubling Congress in approving foreign aid in recent years. It is no wonder that from year to year the votes against this policy have been increasing in both Houses of Congress.

What has been done to remedy this situation? Last year, in an effort to resolve the doubts, the Senate created a Special Committee To Study the Foreign Aid Program. That committee was composed of all the members of the Foreign Relations Committee—including the same members who have voted to report S. 2130 favorably to the Senate—and in addition the chairmen and ranking minority members of the Committee on Appropriations and the Committee on Armed Services.

The special subcommittee spent almost a year in intensive study of every aspect of foreign aid. In the end, it brought in a unanimous report.

I stress that point, Mr. President. The subcommittee brought in a unanimous report. Its report set forth in detail the weaknesses, the fallacies, and the dangers which had accumulated in the aid program. It recommended that the aid program be continued if—Mr. President—if these weaknesses, fallacies, and dangers were eliminated and it outlined a series of recommendations to bring about the necessary changes. Its findings were realistic and its recommendations were constructive.

The administration paid lipservice to the work of the special committee. The administration acknowledged the need for most of the changes which the special committee declared were imperative for the continued usefulness of the aid program. Then the administration proceeded to perpetrate a gigantic hoax on the Senate and the people of the United States. The legislation which it asked the Congress to approve gave the appearance of reform of the aid program in line with the special committee's recommendations. In actuality, however, it perpetuated to a large extent the same kind of bureaucratic structure, the same kind of senseless waste of millions of dollars of taxpayers' money in futile and costly activities throughout the world. And it sought to remove even more of the few remaining restraints and controls which Congress still exercises over this program.

The Committee on Foreign Relations made some improvements in the measure as it was drafted by the executive branch. They are, in my opinion, only superficial improvements. They do not deal with the real problems inherent in this legislation. They do not stop the senseless waste of public funds on dangerous programs. They do not direct the preponderance of this aid into constructive relationships with the peoples of other lands. They do not put an end to the erosion of congressional controls over the aid program.

S. 2130 was a bad bill when it was introduced in the Senate. It is still a bad bill as it comes from the Committee on Foreign Relations. The committee, in its treatment of this legislation, has accommodated the administration but it has done so by ignoring in large measure the key recommendations of the Senate's own Special Committee To Study the Foreign Aid Program.

SPECIAL SENATE STUDY IGNORED IN THIS BILL

I digress to say, Mr. President, that this has been a very interesting bit of behavior on the part of the members of the Committee on Foreign Relations. It is an example of Senators wearing two hats, and two coats, and of exchanging them at intervals. They put on a hat and a coat—each and every one of them—as members of the Special Committee To Study the Foreign Aid Program, and they wore them for 11 months while they made the study. They came forward with a series of very constructive recommendations for the improvement of the foreign-aid program.

Then they took off their hats and coats as members of the special committee and put on their hats and coats as members of the Committee on Foreign Relations to deal with the legislative proposals, and they proceeded, with these hats and coats on, to ignore many of their own recommendations as members of the special subcommittee.

I think the Committee on Foreign Relations had a duty to the Senate either to come forward and carry out the recommendations of the special study, or to proceed to tell the Senate why those earlier recommendations which they had agreed to are not desirable. That is a kind of Dr. Jekyll-Mr. Hyde performance which it is impossible for me to understand in the legislative process.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. No. I said at the beginning of my speech that I would not yield until I had completed it; then I shall be happy to yield.

EXCESSIVE SIZE OF AUTHORIZATION

In the President's budget for fiscal year 1958 the sum of $4.4 billion was projected for foreign aid. After a wave of protest had spread through the United States and the Congress at the size of this figure, the President announced a reduction of $500 million in the military aid aspects of foreign aid. The contention was made before the committee that this was a genuine reduction in foreign aid. No administration witness, however, provided convincing testimony that this was actually the case. I am satisfied, Mr. President, that it was not the case.

The evidence suggested on the contrary that the administration had merely asked for $500 million too much for military aid in fiscal year 1957, which it could not spend in that year. If it were permitted to carry over that amount, it then could do with a budgetary estimate $500 million less in fiscal year 1958.

The administration did ask for the carryover authority, and S. 2130 grants that authority.

This administration has been seeking to give the American people the impression that it has reduced its military-aid program by $500 million. I say that in fact it has not done so. I say that in fact all the administration did was to engage in a little bookkeeping transfer. The truth is that the administration asked for $500 million too much for 1957; it could not spend it. So it sought to have that amount transferred into 1958, and this bill does that. The $500 million saving is a bookkeeping transaction made possible by extravagant budgetary estimates in fiscal year 1957. It is not a reduction in military aid.

It is of the utmost importance that in presenting to the American people our figures about budgetary amounts we should always be completely intellectually honest with them about what we are doing.

The committee did make a real cut in the total request for foreign aid. It reduced the measure overall by about $227 million.

I noticed that the majority leader in his remarks earlier this morning spoke about a saving of an amount of more than $700 million or $800 million. But he is including in that, of course, the $500 million bookkeeping transaction, to which he adds, apparently, the $227 million saving by the committee.

I respectfully say to the Senate that the only real saving in the bill is the small $227 million cut which the committee made, not the alleged $500 million reduction claimed by the administration.

I do not wish to belittle the saving by the committee of $227 million, but I do question its adequacy. It is but a spit-in-the-ocean of foreign-aid waste.

MILITARY AID

The largest grant of foreign aid (as distinct from loans) is contained in title I of S. 2130. This title authorizes $1.8 billion for military aid, a figure which represents only a $100 million reduction in the President's request. To obtain the true picture of what is really available for military aid, however, it is necessary to add the $500 million carryover of military aid from fiscal year 1957 to this figure. What this bill now does is to permit the President to spend $2.3 billion, not $1.8 billion for military aid in fiscal year 1958. It goes further, moreover, and authorizes an additional $1.5 billion for military aid in fiscal year 1959.

How are these funds to be spent? They are to be spent to supply arms and ammunition to nations from one end of the globe to another. They will be used to build up the armed forces of both democratic nations and totalitarian nations, advanced nations and primitive nations, friendly nations and those that are not so friendly—and all in the name of the defense of freedom.

Will the people of the United States know to what nations and in what amounts this military aid is being supplied? They will not know because this information is concealed under the official stamp of secret.

I have lodged a protest in the committee against this practice and I lodge another in this report. The committee has heard, in my opinion, no convincing reason for these figures to be hidden under the imprimatur of secrecy. They are fairly well known in foreign countries. They are often discussed as common knowledge in foreign countries. Yet Congress is enjoined from having them in public. The people whom Members of Congress represent cannot even know what their Representatives are voting for.

It is my opinion that if the American people knew the details about the expenditure of their tax dollars by this administration in foreign aid, their protests would be so vehement and demanding that the Congress would be forced by political repercussions to revise drastically the foreign aid program. I am convinced that if the American people know the facts that are now kept from them by the use of the label of political expediency called top secret, they would demand a cutback in foreign aid expenditures and a revision of foreign aid policies.

Mr. President, I repeat, in a democracy there is no substitute for full public disclosure. If the government of a democracy is to live up to its obligation of being the people's government, the people must know the facts. It is a matter of great regret and deep sadness to me that I have to report today to the American people, "You do not know the facts behind this bill; and the reason why you do not know them is that you have over you an administration which insists that the details of these expenditures and the purposes to which they are to be put in many, many instances must be kept from you, and the administration does so on the pretense that the security of our country would be jeopardized if the American people knew these facts about the administration of their own Government."

Mr. President, I deny that. I do not say that there is not some information so secret that even the American people cannot be given it because the issuance of the information would be an aid to a potential enemy who might threaten the security of the American people. But, Mr. President, after 8 years of service on the Armed Services Committee of the United States Senate, and now with more than 2 years of service on the Foreign Relations Committee of the Senate, I am convinced that at least 85 percent of the information which is kept from the American people under the label of "top secret" is not in fact top secret at all. Instead, it is information which the taxpayers, the voters, the people of the United States, who own the Government should have.

TREND TO ADMINISTRATIVE SECRECY MUST END

Mr. President, this trend is not limited to the present administration alone; instead, the trend toward the adoption of police-state methods in the United States of America has been going on now for too many years; but in the past few years it has taken on the speed of a galloping stampede across the Nation.

Therefore, Mr. President, from my desk in the Senate of the United States, today I tell the American people that they had better be on guard against it, and that they should also remember the lesson and tradition of American history; namely, that in America there is no room for a military junta. There is greater safety for democracy in democratic processes and procedures than in military processes and procedures. I repeat that there is greater safety for the American people and the perpetuation of freedom in America by strict adherence to our democratic processes, based upon our great constitutional system of checks and balances, than there is in the forms and practices of a military organization.

I am not one to say that military support and defense and programs are not important. But the American people are being subjected to a type of fear argument, to the effect that if they do not put their trust in the military, or the military leaders, or executive heads who purport to speak in the interest of military defense, then the security of the American people may become endangered.

In my judgment we have already gone too far, Mr. President, in investing our trust in the military arguments of the present administration and in advancing its military policy. I shall say it later in this speech, from my manuscript, but I now make the point, in connection with this matter, that one of the sacred cows of this administration is the military budget, and it is time for the American people to insist upon the most thoroughgoing investigation of the military affairs of the Government. The military budget must no longer be shrouded in secrecy, as it presently is. The American people had better find out quickly what is happening to them militarily. And so, as one who in the past has voted for adequate military defense, and as one who will continue to vote for adequate military expenditures, I shall, as a constitutional liberal in the Senate, insist that the American people be given more of the facts about military expenditures. When they get the facts, Mr. President, the people will demand two great changes, in my opinion. First, they will demand a cessation of military expenditures in some areas of the world, on the part of the American Government, which do not strengthen freedom in the world, but which strengthen totalitarianism. I hold to the point of view that the time has come when the American Government should be supporting freedom and free governments, not totalitarian governments.

Second, once the American people get the facts about what is happening to their present military expenditures, I am also satisfied they will insist that their Congress eliminate the hundreds of millions of dollars inexcusably wasted in such expenditures.

He undoubtedly will be heard from later in this debate, but I had a conference yesterday with a distinguished Member of the Senate whose judgment on military matters I would not admit is surpassed by that of any other Member of the Senate. He pointed out to me, in our conversation, that his work in the Senate convinces him that one of

the places where millions and millions of dollars, running into the hundreds of millions, are wasted, is in connection with so-called defense contracts. In my opinion, a thorough investigation by the Senate is needed of the procedures presently employed for defense contracts.

Therefore, so long as I feel that the foreign-aid program is not being administered in keeping with a basic safeguard of democratic procedure, namely, full disclosure to the public of governmental facts, I shall continue to oppose the policies of government by secrecy which this administration follows to far too great an extent.

One reason for my dissent from the recommendations of the majority of the Foreign Relations Committee members is my belief that the committee should insist on a greater degree of public disclosure of the facts concerning the places where the money is to be spent and the purposes for which it is to be spent. The money we are dealing with in this bill does not belong to the Congress of the United States; it does not belong to the President of the United States; it belongs to the people of the United States, and they are entitled to know what is being done with it in great detail.

BILL DOES NOT MAINTAIN CONSTITUTIONAL CHECKS

If we are to keep this country free and avoid a trend to government by men instead of strengthening government by law, Congress must not abdicate its constitutional duty to exercise checks upon the executive branch of the government. The majority of the committee cannot cover up with language the fact that in essence it is recommending an increased delegation of arbitrary discretionary power to the executive branch of government, and in particular to the President of the United States. This delegation of power goes far beyond the delegation of administrative duties necessary to carry out congressional policy. The delegation of power to the Executive inherent in the position taken by the majority of the committee is a delegation of legislative policymaking power to the President of the United States over foreign economic and military aid. It is a dangerous principle. It endangers our historic concepts of constitutional checks and balances. It endangers the legislative process because it amounts in part to authorizing the executive branch—under the guise of carrying out administrative functions—to in fact make legislative policy decisions.

The proposal of the majority to require the President to file reports with the Congress advising the Congress as to what action he has taken or in some instances what action he proposes to take in carrying out the foreign-aid program is not an effective check upon rule by the Executive. It is at best a proposal to lock the stable door after the horse has been stolen.

The Presidential report filing procedure involves a serious weakening of a historic policy precious to the rights of free men and women that under our Constitution legislative decisions are for the Congress, and the administration and execution of legislative policies in conformity with the spirit and intent of Congress are for the Executive.

If Senators want proof of the point I make, that the filing of reports by the President is an empty gesture, I invite Members of the Senate to go downstairs to the Foreign Relations Committee room and to examine the reports the Executive has filed on the commitments and expenditures in connection with execution of the Eisenhower doctrine in the Middle East.

What do we find, Mr. President? We find reports filed by the Executive containing the most glittering generalities. When a person gets through reading one of these reports, he knows no more about what has happened to the money than he knew before he started, because he does not have to go to the committee room to know that the money would have to be spent for items in certain categories, such as highways, utilities, arms, and ammunition. When a person gets through reading a report that tells him no more than that, what does he know? He knows next to nothing. But what we are entitled to know, Mr. President, is, in detail and specifically, exactly what the money was spent for or how it is proposed to be spent. That is what we should know.

Of course, if Congress were not abdicating its legislative functions, and if an annual authorization were required, at least representatives of the administration would have to come before a committee and submit a blueprint of the specific details of the proposed expenditures. But in an escape of responsibility, the gimmick and subterfuge is adopted of having the Executive file a report, so the Executive meets the requirement without, in effect, in fact telling us very much about what the administration has done with the money or what it is doing with the money.

No, Mr. President, we cannot justify an abdication of Congressional legislative responsibility by saying, "We vote the money for the President, and we have put in the bill a requirement that the President shall file a report and tell us what he has done with it or proposes to do with it."

Secondly, the weakness in this procedure, Mr. President, is that it does not carry with it any requirement that the President obtain approval of his proposed expenditures when he files his report.

"Oh," says the majority in debate in the committee, "but it means, of course, that at least we have notice and we can take affirmative action, if we wish to, thereafter."

I do not know whom they think they are kidding, other than the American people. They are not kidding me, Mr. President. No Member of the Senate should be kidded by that rationalization, either, because we all know what happens. When we pass a piece of legislation like this it is behind us. Then we are almost smothered with additional pieces of legislation and legislative duties, which come before us each day. The fact is, it is forgotten. Bad practices can continue for a long time under this kind of abdication or delegation of legislative responsibility to the Executive, and the Congress will be quite unaware of them.

That was not what was intended, Mr. President, when our system of checks and balances was established. That was not what was intended when full legislative responsibility and authority were vested in the Congress. What was intended by the constitutional fathers was affirmative action on the part of Congress in regard to each legislative proposal, at the time the request was made for funds to be provided in that proposal and to be spent under it. That was the intention.

The procedure proposed is a way of undercutting the precious check requiring affirmative action on the part of the Congress of the United States in respect to executive activities. We cannot check the Executive in any other way, be he Republican or Democrat. We cannot check him unless we protect and preserve the check. In this bill, I respectfully say, Mr. President, in my opinion, the majority of the committee is voting away one of the most precious checks the American people have against arbitrary, capricious, and discretionary conduct on the part of any Executive.

Mr. President, as one who taught both legislation and constitutional law for years, I cannot walk away from my deep conviction and understanding of the Constitution, as I believe it was intended to be practiced and carried out by the Constitutional Convention which wrote it.

Oh, I know, I am dealing with an abstraction. When we start arguing in the Senate of the United States about these very precious abstract constitutional principles, those who wish to see them eroded away or delegated away are fully aware of the fact that the men and women on the streets, in the factories and in the homes of America will probably not take the time to interest themselves in abstractions, because the vicissitudes of life, constantly thrusting themselves upon the average citizen, are so time consuming that the average American citizen thinks usually in terms of specific personal matters—taxes, broken sidewalks in front of the home, garbage disposal problems, police protection—the day-by-day matters which constitute most of the contacts between the citizen and his government, local, State, and Federal.

But, Mr. President, as abuses continue to accumulate, American history shows that finally there comes a time when people wake up to the fact that mismanagement, malfeasance, and violation of abstract principles of government have been going on for too long, and then the people are heard from. I happen to believe that one of the obligations of statesmanship in the Senate is to try to avoid such periods of serious repercussions in the body politic.

But I warn the Senate today that if the Congress of the United States continues, as it does in this bill, to ignore the precious checks protecting the people from the arbitrary discretion of an Executive, the time will come when the people will rise up and ask the question: "How

come? Where were you? Where were you, as my Senator, when such proposals were before the Senate of the United States?" Then the people will act.

So in this speech today, Mr. President, I am sure I speak more to the American people than I do to the United States Senate, because I am not unaware of the fact that in all probability, although I continue to hope for something better, the die has been cast on this bill. But the record against it must be made, and the record against this delegation of legislative policymaking functions must be made. I shall be perfectly willing to stand on that record, and be judged by it not only in my State but throughout the Nation.

I have heard, Mr. President, from too many scholars in the field of constitutional law to have any doubt as to the soundness of the position I am taking in opposition to this delegation of authority to the executive branch of Government. What we do here today, Mr. President, or when this bill comes to a final vote, will be the basis for a considerable amount of scholarly writing in the field of legislation and constitutional law because, Mr. President, in my judgment this bill cannot be reconciled with sound constitutionalism. If we are to keep this country free and avoid a trend to government by men instead of strengthening government by law, I repeat that Congress must not abdicate its constitutional duty to exercise checks upon the executive branch of Government.

For too many years now, in our country, under both Democratic and Republican administrations, there has been an eroding away of legislative responsibility clearly vested in the Congress by our constitutional fathers. It must stop if we are to preserve the position of Congress in our constitutional system of government. We should start with this foreign aid bill by modifying those parts of it that seek to expand arbitrary and discretionary power of the executive branch of the Government in the determination of foreign aid polices.

The testimony before the committee gives no evidence of any overriding security reason for secrecy on how much money is given to each country for military aid. It may be a convenience for the executive branch not to have to tell the people of the United States how many millions of their hard-earned dollars are going to Yugoslavia, to Spain, to Pakistan, to Formosa, to Japan. It may be a convenience to that branch but it is an inexcusable affront to the democracy of the United States.

DEFENSE SUPPORT ALSO EXCESSIVE

The second largest item of gifts included in the bill is $800 million for defense support for fiscal year 1958. Again, this represents a genuine committee reduction of $100 million from the President's request. But again, the committee has gone further, at the request of the executive branch, and has already authorized an additional $710 million for defense support in fiscal year 1959—2 years hence.

Defense support, as the executive branch emphasizes, is made necessary only because of the military aid we give to other countries.

A substantial part of the defense support program consists of giving economic aid to the countries which have military weapons which we have made available to them under the military aid program. I think I am permitted to say also that a large part of it goes to help pay for their own domestic military expenses—in some instances even the wages of their soldiers. We call that military defense support.

Those countries cannot support the armed forces that our military aid makes possible so we are compelled therefore to give them economic aid to sustain the burden of these forces. Thus, the vicious cycle is complete. The taxpayers' funds are poured out for military aid. Then hundreds of millions more are added for defense support so that military aid can be continued. Thousands of officers of the armed services go overseas at high pay and privilege to administer the military aid. Then hundreds of civilians go over at high pay and privilege to administer the defense support that makes the military aid possible. All the while, most of the peoples of the recipient countries just manage to keep their heads above water while a few manage to get rich on the parade of American military and civilian officials and the streams of dollars pouring into these countries, all at the expense of the American taxpayers. Necessary reforms are put off. Recipient governments are under no pressure to be responsible to their peoples since American aid can always be counted on to rescue them. They are under pressure to keep their armies big so American dollars will keep on coming. This is, to say the least, a fantastic formula for futility.

Is it any wonder that the tempo of opposition to foreign aid quickens among the people of the United States? Is it any wonder that the tide of anti-Americanism rises throughout the world? Is it any wonder that riots against the United States break out in Formosa, one of the chief recipients of aid?—in fact, a recipient so receptive that in many parts of the world Formosa is called a satellite puppet state of the United States. But the puppet broke a string or two a while back, and engaged in a riot against the United States. We know that strong anti-American feeling exists in Formosa, but I ask the question, Do we know all the facts? Have we been given all the facts about unfortunate conditions which exist in that area which, in some parts of the world, is referred to as a satellite of the United States?

Yet, when the Senator from Montana [Mr. MANSFIELD] proposed in committee that military aid and defense support, together, be reduced a total of $800 million, in an effort to curb this strange and costly procedure, his proposal was rejected by the Committee on Foreign Relations. The committee majority contented itself with a mere reduction of $100 million for each type of aid.

In doing so, they accommodated the executive branch but they did not give adequate attention to the observations of the special committee. The report of that committee had raised the whole issue of how well military aid and supporting aid were integrated into our strategic concepts of national defense and our foreign policy generally.

Many of the special committee's observers had raised questions as to the level of armaments being fostered in some countries. They had also pointed out that in some cases the types of arms were ill suited, too complex, and too costly for these countries.

But we continue to send it, at great expense to the American taxpayer.

They had indicated the dangers of military aid promoting a competition among recipients for ever-increasing amounts of arms from the United States and ever-increasing amounts of defense support aid in order to maintain those arms. Finally, the special committee report and the hearings before the Foreign Relations Committee on this bill leave no doubt that unrealistic exchange rates are adding tens of millions of dollars annually to the cost of defense support to the people of the United States while enriching a few speculators and importers in the recipient countries.

This country needs allies and, in some cases, extraordinary military and support aid may be necesssary to assist them in resisting dangerous totalitarian presssures from within and without. That was true when NATO was organized.

I was one of the ardent supporters of NATO. I can remember, as though it were yesterday, the historic speeches made by the great Arthur Vandenberg of Michigan in support of NATO. I was proud, as one of his disciples and students, to participate in that debate, to which he refers in his autobiography, because I knew then, as I still know, that NATO is of great importance to the security of my country. But that does not justify waste in its administration. There is terrific waste in its administration, and there has been terrific waste from the beginning. I want a sound foreign aid and military aid program, not a wasteful one.

This country does not need and should not seek, perpetual dependents anywhere in the world. If our aid tends to produce a continuing and increasingly expensive dependency in any country, then it does violence both to our best interests and to the best interests of the peoples in the recipient countries. Aid in this pattern may help to prop up an irresponsible government which professes friendship for this country and flatters the administrators of this program. Sooner or later, however, the people of this country will pay a terrible price for this unmitigated folly.

CONTINUATION AUTHORIZATIONS IGNORE CHECKS BY ELECTION

As already noted, this bill authorizes not only excessive appropriations for fiscal year 1958, but it goes beyond that and authorizes large sums for fiscal year 1959. What this means is that next year military aid and defense support will not be reviewed by the Foreign Relations Committee and the Armed Services Committee. The amounts which

may be requested in fiscal 1959 will be reviewed only by the Appropriations Committee.

In my judgment, that is an inexcusable delegation of legislative obligation and responsibility. In my judgment, we should annually review these requests and annually take action on them. Why? What is the purpose of a national election? One of the purposes of a national election is to give the people at the voting booths a check upon Congress. We will have a national Congressional election in 1958. Senators must realize what we are doing in the pending bill. We are making commitments beyond that election. We are making commitments for 1959.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). May the Chair inquire what explanation the majority gave for granting the authority into the year 1959?

Mr. MORSE. I should like to say to the distinguished occupant of the Chair that, although I should like to answer his question directly, I stated at the beginning of my speech that I would not yield for questions until I have concluded my speech. I shall come to that point later in my speech. In fairness to other Senators who have asked me questions, I would prefer not to answer that question at this time.

The PRESIDING OFFICER. The Chair did not understand the situation.

Mr. MORSE. I am sure the Chair will get the answer as I proceed with my speech. I should like to dwell a little longer on the point I was making.

One of the things we must keep in mind is the relationship of the ballot box to Congress, as a check on Congress. We need to keep in mind the history of our whole election system. We must not forget that the Founding Fathers and the people of their times not only feared an arbitrary Executive, but they also feared—and had great fear, I may say, Mr. President—of a legislative branch of the Government on which the people did not exercise a direct check. These fears were born of experience.

Therefore they wrote into the Constitution a series of checks. For example, they established limitations on the length of the term in the House and in the Senate. It is very interesting to read the constitutional debate in regard to this check. People had in mind that they wanted to protect themselves by a check on Congress itself, by the requirement that the Members of the House shall stand for election every 2 years, and the Members of the Senate every 6 years.

As we read the debates, we cannot escape the finding that the people looked upon a Representative as the direct representative of the people in his local district, and that they looked upon a Senator, not as the representative of the people of his State alone, but as a representative of the national interest as well. That is why—and I believe this is very interesting in its bearing on the relationship between Members of Congress and their constituents in the early days of our country—there was a time in our history when the common practice was for a Representative to bring a visiting constituent to the office of the Senator. The constituent did not think of going to the office of the Senator, except by first going to the office of his Representative and usually having the Representative take him to the office of the Senator. Now, I sometimes think, the reverse is true. However, that shows the change in protocol, so to speak.

Coming back to the point I was making, the provision for a 2-year election is a very important people's check upon Congress. In the preelection campaigns just such issues as I am talking about are bound to be raised in many parts of the country, if not throughout the country. In those campaigns the people, who, after all, are the reservoir of democracy in America, have the right to express themselves at the ballot box as to what ought to happen in the matter of foreign-aid funds. But under the pending bill we seek to bind them beyond the election, into 1959. I do not believe that is consonant with what I consider to be the American system of checks and balances.

The majority does not satisfy me, any more than did the Secretary of State, with the argument that it is desirable to have a longer period of time in which to make plans for future expenditures.

It is possible to have blueprints for a longer period of time, but the blueprints ought to rest upon our making it clear to every foreign country involved that they depend upon an almost religious adherence to the precious checking principle of democracy. We can say that such is our plan, but it is dependent upon the annual review by the elected representatives of a free people, to determine if it should be changed. I know of no good reason why this Congress or any other Congress, sitting at a given time, should be allowed to proceed with a program which binds not only future Congresses, but binds the American people for future years beyond the time when they have a check on Congress in an election at the ballot box.

That is one of my major points. I happen to believe that foreign-aid appropriations should be in issue in 1958. The people should have a chance to elect their representatives on the basis of what they think the foreign policy should be. They should not be put in the position where they may elect a group of representatives who do not agree with the policy or philosophy of the bill, and then have those representatives bound because Congress has already obligated the money and committed the Nation into 1959. Cannot Senators hear the argument that will be made if we then try to change it after we have made the commitment? Cannot Senators hear the argument that will be made on the floor of the Senate? Mr. President, the eagle up there on the ceiling would almost flap its wings at the arguments that would be made about the honor of our Nation. We would be told that we were honor bound, because we had committed ourselves into 1959. That is an old strategy. We must not let it fool us. That would be the alibi of those who wanted to erode the legislative processes of Congress. There is no reason in the world why we cannot work out a blueprint project into the future and present it as what our plans will be if—I say if—a Congress representing a free people believes that further funds should be authorized and appropriated to extend and carry out that program. But if we can authorize it for 2 years, we can do it for 4 years. If we can do it for 4 years, we can do it for 6 years. Where will we draw the line?

Mr. President, I am not at all convinced by the argument I heard in committee, "Oh, but this is a matter of degree." So often we hear the argument that it is a matter of degree. I say it is either right or wrong. I do not believe in degrees of right or wrong. I believe we have a duty to be right with the Constitution, not half right with it. We ought to keep full faith, not part faith, with the checks and balance requirements of the Constitution.

Oh, Mr. President, I hear another argument being made: "We do it in some other phases of our fiscal policies. The Export-Import Bank does it on a direct loan relationship with other countries." Mr. President, let us be frank about it. We know what we are doing in the Export-Import Bank arrangement. The Government has established a bank to do what I am sure all of us wish could be accomplished by private banking institutions, instead of by a Government banking institution. In establishing a Government bank to make loans to foreign governments, we knew that the bank should be allowed to exercise some of the banking procedures that a private bank would exercise. I hope the time will come when the great banks of the country, under what I have spoken of so many times as a policy of the dollar following the flag, rather than the flag following the dollar, will be able to do much of the financial lending which is now being done through the Government by way of the Export-Import Bank. That is the argument you will hear, Mr. President. But I say it is irrelevant to the principle which is before us in the foreign aid bill.

This is a bill which involves the whole broad scope of governmental policy questions in the field of foreign relations. How long should the American people continue to pour money into Yugoslavia, for example? Or Formosa? Or Spain? Or Italy? Or any other country? By naming these countries, I do not mean to make any invidious comparisons.

How long should the American people continue to pour money into the Arab states, which are, for the most part, complete, absolute, totalitarian governments? That is the question of foreign policy which is before us.

Who should decide it? The President of the United States? My answer is "No." Who should decide it? The Congress of the United States? My answer is still "No," modified by this explanation: Congress should decide it only for the time interval between elections, so that the people will be free to exercise their ballot-box check in the next election.

Yes, that is an abstraction, but it is a pretty precious principle of a democratically controlled government.

SECURITY ARGUMENT DOES NOT JUSTIFY MANY PARTS OF BILL

Mr. President, I am not going to be mesmerized or fooled by the flag-waving security argument. I think now is the time to make these observations about that argument. As we hear the rationalizers of the procedure of almost unlimited power, they wave the flag almost into tatters when they refer to such power being necessary for the security of our country. That argument needs to be analyzed; some questions need to be asked.

In regard to each of the specific proposals, the question needs to be asked, What is the relationship of this proposal to the security of our country? That is why I have been heard to say that the pouring hundreds of millions of dollars, for example, into Saudi Arabia has very little relationship to the security of our country. Saudi Arabia has tremendous oil reserves, which it ought to be willing to put up as collateral for a loan.

I see very little relationship to the security of my country in a foreign aid policy which authorizes the President of the United States to spend money in Saudi Arabia, with the specific expenditures unknown to us.

I see very little relationship to the security of my country in the expenditures of vast sums of money for an airbase in Dhahran, Saudi Arabia, because I doubt that the airbase would be in existence a few hours after the start of an atomic war with Russia; just as I think very little, if any, oil ever would come out of those oil wells if we ever got into a war with Russia.

No; when the flag is waved in justification of such expenditures for the security of our country, we need to ask many penetrating questions about the specific implementation of the program in relation to specific countries. When we do that, then we will come to the conclusion that the security of our country in many instances, undoubtedly would be stronger if we were carrying out a program of sending economic assistance to raise the standard of living of the people of those countries, rather than expecting that the military aid would ever be of very much use to us once the bombs started to fall.

To use a hypothetical, what makes anyone think that a jet plane sent to Pakistan would do us very much good in a war with Russia? We would be lucky if it did not fall into the hands of the Russians immediately.

In my judgment, we are sending millions of dollars of military equipment into some weak countries, countries so weak that the military equipment may prove to be one of our great liabilities; in fact, we may find some of it being shot back at us in case of war.

That is why I shall say later in my speech that we had better analyze the sacred cow of this administration—its military budget—and why the American people had better get the facts about it.

Mr. President, with all due respect to the able members of the Appropriations Committee, they cannot and ought not to be expected to review the strategic and foreign-policy implications inherent in these aid programs. That is a responsibility which falls to the members of the Armed Services Committee and the Foreign Relations Committee who have specialized in these matters.

To grant a 2-year authorization for these programs, as S. 2130 does, amounts to an abdication of responsibility by the Committee on Foreign Relations. Again, it has taken place in order to accommodate the wishes of the executive branch. Again, it has been done by ignoring the unanimous recommendations of the Senate's own Special Committee To Study the Foreign Aid Program.

That committee had this to say of military aid:

> Congress should continue to authorize appropriations annually, pending a clear determination of the role of military aid in the total strategy of national defense.

And of defense support, the special committee had this to say:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid would raise dangers of failures to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

I want to stress this point It is an interesting position for the Committee on Foreign Relations to find itself in, because, do not forget, the report of the special committee was written with the members of the Committee on Foreign Relations wearing what I previously referred to as their hats and coats as members of the special committee. All of them submitted a unanimous report. In their own special study, while they were wearing their hats and coats as members of the subcommittee, they said this:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid would raise dangers of failures to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

I submit that is a wise recommendation, and it is in accord with existing practices. Until now, the tendency of the executive branch to engage in useless and ever-increasing and costly military and related aid activities abroad has been held in check to some extent by the need to justify their programs each year before the Committee on Foreign Relations. That restraint—that check—is now removed. For 2 years, that branch can do what it pleases, when it pleases, and where it pleases. They need only to come back and ask the Appropriations Committee for more money in fiscal 1959. Will the Appropriations Committee at that time see fit to deny what the Foreign Relations Committee has already authorized?

DEVELOPMENT LOAN FUND

The bill represents an improvement in one respect over past legislation of this kind. It makes an effort in title II to bring together all assistance for the economic development of other countries into a single development loan fund and to place this aid on a self-liquidating basis. It provides $500 million for fiscal year 1958 for repayable loans to get this fund started. In theory, this change is sound and it is in accord with the recommendations of the special committee.

At this time, however, no one knows how the new fund will work. No one knows how the fund will affect other foreign lending activities of this Government. The Export-Import Bank, for example, has several billion dollars outstanding in sound loans to countries all over the world. Will this fund jeopardize or supplement the activity of the Export-Import Bank? How will it affect the International Bank? How will it affect private investment overseas?

Further, no one knows whether all development aid under S. 2130 will in fact be channeled through the fund on a repayable basis as it is clearly the intention of the committee that it should be. Will development aid still go out on a grant basis, camouflaged under defense support or some other title of this bill?

These are highly pertinent questions, Mr. President. Yet, the Committee on Foreign Relations did not receive full and complete answers to them. The committee did write in a desirable safeguard in the form of an Advisory Loan Committee; but that, in itself, is not sufficient to assure that the fund will be run in a sound fashion.

We must remember that it is only an Advisory Loan Committee.

There is no question that a need existed to get this fund started promptly, and obviously all doubts could not be resolved at this time, if that were to be done. If the committee had been content to provide $500 million to get the fund under way in fiscal 1958, it would have been possible for Congress to consider the implications of the fund in detail during the next few months, and then write intelligent permanent legislation for it.

Mr. President, in the course of this debate there will be offered an amendment to seek to carry out the recommendation I have just made. However, that is not what the Committee on Foreign Relations did. This bill does indeed authorize $500 million to begin operations of the fund during fiscal 1958. But again, to accommodate the administration, it goes beyond that. It authorizes the operators of this fund to borrow from the Treasury of the United States $750 million in fiscal year 1959, and another $750 million in fiscal year 1960. It empowers the operators to borrow this $1.5 billion additional without further authority or action on the part of the Congress, regardless of whether elections occur in between. In effect then, this bill places, not a $500 million fund, but a $2 billion fund at the disposal of the executive branch; and Congress will have nothing more to say in the matter unless it raises specific objections.

Oh, yes, Mr. President, it will be said that we can always proceed by subsequent action to repeal action we have previously taken. But, for reasons I have already outlined, that seldom happens. The Congressional proponents of

this kind of expansion of power for the Executive are always wont to say, "But we can always change our minds later. Let us make it the law now. We can change it later, if experience shows that should be done." Mr. President, that is an old, threadbare alibi, too, for the delegation of Congressional power. The fact is that is not the way Congress usually acts. Once a proposal is set forth in black and white on the law books, the tendency in Congress is to become absorbed in new problems, which, as they arise, are as pressing as this problem is pressing today. As a result, in practice, the check is lost.

The Senate is being asked to grant this authority, not after the careful consideration and the passage of the protective legislation which went into the creation of the Export-Import Bank or a Reconstruction Finance Corporation or a Home Owners Loan Corporation. Instead, it is asked to do so in haste, in a title of an omnibus bill designed for a multiplicity of purposes. This proposal is buried in the bill, in connection with a great many issues. It is not before the Senate as a single-bill proposal. Instead, it is a part of an omnibus bill which contains many controversial sections. I wish to say that if the proposal of the special committee is a sound one, let $500 million be authorized this year. Then let us agree that we shall take under study and consideration the question of whether the amount should be increased for 1959 and 1960. There is no hurry in this case. I know of no good reason why we cannot begin with $500 million. I know of no good reason why a commitment of $750 million must be made now, for 1959, over and above one of $500 million for 1958. Similarly, I know of no good reason why at this time it is necessary to make a commitment of $750 million for 1960. Let us take our time in this case. Let us begin with the $500 million, and then examine the matter again next year. Such procedure would be in keeping, too, with the annual review check which I believe is so important.

Mr. President, in order to accommodate the executive branch in this matter, the majority of the Committee on Foreign Relations ignored the advice, as I have said, of the Senate's own special committee. The special committee had endorsed the desirability of a revolving fund, but it had this to say about its organization:

> This fund is too important to be set up in haste. Interim measures may be necessary, but the fund should not be established in permanent form until its implications have been fully examined by the executive branch and the appropriate committees of Congress.

With that recommendation of the subcommittee, I wholeheartedly agree, and I believe that the full Foreign Relations Committee should have taken action consistent with that recommendation.

Mr. President, there is one other major title of the bill to which I take objection. Title IV provides for what is called special assistance. Part of this aid is earmarked for a variety of worthy purposes. Part is for more dubious purposes, such as continued subsidies of tyrannical governments in the Middle East. And part of this aid is not earmarked at all. A total of $100 million is made available, to be used at the discretion of the President. He can use it for humanitarian purposes, for military purposes, for political purposes, or for whatever else may suggest itself. There is no significant limitation on this discretionary power, and little accountability as to how it is exercised.

My objections to this title are two, and they are simple.

Mr. President, there is a delicate matter which I wish to mention in rather broad terms, but at least I want the RECORD to show that I referred to it. There are those who seem to think it is good administrative policy for the United States to adopt some of the tactics of the totalitarian governments—Communist, Fascist, and others—by having a fund of money which can be used in a sort of unaccounted-for way for certain secret activities of American foreign agents. Mr. President, I abhor it. I do not want to vote for the authorization or appropriation of one dollar which could be used, under the discretion of anyone, for bribery.

When the Secretary of State was on the witness stand in the committee, and when he would not tell us how some of this so-called discretionary money is going to be used, I asked whether he thought totalitarian leaders would stay "bought." I think the implication of that question covers the point I have in mind. I do not believe we build a sound foreign policy or win the respect of peoples abroad, whenever it becomes known that we seek to beat communism by the adoption of Communist tactics.

I do not like it, either, Mr. President, because, as a lawyer, I cannot reconcile it with morality. I do not consider it to be a moral policy, and I do not think that temptation should be placed before any President. To the contrary, I think we must see to it that we, the elected representatives of a free people, know how the money is to be used, because the uses to which the money is put cannot be separated from action carrying out a policy.

As I have been heard to say before, government by secrecy frightens me. I do not accept the notion, Mr. President, that it is in the interest of our security to provide a fund of money in the amount of $100 million that can be used by any President, in his own discretion, for any purpose to which he wants to devote it.

Mr. President, when I say that, as one who has been severely critical of the present President I desire to add for the RECORD that my comment is not critical of this President. I am talking about a policy. It would make no difference whether it related to the present President or Harry Truman or Franklin Roosevelt, or any President of the past or any President of the future; but the Senator from Oregon is going on record today as being against any so-called secret fund of $100 million that can be used by a President to apply to his own purposes.

Speaking now of the future far removed from this administration, let me say $100 million, under a certain set of facts existing in the world at a given time, could be used to start a war, if there were in control of the Government a military junta greater than that we already have. A hundred million dollars is not peanuts. One hundred million dollars in a tinderbox area of the world can ignite the tinderbox.

I know when I make that argument the question will be asked, "Are you reflecting, for example, upon the patriotism of any President of the future?" Of course, that is a completely nonsequitur question, because if there is anything, Mr. President, you and I as lawyers know, we know that if a procedure permits of abuses, we had better change the procedure. One of the most important duties we have as United States Senators is to keep the procedures of Government clean and pure in relation to our constitutional system. We need to keep in mind the fact that when the Republic was born, it was born out of a fear, based upon experience, of arbitrary power of a powerful executive. The Republic, Mr. President, was born out of an insistence upon the part of our historic fathers that unchecked powers should not be given to any executive.

Here is a procedure, Mr. President, which would give $100 million of unchecked spending power to a President—but never with my vote.

This is no new position for the Senator from Oregon. The Senator from Oregon protested this procedure when Harry S. Truman was President of the United States, because we also gave him too much unchecked power in my opinion. That is why I said earlier today this tendency has been growing, and we have to stop it. It has been allowed to grow because the American people have been frightened—deliberately frightened—by the security argument, by the argument that "If you do not give this kind of unchecked power, then the security of the country will be risked."

I am always amused in the Foreign Relations Committee when I hear the argument about the calculated risk we have to run, when somebody wants to justify a weakening of a great procedural protection of our people. We are now living in a world, it is said, in which the dangers are so great that we have got to run the risk on some of these things. We have got to run the risk that may be theoretically entailed in giving a President this kind of unchecked power—as though that fallacious argument answers the question we raise. The question is, Can we reconcile what you propose with the constitutional system which was established by the Founding Fathers, who made it perfectly clear that Congress should not give unchecked powers to a President? The answer is, "No."

So far as the security of our country is concerned, I happen to be one who believes our country will be more secure and our Military Establishment will be more efficient and effective and our defenses stronger if we require at all times the kind of a civilian control, through the Congress, for which I am pleading today. So I say I dissent from this proposal of the majority.

I object to the erosion of Congressional authority over the expenditure of public funds which the discretionary power implies. I object to the size of the expenditures which are allowed for this purpose. Not only does title IV place $100 million at the complete disposal of the President, it also permits him to transfer an additional $150 million from other parts of the bill to be used also at his discretion.

The Committee on Foreign Relations reduced the authorization under title IV from $300 million to $250 million. That was, in my opinion, a meritorious action, except that it did not go far enough. It is conceivable that some discretion may be necessary for the President to meet emergency situations abroad. There is nothing to suggest the amount made available for this purpose ought to be as large as is still provided for in this legislation.

By way of conclusion, Mr. President, I wish to say that two of my colleagues, the Senator from North Dakota [Mr. LANGER] and the Senator from Louisiana [Mr. LONG] joined with me in voting against S. 2130 in committee. I have not invited them to join with me in this minority report, because I feel so deeply about what I consider to be a serious weakening of the legislative functions of Congress as symbolized by this bill as it came out of committee, that I decided to present this minority report as my individual views.

The RECORD should be clear that yesterday afternoon I had a conference with the Senator from Louisiana [Mr. LONG], who said he would like to see my report. I said I would be glad to have him see the report, but I wished to make it very clear to him that I was not suggesting he join with me in the report, for the reason that I go into great detail on some of my constitutional views, and to reconcile the language with the position of the Senator from Louisiana on some facets of it I was sure would take so long that we would never get the report in on time; and in addition it would make it necessary for me to modify some of my language so that it would not carry out the point of view I wished to express in my speech today. The Senator agreed with me, before he saw the report, that for this reason he should not join in the report, but should see it only for the purpose of determining what he might wish to add as a supplemental report on his part, which he has done, and about which he can speak for himself.

I should like to say that we shall be shoulder to shoulder on most of the amendments proposed to the pending bill, of some of which the Senator from Louisiana will be the author.

I wish to make clear, however, that I join with the Senator from North Dakota [Mr. LANGER] and the Senator from Louisiana [Mr. LONG] in their major objection to the bill on the ground that hundreds of millions of dollars of taxpayers' money could be saved by reductions in many of the items in the bill. I am convinced that many savings can be made without weakening our defenses in the slightest degree. In fact, it is my judgment that reductions in the bill would strengthen, rather than weaken, the security of my country. I am unable to see how waste of the taxpayers' money strengthens the defenses of America. In the last analysis, a strong economy is essential to a strong defense.

Furthermore, it needs to be stressed that powerful political forces in our country have succeeded in convincing many Americans that our military budget is an untouchable sacred cow. Whenever a Member of Congress suggests that the Military Establishment is in need of a thorough revision, he must expect to be attacked and critized on the basis of the false charge that he advocates a weakening of our defenses and a risking of our national security.

Such charges are nonsense, and the people need to be awakened to that fact quickly. There is no place in America for a military junta. We must not countenance in America any weakening of the historic principle that military affairs must always be subjected to the strictest civilian inspection, control, and policymaking. The time has come to put the military budget on the legislative operating table and remove some of the cancerous growths from our body politic.

The nuclear age is upon us. The military tactics and strategies of World War II and the Korean war, including both combat and the general defense of the Nation, are now obsolete. Yet we continue to pour hundreds of millions of dollars into a military establishment of our own and of foreign nations which are being spent on obsolete programs. We waste manpower, and spend hundreds of millions of dollars of the taxpayers' money in the wasting of that manpower.

One of our allies, Great Britain, appears to be far ahead of us in the recognition of the need for a thorough revision of its military program, with resulting reductions in its cost. It is interesting to note that some of the American officials, in attempting to alibi our failure to reorganize our own defense program as Great Britain is doing, charge that Britain is bringing about great economy in her defense because she is planning to rely upon American defenses for her security. An adequate reply to that false charge is to say "Tell it to the British." I am satisfied that her defense program will not be based upon a national policy of becoming a defense satellite of the United States.

What is happening in fact is that Britain's leaders know that the nuclear age calls for a reorganized defense program. As long as the Congress of the United States continues to appropriate the billions of dollars it is now appropriating to our own and to foreign military establishments with as little control over the actual expenditure of the funds by the military and over determination of the policies upon which the expenditures are based as now exists, we will continue to waste billions of dollars.

This year is the time to call a halt in this waste. This foreign military aid bill is the place to start. It is my hope that the full Senate will adopt amendments reducing substantially the military authorizations called for in this bill.

S. 2130 brings to a head an issue which deeply disturbs many people of my State and many people throughout the entire United States. The issue is whether the Senate is going to go on year after year with a program that has already involved $60 billion in expenditures in a decade and which in recent years has brought the Nation only increasing harvests of ill will abroad. Or is the Senate going to make the kind of thoroughgoing revision of this program that it must have if it is to serve the interests of the people of the United States, the ordinary people of other countries and the peace of the world?

The Senate established the Special Committee To Study the Foreign Aid Program. The report of that committee pointed the way to the kind of revision that is needed.

If the recommendations of the special committee are followed more closely this bill can be revised so as to remake the foreign aid program into an undertaking worthy of the support of the Senate of the United States. The cant and subterfuge which the executive branch has introduced into this legislation can be eliminated. The erosion of congressional powers can be stopped. Hundreds of millions of dollars of the taxpayers' funds can be saved. I submit that this kind of revision has not been made by the majority of the Committee on Foreign Relations. And until it is made this bill is a hoax. It does not fully meet the needs of the citizens of the State of Oregon or any State. It does not warrant the approval of the Senate of the United States.

Therefore, for the reasons I have set forth, I urge the defeat of the bill in its present form, and the adoption of a series of amendments which will be offered by a group of us as the debate progresses.

I wish to thank the Senator from New Jersey [Mr. SMITH] for his patience in waiting for me to conclude my remarks, preparatory to beginning his own. I should like to extend to him the courtesy of a call for a quorum, if he will permit me to suggest the absence of a quorum.

Mr. SMITH of New Jersey. I do not feel we need a quorum, because we are making our record here. I do not think we need to take the time for a quorum call.

Mr. MORSE. I am advised, I may say to the Senator, that the majority leader has requested it. Under those circumstances, I should like to suggest the absence of a quorum.

Mr. SMITH of New Jersey. Very well.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SMITH of New Jersey. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SMITH of New Jersey. Mr. President, it was my great privilege yesterday

to attend the naval review in Hampton Roads, Norfolk, Va. Therefore, I was absent when the mutual security authorization bill was taken up for consideration by the Senate. However, I have read the very excellent presentation made by the distinguished senior Senator from Rhode Island [Mr. GREEN], our beloved chairman of the Committee on Foreign Relations. I note that he bestowed praise upon the members of the Committee on Foreign Relations for their part in the work of the committee, but that he very modestly did not give himself any recognition. I cannot help adding the thought that the Senator from Rhode Island is the man who has been behind not only the studies leading up to the report, but has supported these studies for almost a year, preparatory to developing the whole program of mutual security. Therefore, I desire to have the RECORD show the deep feeling of appreciation and affection we all have for our chairman in his work on the bill this year.

I also wish to commend my colleague, the distinguished Senator from Wisconsin [Mr. WILEY], who spoke yesterday in behalf of the bill.

II

COVERAGE OF THE BILL

Mr. President, the Committee on Foreign Relations has reported a bill which represents a major shift in the administration of the mutual security program and a clarification of its aims and ideals.

Concerning the preparatory work for the program, a word of commendation and appreciation should be spoken in behalf of the staff of the Committee on Foreign Relations. I know my colleagues will agree with me when I say that the work the members of the staff have done during the past year in preparing material and assembling the reports concerning the foreign aid program deserves great praise. I wish to give the members of the staff that credit publicly.

I urge every Senator, before he votes on the measure this year, to read carefully the very excellent committee report, which was prepared largely by the staff, but which was participated in by all the members of the committee before the bill was reported favorably.

Also, I urge every Senator, before he votes on the proposed legislation, to read the report of the special subcommittee, composed of the members of the Committee on Foreign Relations and of other committees, concerning the year-old study of the whole subject of mutual security assistance.

As a result of the study, there is a good possibility of attaining increased efficiency and effectiveness in the program and a clearer understanding of its aims by the American people and by the peoples of other countries.

Personally, I have distributed to the people in New Jersey and elsewhere a great many copies of the report of the special committee. Questions have been directed to me about the program for this year. People have been misled by the references to giveaways. So I felt it worthwhile to send them copies of the report, and I have received very favorable responses concerning the approach which the committee has taken this year.

The mutual security program is acknowledged by all thoughtful Americans to be an integral part of our foreign policy and a positive extension of our responsibility as the foremost free nation in the world. The committee stated in its report:

> The mutual security program • • • has produced results solidly in the American national interest. American foreign aid has played an indispensable part in keeping the free world free.

The question, therefore, is no longer "whether," but "how," and the 1957 act goes a long way in answering this query.

In a recent article in the New York Times, the distinguished junior Senator from Montana [Mr. MANSFIELD] wrote of the need for tripartisanship in the conduct of American foreign policy.

I was so much impressed with the article, although a Senator on this side of the aisle, that I commended the Senator from Montana for his article concerning tripartisan foreign policy. By this was meant not only cooperation between the two parties in Congress, but also cooperation between Congress and the Executive in the formulation of policy. In my judgment, Senate bill 2130, now pending, reflects the benefits of the tripartisan approach. An amalgamation of policies proposed unanimously by the Senate Special Committee To Study the Foreign Aid Program and Policies Proposed by the Eexcutive, it comes to this body for consideration as a measure devoid of attributes of partisanship.

It may well be designated "unpartisan," as our former colleague, the late Senator Vandenberg, used to say, and certainly it can be designated as tripartisan, as the junior Senator from Montana [Mr. MANSFIELD] stated the other day. Among the many other laudable reasons for the passage of the bill, this fact is worthy of our considerate attention.

Mr. President, the able senior Senator from Rhode Island [Mr. GREEN] and the able senior Senator from Wisconsin [Mr. WILEY] have enumerated the major changes in the mutual-security program contemplated by the bill: namely, the separation of military assistance and defense support from long-term economic aid, the 2-year authorization of military assistance and defense support, the creation of the development loan fund, the increase in the technical-assistance program, the clarification of purposes, and the creation of a special assistance title to permit use of funds for emergencies, both economic and political, and for humanitarian purposes.

The Senator from Rhode Island pointed out also that instead of 85 percent of the moneys being authorized for military and defense programs, as was done last year, this amount has been reduced to below 75 percent in this bill.

III

HISTORY OF MUTUAL SECURITY

Let me speak for a minute concerning some of the history of our mutual security programs, which have been under so much fire. I shall not repeat the able explanations which have been made by our colleagues; instead, I wish to speak about the 10th anniversary to the battle for peace and freedom. Ten years ago this spring, the American response to the advance of international communism was first enunciated in the form of the so-called Truman Doctrine of aid for Greece and Turkey. I had the honor to be a Member of the Senate at that time, and I voted for the measure, feeling that it was a new and most significant step. It was a startling and courageous proposal, announced at a time when the forces of the free world were perhaps at their lowest ebb.

It was shortly after that announcement that General Marshall made his famous address at Harvard University, in which he enunciated what ultimately became the so-called Marshall plan, and which has evolved, since that time, into the kind of mutual or foreign aid which has been extended ever since.

Western Europe was then in desperate economic straits. The savage destruction of the war lay as a crushing burden on the prostrate continent. Severe winters had depleted the already dangerously low agricultural stocks.

In the Middle East, Greece was in imminent danger after the announcement by the hard-pressed British that they could no longer continue aid. Turkey was being menaced by Soviet armies on its borders. The Arab countries were sitting on a powder keg labeled Palestine.

In Asia, India and Pakistan were both on the verge of acquiring independence, and a feud over Kashmir, which still troubles their relationships. Fighting was raging in French Indochina, and between the Dutch and the people of Indonesia. China was the scene of brutal carnage.

Peace, a word which had sounded so thrillingly in American ears just 2 years previously, had become a hollow mockery in a world of turmoil.

Ten years have elapsed since that fateful initial decision by the United States—10 years of hope and pain, but really 10 years of progress. America was then being launched into an unknown future. Our experience with foreign relief had been limited to specific emergencies and the aftermath of World War I. Throughout our long history we had never contracted an alliance with a foreign nation during a period of peace. That is a very impressive thought. I have had it checked and, I repeat, throughout our long history, we had never contracted an alliance with a foreign nation during a period of peace.

But gradually we became aware that if the free world, including the United States, was to survive, we would have to fight for peace just as effectively as we had had to strive to win the war. We sensed our opportunity and our responsibility.

The weapons at first were primarily economic, although some military assistance was given to the Greeks and Turks. But the terrain was new and unknown, and knowledge had to be acquired from experience.

IV

THE EXPERIENCE OF 10 YEARS

It was a novel and heretofore inconceivable position for the Nation. After the close of World War II, we had hoped and expected that the other countries in the world would be as desirous of peace as we were, and that aggression would be met by the collective security system of the United Nations. These expectations were premised in the hope that Russia believed in them as ardently as we did. But the years since 1946 have been replete with evidence of increasing duplicity and aggression by international communism. The list is a long one. I need not cite all the instances, but I call attention to Czechoslovakia, in 1948; China, in 1949; Korea, in 1950; Vietnam, in 1953; Guatemala, in 1954; Quemoy and Matsu, in 1955; and Hungary and the Middle East, in 1956.

The record is indisputable proof that the peace which we have sought and wished for will not be obtained until the free world confronts international communism with such strength that the latter finally realizes it cannot gain its ends through either aggression or subversion. We now understand that in order to make this realization effective, an unceasing effort must be maintained by the Free World.

Up to now, our programs have mainly been responsive to crises. Much of our aid has been on what might be called a crash basis.

We have been experimenting with administrative devices, as well.

There was the Marshall plan, then NATO, the Korean war, and military aid to Asia. But there was also point 4 and UNICEF and the World Health Organization and CARE. There was ECA, OEEC, TCA, FOA, and ICA.

There have been trial, and error, and change, as we have recognized the depths of responsibility and the enormity of the mutual effort. Underlying it all has been the gradual dawning that the awful alternative to the containment of communism and the growth of responsible nations desirous of collective security and law, is American hegemony purchased at the price of nuclear war.

During these 10 years we have harvested both experience and victories. From 1944 to 1949, during a period when we had dismantled the most powerful military machine in the world, international communism conquered 14 countries, with a population of over 725 million people, and an area of 5 million square miles. From 1950 to 1956, however, after the mutual security program had been created, international communism has conquered 2 countries, North Vietnam and Tibet, with a population of 12 million people, and an area of one-half million square miles.

The statement of Secretary Dulles before the House Foreign Affairs Committee is an eloquent summarization of these facts. Secretary Dulles said:

> Not one of these seized nations, was at the time of seizure, protected by treaties of mutual security and the common defense system created thereunder. But not one nation which did share in such a common defense has been lost to international communism.

It must be remembered in this connection that some 19 new nations have come into existence since World War II.

Other gains have been significant. The military strength of our allies abroad has substantially increased. A network of defense alliances, supported by local forces, and backed by United States mobile power, has been created. Through the fiscal year 1956, the United States expenditures for military assistance were $17.4 billion. Defense expenditures by our allies amounted in that period to $107 billion. I wish to emphasize that point, because so frequently it is said that we are carrying the entire load. I repeat, that during that period, the defense expenditures by our allies amounted to $107 billion.

Actual figures tell the story even more concretely. In 1950, the active ground forces of our allies numbered about 3½ million not too well trained and inadequately equipped men. Their naval forces numbered fewer than 1,000 combat vessels. Their air forces were equipped with about 11,000 conventional aircraft and fewer than 500 jets.

By the end of 1956, the ground forces of our allies had been increased to 4.8 million, an increase of 37 percent in quantity, and with a far higher standard of quality and morale. Their navies had over 2,300 combatant vessels, an increase of 139 percent. Their air forces were equipped with over 12,000 conventional aircraft; the numbers of their jet aircraft had been increased to nearly 11,000, or 22 times as many as they had in 1950. When the forces of Canada, Australia, and New Zealand are added to these, the total includes active ground forces of over 5 million men, an air force of over 27,000 planes, 12,500 of which are jets, and 2,500 combatant naval vessels.

Mr. President, I refer to those numbers; because, as I have said, yesterday I had the privilege of going to Hampton Roads, Va., where there was the most significant and impressive naval review ever held in western waters. Included in the review were not only a large part of the fleet of the United States in Atlantic waters, but also naval vessels from, I believe, some 18 foreign nations; and in the reviewing group there were not only representatives of our own Government, including the Secretary of Defense, but also the ambassadors of all the nations whose vessels were included in the display.

Moreover, strategic geographical sites have been obtained close to the borders of Russia, where important airfields and locations for guided missiles are being constructed. These gains have not only enormously increased our potential for defense, but they have also meant the saving of untold billions of dollars which otherwise we would have had to spend on defenses here in America.

Besides these triumphs, stemming from the mutual security program, the industrial might and the skilled peoples of Europe have remained in the free world, and the vital resources of Africa and South Asia have been retained. If we had allowed the industrial power of Europe to fall to the Communists and the resources of Africa and Asia to be forbidden to us, the Soviet would have secured a potential infinitely superior to our own. These considerations demonstrate the importance of this program from the standpoint of our own national security.

At the moment we are engaged in a series of disarmament discussions in London. History has proved that the most effective way to deal with Russia is from a position of strength. Because the power of the free world has been built up through the mutual security program, there is greater hope for sincere results now in the disarmament conferences than ever before.

V

ECONOMIC ASPECTS OF THE BILL

Mr. President, these have been the strides accomplished for the military containment of communism.

Of equal importance have been the measures undertaken to foster the economic growth of the underdeveloped nations. With the exception of the Marshall plan aid to Western Europe, economic assistance and technical cooperation have comprised a relatively small part of the entire mutual security program. In this respect, it is important to note, however, that—dollar for dollar—we probably get more from our technical-cooperation program than from any other aspect of the mutual security program.

The efficacy of the Marshall plan is demonstrated by the fact that none of the original Marshall plan nations is now receiving economic assistance. I wish to emphasize that point; namely, that of the original Marshall plan nations which were helped by the first impact of our aid—and we did give them economic assistance—none of them is now receiving economic assistance from the United States. Some 21 countries are receiving bilateral economic assistance from the United States today, and some 28 countries are receiving military and economic assistance. Both groups are outside of the Marshall plan group I mentioned a minute ago.

The advent of the Korean war and Communist aggression in Asia necessitated a curtailment of economic assistance in favor of military aid. In more recent years, due to the mounting strength of our allies and the nuclear stalemate between Russia and the United States, communism has tended to divert a good part of its attention from overt aggression to economic penetration, and, I regret to say, subversion in the underdeveloped countries. The consequent peril to the freedom, independence, and self-determination of these countries has heightened American emphasis on programs designed to foster their economic growth and development. As a result, the new approach to mutual security as set forth in Senate bill 2130, which is now pending, envisions a division of funds for economic aid. In section 400, funds are authorized to be appropriated to the President to be spent "to maintain or promote political or economic stability" or for conjunction with military assistance.

I call especially to the attention of the Senate the fact that in title II—the long-term development loan fund is established, to be administered on a businesslike basis.

We have not heretofore had a loan fund as such. There have been loans, but the loan fund provided under title II is a new departure, and was provided largely as a result of studies made by the committee and the recommendations of practically all the experts we sent into the field.

In recent years about 7 percent of our mutual security funds has gone into development assistance, and about 4 percent into technical cooperation. Under the bill presented this year, about 14 percent will be directed toward development assistance, and about 4.3 percent for bilateral technical cooperation.

Unlike the military area, where numbers of jet planes and soldiers and bases can be counted and actual defense progress determined, the economic assistance program can be evaluated only over a span of years. In Europe, at the end of the Marshall aid era, production had increased over 1938 by some 40 percent. But this was assistance to an already highly industrialized area. Conversely, substantially all economic assistance in the past few years has gone to underdeveloped and relatively underdeveloped nations, and complete statistics in this respect are not yet available, nor will they be in the very near future.

We are cognizant, however, of numerous specific and gratifying examples of production increases in such nations as Thailand, Taiwan—Formosa—and India, agricultural development in Iraq and Vietnam, and currency stabilization programs in Chile and Bolivia.

VI

PURPOSES AND LONG-TERM AIMS

What is essential to keep in mind is the purposes and long-term aims of economic assistance.

First and foremost is the security of the United States, which entails assistance to underdeveloped nations to the end that their very high aspirations for freedom and economic development will be satisfied through orderly and peaceful measures of progress.

Second, vital raw materials will be retained and continually made available to the United States. We do not want those raw materials to get into the hands of Russia or her satellites.

Third, the development of strong, free, and independent nations throughout the world will provide legitimate satisfaction to the desires of rising nationalism and will substantially reduce the danger of conflict arising out of attempts by international communism to penetrate into areas where it suspects power vacuums to exist. That is one of the dangers which is hard for some people to understand who have not been to countries where there is a danger of power vacuums. Where they exist, communism rushes in by subversive methods.

Fourth, a high level of economic activity is, on the whole, more favorable to genuine stability and responsibility in government than are poverty and misery. We must bear that in mind. If the people of underdeveloped nations are to get on their own economic feet and become self-sustaining, they must be fed and clothed.

Fifth, as these underdeveloped nations grow in economic strength they will be better able to support military programs and utilize advanced weapons, all in the interest of mutual defense.

Sixth, if other countries within the orbit of the free world are better off, they form larger markets for American exports and the development of international trade.

Seventh, as the underdeveloped countries attain higher levels of economic development, their existing inconvertible currencies will secure standing in the world market for the furtherance of investment and trade.

Those of us who have been abroad, are aware of the great uncertainty with regard to currency stabilization. I can remember the days when we could buy bank credits, and every country, whatever it might be, would be listed on our certificates, indicating what the exchange rate of the dollar was in every one of those countries. That is no longer true. Now there is a legal rate and a black-market rate, and one does not really know where he stands.

Of paramount consideration is the undeniable fact that economic progress among the underdeveloped nations will be reflected in greater strength for the free world. There is an exciting and significant relationship between the orderly economic and social progress of these nations, in fulfillment of their cherished aspirations, and the development of forces desirous of achieving a workable system of collective security and of peaceful change.

When a farsighted program of economic assistance promises mutual benefits to the United States and to the underdeveloped nations, it is worthy of our strongest possible support.

Freedom, self-restrained but vibrant and inspired by the guidance of Almighty God, has been won by those who, through history, have recognized and felt the ultimate value of the individual human being. "Ye shall know the truth and the truth shall make you free." These immortal words are the guiding star of our destiny. But God helps those who help themselves, and it is our purpose to help the underdeveloped countries to help themselves and thus to be prepared for full freedom.

Economic assistance combined with local self-help can destroy the insidious weakening effected by illiteracy, poverty, malnutrition, and disease. When these are supplanted by knowledge and strength, confidence and hope will swell the legions of the truly free.

But here again, we must remember, the effort will be long and arduous and the attainment of victory resultant upon the maintenance of eternal vigilance against complacency, apathy, and smug satisfaction.

VII

PRIVATE INVESTMENT

Mr. President, I wish to say a word now about the possibilities of private investment, which has been much discussed.

Why cannot private investment effect at this stage the intended aims of economic assistance under the mutual-security program?

The answer is very precise. A groundwork of social overhead capital—that is, roads, dams, irrigation projects, airfields, railroads, and commmunication systems—must first be created in the underdeveloped nations. Private investment can be of assistance in some of these, but the main burden at this moment will have to be borne by local and foreign public funds.

The analogy is often made to the great amounts of foreign private capital which furnished priceless aid to the economic development of this Nation during the 19th century, in the early years of our history. But, the analogy is not entirely a true one, because we had skilled labor, political stability, trained management, and local industry already in existence. This is not the situation in many of the underdeveloped countries in the world today. A basic framework has to be laid by local and foreign public assistance first.

That, Mr. President, is also one of the primary reasons why it has not been economically feasible to create a long-term businesslike development loan fund prior to this year.

We have gone through the period of experimentation and learning and have reached the point where we think economic growth can profit by the use of long-term loans. Much had first to be done through the medium of economic grants. Much had to be accomplished through technical cooperation in order to instill skills in local labor, introduce knowledge of management, and fiscal and accounting practices, and teach methods of increasing agricultural production so as to enable a shift of labor to be made from farms into industries.

A great deal more effort is necessary in this respect, it is true, but, likewise, much has been done.

For those who have been skeptical of the validity of economic assistance to date, this truth is all important. A level must first be attained in order that a businesslike program of development loans can be established. It is the hope I think of all members of the committee that eventually private investment will be able to be substituted for all of the functions of the development fund. But for the moment, the fund demands the support of all of us as an essential cog in the maturing of our program of economic assistance.

VIII

CONCLUSION

Mr. President, in concluding my remarks I have a few observations to make.

This is the 10th anniversary of our battle for peace and freedom. I have tried to depict the progress and the triumphs which have been attained in the military and the economic phases during the past 10 years.

We are engaged in a great ideological conflict. We are fighting for men's minds. To win, as to triumph in any war, planning, and programing are

essential, to the end that the resources and capabilities of the United States and our allies will be used most effectively and efficiently. It is a mutual effort. I have already referred to the military programs of our allies. In the economic field from 1952 to 1955 our allies contributed some $3.2 billion in foreign assistance to underdeveloped countries.

Of this amount some $47 million was contributed to the United Nations activities and about $346 million to the International Bank for Reconstruction and Development. Of course, a fair amount of it went to colonial possessions or former colonial possession, but its purpose and motivation was to increase economic and social development.

We have harvested experience and victories in these 10 years. Today, four concepts stand out with crystal clarity.

First. The struggle of the free world must be unremittingly maintained until victory is secured.

Second. The mutual-security program must be continued until that victory is in sight.

Mr. President, I think I read all the reports which came to our committee from the different experts we had retained, and who were helping us. Every single one of them said that the mutual-security program must be continued until we could see the end of the road of this present ideological struggle.

Third. Both aspects, military assistance for defensive strength, and economic assistance for the orderly and responsible development of underdeveloped nations, are indispensable parts of that program; and

Fourth. Administrative and fiscal policies and institutions must be revised to carry out most effectively a long-term program in the national interest.

To meet the challenge we must adopt modern techniques.

This bill, in my judgment, goes a long way toward bringing our tactics up to date. As the senior Senator from Rhode Island has so ably stated, the bill is by no means perfect, and it will need changes as the years come along. It will, however, enable us to do a far more effective and more efficient job than we have been able to do in the past.

The amounts authorized, as the President has stated, provide the necessary minimum to carry through the program. Wholesale slashes would not only imperil our national security, but endanger the forcefulness of our leadership of the free world. I strongly urge all of my colleagues to support and adopt it.

The bill calls for a program of continuance of strength here at home, and a program of military assistance and economic aid with our allies and the nations in the Free World abroad, in a joint effort to increase the strength of a system of collective security and law. It really can be called a bill for peace and freedom.

Russia has given no indication of a lessening of its unrelenting desire or purpose to conquer the world. For us to relax in the struggle now is to face the horror of war tomorrow, unprepared and substantially weaker than the Communist nations.

We have the planning. We have the program. We have the capabilities. We have the allies and the potential. We can weld these together now with the will to win.

Mr. President, let me close by inviting the attention of my colleagues to the history of our own country. What motivated people from abroad to come to settle in America? It was their aspiration for freedom, self-determination, and the right to follow the dictates of their conscience and follow their God as their God directed. They came here with that flaming spirit. They developed that spirit. They gave to the world a nation which has far surpassed any other nation not only in prosperity but in moral leadership. We are the heirs to that responsibility. We have shown to the world what we can do here. Now the call has come to us to accept our responsibility elsewhere.

I shall close by paraphrasing from Abraham Lincoln's famous Gettysburg Address, when he said the sacrifices were not made in vain, that they were made so that government of the people, by the people, for the people should not perish from the earth.

That is my view of this bill. My belief is that it is our destiny to follow through, despite its imperfections, with the kind of legislation we are now studying so sincerely, so as to find the best way to do that which means so much to the future peace of the world.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. SMITH of New Jersey. I am glad to yield to my distinguished colleague.

Mr. CASE of New Jersey. I wish to congratulate my distinguished colleague, the senior Senator from New Jersey, on the admirably lucid and persuasive explanation he has given of the program before the Senate, which is presented by the Committee on Foreign Relations. It has been most helpful to me.

Even more, I should like to take this opportunity, briefly, to express my personal appreciation for the leadership which my senior colleague has given in the great Committee on Foreign Relations, in the Senate, in our State of New Jersey, and in the country as a whole. As the foreign-aid program, in its various phases, has been worked out and applied, he has been in the forefront of those who understood its purposes, the changing needs to which it has been applied, and the changes in it which have been necessary. A great measure of the success which has attended the joint effort by all people of good will and understanding in bringing this program to us in a form adapted to present needs is due to my distinguished senior colleague from New Jersey. I wish to extend to him, in this brief and inadequate statement on my part, my personal appreciation for his help to me in my efforts to understand the program, to know more about it, and to be helpful in it.

Mr. SMITH of New Jersey. I thank my colleague very cordially.

Mr. President, I yield the floor.

Mr. TALMADGE. Mr. President, permit me to preface my remarks on foreign aid today with a few observations.

A special Senate committee studying the foreign aid program stated recently:

> The committee recognizes that there are Americans who believe that these expenditures have not served the national interest and others who believe that they have.

I am in agreement with the former conclusion but respect the opinions of those who adhere to the latter view, and ask that my thoughts be accorded the same tolerance.

Let me emphasize that my views on foreign aid are not directed at any individual or group.

Rather, they are aimed squarely at the system and at the policy.

Or to be more exact, my criticism is directed at the lack of policy and the lack of system.

I feel strongly that the humanitarian responsibility of feeding hungry people from our great supplies of surplus foodstuffs and the practical responsibility of taking every possible measure for our own military defense are necessary and justified. The only limitation applicable to these efforts should be the extent of our country's capability, as viewed liberally, in the light of unchanging practical experience.

But, certainly, this does not mean that it is the duty of the overburdened American taxpayer to subsidize through foreign aid political or social experimentation or all manner of global projects of doubtful value throughout the earth.

Foreign aid projects which strengthen the defense posture of this nation are necessary and justified and shall have my full support. However, I am equally firm in my opposition to those projects which seek to do for persons in other lands what we are either unwilling or unable to do for our own citizens here at home.

The safeguarding of the economy of this Nation demands that we give careful scrutiny to each foreign aid proposal in order to determine that our country gets full value received for its expenditures. This is particularly true in light of the fact that, as of last March 31, this country had an unexpended foreign aid balance of $7.7 billion which would be more than sufficient to carry on our foreign aid program for some 2 years if not another dime were appropriated for it.

It must further be borne in mind in properly evaluating this program that the Federal Government now is paying 3⅝ percent interest on the money it borrows to finance such undertakings.

It is also my view that in the field of economic aid, assistance should be limited insofar as practicable to loans. Such help, of course, should be coupled with the encouragement of private enterprise to invest its capital in sound business ventures abroad.

In all of our policy, we seem to have overlooked the prime factor that should guide our considerations. It was expressed well the other day by Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, when he declared:

> We cannot trust the Russians on this or anything.

We have been at a loss in thwarting the vigorous and direct approaches of the Khrushchevs and the Bulganins.

Pure idealism, that in many instances has characterized our diplomacy, has been no match for the cunning and calculating practicalists in charge of Kremlin diplomacy.

Our panicky policies have produced negative results.

We have no definable objective.

Nor have we had a stable or consistent policy or plan to achieve it.

A lasting and honorable peace seems further away than ever before. Our present policy presupposes that global war is inevitable—just a matter of time. Yet, time seems to be running against us.

Dollar diplomacy is no substitute for calmness, care, consideration, and cool deliberation in the conduct of our foreign policy.

The fact that we have sacrificed the lives of thousands of American youth on foreign battlefields and have spent over $115 billion in foreign aid during the last 40 years attests our willingness to do more than our part to preserve peace in the world.

The American people have drafted their youth and have given of their material substance without demands, without conditions or without even an accounting.

No people in the history of the world have given so much to others and asked so little in return.

We have jeopardized our economy and mortgaged our future by giving away billions to stop war.

The dread specter of runaway inflation threatens every institution in American life today.

It threatens the home, the church, the school, and business, and it is built into the whole foreign aid undertaking.

It is completely inconsistent to give lipservice to "controlling" inflation while feeding it at the same time with profligate foreign aid ventures and the outpouring of billions of American money for foreign aid giveaways.

The purchasing power of our dollar has shrunk over 50 percent in the last 18 years. It is down 3½ percent in the past 12 months.

We cannot close our eyes to the fact that in the very next decade, if the present trend is allowed to continue, we will have a 25-cent dollar, or one worth even less.

Already our national debt, per capita as well as the sum total, far and away exceeds that of all other countries of the free world combined. This does not count State and local debts.

The tight money policy adopted by the present national administration has sent the cost of servicing the national debt soaring by some $600 millions annually even in spite of the fact that there has been a slight reduction in the amount of the debt itself.

Foreign aid is in a large way responsible for the denial of tax relief to millions of Americans whose earnings have been confiscated in large amounts by the Federal Government to pay the bill for this spending across the seas.

We are paying wartime taxes in peacetime.

From 1792 to 1950 Americans paid $406 billion in taxes to their Federal Government.

From 1950 to 1957 we paid to the Federal Government $433 billion.

For $406 billion we fought and won 6 wars.

For $406 billion we fought an indecisive police action in Korea and have waged what diplomats call a cold war in peacetime.

Today, roughly one-sixth of the gross national product of this country is being paid in Federal taxes.

One wonders how long this Nation will survive such a drain on its economy.

The President's brave pronouncement of stabilizing the cost of living has fallen by the wayside.

During the 1957–58 fiscal year the Federal Government expects to collect out of the United States taxpayers the stupendous total of $75.8 billion.

I say with all candor that unless the present policy of Federal spending is held in check, all hope of a tax cut at any time in the future will vanish and we will be confronted with another round of Federal tax increases and more likely the imposition of new or additional taxes.

During the last 12 years we have spent more than $5 billion a year for foreign aid—a total of more than $62 billion.

It is hard to visualize what this huge amount of money would have done for the people of this Nation.

It would have provided for our every need in the way of schools, hospitals, highways, and permanent improvements of every sort.

There would have been enough to provide a needed increase in presently inadequate pension and retirement payments, and there would have been enough to end the depression on the farm and provide our farmers a fair return for their investment and labor.

We are told that unless we send dollars, we will have to send our youth and pay with blood.

In that statement, we have a clear-cut admission of a total failure in our foreign policy. And we have evidence of a total failure to achieve any concrete results even after the expenditure of all these billions on peacetime foreign aid.

"Send dollars to save sending sons," sounds good as a slogan, but it is nothing more than a delusion. History has proved it so on more than one occasion in the recent past.

Congress should not be deceived by tricky phrases and clever slogans.

Congress should not be stampeded into adopting a course that can only bring us nearer the "brink of war," if not carry us over the brink.

The present policy of weakening this Nation's economy and defenses through ineffective foreign aid, if continued, makes it inevitable that we will be forced again to send our sons to fight and die in foreign lands.

Add to this the unpleasant prospect that our Nation, with her resources dissipated to the four corners of the earth, may lie prostrate, vulnerable to attack.

It is in that light that we must reexamine and readjust the whole field of our present foreign-aid policies from top to bottom.

Mr. President, although I am new in Washington, it is difficult for me to detect any appreciable degree of logic in the foreign economic-aid program.

To make any sense out of some of these giveaways requires that one discard all of the tried and proved maxims of human experience.

It appears to me that in this strange program, truth is inverted and results in a mirage.

I can conceive of no other activity in governmental operations so lax and inefficient where a total of $363 million could be lost for over 2 years without anybody finding out about it.

Perhaps the most alarming aspect to me of our foreign-aid program is that many well-meaning and sincere people have been persuaded that all of this vast array of money is buying us something in the way of future security.

The record shows, and will continue to unfold, the sad fact that we have not bought one iota of the protection we must have in case of necessity, even in spite of the bitter sacrifices we have been called upon to make.

Thousands upon thousands of highly paid American jobholders and their families have been dispersed throughout some sixty-odd nations of the earth to show these nations how to spend our money—and how to get even more to spend.

People do not like to be forced to depend upon charity.

So it is with nations.

Foreign aid, extended to the point of continuous dependency, breeds ill-will.

The truth of this conclusion was demonstrated recently when the Finance Minister of Pakistan publicly expressed grave concern over the harmful effects to his country of continued dependence on United States aid.

A compilation of news dispatches quoting Minister Ali appeared in the May 23, 1957, issue of the Washington Post and Times Herald. By way of illustration, I ask unanimous consent that one of the articles be printed at this point in the RECORD as exhibit A.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXHIBIT A

PAKISTAN AID URGES LIMIT ON UNITED STATES HELP

KARACHI, May 22.—Finance Minister Syed Amjad Ali says Pakistan should "face grim realities" and quit depending so much on United States aid.

Amjad Ali, Pakistan's Ambassador to the United States for 3 years, told newsmen yesterday at Peshawar that "our economic dependence on the United States has grown beyond expectations and the sooner we get to our feet, the better for us and the country."

America, he added, was providing Pakistan with between 700,000 and 800,000 tons of grain this year, while the Government was importing a further 300,000 to 400,000 tons independently. America was also providing foreign exchange to help build Pakistan's foreign exchange reserves as well as giving military and technical aid.

"There must be a limit to our commitments, and it is up to the whole nation to rise to the occasion, face grim realities, and make up what is lost," he declared.

Mr. TALMADGE. Mr. President, we next come to the logical question: Has the expenditure of all these billions of American tax dollars bought any lasting friendships based on this spending and this spending alone?

No. It has brought only adverse criticism and inveterate hatred of the nations involved.

Recent news dispatches from Japan, Formosa, Lebanon, and other countries reporting numerous manifestations of anti-American sentiment are disquieting, indeed. Even Western Europe, according to the United Press, is extending a cool reception to American tourists. I ask unanimous consent that the United Press article entitled "Criticism of Americans by Europeans Has Mushroomed Since the Suez Crisis," marked as exhibit B, be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

EXHIBIT B

CRITICISM OF AMERICANS BY EUROPEANS HAS MUSHROOMED SINCE THE SUEZ CRISIS

(By Claire Cox)

(EDITOR'S NOTE.—Criticism of America has mounted in Europe since last fall's Suez crisis. It isn't confined to newspaper accounts and living-room conversations. Even the American tourist abroad this year may hear some of it. United Press correspondent Claire Cox did as she motored with her husband through Britain and the Continent.)

LONDON.—A horde of more than 700,000 Americans are looking forward to trips to Europe this year, but is Europe looking forward to them?

The Italians and French both treat the American tourist as a child—the Italians as their own, the French as someone else's.

Both advertise widely for visits by Americans. Both say they are glad to see Americans. But while the Italians smile when they take your dollars, the French just take them.

COFFEE, CRITICISM

The British don't drink tea so much any more. These days they down American-style coffee and criticize the United States.

British streets and highways are traveled by Britons in American-style automobiles. London shops feature styles fresh from Fifth Avenue. There is an American-style soda foundation at Shakespeare's birthplace at Stratford.

But Britons make it quite clear that while they may buy American, they don't have to be pro-American.

The Swiss are pleased at the chance of a greater income from tourists than watches. The West Germans are glad Americans feel more free to visit their country and they hope for a revival of the friendly exchanges of postwar—World War I—days.

But some Swiss are angry at the United States for its higher tariffs on Swiss watch movements and its decision not to back the British-French invasion of Suez.

Some West Germans resent American efficiency and dislike Yankees because of the presence of the United States Army in Germany 12 years after the war.

These are impressions gained after 2 months' motoring through Britain and the Continent. They came only from dealing with persons who live off the tourist business. A tourist's chances of meeting someone other than a cab driver, a waiter, a tourist guide, or a chambermaid are slim indeed.

Our visit to Britain began with a rocky voyage across the English Channel from France. During that storm-tossed ride I sat fighting off seasickness and was a captive audience for an English woman's attacks on Americans.

"Americans aren't liked anywhere," she said. "They are going to have to find a solution to the Middle East. * * * The Americans didn't do any real ground fighting in World War II. They sent planes to flatten everything and then moved troops in with little fighting."

PREACH FREEDOM

We heard some French criticism of American policies and a Paris cab driver charged us $8 for a $1 ride without batting an eye. But a French Government travel bureau official said, "I guess we can be angry at the United States without being angry at all Americans."

A Swiss travel official said, "We hear the United States preach freedom and then clamp down on Swiss watch imports. Otherwise we have a friendly feeling toward individual Americans."

In West Germany, an American travel representative reported, "the attitude toward Americans here is getting better all the time. They do resent us a little but only the somewhat boisterous draftee types who whoop it up on weekends and paydays."

Mr. TALMADGE. Mr. President, in the future, it would be well for us to remember this lesson that we have learned through hard and costly experience.

Words and dollars can never triumph when national policies are ambiguous, incoherent, and muddled.

Only the continuous vigilance of the American people can stop the powerful forces which are determined to spend us into bankruptcy.

I do not stand alone in my conviction that the irresponsible fiscal policies being followed by our Federal Government pose a continuous and worsening threat to our national existence.

Being such a threat, there is the real danger that a great deal of the agitation for more and more spending on foreign aid and otherwise is prompted, without justification, by some who would hasten the day of our insolvency.

We should remember that the planners have come here year after year asking for more billions, and have promised Congress that if it will just vote this money the world will be safe, that all will be well and American aid can end. Now foreign aid, instead of being sold to Congress as an emergency year-to-year program, has assumed the tag of a permanent obligation of the American taxpayer.

Not being satisfied with giving aid to our friends and allies, we have given billions in aid to the so-called neutralist nations.

We have done this with no questions asked under the fear that some of these recipient nations might take their friendship elsewhere.

We have given millions in economic aid and vast quantities of military supplies to these nations.

No thought has been given to the stark peril that in the future our very arms might be hurled against our own sons.

We have seen Tito, Nehru, Nasser, and others visit and play hosts to the Communists in orgies of friendship and anti-Western demonstration.

Now it is solemnly proposed that we begin a program of "aid" to the Communist satellite countries of Eastern Europe.

How much success can we expect there when Tito has taken our jet fighter planes, our weapons, our food, and other aid totaling a billion dollars, yet, publicly, proclaims himself and his country just as close to Moscow as ever?

It is nothing short of catastrophic for our leaders to be deceived into thinking that a red flag by any other name is a different color.

Do we not know that so long as we are committed to this vast and indiscriminate foreign aid policy, the Reds can shout "Wolf," and off we will have to go in all directions with our checkbook as a cure for the world's problems? We will be made the principal target for anyone who may desire to play international blackmail against us.

Cannot we see that under such circumstances the Communists can whipsaw us to eventual collapse between one contrived "emergency" and another?

Contrast our lack of policy with the firm directness of the Soviets. While they make swaggering promises, they negotiate sharp trades and agreements, paradoxically, in the best capitalist tradition.

In the furtherance of their policy of world trouble-making, bluff and bluster, two tourists from Moscow, Soviet Premier Bulganin and pudgy Communist Party Boss Krushchev, staged a noisy and smiling procession for propaganda through India, Burma, and Afghanistan. Throughout their travels, the two men from the Kremlin acted as canny businessmen. They adhered strictly to capitalistic methods. They gave nothing away. They promised nothing for free. If a prospective buyer was a bit hard up for cash they advanced it at a profitable interest rate.

For example, in neutralist India, which had received $1 billion worth of free goods from the United States, and is now slated to get that much more, the Russians agreed to furnish that country with ore mining machinery, but only on condition that India would purchase a million tons of ferrous metals. Even the widely heralded gift of a Soviet steel mill to their happy and overly gracious host Nehru, was no handout. It is to be repaid to Moscow by 12-year credits at 2½ percent interest.

In Burma, the two traveling salesmen from the Kremlin bought half of the Burmese rice crop and in return arranged to help Burma expand its agriculture and industry, not for free, but at an agreed price for goods and services.

In Afghanistan, the touring capitalists from Moscow offered a $100 million loan to be used for the purchase of goods exclusively from the Soviet Union.

In the face of this new business and financial news, our high-policy makers in Washington panicked. They panicked despite the fact that for the 1954–56 period, Soviet loans to other nations, usually at 2 percent or better interest, totaled only 4 percent of the

United States outlays in dollar values during the same period. During this period the United States gave $12 billion to other nations.

One wonders why this country, with its reputation for ingenuity, organization, and production, cannot secure favorable agreements in carrying out our foreign policy and programs of foreign aid.

The reason, I am afraid, is that the Congress has abdicated much of its constitutional responsibility over appropriations.

By appropriating for economic aid and mutual security larger amounts than possibly can be utilized in a single fiscal year, the Executive has taken control over the purse away from the Congress.

The latest figures published in the May 24, 1957, issue of the U. S. News & World Report, show that over $70 billion in unexpended balances are on hand in various departments and agencies, and $7.5 billion of this amount comprises the foreign-aid backlog.

On May 15, 1957, the International Operations Subcommittee of the Committee on Government Operations, of the House of Representatives, issued a most informative and enlightening report on budgetary procedures of the International Cooperation Administration. There is only one conclusion that can be drawn by any open-minded persons after reading this report, and that is the ICA has no budget procedure.

Congress has been handing this agency, and its predecessor agencies, billions of dollars of the people's money, without any previous determination of how the money is to be spent, and without any audit or accurate check to determine whether the money was spent for the purposes intended.

The information in House Report No. 449 is a shocking revelation of the fiscal instability that seems to have gripped our Federal Establishment. After reading this report, I must say with all candor that I am appalled at this arrogant lack of concern for even minimal bookkeeping requirements. I am appalled at the fertile field this program affords for loose practices and the many loopholes it offers, through its lax administrative requirements, for harmful practices.

So that the people of this Nation may know the free-wheeling method by which their tax dollars are appropriated by Congress and expended by the ICA, I ask unanimous consent that a few representative paragraphs from House Report No. 449 on the budgetary practices of the ICA, as taken directly from this report, be included as a part of my remarks and printed at this juncture in the RECORD as exhibit C.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXHIBIT C

EXCERPTS FROM A REVIEW OF THE BUDGET FORMULATION AND PRESENTATION PRACTICES OF THE INTERNATIONAL COOPERATION ADMINISTRATION

INTRODUCTION

Each year the International Cooperation Administration, flanked by the Departments of State, Defense, and Treasury, and other executive agencies, asks Congress for authority and funds to carry on the mutual-security program for another year. In fiscal year 1958 authority will be requested to continue or initiate mutual-security programs in approximately 60 countries throughout the world and to add an estimated $3.9 billion to the more than $60 billion that has been spent for this purpose over the past 10 years.

Documenting this request, and exhibited under military guard to 4 committees of Congress, will be a highly classified printed presentation in 4 or 5 volumes, setting forth, in more than a thousand pages of charts, graphs, schedules, and narratives, the Administration's expression of how the funds requested might be used. It is on this complicated array of information that Congress must base its judgments to authorize, to finance, and to control the Administration's proposals for foreign aid.

* * * * *

THE BUDGET CALL

Within ICA the budget formulation is a continuing operation which precedes the presentation by more than a year. Actually, as a budget for a given year is presented to the Congress, preparation of the budget for the ensuing year is already underway.

To begin the assembly of information upon which the budget presentation will be based, ICA issues a budget call to the directors of the various operations missions, located in each country where ICA operates a foreign-aid program.

In response to this call, the mission director submits a proposed country program, and a proposed level of aid—amount of money—required to carry it out. One would expect the compilation of the country program to include detailed advance planning, careful staff review, and full recognition of existing or foreseeable obstacles to carrying out the activities proposed within the period for which funds are requested. Careful consideration should be given to the availability of United States resources—technicians, equipment, and funds. Administrative prudence would seem to require that the compilation be preceded by discussions in considerable detail with appropriate governmental units of the recipient country, so that the mission could supply ICA/Washington with reliable appraisals of that country's receptivity to the proposed program, its ability to execute and absorb the program, and its prospective contributions thereto.

From the committee's review of individual country programs in operation, it must conclude that performance falls short of this ideal. For the most part, country program submissions are based more on imagination than on fact, comprising broadly conceived aspirations and loose estimates of cost more notable for their appeal than for their practicability.

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The committee questioned ICA witnesses in some detail on the extent to which programing was preceded by detailed discussions with the recipient countries. ICA testified that prior to the receipt of appropriations such discussions were only in very general terms, since negotiations on a detailed basis with those countries might give rise to expectations which ICA could not later satisfy, if Congress disapproved the proposed programs or curtailed funds. We find it hard to believe that American diplomatic personnel are so inept at negotiation that they could not explore proposals a good deal more than is now done without irrevocably committing this Government to a course of action prematurely.

As an example of the shortcomings to which lack of fuller discussion contributes, it is clear from the testimony that ICA generally lacks firm assurances, prior to requesting funds from the Congress, as to what contributions the recipient country will make to particular projects or to the overall country program. It would seem that a very precise determination of the size of this contribution would be essential in determining what would be needed in the way of United States funds.

* * * * *

To explore the correctness of ICA's contention in this regard, the subcommittee reviewed the narrative portions of ICA's 1957 budget presentation. It was found that the narrative supplies labels but not reasons. It tells, in general terms, what the money is to be expended for, but not why. The various proposals made have substantive aims but no apparent quantitative objectives. The statement that a given sum is required to "balance the recipient country's budget" is an explanation, of sorts, of the use intended, but it does not explain why this particular amount of money is required rather than some other amount, how long this process must go on, what United States security or policy objectives are furthered by the activity, or what the alternatives are to proceeding as proposed.

This is not merely a matter of faulty presentation that could be corrected if more care and attention were devoted to the preparation of this narrative material. ICA witnesses testified that there does not exist, anywhere within ICA, a "single statement covering all the reasons why a particular aid level for a particular country was decided upon at the time it was decided upon."

The net result is that the Congress is being asked to authorize and appropriate funds upon the basis of vague generalities, and is not provided with the specific facts and reasons necessary for proper evaluation of the requests made.

As the House Appropriations Committee, after reviewing the 1957 presentation, stated in its report:

"Committee deliberations are made more difficult, too, by the lack of information as to past accomplishments, and the vagueness of data on projected programs. It appears that frequently programs are formulated with little or no consideration of the needs of the country or countries concerned."

* * * * *

The 1957 budget presentation, for the first time, contained a list of proposed projects for each country. But it did not include sufficient information to permit their evaluation from the standpoint of reasonableness and desirability. And although this list makes it possible to determine what portion of each country program is planned as project aid and which is nonproject aid, it is still impossible to determine the bases upon which the levels of aid were determined.

This in effect asks Congress to take on faith the entire foreign aid program. The alternative is to require more and better information from the agency.

* * * * *

Substantial amounts of the local currencies received through sales of surplus agricultural commodities by the Department of Agriculture under Public Law 480 (Agricultural Trade Development and Assistance Act of 1954) are allocated to ICA for use in the mutual security program. At March 31, 1956, just before the 1957 budget presentation was made, an aggregate of over $500 million of such currencies had been programed to ICA for use in various countries on the basis of executed Public Law 480 sales agreements. There is no clear indication in the 1957 budget presentation that these funds have been taken into account in ICA planning either on a country basis or overall. At March 31, 1957, the most recent date for which full data is available, this amount has been increased to over $1 billion.

ICA witnesses testified that almost half of the Public Law 480 funds are used in countries where ICA has no aid program. It is not clear whether aid programs might have been established in those countries if there

had been no Public Law 480 funds. Congressional committees reviewing the 1957 budget request were concerned by this problem, and ICA witnesses expanded somewhat upon the formal presentation by testimony relating to Public Law 480 fund availability. It does not appear from the published hearings, however, any more than from the presentation material, that ICA supplied a clear, satisfactory answer to the questions we ask here.

* * * * *

"ILLUSTRATIVE" BUDGET PRESENTATION

The manner of budget presentation used by ICA and its predecessors is very unlike that normally employed by executive agencies in requesting funds from the Congress. Instead of listing the specific activities which will definitely make up the foreign-aid program for the coming year, an activity or a type of activity is set forth as merely illustrative of the kind of program that will be carried out if changing circumstances do not prevent it. This has the effect of not binding the agency to any specific activities, and so the Congress never knows in advance what new activities will be started during the coming year, or what unfinished activities will be continued.

The prior knowledge by ICA personnel, at headquarters and in the field, that the "illustrative" budget presented is neither final nor binding upon the agency may well be a major contributing factor to the inadequacies in planning that we have noted previously. In submitting its budget, ICA seems less concerned with the presentation of a planned program than with securing a lump sum of money for expenditure as the agency sees fit.

* * * * *

CONCLUSIONS

1. The illustrative method of budget presentation does not bind ICA to carry out any of the activities proposed to the Congress. In fact, it permits the agency complete discretion in the use of funds, free of the restraints, checks, and balances generally imposed upon the executive branch. It does not provide the Congress with a full understanding of what the agency is doing, what it has done, and what it intends to do.

* * * * *

11. ICA consistently asks for and receives more money than it has ever been able to use in the year for which requested. This practice has invited the hasty, last-minute obligation of unused funds, which precludes their return to the Treasury.

12. Funds allocated to ICA from the proceeds of sales of surplus agricultural commodities under Public Law 480 have the effect of supplementing the ICA budget. In fiscal year 1957, when the nonmilitary mutual-security budget ran to about $1.5 billion, this supplement amounted to an additional half billion dollars. Neither the 1957 budget presentation nor testimony before this committee makes clear to what extent, if any, ICA considers the availability of these funds in compiling its budget request. The omission of this information makes it difficult for the Congress to determine the amount by which the cost of the foreign-aid program actually exceeds the ICA budget.

Mr. TALMADGE. Mr. President, we have seen the veil of secrecy cloak all of the misdeeds, waste, and extravagance which have been committed in the name of foreign aid. A total blackout has been in effect on military assistance, and it has been hard to get information on other expenditures.

Ordinary care demands that if foreign aid is remotely beneficial, it should not be dribbled away on ill-considered projects all over the world. The taxpayers who pay the bill are entitled to something more than vague assurances that all is well.

It appears to the uninitiated that our foreign-aid planners prefer to speak in an unknown tongue, in order to confuse and confound the average citizen. It is not without significance that ICA Director Hollister confirmed this fact when he appeared before a Senate committee. Mr. Hollister agreed that "there are so many facets to ICA that it is pretty hard to keep up with all of them." It is "very complicated," he said, and added, "I think that perhaps a fresh approach would be very wise."

I have studied diligently a mass of information, such as is available. Finding specific information as to results and finding consistent information as to the amounts of money involved in foreign aid are difficult tasks. It is hard to draw tangible conclusions. Much of the material upon which these huge appropriations have been based ranges between unsupported opinion and monstrous total figures beyond all comprehension.

I detected one thread of truth that seemed to weave in and out of all of these reports—that all claims for positive results are always nebulous. It was with regret that I found that to be the case even in the final report of the Special Senate Committee To Study the Foreign Aid Program, as released May 13, 1957.

A few selected quotations, under the heading "Contribution of Postwar Aid to National Interest," excerpted from this report are indicative of what I mean. Here are a few examples:

Impossible to say with certainty how much better off or worse off the United States is today because of these expenditures.

One can only guess. * * *

One can estimate. * * *

Greece and Turkey might today be behind the Iron Curtain. * * *

Formosa might have fallen. * * *

Western Europe might never have recovered. * * *

Iran might never have survived.

It does seem that the American taxpayer is entitled to a little more concrete information on what his billions of tax dollars have bought.

Semiannual reports to the Congress on activities of the mutual-security program are no more illuminating.

The 26-page printed report of the International Cooperation Administration, for the 6-month period ending December 31, 1956, sent to Congress earlier this year, purports to account for the expenditure of billions of dollars.

Just taking the $3,767,000,000 mutual security appropriations' figure for the current fiscal year, we find that only a page is used to explain $145 million in expenditures. And, at an average of 80 lines to a page, a single line of the report represents expenditures of $1,811,057.69.

Lack of specific information, general vagueness, and absence of coordination of the report is a true index to the nature and character of the program we are being asked to continue.

Without doubt, one of the most shocking and disheartening governmental reports ever made was that rendered earlier this year by the International Operations Subcommittee of the Committee on Government Operations of the House of Representatives.

This report deals with the operation of American-aid programs in Iran and even to the casual observer the findings here must be accepted as reflective to a lesser or greater degree of foreign aid administration in other countries.

It is an eye opener.

It shows beyond all doubt that foreign economic aid, as an effective, instrument of policy, is the epitome of futility.

I ask unanimous consent that certain selected excerpts from this report, taken from pages 54, 55, 56, 57, and 58, and marked as exhibit D be included at this point as a part of my remarks.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

EXHIBIT D

EXCERPTS FROM A REPORT ON UNITED STATES AID OPERATIONS IN IRAN—REPORT OF THE INTERNATIONAL OPERATIONS SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS

What this picture adds up to is simply that we have, from 1951 through 1956, spent over a quarter of a billion dollars of United States tax money in Iran, including 3 years of support to that Government's extraordinarily flexible budget, at an average rate of $5 million a month, with a new set of justifications and a new set of reasons being presented to the Congress each year as to why aid at this level should be continued.

As significant as the statements made in behalf of the program have been, the subcommittee finds that presentations to the Congress have been even more notable for the facts they have omitted. There has been a consistent failure to indicate to the Congress that Iran in many respects, and even during the period of oil nationalization, was essentially a solvent country quite capable of working out its own financial problems.

The essential and secure source of Iran's wealth, namely, her oil, is sufficiently recognized in the world's financial circles to make the negotiation of long-range loans quite feasible. Yet Iran has been reluctant to use its loan opportunities, both through the Export-Import Bank and the International Bank for Reconstruction and Development, and this reluctance is apparently explained by Iran on the grounds that loans are politically unpopular while outright grants are not.

There was, as well, a failure to tell the Congress that $10 million of United States aid funds used to underwrite a currency issue could have been obviated by a change in Iranian law. Expert witnesses before the subcommittee admitted that the Iranian currency, even before this $10 million transaction occurred, was one of the best backed currencies in the world. Moreover, an examination of the gold and foreign exchange holdings of the Bank Melli, Iran's central bank, showed it position to be strong throughout the period of so-called crises.

* * * * *

The faults of the use of the so-called illustrative program are amply demonstrated in Congressional presentations on Iran.

Illustrative programs are not actually programs in any planned sense. Instead, they are lump-sum requests for funds under broad categories such as agricultural and natural resources, or health and sanitation, supplemented by a general narrative statement of the agency's intentions for the year.

The more significant thing, however, is not the lack of specificity of the justifications,

but rather the fact that they involve no commitment that the money appropriated will be spent for the items mentioned.

The entire presentation is intended to be only illustrative of the way the agency expects the money will be spent. Only after Congress has appropriated the money does the International Cooperation Administration get down to the business of doing firm and specific planning and negotiating with the host country government. The next year Congress will be told, under similarly broad categories, how the expenditures were actually made.

The essential justification given by the agency for continuing the illustrative method of programing and budget presentation is that United States representatives in the field must have a firm allotment of money in hand before they can negotiate programs with aid-receiving governments. According to spokesmen for the International Cooperation Administration foreign government officials will not negotiate agreemets on a hypothetical basis. They must be assured that United States funds will be made available. The subcommittee has no basis for disputing this, but it does feel impelled to point out that not only does it put the United States in the position of accepting hypothetical commitments by host governments but it also involves asking the United States Congress to grant firm amounts of money on the hypothetical basis that a good use will be discovered for it.

* * * * *

In connection with reports to the Congress on the use of budgetary assistance funds the most glaring omission is the absence of information on what was done with them once they were received by the host country. Reports to the Congress go into considerable detail as to the form in which this assistance was made available, whether in imports of sugar, vehicles, industrial machinery, and so on. Yet, for the most part, this tells the less significant aspect of the use of budgetary assistance funds. What counts most is the way the recipient government spent the money received by it through these imports, and on that side of the picture Congressional presentations are very nearly silent. As an example, the Congressional presentation material describing how the first budgetary assistance funds were used treats this aspect of the picture in the one following sentence:

"The total effect of these various forms of assistance has been to provide the Government of Iran with a source of local currency with which to help meet government operating expenses, and to carry out minimum essential projects in housing, road improvement, water supply, and health."

Nowhere does it mention $3 million used to raise Government salaries, $12 million used to make up deficits of the National Iranian Oil Co., $1.1 million for bonuses to the army, police, and gendarmerie. Nowhere does it mention that after receiving United States aid, the budget deficit increased rather than decreased. Even where the presentation stresses the illegal expansion of the Iranian currency under the Mossadegh regime, in describing the chaotic situation of August 1953 it omits mention of the fact that the currency even after expansion was still sound and that the new government found it necessary to undertake a similar expansion and in that connection to have the currency law liberalized.

In the judgment of the subcommittee, the Congress should require as a condition of all future grants of budgetary aid an accounting not only of how United States dollars were expended in the United States, but how the resultant income was utilized by the receiving country. It is this latter information which affords the only sound basis for judgment as to whether it is being wisely used. Perhaps most noteworthy in this connection is the fact that reports from the field to the Department of State and to ICA in Washington contain this kind of information, but the Congress never gets it without digging for it.

The overwhelming reluctance which key ICA officials have displayed in laying their cards on the table before this subcommittee, indeed the apparent intent of some of the principal witnesses to snow the subcommittee under with irrelevant and gratuitous side issues, has shaken the subcommittee's confidence in the soundness of the reports on which Congress has based its judgments of the entire foreign-aid operation. As a result, the serious deficiencies in the Iran program are not now the principal concern of the subcommittee. With the exercise of a good deal of charity it might be possible to understand many of these as isolated and peculiar to the time and place. But the most far-reaching and disturbing discovery the subcommittee made in the course of this investigation was that the principal officials in charge of this program either could not recognize these deficiencies or were dedicated to the task, especially in dealing with the Congress, of defending by highly questionable means indefensible performances.

The subcommittee recommends, therefore, to the Congress that it give wholehearted support and continuous attention to responsible studies being made or to be made of foreign-aid programs, especially those under congressional auspices. It is apparent that tremendous obstacles will confront every such effort. For this reason, superficial reviews over brief periods of time can be worse than useless. In this field of Government operations, perhaps more than in any other, haste is apt to overlook many essentially black situations which tend to escape notice by being covered with a coat of whitewash.

Perhaps the most sobering thought to be expressed about the Iranian-aid program is that it is inextricably wound up with our foreign policy as a whole in Iran and if our foreign policy today in other lands is as entangled with economic-aid operations of the kind described in this report, it is leaning on a poor kind of instrument indeed. Even more serious is the fact that corrective action, obviously so badly needed, in the conduct of aid operations cannot but severely wrench the whole fabric of our current concepts of foreign policy. To that extent, precipitate action is fraught with difficulty. Yet, if the only way to prevent the further degeneration of foreign aid is to take such action, it would perhaps be well worth whatever risks may appear to be involved.

Mr. TALMADGE. Mr. President, we find that some of those seeking to justify a continuation of foreign aid resort to many reasons for doing so. The chief among them being:

First. It "contains" communism.

Second. It prevents depression at home.

Third. It reduces the need for arms and men in our own forces.

Fourth. It is a vehicle for friendship and humanitarianism.

Fifth. It is a means of winning less-developed nations to freedom.

Sixth. It is the principal bulwark of world peace.

Seventh. It acts as a lid to cap explosive political situations.

Eighth. It is a stimulator of world trade, investment, and free enterprise throughout the world.

If all those things were true foreign aid would be a cure for all world problems.

Unfortunately, we cannot spend ourselves rich.

We cannot give ourselves strong.

And we had best not rely on others at this late date to do our fighting for us.

While some segments of American business, particularly the large industrial groups and some banks have profited from foreign aid, it is a gross absurdity to contend that America's economic well-being is dependent on foreign aid giveaways. Our gross national product now exceeds $400 billion per year.

Foreign aid expenditures are only a fraction of this amount, and in view of a substantial use of some of the money to make purchases of goods and supplies abroad, it contributes even less to our total economy, that standpoint considered.

It is to disregard fact for any person to look upon these expenditures other than a drain on our people, a drain on our country, and a burden on generations of Americans yet unborn.

We have heard much recently about the Fairless report.

While I do not agree entirely with all the conclusions contained in the March 1, 1957, report to the President by the Citizens Committee on Foreign Aid, of which Hon. Benjamin F. Fairless was coordinator, the report, though not a detailed one, did contain several suggestions for improved administration which should have been implemented immediately.

It is a pity that this report, like many others calling for reforms and improved procedures, has been shelved to gather dust.

Apparently the only passage taken seriously was the mild committee conclusion that a collective security program will be necessary for some years to come.

But even this recommendation was tempered by the admonition that assistance in grant form should be given only those exceptional cases where it is clearly in the national interest to do so and when the recipient countries are adjudged unable to repay.

The Fairless committee, expressing concern over recent cutbacks in planned western contributions to Free World armament, urged a higher priority—be given—in foreign assistance programs—to those countries which have joined the collective security system.

Our Government, the report said, should marshal our resources to help those nations which share our apprehension of the threat of the Communist conspiracy and share the same judgment as to the measures necessary to defend against it.

I share that view particularly as regards helping Britain and other allies in maintaining sufficient armament to meet Communist forces whenever and wherever they should seek to move aggressively.

When historians analyze United States post-World War II aid programs they may well conclude that we have scattered our shot and that we would have been far better off concentrating much of our backing behind a few trusted allies, with the primary responsibility upon them for maintaining order in their respective spheres of influence.

Instead, we have tried to make first-rate powers out of fourth-rate powers, all at the expense of our allies and ourselves.

In his message on mutual security delivered to the Congress May 21, 1957, the President called for a new loan policy, if it can rightly be called that.

The President's description of these so-called loans, to be dished by the ICA deserves close scrutiny.

Here is how he defined the ICA loan policy:

> These loans should be made on a reasonable expectation of repayment in dollars or local currencies, even though we should recognize that this expectation would be based on confidence in the long-range development of the borrowing country and of hope for an improved international political climate rather than on presently demonstrable financial soundness.

This policy, of course, does not follow the policy suggested by the Fairless Committee.

The Committee suggested that in loans made to other nations a sound policy be adhered to, as follows:

> In our view loans by the United States repayable in the inconvertible currencies of foreign nations are undesirable and the practice of granting them should be terminated. Our relations with other countries will suffer from United States control of large amounts of their currencies. The soundness of the loan device should not be jeopardized by inviting repayment in foreign currencies which cannot be freely spent by the United States.
>
> Similarly, the validity of international contracts should not be undermined by the granting of loans in circumstances which there is grave doubt as to the ability of the borrower to repay. We recognize, however, that there will be cases in which it is in the interest of the United States to make dollar loans on more liberal terms than those of the established public banks with respect to interest rates and periods of repayment.

Any similarity between the recommendations of the Fairless Committee and administration recommendations is purely superficial.

For instance, the Committee suggested aid programs geared to 2-year periods, to be submitted to each Congress, rather than at each session.

The President's message, however, envisions an indefinite loan program under ICA of unspecified duration with pyramiding amounts necessary to finance it. He asks authority to borrow from the Treasury in succeeding years within stated limits. He requests $500 million for the loan fund for the 1957 fiscal year and $750 million for each of the next 2 succeeding fiscal years.

Director John B. Hollister, of ICA, even urged Congress to go further than it ever has in surrendering its power over appropriations when he appeared earlier this year before the Senate Foreign Relations Committee to argue for authority to spend as much as $2 billion in economic aid to friendly countries over the next 3 years.

Though the President's message to Congress on foreign aid did not come to the House until May 21, 1957, William S. White, of the New York Times, as early as April 8, in a copyrighted dispatch revealed the present concept of indefinite aid. The first paragraph of his article told the story.

> The Eisenhower administration presented to Congress today a fundamentally altered mutual-security program that would commit this country frankly to foreign aid for indefinite years ahead.

Mr. White wrote of Secretary of State Dulles' testimony before the Special Senate Committee To Study the Foreign Aid Program.

Mr. Dulles presented the plan as a new approach, calling for the establishment of a special economic development fund with capital authorization sufficient for several years to extend economic aid on a loan basis, the Times story revealed.

It is the same old "temporary" foreign economic aid program but in new and admittedly permanent dress.

If it is felt that this Nation in promoting its interests must assist other countries in their economic development, there are ways much more effective and considerably less costly than direct handouts from the Federal Treasury.

One way would be to stimulate the flow of American capital into needy and underdeveloped nations through the incentive of fast tax writeoffs, such as are now granted to industries engaged in defense production.

Another way would be to expand the capacity of the World Bank to make long-term, low-interest loans to worthy nations upon the security of such collateral as undeveloped natural resources or industrial potential.

In so doing, the United States would be able to achieve its goal without insulting the beneficiaries of its assistance, and even more important, without bankrupting the American people.

We should not, with tongue in cheek, continue to make outright grants calling them loans.

The question now confronting Congress and all Americans is whether we have learned our lesson from sad experience.

A recent Commerce Department report revealed that the United States has put up more than $62 billion for foreign aid since July 1, 1945, representing an amount equal to $364 for every man, woman, and child living in this country.

What have we bought with all this money?

A total security blackout shields expenditures for military aid from inquiry.

But we do know how some $40 billion in American economic aid and outright grants have been used.

They have been used to subsidize tax cuts in foreign lands while tax reduction has been denied our people here at home.

They have been used to pay off national debts of foreign countries like Norway and Denmark, while our own debt has mounted higher and higher.

They have been used to stabilize foreign currencies while inflation feeds like a brushfire at home.

They have been used to add millions of acres to foreign farm crop production, while acreage allotments for our own farmers have been reduced here at home.

Vast hydroelectric dams and irrigation and river development projects are being carried on all over the world, while floods continue to ravage our land and while our own industries cry for more power.

A million dollars of our tax money is being used in Paraguay for the benefit of a single religious sect while such a practice would be frowned on as unconstitutional and contrary to public policy in our own country.

We are spending billions in foreign countries to reclaim or open up new lands and build all types of new housing while our own people and our veterans are relegated to substandard housing.

Highways and bridges are being built in foreign lands while our own road system has been neglected for many years.

While many of our farmers cannot get their crops to market over muddy roads, we build a huge six-lane turnpike in Portugal to a gambling resort.

While millions of Americans are sweating over their tax returns, our Government sends a "hot-lips" musician on a foreign tour and pays him more than the President.

While unfair foreign competition is closing the doors of numerous American industries, we continue to send our technicians and machines to foreign lands to provide the know-how to produce goods that will destroy markets for our own, due to the vast differential between slave wages and free wages.

Why, we have even built public restrooms in the Philippines, and bathing facilities for Egyptian camel drivers. We have sent collapsible toothpaste tubes to Cambodia, dress suits to Grecian undertakers, and iceboxes to Eskimos.

We are sending our millions to King Saud, who maintains 24 palaces, 250 custom-built Cadillacs, a fleet of private airliners, and whose personal income from vast oil reserves has been estimated at around $48 million a year.

We have sent opera singers to Italy, and ultra-violet ray lamps to India. And we have set up a pension program for overage Chinese Nationalist soldiers.

While rice production is less here than in Korea, our technicians have gone there to try to tell them how to raise rice.

We built a silica processing plant on Formosa, where there was not enough silica to justify its operation.

We are giving free air trips for Arabs who wish to visit Mecca.

We have built iron and steel plants costing nearly a billion dollars in 24 countries.

We spent $2 million to provide water and public bath facilities for 200 Lebanese villages.

We have built an Italian village that nobody wanted to live in.

We have built a road in Iran that leads to nowhere.

We spent 501,097 United States dollars for a wage and position classification study for the Philippine Government while we only spent $205,076.29 for a special Senate committee study of the

effectiveness of the entire $62 billion postwar foreign aid program.

The multitude of foreign aid giveaways which have been carried on by this country includes apartment houses, railroads, rolling stock, mining equipment, steel mills, factories, banks, generating plants, machines, machine tools, building materials, supplies, equipment, commercial airplanes, aviation facilities, storage facilities, warehouses, schools, laboratories, hospitals, power dams, reservoirs, office buildings, telecommunication systems, thousands of irrigation wells, American industrial know-how and engineering techniques and a host of other such items for over 60 countries.

All of these things—and many more—have been financed by the citizens who sent us here to represent them.

Mr. President, I must voice my opposition to such spending abroad—however worthy or needed—which could not, even by the remotest stretch of the imagination, contribute one iota to the strength or security of our country or the free world.

I am opposed to economic aid when it is done at the expense of the already overburdened American taxpayer who today is shouldering the greatest tax load of any citizen in history.

The time has come to seek elimination from the budget of purely foreign economic aid and for a thorough and searching examination of each military assistance project to insure that the American taxpayer is getting his money's worth in national security.

Wise expenditure of military assistance funds could be insured by reducing the appropriation for that purpose for the 1957 fiscal year to an amount not to exceed $1 billion.

Elimination of all economic aid and a ceiling on military assistance would not abruptly curtail present aid programs for there presently remains unspent $7.5 billion of previous appropriations for economic aid and military assistance, besides new money now being sought.

Economic aid could be liquidated without another dollar being appropriated by the Congress. It could be ended this year without substantially disturbing the commitments already made. This could readily be done because there are still approximately $7.5 billion already appropriated, and yet unspent, for supplies and techniques in the many "pipelines" stretching from our Treasury in Washington to the numerous beneficiaries in foreign countries.

Under rigid supervision and strict accounting, these pipelines could flow for several years more to discharge their contents without our putting new money into them.

I am opposed to subsidizing all manner of economic aid projects abroad so long as our own people—our farmers, our veterans, their widows and their dependents, our social security recipients, our retired people, our old people, our disabled citizens, our dependent children, and all those unable to take care of themselves—are not adequately provided for here at home.

Mr. President, on June 23, 1954, one of our greatest living generals, speaking before an assemblage of the Nation's newspaper editors in Washington, D. C., expressed some interesting convictions of his relative to the effectiveness of foreign aid. His remarks are pertinent to the discussion here, and I wish to read them to this body. He said:

> The United States cannot be an Atlas. It cannot by its financial sacrifices carry all other nations of the world on its shoulders, and we should stop giveaway programs.
>
> Now this is very true. You could not keep any other country in the world free merely by money. You can't buy or import a heart, or a soul, or a determination to remain free. Consequently, the statement that American so-called giveaway programs are not going to keep the world free is absolutely true.

Three years' history since those words were uttered confirms their wisdom and truth.

The words of this great military leader do not seem un-American or isolationist to me.

They sound like Jeffersonian democracy.

What general, you ask, made this statement?

It was Dwight David Eisenhower.

It was the same General Eisenhower who said in 1952:

> Certainly, I know we must find a substitute for the purely temporary business of bolstering free nations through annual handouts. That gets neither permanent results nor real friends.

That was the general.

That was the President.

That was the Republican who made the statement to the Nation's editors that foreign aid will not buy other nations the determination to remain free, and should be stopped.

I agree with the wise and sagacious words of the Republican general and the Republican President.

It is with regret, and with all due respect, that I must voice my sharp disagreement with the "Modern Republican" President.

The people of America are determined to save the blessings of free government and individual liberty.

To save America, the humanitarianism of old-fashioned democracy must live.

To save America, the stability and security of old-fashioned Republicanism must live.

To save America, all of the faith that is epitomized by the oldtime religion must live.

Let no one be deceived by the cries of those who would destroy us. A return to fundamentals is the key to survival in this day and age even more than was the case in all the other periods of great stress and strain that have marked the life of our Nation.

A militarily impregnable America and an economically invincible America are the world's best and only hope for peace.

If we are to perpetuate our blood-won birthright for ourselves and for our posterity, the welfare of the American people and the solvency, safety, security, and sovereignty of our own country must be our primary concern.

It is mine, Mr. President, and I shall so vote.

I yield the floor.

THE "OPEN CURTAIN" PROPOSAL OF SENATOR JOHNSON OF TEXAS

Mr. FULBRIGHT obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). Does the Senator from Arkansas yield for that purpose?

Mr. FULBRIGHT. I do not really require a quorum.

Mr. MANSFIELD. I have been asked by several Senators that they be notified when the Senator from Arkansas begins his speech.

Mr. FULBRIGHT. Very well; I yield for that purpose.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FULBRIGHT. Mr. President, one of the poorest and most disappointing performances I have seen in many years was the reaction of the Secretary of State to the open curtain proposal made by our majority leader.

There are times when a man should be forthright and frank and refuse to take refuge in half-truths and evasions. There are times when a man should seize an opportunity and press it vigorously and boldly.

Those times frequently come to a man who has the responsibility of steering the foreign policy of the strongest nation in the Free World.

The proposal of the majority leader was forthright and bold. It called upon our officials to act at a certain time when events were coming to a dramatic climax.

The majority leader did not blame any fellow American for our present state of affairs. He said that now is the time to act—now is the time to strike when the iron is hot.

I have looked over the Secretary's press conference reaction to the proposal. He says, in effect, that this country made a similar proposal in 1955 and that "we are constantly pressing the Soviets, for example, for these reciprocal facilities to speak to the Soviet people."

Mr. President, I have been associated with the Senate Foreign Relations Committee for many years. I have a reasonable familiarity with the activities undertaken by those who have the responsibility for our relations abroad.

If American representatives have been "pressing" the Soviet Union for the "open curtain" proposal for the past 18 months, it is the best kept secret since the first atomic bomb was made.

Mr. Arthur Krock, one of the most eminent and distinguished journalists of our time, puts the facts succinctly in his column this morning. He says, and I quote:

> This role played by the Senate majority leader, therefore, was of vastly more impor-

tance than could be gathered from this comment by the Secretary: "I was very glad indeed to see the strong endorsement of that (point 9) concept by Senator JOHNSON the other day. He made about the same proposal, or at least adapted, you might say, the same proposal that the United States had made (at Geneva). We have been pressing for (it) off and on, with consistency, for the last 18 months." But in reality what JOHNSON did was to move this Government to resume the initiative on this front after a long period of virtual inaction. And his formula is the most precise and detailed in the record.

Even more puzzling is the Secretary's implied claim that the "open curtain" proposal represents administration policy. Apparently he is not aware of the views of his chief—the President of the United States.

The President, in his press conference on June 5, dismissed the Khrushchev broadcast as "a commercial firm in this country, trying to improve its own commercial standing."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. The Senator from Arkansas is bringing out a very important and very significant aspect of the proposal made by the distinguished majority leader last Saturday evening in New York.

I should like to ask the Senator from Arkansas what connotation he places on the President's reference to the CBS sponsoring of the Khrushchev program as a commercial firm in this country trying to improve its own commercial standing. Does the Senator believe the CBS performed a public service in trying to bring one of the leaders of the Soviet Union into the homes of the American people, so that the American people could see what he looked like and hear what he had to say? Are we afraid of this man? Do we believe that what he has to say will contaminate us? Are we so fear stricken that we are absolutely helpless in the face of a broadcast by a Soviet leader?

Mr. FULBRIGHT. The Senator from Montana has emphasized one of the points which should be considered. I believe CBS performed a public service. I thought it afforded us a great opportunity. The President's remarks clearly show his disapprobation of the whole performance, and he took this particular way to indicate it.

Mr. MANSFIELD. Is not that kind of performance exactly what we have been trying to bring about, under point 9 of the Geneva agreement, since 1955?

Mr. FULBRIGHT. The Senator is quite correct. It was precisely in line with that point. What I am trying to say is that our policy has not been, so far as I know, to follow up on that point; nor has there been any initiative along that line. Here an opportunity was given us by the other side. They gave us a perfect opportunity to say, "That's fine. We would like to do something like that in Russia."

Mr. MANSFIELD. Exactly. However, we have not been pressing, as the Secretary of State says, to bring about this sort of interchange on a mutual basis during the past 18 months.

Mr. FULBRIGHT. Not only have we not been pressing, but the attitude of our own officials has been one of complete inaction. In fact, the President did not even deign to make a direct comment on the broadcast at the time, and Mr. Hagerty, the journalist who is working with the President, said the President was "aware of the broadcast, but did not hear it."

Mr. MANSFIELD. Is it not a fact that there is a possibility that we may have been pressing in reverse? I say that because in 1955 the Soviet Acting Minister of Agriculture, Matskevich, broadcast over the Voice of America from Washington to the Russian people that the American people were their friends. So we have a Government agency, the Voice of America, allowing a minister in the Soviet Cabinet to use our facilities to tell the Russian people what he was observing in this country.

If it was good for this Government to do that then, I see no reason why it was not good for CBS, in reverse, to do what it did in the case of one of the leaders of the Soviet Union. If we could carry the Johnson plan into effect, on a reciprocal basis, I am quite certain that the Russian people, as distinct from their leaders, would be the greater beneficiaries. So far as the American people are concerned, we have nothing to fear. Certainly we cannot be contaminated by what the Russian leaders may have to say.

Mr. FULBRIGHT. I appreciate the Senator's remarks. His last observation is to me practically the core of this situation. The administration has given the impression that it is fearful that these broadcasts will convert the American people to communism, or will weaken their belief in our own system. That, I think, is completely wrong. We ought to welcome broadcasts such as Khrushchev's, because they subject the views of world leaders to critical analysis, not only by our own people but also by the people of the rest of the world. It would be a very interesting debate before all the world, if such an exchange as that suggested by the majority leader could be arranged.

Mr. MANSFIELD. Mr. President, it is my understanding that Khrushchev's CBS broadcast has been rebroadcast in the Soviet Union and in Communist China. It is my further understanding that certain parts of the broadcast have been deleted, so that the people of those two countries did not get the full text of what Mr. Khrushchev said to the American people. That in itself, in my opinion, is an indication of weakness.

The mere fact that deletions were made would seem to indicate that there were some things which the Soviet leaders did not want their own people to hear. So far as we are concerned, anything our leaders say could be said to the entire world, and there would be no deletions made, because we have truth on our side.

Mr. FULBRIGHT. The Senator is quite correct. In any case the suggestion ought to be subjected to discussion and analysis. What I object to is our lack of interest in promoting this approach. I agree that it may be difficult to make the arrangement. I do not know whether the Russians will permit it. However, the only way to find out is to make the proposal and to press for it every day, as the majority leader has suggested.

The President's direct comment on the opportunities offered by the Khrushchev broadcast was as follows:

> I would say this: If the Soviet Union, in return for that courtesy of themselves wanted to ask an American, no matter who it might be, because, after all, you know Khrushchev is not the head of the Russian State—except in power [laughter]—but if they should invite an American to come, and guarantee that there would be no jamming, there would be no interference, that they wouldn't put up counterattractions to take people away from their radios, and all that sort of thing, for that time, if you can believe that that will happen, I can tell you this, that somebody in this Government would be glad to accept.

Mr. President, is this the reaction of an administration that is actively pressing for the open curtain? Is this the kind of response which would meet the call of the majority leader for bold, vigorous action?

Does this represent initiative? Does prying open the Iron Curtain mean that we sit back and wait for an invitation from Khrushchev? Is this a strong demand that Khrushchev permit our leaders to address the Russian people as he has addressed ours?

Apparently, the Secretary has some friends who think it is. Mr. Edson, NEA columnist, said yesterday that the Secretary "punctured the Johnson balloon pretty effectively but the Secretary let it down gently, with more butter."

I agree with Mr. Edson in one respect. It is that the Secretary of State has the habit of letting constructive proposals down gently "with more butter." But, somehow, I do not think that "butter" is the key to prying open the Iron Curtain.

The Secretary of State apparently clings to the idea that his only interest would be in a full-blown agreement for regular weekly broadcasts. I agree that this should be the objective. But I submit that it is far wiser to take whatever steps are possible in the belief that with experience and through trial and error we may break down the antagonisms which now threaten the entire world.

The point is to act when an opportunity is presented, rather than to let an opportunity go by default.

Mr. President, the Secretary repeatedly calls for bipartisanship. He has had it from this Congress—fully, completely, and honorably.

He will continue to have it because foreign policy must not become a political football if the Nation is to survive. But I tell the Secretary frankly that his supercilious reaction to the majority leader's proposal does not inspire confidence.

The best that can be said for him is that he reached back to a proposal made 18 months ago—when the time was not ripe—merely to demonstrate that he was not caught napping.

Instead, he should grasp this opportunity to join in a proposal made for action now. He would have had the

wholehearted and enthusiastic backing of Congress and, I think, of the country.

Mr. President, I refer again to the terse and accurate logic employed by Mr. Krock in his article this morning. He said:

Immediately following the Khrushchev television interview the President, the Secretary, or some high-level representative could have thrown this book at the Kremlin and repeated the proposals. Instead, for a week the administration discussed what countermeasures to take and announced no conclusions.

I ask unanimous consent that Mr. Krock's fine column in this morning's New York Times be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 13, 1957]

A GREAT DEAL MORE "OFF" THAN "ON"

(By Arthur Krock)

WASHINGTON, June 12.—It is a matter of record that point 9 in the 17 principles for broader East-West relations that were presented to the Soviets at Geneva in October 1955, by the French on behalf of the western powers was a proposal that once a month, or thereabouts, the radio communications of all 4 nations be opened to free exchanges of talks on current affairs. This was correctly recalled by Secretary of State Dulles at his news conference yesterday.

But it is equally true that all American-Soviet exchanges on these proposals, including point 9, were terminated by Washington from the time of the brutal Soviet repression of the uprising in Hungary until last April, and that since the exchanges were resumed there has been no pressing by United States authorities with respect to point 9, despite the Secretary's statement to the same news conference that he understood there had been.

It is also true that for the week after the Khrushchev television interview arranged by the Columbia Broadcasting System, the administration, instead of seizing the opportunity to revive point 9, and in full force, was unable to make up its mind on a countermove. After the events in Hungary it was not until Senator LYNDON B. JOHNSON, the majority leader in his branch, made the New York City speech in which, greatly expanding point 9, he urged that we should not let a single day pass without raising the issue of the free flow of information with the Kremlin, the United Nations, and by every other means, that any high administration official pressed this vital proposal in the Geneva principles.

JOHNSON'S ROLE

This role played by the Senate majority leader therefore, was of vastly more importance than could be gathered from this comment by the Secretary: "I was very glad indeed to see the strong endorsement of that [point 9] concept by Senator JOHNSON the other day. He made almost the same proposal, or at least adopted, you might say, the same proposal that the United States had made [at Geneva]. We have been pressing for [it] off and on, with consistency, for the last 18 months." But in reality what JOHNSON did was to move this Government to resume the initiative on this front after a long period of virtual inaction. And his formula is the most precise and detailed in the record.

The Geneva proposals to the Soviets for East-West exchanges were largely the handiwork of William Harding Jackson of Princeton, N. J., who at the time was special assistant to the President in this and other areas. He truly was pressing the 17 principles with heavy accent on points 8, 9, and 10, until the break caused by the Hungarian uprising. Early this year Jackson completed the period for which he had agreed to serve, and promotion of the Geneva proposals is now the task of Ambassador W. S. B. Lacy. He is alert and able, and if immediately put forward as the State Department's spokesman, with the perfect facilities provided by Geneva, he could have taken the initiative that was left to Senator JOHNSON. But this was not done, and for more than a week the only reference to this excellent instrument for hoisting Khrushchev on his own petard was in a State Department handout for which a minor officer was selected as the issuing agent.

THE GENEVA PROPOSALS

The pertinent passages in the Geneva proposals were:

"8. The systematic jamming of broadcasts of news and information is a practice to be deplored. It is incompatible with the directive from the four heads of government [at the summit conference] and should be discontinued.

"9. The Soviet Union and the Western Powers should consider the desirability of exchanging monthly uncensored broadcasts on world developments. This could take the form of half hours for the Soviet Union on the western broadcasting systems with reciprocal arrangements for the Western Powers on the Soviet system.

"10. The censorship of outgoing press dispatches and the denial to journalists of access to normal sources of information are serious barriers to the free circulation of ideas. The four governments, where appropriate, should take immediate steps to remove such barriers."

In November 1955, the Soviets made a counterproposal for a 4-power declaration, and this is how Secretary Dulles analyzed it with respect to the passage above:

"Item 8 * * * is rejected. Item 9 * * * appears also to be rejected, although it is suggested that there might hereafter be an agreement covering broadcast exchanges. Item 10 * * * is rejected."

Immediately following the Khrushchev television interview the President, the Secretary, or some high-level representative could have thrown this book at the Kremlin and repeated the proposals. Instead, for a week the administration discussed what countermeasures to take and announced no conclusions.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MANSFIELD. I think it ought to be brought out that the Johnson plan has had strong bipartisan approbation. I recall the approval of it given by the minority leader, the distinguished Senator from California [Mr. KNOWLAND], the distinguished junior Senator from New York [Mr. JAVITS], and the distinguished senior Senator from New Jersey [Mr. SMITH].

It appears to me that this is another indication of the responsibility of Congress, and in this case of the Senate. I express the hope that this feeling of responsibility will be recognized and that before too long the majority leader and the minority leader may get together with the Secretary of State, to see what can be done to take advantage of the openings, as they occur, and to get away from the habit of fearing to take the initiative, and of waiting, it seems to me, to react only to the initiative taken by the Soviet Union.

I am bound to confess that sometimes there is not even a reaction. I should think it is about time for the administration to go on the offensive and to come up with some new ideas, such as the Johnson proposal, which is really not a new idea, but is, in effect, a compilation of many ideas, in part, which have been approved by the President from time to time.

I hope we are not so bereft of ideas that we are not able to take the diplomatic, economic, and propaganda offensive. I sincerely hope that the bipartisan endorsement of the distinguished majority leader's plan of last Saturday, June 8, will be taken into consideration by the President, and the Secretary of State, as well.

Mr. FULBRIGHT. I thank the Senator from Montana for his comment. I certainly hope the administration will take courage from his statement.

There is one other thought I should like to leave with regard to the remarks of the Senator from Montana [Mr. MANSFIELD]. It has seemed to me several times in the past that the administration lacked the courage of its convictions. I have heard it said that the administration did not take this or that course, or perhaps this or that suggestion, for fear that Congress might not agree with it. Perhaps in some cases there might have been opposition. However, I do not think that is a sound reason not to make any proposal which the administration believes is justified in the public interest. The Senator from Montana is aware of some of those cases.

If there is anything I can do, or that we can do, as Members of the Senate, to give the administration a little courage or a little conviction to move into this field, I am certain we are ready and willing to do it. I know the majority leader when he made his suggestions was hoping to do that, and had in mind giving the administration some courage to move actively into this field.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. FULBRIGHT. Mr. President——

Mr. GREEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Rhode Island.

Mr. GREEN. The junior Senator from Georgia [Mr. TALMADGE] has just submitted, on page 13 of his statement concerning the Mutual Security Act, an impressive list of alleged misdeeds by the Administration. I am asking the Administration to give me by tomorrow morning its comments on such of those points as the Administration believes are untrue or misleading.

Mr. FULBRIGHT. I thank the Senator from Rhode Island. I shall be very glad to see the comments of the Administration. I happen to know about a few of those cases; I do not know about all of them. Therefore, I shall refrain from commenting upon them at this time.

Mr. President, I desire to speak briefly about the Mutual Security Act of 1957.

We are again considering an authorization for the mutual security program. The fiscal year 1958 program is again a large program, although it is only about half as big as these programs have been in some years in the past.

The mutual security program is very important to the security of the United States. It is a program which has been backed by both political parties over the past 10 years. I see no reason why this measure should not be free of partisanship.

There are three things which I should like to point out which ought to make a difference in the Senate's consideration of foreign aid this year. First, no subject has been studied more thoroughly since the last session of the Senate than foreign aid. Second, we have before us an executive branch bill which has been amended by the Foreign Relations Committee to conform so far as possible to prior recommendations made by the Special Committee To Study the Foreign Aid Program which the Senate established last year. Third, the bill as reported by the Committee on Foreign Relations contains several long-needed basic improvements in the mutual security program.

All of us recall that Senate support was strong for the Marshall plan when it was first begun. Senate support was also strong for military assistance at the time of the Communist attack in Korea and for the next 3 or 4 years after. We also know that opposition to the foreign aid program began to grow in 1954 and 1955 and continued last year when there were 30 votes cast against the mutual security appropriation bill on final passage and these votes were equally divided between the 2 parties. Everybody agreed, I think, last year that it was time to pause and take a hard look at this foreign aid program.

The Senate did take a careful look at the foreign aid program. We established a Special Committee To Study the Foreign Aid Program. I want to emphasize that point of procedure.

The special committee was composed of the entire membership of the Committee on Foreign Relations, plus the ranking members of the Committee on Armed Services, the distinguished senior Senator from Georgia [Mr. RUSSELL], one of the senior Members of the Senate; the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL]; together with the ranking members of the Committee on Appropriations, the distinguished Senator from Arizona [Mr. HAYDEN], the senior Member of the entire Senate, and also the senior member of the Democratic Party, and the senior Senator from New Hampshire [Mr. BRIDGES], the senior member of the Republican Party of this body.

The special committee made exhaustive studies, and the committee's findings were reported to the Senate on May 13, without a dissenting vote. I think it was an excellent piece of work. The report was based not only upon the studies made by the committee itself in open hearings and in private hearings, but also upon studies made by its representatives, some of the leading citizens of the United States in their fields, and some of the finest organizations and institutions which were equipped to study matters in this field.

The Senate was not the only body to study the foreign aid program. The President of the United States created a special executive branch task force headed by Mr. Benjamin Fairless, the former president of the United States Steel Corp. The President's International Development Advisory Board, headed by Mr. Eric Johnston, also made a study. The House Committee on Foreign Affairs, under the leadership of its outgoing chairman, Mr. James Richards, completed a study of foreign aid in December of last year.

All these reports agree on several things. They all agree that mutual security programs have served us well. That military and economic assistance programs must continue for the foreseeable future if we are to protect ourselves in this world.

I may say that none of these reports undertake to say that a mistake has never been made in the administration of this program. In the case of a program so large and so extensive as this one has been—a program covering many different activities, and with many different administrators—it is not difficult to pick out individual mistakes. But I submit that, viewing it in proper perspective, it will be found that the mistakes involve a very small part of the overall operation.

Mr. HUMPHREY. Mr. President, at this point will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. Is it not true that in the case of a program of the scope of this one—a program which touches all areas of the world, areas in which there are many developments, both economically and politically, which frequently are beyond the experience of our own people—it is entirely possible that there will be miscalculations, and that one project or another may get out of hand and may end up as undesirable or unnecessary, or that there may be projects in which there is waste. In other words, if one wishes to engage in finding very little blisters on the trunk of the great oak tree, it is possible to make it appear that the oak is almost ready to collapse, or that it never should have been a tree in the first place; whereas if one considers the totality of the program, and does not concentrate upon a little error here or a little mistake there, one finds a rather encouraging picture of a program which should enlist reasonable commendation and support. Does not the Senator from Arkansas agree as to that?

Mr. FULBRIGHT. Yes; I think the Senator from Minnesota is correct.

However, I do not wish to question the right and duty of any Member of the Senate to direct attention to any cases in which there has been either a mistake in judgment or plain stupidity. Attention should be called to such cases. I myself have called attention to some of them; and I welcome statements such as the ones which have been made on the floor today, and I think the public is entitled to an answer in each case.

I do not say that some mistakes have not been made. I think some of them could be explained in such a way that any reasonable man would agree that they were not really serious mistakes, whereas I think some of them were bona fide mistakes.

But I suggest forcefully as I can that, granted that there have been some mistakes, yet, in comparison to the overall program and the vast amount of beneficial activities which have been carried on in a wise manner, the mistakes are relatively small.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield further to me?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. I surely wish to join in the statement the Senator from Arkansas has just made, namely, that no one would wish to stifle the investigation of errors of either omission or commission, and no one would wish in any way to diminish the efforts of those who seek to inquire into this program. Personally, I welcome the criticisms. I myself have made some of them. For example, I am not sure that all the military assistance which has been extended to some areas of the world has been as effective as the proponents had hoped it would be. I think sometimes such assistance may generate local armament races, for instance.

But, Mr. President, let me say, by way of a simple analogy, that if one were to hire the finest contractor in the world to build the finest building man's ingenuity and genius could devise, if at the completion of construction it appeared that some of the pipes leaked or certain parts of the building were of faulty construction, that would not mean either that the mistakes should be glossed over or that the entire building should be torn down.

Mr. FULBRIGHT. That is a very good point, Mr. President. Granted that some mistakes have been made, that is no reason for cutting the program beyond a reasonable amount.

I myself have criticized the program in Pakistan. I opposed the military program there; I did so on the ground that it is out of proportion, and that it is beyond the capacity of the country to support it. I hope the agency will take heed of that criticism. But I do not think the proper answer is to eliminate the entire program.

Although I may be in error, nevertheless, I do not agree with some of the projects. But there, again, the Senate as a legislative body is not equipped to administer this program, and to say that this, that, and the other thing must not be done at all. We can use our persuasive powers upon the administration. Goodness knows, Mr. President, I wish the administration were wiser than it is in connection with both this program and many other programs. But the decision was made in November, and this program should be continued; and I believe it should be continued at about the level the committee has recommended. I think the committee reported a very good bill.

Mr. HUMPHREY. Mr. President, will the Senator from Arkansas yield once more to me?

Mr. FULBRIGHT. I yield.

Mr. HUMPHREY. It seems to me that the major mistake which has been made in relation to the mutual-security program is the lack of candor with the American people as to its duration. A calculated effort has been made to have the people believe, year after year, that, somehow or another, the current year would be the last year of the program. I think that is wrong. I welcomed the statement the Secretary of State made during the past week, when he and one of his assistants said that the program may go on for another 10 years.

Certainly there would be better perspective if some long-range planning were done. I do not believe there is much chance of making a major reduction in our defense budget or in our mutual-security budget until the Soviet Union begins to change its attitudes and to curb its appetites. I think we must make up our mind to that. I am of the opinion that the American people are big enough, strong enough, and sufficiently tough-minded to take this kind of news. If one wishes to call it bad news, that is all right with me. But the American people can take the news that they have on their hands a problem which will remain for years to come. I think that is where the greatest mistake has been made; the people have beeen led to believe that, somehow or other, the program would simply wither away because soon the problem would be solved.

Mr. President, the program will be over when the free nations—the United States and our allies—are strong enough, in their collective security, to overcome the Soviet Union unequivocally. The day when the Soviet Union realizes that it cannot win in Africa and Asia, and that it has lost the battle, politically and economically, is the day when it will be possible to cut back our defenses and our mutual-security program. To do it any sooner would be to throw in the towel before the fight was half over.

Or one might say that we have now come to the 5th inning in a 1-game world series. Mr. President, in the 5th inning I am not ready to call off the game and to award the victory to the opposition. But I sense that some of the people are becoming a little tired in the 5th inning. I suggest that we continue in the ball game; and once we have won it, we can cut back on some of the expenditures, as some persons have advocated.

Mr. FULBRIGHT. I thank the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator from Arkansas for yielding to me.

Mr. FULBRIGHT. Mr. President, as I have said, all the reports agree on several things; namely, that the mutual security programs have served us well, and that the military and economic assistance programs must continue for the foreseeable future if we are to protect ourselves in this world. These reports also agree, however, that the mutual security programs need substantial revision if they are to be fully effective in the national interest.

I would point out again the remarkable agreement of opinion on these fundamental conclusions about the foreign-aid program. I would emphasize that in the Special Senate Committee To Study the Foreign Aid Program, consisting as it did of a complete cross section of Senate opinion, there were no minority views. It seems to me, therefore, that after all these reexaminations, no responsible person should now rise and say that we should stop the foreign-aid program altogether. The question for us today is not whether we should have a foreign-aid program. The question we should debate is whether the pending bill is well calculated to give us the kind of a foreign-aid program which will best serve American interests.

Professors of government are fond of saying, when referring to the relationship of the Congress and the President in the matter of drafting legislation, that "The President proposes and the Congress disposes." The bill before us, S. 2130, is a shining example of the reverse of that generalization. If Senators will study this bill closely, and compare it with the various recommendations made in the several studies of the foreign aid program conducted by Congress and by the executive branch, they will see that the President's proposals for the fiscal year 1958 were profoundly influenced by the report of the Senate Special Committee To Study the Foreign Aid Program. Senators will find that the study of the Senate Committee had a far greater impact on the President's recommendations to the Congress than did the conclusions of the President's own advisory committee on the foreign aid program.

I wish to spend a few minutes discussing one striking new feature of this new mutual security bill. It is a feature which was strongly recommended by the Senate special committee. I refer to the proposed development loan fund. Let me summarize the main features of this loan fund.

First, the fund is a 100-percent loan fund; not 75 percent or 90 percent, but 100 percent. The bill provides that no grants are to be made from the fund's assets.

Second, the development loan fund is separated from any other kind of economic aid. One of the troubles with economic aid in the past has been that it has been all mixed up as between economic aid for defense purposes and economic aid for development purposes. The new loan fund gets away from that kind of confusion. It also gets away from the tendency to administer economic aid as if it were a political slush fund to be used for keeping a friendly government in power or influencing this or that temporary political issue. The proposed development loan fund is insulated from extraneous purposes except that of promoting businesslike development of the resources of friendly countries, in the interest of the United States.

Third, the loan fund will take an investment approach to economic aid. The proposed legislation provides that prospective borrowers must prove to the administrators of the fund that they need capital for sound projects. They must also prove that they cannot obtain the capital they need from private sources or from other public lending agencies. The loans that will be made will be those which we may have a reasonable expectation will be repaid.

Fourth, for the first time we have in this loan fund a part of the mutual security program which is aimed specifically at its own termination. One thing which has always distressed me about other kinds of aid, such as military aid and defense support, necessary as they are, is that it is hard to see the end of them. When the question is asked as to when military aid will end, the answer is that it depends on the Russians, and that answer is not very satisfying.

When the question is asked, however, when this Development Loan Fund will end, the answer is much more satisfying. The purpose of the loan fund is to help less developed countries reach such a stage of economic development that they can generate for themselves, from their own internal resources and from private capital, the necessary investment needed to keep their economies growing. At that point, when a foreign country can sustain its own economic growth development, loans from the fund will stop. In the administration of this kind of aid, for the first time, we know clearly what we are trying to do, and we know that if we administer it wisely it will one day end.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. FULBRIGHT. I am glad to yield to the distinguished Senator from Ohio.

Mr. LAUSCHE. The senior Senator from Oregon [Mr. MORSE] this morning made a very vigorous argument claiming that there is a weakness in the bill insofar as it does not follow the recommendation of the special committee which was created by the Senate Committee on Foreign Relations to study the foreign aid program. He pointed out that the committee recommended as follows:

> That Congress should continue to authorize appropriations annually pending a clear determination of the role of military aid in the total strategy of national defense.

He then went on to point out, in regard to the development loan fund, instead of the authorization being confined to 1 year at $500 million, it gives authorization for the years 1959 and 1960, allowing an expenditure of not to exceed $750 million a year.

I should like to hear the Senator's version of that departure from the recommendation made by the special committee.

Mr. FULBRIGHT. Unfortunately, I do not have the recommendations of the special committee before me, but it is my impression—and I was on the special committee—that we accepted—at least I did—the loan fund suggestion from a general recommendation to that effect.

I am glad to give my own reasons for the recommendation. We are seeking to create a new approach—that is, a lending approach—as distinguished from a

grant approach, which it has been primarily. The aid was primarily that in the beginning, and only in recent years has there been injected the idea of loans. Last year we required a major part of the aid—not in the military aspect, but in other aspects—to be covered by a lending provision, amounting to 75 or 80 percent. However, we are seeking to create a revolving fund. I think, in order to do that, it is absolutely necessary to create the belief on the part of the countries with which we expect to do business that this is a continuing project, and will be so for a reasonable period of time. The estimate of what that period of time will be has varied all the way from 5 to 10 to 15 years. I personally think it will be at least that long.

The idea is to point out to the other countries that we are really establishing such a fund. I do not mean that we are going to be called upon to appropriate $500 million or $750 million every year. What I think we can do is to create a revolving fund, and as collections from the other countries are made, such funds can be used to replace the money used for loans. If the money is loaned in the proper way, I hope that perhaps we can later—and I am not at all proposing it at this time—use the repayments coming back to us as a result of aid under the Marshall plan to replenish the fund. That is the way I look at it for the future.

I think the Senator will agree with me that we cannot propose to a country a long-time project if we have only a 1-year authorization, and if there is no assurance of the continuity of the program. What we are seeking to do is have people believe we are in earnest about this, that we are going to create this fund, and that they can rely on it, and therefore we should see if we cannot get together and develop a real project, with the prospect of increasing the productivity of the other countries to such an extent as will enable them to pay the loans back. In that sense it may be said that the purpose is a psychological one. I personally would go so far as to say that I doubt we can efficiently lend $500 million the first year. To me, that is no reason why we should not appropriate the money. We are going to have to appropriate the money if we are going to make a break with the past and create the belief and confidence that we mean business in creating the new approach, the lending approach. That is the reason for it.

Mr. LAUSCHE. Let me say to the Senator from Arkansas, that I subscribe fully to the mutual-aid program. However, when the Senator from Oregon quoted the recommendations made by the special committee, and then proceeded to point out that the action taken by the Committee on Foreign Relations, which in effect consisted of the same membership as the special committee, was different, I felt that he had made a very forceful point. He further quoted language from the recommendation of the special committee. I should like to read now from page 7 of the minority views of the Senator from Oregon.

Mr. FULBRIGHT. Before the Senator proceeds to that item, let me try to clear up the point. I believe there is a reasonable interpretation.

On page 26 of the special report, the Senator will notice, near the bottom of the page, is a comment on what I believe he refers to, that the committee further recommended that the appropriate standing committee make a broad inquiry into the present relationship of military aid to the strategic concept of defense.

No, that is not the point. I am wrong there.

Mr. LAUSCHE. Will the Senator permit me to read this?

Mr. FULBRIGHT. Very well; go ahead.

Mr. LAUSCHE. In the statement this morning, the Senator from Oregon made a further criticism of what has been done, and he stated that the special committee made this recommendation:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid would raise dangers of failures to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

The Senator quoted this language as having been uttered by the special committee. Then he laid down the proposition that the members of the Committee on Foreign Relations who were members of the special committee did not follow their own recommendation.

Mr. FULBRIGHT. In the first place, about denying the Senate the power to review, I say that is simply not so under this bill. Certainly I intend to review this lending program, especially, indeed, more carefully than any other, because I have a very special interest in it. I have done all I could to help create it. I intend to see, so far as I possibly can, how it operates. The Congress can do that. I am sure we can call up those who administer it at any time we wish to, and ask them questions.

The bill provides for reports to the Congress. There is no reason at all why at this time next year, if there is anything wrong with the operation of the program, we cannot change it. To say that this procedure is not in accordance with the requirement of annual review, in my opinion, is incorrect. I do not see anything inconsistent between the way this fund is established and the requirement for annual review.

Let me say further, in regard to the appropriations on the military side, that the Committee on Appropriations will have to appropriate the money the second year, if that is what the Senator is talking about. All we do here is authorize a lower ceiling for the second year than we authorize for this year, at the request of the administration, so that as a procedural matter they may include the request in the regular Defense Department appropriation bill, which comes up earlier in the year. Then they would not have to wait.

Mr. LAUSCHE. Let me say to the Senator from Arkansas that I am not subscribing to the argument of the Senator from Oregon, but I believe the challenges he made have a strength which command that we give attention to them, with a view to making certain that under all the circumstances we have reached a final conclusion which will be to the best interest of the country.

The Senator from Oregon complained that instead of having two committees examine the problem in 1958—that is, the Committee on Foreign Relations and the Committee on Appropriations—by projecting this program into 1959 and 1960 we have eliminated the Committee on Foreign Relations and have assigned the responsibility solely to the Committee on Appropriations.

Mr. FULBRIGHT. I do not think, considering the way the bill has been drawn and the fact that there is a very substantially reduced authorization, that there is any great danger in such a procedure. When we consider the history of the program, we realize it has been going on now for a number of years. I can see nothing in the offing which would be unique so far as that aspect is concerned. I am talking about a part of the bill other than that having to do with the loan fund, which is the part the Senator is referring to, I believe—the military-assistance feature.

Mr. LAUSCHE. I am talking about the loan fund.

Mr. FULBRIGHT. Under this authorization, the creation of the fund itself does not in any way insulate those in charge from a periodic examination. The bill itself requires reports. As a member of the committee, I can assure the Senator—and I know the committee feels this way—that the loan provision will be a matter of special interest, until it proves itself.

I have had, as many others have had, considerable experience in this matter. The Senator is also a member of the Committee on Banking and Currency, and knows of the operations of the Export-Import Bank, which operates in much the same way. We receive a report every year. Every time we consider the confirmation of a nomination with respect to the bank we give it special attention. Even without the confirmation of an appointment, we always go over the necessary matters with the bank officers. The procedure has worked extremely well.

I was especially interested in the old RFC, which operated in a similar manner. We certainly investigated them. I invite the attention of the Senator, and of the Senate as a whole, to the report filed the other day, showing the very satisfactory results of that operation. I can see no danger in this provision as to the loan fund.

In regard to the authorization for the military-aid aspect, as the Senator knows, that is in two parts. We authorize a certain amount for this year, and we authorize a lesser amount for next year. That is all, for the 2 years. I see no particular danger in that. It is a great convenience to the Department of Defense in their preparation of the budget and the submitting of it to the Congress.

When we understand, first, that there is a great similarity in the program from year to year and, next, that the

Appropriations Committee next year is going to go over it just the same as this year, I see no particular danger in that aspect of it, either.

Mr. LAUSCHE. The argument of the Senator from Oregon on the same premise was directed toward the military aid, that it had gone to 2 years instead of only 1. My interpretation would be that this is somewhat of a modified form of a long-range program of aid. Instead of having a 5-year program, for which there would be some advance knowledge as to what might be expected, the committee determined that they would advance it for a period of 2 years. Even the 2-year period is not certain, because it is subsequently dependent upon what the Committee on Appropriations may do.

Mr. FULBRIGHT. The Senator is quite correct.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I think one point which needs to be added to the very excellent observation made by the Senator from Ohio is that the 2-year period for military assistance, what is known as the defense-support aid, is the period of this Congress, the 85th Congress, and the membership of this Congress, with no ensuing elections.

As the Senator has pointed out, the Committee on Appropriations consists of very able Members of the Senate. They are equipped both by staff and by experience, background, and general aptitudes to examine most meticulously into the actual dollars which are to be appropriated. What the legislative committee does is to authorize.

I am happy to note for the record that the authorization of military assistance for the first year is $1.8 billion, with a mandate or order to the Department of Defense and the Department of State that they cut it down to $1.5 billion for the second year. If they do not cut it down, then they must come back to the committee for a renewed authorization.

Furthermore, we have never before imposed the requirement of a 6 months' report by the administration. Now the administration must come to the committee with its report every 6 months. I think the Senator from Ohio knows that legislative committees are necessarily and properly jealous of their jurisdiction. When the report comes it will not be filed away and forgotten. It will be gone over meticulously, by examination, inquiry, hearings, and testimony, so that we shall have a concurrent working knowledge, with the administrative agencies, as to what is developing under the program.

Furthermore, in connection with the development loan fund, while it is true that the Foreign Relations Committee was also the special committee to study foreign aid, we should not forget that when the Mutual Security Act for this year was presented to us, it was presented after we had made our recommendations. It was presented to us with excellent testimony, and we commended those who testified. It was presented to us in the light of developments which had come to our attention as the result of private studies which had been made by the Massachusetts Institute of Technology and the Brookings Institution, two of the finest such agencies in the world. In connection with the loan fund, the University of Chicago and other agencies recommended not 1 year, but a capital revolving fund extending over many years. What we have done is to go into the long-term type of planning.

Mr. LAUSCHE. How were the agencies to which the Senator refers enlisted to give their aid?

Mr. HUMPHREY. They were hired.

Mr. FULBRIGHT. We paid them for their services.

Mr. HUMPHREY. Independent research was done, and the research was correlated, compared, and evaluated by members of the committee.

The Senator from Oregon [Mr. MORSE], in pinpointing what he considers to be the weaknesses in the bill, has done a service. He has actually underscored the elements of strength in the bill. For the first time we are to get some reasonably long-term planning. At least 2 years is better than 1.

In connection with the loan development fund, while $2 billion is authorized for a 3-year period, that does not mean that we shall come forward each year with a $750 million appropriation. The fund will be a revolving fund.

The minute we put the assistance on the basis of a loan, those who are responsible for granting the loan will begin to make a much more careful study of the projects. Furthermore, the engineers in the field will make a much more careful study of the program. By pointing out what he believed to be weaknesses, the Senator from Oregon has actually underscored what I consider to be the elements of strength in the mutual security program.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. JOHNSON of Texas. I ask unanimous consent that the Senator from Arkansas may yield to me for the purpose of suggesting the absence of a quorum and subsequently submitting a proposed order, with the understanding that he shall not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. JOHNSON of Texas. Mr. President, on behalf of the minority leader and myself, I propose an order, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The proposed order will be read.

The Chief Clerk read the proposed order, as follows:

Ordered, That, effective on Friday, June 14, 1957, at the conclusion of routine morning business, during the further consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of the final passage of the said bill debate shall be limited to 3 hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders or either of them may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

The PRESIDING OFFICER. Is there objection to the proposed order?

Mr. LONG. Mr. President, reserving the right to object, I should like to suggest to the distinguished majority leader that if the proposed agreement is entered into, and if the Senate convenes at 9:30 tomorrow morning, if amendments are offered at that time very few Senators will be present. I hope we shall not be denied an opportunity in the morning to have amendments considered.

Mr. JOHNSON of Texas. The order for the hour of meeting was entered the first part of the week. There is usually a morning hour, and then a quorum call. Voting on amendments would not come until later. Many Senators would prefer to meet at an early hour in the hope of concluding action on the bill on Saturday.

The PRESIDING OFFICER. Is there objection to the proposed order? The Chair hears none, and it is so ordered.

Mr. FULBRIGHT. Mr. President, the development loan fund, to my mind, is the first bold and imaginative new step which has been taken in our foreign-aid policy since the inception of the Marshall plan and the point 4 program. I think the Senate of the United States can take a great deal of credit for pushing the concept of a development loan fund.

Why do I say that this concept is a bold concept? I say that it is bold because it may come somewhere near meeting the great need which lies ahead. All through the less developed parts of the world—in Asia, Africa, and the Middle East, particularly—millions of people are desperately seeking to find a better life for themselves. We have 19 newly independent nations since World War II. No political leader in these young countries can survive who does not pledge his efforts to create for his people more wealth and a higher standard of living. These underdeveloped countries need two things. They need know-how, and this we are prepared to help provide through the technical cooperation program. They also need capital.

There are two ways to get capital—the Communist leaders in Russia have their way of obtaining capital. In the Soviet Union they squeezed it out of the toil and the very lives of their own people.

The Communist Chinese are trying the same method. This method is brutal, and it puts an end to freedom; but it does work, after a fashion, as we have seen in the case of the Soviet Union.

The other way for these countries to get capital is to borrow it. This is the way the industry of the United States was founded. The leaders of these newly independent countries have this choice before them—to develop themselves in the Communist way or in the free way. I say the development loan fund is a bold step because through it we are announcing to these young leaders that if they will formulate intelligent development plans for their countries, if they will marshal their energies and resources into worthwhile projects, the necessary capital will be there. A great deal of this capital can come from private sources. Unfortunately, however, American investment overseas tends to go not to the least developed countries but to the most developed countries. The bulk of our investment has always gone, and probably will continue to go, to Canada, to Europe, and to Latin America. The challenging concept of this development fund is that we are saying to the new countries of Africa and Asia and the Middle East that we are standing ready to assist them with capital loans if they can't get capital elsewhere and if they will make their plans economically so as to justify our loans. This policy, if we resolutely pursue it, may prove to be a major turning point in our effort to achieve a truly peaceful world. This approach is the way to challenge the doctrines of Marx. This is the way to demonstrate the emptiness of Communist dogma.

Mr. COOPER. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CARROLL in the chair). Does the Senator yield to the Senator from Kentucky?

Mr. FULBRIGHT. I am very glad to yield.

Mr. COOPER. What the Senator is stating about the loan development fund and the continuity of aid it offers, is very important because this fund and its continuity represent the most significant advance which has been made in our aid program since its beginning.

Mr. FULBRIGHT. I thank the Senator.

Mr. COOPER. A few minutes ago a colloquy developed on the issue of waste in the foreign-aid program. I should like to ask the Senator if he does not agree that the loan development fund offers the opportunity to reduce waste and inefficiency in that it affords an opportunity to select the most worthwhile projects, and the mechanism to be established, in the form of a loan board, will be able to allocate projects and to reduce personnel.

Mr. FULBRIGHT. The Senator is exactly correct. We have had several instances of what I would call bad planning, which resulted in some mistakes in the program, because of the way in which the projects had to be undertaken. They had to be undertaken in a short time, sometimes within only a few months. We would rush into a program without adequate preparation. That would cause waste and mismanagement. The Senator is quite correct.

The loan fund will give the planners the feeling that they will have the funds available and that they can take adequate time in which to plan the projects, and to plan them carefully. One great example of what I have in mind is the Helmund Valley project in Afghanistan, which went awry, not under our program, but under their own program, because of lack of planning and coordination. We stepped in and tried to salvage it. Another pertinent incident was described in the House report. That also resulted from much the same thing.

Mr. COOPER. The Senator has pointed out accurately the problem we face in newly established, underdeveloped countries, in connection with their desire to advance industrially. With very limited funds, they select wealth-creating projects. The building of such wealth-creating projects requires expenditures which in some cases must continue for 2 or 3 years or even 5 years. If we continue the kind of aid we have given in the past, as the Senator has said, these countries affected cannot accept aid on a major wealth-creating project which will continue over 1 year. What happens in many of these countries is that our aid is channeled off and diverted into less important projects. These projects are not always wealth-producing. Under the loan development fund, one great effect will be that our aid will become more efficient and much more effective, because it will go into great wealth-producing projects in countries that are trying to advance. In creating wealth, the countries will be able to return money into the revolving fund.

Mr. FULBRIGHT. The Senator has put his finger on one very important consideration, that this fund is to be used primarily for wealth-producing projects, not for social improvement or even humanitarian projects.

Of course, we do not have anything against such projects. But, just as we make distinctions in our own country between certain types of activities, these specially designed projects will increase the wealth and increase the probability of repayment through what is produced.

These funds are not intended to be used for the relief of suffering. We have relief programs for that purpose. We have had very large programs of that type. Certainly our country has done more than its share along that line. This is not a relief program. If the administrators are found to use the program for that purpose, I am sure the Senate will reprimand them. Certainly I would, as would others who are interested in this program. That is not the purpose of it. If we are to do that, we will do it under another program.

Mr. COOPER. Another result would be that the funds would be directed into fewer and more important projects, and in that way there would be an opportunity to reduce personnel. Is that not correct?

Mr. FULBRIGHT. The Senator is quite right. There has been the tendency under the other program to rush forward and undertake a short-term program that looked all right, because it was felt "Something must be done. We cannot let this program bog down." So some mosquitoes were sprayed, or similar programs were undertaken very quickly, which in themselves were all right, but they did not contribute to what should be basically done in these countries.

Mr. COOPER. Many of those projects can be carried out under the technical assistance program.

Mr. FULBRIGHT. Yes; they can be carried out under some other program, not this one.

Mr. COOPER. I should like to point out one other thing, about which the Senator from Arkansas knows so much.

Under the recent change in Soviet tactics, the Soviets are able to move into many countries by reason of the fact that the Soviets are not restricted by considerations of time, with which we are faced, because our appropriations are limited to 1 year. They have been able to direct their funds, even though they may be much smaller in size than those that have been appropriated by the United States, to larger wealth-producing projects, mostly industrial projects, which are most sorely needed in the countries receiving the aid and therefore these projects have received much more attention—and perhaps properly so—than have the projects undertaken by the United States.

Mr. FULBRIGHT. The Senator is quite right.

Why do I say that the development loan fund is the first imaginative foreign-aid policy step since the point 4 program? I say it because it seems to me that this idea is the only strategy which, in the long run, can cause the Communist leaders to give up their ideas about taking over the world. We cannot change the Communist ideas by building bigger armies and navies and air forces. The United States must, of course, have strong military power to deter Communist aggression and to protect ourselves, but the best that these measures alone can lead to is the kind of stalemate which now exists.

We now can destroy the Russians, and the Russians can destroy us. There is a kind of uneasy and precarious military stalemate, but this is not the kind of a situation which is likely to change the Russian minds, because they know that there are other ways, less costly ways, situation which is likely to change the world to become Communist. I think we are realizing more and more that the real struggle ahead lies in the underdeveloped parts of the world which have not yet decided which road to take toward economic progress. They can take the Communist method of development or the democratic methods which have been followed by the free world. The existence of this development loan fund, and the well-considered policy which lies behind it, provides these new countries with a real alternative.

If most of the newly independent nations decide to try to raise their standards of living in a peaceful and a democratic way through their own efforts and by accepting outside help on a loan basis, the Communist powers, sometime during the next 20 or 30 years during which this

development will take place, will come to realize that they are not going to conquer the world by force or by subversion or by persuasion. They will then be forced to realize that they might as well settle down and try to live with their neighbors, because they will have no acceptable alternative. The method here suggested is the way that we may possibly resolve the conflict between the Communist world and the Free World.

The Committee on Foreign Relations proposes that the development loan fund work in the following way: We propose that there be an appropriation of $500 million for the fiscal year 1958 to start the fund off. We propose that in the fiscal year 1959 the fund be allowed to borrow up to $750 million from the Treasury. We propose that in the fiscal year 1960 the fund be allowed to borrow another $750 million from the Treasury, if necessary.

Over a period of 3 years, then, a capital fund could be made available totaling $2 billion, if that much proves to be necessary for making loans for economic development.

The proposal is that the loan fund be administered by the International Cooperation Administration in very close coordination with the other interested agencies of the Government. All basic loan policies and every proposed loan of more than $10 million must be discussed with an Advisory Loan Committee, which would be established by law. The Chairman of this Committee would be the Deputy Under Secretary of State for Economic Affairs. That office is filled at present by an unusually capable and experienced man, Mr. C. Douglas Dillon, who was recently our Ambassador to France. I think this is a very important consideration in getting the loans under way in the proper manner. The committee, I feel, has great confidence in this arrangement.

There would be representatives on the Committee from the Department of Agriculture, the Department of Commerce, the Export-Import Bank, from the United States representation in the International Bank for Reconstruction and Development, and from any other Government agencies which the President feels ought to be represented, in order that the activities of this fund will be completely coordinated with all sources of capital which flows abroad.

The fund will make no grants. Every loan must meet these criteria:

First. The loan will not be made if capital is available from other Free World sources on reasonable terms.

Second. The loan will not be made unless the activity of the project to be financed is economically and technically sound.

Third. The loan will not be made unless the activity proposed gives a reasonable promise of contributing to the development of economic resources or to the increase of productive capacities of the borrowing country. Let me read this additional policy from the proposed legislation:

> The fund shall be administered so as to support and encourage private investment and other private participation furthering the purposes of this title, and it shall be administered so as not to compete with private investment capital, the Export-Import Bank, or the International Bank for Reconstruction and Development.

To complete the description of how the new fund will work, I should add that the fund will be governed by the general principles of the Government Corporation Control Act, and the financial operations of the fund will be subject to audit by the General Accounting Office.

Congress will have firm control over the proposed development loan fund. In order to put the matter in perspective, I would remind the Senate that loan funds are not new. Let me cite two successful examples, one in the domestic field and one in the foreign field, both of which were established largely by creating an authority to borrow money from the Treasury to be loaned for purposes and on conditions specified by the Congress. On the domestic side, the Reconstruction Finance Corporation was such a loan-making organization, and a successful one, which earned a profit on its operations. On the foreign side, we still have in operation the Export-Import Bank, which finances its loans out of borrowings from the Treasury, and is doing excellent work in its special field.

Congress would have plenty of control over the proposed development loan fund provided for in the bill. In the first place, the initial capital of the fund will be established through an appropriation. Secondly, the nomination of the administrator of the fund is required by the bill to be confirmed by the Senate.

Next year when the mutual security bill comes to the Congress, the Committee on Foreign Relations will review the authority and will have an opportunity to recommend its repeal or revision if it is not working properly. If the fund needs additional capital in the fiscal year 1959, the bill provides that a budget program must be presented to the Committees on Appropriations and be approved by them before the additional capital can be borrowed from the Treasury. In the following fiscal year, 1960, if additional capital is needed by the fund, the fund must again obtain the approval of the Appropriations Committees for its budget program prior to borrowing capital from the Treasury. Throughout the life of the proposed fund, the appropriate committees of the Congress will receive reports by the President on the operation of the fund every 6 months. In addition to these semiannual reports, the bill before the Senate provides that in any case in which the administrator of the fund follows a course contrary to the advice of a majority of the Advisory Loan Committee of the fund, with respect to any basic policy matter, or with respect to any loan in excess of $10 million, the administrator must furnish to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a statement of his reasons for doing so. It seems to me that these several checks and rechecks by Congress and the reports to Congress provide adequate control over the activities of the proposed fund.

Mr. President, I have talked about one of the virtues of this bill—the Development Loan Fund. I am not, however, in other respects, completely satisfied with the bill. In some parts of the proposed programs, and particularly in some countries, I fear that the emphasis in programing is much too heavy on the military side. As the committee report points out in its concluding paragraph, 94 percent of the assistance program for the Far East is in the form of military assistance and defense support. Of course, this figure does not count whatever part of the Development Loan Fund may go to the Far East, but, even making allowances for that, it strikes me that this is not a proper balance.

The best—or perhaps the worst—illustration of this imbalance is Pakistan, which nation we have, in my opinion, encouraged to take on too heavy a military burden. I think our military planners have a tendency to treat each country as if it alone had to prepare to defend itself against a Russian attack. Many of these small countries cannot possibly do so. They will do well enough, it seems to me, if they are able to maintain an adequate internal security force. They need all the rest of their meager resources in their endeavors to improve their standards of living.

The Committee on Foreign Relations has made two types of changes in the President's bill which go a long way to correct the overemphasis on military programs which I have been discussing. In the first place, the committee has made changes in the existing law which will more clearly place responsibility on the Secretary of State for coordinating the military side of the program with United States economic and foreign-policy objectives. In the second place, the committee reduced the proposed authorization for military assistance by $100 million, and reduced the authorization for appropriations for defense support by $100 million. In authorizing appropriations for the fiscal year 1959—next year—the committee has indicated the downward direction in which we believe these appropriations should go by fixing ceilings of $1.5 billion and $710 million, respectively, for military assistance and defense support for next year.

Mr. President, I close these remarks by saying that the Senate has before it a sound mutual security bill. We are now, I think, on the right track in our economic-assistance programs. The proposed Development Loan Fund is a sound and hopeful plan. It carries with it the seeds of its own termination. I hope the Senate will support this new approach to foreign aid—a conception which conforms to the general recommendations of the Senate Special Committee To Study the Foreign Aid Program, and which has again been reviewed and recommended by the Committee on Foreign Relations.

AMENDMENT PERMITTING SUPPORT TO AMERICAN SCHOOLS ABROAD

Mr. President, I send to the desk an amendment to S. 2130. I regret that I did not offer this amendment when the

Committee on Foreign Relations was considering the mutual security authorization bill. I hope that Senators will study the amendment and that it will prove to be acceptable to the members of the Committee on Foreign Relations.

I may say that the committee took testimony on the subject matter which is dealt with by the amendment, but the committee itself was not given an opportunity formally to pass upon it.

The purpose of the amendment is to permit a small portion of economic assistance funds to be used for assisting American sponsored universities abroad.

If Senators will turn to page 27 of the committee report on the pending mutual security bill, they will find a brief discussion of this subject, and will also find a recommendation of the committee that the executive branch use the authority available to it to extend effective assistance to American - sponsored schools, libraries, and community centers abroad such as the American University in Beirut and Robert College in Turkey. I think it is well known that these institutions play an important part in assisting in the training of teachers, technicians, and others who are so desperately needed in underdeveloped countries.

This statement in the report of the Committee on Foreign Relations on the pending bill is very helpful, but something more is needed. There ought to be a dependable source of funds which the executive branch can use to carry out the recommendations of the committee report. The new category of special assistance provided for in the pending bill is an appropriate source of funds for assistance to these American schools. My amendment would authorize the use of not to exceed $10 million of funds appropriated for special economic assistance to be used for this worthwhile purpose. I hope the amendment will receive favorable consideration by the Senate.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. AIKEN. Mr. President, first let me say that the Foreign Relations Committee, under the leadership of the senior Senator from Rhode Island [Mr. GREEN], and with the services of a very capable and cooperative staff, has reported to the Senate what I consider to be the best mutual security bill ever reported to this body.

Through the investigations and studies of this committee, the public has become more informed as to the purposes and possibilities of foreign-aid programs past, present, and contemplated.

I shall not discuss the provisions of the bill before us in detail because others have already done that or will do so.

I do wish to discusss in a broad sense the question of why we have cooperative aid programs with other nations and why it is unthinkable that we should depart from or weaken those programs at this time.

The search for a formula for survival occupies the attention of much of the civilized world today. It is this hope for survival, as well as humane instincts, that is bringing the world closer in spirit, as well as in distance.

There was a time in the near past when the oceans were considered adequate protection to the United States against any foreign foe. Our national defense programs were predicated on this assurance. At that time, too, the tariff was considered to be adequate protection against foreign competition in the economic field.

Now the tariff wall as a means of insuring economic prosperity has crumbled, and the oceans are scant protection against potential devastation from overseas attack. Instant communication with any part of the world is now possible. Transportation speeds of equally amazing comparison are not far behind.

The earth has become so shrunken that people now living will surely be able to circumnavigate the globe by the light of a single day.

In fact, we are even looking at outer space today, much better informed than our European forebears must have been when they looked westward across the salt water and wondered how far one would have to go before he fell off; and how far he would drop; and what he would land on, if anything.

It is recognition of the omnipotent potentiality for self-destruction which prompts the United States to join with others in the search for a lasting peace. It is this realization that inspires us to try our utmost to make a going and effective concern of the United Nations. For this reason too, we are carrying on programs designed to strengthen other people and their governments, so that they, also, may make a full contribution to the society of nations.

As we become better acquainted with the people in other lands, we find that under the surface all of us are very much alike, having the same ambitions, the same fears, and the same hopes.

We also find, to the surprise of some, that there are countless people in the world who equal us in intelligence and excel us in patience. The fact that they have been content to rely on their patience is one reason that so many of them live today in underdeveloped countries.

Yet, in spite of the patent urgencies of today, we still have in our own country people who see little advantage in our carrying on cooperative programs with those in other lands. One of the favorite indoor sports of some people is writing their Members of Congress demanding that President Eisenhower's budget recommendations for the next fiscal year be drastically cut. Where the cut shall take place, however, is a disputed question. Almost nobody wants his own benefits reduced.

So, inasmuch as the benefits from mutual assistance programs are largely intangible, so far as most people are concerned, there is a tendency to make foreign-aid appropriations the logical target for those who want to reduce taxes and expenses without upsetting their own gravy boat.

However, to those who think that foreign-aid appropriations are a total loss to the American taxpayer, and benefit solely the people of foreign countries, I suggest a further review of the situation.

Most of the money appropriated for mutual-aid programs is spent directly for American goods and services. While I cannot give the exact amount, it is not far from 90 percent of the total.

There is waste in these programs, Mr. President; but the percentage of waste is no greater than the percentage of waste in some of our domestic programs which benefit the critics of foreign-aid programs.

Last year, the gross national product of the United States reached the staggering total of $412 billion. It is expected that it will exceed $425 billion this year. A sizable percentage of this total was generated through direct foreign-aid programs and the greatly increased international trade which they engendered. These programs meant business for our manufacturers, for our shippers on land and on sea, for our shipyards where new ships are constructed. They meant more business for our wheat growers, our tobacco growers, and our cotton growers. They meant infinitely more business for our processors and handlers and suppliers.

Speaking of international trade, this business has now reached enormous proportions, and is still growing.

From January 1, 1956 to January 1, 1957, the total amount of United States exports is reported to have been $17 billion—and I believe the revised figure will exceed $17 billion by a considerable amount—or nearly $5 billion more than the total amount of imports into the United States.

For the calendar year 1957, it is anticipated that United States exports will exceed $20 billion with a continuing large balance of trade in our favor—a far greater export trade than was even dreamed of in past years.

The mutual aid programs, which must continue, have contributed tremendously to the increased export business of the United States. Some persons think Public Law 480 is responsible for the increase in our exports of farm commodities. It is; but Public Law 480 works with our mutual-security programs. Through Public Law 480, we sell surplus farm commodities to other countries, and take their currencies in payment. Then, through the mutual-security program, we lend the currencies back to the countries which bought our surplus farm commodities; or in some cases we contribute the currencies to them as grants. If it were not for the fact that we lend the native currencies back to the countries where they originated through our foreign-aid programs, we could not make, through Public Law 480, the sales we make now, because some of those countries simply could not afford to let such enormous amounts of their own currencies get out of their own hands.

So let us ask ourselves this question: If it had not been for the combination of the programs carried on under Public Law 480 and the mutual security programs, would we have sold almost 8 million bales of cotton, last year—an increase of 2¼ million bales over the sales

the year before? Would we have increased our sales of wheat overseas 100 million bushels over the sales of the previous years?

Would our manufacturers and dealers have sold millions of dollars' worth of wire, pumps, generators, magnetos, and the kind of equipment which they did sell? Would there have been a shortage of ships, causing our shipyards to work overtime to build more ships, had it not been for these programs? Would we have sold millions and millions of tons of coal to foreign countries, giving our coal miners the best season they have had in years, had it not been for programs which some people, ill advisedly, I believe, think we should discontinue or drastically slash?

Mr. REVERCOMB. Mr. President, will the Senator yield at that point?

Mr. AIKEN. I yield.

Mr. REVERCOMB. I wish to say the Senator from Vermont is making one of the clearest and one of the ablest expositions of this subject that I have heard. I compliment him upon it. At this point in his statement, when he is telling of the great advantages that have come to this country and to the people of this country and to those engaged in the various industries of the country as a result of moneys sent abroad, I wanted to call this to the attention of the Senator, and, for my own information, put this question: The bill provides for what is known as the development loan fund. Is that correct?

Mr. AIKEN. That is correct.

Mr. REVERCOMB. That is a new provision in the Mutual Security Act; is it not?

Mr. AIKEN. Yes. I think that is a drastic improvement over the programs of the past.

Mr. REVERCOMB. I want to concur heartily in such a provision, because, instead of direct grants of money by this country, there is now proposed a provision that countries we believe require economic aid may borrow money upon the basis that there will be a repayment. Is that correct?

Mr. AIKEN. That is correct, and most of the countries prefer to pay back the loans. I expect to cover that point a little later on in the statement I am making. I think that is one of the best provisions in the pending bill, and one which will receive a great deal more favor from the people of the United States than some of our programs, and certain provisions of those programs, have received in the past, and very properly so.

Mr. REVERCOMB. May I say to the Senator the provision for the Development Loan Fund is one that brings great satisfaction to the Senator from West Virginia, because for some time, since the countries of the world have more and more gained their economic footing, and since they have been on more solid ground economically than they were before, I have urged time and time again that advancements of funds for economic purposes be placed upon a loan basis. So it is heartening to me, and I believe it is satisfying to the people of this country, that now at last instead of providing grants or, as many persons have described them, handouts or giveaways, there is included in the bill a provision for the lending of money where the Government feels it should be loaned for needed internal development of countries that are our allies. Am I correct in that conclusion?

Mr. AIKEN. The Senator is correct in his assumption.

Mr. REVERCOMB. I thank the Senator very much.

Mr. AIKEN. I have pointed out that, because of a tremendous volume of exports, we have a considerable imbalance of trade. In other words, we are exporting many billions of dollars more of goods and commodities than we are receiving from other countries. This situation cannot go on forever without greatly disturbing world conditions and creating friction between nations.

How to correct this imbalance poses a major problem.

The United States is already one of the low tariff countries of the world.

We cannot throw our gates wide open and admit any and all products from foreign lands without restriction.

To do so would not only jeopardize hundreds of smaller industries in our country, but would probably fail to solve the problem.

Reduction in trade barriers must be more general and not a one-way street for a single nation.

The situation is presently being ameliorated by a large increase in foreign travel by Americans. This gets many dollars into the hands of other people, and to that extent helps to reduce the imbalance of trade. Then there are direct loans to foreign businesses, sales of American surplus commodities for foreign currency, and private investment by Americans in other countries.

It is apparent that only a general strengthening of the economy of free nations will be the ultimate answer to both our economic and political problems.

In 1956, Americans invested two and three-quarter billion dollars in other countries, and this investment is earning money for the Americans who put money into that investment and who spend their income in the United States. However, without our mutual aid programs with foreign countries, we all know that American investors would not have dared to put $2¾ billion into private investments in foreign countries last year.

American investors, contractors, technicians, and operators are now to be found literally from pole to pole and in virtually every country on the globe outside the Iron Curtain.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. HUMPHREY. I am very pleased to hear the Senator from Vermont make this point, because I think it is one of the most telling arguments in behalf of a mutual security program from what one may call the economic viewpoint of our own country. I believe in mutual security on the basis of the interests of our own country, and that is collective security against Communist aggression; but here is an argument that can be documented by facts, in terms of business investments, business opportunities, and what I believe to be the spreading of the finer aspects of the American political and economic system to other parts of the world.

Too often people in and out of Congress condemn American enterprise, either unknowingly or in a way I think unfortunate, by saying every time an American business enterprise goes overseas it is some kind of exploitation. That is not true. We have had examples of exploiting enterprises, but in the main I think it can be said that an American business enterprise going overseas takes with it not only American technology, know-how, and management, but takes with it some of the social standards of employee relationships, and some of the social standards of better working conditions, schools, and hospitals. I think those standards can be seen all over the world, and I think that strengthens our general foreign policy.

Mr. AIKEN. I thank the Senator from Minnesota for his remarks. I am speaking in general terms today, but the Senator from Minnesota and others know everything I have said can be substantiated—and documented, if that is the word to use—by records which are available to all. I am trying to point out some aspects which I feel have not been properly set before the people of the United States, some of whom have been inclined to regard these programs as giveaway programs. At times they have been. We are trying to get away from that. I think the bill before the Senate does help us get away from that.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. The Senator was kind enough to yield to me a few moments ago, and we discussed the development loan fund a basic part of this very important bill. To what extent, can the Senator advise us, are there to be grants to countries abroad in addition to the loan development funds for economic purposes?

Mr. AIKEN. That is difficult to tell until we finish action on the bill and also on the appropriations. However, even in the funds which would be available for grants, the trend is toward loans. The committee, for instance, was asked to include $25 million for Latin America. I think that was a good idea. We also provided that 90 percent of the $25 million should be in the forms of loans. We had a similar appropriation of $15 million last year. If I remember correctly, only half of that was required to be in loans.

We are steadily working away from grants and toward loans, except for the purely military aid program. I believe this bill is a further step away from grants and toward loans than any legislation which we have had to consider since the end of World War II.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. Let me say, with respect to the military, where the

grants are made under mutual security, I do not raise any question and I have no quarrel with that procedure. I again emphasize, if the able Senator will permit me to do so in interrupting him, the importance of the loan feature, which we find here in economic development. I say again it is most heartening, and I believe will be heartening, to the American people throughout the length and breadth of this land to know that at last the Congress is recognizing the fact that while we want mutual security, we have a regard for our people, their property and their money, and that funds advanced will be upon a loan basis rather than upon a grant basis.

I wish to say I concur heartily in the belief expressed by the Senator from Vermont, that those with whom we deal would rather have this upon a sound basis of loans rather than grants.

Mr. AIKEN. If the proposed legislation did not work us in the direction of loans rather than grants, the Senator would not find the Senator from Vermont supporting it quite so vigorously as he is today.

Mr. REVERCOMB. I thank the Senator.

Mr. AIKEN. It is something we must do. It is not only fair to our own people, but it is fair to the people of other countries. Once their economies reach the level where they can deal on a businesslike basis, that is the way we should deal.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. And we feel that that time has come, and that under this bill, when it becomes law, we shall then proceed upon the advancement of moneys by loans rather than by gifts, under the provisions of the law, when we deem it best to send money abroad for economic development.

Mr. AIKEN. We are going that way very fast. I will point out a few exceptions before I conclude my remarks, but in general we are going in the direction of businesslike arrangements in the making of loans rather than grants, at a rapid pace. This is the longest step forward we have taken in the last 12 years.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. REVERCOMB. May I express the hope that for soundness, for fair dealing, and for mutual trust between this country and other countries, I hope that soon we may proceed entirely upon the basis of aid to economies by loans.

Mr. AIKEN. I would say almost entirely. There will be a few small countries which will have to be helped in other ways for some time, but we will almost go on a businesslike basis with them.

Mr. REVERCOMB. I thank the Senator.

Mr. AIKEN. Mr. President, I mentioned the Iron Curtain before the colloquy with the Senator from Minnesota and the Senator from West Virginia.

This leads us to the question, What is going on behind the Iron Curtain? Is it beginning to crack and, if so, what can be done to widen the crack?

Totalitarianism in any form is the natural enemy of democracy.

At the present time, international communism is regarded as the most dominant and dangerous form of totalitarianism.

It is a means to an economic as well as a political end.

It controls countries having a total population of some 800 million people.

It has its disciples in most of the other countries of the world.

It has as its goal the domination of the world and the people who live therein.

Yet, today, international communism is wavering in those nations where it was thought to be most strongly entrenched.

I do not mean to imply that Russia, Czechoslovakia, Red China, and the others are going to change their form of government in the near future. Having in mind Mr. Khrushchev's prediction that our grandchildren will be living under a Communist form of government. I think the safer prediction is to say that Mr. Khrushchev's grandchildren will be living under a fairly democratic form of government.

The crack in the Iron Curtain is widening. It first appeared in 1948 when Yugoslavia, ravaged and betrayed and stricken with hunger, appealed to the United States for aid. We gave the Yugoslavs about $38 million worth of food that year. Corn was one of the items—I think the principal item.

This enabled them to come through the winter and to establish and maintain a government which, while still professing to be communistic, vigorously dissents from the international brand of its neighbors.

But for American aid, Yugoslavia would undoubtedly be another controlled and dangerous satellite today. Heaven knows what would then have happened to Greece.

With hardly any exception, the other satellite nations are looking hopefully to the day when they, too, may be free from the control of international tyranny. They cannot win that freedom without our help and encouragement.

We have indicated a willingness to sell goods and commodities on favorable terms to Poland, a nation which has recently taken a step—though a very short step—toward future independence.

We are taking this action with the full knowledge that there is an element of risk involved. There is always the chance that the Communist government in Moscow, seeing its hold on the satellites weaken, may choose to create incidents leading to armed occupation. It is also possible that these same rulers, seeing loss of power lying ahead of them, may choose war rather than risk certain destruction at the hands of those people who have been suppressed by their domination.

So long as the United States possesses the power to deliver total destruction upon any aggressor, it is unlikely that the hazard of an atomic war will be risked by any nation. As a matter of fact, it has been in the news much lately, Mr. President, that we have 250 or more airbases around the world from which counterattacks could be launched against any country which had the temerity to undertake to attack us, or even surprise us. These mutual security programs have played a large part in having those 250 airbases made available to us by many, many nations of the world.

Our information is to the effect that even now millions of people in Eastern Europe and in Russia itself are eagerly seeking news and hope from the Western World. Radio Free Europe and other agencies, public and private, are keeping that hope alive and growing.

Those who have been permitted to travel in these countries and those upon whom we depend for information advise us that there is almost a complete lack of bitterness and hostility towards Americans in those areas today.

We are now considering the mutual security or mutual aid program for the coming year. I wish to point out briefly why this program is so important to the United States.

In the first place, the greater part of the money spent on foreign aid programs is either spent in the United States or returns to the United States.

There are three phases involved in foreign aid programs.

First, there is direct military aid, which is comprised of ships, guns, planes, tanks, and the usual military equipment.

Almost invariably the contribution of military equipment to a foreign country is accompanied by a replacement of such equipment with more modern weapons for the American Armed Forces.

So, actually, in furnishing outmoded or surplus equipment, we are simply charging to a foreign aid program appropriations which would otherwise be required to maintain an up-to-date Military Establishment at home.

Included with the military aid there is the defense support program, through which we contribute food, clothing, facilities, and other equipment necessary to maintain the armed strength of friendly nations.

In this program, too, nearly every dollar spent for material is returned to the United States.

As a matter of fact, almost three-quarters of the cost of all foreign aid programs is in the interest of our own national security.

It is claimed, and with much justification, that instead of being an added expense, foreign aid for military purposes is actually a substantial saving to the United States taxpayer.

This is because of the far lower cost of maintaining armed forces in other countries.

The next phase of our foreign aid program is economic. Last year, this cost us about $250 million. This type of assistance is a comparatively small part of the total, yet it draws the most fire from foreign aid critics. This money is spent largely in construction of roads, ports, bridges, schools and hospitals, and for water supplies and irrigation.

Part of this expenditure also returns to this country, but, in the main, our benefits are derived by strengthening the economy of the participating nation.

The final phase of our foreign aid program is the technical assistance program. This amounted to only $135 million last year—I believe the bill calls for $151 million this year—but dollar for dollar undoubtedly yields greater returns than any other money spent in foreign lands. Through this program, we help other people to help themselves in the fields of management, industrial production, and agriculture.

Through technical assistance, many countries in a short period of years have been able so to improve their own economy and their own standards that they are themselves bearing most of the cost of continuing these programs.

Just as the county agent, the home demonstration agent, and the club worker in the United States have made their contributions to the welfare of our country, so have their counterparts in foreign lands made equally great contributions to raising the living standards of many millions who live in underdeveloped countries.

Although for the first few years of the foreign aid programs, assistance to underdeveloped countries was given largely in the form of grants, we are now reaching the point where most of the assistance in the future, aside from outright military aid, will be made in the form of loans.

The establishment of the development loan fund is a striking departure from former methods. I expect it will not only prove to be effective, but also will be understood and accepted by the American public.

The question is frequently raised—How do you expect to collect a loan from an underdeveloped country? Why not give the cash and let it go at that? The same question was raised 23 years ago, when the Export-Import Bank was organized. The initial purpose of the Export-Import Bank was to lend money to people in foreign countries so they could buy from American industries and businessmen. It was really a domestic-aid program. At the time it was set up, there were some who believed that if we ever collected 50 percent of the loans made we would be doing very well.

What has happened? In the 23 years that the Export-Import Bank has been in existence, the losses from bad loans have not only been negligible, but the bank has accumulated profits amounting to $435 million above all expenses. This has been done on an initial investment of only $1 billion.

We help the other countries which are potentially wealthy, but have no purchasing power so to develop their resources that they can convert some of their mineral wealth, agricultural wealth, or whatever kind of wealth it is, into improved purchasing power, not only for their own people to use at home, but also to enable them to do a greater amount of business in the world market. In the future, I should say that, except for the costs which we incur in South Korea, Taiwan, and South Vietnam, we may expect that a large percentage of loans made in foreign countries from now on will be repayable.

I do not suppose the public generally knows that over the past few years we have received one-hundred-and-sixty-million-odd dollars in interest from so-called soft loans made a few years ago. We are beginning to collect on the principal as well, having received some $14 million or $15 million in principal on loans made a few years ago. The reason we have not collected more on the principal is that when such loans were made there was a provision in the contract which exempted the borrowers from making payments on the principal for the first 5 years. In the case of some countries, the 5 years have expired, and they are not only paying interest, and enabling us to get some income back, but they are paying something back on the principal as well, although it will be a long time before we get it all back.

Many countries in which we have aid programs are rich in resources. They simply have no way at present to convert their resources into purchasing power. Of course, there are some areas where it will be necessary to continue grants for the foreseeable future, but the world at large, including many of the less developed areas, has now reached a point where more businesslike methods may be employed.

Summing up the results of our endeavors over the past 10 years, we find that although there have been failures in the field of foreign cooperation the successes have outweighed the failures. World trade has increased enormously, health and education have made much progress in so-called backward nations. Fear of famine has been mitigated.

The charge that the United States was motivated by imperialistic ambitions has been generally discredited. Several countries which tottered between totalitarianism and the western democracies are definitely on the side of popular government today.

The people of the world are becoming better informed each year. Colonialism is waning, and some governments are attempting to become more democratic. The United Nations is still a going concern and making a considerable contribution to the efforts for world unity and amity.

The danger of war has not been eliminated. It could start from either of two sources. The leaders of international communism, feeling themselves hemmed in from the outside and facing revolution, peaceful or otherwise, from within, could resort to desperate measures. Or, smaller nations, seeking to fulfill nationalist ambitions, might resort to violent methods, thereby striking a spark which could kindle war on a major scale. The United Nations if properly equipped and implemented could do much to obviate the latter risk.

This is no time to abandon or impoverish a program which has already greatly strengthened the world economy, including our own; brightened the future for free people, and enhanced the security of democratic nations.

The bill before us is a good bill, its estimates of cost are reasonable and the long step it takes away from grants toward more businesslike methods is highly desirable.

Let us not emasculate it, either as to policy or the means of implementing that policy.

Let us go forward and not retreat just as the goal comes in sight.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. FULBRIGHT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATISTICAL PROCEDURES OF THE CONGRESSIONAL QUARTERLY

Mr. SCHOEPPEL. Mr. President, on July 27, 1956, in volume 102, part 11, pages 15067 to 15072 of the CONGRESSIONAL RECORD, I analyzed the so-called Presidential support scores prepared by Congressional Quarterly, a private organization. I was critical of their statistical procedures, as they are based on the editorial selection of certain rollcall votes which their editors decide should be used to reflect support or opposition to the President's program. Apparently many people are confused and believe that the Congressional Quarterly is an official Government document.

My review of their work a year ago convinced me that they present statistics labeled as factual and nonpartisan to support their own political viewpoint. Since I challenged their statistics, I believed it was my responsibility to make my own study of the entire record of rollcall votes during both the 83d and 84th Congresses. I endeavored to determine the support for President Eisenhower's program by the members of the two parties in the Senate. My study was printed in volume 102, part 11, pages 15618 to 15628 of the CONGRESSIONAL RECORD on July 27, 1956. Unlike the Congressional Quarterly, I reviewed all of the rollcall votes which could possibly involve the President's program over a 4-year period.

Mr. President, my statement of August 17 said:

There were 271 rollcalls in the 83d Congress, and 230 rollcalls in the 84th Congress, or a total of 501 rollcalls. Every rollcall has been reviewed and accounted for so that the record will be complete and all inclusive.

After eliminating procedural votes, as well as issues which were clearly not a part of the President's program, I find that there were 220 rollcalls in the 83d Congress and 203 rollcalls in the 84th Congress which represented a clear test of support for President Eisenhower.

In the 83d Congress on this entire group of issues, the Republican Members cast 7,525 votes in support of President Eisenhower's program or 64.7 percent of the total. The Democrats cast 4,114 votes or 35.3 percent of the total.

In the 84th Congress when the Democrats were in control of the Congress, the Re-

publicans cast 6,682 votes or 59.4 percent of the votes cast for President Eisenhower, and the Democrats cast 4,575 votes or 40.6 percent of the votes for his program. Over the 4-year period on these 423 issues, Republicans cast 14,207 votes for President Eisenhower's program or 62.1 percent of the total. The Democrats cast 8,689 votes or 37.9 percent of the total.

An examination of the votes cast in opposition to President Eisenhower's program shows a sharp party division. During the 83d Congress, Republicans cast only 1,630 votes in opposition to the President's program or 25.7 percent of the total. Democrats cast 4,701 votes or 74.3 percent of the total. During the 84th Congress once again we find Republicans casting only 1,715 votes in opposition to President Eisenhower's program or 29.7 percent of the total opposition votes with the Democrats casting 4,053 or 70.3 percent of the opposition votes. Over the 4-year period, the Republicans cast only 3,345 votes in opposition to President Eisenhower's program or 27.6 percent of the total opposition votes. The Democrats cast 8,754 or 72.4 percent of the opposition votes.

I included a summary table in my remarks which I wish to include at this point in the RECORD. It is self-explanatory.

All Eisenhower rollcalls

Congress	Number of votes	Eisenhower position				Opposed to Eisenhower position			
		Republicans		Democrats		Democrats		Republicans	
		Votes cast	Percent	Votes cast	Percent	Votes cast	Percent	Votes cast	Percent
83d	220	7,525	64.7	4,114	35.3	4,701	74.3	1,630	25.7
84th	203	6,682	59.4	4,575	40.6	4,053	70.3	1,715	29.7
Total	423	14,207	62.1	8,689	37.9	8,754	72.4	3,345	27.6

Mr. President, it is impossible to measure either party support for the President or the position of individual Senators on the basis of a few scattered rollcalls.

On May 14, 1957, I received a letter from the executive editor of the Congressional Quarterly, which I wish to include in the CONGRESSIONAL RECORD at this point:

CONGRESSIONAL QUARTERLY,
Washington, D. C., May 14, 1957.

Hon. ANDREW F. SCHOEPPEL,
Senate Office Building,
Washington, D. C.

DEAR SENATOR SCHOEPPEL: In view of your interest in this subject last year, I am sending you the first interim measure of presidential support done by Congressional Quarterly for the session up to May 12.

Cordially,

THOMAS N. SCHROTH,
Executive Editor.

I have examined this so-called interim measure of presidential support by the Congressional Quarterly. It is an amazing document. It was timed to reach the press when President Eisenhower made his first television address.

The Congressional Quarterly says:

Congressional Republicans have opposed President Eisenhower's legislative program more often than they have supported it so far in the Democratic-controlled 85th Congress.

The opposition Democrats not only have supported the President more than the members of his own party, but also have supported him more than they did in the past two Congresses of his administration.

The Republican level of support, meanwhile, has dropped lower than at any time in the past and has drawn the average Congressional support score to a lower point than it reached in the 83d and 84th Congresses.

These results of Congressional Quarterly's midsession survey of House and Senate voting explain more than anything else why President Eisenhower feels compelled to bypass Congress and take the case for his program directly to the people through nationwide radio and television.

He recognizes the need to light a fire under his fellow Republicans on Capitol Hill, whose support of the Eisenhower budget and legislative program has dropped sharply since the President won his landslide reelection victory last November.

The so-called interim measure of Presidential support released by the Congressional Quarterly as nonpartisan was actually a Democratic Party propaganda piece to give the impression of a deep rift within the Republican Party. The Congressional Quarterly statement to the press continues with the following:

The weakening of Republican support has caused the President some legislative losses. His position was upheld on 19 of the 31 rollcall votes in 1957 for an average of 61 percent. In the Democratic 84th Congress (1955–56), the President's winning average was 72 percent; in the Republican 83d Congress (1953–54) it was 83 percent.

Mr. President, in analyzing the 31 rollcalls, I find that they include votes in both the Senate and in the other body. I do not know how one can combine votes in the two Houses and come up with an overall winning average for the President's program. No one can claim that a measure based on so few votes is an objective statistical procedure.

I shall not concern myself with the votes in the other body. The Senate picture is so distorted that I shall confine my remarks to it.

The Congressional Quarterly release said:

The 9 Senate votes included 3 budget tests, the Mid-East doctrine, and such controversial nominations as those of Scott McLeod and Gen. Ralph Zwicker.

Since the controversy of a year ago, the weekly issues of the Congressional Quarterly indicate on each rollcall the position which they say would support the President's program. I have made a very careful examination of the weekly issues of the Congressional Quarterly and can find only 7 votes, not 9 votes, which, according to their board of editors, measure support for the President.

Mr. President, I have prepared a table listing these votes and the pages of the Congressional Quarterly on which they appear.

Rollcall No.	Date	President's position	Page No.
4	Feb. 18, 1957	Yes	220
6	Mar. 2, 1957	Nay	298
10	Mar. 5, 1957	Yes	299
17	Apr. 1, 1957	Yes	418
18	do	Nay	418
21	May 8, 1957	Nay	553
22	May 9, 1957	Yes	553

Mr. President, the flexibility of the Congressional Quarterly's methods are illustrated by the fact that we now find that 9 Senate votes are included in their support scores while there were only 7 selected in their weekly tabulations.

Obviously it is impossible to reflect the position of any Senator in terms of the President's entire program on either 7 votes or 9 votes. If 9 votes are used, each vote counts for 11 percent of the total score. If only 7 votes are used, each vote counts as 14 percent of the score. The only way a support score or a party-unity score can have any meaning is in terms of the entire session. That is why I prepared my study a year ago based on the entire record.

Through May 12, the cutoff date for the Congressional Quarterly interim measure of Presidential support, there were only 22 Senate rollcalls. Based on past experience, by the time we adjourn there should be sufficient rollcalls to provide some information that might be meaningful. I have examined the past record to see how many rollcalls we normally had taken by May 12 and the number of rollcalls by the end of the session.

Mr. President, I have summarized this data in a table which shows the unfairness of preparing an interim support score at this date. It is self-explanatory.

Number of rollcall votes	By May 12	By end of session
83d Cong., 1st sess	19	90
84th Cong., 1st sess	37	94

In reviewing the issues they selected to measure support for the President, the Congressional Quarterly says:

Two-thirds of the 22 House rollcalls were on the budget. The others included the corn bill, the Mid-East doctrine, and a probe of monetary and fiscal policies.

Mr. President, the corn bill in the House was a part of the President's program. As I said previously, the Congressional Quarterly stated that:

The 9 Senate votes included 3 budget tests, the Mid-East doctrine, and such controversial nominations as those of Scott McLeod and Gen. Ralph Zwicker.

Apparently the corn bill was not considered a part of the President's program in the Senate. This is a further example

of the flexible methods used by the Congressional Quarterly to make the statistics fit their own purposes. Their purpose in this case was to divide the Republican Party and to continue to further the Congressional Quarterly theory that over the years President Eisenhower has been supported by the Democrats in this body and opposed by the members of his own party.

In my remarks on July 27, 1956, I included a letter which I had received from the distinguished senior Senator from Maine. I wish to include at this point the final paragraph of her letter to me, which reads as follows:

I believe that Congressional Quarterly does provide a valuable service. But I think that its publishers have a very serious obligation to avoid editorial slanting in their analyses if for only two reasons: (1) the very name of the publication causes many people to believe that it is an official publication of Congress, and (2) it represents itself to be completely objective.

I then said:

Mr. President, the distinguished Senator from Maine has raised the interesting point, that many people may believe that Congressional Quarterly is an official or semiofficial publication of the Congress. I intend to study this matter fully to determine whether legislation should not be introduced to protect the use of the name "Congressional" just as the Congress has protected the use of such words as "United States" and "Red Cross" from commercial exploitation.

In view of this completely distored "interim measure of Presidential support" which has been so widely quoted in the press, I can understand why there are requests to introduce legislation to protect the name "congressional" from misuse by a commercial organization. This obvious political use of what many consider an official Government publication has gone far enough. It is time to call a halt to these misleading practices.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. JOHNSTON of South Carolina. Mr. President, I believe all Senators know my position on the pending measure even before I speak, because in years gone by I have always expressed myself against the giveaway program, as I call it, which some others call the mutual security program.

The so-called mutual security bill now before the Senate, as I see it, is merely another device to take away from the American taxpayers more billions of dollars for giveaway programs for foreign governments.

There is little mutual security in the bill. In truth, there is little of anything mutual about the bill other than the fact that American taxpayers are mutually sick of paying the full load for the rest of the world. The very term "security" is a misnomer. In fact, it is simply a cloak behind which hides the biggest pork-barrel legislation the world has ever known.

I call attention to the fact that at present we are giving away so much money that we do not know how to distribute it properly. At present, approximately $6 billion has not even been allocated, although its spending has been authorized. That proves to me that the foreign nations have not been begging quite fast enough for us to give out what has been appropriated for them. I noticed in the newspaper today that one small country had refused our money; it did not want any of it.

The moneys being asked for in the name of mutual security are, in the main, nothing more than subsidies for foreign governments to use in building up agricultural and industrial programs in their countries which will be used in competition with American business, industry, and workers. This is exactly what happened in Japan when we—and I say "we" loosely, for I opposed the program when it came up—helped them with subsidies to build up their textile industries.

Oh, it was said that we must build up a textile industry in Japan, in order to get that country back on its feet. Today the whole textile industry of the United States is pleading with our Government to take action to prevent the United States from being flooded with cheap cotton materials made in Japan, where the laborer works for 15 or 16 cents an hour, as against the $1.25 or $1.50, or more, an hour which is paid in America.

We must bear in mind also that when the foreign countries buy our cotton, we are giving them in addition an advantage of approximately 6 cents a pound over our textile industry in the United States. The foreign countries buy on the world market, which is usually 6 or 7 percent below the price on the American market.

The bill is called "mutual security." I do not call it that. There is no doubt that all the money we are dumping into the laps of foreign countries in the sacred name of security will come back to haunt us and our children.

Many persons are wondering today why it is that foreign countries have reduced their purchases of American cotton. I can tell them why. The reason is that we have poured mutual-security money into those countries and have taught them how to grow cotton. They do not need to buy cotton from America when they can grow it at home.

We have given away money, here, there, and yonder to build dams for irrigation purposes. Then we complain when surpluses are built up in the United States. We have helped to build them up. In helping to build up surpluses, we have hurt our own people at home.

There is no doubt that all the money which is being dumped into the laps of foreign countries in the sacred name of mutual security will come back to hurt us and even our unborn children.

We should stop to think of the people who will pay the taxes for mutual security. We do not have the money; we have to borrow it, and we have to borrow it at a high rate of interest. Interest rates have gone up during the last few years by approximately 50 percent. If we do not stop spending and giving away our resources, how can we expect the American people to reduce their personal debts, consumer credit, and the like. We are continuing to give away billions of dollars while the American people are unable to pay off their national debt.

If our national debt were to be reduced by $2 billion a year, I wonder how many Senators realize how long it would take to wipe it out entirely. It would take more than 140 years. We would still be paying off the debt in the year 2097.

Senators who pride themselves on the virtue of prudence should think of what we are doing and of the example we are setting for our people. We should remember that our economic security is just as important as our military security.

I said the other day that if the salaries of the Government workers were increased a little, if the Government paid out a little more money for the benefit of its employees, it would enable the Government employees to meet the rise in the cost of living.

The more we go into debt, the cheaper the dollar becomes. It will continue to become less valuable. The value of the dollar today is already down to 50 cents. I hope Senators will realize that the decline has not stopped at 50 cents, but that the value of the dollar will continue to go down. It will drop to 45 cents, and then to 40 cents, if we do not at some point stop increasing the debt.

Many of the Nation's schoolchildren annually visit Washington to view the National Capitol and all its sacred shrines of liberty. Let us look around us when we are spending money on foreign governments. Every year the Federal Government loses millions of dollars in work hours because the Federal employees must be dismissed from work because inadequate housing makes it impossible for them to continue their work in the national interest in inclement weather.

Let Senators walk down Constitution Avenue. There they will see some little shacks which have been standing for 15 or more years—buildings made of plywood. It is said that the Government cannot afford to construct the necessary buildings in which its employees must work. In the summertime, those buildings are so hot that the employees must be dismissed at 3 or 4 o'clock in the afternoon. In the wintertime, the buildings become so cold that the employees cannot remain in them because of insufficient heat. If the proper kind of buildings were erected, so as to enable the employees to work a full day, the Government would benefit by real economy. But, no; we send our billions of dollars overseas. Some Senators say we cannot afford to correct the situation I have just spoken of. They say we cannot afford to provide adequate housing for the Smithsonian Institution or other agencies of the Government, but now we are asked to authorize giving away money to foreign governments so they can make adequate provisions for their people.

Mr. President, I see sitting before me the Senate pages. It is hard to believe that the House of Representatives and the Senate say the Government cannot afford to build a small home for them. So, instead, they must live in various boardinghouses all over the city of Washington. I have been advocating

the construction of a home for the pages. It is said that the Government does not have sufficient funds for that purpose. Yet the Government says it can give billions of dollars to foreign countries. Mr. President, that does not make sense either to me or to my constituents.

Today, the taxes on our people are oppressive. They are still paying for two World Wars and a depression, and now we expect them to support the entire world.

Mr. President, I say "No." We are asking too much of a generous but tired people. What we need to do is to reduce taxes at home. We need to strengthen our economic front at home. While we continue these spending programs in the name of security or any other name, we can never reduce taxes here or reduce the national debt without sacrificing some domestic program the people of our country are in need of.

We shall never satisfy the needs of the world. We shall never be able to satisfy the appetite of some countries that already are playing a game of blackmail—such as Egypt, which is threatening to turn to Russia if we do not come across with more. I say, let them go to Russia for money, if they can get it. In 6 months after Russia cuts them off, they will be right back at our back door. Everyone knows that Russia is in poor economic condition, and that her own people are no better off than those whom we are helping.

Mr. President, only a short time ago England told us she could not pay the interest then due on the money she had obtained from us—one of the first loans we made following the war, in the amount of $3,750,000,000. But at almost the same time, England reduced the taxes on her own people. Yet the United States excused England from making that interest payment, and threw it into the future.

Our course should be one to cut foreign spending, reduce taxes at home, and reduce the national debt by a specified amount each year, until it is wiped off the books.

Mr. President, would any good businessman conduct his affairs in the way our Government is being operated? Think of it.

If we authorize this spending, and later give these foreign governments this money, mark my words, other countries will follow the course of England, which, as I have said, not long ago cut taxes, and then began to trade with Red China, which we would not do.

Instead of making all these gifts to foreign countries, Mr. President, I should like to see the personal exemption for income-tax purposes increased from $600 to $800. That would provide some relief at home; and most of the money the taxpayers would save as a result of that increase in the exemption would be put into circulation, and thus would aid business in the United States. But if the United States continues to send its funds abroad, such an increase in the personal exemption will not be possible.

Mr. President, the enactment of this bill will result in throwing away the money of the people of the United States; and the bill will accomplish nothing more than an increase in our indebtedness.

Mr. President, did you ever loan money to a friend or acquaintance, and then find that he would not pay it back? Under those circumstances, did you ever see him, one day, coming down the street toward you, and find that either he darted into a store, so as to avoid meeting you, or crossed the street, instead of facing you? So it is, Mr. President, with the countries to which we are sending our money—to which we are lending it, so to speak. In many cases, they will never pay it back.

I, for one, do not intend to be a party to giving away the money of the taxpayers of the United States.

Mr. President, I would prefer a bill authorizing the appropriation of the same amount of money that this bill would authorize, and then have that bill submitted to the voters of the United States, so as to learn whether they wish to give that amount of money to foreign countries. I would even be willing to have such a bill provide for double the amount of authorization the pending bill provides, and then have that bill submitted to the voters of the United States, and let them vote on it. We would find that they would not vote on it in the way that some Members of the Senate have been voting.

Mr. President, no good will come from this kind of international pork-barrel legislation.

I hope other Members of this body who think as I do about the pending bill will stick to their guns and will vote against it.

I, for one, intend to vote as I have in the past. I am glad to see that gradually more Senators and more Members of the House of Representatives are beginning to vote as I have voted. I believe it will be found that they will continue to do so, as they become more familiar with the sentiments of their constituents. If the Members of the Senate and the Members of the House of Representatives will only make this question an issue in their States, they will find that the program is not so popular with the voters who are paying the national debt as some persons may think it is.

So, Mr. President, I sincerely hope each Member of the Senate will seriously consider the issue before he votes on this bill, and will reach the same conclusion that I have reached, namely, that the proposal to give the money of the taxpayers of the United States to foreign countries is a bad one.

Mr. JAVITS. Mr. President, I have had in mind making some general observations on the subject of the pending bill. Tomorrow I shall have an opportunity to speak with respect to certain amendments which I shall propose to the bill. They will be amendments designed to fortify the bill in respects which I believe important to the ultimate objectives of the measure.

But, Mr. President, today I should like to confine my remarks—which will be brief—to some of the major objections which have been made to the bill by the Members of the Senate whom I have heard today.

I wish to qualify myself on this point, Mr. President. For a number of years I served in our sister body, across the Capitol, on the committee which was concerned with legislation in this field. From the initiation of the Greek-Turkish aid program in 1947, I became very familiar with the objections which have been voiced here today and with some of the answers to them.

Mr. President, I think it significant that today we hear almost the same objections to this program that we heard back in 1947 and 1948. I am amazed to find that in all this time, apparently nothing has been learned by the opponents, at least as judged from the fact that they continue to make the same arguments they made before. Certainly they are sincere, and they are entitled to have their objections answered; but it is very interesting that their arguments remain much the same. It is also very interesting that, despite those arguments and after the test of 10 years of experience by the American people, the foreign-assistance programs have continued to be supported by the Congress, with substantial majorities in both Houses, year after year.

Mr. O'MAHONEY. Mr. President, will the Senator from New York yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from New York yield to the Senator from Wyoming?

Mr. JAVITS. Certainly.

Mr. O'MAHONEY. I was reading the report of the Foreign Relations Committee, when I heard the Senator from New York say that the opponents of the bill are reiterating the arguments which have been made in the past, and apparently the Senator from New York said the opponents of the bill have learned nothing from the past.

I should like to have the Senator from New York know that formerly I was an enthusiastic supporter of the program. I find that it is not the same as it used to be. At the precise moment when the Senator was making his statement, I was reading this sentence from the first page of the committee report. It reads as follows:

> A development loan fund is created—

"Created" is the word. That is something new, something summoned out of the atmosphere and given a body and a form for the first time. It never existed before.

> A development loan fund is created to make loans and to engage in financial transactions, other than grants or purchase of equity securities.

I repeat the words, "other than grants." The Senator, of course, is aware of the fact that there has been growing opposition to grants and that there has been growing support for limiting aid for foreign nations to loans. But here, apparently, according to the interpretation of the committee:

> A development loan fund is created to make loans and to engage in financial transactions, other than grants or purchase of equity securities, designed to promote the

economic development of less developed countries.

The next sentence reads:

Appropriations of $500 million are authorized for fiscal 1958, and in addition the fund is authorized to borrow from the Treasury $750 million in each of fiscal years 1959 and 1960.

Members of the Senate who will be elected in 1958, Members of the House who will be elected in 1958, the new Congress which will be brought into existence by the electorate of the United States, will be bound by the terms of this bill, if the report correctly states the situation.

I thank the Senator for letting me interrupt him to point out that there are new arguments coming up constantly against this bill.

Mr. JAVITS. I thank the Senator for his observation. I think he has helped me demonstrate my point, and for this reason: I said that I hear now the same arguments I heard in 1948, and I think that is true. What the Senator has pointed out is that the proponents of foreign aid have learned a great many things. I hasten to add, indeed we have. We have learned a great many things ourselves, and we are trying to put them into effect. I think this idea of a development loan over a period of time is a distinct improvement. I am for it. I wish to point out that the gentleman from Ohio [Mr. VORYS], a Member of the House of Representatives, advocated it for a very long time and I worked with him on a good many occasions.

As to the Senator's observation that we shall have no control over this authorization because we make it for the years ahead, there, too, I point out that any Congress can annul anything that any other Congress has done. This is only an authorization bill. Not a single dollar can be obligated under this bill until it is appropriated. This Congress and every other succeeding Congress must make an appropriation.

I have a tremendous regard and respect for my colleague the Senator from Wyoming. I think we represent normal differences on a very basic issue. I respectfully submit that an analysis of the arguments will bear out what I have said. I hope my colleague will do me the great honor of standing by and listening to the arguments and himself checking the arguments that have been made before and time and time again since.

I do not want to be absolute and doctrinaire about it and say nothing new has been learned by the opponent and I would withdraw such an absolute statement by the same arguments in substance are still made by most opponents of foreign aid. But the proponents have learned a lot, because their minds have been open to what is happening in the world—I think that is the fundamental issue.

First, it is said we are engaged in giveaways. "Giveaways" is a word that has been used constantly. We hear it all the time. We hear it said there should not be such giveaways at a time when we need schools, housing, help for the aged, help for the youth, public works of various kinds, and when we ought to be reducing taxes. I agre with all of those objectives but I do not see that it means knocking out foreign aid.

Let us test that argument. One engages in a giveaway when he gives something to somebody unnecessarily. It is not engaging in giveaways when we give something to somebody that is conducive to our own security and to furthering our own policy. Also, used in the same context in which it is used in the arguments, we would be giving away something when we give it to somebody who is doing very well and who does not need it. Some of us know the difficulty of trying to give a gift to someone who already has everything. By either analogy, what we are doing is not a giveaway.

First of all, the overwhelming amount of money involved in this measure and in the preceding foreign-aid measures goes directly for military equipment and military preparation on the part of our allies in the Free World, either in terms of hardware, training, or food, or other items which are necessary to equip armies. So it is not a giveaway to fortify our military strength in that way. Practically everybody has agreed that the military assistance phases of the program are all right.

I point out to my colleague, the Senator from Wyoming, that I read with interest the remarks in opposition to this proposal by the very distinguished senior Senator from Oregon, who is a friend of mine, and for whom I have a high regard. He, too, says, at page 6 of the minority views:

This country needs allies and, in some cases, extraordinary military and support aid may be necessary to assist them in resisting dangerous totalitarian pressures from within and without. That was true when NATO was organized.

Every report of every committee that has reported upon this subject accepts that pretty much without question. There are some differences on details, on whether it is being done efficiently or not, but the fundamental principle of military assistance is accepted.

I come now to the question of economic aid. It means $600 million a year, when we strip it of all the military phases of the program. When it is broken down, we find that half of that amount actually will go to the great majority of underdeveloped countries like Korea, Formosa, Vietnam, and Turkey, and similar nations where even nonmilitary economic assistance is directly tied into the overall national security situation.

There is a very interesting article in the New York Herald Tribune of today which illustrates this point. I ask unanimous consent that it be printed in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TURKEY IS GOING THROUGH A PERIOD OF DIFFICULTIES

(By Metin Ergin)

The Russian diplomats have in the last months been very active behind the scenes in Turkey trying to convince Turkish statesmen to accept a Russian loan which will include technical and economic assistance. But the Turks would rather be without coffee, tea, medicine, and even essential food than accept a Russian hand of friendship. Despite their firm stand against the Soviets, nobody can deny that the Turks are having the most difficult time since the foundation of the republic in 1923 by Kemal Ataturk.

This country is short of foreign currency and so serious has become the financial crisis that the very existence of Western defense is in danger. Turkey, which has been keeping an army of 400,000 for a long time, is inclined to decrease it by one-fourth now. A loyal member of NATO and the linchpin of the Baghdad Pact for the defense of the Middle East, Turkey is also holding the straits, which the Russians have been trying to occupy for three centuries.

The emergency here can be saved by greater and more intelligent United States economic and financial assistance. President Eisenhower's Middle East program came just in time. But American statesmen are still taking things for granted in Turkey, while oil-owning Arabic countries are considered to be the main target.

TURKEY'S TROUBLE WITH WHEAT

In 1954, Mr. Adnan Menderes, the Turkish Premier, asked the United States for a credit of $300 million. This was brushed off in Washington mainly because a program showing how the credit would be spent was demanded by the United States Government.

This was considered interference by Turkey, as it was a loan to be repaid.

The International Cooperation Administration has nevertheless expanded its help to Turkey in obtaining emergency supplies of wheat, fuels, and spare parts.

As a matter of fact, many other factors have contributed to this situation. Grain crops in the last 3 years have been a failure mainly because of the bad weather conditions which forced a wheat-exporting country to import millions of dollars' worth from United States surplus to be paid for in Turkish currency. This year the country will still need to import wheat.

Then suddenly last month a series of earthquakes wiped out several cities and towns in western Anatolia. The second blow came in late May and hit the town of Bolu and many villages.

PREMIER MENDERES PUSHES INDUSTRIALIZATION

Premier Adnan Menderes has faced all criticism since 1950 as the leader of the Democratic Party, which defeated the Republicans, in power for 27 years. Following the Democratic Party's greater victory in 1954, Mr. Menderes increased his tempo of converting Turkey from an agricultural country to an industrial power. If he succeeds, he would become the second greatest statesman in modern Turkey's history, following Kemal Ataturk.

In the face of rising prices, his Government is continuing on a huge industrial development program—dams, powerplants, ports, factories, mills, and highways.

Apart from what the American or Turkish economists say about this industrialization under difficult circumstances, the 1958 elections are going to be the hottest ever and would show whether the 26 million Turks approve the Government's policy or not.

Germans have already given their hands of friendship to Turkey, mainly because they were the first to discover this country's tremendous natural and mineral resources.

The first step toward this was the recent agreement providing for the purchase by Germany of ammunition and small arms made in Turkey amounting to 740 million German marks. Of this sum, 250 million marks will be immediately remitted as an advance payment. Turkey will use this foreign currency to pay its debts to Germany and import badly needed goods for the country's industries.

OIL PROSPECTING BY FOREIGN NATIONS

It should also be noted that 13 foreign oil companies have invested great amounts

for oil prospecting. The national oil company in Turkey is already supplying 30 percent of the needs of the country. According to some foreign experts, there is more oil in Turkey than all Saudi Arabia, Iraq, and Iran combined. But the country lacks the necessary capital to direct the research and build the huge plants.

There is such secrecy among foreign oil companies in their search for oil that big news can be expected any day. This factor alone would be enough to change everything and solve Turkey's difficulties.

In the midst of these problems a cable sent to Archbishop Makarios by Governor Harriman of New York stirred up the normally calm Turks. Mr. Harriman's cable saying "The State of New York will shortly have the opportunity of extending to you its hospitality and warm welcome" was considered an invitation in Turkey. The Governor later denied it. But Makarios accepted the bid and wrote to his friends that he would be in New York in late July or early August. The Turkish reaction was bitter, since they blame Makarios for the present terrorism in Cyprus, which has become a great conflict among England, Turkey, and Greece. The Harriman letter was considered to be the policy of the United States Government. The people of Turkey were confused, as their governors represent the central government in their provinces. The American officials spent a lot of effort convincing them that Governor Harriman was elected by the people of his State and has no connection with American foreign policy.

TURKEY ALWAYS ALLY OF UNITED STATES

The Turks appreciate the $700 million in economic aid and approximately $1 billion in military equipment given as United States assistance. This country is also prepared to fight any aggressor at any time. The Turkish brigade in Korea proved that they are among the world's toughest fighters. They hate communism and don't like to play a double game in politics. Turkey is always going to be a friend and ally of America, whatever the situation is.

The Turks know that if a country is not strong enough economically, the best-equipped armies and the toughest soldiers may not mean much. As a nation which has fought thirteen wars with the Russians in the last three centuries, the Turks believe they know more about Russia than any other country. And while trying to develop economically and socially, they hope not to make the mistakes of Egypt and Syria in permitting the Russians to gain a foothold in their country.

Mr. JAVITS. The article is headed, "Turkey Is Going Through a Period of Difficulties."

The first sentence reads:

The Russian diplomats have in the last months been very active behind the scenes in Turkey trying to convince Turkish statesmen to accept a Russian loan which will include technical and economic assistance.

I think there are very few who will deny that one of the stoutest and most militant allies against communism we have in the world is Turkey. So, in respect of Turkey, not only has Turkey been heavily dependent on our economic and military assistance in the foreign aid bills, but we are also facing great competition at a vital strongpoint of the Free World. So far as giveaway is concerned in that respect, it is a question of whether it does or does not contribute to our national security.

In terms of whether it is going to people who are already enjoying lush living, where we are giving them a lot of cream for their coffee, everybody knows nothing could be further from the truth. As a practical matter, most of the people of the Free World—more than a billion people of them—are living on a standard of living which is roughly one-eighteenth of our own. I repeat that figure—roughly one-eighteenth of our own. They have about $100 a year in per capita income, as compared to about $1,800 a year—dollars of the 1947 vintage—for the people of the United States. No fair, decent, and just person begrudges the well-being of the people of the United States, in my opinion. But at the same time it seems to me we must have some comprehension of the responsibilities of the man who earns 18 times more than the other fellow, and yet who lives on the same street. The question is, in very elementary terms, what condition do we want this street to assume; ours, or the standard allowed to the $100-a-year man?

That is essentially, in my opinion, an extremely important element in this question of giveaway.

Finally we have the question of reducing taxes. Again, it is so easy to make sweeping generalizations, but we should consider a few figures. In order to reduce the personal exemption by $100 a year per person under our tax system, we need to have available $3 billion. $3 billion. What Senator in good conscience would cut taxes $3 billion unless there was available at least $5 billion or $6 billion upon which to rely?

Here we are talking, in respect to this economic aid program, about possibly $600 million. Add any figure to that which the opponents of the bill might want. Anything they can develop from this bill certainly will not exceed a billion dollars. So I say again this argument does not hit the mark, and does not give us the true situation.

So much for the giveaway point and the point on taxes. Many of my colleagues have also commented on that subject, but I think it is very important to develop it so none of our people will misunderstand, because I believe we are facing this argument right now, and have every right to meet it head on.

The second big argument that is urged I have heard for 10 years. Again, I respect it, or I would not be speaking to it today. It is the argument that the foreign assistance program does not win friends, that there is much anti-American sentiment in the world, and that we are not necessarily liked merely because we give aid in various countries.

In the first place, I think that is a rather naive standard for us to determine our policy mainly on whether we are liked or not. I do not think we should be too much concerned about whether we are liked or not liked: Everybody prefers to be liked, but that is hardly the standard for an international policy.

I think what we are after is that the world should be such that we can live and develop in it and live out our destiny without running into world war III. We certainly do not want to be hated, but I do not think our particular objective in life is to make ourselves so pleasing and so agreeable to everybody that all will like us. That would hardly demonstrate character on our part, or indicate character in terms of international conduct or international relations.

I rather think that the standard of our policy must be that more nations will remain on the side of the Free World than will go over into the satellite orbit of the Soviet Union. This has been for the last 10 years what we have been trying to do, and I think it is an eminently correct objective.

The major area in the world where this argument is very important, indeed, one of the most critical areas, is India. I had the privilege of visiting in India with my wife last December, and actually going through the country to personally see what our foreign economic-aid program is doing there, in terms of backing up the thesis that we are liked or not liked, or are doing or not doing something, or that the program does or does not contribute to India's capability for remaining in the Free World orbit.

Mr. President, I am here to report personally that our foreign-assistance program is making a tremendous contribution toward keeping India from going over lock, stock, and barrel to Communist China and the Soviet Union, because our foreign-assistance program is getting right down to the grassroots, to the people who live in the villages of India.

Let me state that in words and figures. We are backing, to the tune of roughly $25 million a year, in round figures—which is about one-third of our economic assistance to India—what is known as the village-improvement program, which is reaching currently and has already reached something like 20 percent of the people of the villages of India. That represents a quarter-billion people—250 million—and the program will reach, within the next few years, about 80 percent of all the villages of India.

What does this program do? It does not do anything very elaborate, I assure Senators, but it represents literally a revolution in the Indian villages. It provides a main thoroughfare with a paving of bricks; it concretes a well, instead of leaving it an open hole, as it might have been for centuries; it gives the villager a small cast-iron pipe to take the cooking odors and smoke out of his hut. All of this makes a difference as great as that between day and night in the particular village and particular town of India.

That program is serviced by small teaching centers in a centrally located larger village. At every point I found that it was identified with the activities of the United States of America and with the activities of the Government of India.

We do not purport to send our own people into these particular villages. All we do is to teach the instructors who are actually engaged in this program around the country, and—and this is where people immediately identify it with us—we actually supply jeeps, road equipment, and similar items, which are very clearly American equipment, and which represent the mechanical side, marginal as it is—not very big or elaborate—still

very much in evidence to the villagers as to the participation of the United States.

I respectively submit that where we improve the living conditions of the people who live on such substandard bases as the people of India, in such an apparent and obvious way, very directly to them in their own personal lives, we are striking an enormous blow toward keeping them on the rolls of the free. So far as the people of India are concerned, we know what the penalty would be for our losing them to the Communists, because if we lose India then we will have lost Asia, and the enormous population balance of the world will go over to the Soviet and Communist side instead of being on our side, as it is today. I do not think anybody needs to paint in more lurid colors the result of that in terms of our own national security and in terms of the peace of the world.

The third argument which is made is that we are building up, by our foreign aid program, competition for the United States. The most notable examples which are cited generally are what has happened in Germany as a sequel to the Marshall plan, and what is happening in Japan. My good friend and colleague, the Senator from South Carolina [Mr. JOHNSTON] referred to that a few moments ago.

What is overlooked in that regard is the effect upon the exports and imports of the United States. I was delighted to hear the Senator from Vermont [Mr. AIKEN] this morning make these points and make them very strongly so far as the agricultural community of the United States is concerned. I should like to make them in terms of the industrial community of the United States.

We have a program of economic assistance, as I said before, which, even if it were totalled up to include everything that could conceivably be put under that heading in this bill, would not exceed a billion dollars a year. Yet our aggregate foreign trade is $30 billion a year plus, with exports from the United States forecast for 1958, which is the year in which this bill will be truly effective, at $18½ billion, calculated to employ about 5 million Americans.

We know as a practical matter, because we have discussed exports and imports in this body time and time again—and long before I came here—that the best customers for our own exports are the most highly industrialized nations. We also know that as the well-being, the income, and wealth of particular nations increase, those nations are most likely to buy from us in greater measure, because we sell the kinds of things which the more highly developed countries are very anxious to acquire.

In the case of Japan, for example, it is extremely easy to talk about the competition of Japanese textiles. Nobody, including myself, wants to see that run wild. But we have to consider that in the perspective of the fact that Japan is one of the finest customers for American cotton and is one of the best customers for various other products which are produced by the American economy. We cannot have it without giving it. This is one of the fundamentals which we have learned and are constantly learning in respect to the foreign-assistance program.

The same is true of Germany. Germany has prospered greatly in industrial terms. I ask this question: In terms of the fundamental security of the United States, do we believe that Germany would today be affiliated with the NATO concept of security in Europe, and would we be looking to Germany, for all practical purposes, as the military anchor of Europe, in terms of its potential power as an influence in the NATO security structure, if we had not helped Germany to get on its feet economically? I think the answer is decidedly no.

The fourth argument which we hear very much is that we do not have to do what we are doing in terms of foreign aid, and that the competition of the Soviet Union is not very great in that regard. I have seen some figures quoted on that subject, but I think some facts might be very useful. What is omitted in the generalized statements about Soviet economic and technical assistance to countries like Afghanistan, India, Burma, and other countries to which it is offering this kind of assistance by making what are considered to be modest contributions, is a statement of all the figures with respect to the Soveit Union, in terms of what it does with its satellites, in terms of what it does with Communist China, what it does with Rumania, Hungary, and the various other countries in the Soviet oribt. We have no such orbit. We are seeing, in the bill today, the whole "kit." This is a bill for our foreign assistance, but in comparisons made with the Soviet Union, we do not see the entire picture. We see only what is evident in terms of the Free World, but not what the Soviets do in terms of keeping their own satellites together. I believe that when if we add up all the figures they would be enormous. We would be dealing in terms of hundreds of millions of dollars, and not in terms of the figures quoted with respect to the countries I have named.

In addition, I think it is very important to have on record the work of the Subcommittee on Technical Assistance Programs of the Committee on Foreign Relations, issued on July 12, 1956. I should like to quote one portion of that report as a part of my remarks:

> An incomplete compilation by the Department of Commerce of Soviet credits to non-Soviet bloc countries shows specific items totaling $436,600,000. These are, of course, economic development loans, and are therefore very much broader than technical assistance in its strict sense. Secretary of State Dulles has estimated Soviet economic and technical assistance projects to free countries at approximately $600 million. Unconfirmed reports of additional offers would push the total beyond $1 billion.

In addition to the absolute figures, in addition to the contributions which the Soviet Union makes to its own satellites, there is the fact that we are trying to fight this struggle in such a way as to keep the free peoples on the side of freedom, and in such a way as to fortify their well-being, in terms of the weapon with which we can fight best—not coercion and subversion like the Communists but economic attraction.

This represents our long suit, because our gross national product makes it possible for us to fight with this weapon. If we are to apply Soviet standards and techniques to ourselves, we must also add to our armory the weapons of coercion and subversion, which we reject absolutely.

The answer is that the Soviet Union has a gross national product in the neighborhood of $125 billion to $150 billion, and the United States has a gross national product in excess of $400 billion. In other words, we propose to fight the battle—and we are absolutely right in doing so—with the weapon which is best for us, and not the weapon which is best for our declared ideological enemy.

Another argument which is made is that this operation of foreign aid is inefficient, that it is not properly conducted. I think we come back to an age-old discussion on that subject. It is not necessary to go into the details of each particular claim which is made, as to what has been done and what has not been done, and whether what has been done will continue to be done.

I think we come back to an age-old question, which is, shall we cease an activity because it is not conducted exactly to suit us, or shall we try to put it in shape and not eliminate it? I am definitely of the latter school, which say that our obligation and duty, when the program contributes so much to the security of our country, is to try to put it in shape instead of cutting it out.

Upon Secretary Dulles' last appearance before the Committee on Foreign Relations, he was complimented by the great majority of its members in respect to his plans and programs, and what was being proposed to the Congress in this bill. This was done in the very finest bipartisan spirit one could possibly imagine.

There are two further points which I think are very important. First, it is stated that what we ought to do is concentrate our attention upon private overseas investments, and that these would represent an alternative to our foreign aid program.

I had the opportunity, as the chairman of the Subcommittee on Foreign Economic Policy in the other body, during my last term in the House, actually to go into these questions in specific detail with business leaders.

I found this to be the fact: The thesis that we could substitute overseas private investments for the foreign assistance program is not borne out by those who are themselves engaged in foreign overseas private investment. No one has been more devoted to the principle of foreign overseas private investment than I have, and in the other body I worked very hard on that program. I shall be here tomorrow with an amendment which I feel would improve and make more useful the guaranty program for overseas private investment.

However, as a practical matter, those who are doing the investing believe that if we cut off Government foreign economic or technical assistance, we shall be

hurting, and not helping the program of overseas private investment, for these reasons:

In such matters as public health, Government administration, the work of private voluntary, nonprofit agencies, the development of roads and similar public works, governmental assistance on our part will continue to be necessary.

Second, business itself, which is being called upon to invest, in a private sense, overseas, feels it necessary to have the comfort that its own activities are being supported by the fact that the Government is giving some aid side by side with it in these very same countries. So I do not believe the argument that we can completely displace our foreign-assistance program—at this time, at any rate—by overseas private investment. This is the judgment of the very people who are themselves engaged in overseas private investment.

I do not think my presentation would be complete without some consideration of the alternative to the foreign assistance idea. We are all very deeply concerned with alternatives. We have been thinking very hard as to what alternatives there are.

I believe that what the opponents of the entire foreign-aid program offer is essentially negative in its aspects. Their philosophy is to strike down what we have, but they do not give us any feasible alternative, under present conditions in the world.

I think the feasible alternatives must actually develop through the very programs we are pursuing. If we are to be successful in establishing a decent level of well-being for our allies, they will themselves be able to maintain their military establishments. This may take time, but it certainly would not be using that time to advantage to strike down what we are now doing, in a constructive sense, toward that very aim.

Second, I believe that we can make great progress, in terms of overseas private investment, with the kind of support we propose to give in the development loan fund. One of the things that interests me very much about the development loan fund is that it is susceptible to joint ventures with private business. Personally I feel that the great areas in which foreign economic assistance can be tremendously important are, first, the presence of United States business as a vital factor in foreign aid, and its very much closer coordination with government. In that respect there have been some suggestions for accelerated amortization of overseas investments, and for tax reforms extending to all the investments made overseas, the same treatment which is given to Western Hemisphere corporations, which by law have a 14-point reduction in their income tax. Also it is felt that there should be a greater coordination of effort between American business and the State Department, so that the implications to our foreign policy of overseas private investment will be clearly understood when investments are contemplated in particular countries.

I might add, too, something to which I am very deeply devoted, and that is a much greater person-to-person exchange and placement program in terms of students and Americans working abroad.

Mr. President, to sum up, I believe that in the first instance there is a great opportunity for alternatives, but alternatives only in the sense that they will look toward pursuing and developing and improving the objectives along the lines set forth in the pending bill.

Second—and I say this with all respect and fundamental regard for the deep sincerity and conviction of the men who utter the arguments—the arguments that are made against the program have been made now continuously over a long period of time, and time, apparently, has not proved them, because we continue as we have right up to now, and undoubtedly will this year with this kind of program.

Lastly, Mr. President, the proponents are learning. I believe that is illustrated by the change in the program this year. I feel, too, that we are becoming more, rather than less, convinced—and I believe the Gallup poll and any other opinion poll bears this out—that the foreign assistance program, within the reasonable compass which it occupies now, is not bleeding us white and is not a giveaway, but is a fundamental and essential element in the security of the United States, and should be continued with honesty and dignity with that purpose in mind.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. O'MAHONEY. The Senator from New York has referred to the development loan fund. I should like to call his attention to a sentence on page 31 of the bill, beginning in line 1, reading as follows:

> The Administrator of the fund shall furnish——

I do not see any language in the bill providing for the appointment of the Administrator or providing any qualifications that such an Administrator shall have. I am reading from page 31, line 1. He is given tremendous powers. He is required to make a report "on each financing operation or transaction involving more than $10 million of the fund's assets. In other words, anything less than $10 million he can handle himself. However, $10 million, to use the vernacular, "ain't hay."

Then I read the final sentence in that paragraph:

> Such report shall be made at the time such financing operation or transaction is consummated.

Therefore, under the langauge of the bill, the loan fund is created and is to be under an Administrator whose qualifications are not set forth and whose appointment is not provided for in the bill. The Administrator can make a loan of $9,999,999, as he pleases, without making any report to Congress. Furthermore, with respect to the reports which he does make, they are to be made at the time the financing operation or transaction is consummated.

I ask the Senator, would he not agree with me, and would he not join me in sponsoring an amendment on line 7, page 31, to insert the word "before" at the end of that line?

In that way, the horse will not be out of the stable before Congress knows about it. Would the Senator join me in offering such an amendment?

Mr. JAVITS. I would like to answer the Senator, if I could. The Senator from New York will read thoroughly every phase of the bill, although I have already read the whole bill. In the meantime, I should like to answer the question substantively, because I would not want to answer the question directly now, while I am on my feet. As I understand—and I am drawing upon my reading of the bill, and without finding now the specific point in the bill that is in question—would be the head of the ICA. All appropriations under the bill are directed to the President of the United States. He actually receives the appropriations. That is the traditional practice.

Secondly, there are other provisions in the bill—again I cannot find them while standing on my feet—which give certain checks and balances and requirements for the reports to the respective committees of the House and the Senate, so far as all operations of the ICA are concerned.

I believe that those checks and balances are adequate to keep Congress on top of the situation.

As to a report prior to the making of any of these transactions involving more than $10 million, I should like to say that I would want to see the other side of that coin. In other words, what is the objection to calling for a report before operations involving $10 million? If it is not covered in the questions and answers, I shall look for it specifically.

Mr. O'MAHONEY. May I say to the Senator that I am reading this bill for the first time, just as he acknowledges he has read it for the first time?

Mr. JAVITS. I did not say that.

Mr. O'MAHONEY. The Senator said that he would read the whole bill. I assumed from that that he had not read the whole bill.

Mr. JAVITS. I am sorry if I gave that impression to the Senator. It is not correct. I have read the bill. I have read the report. I said I could not find at this particular minute, standing on my feet on the floor, the section that is involved. I was drawing upon my general knowledge from a reading of the whole bill.

Mr. O'MAHONEY. Having read the next section—in all fairness I must confess this—I find the last sentence of section 205:

> No officer shall be designated to be the administrator of the fund except by appointment by the President by and with the advice and consent of the Senate.

I have been reading the bill while the Senator has been speaking. Of course, that is a concession to the criticism I have been making, although I still see no provision in the bill stating what the qualifications shall be.

However, I find on page 32, in section 204 (b), this rather interesting sentence. It begins in line 20 of page 32, and reads:

The amount of such obligations—

These are the obligations against the fund which the President is authorized to incur—

may not exceed the limitations specified in section 203 (a) of this act except that, to the extent that assets of the fund other than capialization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations.

That, it seems to me, is a very significant sentence, an explanation of which should be made by the proponents of the bill. Why, or under what circumstances, and for what reason need there be any provision in the bill that obligations may be incurred beyond the limitations which the bill itself seeks to provide? I shall not interrupt the Senator further with any interrogation this afternoon. I am grateful for his readiness to answer my inquiries.

Mr. JAVITS. I thank the Senator.

Mr. O'MAHONEY. Mr. President, I should like to have printed and to lie on the table until called up, an amendment on page 31, line 8, to strike out the word "the" and insert in lieu thereof the word "a," and to add at the end of line 7 the word "before," so as to make that sentence read:

Such report shall be made at a time before such financing operation or transaction is consummated.

I ask that the amendment may lie on the desk, so that the Senator from New York may have an opportunity to become a cosponsor of it.

Mr. JAVITS. I thank the Senator from Wyoming. I pointed out that the development loan fund is a revolving fund. In short, as I understand, the money is to be loaned, and when repayments are made, they will add to the assets in the fund.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. JAVITS. The clue to the question asked by the Senator may be found in that provision.

By way of conclusion, I point out that tomorrow I shall offer two amendments, which are lying at the desk. One is an endeavor to make further progress in the field of international travel, where considerable progress has already been made, but in which we can and ought to do a good deal more. This is the cheapest and most happy kind of foreign aid.

My amendment proposes that we shall look into existing barriers to international travel, which I understand consist largely of the matter of hotel accommodations and housing in Europe and in other areas of the world.

The second amendment proposes that in the matter of private investment, the Government shall guarantee against the contingencies of revolution and internal insurrection, a subject which has been much mooted between the two Houses for some years, and which I hope can be resolved this year.

SP3C. WILLIAM S. GIRARD

Mr. STENNIS.. Mr. President, like many other members of the Senate, I am seriously concerned with the case of Sp3c. William S. Girard.

This young soldier was involved in the death of a Japanese woman in a maneuver area of Japan. The Department of Defense has agreed that he will be tried in a Japanese court.

On the facts now available to me, I believe that the handling of this case is subject to serious criticism.

The terms of the agreement under which jurisdiction was transferred specifically provide that the United States shall retain jurisdiction over its personnel in offenses arising out of any act or omission done in performance of official duty.

In order for jurisdiction to be conferred on the Japanese court there had to be a concession on the part of the United States that the shooting was not an action done in the performance of official duty.

From the facts which are available to me, I do not believe this conclusion was correct. As Senators know and will remember, there is a most difficult and technical line of cases, both in the common law of agency and, more recently, in the interpretation of Workmen's Compensation Statutes in the United States, involving issues presented by factual situations which shade this complicated legal question.

It appears to me that this question turns on the three following points:

First, so far as the time is concerned, the soldier certainly was on duty.

Second, he was at his post of duty as a uniformed member of the Armed Forces, guarding the machine gun and other materiel in the maneuver area.

Third, the action taken by the soldier—and it must be remembered that he was an armed guard at the time the incident occurred—would appear to be within the line of duty.

When these three conditions are met, a decision to the effect that the action was not taken in connection with the performance of his official duty is to prejudge a very vital issue involving fundamental individual rights.

I do not at this time propose to criticize the point of view of the Japanese representative for the position taken by his Government, and, of course, the question of the guilt or innocence of the soldier is not to be tried here. The rights which he has, as an accused person, under our Constitution and under our treaty arrangements are of vital concern here. The manner in which this case was handled is a matter of the utmost importance to all of us. I think the determination at this stage that his action was not an act done in the performance of official duty was wrong.

As a second point of criticism, I point out that in the terms of the agreement controlling this incident, a method was provided for reconciling differences between representatives of the Japanese Government and the United States through the usual diplomatic channels.

This course was not followed, and the concession of jurisdiction at this first level of deliberation by the United States on the instructions received from Washington would seem to imply that this soldier's rights under the agreement providing for the transfer of jurisdiction of his case were not scrupulously observed by his own Government.

I commend the senior Senator from North Carolina [Mr. ERVIN] for his prompt consideration of the issues involved in this case as chairman of the Senate Armed Services Subcommittee on Status of Forces Agreements. His deep interest in the rights of Americans is well known to us all, and is not limited to his activities in the Girard case.

It is reassuring to me to know that he has this matter under consideration and has already developed the best public record available, as contained in the hearings held by his subcommittee on June 5, 1957.

The distinguished junior Senator from Vermont [Mr. FLANDERS] is the other member of that subcommittee which has done this splendid work, and he is entitled to great credit, along with the chairman.

In conclusion, I point out that, in my opinion, grievous errors have already been made in the fundamentals in this case, and a most serious doubt is raised in my mind as to whether the rights of other young soldiers can be adequately protected under such an unfortunate precedent as has been established in this tragic affair.

Mr. GORE. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. GORE. I am grateful for the statement made by the able junior Senator from Mississippi, who came to the Senate after making a distinguished record as a presiding judge.

I may say to the able Senator that I supported the Status of Forces Treaty. I did so believing that it was basically sound and that it gave proper recognition to the sovereignty which any self-respecting people would require. I did so on the presumption, however, that the terms of the treaty would be complied with, and that the administration of the agreement would be in good faith and would not be complicated by temporary requirements of international politics.

I think the blunder which has been made in the case to which the Senator calls attention casts reflection upon a treaty which I still regard as basically sound, and raises questions as to the propriety of the votes which we who supported the treaty cast.

Therefore, I am grateful for the statement made by the able Senator from Mississippi. I concur fully in the excellent address he has made.

Mr. STENNIS. I thank the Senator from Tennessee very much, indeed. I am encouraged greatly to know that he agrees with the points raised by me in this grave and serious matter.

I have visited a great number of our military bases in other lands and have seen a large number of our young men who are stationed there. I have traveled more than once on ships with thousands of them. Those experiences bring home

very vividly the obligation which we have to those men, and the obligations which we have, too, to the countries where they are stationed.

But it has made me more conscious of our obligation in passing upon these matters; and, with the Senator from Tennessee, I accepted an arrangement which has all the elements of fairness and balance. I accepted it in good faith, and supported it.

To see that treaty applied now in a case like this, on the facts which are available to us, in such a way as to deny, in my humble opinion, fundamental and elemental concepts of justice and rights under our law as reflected in the Constitution and in the agreements, and for the case to be so casually decided without judicial determination or further development of the facts, makes me skeptical of exactly where we stand with reference to the treaties, and just where our young men stand when they leave our shoreline.

Naturally, these matters are of the gravest concern to us and will exert greater influence upon the Senate when in the future it passes on treaties dealing with similar questions as well as other related matters.

Mr. President, I yield the floor.

ORDER OF BUSINESS

Mr. HUMPHREY obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator from Minnesota yield to me? He and I had a conference earlier in the day——

Mr. HUMPHREY. Mr. President, has not the Senator from Wyoming addressed the Senate on the subject of the mutual-security bill?

Mr. O'MAHONEY. I have not.

Mr. HUMPHREY. I am sorry; I assumed that the Senator from Wyoming had done so. If he will permit me to make a few insertions in the RECORD at this time, I shall gladly yield to him.

Mr. O'MAHONEY. Certainly.

Mr. HUMPHREY. Mr. President, earlier today I conferred with the Senator from Wyoming. I understood that this afternoon he would address the Senate on the subject of the pending bill, the Mutual Security Act of 1957. I thought he had already done so. During the afternoon I have been in the Foreign Relations Committee.

Mr. O'MAHONEY. I am glad to yield to the Senator from Minnesota.

THE CONTINUING DISCRIMINATION AGAINST AMERICAN JEWISH MILITARY PERSONNEL IN SAUDI ARABIA

Mr. HUMPHREY. Mr. President, I am sure that many of my colleagues will have noted in the press a recent article concerning the State Department's present position on the continuing discrimination against American Jewish military personnel stationed in Saudi Arabia. In a recent letter to our colleague, the Senator from New York [Mr. JAVITS], Assistant Secretary of State Robert C. Hill again recounted all that King Saud is currently doing for us.

One of the things he is not doing for us, apparently, is taking any cognizance whatever of Senate Resolution 323, which the Senate adopted last summer, and which placed the Senate firmly on record against discriminations imposed by foreign governments upon United States citizens.

I ask unanimous consent that the text of an Associated Press dispatch concerning the letter from Assistant Secretary of State Hill be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

STATE TELLS STAND ON JEWS IN SAUDI ARABIA

The State Department assured Senator JAVITS, Republican of New York, today it will continue its efforts to remove discrimination against American Jewish defense personnel stationed in Saudi Arabia.

Senator JAVITS made public a letter from Assistant Secretary of State Robert C. Hill asserting King Saud has given "and is giving us important support to help combat the menace of international communism."

Mr. Hill wrote that Saudi Arabia "is fully aware of our attitude and position against discrimination with regard to American defense personnel stationed in that country.

"As you so well know, a complete solution in the Arab world is made more difficult by the fact that the area involved is a sensitive and troubled one at the present time," the letter continued.

"We must, of necessity, direct our efforts and conduct our relations with those countries in a manner which will produce the greatest return in stabilizing the peace in that part of the world."

Mr. Hill said Saudi Arabia indicated its support of the Middle East resolution during the recent visit of Ambassador James Richards.

"King Saud has just completed an important state visit to Iraq where the cause of strengthening the Near East against subversion was enhanced," he added. "King Saud has, further, firmly supported the efforts of King Hussein of Jordan to preserve the independence and integrity of his kingdom.

"In our relations with Saudi Arabia, please let me give you my personal assurance that we do not intend to relax our efforts to reach a satisfactory understanding on the question of nondiscriminatory treatment for all Americans. This policy applies to our citizens on a worldwide basis wherever they may be."

Mr. HUMPHREY. Mr. President, I also ask unanimous consent that the text of Senate Resolution 323 be printed at this point in the RECORD.

There being no objection, the resolution (S. Res. 323) was ordered to be printed in the RECORD, as follows:

Whereas the protection of the integrity of United States citizenship and of the proper rights of United States citizens in their pursuit of lawful trade, travel, and other activities abroad is a principle of United States sovereignty; and

Whereas it is a primary principle of our Nation that there shall be no distinction among United States citizens based on their individual religious affiliations and since any attempt by foreign nations to create such distinctions among our citizens in the granting of personal or commercial access or any other rights otherwise available to United States citizens generally is inconsistent with our principles: Now, therefore, be it

Resolved, That it is the sense of the Senate that it regards any such distinctions directed against United States citizens as incompatible with the relations that should exist among friendly nations, and that in all negotiations between the United States and any foreign state every reasonable effort should be made to maintain this principle.

Mr. HUMPHREY. Mr. President, those of us who have been outspoken on this issue for months and years now, are becoming a bit impatient over the lack of perceptive progress. I am not one of those who feel that the King of Saudi Arabia is unimportant, or that his contribution to our own foreign policy is negligible. Nevertheless, I wonder just how seriously and persistently the State Department has pressed this matter. I wonder, for instance, whether the text of Senate Resolution 323 has specifically been sent to King Saud, and whether through State Department channels he has been made aware of the strength of Senate sentiment on this issue.

Mr. President, I continue to receive letters such as the following:

Hon. HUBERT H. HUMPHREY,
United States Senator from Minnesota,
Washington, D. C.

MY DEAR SENATOR: On February 18, 1957, I sent a copy of the enclosed letter to the Honorable Foster Dulles. To date I have not received a reply. As an American citizen I feel that such a reply is warranted.

With kindest personal regards, I am,

Respectfully yours,

A CONSTITUENT.

FEBRUARY 18, 1957.

Hon. FOSTER DULLES,
Secretary of State,
Washington, D. C.

MY ESTEEMED SIR: I am a World War veteran of the Jewish faith. Were I to reenlist, would I be estopped from being attached to the American bases in Arabia because of my religion?

Yours respectfully,

(Same signature).

Mr. President, it is not surprising that the Secretary of State has delayed answering communications like this one, because in all honesty the answer to the inquiry would have to be "yes," based upon the State Department's present policy.

During the 84th Congress, when the Foreign Relations Committee was considering Senate Resolution 298, a resolution which I was pleased to cosponsor, the State Department opposed its adoption, on the ground that we must take cognizance of local attitudes and traditions. Nevertheless, a revised version of Senate Resolution 298, Senate Resolution 323, to which I have already referred, was adopted unanimously by the Senate. It was the feeling of the Senate that we do not have to take so much cognizance of local attitudes and traditions that the basic rights of American citizens should be sacrificed, with nothing more than a diplomatic protest for the record.

Mr. President, today I wish to say again that, so far as this Senator is concerned, this issue is not going to be allowed to be put to sleep merely upon the receipt of annual reassurances from the State Department that all that can be done is

being done. In terms of results, nothing has been done so far. The American people want, and are watching for, some progress on this matter.

Mr. President——

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

LITHUANIAN FREEDOM

Mr. HUMPHREY. Mr. President, I arise in this Chamber with memories of sadness. On this day, 16 years ago, the Soviet Communist regime started its program of ruthless annihilation and liquidation of the people of Lithuania. On this day in 1941, action which will live in infamy throughout the civilized world began. We shall never forget the millions of men, women, and children unmercifully torn from their homes and their families and subjected to inhuman treatment. To many of them, death was a blessing.

In memory, my sympathy pours out for those innocent victims, just as it did for those of Dachau and Budapest. Perhaps even worse than death, many Lithuanians were forced into slavery, where they were condemned to fates unknown and unimaginable. Mr. President, I raise my voice in memoriam to those brave people.

The people of Lithuania love freedom. Many times they have implemented the human will to be free. They have always rebelled against oppression. They have demonstrated their faith that justice will prevail.

None of us in this Chamber will ever forget the courageous stand which the late Povilas Zadeikis made in defense of his homeland. This great Lithuanian patriot, diplomat, and statesman was a living symbol of resistance to Nazi and Soviet aggression. Through his efforts, he was able to continue to keep alive the flame of freedom in the minds and hearts of millions of his countrymen who are still in Lithuania. He was able to evoke among thousands of his countrymen abroad a conviction that his land and their land would some day be free.

Mr. President, although sadness marks this day, I am proud to say that the victims of that mass deportation and annihilation are not forgotten. Indeed, they will never be forgotten where free men assemble. It is for this reason that I pay tribute to the Americans of Lithuanian descent who are commemorating this day. I join with them in saluting the heroism of their friends and relatives who fell victims to communism. I join, with a spirit like theirs, in anticipating that, just as day follows night, Lithuania and her sister Baltic republics will again be free.

Mr. President, I yield the floor.

FOREIGN AID PROGRAM—COMMENTS BY INTERNATIONAL COOPERATION ADMINISTRATION ON ARTICLE BY EUGENE W. CASTLE

Mr. BENNETT. Mr. President, in the May issue of the American Legion magazine there was an article entitled "Are We Bleeding Ourselves White?" written by Eugene W. Castle. That article contained certain figures and statements which seemed to me to be quite questionable, and I asked the International Cooperation Administration to check the figures. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the statement sent to me by the International Cooperation Administration giving the correction of the figures which Mr. Castle had used.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COMMENTS BY THE INTERNATIONAL COOPERATION ADMINISTRATION ON EUGENE W. CASTLE'S ARTICLE IN THE MAY ISSUE OF THE AMERICAN LEGION MAGAZINE ENTITLED "ARE WE BLEEDING OURSELVES WHITE?"

Comments on some of the specific statements:

"In the past 10 years we have given $60 billion to foreign nations which is euphemistically referred to as foreign aid. The avowed purpose, of course, is to win their friendship."

The total amount of United States net foreign grants and credits since July 1, 1945, is $57,662,000,000—of which $10,847,000,000 was in loans, and $18,560,000,00 was for direct military assistance to our allies. The purpose of this so-called foreign aid was not "of course, to win their friendship." The real purpose was, first, to restore the war-torn economy of Europe, a program known as the Marshall plan in the amount of $13 billion and later, after the Korean invasion, to assist our allies in our joint defense against the Communist threat and to strengthen the economies of the world's new democracies—in short to keep the Free World free. The annual cost of doing these things is about one-tenth the cost of maintaining our own defense establishment and about 1 percent of our country's gross national product. If we did not have our military allies, the cost in money and manpower of maintaining global defense by ourselves would be staggering.

"We gave more than a billion dollars to the shaky Government of Indochina before that country capitulated to the Reds."

There was no "government of Indochina," shaky or otherwise; there were three associated states of Indochina: Cambodia, Laos, and Vietnam. Up to the time they became independent, American aid to them amounted to $841.4 million, which includes $726.9 million for military aid, channeled through France. With these funds we helped these countries fight a shooting war with the Communists, and preserved for the free world the states of Vietnam, Cambodia, and Laos. North Vietnam was won by the Communists in the Geneva settlement. Vietnam itself has never "capitulated to the Reds," and does not recognize the Geneva settlement.

"We gave Norway $300 million which was promptly applied to the reduction of Norway's internal debt. We gave Denmark $100 million which the Danes used in the same way."

Net grants and credits to Norway since July 1, 1945, total $297 million, of which $87 million was in loans; for Denmark the total is $282 million, with $48 million in loans.[1] This money was spent for machinery, petroleum products, and other commodities vitally necessary to restore these countries' war-ravaged economies. The Norwegians and Danes paid for these commodities with their local currencies which subsequently were used, in part, for debt retirement to save the countries from inflationary collapse.

"We are providing free airplane excursions for thousands of Arabs visiting their religious shrine at Mecca."

In June 1956, at the request of the Government of Afghanistan, the United States did supply an airplane to help transport Moslems (not Arabs) from that country to the great feat of the Mohammedan world at Mecca. But the pilgrims paid their own way, round trip. They paid their fares in Afghan currency, which was used to further the joint Afghan-United States economic development program in this strategic country.

"We are paying all living expenses and tuition costs for the sons of hundreds of wealthy Persians attending American universities."

Experience has demonstrated that ICA's program of bringing foreign nationals to the United States for 3 to 12 months for advanced technical training is most effective. Some 32,000 have been given such training, 600 of them from Iran (Persia). These 600, like the others, have received training in schools, factories, government, and private offices and many other places where American know-how is to be learned. Participants in this program are selected jointly by the government concerned and ICA's representatives and on the basis of their potential contribution to the country's economic development. They are selected regardless of their net worth from among workers in government, industry, agriculture, or some similar field of activity. All participants in this program are paid fixed sums for living expenses.

"In Portugal we have paid for a 6-lane highway 15 miles long connecting Lisbon with the gambling resort of Estoril."

No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

"Our tax dollars have provided dress suits for Grecian undertakers, public baths for Egyptian camel-drivers, and even iceboxes for Eskimos."

This is a complete fabrication, with no basis of fact whatsoever.

"In India, which has received a billion dollars' worth of free goods from the United States of America, the Russians agreed to furnish that country with ore-mining machinery only on condition that India would purchase, not get for nothing, a million tons of rolled ferrous metals. Even the widely heralded gift of a Soviet steel mill to Nehru was no handout. It was to be repaid by 12-year credits at 2½ percent interest."

India has not "received a billion dollars' worth of free goods from the United States of America." Since July 1, 1945, net grants and credits to India total $468 million, of which $217 million was in grants, $251 million in loans.[2] The total obligated under the program of ICA and its predecessor agencies is $335 million of which $53 million was for technical cooperation, and $82.5 million was in the form of loans.

[1] Source: Office of Business Economics, U. S. Department of Commerce. Country figures do not include direct military assistance, which is classified information.

[2] Source: Office of Business Economics, U. S. Department of Commerce. Country figures do not include direct military assistance, which is classified information.

SPIRALING INTEREST RATES

Mr. O'MAHONEY obtained the floor.

Mr. GORE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. GORE. Mr. President, on May 28, during consideration of the housing bill, I expressed my deep concern over the policies being pursued by the Eisenhower administration, which have had, and are having, the effect of pushing interest rates higher and higher. At that time I suggested that unless the administration's policies were reversed or modified, interest rates would go still higher.

Mr. President, on the very next day, 91-day United States Government notes sold at the highest rate at which they ever have sold since 1933.

One week later, 2½ percent Government bonds were selling at 87.24, or nearly $13 below par.

Today, one bond issued of 2½ percent interest is selling at 87.16.

Mr. President, on yesterday, so I am advised by the Treasury Department, the long-term 3¼ percent interest bonds sold at an alltime low, below par.

On last Saturday there appeared in the New York Times a very interesting article entitled "Spiraling Money Costs: An Appraisal of Role of Prime Rate and the Source of the Next Increase." The article was written by Albert L. Kraus, and I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SPIRALING MONEY COSTS: AN APPRAISAL OF ROLE OF PRIME RATE AND THE SOURCE OF THE NEXT INCREASE

(By Albert L. Kraus)

Who will make the next move to increase interest rates? That is the question being asked by bankers and securities dealers who have watched some short-term money rates advance to quarter-century highs in the last week.

The Government bill rate, in a sharp rise set off by the Treasury's borrowing of $1,500,000,000 additional in tax anticipation notes, hit a 3.374 percent average. Commercial paper of 4 to 6 months' maturity moved up one-eighth of 1 percentage point to 3¾ percent. And bankers acceptances advanced a like amount to 3⅝ percent for their longest maturity.

The prime rate—the minimum rate on bank loans to top business borrowers—remained, however, at 4 percent. And the discount rate—the rate paid by banks to borrow funds from the Federal Reserve—held at 3 percent. Both rates have held at these levels since last August.

A PASSIVE INSTRUMENT

Ordinarily all short-term rates range around the discount rate. But, although the discount rate has been used to signal changes in credit policy, in recent months it has been used as a passive instrument of credit policy. Changes in the discount rate have tended to follow rather than lead changes in short-term rates.

In a tight money market like the present one, the discount rate has been termed an anchor for the other short-term rates.

At the moment, it appears that what the bankers do about the prime rate holds the key to the pattern of short-term rates in the near future.

Bankers concede that the pressures for increasing the rate on loans to the biggest business borrowers have been strong and continuing that way. Business loans remain at record levels, despite some tapering off in the increase.

At the same time, the bankers observe that they have done about all they can to improve effective rates—the actual return on their money—by urging customers to increase compensating balances and by increasing rates for businesses with other than top credit ratings. The next step, they say, would be a change in the stated rate to the biggest borrowers.

GENERAL FACTORS

Whether this will occur depends on short-term factors and on long-term estimates of business borrowing. It depends also on some noneconomic factors.

The biggest short-term influence is the impending June 15 tax borrowing by corporations. If corporations come to the banks for large additional funds, a move to a higher prime rate now might prove timely.

But the banks were disappointed in March when tax borrowings failed to equal the expected level. And some feel that June borrowings won't prove any greater.

One factor affecting the bill rate, they observe, is the fact that corporations are not investing their balances in bills—or any other short-term obligations—despite the impending tax payments.

Related to the tax payments are the Treasury's cash needs. A rise in interest rates now might add to the Treasury's borrowing problems.

BUSINESS OUTLOOK A FACTOR

Long-term considerations hinge on the future of business. Unless the demand for loans falls off—a situation few bankers think likely—they feel a rise in the prime rate is inevitable.

One question is who will bell the cat? In the latest move to a higher rate, New York banks permitted a bank in Boston to take the first step.

It has been suggested this time that a bank in Chicago, Cleveland or Pittsburgh might take the initial step.

One reason offered is that some out-of-town banks have operated more heavily in loans of 2 to 5 years' maturity, so-called term loans. These have been borrowings by large corporations usually in anticipation of permanent financing.

But because of the extreme tightness in the long-term markets, the banks and their customers have seen some of these loans extended beyond the terms either had expected.

Mr. GORE. Mr. President, I should like to read several sentences from the article, as follows:

Who will make the next move to increase interest rates? That is the question being asked by bankers and securities dealers who have watched some short-term money rates advance to quarter-century highs in the last week.

I read further from the article:

One question is, who will bell the cat? In the latest move to a higher rate, New York banks permitted—

And I emphasize the word "permitted"—

a bank in Boston to take the first step.

It has been suggested this time that a bank in Chicago, Cleveland, or Pittsburgh might take the initial step.

Mr. President, I hope my colleagues will read this article. The writer clearly recognizes the situation facing us today—namely, the monopolistic control being exercised over money policies of the United States by the very forces and interests who benefit most from these higher interest rates.

Again, Mr. President, I warn the Senate that unless the representatives of the people bring about a rectification of these fallacious policies, counties, cities, all our States, and all the people of America who must borrow, and who already are being seriously injured, will be still further harmed by this policy.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. O'MAHONEY. Mr. President, I am very grateful that I yielded to the Senator from Tennessee. I think there could be no better introduction for what I have to say and for the amendment I intend to offer tomorrow than the facts he has pointed out with respect to the fiscal status of the United States Treasury.

Week by week and month by month, the Government of the United States is finding it more difficult to borrow money in order to carry on the activities the Government wishes to undertake, as requested by the President of the United States. Only a week or so ago, the Treasury was confronted with the necessity of refinancing $3 billion or $4 billion of obligations which had fallen due. In exchange for the outstanding obligations, the Treasury offered new obligations, with a higher interest rate. The holder of the maturing obligations, having a face value of approximately $1,500,000,000, refused to accept the new paper, and demanded cash—cash on the barrelhead.

Mr. GORE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. GORE. I should like to point out that the particular issue to which the Senator from Wyoming refers as maturing was an issue of the present administration, sold only about 3 years ago, at an interest rate of 1⅝ percent. The bonds which the Treasury offered as a substitute for the maturing 1⅝ percent bonds bore an interest rate of 3⅝ percent. But, as the Senator has said, those who are manipulating the money market of the Nation and the credit of the United States Government, to their great benefit, refused to accept them. This was a clear warning that they would demand still higher interest rates; and the prime rate had increased another one-eighth of 1 percent just last week. A moment ago I read from an article written by a distinguished financial reporter, who pictures a few bankers in New York as trying to decide which banks they will permit to take the next step for a still higher interest rate.

DEVELOPMENT LOAN FUND

Mr. O'MAHONEY. Will the Senator be good enough to turn to the pending bill, S. 2130, to amend the Mutual Security Act of 1954, which is the pending business before the Senate at this moment? I call his attention to page 32 of the bill. The language I wish to quote

to him is a part of section 203 dealing with the capitalization of this newly created development loan fund. We are dealing here with a loan fund which for 2 years will amount to $1,500,000,000. This is the precise fund which would be stricken from the bill by the amendment which the Senator from Oregon [Mr. MORSE] just announced he would offer tomorrow. But let us read this sentence:

For purposes of the loans provided for in this section, the Secretary of the Treasury is authorized to use the proceeds of the sale of any securities issued under the Second Liberty Bond Act, as now in force or as hereafter amended, and the purpose for which securities may be issued under the Second Liberty Bond Act are hereby extended to include this purpose.

Here is a precise declaration by the bill that the borrowing power of the United States, under the Second Liberty Bond Act, shall be extended in order to enable the administrator of the fund to make loans for the purposes set forth in the loan fund provision. It is a revolving fund. As the Senator has pointed out, every single security of the Treasury now on the market is selling below par, with the possible exception of two, the interest of which is exempted from Federal taxation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. GORE. Does the Senator realize the enormous harm to a great number of people which has resulted from the wiping out of billions of dollars of equity as a result of bonds of the United States Government being driven further and further below par?

Mr. O'MAHONEY. There is no doubt about that. The title of the pending bill, as reported by the Foreign Relations Committee, is "A bill to amend further the Mutual Security Act of 1954, as amended, and for other purposes." That title ought to be amended so as to read, "to amend further the Mutual Security Act of 1954, as amended, and for other purposes, including the amendment of the Second Liberty Bond Act to expand the authority therein granted to cover the establishment of a revolving loan system."

It is beyond expression what the Congress is being asked to do in this bill.

I rose for the purpose of reading into the RECORD the text of an amendment which, on behalf of myself and certain of my colleagues, I propose to offer at the appropriate time. Before reading the text of the amendment, I wish to ask unanimous consent that there may be printed in the RECORD at this point a tabular statement contained in the New York Times of Thursday, June 13, 1957—that is today—of the current market price of United States Government and agency bonds. This table, particularly with reference to the bonds of the United States shows exactly what the Senator from Tennessee has said with respect to the market price of these bonds being so far below par.

Mr. President, I ask unanimous consent that the table may be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

United States Government and agency bonds

BONDS

Treasury	3:30 p. m. Bid	Asked	Change in bid
2½s 1958 March	99.12	99.14	−0.1
2½s 1959–58 September	96.30	97.1	−.2
2⅝s 1959–1958 March	97.28	98.0	−.2
2⅝s 1958 June	98.29	98.31	−.1
2¾s 1963–1958 June	100.0	100.4	
2½s 1958 December	98.15	98.17	−.1
2½s 1962–1959 June	93.16	93.20	−.2
2½s 1962–1959 December	93.10	93.14	−.2
2½s 1960 November	95.10	95.14	−.2
2¾s 1965–1960 December[1]	100.0	100.8	
2½s 1961 September	96.8	96.12	−.4
2½s 1961 November	95.2	95.6	−.2
2½s 1967–1962 June	90.0	90.4	−.8
2½s 1963 August	93.16	93.20	−.4
2½s 1968–1963 December	88.26	88.30	−.10
2½s 1969–1964 June	88.8	88.12	−.10
2½s 1969–1964 December	88.4	88.8	−.12
2½s 1970–1965 March	88.2	88.6	−.10
2½s 1971–1966 March	88.0	88.4	−.8
2½s 1972–1967 June	88.2	88.6	−.8
2½s 1972–1967 September	87.16	87.20	−.10
2½s 1972–1967 December	88.0	88.4	−.8
3¼s 1983–1978 June	95.16	95.24	−.12
3s 1995 February	90.4	90.12	−.18

[1] Exempt from normal income tax. Figures after a period represent 32ds of a point.

TREASURY BILLS

	Percent	Percent
5–60 December—63	4.00	
1,603 June 20	3.10	2.85
3,351 June 24	3.15	3.00
1,600 June 27	3.05	2.90
1,603 July 5	3.15	3.03
1,600 July 13	3.15	3.03
1,600 July 25	3.18	3.06
1,701 Aug. 1	3.25	3.16
1,700 Aug. 8	3.25	3.16
1,700 Aug. 15	3.26	3.18
1,800 Aug. 22	3.28	3.22
1,800 Aug. 29	3.28	3.22
1,800 Sept. 5	3.26	3.20
1,800 Sept. 12	3.28	3.24
1,500 Sept. 23	3.29	3.25

FEDERAL NATIONAL MORTGAGE ASSOCIATION

	Rate	Bid	Asked	Yield
100 August 1957	3.90	99.31	100.2	3.49
200 September 1957	4⅛	100.0	100.4	3.61
570 January 1958	2½	99.0	99.8	3.75
250 February 1958	4.0	99.29	99.31	4.01
200 March 1958	4.10	99.30	100.1	4.03
200 April 1958	4.05	99.28	99.31	4.08

TREASURY NOTES

Outstanding (millions)	Rate	Bid	Asked	Yield
12,056 August 1957	2¾	99.28	99.30	3.20
3,792 August 1957	2	99.24	99.26	3.06
824 October 1957	1½	99.12	99.18	2.97
382 April 1958	1½	98.20	98.26	3.02
4,391 June 1958	2⅞	99.9	99.11	3.54
121 October 1958	1½	97.20	97.28	3.19
5,102 February 1959	1⅞	97.7	97.9	3.56
118 April 1959	1½	96.16	96.24	3.38
99 October 1959	1½	95.70	96.24	3.35
198 April 1960	1½	94.18	94.26	3.46
2,406 May 1960	3½	99.20	99.22	3.51
277 October 1960	1½	93.16	93.24	3.46
144 April 1961	1½	92.8	92.16	3.61
332 October 1961	1½	91.4	91.12	3.67
647 February 1962	3¼	99.28	99.30	3.68
6 April 1962	1½	90.0	90.8	3.63
Certificates of indebtedness:				
1,312 June 1957	3¼	99.31	100.1	2.33
7,271 October 1957	3¼	99.31	100.1	3.12
10,850 February 1957	3⅝	99.28	99.30	3.47
2,351 April 1958	3¼	99.31	100.1	3.46

United States Government and agency bonds—Continued

FEDERAL LAND BANK BONDS

Outstanding (millions)	Rate	Bid	Asked	Yield
135.0 July 1957	3¼	99.30	100.2	3.02
214.9 October 1957	1¾	99.8	99.16	3.38
140.0 February 1958	3⅛	99.28	100.0	3.89
131.1 May 1958	2¾	98.26	99.4	3.77
78.0 May 1958	3⅛	99.28	100.0	3.88
184.1 November 1958	2¼	97.22	98.0	3.73
71.0 May 1959	2¾	96.24	97.2	3.58
124.0 February 1960	2¼	95.14	95.24	3.95
106.5 June 1960	2½	95.20	95.30	3.95
125.0 May 1962	4	99.26	100.0	3.99
60.3 May 1971	3½	95.0	96.0	3.88
72.0 February 1972–67	4⅛	99.16	100.16	4.05
110.0 September 1972	3⅞	98.8	99.8	3.97

INTERNATIONAL BANK BONDS

	Bid	Asked
2½s, Sept. 15, 1959	96.0	97.0
3s, July 15, 1972	86.0	87.0
3s, Mar. 1, 1976	83.16	85.0
3s, Mar. 1, 1976	83.16	83.0
3¼s, Oct. 1, 1981	81.0	83.0
3⅜s, May 15, 1975	88.0	89.0
3½s, Oct. 1, 1958	99.0	100.0
3½s, Jan. 1, 1969	94.0	96.0
3½s, Oct. 15, 1971	93.0	94.0
4½s, Jan. 1, 1977	100.0	100.24
4½s, May 1, 1978	96.24	97.8

The following quotation for the IB serial issues represents the highest and lowest yields for all maturities:

2s, 1958–62 ..... 4.00 3.15

Mr. GORE. Mr. President, will the Senator yield further?

Mr. O'MAHONEY. Yes.

Mr. GORE. I am advised that there are a number of small financial institutions which might well be insolvent today if forced to liquidate their holdings of Government bonds at their current market value. Some institutions might well be insolvent today if the bank examiner listed their holding of Government bonds at the market value rather than arbitrarily, as is the practice, allowing them to be listed at par. Does not the Senator think there is something basically wrong and morally wrong when an institution can go broke buying bonds of the United States Government?

Mr. O'MAHONEY. I think the Senator is quite correct. I point out, however, that under the pending bill, authority is granted to the administrator of the revolving fund to make loans up to $10 million each, without limit, under his own discretion. He is required to make a report on all loans over $10 million after they have been consummated, not before.

I shall offer an amendment to require that the report be made before loans over $10 million are consummated, but there are thousands of banks in the United States in small communities and in large communities, the capital stock of which is not as much as the "ad lib" loans the administrator of this fund may make throughout the world, without the advance knowledge of Congress. It would be unbelievable in any era except this era that such a proposal could be made with a straight face by the President of the United States.

Mr. GORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. GORE. Would the Senator say that under this provision ad lib loans could be made with ad hoc procedure?

Mr. O'MAHONEY. The Senator is quite correct. I will adopt his language.

DISCLOSURE AMENDMENT

Mr. President, I wish to read into the RECORD today the amendment which I shall offer during the consideration of amendments on the bill when the time comes. This amendment is printed. It is numbered "6-11-57-A." It is intended to be offered on behalf of myself, the Senator from Arkansas [Mr. MCCLELLAN], the Senator from South Dakota [Mr. MUNDT], the Senator from Oregon [Mr. MORSE], and the Senator from Georgia [Mr. TALMADGE]. It proposes, on page 47, line 23, before the period, to insert a semicolon and the following:

And at the end thereof insert the following: "The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities."

The purpose of this amendment, Mr. President, is to preserve the coordinate branch of the Government known as the Congress of the United States. This is the body without whose action in an appropriation bill no money may be drawn from the Treasury of the United States, yet the pending bill by devious language provides for the expenditure of funds belonging to the people of the United States by those whom the President may select. They will be officers and employees of the Government, most of whom have never faced the committee, most of whom are anonymous so far as the Congress is concerned, few of whom have received appointments subject to confirmation by the Senate; yet under the provisions of the bill they will have the power and the authority to go throughout the length and breadth of the whole world disbursing the funds taken from the Treasury of the United States.

There are no safeguards—or few safeguards—in this measure to preserve the knowledge of the people as to the manner in which these expenditures may be made.

Nobody can understand the meaning of a provision of law without reading it. That became clear to me this afternoon when the junior Senator from New York [Mr. JAVITS] rose to speak upon this bill. At the time he was speaking I happened to be reading of the creation in this bill of the new development loan fund. This is an organization which does not now exist. Almost line by line I was amazed by what I found in the proposed measure.

Section 202 is entitled "General Authority." The first portion of the section is designated paragraph (a), and reads as follows:

There is hereby established a fund to be known as the development loan fund (hereinafter referred to in this title as "the fund") to be used by the President to finance activities carried out pursuant to authority contained in this title.

NEW EXPENDITURE PROCESS

This is a clear, unmistakable, unchallengable declaration by Congress, if it becomes law, creating a new way of expending the funds of the people of the United States. This is not a modification of a plan already existing. True, there was development assistance in the past, but that was much more limited than this. This becomes a revolving fund, as the Senator from New York [Mr. JAVITS] so clearly stated in the closing of his speech. Because it is a revolving fund, then whatever money is paid back to the fund from a previous loan becomes available for reuse without reference to the Congress.

Paragraph (b) reads in part as follows:

To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions (not to include grants or direct purchases of equity securities), to or with such nations, organizations, persons, or other entities, and on such terms and conditions as he may determine.

Here, also, Mr. President, the authorization is made to the President. No member of the Committee on Foreign Relations supposes for a minute that the President is going to supervise these operations. They will be carried on by persons to whom his power will be delegated. There is not sufficient time in the days, weeks, months, or years during which this revolving fund will exist for the President of the United States to take time out from his presidential duties, imposed by the Constitution, to enter into this banking business. It has to be conducted by persons who are selected for that purpose. But observe that the grant of authority is so broad that the loan credits or guaranties which are made in the name of the President of the United States are "on such terms and conditions as he may determine." The Congress does not determine them. It would be an easy matter for the Congress to legislate now what the terms and conditions may be, but we are not willing to take that trouble. We give that authority away to the President, who, in turn, will give it away to someone else, and we, as Members of the Senate and Members of the House, will be in no position to report to our constituents how the money is to be expended.

The only instruction given to the President in this grant of authority to make such terms and conditions is contained in the following language:

Taking into account (1) whether financing could be obtained in whole or in part from other Free World sources on reasonable terms, (2) the economic and technical soundness of the activity to be financed, and (3) whether the activity gives reasonable promise of contributing to the development of economic resources or to the increase of productive capacities in furtherance of the purposes of this title.

It is only necessary to read that language to see that it is wholly within the discretion of the President, or those who administer the fund for him, to determine whether the financing could be obtained in whole or in part from other Free World sources, on reasonable terms.

It seems to me that it is much more important for us, as Members of the Senate, to be checking into whether or not the Treasury of the United States may be able to borrow the funds which will be necessary for this purpose, on reasonable terms from the banks, which, as the Senator from Tennessee showed a few minutes ago, hold such a dominant position in our fiscal economy.

AMAZING PROVISIONS

This title of the bill, on page after page, contains amazing provisions. I have cited some of them already in the colloquy with the Senator from Tennessee. The language on page 32, in section 204 (b) is worth a little attention. Let me read it:

The President is authorized to incur—

Again the authority goes to the President—

in accordance with the provisions of this title, obligations against the fund in amounts which may not at any time exceed the assets of the fund.

This is important—

in amounts which may not at any time exceed the assets of the fund.

The amount of such obligations also may not exceed the limitations specified in section 203 (a) of this act—

I shall read those limitations in a moment—

except that, to the extent that assets of the fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations.

[Laughter.]

I do not know whether the response of the Senator from Minnesota [Mr. HUMPHREY] was to my reading of the provision of the bill, or whether it was in response to some witticism uttered by the Senator from Oregon [Mr. MORSE].

Mr. HUMPHREY. Let me say respectfully that it was both.

Mr. MORSE. Will the Senator permit me to apologize?

Mr. O'MAHONEY. Let me read the language again.

Mr. MORSE. I should like to hear it.

Mr. O'MAHONEY. This is a sentence taken from section 204 (b):

The amount of such obligations—

Of course, Senators know what "obligations" means—

also may not exceed the limitations specified in section 203 (a) of this act except that, to the extent that assets of the fund other than capitalization provided pursuant to section 203 (a) are available, obligations may be incurred beyond such limitations.

That, I think, is worthy of an outburst by any Senator. Now that the Senator from Oregon has calmed down, he merely nods in the affirmative.

Let us see what the limitations in section 203 (a) are:

SEC. 203. Capitalization: (a) There is hereby authorized to be appropriated to the President without fiscal year limitation, for advances to the fund, not to exceed $500 million. In addition, unless disapproved in the appropriation act appropriating funds pursuant to the authorization contained in the preceding sentence, the Secretary of the Treasury is authorized and directed to make, beginning in the fiscal year 1959, loans to the fund in amounts needed to cover obligations incurred against the fund. Except as provided in section 204 (b) of this act, the maximum amount of obligations incurred against the fund during the fiscal year 1958 shall be $500 million, during the fiscal year 1959 shall be $750 million, and during the period beginning in the fiscal year 1960 shall be $750 million; and any unused portion of the maximum applicable to any period shall be added to the maximum applicable to the succeeding period.

These are the limitations which, under section 204 (b), may, under certain circumstances, not apply to obligations made under the authority of the President.

If I understand correctly the amendment which the Senator from Oregon stated on the floor this afternoon, and which he intends to propose, it would have the effect of eliminating the provision with respect to the funds available for the fiscal years 1959 and 1960 by loans from the Treasury.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MORSE. That is exactly the effect of the amendment. I discussed it at some length in my speech this morning, and I pointed out that the special committee which had studied the subject of mutual security for about 11 months, in its report discusses the question. Its suggestion was that the amount for the next year be included in the bill and that then the entire matter be reviewed thereafter and new authorizing legislation be provided with respect to future amounts.

I think that is a sound proposal, and I believe we ought to carry out the suggestion of the special committee by an amendment to the bill. That is why I have submitted my amendment.

Mr. O'MAHONEY. Let me say to the Senator from Oregon that I believe he is wise in taking advantage of the opportunity presented here. I read this sentence:

In addition, unless disapproved in the appropriation act appropriating funds.

Why wait for the appropriation act to disapprove it? Why not disapprove it now, while we have the opportunity of preventing such loans to be made or advances to be made by the Secretary of the Treasury out of funds which are so heavily obligated that the bond market will not pay the face value of the obligations of the Government? The Government cannot obtain at par the funds that are here proposed to be loaned. It must pay extraordinary rates of interest for them.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MORSE. It would be a great honor to me if the Senator from Wyoming would join me in my amendment. I would be highly honored if he would be a cosponsor of the amendment.

Mr. O'MAHONEY. I shall be very happy to be a cosponsor of the amendment.

Mr. MORSE. With that understanding, Mr. President, I should like to have the clerks at the desk instructed to include the name of the Senator from Wyoming [Mr. O'MAHONEY] as a cosponsor of my amendment.

Mr. O'MAHONEY. Now I am looking at page 33 of the bill, specifically with reference to section 204 (c):

(c) In the performance of and with respect to the functions, powers, and duties vested in him by this title, the President shall prepare annually and submit a budget program in accordance with the provisions of the Government Corporation Control Act, as amended; and he shall cause to be maintained an integral set of accounts which shall be audited by the General Accounting Office in accordance with principles and procedures applicable to commercial corporate transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required.

I repeat the last few words and call particular attention to them:

And no other audit shall be required.

NEED FOR AUDITS

Mr. President, it seems to me obvious that the appropriate committees of Congress—the Committee on Appropriations, the Committee on Foreign Relations, the Committee on Banking and Currency, and the Committee on Armed Services—should have the undoubted right, in their judgment, at any time, to call witnesses before it and to recommend, if necessary, audits ordered by the Congress.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. The bill provides that there shall be reports of all transactions and of all programing every 6 months. That is mandatory in the bill.

Mr. O'MAHONEY. I read from page 31:

Such report shall be made at the time such financing operation or transaction is consummated.

Mr. HUMPHREY. Yes; and also there shall be, every 6 months, a report.

Mr. O'MAHONEY. I have already indicated that I intend to offer an amendment tomorrow requiring that the report shall be made before, not after, consummation of the loan.

Mr. HUMPHREY. There was considerable discussion over that point in the committee. I had sympathy toward that objective myself. However, I do not believe it is right to leave the implication that the committees of Congress are denied the right to interrogate or inquire or look into these operations. At any time a committee of Congress asks ICA to come before it, they will come.

Mr. O'MAHONEY. That was not the experience which the Government Operations Committee had during the past year. I should like to call attention to the language on page 34 of the bill, which seems to indicate the necessity of making this authority of Congress absolutely binding without any quibbling, not as it is in the bill, which provides for reports after the consummation, and with the authority given to the Administrator to make a loan, at his discretion, in any amount under $10 million.

I read from the beginning of the sentence, which is at page 33, at the bottom of the page:

In carrying out the purposes of this title, any officer or agency of the United States designated to exercise authorities provided for hereunder may, in addition to other powers and authorities provided to such officer or agency pursuant to this act or otherwise by law, and as the President may direct: enter into, perform, and modify contracts, leases, agreements, or other transactions, on such terms as may be deemed appropriate, with any agency or instrumentality of the United States, with any foreign government or foreign government agency, or with any person, partnership, association, corporation, organization, or other entity, public or private, singly or in combination; accept and use gifts or donations of services, funds, or property (real, personal or mixed, tangible or intangible); contract for the services of attorneys; determine the character of and necessity for obligations and expenditures under this title, and the manner in which they shall be incurred, allowed, and paid, subject to provisions of law specifically applicable to Government corporations; acquire and dispose of, upon such terms and conditions and for such consideration as such officer or agency shall determine to be reasonable, through purchase, exchange, discount, rediscount, public or private sale, negotiation, assignment, exercise of option or conversion rights, or otherwise, for cash or credit, with or without endorsement or guaranty, any property, real, personal, mixed, tangible, or intangible, including, but not limited to, mortgages, bonds, debentures (including convertible debentures), liens, pledges, and other collateral or security, contracts, claims, currencies, notes, drafts, checks, bills of exchange, acceptances including bankers' acceptances, cable transfers and all other evidences of indebtedness or ownership (provided that equity securities may not be directly purchased although such securities may be acquired by other means such as by exercise of conversion rights or through enforcement of liens, pledges, or otherwise to satisfy a previously incurred indebtedness), and guarantee payment against any instrument above specified; issue letters of credit and letters of commitment; collect or compromise any obligations assigned to or held by, and any legal or equitable rights accruing to, such officer or agency, and as such officer or agency may determine, refer any such obligations or rights to the Attorney General for suit or collection—

Et cetera, et cetera, et cetera.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. After the Senator has laid down the smokescreen and has read all these legal terms, I would say that the Senator knows that section 201 (b) of the Mutual Security Act of 1954, as amended, the act under which we are now operating; and the authority under which the President is presently carrying out the obligations of the law permits the President to do as follows——

Mr. O'MAHONEY. Permits?

Mr. HUMPHREY. The language authorizes the President.

Mr. O'MAHONEY. The Senator said it permits.

Mr. HUMPHREY. It authorizes the President.

Mr. O'MAHONEY. Authorizes?

Mr. HUMPHREY. It authorizes the President to utilize——

Mr. O'MAHONEY. Does it make it the duty of the President?

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Does it make it the duty of the President?

Mr. HUMPHREY. The President has the duty to carry out this act.

Mr. O'MAHONEY. This is a discretionary act provision.

Mr. HUMPHREY. I should like to say most respectfully to the Senator from Wyoming that he knows full well that the loan development fund is discretionary, because, first of all, it contemplates loans, not gifts. Under the existing law, the President is authorized to utilize funds, to disburse them, and to impose such terms and conditions, including the transfer of funds, as he may specify—period. This is not gobble-dygook; it is plain, simple language, which provides that the President can give it away, with no requirements whatsoever. The difference is that it will be a loan fund as compared with a giveaway fund.

I am rather surprised that some of my colleagues, who have for years been asking that we lend this money on a businesslike basis, are now finding all kinds of little wrinkles in the paper to try to make it look as if it was not a good proposal.

Mr. O'MAHONEY. The Senator has broadened his argument. He is not directing that argument to me. The Senator from Minnesota is very skillful in avoiding the issue. The language which he read, and which I should like to read again, if the Senator will be good enough to hand the document to me—

Mr. HUMPHREY. I shall be delighted to do so.

Mr. O'MAHONEY. I thank the Senator very much. I must first find my glasses.

Mr. HUMPHREY. May I lend the Senator mine?

Mr. O'MAHONEY. I am sure they are too strong for me.

I observe that the Senator was reading from page 40 of the report.

Mr. HUMPHREY. I believe it was the language of the statute, which appears on page 40 of the report.

Mr. O'MAHONEY. Will the Senator explain to me the meaning of the black brackets which surround the language which he just read?

Mr. HUMPHREY. This is the language of the Mutual Security Act of 1954, as amended.

Mr. O'MAHONEY. Will the Senator look over my shoulder at the report?

Mr. HUMPHREY. Yes; I am delighted to do so.

Mr. O'MAHONEY. He will see section 201 (a) and (b).

Mr. HUMPHREY. They are to come out of the act, but they are the controlling language as of today. This is the language under which the President is operating today.

Mr. O'MAHONEY. The Senator is quite correct. When we pass the bill as the Senator recommends it, that language will be eliminated, and there will be substituted for it the language: "Declaration of purpose: The Congress of the United States recognizes," and so forth.

Mr. HUMPHREY. That is correct.

Mr. O'MAHONEY. So the Senator's argument falls by his own act.

Mr. HUMPHREY. I say most respectfully to my delightful friend from Wyoming that this is the year of our Lord 1957, and the language which the Senator from Wyoming is talking about is prophetic for the year of our Lord 1958.

Mr. O'MAHONEY. The bill is prophetic. That is what I am talking about. I am talking about a prophetic bill which lays upon the people of the United States a requirement to produce, by taxation and suffering, funds beyond the present capacity of the Treasury to pay. The Government has been free from the limitation which the Senator so enthusiastically read only a moment ago. The Senator is one of the members of the Committee on Foreign Relations.

Mr. HUMPHREY. That is correct.

Mr. O'MAHONEY. He is an able member and a very vocal member, I may say.

Mr. HUMPHREY. Yes, sir; particularly, when truth is on my side.

Mr. O'MAHONEY. Whether it is or not, the Senator rates that position. His committee has recommended the repeal of the language of limitation.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Yes, indeed.

Mr. HUMPHREY. I say most respectfully to the Senator from Wyoming that the language which the junior Senator from Minnesota read is the language that now applies, the language that is now in effect. It is not a limitation. That language is as wide open as the universe. It provides that the President may use the money as he sees fit.

What I am pointing out to the Senator is that the language of 1958 does have limitations. It is much tighter language than the language at present. The language of 1958 will be language that requires the lending of funds, not the giving of funds.

Mr. O'MAHONEY. That, of course, is recognized.

Mr. HUMPHREY. The taxpayer will get the money back, instead of simply giving it away.

Mr. O'MAHONEY. I may say to my friend from Minnesota that I have never challenged the fact that we shall have now a loan instead of a grant; but I point out to the Senator that the language which I read from page 34, with respect to all of the powers given to the administrator of the loan fund, including the listing of every known physical evidence of debt, is just as broad as the language that was contained in what the Senator read.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. Is it not true that section 205, starting on page 33 of S. 2130, under the heading "Powers And Authorities," is the very language which applies to Government corporations that are engaged in loan activities or business enterprises?

FISCAL OBLIGATIONS

Mr. O'MAHONEY. It may be, but it is not enough when we are dealing with billions of dollars.

I read from page 1 of the appendix of the committee's report. The cumulative expenditures for these purposes—the purposes contained in the bill—up to June 30, 1956, amount to $31,570,276,000.

Mr. HUMPHREY. The Senator——

Mr. O'MAHONEY. Pardon me.

The unliquidated obligations as of June 30, 1956, amounted to $5,655,467,000. So that sum would be added to the $31 billion.

The actual expenditures from July 1, 1956, through February 28, 1957, amounted, according to the Senator's committee report, to $1,988,396,000. That sum, again, would be added to the $31 billion.

To make the matter explicit, it is $31,570,276,000 added to $5,655,467,000 added to $1,988,396,000. That is what the Senator's committee tells us that we, the people of the United States, are obligated to pay.

Then, the unexpended balance as of February 28, 1957, was $6,576,135,000.

The total estimated expenditures for the fiscal year 1957 amount to $3,395,741,000.

There is an item of estimated unliquidated obligations as of June 30, 1957, which are, of course, obligations which have been incurred but which have not been paid—that is to say, a debt owed by the United States—amounting to $5,168,790,000, according to the report of the committee.

In addition, after having told the United States what a tremendous sum has already been spent and the tremendous sums which must continue to be spent, the Senator's committee has reported a bill calling for additional expenditures amounting to—what?

Mr. HUMPHREY. Three billion six hundred million dollars.

Mr. O'MAHONEY. Three billion six hundred million dollars. I wish the junior Senator from Minnesota would sometime, in his calm days, retire to his office and prepare for me a list of the banks in Minnesota which have a capitalization of $1 billion—all of them. Let me know about all of them.

Let the Senator get from the Minnesota banks the amount of United States Government bonds owned by them. Let him get the price the banks paid for the bonds, and the price they would get for them if the bonds were sold today.

Let the Senator get some information from his own State with respect to the effect upon the economy of his State and the economy of the United States, unless we make it absolutely certain that Congress shall, day by day and week by week, be given supervision of the expenditure of the money of the people of the United States.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Of course.

Mr. HUMPHREY. After this torrential stream of statistics——

Mr. O'MAHONEY. I wish, Mr. President, that the Senator from Minnesota would indulge me for a moment. There is no source more torrential than the Senator from Minnesota. [Laughter.]

Mr. HUMPHREY. Then, the Senator from Minnesota is an expert in torrents.

Mr. O'MAHONEY. Yes.

Mr. HUMPHREY. After the Senator has read the statistical dissertation, I say it still does not apply to what he has argued, because the very figures he has read are the amounts which were appropriated by Congress.

On the one hand he says it is a fantastic sum of money.

Mr. O'MAHONEY. I said that.

Mr. HUMPHREY. In the next moment he says, Congress must have control. Congress has more control——

Mr. O'MAHONEY. Mr. President, Congress must have control of the expenditures which are to be made in the future. That is all I said. The Senator from Minnesota should not misrepresent my statement. I am sure he does not misunderstand me.

Mr. HUMPHREY. I do not misunderstand at all. I know when there is a sort of engulfment of what I would call the innuendo and the fringe issues.

The real issue is whether the Congress has control over the appropriations. The Senator from Wyoming was a member of the Appropriations Committee for years. Once I heard him defend an appropriation of more than $40 billion to the military of the United States—which he did beautifully.

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is evading the issue.

Mr. HUMPHREY. But in the pending bill, to which the Senator from Wyoming now directs his attention, is a provision for a loan fund. The money is to be loaned, not given away. It is to be returned to the fund. It is not to be scattered over the landscape. The controls provided for in the bill are much greater than those provided for in previous legislation. Yet previously the Senator from Wyoming has voted for bills by means of which more funds would have been given, with less restraints, than those which would be loaned by means of the pending bill.

Mr. O'MAHONEY. But last year, when I found that the State Department was unwilling to allow the Congress to obtain the information, I voted against the bill. And I shall vote against the bill again.

I know the committee has made some hesitant and staggering moves to give the Congress control, but they are only hesitant steps.

In view of the present fiscal condition of the Treasury of the United States, we cannot, in justice to our own constituents, delegate away the power to supervise these expenditures.

The money is being spent all over the world. Unless the State Department has changed the opinion it held last year, it would like very much not to have the Congress monkey too much with the manner in which the expenditures are made.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield again to me?

The PRESIDING OFFICER (Mr. SCOTT in the chair). Does the Senator from Wyoming yield to the Senator from Minnesota?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. I must say that all Members of Congress——

Mr. O'MAHONEY. Mr. President, the Senator from Minnesota is wearing me out, I must say.

Mr. HUMPHREY. Mr. President, the Senator from Wyoming has the vigor of a giant. I am impressed, and I shall not in any way try to wear him out, because the agility of his mind is exceeded only by the vigor of his body; and I must say that I am impressed with both.

Mr. O'MAHONEY. But, Mr. President, it is exceeded by the competence of the Senator from Minnesota in evading the issue. [Laughter.]

Mr. HUMPHREY. I only request the Senator from Wyoming to be with us either a little later this evening or possibly tomorrow morning.

I wish to say to him that the pending bill authorizes the appropriation of $500 million this year, through the Appropriations Committee, if the Appropriations Committee so desires. The fund will be a loan fund. The taxpayers of the United States should know that, although in previous years grants have been made, this year loans are to be made.

I do not believe the Senate is capable of sitting day after day to consider each project under the terms of this measure, in order to decide whether the loan should be granted. Before now, the Senate never decided whether the gifts were to be made.

Mr. O'MAHONEY. Mr. President, I must resume the floor.

Mr. HUMPHREY. Mr. President, I am delighted to yield the entire Chamber to my friend. [Laughter.]

Mr. O'MAHONEY. Mr. President, several years ago there came to Wyoming a distinguished character from the State of Minnesota. He advertised himself as a loan agent. He borrowed enough money to open an office on the main street. He offered loans to everyone. But he had no money. He was good at offering loans; but when the time came to raise the money, he had no means of raising it.

The United States has the means so long as the credit of the United States is maintained. But I say to the Senator from Minnesota—and I say it in all seriousness—that when the bonds and other securities of the Government of the United States are falling steadily below par, when the Treasury is finding it constantly more difficult to borrow money, when the Treasury finds itself compelled to raise the interest rate to be paid to the big, concentrated banks in the large cities, then we, the representatives of the people of the United States, and the custodians of their welfare, had better watch what is being done. If we do not watch it, the crash will be upon our heads.

Mr. President, I wish to say that the amendment I have sent to the desk has been patterned after the language contained in the Atomic Energy Act. When the Atomic Energy Act was prepared—because Congress felt that atomic energy was an appalling power, over which the people's representatives in Congress should maintain control—the Congress wrote into the law—and the provisions are still there—absolutely airtight requirements to preserve the authority of Congress.

But the pending bill is full of loopholes through which the executive branch can avoid its responsibility to keep the representatives of the people advised.

DEATH WARRANT

Mr. President, in view of the constant delegation away of congressional power to the executive branch of the Government, I say without any hesitation that we may be writing the very death of the Congress of the United States.

The issue in the world is the preservation of government by the people against managerial government, whether it be management by dictators of the Soviet stripe or by dictators of the Fascist stripe. What we are laboring for in the world is to set an example of how the people can govern.

But the bill the committee has reported would show how the people's representatives can give away their right to govern.

So, Mr. President, I want those who have been associated with me in the amendment to know that I have not lost interest in it. I am sure they have not lost interest in it. I wish to make sure that when the time comes to offer the amendment to the pending bill, we shall have well-informed Members, ready to join in the argument in support of the amendment and to vote for it. I believe it is a worthy amendment. I know it is an honest amendment. I know it is conceived only in the thought of preserving the legislative power of the Congress of the United States.

I cannot forget that when the founders of this Government wrote the Constitution, they devoted the first article of that instrument to the legislative power. The legislative power is superior to any other power in our Government.

Mr. MORSE. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. MORSE. Mr. President, I wish to commend the Senator from Wyoming for the brilliant speech he has just made. It comes as no surprise to me that this great constitutional lawyer from Wyoming today stands on the floor of the Senate and raises his voice in a plea for the defense of the legislative process of the Government of the United States, as contemplated by the Founding Fathers.

I wish to say now, as I said earlier today I dwelt at length on the same point. I think he is completely correct. I do not know of any answer which can be made to the legal argument he has made.

I wish to say now, as I said earlier today, that the pending question is whether the Congress will abdicate its constitutional legislative duties.

I am proud to be associated with the Senator from Wyoming in his amendment, and I am proud, as one of his students and disciples in constitutional law, to follow his leadership on this great issue in this constitutional debate.

Mr. O'MAHONEY. The Senator is very kind.

Mr. HUMPHREY. Mr. President, we are just about ready to move an adjournment. However, I should like to say to the Senator from Wyoming that I have read his amendment with considerable interest. I commend him for his amendment. I think the amendment does exactly what section 534 of the present Mutual Security Act requires, with one exception. The Senator's amendment requires a more current reporting than does section 534.

I shall address myself to this question somewhat tomorrow. No one is more desirious than I am of retaining our Congressional power. Members of the committee were greatly concerned over that question. There was much discussion about it. But there are problems relating to a loan agency, as to how much supervision can be given to it by Congress, when we do not know to whom the money is to be loaned. Loans have to be developed in a businesslike manner. The same kind of restriction has not been directed to the Export-Import Bank, which loans billions of dollars, and has a much larger loan authority than the development loan fund will have. The Export-Import Bank has a capitalization of, I believe, about $5 billion; and the Export-Import Bank makes to the Congress regular reports, which are neatly filed away or given study by the appropriate committee, the Committee on Banking and Currency or the Finance Committee.

All I say is that the amendment of the Senator from Wyoming is not what I would call a basic amendment. It is a good amendment. It provides:

> The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the Senate and House of Representatives fully and currently informed with trespect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities.

The only reason why that language is not in the pending bill is that there are constitutional problems involved. As every Member of the Senate, whether he is or is not a lawyer, knows, we cannot compel the President of the United States, under the doctrine of separation of powers, to give information to the Congress if he does not want to. The President may be impeached for his failure to do it, but we cannot compel him to do so. Therefore, what is being relied upon is coordination and cooperation between the agencies of Government and the committees of Congress.

I respectfully say that in most instances the agencies of Government, whether under Republican or Democratic administrations, give the committees of Congress information, if we probe for it and go after it. Frequently the agencies give Congress information without such action on the part of Congress.

All I want to say is that the President of the United States is in charge of the respective Cabinet officers, and if the President orders a Cabinet officer not to testify, he cannot be compelled to testify. We have confronted this problem before. We had it under President Truman. We had it under President Jackson. We may have had it under President Eisenhower; I do not recall. But no Member or committee of Congress can compel a Cabinet officer to testify if the President orders him to the contrary, because it is a constitutional question which has already been resolved.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. Yes, I yield.

Mr. O'MAHONEY. May I say to the Senator that what he says now must be construed as meaning that if the Congress yields its power to a President in a bill such as the one before the Senate, and creates an organization which could not exist and which could not be established without the action of Congress, Congress thereby loses all right to be informed. That is not so.

Mr. HUMPHREY. I did not say that.

WAIVER OF PRIVILEGE

Mr. O'MAHONEY. If the Senator will pardon me, the effect of this amendment lies in the fact that if it goes into the bill, and the President signs the bill, that constitutes a waiver of the executive privilege. The executive privilege has been exercised by subordinate officials of Government who never went near the President to ask whether or not the information sought by Congress was secret or not.

We have had officials claiming the executive privilege in matters relating to rapid tax amortization. Nobody knows better than the Senator from Minnesota how important it is for us to know how much has been given away.

Mr. HUMPHREY. I agree with the Senator that it is important to know that, and I surely want every executive officer who comes to the Congress to tell us all there is to know about it; but no statute overrides the Constitution.

Mr. O'MAHONEY. No.

Mr. HUMPHREY. No law can authorize that which the Constitution forbids, and no officer, under the Constitution, can do that which the Constitution forbids.

Mr. O'MAHONEY. The Senator will find difficulty in pointing out that section of the Constitution. I call to the Senator's attention the provision of the Constitution that no money may be taken out of the Treasury without the consent of the Congress. The President cannot take it out, and if we authorize him to take it out, we have the right to compel him to answer about it.

Mr. HUMPHREY. May I say most respectfully to the Senator that even after the Congress appropriates the money and directs the President to spend it, he does not need to do it? President Truman refused to spend money Congress had appropriated for the Air Force——

Mr. O'MAHONEY. The Senator is changing the subject.

Mr. HUMPHREY. I am not changing the subject. I have respect for the Constitution of the United States, as all Senators have, and for the correct interpretation of the Constitution. Congress may write language in a proposed statute which directs the President to do something. Under his constitutional prerogatives he may veto it.

I think what the Senator is really attempting to do by this amendment is what we were trying to do by cross-reference in the bill to section 534 of the Mutual Security Act.

I have been perfectly willing to vote for the committee amendment to S. 2130, provided everybody understands there is no bill we can write whereby we can compel the President of the United States to deliver information, if he feels such is contrary to his duty under the Constitution of the United States.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. HUMPHREY. I yield.

Mr. MORSE. I think we ought to make perfectly clear that we understand what the Senator from Minnesota means, and I am not sure that the language he has used means what he intends it to mean. The Senator from Minnesota is quite right that we cannot pass a statute which will require the President to give us information which, under the so-called executive privilege, based upon the separation of powers, he does not have to give.

Mr. HUMPHREY. The Senator is correct.

Mr. MORSE. But I respectfully point out that the Senator is overlooking the difference between that situation and the situation which is before the Congress with respect to this bill. The Congress of the United States does have the right to enact legislation which seeks to vest a certain power or administrative duty in the President subject to conditions, and unless he complies with the conditions the power does not exist, which is quite a different thing. We have the right to say to the President in legislation, "You cannot have part of it and not all of it. If you are going to exercise any power under the statute then you must comply with the conditions we impose, or the power is not legislated to you."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MORSE. Yes, I yield.

Mr. HUMPHREY. That is not what this amendment says at all. This amendment does not say, "Unless you do these things you get no money."

Mr. MORSE. I am not talking about the amendment.

Mr. HUMPHREY. That is what I am talking about.

Mr. MORSE. I am talking about the statement which the Senator made, if I understood him correctly, that he is of the opinion we cannot pass legislation placing conditions upon the exercise of power.

Mr. HUMPHREY. I did not say that at all. I said we cannot pass legislation here which would compel the President to divulge information that he feels under his constitutional right as President of the United States he does not need to divulge. We can pass legislation which says, "The only way, Mr. President, you can carry out this program is to do as we say in terms of reports." And the President will have to either sign it or reject it.

Mr. MORSE. That is the point I wish to make perfectly clear. I think the Senator will appreciate, when he reads the RECORD tomorrow morning, my interruption. I have helped the Senator, I believe. At least, it was my intention to clarify the statement which I believed was not what he intended.

The position of the Senator from Oregon, as he took it this morning, and as he takes it at the close of the day, is that he thinks we should exercise our legislative power with respect to the President by imposing these conditions precedent, so to speak, and unless there is compliance with them the power itself is not granted.

Mr. HUMPHREY. I wish to thank the Senator. I gather that the Senator from Oregon knows I have the highest regard for his analysis of constitutional law and his statements on it. I wish to say that many a bill has been passed by the Congress which has authorized expenditures of billions of dollars. Let me give the Senators the example of the Missouri River development project, which had a $7 billion authorization. That $7 billion was authorized to the Secretary of the Interior, the agent of the President of the United States, and it was not necessary for the Secretary to come back every year to get a new authorization from Congress; $7 billion was authorized to carry out a program which at best was a compromise, the Pick-Sloan program, which was neither good nor bad. At best, it was admitted to be a compromise.

There are also the Columbia River Basin development, the Tennessee Valley Authority, and others. These are long-term authorizations. It is not necessary to come back to Congress every year for a new authorization.

Mr. MORSE. Will the Senator yield, Mr. President, on that point?

Mr. HUMPHREY. I yield.

Mr. MORSE. I should like to point out—and we will develop it more tomorrow, as the debate proceeds—that those, however, are specific projects.

Mr. HUMPHREY. Yes.

Mr. MORSE. The details of which we have before us at the time. They involve the requirement of committing ourselves to an investment in the totality of a project.

Mr. HUMPHREY. The Senator is correct.

Mr. MORSE. We know what the project is. We have full knowledge of it. We decide in that kind of legislation then and there to buy it, so to speak.

But what we have here is the grant of a blanket authority to the President for expenditures as yet unknown. It is at that point, I think, that some very interesting questions arise with respect to the delegation of policy making legislative decisions, by the language of this bill, to the President of the United States. We did not, in the Missouri Valley project or any of the others that the Senator named, pass any discretion to the President of the United States to make subsequently a policy decision. We made it. We made it with relation to the specific project. But in connection with this matter we would be giving, in effect, to the President of the United States a great many policymaking decisions.

Mr. HUMPHREY. I wish to say, most respectfully, to the Senator from Oregon, that we always give to an Executive a great many policymaking decisions.

In this bill we are setting policy. We are setting policy in this bill as to military assistance; 1 year, 2 years. We are setting policy in this bill as to the development loan fund. We do not propose to give the President $3.6 billion and say, "Do with it what you will." We are saying, "A certain amount of this sum will go for military assistance. A certain amount of this sum will go for development assistance. Next year a lesser amount will go for military assistance, and next year a smaller amount will go for development assistance."

Then we are declaring the policy that, instead of giving our money away, we are going to loan it. We are going to establish an advisory board. We are going to establish a loan administrator. We are going to establish a new kind of development loan fund. We are going to apply some of the principles of the Export-Import Bank. We are going to do what we have been doing but in a different way.

I submit that the Congress of the United States supplied considerable capital to the World Bank. All we get from that bank is a written report once a year. Its funds are taxpayers' money. We supply funds to the International Development Fund. Those funds are taxpayers' money.

Mr. President, let me be very clear about this. I am not happy that the Congress has to relax some of its authority, but I think between the alternatives of having to keep people wondering each year whether or not a project is going to be under way or not under way, as compared to having some long-term planning, which gets more out of the dollars loaned, the latter is better. In other words, millions of dollars have been wasted because each year we have compelled the agencies of Government to obligate every last nickel and get rid of it. Under this proposal we say, "There is time. Do your planning more constructively."

Mr. President, the hour is late. I shall discuss this question in greater detail tomorrow, and I shall do so in the morning hours, because I am of the opinion that what is needed is that the American people shall realize the Committee on Foreign Relations did not open up the gates, but instead put some effective controls upon the use of the public's money.

First of all, the bill as reported orders the administration next year to request a smaller amount than this year. Make no mistake about that. The administration is ordered in this authorization to ask for less next year for military assistance. If they desire to ask for more, they will have to request a new authorization. The administration is ordered to ask for less next year in defense support, which is provided to buttress our military assistance. The bill provides that the Appropriations Committee next year shall have a complete review over the requests for funds for the development loan fund. We have written controls into the bill.

My colleagues would like to have some Americans, or have the American public, believe that we have had all kinds of controls in the past. We have not. We are going to get the same work books before the Committee on Foreign Relations next year that we got this year, as to projects which will be developed under the terms of this bill.

We have not had any firm commitment from the administration for years, Mr. President, as to where the money would be expended in exact dollar amounts in each country. There were limitations on transfers of funds, as there are in this bill. There were limitations upon use of funds, as there are in this bill. But I submit that under careful examination, the bill now before us, providing for the mutual security program for the fiscal year 1957, will be found to contain greater controls of the public purse, greater controls over public funds, than the bills we have had in the past.

Furthermore, we are talking only about authorizations. Ultimately the Appropriations Committees must determine the amounts of money to be appropriated. But I am of the opinion that the Appropriations Committees are a little more careful about funds than are the authorization committees, because the truth is that in almost all legislation more is authorized than is appropriated for. The Appropriations Committees are the ones which are involved in ascertaining the exact number of dollars to be expended in a particular program, or to effectuate a particular policy.

So when I hear of the vast sums of money which have been expended, I say that, indeed, a great deal of money has been expended. But for the first time a substantial amount of money which is to

be appropriated out of the Treasury of the United States will be returned. It will be put on a loan basis.

The Mutual Security Act has not caused the price of American Government bonds to become depressed. The fiscal policies of this administration and not the Mutual Security Act, have brought about that result. I want the record to be crystal clear. I do not want it ever to be said that the United States of America finds itself in a condition so precarious, so weak, so uncertain, that we cannot meet the threat of Communist aggression or Communist pressure.

Remember that for every dollar we appropriate in relationship to our economy, the Soviet Union must put up something, too, because this is a race to the finish. The Soviet Union is not going around blowing bubbles. It is not going around doing nothing. The Soviet Union has an army which makes ours look insignificant in size. The Soviet Union has H-bombs. The Soviet Union has a program of economic aid. The Soviet Union engages in international intrigue and aggression.

Are we going to say that the people of the United States, the richest nation on the face of the earth, the prosperity of which is almost unbelievable as compared with others, are in such a bad financial condition that we cannot take this program?

I realize that there may very well be substantial cuts made at the Appropriations Committee level. I hope not, but that may happen. Whatever the Government is given to use in terms of our foreign-aid program, I want to see it used frugally, prudently, and judiciously. I do not believe we do justice to the bill when we say that it provides no Congressional control.

I ask my colleagues: What control have we now that we would not have under the terms of the bill?

The only difference is that next year the Senate Foreign Relations Committee will not be called to reauthorize; but next year—in fact, twice during the year—the Foreign Relations Committee will be called upon to scrutinize and examine every detail of the operations of the foreign-aid program. At present we do it once a year. Under the proposed program we shall be required to do it twice a year.

I submit that the only difference between the present program and the one we are being called upon to authorize is that under the present policy every year the administration comes to the Senate Foreign Relations Committee. Under the proposed program it will come to the committee once in 2 years for the military-assistance program and for the defense-support program.

With respect to the Development Loan Program, there is a 3-year authorization, subject to cancellation by the committees of Congress 1 month after the program is started, or 1 day.

It requires no more courage on the part of a committee of Congress to cancel something than to authorize it. The President of the United States does not have to ask us to meet for the purpose of canceling a program. At any time the committees of Congress can review this program, amend it, alter it, cut it in half, cancel it out, or expand it. Every Senator knows that.

A smokescreen has been thrown up, in an effort to indicate that Congress has lost its control. The only time Congress loses its control over something is when it loses its will. Congress can at any time, even as of now, cancel the mutual security program.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. O'MAHONEY. Does the Senator mean to say that Congress can cancel an obligation of which it knows nothing until after it has been consummated? Does the bill so provide?

Mr. HUMPHREY. The Congress of the United States can at any time undo what it has done.

Mr. O'MAHONEY. In the past the Congress has authorized the administration, in carrying out the authorization approved by the Appropriations Committees, to enter into obligations which have not been liquidated.

Mr. HUMPHREY. Yes.

Mr. O'MAHONEY. I have read the figures. Such obligations amount to some $6 billion. Those obligations cannot be canceled.

Mr. HUMPHREY. I am saying that the program, as such, can be canceled. The Senator knows what I am talking about.

Mr. O'MAHONEY. What I want the Senator to acknowledge is that the obligations, which amount to billions, cannot be canceled. Is not that correct?

Mr. HUMPHREY. The Congress of the United States, tomorrow morning, if it so desired, could cancel the foreign aid program.

Mr. O'MAHONEY. It can repeal the program, of course; but it cannot cancel the obligations; and the obligations are made as the spenders may determine to make them, and not by authority of Congress. The committee of which the Senator is a very important and a very able member has not laid down terms and conditions.

Mr. HUMPHREY. I say most respectfully to the Senator from Wyoming that the Committee on Foreign Relations has laid down every bit as severe and restrictive conditions in this bill as it ever has done. The Appropriations Committee will determine whether or not there will be any money. I will not permit anyone to take me off into a maze trap of digression. The truth is that every Member of the Congress knows that if we are unhappy with the foreign aid program, and we can obtain the necessary votes, we can pass a resolution to stop it. Let us not be led off into the wilderness.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. O'MAHONEY. This will be my last comment. Let us not compound the mistakes of the past by making the mistakes which the Senator's committee has recommended.

Mr. HUMPHREY. I assure the Senator that the majority of Members of Congress in the past have not felt that the mutual-security program was a mistake. Most Members of Congress have felt that it was constructive and good, and an important part of our national-defense program. That is not to say that it has no weaknesses or that there have been no errors. But I regret to say that the amendments being proposed would not help to correct the errors. The Senator would only provide for more reports. We would learn about the activities more often.

If the Senator wishes to propose that we have no program, we can stop the mistakes; but in order to have the Secretary report them more often to us, when we can call upon him at any time—and many times we have called upon him when we have not received much information—this requirement is placed in the Senator's amendment. I do not think such reports would be half as interesting as the Senator thinks they would. I have heard the Secretary of State upon occasions when the information we received was less interesting than what we read in the morning newspaper.

Mr. MORSE rose.

Mr. HUMPHREY. I yield to the Senator from Oregon.

Mr. MORSE. I desire the floor in my own right.

Mr. HUMPHREY. I was about to move that the Senate adjourn.

Mr. MORSE. I wish to address the Senate. I find the comments of the Senator from Minnesota so stimulating that I cannot resist the opportunity to make a few observations on them.

Mr. HUMPHREY. Mr. President, I have just returned from a brief meeting with the Director of the International Cooperation Administration, John B. Hollister, where I had the pleasure of turning over to Mr. Hollister a check to the United States Treasury from the Peace Fellowship of the Disciples of Christ. This $100 check is the beginning of the disciples' peace budget, and it is a symbol of the desires of a number of their members to increase our United States foreign-aid budget.

This fellowship includes a membership of some 300 Disciples of Christ ministers and lay people throughout the United States, and their support of the foreign-aid budget's nonmilitary provisions is an important expression of confidence by an influential group of American citizens in the continuation and strengthening of an effective program of mutual aid.

With this $100 check, the Disciples of Christ have effectively dramatized the widespread feeling among church groups and other of our citizens concerned with building a peaceful world, that the very small percentage of our national budget now devoted to foreign economic aid and technical assistance should be expanded. The Disciples of Christ Fellowship has told me that they believe that peace grows out of a world that is economically sound and healthy, and that international good will and understanding are fostered by technical and educational-assistance programs without strings attached.

I ask unanimous consent to have printed in the RECORD at this point a letter I received from Barton Hunter, executive secretary-treasurer of the Disciples Peace Fellowship under date of April 29, 1957, bearing on this subject.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DISCIPLES PEACE FELLOWSHIP,
Indianapolis, Ind., April 29, 1957.

Hon. HUBERT H. HUMPHREY,
United States Senate, Washington, D. C.

MY DEAR SENATOR HUMPHREY: The enclosed check for $100 bears a message. What it says is this. Many of us in this country are not happy with the way in which Congress is proposing to cut the budget. We suspect there is plenty of waste in the budget, notably in the field of military expenditures. What we do not believe is that the miserably small percentage of our budget earmarked for foreign economic aid and technical assistance is the place to cut. In fact, if we knew how to go about it, we would like to see this part of our national budget expanded.

Thus, the check. As a symbol of the desire of a number of our Disciples Peace Fellowship members to increase our United States foreign aid budget we are sending this $100 asking if it is possible that you see to it that it gets into the Treasury, earmarked for foreign economic aid.

Incidentally it is our conviction that millions of people in this country, would, if given a chance, be glad to contribute to such constructive aspects of our national budget as technical assistance over and above their taxes.

Will you be kind enough to let us know whether we can actually give over and above support to such portions of the budget as we believe in or whether this simply means that Congress will continue to hack blindly away, cutting even more from these most significant and vital portions of our national financial program.

We of the Disciples Peace Fellowship believe that peace grows out of a world that is economically sound and healthy. We believe further that international good will and understanding are fostered by technical and educational assistance programs without strings attached. Our check is symbolic of our belief. We think it could be more than symbolic if the way was open for others to help. What is the situation?

Please share with your fellow Senators and Congressmen the idea that when they do their budget cutting it should be where the "fat" is, not where the "heart" beats.

Yours for thoughtful and constructive budget planning that points toward world peace. We're tired of listening to budget butchers.

Sincerely yours,

BARTON HUNTER,
Executive Secretary-Treasurer.

Mr. MORSE. I have only a few comments to make. As I said, I always find my very close and intimate friend, the Senator from Minnesota [Mr. HUMPHREY], very stimulating, and it always grieves me when I find myself on the opposite side from him on any issue.

From listening to the Senator from Minnesota today, I would judge that he is laboring under the impression that we are very far apart on the bill. In my opinion, we are not. We are certainly not apart when it comes to the objectives of mutual security. We are certainly not apart when it comes to our desire to strengthen freedom in the world by bringing better economic conditions to the many millions of people in many countries who are now downtrodden and for whom there is no hope of freedom until we do something to help them toward a better economic well-being.

When it comes to the matter of the substance of the objectives of mutual security, I do not believe that the Senator from Minnesota and the senior Senator from Oregon are apart at all. We are apparently of a different mind when it comes to the matter of procedural safeguards, as to what I happen to think ought to be written into the structure of the bill in order to protect the American people in their constitutional and legislative rights.

The Senator from Minnesota said a few moments ago that he does not like it because in the bill we are giving up some Congressional authority. I do not like it, either. But when the Senator from Minnesota says that he does not like it, and then also says we are in a position where he feels it is necessary to give up some of our Congressional authority, he casts a vote that is just opposite to the vote that I shall cast. There is involved in this issue a procedural difference that is very vital. There is implied in the Senator's admission, in my judgment, a course of legislative action that neither he nor I have any right to take under the Constitution.

I say most respectfully that the Senator from Minnesota has not the right and no other Senator has the right to sit in the Senate and vote for a bill that gives up Congressional authority by attempting to grant to the Executive legislative policymaking authority. To the contrary, when we took the oath of office, when we came to this body, we pledged to our constituency the protection of congressional authority under the Constitution. We have no right under that oath to attempt to delegate to the President of the United States Congressional authority. That is one vital difference that exists between us. It is not a difference over the objectives of mutual security but it is a great procedural difference.

Then the Senator from Minnesota, in the course of his remarks, points out certain provisions in the proposed bill that exist in the present Mutual Security Act as well. In his colloquy with the Senator from Wyoming he said on several occasions: "But that is in the act now." To that I ask the question, "So what?"

It is highly fallacious to argue that because a bad practice or procedure is now written into the law we ought to continue it in another bill. To the contrary, we ought to take advantage of our opportunity in the pending bill to get it out of the law. In effect, when we adopt the kind of procedure the Senator from Wyoming and the Senator from Oregon are pleading for we bring to an end what we consider to be a bad procedural practice.

So I shall not be impressed in this debate, may I say to my good friend from Minnesota and to other Senators, by frequent references tc the fact that something that we object to is now in the law. My answer to that argument is, "Does it make it right? If we have been guilty of a legislative mistake in the past, should we continue it and compound it?"

To the contrary, we ought to eliminate from the present Mutual Security Act procedures we now discover are bad procedures.

Next, Mr. President, I wish to make a brief comment on what my friend from Minnesota had to say about the need for planning in regard to the loan program. Where I fail to follow him and where he loses me is on his false assumption that in order to have long-time planning it is necessary to have funds authorized for years in advance. I deny it.

I do not believe that authorization of funds years in advance is essential to sound planning at all. Rather, we ought to be joining forces—the Senator from Minnesota and the Senator from Oregon and other Senators—on the requirement that we do get a blueprint of longtime planning from the State Department for a loan program extending over a course of years, so that we can see where we are going. Then we should proceed to authorize funds annually based upon that blueprint of longtime planning.

Mr. President, the requirement that we authorize the funds annually is in no way a handicap to the State Department in long-term planning. It is not a handicap unless someone wants to take the position that we ought to put the State Department in the position with regard to the authorization of funds so that it will make it very difficult for Congress to check the State Department in a waste of funds.

That leads me to the next point I wish to make with regard to arguments just presented by the Senator from Minnesota [Mr. HUMPHREY]. He said that we can act after the fact. He said we can authorize the funds and then we can take them away subsequently if we do not like what develops. He said we have the power of affirmative action, after we pass the act, to take back what we have given in the first place.

Well, Mr. President, that is very plausible, but, I respectfully say, it is highly unrealistic so far as the legislative practice of the Congress is concerned.

Can we not hear the argument that would be made on the floor of the Senate if we authorize funds beyond an annual basis and then at a later date vote to take the funds back? The argument would be made, "Oh, we are honorbound. We are committed. We cannot take the money back because we put these people in the State Department in a position of responsibility. They have gone to foreign countries, and they have had conferences with representatives of foreign governments. They have stated in those conferences that funds are available for loans, and on the basis of those representations they have committed the honor of our country to keep its word."

They would be justified in making that argument if we pass this kind of law, and then said we proposed to take back the authorization.

There would not be the vote of a corporal's guard in Congress for taking it back.

Thus, this is another point over which I part with my good friend from Minnesota. If we expect to keep a check over the funds, we had better keep the funds in our pocket and grant only the authority to go ahead with the longtime planning, based, however, upon annual authorizations of funds.

I move to the next point in my friend's argument. He said, in effect, "Oh, but the Committee on Appropriations will pass on the matter each year. The only difference is that the Committee on Foreign Relations will not go through the authorization procedure."

In the last couple of days I have said something about a trend in the Senate to allow the Appropriations Committee to function too much as a legislative committee. Now I want to apply it to this matter, because what it amounts to, in fact, is delegating legislative power to the Committee on Appropriations. That committee already has become too much of a superlegislative committee in the Senate.

The legislative committees of the Senate having jurisdiction over foreign affairs happen to be the Committee on Foreign Relations and the Committee on Armed Services. I shall not vote for a procedure in the bill which weakens the legislative committees of the United States Senate and increases the fast-growing legislative power of the Committee on Appropriations of the United States Senate. I speak very respectfully of every member of the Committee on Appropriations. I am talking now about Senate procedure.

One of the things I object to in the bill, among many, is the fact that the bill strengthens or increases the tendency of the Committee on Appropriations to take on the legislative functions of the Senate, rather than to make certain that the legislative committees, which have the jurisdiction in the first instance, initiate the legislative recommendations.

I thought the Senator from Minnesota in his comments about Presidential reports argued both ways. In one part of his speech he spoke about the requirement of Presidential reports as though they were an effective check. As I pointed out this morning, I think they are pretty much a gesture. Later in his speech the Senator from Minnesota spoke rather negatively about the effectiveness and value of such reports. I agree with his latter observation.

As I said this morning, if Senators want to see what an empty gesture the reporting requirement is, let them go to the Committee on Foreign Relations and look at the reports which are being filed already in connection with the exercise of discretion by the President over so-called executive emergency funds with respect to the administration of the Eisenhower doctrine in the Middle East. I have looked at some of the reports relating to the President's Middle East policy. They are so general that when one finishes reading them, he does not know any more, practically, than when he started.

So my friend from Minnesota has to make up his mind which way he wants this. I am not going to let him argue, at least unanswered, that there is a check by way of Presidential reports; and then within 10 minutes, as he did this afternoon, let him argue that the Presidential reports, after all, are not very effective. However, on the latter point I agree with him.

Mr. President, I wish now to discuss another point made by the Senator from Minnesota.

I refer to the point which he made in regard to the delegation of power to the President of the United States. His statement is subject to the interpretation that, in his opinion, we cannot under the Constitution, because of the doctrine of separation of powers, impose restrictions upon the President which would require him to give us information which he is not inclined to give to us. I want to stress this. I hope the Senator from Minnesota will clarify his position tomorrow in the RECORD.

I say that Congress has not only the legal right, but I think also the clear duty, to specify the conditions which must be complied with precedent to the exercise of any authority which the President will exercise under the act, and that we have not only the legislative power to do so, but also, in my opinion, the clear legislative duty to do so.

Some of my amendments go directly to that point. I am so seriously concerned about the giving away of congressional authority, which the Senator from Minnesota admits is being done, at least to some extent, in the bill, that I think it is in this bill that we ought to call a halt to so dangerous a tendency on the part of Congress.

I say to the Senator from Minnesota that Congress has the power and the duty to lay down conditions precedent to the exercise of any authority granted to the President in the bill. In other words, I will put it this way, in nonlegal language: Suppose Congress sends to the President a piece of legislation which grants him power, but we say that the exercise of the power is contingent upon his complying with certain conditions which Congress imposes; and that unless the President complies with those conditions, the authority is legally not vested in him. That is a perfectly legal legislative form to follow in enacting legislation. I know of no other way to check arbitrary, discretionary power on the part of the President.

Lastly, I heard practically nothing from the Senator from Minnesota about the inconsistent position in which he must find himself in respect to the great differences between the procedures set forth in the bill which he joined in recommending to the Senate and the procedures contained in the report of the special committee which studied mutual security for more than 11 months, and which the Senator from Minnesota also signed. If he thinks he made a mistake and was in error in signing the report of the special committee, then let him say so to the Senate. But I have not heard any of the signatories to the report of the special committee say that.

Of course, if their position is that although the committee report contains the ideal procedure, but that they are now submitting a bill which they think is based upon legislative practicalities, my answer to them is that they are not very practical, in my judgment, when they propose a bill containing a procedure which one of their most able spokesmen in debate has admitted involves the giving away or the relinquishing of some congressional authority.

Mr. President, because I think it is most important that Congress maintain more effective checks upon the exercise of executive power, I close by sending to the desk and asking to have printed tonight, so that it will be available to Senators tomorrow, an amendment which provides for further restrictions and limitations upon the exercise of discretion by the President of the United States in respect to the so-called special assistance fund.

The PRESIDING OFFICER (Mr. SCOTT in the chair). The amendment will be received, printed, and will lie on the table.

JUVENILE DELINQUENCY

Mr. HUMPHREY. Mr. President, we are all deeply concerned with the problem of juvenile delinquency. It is of concern not only to the older folk but to many of the younger generation themselves.

Feeling that it would be wise to hear from the young people themselves as to ways and means of combating juvenile delinquency, the Minnesota Police and Peace Officers Association recently sponsored an essay contest on the juvenile delinquency problem in the United States. The winning essay which brought Mr. John Roth, a pupil in the Mankato high school, a $300 scholarship award, was printed in a recent issue of the Minneapolis Tribune.

John Roth's emphasis on the positive, his concern with the impact of materialism on the family, and the overwhelming importance of family life is most effective.

I call this essay to the attention of my colleagues as both challenging and stimulating.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the essay entitled "The Juvenile Delinquency Problem in the United States" by John Roth.

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THE JUVENILE DELINQUENCY PROBLEM IN THE UNITED STATES—"DANGEROUS TO HAVE HOME DECLINE"—BOY'S PRIZE ESSAY ON SOLVING DELINQUENCY

(By John Roth)

Juvenile delinquency, like so many of our society's pressing problems, is not a situation that can be attributed to any one cause.

It is a problem with many different facets and one whose causes are many and varied. The majority of the causes, it seems to me, are not ones that can be corrected by legislation or by any method in a short time. They are factors that have arisen over a long period of time because of the slow changes that civilization must make in order to survive.

As a civilization progresses, especially a materialistic one like ours, the great impetus to invent, produce, manufacture, and to make money overshadows the interest in developing the important cultural and domestic

aspects of our daily life. Because emphasis is placed on success in business rather than in the home, it is only natural that this vital institution will deteriorate. It also follows that family ties will become loose, and that children will forget their responsibility to the society of which they are a member and which they must strive to sustain and improve.

Since the home is one of the best places for young people to be taught citizenship and to learn correct conduct by observing others in his or her family group, it is a dangerous one to have decline.

The cause of juvenile delinquency that is found directly in the home will probably resolve itself eventually as these cultural and domestic factors catch up to the materialism which is now being driven along by world tensions and intense competition.

Another cause, I feel, is our standard of living. Science has gone all out to make life as easy as possible for human beings. Instead of using their originality and good sense to choose safe, constructive activities, the youngsters of today are drawn to more commercial forms of entertainment such as movies and television.

These mass media, because of the necessity of drawing a crowd, seem forced to present attractions which contain a good deal of violence and disrespect for authority. Besides, these attractions are what might be called passive entertainment.

The recipients sit, doing nothing original or constructive, and watch spellbound as people of their own age and people who look and dress the same as they do commit crimes and show utter contempt for forces working for law and order.

As young people see this type of thing time after time after time, naturally, they are led to believe that this type of behavior is customary and that they are in a minority group if they don't conform.

Youngsters, by nature, want to be like others in their age group, so they do all they can to conform to this stereotype which they firmly hold to be accurate. Unfortunately the stereotype is not at all accurate and it prompts our young citizens, who are very easily impressed at this age, to conduct themselves in a manner that is not in accordance with the morals and established proper behavior of our society. This cause also is one that we can't easily correct in order to curb juvenile delinquency.

It is quite noticeable that juvenile problems occur much more frequently in large population centers, where housing facilities are marginal, space of any type is at a premium, and where fields, playgrounds, and recreational opportunities are rare or even nonexistent. It is easily discerned how trouble arises in situations of this type.

With no adequate place to spend leisure time and to let off steam through physical activity, young people naturally drift to the streets and into undesirable places of business. There they come in contact with others in the same situation and soon gangs are formed which provide some sort of organized activities, usually of a highly objectionable type. If these gangs spring up in one place, they are bound to spring from many locations having similar conditions. Then the youthful spirit of adventure and competition comes into view.

Adventure, competition, and organized gangs with no responsible adult leadership. What could be a better combination to produce theft, fights, revenge, and in extreme cases, murder? However, as we look at this causative factor objectively, we again see that it is one that is well nigh impossible to dispose of. As long as we manufacture and mass produce, people must congregate around places of production and crowded conditions are almost inevitable.

Although research has demonstrated that as new population centers are created, it is possible to construct them so that recreational facilities are provided, we still have many old areas to cope with which can only be rebuilt over a long period of time and through the expenditure of countless millions of dollars.

These three items seem to be the largest contributors to juvenile delinquency. As you see, it is practically impossible to destroy any of these factors immediately. Must we then be content to say that the juvenile problem is insoluble and give up? By no means. The trouble is of such magnitude that we can't afford morally or economically to give up.

We must do something about juvenile delinquency within a very short period of time because it is dangerous, not only to the young people and the people near them now, but also it is a danger to our whole society when these youths become the leaders and citizens of tomorrow. We should enact measures which will curb juvenile delinquency and perhaps cut down some of the more tangible causes. These steps could partially solve the problem until education of the public and natural changes evolve a generation which realizes the true causes of the situation, and would proceed to solve it at its sources, the home, community and our society.

One effort that could be made immediately and which, in my opinion, would help ease the crisis is publicity. At the present time, in many localities it is illegal to publish the names of juvenile offenders. This is unfortunate.

Youths now know that if they are apprehended for some crime, they will be punished, usually by a warning, fine, or short jail sentence for themselves or their parents. They are confident that they will not have to suffer the disgrace of being ostracized by their friends, neighbors and relatives because their names will not be published in newspapers or broadcast over the radio.

Adolescents are very sensitive to criticism by the group they associate with. They find it especially necessary to belong to and be accepted by the majority of their classmates and other members of their age. Furthermore, I feel that the young people of today, yes, even the group known as juvenile delinquents, are basically good and know the difference between right and wrong. Some of them just don't use their good judgment.

Thus if the names of teen-age offenders were published, I think that the pressure of disapproval from the responsible members of the adolescent group would be a force to discourage the miscreant from repeating his or her misdeed.

Another aspect of publicity that could be improved is that when a minor has been involved in a crime, newspapers often go over every detail of the incident and describe colorfully just how the act was accomplished. Young people, after reading a report of this sort, will discuss it with their friends. Immediately the offender becomes a hero, his mistakes are criticized; his accomplishments are praised. If incidents involving minors were reported by giving merely the names of offenders and avoiding detailed description and pictures, it would definitely be a step in the right direction.

The commendable accomplishments of the young people should be brought to the eyes of the public instead of putting so much emphasis on their misdeeds. Honor rolls, class plays, speech meets, science fairs, sports events and student council activities at a high school would be good subjects for a lot of constructive publicity.

A phase of our juvenile problem that has been getting a lot of attention lately is the practice of punishing the parents of the youthful offender. I am surprised that this practice was ever initiated. It is a very unfortunate state of affairs, both for the youngster and for his family relationship.

Although it is generally conceded by enforcement officials, psychologists, and educators that many juvenile problems originate in the home and that parents could do much to solve it, it is grossly unfair to punish these parents because many of them are unaware of where they are failing and what they should do. Such parents, when punished for the misdemeanors of their offspring, don't understand why they are being blamed and instead of inquiring about it, they will take out their wrath on the youngsters.

After the punishment of such a parent, often the offender has been severely punished by the parent, family ties have been weakened, and, in some extreme cases, parents have even turned their children over to the State rather than be responsible for them if they seem uncontrollable.

The juvenile delinquents are young adults. For this reason, they should be able to make many of their own decisions and held responsible for their actions. If punishment is to be meted out to them and not to their parents, I feel they will think twice before committing a crime.

In looking over the whole problem objectively, it appears to me to divide itself neatly into two parts, causes and preventive measures. It may seem strange to have causes and solutions be separate, but I feel that they must necessarily be that way because the problem has arisen as a result of our rapidly changing civilization and its source can be done away with only when this civilization gains its equilibrium.

In the meanwhile, however, we must take some steps to control these difficult youngsters. Some measures that I feel would be an aid are publishing the names of offenders and giving less attention to the actual details of the incident. Another beneficial measure would be to give more publicity to the good deeds, and accomplishments, of young people. These young people would also think twice before getting into trouble if they realized that they themselves would be punished and not their parents. These steps, in my opinion, would do much to control the irresponsible actions of a small percentage of our adolescent group that are getting so much bad publicity.

ADJOURNMENT TO 9:30 A. M. TOMORROW

Mr. MORSE. Mr. President, I move that the Senate adjourn until 9:30 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 59 minutes p. m.) the Senate adjourned, the adjournment being, under the order entered on June 10, 1957, until tomorrow, Friday, June 14, 1957, at 9:30 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 13, 1957:

In the Army

Lt. Gen. Robert Nicholas Young, O15068, Army of the United States (major general, U. S. Army), to be placed on the retired list in the grade of lieutenant general under the provisions of title 10, United States Code, section 3962.

The following-named officers for appointment in the Regular Army of the United

States to the grade indicated under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier general

Maj. Gen. Louis Theilmann Heath, O18060, Army of the United States (colonel, U. S. Army).

Maj. Gen. Andrew Pick O'Meara, O18062, Army of the United States (colonel, U. S. Army).

Maj. Gen. Robert Jefferson Wood, O18064, Army of the United States (colonel, U. S. Army).

Maj. Gen. Robert Highman Booth, O18093, Army of the United States (colonel, U. S. Army).

Brig. Gen. Alva Revista Fitch, O18113, Army of the United States (colonel, U. S. Army).

Maj. Gen. Roy Ernest Lindquist, O18125, Army of the United States (colonel, U. S. Army).

Brig. Gen. Sidney Clay Wooten, O18126, Army of the United States (colonel, U. S. Army).

Brig. Gen. Archibald William Stuart, O18130, Army of the United States (colonel, U. S. Army).

Maj. Gen. Barksdale Hamlett, O18143, Army of the United States (colonel, U. S. Army).

Brig. Gen. Carl Irven Hutton, O18177, Army of the United States (colonel, U. S. Army).

Brig. Gen. Ned Dalton Moore, O18212, Army of the United States (colonel, U. S. Army).

Maj. Gen. Walter Bernard Yeager, O29464, Army of the United States (colonel, U. S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of title 10, United States Code, sections 3442 and 3447:

To be major general

Brig. Gen. Sam Carroll Russell, O18678, Army of the United States (colonel, U. S. Army).

To be brigadier general

Col. James Wilson Holsinger, O29432, United States Army.

Col. William Whipple, O18024, United States Army.

Col. George Sebastian Speidel, Jr., O18406, United States Army.

Col. Paul Arthur Mayo, O18621, United States Army.

Col. John Tabb Snodgrass, O29670, United States Army.

Col. William Winston Lapsley, O19727, Army of the United States (lieutenant colonel, U. S. Army).

Prof. Gerald Alford Counts, O8556, United States Military Academy, for appointment as Dean of the Academic Board of the United States Military Academy under the provisions of title 10, United States Code, section 4335.

Lt. Gen. Blackshear Morrison Bryan, O15004, Army of the United States, for appointment as senior United States Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 13, 1957:

DEPARTMENT OF STATE

Loftus E. Becker, of New York, to be legal adviser of the Department of State.

DIPLOMATIC AND FOREIGN SERVICE

James M. Langley, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Pakistan.

The following-named Foreign Service officers for promotion to the class of career ministers:

Vinton Chapin, of New Hampshire.
John Wesley Jones, of Iowa.
Frederick B. Lyon, of Nevada.
Carl W. Strom, of Iowa.

THE FEDERAL MARITIME BOARD

Ben H. Guill, of Texas, to be a member of the Federal Maritime Board for a term of 4 years expiring June 30, 1961.

COAST AND GEODETIC SURVEY

The following persons for permanent appointment to the grade indicated in the Coast and Geodetic Survey, subject to qualifications provided by law:

To be ensigns

Bernard R. Berson	Vello Kilsk
John D. Daly	John J. McCoy
Roy W. Entz	Sidney C. Miller
Robert W. Franklin	Philip L. Rotondo
Duane F. Georgeson	Loyd D. Thurman
Leon W. Heidebrecht	James N. White
Wesley P. James	Bobby S. Woodruff
Bobby W. Jester	Ben Frank Worsham III

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 13, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, beyond Thee the thoughts of our finite minds cannot go and short of Thee the longings of our troubled hearts cannot find rest and peace.

We rejoice that Thou hast revealed Thyself not only as a Sovereign God who rules in majesty but a loving Father whose heart goes out in mercy and compassion to the wayward and the willful, the sinful and sorrowing.

Thou art always near unto us, moving our minds and hearts with noble aspirations, alluring them with lofty visions and stirring them with mighty hopes.

Grant that we may believe that a sense of Thy divine providence, which always provides, protects, and preserves us, is our deepest need and highest joy.

In Christ's name we pray. Amen.

The Journal of the proceedings of Tuesday, June 11, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H. R. 1359. An act for the relief of Mrs. Theodore (Nicole Xantho) Rousseau;

H. R. 1454. An act for the relief of Jeffrey Charles Medworth; and

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6070. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MAGNUSON, Mr. HILL, Mr. ELLENDER, Mr. ROBERTSON, Mr. RUSSELL, Mr. MCCLELLAN, Mr. DIRKSEN, Mr. SALTONSTALL, Mr. MUNDT, Mr. POTTER, and Mr. YOUNG to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6287. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. CHAVEZ, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. PASTORE, Mr. THYE, Mrs. SMITH of Maine, Mr. DWORSHAK, Mr. POTTER, and Mr. IVES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7441. An act making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes.

The message further announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. HAYDEN, Mr.

HILL, Mr. ROBERTSON, Mr. ELLENDER, Mr. YOUNG, Mr. MUNDT, and Mr. DWORSHAK to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 6500. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. PASTORE, Mr. MCCLELLAN, Mr. JOHNSON of Texas, Mr. BIBLE, Mr. FREAR, Mr. DIRKSEN, Mr. IVES, and Mr. BEALL to be the conferees on the part of the Senate.

The message also announced that the the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 18. An act for the relief of Alessandro Renda;

S. 250. An act for the relief of Kyu Yawp Lee and his wife, Hyung Sook Lee;

S. 252. An act for the relief of Katarzyna Siwik;

S. 254. An act for the relief of Susana M. Umanos;

S. 255. An act for the relief of Fumiko Shikanuki;

S. 284. An act for the relief of Miyako Ueda Osgood;

S. 286. An act for the relief of Maria Matilde Picallo;

S. 303. An act for the relief of Gaetano Mattioli Cicchini;

S. 336. An act for the relief of Angela Ferrini;

S. 418. An act for the relief of Elisabeth Trout;

S. 520. An act for the relief of Eleanor M. Horton;

S. 627. An act for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge;

S. 660. An act for the relief of Ursula Rose Pazdro;

S. 904. An act for the relief of Chrisoula Antonios Chegaras;

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended;

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.

S. 1083. An act for the relief of Maria Maniates;

S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; and

S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep.

COMMITTEE MEETING DURING SESSIONS OF HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may be privileged to sit next week during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CIVIL FUNCTIONS APPROPRIATIONS BILL

Mr. CANNON, from the Committee on Appropriations, reported the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 552), which was read a first and second time and, together with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. FENTON reserved all points of order on the bill.

DECLARATION OF RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Thursday, June 20, 1957, for the Speaker to declare a recess for the purpose of receiving His Excellency Nobusuke Kishi, the Prime Minister of Japan.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUSING

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate, and that the Speaker appoint conferees.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. VURSELL. I object, Mr. Speaker.

CALL OF THE HOUSE

Mr. HEMPHILL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Bailey	Halleck	Morris
Beamer	Hoffman	Powell
Bowler	Holtzman	Simpson, Ill.
Dawson, Ill.	Kluczynski	Smith, Calif.
Dooley	McConnell	Teague, Calif.
Gubser	Machrowicz	Thomas

The SPEAKER. On this rollcall 421 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from New York [Mr. HOLTZMAN] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLTZMAN. Mr. Chairman, there is before the House of Representatives at the present time a bill, H. R. 6127, which is entitled the Civil Rights Act of 1957.

Unfortunately, due to a recent heart attack, it is impossible for me to be on the floor during the debate on this important legislation. However, I am a member of the subcommittee of the House Committee on the Judiciary which did considerable work on the bill. In addition, I had previously introduced a civil-rights bill, which was a companion measure to the bill originally introduced by the chairman of the Committee on the Judiciary, the Honorable EMANUEL CELLER, who is also chairman of the subcommittee which held hearings on the bill.

I believe that each and every member of the subcommittee played a substantial part in bringing this legislation to the floor where I trust it will be passed without any unwarranted delay, or amendments.

I deeply regret my inability to be present on the floor at this time, as I believe this is one of the most urgent pieces of legislation to come before us this session. Since I cannot speak to you personally and urge your support of the measure, I must resort to this means of asking you and my colleagues to give your prompt and favorable consideration to the passage of the bill.

For many years both the Democratic and Republican Party platforms have advocated an adequate civil-rights program, but we have not been successful in having such legislation enacted by the Congress.

Last year, during the 84th Congress, we were able to pass a bill calling for the establishment of a national policy to protect the right of the individual to be free from discrimination on account of race, color, religion, or national origin, but no action was taken on the bill in the Senate.

This year we again have an opportunity to effect a reinforcement of the guaranties contained in the Constitution and to insure the full and equal protection under the law of the rights and privileges of all our citizens. We have a chance to demonstrate to the world, particularly to those people behind the Iron Curtain,

that this country is truly a land of freedom and opportunity.

I therefore respectfully request that the bill be passed as reported from the Judiciary Committee.

The Clerk read as follows:

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

DUTIES OF THE COMMISSION

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based.

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Mr. DIES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIES: On page 5, line 21, after the word "vote" on line 21, strike out "by reason of their color, race, religion, or national origin."

Mr. KEATING. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. KEATING. The point of order is that the adoption of this amendment would completely change the character of the legislation. It would leave in the bill simply the power to investigate the right to vote. Such a commission set up in this manner would not normally be created by the Committee on the Judiciary but, rather, by the Committee on House Administration. This bill would not normally come from the Committee on the Judiciary if it were relating only to a deprivation of the right to vote without any constiutional considerations involved. The Committee on the Judiciary has jurisdiction only over the deprivation of the right to vote where the Constitution is involved.

The CHAIRMAN. Does the gentleman from Texas desire to be heard on the point of order?

Mr. DIES. Mr. Chairman, the right to vote is a civil right. All my amendment proposes to do is to authorize the Commission to investigate the allegations in writing, under oath or affirmation, that certain citizens of the United States are being deprived of their right to vote. Why limit the investigatory power of the Commission to those cases where the denial is based upon color, race, national origin, or religion? If any citizen is being denied the right to vote anywhere in the United States, his civil rights are being infringed upon and the reason or motive of the denial of the right is immaterial. I would make this liberal and more all inclusive so that we can protect the civil right of every citizen in the United States to vote. It seems to me that the wording of the bill as it is is extremely reactionary and that we ought to liberalize its provisions.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Texas offers an amendment to the bill now under consideration that would strike out the words "by reason of their color, race, religion, or national origin." The paragraph to which it is offered deals with investigations to be made by the Commission and reads "investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote." Then comes the qualification.

The Chair rules that those additional qualifications are not necessary. The intent of the paragraph is still carried out by virtue of the fact that it authorizes the Commission to investigate the allegation that someone is being deprived of his political right to vote and, therefore, overrules the point of order.

Mr. DIES. Mr. Chairman, I think it is quite apparent what my amendment seeks to accomplish. I hope that the chairman of the committee will agree to the amendment. Will the gentleman from New York [Mr. CELLER], who is a stanch champion of liberalism in the House, agree to my amendment?

Mr. CELLER. I, unfortunately, cannot agree to the gentleman's amendment.

Mr. DIES. Mr. Chairman, it seems to me that this is rather restrictive language in the bill. If John Doe is being denied the right to vote, what difference does it make to him the reason for the denial? We have no evidence here except certain allegations that people are being denied the right to vote.

A few days ago I mentioned a situation in Chicago. My good friend the gentleman from Illinois [Mr. O'HARA] took exception to my remark. I have here the article that appeared in the Reader's Digest and I want to read you some excerpts from it because it seems to me that we need to devote some attention to Chicago and New York and certain other centers of the United States besides the South. And since the article contains a quotation from the sheriff of Cook County, I would assume that the evidence is more reliable and acceptable than the hearsay statements that were made on the floor of the House about a few scattered, isolated communities in the South.

Mr. Chairman, I ask unanimous consent that I may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, I want every Member of this House to listen to these words because this article was first published in the U. S. News & World Report. Then it was reprinted in the Reader's Digest and as I understand is the result of an invitation by the Governor of Mississippi to certain eastern newspaper reporters who had been critical of conditions in the South and made a survey. As a result of this survey this is what they report about Chicago.

A mass migration of southern Negroes to Chicago is producing a racial situation that well-informed Chicagoans describe as "explosive."

Negroes, living in residential areas known as the Black Belt, are pushing out. Tension has been flaring into violence in one neighborhood after another as whites attempt to stem the tide. Serious trouble, white and Negro leaders warn, could erupt at any time. White mobs have gathered on several occasions. People of both races have been assaulted. Negro homes have been stoned and set afire. Fights that had to be quelled by police have broken out among high-school students.

This is the quotation of the sheriff of Cook County that I am going to read now; and where could I offer a more credible witness than the sheriff of that county? Here is what he said:

"One incident, given sufficient publicity and exciting white and Negro emotions, could blow up the city," says Joseph D. Lohman, sheriff of Cook County and an expert on race relations.

I cannot read all of this, but let me read certain excerpts about conditions that exist in Chicago.

Police records show that although whites outnumber Negroes by 4 to 1, the number of Negroes arrested in many types of crime comes close to or exceeds the number of whites arrested.

Why is that?

Negro resentment against whites flares up over the fact that even though equality is often proclaimed publicly in Chicago and in many cases is prescribed by law, something less than that exists in fact. In restaurants and other public places Negroes run up against an unpredictable color bar though a State law forbids discrimination based on color. Hotels, restaurants, saloons, and night clubs in the loop district usually serve Negroes without hesitation. But a few exceptions are noted, and in the outlying neighborhoods Negroes run into a baffling variety of situations.

Some taverns and restaurants reincorporate as private clubs and install locks on their doors; Negroes are never admitted. Some places serve Negroes courteously, others turn them away flatly. Negroes have occasionally met violence.

Negroes therefore never know what sort of reception they will get in a public place. "I'd rather live in Mississippi"——

Here is a Chicagoan who would make a statement like this. He said:

"I'd rather live in Mississippi," a Negro workingman says. "Down there I knew exactly where I stood. Here I never know."

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield to a colleague from Chicago?

Mr. DIES. I will yield briefly. Does that depict the fact?

Mr. BYRNE of Illinois. That does not depict the facts. May I suggest to the gentleman——

Mr. DIES. I do not want a speech.

Mr. BYRNE of Illinois. Will the gentleman just give me a minute? He has been talking about Chicago.

Mr. DIES. I am not talking about it. I know nothing about Chicago.

Mr. BYRNE of Illinois. I do. Will the gentleman give me a chance to say a word?

Mr. DIES. No. The gentleman can get his own time.

Mr. BYRNE of Illinois. Thank you very much, sir.

Mr. DIES. I would like to yield, but I do not have the time. I am sure my friend can answer it.

Mr. BYRNE of Illinois. Thank you.

Mr. DIES. The point I want to make is simply this: This problem that some seem to be so seriously concerned about in the South is not nearly so critical as it is in some of the large metropolitan areas of the United States. We have been spending decades on this problem and we are solving it. There can be no question about that. As I said to this House and as every Representative from Texas will agree, in the State of Texas, which is a Southern State, the Negroes are voting without restriction and without impediment, and their numbers are increasing year by year. There is no instance on record that I know of that any Negro or any Jew or any Catholic or anyone else has been denied the right to vote in our State.

Mr. LONG. Mr. Chairman, will the gentleman yield briefly?

Mr. DIES. I will yield briefly, yes.

Mr. LONG. I notice the gentleman from Chicago says no such thing exists. I just want to make this observation, that everybody votes in Louisiana, too.

Mr. DIES. I know that to be a fact. As a matter of fact, you have a tremendous number of Negro voters.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield now for a comment on that?

Mr. DIES. No. Get some time, please. I want to be courteous to the gentleman.

Mr. BYRNE of Illinois. I want to be courteous to both of you.

Mr. DIES. I lived through the Ku Klux Klan days and I opposed the Ku Klux Klan. I went over southeast Texas and denounced the Klan. I supported Alfred E. Smith through that period, when there was great religious feelings. As a matter of fact, I was a manager for southeast Texas. I know something about this business of stirring up racial antagonism and hostility.

The truth about it, as I have said many times, is that this is a matter of education, it is a matter of tolerance, it is a matter of adjusting ourselves. This is the only country on earth that has made a success of it. There has never been another country with such a heterogeneous population, made up as it is of people from every country on the face of the earth, that has made the progress we have made in the United States.

In the Soviet Union there are some 80 or 90 nationalities that have been brought under one flag by reason of conquest. But how has Russia succeeded in keeping down the racial conflicts and outbreaks? By despotism under the Czar. No one had any rights. Under the Soviet Union, of course, we have the same despotism carried forward. The Roman Empire had a heterogeneous population but the Caesars ruled with an iron hand.

In the United States we are undertaking the greatest experiment on the face of the earth. That experiment will succeed or fail not by reason of what we are doing in Congress—not by virtue of any summary proceedings—not by reason of reprisals or expressions of hostility or deep-rooted prejudices, but it will come about because people of good will and intelligence and understanding in every community work hand in hand to find a common solution of their problems. The danger in this type of legislation, if it is honestly administered, is not true so far as Texas is concerned. I do not fear a fair and impartial enforcement of this bill because there is no instance that anyone has been denied the right to vote in Texas.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Chairman, here is the reason I fear this bill. I fear it because you will only aggravate an explosive condition. You will bring about strife and misunderstanding where it does not exist. I fear some intemperate judge, and we have had them—I have known tyrants on the bench—and there is not a man here who will not admit that this is true—of course, the vast majority of the Federal judiciary are composed of very fine men and patriotic citizens, but I have practiced law before several judges who were utterly lacking in judgment and reason. If you have one judge like that and he undertakes to issue an ill-considered injunction, you will do more to retrogress in race relations and more to halt the tide of understanding and tolerance than you can undo in 50 years. I do not want any Ku Klux Klans. I opposed them when it took courage to oppose them in Texas; and, I do not want any resort to violence, but I say to you gentlemen the reason I believe you ought to have this jury trial amendment and be as careful and as prudent in this bill as you possibly can is to assist all of us, not only in Texas, Mississippi, and Chicago and in New York, but to help all of us solve the most vital question of our era, the question of making a success of tolerance, understanding and love and devotion to the great ideals of our country.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, at this juncture, I wish to express my gratitude to the membership for the high level of intelligence maintained in the debate on this bill. There have been a few occasions of departure from standards of courtesy and good will, but they have been, happily, only a few. In general each debator has naturally and sincerely expressed the views of his own section of the country and of his own constituents. In a great country like ours, all cannot agree, all cannot think alike—exactly alike. But, in this debate, it is refreshing to note that the Members have attempted, and I think very successfully attempted, to be persuasive—they have never been personal—they have been objective and never objectionable, they have been contentious but never contemptuous of their fellows.

Now, as to this amendment before us, I wish to state that it destroys in a measure one of the main purposes of the bill. The main purpose of the bill is, among other things, of course, for the Commission to consider the deprivation of rights due to color, race, religion, and national origin. The bill considers the facets of the whole problem of the so-called deprivation of rights on various levels. There are various facets to this so-called deprivation of rights. The facets to be considered are denials on the grounds of race or color, denials on the grounds of religion and denials on the ground of origin.

The basis of the bill is the consideration, indeed, of these deprivations on all these levels and stations of American life.

There is nothing to prevent this Commission from taking testimony in Chicago, New York, or anywhere in the country; as a matter of fact, I do, indeed, hope that the Commission will do just that. When there are such deprivations in parts of the country other than in the Southland, it should be the duty of the Commission to check and investigate anywhere.

We have heard tell from Members of various Southern States that there has been no deprivation of the right to vote because of a man's color. I like to believe what my colleagues tell me, and I might say that at first blush I do believe them, but there are many contradictions of what these gentlemen state. For example, there is a report by the research office of the Southern Regional Council received from the Legislative Reference Service of the Library of Congress which clearly indicates deliberate attempts to exclude Negroes from voting, and those exclusions are very serious. The Legislative Reference Service of the Library of Congress indicates that those exclusions affect seriously the jury lists. Certainly, therefore, it is mete and proper for this Commission to consider these denials of rights based on race or national origins.

Among the many conclusions reached by this organization which I have received from the Legislative Reference Service of the Library of Congress we have the following, and, mark you well, this quotation from the Federal Statutes, United States Code, volume 228, chapter 28, page 1661, a person may not serve on a Federal jury if: "he is incompetent to serve by the law of the State in which the district court is held."

By law in Arkansas, Mississippi, Texas, and the parish of Orleans in Louisiana.

A person must be eligible to vote in order to be competent to serve as a grand or petit juror in the State or the parish.

The practice in many other States is to select jurors from a list of registered or actual voters.

In all of the Southern States for which figures are available over half the Negroes of voting age are not registered, while in 5 of these States 75 percent of the Negroes of voting age were excluded from the list of voters. In Alabama, Arkansas, Mississippi, and Virginia, virtually 80 percent of the Negroes of voting age were excluded from the voting lists. I shall place in the RECORD figures for those States for which figures are available which indicated Negroes of voting age not registered to vote, and I shall give the percentages.

Mr. DOWDY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. DOWDY. In Texas, failure to pay a poll tax is not a disqualification to serve as a juror.

Mr. CELLER. That may be. I do not know; but I am glad to get the gentleman's statement in that regard.

Poll taxes actually weigh heavily on the right to vote, and I am very glad to note that in a number of States poll taxes have been abolished.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BROOKS of Louisiana. I would like to tell the gentleman this as far as Louisiana is concerned, that 159,000 Negroes voted in the last statewide election. So I think the gentleman's comment with regard to jurors is of very little significance.

Mr. CELLER. The figures show varying percentages of Negroes of voting age not registered. The average in Louisiana is 66.5 percent.

Mr. BROOKS of Louisiana. The percentage may be large, but the percentage voting is heavy, too.

Mr. CELLER. That may be.

Mr. BROOKS of Louisiana. A little less than 160,000 voted.

Mr. CELLER. Why should not the Commission look into those very facts? There may be difference of opinion between us, and between others. I think it would be proper for the Commission to investigate to ascertain whether there is such deprivation based on race. I do not want to make the categorical statement there is. I am relying on the reports which I have received from rather authoritative sources. I do not know whether they are true or not, I cannot state, I have not checked personally on it, but I think these records are believable.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. DIES. My amendment will not preclude any of the investigations the gentleman is talking about. It is all embrasive. It will include not only discrimination based on color, race, creed, color of your hair or anything else, but in case of a denial of the right to vote, if we are going to do this, let us do it right.

Mr. CELLER. I understand that, but I think we must give emphasis to the deprivation based upon race or national origin and that is why we have to include those words in the bill.

Mr. DIES. Does not the gentleman think there has been too much emphasis on race, color, and religion?

Mr. CELLER. That would be the best thing to do when the Commission gets down to Texas. You can have your say, then you can smooth off these rough edges.

Mr. DIES. Does the gentleman suggest that I should be appointed on the Commission?

Mr. CELLER. I do not suggest that, but I will say that I think we would get a square deal with the gentleman. I am willing to take my chance.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, make it 10.

Mr. MASON. Mr. Chairman, reserving the right to object, I will not interpose an objection to this request but from now on there will be no additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, these figures concerning the failure of Negroes to vote are very significant and bolster the opposition to the amendment offered by the gentleman from Texas. If a jury trial amendment is agreed to in the cases where those who are tried for contempt for failing to carry out court orders, the juries in at least five States will be composed exclusively of those who are qualified to vote while those individuals or groups who are denied the vote or who fail to qualify perhaps by the very action of the defendants will be denied the right to be on the jury list.

Thus, the system feeds on itself. The selection of juries by law, in five Southern States and in others by practice, is such that the overwhelming number and in many cases all the jurors will be chosen from the white voters. These jurors, in most Southern States, would probably not convict a fellow white man for preventing a Negro from voting.

I am not so naive to think the contrary.

In those States which require eligibility to vote as a qualification for jury duty—and the practice is more widespread than the actual laws of the States indicate—each discrimination would reinforce the other.

The great proportion of Negroes are denied the right to vote. Because they are denied the right to vote they are ineligible to serve on juries. Because they are ineligible to serve on juries in these Southern States, they would be unable to protect their right to vote by jury action under the so-called jury trial amendment.

Now, that all leads up, certainly, to opposition to the amendment offered by my distinguished friend and colleague, the gentleman from Texas, and we must pause long before we would give any kind of support to such an amendment.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Connecticut.

Mr. MORANO. In other words, what the gentleman is saying is that if you give the Negro the right to vote he will have the ability then to protect all his other rights.

Mr. CELLER. I think he would.

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Would it not serve the purpose of this debate and the evaluation of the benefit of your bill, should it pass, to know, in all 48 States, how many people are eligible to register to vote and those who have failed, so that we would know where we stand in the 48 States?

Mr. CELLER. I think the words you utter should be indicated to the members of the Commission when they are chosen.

Mr. SIEMINSKI. We have now, as a matter of record, in the 48 States, a deficiency of the citizens in those States in meeting their voting obligations, have we not?

Mr. CELLER. I yield to the gentleman from Texas to answer that.

Mr. DIES. I read some very interesting statistics not long ago that one-half of the people eligible to vote do not even vote.

Mr. SIEMINSKI. I am talking about registering, so that we would know, as a matter of record, that if there are, for instance, 100,000 people in an area eligible to vote, what percent of them failed even to register to vote.

Mr. DIES. The gentleman is speaking of voting?

Mr. SIEMINSKI. Eligible to register, and how many actually fail to register, either white or colored.

Mr. CELLER. My figures are those who have registered and I give the figures of those who are not registered to vote, who are among the Negro race.

Mr. SIEMINSKI. I simply want to say, Mr. Chairman, that there are many white people who are eligible to register but who have not registered, and we certainly cannot say in every instance that they have been discriminated against, can we?

Mr. CELLER. That should be investigated by the Commission.

Mr. SIEMINSKI. It would be good to know how many are as negligent as the whites are.

Mr. DORN of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. I think the gentleman from Texas has offered a very, very good amendment. In that connection I am just wondering if it is not a civil right to be permitted not to vote or not to go to church, if a citizen so desires. In your bill and in the discussion here we have heard a lot of talk about the right to vote. I know of a lot of cases where people have been subjected to economic pressure and intimidated and more or less had to vote, and I wonder if it is not a civil right not to vote or not to go to church if a citizen so desires not to.

Mr. CELLER. I agree with the gentleman.

Mr. DORN of South Carolina. Then, should not your bill include a provision to protect those people who do not want to vote?

Mr. CELLER. I think there is enough language in the bill to cover that.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman.

Mr. ABERNETHY. Mr. Chairman, I should like to get an interpretation from the gentleman on the first part of section 104. Do I understand that subsection 1 of section 104 beginning on line 19, page 5 would prohibit the Commission from making investigations relative to the right to vote in any field other than those of color, race, religion or national origin?

Mr. CELLER. I think you have to read the bill in its entirety and you have to look at the general language in other parts of the bill; also you have to consider the report on the bill, all of which would govern the activities of the Commission.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired.

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SPRINGER. Mr. Chairman, I have listened with considerable interest for 4 days to the debate on the civil rights bill.

This bill has as its principal purpose the enforcement of Federal constitutional civil rights to which every person in the United States is properly entitled. It appears to me that the bill is a reasonable one and if properly put into effect can guarantee every citizen his basic fundamental rights. The bill in its present form would give the Federal Government power to enforce civil rights guaranteed by the Constitution in the same manner that basic civil rights guaranteed by the constitution of Illinois would be enforced in that State.

If a voter appeared in Champaign County and demanded that he be enrolled in the office of the county clerk, his remedy would be exactly the same as is provided in this bill. His only remedy would be an injunction and a mandamus to force the county clerk to enroll him after a hearing in the proper court in Champaign County.

The bill under consideration would give a citizen the same right to appear in the Federal court and enforce his rights which are guaranteed by the Federal Constitution. Insofar as I can see, the bill provides for no more and no less.

I do not believe anyone here who has listened to this debate would consider this civil-rights bill to be more than mild in nature. It certainly is much reduced from the measure which we voted on last year. However, I do believe that with proper enforcement, the bill can give relief to people presently denied their constitutional rights in certain areas of the country.

For this reason, I do favor the bill as presently written, without any amendments.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, if our purpose is to protect the right to vote, just why do we limit that right, that protection to the case of one who is deprived of his right to vote, because of just those four reasons?

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I would be very, very glad to yield to the gentleman.

Mr. McCULLOCH. If the gentleman wishes to know my reason why it was limited, I would be glad to give it.

Section 4 of article I of the Constitution of the United States provides:

> The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Notwithstanding that section, I am of the opinion that there is some possibility that if this right to investigate on the part of the Federal Government is not limted at least to some of the words in section 1 of article XV of the Constitution, that the bill, if it becomes law, might be unconstitutional.

Mr. HOFFMAN. Now, do you get that? Did you ever hear anything like that? I respect the gentleman's ability. Do not misunderstand me. He and I are warm personal friends. But, boy oh boy—think of it. The only right of the Congress to protect the right to vote must be based on 1 of those 4 reasons.

Mr. McCULLOCH. If the gentleman will yield further, for just a moment?

Mr. HOFFMAN. Surely; and I hope the gentleman asks for time so that we can continue this discussion, because I know I cannot get any more time.

Mr. McCULLOCH. I shall be very happy to try to get some time.

Mr. HOFFMAN. I am asking these things in good faith. Some of the distinguished Members here want to know about this.

Mr. McCULLOCH. Section 1 of article XV of the Constitution provides——

Mr. HOFFMAN. We all know about that.

Mr. McCULLOCH. But I would like to read it for the RECORD, if the gentleman would yield. I quote:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Mr. HOFFMAN. I would be willing to take a chance with the Supreme Court. They go along with a great deal of social legislation.

Mr. McCULLOCH. I end the quotation there.

Section 2 then says:

> Congress shall have power to enforce this article by appropriate legislation.

So I repeat, that unless they were limited to voting for Representatives or United States Senators there is a possibility the law would be unconstitutional.

Mr. HOFFMAN. The Congress has no right to protect your right to vote except for 1 of those 4 reasons? Now, do you swallow that?

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. JOHANSEN. May I ask the gentleman from Ohio, if the restrictions are for the purpose he indicated, to keep it constitutional, how did "religion" get in there?

Mr. McCULLOCH. I would also like to answer that question, and I will answer it with the frankness with which I have tried to answer the other question. I am glad to advise the gentleman that in the Judiciary Committee I proposed to strike the word "religion."

Mr. HOFFMAN. But it is not in the Constitution, the part the gentleman read. You put that one in.

Mr. McCULLOCH. Let me finish answering the gentleman's question because it is so important.

Mr. HOFFMAN. I cannot; I am sorry. But you see what it amounts to. They hold it down to the words of the Constitution because they thought they could not put anything in that was not in the Constitution. They did not dare add protection where the right to vote was denied for any other reason than one of the four given—and protection of the right to vote for any official other than those named because it was thought that it would be unconstitutional.

If my understanding of the argument of the gentleman from Ohio, and other members of the committee who oppose any amendment which would provide "means of further securing and protecting the civil rights or investigating allegations that citizens were deprived of their right to vote for any reason other than because of color, race, religion, or national origin" is correct, it is that such amendments would broaden the bill, and that our right to investigate and bring

charges that the right to vote was denied must be limited by the words of the Constitution.

The gentleman from Ohio [Mr. McCULLOCH] read the 15th amendment in support of his argument, but, read again the 15th amendment:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

And please note that it especially states that the right to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. If the gentleman's argument and the argument of the committee is sound, where, then, did it—or does it—get authority to add the two additional reasons: Religion or natural origin. The argument made against this amendment falls flat. The committee itself added for investigation, and, if justified, subsequent action, both religion and natural origin, neither of which is found in the 15th amendment as just quoted, and read by the gentleman from Ohio.

In the opinion of many, whatever may have been the purpose in the drafting of this bill, it is, on its face, just an attempt to create another snooping agency, through the operation of which a bid is made for the political support of minority racial groups.

Other than the hearsay statement of the Attorney General that there has been some complaint about the right to vote being hindered or restricted because of religion, there appears to be not a single word of testimony in the record that anyone's right to vote has been restricted or any attempt made to restrict that right because of religion.

We hear a great deal about lobbying, but, in effect, here's a bill through which the Congress itself is lobbying for the vote of, let us say, one minority group.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I point out that the original bill introduced as it relates to civil rights authorized and gave to this Commission the authority to investigate allegations in writing as it relates to the right to vote, and the economic pressure that may be exerted on individuals because of race, color, religion, or national origin. The original bill so provided. As it was so provided, we discussed it in the committee. Finally while it had those provisions which would permit it to investigate the economic situation because of race, color, or creed, we eliminated that section from the bill and confined it purely to that of color, race, religion, or national origin.

Mr. ASHMORE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield to the gentleman from South Carolina.

Mr. ASHMORE. We took that out over the gentleman's objections, did we not?

Mr. ROGERS of Colorado. No; I do not know who took that part of it out.

Mr. ASHMORE. The gentleman means he voted to eliminate in committee the clause "due to economic pressure"? Was not the gentleman opposed to eliminating that clause in the committee?

Mr. ROGERS of Colorado. Yes.

Mr. ASHMORE. That is what I thought.

Mr. ROGERS of Colorado. Yes, that is true, but it was taken out. It was before it was taken out I had offered the amendment to eliminate the word "religion." That was originally adopted in the subcommittee but in the full committee "religion" was placed back. But when it was placed back, they eliminated the reason for taking it out in the first place, that is to say, economic pressure as a result of religion. With the result that, as it is now reported to us, it covers the four things—color, race, religion, or national origin. That is the extent of the authority of this Commission to make its investigations. Now, the gentleman raised the question as to why religion is in the bill. The truth of the matter is that those are the words and the verbiage that have been used throughout all of these civil-rights bills that have been proposed, and that is the reason it is left in here. I am sure there is not a Member of this House who would want to deprive an individual of his right to cast his vote because of his religion. That is the reason it is in there.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. JOHANSEN. Of course, I am sure there is not a Member of the House who wants to deprive any citizen of his right to vote. There is no right-thinking American who wants to deprive any citizen of the right to vote, because of a person's religion. But, I raised the question with reference to the argument being advanced by my friend, the gentleman from Ohio, who was arguing that it was because of the necessity of conforming to precise constitutional language, and the question I raise with respect to religion——

Mr. ROGERS of Colorado. Is the gentleman going to ask me a question or is he going to argue?

Mr. JOHANSEN. May I ask the gentleman—accepting the premise offered by the gentleman from Ohio—does not the objection apply also to national origin?

Mr. ROGERS of Colorado. No.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. WHITTEN. Is it not a matter of fact that the Constitution would not or does not limit the authority of the Congress to set up by law a commission to investigate matters which go far beyond the fields set out in this bill? The purpose might be for the assembling of information for use in determining whether to offer a constitutional amendment. The point I make is that the Constitution limits or is supposed to limit what we may control by statute or cover by statute—but the Constitution itself does not limit the Congress in regard to investigations by a commission authorized by the Congress, though of course I believe limits should be set by the Congress.

Mr. ROGERS of Colorado. In reply to the gentleman from Mississippi, I may say that we do limit the authority of the Commission to investigate allegations in writing and under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of race, color, religion, or national origin. That is the extent of the authority as it relates to investigations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. MASON. Mr. Chairman, I object.

Mr. YATES. Mr. Chairman, I think it is most unfortunate that the debate which has been going along so expeditiously should suddenly be called to a halt. Until now no Member has challenged the right of any Member to express his views fully. This is as it should be, for it is not easy in a brief time for Members to explain their views on the very intricate and complicated issues that are presented to the House in this bill.

Mr. MASON. Mr. Chairman, will the gentleman yield for an explanation.

Mr. YATES. I yield.

Mr. MASON. We have had this discussion for more than a week. Everything has been said on this that could possibly be said. Anything now that is said is simply a repetition and we do not want repetition—we want to vote.

Mr. YATES. The gentleman is in error. We have been discussing the issues in this bill for much more than a week. The matters in this bill have been under discussion for centuries—since 1619 as a matter of fact, when the first slave ship came to America and discharged its cargo of slaves at Jamestown. Since that time the subject of slavery, of its abolition, of the protection of constitutional liberties for the descendents of the slaves have consumed our people for generations. This is no time for closed minds. Let's not talk about repetition or say that everything has been said. This matter is too vital, too important and we should be permitted to express our opinions on the subject. I think in bills of this nature, we should be able to have a full, fair, and free debate. I regret the gentleman's action.

Mr. Chairman, the gentleman from Texas had occasion to read from an article which talked about certain tensions which exist in the city of Chicago. There is no question but that such tensions do exist in the city of Chicago. Such tensions exist in every metropolitan community in the country. They exist as well in Texas, and throughout the Southland, which the gentleman seemed to infer was singularly free from such tensions.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield.

Mr. DIES. I said we are learning how to deal with the matter in the South.

Mr. YATES. Well, that may be. Certainly, every effort toward progress should be commended. We in the North too are learning how to deal with these tensions, and I think that a part of the difficulty which we are now engaged in trying to solve stems from what is occurring in the South today. But this is not a sectional problem. It is nationwide, because prejudice is nationwide. It can be manifested anywhere in the country.

In 1926 it was manifested in the city of Detroit. An acute housing shortage had compelled some Negro families to enter so-called white districts, only to be driven out by threats of violence. One of those who sought to make his home in such an area was Dr. Ossian Sweet, who had worked his way through college and medical school at the University of Michigan. When a huge crowd attacked his home, he and his relatives, who had provided themselves with guns and ammunition, fired upon it to drive it away. A man was killed. Clarence Darrow accepted the case as defense counsel.

Now, after the long trial, Darrow rose to make his final plea for the defendant's life. It was an eloquent and moving plea. He said:

We come now to lay this man's case in the hands of a jury of our peers—the first defense and the last defense is the protection of home and life as provided by our law. We are willing to leave it here. I feel, as I look at you, that we will be treated fairly and decently, even understandingly and kindly. You know what this case is. You know why it is. You know that if white men had been fighting their way against colored men, nobody would ever have dreamed of a prosecution. And you know that from the beginning of this case to the end, up to the time you write your verdict, the prosecution is based on race prejudice and nothing else.

Gentlemen, I feel deeply on this subject; I cannot help it. Let us take a little glance at the history of the Negro race. It only needs a minute. It seems to me that the story would melt hearts of stone. I was born in America. I could have left it if I had wanted to go away. Some other men, reading about this land of freedom that we brag about on the Fourth of July, came voluntarily to America. These men, the defendants, are here because they could not help it. Their ancestors were captured in the jungles and on the plains of Africa, captured as you capture wild beasts, torn from their homes and their kindred; loaded into slave ships, packed like sardines in a box, half of them dying on the ocean passage; some jumping into the sea in their frenzy, when they had a chance to choose death in place of slavery. They were captured and brought here. They could not help it. They were bought and sold as slaves, to work without pay, because they were black. They were subject to all of this for generations, until finally they were given their liberty, so far as the law goes—and that is only a little way, because after all, every human being's life in this world is inevitably mixed with every other life and, no matter what laws we pass, no matter what precautions we take, unless the people we meet are kindly and decent and human and liberty-loving, then there is no liberty. Freedom comes from human beings, rather than from laws and institutions.

Now, that is their history. These people are the children of slavery. If the race that we belong to owes anything to any human being, or to any power in the universe, they owe it to these black men. Above all other men, they owe an obligation and a duty to these black men that can never be repaid. I never see one of them that I do not feel I ought to pay part of the debt of my race—and if you gentlemen feel as you should feel in this case, your emotions will be like mine.

Gentlemen, you are called into this case by chance. It took us a week to find you, a week of culling out prejudice and hatred. Probably we did not cull it all out at that; but we took the best and the fairest that we could find. It is up to you.

Your verdict means something in this case. It means something more than the fate of this boy. It is not often that a case is submitted to 12 men where the decision may mean a milestone in the history of the human race. But this case does. And I hope and I trust that you have a feeling of responsibility that will make you take it and do your duty as citizens of a great nation, and as members of the human family, which is better still. * * *

Now, gentleman, just one more word, and I am through with this case. I do not live in Detroit. But I have no feeling against this city. In fact, I shall always have the kindest remembrance of it, especially if this case results as I think and feel it will. I am the last one to come here to stir up race hatred, or any other hatred. I do not believe in the law of hate. I may not be true to my ideals always, but I believe in the law of love, and I believe you can do nothing with hatred. I would like to see a time when man loves his fellow man and forgets his color or his creed. We will never be civilized until that time comes. I know the Negro race has a long road to go. I believe that the life of the Negro race has been a life of tragedy, of injustice, of oppression. The law has made him equal, but man has not. And, after all the last analysis is: What has man done—and not what has the law done? I know there is a long road ahead of him before he can take the place which I believe he should take. I know that before him there is sorrow, tribulation, and death among the blacks, and perhaps the whites. I am sorry. I would do what I could to avert it. I would advise patience; I would advise tolerance; I would advise understanding; I would advise all those things which are necessary for men who live together.

Gentleman, what do you think of your duty in this case? I have watched day after day these black, tense faces that have crowded this court. These black faces that now are looking to you 12 whites, feeling that the hopes and fears of a race are in your keeping.

This case is about to end, gentlemen. To them, it is life. Not one of their color sits on this jury. Their fate is in the hands of 12 whites. Their eyes are fixed on you. Their hearts go out to you, and their hopes hang on your verdict.

Mr. Chairman, Darrow won his case. He won his case in the city of Detroit, but one wonders whether Darrow would have won his case in other sections of the country. The gentleman from Texas pointed the accusing finger at Chicago. We have our faults, but we have made much progress in Chicago since 1926. We know much remains to be done. Conflicts may still occur because prejudice still exists in some people. We do our best to prevent such outbreaks through the forces of law and order. If there are violations of the law we do our best to bring the offenders to justice and make sure that those who have been guilty of violating the peace or causing bodily harm or property damage to our citizens are brought to justice.

We in Chicago are making progress in human relations because we recognize that members of minority groups, like all Americans, are entitled to enjoy the blessings which this democracy offers its citizens. All Americans want and deserve equal protection of the laws. Minority groups want no more and no less than is their birthright under the Constitution, together with other American citizens. They want to be able to vote, they want to engage in the selection of candidates for public office and to be candidates themselves. They want to be free from discrimination by employers and by unenlightened labor unions.

We in Chicago know that Negroes want and deserve the end of separate, but equal facilities. As the Supreme Court pointed out so well in the school cases, separate but equal facilities are never equal.

We in Chicago favor the elimination of segregation in transportation. We favor giving the opportunity to all children to obtain a good education in common with children of all other races. We favor fulfillment of the Supreme Court's decision in the school cases calling for desegregation.

In short, Mr. Chairman, we favor the eradication of second-class citizenship.

Let the gentleman from Texas not cast his stone at Chicago, for in our great metropolitan area, as well as in other such communities in the North, Negroes are receiving a greater measure of the blessings of freedom than they receive in the communities for which the gentleman from Texas speaks.

It is true that discrimination still exists in Chicago, but we are moving toward its eradication. We want to help eradicate it not only in our own community, but where it exists throughout the country, because this is a subject of national interest. That is why this bill is on the floor and why we support it.

Mr. Chairman, nobody cherishes the right of trial by jury more than I do. By training, by conviction, by experience, I hold sacred the protection of the right of trial by jury for all Americans. I have listened for days to the very erudite and learned addresses of the brilliant legal minds who oppose this bill. Their argument in favor of according the right of trial by jury to those who breach the court's injunction is a most appealing and persuasive one. I must confess that I was impressed and torn by their presentation. Almost, they persuaded me. Only upon careful analysis did I come to the conclusion that this amendment must not be supported.

It seems to me that we must first decide whether we want to bring the powers of a court of equity to bear in the cases to which the bill is directed. That is the primary decision, not whether a trial by jury should be granted, for historically the right of trial by jury has not been a part of equity procedure. Courts of equity must be permitted the power to

enforce their orders. Granting the right of trial by jury in situations contemplated by the bill will prevent the courts from doing so.

It is my personal belief that a court of equity should be given the power to prevent the commission of the type of wrong considered in this bill. The right to vote is of primary importance in our democracy. It is important that the injunctive power of the court should be brought to bear against the imminent deprivation of the right, so that those who are entitled to vote may do so. I respect very much the excellent and articulate arguments advanced by proponents of the jury trial amendment. I cannot believe, however, that they are sincere in their contention that the power of the courts must be curtailed.

Mr. Chairman, I know that their proposal has been so plausible that it has given pause to many Members who had already made up their minds to vote against the jury trial amendment. I would suggest to those of my colleagues who are in doubt that they would do well to remember the statement made by President Lincoln in 1863 when the Emancipation Proclamation was placed before him by Secretary Seward. Lincoln dipped his pen in ink and moved his hand to the place for signature. Then he drew his hand away and dropped the pen. He repeated the process a few moments later. As he dropped the pen again, he said to Seward:

> I have been shaking hands since 9 o'clock this morning and my right arm is almost paralyzed. If my name ever goes into history, it will be for this act, and my whole soul is in it. If my hand trembles when I sign the proclamation, all who examine the document hereafter will say: "He hesitated."

Lincoln's hand did not tremble when he signed the document which ended slavery in America.

This bill is fashioned in the cause of freedom. It should be passed. I believe that adoption of the jury trial amendment will do much to hamper its attaining the purposes for which it is intended. I hope, therefore, that the jury trial amendment will not be adopted.

Mr. WHITTEN. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Mississippi is recognized.

Mr. WHITTEN. Mr. Chairman, one of the reasons the South resents this bill so strongly is because there is a real feeling in the South that it is directed against the people of the South. The bill itself and the debate seems to confirm that belief. I think the Members of Congress from Southern States, in debating this measure have held themselves far more in check than the feelings of our people back home normally would justify.

Here we have an amendment which really gives the membership a chance to take your stand. If the proponents of this bill are sincere and really wish to protect the right of citizens to vote they will support this amendment. The bill before you authorizes this Commission to investigate denial of the right to vote on four grounds: color, race, religion, or national origin.

If this amendment is adopted you will not be pointing your finger at the South alone, but at the Nation. No longer could we prove it was intended to hit at our section only. This amendment would not prevent the Commission from investigating any denial of the right to vote on account the four grounds set out in the bill but it would leave to the Commission full responsibility and the duty to investigate all denials of the right to vote on whatever basis such denial may have been based.

Let me point out to you one instance with which I am familiar which points out the method of denial of the right to vote in at least one area. Some years ago when the late Vito Marcantonio was a Member of this Congress from New York City, and I understood he came from a district which lacked a whole lot of being the silk stocking area of his city, but in his district he had an area where there were some 12 gigantic and expensive apartment buildings, the residents of which were largely wealthy people who were not always prone to vote for Mr. Marcantonio, according to him. He told that on several occasions on election day his workers would go to those apartments and juggle the cards posted there to inform the residents where to vote and, finally, after the people went to 2 or 3 different places and when each was the wrong place, they lost interest and did not vote and of course their votes went uncounted against Mr. Marcantonio. He enjoyed telling those facts.

If the pending amendment is adopted, such actions as that would come within the purview of the investigation of the Commission. I repeat, this Commission would retain all the power that the bill gives it to investigate denial of the right to vote by reason of color, race, religion, or national origin. On the other hand, if the amendment is adopted, not only does that right continue but they have the right to look into these other bases on which the right to vote may be denied. The only reason this amendment will not be supported by some is if you take out the restriction to denials because, "race, religion, color" it has lost its political benefits to those groups. No longer could you point out to these minority groups what you say you are doing for them only by this bill, which is patently directed toward the South. What is the real purpose of this bill? Can you not see? May I remind you that in the last three national elections, just prior to the election, the Attorney General of the United States announced in the press all over the country that he was sending the FBI into various Southern States to check up on violations of the law, denials of the right to vote, but without exception there never was a report to Congress or anywhere else. Once the announcement was made and the benefits received from the publicity incident to it, there was no followup.

I am being repetitious, but I would like to point out what I said the other day. The real reason the Negroes in the South have not registered and voted to a greater degree is because after the Civil War the Congress passed this same kind of legislation. In self-defense, to protect life and property and our very Government, following the Civil War when the slaves were freed, the white people of the South went into a white primary. That was legal until a few years ago. Everything was settled in the white primary and we did not have enough of an election in November to count. There was no incentive for a Negro to vote because his vote in effect did not mean anything. Through the years he was not accustomed to voting. When the white primary was outlawed by the Supreme Court we began to have some interest shown by the Negro citizens in voting and more registered and more voted. Then the Supreme Court came along with the school integration cases, resulting in all the agitation by a few people in the South largely from outside and the right-thinking Negroes have hesitated to identify themselves with such individuals or with the NAACP which has been behind much of the agitation, and there was a slowing down once again in their desire as well as in any effort to vote.

There is another factor which I pointed out the other day and which I would like to repeat. Really we have profited by watching you folks. We have seen you people in the northern cities go out and herd up disinterested people to see that they were registered, then bid against each other for their votes on election day. This bill before us today is another bid, a bid being made by the leaders of both parties with the South the whipping boy. If this bill should pass, like blackmail, next year, both parties will have to raise the offer all over. Each time we have a convention of the national parties, each 4 years they try to outbid each other for these Negro votes. I say to you that here is the test of your sincerity in the amendment before you. If you are sincere and want to protect the right to vote in all sections, if you do not intend to hit at the South for political purposes or benefits at home you will support this amendment.

If you adopt the amendment you have every right to investigate violations of the denial of the right to vote on these four grounds. You also would have the right, if the amendment is adopted, to go across the board and investigate denial or any and all grounds. Mr. Chairman, it is tragic to see a majority of this Congress willing to take away the right to trial by jury even if thereby they may receive political benefit in their districts back home. I dread to think how high you will make the bid 4, 8 or 12 years from now in your efforts to get the Negro vote.

Mr. Chairman, as I said Wednesday, Lord Benchley, I believe it was, speaking in the British Parliament, in the early days of the United States, offered the observation:

> A democracy cannot long endure, for the elected representatives of the people will give the country away in order to keep being elected.

This measure certainly makes one wonder if Lord Benchley might not have been a real prophet.

Mr. FORRESTER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I want to address myself particularly to the statements made by the gentleman from Ohio [Mr. McCULLOCH]. Before I do so I want to stand in the well and pay tribute to him as a lawyer, as a gentleman, and as a wonderful American. On account of the feeling I have toward him I want to discuss with him a proposition of law that he raises. As I understood the gentleman from Ohio, he said that he objected to the pending amendment on account of the fact that he was of the opinion that this type of legislation must be restricted to the 14th and 15th amendments. Is that correct?

Mr. McCULLOCH. Generally speaking, that was my opinion, yes.

Mr. FORRESTER. Now, I want to call the attention of the gentleman and of the House to a decision rendered by the United States Supreme Court in the case of United States against Classic, and I am reading now from page 317, volume 313, United States Reports:

Obviously, included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted at Congressional elections. This Court has consistently held that this is a right supported by the Constitution.

Citing cases.

Then it says:

And since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the 14th and 15th amendments, is secured against the action of individuals as well as States.

Now, I ask the gentleman, in view of that decision, does the gentleman still object to what I think is a most salutary amendment offered by the gentleman from Texas [Mr. DIES]?

Mr. McCULLOCH. I remain of the tentative position, and I cannot support the amendment offered by the gentleman from Texas. I think it casts some constitutional doubt upon this legislation, or I would not have said it in the first place. I do not think that the case which the gentleman has cited and which I read before I came here this morning, would be grounds for changing the tentative conclusion which I have reached.

Mr. FORRESTER. I appreciate the gentleman's opinion, but here is what that decision says: It says that every qualified voter is protected under the Constitution of the United States; that it even descends down to individuals and not States. It is just as plain as human language can make it.

Now, that is in accord with history. Prior to the War Between the States the people of the North and the East and the South were citizens. The amendments that he referred to simply brought the Negro race into the Constitution as citizens. You have always had those rights. Now, I just do not see any harm whatsoever in putting into our legislation now some protection where the old-fashioned Yankee and the old-fashioned southerner can have some of their rights now that you are talking about according to other groups. By way of passing, I would also like to say to you that if you will go back to the Constitution, the word "religion" has got to come out, and the words "national origin" has got to come out, because neither of those phrases is in the Constitution.

I hope you will give us our constitutional rights, also. I hope the minority groups will not deny us rights they seek.

Mr. DELLAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to read a part of the statement from the AFL–CIO executive council on civil-rights legislation dated May 21, 1957, endorsing without reservation H. R. 6127, and also read an editorial by George Meany, president of the AFL–CIO, which appears in the current issue of the American Federationist, official magazine of the AFL–CIO. In the interest of ascertaining whether there have been any changes from the position as stated in these documents, I took pains to check with representatives of organized labor the past few days and up to this very morning. I find that without a shadow of a doubt the position remains identical now to that which is outlined in both of these documents.

There are those of us who may still have an open mind on the subject and would like to feel that we do not doubt the sincerity of the statements by various Members of this House up to the present time. There should be no question that labor is nonpartisan. It represents no one section of the country as against another. There are no lines of difference so far as race, color, or creed are concerned and we feel that this is the one voice that should be heard in the field of civil rights.

Mr. Chairman, I now read that part of the statement of the executive council of the AFL–CIO.

STATEMENT BY THE AFL–CIO EXECUTIVE COUNCIL ON CIVIL-RIGHTS LEGISLATION, MAY 21, 1957

Civil-rights legislation is a must for the 85th Congress. It must not be permitted to die again in 1957—as in years past. Results are still possible this year—but only if decisive action is taken without further delay.

The AFL–CIO endorses without reservation H. R. 6127, the bill finally reported out by the House Rules Committee, even though we prefer stronger action. H. R. 6127 is a minimum, but a meaningful, bill which has bipartisan support. It is based upon recommendations of President Eisenhower and former President Truman. Democrat EMANUEL CELLER and Republican KENNETH KEATING, ranking members of the House Judiciary Committee, both deserve credit for steering it through to the floor.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. DELLAY. Mr. Chairman, I was reading a statement on civil rights legislation by the AFL–CIO executive council. I shall revise my statement to comply with the rules of the House.

Continuing this statement:

The anti-civil-rights forces this year have injected two new issues:

1. They are shedding tears for the violators of civil rights court orders because such violators would not be guaranteed a trial by jury. But they carefully ignore the fact the proposed law is entirely consistent with 28 other laws and with basic constitutional guarantees. They know that their demand for trial by jury in civil rights cases is designed to guarantee violation of court orders with impunity. They know all the teeth of the proposed law would be removed by the addition of a "trial by jury" amendment.

2. They are prepared to offer a "right-to-work" amendment to the civil rights bill. This is intended only to divide the liberal forces, who resist a "right-to-work" amendment because they know its one purpose is to destroy the labor movement. The Congress must not permit this transparent tactic to work if there is to be any civil rights legislation at all.

The President has asked for civil rights legislation. Both political parties say they are for it. The great majority of the American people certainly support it. The time for statements and pledges is long past. The time for action is here.

The AFL–CIO calls upon the 85th Congress once and for all to break the civil rights roadblock. Let 1957 be the historic year.

And I now read an editorial by George Meany, president of the AFL–CIO, entitled "Time for Action":

Once again the perennial questions face us: Will a small minority of Congress again be able to prevent the enactment of civil rights legislation? Will the normal processes of Congress again be inadequate to overcome southern committee chairmanships and filibuster threats?

Let us hope that 1957 will be different. The great majority of our people want to extend cherished American freedoms to all citizens of our country. Both political parties say they want to. The President says he wants to. Is it too much to hope that this desire will be backed up by determination and action?

The anti-civil rights forces this year have shown new imagination and skill in their injection of two phony issues. Their crocodile tears for the right to trial by jury is fooling nobody. It is just their scheme to guarantee that civil rights laws could be ignored with impunity. And their injection of the fake "right to work" issue is a transparent move to divide the civil rights forces. "Right to work" laws have nothing to do with civil rights; they are designed only to cripple the labor movement.

Let's get on with the job. Civil rights legislation is a must for the 85th Congress.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to H. R. 6127 now before the House for consideration.

In my opinion, the fundamental issue with which the House is confronted in considering this bill is whether or not we should consent to intrude the authority of the Federal Government over matters which traditionally and constitutionally have been reserved to the States and the people.

The bill before you provides under part I for the establishment of a Commission on Civil Rights in the executive branch of the Government and under part II for an additional Assistant Attorney General in charge of Civil Rights in the Department of Justice. Under parts III and IV, this bill provides for amendments and supplements to existing civil-

rights statutes and for Federal intervention in determining the right to political participation.

The chief advocates of H. R. 6127 state that they are for this bill because it guarantees equal protection of the law. Let us quote a very few words from the Constitution on that subject. Here they are:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

So it is clear from the words of the Constitution and from the jurisprudence from time immemorial up to date that the limitations or prohibitions of the 14th amendment to the Constitution are aimed at State action and not upon the acts of individuals. Yet the subject matters that the Civil Rights Commission will investigate are attuned mostly with private individuals' actions.

The creation of this Commission in this bill under part I is inconsistent with the reorganization of the civil rights activities of the Department of Justice headed by a new Assistant Attorney General, since the Department of Justice will proceed on the assumption that all allegations made by the Commission have been proven.

Now, if it is necessary to create this Commission at all, why should we not await its report before reorganizing the Department of Justice under a new Assistant Attorney General and directing this new setup to prosecute?

Parts III and IV of H. R. 6127 propose to strengthen existing civil-rights statutes and to further secure the right to vote. The truth of the matter is that if these provisions are enacted into law, they would constitute a flagrant violation of States rights. They would result in further concentration of powers in the Federal Government. They would result in investing in the hands of the Department of Justice unprecedented powers and would result in intruding the Federal Government in matters which under our Constitution are presently reserved to the States and people. This bill speaks of the right to vote as though the Federal Government has unlimited and exclusive jurisdiction in that area. The law is exactly the reverse because we all know that the time and place and manner of elections and the qualifications of persons voting are matters within the jurisdiction of the several States. It has been passed on by the Supreme Court in the case of Minor against Happerset in which the Court held that under the Constitution women had no federally protected right to vote and it required a constitutional amendment to grant that federally given right. The President has proposed that persons 18 years of age should have the right to vote but he wants to do it by constitutional amendment. So the Federal constitutional limitation in this area means this and this only—you have to start with the premise that the States have the right in matter of qualification of voters. Once this is done, then the 14th and 15th amendments step in and prohibit discrimination. Stated differently, the States provide the rules and the 14th amendment forbids discrimination in the application of the rules. However, according to H. R. 6127, Congress is entering boldly into this entire area of voting and voting rights.

The right of the Department of Justice to intervene under this bill in matters of legislation is not restrained. Under this bill the Attorney General can file suit when a person is about to engage in an attempt to do something. He can foresee when a person is about to engage in an attempt to threaten. When is a person about to engage in an attempt to threaten? This is not direct action, an attempt is not direct action, but to engage makes it worse. Still the Attorney General, under this bill, may proceed when a person is about to engage in an attempt to threaten.

I certainly share the view of those who maintain that the passage of this bill would shake the very foundation of law enforcement by subjecting States to Federal supervision and making local police afraid to arrest people. This bill could very well lead to a national police force and seriously impair the morale and efficiency of State and local police. It would be an open invitation to any complainant to circumvent local governmental facilities by dealing directly with Federal authorities merely by claiming that some civil right is endangered or violated.

It is my carefully considered opinion that the Department of Justice and the Federal courts of this country now have ample authority under the Constitution and existing laws to protect the rights and privileges of all our citizens, no matter what their race, color, or creed may be. Further efforts to pyramid Federal authority in the field of civil rights will only serve to foment further strife and discord among our citizens. We do not need at this time to continue to incite race against race through retaliatory measures against the white citizens of the South.

Mr. DOWDY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I support the amendment offered by the gentleman from Texas [Mr. DIES].

Mr. Chairman, late one Sunday night the phone rang in a newspaper office. Upon the phone's being answered a voice said, "Are you the religious editor?" An affirmative reply brought this further statement: "I am the Reverend Jones. Do you have the notes on my sermon tonight?" An answer of "yes" brought this statement, "will you please take Daniel out of the fiery furnace and place him in the den of lions?'"

The statements that are being made here on the floor by the proponents of this bill that they do not believe in a jury trial and that the jury trial ought not to be permitted to the people of the United States in any kind of case are some day going to make them wish they could call up an editor and ask that he be taken out of the fiery furnace and placed in the den of lions.

I rise mainly because of a statement made by the gentleman from Illinois [Mr. YATES] a while ago that jury trial should be denied in equity cases. I also want to correct a statemade made a few days ago by the genial chairman of our Committee on the Judiciary, that in the NAACP case in Texas that organization was denied the right of trial by jury. That is not a fact. They did have the right of trial by jury. In Texas you have the right of trial by jury in any kind of case, whether in law or equity.

I want to get back to the statements about the people complaining about jury trials here in the United States. Let me ask you this question: What is so awful about trial by jury? Are we to take no measures to protect ourselves against the despotic judgment of courts which set aside the Constitution and enjoin whole communities, imply threats against State legislatures, and blandly announce that were a case before the court today the case would be thrown out of court? Such a brand of justice is administered in Russia where the defense of the accused is heard just before he is taken out and shot.

I realize that trial by jury is old-fashioned and does not meet with the progressive notions and thinking of the modern liberal, but a step to strengthen trial by jury is a step to slow the decline of our form of government and stay the advent of rule by a central committee, which this bill would set up.

The proponents of this bill make their attack upon the integrity of the men and women who sit on juries in this country, the effect of which is to say that a jury will not follow and enforce the law. I want to come to the defense of those men and women. The persons advancing those arguments are deluded.

The jury in every case is carefully limited to the function of deciding only between conflicting testimony. If there is no conflict in the testimony, the matter is one for the application of the law to the uncontroverted facts, and in such event our law requires that the judge make the application of the law and consequently decide the case. No jury decides what the law is, what facts must exist to base a judgment, or what facts are relevant. They are carefully limited by our system of law, by our mechanism of pleading, and by the control of the judge over the admission of evidence, to a choice between conflicting testimony.

Who is the politically appointed judge to say that his skill has brought him to the point where he is better qualified to choose between conflicting testimony? Who is more accurate in seeking out discrepancy and contradiction than a parent, and especially a mother, listening to the protestations of her teen-aged daughter or son? I may not be a good fabricator, but in my own case, many years of practice as a lawyer and prosecutor has not made me as skillful at detecting inaccuracy as my secretary when I seek to put her off by excuse, and that is even more true as to my wife.

Would any of us argue that the businessman confronted with daily need to evaluate, criticize, and analyze is less well equipped to make this choice between conflicting testimony than a politically appointed judge. It is this fund of day-to-day experience in weighing and evaluating that the jury brings to a

determination of the truth. Once they have determined the truth, their primary function is at an end, because from that point onward they are bound by instruction to apply the law as given to them in charge by the court to the truth as they have found it. Of course, a lazy or incompetent attorney general would much prefer not to have to establish the merits of his contention to the satisfaction of a jury, but my vote is for the jury system, and I think the proponents of this bill should not thus reflect upon the character and integrity of the men and women of America.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. ROGERS of Colorado. Mr. Chairman, I would like to see if we can get to an early vote on this amendment. I would like to see if we can agree on a time limitation.

Mr. McCULLOCH. Mr. Chairman, 20 minutes would be agreeable.

Mr. ROGERS of Colorado. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close in 20 minutes, after the gentleman from Georgia [Mr. DAVIS] has spoken.

The CHAIRMAN. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DAVIS of Georgia. Mr. Chairman, for many years the people of my section have had the finger of criticism pointed at us on account of the matters which are being discussed here today. Now the shoe is beginning to pinch the feet of some other people. We recall that on Tuesday, the gentleman from Illinois [Mr. O'HARA] was prodded to his feet by some remarks which were made and by newspaper articles which refer to the treatment of Negroes in Chicago. Today, some resentment has manifested itself in the person of the gentleman from Illinois [Mr. O'BRIEN] and the gentleman from Illinois [Mr. YATES] on account of an article which appeared, I believe the gentleman from Texas said, in the U. S. News & World Report and in Reader's Digest, both national magazines. I would say to you gentlemen, you are now experiencing some of the things which I have experienced and which Members of the Southern States have experienced throughout the years. I think from the trend of the news items which appear from time to time with a good deal of regularity about what is happening in Chicago, you are going to experience more and more of this. You are going to have people point to you more and more and say, you are not—not you—but that your section is not giving the Negroes the treatment which they are entitled to as citizens of the United States.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. YATES. May I say to the gentleman that we, in Chicago, and I am sure all sections of the country, are doing our best to meet this very complex problem.

Mr. DAVIS of Georgia. That is what we have been doing in our section all these years.

Mr. YATES. May I point out to the gentleman that we who support this bill recognize that this bill offers only a measure of relief. There is more involved than the right to vote, although that right is of paramount importance. It should be pointed out that part of our problem relates to housing, for example. We are far behind in providing housing facilities for our burgeoning population. We could use an expanded public housing program to help house the many people of inadequate incomes who are coming into the large cities and swelling our population. We just do not have the housing facilities to take care of them and this contributes to the formulation of tensions. We want the gentleman from Georgia to help us provide housing for all segments of our population. Other social welfare measures will help, measures which will give all our people the opportunity to make a decent living, to earn enough to provide food, clothing, and shelter for their families, to pay for adequate medical care, the opportunity to give their children the opportunity for a good education together with all other American children. Certainly, we would welcome the gentleman's support for measures to provide such programs. These will do much to eradicate tensions all over the country in Chicago, in other metropolitan areas, and in the gentleman's area as well.

Mr. DAVIS of Georgia. The gentleman may have some complaint on that account, but that is not the basis of the criticism which has been directed toward Illinois and toward Chicago. You cannot escape the fact, for instance, in Cicero, which is a suburb of Chicago, in 1951 or 1952 a mob of 10,000 people milled around a residential section out there because of what—because of the fact that a Negro family was undertaking to move into that white section.

You may say "We have improved since that time," when the Illinois National Guard had to line up four deep to hold back the crowd with guns and fixed bayonets; but in 1954, which was 2 years later, you had a mob again which required 2,000 policemen out there in the South Deering section to restrain the white people who were threatening the lives and liberty and property of the colored.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I cannot yield, for I have only 5 minutes.

Mr. YATES. I agree the time is limited. I wish the gentleman had more time which would permit us to debate his statement.

Mr. Chairman, I ask unanimous consent that the gentleman's time be extended 5 minutes.

Mr. MASON. Mr. Chairman, I object.

Mr. DAVIS of Georgia. I thank the gentleman and I would like to say that I am not pointing the finger of criticism at you; I am talking about things that exist and which you must admit have existed; and the finger of criticism is being pointed to conditions that at least could be improved.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

Mr. DAVIS of Georgia moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes in support of his motion.

Mr. DAVIS of Georgia. In passing I would just like to say that this is not confined to our section, it is not confined to yours. It exists in Detroit, it exists in Dearborn, Mich., it exists in Ontario, it exists in New York City. It exists all over this country.

One way in which this racial problem could be corrected is for the people of the United States in these States where they have a fractional part of 1 percent of the Negroes in their population to open up your arms and accept them. We in the South have kept and cared for them and have done the best that could be done under the circumstances for two-thirds of the Negro population of this country. One-third has been divided throughout the other sections of the United States. Now, we in the South have done more than our part in caring for these people. Open up your arms to them and do your part by them. Do not just expect us to keep them and always point the finger of criticism at us; open up and do your part for them, then you will be on better ground to criticize us.

Now, to get down to this amendment, the gentleman from New York [Mr. CELLER] gave as authority for some statement he made on the floor here a few minutes ago the Southern Regional Council, Inc. I want to tell you something about the Southern Regional Council. It started off as that organization which was designated as a Communist-front organization by the Attorney General, the Southern Conference for Human Welfare.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. VANIK. I dislike to interrupt the gentleman's trend of thought at this point but I wanted to call the gentleman's attention to the charge which was made by him last Monday that a certain Alabama resident had been discriminated against by my city of Cleveland and ordered deported from Cleveland to Alabama because she was not entitled to relief and was found guilty of contributing to the delinquency of her children.

Mr. DAVIS of Georgia. I am sorry, I cannot argue that out now.

Mr. VANIK. I want to report to the gentleman that she has returned to Cleveland with her daughter and is living very happily.

Mr. DAVIS of Georgia. I am glad that mistake has been corrected.

The Southern Conference for Human Welfare was designated as a Red front, and the American Legion publication The Firing Line, of May 15, 1957, gave this list of former directors of the Southern Regional Conference who were connected with the Southern Conference for Human Welfare: Charlotte H. Brown, Louis

E. Burnham, George E. Clary, Herbert Davidson, J. M. Ellison, Clark H. Foreman, Guy B. Johnson, David D. Jones, George S. Mitchell, Howard W. Odum, F. D. Patterson, Edwin A. Penick, Homer P. Rainey, Ira DeA. Reid, Forrester B. Washington, and Aubrey Williams.

Any organization that has such a long string of directors who have a long record of connection with subversive and front organizations in the House Committee on Un-American Activities, I say is not a respectable source of information for us to use when we are dealing with the bill before us.

Getting down to this amendment, what is wrong if we are investigating the rights of citizens to vote, what is wrong with broadening it out so that if any citizen is deprived of the right to vote this Commission could investigate it? Why restrict to just this small percentage of the American population to which it will be restricted if this bill passes without the Dies amendment when the right to vote is just as sacred in one person as it is in the other?

We are not dealing with this thing on the proper basis when we say that we will investigate the right to vote which one person is being deprived of or one class of persons is being deprived of, yet anything may be done to the remainder of the people of this country and this Commission which is set up specifically for the purpose of investigating the deprivation of the right to vote will have no jurisdiction whatsoever to deal with that. Is that American? Is it commonsense? Is it really acting in good faith?

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from New York.

Mr. CELLER. Will the gentleman look on page 6, lines 3, 4, and 5. Among the duties of the Commission are the following:

> To study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

That is a pretty broad provision and I think the Commission could investigate the things the gentleman has made reference to.

Mr. KEATING. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, the amendment offered by the gentleman from Texas would completely change the character of this legislation. Indeed, I say with perfectly good feeling that is its purpose. It is not offered by a friend of the legislation nor are the other amendments which have been offered. They are all offered by those who will not, under any circumstances, vote for the bill on final passage. Let us bear in mind, as we consider these amendments, the source from which they come. If this bill cannot be defeated by a frontal attack, every effort will be made to whittle away at it, amendment by amendment. There is nothing improper about such procedure. It is a simple fact.

Mr. Chairman, the purpose of the amendment is to strike out the words "color, race, religion or national origin" as a result of which this Commission would be empowered to investigate any deprivation of the right to vote on any ground anywhere in the United States. I am rather surprised that this amendment would be offered by the gentleman from Texas who is such a stanch adherent of States rights, because if you are going to investigate the deprivation of the right to vote on any ground, you will get into such things as the age of the voter, the literacy tests covering voting, the poll tax, and all of those matters which our committee felt we should keep away from, inasmuch as the qualifications of voters are fixed by State law, not by Federal law.

This would give to the Commission the power to go into many matters which are and should be governed by State laws. It would further give the Commission the power to investigate such matters as were referred to as happening in the city of New York where people in an apartment house had their cards mixed up so they did not know where to go to vote. Those things should be investigated.

Any deprivation of the right to vote on any ground should be investigated either by a Federal or State agency, probably in such cases by State agencies. Today every State is constantly investigating election irregularities and bringing action to try to prevent that sort of thing.

This bill has a specific purpose and is within the four walls of the Constitution, and indeed is designed to strengthen the words of the Constitution, which say that no one shall be deprived of his right to vote on the ground of race or color. The bill has nothing to do with other scandals or irregularities which should be investigated under appropriate legislation. This amendment, as suggested, would be an invasion of States rights; it would be seriously open to a question of constitutionality as has been suggested by the gentleman from Ohio. This amendment should be defeated.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman from Georgia and other Members in this debate have inferred, if not said directly, that bills of this kind are stirred up by subversive elements. The gentleman and I know that that is not true. We know that there are people who want to provide legislation which will give the birthright of the Constitution to all American citizens.

A few years ago Jackie Robinson was called to testify before the House Committee on Un-American Activities about this question of Communists stirring up the Negroes to unrest, and this is what he said:

> Just because Communists kick up a big fuss over racial discrimination when it suits their purpose, a lot of people try to pretend that the whole issue is a creation of Communist imagination. But they are not fooling anyone with this kind of pretense and talk about Communists stirring up Negroes to protest, only makes present misunderstanding worse than ever. Negroes were stirred up long before there was a Communist Party, and they'll stay stirred up long after the party has disappeared—unless Jim Crow has disappeared by then as well.

Mr. KEATING. I thank the gentleman, and I know that all Members here realize that there are sincere and well-intentioned men on both sides of this important controversy.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Georgia [Mr. DAVIS].

The motion was rejected.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. MATTHEWS].

Mr. MATTHEWS. Mr. Chairman, there is not much time, but I want to rise in support of the amendment offered by the gentleman from Texas. I plead with you not to look upon this bill as sacrosanct, and I hope that you will consider every single amendment upon the basis of its merits. I think this amendment is a good one, even though I must be fair to say that even if it is adopted I will not vote for the bill.

Mr. Chairman, this amendment suggests that the right to vote is the right of the majority of the United States as well as the minority and, if this amendment is passed, it takes away some of the sting, the vicious import of this bill, directed at the heart of the Southland which I have the honor to represent.

If you would indulge me in a little philosophy, Mr. Chairman, a great many of our people think one of the great problems with us today is the fact that our people do not accept responsibility. Now, if we extend the right of this Commission, to look into more aspects of the voting problem, maybe this idea of the acceptance of responsibility will receive some measure of contemplation. Some years ago a great English jurist by the name of Lord Moulton said: There are three areas in a democracy. The area of positive law, the area of free choice, and the area of obedience to the unenforcible, and he said if it were not for the obedience to the unenforcible, democracy could not endure.

You cannot by legislation change the hearts of men, Mr. Chairman, but you can change the hearts of men by religion and by common understanding and by tolerance and common acceptance of responsibility. We do not ofter hear the word "responsibility" used in the well of the House, and I think it is time as we discuss the great problems facing America that we do. I hope that some commission might look into this idea that with every right we demand, with every privilege we demand, there goes with it corresponding responsibility. I am sincere in supporting this amendment offered by the gentleman from Texas, because I think if it were passed the investigating Commission would be charged with the responsibility of safeguarding the rights of the majority of our people as well as the rights of the minority. Further, the Commission might well pinpoint the necessity of every American citizen accepting his responsibilities as well as his privileges if this Republic is to endure.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. VANIK].

Mr. VANIK. Mr. Chairman, I rise in opposition to the Dies amendment

and I shall confine my remarks to just that. The amendment would fatally destroy the legislation and the very purpose of it. It would open the door to every kind of capricious or arbitrary complaint that could be lodged with the Commission. For example, if one citizen said to another, "I will pick you up and take you to the polls," and then forgot to do it, he might be hailed in on an affidavit and brought before the Commission to explain the deprivation by him of another citizen's right to vote.

Election officials would be plagued all over the country with failure to keep the polling places warm on a cold day or cool on a warm day. They would be charged with failure to provide a sufficient number of officials to expeditiously handle all the people waiting in line so that voters would not be compelled to wait. Any citizen, on almost any kind of arbitrary or capricious charge could sign an affidavit and burden the Commission with functions and responsibilities that are not comprehended in any aspect of this legislation. Good election officials are very difficult to recruit and the liability of exposure to facetious and ill-conceived complaints would deter good citizens from this vital service.

The only purpose of the amendment is to destroy the effectiveness of a proper commission to do the functions that this Congress shall direct be done under the law, as set forth in the committee recommendations. We must not expose this Commission to the necessity of doing anything else than what is set forth in the legislation as it has been reported out by the committee.

I hope that my colleagues will vote against this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, I had asked for this time in order to explain an amendment which I propose to offer to cover a portion of the bill set out in the last printed page of the bill. Two and one-half minutes, the time allotted me, is not sufficient to explain that, so I am merely going to use this time to say that I am very much in favor of the Dies amendment and expect to support it; and I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, I ask that the Members of the Committee give very serious consideration to the amendment proposed by the gentleman from Texas [Mr. DIES]. The very caption of the bill itself says:

> A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The language of the section sought to be amended in subsection 1 of section 104 is very limited. It limits the application of this legislation to the deprivation of the voting rights only for four reasons: color, race, religion, and national origin. If civil-rights legislation is proposed, do not restrict its language as this section seeks to do.

There are none so blind as those who will not see. There are none so deaf as those who will not hear. If the sponsors of this legislation are insisting upon ramming this legislation through this House and down the throats of the Southern States and the people of those States, at least use fair play and vote for the Dies amendment to open up the work of this Commission to every phase of civil rights whenever and wherever anybody is being deprived of those rights.

The Southern States are not by any manner of means or any stretch of the imagination the only area where civil rights are being denied. A few moments ago I tried to get the gentleman from Illinois [Mr. YATES] to yield to me; and right after he declined to yield he said that he was trying to solve the problems which existed in his area and gave credit to the South for trying to solve our problems. I want to say to him and to those Members who share his views that I believe that the people in that section of the United States are better qualified to solve their problems than we are to solve them for them. But I say to you, I think you should grant us the same privilege of solving our problems for ourselves, because we can solve them much better than they can be solved by outsiders who have only a smattering of ignorance of the problems they profess to know so much about.

I urge the adoption of the amendment offered by the gentleman from Texas [Mr. DIES].

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, I support the amendment.

Mr. Chairman, I see by the papers that the President is inviting our Republican colleagues for breakfast. That brings us right into the heart of the subject before us. In the midst of this heated debate on civil rights, I must protest the violation of the civil rights of the Democrats by President Eisenhower. He invites only Republicans for breakfast. The White House is a Federal institution operated by public funds, and the laws which have been issued by the Supreme Court do not allow segregation in such facilities. Yet we find the Republicans openly practicing segregation there against the Democrats.

Mr. Chairman, we from the South would be content with separate but equal time at the White House dining tables, but we are not allowed even that. This is discrimination of a most serious character.

I am directing the whole matter to the attention of Attorney General Brownell, with a strong plea for prompt and efficient action to protect the civil rights of the Democrats in Congress. As a Democrat, Mr. Chairman, I demand my civil rights.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. MCCULLOCH. I yield to the gentleman from Illinois.

Mr. BOYLE. Mr. Chairman, clear thinking depends on the ability to recognize distinctions in things that might be confused or confounded. Although I have great regard for the gentleman from Florida [Mr. SIKES], I think he has confused social amenities with civil rights. I want the RECORD so to disclose. That when we discuss civil rights, they have to do with a person's security, liberty, and his right to vote, and not to mere social visits. I respectfully request that the amendment be not agreed to.

Mr. MCCULLOCH. Mr. Chairman, it is my opinion that the amendment should be rejected.

The CHAIRMAN. All time has expired on the amendment.

The question is on the amendment offered by the gentleman from Texas [Mr. DIES].

The question was taken; and on a division (demanded by Mr. DIES) there were—ayes 96, noes 123.

Mr. DIES. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. DIES and Mr. CELLER.

The Committee again divided, and the tellers reported that there were—ayes 119, noes 139.

So the amendment was rejected.

Mr. TUCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. TUCK: On page 5, line 22, strike out the word "religion."

Mr. TUCK. Mr. Chairman, I ask unanimous consent to proceed for 10 additional minutes.

Mr. MASON. Mr. Chairman, regretfully, I object.

The CHAIRMAN. Objection is heard.

The gentleman from Virginia is recognized for 5 minutes.

Mr. TUCK. Mr. Chairman, I respectfully suggest to my amiable, able, and distinguished colleague from Illinois that he withdraw his objection because while I have been a Member of this body nearly 5 years, this is only the third time I have come to the well of the House under the 5-minute rule or otherwise.

Mr. MASON. I am sorry.

Mr. TUCK. Very well, sir.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I yield.

Mr. FULTON. I will be glad to ask for time immediately succeeding the gentleman and will yield to him.

Mr. TUCK. Thank you, sir, that is very generous.

Mr. Chairman, the amendment I have offered is not frivolous; it is a serious amendment. It is, however, a simple one, is easily understood, and requires little or no explanation.

All it does is to take out the word "religion" in the last line on page 5 so that, if my amendment is adopted, the paragraph will read as follows:

> 1. Investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote by reason of their color, race, or national origin.

The amendment, if adopted, will in no way impair what I understand to be the original purpose of the proponents

of this legislation—and that is to gain votes—but on the contrary the amendment will greatly improve the bill and make it less objectionable and distasteful to a host of patriotic American citizens.

Shortly after the House resolved itself into the Committee of the Whole on last Tuesday, the gentleman from Georgia and the gentleman from Louisiana both adverted to this provision in the bill and pointed out some of the reasons why it is objectionable.

In the first place, there is absolutely no necessity for placing the word "religion" in the bill. I have read or heard of no allegations or evidence in the record or elsewhere indicating that anyone in this country has been deprived of his right to vote by reason of his religion. There was quite a heated exchange last Tuesday between two members of the Judiciary Committee as to whether or not there were any allegations or evidence before the Committee upon the subject. I am very much inclined to the belief that the gentleman from Georgia is entirely correct in his statement that there was none. But the best evidence is the record itself which is available to and before us all and we can look at it to determine the facts for ourselves.

In offering this amendment, I want it distinctly understood that I am not in any way opposed to religion. On the contrary, I very much favor religion. I wish I could put some religion in the bill for it is needed, but I fear that I cannot. I shall certainly not now undertake to boast of what little religion I have because down in the section from which I come one who boasts of his honesty or religion immediately becomes suspect.

When this bill was first considered by the subcommittee, the word "religion" was in it; the subcommittee took "religion" out, and then the full committee put "religion" back in.

As to why the word "religion" was put in the bill in the first place and then taken out by the subcommittee and then put back in by the full committee, I am unable to say. There was no real discussion of it in the full committee except that a few of the members, including myself, indicated that we were opposed to putting the word "religion" back into the bill. As to why it was done, I am left to wander out into the field of conjecture and speculation. I am strongly inclined to the view that it was put into the bill to make it a little more palatable and appealing and to let this word "religion" be a sort of piece of window decorating, and thus put a little perfume on the bill to suppress some of the bad odor. What the whole bill needs is not perfume but a real fumigation and extermination, and I hope it will get both before we are through. The zeal of the proponents of this bill to promote these political proposals is such that they are utterly careless and reckless of the preservation of our fundamental liberties.

Mr. Chairman, the very first sentence of the first amendment to the Constitution of the United States says:

> Congress shall make no laws respecting an establishment of religion or prohibiting the free exercise thereof.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. FULTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I yield to my good friend the gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Chairman, I thank the gentleman from Pennsylvania for his very excellent conduct. His conduct accords with that which is very characteristic in the great Commonwealth of Virginia from which I come.

Hordes of people fled to this country to escape religious persecution and the country literally was established by those who wished to enjoy freedom of religion and to establish a government where there would be absolute separation of church and state, but we had and still have a goodly number of the Puritans here.

I know that it will be maintained that this is an innocuous provision and does no violence to anyone's religion and that it on the other hand protects one in the enjoyment of his civil liberties who may be denied the full participation in the civil government because of religion. That is a false and spurious argument and the danger is that once we open the door to religious legislation there will be no end to it or the lengths to which it may go.

The love of religious freedom is strong and great. Men and women have bared their backs to the loathsome lash and have been burned at the stake rather than surrender any part of their religious liberty.

In the past some of our colonies had laws that would put one to death for no less an offense than defaming the Sabbath. I will read you one such law:

> Whosoever shall profane the Lord's day, or any part of it, either by sinful servile work, or by unlawful sport, recreation or otherwise, whether wilfully or in a careless neglect, shall be duly punished by fine, imprisonment, or corporally. But if the court, upon examination, find that the sin was proudly, presumptuously, and with a high hand committed against the known command and authority of the blessed God, such a person therein, despising and reproaching the Lord, shall be put to death.

No religion, in my opinion, deserves to exist if it is necessary for it to depend for its protection upon the Government or upon law. The army of truth travels on its own power and needs neither sword nor shield. True religion never knocks at the door of Caesar's chamber seeking legislative sanction or security.

It has been repeatedly said on this Floor, and not denied, that the principal purpose of this bill is to gain the votes of certain minority groups in pivotal States in order to control presidential, senatorial, and gubernatorial elections in those large States. If that is the object of the bill, and it is obvious that it is, let me warn you that you will alienate more votes by leaving the word "religion" in there than you will attract by the words "race, color, or national origin." In other words, you will be thrown for a loss.

There are millions of people in this country whose shibboleth and watchwords are religious freedom and separation of church and state. Their burning wrath will be aroused when they learn what has been done in this bill. If there are any amongst us who would subvert the Constitution to catch votes, I suggest that you beware of this action. I have already been in communication with representatives of some of these various religious groups and I know whereof I speak. They will be cognizant of what goes on here today.

Probably the first effective and certainly the best known exponent of religious freedom in this country was Roger Williams. He came to the Massachusetts Bay Colony sometime prior to 1630. He was persecuted by the Puritans here and in England. On account of his beliefs, he was finally driven from his home and from his wife and infant babe on a cold wintry night, enduring the rigors and hardship of a horrible winter without bread or bed, and living as he did upon such food as he was able to find in the wilderness. He was the apostle of religious freedom and the founder of the State of Rhode Island. He imbedded into the hearts and minds of the people of that State a firm belief in religious liberty and the absolute separation of church and state. He charted the course of religious freedom in this country.

As I pointed out during the general debate last Monday, the State of Rhode Island was the last of the colonies to adopt the Constitution and to come into the Union. The Constitution had been effective for nearly 3 years before Rhode Island adopted it. Some of the other States had undertaken to compel her by boycotting and other means. Even George Washington became irked and impatient at Rhode Island's delay. Alexander Hamilton thought she ought to be coerced to ratify. In Congress legislation was proposed and by threat of force to bring her into line with the rest of the States. But Rhode Island stood firm in the rocky strength of her convictions. She was ready to arm herself and to fight, if need be, "1 man against 60."

This was a critical juncture. Thomas Jefferson had earlier expressed the wish and hope that some of the States would refuse to ratify the Constitution until proper guaranties of human rights and religious freedom had been annexed. Mr. Jefferson was an ardent disciple of the principles enunciated by Roger Williams. Jefferson and Madison finally persuaded President Washington to recommend the annexation of a Bill of Rights to the Constitution. They succeeded in this and as a result of their efforts and this action Rhode Island at last adopted the Constitution.

But even though the first ten amendments guaranteeing the autonomy of the States and religious freedom had already been established and adopted, the followers of the great Roger Williams living in that little State were so determined to protect their religious rights that they appended to the resolution of adoption language substantially as follows:

> That religion or the duty we owe to our Creator, as well as the manner of discharging it, can be directed only by reason and conviction, not by force or violence and, therefore, all men are entitled to the free exercises

of religion according to the dictates of conscience, and that it is the mutual duty of all to practice Christian forbearance, love, and charity toward each other.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. MASON. I object, Mr. Chairman.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last 5 words.

Mr. Chairman, I yield to the gentleman from Virginia, Mr. TUCK.

Mr. HOFFMAN. Mr. Chairman, I make the point of order that this is a circumvention of the rule which limits debate to 5 minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized to proceed in his own right.

Mr. McCORMACK. The gentleman from Michigan is not aware yet as to what is in the mind of the gentleman from Massachusetts. By the way, Governor, that is typed very nice, is it not?

Mr. TUCK. Yes; it is fine.

Mr. McCORMACK. I yield to the gentleman from Virginia.

Mr. TUCK. I thank the gentleman. I want to say that it is not my desire to circumvent the rules of this House or to transgress unduly upon the rights or the wishes or desires of other Members of the House.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TUCK. I shall be glad to.

Mr. HOFFMAN. I was not making any such charge as far as the gentleman is concerned.

The CHAIRMAN. Just a moment. The gentleman from Massachusetts has the floor. The gentleman from Virginia cannot yield.

Mr. TUCK. Mr. Chairman, it is obvious I have already taken up more time than I should.

Let me remind you also that Jefferson when nearing the age of 90, and walking heavily under the burden of his years, realizing that the grim messenger with the inverted torch was lurking nearby and would soon beckon him on to that long and eternal home, wrote his own epitaph. In it he ignored the fact that he had been ambassador to several of the foreign countries, had served as Vice President and as President of the United States, and had controlled the destiny of the Nation for a period of approximately 24 years. He wished only that posterity would remember him for three things and thus his brief and simple epitaph is as follows:

Thomas Jefferson, founder of the University of Virginia, author of the Declaration of Independence, author of Virginia's statute for religious freedom.

If it is necessary to insult the South in order to appease minority groups, in the sacred memory of Roger Williams and of Thomas Jefferson and others of like heart and mind, I call upon you to think carefully before voting to leave the word "religion" in this bill. I ask you regardless of whether or not you are Protestant, Catholic, or Jew, and even if you embrace no religion, to join with me today in taking this word out of this pernicious piece of legislation. I appeal to you as Americans, whether northerners, southerners, westerners, Republicans, or Democrats to stand with us in our efforts to preserve religious freedom and liberty in this country and to save inviolate the Constitution of the United States.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in nearly all of the statutes relating to or dealing with the question of discrimination, one word has consistently been included. That is the word "religion." Whenever we have been confronted with such civil rights legislation or other legislation dealing with the great question of alleged discriminations in this country, there has been the inclusion of this word.

It has been said here that there was no evidence of any deprivation of the right to vote on the ground of religion. That is not accurate. It is true that most of the evidence which was taken by our committee related to discriminations based upon race or color. But the Attorney General has stated that he had had a number of complaints that people were denied the right to vote based upon religion.

The question could be put to me, "Do you know of such a case?" and I would have to say, "I do not know of such a case." But the Attorney General has told us there are such cases.

Certainly it can do not harm to include this word in the bill. There has been a very great desire on the part of many groups to include discrimination based upon religion among those matters to be investigated by this commission.

It has been true historically that many of the more rabid organizations, such as those to which the gentleman from Texas said he was so much opposed, as I know he is, have discriminated against people on account of race or color and have also discriminated against others because of their religion. It is, therefore, quite possible that there could be such discrimination, which should be the subject of a study by this Commission.

Let me remind you that this Commission has no power to legislate. All it does is to investigate. Certainly, it seems to me, it would be a salutary thing in this country to investigate any deprivation of the rights to vote because of one's religion, of written and sworn allegations of that are filed. I hope the Commission finds there is no discrimination anywhere against anyone on the ground of religion. I think it would be a great mistake to deny this Commission the right to investigate in this area which has been the subject of complaint, although perhaps not to the same degree as some others.

I can see no possible harm which can come from the inclusion of this word. I therefore oppose the amendment and hope it will be defeated.

Mr. CHUDOFF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, since I proposed the amendment to put the word "religion" into the bill when it was taken up in the Committee on the Judiciary, I feel I would be remiss in my duty as a Member of the House not to say a word or two about the reasons why the word "religion" should be in this bill.

As I said when we were reading the bill for amendment in the committee, I felt the words, "race, creed, color, religion, and national origin" all belong together in all legislation of this type.

We have heard alike from all of our good friends from the South about Thomas Jefferson and about the Civil War, but I think that if you really think this thing out you will agree that this Nation had as one of its bases the right of religious freedom. William Penn received a proprietorship from the Crown so he could bring the Quakers to Pennsylvania so they could worship the way they wanted to. Many other States were established on the basis of religious freedom. The Constitution states that the Congress may make no law respecting the establishment of religion or respecting the free exercise thereof. The Declaration of Independence speaks about it.

I think one of the keystones of our Nation is that each man and each woman can worship in the way he sees fit. If the religion would do any harm to this legislation, I would be the first one to take the floor to protest against it. Even if there have not been any cases on the books, even if there have not been any court decisions stating that an American citizen has been deprived of his right to vote because of his religion, I think you all agree that no matter how we shout, no matter how we beat our chests, no matter how we yell about how liberal we are and how we respect other people's religions, all through the Nation in the various professional schools, especially the medical schools, there is an unwritten quota for people of one religion and an unwritten quota for people of another religion. I believe it is important to give this commission the right to investigate the possibility of any person being deprived of the right to vote because of his or her religion. Of course, because it has not happened before, it does not mean it will not happen in the future sometime. I think if we want to get a bill that gives this commission the right to do a real job, the word religion should be in the bill and this amendment should be defeated.

Mr. ABERNETHY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the more than 20 years of my political life I have been accused of almost everything—but I have never been charged with being a religious bigot. There are 435 men and women in this House. I do not believe anyone could point a finger at any Member and truthfully charge a single one of them with being a religious bigot. Religious bigotry in America is a myth. It does not exist.

The most intolerable thing that a commission of the Federal Government, a snooping commission if you please, could do would be to subpena, to cross-examine, and investigate in the field of

religion. The object of this bill is to investigate allegations that people are denied their right to vote because of what—because of race, color, religion or national origin. There is some testimony in the hearings and statements have been made in the well of the House that some people have been denied the right to vote because of race and color. These allegations are in the hearings. They are in the CONGRESSIONAL RECORD. I do not agree with them but at least they have been made. Now on the subject of religion we have quite a different picture. For 3 days during this debate, I propounded questions to the distinguished chairman of this committee who is my friend, Mr. CELLER, of New York; and also to the member of the committee, Mr. BOYLE, of Illinois; and also to the member of the committee, Mr. KEATING, of New York, to point out the testimony in support of a commission investigating deprivations of the right to vote because of religious faith. I asked who brought the testimony? What were the names of the witnesses that told this committee that there was a necessity for such a commission to investgate in this delicate field? Until now they have never supplied the House with the answers to these questions. The facts are they cannot cite any instance or even as much as a charge that any citizen of any faith has ever been denied the right to vote because of his faith.

Does any Member of this House believe that anyone is being denied the right to vote because he is a Protestant? If so, let him rise and speak out. No one has arisen.

Does any Member of this House believe that anyone is being denied the right to vote because he is a Catholic? If so, have the courage to rise in your place and speak out. No one has arisen.

Does any Member believe that anyone in this country from Maine to California, from Canada to Mississippi where I live, is being denied the right to vote because he is Jewish? If he does, let him rise in his seat and speak out. No one has arisen.

Or because he might be Greek Orthodox, or the follower of any other of the religious faiths of the world? If so, let him rise and speak out. No one has arisen.

So it seems that this provision in the bill is nothing more than window dressing and is undoubtedly put in the bill as a political sop to some group or some faith.

One of the great reasons this country was settled was the desire of people to worship in their own manner, according to their own faith; and we have done mighty well in establishing and preserving that privilege. We have made great and terrific progress throughout the years.

Now why should we because of some silly political inference and because this word religion has been associated with the words race and color, as has been contended by previous speakers—why should we give a mandate to a commission of the Federal Government to investigate in this field when we know it may destroy, obliterate, and put to end the good will and tolerance that has been builded in these United States among peoples of all faiths?

Let us not make this mistake.

I asked the questions of my colleagues the other day only because I was concerned about the dangers involved. I was afraid we were going to make a serious mistake. Let us not do it. Let us not give a strong Federal commission the power to meddle with and possibly destroy the good will and the tolerance that exists among the people of the great faiths found in our great country.

Mr. SMITH of Virginia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have had a splendid debate on this bill and I think it has been a wonderful thing that it has been handled in the way it has been handled. There are differences of opinion about it, of course.

I want to say that I was deeply moved a few minutes ago in the debate over the Dies amendment when the gentleman from New York [Mr. KEATING] rose and said in effect that the amendments that were proposed to this bill should be regarded and considered not on their merits but by the person by whom the amendment was offered.

I hope the gentleman will not leave that inadvertent statement in the RECORD when the time come to revise.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I want to believe, I hope to believe, and to continue to believe that this bill and all the amendments offered thereto in good faith may be considered on their merits irrespective of whether offered by Democrat or Republican, by southerner, northerner, or westerner. That is the way this Congress operates and should operate.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. KEATING. I certainly agree with the gentleman.

Mr. SMITH of Virginia. I am glad to know that.

Mr. KEATING. I regret it if my words carried any implication to the gentleman that was a reflection in any way on the gentleman from Texas.

Mr. SMITH of Virginia. No, sir; I beg your pardon, there was not any implication. I reported almost your own words.

Mr. KEATING. My words in debate speak for themselves. I intended nothing at all derogatory to the gentleman from Texas, nor do I believe he considered them as such.

Mr. SMITH of Virginia. I am glad the gentleman has apologized.

Let me say this in respect to this particular amendment striking religion from this bill: The history of it is that when this bill was introduced it carried the word "religion" and when it was considered, as it was considered so thoroughly in the subcommittee, the gentleman from New York was not only a leading advocate in the subcommittee—and the gentleman from New York [Mr. CELLER] was chairman of that committee, so they controlled absolutely every word and comma and period that went into that bill—those gentleman, I believe by unanimous consent, voted to strike out the word "religion." Now, if you please, after the full committee had put it back and it comes to the floor, the gentleman from New York opposes the amendment, not because it was not a meritorious amendment, not because it ought not to be done, and not because the full committee did put it back when his committee had struck it out, but he opposed it because it was offered by my colleague the distinguished gentleman from Virginia [Mr. TUCK].

Mr. KEATING. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I certainly want to correct the imputations left by the gentleman from Virginia and to say that I have said nothing whatever for which I should or do apologize to the gentleman from Texas [Mr. DIES]. I only regret that the gentleman from Virginia has completely misinterpreted my remarks.

Mr. RIVERS. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. RIVERS. Mr. Chairman, I make the point of order that the gentleman has already spoken on this amendment.

The CHAIRMAN. The gentleman rose in opposition to a pro forma amendment, therefore is within the rules.

Mr. KEATING. Mr. Chairman, I assure the gentleman from Virginia I did not oppose the Dies amendment nor am I opposing this amendment on any basis of personality. This amendment is offered by my good friend from Virginia, Governor TUCK. The author of the amendment knows that, because of our pleasant relationship in committee, I would never oppose an amendment because it had been offered by him.

I opposed this attempt to strike out the word "religion" in the subcommittee. The gentleman from Virginia is quite incorrect in his statement that by unanimous consent it was stricken. There were two of us who opposed the amendment in the subcommittee. It is true that an amendment was carried to strike it, but my position has always been that the word "religion" should be in the bill. It can do no possible harm, and it might do a great deal of good.

I call attention the fact that allegations which are to be investigated under this bill, must be in writing and must be under oath. If there are no allegations filed in writing or under oath pointing out a discrimination or deprivation of the right to vote on the ground of religion, then there will be nothing for the Commission to investigate. It is my hope that there will be no such allegations filed.

One other word of correction as to what the gentleman from Virginia said with regard to my opposition to the amendment offered by the gentleman from Texas [Mr. DIES]. I share completely his position that we have kept this debate on a high level. I am sure that all of us want to keep it on a high

level. My opposition to the amendment offered by the gentleman from Texas has nothing whatever to do with the authorship of the amendment. I hold both the gentleman from Virginia and the gentleman from Texas in the highest regard and I intend to continue to do so.

Mr. LONG. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Louisiana.

Mr. LONG. In view of the statement the gentleman made, I wonder if he would like to strike from the RECORD his statement "that we will consider these and the sources from which they come," speaking of the gentleman from Virginia.

Mr. KEATING. As I pointed out, the amendments that will be offered to this bill come from those who are opposed to it. I think that is an appropriate observation to make because it has been happening here right along and it will happen in the future. Very few of the amendments are offered by those who intend to support the bill on final passage. That is in no way a reflection upon any of the authors of amendments. It is a procedure which we have frequently seen in this House; namely, if a bill cannot be defeated directly, it will be sought to be torn to pieces by amendment. It is a perfectly legitimate effort on their part, and I have not alleged otherwise. Nothing I have said in any way indulges in personalities.

Mr. TUCK. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Virginia.

Mr. TUCK. Does not the gentleman from New York agree with me that those of us who oppose this bill, who seem to be receiving very rough treatment here, are at least entitled to a few of the crumbs that fall from the table of plenty?

Mr. KEATING. The gentleman is very persuasive; he is very able; and there is no one in the House for whom I have a deeper affection than I have for the gentleman from Virginia. I do not think, however, we can consider, in dealing with a matter of principle, making concessions which strike at the very heart of the legislation.

Mr. CELLER. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MORRIS].

Mr. MORRIS. Mr. Chairman, I just want to read amendment 15 of the Constitution of the United States.

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

You will notice in amendment 15 there is no mention whatsoever of religion; none at all. So, if it is intended to firm up that section, the bill has put a word in there that was never intended to be in there by the makers of the Constitution. There is no reason in the world why this amendment should not be adopted. We ought to strike out that word because there is no proof anywhere that anyone is being discriminated against because of his religion; no proof; absolutely none by anybody, and there is nothing in the Constitution that would indicate that such a word should be put in there. I think that the amendment is one of the most valid and one of the most important, perhaps, that will be offered and can be offered to this legislation.

Mr. CHUDOFF. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from Pennsylvania.

Mr. CHUDOFF. Will the gentleman tell me, after reading that article of the Constitution, that his interpretation would be that if any State or the Federal Government prevented anyone from voting because of his religion, that that would be constitutional?

Mr. MORRIS. I think the Dies amendment would have been an answer to that, and it should have been adopted. I think the Congress would have the power under the general scheme of our Government and the Constitution to authorize a commission. I am not for this bill, but I think they have the power to authorize a commission to investigate as to whether anybody is being discriminated against in regard to their voting. I think proper legislation could be written.

Mr. CHUDOFF. Well, in view of what the gentleman has just said, is it not true that there is more need than ever for the commission to have the right to investigate an allegation that some one has been barred from voting because of his religion?

Mr. MORRIS. I say you are deviating from the Constitution in doing that. If you had adopted the Dies amendment, you would have been all right, because you could investigate from any standpoint, but when you refused to do that and put some restrictive language in it, then you ought to stay within the 15th amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. Mr. Chairman, I was a member of the full committee, and I concurred in the restoration of the word "religion" as it referred to discrimination. I submit the word "religion" in its etymological sense is taken from the Latin word "religio" which means—I believe—it is a very simple and matter of fact term—there is nothing of cult, nothing mysterious, nothing abstruse about it. Incorporating such an area should not provoke such a terrific stream of opposition. It is not going too far to look at those individuals who are now urging that it be deleted. The votes of the last few days and the voting record in the last 84th Congress indicates that the individuals now urging the amendment are not in sympathy with any measure that is designed to protect civil rights. Since they are out of sympathy with any measure that does protect civil rights under our scheme of doing things, it is perfectly natural, it is perfectly logical, and it is perfectly legal that they try to load the bill with as many restrictions or limitations as possible, or take away as much from the bill as possible.

You had one of the finest exhibits of that situation offered just a couple of minutes ago when the gentleman from Mississippi [Mr. ABERNATHY] said that there has been evidence adduced that people were deprived of their right to vote by reason of their color and by reason of their national origin.

Mr. ABERNETHY. No; I did not say anything about national origin. There was no testimony in this RECORD about national origin or religion. There is testimony about race or color.

Mr. BOYLE. If I misquoted the gentleman, I stand corrected. The gentleman said that there was evidence that people were being deprived of the right to vote. One of the most necessary ingredients of citizenship is the right to vote, and certain citizens are being deprived of the right to vote on the ground of race or of color. In the 84th Congress and through all of these last several days of debate the gentleman has marched dutifully down the line still standing firmly on the proposition that he did not feel that a civil-rights bill should be enacted into law by this House; and that is his right, although his conduct is a good yardstick as to his state of mind.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. BOYLE. Surely, I yield to the gentleman.

Mr. ABERNETHY. I am sure the gentleman would not intentionally misquote me. I stated that I asked the gentleman to provide the names of witnesses and their faith who had been denied the right to vote because of their faith. The gentleman promised to do that, but he has not done it. I did not concede that anyone was being denied the right to vote because of race or color. I did say that statements had been made to that effect in the well of this House and before the committee. That is what I said. I did not then agree with the statements nor do I agree with them now.

Now I would ask the gentleman again, since he committed himself a few days ago to do so, to bring us the names of witnesses and their faith, who were allegedly denied the right to vote because of their faith.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. BOYLE] has expired.

The CHAIRMAN. The Chair recognizes the gentleman from New York, [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I yield back my time.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Virginia [Mr. TUCK].

The question was taken and the Chair announced that the ayes appeared to have it.

Mr. DINGELL. Mr. Chairman, I demand tellers.

Tellers were refused.

Mr. KEATING. Mr. Chairman, I ask for a division.

Mr. CHELF. Mr. Chairman, the request comes too late.

Mr. COLMER. Mr. Chairman, a point of order. The request does come too late.

Mr. TUCK. Mr. Chairman, I make the point of order that the Chair had already ruled.

The CHAIRMAN. This is the situation. The request for a teller vote was turned down. The gentleman from New York [Mr. KEATING] made a request for a division vote. He is within his rights.

The Committee divided; and there were—ayes 106, noes 114.

Mr. COLMER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COLMER. Would it be in order to have tellers?

The CHAIRMAN. Tellers have been refused.

Mr. BASS of Tennessee. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BASS of Tennessee. Mr. Chairman the tellers were refused after the Chair had ruled and said that the amendment was agreed to. Then tellers were demanded, and those people who now want tellers felt that the amendment was agreed to, so they did not rise to ask for tellers; and I can get the House to agree with me. I make that point of order and ask the Chair to rule on it.

The CHAIRMAN. The Chair will rule that on the demand for tellers an insufficient number of Members rose to their feet.

Mr. BASS of Tennessee. I disagree with the ruling of the Chair and ask for a vote on the ruling of the Chair. I say that he had already ruled on the vote.

The CHAIRMAN. Does the gentleman appeal from the ruling of the Chair?

Mr. BASS of Tennessee. I appeal from the ruling of the Chair.

Mr. GREEN of Pennsylvania. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GREEN of Pennsylvania. Mr. Chairman, it is too late for the gentleman to appeal from the ruling of the Chair.

The CHAIRMAN. The gentleman has appealed from the ruling of the Chair.

The question is, Shall the decision of the Chair stand as the judgment of the Committee?

The question was taken, and the Chairman announced that the ayes apparently had it.

Mr. BASS of Tennessee. Mr. Chairman, I demand a division.

The Committee divided; and there were—ayes 222, noes 4.

So the decision of the Chair stands as the judgment of the Committee.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. HOFFMAN. Mr. Chairman, is it now in order to ask for tellers after the rising vote?

The CHAIRMAN. It is not in order. The question was taken on the amendment and the question was decided.

Mr. BROOKS of Louisiana. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to explain an amendment which I expect to offer a little later in the course of debate on the bill. I have the amendment all written out here, and I am going to ask that Members of the Committee turn to the last page of the bill, page 12 on line 6. I propose at the proper time to present this amendment on page 12, line 6, at the period to insert the following:

No person shall be tried for contempt of any such restraining order or injunction except within the judicial district wherein the alleged attempt occurred.

If you will turn to page 11 and page 12, you will find that portion of the bill provides, quoting partially from the bill:

(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order.

Mr. Chairman, rule 65 of title 28 of the United States Code permits the enforcement of a restraining order or an injunction by summary process by the court issuing the restraining order or the injunction throughout the entire United States and in some cases overseas, unless the law itself creating this authority limits the authority to the judicial district from which the order emanated. It is the purpose of the amendment to say, in effect, that since the court signing a restraining order may sign it without a hearing and may sign it in chambers, that no person shall be tried for violating that restraining order save within the jurisdiction where the act is supposed to have occurred. What could you have if you did not have this particular amendment? You may have a great national election in progress, you may have a restraining order issued out of the Federal court—somebody said the other day the District of Columbia—but we will say the courts of Virginia. Over here in Arlington a Federal judge issues a restraining order without any trial, without any public hearing, without any opportunity on the part of the opposition, to resist that restraining order. If that order is published in the paper and somebody out here in California or maybe down in Florida, a man in Washington State, or Minnesota, or any other State in the union can be cited at once by summary process by that particular court and brought clear across the continent to be tried in a summary proceeding for a contempt of a court. Perhaps he may be brought as much as 3,000 miles away from the place where the act occurred. I do not believe this Congress wants that type of proceeding to occur.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BROOKS of Louisiana. I yield to my distinguished friend from Colorado.

Mr. ROGERS of Colorado. The gentleman realizes that under the Civil Code in order for a district judge to have jurisdiction of the matter the defendant must be within that district?

Mr. BROOKS of Louisiana. No. May I say this to the distinguished gentleman from Colorado: Under the judicial code, rule 65, the court signing the restraining order has the power to cite for contempt regardless of where the individual may be residing or where the act may have occurred, unless the statute itself contains a restriction requiring the trial to be in the jurisdiction where the act is supposed to have occurred.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield further?

Mr. BROOKS of Louisiana. I yield.

Mr. ROGERS of Colorado. Prior to the time that the injunction may be issued it will be necessary to get jurisdiction of the individual against whom the injunction is granted.

Mr. BROOKS of Louisiana. May I point out to my friend that under the law at the present time a person is construed to have notice merely by reading it in the newspaper or hearing it by word of mouth? That is all that is necessary under the law at the present time.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 5, line 21, after the word "vote", insert "and have that vote counted".

Mr. HOFFMAN. Mr. Chairman, earlier today the gentleman from Florida [Mr. SIKES] referred to breakfasts at the White House. The precedent for presidential entertainment of the party faithful was set long ago.

We recall that when President Roosevelt was in the White House he had breakfasts and social gatherings on some of the islands in the bay. Members who were Democrats were transported—their transportation paid both ways. Someone in contact with the White House ought to advise the President that it would be just as well to take a little longer trip and have a little more enjoyable time by going over Saturday and Sunday—that is if he wishes to follow precedent.

As to certain statements that have been made to the effect that amendments were offered only by Members who intended to vote against the bill, Members who wished to weaken the bill—my vote will be against this bill—but that is not the reason for offering this amendment.

The alleged purpose of this bill is to protect the right to vote, although it is entitled a bill "to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States." No other civil right, though citizens possess many, is mentioned in the bill.

If additional, and what is considered by many to be unnecessary, legislation is to be enacted—legislation creating a new Federal agency at an unestimated

cost—it is obvious that voting is futile unless the votes are fairly and accurately counted.

That the right to have one's vote counted is a civil right, and the protection of which falls within the jurisdiction of the Congress is evident, as shown by the decision of the United States Supreme Court in United States against Classic.

That case, which was argued in April, decided in May, of 1941, according to Justice Stone, who wrote the opinion of the Court, involved the charge that commissioners of elections, conducting a primary election, had "willfully altered and falsely counted and certified the ballots of voters cast in the primary election"—Justice Stone said that "the questions for decision are whether the right of qualified voters to vote in the Louisiana primary and to have their ballots counted is a right secured by the Constitution" and whether the acts charged violated sections 19 and 20 of the Criminal Code.

After referring to article 1, section 2, of the Constitution, which established the House of Representatives, and to section 4 of the same article, which granted the States the right to fix the time, places, and manner of holding elections for Senators and Representatives, and which authorized the Congress to make or alter such regulations except as to place of choosing—among other things, the Court wrote, 313th United States Reports, page 314:

> The right of qualified voters to vote at the congressional primary in Louisiana and to have their ballots counted is thus the right to participate in that choice.

And over on the next page the Supreme Court said this:

> Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted.

The purpose of this amendment is to give adequate protection to the citizens to have their vote, when cast, fairly and accurately counted.

What is the use of bringing in a bill saying one may vote if the vote is not counted?

Some of us recall that not so long ago down in Missouri—you remember there were quite a number of votes cast and it was alleged there was a conspiracy to suppress the true result of the election there and it was charged that the vote was fraudulently counted. When President Truman went down to see about it—perhaps more accurately, when he was in that vicinity at that time do you remember what happened to the ballots? He did not have anything to do with what happened. Notwithstanding the nearby presence of the President of the United States, someone broke into the courthouse and stole the votes and nothing ever came of the criminal charge. If we are trying to give to citizens the right to vote should we not do what the Supreme Court says here, see to it that the votes are fairly counted?

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield for a correction.

Mr. ROOSEVELT. I want to make a correction. In the circumstance the gentleman refers to, I was responsible for arranging that.

Mr. HOFFMAN. You mean those visits?

Mr. ROOSEVELT. Yes.

Mr. HOFFMAN. Well, the gentleman can put that in the RECORD.

Mr. ROOSEVELT. They were paid for by the Democratic National Committee that paid those expenses each time.

Mr. HOFFMAN. Both going out and coming back? If I have misstated the matter of expense the RECORD may stand corrected, that is as to who picked up the check. My information is that a Government vessel manned by Government officers was used.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Florida.

Mr. CRAMER. The gentleman made a reference with regard to discrimination by the President.

Mr. HOFFMAN. That was a sort of pleasantry.

Mr. CRAMER. I would like to comment on that.

Mr. HOFFMAN. If it is important, I yield to the gentleman.

Mr. CRAMER. The gentleman from Michigan referred to the remarks by the gentleman from Florida [Mr. SIKES] in which Mr. SIKES suggested that the President was practicing political discrimination by inviting members of his own Republican Party to break bread with him and objected to this practice. Apparently what he considers discrimination in Washington would not be considered the same when applied to Florida. I have been a Member of the Florida Congressional delegation for nearly 3 years and I have never received an invitation to break bread with our Democrat Governor at the State mansion. Of course, even Mr. SIKES does not suggest that the President fails to consult the ranking Democrat Members on matters of national concern but Florida's Governor discriminates even here because even as the ranking Republican Member of the Florida delegation I have never been invited to break bread with the Governor of my State.

Mr. HOFFMAN. Is the gentleman feeling badly because the Governor of Florida did not invite him?

Mr. CRAMER. Not necessarily, but I am the ranking Republican Member from Florida and I have never been invited under any circumstances.

Mr. HOFFMAN. Mr. Chairman, this amendment is offered in good faith and all seriousness. Look at it. If you want the votes counted, vote for it. If you do not care, let it go.

A vote for it will be at least a pious indication of good faith.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken, and on a division (demanded by Mr. HOFFMAN) there were—ayes 99, noes 53.

So the amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HOFFMAN. Mr. Chairman, if a Member wanted to, he could ask for tellers on the vote?

The CHAIRMAN. The gentleman's request comes too late.

Mr. HOFFMAN. I was not requesting it.

Mr. COLMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. COLMER: On page 6, line 5, after the word "laws", insert "and the rights reserved to the States and the people".

Mr. COLMER. Mr. Chairman, I have a companion amendment to the next provision, and, in the interest of time, I ask unanimous consent that they be considered together.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

> Amendment offered by Mr. COLMER: On page 6, line 7, after the word "laws", insert "and the rights reserved to the States and the people".

Mr. COLMER. Mr. Chairman, I have asked that these amendments be considered together, otherwise I would be entitled to 10 minutes instead of 5, but I want to get along.

Now, we have heard in this debate many, many times the 14th amendment read by those who are supporting this bill. Now, all I am asking you to do, if I may have your serious consideration, is to also consider the 10th amendment to the Constitution, which provides:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

Let me say before I go any further, I recognize, coming from the section of this country that this is aimed at, and in view of what has happened and what has been said on the floor today, that it possibly is futile for me to offer this amendment. If we are going to measure the merits of an amendment by geography, then, of course, I might just as well sit down. But, may I say to my friends over on the left—and I would like to have the attention of the distinguished minority leader, if I may, just for the moment—I remind this committee and my friends on the left that there have been times in the history of this Congress in recent years, during the Roosevelt and the Truman administrations, as well as the Eisenhower administration, when support from that section of the country known as the South has not only been welcomed but it has been sought. I think if I could say just one thing that might have a little appeal to you, it is that when fundamental, basic questions affecting not the South, not the North, the East,

or the West, but the whole Republic, have arisen in this House, that little band of people from that section of the country, which has contributed so much to the freedom of not one group but of all the citizens of this great common country of ours—that little band from the South has been found in support of those basic constitutional bills and amendments that affect the welfare of all our people. I do not like to consider legislation on party lines. To me that is most deplorable if not despicable. And I do not have to tell you that I follow what I preach. Certainly it is deplorable that we should consider it on sectional lines. What this amendment does in both of these sections is simply to provide—and I hope Members will hear me and heed me—that this Commission when it is studying these matters that are set out, which you say are embraced in the 14th amendment, also consider those that are set out in the 10th amendment.

Mr. Chairman, I am alarmed, as I am sure all serious-minded citizens are, over the strides that have been made in the past quarter of a century in the concentration of power in the Federal Government at the expense of the rights of the sovereign States and the resultant destruction of the liberties of all of the people that the 10th amendment sought to protect. I repeat that the Jeffersonian doctrine embodied in the 10th amendment, to the effect that that people is best governed who is least governed, is gradually but surely disappearing. The liberties of the people are consequently being whittled away by the concentration of power of Government here in Washington.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to make certain that the gentleman from Mississippi [Mr. COLMER] recognizes definitely what his amendment will do, because on page 6, line 3, the bill authorizes and directs the Commission to "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

Now the gentleman proposes to say "reserved to the States and the people."

Mr. COLMER. And the rights reserved to the States and the people, which are the liberties of the people.

Mr. ROGERS of Colorado. The question I want to ask the gentleman is this. Would it be an obligation of the Commission then to examine the State laws in various States and ascertain whether or not those laws give equal protection to the citizens within those States? Would that be an obligation of the Commission?

Mr. COLMER. Does the gentleman want me to answer that question now?

Mr. ROGERS of Colorado. Yes.

Mr. COLMER. I shall be very happy to. It would require the Commission to make the same type of study and collect the same type of information concerning legal developments that is provided for this particular group; in other words, that would bring to the forefront, through this Commission, the unfortunate tendency to concentrate all of the power of the Government in the central Government here in Washington at the expense of the sovereign States and the liberties of the people as provided in the 10th amendment to the Constitution.

Mr. ROGERS of Colorado. Will the gentleman now answer my question as to whether or not it would be the obligation of this Commisssion to examine the laws of each of the 48 States to ascertain whether or not there is a denial of equal protection of the laws reserved to the States and to the people? Would they be obligated to do that?

Mr. COLMER. If the gentleman will read the provision under section 3 with the amendment, he will see what I mean. I shall read it:

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws.

And here is my amendment:

And the rights reserved to the States and the people under the Constitution.

Mr. ROGERS of Colorado. Then I come back to my original question. Would the Commission in appraising the laws or policies of the Federal Government—that is the first part of it—with respect to equal protection of the laws under the Constitution do what I have asked?

Mr. COLMER. That means the Constitution of the United States; that is right.

Mr. ROGERS of Colorado. Would it be the duty and responsibility of this Commission also to examine every State law and every State constitution in the 48 States? Does the gentleman's amendment do that?

Mr. COLMER. I would say that the amendment does not require that. It is not mandatory. If the Commission saw fit to do it, that would be up to them.

Now may I ask the gentleman this question: Does not the gentleman regard the sacred provisions of the 10th amendment, which reserved to the sovereign States and the people the liberties that are provided in the 10th amendment, as fully as sacred as what he has written here that they should do, under this bill?

Mr. ROGERS of Colorado. I would say that we all recognize that when the Founding Fathers established the Constitution and adopted the Bill of Rights they reserved to the States and to the people all rights not heretofore granted to the Federal Government. However, after that conflict that resulted in the adoption of the 13th, 14th, and 15th amendments there was an inhibition placed upon the States. The 13th amendment was against slavery, the 14th was to the effect that native-born and naturalized citizens should be considered equally, and further that—

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. ROGERS of Colorado. May I point out further that the 13th, 14th, and 15th amendments were adopted after the 10th amendment, and after their adoption were a limitation upon the States. That is the question to be investigated here. I thank the gentleman.

Mr. KEATING. That is right.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I want to use a minute or 2 of my time, then I will yield.

Mr. Chairman, I am going to start off by saying that the gentleman from Mississippi is to be commended for feeling that the rights reserved to the States and the people should be the subject of investigation by a commission. It simply is not appropriate to tack that onto this bill, which has a different objective entirely. We have already set up a Commission on Intergovernmental Relations. That Commission has investigated this very thing, the relationships between the States and the Federal Government.

I share with the gentleman from Mississippi, in some respects, the fear that too much power in being centralized in the Federal Government. It is a perfectly appropriate subject to be investigated. However, it has no pertinency to the work of this Commission, which is to conduct investigations to determine whether any citizens are being deprived of their civil rights.

The result of tacking on an amendment such as this to the duties of this Commission would simply be to cause it to bog down in a great multitude of jobs, which it was never set up to do. There would immediately be flooded in upon this Commission allegations that the Federal Government was assuming too much jurisdiction over matters belonging to the States, and many of those allegations would probably be sound. However, the result of adding this amendment would be to change to a large extent, or to nullify the work which this Commission is intended to accomplish.

Now that I have completed my statement, I will be happy to yield to the gentleman from Mississippi.

Mr. COLMER. I wanted the gentleman to yield to me so that I could ask the gentleman from Colorado a question. That question is this: Is it the gentleman's contention that the 13th, 14th, and 15th amendments repeal the 10th amendment?

Mr. KEATING. No; that is not my contention.

Mr. COLMER. That is the question I wanted to ask. Of course, as I said in the beginning, to be perfectly frank with you, I do not expect to get anywhere with this amendment. But, I just want to point it up, to show what is being done here. We want to look after the interest of some aspects of this thing, but we are not interested in other aspects which to some of us are even of greater

import than the ones that are being pointed out here.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment is quite extraneous to the purposes of the bill. The bill primarily is to protect the constitutional rights—rights that we read of in the 15th amendment which is 87 years old and which has been more honored in the breach than in the observance in various States, particularly, in the State whence comes the gentleman who has propounded the motion. That amendment reads:

The rights of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

And then it says:

Congress shall have the power to enforce this article by appropriate legislation.

That is what we are doing. We are seeking to enforce the constitutional rights given among other things by the 15th amendment. This amendment offered by the gentleman from Mississippi would just clutter up this bill. I wonder if we were even to go so far, and I am sure we will not, as to adopt this amendment whether the gentleman from Mississippi would vote for the bill. I am quite sure he would not vote for the bill.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. COLMER. In view of the philosophy behind this bill and the purposes of the bill, and in view of what this bill is aimed at, I will say to the gentleman in all candor and frankness thet I would not be a party to enacting any such bill into law.

Mr. CELLER. That is a fair statement.

Mr. COLMER. I want that on the record so that there will be no mistake about it.

Mr. CELLER. That is a fair statement of the gentleman's position. Therefore, Mr. Chairman, I wonder with what grace we can accept this suggested amendment offered by the gentleman from Mississippi. The States have had their chances on these matters in connection with equal rights concerning voting, education, transportation, and housing, but I fear that the States have, certain States have, woefully been lacking in doing what I humbly consider their duty. They have given us what we call equal but separate facilities. Now the Supreme Court has struck down that shibboleth "equal but separate." That was a sort of exemplification of States rights. I do not think that that type of States rights needs very much protection. It is the constitutional rights that need protection. It is the constitutional rights that have been struck down by the failure on the parts of certain States to act—or where they have acted, they have acted injudiciously and have flagrantly corroded those constitutional rights. That is the import of the bill.

Mr. ALGER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. ALGER. I would like to ask the distinguished gentleman from New York if under paragraph 2 of section 104 where it states:

Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

In the opinion of the chairman, would this be the place where violence, the brutalities, and the flagrant violence of labor picketing and fighting that has been going on as in the Kohler situation and others—is this the part in the bill where the Commission has the right to study?

Mr. CELLER. I suppose the gentleman would want to put in there what we call the union-busting provision, the right to work amendment. This is not a labor-baiting statute. Certainly an amendment of that sort carrying out what the gentleman has stated would not be germane to this bill.

I hope the gentleman is answered.

Mr. ALGER. The gentleman has answered.

Mr. CELLER. I cannot yield further because I do not agree with the philosophy of the gentleman, and those observations have no place in this argument.

I think the gentleman from Mississippi would turn back the clock of time Wherever there is a vacuum something rushes in to fill that vacuum. There has been a vacuum created in southern States with reference to according proper rights to people of a certain color and to people of certain origins. However, because the States have failed it is essential for the Federal Government to step in and say "These are constitutional rights and they must be accorded to these people." That is what this bill aims at, the constitutional rights. For that reason I believe it would be wrong to graft onto this bill the amendment offered by the gentleman from Mississippi.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. GROSS. Mr. Chairman, I have no intention of taking the full 5 minutes. It has been asserted and reasserted on this floor, particularly by the gentleman from New York [Mr. CELLER] that this is basically a right to vote bill. Let me read the title of the bill:

To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Then I turn to page 6, paragraph (2) and (3), and I think everyone is well acquainted with the language of paragraphs (2) and (3):

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

What limitation is there in paragraphs (2) and (3) with respect to the right to vote?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. ROGERS of Colorado. What the gentleman has reference to deals with the Commission.

Mr. GROSS. I beg pardon?

Mr. ROGERS of Colorado. That which you are talking about deals with the right of the Commission to conduct hearings. It has nothing to do with the right to vote. That is dealt with later in Section 4 of the bill where the attorney is authorized under certain conditions to go in and get certain injunctions.

Mr. GROSS. Let me ask the gentleman this question, and the gentleman from New York [Mr. KEATING] made quite a point of it earlier this afternoon, and that is that the Commission shall investigate allegations made under oath or affirmation that certain citizens of the United States are being deprived of the right to vote, and so on and so forth. Does that carry over into paragraphs (2) and (3) on page 6 of the bill? Must the information referred to in paragraphs (2) and (3) be obtained under oath or affirmation?

Mr. ROGERS of Colorado. If the gentleman will read, he will see that subsection (1) of section 104 gives the right to investigate allegations in writing that certain citizens are deprived of the right to vote. On page 6, line 3, under subsection (2) they study and collect information.

Mr. GROSS. Yes; all right. Now, must that information be obtained under oath or affirmation?

Mr. ROGERS of Colorado. No.

Mr. GROSS. No; so it is as wide open as all outdoors, is it not, for this Commission?

Mr. ROGERS of Colorado. They are under a duty and obligation within a 2-year period to make a report to the President.

Mr. GROSS. I do not care what the tenure of their office; the fact is it is as wide open as all outdoors.

Mr. ROGERS of Colorado. No, it is not.

Mr. GROSS. Of course it is.

Mr. ROGERS of Colorado. I disagree with the gentleman for the simple reason that under section 1 they investigate the case of persons who have been denied the right to vote by reason of color, race, religion, or national origins. It is there the information must be given to them under oath and in writing. They are given additional responsibilities as set forth in subsections (2) and (3) on page 6.

Mr. GROSS. Just a minute. I would like to hear the other side of the picture. I yield to the gentleman from Georgia [Mr. FORRESTER] who I believe would like to say something.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield there that I may answer his question?

Mr. GROSS. I am glad to yield.

Mr. FORRESTER. The only thing that will be under oath is as stated in that provision, that the allegation starting off the investigation must be under oath. Thereafter no one will be under

oath. I wonder if anybody wants to deny that? Thereafter, sir, it is as wide open as anything on earth can be. The gentleman is absolutely correct.

Mr. GROSS. I thank the gentleman.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Illinois.

Mr. MASON. Some 50 or 60 years ago the Supreme Court ruled that if a State segregated its schools and gave equal educational opportunities to the colored and the white, it was perfectly constitutional. The present Court has ignored that previous decision and reversed it and said it is not constitutional. My question is, Which Court is the better qualified to interpret the Constitution, the present Supreme Court or the one in the past?

Mr. ROGERS of Colorado. It would be a part of the duty of this Commission to study and collect information concerning the legal developments. They make that study. No doubt in their study they would come up and show perhaps the thing the gentleman from Illinois said.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment now close.

The motion was agreed to.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Mississippi [Mr. COLMER].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 78, noes 91.

Mr. COLMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ROGERS of Colorado and Mr. COLMER.

The committee again divided and the tellers reported that there were—ayes 95, noes 128.

So the amendments were rejected.

Mr. ALGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. ALGER: On page 6, line 5, strike out the semicolon and the remainder of line 5 and insert "including the denial of the right to obtain and keep employment regardless of membership or nonmembership in a labor or trade organization."

Mr. CELLER. Mr. Chairman, I make a point of order that the amendment is not germane to the bill. It is purely extraneous and does not come within the four squares or purview of the main purposes of the bill and relates to a subject matter entirely different from the bill itself or any provisions thereof. A similar amendment was offered on the last occasion of the consideration of a civil rights bill and the amendment was declared out of order.

Mr. ALGER. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. ALGER. Mr. Chairman, I directed a question a few moments ago on paragraph (2) under Section 104. Read the paragraph. Does it or does it not say "equal protection of the laws under the Constitution"?

I was privileged to sit in a committee, not asking for this particular information but it was thrown at me, and learned last year that the civil rights of this country have been violated in ways that no Americans should try to wish away, by turning their back on it; men have been beaten half to death, with police standing nearby, all under union activities, such as picketing.

Mr. CELLER. Mr. Chairman, I make the point of order that the gentleman is arguing the merits of his amendment and not the germaneness of it.

The CHAIRMAN. The gentleman must confine his remarks to the point of order.

Mr. ALGER. Mr. Chairman, I directed a question a few moments ago as to whether this particular paragraph of the bill did or did not cover the matter of violence, and the loss of one's constitutional rights. The question was brought up in this debate on civil rights, and now I rephrase that to ask, what are civil rights? I asked that here on the floor of the House Friday afternoon, and nobody has told me anything except, under this bill, the right to vote. I want to know what the other civil rights are. When a man is beaten half to death by the pickets of labor organizations because they have an immunity from the law, is that an equal protection of the law? Are a man's civil rights taken away from him when he is beaten half to death? I simply ask, does that come under this section of the bill? Read section 104. It says that the Commission shall do certain things. It does not say anything about the right to vote. This is a civil rights bill. It says that the Commission shall "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

I simply say that the laws under the Constitution are violated under the circumstances I have related.

Mr. HIESTAND. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HIESTAND. Mr. Chairman, this is essentially a civil-rights bill. It is a civil-rights bill in some 14 places. Only in 1 or 2 places, prior to the very close, does it discuss even the right to vote. Webster's dictionary defines the word civil in several ways, but the legal part of it says:

> Relating to the private rights of an individual in a community under legal proceedings in connection therewith as distinguished from criminal and political.

I suggest that criminal rights might include the much-discussed right to trial by jury, and political might include the right to vote. But what is civil? Obviously, the right to work, the right to earn a living. So, Mr. Chairman, I suggest that that certainly is a civil right, even more than any of the others.

Mr. WILLIAMS of Mississippi. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the amendment that has been offered by the gentleman from Texas seeks to add to the duties of the Commission which is created under this proposed legislation, that of investigating the so-called right to work without having to join a trade union. The title of the bill is not limiting in scope but rather makes a general reference to securing and protecting the civil rights of persons within the jurisdiction of the United States. It makes no reference whatsoever to limiting the bill solely and exclusively to the right to vote.

On page 5 of the bill the duties of the Commission are enumerated under section 104.

First, the Commission shall investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote. If this bill were limited to the right to vote there would be no necessity whatsoever for the inclusion of subsections 2 and 3. However, subsection 2 states that in addition to investigating alleged denials of the right to vote this Commission shall study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Under subsection 3 the scope of the bill is broadened even further by including among the duties of the Commission an appraisal of the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

I submit, Mr. Chairman, that the right to work being a civil right, it may be properly included as an amendment to this bill.

Mr. HOFFMAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair is ready to rule, but if the gentleman wants to be heard the Chair will hear him.

Mr. HOFFMAN. I do want to be heard, Mr. Chairman.

The title of the bill is "To provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States." That is the title. It is not limited to the right to vote; that is, the title does not limit the purpose of the bill to the right to vote.

Certainly the right to earn a livelihood is a property right. Section 1 of the 14th amendment provides in part as follows:

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; or shall any State deprive any person of life, liberty, or property.

If the right to work, to earn a livelihood, is not property, then it is difficult to understand just what it is. If you hold that the right to work is not a civil right, when you compare it with the right to vote, I wonder what the choice of the average citizen would be if he had to choose between the right to work and earn a livelihood to get food and clothing and the right to vote. Which is the more important? Which is the greater civil right?

One other thing: This amendment proposes to add and only adds additional duties to the Commission. Certainly it is germane to that provision.

Mr. KEATING. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. KEATING. As to the position taken by the chairman of the committee, almost this precise question was raised and passed upon when a similar bill was before us last year, CONGRESSIONAL RECORD, volume 102, part 10, page 13552, where the provision was ruled not germane because the thing sought to be investigated did not come within the four walls of the bill. It seems to me that is a clear precedent in this case.

Mr. DOWDY, Mr. Chairman, today the amendment offered has to do with something entirely different, an entirely different provision of the bill. As I recall, it was not even in the bill last year, under something that is not limitation as to color, race, religion or national origin, but merely concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. KEATING. It is, however, all under section 104 which designates the matters which the Commission is authorized to investigate.

Mr. DOWDY. Since there is limitation on it in this bill today we have to provide means for further securing and protecting the civil rights of persons within the jurisdiction of the United States, and it does not limit it to color, race, religion, or national origin.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield.

Mr. CELLER. Yes; but the gentleman must realize that the amendment is to the entire section, and section 104, subdivision (1), speaks of deprivation of the right to vote by reason of color, race, religion—and counting of votes based on national origin. That is a limitation. You cannot take subdivision (2) and subdivision (3) and separate them from subdivision (1).

Mr. DOWDY. The bill itself separates them.

Mr. CELLER. No; it does not. They must be read together.

Mr. DOWDY. Subdivision (2) does not put any limitation as to color, race, or religion. It says only to study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution.

Mr. CELLER. Mr. Chairman, will the gentleman yield further?

Mr. DOWDY. I yield.

Mr. CELLER. The same distinguished gentleman who is presiding as Chairman of the Committee of the Whole was in the chair when this bill was considered in the last Congress. This almost identical amendment was offered. I made the point of order that it was not germane. I am happy to report that the distinguished gentleman from Rhode Island who was then presiding as Chairman held that the amendment was not germane since the subject matter of the bill concerned certain civil rights which were not embraced within the amendment offered by, I think it was, the gentleman from California [Mr. JACKSON]. And with reference to the similar amendment which is now offered by the gentleman from Texas [Mr. ALGER], I hope that the Chairman, the gentleman from Rhode Island, will rule the same today as he did 2 years ago.

Mr. DOWDY. It is not an identical situation.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The Chair has examined the amendment offered by the gentleman from Texas [Mr. ALGER], and the Chair has also been examining the bill. The Chair finds the bill has to do with political rights and the amendment has to do with labor rights. The labor item comes within the jurisdiction of the Committee on Education and Labor and not within the jurisdiction of the Committee on the Judiciary. In support of that position, the Chair refers the Members to the CONGRESSIONAL RECORD, volume 102, part 10, page 13552, wherein he ruled on a practically similar question and the Chair also refers the Members to the precedents dealing with that subject.

Therefore, the Chair, following the decision of July 19, 1956, rules that the amendment is not germane and the point of order is sustained.

Mr. RIVERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. RIVERS. Mr. Chairman, did I understand the Chair to rule that for the purposes of this bill the rights referred to are political rights and not civil rights?

The CHAIRMAN. The Chair did not say that.

Mr. RIVERS. I understood the Chair to say that. He said what the amendment refers to are political rights as contained in the bill and not civil rights.

The CHAIRMAN. The Chair was distinguishing the amendment as being a labor amendment rather than a political amendment which deals with voting.

Mr. RIVERS. I understood the Chair to say that the amendment had to do with political rights.

The CHAIRMAN. The right to vote is a political right.

Mr. RIVERS. Mr. Chairman, I ask unanimous consent that we have read back what the ruling of the Chair was. If I misunderstood, I want to get it plain.

The CHAIRMAN. That is not in conformity with the rules of procedure.

Mr. RIVERS. I understood the Chair to say the gentleman's amendment had to do with political rights.

Mr. MULTER. Mr. Chairman, a point of order.

Mr. RIVERS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from New York raises a point of order.

Mr. MULTER. Mr. Chairman, since the Chair has ruled on the point of order, I do not believe any Member is in order in questioning the ruling of the Chair in this manner.

The CHAIRMAN. The gentleman from South Carolina is propounding a parliamentary inquiry.

Mr. RIVERS. Mr. Chairman, my parliamentary inquiry is to ask the Chair if he made the statement that these were political rights, in reference to the Member's amendment, that they were political rights.

The CHAIRMAN. The bill deals with political rights. Voting is a political right.

Mr. RIVERS. I understood the Chair to say that the bill dealt with political rights. I am asking the Chair if the Chair holds that the bill does not deal with political rights?

The CHAIRMAN. Political rights and the right to vote are part of the civil rights.

Mr. RIVERS. Does the Chair hold that the bill deals with civil rights?

The CHAIRMAN. Both.

Mr. RIVERS. Both political rights and civil rights.

The CHAIRMAN. That is right.

Mr. DOWDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DOWDY. Is religion a political right?

The CHAIRMAN. It is a religious right.

Mr. DOWDY. The bill deals with it.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 6, line 3, strike out lines 3, 4, and 5.

Mr. HOFFMAN. Mr. Chairman, since the political issue has been injected into the debate—at least that is my understanding, permit me to stand on a plank in the Republican platform. One of the principal planks of which was that the country was in danger of inflation and we should economize.

I go along with that. And because we have regular standing committees of the House authorized and qualified to perform the duties outlined for the Commission in lines 3, 4, and 5, this amendment is offered.

The language asked to be stricken provides that the Commission shall "study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution."

We have a regular standing committee of the House, the Committee on the Judiciary, which has jurisdiction and authority to do everything the Commission is authorized to do. We have another committee, the Committee on Government Operations, which has jurisdiction and which has ample funds to make investigations, hold those hearings on the matters referred to in this bill. Now do we want to turn loose a new group and create a new Federal commission, to render a like and unnecessary service. This bill also provides for an additional district attorney and of course a new staff. Is there any use, is there any sense in talking economy? And then creating a new group to spend unknown sums to duplicate the investigation and hearings now delegated to regular standing committees. Should we not go along with the President of the United States, your President, the President your lead-

ers support 95 percent of the time—I should say on 95 percent of his measures, not 95 percent of the time—go along with him when he asks for economy, when he warns us that the danger of inflation is right with us all the time and that we should be very very careful of the taxpayers' dollars. That when we make appropriations here they should be carefully considered by the committee? That no unnecessary authorization should be made?

This is not an appropriation; I realize that. It is an authorization, but no estimate has been made, no one has given us any idea as to the cost of the operations of this Commission which can snoop and inquire into almost every subject anywhere in the continental United States: I admit this is not an appropriation bill, but when the appropriation bill comes along Members on this floor will be told, if we object to the amount of money requested, why did we authorize the expenditure if we did not want to appropriate the money. That is a question that always confronts us.

When we have regular standing committees of the House to perform these duties to protect the taxpayers of this land—I should say citizens, rather than taxpayers—why authorize a new commission and permit that commission to have an advisory board, and the Lord Himself is the only one who knows who will be on it, advisers to the commission to go out and take testimony, call in witnesses, incur unlimited expense?

All right, I will go along with the platform—I cannot go along 100 percent, and nobody ever did go along with all the planks in a platform, but here is one that I can go along with, and if I understand the temper of the people at the present time, if I understand the statement of the President, he and they want economy. Then why do we authorize millions, nobody knows how many, why do we write a blank check for a new commission to go out and inquire into the citizens' activities and see what they are thinking and doing? We have heard plenty of complaint about the activities of those in the Revenue Service. They, going about their duties, are called snoopers. Do we want more? We will hear from home if we authorize this new unneeded duplication after they get started on their expedition.

Mr. CELLER. I move that debate on the pending amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. The question is on the motion offered by the gentleman from New York [Mr. CELLER].

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes, 99, noes, 60.

Mr. GROSS. I demand tellers.

Tellers were ordered and the Chair appointed as tellers Mr. CELLER and Mr. GROSS.

The Committee again divided, and the tellers reported that there were—ayes, 99, noes, 68.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan [Mr. HOFFMAN]. You will recall that when this bill was first considered under the 5-minute rule I offered an amendment to strike out this commission believing, as does the gentleman from Michigan, that the President of the United States wants some economy in Government, and he is not going to get it this way.

I should like to conjure up as a witness in behalf of the amendment offered by the gentleman from Michigan, for whatever good it will do to cut down the expenses of this commission, the gentleman from New York, Senator Herbert H. Lehman, an ardent champion of civil-rights legislation who testified before the Committee on the Judiciary of the Senate in the last session of the Congress, stating this:

> There are three bills pending before you reflecting the same proposal to create a Federal commission to study, conduct investigations, and report on the status of civil rights in our Nation today. I myself do not give this proposal a top priority at this late stage of the Congressional session. Civil rights have been extensively studied in previous years by many Congressional committees, including this one, by many private groups, and by the President's Committee on Civil Rights in 1947. All of this study material is available.

That is from one of the most ardent supporters of civil rights who says that this commission and its work is not necessary, and that testimony was given a year ago.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, the gentleman from Iowa who has just spoken and the gentleman from Michigan are consistent in their positions. They are both opposed to part I of this bill. The gentleman from Iowa, as he says, moved to strike out completely the authorization for the Commission, and the gentleman from Michigan has moved to whittle away at the powers of this Commission, at the areas in which it shall be entitled to investigate.

Now, these three provisions here as to what this Commission would investigate were the subject of hours of study and work by the subcommittee and much discussion again in the full committee. And, I believe we are presenting to this body a workable set of areas in which this committee is to conduct its investigation.

It has been said here that this will cost something, and it will, but I submit, Mr. Chairman, that the right to vote and the right to equal protection of the laws, if they can be strengthened by this legislation, are priceless. The relatively small cost of this Commission, if it does the job that the proponents of this legislation hope it will do, will be money very well spent.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I want to confirm what the gentleman from New York [Mr. KEATING] has stated. We had many more provisions in this bill, many more powers that could be exercised by the Commission, but we cut them down almost to the bone, to the principles that are outlined in the bill before you.

I will say to the gentleman from Michigan [Mr. HOFFMAN] that the Executive has the right to investigate. He is the gentleman's President; he is my President. I do not always agree with him, but I think he has a perfect right to set up a Commission.

This section that is sought to be eliminated provides for the study and collection of information concerning legal developments constituting a denial of equal protection of the laws under the Constitution. That is a very important provision and if we take that provision out we would be hampering to a very marked degree the work of the Commission.

I would say this. We cannot have too many entities focusing the pitiless light of publicity on wrongs envisaged by this subsection (2). Some of them are dreadful wrongs and they must be righted and information concerning them must be spread all over the Nation so that the public consciousness might be aroused to these wrongs.

For that reason I do hope the amendment will be voted down.

The CHAIRMAN. The time of the gentleman from New York [Mr. CELLER] has expired. All time has expired. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 68, noes 109.

So the amendment was rejected.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. HOFFMAN: On page 6, line 6, strike out lines 6, 7, and 8.

Mr. HOFFMAN. Mr. Chairman, the lines I seek to strike out read as follows:

> Appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

Mr. Chairman, it is all very well to promise economy. It is all very well to argue against duplication of activities. But talk is one thing and voting is another.

I regret that it is impossible to get a record vote on this amendment. It would be helpful to the people in our districts if they could learn, when the question of expenditure of Federal funds for a Commission to snoop into their political and religious thinking, their private activities was before us, who votes for the inquiry and who votes against it.

The Reorganization Act of 1946 expressly confers full power upon the Committee on Government Operations to do everything this section authorizes the Commission to do. Why duplicate that service? What we are doing is establishing anther group to carry on the duties of the Committee on Government Operations and of the House itself. I do not believe there is a single publication of the daily press that does not each day carry a story about some investigation by a Congressional committee, either of the

House or of the other body. The amendment is offered not only to keep my record clear but to keep clear the record of those who want to vote as well as talk economy. We are not given even an estimate of what the Commission will cost.

It will be the tool of special groups—some of which will advocate the overthrow of the Government by the denial of civil rights which we now enjoy.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. WALTER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am seeking this time because the Committee on Un-American Activities will hold hearings in San Francisco and it will be necessary for me to leave tomorrow.

Mr. Chairman, I wish to voice my approval and support of an amendment to provide for a jury trial in contempts arising out of the issuance of an injunction as authorized by the Celler bill.

As a lawyer, of coure, I do not maintain that there is a constitutional right to a jury trial in a contempt case. But I am also cognizant of the broad and sweeping power which a judge has in issuing and enforcing his own injunction. It is for that very reason that I believe that a jury should be placed between the judge and his judgment. Make no mistake about it, under the provisions of this bill, most of the contempts, if not all, will be violations of State or Federal penal laws. Therefore, a person charged with a contempt would, under those penal laws, be entitled to a trial by jury. But when the person is tried for a contempt of the court, he is being tried for a criminal act, an act made criminal not by statute but by court order. In both instances, the result is the same—a deprivation of liberty through confinement to jail, and note here that such confinement is within the discretion of the judge.

Ordinarily an act is made criminal by the exercise of the legislative function, but here in a contempt the judge assumes the robes of the legislature and makes criminal an act which need not be a crime under existing law. Once he has exercised his role of the legislature he then dons the robe of the prosecutor and having done that, he assumes the role of the jury and ascertains guilt, then he places upon his head his judicial crown and passes sentence in which he was the tryer of the facts and law. Under such circumstances, the defendant is entitled to the utmost care and protection of his liberty for, after all, that is what is really at stake. What difference does it make to a defendant whether he serves time in a prison for violating a penal law or violating a court order?

I do not wish to cast any aspersion upon the members of the Federal judiciary, but it must be remembered that Federal judges, as all judges, are human beings. As such, they are subject to the frailties and weaknesses of human nature. That should be remembered particularly with regard to contempt cases, for in such cases the order of the judge himself is the order which has been violated. It indeed requires great effort to maintain that judicial objectivity which is necessary in passing judgment in a subsequent contempt proceeding. We recognize in existing law that possibility, for we provide for the disqualification of a judge when the charge is made that a contempt arises from an attack upon the character or conduct of the judge. Surely that is a sound principle of justice.

And I believe it is a sound principle of justice that where a man is to be confined to jail, that he be entitled to that fundamental right of a trial by jury. It was the denial of a right to trial by jury through subterfuge such as contained in this bill that brought about the formation of the United States of America. I see no difference between a denial by a king through subterfuge of the right to trial by jury and one where we substitute an attorney general for a despotic king. Tyranny is tyranny, regardless of who exercises it, and politics is politics for the same reason. We should never permit the slightest opportunity to arise which will undermine so fundamental a right as trial by jury. This bill presents a grand opportunity for the substitution of tyranny by a politician for the American principle of trial by jury. As one who believes as strongly as anyone in civil rights, I am a much stronger supporter and advocate of our Constitution, the basic doctrine from which these rights flow. Destroy the Constitution and you destroy civil rights.

Mr. KEATING. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was happy to hear the gentleman from Pennsylvania, with commendable candor, say that there is no constitutional right to a jury trial in these cases. Therefore, his reference to the Constitution toward the end of his remarks would seem somewhat inconsistent with the beginning of his address when he stated that there was no constitutional right to a jury trial. It is very clear that there is not.

The question before us is—shall we grant the right to a jury trial under the provisions of this bill? Shall we do here something which we do not do in any of the other many Federal statutes dealing with similar situations?

There are many other instances in our Federal laws where a person can commit an act that constitutes a crime and which not only gives rise to the right of the Government to indict and try him for that crime but, also gives rise to a right of the Government to bring an injunction proceeding. The Government has the right to bring a proceeding to restrain him from continuing the commission of his wrong.

Let me refer, for instance, to the proceedings under the antitrust laws. If several businessmen get together and conspire with each other to raise prices, or to fix prices, they are committing a criminal act and can be prosecuted criminally.

After they have been indicted, they have a jury trial because they are being tried for a crime. The Government has the alternative, however, of proceeding against them by injunction and may bring a proceeding to stop them from the continued commission of the wrong. If, after a full-scale trial in which it is found that the injunction should issue, they then defy the order of the court, they are tried for contempt by the court, not by a jury. They have no right to a jury trial in the contempt proceedings. Therefore, businessmen, under our existing laws, do not have this right.

Under the labor laws, representatives of unions have no right to a jury trial if an action is brought to restrain them from doing certain illegal acts and, in the face of a court order, they then go ahead and do them. They do not have any right to a jury trial.

Under the Atomic Energy Act a person who willfully violates or conspires to violate any provisions of that act is subject to criminal prosecution, and, if he is proceeded against criminally by the Government, he has a right to a jury trial. The act also provides that, whenever the Commission feels that any person has engaged in, or is about to engage in, any acts or practices, which will constitute a violation of the provisions of the law, he may be proceeded against by injunction. The proceedings are brought by the Attorney General on behalf of the United States. If the person then continues, after he has been ordered to stop, he can be held in contempt of court, and he is tried by the court, not by a jury.

Under the Natural Gas Act, a person who willfully commits an act that is prohibited by that law subjects himself to criminal prosecution. It is also provided that the Federal Power Commission may, through the Attorney General, proceed by injunction against this person. He can do this whenever anyone has engaged, or is about to engage, in the commission of acts which are criminal in their character, and it is felt by the Government that the best thing to do is to restrain those criminal acts before they take place, rather than to punish them after they have taken place. The accused has a right to a trial, as does anyone under this bill, but, after he has been tried and the injunction has issued, if he then violates it, he becomes subject to the order punishing him for contempt, and in these proceedings he can have no jury trial.

You can go through the bill relating to the interstate transportation of petroleum products, and through the Federal Power Act, and through the act governing the landing of marine cables, and the acts governing the acquisition of public lands, and through the Civil Aeronautics Act. In every one of these acts you will see that the right of trial by jury is preserved only if the defendant is proceeded against criminally, and not otherwise. Why should we single out this particular legislation for treatment different from that accorded other similar bills? Why should we single out one small group, a handful of election officials who choose to defy a court order, for especially solicitous treatment, not accorded to businessmen, union officials, security dealers, or any of the

other groups against whom injunctions to restrain illegal or criminal acts may be obtained by the Government?

Mr. CELLER. Mr. Chairman, I move to strike out the last word.

In connection with the so-called right of trial by jury being injected into this bill, I should like to read a statement signed by the dean of the Yale Law School, E. V. Rostow; the dean of Columbia University Law School, William C. Warren; the dean of the University of Pennsylvania Law School, Mr. Jefferson B. Fordham; the dean of Harvard Law School, Mr. Griswold. The statement is as follows:

GUILFORD, CONN., *June 9, 1957.*

IRVING FERMAN,
Bethesda, Md.:

The civil-rights bill, is in our opinion creating an erroneous impression with respect to the necessity for jury trials in contempt proceedings which may be brought by the Government to insure the effectiveness of injunctions safeguarding constitutional rights. The bill in its present form is not exceptional. Many provisions of law authorize the Federal courts to exercise their traditional power to punish willful violations of injunctions obtained by the United States Government. There is no denial of due process of law. The injunction itself can be obtained only after a full and fair hearing with a right of appeal. If the injunction is then violated, and contempt proceedings are brought, the Government must satisfy the court beyond a reasonable doubt, that the party charged, willfully disobeyed the court's orders. While we fully support trial by jury in its proper sphere we fear that its unnecessary injection into this legislation will only hamper and delay the Department of Justice and the courts in carrying out their constitutional duty to protect voting and other rights of citizens.

E. V. ROSTOW,
Dean, Yale Law School.
WILLIAM C. WARREN,
Dean, Columbia Law School.
JEFFERSON B. FORDHAM,
Dean, University of Pennsylvania Law School.

The gentleman from New York has very wisely and properly instanced quite a number of statutes where the contemnor is punished by the court without trial by jury. I remember during the prohibition era when there were something like 42,000 padlock injunctions filed against citizens of the United States for violation of injunctions. I heard no murmurs of discontent, no opposition at that time. Those padlock injunctions were obtained without jury trials. Millions of dollars were involved in many instances. Yet the Nation stood by and felt it was proper and appropriate where there were violations of solemn decrees of the court that those who had violated the law and were contemnors who held the court in contempt, who did not give any consideration to the court's injunction, should be punished.

That is the situation here. As to the injection of trial by jury, I certainly want to protect the right of trial by jury. But this bill is not a jury-trial bill. This bill seeks to implement an old statute that goes back to 1871, which gave individuals the right not only on the legal side but on the equity side. The individual could obtain injunctions for wrongs and for deprivation of rights, but in those States where there were deprivation of rights, the one deprived was either too ignorant to assert his rights or he feared economic reprisals or he did not have the wherewithal to hire a lawyer. So that these old statutes became dead letters and there was no action taken under them.

Now, we seek to give the Attorney General the right to go into the equity side of the court for what reason? To prevent the commission of these crimes, to prevent the deprivation of these rights and jury trial has nothing to do with it whatsoever.

Mr. HYDE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have heard a great deal in answer to this argument on the right to a trial by jury about these many other statutes that we have on the statute books which do not give the right to trial by jury in certain cases.

Mr. Chairman, this argument is beneficial for at least one reason. It will call upon us, and certainly I would do so, to make a review of these many statutes which we now have on the statute books that gives the Federal Government the right to put people in jail through contempt actions for violations. I intend to make that review and I think it will be very salutary to have an amendment to the Code that in those cases where the act or thing done or omitted constitutes a crime, then the person so charged should have the right to trial by jury, not only here but in all of these other cases. So for that reason, this particular debate has been beneficial because it has highlighted for the benefit of the whole House these things we now have on our statute books which are probably, and in my opinion, certainly not good or worthwhile.

To get to the specific acts about which the two gentlemen from New York have been speaking so much at length. These acts of Congress which were passed created new rights belonging to the Federal Government in its capacity as a sovereign nation. In those cases the Nation assumes to enforce these natural rights belonging to the Federal Government as a sovereign government. They are not cases which are for the benefit of private individuals as this is supposed to be.

Moreover, assuming that there is no right to a jury trial in some equity cases, under such cases as the antitrust laws, it is submitted that that argument would destroy this bill, because there has never been a law yet which allowed the United States to bring equitable actions for the benefit of private individuals as this bill does.

So, Mr. Chairman, I submit there is now a distinction between all these statutes about which they have been speaking which they use as an excuse and as a precedent for what they are doing now. Moreover, to get to the nub of it, the thing about which the gentleman from Pennsylvania was speaking. Let us look at the language of the gentleman from New York in his own argument to find out just what exactly we are doing. He has said time and time again on the floor of this House that all we are doing here is to provide for the issuance of an injunction to prevent the commission of a crime. That is what he says we are doing. Well, what follows from that? If the order of the injunction is disobeyed, that means that there has been a crime committed; there is no other logical conclusion. There has been a crime committed, and because they are afraid that juries will not convict for that crime, they suggest this procedure to do away with juries. It is just as simple as that.

Mr. WILLIS. Mr. Chairman, I move to strike out the last word.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WILLIS. I gladly yield to the gentleman from Florida.

Mr. CRAMER. Particularly in context to what has just been said by my distinguished colleague from New York stressing the points that in these statutes that have been cited they involve the sovereign and the protection of the rights of all the people of America and that there has never been a law yet which allows the United States to bring equitable actions for the benefit of private individuals. I want to carry that one step further and ask my distinguished colleague if it is not true that that is the reason why, under title XVIII, if contemptuous act is not committed in the presence of the court or the United States is a party to the action, there is no trial by jury, and does it not follow that the reason for that is exactly the same as is cited here, because the United States is exercising its power as a sovereign nation and secondly there was at the time of the passage of that statute no law on the books where the United States had authority to bring equitable actions on behalf of private individuals.

Mr. WILLIS. The gentleman could not be more right, and he has put his finger on the very problem.

Now, we have heard discussions here about constitutional right of trial by jury in contempt cases. What difference does it make whether the right springs from the Constitution or from an act of Congress? The fact of the matter is that since 1914 in cases of this kind the right of trial by jury has been guaranteed. We are not asking for a single solitary right that the people do not now enjoy, and the proof of the pudding is the Clinton, Tenn., case that you do not hear anything about from the opposition. There the Federal court after trial on the merits issued an order commanding the school board to admit certain colored people to school. They won the case; they went to school; they are in school today.

Now, under the broad sweep of that injunction, however, the Federal judge provided that if anyone in the community violated his order—and got him mad, that is—and the words were "by words, acts, or otherwise"—they would be in trouble. So, today 16 people who were not involved in the lawsuit, not members of the school board, not defendants in the case, but 16 people in the community are charged with having offended the judge or committed contempt. They asked for a jury trial and under the law today—and this suit is pending in the Federal court—they were granted a jury trial and will be tried by a jury. Under this bill, however, if

the same suit had been brought they would not be entitled to a jury trial because the device, the purpose, the design, the object, the effect of this bill is to lug in the Government as a party in order to take advantage of a loophole in the law and thus deprive people of the right to a jury trial that they enjoy today and they have enjoyed that, as I said, since 1914.

Our good friend the gentleman from New York [Mr. CELLER] by the way, when the act of 1914 was passed as the law of our land, was a great advocate of the right to trial by jury because, as he expressed it, they were the days of the yellow-dog contracts and the abuse of the power of injunction, and Congress saw to it that the people, not only the laboring people under the Clayton Act, but everyone, was entitled to the right of trial by jury for contempt of court.

We are not asking for the injunction to be tried on its merits before a jury. We are simply saying that if after the decree has issued the judge feels that someone has violated it, and then a charge is filed against that man, which charge constitutes a crime we say at that point that the man is entitled to a trial by jury because it makes precious little difference to a man whether he is sent to jail on purpose or by design or by accident.

Mr. CURTIS of Massachusetts. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I bring before this Committee a statement made by a distinguished constitutional lawyer, Prof. Paul A. Freund, of Harvard University Law School, as published in the New York Times of last Sunday:

> The debate over the pending civil-rights bills has come to turn increasingly on a proposed amendment for trial by jury in contempt proceedings where the defendants are charged with having violated an injunction. The discussion has unfortunately converted what should be a straightforward practical issue of law enforcement policy into a spurious struggle over constitutional rights. * * *
>
> The real constitutional issue has not been over a supposed right of jury trial in this class of cases. It has been quite the reverse—namely, whether the judge may be deprived of his historic power to punish for contempt without a jury.

Then the professor goes on to cite cases, many of them from the States of the gentlemen on my right who have been most active in this debate, holding it unconstitutional in their States to pass a law providing for a jury trial in contempt proceedings.

Mr. Chairman, let us for a moment consider what a jury trial in contempt proceedings means, what it amounts to. I am going to submit to you that it is destructive of the orderly administration of justice.

Let us consider how the judgments and decrees of courts in this land are enforced. Take the ordinary case of a judgment at law for damages. Suppose the defendant refuses to pay that judgment. Of course the majesty of the law must be upheld. There is an ancient writ which authorizes the sheriff to go out and seize his property on order of the court. There is no further trial. The sheriff is authorized to seize that property, and sell it, and convert it into the necessary money to pay those damages.

On the equity side of the court we have special remedies not provided at law where historically the suit is heard by a judge without a jury. An injunction may issue ordering the defendant to take some action. Suppose the defendant thumbs his nose at the court and says, "Despite the order of the court, I refuse to take that action." Of course the majesty of the law must be upheld. So the judge from ancient days has been permitted to bring that man before the court for contempt, and if he does not obey the lawful order of the court, the judge may fine him or put him in prison.

What would it mean to require a jury trial in such a case? It would mean that before the order of the court could be enforced there would have to be a separate, second, jury trial.

It has been stated before, but I am going to state again, what a great American, later Chief Justice of the United States, said about such a proposition. I quote from William Howard Taft when he was a candidate for President in 1908.

> Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court made after full hearing and the enforcement of such orders.

Mr. Chairman, the gentleman from Pennsylvania suggested that whenever the court in contempt proceedings had the right to put a person in jail for disobedience of an injunction, that man should have the right to a jury trial. Think what that means, Mr. Chairman. Do you realize that if you go into an equity court and get an injunction against some swindler who has welshed on his deal to convey property to you, ordering him to convey that property, and he refuses, he may be put in jail for contempt of court? Now, sir, would you have it that after you have gone to court, summoned your witnesses, tried your case maybe for days, and won your case, and got an injunction from the court—that then the injunction shall amount to nothing unless you go for a second time to the court and try the issue before a jury?

Mr. Chairman, that is not a sound procedure. It is destructive of the orderly administration of justice. It should not be injected into this bill.

Mr. ROGERS of Colorado. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the face of the statements made by the gentleman from Maryland [Mr. HYDE] and the gentleman from Florida [Mr. CRAMER] and the gentleman from Louisiana [Mr. WILLIS], I should like to find out if their interpretation of this bill would authorize the Attorney General to appear on behalf of a private individual and, if so, where in the bill it is outlined. As I recall, the gentlemen spoke of the right of the Attorney General to appear for private individuals. I direct their attention to the fact that that matter was considered in the subcommittee and that one time the bill provided that the Attorney General should appear on behalf of private individuals. I was of the opinion that we had eliminated it in either the subcommittee or the full committee. The only place I know of is on page 10, line 1:

> The Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding.

Now I want to know, do you interpret that to mean that he may appear on behalf of BYRON ROGERS and institute a suit or civil action?

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. HYDE. If BYRON ROGERS had been prevented from voting because of unlawful conduct of some register of elections, does not that section then give the Attorney General the right to go in and start this action if he is made aware of that violation?

Mr. ROGERS of Colorado. In the name of the United States just the same as he would in any other proceedings where he is authorized to represent the United States.

Mr. HYDE. That is right, but this bill gives him the right to appear in the name of the United States and in that proceeding he is appearing for the benefit of BYRON ROGERS; is he not?

Mr. ROGERS of Colorado. No.

Mr. HYDE. For whose benefit is he appearing?

Mr. ROGERS of Colorado. The pleadings would be drawn up to read "In re: BYRON ROGERS against Voting Commission" instead of "United States against Voting Commission."

Mr. HYDE. Oh, well, now the gentleman is giving us some legal technicalities. As a matter of fact, he is appearing for you; is he not?

Mr. ROGERS of Colorado. No.

Mr. HYDE. I do not know who else he is appearing for.

Mr. ROGERS of Colorado. The point I am trying to make is this. The gentleman said he could appear on behalf of a private individual, and I believe and thought we had cut that out. If we did not cut it out, I would like to cut it out because that has been the source of a great deal of controversy.

Mr. HYDE. I did not say that he would appear on behalf of—I said for the benefit of. And would not that be for the benefit of BYRON ROGERS.

Mr. ROGERS of Colorado. It may be—to give me my civil rights, if I was entitled to vote.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. VORYS. I thought that this action was constructive to make it appear in this form that the Attorney General would appear on behalf of the United States because the Government had an interest in the rights of suffrage and in civil rights not for the benefit of the particular voter, but because that is the way we think we can get good government, and that is the way we get democracy and representative government. I thought that that was the sort of thing involved.

Mr. ROGERS of Colorado. I have the same conclusion in mind, but when the members of the committee said he appears on behalf of, or to represent private persons, I just wanted the record to be straight.

Mr. McCULLOCH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. McCULLOCH. I completely agree with the statement of the gentleman from Colorado. As a matter of fact, the Attorney General, when these facts would come to his attention, would be bound to bring the suit in the name of the United States of America whether he had the consent of one or more people involved or not. To use the language or phrase of my colleague, the gentleman from Ohio [Mr. VORYS], it is a suit in the public interest.

Mr. ROGERS of Colorado. That is right and because we did discuss the matter and because the question arose, we tried to limit it so that it would only be by the United States and no other party. If that has not been accomplished in this bill, then let us cut it out.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time in order to propound some questions to the gentleman from New York, chairman of this committee, also the gentleman from New York [Mr. KEATING]. I was very much interested in the remarks of the gentleman from New York [Mr. KEATING], also the remarks of the gentleman from New York [Mr. CELLER], including the statement the gentleman from New York [Mr. CELLER] read, signed by the deans of several law schools.

The question I want to ask in keeping with what the gentleman has said about jury trials is simply this: If I were charged with a crime under the present laws of the United States and at the same time an injunction was issued against me by the Attorney General of the United States, subsequently I was tried on that criminal charge and was acquitted by a jury, that afternoon, that same day, would it not be possible that I could be brought before the judge who presided at the trial at which I had been acquitted, called up for contempt of court and sent to jail for the same identical offense of which the jury had acquitted me? Is not that correct?

Mr. CELLER. The gentleman is addressing his question to me?

Mr. ROGERS of Texas. Yes, to the chairman of the committee and also to the gentleman from New York [Mr. KEATING].

Mr. CELLER. Yes; that is correct.

Mr. ROGERS of Texas. Does that not repeal the provisions of the Constitution which states that a man shall not be put twice in jeopardy of his life or limb?

Mr. CELLER. No; because the violation of an injunction is not a crime and is not double jeopardy.

Mr. ROGERS of Texas. That is the gentleman from New York talking. I am talking about the Constitution and laws of this Nation. Is it not a fact that you could adopt the same identical procedure that has been adopted insofar as this bill is concerned, lift out the language you have in here about voting and insert a murder statute and change your penalty and send a man to the electric chair without a jury trial?

Mr. CELLER. That is rather farfetched.

Mr. ROGERS of Texas. Let us see if it is.

Mr. CELLER. The gentleman does not let me answer. I gave him an opinion which is the opinion of the United States Supreme Court which indicates that the violation of an injunction is not a crime; it is a violation of an equity order of the court, which is not a crime.

Mr. ROGERS of Texas. Which case does the gentleman have in mind? Will the gentleman give me the benefit of the citation? I am seeking information because I am very much interested in this question.

Mr. CELLER. I have not the citation offhand, but I will be glad to put it in the RECORD.

Mr. ROGERS of Texas. I will be very happy if the gentleman will put it in the RECORD.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. Just one second. Let me make this statement. The gentleman states that a violation of an injunction is not a crime. Is it not a fact that the way this bill is drawn you have used the language that is the criminal language presently in the statute and if a man does an act which is violation of an injunction under this, can he not also be prosecuted in a criminal suit and be tried before a jury in the Federal court?

Mr. CELLER. No. That is not quite accurate. In part 4 we use language similar to that which constitutes a crime to endeavor to prevent the crime, and we seek to get the injunction so that the crime will not be committed. That is the purpose of part 4 of the bill.

Mr. ROGERS of Texas. The point I am making is simply that what you are doing is putting the language of the criminal law into an equity statute, denying him a trial by jury, repealing his right to not be placed twice in jeopardy of life or limb as is guaranteed under the Constitution.

Mr. CELLER. No.

Mr. ROGERS of Texas. Let us just look at that and see. I am concerned with this. It involves vital rights.

Mr. ROGERS of Colorado. May I say to the gentleman that that is not double jeopardy under the decisions. In other words, the entering of a court order where the court has jurisdiction is one thing that he must adhere to or be in contempt of court. Now, if he wants to violate a dozen different laws that is his responsibility, but when he does he violates the court order and the statute in question and it may be possible that he can be punished twice. An example is the State of Texas may have a statute which would prohibit certain persons from voting and the official was enjoined by the Federal court and at the same time it was a violation of the Texas law he could be prosecuted in a Texas court.

Mr. ROGERS of Texas. The gentleman is saying that what is done is such as to place a man in jeopardy twice.

Mr. ROGERS of Colorado. No. To begin with his first offense is violating the injunction. That is one thing. If he wants to violate some other law, that is another thing.

Mr. ROGERS of Texas. I am talking about the same identical set of facts.

Mr. IKARD. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Texas.

Mr. IKARD. Let me ask the gentleman this: His concern, I take it, is an expression over being put twice in jeopardy for the commission of one act?

Mr. ROGERS of Texas. That is right.

Mr. IKARD. As the gentleman from Colorado says, the courts have held that a violation of a restraining order or an injunction is a violation for which the person is punishable to the court. It is not a violation of the law. In this instance, is it not true that by amending certain criminal statutes, they have in effect written criminal law into restraining orders or injunctions, they have done so in effect, so you could conceivably and in all probability be put twice in jeopardy for the commission of one single act?

Mr. ROGERS of Texas. And by the devious method that was adopted and used in drawing this legislation, you could repeal the right of a man to trial by jury in these United States and do away also with his plea against double jeopardy.

Mr. McCULLOCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise simply to say that I do not agree with the statement made by my good friend and colleague from Texas, nor do I agree with the conclusion which agreed with that statement. There will be more said on this question, I hope, on tomorrow.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

SURPLUS FARM COMMODITIES

Mr. COAD. Mr. Speaker, today I have introduced two bills which have a similar nature in that they attempt to strike at one of the major problems facing America. That problem exists in the fact that we have a surplus in our farm commodities which is depressing the market prices to a drastic level.

These bills seek to offer certain aids and benefits to small business in order to get these small businesses to use surplus commodities for new industrial items or uses. If we can get these surplus stocks channeled into new industrial uses we will be saving the taxpayers in storage

costs and will reduce the amount of the surplus which will not only create the setting for a price rise for the farmer but will save the taxpayer still more money in the reduced costs of a farm support program.

There have been studies made on new industrial uses which might be made of farm commodities and many of the conclusions reached in these studies should be implemented with a program which will denote real progress in this regard.

One of the bills which I have offered today offers those small businesses which will use surplus stocks for new industrial purposes the opportunity to borrow money from the Small Business Administration for the purpose of constructing new facilities and for expansion, at the same rate of interest which the Government has to pay for it. At the present time the Government interest rate is approximately 3¼ percent. This, as can readily be seen, would be an incentive to small-business men to venture into a new program.

The second of these companion bills would offer those small businesses which qualify the added incentive of a fast tax writeoff on new installations and expansion which is made necessary to utilize surplus commodities for new industrial purposes.

Now, neither of these two ideas is new. We have made all kinds of reduced interest loans and, in fact, interest-free loans even including foreign governments. This program is nothing more than an incentive to the small-business men of our Nation to venture into a vast new program which will be of benefit to every American citizen.

We have seen the tax writeoff program through the years and just recently viewed the grant by the administration of a rapid tax amortization to the Idaho Power Co. under circumstances which are not in the best interests of all the people. But this program would give a tax benefit which would be more than paid for in savings dividends in the long run to the taxpayer.

Here, also, is a program offered to help the small-business men establish themselves in an entirely new field which will do the job which the Government cannot do.

Therefore, Mr. Speaker, I solicit consideration of these bills for in this approach we will have found a businesslike approach for the beneficial consumptive use of our surpluses which now only plague us.

NEW IMMIGRATION PROPOSAL

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, I have introduced today a bill designed to take care of certain emergent situations which have arisen in the field of immigration and nationality. My bill contains several points of my own legislative program which, due to delays encountered in the Senate, failed of enactment by the time the 84th Congress adjourned sine die. In addition, I have included in my comprehensive bill certain provisions of two bills, which I introduced earlier this session, namely, H. R. 4008 and H. R. 7965, as well as certain amendments to Senate bills, unanimously recommended by the Subcommittee on Immigration and Nationality of the Judiciary Committee.

Briefly, my new proposal, analyzed section by section, is as follows:

First. My bill will admit under nonquota immigrant visas alien ophans, under 14 years of age, adopted by United States citizens or coming for adoption. This new orphans admission program would run for 2 fiscal years beginning July 1, 1957, and upon close scrutiny conducted by the Congress, a determination would be made whether the program should be curtailed, modified, or canceled. In order to save inconvenience to adoptive parents, it is provided in my bill that a nonquota immigrant visa issued to a child residing with adoptive parents who remain abroad on military duty, or on business, or in employment by the United States, shall be valid until the adoptive parents return to the United States, but not in excess of 3 years. Similarly, in order to avoid that an adopted child remains in an alien status although made part of an American household abroad, my bill would permit expeditious naturalization of such child immediately after its first entry into the United States is made. Further, my bill would permit the adjustment of status of 839 minor alien children adopted by United States citizens who entered the United States within the last few months under discretionary provisions of the Walter-McCarran Act. These are orphans adopted under the now expired Refugee Relief Act of 1953, as amended, who were found eligible to come to the United States except for the fact that the 4,000 visas allocated to such orphans were used before the 1953 law expired.

Second. My proposal will give the illegitimate child the same status under immigration laws—relating to the mother of such child—as the legitimate child has under existing law. In this instance, I am attempting to correct an erroneous interpretation of the Walter-McCarran Act.

Third. The Attorney General is given authority under my bill to adjust the status of about 400 highly skilled specialists who are in the United States temporarily but whose services have been determined to be urgently needed in the United States. The adjustment of status will not entail a quota charge and spouses and children of the beneficiaries of this section of my bill are also to be granted nonquota immigrant status. This section of my bill would apply only to foreign skilled specialists who were in the United States as of May 1, 1957, and are not subject to restrictions imposed upon exchange students and exchange visitors under an act of Congress enacted on June 4, 1956—Public Law 555, 84th Congress.

Fourth. My bill will forgive the displaced persons and refugees as well as some close relatives of United States citizens the misrepresentations made while applying for immigration visas or for entry into the United States. The majority of aliens affected by this section of my bill are those displaced persons and refugees who were prompted to make the misrepresentations by their fear of being forcibly repatriated to countries under Communist domination.

Fifth. My bill would permit the Attorney General—after consultation with the Surgeon General of the United States Public Health Service—to admit, under proper safeguards, the spouses, parents, and minor children, including adopted children of United States citizens or of lawful residents, notwithstanding the fact that such relative is afflicted with tuberculosis. The effect of this particular provision of my bill, written very carefully so as not to endanger the safety and welfare of our people, is primarily designed to prevent separation of families and alleviate hardship. This program, similar to the orphans admission program, is a temporary one. It is designed to run for two fiscal years beginning July 1, 1957, and in order to permit the Congress to scrutinize carefully its application, the Attorney General is directed to make a detailed report to the Congress in any case in which the provisions of this particular section of my bill are applied.

Sixth. Cognizant of the fact that a certain number of immigrants entered our country recently, mostly under the Refugee Relief Act of 1953, as amended, without their wives, parents, and children, my bill provides for the granting of nonquota immigrant status to their relatives if the immigrant's petition was approved by the Attorney General prior to March 1, 1957. According to the estimates by the Department of State, approximately 18,000 persons would be admitted to the United States under this provision of my bill, again designed to prevent hardship which ensues the separation of families.

Seventh. According to a report filed with the Congress by Secretary Dulles, 15,960 visas remain unissued to German expellees residing in West Germany or in Austria under the Refugee Relief Act of 1953, as amended. Similarly, 1,597 visas remained unissued under the same act to Dutch nationals and 1,099 visas remained unissued to refugees in the Far East who are not indigenous to that area. Under my bill, these 18,656 unused nonquota immigrant visas would be made available by the Department of State to the category of immigrants for whom they were originally intended.

Eighth. My bill would wipe out the "mortgages" imposed on certain small immigration quotas by the Displaced Persons Acts of 1948 and 1950, as well as under two acts affecting the "mortgage" imposed upon the immigration quota for Spain.

Ninth. My bill will clarify the application of those provisions of our immigration laws which exclude immigrants who committed petty offenses and would pro-

vide for a yardstick in determining whether an offense committed abroad could be classified as a misdemeanor or as a felony. I propose that the determination shall not be based on the applicable foreign law but on the provisions of the United States Code and whenever that code fails to define a crime comparable to the one committed abroad, the criminal code of the District of Columbia, which has the approval of the Congress, would provide the basis for the determination of the nature of the crime.

In addition, exceptionally meritorious cases in which the spouse, parent, or the child of a United States citizen or of an alien lawfully admitted for permanent residence is involved, the Attorney General would be vested with discretionary authority to admit such alien notwithstanding the commission by him of a crime involving moral turpitude if it is determined that the alien's exclusion would result in extreme hardship to his relatives in the United States and that his admission would not be contrary to the national welfare, safety, or security.

I have worked out my emergency immigration program very carefully, and I believe that it is the only program which combines a sound, humanitarian approach to immigration problems and all due consideration to our national, economic, and social interests.

PAN AMERICAN WORLD AIRWAYS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JARMAN. Mr. Speaker, the National Safety Council has just announced that Pan American World Airways was named today as a winner of the 1956 aviation safety award.

Pan American received the award for operating 5,502,560,000 air miles during 1956 without a passenger or crew fatality.

This, Mr. Speaker, is an incredible record and considering that Pan American flies to all corners of the world without benefit of domestic services it is a tremendous tribute to this great airline.

Pan American flies to more than 80 countries in this universe. No two countries have exactly similar civil air regulations. That Pan American could amass a performance record of such great magnitude is a tribute to each 21,000 conscientious employees and its farseeing president, Mr. Juan Terry Trippe.

This national safety award, Mr. Speaker, is based on official records of the Civil Aeronautics Board. These awards are given to scheduled domestic, territorial, and overseas carriers that have had no fatal accidents during the year.

We of the Interstate and Foreign Commerce Committee have a consuming interest in what transpires in civil transport and we share some of Pan American's great pride in this outstanding accomplishment.

REVISION OF THE STATUS OF FORCES AGREEMENT

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Speaker, I have introduced today a joint resolution providing for the revision of the Status of Forces Agreement between the United States and other nations so that foreign countries will not have the jurisdiction over American Army personnel stationed overseas.

As an American citizen, as an American veteran, and as a member of the Armed Forces Reserve, I protest the surrender of the American citizen, or the subjugation of the American uniform, to any foreign government or any foreign courts. Every American who wears a uniform of his country wears it in order that his country may be protected. Then should it not follow, as the night follows the day, that his country should protect him by its agreements or treaties rather than subject him to foreign dogmas and to the powers of a government which does not subscribe to our ways of Christian freedom.

This legislation is identical to that introduced by Congressman Bow, whose permission I have, to join him in this fight for rights of American Armed Forces personnel.

The Girard case is a specific and condemning example of what can happen to an American soldier because of these ill-advised agreements. If America would tell the world that the flag of America flies over and protects each American soldier at home or abroad, no foreign nation would question it. A strong nation can well afford to stand stalwart in the protection of its citizens.

I hope the Congress of the United States will pass this legislation and that the President will sign it.

COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mrs. CHURCH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. CHURCH. Mr. Speaker, I am today introducing a bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes.

This bill is the seventh in a series seeking to implement the proposals for better budgeting and better Government operations, which are primary prerequisities for Government efficiency and economy.

The other six bills which I have introduced in this session of Congress for this purpose include—

H. R. 211, to establish a Joint Committee on Foreign Intelligence;

H. R. 3961, to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations;

H. R. 5793, to create a Supply and Service Administration as a Department in the Department of Defense, and for other purposes;

H. R. 5812, to amend section 602 of the Federal Property and Administrative Services Act of 1949 with respect to the utilization and disposal of excess and surplus property under the control of executive agencies;

H. R. 5813, to establish a Federal policy concerning the termination, limitation, or establishment of business-type operations of the Government which may be conducted in competition with private enterprise, and for other purposes; and

H. R. 6128, to amend the Legislative Reorganization Act of 1946 to provide for more effective evaluation of the fiscal requirements of the executive agencies of the Government of the United States.

I again express the hope that favorable action will be taken on this vital legislation before adjournment of this session of the Congress.

LETTER FROM CHAIRMAN OF STEPHEN FOSTER MEMORIAL COMMISSION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, on July 22, 1957, in a speech before the House of Representatives, I opposed the newly imposed censorship by major radio and TV networks against certain musical compositions. These censorship measures were made at the request of certain minority pressure groups.

The music and history of Stephen Foster is being perpetuated in a shrine known as the Stephen Foster Memorial at White Springs, Fla., on the banks of the famous Suwannee River. This shrine is an indication of the great respect afforded the composer's works by music lovers all over the world.

To further establish that injustice is being imposed by the radio and TV networks, I would like to submit a letter from Mr. Earl Brown, chairman, Stephen Foster Memorial Commission, an organization established by an act of the Florida Legislature.

The letter follows:

STEPHEN FOSTER
MEMORIAL COMMISSION,
White Springs, Fla., July 24, 1957.

Hon. ROBERT L. F. SIKES,
House of Representatives,
Washington, D. C.

DEAR BOB: I am pleased to note in the morning press your support of our position

in regard to Florida's State song and other of the Stephen Foster compositions, which are in the process of being permanently disfigured by an unofficial network committee.

As you well know, it was by legislative enactment that the State of Florida adopted Way Down Upon the Swanee River as the Florida State song; and in a similar manner My Old Kentucky Home was adopted as the State song of Kentucky. But the importance of Foster as a composer and the durability of his songs goes far beyond the confines of the United States, as it is the most universally loved and used music of the world today, and has been for the past 100 years. These lyrics, as originally composed, were the basis on which Foster was elected to the hall of fame, the only composer ever having been accorded this high honor.

The memorial we are building to Foster, on the banks of the Suwannee, has tremendous public approval, primarily by people from all sections of this Nation, as well as Canada and a number of foreign countries.

At this memorial we maintain a register for visitors, who can sign or not, as they may elect. Following the signature column is one for remarks; and of the million four hundred plus people who have signed this register, not a single objection was raised as to the words of the music, the memorial, or the composer. In fact, all remarks are most complimentary and as they must be brief, the majority of remarks follow these trends:

"The most wonderful thing we have visited in the South."

"A great contribution by Florida to American history with Foster's folklore music."

"Beautiful and reverent."

"Our fourth visit and we are coming again."

And early this year when the President's wife visited the memorial she stated: "This is wonderful; I am going to bring my grandchildren to see it when school is over."

There is absolutely nothing in the music of Foster that is in any way derogatory to the colored race; in fact, this greatest collection of American folklore music contributes to the important place occupied by Negroes in the development of this Nation.

All visitors hear the music of Foster when they visit the memorial. And as long as I am chairman of this memorial commission, all renditions of Foster's music, and he composed some 200 plus, will be in the original lyrics, as composed by Foster and not desecrated by some committee who have so easily fallen under some minority group, more concerned with showing their authority than they are with the preservation of this great music which is part of America's history. To my mind this music is the greatest living documentation of the important part played by the Negro in the development of the South.

I also call your attention to the fact that Stephen Collins Foster was born and reared in Pittsburgh and that these songs today, as they have for the past hundred years, contribute to musical programs throughout the world. Never before, by any person or group, has public expression been given to anything of an objectionable nature in connection with same. As one Florida journalist editorializes, "If carried to its ultimate conclusion, this order we suppose will sooner or later demand the rewriting of the Star Spangled Banner, on the grounds that the pacifists might object."

Your continued effort in behalf of retaining the Foster compositions as written and used for a hundred years, will be deeply appreciated by we of the Foster Memorial Commission who are seeking to preserve this greatest collection of this American folklore for posterity.

Sincerely yours,

EARL W. BROWN, *Chairman,*
Stephen Foster Memorial Commission.

IMPROVING MANAGEMENT AND TECHNICAL PERSONNEL IN THE SUPPORT ACTIVITIES OF THE DEPARTMENT OF DEFENSE

Mr. BROWNSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BROWNSON. Mr. Speaker, on March 11, I introduced two pieces of legislation resulting from the deliberations of the second Hoover Commission. Today, I have placed in the hopper a bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense.

Support activities are those provisions of materiel and services needed by the military effort as differentiated from combat, combat training, and other activities of military operational character. They would include procurement, maintenance of equipment, supply and warehousing, transportation, and such administrative activities as budgeting, accounting, legal, medical, personnel administration, and public relations. Estimates show 1.3 million of the 4.3 million defense force are engaged in support activities or 30 percent of the total defense personnel. Personnel costs and materials procured for support activities account for 63 cents of every defense dollar. They require about three times as much manpower as the world's largest corporation. Any possible savings which could be derived from better management of these activities should not be overlooked.

The bill I am introducing today would amend the National Security Act to provide that—

The Secretary of Defense establish which management and technical posts be filled by civilians, and which by military personnel thus eliminating existing dual staffing;

The civilian personnel be utilized increasingly in management and technical positions in support activities;

Military personnel would be assigned in the support activities for longer tour of duty periods;

The practice of assigning tactical officers just for reasons for rotational convenience would be discontinued; and, finally,

The Secretary shall prepare for the emergency expansion of such activities as the selection, development, training, and assignment of civilian management personnel reserve.

The essential difference between national defense today and that of any previous period in our history is that the support activities of research and development, procurement, supply, and so forth, have assumed a much greater significance in the defense effort and in turn in the economy of the Nation. This continuing and greater significance of support activities has produced personnel problems which arise both from the sheer magnitude of support operations and from the fact that the importance of these operations is not fully realized.

Sixty and three-tenths percent of our 1958 budget goes for national security; 7 percent of our national active labor force is employed directly by the Department of Defense, and at the same time this number represents 77 percent of the Federal Government work force. The support activities constitute a significant part of the total defense effort. They require about one-half of the total defense force when you include the support activities which are organized as an integral part of combat or tactical units.

The Nation is faced with keeping underway a mobilized research and development program which goes all out to maintain our military superiority. This means that modern supply and technology requires specialization which makes new demands on the military department to keep pace with the vastly increased importance of support activities.

Military-civilian personnel problems for the support activities then is one of the most important in the country today. One provision of my bill provides for the elimination of dual staffing which would bring about a savings of $110.4 million each fiscal year. Of the 2,979 organizational entities of the Department of Defense, 372 are staffed with both a military and a civilian supervisor. Most of these instances were found in our supply activities. From an opinion survey conducted among support personnel, 33 percent felt there were duplicate military and civilian positions, and of this number 67 percent or 995 people said their supervisory position could be eliminated. If this duplicate staffing of military and civilian positions could be eliminated. estimates by the Hoover Commission show a $110.4 million savings.

By instituting the third provision of this bill, calling for the abandonment of rotating tactical officers to support assignments as a matter of rotation convenience, another possible savings of $50.1 million could be accomplished. Even if the average tour of duty was extended from 2 to 3 years, it is estimated that the direct savings would be at least $33.4 million.

I was very encouraged to read excerpts from Deputy Secretary of Defense, Reuben B. Robertson's speech before the Third National Reorganization Conference of the Citizens Committee for the Hoover Report, on February 4 of this year and find that the Defense Department is receptive to these recommendations. He said at this meeting:

> We must reduce the turnover of military personnel in support assignments, and must provide better incentives for the performance of an effective management job by both military and civilian managers.
>
> One of the most important of the Commission's recommendations in the personnel area was that we delineate the kinds of management and technical jobs which, in effect, should be filled by military and by civilian personnel and develop definitive staffing criteria.

The possibilities for monetary savings by enacting this legislation are consid-

erable. If we can improve management and reduce the financial outlay for support activities alone in the Defense Department by 1 percent, there would be an annual saving of $245.7 million. A 4 percent improvement would mean close to $1 billion saved.

TRADE WITH RED CHINA

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, there may well be implications of a political nature regarding reopening United States trade with Red China which are unknown to me. From reports of the President's recent press conference it is apparent that study is being made of such policy factors, and may I say I leave such policy matters to the executive branch where they belong, and to the Foreign Affairs Committee. But I want to point up some aspects of trade with Red China which are of particular interest to the Pacific Northwest.

First, however, I doubt if the American people—and an informed public opinion is important in such a matter—realize that American goods are and have been continuously going to Red China over an extended period. I have information that strategic materials have been shipped in substantial quantities through western Canadian ports on British ships. I am told the Canadians have been openly laughing at us over this situation. I have been shown dates and itemized lists of such shipments to Shanghai and Taku Bar. But I am sure such details are fully known to our State Department.

What I desire to point up, however, is the trade potential based on former existing markets. For example we have such a huge surplus of wheat. I am told during the period 1922 to 1949, excluding the years 1942 to 1944 of World War II, China was among the top six importers of flour from Oregon and Washington. In 1939, China imported 8 million bushels of flour from these 2 States, and at one time, back in 1923, the volume was almost 13 million bushels—more than the export from these States to all other countries of the world in 1954.

Lumber is, of course, another important product of the Pacific Northwest. Here Canada is our competitor and can be expected to take over our former market which was very substantial. Right now there is need for exports as we have a depression situation in our forest products industries. Last year the total Oregon and Washington lumber export to all nations was less than 300 million feet—less than the average shipments to China alone in depression years.

These are two examples, without a lot of detailed statistics, which indicate the effects of our trade embargo with China.

Mr. Speaker, full and open discussion before the bench and bar of American opinion on trade with China is timely.

MILITARY AID TO TITO

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, at the very time that Congress is striving so earnestly to reduce the Federal budget, the State Department has announced that it will reinstate military assistance to Tito. Whereas the President has felt that the overall foreign aid program is of such consequence as to warrant a special message to Congress and a nationwide television and radio address on the subject, our so-called department of diplomacy issued a statement asserting that resumption of the shipment of various items, including aircraft, to Yugoslavia has been authorized.

When I introduced H. R. 7142 on May 2, I explained to the Congress that this bill to increase individual income tax exemptions would summarily require the Federal budget to be reduced, thus eliminating many of the extravagances that have attached themselves to both the domestic and foreign programs. Meanwhile Members of Congress have devoted their efforts to the diligent study of the proposed budget and all its ramifications. Yet, in flagrant defiance of the attitude exhibited in Congress, the State Department has arbitrarily gone on record with a pledge to contribute military equipment to Tito.

Is this to be our answer to the heroic patriots who sought to deliver their native soil from totalitarian enemies? What is the justification for rewarding the despot who executed Mikhailovich and persecuted Archbishop Stephanic? Furthermore, it should not be necessary to remind the State Department that the dictator to whom they would give airplanes is the same Marshal Tito responsible for the shooting down of two American transport planes in the summer of 1946. In a speech on the day of the second incident, which took the lives of at least four airmen wearing the uniform of the United States, Tito boasted that he himself had witnessed the murder in the skies. He defended it on the premise that the American craft did not respond to signals ordering the pilot to land. This is the man to whom the State Department would now present with some 200 jet planes and other lethal weapons.

I do not question for one moment the attitude of the vast majority of the people of Yugoslavia, those who by birthright and by religious inculcation could never achieve peace of soul under the domination of communism's godless doctrine. To build up their Red master's arsenal will only make their course more difficult when their burning desire for freedom can no longer be contained.

Mr. Speaker, I want to go on record to the effect that I consider our giving military aid to Tito a breach of faith to those in his servitude. I believe it a brutal setback to the millions of others in the world who are at the mercy of Communistic brutality—regardless of what brand of communism it may be. I charge that it is a retreat from morality, and I ask that Congress think seriously about whether this diabolical deal should not be repudiated in fairness to the American taxpayer, to the people of Yugoslavia, and to all Christianity.

THE SACRED RIGHT TO VOTE

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. OSMERS. Mr. Speaker, it has become increasingly clear in recent years that present laws fail to protect the constitutional rights of all our citizens and that Congress must act to correct this situation. The Federal Government lacks the authority at present to sue in the courts in behalf of those citizens whose civil rights have been violated and who are unable or afraid to seek such court assistance.

To overcome this problem, President Eisenhower has recommended that Congress authorize the Federal Government to bring civil suits to protect and insure the rights of all our citizens. The President's proposal, embodied in H. R. 6127, is designed to give legal effect and vitality to the 15th amendment to the Constitution of the United States, which provides:

SECTION 1. That the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have the power to enforce this article by appropriate legislation.

I am certain, Mr. Speaker, that we all agree with the wisdom of this section of the Constitution. I am certain, too, that we all agree that the right to vote is a sacred right which is the very foundation of our form of Government. For this reason, it is essential that the Congress make certain that every American citizen—regardless of his race, creed, or color—is protected in the exercise of his right to vote.

Among its provisions, H. R. 6127 provides for the granting of an injunction by a district court judge which, in effect, prohibits anyone from discriminating or interfering with the right of another to vote because of his color, race, or religion. If the person against whom the court order has been issued, obeys that order, that's the end of it. If he doesn't, he may then be cited for contempt of court and tried by the court.

This provision has given rise to charges that the proposed civil-rights legislation would abolish trial by jury and has prompted some members to introduce amendments to provide for a jury trial in such contempt cases.

Let us take a look at these charges for a moment. The framers of the Constitution guaranteed the right to trial by jury in all criminal cases and in common-law

actions where the amount involved exceeded $20. This guaranteed the accused the right to jury trial only in those cases where he had traditionally possessed that right.

When the Constitution was adopted, all courts had the inherent power to punish for contempt of their authority any act which offended the dignity of the court or which obstructed the proper administration of justice. This inherent power permits the courts to retain the independence and respect they now have.

Historically, then, our courts have been charged with the enforcement of their own orders. If they could not enforce their orders, the very power of the court to make the order would become a mockery.

The framers of the Constitution recognized the need for these inherent powers in the courts and therefore did not write into the Constitution a provision for trial by jury in contempt cases. Upholding this view, the Supreme Court of the United States has stated that the power of courts to punish for contempt is a necessary and integral part of the independence of the judiciary and is absolutely essential to the performance of their duties.

In addition, a review of our laws reveals that Congress has granted the Federal Government the right to seek injunctive relief to enforce provisions of at least 28 separate statutes. In every one of these laws the courts have the power to punish for contempt without a jury trial. It is significant, I think, that these statutes have never been attacked as depriving a citizen of the right to trial by jury.

The choice, Mr. Speaker, boils down to this: Shall we insist upon extending the right to trial by jury to cases in which it has never been guaranteed before, to the point where such action might jeopardize the rights of many American citizens guaranteed by the Constitution? Or shall we retain our trust in the courts to fairly safeguard and insure the rights of our citizens as they traditionally have in the past?

To accept the proposition demanding a trial by jury in contempt cases would weaken the power of the judiciary and, with it, the proper administration of justice. I am confident, on the other hand, that the courts, given the power to protect and enforce the rights of one citizen, will not violate those of another in doing so.

By way of summary, let me emphasize that the Congress, by the enactment of this legislation, without the crippling jury-trial amendment, can carry out better than any other way its solemn obligation to defend and uphold the Constitution—in particular the sacred right of all our citizens to vote freely and without interference from anyone.

UNITED STATES INTERNATIONAL AIR TRANSPORT POLICY

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, at the end of World War II the United States and England signed an aviation agreement at Bermuda which set out the ground rules of our international air transport operations. Principles were established which became the cornerstone of the entire structure of United States policy in this field. These principles and our policies have been repeatedly reaffirmed since 1946.

United States airline managements and their stockholders invested their energies and their capital in the industry believing they knew our Government's position and the rules of the game.

In view of the national interest aspects of the United States air transportation industry, both domestic and international, it is fitting to ask whether the ground rules are being changed—and whether the guide lines are being altered.

One of the cardinal principles of our policy has been that the services authorized in any agreement with another country should have as their primary objective the provision of capacity adequate to the demands of the traffic between this country and the country of the other party to the agreement.

The purposes and objectives of this principle were to give the airlines of the partners to the agreement a favored position in regard to the traffic between their two countries, to give them equal economic opportunity and to provide for growth and development of the services as indicated by the increase in traffic demand.

This made for a fairly normal business climate. Our airlines have expanded and the traffic has grown. The investors, while perhaps not getting rich, were at least in a growth situation—their investment reasonably secure—and they knew where they stood.

There are two recent developments in the international air transport picture which are disturbing. They are important because they could jeopardize our air transport industry at home and abroad at a time when the commerce and the defense aspects of their services are more vital than ever before.

The first of these developments is the increasing tendency to abandon the cardinal principles I mentioned before. Instead of granting routes based on the traffic between this country and the other party to the agreement, we are opening the doors to third parties who do not have a primary interest in the traffic. The recent KLM-Dutch award is the outstanding example of the abandonment of our traditional policy.

Now a liberal position on the part of our Government might make sense in certain areas if it were met with similar liberalism and consideration abroad. This brings me to the other development that bothers me.

Our airlines, which are now almost entirely free of subsidy, are being exposed to unwarranted competition from government-owned and government-subsidized foreign lines without getting equal treatment overseas.

There is a trend toward restrictionism, toward pooling of services and of controlling and splitting the markets overseas which is designed to freeze out the American line. Our carriers are subjected to restrictions on routes and limitations on frequency of service and other artificial handicaps once they leave our shores.

We are in the paradoxical position of handing over our own traffic to others and then being frozen out of foreign markets when we seek to compete there.

The most unfair aspect of this whole situation is that half the time the passenger we are trying to carry somewhere overseas is an American tourist spending his dollars abroad.

One classic example of this restriction abroad is the continued inability of TWA to operate the short little route segment between Frankfurt, Germany, and Zurich, Switzerland.

TWA now has one route segment that goes through London and reaches a dead end at Frankfurt.

TWA also has a second route that goes through Paris to Zurich and on through the Middle East and India all the way to Manila.

These two routes could be joined very simply. All that has to be done is to continue their London flights beyond the dead end at Frankfurt to connect at Zurich with their Paris route.

It is a distance of less than 200 miles. If this were done, it would allow them to gain maximum use of personnnel and equipment—and to effect a substantial savings in what is otherwise a double-cost operation. They would be able to offer a single carrier service to passengers desiring a circle tour of Europe and beyond.

As many of you are aware, TWA applied for permission to operate the Frankfurt-Zurich route.

They got an order from the CAB granting them that permission.

But despite the fact that they have the permission—and have had it for about 2 years—they have been unable to bridge the gap of a mere 200 miles—unable to fly the route from Frankfurt to Zurich.

This is not because the Germans object or because the Swiss object. It is because the British object. Yet the British earned $100 million from the American tourist in 1955—a sum equal to 15 percent of their entire balance of trade deficit for that year.

Another example is that India allows our airlines only two services each per week. This constitutes an unnecessary bottleneck on United States participation on round-the-world travel.

I believe we must expect and secure treatment for our United States airlines overseas at least as favorable as that which we accord to foreign airlines operating in this country. If this is not forthcoming, we have been heading in the wrong direction and we had better stop and consider if this makes sense.

PROPOSED JURY TRIAL AMENDMENT TO CIVIL-RIGHTS LEGISLATION

Mr. RADWAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RADWAN. Mr. Speaker, it is with a heavy heart that I rise briefly to participate in this debate. I am saddened that in this historic legislative body, representing the greatest democracy the world has ever known, we should have to legislate, debate, or even discuss, a matter so fundamental as the right of every qualified citizen of this Nation to cast his ballot.

When there is added to this, the suggestion that an equally fundamental and traditional pillar of our democratic way of life, the right to trial by jury, is being threatened by this legislation, I am indeed shaken to the roots of my being. As an attorney, a former State Senator and now as a United States Representative, I cherish our constitutional guaranty of trial by jury as a sacred right.

That is why, when I see the inviolate right of trial by jury introduced as a bogus, phony, sham issue in a cynical, callous effort to deny a large segment of our population the right to vote, I must rise to set the record straight. Let us label this phony jury-trial amendment for what it really is, an effort to thwart the reasonable enforcement of the law in the traditional American way—in fact, in the only way in which effective enforcement is possible.

An examination of the record reveals the true purpose of this jury trial gimmick, and perhaps the best way to illustrate this is by a few pertinent questions. Last year another civil rights bill was debated in this chamber. By the standards of those who oppose the universal enjoyment of civil rights, it was a tougher bill than this year's proposal. For obvious reasons which I will later touch upon, it contained no jury trial provision.

Question No. 1: Then why was not the bogus jury trial issue raised last year as it has been this year?

Everyone would agree that the legal profession represented by hundreds of local, State, and Federal bar associations would be in the forefront in attacking any effort to erode our constitutional rights, particularly the right to trial by jury as it exists. The hearings on this bill before a subcommittee of the Committee on the Judiciary, consume some 1,300 pages of testimony. Only one witness appearing before the subcommittee purported to represent a bar association and he was the chairman of the executive committee of the South Carolina Bar Association. Examination of his testimony reveals that he made no mention whatever of this proposed jury trial amendment.

Question No. 2: Why has not a single bar association come forward to support the proponents of the jury trial amendment?

The motive of those who have masterminded this new roadblock in the enactment of civil rights legislation is obvious. They know it has nothing to do with the case, but they hope to so confuse the issue in the public's mind, that everyone who opposes their amendment can be accused of being against trial by jury, which is like being opposed to motherhood. But if they hope to embarrass us with our constituents, I think they vastly underestimate the intelligence of the American public.

The type of proceeding involved in this proposed legislation has never, since the inception of our legal system, involved a jury trial. A simple example serves to illustrate this. There is ample evidence that some Americans are unjustly deprived of their right to vote. Both political parties recognized this by pledging in their respective platforms that they would enact civil rights legislation. Now suppose a citizen feels that an election official or board has unjustifiably denied him the right to register, and hence the right to vote. Under the proposed legislation, he would seek an injunction against the official on the ground that he is failing or refusing to perform his official duties.

An injunction is simply a "stop" order; a legal means of preventing a wrong before it occurs. The Federal Constitution guarantees a jury trial in criminal proceedings. But this is not the trial of a crime. No one has been accused of a crime. It is a proceeding to prevent a wrong before it occurs. From time immemorial injunction proceedings have been brought on the equity side of our courts, before a judge without a jury. In fact, a Federal law which required a jury in such cases might very well be held unconstitutional.

A classic example of this proceeding which we all remember occurred when an injunction was issued against the United Mine Workers and John L. Lewis and they received a huge fine for refusal to comply with the injunction. All this was before a judge, without a jury. Under the antitrust laws, Du Pont was very recently ordered to divest itself of its control of General Motors. The trial was before a judge, without a jury. We have passed in this House, in the last few decades, some 28 or 29 specific measures of tremendous importance, where the court is given the right to issue injunctions, or "stop" orders, and if these injunctions are violated, to mete out punishment by fine or sentence, without trial by jury.

And now let us compare the laws of the various States. I have prepared a short legal brief on this subject which I cannot, for lack of time, review in detail, but which I will insert in the RECORD at this point. The brief is short, because the legal proposition is simple and firmly established. It illustrates that the constitutional guaranty of a jury trial is construed to give no right to a jury trial in equity cases, including injunction proceedings.

At this point in the brief, I cite decisions of the United States Supreme Court and of the highest courts in 24 different States.

Now suppose this person who has applied for an injunction to prevent an official from denying him his vote, is successful, and a court has decided he is entitled to that injunction. If the official complies, that is the end of the matter. But suppose the official, having been served with a court order, refuses to obey it. He is now in contempt of court—and the proponents of this jury trial amendment say that he should have a jury trial to determine whether he is in contempt of court.

Question No. 3: What question of fact is this jury to decide?

Is this jury to decide for the judge whether he did in fact issue a stop order. Perhaps he dreamed it all up. Inserting a jury between a court and the enforcement of its own order is an insult to the court, is contrary to law, and is the height of legal hyprocisy. The brief which I mentioned notes that the constitutional guaranty of a jury trial does not apply to proceedings to punish for contempt of court, whether in a court of law, a court of equity, a court having criminal jurisdiction or any other court, citing many cases.

I do not wish to appear to be chiding my colleagues from below the Mason-Dixon line, but a great many of these cases cited in my brief originated in the fine courts of their States, and are supported by the excellently prepared opinions of judges elected or appointed from their areas, gentlemen who were schooled in the culture and traditions of those areas.

Question No. 4: Do the proponents of this jury-trial amendment now hold that these judges and the courts over which they preside are incompetent?

Our President recently drew attention to an opinion of our former President and Chief Justice of the Supreme Court, William Howard Taft, who said in 1908: "Never in the history of the country has there been such an insidious attack upon the judicial system as the proposal to interject a jury trial between all orders of the court, made after full hearing, and the enforcement of such orders."

And where were these pious platitudes and this lofty attempt to introduce jury trials into an area where they have never existed, when in recent months court injunctions were obtained barring all activity of the National Association for the Advancement of Colored People in Alabama, Georgia, Louisiana, and Texas until all of its records were turned over to the State? There were no jury trials. In Alabama, a fine of $100,000 was levied against that association, without trial by jury, for so-called violation of an injunction requiring them to divulge membership lists.

Gentlemen, let us recognize this jury-trial amendment for what it really is, not an effort to preserve our constitutional right to a jury trial, but an unconstitutional effort to deny the Government the power to give its citizens

effective protection of their right to vote, and of their fundamental right to equal protection and liberty and security under law. Let us defeat this amendment and get on to the consideration of legislation which has the endorsement of both political parties in their announced platforms.

THE SUPREME COURT

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, an increasing number of recent Supreme Court decisions have created turmoil in the lower courts, amongst the States, and within the legislative and executive branches of Government.

These decisions include: Limiting congressional power to ferret out subversion, racketeering, and crime; opening FBI files to criminal case defendants; emasculating State antisubversion laws; restrictions on firing security risks; making it lawful to advocate overthrow of the Government.

This freewheeling disregard of precedents and procedures, developed during the almost 1¾ centuries of the Nation's history, has aroused a storm of protest mail to Congress and the White House. Legislation is being written to overcome the effects of some of these decisions and constitutional amendments offered to overcome others.

Proposals to limit the Supreme Court's decisionmaking power in the future also have been made. One means would be legislative implementation of certain obscure constitutional provisions permitting Congress to limit what cases the Court can hear. Another is that Congress refuse to appropriate money for the Court to operate, or to have its judges elected. One wag has even suggested a 10th member to be added to the Court—a psychiatrist for the other 9.

But before radical measures are adopted to spike radical opinions, perhaps more moderate remedies should be tested. Complete independence of the judiciary is one-third the keystone of our constitutional separation of powers between legislative, executive, and judicial branches of Government. This division of authority has protected the freedoms of each generation of Americans and fostered the tremendous growth of our country.

It has worked best when the Supreme Court has not regarded its complete independence as a license to invade the constitutional prerogatives of the executive and legislative branches, but exercised a strict responsibility to stick to its own business. That business is using past decisions and precedents to determine what the law is, what the Constitution says, and applying it to the facts before it.

Storms of public protest have arisen whenever the Court has not stuck to business: that is, when its decisions say the law is something different than the meaning of the language in which it is written, or that provisions of the Constitution mean something other than what they generally have been conceded to mean.

When the Court does that, its majority is made up of men who conceive their duty to be not primarily judicial, but in the fields of social science, economics, human relations, and a host of other places. They simply do not understand the Constitution which says these fields are the provinces of the executive and legislative branch, not the Court.

Thus the answer lies in carefully determining what a man thinks about the Constitution and the duties of the Court before appointing him to it for a lifetime. That means the President, who appoints him, and the Senators, who confirm him, must only permit a man to occupy the bench who convincingly demonstrates his fundamental understanding of the Constitution and an unswerving concept of the true nature of a judge's duty.

If this caution is heeded, deaths and retirements will soon remand the Supreme Court to such hands.

FEDERAL COOPERATION WITH STATE WITHHOLDING LAWS

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent that the gentleman from Utah [Mr. DAWSON] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DAWSON of Utah. Mr. Speaker, today I have introduced a bill to permit the Federal Government to cooperate more closely with our respective State governments in the withholding of State income taxes.

An effort to foster this cooperation was made in Public Law 587 of the 82d Congress, in connection with which the House committee reported that "every practicable step should be taken to cooperate in the area of withholding with the State and Territorial governments in view of their cooperation with the Federal Government in fiscal matters generally, and particularly in withholding the Federal income tax from their employees."

The remedial legislation which was passed, however, has proved to be only a partial remedy, as Utah discovered this year after the State legislature plugged up a gaping loophole in its income tax law with a withholding provision applied to workers who have not been domiciled in the State for 1 calendar year or who did not file a State tax return for the preceding year.

But administration of the law has run into an imponderable roadblock: the Federal Government—which happens to be the largest employer in Utah—says it cannot cooperate because the Federal law permits the Secretary of the Treasury to enter into withholding agreements with a State only if "such duty to withhold is imposed generally with respect to the compensation of employees who are residents of the State."

According to my information, four other States—New York, California, Iowa, and Indiana—also have withholding laws with which the Federal Government cannot comply.

What, I wonder, would be our reaction if the largest private employer in one of our States were exempted from abiding by State tax law? If we rail against preferential treatment in tax enforcement, can we ignore a dispensation to an employer because it happens to be the Federal Government?

The bill which I have introduced would put the Federal Government on a par, where State withholding laws are concerned, with other employers, but maintains the present provision that State withholding shall not apply to members of the Armed Forces.

I hope we may act soon upon this defect in the enforcement of State income tax laws.

TRUJILLO

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. PORTER] is recognized for 15 minutes.

Mr. PORTER. Mr. Speaker, if ever the day comes when an American Congressman cannot publicly, and anywhere in the world, proclaim his love for freedom and democracy and his hatred for dictatorships, then I shall no longer want to be a Congressman.

Beginning on page 8868 of the CONGRESSIONAL RECORD for June 11, 1957, my distinguished colleague, the gentleman from Tennessee [Mr. REECE], deplores the "unbridled and concerted attacks upon our ally and good neighbor, the Dominican Republic."

The gentleman speaks of "unwarranted assaults upon our Dominican friends" and states:

> A veritable barrage of insults and invective has been leveled at this little country both on this floor, in our press, and on our radio and television broadcasts.

Without naming me, the gentleman from Tennessee [Mr. REECE] says:

> In the vanguard of the severest critics stands a Member of this body lending the weight and dignity of his office to the castigation of this neighboring country.

He further states that "words are not within my grasp to express the sickening, appalling horror" he felt on reading in the Sunday New York Times that I had told a group of Dominican exiles in Puerto Rico last Saturday that I was sympathetic "with the revolutionary ambitions of this mob against the de jure factor government of the Dominican Republic."

Let us consider these two questions: the nature of the Dominican Government, on the one hand, and the propriety of my "castigating" such a government and sympathizing with its opponents, on the other.

The Dominican Republic, despite its name, is a dictatorship and has been for 27 years. It is a bloody dictatorship which has not restricted its terror and corruption to its own territory. It killed, I am convinced, one of my constituents last December and lied to our Government in trying to hide the facts.

I told the Dominican exiles that if I were a Dominican, I'd be a revolutionary,

and that this would be true if I were a Pole, a Hungarian, a Russian, a Czechoslovakian, or the citizen of any dictator-burdened country. I also said that almost everybody in the United States was strongly against dictatorships and strongly for democracy and freedom.

My colleague refers to my Dominican audience in Puerto Rico as a "mob," an extremely inaccurate characterization, then again as "a group of dissident, disjointed, and frustrated Dominican expatriates." I suppose our American revolutionaries could have been so described.

Does my colleague believe that "freedom fighters" are only to be given moral support if they fight for freedom and democracy outside the Western Hemisphere? Many of us proudly encourage revolution in Iron Curtain countries. I think there is a difference between actively participating in a revolution and encouraging one by expressing the highest and most fundamental traditions of your own country. Moral support, along with economic and military aid, should go to our friends, not our enemies.

Do I foment revolution against dictators? Yes, gladly and until I die. As a Congressman, I certainly do have, as the eminent gentleman from Tennessee correctly declared, "the unqualified right and, on occasion, even the duty to voice" my "sentiments toward our Nation's management of international relations."

My colleague claims that I "transgressed all reasonable limits of authority and propriety in waging my campaign of vituperation against our Caribbean friends."

I must dissent.

First, I do not campaign by vituperation whereas my opponents do. My facts have been confirmed by our State Department and the facts speak for themselves. They are readily available.

Second, the dictator is no friend of ours and never has been. These same facts prove that. Friendship is more than politeness. I really cannot comprehend how the gentleman can find it in his heart to defend Trujillo.

Finally, and most important, I do not believe I am going beyond "all reasonable limits of authority and propriety" considering that all I am doing is stating that I love democracy and that I hate dictators. Would my illustrious colleague have me say such things only in Oregon or in Washington, D. C.? Or dare I say them in Puerto Rico? And dare I apply them to countries on our doorstep? I do not fancy double standards, hypocrisy, or pussyfooting, so I dare.

Trujillo has been emboldened by the respectability accorded him by many Americans, some of them prominent. His audacity was such that he believed he could get away with murdering Gerry Murphy and rendering a fantastic explanation to our Government. Now he refuses to allow Gen. Arturo Espaillat, recently Consul General for the Republic in New York City, to return for investigation and possible trial. This is the same Espaillat who not long ago righteously proclaimed the innocence of himself and his government and who offered to cooperate in every way possible.

Our coddling of dictators south of the border has already cost us dearly in prestige and capacity for leadership in Latin America. The American people love democracy and hate dictators. When I testify to this fact I am sure I accurately represent the opinions of the citizens of my district. By making these opinions, which are not lightly held, known and incorporated into our foreign policy, it may well be that many other American boys may be saved from the fate of my constituent, Gerry Murphy.

Another result may be that the United States will attain a position of moral leadership commensurate with its economic power and its political responsibilities in the world.

NEEDED REVISIONS IN AID TO THE BLIND UNDER THE SOCIAL SECURITY ACT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. KING] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. KING. Mr. Speaker, I have today introduced a bill to amend title X of the Social Security Act to enable the States to provide more adequate financial assistance to needy individuals who are blind and to encourage and stimulate needy blind individuals to become self-supporting.

Twenty years of experience with the Federal-State program of aid to the needy blind has given us a greater understanding of the needs, problems, and capabilities of the men and women whose welfare is the concern of this program. The blind assistance provisions of the Social Security Act were adopted at a time of depression. The primary objective then was relief from the distress of poverty. We now know that assistance can be granted to needy blind people on terms that inescapably perpetuate poverty and dependency. The importance of more adequate relief from poverty among the blind than we now grant cannot be overemphasized. But relief alone is not enough; rather it must be given on terms which assist, encourage and impel the recipient to achieve independence and self-support by offering to him hope and opportunity.

A new approach in providing aid to the blind under title X of the Social Security Act has become imperative. This public assistance program will soon become one entirely for blind men and women in the productive years of life. Owing to the greatly expanded coverage and increased benefits under the Old-Age and Survivors Insurance system, those who lose their sight from diseases associated with the aging process will almost exclusively be old-age insurance beneficiaries. Blind workers who have succeeded in securing employment or self-employment in covered occupations will likewise be entitled to old-age benefits upon retirement.

The fact emerges that the category of blind people to be helped by public assistance is in consequence composed predominantly of those who still have ahead of them years of possible productive effort and contribution to their communities and their families. It is of the utmost importance to these individuals as well as to the country that their productive powers be preserved from atrophy. This can only be done by granting assistance to them under conditions which save and promote their sense of personal worth, individual dignity and self-respect as valued members of a democratic society. Aid to the blind can be made into a program which extends to recipients the American tradition of opportunity. Reshaping the law to accomplish this end in addition to affording greater security from want is the principal purpose of this bill.

The amendments adopted by the Congress last year contained important additions to the purpose clauses of the provisions relating to aid to the blind in the Social Security Act. The Congress recognized that much can be done by agencies administering blind assistance programs to encourage and help blind recipients to attain self-support and self-care. The changes in the law which were then adopted clearly authorized these State agencies to include as regular parts of programs, services by case workers and specially trained personnel designed to assist recipients to regain self-support and self-care. The amendments of 1956 also authorize—but less clearly—State agencies to assist recipients in the development of individual plans to attain self-support by utilizing whatever income and other resources they may possess in efforts to become established in occupations for which they may be fitted or in small business undertakings as well as whatever other ways may be feasible.

It appears unfortunate that, although a goodly number of State agencies are laying plans to add personnel to their staffs for the purpose of providing self-support services, the possibilities of encouraging and helping blind aid recipients to utilize their resources in fulfilling their need to be restored to gainful activity have been neglected. The fault perhaps lies with the inadequacy of the amendments of 1956. The Congress should make it unmistakably clear that the law contemplates and requires the widest possible use by recipients of individual resources in plans to achieve self-support and self-care. The need of every person to be a productive and contributing member of his community should be recognized as fundamental and as of equal importance and vitality to the need for food and shelter. The bill I have introduced would accomplish this objective by proposing several new provisions intended to give a wholly new conception and perspective to public assistance for the blind.

First, the bill proposes that all blind recipients be given incentive by granting them increased exemptions of earned income up to $1,000 per year, and that

incentive to gain complete economic independence be retained by gradually reducing aid payments to them through the device of taking into consideration only 50 percent of each earned dollar above $1,000 per year. The existing law was amended in 1950 to provide that $50 per month of earned income be disregarded in determining the amount of monthly assistance. Thousands of blind recipients took advantage of this exemption to improve their slender economic status and some were stimulated to achieve self-support.

But the ceiling on incentive is still retained and the amount of exempted earnings has proved to be too low to gain a firm foothold on the economic ladder. For most it has been impossible to make in a single bound the immense leap from economic dependence to complete self-support which the present exemption necessitates. For fear of losing what little security blind assistance affords, others have been discouraged from making the effort. The method proposed in the bill for a larger exemption and for reducing aid payments gradually as independent earnings increase will at one and the same time enlarge the economic opportunities of the blind, stimulate them to greater efforts to become self-supporting, and enable them to achieve total economic independence.

Second, the bill provides that every aid to the blind recipient shall be entitled to possess at least the assessed valuation of $3,000 of real and personal property; and additional possessions of real and personal property may be approved for individuals whose individual plans for attaining self-support may require their use. The requirement in the present law that all property and income of a blind individual must be utilized exclusively for his maintenance as a prior condition for receiving assistance has succeeded only in either impoverishing the individual who becomes a recipient or compelling him to live in impoverished circumstances without assistance.

To permit individuals to retain and enjoy modest amounts of property while being eligible for assistance is to preserve a basis for rehabilitation. To enable recipients to utilize their own property and other resources to gain self-support and independence from aid is to put constructive purpose into the law.

Implementing the self-support purpose further the bill prohibits any public assistance agency from requiring blind recipients to subject their property to liens or transfer to these agencies title to their property as a condition of receiving aid. Encumbering the property of blind aid recipients deprives these individuals of an ability to use their own possessions for self-restoration and rehabilitation. We cannot successfully help the blind to return to productive and useful lives if we permit their futures to be mortgaged or their property to be taken from them because they received assistance in time of need.

Third, the bill also requires that the ability of relatives to contribute to the support of recipients be entirely disregarded in determining eligibility for public assistance. The enforcement of the legal responsibility of relatives to support dependent blind persons has never been financially significant in reducing public assistance expenditures. It has, however, demoralized recipients by constantly emphasizing in their minds their dependent status and sense of helplessness. The enforcement of relatives' liability is unjust to aging parents of blind individuals still in the productive years of life and unfair to their youthful children endeavoring to become established in the world, and generally results in spreading poverty rather than relieving it. The enforcement of relative responsibility is frequently disruptive of family relations, creates bitterness and resentment where hope and affection should be fostered and saves little or nothing in the cost of assistance to the blind. Accordingly, it has no place in a welfare program which ought to maintain the sense of importance and belonging on the part of a recipient within the atmosphere of good family relations as a sound basis for his adjustment to blindness and restoration to normal life.

Fourth, the bill further provides for equal minimum payments to all eligible blind individuals except that the minimum would be specified by each State, and could, therefore, vary with local conditions.

But the present system of individually budgeting recipients on the basis of individual need individually determined by a wide exercise of discretion on the part of individual social workers would be in a large measure replaced. Individual budgeting inescapably leads to the gradual assumption by social workers of control over the affairs and lives of recipients. If every bit of income must be searched out and every resource tracked down before the amount of each month's payment can be determined on the basis of the budgetary deficiency which then exists, the inevitable result is that the blind recipient, already oppressed by a sense of helplessness, soon loses all direction of his supposedly free consumption choices. The fibers of self-reliance are quickly sapped and loss of self-management is the unavoidable consequence. Under these conditions, the personal qualities of morale and enterprise which are indispensable to rehabilitative effort are undermined and destroyed.

The payment of fixed minimum amounts of aid to which all eligible persons are equally entitled as of right will reduce administrative overhead and preserve and promote the moral and psychological well being of recipients. It will restore to them a power to manage their own affairs. It will nourish initiative and stimulate self-improvement. In contrast to the rigid means test and individual budgeting, equal minimum payments determined by law will provide a floor of security and foster economic independence and social reintegration.

Finally, to assure that aid-to-the-blind payments will more adequately meet the actual financial needs of recipients while they are in distress, the bill raises the ceiling on the matching of State funds by the Federal Government from the present maximum of $60 per month to a maximum of $75 per month. When the Social Security Act was first passed in 1935 the maximum payment to any blind recipient in which the Federal Government would participate was fixed at $50 per month, of which the Federal Government would pay one-half. The maximum amount in which the Federal Government will share has been increased by only $10, although the cost of living has nearly doubled since 1935 and the standard of living to which the people have become accustomed has sharply risen.

The consequence of the Federal Government's failure to keep pace with rising prices has been that even greater poverty and distress has been imposed upon the blind who must depend on public assistance. They have been compelled to eat and dress and live in a manner markedly different from the rest of the community. Many of the States have demonstrated their willingness to meet in part the challenge of the desperate situation thus brought about and have raised payments substantially above the Federal matching ceiling, but others have fallen far behind. The latest figures available show that average payments throughout the United States are but $63.12 per month, and this includes average expenditures for medical care not authorized prior to 1950.

The time has been long overdue for the Federal Government to attempt more reasonably to meet its responsibilities for raising the level of aid to the blind in every State. The bill therefore proposes that, in addition to raising the matching ceiling to $75, $30 out of the first $35 of average monthly payments to the blind shall be paid by the Federal Government. Accordingly, even the States which have the least ability to raise assistance payments without additional Federal participation because they have the smallest taxable resources, will be enabled to meet the actual needs of the blind recipients more adequately.

Adoption of these amendments will mean that the rehabilitative approach will be put in the core of the Federal law providing aid to the blind. We now know from the examples of increasing numbers of blind men and women who successfully work at a wide variety of occupations ranging from mechanics and farmers to businessmen and college professors that every blind person who is sound of body and mind is capable of completely normal living and productive usefulness. By revising the Federal law we can materially enable and impel the one-third of the Nation's 300,000 blind which is dependent upon public assistance to take their places in the economy as taxpayers rather than as tax consumers. It is high time that the Nation's laws providing aid to the blind catch up with the facts.

RAPID TAX AMORTIZATION CERTIFICATES

The SPEAKER. Under previous order of the House, the gentleman from Oregon [Mr. ULLMAN] is recognized for 10 minutes.

Mr. ULLMAN. Mr. Speaker, today I introduced a bill which would amend section 168 of the Internal Revenue Code so as to invalidate any rapid tax amortization certificates issued to public utilities after October 22, 1956.

Mr. Speaker, on October 22, 1956, Senator HARRY F. BYRD, the distinguished chairman of the Senate Committee on Finance, wrote to the Director of the Office of Defense Mobilization, Mr. Arthur S. Flemming, requesting that no further action be taken regarding pending applications for the issuance of rapid tax amortization certificates. Senator BYRD wrote:

> As chairman of the Senate Finance Committee, I am asking you not to grant those applications which you have held up, or any others about which there is the slightest question, until this committee can complete its review of the situation under existing defense and business conditions and make its report.

Senator BYRD made this request because he was concerned over the danger of creating unfair competition, overexpansion, and damage to small business. He also expressed his concern over the loss of revenue resulting from the issuance of such certificates. He stressed that under present peacetime conditions, this special privilege can be justified only in exceptional and rare cases.

The Office of Defense Mobilization chose to ignore this request. It has continued to issue rapid tax writeoff certificates. Among the largest recipients since Senator BYRD's request was made, has been the Idaho Power Co. Issuance of certificates to the Idaho Power Co. was, as Senator BYRD pointed out, an utterly indefensible act.

Mr. Speaker, the bill which I introduced specifically applies to public utilities. If the issuance of tax writeoff certificates can be justified at all, their issuance can be justified only to private corporations which are not guaranteed a certain profit on their investment, as are utilities. The issuance of rapid tax writeoff certificates has usually been justified as a special privilege which would be needed if private industry was to undertake the construction of certain installations necessary for the national defense. It was contended that unless this special treatment was accorded to private industry, such installations would not be sufficiently remunerative to warrant construction.

Certainly, this argument in support of the issuance of these certificates has little bearing on their issuance to public utilities. Public utilities who occupy a monopoly position, who are regulated by Government agencies and who are guaranteed a fixed profit on their expenditures, have no legitimate claim to this special treatment.

A second reason for introducing a bill which applies specifically to public utilities is the fact that these utilities are in a unique position to take advantage of the American taxpayer. They are in a position to utilize these certificates as a tax bonanza—a bonanza which can be passed on to corporate stockholders, not to ratepayers. Under the guaranteed profit system in which they operate, they merely pass this windfall on to corporate stockholders. In certain instances, power companies are attempting to pass these savings directly on in the form of capital dividends, with specific instructions that such dividends do not need to be reported as regular income and that they can be listed as capital gains.

Mr. Speaker, I have been advised that such tax amortization certificates are both administratively and legislatively terminable. Under the provisions of section 168 of the Internal Revenue Code, 1954, the taxpayer is authorized to discontinue the amortization deduction unilaterally. Clearly there is no mutuality of obligation between the party issuing the certificates and the party receiving the certificates. If the taxpayer is authorized to discontinue amortization deductions, it would certainly seem to follow that the Government would have a similar right.

Mr. Speaker, certainly one of the chief reasons for the introduction of my bill today was the issuance by the Office of Defense Mobilization of rapid tax amortization certificates to the Idaho Power Co. There was absolutely no justification for the issuance of these certificates to this power company. Seldom have the American people witnessed such a wanton and inexcusable giveaway of the taxpayers money. The bill which I have introduced gives Congress an opportunity to correct this wrong and cancel these certificates.

The extent of this giveaway has been adequately documented by the chief accountant of the Federal Power Commission. Testimony of the Commission's chief accountant, Mr. Russel C. Rainwater, before the Senate Subcommittee on Antitrust and Monopoly, indicated that I, and other Members of Congress, had been too conservative in evaluating the extent of this bonanza to the Idaho Power Co.

Mr. Rainwater testified that tax writeoff certificates granted to Idaho Power Co. would cost the Government $83.5 million, that being the amount that the United States Government must pay in interest to borrow the money to make up for the tax postponement granted to Idaho Power Co.

This is what these certificates will cost the United States Government. But Mr. Rainwater did not stop there, for he also spelled out the cash benefits which would be realized by the Idaho Power Co. as a result of the issuance of these tax writeoff certificates. Over the 50-year life span of the two dams for which these certificates were issued, the Idaho Power Co. will realize an interest-free loan of $339 million.

And Mr. Speaker, let us keep in mind that the recipient of this gift is the same power company which contended that construction of these dams on the Snake River would not cost the taxpayer a single dime. Mr. R. C. Parry, company counsel for the Idaho Power Co., during hearings held before the Federal Power Commission, stated

> The applicant [Idaho Power Co.] is here before you asking the privilege of constructing solely with its own money and without one cent of cost to the taxpayers of the United States.

The utter emptiness of that contention was made apparent when the Office of Defense Mobilization issued these certificates. Even Jerome K. Kuykendall, Chairman of the Federal Power Commission, conceded the inconsistency of the Idaho Power Co.'s position as a result of the issuance of these certificates.

Mr. Speaker, I believe prompt enactment of the bill I have introduced is required if we are to stop the giant giveaway now being perpetrated on the American taxpayer. Failure to do so can only mean the continued subsidization of the utility monopoly.

THE THEORY AND PRACTICE OF FREE TRADE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, the theory of free trade is attractive. The greater the exchange of goods between, and among, the nations of this world, the greater the economic activity, and resulting progress that is supposed to benefit all.

The practice of free trade, in the world of today, is not mutually beneficial. It leads to one-sided competition, that down-grades the wage levels and employment opportunities in many industries of the prosperous countries, without proportionately improving the standards of the backward countries.

In effect, it calls upon some American industries, with their investors, and their employees, to make ruinous sacrifices just to benefit other nations.

It is not that we would close the door completely to the products they manufacture at slave-labor wages, and want to sell here at such low prices that our people cannot possibly compete with them. We would like to help them to a reasonable extent, but not to the point where we would kill off some of our own industries. International charity as practiced by the United States, is inspired by the best of motives. It should not, however, "go overboard" and become self-destructive.

We cannot help other nations by bankrupting ourselves.

Rather, we should help them to improve their own industrial processes and raise their own standards of wages, and of living, and then permit them to compete in our domestic market on a fair and relatively equal basis. Similar to the healthy competition between one American manufacturer and another American manufacturer. Sound competition in place of disastrous competition.

Until there is progress in this direction, our first duty is to provide some protection for imperiled American industries. Failure to do so would be nothing less than a betrayal of our own people.

Responsible men, who have long struggled with this problem, have come to the inescapable conclusion that a sliding

scale of import quotas is the only solution. One that provides some share of the American domestic market for imports, while insuring that this share does not grow and grow, to the point where it threatens the survival of American factories and American workers.

Our conscientious colleague, Representative LANHAM, of Georgia, by introducing H. R. 2815, to be known as the General Import Quota Act, has given us the opportunity to solve this problem in a fair and practical way.

As one who has tried to offset the steady deterioration in the textile industry of New England, which was due in part to the ruinous competition of textile imports, I am wholeheartedly in favor of Congressman LANHAM'S bill.

Let me document this with cogent facts from the statement of the Wool Manufacturers Council, Northern Textile Association, Boston, Mass., on woolen and worsted imports:

Hundreds of American mills have been forced to liquidate and over 100,000 wool textile jobs have been lost in the past decade. During this period, when half of the weaving capacity of the United States has been lost, the principal foreign producers of woolens and worsteds have enjoyed a growing market in the United States. The Japanese have built a woolen and worsted industry which now operates almost twice as many looms as the United States. In the past 3 years Japan has increased its imports of woolens and worsteds to the United States by 650 percent.

The New England mills have borne the brunt of an attack which comes from many countries in increasing amounts. While United States imports of English wool fabrics have increased since 1954 from 50 percent in certain categories to 120 percent in other categories, Italy has increased her share of the United States market by even greater amounts, and United States imports of Japanese medium-priced goods have increased by over 600 percent, and imports of higher-priced fabrics by over 1,200 percent. In 1956 imports of lightweight woolen and worsted fabrics equaled about 60 percent of total United States production of such fabrics. Imports of these fabrics have almost doubled since 1954.

Import duties on woolens and worsteds were cut by various amounts from 28.5 percent to 44.4 percent 10 years ago. As a result of tariff-cutting sessions with foreign low-wage producers, the duties on higher-priced woolens which require more labor to produce, have been cut by even higher amounts, thus discriminating even further against American labor and in favor of the lowest-wage foreign producers who pay wages as low as 12 cents an hour.

The woolen and worsted industry, suffering from serious readjustment problems, losses, and unemployment, has been required to carry an undue burden of unfair competition from abroad. Among the textile industries, woolen and worsted imports are relatively 3 times greater than cotton imports, and 10 times greater than in synthetic textiles. Compared to many growing and prosperous nontextile industries, woolens and worsteds, like other textiles, bear a wholly disproportionate burden of imports. * * * A comprehensive program should immediately be undertaken by the Federal Government to bring about a curtailment of woolen and worsted imports, with particular reference to import ceilings on individual types of fabrics to prevent harmful concentrations.

There you have a report of the difficult struggle for survival being waged by one important American industry, as a result of our irresponsible tariff policies.

H. R. 2815, by reversing this trend, will help to save those American industries that are being pushed to the wall by the giveaway concessions that masquerade under the beguiling but destructive policies implicit in reciprocal trade.

Experience has revealed these weaknesses in our tariff policies: First, the present remedies against injury from imports have been ineffective despite all legislative efforts to make them serviceable; second, they will continue ineffective unless and until the stranglehold of the State Department on foreign trade policy is broken; third, until the regulation of our foreign trade policy is restored to Congress where it belongs under the Constitution.

The Lanham bill will eliminate these defects.

Furthermore, the Lanham bill is designed to improve the quota system by combining it with the tariff. As a result, the benefits of both methods of protection can be achieved, while the rigidity and the administrative burden of the absolute quota and the inadequacy of the tariff by itself to overcome the inequality of competition from different countries can be eliminated.

Moreover, it seeks to encourage the improvement of wage standards in countries that export to us, by offering those that increase their wage levels in relation to ours, a bonus in the form of an increase in the volume of exports that they could ship to us. This is the constructive and balanced approach that shows consideration for their needs as well as ours without undermining our own industries.

This bill eliminates rigid quotas and Presidential vetoes.

It protects threatened industries, even as it recognizes the value of trade with other nations based on fair standards of competition.

It makes it possible to set aside a reasonable share of the market for imports, and then holding imports within that limit or very near it. The domestic producer is then freed of the fear of what imports will do to him, and is enabled to plan his production, or plant renewal, or expansion, without worrying about the uncertainties of import competition.

It measures the impact or the magnitude of imports, not merely by absolute volume, but, first, by the share of the domestic market supplied by imports; and second, by the trend of this share.

In other words, an absolute quota could not be imposed unless imports supply 25 percent or more of the domestic market. If imports do supply 25 percent or more of the market, either a tariff quota or an absolute quota could be imposed. This would be left to the discretion of the Tariff Commission, where threatened industries could present their appeals for relief.

I believe this to be a just and workable solution for a difficult problem.

Congressman Lanham's bill is constructive legislation that commands our respect and support.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SIMPSON of Illinois (at the request of Mr. ARENDS), for the balance of this week, on account of death in the family.

To Mr. WALTER, for 10 days, on account of hearings in San Francisco, Calif.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PORTER, for 15 minutes, today.

Mr. SIKES, for 15 minutes, on Monday next.

Mr. ULLMAN, for 10 minutes, today.

Mr. THOMPSON of New Jersey, for 1 hour, on Monday next.

Mrs. ROGERS of Massachusetts, for 5 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. DAGUE and to include extraneous matter.

Mr. SAYLOR and to include extraneous matter.

Mr. GRIFFIN and to include extraneous matter.

Mr. SCHENCK and to include extraneous matter.

Mr. MILLER of Nebraska on the subject of chemicals in food and also to include a speech by the Governor of Alaska.

Mr. PELLY and to include extraneous matter.

Mr. BURDICK and to include extraneous matter.

Mr. SCRIVNER in three instances and to include extraneous matter.

Mr. HOSMER and to include extraneous matter.

Mr. VAN ZANDT and to include extraneous matter.

Mr. MARTIN.

Mr. ASHLEY (at the request of Mr. MULTER) and to include extraneous matter.

Mr. ANFUSO (at the request of Mr. MULTER) in two instances and to include extraneous matter.

Mr. YATES the remarks he made in the Committee of the Whole today and to include extraneous matter.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 18. An act for the relief of Alessandro Renda; to the Committee on the Judiciary.

S. 250. An act for the relief of Kyo Yawp Lee and his wife, Hyung Sook Lee; to the Committee on the Judiciary.

S. 252. An act for the relief of Katarzyna Siwik; to the Committee on the Judiciary.

S. 254. An act for the relief of Susana M. Umanos; to the Committee on the Judiciary.

S. 255. An act for the relief of Fumiko Shikanuki; to the Committee on the Judiciary.

S. 284. An act for the relief of Miyako Ueda Osgood; to the Committee on the Judiciary.

S. 286. An act for the relief of Maria Matilde Picallo; to the Committee on the Judiciary.

S. 303. An act for the relief of Gaetano Mattioli Cicchini; to the Committee on the Judiciary.

S. 336. An act for the relief of Angela Ferrini; to the Committee on the Judiciary.

S. 418. An act for the relief of Elisabeth Trout; to the Committee on the Judiciary.

S. 520. An act for the relief of Eleanor M. Horton; to the Committee on the Judiciary.

S. 627. An act for the relief of Wilhelmine Aldridge, and her minor children, Irene S. Aldridge and Ingeborg Kathe Aldridge; to the Committee on the Judiciary.

S. 660. An act for the relief of Ursula Rose Pazdro; to the Committee on the Judiciary.

S. 904. An act for the relief of Chrisoula Antonios Chegaras; to the Committee on the Judiciary.

S. 939. An act to amend section 22 of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.; to the Committee on Public Works.

S. 1083. An act for the relief of Maria Maniates; to the Committee on the Judiciary.

S. 1566. An act for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; to the Committee on the Judiciary.

S. 1581. An act for the relief of Sheu Shei Lan and Chow Shong Yep; to the Committee on the Judiciary.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 48 minutes p. m.), the House adjourned until tomorrow, Friday, June 14, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

945. A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation entitled "A bill to provide for the numbers of Medical Corps and Dental Corps officers of the Navy that may be selected for promotion to the grades of captain and commander"; to the Committee on Armed Services.

946. A letter from the Under Secretary of the Interior, transmitting a proposed concession contract with Dr. Avery E. Sturm, which, when executed by the Director of the National Park Service, will authorize him to provide medical, surgical, and hospital service, and conduct a medical plan for the benefit of employees of the Federal Government, concessioners and their contractors, in Yosemite National Park, Calif., for a period of 10 years from January 1, 1957, pursuant to the act of July 14, 1956 (70 Stat. 543); to the Committee on Interior and Insular Affairs.

947. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (5) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

948. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases of certain aliens who have been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

949. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the 43d Annual Report of the Board of Governors of the Federal Reserve System covering operations for the year 1956, pursuant to section 10 of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

950. A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation entitled "A bill to establish a temporary Presidential commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes"; to the Committee on Education and Labor.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. H. R. 8090. A bill making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes; without amendment (Rept. No. 552). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 4748. A bill to amend the act of August 11, 1955, to extend the time during which annual assessment work on unpatented mining claims subject to that act may be made, without amendment (Rept. No. 553). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 5953. A bill to provide for the construction of sewer and water facilities for the Elko Indian colony, Nevada; with amendment (Rept. No. 554). Referred to the Committee of the Whole House on the State of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 7963. A bill to amend the Small Business Act of 1953, as amended; without amendment (Rept. No. 555). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 1058. A bill to preserve the Key deer and other wildlife resources in the Florida Keys by the establishment of a National Key Deer Refuge in the State of Florida; without amendment (Rept. No. 556). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6587. A bill to amend the Sockeye Salmon Fishery Act of 1947; with amendment (Rept. No. 557). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6710. A bill relating to Canal Zone money orders which remain unpaid; without amendment (Rept. No. 558). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 7734. A bill to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries; without amendment (Rept. No. 559). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 886. An act to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska or the continental United States, either directly or via a foreign port, or for any part of the transportation; without amendment (Rept. No. 560). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 3604. A bill to amend section 831 of title 5 of the Canal Zone Code to make it a felony to injure or destroy works, property, or material of communication, power, lighting, control, or signal lines, stations, or systems, and for other purposes; without amendment (Rept. No. 562). Referred to the House Calendar.

Mr. WALTER: Committee of the Judiciary. House Resolution 21. Resolution to continue in effect House Resolution 190 and House Resolution 386, 83d Congress; without amendment (Rept. No. 563). Referred to the House Calendar.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7050. A bill to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes; without amendment (Rept. No. 566). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 6900. A bill to amend section 206 of the Legislative Reorganization Act of 1946, so as to enable the Comptroller General more effectively to assist the Appropriations Committees in considering the budget; with amendment (Rept. No. 567). Referred to the Committee of the Whole House on the State of the Union.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1794. An act to amend section 6 of the act approved July 3, 1890 (26 Stat. 215), relating to the admission into the Union of the State of Idaho by providing for the use of public lands granted therein for the purpose of construction, reconstruction, repair, renovation, furnishings, equipment, or other permanent improvements of public buildings at the capital; without amendment (Rept. No. 568). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 6623. A bill to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club; with amendment (Rept. No. 561). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana; without amendment (Rept. No. 564). Referred to the Committee of the Whole House.

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7522. A bill to authorize the extension of certain rights to

remove timber from lands acquired by the United States; without amendment (Rept. No. 565). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON:

H. R. 8090. A bill making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes.

By Mr. BENNETT of Florida:

H. R. 8091. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. ASHLEY:

H. R. 8092. A bill to amend the Internal Revenue Code of 1954 to provide a deduction in certain cases for disabled veterans who replace automobiles furnished by the Administrator of Veterans' Affairs; to the Committee on Ways and Means.

H. R. 8093. A bill to amend the Internal Revenue Code of 1954 so as to permit amounts paid for the institutional care of a disabled person to be deducted as medical expenses; to the Committee on Ways and Means.

By Mr. BALDWIN:

H. R. 8094. A bill to provide for the removal of the naval magazine at Port Chicago, Calif., to a site at Tubbs Island, Calif.; to the Committee on Armed Services.

By Mrs. BOLTON:

H. R. 8095. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. BROOMFIELD:

H. R. 8096. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. BROWNSON:

H. R. 8097. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. BURDICK:

H. R. 8098. A bill to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of the Louisiana Indians of the State of Louisiana; to the Committee on the Judiciary.

H. R. 8099. A bill to amend title II of the Social Security Act to permit retirement by all persons in the United States at the age of 60 years with benefits that will assure full participation by elderly persons generally in prevailing national standards of living, to provide like benefits for disabled persons, and to provide benefits for certain female heads of families and for certain children; to provide for the establishment and operation of this system of social security by an equitable gross income tax; and for other purposes; to the Committee on Ways and Means.

By Mrs. CHURCH:

H. R. 8100. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. COLE:

H. R. 8101. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. CURTIS of Missouri:

H. R. 8102. A bill to amend the Internal Revenue Code of 1954 to provide a special method of taxation for real estate investment trusts; to the Committee on Ways and Means.

By Mr. DAVIS of Tennessee:

H. R. 8103. A bill to amend section 5 of the Flood Control Act of August 18, 1941, as amended, pertaining to emergency flood-control work; to the Committee on Public Works.

By Mr. DAWSON of Utah:

H.R. 8104. A bill to amend Public Law 587 by permitting the withholding by the Federal Government from wages of employees of certain taxes imposed by States; to the Committee on Ways and Means.

By Mr. HIESTAND:

H. R. 8105. A bill amending the Bankhead-Jones Farm Tenant Act and certain other acts to provide that loan and insurance programs administered by the Farmers' Home Administration and the Federal Crop Insurance Corporation be administered on a self-supporting basis; to the Committee on Agriculture.

H. R. 8106. A bill to terminate section 702 of title VII of the Housing Act of 1954, as amended, relating to reserve of public works; to the Committee on Banking and Currency.

H. R. 8107. A bill relating to the premiums to be charged for insurance issued by the Federal Crop Insurance Corporation; to the Committee on Agriculture.

H. R. 8108. A bill to provide for control by the Interstate Commerce Commission of the reformation of rates on fourth-class (parcel post) mail, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 8109. A bill relating to the transportation of personal motor vehicles for military or civilian personnel; to the Committee on Armed Services.

By. Mr. LANHAM:

H. R. 8110. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. MASON:

H. R. 8111. A bill to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; to the Committee on Ways and Means.

By Mr. MILLER of Nebraska:

H. R. 8112. A bill to protect public health by amending the Federal Food, Drug, and Cosmetic Act to prohibit the use in food of food additives which have not been adequately tested to establish their safety; to the Committee on Interstate and Foreign Commerce.

By Mr. PORTER:

H. R. 8113. A bill to amend section 168 of the Internal Revenue Code of 1954, so as to restrict the issuance of certificates for rapid amortization of emergency facilities to those facilities producing new defense items for use by the Department of Defense or the Atomic Energy Commission in the national defense program; to the Committee on Ways and Means.

By Mr. ROBESON of Virginia:

H. R. 8114. A bill to authorize the payment from the employees' life insurance fund of expenses incurred by the Civil Service Commission in assuming and maintaining the assets and liabilities of certain beneficial associations; to the Committee on Post Office and Civil Service.

By Mrs. ST. GEORGE:

H. R. 8115. A bill to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions; to the Committee on Armed Services.

By Mr. SANTANGELO:

H. R. 8116. A bill for the relief of certain relatives of United States citizens and lawfully resident aliens; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. R. 8117. A bill to increase the income limitation applicable to veterans eligible for pension under part III of Veterans Regulation No. 1 (a), and the Veterans' Benefits Act of 1957; to the Committee on Veterans' Affairs.

By Mr. SCRIVNER:

H. R. 8118. A bill to provide that the Secretary of the Interior shall investigate and report to the Congress as to the advisability of establishing Huron Cemetery, Kansas City, Kans., as a national monument; to the Committee on Interior and Insular Affairs.

By Mr. SELDEN:

H. R. 8119. A bill to make the evaluation of recreational benefits, and fish and wildlife conservation, resulting from any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN:

H. R. 8120. A bill to amend the Internal Revenue Code of 1954 to terminate, in the case of public utilities, the deduction allowed for amortization of emergency facilities; to the Committee on Ways and Means.

By Mr. VINSON:

H. R. 8121. A bill to establish the Office of the Deputy Judge Advocate General of the Navy, and for other purposes; to the Committee on Armed Services.

H. R. 8122. A bill to extend the authority for the enlistment of aliens in the Regular Army, and for other purposes; to the Committee on Armed Services.

By Mr. WALTER:

H. R. 8123. A bill to facilitate the entry into the United States of certain adopted children, and other relatives of United States citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. BYRNES of Wisconsin:

H. R. 8124. A bill to exempt certain aspects of professional team sports from the antitrust laws; to the Committee on the Judiciary.

By Mr. COAD:

H. R. 8125. A bill to amend the Internal Revenue Code of 1954 to provide an amortization deduction for small businesses which establish or expand facilities utilizing surplus agricultural commodities in new industrial products or uses; to the Committee on Ways and Means.

By Mr. O'BRIEN of New York:

H. R. 8126. A bill to amend section 16 (c) of the Revised Organic Act of the Virgin Islands; to the Committee on Interior and Insular Affairs.

By Mr. PILLION:

H. R. 8127. A bill to provide certain basic salary increases for employees in the postal field service; to the Committee on Post Office and Civil Service.

By Mr. RADWAN:

H. R. 8128. A bill to provide certain basic salary increases for employees in the postal

field service; to the Committee on Post Office and Civil Service.

By Mr. TOLLEFSON (by request):

H. R. 8129. A bill to amend title XI of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. COAD:

H. R. 8130. A bill to amend the Small Business Act of 1953 to provide a reduced rate of interest for business loans made to small-business concerns to establish or expand facilities utilizing surplus agricultural commodities for new industrial products or uses; to the Committee on Banking and Currency.

By Mr. KING:

H. R. 8131. A bill to amend title X of the Social Security Act to enable the States to provide more adequate financial assistance to needy individuals who are blind and to encourage and stimulate needy blind individuals to become self-supporting; to the Committee on Ways and Means.

By Mr. MICHEL:

H. R. 8132. A bill to amend the Railroad Retirement Act of 1937 to modify existing restrictions on an individual's right to receive monthly survivor benefits simultaneously under that act and the Social Security Act, so that such an individual will in effect receive the larger of such monthly benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SHELLEY:

H. R. 8133. A bill to amend section 302 of the Defense Production Act of 1950 to authorize loans to certain public agencies directly connected with activities essential to the national defense; to the Committee on Banking and Currency.

By Mr. ABERNETHY:

H. J. Res. 363. Joint resolution to continue for an additional year the Commission on Increased Industrial Use of Agricultural Products; to the Committee on Agriculture.

By Mr. BURDICK:

H. J. Res. 364. Joint resolution for the freedom of the mind; to the Committee on the Judiciary.

By Mr. HEMPHILL:

H. J. Res. 365. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. GEORGE:

H. J. Res. 366. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to enact H. R. 5538, relative to the withdrawal of public lands for defense purposes; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 8134. A bill for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; to the Committee on the Judiciary.

By Mr. BYRD:

H. R. 8135. A bill for the relief of Mohamad Khalil Smidi; to the Committee on the Judiciary.

By Mrs. CHURCH:

H. R. 8136. A bill for the relief of L. Balkin Builder, Inc.; to the Committee on the Judiciary.

H. R. 8137. A bill for the relief of the legal guardian of Richard J. DeYoung, a minor; to the Committee on the Judiciary.

By Mr. CRETELLA:

H. R. 8138. A bill for the relief of Giovanni Giuseppe Masucci; to the Committee on the Judiciary.

By Mr. DEMPSEY:

H. R. 8139. A bill for the relief of Mrs. Catherine Pochon Dike; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 8140. A bill for the relief of Sister Carolina (Antonietta Vallo), Sister Noemi (Francesca Garbone), Sister Luciana (Gemma Antonello), Sister Marta (Sabina Guglielmi), Sister Rafaella (Angela Sicolo), Sister Maria Annunziata (Teresa Carbone), and Sister Marisa (Carolina Nutricati); to the Committee on the Judiciary.

By Mrs. DWYER:

H. R. 8141. A bill for the relief of Domingos Jose Silva Belo; to the Committee on the Judiciary.

By Mr. FOGARTY:

H. R. 8142. A bill for the relief of Sister Leonie Aurelia Esquivel; to the Committee on the Judiciary.

By Mr. HASKELL:

H. R. 8143. A bill for the relief of Saing Kum Ko alias Chong Wol Nyo Ko; to the Committee on the Judiciary.

By Mrs. KELLY of New York:

H. R. 8144. A bill for the relief of Violet E. Weekes; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8145. A bill for the relief of Mrs. Lidia Concepcion Lorenzana Castro; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H. R. 8146. A bill for the relief of Sandor Korosi and Ilona Korosi; to the Committee on the Judiciary.

By Mr. McINTOSH:

H. R. 8147. A bill for the relief of Kenneth W. Lenghart; to the Committee on the Judiciary.

By Mr. MORRISON:

H. R. 8148. A bill for the relief of Hugo Tarantino; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H. R. 8149. A bill for the relief of Kazue Ikeda; to the Committee on the Judiciary.

H. R. 8150. A bill for the relief of Jose Ramirez-Medina and his wife, Socorro Bernal-Valancia de Ramirez; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8151. A bill for the relief of Heidi Marie Berger; to the Committee on the Judiciary.

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens; to the Committee on the Judiciary.

H. J. Res. 368. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

278. By Mr. HOSMER: Petition of certain residents of the 18th Congressional District of California, who request enactment by Congress of legislation to prohibit the transportation of alcoholic-beverage advertising in interstate commerce, and its broadcasting over the air, a practice which nullifies the rights of the States under the 21st amendment to control the sale of such beverages; to the Committee on Interstate and Foreign Commerce.

279. By Mr. McGREGOR: Petition to remove alcoholic-beverage advertising from our homes; to the Committee on Interstate and Foreign Commerce.

280. By the SPEAKER: Petition of the national commander, American Defenders of Bataan and Corregidor, Inc., Jersey City, N. J., petitioning consideration of their resolution relative to insisting that the study be continued relating to the health of former prisoners of war; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

The President of the Republic of the United States

EXTENSION OF REMARKS

OF

HON. ERRETT P. SCRIVNER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 13, 1957

Mr. SCRIVNER. Mr. Speaker, a few days ago each Member of Congress received a brochure relating to the coming visit of Mr. Coty, President of the Republic of France.

Noting that the brochure repeatedly used and emphasized "republic," realization came that we do not, but should, emphasize that the United States is a republic. In a recent weekly newsletter, I commented as follows:

"The President of the Republic of the United States"—that, I feel, is the way our Presidents should be introduced.

This Nation is the oldest and most successful Republic in the history of the world. Kingdoms, duchies, dictatorships, whatever there may have been have fallen. In many instances, in recent years, the successor has been a republic, many of which I have visited. There has always been great pride in the reference by these citizens to their republic. It is never Korea—it is always the Republic of Korea. It is never Panama—it is the Republic of Panama—and so it goes all over the world.

Last week, Members of Congress received a brochure in advance of the visit of Mr. Coty, President of the French Republic.

The outer cover said, "State Visit to the United States of M. Rene Coty, President of the Republic of France. (Of course, to be consistent, I feel they should have said, "visit to the Republic of the United States.")

In a 3-page biography, 4 references were made to the French Republic.

In a four-page summary entitled "Functions of the President of the Republic," the words "President of the Republic," "Constitution of the Republic," and similar phrases are found.

The word "republic" is found 38 times on those 4 pages, and always it is "the President of the Republic," never just "the President."

If these newer, and less successful or stable, republics are justly proud of their status as a republic and stress it so much, do we not have even more reason to be proud of the fact that we, too, live in a republic and so refer to it? It is a little more cumbersome—that's true—but it is worth it.

So, to the citizens of this republic, it should be the Republic of the United States of America; and to us it should always be the President of the Republic of the United States of America.

And, after all, it should not be forgotten either that every one of our States is guaranteed a republican form of government by the Constitution of the Republic of the United States of America.

During this state visit, there will undoubtedly be many toasts. One toast, I hope, will be to the bright future of the Republic of the United States of America.

Felix E. Wormser Leaves Government Service

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. HOSMER. Mr. Speaker, Assistant Secretary of the Interior for Mineral Resources Felix E. Wormser leaves Government service on the 15th of this month. At a great personal and financial sacrifice to himself he accepted the assistant secretaryship in 1953, agreeing to serve for 1 year. The difficulties and challenges of the post kept Secretary Wormser at it for over 4 years.

There are probably few responsibilities in Government more important and more deserving of attention from men of courage, knowledge and decision than those dealing with the Nation's basic minerals supply problems. Secretary Wormser brought all these qualities and more to the execution of his duties. Particularly, he brought to them a deep understanding of the American political and economic system: both its benefits and its workings. As a consequence the welfare of our Nation and its people have been enhanced by the personal sacrifices Secretary Wormser has made over these years of devoted, patriotic service to our country.

There were often points of difference between Secretary Wormser and members of the Congress of the United States on matters affecting our mineral programs. But these points always were those on which patriotic men might differ honestly according to their own beliefs as to what is in the highest and best interests of our country. I am sure that there is not one amongst us in the Congress of the United States who does not feel an abiding respect and affection for Secretary Wormser, nor who does not most sincerely wish him well on his return to private life. Probably our individual feelings were summed up by President Eisenhower on June 4 when he wrote as follows in accepting Secretary Wormser's resignation:

DEAR FELIX: I deeply regret that the time is so near when you must leave Government service. However, I understand the personal reasons that led to your decision, and I must accept your resignation as Assistant Secretary of the Interior, effective June 15 as you requested.

You can well be proud of the important public service you have rendered during the past 4 years. The mineral resources of the United States constitute a significant part of our national wealth. Their conservation and development merit at all times the close attention of experienced Government officials to insure that the strength they provide will be of maximum benefit for present and future generations. As Assistant Secretary for Mineral Resources, you have made a large contribution to the formulation of administration policies in this regard, and tangible evidence of your highly effective work will be available to the American people as they continue to benefit from these resources in the decades ahead.

My thanks go to you for your numerous accomplishments and for your willingness to remain at your post long beyond the period originally specified. I wish you continued success and happiness in the future.

With warm regard.

Sincerely,

DWIGHT D. EISENHOWER.

Anniversary of Communist Deportation of Lithuanians to Slave Labor Camps

EXTENSION OF REMARKS
OF
HON. JOSEPH W. MARTIN, JR.
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. MARTIN. Mr. Speaker, during a period of 1 week, beginning June 14, 1941, thousands of liberty-loving Lithuanians were uprooted from their homes by Russian troops and secret police and deported to Siberia and other Arctic territory to work in Communist slave-labor camps.

The exact number of people from this helpless little nation to be the victims of this ruthless and horrible treatment is probably undetermined, but the best estimate is that more than 34,000 were seized and spirited away during a period of only 7 days.

This is one of the blackest pages in the long, dark history of Communist terrorism. It points out in bold relief the total disregard for human liberty and human dignity of Communist dictatorship.

On the anniversary of this sordid event, it is well to remind ourselves of these unfortunate Lithuanians and the thousands of other long-suffering victims of Communist ruthlessness behind the Iron Curtain. This wholesale herding of human beings into slavery occurred in 1941. But if anyone has been lulled into the mistaken belief that the Communist leopard has changed its spots, we have only to look at what happened in Hungary as recently as last year.

This establishes the indisputable fact that communism follows a consistent pattern of crushing all resistance to its aims by ruthless and merciless force wherever it feels strong enough to do so.

This ought to be—and I hope will be—conclusive evidence to our own people and the people of the Free World that as long as the Communist menace lives in the world, our only chance for survival in freedom is our strength.

Beware of Psychiatrists

EXTENSION OF REMARKS
OF
HON. USHER L. BURDICK
OF NORTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. BURDICK. Mr. Speaker, one way to destroy any people is to destroy their health. The destruction of the mind is less obvious and not an open act of murder, but the millions who have had their minds destroyed by this sly Fascist and communistic scheme of controlling the people are as dead as they ever will be.

Listen to what Dictator Georgi Malenkov said when he succeeded Stalin:

There will be no more lobotomies while I am dictator of Russia.

Now let us see what a lobotomy is. First, the patient is strapped to an operating table. The straps must be tight and very strong. Then electrodes are clamped to the temples of the person about to be lobotomized. Next, three jolts of electricity are shot through the patient's brains—enough to start violent convulsions, which give way to an anesthetic coma. Now the doctor takes his leucotomes—pick-like instruments—and inserts them under the patient's eyelids. With a hammer he then drives them through the eye sockets of the skull and into the forepart of the brain. Finally, with a few deft sweeping motions back and forth, the doctor severs the prefrontal lobes of the brain from the rest of it. Hitler used this method on millions of his subjects and Stalin had over 10 million slaves or prisoners operated upon and turned into mere beasts of burden.

It takes only 5 minutes to perform this operation and the subject does not know what has been done to him. He loses his animation as a living object and becomes a zombie. His productive organs wither up and he is incapable of resistance.

This same practice is used here in the United States on persons said to be mentally ill, and it is estimated that 100,000 persons in the United States have been subjected to this operation upon the advice of some psychiatrist. This is murder per se, although the patient may be hopelessly incurable. It is another way of putting the patients to death under the advice of skilled psychiatrists. In the United States today a large percentage of the psychiatrists are foreign-

ers, most of them educated in Russia. The percentage runs as high as 80.

What does this mean? Does it mean that the Russian finesse of human destruction is introduced in America to further weaken our people so that there will be less resistance to communism? It means nothing short of that.

Here are two statements of the many Beria made when he addressed a group of American students at Lenin University in Russia:

You must labor until we have dominion over the minds and bodies of every important person in our nation. You must achieve such disrepute for the state of insanity and such authority over its pronouncement that no one statesman so labeled could ever again be given credence by the people. You must work until suicide arising from mental imbalance is common and calls forth no general investigation or remark.

With the institutions for the insane you have in your country prisons which can hold a million persons and can hold them without civil rights or any hope of freedom. And upon these people can be practiced shock and surgery so that never again will they draw a sane breath. You must make these treatments common and accepted. You must sweep aside any treatment or any group of persons seeking to treat by effective means.

There you have the Communist assault on the minds of men. Is this the practice this country is going to follow in mental health cases? It would seem that some of these methods are already being used here, judging from some of the cases which have recently been brought to my attention.

Postal and Federal Pay Raise

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I am inserting into the RECORD a statement I submitted to the House Post Office and Civil Service Committee expressing my views in support of pending legislation for an increase in salaries for postal workers and Federal employees.

The text of my statement is as follows:

STATEMENT BY CONGRESSMAN VICTOR L. ANFUSO, OF NEW YORK, TO THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE

Mr. Chairman and members of the committee, I wish to thank you for giving me this opportunity to express my views on pending legislation concerning an increase in salaries for postal and Federal employees.

Among the many bills before your committee there are two which I introduced in the current session. One, H. R. 1907, provides for an increase in the rates of basic compensation for all postal workers. The other, H. R. 4738, provides for a salary increase of $1,000 per annum for all classified Government employees. I believe that the proposals contained in my bills are not out of proportion. If anything, present postal and Federal salaries are out of proportion and should be increased to a more realistic level.

I shall be glad, however, to support any measure recommended by your committee, provided it advocates adequate compensation for all Government and postal workers.

When Congress enacted Public Law 68, 2 years ago, postal and Federal employees were well aware of the inadequacies of that law. They were especially aware of the fact that the salary increases provided in that law were too low. It is a well-established fact by now that pay increases granted in recent years by the Government have not kept pace with the steady upward movement of the cost of living, which in the past few months has reached its highest level.

In many instances it was found that the wage scale for postal workers and the salary rates for Federal employees have lagged behind those doing comparable work in private industry. In some instances, unskilled laborers in private industry were being paid higher wages than postal workers. For example, in 1939 the average weekly wage for all factory workers was $23.86, while the entrance salary for postal workers at that time was $30.76. At the present time, the average weekly wage for factory workers is $82, but the entrance salary for letter carriers and postal clerks is only $70.36. Thus, in 1939 postal workers' salaries were about 30 percent higher than the wages paid to factory workers, today postal workers receive about 15 percent less pay than factory workers. This is a substantial difference.

Under these circumstances, it is not surprising to find that our Government agencies and the Post Office Department encounter difficulties in recruiting competent employees. Low salaries are no inducement for a family man to make a career in the postal or Government service when he can earn more money in private industry and provide his family with a better standard of living.

In order to augment their earnings, it has become customary for many postal workers in recent years to take on a second job or to encourage their wives to seek employment. Many employees in the lower-income brackets find this situation intolerable as they struggle to maintain their family, upkeep of the household, education of the children, and a decent standard of living.

Adequate pay increases for postal and Federal workers are long overdue. These people are a conscientious, loyal, and hard working group. They deserve greater consideration. They deserve fair remuneration for the important services they perform in keeping our Government functioning smoothly and efficiently. I think we take them and their services too much for granted.

Congress should grant them a substantial pay increase and afford them the fullest opportunity to maintain a decent standard of living commensurate with the rest of the country. Your prompt action today will be worth more than all the promises of tomorrow.

Enslaved Lithuania

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. DAGUE. Mr. Speaker, it was 16 years ago, today, that the Communists launched their ruthless enslavement of the Baltic States and subjected Lithuania in particular to a most brutal program of annihilation.

In this wave of terror and the persecution of a proud people some 60,000 Lithuanians were deported to Siberia or sent to other slave-labor camps throughout Russia. And during this wave of brutality the one thing that stood out so strikingly was the fact that Russia had guaranteed the freedom of the Baltic countries and by this terroristic act revealed herself as incapable of keeping her solemn commitments.

Our hearts go out to these brave people and especially to those survivors of Soviet brutality who have found sanctuary in this country. We are joined with them in mourning the loss of their loved ones; and, unless our dedication to freedom for all men is to prove meaningless, we must work for the restoration of Lithuania as a free and sovereign nation.

Alaska Statehood

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SAYLOR. Mr. Speaker, long before I ever considered running for the office of Representatives to the United States Congress, I was interested in the Territories of our country, and especially the Territories of Alaska and Hawaii. Little did I dream that when I came to Congress I would be a member of the Committee of the House of Representatives that would handle the affairs of these great territories. I sought membership on the House Committee on Interior and Insular Affairs because it handles all matters concerning mines and mining, this being one of the principal industries in my Congressional district.

But one of the most fascinating parts of the work of this great committee are the problems of Alaska, and I have taken a keen interest in this Territory, her people, her vast land areas, her unlimited resources and the desire of a vast majority of Alaskans to have their home become a State in the United States, another star in the field of blue of the Stars and Stripes.

Therefore when the House Interior and Insular Affairs Committee on May 28 considered and acted favorably to report the Alaskan statehood bill to the House of Representatives, I was indeed pleased. The committee voted overwhelmingly in support of statehood—24 in favor of the bill with 6 members opposed to statehood.

One of the items that was most impressive in this vote was the almost solid support of the legislation by the Republican members of the committee. While statehood is not a political issue, and while statehood will only be achieved by bipartisan support, the Republican members supported this bill to a greater degree than did the Democrats.

There are 13 Republican members on the House Interior and Insular Affairs Committee and 11 members, or 85 percent, voted in favor of statehood, while only 13 of the 17 Democratic members, or 76 percent, of the committee voted

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for statehood. I am proud of the manner in which the Republican members of the committee supported the President in his endorsement of this long overdue legislation.

There can be no doubt about the position of President Eisenhower or his administration because he has stated in his budget message of 1957, and many times to the press, that he favors immediate statehood for Alaska. The administration's position was later affirmed by the statement of the Secretary of the Interior in his testimony before the House committee.

The area limitations for the conducting of defense activities, as proposed in the Department of the Interior's amendment to create special national defense withdrawal areas in the northwestern region of Alaska, have been included in the bill passed by the committee. The legislation as it now stands, in my opinion, is in accord with the wishes of the great majority of the people of Alaska. This opinion is strengthened by a news item in the Anchorage Daily Times of May 28 which indicates that the Governor of Alaska, native-born Michael A. Stepovich, has expressed his accord with the actions of the Congress thus far on this bill. The Governor is quoted as saying:

> It's really encouraging that Congress is moving right along on the bill. As Alaskans, we are grateful.

I vigorously urge the support of this statehood legislation by everyone so that it will successfully pass and become law, thus fulfilling a long wished-for objective on the part of the citizens of Alaska and the United States.

Tax Relief for Sick and Disabled Citizens

EXTENSION OF REMARKS
OF
HON. THOMAS L. ASHLEY
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. ASHLEY. Mr. Speaker, I have today introduced two bills—H. R. 8093 and H. R. 8092—which seek to provide a measure of tax relief for certain of our sick and disabled citizens. The first bill logically supplements existing provisions of the Internal Revenue Act that allow deduction of medical expenses. It would grant a tax deduction for money spent for the institutional care of a disabled or sick dependent who requires continuous personal attention. Under the provisions of my bill, a person would qualify as disabled only if he is unable to engage in any substantially gainful activity by reason of any determinable physical or mental impairment which can be expected to be of indefinite or long-continued duration. In everyday practice, Mr. Speaker, this would allow the cost of rest-home or similar treatment and care to be deducted, for tax purposes—just as hospital expenses are deductible under the present law.

The second bill offers a very limited and very meritorious segment of our society an important deduction. As you know, the Veterans' Administration may furnish those who have lost the use of their legs because of service-connected injuries, specially designed vehicles to facilitate their rehabilitation. Often, a veteran finds his redesigned auto a means of livelihood which he would otherwise be without. By allowing these veterans the right to deduct the cost of replacing such vehicles, Congress would again manifest its intention to assist their rehabilitation in every way possible. Certainly, there can be no question that this relief is both necessary and humane—or that the need for encouraging these men to better and more useful lives continues to be of paramount interest to society.

It had been my hope that the 85th Congress might be able to enact a broad tax relief bill benefiting all our citizens. However, as the prospect for a general tax cut diminishes, I feel that it has become all the more imperative for us to pass the legislation I have introduced today. Indeed, these two bills would grant only the minimum relief so long awaited by these most deserving citizens.

Too Many Americans in Formosa

EXTENSION OF REMARKS
OF
HON. ERRETT P. SCRIVNER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SCRIVNER. Mr. Speaker, one of the causes of our troubles in the Far East is that there are just too many Americans, military and civilian, in those countries.

In a recent weekly newsletter, I commented on the Formosa riot, as follows:

> The riot and raid on the American Embassy in Formosa came as a surprising shock.
>
> In the first place, while Chinese, as I have observed, are a most curious and voluble people, violence is not a usual characteristic.
>
> Perhaps we, as Americans, are not without fault. Orientals are proud people. We are proud, too. Orientals set a great value on face—or pride—the position they may occupy in the opinion of the friends and neighbors. Humiliation carries loss of face.
>
> The wife of the Chinese, an American sergeant killed, had suffered a loss. Had some American officer visited her, expressed sorrow over the incident, made an offer of retribution, perhaps as much as $1,000 American, perhaps the aftermath of the trial—the raid—would not have happened. Another incident, adding fuel to the fire, was the demonstration of Americans at the trial—the shouts and handclapping—when the verdict of not guilty was announced. To the Chinese present this was further injury.
>
> Even so, had this been the only incident, the raid would not have happened but for other events. The widow probably would not have picketed our Embassy. Crowds of curious Chinese would not have gathered to see what was going on—and some overzealous hothead could not have stirred up the crowd over this lone incident.
>
> The last time I was in Formosa we had about 500 Americans there. Military men for the most part—living in the hills with Chinese troops at work on their job of making good soldiers of the Chinese troops—which they did. No families—no big American cars. Reports show now right at 10,000 Americans on that small island.
>
> Streets and roads in Formosa are narrow and winding. Heavy hauling is by means of clumsy carts drawn by oxen, or water buffalo. Lighter travel is by bicycle or pedicabs—rickshas with bicycle attachments. Even the wealthiest Chinese travel this way, which is all too slow for the impatient, speed-loving Americans, who with their big cars, shipped to Formosa at Uncle Sam's expense, want to be on their way. Horns honk, brakes squeal, drivers shout, and they move rather recklessly through these narrow ways, scattering pedestrians and cyclists to each side. Repeat such incidents day in and day out, not only in China, but around the world, and it is a little easier to understand some of the bitterness and enmity.
>
> Americans overseas live better, have more than many of the wealthiest natives. We bid up the prices, bringing inflation, which makes it harder and harder for the natives to meet their daily needs. We look down our noses at them as being backward—brag about what we have and the way we do things in the United States. We pay little heed to the history or customs of the nations where we are guests, not victorious conquering troops.
>
> If we, as Americans, would conduct ourselves in these countries, as we would if we were guests in someone's home, being courteous and considerate, many of these little irritations, which, piled one on the other, finally reaching the breaking point, incidents such as the one in Formosa could be avoided.

Character Building for Our Youth

EXTENSION OF REMARKS
OF
HON. VICTOR L. ANFUSO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. ANFUSO. Mr. Speaker, we have been hearing and reading so much adverse comment about our teen-agers that one stops to wonder at times whether there are any good, civic-minded, and responsible young people left in our schools and communities. Unfortunately, we uphold to public criticism the wrongdoers, but we tend to overlook those who perform good work and pursue wholesome activities.

Perhaps if we emphasized more of the latter type it would serve as an example and an inducement to all teen-agers. The overwhelming majority of our young people are cooperative with the community, are law-abiding, civic-minded, and assume responsibility when the time is ripe for them to do so. It is therefore important that we get a true picture of these youngsters, their problems, their activities, their character-building efforts, and so forth.

I am glad to call attention at this time to one of the finest character-building programs for our citizens of tomorrow conducted by Eastern District High School, located in my Congressional District in Brooklyn, N. Y. The school organized a neighborhood youth council whose purpose it it is to promote cooperation among organizations and citizens interested in making the community a more wholesome place in which to live. It also sponsors the study of social re-

sources, seeks to advance the education of the general public regarding conditions which need to be improved, to secure democratic action in meeting local needs, expand youth activities, and foster human relations.

This is quite a tall order, and even if this group is only partially successful it will have accomplished a great deal and will have contributed much to the community. The following are some of the activities sponsored by the Eastern District High School Neighborhood Youth Council in its efforts to achieve the above goals:

(a) Conduct annual block-by-block surveys of the area to check on needed improvements.

(b) Picture story exhibits, highlighting sore spots in the community are displayed in public places.

(c) Spearhead rallies for modernization and improvement of school in cooperation with parents association and civic council.

(d) Organize and produce annual Keen Teen shows to spotlight local talent.

(e) Encourage teen-agers to participate in activities sponsored by local YMCA, YM and WHA, Williamsburgh Settlement and Williamsburgh Health Center.

(f) Community on Trial, a round-table forum, dramatized the need for coping with teen-age gang problems and led to initial work with Neighborhood Youth Council youth board.

(g) Organized the first pilot project in conducting community dances sponsored by Neighborhood Youth Council youth board.

(h) Annual Arbor Day tree planting program adds a tree each year to the first 50 trees planted in 1950.

(i) Actively participate in the work of the Citizens Committee To Keep New York City Clean.

(j) Conduct annual civic awards ceremony and dance to recognize and reward a graduate of Eastern District High School for outstanding community service and achievement.

(k) Initiate the "Easternite of the year" contest among the students of Eastern District High School to stimulate more active participation in school and community affairs and award achievement trophies to the "teen-agers of the year."

(l) Acts as a cooperating agency for its original parent group, the Williamsburgh Neighborhood Council.

Mr. Speaker, the activities described above are supervised by Mrs. Harriet S. Zucker, who is faculty adviser. The principal of Eastern District High School is Louis K. Wechsler, a noted educator. On May 29, 1957, the Neighborhood Youth Council held its eighth anniversary civic awards ceremony in the Biltmore Hotel in Brooklyn at which many awards were made to the young people, whose cooperation and services to the community were thus recognized.

I believe that many of our large and medium-sized communities throughout the country would benefit from the experiences and the activities of Eastern District High School Neighborhood Youth Council. By adapting these activities to their local needs, they would help shape the lives and thoughts of American youth, building character, and giving them the opportunity to absorb lessons in citizenship which would be of inestimable value in later life and help keep juvenile delinquency to a minimum. I am very proud of the achievements of this group in my district.

Tungsten Stockpile Program No Longer Needed

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. PELLY. Mr. Speaker, I have in my hand a clipping from this morning's Washington Post. This article refers to two programs for which funds will be voted up or down tomorrow, when we consider the House-Senate conference report on the third supplemental appropriations bill.

My purpose in calling this newspaper article to the attention of Members is because it reports a possible trade between the advocates of two expenditures which are in the report, but which previously were not included by the House.

While this is not the first reference to such a floor trade of votes that I have heard about, I have never believed that any Member would vote other than on the basis of the merit of the items. And, therefore, I am led to extend these remarks, since a careful reading of the original report of the House committee, together with the record of the debates held at both ends of the Capitol, firmly convinces me that the other body was wrong when it inserted $30 million for stockpiling tungsten. In other words, in opposing the item of $30 million, as I do, it is my thought hereby to review the facts with the hope that the membership here will not overlook them.

I wish, Mr. Speaker, that the taxpayers of this great Nation of ours could have the full information that is available to Congress on the present situation having to do with the stockpiling of strategic minerals and especially tungsten. Public opinion would never support such a subsidy to private mining interests. In fact, I fail to see how anyone can justify an expenditure of an additional amount of $30 million when the Office of Defense Mobilization has testified we have already stockpiled more than would be used in 5 years of a hot war—and some even say we have an 18-year supply. In any event, the Defense Department says our stock is sufficient. So what we will be debating is a pure subsidy.

The price which the Government pays, it will be recalled, is $55 a ton, while the domestic market for imported tungsten is $33 a ton. Testimony shows that one big steel company with its own tungsten mines uses the foreign mineral costing $33 for its own use, but sells the product of its own mine to the Federal Government at $55 a ton. That does not seem right.

How are we going to effect a tax reduction if the Federal Government undertakes to subsidize industry in this way? We are overburdening the small-business man, in particular; $30 million may not seem much in the overall picture, but it is from the combination of many such proposed expenditures that substantial savings can be effected. In the national interest we have to face up to the situation. We must economize; and, based on the information and background of the tungsten program, I believe here is an item on which Members of the House can stand pat.

We should not overlook that the United States Government was paying $63 a ton from 1951 until 1956, and the open-market price dropped from $64.63 in 1952 to $35 in 1956. Yet our Government continued last year paying $63.

I hope Members will reread the committee report and the discussions in this Chamber on February 5, 1957. It seems to me, if one has a sense of trusteeship and responsibility in handling other people's money, in all conscience one is bound to oppose the continuation of the subsidy program.

Let us reject this item in disagreement. If enough Members remain firm on this and similar boondoggles, we can stand up one of these days and vote for a tax-relief measure without increasing inflation because it will be within the honest framework of a balanced budget.

Let us cut out subsidizing fish ponds for farmers and giving free fertilizer and supporting the price of peanuts and other products at above the housewife's ability to pay. These many opportunities to cut Federal spending, along with the $30 million for tungsten the Government does not need, are the way to smaller budgets and lower taxes.

Schedule of Grassroots Conferences in Third Ohio District

EXTENSION OF REMARKS
OF
HON. PAUL F. SCHENCK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SCHENCK. Mr. Speaker, it is my great privilege and honor to represent the people of the Third District of Ohio here in the Congress of the United States. I am humbly grateful for this opportunity to be of service, and it is my constant aim to serve my constituents in the very best way possible. As their Representative in Congress it has been my constant policy to keep in close contact with the people of the Third District so that I may know how they feel about the many important issues facing us here in Congress.

Our Third District is the largest Congressional District in Ohio and one of the largest in the United States. Its great importance, however, is not dependent on size alone, but rather on the outstanding contributions of its fine citizens to the general welfare of our Nation. Not only is it the birthplace and cradle of aviation, but many of its other products and inventions are serving people throughout the world. Our people are highly skilled in many ways, and we have a district in which scientific projects, manufacturing, and agriculture are developed to an unusually high degree.

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As the Representative of this great district, I have considered it my duty not only to be well informed of the opinions of my constituents, but also to be of the greatest possible service to persons having problems dealing with agencies or departments of our Federal Government.

Six years ago I initiated the idea of holding grassroots conferences throughout our district, and I have continued this practice each year during the time Congress is in adjournment. I also have a full-time Congressional service office at the United States post office building, in Dayton, where I can meet with people personally at any time that my official duties permit me to return to the district.

During the time I am in Washington, attending to legislative and official duties, a competent secretary is in charge of my district service office to assist callers and to help them with requests for aid in dealing with the Federal Government so that I can be of every proper assistance to them.

In these ways I have sincerely tried to keep well informed as to the personal opinions of my constituents, and I have also tried continuously and sincerely to be of every proper service to them.

Members of Congress are constantly called upon to give careful and earnest consideration to legislation dealing with many complex national and international problems. These day-to-day decisions often affect the lives and living of every citizen in our Nation. Consequently, these personal and private conferences help me to serve all of the people in my district in a much more effective manner.

This year during our official Congressional recess, I am again taking time to hold these "grassroots conferences" throughout our district at convenient public buildings. I deeply appreciate the fine cooperation of the many officials who have made these meeting places available to me as an aid in rendering this public service.

This is the schedule I have arranged:

Dayton Post Office, room 314, August 19 and 20, 9 a. m. to 4 p. m.

Miamisburg City Building, August 21, 4 p. m. to 8 p. m.

Germantown City Building, August 22, 4 p. m. to 8 p. m.

Brookville City Building, August 23, 4 p. m. to 8 p. m.

Phillipsburg School, August 24, 4 p. m. to 8 p. m.

Hamilton Courthouse, August 26, 9 a. m. to 4 p. m.

Middletown American Legion, August 28, 9 a. m. to 4 p. m.

Oxford Municipal Building, August 29, 4 p. m. to 8 p. m.

Fairfield City Building, August 30, 4 p. m. to 8 p. m.

Each year an increasing number of our folks have visited with me at these conferences, and the attendance has been most encouraging. It is sometimes surprising to see how much can really be accomplished when a citizen and his Congressman can sit down face to face and talk over problems of mutual concern.

Special appointments are not necessary for these conferences, and I sincerely urge individuals or groups to meet with me on the date and at the place most convenient to them. The knowledge obtained through these grassroot conferences will help me to render better service—both legislative and personal—to all of the people of our important Third District here in the Congress of the United States.

Too Many Americans Too Long in Japan

EXTENSION OF REMARKS
OF
HON. ERRETT P. SCRIVNER
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. SCRIVNER. Mr. Speaker, the Girard case in Japan demonstrates that we have too many Americans in Japan, and that we have had them there too long.

The Girard case, which has caused so much comment, was recently discussed in one of my weekly newsletters, which follows:

TOO MANY AMERICANS TOO LONG IN JAPAN

The Girard case in Japan, and the Formosa riot, proves that we have overstayed our welcome and clearly demonstrates that we should bring American military personnel home just as soon as we can, and the sooner, the better.

The Girard case has created much confusing comment, and is now subject to inquiry by at least three congressional committees and one Federal court.

Let's go back and look at a few facts. Our troops are no longer in Japan as victors, or in time of war. We are there at the invitation of the Japanese Government under a treaty entered into under Truman's Secretary of State, Dean Acheson, by the United States and Japan in 1951, and ratified by the United States Senate.

This treaty did not specifically refer to the status of our troops, but left that open for agreement to be reached by our Ambassadors as a diplomatic transaction. The first agreement gave the United States exclusive jurisdiction over our troops until NATO agreements were made. In September 1953 a later agreement, similar to agreements with NATO countries, provided that off-duty offenses by American soldiers should be tried in Japanese courts, and on-duty offenses would be tried by United States military courts. A two-man commission—one American and one Japanese—was created to determine whether the offenses were on-duty or off-duty. Sometime prior to the Girard incident, it was further agreed by this commission, that if there was any dispute as to whether an incident was on- or off-duty, the decision would be made by a Japanese court. Why this was agreed to by our American representative, I cannot understand.

At first, after the trespassing Japanese woman was unintentionally killed following a disregarded warning shot, American authorities refused to turn Girard over to Japanese authorities. Japan claimed it was an off-duty event, since the incident occurred during a lunch period, and that the use of the empty cartridge case was outside the line of duty and unauthorized. We claimed—and still claim—it was on-duty, since he had been placed on guard by a superior officer. The 2-man Commission was deadlocked for 3 or more weeks. Someone, as yet not identified, somewhere decided that the agreement having been made should be kept, and that since there was a deadlock, a Japanese court should decide. (Had I been on this assignment, some mighty hot places could have frozen over before I gave in.) Delivery of Girard to Japanese authorities was held up, due to protests from Congress and other sources. After much discussion, our American representative was finally authorized to turn Girard over to the Japanese. Secretary of State Dulles and Secretary of Defense Wilson jointly decided that to avoid an international breach, we should keep our promise, and the Japanese court should be allowed to take jurisdiction.

I cannot, for the life of me, understand how there could be any doubt about the fact that Corporal Girard was on duty and acted in line of duty. Any soldier who has ever been on guard knows that his general orders require him to take charge of and protect all Government property in view. There is some question in my mind as to why and how, in view of the fact that Girard had been issued blank cartridges to frighten off trespassers, he had a cartridge case in his grenade discharger. However, that is a question that should have been left to the determination of a United States military court.

The petition filed for habeas corpus here in Washington has served to hold up immediate physical delivery of Girard to the Japanese and will provide an opportunity for development of facts and the constitutionality of the agreement. At this writing, no decision has been made.

It is too late for Congress to remedy the Girard situation, but the case will serve to demonstrate the need for treaty revision, amendment to the agreements and laws relating to the status of our military personnel overseas so such incidents cannot again arise.

Additives in Food

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. MILLER of Nebraska. Mr. Speaker, one of the most significant changes in the past two decades in the American way of life has been that of the scientific improvement in the dynamic and rapidly growing business of food technology.

Science has been dealing in research which has opened up new frontiers. Science has helped to create new industries, new and better jobs, and more and better things for a growing America.

The American standard of living has been greatly benefited because of the new things research has been able to accomplish. There will always be unexplored horizons waiting for someone to unlock the mysterious door to future projects. The field of chemistry is vast, its potential only tapped.

There is no question that chemicals are needed in the preparation, preservation and use of food. Much progress has been made through research in the field of nutrition and the American public can take pride in the manner in which science and industry have handled the delicate problem.

The number of chemicals entering the food supply of the nation has increased tremendously in the past decade. More

progress is to follow. Chemical substances are being introduced into the production, processing, storing, packaging and distribution of food at an ever increasing rate. There is hardly a food sold on the market today which has not had some chemical used in or on it at some stage between production and consumption.

In the past few years a large number of bills have been introduced dealing with chemicals in food—the so-called food additives. These bills had hearings but because there was difficulty in getting industry and the Food and Drug Administration to compromise their differences, the bills fell by the wayside.

I have introduced another bill on the subject of additives in food. This is the fourth such bill in the last three sessions of Congress. In my opinion many of the controversies in this complicated legislative procedure have been ironed out. I do not claim that the bill is perfect. It does represent many hours of study and conferences between industry, the Food and Drug Administration and myself. In my opinion it could act as a helpful vehicle for good, sound legislative procedure in governing the use of chemicals in the processing and handling of all food. It attempts to keep in mind two things: First, protect the public; second, to work out procedures between the Food and Drug Administration and industry that will bring this important and sensitive field into proper perspective. There must be a balance between those who are in the business of processing and developing and producing food. There must be a rather clear-cut line of demarcation as to how far the Food and Drug Administration may go in working out the proper regulations. The most important thing is the proper protection of the public.

In my opinion the present laws do not provide adequate safeguards to guarantee a food supply absolutely free of additives which might bring injury to the public health. The consuming public requires greater protection.

While industry has done a good job, we all know that in a tough economic world there is always someone ready to cut corners. That is why the public needs protection from those who might be less scrupulous than the vast majority of the food and chemical industry. The public needs protection, too, from mistaken ideas in food additives.

The several bills before the Committee on Interstate and Foreign Commerce now generally concede that a panel of experts can be helpful in giving advice on food additives, particularly when industry and the Department disagree.

In the bill I have just introduced, a change has been made in terminology. I have purposely called the additives food additives instead of chemical additives, in an effort to get away from a mistaken idea that all chemicals may be harmful. Undoubtedly some of the food additives are chemicals, but frequently the public becomes alarmed at the word and considers a chemical something in the nature of nitric acid, arsenic, or some other potentially dangerous substance.

Under the present laws, the Food and Drug Administration can wield arbitrary and unlimited authority capable of strangling any industry. It is also true that industry, under the current laws, is capable of thwarting the rules and regulations of the Food and Drug Administration.

Industry has the power to put an additive or chemical in food and notify the Department that it is being used and, if there is no negative answer from the Department, proceed to use the additive without limit.

The American people can be thankful that in this rapidly changing field of food technology that industry has been most cautious and diligent in protecting the consuming public. There has been what I consider very fine cooperation between the present Food and Drug Administrator and the industries. However, I believe both industry and the Food and Drug Administration realize that the present law is inadequate and that industry has outrun the present old procedure.

My bill attempts to protect long-used additives under the so-called grandfather clause. In other words, if some known chemical or other additive has been used without ill results over a long period of years, it is presumed to be not harmful.

There are now about 750 different kinds of food additives and chemicals being used in the production, processing, and packaging and handling of food. There is no question but what some of the additives find their way into the blood and food stream of the American people. Of these 750 additives there are probably 150 to 200 which have not been adequate tested or passed upon by the Food and Drug Administration. New food additives show up almost daily. One of the big fields just now being developed is that of the use of various isotopes in the preservation of food.

The bill I have introduced provides that in relation to any additive now being used on which there may be any question, the Administration may require that industry shall furnish sufficient and ample scientific evidence that the additive is not harmful before the use of such additive is continued. In other words, the bill provides that all chemicals and additives be adequately tested before such chemicals or other additives are permitted to enter the blood stream of the American people through food.

The bill seeks to strike a balance between industry and the Food and Drug Administration, always keeping in mind the paramount interest lies in the general public.

In a previous Congress I introduced a bill covering pesticides which is known as the Miller bill. The committee reported that bill favorably and it is now a law. It gives needed added protection to the public. It is based on sound principles.

I feel the same about the current bill. It tends to create a balance we have not had before.

It is my opinion that the horizons of tomorrow will show still further progress for the food and chemical industry. The scientists are uncovering the secrets of nature and helping us to weave a new fabric of life.

The interest in food and drug administration is countrywide and it is a subject that needs careful handling. We should do nothing which tends to make the public hysterical. We should approach the problem with an objective view.

We should have a law which will forbid untested chemicals or other additives to be introduced in food. We lack that protection now.

I believe the primary responsibility for evaluating the safety of new food additives should rest with an advisory committee, composed of scientists. Any firm or individual proposing to market a new food additive, after submitting a report on pretesting to the Food and Drug Administration may request the aid of the advisory committee.

The independent and impartial committee could act as a brake upon any inclination of the Administration to exercise arbitrary and unreasonable control over industry. The committee can also serve as an arbiter between industry and administration. The bill also provides for public hearing and the report of the advisory committee becomes a part of the record in the public hearings. The bill further provides for a judicial review either by industry or by the Department.

We all agree the public health is paramount. We all agree that the food industry has made magnificent progress and should not be blocked by an unwise delegation of power and I think we also agree there should be a system of checks and balances which will give ample protection to the American people. With that in mind I submit this bill for your earnest consideration.

Two Hundred and Twelfth Annual Feast of Roses Observed by the Tulpehocken Evangelical and Reformed Church Near Richland, Pa., June 9, 1957

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. VAN ZANDT. Mr. Speaker, one of the most historical religious observances in the Nation was held Sunday, June 9, 1957, by the Tulpehocken Evangelical and Reformed Church located near Richland, Pa., when the 212th red rose was tendered as annual rent to a descendant of Caspar and Katharine Wistar, who in 1745 conveyed 100 acres of land for use as church property. This annual feast of roses has been observed since that time without interruption.

This year's observance was of twofold significance since it marked the date of the dedication of a modern church school building erected by the members of the Tulpehocken Evangelical and Reformed Church under the

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leadership of their very capable and energetic pastor, the Reverend J. Donald Backenstose.

It was my great privilege to participate in the annual feast-of-roses service, June 9, 1957, at which time I delivered the following message:

FEAST OF ROSES MESSAGE BY REPRESENTATIVE JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, JUNE 9, 1957, RICHLAND, PA.

It is a distinct honor to be invited to participate in this annual service commemorating the Feast of Roses which originated in 1745 when Caspar and Katharine Wistar conveyed 100 acres to this church.

During the succeeding years I am informed that a red rose has been tendered each year as annual rent and that since 1901 the Feast of Roses has been observed yearly without interruption.

The beautiful custom of presenting a white rose to the descendants of Caspar and Katharine Wistar was also inaugurated and has added to the solemnity of this annual service.

Today we are privileged in being able to witness the payment of the 212th red rose and the 55th white rose.

This year's Feast of Roses is of added significance since it marks the date of the dedication of the rose building.

This modern church school building is not only a credit to the loyal and faithful members of this congregation but also to your able and distinguished pastor, my good friend the Reverend J. Donald Backenstose.

Truly it may be said that the rose building is a fitting monument to the zeal and piety of the members of this church and their beloved pastor.

Above all it demonstrates their wholehearted cooperation in extending God's kingdom on earth.

Today we are forcibly reminded, through observance of the Feast of Roses, that there is a natural and age-old connection in man's mind between the rose and religion.

No one can look upon the beauty of roses in their varied forms and colors without an uplifting of the heart and mind.

Countless tales have come down to us through the ages associating the rose with the gods or attributing magical and supernatural qualities to roses.

Through the centuries Christianity has used the rose as a symbol of prayer and its thorns as a symbol of sacrifice and suffering.

One of the most constant features of the Christian cathedral is the rose window.

Roses have in all ages of Christianity been thought most suitable for the decoration of any part of a church.

We find them as wood carvings in the form of rose vines on the pews, as great rose flowers ornamenting pulpit or altar.

In Christian symbolism numerous saints are known by a rose or roses.

They are portrayed in single or double form pink or gold or white or red on vine or bush or rose-tree.

Yes they are shown being held in the hand, worn in a wreath or showering through the air.

Roses, chief among flowers, are brought to decorate our churches and altars as tokens of our devotion and service to God.

The very crown and center of our religion is, of course, Christ himself.

The closer we approach to that center in Christian art and symbolism the more roses do we find.

Finally, we come to the very person of Christ himself symbolized as a red rose.

Realizing that the red rose stands for the suffering and the love and the triumph of Christ, one might think that there could be no comparable grandeur of religious meaning for the white rose.

However Christian symbolism has placed the white rose in a place equal in honor to the red.

Where the red rose means the suffering of martyrdom, the white rose means the virtue of innocence and purity.

Where the red rose shouts of triumph the white rose speaks softly of peace.

Where the red rose pulses with the humanity of Christ the white rose silently proclaims His divinity.

We who know and love roses are sure that what is termed in religious literature "The Odor of Sanctity" must be one of the many beautiful perfumes that we know in roses.

Christianity as well as other forms of world religions, and even ancient paganism associates holiness and virtue with roses.

It is, therefore, beautifully appropriate that this church annually should be scented with the perfume of roses.

This annual feast of roses is not alone a reminder of the debt of gratitude owed Caspar and Katharine Wistar.

It is likewise an occasion to voice our gratitude to Almighty God for our churches.

For truly they are the nation's first line of defense.

Through our churches we, as a nation, have been able to maintain a standard of honesty and decency without which the nation would not be worth saving nor would its citizenry care for any interest beyond their own selfish personal gratifications.

It is an accepted fact that a nation with strong moral convictions and a deep reverence for God is able through his divine grace to defend itself against all enemies, foreign and domestic.

Did you ever stop to realize that should our churches fall into decay and ruin America would become overwhelmingly pagan in a few years?

That fact should make an indelible impression on our minds and hearts and urge all of us to appreciate more fully the church as a spiritual powerhouse whose beacon of light and goodness encompasses the entire globe.

If we have a fuller appreciation of the indispensable position the church plays in our everyday lives, then, as individuals and as a nation, we will be better able to discharge our responsibility of actively supporting the church and all it is defending in the fields of moral and spiritual development.

Religious groups through the church are carrying the Gospel to the four corners of the earth and in so doing creating an atmosphere of confidence and good will that is of more value than costly armaments or diplomatic maneuvering which so often leads to meaningless peace pacts between the nations of the world.

Let us never forget America was built upon the church.

All of us are familiar with the picture depicting the pilgrims on their way to church carrying both Bibles and rifles.

There were many reasons why the New England pioneers might have remained near their primitive homes and worshiped under the sheltering trees with one eye on the prowling Indians.

The well-known painting, however, shows them—men, women, and children—trudging along the snow-piled forest path on their way to the rudely constructed meetinghouse their reverent hands had fashioned for divine worship.

The pilgrims on their way to church remind us, as these spiritual ancestors of ours fought for their very lives, that Sunday morning for them was not a time to catch up on sleep, not an opportunity to clear more needed land or plant crops, not a time to indulge in sports and amusements.

In spite of the hazards and the hardship of it, Sunday morning was a time to go to church.

The Pilgrims went, and by so doing they contributed their physical presence as a witness to their faith in God by which they lived.

It is a serious indictment against our generation that for literally millions of Americans church attendance is ignored.

With three global wars engulfing our Nation in the short span of 33 years, it is little wonder that there has been the growing realization that the church is the bulwark and arsenal of all that makes our Nation great.

Even the radio and television stations across the land signify this truth as they sandwich between commercials the devotional song called "Let's Go To Church Next Sunday Morning."

We profess to be a Christian Nation, but deserted churches give the lie to the creed we claim to profess.

When we remain away from church it does something to that fragile plant called reverence which needs watering at least once a week.

Surely there can be no question that unless we give regular expression to an emotion or conviction it will die or grow dim.

As we thank God for our churches, let us do it in church, and not from some reclining place as we deny our Creator 1 hour of worship on Sunday.

This annual Feast of Roses is, therefore, an opportune time to examine our own conscience and at the same time to keep in mind that in the Communist world churches of every denomination are being ruthlessly persecuted in the diabolical effort to destroy man's belief in God.

It is encouraging to know that religion in America today is a mighty and increasing force.

Statistics may sometimes seem hard to understand, or inconclusive, or dull, but today's religious statistics are as clear an indication of the way the wind blows as a million straws all blowing one way.

These statistics are as conclusive as the force of that wind and exciting as its impact.

In 1850, or 105 years after this church was established, only 16 percent of the population of America were church members. By 1900 the percentage had climbed, slowly and with setbacks, to 36 percent. Through the first half of the twentieth century the increase continued, up to 57 percent.

Recent figures show that approximately 61 percent of all Americans are now church members.

In actual numbers the American church membership has now for the first time passed the 100 million mark. In 1906, half a century ago, there were 209,266 churches of all denominations in the United States.

Though both the shift of population from the country to the city, and the increasing tendency to consolidate churches where possible, tended to reduce the total number of churches that number, after sinking to 199,302 in 1936, rose to 300,056 for 1954.

The result is that we now have not only more members in each congregation, but also more actual church buildings.

In 1955, 5,393 new church buildings were reported and the money spent on new construction during that year is said by the national council to constitute a new record.

The total financial contribution of members to their churches continued an upward trend, per capita contributions rising 7 percent in 1955, to reach the sum of $48.81 annually.

If money talks they are surely good words that we hear from that money.

Both the increase in church membership and the growing concern for the education and moral training of our youth are reflected in a 3.4 percent increase in Sunday School enrollments.

Newspapers and magazines are full of discussions of the religious boom.

Book publishers find that the sales of religious books are large and steadily increasing.

Political actions, reflecting both the popular feeling and the convictions of individuals in the Government, include the provision of the Prayer Room in the Capitol, the addition of the phrase "under God" to the pledge of allegiance, the issuance of a stamp bearing the words "in God we trust," the provision by law that the same motto is to appear on all our coins designed in the future, and most recently the adoption of the statement, "In God We Trust" as the official motto of the United States.

Besides the increase in church membership there is a remarkable increase in both the number of prayer groups and the number of members in established prayer groups.

In Government agencies, in businesses, in neighborhoods, it is becoming more and more the custom to meet occasionally to pray together and to conduct programs of speaking or reading or discussion on the subject of prayer.

In magazines and newspapers and in the public transportation vehicles, we have grown familiar with the advertisements urging people to attend the churches of their choice, to take their families to church, to go to Sunday school with their children, to pray together as families.

I am not sure how much effect this sort of advertising has, but I feel sure the advertising is itself the effect of an urge among all the American people to deepen their religious experience and to give tangible evidence of the faith that is in them.

Ministers and other theological thinkers have published many articles criticizing the current popularity of religion as superficial and tainted with self-interest.

But the very fact that such critical articles are published in great numbers shows that a deep and honest interest must be somewhere in the American public.

Surely those who are indulging in superficial emotionalism do not welcome searching criticism of their motives and it is farfetched to suppose that those who are dropping more money in the collection basket are doing it in the expectation of any financial or material return.

Some of the criticism too, it must be remarked, is more superficial than any of the religious manifestations toward which it is directed.

Of course there are superficial religious manifestations in America today. There always were such manifestations in this country and in every other country.

However, for perfectly practical reasons the superficial manifestations will become greater when it becomes more profitable for the hypocrites and self-servers to pretend to real religious feeling, and that is precisely when a real ground swell of religion is manifesting itself.

It is my opinion there is no complacency in the religion of America today.

We have the forward movement and the forward urge.

We are striving to bring our actions into closer accord with our professions of moral principle and to submit our individual good to the good of all.

There will always be those who will rest content with the system of morality expressed by the motto "Honesty is the best policy."

But I believe that America today and the world today need a heroic virtue reaching far beyond that feeble and petty sentiment.

We shall not hold our earth and sky together nor each individual of us keep his own soul and body together unless we adopt that heroic virtue expressed in the old saying, "Let justice be done though the heavens fall."

And we shall not save our individual souls if we consider it fashionable merely to be seen going to church.

We need the rock-ribbed faith of our forefathers, men and women with the faith of Caspar and Katharine Wistar, who helped to build this Nation under God and who never tired of constantly seeking His protection.

We should never forget that the atomic-hydrogen age in which we live had its birth when Almighty God first entrusted the secrets of the atom to our Nation.

Therefore, we owe Him not only our allegiance, but our constant prayers of thanksgiving that this Nation was spared from the unhappy fate of Japan which became the testing ground for the devastating atomic attack in World War II.

Let us, during this annual feast of roses, resolve to make an earnest effort to stimulate interest in church membership, and above all, regular church attendance.

Let us, with our friends and loved ones, turn our thoughts more frequently to church, and by prayer and devotion acknowledge our utter dependence on the God who hath made and preserved us a nation.

Thus we will be doing more than thanking God for the church.

We will be conducting our spiritual lives in such an edifying manner that the church will thank God for our aid in its mission to extend the kingdom of God on earth.

Let us joyfully look forward to fulfilling our obligation to the church by regular attendance and as we enter its portals may our hearts be attuned to the true spirit of God enabling us to say in all sincerity, and from the innermost recesses of our hearts:

"Sweet hour of prayer! Sweet hour of prayer!
That calls us from a world of care,
And bids us at our Father's throne
Make all our wants and wishes known.

"In seasons of distress and grief
Our souls have often found relief,
And oft escaped the tempter's snare
By thy return sweet hour of prayer."

Address Delivered by President Eisenhower at the Republican National Conference Held in Washington, D. C., at the Sheraton-Park Hotel, on June 7, 1957

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 13, 1957

Mr. GRIFFIN. Mr. Speaker, there follows the text of an address delivered by President Eisenhower at the Republican National Conference held in Washington, D. C., at the Sheraton-Park Hotel, on June 7, 1957:

Mr. Chairman and fellow Republicans, just a few hours ago I stepped ashore from an American warship—one of the mightiest that this world knows: the aircraft carrier *Saratoga*.

During my 2 days aboard that vessel, living with her men and officers, I was impressed anew by the skill, patriotism, and selfless devotion of Americans serving in our Armed Forces. Their dedication to duty reminded me again of that wonderful observation by Gen. Robert E. Lee. He said: "We cannot do more than our duty; we would not wish to do less."

As I talked with these young men, I couldn't help feeling as though I were talking with all Americans—about their homes, their ambitions, and their problems. And, believe me, every American family can feel proud and secure in the knowledge that these young men—our Nation's best—are being equipped with and supported by the finest weapons in the world. I know that the American people will continue to see to it that the defense budget is adequate to provide every fighting man the best our scientists, our workers, and our industry can produce.

Now, you who are in this room today, as key officers of the Republican Party, also have a duty that vitally affects your country's well-being. That duty, which you are daily performing, is to help make representative government work in this country.

Representative government can succeed only where there are healthy, responsible political parties. These parties must have at the center and core of their being the same dedication to the service of our Nation as inspires the men of our uniformed services.

This sense of patriotism is felt by both of America's great parties—in this matter let no one anywhere in the world think that Americans are divided.

But one thing more is necessary: A political party must stand for something—policies that it believes will advance the best interests of the entire Nation. It must stand for principles and programs that the sovereign voters of the country can clearly see and identify and judge.

What do we as Republicans stand for?

Why have we joined together in a national organization? And why do hundreds and thousands of Republicans work side by side—often without recognition or reward—in tasks assigned by this organization to which we all belong?

We do this because we have been drawn together by a set of common beliefs and principles respecting government and its relationships to other governments, to our own economy, and to each citizen.

These beliefs are plainly stated in the agreed declarations of faith and determination which are the Republican national platform of 1956. As we read and reread that platform—a practice which I commend to all of you—it becomes very clear that the modern Republican Party stands 100 percent for the basic principles of Republicanism that have been its guide since the days of its founding.

We believe in integrity in government—not government by crony.

We believe that whatever can be done by private effort should be done by private effort rather than by government—and not the other way round.

We believe that, if a job must be done by government, it should whenever possible be done by State or local government rather than by the Federal Government—and not the other way round. We oppose unnecessary centralization of power.

We believe in a sound dollar—not a rubber dollar.

We believe that a government should operate on a balanced budget and not go into debt except in emergencies—we reject deficit spending as a fiscal policy for America.

UNIVERSITY OF MICHIGAN LIBRARIES

We believe that we should work to reduce taxes—not raise them; as we also seek to reduce our huge national debt.

We believe in vigorous and impartial enforcement of the laws.

We believe that private business is a healthy force which is the foundation of our prosperity, and should be respected and encouraged—not bullied and abused. And the fact that the period since the reintroduction of this attitude into government has also been the period of the greatest sustained growth in jobs, production, and incomes of modern peacetime is not, may I say, a mere congenial coincidence.

We believe that government can and should discharge its constitutional duty to promote the general well-being of its citizens—and can do so without excessive centralization.

We believe that to preserve our own freedom we must concern ourselves with the security of other free nations constantly exposed to the threat of domination by international communism. Nothing today can present more danger to us than a return to the folly of isolationism.

We believe in the preeminence of the individual citizen and his rights—with the government his servant, not his master or his keeper.

It is principles like these, then, that not only draw us together, but also set us apart from the easy-spending, paternalistic, business-baiting inflationists who were so influential in the years before 1953.

But, while our principles have remained unchanged for a hundred years, the problems to which those principles must be applied have changed rapidly.

Fortunately, one of the most all-pervading principles of our party—and one most important to us today—is the willingness to adapt our basic convictions imaginatively to current problems.

We recall those ringing words spoken by Lincoln at a time of great tension and change: "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew and act anew."

It comes to this: It is the problems that change; the principles do not.

Let us look at several examples.

AGRICULTURE

The principle: Because of the unique exposure of the farmer to economic forces over which he has no control, and the dependency of the Nation upon our agricultural economy, the Federal Government must concern itself in practical ways to assist in assuring a sound farm economy and income.

One application of this principle a hundred years ago: A Federal Homestead Act providing free quarter sections of land to settlers.

The application today: A new set of Federal actions, such as sensible price supports, the soil bank, and stepped-up Federal research and development of markets.

It is the problem that has changed; the principle has not.

EDUCATION

The principle: Education is vital to free government and is a local matter; the Federal Government should do only what has to be done toward provision of adequate education that State and local governments cannot do and which will never allow the Federal Government to be a controlling factor.

One application a hundred years ago: The Land Grant Act sponsored by Congressman Justin Smith Morrill, one of the organizers of the Republican Party of Vermont. That Federal act made possible the growth of higher education in many places where it otherwise would have had great difficulty.

The application today: Emergency Federal help to assist the States to knock out a schoolroom deficit resulting from the national—not local—disasters of depression and war.

It is the problem that has changed; the principle has not.

MUTUAL AID

The principle: concern for the fate of other nations, and the conviction that our prosperity at home is aided by two-way trade with flourishing free economies abroad.

The application in President McKinley's time: Here are his own words of 1901: "The period of exclusiveness is past. * * * Reciprocity treaties are in harmony with the spirit of the times. * * * Isolation is no longer possible or desirable."

The application today: Not merely encouraging the maximum flow of mutually profitable trade, but also employing programs of mutual aid. Why? Because around the globe new nations have sprung up which must make industrial progress if they are to continue to live in freedom. Because godless dictatorship is bent on seeking their destruction—and ours. And because we know that as they prosper, we not only prosper but enjoy greater assurance of world stability and peace.

It is the problem that has changed; the principle has not.

OVERSEAS INFORMATION ACTIVITY

The principle: We have a responsibility to explain our motives and actions to the people of the world.

The application, at the dawn of our history as a country, is in the eloquent words of our Declaration of Independence. "Let facts be submitted to a candid world," it said, "* * * out of a decent respect to the opinions of mankind."

The application now must recognize that almost every action we take has an impact on the interests of other countries. At the same time, unfriendly powers use every device of communication to misrepresent our actions and purposes. So the modern application of the old principle requires us to maintain a first-rate overseas Information Agency.

It is the problem that has changed; the principle has not.

DEFENSE

The principle: The Federal Government must provide for the common defense, using those methods that are most effective and economical.

The application a century ago: Almost exclusive dependence on State militias, with tiny and inexpensive Federal forces.

The application today is changed because the nature of defense requires military forces of great size armed with costly equipment. To lessen the cost, we participate in a system of mutual military aid with friendly nations. This costs far less than if we tried to provide the same amount of effective defense by direct accumulation of military might at home.

But the principle remains the same: The most effective defense for the least cost.

Now, although we are agreed on our underlying principles, when we try to apply them to a fast-changing and highly complex world, it is not surprising that we develop among ourselves real disagreements, some of them sharp.

But let us not talk and act as though our disagreements concerned our basic principles. I believe they do not. I believe they concern the application of the principles to new facts, through specific measures and proposals.

Let's look squarely at this question of internal disagreement within the party. Let's not react to it as though something unheard-of and catastrophic had suddenly appeared for the first time in the history of political parties.

You know, some of us Republicans have a talent for magnifying and advertising our differences. Our opponents then seize on these statements to throw up a smoke screen to conceal their own deep division. Should we help them play that game?

The true fact is that it is our opponents who are hopelessly split. In their case the split is not mainly one of methods, but is one of basic philosophy and principle. They combine long enough to seek election—but when they are sent to Washington they tend to cancel each other out at the expense of actions.

And so, if our opponents say we suffer from splinters, let us remind them that a splinter in a party's political structure is one thing; but a political house divided against itself is quite another.

The real question for the Republican Party is: accepting the existence of some disagreement as normal, how do you then go on as a party to take the decisive and unified action that a party must take if it is to survive and play its proper part in representative government?

The answer seems obvious: by carrying out loyally the pledges and promises of the party platform.

Let us remember that the platform itself is not the product of one mind or of one group of minds. It is a consensus of party thinking.

We argue and debate and hold hearings, at which everyone is welcome to express himself.

Then we do our best to iron out our differences, through compromises, concessions, and the application of good will and restraint on all sides.

As a result of just such a process, the Republican platform of 1956 was drawn up. It was unanimously adopted by the national convention. It was then overwhelmingly endorsed by the country's voters—by a margin of almost 10 million votes.

On the pledges of this platform, your administration was returned for another 4 years.

Now, there may be some cynics who think that a platform is just a list of platitudes to lure the naive voter—a sort of facade behind which candidates sneak into power and then do as they please.

I am not one of those. Anyone who talks like that about party platforms is, in effect, saying that the whole principle of representative government is a pretense and a sham.

So far as I am concerned, the Republican platform of 1956 is a solemn commitment to the people of this Nation. It was accepted as such by them and endorsed by them—and I am going to use every power at my disposal to see to it that their hopes and expectations are honored.

The first step in carrying out a party platform is its translation into legislative proposals. I do not know how this may have been done in the past, but in this administration there have been each year earnest consultations between the executive branch and our leaders of the legislative branch to devise a program giving legislative effect to the platform.

This is the administration's legislative program. And so far as the budget is concerned—that budget represents the cost of conscientiously fulfilling those pledges—nothing more and nothing less. Our need for economy must be balanced against the things that need to be done.

We must not forget that to be truly conservative today is to be alert to the dangers of loose spending and of tampering with our Nation's fiscal integrity. It involves also providing those things which would keep this country healthy, strong, growing, and secure.

My fellow Republicans, we all want to see victory in 1958 and 1960. And we can have victory in 1958 and 1960.

To bring this about, one thing is necessary.

That one thing is to subordinate our differences on specific methods or measures, and to unite as a party to forward those basic principles which the country has so overwhelmingly endorsed at the polls.

Although we may have disagreed on some of the platform pledges before they were adopted, we did adopt them unanimously, and we did commit ourselves and our party to them before the public.

It follows that there must be general support within our party, either for the administration's specific measures to carry out these pledges, or else for some other measure that equally carries out these pledges. Otherwise the entire concept of party responsibility, and indeed of representative government, collapses.

Republican leaders, whether in Congress, in the executive branch, in the party organization, have a special responsibility for carrying out these pledges. None of us can afford to allow his personal preference as to detail to blind him to the need of loyally supporting our party's platform.

Suppose, during the huddle of the team in a football game, an argument develops on what the next play should be. The halfback wants an end run. However, the play finally called is a plunge through the line by the fullback. He gets through and has only one tackler between him and the goal. The dissenting halfback is in a position to block out the tackler. Does he say, "I disagreed with this play; therefore, I won't throw this block"? Of course not. He does his part, and the team goes on to score.

In the infinitely more important business of producing good government and good legislation, surely it is not too much to expect the same degree of selflessness in a joint cause.

We've got a good team. Let's look like one.

Now, I have talked of our principles, of how we use them to meet changing problems, and of how we must deal with the inevitable disagreements that develop. Let me make just one point more.

If we are true to our principles and pledges, and if we rise above these detailed disagreements, there is every reason for the most buoyant and enthusiastic confidence in the success of the Republican Party, not only in 1958 and 1960, but in the years beyond.

As we work out our troubles, let us never for a moment forget our tremendous assets.

Let's look and talk like winners.

Let's not forget that only a few months ago a Republican administration was returned by a majority of almost 10 million votes—which majority included millions of independents and Democrats attracted by our platform.

Let's not forget that, in the meantime, business has continued to grow and flourish, wages and employment have continued strong, and steady progress has been made toward easing of world tensions and toward the hope of some start on disarmament.

Let's not forget that thousands of young people have caught the excitement of our forward-looking program, and have cast in their lot with us. This is particularly heartening for the long-range future of the party—a great gain that we must maintain and enlarge.

We believe that our principles and our program truly reflect the aspirations of the overwhelming majority of Americans. There are those who rationalize a narrower point of view by saying they would rather be right than win. If such were the issue, all of us would agree. But this is not the issue. The Republican Party will be right and it will win. It will do so because its central core of conviction is what America believes and wants today.

If we unite behind those principles and programs that the American people have so emphatically endorsed—my friends, we just can't lose.

The key to victory is unity.

As for myself, I welcome every person who believes in the principles our platform expresses.

The great main stream of our cause is broad enough to include the oldest and finest of our conservative traditions, along with the most up-to-date application of those traditions to the age of automation and the atom.

Certainly none of us will be guilty of the supreme suicidal folly of forfeiting victory for vital principles, in order to indulge too long our differences as to the tactics to use.

Consider the alternative.

Suppose we go down to defeat because of these tactical differences. Will the administration that follows be more to the liking of any Republican?

Who wants to go back on the New Deal-Fair Deal toboggan of loose spending, centralization, punishment of business, and fiscal irresponsibility?

Of this there is no danger if we close ranks now.

Lincoln said, in one of his most powerful statements: "We succeed only by concert. It is not 'Can any of us imagine better' but 'Can we all do better'."

Certainly, each of us thinks he can imagine better than the platform on which the party has agreed. But that is not the question. The time is here for doing.

My fellow Republicans: I believe in the Republican Party, with all my heart. I believe in its capacity, in positions of political leadership, to serve our country today more effectively than can any other. I accepted nomination for this office, and again renomination, because I believed this, and because I believed in Republican principles of good government. I still believe those things. Every act of this administration, of all my principal associates and myself, stands witness to this fact.

Above all, I sincerely believe, as I said at last summer's convention, that the Republican Party can be the party of the future. It can and should be an instrument through which the American people, by the grace of God, carry our country forward to new heights of well-being, justice, and harmony.

SENATE

FRIDAY, JUNE 14, 1957

The Senate met at 9:30 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, God, we come this day in the spirit of solemn dedication as in the name of the Lord our God we set up the starry emblem of our Nation's life—the banner that proclaims liberty in all the earth. We gratefully remember that its folds are woven of a thousand strands of memory, of affection, and of hope—that in it are recollections of a glorious past and of immortal deeds.

It speaks to us of an awful sense of divine destiny as our Republic now plays its full part as the prepared instrument of Thy providence to make tyranny tremble wherever its ruthless head is lifted.

As this day a nation proudly salutes its flag, may no attitude, word, or act of ours stain its white, shame its red, betray its blue, or dim its stars, as it waves wherever it is lifted, the symbol of freedom, equality, brotherhood, and justice.

We ask it in the name of that One whose invincible truth goes marching on. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent the Journal of the proceedings of Thursday, June 13, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Tribbe, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Charles A. McDonald to be postmaster at Galesburg, Illinois, which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

AUTHORIZATION TO FOREIGN RELATIONS COMMITTEE TO FILE REPORT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be permitted to file its executive report on Executive I, the International Atomic Energy Agency Treaty, while the Senate is in adjournment.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE ACTIVITY

Mr. JOHNSON of Texas. Mr. President, I have a very brief report of the legislative activity which I should like to insert in the RECORD for the information of Members of the Senate. It gives a summation of the number of days the

Senate has been in session during the 1st session of the 85th Congress, namely, 77 days, 397 hours. The Senate passed 449 measures, and confirmed 30,231 nominations.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a summary of the legislative activity, showing comparisons from the 80th Congress through the 85th Congress, up to June 12.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Legislative activity through June 12

	80th Cong., 1st sess.	81st Cong., 1st sess.	82d Cong., 1st sess.	83d Cong., 1st sess.	84th Cong., 1st sess.	85th Cong., 1st sess.
Days in session	89	95	87	87	71	77
Hours	452:48	548:01	451	466:39	342:03	397:01
Total measures passed by Senate	238	432	342	376	430	449
Senate bill	86	175	132	171	220	250
House bill	56	147	91	99	112	60
Senate joint resolution	20	15	7	9	11	8
House joint resolution	14	14	9	5	7	17
Senate concurrent resolution	3	20	14	12	11	14
House concurrent resolution	4	7	8	11	7	14
Senate resolution	55	54	81	70	62	86
Public laws	89	91	46	57	52	48
Confirmations	17,265	42,693	16,790	16,132	32,025	30,231

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. JOHNSON of Texas. Mr. President, under the rule there will be the usual morning hour. I ask unanimous consent that statements made in connection with the business of the morning hour be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROMOTION OF CERTAIN NAVAL OFFICERS

A letter from the Under Secretary of the Navy, transmitting a draft of proposed legislation to provide for the numbers of Medical Corps and Dental Corps officers of the Navy that may be selected for promotion to the grades of captain and commander (with an accompanying paper); to the Committee on Armed Services.

PROPOSED CONCESSION CONTRACT, YOSEMITE NATIONAL PARK, CALIF.

A letter from the Under Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in Yosemite National Par. Calif. (with accompanying papers); to the Committee on Interior and Insular Affairs.

PRESIDENTIAL COMMISSION TO STUDY PROBLEMS RELATING TO BLINDNESS

A letter from the Secretary of Health, Education, and Welfare, transmitting a draft of proposed legislation to establish a temporary Presidential Commission to study and report on the problems relating to blindness and the needs of blind persons, and for other purposes (with an accompanying paper); to the Committee on Labor and Public Welfare.

THE LATE PRESIDENT RAMON MAGSAYSAY OF THE PHILIPPINES—LETTER

The VICE PRESIDENT laid before the Senate the following letter, which was ordered to lie on the table:

MANILA, *May 6, 1957.*

The PRESIDENT,
Senate of the United States,
Washington, D. C.

MY DEAR SIR: It is with a feeling of deepest gratitude for me to acknowledge the receipt of copies of Senate Resolution 115.

I would like to request you to please convey to each and every Member of that august body my heartfelt gratitude for their kind expression of sympathy over the tragic loss of the late President Ramon Magsaysay. Their manifestation of high esteem and regard for my beloved husband is truly heartening to my children and myself and it has, to a great measure, brought us much comfort in bearing our sorrows.

With sincerest appreciation, I remain,

Gratefully yours,

LUZ B. MAGSAYSAY
Mrs. Ramon Magsaysay.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on the Judiciary:

"Concurrent resolution memorializing Congress to enact legislation designed to secure for the country a body of judicially experienced and in every respect qualified persons for positions on the United States Supreme Court

"Whereas the General Assembly of South Carolina believes that it is a matter of the gravest importance to the entire Nation that the United States Supreme Court be composed of a body of judicially experienced and in every respect qualified persons, and

"Whereas the General Assembly further believes that in order for the United States Supreme Court to hold the national respect that it is essential that the selection of the members of the Court be made for reasons of competency rather than sectional or political: Now, therefore, be it

"*Resolved by the senate (the house of representatives concurring)*, That Congress is hereby memorialized to make the following legislation:

"'*Be it enacted, etc.*, That when a vacancy occurs in the United States Supreme Court, Congress shall request of the American Bar Association a list of not less than 50 American-born men of adequate experience and in every respect qualified for this important position, and in addition thereto Congress shall request each legislature of the 48 States to furnish a list of 5 American-born residents of the State making the recommendation who are considered to be in every respect qualified for a seat on the Court; and

"'That the Senate shall present the list of the American Bar Association along with the lists from the legislatures of the 48 States to the President for his consideration in filling said vacancy'; and be it further

"*Resolved*, That a copy of this resolution be forwarded to the Clerk of the United States Senate and the Clerk of the House of Representatives of the Congress in Washington."

The petition of L. Langhaar, of Hackettstown, N. J., relating to witnesses who invoke the fifth amendment while testifying before Congressional committees; to the Committee on the Judiciary.

A resolution adopted by the executive committee of the Sons of the Republic of Texas, Houston, Tex., relating to the death of the late Senator Joseph R. McCarthy, of Wisconsin; ordered to lie on the table.

By Mr. JOHNSTON of South Carolina (for himself and Mr. THURMOND):

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Agriculture and Forestry:

"Concurrent resolution requesting the Secretary of the United States Department of Agriculture to extend the time for redeeming the 1956 loan cotton notes

"*Be it resolved by the Senate of the State of South Carolina (the House of Representatives concurring)*, That the Secretary of the United States Department of Agriculture is hereby requested to extend the time for redeeming the 1956 loan cotton notes; be it further

"*Resolved*, That a copy of this resolution be sent to the chairman of the Agriculture Committee of the United States Senate and the chairman of the Agriculture Committee of the House of Representatives in the Congress of the United States, and that a copy of this resolution be also sent to each Member of the United States Senate from South Carolina and each Member of the House of Representatives of the Congress of the United States from South Carolina."

RESOLUTION OF ONONDAGA COUNTY (N. Y.) YOUNG REPUBLICAN CLUB

Mr. JAVITS. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Onondaga County Young Republican Club, of Onondaga County, N. Y., on May 16, 1957, supporting the President's budget, particularly in the area of national defense.

There being no objection, the resolution was referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

Recognizing that sound government and adequate national defense must not be bartered for short-run budgetary and taxation benefits; and

In expression of our support for President Eisenhower and his administration: Be it

Resolved, That the Onondaga County Young Republican Club, in general assembly on May 16, 1957, expresses its wholehearted support of President Eisenhower's budget recommendations now under consideration by Congress. Budgetary cuts not concurred in by the President, particularly in the area of national defense, are to be strongly condemned; be it further

Resolved, That a copy of this resolution be transmitted to the President, to Congressman R. WALTER RIEHLMAN, to Senator JACOB JAVITS, and to Senator IRVING IVES.

RESOLUTION OF EXECUTIVE COMMITTEE OF NEW YORK REPUBLICAN STATE COMMITTEE

Mr. JAVITS. Mr. President, I present, for appropriate reference, and ask unanimous consent to have printed in the RECORD a resolution adopted by the executive committee of the New York Republican State Committee, at a meeting held on June 6, 1957, in New York City. The resolution fully supports the President's civil-rights program.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

RESOLUTION PASSED BY THE EXECUTIVE COMMITTEE OF THE NEW YORK REPUBLICAN STATE COMMITTEE AT A MEETING AT THE HOTEL ROOSEVELT, NEW YORK CITY, JUNE 6, 1957

Whereas the Republican Party in the State and Nation has, since its beginning, always championed the civil rights of all citizens; and

Whereas the Republican Party in the State of New York has remained in the forefront in fostering and advancing the civil rights of all its citizens; and

Whereas President Eisenhower's civil rights program is now threatened in Congress by a proposed amendment which could nullify the effect of the entire program: be it therefore

Resolved, That the executive committee of the New York Republican State Committee, in session assembled, does hereby unanimously endorse and support President Eisenhower's civil rights program, and strongly supports the President in opposing any weakening amendments to his civil rights program now pending in Congress; and does hereby urge all Members of Congress from the State of New York to vote for the civil rights program advocated by President Eisenhower.

RESOLUTION OF WHITEFISH BAY (WIS.) WOMAN'S CLUB

Mr. WILEY. Mr. President, I have received from Mrs. John E. Smart, corresponding secretary of the Whitefish Bay Woman's Club, a resolution expressing the strong support of the board of managers of that organization, of the objectives of the Hoover Commission on Federal reorganization.

The club urges action by the Congress toward carrying out the Hoover Commission findings.

I know my colleagues are deeply sympathetic with this approach, in view of the enormous and well-deserved prestige of the Hoover Commission.

I present the resolution and ask unanimous consent that it be printed in the RECORD, and be thereafter appropriately referred.

There being no objection, the resolution was referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

Whereas the efficient and economical conduct of governmental affairs is vitally important to the maintenance of our American tradition of free self-government; and

Whereas the Whitefish Bay Woman's Club has consistently supported and endorsed the principles of sound management and economy in the operation of government; and

Whereas the first bipartisan Commission on Organization of the Executive Branch of the Government (Hoover Commission) made a study of government (1947-49), which resulted in many important improvements and economies in Federal operations; and

Whereas the bipartisan new Hoover Commission, unanimously created by Congress in 1953, has completed a comprehensive and factual 2-year study of the Federal Government and has submitted a report containing 314 specific recommendations for reducing waste and duplication, increasing efficiency, and eliminating needless Government competition with private business: Now, therefore, be it

Resolved, That we, the members of board of managers of Whitefish Bay Woman's Club, this 13th day of May in Milwaukee, Wis., endorse and commend the objectives of the Hoover Commission and urge the administration and Congress to work together, on a bipartisan basis, toward prompt and full consideration of the recommendations of the Commission; and be it further

Resolved, That Whitefish Bay Woman's Club and its members give support to all efforts to inform citizens concerning the findings of the Commission and to induce greater citizen participation in governmental affairs through expressions of interest in official discussion and action on the Commission's recommendations; and be it further

Resolved, That copies of this resolution be forwarded to (a) national headquarters of the organizations (b) Senator ALEXANDER WILEY, representing the State of Wisconsin, and Representative HENRY REUSS, of this Congressional District; and (c) the Citizens Committee for the Hoover Report, 777 14th Street NW., Washington, D. C.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, with amendments:

S. 2243. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes (Rept. No. 437).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 2212. A bill to amend the North Pacific Fisheries Act of 1954 (Rept. No. 439).

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, with amendments:

S. 1718. A bill to amend section 201 (a) of the Civil Aeronautics Act of 1938, as amended, relative to the terms of office of members of the Civil Aeronautics Board (Rept. No. 441); and

S. 1856. A bill to provide for the development and modernization of the national system of navigation and traffic control facilities to serve present and future needs of civil and military aviation, and for other purposes (Rept. No. 440).

AMENDMENT OF SECURITIES ACT OF 1933

Mr. LAUSCHE. Mr. President, from the Committee on Banking and Currency, I report favorably an original bill, to amend section 3 (b) of the Securities Act of 1933, and I submit a report (No. 438) thereon.

The VICE PRESIDENT. The report will be received and the bill will be placed on the calendar.

The bill (S. 2299) to amend section 3 (b) of the Securities Act of 1933, reported by Mr. LAUSCHE, from the Committee on Banking and Currency, was read twice by its title, and placed on the calendar.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. FULBRIGHT, from the Committee on Banking and Currency: Albert James Robertson, of Iowa, to be a member of the Federal Home Loan Bank Board.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MARTIN of Iowa:

S. 2288. A bill to extend the period for amortization of grain-storage facilities; to the Committee on Finance.

By Mr. JAVITS:

S. 2289. A bill to permit suit to be brought on the claims of the estates of Arthur F. Saladino, Joseph Spivak, and Irving Weinberg against the United States; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (by request):

S. 2290. A bill to provide for improvement in the system of personnel administration through the establishment of a Senior Civil Service in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government; and

S. 2291. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving efficiency and increasing economy in the basic employment practices of the Federal Civil Service System; to the Committee on Post Office and Civil Service.

S. 2292. A bill to establish a court of record with special jurisdiction which shall be known as the Administrative Court; to the Committee on the Judiciary.

S. 2293. A bill to create a Federal Advisory Council of Health in the Executive Office of the President in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government, to evaluate and advise on reorganizing the conduct of the several medical programs in respect necessary to achieve a maximum of economy and to eliminate duplications of efforts and competition among the several departments and agencies; to the Committee on Labor and Public Welfare.

S. 2294. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. SMITH of New Jersey when he introduced the above bills, which appear under a separate heading.)

By Mr. SMITH of New Jersey:

S. 2295. A bill for the relief of Danuse Kovalikova Mohr and her three minor children, Frederica Mohr, Vaslav Mohr, and Daniela Mohr; to the Committee on the Judiciary.

By Mr. SMATHERS:

S. 2296. A bill for the relief of Jacob Eliezer Chinio; to the Committee on the Judiciary.

By Mr. FREAR:

S. 2297. A bill to provide for annual reduction of the public debt limit; to the Committee on Finance.

By Mr. POTTER:

S. 2298. A bill for the relief of Shizuko Nakanishi; to the Committee on the Judiciary.

UNIVERSITY OF MICHIGAN LIBRARIES

By Mr. LAUSCHE:

S. 2299. A bill to amend section 3 (b) of the Securities Act of 1933; placed on the calendar.

(See the remarks of Mr. LAUSCHE when he reported the above bill from the Committee on Banking and Currency, which appear under a separate heading.)

By Mr. McCLELLAN (for himself, Mr. BUTLER, Mr. FULBRIGHT, Mr. JACKSON, Mr. JENNER, Mr. HUMPHREY, Mr. LANGER, Mr. MAGNUSON, Mr. MORSE, Mr. NEUBERGER, Mr. SPARKMAN, and Mr. YOUNG):

S. 2300. A bill to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McCLELLAN when he introduced the above bill, which appear under a separate heading.)

By Mr. BUTLER:

S. 2301. A bill for the relief of Genevieve M. Scott Bell; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2302. A bill for the relief of James Charles McCain (Kim Keun Shik); to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina:

S. 2303. A bill for the relief of Panayiotis Mickel Mavroyiannis; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2304. A bill to amend the Public Health Service Act to provide an emergency 5-year program of grants and scholarships for postgraduate education in the field of public health, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. YOUNG:

S. 2305. A bill to define service as a member of the Women's Army Auxiliary Corps as active service under certain conditions; to the Committee on Armed Services.

By Mr. COTTON (for himself, Mr. MARTIN of Pennsylvania, and Mr. HILL):

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the "Flag of Liberation"; to the Committee on Rules and Administration.

(See the remarks of Mr. COTTON when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BEALL:

S. J. Res. 104. Joint resolution declaring June 14th in each year to be a legal public holiday; to the Committee on the Judiciary.

PRINTING OF ADDITIONAL COPIES OF A LABOR DEPARTMENT PUBLICATION ENTITLED "THE AMERICAN WORKERS' FACT BOOK"

Mr. THYE submitted the following concurrent resolution (S. Con. Res. 34), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed 20,000 additional copies of the publication of the United States Department of Labor entitled "The American Workers' Fact Book" as a Senate document and for the exclusive use of the Congress in giving wider free distribution to its interesting content.

IMPLEMENTATION OF RECOMMENDATIONS OF SECOND COMMISSION ON ORGANIZATION OF EXECUTIVE BRANCH OF GOVERNMENT

Mr. SMITH of New Jersey. Mr. President, I introduce, for appropriate reference, five bills which former President Hoover has asked me to introduce on behalf of the second Commission on the Organization of the Executive Branch of the Government—the second Hoover Commission. Along with other Members of this body, I have endeavored to introduce proposed legislation which would implement the Hoover Commission's recommendations, in order that they might be considered by the appropriate committees.

The bills I am introducing provide for the establishment of a senior civil-service system; for the revision of many other procedures of the Civil Service; for the establishment of an Administrative Court; for the establishment of a Federal Advisory Council on Health; and for the revision of personnel management in the support activities of the Department of Defense.

I believe these bills, which are the result of the extensive and able work of the Hoover Commission, should receive careful consideration by our committees. They should certainly result in considerable savings to the Government.

I ask unanimous consent that an explation of each of the bills, prepared by the Citizens Committee for the second Hoover Commission report, be printed in the RECORD.

The VICE PRESIDENT. The bills will be received and appropriately referred; and, without objection, the statements accompanying the bills will be printed in the RECORD.

The bills, introduced by Mr. SMITH of New Jersey, by request, were received, read twice by their titles, and referred as indicated:

To the Committee on Post Office and Civil Service:

S. 2290. A bill to provide for improvement in the system of personnel administration through the establishment of a Senior Civil Service in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government.

(The statement accompanying Senate bill 2290 is as follows:)

EXPLANATION OF A BILL TO PROVIDE FOR IMPROVEMENT IN THE SYSTEM OF PERSONNEL ADMINISTRATION THROUGH THE ESTABLISHMENT OF A SENIOR CIVIL SERVICE

The Government of the United States cannot be any better than the men and women who make the Government function. One of the great problems is to get competent people and keep them in the employment of the Government. The Hoover Commission made a 2-year study of this basic problem. They found the annual turnover in Government employment reached as high as 25 percent. This could not be tolerated in private business where the rate is frequently less than 10 percent.

They found that the same problem did not exist in the armed services where promotion to the higher ranks was based, not upon seniority, but upon merit. This explains why lieutentant colonels like Eisenhower and Patton were chosen and promoted to command our troops in Europe in World War II and win us the victory. The Commission found satisfaction within the services themselves and the public generally for this system in the armed services. The Commission felt that the same principle could be applied effectively in the other areas of Government.

This bill provides for the establishment of a senior civil service group. This proposal is in accordance with a recommendation of the second commission. It would provide for a highly competent group of career administrators, neutral in politics, who would work under the direction of a carefully selected and independent board.

The bill would first create this Senior Civil Service Board, to be an autonomous unit within the Civil Service Commission. The Board would consist of the Chairman of the Civil Service Commission, a representative of the Executive Office of the President, and three members to be appointed from private life by the President. No more than three members of the Board could be adherents of the same political party.

The Senior Civil Service Board would immediately make surveys of all executive departments and agencies to determine the number and kinds of positions which should be filled by senior civil service personnel and the number of career employees in each who meet senior civil service requirements. To qualify, an employee must have had at least 5 years of Federal civilian civil service, hold a position as GS–15 or higher, and meet such other requirements as the President, upon recommendation by the Senior Civil Service Board, may from time to time prescribe.

The Board would report to the President as to the number to be appointed initially and thereafter such survey would be kept up to date, with the Board maintaining a senior civil service list containing the names of all persons in the service. They would be nominated to the service of department and agency heads and appointed by the Board with the consent of the President.

At present there is no system for identifying men and women of great capacity within the Government. Demonstrated competence is not officially recognized, nor is there any incentive provided toward a career within the civil service. The Government is dependent upon men who will make our national public administration their life work. A senior civil service would give these men status, rank, and salary as individuals where they could be employed flexibly in various positions calling for high administrative talents.

The primary objective here is to have on hand a group of competent, faithful career administrators who could permit noncareer executives to discharge their duties more easily. A second, but most important objective, would be to make the civil service more attractive as a career to able men and women.

S. 2291. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving efficiency and increasing economy in the basic employment practices of the Federal Civil Service System.

(The statement accompanying Senate bill 2291 is as follows:)

EXPLANATION OF A BILL TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVENMENT WITH RESPECT TO IMPROVING EFFICIENCY AND INCREASING ECONOMY IN THE BASIC EMPLOYMENT PRACTICES OF THE FEDERAL CIVIL SERVICE SYSTEM

OVERALL PERSONNEL AND CIVIL-SERVICE BILL

The Government needs improved management not only in top positions but also at

middle and lower levels. The second Hoover Commission made a thorough study of this problem and concluded that substantial improvement is necessary and possible. A basic cause of the existing weakness is a degree of neglect. There have not been adequate systematic attempts to find and develop skilled personnel. The restrictions, regulations and procedures which constitute the system do not produce enough efficiency and economy on the part of individual employees.

Private industry takes great pains to develop skilled workers through training programs, and that it has succeeded cannot be denied. For example, the Ford Motor Co., General Motors, and United States Steel provide training at all levels and have developed a line of employees with capable vocational and managerial knowledge and skills. Why, then, should not the Federal Government do the same?

This bill is designed to improve efficiency and increase economy in the basic employment practices of the Federal Civil Service System. The bill provides that each department, within 180 days after the effective date, complete a review of its needs and requirements for the training of employees under its jurisdiction. Then, within 1 year of the effective date, each department head shall establish and maintain a program for the training of these employees. The Civil Service Commission would issue regulations prescribing the principles, standards, and related requirements for training of employees to be observed by each department. The Commission would cooperate with the departments in the review of their training needs and the establishment and maintenance of their training programs. These programs, once established, would also be subject to periodic review by the Civil Service Commission, and also to withdrawal or suspension of approval by the Commission in instances of noncompliance with the regulations.

The Civil Service Commission is also directed to prepare and put into effect a new general schedule covering the first 11 grades of the general schedule of the Classification Act of 1949, as amended. This new general schedule would provide for regrouping the 6 existing grades, GS–1 to GS–6, inclusive, into 3 new grades, and for regrouping existing grades GS–7 to GS–11 into 3 new grades.

A new policy would be put into effect whereby at least five names would be available for consideration for appointment to a vacant position. The Civil Service Commission would be authorized to devise a simplified performance rating system to be used by all departments and agencies in evaluating the work performance of their employees, and to establish certain procedures in connection with the reduction in force of personnel in executive departments and agencies.

Federal employees must be prepared to meet all employment requirements. The content and method of many occupations is changing rapidly. Employees are constantly confronted with these changes. This bill would provide the necessary continuous training needed to provide and improve job skills and to develop employees for a career in the public service. Career training is essential to the efficient continuity of Government operations. It makes sense to take advantage of the skill potential in the present Federal work force and develop it to the maximum extent.

To the Committee on the Judiciary:

S. 2292. A bill to establish a court of record with special jurisdiction which shall be known as the Administrative Court.

(The statement accompanying Senate bill 2292 is as follows:)

EXPLANATION OF A BILL TO ESTABLISH A COURT OF RECORD WITH SPECIAL JURISDICTION WHICH SHALL BE KNOWN AS THE ADMINISTRATIVE COURT

The growth of administrative functions of government has brought about a substantial modification of the traditional doctrine of the separation of powers among the executive, legislative, and judicial branches. In some areas, these three powers have been commingled in a single instrumentality.

This bill would set up an Administrative Court of the United States. It would carry out the recommendation of the Hoover Commission for a complete separation of the judicial functions of administrative agencies from their other functions, wherever possible.

The court would be established in three sections: (a) A tax section to have the limited jurisdiction now vested in the Tax Court of the United States; (b) a trade section which would have the limited jurisdiction in the trade regulation field now vested in the Federal Trade Commission, the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Reserve Board, the United States Tariff Commission, the Department of the Interior, and the Department of Agriculture; and (c) a labor section which would have the jurisdiction now vested in the National Labor Relations Board by the National Labor Relations Act over the adjudication of cases involving unfair labor practices.

The Hoover Commission pointed out that where a proceeding before an administrative agency is strictly judicial in nature, and where the remedy is one characteristically granted by courts, "there can be no effective protection of private rights unless there is a complete separation of the prosecuting functions from the functions of decision."

At the present time, the Tax Court of the United States is the only strictly executive tribunal in the United States. Under this bill it would be removed from the executive branch and would become a legislative court comparable to the court of claims.

The trade section of the court would eliminate the present confusing situation which exists relative to the enforcement of trade regulations. Presently, a number of agencies and executive departments attempt to enforce, through injunctions, statutes declaring unlawful unfair methods of competition and unfair or deceptive trade practices. Transfer of this function to a special court would bring more uniform and effective enforcement of fair trade laws.

As stated in the Hoover Commission Report on Legal Services and Procedure:

"Ours is a government of law and not of men. The concept of supremacy of the law is that certain established precepts should rule the actions of men and of governments. It is the basis of the protection of individual rights, preventing the servants of the people from becoming masters of the people. Arbitrary actions by governments or men are inconsistent with the rule of law. Extreme violation or disregard of the law results in tyranny."

To the Committee on Labor and Public Welfare:

S. 2293. A bill to create a Federal Advisory Council of Health in the Executive Office of the President in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government, to evaluate and advise on reorganizing the conduct of the several medical programs in respects necessary to achieve a maximum of economy and to eliminate duplications of efforts and competition among the several departments and agencies.

(The statement accompanying Senate bill 2293 is as follows:)

EXPLANATION OF A BILL TO CREATE A FEDERAL ADVISORY COUNCIL OF HEALTH

Government responsibilities for helping to safeguard the health of every American are fairly well defined and understood. Less understood, perhaps, and certainly less clearly defined are Government responsibilities for providing specific health services to many millions of our citizens.

Full or partial medical care at Government expense is extended to some 30 million Americans. They include:

Four million persons, mostly military personnel on active duty, who are entitled to complete medical care.

Three and a half million veterans with service-connected disabilities who are eligible for complete medical care.

Twenty million persons, including 17.5 million veterans with no service-connected disabilities, who are entitled to care on a facilities-available basis.

Some 2.9 million dependents of military personnel, and retired military personnel, who are eligible for Government health care.

About 2.5 million Federal employees who are eligible for limited on-the-job health services for occupations injuries and disease.

The bipartisan second Hoover Commission found that 26 Federal agencies and departments engage in these health programs. Within these agencies 66 administrative units were found to have health functions.

However, the Hoover Commission found further that there is no central coordinating or planning group to eliminate duplication and develop basic policies for this vast program. The Commission recommended the establishment of an agency to be known as the Federal Advisory Council of Health, to assume the vital responsibilities of planning, coordinating, and reviewing.

This agency would be created within the Executive Office of the President, and would be composed by Presidential appointment of members of the medical profession and citizens with distinguished records in other fields. The Council would employ a small staff, but rely largely upon other Government agencies for information.

Specifically, the functions of the Council would include, in part:

1. Making recommendations and continuous evaluation of policies and programs relating to Federal medical care and national health.

2. Advising on measures for assuring adequate health manpower and hospital facilities for the Nation's health.

3. Reviewing proposals and programs, and advising the President on all hospital construction involving Federal funds, including Federal grants.

4. Advising on coordination of regional hospital services of all agencies.

5. Advising on more systematic cross-servicing between the various Federal medical agencies.

6. Advising on measures for the adequate training and selection of medical staffs of all Federal services.

7. Advising the executive departments and agencies on all Federal medical policies and programs.

8. Advising the Selective Service System on the mobilization of medical personnel.

9. Advising in regard to systems of project grants for health research programs of the Federal Government.

10. Reporting periodically to the President and to the various executive departments and agencies on the results of Federal health programs and policies.

11. Reporting to the President and advising the Bureau of the Budget and the Congress on such matters as they may request.

12. Assisting the Secretary of Defense to develop recommendations for revision of the Selective Service Act, as amended, so as to effect maximum utilization of medical personnel.

13. Reviewing the manner in which the hospital facilities of the Veterans Administration are employed and making recommendations for more economic utilization or disposal of such facilities.

14. Reviewing and making recommendations to the President with respect to the health research programs of the Federal Government.

Some $4 billion yearly is expended for Federal medical services. Concealed in this outlay is the cost of a considerable amount of waste and inefficiency. Creation of the Federal Advisory Council of Health, as the Hoover Commission recommended, would point the way to greater efficiency and economy in this tremendous program.

To the Committee on Armed Services:

S. 2294. A bill to implement the recommendations of the Commission on Organization of the Executive Branch of the Government with respect to improving management and technical personnel in the support activities of the Department of Defense, and for other purposes.

(The statement accompanying Senate bill 2294 is as follows:)

EXPLANATION OF A BILL TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMISSION ON ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT WITH RESPECT TO IMPROVING MANAGEMENT AND TECHNICAL PERSONNEL IN THE SUPPORT ACTIVITIES OF THE DEPARTMENT OF DEFENSE

As Congress well knows, some $2 out of every $3 in the Federal budget are spent for national defense. While ways are sought to reduce expenditures, it would be well for Congress to examine carefully the nonstrategic support activities of the Department of Defense as a possible area for important economies which would not impair our defensive capabilities.

The second Hoover Commission found what it described as unjustifiable waste resulting from the vague delineation of military and civilian assignments in defense support services, overstaffing, utilization of military personnel in civilian-type positions, and duplicate supervision by military and civilian personnel.

The Hoover Commission estimated the number of duplicated assignments in defense support services at 16,000, representing an unnecessary annual payroll expenditure of more than $110 million.

This bill would draw a clear line of distinction between the duties of military and civilian personnel in support activities. This bill spells out the logical criteria for determining the most effective relationship between military and civilian staffs, as follows:

Military personnel should be utilized in (A) positions in combat-related support activities and positions in organizations immediately in support of operational forces exposed to potential enemy action; (B) positions in supplier-related support activities necessary for the training of officers for combat-related support; and (C) positions necessary to provide military experience to supplier-related support.

Civilian personnel should be utilized in (A) positions requiring management and technical skills which are usual to the civilian economy; (B) positions in which continuity of management and experience can be more readily provided by civilians; and (C) positions which meet both of these criteria and do not require the exercise of military command over tactical forces.

To implement these criteria, and effect more effective and efficient personnel practices, the bill would require the Secretary of Defense to take several steps.

First, he would analyze all supervisory positions, both military and civilian, in the support activities to identify the number and types of positions to be filled by each group.

Next, he would report to Congress each year for a total of 5 years on the number of positions formerly filled by military officers which had been opened to civilians.

In addition, he would extend the assignment of military management personnel in support activities for longer periods of time, in order to gain greater efficiency from the specialized skills of such personnel. At the same time, he would discontinue the assignment of tactical officers to support activities for reasons of rotational convenience.

Lastly, the Secretary would establish a personnel system for the support activities which would provide comparable standards of selection, training, promotion, and compensation of both civilian and military managers and technical personnel.

The Hoover Commission, while expressing admiration for both civilian and military officials in the Defense Department, pointed to the possibilities for significant savings in defense costs by modernizing outmoded systems of organization and administration to conform to the far-reaching structural changes in our Military Establishment brought by the National Security Act of 1947. This bill would help put that policy into actual practice.

PROPOSED FEDERAL CONSTRUCTION CONTRACT PROCEDURES ACT

Mr. McCLELLAN. Mr. President, I am pleased to join with 11 of my colleagues on both sides of the aisle in again introducing for appropriate reference the proposed Construction Contract Procedures Act.

Joining with me as cosponsors of this measure are the Senator from Maryland [Mr. BUTLER], my colleague, the junior Senator from Arkansas [Mr. FULBRIGHT], the junior Senator from Washington [Mr. JACKSON], the Senator from Indiana [Mr. JENNER], the Senator from Minnesota [Mr. HUMPHREY], the senior Senator from North Dakota [Mr. LANGER], the senior Senator from Washington [Mr. MAGNUSON], the senior Senator from Oregon [Mr. MORSE], the junior Senator from Oregon [Mr. NEUBERGER], the Senator from Alabama [Mr. SPARKMAN], and the junior Senator from North Dakota [Mr. YOUNG].

This bill is a companion measure to H. R. 7168. That bill was favorably reported by the House Judiciary Committee and recently was granted a rule by the House Rules Committee. A few days ago the majority leader of the House announced that it would receive House consideration in the very near future.

The bill, if enacted, would prescribe policy, improve existing procedures and practices in connection with the letting of lump-sum Federal construction contracts, and place the awarding of such contracts on a more efficient basis. It is also designed to eliminate the unfair trade practices of bid shopping and bid peddling in connection with Federal construction contracts.

The bill simply prescribes fair bidding procedures to govern the award of Federal lump-sum construction contracts which are in excess of $100,000 and will be performed in the United States.

It requires a general contractor to list in his prime bid the names of the subcontractors which he will engage to perform each major category of mechanical specialty work. These include plumbing, heating, piping, air conditioning, ventilating, electrical work, and the like.

In the event a general contractor does not receive a definite and complete bid for a major category of mechanical specialty work after requesting it from at least 3 responsible subcontractors, he may so state in his bid and is thereby relieved of listing the name for such category at the time of submission of the prime bid. But within 5 business days thereafter the name of the person to be engaged to perform such major category of mechanical specialty work must be submitted to the Government.

Also, within 5 business days after the opening of the prime bids, a general contractor may change a listed subcontractor without any permission or assigning any reasons therefor simply by notifying the Government of the name of the substitute subcontractor in writing. This provision is to enable a general contractor to evaluate all subbids received and to make whatever checks are needed with respect to the competency, ability, and responsibility of each mechanical specialty subcontractor.

Thereafter, except for default or disqualification, a change may not be made unless the money savings resulting therefrom, if any, accrues to the benefit of the Government.

I am glad to state that the entire construction industry generally, including general contractors, is united in the belief that the bill as now drafted will provide an efficient and beneficial system for both industry and the Federal Government.

I wholeheartedly favor the proposed legislation because I believe it will improve the contracting procedures of the Federal Government, encourage additional general contractors and subcontractors to bid on Federal Works, give the benefit of final, low subcontract prices to the Government and eliminate the unfair trade practices of bid shopping and bid peddling which are so prevalent on Federal construction under present procedures.

It is my hope that the Senate will take early action and pass the measure prior to adjournment. It is needed, and enactment into law should no longer be delayed.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2300) to prescribe policy and procedure in connection with construction contracts made by executive agencies, and for other purposes, introduced by Mr. McCLELLAN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT, RELATING TO PROGRAM OF CERTAIN GRANTS AND SCHOLARSHIPS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, a

bill to be known as the Emergency Public Health Training Act of 1957. This bill, similar to S. 1859 of the 84th Congress, provides for grants and scholarships in postgraduate education in the field of public health. The need for legislation such as this is urgent, and it is my hope the Senate Labor and Public Welfare Committee will begin hearings on this bill and on the whole problem of Federal aid to medical and dental education in the very near future.

The bill provides for direct grants through the Public Health Service to all accredited schools of public health on the basis of their enrollment to a total not exceeding $1 million for each of the next 5 fiscal years. Further grants are also provided for construction needs not in excess of $1 million a year and for an additional sum for scholarships not to exceed $250,000 per year. The purpose of the bill and of these grants is to make it possible to continue and extend the training of personnel for public service in the field of public health.

There are today 11 accredited schools of public health in the United States and its possessions: California, Columbia, Harvard, Johns Hopkins, Michigan, Minnesota, North Carolina, Pittsburgh, Tulane, Yale, and University of Puerto Rico. Six of these schools are supported by private philanthropy and five by the taxpayers of their States or of Puerto Rico.

I have had a series of discussions with representatives of these schools of public health. It is their feeling—and I agree with them—that the training of personnel to protect the public against disease is just as essential a public responsibility, as is the training of personnel for the military forces to protect our Nation against a military aggressor. The request of the schools for Federal assistance to help support and expand their facilities, and to aid such new schools as may be established, is based on the recognition that our Government has a responsibility for the promotion of such training. The present plan for support of our public health institutions places an undue burden upon 6 privately supported institutions and upon the taxpayers of 4 States. Since our Nation gains from the training which these schools afford, it is desirable to equalize to some degree the financial cost which is now unevenly distributed.

The evidence is clear that the schools of public health are physically overcrowded. Their physical plant is bursting at the seams. The sum provided in this bill is a small fraction of what is needed, but it will help materially to provide facilities.

The scholarship section of this bill, section 376, is most desirable although it is less essential than the grants for maintenance and construction.

With specific regard to maintenance funds, a study of the facts makes it unmistakably clear that a number of the schools of public health are faced with the prospect of having to curtail or discontinue their operation unless financial relief can be found for them. In this critical period in our Nation's history, our Government cannot sit back and allow this to happen.

The formula for assistance submitted in this bill is the product of careful study by the schools of public health and by other experts in the field. This bill provides for grants on the basis of 15 percent of basic operating costs of graduate instructions plus an additional $500 for each full-time student in excess of average past enrollment.

This proposed formula was arrived at on the assumption that a grant based on a certain fraction of the total operating cost will cover a unit of about 30 students regardless of the size of the school. In addition, we all agreed that the larger the student body the greater is the need for additional funds. When new students arrive in a school—and the need is great, so we must encourage the enrollment of new students—the expansion of school facilities is necessary and hence my bill provides for a bonus clause of $500 for each new student.

As a safeguard, the Emergency Public Health Training Act of 1957 would provide that the total grant to each school may not exceed 50 percent of the basic operating cost of the school. Furthermore, the maximum amount spent shall not exceed $1 million a year. It is also noteworthy that we determine average past enrollment on the basis of a sliding scale considering preceding fiscal years rather than any given calendar or academic years.

Finally, I wish to make it clear that in introducing this proposed Emergency Public Health Training Act of 1957, I am in no way minimizing the importance or the desirability of enacting an omnibus Federal aid to medical-dental education bill. We have tried to enact such legislation for a number of years and to no avail. It is my hope that Congress will soon enact S. 1922. But the time to act in the field of public health is also now. It is for that reason I introduce this special legislation designed to cover the public-health phase of the medical problem on its own merits. At this point in my remarks I ask unanimous consent to have the text of the bill printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2304) to amend the Public Health Service Act to provide an emergency 5-year program of grants and scholarships for postgraduate education in the field of public health, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "Emergency Public Health Training Act of 1957."

SEC. 2. Title III of the Public Health Service Act, as amended (42 U. S. C., ch. 6A, subch. II), is amended by adding at the end thereof the following new part:

"PART H—ASSISTANCE FOR THE EDUCATION OF PUBLIC HEALTH PERSONNEL

"Declaration of policy

"SEC. 371. The Congress hereby finds and declares that—

"(a) there is a shortage of public health personnel essential to meet the immediate and prospective requirements of the Armed Forces and of the civilian public health agencies, Federal, State, and local, and this shortage is likely to increase during the present emergency unless present facilities and opportunities for training such personnel are strengthened and expanded;

"(b) the cost of providing adequate public health training, and facilities therefor, is so high and the sources of income for schools affording such training are so limited as to render it impossible for such schools to operate at present capacity on a financially sound basis, and as to discourage the construction and equipment of new schools and the expansion of existing schools necessary to relieve the shortage of trained public health personnel;

"(c) it is, therefore, the policy of the United States to encourage the training of adequate numbers of qualified individuals in public health by (1) assisting schools which provide such training in meeting their costs of instruction and by giving financial assistance for the construction and equipment of new schools and for the improvement and expansion of existing schools, with a view to providing additional opportunities for qualified indivduals to obtain such training, and (2) by providing scholarships to induce greater numbers of qualified graduate students to train for public health work; and

"(d) it is also the policy of the United States that the financial assistance made available to schools under this part shall be used to supplement, and not to replace, their existing income and resources.

"Authorization of payments to schools for costs of instruction

"SEC. 372. (a) In order to assist schools of public health that provide training leading to a graduate degree in fields relating to public health (which may include training leading to a graduate degree in hospital administration) to maintain and increase their enrollment of graduate students, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1958, and each of the next 4 fiscal years, $1 million to enable the Surgeon General to make the payments provided in this section. Payments to schools from appropriations under this section may be used to meet the costs (herein referred to as 'basic operating costs of graduate instruction') of establishing, maintaining, and enlarging staffs and of maintaining and operating their facilities (including the acquistion of equipment) for such training.

"(b) Payment to each school of public health for any fiscal year shall be as follows:

"(1) a sum equal to 15 percent of the amount determined by the Surgeon General to be the basic operating costs of graduate instruction in such school for such year (excluding from such costs, the cost of special training projects which are outside the school's regular curriculum and are financed through public or private grants made specifically for such projects, and the cost of research projects);

"(2) an additional sum of $500 for each full-time student regularly enrolled for the fiscal year for graduate work in public health in excess of 30 such students; and

"(3) an additional sum of $500 for each full-time student regularly enrolled for the fiscal year for graduate work in public health in excess of its average past enrollment of such students.

The total payment to any school pursuant to this section for any fiscal year shall not exceed 50 percent of the amount determined by the Surgeon General to be basic operating costs of graduate instruction in such school for such year (excluding from such costs, the cost of special training projects which are outside the school's regular curriculum and are financed through public or private grants made specifically for such purposes as the cost of research projects).

"(c) If sums appropriated for any fiscal year for the making of payments under this

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section are insufficient to permit payments to all schools in the full amounts provided by subsection (b), the total amount to be paid to each school shall be reduced by the percentage by which the sum appropriated is less than the amount necessary to make the payments provided by such subsection.

"(d) (1) The average past enrollment for any year shall be the average of enrollments for the period consisting of the 3 fiscal years immediately preceding such year, except that if training was not provided by a school during 1 or 2 of the fiscal years in such period, such fiscal year or years shall be excluded in determining the average past enrollment.

"(2) If training was provided by a school during none of the 3 fiscal years immediately preceding any fiscal year for which payments are made from appropriations under section 372, all students enrolled for training for such year shall be counted on as 'enrolled in excess of average past enrollment' for purposes of subsection (b).

"(e) For purposes of this section, the number of students enrolled for training in a school for a fiscal year means the number enrolled full time in such school for such training, as determined by the Surgeon General in accordance with regulations, for the first semester or other school term which commences after the beginning of such fiscal year, except that in the case of any school which during a fiscal year provides periods of training less than or in excess of or different from periods of training customarily provided in schools of the same class, regulations, shall provide for the determination of enrollments in such school for such fiscal year in such manner as to take reasonable account of the difference in the rate at which or the period during which students are thus trained.

"(f) No school shall be eligible for payments from appropriations under this section unless it is a public or nonprofit institution, located within one of the States or within Alaska, Hawaii, or the Commonwealth of Puerto Rico, exempt from Federal income taxation, and approved or accredited by a recognized body or bodies approved for such purpose by the Surgeon General after he has obtained the advice and recommendation of the National Advisory Health Council.

"Authorization of appropriations for grants for construction and equipment

"SEC. 373. (a) There are also authorized to be appropriated for the fiscal year ending June 30, 1958, and each of the next 4 fiscal years, $1 million, to enable the Surgeon General to make grants for construction and equipment to assist in the establishment of new schools and in the improvement and expansion of existing facilities (including equipment thereof) necessary to carry out the purposes of section 371. The Surgeon General, after obtaining the advice and recommendation of the National Advisory Health Council, shall make such grants in the order of the estimated importance or value of the construction and equipment in alleviating the shortage of personnel adequately trained in public health: *Provided, however,* That the Surgeon General shall give priority to areas in which facilities are either nonexistent or inadequate. No such grant—

"(1) shall be in excess of 50 percent of the cost of the construction and equipment with respect to which it is made; and

"(2) shall be made with respect to any construction and equipment for which application is not submitted, in accordance with the provisions of this part, prior to July 1, 1960.

Funds appropriated pursuant to this section shall remain available for the fiscal year in which appropriated and the 2 succeeding fiscal years.

"(b) Applications for grants under this section may be approved and amounts may be allocated for approved construction projects on the basis of priorities established in accordance with subsection (a) up to the aggregate amount authorized to be appropriated for the 5 fiscal years in advance of the annual appropriations therefor.

"Condition for grants

"SEC. 374. (a) No payments from appropriations pursuant to section 372 for any fiscal year may be made to any school unless such school has filed an application therefor for such year which contains adequate assurance, as determined by the Surgeon General, that—

"(1) such school provides and will provide reasonable opportunity for the admission of out-of-State students;

"(2) such school will, during the period in which it receives such payments, make every reasonable effort to maintain its income for operating expenses from sources other than the Federal Government at a level at least equal to that which it was receiving before such payments began (or, in the case of a new school, at the highest possible level); and

"(3) such school will submit from time to time such reports as the Surgeon General may reasonably require to carry out the purposes of this part.

"(b) Payments from appropriations under section 373 may not be made for the construction and equipment of any new school or of any addition to or improvement in an existing school except upon the filing of an application therefor which the Surgeon General determines contains adequate assurances that the school will, upon completion of the construction and equipment and for a period of 10 years thereafter, be operated within one of the States or within Alaska, Hawaii, or the Commonwealth of Puerto Rico as a public or nonprofit institution exempt from Federal income taxation, and be approved or accredited by a recognized body or bodies approved by the Surgeon General after he has obtained the advice and recommendations of the National Advisory Health Council.

"Payments and withholding or recapture of payments

"SEC. 375. (a) The Surgeon General, in accordance with regulations, shall determine from time to time the amount to be paid to each school from appropriations under sections 372 and 373 and shall certify to the Secretary of the Treasury the amounts so determined. Upon receipt of any such certification, the Secretary of the Treasury shall, prior to audit or settlement by the General Accounting Office, pay in accordance with such certification.

"(b) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to a school, finds with respect to payments from appropriations under section 372 or 373 that there is a failure to carry out any assurances given pursuant to section 374 or to comply with regulations under this part, the Surgeon General shall notify such school that further payments will not be made to it from appropriations under such section until he is satisfied that there is no longer any such failure. Until he is so satisfied the Surgeon General shall make no further certification for payments to such school from appropriations under such section.

"(c) If any school with respect to which payments have been made from appropriations under section 373 for the construction and equipment of any building or other facility shall, within 10 years after the completion of such construction, fail to carry out any assurances given pursuant to section 374 (b), the United States shall be entitled to recover from the owners of such building or other facility the same percentage of the then value of such building or facility as the amount paid with respect thereto from appropriations under section 373 was of the total cost of such building or facility, such value to be determined by agreement of the parties or by action brought in the district court of the United States for the district in which such building or facility is located.

"Appropriations authorized for scholarships

"SEC. 376. In order further to increase the number of individuals adequately trained in public health (including hospital administration), there are hereby authorized to be appropriated for the fiscal year ending June 30, 1958, and each of the next 5 fiscal years, $250,000 for scholarships awarded pursuant to this part. No funds appropriated pursuant to this section shall be available for any scholarship unless the course of study or training for which it is awarded is begun in or before the first semester which commences after June 30, 1961.

"Determination of funds available for scholarships in each field of public-health training

"SEC. 377. Of the sums appropriated pursuant to section 376 for a fiscal year, such amounts as the Surgeon General shall determine, after obtaining the advice and recommendations of the National Advisory Health Council and after considering the relative need for scholarships in each of the fields relating to public health in which graduate training is provided by the schools of public health referred to in section 372 (a), shall be available for scholarships to be awarded to individuals for the pursuit of such training.

"Awarding of scholarships

"SEC. 378. The selection of individuals to be awarded scholarships from funds appropriated pursuant to section 376 shall be made in accordance with regulations providing for such selection on the basis of ability, and on the basis of such other factors as are appropriate to carry out the purposes of this part. To the extent practicable and consistent with the purposes of this part, such regulations shall also provide for the selection of individuals in a manner which will tend to result in a wide distribution of the scholarships among the States, Alaska, Hawaii, and the Commonwealth of Puerto Rico.

"Conditions for award of scholarships

"SEC. 379. (a) Any student to whom a scholarship has been awarded shall be entitled to continue receiving the amounts thereby provided for only so long as his work continues to be satisfactory, according to the regularly prescribed standards and practices of the educational institution which he is attending.

"(b) (1) No scholarship shall be awarded to any individual for any period during which he is receiving education and training under title II of the Servicemen's Readjustment Act of 1944, as amended, or under title II of the Veterans' Readjustment Assistance Act of 1952.

"(2) Any scholarship awarded under this part to any individual shall be conditioned upon acceptance by a school of his choice which provides the training for which the scholarship is awarded and which is approved or accredited, as provided in section 372 (e).

"Scope of scholarships

"SEC. 380. Scholarships awarded under this part shall include the cost of tuition and educational fees customarily charged by the school, the cost of books, and equipment not customarily furnished by the school without charge, and such amount for maintenance as the Surgeon General, after obtaining the advice and recommendation of the National Advisory Health Council, determines for each school. Such scholarship shall be for a period of time not in excess of that customarily required for completion of the standard course offered by the school.

"Regulations

"SEC. 381. All regulations under this part with respect to payments to schools of public health, and with respect to scholarships, shall be made only after obtaining the advice and recommendation of the National Advisory Health Council.

"General provisions

"SEC. 382. (a) Except as otherwise specifically provided in this part, nothing contained in this part shall be construed as authorizing any department, agency, officer, or employee of the United States to exercise any control over, or prescribe any requirements with respect to, the curriculum or administration of any school, or the admission of applicants thereto.

"(b) Nothing in this part shall be construed to authorize the Surgeon General to exercise any influence upon the choice of an applicant for, or a recipient of, a scholarship under this part of a course of training or study or of the educational institution at which such course is to be pursued."

FLAG DAY—PRESERVATION OF THE FLAG OF LIBERATION

Mr. COTTON. Mr. President, on this Flag Day, the 180th anniversary of the Stars and Stripes, I introduce, for appropriate reference, on behalf of myself, the Senator from Pennsylvania [Mr. MARTIN], and the Senator from Alabama [Mr. HILL], a joint resolution to provide for the proper display and preservation of the United States flag, which is known as the flag of liberation.

I ask unanimous consent that the joint resolution may remain at the desk until the close of business on Monday, June 17, so that other Senators may have an opportunity to join in sponsoring it.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred; and, without objection, it will lie on the desk, as requested by the Senator from New Hampshire.

The joint resolution (S. J. Res. 103) to provide for the permanent preservation and proper display of the flag of liberation, introduced by Mr. COTTON (for himself, Mr. MARTIN of Pennsylvania, and Mr. HILL), was received, read twice by its title, and referred to the Committee on Rules and Administration.

Mr. COTTON. Mr. President, the original flag of liberation was the flag which was flying over this Capitol at the time of the bombing of Pearl Harbor, December 7, 1941.

The flag also flew over the United States Capitol at the time war was declared against Japan, December 8, 1941, and again when war was declared against Germany and Italy on December 11, 1941.

President Franklin D. Roosevelt turned the flag over to the Army of the United States, and issued orders that it should be raised in every country which had been overrun by the enemy, when that country was liberated. It was his announced plan that this flag, which he named the "Flag of Liberation," should be brought back and flown over the Capitol in the hour of victory.

President Roosevelt himself became a casualty of the war, and his successor, President Harry Truman, continued faithfully to carry out the expressed wishes of the former Executive.

The flag was displayed. It was flown over Rome, Italy, July 4, 1944. It was flown over Germany at Potsdam on July 20, 1945, at ceremonies attended by President Truman. It was carried through the islands of the Pacific. It was displayed in Japan, and it flew over the battleship *Missouri* during the ceremonies attendant upon the surrender of the Japanese on September 1, 1945. It was brought back to this country and presented by the United States Army, as a part of an Army Day ceremony, to the Congress of the United States. The acceptance was made by the Speaker of the House and by the late Senator Vandenberg on behalf of the Senate, on April 6, 1948.

This flag is in the possession of the Architect of the Capitol. My resolution provides that the flag shall be deposited in the Archives, and the Archivist of the United States shall be authorized and instructed to see that it is permanently preserved and properly displayed.

I ask unanimous consent that the joint resolution be printed in the RECORD at this point, as a part of my remarks.

There being no objection, the joint resolution was ordered to be printed in the RECORD, as follows:

Whereas a certain American flag flew over the Capitol of the United States on December 7, 1941, when Pearl Harbor was attacked by Japan, and on December 8, 1941, when the Congress declared war against Japan, and on December 11, 1941, when war was declared against Germany and Italy; and

Whereas this flag was preserved by President Franklin D. Roosevelt as the "Flag of Liberation" and as a symbol of hope to the people of the countries overrun by the enemy and to the people of the United States of America; and

Whereas it was the intention of President Franklin D. Roosevelt that the flag should be raised in the various countries as the tide of allied victory progressed and then finally returned by the Chief Executive to the Congress where it could be displayed for the American people; and

Whereas in accordance with these instructions the flag was flown over Rome, Italy, on July 4, 1944; and

Whereas though death came to President Franklin D. Roosevelt on April 12, 1945, beforeñ the Nazi Government of Germany fell, his intentions were carried out, and on July 20, 1945, this flag was flown over Potsdam, Germany, at a ceremony attended by his successor, President Harry S. Truman, who issued instructions that this original flag should continue to be flown on its tour of the world, and eventually returned, as intended by President Roosevelt; and

Whereas this flag was flown from Germany by airplane into the United States, back through Pearl Harbor, the scene of American disaster, on to Guam, and to the Philippines, and up into Japan; then transferred to the battleship *Missouri* where it was flown during the ceremony of the surrender of the Japanese on September 1, 1945; and

Whereas this flag was then displayed in the dome of the Capitol in Washington in celebration of Allied victory in World War II and the return of peace to the world; and

Whereas this flag was formally returned to the Congress with appropriate ceremonies on April 6, 1948, and is now in the possession of the Architect of the Capitol; and

Whereas it is essential that this flag be permanently preserved and properly displayed: Therefore be it

Resolved, etc., That the Architect of the Capitol is hereby directed to transfer said flag to the custody of the National Archives.

SEC. 2. The Archivist of the United States is hereby directed to suitably display said flag where it shall be available for viewing by the public and to permanently preserve it as the flag of liberation and the symbol of hope.

Mr. COTTON. Mr. President, a previous joint resolution dealing with this flag was introduced in the Senate on September 11, 1945, by the former Senator from Maine, Mr. Brewster, the Senator from Alabama [Mr. HILL], and the former Senator from Oregon, Mr. Cordon, as Senate Joint Resolution 91, 79th Congress. I ask that the remarks of former Senator Brewster, which appear in the RECORD of July 26, 1945, together with a letter from President Franklin D. Roosevelt, in this connection, and certain affidavits regarding the authenticity of this flag, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the matters referred to were order to be printed in the RECORD, as follows:

THE FLAG OF LIBERATION

(Extension of remarks of Hon. Owen Brewster, of Maine, in the Senate of the United States, Thursday, July 26 (legislative day of Monday, July 9), 1945)

Mr. BREWSTER. Mr. President, I ask unanimous consent to have printed in the Appendix of the RECORD a statement dealing with the flag of liberation, together with letters and newspaper comment on the same subject.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

"THE FLAG OF LIBERATION

"This is the story of the American flag which flew over the Capitol on the day that the United States declared a state of war to exist between the United States and Japan. This same flag flew over the Capitol when the United States took the same action against Germany and Italy.

"Since then the flag flew on July 4, 1944, over Rome; it was taken to Algiers, Casablanca, and other places by the late Franklin Delano Roosevelt. On July 20, 1945, President Truman raised this same historic flag over Berlin.

"The story of how the flag was acquired by Maury Maverick is told here along with affidavits identifying the flag. The flag now is the property of the United States, being given to the late President Roosevelt and now is in the care of President Truman.

"This flag—so proud in war—shall become a symbol of a nation united for peace. It may truly be called the flag of liberation."

WASHINGTON, D. C., *July 21, 1945.*

Concerning flag flown over Berlin on July 20 by President Truman.

Concerning this, the news referred to this as Maury Maverick's flag. It is not mine. I did get the original flag. However, I gave it to President Roosevelt as trustee.

He accepted it, and I spoke to him about it twice afterward. He was very much interested.

Following is—

1. The letter that I wrote the President;
2. Copies of his memorandum to me; and
3. The affidavits which show the flag flew over the Capitol when war was declared against Japan, Germany, and Italy.

MAURY MAVERICK.

SMALLER WAR PLANTS CORPORATION

May 30, 1944.

The Honorable the PRESIDENT,
The White House.

MY DEAR MR. PRESIDENT: When Pearl Harbor struck, I got the official flag that flew

over the Capitol. It was there during the entire time that you addressed Congress for the declaration of war against Japan. Thereafter, it flew all day on December 11, 1941, when the United States declared war on Germany and Italy.

This I treasure very greatly, but I realize it should not be my personal possession. It should be the possession of the American people. I should like to give it to you, as trustee, so it may come to be known as the flag of liberation.

It would be fine for our friend Eisenhower to have wherever he goes; and finally when the armies of liberation march under the Arc de Triomphe in Paris. Being the flag of liberation, it would be a symbol that, once we declare war, we win that war, and that this flag really means liberation.

The original affidavits about getting the flag are attached. It is correctly identified.

This flag is of regulation size and could now be used at whatever headquarters we have in England. Later it could be transferred to the Continent, and eventually to Paris, and, I hope, Berlin.

I want it understood that I don't want any credit. If there is any, I want you to have it. Then when the flag has gone through Europe and is returned, I think it should be hung under the Dome of the Capitol on a fairly high place, where for coming centuries it will symbolize freedom and liberty.

With best wishes for your health, I am,

Sincerely your friend,

MAURY MAVERICK,
Chairman and General Manager.

THE WHITE HOUSE,
Washington, June 5, 1944.

Memorandum for Hon. Maury Maverick:

I like that idea of yours of the flag of liberation. I am writing to General Marshall and will let you know what he says.

F. D. R.

THE WHITE HOUSE,
Washington, June 19, 1944.

Memorandum for Maury Maverick:

For your information.

F. D. R.

SUPREME HEADQUARTERS,
ALLIED EXPEDITIONARY FORCE,
OFFICE OF THE SUPREME COMMANDER,
June 13, 1944.

The Honorable FRANKLIN D. ROOSEVELT,
President of the United States,
Washington, D. C.

DEAR MR. PRESIDENT: I have received, through the Chief of Staff of the Army, the flag presented to you by Mr. Maverick.

I shall communicate with General Devers in the Mediterranean to see whether he would like the flag to fly in Rome, say on July 4. After that I hope, one day, to have the honor of flying it in one of the other European caiptals.

With best wishes for your continued good health and with respectful regard,

Sincerely,

DWIGHT D. EISENHOWER.

ARCHITECT OF THE CAPITOL,
Washington, D. C.

AFFIDAVIT OF HON. DAVID LYNN, CAPITOL ARCHITECT

CITY OF WASHINGTON,
District of Columbia, ss:

Before me, a notary public in and for Washington, D. C., on this 6th day of February A. D. 1942, there appeared David Lynn, Architect of the Capitol of the United States, who after being by me duly sworn, deposes and says:

That on the afternoon of December 8, 1941, the American flag which was then flying over the Capitol, which had been flying there for several weeks and during the time President Roosevelt addressed the joint session of Congress on that day, asking them for a declaration of war against Japan, and during the time the war resolution was adopted by both the Senate and the House of Representatives, was taken down, and another official flag of the same size and quality which was purchased by Mr. Maverick was flown from the Capitol in its place.

The flag which was taken down was delivered to Mr. William B. Blanchet, representative of Mr. Maverick who was then present at the Capitol, who marked it for identification by printing the small letter "M" in the double-stitched canvas hem, opposite the first star of the first row. In addition on the rope hem in back of the flag opposite the bottom red and white stripes, but off the true field of the flag these words have been inked in:

"American flag owned by Maury Maverick, which flew over the United States Capitol, December 8, 1941, when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy."

During the morning of December 11, 1941, Mr. Blanchet brought the same flag to the Capitol. This was the day on which the United States of America declared war on Germany and Italy. This flag was again flown over the Capitol over the east front by Sgt. Donald Murphy of the Capitol Police, accompanied by Mr. Blanchet. The flag was then returned to Mr. Maverick.

DAVID LYNN,
Architect of the Capitol
of the United States.

Subscribed and sworn to before me this 6th day of February A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

[SEAL] ARTHUR E. COOK,
Notary Public in and for Washington, D. C.

"AFFIDAVIT OF MR. WILLIAM B. BLANCHET

"CITY OF WASHINGTON,
"District of Columbia, ss:

"Before me, the undersigned authority, on this day, personally appeared Mr. William B. Blanchet, who, after being by me duly sworn, did depose and say:

" 'My name is William B. Blanchet. I am an assistant to the Honorable Maury Maverick, Washington, D. C.

" 'On December 8, 1941, about 3 p. m., I went to the United States Capitol, Washington, D. C. I contacted Hon. David Lynn, Capitol Architect, and purchased a new United States flag and substituted it for the flag which was then flying over the east front of the Capitol and which had been flying there for several weeks. It was in very good condition but bore some marks of the weather, including coal dust.

" 'The flag was taken down by Mr. George Keller, of the Capitol Police, and personally delivered to me for Mr. Maverick. It is a woolen flag 7½ by 14 feet in dimension, made by the Dettra Flag Co., of Philadelphia, Pa. This flag was then marked for identification by myself in the presence of Mr. Lynn. I printed the small letter 'M' in the double-stitched canvas hem, opposite the first star of the first row. In addition, on the rope hem in back of the flag opposite the bottom red and white stripes but off the true field of the flag these words have been inked in:

" 'American flag owned by Maury Maverick, which flew over the United States Capitol, December 8, 1941, when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy.'

" 'On December 11, 1941, the day that the United States of America declared war on Germany and Italy, I went to the United States Capitol and accompanied Sgt. Donald Murphy, of the Capitol Police, to the east front of the building, taking the identical flag that flew over the Capitol on December 8, 1941. This flag was flown during the day of war declaration against Germany and Italy, then lowered and returned to me. I then returned the flag to Mr. Maverick.

" 'WILLIAM B. BLANCHET.'

"Subscribed and sworn to before me this 6th day of February, A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

"[SEAL] ARTHUR E. COOK,
"Notary Public in and for Washington, D. C."

"AFFIDAVIT OF MR. GEORGE E. KELLER, CAPITOL POLICE

"CITY OF WASHINGTON,
"District of Columbia, ss:

"Before me, the undersigned authority, on this day, personally appeared, Mr. George E. Keller, who after being by me duly sworn, did depose and say:

" 'My name is George E. Keller. I am a member of the Capitol Police, Washington, D. C. On December 8, 1941, the day President Roosevelt addressed a joint session of Congress asking for a declaration of war against Japan, which Congress then enacted by joint resolution. Mr. William B. Blanchet, a representative of Mr. Maury Maverick, came to the Capitol and personally delivered to him the flag which had been flying over the east front of the Capitol for several weeks and during the address of the President before the joint session of Congress, and the adoption of both Houses of the war resolution.

" 'It is a woolen flag 7½ by 14 feet in dimension made by the Dettra Flag Co., of Philadelphia, Pa. The flag was then marked for identification by printing the small letter "M" in the double-stitched canvas hem, opposite the first star of the first row. In addition on the rope hem in back of the flag opposite the bottom red and white stripes, but off the true field of the flag these words have been inked in:

" ' "American flag owned by Maury Maverick which flew over the United States Capitol, December 8, 1941 ,when the United States declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy."

" 'GEORGE E. KELLER.'

"Subscribed and sworn to before me this 6th day of February A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

"[SEAL] ARTHUR E. COOK,
"Notary Public in and for Washington, D. C."

"AFFIDAVIT OF MR. DONALD MURPHY, CAPITOL POLICE

"CITY OF WASHINGTON,
"District of Columbia, ss:

"Before me, the undersigned authority, on this day, personally appeared Mr. Donald Murphy, who after being by me duly sworn, did depose and say:

" 'My name is Donald Murphy. I am a member of the Capitol Police, Washington, D. C.

" 'I took the flag belonging to Hon. Maury Maverick, identified as herein shown, on December 11, 1941, and flew it over the east front of the Capitol which was the same day war was declared against Germany and Italy.

" 'It is a woolen flag 7½ by 14 feet in dimension, made by the Dettra Flag Co., of Philadelphia, Pa. The flag has been marked for identification by printing the small letter "M" in the double-stitched canvas hem, opposite the first star of the first row. In addition, on the rope hem in back of the flag opposite the bottom red and white stripes, but off the true field of the flag, these words were inked in:

" 'American flag owned by Maury Maverick which flew over the United States Capitol, December 8, 1941, when the United States

declared war on Japan, and later on December 11, 1941, when the United States declared war on Germany and Italy.'

"'Mr. William B. Blanchet, representative of Mr. Maury Maverick, accompanied me, and then returned the flag to Mr. Maverick.'

"DONALD MURPHY.

"Subscribed and sworn to before me this 9th day of February A. D. 1942, to certify which I have hereunto subscribed my hand and affixed my official seal of office.

"[SEAL] HENRY S. THOMPSON,
"Notary Public in and for Washington, D. C.

"My commission expires January 15, 1944."

Mr. MARTIN of Pennsylvania. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. MARTIN of Pennsylvania. We all owe very much to the distinguished junior Senator from New Hampshire for bringing to our attention, on this Flag Day, the great symbol of liberty, which is the subject of his joint resolution. It is something which should be preserved as one of the most historic treasures of our great country.

Mr. COTTON. I thank the Senator.

I should like to have the opportunity afforded to many Senators to join immediately in sponsoring the joint resolution, particularly the distinguished Senator from Alabama [Mr. HILL], who was one of the sponsors of the previous resolution concerning this subject.

I learned the details of the history of this flag of liberation only yesterday, when I was preparing certain remarks for Flag Day. I thought this was the proper time to take this step. I felt that the schoolchildren and others who know the historic documents in the Archives should have the opportunity to view there, properly displayed, this historic flag.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GOLDWATER:

Address delivered by Senator CURTIS at a luncheon meeting of the National Association of Manufacturers, at Detroit, Mich., on June 12, 1957.

By Mr. HUMPHREY:

Editorial entitled "Salute to Two Unions," published in the New York Times of June 14, 1957; and remarks by him at Madison Square Garden celebration for David Dubinsky.

NOTICE OF CONSIDERATION OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Val Peterson, of Nebraska, to be Ambassador of the United States to Denmark, vice Robert D. Coe, resigned.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARINGS ON PROPOSED CHANGES IN SENATE RULE XXII

Mr. TALMADGE. Mr. President, for the Senator from New York [Mr. JAVITS] and myself, I wish to announce that a special subcommittee of the Senate Committee on Rules and Administration has been constituted to hold hearings on proposed changes in Senate rule XXII.

It is the plan of the subcommittee to begin taking testimony on Monday, June 17, at 10 a. m., with subsequent sessions to be held at that hour on Friday, June 21, and on each subsequent Monday and Friday for as long a period of time as is deemed necessary by the subcommittee to hear both sides of this question. All sessions will be held in the rules committee room.

The first two sessions will be devoted to hearing members of the Senate, and I wish to extend, on behalf of the Senator from New York and myself, an invitation to each interested Senator to appear in person or to submit a statement for the record. For those who may not be prepared to participate in the hearings next week, let me state that the subcommittee will be pleased to hear them at any subsequent date which suits their convenience.

The Senator from New York and I would appreciate it if each interested Senator would have someone from his staff contact the subcommittee counsel, Mr. Langdon West, in order that a time and date for his appearance might be scheduled.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. TALMADGE. I am glad to yield.

Mr. JAVITS. I had not quite understood that the Senator from Georgia and I had fully agreed upon the schedule he has announced; but, in any case, I am more than happy to proceed expeditiously.

I may state for the record that I reserve the right to see how long the hearings will take, or how long it is intended to carry them on, in terms of the length of the session of Congress and in the interest of the proposed legislation.

I hope very much that those who are interested, similarly to myself, in supporting one of the measures seeking to change rule XXII, will cooperate in that regard.

For the moment, although we have not personally conferred about it, I understand it is not final about opening the hearings on Monday next, as stated by my colleague from Georgia.

I hope very much that in spite of our differences on the substantive proposed legislation, perhaps because of them, we can move expeditiously with the hearings. I did not, however, wish the RECORD to stand as concluded upon the subject of holding only two hearings a week for as long as the hearings would take, because from present appearances that could easily take until well into the next session of Congress.

I hope my colleagues will understand my reservation on that score.

Mr. TALMADGE. Mr. President, yesterday, a member of my staff met with two members of the staff of the distinguished Senator from New York, and I thought we were in agreement.

To correct any erroneous impression which the junior Senator from New York may have received, let me say I stated that the hearings would continue as long as the subcommittee thought necessary in order to perfect the record.

Mr. JAVITS. Mr. President, I was informed of the staff meeting, but I did not understand that was final as to me. As a matter of fact, last night my own administrative assistant submitted this proposal to me, and said I could determine whether it was satisfactory to me.

However, I do not think the Senator from Georgia and I will ever have any difference upon any such point. I am quite satisfied and happy to have the hearings proceed on Monday, but I did not wish to be bound by any idea that there would be only two hearings a week and that they would go on ad infinitum. I wanted to make that clear, and I think the Senator from Georgia is familiar with my position on the subject.

Mr. TALMADGE. Mr. President, if the distinguished Senator from New York desires to have more than two hearings held a week, I have no objection. I think this is a very important issue, one on which the grassroots sentiment of the country should be taken; and certainly that has not been done heretofore. At previous hearings which were held by the Committee on Rules and Administration—in 1949, I believe, and again in 1951—a very few organizations which have been agitating this issue for so long, with highly paid attorneys who were ready to testify at the drop of a hat, were the only organizations represented; and in addition to that testimony, the only other testimony which was heard was from a few distinguished Members of the Senate who took the time to appear before the Committee on Rules and Administration and testify.

Mr. JAVITS. Mr. President, I should like to complete the colloquy by pointing out that upon three successive occasions there have been hearings which were quite voluminous, and which are available to every Member of the Senate, and at which everyone could be heard; and there is reason to believe that every argument on this issue, either pro or con, has been debated on the floor of the Senate and in committee.

Therefore, I shall dedicate myself to seeing to it that this perfecting proposed legislation is not killed by a filibuster in the committee, which is trying to end filibusters.

RISING INTEREST RATES AND ADDRESS DELIVERED BY SENATOR JOHNSON OF TEXAS

Mr. GORE. Mr. President, I regret to call to the attention of the Senate a new and alltime high interest rate on the securities of the Federal National Mortgage Association. This governmental agency has now sold its securities for 4¼ percent. Only 30 days ago this same agency sold its securities for 4.05 percent.

That demonstrates, Mr. President, the spiral in interest rates under the

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impetus of the policies being pursued by the administration.

I regret to have to call to the attention of the Senate the fact that yesterday, according to my records, Victory bonds sold at a new alltime low below par. Yesterday, Mr. President, Victory bonds, which many people and many small institutions hold were quoted at 87 $^{8}/_{32}$.

I wish the Senate would think for a moment of the equities which have been wiped out by this trend downward below par of Government securities.

On May 28 I offered an amendment on the floor of the Senate which at least in one category would have brought a halt to the spiraling interest rate on Government obligations. Unfortunately, the amendment was not adopted. The very next day a new and higher interest rate went into effect. More such rises in interest rates are in store, unless the Government takes action to rectify these damaging trends.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SMATHERS. I should like to congratulate the able Senator from Tennessee upon the views which he has expressed this morning, particularly upon the consistent vigor which he has evidenced in pointing out to the American people the high interest rate, and what it is doing to injure the average citizen of the United States.

Last night, at the Hamilton Hotel, about 350 of us had the very great privilege of hearing our majority leader make a splendid speech, in which he touched on this same point, in addition to others.

If the Senator from Tennessee will permit me to do so, I should like to read three paragraphs from the speech of the majority leader, and ask the distinguished Senator from Tennesese if he does not agree with the views expressed by the Senator from Texas.

Mr. GORE. I shall be glad to yield to the Senator.

Mr. SMATHERS. The majority leader said:

> Since 1952, this administration has refinanced $76 billion of our national debt. The refinancing has been at a steadily rising rate of interest.
>
> The result has been a penalty of an additional $1,200,000,000 annual interest payment on the public debt.
>
> If the balance of the public debt is refinanced at the same increase, the ultimate penalty will be $4,500,000,000 a year.

Mr. GORE. I thoroughly agree. Not only do I agree with those statements, but I applaud the distinguished majority leader for making them.

I wish to point out to my able friend from Florida, however, that the end is not yet. Interest rates are going higher and higher because of the determined policy of the administration, and the movement is having adverse effects upon counties and towns that are trying to sell their bonds in order to build hospitals and schools and make other improvements. It is having very adverse effects upon the holders of United States Government securities. I am advised that many small institutions would be insolvent today if their holdings of Government bonds were treated at market value instead of at par.

I say there is something basically and morally wrong when a small institution can "go broke," so to speak, because it purchased bonds of the United States Government.

Mr. SMATHERS. Mr. President, will the Senator yield further?

Mr. GORE. I yield.

Mr. SMATHERS. I should like also to read one further statement made by the majority leader last evening. I believe it coincides with what the Senator from Tennessee is now saying. After talking about the interest rates, the majority leader said:

> This is the issue which it becomes increasingly apparent the Democratic Congress must join. Some way must be found of halting the constantly rising price of money.
>
> We cannot exist indefinitely as a Nation in which the most profitable activity is lending money. Does the able Senator agree with that statement?

Mr. GORE. I agree thoroughly. I hope the Senator will include the whole speech in the RECORD. I am sorry that I missed the dinner last evening. I wanted to attend it, but I had a previous engagement elsewhere. I am delighted to have the Senator read these excerpts, and I hope he will have the whole speech printed in the RECORD.

Mr. SMATHERS. If the Senator will permit me to do so, I should like to offer for publication in the RECORD the speech delivered by our majority leader last evening, which I and others thought so well pointed up the pressing issues which face both our country and our party.

The majority leader discussed not only the question of interest rates, but the question of accepting the challenge and availing ourselves of the opportunity which had been given to us by the Khrushchev broadcast, and the failure we see now on the part of the administration to do anything about getting a breach through the curtain by which we can give to the people of Russia our side of the picture.

I ask unanimous consent that the entire speech of the majority leader be printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JOHNSON OF TEXAS

Mr. Chairman, fellow Democrats, I am greatly honored tonight by this reception from Democrats whose hair is still uncurled by George Humphrey's depression.

Personally, I think this meeting is a tribute to the resourcefulness of the American people. After all these years of tight money, rising interest rates, and the high cost of living, there are still folks who can pay $6 for their dinner.

We had better enjoy this one while we can. At the present rate, it will not be too long before the only $6 dinner available will come on white or rye with mustard extra.

For 14 consecutive months, the cost of living has risen steadily. For 14 consecutive months, the value of the dollar has gone down and down for those who spend it.

But this administration has managed to perform an impossible task. While the value of the dollar has gone down and down for those who spend it, it has gone up and up for those who lend it.

And in the course of this process, the taxpayer has been socked with one of the heaviest financial penalties—and it is a penalty—in our history.

Since 1952, this administration has refinanced $76 billion of our national debt. The refinancing has been at a steadily rising rate of interest.

The result has been a penalty of an additional $1,200,000,000 annual interest payment on the public debt.

If the balance of the public debt is refinanced at the same increase, the ultimate penalty will be $4,500,000,000 a year.

The penalty has been not only higher taxes but higher interest rates on every form of public and private debt. And it has also meant loss of value of Government bonds in the money markets of our country.

Their value has gone down and down until only yesterday some of them were selling as low as 88 cents on the dollar.

And just recently, our Government offered $4 billion at the highest rate in the past 20 years. And it should bring a blush of shame to the face of every American that we were able to sell only about 75 percent of them.

Why? Because the lenders knew that if they just waited a little while longer, they could get a better rate for their money.

For the past 6 months, Treasury issue after Treasury issue has been sold only by increasing the bait. That means increasing the interest rate—apparently to whatever the traffic will bear.

Our Government is skating on thin ice financially and unless the trend is halted there can be no end—other than the legal limit on the cost of financing the public debt.

This is the issue which it becomes increasingly apparent the Democratic Congress must join. Some way must be found of halting the constantly rising price of money.

We cannot exist indefinitely as a Nation in which the most profitable activity is lending.

Neither can we exist as a Nation unwilling to face up to the realities of the modern world.

In the domestic field, our greatest issue is the constantly rising prices of everything—including money. In the international field, our greatest issue is breaking the Iron Curtain that permits the Communist leaders to withhold the truth from their own people.

We cannot break that Iron Curtain by sitting back and waiting for an invitation from the Communist leaders. It will be broken only when we seize the initiative and act boldly and courageously in the spirit of the Founding Fathers.

The broadcast to this country by the Communist leader Nikita Khrushchev should have been seized upon boldly. It should have been welcomed as an opportunity to lead from strength—our strength.

It is not too late and I hope the administration will seize the initiative—and not just leave the advantage to the Russians.

I do not believe that the Communists gained any advantage from the broadcast itself. Khrushchev could not convert the average American into a Sunday afternoon nap—let alone into a Communist.

But the Soviets will gain an advantage if we tell the world that we are too timid and too unsure of ourselves to answer.

The only adequate answer is to press now—right now—for full access to the Soviet people.

The Soviet propagandists are already making hay out of the fact that we did not respond to the challenge. They are telling the people of the world that official circles in Washington have displayed only "uneasiness" at the "favorable reaction" to the Khrushchev broadcast.

Those are the statements that are being made right now over radio Moscow.

There is before us a clear and direct challenge. It is to demonstrate our faith in our own people and our faith in people everywhere.

And we must realize that we will not reach any agreement for disarmament or on control of nuclear weapons until we find a means of cracking the Iron Curtain.

There is only one certain safeguard to any disarmament agreement. It is the opportunity to inform the people of the world of the facts.

The alternative to prying open the Iron Curtain is more months of dreary negotiations that will end in little or nothing. The morning headlines carried the story that Soviet negotiators have poured cold water on the hopes of our representatives for partial agreements on disarmament.

As long as the Communist leaders can conceal the truth from their own people, they can continue to reject reasonable proposals. We must act boldly or resign ourselves to continuing the arms race which threatens disaster.

Mr. MANSFIELD. Mr. President, will the Senator from Tennessee yield?

Mr. GORE. I yield.

Mr. MANSFIELD. I wish to join the Senator from Florida in commending the Senator from Tennessee, not only on the basis of the remarks he has made on the floor of the Senate today, but also for the remarks he has been making for many months about the economic condition and the financial situation which affect our country.

Although the Senator from Tennessee had another engagement last night and could not be with us at the overflow dinner honoring the majority leader, I felt that, as the majority leader spoke, the Senator from Tennessee was there in spirit, because he too has been emphasizing not only the increasingly high rate, but the fact that month by month the cost of living is rising, and month by month the value of the dollar is declining, so that the dollar which was worth about 50 cents, based on its 1947–1949 value, when the present administration took over in 1953, is worth, if my information is correct, about 44 cents at the present time.

Therefore, we have before us what I consider to be the greatest domestic problem of the moment. I again wish to commend the able and distinguished Senator from Tennessee for making that subject one of constant interest so far as the Senate and the country are concerned. By his steady publicizing of our precarious economic position, he is performing a valuable service to the Nation.

Mr. GORE. I am very grateful for the generous comment made by my able friend, the distinguished junior Senator from Montana.

The value of the dollar has steadily decreased for those who spend it, but it has been greatly increased under this administration and by this administration for those who now lend it.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. SMATHERS. In view of the fact that we talk about the high interest rates and the penalty which they impose upon municipalities which seek to finance hospitals, or States which seek to build roads, and then we speak in general terms about the cost to the taxpayer in America, but do not make that point very specific, I ask the Senator from Tennessee, how do the interest rates affect, for instance, the person who buys a refrigerator, a television set, or an automobile, and who customarily does not have sufficient money to pay the full price? What effect do high interest rates have on such persons and the markets for the sales of those particular items?

Mr. GORE. It is a very practical effect. The housewife who buys a refrigerator, a television, or a radio, pays more per month for a larger number of years for the same quality product.

Mr. SMATHERS. So the effect reaches down into every level, even the lowest level; and the interest rate imposes possibly a greater penalty on those having the lowest incomes than it does on anybody else.

Mr. GORE. That is correct. The interest rate adds to the cost of living. In some way, many people have been misled into thinking that the alternative to higher interest rates is higher prices. The record does not sustain that canard.

Mr. TALMADGE. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. TALMADGE. I desire to compliment the distinguished junior Senator from Tennessee on the very great fight he has been making on the continual upward spiral of the cost of money. I desire to associate myself with his remarks, and also those of the distinguished junior Senator from Florida [Mr. SMATHERS] and the distinguished junior Senator from Montana [Mr. MANSFIELD].

As they have indicated, and as our majority leader in his speech last night pointed out, the continued upward spiral in the cost of money has placed staggering additional burdens upon the taxpayers and on the servicing of the national debt. It is impeding and handicapping every State in the Union in the building of adequate schools, hospitals, and roads. It is also doing the same thing to every county and municipality in the Nation.

In addition, every citizen who must, for one reason or another, borrow money, whether it be for the purpose of paying a hospital bill or buying a refrigerator, a television set, an automobile, or a home, likewise has to pay a large sum in the way of interest.

The only ones who I can see are benefiting are the large banks and large insurance companies, which have tremendous assets to lend. The increased interest rates certainly are not benefiting the rank and file of the people.

Mr. GORE. I thank the Senator from Georgia for his observation which demonstrates his keen perception.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. CARLSON. I appreciate the statement made by the junior Senator from Tennessee, and I compliment him upon the fight he has been making on high interest rates. But I wondered, as I listened to some of the discussion, if he was not getting himself into a very inconsistent position. He stated that higher interest rates make the money lenders richer; at the same time——

Mr. GORE. Does the Senator from Kansas deny or dispute that statement?

Mr. CARLSON. But, at the same time, the Senator stated that many of the banking and other lending institutions of the Nation are insolvent. Is not the Senator inconsistent on one point or the other?

Mr. GORE. I do not think so.

To the distinguished Senator from Kansas, I say that different people, and in many respects different institutions, are involved. Those who are pushing up the interest rates are not the small bankers in Kansas. I daresay they are as much concerned about high interest rates as are the small bankers in Tennessee.

The spiral of interest rates is being dictated by concentrated financial interests who are now making fast money, not on the Government bonds sold during the war, with which the banks to which the able Senator referred filled their vaults, but on the new obligations of the towns, counties, States, and the United States Government.

Mr. CARLSON. I am certain the distinguished Senator from Tennessee and I will have plenty of opportunity to discuss this subject fully when we get into hearings in the Committee on Finance. But I assume that even the small banks throughout the country do not want to buy long-term bonds. They do not buy bonds because they are sold at high interest rates. They are trying to get income, although, as the Senator says, they are suffering because of some of the securities in their portfolios. They cannot have it both ways.

Mr. GORE. The able Senator has put his finger on a very vital point. He says the financial institutions do not want to buy long-term bonds any more. They are uneasy about them. They are afraid that by next year bonds bought now will be below par. There is no stability in Government credit. We need to restore confidence in bonds of our country.

Mr. President, I realize that we are in the morning hour and that I must bring this discussion to a close. But I point out to the able Senator from Kansas, with whom it is my pleasure to serve on the Committee on Finance, that the financial statement of the Secretary of the Treasury, which I understand was supposed to be filed with the Committee on Finance at the beginning of his term, is missing from the file. It must be restored and brought up to date.

THE IMPORTANCE OF TUNGSTEN

Mr. MANSFIELD. Mr. President, on three occasions the Senate has acted on a proposal for the appropriation of funds to be of assistance to the tungsten producers and the producers of other scarce minerals in the United States.

At the present time, the latest measure dealing with tungsten is again in the House of Representatives. It is my hope that on this occasion the House Appropriations Committee will take the measure to the floor of the House, for a record, yea-and-nay, vote.

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In this connection, I ask unanimous consent to have printed at this point in the RECORD, an article entitled "Tungsten—A Word for Tomorrow," which was published in the Miles City Star, of Miles City, Mont., on June 10, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TUNGSTEN—A WORD FOR TOMORROW

Continuing efforts of a stubborn group in the House Appropriations Committee to thwart the Mineral Purchase Act of 1953, designed to protect United States production of strategic metals against imports from low-wage foreign countries, assume graver proportions as new Communist diversions appear in Formosa, in Japan, in Latin America, and the Red threat continues to grow in Korea.

The purpose of the act originally passed in 1953 was extended by new legislation in 1956, authorizing the expenditure of $91 million for the purchase of tungsten, fluorspar, columbium, tantalum, and asbestos through 1958. But the extension merely authorized the expenditure, it did not appropriate the money, just before adjournment, Congress appropriated $21 million for the balance of 1956, promised $30 million more for 1957, and the balance of $40 million for 1958.

Since 1953 America has been able to develop a tungsten mining industry capable of making us independent of foreign sources—in Red China, Korea, and elsewhere behind the Iron Curtain or close to it—sources that hostilities would quickly cut off. But, since January, and at a time when tungsten is fast becoming our most critical defense material, there has been no money. Most of our tungsten mines are closed, others are closing, and hard-rock miners are idle or drifting away to other jobs.

Three times the Senate has sought to keep faith on the promise of 1956. Twice that wilfull group in the House committee has cut the $30 million strategic-minerals item out of the $300 million urgent deficiency appropriations bill. At this writing, it is back in committee, among those who are deaf to the earlier pledges of their honorable body, and blind to the facts of defense. This obstinate opposition has claimed that but 20 pounds of tungsten is used in a modern jet engine when the fact is nearer 145 pounds (in the J-57). To produce the higher temperature engines of the future, and the planes they will drive above Mach Two, alloys of 50 percent of tungsten or more are the engineers' best bet to crack the heat barrier. In the light of predictable demand the 6-year stockpile of last June is now estimated as sufficient for a year and a half. When it takes 1,500 pounds of tungsten to build a 5,000-pound engine, a year's production could use up as much of this metal as was mined in the United States in our best year.

Tungsten is synonymous with tomorrow. And the gentlemen of the committee must let us have a tomorrow—even if it does cost $30 million.

PROSPECTIVE CURTAILMENT OF POSTAL SERVICE

Mr. CARLSON. Mr. President, during the past few days I have received a large number of letters from citizens in Kansas and other sections of the Nation in regard to a proposed reduction in mail service, effective July 1.

The Postmaster General has stated that unless Congress votes additional funds for the operation of his Department, it will be necessary for him to curtail some of our present mail service.

The people who write me state that the closing of post offices on Saturday and the elimination of Saturday delivery service will result in great inconvenience and hardship to our citizens. I share this view, and cannot conceive that we in Congress will not give the Postmaster General sufficient funds to carry on the Saturday mail service.

The Saturday rural delivery service means much to our rural population, and it is unthinkable that Friday's newspapers would be received on Monday morning.

The Postmaster General also advises us that if funds are not made available, it will be necessary to close approximately 2,000 fourth-class post offices.

While it is true that in many instances the fourth-class post offices do not serve a large number of individual patrons, they are important adjuncts to rural community life; and I sincerely hope it will not be necessary to force a general closing of these offices. In many instances, if these post offices should be closed, rural citizens would be required to drive miles, in order to take advantage of other post-office services, such as mailing packages by parcel post, securing money orders, and registering letters.

Earlier this year, when the Postmaster General was confronted with the same situation, he found it necessary to curtail several operations of the Post Office Department. Congress acted at that time, and I hope it will not be necessary to have a repetition of that situation.

At that time the Postmaster General, in addition to the curtailment of Saturday delivery service and other phases of the mail operation, placed an embargo on the delivery of third-class mail. At the time, I questioned the authority of the Postmaster General to embargo the delivery of any class of mail.

It is my contention that once a patron of the Post Office Department buys a stamp, he has entered into a contract with the Department to deliver the mail on which the stamp is placed, and that goes for third-class mail as well as first-class mail.

I know the Postmaster General does not want to curtail any of the services our citizens want, but he is caught between an anti-deficiency statute which Congress has passed—providing penalties for expenditures of funds in excess of those voted by Congress—and insufficient funds to carry on full operations of the Department.

I cannot stress too strongly the urgency of securing early action on sufficient appropriations to give our people the mail service they want and are entitled to.

CREATION OF PERMANENT UNITED NATIONS PEACE FORCE

Mr. JAVITS. Mr. President, I have joined with a group of my colleagues, both Republican and Democratic, in sponsoring Senate Concurrent Resolution 29, which calls for the creation of a continuing United Nations force similar in character to the United Nations Emergency Force now on duty in the Middle East.

It is the hope of the sponsors of the resolution that at this session the Senate Foreign Relations Committee will hold a hearing at which the many problems inherent in this proposal can be discussed by persons both in and out of Government. Eventually, a permanent force will be created within the United Nations. It would be extremely helpful if the Congress could make a study of the problem and come up with recommendations for use by the United States delegations to the United Nations.

There recently appeared in the Post-Standard, of Syracuse, N. Y., a letter written by Paul Shipman Andrews discussing resolutions of a similar nature introduced in the House. Mr. Andrews is a distinguished leader of the bar in Syracuse. He is former dean of the Law School of Syracuse University, former chairman of the New York State Law Revision Commission, former assistant attorney general of the United States, a soldier, statesman, and scholar.

Mr. President, I ask unanimous consent to insert in the RECORD the letter written by this distinguished Syracuse attorney.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Syracuse (N. Y.) Post-Standard of May 28, 1957]

To the EDITOR OF THE POST-STANDARD:

May I call your attention to two House concurrent resolutions introduced on May 2; No. 165 by Representative A. S. J. CARNAHAN, and No. 166, an identical resolution, introduced by Representative PETER FRELINGHUYSEN.

Both of these propose support for a permanent United Nations police force, to be specially trained, armed, and equipped, for such duties as observation and patrol.

I have talked about the proposal for a United Nations police force with some scores of persons from points on the east coast and as far west as Minneapolis, as well as here. In the case of Minneapolis, Chicago, Cleveland, and Akron, this was as late as last week.

Every one of them without exception, understood how the events in the Middle East since last October, and recently in Jordan, demonstrated the necessity for such a police force, favored it, and recognized its urgency.

In my opinion and in that of wise and informed men to whom I have talked it would be a substantial step toward maintaining peace in the time of tensions through which we are passing, which may last at least for some years to come.

PAUL SHIPMAN ANDREWS.

SYRACUSE.

THE PASSING OF THE RIGHT REVEREND MONSIGNOR PETER E. BLESSING, D. D.

Mr. PASTORE. Mr. President, the city of Providence, R. I., mourns today the passing of a great citizen and a great churchman, the Right Reverend Monsignor Peter E. Blessing, D. D.

At the time of his death, he was vicar general of the diocese of Providence and pastor of the Roman Catholic Church of St. Michael the Archangel, a church with a proud history that began just 100 years ago this month of June.

For more than half of that century—for 58 years—Monsignor Blessing has been a priest whose parish was truly the entire diocese of Providence, since his participation in public causes was not limited as to creed. Gifted of voice and personality, his friendliness and philosophy graced thousands of occasions and his admirers were of every faith and color and class.

Because of his unusual powers, privileges and even preferences—because of his attachment to the education work of the diocese of Providence which is coextensive with the State of Rhode Island, because of his particular devotion to fraternal and organizational interests—multiplied by the golden years of his service, Monsignor Blessing has had more friendships with more thousands, probably, than any other personality in the history of our State.

He has been the counsel of the lowly and he has had the confidence of the mighty. Time and again, the bishops of Providence to whom he owed obedience have honored him with responsibilities and dignities in keeping with the dimensions of a great and growing diocese. They reach their fullest in the honors he has enjoyed from the present bishop of Providence, the Most Reverend Russell J. McVinney.

His highest honor he has held longer than any priest of our diocese—the office of vicar general. As vicar general—on 3 different occasions in his 58 years of service, as bishop succeeded bishop—Monsignor Blessing has exercised the authority and been endowed with the responsibility of that exalted command—the direction of the diocese of Providence.

Rhode Island records a great loss in the passing of such a noble figure.

Monsignor Blessing has been an apostle of light, an archangel of leadership, a commanding figure of years of war and days of peace. We are a fortunate Rhode Island to have possessed so devoted a citizen. We are a happy State to have known so kindly a shepherd to his flock.

If ever a name was divinely inspired, it was that of Blessing. Affectionately, we called him "our Peter" and no one will think me sacrilegious if I speak of our Peter as a rock upon which he built citizenship in its finest expression—humility and charity as a symbol of our society; truth and tolerance as seeds planted in fertile ground; peace and patriotism as the harvest of our firesides.

All Rhode Island prays for Monsignor Blessing.

May he rest in peace.

THE BRICKER AMENDMENT

Mr. WILEY. Mr. President, while we are approaching the conclusion of the debate and voting on the vital mutual security bill, it is well to note that an important step—a well-merited step—was taken this week on behalf of sound constitutional principle and sound foreign policy. The Supreme Court dealt another well-merited blow against unwise attempts to tamper with the Constitution by needlessly and dangerously amending the treatymaking provisions.

The Court once more affirmed the Constitution and its Bill of Rights as the supreme law of the land.

I send to the desk a brief statement on this subject, and ask unanimous consent that it be printed at this point in the body of the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SUPPLEMENTARY VIEWS OF SENATOR WILEY

Once more the case for opposition to what has come to be known as the Bricker amendment has been completely confirmed.

On Monday of this week, Justice Black, in an opinion on the case of two service wives overseas who had killed their husbands, fully backed up contentions which I and others have made down through the years. The Court's opinion freed the two wives, declaring that they had been denied their constitutional right to a jury trial.

NO AGREEMENT CAN VOID CONSTITUTION

Justice Black rejected the Government's claim that military trials for the two women were authorized by agreements with Great Britain and Japan.

"The obvious and decisive answer to this," Justice Black wrote, "is that no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government, which is free from the restraints of the Constitution."

This is precisely what we who opposed the Bricker amendment have contended all along.

As a matter of fact, it is precisely what the Supreme Court has ruled in every single case involving this treaty-Constitution issue throughout the entire length of American history.

Never has the Court held otherwise.

I note, however, that my good friend, the senior Senator from Ohio, now asserts that somehow the Court's comment allegedly help chances for passing his proposed constitutional amendment to limit the President's treatymaking power.

Senator BRICKER asserts that while he approves Justice Black's language, it is not binding for all time on the Supreme Court. My industrious colleague maintains, therefore, that the Congress must enact his amendment in order to clarify the supremacy of the Constitution over treaties.

SHALL WE HAVE A CONSTITUTION WITH 1,000 AMENDMENTS?

Actually, no further clarification is one bit necessary. For my friend of Ohio to contend that some day the Supreme Court might possibly reverse itself would be equivalent of saying that "some day a thousand other types of legal events might indeed occur," and that, therefore, we must write a constitutional amendment so as to cover every one of these contingencies.

Some day, someone might propose (for example) that the Congress cut off appropriations from the judicial branch because of pique at some particular Court decision. But that is no excuse to write a constitutional amendment against that very improbable danger.

On the contrary, far from being unusual, the long unbroken line of past Supreme Court decisions is in complete conformity with what Justice Black, writing the Court decision, held on this particular issue on Monday.

The Justice rightly pointed out that if the Congress doesn't like some provision of a treaty of executive agreement, it can nullify it simply by passing a superseding law.

What more do we need? Actually, we have a whole series of other legal protections, as well, against abuse of the treaty power.

I repeat—if we were to try to write a constitutional amendment so as to cover the possibility that the Supreme Court might reverse itself on various constitutional issues, we might end up with a Constitution 1,000 amendments long.

Actually, one of the great strengths of our Constitution is that it is so comparatively short and flexible. We have wisely resisted the tendency to encumber the Constitution with dozens of unneeded amendments.

In the last few Congresses, there have been an average of 125 new constitutional amendments proposed. But, fortunately, Congress has had the wisdom to refuse to tamper with the supreme law of the land and needlessly extend its length.

In effect, the Supreme Court's decision on Monday says:

The Bricker amendment is not necessary.

It was not necessary before the decision Monday. It is not necessary now. And I doubt if it will ever be necessary in the future.

The amendment should not be brought up on the Senate floor for consideration, because there is no need for it.

WASHINGTON POST EDITORIAL

As the Washington Post said in its Wednesday, June 12 editorial:

"In some respect the most significant pronouncement of the four justices was an assertion that no treaty adhered to by the United States may encroach upon the Constitution. The Government unwisely contended that the act permitting military trials for the dependents of servicemen could be defended as legislation which is necessary and proper to carry out this country's obligations under the status of forces treaties with Japan and Great Britain. To this the four justices emphatically replied that 'no agreement with a foreign nation can confer power on the Congress, or on any other branch of Government, which is free from the restraints of the Constitution.'

"For several years Senator BRICKER has been attempting to drive through Congress an amendment to the Constiution limiting the President's treatymaking powers with the argument that treaties may override the Constitution. At least four justices say emphatically that there is no such danger. No doubt other justices would have joined in this conclusion if they had thought the issue was properly before the Court, for the Court has made similar pronouncements in the past."

Let the treaty-paralysis amendment remain, therefore, in committee, rather than take up more time on the Senate floor—time which had best be reserved for genuine, not imaginary or hypothetical, issues.

RUSSIAN TRANSPORTATION OF LITHUANIANS TO SLAVE LABOR CAMPS

Mr. KENNEDY. Mr. President, June 13 and 14 have been set aside by Lithuanian Americans to honor the memory of those Lithuanians who have been deported to Soviet Russia and to slave labor camps in the Arctic and Siberia.

It was 16 years ago, in June of 1941, that the Soviet Union occupied the Baltic States and packed off thousands upon thousands of citizens, many never to be heard from again. Many are still in exile. Unknown numbers have died, and Baltic families to this day are broken up with little hope of ever being reunited.

Three years ago the Select Committee To Investigate the Incorporation of the Baltic States into the U. S. S. R. of the House of Representatives heard testimony of hundreds of eyewitnesses, and and issued the following report:

The U. S. S. R. has been and is now engaged in a ruthless program of sovietization

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in Estonia, Latvia, and Lithuania, employing the well-known Communist tactics of arrest and detention without cause, torture chambers, mass deportations to slave labor camps, population transfer, and wide-scale political murders.

After a detailed analysis of the facts, the committee concluded:

The evidence is overwhelming and conclusive that Estonia, Latvia, and Lithuania were forcibly occupied and illegally annexed by the U. S. S. R. Any claims by the U. S. S. R. that the elections conducted by them in July 1940 were free and voluntary and that the resolutions adopted by the representing parliaments petitioning for recognition as a Soviet Republic were legal, are false and without foundation in fact. (Third Interim Report, 1954, p. 8.)

Mr. Khrushchev recently appeared on American television screens to proclaim the good will of the Soviet Union toward the rest of the world, and his belief that the Soviet's aim of communization of the whole world can be carried out without violence or enslavement of peoples. Let him demonstrate his sincerity by first returning to freedom these unfortunate peoples of the Baltic States.

No action of the Soviet Union has shocked the free world more than the practice of genocide which Russia has carried out so boldly. We take these 2 days of prayer and special services to reaffirm our pledge to the Lithuanian people that the victims of Soviet tyranny will not be forgotten.

INCREASED TRADE WITH RED CHINA

Mr. BUTLER. Mr. President, the controversy with respect to trade with Red China is again with us, and has been intensified by the recent action of the United Kingdom, which I consider to be ill advised.

In this connection, Assistant Secretary of State for Far Eastern Affairs, Walter S. Robertson, made a number of pertinent observations in the course of his recent commencement address to the graduates of Duke University—which I ask unanimous consent to have printed in the RECORD as a part of my remarks.

Also, Mr. President, I ask that Mr. James Reston's background article entitled "United States and China Trade," as it appeared in the New York Times on June 4, 1957, be printed following the address.

There being no objection, the address and the article were ordered to be printed in the RECORD, as follows:

GRADUATION RESPONSIBILITIES

(Commencement address by the Honorable Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs, at Duke University, Durham, N. C., June 3, 1957)

President Edens, members of the faculty, members of the graduating class, distinguished guests, ladies, and gentlemen, when he was a young man, John Barrymore wrote a letter to his brother, Lionel, observing that, while he was not a confirmed reader of the calendar, it had come to his attention that he had that day reached his 21st birthday. Similarly, it may be assumed that you who belong to the class of 1957, while perhaps not having been slavishly addicted to the curriculum during the past 4 years, will not have failed to note that today is your graduation day.

It is, I am sure, a very happy day for you. May I add my felicitations to those you have already received. I should like to say also how glad I am to be with you today. It is always very pleasant to talk with youth. It is like being up early in the morning. A cynical voice inside may tell you that the day ahead is not going to be very different from other days. Nevertheless you feel a glow of anticipation.

It is impossible to look at a youthful audience like this one without feeling hopeful. And perhaps there are very good grounds for hope. At least you are going to start out knowing more than your predecessors did about some very important things. When the generation which is now at the controls came of age, the American people considered their continent as set almost wholly apart from the Old World and from its interminable diplomatic maneuvers, national jealousies, and fratricidal wars. Even Woodrow Wilson, whom we recall as a great internationalist, did not once refer to foreign affairs in his first inaugural address. It required two world wars and a frightful toll in blood and in treasure to make your grandfathers and fathers understand that the United States had very great responsibilities in the world as a whole. It is easy for you to understand this; you have grown up with that knowledge. It would probably be difficult for you to imagine otherwise.

The whys and wherefores of responsibilities are difficult to define. About all we can say of them is this—responsibilities seem to be apportioned among men and among nations in strict accordance with their ability to bear them. You can say that providence has arranged it so or that it is a matter of definition. Our capabilities and our responsibilities are always in exact balance. It is like double-entry bookkeeping: every time you acquire an asset, you acquire a matching liability. We may say that all human progress is the result of men devoting their capabilities to the discharge of their responsibilities.

All the needless strife, bloodshed, and suffering that has made human history to so considerable an extent a thing of horror have resulted from men's failure to do just that—from their inability to perceive, and their predilection for ignoring, their responsibilities. The willingness to face up to responsibility is the test of maturity among men and among nations. The United States is facing this test in an acute form in the world today. And you on this, your graduation day, are acquiring as adult Americans opportunities and responsibilities probably greater than those that have ever fallen to the lot of any people in history. Charles Dickens, in what is perhaps his most frequently quoted passage, said of a period almost 200 years ago: "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness * * *, it was the season of light, it was the season of darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us." It was, he concluded, a period very like the one in which he was then living 100 years later.

In the face of Dickens' assertion that all ages were alike in combining the best good and the worst evil, the brightest promises and the direst threats, and that each age thinks itself unique in such a paradox, one hesitates to claim this character especially for one's own. Yet Dickens himself, as much as anyone, would surely be overawed by the extremity of the alternatives that confront us in the middle of the 20th century. Scientific discovery and invention are continually opening up new possibilities and they are doing so at a rate of progress that seems to be constantly accelerating. This progress is not only rapid; it appears to be gathering speed. Each year we see ever greater possibilities more clearly before us.

On the one hand, we can perceive ahead of us an age of plenty in which poverty and disease will finally have been conquered: we shall have come to control our environment, our horizons shall have been extended deep into the heart of matter and far out into space. On the other hand, we can perceive as an equally plausible possibility the destruction of civilization—conceivably life itself—by atomic devastation and the poisoning of the atmosphere or, if that is avoided, possibly the triumph of a barbarism of the spirit welling up in modern totalitarian form that could overwhelm our civilization as Rome was overwhelmed by a more innocent barbarism, ushering in a new Dark Ages.

Whether, as Dickens put it, we are all going direct to Heaven or are all going direct the other way is likely to be decided primarily by the way the United States exercises the leadership that has inescapably come to rest upon it. We have stanch and powerful partners in the trials we are having to meet and shall go on having to meet—the vast majority of nations that share our values. Indeed, we have as a potential ally the mass of mankind whose hopes and longings depend upon us for their fulfillment more than upon anyone else.

Recent dramatic events in the great ideological struggle through which the world is now passing have been centered in the Middle East. There is a reason for this and an equally cogent reason why, from time to time, the backdrop of world drama will shift as international communism continues to probe for weak spots in the free world's armor. As the Far East is the area of my official responsibilities, it is there that I propose to ask your attention while I endeavor to develop the theme of America's responsibilities, responsibilities which on this day become your own.

For the sake of our discussion today, I shall ask you to visualize the Far East as a place where two forces are in collision, like two air masses of opposing character that meet in what I believe is called an occluded front. This kind of front, if I am not mistaken, is characterized by rain, hail, sleet, lightning, and thunder.

In the Far East, the front reaches from Japan and Korea through southeast Asia, from whence it extends to Kashmir and Afghanistan. On almost all parts of its 7,000-mile length there are turbulences of one kind or another.

At the risk of overdoing our image, we might say that the warm air mass represents the resurgence of Asia, the movement of the Asians to throw off foreign rule and foreign domination; to catch up with the 20th century; to win recognition and respect for their importance; to realize their capabilities; to achieve tolerable conditions of life for their oppressed, ill-nourished, illiterate fellow beings; and, above all, to achieve the right to be themselves and to be answerable only to themselves. The other air mass, pushing its cold wedges down from the north, represents the force of aggressive, expansionist world communism, the object of which is antithetical to the object of the Asian revolution. If successful, it would bring the whole vast Asian world into the icy grasp of an alien tyranny.

The results of this collision will influence the climate of the world for as far into the future as we can see. Up to now, the cold air mass, relying at times upon assault and at others upon insinuation, has overspread mainland China, Tibet, North Korea, North Vietnam, and North Laos, and has established pockets out ahead of the front in many areas. It has also had signal reverses. It overreached itself in Korea and was thrust back at heavy costs to the Koreans and to us, but at even heavier costs to itself. Its bids for control in Formosa and most of southeast Asia have so far been frustrated.

Far Eastern policy has been a subject of particular controversy in the United States.

In certain camps it is today. However, I believe that the vast majority of our countrymen is now pretty generally of one mind in its appraisal of the situation in the Far East and its meaning for us. At long last I believe it is generally recognized that the Communists are dedicated to the proposition that in the long run it must be we or they, the Free World or their world. This position was made clear long ago by Lenin. He wrote: "We are living not merely in a state but in a system of states, and the existence of the Soviet Republic side by side with imperialist states for a long time is unthinkable. One or the other must triumph in the end. And before that end supervenes, a series of frightful collisions between the Soviet Republic and the bourgeois states will be inevitable." And I believe we also recognize that having been frustrated in Europe by the Marshall plan and the North Atlantic Treaty Organization, the Communists have been giving major attention to the Asian world, from Japan westward all the way to the Near East. The situation in this vast area has offered them distinct advantages. What are these advantages? Broadly speaking, they are twofold.

On the physical side, there is the Communists' possession of the great base of operations offered by Russia and mainland China, to which the rest of Asia is geographically peripheral. Just as the position Russia achieved in Manchuria at the end of World War II gave the Communists an invaluable base for operations against China proper, so the addition of mainland China gives them an invaluable base for operations against the rest of Asia. It has given them, moreover, an army of perhaps 2½ million men and exposed the Chinese minorities in southeast Asia to Communist penetration and intimidation. These minorities number between 10 and 12 million or more and play a key role in the economic life of the countries in which they live.

On the psychological side, Asia has offered the Communists the opportunities that an absolutist, ruthless, highly disciplined, self-sure movement always finds in a situation of widespread disorder of insecurity, doubt, confusion, discontent, and suffering. But the greatest psychological advantage the Communists have reaped arises from the fact that the Asians had traditionally looked upon Western Europe as the outstanding obstacle in the way of their revolution. It was European domination and European privilege that in the eyes of the Asians blocked the avenues of advance to a more rewarding and self-respecting future. By contrast, the Communists were in their eyes fellow revolutionaries and allies in the struggle with western imperialism. In one sense it has been asking a great deal of the Asians to expect that they would be able, in the short period since World War II, to see the West as an ally of their revolution and Communist imperialism as the outstanding threat to their new independence.

Perhaps the remarkable thing is not that many Asians have been unable to readjust almost overnight to the radically altered circumstances of the present, but that so many have done so.

The Communists, although absolutely fixed in their thinking with respect to ultimate objectives, are notorious improvisers in strategy and tactics. For this reason a discussion of Communist blueprints of action is therefore generally fruitless. We are justified in surmising, however, that what the Communists are now aiming at is to utilize their assets in China to gain control of southeast Asia with its strategic resources and its rice surpluses on which Japan depends. They would then dominate Japan's natural trading area and be able to dictate the terms on which the Japanese could make a livelihood. Completing the consolidation of their control over the whole Asian world, with its manpower, resources, and industry, (Japan's industrial capacity is now 50 percent of that of the Soviet Union) they would be able to turn upon the Middle East and Western Europe with great strength and formidable prestige. This latter element—the factor of psychological momentum—is one that we should never underestimate. Success—as Hamlet said of appetite—grows with what it feeds on, and resistance which could stand off 10 or 20 or 100 divisions may crumble before a name.

It is well to recall Lenin's blueprint for world domination:

"First we will take Eastern Europe, then the masses of Asia. Then we will surround America, the last citadel of capitalism. We shall not have to attack. She will fall into our lap like an overripe fruit." His blueprint has been followed with clocklike precision by his disciples. Starting from zero in our generation, the International Communists now hold in a grip of ruthless power 16 nations, 900 million people—a circumstance recently described by the Secretary of State as "the most frightening fact history records."

Faced with these ugly facts, we have become increasingly aware that Asia must be held against the pressures of all kinds the Communists are bringing to bear against it.

However, it is only the Asians who can hold Asia. That statement does not lose force if we go on to recognize, as we have recognized, that the Asians need our help. This help we have been giving and are continuing to give to those who are seeking to preserve their national independence. First, we have been helping with the military defense of Asia. Our major assistance has gone to those countries under the most pressing threat. We have contributed substantially to building up effective military forces in the Republic of Korea, Taiwan, and the Republic of Vietnam. In our view, those forces serve to defend not only those three areas but the whole of free Asia. The presence of competent military forces anywhere on our side of the Iron Curtain in the Far East must make the Communists that much more reluctant to attack overtly anywhere else. The military forces of the Republic of Korea, the Republic of China, and the Republic of Vietnam are defending the countries of southeast Asia, as well as their own countries, simply by maintaining their present impressive capabilities—even if they never budge from their present positions or fire a shot. The long-range American striking forces called for by our present strategy of defense are also calculated to deter aggression by the mere fact of their existence.

Now it is essential of course for the Asians to have something to fight with, but it is even more important for them to have something to fight for—or rather for them to realize how much they have to fight for, including the chance to achieve something better. However, it is much easier for us to provide weapons, however costly the operation may be, than to provide conviction and faith. You may ask whether the Asians do not recognize that any people menaced by communism have everything to fight for, above all for their independence. My answer would be that the Asians are passionately attached to their independence. I would further submit that the vast majority of Asians are profoundly opposed to what communism consists of. I would even hazard the guess that nowhere in Asia, including China and Vietnam, could Communists, running as such, poll as heavy a percentage of the vote in a fair election today as they have in parts of the West. But I would also point out that while a growing knowledge of realities in the Communist world has gone a long way in disabusing the Asians—as it has the rest of the world—of illusions about communism there are still many Asians who do not know what communism is and who accept its pretensions uncritically, deriving no small satisfaction from the discomfiture the Communists apparently cause the West. For those Asians who have had experience of Western overlords and of feudal overlords of their own but who have seen nothing of Communist tyranny, it is not unnatural to think of communism in terms of economic and social radicalism—which is appealing to them—rather than in terms of Soviet Russian and Communist-Chinese reactionary imperialism. At the same time, most of the population of Asia is living in circumstances that even by Asia's own pathetic standards are desperate.

This means that the Asian revolution, insofar as it is a nationalist revolution, is today living on borrowed time. An improvement has got to be shown in the conditions in which the vast majority of Asians live. Such an improvement cannot be taken for granted. Human beings cannot be expected to submit to starvation because they are told that communism would be worse.

What the United States is trying to do in the economic field is to extend aid and technical assistance where it will count for the most, where the economic and social structures of the new Asian nations are weakest. We cannot give aid of a magnitude that would industrialize Asia in a matter of years or cause dramatic changes in the standards of living of 700 million people. But we can help bring about specific improvements—say in transportation systems, in small industries, in public administration, in agricultural methods, in the diversification of production—we can help to create a constructive atmosphere, an atmosphere of hope, a climate of confidence in free Asia's present nationalist, moderate leadership. Further, we can take the lead in reducing those arbitrary barriers to the wider development of Asia's resources and the world's resources—high tariffs, quota systems, and the like—by which a nation seeks to live in a world apart when the survival of all depends on common effort.

Any illusions we may have that the Communists would genuinely like to reestablish peace and relieve sources of friction on any terms other than the progressive destruction of our world should be dispelled by a knowledge of the vilification and abuse that the Communists are constantly pouring upon us.

It is important for us to keep constantly in mind the fact that the Asians are continuously exposed to this unceasing barrage of anti-American propaganda. The objective, of course, is to picture the United States as the archenemy of everything the Asians are struggling for. Actually, the United States emerges from Communist propaganda as having all the essential features of international communism. The chief effect is probably not so much to win friends for communism as to strengthen the view of some Asians that the two sides in the cold war are equally overbearing and equally wrong and that therefore they, themselves, can stand aside from the conflict. This is a comforting notion, bringing release from all responsibility.

I always have two reactions to neutralist views. First, I wonder how we can make clearer the origins of the cold war and the reasons for programs of American foreign aid. It is so clear to us that the United States has come into conflict with the Communists not because we have any desire to extend our influence beyond our borders, not because we have been immediately and directly threatened by Communist imperialism, but because we have responded to requests for assistance from those nations which, neighboring on the Communist world, have been immediately threatened.

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It is hard to see how the facts could be made plainer. My second feeling is one of curiosity as to whether the neutralists ever stop to wonder what would happen to them if we followed their example and also stood back from the conflict between Communist imperialism and the rest of the free world and allowed nature to take its course.

However, we must not be too discouraged by neutralist sentiment in Asia. We must remember what our objective is. It is not to achieve popularity or win admirers. Our purpose is to see that the independence of the Asian nations is preserved and that they are able to stand on their own feet. Moreover, it would not be very becoming to us to be too shocked by the phenomenon of neutralism. We must remember that for the first century and a half after our own achievement of independence, our foreign policy was devoted to keeping out of the affairs of the Old World and keeping the Old World out of the affairs of the New.

Fortunately for us, during our first century, we were geographically remote from the theaters of major conflict—unlike the Asians today—and mercifully were threatened with no such worldwide conspiracy as the Communist International. And further, the security of the Western Hemisphere had an effective defender in the form of the British Navy. Nevertheless, we were too long in discovering that in the 20th century no nation is geographically remote. We learned in 1917 and again in 1941 that for nations today, the cost of escaping involvement in a world at peace is apt to be involvement in a world at war from which they cannot escape.

It is to avoid a repetition of two world wars that we are now striving to help develop in the free world, east and west, a strength sufficient to stay the aggressor's hand. It is to avoid having once again to fight to the death for our survival in circumstances of the aggressor's choosing—in a war that this time we could not see the end of. It is our responsibility to contribute all we can to the creation of that strength because without us it cannot be created. It remains our responsibility no matter what anyone says about us—enemy, friend, or neutralist. And we may be sure that the more we succeed in acquitting ourselves of this responsibility, the more vituperations we shall have from our enemies—who will see their opportunities fading—the more frankly our friends will speak their minds, and the sharper the criticism will be from some of the neutralists. That will all be evidence that we are achieving our ends.

We are fond of saying in speeches that we must help in the defense of freedom everywhere because it is in our self-interest to do so, because, so long as freedom is in danger anywhere, our own is not safe. That is quite true. I find it tiresome, however, and unworthy of us to invoke exclusively our own self-interest. Our responsibilities are not primarily to ourselves but to the past and to the future. Our freedom was bought not at Yorktown and Midway alone but on a thousand battlefields from Thermopylae to the Marne, Lake Ladoga and the skies of Britain. Our material possessions go back to Archimedes, the Arab algebraists, and Galileo. We Americans, unlike the Russians, did not invent everything. Much of the inspiration of our art and our religion is to be found among the ancient peoples of the East.

As we look about us at our heritage of incredible blessings, spiritual and material, and at the magnificent continent we inhabit, we must continually remind ourselves how much we owe not only to our own efforts but to our forefathers, to other peoples, and to Providence. This is a debt we can repay only to the fellow inhabitants of our world and to the future. For my own part, I feel that nowhere more than in Asia, where so many are struggling against such heavy odds for one-hundredth part of the rewards we take for granted, will assistance from us be productive of important returns for all mankind. All nations have immense responsibilities today. As the structure of civilization grows more complicated and integrated and more charged with explosives, its tolerance of mistakes grows less and less. A reckless policy by a single nation—even a small one—can do far more damage today than it would have done 50 years ago. The latitude we can allow ourselves is particularly limited because we carry so much weight. Our responsibilities are greater than anyone's because we have more to give. Other nations when hard pressed and in desperate need of support can look behind them and find us there. And the postwar years have shown that other peoples in their extremity do not look to us in vain. But behind us there is no one. It all stops with us. If we fail, there will be no one to fill the breach. That suggests the nature of our responsibilities.

And with one further word on the general subject of responsibilities I shall end: the only way to get rid of responsibilities is to discharge them.

[From the New York Times of June 4, 1957]

UNITED STATES AND CHINA TRADE: A STUDY OF THINKING BEHIND DIFFERENCES IN POLICY IN WASHINGTON AND LONDON

(By James Reston)

WASHINGTON, June 3.—Britain's decision to increase her trade with Communist China has not had the slightest effect on the thinking of the top officials here who are principally concerned with planning United States China policy.

If anything, London's move to ease the embargo on trade with Peiping has merely hardened the belief of these officials, particularly Walter S. Robertson, Assistant Secretary of State for Far Eastern Affairs, in the importance of maintaining Washington's total trade embargo.

Here is the theme these officials are now developing:

The objective of the Communists in Asia, as Mr. Robertson said in a commencement day address at Duke University today, is the conquest of all southeast Asia and Japan. And if we fail to stop them, he added, "there will be no one to fill the breach."

Under these circumstances, sending machine tools and other strategically important goods to Communist China is equivalent to the prewar policy of sending scrap iron and high-octane gasoline to the dictators of prewar Japan.

The United States must keep effective military forces in South Korea, Taiwan (Formosa) and South Vietnam, for these forces not only help maintain the independence of the areas where they are stationed but help defend the whole of free Asia.

Some elements of the press are giving the impression that the present administration's China policy is highly controversial in the United States, whereas no other aspect of United States foreign policy is so widely supported as the present China policy.

NOT DEVOID OF CONTROVERSY

This does not mean that the administration's China policy has not produced a great deal of controversy and second thoughts here, particularly since the anti-American rioting in the Chinese Nationalist capital recently, but it does mean that State Department officials are saying there is very little controversy.

In support of this, Mr. Robertson pointed out in a recent speech in Bloomington, Ill., that the Kelly resolution, opposing the recognition and United Nations membership of the Peiping regime, passed the House of Representatives, 391 to 0, and the Senate, 86 to 0. This was cited by Mr. Robertson in support of his contention that the present China policy had stronger political support here than any other.

Despite these statements, however, the administration in general and Mr. Robertson in particular are visibly worried about possible cuts in military and economic aid for Formosa, South Korea and South Vietnam.

The official line now is that "the [Nationalist] army on Formosa [Taiwan] of some 400,000 men, trained and equipped by the United States, is a powerful deterrent to Communist overt aggression in Korea and elsewhere in Asia. If Formosa should fall to the Communists, Japan, the Philippines and all of Southeast Asia would be seriously threatened."

NEWS BAN MAY BE CHANGED

Only on the question of permitting some United States reporters to go to Communist China is there any evidence of modification of Washington's Asia policy. Current discussions in the State Department may lead before long to a temporary and limited lifting of the ban on firsthand reporting by Americans on the mainland of China but elsewhere the policy remains the same.

On the British decision to put its trade with Peiping on the same basis as trade with Moscow, the State Department issued a formal statement saying: "The United States is most disappointed by this action. * * * For its part, the United States contemplates no change in its policy of total embargo on trade with Communist China."

There is strong feeling in the State Department on two aspects of this problem. The first is against the British for going against what the State Department feels was the sentiment of most of the governments concerned for the maintenance of a tougher trade policy toward Peiping than toward Moscow.

The second is a feeling of resentment in the State Department toward the press for what Mr. Robertson regards as a failure to give adequate display to the official statement of the United States on the trade-with-China question.

Mr. Robertson is speaking a great deal in public and in private and repeating statements that emphasize the unchanging attitude of the United States Government toward Peiping.

Here are a few representative quotes from the published texts of his recent speeches:

"Let no one say we are denying representation of 600 million Chinese. The defiant Marxist imposters in Peiping come no closer to representing the true interests, aspirations and will of the Chinese people than William Z. Foster, [leader emeritus of the United States Communists] comes to representing the will and aspirations of the American people."

"Our Government is opposed to any action which would create international prestige for this Peiping regime * * *."

"The National Government [of China] is a symbol, the only rallying point in the world for non-Communist Chinese, the only alternative to communism for millions of Chinese on the mainland and throughout southeast Asia.

"If the National Government should be liquidated, some 12 million overseas Chinese would automatically become citizens of Red China and potential cells of infiltration and subversion against the governments of the countries where they reside."

The PRESIDING OFFICER (Mr. CORTON in the chair). Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, we have worked out a unanimous agreement in an attempt to accommodate the Members of the Senate. Under that consent agreement we have 3 hours on the bill, to be equally divided and controlled by the majority and minority leaders. We try to work very cooperatively together in regard to the allocation of that time so that we can accommodate our various colleagues.

It is my information that the distinguished Senator from Indiana [Mr. JENNER] desires to address the Senate at this time, and if the distinguished minority leader will yield him time first, if the Senator from Indiana has not received sufficient time when that time expires, I shall be glad to yield him additional time.

Mr. KNOWLAND. Mr. President, I yield 45 minutes to the Senator from Indiana out of the time on the bill.

The PRESIDING OFFICER. The Chair inquires if morning business is concluded.

Mr. JOHNSON of Texas. Morning business is concluded, and I ask that the unfinished business be laid before the Senate.

MUTUAL SECURITY ACT OF 1957

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The committee amendment is a substitute for the text of the bill. Under the precedents of the Senate, it is not regarded as an amendment but as original text for the purpose of amendment. The committee amendment is open to amendment.

The clerk will read the unanimous-consent agreement which has been entered:

The legislative clerk read as follows:

Ordered, That effective on Friday, June 14, 1957, at the conclusion of routine morning business, during the furtner consideration of the bill, S. 2130, to amend further the Mutual Security Act of 1954, as amended, and for further purposes, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to 2 hours, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader——

Mr. JOHNSON of Texas. Mr. President, was it necessary to have the unanimous-consent agreement read?

The PRESIDING OFFICER. The Chair was acting on the prompting of the Parliamentarian.

Mr. JOHNSON of Texas. I do not know any reason why it should be read. It is available to all Senators.

The minority leader has yielded 45 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 45 minutes.

STILL A GIVEAWAY

Mr. JENNER. Mr. President, Congress is involved once again in its annual struggle to decide how much of our earnings should be given away to foreign governments.

This is the 10th year in which we have wrestled with foreign aid, though we were told it was to be a temporary measure.

Since the end of World War II, we have given to other countries a total of nearly $19 billion for military assistance, and over $28 billion for economic aid.

In addition to the $47 billion in gifts, we have extended loans amounting to $11 billion—of various degrees of softness.

The executive branch is asking for $3.8 billion for the coming year, but that is far from the total request.

We must add to the authorization the $1.5 billion to be borrowed from the Treasury for the development fund during the 2 following years, which will never be returned to us, even if it is repaid to the fund.

To find the total charge against our resources, we must add $6 billion still unspent, from foreign aid appropriations of earlier Congresses.

Sales of surplus agricultural commodities provide additional funds for ICA spending.

In March 1956, this amounted to more than $500 million.

In March 1957, it had risen to a billion dollars, and it is still going up.

Almost half of these extra funds are now used in countries which Congress has never included in the program.

That is how our aid to Poland and Hungary can be legally financed.

Congress may be opposed to our aiding captive nations, while their economies pay tribute to the Soviet Union and its war machine, but we gave the foreign aid officials such vast, unspecified powers that they can do virtually what they wish.

If we add these unspent funds to the present request, we get a total of about $12 billion which ICA will have to spend after July 1, 1957.

What reason can we give our people, to justify authorizing five and a half billion dollars more for foreign aid at this time, when our national debt approaches $280 billion and our bonds must be refinanced in a tight market?

Mr. President, we could not sell the last $4 billion of bond offerings. We have $16 billion more coming due in August, and in the years from 1965 to 1967 it will be necessary to refinance by the issuance of new bonds to the extent of $201 billion.

Furthermore, our people are cruelly pinched by our enormous taxes.

What chance would we ever have for tax reductions?

We must remember that practically every dollar of money we give to other nations is added to our debt load.

Expenditures for our own affairs have, in general, used up all, or more than all of our huge tax collections.

Foreign aid has been financed by adding to our debt.

Frankly, I cannot find any good reason to justify Congress in taxing our people to give away more money for the foreign aid follies. It will be said that our military assistance is supposed to help firm anti-Communist nations, face to face with the Red armed hordes.

No one has urged more strongly than I, that we give help, as they need it, to our proven allies, who live with the threat of Communist fire and sword hanging over them every moment of their lives.

I know the Koreans, the Free Chinese, and the Vietnamese cannot pay for jet-age weapons out of their crippled economies.

It will be argued that the purpose of our economic aid is to block Communist plans for world conquest by subversion. No one is more concerned than I over the danger of the Communist fifth column, in this country or any other. But I still say I cannot find any good reason to justify Congress in taxing our people to give away more money through foreign aid channels.

Beautiful visions of a great and glorious crusade against communism are fed to Congress and the people. But I say, the realities of foreign aid are totally different from these beautiful pictures.

I say that there is no slightest possibility that new appropriations will improve the real situation, or bring us any nearer to the promised goal.

I say that our foreign aid follies do not serve in any way as a threat to communism, or strengthen our ability to defend ourselves.

I say that the new program, for the coming year, is worse, not better, because it is skillfully directed to give less and less hard military help to genuine anti-Communist nations, and to waste more of our substance on economic aid to nations which care nothing for us, and care little about blocking the Communist onslaught.

The able chairman of the Senate Foreign Finance Committee has pointed out:

> This country is mortgaged to the hilt at this moment.
>
> The 275 billion Federal debt—that you and I owe—equals the full assessed value of all the land, all the buildings, all the mines, all the machinery, all the factories, all the livestock, everything of tangible value—in the United States of America.

Stop and think what that means, Mr. President.

While we were giving away over $47 billion during the last 10 years, how much of our debt did we retire?

According to the annual report of the Secretary of the Treasury, we put not quite one and one-half billion dollars into the sinking fund, to retire our own gigantic debt.

Our national debt in 1916 was a little over a billion dollars.

By 1932, it had climbed to approximately $19½ billion; by 1940, it had risen to nearly $43 billion; by 1945, it had approached $259 billion. A year later, it jumped $10 billion to a new high of $269 billion.

In 1948, when we started our foreign-aid giveaway, our debt was down to 252

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billion. Since then it has climbed over 20 billions more.

Mr. President, more than 10 percent of our budget is used to pay interest on our national debt. Our citizens carry a heavy tax burden merely to pay the interest, which rises every year.

In 1948, when we started giving away our resources, every man, woman, and child owed over seventeen hundred dollars as his share of the debt. Today, with all our phenomenal increase in productivity, every man, woman, and child in this country owes more than sixteen hundred dollars on the debt.

Yes; to quote the chairman of the Finance Committee, "This country is mortgaged to the hilt."

The chairman of the Finance Committee also pointed out that—

> The debt of the United States is 2½ times as great as the combined debt of 12 European nations that we have been helping.
>
> They have a smaller per-person debt than we have, but we are still contributing to them.

I ask, if we cannot pay our Government debt now, when will we be able to pay it? How will we finance another war if we have to?

Spruille Braden pointed out in January:

> If the entire national income of the United States were spent to improve the living conditions of the hundreds of millions of unfortunate people in the undeveloped areas, their living conditions would not be raised even 1 percent; and the benefits would not be lasting, because of their fast-growing populations.

And for this, we tax the earnings of the American people. We take their dollars from them in direct taxes.

We reduce their living standard by depreciating the value of the dollars they have left, after they pay 27½ percent of the national income for Federal, State and local taxes.

In the last year the dollar has fallen more than 2 cents, and that is almost 4 percent of its purchasing power. Yes; we had inflation because of deficit financing in World War II, and because of World War II. But what are we going to do about the inflation of the past year, when there was no deficit financing?

The living standards of our people are being reduced. The process is going on every day. Their living standards are reduced by depreciating the value of the dollars our people have left after they pay 27½ percent of the national income for Federal, State, and local taxes.

While we are on the financial picture, I think the Senate should know that not only do we have a $278 billion Federal debt, but we have a $50 billion State, municipal, and local debt. We have a $254 billion corporate debt, and a $115 billion individual debt. That makes more than three-fourths of a trillion dollars, which is much more than all the money we have in this country. We have only $32 billion. There has been an increase in the past 4½ years from $29 billion to $32 billion.

The Government has about $24 billion worth of gold, but $14 billion of that is committed to foreign countries to whom we owe it. So what have we? A few billion dollars working against three-quarters of a trillion dollars worth of debt, and the dollar going down every day.

What are our friends doing? Look at our ally, Great Britain. She reduced taxes for her people, but she could not afford to pay the principal, or even the interest due us on her outstanding loan; and only a few weeks ago we stood here and, by our vote, forgave the British that interest for this year.

She is cutting back on her defenses. She is pulling her troops out all over the world and bringing them home. She says glibly, "If you want any kind of defense, let the Americans pay for it."

How silly can we get? How long are we going to be idiots?

France uses NATO divisions and NATO equipment in Algeria, and there are mysterious delays in German rearmament.

Iceland tolerates our forces stationed to protect her from attack, but makes no bones about her hostility to Americans.

Tito is still on top of a balanced seesaw with the United States in the air on one side of it, and Russia sitting on the other side.

But we send our latest jets to Tito.

This year, it is true, the executive branch has proposed three important changes in its use of these funds.

But let us face it. Let the people look at the facts. I am sure the Senate is not interested.

They recommend that military assistance and defense support for military purposes shall be carried in the appropriations for the Defense Department. Is that not a beautiful thing? Let us see what that means.

They suggest that foreign aid, that is, outright grants for economic assistance to other countries, shall be closed out. That is a fooler, too.

They propose setting up a new program, to make soft loans rather than grants, and to stress help for the underdeveloped nations of Asia and Africa, those which are neutral in the struggle we are carrying on against Communist tyranny.

These changes should be carefully examined.

I, myself, have repeatedly proposed that military assistance—which goes largely to firm anti-Communist nations like Korea, Free China and Vietnam—should be assigned to the Defense Establishment, and that help to neutral nations should take the form of loans instead of outright gifts.

Why, then, do I oppose these new recommendations?

Because they are not improvements in policy or operations, but window-dressing to confuse Congress and the people.

Let us look at military assistance.

Here the obvious change is the request that the defense appropriations be made a separate title in the regular Department of Defense budget.

Military aid will, however, remain under the direction of the International Cooperation Administration, subordinate to the State Department.

The new funds, though charged to the Defense Department, are not to be appropriated to the Defense Department, but to the President. I call particular attention to that point.

Policy decisions on military aid are to be made by the State Department, not the military.

I have repeatedly called attention to the way in which the foreign policy planners have been extending their control over the Military Establishment.

This is no technical question of intergovernmental relationships.

The question is: Shall we have the kind of military protection for our country which is satisfactory to our defense officials, or the kind which is preferred by the foreign policymakers?

Since 1940 or so, a fierce struggle has been waged far out of sight, between the people who wanted a strong military program tightly meshed with American national objectives, and those who wanted American military strength dispersed to serve the ends of the internationalists and one worlders.

This roughly corresponds with the difference between the State Department and Defense, although the power of the foreign policymakers over the Defense Establishment, itself, increases every day.

The struggle is deep in the upper reaches of the National Security Council, and hidden from Congress and the people by our curtain of secrecy.

I have, repeatedly, called attention to the steps in this attempt to harness American military power to supernational ends.

No one answers my arguments.

No one echoes my questions.

I almost wonder whether someone wants the issue to be kept out of the public eye.

So far, this growing power of the foreign policy planners over defense, has been without legal justification.

In this new foreign-aid bill, the secret is out.

The bill adds a new subsection 521 (c) which provides:

> The President shall continue to exercise the powers conferred on him under chapter 3 of title 1, relating to defense support, only through the Secretary of State and his subordinates.

Our military are not supposed to know about railroads and port improvements and radio transmitters.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JENNER. I decline to yield at this time. I am on limited time, and I must hurry along to complete my remarks in time.

Mr. MORSE. I merely wished to support the Senator's argument.

Mr. JENNER. I thank the Senator. The military may not decide whether military facilities are to go to Korea or to Yugoslavia.

Another new subsection, 523 (c) provides:

> Under the direction of the President, the Secretary of State shall:
>
> 1. Coordinate the various forms of assistance authorized by this act, so that the foreign policies of the United States may be best served thereby; and
>
> 2. Determine the value of the program under chapter 1 of title 1 for any country.

"Any country," the bill says. This means the Secretary of State, and not the Secretary of Defense or the Joint Chiefs of Staff, shall decide how much of the appropriations made by Congress for military aid to anti-Communist nations, shall go to Korea or Free China or Vietnam or Greece or Yugoslavia.

The doctrine of "civilian control" properly refers to the principle that control of decisions on when to make war, and which nations to trust, should be made by elected political leaders, but it has been distorted for years to justify the control of our defense policies by permanent officials of the foreign policy agencies.

The distortion is now to be made permanent, with the formal approval of Congress.

There is another major policy issue hidden in the simple words of this new proposal.

The way is opened to a gradual shift of our foreign aid from military assistance to anti-Communist nations to economic aid to those who are "neutrals" in the cold war.

The executive branch says the new loans are to be "nonpolitical," which is a fancy way of saying our money is to go less and less to the countries which would stand by us in resisting Communist arms or Communist blandishments.

Our capital is to go increasingly to what are called the "undeveloped" nations, but which are, politically, the nations which refused to support our policy of resistance to communism.

Even if we do not wish to see what is happening, we must realize that this new trend is clearly visible to the firm anti-Communist leaders of Asia and of Europe.

There is still another hidden effect of the appropriation of military aid "to the President."

This is a change of constitutional significance. When funds are appropriated "to the President," this means such funds are not assigned by Congress to an agency set up by them in statute form.

The public money can be assigned by the President, or his assistants, to any improvised emergency agency, with virtually unlimited powers, powers so vague and blurred that Congress can never check on what it does.

If we vote this change, Congress waives its legislative duty to decide, by statute, on the powers and duties of the executive agency which is to spend our military assistance money.

No policy or prohibitions are set by Congress on whatever they may choose to do. The sky is the limit.

This so-called improvement is then merely one more step in the transfer of Congressional functions to the executive branch.

In 1795 James Madison wrote:

> The Constitution expressly and exclusively vests in the legislature, the power of declaring a state of war * * * the power of raising armies * * * the power of creating offices * * *.
>
> The separation of the power of creating offices from that of filling them, is an essential guard against the temptation to create offices for the sake of gratifying favorites or multiplying dependents.

I may say that the Federal bureaucracy now is the largest it has ever been.

The obligation on Congress to define and limit the powers of executive agencies cannot be surrendered unless we are prepared to surrender the legislative power itself.

To sum up the first of the new proposals: The provision to charge military aid to the defense appropriations is, at best, nothing but a bookkeeping device.

In fact, this apparent concession to criticisms by Congress makes matters worse in two important ways:

By transferring a large share of the foreign-aid appropriation to the defense budget, it will be possible greatly to increase economic aid while it is made to look as if total foreign aid is going down. That is the gimmick.

The way is cleared for a major shift in foreign policy, by which we shall continually reduce our grants for hard military aid to firm anti-Communist nations, and transfer most of our help to the neutralist nations.

The dangerous claim of the State Department that it should control top military policy is now made permanent by statute.

The trend to executive assumption of legislative powers is intensified by the plan to appropriate military aid, though charged to defense, directly to the President.

Now we come to economic aid.

In this regard the current bill apparently proposes the closing out of the old "foreign aid" grants, but the changes again are different from what appears at first glance.

The appropriation of $300 million dollars for the new category of "special assistance" is, however, a continuation of the old grants.

Mr. LONG. Mr. President, will the Senator yield?

Mr. JENNER. I do not have the time; I am sorry. I am speaking on limited time.

The economic-aid program has $318 million still unspent. We know how Federal executive agencies can prolong their last days almost to eternity.

The third new step in economic aid is to set up a "bank" for loans to the "undeveloped nations." This is the most fantastic proposal yet.

The loans are to be "soft" loans, loans that none of the public or private lending agencies would be willing to make.

The first request is for $2 billion, but they admit it will not be the last.

Any repayments—get this, Mr. President—will go to the foreign-aid program. They will never be repaid to the Treasury.

Congress is asked to commit our funds now, for at least 3 years.

This is a clear violation of the constitutional rule that no Congress may legislate for over 2 years, and bind a Congress not yet elected.

To permit appropriations which would be binding on a future Congress would make elections a farce, because the people could vote changes in the Congress, but the new Congress could not make changes in policies.

We have had a great deal of experience with foreign loans—loans, I said; not grants and gifts—which we thought would be paid back, but were not. We still have loans on our books from World War I. As my memory serves me, the only country which ever repaid a loan was little Finland.

Perhaps nothing caused more bitter feeling from other nations than our belief these loans were to be repaid as agreed.

How does this new plan propose that our Government is to collect loans which the borrowers do not wish to repay? Is there any way for governments to get repayment of overdue loans to foreign countries, except by a show of force against other nations? Is that the road to peace?

How does this new colonialism differ from the old colonialism, unless the fund was never meant to be anything but a giveaway?

O Mr. President, I know these one-worlders and internationalists do not like the word "giveaway"; but let them prove to me that that is not exactly what the fund is.

We are told by Government officials that our people must give billions of dollars for construction of power lines, transportation, communication systems, and educational facilities for these undeveloped countries.

Why should we give away American capital, which we need for our own roads and schools? Why should we, in effect, pay the school and road taxes in foreign countries, to save private industries in new areas their proper share of the costs of progress?

At best, this is outrageous discrimination against the people of our own country, who are struggling to raise taxes enough to pay their own way. It is a system by which we shall buy all the "cats and dogs" clever government officials and financiers of other countries would like to unload.

We are told in justification that private investors cannot make such loans because of the risk. Is it not true that investors are paid for the risks they take? Is it not true that the great fortunes are made at times of great risk?

The Rothschilds made their fortune during the confusion of the Napoleonic Wars. Great British fortunes were built up in Asia, long before British rule could protect them. American fortunes were built up out of the risks of the sea, of the fur trade in the wilderness, of the Civil War, and of both World Wars.

What are we supposed to believe, when we are told that no one can make a fortune in gold or diamonds or minerals or waterpower, in the undeveloped nations, because the people do not have electric iceboxes and voting machines? How can adult, educated Americans swallow such childish twaddle?

Is there hidden here even greater danger? Are these soft loans a clever plan by which the taxpayers of the United States will pay the cost of modernizing and developing the territories of undeveloped areas, and then let favored private investors get a windfall?

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Wherever there is easy money, there is graft and collusion.

Our Government could, under this scheme, take over the risks of investment in undeveloped nations, and then let favored private lenders come in and take the profits. Do they plan to issue equity stocks to innocent investors, after they have taken theirs?

Very powerful voices have been heard for years, delicately urging such plans. If this is the purpose of the new ICA bank, then foreign aid will end in an orgy of graft more malodorous than anything we have seen in this country. Sam Insull's financial empire will be like child's play when this game is up.

Last year, I called the foreign-aid program the "foreign-aid follies." We now have plenty of testimony from Members of Congress, and from independent observers such as Eugene Castle, whose book, The Great Giveaway, has helped so much to tell our people what they are not supposed to find out.

Let me remind the Senate that the officials who are responsible for the foreign-aid follies, are the same officials who are to operate the new development fund.

A silk purse cannot be made out of a sow's ear.

The PRESIDING OFFICER (Mr. MORTON in the chair). The 45 minutes yielded to the Senator from Indiana have expired.

Mr. JENNER. Mr. President, I was yielded 45 minutes by each side.

Mr. KNOWLAND. Mr. President, I am authorized by the majority leader to yield an additional 15 minutes to the Senator from Indiana.

Mr. JENNER. Mr. President, I shall need an additional 45 minutes, I believe. However, I will do my best to complete my remarks in less time than that.

Mr. KNOWLAND. Very well. Mr. President, at this time I yield an additional 15 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for an additional 15 minutes.

Mr. JENNER. Mr. President, the administration turned down every suggestion to put this capital fund into the hands of banking agencies.

They want these billions of dollars of American capital to be handled by the same people who handled the great giveway. If they build more barns at $128,000 apiece, and send electronic microscopes to Indonesia, where no one knows how to use electronic microscopes, do not be surprised. Even that is not the worst.

We know, well, the plans of men like Gunnar Myrdal to achieve the world-state by forcing a rapid scheme for economic integration. This has been proposed under U. N., under the name of SUNFED; but, as we say in Indiana, there is more than one way to skin a cat. They can build the world-state from the top down, or from the separate nations, up; or, even better, they can advance first by one road, and then by the other, confident that the innocent will not see what is going on.

At this time I cannot give you proof that this is the ultimate objective of the development fund. But I can assure you that world political integration can be achieved most quickly, most quietly, and most finally by a series of innocent-sounding, economic proposals, carefully cut to fit the ultimate design.

Every dollar of the money we give for foreign economic aid, is taken from our own people. Every billion dollars is capital for roughly 10,000 jobs in this country; and once given away, it will be lost forever.

Congress has had great difficulty in getting any reliable information about what is really done with foreign-aid money. Now, thanks, to the House Committee on Government Operations, we know how much we do not know. This committee prepared the famous Iran report, which described how indifferent ICA was to arithmetic, accounting, correct paperwork for control of supplies, and other irritating restraints on the imagination of the planners and the writings of public-relations men.

Now the committee has brought out a report on budget preparation in ICA. I hope every Member of this body will read that one report, if no others, during this debate.

The committee says, in substance, that Congress knows virtually nothing about what is done with public money, and has, as yet, no power to bind the ICA to any activity or country.

If Congress cannot find out what is done with public funds, appropriated to American agencies which are doling out grants, how is Congress ever going to find out about what is done in the dark places where our foreign-aid funds are lent to people whose names we never hear, and whose moves we never see?

Congress has a chance to close up this new sinkhole to drain away American wealth, before it becomes a permanent fixture. If we cannot cut off all new appropriations, we can certainly cut off appropriations to start new kinds of waste and extravagance. We have never done it yet, but now is the earliest we can begin.

Every time one foreign aid plan becomes obviously silly, our planners start a new spending plan, which keeps growing larger year by year. Military assistance rose, as aid to Europe was proved unnecessary. Now the planners intend to let military assistance taper off. Therefore, aid to neutrals must be pushed up.

Our people are told they must, like Atlas, carry most of the 2 billion people of the world on their weary shoulders. There is no end in sight. This is the old, old story.

In midsummer of 1951, the Senate Foreign Relations Committee was wrestling with a foreign aid authorization for India. The Senators were puzzled by the confusion of tongues. Let us listen to what they said:

Senator LODGE. Why don't you have one agency doing one function everywhere? Why have two agencies doing the same function?

Senator FULBRIGHT. ECA—

That is another one. It is ICA now. ECA was the forerunner of it.

Senator FULBRIGHT. ECA is running out of something to do in Europe and they have to go somewhere else or go out of business.

Senator LODGE. Why not have them go out of business?

Senator FULBRIGHT. They don't want to go out of business.

Is not that beautiful, Senators? It is still going on. That was in 1951.

Now, 7 years later, we are where we came in.

I believe it is time for Congress to stop, now, the futile task of cutting foreign aid spending, a few millions here and a few millions there. That is busy work, meant to keep Congress so occupied with the trees that it can never see the wood.

There is only one important issue. Does foreign aid spending weaken Communist strength? Does it help defend the United States? The answer to both questions is, "No."

Our assistance is not a deterrent to communism, nor does it protect the security of the United States. To believe it does is the grand illusion.

If our foreign spending is not a deterrent to communism, then it is a national diet of tranquilizer pills, fed to our people to convince them that tensions are being relaxed, while the danger comes ever nearer. Precious time is being lost and, when we learn of the real danger, it will be too late. The political road to Miltown is the road to national extinction. No responsible man can remain silent if he believes we are being propagandized to our ruin.

Let us refer to Korea for a moment. I do not know how much we have given Korea for military aid. The figures are top secret. But the vast area called Asia and the Pacific received only $4½ billion of military grants out of a total of nearly $19 billion since the end of World War II.

The countries on the long border stretching from Afghanistan to Japan were given only one-quarter of what we gave for all military assistance.

Korea is separated from the armed might of the Communist bloc only by an imaginary line, in the neighborhood of the bloody 38th parallel.

Free China is separated from the Communist land mass by a narrow strait.

The Philippines are in the direct line of aggression today, as they were in 1941.

Each of these valiant small nations is a roadblock barring the spread of Communist power to Japan, southeast Asia, and Australia.

The little war-torn nation of free Korea has drafted and trained her manpower to establish an armed force of about 700,000 men. It is the largest armed force in the Free World, except that of the United States. It is meant to protect them against conquest, but it is also our shield against a sudden attack directed at the conquest of all Asia. Two of our best divisions are also in Korea.

Here is a recent story from the Associated Press, as reported in the Washington Evening Star, for May 27:

United States forces in Korea are woefully weak. Their unmanned battle posi-

tions are overgrown with weeds—an invitation to Communist attack. In contrast, the North Koreans and Red Chinese across the demilitarized zone, have built up an army in 4 years of armistice far more powerful than at any time during the Korean war.

The Communists have new jetplanes, new tanks, new artillery, and in the opinion of South Korean intelligence officers, they may also have atomic weapons. All the weapons in South Korea are either obsolete or obsolescent.

These programs are supposed to stop Communists. Listen to this—I am still reading from the Associated Press article—

This is how the opposing sides stand today:

In the south, there are about 700,000 South Korean troops, about 80,000 Americans, including 2 infantry divisions and logistics and command units, and fewer than 5,000 other United Nations troops, including a British regiment in the process of being withdrawn.

In the north, according to intelligence reports, the North Koreans have reorganized and reequipped a 400,000-man army and the Chinese Communists have a 350,000-man garrison.

There are also, at least, a million Red Chinese troops across the Yalu River in Manchuria.

Senators will remember the Yalu.

The Communists have ignored the ban on new weapons.

They have shipped in 1,672 pieces, 340 new tanks, 500 jets, and 300 propeller-driven planes.

There are recurrent—but unconfirmed—reports that their new artillery includes atomic cannons with a range of 15 to 20 miles, which are manned by Soviet technicians.

That is from the Washington Star of May 27.

The report says that in the south there are 150 Sabres but all bombers have been withdrawn because of their age; and they have not been replaced.

The PRESIDING OFFICER. The additional time of 15 minutes yielded to the Senator from Indiana has expired.

Mr. KNOWLAND. Mr. President, I am authorized by the majority leader to yield an additional 15 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 15 additional minutes.

Mr. JENNER. Mr. President, I should like again to quote from the article:

South Korean generals, however, feel sure the Communists will invade the country again as soon as they feel able.

In that event, some officers here say, American troops on the scene might, of necessity, be expendable, if evacuation proved impossible.

Mr. President and Members of the Senate, if that story seems incredible, let me read from the official report prepared by Dr. John A. Hannah for the Senate special committee:

There still exists in Korea a state of suspended war.

The United Nations forces have continued to comply with the terms of the armistice agreement, which specifies that old equipment may be replaced only by equipment of the same type.

In consequence, we now have an assortment of largely obsolete World War II type military weapons.

We have not added to the number of airfields, and we have replaced wornout aircraft with aircraft of the type in vogue during the Korean war.

The Communists, however, have openly, flagrantly, and continuously violated the terms of the armistice agreement.

They have built new airfields and have moved into North Korea large numbers of modern jet aircraft and other modern military equipment.

They have actually fortified some of the positions within the neutral zone.

That is from the report of the Senate special committee.

The Communists have the newest jetplanes only 3 minutes of flying time from Seoul.

Our men and the Koreans can fly prejet planes of 1953, against the Communist jet planes of 1957, or they can sit and wait 40 minutes until our jet planes arrive from Okinawa—if our planes are not stopped on the way.

This is like asking the fighting men of World War II to meet the German panzers with the weapons of World War I.

If there is a surprise attack on our men and their Korean comrades they are doomed—and there are 80,000 American boys sitting there as I talk this forenoon.

Perhaps the Red Chinese will send us a Western Union message, telling us in advance they plan to strike at Korea, but they are chivalrously giving us a few hours warning so we can get our planes over, in time.

That method has been used before. Perhaps they will. But do Senators think it likely?

I have sat in meetings of the Senate Subcommittee on Internal Security and listened to the stories, one by one, of our men who lived for years in Chinese prison camps. I remember among others, a young Negro, who came out broken and shattered. He felt his mind slipping into darkness. One of the older captives said to him, "dig your nails in the dirt, as hard as you can, so you won't lose hold." So he dug his nails in the dirt until they bled, and kept on digging and digging, so that he could hold to that little thread of reality and not break down, even after he was freed.

When I read in the newspapers that someone has decided we must observe the "cease-fire" in Korea, even if the Communists do not, I see young Americans, drafted by Congress to defend their country in this distant outpost, and I know their Government has deserted them.

Their Government is fussy about its agreement with the Red Chinese, but quite indifferent to whether its own men are killed without a chance, or left to be tortured in some Red prisoner-of-war camp.

Some people may be indifferent, but I am not. I cannot vote the money of my people in Indiana, and other States, for such a program, no matter how skillfully public relation writers say it is fighting communism.

Who is responsible for giving millions of dollars of American money to the free Koreans for military aid, but tying the gift up in knots so Koreans and Americans would be unable to defend themselves if the Communists attacked?

Secretary Wilson said several times, during the discussion, that Secretary Dulles was making up his mind to do something about it.

Why does the Secretary of State make the military decision on what kind of military weapons to give our fighting men?

Here we are coming to the heart of the matter.

I have pointed out, again and again, that effective control of our Military Establishment has been taken over by the State Department.

To make defense policy subordinate to State Department policy is, as I have said, to make it impossible for the United States to have a policy to defend our country by military strength, if diplomacy fails.

We know that important officials have stated, sometimes in doubletalk, and sometimes in plain English, that that is exactly what they wish to do.

They do not want our country to have the military power to insist on its rights, or to disagree with the majority in the United Nations, whatever their demands. They do not intend to present this issue clearly to the American people.

What we learn from our foreign-aid studies is this: Somehow our military assistance programs are strong at every point but one. In Korea the weakness is lack of jet-age equipment. In Free China, it is lack of amphibious equipment.

Germany is being urged to build up its military power, but it is not allowed to have the two things it could use most skillfully—the general staff, and the atomic and other weapons, produced by the most modern industrial skill.

In Italy, the weak link is a treaty made too early, which bars rearmament.

In Austria, it is a treaty made too late, which imposes compulsory neutralization.

I call attention to the similarity with those novels and movies in which the hero is a marvelous performer on the trapeze. The poles and wires and other equipment are of the best, but the evildoer has found a way, in the night, to make the wires on the last lap of the performance an inch or so short.

Everything goes beautifully, with the greatest skill until the last moment. Then the performer, with all his art, is not quite able to reach the bar, and he crashes to death.

Is that the real pattern behind our large, expensive, energetic military programs, each of which falls short by a tiny margin, each of which falls short in a different place, but all of which will not be quite able to reach the bar, in the last act?

Do Senators see the resemblance to the carefully planned errors and omissions in our postwar policies in China and in Korea, by which we were to let China and Korea fall, but not let it look as if we were directing the play?

In an article in the Washington Daily News for June 10, 1957, Fred Sparks described the "silent crisis" in the Far East. He said:

The new crisis has been created, not by bullets, but by talk and hesitation.

Talk of free trade with Red China, talk of neutralizing Formosa.

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Hesitation to strengthen South Korea—while acknowledging North Korea's build-up • • •

While we were occupied with spectacular doings in the Middle East—the endless frictions between Arab and Israeli, the Soviet grab for power in the oil deserts—the prestige of Red China, which spoonfeeds its young a "hate America" diet, has been elevated to new arrogant heights.

What are the fresh fever points?

Why does the patient weaken?

Free Asians are not too discouraged by England's turn to trade with Red China.

The foreigner they depend on is the United States • • •

Just the other day, President Eisenhower (under terrible pressures) opened wide the possibility of American trade with Red China.

What now if (the free Asian soldier) hears of Detroit peddlers offering wares to this same Communist enemy.

Who can distinguish between military and nonmilitary cargo?

Cannot a civilian truck transport troops?

Cannot a shovel spade a fox-hole as well as a garden?

In Saigon, in Bangkok, the Red underground [asks] "'Well, see how it's going? America is shifting. Make the best deal you can, while you can."

[In Korea] we refuse to send in modern tools.

Our infantrymen, watching the bleak armistice line, are threatened with brutal beating when it should please Peiping again to push south.

You can assume, then South Korea's declining morale.

A militarized partisan Formosa is a club of peace.

That late giant, Philippine President Ramon Magsaysay, predicted that, without the shield of Formosa, communism would chain his own country in 3 years.

[Inside Red China] priests hold clandestine prayer meeting like ancient Christians in Roman caves. Today's "two Chinas" campaign means their slavery will never end.

If Formosa collapses, or if American merchant ships anchor in Shanghai [the overseas Chinese] resistance would be snipped like a ribbon before a new bridge.

They'd be a prefabricated fifth column.

These people are depressed.

Their mood is spreading.

The silent crisis is now.

The PRESIDING OFFICER. The time of the Senator from Indiana has again expired.

Mr. JENNER. I can finish in 2 minutes.

Mr. KNOWLAND. Mr President, I yield an additional 2 minutes from my time on the bill.

Mr. JENNER. If we add to Asia the firm leaders of Germany, France, Italy, Austria, Scandinavia, Latin America, we have the story.

If we add together the atoms for peace treaty, the plans for disarmament, and the fadeout of our military assistance under State Department pressure, we have the picture.

Is that defense for America? Does that fool the smiling Khrushchev?

I hope Senators will look long and carefully at this authorization bill. It is a brilliantly drafted grant of elastic powers, which will cost us more in years to come than we could save by cutting 20 appropriation bills.

We, in Congress, have the ultimate power. The planners can never destroy our Constitution, our freedom, or our ability to defend ourselves, unless we give them our money.

Foreign-aid spending is the means to give the planners their easy money. It is nothing else.

Congress stands at the crossroads. If we do not vote to give them our money, their plans cannot succeed.

If we vote to give them billions more to spend, where in the world is anyone strong enough to stand against them?

Mr. KNOWLAND. Mr. President, I yield 15 minutes to the distinguished junior Senator from Oregon [Mr. NEUBERGER].

Mr. NEUBERGER. Mr. President, I intend to vote for final passage of the mutual security bill, because I do not believe the American people would prefer the alternative of defending the far corners of the Free World against Soviet aggression entirely with our own young servicemen. I shall speak only briefly on the mutual security bill before us, because there are many Senators who, by virtue of their experience and their service on Senate committees concerned with these programs, can contribute far more than I to this debate. I intend only to review, for the RECORD, some of the considerations which guide my votes on this bill and amendments offered to it. I think similar beliefs must also be in the minds of many thoughtful men and women in the State which I help to represent here, and who share my convictions of the need for the affirmative approach to mutual security represented by the bill now before the Senate.

Mr. President, I have studied the report of the Committee on Foreign Relations, both majority and minority views. I have listened to a good many of the speeches which have been given on this occasion and on past occasions on various phases of the overseas programs of our foreign policy which are popularly categorized under the general head of foreign aid.

I want to say at the outset that I am impressed with the report made by the Committee on Foreign Relations, which very plainly reflects the results of the most thorough, penetrating and far-reaching review of our overseas-aid policies to have been in Congress for many years. At the same time, I am also impressed by the vigorous minority report of my able senior colleague [Mr. MORSE] on the subject of how far the present bill falls short of the full conclusions and implications to be drawn from this thorough review made by the Special Committee To Study the Foreign Aid Program during the past year. However, I regret that I cannot agree with his conclusion of opposition to the entire bill. The report of the Committee on Foreign Relations recommending the present bill, in fact, itself recognizes that the bill only begins to approach the reorientation of our overseas programs which must be undertaken during the coming years. It offers a series of substantial changes in existing mutual security legislation, and it anticipates further changes in mutual security bills in future sessions of Congress.

Mr. President, I have confidence in the work which has been done and will continue to be done by the distinguished Senators who serve on our Committee on Foreign Relations, and on the subcommittee of the Committee on Armed Services which have joined in the review of our foreign-aid programs, and I have confidence in their intention that the American people should get for our tax dollars overseas programs which will be adapted as well as can be assured to the changing needs of our national security and our foreign policies in the modern world. There is a difference between the majority and minority reports as to how far the present programs, incorporated in S. 2130, depart from this goal. Speaking for myself, Mr. President, I do not see how we can resolve the differences between the present program and an ideal program on the Senate floor. The committee has done much work on this bill. We can make some additional changes by amendment. But on the final vote, we shall not have a choice between S. 2130 and a perfect bill—we shall have to choose between essentially the program presented in S. 2130 or no mutual-security program at all. Those are the conditions under which we alone can and must exercise our responsibility as Senators. I believe, within the limits of these conditions, our responsibility is plain. It is to maintain the continuity of our essential overseas programs of our foreign policy. On this belief, I shall, after the votes on whatever additional amendment may be offered, vote for final passage of S. 2130.

MUTUAL SECURITY PROGRAM HAS PROTECTED AMERICA'S OWN SERVICEMEN

I have been among those, Mr. President, who have been disturbed over the overwhelming priority which has been given to funds for purely military programs abroad over more constructive, long-range programs of basic economic development—peaceful programs designed to help raise living standards of the peoples among whom the next generation of Americans will live as a small minority on a shrinking globe. In this military emphasis, we have often ignored essential differences between totalitarian governments and free democracies—differences which should be basic to our whole philosophy of international relations—as my senior colleague points out in his minority report. We seem to have been indifferent to the internal nature of foreign regimes, and to the consequences in foreign nations of our military assistance to those regimes, in our eagerness to build or maintain national resistance to Soviet and Chinese communism throughout the world. In the light of the revolutionary changes in the means of defense which are today taking place almost before our eyes—actually faster than their implications can be evaluated—we shall need repeatedly to reexamine this relative emphasis, to determine how fast we can and must make a change from outmoded military to modern political and economic goals for our programs of international cooperation.

But, Mr. President, as far as our present, immediate program is concerned, I

cannot agree with those who would end completely or drastically cut our mutual security program before the new programs we need have been developed. As I have listened to the very able and sincere speeches which have been made, in the name of economy, against the mutual security program, I have thought of our soldiers stationed in the farflung sectors of the Free World. I have wondered why some of the opponents of foreign aid, who are so disturbed and aroused over sending our dollars overseas, seem to express none of these same worries about sending our soldiers overseas. Are we more concerned about dollars than about our flesh and blood? I refuse to believe that, Mr. President—and yet, why do we hear such concentrated attacks against mutual security with money while we accept the policy of committing our soldiers, sailors, and airmen to remote and distant bases?

Have we reached the stage where the United States Senate is asked to be internationalist with soldiers but isolationist with dollars?

Let me cite a few of the places beyond our own shores and borders where Americans in uniform are now stationed. They include Western Europe, north Africa, countries in the Far East near Communist China. I asked the staff expert on this bill of the Committee on Foreign Relations, Mr. Pat Holt, to give me some data on the relationship between our own military overseas manpower commitments and the military aspects of the mutual security programs. I ask unanimous consent that paragraphs of his very helpful memorandum, which have a direct bearing on the point I am presenting, be included in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Most of the detailed figures which would tend to bear out your point are classified. However, the following unclassified information might be useful:

1. As of December 31, 1956, the United States had 731,623 Army, Navy, or Air Force personnel in foreign countries or on ships based in foreign ports. Figures by countries are classified, but the most important countries so far as numbers are concerned would be Germany, Japan, Korea, and Italy. In addition, there are important Air Force units in the United Kigdom, Iceland, Greenland, Morocco, and Libya. This listing is by no means all inclusive.

* * * * *

3. In 1950, the ground forces of nations receiving military assistance numbered about 3.5 million men, not very well equipped and with varying degrees of training. At the end of 1956, these ground forces totaled 4.8 million men, better equipped and better trained. In 1950, these allies had less than 1,000 combat naval vessels; at the end of 1956, they had more than 2,300. In 1950, the allies had 11,000 conventional military aircraft and less than 500 jets; at the end of 1956, they had more than 12,000 conventional aircraft and nearly 11,000 jets.

4. The annual cost of maintaining a Turkish soldier is $105. For a Korean soldier, it is $117; for a Nationalist Chinese, $172, for an American, $3,511.

5. All but 2 of the 8 United States divisions at one time in Korea have been withdrawn. Admiral Radford testified this was made possible by the buildup of 21 Korean divisions.

6. Military aid to Europe in the period 1950–56 totaled $12.3 billion, or 4.5 percent of total United States defense expenditures in the same period. European NATO countries have contributed 85 percent of the total cost of their defense programs and have supplied 60 percent of the equipment. In 1956, European NATO defense expenditures were at an alltime high of $13.3 billion, as compared to $11.9 billion in 1955, $12.2 billion in 1954, and $6.0 billion in 1949.

7. Aside from the NATO forces themselves, the NATO infrastructure program has built more than 140 airfields, some of which are occupied by United States forces, and all of which would be available in an emergency.

Mr. NEUBERGER. Mr. President, I think these facts speak for themselves. I cannot debate whether or not there have been ill-considered programs, inefficiency, waste, or other failures within the overall scope of our foreign-aid programs. But the mutual security policy, and before it the Marshall plan, have been the keystones of our foreign policy for 10 years. To abandon mutual security by defeating this bill is not a question of authorizing this or that expenditure of money. It is, rather, to attempt to legislate a new foreign policy for the United States—some new policy which has not been prepared by any responsible official in our Government and of which we would have no way of knowing what it really might be. In many respects, many of us want the President, the Secretary of State, the National Security Council to prepare new policies—but until this is done, I think it cannot be done by a vote of the Congress to end the present programs which are central to our existing policy.

ADMINISTRATIONS OF BOTH PARTIES HAVE RELIED ON MUTUAL SECURITY POLICY

There has been great continuity in this policy throughout changes of administration. Presidents and Secretaries of State of both great political parties have stated flatly and unequivocally that mutual security is essential to preserve the peace and to strengthen the Free World. Surely men as diverse in outlook and background as George C. Marshall, Dean Acheson, Harry S. Truman, John Foster Dulles, and Dwight D. Eisenhower cannot all be completely wrong.

If these leaders of our Nation are willing to stake their reputations on the efficacy of foreign aid, I am not going to eliminate that aid as long as I am helping to commit, with my vote, some young American to military duty in a distant land where our President or Secretary of State contends that aid may be necessary.

When I was brought up as a high-school boy in the State of Oregon, I used to hear speeches by leaders of veterans' groups that, if ever there was another war, there would be no more war millionaires. It was claimed that we would be more concerned about men than about dollars. It was said we would draft capital as well as human beings. Today, however, we appear to have arrived at an opposite pole. Senators are asked to accept complacently the drafting of young Americans for overseas military service, but at the same time opponents of foreign aid in and out of Congress object strenuously to the appropriation of about 10 percent of our own, national defense budget for mutual security assistance to foreign nations to make more secure the realms in which these soldiers of ours may be stationed in our own defense. What kind of logic is that?

Mr. President, as the memorandum I have placed in the RECORD shows, in 7 years there has been great progress in the military strength and effectiveness of the forces of our allies which have received mutual security assistance. And it is clear that, even if there has been occasional inefficiency, there is economy in this strength. Turkey, for example, has been one of our stanchest allies receiving mutual security funds, which are at stake in the present bill. Turkey has in being a strong, valiant, and resourceful fighting force in a strategic area of the globe, a bulwark against Russian aggression in the Near East. Our funds help to maintain these Turkish forces. It costs about $100 a year, the memorandum shows, to supply and support a Turkish soldier. By contrast, it costs about $3,500 annually to provide for an American soldier, because our soldiers receive far more ample pay, food, clothing, medical care, and other benefits than Turkish soldiers.

If our funds were not to be used to help keep in existence that Turkish Army, should we surrender the eastern Mediterranean to the Soviet Union? Should we put an American Army into that region over the opposition of the people of those countries themselves?

Even if this should be feasible, which I think it is not, would the opponents prefer to send American soldiers abroad, at much higher cost than mutual-security funds, to guard those distant lands, or would they prefer to abandon them to the Soviets? These are the hard questions which must be answered by those who would have us vote against continuing the mutual-security program by this bill.

MUTUAL-SECURITY AND TECHNICAL-ASSISTANCE PROGRAMS HAVE SUPPORT IN OREGON

In conclusion, Mr. President, I want to refer to some of the expressions of support for our foreign-aid programs which I have received from men and women in Oregon. I am sure all Senators shared my own experience of having received a great many letters in opposition to continued foreign aid earlier this year, when the attack on the President's budget was at its peak. At that time, on March 29 to be precise, I stated publicly that the President alone, by a strong public statement of the importance and value of our overseas programs, could save them from destruction in the name of supposed economy. I was glad that, early in May, the President did go on a nationwide television program to defend the foreign-aid program he had sent to the Congress.

Unquestionably, President Eisenhower brought the importance which he attaches to this program home to a great many people, whether or not he convinced many of those who had opposed foreign aid. In any case, Mr. President, I have received in recent weeks many

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letters in support of the principle of mutual security, technical assistance, and related programs, and I think the extent of that support in Oregon will be of interest to the Senate. I ask unanimous consent, therefore, to have a representative selection of some of these letters placed in the CONGRESSIONAL RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CORVALLIS,, OREG., *May 20, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I urge your support for foreign economic aid in voting for adequate appropriations for economic aid to underdeveloped countries, long-range development funds, and that no cut be made in appropriations for U. N. technical assistance.

We cannot refuse to be concerned with the needs of new nations in Asia and Africa. They have little capital of their own to raise their standards of living. Easy-term loans from the United States would lessen the need for forced savings of already impoverished people, which is the way of the Soviet Union and China.

Our failure in assistance will force these nations to accept help from communistic governments. We need to give them aid to prevent further spread of communism and strengthen our own security.

Will you kindly send me a copy of the final report of the Senate Special Committee To Study the Foreign Aid Program? I would also appreciate being added to your mailing list of your newsletter.

Sincerely,

ETHEL N. SMITH.

NORTH BEND, OREG., *May 20, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I feel very much concerned for the fate of our foreign-aid program in view of the wave of sentiment for a reduction in the budget which is sweeping the country. The amount now spent on economic aid and technical assistance is already small—it should not be reduced. I hope the Congress will not be misled. There is a large segment of the people in favor of more rather than less aid to underdeveloped countries, but not organized into a pressure group.

Yours sincerely,

PEARL BEAGLE.

P. S.—I enjoy the letter "Washington Calling" very much.

CORVALLIS, OREG., *May 19, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I am glad that you are supporting the continuance of our foreign aid. It seems to me the best economy in the long run, for it offers the best hope of our being able to cut on large military spending if we can help reduce some of the causes of war.

Very sincerely yours,

Mrs. KATHERINE H. READ.

May 18, 1957.

Senator RICHARD NEUBERGER,
Washington, D. C.

DEAR MR. NEUBERGER: We believe that President Eisenhower's budget request should be granted. We believe this for we remember the sad results of other defense economy drives after World War I, in the years before Pearl Harbor, after World War II, and on the eve of Korea—when great harm was done in the name of economy.

The country is prosperous now and we think it can stand a tax to back this budget which may very possibly prevent another war. Since we can survive a stiff tax but we cannot survive another war, we ask that you use your influence to vote our President the budget of $71,800,000,000, which he believes necessary. Please vote the budget.

Thank you.

Mr. and Mrs. MARK LAFKY.

PORTLAND, OREG., *May 18, 1957.*

DEAR SENATOR NEUBERGER: With respect to the current argument over the budget, I want you to know that I think Federal tax money which I pay is money well spent. I'll continue to think so as long as Federal spending contributes to the general welfare (and that includes Federal power developments). I think it would be a great mistake to sacrifice any foreign policy objective (such as economic aid) for the sake of a tax cut. Wars and maintaining overseas defenses are much more expensive than the economic aid necessary to enable some of these countries to pay their own way (and provide new markets for us).

I think, as I'm sure you do, that the test should be, is the money being well spent. There is no doubt that the country can afford the taxes—indeed they should be higher as a counterinflationary measure, with the difference put into paying off the national debt to increase the investment capital available. I hope you will stand firm against this whining by the commercial interests who can't see anything further away than their own cash register and bank account. As for the rest of the country, I think most people like Federal benefits and understand that it takes money to provide them. These people probably aren't writing letters, but that doesn't mean they don't feel this way.

Sincerely yours,

ALAN S. MAREMONT.

COOS BAY, OREG., *May 16, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: I've been hearing consternation over the feared cut in point 4 and economic aid in the most unlikely places lately—from persons not in the League of Women Voters or other politically active groups—and apparently because of the wider great decisions participation.

There's a feeling among more people than ever here that we must unquestionably maintain at least our present level of assistance (even if private investment needs to be added) if our own Nation is to survive. Some insight has been achieved into the attitudes and demands—and power for good or ill—which resides in peoples entirely outside our control.

This may be overoptimistic, but it seems possible that among people who think at all (even if they don't think like us), there may be more understanding about our foreign relations than there is courage among Senators. Why, I know one State PTA board member who actually doesn't believe in social security, yet gives the pitch for point 4 and economic and military assistance with all the conviction of the saved.

As usual, you will be showing courage for several years to make up the deficit. Please don't take time to answer my letter, though I would appreciate it if you would send me the final report of the Special Committee To Study Foreign Aid, when it is completed.

With my appreciation.

MAXINE CHAMBERS.

FIRST METHODIST CHURCH,
Eastside, Oreg., June 2, 1957.

Senator RICHARD NEUBERGER,
United States Senator,
Washington, D. C.

DEAR MR. NEUBERGER: The official board of the Coos Bay Methodist Church authorized me to contact you stating our position on technical and foreign aid to underdeveloped countries. We hope that you will use your influence on this very important matter.

We urge that the United Nations program of technical assistance and the United States program of foreign aid be supported on a long-range rather than annual basis. We urge that safeguards be provided to insure against such aid being used for either military or political expediency.

We believe that economic assistance, which seeks to make the benefits of scientific advance and industrial progress available for the improvement of underdeveloped areas in an example of both Christian love and practical international brotherhood.

We believe the personnel employed in these projects should be of the highest character and should ever seek, through the implementation of the aid program to develop better human relations as well as better economic conditions.

Very truly yours,

Mrs. ALBERT KELLEY,
Secretary, Christian Social Relations.

THE LEAGUE OF WOMEN
VOTERS OF OREGON,
Corvallis, Oreg., May 21, 1957.

The Honorable RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: The League of Women Voters of Oregon is seriously concerned with the current drive for economy and for drastic cuts in the President's budget. Among the most vulnerable targets are the United States economic aid and United States and United Nations technical assistance programs.

It is businesslike and farsighted to recognise that our own growth demands ever expanding markets for our goods. Such markets are not found in underdeveloped and unstable countries, though their population and resources make their potential great. It is in our national self-interest to invest in the future of such countries, in order to make them good training partners. It is well to remember that within these countries lie 73 percent of the strategic raw materials that we must have access to in order to keep our industrial plants going and our defenses strong. Budgeting millions for aid now is one line of defense against spending billions for war later. Economic aid is the best insurance policy we can buy.

The League of Women Voters of Oregon unanimously reaffirms strong approval of economic aid to underdeveloped countries, and requests that no cut be made in appropriations for United Nations technical assistance.

I would appreciate very much receiving a copy of the final report of the Senate special committee to study the foreign-aid program.

Sincerely,

Mrs. CHARLES FORD,
President, League of Women Voters of Oregon.

THE LEAGUE OF WOMEN
VOTERS OF EUGENE,
Eugene, Oreg., May 19, 1957.

The Honorable RICHARD NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SIR: We are writing to urge your support of the foreign-aid program in President Eisenhower's budget. The League of Women Voters has been vitally interested in international relations since the league's beginning. We have studied many phases of foreign affairs with special emphasis in later years on aid to underdeveloped countries. We believe that help given now may prevent war later. This is our primary consideration.

Our trade survey of 2 years ago showed that most businesses are aware of the importance of world trade. Areas which are at present unable to take their places in the

Free World markets will be assisted through the foreign-aid program. We believe that economic aid to these countries is just good business. We also realize that economic aid alone will not do the job, but that the people must be taught modern methods of agriculture, engineering, and manufacturing; therefore we strongly support the United States and the United Nations technical-assistance programs.

May we urge your full support of the President's foreign-aid program? We are aware of the great pressures for across-the-board cuts, but we feel that this is one area in which the American people cannot afford to spend less—we have too much to lose.

Thank you for your consideration of our opinions and your cooperation.

Very truly yours,

Mrs. A. W. Roecker,
President, League of Women Voters of Eugene.

The League of Women Voters of Corvallis,
Corvallis, Oreg., May 16, 1957.

The Honorable Richard Neuberger,
Senate Office Building,
Washington, D. C.

Dear Senator Neuberger: Please send me a copy of the final report of the Senate Special Committee To Study the Foreign Aid Program.

The League of Women Voters of Corvallis is concerned that the pressure Congress is receiving for budget cuts may endanger the foreign-aid program.

League members believe that economic aid is the best insurance policy we can buy. Also it is good business and in the national self-interest to remember that within these countries lie 73 percent of the strategic raw materials necessary to keep our industrial plants going and our defenses strong. For the security and peace of the world, it is necessary for us to help the underdeveloped countries meet human needs and achieve economic and political independence.

Very truly yours,

Mrs. John W. Wolfe, *President.*

Mr. NEUBERGER. Mr. President, I think I have about 2 more minutes of the time yielded to me by the Senator from California [Mr. Knowland].

Before I relinquish the floor, I simply wish to say that, as I see it, the bill now before the Senate, S. 2130, is not a perfect piece of proposed legislation. Undoubtedly, if some other group of Senators had drafted it, it might be somewhat different. But, as I see it, the choice before the Senate is whether we shall have S. 2130 or no mutual-security program at all.

I believe the mutual-security program, notwithstanding all its defects and deficiencies—and any program drafted or proposed by human beings will contain defects and deficiencies—has helped to contain Communist aggression and has helped to save and protect large areas of the Free World.

I again desire to emphasize that the proponents of the bill have raised thus far no objections to the commitments of American soldiers to far-flung areas of the globe. Young men are being drafted—husbands, fathers, sons, nephews, and grandsons are being taken from their homes—and are being sent to defend remote parts of the world. The opponents of S. 2130 accept that fact. Yet when it comes to sending some of our dollars to those areas in an effort, perhaps, to reduce the likelihood of those young men having to participate in a dreadful atomic war, we hear strong objections and bitter opposition raised in the United States Senate.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. MORSE. I want the junior Senator from Oregon to know that his colleague is calling for a complete reorganization of the military manpower program. I think there is a terrific waste of manpower under the draft law. I do not think there is any justification for sending abroad as many men as are being sent.

Mr. NEUBERGER. I am very much pleased to know that the distinguished senior Senator from Oregon has requested such a review of the military program.

Mr. President, I close with the statement, however, that as we occupy our seats in the Senate, it is a fact that young Americans are manning and garrisoning bases and outposts in distant parts of the world. So long as we commit them to those outposts, I shall not flinch from being willing to vote money if the President, the Secretary of State, and the overwhelming majority of the members of the Committee on Foreign Relations are of the very firm opinion that those dollars may perhaps make it less likely that American Armed Forces in distant places will have to fight a war which might not only cost their lives, but might ultimately result in civilization being wiped from the face of the globe. I trust opponents of S. 2130 are not going to be internationalist with soldiers but isolationist with dollars.

Mr. KNOWLAND. Mr. President, I yield 2 minutes to the distinguished Senator from Rhode Island.

Mr. GREEN. Mr. President, yesterday during the course of the debate on S. 2130—the proposed Mutual Security Act of 1957—the junior Senator from Georgia [Mr. Talmadge] enumerated a series of alleged mistakes and unwise expenditures in the mutual security program.

At the conclusion of the remarks of the junior Senator from Georgia I announced that I was requesting representatives of the executive branch to investigate the allegations and to prepare comments on them.

I have now received from the International Cooperation Administration comments prepared by the executive branch on a number of the charges made by the junior Senator from Georgia. I regret that the distinguished Senator did not see fit to check the accuracy of many of his statements before he made them.

Mr. President, I ask unanimous consent that the executive branch comments on the statements made yesterday by the junior Senator from Georgia be printed at this point in the Record as part of my remarks.

There being no objection, the comments were ordered to be printed in the Record, as follows:

TURNPIKE IN PORTUGAL

Senator Talmadge: "While many of our farmers can't get their crops to market over muddy roads, we build a huge six-lane turnpike in Portugal to a gambling resort.

Executive branch comment: "No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released."

JAZZ MUSICIANS

Senator Talmadge: "We have sent hot-lipped musicians abroad who have earned more money than the President."

Executive branch comment: "Public Law 860, 84th Congress, which is not part of the mutual security program legislation, authorized the President to provide for tours abroad by creative and performing artists and athletes from the United States to strengthen the ties which unites us with other nations by demonstrating the cultural interests, developments, and achievements of the people of the United States.

"Out of 86 cultural groups assisted since the inception of this program under supplemental appropriation in 1954, only 4 have been jazz orchestras. While jazz has occupied a very small place in the program, it has proved unexcelled in reaching important segments of foreign audiences—particularly the younger stratum of the population often susceptible to Communist blandishments.

"To insure that groups selected for tours abroad represent America's cultural best, a selection panel of private independent experts in the field of music passes on the artistic qualifications of each group proposed. Groups assisted on the recommendation of this panel include orchestras led by: Dizzy Gillespie, Benny Goodman, Wilbur DeParis, and Ray McKinley.

"The Department believes that substantial benefits have accrued to the United States as a result of these tours. It is generally conceded abroad that American jazz has made a unique contribution to the world of music, and to young people in almost every country it represents freedom, vitality, and a new kind of musical expression.

"Recent news stories have widely misstated the costs to the Government of these tours. Some attention has focused particularly on the tour of the Dizzy Gillespie band, in the Near East. This orchestra normally performs in the United States at a cost of from $8,000 to $10,000 per week, but agreed to this tour for an 8-week period at a weekly fee of $6,250. Even the normal fee of this orchestra is considerably smaller than those commanded by other top-ranking jazz groups. Revenues obtained from the tour reduced the cost to the Government. From the salary paid to the leader of the orchestra, he was required to employ a road manager and to defray that individual's salary."

USE OF AMERICAN KNOW-HOW

Senator Talmadge: "While unfair foreign competition is closing the doors of numerous American industries, we continue to send our technicians and machines to foreign lands to provide the know-how to produce goods that will destroy markets for our own due to the vast differential between slave wages and free wages."

Executive board comment: "The more developed the country, the better customer it is, as the following table shows:

"Value of United States exports in 1955 per inhabitants of the country

Developed countries:	
Canada	$205.27
Netherlands	44.47
United Kingdom	17.99
Germany	11.90
Japan	7.16
Underdeveloped countries:	
Egypt	3.40
Iran	2.55
Indonesia	0.91
Pakistan	0.70
India	0.49

ICEBOXES TO ESKIMOS

Senator TALMADGE: "Why, we have even built public rest rooms in the Philippines and bathing facilities for Egyptian camel drivers. We have sent collapsible toothpaste tubes to Cambodia, dress suits to Grecian undertakers and iceboxes to Eskimos."

Executive branch comment: "With regard to the "rest rooms in the Philippines, dress suits for Grecian undertakers, public baths for Egyptian camel-drivers, and even iceboxes for Eskimos" charge, this is a complete fabrication, with no basis of fact whatsoever. With respect to toothpaste tubes, which of course are always collapsible, it may be that among commodities imported into Cambodia with ICA financing, toothpaste tubes were imported for filling in Cambodia, ICA cannot definitely check this item in the short time available."

ASSISTANCE TO SAUDI ARABIA

Senator TALMADGE: "We are spending millions of dollars for King Saud who maintains 24 palaces and has a fleet of 250 Cadillacs."

Executive branch comment: "The United States has maintained important and special relations with Saudi Arabia since World War II when King Ibn Saud permitted the United States to construct a strategic airfield at Dhahran. The United States, on April 2 of this year, concluded a new agreement with Saudi Arabia which provides for the use of facilities at this important airfield for an additional 5 years. The United States thus retains operation of the only landing and refueling point for aircraft between Libya and the Philippines. The recent round-the-world flight of B–52 bombers, for example, refueled over Dhahran.

"As part of the same agreement, the United States will continue to supply training services to the Saudi Arabian armed forces and will continue to assist in the operation of the civilian airport at Dhahran. Saudi Arabia will be permitted to purchase military equipment from the United States under the provisions of section 106 of the Mutual Security Act of 1954.

"The United States will also provide economic assistance for projects of mutual benefit such as a new air terminal at the Dhahran airfield and an expansion of the nearby port of Damman. This represents the extent of United States assistance to Saudi Arabia.

"It is also pertinent in this connection to note the significant role which King Saud is currently playing in the Near East. Saudi Arabia has given and is giving important support to help combat the menace of international communism. The United States welcomes this and has received substantial support from Saudi Arabia for American foreign policy objectives. Saudi Arabia has no relations with the Soviet bloc. King Saud has indicated his support for the American doctrine. He has just completed an important state visit to prowestern Iraq and is now on a visit to King Hussein of Jordan, whom he has supported against the opposition of subversive elements in Jordan."

RICE PRODUCTION IN KOREA

Senator TALMADGE: "While rice production is less here than in Korea, our technicians have gone there to try to tell them how to raise rice."

Executive branch comment: "The United States has not sent technicians to Korea to tell them how to raise rice. The principal occupation of Koreans is, of course, agricultural production; and through mutual security programs we have assisted in the general increase of agricultural production through demonstration of pest control, fertilizer utilization, and other technologies—none of them specifically directed to production of rice, although no doubt the rice farmer has been benefited from this assistance along with other farmers."

SILICA PLANT ON FORMOSA

Senator TALMADGE: "We built a silica processing plant on Formosa where there was not enough silica to justify its operation."

Executive branch comment: "1. Probable project referred to: Treatment plant at Suao for concentrating and finishing mica and quartz products from a mine nearby in Ilan Prefecture.

"2. United States aid furnished: $37,000 in United States dollars for machinery and equipment. Loan of local currency of equivalent to approximately $40,000 at current exchange rate for rehabilitation of mine and processing plant.

"3. Project development: Studies undertaken prior to the obligation of United States aid funds indicated that there were sufficient deposits of mica to justify undertaking this project. Construction of plant was completed in July 1954. Extensive exploration subsequently failed to locate sufficient quantities of mica for a commercial mining operation. By this time about half the equipment had been installed. The other half has been stored pending allocation to other needs, and for this the Chinese Government has been requested to refund $18,323.03 to the United States Government. The half that was installed is being usefully utilized in pulverizing talc and limestone."

PENSION PROGRAM FOR CHINESE NATIONALIST SOLDIERS

Senator TALMADGE: "We have set up a pension program for overaged Chinese Nationalist soldiers."

Executive branch comment: "Over the last 2 years through the mutual security program the United States has found it in its interest to contribute to the rehabilitation of retired Nationalist Chinese soldiers. This program has met a specific military and political objective in Taiwan and been considered a successful solution to the matter which has been of some concern to Formosan and United States representatives there for some time."

AIRLIFT OF MOSLEM PILGRIMS

Senator TALMADGE: "We have provided free trips for Arabs who wish to visit Mecca."

Executive branch comment: "In August 1952, the Lebanese Government appealed to our Embassy in Beirut for help to provide emergency transportation for approximately 3,000 Moslem pilgrims who were stranded in Beirut on their way to Mecca. Local airlines had oversold tickets on the normally scheduled and special flights that were to take Moslem pilgrims from all over the Moslem world to Mecca in time for the yearly pilgrimage ceremonies. When it was found that private American airlines could not fill the gap, the Department of State consulted with the Secretary of the Air Force, and it was determined that Air Force transport planes could be made available.

"The fact that the most powerful Christian nation in the world had come to the rescue of stranded Moslem pilgrims received considerable publicity in the Middle East and brought a grateful response from numerous prominent Moslems, many of whom had previously been hostile to the United States. The airlift also demonstrated to the people of the area the capabilities of the United States Air Force in an unmistakable manner. At the time it was made clear to the Lebanese Government that the United States could not be expected to repeat such an operation in the future and it was impressed upon those responsible that adequate planning for commercial transportation had to be undertaken during future pilgrimage seasons.

"In June 1956, at the request of the government of Afghanistan, the United States did supply an airplane to help transport Moslems from that country on their pilgrimage to Moslem Mecca. But the pilgrims paid their own way. They paid their fares in Afghan currency, which was used to further the joint Afghan-United States economic development program in this strategic country."

WAGE STUDY IN PHILIPPINES

Senator TALMADGE: "We spent $501,097 United States dollars for a wage and position classification study for the Philippine Government, while we only spent $204,076.29 for a special Senate committee study of the effectiveness of the entire $62 billion postwar foreign-aid program."

Executive branch comment: "Over a 5-year period a contract with a leading United States management organization has been under operation, dedicated to the establishment of study of Philippine Government organization. This has included study and advice regarding wage and position classification but in reality has been a much broader undertaking since it provided technical help to the Reorganization Commission of the Philippine Government. This Commission has been very similar to the Hoover Commissions in the United States studying the full Civil Service System in the country and the structure of government. From this study there has followed the establishment of a civil service and from it have flowed some 33 reorganization bills, over two-thirds of which have been passed by the Philippine Congress. In addition, a security and intelligence organization has been established, a civil aeronautics authority, and a department of commerce.

"The studies financed with this contract and the resulting improvements in the organization and management of the Philippine Government have constituted a necessary first step in strengthening the Philippine capacity to manage its own resources, meet its security objectives, and make a maximum contribution to the same objectives in which the United States has a major interest.

"Regarding the amount of money which the Senate Special Committee devoted to a study of the entire foreign aid program, this was of course a matter of entirely up to the Senate, which elected to devote $300,000 to a short-term study."

OPERA SINGERS TO ITALY

Senator TALMADGE: "We have sent opera singers to Italy."

Executive branch comment: "Under the Fulbright Act (not the Mutual Security Act) grants are offered to American students for graduate study abroad. These grants provide for study in any field, including music, for which facilities exist for profitable study in the countries concerned. Study of voice is one of the fields in which grants are available in Italy. The young singers receiving these grants go to Italy for training, rather than performance. During the current academic year there are seven young vocalists now studying in Italy."

Senator TALMADGE: "We have built an Italian village that nobody wanted to live in."

Executive branch comment: "Presumably the reference is to the new village of La Martella, built in the province not far from the old city of Matera, in southern Italy, which was comprised of notorious cave dwellings. A number of the peasants of Matera lived in caves under wretched conditions. The caves were not owned by them, but rented. The rehousing project in the new village was only part of a rehabilitation project of land reclamation and resettlement in order to improve the economic opportunities of the inhabitants. The project was carried out with Italian-owned local currency counterpart funds (Italian lire paid by Italians to purchase Marshall-plan-provided commodities).

"Actually, the resources available were not sufficient to eliminate cave dwellings entirely, but the worst of them were evacuated by

resettlement. The new village of La Martella provided housing for peasants close to the land they worked.

"Some of the people had to continue to live in caves because the new village could not accommodate all of them. The new village is definitely inhabited."

Senator TALMADGE: "We spent $2 million to provide water and public bath facilities for 200 Lebanese villages."

Executive branch comment: "The village water supply program in Lebanon is part of that country's own development program. It is a byproduct of the Litani River Basin development project, the first phase of which is being financed by an IBRD loan of $27 million.

"The village water supply improvement program is an undertaking of the Lebanese Government now in power, a Government which is strongly prowestern and which is now being voted on by the Lebanese people, and is a program designed to do something to improve the standards and living conditions for the Lebanese people. Its purpose is to improve living conditions in the villages so Lebanese will be encouraged to stay in their villages rather than move to Beirut and Tripoli and thus bring about slum conditions in these urban centers.

"The United States has contributed about $2 million of materials, supplies, and equipment for water supply improvements in about 175 villages. The Lebanese Government itself has spent more than $7 million.

"The primary purpose of the project is to provide the villages with safe drinking water supplies.

"If there are any public baths connected with the projects it is simply because that where you have running water, a bath or water closet is a natural result."

Senator TALMADGE: "We have built iron and steel plants costing nearly a billion dollars in 24 countries."

Executive branch comment: "In the first period of the Economic Cooperation Administration's program in Europe the United States contributed substantially to the reconstruction of the iron and steel plants of almost a dozen European countries. This steel capacity obviously required rebuilding if Europe was to get on its own feet, which, of course, it has done very successfully. In other parts of the world through the Mutual Security Program there has been no assistance provided for the building of iron and steel plants. As a matter of fact very few of the less developed countries are in a position to finance and sustain a large industrial plant of this kind. There have been isolated instances of equipment provided under the aid program for scrap collecting plants but no iron or steel plants themselves."

CHAPTER III—ALICE-IN-WONDERLAND DEFENSE PLANNING

Mr. KNOWLAND. Mr. President, I yield 4 minutes to the distinguished Senator from Missouri.

Mr. SYMINGTON. Mr. President, 22 days ago, on May 23, Secretary of Defense Wilson, in a prepared statement before the Senate Military Appropriations Subcommittee, asserted that unless the Senate restored most of the millions which the House recently took out of the Air Force program, Congress would be "gambling unwisely" with the security of the Nation because some of the cuts made by the House "would have an immediate impact on our defense program."

But now the Senate has discovered that, through fiscal manipulation, Mr. Wilson has made arrangements to take some $4 billion out of the Air Force, although only a few days ago he was asserting that unless millions were restored we would be gambling with the security of our Nation.

Only yesterday he told the press, "I have not got elastic dollars", and he also forecast a "gradual reduction in armed forces because of money difficulties."

This statement is made exactly 22 days after he announced in a prepared statement to the Senate:

> I cannot foresee, at this time, any justification for a reduction in the Military Establishment, nor in the total annual military expenditures of the Department of Defense below the present level, short of a drastic improvement in the international situation.

And only 22 days ago he pleaded with the Senate as follows:

> Don't take the cards and chips away from the people who have to try to work something out with the Russians.

Surely we are now entering the realm of Alice in Wonderland.

Apparently the high level conference now going on at Quantico is to include more than military discussion, because Mr. Wilson also announced to the press yesterday that Air Force Secretary Douglas was too hasty in making his carefully analyzed protest about Mr. Wilson's directive 7200.4 Mr. Douglas stated that this directive, plus the other recent fiscal restrictions, would impede Air Force procurement about $4 billion in planned production of planes and missiles.

In addition to a discussion of military matters at Quantico, apparently there is to be some brainwashing, because the Secretary of Defense also announced in the press today that "the Air Force Secretary was hasty in making that statement and will correct it."

It is now becoming more and more clear as to just how the Department of Defense plans to handle this military budget. The Secretary believes that when his Comptroller brings over to the Senate the "telephone book" size volume that contains the budget, there will be no real detailed interest on the part of Congress. One can almost hear Mr. Wilson saying to his staff, "These Congressional people really don't understand the problem. We will go over there and talk to them a bit, and pretty soon they will be out of town—they are plenty anxious to get out anyway—and after that we will apportion this money the way we believe best, regardless of what they think."

It is now very clear what Mr. Wilson believes.

But what does President Eisenhower believe? Does he believe that the defense program he presented to the Congress earlier this year as vital to our security, in the face of growing Communist strength, is one of dollars; or one of planes and ships and tanks and trained people?

What does President Eisenhower really want?

Does he support his own telecasted recommendation last month to restore Air Force funds over $600 million—or does he support the more recent directive of his own Secretary of Defense to reduce Air Force funds over $4 billion?

The Senate has the right to know before it votes.

Equally important, the people have the right to know: What does the President want?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RABAUT, Mr. PASSMAN, Mr. NATCHER, Mr. CANNON, Mr. WILSON of Indiana, Mr. JAMES, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. TALLE, Mr. KILBURN, and Mr. MCDONOUGH were appointed managers on the part of the House at the conference.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that at this time there may be a quorum call, without having the time required for it charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, I call up my amendment identified as "6–12–57–C."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 26, in line 15, beginning with the word "There", it is proposed to strike out the remainder of the paragraph through line 19 as follows:

> There is hereby authorized to be appropriated to the President for use beginning in the fiscal year 1959 to carry out the purposes of this action not to exceed $710,000,000, which shall remain available until expended.

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The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 hour.

Mr. LONG. Mr. President, I shall take much less than 1 hour for my opening statement on the amendment.

The amendment proposes to strike from the bill the second year's authorization of not to exceed $710 million for so-called defense support.

The reason for the amendment is that this program has not been justified by a single line of testimony before the committee. The defense support, as the study committee itself so well recognized, is, for most part, nothing more than economic aid.

This provision of the bill is a proposal by the committee to hide away in the military budget a program for $710 million of economic aid for the second year, without having any testimony to justify the authorization of such a program. There was testimony about the proposed defense support for the fiscal year 1958, but there was no testimony about the proposed defense support for the fiscal year 1959.

It is my judgment and that of other Members of the Senate that Congress should not relinquish its control of the purse strings and should not make it unnecessary to look into the proposed economic support, which is nothing more than economic aid on a completely grant basis, without knowing what it is for and how it is to be expended. Congress should understand the foreign-policy considerations to justify such a program.

Lest Senators be under the misapprehension that the second year's authorization is a defense authorization, let them examine page 784 of the hearings, where they will see what the defense support for Korea was during the present year. They will see there, listed project by project, how this defense-support program includes the development of agricultural and natural resources, the development of industries and mining, the development of transportation, health and sanitation expenditures, education expenditures, public administration expenditures, and also expenditures for community development, social welfare, housing, and other projects of a general nature. These have not been justified for 1959. They have no place in any nation's defense budget, and they should not be authorized as a part of a military budget, on the basis of a blank check for $710 million, without a single line or word of testimony, before the committee to justify any of it.

Furthermore, Mr. President, I should like to point out that the committee itself, while acting in the capacity of a study committee—the so-called Special Committee To Study the Foreign Aid Program—recommended throughout its report, time after time, that the so-called defense support be called what it actually is, namely, supporting assistance, rather than defense support, because much of it is completely unrelated in any direct sense to a nation's defense.

Mr. REVERCOMB. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Does the Senator from Louisiana yield to the Senator from West Virginia?

Mr. LONG. I yield.

Mr. REVERCOMB. I am very much interested in the argument the Senator from Louisiana is making. I should like to ask him if there is any relationship in the bill between defense support, which we are now discussing, and development assistance, which is provided for in another part of the bill.

Mr. LONG. In many countries persons are completely confused, and cannot tell one from the other. Many of our groups have said exactly that. In some foreign countries persons cannot tell whether they are being given development assistance or defense support. They are confused. The study group said it ought to be called development or supporting assistance rather than defense support.

Mr. REVERCOMB. Is the money to be used for defense support based on loans or direct grants?

Mr. LONG. Direct grants; none of it whatsoever is repayable.

Mr. REVERCOMB. Does the Senator feel that under development assistance the same aid would be given as has been given in practice under defense support?

Mr. LONG. Much of the defense support is given entirely on that basis. Many of the recipient countries will never be able to repay it in any event. Much of the defense support goes to Korea, Formosa, Vietnam, Cambodia, Laos, and such countries, where it is regarded as dubious that they will ever be able to repay it. It seems to me, inasmuch as we are spending money to develop the fishing industry in Korea, and to develop upper watersheds, livestock, and other such projects, we could just as well distribute the money on a loan basis, and have some hope of getting it back, rather than give it all away, as proposed in the bill.

Mr. REVERCOMB. I am very much impressed with the inclusion in the bill this year of a provision for lending rather than direct grants. I think it is a great improvement in the bill, and a very necessary one.

Mr. LONG. I agree with the Senator.

Mr. REVERCOMB. I think it is necessary to put an end to the direct granting of funds, but defense support comes in another category, as I understood the Senator. Is that correct?

Mr. LONG. Yes. While I approve of the loan principle, I should like to point out to the Senator that there is at present available for direct grant, under the name of defense support, an unexpended amount of $1,700,000,000. The bill authorizes an additional $800 million for such direct grant for this year. It authorizes an additional $710 million of such direct grant next year, without hearing a word of testimony about the need for the second year's authorization.

Mr. REVERCOMB. Is the purpose of the amendment of the Senator to strike out completely the defense support provision?

Mr. LONG. Not at all. The amendment I am offering is merely an amendment to strike out the second year's authorization, that for fiscal 1959. I anticipate that in 1959 we will have an authorization and an appropriation for defense support. What I am contending is that it is irresponsible and that Congress is not discharging its responsibility to the public or performing its duty when it authorizes $710 million for defense support, most of which will be for economic aid, for the next fiscal year—fiscal 1959, 2 years from now—without ever hearing one word of testimony to justify any of it.

Mr. REVERCOMB. Will the Senator yield further?

Mr. LONG. Yes.

Mr. REVERCOMB. Does the Senator contend that some of the funds which would be directly granted under defense support as a matter of fact properly come under development assistance, for which loans are provided?

Mr. LONG. Yes, that is quite correct, and the reports that came back from all our study groups were to the same effect.

Mr. REVERCOMB. To what extent would that occur? In other words, to what extent would defense support be taken care of, as now practiced, under development assistance?

Mr. LONG. I regret to say that the statement which I hold in my hand has been labeled secret. I can see no reason why it should be labeled secret, but this is the current program for the fiscal year 1958. It is an itemized statement of defense support for Korea. The report is available to the Senator, although it is not available to the public. He will see that a large amount of the money—a major portion of it—is for development of agriculture, industry, mining, transportation, health facilities, sanitation, education, public administration, community development, social welfare, and housing. Every bit of that could be just as well under development assistance as under defense support, and should be, and the special groups that studied the matter said it should be under some such title.

Mr. REVERCOMB. I thank the Senator.

Mr. FLANDERS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. LONG. I yield for a question.

Mr. FLANDERS. The Senator from Louisiana has criticized the appropriation at this time for assistance extending into fiscal year 1959.

Mr. LONG. I am criticizing an authorization for 1959, for which no testimony or evidence has been presented.

Mr. FLANDERS. I may say, from my own investigations into the effectiveness of our assistance, much of the criticism is directed at foolish and lavish expenditures. There is, however, another type of criticism, which seems to me valid, and that is that much of our assistance has been of a haphazard nature—available this year, withdrawn next year, and something else undertaken somewhere else. Some of the items of assistance require continued support and some as-

surance of such support. I can conceive that the extension of authorization into 1959 might assure a better continuity.

Therefore, I should like to ask the Senator from Louisiana whether he would be favorable to a policy of continuity of assistance, where that is evidently required, even though he is against implementing it by authorizations for the succeeding fiscal year.

Mr. LONG. I suggest to the Senator that the precedent of the Marshall plan would be a good example of the way this program should be administered. The Senator will recall that under the Marshall plan we were told that it was going to be a 5-year program, and we were asked to vote for the first year's increment.

We were told after the first year we would have an opportunity to look at the program and see whether we were willing to go along with a second year's increment, or with the third, fourth, or fifth year's increment. It was a 5-year program. We recognized it as such, and we voted for it on that basis.

I am saying in this instance if additional authorization is wanted, let those who want the additional funds come before Congress and state what they want funds for in 1959.

As the Senator perhaps knows, we have been told of inexcusable waste, inefficiency, and mismanagement of these funds. Now Congress is asked to vote $800 million for next year and $710 million for a second-year authorization without even having a chance to look into the mismanagement that might occur in the first year, to see whether the funds are necessary in the second year, and without any knowledge of what the final costs might be.

While it is desirable in some cases to have a continuing program, with increments year by year, when there has been no testimony as to what the second year's cost will be there is no justification for providing such an authorization without knowing or without having any evidence on what the cost for the second year may be.

Mr. FLANDERS. Am I to judge, I will ask the Senator, that his attitude would be sympathetic toward any sensible continuing program?

Mr. LONG. I believe it would make very good sense if the administration would come to Congress and attempt to have adopted a program which had some ultimate end to it, some final conclusion, or which held out some hope that eventually the program would be concluded, rather than for the Government to be spending money year by year without any hope whatever of ever arriving at some definite result. That would be a very fine idea. If we could have some indication of something of that sort happening, I would be very favorable to it; but I see no reason why we should authorize the foreign-aid program more than on a year-to-year basis. We do not do it for our own programs.

The loan program, as I pointed out to the Senator, could be effective on that basis. In other words, $500 million could be made available for development loans, and that should certainly be considered on a long-term basis, with a loan repayment schedule which would be related to the program and make possible the repayments.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me, on my own time?

Mr. LONG. I was asked previously to yield to the Senator from Georgia [Mr. TALMADGE]. I will yield to the Senator from Wyoming immediately thereafter.

(At this point Mr. LONG yielded to Mr. TALMADGE, to corroborate some statements made by him yesterday which had been questioned. On request of Mr. LONG, and by unanimous consent, Mr. TALMADGE's remarks were ordered to be printed in the RECORD following Mr. LONG's speech.)

Mr. O'MAHONEY. Mr. President, will the Senator from Louisiana yield?

Mr. LONG. I yield.

Mr. O'MAHONEY. A short time ago, before he yielded to the Senator from Georgia, the Senator from Louisiana was holding in his hand a document which he said was classified. I find, on page 784 of the hearings before the Foreign Relations Committee, at the bottom of the page, a list of fiscal year 1957 defense support program items for Korea. This seems to be a list of projects involving agriculture and natural resources, industry and mining, transportation, health, sanitation, education, public administration, and so forth, including food, feed, and fertilizer.

Am I to understand from the Senator that these expenditures for the defense program in Korea in 1957, which are listed in the hearings, are the same character of expenditures as are contained in the program for 1958, and which are enumerated in the list which the Senator has on his desk, but which is marked "classified"?

Mr. LONG. The Senator is entirely correct. The secret document contains the same items for the next year at slightly reduced figures. It contains almost exactly the same items, all of them economic in character.

Mr. O'MAHONEY. Who made the document secret?

Mr. LONG. I have no idea who made the document secret. I assume it was someone in the State Department who classified it.

Mr. O'MAHONEY. Was it made secret by the President?

Mr. LONG. Someone acting for the President, I assume, in the State Department.

Mr. O'MAHONEY. Was there any allegation at the hearing that the President had made it secret?

Mr. LONG. I regret to say that I cannot answer the question as to who made it secret. Personally I do not believe it should be.

Mr. O'MAHONEY. Is it not a fact that this document is available to all the members of the Foreign Relations Committee?

Mr. LONG. Yes. It is available also to Members of the Senate, generally.

Mr. O'MAHONEY. Who made it available to Members of the Senate?

Mr. LONG. In most cases the procedure has been that a Senator has been regarded as a sufficiently safe security risk to see secret information. I must say to the Senator, in all candor, that there is a great deal of information we are never permitted to see. The Senator knows that as well as I do. In this case I do not believe there is any objection to a Senator seeing the list.

Mr. O'MAHONEY. But the objection is to the public seeing it.

Mr. LONG. Yes. The objection is to the public knowing it.

Mr. O'MAHONEY. It may be revealed to the public next year, however?

Mr. LONG. Yes.

Mr. O'MAHONEY. Just as the 1947 expenditures were made public after the fact.

Mr. LONG. To be completely fair, it is contended by the Department that if the foreign country sees a statement of the funds it is supposed to get, if it does not get quite as much as is shown on the sheet, it will feel that it has been shortchanged. The Senator will recall that some years ago the French complained bitterly that we did not give them as much money as they had been promised.

There is a considerable amount of flexibility in the operation of the program. Funds may be transferred from one country to another. The main argument for secrecy is that once a country learns that a certain sum has been placed upon the sheet, if any of the money is transferred to some other country it will object, because it did not receive what it expected to receive.

Mr. O'MAHONEY. It is not the people of the foreign countries who are being shortchanged. It is our own people.

Mr. LONG. I quite agree with the Senator.

Mr. O'MAHONEY. It is our people who put up the money for these expenditures.

Mr. LONG. I quite agree with the Senator.

I read from the committee study report. This is the same group of Senators who reported the foreign-aid bill. I read from page 25 of the study committee report on foreign aid:

> The committee believes that any change in legislation which would deny to the Senate the full review of supporting aid—

It is called supporting aid in this report—

> would raise dangers of failure to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs, and unnecessary and excessive demands upon this country.

This is the same Foreign Relations Committee, sitting as a study group, saying, "Do not do a thing like this. It is bad," and then bringing us a bill exactly the opposite of what they recommended as a study group.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. KNOWLAND. Is it not a fact that an annual review will occur in connection with the appropriation bills?

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Mr. LONG. Here we are with the committee's report. The committee says that this supporting aid should not be hidden away in a defense bill. The report terms it "supporting aid" and the committee says that it should not be hidden away in a defense bill, but it should be set forth as economic aid, where it can be revealed as such.

(At this point Mr. LONG yielded to Mr. DIRKSEN, who commented on the statement of Mr. TALMADGE. On request of Mr. LONG and by unanimous consent Mr. DIRKSEN's remarks were ordered to be printed in the RECORD following Mr. LONG's speech.)

Mr. LONG. Mr. President, I have just a few words to say in conclusion. Let me just make this further statement. In addition to this money being loosely handled—and perhaps there are some charges about the program which cannot be sustained—in this particular program for defense support, our money is being frittered away all over the world—and I make this statement advisedly, and I can prove it—by the hundreds of millions of dollars, because we are permitting ourselves to be shortchanged on the exchange of currencies. I refer Senators to pages 651 and 652 of the hearings before the Committee on Foreign Relations.

I should like to tell Senators what is supposed to be done. This is how $710 million is supposed to be disposed of. First, we would buy the commodities. Then we would ship the commodities to foreign countries. The commodities would then be sold for local currencies. The local currencies would be used for the purposes set forth in the statements and justifications, to develop resources and various other purposes. The point is that when we ship the commodities, we permit a handful of merchants in the foreign countries to take the commodities and to sell them into the foreign economy. When they sell them, they do not give us a fair exchange on the currency.

I refer to the administration's own witness as his testimony appears on page 651. He explained that in Vietnam we get back from the merchants less than 50 cents on the dollar for the support of the Vietnamese Government, instead of what we should be receiving. That is the administration's own witness making that admission. I point out to Senators that in that one country alone there is a loss of about $120 million a year for the benefit of 2,000 Indochinese merchants. That does not benefit their country at all.

The same thing is true—perhaps to a lesser extent, but nevertheless true—in Korea.

The same thing is true—perhaps to a lesser degree, but nevertheless true—in Formosa.

I was talking to a person who had just returned from Korea. He explained to me that he was not permitted to pay for his hotel bill in their local currency, which is the hwan. He was required to pay his bill in American dollars, because of the exchange rate that is in effect, under which the American taxpayer is being shortchanged. The shortchanging is not perpetrated on the local citizens, because they know about it.

Therefore, Mr. President, no other program is more in need of being reviewed and studied every year on a yearly basis than this one.

There is no justification for supporting a second year authorization. This is an economic program. This authorization is contrary to what the committee itself recommended when it was studying the matter.

For that reason, the second year authorization should be stricken until it is justified by responsible testimony.

Mr. President, although there are very few Senators on the floor at this time, I should like to ask for the yeas and nays on my amendment.

Mr. JOHNSON of Texas. I join in the request of the Senator. I think the Senator should have the yeas and nays on his amendment.

The yeas and nays were ordered.

During the delivery of Mr. LONG's speech.

Mr. TALMADGE. Mr. President, will the Senator from Louisiana yield to me at this time, for the purpose of enabling me to corroborate some of the statements I made on the pending bill yesterday and which appear in the RECORD.

Mr. LONG. I yield.

Mr. TALMADGE. Yesterday in my address on the pending bill, I made several statements which indicated to me doubtful expenditures of the taxpayers' money concerning the security of our country or of the Free World. The accuracy of some of those statements has been questioned by an insertion in the RECORD yesterday on page 9003, by the distinguished Senator from Utah [Mr. BENNETT]. The accuracy has also been questioned by the distinguished chairman of the Committee on Foreign Relations, the Senator from Rhode Island [Mr. GREEN].

For both Senators I have great love, affection, and respect. In view of the questions raised, I believe, I should cite my authority for the content of some of the illustrations I used yesterday.

I made the statement that $60 billion had been spent since the conclusion of World War II on aid of all sorts to foreign countries. The accuracy of that statement has been challenged. The distinguished senior Senator from Louisiana [Mr. ELLENDER], on the floor of the Senate on June 28, 1956, as appears in the CONGRESSIONAL RECORD, volume 102, part 8, page 11208, stated that our foreign aid expenditures up to that date totaled $53,151,468,000, with more than $9 billion still in the pipeline.

I hold in my hand the U. S. News & World Report of February 22, 1957. In that issue is a special report on foreign aid. The style is, "This article represents the result of an extensive research on a problem of outstanding importance." In this article it is pointed out that we have spent in loans and gifts to foreign countries during the past 40 years some $115,737,000,000. The article points out in detail where the money has gone.

Mr. President, I ask unanimous consent that this article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE HUNDRED AND SIXTEEN BILLION DOLLARS IN FOREIGN AID—AND MORE TO GO

Let trouble arise almost anywhere, and the solution seems to call for a new outlay of American dollar aid.

It all started back in 1917, and, since then, the net cost has climbed almost to $116 billion—with no end in sight.

Now tensions in the Middle East are threatening to send the cost of helping other countries on a global scale even higher.

Over the last 40 years the American people have extended to people in other countries nearly $116 billion in aid through gifts and loans.

Yet there is no signs of a letup in the steady succession of crises that generate this flow of aid. The trend in the total of assistance continues to be upward.

It was 4 decades ago, during World War I, that the program of supplying help to other nations began. The aid in that period was in the form of loans—most of which remain unpaid.

Today, with interest added, the portion of World War I loans outstanding is carried on the Government's books at $17.8 billion.

Between wars, assistance provided by the United States to others went mainly to relieve suffering in areas hit by famine, floods, earthquakes and hurricanes.

The really big program of American aid got underway with lend-lease just before the United States entered World War II. Aid has continued on a large scale ever since, with Congress now considering a special program for the countries of the Middle East.

The mounting cost: Help for people abroad now averages between 4 and 5 billion dollars a year. By next June 30 the aid total will be above $120 billion—and still climbing.

At that time, there will be $8 billion in available funds unspent and probably $4 billion more in new money authorized by Congress. This means that the long-range total is likely to pass $130 billion in the next few years and will mount even higher unless the need for aid abroad ends.

All of these figures are net totals, after deducting repayments of loans and interest. Much of the money has been distributed in the form of grants—or gifts—which are not repayable.

The American people, during and since World War II, have paid out nearly $86.25 billion in outright grants to scores of countries. During the calendar year ending next December 31, this total will reach 90 billion or more. It could, eventually, exceed 100 billion on the basis of money available now, or requested.

In addition to these gifts, more than 11.6 billions in loans has been channeled abroad in the years since the start of World War II. And new loans to nations in troubled parts of the world are being proposed.

DOLLAR MAGIC?

Americans, over the years, have been called upon to provide the outside world with dollars as the magic that will help to solve problems that develop.

Billions were provided immediately after World War II, distributed by the United Nations, to relieve suffering in war-torn regions. Then came the Marshall plan and aid to Greece—help that enabled nations in Europe to overcome the effects of war and to regain economic strength. These billions are credited with having saved much of Western Europe from communism.

As Europe recovered, the direction of aid shifted. Economic aid to Europe turned

rapidly to military aid. Instead of butter, United States billions provided guns to strengthen nations willing to stand against aggressive moves by Soviet Russia. The direction of aid shifted in still another way. Asia now became the recipient of economic aid on an increasing scale.

Today, a new shift in emphasis is developing. Attention is centered on the Middle East, where help is measured in millions of dollars instead of in billions. At the same time, the whole range of aid abroad is under study by a special White House Commission headed by Benjamin F. Fairless, the former chairman of United States Steel Corp. Recommendations of this group can be expected to influence the direction and character of spending in the years ahead.

WHERE THE MONEY GOES

If you look at the following table you can see which nations have received the bulk of the aid that Americans have given to the outside world in 40 years.

United States foreign aid in the last 40 years	$115,737,000,000
How aid dollars mounted up:	
World War I loans, unpaid principal and interest	17,882,000,000
World War II gifts, including Lend-Lease	40,256,000,000
Economic aid after World War II	27,741,000,000
Military aid after World War II	18,249,000,000
Loans during and since World War II	11,609,000,000

Where the dollars went[1]

	Amount	Share
		Percent
Britain	$38,464,000,000	41.1
France	12,850,000,000	13.7
Russia	11,750,000,000	12.6
Italy	5,239,000,000	5.6
Germany	4,240,000,000	4.5
China	2,563,000,000	2.7
Japan	2,546,000,000	2.7
Korea	1,533,000,000	1.6
Greece	1,464,000,000	1.6
Belgium	1,182,000,000	1.3
Netherlands	1,139,000,000	1.2
Austria	1,043,000,000	1.1
Total for 12 nations getting biggest gifts	84,013,000,000	89.7
Other nations	9,509,000,000	10.3

[1] Excludes $18,249,000,000 military aid since World War II, not reported by country, and $3,966,000,000 for advances to international organizations and other expenses.

Great Britain has received the largest share of aid dollars—in both loans and grants. The British, in two wars, exhausted reserves of wealth built up over centuries. Aid from the United States has enabled the British people to gain time to deal with their problems. That aid, so far as anyone can foresee, will need to be continued if Britain is to maintain her position as a major power in the world. The aid that this country extends today is largely military aid, which relieves Britain of part of an expense that its people find increasingly burdensome.

The story is somewhat the same for France. Two world wars plus war in Indochina, and now in Algeria, have strained the French economy. American aid has enabled France to overcome a series of crises. Again, there is no present prospect that aid to France can be stopped without resulting problems of the kind that the United States Government does not want to face.

Russia it can be noted, is third on the list of nations that have been helped by Americans. That aid was large during World War II when Lend-Lease provided many weapons and other supplies for the Soviet war effort. In the early postwar period, aid to Russia was in the form of food and U. N. relief work. This relief ended when the Soviet Union was denied a huge loan sought by Stalin. When the Marshall plan was proposed, Stalin balked at accepting and aid ended.

Something else shows up on the accompanying chart. Germany, an enemy of this country in 2 wars, and Japan and Italy, enemies in 1, are large-scale recipients of American aid.

Dollars have helped the Germans and Japanese to overcome the effects of defeat in war and to rise to positions of greater strength than those of some of America's allies in the two wars. Neither West Germany nor Japan has to support a big military force.

In both Germany and Japan, huge war debts have been wiped out. Dollars have been used to give industry a boost and to rebuild shattered factories.

In fact, all over the non-Communist world dollar gifts and loans have been provided. More billions of dollars are to continue flowing out to such places as India, Iran, Turkey, Egypt, and Pakistan, where some aid has been given and more is wanted.

LENGTHENING QUEUE

There are no indications at this time of a cutback in existing programs of aid. If anything, the requests for United States assistance are increasing.

Communist Poland has joined the queue with an appeal for a loan on lenient terms. The Soviet satellite is said to be asking about $400 million—as a start—to buy machinery and surplus agricultural commodities in the United States.

Morocco, its independence newly won from France, is asking—and may win—a grant of $37 million for public-works projects. Tunisia and Libya, also in North America, are angling for aid.

President Eisenhower has won substantial support in Congress for his plan to spend $600 million on special projects in the Middle East in the next 2½ years. That would be in addition to regular aid to the Middle Eastern countries, which has been running at the rate of about $200 million a year.

CUSTOMERS FOR UNITED STATES

Aid sent abroad is more than just a means of assuring friends for the United States in a troubled world. In international trade, this country sells more than it buys. The rest of the world would run out of dollars with which to buy goods in the United States unless some means were found to give or loan enough dollars to make up the difference in the balance of United States trade with other nations. This difference runs about $5 billion a year.

Any program of foreign aid—in whatever form devised—is intended to help prevent dollar shortages from occurring abroad. Such shortages are viewed here as tending to lead other countries to turn to the Communist bloc of nations for trade.

American aid sent abroad has become, in effect, one more bulwark against economic trouble at home. For that reason, even after 40 years that have produced a total bill of nearly $116 billion for aid, a big cut in the help given to other people is not likely at this time.

Mr. TALMADGE. Mr. President, another statement I made in my remarks yesterday was that some of the money we had given to Norway and Denmark had been utilized to apply on their national debts. I hold in my hand an Associated Press newspaper clipping from the Atlanta Journal, dated Wednesday, December 21, 1955. The Senator from Virginia [Mr. BYRD] is quoted as saying that "United States Aid Cut British Taxes." The article states:

BYRD, a strong advocate of thrift in Government, said in an interview he wants economic aid ended, but that he will go along with foreign military assistance at the level the administration proposes—about 3 billions. Under administration plans, economic aid funds next year would rise to $1,900 million.

"While I was in Europe this fall, I confirmed through the officials concerned that we gave Denmark $100 million to help pay off her debt," BYRD said.

I also hold in my hand a book entitled "The Great Giveaway," written by Eugene W. Castle, a prominent author, who has several times traveled around the world at his own expense investigating this matter. I read from page 142 thereof:

We gave the Government of Norway $300 million which they promptly applied to the reduction of their internal debt.

Another remark I made yesterday on the floor of the Senate which was challenged was that our taxpayers' money had been utilized to transport a religious sect to Mecca. I hold in my hand an Associated Press dispatch dated June 19, 1956, which bears the headline "United States To Send Plane To Aid Afghans To Visit Mecca." It goes on with the details, stating that they will make approximately 15 or 20 round trips, that the distance of the round trip is about 3,500 miles, that the cost to the taxpayers is $150,000, to transport some Moslems to Mecca for the purpose of worship.

Mr. President, I ask unanimous consent that the article may be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNITED STATES TO SEND PLANE TO AID AFGHANS TO VISIT MECCA

As a gesture of friendliness to Afghanistan, the United States is sending a passenger plane to take more than 1,000 Afghan Moslems on their pilgrimage to Mecca.

A Pan-American World Airways plane carrying three air crews and ground personnel is due to arrive Wednesday in Kandahar, Afghanistan trading center, to start the 3,500-mile round-trip flights to the birthplace of Mohammed.

The International Cooperation Administration, announcing the arrangement yesterday, estimated about 15 to 20 round trips will be made during the next 2 months at a cost of about $150,000. The Afghanistan Government is chipping in on the expenses by providing the fuel.

The Pan-American plane, capable of carrying 64 passengers, will supplement the regular Afghan airline, Aryana, in transporting the pilgrims. ICA said a similar assist was given to Lebanon in 1953.

The great pilgrimage to Mecca is required of every Moslem at least once in his lifetime if he is able to go.

Mr. TALMADGE. Mr. President, I hold in my hand a press release from the International Cooperation Administration, for release in the a. m. newspapers, June 19, 1956, reporting on the same subject of the transportation of

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Moslems to Mecca for the purpose of worship. I ask unanimous consent that the press release may be printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

ICA TO HELP TRANSPORT AFGHAN PILGRIMS TO MECCA

WASHINGTON, June 18.—The United States Government will help to transport more than 1,000 Afghan Moslems to Mecca for the annual "great feast" ceremonies, the International Cooperation Administration announced today.

ICA, acting upon the request of the Afghanistan Government, has contracted with Pan American World Airways of New York to send a 4-engine airplane to Kandahar in south central Afghanistan for 60 days, during which it will make 15 to 20 round trips to Jidda, the port of Mecca, on the Red Sea. The aircraft will be used to supplement the capacity of the Afghan airline, Aryana, to transport the pilgrims.

The plane left Idlewild Airport Sunday and is expected to arrive in Kandahar Wednesday. It carries three air crews and ground personnel. Pan American is the only United States airline certified by the Civil Aeronautics Board as an international flight carrier in and through Afghanistan.

The Hadj, or great pilgrimage to Mecca, is one of the most important events in a Moslem's life. Every Moslem is required to make this pilgrimage to the birthplace of Mohammed at least once during his lifetime, if he is able.

United States aid to Afghanistan is designed to help encourage the strengthening of a stable government, which will be able to maintain the nation's independence, and to help meet the aspirations of the Afghan people for a better standard of living.

Mr. TALMADGE. Other statements in my speech yesterday the authenticity of which has been challenged were that we had sent dress suits to Grecian undertakers, that we had built public bath houses for Egyptian camel drivers, and that we had sent iceboxes to Eskimos.

I hold in my hand a clipping from the Los Angeles Examiner of Sunday, October 23, 1955, written by an eminent columnist, whose article is syndicated, Mr. George Dixon, whom many of us know, love, and respect. He quotes in detail on that matter.

I ask unanimous consent, Mr. President, that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ZANY GIFTS IN GIVEAWAY

(By George Dixon)

WASHINGTON, October, 22.—Just about the time I catch up with the latest alphabetical metamorphosis of our giveaway agency it goes and metamorphoses itself again.

When it first came to my attention it was called the ECA. It took me weeks to memorize that this stood for Economic Cooperation Administration.

Then it changed to MSA, which stood for Mutual Security Administration; then to FOA, which stood for Foreign Operations Administration, and then to ICA, which stood for almost anything, including $3 million worth of raisins for Britain.

DUE TO CHANGE

The last I heard of it, it was still ICA, or International Cooperation Administration. But I figure it is about time for it to change its name again because it has just authorized 150,000 collapsible toothpaste tubes for Cambodia.

The ICA withholds any explanation of why we are sending collapsible toothpaste tubes to Cambodia, or why the Cambodians crave them.

You would think there were enough collapsible things in that country already.

Under its various guises, our foreign aid agency has provided public baths for Egyptian camel drivers, dress suits for Grecian undertakers, and literally, iceboxes for Eskimos. We have also sent stage comedies to France, opera singers to Italy, and drama groups to Germany.

CULTURE

We ship culture as freely as commodities. Among cultural projects administered by the State Department in recent months were: Jose Limon dance troupe in South America; Porgy and Bess tour of the Balkans; Isaac Stern performances in Iceland; Jubilee Singers tour of Far East and Near East, and the United States track, field and swimming stars tour of Latin America.

But the giveaway to the English intrigues me even more. When I was a kid there was another commodity that always went with raisins, I will say it: "Nuts."

Dean William E. Reed, the distinguished Negro who heads up the agriculture department at the all-Negro Agricultural and Technical College in Greensboro, N C., was reminiscing about his recent tour of Russia as a member of the United States farm delegation. He said the Russians had practiced discrimination.

This caused lifted eyebrows. Dean Reed pretended to be oblivious of the sensation he had created and went placidly on:

"There were seven members of our delegation. I was the only Negro. But everywhere we went I was put in second place. I was always second in every reception line and No. 2 honor guest at every reception."

"Then it was discrimination?"

"Yes," continued the 41-year-old educator, "but not because of color. The Russians have become exceedingly education-conscious. They are particularly conscious about college degrees. Whoever holds the most doctorates is, in their opinion, the most distinguished VIP.

BY DEGREES

"I hold a bachelor of science from Southern University, in Scotlandville, La.; a master of science from Iowa State College, and a doctor of philosophy from Cornell. But the chairman of our delegation, Dean W. V. Lambert, of the University of Nebraska College of Agriculture, holds one more than I do—and the other schoolteacher in our party holds one less.

"So the Russians placed Dean Lambert first—which they should have done anyway as he was head of the delegation—and Prof. David Gale Johnson, of the University of Chicago, third."

Mr. TALMADGE. I also stated in my speech yesterday that we had built a six-lane highway in Portugal from Lisbon to a gambling resort, with our taxpayers' money. The authenticity of that remark has been challenged.

My authority for that statement is Mr. Eugene Castle, the author of the book, The Great Giveaway. I called him on the telephone this morning and asked him for his authority. He told me he was there, that he rode on the road, that he spoke the language, that he asked the people how they got it, and that they all told him the Americans built it for them. He stated that he is prepared at any time to appear before any committee of the Congress to substantiate that statement.

Another remark which I made yesterday was that we had given a billion dollars to India since the conclusion of World War II. The authenticity of that statement has been challenged, and the International Cooperation Administration states that they did in fact give India the sum of $468 million. Now, that is not complete, because in addition to that we have given them vast stores of food under Public Law 480, some of which is charged to the farm price supports, but in fact is foreign aid, because we either give them or sell them that food at nominal prices.

In addition, over a 3-year period, India agreed to buy, at somewhat more than 50 cents on the dollar of what it cost the United States, the following commodities: 130 million bushels of wheat, 5,000 bales of cotton, 6 million pounds of tobacco, and assorted dairy products costing $3½ million.

Furthermore, India agreed to buy, during a single year, 4,400,000 bags of rice, each weighing 100 pounds. These products were to be shipped to India, at the expense of the United States Government. The ocean freight charges were figured at $54,200,000.

For this package, India agreed to pay $360 million, not in dollars, but in rupees. The cost to the American taxpayers, including freight, was $706,500,000; the selling price was $360 million. The loss to the American taxpayers was $346,500,000.

Since that issue has been raised, from time to time I have listed the chronology of some of our foreign-aid expenditures, the wisdom of which appeared to my mind to be very doubtful. I should like to read some of these items into the RECORD.

Item No. 1: Building 200 public restrooms in the Philippines and sending a team of technical assistance experts to demonstrate their use to confused Filipinos. This was reported by Representative H. R. GROSS, Republican, of Iowa, in a newsletter of January 4, 1956.

Item No. 2: Hiring a pasture production consultant and financing a study of the food value of British grass for Great Britain. This item was reported in the Chicago Tribune press service of January 21, 1956.

Item No. 3: Consulting services in social insurance for Haiti, reported in the Chicago Tribune Press January 21, 1956.

Item No. 4: Shipping of 150,000 collapsible toothpaste tubes to Cambodia, reported by Columnist George Dixon on October 23, 1955.

Item No. 5: Building public baths for Egyptian camel drivers, reported by Columnist George Dixon on October 23, 1955.

Mr. President, I have listed some 60-odd similar items, showing the sources of the authority, and I ask unanimous consent that the list be printed in the RECORD at this point as a part of my remarks.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

1. Building 200 public rest rooms in the Philippines and sending a team of technical assistance experts to demonstrate their use

to confused Filipinos. (Reported by Congressman H. R. GROSS, Iowa Republican, in Newsletter of January 4, 1956.)

2. Hiring a pasture production consultant and financing a study of the food value of British grass for Great Britain. (Chicago Tribune Press Service, January 21, 1956.)

3. Consulting services in social insurance for Haiti. (Chicago Tribune Press Service, January 21, 1956.)

4. Shipping of 150,000 collapsible toothpaste tubes to Cambodia. (Columnist George Dixon, October 23, 1955.)

5. Building public baths for Egyptian camel drivers. (Columnist George Dixon, October 23, 1955.)

6. Giving dress suits to Grecian undertakers. (Columnist George Dixon, October 23, 1955.)

7. Shipping ice boxes to Eskimos. (Columnist George Dixon, October 23, 1955.)

8. Sending opera singers to Italy, Spanish dance troupes to South America and stage comedies to France. (Columnist George Dixon, October 23, 1956.)

9. Conducting a wage and position classification survey for the Philippine Government. (Chicago Tribune Press Service, January 21, 1956.)

10. Hiring a trade union consultant for Europe. (Chicago Tribune Press Service, January 21, 1956.)

11. Training French industrialists in American psychology methods in industry. (Chicago Tribune Press Service, January 21, 1956.)

12. Establishing a pension program for overage Chinese Nationalist soldiers. (Representative OLIN E. TEAGUE, Texas Democrat, as quoted by United Press, October 22, 1955.)

13. Underwriting the reduction of taxes in Great Britain and paying off the national debt of Denmark. (Senator HARRY F. BYRD, Virginia Democrat, as quoted by the Associated Press, December 21, 1955.)

14. Building of multi-million-dollar luxury apartment houses for American bureaucrats in Germany, France and Yugoslavia. (Eugene W. Castle in his book, "Billions, Blunders and Baloney," and subsequent speeches.)

15. Bringing traffic cops from foreign countries to study how to be better traffic cops in the United States. (Eugene W. Castle.)

16. Study of the human behavior of the Dutch people. (Eugene W. Castle.)

17. Sending railroad coaches to Korea. (Associated Press, April 16, 1956.)

18. Underwriting UNESCO script to the tune of $6,500,000 a year. (Congressman H. R. GROSS in the CONGRESSIONAL RECORD, April 10, 1956.)

19. Insuring American investment abroad, including $17 million worth for Ford Motor Co. alone. (Columnist John B. Crane. ICA Bulletin No. 93.)

20. Modernizing Thailand's revenue service and budgetary procedures. (ICA press release No. 96, February 6, 1956.)

21. Training the Thai in peaceful uses of atomic energy. (ICA press release No. 96, February 6, 1956.)

22. Building bridges over South American rivers, including one costing $460,000 over the Piray River in Bolivia. (Eugene Castle.)

23. Constructing and equipping nitrophosphate plant, cement plant, polyvinyl chloride plant, urea plant, sulfuric acid plant, sugar mills, artificial wood board plant and other private industrial development on Formosa. (ICA Bulletins No. 100, 99, 90, 71, and 62 and press release No. 101.)

24. Shipping raisins to Great Britain. (Columnist George Dixon, October 23, 1955; ICA Bulletin No. 89, April 4, 1956.)

25. Financing the commercial development of jet aircraft in Great Britain. (Eugene Castle.)

26. Sending ultra-violet lamps to India. (ICA Bulletin No. 76, March 6, 1956.)

27. Study of the carrying capacity of India's railway transportation system. (ICA Bulletin No. 69, February 15, 1956.)

28. Training newsprint mill operators in India. (Chicago Tribune Press Service, January 21, 1956.)

29. Giving landing craft to Indonesia. (ICA Bulletin No. 83, March 20, 1956.)

30. Expanding cotton mills in Iran. (ICA bulletin No. 75, March 5, 1956.)

31. Building low-cost housing and health centers and paving of city streets and developing municipal water supplies in Iran. (ICA press release No. 102, February 15, 1956.)

32. Sending audio-visual mobile units to Iran. (ICA Bulletin No. 63, February 2, 1956.)

33. Underwriting deficit of Japanese Government. (Eugene Castle.)

34. Establishing agricultural schools in Jordan. (ICA Bulletin No. 92, April 10, 1956.)

35. Providing advisory services in the operation of railroads for the Korea National Railway. (ICA Bulletin No. 72, April 24, 1956.)

36. Equipping Korean fishing boats. (ICA Bulletin No. 70, February 16, 1956.)

37. Paying rent on use of Korean facilities by American Armed Forces protecting the country. (Time magazine, January 2, 1956.)

38. Sending vegetable seeds to Laos. (ICA Bulletin No. 65, February 6, 1956.)

39. Circulating publications of Organization for European Economic Cooperation in this country to acquaint Americans with foreign products and processes. (ICA Bulletin No. 74, March 1, 1956.)

40. Paying the salaries of an army of half a million bureaucrats to administer American foreign aid and propaganda projects abroad. (Eugene W. Castle.)

41. Spending more than $30 million a year to turn out propaganda films, magazines, newspapers and news services to compete with the competent products of private American enterprise abroad. (Eugene Castle.)

42. Paying off the Norwegian national debt. (Eugene W. Castle.)

43. Building fertilizer factory and grain elevators in Pakistan. (ICA press release No. 105.)

44. Developing a modern civil airways system and building public water supplies in Pakistan. (ICA press release No. 105.)

45. Digging 1,800 wells in the Philippines. (ICA bulletin, No. 142, April 23, 1956.)

46. Establishing farm cooperatives in the Philippines. (ICA Bulletin No. 142, April 23, 1956.)

47. Underwriting geophysical exploration in the Philippines. (Chicago Tribune News Service, January 21, 1956.)

48. Engineering and economic survey of domestic transportation facilities in the Philippines. (ICA Bulletin No. 60, January 19, 1956.)

49. Land development demonstration projects in the Azores. (ICA Bulletin No. 87, March 30, 1956.)

50. Paying salary of investment adviser to the Federation of Rhodesia and Nyasaland in Central Africa. (ICA Bulletin No. 91, April 6, 1956.)

51. Livestock improvement and disease control projects in Thailand. (ICA Bulletin No. 97, April 19, 1956.)

52. Tank irrigation and water conservation projects in Thailand. (ICA Bulletin No. 81, March 16, 1956.)

53. Contract with Pan American World Airways to send 25 technicians to Thailand to assist Thai Airways Co. in establishing a personnel training program. (ICA Bulletin No. 79, March 13, 1956.)

54. Establishing and equipping Foot and Mouth Disease Vaccine Laboratory in Thailand. (ICA Bulletin No. 65, February 6, 1956.)

55. Thirty-mile extension of the state-owned Thai State Railway, including the gift of rolling stock and the installation of necessary telecommunications equipment. (ICS press release, No. 96, February 6, 1952.)

56. Training program to teach Thai how to operate and maintain motor vehicles given them. (ICA press release, No. 96, February 6, 1956.)

57. Importing breeding stock to improve cattle herds in Thailand. (ICA press release, No. 96, February 6, 1956.)

58. Undertaking marketing surveys in Thailand to attract private industry. (ICA press release, No. 96, February 6, 1956.)

59. Audiovisual mobile units for Vietnam. (ICA Bulletin, No. 100, April 25, 1956.)

60. Providing newsprint for Vietnam newspapers. (ICA Bulletin, No. 92, April 10, 1956.)

61. Building homes and clearing land for Vietnam refugees. (ICA press release, No. 83, January 18, 1956.)

62. Self-propelled water and oil-carrying barges for Vietnam. (ICA Bulletin, No. 63, February 2, 1956.)

63. Underwriting recruiting campaigns for the Vietnamese Army. (Eugene Castle quoting testimony of USIA Director Theodore Streibert.)

The principal preoccupation of the International Cooperation Administration (ICA) at this time seems to be building roads and dams. For example, it already has built a 15-mile long, 6-lane superhighway, linking the city of Lisbon, Portugal, with the gambling casino at Estoril (authority: Eugene Castle), and presently has underway these projects:

1. A 200-mile highway through the jungles of central Thailand to connect the capital city with that country's underdeveloped northeast. (ICA press release, No. 96, February 6, 1956.)

2. A highway of undisclosed length to be carved out of the rugged mountains and hacked out of the tangled jungles of Cambodia, connecting that country's capital city with a new seaport being built on the Gulf of Siam by the French. (ICA press release, No. 91, January 27, 1956.)

3. A 145-mile highway across the island of Formosa to open up virgin territory for the development of agriculture, forestry, and mining. (ICA press release, No. 101, February 14, 1956.)

4. Five hundred miles of rural roads opening up undeveloped territory in the Philippines. (ICA Bulletin, No. 142, April 12, 1956.)

These roads are being constructed where roads never before existed. They are located in countries where motor transport is a luxury and automobiles are a rarity. The excuse for their construction is their "military necessity," but it appears that their sole military advantage will accrue to the hordes of Mao Tse-tung whenever he may decide to send them surging into Southeast Asia, a conquest which we are aware Communist China can make at will.

According to a breakdown printed in the February 23, 1956, issue of the CONGRESSIONAL RECORD by Congressman A. L. MILLER, of Nebraska, the ICA and its predecessors during the period April 3, 1948, to March 31, 1955, spent a total of $288,582,000 on overseas power, irrigation and river development projects. These include projects in Denmark, France, Iceland, Italy, the Netherlands, Portugal, Spain, Austria-Germany, Belgian Congo, Algeria, Dutch Surinam, Malta, Jamaica, British Somaliland, Cyprus, Cambodia, Laos, Vietnam, Formosa, Korea, the Philippines, Thailand, Greece, Iran, Iraq, Israel, Jordan, Lebanon, Turkey, Egypt, Ethiopia, Liberia, Afghanistan, India, Nepal, and Pakistan.

Those figures do not include such current projects as:

1. The $50 million dam, powerplant, and irrigation system at Shihmen on Formosa (ICA Press Release No. 101, February 14, 1956).

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2. The $65 million multipurpose dam on the Karnafuli River in east Pakistan (ICA Press Release No. 105, February 19, 1956).

3. Two million dollar development project in the Rapti River Valley in Nepal (ICA Press Release No. 94, February 2, 1956).

4. Thirty million dollars to build steam-power plants in Korea (Chicago Tribune Press Service, January 21, 1956).

5. Five million eight hundred sixty-six thousand and five hundred dollars for an electric power project in Greece (Chicago Tribune Press Service, January 21, 1956).

These projects all will provide power for expanded industry to compete with American industry and water for increased irrigation to produce more basic crops to compete with American produce.

Mr. TALMADGE. I thank the distinguished Senator from Louisiana for his graciousness in yielding to me.

During the delivery of Mr. LONG's speech.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. DIRKSEN. I appreciate the kindness of the Senator in yielding at this point.

I think it is only fair and appropriate to make one comment on the statements made by the distinguished Senator from Georgia [Mr. TALMADGE]. Frankly, I am amazed at the statements which appear in the Reader's Digest, the American Legion Monthly, and elsewhere, which are absolutely without foundation. Such statements are frequently quoted on the floor of the House or the Senate. The Senator from Georgia read from the Castle book. The following statement is quoted from the book:

In Portugal we have paid for a 6-lane highway 15 miles long connecting Lisbon with the gambling resort of Estoril.

The comment of the International Cooperation Administration is as follows:

No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

It was indicated, in a speech on the floor of the House that—

Our tax dollars have provided dress suits for Grecian undertakers, public baths for Egyptian camel drivers, and even ice boxes for Eskimos.

What is the fact? ICA says, "This is a complete fabrication, with no basis in fact whatsoever."

I shall answer all of these allegations that were made, because they are not founded in fact.

It seems to me that Members of the House and of the Senate ought to be a little more careful, a little more mindful of the whole story, before these stories are so carelessly disseminated to the press.

Mr. LONG. Mr. President, I ask unanimous consent that the remarks of the Senator from Georgia [Mr. TALMADGE], and the remarks of the Senator from Illinois [Mr. DIRKSEN] be placed at the conclusion of my remarks, in order that my remarks may have continuity.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Without objection, it is so ordered.

Mr. DIRKSEN. I shall amplify my statement later.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG].

Mr. JOHNSON of Texas. Mr. President, I yield 4 minutes to the distinguished chairman of the Committee on Foreign Relations.

Mr. GREEN. Mr. President, the pending amendment would eliminate from the bill the authorization for appropriations for defense support for the fiscal year 1959.

The President of the United States recommended to the Congress that authorizations for appropriations for both military assistance and defense support should be changed from a 1-year basis to a permanent authorization basis. The President made this recommendation for two principal reasons. First, a continuing authorization for these programs would facilitate proper long-range planning. Second, a continuing authorization would demonstrate the fact that these programs are an important part of the defense effort of the United States.

The Committee on Foreign Relations decided to put authorizations for both military assistance and defense support on a 2-year basis rather than a permanent basis. The committee believes that the relationship between these programs and foreign policies of the United States is so close as to require periodic review by the Committee on Foreign Relations. The committee has, however, been reviewing such authorizations for 10 years now. The objectives of defense support and the main patterns of such assistance are now fairly well agreed upon. The Committee therefore concluded that it could safely change from an annual authorization to authorizations covering 2 years. The committee believes that this change will permit better planning and will improve the administration of the programs.

Mr. President, I hope that the amendment will be defeated.

Mr. JOHNSON of Texas. Mr. President, I wonder if it would be agreeable to the Senator from Louisiana for each of us to yield back all of our time except 5 minutes on each side, and then to have a quorum call, the time for the quorum call to be charged to neither side. Following the quorum call, the Senator from Louisiana would have a chance to represent his amendment; and then we would use time on this side.

Mr. LONG. That is agreeable.

Mr. JOHNSON of Texas. Mr. President, with the understanding that all time has been yielded back with the exception of 5 minutes on each side, I ask unanimous consent that I may suggest the absence of a quorum, the time for the quorum call to be charged to neither side.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Is there objection to the request of the Senator from Texas that there be a quorum call, the time for the quorum call to be charged to neither side? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished minority leader.

Mr. KNOWLAND. Mr. President, I rise to support the position taken by the chairman of the Committee on Foreign Relations, the distinguished Senator from Rhode Island [Mr. GREEN], who has heretofore spoken in opposition to the first amendment offered by the junior Senator from Louisiana [Mr. LONG].

If Senators will examine page 26 of the bill, they will see that the effect and intent of the amendment of the Senator from Louisiana is to strike out beginning with the word "There", at the end of line 15, through the remainder of the paragraph. That will eliminate the authority for the following fiscal year, 1959, for both the military support and the defense support.

When the administration first presented its recommendations to the Congress, it requested in effect, unlimited authority in the case of both the military features of the bill and the defense-support features. The committee, with all the facts before it, believed—and quite properly so, in my opinion—that it would be unwise to authorize such unlimited support which in the future would require action by the Appropriations Committee. But the committee felt that a strong case had been made for giving authorization for a limited period of 2 years in the case of these 2 fields, namely, military support and defense support.

On the other hand, that military appropriation could not be included in this year's military appropriation bill because the military appropriation bill for United States forces has already cleared the House of Representatives, and is before the Senate Appropriations Committee, before the Senate has even acted on the mutual aid authorization bill. If the Senate is to be given an opportunity to experiment with that plan next year, it is necessary to make the 1959 authorization now, so that next year, when the appropriation bill comes before us, this feature may be included.

The testimony has very clearly shown that the forces in Republic of Korea, in Turkey, in Formosa, and in Vietnam are all parts of the mutual defense perimeter of the free world, of which the United States is a vital part. Under these circumstances, particularly when the evidence shows that it costs $105 to maintain a Turkish soldier, $117 to maintain a Korean soldier, and $142 to maintain a Chinese Nationalist soldier——

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. I should like to have 1 additional minute.

Mr. JOHNSON of Texas. Mr. President, I yield an additional minute to the Senator from California, if that will be agreeable to the Senator from Louisiana; and, if so, I shall also yield an additional minute to the Senator from Louisiana.

Mr. LONG. Very well.

The PRESIDING OFFICER. The Senator from California is recognized for one additional minute.

Mr. KNOWLAND. On the other hand, Mr. President, it costs $3,511 a year to maintain a United States soldier. So, from the point of view of the defense of those countries, and from the point of view of the defense of our own country, more divisions will be available for the common defense if we use the soldiers of other countries. I believe that situation amply justifies including that part of the item in our military appropriation bill next year. But unless this item is included in the pending bill, we shall not be able to follow that procedure.

For that reason, Mr. President, I hope the amendment of the Senator from Louisiana will be rejected.

Mr. LONG. Mr. President, let me point out that my amendment does not at all affect the fiscal year 1958. In other words, it does not affect the fiscal year which will begin on the 1st of July of this year, and will end on the 30th of June, 1958.

My position is that the Congress should not vote for an economic program, to be hidden inside the defense budget, when that economic program would be for the fiscal year 1959, which will begin more than a year from now on July 1, 1958, and will end on June 30, 1959.

If Senators wish to consider a sample of such an economic program, let them examine pages 784 and 785 of the hearings, which shows a typical program—in this case, the one in Korea. From those pages of the hearings, Senators will find that the program is primarily an economic-aid program. In the case of Korea, the program is for the purpose of developing agricultural and natural resources, industry and mining, transportation, health and sanitation, education, public administration, community development, social welfare, housing, and so forth.

If Senators would like to consider further what is happening under this program, let them also examine pages 651 and 652 of the hearings, from which they will see that a great portion of the money used for this program is absolutely being frittered away—according to the administration's own testimony—by permitting these foreign nations to shortchange us by as much as 50 percent in the exchange of currencies. In other words, as much as 50 percent, or half, of the money is simply being frittered away in connection with a vast exchange of currencies; and the administration admits it. In the case of Vietnam alone, that is going on to the tune of $120 million, or 50 percent of $240 million annually.

Mr. President, this type of economic aid program should not be hidden away in the military budget. When the committee was sitting as a study group, what did the committee say about it? On page 16 of the report we find that the committee discusses supporting assistance, as the commitee calls it; and at that point in the report the committee points out that in many cases it is nothing more than outright economic aid. Then the committee says that the administration had made the suggestion that the military-aid provisions might be placed in the defense budget without having any further authorization bill, as is proposed in this case.

Then the committee says:

> On the other hand, such legislation might result in a loss of some congressional control over the largest element of foreign aid, by burying it in the budget of the Department of Defense.

Then let us examine the next paragraph. I am lifting it out of context, but I am not doing violence to the point the committee had in mind:

> While the committee believes that there may be merit in the proposal to place military aid funds with the Department of Defense, it knows that this proposal deals with only one part of the problem.

In the second paragraph of page 25, we find the following:

> The committee believes that any changes in legislation which would deny to the Senate an annual review of supporting aid—

The committee calls it supporting aid—

> would raise dangers of a failure to adjust this aid to changing circumstances. It would raise dangers of an undue expansion of supporting aid programs and unnecessary and excessive demands on the resources of this country.

Elsewhere in the report Senators will find that the statement that to continue the supporting aid indefinitely creates ill will between nations and causes nations not to do for themselves the things which we can properly rely upon them to do.

That report was unanimous. My amendment recommends the accomplishment of exactly what the same Foreign Relations Committee unanimously recommended when the committee was sitting as a study group on this program.

Mr. President, Senators can recommend one thing when they are studying a program, and they can vote the other way when the administration suggests they do so. But I suggest that, by the administration's own admission, in the case of a single country, and when $240 million was involved, as much as 50 percent of the money was absolutely being thrown away by means of a quick exchange of currencies.

Mr. President, why should these things be hidden away in the defense budget, when they are most wasteful and most inexcusable.

Therefore, Mr. President, I say that a 1-year authorization is enough; it would be inexcusable to make such an authorization for a second year, without further study.

Mr. RUSSELL. Mr. President, will the Senator from Texas yield to me, so that I may ask a question of the Senator from Louisiana?

Mr. JOHNSON of Texas. I yield to the Senator from Georgia, from the time available on the bill.

Mr. RUSSELL. The Senator from Louisiana knows that the Senate authorized the expenditure of $300,000 for the purpose of conducting the study to which reference has been made; and in that connection, various study groups were sent forth, foundations were employed, and voluminous reports were received and analyzed. In the light of what the Foreign Relations Committee has recommended now, contrary to that report, does it not appear that that money has gone down the drain, along with a great deal of the foreign aid we have provided?

Mr. LONG. Not only that, but one of the experts pointed out that $120 million is being wasted, in the case of Vietnam; and yet the committee now proposes that all this sort of thing be continued.

Mr. MALONE. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. I have no further time.

Mr. JOHNSON of Texas. Mr. President, if agreeable, I will yield 1 minute on the bill to the Senator from Nevada.

Mr. MALONE. Is the Senator from Louisiana aware that Secretary Dulles, the Secretary of State, testified before the committee, last year, that foreign aid is a permanent policy as long as our security is threatened? Our security has been threatened ever since we have been a nation. I suppose, from that, it will be a continuing thing, but is the Senator aware of that fact? Of course he is; he was a member of the committee.

Mr. LONG. Yes. Here is a case of asking Congress to authorize $710 million without ever looking into the subject. If we approve this authorization, we may next be asked to authorize aid 10 years in advance. Someday Congress, I suppose, will be asked to authorize foreign aid forever, without any control.

Mr. MALONE. It was said in 1948 that if we started the Marshall plan and appropriated money for it, it would definitely become just as much a part of our budget as the State Department is.

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. Do we have 3 minutes remaining on the amendment?

The PRESIDING OFFICER. The majority leader has 3 minutes remaining. The proponents of the amendment have no time.

Mr. JOHNSON of Texas. Mr. President, I desire to make a statement, at the conclusion of which I shall suggest the absence of a quorum, because I want all Senators to be on notice, so they can be present when the vote is taken.

I rise in opposition to this amendment.

First, the pending bill is an authorization measure. It does not deal directly with spending, but only the ceilings upon spending when we get to the actual money bill.

The mutual-security bill, as reported by the chairman of the Foreign Relations Committee [Mr. GREEN], must go through two stages every year. We are engaged in the first stage now, that is,

consideration of the policy question involved, and determination of the maximum effort this country is willing to make.

The second stage—which cannot even begin until we conclude the first stage—is when we consider the actual amount of money that will be appropriated. This is a far different question.

The difference is so great that there has been only one instance in the past 10 years where the executive branch has asked for as much in appropriations as it asked in authorizations, and there has been no instance in which Congress has granted as much in appropriations as it has in authorizations.

For fiscal 1957, the administration requested $4,860,000,000 in authorization. The Congress actually granted $4,034,600,000. Then, when we reached the appropriation bill, the sum actually appropriated was $3,766,500,000.

For fiscal 1956, the situation was as follows:

The Executive authorization request was $3,408,000,000.

The congressional authorization was $3,285,800,000.

The Executive appropriation request was $3,266,600,000.

But the congressional appropriation was down to $2,703,000,000.

By the combined action of the President and the Senate Foreign Relations Committee, this measure has been cut already by 16⅔ percent. We customarily operate on the assumption that some flexibility has been left for the operations of the Appropriations Committee.

That committee has the exhausting—and usually thankless—job of going over the justification in detail.

It seems to me that we will be approaching the peril point if we make another substantial cut in the authorization. We will leave the Appropriations Committee without sufficient elbow room.

Prudent judgment on spending is best made when the men who must make the judgment do not have their hands tied.

I have great confidence in the ability of the Senate Appropriations Committee to make prudent judgments as to the use of the taxpayer's money. If the authorization is too high—in terms of specific projects—I believe they will determine that fact and make appropriate recommendations.

It is my belief that the Senate Foreign Relations Committee has performed its duties ably and well. I believe the ceiling authorizations they have brought to us are realistic and in line with the national interest.

For that reason, I cannot see my way clear to vote to reduce the authorization, as proposed by my delightful friend from Louisiana. It is my belief that it would be an unwise restriction which we might regret in the days ahead.

I ask unanimous consent to have printed in the RECORD a table setting forth the history of congressional action on the mutual-security bill for the past 10 years.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Fiscal year	Executive branch authorization request	Authorization by Congress	Executive branch appropriation request	Mutual security program appropriations adjusted	Amount of reduction—comparing appropriation granted with authorization request	Percentage reduction appropriations compared with authorization request
1948–49	8,499.0	7,892.0	6,837.0	6,386.8	2,112.2	0.248
1950	5,756.0	5,670.0	5,512.2	5,173.2	582.8	.101
1951	8,172.5	7,922.5	7,835.7	7,359.4	813.1	.099
1952	8,500.0	7,583.4	7,527.5	7,282.3	1,217.7	.143
1953	7,900.0	6,492.7	6,492.7	6,011.9	1,888.1	.226
1954	5,927.1	5,255.6	5,124.5	4,723.9	1,203.2	.203
1955	3,676.4	3,024.6	3,438.5	2,804.5	871.9	.2309
1956	3,408.0	3,285.8	3,266.6	2,703.5	704.5	.20
1957	4,860.0	4,034.6	4,860.0	3,766.5	1,093.5	.225
1958	4,400 0					

Mr. JOHNSON of Texas. Mr. President, I think the vote on the pending amendment is a test, and I want to suggest the absence of a quorum, so Senators can be present when there is a vote on it.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. All the time of the Senator from Texas, the 3 minutes which he allowed himself, has expired.

Mr. JOHNSON of Texas. I yield 1 minute on the bill, if it is agreeable.

Mr. ELLENDER. Is it not a fact that the amendment offered by the junior Senator from Louisiana does not touch on the defense support authorization for the fiscal year 1958, but affects only the authorization for the fiscal year 1959?

Mr. JOHNSON of Texas. The Senator from Louisiana proposes to whittle away $300 million of military aid by this amendment.

Mr. ELLENDER. The Senator from Texas is in error. This amendment simply strikes out the authorization for defense support funds for fiscal year 1959, and does not in any manner reduce or otherwise affect the amount of defense support authorized for fiscal year 1958.

Mr. JOHNSON of Texas. Mr. President, I think that if the amendment of the Senator from Louisiana shall be adopted, our whole foreign military-aid program will be affected, indeed, will be dangerously affected, and I think it will result in many extra dollars having to be appropriated, not only in the next year, but in the years to come, because I am convinced of one thing: The money we have spent in foreign and defense aid has saved our spending many times that amount on our own forces.

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. JOHNSON of Texas. I yield.

Mr. LONG. Is the Senator from Texas sure which amendment he is referring to?

Mr. JOHNSON of Texas. I understood the Senator from Louisiana, when he offered the amendment, was offering an amendment that would reduce the authorization seven-hundred-million-odd dollars in the year 1958.

Mr. LONG. No; the Senator has been discussing the wrong amendment. I am offering the amendment identified as "6–12–57—C." That amendment would strike out the authorization for 1959.

Mr. JOHNSON of Texas. I understand.

Mr. MANSFIELD. If the Senator will yield, the majority leader is correct, because if the amendment is adopted, it will mean the second year's appropriation in defense support, which is nothing but economic aid support, amounting to $710 million, will be liquidated.

Mr. LONG. I anticipate that next year it would be justified. The burden of my argument is that the committee ought to hear evidence to justify the authorization of $710 million, rather than have the Congress authorize it without hearing any support for it or any evidence for it or a single word of testimony.

Mr. JOHNSON of Texas. Let me see if I can make clear to the Senator from Louisiana and other Senators what we are voting on. As I understand, the Senator proposes to strike from the bill the amount authorized to be appropriated for the fiscal year 1959, which is $710 million.

Mr. LONG. That is correct.

Mr. JOHNSON of Texas. I think that is a whittling away of our whole foreign-aid program. In my opinion, this is a dangerous amendment. I believe that if we take the step today of adopting this amendment, we will pull the whole house down on our heads. I hope the vote on the amendment will be a test, and that every Senator will be present and recorded.

I suggest the absence of a quorum.

Mr. ELLENDER. Mr. President, will the Senator yield for another question?

Mr. JOHNSON of Texas. I will yield for a question. We agreed to 5 minutes to each side. We have taken that much time.

Mr. ELLENDER. Take it on the bill. I have a number of amendments.

Mr. JOHNSON of Texas. Will the Senator take it on his amendment?

Mr. ELLENDER. Yes; I will take it on my amendment.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

Mr. ELLENDER. Will the Senator withhold the suggestion and answer my question?

Mr. JOHNSON of Texas. Yes.

Mr. ELLENDER. Should we not proceed with respect to this bill in the same manner as we have in the past, namely, to authorize funds for defense support on a 1-year basis, so that we can examine the program each year and determine each year the level at which it should be continued, if at all?

We are departing today from the usual procedure in authorizing these funds. We are establishing a dangerous precedent—one which may haunt us in future years, when we endeavor to shut this program off, or at least substantially curtail it. We are extending the authorization not only into the next fiscal year but into the fiscal year beyond that—fiscal year 1959, to be exact. That is what I am objecting to.

Mr. JOHNSON of Texas. The Senator's statement is correct. I understand his position.

Mr. ELLENDER. How can the Senator argue that the amendment of the junior Senator from Louisiana is going to hurt the program, when for the past 10 years we have proceeded in the same manner now sought to be followed?

Mr. JOHNSON of Texas. Because I think all the testimony adduced before the committee—the very responsible committee and the very prudent committee—indicated that our national interest rested in the terms reported in the pending bill.

Mr. ELLENDER. I do not think that the committee as a whole, at least those members who made a study of the subject, desired to make the period longer than 1 year. It is the administration which is attempting to force the 2-year authorization on us. I say to the Senator that if we adopt this amendment we will be sorry.

As a matter of fact, the special Senate subcommittee which studied the foreign-aid program recommended specifically that no change be made in the present practice of making the defense support appropriations available for 1 year only. I say to the Senator that I think the subcommittee's recommendation in this instance should be followed.

Mr. JOHNSON of Texas. I thank the Senator for his observations. I regret that the committee which heard all of the evidence and testimony does not concur in his views.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morse
Allott	Gore	Morton
Anderson	Green	Mundt
Barrett	Hayden	Murray
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Flanders	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

The PRESIDING OFFICER. A quorum is present.

Mr. REVERCOMB. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. What is the question on which the Senate is about to vote?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. LONG], amendment designated 6-12-57-C. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from West Virginia would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senators from North Dakota [Mr. LANGER and Mr. YOUNG] would each vote "yea."

The result was announced—yeas 34, nays 55, as follows:

YEAS—34

Anderson	Frear	Mundt
Barrett	Goldwater	O'Mahoney
Bible	Hruska	Revercomb
Bricker	Jenner	Robertson
Butler	Johnston, S. C.	Russell
Byrd	Kerr	Schoeppel
Case, S. Dak.	Long	Stennis
Chavez	Magnuson	Talmadge
Curtis	Malone	Thurmond
Dworshak	Mansfield	Williams
Eastland	McClellan	
Ellender	Morse	

NAYS—55

Aiken	Hayden	Murray
Allott	Hennings	Neuberger
Beall	Hickenlooper	Pastore
Bennett	Hill	Payne
Bush	Holland	Potter
Capehart	Humphrey	Purtell
Carlson	Ives	Saltonstall
Carroll	Jackson	Scott
Case, N. J.	Javits	Smathers
Church	Johnson, Tex.	Smith, Maine
Clark	Kefauver	Smith, N. J.
Cooper	Kennedy	Sparkman
Cotton	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Lausche	Watkins
Flanders	Martin, Iowa	Wiley
Fulbright	Martin, Pa.	Yarborough
Gore	McNamara	
Green	Morton	

NOT VOTING—6

Bridges	Langer	Neely
Ervin	Monroney	Young

So Mr. LONG's amendment was rejected.

Mr. KNOWLAND. Mr. President, I move that the vote by which the Long amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from California [Mr. KNOWLAND] to reconsider the vote by which the Long amendment was rejected.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Louisiana will be stated.

The LEGISLATIVE CLERK. On page 26, lines 14 and 15, it is proposed to strike out "$800,000,000" and insert "$710,000,000."

Mr. LONG. Mr. President, I shall need very little time to discuss this amendment. I see no need whatever for consuming the entire time available to me. I believe I can explain it in 6 minutes.

The amendment proposes to hold the ceiling figure for 1958 to the same figure which the committee recommended for 1959. In other words, the committee, after hearing the justification with respect to 1 year, without hearing any testimony with respect to the subsequent year, recommended that for 1959 the sum of $710 million should be the ceiling.

It was the committee's wish and hope that the economic-aid program, which goes under the name of defense support, could be carried in the year 1959 at $710 million. My question is, If we think that $710 million is the right figure for next year, without any testimony on the subject at all, and without any testimony as to what the difference will be between next year and this year, why should we not use the same figure this year.

I sat through most of the hearings, Mr. President, and I am frank to say that this whole authorization is nothing more than an educated guess. That is why all the figures on these items are secret. No one knows whether the administration will spend this much money or not. However, we can see what the figures were for Korea, so far as last year is concerned, although not for this year. The administration will not reveal the figures for this year because they think the Koreans, for example, might expect all this money to be expended, whereas it might be desirable to transfer the money to some other nation or to spend it somewhere else.

Furthermore, there is also an unexpended balance in this program of $1,714,000,000, as of February 28 this year. In other words, as of the last day of February there was sufficient money on hand to carry the program for more than 2 years into the future.

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What I am saying is that we should make an additional reduction of about 10 percent, which is the same reduction the committee recommended be made in the following year.

I pointed out that if the administration will carefully use these funds it can get better results with the $710 million than the amount authorized in the bill.

I call attention to the testimony at pages 652 and 653. Some of the Senators who are on the floor now may not have heard my previous statement in this connection. An administration witness explained that in connection with this program in Vietnam we are losing as much as half the value of our money, because we are pegging the piaster at 35 to the dollar, when the rate should be at least 70, and perhaps more. Therefore we are losing half of our money for the benefit of about 2,000 native merchants.

Merely by pegging the piaster to a completely fictitious rate, we are losing the benefit of half the funds we are giving to that country.

The same thing is happening in Korea. The same thing is happening in Formosa. The committee that studied the program states at page 27 of the report that this kind of thing should be stopped and we should insist on getting full value for the funds we send there, rather than having most of its value squeezed out in the exchange of the currency.

Everything the administration seeks to have accomplished can be accomplished, and more, if they will peg the foreign currencies to their actual value, and if they will bring about a free exchange of the currencies. The administration's own witness testified that that ought to be done. All I say is, let them do it. If they will do it, they will have more funds available than they need. As a matter of fact, they already have enough money to carry the program forward for the next two and a half years out of funds already appropriated.

There is no reason why this program cannot stand a small reduction. The committee recommended a reduction of about 5 or 6 percent. I say it should be about 15 percent.

Furthermore, when the administration sent their requests to Congress and stated that they had reduced their requirements for the foreign aid program, nowhere in the reduced requirements did I see that they had reduced this most wasteful part of the program, the so-called support program.

I point out that, in addition to the $710 million which is proposed to be authorized, the President also has available to him $250 million in his special fund, most of which will be spent for the same purpose. Therefore about a billion dollars would be available in addition to the $1,715,000,000 already available and appropriated previously.

Mr. President, I yield 5 minutes to my distinguished colleague.

Mr. ELLENDER. Mr. President, I hope that this small reduction will be made. Depending on what happens to the pending amendment, I shall propose an amendment, to cut the amount even more.

As my distinguished colleague has pointed out, more than a billion dollars is available for expenditure in the future. The defense support title is a misnomer. It is simply a disguise for economic aid. Not one nickel of this entire amount, although it is referred to as defense aid, will be used to buy a gun or a tank or anything else of a military nature. The entire sum will be used in the same manner as the billions of dollars we have been appropriating since 1948 for economic aid to the nations of Western Europe.

Mr. MORSE. Mr. President, will the Senator yield for a quick question?

Mr. ELLENDER. I yield.

Mr. MORSE. Not only is it economic aid, but it is in the form of economic grants. Is that not correct?

Mr. ELLENDER. That is exactly correct. This money is made available even to countries which have very small military establishments. Any country with which we do have a joint military program in operation is entitled to share in this money. But the money, when granted, will be used to construct dams, to build roads, even to erect flour mills, as was the case in Korea.

Mr. MORSE. Mr. President, will the Senator yield for another quick question?

Mr. ELLENDER. In Formosa defense support grants are being used in order to try to balance agriculture with industry, in spite of the fact that Formosa does not have the basic resources essential for such a program. In Formosa alone we employ hundreds of people in carrying out this grandiose scheme. Defense support allocations to Formosa are to be used, so our planners tell us, to build up the economy of the island. More than $5 million in cash of the amount which will be allocated to Formosa will be used to build a dam in Formosa, although, as the report I filed with the Senate Appropriations Committee earlier this year shows, the revenues from electricity on the island would be more than ample to finance the project. We have already given assistance in that area to the extent of some twenty-million-odd dollars, in order to build a new dam not far from T'ai-pei. We have contributed enough to subsidize electric-power rates on Formosa. Our taxpayers deserve a respite.

Mr. President, I repeat that not 1 cent of the defense support funds authorized in the pending bill will be used to buy guns or anything resembling hardware for our allies' defense forces.

I yield to the Senator from Oregon.

Mr. MORSE. When we grant them this money for dams, it amounts to giving them the dams. Is that not correct?

Mr. ELLENDER. There can be no question about that. As I pointed out in my report to the Senate Appropriations Committe, the rates paid for electricity on Formosa are so low as to be almost scandalous. They are much cheaper than they are in our own country. When I talked to the administrator of the Taiwan Power Co., he boasted of the fact that they could produce electricity in Formosa cheaper than we could in the United States. I replied, "We could, too, if we had a rich uncle to give us all the money with which to build the facilities."

In South Korea the same situation exists. Things have never been so good in South Korea as they are now. Their agriculture has so increased that it surpasses anything they have ever had in the past. Yet in Korea, too, we are trying to balance agriculture with industry, with little or none of the essential natural resources to work with.

Mr. President, of the vast sum of money we made available last year to South Korea, $65 million to $70 million was used to subsidize railroads which we ourselves, at our own expense, had rehabilitated in the previous 2 or 3 years. If Korean railway rates, both passenger and freight, had been increased to a reasonable level, the United States subsidy could have been done away with altogether.

When I asked why railway rates were not increased, the answer was that it was a political matter; the legislature or the general assembly of South Korea had to pass upon it. Since all the Members had to go before the people in order to be elected, it was a touchy subject for the members of the legislature to increase the rates; therefore, it was not done—unless it has been done since I was in Korea.

The PRESIDING OFFICER. The 5 minutes of the senior Senator from Louisiana have expired.

Mr. LONG. Mr. President, I yield an additional 4 minutes to the senior Senator from Louisiana.

Mr. ELLENDER. Mr. President, in Korea we have given $8 million in United States dollars to repair the huge dam located about 25 or 30 miles north of Seoul. The facility produces electricity in abundance. We have already paid for the building of several steam plants to generate electricity—plants which have been erected with United States funds. It seems to me that the proceeds from the sale of electricity generated in those plants could have been used to finance the dam to which I have just referred and other improvements to the Korean power system. But no, the Koreans will not do that, because the rates cannot be increased unless the general assembly passes upon them. It is a ticklish question. Much politics is involved in the matter. If only the legislature would increase the rates and make the people pay approximately the same rates we pay in this country, they could easily have financed the cost of the dam—in fact, the whole output of electricity.

I could cite many more instances of our lavish spending in South Korea. Some of the money we are now appropriating will be used to complete the construction of 4 flour mills which we are building in that country. The South Koreans have no technicians to assist in building the flour mills. The United States must furnish its experts and technicians not only to build, but to operate them as well. Remember, too, that Korea does not produce one pound of wheat. It produces rice in abundance, but no wheat. So our planners contemplate that we will also furnish them the wheat with which to make the flour.

What justification do Senators think was given to me for the erection of these

flour mills? The justification given by our people in Korea was that the mills were needed to change the eating habits of the Koreans—to teach them to consume wheat products, instead of rice, so that the Korean rice crop can be exported. Can Senators imagine anything so silly as that?

Mr. President, our planners have squandered huge sums for such purposes. We have given away money to pay for four flour mills being erected in South Korea, but that is not all. We have already spent, and we will be asked to spend huge sums in order to erect businesses in South Korea, in a starry-eyed scheme to balance South Korean industry with South Korean agriculture. The project of course is doomed to failure—it is something which cannot be accomplished, simply because the people of South Korea do not have the raw materials with which to work. The Japanese tried it before us, and they failed, but that does not stop our so-called experts.

I wish Senators could see the huge docks which the United States has built in South Korea, and the elevators which our Nation has built to store the wheat about which I have spoken—all at our own expense. Much of the defense support money which is authorized in the pending measure is intended for additional expenditures of that type.

I repeat, Mr. President, with all the force that is in me, that not one single, solitary dime of the defense support funds in this bill will be used for anything other than economic aid. I hope, therefore, that the Senate will cut this item by the tiny amount suggested by my distinguished colleague.

Mr. KNOWLAND. Mr. President, I yield 4 minutes to the Senator from Rhode Island.

Mr. GREEN. Mr. President, this amendment would reduce the authorization in the bill for an appropriation for defense support from $800 million to $710 million. It must be remembered, however, that the Committee on Foreign Relations, after long study and hearing witnesses, had already reduced the amount from $900 million, which had been asked by the President, to $800 million. I know of no good reason why those who suggested the amendment should stop at $710 million. Why did they not propose a deeper cut and say how much the country would save if the amount were reduced to $600 million or $500 million?

Mr. LONG. Mr. President, will the Senator yield for a question?

Mr. GREEN. No. I do not yield. I did not interrupt the Senator; I do not want the Senator to interrupt me.

The committee has already looked into the matter, and it thought the most it could reasonably suggest was a reduction of $100 million, from $900 million to $800 million. A further cut would, in our judgment, not be wise, to use a mild term.

Defense support is a category of assistance which goes hand in hand with military assistance. That statement may not be in accord with the exact terminology, but it is certainly much less misleading than the language which has been used in the past. The additional expense was incidental to the military.

Defense support makes it possible for our friends to raise the military forces which we and they believe are essential in the common defense effort. It is the common defense which concerns us. That is the theory on which these appropriations are made. The money is provided not only to defend the countries where the money is spent; it is also intended to defend ourselves, here at home.

The bulk of the defense support goes to Korea, Formosa, Vietnam, Turkey, and Pakistan—all stanch allies of the United States. We want to help our allies to defend themselves. We have already spent huge sums of money in Korea, as an illustration. Was that entirely because we loved the Koreans? Or was it partly because we thought of the interests of the United States that we spent all that money in Korea during the past years?

The defense-support program has been substantially altered this year by the elimination of items which are not directly related to the military effort of the foreign country being supported.

I do not say that the program as now constituted is perfect, but I do say there have been important changes in programing and in the concept of defense support, so as to put this category of aid on a sound basis for the future.

Mr. President, I urge that the amendment be defeated.

Mr. KNOWLAND. Mr. President, I yield myself 2 minutes.

I oppose the amendment, and support the position of the chairman of the Committee on Foreign Relations in opposition to it. As he has already pointed out, the Committee on Foreign Relations has already decreased the item by $100 million.

In this category we are helping stanch non-Communist nations, nations with whom we have been allied, nations which the last administration, as well as this administration, believed to be vital for our defense perimeter in the Western Pacific.

These are not neutralist nations; they are not Communist nations. They are the stanchest non-Communist nations in that whole area of the world.

It has been stated previously in the Senate that the Republic of Korea, a small nation with a population of 25 million, a nation which has been ravaged by the Communist aggression, and has suffered a million and a half casualties among their civilian and military population, receives some of the defense support. I believe Korea should receive it. They need to get some of it, because they are manning the frontline of defense in Korea with some 700,000 troops.

This is the largest non-Communist army in the world today, save and except that of the United States of America. It is a larger force than that of Great Britain or that of France. It is a larger force than that of any other non-Communist nation in the world, save and except that of the United States of America. Of course it is a much larger force than the economy of that little country can maintain. But I submit that in manning that part of the defense perimeter, it is far better to have the Republic of Korea stand with us there, with that force, and for us to give them some of the economic and defense-support aid which is necessary in this circumstance. Those funds cannot be loaned and repaid in the way that normal economic aid can be repaid. These funds are to help them carry this burden until the Communist threat has been eliminated.

Mr. LAUSCHE. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER (Mr. KENNEDY in the chair). Does the Senator from California yield to the Senator from Ohio?

Mr. KNOWLAND. I yield.

Mr. LAUSCHE. Can the Senator from California give the comparative figures in the case of the troops of Vietnam and Pakistan and Taiwan?

Mr. KNOWLAND. The approximate figure in the case of Formosa, the Republic of China, is 500,000. I cannot now state for the Senator from Ohio the figure for Vietnam; but I shall obtain it for the Senator, and shall supply it to him.

Mr. LAUSCHE. Does the same argument which applied to Korea apply to these other nations, with respect to the maintenance of troops and the great cost burden?

Mr. KNOWLAND. Yes, I would say that, relatively speaking, and in proportion to the size of the country and its economy, the same argument, in my judgment, applies both to Vietnam, which also is on the frontline, with a hostile Communist force to the north, and to the Island of Formosa, where the free Chinese are facing large Communist forces across the straits.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 additional minutes.

Mr. KNOWLAND. Mr. President, under these circumstances I submit that this type of defense support is not only necessary, but it is highly desirable, because if we pull the rug out from under these people in view of the circumstances confronting them, we shake the very foundations of the defense of the Free World in the Western Pacific. I do not think that would be in the vital interest of our Nation or of our own national defense, and I do not think it would be in the interest of maintaining a free world of free men.

The Senator from Louisiana has asked why we should not automatically authorize $710 million for the next fiscal year, inasmuch as the committee suggested that amount. I think it is only fair to give a little legislative history in that regard. I think the reason why the committee reduced the amount at that particular time was that it wanted to give a second year's authorization—for reasons which have already been outlined—and also wanted to serve notice on the administration that it is the hope that next year these items can be reduced, rather than expanded. I think

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it is the hope of every Member of the Senate that ultimately it will be possible to get away from the necessity of providing mutual-aid support. I do not wish to see it become a permanent institution fastened on the American people; and as soon as world conditions permit, I hope we can get out of this type of support. But certainly so long as the danger exists, I believe it is in our own interest to furnish this type of assistance.

Mr. JAVITS. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield 1 additional minute to myself.

The PRESIDING OFFICER. The Senator from California is recognized for 1 additional minute.

Mr. KNOWLAND. Mr. President, now I yield to the Senator from New York.

Mr. JAVITS. I should like to make a contribution to the point the Senator from California has made so well, in replying to the Senator from Ohio. I was in both Thailand and the Philippines only a few months age. In Thailand, they consider that the front against communism should be Vietnam, and they said so; and they gave evidence of their concern about weakness in Laos and Cambodia. The only reason why they felt there was any stability on that front—which is what they call it—is that they feel that the Vietnamese Army is tough and dependable. The same position was taken by President Magsaysay, of the Philippines, whose untimely death was so unfortunate.

I think those facts underlie and support all the Senator from California has said.

Mr. KNOWLAND. I thank the junior Senator from New York for his remarks.

I think it can fairly be said, without any disparagement of other countries, that when the chips are down, the people of the countries to whom we have just been referring know what communism is, and they are prepared to stand up and be counted.

Mr. DIRKSEN. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself a little time on the bill; and now I yield to the Senator from Illinois.

Mr. DIRKSEN. The Senator from Louisiana insisted that this is economic aid, and he pointed out what we had done for the Korean railways. But what would be the use of landing military equipment at Pusan Harbor if there were no railroads to transport it to where the real action was occurring?

Mr. KNOWLAND. That is an excellent example. Another good example of the importance of defense support would be the building of docks at Pusan, to land the equipment necessary to maintain the defenses, which we hope will always be north of Seoul, and not in the area of Pusan.

Mr. ELLENDER. Mr. President, I did not say anything about the docks or railroads which have been built. That work was done with previous funds, not only with the funds for economic aid, but with direct military funds.

In the case of the railroads, I was saying that today the people of South Korea can raise the rates for the passenger traffic and can raise the rates for the transportation of freight, and thus can make it unnecessary for the United States to subsidize those railroads. That is what I was talking about. Last year the United States subsidized the railroads of South Korea to the tune of $65 million. If the rates were raised, so as to make the people there pay what they should, the United States would not have to subsidize those railroads.

Mr. DIRKSEN. Mr. President, my friend knows——

The PRESIDING OFFICER (Mr. FREAR in the chair). Which side yields time?

Mr. DIRKSEN. Does the Senator from California have any time remaining?

Mr. KNOWLAND. Mr. President, I yield to the Senator from Illinois one-half minute.

Mr. DIRKSEN. My friend, the Senator from Louisiana, knows how uneasy and shaky the economy of Korea has been. I have examined the justifications and items in the classification sheets which come with the 1958 budget for foreign aid. They are downstairs; they are classified documents. If my friend will take the trouble to examine them, I think he will be fairly well "sold" as to the necessity for this defense aid in the interest of the effectiveness of the military effort we make in Korea.

Mr. LONG. Mr. President, several points should be made clear.

The PRESIDING OFFICER. How much time does the Senator from Louisiana yield to himself?

Mr. LONG. So much time as may be necessary.

The PRESIDING OFFICER. The Senator from Louisiana may proceed.

Mr. LONG. Mr. President, certain points should be made clear. This defense-support program is largely and primarily an economic-aid program. I do not particularly object to many of these items, but we should recognize what is being done. In that connection, let me read from the list for Korea:

Agricultural and natural resources, including agricultural research improvement, flood control, irrigation development, upper watershed development, livestock improvement, forestry development, fisheries rehabilitation and development, geophysical survey and drilling, mine development—and that does not refer to military mines which explode; instead, it refers to mines dug into the earth.

I read further from the list:

Distribution of maintenance vehicles, development of domestic building materials plant, highway and bridge construction and rehabilitation, city paving rehabilitation, streetcar system rehabilitation, railroad construction, rolling stock; health and sanitation, including disease control, waterworks rehabilitation, construction of wells and sanitary facilities, city drainage, public health facilities improvement; and in the field of education, vocational education, university operating facilities, teacher training, classroom construction, and so forth. A large number of items in connection with education are included; and the list also includes items of community development, social welfare, and housing.

No one will argue that those are not items of economic aid. I am not arguing against the desirability of doing those things for Korea, at the expense of the American taxpayers. What I am disputing is the desirability of legalized graft, running into the hundreds of millions of dollars, as admitted by the administration in its own testimony, and as recommended against by those in the field, and as recommended against by the Foreign Relations Committee, on the basis of its own study of the matter.

Perhaps Senators do not understand how this legalized graft takes place. Again, Senators can refer to the same pages of the hearings to which I have been referring.

How do we go about administering this defense support to the nation of Vietnam? There we had the proof. Oddly enough, administration witnesses do not admit these things until we send someone into the field to investigate, and learn the charge is true.

When we have the proof, they admit it as to Vietnam. They will not admit it as to Korea. A man came to me today and said it is true in Korea, that he could prove it to my satisfaction. When they see the proof, the administration witnesses may admit this also. Up to that time, they try to get every dollar of their requests.

If Senators will take a moment, they can see how this legalized graft is going on, and why we have given much too much money. We sent $240 million worth of commodities to Vietnam. We did not send dollars.

Why? It was said it would result in inflation if we sent paper currency or gold, and that it would be better to use local currency. So we sent $240 million in American manufactured commodities. This was not a part of the P. L. 480 transactions; but these were commodities produced in this country and paid for by American taxpayers.

Our $240 million worth of commodities were sold to 2,000 merchants licensed by the Government who make this legalized graft. They allowed us 35 piasters to the dollar. That makes 8,400,000,000 piasters that we have turned over to the Vietnamese Government for the purposes stated in the defense support program. That money is available for troops, to build highways, to erect electric stations, and to do anything else they desire.

We received approximately 8 billion piasters when we should have received at least 17,400 million piasters, because the testimony of the administration witnesses themselves showed that the piasters should have been trading at something more than 70 for a dollar, rather than 35 for a dollar.

Furthermore, the man we sent to that area from the chamber of commerce said a dollar should be traded for 100 instead of 35 piasters. The administration admits it is getting only half what it should get.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. LONG. Not at this point. Let me explain this first.

I have indicated how we are handling the program. So out of every dollar we are sending there, only 50 cents gets to the foreign government.

An average native merchant dealing in our commodities could make $70,000. I assume they are. Some may be making only $2,000 or $3,000. Others may be making $2 million or $3 million. But that is what is happening with our money.

In the study of the committee it was recommended that this practice should be stopped. If we stopped it, we could do just as much for Vietnam as we are doing now—every bit as much—and we could reduce our expenditures by one-half.

We had testimony on that point. The committee unanimously agreed that the practice should be stopped, but it has not been stopped. I say, why do we not reduce the funds and make the officials stop what they have been doing in that respect? It was agreed that stopping it is desirable. Everybody in the field agreed that it would be desirable to stop it. Why do we not do it?

The same thing is happening in Korea. The same thing is happening in Formosa. All I am doing is recommending that our program there can be accomplished with 30 to 40 percent less money if an honest exchange of currency is insisted upon. It is just that simple. I have yet to hear a single Senator answer and explain the argument that we ought to get our money's worth when we endeavor to support the economy of a foreign country. Why should a few private merchants grab for themselves from one-quarter to one-half of our money before they let their government see it? That is why we should reduce this item. Nobody has answered the argument made for the amendment. All we have had are admissions that the argument is correct.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. LONG. I yield.

Mr. KNOWLAND. Mr. President, I will take 2 minutes out of my time on the bill.

When the Senator refers to "legalized graft," I think it is necessary that the RECORD be correct on this point, because I am sure the Senator wants to reflect neither on the International Cooperation Administration nor on the Government of Vietnam. The Senator is dealing with an exchange problem. He is dealing with the exchange problem of a sovereign country. I quite agree that, based on the testimony the committee had before it, it would be highly desirable for the Government of the United States and its agencies to negotiate with the Government of Vietnam and get a more realistic exchange rate. I think that should be done. We have done it on several occasions with respect to the Republic of Korea.

However, the Senator must not try to oversimplify the problem, because, due to the fact that wartime condition have existed in Vietnam, and the fact that the country is facing a Communist enemy a few miles to the north, there are strict economic controls in effect in that country. Consequently, it is felt in Vietnam that the inflation of its currency by changing the exchange rate from 35 to 70 piasters to the dollar would in effect double prices. Therefore, it would mean that merchants selling their goods in Vietnam would have to double their prices. That would bring about inflationary pressure which might undermine the country, and bring about catastrophic results.

Exchange controls cannot be changed overnight. There is no question that a great many countries of the world, in Europe and in Asia, have unrealistic controls, and that we should try to work out problems in that connection. I refer to that matter because the Senator from Louisiana used the term "legalized graft."

Mr. LONG. As I was saying, the explanation given by the Senator from California is the explanation we get in Washington, and it is the theoretical argument that we have heard for so long. Hundreds of millions of dollars are being spent in Vietnam, and not a soul who has had any connection with administering the funds in Vietnam has said that what I have suggested should not be done. The man we sent to that area said that it was the unanimous recommendation of those working for us in that area that the present practice should be stopped.

It must be remembered that we are giving all this money away; we are not lending it. All of this money goes as a gift to the foreign government, anyway. If we are giving it away, why should we not insist on a realistic exchange of currencies and a realistic value being placed upon the commodities we are sending to that area, instead of some theoretical argument? Continuation of the present practice means that half our money is lost before those whom we seek to help ever start spending it.

A mere 2,000 merchants in Vietnam are getting half our defense-support money in their pockets, which causes the other 18,000 merchants who are not permitted to get in on the deal to say that the whole program is crooked.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LONG. I yield.

Mr. MORSE I think the country is indebted to the Senator from Louisiana for bringing to the attention of the country, not only today, but many times, one of the gimmicks in the foreign aid program which is very much misunderstood by the American people.

We are selling a certain quantity of material to some foreign governments for their local funds, and those funds are in turn supposed to be available for expenditure in their own country to pay for other items. But the fact is that in the Committee on Foreign Relations, as the Senator from Louisiana very well knows, when some of us propose to make use of the huge funds we have in storage, so to speak, in these countries as a result of this practice, we are told, "We cannot do that. We promised them we would not do that, because that might disrupt their local currency."

The fact is that under the name of sale we are giving the people in the foreign countries these goods, because unless the funds are used to pay for goods and services in those countries it means, in effect, the payment they have made is of no use to the United States at all.

I do not believe in that kind of deception and subterfuge. I think the American people need to be told the facts about the amount of goods we are supposed to have sold to these countries and for which we are supposed to have received their currency. Then we put their currency in hock, so to speak—make it untouchable—because our State Department representatives apparently give them the promise that we are not going to use that currency within their own country.

I agree with the Senator from Louisiana. This is one of the issues he has raised over and over again. If we are to tell the American people we are selling the property for soft currency abroad, we ought to insist that that soft currency be used by the United States, as the Senator said in an illustration he used in the committee, to buy buildings in some foreign country to house an American contingent, an embassy, or a mission.

What is actually happening is that we are making these goods available to a country and telling the American people we are getting foreign currency for them, yet we are told by the State Department that we cannot use the currency because it might disrupt the local economy of the country involved.

I say it is time to tell the American people the truth. The State Department cannot have this both ways. Until that money is used or until they free it from the kinds of restrictions they put on it, we are in fact giving away the materials we sent and telling the American people they have been sold.

I submit that is not an honest representation to the American people, and it bears out the point I made yesterday. I say the majority of the committee and this administration do not dare to disclose to the American people the facts which are covered up and kept secret behind the doors of the Committee on Foreign Relations in respect of the expenditure of these funds, because if the American people were given this secret information—to which I respectfully say they are entitled—they would demand that the Senate follow a different course of action than I predict the majority of the Senate is going to follow today.

Mr. LONG. I have available a report of overseas operations by the United States Government, made by my distinguished colleague at the time he visited Vietnam. At page 290 of that report, Senators will find a quotation from a document entitled "Changes in the USIS Program in Vietnam," and a statement that the diplomats in Vietnam for their personal and official use insist on a 75 to 1 ratio on the piasters, and that for the limited use of such tourists as there are, they get 75 to 1. Yet these same diplomats watch us give away the money of the United States Government, and at a mere 35 to 1 ratio. All I say is that if we are going to help this country, let us recognize how much we are

getting, and not let a few native merchants get most of the money. We can accomplish just as much with half the money in that country.

Mr. President, I merely say that the reduction suggested is not intended to reduce the amount of effective aid. It is intended only to accomplish a better accounting and result in a better use of our funds.

The distinguished chairman of the committee asked why it was not suggested that the amount be reduced below $710 million. I think it should be reduced far below $710 million for next year. I took that figure because the majority of the committee, who voted to report these high figures themselves, said that for the following fiscal year the appropriations ought to be held within $710 million. That is what the bill provides.

The whole appropriation is nothing more than an educated guess. The committee's educated guess is that in 1959 $710 million ought to be enough. I ask, why should it not be enough for 1958? For this year they have guessed $800 million, and for next year $710 million. I was accepting the committee's figure, rather than going below that amount.

I am frank to say that I believe the $710 million is excessive. I believe it could be reduced, and I believe we would get just as much in the way of results.

Mr. President, I should like to invite the attention of the majority leader to my next statement. I should like to suggest that the yeas and nays be ordered on this amendment.

Mr. JOHNSON of Texas. Mr. President, I think the Senator is entitled to have the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient number of seconds?

The yeas and nays were ordered.

The PRESIDING OFFICER. Is the time yielded back?

Mr. JOHNSON of Texas. Mr. President, I yield back all my remaining time.

Mr. LONG. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has either been consumed or yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Magnuson
Allott	Flanders	Malone
Anderson	Frear	Mansfield
Barrett	Fulbright	Martin, Iowa
Beall	Gore	Martin, Pa.
Bennett	Green	McClellan
Bible	Hayden	McNamara
Bricker	Hennings	Morse
Bush	Hickenlooper	Morton
Butler	Hill	Mundt
Byrd	Holland	Murray
Capehart	Hruska	Neuberger
Carlson	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Payne
Case, S. Dak.	Javits	Potter
Chavez	Jenner	Purtell
Church	Johnson, Tex.	Revercomb
Clark	Johnston, S. C.	Robertson
Cooper	Kefauver	Russell
Cotton	Kennedy	Saltonstall
Curtis	Kerr	Schoeppel
Dirksen	Knowland	Scott
Douglas	Kuchel	Smathers
Dworshak	Lausche	Smith, Maine
Eastland	Long	Smith, N. J.
Sparkman	Thurmond	Williams
Stennis	Thye	Yarborough
Symington	Watkins	Young
Talmadge	Wiley	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. LONG], designated as "6–12–57–B." On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from West Virginia would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

If present and voting, the Senator from Arizona [Mr. GOLDWATER] and the Senator from North Dakota [Mr. LANGER] would each vote "yea."

The result was announced—yeas 40, nays 49, as follows:

YEAS—40

Anderson	Hruska	O'Mahoney
Barrett	Jackson	Revercomb
Bible	Jenner	Robertson
Bricker	Johnston, S. C.	Russell
Butler	Kefauver	Schoeppel
Byrd	Kennedy	Smith, Maine
Case, S. Dak.	Kerr	Stennis
Chavez	Long	Talmadge
Curtis	Magnuson	Thurmond
Dworshak	Malone	Williams
Eastland	Mansfield	Yarborough
Ellender	McClellan	Young
Frear	Morse	
Gore	Mundt	

NAYS—49

Aiken	Green	Murray
Allott	Hayden	Neuberger
Beall	Hennings	Pastore
Bennett	Hickenlooper	Payne
Bush	Hill	Potter
Capehart	Holland	Purtell
Carlson	Humphrey	Saltonstall
Carroll	Ives	Scott
Case, N. J.	Javits	Smathers
Church	Johnson, Tex.	Smith, N. J.
Clark	Knowland	Sparkman
Cooper	Kuchel	Symington
Cotton	Lausche	Thye
Dirksen	Martin, Iowa	Watkins
Douglas	Martin, Pa.	Wiley
Flanders	McNamara	
Fulbright	Morton	

NOT VOTING—6

Bridges	Goldwater	Monroney
Ervin	Langer	Neely

So Mr. LONG's amendment was rejected.

Mr. KNOWLAND. Mr. President, I move that the vote by which the Long amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to lay on the table the motion of the Senator from California [Mr. KNOWLAND] that the vote by which the Long amendment "B" was rejected.

The motion to lay on the table was agreed to.

Mr. ELLENDER. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER (Mr. FREAR in the chair). The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 24, lines 7 and 8, it is proposed to strike out "$1,800,000,000" and insert in lieu thereof "$1,300,000,000."

Mr. ELLENDER. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. ELLENDER. Mr. President, the purpose of the amendment is to cut the foreign military assistance authorization; that is, the money to be used for purchasing hardware for our allies by a half-billion dollars. The bill provides for $1,800,000,000. If my amendment is adopted, that amount would be reduced to $1,300,000,000.

Mr. President, I have no apology to make to the Senate or to the people of my State for having supported the Marshall plan at its inception. I thought then, and I still think, that it was to our best advantage to adopt the Marshall plan in order to help rehabilitate our friends across the seas who had suffered severe and crippling damages from a cruel war.

The Marshall plan, as will be remembered, was created by act of Congress in 1947, and was administered by the Economic Cooperation Administration. It remained as such until 1951, when the Mutual Security Agency was formed. In the meantime, the Mutual Defense Assistance Act was passed, under which military aid was made available to our friends. Under this Agency were consolidated the functions authorized in the Economic Cooperation Act of 1948, as amended, and the Mutual Defense Assistance Act of 1949, as amended.

Then, in 1951, the Mutual Security Agency was enacted which consolidated the military, economic, and technical assistance programs.

Under Reorganization Plan No. 7, set up in 1953, an independent agency entirely removed from the State Department was created and it was known as Foreign Operation Administration—FOA—under which the military, economic, and technical assistance programs were administered.

FOA administered these programs for 1 year, and under Executive Order No. 10610 it was abolished and its economic and technical aid functions transferred to the Department of State and the military aspect of the program was transferred to the Department of Defense, and it has been functioning under that setup until now.

Mr. STENNIS. Mr. President, may we have order? Will the Chair make a special effort to have order in the Senate?

The PRESIDING OFFICER. Will the Senators who must converse please go

to the cloakroom? The Senate will be in order.

Mr. ELLENDER. Under the same order, there was established within the State Department a semiautonomous agency known as the International Cooperation Administration—ICA—with the Secretary of State in charge, and he in turn placed authority into the hands of an administrator to administer the program.

The pending measure does not materially change the manner and method of administering these programs except that the military appropriation for hardware and defense support is to be included in the Defense budget, with the proviso that all funds generated from defense support will be administered by ICA.

In last year's bill, an item for an appropriation for Development Assistance was authorized. There is no Development Assistance in this bill. It is evidently replaced by the Development Loan Fund. This Development Loan Fund will be operated under the general jurisdiction of ICA but according to the committee report, a special unit, headed by a special administrator, will be created within ICA to conduct loan operations. The administrator will operate under the general jurisdiction of an Advisory Loan Committee which will consist of the Deputy Under Secretary of State for Economic Affairs, the administrator of the fund, representatives from the Export-Import Bank, the Department of Agriculture, the Department of Commerce, the International Bank for Reconstruction and Development, and representatives of any other Federal agencies the President determines should be represented thereon.

Mr. President, under these programs we have spent in Western Europe alone more than $30 billion for economic and military assistance. Included in the pending authorization for foreign military assistance is approximately $500 billion for our allies in Western Europe. It is this sum that I am seeking to eliminate from the authorization. It is high time for us to refuse to give further aid to Western Europe. It may be said, "They need it. It is necessary. They are stanch allies of ours."

I admit they are friends of ours. The purpose of the economic-aid program, however, was to put the countries of Western Europe on their feet, so that they could help themselves; so that they could carry their own loads and assist us in resisting Communist aggression in other areas of the world. But the program is not operating that way. Although, as I have just indicated, we have spent more than $30 billion for military and economic aid in Western Europe, we are now being called upon to pay a portion of their current military expenses, notwithstanding the fact that we are carrying the entire cost of the Free World's military and economic aid effort in southeast Asia, including the three countries of former Indochina—Loas, Cambodia, and South Vietnam.

Additionally, we are carrying the whole load in Formosa, and we have been carrying the whole load in South Korea since last year. Two years ago, when I was in Korea, the British had about 7,500 soldiers stationed there. When I returned last year to the lines in Korea the British had reduced the number of their troops to about 500. Now they have withdrawn all of them.

So we are paying the entire expense of maintaining forces in South Korea, in Formosa, and in Southeast Asia. In spite of this drain on our Nation's Treasury, we are authorizing $494.4 million—almost $500 million—in this bill to provide more military assistance to our friends in Europe.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Does the amendment which the Senator is proposing have the effect of striking out the proposal for aid to Europe?

Mr. ELLENDER. Yes. I may say to my friend from Utah, however, that of the amount which would remain, $1,300,000,000, if the military authorities saw fit to use or felt that they must use some of it for Europe, they would not be precluded by my amendment from doing so.

I feel very strongly, Mr. President, that since Europe has been placed on her feet by us, through the expenditure of $30 billion up to now, Europe ought at least to carry its own load for the military, especially in view of the fact that we are carrying the whole load in Southeast Asia, Formosa, Korea, and have also added the Middle East to our list of recipient countries.

Mr. WATKINS. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. I quite agree. I think Europe is in a position to carry its part of the load. I had hoped that the Senator's amendment would relate directly to Europe and strike out any aid there.

Mr. ELLENDER. That is the burden of my argument, and that would be accomplished by my amendment. I am seeking to reduce the military assistance authorization by $500 million, which is some $5 million more than is contemplated for expenditure in the next fiscal year in Europe. I point out to my friend from Utah that the pending bill contemplates our spending $20 million for the item of facilities assistance.

Mr. WATKINS. Is that in Europe?

Mr. ELLENDER. In Europe. Let me quote from the committee report what that is:

> In the fiscal year 1958 program, it can be anticipated that in the future the facilities-assistance program will be directed toward the development of facilities for the production and maintenance of new weapons.

That is in Europe.

> This will include missiles, electronic equipment, such as radars for defense and advanced types of communications equipment essential to NATO. It is estimated that the United States share of the cost for the fiscal year 1958 program will be $20 million. This includes continuation of mission projects, which for engineering reasons were not concluded in fiscal 1957.

The Senator from Utah well remembers that only a few months ago the British said they would withdraw many of their troops from Western Europe, and they are in the process of doing that. But are we withdrawing our troops from Europe? The answer is "No." The number of our troops in Europe is the same today as it was 4 or 5 years ago. I do not know of any attempt which is now being made to reduce our forces in Europe.

What did the French do? The French removed practically all of their infantry from the front where they were working side by side with ours, and transferred them to North Africa. But the good old United States is still there in full measures, and now we are providing facilities in order further to assist the French.

I say we have been entirely too soft with our friends in Western Europe. If a threat were made to force them to spend their own money and to assist themselves in their own defenses, I think they would respond to it.

Mr. WATKINS. Mr. President, will the Senator further yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Is it not true that by 1953, Western Europe had recovered to such a point that she was enjoying much greater prosperity than before the war?

Mr. ELLENDER. The Senator is correct. As I have pointed out on many occasions, the Marshall aid program was supposed to have lasted for 5 years. The goal for industrial production, was 125 percent of the prewar production. Today it is 166 percent. Agricultural production has gone up to about 125 percent of prewar.

Mr. WATKINS. I was in Europe in 1953, and spent some time there. One of the matters I investigated was the ability of Europe to take care of its own problems from that point on. After I returned to the United States, I voted against any help for Europe, in connection with the next mutual security bill which was considered.

I have seen nothing since that time which would indicate that Europe cannot carry its share of the load. I have always had the feeling that if the time ever came, those nations, close as they are to Russia, were likely to be completely neutral in any war which might develop between the United States and the Communists.

Mr. ELLENDER. The burden of my argument is that we should eliminate all of the funds that would be used in Western Europe.

Mr. STENNIS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. STENNIS. When the Senator refers to the amount we are spending in any particular country or area, does he not refer to the amount in the aid program? He does not include the many hundreds of millions of dollars we are spending in those countries or areas for our regular troops and our regular organizations. I wonder if the Senator would be certain to clear that point as to each different country or area of the world.

Mr. ELLENDER. I am glad my friend from Mississippi has brought that out, because we are spending hundreds of millions of dollars, to build great air

fields all over the world, for the protection of our Western European allies as well as ourselves.

Mr. STENNIS. And we furnish all the money for the facilities of the Armed Forces and the other installations which we build.

Mr. ELLENDER. All those things were built by us, and paid for by us.

Mr. STENNIS. Except some of the NATO installations in Europe, as to which we share in the cost.

Mr. ELLENDER. Exactly, and sometimes we have had to absorb more than our share. For example, in England 4 years ago we entered into a contract with the British to repair X number of airfields. The British were to furnish 50 percent of the cost, plus any additional amounts necessary to complete the airfields. At the end of about 18 months Britain said she could not pay any more. What does the Senator think happened? Good old Uncle Sam took over the project as a whole. In order to finish X number of airfields—I know the number, but I cannot state it—we spent $320 million over and above our 50 percent share of the original estimated cost.

We are too easy. If we continue to carry the whole load throughout the world, then the whole world will continue to shove the burden onto us.

The point made by my good friend from Mississippi applies to France, where we are building a number of airports. We are building pipelines to carry gas to the front lines. All of this is being done at our own expense.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WATKINS. Have not those gas and oil lines been finished?

Mr. ELLENDER. I do not know; but they were to be extended.

Mr. WATKINS. I noticed that the Senator made his statement in the present tense. I wondered if the work had not been finished some time ago.

Mr. ELLENDER. My statement was in response to the question whether we were doing other things than maintaining our troops and assisting our friends in Western Europe.

Mr. STENNIS. Mr. President, if the Senator from Louisiana will yield to me, I should like to ask a question.

Mr. ELLENDER. I yield.

Mr. STENNIS. I think the pipeline is virtually completed, except in Spain, where we continue to build and complete the line.

On the point of the failure to include in this category the cost, in United States dollars, of these military programs, let me point out that in the case of England, we are asked to authorize and to appropriate funds for the construction of school buildings and similar facilities to take care of the children of our officers and enlisted men who are stationed in England. But the entire expense of even such items is falling on the construction program.

Mr. ELLENDER. Absolutely; and we are also bearing all the cost of the construction of airfields, which will revert to the countries in which they are built.

Mr. President, as I pointed out a while ago, the nations of Western Europe have never been better off than they are at present. Industrially, they have increased their production by an average of 66 percent over prewar production; and agriculturally, they have increased their production approximately 20 percent or more over prewar. Yet we are being called on to furnish more and more aid.

If security restrictions could be raised, I should like to tell the people about our NATO program there. The contributions of our allies to the NATO forces are constantly being decreased. It is my hope that this year, when the request for appropriation of the NATO funds is made, I shall be able to expose the extent to which the NATO forces of our allies have been decreased in the past and are still being decreased. However, insofar as the United States is concerned, our forces are there in the same numbers, and we are carrying our load at home and also in Western Europe and in the rest of the world. Also, we are appropriating more funds to reequip our own and our allies' NATO forces with more powerful weapons, in an effort to supply the deficiency. Anyone with commonsense knows that we cannot maintain our present global spending pace and hope to retain our way of life. If we continue to spend at the rate we now are spending, just as surely as my colleagues and I are in the Senate Chamber at this time, the United States will lose her way of life, and communism or some other kind of ism will be brought to our shores.

Mr. President, I return to the proposition that I have enunciated in this Chamber before. I say again that I have no regret for having voted to help put Western Europe on her feet. But now that she is better off than she has ever been before, I think it is downright criminal for us to continue to assist the countries of Western Europe. It is time for us to ask those whom we have aided so abundantly in the past to help us defend freedom. If we have no help, we will do violence to our economy here at home.

The next item of benefit to Western Europe is the mutual weapons development program. Today, the United States is spending about $5 billion each year for military research and development for our own Armed Forces. Notwithstanding that huge sum, we are being called upon—and this bill does so—to authorize and to appropriate $65 million, to assist the countries of Western Europe in carrying on their military research and development programs. Think of that, Mr. President. The $5 billion that is being spent here at home for research development in the United States will redound to the benefit of our Western European allies, but they are not satisfied with that. They will not pay their own research costs. Here in this bill as in the past, we are providing $65 million more to assist them in their research development.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD excerpts from the hearings, to show how this item of $65 million is being spent in Western Europe for military research.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

MUTUAL WEAPONS DEVELOPMENT PROGRAM

1. Objectives of program: The mutual weapons development program (MWDP) was established by a special provision of the Mutual Security Act of 1953 with the primary objective of increasing the defensive capability of our allies and improving our mutual security through the provision of United States financial and technical assistance to selected highly promising projects for weapons of advanced design in their research and development programs.

* * * * *

4. Countries participating: Initially six countries entered into bilateral agreements in 1954 with the United States on this program. They were Belgium, Italy, France, Norway, the Netherlands, and the United Kingdom. Last year Western Germany also agreed to participate and negotiations have been underway for some time with the Japanese Government which has already submitted several projects for consideration.

* * * * *

10. Fiscal year 1957 program: Obligations on fiscal year 1957 projects have not yet been completed. An effort was made to complete the obligations early this year and bring the program into phase with the United States budget cycle and considerable progress toward this desirable objective was made. It is expected that approximately $45 million will be approved and obligated by June 30.

11. Fiscal year 1958 program: MWDP project proposals for fiscal year 1958 have increased both in numbers and importance. Our allies have gained confidence in the validity of the announced objectives of the program and are submitting more of their highest quality projects for consideration. They recognize that our efforts to support the maximum use of new weapons evolved from the MWDP are leading toward elimination of unnecessary duplication and the accomplishment of increasing standardization. These are important objectives which should contribute materially to the improvement of our mutual defenses and the saving of considerable money in the future. Projects totaling nearly $100 million were submitted for consideration this year; 75 percent of the total was for new projects and the remainder for continuance of support of projects already in the program.

The Department of Defense MWDP steering group reviewed these projects in detail early in May 1957. During these hearings, these experts studied and analyzed the projects and reviewed the comments and recommendations of the field agencies and of the three military departments. The program now under final consideration will involve a United States contribution of approximately $65 million.

Mr. ELLENDER. Mr. President, one of the countries in the list of those to receive these benefits is Belgium. Although Belgium is small in size, she has a healthy economy. Today she is better off than is the United States. Belgium has unbounded resources in Africa, in the fabulously wealthy Belgian Congo. Yet the United States is being called upon to provide Belgium with money for military research. Also included in the list are Italy, France, Norway, the Netherlands, and the United Kingdom. Our tax money will be spent to aid those countries in weapons development, although in the last 7 or 8 years we have given those

countries more than $30,500,000,000 in economic and military aid.

When, Mr. President, will Europe be able to stand on her feet?

Next, we have the item of $282,400,000 for new weapons.

Mr. WATKINS. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. WATKINS. Is that for European forces or for our own forces?

Mr. ELLENDER. That is for weapons we are furnishing to our European allies. In other words, it is to make up for the deficiency which will occur as a result of France pulling troops out of Europe into north Africa—a matter to which I have adverted in the past few minutes—of defense cuts by the United Kingdom and armament cuts by our other so-called allies. This item is for missiles and other defenses to protect the countries of Western Europe—something which they themselves, not the United States, should do.

Mr. WATKINS. Whose troops will use these weapons?

Mr. ELLENDER. European forces.

Mr. WATKINS. The British forces and the forces of the other Western European countries?

Mr. ELLENDER. Yes. And this item amounts to $282,400,000.

If my colleagues will examine page 384 of the hearings, they will find that the fiscal year 1958 program of weapons assistance for Western Europe—that is what it is—has been developed for the purpose of modernizing the forces there. I read from the hearings at that point:

MILITARY ASSISTANCE PROGRAMS FOR WESTERN EUROPE

The fiscal year 1958 program of military assistance for Western Europe has been developed for the purpose of modernizing the forces of NATO, maintaining the needed conventional forces, and carrying on our essential air programs in several non-NATO European countries. Our fund request for all of these countries, excluding the new weapons program for which country allocations have not yet been made, is $338.5 million. Of this amount, $282.4 million is for the support of the NATO countries of Western Europe, less Greece and Turkey.

Mr. WATKINS. Are the countries named at that point in the hearings?

Mr. ELLENDER. No; but there are 16 of them.

Of course, my amendment does not affect Greece or Turkey. The amount of money it includes is for the sole use of our NATO allies in Western Europe.

On page 384 my colleagues will find that the total amount for the new weapons program is $338.5 million; but of that amount, $282.4 million is to be used for NATO countries of Western Europe. The rest is for Greece, Turkey, Spain, and Yugoslavia, I presume. I am not complaining about the situation in the case of Greece and Turkey, but I do think Western Europe can and should stand on her own feet.

Mr. WATKINS. Is Spain included in that category?

Mr. ELLENDER. No; Spain is not. Spain is not a member of NATO.

Mr. WATKINS. This fund is only for the NATO countries, is it?

Mr. ELLENDER. Yes; the NATO countries in Western Europe. The difference between the $338.5 million and the $282.4 million will be used for the other European countries we plan to assist.

Mr. WATKINS. Is any of the money to be used for the building of more airports in Western Europe, for the use of our own air fleets?

Mr. ELLENDER. No; none of this will be used for that purpose.

Mr. WATKINS. This is entirely for the use of our allies and their forces; is it?

Mr. ELLENDER. Yes; it is entirely for the use of our NATO friends.

Mr. WATKINS. Even though they are now pulling their troops out of Germany and, in the case of France, are sending them to Africa? Even so, they still want us to provide more money; do they?

Mr. ELLENDER. That is correct.

Mr. WATKINS. The Senator from Louisiana has been a member of the Appropriations Committee for a long time. Is it not a fact that the arms these countries now have, have come largely from the United States?

Mr. ELLENDER. Yes; most of them have. For instance, last year, when I was in London, I noticed a number of old weapons which were piled up in our depots there. I asked the reason for it. I was told that the British were replacing all the old military hardware we had given them, 2 or 3 years ago; it was being replaced by new weapons. The British were producing the new weapons with our funds, furnished by us to the British under the category of "offshore procurement." In other words, what we did was give to the British millions of dollars to make, in their own factories, or in factories built by us under "facilities assistance," new weapons to be used by their armies. We also did the same thing with respect to France and other NATO countries in Western Europe.

After we had spent the huge Marshall plan sums for economic aid, we spent almost $3 billion for offshore procurement. The Senator will recall when airplanes were sent from France to Israel. Those planes were built in France, with money we ourselves furnished the French under the offshore procurement program. Israel got those planes indirectly from us, since our money paid for their production. Of course, Israel repaid France. But the point I wish to make is that in the past 3 or 4 years we have been spending in Western Europe, after economic aid had supposedly been cut off, almost $3 billion, in order to give those countries an opportunity to produce in their own factories, with our money, munitions, hardware, and other materiel to equip their forces.

Mr. WATKINS. Mr. President, I wish to observe that as I recall, during the debate on the Marshall program, it was claimed that none of the money or other aid we were giving to the European countries would go to help maintain their colonial possessions. Is it a fact that France is sending some of the weapons for which we have paid, or which we have given them, or which they have been manufacturing under the offshore procurement program, to north Africa?

Mr. ELLENDER. I do not know the exact extent to which the weapons are being used there, but I was informed that a good many of the lighter weapons, excluding artillery and equipment of that kind, as well as munitions, were used for that purpose. As a matter of fact, there are some references in the hearings to that situation and they indicate that arms we gave to the French are being used in Algeria. I was told, when I was in Paris last fall, that a good deal of the munitions and lighter hardware we had made available to France were used in North Africa.

Mr. WATKINS. I should like to ask the Senator another question. I really am not too well informed on this subject. That is why I am asking the questions. What about atomic weapons? Are we furnishing almost exclusively to our allies those weapons, or is that a question the Senator cannot answer?

Mr. ELLENDER. The item of $282.4 million would include those weapons.

Mr. WATKINS. It is true, is it not, that we manufacture all the ammunition that would be used with the type of weapon?

Mr. ELLENDER. It is assumed that if countries are furnished with atomic weapons, the funds for such items will be taken out of this fund for new weapons.

Mr. WATKINS. I take it the Senator would not object to our furnishing some of that ammunition, since we have seen our way clear to furnish our European allies with atomic weapons.

Mr. ELLENDER. I would not object to making such materiel available, but I believe those countries can well afford to pay for it.

Mr. WATKINS. There may be something to that point.

Mr. ELLENDER. That is the point I have been making. That is the burden of my argument for reducing the military aid budget by this half a billion dollars.

Mr. WATKINS. I can see the necessity of aiding our Asian and other allies who want to remain free, because of their inability to buy modern weapons; but, since we are engaged in a common enterprise, it seems to me our European allies ought to assume a part of the burden, after we have helped them get back on their feet. I had understood that for the past several years there was no money authorization in the budget or appropriations to help them any further.

Mr. ELLENDER. The Senator was misinformed. I wish to reiterate that in the past 3 years we have obligated for offshore procurement a total of $2.7 billion. Of that total, $2.57 billion were for weapons made in Europe. That money was furnished by us to the factories operated by British interests, French interests, and individuals in other NATO countries in order to manufacture ammunition, military hardware, and airplanes, not for our use, but for the use of our NATO friends. The Senator will agree, I am sure, that if that is not economic aid, it would be difficult to tell what it is, because it certainly bolstered the local economy. It helped them keep their factories open. All that

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was done at the expense of good old Uncle Sam.

Mr. President, we have in this bill another item for offshore procurement. I ask unanimous consent to have printed in the RECORD at this point the details from the hearings on offshore procurement of new weapons.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

OFFSHORE PROCUREMENT

Background: There are three sources of supply for items included in the approved military assistance materiel program. Some of the items can be furnished from supplies on hand in the Army, Navy, or Air Force. Additional amounts come from new production in the United States. The third source is "offshore procurement" (OSP), a term used to describe purchase by the United States of military equipment and supplies from sources outside the United States for delivery to other friendly countries, as part of the military assistance program. This type of procurement was first undertaken in a relatively small way in connection with aid to Greece in 1947 because the United Kingdom was then the only source of supply for replacements, spare parts, and ammunition for the British types of military materiel with which the Greek armed forces were equipped. If this equipment had not been procured offshore in the United Kingdom, it would have been necessary to completely reequip the Greek armed forces with United States type of equipment, an extremely costly undertaking.

When the military assistance program was initiated in 1949, it was planned to supply United States types of equipment to our allies, mainly from existing United States stocks. It was also planned that any new procurement would, in part, be delivered to United States forces to replace stock items previously shipped to our allies. At that time, this seemed to be the most expeditious way of getting weapons into the hands of Allied soldiers, and thereby strengthening the overall capability of the free world to resist aggression. The attack in Korea, however, upset these plans; and the stocks of military equipment and ammunition which had been programed for delivery under the military assistance program were necessarily diverted to meet the urgent requirements of the Korean war. A new source of production had to be found and OSP was introduced to supplement United States production, which was straining to meet the needs of the Korean conflict.

Equally important were the logistic and strategic considerations. From the military point of view, it was considered essential, in the case of war, that the maximum capability to produce replacements, spare parts, and ammunition be available from sources close to the actual fighting, and not be subject to the hazards and delays of a long and precarious pipeline from the United States. In addition, there were other benefits flowing from this action which were important to the United States:

1. The opportunity to save money for the United States taxpayer. In many instances, especially in shipbuilding, it was possible to procure in Europe or Japan military equipment of types suitable for use by the recipient countries' forces at a cost less than that for purchasing equivalent equipment in the United States.

2. The furtherance of United States political and economic objectives abroad. As the Marshall plan was diminishing in size, many of our European allies still had balance of payments difficulties, particularly with the dollar area, which were in part overcome by OSP. Our OSP program was also instrumental in some countries as a means of combating Communist influence in the trade-union movement.

The four basic limiting factors which have always governed, and continue to govern, the placement of offshore procurement contracts are set forth in a Department of Defense directive, dated August 17, 1951. These limitations are that such procurement will not result in one or more of the following:

1. Unjustifiable cost in comparison with procurement in the United States.

2. Militarily unacceptable delays in delivery.

3. Serious adverse effects upon the United States economy, employment, or industrial mobilization base.

4. Threat to the security interests of the United States.

Fiscal year 1951–57 program: Since 1951 the United States has purchased in Europe and the Far East a selected portion of the materiel to be furnished to friendly foreign nations under approved military assistance programs. During the period, military assistance program offshore procurement contracts totaled about $2.71 billion, with expenditures as of December 31, 1956, amounting to $2.12 billion, or 78 percent of the value of contracts placed.

The greatest volume of offshore contracts was placed in fiscal year 1953 when the amount totaled about $1.6 billion. In fiscal year 1956, the amount of new procurement offshore was only $62 million. Of the total orders placed to date, $2.57 billion has been placed in Europe, largely in NATO countries, with the remainder awarded to the Far East area, principally Japan.

The largest single procurement category is conventional ammunition. The orders for conventional ammunition have been important in meeting training and war reserve requirements in friendly foreign countries. Ammunition orders to date total $1.18 billion, or 43 percent of the total orders placed. In the main, ammunition procured has been of United States types and the bulk of orders was placed at a time when United States industry was engaged in fulfilling the requirements of the Korean campaign.

The second largest category of procurement is aircraft, spare parts, and supporting equipment in the amount of about $460 million. Many of the aircraft contracted for under this program were of European types.

The third largest category of materiel procured offshore, amounting to about $360 million, is ships and harbor craft. These items are principally of foreign design and were produced in foreign shipyards at costs appreciably less (in some cases as much as 50 percent less) than United States costs for comparable items.

With the exception of ammunition, offshore procurement orders involved primarily items of non-United States design, e. g., British Centurion tanks, European-type radar, BOFORS, L/70 40 mm. antiaircraft guns, naval craft, and aircraft of foreign design and British-type weapons.

On the basis of the end items included in the materiel program, the status of service stocks and the state of the United States industrial mobilization base, it is estimated that about $110 million may be obligated in fiscal year 1957 for offshore procurement on a worldwide basis.

Fiscal 1958 program: It is estimated that the fiscal year 1958 program will be in the same general order of magnitude as that for fiscal year 1957. In contrast to previous years, it is anticipated that a larger percentage of the offshore procurement orders in 1958 will be placed in the Far East and, in addition, the total orders will involve little or no ammunition. In general, OSP will be used primarily to (a) obtain foreign-type items of materiel needed to meet an approved military requirement, or to (b) develop arrangements of special benefit to the United States, such as cost-sharing production schemes or production capabilities in soft-currency areas for use on a regional basis.

The reduction in ammunition orders will undoubtedly result in some of the ammunition plants in both Europe and the Far East being put in mothballs. The United States will assist these countries in placing these plants in a standby status with the understanding that the governments concerned will agree to maintain the plants on a standby basis for future use in the event of war.

Mr. ELLENDER. We have already spent and obligated in the past $2.7 billion for offshore procurement. The pending measure authorizes about $110 million to continue that program. Where is that money to be spent? First and foremost, it will be spent in the countries of Western Europe, in their own arsenals, to produce weapons for themselves, not for us, but for troops of those countries.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. WATKINS. Is it true that the item the Senator has mentioned, new weapons for Europe, is included in the offshore procurement program?

Mr. ELLENDER. No; that is a separate program.

Mr. WATKINS. It is independent of that item?

Mr. ELLENDER. It is separate; that is in addition. The new weapons program involves an item of $282.4 million for NATO countries and there is another item for offshore procurement of about $110 million. Those two items alone amount to almost $400 million.

Mr. WATKINS. They are for the same purpose—new weapons for our allies?

Mr. ELLENDER. Yes. I say those countries are able to carry their own load. In view of the fact that we have carried and are carrying the load for the rest of the world, and our own at home, they should be made to help us.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield for an observation?

Mr. ELLENDER. On the Senator's own time, yes.

Mr. SMITH of New Jersey. I shall be glad to speak in my own time.

Mr. ELLENDER. Very well.

Mr. SMITH of New Jersey. I shall wait until I get the floor in my own right.

Mr. ELLENDER. If the Senator desires to ask me a question, I shall gladly answer, but the Senator has an hour of his own. My time has almost expired.

Mr. SMITH of New Jersey. I shall wait.

Mr. ELLENDER. There is another little item in this bill involving $5 million in expenses for administering the offshore procurement program. The justification appears on page 425 of the hearings, and reads as follows:

Funds in the amount of $5 million for fiscal year 1958 are required for administrative support incident to offshore-procurement activities devoted to purchasing and contracting under the military assistance program.

That is an administrative cost which is in addition to the $110 million of which I have been speaking.

The next item, Mr. President, is an item of $12 million for logistical support of the United Nations forces in Korea.

Mr. President, I ask unanimous consent that the justification be printed in the RECORD at this point.

There being no objection, the justification was ordered to be printed in the RECORD, as follows:

UNITED NATIONS LOGISTICAL SUPPORT IN KOREA

Since the beginning of the Korean war in June of 1950 and through June of 1956, the United States has furnished logistical support to the other United Nations forces operating in Korea. The value of this support totaled $385 million, with reimbursements from the participating countries of only $91 million. The appropriations of the military departments provided this logistic support through fiscal year 1956. Beginning with fiscal year 1957 the logistical support of some of these foreign forces, still under the command of the U. N. commander, has been financed by the appropriations made available to the military assistance program.

Fiscal year 1957 program: The budget estimate for this program in fiscal year 1957 was $12 million.

Fiscal year 1958 program: Each of the nations participating has such a small contingent in Korea that it has been determined that it would be uneconomical and inadvisable to establish a separate logistical base for each country's force. Therefore the United States has agreed to provide the logistical support. To assure continued support in fiscal year 1958, $12 million is included for this item.

The fiscal status of the program follows:

[In thousands of dollars]

	July 1, 1956 to Feb. 28, 1957	Mar. 1, 1957 to June 30, 1957	Total
Obligations	4,929	4,071	9,000
Expenditures	4,929	3,071	8,000

Mr. ALLOTT. Mr. President, will the Senator from Louisiana yield for a question?

Mr. ELLENDER. I yield.

Mr. ALLOTT. What page is that, please?

Mr. ELLENDER. Page 429, at the bottom of the page.

The Senators heard me say a while ago that there are a few British troops in South Korea; there are also some Ethiopian, and Greek troops in South Korea, and I think there are soldiers of 2 or 3 other countries there, too. This item of $12 million is to take care of the logistical support for those troops. It has nothing to do with assisting Korea as such. It is not aid to Korea but it is to be used to pay logistical support for soldiers in Korea other than the United States and ROK troops.

Mr. President, why we should do that is something beyond my comprehension. We cannot maintain our freedom—we cannot maintain our way of life—if we continue to spend at the rate we are now spending. It seems to me that the more we do for the people of Western Europe the more they expect from us. That is why a moment ago I said a few words in support of the first amendment introduced by my distinguished colleague, when he desired to place this program on a year-to-year basis instead of putting it on a 2-year or 3-year basis as the bill now authorizes it. The bill, as it now stands, will simply make Europe and other areas more and more dependent upon us. They would help themselves much more if they felt that support from the United States would be curtailed at some time.

By this procedure we are abandoning the method which we have used in authorizing this program since its inception.

Mr. LONG. Mr. President, will my colleague yield for a question?

Mr. ELLENDER. I yield.

Mr. LONG. Does the Senator not know that in this bill the Development Loan Fund is already on a 3-year basis?

Mr. ELLENDER. I am prepared to offer an amendment to rectify that abominable situation.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 16 minutes remaining.

Mr. STENNIS. Mr. President, will the Senator yield 5 minutes to me?

Mr. ELLENDER. I yield 5 minutes to the Senator from Mississippi.

Mr. STENNIS. Mr. President, I thank the Senator for yielding 5 minutes to me.

Mr. President, I have no prepared speech or address on this subject, but my connection with the general subject matter is such that I feel I owe it to the Senate to say a few words.

I intend to support the amendment of the senior Senator from Louisiana [Mr. ELLENDER].

Mr. President, let me point out that all the expenses of construction, of maintenance and operation of all our military bases and air bases of whatever kind, all over the world, are paid for by us. That includes salaries of personnel, transportation costs and all other costs. That is entirely all right. That is for our protection and theirs.

Then, in addition, there is a second fund for NATO, to which we make our part of the contribution, as a military program, and our percentage of contribution is rather high.

Then there is a third fund, the fund we are talking about now, which is made up of what may be called "loose" money appropriated to the President. I have no objection to a discretionary use of a reasonable amount, but this bill authorizes $1.8 billion for this third fund alone.

Mr. President, a very wise and influential Senator—he is no longer a member—stood on the floor of the Senate a few years ago and in a powerful speech, in opposition to the first bill authorizing military aid, pointed out with great logic that once it was started it would be very, very, very difficult to stop the program. I rejected his thinking then, on the ground that there should be some kind of a military assistance program, and I voted for the program. I shall vote for it, to an extent, now. However, the wisdom of his words about the difficulty of terminating any major part of the program has certainly been proved.

I am not opposing entirely the third fund, which I now speak of, but certainly the Senator from Louisiana, with his very fine knowledge of the practical phase of this program, has conclusively proved that at least the part of the third fund which is for Western Europe is no longer necessary.

I ask the question: If we are not going to reduce that part now, then when shall we reduce it? If we do not move in that direction now, in my humble opinion, we will continue to indefinitely postpone action to reduce it.

The reduction proposed by the Senator from Louisiana will not interfere with certain strategic areas which, I think, must continue to have support, such as Greece and Turkey, which are right under the Russian guns, which occupy strategic places on the globe, and whose economies cannot possibly sustain them in providing adequate defense. They must continue to have aid from several sources. But we are giving all the other areas tremendous aid with our own forces.

Mr. LONG. Mr. President, will the Senator yield?

Mr. STENNIS. I have only a few minutes. I should like to make one more point.

If the Senator's amendment is agreed to, the third fund will still have $1.3 billion in new obligational authority in it, to be used by the President in such places as he sees fit. If something unexpected should develop, of course, he could use it in Western Europe.

Then there is a fourth fund. The fourth fund is the fund already passed on this afternoon, by a close vote. It is going to stay in the bill. I am not complaining about that vote; it is a part of the picture. That fund is going to be available.

Mr. ELLENDER. May I invite the attention of my good friend to the fact that in addition to the amount of new authority which will be available if my amendment is adopted, the $1.3 billion, there will also be approximately $3.9 billion carried over into fiscal year 1958.

Mr. STENNIS. That is a very good point. There is $3.9 billion in the pipeline, and, if this amendment is agreed to, there will be in this fund $1.3 billion more, or a total of $5.2 billion.

Mr. LONG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield the Senator further time.

Mr. STENNIS. I yield to the Senator from Louisiana [Mr. LONG].

Mr. LONG. Is it not true that we are giving additional military aid to the French? We thought we had helped them enough, and now they have taken the equipment to Africa, thus weakening the NATO defense forces, while they go to fight the Arabs with that equipment.

Mr. STENNIS. The Senator is correct. But my point is that now, with fund on top of fund on top of fund, financed at our expense, continuing on and on and on, ad infinitum, here is an area of the world where the expenditure can be stopped.

Mr. President, I yield back any time remaining.

Mr. MORSE. Mr. President, will the Senator from Louisiana yield me 2 minutes?

Mr. ELLENDER. I yield the Senator from Oregon 2 minutes.

Mr. MORSE. I wish to associate myself with the arguments made by the senior Senator from Louisiana [Mr. ELLENDER] on this amendment, the junior Senator from Louisiana [Mr. LONG] on the previous amendments, and the Senator from Mississippi [Mr. STENNIS] on this amendment.

I wish to say, so that it will be in the RECORD, that I think the majority of the committee is making a most serious mistake in its adamant refusal to adjust this program downward to the amounts provided by these amendments, because I am satisfied the majority of the committee is quite out of touch with the growing feeling of the American people about the program.

The American people know that they are not being given the facts. The American people know that this bill is being passed, in large part, by having vital material kept secret from the American people. There is a growing question being raised among the American people which I think may jeopardize our whole mutual-security program. As one who does not want to see the mutual-security program destroyed, but regularized, brought within procedural safeguards, and brought within financial reason, I wish to express today my great regret that the majority of the committee has gone as far as it has gone.

I think this is the moment to say that in the meetings of the Foreign Relations Committee there were members of that committee who said that they were voting for the higher figures, not because they thought they were the figures that should be adopted, but because they thought that the House, the Senate Appropriations Committee, and the conferees would cut them. I stated in committee that I would say on the floor of the Senate that when the Foreign Relations Committee takes the position that it will send to the floor of the Senate a bill which does not represent the exact figure which members of the committee think, in their own consciences, they should recommend, the Foreign Relations Committee is not keeping faith with the United States Senate.

In my opinion, as Senators we have a right, on the floor of the Senate, to believe that when a committee brings us a report involving authorization figures, they are the figures which the members of the committee honestly believe are justified. I do not think we should have a committee bringing to us a report with figures higher than some members of the committee say, in committee, are the figures they would recommend. I do not believe in that kind of juggling of figures with the Senate or with the American people. That is why I am disappointed that the majority of the committee is so adamantly fighting these amendments, because I am satisfied that, at least, in the case of some members of the committee, they honestly believe that the figures should be lower, but they are not recommending lower figures because they think cuts will be made by the House, by the conferees, or by our Appropriations Committee.

I wish to say, respectfully and sadly, that if we do not stop that kind of committee reporting, when reports come from committees we will take the attitude, "How much is in here for bargaining purposes, for horse-trading purposes, for conference purposes, which does not represent the true conviction and intent of the individual members of the committee?"

I do not like to have to make that prediction, but I said in committee that I would make this statement, and I protested submitting to the Senate a report which did not report the true recommendations as to the amounts which individual members of the committee thought ought to be recommended to the Senate.

Mr. ELLENDER. Mr. President, I yield 4 minutes to my good friend from Wyoming [Mr. O'MAHONEY].

Mr. O'MAHONEY. Mr. President, I wish to make clear, in a very brief statement, why I intend to support the amendment of the Senator from Louisiana. In the New York Times this morning there is a report from Quantico, Va., where a meeting of high officials in the Government of this country is being held. The Secretary of State was to be there. The Vice President was to be there. The Secretary of Defense was there, in preparation for the meeting. Yesterday there were some secret conferences, with respect to which no press releases were made.

In his statement to a press conference when the Secretary left the meeting, he made the announcement that because of the increased cost of military procurement he felt it would be necessary for him to order a stretchout of the expenditures available and to be made available for the Department of Defense.

Not only is that so, but he ordered an expenditure of $500 million at present available for military procurement, for the defense of the United States with its own forces, to be withheld for at least 60 days.

So the question arises in my mind: How can we possibly undertake to authorize huge appropriations for defense, to be expended by foreign countries, when we do not know what we are going to be able to do to defend our own country? If we cannot provide adequate defense for the United States and the territory of the United States, how do we dare to continue with this wild authorization of vast expenditures abroad?

Let me read a few lines from the story by Jack Raymond, in the New York Times for today:

QUANTICO, VA., June 13.—Charles E. Wilson forecast today a stretchout in procurement of weapons and gradual reduction of Armed Forces because of money difficulties.

If the Secretary sees money difficulties on the horizon, to prevent the defense of our own people and our own territory, why in heaven's name are we taking the risk of making excessive authorizations for expenditure abroad, when we know, from the evidence offered by the Senator from Louisiana, that much of the military equipment which we have afforded to France, for example, is being used in a civil war in Algeria? Is that working for peace? Let us be realistic. Let us protect America, instead of wasting our substance, we know not how, with governments which we cannot measure, and which are not stable.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. May I have 1 minute more?

Mr. ELLENDER. I yield 1 minute further to the Senator from Wyoming.

Mr. O'MAHONEY. I point out that we have only what amounts to a "caretaker" government in Italy. The Premier there had to resign because he did not have a majority. There was a miscount.

The new Premier of France is not expected to have an administration that will last for 6 months.

The Government of Great Britain is undertaking to make economical reductions in its military operations. And here we are, trying to provide for the countries abroad, the governments of which are not stable. Let us make sure that we have the material with which to defend ourselves, if the need comes, including submarines and bombs, which otherwise we cannot build here if we waste our funds abroad.

The PRESIDING OFFICER. The time of the Senator from Wyoming has expired.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks the article to which I have referred.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 14, 1957]

WILSON PREDICTS CUT IN UNITED STATES FORCES—ASSERTS MONEY DIFFICULTIES WILL CAUSE STRETCH-OUT IN ARMS PROCUREMENT

(By Jack Raymond)

QUANTICO, VA., June 13.—Charles E. Wilson forecast today a stretch-out in procurement of weapons and gradual reduction of Armed Forces because of money difficulties.

"I have not got elastic dollars," the Secretary of Defense said. He was discussing problems that have forced the rate of spending up by $4 million in 6 months.

Mr. Wilson emphasized, however, that a reasonable modification in the present military program would not drastically affect the Nation's economy.

Besides, he added, he had never subscribed to the thesis that the defense program bolstered the economy. It is a drag on it, he said.

Secretary Wilson discussed fiscal problems of the Pentagon in a news interview at the Marine Corps School here.

TO ATTEND PARLEY

He was among the early arrivals for a high-level Armed Forces policy conference of military and other Government officials. About 170 officials, including John Foster Dulles, Secretary of State, and possibly Vice President Richard M. Nixon are expected to join the military chiefs in panel discussions in the next 3 days.

Mr. Wilson attributed the unprecedented secrecy imposed on the meetings to the nature of the discussions. The press will not receive summarized versions of the papers

presented at the meetings, as it has in other years.

The civilian chief of defense denied that the Pentagon had forced the Government to back-track on some of the administration's disarmament proposals.

It was natural, said Mr. Wilson, for the military leaders to be conservative, even overcautious, in dealing with a "risk to the security of our country."

NO LINE OF ITS OWN

But he emphasized that the Pentagon "has no line of its own" in the Nation's disarmament policies.

Secretary Wilson said he was studying several presentations, made by the military services, on the possible effects of his recent orders to stay within the $38 billion spending program originally planned for the next 12 months.

When his studies are finished, he will present the alternatives to President Eisenhower, he said. The President must make the final decision, he said. Mr. Wilson said he expected to do this after the end of the month.

However, on the basis of preliminary studies, it is clear that the Government is spending more than the President had intended in his budget message of 6 months ago, Mr. Wilson said.

Mr. Wilson pointed out that the spending program for the fiscal year 1957, ending at the end of this month, had gone over $38 billion when it was intended to be $36 billion.

The rate of the present spending showed that the $38 billion program for fiscal year 1958 was being exceeded, he continued.

He appeared to agree with the recent statement by Wilfred J. McNeal, the Pentagon controller, that at the present rates, defense spending would reach $42 billion in the next 12 months.

TEMPORARY HALT

To put a temporary halt to the flow of expenditures, Mr. Wilson said, he ordered the withholding of $500 million in available procurement money for about 60 days.

James H. Douglas, Secretary of the Air Force, has protested this order, as well as an accompanying memorandum to hold total defense spending to the $38 billion figure.

Secretary Douglas has formally asserted that the Wilson directive would impede the Air Force program and affect about $4 billion in planned procurement of planes and missiles.

Secretary Wilson said today that his Air Force Secretary "was hasty in making that statement and will correct it as time goes on."

Mr. LONG. Mr. President, will the Senator yield to me 2 minutes?

Mr. ELLENDER. I yield 2 minutes to the junior Senator from Louisiana.

Mr. LONG. In line with the argument made by the Senator from Wyoming, I believe there is no more dangerous mistake we could make than to conclude that the gifts of funds to foreign nations, even for their own military establishments, is in the defense of the United States.

I should like to give a good illustration of how we may be sadly disappointed by spreading our wealth and strength among 68 different nations, expecting them to help defend us in the event we find ourselves forced into war.

Let us assume for a moment that Communist China, with its 600 million people, and aided by all the strength of the Soviet Union, decided to move on the island of Formosa. If that eventuality should come about, we would be at war with two of the largest powers in the world. We would not have any reason then to think that any one of the countries to whom we have given our wealth and resources would join us in that war. In fact, we would have every reason to assume that they would not be there, because they have not been willing to commit themselves to any such war.

It is the height of folly to think that any country which does not possess an atomic weapon would engage in a war between powers that do have atomic weapons when they are not committed to do so. They would decide to sit it out, knowing very well that in any event they would not contribute very much to the success of either side in such a war.

It is entirely possible that not more than one small nation would be at our side in the event we were forced to fight.

It is often argued that we can support five soldiers in a foreign country for what it costs to support one American soldier. The case of Turkey has been cited. The question I ask is what reason have we to believe that those troops would be on our side if fighting should break out? There is no reason to depend on that.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. GREEN. I am very sorry that I missed a part of the debate, particularly because as I came into the Chamber one of our colleagues, in speaking on this subject and in discussing the figures, particularly as to which 1 of 2 figures was correct, sought to impute unworthy motives to some of the members of the Committee on Foreign Relations, because they had decided on the figure which the committee has recommended.

There should be no place on the floor for any such intimation. I do not know toward whom exactly the criticism was leveled; but I resent it so far as any members of the Foreign Relations Committee are concerned.

It is well enough for us to wonder how an individual Senator may reach a conclusion, but I do not think that we should go into the motives or the opinions of the separate Members.

The figure that came to use from the President was $1,800,000,000. Of course, that is an astronomical figure. I cannot comprehend that figure. I cannot comprehend such large figures. I doubt whether any Senator on the floor can comprehend them.

We thought a certain amount of reduction was desirable, and we reduced the authorization by $100 million. To me, at least, $100 million sounds like quite a substantial sum. We thought that amount should be deducted from the figures submitted by the President.

Now it is proposed to take an additional $500 million from that amount. No justification has been shown for it. Therefore, I do not see why any weight should be given to the proposal, or why that figure should be accepted instead of the figure decided upon by the whole Committee on Foreign Relations.

I doubt whether we can reach a better conclusion in that regard than was reached by the Committee on Foreign Relations. It must be remembered that some of the most important items—and I do not believe any reference has been made to this point—are foreign bases, on which a part of this money will be spent. Undoubtedly some of the money used for those purposes will benefit foreign countries as well as our troops, but our interest in those foreign countries is very great.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KNOWLAND. Mr. President, I yield 5 additional minutes to the Senator from Rhode Island.

Mr. GREEN. Our facts are tied up together. There is no good in going back into our early life span and saying, "What tremendous changes there have been." The changes have been so great that we cannot comprehend them. And new inventions are being made every day. We cannot comprehend what happened 5 years ago. How can we comprehend what will happen a generation from now? We must take things with some imagination, based substantially on the changes which have already occurred. We may have to change all our fundamental ideas. We will certainly have to change our fundamental ideas if we allow the Communist group of nations to outwit us or to outbid us in our effort to be the dominant country in the world.

We have arrived at that point in the United States, not willfully, but by force of circumstances, and we must rise up to the duties imposed upon us by that position in the world. The other nations of the world to whom we have looked up, now look up to us for guidance. We must be generous in our guidance, and not seek to take advantage of them or expect those who are weak and small to give us of what they have left, when they believe that we can afford to pay them for what we take. Our interest, in the last analysis, is almost as great as their's in every instance.

So I hope the Senate will support the Foreign Relations Committee in voting for what the committee has decided is probably the best from the point of view of our country's interest.

I trust that the amendment offered will be rejected.

I do not ascribe any unworthy motives to any Senator who may vote to reduce the amount, but I hope such Senator will express equal confidence in those who differ with him as to the exact figure.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. GREEN. I yield.

Mr. CARROLL. I wish to say to the Senator from Rhode Island that on every amendment so far I have voted with the committee, and therefore I put this question in good faith. I am concerned, and the people of Colorado with whom I have talked are concerned, about the technical-assistance program. There is a feeling that there ought to be greater emphasis on technical assistance and less on military support and military defense. I put this question in good faith. I know the committee, from the very excellent presentation just made by the distinguished Senator from Rhode Island, made a cut in the amount. Am

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I to understand that an additional cut of $500 million is proposed by the distinguished Senator from Louisiana?

Mr. GREEN. I believe so.

Mr. ELLENDER. That is correct.

Mr. CARROLL. From what particular fund will that come?

Mr. GREEN. From the military authorization fund.

Mr. ELLENDER. From the military hardware fund.

Mr. CARROLL. From what area would that come? Do we know that?

Mr. GREEN. I do not know. I was out of the Chamber during a part of the debate. I am sorry that I was out of the Chamber at the time.

Mr. ELLENDER. If the Senator will permit me to do so, I should like to say that I demonstrated during the course of my remarks that of the $1,800,000,000 authorized in the pending bill, $494,400,000 would be aid to our friends in NATO countries in Western Europe. I say they are able to take care of themselves. Thus I take the position that the $1,800,000,000 military aid amount can be reduced by $500 million with no harm to our weaker allies. The entire cut can be made in aid to Europe.

Mr. CARROLL. Is it the Senator's contention that the $500 million comes out of NATO funds, or does it come from other areas not specified?

The PRESIDING OFFICER. The Senator from Rhode Island has 1 minute remaining.

Mr. ELLENDER. As I pointed out a while ago, $3.9 billion still remain from earlier programs in the military hardware fund, even if we should not appropriate one more dollar. The new program which is being authorized in this bill is in the amount of $1,800,000,000. I am asking that that amount—$1,800,000,000—be reduced by half a billion dollars, the amount of aid which is now scheduled to be extended to Western Europe.

The PRESIDING OFFICER. The time of the Senator from Rhode Island has expired.

Mr. KNOWLAND. Will the Senator from Louisiana use some of his own time?

Mr. ELLENDER. I have only 2 minutes remaining.

The burden of my argument is that the military would have enough money with the $1,300,000,000 which my amendment would authorize.

Mr. CARROLL. I thank the distinguished Senator from Louisiana. I should again like to ask a question of the distinguished Senator from Rhode Island, unless the Senator from Louisiana cares to answer it.

I am trying to emphasize the fact that in Colorado the people are more interested in technical assistance and economic assistance than they are in military assistance—that is, according to the people with whom I have spoken. I recently campaigned there, and I campaigned on that basis. The people of Colorado feel there is too much emphasis on the military aid, and not enough on the economic assistance, upon which they place great reliance.

Mr. ELLENDER. The amendment I have offered does not affect economic aid or technical assistance. It simply reduces the military hardware program.

Mr. CARROLL. I should like to ask a further question.

The PRESIDING OFFICER. The time of the Senator from Louisiana has expired.

Mr. KNOWLAND. I yield 1 additional minute to the Senator from Rhode Island.

Mr. GREEN. One hundred million dollars, I think, was cut from military aid, and $100 million from other sums for military support, but nothing was cut from technical assistance.

Mr. CARROLL. Did the committee consider whether there ought to be an increase in the amount of funds for economic assistance?

Mr. GREEN. I cannot answer the question directly. There was a discussion back and forth on those items. We discussed pro and con what the President requested, and we reduced in a number of instances the amount the President recommended; but we did not cut the amount he requested for technical assistance.

Mr. KNOWLAND. Mr.. President, I yield 5 minutes to the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I am sure there is very little which can now be added to the debate, but I wish to make a comment or two upon the approach of the critics of the bill and those who sponsor the amendment.

The crucial question, it seems to me, Is whether the program is for the defense of the United States. If one accepts the thesis advanced by the junior Senator from Louisiana and the senior Senator from Wyoming that the program is not for the benefit of the United States or is not for the defense of the United States, then it ought to be eliminated. I cannot understand Senators voting even for $1,300,000,000 if we accept the thesis which has just been advanced by the Senators I have mentioned. That is the basic question which all Senators must decide.

The committee decided, the administration has decided for some 10 years, and Congress has decided that the program is for the defense of the United States.

The last witness we heard on the subject was General Norstad, who is a leading general of this country, is also the commander of the NATO forces in Europe. He was very positive—more so than I have ever heard any leading military figure—about the capability of the NATO forces to destroy any significant military objective in Russia. He made these statements, which appear in the printed hearings. I call attention particularly to page 839, where I asked him a question.

Did you say that NATO had the capability of destroying everything of significance in Russia?

General NORSTAD. I meant anything of military significance. Yes, I believe that to be true.

Senator FULBRIGHT. Any thing of significance?

General NORSTAD. I think we have that capability.

I submit, Mr. President, if this is not for the defense of the United States, then we are all wrong, and we ought to eliminate the whole bill. But it seems to me to be the most utter nonsense to say that this appropriation is not for the defense of the United States. It most certainly is for our defense.

The way the program is set up is simply our best judgment as to how we shall distribute our available resources. Of course, we could use all the money for our forces in this country, as someone has suggested. But the committee believes, our own military people believe, and the administration believes that it is more economical and more effective for our defense to distribute our resources in this manner—that is, to provide, in this instance, $1,800,000,000 for military assistance. That is for hardware to our allies abroad. That is a matter of judgment, and that is all there is to it. If Senators disagree, they have the privilege to vote against it.

I do not understand why Senators want to chisel away at this item on the thesis that this program is not for our defense. That seems to me to be an unacceptable excuse for the amendment even though it might be an excuse for voting against the whole bill or for saying we are not for the program.

The next question is—assuming the program is for our defense, as I believe to be the case—should the amount be exactly $1,800,000,000, or could we get along with $1,799,000,000? Maybe we could, but nobody knows absolutely. We all know that these matters must certainly be, at this stage, matters of estimates resulting from the exercise of our best judgment.

As to this particular item, the administration itself reduced by $500 million its original estimate of what was needed. They told us they were able to do that because of the rearrangement of certain schedules, particularly by the elimination of some of the long-lead time necessary, and a different and more efficient method of handling spare parts, and so forth. I shall not now go into details as to that. But the administration gave us an explanation of why they were able to reduce their own request by $500 million. We were presented by the administration with a request for $1,900,000,000, and we cut the amount by $100 million. I cannot pretend to stand up and state that that is precisely the amount which is needed. I do not know. The best estimate which the administration could give was $1,900,000,000.

We also, to some extent, had the feeling of the Senator from Colorado that because of the necessity to try to be a little more economical and to save as much as possible, if we could cut anywhere, this would be the place to cut. The committee did cut here and in defense support, $100 million each. That is the best estimate we can make.

Mr. CARROLL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CARROLL. The Senator from Arkansas has made a very clear statement. I intend to go along anyway with the committee's recommendation. The

point I make is, if my information is correct, that we will still have, even with the cut recommended by the Senator from Louisiana in his amendment for this purpose, about $500 million. I am not saying that is too much. The question I raise is, Are we out of balance with the military hardware?

The PRESIDING OFFICER. The time of the Senator from Arkansas has expired.

Mr. KNOWLAND. I yield 2 additional minutes to the Senator from Arkansas.

Mr. CARROLL. Are we out of balance with the military hardware when we really have a deep conviction that there ought to be more emphasis on technical assistance, and not so much reliance on military assistance? I agree with the Senator from Arkansas that it is a matter of judgment.

Mr. FULBRIGHT. All I say is that we did not go into that field. I think it is very important over the long run. I have tried to defend economic and technical assistance. I cannot say that the committee cut the request by exactly the right amount. I can say we exercised our best judgment. Therefore, we recommended this amount to the Senate.

There is one other point I wish to make. I believe it was the Senator from Oregon who raised the question about this not being exactly the amount, and that the committee was not entirely frank in recommending this amount. I do not know how to comment upon the charge made by the Senator from Oregon other than to say that the committee simply used its best judgment. Whenever there is before us a bill which involves our best judgment as to what should finally be provided, how influential that aspect has been on the Senator from Oregon, I do not know. But I do not think that is particularly significant, in either one way or another, in connection with this debate.

In this case we are dealing with the authorization of a program of reasonable defense for our forces abroad. If General Norstad is not completely in error, I think we have a reasonably good defense. It is very expensive. He explained why that is so. Many of the items are confidential; but all of us know about the type of defense we have, involving many complicated items. There is no doubt that the equipment is extremely expensive.

The PRESIDING OFFICER (Mr. BIBLE in the chair). The time yielded the Senator from Arkansas has expired.

Mr. KNOWLAND. Mr. President, I yield 2 additional minutes to the Senator from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized for 2 additional minutes.

Mr. FULBRIGHT. Mr. President, it is reassuring to know that General Norstad assured us that NATO has a capability which will deter the Russians from engaging in any military adventure at the moment. I think that is very significant, and I regret that all Members of the Senate could not have heard his testimony. I think it puts a somewhat different light on the matter.

Mr. KNOWLAND. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. KNOWLAND. First, Mr. President, I wish to commend the distinguished Senator from Arkansas for the very fine statement he has made regarding this matter.

Of course, as a matter of judgment, the administration, after consulting the Defense Department and the National Security Council, recommended $1,900,000,000. That was the amount recommended by the President of the United States.

The Foreign Relations Committee, after holding its hearing on this matter—as has been pointed out by the chairman of the committee and also by one of its other distinguished members on the majority side—proposed the cut of $100 million.

Now the Senator from Louisiana proposes that an additional $500 million be slashed from this military item.

I wish to say to the Senator from Colorado, who has raised a very interesting point, that I do not think any Member on either side of the aisle would fail to agree with him when he says we hope the time will soon come when we shall be able to move from the military applications into the technical assistance programs, which personally I believe—and I have believed so for a long time—constitute one of the most constructive aspects of our entire foreign and mutual aid program; and we look forward to the day when more emphasis can be given to technical assistance. But that item was not cut by the committee, which is very sympathetic with that point of view.

I wish to point out to my colleagues something we dare not lose sight of. With all the talk of the men in the Kremlin and all their smiles and attempts at persuasion, nevertheless the Soviets are maintaining the largest military establishment in the world. That is a fact; I am not indulging in fantasy. This fact is not one which we can take lightly. The fact is that, despite all the propaganda the Soviets are issuing at present, today the Soviets have on the land, on the sea, and perhaps in the air a very large military establishment—the largest in the world. On page 150 of the hearings we find the testimony of the representatives of the Defense Department. I now read from that part of the hearings:

Senator FULBRIGHT. Before you go into that, in land area how does that compare? What percentage of the land area is Communist?

Mr. SPRAGUE. It is slightly more than one-quarter. At the present time Russia has approximately 20,000 operational aircraft, 175 well-equipped ground divisions and the second largest navy in the world, consisting of over 400 submarines, and some 20 cruisers.

Here let me say that the Soviet's submarine force at present is larger than that of Nazi Germany at the height of Nazi Germany's power, when the Nazi submarines interrupted the sealanes of the Atlantic.

I read further from the hearings:

These forces are increasingly becoming equipped with modern weapons, including atomic capability.

The satellite countries of Eastern Europe have in their forces about 80 ground divisions,

They are in addition to the 175 already mentioned—

2,500 operational aircraft, and while these forces are not probably as effective as those of Soviet Russia, they would complement those forces and have a considerable capability anywhere in Europe.

China has 200 ground divisions and about 2,500 operational aircraft. The forces are increasingly, probably mostly, equipped with Soviet modern equipment.

That is the testimony of responsible representatives of our defense establishment.

It is true that the pending bill is only an authorization bill. The House Appropriations Committee and the Senate Appropriations Committee will have an opportunity to examine this program, after more detailed hearings are held. The distinguished Senator from Louisiana [Mr. ELLENDER]—and no member is more diligent in his work on that committee than is he—will sit on the Appropriations Committee and will have an opportunity to ask his probing questions, as I have heard him do time and time again, of the representatives of the defense establishment and the mutual aid program, when they testify before the committee. He will be able to say to them, "The Congress has authorized, at the outside, $1.8 billion; but we insist that you justify, within that amount, these funds."

That is proper procedure. If, after the hearings, the committees feel that this amount can safely be reduced, I would be in favor of doing so. But I do not believe it would be wise to do so at this time, in view of our national-defense requirements.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. KNOWLAND. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from California is recognized for 2 additional minutes.

Mr. KNOWLAND. Mr. President, today, when the Government of the United States is engaged in delicate negotiations, no man is wise enough to know whether the Soviet Union is willing to agree to some disarmament proposal which will have adequate safeguards. In view of the record of the last quarter of a century, during which the Soviet Union has violated every agreement into which it has entered with a major power, I know of no prudent Member of this body and no prudent person elsewhere in the country who would favor having the United States take the word of the Soviets, unless there were some effective check to make sure that they would live up to their agreement. I think that is essential to the preservation of the world of free men.

Mr. President, under these circumstances, it seems to me that it would pull

the rug from beneath the feet of our negotiators today, if, with no more facts than those presented by the Senator from Louisiana, word were to go out that the Senate of the United States had rejected the recommendation of the administration and the best recommendations of the Defense Department and the recommendations of the Senate's own Foreign Relations Committee, which has given long hours of study to this matter, and had cut $500 million from this item, which is so vital to our common defense.

Mr. HUMPHREY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. Yes. But, Mr. President, first I yield myself an additional 5 minutes, in order to have time to yield for the question the Senator from Minnesota desires to ask.

The PRESIDING OFFICER. The Senator from California is recognized for an additional 5 minutes.

Mr. KNOWLAND. Now I yield to the Senator from Minnesota.

Mr. HUMPHREY. First, I wish to concur fully in what the minority leader has just said; and I desire to say to him that if the Senate were asked today to vote on a resolution to provide for partial, unilateral disarmament, I am sure the Senate would unanimously reject it. In other words, if today the Senate were asked to vote to cut United States military manpower and military strength and United States weapons strength in every area, the Senate would vote against it, in terms of unilateral disarmament. In short, the Senate would be opposed to having the United States agree to be the first to cut her military equipment and military manpower. If asked to vote on such a measure, I am sure the Members of the Senate would vote "no"—if not unanimously, then at least by an overwhelming majority.

Yet we must realize that a cut of $500 million in this item would be a kind of unilateral disarmament, because this item is a part of the mutual-security program.

In the light of what we know is going on in Korea, with the Communists arming in North Korea, and violating the armistice agreements—as we know they are doing—is not a good deal of the assistance under this program dedicated to the defense of South Korea?

Mr. KNOWLAND. Yes, to the defense of South Korea or anywhere else where trouble might break out.

Mr. HUMPHREY. Is not a good deal of it for Turkey?

Mr. KNOWLAND. That is correct.

Mr. HUMPHREY. In other words, a good deal of it is for Turkey, one of our most stalwart and valiant allies.

Mr. KNOWLAND. Yes. Both of them were at our side during the Korean War. The Turks had sent their forces around the world, in order to stand by our side in Korea. Turkey was one of 17 nations to do that.

Mr. HUMPHREY. Is it not true that a portion of this military assistance is intended for our friends in Vietnam?

Mr. KNOWLAND. The Senator is correct.

Mr. HUMPHREY. Where can we find areas in the world which are more critical to the defense of the Free World than the areas referred to? We are not free to divulge point by point or dollar for dollar what these countries are to receive, but, as the Senator from California pointed out, this is not a giveaway program. This is a mutual aid security program. I say one of the most foolish things we could do would be to throw away our trump card before we sat down to complete negotiations with the Soviet Union. It is tough enough to deal with the Soviet Union when we have power. I say we should never sit down with the Soviet Union unless we can deal from strength. We should not cut our strength. Of all the times to cut the strength of American military power, this is the worst. We have Mr. Stassen in London negotiating with the Soviet Union, and here we are talking about pulling half the rug out from under the military aid program.

Mr. KNOWLAND. I fully concur in what the Senator from Minnesota has stated. I think it would be highly detrimental at this time for an amendment such as that offered by the Senator from Louisiana to be adopted.

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. In a moment. First, Mr. President, I yield myself five additional minutes.

As I believe the Senator from Arkansas [Mr. FULBRIGHT] and other Senators on the floor earlier expressed it, I am sorry every Member of the Senate could not have been in the room with the members of the Foreign Relations Committee when General Norstad testified. Here is a very able and competent American military official, a man who had wide wartime experience in World War II, a man who is one of our younger officers, who has been given the high and very responsible task of being the supreme commander in Europe of all the allied forces. He came before the committee and gave us a picture which I wish every Member could have heard described, of how the work we had done under the mutual assistance program had vitally strengthened the entire defense concept of the West.

The very fact that we have been able to strengthen ourselves and our allies to the extent he was able to demonstrate with his classified charts before the committee is itself one of the greatest deterrents to war we could possibly have, because in my judgment, the men in the Kremlin are not going to take the calculated risk of another aggression unless they become convinced that their chances of winning are greater than are their chances of losing. If they once come to the conviction that we ourselves or our allies have reduced our strength while they have maintained theirs, as indicated in the testimony before the committee, that will be the hour of greatest danger to the Free World So far as I am concerned, I do not want to weaken our defense or that of our allies at this point.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. First I yield to the Senator from Mississippi [Mr. STENNIS]. I had promised to yield to him.

Mr. STENNIS. Reference has been made to pulling the rug out from under our military aid program and running out on our military allies. Does not the Senator know that if the amendment were adopted, there would still be $1.3 billion in the bill to be added to what I understand is a pipeline of $3.9 billion for this one fund alone? This fund is one part of a four-pronged fund. The amendment would not affect NATO funds. It would not affect the military aid program. It would not affect our defense program. It would not take a single dime away from Vietnam, Turkey, Greece, or Korea. The Senator from Louisiana pointed out there is room for this program to operate in Western Europe, under our military program, and there will be provided aid which we have continued to give over and over again to our worthy allies.

I thought the figures I have given should be brought out.

Mr. KNOWLAND. I say to the distinguished Senator, again it becomes a question of judgment. I have the highest respect for the Senator from Mississippi. He and I served together on the Armed Services Committee for a time; but, unfortunately, when we get into the area of military hardware—and I yield myself 5 additional minutes, Mr. President—it is not merely a question of purchasing and delivering something today and then being through for the next 4 or 5 years. For example, if we delivered a propeller plane, as we did during the Korean war, to the Republic of Korea, and the Communists in the meantime equipped their Communist forces with jet planes, or if we delivered to our allies planes that fly, for example, only 100 miles an hour, and the enemy had planes that fly 200 miles an hour, the equipment we had furnished would become obsolete.

Mr. STENNIS. I merely wanted to bring out those figures for the record. I thank the Senator for letting me bring them out.

Mr. KNOWLAND. I say to the Senator, that is one of our problems. When we get into the field of missiles, they are very expensive. If I had a son in the European theater of operations and he was in an American division, I would not want the division on his left and the division on his right to be equipped with obsolete weapons, because all the Soviet forces would have to do, if they determined to do it, would be to make an end run around the well-equipped American division and run through our allies on the left or right flank. Certainly, that would not be in the interest of our defense.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. AIKEN. I wish to point out that, in carrying out our foreign aid program, both economic and military, since the enactment of Public Law 480, about $1¼ billion of the cost of the program has been paid for by foreign currencies received from the sale of surplus American farm products. It is expected that during the next year or so as much or more will be paid from foreign currencies received from the sale of Ameri-

can surplus commodities, mostly cotton and wheat. We had better think the matter over, because if we abandon the program, we are not going to get the sales for our surplus commodities that we have had in the past.

Mr. BUSH. Mr. President, I yield myself 4 minutes on my own time.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 4 minutes.

Mr. BUSH. I oppose the amendment which is now under consideration. I shall vote against it, and shall vote for the bill to amend the Mutual Security Act of 1954, because it is essential to the maintenance of American freedoms, and to the realization of our hopes for ultimate victory in the Free World's struggle against Communist imperialism.

The Senate Committee on Foreign Relations, by its year-long study and report, has performed an invaluable service in helping to drive away the fog of misunderstanding which has threatened to obscure the essential purpose of our mutual security program.

The term "foreign aid" is an unfortunate one. It creates thoughts of "giveaways" and "hand-outs" when, in reality, mutual security is as much in our own self-interest as it is in the interest of other nations who have joined with us in a common defense against a common peril.

By clearly defining and separating the separate programs heretofore lumped together under so-called "foreign aid"—military assistance, development assistance, technical assistance and special assistance—the Administration and the Committee have done much to remove causes of misunderstanding and confusion.

The mutual security program has been developed over the past 10 years. It has produced solid results in the American national interest. As the committee said in its report on the bill:

> American foreign aid has played an indispensable part in keeping the Free World free. Those who would abolish or emasculate the program because of its past mistakes frequently overlook this simple and eloquent fact.

I think, Mr. President, that is the answer to the distinguished Senator from Louisiana, the proponent of this amendment, who said that we had spent in this area $17 billion, and asked, "What was the result?" He wished to know, what did we have to show for it?

I think we have much to show for it. I think we have peace to show for it, which we would not have, had we not been engaged in this type of program in the past.

Mr. President, in closing I should like to say that I wish to offer my compliments to a great Secretary of State, John Foster Dulles, for the statement which he made before the committee. It was so good that he was commended by members of both great political parties, by Senators who have served on the Foreign Relations Committee for many years, and who have not always been friendly to him.

I think it is a remarkable tribute to the Secretary of State that with this controversial measure before us this year, after 5 stormy years as Secretary of State, he enjoys the measure of respect that he now enjoys with the Senate Committee on Foreign Relations and the Members of this body. These have indeed been stormy years, Mr. President, because, as the President has so often said, we live in an age of peril and not simply in an instant of danger.

So, Mr. President, if the statement by Secretary of State John Foster Dulles has not yet been printed in the RECORD as a part of this debate, I ask unanimous consent that it now be printed, at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. JOHN FOSTER DULLES, SECRETARY OF STATE

Secretary DULLES. Mr. Chairman and members of the Foreign Relations Committee, I have come before you to discuss the authorization which we are requesting for our future mutual security programs.

TYPES OF FOREIGN AID PROGRAMS

As noted by the Senate special committee, to which you, Mr. Chairman, just alluded, the money we spend abroad is not on a single program. So-called foreign aid is a term that is given to several quite distinct programs. Each of these is addressed to different purposes. Each employs separate means. Each must be considered on its own merits.

It is to these distinctive programs that I address myself.

I shall try, in each case, to tell what foreign policy purpose the program serves.

I shall explain how the executive branch believes that these purposes can, in the next fiscal year, be better defined and better served.

There are, in essence, four major programs.

First, the mutual defense assistance program, which provides weapons and military equipment and economic support for Allied military forces and facilities;

Second, the development assistance program, which helps free countries achieve economic growth;

Third, the related technical assistance program through which we share our skills with these countries;

Fourth, the special assistance programs, through which we meet particular needs and emergencies that cannot be met by the three preceding programs.

COLLECTIVE SECURITY SYSTEM

I do not have to review with this committee the magnitude of the Soviet and Chinese Communist military threat, or the fact that no free country can obtain adequate security through its own resources alone.

This fact has led to the creation of a collective security system which binds us and 42 other free countries in a common defense against a common peril.

Since 1950, we have provided around $17 billion in military equipment plus supporting economic assistance to our allies' military programs. During this same period, our allies have spent over $100 billion for defense, and they have provided manpower for the armed forces of the Free World, and they have provided sites for highly valuable bases for our and their forces.

Without our assistance, these allies' military programs could not have been carried out. With these programs, we are enabled to spend far less on our own military programs—and to achieve far greater security—than would otherwise be the case.

MILITARY AID AND DEFENSE SUPPORT

Collective security is truly a case in which the whole is greater than the sum of the parts. And the instrument which creates the whole out of these parts is our mutual defense assistance program.

This program consists of two elements:

First, the provision of military equipment to friendly forces. This is what, in the past, has usually been called military aid.

Second, economic aid given to allied countries to compensate their economies for contributions made to the common defense, when these countries cannot unaided make the contribution judged necessary. Many of the less-developed countries, such as Korea, Formosa, and Vietnam, cannot maintain the desired forces without some outside help, and sometimes the provision of essential facilities for the common defense involves burdens for which compensation is appropriate.

In the past, much, but not all, of this aid, has been called defense support. But the phrase has also been used to include assistance to some of these same countries for other purposes, such as economic development and growth.

This labeling produced misunderstanding, both at home and abroad. We believe that what in the past has been called defense support should hereafter be confined to what is distinctly related to an effective military contribution.

Development assistance to stimulate economic growth should be dealt with separately.

For fiscal year 1958 we are asking for $1.9 billion for the provision of weapons and military equipment, and $900 million for true defense support. This totals $2.8 billion. It is approximately three-fourths of what we are asking the Congress to appropriate for all the mutual security programs.

Both these types of defense assistance—military equipment and support—have more in common, in point of purpose, with other elements of our own defense program than they do with other types of so-called foreign aid. They contribute to and maintain our military security just as expenditures for our own forces do.

That is why the President has recommended that defense assistance should be recognized and treated as an essential element of our own worldwide national defense effort. To do this effectively, he requests that appropriations for military assistance and for related defense support should now be so authorized that hereafter they may be included as a separate part of the regular appropriationss for the Department of Defense. Both would continue under the policy guidance of the President and the Secretary of State.

SEARCH FOR REDUCTION OF ARMAMENTS

Requirements for defense are substantial, but they are necessary. We are, of course, actively seeking a sound and safeguarded basis for reciprocal reductions of armaments, which weigh heavily upon our country, the Soviet Union, and indeed nearly all nations.

It is not easy to reach such an agreement. Experience has demonstrated that agreements with the Communists are not dependable so long as they are merely based upon paper accords. Good faith is not a factor which can be relied on to assure continued adherence by Communists to the terms of an agreement. Therefore, the free nations cannot safely reduce their military strength merely in reliance upon promissory agreements by the Soviet rulers to reduce correspondingly. We do not, and will not, rely upon Soviet promises alone. There must be adequate means to verify performance and to gain increased protection for the Free World against surprise attack. We do seek an agreement that will be in the mutual interest of the parties, an agreement that would decrease the danger of war.

We find it hard to believe that the Soviet rulers will not in their own self-interest eventually accept such mutual supervision

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and control as will permit of lightening the burden of armament, and will provide to both sides a better prospect for a just and durable peace.

We do not know today whether the Soviet leaders consider that the benefits of an armaments agreement justify their submitting to a system of adequate inspection.

But even on the most hopeful estimate, the first steps of armaments reductions will have to be carefully calculated and carefully taken. It would be folly now, in the absence of a safeguarded agreement for the inspected reciprocal reduction of armaments, to weaken in any manner the collective-security system which provides the greatest deterrent against aggression at the least cost.

ASSISTING ECONOMIC DEVELOPMENT OF INDEPENDENT NATIONS

I turn now to the economic development aspect of mutual security.

We propose the establishment of a development-loan fund to assist the economic development of other independent nations. The Senate special committee has found that this, and I quote from their report, "is in the interest of the United States." This statement is particularly, though not exclusively, applicable to 19 new nations which have come into existence since the end of World War II. These nations contain nearly a third of the world's population. Most of them are close to the Soviet-Communist China bloc. They are nations where poverty is age old. The per capital annual incomes of most of the peoples of these nations is well below $100 a year. Their food production is at levels of bare subsistence inadequate for hard productive work.

It is important to us that the people of these nations should remain free, that their strategic lands should not fall under Communist control, that their resources should be available to their own people and in commerce with other free nations.

For generations these people have fatalistically accepted stagnation. But now their mood is different. Two intense emotions now grip the peoples of these new nations. The first is a desire to maintain and strengthen their newly won political freedom. The second is a determination to raise their pitifully low standards of living and get started quickly on the inevitably long road to economic betterment.

FREEDOM AND ECONOMIC GROWTH

But the obstacles to growth are substantial. There is a shortage—sometimes an absence—of technicians. The governments are inexperienced. With incomes at the barest subsistence levels, very little can be saved and invested. Without outside help, the prospects of economic growth are indeed very slim.

These people are determined to move forward. If they do not succeed, there will be increasing discontent which may sweep away their moderate leaders of today and bring to power extremist leaders who will resort to extremist measures fostered by international communism.

Today hundreds of millions in these countries seek the answer to this simple question: Do political independence and freedom mean economic growth? If these peoples do not feel that in freedom they get growth, then freedom will be on its way out in much of the world.

It is in our interest to help to demonstrate that freedom and growth go hand in hand. That is the conclusion of your special committee as it is of the President.

The question then becomes what is the most economical and effective way to do this?

DEVELOPMENT LOAN FUND PROPOSAL

The recommendation of the President and the conclusion of your own special committee is that this should be done through the establishment of a development loan fund.

How should such a fund work?

For the past few months the executive branch has given lengthy and detailed study to many aspects of this question. We have had advice from many quarters. We have reached a number of conclusions. These conclusions are sufficiently firm, detailed, and well founded to make us feel that the fund should be founded now, without another year's delay.

What are some of the essentials?

First, the recognized purpose of the fund should be to assist the less-developed free countries to get economic growth underway.

Second, the fund would operate on terms of repayment. A substantial part of its activities should be in loans, but it should also be empowered to use other banking and financing arrangements, such as credits, and guaranties, in carrying out its purposes. It could not, however, make grants. Its loans would be made available on repayment terms less rigid than those of existing institutions. Repayment could be in foreign currencies, as well as dollars, and interest could be waived or suspended.

The fund would primarily be an instrumentality of foreign policy, and as such take greater financial risks than those acceptable to existing institutions. The fund's expectations of repayment would be based, however, on confidence in the long-range future of the nation it is helping. If the fund achieved its object, as I believe it would, then confidence would prove justified.

Third, the fund would seek cooperation with private investors and established lending institutions. It could participate in joint financing with private investors, the World Bank or the Export-Import Bank, adjusting its own repayment claims to those of these others. It would not loan its funds where other loans and private investment were available. Properly administered, the fund would not reduce but would increase the effective flow of activity through normal channels of finance.

Fourth, the fund could be used only for development projects and programs which seem technically and economically sound and which could be expected to contribute to the economic progress of the borrowing country and to the long-range interest of the United States in the welfare of that country. It would not be used to meet emergencies or other needs for short-term assistance. Continued financing by the fund to any country would depend upon that country's record of performance.

Fifth, a substantial part of the financing undertaken by the fund would be devoted to basic works such as transport, communication systems, power installations, harbors, irrigation and drainage projects—the capital needed to create the economic environment in which private initiative can come into play. The fund could also use its resources to support local development banks and private enterprises engaged in developing the countries we seek to help.

Sixth, the fund should be established upon a basis of continuity with sufficient capital for several years' operations. As I said here last month, economic development is a long-term process. It is not an annual event. If our assistance is to be useful at all, it should be provided on a sustained basis that is consistent with the long-term nature of the job to be done.

It is not necessary that all the capital of the fund be provided at once. But it is essential that there be initial provision for future availability. For this reason the President has asked that there be provided this year an appropriation of initial capital and the authority to borrow additional capital from the Treasury in the second and third years. Such borrowing authority has been used to capitalize other United States lending agencies. These additional funds which would be borrowed from the Treasury would not be available for obligation until such second and third year. However, the fact that they would be available will give the countries we wish to help and our own administrators the assurance they need to plan ahead.

This new approach we contemplate requires that we get away from annual authorizations or appropriations. These inevitably tend toward a system of illustrative programs as a basis for justifications. These are not compatible with the assurance of continuity essential to good planning and to the new long-term loaning concept. They are not compatible with cooperation with such organizations as the International Bank for Reconstruction and Development and Export-Import Bank, which operate on a long-term businesslike basis with established capital.

AUTHORIZATIONS AND APPROPRIATIONS REQUESTED

The President has requested an appropriation of $500 million to be available for the fund in fiscal year 1958, and authority to borrow $750 million in fiscal year 1959 and the same sum in fiscal year 1960. Any unobligated balances of any year would be carried forward as part of the fund's working capital.

The sums the President has requested are, we believe, conservative figures. The two reports made to your special committee which relate to a development financing program both conclude that a loan fund to be effective should be able to finance development activities at a higher rate than at present. This was also the conclusion of the International Development Advisory Board, which recommended that "the initial Congressional appropriation for the fund should be sufficient for a substantial increase in capital investment and technical assistance programs." Another study, that of the Research and Policy Committee of the Committeee for Economic Development, has suggested an initial 5-year program at the rate of $1 billion per year in addition to our existing level of expenditures for economic assistance.

One of the witnesses before your special committee rather aptly compared economic development with getting an airplane off the ground. You have to achieve a certain minimum rate of speed to take off. It would not be prudent to invest our resources in development programs which are too small to offer any hope of eventually achieving a self-sustaining rate of growth.

FUTURE COST AND DIRECTION OF FINANCING UNDER THE FUND

What of the future cost and direction of financing under the fund? There is a popular idea that the underdeveloped areas are a bottomless pit. In reality, as the Committee on Economic Development says in its report: "The amount that can be productively invested in the underdeveloped world is not enormous but is in fact rather strictly limited." The duration of the need for financing of the kind the fund would supply is also reasonably limited. It is not our purpose to finance the development of these nations to the level of our own economy. It is rather our purpose to help them gain a momentum of economic progress which will make it possible for them to go forward on their own capital formation, with outside assistance confined to private investment and other normal sources of financing.

We should think of the funds as a long-term operation but not as going beyond the time when it serves the enlightened self-interest of the United States. As it serves its purpose, the calls upon it should decline.

TECHNICAL ASSISTANCE RECOMMENDATIONS

I turn now to the third program, technical cooperation.

There is universal agreement that the technical cooperation program is valuable and should be continued on substantially the present basis. The exectuive branch so recommends.

We believe, furthermore, that this program has proved its worth as a long-term instrument of United States policy and that it should be authorized on a continuing basis.

The President has recommended an appropriation of $168,900,000 for this program next year.

This figure includes, in addition to our regular bilateral program, our contribution to the technical assistance program of both the Organization of the American States and the United Nations.

Last year the Congress recommended that our proportionate contribution to the United Nations expanded program of technical assistance should be reduced in fiscal year 1958 to 33⅓ percent from the present level of 49 percent. Since that date, the Subcommittee on Technical Assistance of the Foreign Relations Committee has recommended in its final report that this proviso be reconsidered. This report favored a reduction of the percentage of the United States contribution but urge that "precipitous action to this end should not be taken," and noted that a reduction to 33⅓ percent in 1 year might have deleterious effects on this important United Nations activity. We agree with these conclusions and believe that any reduction should be phased over several years. The President has accordingly recommended that the level of our contribution be set at 45 percent for fiscal year 1958, compared to 49 percent at present.

SPECIAL ASSISTANCE

The final category of our aid is special assistance.

There are some programs, like the malaria eradication program, that do not fit into any of the preceding categories.

There will inevitably be occasion when it will be in our national interest to furnish assistance to friendly nations—assistance which is not designed to support our common defense effort and which could not properly be handled through the development fund or technical assistance.

There are bound to be emergency situations which we cannot foresee and there are bound to be efforts we need to support without prospect of repayment.

International communism is constantly probing to discover and exploit weak points within the Free World. We cannot tell in advance where these weak points will develop or the amount of pressure which international communism will bring to bear. We must have reserve funds which can be thrown into the breach if we are to conduct successfully the cold war which international communism has forced upon us.

During the past few years there have been emergency situations in many places where immediate grant aid was necessary. Such situations have arisen in relation, for example, to Iran, Jordan, Hungarian refugees, and Guatemala. It can be soberly estimated that international communism would have gained spectacular victories, and that freedom would have suffered tragic defeats, if the President had not had substantial discretionary funds to use to meet unpredictable emergencies. The fact that the President has had such funds has meant on net balance a vast saving to the cause of freedom to which we are dedicated.

AMOUNT REQUESTED FOR SPECIAL ASSISTANCE

Aid of this nature is designed to meet immediate needs, not to finance long-term programs. It is appropriate that it should be authorized anew each year.

The President has asked for the authorization of an appropriation of $300 million for special assistance.

This figure includes three separate elements. Approximately one-third of it has already been programed for firm requirements, such as our malaria eradication plan and certain special country programs. Another third is designed to provide for recognized but unprogramed needs, including further assistance for the Middle East under the American doctrine. In addition, we need continuation of the special Presidential fund to meet unforeseen contingencies.

FOREIGN AID STUDIES

The total program which I outline reflects the results of the intensive study which has been given to this subject during the past year. Such study has been given by the executive branch of the Government, by both Houses of Congress, and by special groups of qualified persons who have been asked by the President and by the Congress to study this problem.

These studies indicate no substantial disagreement as to the need of mutual security programs dealing both with military and nonmilitary matters. There is also, we believe, an unusual consensus as to the general order of magnitude which these programs should assume. There is also a large measure of agreement that our mutual security programs can be better organized than has been the case heretofore. The executive branch of Government shares that view and it is reflected in the President's special message, which is before you, and the proposed legislation, in this presentation.

Let me recall, in conclusion, that the Constitution of the United States specifies as among the basic purposes of our Government to "provide for the common defense * * * and secure the blessings of liberty to ourselves and our posterity." Under today's conditions a common defense is most effectively promoted, and the blessings of liberty most effectively secured, by the mutual security programs I have described.

We know full well that this committee has ably and conscientiously studied this whole problem. We have taken into account its views, particularly as expressed in the report of the Senate special committee, published on May 13. The executive branch of Government welcomes, and will seek to merit, the cooperative spirit which is manifested by this committee.

Thank you, Mr. Chairman.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. President, I will take only a very few minutes. I regret the remark made by my distinguished colleague, the Senator from Oregon, with regard to the activities of our committee, because I feel it was unfortunate to suggest that we had any unworthy motives. I saw no evidence of any unworthy motives by members of the committee in arriving at our conclusions in the committee.

What I wish to speak of especially is the participation by the other nations of the world in this joint effort. The question seems to be, are we paying for everything ourselves, with no one else paying for anything?

I wish to place a few things in the RECORD, to indicate what we are doing. In the first place, I should like to give a breakdown of how the military funds for the fiscal year 1958 mutual-security program are intended to be expended. The table I have here, which is printed on page 4 of the committee report, shows for Europe, $338,509,000; for the Near East, South Asia, and Africa, $390,407,000; for the Far East and Pacific, the area which is so much in trouble today, $689,829,000; for Latin America, which is, of course, in less trouble, $25,956,000; and for nonregional programs, which mean administrative expense and new weapons, especially the missile weapons, $955,299,000. That makes a total for the fiscal year 1958—and these figures came to us from the administration—of $2.4 billion, with an unobligated carryover from fiscal year 1957 funds—which needs to be reappropriated—of $500 million, making the authorization request $1.9 billion, the figure which came to us from the administration.

It has been stated here that we fully considered that figure very carefully. The committee felt that $100 million could be taken off the amount, without impairing the effectiveness of the program.

The detail for each one of those figures which I have placed in the RECORD, as I say, was presented to us by the experts from the military department and by the experts from the State Department. We asked every question we wanted to ask. We stated in our report that it is possible for any Member of the Senate to go downstairs into the Foreign Relations Committee office to see the charts and figures given to us, in detail. Nothing has been concealed. There is no purpose in concealing anything, and there are no blank checks.

Mr. WATKINS. Mr. President, will the Senator yield for me to ask him a question on that very point?

Mr. SMITH of New Jersey. First, let me point out, with regard to participation by other countries in the world in these mutual security pacts with us, that from the time of the beginning of NATO through the fiscal year 1956, the United States expenditures for military assistance have been $17.4 billion, and the defense expenditures by our allies have amounted in that period of time to $107 billion, nearly 10 times as much. So the feeling that we are carrying the entire load is one with which I must take issue.

Furthermore, if we limit consideration to European NATO defense, I can give the same breakdown of figures, reading from page 140 of the hearings before our committee. This is the explanation of a chart which was presented, and appears on page 140, under the title, "The Mutuality of Our Defense Efforts"; it shows the European NATO defense, and the way it is broken down between European NATO countries and the United States:

The contribution which we have made to the Free World defense efforts of our allies, important as it has been to encourage and stimulate those efforts, has been very small compared to their own defense expenditures. For example, our expenditures for aid to European NATO countries amounted to $300 million in 1950; these countries themselves made defense expenditures of $6.5 billion that year. In 1953, when our expenditure for aid increased to $3.2 billion, they expended for defense $12.8 billion, or 80 percent of the $16 billion total of their effort and our contribution combined. And in 1956, when our contribution to their efforts amounted to $1.7 billion, the NATO nations of Europe spent $13.1 billion for defense; their share had thus risen to almost 90 percent of the total of their defense expenditure and our military assistance combined.

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The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. KNOWLAND. Mr. President, I yield the Senator 2 additional minutes.

Mr. SMITH of New Jersey. Mr. President, those figures speak for themselves. I am glad to give them for the RECORD at this point.

There is one thing more to which I wish to invite attention. Reference has been made to General Norstad. We all know that his duty is to act as the Supreme Allied Commander in Europe, of SHAPE, the head man of the NATO operation. In his testimony, he spoke about the airfields, the acquisition of which has represented a large part of our expense.

Let us see how much our allies did in contributing to these air forces. Going back, to bring it up to date, General Norstad said:

> In 1951 we had information on about 20 airfields which might possibly be made available to NATO in the event of hostilities. Some were civilian airfields that we planned on taking over. Some were not too useful to us, but about 12 or 15 could be used for our purposes.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. KNOWLAND. Mr. President, I yield 1 additional minute to the Senator from New Jersey.

Mr. SMITH of New Jersey. General Norstad said further:

> In the course of developing the NATO airfield program, we had to run the full play of problems met in an alliance. In the first place, we had to have a general concept or a strategy. We had to develop the force requirements necessary to carry out this strategy. Then we had to determine what bases were required. We had to get agreement of the 15 countries. * * * We now have a substantial number of NATO airfields—some 150 of them.
>
> These are fields that have been built for our account by allied decision with allied money.

The percentages I have mentioned show that for the most part, the expenses for the airfields, which we have sought and which we are supporting, will be paid by the allied group. I want to make that clear. This is not a giveaway program. We are not supporting the security of the world. We are contributing our share—and a large share—but I want to give credit to the other countries which have worked so ably, and are contributing a large share in developing the whole concept of mutual defense. I also give credit to the President of the United States.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the distinguished Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I wish to address myself very particularly to my very genial colleague on the Appropriations Committee, the Senator from Louisiana [Mr. ELLENDER].

When I think of the amount he wishes to cut from this bill, I try to keep it in relevant perspective. There are very few absolute values in the world; but I remind him that on Wednesday of this week we had before us a certain appropriation bill. We completed action on it in an hour and fifteen minutes. It contained 1 item, for only 1 function, which was 9 times as great as the entire amount projected in the present bill for military assistance to all of Europe. I refer to the item for pensions and compensation for more than 3 million veterans. The estimate was $3 billion.

The minority leader has dealt persuasively with the danger that is still in the world, but I like to think also of the effect in case anything should happen. I do not want to charge my spirit or my conscience with any dereliction of any kind which might result some day in forfeiting the life of young Americans.

Let us think about the expenditure which will be made, and which will be a continuing expenditure for a long time, and then seek to reconcile it, in relative terms, with the amount of authorization carried in this bill.

The distinguished Senator from Mississippi [Mr. STENNIS] stated that this measure would have no effect on NATO. Frankly, I do not understand his reasoning. I am at liberty, I think, to use the figure of $338 million of the funds in this bill, for aid to Europe. That figure involves military aid to 12 countries. Nine of those countries are NATO countries.

I was not a Member of the Senate when we joined the North Atlantic Treaty Organization, but we are there. If it is to be of any value whatever to this country it must be an effective line. That is the eastern perimeter.

I share the sentiment expressed by the Senator from Arkansas [Mr. FULBRIGHT]. If I were persuaded that this program was not in the interest of the security of the United States, I would be against the bill, and against every amendment that is offered. But I have never been of that persuasion. I believe, on the basis of the advice and information which has come from our constituted military leadership, that this program is in the interest of our national defense.

Nine NATO countries will share in the $338 million which will be in this bill for 1958 for military assistance. So how can it be argued that this program has no impact upon our NATO responsibility?

Why was the figure of $338 million selected for this item? Incidentally, there are six large volumes in the security storage of the Appropriations Committee. The facts and the bewildering figures are almost enough to confound any finite mind. Yet when the appropriation bill goes to the Appropriations Committee, we shall be expected to have all the testimony of our experts, and to examine every one of these items, and then report to the Senate the opinion of the Appropriations Committee, within the framework of this authorization, as to how much should be appropriated for 1958.

Why was the figure of $338 million selected? There are three reasons. The committee said, "This is the amount which is necessary on the basis of what we estimate to be the importance of forces in Europe to our own security."

Secondly, they said, "There is an essentiality of equipment." The Senator from California mentioned it more concretely when he spoke of the possibility of his son serving in a division in the middle, flanked by weaker divisions, inadequately equipped. The military leaders had that possibility in mind. They cited the essentiality of equipment as a second consideration.

Finally, they pointed out the inability of the respective countries, either because of political, economic, or technical reasons, to procure particular types of equipment abroad.

It is just that simple. So I earnestly hope that, because of the persuasiveness of the case against this amendment, it will not only be rejected, but will be roundly rejected by a very preponderant vote. It is not enough to tell the world that by a vote of 48 to 40, or thereabouts, we rejected this kind of an amendment. I think there should be a resounding voice from the Senate of the United States, in a rather feverish hour, to let the world know—and particularly those who dominate the policies of the Soviet Union—that we speak pretty well with one mind, one heart, and one spirit, and that we are united in our determination to make adequate provision for the security of the United States, whether it involves that portion of the perimeter in Korea, or along the 17th parallel in Vietnam, or whether it involves the NATO line in Europe; and, of course, the NATO line is going to share in the appropriations authorized by the pending bill.

Mr. KNOWLAND. Mr. President, I yield 3 minutes to the junior Senator from California.

Mr. KUCHEL. Mr. President, I very much doubt if there is a single Member of the Senate who does not recognize international communism as a constant and continuing menace to the peace, the security, and the dignity of the people of the United States—and, indeed, to the people of the entire Free World.

I very much doubt if there is more than a handful of people in the country who would disagree with that position. I think it is generally conceded, too, that the overwhelming reason why international communism has been deterred in its history of aggression has been the possession by the Free World, and particularly by the people and the Government of the United States, of a powerful arsenal of nuclear weapons of defense.

But there are other reasons, too. One outstandingly important one lies in the collective security system which has been generated in great part by the American Government among like-minded free nations in Europe, as well as in Asia, and in our own Western Hemisphere.

I had an opportunity last year, with half a dozen other Members of the Senate, and a like number from the House of Representatives, to participate in the North Atlantic Treaty Organization parliamentary conference. It was a stimulating and moving experience to see members of the parliamentary governments of 15 nations, with their divergent views on many questions, some of whose countries had been at war a few short years before, nevertheless united in a common goal, standing together in the face of danger in order successfully to deter communism in western Europe, or, if necessary, to repel it.

Western Europe, with its 200 million people, is important to the cause of free-

dom. The proponents of the pending amendment made an error in alluding to NATO in this debate. NATO is the preeminent example of effective mutual security. Our collective security system of the North Atlantic nations, in my judgment, has contributed materially and mightily to the cause of freedom here and elsewhere around the globe by its growing defensive strength to deter aggression. We should not now by our vote here undermine or weaken that strength.

The American people can be grateful that we are at peace; a vital part of the reason for that peace, in my judgment, is the system of mutual security for which this bill will be a further implementation.

For my part, I am proud to follow the membership of the Committee on Foreign Relations which in overwhelming numbers put its faith in the recommendations of the President of the United States. A year ago we had a debate on the floor of the Senate, and there were some Senators who wanted to overrule Dwight D. Eisenhower with respect to his recommendations for the defense needs of the country. I made no apology for following him on that occasion. I make no apology for following him on this occasion. It will be to the credit of the overwhelming majority of the membership of the Senate on both sides of the aisle that when the roll is called, in good comradeship we will stand up and vote for the pending bill. We will defeat this crippling amendment in a demonstration of the faith the people of this country have in the cause of peace and freedom, through the defensive strength of the Free World.

Mr. KNOWLAND. Mr. President, if there is no further time to be used, I am willing to yield back the remainder of my time.

The PRESIDING OFFICER (Mr. BIBLE in the chair). No time remains for the Senator from Louisiana.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. All time is yielded back. All time for debate has expired.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Magnuson
Allott	Flanders	Malone
Anderson	Frear	Mansfield
Barrett	Fulbright	Martin, Iowa
Beall	Gore	Martin, Pa.
Bennett	Green	McClellan
Bible	Hayden	McNamara
Bricker	Hennings	Morse
Bush	Hickenlooper	Morton
Butler	Hill	Mundt
Byrd	Holland	Murray
Capehart	Hruska	Neuberger
Carlson	Humphrey	O'Mahoney
Carroll	Ives	Pastore
Case, N. J.	Jackson	Potter
Case, S. Dak.	Javits	Purtell
Chavez	Jenner	Revercomb
Church	Johnson, Tex.	Robertson
Clark	Johnston, S. C.	Russell
Cooper	Kefauver	Saltonstall
Cotton	Kennedy	Schoeppel
Curtis	Kerr	Scott
Dirksen	Knowland	Smathers
Douglas	Kuchel	Smith, Maine
Dworshak	Lausche	Smith, N. J.
Eastland	Long	Sparkman
Stennis	Thurmond	Wiley
Symington	Thye	Williams
Talmadge	Watkins	Young

The PRESIDING OFFICER. A quorum is present. The question is on the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea" and the Senator from West Virginia would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from North Dakota [Mr. LANGER]. If present and voting, the Senator from Arizona would vote "nay," and the Senator from North Dakota would vote "yea."

The result was announced—yeas 26, nays 61, as follows:

YEAS—26

Anderson	Hruska	Morse
Bible	Jenner	O'Mahoney
Byrd	Johnston, S. C.	Robertson
Chavez	Kerr	Russell
Curtis	Long	Stennis
Dworshak	Magnuson	Talmadge
Eastland	Malone	Thurmond
Ellender	Mansfield	Young
Frear	McClellan	

NAYS—61

Aiken	Gore	Mundt
Allott	Green	Murray
Barrett	Hayden	Neuberger
Beall	Hennings	Pastore
Bennett	Hickenlooper	Potter
Bricker	Hill	Purtell
Bush	Holland	Revercomb
Butler	Humphrey	Saltonstall
Capehart	Ives	Schoeppel
Carlson	Jackson	Scott
Carroll	Javits	Smathers
Case, N. J.	Johnson, Tex.	Smith, Maine
Case, S. Dak.	Kefauver	Smith, N. J.
Church	Kennedy	Sparkman
Clark	Knowland	Symington
Cooper	Kuchel	Thye
Cotton	Lausche	Watkins
Dirksen	Martin, Iowa	Wiley
Douglas	Martin, Pa.	Williams
Flanders	McNamara	
Fulbright	Morton	

NOT VOTING—8

Bridges	Langer	Payne
Ervin	Monroney	Yarborough
Goldwater	Neely	

So Mr. ELLENDER's amendment was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment of the senior Senator from Louisiana [Mr. ELLENDER] was rejected.

Mr. KNOWLAND. I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. LONG. Mr. President, I call up my amendment designated "6-12-57-D" and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 24, lines 7 and 8, it is proposed to strike out the figure "$1,800,000,000" and insert in lieu thereof "$1,500,000,000."

Mr. LONG. Mr. President, I yield myself as much time as I may require.

I now modify my amendment by striking out "$1,500,000,000" and inserting in lieu thereof "$1,700,000,000."

This would represent a reduction of a mere $100 million from the amount recommended by the committee. It is a reduction of approximately 5 percent.

I offer this amendment in an effort to see if there is any disposition on the part of a majority to make any reduction within the bill.

I am frank to say that members of the majority of the committee would have been willing to support a reduction of the bill if there had been a disposition on the part of those in the minority to go along with them in recommending a lesser figure. Some members of the majority of the committee indicated a willingness to vote for a lesser figure if the committee could unanimously report a bill to the Senate, but they felt that if the bill faced further reductions on the floor they should hold out for the figure reported to the Senate.

My amendment, as modified, would make a reduction of a mere 5 percent in the funds available for military assistance, or a reduction of approximately 2½ percent in the overall amount provided in the bill.

I point out that in most of the appropriation bills which have been going through the Senate, there has been a disposition on the part of the Senate to make reductions greater than that made by the Committee on Foreign Relations in this bill. The average reduction appears to have been 7 percent. That would be the reduction the Senate would have made in this authorization if it adopted my amendment, as modified.

If Senators feel they do not wish to vote without making some reduction, I may say that more than $6 billion is already available with which to carry out the program. Therefore, I believe this reduction could be made and should be made.

Furthermore, I suggest to Senators something of which I am convinced myself, namely, that in years gone by Congress has always made reductions in this program, usually in the authorization bill and in the appropriation bill, as well. Undoubtedly there is a tendency on the part of the executive branch to ask for more money than is absolutely necessary, with a realization that there will be some reduction made by the Senate or at least by the House—in one House or the other.

I feel that some Senators would like to vote for a minor reduction in the appropriation, at least. For that reason, I offer the amendment.

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Mr. REVERCOMB. Mr. President—

Mr. LONG. I yield to the Senator from West Virginia.

Mr. REVERCOMB. I thank the Senator from Louisiana.

My question is as follows: The reduction in the amount of $100 million, which would be the effect of the amendment of the Senator from Louisiana, if it were agreed to, would be a reduction in the authorization for direct military aid; is that correct?

Mr. LONG. Yes. I should like to point out that if we make this minor reduction, then, when those in charge of the program are subsequently required to testify before the Appropriations Committee, they would be required to explain how this much reduction could best be made in the appropriations for the program. Otherwise, in carrying out the policy of the administration, they would be bound to fight for every last cent of the administration's request.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG. I yield.

Mr. AIKEN. If the pending amendment is agreed to, then, when the corresponding appropriation bill is subsequently before the Senate, will the Senator from Louisiana support, in connection with that bill, the amount of the appropriation which his amendment now would authorize?

Mr. LONG. I believe it would still be excessive, so I would fight for some reduction. Even if we are unable to persuade some of our colleagues to vote for what, in your judgment, would be a more appropriate figure, we should not be asked to vote for an excessive figure. The argument which was made in the committee appeared to suggest that if Senators are unable to get their colleague to vote for the figure which they believe to be warranted, they should then vote for a larger figure than the one they would otherwise recommend. I will not yield to that suggestion.

Mr. AIKEN. Will the Senator from Louisiana indicate what he regards as an appropriate amount for this item, for inclusion in the appropriation bill, when it comes before the Senate?

Mr. LONG. I voted for the amendment of my colleague from Louisiana [Mr. ELLENDER]; I think it would have been much more in line. If his amendment had been agreed to, I would have voted for the bill, on the question of final passage. But since his amendment has been rejected, I am frank to say that I do not intend to vote for the bill, on the question of final passage.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from Louisiana.

Mr. LONG. On this question, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LONG. Mr. President, I yield back the remainder of my time.

Mr. KNOWLAND. Mr. President, I hope the modified amendment will be rejected, along with the others.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

The question is on agreeing to the modified amendment of the Senator from Louisiana, on page 24, in lines 7 and 8.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Arizona [Mr. HAYDEN], the Senator from Oklahoma [Mr. MONRONEY] the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from Arizona [Mr. HAYDEN]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from Arizona would vote "nay."

The Senator from West Virginia [Mr. NEELY] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from West Virginia would vote "nay," and the Senator from Virginia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] is necessarily absent.

If present and voting, the Senator from North Dakota [Mr. LANGER] would vote "yea."

On this vote, the Senator from Arizona [Mr. GOLDWATER] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 33, nays 52, as follows:

YEAS—33

Anderson	Gore	Mundt
Bible	Hruska	O'Mahoney
Butler	Jenner	Russell
Byrd	Johnston, S. C.	Schoeppel
Case, S. Dak.	Kerr	Smith, Maine
Chavez	Long	Stennis
Curtis	Magnuson	Talmadge
Dworshak	Malone	Thurmond
Eastland	Mansfield	Watkins
Ellender	McClellan	Williams
Frear	Morse	Young

NAYS—52

Aiken	Fulbright	McNamara
Allott	Green	Morton
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	Pastore
Bricker	Holland	Potter
Bush	Humphrey	Purtell
Capehart	Ives	Revercomb
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnson, Tex.	Smathers
Church	Kefauver	Smith, N. J.
Clark	Kennedy	Sparkman
Cooper	Knowland	Symington
Cotton	Kuchel	Thye
Dirksen	Lausche	Wiley
Douglas	Martin, Iowa	
Flanders	Martin, Pa.	

NOT VOTING—10

Bridges	Langer	Robertson
Ervin	Monroney	Yarborough
Goldwater	Neely	
Hayden	Payne	

So Mr. LONG's amendment, as modified, was rejected.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendment of the Senator from Louisiana [Mr. LONG] was rejected.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I call up my amendments at the desk, labeled "6-13-57-B," and ask the clerk to state them.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. It is proposed on page 31, beginning after the period in line 12, to strike out through line 9 on page 32; and on page 32, beginning after the period in line 20, to strike out through line 2 on page 33.

Mr. MORSE. Mr. President, in a moment I shall yield to the Senator from Minnesota. Before I do so, I want to advise the Senate what my plans are so far as my amendments are concerned, because I think it is fair to notify the Senate in advance. Of the amendments I have sponsored and co-sponsored, there are two on which I should like to have yea and nay votes. The pending amendment is one of them.

Therefore, before Senators leave the floor to attend engagements they have, and pending this debate, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, before I turn to the amendments, I should like to discuss a couple of ancillary matters. I should like to have the attention of my junior colleage for a moment, and the attention of the Senator from Arkansas [Mr. FULBRIGHT] and the Senator from Rhode Island [Mr. GREEN] as to the second ancillary matter.

I wish to say, for the RECORD and for my good friend, the junior Senator from Oregon [Mr. NEUBERGER], that I want the RECORD to show that the closest personal relationship exists between the two Senators from Oregon. I think it would be proper to describe our relationship as one of very deep, intimate friendship.

I am perfectly aware of the fact, as is the junior Senator from Oregon, that there are in our State political forces opposed to each one of us which would seek to give the impression, whenever we differ on an issue in the Senate of the United States, that the hour has arrived for the break between MORSE and NEUBERGER.

I wish to say, Mr. President, they are going to be just as disappointed over the disagreement that exists between the two Senators from Oregon in regard to this particular matter as they have been in the past, and I wish to assure them that in the future they will continue to be disappointed.

The junior Senator from Oregon and I have a very sincere difference of opinion over the terms of this bill. We particularly have a very sincere disagreement over an argument the junior Senator from Oregon made this morning, which I respectfully say is going to be misinterpreted and twisted by our

respective and mutual political enemies in our State. In part it already is being twisted into meaning that we have broken with each other personally.

Therefore, I intend to make the RECORD perfectly clear here and now as to my position on my colleague's argument. I want him to know, as I present my point of view on his argument, that I do so on the basis of the same professional differences that exists between us on this issue as it does on a very few others, although in most cases we stand shoulder to shoulder, of one mind, on legislation before the Senate.

Mr. NEUBERGER. Mr. President, will the Senator yield to me?

Mr. MORSE. I am glad to yield to my colleague.

Mr. NEUBERGER. Before the senior Senator from Oregon commences his presentation, with which it is possible I might disagree, I should like to corroborate his statement that between us there is the friendliest of personal relationships, in spite of any particular differences we might have on the policy involved in this bill.

I think I can best emphasize that by an illustration from my own career. I believe I had the unusual privilege or experience of serving several terms in the Oregon State Legislature when Mrs. Neuberger happened to be a member of that same body. There were occasions when Mrs. Neuberger and I voted differently on issues before the Oregon State Legislature, but I might say, in conclusion, that I am still married to Mrs. Neuberger.

Mr. MORSE. Which makes you very fortunate.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. NEUBERGER. Is there any doubt of that statement?

Mr. HUMPHREY. I merely wanted to say that the Senator is extremely lucky.

Mr. NEUBERGER. I thought maybe the Senator from Minnesota had different information.

Mr. MORSE. I wish to say to my friend, the Senator from Minnesota—and I hope this will not be considered in violation of rule XIX—that although I am exceedingly fond of my junior colleague, I think he got the better of the bargain in that marriage. [Laughter.]

Mr. President, this morning my junior colleague made an argument to the effect that those who oppose this mutual security bill seem more interested in saving American dollars than American blood. He referred in the course of his remarks to the bitter opponents of this measure, and unfortunately that phraseology has been picked up by representatives of the Oregon press, and I have been asked what I have to say about my colleague's reference to me as a bitter opponent of this measure. I have jokingly replied that I am satisfied my colleague does not consider me a bitter opponent of this bill. I have said further than neither did my colleague make personal reflection upon the senior Senator from Oregon by his comments this morning. But we do have a very honest difference of opinion as to the effect of the position taken by the opponents of this bill on the security of American boys overseas.

My colleague's argument left with some, at least, the impression that the opponents of this bill in its present form are strongly in favor of drafting young men for warfare overseas, but not for drafting dollars.

I think it ought to be clear, Mr. President, without having to say it, that there is not a Member of this body who would not place the value of American lives far above the value of American coins. Those of us who are opposed to this bill, Mr. President, are opposed to it because we think improvements in the bill would better protect American lives overseas.

Therefore I wish to stress, Mr. President, that my colleague and I are not in disagreement at all about the desirability of seeing to it that American lives overseas are protected. We are in disagreement, apparently, as to the best means and procedure to assure such protection. That is the main point, Mr. President. That is my difference of opinion with my junior colleague on this specific issue.

I wish to stress that those of us opposing this bill in its present form think that there would be better protection for our boys overseas if this bill were modified along the line of the amendments we are proposing. The danger in this bill, as we see it, Mr. President, is that unless essential Congressional controls over foreign aid are maintained and extended, and unless some of the authorizations for appropriations are modified or reduced, we may very well find in the future that we have followed a course of action which in fact endangered American boys overseas.

If there is any doubt, Mr. President, about why we take this position, let us take a look at the record to date on this point. What has happened to aid in the past?

We shipped enormous quantities of military aid to Nationalist China, when that Government was still on the mainland—hundreds of millions of dollars worth, or perhaps more. No one, apparently, will ever know how much. And we shipped hundreds of millions of dollars worth more of military aid to Korea. Then what followed? How much of that military aid, in the form of guns, tanks, and bullets which went to the Chinese, to the Koreans, and others—was used against our young men when they had to fight in Korea? How many hundreds or thousands of casualties did our own equipment in enemy hands cause among our own forces in Korea—among the young men about whom my colleague, the junior Senator from Oregon, is so rightly concerned? How many of them suffered because of past mistakes we made with respect to aid?

Yet my colleague, I am afraid, has left the impression that some of us, when we want to put this aid under what we think is a necessary, better control, are more interested in saving dollars than in saving lives.

Mr. President, we also sent to Formosa hundreds of millions of dollars' worth of military aid. What happened after that?

I suggested the other day that in some parts of the world Formosa is referred to as an American puppet state. We are not going to change that attitude by a verbal denial of it, Mr. President, because that view is held in many parts of the world. But this puppet got out of our hands the other day and broke some strings and put on it's own show and that riotous show did not increase our prestige either in Formosa or in other parts of the world. That is not the only trouble we have had with Formosa, Mr. President.

After we had given hundreds of millions of dollars worth of military aid to Formosa, we had to send the 7th Fleet with thousands of Americans into the Formosa straits to keep those arms from falling into the hands of the Communists. That fleet is still there, Mr. President, and it is still hovering on the brink of war—an achievement which the Secretary of State regards as his diplomatic masterpiece.

Let us go from there to the Middle East, Mr. President. What happened there? The President and the Secretary of State came to Congress a few months ago and asked for dollars—dollars for military aid and dollars for political handouts in the Middle East. He got the dollars and a free hand to use them—over the protests of some Senators, including the senior Senator from Oregon. The President and the Secretary of State have doled out tens of millions of these dollars to one Middle Eastern state after another—to decent states and abominable states, to friendly states and unfriendly states, as well as to dictatorial states.

And then what happened? The President had to move the 6th Fleet—I underline "6th," Mr. President, lest it be confused with the 7th Fleet which, as I already have noted has thousands of Americans on the brink of war off Formosa—the President moved the 6th Fleet with more thousands of Americans abroad closer to the brink of war in the Middle East.

Take a look at what is happening in South Asia, Mr. President, if you want to know why there are opponents of this bill. We have sent tens of millions of dollars of military aid to Pakistan and tens of millions more for defense support so that the Pakistanis can maintain the swollen military establishment that the military aid makes possible. What repercussion does this have across the border in India? The Indians got worried about the expansion of Pakistan's military forces so they divert their scarce resources to expanding their own military forces. Then the Communist threat grows in India because the Indians are spending so much on their military that they do not have enough to make progress in an economic sense as fast as they should. So we send economic aid to India to make up for diversions to their military establishments and thereby to halt the growth of communism in that country.

All this, Mr. President, and military aid to Yugoslavia and to Spain—all this, Mr. President, in the name of freedom, in the name of America's security and interests. All this, Mr. President, in the garb of Mr. Dulles' peculiar international morality.

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I said it before and I say it again. There are opponents of this measure, not because of a greater interest in American dollars than American lives. There are opponents because foreign aid, in its present form, is a fantastic formula for futility. It is costing us our dollars, our prestige in many places, and unless we make the changes that must be made in this legislation, I fear it is going to cost us American lives.

Tonight from this desk in the Senate I wish to say to the people of the State of Oregon that the reason for my opposition to the bill in its present form is not that I care more for dollars and less for the lives of American boys, but because I care so much for the lives of American boys that I think the Senate should act after much greater scrutiny and pass a much sounder bill than this bill is in order better to protect American boys.

If we were to follow the course of action which those of us who have opposed the bill are recommending, we would not be sending so many American boys abroad. In my judgment we are sending too many.

I wish to say further that if we were to follow the course of action which some of us are recommending by way of amendments to the pending bill, we would have a sounder mutual security program, a program which would strengthen America abroad as well as at home, and which would therefore result, in my judgment, in greater defense of our country, and also in greater protection of the lives of American boys.

Likewise, we would strengthen freedom abroad, because the amendments which some of us propose would at least seek to taper off our giving so much encouragement to totalitarian states abroad.

I wish to say, as I said to my colleague earlier today, that for quite some time I have advocated a thorough overhauling of the American military program. As I said on the floor of the Senate yesterday—and I will not repeat it in detail today—we should recognize that we have entered the nuclear age. In recognizing it, we ought, therefore, to recognize the need for a complete overhauling of our Military Establishment. We are wasting manpower. In our Military Establishment, in many respects, we are following an obsolete program. We ought to take an example from Great Britain, which has recognized the nuclear age ahead of her, and is already overhauling her military establishment. She recognizes that the world has entered the nuclear age.

I repeat what I said yesterday. I am a little amazed at the rationalization of those who are trying to say that Great Britain is making her military savings at the expense of the taxpayers of the United States. My answer is, "Tell it to Great Britain."

I believe that so long as there is a Great Britain, her history will continue to be, as it has always been, one of defending herself. She does not propose to rely upon the United States, or any other nation, for her national security. She is willing to cooperate in a joint effort toward mutual security, such as that represented by the NATO organization, in the common defense of freedom; but she does not propose to substitute America's defense for Great Britain's defense, so far as her own security is concerned.

I make these remarks because I think they are due not only to myself and to my colleague, but also to the people of the State of Oregon who might be confused by those partisan critics who would read into our difference of opinion over this particular issue a personal split between us.

My comments to my friend from Arkansas [Mr. FULBRIGHT] and to the chairman of my committee [Mr. GREEN] will be exceedingly brief.

In reply to the chairman of the committee and the Senator from Arkansas, who have expressed some little resentment over certain comments I made as to the basis, in part, of the vote in the committee recommending this bill to the Senate, let me say that I am sorry that they resent my comments. However, I made it perfectly clear in committee that I did not think a bill should be reported by the committee with a single vote based upon the idea that there ought to be authorized a figure higher than the members of the committee thought the figure should be. We ought to send to the floor of the Senate the exact figure which we think ought to be in the bill. If we do not do so, in my judgment we destroy the committee procedure of the Senate, because if Senators cannot be sure when a bill comes before them for consideration, that the figures in the bill represent the true views of the committee, our committee reports will become worthless. If committees are going to put figures in a bill for bargaining purposes, the result is deception and confusion. I do not believe that a committee submitting a report to the Senate has any right to place in it a figure for bargaining purposes. I cannot square such a practice with honest committee reporting.

I have before me the transcript of the views of my friend from Arkansas, to the effect that legislative processes in the Senate would break down if Senators followed what he referred to as the purity of motives of the Senator from Oregon.

In my opinion, my motives are no different than the motives of the Senator from Arkansas. I dislike to think that the procedures of the Senate would break down if committees were to submit to the Senate reports based upon what each member of the committee, when he comes to vote in the committee, believes is a report containing recommendations for expenditures which should be made. We should be motivated in committee by the motive of reporting to the Senate the true figures in an authorization bill that we think the Senate should approve. Nothing more or less.

If that is an unreasonable purity of motives, I shall always be perfectly willing to plead guilty. But I say to my friend from Arkansas that I am satisfied the American people expect exactly that kind of action from Senate committees.

I turn now to the amendment, on which I shall be exceedingly brief. I discussed it at some length yesterday. The amendment limits the development fund to the authorization of $500 million for the next fiscal year.

It strikes out the authorization given the fund to borrow $750 million from the Treasury in fiscal 1959 and $750 million more in fiscal 1960.

This is in line with the recommendation of the Special Committee To Study Foreign Aid that the development fund is now to be a permanent fund for repayable lending operations, and therefore should be set up in separate legislation:

> The committee does not believe that such a fund can be established on a businesslike basis unless it is treated apart from the other types of aid. The one possible exception is technical assistance, whose purposes while presently distinct, in the long run dovetail with those of economic development.
>
> Further, the committee believes that this fund is too important to be set up in haste. Interim measures may be necessary, but the fund should not be established in permanent form until its implications have been fully examined by the executive branch and the appropriate committees of Congress (p. 30 of special committee report).

The report then lists seven criteria for the fund, which, in my judgment, are only vaguely met in S. 2130, in section 202.

Also, S. 2130 calls for operation of the fund as a special unit within the International Cooperation Administration under an Administrator who will be appointed by the President and confirmed by the Senate. If he got the full $2 billion to manage, by 1960 he would be handling more than is proposed for school construction over the same period, for example. One would think Congress would be as painstaking in setting up a foreign loan program as it has been over school construction.

Mr. President, in order to save time, I ask unanimous consent to have printed in the RECORD at this point in my remarks certain excerpts from the report of the special task force groups—I think that is a proper phrase to use to describe them—which the Committee on Foreign Relations asked to assist in preparing the report in regard to the mutual security program.

I hold in my hand the hearings on the bill. There are available to all Senators the individual reports on the individual subjects involved in the mutual security program from the so-called task force committees. However, on page 725 of the hearings before the Committee on Foreign Relations there are some quotations from these studies and from the Report of the Special Senate Committee To Study the Foreign Aid Program which raise questions concerning military aid.

One of the task force committees made some comments in regard to the military assistance as aiding totalitarianism. I ask unanimous consent that the state-

ment on that subject found on pages 725 and 726, be printed in the RECORD at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MILITARY ASSISTANCE AS AIDING TOTALITARIANISM

It is nevertheless important to be fully cognizant of the limitations on the effectiveness of military aid in situations where the recipient is an authoritarian regime, a caudillo-type one-man government, or a military dictatorship. It matters not that we have no intention for the grant of aid to constitute a seal of approval on the government in power. What does matter is the interpretation put on our action by the people of the recipient country, and by the community of democratic nations, especially those that are near neighbors of the dictatorial regime. Especially as regards their own publics, dictatorships often show real imagination in exploiting American assistance as evidence of full United States approbation.

The implications of military aid in this situation are a great deal more serious than would be the implications of economic or technical aid. The act of "standing up and being counted" which military air requires, and which makes neutral countries refuse that aid, works in reverse for the local strong man. From military aid, he and his government get an identification with the United States; the dictator can take countless opportunities to impress his people with the fact of American backing. But apart from the propaganda value the regime is able to extract from military assistance, the people are reminded, whenever they see American equipment, of the internal impact of United States assistance. For the planners in Washington, the half dozen light tanks or propeller-driven fighter planes, the obsolete field pieces and well-used Army 6-by-6's, supplied by the United States, may have some slight meaning in overall defense strategies; or they may have been used in bargaining tools in negotiations over base rights. To the people in certain recipient countries, they are instruments that entrench the ruler in power and make his removal that much more difficult. (The Military Assistance Program of the United States, Institute of War and Peace Studies of Columbia University, p. 72.)

Mr. MORSE. In essence, what the task force committee said was that we need to study the military-aid program from the standpoint of what we are doing to strengthen, not freedom, but totalitarianism, in the world, and the extent to which our military aid is weakening the cause of freedom and strengthening the cause of totalitarianism. No Member of the Senate is more opposed to the dangers of international communism than is the senior Senator from Oregon. However, I wish to say that we ought also to be equally concerned about the dangers of international fascism. When we see military and economic aid going to many totalitarian governments of a Fascist nature—and in some instances of a Communist nature too—I believe we ought to take the advice of our special committee to carefully analyze the effects of the mutual-security program, and this year go as far as my amendment proposes to go in regard to the development loan matter, and proceed during the year to study the subject before we bring forth, the permanent legislation the special committee recommends.

The next subject in this summary is military assistance as a factor in slowing down economic development. Our task force committee has some very interesting things to say in its report as to the weaknesses of some of the aspects of our military-assistance program in slowing down economic development in the very countries to which we are sending the military aid.

I ask unanimous consent to include these quotations from the report in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MILITARY ASSISTANCE AS SLOWING DOWN ECONOMIC DEVELOPMENT

Finally, it has been noted in this inquiry that the creation of military establishments through military and beyond the capacity of less developed countries to maintain out of their own resources stimulates demands on this country for additional nonmilitary aid for their economies and in some cases retards their economic development. (Final report, p. 12.)

One wonders also whether it is not possible that existing military aid objectives in Turkey may partially run counter to existing nonmilitary aid objectives: Whether Turkey can fulfill present military objectives and at the same time achieve a stable and expanding economy. One could envisage a situation, I do not say that it exists now, where Turkey's military effort plus United States military aid might be working against the United States purely economic objectives in Turkey. (Greece, Turkey, and Iran—Norman Armour, p. 7.)

If Greece were not spending $130 million annually on military expenses, it would probably allocate part of that figure to economic development—to industrial expansion, water development, reclamation, and agricultural production. The United States mission felt, I think, that Greece's military expenses were not a seriously negative factor in Greece's economy, so long as United States assistance is available. But I am inclined to feel that this particular question needs further study. For in the end, United States military aid objectives for Greece and NATO force goals and requirements will not be realized or will be self-defeating if, at the same time, the Greek economy is weakened or its development deterred as a result. One wonders to what extent these economic factors are sufficiently considered at the time that force goals and military requirements are established by NATO. (Greece, Turkey, and Iran, Norman Armour, p. 21.)

Moreover, in the treaty areas (notably, Korea, Vietnam, Taiwan, and Pakistan) the conditions under which this [military support] aid was granted—linked as it was to the maintenance of military forces much larger than could be supported by the economies of these countries—diverted energy, administrative talent, and resources away from the tasks of long-term economic development * * *.

On the other hand, it is equally clear that the attempt of an underdeveloped country to maintain an excessively large military establishment can be a serious handicap to economic development. Under such conditions limited resources are diverted from investment and the inflationary pressures which result cannot be checked by increased production. Any large defense budget is bound in some degree to conflict with the goals of a development program by diverting resources to military purposes which could otherwise be used for developmental investment. (The Objectives of United States Economic Assistance Programs—Center for International Studies, MIT, pp. 13, 29.)

The impact of military buildup on the economic life of a country has been a recurrent theme through these pages. In order to avoid certain undesirable or damaging consequences of the military program, it often proves necessary to complement military aid with other carefully coordinated American assistance programs. Thus we can accomplish less within an overall foreign aid figure set by the Congress than would be the case if some part of those funds were not required "to cover the damages," as it were, occasioned by the military program. (The Military Assistance Program of the United States—Institute of War and Peace Studies of Columbia University, p. 69.)

Mr. MORSE. It illustrates what I said all through this debate, that we ought to take a good long look on what is happening by way of results to our mutual security program, rather than to take the bill with what I consider to be many of its extravagant provisions and adopt it without any kind of modifications that even our special committee respectfully suggested, that we ought to take into account.

Mr. President, next, one of our task force committees gave us findings on the subject of the possibility of military aid being diverted to uses other than those contemplated. They bear out what I have said in some of my speeches on the floor of the Senate, that our military aid has been diverted in many instances to purposes not contemplated by Congress.

That is why I think we ought to modify the bill this year, as some of us have been seeking to do, in order to avoid this kind of weakness which expert task forces and our own special committee have warned us about.

I ask unanimous consent that that material be inserted in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

POSSIBILITY OF DIVERTING MILITARY AID TO USES OTHER THAN CONTEMPLATED

"It has also been brought to the committee's attention that military aid intended for defense against Communist aggression may act inadvertently to stimulate rivalries among non-Communist countries, including those which are recipients of aid. The net result may be the development of competitive demands for military aid, with consequent unnecessary increases in the cost of the program" (final report, p. 12).

"It is disconcerting to an American, who considers all-important the Communist menace, find officers of a non-Communist country also thinking in terms of possible military operations against a neighboring people of the same faith. More than one of these nations is using United States funds to build and equip armed forces, some of whose officers and men seem to think of their mission only in terms of ancient hostilities and rivalries. Communism and Communist aggression obviously do not constitute the primary menace, nor provide alone a sufficient challenge to motivate current military training programs" (Southeast Asia—Clement Johnston, pp. 9–10).

"Indian statesmen express an aversion to armaments and military alliances as more likely to lead to war than to peace. They claim that their own defense budget, a drain on scarce resources, has to remain high because of the American military aid to Pakistan" (South Asia—Lewis Webster Jones, p. 18).

Mr. MORSE. Then, Mr. President, we had a very interesting report from one of our task committees dealing with the subject of adverse psychological impact of military aid. One need only to read the committee report on this matter to know that here again those of us who have been urging modifications in the mutual security program have been thinking about the interest of our country and have been thinking about the interest of the boys whom we are going to put into the military service to carry out by military operations, if necessary, this program. In calling for modifications in the mutual security program, one must expect to be charged with being an isolationist, and I wish to say again, as I said yesterday, that I am asking for these modifications in the mutual security program not as an isolationist, but as an internationalist who yields to no man in his recognition of the importance of free nations standing together in mutual security against the threat of international communism, against the possible threat of international fascism.

I ask unanimous consent to have that excerpt printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

ADVERSE PSYCHOLOGICAL IMPACT OF MILITARY AID

"Most Western European nations have long military traditions and have largely succeeded in harmonizing a large military establishment with the institutions of parliamentary government, individual freedom, and civilian supremacy. * * * But over the long run, the outcome is unpredictable with respect to the underdeveloped countries of the Near East, south Asia, and the Far East. Many of these nations are newly independent and without experience in keeping large armed forces from playing a decisive role in their internal politics.

"The intention here is not to imply that the countries of Asia will, necessarily or for any inherent reason, prove less capable than the advanced nations of the West of maintaining military forces in being for long periods. The point is to suggest that the situation is full of imponderables. If the size of the forces is so large as to bear little relation to the country's potential, are the economic, political, and psychological centers of gravity likely to shift from the civilian into the military sector of national life? What are the implications for future internal peace and stability of teaching larger numbers of citizens to handle small weapons and perhaps accustoming them to eating, dressing, and being paid better than they would be if there had been no military aid or if it were to stop?" (The Military Assistance Program of the United States—Institute of War and Peace Studies of Columbia University, pp. 56–57.)

"The number of American jeeps, American uniforms, American faces, which one encounters on the principal streets of the principal cities seems disproportionately large to a native population that has an innate mistrust or resentment of anything alien or nonnational.

"No 'Americans Go Home' signs have yet appeared and they may not appear as the people are both well mannered and grateful, but a marked reduction in the numbers and ubiquity of American personnel and in overmeticulous American supervision of local operations seems clearly desirable" (Southeast Asia—Clement Johnston, pp. 11–12).

"The underdeveloped countries face a further problem with respect to their citizens who have received military training, served their tours, and are then released. The critical factor is their successful reabsorption into the civilian economy, for the alternative is potentially threatening to political stability and internal security. During their army tours these men receive a sort of dual conditioning: on the one hand, to appreciate a standard of living frequently higher than they enjoyed before (however low the standards in the local armed forces might appear by our criteria); and, on the other, to handle small arms with facility. Turning on the country substantial numbers of men conditioned in this way may provide numerous potential recruits for armed guerrilla and bandit gangs" (The Military Assistance Program of the United States—Institute of War and Peace Studies of Columbia University, p. 70).

Mr. MORSE. Then we have another report from a task committee on the subject of military aid as a benefit to the ruling class against the people.

One of the great weaknesses of some of the aspects of the mutual security program has been that too much of it has been used in too many countries to strengthen the domination and control of the ruling class over the masses of the people in the country, and thereby keeping down the freedom of those people.

I ask unanimous consent that there be included in the RECORD at this point the excerpt from the task force report on that subject.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

MILITARY AID AS BENEFITING THE RULING CLASS AGAINST THE PEOPLE

"United States aid is termed by another respondent as constituting 'a type of intervention in favor of the political party in power and against the "outs".' Inevitably, such intervention would worsen relations."

"* * * In Thailand arms aid is felt to enhance the power of politicians" (views of private American citizens abroad on the foreign-aid program, pp. 5, 10).

"There is one situation requiring prompt action and immediate correction. Conditions which existed at the time have justified the United States decision to support the currencies of Vietnam, Laos, and Cambodia at the arbitrary rate of 35 piasters or other local currency to the dollar. Today that figure is utterly unrealistic, as becomes apparent when we examine the need for monetary reform in Vietnam. The added and unnecessary cost to the United States taxpayer is approximately $20 million a month. This money is not going into public treasuries; it is going into private pockets. Of even more importance, the faith of the newly freed people of the area in the integrity of democratic government is being shaken by the spectacle of the undeserved enrichment of a favored group" (Southeast Asia, Clement Johnston, p. 10).

Mr. MORSE. Lastly, I ask unanimous consent to have printed in the RECORD a task force report on general questions concerning military aid.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection?

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL QUESTIONS CONCERNING MILITARY AID

The success of the United States aid program from this point on would seem to depend not so much upon the number of divisions trained and equipped and ready for the field, nor upon the number and diversity of economic aid programs, nor upon the impressive totals of United States dollars expended. It must rest upon the enduring conviction of the people themselves that United States aid was and is offered to help them do the things best calculated to improve their lot and make their people healthier and happier. To succeed, it also must be followed by a permanent, self-sustaining, stable economy. (Southeast Asia, Clement Johnston, p. 4.)

The committee urged the President to continue to examine the budgetary estimates for military aid for fiscal year 1958 with a view to additional reductions. In this connection the committee calls attention to three specific questions: (1) The suitability of the level of military aid and the types of arms being provided to less developed countries; (2) the possibility that competition for arms aid among recipients is adding unduly to the cost of the program; (3) the possibility that in planning foreign aid programs, insufficient consideration is given to the impact of arms aid as a factor in generating increased needs for supporting aid. (Final report, p. 26.)

Mr. MORSE. These excerpts deal primarily with military aid, but they point up the interrelationship of military aid upon economic development. They support, I think, my contention that we should modify the development loan fund to the extent of taking the time, as my amendment proposes, for a study this year before we adopt further authorization for the development fund.

The last point I make is an answer to the argument of the State Department. The major argument of the State Department is that my amendment would prevent long-time planning. I said yesterday, and I repeat this evening, that that is pure nonsense. There is not anything in my amendment which prevents long-time planning, just as there has been nothing up to now that would have prevented long-time planning on the part of the State Department. The State Department ought to come forward with long-time blueprints. I think we have the right to ask them to prepare long-time blueprints.

But, Mr. President, long-time planning does not mean that we have to give them carte blanche authorization now to carry over until after the 1958 election, at which time the American people, at the polls, should have the opportunity to register their opinion of this foreign policy issue as well as other issues.

We ought to say to the State Department, "Give us your longtime plan, and we will proceed to help you implement it. But we will help you proceed to implement it on the basis of annual authorizations, because we believe that if we are properly to represent the American people, we ought to authorize funds for projects year by year in keeping with the longtime blueprint."

I am at a loss to understand the argument of the State Department. They say that unless they can have funds authorized and pledged in advance, so that they can negotiate agreements with foreign countries, they will have difficulty in getting foreign countries to enter into agreements with them. I guess the foreign countries do not want the help very much, if that is true. The State Department will not have any difficulty, in my judgment, in getting understand-

ings and agreements on the basis of the blueprint plan if the State Department will prepare one.

What the State Department really wants, in my judgment, is to have these funds authorized. Then they will commit the funds by way of understandings, so that if subsequently Congress should change its mind in regard to the feasibility and advisability of the plan, the State Department can come forward, as I said last night, with the argument, "Ah, but we are in honor bound. We have given our Nation's word."

I repeat, as I close, the argument which is made that we can repeal the course of action we take under this bill; that we can subsequently change our mind; that we can take action which would deauthorize the funds, in effect. That argument would not result in a corporal's guard in the Senate voting for such deauthorization after we got through listening to the argument, "But we have given our word to the representatives of the foreign governments that this was going to be a program of the United States, and we have pledged the money on that basis."

Mr. President, we have time. We have plenty of time. Let us follow what I think was the clear import of the special committee, which happened to be composed of the members of the Committee on Foreign Relations, the chairman of the Committee on Armed Services, and the chairman of the Committee on Appropriations. when they submitted to us the special report containing the language I cited earlier in my speech, recommending that we ought to take under advisement the matter of the long-time program, study it, and properly prepare permanent legislation in respect to it, if that is what our study should suggest. But this year we ought to do our authorizing on an annual basis.

Therefore, in effect, I have cut out 1959 and 1960, not with any intention at all that we will not carry forward with a long-time plan for 1959 and 1960, but simply that we will not authorize any funds for those years as of now.

Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD a statement prepared, I understand, by the State Department, in opposition to my amendment, a statement which I believe I have answered in my presentation of my amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

We are informed that Senator MORSE will introduce an amendment which would deprive the proposed Development Loan Fund of authority to borrow $750 million in each of the fiscal years 1959 and 1960.

1. We believe that this amendment would effectively destroy the concept of the proposed development fund. The major change represented by the fund is the assurance that specific future resources will be available for development financing after fiscal year 1958. This assurance is the essential characteristic of any financial institution, particularly one devoted to assisting a long-term process like economic development. If this change is not made, the fund will not be a fund at all; it will be only a new name for continuing existing practice.

2. If we are thus forced back into dependence on annual appropriations for development financing, all the major deficiencies in the present system will be perpetuated. These deficiencies have been emphasized in virtually all the studies of development aid made for the Congress, the executive branch, and by competent public groups:

(a) The United States cannot plan ahead with the receiving countries for the resources which we and they provide for development purposes. These countries are not encouraged to prepare or to embark on needed long-term programs for which our continuing help is required. And yet short-term uses of their and our resources are wasteful.

(b) It is difficult for the United States to work with private investors and existing public lending institutions in ways which might increase their activity. Here again effective results depend to a crucial extent on our being able to provide convincing assurance that we will stay the course.

3. Only if the fund is assured of future resources can it employ businesslike procedures which will stimulate the receiving countries and other financing sources to greater activity. Without this assurance, they will be as reluctant to work with the fund on a long-term basis as private individuals would be to work with a commercial bank if they did not know whether from one year to another it would be in business. And yet our development financing is too limited in amount to achieve its purpose unless it has a marked catalytic effect in mobilizing these other resources.

4. Convincing assurance of future resources can only be secured by legislative action which sets specific sums aside for use in future years. If the fund were provided with only $500 million, this would suffice for only fiscal year 1958, and the fund would have to seek new annual appropriations thereafter. A general declaration in the law, or even an advance authorization for these appropriations would provide no reasonable assurance that they would be forthcoming.

5. The proposed method of capitalization would not impair Congressional control of the fund's resources—particularly in the initial testing period. Should the Congress decide to end the fund's existence before fiscal year 1959 or 1960, it could do so—without the fund having obligated any of the money which it would have borrowed from the Treasury in those years. For the fund would not be allowed to obligate this money until fiscal year 1959 and fiscal year 1960, respectively. If its existence came to an end before then, the money would be intact. This limitation, which was not placed on the annual drawing power of the Export-Import Bank, would insure that the Congress retained the power to make any changes in the scale of the fund's activity shown to be needed by unfolding experience.

Mr. JOHNSON of Texas. Mr. President, would the Senator from Oregon desire to yield back the remainder of his time, if we yielded back the remainder of our time?

Mr. MORSE. Yes; although I think my colleague desires some time.

Mr. JOHNSON of Texas. Does the junior Senator from Oregon desire 10 minutes in opposition to the amendment?

Mr. NEUBERGER. Yes; I am opposed to the amendment.

Mr. JOHNSON of Texas. I yield 10 minutes to the junior Senator from Oregon.

But first, Mr. President, I should like to yield 1 minute to the distinguished junior Senator from New Jersey.

Mr. CASE of New Jersey. Mr. President, yesterday the distinguished junior Senator from Georgia [Mr. TALMADGE] discussed our program of economic aid. He cited several examples which he said had occurred under this program.

I have asked the International Cooperation Administration to comment on several of these. I do not believe the RECORD would be complete without clarification of these examples.

I should like also to call attention to the statement in the Senate Foreign Relations Committee report that, so far as military assistance is concerned, "complete, detailed figures are available in the Foreign Relations Committee room to any Senator and will be available in the Senate Chamber during consideration of this bill for confidential examination by any Senator."

I therefore ask unanimous consent to have printed at this point in the RECORD the statements consisting of quotations from the statement made yesterday by the junior Senator from Georgia and the comments on those statements by the ICA.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

Statement: "While many of our farmers can't get their crops to market over muddy roads, we build a huge 6-lane turnpike in Portugal to a gambling resort."

Comment: No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

Statement: "While unfair foreign competition is closing the doors of numerous American industries, we continue to send our technicians and machines to foreign lands to provide the know-how to produce goods that will destroy markets for our own due to the vast differential between slave wages and free wages."

Comment: The more developed the country the better customer it is.

United States experts in 1955 per inhabitant of the country

Developed countries:	
Canada	$205.27
Netherlands	44.47
United Kingdom	17.99
Germany	11.90
Japan	7.16
Underdeveloped countries:	
Egypt	3.40
Iran	2.55
Indonesia	.91
Pakistan	.70
India	.49

Statement: "Why, we have even built public rest rooms in the Philippines and bathing facilities for Egyptian camel drivers. We have sent collapsible toothpaste tubes to Cambodia, dress suits to Grecian undertakers and iceboxes to Eskimos."

Comment: With regard to the "dress suits for Grecian undertakers, public baths for Egyptian camel drivers and even iceboxes for Eskimos" charge, this has no basis of fact whatsoever.

Statement: "We have set up a pension program for overaged Nationalist Chinese soldiers."

Comment: Over the last 2 years through the mutual security program the United States has found it in its interest to contribute to the rehabilitation of retired Nationalist Chinese soldiers. This program has met a specific military and political objective in Taiwan and been considered a successful solution to the matter which has

been of some concern to Formosan and United States representatives there for some time.

Statement: "Was a plant built for processing silica and then allowed to stand idle when the anticipated silica deposits did not materialize?"

Comment:

1. Probable project referred to: Treatment plant at Suso for concentration and furnishing mica and quartz products from a mine nearby in Ilan Prefecture.

2. United States aid furnished: $37,000 in United States dollars for machinery and equipment. Loan of local currency of equivalent to approximately $40,000 at current exchange rate for rehabilitation of mine and processing plant.

3. Project development: Studies undertaken prior to the obligation of United States aid funds indicated that there were sufficient deposits of mica to justify undertaking this project. Construction of plant was completed in July 1954. Extensive exploration subsequently failed to locate sufficient quantities of mica for a commercial mining operation. By this time about half the equipment had been installed. The other half has been stored pending allocation to other needs, and for this the Chinese Government has been requested to refund $18,323.03 to the United States Government. The half that was installed is being usefully utilized in pulverizing talc and limestone.

Statement: "We have built iron and steel plants costing nearly a billion dollars in 24 countries."

Comment: In the first period of the Economic Cooperation Administration's program in Europe the United States contributed substantially to the reconstruction of the iron and steel plants of almost a dozen European countries. This steel capacity obviously required rebuilding if Europe was to get on its own feet, which, of course, it has done very successfully. In other parts of the world through the mutual security program there has been no assistance provided for the building of iron and steel plants. As a matter of fact very few of the less developed countries are in a position to finance and sustain a large industrial plant of this kind. There have been isolated instances of equipment provided under the aid program for scrap collecting plants but no iron or steel plants themselves.

Statement: "We spent $2 million to provide water and public bath facilities for 200 Lebanese villages."

Comment: The village water supply program in Lebanon is part of that country's own development program. It is a by-product of the Litani River Basin development project, the first phase of which is being financed by an IBRD loan of $27 million.

The village water supply improvement program is an undertaking of the Lebanese Government now in power, a Government which is strongly pro Western and which is now being voted on by the Lebanese people, and is a program designed to do something to improve the standards of living conditions for the Lebanese people. Its purpose is to improve living conditions in the villages so Lebanese will be encouraged to stay in their villages rather than move to Beirut and Tripoli and thus bring about slum conditions in these urban centers.

The United States has contributed about $2 million of materials, supplies, and equipment for water-supply improvements in about 175 villages. The Lebanese Government itself has spent more than $7 million.

The primary purpose of the project is to provide the villages with safe drinking water supplies.

If there are any public baths connected with the projects it is simply because that where you have running water, a bath or water closet is a natural result.

Statement: "We have built an Italian village that nobody wanted to live in."

Comment: Presumably the reference is to the new village of La Martella, built in the province not far from the old city of Matera, in Southern Italy, which was comprised of notorious cave dwellings. A number of the peasants of Matera lived in caves under wretched conditions. The caves were not owned by them, but rented. The rehousing project in the new village was only part of a rehabilitation project of land reclamation and resettlement in order to improve the economic opportunities of the inhabitants. The projects were carried out with Italian-owned local currency counterpart funds (Italian lire paid by Italians to purchase Marshall plan-provided commodities).

Actually, the resources available were not sufficient to eliminate cave dwelling entirely, but the worst of them were evacuated by resettlement. The new village of La Martella provided housing for peasants close to the land they worked.

Some of the people had to continue to live in caves because the new village could not accommodate all of them. The new village is definitely inhabited.

Statement: "We are giving free air trips for Arabs who wish to visit Mecca."

Comment: In June 1956, at the request of the Government of Afghanistan, the United States did supply an airplane to help transport Moslems (not Arabs) from that country to the "great feast" of the Mohammedan world at Mecca. But the pilgrims paid their own way, round trip. They paid their fares in Afghan currency, which was used to further the joint Afghan-United States economic development program in this strategic country.

Statement: "We have built a road in Iran that leads to nowhere."

Comment: The road to which the Senator presumably refers is the access road leading to the Karaj Dam construction project in Iran. This road is an arterial highway running from Teheran to the vital Caspian area. It was necessary to relocate this road from a position which will eventually be covered by the Karaj Dam reservoir. The road also serves as an access road to the construction site during the building of the dam. The Iranian Government is proceeding with the construction of the Karaj Dam; the road therefore not only leads somewhere but is an essential link in the Iranian network since it is the only direct road linking the capital to the Caspian seacoast.

Statement: "We spent $501,097 United States dollars for a wage and position classification study for the Philippine Government, while we only spent $204,076.29 for a special Senate committee study of the effectiveness of the entire $62 billion postwar foreign aid program."

Comment: Over a 5-year period a contract with a leading United States management organization has been under operation, dedicated to the establishment of study of Philippine Government organization. This has included study and advice regarding wage and position classification but in reality has been a much broader undertaking since it provided technical help to the reorganization commission of the Philippine Government. This commission has been very similar to the Hoover Commission in the United States studying the full civil-service system in the country and the structure of government. From this study there has followed the establishment of a civil service and from it have flowed some 33 reorganization bills, over two-thirds of which have been passed by the Philippine Congress. In addition, a security and intelligence organization has been established, a civil aeronautics authority, and a department of commerce.

The studies financed with this contract and the resulting improvements in the organization and management of the Philippine Government have constituted a necessary first step in strengthening the Philippine capacity to manage its own resources, meet its security objectives, and make a maximum contribution to the same objectives in which the United States has a major interest.

Regarding the amount of money which the Senate special committee devoted to a study of the entire foreign aid program, this was of course a matter entirely up to the Senate, which elected to devote $300,000 to a short-term study.

Statement: "They have been used to pay off national debts of foreign countries like Norway and Denmark, while our own debt has mounted higher and higher."

Comment: Dollars were not used to retire national debts of these countries. A total of some 1.9 billion kroner in Norwegian-owned counterpart funds (equivalent to $292.7 million) was released for this purpose during the Marshall plan.

Similarly, a total of some 899 million Danish kroner (equivalent to $130.1 million) was released for debt retirement in Denmark.

The local currency funds were generated in Europe by the Marshall plan, which provided the respective nations with various commodities needed for reconstruction of their war-torn economies. In Norway and Denmark, such commodities as petroleum products, grains, industrial machinery and iron- and steel-mill materials predominated. Recipients of these commodities paid for them in the local currency equivalent of their delivered cost.

The local currency paid by the Norwegians and Danes for these commodities was placed in the counterpart fund of each country, as provided in the original legislation creating the Marshall plan. These special local currency accounts, the ECA Act of 1948 provided, were "held or used within such country for such purposes as may be agreed to between such country and the administration in consultation with the National Advisory Council on International Monetary and Financial Problems * * * for a variety of purposes consistent with the objectives of the act."

Among these purposes for which local currency counterpart funds were used were various measures to promote monetary and financial stabilization, and among those measures was the release of some of the locally owned counterpart for debt retirement.

In 1954, some years after the releases of counterpart for debt retirement in these two countries, Congress provided in the Mutual Security Act that counterpart could not henceforth be used for debt retirement.

Statement: "They have been used to stabilize foreign currencies while inflation feeds like a brush fire at home."

Comment: A natural consequence of war and a period of reconstruction is a serious condition of economic instability, usually accompanied by some degree of inflation. This condition also tends to take place in the initial stages of a country's independence and growth as rates of investment beyond capacity of the country lead to scarcity of foreign exchange and domestic goods as well. The foreign-assistance programs since the end of World War II have been devoted, sometimes in the context of maintaining a defense contribution and sometimes to simply prevent economy of a country from going under, to efforts to stabilize the economies of many countries whose future is of interest to the United States. In the process of providing import items and contributing capital for development frequently the monetary system of a country is stabilized along with other elements of the economy. Relative to some of the inflationary instances in foreign countries, the United States has of course had a period of price stability.

Statement: "They have been used to add millions of acres to foreign farm-crop production, while acreage allotments for our own farmers have been reduced here at home."

Comment: While millions of acres is somewhat of an exaggeration, it is true that the assistance programs have been used to increase foreign farm-crop production. All but a very few countries of the world are basically agricultural and, if population increases, there is an increased burden on already inadequate food supplies resulting in privation, political, and economic instability and opportunities for Soviet exploitation. Basic to the technical assistance program and much of what we have done with economic and defense support aid in the less developed countries has been and must continue to be effort to increase crop production for domestic consumption purposes. The improving of strains of seedcorn, technique of fertilizer production, the supplying of agricultural machinery where it can appropriately contribute to a country's needs are part of a pattern of assisting countries in their own efforts to solve domestic food problems. If it is in the interest of the United States to support or to help support a country's economy for either military or long-term development purposes, it is therefore essential to help support the agricultural sector of the economies.

Statement: "A million dollars of our tax money is being used in Paraguay for the benefit of a single religious sect while such a practice would be frowned on as unconstitutional and contrary to public policy in our own country."

Comment: Under terms of the Mutual Security Act of 1956 and particularly the "Smathers amendment," the Government of the United States is prepared to make loans to foreign governments, the purpose of which is to permit those governments in turn to develop more fully the productive capacities and natural resources of their countries.

Agreement was reached late in April 1957, for a $1 million loan to Paraguay, whereby the Government of Paraguay will in turn make loans to the Mennonite Colonies in Paraguay for development purposes. The Government of Paraguay agrees to repay the loan to the United States within 20 years.

The situation is essentially this: The Mennonite Colonies are made up of energetic and ingenious people. They have developed some small industries of their own and are good farmers. With capital, they can set up such industries as manufacture of glass jars, processing of fruits, vegetables and other products, slaughterhouses, shoe manufacture, and so on. With bulldozers and other equipment, they can clear land and increase agricultural acreage. All these things will contribute to economic development in Paraguay.

Paraguay is a predominantly Roman Catholic country but relations of the Government with the Mennonite Colonies are friendly and cooperative. Recently when a refrigerator in a Mennonite hospital burned, the president of Paraguay gave the hospital a new one and the gift was inscribed as a gift from the president.

The Mennonites were the first agricultural settlers to attempt, on a relatively large scale, the utilization of the central part of the Paraguayan Chaco. The Paraguayan Government gave them a very liberal charter with guaranties of noninterference and various economic concessions.

The basic economic problems of the area are poor transportation and inadequate markets for most products that are grown. Mennonite colonists, generally speaking, are farming the best land yet found or cleared in the Chaco, from the standpoint of soil fertility, slope, drainage, and general suitability for farming.

Highway transportation in Paraguay contributes only 1 percent to the gross national product and there is not a single completed transcountry road. Until recently there were only 50 miles of hard-surface highway in the country. Under these circumstances, the Government of Paraguay has given highway construction high priority and the Trans-Chaco road project has brought together the Government of Paraguay, the Mennonites, the Chaco ranchers. In 1955, ICA entered into a contract with the Mennonite Central Committee to supply operators of heavy machinery and to help train Paraguayans in roadbuilding and highway maintenance.

Statement: "Vast hydroelectric dams and irrigation and river development projects are being carried on all over the world, while floods continuing to ravage our land and while our own industries cry for more power."

Comment: As in the case of contributing to agricultural production, where river development projects have been financed with United States funds, this is done because there is an economic problem, the solution of which is important to the security interests of the United States. As a matter of fact, there have been relatively few instances of significant financing of large hydroelectric dams, although individual equipment items have been provided in a number of cases.

Where there is a need for further agricultural land, the United States, through technical cooperation and other programs, is making some contribution to irrigation projects.

Like many joint-purpose projects, there is sometimes a flood-control benefit resulting from the undertaking of a construction project. Although the loss of life frequently runs into thousands in some countries where floods are serious and the United States might be justified from a humanitarian point of view in helping to curb these floods, direct assistance has not been directed to the end.

Statement: "We are spending billions in foreign countries to reclaim or open up new lands and build all types of new housing while our own people and our veterans are relegated to substandard housing."

Comment: In spending millions, not billions, for reclamation and housing abroad we do so only when an outlay of United States funds for these purposes contributes significantly to economic growth. In Africa, for example, the reclaiming of swamplands is of basic importance to attempts to raise productivity is well as production itself.

Mutual security funds are not generally allocated for purposes of housing construction, since there are normally higher priority uses for limited funds in such fields as agriculture and industry. There have been cases, of course, where local currency "counterpart funds" have been used for housing at the discretion of the country which owns those currencies and some other instances of minor assistance to basic housing projects where that project had very specific political importance.

Statement: "Highways and bridges are being built in foreign lands while our own road system has been neglected for many years."

Comment: Highway improvement is a very high priority item in the mutual security program for any of the following reasons:

(a) The importance of the highway system to the defense of a country with which we are mutually allied and supporting for common defense objectives.

(b) The construction of highways for farm to market roads in the less developed countries where the lack of transportation is commonly considered to be a principal deterrent to economic growth.

It must be understood of course that the highways noted above are actually constructed by foreign countries and the United States role is that of providing technical advice, which we as the leading road building country have in ample supply, and the supplying of certain construction items such as steel or roadbuilding equipment. Normally for the relatively little United States dollar output for this activity a very substantial local contribution is made. Again, where the economy of a country for military or other purposes is important to the United States it may well be in our interest to contribute to the construction of highways and bridges.

The total amount of mutual security funding for highway and bridge construction is running at the rate of $65 to $75 million per year and it is not felt that this amount, which contributes substantially to our national security, would make a very substantial difference in the quality or length of the United States highway network.

Mr. DIRKSEN. Mr. President, I understand the junior Senator from Oregon has been yielded 10 minutes.

The PRESIDING OFFICER. The junior Senator from Oregon is recognized for 10 minutes.

Mr. NEUBERGER. Mr. President, as always, and as is characteristic of him, the senior Senator from Oregon was extremely able in presenting the case for his amendment. I desire to comment briefly on his reference to my speech earlier in the day, in which I supported S. 2130, and in which I expressed my general opposition to various amendments which have been proposed to the bill.

I sincerely regret that the senior Senator from Oregon thought I was referring to him particularly when I made mention of bitter opponents of the bill. I have assiduously tried to avoid, as best I could, any personal references of any sort in my comparatively short career as a Member of the Senate.

I am certain the senior Senator from Oregon will agree with me that there are a substantial number of opponents of the bill, and that if some of them have not said some bitter things about the bill, certainly they have made some very sharp and caustic comments about the bill.

But I wish to emphasize very strongly that I had no reference to any opponent of the bill in particular, but I merely made mention of the fact that there are a substantial number of Senators who have been, to say the least, highly critical of this piece of proposed legislation.

The senior Senator from Oregon made mention of the fact that I referred to what seemed to me to be a disproportionate amount of opposition to our overseas aid in terms of dollars as compared with similar antagonism to overseas aid in the form of soldiers. It may be that I have misinterpreted the events of the past 2½ years since I became a Member of the Senate, but I think there was the famous editor in New York, Horace Greeley, of the old New York Tribune, who once said, "What the good Lord lets happen, I will put in my paper." I have felt that what the good Lord lets happen in the Senate is perfectly legal to be discussed later on in the Senate.

My memory may be faulty, but it is my recollection that in the past 2½ years there have been repeated Senate debates

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seeking to cut down our overseas aid in terms of dollars. I can recall no comparable debates in the Senate seeking to repeal our overseas aid in the form of American GI's. That certainly does not mean, and I certainly would not give the impression, that those who have sought to curtail our aid in terms of dollars are any less concerned than I am or any less worried than I am about the destiny and protection of the American soldiers. Of course they are concerned. Of course they are worried about them. Of course they feel a deep solicitude about them. I emphasize that if I gave any other impression, I deeply regret it.

Again I repeat this basic circumstance, however, which seems to me to be very evident and very clear—namely, that while the Senate is engaged in many debates over overseas aid in terms of dollars, there has not been a parallel amount of discussion or speeches or forensics with respect to the commitment of our soldiers to farflung overseas outposts.

Before I close, I wish to make brief reference to the specific amendment before the Senate. I certainly do not share the knowledge of many Members of the Senate about overseas aid. It so happens that I am not a member of some of the committees, such as the Committee on Foreign Relations or the Committee on Armed Services, which have been directly involved in this great problem. But I am impressed by the fact that the vast majority of the membership of the Committee on Foreign Relations felt it was wise to have allowed within the bill this 3-year planning period for the development fund.

I have based my support of this particular proposal on a somewhat collateral interest which I have in another subject. For the past 2 months I have been engaged, with the encouragement of the distinguished senior Senator from Alabama [Mr. HILL], who is the leading Senate exponent of health legislation, in supporting a bill of my own to provide $500 million for the National Cancer Institute, on a continuing basis, to be carried on from year to year, for special research projects, until the funds are completely expended, regardless of how long a time or how short a time that may be.

The reason I have done so is that doctors engaged in this vital research have told me they have to know whether funds will be available for them over a long period of years, so that they can train the personnel, build the laboratories, and prepare the very mysterious and difficult chemicals for experimentation and discoveries in chemotherapy, and so forth.

It seems to me that while there may be no direct comparison, it is wise to have, perhaps, a 3-year planning period for the overseas development fund, so that preparations can be made over a sustained period of time for such programs.

In conclusion, I wish to emphasize one thing, which I am very much pleased that my senior colleague expressed when he began his address a short time ago.

The fact that the senior Senator from Oregon [Mr. MORSE] and I happen to disagree on the question of foreign aid and mutual security which is now before the Senate certainly does not mean in any way that there is any personal difference at all between us. If my memory is not faulty again, I believe that 2 years ago we did not wholly agree on some of the amendments to the measure extending for 3 years the Reciprocal Trade Agreement Act. That issue was not quite the same as the pending one, but it might be said to have had a somewhat comparable basis. Despite the fact that the senior Senator from Oregon and I did not vote quite alike on all phases of the question of extending on a 3-year basis the Reciprocal Trade Agreement Act—and, as I recall, I voted against one of his own amendments—yet in 1956 the senior Senator from Oregon and I campaigned in practically every county of Oregon—one of the largest States of the Union in area—shoulder to shoulder, and, I may add—if somewhat modestly—with quite a bit of effectiveness. I think that speaks for itself.

I wish to emphasize that the fact that we have disagreed on this particular mutual security bill does not alter in any way, so far as I am concerned, the basic political agreement and friendly relations between the senior Senator from Oregon and myself. It is part of maturity, I think, to be able to separate political issues from personal friendship.

Mr. President, that is all I have to say on this particular amendment.

Mr. MORSE. Mr. President, I yield back the remainder of the time available to me.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished junior Senator from New York [Mr. JAVITS].

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. Mr. President, the Senator from Oregon has frankly stated to us his purpose in connection with the amendment; and we should note it carefully, because I believe it is decisive in connection with our decision on the pending issue, and is the decisive reason why the amendment should be rejected.

This part of the pending bill would establish a new approach to the program of foreign economic assistance. For that reason, I think the bill should be passed by the Senate and enacted into law, because it represents a new business basis for giving our economic assistance. But if, Mr. President, in supporting the general provisions of the bill, we vote to strike from the bill the provision which will make the fund a true businesslike development fund, then we shall be voting to destroy the very new approach which the administration is trying to make in this connection, and which we should very much approve. It is the result of what has gone before and the result of value from what we have learned and experienced.

Second, I think the economic-aid provisions are among the most vital portions of the bill, because by means of this unique weapon we are attempting to avoid a third world war. If the United States has in her armory anything which is at all different from what the Russians have, it is our power of economic production. Insofar as the Russians are trying to give economic and technical assistance to other countries of the world outside the Communist bloc, the Russians are throwing dust in the air and are trying to compete with us even though they know full well that in this area we have superiority—this is our strongest offensive weapon in the struggle for freedom.

Finally, Mr. President, let me say that in connection with the extension of aid to other countries in the U. N. General Assembly debates we stood in opposition to SUNFED—the Special United Nations Fund for Economic Development. We have stated that our objection to that proposal is that it would not place economic aid on the solid basis which we favor but make it subject to "fuzzy" decisions.

Mr. President, despite our unwillingness to support that SUNFED proposal, which certain underdeveloped nations considered extremely important to their future, by supporting the pending bill we are making up in a big way for our disagreement with them on SUNFED; and we are demonstrating that when such aid is put on a sound, businesslike basis, in the way that the fund now proposed is put, we expect to achieve in substance much of the objective sought at the United Nations.

Finally, Mr. President, let me point out that in the present case we are putting this program on a loan basis.

The PRESIDING OFFICER. The time yielded to the Senator from New York has expired.

Mr. DIRKSEN. Mr. President, I yield 1 additional minute to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for one additional minute.

Mr. JAVITS. I thank the Senator from Illinois.

Mr. President, the United States had had remarkably good experience with loans in this field. Since the end of World War II, the United States has extended $47 billion in grants, including all forms of aid, including military aid; and approximately $11 billion in credits—in other words, in loans. Of the $11 billion in credits, .046 percent—less than one-half of 1 percent—has been found to be uncollectible, and approximately one-half of 1 percent is about 90 days overdue. Therefore, I think the record demonstrates the constructive character of what we are seeking to do in the present case.

Mr. DIRKSEN. Mr. President, I yield 4 minutes to the Senator from Kentucky [Mr. COOPER].

The PRESIDING OFFICER. The Senator from Kentucky is recognized for 4 minutes.

Mr. COOPER. Mr. President, the purposes and most of the details of Senate bill 2130 have been clearly stated by the chairman and the other members of the Foreign Relations Committee, but I should like to make a few comments about the amendment which has been submitted by the senior Senator from Oregon [Mr. MORSE].

I join with my colleague, the Senator from New York, in saying that if the

pending amendment should be adopted, it would strike from the bill the provision for the most significant development which has occurred in the field of foreign aid perhaps since the Marshall plan.

I know that a great many persons characterize the program of economic aid as a giveaway program, and speak of it as though it had no good purpose.

In the past 6 months I have received a great deal of mail stating that position.

Mr. President, I believe the bill should be passed, but I think the experience we have had in the past few months makes it imperative that in the future the President and the administration and the Members of Congress make clear the purposes of our foreign-aid program.

I think it worthwhile now to examine the proposal of the senior Senator from Oregon in the light of the background of the creation of the development loan fund. I do not believe I need remind the Senate that since World War II, a great many countries in Asia and, more recently, in Africa have become free and independent, and have chosen to adopt democratic institutions. Today, they are engaged in the task of achieving economic independence. Their task is an immense one, because in their efforts to secure economic independence they are faced with conditions which make the achievement of that goal much more difficult than was our success in developing industrially and economically in the past.

I believe that all of us know that the first requirement of industrial development and expansion is to secure for capital formation, savings from the income of the people. Many of these countries, in which the people have very small incomes, have very limited means of saving. When the people of a country have small annual incomes only a few of them are able to contribute savings for capital formation. But even if such countries are able to obtain limited internal savings they will not be sufficient to permit the purchase of the machine tools, steel, and other capital goods required for the construction of factories and other industrial facilities and the production of industrial goods.

The great purpose of our foreign-aid program is to provide some foreign exchange, so as to make possible in these countries the purchase of the tools, machines, and steel required for the construction of wealth-generating industries and facilities.

However, one fault of this program has been that underdeveloped countries cannot be assured that the small amount of foreign exchange which comes to them from our foreign-aid program will continue from year to year. That is so because our appropriations are necessarily made on a 1-year basis, as provided by our Constitution. These countries, therefore, have not been able to make plans to use in the most effective and efficient way the aid we have provided. In many instances they have not been able to use our aid to build the steel plants, the cement plants, the iron foundries, and the railroads which are the basis of industrial expansion. As a result, our aid has been diverted into a multiplicity of less important projects. I know that is true from my own observations and from my own experience.

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired. Does the Senator from Illinois wish to yield additional time to the Senator from Kentucky.

Mr. DIRKSEN. I yield the Senator from Kentucky 2 additional minutes.

Mr. COOPER. I know it is the purpose of the Congress that the money for our foreign-aid program shall be used economically from the standpoint of the United States, and that it shall be used most effectively in the countries to which it is directed.

If there has been one great fault with our foreign-aid program, as I have indicated, it has been the lack of any assurance of continuity.

The proposal for a development-loan fund, however, does assure some of this necessary continuity. The program is, first, a loan rather than grant program. It assures a more economical use of the funds, from our own standpoint, because we can better select the most important projects in the beneficiary countries. From the viewpoint of the recipient countries, it will mean that they can better manage their own resources and the foreign exchange reserves which are available to them, that they can plan ahead, and that they can place orders for materials they need 2 or 3 years in advance. This could not be done under any system whereby appropriations are made from year to year.

I believe the development-loan fund affords the best opportunity our country has had to make its program really effective, to provide for the most economical use of the money we make available, and to give the greatest benefit to the countries receiving our help.

Soviet Russia has been able to obtain the fullest effect from its assistance programs because it could marshal all its resources at will, because it could assure continuity of aid, and because it could guarantee the delivery of capital goods and the training of industrial personnel. We have not been able to accomplish this, because we have not had a program which promises continuity. The development-loan fund assures continuity. I think that fact is most significant. I think it is the major provision in the bill before the Senate.

For these reasons, I strongly believe that the bill should be passed in the form in which it has come from the committee, and that the amendment of the senior Senator from Oregon should be defeated.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from Louisiana.

Mr. ELLENDER. Mr. President, I wish to say I favor the pending amendment. I had intended to propose one along the same lines. It strikes me that if we adopt the bill as now written we will be underwriting a program that will never end. The program should continue, if it continues at all, on a year-to-year basis. I propose to offer an amendment to authorize appropriations for the loan program on a yearly basis, and also to authorize appropriations for economic aid on a yearly basis. When I offer my amendments, I shall give a further explanation of them, but I wish to stress that by authorizing appropriations, particularly those for loans for a period of 3 years, as it is proposed to do, we shall be committed to continue such assistance for many, many years to come.

In the case of the loan fund, it would continue for 3 years. An apropriation would be needed only for the first year. The subsequent 2 years would require only that the fund ask the Treasury for a loan.

This is supposed to be a revolving fund—but let us be realistic, Mr. President. It will not revolve for three reasons:

First, there will be a moratorium on loan payments for the first 3 or 4 years after the loans are made.

Second, payments will be very small during a loan's early years, and,

Third, because the currencies we will receive in payment are soft and not really convertible into dollars, the assets of the fund will not be replenished as some of my colleagues so readily assume.

Mr. President, I am opposed to this subterfuge. It is an effort on the part of the administration to mislead our people and the Senate. This is not a revolving fund at all. It is only a device to commit Congress to a long-range economic-aid program under the guise of 3-year loans.

I think the following excerpts from the hearings are pertinent. For example, Mr. Hollister, the Administrator of ICA, admitted that this new approach will deprive Congress of its control over the aid program. He said:

> 4. Finally, we hope that the use of the development loan fund will help us get away from the present necessity of establishing annual overall country programs at a specific level. Under the present system, a country often learns of the amount illustratively programed for it. Notwithstanding the fact that conditions may change greatly before the year is over, making it unwise or unnecessary to allocate to that country the specific sum, the country regards this sum as something to which it has a vested right. Furthermore, a level established for a country 1 year is most difficult to reduce in later years without political repercussions.
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> I think it is a mistake in most cases to have an exact figure which is presented for a particular country in all the areas of operation. Since conditions may change very materially between the planning stage and the final expenditure stage or even the obligating stage of funds, it is a mistake to get a country committed, to get us committed to feel we have an obligation to give a certain amount to a country. We think it would be much better to have discretion.
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> Now admittedly there has to be a certain amount of confidence placed in the administrator of this fund, and with a review every so often so that any time Congress thinks it is being done wrong, Congress can of course completely change the whole thing.

Later, he admitted that the loan fund would not revolve for some time. He refused to predict when it would, if ever.

The CHAIRMAN. I am sorry I am obliged to leave. I have another engagement. There

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is one question I would like to ask. That is whether you can give any idea when this development loan fund will be self-sustaining. I understood you have a hope that it will become self-sustaining, and held out that hope to us.

Mr. HOLLISTER. Senator, that is of course something that no one will try to predict, because it depends on two things. It depends on what the needs for it will be in the future and how well the payments will come in from the past. If the needs of the future stop, then it is automatically self-sustaining because you don't need much money. If the needs of the future still continue, whether or not it is self-sustaining depends on to what extent payments may be made of loans or guaranties or whatever it may be that we have used the fund for in the past. It is something that I would not want to predict.

Mr. President, I refuse to go along with a proviso such as this. It is a blanket delegation of congressional power to a band of bureaucrats who, as past experience has shown, have only scant respect for the American taxpayer, the state of our Treasury, or the condition of our economy.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the distinguished Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I hope the Senate will reject the amendment. The amendment would really destroy the character of this whole proposal as a lending operation. It is necessary to give the program the additional years of borrowing authority so as to set it apart from the existing program, to make a break from the past, to demonstrate that we are now seeking to move away from the grant program to a lending program. I think it is extremely important that these 2 additional years be added to the original authorization of $500 million in order to make that break. Otherwise I am sure no one will be convinced that we have done anything toward arriving at a new approach to the economic assistance program, and the program may well be rejected.

Mr. DIRKSEN. Mr. President, I yield 3 minutes to the Senator from Rhode Island [Mr. GREEN].

Mr. GREEN. Mr. President, it is not too much to say that this amendment would cut the heart out of the proposed loan development fund. The amendment has two parts. First, it would delete the authorization for borrowings from the Treasury during the fiscal year 1959 and the fiscal year 1960, totaling $1.5 billion, toward the capitalization of the fund. Second, it would eliminate a crucial part of the technical language designed to make the development loan fund a revolving fund.

Economic development is a long-term process. All the careful studies which have been made during the past year about foreign aid agree that it does not make sense to continue development assistance on a year-to-year basis. If foreign countries are properly to plan their development programs, and if we are to put our development assistance on a businesslike basis, it is necessary to set up a fund which will have some continuity.

One of the features of the fund which has also received nearly universal acceptance has been the concept that repayments on loans made from the fund, whether in dollars or in local currency, should become part of the assets of the fund and be available for additional loans.

Mr. President, the amendment would radically change the character of the proposed loan fund and undermine the purposes of the proposed new development loan program. I urge that the amendment be defeated.

The pending amendment would destroy the continuity of the fund and also destroy its revolving character. A vote against the bill would be a more logical and shorter process.

Mr. DIRKSEN. Mr. President, I yield myself 30 seconds.

There have appeared from time to time, in all sorts of magazines and in newspapers, various assertions and allegations with respect to the practices of the International Cooperation Administration. I have kept one man busy a great deal of the time running down and verifying those matters. I thought it would be rather interesting to insert in the RECORD comments by the International Cooperation Administration on the allegations which have been made, notably in one article in the Reader's Digest and 1 article in the American Legion magazine, and I ask unanimous consent that they be printed in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

INTERNATIONAL
COOPERATION ADMINISTRATION,
Washington, D. C., April 25, 1957.

Hon. EVERETT M. DIRKSEN,
United States Senate,
Washington, D. C.

DEAR SENATOR DIRKSEN: In accordance with your request, I am pleased to enclose memorandum just issued in which we have attempted to answer the specific criticisms of the International Cooperation Administration and predecessor organizations which were contained in Congressman MEADER'S article in the April issue of the Reader's Digest entitled "Our Foreign Aid Program: A Bureaucratic Nightmare."

The instances which Mr. MEADER cites covers a period of some 10 years and 11 different countries, and certain operations for which ICA has no responsibility. You will note that many of them occurred several years ago.

But these instances, important as they are, nevertheless are relatively small details in comparison to the total program. Since the entire article is concerned only with these instances, it necessarily presents a distorted picture of the total program.

The International Cooperation Administration, which is charged with handling the mutual security program, is first of all concerned with getting the maximum security results possible for the American taxpayer from expenditures for this program. The Agency now maintains in all countries where it operates a careful system of auditing and review. Nevertheless, ICA is the first to admit that in such a highly complex program, involving some 60 different nations overseas thousands of employees and hundreds of millions of dollars, hindsight will always show that from time to time mistakes have been made. The Agency, from the experience of the past, is constantly taking further steps to eliminate errors and waste.

We do not feel that the implications are justified that the mutual security program on the whole is wasteful or inefficient.

With assurances of my highest esteem, I remain,

Sincerely yours,
GUILFORD JAMESON,
Deputy Director for Congressional Relations.

COMMENTS BY THE INTERNATIONAL COOPERATION ADMINISTRATION ON REPRESENTATIVE GEORGE MEADER'S ARTICLE IN THE APRIL READER'S DIGEST ENTITLED "OUR FOREIGN-AID PROGRAM: A BUREAUCRATIC NIGHTMARE"

LEBANON

Page 94: "In the name of foreign aid our Government has built a $128,000 cowbarn in Lebanon to demonstrate to average farmers living on $100 or less a year the equipment they should provide themselves with in order to get ahead."

Comment: This so-called cowbarn is part of an overall animal husbandry program for which the Lebanese Government requested United States assistance. The request was approved over 4 years ago. Funds were made available to the program in 1953, 1954, and 1955. No allotments have been made to it by the United States in 1956 or 1957.

ICA records show that the United States contributed $48,265 toward the construction of an experimental barn, sheds, yards, silo, etc. This is almost $80,000 less than the article states. The Lebanese Government itself spent $100,000 Lebanese pounds (about $30,000) in addition.

Pure-bred Holstein bulls were imported to improve the strain of Lebanese cows in order to increase milk production and thereby enable Lebanese dairymen to earn more than $100 a year. The crossing of pure-bred bulls with native cows has resulted in such a great increase in milk production that new pasteurizing and milking plants have been built in Lebanon which have helped to develop the economy and create employment. These plants were financed wholly by private capital.

ETHIOPIA

Page 94: "But at last report everyone (in Ethiopia) was too busy to put to use 2,000 plows and a store of tractors rusting away since UNRRA days."

Comment: Thousands of tons of agricultural equipment were left in Ethiopia by UNRRA (the United Nations Relief and Rehabilitation Administration, which had no connection with ICA or its predecessor agencies) in the immediate post-World War II period, and before that by the Italians when the British drove them out in 1941. By the time the United States technical cooperation mission was established in 1952 this equipment was in such poor condition, through mismanagement, lack of repair and insufficient storage space that it was unusable. Therefore, one of the earliest (and still continuing) projects was to assign an ICA technician to the job of training and supervising Ethiopians in rehabilitating it. Some of it now is in use in joint United States-Ethiopian projects, and the rehabilitation work is still continuing under American guidance.

AFGHANISTAN

Page 94: "* * * the United States advanced $39,500,000 of loans to complete two dams in the most isolated part of Afghanistan. The idea was to produce industrial hydroelectricity and pour out water to reclaim a million acres of desert on which to resettle the nomads. Today, 2 to 5 years after completion of these dams, there still is little power equipment installed and no electricity has been generated."

Comment: This is a reference to the Helmand Valley development project, an undertaking of the Government of Afghanistan, and not of ICA or its predecessors. Some

work on this land reclamation project was done prior to World War II. Shortly after the end of the war, the Afghan Government resumed work and retained the American engineering firm of Morrison-Knudson to carry it out, the Afghanis paying the costs.

The Export-Import Bank in 1950 made a loan of $21 million to Afghanistan to continue work on the project and in 1954 made a second loan of $18.5 million. As of today two large storage dams and related irrigation canals have been completed. The primary purpose of the dam was not to generate electrical energy immediately, but to provide land for resettlement. Unfortunately, the whole project was not adequately planned by the Afghan Government. However, so much had already been done that ICA has tried to help the Afghan Government realize as much as possible on its investment and has provided Afghanistan with technicians as advisers on the project. ICA also financed a survey by the Tudor Engineering Co. of San Francisco, designed to assist the Afghans to complete the development as well as possible.

Page 94: "Courtney Kimler said, 'Show them how to make a $5 weaving rack so the rugmakers can bring their work inside during the winter months in which they now sit idle. * * * No one would listen'." (Presumably meaning ICA.)

Comment: Mr. Kimler was sent to Afghanistan in 1955 by ICA, and again in 1956 by ICA. His reports recommended that assistance be given to the rug-weaving industry and this proposal was adopted by ICA. One of the foremost authorities on rug weaving in the United States was sent to Afghanistan by ICA, and he has been working there on a rug-weaving project for almost a year.

Page 95: "Instead of starting with wheel and axle, ICA gave $14,500,000 last year to start 5 airports and provide electronic equipment for a sixth which Russia is constructing."

Comment: The United States believes that it would be highly advantageous to the free world to direct the trade and travel of Afghanistan, long an object of Russian expansion, southward instead of northward to Soviet Russia. Therefore, ICA is planning to assist in highway development between Afghanistan and Pakistan. The terrain makes railroad development of doubtful wisdom.

The civil aviation program was requested by the Government of Afghanistan. Under this program the United States will help Afghanistan expand its domestic airlines, supplies, build new airports and improve air to ground communications. As a result of the development with part of these funds of an international airport at Kandahar, Afghanistan's second largest city, United States commercial planes will be able to link Afghanistan with the other countries of the Free World.

INDIA

Page 95: "* * * ICA spent little on these community-development projects last year."

Comment: Many present ICA technical cooperation projects are connected in one way or another with the community-development program in India. ICA has supported the following activities in India in this field: extension and home science advisers; the services of five land-grant colleges to aid agricultural education and research institutions; projects in agricultural information; livestock improvement, irrigation, marketing, and dairy development; pesticides and equipment in support of the malaria-control program; pipe and other supplies to the national water supply and sanitation programs; health experts and demonstration equipment which will help train a quarter million doctors and a half million nurses; help in the development of home science departments in universities and aid in the reorientation and expansion of the secondary school system.

Page 95: "A United States mission of more than 400 works hard" (in India).

Comment: As of February 1957 there were 160 Americans on ICA's payroll in India and 82 under contract in India, making a total of 242. In addition, there were 174 Indian nationals working for the mission. Mission employees are assigned to live and work in all parts of India, not just in the mission headquarters.

Page 96: "In 1954, after telling Congress that it intended to spend but $639,000 on all transportation and communications in the country, the mission made India an outright gift of $20,500,000 worth of new railroad equipment alone."

Comment: Congress had continuously recognized the authority of ICA and its predecessor organizations to transfer funds from one program to another. The figures presented to the Congress are the result of planning which has to be developed months ahead of time. Often when the time comes to put the program into effect, conditions in a country have changed materially, and the best results can be achieved by changing the program to meet the then existing conditions.

In making the illustrative presentation to Congress in the summer of 1953, the Foreign Operations Administration (predecessor to ICA) listed $639,000 for "transportation, communications, power" for India. More than 6 months after this illustrative program had been presented, the Foreign Operations Administration approved an Indian railway program of $20.5 million.

The reason for this change was that during the summer of 1953 food production in India and grain harvests far exceeded expectations. As a result, the Indian Government urgently asked assistance be given to their railroad rehabilitation program so that this food and other materials could be properly distributed through the nation. Funds were therefore transferred from proposed agricultural programs into the more pressing railway program.

Page 96: "* * * our foreign aid officials in India decided to donate $1,539,000 worth of prefabricated steel for 52 easy-to-erect grain silos and warehouses * * * ICA approved a request from its office in India for an additional $4 million of United States taxpayers' money for 600 more warehouses—in spite of the fact that in 2 years the Indians hadn't got around to putting up the buildings we had already sent."

Comment: To avert the threat of repeated local famine conditions, the Government of India is in the process of establishing a grain reserve of some 2 million tons. This reserve requires a greatly expanded storage capacity.

The 50 prefabricated buildings for flat storage of grain and 2 silos arrived in India in December 1955. In April 1956, at India's request, ICA agreed to supply an additional 500 storage buildings at a cost of $4 million contingent, however, on the erection of the first 52 buildings by the Indian Government. Unfortunately, there were delays on the part of the Indian Government, so that early in 1957 ICA reduced the number of buildings to be constructed under this program from 500 to 100. In March 1957, not having received the previously requested assurances with respect to the construction of the 52 buildings, the entire $4 million project was canceled by ICA.

Page 96: "Nearly $4 million worth of motor vehicles was given away."

Comment: Motorized transport equipment has been one of the major United States contributions to India's community development program which the article earlier describes as India's best project. The value of this equipment over the 5 years since the United States aid program began totals nearly $8 million and includes nearly 2,000 jeeps which are the only motorized transport equipment which can be used in many parts of India; 236 jeep station wagons; 30 health vans; 34 motor graders; 163 tractors, some of them fitted with bulldozers; 38 road tillers; and 350 trailers.

Page 96: "G. Corson Ellis, vice president of the Association of Consulting Management Engineers, * * * told the House Foreign Affairs Committee that he was not permitted to serve private businesses—just government undertakings; that he had to wait 7 months before the Indian Government would let him have any people to train; that his job was impossible because of a resistance to criticism and to the idea of a free economy."

Comment: Mr. Ellis, a partner in the management engineering firm of A. T. Kearney Co., of Chicago, went to India in 1955 under an ICA-financed contract between his firm and the Government of India to set up a management development program. In 1956, a little more than a year later, the contract between Ellis and the Indian Government was mutually terminated. The principal reason why ICA originally sponsored the contract was in an endeavor to bring about a more enlightened attitude on the part of the Indians toward private management which would alleviate some of the problems of which Mr. Ellis complained. Other United States management engineering firms are still carrying on management development programs in India, and have been able to work effectively with Indian private industry.

GREECE

Page 97: "In Greece Marshall plan tractors rusted on the docks 2 years after arrival because the country couldn't absorb all the aid we insisted upon giving."

Comment: The tractors referred to were sent to Greece by UNRRA in early 1946, and had no connection with ICA or its predecessor agencies. Because of the civil war in Greece and because a number of the tractors were unusable in that country without certain modifications in their equipment, the tractors were not used immediately. Eventually, however, the tractors were converted and were absorbed by the Greek economy.

LAOS

Page 97: "Recently, in Laos, a country of 1½ million inhabitants, Congressmen saw a depot crammed with enough expensive drugs, hypodermic needles and other medical supplies to care for much of Southeast Asia."

Comment: ICA has supplied $83,000 worth of first-aid kits for the Laotian villages and $150,000 worth of pharmaceuticals for use in the malaria eradication program.

The Philippine-Laos junior chamber of commerce has jointly sponsored a project called Operation Brotherhood which supplies medical items donated by pharmaceutical houses. Dr. Thomas A. Dooley, a young ex-United States Navy doctor, is also operating a small private medical team in Laos and has enlisted the aid of many American drug supply houses to help him carry out his mission.

Private importers have also been allowed, by the Laos Government, to purchase pharmaceuticals through normal trade channels.

THE PHILIPPINES

Page 97: "Expensive pieces of electrical equipment, including electronic microscopes, were purchased for the Philippines when no power or personnel to operate them was available."

Comment: When arrangements were made to send an electronic microscope to the Los Banos College of Agriculture—about 30 miles from Manila—verbal agreements had been made to get power from the Philippine National Power Co. Later it was deemed not economically feasible to put a power line

into the college. The college had been generating its own power from outmoded and obsolescent equipment. ICA supplied some new generators. These supplied power not only for the new microscope, but also for the entire college. A Filipino operator for the electronic microscope has been trained in the United States and is working for the Los Banos College.

Page 97: "Distilled water was ordered from the United States to be shipped to Manila, despite the fact that stills to produce such water on the scene had already been supplied."

Comment: Two hundred and fifty dollars worth of distilled water was sent to the Philippines in 1951 by the Mutual Security Agency (predecessor to FOA and ICA). This was specially prepared distilled water to be used for intravenous injections. There was an inadequate supply of vials in the Philippines at the time—the vials of water from the United States cost 10 cents each—and it would have cost approximately the same to have sent empty vials and to have had the Philippines fill them.

WASHINGTON

Page 97: "In the current fiscal year $1,749,000,000 was appropriated for nonmilitary assistance—an increase of $68 million over 1956, even though ICA ended the year with a backlog of nearly two billions it had been unable to spend."

Comment: Because it operates on the basis of year-to-year appropriations, ICA must always have a pipeline of unexpended obligations to pay for commodities and goods on order, and to finance previously approved projects and contracts. At the end of 1956 fiscal year, ICA's unexpended balance was $1,760,200,000, but of this amount $1,617,600,000 was unexpended obligations. The remainder included $97,200,000 in special Asian economic development funds which Congress authorized to be obligated over a 3-year period and a congressional reappropriation of $45,300,000 in Palestine refugee funds which remained unobligated at the end of the 1956 fiscal year. Under law, ICA unobligated funds remaining at the end of a fiscal year in annual appropriations accounts automatically revert to the Treasury unless specifically reappropriated by Congress.

Page 97: "By 1953 the foreign-aid bureaucracy had become so swollen and topheavy that Congress ordered a 10-percent cut in its 7,000 personnel. Yet today it has more employees than ever—more than 8,000."

Comment: Total employment in ICA has risen from 7,556 on January 31, 1953, to 8,616 as of January 31, 1957, but these figures do not reflect the significant changes that have taken place in the nature of the program and the composition of its personnel. The following figures are provided for comparative purposes:

	Jan. 31, 1953	Jan. 31, 1954	Jan. 31, 1957
Americans:			
Administrative	2,784	1,952	2,101
Program	1,990	2,055	3,088
Total	4,774	4,007	5,189
Foreign nationals:			
Administrative	1,664	1,121	1,197
Program	1,118	883	2,230
Total	2,782	2,004	3,427
Grand total	7,556	6,011	8,616

The number of employees paid from administrative funds has been substantially reduced, while those paid from program funds (technicians) have increased. This change is primarily because ICA is no longer concerned with the economic rehabilitation of the developed countries of Europe but has turned toward the less developed areas of the world. This has necessitated a change in the type of employee required by the program. Increasing emphasis has been given to the employment of qualified American technicians who can transmit American techniques and methods to the indigenous population of the underdeveloped countries.

JORDAN

Page 97: "Jordan, a poor, arid country with 1,500,000 population, has an overwhelming problem: a half million Arab refugees from Palestine. Our major cure has been to construct throughways for the country's fewer than 9,000 automobiles."

Comment: The major cure for the Palestine refugee problem has never been road building but development of the Jordan River. To this end the President 3 years ago designated Eric Johnston as his special representative to try to get the four countries involved—Israel, Jordan, Syria, and Lebanon—to agree to develop the river, to date without success. The United States has for the past several years contributed millions of dollars to the U. N. to feed the Palestine refugees. The road program is not part of a direct attempt to relieve the refugee problem.

Jordan has only 225 miles of railroad, so it must also depend on highway transportation. Following the establishment of the State of Israel, transportation which had formerly flowed east-west from Jordan to the Mediterranean was cut off and had to be diverted into a north-south movement. There was a need for connecting links with roads leading northward to Lebanon and Syria and southward to the port of Aqaba, and for roads connecting the four areas of Jordan containing the bulk of the country's 1½ million population, including the Arab refugees. A total of 13 projects involving 72 miles of road were undertaken. The largest stretch is about 30 miles long. Most of these roads are only gravel.

THAILAND

Page 97: "In Thailand a 200-mile asphalt road was undertaken as a 1-year $6½ million dramatic demonstration of United States efficiency in peaceful pursuits, but after 2½ years the estimated cost has skyrocketed to $18 million for just the first 100-mile stretch, with completion not due before 1958. Meantime, ICA has expanded this demonstration into a series of Thai highway projects which by June will have cost us $45 million and no end in sight."

Comment: The purpose of this road was not basically to provide a dramatic demonstration but was instead one of the first elements of the new defense support program undertaken in midfiscal year 1955 in response to increased Communist penetration of the neighboring countries of Vietnam, Cambodia, and Laos. This highway is part of a program to increase the mobility of Thailand's defense and internal security forces.

At an early stage, a preliminary cost figure of $6½ million (plus a $1 million Thai contribution) was suggested, based on generally unchecked Thai data. However, before ICA undertook to contract for any of this work, an engineering survey was arranged in order to secure more realistic cost figures. This resulted in an estimate of $22 million for a 200-mile highway. Consequently, it was decided to build only the first, more critical, 100-mile segment, which costs about $18 million because it is all new construction through difficult terrain. The second 100-mile stretch was to have been only the rehabilitation of an existing highway.

A general highway improvement program was also undertaken to improve key segments of the Thai highway system. This was not a mushrooming into a series of other projects with no end in sight, but constituted instead a comprehensive plan for highway improvement for primarily defense and internal security reasons. Over a 3-year period the cost will be approximately $45 million.

Page 98: "The American contractors' 150 employees (working on the highway project) have to be paid during the 6-month rainy season when they can only sit * * * the boss of one team collects $27,750 a year * * * 14 other engineers get $17,400 each."

Comment: Engineering and construction operations in Thailand proceed throughout the rainy season with comparatively little lost time because much of the highway is being built through a semiarid part of the country.

ICA carefully screens all salary contracts to insure that they are equitable and necessary in order to secure competent highway engineers and construction personnel in the present highly competitive United States market for these critical specialists. Personnel of substantial experience and competence are needed for this difficult work.

BURMA

Page 98: "Meanwhile, Burma, 4 years ago, rejected further wholesale gifts from the United States."

Comment: In 1953, after nearly 3 years of technical cooperation with the United States, Burma, for political reasons not related to the United States aid program, requested that the program be phased out. This was done gradually over a period of months, and Burma contracted with some of the United States technicians to stay on and work in the employ of the Burma Government.

However, we are again carrying on a program in Burma. The Burmese on March 21, 1957, concluded 2 loan agreements with the United States totaling $42.3 million, $17.3 million of which is in Burmese currency received from Burma for the purchase of United States surplus agricultural products. All these loan funds are to be used to further economic development in Burma, and are to be repaid with interest over a 40-year period.

COMMENTS BY THE INTERNATIONAL COOPERATION ADMINISTRATION ON EUGENE W. CASTLE'S ARTICLE IN THE MAY ISSUE OF THE AMERICAN LEGION MAGAZINE ENTITLED "ARE WE BLEEDING OURSELVES WHITE?"

Comments on some of the specific statements:

"In the past 10 years we have given $60 billion to foreign nations which is euphemistically referred to as foreign aid. The avowed purpose, of course, is to win their friendship."

The total amount of United States net foreign grants and credits since July 1, 1945, is $57,662,000,000—of which $10,847,000,000 was in loans, and $18,560,000,000 was for direct military assistance to our allies. The purpose of this so-called foreign aid was not, of course, to win their friendship. The real purpose was, first, to restore the war-torn economy of Europe, a program known as the Marshall plan in the amount of $13 billion and later, after the Korean invasion, to assist our allies in our joint defense against the Communist threat and to strengthen the economies of the world's new democracies—in short to keep the free world free. The annual cost of doing these things is about one-tenth the cost of maintaining our own Defense Establishment and about 1 percent of our country's gross national product. If we did not have our military allies, the cost in money and manpower of maintaining global defense by ourselves would be staggering.

"We gave more than a billion dollars to the shaky Government of Indochina before that country capitulated to the Reds."

There was no government of Indochina, shaky or otherwise; there were three Associated States of Indochina: Cambodia, Laos, and Vietnam. Up to the time they became

independent, American aid to them amounted to $841.4 million, which includes $726.9 million for military aid, channeled through France. With these funds we helped these coutries fight a shooting war with the Communists, and preserved for the free world the states of Vietnam, Cambodia, and Laos. North Vietnam was won by the Communists in the Geneva settlement. Vietnam itself has never capitulated to the Reds, and does not recognize the Geneva settlement.

"We gave Norway $300 million which was promptly applied to the reduction of Norway's internal debt. We gave Denmark $100 million which the Danes used in the same way."

Net grants and credits to Norway since July 1, 1945, total $297 million, of which $87 million was in loans; for Denmark the total is $282 million, with $48 million in loans.[1] This money was spent for machinery, petroleum products, and other commodities vitally necessary to restore these countries' war-ravaged economies. The Norwegians and Danes paid for these commodities with their local currencies which subsequently were used, in part, for debt retirement to save the countries from inflationary collapse.

"We are providing free airplane excursions for thousands of Arabs visiting their religious shrine at Mecca."

In June 1956, at the request of the government of Afghanistan, the United States did supply an airplane to help transport Moslems (not Arabs) from that country to the "great feat" of the Mohammedan world at Mecca. But the pilgrims paid their own way, round trip. They paid their fares in Afghan currency, which was used to further joint Afghan-United States economic development program in this strategic country.

"We are paying all living expenses and tuition costs for the sons of hundreds of wealthy Persians attending American universities."

Experience has demonstrated that ICA's program of bringing foreign nationals to the United States for 3 to 12 months for advanced technical training is most effective. Some 32,000 have been given such training, 600 of them from Iran (Persia). These 600, like the others, have received training in schools, factories, government, and private offices, and many other places where American know-how is to be learned. Participants in this program are selected jointly by the government concerned and ICA's representatives and on the basis of their potential contribution to the country's economic development. They are selected regardless of their net worth from among workers in government, industry, agriculture, or some similar field of activity. All participants in this program are paid fixed sums for living expenses.

"In Portugal we have paid for a six-lane highway 15 miles long connecting Lisbon with the gambling resort of Estoril."

No United States aid funds, dollars or counterpart, have been used for highway construction anywhere in Portugal. The highway referred to was built by the Portuguese Government and opened to traffic some 6 months before counterpart funds were released.

"Our tax dollars have provided dress suits for Grecian undertakers, public baths for Egyptian camel-drivers, and even ice boxes for Eskimos."

This is a complete fabrication, with no basis of fact whatsoever.

"In India, which has received a billion dollars' worth of free goods from the United States of America, the Russians agreed to furnish that country with ore-mining machinery only on condition that India would purchase, not get for nothing, a million tons of rolled ferrous metals. Even the widely heralded gift of a Soviet steel mill to Nehru was no handout. It was to be repaid by 12-year credits at 2½ percent interest."

India has not "received a billion dollars' worth of free goods from the United States of America." Since July 1, 1945, net grants and credits to India total $468 million, of which $217 million was in grants, $251 million in loans.[2] The total obligated under the program of ICA and its predecessor agencies is $335 million of which $53 million was for technical cooperation, and $82.5 million was in the form of loans.

Mr. DIRKSEN. Mr. President, if the Senator from Oregon is willing to yield back the time remaining to him, I am prepared to do so.

Mr. MORSE. I yield back the time remaining to me.

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All time remaining on the amendment has been yielded back.

Mr. DIRKSEN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time on the amendment has expired. The question is on agreeing to the amendment proposed by the Senator from Oregon [Mr. MORSE], for himself and the Senator from Wyoming [Mr. O'MAHONEY]. The yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY].

If present and voting, the Senator from North Carolina [Mr. ERVIN] would vote "yea," and the Senator from West Virginia [Mr. NEELY] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Arizona [Mr. GOLDWATER] and the Senator from Michigan [Mr. POTTER] are necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote, the Senator from North Dakota [Mr. LANGER] is paired with the Senator from Michigan [Mr. POTTER]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Michigan would vote "nay."

The result was announced—yeas 32, nays 54, as follows:

YEAS—32

Anderson	Frear	O'Mahoney
Barrett	Hruska	Revercomb
Bible	Jenner	Robertson
Bricker	Johnston, S. C.	Russell
Butler	Kerr	Scott
Byrd	Long	Stennis
Chavez	Magnuson	Talmadge
Curtis	Malone	Thurmond
Dworshak	Mansfield	Williams
Eastland	McClellan	Young
Ellender	Morse	

NAYS—54

Aiken	Gore	Martin, Pa.
Allott	Green	McNamara
Beall	Hayden	Morton
Bennett	Hennings	Mundt
Bush	Hickenlooper	Murray
Capehart	Hill	Neuberger
Carlson	Holland	Pastore
Carroll	Humphrey	Purtell
Case, N. J.	Ives	Saltonstall
Case, S. Dak.	Jackson	Schoeppel
Church	Javits	Smathers
Clark	Johnson, Tex.	Smith, Maine
Cooper	Kefauver	Smith, N. J.
Cotton	Kennedy	Sparkman
Dirksen	Knowland	Symington
Douglas	Kuchel	Thye
Flanders	Lausche	Watkins
Fulbright	Martin, Iowa	Wiley

NOT VOTING—9

Bridges	Langer	Payne
Ervin	Monroney	Potter
Goldwater	Neely	Yarborough

So the amendment offered by Mr. MORSE, for himself and Mr. O'MAHONEY, was rejected.

Mr. KNOWLAND. Mr. President, I move that the vote by which the Morse-O'Mahoney amendment was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON] to lay on the table the motion to reconsider made by the Senator from California [Mr. KNOWLAND].

The motion to reconsider was laid on the table.

Mr. MORSE. Mr. President, I offer the amendment which I send to the desk and ask to have stated. It is identified as "amendment 6-13-57-A."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 39, it is proposed to strike out lines 1 to 4, inclusive.

On page 40, line 7, after the quotation marks and before the word "to" it is proposed to insert "$150,000,000, in addition to the funds authorized."

On page 40, line 9, it is proposed to strike out "for such use by section 400 (a) of this act" and insert "$100,000,000."

On page 40, it is proposed to strike out line 13 and insert the following:

(3) Amend subsection (b) to read as follows:

"(b) The authority contained in subsection (a) shall not be exercised in any case until 15 days shall have elapsed while the Congress is in session after the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of

[1] Source: Office of Business Economics, U. S. Department of Commerce. Country figures do not include direct military assistance, which is classified information.

[2] Source: Office of Business Economics, United States Department of Commerce. Country figures do not include direct military assistance, which is classified information.

Representatives have been furnished a report showing the purpose for which and the country or countries with respect to which such authority is intended to be exercised and the particular appropriation from which the funds proposed to be used are derived."

On page 40, it is proposed to strike out line 14.

Mr. MORSE. Mr. President, I shall be exceedingly brief on the amendment. This is the second of the two amendments on which I desire a yea-and-nay vote. Therefore, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. The amendment affects the President's so-called special fund in two ways: It reduces from $250 million to $100 million the amount he is permitted to use at will, without regard to provisions of the act; and it requires him to report to Congress first, before doing anything with it.

It is important to note that this makes no absolute saving, because it only reduces the amount he may use at will.

The bill has a complicated arrangement for giving the President his special fund. Section 400 as proposed in the bill gives him $250 million to use for assistance designed to promote political or economic stability.

Mr. President, the word "political" may have some very interesting implications. It does not say "to promote political freedom." It says "political or economic stability."

I am skeptical of using American taxpayer dollars to promote the political stability of totalitarian states, because I happen to believe in freedom. I think the time has come when we ought to stop giving to any President, of any party, the discretionary power to use $250 million to promote his notions in respect to the political stability of any foreign state. I talked about this matter at great length yesterday.

Mr. HUMPHREY. Mr. President, will the Senator refer to the page of the bill about which he is now talking?

Mr. MORSE. My amendment relates to section 400 of the bill, which would give $250 million to the President to use for assistance designed to maintain or promote political or economic stability.

Mr. HUMPRHEY. I thank the Senator.

Mr. MORSE. I spoke yesterday on the subject, and I shall be very brief today. This is nothing new for me. I have opposed blanket authority to a President under a Democratic administration as well as a Republican administration.

This money is subject to the general limitations of the other sections of the law, except that $100 million of it plus $150 million from anywhere else in the bill may be used as he sees fit without regard to the other parts of the act.

This amendment would leave him the entire $250 million in section 400 to use subject to the general limitations of the law. It would then authorize him to take $100 million from anywhere in the mutual security program—from the above-mentioned $250 million, if he wishes—to use without regard to the act, after first notifying Congress.

The prenotification requirement is a little different from the language used in the Middle East resolution; the legislative counsel thought this would be a little simpler.

Mr. President, the chief basis of the amendment is my belief that there should be written into the bill more of a check on the exercise of arbitrary power by the President. As the Senate should know, if it does not know already, the State Department opposed me in committee on this matter. It is opposed to me now on the floor. It has sent a memorandum to the committee in opposition to my amendment. In fairness to them, I believe the memorandum should be printed in the RECORD at this point in my remarks. I make that unanimous-consent request.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

AMENDMENTS TO SECTIONS 400 AND 401

It is understood that an amendment, or several separate amendments, are proposed to S. 2130 which would have substantially the following effects:

(a) Reduce the authority to waive provisions of the Mutual Security Act, etc., which is now provided by section 401 (a) of the Mutual Security Act of 1954, as amended, from $150 million to $100 million.

(b) Eliminate the similar authority which is included in the proposed new section 400 to waive provisions of this Mutual Security Act, etc., with respect to $100 million of the $250 million which would be authorized for special assistance in the Senate committee's version of this section.

(c) Require 15 days' advance notice to interested congressional committees before each use of the $100 million waiver authority which would still remain under section 401 (a) of the Mutual Security Act of 1954. The executive branch strongly opposes each of these changes; the first two because they would unduly and dangerously limit our ability to meet emergencies and to keep the program continuously responsive to the requirements of our national security; and the third, among other reasons, because it would shackle the use of our remaining emergency power with preconditions that might delay or hinder its use to the point where its use would come too late to be effective.

In fiscal year 1957, the President has the authority under section 401 (a) of the Mutual Security Act of 1954, as amended, when he determines that such "use is important to the security of the United States," to use an aggregate of $250,000,000 of the funds made available under the Mutual Security Act "without regard to the requirements" of that act or any other act for which funds are authorized by the Mutual Security Act—the $100,000,000 appropriated pursuant to section 401 (b) plus $150,000,000 of any other funds made available under the act. Under the proposed bill the amount of this authority would simply be continued at the $250,000,000 level; there is no proposal to increase it. However, the amendments in question would, on the contrary, reduce this $250,000,000 by $150,000,000, or by 60 percent, to $100,000,000.

The accumulation of experience over the past few years has indicated that $250 million represents the minimum safe level of authority of this kind in a world in which recurrent emergencies and other important unforeseen developments frequently call for major adjustments in the character of the program, create new requirements which, in terms of total United States security interests, should be met, and presents situations in which it is not possible to meet all the normal requirements of law in providing needed assistance. This authority both (a) enables us to use funds for forms of aid or in areas for which they were not initially made available, and (b) permits us, where this is necessary to the effective extension of the aid in question, to waive the requirements that normally govern the provision of such assistance, as for example, requirements with respect to agreements.

Whether we like it or not, it is one of the facts of life that the world in which we live is characterized by a constant flow of new developments, many of which greatly affect the security of the United States and some of which can only be dealt with adequately through the prompt provision of previously unplanned assistance. Needs for assistance of this kind can normally be met in one of three ways:

First. By seeking new Congressional action, which will be desirable if the new demand for aid is very large or involves major new issues of national policy, but which is hardly a practical course in the usual situation, even assuming, as one cannot do, that the Congress happens to be in session.

Second. By diverting for the new need, based on an assessment of relative priorities, funds from the purposes for which they would otherwise have been used.

(3) by utilizing contingency funds if such are available. The $250 million authority to to which reference is here made enables one to shift funds to meet new needs in those cases where the new needs cannot be met within the framework of the appropriation account from which the funds are to be taken—for example, the funds are available only for military equipment and the need is to help another government finance the support of troops or to meet requirements in the wake of a hurricane. Its use for this purpose has, in the past, been extensive and for purposes which, with very minor exception, we have heard no criticism of whatsoever, and this in spite of the fact that each such case has been promptly and fully reported to four committees of the Congress and then, subsequently, described and accounted for in the annual presentation of the program to the Congress.

The use of this authority to remove limitations of law that would otherwise be applicable has been far more limited than its use as a means of shifting funds from one use to another, but the cases in which it has been used for such a purpose have often been very important ones. For example it was this authority which, in fiscal year 1957, made it possible to extend some $40 million in aid for Hungarian refugees; which enabled us to make a contribution toward the cost of clearing the Suez Canal; which permitted us to contribute to the support of the United Nations emergency force sent to the Near East; which gave us the authority to provide funds in the most effective fashion to the Bolivia stabilization fund; and which made it possible to extend aid in a number of cases where there was not time to obtain, or it was otherwise impossible to obtain, the kind of agreements that would normally be necessary.

The full $250 million authority was not completely used in fiscal year 1956 and probably will not fully be used in fiscal year 1957, but its use in both years has been such that it is clear that it represents, or is certainly close to, the minimum amount that can be safely accepted. As a matter of fact, in the absence of the special, somewhat broader, additional $200 million authority provided in the Middle East resolution, this $250 million authority would have been more than exhausted. The nature of the contingencies now on the horizon, as well as the character of certain of the problems that we know now will have to be met, indicate that the need for authority of this

kind will be as great in the immediate future as in the past.

As to the provision concerning notice, we have at least two objections. The first is the fact that it is unwise, and seems particularly inappropriate, to reduce the useability in emergencies of an authority which has, as one of its major specific purposes, the meeting of emergencies—to run the peril of delaying or hindering the provision of assistance in the kind of situation where delay or hindrance may destroy or reduce the value of such assistance. The second is the fact that it divides and diffuses responsibility in a way that is inconsistent with sound principles of management and administration. The task of administering laws belongs to the Executive, who is required, within the conditions, etc., provided in the legislation, to make the necessary determinations and other decisions, and to take all other actions, which proper execution of such legislation necessitates. The Executive should be responsible for their effective implementation and held accountable to Congress and the people therefor. His responsibility cannot be divided or shared, as the suggested notice provision appears to contemplate, if good administration is desired. Moreover, his authority must be commensurate with such responsibility, and it cannot be diluted by provisions such as the one in question without eventually reducing responsibility and producing less efficient and less effective Government.

Mr. MORSE. Mr. President, I have only a few brief comments to make in answer to that memorandum.

Under my amendment, the President retains the authority over a fund of $250 million which he may apply to various programs in the act as he sees fit. That is not inconsiderable power, and can be used for many emergency situations that may arise for which the specifically authorized funds are not enough.

The memorandum seems to indicate that the special fund has been used in the past for aid to Haiti after a hurricane, although the committee report on the bill is not clear on that. Another purpose it was used for was in clearing the Suez Canal. Is either of these so important that Congress could not first have been notified?

What is the objection to notification in advance?

The memorandum also says:

> The nature of the contingencies now on the horizon, as well as the character of certain of the problems that we know now will have to be met, indicate that the need for authority of this kind will be as great in the immediate future as in the past.

I do not doubt it. But what is wrong with requiring the President to notify us first? If he has anything specific in mind, why does he not want to put it in the bill and ask for the money? Or is this, as I suggested yesterday, designed as some kind of foreign policy strategy, of which I completely disapprove and never want to see my country be a party to? Bribery, for example. I do not think we ever strengthen American foreign policy by using a dollar to bribe someone in an effort to further our foreign policy. The same goes for other well-known techniques which we as individuals, when we sit down in communion with our conscience, cannot square with moral principles.

Second, if some great crisis develops in the international scene, as implied by the memo, Congress undoubtedly should be called into session to pass judgment on it.

What is wrong with that? I hope that this is still a constitutional government.

As for the argument that $100 million is not enough, as set forth in the State Department memorandum, Congress will always be available, and, under the terms of my amendment, Congress can provide an additional amount of money if the State Department can make out a case.

I am never impressed by the State Department's argument that a particular proposal does not provide enough funds. One would think that Congress is in recess many months of the year. Everyone knows that it has not been for a good many years, and it will not be for a good many years to come. And when we are, the President can always summon us back.

Nor am I impressed with the argument of the State Department that there shall not be included a requirement for advance notification. They say, "Trust the President." That is the cry of the State Department. It is always "Trust the President." They say, "He has told you that he will keep in daily touch with Congress."

I said to the Secretary of State, "Why not write that into the bill?" These public statements of the President are not parts of the bill. They are not commitments in the bill. If that is what they intend to do, then why does the State Department oppose a requirement for prior notification?

The objection of the State Department to requiring a preliminary report to Congress has, I think, little validity. My amendment does not require congressional approval. I wish I could secure the adoption of the amendment in a form requiring congressional approval. I think that is the check we ought to have, but every Senator knows I cannot get it. Every Senator knows I have failed when I have insisted on that check in the past. I made what I am certain will be recorded as a historic fight for that kind of check in connection with the Eisenhower Middle East doctrine.

What this amendment does require is prenotification. It is very similar to the language in the Middle East resolution, except that it requires that Congress be called into session if it is not sitting.

The argument that the executive would be unduly limited in his execution of the act if my amendment were adopted is, I respectfully submit, irrelevant, because this is a grant of money to the President to be used above and beyond any law. Congress need not give the President any special fund at all and that would in no way be an encroachment upon his executive power to administer foreign aid.

My amendment continues to allow the President $250 million to apply in his discretion to various programs authorized in the act in addition to the amounts authorized for them. That is where provision is made for Executive leeway. If Congress enables the President to use $100 million for any purpose not circumscribed by statute, I respectfully submit that if we believe in the system of checks and balances, Congress has every right to insist that it be told first how the money will be used.

That is the check the amendment provides. I have tried to be exceedingly accommodating to my majority friends on the committee in regard to this matter. They know I think my amendment should be stronger, but I feel that if I can get consent to go this far, we may at least pay homage once again to a vital principle of constitutional government, namely, that a President should never have any unchecked power. Certainly there ought to be some semblance of a requirement for a check before the expenditure. This is legislation defining a certain program and authorizing an appropriation of money to carry it out. We ought to set a standard for the spending of it by the executive, or call on him for an explanation of cases where no standard can be set.

As I said yesterday when I argued this point at greater length, I am not referring to President Dwight D. Eisenhower singularly; I am referring to Presidents of the United States for the years to come as I fight for this sound constitutional principle in the amendment, namely, the principle that a legislative body, the Congress of the United States, owes it to the American people to keep at the barest possible minimum the exercise of arbitrary, capricious, discretionary power on the part of any President in the use of the taxpayers' money. It is just that simple.

I say without any personal implications at all that I think the majority of the committee should accept my amendment, because my amendment does not reduce one iota the money available under the act. But it does put a prenotification check upon the President's use of $100 million of undesignated funds.

There are some of us—I speak, for example, of the great constitutional lawyer who sits behind me in the Senate, the distinguished junior Senator from Wyoming [Mr. O'MAHONEY], and of the distinguished senior Senator from Louisiana [Mr. ELLENDER]—who share the same point of view. But how can the Senate justify being divided on the historic principle that unless a dire emergency really confronts the Nation in connection with a specific matter, the President should not be given unchecked power?

Two hundred fifty million dollars is a considerable sum of money over which to give the President complete discretionary power, without even requiring prenotification to Congress as to what he intends to do with it.

All I am doing is restoring $150 million to purposes authorized, and saying that as to the remaining $100 million, the President must give Congress prenotification of what he intends to do with it.

Do not forget what the Secretary of State said. The Secretary of State told us this year—as the Senator from Minnesota [Mr. HUMPHREY] knows very well, because we had a colloquy in a private conversation at the time of the hearing—that the President had pledged to keep in hourly contact with Congress. If that is the attitude of the administration, why are they not willing to accept in the bill—and this is the test—my check requiring prenotification?

Again, without reference to the present President, and without reference to any particular Presidents, I happen to think we owe this consideration to the office of the presidency. I do not believe we should support a bill which, in my judgment, does violence to our duty to protect and preserve the constitutional system of checks and balances, by putting any President into such a position—even though he may want to get himself into it—that any considerable number of American people can say, "I suspect that he wants to use these funds for purposes of which we would not approve, because he is not even willing to accept a procedure which would require prenotification to Congress."

Mr. President, I submit the amendment.

Mr. SALTONSTALL. Mr. President, as the acting minority leader, I yield 3 minutes to the Senator from Rhode Island.

Mr. GREEN. Mr. President, this amendment would reduce from $250 million to $100 million the amount of funds which the President is authorized to use under the act in any fiscal year without regard to certain requirements of the act if he determines that such a waiver is important to the security of the United States. The amendment would also require the President to give notice to certain committees of the Congress 15 days prior to exercising this waiver power.

The Mutual Security Act has for a number of years contained the authority which this amendment would sharply restrict. This special authority of the President has proved extremely important to the United States on a number of occasions, the most recent of which was the Hungarian revolt. Using this special authority, the President was able quickly and effectively to rush assistance to the Hungarian refugees. This is only one example of the uses to which this power has been put. Some of the other exercises of this power have been for purposes which have a high security classification and cannot be discussed on the floor.

I do not believe the President of the United States has abused the special authority which is his under the act. In my judgment, it would not be wise to limit this discretion now.

I point out that this amendment is not an amendment to reduce the amount of funds which may be appropriated under the bill. It would not save any money. It would merely restrict a special power of the President which has proved important to the security of the United States.

Mr. President, I urge the defeat of the amendment.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. GREEN. I yield.

Mr. MORSE. The Senator from Rhode Island has properly described my amendment, as I myself stated it. Does the Senator know of any expenditure in the past year which has cost more than $100 million? With the funds which were available to him, the President had plenty of money to carry on the Hungarian relief program. If he had needed more money, the President could have got it quickly by asking for it. Does anyone think the Senate would not have voted to supply the President with more money for Hungarian relief?

The "emergency" argument is a sound one to the extent that there is not sufficient money in the emergency fund to carry out a program. If that be so, then Congress should be asked to supply more money. If the emergency program is a sound one, let the executive department ask for funds, and they will get them.

Mr. GREEN. The President found it very expedient to act quickly and to use already appropriated funds which might be used for that purpose.

Mr. HUMPHREY. Mr. President——

The PRESIDING OFFICER. The Senator from Texas is in charge of the time now available.

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield 5 minutes to the Senator from Minnesota, if that will be sufficient. How much time does he wish to have?

Mr. HUMPHREY. I was waiting for the Senator from Missouri [Mr. SYMINGTON], in connection with a matter we wished to discuss. However, he is temporarily out of the Chamber.

At this time, I should like to have 3 minutes yielded to me.

Mr. JOHNSON of Texas. I yield 3 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 3 minutes.

Mr. HUMPHREY. Mr. President, I think it understandable that every Member of the Senate would wish to have provision made for the closest possible check upon the use of the funds. However, it is not unusual to trust the President of the United States—I speak now of the office of the President—with rather wide authority when it comes to national defense and national security matters.

The amount now under consideration is $250 million, which was exactly the amount available for this purpose in 1957, and also, I believe, in 1956.

As has been indicated, this sum of money has not been spent without due consideration. Furthermore, as I understand, there has never been a time when a project has been undertaken under this program or this special assistance fund without prior notification to the committee.

Mr. GREEN. I believe that has been the case.

Mr. HUMPHREY. That has not been a requirement, but the Executive has notified the committee; is that correct?

Mr. GREEN. Yes; that has been the practice.

Mr. HUMPHREY. Mr. President, the principle of executive use of special assistance funds is acceptable, as is shown by the fact that, under the provisions of the pending amendment, the President would be allowed to use as he sees fit $100 million of the $250 million. Consequently the question relates to the remaining $150 million.

So the question is not one of principle; the principle is agreed upon. Instead, the pending question is simply whether we shall trust the President with $250 million or with $100 million.

In view of the world in which we live, I say that if the President is to be trusted with $150 million, it would be prudent to trust him with the additional $100 million. After all, the cost of living has gone up, and the operation with which we are dealing is an expensive one.

Mr. JOHNSON of Texas. Mr. President, does the Senator from Oregon yield back the remainder of the time available to him?

Mr. MORSE. No, Mr. President; first, I wish to answer the Senator from Minnesota.

Mr. President, whenever my friend, the Senator from Minnesota, gets on the wrong side of an issue, I always like to reply to him.

His argument is that if we can trust the President with $100 million, we can trust him with $250 million.

Mr. President, I prefer not to give the President even $100 million to use without prenotification.

All this assurance about notification is, in my judgment, a weak argument. If the President is going to keep in hourly contact with Congress, as the Secretary of State has said he will, it takes only about 20 minutes to travel from the White House to the Capitol; and if, the Congress is not in session, it takes not more than 24 hours to have Congress reassemble in session. Therefore, I am not very much impressed by the argument of emergency, as a justification for having the Congress relinquish the checking power upon the Chief Executive, no matter who he may be. Mr. President, that is the principle which is involved in this instance.

The Senator from Minnesota knows very well that I would prefer that the President not be given the $100 million at all. But it seems to me that if he is given the $100 million, the Congress will have given him enough to permit him to get started, until the Congress can provide more money, if in fact he does need more money. That is why this amount should be limited to $100 million.

Mr. President, according to the argument of the Senator from Minnesota, if we are to give the President $250 million, we could equally well give him $2 billion.

However, I say that certainly $100 million should be considered the maximum amount under any circumstances that we should give the President to use without any Congressional check upon him by way of legislative standards.

For the reasons I stated in my previous remarks, we should also keep in mind something I would have my friend, the Senator from Minnesota, never forget; it is a very elementary principle of legal procedure. It is that if a procedure is subject to abuse, we should clean up the procedure in the first instance.

I wish to say that when we provide for more than the $100 million, we greatly increase the possibilities and the temptations of abuse.

So, Mr. President, the question becomes one of whether we are satisfied that the amount we are allowing in the first instance is enough to let the Presi-

dent get started in handling an emergency. The Hungarian refugee problem has been referred to as an example. Mr. President, does anyone think that $100 million was not enough to permit a start to be made in handling the Hungarian refugee problem? Does anyone believe that amount was not sufficient to permit the President to get started until Congress could provide more money?

It was said that perhaps the President had already used a part of the money; but if he had $10 million left in the special fund, it would have been enough to get started with.

Mr. President, I have stated the checking principle upon the Executive of the country that I shall continue to insist on, so long as I am a Member of the Senate, in opposition to what I say most respectfully and seriously is one of the most dangerous trends today in American Government, namely, the trend to build up government by men, rather than government by law. We have an example of government by men whenever we give to any Government administrator an unchecked power.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. In a moment. I shall take just half a minute longer on my amendment.

If I understood the Senator from Minnesota, he also said, in the course of his argument, it is the practice to make, or that in practice reports are made in advance to the Foreign Relations Committee. If that be true, he ought to be over here with his arm around me, assuring me of his proposal to write it into the law. If the practice is good, let us make it a legal requirement. That is all my amendment does. I think it is a good practice, but I think it ought to be a legal requirement.

Mr. HUMPHREY. Mr. President, will the majority leader yield me 2 minutes? I know the majority leader is reluctant to do so, but he is a kindly man. [Laughter.]

Mr. JOHNSON of Texas. I yield the Senator 2 minutes.

Mr. HUMPHREY. What I have to say will hardly require 2 minutes. The Senator from Oregon has said it is perfectly all right to give the President $100 million because he says so. The Senator from Minnesota says it is perfectly agreeable to give the President $250 million because the committee says so. This is not an argument over principle; it is an argument over price; it is an argument over amount. We shall have to see whether or not the amount suggested by the Senator from Oregon, $100 million, is the correct figure, or whether the committee's figure of $250 million is the correct figure.

I want to make the record perfectly clear that the Senator from Oregon says it is fine and good to give the President $100 million, with no controls. The Senator from Minnesota says, "Let us make it $250 million," because this seems to be the combined judgment of a majority of the Foreign Relations Committee, plus the judgment of an overwhelming majority of the Senate in fiscal 1956 and 1957.

Finally, I should like to add this statement: The President of the United States is also elected. He is an elected official. Sometimes we in the Senate forget that. Every President we have ever had has been elected. The President is elected for 4 years, not 6. He may be even a little more sensitive to public opinion than we are. Furthermore, whether we like it or we do not—and I gather we do not—the President of the United States, whoever he may be, has a great deal more to say about foreign policy and national defense than we do.

There are times when I do not agree with the President's policies, and I have been sharp in my criticism; but I must confess I have found little to criticize about the way in which the President has used his special fund. What I have criticized is the people the President has had to administer the program. I submit it is not the program that is wrong; it is the administration of the program that is wrong.

I have disagreed in this instance with the Senator from Oregon. I shall await his documentation to show why $100 million, unfettered, uncontrolled, is better than $250 million, because, I repeat, it is not a question of principle; it is a question of amount.

Mr. MORSE. One of the most stimulating men I know is the Senator from Minnesota. Even when he is wrong, he is very pleasant. I want to tell him there is a principle involved. Without any reference now to anything but the position of the Presidency, let me say as a teetotaler some people can handle one cocktail, but a few more make them pretty drunk. I think it is one thing to allow $100 million, but I think some Presidents could get very drunk with power if they were offered $250 million.

I have already said I prefer prior approval for the expenditure of any money in any amount, but, as the Senator knows, I recognize that there is a necessity for legislative compromise. We have to try to iron out, on the anvil of discussion, a reasonable settlement of our principles. However, there is a pretty important principle involved, and that is whether or not we are going to give the President power by which he can proceed, without check by the Congress of the United States, to follow a course of action, by way of abuse of that power, which might endanger the welfare of this country abroad. That is the abuse I am seeking to prevent.

The President is elected, as the Senator from Minnesota has pointed out, but our constitutional fathers who provided for his election also provided for constitutional procedures of checking an elected President. That is the principle I am fighting for, Mr. President.

I want to say I do not think we can justify giving any President the amount of money the Senator from Minnesota is agreeing to give without the exercise of the prenotification check.

Mr. President, at this time, I yield 5 minutes to my good friend, the Senator from Illinois [Mr. DOUGLAS], who asked me to yield 5 minutes to him.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator from Illinois is recognized for 5 minutes.

THE CIVIL-RIGHTS BILL

Mr. DOUGLAS. Mr. President, for myself and on behalf of Senators HUMPHREY, PASTORE, HENNINGS, MURRAY, GREEN, MORSE, NEELY, JACKSON, SYMINGTON, MCNAMARA, NEUBERGER, CARROLL, CHURCH, and CLARK, I wish to make the following statement:

It now seems evident that a civil-rights bill will be enacted by the other body. All of us who sincerely believe in, and have long fought for, the promotion and extension of civil rights in this country, cannot help but be gladdened by the prospect of this event. However, our joy is tempered by the knowledge that a civil-rights bill was passed by the other body in the last session of Congress, only to die for want of any action by the Senate of the United States. It is imperative that this sad page of history not be allowed to repeat itself at this session of the Congress. For this reason, it is hoped that the Judiciary Committee, which now and for so long has had civil-rights proposed legislation pending before it, will act promptly, so that the Members of the Senate will be given an opportunity to express themselves and, at long last, to vote on a civil-rights bill.

However, in order to insure the consideration and passage of a meaningful civil-rights bill at this session of the Congress, we stand ready to join with, and to cooperate fully with, any other Senator or any group of Senators on either side of the aisle, to retain a House-passed civil-rights bill (H. R. 6127) on the Senate calendar, so that Senators may have an opportunity to consider and express their judgment on that bill or on a Senate bill, or on either, as it may be amended after floor consideration.

We would prefer to act on the bill S. 83, which has been pending in the Senate Judiciary Committee since January 7, 1957, and we strongly recommend that it be reported out forthwith by the Committee. However, if this is not done before H. R. 6127 reaches the Senate, then we shall be compelled, under rule XIV, after the second reading of H. R. 6127, to object to further proceeding thereon so that it may go to the Senate calendar, to insure Senate consideration of this important legislation at this session.

We are taking this action because the passage of a meaningful civil-rights bill has been too long delayed and because we believe that such action is necessary if the rights, duties, and privileges of citizenship are to be guaranteed to all our citizens regardless of race, creed, or color.

Because of this belief, we therefore give notice at this time that when the civil rights bill, H. R. 6127, comes to the desk of the Presiding Officer of the Senate from the other body, and before any action to refer it or to dispose of it in any way occurs, we shall make certain parliamentary inquiries of the Presiding Officer of the Senate as to the rules of

the Senate and his interpretations of those rules.

We give this notice in order that our rights as Senators of the United States, which under our rules and traditions are equal to those of all other Senators, will be fully protected.

Further, we announce that we shall not give unanimous consent to any motion to refer the House-passed civil rights bill to any committee, and before such motion is made, or such action to refer is taken, we request that we be notified that the bill is to be laid before the Senate for a first or second reading or for referral, so that we may be in our places and prepared to propound certain parliamentary questions or to make certain motions.

Specifically, we wish to draw this notice to the attention of the Vice President, the Majority Leader, the Minority Leader, the Whips on both sides of the aisle, and to the Parliamentarian, and to whoever may be in the Presiding Officer's chair when H. R. 6127 arrives at the desk.

We are certain that, having given this notice, the leadership of the Senate will insure that our rights, as well as the rights of all other Senators, will be fully protected.

Mr. JAVITS subsequently said: Mr. President, I take 1 minute only to associate myself with the statement made by the Senator from Illinois, which I think goes to the heart of the effort to get civil-rights legislation in this session of Congress. He has extended an invitation for others to join with him, and I accept that invitation. I hope others will, also.

ORDERS FOR THE SENATE TO CONVENE AT 11 A. M. ON MONDAY, AND FOR CONSIDERATION OF THE ATOMIC ENERGY TREATY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate convenes on Monday, it convene at 11 a. m., for the purpose of considering the atomic energy treaty, and that it remain the pending business until disposed of.

The PRESIDING OFFICER (Mr. MANSFIELD in the chair). Without objection, it is so ordered.

MUTUAL SECURITY ACT OF 1957

The Senate resumed the consideration of the bill (S. 2130) to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

Mr. MORSE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the majority leader yield back his remaining time?

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Oregon [Mr. MORSE]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH], are absent on official business. On this vote the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea" and the Senator from West Virginia would vote "nay."

I further announce that if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Michigan [Mr. POTTER] are necesasrily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] would vote "nay."

On this vote, the Senator from North Dakota [Mr. LANGER] is paired with the Senator from Michigan [Mr. POTTER]. If present and voting, the Senator from North Dakota would vote "yea," and the Senator from Michigan would vote "nay."

The result was announced—yeas 22, nays 61, as follows:

YEAS—22

Anderson	Jenner	O'Mahoney
Bible	Johnston, S. C.	Robertson
Byrd	Kerr	Russell
Chavez	Long	Talmadge
Eastland	Magnuson	Thurmond
Ellender	Malone	Young
Frear	Morse	
Gore	Murray	

NAYS—61

Aiken	Fulbright	McNamara
Allott	Green	Morton
Barrett	Hayden	Mundt
Beall	Hennings	Neuberger
Bennett	Hickenlooper	Pastore
Bricker	Hill	Purtell
Bush	Holland	Revercomb
Capehart	Hruska	Saltonstall
Carlson	Humphrey	Schoeppel
Carroll	Ives	Scott
Case, N. J.	Jackson	Smith, Maine
Case, S. Dak.	Javits	Smith, N. J.
Church	Johnson, Tex.	Sparkman
Clark	Kefauver	Stennis
Cooper	Kennedy	Symington
Cotton	Knowland	Thye
Curtis	Kuchel	Watkins
Dirksen	Lausche	Wiley
Douglas	Mansfield	Williams
Dworshak	Martin, Iowa	
Flanders	Martin, Pa.	

NOT VOTING—12

Bridges	Langer	Payne
Butler	McClellan	Potter
Ervin	Monroney	Smathers
Goldwater	Neely	Yarborough

So Mr. MORSE's amendment was rejected.

Mr. GORE. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER (Mr. PASTORE in the chair). The amendment will be stated.

The LEGISLATIVE CLERK. On page 30, line 13, after the period, it is proposed to insert the following:

Loans shall be made from the fund only on the basis of firm commitments by the borrowers to make repayment and upon a finding that there are reasonable prospects of such repayment.

Mr. GORE. Mr. President, in order that the Senate may understand the amendment, I take the privilege of reading it. I propose to add a new sentence on page 30, after period in line 13:

Loans shall be made from the fund only on the basis of firm commitments by the borrowers to make repayment and upon a finding that there are reasonable prospects of such repayment.

I support the movement from a grant program to a loan program, but I should like to have the assurance of this amendment written into the law, that the program will be administered as a loan program rather than as a grant program.

I find in four places in the report of the committee references indicating that this program will be a loan program, but I do not find the requirement in the bill. For example, on page 11, about the middle of the page, I find the following language in the report:

The fund will operate on the basis of firm commitments to repay all loans either in dollars or other currencies.

I will not burden the Senate by citing the other instances in the report in which this principle is spelled out. I hope the committee will accept the amendment, because it would place in the bill provisions which the report describes as the purpose and intent of the bill.

Mr. GREEN. Mr. President, I am happy to join the junior Senator from Tennessee in support of this amendment.

To answer the question some Senators have raised, it would make clear that this is to be a true loan fund, and that it cannot be used for loans in cases in which eventual repayment cannot be expected, which would only be disguised grants.

Under the terms of this amendment, when the fund made a loan the borrower would have to undertake a firm commitment to make repayment, and at that time a finding would have to be made that there were reasonable prospects that the borrower would live up to such commitment.

As Senators know, the President is authorized to determine the terms and conditions of repayment. I am sure the Senator has in mind, as I do, that the development loan fund would be used to make loans involving greater risks than those which would be financed by

the Export-Import Bank, the World Bank, and private investment capital. That lies at the very heart of the concept of this fund. It is intended that it shall be used to make loans which other sources would not make, so that the fund would not compete with those other sources, but rather would supplement them.

The proposed finding referred to in the amendment would, of course, take into account the basic idea that loans from the fund would involve greater risks than those assumed by other financial institutions. Also I am sure that the proposed findings would recognize that the fund's expectation of repayment would generally be based upon the country's overall prospects of long-range development which would produce resources from which repayment would be made, rather than on the revenue prospects of the particular projects involved.

The amendment is consistent with the attitude of the Committee on Foreign Relations in its treatment of the development fund. I have consulted with various committee members, but not all of them. In my capacity as chairman, I am willing to accept the amendment.

Mr. GORE. I thank the Senator.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. KENNEDY. I am interested in the Senator's amendment. It deals with an important element in the bill. I hope no Senator will vote for this loan program—and I am in support of it—with any firm conviction that the money will be paid back in dollars. If the country in question has dollars, under the provisions of the bill, it is more likely that it will turn to private sources, or to the World Bank. The fund comes third on the list of the sources which should be used. So it is rather doubtful if borrowers will turn to this fund unless their dollar balance is in stress, and there is a prospect that they could pay back only partly in dollars and partly in local currency. Then we should be faced with the question of what we could do with the local currency.

The Senator from Arkansas considers the desirability of having excellent administration. He was very strong in his support of former Ambassador Dillon. I agree with him. I think the program will have difficult days before it becomes a vital part of our foreign policy. Unless the administration of the program is one in which all of us can have confidence, the administrator will be exposed to charges of not fulfilling the purpose of Congress.

I do not anticipate that it will be possible for the administrator of the loan fund always to be paid back in dollars. For that reason, I think the fund will become depleted as time goes on, and that it will not be a revolving fund, as the World Bank fund is.

Even realizing that, I am in support of the bill and in support of the Senator's amendment.

Mr. GORE. I thank the able junior Senator from Massachusetts. My amendment does not change the concept of the bill as to the manner of repayment. That will be left untouched. The amendment does write into the bill the intent spelled out in the committee report, but omitted from the bill.

It is particularly important that this amendment be written into the bill because, if Senators will read the additional sentence in the paragraph in the middle of page 11, of the report, they will find:

> Advances for this purpose may be made to private individuals and entities, quasi-public organizations, governments, and regional and international organizations.

If we are to undertake a program by which we authorize our Government to use a revolving fund from which to make loans even to private individuals and entities, then I think we should write into the bill the requirement that loans from the fund be made only after there is a finding that there is a reasonable prospect of repayment and assurances of repayment.

I appreciate the support of the distinguished junior Senator from Massachusetts. I concur in his statement. I appreciate the acceptance of the amendment.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BUSH. Does the Senator's amendment contemplate that loans under this provision must be repayable in dollars?

Mr. GORE. It does not.

Mr. BUSH. It does not?

Mr. GORE. No.

Mr. MANSFIELD. Mr. President, I am prepared to yield back the remainder of my time, if the Senator from Tennessee is disposed to do likewise.

Mr. GORE. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time has been yielded back. All time for debate has expired. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. GORE].

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, I would not impose myself upon the Senate at this late hour, except for the deep conviction that, unless we take prompt action to keep Congress advised in all respects about the programs and steps which are taken for the expenditure of the people's funds, we are in danger of losing the battle in which we are engaged for the preservation of free government.

I therefore call up my amendment 6-11-57-A.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 47, line 23, before the period it is proposed to insert a semicolon and the following:

> And at the end thereof insert the following: "The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities."

Mr. O'MAHONEY. In order to expedite action on the amendment, I now ask for the yeas and nays.

The yeas and nays were ordered.

Mr. O'MAHONEY. I thank Senators for granting the yeas and nays. I yield myself 15 minutes.

Mr. President, an examination of the bill reveals that while it provides in various places for reports to Congress, it does so in language that makes it clear that reports will be made after the fact, instead of before the fact. The best illustration of this is to be found in the provision of the measure dealing with military aid to Yugoslavia.

When the proposal was made, at the time the mutual security bill was before Congress a year ago, opposition was raised to any sort of aid to Communist Yugoslavia. I felt at that time that if the interest of the United States required such aid, and Communist Yugoslavia was not a part of the Communist conspiracy, the President should be permitted to report to Congress. The amendment which I offered was adopted. I shall read it. It is section 143, and will be found on page 39 of the committee report. It is near the bottom of page 39, and reads as follows:

> SEC. 143. Notwithstanding any other provision of law, no assistance under this title or any other title of this act, or under any provision of law repealed by section 542 (a) of this act, shall be furnished to Yugoslavia after the expiration of 90 days following the date of the enactment of this section, unless the President finds and so reports to the Congress, with his reasons therefor, (1) that there has been no change in the Yugoslavian policies on the basis of which assistance under this act has been furnishd to Yugoslavia in the past, and that Yugoslavia is independent of control by the Soviet Union, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that it is in the interest of the national security of the United States to continue the furnishing of assistance to Yugoslavia under this act.

The amendment was warmly received and adopted by the Senate at that time. However, the bill sent to Congress this year, and introduced by request by the distinguished Senator from Rhode Island [Mr. GREEN] and the distinguished Senator from Wisconsin [Mr. WILEY], provided for the repeal of section 143. I am happy to note that the Committee on Foreign Relations was unwilling to repeal it. However, it is reported to the Senate as a substitute, which has been

carefully drawn to eliminate prior report to Congress. Let me read it. It is section 143 and reads as follows:

SEC. 143. Assistance to Yugoslavia: In furnishing assistance to Yugoslavia, the President shall continuously assure himself (1) that Yugoslavia continues to maintain its independence, (2) that Yugoslavia is not participating in any policy or program for the Communist conquest of the world, and (3) that the furnishing of such assistance is in the interest of the national security of the United States. The President shall keep the Foreign Relations Committee of the Senate, the Foreign Affairs Committee of the House of Representatives, and the Appropriations Committees of the Senate and of the House of Representatives fully and constantly informed of any assistance furnished to Yugoslavia under this act.

Senators will note that the word "furnished" is in the past tense, making it clear that the purpose of the amendment is to advise Congress only after the act has been taken.

That is not the sort of information the legislative body of a free government should require.

The great contest that is going on in the world is a contest between free government and totalitarian government, headed by managerial officials of one kind or another. Sometimes they are Communist and sometimes they are Fascist, but they conceive that they, and they alone, are competent to deal with what the people ought to take. In our Government, the sole legislative authority is the Congress of the people. When we, in the interest of national defense and in the interest of economic aid to nations of the world, are granting broad powers for the expenditure of moneys of the people, we ought to be careful that we know in advance what is being done.

Let me give another illustration of how the reports to Congress are reports after the fact. On page 31 of the bill, in section 202 (b), beginning at the bottom of page 30, I find these words:

Guaranties under this subsection shall be subject to the provisions of section 413 (b) (4), except subparagraph (F) thereof. The administrator of the fund shall furnish to the Foreign Relations Committee of the Senate and to the Foreign Affairs Committee of the House of Representatives a report on each financing operation or transaction involving more than $10 million of the fund's assets and involving an activity requiring longer than 1 year to complete. Such report shall be made at the time such financing operation or transaction is consummated.

I emphasize the last sentence:

Such report shall be made at the time such financing operation or transaction is consummated.

There is no requirement for a report on any transaction involving less than $10 million, or, indeed, strictly speaking, involving $10 million. The language is "more than $10 million." So the administrator of the fund, in the language of the bill, is free to make commitments for any number of operations and transactions for $10 million or less, without making the slightest report hereafter to Congress.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield.

Mr. CASE of South Dakota. I should like to ask the distinguished Senator from Wyoming if the final sentence of the amendment which he has offered would permit the President or a member of the executive branch to plead privilege in case the information sought were of such a nature that, in the judgment of the President, it would impair the security of the United States. Certainly it must be recognized that in the administration of the act the President and the ICA will be dealing with many sensitive matters. I was wondering what interpretation the Senator would put upon that language.

Mr. O'MAHONEY. I am certain that no committee of Congress, either of this body or of the House of Representatives, would wish to make any disclosure of any really sensitive material. I think that if the President of the United States should claim the executive privilege with respect to the expenditure of the funds which are delegated to him, the committee would never raise a question at all. But the sad fact is—and the bill proves—that while we grant the authority to the President, the bill contains language which puts the spending authority really in the hands of underlings of the Executive.

Such officials, my belief is, are the ones who are required to come before the committees and answer questions. If they are dealing with a sensitive matter, a classified matter, one which would involve the security of the United States, and the President said so, there would be no difficulty at all under this language. But the sad fact is that the claim of Executive privilege has been greatly expanded in recent years.

Mr. CASE of South Dakota. The junior Senator from South Dakota is perfectly sympathetic to the purpose of the amendment, with respect to such information as Congress might desire with respect to the activities and the responsibilities of any agency under the act. I think the statement of the Senator from Wyoming perhaps provides assurance as a part of the legislative story in the consideration of the amendment.

Mr. WILEY. I think it does. It was intended to do so.

Mr. CASE of South Dakota. I should like to read the final sentence of the amendment and then have the Senator from Wyoming elaborate upon the statement, if he cares to do so. The amendment proposes, in the final sentence, this requirement:

Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities.

Having read that sentence, I ask the Senator from Wyoming, the sponsor of the amendment, this direct question: Would that language, in the Senator's judgment and in his interpretation, constitute a waiver of executive privilege, when the bill has been passed by Congress and signed by the President?

Mr. O'MAHONEY. It would constitute a waiver of executive privilege by any subordinate of the President, unless the President himself exercised his privilege.

Mr. CASE of South Dakota. But if the President exercised the privilege, then the subordinate or the employee of the agency could cite it.

Mr. O'MAHONEY. It is generally agreed that the President has the constitutional right, in matters of foreign relations, to decline to give out information when he believes that such information would impair the national security. I am not dealing with that matter at all. A statute could not overrule a constitutional right.

But where, as we know in this case, the power that we grant to the President must be exercised by subordinate officials who never see the President, then I want to be certain that the executive privilege is not extended to such persons.

There were examples before the Committee on Government Operations last year. The distinguished Senator from Arkansas [Mr. MCCLELLAN], who is a cosponsor of the amendment, related some of those facts. There was a program to expend a large amount of money for the construction of a wheat warehouse in the country of Pakistan. Competitive bids were sought. They were received, but they were rejected. Even the best bid was rejected.

Mr. CASE of South Dakota. The Senator from South Dakota remembers the incident.

Mr. O'MAHONEY. The Senator recalls that incident.

Mr. CASE of South Dakota. Yes, I do.

Mr. O'MAHONEY. Before the information was secured, which prevented the expenditure of that fund, it became necessary for the committee to summon before it the chief official.

Mr. CASE of South Dakota. I think the record now is clear, but I want to shorten the question, and then I shall ask the Senator from Wyoming to comment on it. Then I think we will have solved the problem. Does the Senator think that when the bill is passed and is signed by the President, the signing of the bill by the President will constitute a waiver by him of his right to voice and claim executive privilege with respect to the matters in the act?

Mr. O'MAHONEY. I do not think it would constitute a waiver of the President's executive privilege; no.

Mr. CASE of South Dakota. Even though he signs the bill?

Mr. O'MAHONEY. Even though he signs the bill.

Mr. CASE of South Dakota. I thank the Senator.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY The Senator from Wyoming recalls that we had a colloquy last evening about this very amendment. At that time it was the contention of the Senator from Minnesota that Congress could not pass legislation which

would compel the President to divulge information which he felt, under his constitutional right as President of the United States, he did not need to divulge. I read from page 9012 of the RECORD of June 13, 1957, as follows:

Mr. HUMPHREY. I did not say that at all. I said we cannot pass legislation here which would compel the President to divulge information that he feels under his constitutional right as President of the United States he does not need to divulge. We can pass legislation which says, "The only way, Mr. President, you can carry out this program is to do as we say in terms of reports." And the President will have to either sign it or reject it.

My feeling was that the language in the sentence to which the Senator from South Dakota made particular reference is a language which, if left in the bill as now written, or in the amendment as now written, might very well compel the President, after he seeks legal advice from the Department of Justice, to have to veto this measure, because I am afraid it goes further than the intent of the Senator from Wyoming, since the bill is written to place all these funds under the jurisdiction of the President.

I say to the Senator from Wyoming that it is true—and I concur fully with his observation—that the funds will not be spent directly by the President, but will be spent by agents of the President who are responsible to him. For example, the President appoints the Director of the loan development fund, and the nomination of the Director must be confirmed by the Senate. It is a Presidential appointment, and the appointee is subject to removal by the President. The President also appoints the ICA Director, who is in full charge of the program. That appointment is likewise subject to confirmation by the Senate, and the appointee is subject to removal by the President.

Mr. O'MAHONEY. Mr. President, I invite the attention of the Senator from Minnesota to the language dealing with southeast Asia, appearing on page 28, beginning in line 16, as follows:

The President or such officer as he may designate shall report each instance of such waiver—

The waiver is explained a little before that—in line 14—by the words—

The President may waive specific provisions of section 142 to the extent he may deem necessary in the national interest to carry out the purposes of this act.

Those words are followed by the sentence I began to read, which in full is as follows:

The President or such officer as he may designate shall report each instance of such waiver to the Foreign Relations, Appropriations, and Armed Services Committees of the Senate and the Foreign Affairs, Appropriations, and Armed Services Committees of the House of Representatives within 30 days.

My point is that this information should be obtained before the act; and there is here a clear indication of the delegation to a subordinate by the President; and those subordinates do act.

Mr. HUMPHREY. I fully concur.

Mr. O'MAHONEY. Again I say, as I said to the Senator from South Dakota, that a statutory provision cannot waive the constitutional power of the President. But I am speaking of the constitutional power of the President, not the constitutional power of subordinates, because there is no such power.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield.

Mr. O'MAHONEY. I yield.

Mr. HUMPHREY. I agree with the Senator's analysis. The agents act in the name of the President. But this is what causes me some concern. I wish to say that I am very sympathetic with the objectives of the amendment, and basically I believe that the purpose of the amendment is covered by the proposed legislation as now prepared, but perhaps not as specifically as we need to have it covered.

Mr. O'MAHONEY. That is exactly the case.

Mr. HUMPHREY. Therefore, I am trying to work with the Senator from Wyoming, in hopes that we can arrive at language which, at least from my point of view, I can support wholeheartedly.

I wonder whether the Senator will refer to the language on page 1 of his amendment, in line 7, where the amendment directs the Secretary of State to keep these committees informed. The amendment uses the words "fully and currently informed."

It appears to me that if the words "fully" were included, but if the words "and currently" were deleted, that would be helpful. The directive is that the committees must be kept fully informed. But to be kept currently informed might imply almost a day-to-day type of reporting, which I believe would impair the administration of foreign policy.

Mr. O'MAHONEY. But we have a precedent which I believe should relieve the Senator from Minnesota from his doubt. The language to which he is referring relates back to the precise language of the Atomic Energy Act. When Congress was passing that measure, Congress was dealing with a great, new natural power, the destructive quality of which Congress was not fully informed about. But in the present case we are dealing with the expenditure of the people's money all over the globe, and in many ways which the President is utterly unable to supervise.

Let us consider, for example, the language on page 30, at the beginning of paragraph (b) of section 202, as follows:

(b) To carry out the purposes of this title, the President is hereby authorized to make loans, credits, or guaranties, or to engage in other financing operations or transactions (not to include grants or direct purchases of equity securities), to or with such nations, organizations, persons—

That means individuals—

or other entities.

What sort of an entity is meant? This language is so broad that it places the entire revolving fund created for economic aid—and I am strong for economic aid, rather than the furnishing of military equipment to be used for the destruction of life—in such a position that it is subject to loose expenditure. When we are dealing with a measure of this sort, we should be able to protect the people of the United States from the loose expenditure of the billions of dollars which in this measure are authorized for appropriation.

Mr. HUMPHREY. Mr. President, I wish to say that every Member of the Senate is deeply indebted to the Senator from Wyoming for his diligence in having adequate checks placed upon any officer of the Government who is authorized to spend large sums of money; and it is important that such checks be provided in the pending bill.

Mr. O'MAHONEY. I am confident that if the amendment is adopted by the Senate and is placed in the searchlight of the conference, the necessity for such an amendment will be recognized; and if in conference a change is desired, it can be worked out there.

The important thing is to make sure that the Congress of the United States, which is the custodian of the money of the people, shall not be deprived of a prior look at the projects which are to be adopted.

Mr. HUMPHREY. Mr. President, will the Senator from Wyoming yield, to permit me to make a final observation and to ask a question? I know that other Senators wish to interrogate him.

Mr. O'MAHONEY. I am glad to yield.

Mr. HUMPHREY. I feel most sincerely that if the sentence on page 2 of the amendment, in line 4, to which the junior Senator from South Dakota [Mr. CASE] referred, could be modified or deleted or in some way clarified by language included in the amendment, so as not to impinge upon what I believe to be prerogatives of the Executive—which Senators should guard just as zealously as they guard their own Congressional prerogatives—then I would be in accord with the amendment.

I know the State Department feels that the language about keeping the Congress "fully and currently informed" may lead to some troubles in administration. But I doubt that; I am convinced that the Congressional committees would not ask for undue activities on the part of the State Department, but would ask only for proper reporting.

However, I am concerned about this matter from the constitutional point of view. Every Senator has his own viewpoint regarding what is a constitutional question.

Mr. O'MAHONEY. I am very happy that the Senator from South Dakota and the Senator from Minnesota have pursued this matter. I think we are making a valuable legislative history in regard to construing the meaning of the language; and inasmuch as the amendment has been supported, I think the RECORD contains ample evidence of the fact that the amendment is needed.

Let us consider, for example, the language on page 36, beginning in line 24;

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it is part of section 206. I now read the sentence beginning at that point:

If the administrator of the fund follows a course contrary to the advice of a majority of the committee—

And of course that is the Advisory Committee, which is established by the language on page 36, in lines 7 to 18—

with respect to any such subject, he shall furnish to the committee and to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a statement of his reasons for doing so.

There again it is after the fact, because if it were intended to be before the fact, the words "before acting" would be inserted on line 2, after the word "shall." That would make it certain that it was before the fact, but as it is written, it is after the fact. That is why it is necessary for us to protect the power of Congress with respect to subordinates.

In the case to which I started to refer, and which the Senator from South Dakota [Mr. CASE] said he recalled vividly, the President was not vaguely connected with the matter. It was all under the control of one of his subordinates, and that subordinate, having ordered rejection of the bids, then ordered that the contract be awarded to one of the low bidders, a corporation which had not been in business as much as a year. That is obviously not in the public interest, and it is so obvious that when finally the Committee on Government Operations was able to get that officer before it, the committee got the information and stopped the deal. We have made a legislative record.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. O'MAHONEY. May I ask the Presiding Officer how much time I have left?

The PRESIDING OFFICER (Mr. PASTORE in the chair). The Senator has 30 minutes remaining.

Mr. O'MAHONEY. I yield myself sufficient time to answer the Senator from Indiana.

Mr. CAPEHART. My question is this: Why is there any more reason to have this language in the bill than to have similar language in the Export-Import Bank Act, under which the Export-Import Bank loans literally billions upon billions of dollars, or in the International Bank Act, or in the Housing Act, or in the Defense Department appropriation bill, because the Defense Department spends literally billions upon billions of dollars?

Mr. O'MAHONEY. Because none of those agencies could refuse a request.

Mr. CAPEHART. Or the old ICA Act, under which we are working at the moment. My question is: Why is it necessary to have this language in the pending measure when it is not in all those other acts?

Mr. O'MAHONEY. Because the President is not acting in the other cases.

Mr. CAPEHART. I do not understand what the Senator means.

Mr. O'MAHONEY. We are dealing here with foreign relations under the direction of the State Department. We are making authorizations for expenditure by the President, but we know there is not time enough in a month for the President to give any attention to any part of the transactions.

Mr. CAPEHART. Is the Senator not now being technical, because all appropriations, regardless of what they are for, are under the direct responsibility and supervision of the President of the United States?

Mr. O'MAHONEY. Not at all.

Mr. CAPEHART. How long has that been going on?

Mr. O'MAHONEY. Since the very beginning of the Government, when the constitutional fathers wrote into the Constitution that no money could be expended from the Treasury except by an appropriation of Congress. Congress has the power of the purse, and the minute we lose the power of the purse we shall lose free government and sacrifice the authority of the people.

Mr. CAPEHART. My point is: Why is it so important to write this sort of language in the bill before the Senate when we have never done it before?

Mr. O'MAHONEY. Because we now are at the point where the Treasury of the United States is finding itself unable to borrow money without paying high interest rates. We are now at the point where we know that the bonds of the United States have sunk away below par. The Second Liberty Loan Bonds on the market today are not quoted at more than 88. That is the reason. Because, while other governments are using our appropriations to pay their debts, we are appropriating money to increase our debt.

Mr. CAPEHART. The able Senator does not want us to believe that the Congress is going to pass on every individual loan and every individual transaction, does he?

Mr. O'MAHONEY. Of course not. The amendment does not so provide.

Mr. CAPEHART. The amendment provides that Congress can call before it any disgruntled employee of the executive department, who will be able to say whatever he pleases; and we shall no longer have orderly government.

Mr. O'MAHONEY. The Senator is not talking seriously.

Mr. CAPEHART. Yes; I am very serious.

Mr. O'MAHONEY. The Senator from Arkansas desired to ask me a question.

Mr. CAPEHART. I am talking very seriously.

Mr. O'MAHONEY. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I have 2 or 3 questions. I wonder why the Senator from Wyoming did not submit the amendment to the committee, so the committee could have some idea how much the adoption of the proposal would cost, and how much of an additional staff would be required.

Mr. O'MAHONEY. I wanted to do it, but time passes on so rapidly. I am a member of the Judiciary Committee, I am a member of the Joint Economic Committee, I am a member of the Interior and Insular Affairs Committee. I was busy day and night with tasks assigned to me by those three committees, and I did not have time. I was disappointed when I found the report had been submitted by the committee last week, instead of this week. I thought I would have ample time to appear before the committee. I have appeared before the Foreign Relations Committee, as the Senator well knows, when he and I were in agreement.

Mr. FULBRIGHT. Has the Senator had any estimate made of how many additional staff members would be necessary if there were a requirement to file current reports of such activities? Does the Senator not know it would require an enormous number of people?

Mr. O'MAHONEY. Is the Senator making an argument for the maintenance of executive secretary?

Mr. FULBRIGHT. No.

Mr. O'MAHONEY. That is what it amounts to.

Mr. FULBRIGHT. We have been functioning for a number of years without this particular amendment.

Mr. O'MAHONEY. And a lot of money has been expended, and many proponents of the bill have acknowledged on the floor during the debate that there has been waste and extravagance—necessarily so. I am seeking to protect against the unnecessary expenditure of Government funds.

Mr. FULBRIGHT. We are coming to the point now. I do not wish to stand here and say the administration is without fault. As a matter of fact I have often said it has been. Unfortunately, under our system, we have an executive and a legislative branch——

Mr. O'MAHONEY. "Unfortunately," does the Senator say?

Mr. FULBRIGHT. Because the Senator feels disappointment——

Mr. O'MAHONEY. Does the Senator say "unfortunately"? If he does, he answers my case.

Mr. FULBRIGHT. If the Senator does not want me to ask questions, I shall not do so, but shall speak on my own time.

Mr. O'MAHONEY. When the Senator says it is unfortunate that we have a legislative and an executive branch, I want to know what he means. It is not unfortunate. It is a free government.

Mr. FULBRIGHT. Of course, as the Senator well knows, I did not mean it is unfortunate that we have a legislative and executive branch. What I started to say was that under our system of Government the very fact that we have a legislative and executive branch necessitates that one branch must, occasionally, accord to the other branch a certain degree of trust. If the amendment of the Senator from Wyoming means anything, it means that he is not satisfied with the way the executive branch is administering the law, and he wants the legislative branch to take over that function by requiring full and current reports, why does the Senator want that if it is not to assume the responsibility which is in the Executive? If we are to be fully informed, then I suppose we should take the responsibility of administering the law day by day. It is a wholly unworkable approach to this problem.

Mr. O'MAHONEY. I do not agree with what the Senator concludes at all, because the same language is in the Atomic Energy Act, and it has not resulted in any day-to-day assumption by the Congress of the functions of the Atomic Energy Commission.

Mr. FULBRIGHT. This provision is not restricted to any one agency. It is practically the whole Government the Senator wishes to have brought up here.

Mr. O'MAHONEY. The Senator knows it is restricted to those carrying a responsibility under this bill.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Oregon.

Mr. MORSE. Is it not true that the Export-Import Bank was established under very detailed legislation, setting forth a great many legislative standards, controls, and regulations, whereas the proposal in this bill does not begin to provide the kind of checks we have on the Export-Import Bank.

Mr. O'MAHONEY. The Senator is quite correct.

Mr. President, there are innumerable quotations from the bill which I could read to prove my point that the Congress should retain its power to know what is being done with the people's money. That is all I ask.

For almost 50 years we have been watching the Congress delegate away its powers to the Executive. We did it after the "crash," when we first appropriated some $3 billion to repair some of the damage caused by the depression in 1933. There was a grant of legislative power to the Executive, there is no doubt about it. It was exercised. But this practice is becoming so habitual now that we are bound to lose our legislative power. We are sacrificing the great distinction between our Government and every other government on earth, except perhaps the British Government. We have a legislative power that is still dominant. We do not have managerial government. But we are drifting into it.

Mr. President, I reserve the remainder of my time.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. I yield to the Senator from Ohio.

Mr. LAUSCHE. If the amendment offered by the Senator from Wyoming should be adopted, would the Senator be so kind as to describe to me what the procedure would be, what the Senate and the House committees would do after the reports were filed, and why this procedure is suggested?

Mr. O'MAHONEY. The point is this, I will say to the Senator from Ohio: the Committee on Government Operations would be assured that when it called any officer or employee to testify with respect to a fact, the answer would be promptly given without reluctance. The Department of State says in its letter that it is willing to cooperate with the Congress. It says it comes down and tells these things. But the provisions of this bill, which I have read clearly call for reports only after the act has taken place.

Mr. SALTONSTALL. Mr. President, as the acting minority leader I yield 5 minutes to the distinguished chairman of the committee, the Senator from Rhode Island [Mr. GREEN].

Mr. GREEN. I thank the Senator.

Mr. President, I should like to make a few comments about this proposed amendment.

This amendment would require any executive branch official to furnish, on request, any information, whether documents or testimony, desired by any committee of Congress as to any mutual-security activity or responsibility.

This amendment in substantially the same form was offered during floor debate on the mutual-security program authorization bill last year, was thoroughly debated, and was rejected by a vote of 58 to 23.

I hope we will be faithful to the action taken by our predecessors, and do as well as they did.

This amendment raises a delicate question of the constitutional relations between the Congress and the President. It would set an important precedent on a problem not peculiar to the mutual security program. It should be debated on its merits in a general bill and not be dealt with as a rider to a mutual-security bill.

The amendment is not necessary. The Committee on Foreign Relations and the Committee on Appropriations have always been able to get all the information they need about mutual-security programs. Moreover, if the matter is important enough the Congress can always get the information it wants from the Executive by denying appropriations to the Executive. This kind of action, however, should be taken by the Congress and not by a single committee of Congress.

It is doubtful whether the amendment is constitutional. Our Government is one of separated powers. The Congress should be jealous of its power, but it should also jealously guard the power of the President. A committee of Congress is not the Congress, and should not act as if it were the Congress. The Congress may ask the President to report to the Congress, but a committee of Congress should not ask the President to report to it.

The amendment is very broad in its scope. It applies not only to documents, but directs that no oral testimony shall be withheld from a committee. Any information asked for by a committee of Congress must be furnished. It does not matter whether the information is unclassified or top secret; whether it is a conversation between the President and the Secretary of State or whether it is a conversation between two janitors; or whether a document consists of preliminary notes or whether it is a final document—all must be handed over at the demand of a committee, whether the disclosure of the information would injure the national security or not.

For all these reasons, Mr. President, it seems to me that the amendment should not prevail.

Mr. SALTONSTALL. Mr. President, I yield myself 2 minutes.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter dated June 13, 1957, from the Director of the International Cooperation Administration, Mr. John B. Hollister, addressed to the chairman of the Committee on Foreign Relations, the Senator from Rhode Island [Mr. GREEN].

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL COOPERATION ADMINISTRATION,
Washington, D. C., June 13, 1957.

Hon. THEODORE F. GREEN,
Chairman, Committee on Foreign Relations, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: This is in reply to the letter of June 12 from Mr. Marcy of your staff requesting our comments on the amendment which Senator O'MAHONEY plans to propose during floor debate on S. 2130. That amendment would add at the end of section 534 of the Mutual Security Act of 1954, as amended, the following new language:

"The Secretary of State shall keep the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of State or any agency thereof under this act. The Secretary of Defense shall keep such committees and the Committees on Armed Services of the Senate and House of Representatives fully and currently informed with respect to all activities of the Department of Defense under this act. Any Government agency shall furnish any information requested by any such committee with respect to the activities and responsibilities of that agency under this act and it shall be the duty of any officer or employee of the Government having information relating to programs being administered under this act to furnish promptly to such committee or committees, upon request by any such committees, full information with respect to such activities and responsibilities."

1. The first two sentences of this new language would require that the designated committees be "fully and constantly informed" with respect to "all activities" under the Mutual Security Act of 1954, as amended. We oppose such a requirement as unnecessary and inadvisable.

We fully agree on the vital importance of keeping Congress fully informed with respect to the mutual security program. We believe the present arrangements and requirements for informing Congress with respect to the mutual security program amply serve that purpose. Each year the executive branch makes a full presentation on this program to the Senate Foreign Relations Committee and to several other committees. This presentation includes the submission of extensive written materials with respect to the program, as well as the personal testimony of numerous witnesses from the executive branch. The content of these presentations is determined in consultation with representatives of the various committees before which we appear. So far as I know, we have included in these presentations all of the information the committees have requested us to submit, including classified information.

In addition to this annual presentation to the Congress, we submit to the Congress semiannually, as required by section 534 of the Mutual Security Act, reports covering each 6 months of operations under this act. These reports include detailed information

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on the implementation of several sections. Also, as required by section 513 of the act, we specifically inform the Congress of all substantial changes from the illustrative programs submitted during the annual presentations to Congress, and report each action taken under specified sections of the act.

And beyond these regular procedures for informing and reporting to the Congress, we furnish additional information in response to the frequent requests we receive from congressional committees and from individual Members of the Congress.

In light of these existing requirements and arrangements for furnishing information to Congress, we do not believe the first two sentences of the O'Mahoney amendment would serve any useful purpose.

Furthermore, it is not clear what those two sections require. Read literally, they could require extensive daily or weekly reports to the congressional committees on every minute detail of operations in some 65 countries under the mutual security program. This would patently impose an impossible administrative burden on executive agencies as well as deluging the committees with far more information than could usefully be absorbed. If, as we presume is intended, the amendment contemplates reports at less frequent intervals and in less minute detail, it would appear to add nothing useful to the present reporting and information requirements and arrangements described above.

2. With respect to the final sentence of the proposed amendment, I would like to call to your attention the following statements made by Secretary Dulles in a letter of June 28, 1956, to Senator George regarding an amendment advanced last year by Senator O'MAHONEY on this same subject (although differing in some respects from the present amendment):

"Such an amendment would not be in the national interest to the extent that it is intended to require officers and employees of the executive branch to make available information which, in the judgment of the President, should not be disclosed. Any such provision would adversely affect the conduct of our foreign relations, the administration of the mutual security program, and the operations of whole areas of this and other departments, only incidentally related to mutual security activities. Moreover, the questions raised by the proposed amendment raise substantial constitutional questions, in that the amendment would purport to withdraw from the President the authority to determine when and under what circumstances the disclosure of information relating to the conduct of foreign affairs and national security would be in the public interest. Such a provision would be inconsistent with the theory of separation of powers of the legislative and executive branches as it has been understood and followed since the administration of President Washington. For these reasons the Department of State is opposed to the enactment of this amendment.

"I wish to make it clear nevertheless that the Department is ready as it has always been, to inform the appropriate committees of Congress fully as to actions taken and determinations made in implementation of the mutual security program and the considerations upon which they are based. As you and members of your committee are aware, officers of the Department, the International Cooperation Administration, and the Department of Defense appear before your committee for several weeks of testimony each year on these matters and discuss them periodically during the year with your committee and other interested committees. As much of the information as possible has been provided on an unclassified basis. Sensitive information which could not be made public has been provided to the appropriate committees on a classified basis.

"The proposed amendment, however, would purport to require any officer or employee of the Government having information, or having custody of documents or other data relating to programs being administered under the act to furnish such information and documents promptly on request to any appropriate committee of either House or joint committee of the Congress, or any subcommittee of such committee. The material which could be requested under the amendment would involve substantially every file in the Department containing foreign or domestic political or economic information, as well as considerable foreign military and intelligence information held by this Department, the Department of Defense, and other agencies.

"Such an amendment, if enacted, would pose grave problems in the conduct of our foreign relations. It has always been recognized that the day-to-day process of diplomatic communication and consultation, both formal and informal, through which the President is informed of current and prospective developments in foreign countries, must necessarily be carried on in confidence. For instance, private conversations between the President, or the Secretary of State, and our Ambassadors and the heads of foreign states and their representatives cannot be carried on with frankness except on the assumption that memorandums of such conversations will be given the most limited and discreet distribution, even within the executive branch. The same is true of much of the informal contact at lower levels which plays so essential a role in the conduct of foreign relations. In the absence of ability to respect such confidences in the manner which has been traditional in relations between nations for centuries, the conduct of diplomacy would be well nigh impossible.

"It is equally essential to the efficient and effective administration of the mutual security program that the President have the benefit of confidential advice from the officers primarily responsible and answerable to him within the executive branch, and that they, in turn, have the same complete and candid advice from their subordinates. This frank exchange of views would not be possible if the provisions of the proposed instructions required by the amendment were put into effect. I am sure the practical necessity for such relationships in deliberation and staff administration has been demonstrated in the experience of the legislative and judicial branches as well as in the executive branch of the Government. Some reasonable line must be drawn between the interest of Congress in carrying out investigations in furtherance of its legislative functions, and the responsibility of the President to administer the laws. It is not to the interest of the Government, or of the Nation as a whole, that the responsibilities of any branch be carried out by methods which would seriously impair the ability of any other branch to function effectively."

We would consider the present amendment proposed by Senator O'MAHONEY to require the furnishing of information to the Congress only in conformance with the principles described in the foregoing passages from the Secretary's letter. As such, the amendment would add nothing to the present arrangements and requirements for furnishing information to Congress, and we oppose it for this reason. If the amendment were intended to go beyond this and have the sweeping, unrestricted effect of last year's O'Mahoney amendment, then we would vigorously oppose it for the reasons set forth in the Secretary's letter.

While urging that this amendment not be adopted, I want at the same time to assure you that we intend to continue, as we have in the past, to cooperate to the fullest extent consistent with the principles set forth above in furnishing information to the Congress.

Yours very sincerely,

JOHN B. HOLLISTER.

Mr. SALTONSTALL. I invite attention of Senators particularly to the second item at the bottom of page 2, marked with the number 2, which refers to a letter from Secretary Dulles to Senator GEORGE, dated June 28, 1956, regarding an amendment advanced last year by the distinguished Senator from Wyoming [Mr. O'MAHONEY] on this same subject. He says, in substance, that such an amendment would not be in the national interest to the extent that it is intended to require officers and employees of the executive branch to make available information which, in the judgment of the President, should not be disclosed. That, it seems to me, is a very significant sentence in connection with this amendment.

Mr. President, does the Senator from Wyoming [Mr. O'MAHONEY] yield back the remainder of his time?

Mr. O'MAHONEY. Yes, I am ready to yield back the remainder of my time.

Mr. SALTONSTALL. I shall do likewise, Mr. President.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. SALTONSTALL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. SMATHERS] and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the Senator from North Carolina would vote "yea," and the Senator from West Virginia would vote "nay."

I further announce, if present and voting, the Senator from Florida [Mr. SMATHERS] would vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE], are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Michigan [Mr. POTTER] are necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from Michigan [Mr. POTTER] would each vote "nay."

The result was announced—yeas 31, nays 53, as follows:

YEAS—31

Anderson	Jackson	Mundt
Barrett	Jenner	Murray
Bible	Johnston, S. C.	O'Mahoney
Byrd	Kefauver	Revercomb
Carroll	Kerr	Russell
Chavez	Long	Scott
Church	Magnuson	Symington
Douglas	Malone	Talmadge
Eastland	Mansfield	Thurmond
Ellender	McClellan	
Frear	Morse	

NAYS—53

Aiken	Gore	McNamara
Allott	Green	Morton
Beall	Hayden	Neuberger
Bennett	Hennings	Pastore
Bricker	Hickenlooper	Purtell
Bush	Hill	Robertson
Capehart	Holland	Saltonstall
Carlson	Hruska	Schoeppel
Case, N. J.	Humphrey	Smith, Maine
Case, S. Dak.	Ives	Smith, N. J.
Clark	Javits	Sparkman
Cooper	Johnson, Tex.	Stennis
Cotton	Kennedy	Thye
Curtis	Knowland	Watkins
Dirksen	Kuchel	Wiley
Dworshak	Lausche	Williams
Flanders	Martin, Iowa	Young
Fulbright	Martin, Pa.	

NOT VOTING—11

Bridges	Langer	Potter
Butler	Monroney	Smathers
Ervin	Neely	Yarborough
Goldwater	Payne	

So Mr. O'MAHONEY's amendment was rejected.

Mr. FULBRIGHT. Mr. President, I call up my amendment identified as "6-13-57-C."

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. On page 40, line 2, it is proposed to insert the following:

(c) The President is authorized to use not to exceed $10 million of funds appropriated pursuant to subsection (a) of this section for assistance on such terms and conditions as he may specify, to schools, libraries, and community centers abroad, founded or sponsored by citizens of the United States, and serving as study and demonstration centers for ideas and practices of the United States, notwithstanding any other act authorizing assistance of this kind.

Mr. FULBRIGHT. Mr. President, the amendment is permissive to the President. It does not increase the amount of the funds authorized by the bill, but merely gives authority to the President to use them for this particular purpose. As is well known, there are two or three outstanding institutions in the Middle East. For example, there is the American University at Beirut, the Robert College in Istanbul, the Pearce College just outside Athens, Greece, and the Athens College in Athens.

That type of institution would be eligible for assistance under the amendment. It is not a mandatory amendment. The President would not have to use these funds, if he did not wish to do so. However, at the present time the President does not have authority to use appropriated funds for this purpose. He does have the authority to use Public Law 480 funds for this purpose, but unfortunately, in Lebanon there are no such funds.

The chairman of the board of trustees of the American University of Beirut came before our committee and testified as to the need of these funds. I believe the evidence is quite clear that the activities of these universities are beneficial to the interests of the United States and the Western idea of society as anything we are doing. I hope the Senate will accept the amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. LAUSCHE. Is there any precedent for this suggested activity?

Mr. FULBRIGHT. There is authority, as I have just stated, for the use of Public Law 480 funds, the only difference being that those funds refer to foreign currencies, whereas this amendment would permit the use of dollars. Such assistance is already being given to Robert College in Istanbul.

Mr. LAUSCHE. Would this be a precedent under which other areas would be asking us to help finance their colleges where such funds would be available?

Mr. FULBRIGHT. There is no geographical limitation under the amendment, if that is what the Senator has in mind. There is not now under existing law either. The question is whether such assistance would be beneficial to the interests of this country. There are many precedents for assistance to activities similar to that which is contemplated in the amendment. Some of them go back into the Boxer indemnity fund, which was in this general field, but not specifically limited to American students abroad. There are no additional funds required by the amendment. It gives authority for the use of funds if the administration sees fit to use them for that purpose.

Mr. LAUSCHE. Throughout the day the argument has been made that the people do not understand the salutary benefits that accrue to our country through the military assistance program. My belief is that that impression of the public is rooted in the fact that we have entered many fields which to the ordinary citizen have no relationship to the defense of the country. We have two objects to obtain. The first is to help defend our country. The second is to make certain that we are offering to the citizens a program which has some semblance of acceptability.

With all due deference to the lofty motives of the Senator from Arkansas, I have the fear that a program of this type will give opponents of what we are trying to do additional fuel with which to set fire to these efforts.

Mr. FULBRIGHT. I must say in reply, that I regret I am unable to agree with the Senator, that military assistance is the only way in which we can contribute to the security of our country.

I believe there are many ways by which we can contribute to it. Perhaps the military way, under the situation which is developing, particularly in the light of atomic energy developments, may be one of the ways that is proving to be obsolescent. There are many ways that are more important to the future protection of the interests of this country.

Mr. LAUSCHE. I subscribe fully to that statement. However, there is a limitation on what we can do. If we were to explore to the limit the statement just made by the Senator, we could bring within the purview of that statement almost any activity. Certainly we cannot begin to do that.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CASE of South Dakota. It may be desirable to have a definition of the term "community centers." What would "community centers" embrace?

Mr. FULBRIGHT. I do not know that there is any community center I can think of at the moment other than the institutions I mentioned, such as the American college, as well as the other institutions, which have community centers associated with them. They would be eligible under the authority granted in the amendment.

The language in the amendment was taken from the Smith-Mundt Act, and has a history of administration. That is the reason this particular language was used. At the moment I cannot think of a particular center. As I said, however, this amendment would give the President authority to do what is contemplated; it is not mandatory, but permissive.

In the hearings we received testimony only from a representative of the university in Beirut in Lebanon, although Robert College at Istanbul is also in great need of funds, as are the other institutions. I do not, at the moment, recall what community centers are involved in the Smith-Mundt Act. I wonder whether the Senator from New Jersey can enlighten us in that regard.

Mr. SMITH of New Jersey. I cannot answer the question with respect to community centers. However, I call attention to the fact that we have pursued the policy of exchanging students, as the Senator knows, under the Smith-Mundt Act and under the Fulbright Act. So we have established precedents for bringing youngsters from other countries to this country, and sending our students abroad. Under those programs selections are made without regard to race or creed, and without any discrimination whatever. We have supported, as the Senator has stated, colleges like the American University at Beirut, but unfortunately there are no Public Law 480 funds available with which to assist that institution. Funds would be available under the amendment, as I understand it, for Robert College, for example.

The fund might be used for the benefit of the Chinese in the university in Formosa, for example, if it were needed in an emergency.

All those institutions, I am advised, have been taken care of by private funds or private donations, and they probably still will be. There was some need for funds for colleges in the Middle East, where funds were not available, and it was felt that some of these funds could be brought in.

I am very glad to support the Senator in this amendment.

Mr. FULBRIGHT. I thank the Senator from New Jersey.

Mr. CAPEHART. Mr. President, will the Senator yield?

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Mr. FULBRIGHT. I yield.

Mr. CAPEHART. My observation has been that most of the Embassies or most of the so-called American colonies in the foreign countries—it is true in Latin America—have what are called community centers. I do not think the language particularly strengthens the bill. I suggest that the author of the amendment should strike out "community centers."

Mr. FULBRIGHT. If the Senator thought that was important, I would have no hesitancy in modifying my amendment by deleting those words.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CASE of South Dakota. I think the source, at least, should be defined; otherwise the language is pretty broad. If the language were stricken out, I do not think the amendment would be weakened.

Mr. FULBRIGHT. It is not particularly what we had in mind. We took the language from the other act, in order not to make the provision too extensive, although, as the Senator well knows, the President would still have to approve this sort of program and would have to define what "community center" itself meant.

Does the Senator from South Dakota feel that the language ought to be eliminated?

Mr. CASE of South Dakota. I think so.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may modify my amendment by deleting the words "community centers."

The PRESIDING OFFICER. The Senator from Arkansas has a right to modify his amendment, and it is modified accordingly.

Mr. CASE of South Dakota. Would the term "abroad" make the fund applicable to schools and libraries in South America, as well as in other areas of the world?

Mr. FULBRIGHT. That is correct.

Mr. HUMPHREY. Mr. President, I wish to offer an amendment to the amendment offered by the Senator from Arkansas. I have discussed my amendment with the Senator. I ask that the amendment be stated.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection to the request of the Senator from Minnesota?

Mr. KNOWLAND. Mr. President, I should like to know what the Senator from Minnesota is proposing by way of modification of the amendment.

Mr. HUMPHREY. Mr. President, I ask that my amendment to the amendment of the Senator from Arkansas be stated.

The PRESIDING OFFICER. The amendment to the amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the conclusion of the amendment offered by the Senator from Arkansas [Mr. FULBRIGHT], it is proposed to add the following:

Further, in addition to the authority contained in this subsection, it is the sense of Congress that the President should make a special and particular effort to utilize foreign currencies accruing under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, for the purposes of this subsection.

The PRESIDING OFFICER. Is there objection to receiving the proposed amendment at this time?

Mr. FULBRIGHT. I am perfectly willing to accept the amendment. It is almost identical with the language contained in the bill of last year.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I should like to have a little time yielded to me in opposition to the amendment.

Mr. KNOWLAND. I yield 5 minutes to the Senator from Louisiana.

Mr. ELLENDER. I think the amendment would establish a dangerous precedent. In the past, efforts have been made to provide cash grants or similar subsidies to colleges built abroad by Americans. Two years ago we put on the statute books authority whereby proceeds derived from the sale of surplus agricultural commodities under Public Law 480 could be made available to colleges abroad. Throughout the world there are a number of such colleges, some of which were established by various religious denominations.

The amendment makes no distinction between religious and nondenominational schools. A school, to be eligible for this aid, merely need be "founded or sponsored by citizens of the United States, and serving as study and demonstration centers." Any school meeting that test would be entitled to the money, even if controlled or operated by a religious denomination.

I fear that if we give dollar aid to religious schools we will run afoul of the constitutional requirement requiring separation of church and state.

In addition, I think we are going just a little too far in making such funds available, because once we start such a practice, there will be no end to it. The Fulbright program is a good example.

I voted for the so-called Fulbright program authorizing the use of proceeds from the sale of surplus properties to stimulate foreign educational exchange programs. That was a very good program. But it was not long until Congress passed an act supplementing with dollars the surplus foreign currencies so realized. As a result, today we are spending more than $30 million in dollars to assist the educational exchange program.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. The Senator is talking about establishing a precedent. I call his attention to section 203 of the Smith-Mundt Act, passed in 1948. I read one sentence from that act:

The Secretary is authorized to provide for assistance to schools, libraries, and community centers abroad founded or sponsored by citizens of the United States, and serving as demonstration centers for methods and practices employed in the United States.

That is almost identical with the language of my amendment. It is from the Smith-Mundt Act, which has been in effect since 1948. The exchange program about which the Senator is talking was passed in 1946. So there is plenty of precedent.

Mr. ELLENDER. The 1946 act contemplated using proceeds derived from the sale of surplus property.

Mr. FULBRIGHT. But not this.

Mr. ELLENDER. I understand. I remind the Senator however, that besides dollars for educational exchange, we are providing vast sums for libraries operated by the Information Service. As I pointed out several days ago, we have 11 libraries in Italy which are being supported under the information program. We have libraries in London. As a matter of fact, we have libraries all over the world.

I say, Mr. President, that there is another effort to support libraries which have been established by philanthropic societies in the United States or by persons who had money to invest abroad.

I say this is simply going too far. I hope the amendment will be rejected.

Mr. LAUSCHE. Mr. President, may I have time yielded to me?

Mr. JOHNSON of Texas. Does the Senator from Ohio desire to oppose the amendment?

Mr. LAUSCHE. Yes; I do.

Mr. JOHNSON of Texas. I yield 2 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, throughout the whole day the argument has been made that the moneys designated in the bill were absolutely needed as a minimum to carry out the program of the President and to insure the defense of our country from the standpoint of mutual security.

The argument that we can take $10 million of this money for new purposes belies the argument which has been presented throughout the day. I subscribe to the words of the Senator from Louisiana [Mr. ELLENDER]. Ten million dollars today will mean $50 million 5 years from now.

If we contemplate giving this type of aid to the nations throughout the world, what answer will we give to the colleges of the United States when they ask us for money?

I stretched my judgment a bit today and yielded to the argument that we should listen to our military men, although my experience has been that they have not learned the value of the dollar. But now, at the end, we have the specter that is frightening the people of the country being brought into the well of the Senate. It is an innocent phrase—starting a new program.

The President does not have to spend the $10 million. It will lie within his discretion to determine whether he will do so.

Mr. President, how much pressure will be brought upon the President by various agencies to provide money? Will he yield here and yield there? What will be the picture in the Senate a year from now, when the argument will be made, "There is a deluge of applications", and when they will not be confined to those being sponsored by American citizens?

I think adoption of this amendment—innocent and appealing as it seems to be—would create the groundwork for a

new program which would multiply each year.

Pardon me, Mr. President, for the fervor with which I speak on the subject; but I believe it is the responsibility of each one of us to recognize that the policy in Washington has been "Trot onto the field a new program; give it the facade of innocence, charity, and sympathy; and when once you have it in the paddock, then expect that as it moves out, you will get more and more money for it."

Mr. President, I say to you that this year Congress is passing the bill for the mutual security program; but if activities of this type continue to be added, there will be revolt against any future programs to carry into effect activities of this type.

Mr HUMPHREY Mr. President, will the Senator from Arkansas yield to me?

Mr. FULBRIGHT. How much time does the Senator from Minnesota wish to have yielded to him?

Mr. HUMPHREY. I should like to have 5 minutes.

Mr. FULBRIGHT. Mr. President, I yield 5 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 5 minutes.

Mr. HUMPHREY. Mr. President, I listened with interest to the very appealing and moving remarks of the Senator from Ohio [Mr. LAUSCHE]. I am sure every Member of the Senate has had to stretch his views and his convictions and curb his prejudices and his doubts, as he has voted on the various amendments to the mutual security bill.

I am delighted to have this opportunity to say that my gravest doubt about the mutual security bill is regarding the effectiveness of some parts of the military-assistance program. I do not refer to military assistance to the North Atlantic Alliance; I favor that. I do not even mean military assistance in Korea, where we are confronted with a visible enemy armed with modern airplanes, whereas, under the provisions of the armistice agreements, the planes we have there are not permitted to be modernized. By the way, Mr. President, I believe those armistice agreements should be reexamined, if we are to keep our commitments in that area.

Mr. President, I have refused to vote for any increase in the military-assistance program beyond what the committee favored, because I think we should keep the program in reasonable balance in light of the testimony given before the committee and the action taken by the committee. The committee action was always a compromise, Mr. President; and as a member of the committee, I have felt an obligation to go along with the program as voted for by the committee.

However, Mr. President, military assistance in some areas in the world may be much less effective today and tomorrow, and at least in the long run, than the objectives proposed in the amendment submitted by the Senator from Arkansas [Mr. FULBRIGHT]. It is one thing to have mobs on the street corners cheering the American flag on Monday, and it is another thing to have mobs tearing the American flag to pieces on Tuesday. It is one thing to give military equipment to people in the Middle East, for example, who do not even know how to use it; and it is another thing to educate the young ones, so that 10 years from now there may be serving in governments, as civil servants, persons who remember American ideals and American experiences and some of the treasures of American literature, art, and science.

If I had my choice, and if I were compelled to make a choice tonight, and if I were compelled to cut the bill in half, it would not take me even one-half a minute to make up my mind what to do. I would throw out the military provisions; and I would choose the scientific, humanitarian, and educational provisions.

The amendment of the Senator from Arkansas [Mr. FULBRIGHT] authorizes the President to use not to exceed $10 million of the funds appropriated pursuant to subsection (a) of this section of the bill for assistance to schools and libraries. We have already authorized that program, Mr. President. As a matter of fact, last year, in the 1957 act, we directed that special emphasis be placed upon translation, books, libraries, and education. We directed that unused foreign currencies, which have piled up to the extent of $1,800,000,000, in dollar equivalent, be used in part for education. I regret to say that very little of the money has been used for that purpose. I regret to say that in some circles of the administration, there is less enthusiasm for promoting education with this money than there is for promoting military assistance. A military-assistance program is, at best, a calculated risk, in the case of people whose effectiveness, let me say, is at times a calculated risk.

Mr. LAUSCHE. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. Does the amendment the Senator from Minnesota offered to the amendment of the Senator from Arkansas [Mr. FULBRIGHT] supplement the provision of $10 million, as made by the amendment of the Senator from Arkansas; and does it authorize the President to have an unlimited right to use the foreign currency?

Mr. HUMPHREY. All my amendment would do, as I have offered it to the amendment of the Senator from Arkansas, would be to repeat to the administration what is already provided in the law, namely, that it is the sense of Congress that the Government should get busy with that program. It is only a reiteration of existing policy. But it is over and above.

Mr. LAUSCHE. It provides no limit as to the amount of money the President may use, does it?

Mr. HUMPHREY. It is over and above the use of the foreign currencies.

Mr. ELLENDER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. ELLENDER. Is it not also over and above the proceeds which may come from Public Law 480?

Mr. HUMPHREY. No; it is out of the proceeds from Public Law 480.

Mr. ELLENDER. But are not there other currencies, outside of those generated under Public Law 480?

Mr. HUMPHREY. My amendment to the amendment of the Senator from Arkansas uses the words "under title I of the Agricultural Trade, Development, and Assistance Act of 1954, as amended."

Mr. ELLENDER. Does the Senator from Minnesota know how much money is involved?

Mr. HUMPHREY. If the rate of expenditure would be no more than it has been, it would be such a rate as to please the most economy-minded Member of the Senate.

Mr. ELLENDER. But I refer to the amount which could be spent. As I recall, we have sold in the neighborhood of $2 billion of surplus agricultural products under title I of Public Law 480, and approximately 90 percent of the $2 billion in local currencies generated by the sales has been loaned back to the various buyer countries; I assume it is that money the Senator from Minnesota would like to have used in order to carry out the purposes of the amendment of the Senator from Arkansas.

Mr. HUMPHREY. No; my amendment applies to the following—and I read now from the committee report, on page 27:

> There is authority in Public Law 480, 83d Congress, in the Smith-Mundt Act and in the Mutual Security Act to assist these institutions through contracts for training and through loans and grants.

That authority already exists; the Senate has already voted it, and it has been in the law.

I read further from the committee report, on page 27:

> The committee expects the Bureau of the Budget in carrying out its responsibilities for the allocation of Public Law 480 foreign currencies, and the Department of State in carrying out its responsibilities under the other two acts, to exert imaginative and complementary efforts to extend effective assistance to these centers of learning.

So the authorization is already in the law.

All my little amendment does is to say to the President, in effect, "Get busy and use the funds which are already there." That is what I hope to have done.

The PRESIDING OFFICER. The time yielded to the Senator from Minnesota has expired.

Mr. HUMPHREY. I believe that I have 1 more minute in which to conclude, inasmuch as I have an amendment of my own.

The PRESIDING OFFICER. The amendment of the Senator from Minnesota was accepted by the Senator from Arkansas.

Mr. HUMPHREY. Then, Mr. President, I will say that I trust that the amendment will be adopted, because I submit it is a sound amendment for long-term purposes which will yield effective dividends.

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Mr. SALTONSTALL. Mr. President——

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. SALTONSTALL. As one who has been through the American University at Beirut, who has talked with the former distinguished president of it, Mr. Dodge, who was president of the university for more than 20 years, as one who has been through the Robert College in Istanbul, as one who has been through the free library founded by the Americans in Berlin, I simply wish to say that I think this discretion to the President should be permitted, and that, from my knowledge of these three institutions alone, this is a fine amendment and should be adopted.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Arkansas, as modified by the amendment of the Senator from Minnesota. Is the remaining time on both sides yielded back?

Mr. HUMPHREY. Yes; I yield back the time remaining to me.

Mr. KNOWLAND. I yield back the time remaining to the opposition.

The PRESIDING OFFICER. All time remaining has been yielded back. The question is on agreeing to the amendment, as modified. [Putting the question.] The "ayes" appear to have it.

Mr. ELLENDER. Mr. President, I ask for a division.

On a division, the amendment, as modified, was agreed to.

The PRESIDING OFFICER. The committee amendment is open to further amendment.

Mr. ELLENDER. Mr. President, I send to the desk an amendment, and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 37, beginning with the colon in line 20, to strike out through the word "period" in line 5 on page 38.

Mr. ELLENDER. Mr. President, I will ask the attention of Senators for a few moments. I shall not ask for a yea-and-nay vote on this amendment. For the past 4 or 5 years strenuous efforts have been made by the committee——

Mr. FLANDERS. Mr. President, may we have the amendment read again? There was a good deal of noise, and I did not hear it.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 37, beginning with the colon in line 20, to strike out through the word "period" in line 5 on page 38.

Mr. ELLENDER. Mr. President, I was in the process of explaining what the amendment provides. There is an appropriation, I may say to my good friend from Vermont, of $15½ million to be used for the technical-assistance fund in the United Nations. For the past 4 or 5 years the Senate Appropriations Committee has been making a valiant fight to reduce percentagewise the amount of contribution we make to the United Nations fund in reference to technical assistance. When the U. N. was first organized, we contributed for its support in excess of 60 percent, merely to operate the organization. Over a period of about 6 years, the Appropriations Committee was able to have the contributions reduced from 60 percent to one-third.

Three or four years ago the Senate Committee on Appropriations took the same position with respect to our contribution for technical assistance. We were told 3 years ago that that should not be done at once, but should be done gradually. Two or three years passed by and no effort was made to reduce appreciably our contribution percentagewise. So last year the Appropriations Committee wrote into the bill a provision—and it is now the law—that for 1958 the amount of contribution for technical assistance should not be more than one-third of the entire amount contributed by other nations than us.

The committee amendment seeks to nullify that law, a law which was enacted last year and in the appropriation bill, to make the contribution for the years 1958 and 1959, and on, one-third. The committee amendment provides that for 1958, instead of having the contribution percentagewise fixed as it is now by law, the contribution shall be raised to 45 percent. The following year, 1959, the contribution shall be 38 percent. Only in 1960 will the contribution go back to one-third, which is now the law.

I feel that the Senate Appropriations Committee has been very diligent, as I said, in the past 3 or 4 years in warning the State Department that we expected it to cut the contribution to one-third. As I said a while ago, it was allowed 3 or 4 years in which to attain that goal, but the Department did not do it. So last year we wrote into the law that the contribution should be one-third.

I hope I shall hear a heavy "Yea" vote for this amendment, so as to let the law remain as it is now, and provide that the United States contribution shall not be more than one-third.

If that were all we were doing in the technical aid field, I would say, good and well, we might be able to give more; but do not forget that we have provided in this very bill more than $156 million for technical aid. We are managing that aid ourselves; we are paying for it.

We have had in the past a development assistance fund, which has been reduced this year to a loan fund. I think our contribution to the technical aid fund should certainly not be more than one-third.

I hope the Senate will at least vote for this amendment, so as to sustain the action it took last year in providing that the amount shall be not more than one-third.

Mr. MANSFIELD. Mr. President, there is a good deal of merit in what the Senator from Louisiana has just said, and he has been quite accurate. It is true the Congress last year did decree that beginning with calendar year 1958, which starts next January, the amount of our contribution, on a percentage basis, to the U. N. technical-assistance fund should be 33⅓ percent.

However, after deliberations within the Committee on Foreign Relations, it was decided, on the basis of evidence presented to us, that the drop from 49 percent to 33⅓ percent in 1 year would be entirely too great.

I wish to say to the Senator from Louisiana, that insofar as I can recall, every member of the Foreign Relations Committee was and is in accord with the objective, but we felt, in this vital cooperative program, it would be too much of a break to drop from 49 to 33⅓ percent in 1 year, and on the basis of an amendment offered in the committee, we decided to try it out in 3 gradual stages.

I hope the Senator from Louisiana, who has been entirely truthful and consistent, will recognize we did try to do something to alleviate the situation, and that we thought this was the best way to come to a logical conclusion.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. ELLENDER. The Senator is familiar with the action taken by the Committee on Appropriations for the past 4 years on this very subject.

Mr. MANSFIELD. I am, indeed.

Mr. ELLENDER. We warned the State Department to cut down the contribution percentagewise. We threatened on two occasions, before we wrote a special provision into the law last year, that the percentage would be fixed by Congress unless it was done voluntarily.

Mr. MANSFIELD. That is true.

Mr. ELLENDER. I think the State Department has had ample time to get our contribution down to one-third.

Mr. MANSFIELD. Mr. President, I cannot argue with what the Senator from Louisiana has stated. He has stated the truth. However, begging the indulgence of the Senate, I ask it to consider the action taken by the Senate Committee on Foreign Relations, which seeks, within a 3-year period, to bring about a decline from 49 percent to 33⅓ percent. I hope that the Senate in its wisdom will reject the amendment offered by the Senator from Louisiana.

Mr. ELLENDER. I yield back any time remaining to me, Mr. President.

Mr. KNOWLAND. I yield back my remaining time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

Mr. ELLENDER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 31, beginning after the period in line 1, it is proposed to strike out all down to and including the period in line 7 and to insert in lieu thereof the following:

The administrator of the fund shall furnish to the Committee on Foreign Relations of the Senate, to the Committee on Foreign Affairs of the House of Representatives, and to the Committees on Appropriations of the Senate and House of Representatives, a report on each financing operation or transaction involving the fund's assets.

Mr. ELLENDER. Mr. President, the purpose of this amendment is to make certain that the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House, as well as the Committees on Appripriations of the House and Senate, are kept informed as to how these loans are being made, and to whom. This information need not be given in advance of the making of the loans.

The bill, as reported, does not require the administrator to make any report to any Congressional committee unless the transaction involves a sum in excess of $10 million, or the project it finances will require more than 1 year to complete.

It strikes me, Mr. President, that since this loan fund as now created is to involve the expenditure of $500 million for this year and $1½ billion in the 2 subsequent years, it is asking very little of the administrator that he be required to report to the Committees on Appropriations of the House and Senate, as well as the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House. This is not a new approach. We imposed an even more strict requirement with respect to funds implementing the so-called Middle East resolution. Senators are familiar with that.

Mr. MANSFIELD. Mr. President, may we have order.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Senate will be in order.

Mr. ELLENDER. When the so-called Eisenhower doctrine was adopted the act provided that "none of the additional authorization contained in this section shall be used until 15 days after the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, the Committees on Appropriations of the Senate and House of Representatives and, when military assistance is involved, the Committees on Armed Services of both Houses of Congress be notified."

What this amendment envisions is that the committees be notified either before or after the loans are made; there is no requirement that the notification be furnished 15 days before they are made. I think the committees of both Houses should be kept informed as to any loan which is made from this huge sum that is here provided.

The fund, as I have indicated, will aggregate in the course of 3 years, if this bill passes without further amendment, over $2 billion. It is a revolving fund.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CAPEHART. The President will make an annual report to the Congress, as the Export-Import Bank does, as to exactly the loans which are made.

Mr. ELLENDER. My amendment would not apply to the President's fund at all, I may say to my good friend, the Senator from Indiana. It would apply solely to the development loan fund. It is provided in this bill we are now considering that all loans over $10 million or loans for projects extending over more than 1 year be reported to the committee. What I am asking is that all loans be reported to the appropriate committees of Congress.

Mr. CAPEHART. The President makes a yearly report, reporting all loans, but he makes a daily report, if loans for more than $10 million are made.

Mr. ELLENDER. Oh, no.

Mr. CAPEHART. At the end of the year he will report, like the Export-Import Bank does.

If he does not, I think we have overlooked something in the bill.

Mr. ELLENDER. I am sure the committee did.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I wish to say that I am sure the suggestion of the Senator is constructive. I was never quite sure why we had a cutoff at $10 million. Again, as I stated a while ago when I was debating with the Senator from Oregon, it is not a matter of principle but it is a matter of degree. To my mind most of these loans will be for substantial sums, anyway, because they will be Government loans. In a sense, the report will not impede the making of loans.

Mr. ELLENDER. The Senator is correct.

Mr. HUMPHREY. Since it is a matter of reporting and keeping the Congress informed, I cannot help but think the amendment offered by the Senator from Louisiana should be adopted. I would encourage the committee to accept it. It seems to me this is the kind of amendment, with a very constructive purpose, that ought to be accepted.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SPARKMAN. I have a good deal the same feeling as that expressed by the Senator from Minnesota. However, there are 1 or 2 points to which I should like to invite the attention of the Senator from Louisiana. I may say that the provision which is written into the bill was taken from an amendment I myself offered, in order to assure some kind of report being made. However, I think when it is required that those in charge submit to the four committees every individual item, as they move along——

Mr. ELLENDER. Every loan.

Mr. SPARKMAN. Every loan; that is what I mean.

Mr. ELLENDER. Only the loans.

Mr. SPARKMAN. Of course, this bill requires that every loan in excess of $10 million be reported.

Mr. ELLENDER. Yes.

Mr. SPARKMAN. And if it involves an activity requiring more than a year to complete. However, there is some feeling that the word "and" ought to be changed to "or" so that both types would be covered.

The point I wish to make is that the more numerous the items reported to the committees the less effect they are going to have on the committees. As an illustration, let me say that we wrote into the Mideast resolution a requirement that every transaction be reported to the committees at least 15 days in advance. We got letter after letter from Dr. Marcy, the staff director of the Committee on Foreign Relations, telling us that this arrangement was bad.

What member of the Committee on Foreign Relations ever looked at a single one of them? I did not. If any member of the Committee on Foreign Relations looked at a one of them, I hope he will say so.

Mr. KNOWLAND. I did.

Mr. ELLENDER. I did. I looked at each one.

Mr. SPARKMAN. The same thing is true with respect to the Committee on Appropriations. It would be interesting to poll the members of the Appropriations Committee.

My thought is that if we restrict the requirement to the larger items more attention will be paid to them.

By the way, one other point is that a report is to be made of every transaction every 6 months, I believe.

I have no objection, myself, to the provision as written.

Mr. KNOWLAND and Mr. CAPEHART addressed the Chair.

Mr. ELLENDER. I yield to the Senator from California [Mr. KNOWLAND].

Mr. KNOWLAND. In the committee I think it was the general feeling of both the Republicans and Democrats that there was a great deal of merit to the reporting proposal. As a matter of fact, I very strongly supported that provision in connection with the Mideast resolution. The mere fact that all Senators may not take advantage of the opportunity to look at the reports does not, in my judgment, detract from the importance of that kind of provision, because every Senator is on notice that certain things have taken place. He knows that he can obtain the facts. I believe that such a provision keeps a coordinate and coequal arm of the Government in a position where it can know what is going on.

I think there is great merit in such a provision. Personally I cannot see any objection to the amendment of the Senator from Louisiana. It will involve a little additional volume of business which will come into the Foreign Relations Committee of the Senate, the Committee on Foreign Affairs of the House, and the Appropriations Committees of the two bodies. However, personally I should be willing, if the acting chairman were willing to accept the amendment, to have the amendment adopted providing for this additional information.

Mr. CAPEHART. Mr. President, the able Senator from Louisiana was never more right in his life than he is in advocating what he is advocating. However, it is my best judgment that under section 534, which provides for reports, the President is required to report every 6 months every loan transaction. In addition, he is required to report daily, or as the transactions occur, any transaction of $10 million or more. So I think the situation is fully covered. Section 534 relates to reports.

Mr. ELLENDER. This is an entirely new loan program. It will create a revolving fund, which may be on the books for years to come.

Mr. CAPEHART. Yes.

Mr. ELLENDER. I do not see why the Congress should not be informed.

Mr. CAPEHART. It is.

Mr. ELLENDER. The Senator is referring to a report which will be made every 6 months, and to the Senate as a whole. What my amendment seeks is to require that reports be made as the loans are made, to the Senate Foreign Relations Committee, the Foreign Affairs Committee of the House, and the Appropriations Committees of the two bodies.

Mr. CAPEHART. Under the bill as it is written, the report would be made every 6 months; and if a transaction of $10 million or more were involved, the report would be made when the transaction occurred. The Senator does not wish to go further than that, does he?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HOLLAND. It seems to me that not only are we interested in the amount of a loan, but we are interested in the character of a loan, and what kind of operation is proposed under an individual loan, which may mark a real departure in the nature of operations.

Let us assume that the loan is for less than $10 million, or, if it is more than $10 million, that it involves an activity which does not require more than a year to complete. In either case the transaction would not come under the provisions of the pending bill.

It seems to me that the Senate committees might be much more concerned with a departure in the type of operations being started than merely in the amount of the transactions. An operation might have a very far-reaching effect. If we become committed to a certain type of loan for a certain kind of operation with one ally, it might lead to a great volume of such operations, taking them all as a whole.

I think the distinguished Senator from Louisiana is completely right in his suggested amendment—not only in eliminating the $10 million limitation, but in eliminating the other portion of the condition stated in the present bill, because the present bill provides that the transaction, in order to be required to be reported immediately, must involve more than $10 million of the fund's assets, and must involve an activity requiring longer than 1 year to complete. I think both those limitations might well be eliminated. I believe it would be in the interest of sounder information and better control of the program to have the distinguished Senator's amendment accepted.

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. KNOWLAND. I think there is great merit in the contention made by the Senator from Florida and by the Senator from Louisiana.

However, the Senator from Indiana [Mr. CAPEHART] is correct to this extent, that certain reports are required. I can see no reason why the committee should not accept the amendment. The bill will ultimately be in conference, and we shall be able to find out how detailed the reporting is in connection with the annual report. I think a very strong case could be made for the contention that the Congress ought to be kept informed more than semiannually, or annually, with respect to certain types of activities. So far as I personally am concerned, I am willing to accept the amendment.

Mr. CAPEHART. Would the Senator from Louisiana be willing to modify his amendment so as to provide for a report every 3 months?

Mr. ELLENDER. No. The reports should be made as the loans are made.

Mr. FULBRIGHT. After they are made.

Mr. ELLENDER. Yes.

Mr. CAPEHART. Is not every 3 months often enough?

Mr. FULBRIGHT. Mr. President, as acting chairman of the committee, before I agree to accept the amendment, I remind the Senate that the Senator from Louisiana is noted for his attention to economy in the administration of committees. I ask him to take note of the probability that if his amendment is accepted a very large increase in the staffs of various committees will be necessary in order to take care of the added paperwork, find storage space for the reports, and process them. I hope that next year, when the recommendation of the Committee on Rules and Administration comes before this body, the Senator from Louisiana will recall that his amendment imposed a great additional expense on the committees, and that he will not oppose the recommendation of the Committee on Rules and Administration.

With that understanding I am willing to accept the amendment and take it to conference.

Mr. ELLENDER. Even if it should require more money, which I doubt, I think it would be money well spent.

The PRESIDING OFFICER. Does the Senator from Louisiana yield back the time remaining to him?

Mr. ELLENDER. I yield back all time remaining to me.

Mr. KNOWLAND. Mr. President, I yield back all the remaining time on our side.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The question is on agreeing to the amendment offered by the Senator from Louisiana [Mr. ELLENDER].

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 40, line 20, it is proposed to strike out "$200 million" and insert in lieu thereof "$225 million."

Mr. FLANDERS. Mr. President, I have a suggestion for the reading clerk. It is that he first give the page number, and then wait a moment until we can find the page before proceeding with the reading.

The PRESIDING OFFICER. The amendment has not been printed, and the Chair understands that it does not contain any page reference.

Mr. CASE of South Dakota. The amendment is on page 40, in line 20, to strike out "$200,000,000" and insert in lieu thereof "$225,000,000."

Lest anyone misinterpret the amendment, this amendment does not propose an increase in the appropriation. This amendment provides for the earmaking of the amount of the fund which would be available for the financing of the export and sale for foreign currencies of surplus agricultural commodities.

The present law reads as follows:

> Of the funds authorized to be made available pursuant to this act for the fiscal year 1956, not less than $300 million, and of the funds so authorized for the fiscal year 1957, not less than $250 million, shall be used to finance the export and sale for foreign currencies of surplus agricultural commodities or products thereof produced in the United States—

And so forth. The bill reported by the committee substitutes for the $300 million figure used in 1956, and for the $250 million figure used in 1957, the figure of $200 million. My amendment would make the figure $225 million instead of $200 million, of the amount made available by the act to be used for the financing of the export and sale for foreign currencies of surplus agricultural commodities.

The action of the committee would reduce the $300 million figure which was used last year to $200 million. That is, it would cut down the surplus agricultural commodity program by one-third, from $300 million to $200 million. My proposal is that instead of cutting it by that much, it be cut by only 25 percent, from the current-year figure, or by $75 million from the figure used last year.

The surplus disposal program, as Senators know, is being carried on under the authorization of two acts. One is the Foreign Aid Act, with which we are now dealing; the other is Public Law 480. Under the proviso in the Foreign Aid Act, in the past 3 years $1 billion worth of agricultural products was disposed of. Under Public Law 480, about $2 billion worth was disposed of. The total, therefore, disposed of, was $3 billion worth of agricultural products.

In the report to the Committee on Agriculture and Forestry the other day, with respect to exports under Public Law 480, it was stated that the average price received by farmers for 1956 wheat was about 9 cents a bushel higher than for 1957, and corn averaged about 2 cents a bushel higher. The credit for it was given to the program of using some surplus commodities in the foreign-aid program.

I am hopeful that the committee will accept the amendment. I understand that during its deliberations the committee, at one time had tentatively adopted $250 million, which would have con-

tinued the program on the level of the present year.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. FULBRIGHT. It is true that it would have continued it at that level. The difficulty is that the funds under defense support would be reduced, and the percentage would be much higher if the $250 million figure were retained.

Mr. CASE of South Dakota. I point out that to go from $300 million in 1956 to $225 million is a reduction of $75 million, or a reduction of 25 percent, or one-fourth. A reduction from $250 million to $225 million would be a reduction of 10 percent, even taking the $225 million figure. The State Department, I understand, has prepared a memorandum on this subject, and has recommended $175 million. It pointed out that they might be able to handle $50 million worth through triangular loans, which would make it $225 million, which is the figure I have suggested.

Mr. KNOWLAND. Mr. President, I yield 5 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, all of us want to dispose of surplus agricultural commodities as rapidly and as advantageously as we can.

The mutual security program has proven to be a very useful vehicle with which to dispose large amounts of them. We disposed of a large amount of agricultural surplus in fiscal 1954. We included a proviso that $350 million worth should be used for fiscal 1955. That was reduced to $300 million for fiscal 1956. That was brought down to $250 million in fiscal 1957.

When the Budget Bureau and the ICA made their recommendations this spring, they recommended that $175 million would be the amount which they could dispose of to good advantage. The committee did not see—at least not on the first day—why they could not use just as much in surplus commodities as they did the year before. Therefore we voted to restore the amount to $250 million for fiscal 1958, the same as it was for fiscal 1957.

Then the next morning we studied the matter a little more, and we came to the conclusion that we had made a mistake in putting it back to $250 million. So we brought it down again to $200 million.

The reason for it is this. There is only a limited number of programs in which we can apply the surplus commodities in payment to good advantage. It is quite obvious that we cannot use too much of this type of money in military assistance programs, because many of the countries which can use surplus commodities do not produce anything in the way of military hardware and other military equipment. We could not use it, except in countries like France and Germany and England and Italy, where we have used a considerable amount in that way.

That left the defense support program, and the development assistance program, where we could try to work off surplus commodities. For this fiscal year the defense support appropriation and the money available amounted to somewhere around $1,100,000,000 or $1,200,000,000. I am not exactly sure of the figure. At any rate, it is about $1,200,000,000.

The development assistance program, as I recall, called for $293 million. That was the amount appropriated last year. That made a total of about a billion and a half dollars on which we could work off surplus commodities.

The bill this year is quite different. In the first place, the agency asked for only $900 million for the defense support program. That in itself is substantially less than last year. The development assistance is now the Development Loan Fund. There, obviously, we cannot work off surplus commodities on a 40-year loan program. Therefore, instead of having a billion and a half dollars worth of programing to use surplus commodities on, as there was last year, we now have only about $800 million this year. In fact, they had $900 million originally, when we set the figure at $200 million. After we had set the $200 million figure, the committee reduced the $900 million to $800 million.

Therefore, instead of a billion and a half dollars of programing to work off surplus commodities on, as we had last year, there is now only about $800 million. There may be a little more available from somewhere else. How much they can work off in the limited program, as compared with former years, I cannot say. I do not know whether they can use $225 million worth of surplus commodities.

I do know, however, that last year in defense support they used surplus commodities amounting to approximately 16 or 17 percent of the defense support and development assistance provisions. This year we are asking them to use 25 percent. Whether they can do it, I am not in a position to say. They said they could work off $175 million worth in a $900 million program. I think they can do something, although I do not know how much. I frankly admit that I do not know whether they can do it or not. I do not know whether they know whether they can do it or not.

The PRESIDING OFFICER. The time of the Senator from Vermont has expired.

Mr. KNOWLAND. Mr. President, does the Senator from Vermont require more time?

Mr. AIKEN. No, I am not asking for more time.

Mr. CASE of South Dakota. I have some additional time I can yield to the Senator from Vermont if necessary.

Mr. KNOWLAND. I have also agreed to yield some time to the Senator from North Dakota [Mr. YOUNG].

Mr. CASE of South Dakota. Mr. President, I should like to address a question to the Senator from Vermont. How much of an increase did they use during 1957?

Mr. AIKEN. I believe for this year they are going to work off possibly $10 million above the $250 million requirement.

Mr. CASE of South Dakota. In other words, the Senator believes that this year they will be able to use about $260 million for this surplus commodity disposal plan?

Mr. AIKEN. That is for the fiscal year which ends on June 30 of this year, 3 weeks from now.

Mr. CASE of South Dakota. It seems to me they could use $250 million in the fiscal year ending June 30.

Mr. AIKEN. They had about a billion and a half worth of programing to work on.

Mr. CASE of South Dakota. That may be, so far as the amount of programing is concerned, but the point is as to the volume of agricultural commodities which can be disposed of to the countries with which we are dealing.

We have found the program to be very helpful in supplying military housing, as well as other requirements of the military overseas, and dollars have been saved thereby.

If they could use $260 million in the fiscal year now closing they certainly ought to be able to use as much as $225 million in the year ahead.

Mr. AIKEN. I should think so, although I do not know; and I do not know what they know.

Mr. CASE of South Dakota. I am sure they will try to. If the figure is placed at $225 million, and they cannot dispose of more than $215 million, I do not think they will be held responsible.

Mr. FULBRIGHT. This is about all they can do. The language is "not less than" that.

Mr. AIKEN. That is correct.

Mr. FULBRIGHT. If they can do more, they have the authority to do more.

Mr. AIKEN. Dr. Fitzgerald of the International Cooperation Administration assured me that they would work off all they could under the circumstances, and regardless of what the minimum might be.

Mr. YOUNG. It is not a question of working off $200 million or $250 million, or any amount like that. Dr. Butz, of the Department of Agriculture, testified before our committee that approximately $1,200,000,000 of Public Law 480 exports took the place of foreign aid. They are saddling off foreign aid in an agricultural appropriation bill.

I think giving foreign countries some of our agricultural surplus is a pretty good program; it is the very best kind of foreign assistance we can give. But what they are doing is reducing the appropriation for foreign aid for agricultural purposes under the foreign-aid program and are substituting Public Law 480. It accomplishes the purpose, but it charges something to agriculture that really belong in a foreign-aid program.

Dr. Butz testified, as did Secretary Benson, that approximately $1,200,000,000 of exports under Public Law 480 took the place of foreign aid. I hope

this amendment of the Senator from South Dakota is adopted.

Mr. AIKEN. I do not question the assertion of the Senator from North Dakota that a great deal was charged to agricultural appropriations which ought to be charged to other appropriations. I believe, however, that in the long run the Department of Agriculture is better able to dispose of agricultural surpluses than is any agency which is closely allied to the State Department.

Mr. CASE of South Dakota. Mr. President, I am prepared to yield back the remainder of my time. I should like to say that, of course, the State Department might find it easier to use dollars; but we will serve two purposes if we can use agricultural commodities.

I hope the amendment will be agreed to.

Mr. President, I ask unanimous consent that the material submitted by me earlier in the day may appear in the RECORD following the disposal of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. CASE of South Dakota. I yield back the time remaining to me.

Mr. CAPEHART. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota. (Putting the question.) The "ayes" appear to have it.

Mr. CAPEHART. A division, Mr. President.

On a division, the amendment was rejected.

(During the course of Mr. MORSE's remarks on his amendment identified as "6-13-57-B":)

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a unanimous-consent request?

Mr. MORSE. I shall be glad to yield.

Mr. CASE of South Dakota. Later in the evening I desire to offer an amendment. I have a report from the Library of Congress which at that time I shall ask to have printed in the RECORD as part of my remarks. In order to accommodate the printer, I now ask unanimous consent that I may have printed as a part of my remarks a report from the Library of Congress on the history of legislation providing for the exchange of surplus agricultural commodities for foreign currencies.

The PRESIDING OFFICER. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

EXHIBIT 1

HISTORY OF LEGISLATION PROVIDING FOR THE EXCHANGE OF SURPLUS AGRICULTURAL COMMODITIES FOR FOREIGN CURRENCIES

THE FIRST BILL (S. 1230)

The first bill providing for exchange of surplus agricultural commodities for foreign currencies was offered in the Senate on March 9, 1953:

S. 1230, a bill to provide for the strengthening of the Republic of Korea as an ally against aggression and for the reconstruction of that country from the ravages of war in resisting aggression.

Introduced by Mr. CASE (for himself and Mr. MUNDT), referred to Committee on Agriculture and Forestry, March 9, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 2, pp. 1723–1724.) (Statement of Mr. CASE.)

[The above bill provided for the sale of surplus domestic supplies of wool, cotton, grains, dairy, poultry, and meat products to the Republic of South Korea, payment to be made in the local legal currency of that Republic.]

Senate Joint Resolution 56, to provide for the creation of an international food reserve.

Introduced by Mr. Murray (for himself, Mr. Case, Mr. Douglas, Mr. Eastland, Mr. Fulbright, Mr. Hennings, Mr. Hill, Mr. Hoey, Mr. Humphrey, Mr. Hunt, Mr. Kerr, Mr. Kilgore, Mr. Langer, Mr. Lehman, Mr. Magnuson, Mr. Mansfield, Mr. Maybank, Mr. McClellan, Mr. Morse, Mr. Mundt, Mr. Neely, Mr. Sparkman, Mr. Stennis, and Mr. Young) and referred to Committee on Foreign Relations, March 11, 1953.

[The above bill proposed to establish an International Food Reserve using national currencies paid to the Reserve by purchases of agricultural products for the purchase in the same countries of other raw materials needed by food exporting countries.]

In offering Senate Joint Resolution 56, Mr. MURRAY on March 11, 1953, stated:

"Mr. President, on behalf of myself and a large bipartisan group of other Senators, I have introduced today a joint resolution which aims at the creation of an international food reserve under the auspices of the Food and Agriculture Organization of the United Nations.

"This resolution is not a new idea. It is the product of long years of study by farmers, economists, Members of the Senate and the House of Representatives, and leaders in international affairs. The general idea of an international food reserve first came to public attention back in 1946 when Sir John Boyd Orr, the head of FAO, proposed a World Food Board. It came to public attention again in 1949, when a committee of distinguished economists from various countries including the United States proposed the creation of an International Commodity Clearing House." (CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 1852.) [Note: Former President Herbert Hoover, in May 1946, in an address before FAO urged the creation of the United Nations Food Administration with an advisory committee—the majority of which would represent the surplus food producing nations—for the direction of the destination of marginal quantities of food supplies. See CONGRESSIONAL RECORD, vol. 92, pt. 11, p. A2785.]

House Joint Resolution 224, to provide for the creation of an International Food Reserve.

Introduced by Mr. SMITH of Mississippi and referred to Committee on Foreign Affairs, March 12, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 1916.)

[The above bill is identical to Senate Joint Resolution 56.]

House Resolution 4087, to amend the Agricultural Act of 1949 to authorize the Secretary of Agriculture to sell certain agricultural commodities to the Republic of Korea, and for other purposes.

Introduced by Mr. POAGE, referred to Committee on Agriculture, March 18, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 2, p. 2116.)

This bill authorized the Secretary of Agriculture to sell to the Republic of Korea certain surplus commodities in the possession of the Commodity Credit Corporation in an amount not exceeding $300 million and accept as payment currency of that republic. It authorized the Secretary to purchase with the Corporation's funds up to $200 million worth of beef and beef products and to sell them on the same terms accepting as payment therefor Korean currency. Currency thus acquired would be deposited in a "Korean Food and Rehabilitation Fund" for retirement of debentures of the Corporation at the exchange rate granted to the republic by the Secretary.

S. 2048, to provide for the use of surplus agricultural commodities in paying for offshore purchases of military supplies and other goods and services.

Introduced by Mr. YOUNG (for himself, Mr. EASTLAND, Mr. MUNDT, and Mr. ELLENDER), referred to Committee on Agriculture and Forestry, June 4, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6041, 6044.)

[The above bill provides for use of up to $2 billion of surplus agricultural commodities in making expenditures or donations in foreign countries, including bartering or selling such commodities for foreign currencies.]

PUBLIC LAW 77 (S. 2112) 83D CONGRESS

On June 10, 1953, Mr. Aiken (for himself, Mr. Knowland, Mr. Smith of New Jersey, and Mr. Taft) introduced a bill (S. 2112), which became Public Law 77. This bill was recommended by the President (H. Doc. 171, 83d Cong.) on the same day as introduced. It authorizes the Commodity Credit Corporation to make up to 1 million long tons of wheat acquired through price support programs available to the President for transfer in the nature of a grant to Pakistan, during the period ending June 30, 1954, upon such terms as he should see fit. Appropriations are authorized to reimburse the Commodity Credit Corporation. The terms upon which the transfer of the wheat to Pakistan is to be effected were set forth in the bill as follows:

(a) Distribution of the wheat without discrimination, and in case of needy persons—free.

(b) Full publicity for United States assistance.

(c) United States observers.

(d) Utilization of local currency received for the wheat as agreed upon by the United States and Pakistan to increase food production in Pakistan and other projects in the mutual interest of the two countries, to wit, "to deposit in a special account amounts of the currency of Pakistan equivalent to the amounts of such currency accruing to the Government of Pakistan from the import and sale of commodities furnished as a grant hereunder, this account to be utilized as may be agreed upon by the United States and the Government of Pakistan for the benefit of the people of Pakistan in programs to increase food production and in other projects and programs in the mutual interest of the United States and Pakistan."

(e) Allocation of 5 percent of the local currency receipts to the United States for its local currency requirements.

(f) Appropriate measures to reduce and forestall further relief needs.

(g) Transportation of at least 50 percent of the wheat in American ships. (See S. Rept. No. 404, 83d Cong., 1st sess.)

S. 2112 passed the Senate June 16, 1953, and passed the House June 23, 1953, in lieu of H. R. 5659. Three identical bills had been introduced in the House on June 10, 1953, and hearings had been held thereon on June 15 and 16, 1953, by the House Committee on Agriculture. The bills were H. R. 5659 by Mr. Hope, H. R. 5660 by Mr. Javits, and H. R. 5661 by Mr. Judd. (See H. Rept. No. 570 and P. L. 77, 83d Cong. 2d sess. and CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6292, 6445, 6507, 6611–6619, 7109, 7122.)

USE OF CURRENCY FUND

The following excerpts from the colloquy had between Mr. AIKEN and Mr. CASE at the opening of the debate on the bill (S. 2112) in the Senate points out the extent to which the local currency fund created by the bill could be used in the interests of the United States as originally suggested by Mr. CASE in his proposal (S. 1230) of March 9, 1953, for the rehabilitation of Korea (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6613, 6616):

"Mr. CASE. The bill provides for the establishment of a special fund in which the Government of Pakistan will deposit in the form of its own local currency the money received in the disposition of the wheat. Is that correct?

"Mr. AIKEN. That is entirely correct. The people of Pakistan are not out of funds, but they are out of dollars. They have rupees, but unfortunately the rupees will not buy United States and Canadian wheat.

"Mr. CASE. Ninety-five percent of those funds will be available for expenditure within Pakistan, for the improvement of the food-producing ability of the country. Is that correct?

"Mr. AIKEN. That is correct.

"Mr. CASE. My reason for bringing out that point is that for sometime there has been pending before the Committee on Agriculture and Forestry, of which the Senator from Vermont is chairman, a bill which I introduced many weeks ago, proposing a program somewhat similar to this, but for the benefit of the people and the armed forces of the Republic of South Korea. The principle underlying the pending proposal seems to me to be worthy of application to other situations, not only from the humanitarian standpoint, but also that the interests of the United States itself may be served.

"When General Van Fleet appeared before the Committee on Armed Services, he spoke at some length of the relative ration of food given to the South Koreans who were in their armed forces, and the ration which was provided for the prisoners of war. He stated repeatedly that the South Korean soldiers who were guarding the prisoners of war were receiving much less in the way of food rations than were those they guarded, the Red soldiers, who were being fed by us under the terms of the Geneva Convention.

"It seemed to me, therefore, that we could appropriately make available to the Republic of South Korea foodstuffs and fiber, to be paid for in their own currency. They, too, are out of dollars. We could thereby strengthen the ability of the South Korean soldier to stand in the line and to resist aggression. We also could make the dollars do double duty by making the Korean currency thus paid available for the rehabilitation of Korea.

"Everyone knows that we simply cannot walk away from Korea, after it has been devastated by armed conflict, and their public buildings, hospitals, and schools have been destroyed. Sooner or later we shall have to provide some funds for the purpose of rehabilitating Korea. We cannot do less for an ally, Korea, than we have done for such former enemy countries as Japan and Germany. If at the same time we use funds for the purchase of grains, meat, and fiber products to be made available to the South Koreans, we receive in return therefor the local currency and set it aside for the rehabilitation of Korea, we will get double duty from the dollars.

"I take this occasion to point that out, because what we are doing for Pakistan is something we ought also to do, it seems to me, for the Republic of South Korea. It would strengthen the ability of the South Koreans to maintain their position, and it would assist in the discharge of the obligation to rehabilitate the country, an obligation which we will recognize when the truce is signed. I should like to urge upon the distinguished chairman of the Senate Committee on Agriculture and Forestry the importance of early action on that subject.

"Mr. AIKEN. The Senator from South Dakota has aptly pointed out one way by which American food surpluses could be used in the promotion of good will and better economic conditions throughout the world. There are several bills pending which have that general objective in view. However, it is my understanding that the White House expects to send to the Congress very soon, possibly this week, a proposal to authorize the President to use some of our surplus commodities for the purpose of promoting international good will and preventing distress in friendly nations, and, at the same time, to authorize the disposal of some of our very large surpluses of certain commodities within the United States. I think it likely that the bill will be referred to the Committee on Foreign Relations for consideration. I have not seen it, but I assure the Senator from South Dakota that, so far as it is possible for the Senator from Vermont to cooperate to that end, an end which he has very fittingly pointed out at this time, he will do so. But I do not feel like stepping in ahead of the President's own proposal, when that proposal is expected to reach Congress soon, possibly within the next day or two.

"Mr. CASE. Mr. President, will the Senator yield further?

"Mr. AIKEN. I yield.

"Mr. CASE. I may state that following the Van Fleet hearings and my introduction of the bill to which I have referred, I discussed the Korean situation with the Ambassador from the Republic of Korea at considerable length. The information was so important that I asked him to put in writing, in the form of letter addressed to me, a summary of the statements he had made in our visit. It should be of interest to all Senators. I ask permission of the Senate to have that letter printed in the RECORD at this point in my remarks.

* * * * *

"Mr. CASE. In order that the record may be clear, there are two questions I wish to ask, since there has been some discussion of the bill.

"First, in response to a question asked by the Senator from Arkansas [Mr. MCCLELLAN], I think the record will give the impression that all the local currency will become available for the purposes which have been discussed by the Senator from Minnesota. Is it not correct that the bill provides that 5 percent of the local currency account is to be available for the local currency requirements of the United States within Pakistan?

"Mr. AIKEN. The Senator is correct.

"Mr. CASE. So 95 percent is to be available for the other program, and 5 percent would be available for our own expenses in Pakistan.

"Mr. AIKEN. That is correct.

"Mr. CASE. In addition, the committee has an amendment providing that at least 50 percent of the gross tonnage of wheat shall be transported 'on United States-flag vessels to the extent practicable,' as I read the bill, and I simply wish the RECORD to be clear about the fact that the Commodity Credit Corporation is not to pay the transportation. The Commodity Credit Corporation is to deliver the wheat on board vessels in United States ports, as directed by the President.

"Mr. AIKEN. The Commodity Credit Corporation is not to pay the transportation. I think the Mutual Security Administration is to pay the transportation. It is intended that Pakistan pay the cost of nondollar bottoms as far as possible, and that the dollar bottoms will be paid for out of MSA funds.

"Mr. CASE. But the Commodity Credit Corporation does not pay it?

"Mr. AIKEN. It is to be paid by whichever agency is designated by the President to handle the wheat. We are told that the President will designate the Mutual Security Agency. The provision that at least 50 percent of the wheat shall be carried in American bottoms, if available, is substantially the same provision as appears in the Mutual Security Act. As a matter of fact, it is doubtful if 50 percent will be carried in American bottoms, because I understand that they are not available at this time.

"Mr. CASE. While the Senator from South Dakota is in support of this particular measure, at the same time I think we ought to be a little careful about turning such measures into subsidies for the merchant marine or anything else, unless they are clearly labeled as such.

"Mr. AIKEN. I know just what the Senator from South Dakota means, because we have debated that subject on the floor frequently in the past few years.

"Mr. CASE. Should it not be clearly understood that the appropriations authorized in this measure will be to make payments to the Commodity Credit Corporation for the commodities supplied, and not for transportation, and that the transportation costs, if paid for by the Mutual Security Administration, should come from Mutual Security Administration funds?

"Mr. AIKEN. That is correct.

"Mr. CASE. Reverting for a moment to the Korean situation, in my discussion with the Korean Ambassador he pointed out that the South Koreans would be happy if the commodities intended for them were simply made available f. o. b. port of departure. If, in addition, we were to lend them some of our idle Liberty ships which are in mothballs at the present time, they would provide the sailors and provide the operating expenses. If we would place the food on our docks and lend them some ships, they would man the ships and take care of the transportation.

"Mr. AIKEN. I have not the slightest doubt that generous treatment will be accorded South Korea in this respect, as it should be. If we contribute the commodities at shipside to the foreign government, then it is up to the foreign government to furnish the transportation."

At the hearings on S. 2112 before the Senate Committee on Agriculture and Forestry, Secretary of State John Foster Dulles explained why the President had requested a grant rather than a loan:

"The CHAIRMAN (Mr. AIKEN). Thank you, Mr. Secretary.

"I have a couple of questions I would like to ask, and there may be other questions from other members of the committee, too. First, is it correct to infer from your testimony that you believe that the gift of the wheat itself would have a greater sentimental value and a greater value toward solidifying the international friendships than a loan of the money would have?

"Secretary DULLES. A much greater value, Mr. Chairman. A loan of money for a purpose of this sort, which did not create in itself any capital investments which increased the possibility of repayment, is not likely to be repaid, and a loan which exists on paper and which we may feel under obligation to try to collect and which they may feel under obligation to try to pay but where the economic situation does not permit of it, is apt to create disturbances between friends.

"I believe that wherever possible the United States should make aid available in the form of loans that are repayable. When I say 'wherever possible,' I include as making it possible a reasonable prospect that the debtor can repay, and repay without such a strain upon its own economy that the result is to destroy both the friendships

which we want to create and the economic strength that we want to create.

"I do not see, in the case of Pakistan, the possibility of making a loan which would be repayable without having those risks that I referred to.

* * * * *

"Secretary DULLES. The reason, as I understand it, is this: There is no reason from a purely domestic standpoint to provide a charitable operation of this magnitude. As I say, the people have got the rupees to pay for their own food.

"Senator ANDERSON. Then why not sell them the wheat?

"Secretary DULLES. The wheat will be sold to them for rupees, which they have.

"Senator ANDERSON. Then really we do not need to give them wheat at all. Why not give a Federal grant of money to the Government, if that is what we are trying to do? Why confuse it with wheat?

"Secretary DULLES. Because what they want is wheat and what we have is a surplus of wheat. If you would rather make a gift of $100 million instead of a million bushels of wheat, and then they would use the $100 million to buy wheat with——

"Senator WELKER. Where would they buy it?

"Secretary DULLES. They would buy it from us. We would end up just where we are now proposing to go. This is not a situation where you need to pauperize the people of Pakistan. They are perfectly capable and able to pay in rupees but there is no wheat available to purchase in rupees. There is no reason why this has to be made a pauperizing operation as far as Pakistan is concerned. They are perfectly willing and able to pay rupees for wheat if there is some wheat in the country that can be bought for rupees. This would go on the markets and be disposed of just as would be the case if they had a normal wheat crop.

"Senator ANDERSON. Will we get the rupees that they will pay?

"Secretary DULLES. I have explained that. Yes, those rupees will go into a blocked account over which we have control."

S. 2127, to authorize the Commodity Credit Corporation to transfer certain surplus agricultural commodities to the Director for Mutual Security for sale to countries participating in the mutual security program.

Introduced by Mr. SCHOEPPEL, referred to Committee on Agriculture and Forestry, June 11, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6380, 6425, and pt. 8, p. 10080.)

[This bill (S. 2127) providing for acceptance of foreign currencies for surplus agricultural commodities sold through the mutual security program, was reported as S. 2475 on July 24, 1953. (See S. 2475 and the report thereon, S. Rept. No. 642, 83d Cong.) Mr. ANDERSON explained: "There is a difference between this bill (S. 2475) and the bill on which there is a report. The report is on Senate bill 2127. This is Senate bill 2475 which was recommended as a result of many discussions. It was decided it was more simple to try to combine several bills into one than to try to deal only with Senate bill 2127."]

The following statement on the bill was made by Senator SCHOEPPEL, on June 11, 1953:

"* * * a proposal to sell up to $1 billion worth of Commodity Credit stocks to reinforce the mutual security program. This proposal would authorize the Secretary of Agriculture to transfer Commodity Credit Corporation stocks available for expanding world markets to the Administrator of the mutual security program.

"It would authorize the Administrator of the mutual security program within limitations to be set by the Congress to offer such stocks for sale through private traders to cooperating nations under conditions negotiated by him with receiving countries in exchange for local currencies. The Administrator would be authorized to accept such currencies for the United States and use them to reinforce the mutual security program and further its objectives by using these funds under mutual agreement, either, first, as loans to banking institutions in cooperating countries which in turn would use the funds to increase production and encourage international trade, or, second, to pay United States obligations such as contributions to cooperative defense establishments, for economic development, for aid to other cooperating countries and for strategic material to augment United States stockpiles above currently planned levels." (CONGRESSIONAL RECORD, vol. 99, pt. 5, p. 6426.)

The committee on June 12, 1953, requested the Secretary of Agriculture to report back to the committee with respect to this bill. The Secretary gave his views on the bill in a letter to the committee on July 24, 1953. (See S. Rept. No. 642, 83d Cong., 1st Sess.)

H. R. 5714, to authorize the Commodity Credit Corporation to transfer certain agricultural commodities to the Director for Mutual Security for sale to countries participating in the mutual-security program.

Introduced by Mr. BURLESON, referred to Committee on Agriculture, June 15, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 5, p. 6569.)

H. R. 5954, to authorize the Commodity Credit Corporation to transfer certain surplus agricultural commodities to the Director for Mutual Security for sale to countries participating in the mutual security program.

Introduced by Mr. JUDD, referred to Committee on Agriculture, June 26, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 7402.)

S. 2128, to further amend the Mutual Security Act of 1951, as amended, and for other purposes.

Introduced by Mr. WILEY, from the Committee on Foreign Relations (S. Rept. 403) on June 15, 1953.

After conference between Senator WILEY, chairman of the Committee on Foreign Relations and Senator SALTONSTALL, chairman of the Committee on Armed Services, was referred to the latter committee "in order that an examination may be made of the arms feature of the bill." (CONGRESSIONAL RECORD, vol. 99, pt. 5, pp. 6445, 6446, 6456.)

USE FOR MILITARY PURPOSES

After hearings in executive session the Senate Armed Services Committee reported S. 2128 (S. Rept. 444) on June 18, 1953, with an amendment striking out that part of section 521 of the Mutual Security Act of 1951 which read as follows:

"Any currency of any nation received by the United States for its own use in connection with assistance furnished by the United States may be used by any agency of the Government without reimbursement from any appropriation for [the administrative and operating expenses of] carrying out the purpose of this act."

That portion enclosed in brackets had been stricken by the Foreign Relations Committee. The Agriculture Committee also added by way of amendment the following new section (sec. 549), and S. 2128 contained this section when debate actually began on the bill in the Senate on June 29, 1953:

"SEC. 549. Use of Foreign Currency or Credits. Foreign currencies or credits owed to or owned by the United States shall be used to carry out the provisions of this act but only after reimbursement is made therefor to the Treasury from funds appropriated to carry out such purposes: *Provided*, That such currencies or credits are authorized to be made available for use without reimbursement to the Treasury for liquidation of obligations legally incurred against such currencies prior to July 1, 1953."

With respect to this amendment the Committee on Armed Services reported:

"The committee believed that foreign currencies or credits owed to or owned by the United States should be covered into the Treasury and that any expenditures of these funds should come only through authorized appropriations to carry out specific purposes." (S. Rept. 444, 83d Cong., 1st sess.)

THE M'CLELLAN AMENDMENT

On June 29, 1953, at the beginning of debate on S. 2128 Mr. MCCLELLAN offered an amendment with the following statement:

"Under this amendment the President would authorize the Mutual Security Agency to enter into agreements with the governments of countries eligible to receive military assistance under the Mutual Security Act of 1951, as amended, to convert their local currencies into United States dollars for the specific purchases of surplus agricultural commodities produced in the United States which the Secretary of Agriculture has declared to be currently in surplus supply. The dollars used in this conversion would then be utilized by the Mutual Security Agency and the United States Department of Defense for purchasing military equipment, materials, and services in such countries." (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 7556.)

The text of the McClellan amendment as modified by the Case proposal and then adopted by the Senate on July 1, 1953, was as follows:

"On page 2, line 1, after 'SEC. 540.', insert '(a)'; strike out the quotation marks at the end of line 13; and between lines 13 and 14 insert a new subsection as follows:

"'(b) Such amount of the funds authorized to be appropriated by subsection (a) of this section as may be specified in the act appropriating such funds shall be used by the President, under such rules and regulations as he may prescribe, to provide military assistance to countries eligible to receive such assistance under this act through currency conversion agreements entered into in accordance with this subsection. The President is authorized to enter into an agreement with any such country which shall provide—

"'(1) for the conversion into currency of the United States of such amounts of the currency of such country as may be specified in such agreement, and for the use of such United States currency for the purchase of agricultural commodities, livestock, meat, and meat products, produced in the United States which are determined by the Secretary of Agriculture to be in surplus supply;

"'(2) for the use of the currency of such country received by the United States under such agreement to procure military equipment, materials, and services in such country for the purpose of carrying out the provisions of this act;

"'(3) satisfactory assurance that an amount of dollar exchange, equivalent to the dollar exchange used by such country during the fiscal year beginning July 1, 1952, for the importation from the United States of each commodity covered by the agreement, will be made available by such country during the fiscal year beginning July 1, 1953, from sources other than dollar exchange made available under this section of the act for the purchase of each such commodity; and

"'(4) that the purchase of agricultural commodities produced in the United States with dollar exchange provided under such agreement shall be conducted through private trade channels.'" (CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 7555 [as offered by Mr. MCCLELLAN] and p. 7777 [as adopted with the Case modification].)

CASE INCLUDES MEAT PRODUCTS

On July 1, 1953, during debate on the McClellan amendment, Mr. CASE stated he had an amendment which he would offer "in the event the Senator's amendment is not agreed to, which acts on the same principle." Mr. CASE, joined by Messrs. BARRETT and MUNDT, also offered a modification to Mr. MCCLELLAN'S amendment which was accepted so as to specifically include surplus "meat products and livestock" with the coverage of the amendment. (CONGRESSIONAL RECORD, vol. 99, pt. 6, pp. 7774–7775.)

Since at this time, July 1, 1953, the House had already passed H. R. 5710 (the Mutual Security Act of 1953, and companion bill to S. 2128), it was necessary to include the Case proposal in the McClellan amendment because the bill as it passed the House contained no such proposal as the McClellan amendment or Case modification and such a modification could not be inserted in conference. Ibid.

S. 2128 passed the Senate on July 1, 1953, and H. R. 5710 was substituted therefor and a conference report (H. Rept. 770) was filed July 10, 1953, which explained that the Senate plan for converting dollars authorized for military assistance into foreign currencies was retained:

"Both the House bill and the Senate amendment included provisions for the use of surplus agricultural commodities in connection with supplying assistance to foreign countries. The language of the House bill stated the intent of Congress that surplus agricultural commodities should be substituted for other forms of economic aid to the extent feasible. The Senate provision authorized an arrangement for converting military assistance into foreign currencies. The dollars received by the foreign nations were to be spent by agreement for United States farm products and the local currencies received by the United States would be spent for military and items in the purchasing countries.

"The committee of conference agreed to a modification of both provisions. The conference agreement requires that of the funds authorized not less than $100 million and not more than $250 million 'shall be used directly or indirectly to finance the purchase of surplus agricultural commodities.' The provision for 'indirect' financing is to permit reimbursement of the Commodity Credit Corporation for commodities supplied from its stocks.

"Sale of agricultural surpluses for local currencies is authorized. Such currencies are to be kept in a special United States account and may be utilized for the purposes set forth in the legislation without appropriation by Congress.

"Local currencies so acquired may be spent only for the purposes of the Mutual Security Act, giving particular regard to the providing of military assistance to countries or mutual defense organizations and to other specified purposes.

"Special precautions are to be taken to prevent disposing of surpluses in a manner which would displace normal market arrangements and to insure that maximum use will be made of private trade channels.

"The conference agreement carries out the objectives of the provisions of the House bill and the Senate amendment while providing more specific and detailed procedures for the attainment of these objectives." (Rept. No. 770, also printed at CONGRESSIONAL RECORD, vol. 99, pt. 7, pp. 8683–8689.)

The conference report on H. R. 5710 was agreed to in the Senate on July 13, 1953, and at that time Mr. WILEY and Mr. KNOWLAND, both Senate conferees, explained the effects of the revision by the conference of the McClellan amendment with the Case modification. The colloquy was as follows (CONGRESSIONAL RECORD, vol. 99, pt. 7, pp. 8642–8643):

"Mr. MCCLELLAN. Mr. President, before we leave the subject of the conference report, I should like to ask the distinguished Senator from Wisconsin for an explanation of the provision which was substituted for the amendment, which the Senate agreed to, with respect to the disposal of some of our surplus agricultural commodities by the conversion of dollars into the currencies of foreign countries.

"Mr. WILEY. Mr. President, the conferees battled for about 3 days. Half the time was taken up in discussing the amendment referred to by the Senator from Arkansas. In the statement which I have submitted on the conference report the following language appears:

"'Surplus agricultural commodities: The House bill expressed the intent of Congress that surplus commodities be substituted for other economic assistance wherever feasible. The Senate bill contained an amendment offered on the floor by the senior Senator from Arkansas (Mr. MCCLELLAN) providing for the use of military-assistance funds to finance the export of surplus commodities for local currency which, in turn, would be used for military procurement.

"'The conferees agreed on an amendment which provides that between $100 million and $250 million of the funds authorized in the bill shall be used to finance the purchase of surplus agricultural commodities. The amendment authorizes the President to negotiate agreements with friendly countries for the sale of these commodities for local currencies which he may then use to carry out the purposes of the Mutual Security act.'

"Mr. MCCLELLAN. As I understand the effect of that amendment is that the surplus commodities, under the amendment adopted by the conferees, will come out of the stock of surplus commodities now owned by the Commodity Credit Corporation, and not out of the channels of private trade. Is that correct?

"Mr. WILEY. I am informed that they might come either directly or indirectly from that source.

"Mr. MCCLELLAN. It would be in the discretion of the President in working out these arrangements.

"Mr. WILEY. That is correct.

"Mr. MCCLELLAN. Then it will be possible to carry out the original purpose of the amendment which I offered, and which the Senate adopted, if the President will exercise the authority which is granted him by the amendment which the conferees agreed to.

"Mr. KNOWLAND. Mr. President, will the Senator yield?

"Mr. WILEY. I yield.

"Mr. KNOWLAND. Is it not substantially a fact that it makes very little difference which way it is done, because if these commodities come out of stocks held by the Commodity Credit Corporation, for example, the Commodity Credit Corporation will then be in a position to take on more agricultural products. So there is very little difference in the overall agricultural picture.

"Mr. MCCLELLAN. That is probably true; but what we should do, insofar as we can, is to encourage the resumption of normal trade through normal channels. I am not saying that it should come out of surplus stocks that we may have on hand, but if it leaves the way open for the President to negotiate an arrangement whereby it can still come out of private trade in regular trade channels, I am glad to know it.

"Mr. WILEY. If the Senator will look at section 550 he will find it provides that the President shall take special precaution to safeguard against the substitution or displacement of usual marketings of the United States or friendly countries, and to assure to the maximum extent practicable that sales prices of such commodities are consistent with maximum world market prices of like commodities of similar quality, and so forth. The section also provides that private trade channels shall be used to the maximum extent practicable.

"I believe that answers the question of the Senator from Arkansas.

"Mr. MCCLELLAN. I wanted to be sure that that principle is preserved so far as is practicable.

"I note that a number of different uses may be made of the currencies we acquire in exchange, whereas the amendment which was sponsored by me provided only that they should be used for procuring offshore purchases of military supplies in the country issuing the currency. Is that correct?

"Mr. WILEY. Yes. If the Senator will refer to the same section he will find that it specifies 4 or 5 activities.

"Mr. MCCLELLAN. I believe there are 6.

"Mr. WILEY. Six different activities for which the money can be used.

"Mr. MCCLELLAN. It is to some extent watered down.

"Mr. WILEY. Or watered up.

"Mr. MCCLELLAN. I believe it is watered down. For instance, the currencies can be loaned back to the issuing country, and we know from experience that most loans are nothing but gifts. Unless sound discretion is used with respect to the various provisions as to how the funds may be used, and our interest is given paramount consideration, those currencies can be used and disposed of so they will actually not return any benefit to our country, other than the giving away of mutual aid.

"Mr. KNOWLAND. Mr. President, will the Senator yield?

"Mr. MCCLELLAN. I yield.

"Mr. KNOWLAND. I believe the distinguished Senator from Arkansas is not quite correct in that regard. I should not like to have his statement to stand in the RECORD without my saying, to the contrary, that the language worked out by the conferees had very much in mind that we wanted to make certain there was an opportunity for the Government at least to get in exchange material which would be helpful and of value to the American people:

"'(1) for providing military assistance to countries or mutual defense organizations eligible to receive assistance under this act;

"'(2) for purchase of goods or services in friendly countries;

"'(3) for loans, under applicable provisions of this act, to increase production or goods or services, including strategic materials, needed in any country with which an agreement was negotiated, or in other friendly countries, with the authority to use currencies received in repayment for the purposes stated in this section or for deposit to the general account of the Treasury of the United States;

"'(4) for developing new markets on a mutually beneficial basis;

"'(5) for grants-in-aid to increase production for domestic needs in friendly countries;

"'(6) for purchasing materials for United States stockpiles.'

"Mr. MCCLELLAN. I understand. It seems to be that No. 5 is another giveaway proposition.

"Mr. KNOWLAND. Except I am sure the Senator understands it is surrounded with certain limitations, so the minimum amount that can be used is $100 million and the maximum amount is $250 million. It is circumscribed within those limitations.

"Mr. MCCLELLAN. That is correct. I am not critical of the conferees. I realize they had a difficult task, probably, in working out an agreement. I hope that it means we

have in the bill a start and a tangible effort toward stopping complete giveaways and an effort to try to reestablish trade and commerce between us and other countries, so we will provide aid to our friends by trade, not aid by gifts.

"Mr. CASE. Mr. President, I desire to ask a question of the chairman of the Committee on Foreign Relations.

"Mr. WILEY. I shall be glad to answer the Senator's question, if I can.

"Mr. CASE. During the consideration of the McClellan amendment, or when it was being discussed before it was formally presented, the junior Senator from South Dakota suggested that following the words 'surplus agricultural commodities' there be inserted the words 'livestock, meat, and meat products.' The Senator from Arkansas incorporated that language in his amendment, and the McClellan amendment was adopted in that form. I note on page 9 of the conference report, in section 550, the words 'surplus agricultural commodities, or products thereof.' Apparently the conferees substituted the words 'or products thereof' following the words 'surplus agricultural commodities' for the words which were included in the McClellan amendment, namely, 'livestock, meat, and meat products.'

"Clearly the language used has eliminated the term 'livestock.' So, the Senator from South Dakota would like to ask the chairman of the conference committee whether it would be his interpretation that the words 'or products thereof' following the words 'surplus agricultural commodities' would include meat and meat products.

"Mr. WILEY. My recollection of the discussion on that point is rather vague. So much was said in 3 days I am not clear in my recollection.

"Mr. GEORGE. If the Senator will permit me, I should like to say that we were told that meat and meat products would be included. They said they were actually already furnishing lard and oil and certain meat products.

"Mr. CASE. Canned meats and gravies.

"Mr. GEORGE. Yes. That is my understanding.

"Mr. KNOWLAND. Mr. President, as one of the conferees, I will say, for what it may be worth, that the language is sufficiently broad to cover meat and meat products as an agricultural commodity.

"Mr. CASE. I appreciate the contribution which has been made by the remarks of the chairman of the conference committee, by the Senator from Georgia, the ranking minority member of the Committee on Foreign Relations, and by the acting majority leader. Their statements, made here in direct answer to my question, should provide the interpretation which will guide the administrators of the act. I thank the Senators for their contribution."

The Mutual Security Appropriation Act of August 7, 1953, made provision for section 550 as follows:

"Sec. 104. Of the funds appropriated by this act, except funds appropriated for assistance under sections 541 and 548 of the Mutual Security Act of 1951, as amended, not less than $100 million shall be used to carry out the provisions of section 550." (67 Stat. 481, Public Law 218, 83d Cong.)

PUBLIC LAW 216 (S. 2249, IN LIEU OF H. R. 6016), 83D CONGRESS

On June 30, 1953, President Eisenhower sent a message to Congress asking for general legislation giving to the President authority to make available to friendly and needy countries surplus agricultural commodities under such terms and conditions as the President sees fit. Such commodities were to be turned over to the President by the Commodity Credit Corporation and that Corporation reimbursed to the extent of its investment in the commodities. Bills (S. 2249 and H. R. 6016) were immediately introduced, June 30, 1953, by Mr. AIKEN in the Senate and Mr. Hope in the House to carry out the desires of the President as stated in his message. Both bills carried an unlimited authorization for appropriations and an expiration date of June 30, 1955. (CONGRESSIONAL RECORD, vol. 99, pt. 6, pp. 7614–7615; text of Message of President, June 30, 1953, printed at p. 7614 and in S. Rept. 642 on S. 2475 and in H. Rept. 983 on H. R. 6016 and separately as H. Doc. 202, 83d Cong.)

S. 2249 became Public Law 216, upon being approved August 7, 1953. As enacted there were only three changes of importance, namely (1) the termination date was shortened to March 15, 1954, (2) the appropriation was limited to $100 million, and (3) the Flanders amendment made it possible to give aid to friendly but needy populations without regard to the friendliness of their government. Mr. FLANDERS first offered his amendment on July 8, 1953, and it was referred to the Senate Agriculture Committee and later appeared as committee amendments to S. 2249 and H. R. 6016 when the respective bills were reported. (See CONGRESSIONAL RECORD, vol. 99, pt. 6, p. 8173 for text of the Flanders amendment; also see S. Rept. 631 and H. Repts. 983 and 1070, 83d Cong., 1st sess., Public Law 216, 83d Cong., ch. 349, 1st sess.)

At the Senate Agricultural Committee hearings on July 16, 1953, the spokesman for the State Department explained that aid under S. 2249 would normally "be in the form" of a grant "but the language was sufficiently flexible to allow the President "in certain cases to provide for the establishment of a special fund of local currencies from the proceeds of local sales of the commodities." Senate Committee on Agriculture. (Hearings on S. 2249, July 16, 1953, 83d Cong., 2d sess., p. 3.)

On July 13, 1953, just 3 days prior to hearings on this bill (S. 2249), the conference report on the Mutual Security Act of 1953 [S. 2128 and H. R. 5710] had been reported back to the Senate by the Foreign Relations Committee conferees and there was a colloquy engaged in by Messrs. CASE, WILEY, and KNOWLAND to determine whether the Case modification of the McClellan amendment had been approved in conference. The Case modification would have included meat and meat products as well as livestock in the program authorized by section 550 of that act. The modification had been approved by the Senate. At the hearings on July 16, 1953 on S. 2249 this question was again raised as to whether S. 2249 would apply to cattle and it was determined it did not include cattle. Senate Committee on Agriculture. (Hearings on S. 2249, p. 17.)

S. 2249 also lacked any specific provision for requiring payment for the surplus commodities though Mr. MUNDT at the hearings suggested that the bill be amended by adding:

"* * * a second title provides that a mechanism be established whereby we can assure foreign countries that nothing is going to be dumped upon them because we will then require them to pay for certain amounts of Commodity Credit Corporation stocks which they might desire and require, but which their conditions of urgency do not justify giving to them free.

"Therefore, we make it possible for them to pay for them in the currency of their own land or in products which they have in surplus or in products which they have that we require." Hearings (Ibid., p. 18).

The hearings held by the Agriculture Committees of both the House and Senate on these bills (H. R. 6016 and S. 2249) indicated that sentiment in both Houses had shifted toward the idea originally incorporated in the Case bill (S. 1230), that of "trade not aid" by exchanging surplus agricultural commodities for foreign currencies rather than giving them away. The Senate Agriculture Committee, therefore, expressed this caution in reporting S. 2249 favorably on July 24, 1953:

"The committee realizes that the furnishing of assistance of this sort must necessarily have some effect on the economy of the recipient country, as well as exporting countries, commercial suppliers, and others. The desire of the committee is simply to furnish aid on behalf of our Nation to those in need, and such aid should be furnished in such manner as to avoid all possible injury to the domestic economy of any friendly country or the channels of commercial trade. To the maximum extent practicable consistent with good business practices and the purposes of the act, the normal channels of trade should be utilized in carrying out the act.

"In order that Congress may be fully advised on the manner in which any programs under the bill may be working the committee intends to request a full report thereon shortly after Congress convenes in January." (S. Rept. 631, 84d Cong., 1st sess.)

S. 2249 passed the Senate July 27, 1953, after its title had been amended to read: "A bill to enable the President, during the period ending March 15, 1954, to furnish to peoples friendly to the United States emergency assistance in meeting famine or other urgent relief requirements." (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 9905–9926.) H. R. 6016 passed the House on July 29, 1953, but the proceedings were vacated and the House pass S. 2249 in lieu of H. R. 6016. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10382–10407.) S. 2249 was approved by the President on August 7, 1953, and became Public Law 216, 83d Congress (67 Stat. 476).

Public Law 216 authorized the President to use not to exceed $100 million of Commodity Credit Corporation commodities to meet famine or other urgent relief requirements in other countries.

No program of assistance was to be undertaken after March 15, 1954. An appropriation to the Corporation for the commodities so disposed of was authorized. No provision was made for selling the commodities; rather they were to be given away. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 9906 (Mr. AIKEN) and 10399 (Mr. JUDD); and H. Rept. (conference) 1070, 83d Cong., 1st sess.)

The legislative history of H. R. 6016 (companion bill to S. 2249) shows that during the debate on this bill it was pointed out that an amendment to the Mutual Security Act of 1952 permitted the use of $100 million to furnish food supplies to foreign countries. Although the question of selling surplus commodities for foreign currencies was discussed in the House in connection with H. R. 6016 no amendment was actually offered. It will be noted that on July 28, 1953, the day before the House passed S. 2249 (in lieu of H. R. 6016), the Senate passed S. 2475, providing for the sale of agricultural commodities in foreign countries in accordance with the provisions of the Mutual Security Act of 1951, as amended by Public Law 118 of the 83d Congress, with an amendment by Senator GORE to remove language placing limitations on funds available for conversion of foreign currencies into dollars to pay for surplus commodities. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10075–10088, 10398.)

During the debate on H. R. 6016 on July 29, 1953, Mr. JUDD advised the House as he had previously advised the House Agriculture Committee on July 23, 1953, concerning his draft of a bill similar to S. 2475. Mr. JUDD had not yet introduced his bill at the time but he did so later on August 3, 1953, his bill being H. R. 6845. (See p. 68 ff., hearings on H. R. 6016, entitled "Famine Relief" held on July 22, 23, and 24, 1953, by House Committee on Agriculture for statement by Mr. JUDD on his version (H. R. 6845) of S. 2475.) Later, during the second session,

on March 8, 1954, Mr. JUDD introduced a revised version of his own bill (H. R. 6845), his later bill being H. R. 8270.

"I submitted a bill as a second title to the bill before us which would use agricultural surpluses to expand our foreign markets by expanding free world economies by promoting additional trade and strengthening the economies of cooperating nations. It would authorize the President to make agreements with friendly countries to sell surplus commodities for foreign currencies where that can be done without displacing usual markets, at not less than maximum world prices, and where he can use the currencies received to expand production in friendly countries, increase trade between them and between them and ourselves. It would use private trade channels wherever practicable.

"The bill in substance was adopted in the conference on the Mutual Security Act. But it is limited there to funds appropriated under that act. The bill was adopted by the Senate yesterday. Unfortunately, the Committee on Agriculture decided not to act upon it at this time and to put it over until next session * * *." (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 10399 (statement of Mr. JUDD, July 29, 1953).)

On July 23, 1953, at the hearings before the House Committee on Agriculture during the first session of the 83d Congress Representative JUDD gave an analysis of the legislative situation at that time in regards to the bills and acts relating to surplus agricultural commodities. He was testifying on his bill (not yet introduced) which he offered the committee in mimeographed form as an amendment to H. R. 6016. The Committee failed to adopt his amendment and he later explained that on July 29, 1953, when H. R. 6016 passed the House in lieu of S. 2249. At the hearings of the Agriculture Committee Mr. JUDD stated:

"Mr. JUDD. * * * I understand this bill [H. R. 6016] is primarily for relief of people in urgent need. In the foreign-aid bill that was passed a year ago there was an amendment sponsored by Mr. Ribicoff, of Connecticut, and myself, which covers that very item referred to yesterday, of use of agricultural commodities, or anything else for that matter, for psychological purposes.

"It provided that—

" 'Not more than $100 million of the funds made available under the Mutual Security Act of 1952, of which not more than $20 million may be allocated to any one country, may be used or supplied without regard to any conditions as to eligibility contained in this act.'

"The language is broader than the language of this bill [H. R. 6016] because that allows aid to be given even to people in unfriendly countries, and we did that deliberately because we hoped that something might develop like what is happening in East Germany. * * *

"The President was required to notify the Committee on Foreign Affairs in the Senate and House on making such determinations. His offer of a grant of $15 million of food to people in East Germany was made under that authorization passed just about a year ago.

"Mr. ANDRESEN. Is that the first time that has been used?

"Mr. JUDD. Yes. It has been there a year, and this is the first time it has been used.

"Mr. ANDRESEN. So they have that $100 million not used?

"Mr. JUDD. They have $85 million still unused. As I say, that is broader than this bill because he can even give it to unfriendly countries, unless you modify this bill, as Senator FLANDERS has done in the Senate, to make it possible to give aid to peoples that are friendly, even in a country whose government is not friendly. If this bill is passed, I certainly think that Flanders' amendment or something comparable should be included.

* * * * * *

"Mr. JUDD. * * * the other limitation—and this is the main one in which I am interested today—that I think ought to be added to the Hope bill would be in the form of another title. I have passed around mimeographed copies of what I suggest as a second title to the bill. On the bottom of the first page, section 103, I would put a limitation in the Hope bill [H. R. 6016] to provide that the President should use the Hope bill [H. R. 6016] to give these surplus commodities away only after he has determined that it would not be better to use the method of transfer on a trade basis, which is provided in the new title. * * *"

At the beginning of the debate on S. 2475 in the Senate Mr. SCHOEPPEL explained:

"The Committee on Agriculture and Forestry, having considered the bill, as it is specifically stated in the report [S. Rept. 642], reports the bill [S. 2475] and recommends that it do pass without amendment. Senators who serve on the Committee on Agriculture and Forestry and other Senators also, I am sure know that the Senate had before it during this session a number of bills authorizing the barter or sale for foreign currencies, of surplus agricultural commodities.

"Farm organizations, various Senators, and others have evidenced considerable interest in these proposals; and section 550 was added to the Mutual Security Act of 1951 at this session [first] to provide for such sale. While the Department of Agriculture, as set out in exhibit A of this report, believes that section 550 is sufficient at this time, your committee feels that the additional authority provided by the bill is necessary if we are to make an adequate attempt to discover whether sale for foreign currencies presents a profitable avenue for disposing of surplus agricultural commodities and for expanding world trade.

"The Commodity Credit Corporation has in prospect by the end of the year an investment in stocks owned or under purchase agreement of approximately $5 billion. S. 2475 is the only proposal brought before this body this session that comes to grips in a realistic way with this very urgent problem.

"In dealing with surplus agricultural products we have 1 or 2 alternatives—either shrink the agricultural plant of this country to existing markets, which we have learned in the last few weeks is a most unsatisfactory approach politically and is dangerous economically. The other alternative is to seek to develop means to increase exports and reinforce the mutual security program, to protect our existing markets and create new ones. S. 2475 with an authorization would achieve these objectives. * * *

"The recently enacted Mutual Security Act of 1953 contained a provision to authorize the President to enter into agreements with friendly countries for the sale and export of surplus agricultural commodities and accept for them local currency for the account of the United States. It provides that in the negotiation of the agreements, the President would take special precaution to safeguard the existing markets.

"The section further provides that the local currencies received by the United States for agricultural products sold are to be used (a) for providing military assistance, such as to the North Atlantic Treaty Organization and for Indochina; (b) for the purchase of goods or services needed in other friendly countries; (c) for loans for increasing production, including strategic materials; (d) for developing new markets for agricultural products; (e) for grants-in-aid to increase production; and (f) for stockpiling materials needed by the United States.

"Section 550 of the Mutual Security Act sets the framework within which agricultural markets can be expanded. S. 2475 authorizing $500 million will give sufficient money to give this new concept of expanding agricultural markets a full test.

"Senate bill 2475, in addition to providing the half billion dollars to effectuate section 550, establishes a procedure which will assure that the majority of the sales will be made through private traders rather than on a State trading basis." (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10077–10078.)

PUBLIC LAW 480 (S. 2475), 83D CONGRESS

The Senate passed S. 2475 during the 1st session of the 83d Congress on July 28, 1953. Final action was had during the second session and the bill became Public Law 480.

S. 2475, to authorize the President to use agricultural commodities to improve the foreign relations of the United States.

Introduced by Mr. Schoeppel (for himself, Mr. Anderson, Mr. Clements, Mr. Eastland, Mr. Hoey, Mr. Johnston of South Carolina, Mr. Mundt, Mr. Aiken, Mr. Thye, Mr. Welker, and Mr. Young); referred to Committee on Agriculture and Forestry, July 24, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 7, p. 9723.)

The bill, being a committee bill, was immediately reported (S. Rept. 642), July 24, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 7, p. 9724.)

Objected to, July 27, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 9892.)

Debated, amended, and passed Senate, July 28, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, pp. 10075–10088.)

Referred to House Committee on Agriculture, July 29, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 10433.)

Reported (H. Rept. 1776) with amendment, June 9, 1954. (CONGRESSIONAL RECORD, vol. 100, pt. 6, p. 7981.)

Debated, June 15–16; amended, passed House, and title amended to read "An act to increase the consumption of United States agricultural commodities in foreign countries, and for other purposes," June 16, 1954. (CONGRESSIONAL RECORD, vol. 100, pt. 6, p. 8380.)

Senate asks for conference, June 22, 1954.

House agrees to a conference, June 22, 1954.

Conference report (H. Rept. 1947) submitted to House, June 29, and adopted June 30, 1954, by the House after an explanation by Mr. HOPE of the changes made in conference in section 302. (CONGRESSIONAL RECORD, vol. 100, pt. 7, pp. 9335–9338.)

Conference report (H. Rept. 1947) submitted in Senate with explanation by Mr. AIKEN and adopted without debate, June 30, 1954. (CONGRESSIONAL RECORD, vol. 100, pt. 7, pp. 9258–9259.)

Signed by President, July 10, 1954, becoming Public Law 480, 83d Congress.

Public Law 480 authorizes the disposal of up to $1 billion worth of surplus agricultural commodities as follows:

"1. Authorizes negotiations of agreements with friendly nations and organizations abroad for sale of surplus commodities for foreign currencies. This section authorizes spending up to $700 million over the next 3 years to reimburse the Commodity Credit Corporation for such transactions.

"2. Makes $300 million worth of such commodities in the same period available to friendly nations in meeting famine or other emergency requirements.

"3. Authorizes the CCC to make surplus commodities available in the United States in areas declared by the President to be distress areas. It also broadens existing authority to permit these commodities to go to the Bureau of Indian Affairs, school lunch programs, and public and private agencies for assistance to needy persons."

In the Senate, Mr. AIKEN, on June 30, 1954, explained how the bill had been rewritten in conference:

"S. 2475 as it passed the Senate provided for the sale of surplus agricultural commodities for foreign currencies, and for the use of the foreign currencies so acquired for the purposes set out in subsections (b), (c), (d), and (e) of section 550 of the Mutual Security Act of 1951. The House amendment, which was in the nature of a substitute for the Senate bill, consisted of three titles. Title I revised and refined the provisions of the Senate bill. Title II added provisions for the transfer of up to $300 million worth of surplus commodities for famine and other foreign relief. Title III added (1) permanent provisions for the use of surplus agricultural commodities for domestic and foreign relief and for barter for strategic materials, (2) a limitation upon sales and transfers which might aid Iron Curtain countries, and (3) a provision for the appropriate marking of relief packages. Programs under titles I and II could be undertaken only until June 30, 1957.

"The conferees agreed upon a substitute for the House amendment which, while following generally the language of the House amendment, would—

"1. Require the President to take reasonable precaution that sales for foreign currencies under title I would not unduly disrupt world prices;

"2. Provide for the sale and financing of exportation of such commodities by the Commodity Credit Corporation in accordance with regulations, rather than directions, of the President;

"3. Provide for financing the exportation of privately owned commodities, even though Commodity Credit Corporation might be in a position to supply such commodities, upon condition that the private stocks then be replenished from the Corporation's inventory;

"4. Reduce the amount authorized for sales for foreign currencies from $1 billion to $7 million;

"5. Limit the purposes for which the foreign currencies could be expended without regard to section 1415 of the Supplemental Appropriation Act, 1953 (which requires their appropriation), to the purposes enumerated in section 104, rather than to all of the purposes set forth in section 2;

"6. Make said section 1415 applicable to all foreign currencies used for grants under subsections (d) and (e) of section 104 and for payment of United States obligations involving grants under subsection (f) of section 104;

"7. Provide that in making grants under section 202 the President should avoid displacing or interfering with sales that might otherwise be made;

"8. Strike out section 203, which would have permitted the use of $100 million worth of surplus agricultural commodities without regard to the Mutual Defense Assistance Control Act of 1951;

"9. Enlarge section 301 to permit relief in domestic distress areas in the form of products (such as Cheddar cheese and nonfat dry milk solids), as well as farm commodities, and give the Department of Agriculture the responsibility of supervising distribution of commodities under this section consistent with the supervision that it exercises under section 32 of Public Law 320 of the 74th Congress;

"10. Perfect the amendment made by section 302 to section 416 of the Agricultural Act of 1949 and strike out State or Federal penal and corrective institutions as eligible recipients;

"11. Strike out section 303, which would have made State penal and corrective institutions eligible recipients for commodities distributed with section 32 funds;

"12. Enlarge section 304 (sec. 303 of the conference substitute) to provide for barter for materials required in foreign-assistance programs or offshore construction and to require procurement agencies to cooperate in disposing of surplus commodities by means of such barter; and

"13. Revise section 305 (sec. 304 of the conference substitute) to require the President to exercise the authority contained in the act (A) to assist friendly nations to be independent of trade with Iron Curtain countries for food, raw material, and markets, and (B) to assure that commodities sold or transferred under the act do not result in increased availability to unfriendly nations of those or like commodities.

"The conference committee also made several minor changes in language and amended the title of the bill to read: 'An act to increase the consumption of United States agricultural commodities in foreign countries, to improve the foreign relations of the United States, and for other purposes.'" (CONGRESSIONAL RECORD, vol. 100, pt. 7, p. 9259.)

On the same day Mr. Hope explained to the House the changes made in conference in section 302:

"Mr. HOPE. There was a slight change made in conference in section 302. It broadens the authority somewhat to use surplus commodities to barter for strategic and other materials not produced in adequate quantities in the United States. That is the only difference that is made as far as strategic materials are concerned.

"Mr. BAILEY. The strategic materials we can trade for are those not produced in the United States.

"Mr. HOPE. Not necessarily those not produced in the United States. I will read the language to the gentlemen. In the statement of the conferees we made it clear that the interpretation is that surplus commodities may be bartered for materials which are not produced in adequate quantities in the United States. That is the interpretation which the House put on the language contained in the bill.

"Mr. BAILEY. There is no other change made affecting section 302?

"Mr. HOPE. There are some other slight changes in section 302, but not affecting strategic materials.

"Mr. Speaker, to more directly answer the gentleman's question as to the provision in the conference bill, the language which relates to barter reads as follows:

" 'To barter or exchange such commodities for strategic or other materials as authorized by law.'

"Then in our report of the House conferees, we state that that is to apply to strategic materials which are not produced in adequate quantities in the United States. So I think that protects the gentleman in the respect in which he is interested." (CONGRESSIONAL RECORD, vol. 100, pt. 7, pp. 9335–9338.)

In addition to the above bills the following bill was introduced during the first session of the 83d Congress:

H. R. 6845, to authorize the President to use agricultural commodities to improve the foreign relations of the United States, and for other purposes.

Introduced by Mr. JUDD, referred to Committee on Agriculture, August 3, 1953. (CONGRESSIONAL RECORD, vol. 99, pt. 8, p. 11164.)

During the second session of the 83d Congress, the House, besides passing S. 2475, received the following bills for the "Agricultural Trade Development Act of 1954": H. R. 8267 (Mr. Harrison, March 8, 1954); H. R. 8268 (Mr. Harrison, March 8, 1954); H. R. 8269 (Mr. Burleson, March 8, 1954); H. R. 8270 (Mr. Judd, March 8, 1954); H. R. 8271 (Mr. Poage, March 8, 1954); H. R. 8278 (Mr. D'Ewart, March 8, 1954); H. R. 8327 (Mr. Horan, March 10, 1954); H. R. 8396 (Mr. Springer, March 15, 1954); and H. R. 9389 (Mr. Hill, June 1, 1954).

The bills (H. R. 8268, etc.) for the "Agricultural Trade Development Act of 1954" are summarized as follows:

"Agricultural Trade Development Act of 1954, declares policy of Congress to expand international trade between the United States and friendly nations, to facilitate the convertibility of currencies, to promote the economic stability of American agriculture and the national welfare by stimulating and facilitating the expansion of foreign trade in agricultural commodities produced in the United States by providing a means whereby surplus agricultural commodities in excess of the normal trade in such commodities may be sold through private trade channels, and foreign currencies accepted in payment therefor. In furtherance of this policy the President is authorized to negotiate agreements with friendly nations, and to make loans to such nations to finance the sale and export of surplus agricultural commodities from the United States. The Secretary of Agriculture is directed to (1) designate the quantities and qualities of private or Commodity Credit Corporation stocks which may be offered for sale and the terms of such sale, (2) order the transfer of funds from the Commodity Credit Corporation to the Export-Import Bank of Washington to convert foreign currencies into dollars, (3) to order the Commodity Credit Corporation to sell to domestic exporters, surplus agricultural commodities acquired in the administration of its price-support programs, and to deliver such commodities as may be sold at such places within the United States as may be prescribed. For the purpose of making payment to Commodity Credit Corporation for costs incurred by it to carry out the provisions of this act, the Secretary of the Treasury is authorized to cancel notes of the Commodity Credit Corporation in amounts equal to funds transferred under (2) above. The authority to make sales and loans under this act terminates June 30, 1957; and the amount of such sale and loans shall not exceed $1,500,000,000."

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed at this point in the RECORD some brief remarks I have prepared, giving my reasons for supporting the bill. Because of the lateness of the hour I shall place the statement in the RECORD, without speaking.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR SALTONSTALL

I shall vote in favor of S. 2130 because I believe it is a bill which will improve our programs for mutual security and the development of freedom and economic progress in other nations.

The report of the Committee on Foreign Relations on this bill is one of the best committee reports I have ever read. Under the legislation now before us the mutual security program will be simplified and clarified and it will carry out better than it has in the past the purposes for which the program is intended.

The provision giving an authorization for 2 years for military aid and defense support will permit better planning and better coordination of our programs with those of free nations. The new arrangement for administration of military and supporting aid by the Department of Defense, with stronger foreign policy direction by the Department of State, will give clearer and more appropriate administration.

The proposal for a development loan fund will improve the efficiency of the economic assistance programs and will also remove the possibility of embarrassing some of our friends by the so-called gift aspects of foreign aid. Here again is an opportunity for better

planning through the establishment of this fund. For example, our own planning can be tied in with such other programs as the 5-year development program in Pakistan and in other instances where we have been handicapped in the past through lack of flexibility under a 1-year limitation on this type of planning.

Technical aid is continued under the bill. I have always been in favor of technical aid because of what I have seen of it in other countries and because I support the theory under which it operates. It operates not only to increase the abilities of countries receiving it to better their standards of living and thereby to govern themselves more capably, but it also provides better opportunities for mutual trade and commerce between these nations and the United States.

As a member of the Special Committee To Study the Foreign Aid Program, I believe that the bill reflects the increased knowledge which the Congress and the executive department have concerning our mutual security program and the necessity of continuing it.

In my opinion the bill is an effective instrument of reducing the threat of Communist aggression. I shall look forward with a great deal of interest to the hearings on the appropriations to carry out these authorizations.

I would like to repeat the last two paragraphs of the report of the Committee on Foreign Relations which fully reflect my own feelings.

"Considering the enormous size and complexity of the mutual security program, it is rather remarkable that it has been possible, in the space of a year, to make as much improvement as S. 2130 represents. Continuing improvements can reasonably be expected.

"The committee, which has devoted most of its time for almost a year to the study of this problem, sees no reasonable alternative to the bill herewith submitted to the Senate. It is likewise convinced that the American people are sufficiently mature and aware of the world situation which they face to give their support to a program of this character."

Mr. JAVITS. Mr. President, I call up my amendment designated "6-10-57-D" and asked that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 43, between lines 15 and 16, it is proposed to insert the following new subsection:

"(m) At the end of section 416, which relates to facilitation and encouragement of travel, add the following: 'To this end, under the direction of the President, the Departments of State and Commerce, the agency primarily responsible for administering nonmilitary assistance under this act and such other agencies of the Government as the President shall deem appropriate, in cooperation to the fullest extent practicable with private enterprise concerned with international travel, shall conduct a study of barriers to international travel and ways and means of promoting, developing, encouraging, and facilitating such travel in the mutual interests of the United States and countries assisted under this act.'"

Renumber subsequent subsections.

On page 47, line 23, after "400," insert "416."

Mr. JAVITS. Mr. President, I yield myself 5 minutes in which to explain the amendment.

Section 416 relates to the facilitation and encouragement of travel, and was included in the Mutual Security Act of 1954. I had the honor of being the author of the section when I served in the other body.

Under that section, the President designated the Department of Commerce to do all it could to promote and develop travel by citizens of the United States to countries receiving assistance under the act, and travel by citizens of such countries to the United States. Such an office was financed with a modest appropriation, which I think at that time amounted to about $35,000 a year. I think the office has been continued at that rate.

The purpose of my amendment is simply to apprise Congress again of the progress that has been made, of the barriers still existing, and of what Congress can do about those barriers.

International travel is the cheapest kind of foreign aid. One and one-half million Americans spend $1,500,000,000 abroad. Lest we underestimate what that means to a particular country, this is the greatest single export of Great Britain. Great Britain received $134 million from this invisible export, which involves investment in the occupancy of rooms, the consumption of some food, and the use of the great and beautiful country of the British by many Americans in the year 1956. That was about $58 million more than its other largest export, which was machinery.

It might interest my colleagues to know that the third largest export was Scotch, which came to $71 million a year.

The purpose of my amendment, which will cost no money, because the agency already exists and is functioning, and is already financed, is to bring us up to date on this critical problem. There are a number of areas to which our attention should be directed.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. JAVITS. Certainly.

Mr. GREEN. I think I told the Senator from New York a short time ago that I would be glad to accept the amendment. I have not had an opportunity to consult with all the members of the committee, but I spoke with several of them, and I am sure their views represent those of the majority, probably all of them.

Mr. JAVITS. I am very grateful to my colleague. I appreciate his consideration very much.

The PRESIDING OFFICER. Do the Senators yield back the remainder of their time?

Mr. JAVITS. I yield back the remainder of my time.

Mr. CAPEHART. I yield back my remaining time.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from New York [Mr. JAVITS] is agreed to.

Mr. ELLENDER. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 24, line 8, it is proposed to strike out all after the period, beginning with the word "There", down to and including line 12.

Mr. ELLENDER. Mr. President, the Senate has already passed on a similar amendment affecting another appropriation, and the purpose of this amendment is to limit the authorization to 1 year instead of allowing 2 years in which to make appropriations.

I point out that the amendment is in conformity with the recommendations of the Senate Special Committee To Study the Foreign Aid Program.

Mr. REVERCOMB. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. REVERCOMB. Will the Senator state the page of the bill to which his amendment applies?

Mr. ELLENDER. It applies to page 24, line 8.

Under the bill as presently written, an appropriation of $1,800,000,000 is authorized for fiscal 1958. The language I seek to strike from the bill is the portion which would authorize an appropriation for fiscal year 1959. As I have just indicated, the Senate previously passed upon a similar proposal relating to defense support funds—and I may say it did so adversely. But in this case I wish to call attention to the fact that when the Senate Special Committee To Study the Foreign Aid Program made its report, it stated in no uncertain terms as follows:

Congress should consider this carefully—

In other words, when speaking of the Department of Defense—

but such appropriations should be authorized annually, and should be clearly earmarked.

Mr. President, the amendment is simply for the purpose of carrying out the views of the special committee which we created during the last session of Congress, and which as I recall had authority to spend as much as $300,000 for the purpose of making its study. The amendment I am now offering is in conformity with that study.

Mr. FULBRIGHT. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. FULBRIGHT. Earlier today the Senate voted on a very similar amendment applying to the defense support, and relating to $710 million.

This part of the bill deals with the military and the purpose is to enable the administration to try the suggestion of integrating this military program with its own military budget, and bringing them together, next year, rather than to wait until this authorization has been made.

It will be noted that the amount authorized for 1959 is reduced from $1,800,000,000 to $1,500,000,000. If any more than $1,500,000,000 were sought, a further request would have to be made of the Congress.

But this language provides an opportunity, within that authorization, to include this provision in the regular Defense Department appropriation. The committee feels it is certainly worth a trial—I do not see how it could possibly do any harm—to see whether these can be melded together and brought before

the Congress in connection with the regular appropriation.

Therefore, Mr. President, I hope the Senator from Louisiana will not insist upon his amendment.

Mr. ELLENDER. Mr. President, I have no doubt that if the amendment is rejected, its rejection will simply have the effect of informing our allies in Western Europe and our allies everywhere else in the world that we have authorized funds for fiscal year 1959. In that event, our allies will do less and less for themselves, and will be more and more dependent upon us.

I sincerely believe that the special committee was absolutely correct when it stated that these authorizations should be made on an annual basis, rather than for 2 years, as proposed in the pending bill.

Mr. CAPEHART. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. CAPHART. The committee referred to the appropriations, and the appropriations will be made annually.

Mr. ELLENDER. But in this case we are dealing with authorizations. The bill, as it now stands, will give our allies notice that they will not have to do very much themselves in 1959 because we shall already have provided the funds in advance.

Mr. CAPEHART. Those of use who have been fighting to get this into the hands of the military have been trying to arrange things so that next year, when the appropriation for the military is provided, what we may call the domestic and the foreign will be in the same appropriation bill, and will be handled at the same time by the Appropriations Committee, so that both can be considered at the same time. Unless we include this language in the bill, that purpose cannot be accomplished.

Mr. ELLENDER. I say to the Senator that the Defense Department now administers military aid. The Defense Department makes the aid budget. This bill would not change in any way the function of the Defense Department in that regard. Be that as it may, it is my hope that this appropriation will continue to be made separately from the appropriation for the Defense Department, and I have an amendment to accomplish that purpose.

Mr. CAPEHART. It will be in a separate chapter.

Mr. ELLENDER. I much prefer that these authorizations be made annually, and in the same manner as they have been made in the past.

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. AIKEN. This authorization of $1,500,000,000 for 1959 is not for the purpose of advising our allies that plenty of money will be available next year. Instead, it is for the purpose of advising our allies, and our own Military Establishment, that less money will be available next year, and that they should make their plans accordingly.

Mr. ELLENDER. Mr. President, let me say to my good friend, the Senator from Vermont, that 2 years ago, we spent, as I recall, two billion, eight hundred million and some-odd thousand dollars. That was the appropriation we made for the fiscal year 1955. For the fiscal year 1956, President Eisenhower requested an increase of nearly 600 million. Instead of having this aid program of our taper off, it is on the increase.

The suggestion to our allies that we are providing funds for 2 years, instead of for one—as we have done in the past, will simply be an invitation to them not to do as much for themselves as they ought to do.

Mr. HUMPHREY. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. There is an old adage that there's many a slip between the cup and the lip. There is another adage in the United States Senate that there is a great deal of difference between authorizations and appropriations.

Mr. ELLENDER. Yes.

Mr. HUMPHREY. As a matter of fact, many projects have been authorized for years, but not a nickel has ever been appropriated for them.

So if our allies need any assurance that there is a difference between authorizations and appropriations, we can present them with a very effective list.

The point which needs to be made is that the Joint Chiefs of Staff, in preparing the military budget for the United States of America, will, under the provisions of the bill as it now stands, be preparing only one budget, the annual budget. As a result, it will be possible to have before the Appropriations Committee the entire military requirements of the Nation.

At the present time there is a military budget which relates to the Armed Forces, and there is a military budget which relates to our military assistance.

By means of the pending bill, we shall place squarely on the Joint Chiefs of Staff the responsibility of deciding whether Andrews Field, in nearby Maryland, should be improved, or whether an airfield in Turkey should be improved, or whether an airfield in Spain should be improved; everything of that sort will be included in one bill.

Mr. ELLENDER. But the military already prepares the foreign military assistance bill, and does it separately from our own Defense Department appropriation bill.

Mr. HUMPHREY. But my point is that when they are treated together, the judgment which will be arrived at will be different from that which is reached when they are considered months apart, as separate items.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana.

Does the Senator from Louisiana yield back the remainder of the time available to him?

Mr. ELLENDER. Yes, Mr. President; I yield back the remainder of the time available to me.

Mr. CAPEHART. I yield back the time remaining to the opposition.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

Mr. ELLENDER. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 24, beginning in line 14, it is proposed to strike out through line 5, on page 25, as follows:

(3) In subsection (c), add at the end thereof the following new sentence: "When appropriations made pursuant to this section are used to furnish military assistance on terms of repayment within 3 years or earlier, dollar repayments, including dollar proceeds derived from the sale of foreign currency received hereunder to any United States Government agency or program, may be credited to the current applicable appropriation and shall be available until expended for the purposes of military assistance on terms of repayment, and, notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law relating to the use of foreign currencies or other receipts accruing to the United States, repayments in foreign currency may be used for the purposes of this chapter: *Provided*, That the authority in this sentence shall apply to repayments from not to exceed $175 million of the appropriations used for such assistance."

Mr. ELLENDER. Mr. President, the purpose of this amendment is to strike out the portion of the bill which creates a revolving fund for the military.

Section 103 (c) of the present law now provides that when military assistance appropriations are used to furnish assistance upon terms of repayment within 10 years or earlier, such aid may be rendered without regard to certain other requirements of the law, to nations from which the President has received satisfactory commitments regarding the use of the military equipment.

Under this committee bill, it is provided that when military assistance appropriations are used to furnish assistance upon 3-year terms of repayment, repayments in dollars will continue to be available to finance further sales. In other words, in the case of any of the military hardware sold under the provisions of this bill, the cash can be reinvested, without having to return to the Congress for an appropriation. This means that since military aid is on a no-year basis, this revolving fund can go on forever. In addition, I wonder if it might not run afoul of the constitutional prohibition against providing money for the military for more than 2 years.

I believe as this military equipment is sold, the money should revert to the Treasury and then should be reappropriated, so that we can keep up with it. I hope the Senate will adopt this amendment.

Mr. President, I yield back all the time remaining to me.

Mr. CAPEHART. I yield back all the time remaining to the opposition.

The VICE PRESIDENT. All remaining time on the amendment has been yielded back. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

Mr. JAVITS. Mr. President, I call up my amendment identified as "6-10-57-C," which is at the desk, and I ask unan-

imous consent that the amendment be printed in the RECORD at this point, without being read.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The amendment offered by Mr. JAVITS was on page 43, between lines 15 and 16, to insert the following new subsection:

"(m) Amend section 413 (b) (4) (B) (ii), relating to guaranties of investments in approved projects, by inserting after the word 'war' a comma and the following: 'revolution, or insurrection'."

Renumber subsequent subsections.

Mr. JAVITS. Mr. President, it is my intention, after making a brief statement, to withdraw the amendment and yield back the time remaining to me, but I should like to make reference to it. The amendment would propose to add, under the guaranty program for foreign-private investments, an additional item of risk—revolution or insurrection.

It is quite interesting that this body of Congress has never been willing to meet the other body on that question. We do now guarantee against inconvertibility, expropriation, and war. We do not guarantee against revolution or insurrection. Nevertheless, our guaranty program, which now has an authorization of $500 million, has been used only to the extent of $150 million. There are a good many applications pending, amounting to about half a billion dollars. This proposal is very much to our interest. Everybody realizes the importance of private investments overseas.

Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks a letter I received from the ICA, which shows the kind of pending applications existing today, and some of the difficulties of getting the loan fund in use.

My reason for not pressing the amendment is that I know now, after discussion it will not be accepted. There has been a rather longstanding difference between this body of Congress and the other body on this point. I hope very much, however, that some of my colleagues will take enough interest in this situation to use their influence with the conferees, in the hope that if the House puts the provision in the bill, the Senate will at long last agree to it, because I think it is an extremely desirable and important provision for encouraging private investments overseas on the part of United States citizens. I therefore ask unanimous consent that the letter from the ICA to which I have referred, and which is dated June 10, 1957, which bears on this subject, be printed in the RECORD as part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INTERNATIONAL COOPERATION ADMINISTRATION,
Washington, D. C., June 10, 1957.

Hon. JACOB K. JAVITS,
Senate Office Building,
Washington, D. C.

(Attention: Mr. Roy Millenson.)

DEAR MR. JAVITS: In the telephone conversation, June 5, with Mr. Charles B. Warden of the investment guaranties staff, Mr. Millenson asked whether we had any evidence of the part investment guaranties played in encouraging an investment.

Investors, as a rule, simply file applications and only infrequently make the type of collateral statement which would provide a good answer to this question. Presently, we have over 200 applications for contracts of guaranty, a great majority of them from well-known American companies, many the outstanding leaders in their fields. We can only assume that guaranties are important to them. Additionally, the desire to qualify, the willingness to modify investment plans if necessary to do so (longer term loans, for instance), are further indications.

We charge a fee of ½ percent for each separate guaranty. It is a significant charge. We believe these companies would not request investment guaranties and indicate willingness to incur such charges unless this insurance was an important factor and of some necessity.

We have had, however, some instances of applications wherein the agreement to invest is conditioned upon the American investor receiving the protection of the investment guaranties. Our best current examples occur in applications which are now pending. Our working rule is not to reveal the name of the investor or other information which might identify the pending project. This is for the investor's protection in circumstances of competition.

1. An American company controlling assets in excess of $100 million stated in its application that "* * * applicant entered into an agreement with * * * a German limited liability corporation * * *" covering the project. "The applicant's obligation under the agreement is conditioned upon its obtaining the ICA guaranties hereby requested."

2. A very large company in the mining field with regard to a project in Africa, conditioned its performance under the agreement as follows: "Upon receipt of ICA guaranties for which it might apply." Our current information is that the financial concern which will be the principal source of funds is insisting upon the protection of the investment guaranties.

3. A major international banking firm with many years of experience in foreign investing and interested in a wide range of projects, in explaining the value of the investment guaranty program to a foreign embassy stated that their company was considering several substantial industrial investments and that their board of directors was greatly impressed with the virtues of an investment guaranty. Whether the company would go ahead with the new investments might well depend upon having such an agreement. Additionally, they stated in a memorandum the following:

"It is a fact that the financial community in the United States tends to downgrade investments outside of the United States, the result being that it is more difficult to finance foreign projects than it is to finance domestic projects. The convertibility program made available by the International Cooperation Administration in Washington has a definite tendency to create a better climate for foreign investments and to facilitate the financing of projects abroad.

"Many United States investing firms feel that their favorable decision regarding the particular investments would be facilitated if there were available the type of contract offered by the ICA guaranteeing investors abroad against possible inconvertibility of local currencies into dollars. Other investing firms, while not expecting to avail themselves of such guaranties, feel that the availability of the program would be of positive benefit to the economy by encouraging a greater inflow of United States investment capital."

4. Another company conditioned its license agreement as follows:

"It is agreed between the parties hereto that, as a consideration precedent to this contract's becoming effective and binding, the Mutual Security Agency shall have given a guaranty with respect to the conversion into United States dollars of the royalty paid by the licensee to the licensor."

5. Again a company seeking to establish a project in a middle eastern country not now in the investment guaranty program stated that it believed that financing for its project amounting to about $5 million could be obtained from certain New York financial houses provided "* * * an investment guaranty from the United States is received under the terms of the investment guaranties program."

6. Another company in the mining field in Latin America conditioned performance thus, "* * * of the present contract and all rights resulting from this shall be subject to the regulations of the investment guaranties program."

7. Recently, we completed an expropriation guaranty contract with an American oil company for an investment in exploration and drilling for petroleum in the country of Jordan. This contract was executed on January 3 of this year. There should be little question that the offer of an investment guaranty and the consistent encouragement of this investment by the two governments combined to bring about this investment in Jordan.

8. The fact that an investment guaranty is available has encouraged investors in numerous instances, whether or not they take the guaranties, as witnessed by the following quotation from a letter received this last week from an old line New York City company:

"We have received your letter of May 10 in which you ask why our company has decided to abandon its application for investment coverage under the ICA guaranty program.

"Basically we decided not to use your program because in our particular case we found the cost too high for the coverage afforded our investment. We hasten to add that we would be the last to generalize from our one case. We believe that the availability of the ICA guaranty encouraged us to make this investment and we shall give serious consideration to acquiring coverage for other foreign investments which we may make in the future.

"For the foregoing reasons we decided not to acquire either form of coverage under your program. In so doing, however, we wish explicitly to restate our belief that the ICA guaranty program serves a useful purpose in encouraging foreign investment by American industry and that, while we decided not to acquire coverage in this one instance, we may, in the future, wish to acquire coverage when making foreign investments either in Italy or elsewhere."

We believe these instances provide an interesting cross section on the attitudes of American investors toward the usefulness of the investment guaranties in encouraging foreign investments.

Sincerely yours,

GUILFORD B. JAMESON,
Deputy Director for Congressional Relations.

Mr. JAVITS. I also call attention to a splendid report on the question of overseas private investments by the American Enterprise Association. Two outstanding recommendations were made, but not acted on, and I strongly recommend them.

The first recommendation is that any country that requires foreign aid assistance from the United States should sign

a bilateral agreement, relating to guaranties for private investments overseas, which will be receptive. At this time we are making them in countries with which we do not have any such agreements. I think that is a mistake.

Second, we should consider the advisability of dropping the requirement that the Government give approval to projects under consideration in the guarantee program, because it is inhibiting the whole program.

I hope the committee will give their full consideration to the matter.

I withdraw the amendment.

The VICE PRESIDENT. The Senator from New York withdraws his amendment.

Mr. ELLENDER. Mr. President, I send an amendment to the desk, and ask to have it stated.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. On page 51, after line 24, it is proposed to add the following:

(f) After section 549 add the following new section:

"SEC. 550. It is the policy of the Congress in authorizing appropriations for carrying out the provisions of this act that such appropriations shall be made in a separate appropriation act, and that nothing contained herein shall be construed to authorize the making of such appropriations as a part of the appropriations for the Department of Defense."

Mr. ELLENDER. Mr. President, this amendment is self-explanatory. There has been much said about appropriations for foreign military aid and defense support being put in the Defense Department appropriation bill.

The committee states, in its report, that—

It is contemplated that defense support will be appropriated, along with military assistance, in a separate title of the Department of Defense budget, but the committee has added language to the bill (sec. 10 (a)) specifically requiring that defense support activities continue to be carried out only through the Secretary of State and his subordinates. This will insure that defense support will continue to be administered under the policy guidance of the Secretary of State. It will further reinforce the foreign policy aspects of the mutual security program.

This language is simply a declaration of policy that the appropriations to implement the bill will continue to be handled in one measure, as they are now.

I hope the amendment will be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER].

The amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to the committee amendment, as amended.

The amendment, as amended, was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on final passage of the bill.

The yeas and nays were ordered.

Mr. MALONE. Mr. President——

Mr. CAPEHART. How much time does the Senator from Nevada wish?

Mr. MALONE. Fifteen minutes.

Mr. CAPEHART. I yield 15 minutes to the Senator from Nevada.

The VICE PRESIDENT. The Senator from Nevada is recognized for 15 minutes.

Mr. MALONE. Mr. President, what we are adopting tonight has been part of the program for 24 years.

Mr. AIKEN. Mr. President, what amendment is pending?

Mr. MALONE. Would the Senator like to have the floor?

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CAPEHART. We are on the bill now, are we not?

The VICE PRESIDENT. The Senator from Nevada is being recognized on the question of the passage of the bill. There is no amendment pending. The Senator from Nevada is recognized.

MARSHALL PLAN—ECA—MUTUAL SECURITY—1934 TRADE AGREEMENTS ACT—PAPER MONEY INFLATION—FREE TRADE—INFLATION—BILLIONS TO EUROPE AND ASIA—INTERNATIONAL SOCIALISM—EXPENSE OF AMERICAN TAXPAYER

Mr. MALONE. Mr. President, in 1948 the Marshall plan was adopted. The 1948 Marshall plan drifted into the European Cooperative Administration—ECA—and merged into the Mutual Security Administration—MSA—which has been before the Senate for 2 days' debate. The name of the organization is changed often enough to throw the uninformed off the track—but the international Socialist principle of division of the wealth has never changed.

TRADE TREATIES—SO-CALLED ALLIES WITH RUSSIA AND HER SATELLITES

In 1948 the Senator from Nevada put a list of trade treaties into the RECORD that the beneficiaries under the Marshall plan had made with the Eastern European countries later to be named by Mr. Churchill in a Missouri speech the Iron Curtain countries—principally Russia and the Balkan countries under her control.

Mr. President, I ask unanimous consent to have included in the RECORD as a part of my remarks an amended list of these treaties up to early 1957.

There are about 211 of these trade treaties presently in effect, Mr. President, that the nations within the Organization for European Economic Cooperation (so-called allies), the OEEC countries, have with the countries of Eastern Europe and Russia.

Mr. President, I submit the list for the RECORD.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

LATEST TRADE AND/OR PAYMENTS AGREEMENTS IN EFFECT BETWEEN COUNTRIES OF THE SOVIET BLOC AND THE FREE WORLD DURING 1955 AND 1956 [1] AS AMENDED FOR 1957 [2]

A. UNION OF SOVIET SOCIALIST REPUBLICS

I. Europe

Austria: "October 17, 1955, to October 16, 1960."
Belgium: "February 18, 1948-indefinite."
Denmark: May 15, 1956 to May 14, 1958.
Finland: January 1, 1956 to December 31, 1956.
France: January 1, 1956, to December 31, 1956.
Greece: July 28, 1955, to December 31, 1956.
Iceland: January 1, 1956, to December 31, 1956.
Italy: January 1, 1956, to December 31, 1956.
Netherlands: July 2, 1948-indefinite.
Norway: January 1, 1956, to December 31, 1956.
Switzerland: "April 1, 1948-indefinite."
Yugoslavia: January 1, 1956, to December 31, 1956.
Turkey added, 1957.

II. Western Hemisphere

Argentina: January 1, 1955, to December 31, 1955.
Uruguay: "July 28, 1954, to July 27, 1956."
Canada: "February 29, 1956, to February 28, 1959."

III. Near East and Africa

Afghanistan: July 1, 1955, to June 30, 1956.
Egypt: March 27, 1955, to March 26, 1956.
Iran: April 1, 1955, to March 31, 1956.
Israel: "February 18, 1954—indefinite (payments only)."
Lebanon: September 11, 1955, to September 10, 1956.
Syria: "April 3, 1955, to April 2, 1957."
Yemen: March 8, 1956.

MOROCCO

IV. South and southeast Asia

Burma: July 1, 1955, to June 30, 1960.
India: January 1, 1956, to December 31, 1956.
Pakistan, Cambodia, Indonesia.

B. ALBANIA

I. Europe

Italy: "October 1, 1955, to September 30, 1956."
Yugoslavia: January 1, 1956, to December 31, 1956.
Africa-Syria.

C. BULGARIA

I. Europe

Austria: November 1, 1955, to October 31, 1956.
Belgium: "April 21, 1947"; extended to April 1956.
Denmark: "January 28, 1948"; extended to January 27, 1956.

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[1] Based on information available through May 18, 1956. Quoted data indicate first postwar agreement. Data in parentheses indicate date of signature, exact duration not specified.

[2] All agreements listed above include government to government trade and/or payments agreements as well as nongovernmental agreements when they assume the practical characteristics of the government to government agreements. Barter agreements and contracts are not included. In effect as of June 15, 1957.

Finland: January 1, 1956, to December 31, 1956.
France: July 28, 1955, to July 27, 1956.
German Federal Republic: April 1, 1955, to March 31, 1956.
Greece: January 1, 1956, to December 31, 1956.
Italy: January 1, 1956, to December 31, 1956.
Netherlands: "June 15, 1947"; extended to December 31, 1955.
Norway: December 2, 1955, to May 31, 1957.
Sweden: April 1, 1955, to March 31, 1956.
Switzerland: January 1, 1955, to December 31, 1955.
Turkey: "March 10, 1955, to March 9, 1956."
United Kingdom: "September 23, 1955, to December 31, 1957."
Yugoslavia: January 1, 1956, to December 31, 1956.

LATIN AMERICA-URUGUAY

II. Near East and Africa

Egypt: March 17, 1956—3 years.
Israel: "December 20, 1954, to December 31, 1955."

III. South and southeast Asia

India: April 18, 1956, to December 31, 1959.
Indonesia: "December 14, 1954."

D. COMMUNIST CHINA

I. Europe

Finland: May 1, 1955, to April 30, 1956.
Yugoslavia: (February 17, 1956) to December 31, 1956.

II. Near East and Africa

ISRAEL

Egypt: (April 16, 1956)—1 year.
Lebanon: "(December 31, 1955)"—1 year.
Syria: "(November 30, 1955)"—1 year.

III. South and southeast Asia

Ceylon: January 1, 1956, to December 31, 1956.
India: October 14, 1954, to October 13, 1956.

IV. Far East

Japan: May 4, 1955, to May 31, 1956 (nongovernmental).

E. CZECHOSLOVAKIA

I. Europe

Austria: January 1, 1956, to December 31, 1956.
Belgium: April 1, 1956, to March 31, 1957.
Denmark: June 1, 1955, to May 31, 1956.
Finland: January 1, 1956, to December 31, 1956.
France: July 1, 1955, to June 30, 1956.
German Federal Republic: January 1, 1956, to December 31, 1956.
Greece: January 1, 1956, to December 31, 1956.
Iceland: September 1, 1955, to August 31, 1956.
Italy: "July 2, 1947"; extended to September 30, 1955.
Netherlands: February 1, 1956, to January 31, 1957.
Norway: January 1, 1956, to December 31, 1956.
Portugal: "March 1, 1956, to February 28, 1957."
Sweden: August 1, 1955, to October 31, 1956.
Switzerland: April 21, 1955, to December 31, 1956.
Turkey: July 1, 1954, to June 30, 1955.
United Kingdom: August 19, 1949; extended to August 18, 1956 (payments only).
Yugoslavia: January 1, 1956, to December 31, 1956.

II. Western Hemisphere

Argentina: February 11, 1955, to February 10, 1958.
Brazil: May 17, 1955, to May 16, 1956.
Mexico: November 9, 1949, to December 31, 1954; annual tacit renewal.
Paraguay: "November 15, 1953, to November 14, 1954"; annual tacit renewal.
Uruguay: September 12, 1955 (3 years).

COLOMBIA

III. Near East and Africa

Afghanistan: August 22, 1954 (1 year).
Egypt: July 19, 1955, to July 31, 1956.
Ethiopia: April 25, 1956.
Iran: January 1955.
Lebanon: November 20, 1954, to November 19, 1955.
Sudan: May 20, 1955 (indefinite).
Syria: March 27, 1953, to March 26, 1954; annual tacit renewal.

IV. South and southeast Asia

Burma: February 14, 1955, to January 31, 1958; supplement (May 26, 1955).
Ceylon: December 16, 1955 (trade); March 13, 1956 (payments).
India: January 1, 1956, to December 31, 1956. Pakistan, Cambodia.
Indonesia: July 15, 1955, to July 14, 1956. Yemen.

F. GERMAN DEMOCRATIC REPUBLIC

I. Europe

Austria: January 1, 1956, to December 31, 1956 (nongovernmental).
Finland: January 1, 1956, to December 31, 1956. Denmark added, 1957.
France: March 1, 1955, extended to June 30, 1956 (nongovernmental).
German Federal Republic: January 1, 1956, to December 31, 1956 (nongovernmental).
Greece: January 1, 1955, to December 31, 1955 (nongovernmental).
Iceland: January 1, 1956, to December 31, 1956 (nongovernmental).
Italy: January 1, 1955, to December 31, 1955 (nongovernmental).
Netherlands: January 1, 1956, to December 31, 1956 (nongovernmental).
Norway: January 1, 1956, to December 31, 1956 (nongovernmental).
Portugal: "March 1, 1956, to February 28, 1957" (nongovernmental).
Sweden: January 1, 1956, to December 31, 1956 (nongovernmental).
Turkey: May 1, 1955, to June 30, 1956 (nongovernmental).
Yugoslavia: August 25, 1954, to June 30, 1955 (supplement, September 22, 1955), extended to June 30, 1956 (nongovernmental). (Technically no.)

II. Western Hemisphere

Colombia: February 14, 1955, to March (nongovernmental).
Uruguay: "June 29, 1954, to June 28, 1955" (nongovernmental).

III. Near East and Africa

Egypt: November 10, 1955, to December 31, 1956.
Lebanon: (November 12, 1955)—5 years.
Sudan: July 10, 1955, to December 31, 1956.
Syria: "April 17, 1956, to April 16, 1957."
Yemen.

IV. South and southeast Asia

Burma: February 27, 1955—3 years.
India: "October 16, 1954, to October 15, 1955."
Indonesia: June 9, 1954, to December 31, 1955 (nongovernmental).

G. HUNGARY

I. Europe

Austria: September 1, 1955, to August 31, 1956.
Belgium: February 1, 1956, to January 31, 1957.
Denmark: March 1, 1956, to February 28, 1957.
Finland: January 1, 1956, to December 31, 1956.
France: January 1, 1956, to December 31, 1956.
German Federal Republic: February 1, 1956—indefinite (payments); July 1, 1955, to June 30, 1956 (trade).
Greece: May 3, 1955, to December 31, 1955.
Iceland: January 1, 1956, to December 31, 1956.
Italy: April 1, 1956, to March 31, 1957.
Netherlands: To March 31, 1957.
Norway: February 1, 1955, to April 30, 1956.
Portugal: "March 1, 1956, to February 28, 1957."
Sweden: October 1, 1955, to September 30, 1956.
Switzerland: October 1, 1955, to September 30, 1956.
Turkey: June 1, 1949; extended to May 31, 1956.
United Kingdom: September 1, 1954, to August 31, 1955.
Yugoslavia: January 1, 1955, to December 31, 1955.

II. Western Hemisphere

Argentina: September 8, 1953, to September 7, 1956. Uruguay added 1957.
Brazil: "April 26, 1954, to April 1955."
Paraguay: November 1, 1953, to October 31, 1954; annual tacit renewal.

III. Near East and Africa

Iran (June 4, 1955): 1 year.
Israel: February 26, 1954; extended to February 25, 1957.
Sudan: "May 20, 1955, to May 19, 1956."
Syria: "(May 3, 1956)"—1 year.

IV. South and Southeast Asia

Burma: February 21, 1956, to February 20, 1957. Lebanon, Ceylon, Pakistan added 1957.
India: January [illegible], 1956, to December 31, 1956.
July 1, 1955, to June 30, 1956.

H. POLAND

I. Europe

Austria: April 1, 1955, to March 31, 1956.
Belgium: January 1, 1954; extended to March 31, 1956.
Denmark: January 1, 1956, to December 31, 1956.
Finland: January 1, 1956, to December 31, 1956.
France: December 1, 1955, to November 30, 1956.
German Federal Republic: January 1, 1955, to June 30, 1956.
Greece: January 1, 1954; extended to March 31, 1956.
Iceland: March 1, 1956, to February 28, 1957.
Italy: July 1, 1949; extended to December 31, 1956.
Netherlands: August 1, 1955, to July 31, 1956.
Norway: May 1, 1956, to April 30, 1957.
Portugal: "March 1, 1956, to February 28, 1957."
Sweden: May 1, 1956, to April 30, 1957.
Switzerland: July 1, 1949, to June 30, 1954; annual tacit renewal.
Turkey: "July 1, 1948"; extended to June 30, 1955.
United Kingdom: January 1, 1956, to December 31, 1956.
Yugoslavia: January 1, 1956, to December 31, 1956.

II. Western Hemisphere

Argentina: January 1, 1955, to December 31, 1955.
Paraguay: November 23, 1955—1 year.
Uruguay: April 24, 1953, to April 23, 1954; annual tacit renewal.

III. Near East and Africa

Egypt: April 1, 1955, to March 31, 1956.
Iran: April 16, 1956, to April 15, 1957.
Israel: July 1, 1954, to June 30, 1955; annual tacit renewal.
Lebanon: "(January 4, 1956)"—1 year.
Sudan: "May 20, 1955, to May 19, 1956" (payments).
Syria: May 1956 to May 1957.

IV. South and southeast Asia

Burma: "November 1, 1955, to October 31, 1958."

Afghanistan.

NORTH KOREA—INDONESIA

India: April 1, 1956, to December 31, 1959.

Pakistan: February 4, 1956, to February 3, 1957.

I. RUMANIA

I. Europe

Austria: April 1, 1955, to March 31, 1956.

Belgium: "September 3, 1948," extended to December 31, 1955.

Denmark: April 1, 1954, to March 31, 1956.

Finland: January 1, 1956, to December 31, 1956.

Iceland added 1957.

France: January 1, 1956, to December 31, 1956.

German Federal Republic: January 1, 1956, to December 31, 1956 (nongovernmental).

Greece: July 1, 1955, to June 30, 1956.

Italy: December 20, 1950, extended to December 19, 1956.

Norway: June 1, 1955, to May 31, 1956.

Sweden: April 1, 1956, to December 31, 1956 (nongovernmental).

Switzerland: August 1, 1953, extended to July 31, 1956.

Turkey: April 15, 1955, to April 14, 1956.

Yugoslavia: January 1, 1956, to December 31, 1956.

LATIN AMERICA—ARGENTINA

II. Near East and Africa

Egypt: January 18, 1954, to January 17, 1955; annual tacit renewal.

Israel: "September 9, 1954, to December 31, 1955."

Lebanon: "January 6, 1956"—1 year.

Syria: "January 14, 1956"—1 year.

III. South and Southeast Asia

Burma: "February 7, 1956"—3 years.

Ceylon: "March 16, 1956"—1 year.

India: "March 23, 1954, to December 31, 1954," annual tacit renewal for 1 additional year.

Indonesia: July 1, 1955, to June 30, 1956.

J. DEMOCRATIC REPUBLIC OF VIETNAM

I. Europe

France: July 1, 1955, to June 30, 1956.

India and Indonesia.

Mr. MALONE. Mr. President, in 1950 Mr. Acheson, who was then Secretary of State, had a very significant statement to make before the House Ways and Means Committee. It should interest the Senate. It is a good deal like Mr. Hitler writing a book and telling what he intended to do to the world. Everybody had a good laugh and nobody believed it. This is what Mr. Acheson said, first:

The European recovery program (Marshall plan or ECA)—

Mutual security, or whatever it will be called next year—

extends immediate assistance on a short-term basis to put European countries back on their feet.

2. The Trade Agreements Act program is an integral part of our overall program for world economic recovery. (The 1934 Trade Agreements Act, as extended to 1958.)

3. The International Trade Organization, upon which Congress will soon be asked to take favorable action, provides a long-term mechanism—each part of this program is important. Each contributes to an effective and consistent whole.

It will be remembered that Congress refused to approve the International Trade Organization in 1951. Now we have been offered the Office of Trade Cooperation, which is exactly the same as the International Trade Organization. That proposal is now before Congressional committees, and it is before the Senate Committee on Finance.

THIRTY-FOUR COMPETITIVE NATIONS REGULATING OUR FOREIGN TRADE

The OTC would approve the General Agreement on Tariffs and Trade—GATT—under which 34 foreign competitive nations are now regulating our foreign trade and national economy at Geneva.

ACHESON TIES FOREIGN TRADE TO FOREIGN POLICY

Mr. President, the former Secretary of State, Dean Acheson, said at that time:

It is hardly possible any longer to draw a sharp dividing line between the economic affairs and political affairs.

Each complements and supplements the other. They must be combined in a single unified and rounded policy.

Mr. President, the 1934 Trade Agreements Act and subsequent extensions of that act, the 24-year plan, tied together the foreign policy and the regulation of foreign trade and the national economy, contrary to the Constitution.

The Constitution of the United States pointedly separates the fixing of foreign policy and the regulating of our foreign trade and national economy. It definitely puts the regulation of our foreign trade and national economy in the hands of Congress, under article I, section 8.

It puts the regulation of the foreign policy in the hands of the Executive, the State Department. The 1934 Trade Agreement Act tied them together under the Executive—thus amending the Constitution without submitting it to the people as provided by the Constitution.

To enumerate and describe all of these steps in detail I will defer until the appropriation bill is before the Senate.

CONGRESS ABROGATED ITS RESPONSIBILITY

The Congress has transferred its principal constitutional responsibility for the regulation of the economy of the Nation to the executive branch and has abrogated its duty to the people of this Nation.

First, in 1933 we went off the metal standard for money and made it a crime to possess the metal which had held spendthrift Congresses and administrations in check for 145 years. Inflation was inevitable.

Billions of dollars annually to the European and Asiatic nations accelerated inflation.

Moving the rights of the States to a strong central government simply made the people helpless to successfully oppose such a march to international socialism.

The 1934 Trade Agreements Act simply transferred the constitutional responsibility of Congress to regulate our foreign trade and national economy to the executive branch—with full authority to transfer that responsibility to Geneva under 34 foreign competitive nations operating under GATT.

MR. LINCOLN AND A LONG-RANGE PLAN

Now, Mr. Lincoln had the following to say about the recognition of a long-range plan:

We cannot absolutely know that all these exact adaptations are the result of precon-cert. But when we see a lot of framed timbers, different portions of which we know have been gotten out at different times and places and by different workmen, and when we see these timbers joined together, and see they exactly make the frame of a house or a mill, all the tenons and mortises exactly adapted to their respective places, and not a piece too many or too few, not omitting even scaffolding—or, if a single piece be lacking, we see the place in the frame exactly fitted and prepared yet to bring such piece in—in such a case, we find it impossible not to believe that all worked upon a common plan or draft drawn up before the first blow was struck.

Mr. President, the President of the United States could just as well have put it in Russia or Peiping, and still could, according to the testimony of the Secretary of State before the Senate Committee on Finance. All of this under the 1934 Trade Agreements Act as extended to June of 1958.

INTERNATIONAL SOCIALISM

Mr. President, it adds up to international socialism; a division of the wealth of this country, a division of the markets of this country, and a complete lack of background or stability for the money and the economic system of this country.

So we give lipservice to stopping inflation. We call the 1934 Trade Agreements Act reciprocal trade. So, Mr. President, that is the long-range plan to destroy this country, and it is time that the Congress took a look at the whole picture before it is too late—and not to take each part of the plan as a separate proposal and, although unpalatable, accept it.

On December 15, 1956, the Nevada Republican State central committee recognizing the 24-year plan of the international socialists, passed the following resolution:

The Republican Party of the State of Nevada strongly advocates the return to constitutional government by adopting the following principles which have been the basic tenets of the Republican Party since its inception more than 100 years ago.

We believe the Republican Party must advocate a free market for gold, with removal of all restrictions upon its purchase, sale, and ownership, and a return to the traditional hard-money standard using gold and silver certificates redeemable in the respective metals.

We believe the Republican Party must urge the Congress of the United States to resume its constitutional responsibility of regulating foreign commerce through the adjustment of duties, imports, and excises, through its agent, the Tariff Commission, and allow the so-called Reciprocal Trade Act, which transferred such responsibility to the President, to expire in 1958.

We believe the Republican Party should urge Congress to respect the rights of the individual States in all those matters which have been historically matters of State concern.

On May 4, 1957, the 10 Western States Republican regional conference passed this following resolution:

Whereas 34 foreign, competitive nations are sitting in Geneva, Switzerland, regulating our foreign trade through multilateral trade agreements under the auspices of the

General Agreements on Tariffs and Trade; and

Whereas, this distribution of our foreign trade between such foreign competitive nations is being carried on under the 1934 Trade Agreements Act, as extended (so-called reciprocal trade); and

Whereas, under this act more than $30 billion of American capital has been invested in such foreign low-wage standard of living nations to compete in American markets with American labor and investors in the textile, livestock, mining, crockery, glass, precision instrument machine tool, chemical and electro-chemical, and several hundred other fileds: Therefore be it

Resolved, That the 10-State Republican regional conference, including the States of Arizona, California, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming urge the Congress to resume its constitutional responsibility of regulating foreign trade and the national economy through the adjustment of the duties, imposts and excises (art. I, sec. 8) through its agent, the Tariff Commission, and allow the 1934 Trade Agreements Act to expire in June 1958.

These States believe as Mr. Lincoln said, "Each of the timbers exactly fitting" over a period of 24 years, we have a right to suspect, as Mr. Lincoln said, that "all worked upon a common plan or draft drawn up before the first blow was struck."

THE PERMANENT PLAN

Mr. President, in Mr. Dulles' statement before the Committee on Foreign Relations as to the Marshall plan-ECA of the mutual security, in 1956, he said, on page 26 of the hearings:

> It may be asked whether this mutual security program will have to go on forever. The answer, I think, is that that part of the program which contributes to the security of the United States will have to go on as long as our security is threatened.

Mr. President, I should like to say that we have been a Nation for 180 years and our security has always been threatened. The nations of the world, in Europe and Asia, have had a continuous war for 2,000 years.

In 1948 the Senator from Nevada said that if we adopted this policy the Marshall plan, as a part of the foreign policy, a distribution of our wealth and the tax money of the people of the United States, it would become a permanent plan and just as much a part of the appropriations each year as the appropriations for the State Department.

Mr. President, it is the opinion of the Senator from Nevada that the State Department should be set back where it belongs under the Constitution of the United States—and where is that? The forming and informing the Congress of the foreign policy of the United States of America; and not determining the economic policy of the United States or regulating the foreign trade which the Constitution places in the legislative branch of our Government in article I, section 8.

What has the Congress done in 24 years? The senior Senator from Nevada has been a Member of this body for 11 years. In the years since 1933 the Chief Executive of the United States, whoever he might have been, has directed the Congress. We say we are going to vote economy; we are going to cut down on appropriations; we are going to help small business.

There has never been a time within the past 24 years when the Congress of the United States did not appropriate within 5 percent of the recommendation which came from the White House, regardless of any talk to the contrary. All one has to do is to look at the votes.

The Marshall plan was voted upon March 13, 1948. The vote was 69 for and 17 against. In 10 years we have about doubled our vote. This afternoon there were 34 votes on the side of cutting this proposed appropriation—from the White House. At that, we are gaining, and at this rate of gain should finally win if that is not too late for the taxpayers of America.

It is high time that the Congress regained its constitutional responsibility to regulate our money system, our foreign trade and national economy—and return to the States their rights under the Constitution.

The senior Senator from Nevada will have more to say when the appropriation for this grandiose distribution of the wealth of the greatest Nation on earth comes before this body.

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass?

Does the Senator from Texas yield back the unused time?

Mr. JOHNSON of Texas. I am ready to yield back the unused time.

Mr. BRICKER. Mr. President, will the Senator yield me about 3 minutes?

Mr. JOHNSON of Texas. I yield 3 minutes to the Senator from Ohio.

Mr. BRICKER. Mr. President, it is with considerable reluctance that I announce that I cannot vote for the bill.

I should be glad to support the military provisions, because I think this administration is most sincerely working for peace in the world. I am devoted to that cause, as is the President of the United States, and the administration generally. I should be glad to support the technical-aid provisions which are incorporated in this authorization, for the reason that I think they have been very helpful in aiding the people of the world to help themselves to a better way of life.

I am most reluctant, however, to vote approval of a program which would authorize a new lending program involving $500 million of borrowing power in the first year, $750 million borrowing power in the second year, and $750 million of borrowing power in the third year.

We already have the Export-Import Bank. We have the International Bank, which can take care of legitimate loans and needs of the nations of the world. I can see no need for any additional program involving any softer loans than those which are provided for. I do not look for the repayment of most of these loans for a long time, at any rate.

These lending programs have a way of increasing from year to year, and being extended at every opportunity Congress has had to extend them in the past. We had experience with the RFC, which was instituted to bring ourselves out of a depression period. It was continued and could not be abandoned or ended until the fraud and corruption in the organization itself made it almost necessary for the Congress to act in that field.

Furthermore, I believe that the time has come to begin to contract our international obligations in the monetary field, in the interest of the taxpayers of the country.

Likewise, I doubt the constitutionality of the provision which would deprive the Congress of the United States of the power to appropriate money, and turn it over to the executive branch of the Government, which this authorization for loans would do.

For that reason I feel compelled, reluctantly, to vote against this authorization. If it were limited to military aid and technical aid, I should be very happy to vote for the authorization.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE of South Dakota. Several Senators have said to me that they thought that the vote on the amendment which I offered had carried the amendment. They thought that perhaps there was some confusion in the way the vote was taken, as to whether or not Senators were counted properly. I should like to inquire whether or not it is now too late to ask for reconsideration of the vote by which that amendment was rejected.

The VICE PRESIDENT. At this stage reconsideration can be obtained only by unanimous consent. Does the Senator desire to ask unanimous consent?

Mr. CASE of South Dakota. I am reluctant to delay the proceedings, and I certainly would not ask for a yea-and-nay vote; but I do ask unanimous consent that the vote by which my amendment for increasing the earmarking in the bill for disposal of surplus agricultural commodities be reconsidered.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I was not present when that vote was taken. The situation is rather unusual. Was there a standing vote?

Mr. CASE of South Dakota. On the first announcement, the Chair declared that the "ayes" appeared to have it. Then a division was asked for, and a division was had. Some Senators came in from the cloakrooms, and there seemed to me to be some confusion in the way they were counted. Several Senators said to me that they thought the amendment had been agreed to.

Mr. JOHNSON of Texas. I would not want to think that the Chair did not know how to count.

Mr. CASE of South Dakota. It was not a matter of the Chair not knowing how to count. It was a question whether certain Senators were confused by the way the question was put.

Mr. GREEN. Mr. President, this is an unprecedented situation. I object.

The VICE PRESIDENT. Objection is heard.

Mr. NEUBERGER. Mr. President——

Mr. JOHNSON of Texas. Does the Senator desire to speak before the yea and nay vote on final passage of the bill?

Mr. NEUBERGER. Will the Senator yield to me 1 minute in order that I may insert an editorial in the RECORD.

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Oregon.

Mr. NEUBERGER. I thank the Senator.

Mr. President, as we make ready to vote on S. 2130, I ask unanimous consent to have printed in the RECORD an effective editorial on this subject entitled "Ten Years of Foreign Aid," from the Pendleton East-Oregonian of June 6, 1957. In this editorial, one of Oregon's ablest editors, Mr. J. W. Forrester, has emphasized strongly the reasons which undoubtedly will motivate a majority of Senators tonight when we pass S. 2130. I think it is appropriate that Mr. Forrester's views be made available to my colleagues at this particular time. They are highly pertinent right now.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEN YEARS OF FOREIGN AID

"It is logical that the United States should do whatever it is able to do to assist in the return of normal economic health in the world, without which there can be no political stability and no assured peace."

The words were spoken 10 years ago, on June 5, 1947, on the campus of Harvard University. The speaker was the United States Secretary of State, Gen. George C. Marshall, who was receiving an honorary degree, but the address received in the American press little more than routine coverage by the usual campus correspondents. All this was ironic, for in that address and even in that one sentence lay the gist and promise of the Marshall plan and the whole United States postwar foreign aid program.

Foreign Secretary Ernest Bevan of Great Britain called it "one of the greatest speeches made in world history." Prime Minister Winston Churchill was to declare of the Marshall plan and United States military aid, in 1949: "Nothing like this has ever been seen in all history." The address was equally hailed in Europe; a recent commentator, David Schoenbrun, notes that it "inspired Europe and shook Russia as much as the power of the American invasion forces had thrilled Europeans and shaken Hitler 3 years before."

The voice in that address of 10 years ago was the voice of Marshall, but in a sense the hand was the hand of Dean Acheson. In a little noticed speech at Cleveland, Miss., almost a month earlier, Marshall's Under Secretary of State had outlined a concept of continuing United States economic aid concentrated "in areas where it will be most effective in building world political and economic stability, in promoting human freedom and democratic institutions, in fostering liberal trading policies, and in strengthening the authority of the United Nations."

Even after the Marshall speech at Harvard, the United States intention had to be spelled out and the plan formulated. Europe was tempted but reluctant until Marshall said, a week later, that his invitation to European nations to join in the planning specifically included Russia.

Russia's interest was brief, ending when Foreign Minister Vyacheslav M. Molotov walked out of a preliminary conference in Paris in July, but the satellites were tempted. The bear had to pull at least three of her cubs—Czechoslovakia, Poland, and Hungary—away from all that United States honey.

Eventually, 16 European nations formed the Organization for European Economic Cooperation to furnish "the initiative * * * from Europe" which Marshall had invited. Congress in December 1947 authorized an emergency short-term aid program and then in the Economic Cooperation Act of April 1948 established the program for European recovery.

The Marshall plan phase of the United States foreign-aid program covered the period from 1948 through 1950. During that time, European industrial production rose 35 percent above the 1938 level. Agricultural output bettered prewar harvests. Inflation was brought under effective control. And international trade increased 86 percent in volume.

Fears of Communist military aggression caused a shift in emphasis to programs of military assistance beginning with the Mutual Defense Assistance Act of 1949. From the end of World War II through the Marshall plan era, the United States spent $28.6 billion on foreign aid. Subsequent spending and appropriations through the end of this fiscal year bring the total to more than $78 billion.

This is the program that is causing President Eisenhower so much grief in the Congress. He feels strongly that world peace can be maintained only by continuance of the program. Those who disagree look at the program in terms of dollars, not in terms of war and peace. The President's stand can be adequately defended. It needs no apologists.

Mr. SPARKMAN subsequently said: Mr. President, many people think that our foreign-aid program is a giveaway program. In a recent issue of the Congressional Quarterly, there was published a very interesting discussion under the title "Will Foreign Aid Loans Be Repaid?"

It contains some tables which show the very fine record that has been made in the repayment of loans that have been made to various countries during the past 16 years.

I ask unanimous consent that the article and tables may be printed in the body of the RECORD just prior to the final vote on the bill.

There being no objection, the article and tables were ordered to be printed in the RECORD, as follows:

WILL FOREIGN AID LOANS BE REPAID?

The President's May 21 request for the creation of a development loan fund to handle the bulk of American economic assistance to foreign countries has renewed interest in the record of prior United States loans to other nations (Weekly Report, p. 624).

Secretary of State John Foster Dulles May 22 reported to the Senate Foreign Relations Committee the record of repayment on previous loans and the chances for repayment on the proposed loans. He said: "There are 1 or 2 cases where interest is in arrears or has not been pressed, but I don't think that is surprising. * * * We all recognize there are conditions where interest has to be forgone or suspended.

"That does not mean you are not going to get it. * * * The main thing is * * * if you have a well-founded faith in the future of the country and do enough to get it well started then you can get your money back. * * * I would hazard the guess that a very large part, most probably, of what will be loaned by this development fund, will at some time or other, in some way or other, inure correspondingly to the benefit of the United States. * * * Nations, when they think they have to repay, are not going to be so eager to borrow, unless they are quite sure they are really going to get the benefit out of the loan which will enable them to repay."

This fact sheet surveys the past loan record to answer the question: Is Dulles' confidence warranted?

SIXTEEN-YEAR RECORD

The table on pages 666 and 667 shows the loan record of every country that has received credit from the United States from July 1, 1940, through December 31, 1956. It includes loans and credits made available under all these wartime and postwar programs: the Export-Import Bank, the British loan of 1945, mutual security, overseas surplus property sales, prior grants converted into credits, lend-lease, strategic and defense materials development, United Nations headquarters loan, Philippine funding, loans of the Institute of Inter-American Affairs, loans of the Reconstruction Finance Corporation, the occupied-areas commodity programs, and the Army's natural fibers revolving fund. Following is a summary of the repayment record on United States loans from July 1, 1940, through December 31, 1956, in thousands of dollars:

	Amount	Percent
Net loans, credits authorized	$18,273,228	100.000
Loans not used	1,981,620	10.844
Loans repaid	4,631,122	25.344
Loans outstanding	11,652,123	63.796
Loans charged off as uncollectible	8,363	0.046

Source: Publication, Foreign Grants and Credits, Department of Commerce, Office of Business Economics, April 1957.

The preceding chart shows that of the $18.2 billion in loans and credits made available to foreign countries since mid-1940, less than one-twentieth of 1 percent has been written off as uncollectible. Almost half of this amount—$4 million of the $8.3 million total—was written off because of devaluations in local currency after the granting of loans repayable in that local currency. All the remaining loss came on loans to "nongovernmental foreign entities"; i. e., private firms, including branches of American firms, doing business in foreign countries.

The chart also shows that on December 31, 1956, an additional $75,180,000 in principal—0.41 percent of the net loans authorized—was more than 90 days overdue. Of this total, $70.6 million was owed by foreign governments and $4.5 million by private firms. The governments that were more than $1 million in arrears on principal repayment were: Nationalist China, Hungary, Indonesia, Iran, the Philippines, Poland, Turkey, and Russia.

From 1940 through 1956, interest payments and commissions on the $18.2 billion in authorized loans totaled $1,860,776,000. Another $32,097,000 of interest was more than 90 days overdue on December 31, 1956.

CAN FUND BE SELF-SUSTAINING?

In the last 3 years principal payments alone on old credits have exceeded new loan utilizations by $235 million, as shown in this table of principal repayments and new loan utilizations in millions of dollars:

Year	Repayments	New loan utilizations
1954	$501	$387
1955	503	409
1956	509	482
Total	1,513	1,278

In the next 6 years (1957–62) principal repayments scheduled on existing loans will total $2,701,644,000 and interest payments will total $1,471,894,000. The availability of these sums has led Senator HOMER E. CAPEHART, Republican, of Indiana, to suggest that if they were allocated to the proposed development loan fund, it could become a

self-sustaining institution, without further appropriations of tax moneys.

Administration officials have informed CAPEHART that his suggestion is not practical for repayments on loans made before 1955. "Receipts of principal and interest on these credits go, by law, into miscellaneous receipts in the Treasury or to retire notes previously given to the Treasury," according to an April 22 letter to the Foreign Relations Committee from Deputy Director Guilford Jameson, of the International Cooperation Administration.

In fiscal 1959, however, repayments will begin on loans and credits authorized by the Mutual Security Act of 1954 and Public Law 480 (surplus agricultural disposal) of 1954. These repayments, in local currency, are scheduled to increase from $12 million in fiscal 1959 to $41 million in fiscal 1960 and $89 million in fiscal 1961. They will continue to grow at a diminishing rate over the next 34 years. Congress has not yet provided for the use to be made of these local currencies and it is possible they might be integrated into the proposed development loan fund.

Balance sheet on foreign loans: Loans authorized, outstanding, losses charged off, payments overdue, July 1, 1940–Dec. 31, 1956

[In thousands of dollars]

Country	Net authorized loans, credits	Principal charged off as uncollectible	Payments 90 days or more overdue				Principal outstanding
			Principal		Interest		
			Foreign governments	Private firms	Foreign governments	Private firms	
Argentina	$262,065						$70,685
Bolivia	47,042	$1,922					34,446
Brazil	1,139,022	31		$162			457,375
Chile	180,183						64,437
Colombia	95,366	28	$20				21,837
Costa Rica	21,225						10,359
Cuba	82,443						12,000
Dominican Republic	3,386						
Ecuador	42,129	4	53				27,964
El Salvador	1,503						
Guatemala	2,303						1,631
Haiti	37,891		115	32		$1	27,209
Honduras	1,201						
Mexico	344,553	57		677		49	112,308
Nicaragua	7,886						415
Panama	6,518						935
Paraguay	14,000						487
Peru	155,190						40,476
Uruguay	19,448	10					8,106
Venezuela	23,403	278					5,916
Unspecified	142,597						9,380
Afghanistan	45,934						36,334
Australia	22,909						9,620
Austria	50,670						8,546
Bahrein	17,048						
Belgium	234,972						137,162
Luxembourg	3,000						2,946
Belgian Congo	1,550						
Burma	5,043						1,925
Canada	198,701	17					547
Nationalist China	387,858		24,187		$17,382		178,262
Czechoslovakia	30,377		974		466		4,870
Denmark	56,677						48,013
Egypt	25,464						3,685
Ethiopia	31,707		71				3,929
Eritrea	50			50			50
Finland	152,313						93,110
French Union	2,489,954	1,497		692		217	1,699,855
Germany	1,355,706			277		43	1,161,133
Greece	144,600	1,021		592		71	91,057
Hungary	15,917		2,350				11,890
Iceland	10,254						5,448
India	$446,446	$2,729					$380,226
Indochina	25,000						25,000
Indonesia	180,770		$1,111				139,701
Iran	130,177		15,260		$3,287		76,655
Iraq	1,149						64
Ireland	128,200						127,556
Israel	196,288						154,180
Italy	498,909		225	$458	12		251,796
Japan	788,913						145,399
Korea	24,928				1,493		20,850
Latvia	11						
Lebanon	1,550						
Liberia	44,773						23,700
Morocco	13,409						5,552
Netherlands	472,172						263,924
New Zealand	20,497						14,883
Norway	140,835	88					86,832
Pakistan	61,136						26,706
Philippines	219,650		7,000		1,398		73,262
Poland	81,268		1,408	2			57,822
Portugal and possessions	58,482	32		887		$157	50,905
Rhodesia and Nyasaland	60,686			103		22	55,658
Saudi Arabia	31,826						20,016
Spain	142,826						94,650
Sweden	28,337						19,670
Syria	102						50
Thailand	18,587						7,658
Turkey	180,189		1,143		920		128,878
Union of South Africa	152,343						123,297
U. S. S. R.	222,495		16,687		6,529		222,495
United Kingdom and dependencies	5,741,316	431		650		51	4,445,937
Yugoslavia	79,900	217					48,293
European Coal and Steel community	100,000						100,000
U. N. Headquarters loan	65,000						56,000
Total	18,273,228	8,363	70,604	4,581	31,486	611	11,652,123

The VICE PRESIDENT. The bill having been read the third time, the question is, Shall it pass? Does the Senator from Texas yield back any remaining time?

Mr. JOHNSON of Texas. I yield back any remaining time on our side.

Mr. KNOWLAND. I yield back any time remaining on our side.

The VICE PRESIDENT. All time has been yielded back.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from North Carolina [Mr. ERVIN], the Senator from Washington [Mr. JACKSON], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. SMATHERS], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

On this vote, the Senator from North Carolina [Mr. ERVIN] is paired with the Senator from Florida [Mr. SMATHERS].

If present and voting, the Senator from North Carolina would vote "nay," and the Senator from Florida would vote "yea."

I further announce that if present and voting, the Senator from Washington [Mr. JACKSON], and the Senator from Texas [Mr. YARBOROUGH], would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Maryland [Mr. BUTLER], the Senator from Arizona [Mr. GOLDWATER], and the Senator from Michigan [Mr. POTTER] are necessarily absent.

The Senator from Nebraska [Mr. HRUSKA] is absent on official business.

On this vote, the Senator from Maryland [Mr. BUTLER] is paired with the Senator from Arizona [Mr. GOLDWATER]. If present and voting, the Senator from Maryland would vote "yea," and the Senator from Arizona would vote "nay."

The Senator from Maine [Mr. PAYNE] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Maine would vote "yea," and the Senator from Nebraska would vote "nay."

The Senator from Michigan [Mr. POTTER] is paired with the Senator from North Dakota [Mr. LANGER]. If present and voting, the Senator from Michigan would vote "yea," and the Senator from North Dakota would vote "nay."

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] would vote "yea."

The result was announced—yeas 57, nays 25, as follows:

YEAS—57

Aiken	Gore	Martin, Pa.
Allott	Green	McNamara
Anderson	Hayden	Morton
Beall	Hennings	Mundt
Bennett	Hickenlooper	Murray
Bush	Hill	Neuberger
Capehart	Holland	Pastore
Carlson	Humphrey	Purtell
Carroll	Ives	Revercomb
Case, N. J.	Javits	Saltonstall
Case, S. Dak.	Johnson, Tex.	Schoeppel
Church	Kefauver	Scott
Clark	Kennedy	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cotton	Kuchel	Sparkman
Dirksen	Lausche	Symington
Douglas	Magnuson	Thye
Flanders	Mansfield	Watkins
Fulbright	Martin, Iowa	Wiley

NAYS—25

Barrett	Frear	Robertson
Bible	Jenner	Russell
Bricker	Johnston, S. C.	Stennis
Byrd	Kerr	Talmadge
Chavez	Long	Thurmond
Curtis	Malone	Williams
Dworshak	McClellan	Young
Eastland	Morse	
Ellender	O'Mahoney	

NOT VOTING—13

Bridges	Jackson	Potter
Butler	Langer	Smathers
Ervin	Monroney	Yarborough
Goldwater	Neely	
Hruska	Payne	

So the bill (S. 2130) was passed.

Mr. KNOWLAND. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas [Mr. JOHNSON].

The motion to lay on the table was agreed to.

ACCELERATED TAX WRITEOFFS

Mr. KEFAUVER. Mr. President, I was interested to read in this morning's Wall Street Journal the following story:

ODM ANNOUNCES FAST WRITEOFFS WILL BE PUBLICIZED ON DAY ISSUED

WASHINGTON.—The Office of Defense Mobilization said from now on it will publicly announce fast writeoff certificates on the same day they're issued.

The time gap between issuance of these tax-help certificates and the time they're announced came up for criticism recently before a Senate Judiciary subcommittee headed by Senator KEFAUVER, Democrat, of Tennessee, in connection with Idaho Power Co.

Previously, the ODM announced only every 2 weeks the recipients of the certificates, which permit companies to depreciate for tax purposes the cost of new facilities over a shorter than usual period. The bi-weekly announcement will be continued, recapping the certificates that are announced during each period, an agency spokesman said.

Under the new policy, the agency announced it issued 14 fast writeoffs yesterday. The biggest involved a transfer to World Wide Tankers, Inc., from its parent, Skouras Lines, Inc., of a certificate covering 40 percent of the $12.5 million cost of an oceangoing oil tanker. Others included: United Aircraft Corp., Pratt & Whitney division, 75 percent on $4,700,000 of facilities for military jet engines, and American Brake Shoe Co., 65 percent on $6,620,655 of facilities for steel castings.

I want to commend ODM for this decision. Of course, it is a case of locking the barn after the horse is gone, as far as the Idaho Power Co. is concerned. The insiders have already had their day on the market. But it may stop future inside speculators from this golden opportunity that they have had in the past.

For clarity, let me explain to the Members of the Senate that in the case of the Idaho Power Co., Gordon Gray, ODM Administrator, testified before out Antitrust Monopoly Subcommittee that he made his mind up to give Idaho Power a rapid tax-amortization certificate on April 9 or 10. The certificates were signed April 17. They were not announced publicly until a press release, dated April 25, was issued. But they did tell the company's representative—Ebasco—and telephone records show that a call was made from Ebasco to Idaho Power Co. on April 16, the day before the certificates were actually signed.

On the very next day—the day it was signed—4,500 Idaho Power shares on the New York exchange changed hands, whereas the average daily sale during the previous year was only 600.

Somebody got the word.

The staff of our subcommittee is now engaged in analyzing market behavior in the case of other rapid tax amortizations. They have not completed their work, but what they have done thus far certainly shows me that the behavior of the Idaho Power stock was not an isolated case by any means. Others also took their rise before the granting of the certificates have ever been announced to the public.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. Is my understanding correct that when the Senate convenes on Monday the unfinished business will be the atomic energy treaty?

The VICE PRESIDENT. The Senator is correct.

Mr. DOUGLAS. Is it my understanding that the treaty will be considered in executive session?

The VICE PRESIDENT. The Senator is correct.

Mr. DOUGLAS. And that it will remain the unfinished business until it is disposed of?

The VICE PRESIDENT. Except by unanimous consent; that is correct.

Mr. DOUGLAS. The parliamentary inquiry I wish to address to the Chair is this: Let us assume that the civil-rights bill comes over from the House. Will it be in order to have that bill brought up for the first and second readings while the Senate is in executive session?

The VICE PRESIDENT. It will not be in order.

Mr. DOUGLAS. It will not be in order. What will be the status of that bill during that period? Will it be in limbo?

The VICE PRESIDENT. It will be held at the Secretary's desk until the Senate is in legislative session.

Mr. DOUGLAS. At the desk of the Secretary of the Senate?

The VICE PRESIDENT. That is correct.

Mr. DOUGLAS. Then, when the Senate returns to legislative session, what will be the situation so far as the civil-rights bill is concerned?

The VICE PRESIDENT. Either by motion or at the discretion of the Chair, when the Senate is in legislative session the message will be laid before the Senate.

Mr. DOUGLAS. The proposed legislation will be laid before the Senate for such action as the Senate may care to take?

The VICE PRESIDENT. That is correct.

Mr. DOUGLAS. I thank the Chair.

Mr. HUMPHREY. Mr. President, the House is about to complete action on a civil rights bill. It has been clear not only from the House debate, but from preliminary statements which have been made here in the Senate, that the so-called trial by jury issue is a major one in this year's debate. The distinguished Senator from Illinois [Mr. DOUGLAS] has already made a monumental contribution to the clarification of the confused and muddy issue in various statements which he has made on the floor or inserted in the CONGRESSIONAL RECORD. I think his arguments on the question are unanswerable in law, in ethics, and in policy.

Mr. President, it is not only the friends of civil rights who should be dismayed over the injection into the debate of the jury trial dispute, but also all friends of procedural due process and clarity in legislation. The purpose of the jury trial amendment is obvious on all sides: it would cripple law enforcement by introducing into the proceeding the very local prejudice against which protection is sought. In providing the injunctive relief, the civil rights bills which I and others have introduced in this Congress as well as previous Congresses properly place the procedure within the historic area of equity jurisdiction. As everyone knows, jury trials have never been an integral part of equity proceedings.

An injunction is a court order to do or to refrain from doing certain things. A party dissatisfied with the decree has full rights of appeal and review. In the unusual case where a party refuses to honor the court's decree, the court has always had power to punish him for contempt. The contempt powers of equity court are founded on the fundamental sanctity and authority of the court to enforce its own decree and not on any theory of crime against the State, the area where jury trial rights obtain.

All of this is perfectly clear from the judicial decisions of all the Southern States themselves. Southern States even now are using the injunction against those who are working in behalf of school integration in accordance with the Supreme Court's decision. At this very minute, a representative of the National Association for the Advancement of Colored People in Atlanta, Ga., is un-

der a 1-year suspended jail sentence for failing to produce certain papers demanded by a southern court. He was convicted of contempt and sentenced without jury trial.

Mr. President, the jury trial issue is clearly understood for what it really is by most of the enlightened newspapers of the country. In the Minneapolis Star for June 5, 1957, there was published an editorial entitled "Operation Stymie." I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OPERATION STYMIE

Southern Members of Congress are up to their old tricks on civil-rights legislation. Southern Senators have succeeded in writing a jury-trial amendment into the bill in the Judiciary Committee and, as Attorney General Herbert Brownell points out, this amounts, for all practical purposes, to nullification of the bill's plain intent.

As originally drawn, the bill provided for contempt of court proceedings against civil-rights violators. Such cases usually are tried by a judge without a jury. A great howl went up from Dixie that this was a denial of constitutional rights. The cry, of course, was a mere subterfuge. The people who pleaded loudest for jury trials in such cases oppose the civil-rights bill in toto.

It is a demonstrable fact that it would be impossible to get convictions in the South. Southern juries, the administration has argued, would be unlikely to convict persons accused of violating civil rights. The South's record on trials of Negroes indicates that it is virtually impossible to get justice where the racial question is concerned.

The jury trial is of a piece with other frustrating tactics indulged in by southerners in both Houses of Congress. In the Senate, southern members of the Judiciary Committee have held up action for weeks by absenting themselves from committee meetings, thus causing a lack of quorum. Others have indulged in long-winded speeches, another stalling operation. Altogether, it is a sorry record.

This will not end the matter, however. A temporary setback, yes, but only a setback. Ultimately we will have civil rights both in theory and in practice. This is a moral universe and, as Emerson once said, man puts himself in tune with right and justice or he is "pulverized by the recoil."

Mr. HUMPHREY. Mr. President, it would be the highest kind of irony if civil-rights legislation, now 80 years overdue, were to be rendered ineffective by an appeal for the inclusion of an institution which we all cherish—the jury trial—in an area where it has not historically operated, where its sole function would be to prevent the very progress which the legislation is intended to promote.

Mr. President——

The VICE PRESIDENT. The Senator from Minnesota has the floor.

TIGHT MONEY

Mr. HUMPHREY. Mr. President, this morning's Washington Post and Times Herald contains a column written by Bernard Nossiter which gets right down to the hard facts concerning the effects on the economy of the administration's tight-money policy. I recommend it to anyone who seriously desires to understand monetary policy, which is probably the most important domestic issue which we face today.

Mr. Nossiter's column reviews a recent article written by John Kenneth Galbraith, the noted Harvard economist, in which he argues that the present monetary policy is aiding and abetting economic concentration at the expense of the small- and medium-size businesses. Professor Galbraith maintains that the continuation of the present tight-money policy will do as much to speed up business concentration as would the repeal of the antitrust laws. Such a warning is not to be lightly dismissed, Mr. President, when it comes from so authoritative a source.

I ask unanimous consent that the article, entitled "Tight Money Policy," be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TIGHT MONEY POLICY: UNLIQUIDATED MONOPOLY PROFITS AND CONCENTRATION

(By Bernard Nossiter)

George M. Humphrey, the Treasury Secretary, and William McChesney Martin, Federal Reserve Board chairman, who are scheduled to testify today before the Congressional Joint Economic Committee may collide with an academic missile just launched at Cambridge, Mass.

There, John Kenneth Galbraith, the Harvard professor, has buttressed the major criticisms of the Government's anti-inflation policies with theoretical supports stronger than any yet advanced.

Galbraith's rocket appears in the May issue of a professional journal, Harvard's Review of Economics and Statistics.

Its conclusion—that the so-called tight money policy is increasing economic concentration by discriminating against small, competitive firms—is not startling. It has been voiced repeatedly by "liberal" Democrats, small-business spokesmen and trade union professionals among others. The facile Galbraith himself has previously published a popular version of his ideas in a middle-brow magazine.

But in the learned journal, he has come up with what appears to be a new concept—unliquidated monopoly profits. He uses this tool to explain why pricing in some industries apparently amends the "law" of supply and demand.

From there, he reasons that Treasury-Federal Reserve policy reinforces concentration.

Galbraith argues that in the economy's competitive sectors, an increase in demand promptly and automatically brings forth an increase in price for the available supply. But in concentrated industries, he says, where a few producers operate and the price decisions of any major producer can affect the industry's price level, prices are held steady for longer periods of time. If demand is stepped up, Galbraith says, a big firm producing at capacity will at first experience an increase in its orders backlog; if the firm is under capacity, the increased demand will enlarge its unit sales.

For examples of competition, Galbraith cites agriculture, bituminous coal, forest products, and some cotton textiles; concentrated or administered price industries are steel, autos, electrical machinery, oil, and others.

Economists assume that business firms set prices to maximize profits—to squeeze out the last bit of profit available. But in concentrated industries, says Galbraith, this just isn't so. There, he argues, prices are deliberately set and held at less than the point at which maximum profits can be realized.

This gap between actual prices and profit-maximizing prices makes up Galbraith's unliquidated monopoly profits.

Galbraith does not argue that this corporate restraint is a reflex of the higher corporate conscience.

Big firms hold back on prices, he says, to avoid angering customers; to avoid tempting new, competitive firms to try for the plums; to avoid antagonizing the public; to avoid the slings and arrows of Government trustbusters; and most of all to restrain union demands. Once granted, wage increases are much harder to slice back when demand falls than prices or output.

What have unliquidated monopoly gains to do with Messrs. Humphrey and Martin? Plenty, says Galbraith, because their policies to allow rising interest rates on borrowed funds and limiting the total supply of lendable funds strikes the small and barely touches the big firms.

During inflation or increasing demand periods, says Galbraith, the big firm can, if it wants, pass on higher interest rates through higher prices. Because, he claims, its prices are less than the maximum profit position, this company's price increase won't reduce unit sales. For the same reason, he contends, higher interest charges won't discourage the large firm's investment in new plant and equipment.

But if wheat farmers try to increase prices to cover higher interest costs, says Galbraith, the total demand in bushels for wheat will shrink.

The other major, anti-inflation weapon, curbing the total of funds available for borrowing, also favors the big, says Galbraith. If banks must ration loans, he argues, they will favor the most credit-worthy. And if large firms can pass on higher interest charges better than small ones and the profits of the large are less likely to be hit by a drop in overall demand, they are more creditworthy, says Galbraith.

And if the credit rationing is really tough, he says, the large firm need not borrow to expand its plant and equipment; it can raise extra capital internally by boosting prices. In fact, this internally financed expansion plays a bigger role than raising capital in the stock market or borrowing from banks.

Thus, says the Harvard economist, inflation is controlled by denying credit to what are, in a general way the least powerful firms. At the same time, more powerful firms are exempted from the policy * * * the effect of monetary policy has been to ration credit from all sources away from smaller firms in the competitive sector and to larger firms in the oligopolistic (concentrated) sector.

No wonder, says Galbraith, that large firms like tight money. Its continuation, he argues, will do as much to speed up concentration as a repeal of antitrust laws.

ECONOMIC POLICY OF THE ADMINISTRATION

Mr. HUMPHREY. Mr. President, in order to keep faith with a press release I issued today, but which I was unable heretofore to place in the RECORD, I ask unanimous consent that my statement concerning the economic policy of the administration be printed at this point in the RECORD.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

NATION'S FISCAL MESS LITTLE SHORT OF SCANDALOUS, SENATOR HUMPHREY SAYS

The Nation's fiscal mess was called to the attention of the Senate today by Senator HUBERT H. HUMPHREY (Democrat, of Minnesota), who termed it "little short of being scandalous."

Senator HUMPHREY, who has been a persistent critic of the administration's higher interest rate hard-money policies ever since 1953, continued his protests by quoting two of the country's most authoritative financial journals—the Wall Street Journal and Barron's National Business and Financial Weekly—as concurring in his appraisal of the fiscal mess.

From the Wall Street Journal of June 3, Senator HUMPHREY read:

"The plain, simple, and incontrovertible fact is that the Government of the United States is in a fiscal mess."

From Barron's, also on June 3, he quoted:

"It (the Treasury) has been compelled to raise money with distressing frequency and at steadily rising costs. At the same time, its serious financial straits have posed a mounting threat to overall economic stability. In short, while the Nation remains as solvent as ever, debt-management policy has come perilously close to bankruptcy."

Commented Senator HUMPHREY:

"Isn't this an incredible record for an administration which campaigned for economy in government, a return to sound money policies, and an end to inflation?

"After 4 years of Republican mismanagement we have a bigger debt than before, we have inflationary money rates, and we are paying well over a billion dollars a year extra in interest on the debt.

"The present fiscal situation is little short of being scandalous.

"As an example, Treasury short-term bills in the first week of June rose to 3.374 percent—the highest rate since the bank holiday period of 1933. A year ago the Treasury sold short-term bills at 2.562 percent, and 2 years ago the rate was 1.390 percent. This amounts to a jump in interest rates of 142 percent in 2 years.

"The much ballyhooed efficient and businesslike Republican administration is leading the country into the gravest money crisis since the GOP ran the Government in the twenties and early thirties.

"The reason for the current fiscal mess is not difficult to explain. It is the logical result of administration policies designed to assist the financial interests of the country, rather than the people of the country whom the Government is supposed to serve."

MUTUAL SECURITY ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I wish to pay a very deserved tribute to my delightful friend, the chairman of the Committee on Foreign Relations [Mr. GREEN], for one of the finest job I have ever seen done in the United States Senate.

The first testimony on the mutual security bill, the so-called foreign aid bill, was given before that committee on June 3. Some 8 days later, that very comprehensive measure, which affects all the people of the Free World was reported by an overwhelming vote of that committee.

Although numerous amendments were offered to the bill by my friends the distinguished Senators from Louisiana [Mr. ELLENDER and Mr. LONG], by the distinguished senior Senator from Oregon [Mr. MORSE], and many other Senators, the Senate did not accept a single amendment to reduce below the committee recommendation the authorized amount of dollars in the bill.

I can think of no finer tribute which could be paid to the statesmanship, the trust, the confidence, and the esteem in which the Senate holds the chairman of the committee than the tribute which the Senate paid him today by their votes when the roll was called.

I am grateful for the spirit in which this very important debate was conducted. I appreciate the differing viewpoints. I am in the debt of my friends, the Senators from Louisiana [Mr. ELLENDER and Mr. LONG], for their conscientious presentation of their viewpoints, and I am indebted to the Senate for the dignity in which the Senate conducted itself during the entire debate.

I think the Senate owes a debt of gratitude to the distinguished minority leader and the other Senators of the minority who have sat here long and late to aid in discharging the responsibilities which the Senate has in this matter.

Mr. President, we have had a very fruitful week. The Senate has passed, after thorough debate in this Chamber, four appropriation bills and the bill authorizing appropriations for mutual security.

On Monday the Senate will convene at 11 o'clock. I am hopeful that we can give adequate and thorough consideration to the report of the Committee on Foreign Relations concerning the atomic energy treaty.

I expect on Tuesday, or at the earliest date possible, to have the Senate proceed to the consideration of the Hells Canyon bill.

It is hoped that the Senate may have before it next week the Department of the Interior appropriation bill, as well as several conference reports on appropriation bills.

In view of the fine record the Senate has made, and in view of the harmony which exists at this late hour, I think all Senators should be rewarded by having at least 1 day off to catch up with their mail and to attend to any important committee duties which they may have.

Therefore, Mr. President, when the Senate adjourns, it will adjourn, pursuant to the order previously entered, until Monday at 11 o'clock a. m.

Mr. HUMPHREY. Mr. President, I wish to associate myself, as I know every member of the Senate Committee on Foreign Relations would wish to do, with the well-deserved and very fine remarks of the majority leader referring to the chairman of the Committee on Foreign Relations.

I may add that the staff of that committee, also, has been exceedingly diligent and very helpful in every possible way to make the bill a reality of legislation, so far as the Senate is concerned. I pay tribute to all those who have worked so hard on the bill.

Mr. JOHNSON of Texas. Mr. President, I concur in the statement made by the Senator from Minnesota concerning the valuable contribution made by the extremely able staff of the Committee on Foreign Relations. I have never known more conscientious, capable, dedicated, or devoted public servants than Carl Marcy and those who are associated with him. It will be necessary to go a long way before it will be possible to find men equal to these staff members who have helped us pilot this bill through.

Mr. CHAVEZ. Mr. President——

Mr. JOHNSON of Texas. I yield to my friend, the Senator from New Mexico.

Mr. CHAVEZ. I wish to associate myself with those who pay tribute to the chairman of the Foreign Relations Committee, in connection with the authorization bill which the Senate passed tonight. I would remind him that irrespective of the authorization bill, the appropriations must still be made, before the operations can "click." I wish all concerned to be informed that, so far as the Appropriations Committee is concerned, I do not know what is going to happen. [Laughter.]

EXHIBITION OF THE ROBERT LEHMAN ART COLLECTION AT THE LOUVRE

Mr. JOHNSON of Texas. Mr. President, Robert Lehman, senior partner of Lehman Bros., deserves great credit for a generous act which has done much to promote good will between our country and France.

Mr. Lehman has permitted his famous collection of art treasures to be placed on display at the Louvre in Paris. During the first 4 days of the exhibit, more than 8,000 people came to see the paintings.

Because I believe that Mr. Lehman is to be highly commended for this act, I ask unanimous consent that there be printed in the body of the RECORD a statement which has been prepared describing the exhibit and the French reaction, and a number of articles from the press.

There being no objection, the statement and articles were ordered to be printed in the RECORD, as follows:

At the request of representatives of the French Government, Mr. Robert Lehman, of New York, sent most of his famous collection of paintings and works of art for public exhibition at the Louvre National Art Gallery in France. In this collection are paintings by the old masters of all schools, including Rembrandt, Greco, Goya, Botticelli, and others; also paintings by Renoir, Van Gogh, Cezanne, Gauguin, Seurat.

The collection was begun by the late Philip Lehman and continued by his son, Robert, who is senior partner of Lehman Bros. and president of the Lehman Corp. Much of it was brought to Paris at the invitation of George Salles, director of French museums, who saw many of the major items in New York when they went on public display there for the first time 3 years ago.

In addition to paintings, an unrivaled collection of drawings is on exhibit at the Orangerie. It ranges from Pisanello through Durer and Fragonard to the moderns.

Notable examples of 15th century majolica are included. There also is a large collection of Renaissance jewelry, as well as bronzes, snuffboxes, book bindings, aquamanalia, Limoges enamels and Renaissance furniture.

Mr. Lehman has won the hearts of people of France and has done much to cement friendly relations between Americans and Frenchmen. Thousands of Frenchmen and tourists wait in line each day to see this wonderful display of art.

On the radio, on television, and in the newspapers, the French people have expressed their gratitude to Mr. Lehman and the American people for this act of friendship. This exhibition demonstrates to the

the French people that Americans are not primarily a nation of materialists as they have been led to believe but that they are cultured and generous people.

Among the statements made in the French newspapers and over television and radio are the following:

"This will do more for good relations between France and America than anything that's happened in recent years."

"It shows that you people in America have long been interested in our art and our culture, have collected it, are proud of it. How can we help but be pleased to have you come here to show us this great collection?"

"I'm most impressed by the fact that this has been done not for any personal gain or Government propaganda, but simply as a gesture of friendship from one American toward France."

"It certainly is something that's rare to us and shows the high affection with which they regard the people of France."

"Incomparable—have never seen a private collection like it."

"Art collectors over here rarely show their collections this way—your M. Lehman must be a very generous man and very interested in other people to have done all this."

"You know, we French have always had a somewhat mixed reaction to American culture. We often think your interests are primarily commercial. This collection shows us a completely different side of your national personality, one very close to us here in Paris where everyone is interested in art. The showing—a gesture of American friendship to France—can't help but bring us closer together."

Mr. Lehman is not only the head of the oldest investment banking firm in the United States, but he devotes most of his time to philanthropy, education and the arts. He is a trustee of the Metropolitan Museum, trustee of New York University, trustee of leading hospitals and a member of many public and private philanthropic and civil organizations. Our country indeed owes Mr. Lehman a debt of gratitude. We hope that more Americans will follow Mr. Lehman's example and thereby through private effort cause the people of the world to be our friends.

[From the New York Herald Tribune of June 9, 1957]

LEHMAN ART SCORES HIT AT LOUVRE—FIRST EUROPEAN EXHIBIT CROWDED

(By Frank Kelley)

PARIS, June 8.—In 4 days at the Orangerie, a branch of the Louvre, more than 300 works of art from the internationally famous collection of Robert Lehman, New York investment banker, have drawn nearly 8,000 visitors, officials reported today.

"This surpasses all our expectations," an official of the museum, which is used for private and special showings, said.

It is the first time that any of the Lehman collection, previously seen at the Metropolitan Museum of Art in New York, has been shown in Europe. Reports in French and British newspapers have praised the richness of the collection.

TWO THOUSAND VISITORS A DAY

After a press preview Monday and a "vernissage" (varnishing day) for notables Tuesday, the exhibit was opened to the public Wednesday at 200 francs (about 56 cents) a ticket. Since then, officials said, nearly 2,000 persons a day have visited the Orangerie.

They quoted Mr. and Mrs. Lehman, who came here to help prepare the display, as "enchanted" with the reception the $20 million collection has been given by Parisians and thousands of tourists.

Included in the collection are 80 paintings, 77 drawings, 38 illuminations and 141 miscellaneous art objects. The exhibition will be open to the public until mid-September.

FAMED PAINTINGS

The Orangerie's interior was completely redone to display to best advantage this first showing from a private American collection ever held there. Red brocades were hung on the walls, the ceiling lights were softened with white cloth and the interior was rearranged into a series of rooms that lead to a "boutique" at one end, where jewelry and smaller pieces are being shown in illuminated glass showcases.

On display are paintings by Renoir, Matisse, Van Gogh, Cezanne, Bonnard, Gauguin, Seurat and Modigliani. There is Rembrandt's portrait of Gerard de Lairesse, Botticelli's The Annunciation and El Greco's St. Jerome as a Cardinal.

The collection was begun by the late Philip Lehman and continued by his son, Robert, who is senior partner of Lehman Bros. and president of the Lehman Corp. Much of it was brought to Paris at the invitation of George Salles, director of French museums, who saw many of the major items in New York when they went on public display there for the first time 3 years ago.

In addition to paintings, an unrivaled collection of drawings is on exhibit at the Orangerie. It ranges from Pisanello through Durer and Fragonard to the moderns. There are works by Goya, Ingres, Degas, and Rubens, among many others.

Notable examples of 15th and 16th century majolica are included. There also is a large collection of Renaissance and baroque jewelry, as well as bronzes, snuffboxes, book bindings, aquamanalia, Limoges enamels, and Renaissance furniture.

[From the New York Times of May 27, 1957]

LOUVRE TO SHOW UNITED STATES COLLECTION—WORKS OWNED BY LEHMAN, NEW YORK BANKER, WILL GO ON DISPLAY IN PARIS SOON

PARIS, May 26.—What is said to be the largest and most valuable private art collection ever sent from the United States to Europe will go on view here June 4.

The art treasures, from the Lehman collection, will comprise the summer show at the Orangerie, just off the Place de la Concorde, where the Louvre holds its special exhibits. The collection, sent here at the invitation of George Salles, director of French museums, is the first single American collection to be shown at the Orangerie.

Robert Lehman, senior partner of Lehman Bros., New York investment banking house, owns the collection. Mr. Lehman, who added to works originally assembled by his father, the late Philip Lehman, is in Paris for the opening.

More than 325 pieces will be on display. They were selected from the full collection in New York by representatives of the Louvre for their special interest to the French public. Officials declined to reveal the value of the works.

The showing here will probably include 80 paintings, 77 drawings, 38 illuminations and 141 other miscellaneous art works, among them, Renaissance Italian pottery, baroque and Renaissance jewelry, some bronzes, goldsmith work, tapestries and a few pieces of Renaissance furniture.

The paintings and drawings in the collection represent a wide variety, from old masters to modern French. They were selected from Mr. Lehman's house, apartment and office in New York. Some also were picked from the works now on loan at the Metropolitan Museum of Art in New York.

Visitors to the Orangerie will see on display such famous paintings as The Legend of Saint Eligius by the Flemish artist Petrus Christus; The Annunciation by Botticelli; the portrait of Countess Altamira and her daughter by Goya, and St. Jerome as a Cardinal by El Greco.

[From the New York Herald Tribune (Paris) of May 28, 1957]

LEHMAN ART COLLECTION ON SHOW IN PARIS JUNE 5

(By Frank Kelley)

More than 300 works of art selected from the internationally famous collection belonging to Robert Lehman, New York investment banker, will be exhibited in Paris at the Orangerie, in the Tuileries Garden, beginning June 5.

Included are 80 paintings, 77 drawings, 38 illuminations and 141 miscellaneous art objects conservatively valued by Louvre experts at more than $20 million.

The Orangerie has been completely redone to display to best advantage this first showing from a private American collection ever held there.

Red brocades have been hung on the walls, the ceiling lights have been softened with white cloth and the interior has been rearranged into a series of rooms that lead to a boutique at one end, where jewelry and smaller pieces will be shown in illuminated glass showcases.

Mr. and Mrs. Lehman have been hard at work with Louvre officials for the last week arranging the display. Some of the Lehmans' furniture was shipped especially from New York to display paintings and other works to best advantage.

A press preview will be held June 3. The formal vernissage is set for the following day, and June 5 it will be opened to the public until mid-September.

Included are paintings by Renoir, Matisse, Van Gogh, Cezanne, Bonnard, Gauguin, Seurat, and Modigliani. There is Rembrandt's portrait of Gerard de Lairesse, Botticelli's The Annunciation, and El Greco's Saint Jerome as a Cardinal.

The collection was assembled by the late Philip Lehman and by his son, Robert Lehman, who is president of the 107-year-old New York banking house of Lehman Bros. and also is head of the Lehman Corp.

PICKED BY LOUVRE

Much of it has been brought to Paris at the invitation of George Salles, director of French museums, who saw many major items at the Metropolitan Museum in New York when they went on public display for the first time nearly 3 years ago.

Louvre representatives selected the items they believed of most interest to the public here.

Mr. Lehman said he considered it a great compliment to have been invited by France to send the works and added: "Having been a constant visitor to France for many years, I felt that this invitation would give me the opportunity of showing my gratitude in some small way for the great enjoyment my family and I have derived from the museums and homes of France."

In addition to paintings, an unrivaled collection of drawings will be seen. It ranges from Pisanello through Durer and Fragonard to the moderns. There are works by Goya, Ingres, Degas and Rubens, among many others.

[From Newsweek of June 3, 1957]

ROUNDABOUT TO PARIS

An American collection hung in the Louvre this week for the first time in history. It was not, however, an exhibition of American paintings, but mainly of European art, back on the Continent for the first time since its purchase by Americans. The show, assembled from the collection of the Lehman family, which numbers more than 1,000 works, is the biggest private collection ever sent to Europe. It made the trip without any official United States sponsorship and will remain abroad until mid-September.

The late New York banker Philip Lehman started acquiring art a few years before the First World War, and his son, Robert, now

president of the investment banking house of Lehman Bros., became quite as devoted a collector as his father. What father and son accumulated is now one of the world's most valuable private collections. Its most important items were publicly shown for the first time at the Metropolitan Museum of Art 3 years ago, and on that occasion were seen and admired by France's director of public museums, George Salles. The exhibition which opened at the Louvre this week is an outgrowth of that experience. Salles later invited Lehman to exhibit, Lehman accepted, and Louvre representatives in time came to New York to make their choices. They were given a free hand, and took their material from the Lehman family's former midtown house (which holds most of the collection) as well as from Robert Lehman's Park Avenue apartment and his office.

Gratitude: The result is a show of paintings, drawings, and miscellaneous treasures with a total value estimated at $14 million. On display are 300 items, including 80 paintings and 77 drawings. Among those present: Botticelli, Holbein the Younger, Rembrandt, Cranach, Rubens, Tintoretto, El Greco, Goya, Renoir, Degas, Seurat, Van Gogh, Gauguin, Matisse, and Modigliani. The items were selected chiefly on the basis of what would be of greatest interest to the Parisians. Collector Lehman has a special interest in modern French paintings, but comparatively few are in the show; modern French citizens are, after all, pretty familiar with their painters.

The exhibition, says Lehman, is to a certain extent an expression of his "gratitude for the great enjoyment my family and I have derived from the museums and homes of France" and also of his confidence in world stability.

CERTIFICATION FOR CERTAIN AIR CARRIERS OPERATING BETWEEN THE UNITED STATES AND ALASKA

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 438, Senate bill 1873.

The VICE PRESIDENT. The bill will be stated by title, for the information of the Senate.

The CHIEF CLERK. A bill (S. 1873) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1873) to amend section 401 (e) of the Civil Aeronautics Act of 1938 in order to authorize permanent certification for certain air carriers operating between the United States and Alaska, which had been reported from the Committee on Interstate and Foreign Commerce, with amendments.

Mr. JOHNSON of Texas. Mr. President, it is not my purpose to have the Senate proceed further with this measure tonight.

REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL GRANTS-IN-AID TO STATES AND PAYMENTS TO INDIVIDUALS (S. REPT. NO. 442)

Mr. BYRD. Mr. President, pursuant to section 601 of the Revenue Act of 1941 (55 Stat. 726), as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit a report entitled "Federal Grants-in-Aid to States and Payments to Individuals," which I ask to have printed.

The VICE PRESIDENT. The report will be received and printed, as requested by the Senator from Virginia.

ADDITIONAL EXECUTIVE REPORT OF A COMMITTEE

By unanimous consent the following additional executive report of a committee was submitted, as in executive session:

By Mr. GREEN, from the Committee on Foreign Relations:

Executive I, 85th Congress, 1st session, the statute of the International Atomic Energy Agency; with an interpretation and understanding (Ex. Rept. No. 3).

PRINTING OF REVIEW OF REPORTS ON BELLINGHAM HARBOR, WASH. (S. DOC. NO. 46)

Mr. CHAVEZ. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated April 18, 1957, from the Chief of Engineers, United States Army, together with accompanying papers and an illustration, on a review of reports on Bellingham Harbor, Wash., requested by a resolution of the Committee on Public Works of July 24, 1953. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL RECORD MATTER

By Mr. MUNDT:

Address delivered by him at the Elk Flag Day Celebration at Constitution Hall on June 14, 1957.

LEGISLATIVE PROGRAM — ADJOURNMENT TO MONDAY AT 11 A. M.

Mr. JOHNSON of Texas. Mr. President, as I understand, under the order previously entered, on Monday the Senate will convene at 11 a. m., as in executive session. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. Then, Mr. President, pursuant to the order previously entered, I move that the Senate stand in adjournment until Monday.

The motion was agreed to; and (at 11 o'clock and 1 minute p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Monday, June 17, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 14, 1957:

DIPLOMATIC AND FOREIGN SERVICE

Val Peterson, of Nebraska, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Denmark.

UNITED STATES ATTORNEY

James Major Baley, Jr., of North Carolina, to be United States attorney for the western district of North Carolina for a term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

UNITED STATES MARSHALS

Roy A. Harmon, of North Carolina, to be United States marshal for the western district of North Carolina for a term of 4 years. He is now serving in this office under an appointment which expires July 17, 1957.

Thomas J. Lunney, of New York, to be United States marshal for the southern district of New York for a term of 4 years. He is now serving in this office under an appointment which expires July 17, 1957.

Albina R. Cermak, of Cleveland, Ohio, to be collector of customs in customs collection district No. 41, with headquarters at Cleveland, Ohio. Reappointment.

COAST AND GEODETIC SURVEY

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be captains

Franklin R. Gossett
Ernest B. Lewey
John C. Mathisson

To be lieutenant commanders

Harley D. Nygren
Hubert W. Keith, Jr.

To be lieutenant

Howard A. Garcia

To be lieutenants (junior grade)

J. Frank May, Jr.
John H. Bennett

To be ensigns

Gerald D. Bradford
Morris J. Rothenberg
John J. Vlastelicia, Jr.
Gene A. Weir

FEDERAL CIVIL DEFENSE ADMINISTRATION

Leo Arthur Hoegh, of Iowa, to be Federal Civil Defense Administrator, vice Val Peterson, resigned.

FARM CREDIT ADMINISTRATION

The following-named persons to be members of the Federal Farm Credit Board, Farm Credit Administration, for terms expiring March 31, 1963:

Marshall H. Edwards, of Florida. (Reappointment.)

George W. Lightburn, of Oklahoma, vice H. W. Clutter, term expired.

IN THE MARINE CORPS

The following-named officers of the Marine Corps for permanent appointment to the grade of colonel:

Jino J. D'Alessandro	James B. Moore
Melvin D. Henderson	Louis L. Frank
Eliott B. Robertson	Thomas V. Murto, Jr.
George F. Gober	Frank H. Collins
John D. Howard	Howard E. King
Cecil W. Shuler	Waite W. Worden
Glenn R. Long	James R. Anderson
Samuel D. Mandeville, Jr.	Harold S. Roise
William G. Thrash	James R. Christensen
Louis Metzger	Randall L. Stallings
Luther R. Seibert	Roger C. Power, Jr.
Wendell H. Best	Robert D. Heinl, Jr.
John I. Williamson, Jr.	Robert C. McDonough
Robert S. Riddell	Richard D. Strickler
George T. Fowler	James W. Keene
Warner T. Bigger	John F. Kinney
Charles A. Rigaud	Francis W. Benson
Roger S. Bruford	George R. Stallings
Edwin C. Godbold	William J. McKennan
Warren P. Baker	Claude S. Sanders, Jr.
James Taul	Walter H. Stephens
Homer E. Hire	Clarence R. Schwenke
Richard Quigley	John F. Mallard
Royce W. Coln	George B. Thomas
Alfred T. Greene	John E. Rentsch
Wayne M. Cargill	Charles T. Hodges
	Kenneth H. Black

William C. Humberd
Robert R. Burns
Marion E. Carl
Charles W. Somers, Jr.
Arthur H. Adams
Angus M. Fraser
Robert Hall
Donald J. Robinson
Alfred M. Mahoney
Erik W. Ritzau
John C. Brewer
James M. Watkins, Jr.
William E. Clasen
J. Frank Cole
Homer G. Hutchinson, Jr.
Allen H. Anderson
Elkin S. Dew
Erwin F. Wann, Jr.
Otis V. Calhoun, Jr.
Talbott F. Collins
John H. Partridge
Frederick J. Karch
Lawrence F. Fox
Horace H. Figuers
Joseph S. Skoczylas
John W. A. Antonelli
George W. Herring
David C. Wolfe

The following-named officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel:

Herbert A. Peters
Fred F. Harbin
John V. Downs
Edward L. Roberts
Walter Gall
Thomas D. Stockwell, Jr.
Henry M. Bourgeois
Fred J. Gilhuly
Henry P. Huff
John E. Worlund
John N. Swartley
Marshall C. Gregory
Herbert E. L. Zastrow
Thomas L. Randall
Joseph S. Gardner
Robert G. McMaster
Herman Poggemeyer, Jr.
Allen C. Hendley
Robert H. Twisdale
Robert B. Laing
John W. Bowman
Richard L. Sullivan
George W. McHenry, Jr.
Angus J. Cronin
William C. Chip
Joseph F. Donahoe, Jr.
Morris R. Snead
Ralph H. Spanjer
Harold A. Langstaff, Jr.
Arthur R. Boag
Ernest P. Freeman, Jr.
Stanley S. Hughes
Robert E. Kelly
William N. Case
Charles W. Korf
John E. Hays
Archie D. Simpson
Richard M. Cook
John H. Carroll
Robert G. Fritch
Eugene P. Claude
John Lowman, Jr.
John M. Kusiak
John K. Hogan
George E. Wasson
Percy F. Avant, Jr.
Jefferson D. Smith, Jr.
John I. Loy
Frank C. Caldwell
John A. Conway
David W. Thomson
Harry V. Leasure
David W. McFarland
John J. Jarvis, Jr.
Robert B. Prescott
Maynard W. Schmidt
Carl E. Walker
John L. Tobin
Michael Mosteller
Frank E. Sullivan
Robert E. Baldwin
Horace W. Card, Jr.
Charles S. Rumbold
Howard I. Dunlap
Nicholas P. Lengyel
Dewey D. Raynor
Wilson D. Haigler
John C. McClelland, Jr.
William O. Adams
Stephen K. Pawloski
Henry M. Turner
Robert W. Wilson
Norman D. Glenn
Henry A. McCartney
Lynn N. Kelso
Clyde H. Davis, Jr.
Richard E. French
Philip E. Booth
Thomas J. Matthews
Stanley V. Titterud
George E. Farrell
Edmond P. Hartsock
Howard J. Finn
William A. Weir
Frank H. Simonds
Charles R. Metzelaars
Winfred O. Reid
Reinhardt Leu
John F. Bolt
John B. Piper
Eugene S. Roane, Jr.
Richard B. Elliott
Robert T. Moore, Jr.
William D. Regan
John F. Paul
William L. Eubank
Lawrence F. Snoddy, Jr.
Carl T. McLean
David H. Simmons
William R. Bennett
Hartwell V. Scarborough, Jr.
Marshall R. Tutton
Samuel A. Hannah
David E. Wiley
Andrew M. Zimmer
Alaric W. Valentin
Raymond L. Abel
John R. Stevens
Frederick W. Barnes
William Geftman
Clarence L. Zeiger, Jr.
James Antink
Warren H. Simpson
Lawrence R. Cloern
Harry E. Dickinson
William J. Kohler
Donald G. Saunders
James A. Apffel
James E. Garner
James R. Stockman
William J. Sullivan
Orlando S. Tosdal
Donald T. Olson
Floyd C. Haxton
Richard W. Johnson
William W. Wander, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of major:

Robert N. Losse
Dwain Wise
Charles C. Ward
Robert Wade
William A. Lutnick
Owen V. Gallentine
Ernest L. Engelkes
Ernest R. Doyle, Jr.
Joe B. Stribling
Nicholas M. Seminoff
Donald H. Campbell
Robert H. Cook
Robert J. Craig
Cloyd V. Hines
James W. Luther
Marshall S. Campbell
Victor E. Johnson, Jr.
Dewey F. Durnford, Jr.
Noble L. Beck
Leroy V. Corbett
Clyde P. Guy
Henry A. Checklou
Leslie L. Davenport
James P. Bruce
Clyde B. Shropshire
John D. Cotton
Robert W. Minick
Anthony Edwards
Lud R. Tucker
William H. Kellogg
Marion H. Deckard
Charles H. Ludden
Lawrence McGlade
John P. Flynn, Jr.
Stanley B. Voth
John Padach, Jr.
Thomas G. Elder
Harold V. Deering
Eugene T. Card
Calvin Wall
Wesley C. Blake
Charles A. Broudy
William W. Bryant
Allen L. Phillips
Warren E. McCain
Grover S. Stewart, Jr.
Herschel G. Connell
Curtis D. Jernigan
Willard C. Olsen
Harry B. Stuckey
Rex A. Deasy
Robert N. Welch
Dean Caswell
Harold R. Foltz
John B. Mason
Danny W. Johnson
Murray V. Harlan, Jr.
William H. Mulvey
Robert S. Robertson
John H. Cavalero
Walter Panchision
James M. McGee
Marshall S. Austin
Chester J. Poppa
Lewis C. Street III
Leo J. Corboy, Jr.
Glenn L. Ferguson, Jr.
William J. Long
Joe B. Henson
James R. Weaver
Clarence H. Pritchett
William L. Walker
Thomas O. Weghorst
Floyd H. Butler, Jr.
Richard H. Bushnell
Douglas D. Petty, Jr.
Wayne H. Hoereth
James H. Berge, Jr.
James M. Weidner
Daniel Greene
Thomas R. Egan
Charles E. Street, Jr.
Donald H. Foss
Cecil B. Lafayette
George D. Kew
James T. Cronin
Lawrence C. Norton
Poul F. Pedersen
Harold L. Haley
George H. Green, Jr.
Thirl D. Johnson
Russell A. Davidson
Roy B. Whitlock
James R. Johnson
Donald G. Frier
Ernest E. Poor
James L. Dumas
Coleman C. Jones
Roger C. Lawson
Harry F. Abbott
Jack A. Adam
John V. Hanes
William M. Crooks
James R. Coltrane
Joseph S. Heitzler
Arthur T. Hill
Richard H. Fairchild
Wilbourn Waller
Edward A. Koster
Eldon C. Stanton
Thomas A. James
Leo R. Jillisky
Howard Wolf
Arthur F. Shupe
Eugene M. Oster
James R. Jones
Jack K. Knocke
Ralph F. Estey
Byron J. Melancon
Clarence M. Hurst
Rex A. White
Max F. Brumfield
Joseph O. Compton, Jr.
Patrick D. Boyle
Arthur W. Latta, Jr.
Fred F. Eubanks, Jr.
Adlin P. Daigle
James W. Robinson
Francis K. Tomlinson, Jr.
George Kuprash
Frank S. Crawford
James Leon
Ted J. Foster
William D. Watson
Donald H. Edwards
Ray Connelly
Kenneth G. Hadcock
Nelson E. Brown
Lloyd F. Childers
James W. Smith
Billie E. Loos
John Browne
John P. Baden
Herman L. Mixson
William G. Carter
Gerald C. Armstrong
George L. Davis, Jr.
Breen G. Lansford
Richard P. Greene
William G. Joslyn
Riley E. Cruse
Richard I. Sudhoff
Hillmer F. Deatley
John J. Unterkofler
Thomas V. A. Wornham
Haig Donabedian
John G. Word
David D. Francis
Charles H. Cullum
Frederick E. Grube
John H. Cobb, Jr.
Garrett J. Fitzgerald
Richard M. Wadsworth
Henry J. Conlin
Robert E. B. Palmer
Broman C. Stinemetz
Kenyon J. Frazier
Robert W. Howland
Lavern W. Larson
Robert L. Christian, Jr.
Rowland M. Murphy
William H. Thousand
Robert Schueler
Eric B. Parker
Frederick H. Kruck
John L. Woods
John J. Donahue
Richard P. Johnson
Lee C. Reece
Hiram B. Crosby III
Ralph Thuesen
Philip N. Frazier
Val R. McClure
Donald E. Newton
Robert P. Chaney
Stephen G. Olmstead
John L. Coffman
Robert C. V. Hughes
Richard C. Marsh
Elvyn E. Hagedorn
Thomas R. Kelly
Malcolm S. Jolley
Gerard E. Lawler
Dallas P. Brewton
Billy R. Standley
Carroll T. Deal
Peter A. Wickwire
Howard P. Robinson
John E. Dornan
John W. Clayborne
Dale N. Davis
William C. Holmberg
Edward H. Utley
Vincente T. Blaz
Richard A. Pape
Samuel P. Berzon
Ben C. Rowe
Charles E. Nicholas
Frank S. Cannon
Gerald C. Thomas, Jr.
William E. Hutchison
Chester T. Jones
David E. Jones, Jr.
Robert G. Riddle
Jack E. Dausman
William B. Duncan
William P. Heim
Joseph P. Goodson
John F. O'Mara
Leonard E. Wood
Landon W. Parker
James P. Connolly II
Donald L. Sellers
Francis G. Balderston
Hugh R. Bumpas, Jr.
Drew I. Matthews
John R. Collin
Cowles Andrus, Jr.
Richard B. Taber
Charles D. Roberts, Jr.
Bernard E. Trainor
Charles G. Boicey
Richard C. Stockton
Robert R. Meeker, Jr.
Vernon L. Sylvester
Edward K. Maxwell
Maurice B. Lynch
William L. Buergey
Lewis H. Abrams
John R. Bradley
Richard S. Hartman
Raymond B. Ingrando
Frank G. Perrin
Richard W. Smith
Charles W. Tonnacliff
Harold E. McKinney
William F. Hohmann
William A. McMahon
Phillip E. Megna
Duncan D. Chaplin III
Charles L. McElheny
William Banta
Charles R. Casey
Stuart T. Clark
James D. Bailey
Paul C. Mogensen
Frederick F. Mallard
Jerome W. Stranahan
Dean H. Morley
William R. Maloney
Paul L. Siegmund
Merton J. Batchelder, Jr.
William R. Beeler
Gilbert C. Hazard
James B. McMath
Paul A. Shrader
Joseph T. Smith
Raymond F. Schramel
John R. Love
Herbert M. Hart
William A. Lawrence
Donald P. Young
Thomas J. Culkin
Marc A. Moore
John J. Grace
Fred D. MacLean, Jr.
John J. P. Reddy
Philip J. Dooley
Tom G. McCreless, Jr.
Robert E. Harris
Robert J. Miille
Robert M. Searles
Thomas C. Fields
Robert A. Fuller
David B. Barker
Thomas E. Mattimoe
Robert E. Haebel
Pat Morgan
Harry U. Carpenter
Albert L. Yunko, Jr.
Harold E. Cottrell
Tullis J. Woodham, Jr.
Charles T. Williamson
John C. Cawthron, Jr.
Charles B. Webster
Speros D. Thomaidis
Branch Jordan
Donald R. Navorska
Joseph F. Inman
Brooke F. Read, Jr.
Donald E. McQuinn
Stanley J. Loferski
Robert J. Hurley
Frank J. Murray
Ronald M. Proudfoot
Edward B. McDonald
James H. Landers
Gary L. Yundt
William P. T. Hill, Jr.
Richard E. Hawes, Jr.
Robert E. Eidson
Thomas C. Edwards
Guy C. Packard
Samuel M. Morrow
Thomas G. Davis
James B. Vanairsdale
David J. Maysilles
Milton D. Drummond, Jr.
Bernard J. Ypelaar
Eugene R. Howard, Jr.
Harry E. Atkinson
Victor G. Fortin
Richard E. Wray III
William G. Bates
Warren P. Kitterman
Roderick M. Stewart
John D. Baylor
Jerry P. Chene
Frederick R. Bowie

The following-named officers of the Marine Corps for permanent appointment to the grade of captain:

Jack G. Woolery
Donald H. Hildebrand
William H. Stoetzer
Edward R. Mahoney
William O. Butler
Edward Z. Grabowski
Joseph A. Swartz, Jr.
Lester E. Bazinet
Charles M. Chidester
Theodore H. Watson
Louis Z. Slawter, Jr.
Joseph D. Jackson
Bernard J. Mulligan
John B. Carr, Jr.
Charles G. Little
Charles Fimian
Jack W. Cain
Richard B. Twohey
James Everett, Jr.
William C. Simanikas
Thomas C. Smith
Walter F. Glowicki
Karl E. Moore
William S. Daniels
William R. Kephart
Lowell R. Burnette, Jr.
John W. Parchen
Richard K. Jones
Dale E. Shatzer
John G. Metz

Paul H. Westenberger
William R. Rice
Frank J. Mulholland
William P. Gorski
Kent D. Hollen
Oliver W. Van Den Berg, Jr.
Jack D. Rowley
Eugene A. Silverthorn
Richard L. Anderton
Martin E. Farmer
Thomas F. Qualls
William H. Rice
William D. Shippen
David B. Hayes
James L. Black, Jr.
Chester J. Stanaro
Walter H. Kelly, Jr.
William F. Farley
Albert M. Desselle
Robert D. Rosecrans
Cederic C. Gifford
Wilbur W. Dinegar
Paul E. Pearson
Clarence E. Hogan
George H. Gentry, Jr.
Clark R. Wozencraft
Peter L. Hilgartner
Thomas R. Stuart
Daniel K. Macklin
Ronald G. Lutsko
Thomas A. McPheeters
Robert E. Benson
Robert W. Dyer
Oswald O. Paredes
William M. Kull
James R. Quisenberry
Henry T. Cook
Thomas B. Epps, Sr.
Henry L. Harmon
John E. Fahey
Alfred J. Croft, Jr.
Jack L. Norman
Jacob H. Duran
Orville L. Mitchell, Jr.
Cecil E. Woodcock, Jr.
John J. Peeler
Albert R. Bowman II
Richard L. Etter
Dudley N. Kyle
Robert A. Elder
James B. Wilkinson
Harold B. Roth, Jr.
John J. Keefe
Clarence E. Watson, Jr.
Carl W. Skaugen
David H. Tinius
William Netka
Theodore J. Willis
George G. Long
Joseph V. Manis, Jr.
Philip A. E. Leigh
Robert O. Barnes
Charles R. Swilley, Jr.
Thomas M. Kauffman
Ernest H. Graham
James F. Mahoney
George Hubbard
David S. Tolle
John J. Walsh, Jr.
Jack W. King
Max McQuown
Paul R. Hunter
Glenn A. Stephens
Robert F. Ritchie III
William E. Wilson, Jr.
Charles F. Jones
John Havlik
Frank Dicillo, Jr.
Lewis C. Habash
Thomas E. McNally
Stanley H. Rauh
Charles E. Pangburn
Larry R. Van Deusen
Ernest C. Brace
Horace A. Bruce
Kyle W. Townsend
Bobby R. Wilkinson
William H. Heintz
William J. Longshaw
Billy D. Bouldin
Darold D. Parrish
Louis A. Gulling
John D. Shoup
John Colia
Carroll R. Vorgang
James W. Quinn
Frank D. Topley
Michael E. Spiro
William A. Scott, Jr.
Richard E. Hemmingway
Donald K. Cliff
James B. Ryckman
David A. Clark
Harry H. Holmberg
Emil W. Herich
Maurice H. Ivins, Jr.
Morgan W. West
William J. Livingston
Walter W. Grant
Richard A. Mueller
Charles C. Chisholm, Jr.
Rondell K. Wood
Lawrence R. Seamon
Lawrence F. Sullivan
Herbert G. Fischer
William C. Drumright
Richard L. Woodruff
Roy L. Doering
James W. Hanker
Harlan C. Chase
Bruce G. Brown
Anthony G. Waite
Charles R. Poppe, Jr.
Benjamin B. Skinner
Roy E. Moss
Neil A. Nelson
Walter F. Rogers
William M. Cryan
Duane W. Chisman
Robert C. Rice
Robert J. Keller
Donald G. Robison
Roy A. Seaver
Joseph F. Paratore
James L. Richard
Charles N. Dezer III
Harold R. Anker
Henry J. Huntzinger
William C. Britt
James K. Coody
William F. Sheehan
Kenneth C. Garner
Wylie W. Taylor, Jr.
Charles F. Cresswell
Cecil J. Bennett
Delos M. Hopkins
William L. Robbins
Willard J. Suits, Jr.
George L. Bruser
Max J. Hochenauer
Vonda Weaver
William R. Hutchisson
Lytton E. Bulwer, Jr.
John B. Richards IV
Edward B. Corrigan
Raymond J. Start

WITHDRAWAL

Executive nomination withdrawn from the Senate June 14, 1957:

POSTMASTER

Charles A. McDonald, at Galesburg, Ill.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 14, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Almighty God, who art the strength and support of heroic souls in every generation, we beseech Thee to give us a clearer vision of Thyself, a presence to inspire and guide us, a light to cheer and encourage us.

Grant that we may be more acutely sensitive and more eagerly responsive to Thy voice of wisdom and counsel as we face difficult decisions.

Thou art the wisest of all counselors, the nearest of all companions, and the ablest and most willing to help in finding a just and righteous solution to all our problems.

Deepen within us the confidence and the conviction that the time is coming when men everywhere shall clasp hands in friendship and brotherhood.

In Christ's name we offer our prayer. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1958

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6500) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. RABAUT, PASSMAN, NATCHER, CANNON, WILSON of Indiana, JAMES, and TABER.

AMENDMENT OF ATOMIC ENERGY ACT

Mr. DURHAM. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file a report on the bill (H. R. 7992) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

CALL OF THE HOUSE

Mr. COLMER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 109]

Bailey	Gubser	Porter
Barden	Gwinn	Powell
Beamer	Holtzman	Sadlak
Blatnik	Kluczynski	Simpson, Ill.
Blitch	Lesinski	Smith, Calif.
Bowler	McConnell	Springer
Dawson, Ill.	Machrowicz	Teague, Calif.
Diggs	Miller, Md.	Walter
Dooley		

The SPEAKER. On this rollcall 408 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUSING ACT OF 1957

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6659) to extend and amend laws relating to the provision and improvement of housing, to improve the availability of mortgage credit, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, RAINS, TALLE, KILBURN, and MCDONOUGH.

CIVIL RIGHTS

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through section 104 of the bill. If there are no further amendments to this section, the Clerk will read.

Mr. CELLER. Mr. Chairman, I rise to present a unanimous consent request.

Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and that it be open to amendment at any point in the bill.

Mr. CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. SMITH of Virginia. Reserving the right to object, Mr. Chairman, and I do not expect to object, I should like to know and I am sure the Members of

the House should like to know what latitude we are going to permit in the matter of discussion of some important amendments that are yet to follow. I am wondering what the gentleman from New York has in mind with respect to that question.

I have special reference to the jury-trial amendment, on which I am sure the House will want several hours of debate. I also have in mind the amendment related to States rights, the exhaustion of remedies, which it seems to me is of considerable importance. I also have reference to a further amendment which I mentioned in the first day's debate, that is, an amendment to that provision which gives to the Attorney General arbitrary power to give relief or withhold it in any individual case.

Those three amendments seem to me of vital importance to the House and to the country, and I am in hopes that the gentleman from New York, and I am sure he will, will agree to liberal debate so that Members may have the opportunity to address themselves to those questions.

Mr. BROOKS of Louisiana. If the gentleman will yield, I also have an amendment which I certainly want carefully considered before it is disposed of.

Mr. CELLER. In answer to the gentleman from Virginia, I wish to state that I have no disposition in any wise to cut off debate on an important issue like the jury trial, or the exhaustion of State remedies, or the power of the Attorney General, as indicated by the gentleman from Virginia, but I wonder whether we could not nonetheless agree that, aside from those amendments, on all other amendments there be very brief debate, say of 20 minutes, or 30 minutes at the most, to be divided equally on either side.

Mr. SMITH of Virginia. That sounds pretty reasonable to me, but I still insist on these very important amendments there ought to be ample time for Members who want to speak.

Mr. CELLER. Would the gentleman take my assurance that I would not seek to invoke cloture? I would enter into a so-called gentlemans' agreement with him not to hurt him or hurt his cause in any way.

Mr. SMITH of Virginia. The gentleman's suggestion is entirely satisfactory to me.

Mr. MASON. Mr. Chairman, reserving the right to object, I simply want to say that while I do not want to curtail debate on these important amendments, maybe 10, 15, or 20 people will want to speak on them, but I do feel that we have listened long enough on this and I will curtail each person to 5 minutes.

Mr. SMITH of Virginia. I would hope that the gentleman would permit reasonable exceptions to that.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Mr. Chairman, do I understand the request of the gentleman from New York to be that the bill be considered as read and be open to amendment at any point?

The CHAIRMAN. That is correct.

Is there objection to the request of the gentleman from New York?

There was no objection.

The remainder of the bill is as follows:

Powers of the Commission

SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil-service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(f) The Commission, or on the authorization of the Commission any subcommittee of two or more members, at least one of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such chairman.

(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Appropriations

SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read,

"§ 1343. Civil rights and elective franchise"

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right of privilege secured by subsection (a) of (b), the Attorney General

may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 141. This act may be cited as the "Civil Rights Act of 1957."

Mr. GARY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the right of trial by jury is deeply rooted in the history of democratic government. It is a concept which goes back to Biblical times, but in the experience of the English-speaking peoples, the great milestones are considered to be the Magna Carta and the Constitution of the United States.

I hold in my hand a photostat of a copy of the Magna Carta which has come down from the 13th century. It was at Runnymede in 1215 that King John was forced to sign the first charter guaranteeing certain rights to the people. In 1297, King Edward I, in confirming the provisions of the Magna Carta, sent a copy to each of the area rulers and bishops in England. The copy sent to the Duke of Lancaster was the first to be recorded in the state rolls of England and therefore the first to have official standing. It has been graciously loaned to us by the British Government, and is now on display at Jamestown, where this year we are celebrating the 350th anniversary of the establishment of the first permanent English settlement of the new world with a magnificent array of exhibits which all Americans should see.

Translated from the Latin of the Magna Carta we find the stirring phrase "nor condemn him but by lawful judgment of his peers."

The right of trial by jury, of course, has since been set forth and developed, in both law and practice, in much more specific fashion. The Magna Carta was the first great written guaranty of it in Anglo-Saxon jurisprudence. The colonists brought the trial by jury concept of justice to Jamestown in 1607 almost 400 years later.

We have since built upon it, rather than undermined it, as this bill would do today. Our colonial declaration of rights of 1765 said that—

> Trial by jury is the inherent and invaluable right of every British subject in these Colonies.

In 1776 the Declaration of Independence cried out against the actions of the King depriving us in many cases of the benefits of trial by jury. The guaranty of this great bulwark of the liberty of the individual was then written into the Constitution of the United States.

Mr. Chairman, the Members of this House have heard, in recent days, some of the most brilliant and compelling legal arguments that have ever been set forth in this Congress, in support of an amendment which would guarantee trial by jury to persons who may be brought before the courts on charges arising out of the enactment of the bill before us. I am opposed to the bill in any form, of course, because I believe that our State and local governments are the proper guardians of our civil rights, and I resent Federal interference in this field. As I have said before, I consider that the enactment of this bill will produce many more wrongs than it will protect rights. For this reason, I have generally referred to it as the "civil wrongs bill." But, Mr. Speaker, if it is to be the will of this House to enact legislation under this title, we must at least improve it by inserting a guaranty for jury trials for our people.

The eyes of the world are on us today, as we approach a vote on this jury trial amendment. In dictatorships, and in Fascist and Communist states, the people have no rights to trial by juries of their peers. They look longingly upon our system of government and justice. Their masters, however, are fearful that their oppressed subjects will get ideas of real democracy from us.

On Sunday an Associated Press dispatch from Moscow related that the Soviet Army newspaper had attacked our Jamestown Festival in Virginia as a propaganda plot, one of the goals of which, it was said, was to convince other peoples of the superiority of our, and I quote, "notorious way of life."

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. GARY. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

Mr. MASON. Mr. Chairman, I object. I am very sorry.

Mr. BOYLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. BOYLE. Mr. Chairman, I yield such time to my friend as he may need to complete his statement.

Mr. GARY. I certainly thank the gentleman for his courtesy.

Mr. Chairman, as I was stating, on Sunday an Associated Press dispatch from Moscow related that the Soviet Army newspaper had attacked our Jamestown Festival in Virginia as a propaganda plot, one of the goals of which, it was said, was to convince other peoples of the superiority of our, and I quote, "notorious way of life." Our American way of life appears notorious to Communists and dictators, because it is the best example of true self-government in the history of the world, protecting the rights of individuals and guaranteeing liberty and justice to all.

As I view this copy of a hand-written Magna Carta, and reflect on the meaning of Jamestown, and the Declaration of Independence, and the Constitution, and the American way of liberty and life, I cannot help but reflect on an act of the British Parliament, shortly before the American Revolution. They tried to extend the jurisdicton of the admiralty courts beyond their ancient limits, so that our American colonists could be tried for various offenses without a jury. We did not permit Parliament to take this precious right from us then; let us not permit the Congress of the United States to take it from us now.

I thank you.

Mr. BOYLE. Mr. Chairman, I purposely gave the fine gentleman from Virginia, VAUGHAN GARY, an opportunity to conclude his remarks because I know he has sat here patiently for 7 days to tell his story about this bill. When I took the floor the other day and told you I was in sympathy with the jury trial in every criminal case I meant it. When the gentleman from Virginia exhibited the Latin version of the Magna Carta, in the Chambers he inferentially proved part of my previous remarks.

If you will recall, I said that the right to a trial by jury represents a 700-year struggle for human rights. That is a long and heroic conquest. In every criminal case throughout the length and breadth of our country, I hope we will always accord an individual the right to a trial by jury in criminal cases. However—and this is the crux of the whole matter—to accord an individual who is flagrantly in violation of a court order the right to trial by jury is to turn back the clock as far as constitutional government is concerned. The law has reached its highest moment when it has saved and freed people from one-man rule. The law has reached its superior dignity when it has protected people from intolerance, from hate, from sectionalism; and I plead with you today, do not permit any shades or shadows of thinking to interfere with the simple proposition that is involved in this case. The procedure set out in the bill when an alleged violation of a civil right under the 15th amendment of the Constitution takes place, the individual aggrieved, or any individual, might bring the alleged infraction to the Attorney General. The Attorney General, after looking at all the physical facts decides whether in his judgment there is a violation or a threatened violation of this civil right guaranteed by our Constitution. Satisfied that there has been in fact an alleged violation, or a violation to take place, the Attorney General then prepares a petition, goes before a court of competent jurisdiction, recites the physical facts, among including an affidavit or verified statement which means under oath, setting out the fact that a citizen's right has been violated or will be violated, introduces other testimony and after a full hearing a judge does or does not issue the writ.

If the injunction is granted the person or people against whom it is issued are put on notice if they violate its terms they possibly will be cited into court to absolve themselves for violating the decree of injunction.

To remove the right of the judge to adjudicate the question of a violation of his order is to weaken the sanction of its decrees.

Mr. KEENEY, Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEENEY: On page 10, line 5, after the word "order", strike out the period, insert a semicolon, and add the following: "*Provided*, That in all cases of contempt arising under the laws of the

United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, and the act or thing done or omitted also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This proviso shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct, or disobedience of any officer of the court in respect to the writs, orders, or process of the court."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment offered by the gentleman from Illinois is not germane, and I should like to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. CELLER. Mr. Chairman, the instant bill provides authority in Attornel General to file an action for injunction for the enforcement of civil rights created under old statutes, particularly the Ku Klux Act of 1871 and under part IV of the bill. We stop there. As to part III and part IV we do naught else; we just give authority to file suit. We give commission to the Attorney General to go into court. We do not tell the court what to do or what not to do. We lay down no conditions. The court can say yes or no to the Attorney General when he applies for the injunction. In other words, we simply say that in addition to the causes of action the individual may have under the old statute, the Attorney General may now have authority to go into equity and sue out an injunction. We do not tell the court how to proceed. We lay down no rules. It is presumed that the practice governing injunctions prevails. We provide no method of procedure after the injunction is applied for. We provide no penalty for the enforcement of the injunction. We provide no method of imposition of penalty for violation of the injunction. Failure to provide all these factors is highly important, to wit, first, failure to provide method of procedure after injunction is applied for; second, failure to provide any penalty; third, failure to provide method of imposition of penalty.

These failures are of paramount importance because of the precedents set in the Volstead Act discussion in this House where an amendment for jury trial was sought and was declared out of order as not being germane. I should like to read parts of the debate in the House at that time. Section 23 of the so-called act which was considered by the House at that time reads as follows:

SEC. 23. That an action to enjoin any nuisance defined in this title may be brought in the name of the United States by the Attorney General of the United States or by any United States attorney or any prosecuting attorney of any State or any subdivision thereof or by the Commissioner or his deputies or assistants. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases. If it is made to appear by affidavits or otherwise, to the satisfaction of the court or judge, or judge in vacation, that such nuisance exists, a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the trial. Where a temporary injunction is prayed for, the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or fixtures, or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings.

Section 23 goes on further and in detailed manner prescribes what the court may or may not do.

Section 24 of the act then being considered by the House provided as follows:

SEC. 24. That when it appears in any criminal proceeding that any common nuisance as defined herein exists it shall be the duty of any officer authorized to enforce this act to proceed promptly in a court of equity to abate such nuisance, and in case the defendant is adjudged guilty in such criminal trial shall, unless reversed, be conclusive evidence against such defendant of the facts adjudged therein as to the existence of the nuisance. For removing and selling the property in enforcing this act the officer shall be entitled to charge and receive the same fee as the sheriff of the county would receive for levying upon and selling property on execution, and for closing the premises and keeping them closed a reasonable sum shall be allowed by the court.

Any violation of this title upon any leased premises by the lessee or occupant thereof shall, at the option of the lessor, work a forfeiture of the lease.

Section 25 of the act then being considered by the House in Committee of the Whole provides as follows:

That any person violating the terms of the injunction as provided for in this title shall be punished for contempt by a fine of not more than $1,000, and by imprisonment of not less than 30 days nor more than 1 year; and the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

An amendment was offered by the gentleman from Ohio, Mr. Gard, and the Clerk read that amendment as follows:

Amendment by Mr. Gard: Page 24, line 17, after the word "court", strike out the balance of the section and insert: "May try—

That is the court—

"May try the accused or, upon demand of the accused, the trial may be by jury, in which latter event the court may impanel a jury from the jurors then in attendance on the court, or a judge thereof in chambers may cause a sufficient number of jurors to be selected and summoned, as provided by law, to attend at the time and place of trial, at which time a jury shall be selected and impaneled as upon a trial for misdemeanor, and such trial shall conform as near as may be to the practice in criminal cases prosecuted by indictment or upon information."

Mr. Volstead addressed the Committee as follows:

Mr. Chairman, I make the point of order that that is not germane to the section. This does not deal with the trial. It simply provides for a penalty. The section that dealt with that has been passed. That is section 23. This deals only with the enforcement of the penalty. It does not provide anything about the trial at all.

Mr. GARD. Mr. Chairman, this amendment is absolutely germane. We have here in section 25, page 24, this very remarkable language, and I desire to ask, if I may, some calm consideration of the members of this committee to this language:

Then he quotes the amendment in part.

And the court shall have the power to enforce such injunction by such measures and means as in the judgment of the court may be necessary.

Then he goes on and in additional language seeks to support the amendment.

The CHAIRMAN. The Chair is ready to rule. Section 25 of the bill provides for a penalty. The amendment offered by the gentleman from Ohio, Mr. Gard, provides for a method of trial. It has been repeatedly held that where a provision in the bill provides for a penalty, it is not in order to offer an amendment simply providing for a penalty, it is not in order to offer an amendment simply providing for a method by which that penalty may be inflicted.

Mr. IGOE. Has the Chair considered the fact that the punishment here is for contempt, and that the amendment is for the finding of whether the defendant is guilty of that contempt or not? It is not merely a question of the sentence. The injunction is in another paragraph, and the violation of the injunction is construed here, and that is all that the amendment of the gentleman from Ohio seeks to give.

The CHAIRMAN. That would make it all the more out of order, and the Chair sustains the point of order.

Now, Mr. Chairman, in the Volstead Act case under section 23 authority was granted to the Attorney General or his deputy to file for an injunction and the court was authorized to issue the same under a specified procedure, including a specified judgment and detailed order enforcing said judgment.

Secondly authority was granted to any law-enforcement officer to file suit for an injunction under section 24. That is, there was a double authority. Section 23 was the authority for the Attorney General and his assistant, section 24 was authority for any law-enforcement agency to apply and secure an injunction.

Section 25 set forth a penalty for violation of an injunction issued under either section 23 or 24, including fine and imprisonment. Further, an elaborate method of judgment was provided.

An amendment authorizing a jury trial for violation of the injunction issued under section 23 or section 24 was held not to be germane on the score that the amendment provided for a method by which a penalty could be imposed. The amendment was to the penalty section. It was declared out of order as not germane, because it provided for procedure for the imposition of a penalty whereas the section was limited to the penalty. Procedure and penalty were considered two separate subjects by the Chair and not to be mixed, that is, not joined together. That is, one was not germane to the other.

When the proponents argued the germaneness and attempted to anchor the

amendment of procedure, jury trial, on previous sections relating to the application for injunction, there authorized by the bill, plus the violation of such injunction, the Chair said that would make it all the more out of order. It was out of order as related to the penalty. It would have been out of order as related to application for the injunction as in the present bill before us.

The instant bill before us states only that the Attorney General may file a suit in equity under an existing cause of action and the court can entertain jurisdiction.

Parts III and IV of the bill before us do not do anything else. There are no words of procedure for the injunction in any part of the bill before us. There are no words concerning the judgment or the nature or kind of judgment in any part of the bill. There are no words for penalty for violation of the injunction in any part of the bill. There are no words of methods of imposition of penalty for violation in any part of this bill. Yet in the Volstead case, where all these four elements were present, an identical amendment for jury trial for violation of the injunction was ruled by the Chair not to be germane.

In other words, there is nothing in the instant bill before us to which you can relate or anchor the jury trial amendment. In the Volstead precedent, even, where you had the provisions for procedure for the injunction, nature of the judgment, and the penalty for violation of the injunction the provision for jury trial for contempt was not germane.

Actually, the proponents now seek by a jury-trial amendment to except the operation of this bill, the instant bill, from the provisions of the existing law as contained in title 18 and title 28 covering issuance of injunctions and procedures and penalties for contempt, none of which are mentioned in the instant bill. This cannot be done save by a separate bill. But, to put the matter another way, under the proposed amendment offered by the gentleman from Illinois for a jury trial two factors, for example, must be assumed so that the amendment could possibly be related and made germane.

First, it would have to be assumed that an injunction had been issued by the court. Second, it would have to be assumed that the injunction had been violated. The trial by jury concerns the violation of the injunction. The issue to be tried is whether the injunction had been violated. All the bill before us does is to authorize application for an injunction. We just give a license to the Attorney General to file. You cannot graft a jury trial for a violation of an injunction onto a license to file an injunction. You cannot have a jury trial unless, first, there has been an injunction issued; and second, there has been a violation of it.

We neither provide for the method of the injunctions issued nor for its violation. One cannot assume the restraining order nor can one assume the violation of the order.

This amendment offered by the gentleman from Illinois is not related to the bill even in the second or the third degree. You just cannot use the mere permission, authority, or license to apply for an injunction as provided in this bill, as a foundation for relevancy of a jury trial. Under the precedent of the Volstead Act case, one cannot use a penalty for violation of an injunction as the basis for an amendment for a jury trial for such violation. The Chair went further and said you could not use section 23 and section 24 of the Volstead Act providing for elaborate procedures for the issuance of injunction or the terms of the injunction and for punishing violations of the injunction as the basis for amendment of trial by jury in contempt.

Mr. Chairman, are we not on firmer ground in saying germaneness of the jury trial amendment cannot be attached to a mere grant of authority or license to apply for injunction? On that ground, Mr. Chairman, I rest my case that the amendment offered by the distinguished member of the Committee on the Judiciary is not germane to the bill and the amendment is, therefore, out of order.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard on the point of order?

Mr. KEENEY. Yes, Mr. Chairman.

Mr. Chairman, that part of the brief which was just read to you, which is germane to the point in question, I will resubmit to the Chair in the course of my argument. The amendment that I proffered had to do with procedure and not penalties. The measure before this body has to do with procedure and not with penalties. It has always been my firm belief that a jury is a component part of any court and that there is nothing extraneous when it comes to a jury being in a courtroom and being part of our system of justice.

I resubmit to the Chair that part of the brief of the gentleman from New York that is germane to the amendment.

Mr. WILLIS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. WILLIS. Mr. Chairman, we, of course, did not expect this point of order to be made. But, I will try to answer the arguments made by the distinguished gentleman from New York [Mr. CELLER]. The title of the bill provides that its purpose is to further secure and protect civil rights, not only one kind of right but all civil rights. The bill is divided into four parts. What is pertinent in one section is necessarily a part of the scheme of the whole bill.

Part I deals with the establishment of a Commission on Civil Rights. If you will look at page 2 of the bill you will find rules of procedure for the Commission. It contains a lengthy set of rules of procedure to guide the Commission. In other words, we not only create the Commission, but then restrict its powers and indicate the mode of procedure under this bill.

So procedure is part and parcel of this bill.

In the second place, parts 3 and 4 create a cause of action. These parts empower the Attorney General to file suits. In other words it creates a cause of action and then designates who shall pursue that cause of action—the Attorney General; and that is certainly a procedural device.

Furthermore, the bill provides that the cause of action shall be exercised by the district courts. So again we go on with procedure for the pursuance of that cause of action.

The gentleman from New York said that upon application being made to a Federal judge for an injunction the judge can say "Yes" or "No." That is correct. But we have a right to tell the judge: "If you do say 'Yes' and agree to hear the injunction, here is how you are going to proceed: You will have to impanel a jury in cases of contempt arising under the act."

So this is a restrictive provision, directing the judge to hear the contempt proceedings before a jury. And that same restrictive device is contained on page 10, line 5. Let me read it all:

> Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.

Here, then, under this bill we are restricting the court in the administration of the procedure for the achievement of the objectives of the bill, so we have restrictive language at that point, we have rules provided for the commission in another part; and the whole idea of the bill, according to the proponents, is to further protect and secure civil rights. The bill is designed to create the cause of action, to provide who shall pursue the cause of action—the Attorney General; and then we do not leave it in the air, we designate the courts that have jurisdiction of the cause of action.

The amendment would go one step further to say that in pursuing the cause of action for contempt the trial will have to be by jury.

I submit that the point of order should be overruled.

Mr. KEATING. Mr. Chairman, will the Chair hear me in support of the point of order?

The CHAIRMAN. The Chair will hear the gentleman from New York.

Mr. KEATING. Mr. Chairman, there is very little I can add to the excellent analysis given to the Chair by the gentleman from New York, but I might briefly state our position in a little different way.

The precedent on which we rely is embodied in volume 8 of Cannon's Precedents at page 540. I am referring to decision No. 2977. That decision holds that an amendment authorizing jury trial to determine the imposition of a penalty was not germane to the section of a bill providing that penalty.

The decision I am referring to was made during debate on the Volstead Act.

It is a clear precedent. I have the impression that if there can be degrees of germaneness, certainly the amendment offered here is less germane than was the amendment which was ruled out in the Volstead case. In that case, the bill

to which this amendment was offered went very much further than our bill does. It set up the procedure to be followed in the injunction proceedings and specified the penalty for contempt.

That bill not only authorized the Attorney General to go into the equity side of the court, but also provided just how the judgment in the injunction suit was to be framed, and just what the punishment for contempt should be.

In spite of the fact that the bill set up all of that procedure, when the amendment was offered to provide for a jury trial, it was held by the then presiding officer that it was not germane. The reason given for the decision was that it was not in order to offer an amendment providing for a method by which the penalty was to be inflicted to the section of the bill providing for the penalty. Under the very unusual circumstances there, an appeal was taken from the decision of the Chair, and the House sustained the Chair's ruling.

It seems to me that the proffered amendment in the case before us is far less germane to the bill than was the one in the case we have cited.

Mr. HYDE. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HYDE. Mr. Chairman, it is difficult for me to see how any amendment to this section could be more germane than is the amendment offered by the gentleman from Illinois.

The gentleman from New York says that in this section to which the amendment is offered we "do not tell the Court what to do or what not to do or how to proceed." That is all the section is about. And, as a matter of fact, the particular language in the section which provides that the Attorney General may institute for the United States or in the name of the United States a civil action or other proper procedure, has a twofold purpose.

First, it tells the Court that the United States may be a party to these actions; and, second, because of the provision in section 402, title 18, of the United States Code, that particular language tells the Court that a defendant in the case is not entitled to a jury trial.

The purpose of this amendment is to modify those words. It is to work on the same purpose, the same subject matter, as those words "in the name of the United States."

Mr. Chairman, I have not had an opportunity to read the cases or the authorities cited because, frankly, no one on our committee ever dreamed there would be a point of order raised to this particular amendment. We just could not conceive of such a thing. But from listening to the citations, it would appear that the sections to which the cases and the rulings refer dealt with penalty sections and attempts to modify those sections or to amend those sections with procedural provisions. The particular section involved here is entirely procedural. The amendment that is being offered involves procedure.

Now, finally, the gentleman from New York said "There is nothing in this section to which you can relate or involve the jury trial." Now, Mr. Chairman and members of the Committee, if that statement is true, this Committee on the Judiciary, this Congress, the press, the entire United States has been laboring under the most serious misapprehension for many, many months, because that is all that has been talked about.

I submit, Mr. Chairman, that there could not be any amendment more germane to this section than that offered by the gentleman from Illinois.

Mr. WILLIS. Mr. Chairman, will the gentleman yield?

Mr. HYDE. I yield to the gentleman from Louisiana.

Mr. WILLIS. For whatever significance it may have, this same amendment was offered before the full Committee on the Judiciary and this point of order was not urged; is that correct?

Mr. HYDE. That is correct, sir.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Illinois [Mr. KEENEY], offers an amendment on page 10, line 5, of the bill H. R. 6127, the title of which is "A bill to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States."

The Chair has examined the amendment and has listened to the arguments in support of and against the point of order. The Chair holds that the amendment is a restriction upon the Attorney General and the courts. It deals with procedures and not penalties, and in the opinion of the Chair is germane.

The Chair is sustained in that position by the decisions in Cannon's Precedents, volume 8, page 584, section 3022, which reads:

To a provision delegating certain powers a proposal to limit such powers is germane.

Section 3023 reads:

To a proposal to grant certain authority an amendment proposing to limit such authority is germane.

The Chair therefore holds the amendment germane and overrules the point of order.

The gentleman from Illinois may proceed.

Mr. KEENEY. Mr. Chairman, I shall now proceed to retrieve my amendment from the multiplicity of words that have descended upon it. From time immemorial, ever since we have had a United States of America, the right to a trial by jury has been the haven and the refuge of our citizenry. It has fallen to my lot in life to have had a great deal of experience with juries, and it is because of that and my belief in the jury system that I proffer this amendment.

Mr. Chairman, in my profession, as a lawyer, for years I was a prosecuting attorney and I have tried before juries of men and juries of men and women cases involving almost every known sort of crime that man can commit. And, I have tried many, many civil cases both for the plaintiff and for the defendant, and I have a very high regard for our citizenry when they sit in the jury box to do justice. I testify to that because it is my firm belief, and that is why I have offered this amendment. To the accused who is being prosecuted, the rights and the processes of law are very sacred, but those who designed this particular measure, those who fabricated its words and its theory and its ideas were very careful not to give to the American citizen the right to be tried by a jury of his equals or his peers. This is what this measure does with respect to the procedural method.

The plaintiff under this measure is the Government of the United States of America. The prosecutor is the Attorney General of the United States of America. And who appoints the Attorney General? Why, the President of the United States, and I mean no disrespect whatsoever. And before whom is the measure heard? Before a Federal judge appointed by the President of the United States. The plaintiff is the United States; the prosecutor is the United States; and the judge is the United States. But just to make sure, as sure as it can be, that the accused will become a convicted defendant, they proceed to strip him of his right to a trial by a jury of his equals or his peers.

And so we have to look at this as Americans. I could be tried under this proposed act. Maybe you could, too. But we would like to have the right to a trial by a jury. The reason, I hear rumblings that would indicate that no one should have a right to a trial by a jury is because in some parts of the United States maybe they would not get the right kind of a trial by a jury. But day in and day out, every day in the year, all over the United States and including those States, juries are passing judgment upon people; they are fining people; they are sending people to the penitentiary and even taking their lives. And that goes on day after day. But for some reason or other, under the measure that is before this Committee, no one is entitled to the right of a trial by a jury.

I think the people from my home State of Illinois are entitled to the right of a trial by a jury under this measure. Just because someone may think that someplace else there would not be the right kind of a trial by a jury is no reason why the citizens of Maine, of California, or of Illinois, should have to forego or be denied the right of a trial by a jury.

The only reason this is not in the Constitution of the United States is because our Constitution was based on the common law, and the common law from the Magna Carta; and at the time that the nobility on the fields of Runnymede wrested from King John the Magna Carta no one ever thought of a civil-rights bill. At the time that we adopted the Constitution of the United States no one ever thought that the mind of man would conceive a procedure such as is before you today.

Mr. Chairman, I submit to you that a trial by jury is the American system; it represents American thinking, and it is the American way of life.

Mr. COOLEY. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, this has been a very interesting and brilliant debate. We have heard many splendid speeches and

arguments. I congratulate and commend the author of this amendment for having offered it and for the splendid presentation of his views.

Certainly, all of us must have been impressed with the remarks of our friend from Virginia, Mr. VAUGHAN GARY, who took us back to the Plains of Runnymede. As I listened to his brilliant discussion I was mindful of the fact that we might even go back beyond Runnymede to the controversies in the great forests of Germany more than 2,000 years ago.

The jury trial as we know it today had its origin in Anglo-Saxon civilization. The right of trial by jury is well imbedded in the legal jurisprudence of our country. Actually, it is one of our cherished institutions and a very vital part of the form of our Government. I believe it was Blackstone, the great teacher at whose shrine all lawyers with humility and respect must, in deference, bow, who said that "our jury system is the palladium of liberty and the glory of law." Certainly, the right of trial by jury is a sacred and precious right, a right that has come down to us through the ages. This precious right was purchased by the blood of heroes and dedicated to humanity by the prayers of patriots.

This bill was not prompted by partisan politics but rather by putrid politics. There is not one scintilla of evidence to warrant its enactment. It is calculated, if not indeed intended, to cause trouble and to stir up strife; but be not deceived, the American people will not long tolerate its provisions. The bill is not only ill-considered and unwise, but its provisions are obnoxious and reprehensible. This proposal challenges our intelligence and the very finest virtues of our patriotism. In wanton fashion this sacred right of trial by jury is here challenged not by some judge, not by some court, but by the representatives of the people, representatives who have taken an oath of office and by that oath of office have sworn to support the Constitution of the United States, our Magna Carta, which guarantees to every citizen, however humble, the right of trial by jury. This is the saddest and the sorriest part of this performance.

When Jesus Christ was on earth and wanted to make His presence and His purpose known, He, with great and divine intuition and with sublime wisdom, selected a jury of 12 men to witness the evidence of His divinity and to proclaim the great verdict to the world. Jesus had a jury. It is true that among the 12 jurors selected He had a Peter to deny the truth and a Judas to betray the cause. The fact remains, however, that the great Saviour of man selected a jury of 12. When Peter realized that he had betrayed a trust, he poured out his heart in grief. When Judas realized the enormity of his offense, he threw down his 30 pieces of silver, fled from the sight of man and hanged himself. This is not however an indictment of our jury system. Certainly no human institution is perfect nor is it infallible.

All of our jurors may not be honest, brave and courageous, but certainly most of our jurors are prompted by the highest purposes of life and are unswerving in their vitality to truth and in their unyielding devotion to duty. Under our system of Government no man shall be deprived of life, liberty or property except by due process of law, which contemplates a fair and an impartial trial by jury and only after a unanimous verdict has been rendered against him. In all of our system of Government there is no office more important than that of a juror. Members of petit juries hold in their hands the golden scales of justice and they and they alone pass upon the grave issues of life and death. Neither potentate nor prince ever exercised higher functions than those exercised by members of petit juries. Jurors not only deal with life and death and property but they deal with individual liberty, which under our system and our traditions is even more precious than life itself.

How could we trifle with such serious and sacred rights which mean so much to all of our citizens in all walks of life and in all jurisdictions of our great Republic. This Magna Carta, this great Constitution of ours, was signed by the father of his great country, George Washington, and my recollection is that it was signed by 39 other men, perhaps of less distinction but representing all of the grand States that existed at that time on this continent, and every State thereafter admitted to the Union in a duly constituted convention has ratified that great document which means so much to all of us.

Mr. SCOTT of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. SCOTT of Pennsylvania. Does the gentleman contend that the right of trial by jury does exist in contempt proceedings?

Mr. COOLEY. No. I do not contend that jury trials exist in ordinary contempt proceedings. As lawyers, we know that in ordinary proceedings certain individuals are subjected to injunctions and restraining orders and such injunctions and restraining orders are entered against certain named individuals, firms, or corporations, but here we are dealing with an entirely different matter.

Mr. SCOTT of Pennsylvania. If the gentleman regards it as a right of such importance, I wonder how the people of the United States have gotten along without it for 175 years?

Mr. COOLEY. As I have pointed out, in ordinary contempt proceedings the individuals involved have already had their day in court and all persons so involved have either already had a trial by jury or thereafter have a right of trial by jury. Here we are dealing with no ordinary case. Individuals are enjoined and restrained in ordinary litigation with which we as country practitioners are familiar. In the matter under consideration, individuals might unwittingly violate the terms of some restraining order and might without even knowing violate some alleged civil right.

Again, I emphasize the importance of a citizen having the right of having a jury of his peers to pass upon the question of this guilt or of his innocence. This right of trial by jury has through the ages been trampled upon but it is still one of the most precious rights of our citizenship. The Saxons carried the right of trial by jury to England and there they were ever ready to defend it with their life's blood. It was crushed out by the Danish invasion. All that the people suffered of tyranny and oppression during the period of their subjugation resulted from their want and from their denial of trial by jury. As the day follows the night, a great reaction came and the Danes were driven back to their frozen homes in the North.

Alfred the Great, the greatest of revolutionary heroes and the wisest of monarchs, made the first use of his power after the Saxons had restored it to reestablish their ancient laws. Not all of this was done with great ease; the courts were opposed to it, the judges were opposed to it, for it limited their power—the kind of power that is coveted by tyrants, the power to punish without regard to law. In reestablishing the right of trial by jury, it was necessary for Alfred the Great to cause to be hanged 44 judges in one year for refusing to give his subjects a trial by jury. Alfred did not hang them without a trial. They were impeached before the grand council of the nation, the Parliament of that day.

The right of trial by jury was again trampled down by the Norman conquerors. The evils resulting from the want of it and the denial of it united all classes in the one great effort which compelled King John to restore the right of trial by jury when the great Carta was rung from his hands on the plains of Runnymede.

Wonderful and mysterious have been the vicissitudes of the right of trial by jury. American citizens want no part of a star chamber trial by a one-man court. Every citizen is a part of our Constitution and our Constitution is a part of the life of every citizen. Every man who had taken public office in this country from the time the Constitution was ratified until this very good hour has taken an oath that he will support and defend the Constitution and all of its provisions. The Attorney General of the United States became a party to that great document when he laid his hand upon the great gospel of God and swore solemnly that he would give every citizen the great benefit and protection of all of its great provisions. Everyone of you are likewise a party to this the greatest instrument yet devised by the mortal mind of man.

Those of you from other sections of the country seem to think that for some reason you are not involved in this controversy. You seem to think that you are directing your efforts toward the Southland. For some reason you seem to be under the erroneous impression that in the South we are running rampant over the rights and sacred privileges of citizens. You have been challenged and I again challenge you to name a single man or woman in all of the Southland who has, because of race, color, creed, religion, or national origin, been denied the privileges of citizenship or the right to vote, if you please. Yet you are making much ado about nothing.

The very fact that you are willing to deny the accused the right of trial by jury is positive proof of the fact that you actually intend for judges to conduct star chamber trials, to render decisions, to impose punishment, and to exercise and influence their own decrees. One-man courts will not be tolerated either in the Southland or elsewhere in America.

Let us contemplate for one moment the far-reaching effect of such tribunals. Suppose some citizen in your district or in my district is summarily summoned before the court and is summarily convicted and imprisoned, without a public trial and without a trial by jury. Can you not understand how the people would be aroused and can you not understand how, in great indignation, citizens might even storm our jails to free those who have been wrongfully imprisoned? The majesty of the law as we have known it through the years may very well be challenged by the best citizens of our country if such wrongful acts should be perpetrated.

In summary of this iniquitous measure, I need only to say that it is a desperate effort, a political effort, if you please, to rape the Constitution and to ravish the rights of freemen, and the sorry part of it all is that it is being proposed here in the Congress of our great country. Please do not believe for one moment that the American people will tolerate such treatment. We cannot afford to play with precious rights. I urge the adoption of the pending amendment. Frankness requires me to admit that even if the pending amendment is adopted I shall not vote for this iniquitous bill. I will not vote for it for a thousand reasons, which time will not permit me to discuss.

Mrs. CHURCH. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this has been an amazing week. It has been a week of great brilliance and great oratory, and a week, to my mind, of complete submergence of the actual issue before us. I went home after 3 days of general debate, Mr. Chairman, almost brainwashed myself into thinking that perhaps this extraneous issue of jury trial in a civil contempt case—an issue valuable in other circumstances, but a secondary issue in this case—might be necessary. But, Mr. Chairman, you could never brainwash me on the need for legislation that would remove the last vestige of second-class citizenship in this country.

I would like to say that of course I believe in all American rights. In criminal cases, I would, of course, support a trial by jury; but I believe even more in the American right for men to govern themselves through the ballot; and where that ballot is refused or the exercise of it is not granted to any segment of our eligible population, no government of the people is safe; no government of the people is secure. I would go so far as to say, Mr. Chairman, no government which denies the right to vote to any large segment or to any small segment of its eligible population can hope to survive.

So, Mr. Chairman, I would like to say just this. I think we should wipe away the trees, the bushes, and the hedges raised by proposed amendments to this bill. We are talking here of an issue which is so fundamentally American that we should not seek to rely on oratory or sophistry or legal brilliance, and there has been much of it.

I know that this legislation is needed. I myself have had only one personal experience illustrating the need for such legislation to protect civil rights, but it was a potent one. My personal experience dealt not with a case of mere refusal of the right to vote—but with the failure adequately to determine and punish those who had taken young life. I refer, of course, to the Emmett Till case, in which a young boy from Chicago went down to visit in another State; and whatever the reason, was kidnaped in the middle of the night from his relatives' comfortable but perhaps poor home and was later found murdered. I had sent an official request, never acknowledged, to the Governor of that great State, urging him to use his powerful influence to insure a fair trial and apprehension of the guilty. The case is too well known to require any recounting of the later circumstances of the jury trial, the acquittal, or the failure further to apprehend the guilty. I knew then, Mr. Chairman, that action must be taken to protect the civil rights, at least, of certain of our citizens who are as much American and who are as much entitled to the protection of their rights as anyone who sits in this Chamber as a Member of Congress.

I have been constantly thinking during this debate, Mr. Chairman, that if we could only have had 10 percent of the brilliance and the legal knowledge and the oratory that has been expended against this bill used to protect civil rights—including the right to vote—we never would have needed this legislation. I hope that we can still enlist such aid to help this worthy cause.

Mr. Chairman, I would like to discuss a little more fully this proposal to inject a jury trial. The fifteenth amendment, adopted more than 80 years ago, declares: "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." This, however, did not, as anticipated, secure the franchise for citizens in some areas. Before and after the last election, it is argued that repeated, specific charges were made that registration lists were being purged of certain voters. Since efforts to deal with such violation of the law were ineffective after the action had once taken place, the Department of Justice offered the suggestion embodied in this bill that it be permitted to proceed to prevent denial of rights by the use of the injunction process. This is the same process currently used to enforce antitrust laws and in many other instances, by permitting the granting of a temporary order or injunction. No permanent order could be obtained until full opportunity had been given to present evidence and cross-examine witnesses. Disobedience of the court decision then reached, however, would make the guilty individual punishable for contempt.

When the amendment to provide a trial by jury, in place of the proposed contempt proceedings before a judge, was first suggested, strong suspicion arose that such action would merely nullify the act. At the very least, jury trials would cause delays that might, in many cases, prevent in time any action against denial of the voting privilege.

I think that it is only fair to point out, Mr. Chairman, that the right to trial by jury, a right that Americans cherish and guard, is not provided in the Constitution for this type of litigation—nor does such a provision appear for the same type of court action in the constitutions of those States from which there is now coming the greatest pressure for a jury trial amendment. Constitutional lawyers whom I have consulted go so far as to question the constitutionality of including a trial by jury provision in the legislation under consideration, inasmuch as it would deprive the courts of their historic power to protect themselves by contempt action. My own main objection to the proposed jury trial provision is that it would nullify this bill—that there is double reason for its rejection in the danger that it might, at the same time, flaunt the authority of the judiciary.

Mr. Chairman, what we need today is to consider the basic issue before us: The issue of whether freemen, American born or naturalized, who are entitled under the Constitution to vote, shall be deprived of that vote or of any other civil right guaranteed by our Constitution. Personally, I think it is as simple as that. Both parties in their platforms promised this right. The Constitution guarantees this right. We, ourselves, most of us, have said we believed in that right. It is almost, Mr. Chairman, a simple question of whether we keep faith—keep faith with the fundamental principles of this country; keep faith with our declaration that men can live here in equality and brotherhood; keep faith with what we are trying to say—and what we are spending billions of dollars to say to the world—that we believe in freedom, equality, justice, and equal rights.

Mr. Chairman, the first question I was asked in India 20 months ago was how I could account for our failure to let all American citizens who are entitled to vote, do so. I heard that stories about the expulsion of Autherine Lucy were published in Cairo, Egypt, before they were published here in Washington.

Mr. Chairman, in days like this, when all the world is looking toward us, we cannot afford to take a step backward nor can we refuse to take a step forward. It is a question of keeping faith, as I said, with our constitutional beliefs: it is even a question of keeping faith with the moral law.

As far as I am concerned, Mr. Chairman, I shall keep that faith. I shall vote for no amendment which would nullify the effect of this law. I shall vote for no amendments which would weaken its essential purpose.

Mr. ELLIOTT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise now in support of this amendment to provide a jury trial

in contempt cases. I think I will speak to begin with to my friends on the Democratic side of the aisle. I will soon have finished 10 years of service in this body and I think during that time I have made the reputation of being, among other things, a good Democrat. I have voted the ticket, so to speak; I have supported the leadership of my party wherever I possibly could. I remember very distinctly the days back in 1949 when the public housing law that has meant so much to the large cities of our country. Then it was that I joined that little band whose efforts resulted in the passage of that bill in the Committee of the Whole by only two or three votes.

When matters have been before this House that I judged to be of a punitive nature against the laboring men and women of this country, I have joined with my Democratic friends from other sections of the country to vote against those measures.

I mention these things, Mr. Chairman, not as creating any bond of obligation or indebtedness between the friends to whom I am speaking and myself. I have no apology for the way I have voted. I voted the way I did because I thought that the best interests of all the country required that I vote the way I did. Instead, I mention these things as showing certainly that my attitude toward my fellow Members of my party from other sections of my country have not been one of antagonism.

At this point, Mr. Chairman, I think perhaps I should say that I may have made a mistake in saying that I am talking primarily to the Members of my own party; maybe my remarks should be directed to my friends on the other side of the aisle. A recent compilation of my votes by the Congressional Quarterly indicates that I have a better voting record in support of the President of the United States than does a very large percentage of the members of his own party in the United States House of Representatives. Again, Mr. Chairman, I do not apologize for my votes that have been friendly to the President. I shall always support him when I think he is right.

However that may be, Mr. Chairman, I want to talk this afternoon about a matter that I feel is of the gravest importance. I propose to discuss the historic role of the Democratic Party in the Congress in winning for the American people the right of trial by jury in injunction contempt cases. In preparation of what I am going to say I have done considerable research; I have read the record.

The truth is that about 65 years ago the injunction as a legal remedy for use in labor-management disputes had its origin. It was such an effective instrument, and its use spread so rapidly throughout the industrial areas of the Nation that many people were convinced that judges were abusing its use.

In a very few years it could be clearly proven that the injunction had been used as a weapon to break 500 strikes. Its indirect effects were immeasurable.

The great Democratic Party was early to sense the abuse of the injunction processes and just as Bryan was crying out "You shall not press down upon the brow of labor a crown of thorns" the Democratic Party, in its platform of 1896, boldly announced:

> We especially object to government by injunction as a new and highly dangerous form of oppression * * *; and we approve the bill now pending in the House of Representatives * * * providing for trials by jury in * * * cases of contempt.

The Democratic Party adopted a course and pursued it. In 1900, the platform of our party said and I quote:

> We are opposed to government by injunction.

Sentiment was building up. Opposition to these injunctions was growing. Opposition to the heavy hand of the Federal judge as he meted out punishment for alleged violations of his injunctions was becoming cemented in the consciences and the hearts of the American people.

In its platform of 1904, the Democratic Party said:

> We approve the measure which passed the United States Senate in 1896, but which a Republican Congress has ever since refused to enact * * * providing for trial by jury in case of indirect contempt.

The moving finger writes.

In 1908 the Democratic platform proclaimed:

> Experience has proved the necessity of a modification of the present law relating to injunctions, and we reiterate the pledge * * * in favor of the measure * * * providing for trial by jury in cases of indirect contempt.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. ELLIOTT. Mr. Chairman, I offer a privileged motion.

The Clerk read as follows:

> Mr. ELLIOTT moves that the Committee do now rise and report the bill back to the House, with the recommendation that the enacting clause be stricken out.

Mr. ELLIOTT. Mr. Chairman, in 1912 the Democratic Party offered the country Woodrow Wilson and a platform pledge that a law would be enacted providing for a trial by jury in injunction contempt cases.

Then came the enactment of the Clayton antitrust law of 1914, which continues today as the bulkwark of many of the economic liberties that we now enjoy.

In that day, Henry D. Clayton, of Alabama, filled the chair now occupied by the gentleman from New York [Mr. CELLER], when the historic debate which led to the passage of that law occurred in this very Chamber 43 years ago, in May and June of 1914.

Now, Mr. Chairman, go back with me those 43 years and hark to the debates of those times.

Mr. Henry of that day, from the State of Texas, stood on the floor of this House and said of the Clayton antitrust law:

> Then follows ample provisions for jury trial in cases of indirect contempt, such is our platform promise and thus by this strong language * * * we redeemed it * * * in this bill labor has secured more rights * * * than in all the legislation afforded it in 100 years * * * a wonderful record for democracy.

On the same day, Congressman Bartlett said:

> We boast, Mr. Chairman * * * that the system of jury trials * * * handed down to us from English jurisprudence is the greatest palladium of the liberty of the English-speaking people, yet in a case which provides punishment and fine, we have been struggling in Congress for 20 years or more in order to have enacted into a statute of the United States the right of the American citizen to be tried by a jury of his peers.

In this same debate, from the State of Illinois, Congressman Graham wisely said:

> True, juries sometimes make mistakes * * * [but] it is the judgment of many of our wisest and most experienced jurists that fewer mistakes are made in ascertaining * * * facts * * * by 12 men from the ordinary walks of life than by one, of even by 12, experienced lawyers or judges.

On that same day of June 2, 1914, Representative Quinn, of Mississippi, said:

> I believe that this bill will give the people of the country more confidence in the courts. It will give them more respect for the courts, and it will give the courts to understand that the people have rights and that these rights can be passed upon by their peers.

In this same historic debate, Representative Taggart, of Kansas, said:

> In these nine sections are contained a charter of liberty and a bill of rights for the whole American people. The people of this country are not satisfied to have their sense of justice expressed wholly through the decisions and decrees of * * * [judges] * * * with a life tenure of office. While many of these men are of the highest character and interpret the law fearlessly, as it has been provided for them, there are those among them * * * who have earned the reputation of being the * * * faithful guardians of big business. These provisions will come as a relief of the conscience of every wise and truthful judge in the whole land.

Now, I know there are those among you today who feel that the judges themselves can more expeditiously, and perhaps you feel they can even more wisely, hear and dispose of injunction contempt cases. However, I call your attention to Senator Pomerine's statement in the debate on the antitrust law in the United States Senate. He said:

> The Court can have no knowledge, of the contempt, save such * * * as the testimony produced before it affords; and in these cases we know, as a matter of fact, that often there is the most intense feeling prevailing on both sides of the case, and, I regret to say, that it sometimes extends even to the court, whose order it is alleged has been trampled underfoot.

Mr. Chairman, out of the welter of the debate which I have reviewed, there came the Clayton antitrust law. Now let's see what Mr. Clayton himself said about the law. In his report to the House, he said:

> But no one has shown, jury trials in contempt cases, amount to anything more than a change of procedure * * * the methods of ascertaining the facts in certain cases is changed, but their ascertainment is still under supervision of the court.

Mr. Clayton further stated:

> This committee—

Referring to the House Committee on the Judiciary—

confidently believes that, so far from weakening the power and effectiveness of the Federal court, this bill will remove a cause of just complaint and promote that popular affection and respect which is in the last resolve the true support of every form of governmental activity.

So, Mr. Chairman, we trace the tortuous course by which, finally, in 1914 the people's representatives, under the firm position established in the Democratic platform of 1896, reiterated in 1904, reemphasized in 1908, and rededicated in 1912, enacted this monument of the people's liberties, the antitrust law of 1914, which, with respect to the trial of contempt citations under court injunctions said:

In all cases * * * such trial may be * * * by a jury.

Now, Mr. Chairman, up to this point I have not mentioned the bill before the House.

Now, I want to say to my friends in my party and to all my friends in the House that we stand on the threshold this week of doing a greater violence to the people's basic rights in the bill before us than they can ever gain from the so-called civil rights which the bill allegedly guarantees. What difference does it make that the man who seeks the guaranty of trial by jury in contempt cases lives either in the South, the West, the North, or the East? Trial by jury is an elemental right, a cornerstone of our liberties. It has been true since the barons wrung that precious privilege from King John at Runnymede in 1215. It will be true when the problems with which we wrestle today have become a part of the dust of time.

What difference does it make that the law relating to parties to the suit must be changed a bit when such a great human right is at stake?

The members of my party and the members of the Republican Party who sponsor this legislation have the power to pass it through this House. The legislation is unwise. It is unsound. If it must be passed, God forbid that in the exuberance of your enthusiasm you sweep aside the time-tested and time-honored civil right of trial by jury.

Mr. VORYS. Mr. Chairman, I rise in opposition to the motion, and to the jury trial amendment.

Mr. Chairman, let us get this thing in perspective. The only constitutional issue involved in this legislation is the denial of voting rights guaranteed by the Constitution to American citizens. There is no constitutional issue involved in this jury trial question.

Our forefathers said, "Taxation without representation is tyranny." Government without representation is tyranny. And the 14th and 15th amendments carry out the principle that representation is dependent upon the right to vote. When we find that thousands, perhaps millions, of American citizens do not have the right to vote, then it is time for Congress to do something about it. This denial involves not only the rights of the individuals concerned, but it involves the fundamentals of representative government, and therefore it is not merely a private question but a public question, and we very properly have the Attorney General bringing an action in behalf of the United States, a civil action to protect civil rights.

Here is what Attorney General Brownell said at page 15 of the report:

The present laws affecting the right of franchise were conceived in another era. Today every interference with this right should not necessarily be treated as a crime. Yet, the only method of enforcing existing laws protecting this right is through criminal proceedings. * * *

Criminal cases in a field charged with emotion are extraordinarily difficult for all concerned. * * * Civil proceedings to forestall denials of the right may often be far more effective in the long run than harsh criminal proceedings to punish after the event.

In any criminal proceeding, of course, a jury trial will be preserved, but in a case like this, where the actions are complicated, many different persons may be involved, and speed is required, it is the fundamental principle of our law that we use the injunction process where traditionally no jury is required.

Under our Anglo-Saxon system of law, justice is administered by the courts. A jury is only part of the court's system, but the judge is fundamental to our court system. In a jury trial the judge instructs the jury. In a jury trial the judge sentences the defendant. In short, the judge gives all the orders in all kinds of court proceedings. We have spent most of our time talking about what shall be done with these judges' orders. These orders can be reviewed and attacked by appeal to higher courts. It must be obvious, even to a layman, that we cannot have a jury reviewing a court's orders, yet that is what is proposed by the jury amendment.

Now, the jury system is important, but for every one article you would find, I suppose, in the Library of Congress, or the law magazines praising jury trials, you will find articles criticizing the many faults, frailties, and abuses of the jury system. And, therefore, one of the sacred rights of a defendant is the right to waive a jury.

Let us bear in mind as we try to get this matter in perspective that right now, under our American system, in almost every State, we deny a jury trial to a union man in a labor dispute under the Taft-Hartley Act, and we do it under our State laws. We deny a jury trial to a businessman in an antitrust case. We deny a jury trial to a married man or a married woman in a divorce case or an alimony case. We deny a jury trial to a property owner whose home or whose building is charged to be a nuisance. We deny a jury trial to a man in military service for an offense committed when in military service.

What, then, makes a jury trial suddenly so sacred when someone, even if it be a southerner, attempts to keep someone, probably a Negro, from voting? What makes it so sacred under such circumstances? Nothing. Neither the Constitution nor our traditions. If we will keep this thing in perspective and remember what we are trying to do, to get civil remedies for denial of civil rights guaranteed under the Constitution, we will dispose of this amendment and the jury amendment and enact this proposed legislation without further delay.

Mr. CRETELLA. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. CRETELLA. Mr. Chairman, in the discussion of H. R. 6127, the House is concerning itself with a matter of the greatest importance both to all citizens of the United States and to our Nation as a unit in its relation to other nations of the world.

I have given my full support to civil rights legislation, being one of the majority of Members voting for the bill last year. I have no doubt that the bill before us today will likewise be voted on favorably by this body.

This past winter, I had the opportunity to appear before the House Judiciary Committee in support of civil rights legislation and, more specifically, my bill, H. R. 3481. In order to register my thoughts on this subject in the RECORD, I include at this point some observations from my testimony.

It has been generally agreed that the progress made by the present administration in the general field of civil rights has excelled that of previous administrations in the last 20 years. The proposal for the integration of our Armed Forces has been tremendously successful. An end has been put to discrimination in our Government departments and agencies when based on reasons of color, creed, race, and religion. Discrimination has been stopped in private enterprises having contracts with the Government and in Federal housing. In short, where and when the Government is directly concerned it has gone forward in great strides to erase any and all degree of racial hate and discrimination in the United States.

Indeed the complexities of integration as related to the sovereignty of the States are many, and needless to say, there are many States which are employing their powers of sovereignty solely as a means to obstruct the fullfillments of the order of the United States Supreme Court to integrate our public schools. We have learned that in the efforts to resolve this problem and carry out the true meaning of the Court decision, extremism on either side of the argument is not the sensible approach. The decision, nevertheless, is the law of the land and it must be abided by, by all the States, not just by those so inclined. I am assured that the Eisenhower administration will do everything possible to bring about peaceable integration in our public schools, for that is the only method by which all citizens can attain equality of opportunity in education, to which they certainly are entitled.

The denial of inherent rights of United States citizens has taken place in other areas outside our schools, Armed Forces, and Government. It is the denial of such a basic right as voting that this legislation which I propose will correct.

Let us look to the tenets and principles upon which this Republic was founded. The cornerstone of the greatness of America is equality under law. Our Constitution, as written, provides for the freedom of equality of all our citizens, in the right to vote, hold public office, speak and worship. Privilege, when based on color, race, or birth should always be abhorrent to the American standards of democracy, and it is these impurities in our system which make a mockery and hypocritical gesture of our ideals in the eyes of other nations of the world, whether they be free or not.

And speaking of other nations of the world, it has become especially incumbent upon us to exercise our concepts of justice, freedom, and tolerance. Whatever injustices may arise within our boundaries, no matter how minor, it is now greatly magnified and distorted by Russia and the other Russian controlled countries who are trying to propagandize the rest of the world into recognizing the benefits of communism. American prestige in the cold war is seriously damaged by the Russian inspired tactics in their struggle for world position.

Only a certain amount of the propaganda can be disclaimed through the dissemination of truthful information to nations overseas. The rest must be disclaimed through action on the part of our Government through adequate legislation, and through action on the part of the people within our Government in abiding by the provisions of those laws which are designed to protect individual civil rights.

Laws are but one means for the establishment of standards which do justice to the principles of democracy, morality, and decency. It has been proven to be an effective instrument toward this objective. This existence of uniform Federal law in the enforcement of civil liberties is essential. The difference of opinion between Connecticut and Mississippi is, of course, not in itself a basis for Federal law, but when certain inalienable rights as given by the Constitution are abridged, no matter how prevalent or confined the denial is, we must have some common adequate regulatory power. And that power belongs to the Federal Government, in fulfillment of its obligation to defend and uphold the rights granted under the Constitution.

Congress must recognize that infringements upon the American principle of freedom, justice, and equality endanger our form of government and are destructive to our basic doctrine of individual dignity and integrity. It is this recognition of the individual as a creature of God which sets us apart from the doctrine of totalitarian dictatorships.

It is essential that the gap between principle and practice be filled through law, and adequate safeguards be enacted to preserve our American heritage and to protect those things given us under the Constitution and our moral, economic, social and political existence.

I have every confidence that this committee, under the able guidance of Chairman CELLER, will report effective civil rights legislation to the House and that such a proposal will be passed by a sizable margin.

If such action does come to pass, I think it wil be incumbent upon all of us in this body who want such a law for the protection of all United States citizens, to enlist all possible assistance from our colleagues in the Senate toward the objective of effecting final passage. We should all try to avoid the shelving of good civil-rights legislation which occurred in the 84th Congress, after House passage.

Much has been said recently of the possible denial of rights to trial by jury if the civil-rights bill is enacted into law. It appears that the sudden concern for constitutional rights on the part of some consists of nothing more than an attempt to becloud the entire subject and thereby cause undue delays and confusion which might endanger passage of the proposal.

It has been pointed out that there is no constitutional guaranty of jury trial in contempt proceedings and, furthermore, it is very questionable whether Congress could, within the requirements of the Constitution, provide for trials by jury as called for by the opponents of civil rights legislation.

I hope this Congress will not be deceived by this or any other devious tactics from the realization that enforcement of civil rights is a necessity today where thousands of Negroes in the South are being denied the right to vote and other rights which belong to them as United States citizens.

The CHAIRMAN. The question is on the motion of the gentleman from Alabama to strike the enacting clause.

The motion was rejected.

Mr. WILLIS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, much has been said that the purpose of the bill is solely in the area of voting rights. That is just as wrong as wrong can be. This amendment occurs at page 10 of this bill and would amend part III. Part III does not have one single, solitary thing to do with voting rights. It amends statutes on the books according private right of actions to private citizens against other private citizens to vindicate their own rights in the whole area of civil rights. The statute which this part of the bill amends refers to all rights, privileges, and immunities arising under the laws and the Constitution of the United States.

Do you know what that means? That means, for example, that the right of a labor union to choose a bargaining agent under the Wagner Act and the Taft-Hartley Act arises under an act of Congress. This bill refers to that relationship and these injunctions may project themselves against labor union elections. Make no mistake about that. Do not think that this bill has only to do with voting rights. It strikes at all conceivable civil rights under the statute amended—I do not have it here, but you can look it up. The statute is in the report under the Ramseyer rule. This bill amends the statute. It affects all rights, privileges, and immunities under the Constitution.

Mr. Brownell testified before our committee and before the Senate committee that he must have the power under this bill, because it is too hard to convict in a criminal prosecution. Mr. Olney has said the same thing through the newspapers. We have all heard and read time and time and time again and every day in the newspapers that this bill is needed because juries in certain sections of the country will not convict.

How can these people look you straight in the eye and say that this bill does not take away rights? How can they pretend honestly that no rights are taken away, when the very purpose of the bill by making the Attorney General a party to the suit is to take away jury rights. Under this amendment we are not asking for one single, solitary right that the people, all the people, not only labor unions but all the people of the United States, do not presently enjoy in practically every conceivable case that will arise under this bill. This bill is designed to take away that right, depriving everyone of the right to trial by jury in civil-rights cases by the simple and cynical and ugly device of making the Attorney General the guardian of all personal rights of the peoples.

Here is what this amendment would not do: It would not require the trial of an injunction on the merits before a jury. The trial of the application for injunction will be before the judge without a jury. It will not deprive the judge of the right to punish for contempt occurring in the presence of the court. On the contrary, the right of a judge to punish for contempt occurring in the presence of the court is preserved.

It would not deprive the judge of the right to punish for contempt occurring so near the court as to obstruct the administration of justice. The judge would still have the power to punish for such contempt.

It would not deprive the judge of the right to punish for civil contempt, that you have been hearing about. The judge would still have the right to protect the dignity of the court in cases of contempt committed in the presence of the court or so near thereto as to obstruct the administration of justice, and the judge would still have the right to punish for civil contempt.

The one and only thing we are asking for is the right to trial by jury when the alleged violation of the injunction decree also constitutes a crime.

Mr. POWELL. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POWELL. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. MASON. Mr. Chairman, I have to object, regretfully.

Mr. POWELL. Mr. Chairman, strip the opposition to this bill of all hypocrisy, dishonesty, and subterfuges and only one reason stands out why anyone is opposed to this bill and that is because a minority in this country has made up its mind that under no circumstance is it going to allow colored citizens the right to

vote—even in a Federal election. Clothing their arguments in sheep's garments of high-sounding phrases, nevertheless, the heart of their approach is one of hypocrisy and dishonesty. The tragedy is that so many Members of this body, from both sides of the aisle and from areas outside of the southern section, are susceptible to the arguments being presented.

I want to leave the legal side of this debate to the eminently qualified chairman of the House Judiciary Committee, the gentleman from New York [Mr. CELLER], and to the ranking Republican member, the gentleman from New York [Mr. KEATING]. I want to leave the logical presentation to other Members of this body. As for me, I would like you to face your conscience and make the choice between hypocrisy and honesty.

First, the opponents say that they are opposed to the Commission established by this bill. Yet, on page 1034 of the House hearings, we find a comment from the Jackson, Miss., Daily News of May 15, 1956, in which the State of Mississippi does set up a commission; appropriates $250,000; takes the chief of the highway patrol to head the force—one Mr. L. C. Hicks. I ask the question, "If Mississippi can spend a quarter of a million dollars on a commission and employ a sheriff to deprive citizens of their constitutional rights, how can anyone argue against the establishment of a commission to uphold the constitutional rights as set forth by our Government?"

Second, the opponents of this bill have made much of the so-called jury trial issue. Their acknowledged leader is a former supreme court justice of the State of North Carolina. I have here a memorandum which states that in North Carolina not only a justice of the peace but even a clerk can exercise contempt powers without a jury trial. How does it happen that those who do agree with North Carolina law giving a clerk the power to exercise contempt power are here today fighting against proper judicial procedures and insisting with their tongue in their cheek that they believe in trial by jury?

I have before me a list of those States of the Union which have enacted laws guaranteeing a trial by jury in contempt cases. Only one State, Oklahoma, provides for a jury trial in all cases of indirect contempt and 14 States guarantee trial by jury in contempt cases involving an injunction issued in a labor dispute only. Of these, only one is a southern State and that is Louisiana. If we were to be faced with the kind of juries that we find in Wisconsin, Utah, Pennsylvania, Oregon, North Dakota, New York, New Jersey, Minnesota, Massachusetts, Maine, Indiana, Idaho, and Colorado—which are the States that have such trial by jury laws—then we would be willing to take our chances with such juries. But when American citizens are faced with juries in the southern section of this United States we know that a colored citizen cannot get equal justice.

On January 10, of this year of our Lord, 1957, six pieces of property owned by houses of God were bombed in Montgomery, Ala. On May 30, Memorial Day ironically, the two young white men who bombed these churches and virtually admitted that they did, were acquitted by an all-white jury.

Is this the kind of justice that you men and women have sworn to uphold? Do you believe that houses of God can be bombed in the United States of America in the year of our Lord, 1957, and men go free even though they have confessed to the crime? Is this what you are going to vote in favor of today? If so, then may God have mercy on your souls.

This amendment—trial by jury—is the acid test of your vote. It does not matter if you vote on the final passage in favor of civil rights and on this amendment you vote in favor of trial by jury. The eyes of America are upon you, and American citizens—black and white, Jew and gentile, Protestant and Catholic—will know that you voted hypocrisy if you vote for trial by jury and then turn around and vote in favor of civil rights. There can be no civil-rights bill if the amendment—trial by jury—is in it and no one knows this better than the gentlemen from Mississippi, Alabama, Georgia, South Carolina, and the other States of the South.

Your vote today must transcend party, transcend race, transcend section, transcend religion. We must vote today as Americans.

Our colleagues from the South do not have the numerical strength to defeat a civil-rights bill in this House or in the other body. They do not have the numerical strength to include in it the hypocritical amendment for trial by jury. Therefore, if that amendment is included in this bill, America will know that it was done through the help of Republicans and Democrats from the North, the Middle West, and the Far West.

President Eisenhower has consistently followed a course of what he calls moderation. He would not put his stamp of approval on any civil-rights bills that even remotely threatened the constitutional rights of the people of this country. His Attorney General would not have come out against the trial by jury amendment if there was the slightest possibility that the Federal Government was usurping the rights of American citizens. The distinguished majority and minority leaders of this House would not be seeking passage of this bill if it would take away from any United States citizen any right which they now possess under the Constitution. We finally know that my colleagues from New York who have piloted this measure through the Judiciary Committee have consistently supported the rights of all people. With this great testimony behind us of the President, the Attorney General, the leaders of this House and our colleagues of the Judiciary Committee, only one answer then remains. If trial by jury is adopted, it will be adopted because we are not voting with honesty and with our conscience.

This is an hour for great moral stamina. Away with the pettiness and divisiveness of cheap political compromising. America stands on trial today before the world and communism must succeed if democracy fails.

Speak no more concerning the need of free elections in East Germany while here in the United States millions of Negroes and poor whites are disfranchised.

Speak no more concerning the bombed and burned and gutted churches behind the Iron Curtain when here in America behind our "color curtain" we have bombed and burned churches and the confessed perpetrators of these crimes go free because of trial by jury.

Speak no more concerning the imprisonment of Cardinal Mindszenty and others in godless atheistic Russia when here in so-called Christian America we have arrested, fingerprinted, and indicted 30 men of God. Why? Because they want to obey the law of the land.

God sits in judgment here today as He sits everywhere when a moral question arises and God knows our cause today is right, is just, is honest, is holy, is legal, and is moral. Let us therefore face this question with honesty not hypocrisy. Let us stop revealing ourselves before the American public and the world as cheap political puppets. Let us realize that at our best we are nothing but spittled clay grown arrogant with breath and each one of us at the undisputed barricade has a rendezvous with Him who dispenses equal and exact justice without regard to race, creed, color, religion, or trial by jury.

May we, therefore, with all humility and honesty approach that day when we meet the Great One that we may meet Him with at least a clean conscience and not with hearts and minds of sordid and shoddy hypocrisy.

Mr. MASON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise mainly not to answer the gentlewoman from Illinois but at least to offset the impression I fear she has made. She made a very eloquent, emotional, and persuasive talk, as she always does. I have great admiration for the gentlewoman from Illinois. I have introduced her on three occasions to audiences as the best-informed, the best-posted woman in America on national problems; and I still feel that is true. She was, however, very emotional and very persuasive.

I am not inclined to be emotional; I am inclined to be very positive, but not emotional, but I feel I must be a little emotional on this occasion.

I was born in the old country, across the big pond. I was brought to this country by my parents when I was 6 years of age, the 12th child in a family of 13. I had to go to work at the age of 14 years to help earn a living for the family; I had to start from scratch, and this Government gave me the opportunity to climb the ladder of success—an opportunity I would never have gotten in any other nation on earth. I therefore feel that I can never pay that debt of gratitude to this Government of ours and this Nation of ours. So I propose to do everything I can to defend the Constitution of the United States as I interpret it, and to defend our American way of living. That is the reason I have spoken 3

times in the 20 years I have been in the House, on constitutional questions, although I am not a lawyer. The Constitution means more to me, perhaps, than it does to the majority of lawyers, because of my life and because of the privileges I have enjoyed under that Constitution.

Now, this is the question I have been leading up to, this is the question that weighs heavily on my heart: What confidence can we have in a politically appointed Attorney General? For the last 50 years I have been paying attention to those appointments and, during that time, we have had nothing but politically appointed Attorneys General.

My question is, Does this House have more confidence in a politically appointed Attorney General, to give proper justice to the citizens of America, or in 12 good men and true in a jury box, selected from a proper venue, representing the grassroots of America—which of these two methods would you have the more faith in to provide proper justice? Oh, I know we have had some juries that did not do what was right, but we know from past experience that court injunctions have been so terribly abused that we had to do something about it, and we did.

I just put that question to you, which? A politically appointed Attorney General to hand out justice or 12 good men and true?

Mr. WHITTEN. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I do not think it particularly appropriate here, but some reference has been made to a case in the South involving a boy from Chicago, and I would like to have the attention of the members of the Committee to make some comment with reference to that type of matter.

It is so easy to read the press and accept their version of the facts as these speakers have done. I would not say that my information would be more accurate than what the press had, because mine would be second hand too. It is easy to second guess either a jury or a judge when one does not know all the facts or even when the facts are known.

May I say to the members of the Committee that I served in that section for 8½ years as district attorney. I handled a case in the adjoining county to the county referred to where a Negro man was killed by a white citizen, a veteran. The defendant came into court and asked that he be permitted to plead guilty and accept imprisonment in the penitentiary for life. His request was refused because the evidence clearly showed the commission of a horrible murder. The defendant was tried in that county before a jury of 12 white citizens. That jury brought in a verdict of guilty, which meant he received a death sentence. I mention that case to show what southern juries do when the facts are sufficient to warrant a guilty verdict.

I pointed that case out in hearings before the Senate and House committees; I pointed it out to the press, but there is no political benefit to the proponents of this measure in showing that the southern people do carry out their responsibilities, as they did in that case so no note was made of it. The facts in the case I have just referred to appear in the hearings of the Judiciary Committees of the House and Senate. Though these facts have been pointed out to the members of the press, this is news to you because it served no purpose to publicize that case or others like it back in areas where votes are being sought today.

Involved in this matter is not a case of the proponents of this amendment trying to provide jury trials. Involved in this amendment is an effort to prevent the bill that you have from taking away a jury trial which now exists. May I say to you that involved in this is not a jury trial as to contempt of court, where the defendant is a party to the case or where the action is in the presence of the judge and the judge sees it. This amendment would retain a jury trial to determine the issue of fact, where the occurrence took place out of the presence of the judge, as to whether in fact such contempt occurred. This amendment would retain the rights now existent in the case of Clinton, Tenn. There the board of education was ordered to take certain actions. But it did not stop there. The Federal judge, in his order, directed that, in addition to the school board, all persons in the community must refrain from interfering with his order, "by words, acts, or otherwise." These 16 defendants were arrested and charged with criminal contempt for violating the order. I do not know whether for alleged violation by words or by act or merely "otherwise."

Under present law these defendants are entitled to trial by jury as to whether in fact they committed the act alleged. If this bill had been the law, the judge would serve as prosecutor, jury, and judge as to defendants and on facts which happened beyond his presence.

This amendment would retain the rights which now exist. Perhaps it makes no difference, may I say to my lay friends in the Congress, if a man has violated the law it might not make much difference to him whether he went to jail by act of the judge or by act of the jury and confirmed by the judge. But I say what you do in this bill, in the absence of this amendment, you say to those 16 defendants or others who may face the same problem, the judge shall not determine solely and alone the issue as to whether there was really a violation. There could be no more controversial issue than whether the acts constituting contempt really happened or not. This is not a case of what the penalty should be, and that would be determined by the judge, but this amendment would preserve the right to have 12 men pass on whether such defendant did, in fact, violate the judge's order "by act, by word, or by otherwise."

Now, let me point out something else. You know, lawyers, when they get in this field, are artists at muddying the waters, sometimes you just have to rake away what they say and get down to brass tacks. You have seen it in the courtroom; I have, many times. The proponents of this measure have built up an atmosphere that puts us from the South in a position of trying to get jury trials when, in fact, we are trying to preserve that right which now exists. Technically it was pointed out that this bill would not provide double jeopardy, and I agree, if you express it that way, because the Supreme Court has said that to have a double shot at a man to send him to jail for violating the law and to have another chance to send him to jail for violating an injunction is not, technically, double jeopardy.

But, let me put it this way, and I think this will be uncontradicted. The effect is the same. This bill in the absence of this amendment will give the Attorney General two chances at the same individual on the same facts to send him to jail, and I do not care whether technically the Supreme Court says that is not double jeopardy or not, the defendant can be tried twice for the same action. This bill, on the same set of facts, one action by the same individual, would give the Attorney General two cracks at sending him to jail.

I regret that the debate has led to a level where the general feeling of many speakers seems to be that there is no question of the guilt of southern people. I regret that many Members seem to take it for granted that southern juries would not convict. How do they know, when the present laws, with present safeguards, haven't been tried?

No, my friends, it is tragic to see the right of trial by jury erode away under the pressures of political expediency. Unless you save that right, believe me, you will regret it.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this time would not be taken were it not for the fact that in the press and in this debate a whole section of the country has been indicted as lawless. It has been charged that southern juries will not convict in certain cases. From my experience of more than 30 years as a trial attorney, I cannot go along with that charge. Naturally there are exceptions to every rule. I do not believe there is any justification for the general charge that has been made. I have had it demonstrated time and again that juries will convict regardless of what they think the law should be if it is pointed out to them what the law is and what the facts are.

Never have I been able to completely forget the admonition of St. Matthew:

> And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?
>
> Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye?
>
> Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye.

There is another reason: Years ago in Michigan we had a subversive group in my own district in Berrien County. They were convicted. The Supreme Court reversed the conviction, because the law was unconstitutional and that was that. Since that time we have had other troubles there, of which we are ashamed. I noticed in yesterday's paper that in Detroit there was another mur-

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der of a child, and that has been happening, I think, on an average of something like once a month. Only a few years ago the body of a murdered child was found in my home county, within 15 miles of my home. For some of the murders in Michigan no one has been arrested or tried. It is with a great degree of regret that I venture to call the attention of our very delightful colleague from Chicago, who referred to the "Till case in the South"—and no one can justify that murder—to the fact that in Chicago some time ago three boys were murdered—their bodies thrown in a ditch. There has been no arrest, no trial, no conviction. Scarcely a week goes by that someone is not murdered in Chicago. And the same might be said of New York and Brooklyn, from whence comes the gentleman [Mr. POWELL], who made such a moving emotional appeal. Emotion is all right. It is a good thing we have so much of it. But it should not lead us to broad general unjustified charges. But why criticize another community, another section of the country without admitting our own need for reforms. At times, Chicago has been a wicked city, a vice-ridden, lawless city. I am not talking from hearsay. I lived there when attending Northwestern law school, in the early 1890's. It is no worse than other cities—but it is not without its professional criminals, nor have I forgotten that a committee of this House not long ago held hearings on the pardoning of the Capone gangsters. One of them had a residence in the Fourth Michigan Congressional District, although he operated in Chicago. He wanted a little peace and quiet, so he came to Michigan. Should Michigan be charged as lawless because it harbored members of the Capone crime syndicate? We had no choice. They behaved themselves while there. The Capone gangsters were convicted, sent to prison, later paroled. Within the past week, the court has just gotten around to ordering the deportation of Ricca who was one of the five who was paroled by the Federal Government.

It is all right to complain. It is good for our moral health to call attention to these situations. But that is no justification for the charge that a whole community, State, or section approves lawlessness or violence. Does anyone think for one moment that there is not as much crime in New York City or Chicago in proportion to the population as there is in the South? If they do just let them read the papers.

The gentleman from New York [Mr. POWELL] makes a very eloquent, religious plea. But what about the waterfront in New York? Murder after murder and the State of New York and the State of New Jersey are successfully defied by gangsters and racketeers.

It is not a bad plan for one condemning crime and criminals, advocating a housecleaning in some other community, to first take a look at his own hometown, city, or State. This is especially true before citizens of Chicago and New York tell the South, or any other section, to do a worthwhile, good, needed, and thorough job of cleaning out the crooks. Permit me to quote from a talk made on April 15, 1937.

When the chairman of the committee responsible for bringing in this bill, the gentleman from New York [Mr. CELLER] was advocating another bill which he said was designed to protect minority groups—in that case, from lynching. Mr. Biermann, who had the floor, among other things, made this statement:

Mr. Chairman, this bill is not calculated to stop lynching. I have listened to most of the debate and I have not heard a single person say on this floor how this bill is going to diminish lynching. If it is not calculated to diminish lynching, what excuse is there for passing it?

The gentleman from New York [Mr. CELLER] asked what had been done to punish the perpetrators of the eight lychings last year. I do not know what has been done. He said that in New York they have crime, but they punish crime. Let us see: In the years from 1930 to 1934, inclusive—I got these figures from the World Almanac—there were in the city of New York 2,582 homicides. The police records of the city of New York show that for these 2,582 homicides there were 2,080 arrests; in other words, the arrests for homicides in New York City were 502 less than the homicides themselves. There were 502 killings for which no one was so much as arrested. The gentleman says that they punish these criminals in New York City. In these 5 years, when there were 2,582 homicides in the city of New York, there were, according to the police records of that city, 428 convictions. [Laughter.] In other words, according to the records, less than one person was punished for every 6 murders in New York City from 1930 to 1934, inclusive.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BIERMANN. Yes.

Mr. CELLER. The gentleman does not mean to presume that there were 2,582 felonious homicides. There are all manners and kinds of homicides, homicides by destruction by automobile, for instance.

Mr. BIERMANN. I mean criminal homicides.

Mr. CELLER. Will the gentleman classify them?

Mr. BIERMANN. If the gentleman wants me to, I will put that in the RECORD.

Mr. CELLER. I have it right here. Put it in—classify them.

Mr. BIERMANN. Felonious homicides. This leaves out accidental killings, and leaves out suicides. It includes only felonius homicides and the figure is 2,582 for the years 1930 to 1934, inclusive.

Mr. CELLER. I have it right here before me, felonious homicides in New York, 376.

Mr. BIERMANN. In 5 years?

Mr. CELLER. In 1 year. I am speaking about a year.

Mr. BIERMANN. I said from 1930 to 1934, inclusive.

Mr. CELLER. Then the gentleman should indicate the felonious homicides in contradistinction to manslaughter by negligence.

Mr. BIERMANN. The gentleman cannot take up my time in that way. I do not refer to accidental killings and I do not include suicides; but I mean criminal killings, of which there were 2,582 in the city of New York during these 5 years, with only 428 convictions of murder. If we are going to pass unconstitutional legislation to prevent killings, let us do something to deal with the wholesale killings in New York City. Lynching in the United States has declined from 226 in 1892 to 8 in 1936, but New York City still has a situation in which less than one-sixth of its murders are followed with convictions.

The FBI report shows that in 1956 there were 315 murders in New York, 293 in Chicago; in 1955, 306 murders in New York, 292 in Chicago; in 1954, 315 murders in New York, 277 in Chicago. Other figures are not at hand.

If anyone will read the record that was established by a committee of this House about the Capone conviction, the crimes involved and the parole of those gangsters, he will hesitate to say very much to people in other communities about cleaning their house until his own community has had a bath. At those hearings we had two police officers, captains, who were on the trail of the gangsters and the murderers and who gave us aid. They were threatened. Told they would be killed if they continued to give testimony. Later when one of those two police captains, Thomas E. Connelly and William J. Drury, was on his way to testify, to meet the staff of the Kefauver committee, that police captain in Chicago was shot to prevent his testifying. I do not recall that anyone was convicted. That was but one murder of many when an attempt was made to enforce the law—punish gangsters.

The record is full, not only of beatings, but of murders, if you want to look at it, that have occurred in Chicago and New York and have gone unpunished. Have we already forgotten the Riesel case where witnesses because of fear refuse to testify? So I say that I for one do not propose in view of my own section's record over the years—and I think we have as fine, loyal, decent, and law-abiding a community as there is in the United States—to criticize any other section of the United States as a community as being lawless or immoral until the record of our own State is clean.

Mr. BOYLE. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I was happy to see several of the other Members from our proud city of Chicago up on their feet vying for the opportunity to defend the fair name of our city. The reason I was recognized and accorded that high privilege and the honor is that I am a member of the Committee on the Judiciary.

Several times during the course of this debate the name of that great city of the Middle West has been injected into the debate and has been featured very prominently. During those times when my city's fair name was challenged I was not on the floor. A reading of the CONGRESSIONAL RECORD discloses what was alleged. In reading those passages, I felt that there was much calculated to incite the imagination of people who were looking for an out to vote against this legislation. Looking at those remarks, and their utter irrelevance detached from the heat of debate, I remembered again and again the policy employed by astute trial lawyers in courts of law.

They try the facts when the facts are on their side, and if the facts are not favorable the lawyer seeks to try the litigants. If there is nothing in the background, the history, or in the personalities permitting attack, they proceed to go ahead and try the opposing lawyers. If still none of these categories does not permit a peg on which to hang their hat, the lawyer proceeds to try the court.

So much of this debate has been a real studied effort to go off to the Southwest or off on a tangent. The opponents, all of whom, with few exceptions, are against any legislation, want you to look at the shades and look at the shadows and thereby diverting your attention from the brass tacks of this legislation.

In simple terms, the bill provides only for a strengthening of those constitutional guaranties that should be accorded to everyone, white and black, Jew and gentile, Catholic and Protestant, and all minority groups throughout the whole United States. In the bundle of civil rights we think in terms of people's right to security, their right to personal liberty, and, of course, their right to participate in the conduct of their Government, which is one of the greatest and noblest rights of free people. Any law that negatives those rights, of course, is unconscionable. Any group of people who would consciously or even unconsciously, by reason of malfeasance or nonfeasance, set up a procedure or course of conduct that has as its end result the deprivation of those guaranties of the Federal Constitution, are really un-American.

I submit that the bill today, apart from any sectionalism, apart from any emotionalism, is merely an honest effort on the part of the Congress to shore up the guaranties of the Federal Constitution.

At no time during the 84th Congress, when I was a member of the subcommittee processing the civil-rights bill, was the question of a jury trial as suggested or discussed a possible amendment to this legislation even discussed. Why? Because the lawyers on that subcommittee were much too good lawyers to attach such a device in a civil proceedings. Who was on that committee? None other than the ranking minority member of the judiciary committee of the Republican Party, the late beloved Chauncey Reed. He bowed to nobody when it came to knowledge of constitutional law. The rest of the lawyers on that subcommittee were equally high in standing.

Apart from the composition of the subcommittee, the lawyers on the full Judiciary Committee in the last session of Congress never raised the jury-trial issue. This bill provides a civil remedy if you examined this bill, and the bill does name this law for the deprivation of the right to vote. There is no legal basis to dangling before the minds of the Members of this House the notion that this bill imposes a criminal penalty.

Mr. YATES. Mr. Chairman, I move to strike out the last word.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. YATES. I yield to the gentleman from Illinois.

Mr. BOYLE. As I have said, time and time again, the bill seeks only to give a civil remedy, a more effective remedy as you know back in your neighborhoods, back in your hometowns, back in those local environments, it is difficult after a set of facts has transpired to get good people to convict under the criminal statutes, particularly when the establishment of certain elements of willfulness and wantonness are a necessary part of the crime. Is it too unusual a situation where the Attorney General says to a voting registrar "You leave Mr. Green's name on the polling list or you are going to be enjoined." After the proper application to the proper court an injunction is issued restraining the registrar from taking Mr. Green's name off the list. In the following election Tuesday, Mr. Green's name is taken off the list in derogation of his right, of course, under the 15th amendment. The Attorney General furnished with a signed complaint showing the disregard and disobedience of the previous court order proceeds to get a rule to show cause. That may be the jargon of the law, or so-called words of art, but a rule to show cause merely means that the voting registrar must come in open court and show why he took that name off the list. The voting registrar may say, "Well, I did it inadvertently. I did not mean to do it." And that may satisfy the court. But the fact remains he is in contempt of court. The nature and extent of the punishment, if any, including any mitigating circumstances will be resolved and determined by the court.

Mr. YATES. Mr. Chairman, I agree with my colleague, the gentleman from Illinois [Mr. BOYLE]. We have witnessed most adroit diversionary tactics by the opponents of the bill to take the battleground of this bill from the national scene and to move it to Chicago, or New York, or some other inappropriate area. This bill is designed to assure the right to vote to American citizens who are denied that right now. This may happen anywhere in the country—in some sections more than others. But let us not point the accusing finger at Chicago in this instance. All American citizens can vote in Chicago. The battleground for this bill is not the city of Chicago or the city of New York or any other metropolitan community. It applies to the whole country. I would suggest to the gentleman from Michigan who said he knew Chicago well because he lived there in 1890, that he ought to visit it now. I would say to him, "Do not judge present-day Chicago by an ancient memory." Chicago is a modern, thriving, growing community. Yes, criminal acts do occur in Chicago. Offenders are punished. Chicago has done much to clean up its blots. If the gentleman investigated today, he would discover just what we have done. Criminals are punished. No killing to which the gentleman referred, which he said resulted in no conviction, is still unsolved. When these killers are found they will be brought to justice. We are proud of our record for punishing crime and enforcing our criminal laws. The gentleman would find that Chicago has moved forward very well toward becoming a good law-enforcing community—one of the best in the country today for a city of its size.

But, Mr. Chairman, I rose to speak to a more important point. The gentleman from Illinois, my good friend [Mr. MASON], rose a few minutes ago and gave us a choice, the choice between accepting a politically appointed Attorney General or a trial by 12 good and true men. It was not an accurate choice. This is not our choice in the bill at all. I think the choice, too, is another example of camouflage. The choice which this bill gives us is not between the Attorney General and a jury but between a judge and a jury. We are to choose whether to let the judge continue to exercise his historic and ancient rights or whether to require him to be subject to a jury's decision, where the law makes no such requirement today.

As you review this debate, you will find that those who favor the jury trial amendment have sought to impeach the judiciary directly or by reference by seeking to impart a lack of confidence in the judiciary.

Through so many of the speeches this note of doubt has been sounded, this tone of lack of confidence in the judges, this tearing down of the courts. This is a most unfortunate development. The strength of the judiciary is essential to our Government and to our way of life. Let me read an excerpt from the debate on April 8, 1954, a statement by the beloved Speaker of our House, Mr. RAYBURN. This is what he said on that day:

> Mr. RAYBURN. Now let me say this, and I can say it for all Members of the House. It matters not to me how they vote today; I know that we are all seeking the same end, and that is to protect, defend, and perpetuate the great institutions of this, the greatest of all governments ever instituted by man.

Then the Speaker went on to say:

> I said 40 years ago on the floor of this House, and I repeat it today, that, next to the Representatives of the people, the bulwark and safety and perpetuity of these institutions of ours rests in the courts of our country. When I come to the point where I do not have faith in the courts of the country, then I will lose faith in the perpetuity of this Government. It is true that a judge is appointed by the President of the United States, just as is an Attorney General, but he goes upon the bench, and I think I can say for all Presidents—and I have served many years under both parties; 12 years under a Republican administration—I think they have made few mistakes; very very few mistakes in selecting men of high character and of great legal ability.

So, Mr. Chairman, I say as we move through this debate, let us not listen to those who would tear down the integrity of our courts. Let us not listen to those who would impeach the courts, let us not permit the impression to go out from this House that the integrity of the courts is being questioned. Let us not preach anarchy by even inferring, let alone declaring that the courts are not worthy of support.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. ALBERT].

Mr. ALBERT. Mr. Chairman, I rise in support of the amendment which would provide for the right to a jury trial in contempt proceedings growing out of injunctions issued under this bill.

Under the Constitution the Congress has the duty to prescribe the powers of all inferior Federal courts. That this power extends to the authority of Congress to provide for right of trial by jury in contempt cases, particularly where the contempt was not committed

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in the presence of the court or so near thereto as to obstruct justice, is I believe, well settled in our law. The question here is not whether there is a constitutional right to a jury trial in contempt cases. The real question here is whether the Congress would deprive an accused of a jury trial in contempt proceedings which are essentially criminal in nature and substitute instead the injunctive remedies known by every lawyer to be harsh in nature and historically limited in application. In any substantive sense the bill before us is a criminal statute. The contempts contemplated in this bill will be violations of penal laws as well as court orders. Under such laws the offender would be entitled to a jury trial. Under this bill men will be jailed for the same offenses, not upon the verdict of a jury but within the discretion of a Federal judge.

The right to trial by jury is a sacred right, a right as sacred as the right of suffrage itself. Here, Mr. Chairman, we are talking about cases where the issue is between freedom and bondage. We are dealing with the liberties of men. I ask you who are for this bill: How can you be selective in your appraisal of human rights? How can you say that one man's rights are more valuable than another's? Are you willing here to launch this Government upon a policy which holds that the end justifies the means?

Our criminal jurisprudence has always been jealous of its legal safeguards for those accused of crime. It has always held that when a choice must be made, it is better to acquit the innocent than to convict the guilty. Upon this principle our criminal law has developed. Upon this principle a man cannot be held to answer for a crime except upon information or upon presentment or indictment by a grand jury. Upon this principle a man cannot be convicted except upon proof beyond a reasonable doubt. Upon this principle a man may not be cast into prison without a trial by a jury of his peers.

The question here, I repeat, Mr. Chairman, is not whether there is a constitutional right to trial by jury in contempt cases. The question here is whether we should be restrictive or liberal in the application of the principle of the right to jury trial when human liberty is the issue. Are we not in danger of setting a precedent that may come back to haunt us. If we are going to deprive one group of Americans of a jury trial now, who is going to be next? I have already received correspondence recommending that we go back to government by injunction in labor disputes. The time and place to stop this trend is here and now. Should we by defeating this amendment say that we are going to enlarge injunctive remedies and narrow the field in which jury trials are applicable?

A vote for the jury trial amendment is a vote for human rights. It is a vote of confidence in the American way of life. I hope and trust that this amendment will be adopted.

Mr. SAUND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it has been said that behind every human edifice there lies the shadow of someone who cared. In the United States of America today we have built a splendid and glorious edifice of human rights and moral values. In the history of the United States someone has cared and, thank God, there are many of us here today who can see some others who do care.

Mr. Chairman, whatever you say about the gentleman from New York, Mr. EMANUEL CELLER, let me bear testimony to this fact: It is not today, it was not yesterday, but 15 years ago when some Cellers were loose and my colleague from New York, EMANUEL CELLER and Hon. Clare Boothe Luce offered a bill to give the right of citizenship to Hindus in the United States of America. There were not more than 50 Hindus living in the State of New York then, so he was not seeking votes. Yes, we have had many Mr. Cellers and Mrs. Churches—Hon. Mrs. MARGUERITE STITT CHURCH, of Illinois—and others to guarantee human rights.

My good friend from Illinois, Mr. NOAH MASON, said he was born in a foreign country and came over here. Today he is a Member of the United States Congress. My own case is also a parallel one. I was born in India. My position was a little more difficult. Ten years ago I was not only a foreigner, but I was an alien, ineligible to citizenship in the United States of America. Because of the opportunities that were open to me and that are open to everybody in this country, I, with the help of great Americans, acquired the right of citizenship. I received my citizenship papers, and today I have the honor to sit in the most powerful body of men on the face of this earth.

During the campaign, my opponent said that if I were elected to Congress, because of the color of my skin, the southern Members in Congress would not accept me. When the judge in El Centro gave me my citizenship papers he said, "From now on you are a full fledged member of Uncle Sam's family." And I wanted to show the world that in Uncle Sam's family there are no foster children.

I bear testimony to the fact that the gentleman from Oklahoma, CARL ALBERT came from his State and campaigned for me during the election; the gentleman from North Carolina, HAROLD COOLEY, sent telegrams on my behalf; and the gentleman from Tennessee, JERRY COOPER, put me on the powerful Foreign Activities Committee. They all come from southern States. So no one can say that the people of the South have not been good and affectionate and kind to me.

But, Mr. Chairman, I wish to plead with my good friends from the South. You do not go far enough. The gentleman from Illinois, Mr. NOAH MASON, said he was born in a foreign country, and because of the rights enjoyed by everybody in the United States he is a Member of Congress today. I ask him the question, "If he had been born in the State of Mississippi and born with a black skin, would he be a Member of the United States Congress today?" No amount of sophistry or legal argument can deny the fact that in 13 counties in 1 State in the United States of America in the year 1957, not one Negro is a registered voter. Let us remove those difficulties, my friends. I wish to stop with this story, and I am talking to my friends from the South.

My wife and I play tennis in the morning. We set our alarm at 6 o'clock. My wife lets me sleep until 6:15, but when the clock goes beyond that, the sheets and the blankets are off of me. She stands there and she says, "Honey, you are holding up the game." My friends, I know the gentlemen from the North in this Congress. No one is against those leaders from the South who have shown so much brilliance and patriotism in their service in the Congress of the United States. All we are saying is: Please modify your way of thinking. Look at the clock. Go ahead, and do not hold the game up.

Mr. COLMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall start my brief remarks where the distinguished gentleman from California left off. Let me say to him and to you that this race of people whom so much interest is being manifested in has made the greatest progress that any race of people ever made in a similar period of time in the history of the world, in the United States, and particularly in the South, to which they were imported. I shall not go into the history of those people, but they have made great progress, and I say to the gentleman from California and the rest of you who are interested that the greatest tragedy of all of these force bills is that you are disturbing the progress that has been made. You are the ones who are setting back the clock, not us. The worst thing that has happened in all of this is that that fine relationship that exists in that section of the country is being disturbed and being agitated by all of this force legislation. Those good relations and the progress that was being made are being disturbed and set back.

Mr. Chairman, I agree with the gentleman from Illinois that this should not be considered upon a sectional basis, and I decry it, whether it is aimed at Illinois or Mississippi or any other State. But, let us not get off the track. The important thing before us now is a jury trial and whether we are going to have a jury trial or not. And, again, I appeal to my liberal friends, those who attend the Jackson Day dinners, those who render lip service to the great cause of justice and liberalism. You, the proponents of this legislation, are the centralists, you are the Tories in this type of legislation.

What is going to happen, as a matter of fact, whether you write this amendment into the bill today or tomorrow, when it passes here, or not—mark these words now—if the bill passes the other body, that provision will be in it. And the leadership and the White House and special groups to the contrary notwithstanding, if a bill is enacted into law, this provision for the jury trial will be in it. Mark those words.

I saw on the floor here a moment ago a great liberal from the other body, my warm personal friend, a man with whom

I served in this body, a member of the Committee on the Judiciary, one of the chief proponents of this legislation in the other body. It is a matter of record that he is advocating this very amendment that we have under consideration. I refer to the distinguished Senator from Missouri [Mr. HENNINGS]. Another great, distinguished liberal from the West, I will say to my western Democratic friends, is advocating this amendment, Senator O'MAHONEY.

The amendment, is sound, it is liberal. When this debate first started, I believe I made the first speech. I hope this will be the last one. I pointed out the history of the jury trial in labor legislation. There has been a lot said about that. But again I call to the witness stand the gentleman from New York [Mr. CELLER], whose name appears as the sponsor of this bill. It was the distinguished and able and versatile gentleman from New York [Mr. CELLER], who pleaded with the Congress in 1932 to give a special group this right of trial by jury—the labor people; and he has never been able to get away from it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. LANDRUM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it seems somewhat ironic to me, with more than 70 percent of the membership of this body privileged to be members of the legal profession, and a great number of that percentage also subscribing to membership in the American Bar Association, that today not all of them would be here supporting a jury trial while the movement is afoot in this country by the bar associations to get subscriptions to go to Runnymede and establish a monument to the granting of the right of trial by jury. We are not here asking for the right of trial by jury. We are here seeking to preserve that right which we already have and we seek to do it only in the area, that where the Mr. Green to whom the gentleman from Illinois [Mr. BOYLE] referred earlier is or might be charged with the violation of a restraining order put upon him by the court and there is a question whether or not he violated that order, then all we seek to do is to let the facts in that sort of a situation be determined by a jury of 12 men. That is all we seek to do. That is not the purpose of this bill, however. It has been admitted throughout the discussion of it, it has been alleged by word and design and otherwise, that the reason they want to strike down this right to a trial by jury is that some of our southern juries may not convict exactly as an Attorney General would like them to. But not until today have I heard it stated on this floor, flatly pointing the finger of accusation at every southern State, that "We are not going to support a jury trial amendment because you people down there will not convict"—that in spite of the fact that you have the dirtiest of trash in your own backyards.

We are not happy about all the things that have occurred in the South, but let me tell you a few of the good things that are happening. Members from Illinois, Members from Wisconsin, Members from New York, Members from California, great wealthy States with far beyond the average per capita income, come here to tell you that they cannot educate their boys and girls, "We have got too many, we have to have the Federal Government do it." But you come down to my State and you come down to South Carolina, and you come down to Alabama and Mississippi, and what are we doing? I can report for my State of Georgia. We are not asking you to do it. We are not denying the Negro the right to vote. In Atlanta, Ga., 3 weeks ago in an election for mayor more than 76 percent of the registered Negro voters voted, and only 36 percent of the white voted. In that same election a Negro sought office as a councilman contesting against two white men in Atlanta. A run-off was required between the Negro and a white man, and the Negro received more than 22,000 out of approximately 53,000 votes cast. Does that evidence denial of voting rights?

Coming to schools, what are we doing for them there, and mind you, they are paying only a small part of the expense of it? Within the last 6 years the State of Georgia has spent more than $175 million in a school-building program, with money raised within the boundaries of that State. Not a dime of it has come from the Federal Government or been asked of the Federal Government. More than 50 percent of that $175 million has gone into the construction of the most modern school buildings for Negro children that there are in this country. Yet the gentlewoman from Illinois talked so viciously and scathingly of the way we do things in the South. All we are asking you to do here to keep it from being so hard on us, leaving our citizens the rights we now have.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I should like to inform the gentleman that from the day I was born there has been no viciousness in my heart on any issue with anyone.

Mr. LANDRUM. I will say to the gentlewoman that I had always thought that until I heard her speech a few minutes ago. I never in my life have heard a section of the country denounced so viciously as the gentlewoman, for whom I have had a high regard, did a while ago.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is no secret that I have not blindly ignored the appeal of the trial by jury amendment. Indeed, I have urged the search for a middle ground, if one could be had, which would allow the enforcement of the basic purposes of this bill. But none has been found by the advocates of this jury trial amendment. Instead, a proposal is before us which would destroy the bill utterly and completely. It would establish the most evil of precedents. It would ruin the judicial system of justice in our country. For if this amendment were to be adopted every would-be evader or violator of the law would feel free to laugh at and to ignore the orders of the court. Let us remember once again that this bill and the debate on this issue emphasizes that everyone held in contempt under this bill holds the key to escape or avoid all punishment by simply obeying the order of the court. Punishment here can truthfully be said to be self-imposed and self-continued. If, as is claimed, one held in contempt under this bill should later be held for trial for violation of the statute, the situation is no different from many other situations where the Government is a party to the action and the accused has wilfully violated the law. I have not ruled out the possibility, as has been brought up here, of judicial abuses in the future. But, as has been so well said by the chairman of the committee, the gentleman from New York [Mr. CELLER], we reserve the right to meet that question as it was once before met if—and I believe it is most doubtful if—it should arise. So, after listening carefully to almost every argument given on this floor, I am most emphatically of the opinion that this amendment must be defeated. The purposes of this bill are so important to the individual rights of our citizens, so important to the ideals of democracy itself, which we all cherish, so vital to the winning of millions elsewhere to the side of freedom in its fight against communism, these indeed must be triumphant.

Mr. HYDE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, one great good that has come out of this debate might be said to be this. It is obvious how easy it is, technically and legally, to get around certain provisions in the Constitution. There is no question about the legal or technical accuracy of the position of the proponents of this bill. It is constitutional. But, for you laymen, I submit it is a good example of how very easy it is, legally and technically, to get around certain of our basic principles and provisions of our Constitution. Let me try to reduce this to its bare essentials.

There are two great fundamental rights involved in this bill and the pending amendment that are of basic importance to a free people—the right to vote and the right to a jury trial in criminal cases.

The right to vote is guaranteed in our Constitution. The people through their Congress, have assured to themselves this guarantee by making the violation of this right a crime, and by giving a citizen a civil action in damages against anyone who unlawfully attempts to deny them this right. Also, in their Constitution, the people said they shall be entitled to a jury trial in a criminal case and in such a damage suit.

Now, this brings us to the pending bill. We are told that the Negroes in the South are being unlawfully denied the right to vote, and that the laws we have just mentioned are not adequate to protect that right because southern juries will not convict—therefore, we need this bill which will give the court the authority to enjoin anyone from committing these acts which constitute a crime and are the basis of a civil damage suit. By this means we can avoid the juries

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because if the violator commits the unlawful act which the court has enjoined him from committing, he can be tried for contempt before a judge without a jury; and if found guilty, sentenced to the same punishment that he could be sentenced to in a criminal trial.

It should be clear at this point what is meant by the majority report when it states:

> The legislation merely substitutes civil proceedings for criminal proceedings in the already established field.

It should also be clear that the effect of this bill is to make it possible to send the person to jail for committing the crime of violating the right to vote without giving him the right to trial by jury.

If the proponents of this bill are right as to the necessity for this legislation, it would appear that we are faced with the dilemma of deciding which is the more important, to preserve the right to vote or to preserve the right to a trial by jury. Many people here, including the gentleman from California [Mr. ROOSEVELT], talk about the horrors of interposing a jury between a judge and the defendant in an injunction case.

Mr. Chairman, this Congress has done that in section 402, title 18, of the code, where we said that persons have a right to a jury trial in criminal contempt cases. Congress has decided that issue. So we are confronted with the question: Which is more important, the right to vote or the right to a jury trial?

I will concede that the right to vote in a free society is the more fundamental of these two. Therefore, should this amendment be defeated, I shall be obliged to vote for the bill. But I submit it is unnecessary to make such a fearful choice.

The jury amendment will provide for a jury trial in contempt cases only when the act or thing done or omitted also constitutes a criminal offense under any Federal or State law.

This will not require a jury in order to get an injunction; it will not require a jury for a contempt which is not also a crime. It will merely assure a jury trial for a crime.

The right to vote will be protected by injunction, which is an order of the court ordering the accused to cease and desist from violating this right to vote.

So here is the issue: Will you vote to eliminate a jury trial for this particular crime or will you vote to preserve the right to a jury trial as well as the right to vote?

When you vote on the pending amendment, you will make this choice according to your own conscience. As for me, I will vote to preserve the right to a jury trial while protecting the right to vote.

Give them the light and the people will find their own way; there is no other power on earth that can find it for them.

Mr. CELLER. Mr. Chairman, I rise to suggest—and I emphasize suggest—a unanimous consent request by way of testing the feeling of the membership as to the time the membership of the Committee desires to vote on this amendment—perhaps one hour of debate?

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. SMITH of Virginia. The gentleman from New York has been very patient and I know he does not want to be in the slightest unfair in this matter, but it does seem to me that on this amendment which is the most vital thing so far as the membership is concerned, that the Members who desire to speak on it should have at least 5 minutes. I hope time for debate can be worked out in that way. I know the gentleman wants to be fair and he has been very patient.

Mr. CELLER. Can the Chair tell me how many Members are standing?

The CHAIRMAN. The Chair will count those standing. [After counting.] There are 40 Members standing.

Mr. CELLER. I think we had better run on as we have been, then.

Mr. UDALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it does seem to me that the debate today has served to narrow down the real issues which confront us. To me the essential issue is a very narrow one, and I think there should no longer be any room for argument about it.

I am opposed to the pending amendment, and I am opposed to it on the ground of logic. I hope that emotion will not enter into my presentation here today.

It is the tradition of our American law and jurisprudence that in the use of the injunctive power of the court, the court makes its orders and the court carries out the enforcement of its orders. I take that as an indisputable fact. We have had a lot of smoke thrown around this issue, but I proceed upon that basic premise.

So, proceeding from that point, then, since there is no constitutional or statutory right to a jury trial in injunction proceedings, we then must determine whether or not there are special circumstances in this particular case which would require us to grant a special remedy. That is the essential question here. It is not a matter of depriving anyone of a right that he now has. We are addressing ourselves to the question of whether there are circumstances which require us to grant special rights to violators of court injunctions. That is the very essence of this dispute, in my opinion.

In the early history of the American labor movement, which culminated in the Norris-La Guardia Act, there were a lot of judges—a substantial number of Federal judges—who proceeded upon the theory that a strike of workingmen was a criminal conspiracy, and these judges undertook to use their inherent injunctive power to break up strikes. The gentleman from Alabama [Mr. ELLIOTT] discussed this problem quite fully a few minutes ago. The Congress then voted the right of trial by jury in labor injunction proceedings as a result of the abuses that had occurred by Federal judges. Had I been in Congress at that time I would have voted for it, just as today I would vote against the same proposition because I think there is no reason to fear such abuses now.

So, therefore, to me the burden of proof on this issue lies with those who say that we should supply an additional remedy, who say that we cannot trust the judges of our Federal courts to handle these cases. In essence, they contend that we should displace the dispassion of a judge with the passion of a jury.

I ask you all to examine your own congressional districts and the Federal judge or judges who sit there. Where can you find in all our vast country men who are more divorced from political pressure, men who are more above the passions of the moment and extraneous matters than this body of men jurists who will administer the proceedings authorized under this act?

Why can not we trust these men to enforce and carry out the orders they themselves have made? That is the bedrock question. I say to my friends who have proposed the jury trial amendment that had you made out a case that these judges are biased, or cannot be trusted somehow to carry out their responsibilities, I might have gone along with you.

This legislation, I hope, will have a beneficial use in my own State. I have the largest American Indian constituency of any Congressman, and I have had complaints from time to time from these people with regard to their voting rights. This will give them a remedy. They can go to the Federal court to protect their rights. That is the orderly way to proceed.

In listening to this debate, and having read the hearings quite fully, I find that no case has been made out against relying on the integrity of the Federal judges to fulfill their responsibilities under this act. So I say that unless someone can show me that our Federal judges cannot be trusted, I cannot support this amendment. I say to you that if we cannot trust these men—these judges—to do justice, to love mercy and to walk humbly with their God in solving this problem, we cannot trust anyone at all.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I would like to read to you a precedent in this matter for what, if anything, you might think it is worth. We in the great State of Oklahoma are celebrating this year our 50th anniversary. We were born as a State in November 1907. Article 2, section 25, of our constitution in Oklahoma reads as follows:

> The legislature shall pass laws defining contempt and regulating the procedure and punishment in matters of contempt; provided that any person accused of violating or disobeying, when not in the presence or hearing of the court, or judge sitting as such, any order of injunction or restraint made or entered by any court or judge of the State shall before punishment or penalty is imposed, be entitled to a trial by jury as to the guilt or innocence of the accused. In no case shall the penalty or punishment be imposed for contempt until an opportunity to be heard is given.

Now, title 21, section 567, Oklahoma Statutes Annotated, in firming that up, reads as follows:

> In all cases of indirect contempt the party charged with contempt (shall) be notified in writing of the accusation and have a reasonable time for defense; and the party so

charged shall upon demand have a trial by jury.

That has been our constitutional and our statutory provision for many, many years in Oklahoma. So, I would certainly be going against the constitution of Oklahoma and our laws of Oklahoma if I did not support a trial-by-jury amendment, which I am going to do. I realize that that would not prevent this bill if it becomes a law from being constitutional from a Federal standpoint. I was admitted to the bar when I was 21 years of age. I am 58 now. I served as a court clerk, as a prosecuting attorney and practiced law for about 10 years in the general practice. Also I was on the bench for 12 years as a trial judge, a district judge in Oklahoma, and I have served in this honorable body now for over 6 years. I have spent my entire adult life either in the courtroom or in this legislative body here. And, I say to you that although I realize that the great State of Oklahoma is no better than any of our other great States, and it is smaller than some, but there are those who love it, and I am one who does; but I do believe that since we are rather a young State, having been born only 50 years ago, that we have made progress in this field; and we have set down indelibly in our fundamental law, in the constitution, a thing that if you do not come to now, you must come to eventually, and that is to afford every man a trial by jury when he is accused of anything that may sentence him to jail.

Now, I will of course admit as a lawyer, and as a former judge, that if a contempt occurs in the presence of the court, he must, of necessity, have the right immediately, without waiting for anybody, to fine for contempt or jail for contempt; otherwise the jury trial thus could be destroyed.

Yes; otherwise the jury trial itself could be destroyed, because a bunch of ruffians could come into a courtroom, disrupt the orderly procedure in a civil or criminal case, at any time, and destroy the trial by jury if the court did not have the right to punish for contempt when it occurred in his presence. But when it is alleged that it occurs out of his presence, the question of fact as to whether the man actually did or did not violate the order of the court ought to be left to a jury. And when you deny that right you absolutely go against the best legal philosophy, the best experience of mankind in dealing with the liberties of people, in my judgment.

I suggest to those of you who are urging that a jury trial not be allowed that it probably will come back and haunt you on other issues that may arise, because you are going to set a precedent here that you may be ashamed of later.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. CHUDOFF. I move to strike out the last word.

Mr. Chairman, I am not going to burden the committee by speaking for 5 minutes. Usually I have great difficulty when I come into the well of the House taking as many as 5 minutes. I have in this envelope the results of quite a bit of research on contempt of court, criminal contempt, civil contempt, contempt in the presence of the court, contempt outside the presence of the court, and the rights and privileges afforded a defendant who is charged with any of these violations.

I think we have listened to practically every lawyer in the House. I am very happy to have had the privilege of hearing them because it has been 25 years since I went to law school. Some of you know that I am a candidate for judge back in Philadelphia and I might be elected, and if I am, I will probably have some contempt cases to worry about. It is good to have my memory refreshed to the point where I can understand this problem.

What I want to talk about today is this. This is not a political problem. I think it is a local problem. I do not think there is a Member of this House, either in the Democratic Party or the Republican Party from the South who wants this bill in any way, shape, form or fashion; and I think it is a shame to have had to sit through the greater part of last week and all of this week and listen to speeches about jury trials and trials without jury, fair judges and honest judges and judges who will not listen and what a jury will do or will not do, when I know from my experience as a lawyer that nobody knows what a jury is going to do. I say to you that if the only issue were the question of a trial by jury, it would be well worth spending the time discussing it, but what is the use of kidding ourselves? You gentlemen from the South who have stood up on the floor of this House and so ably defended the Constitution and the right to jury trials in contempt cases know in your hearts that if this amendment should carry, and it will not carry, you will not vote for the bill anyway. So I do not know why we are making such a fuss about it. I think we have all heard all that we should hear about this. We know what it is all about, we know what the right to a jury trial is in criminal contempt. We know that there is no right to a jury trial in civil contempt except in certain specific acts of Congress. I think we ought to stop talking and vote on this amendment one way or the other, because if my friends in both parties from the South find that this amendment is carried they will vote against this bill, anyway.

Mr. Chairman, I want to vote against this amendment and vote against it as soon as possible.

Mr. MILLER of New York. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the simple point made repeatedly and truthfully by the proponents of this legislation is that it creates no new substantive rights, and, of course, conversely creates no new wrongs.

Speaking solely to the question of the individual's right to vote to which I, of course, like everyone else wholeheartedly subscribe, the Attorney General may now proceed to indict, convict, and institutionalize anyone in this country who intimidates another in his right to vote or in any way obstructs or prevents that right. To do so is now a Federal crime within the penal statutes of our country and has been for a long, long time. But, of course, in such a proceeding the defendant is entitled to a jury trial which has not only been on the statutory books of our country for a long, long time but is in the Constitution of the United States. Also, today, any individual who is intimidated in the exercise of his right to vote or prevented from voting may sue the person responsible for money damages or may bring an injunction restraining that individual in his actions. But, of course in all such cases by statute for a long, long time the defendant is entitled to a jury trial.

Now through this legislation the Attorney General has stated that he wants new remedies by which he may reach the same defendant for the very same act and send him to the very same jail for the very same length of time, but in this new remedy he asks us to eliminate for the benefit of such defendants a jury trial. We are not here now talking of civil contempt or court orders requiring appearances or the production of documents or the invasion by the Government of new fields such as atomic energy, monopolies, Securities Exchange Commission, and so forth. We are talking of an old field concerning old rights and old wrongs long governed by our Constitution and statutory laws but which the Attorney General now wishes to preempt and circumvent through a new and novel arrangement in this field.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAVIS of Georgia. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from New York [Mr. MILLER].

Mr. MILLER of New York. I thank the gentleman.

Mr. Chairman, as reasons for requesting this new and dangerous precedent, the Attorney General says its aim is preventive and not punitive. He wishes the authority to restrain the wrong before it occurs. If that is so, then he should be in support of this amendment, for with this amendment, the Attorney General may still secure a temporary injunction, a permanent injunction without any recourse to a jury trial. But only when it gets in the punitive field where the Attorney General brings into a United States courthouse a defendant charged with already having committed the act the Attorney General wished to prevent and starts to try him for his freedom, then and only then does this amendment apply, by simply securing to the defendant his right to trial by jury.

As another reason for asking for this permission to circumvent the present existing provisions of the penal law, the Attorney General says that a jury trial would cause unnecessary and perhaps fatal delay. Since this amendment does not apply to the proceedings relating to temporary or permanent injunction but relates only to the trial procedure of a defendant already charged with the crime, it is hard to see how the issue of delay is relevant. For depending on the type and nature of the defense entered in behalf of a defendant, who is there to say or how can it be proven that a trial without a jury takes less time than a trial with a jury? After the presentation of evidence, I have seen cases where judges take four times longer to make up their minds than does a jury in reach-

ing a verdict. But even if delay were a valid argument, it would be a mighty foreign argument to our system of government. When my constituents complain of the apparent delay and cumbersome aspects of our Government such as committee hearings, deliberation by both bodies, conference reports, President's signature, overriding the veto, Supreme Court interpretation of congressional action and so forth, I admit to them the cumbersome nature of our system of checks and balances as compared to the streamlined nature of totalitarian governments but that the very preservation of our free and democratic institution rests in this deliberate and preconceived propoundness and so does it also rest in the system of no penal incarceration without jury trial. Is the real reason, therefore, that it is felt but not openly alleged that in certain sections of our country, Americans who accept the responsibility of sworn oaths as jurors are not fairly and impartially discharging their obligations? Having sat through hearings on this legislation in the subcommittee a year ago and this year, it is my sincere belief that the record to this date does not warrant that conclusion. But in any event, by this very legislation we are creating a commission at great cost to the taxpayers which for the next 2 years will be in operation and in a position to study this very question. If at the conclusion of their study they report that this jury trial amendment effectedly sabotages the efforts of the Federal Government to guarantee voting rights, even I at that time might be willing to subscribe to such a drastic measure as the elimination of jury trials in this field like I have always been willing to yield certain inalienable rights in time of war or national emergency. Hoping then that it would not be a precedent for future Congresses applying similar legislation to different areas or groups on the whispered charges that Polish people cannot be depended upon to convict a Polish person, that Irishmen cannot be depended upon to convict an Irishman or that laboring men and women cannot be counted on to convict laboring men and women, but in this particular field at this particular time and in this hour of our country's history, I urge you not to destroy the constitutional and statutory rights of trial by jury belonging to some on the allegation that it is necessary in order to preserve the civil rights of others. With the adoption of this amendment, we can preserve both cherished rights.

Mr. PRESTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. PRESTON. Mr. Chairman, on a recent television program millions of Americans heard Nikita Khrushchev, the boss of the Russian Communist Party, predict that our grandchildren would live under a government of Communist socialism.

Our reactions varied from amusement at such an apparently absurd prophesy to shock that the head of the godless Communist Party should have the effrontery to make such a ridiculous statement.

Sober second thought, however, leads me to the conclusion that perhaps this Soviet tyrant was better informed than we give him credit for. In fact, his brash prediction offers the suggestion at least that he has followed the hearings and the testimony on H. R. 6127 more closely than we thought.

It is readily conceivable that the astute masters of the Kremlin see in this iniquitous civil-rights bill an enormous stride in the United States toward the police state under which the oppressed people of Russia now exist.

Khrushchev's optimism about the adoption in this country of the Russian mode of government by tyranny is further explained when it is considered that this police-state legislation is not sponsored by a subversive group or organization, but by the President of the United States and the administration which he heads.

Let us examine briefly some of the broad provisions of this proposed law that may easily give credence to Khrushchev's bold prediction.

We see in this law the enormous grant of power to the executive branch of the Government. The power of freedom or jail vested in the chief law-enforcement officer of the executive branch of the Government.

The historic rights and duties of the States to protect their citizens is destroyed in one fell blow. And further, the rights of individual citizens and the protection of individual citizens afforded by the Constitution are thrown into the discard.

You men and women of this Congress, individuals of judgment and maturity, know full well that the enforcement of these sweeping provisions will require a horde of bureaucrats and Federal police that will be needed to ferret out every imaginary infraction of this proposed statute.

Under whatever innocuous name this force may officially be designated, its functions inevitably will be that of secret police.

Mr. Chairman, by this legislation we are inviting, if not directing, the establishment of an American gestapo to spy and snoop and terrorize American citizens in every village and hamlet in the 48 States.

Is it any wonder that Khrushchev predicts so confidently that the Socialist system under which his tyranny thrives will be established in this country in two generations?

If the wisdom and judgment and spirit of American fair play does not cause this body to reject overwhelmingly the oppressive proposals in this bill, we may see that sad day come to pass in our own time.

Another shocking similarity between this bill and the prevailing mode of government in Russia is the abandonment of our historic right of trial by jury. This bill substitutes justice by injunction for the precious right of trial by jury.

I invite your attention to the language of the bill which very skillfully determines that the citizens against whom these civil rights injunctions are issued shall not have the right of trial by jury. I say these provisions are wicked and deliberately malicious in stripping our citizens of this great judicial right.

It is shocking to think that the American people are being deprived of this right, not by some occupying army of a conquering force, not by some revolutionary junta that has seized power, and not even by our own military authority under some disrupting enemy attack.

This successful assault upon the right of our citizens to a trial by jury would be perpetrated by the elected Representatives of the American people in Congress assembled.

Can this be happening in the United States of America?

Can this be occurring in the Halls of the United States Capitol?

Are our people being stripped of the right of trial by jury by the Congress of the United States which has historically upheld and extended the rights of all Americans?

Many of you may recall a novel written by Sinclair Lewis many years ago which was entitled, "It Can't Happen Here." This book went on to trace the establishment of a dictatorship in our country. This tragic event was accomplished, of course, by zealous subversives.

Today we witness the solemn consideration in the Congress of legislation that opens the doors to the destruction of individual liberty, as surely as night follows day.

If an assault on our freedoms were being made by an outside power we would all be up in arms. Even today our servicemen are stationed in all parts of the world to protect our Nation against attack and to protect our country from the loss of our freedom that would be entailed by our conquest by a foreign power.

But in the face of our vigilance against outside attack, here today we are ourselves, elected representatives of the American people, perpetrating a blow against American freedom that the hordes of Communist Russia dare not attempt by military violence.

The very fact that we are considering this legislation: That it has been reported favorably by a powerful committee of this House demonstrates the sad lengths to which this body has already gone to strip our people of our liberty.

That we consider this measure is shocking and can only cause rejoicing among our enemies. That we should pass this legislation in the light of our own history is unthinkable.

I have noted that the committee which has considered civil rights legislation in the other House of the Congress was careful to include in its draft a provision that trial by jury would be preserved. I hardly have to point out that H. R. 6127, as reported, does not include such a safeguard.

In my opinion the fact that this legislation is impractical and unworkable is almost beside the point. The fact that such alien legislation can be favorably recommended for passage is the tragedy.

We have had experience with the Federal Government seeking to police the individual citizens of this country. Although the 18th amendment was passed by due constitutional process and had the force of the Constitution behind it, we all know that its enforcement by the Federal Government was an utter failure.

The citizens of this Republic would not stand for the Federal Government enforcing police measures against them that had historically been the province of State and local government.

We know how difficult it was to get convictions under this law when violators of the 18th amendment were prosecuted.

The 18th amendment, lawfully and constitutionally projected the machinery of Federal law enforcement into the States and towns and cities. It forbade the traffic in beverage alcohol. The police power of the Federal Government was restricted to this one phase of American life.

This civil-rights legislation, without the sanction of a constitutional amendment, goes much further in its invasion of the rights of American citizens.

The legal authorities who drafted this legislation undoubtedly had in mind the failure of national prohibition when they withdrew in this legislation the right of a victim of this law to be judged by a jury of his peers.

Most of us recall with dismay the widespread contempt for law and law enforcement that grew out of the attempt to impose national prohibition upon this country. Such police legislation was recognized to be beyond the powers delegated to the Federal Government. Therefore, the processes of amendment were sought and complied with to legalize national prohibition. Still it didn't work.

Now there are those who would enforce this unauthorized police power conceived in the name of civil rights by denying American citizens the right of trial by jury.

Mr. Chairman, I submit that today we are witnessing an ouslaught against American liberties that may well herald the change in our form of Government that Khrushchev so boldly predicted.

I say to you that we face tragedy such as this Nation has never experienced when judicial stupidity and legislative zeal unwittingly combine to become the strong arm of Communist Russia and thus accomplish the disruption and division of this Nation in a manner that the Communist Party could never achieve.

Mr. GROSS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am glad to see the distinguished gentleman from New York [Mr. CELLER] on the floor as well as the distinguished gentleman from New York [Mr. KEATING]. I have something I would like to direct to their attention.

First of all I want to say I have great respect for the House Committee on the Judiciary, but having said that let me then say that this is not the first time in recent years that the committee has not been zealous in protecting the right of trial by jury. I would take you back 2 or 3 years ago to a bill that was brought to the floor of the House by Mr. CELLER and Mr. KEATING that would have provided that American citizens, having been in certain foreign countries, and having violated even a minor law, allegedly guilty of even a misdemeanor, could be extradited and returned to foreign countries for trial. A serviceman who had been discharged, a tourist who might have stolen some article or sold a ration book, could be extradited from the United States and tried in a foreign court.

It was my privilege to start the fight in the House on the rule on that bill. The distinguished gentleman from Georgia [Mr. DAVIS] and the distinguished gentleman from Texas [Mr. KILDAY] carried the brunt of the fight in opposition to the bill, and there were others, the gentleman from Wisconsin [Mr. SMITH] among others, but those gentlemen in particular performed a splendid service in the fight against the bill.

In the consideration of that bill I personally raised the question of whether these citizens, having been extradited, would be assured of a jury trial? And, of course, the answer is that they would not be assured of a jury trial. The gentlemen from New York would not say that these Americans would be assured of a jury trial. Why? Because in some foreign countries there is no jury trial for certain offenses, and in others there is no jury trial for any offense committed against the law.

What was the fate of that bill? The gentleman from Michigan [Mr. HOFFMAN], who was opposed to the bill, in an effort to obtain time on the floor, offered a motion to strike out the enacting clause. I take it he was seeking time, for I do not think he or anyone else in this House thought that such direct action as adoption of a motion to strike the enacting clause would prevail; but he offered the motion and this House by a vote of 228 to 68, a rollcall vote, adopted it. I think it is the only time in my 9 years in the House of Representatives that a bill has been killed by the process of striking the enacting clause. That is what you thought about the failure to provide a jury trial in that legislation of some 2 years ago.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes, I am happy to yield to the gentleman from Mississippi.

Mr. COLMER. I would like again to call the attention of the House and the attention of the gentleman from Iowa to the fact that under present law these fifth-amendment pleaders are entitled to a jury trial.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. FORRESTER. I would like to say to the gentleman that so far as the House Committee on the Judiciary is concerned, in connection with this particular bill the vote of the Members present on the jury amendment when it was offered in committee was 15 for the amendment and 11 against the amendment. The reason why the bill did not come out with the jury amendment is that 6 proxies were voted.

Mr. GROSS. Let me amend the statement I made at the start of my remarks when I said that not always in the past had the Judiciary Committee been too zealous in protecting the right of trial by jury. Let me say that some members of the Judiciary Committee have not been zealous in their efforts to protect the right of trial by jury no matter what statements they may have made in connection with this bill.

Mr. Chairman, trial by jury is a constitutional and sacred right in this country. This bill deals specifically with individual rights and the safeguards of the precious right of jury trial ought to be inserted. I support the amendment.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 6 o'clock.

Mr. SMITH of Virginia. Mr. Chairman, I thought we had agreed that certain Members who have been sitting here all day waiting to be heard on this amendment would have not less than 5 minutes. The gentleman's motion would abrogate that understanding.

Mr. CELLER. That would give over 2 hours of general debate, which would take in almost every Member and give him at least 4 minutes. Would that not be sufficient?

Mr. SMITH or Virginia. I wanted 5 minutes.

Mr. CELLER. I will yield my time to the gentleman.

Mr. SMITH of Virginia. I am not disposed to be quarrelsome about it.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close at 6 o'clock.

The CHAIRMAN (Mr. FORAND). Is there objection to the request of the gentleman from New York?

Mr. LONG. Mr. Chairman, I object.

Mr. CELLER. Mr. Chairman, I move that all debate on the pending amendment and all amendments thereto close at 6 o'clock.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, at the time that I spoke in the well of the House last Friday I had fully intended to introduce an amendment to strike section 121 of part III of this bill. As you well know, section 121 provides for certain injunctive powers for the Attorney General in cases in which some of the present civil-rights statutes are allegedly violated and authorizes the Attorney General to file suits in behalf of the United States and to apply for an injunction in those cases.

I am firmly convinced that this section will bring labor-management relations into the middle of politics. I am firmly convinced that this section not only applies to those subjects which have been commonly designated as civil rights but also applies to the various rights which are provided for in the Wagner Act and in the Labor-Management Relations Act of 1947. I am convinced that the right

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to join a labor organization and the right to refrain from joining a labor organization, the right to engage in collective bargaining, and the right to refrain from engaging in collective bargaining are all rights which are covered by the term "equal protection of the laws" as it is spelled out in the Constitution and in the present civil-rights statutes.

However, because it might muddy the water, so to speak, in this case, if I were to offer this amendment, in view of the controversy which has developed over the jury trial amendment, I am not going to offer my amendment. But I do want to invite the attention of the Members of the House to the fact that I made the statement last Friday that who knows but that a year or so from now the same Members who are supporting this bill will be coming back in here begging the repeal of this very legislation. I commented last Friday that I would not be at all surprised if that happened. I am afraid it will happen and that next year I will be up here telling the many proponents of this legislation that "I told you so."

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, as you know, I happen to be the youngest Member of this House. I had the pleasure of growing up in these Halls. I have known many of the Members since boyhood and come to know many more personally since I came to Congress. I have a great, deep, and abiding affection for the many Members who are on the other side of this particular issue.

However, Mr. Chairman, I want to rise in opposition to this amendment, well knowing the strong feeling of my friends who take the other view. I first want to assure them that we approach this great moral and constitutional issue with no rancor in our hearts, and a sincere desire only to do right here and to carry out the Constitution. I happen to share with many of the Members of this House the honor of being a member of the bar, and I have listened to many distinguished Members of this House, and many able Members, tell us about the right of trial by jury. In my last remarks on this subject I showed that there is no constitutional right to a jury trial in cases arising under injunctive proceedings, contempt proceedings, in our courts as we know it today. Indeed, our forefathers at the time of the Constitution did not know of such a right, and accepted the fact of the court's power to act in such cases as contemplated by the bill before us, without intervention of a jury.

Indeed, the courts of this country have consistently and plainly pointed out that such a right is not present and that the Federal Constitution and most, if not all, State constitutions similar today make provision.

I want to try to get at this in the quickest way I can. This amendment will pull the heart and lungs and liver out of this bill.

You may say what you want about it, but the fact of the matter is this simple: Southern juries will not convict a man charged with contempt of court in cases contemplated by this particular piece of legislation. That is the reason we seek to avoid jury trial here.

I know that my friends and colleagues from the South will take issue with me on that, but what I am saying is not meant to be punitive toward the South—my remarks are not directed at the South—but it is merely recognition of a fact, a situation which happens to exist in our Nation today. Indeed, this bill applies to all parts of our dear land.

Mr. Chairman, we have a situation today where almost 100 years ago our Negro people achieved the right of citizenship with the passage of the 14th and 15th amendments. Today they are still waiting in some States for certain very basic rights and one which is the right to vote. I hope that we will see to it that this bill will pass so that they will achieve that right, so that they will achieve full citizenship and will not have to look to us in Congress in the future and say, "When are we Negro citizens to have this right accorded to us?"

Mr. Chairman, the last point I want to mention is the possible constitutionality of this bill if it becomes law with the jury trial amendment in it. I cite to you in that connection the case of *Michaelson* v. *United States* (266 U. S. 42) and in that case the Court used these words:

> "But it is contended that the statute materially interferes with the inherent power of the courts and is therefore invalid. That the power to punish for contempt is inherent in all courts, has been many times decided and may be regarded as settled law. It is essential to the administration of justice. The courts of the United States, when called into existence and vested with jurisdiction over any subject, at once become possessed of the power. So far as the inferior Federal courts are concerned, however, it is not beyond the authority of Congress (*Ex parte Robinson* (19 Wall. 505, 510–511); *Bessette* v. *W. B. Conkey Co.* (194 U. S. 324, 326)); but the attributes which inhere in that power and are inseparable from it can neither be abrogated nor rendered practically inoperative. That it may be regulated within limits not precisely defined may not be doubted. The statute now under review is of the latter character. It is of narrow scope, dealing with the single class where the act or thing constituting the contempt is also a crime in the ordinary sense. It does not interfere with the power to deal summarily with contempts committed in the presence of the court or so near thereto as to obstruct the administration of justice, and is in express terms carefully limited to the cases of contempt specifically defined. Neither do we think it purports to reach cases of failure or refusal to comply affirmatively with a decree—that is to do something which a decree commands—which may be enforced by coercive means or remedied by purely compensatory relief. If the reach of the statute had extended to the cases which are excluded a different and more serious question would arise."

What the court says here is that there is real doubt as to the constitutionality of statutes going any further than did the rather narrowly circumscribed legislation it considered then, the Clayton Act. The Court expressly indicated that if attempt were made to legislatively extend the right of trial by jury to cases of failure or refusal to comply affirmatively with a decree of the Court, as in cases arising under this bill, that such attempt would probably be unconstitutional.

This is in accord with the rule set forth in the State of Virginia where in *Carter's Case* (96 Va. 791, No. 32 SE 780), which is everywhere the leading case, the Supreme Court of Virginia held there that an attempt by the legislature to require jury trials for contempts was unconstitutional as violative of the doctrine of separation of powers.

The courts of Alabama, Arkansas, Florida, Georgia, Mississippi, Louisiana, North Carolina, South Carolina, Tennesse, and Texas have all held no constitutional right to trial by jury exists in contempt cases.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The Chair recognizes the gentleman from Georgia [Mr. PILCHER].

Mr. PILCHER. Mr. Chairman, as I am not a lawyer, I had not intended to say anything on this jury trial amendment, because it is technical. But when my good friend the dear lady from Illinois [Mrs. CHURCH] and my good friend, Judge SAUND, from California, with whom I serve on a committee and for whom I have the highest regard, make such statements against my section of the country, about how we treat people, I feel that I should make some reply.

I do not believe there is a Member of this Congress who loves or has done more for the Negro than I have. I have nursed them when they were sick. I have carried them to the hospital and paid their bills without any hope of remuneration. I have worked them; I have them on my payrolls, some who have not done a lick of work for 5 years, old Negroes, and they draw their money every week, because they have been faithful.

My section of the country is the southwest portion of Georgia bordering on Florida and Alabama. The Negroes there have made more progress in the past 20 years than the white race made in 50. The Negroes are in better shape in my section today by far than I was when I was a boy, educationally, financially and otherwise.

There is not a Negro schoolchild in my section who does not get on a modern school bus every morning and go to school in a modern school. The assistant county agent of my county is a Negro, put on years ago when I was on the board of county commissioners. We have Negro 4–H Clubs, Negro Future Farmers, Negro Future Homemakers. What this bill is doing is only creating strife and hate. We had four classes of people in my section of the country a few years ago. We had good white people and good Negroes working together. We had sorry white people and sorry Negroes. But you are driving us into two groups, the white and the black.

There are thousands and thousands of good white people in the South just like me, hundreds of thousands of them, that have fought the battles of the Negroes for years, but you are putting us in a shape where we cannot help the Negro anymore. You are only going to hurt the person you are trying to help.

This is going to come about, as the gentleman from Illinois said, in an evolutionary way. It is going to take time. It is going to take patience.

Of course we believe in civil rights. There is not a Member in this House who believes in civil rights any more than I do, but a Gestapo under a political attorney general, Democrat or Republican, is not the answer.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, this is my first discussion of this bill. I rise particularly to call attention to the debate yesterday following the statement of the gentleman from Pennsylvania [Mr. WALTER], who had to leave because of work with the Committee on Un-American Activities.

The gentleman from New York [Mr. KEATING], in remarks that appear on page 9042 of the CONGRESSIONAL RECORD of June 13, 1957, listed a number of statutes providing a criminal remedy but where, at the same time, the Government was given the right to proceed by injunction. He mentioned the enforcement of the antitrust laws, the Atomic Energy Act, the Natural Gas Act, and various others.

Statutes authorizing the United States Goverment to seek injunctive relief are as follows:

Antitrust laws, restraining violation—by United States attorney, under direction Attorney General—title 15, United States Code, section 4, July 3, 1890.

Associations engaged in catching and marketing aquatic products restrained from violating order to cease and desist monopolizing trade—by Department of Justice—title 15, United States Code, section 522, June 25, 1934.

Association of producers of agricultural products from restraining trade—by Department of Justice—title 7, United States Code, section 292, February 18, 1922.

Atomic Energy Act, enjoining violation of act or regulation—by Atomic Energy Commission—by Attorney General—title 42, United States Code, section 1816, August 1, 1946.

Bridges over navigable waters, injunction to enforce removal of bridge violating act as to alteration of bridges—by Attorney General—title 33, United States Code, section 519, June 21, 1940.

Clayton Act, violation of enjoined—United States attorney, under direction of Attorney General—title 15, United States Code, section 25, October 15, 1914.

Electric utility companies, compliance with law enforced by injunctions—by Federal Power Commission—title 16, United States Code, section 825m, August 26, 1935.

False advertisements, dissemination enjoined—by Federal Trade Commission—title 15, United States Code, section 53, March 21, 1938.

Freight forwarders, enforcement of laws, orders, rules, and so forth, by injunctions—by Interstate Commerce Commission or Attorney General—title 49, United States Code, section 1017, May 16, 1942.

Fur Products Labeling Act, to enjoin violation—by Federal Trade Commission—title 15, United States Code, section 69g, August 8, 1951.

Enclosure of public lands, enjoining violation—by United States attorney—title 43, United States Code, section 1062, February 25, 1885.

Investment advisers, violations of statute, rules and regulations governing, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80b–9, August 22, 1940.

Gross misconduct or gross abuse of trust by investment companies, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80a–35, August 22, 1940.

Use of misleading name or title by investment company, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80a–34, August 22, 1940.

Violation of statute governing, or rules, regulations, or orders of SEC by investment companies, enjoined—by Securities and Exchange Commission—title 15, United States Code, section 80a–41, August 22, 1940.

Fair Labor Standards Act, enjoining of violations—by Administrator, Wage and Hour Division, Department of Labor, under direction of Attorney General, see title 29, United States Code, section 204b—title 29, United States Code, sections 216 (c), 217, June 25, 1938.

Longshoremen's and Harbor Workers' Compensation Act, enforcement of order by injunction—by United States attorney, see title 29, United States Code, section 921a—title 33, United States Code, section 921, March 4, 1927.

Import trade, prevention of restraint by injunction—by United States attorney, under direction of Attorney General—title 15, United States Code, section 9, August 27, 1894.

Wool products, enjoining violation of Labeling Act—by Federal Trade Commission—title 15, United States Code, section 68e, October 14, 1940.

Securities Act, actions to restrain violations—by Securities and Exchange Commission—title 15, United States Code, section 77t, May 27, 1933.

Securities Exchange Act, restraint of violations—by Securities and Exchange Commission—title 15, United States Code, section 78u, June 6, 1934.

Stockyards, injunction to enforce order of Secretary of Agriculture—by Attorney General—title 7, United States Code, section 216, August 15, 1921.

Submarine cables, to enjoin landing or operation—by the United States—title 47, United States Code, section 36, May 27, 1921.

Sugar quota, to restrain violations—by United States attorney under direction of Attorney General, see title 7, United States Code, section 608 (7), and title 7, United States Code, section 608a–6, May 9, 1934.

Water carriers in interstate and foreign commerce, injunctions for violations of orders of ICC—by ICC or Attorney General—title 49, United States Code, section 916, September 18, 1940.

Flammable Fabrics Act, to enjoin violations—by Federal Trade Commission—title 15, United States Code, section 1195, June 30, 1953.

National Housing Act, injunction against violation—by Attorney General—title 12, United States Code, section 1731b. This code citation was repealed.

Defense Production Act—title 50, United States Code, appendix 2109, July 31, 1951.

National Labor Relations Act (Taft-Hartley Act)—title 29, United States Code, section 160(L), June 23, 1947.

Rent Control Cases—title 50, United States Code, appendix 1896, March 30, 1949.

Federal Food, Drug, and Cosmetic Act—United States Code, title 21, section 332, June 25, 1938.

Trademark Infringement—United States Code, title 15, section 1116, July 5, 1946.

Rubber Act of 1948—title 50, United States Code, appendix 1933, March 31, 1948.

International Wheat Agreement Act—title 7, United States Code, section 1642, October 27, 1949.

Natural Gas Act—title 15, United States Code, section 1717s, June 21, 1938.

Perishable Agricultural Commodities Act—title 7, United States Code, section 499k, June 10, 1930.

Shipping Act of 1916—title 46, United States Code, section 828, September 7, 1916.

I call attention, in addition, to the large number of administrative tribunals created in the last few decades whose orders are enforced by the contempt powers of the courts.

The discussion of this jury-trial amendment, I think, has served to alert the Members of Congress to the growing tendency to use the extraordinary remedy of injunction and contempts of courts for the enforcement of the policies and programs of the Federal Government.

It may be that in this instance the criminal remedy, that is, punishment through prosecution for violation of a statute, is not adequate to enforce the 15th amendment, which of course is a part of the Constitution; and that this extraordinary remedy is the only effective way of accomplishing the objective of the 15th amendment. But let me warn those who want the easy way that if we extend government by injunction from this field to another field, pretty soon we will be living under a police state, and the protection of individual liberties, which are the very essence of our form of government, will be gone.

I suggest that a comprehensive survey be made of the use of these extraordinary remedies of injunction and the contempt powers of the courts to execute national policies where rights of the individual, constitutionally available to him in criminal and civil legal proceedings, do not exist.

Let us see when this trend began. The abuses which led to the Norris-LaGuardia Act were injunctions sought by individual citizens and corporations. In the instances cited by the gentleman from New York [Mr. KEATING], it is the Government itself using this unusual power of the sovereign in derogation of the rights of its citizens and circumventing

the protections of their liberties which we have built up at great cost over a long period of time.

In the labor field, National Labor Relations Board orders to cease and desist issued against employers are enforced by the decree and contempt proceedings of the circuit courts of appeal.

The Federal Trade Commission combats unfair trade practices with court injunctions. Many other recently created boards and commissions have been given similar authority by the Congress.

Does this mean that the historic method of compelling observance of national policy, in which inhere the protections of the Bill of Rights, is no longer efficient and workable in the complicated society of our time; or, does it mean that the proponents of the new activities which the Federal Government is increasingly undertaking are impatient at the delays and difficulties attending criminal and civil legal proceedings where alleged violators are guaranteed due process of law and, in criminal cases, the presumption of innocence and the requirement of admissible proof establishing guilt beyond a reasonable doubt as found by a jury of his peers?

All students of law know that chancery courts developed only because the common law had become so rigid and inflexible as to result in miscarriages of justice simply because no forms or procedures existed to grant relief. This gave rise to the unusual and extraordinary intervention of the King, which came to be exercised through his chancellor, in granting relief to individuals on their petition for equitable and just redress, which they were unable to obtain in the law courts. Thus was established the basic principle that no action in equity will lie where there is an adequate remedy at law.

Many equity cases have held that a crime will not be enjoined by an equity court because the punishment for the crime should be an adequate deterrent to the wrong sought to be prevented. Some courts have added a refinement to the principle of adequacy of the remedy of law in that the remedy at law must be as adequate as the remedy possible in an equity proceeding.

There is no question of the constitutional power of the Congress to authorize the Attorney General to commence injunction proceedings to enforce the 15th amendment or of the power of Congress to grant jurisdiction to the Federal courts to issue injunctions in this field. Whether the Congress should do so or not, in my judgment, should be determined as a matter of policy. In determining for myself this question of policy, I am guided by the basic principle of adequacy of existing legal remedies, that is to say, criminal prosecution, under sections 241 and 242 of title 18, United States Code, and civil suits for damages under section 1983 of title 42, United States Code.

The 15th amendment to the United States Constitution became effective March 30, 1870, and provided:

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

The basic laws Congress passed pursuant to the 15th amendment were adopted shortly thereafter.

For over 80 years, therefore, we have had on the books legislation in addition to the 15th amendment to the Constitution designed to prevent the denial of voting privileges for reasons of race, color or previous condition of servitude. Yet, the evidence is overwhelming that in many sections of the country Negroes, even today, are being deprived of the right to vote. One need not look further than the statistical section of the Congressional Directory to find that there were total votes cast in the congressional election of 1956 as low as 18,000 or 19,000 for some congressional districts where many congressional districts cast votes in excess of 200,000, or 10 times as much. In this connection, it should be remembered that Representatives in Congress, as the direct representatives of the people under article I, section 2, and the 14th amendment, section 2, each should represent approximately equal segments of our population.

There is, of course, other evidence before the Congress that the 15th amendment is not being observed, and that the amendment itself and the laws passed pursuant thereto have not been effective in the past and will not be effective in the future. Believing that the 15th amendment, which is just as much a part of our Constitution as the Bill of Rights, ought to be observed, it is my judgment that a case has been made for the intervention of the courts and their extraordinary remedy of injunction to prevent an integral part of our Constitution from being nullified.

I, therefore, intend to vote against the so-called jury-trial amendment.

The granting, however, of the power of injunction in this field for the first time in our history points up the necessity for taking stock of the distance we have traveled on the road of government by injunction and should give us warning that this unusual and autocratic remedy must not be lightly granted in the future. We in the Congress should scrutinize with extreme care representations by those advocating some new program by the Federal Government involving regulation of our citizens in which enforcement is sought through injunction rather than the traditional criminal and civil remedies in which constitutional guarantees of procedural rights are granted to defendants. This is particularly true where a mandatory injunction, as contrasted to a restraining order, is authorized.

As I view our philosophy of Government, we prohibit citizens from doing those things which are thought to be against the public interest, but in all other activities not so prohibited, the individual is free to do as he chooses. This is the reverse of a system of government where the citizen is ordered by his Government affirmatively to perform certain actions. The latter method is typical of totalitarianism and tyranny.

Because of the recent growth of the use of court injunctions and contempt proceedings for carrying out national policy, I believe a review of such special grants of authority should be made, including a reexamination of the basis for authorizing the injunctive remedy. Such a study would form a foundation for resisting further growth of government by summary proceedings and might possibly lead to repeal or modification of some such grants of authority in the past.

The CHAIRMAN. The Chair recognizes the gentlewoman from Georgia [Mrs. BLITCH].

Mrs. BLITCH. Mr. Chairman, I am appalled at the sectional attitude that has crept into this discussion of the use of the injunction power. This is a Federal law which is under discussion here today. This is a law that will apply equally to every State in the Union and to every individual in every State. I am not standing here to plead for the people I represent—I stand here to plead for all the people of the United States—everyone of them, every citizen—every citizen who has inherited the right to freedom that their forefathers—our forefathers fought and bled for. I ask you—I plead with you in voting for this, do not try to excuse yourselves for voting for this by saying you are condemning one section of the country, a section of the country which I happen to be a part of—and yet, a country whose spirit is so big that it can withstand even that kind of injustice. That is a little matter to us. But, the thing that so worries me is the fact that you are not realizing your responsibility to the people you represent wherever you may come from. I beg you—I beg you and I plead with you to realize that this bill will affect you and your constituents the same as it will affect me and my constituents.

Mr. JONAS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Chairman, there are many landmarks along the path men have traveled through the years in their search for liberty and in their struggle against oppressive government. Among these landmarks are: the Magna Carta of 1215, the Petition of Right of 1628, the English Bill of Rights of 1689, the Declaration of Independence of 1776, the American Bill of Rights of 1791.

Foremost among these basic rights men have won for themselves through centuries of struggle is the right to be tried by a jury whenever charged with the commission of a crime.

The passage of this legislation in its present form will deny defendants charged with its violation the protection of this safeguard against oppression.

I do not argue that defendants in contempt cases, where the United States is a party, are entitled to jury trials as otherwise specifically guaranteed by the sixth amendment to the Constitution. What I do say is that this legislation is so drawn that it undertakes to make acts,

which are crimes under the United States Criminal Code and for the violation of which no person could be denied a jury trial, matters of civil contempt for which jury trials are not provided.

By this tactic the legislation seeks to do indirectly what would be unconstitutional if attempted by direct means, namely to deny a jury trial to defendants who are charged with the commission of a crime.

I believe that every citizen should enjoy all the rights and privileges guaranteed him under the Constitution. I would never condone the act of any government—local, State, or Federal—that would deny him a single one of those rights. The right to vote is indeed one of those precious privileges, and I believe that every eligible voter should be protected in his right to cast that vote and to have it honestly counted. This is so fundamental that I do not see how anyone could deny it. The sole question is whether the proposed legislation provides the proper method of protecting those rights and privileges.

It seems to me that legislation which denies the equally precious right of trial by jury does as much violence to basic rights guaranteed by the same Constitution as the proponents seek to protect.

The pending amendment providing for a jury trial will not scuttle the bill as has been contended during the debate. It would not prevent or delay the issuance of an injunction. It would merely interpose the use of a jury in finding the facts following the alleged violation of any injunction that might be issued. It would prevent the un-American situation arising in which the Government, through appointed officials, is complainant, prosecutor, judge, and jury in the same action.

Let us not, in our zeal to protect some of the basic rights of our citizens, violate other and equally basic rights. Two wrongs do not make a right.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT of Pennsylvania. Mr. Chairman, perhaps one matter ought to be clarified for the record. I hope that the gentleman who introduced this amendment is here. I certainly have nothing critical to say of him, but I would like him to hear this. But, to make the record entirely clear, I think it ought to be stated publicly that the introduction of this amendment is not an action of the leadership on this side of the aisle, and so far as I have been able to ascertain by asking a great many questions of a number of people, the introduction by the Member involved was occasioned on his own initiative solely and without any notice—advance notice—to anyone else. I think the evidence will show that the support for this amendment will come very largely from the other side of the aisle. But, wherever it comes from, I certainly respect the integrity and the honesty of belief of Members who vote for the bill and the amendment, and of all those who vote against it. I hope in neither case will we rely on imputations of politics, but confine ourselves to facts. Among those facts are these: That in the State of Alabama, and we have heard some comments from our respected Members from that State, there are many counties where negroes simply do not vote and where there is very strong evidence to believe that they are actively discouraged from voting, and at the very least there is a certain amount of understanding in that county that no Negro will be registered and in other counties very few Negroes are permitted to register.

In Alabama only 10.3 percent of Negroes over 21 years old in the 1950 census were registered to vote.

In Blount County, Ala., there are 429 potential Negro voters, but not a single Negro has voter registration.

In Bullock County, there are 5,425 potential Negro voters, but only 6 Negroes are registered.

In Clay County, there are 1,010 potential Negro voters, as of 1950, but not one of them is registered.

In De Kalb County, there are 443 potential Negro voters, but none is registered.

In Jackson County, there are 1,242 potential Negro voters, but none is registered.

In Lowndes County, there are 6,512 potential Negro voters, but not a single Negro is registered.

In Marshall County, there are 605 potential Negro voters; not a single Negro is registered.

In Morgan County, there are 4,641 potential Negro voters; not a single Negro is registered.

In Tallapoosa County there are 5,083 potential Negro voters; not a single Negro is registered.

In Wilcox County there are 8,218 potential Negro voters; not a single Negro is registered.

Therefore, when I hear someone plead for the right of the citizens of that or of any other State, I would like to know whose rights they are advocating. Are they advocating the rights of those who would be sworn as a blue-ribbon jury of the voters? Or are they advocating the rights of those people who in many States cannot serve on juries because they are not registered voters and who, in turn, cannot become registered voters?

Therefore, seen in this light, it would seem to me that the trial-by-jury amendment, so-called, is a bogus issue. The proponents are not upholding the sacred rights of the accused, but their effort is to weaken and thwart the reasonable enforcement of the law in the traditional manner, and that is the only way in which effective enforcement is possible, because such an amendment would thwart the Government in its purpose which is to afford protection to the citizen in his right to vote.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the bill H. R. 6127 and all amendments thereto close not later than 6 o'clock p. m., on Monday next.

Mr. SMITH of Virginia. Mr. Chairman, reserving the right to object, I understand there is no objection to the request by the opponents of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Chair recognizes the gentleman from Illinois [Mr. NIMTZ].

(By unanimous consent, Mr. NIMTZ yielded his time to Mr. KEATING.)

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I would like to state clearly at this time my position with regards to proposed right-to-vote legislation, for my position on the matter, if understood, certainly would repudiate any thought that I am a narrowminded race baiter. I wish our committee had voted on a bill I could support. I tried to get the committee to report out a straight right-to-vote amendment to title 42 and stated that I would support it if it did not deny right of trial by jury, and did not preempt State laws and administrative remedies. Thus, I would support a simple right-to-vote bill amending existing title 42 without all the political implications and overtones inherent in this measure. I would also support a constitutional amendment to eliminat the poll tax.

Fundamentally, I believe that every American should have the right to vote, in a free and untrammeled atmosphere, and I consider this one of our fundamental rights. I do not consider it paramount to the right of trial by jury, or to the recognized rights of the States to establish election procedures as guaranteed by the reserved powers doctrine of the Constitution. Actually, it would have been very simple for the Judiciary Committee to have voted out a bill that met both of these objections. This could have been done by providing a trial by jury in contempt cases under the bill as was done in Norris-La Guardia for labor even though the United States is made a party to the suit by this bill, and also by remaining silent on the question of exhausting administrative remedies. But, instead of taking this realistic approach, this less controversial approach—admittedly this less spectacular approach—this approach that would offend few southerners, instead of this, the proponents have seen fit to place every Member of Congress in the position of having to choose between the civil right, and constitutional right to vote on the one hand and the civil and constitutionally protected right to a trial by jury and reserved powers doctrine on the other. This is the crux of the problem.

If I am to serve any purpose in this debate, I believe I should like to follow the route so magnificently paved by my distinguished colleagues, Mr. POFF, of Virginia, and Mr. HYDE, of Maryland—to attempt to get down to rock bottom, to simplify the issues here—for I am sure every Member desires to know exactly what the choices are and the effects and what the reasons for the jury trial amendment, really are.

First. What is the present posture of the law? It is very simple. And it is not controverted. Let us examine the law in two parts: First, the conspiracy

amendments and then the right-to-vote amendment. Under title 42 of the United States Code, section 1985—section 1980 of the revised statutes—provides for a civil remedy in damages brought by the person injured for conspiracies—which means more than one individual—who is acting under color of law in the following instances: First, where justice is obstructed; second, where an officer is prevented from doing his duty; third, where a person is deprived of his rights to equal protection of the laws and equal privileges under the law.

Thus, the present so-called conspiracy act, passed in 1871, provides for a cause of action for damages, in civil action, where a conspiracy occurs and where the person being complained against is acting under color of law—in any of the three enumerated instances. I hasten to add though, that other statutes make these same acts crimes and thus provide the United States, through the Attorney General with criminal process to protect the citizen aggrieved. This section is being amended by this bill.

Now, let us examine the other significant amended section under this bill—the right-to-vote section. Presently, title 42 of United States Code, section 1971—section 2004 of the Revised Statutes of the United States—is a criminal statute, providing for criminal action against individuals—as compared to more than one person in a conspiracy—who again, act under color of title to deprive a person of his right to vote in a discriminatory manner, that is because of race, color, or previous condition of servitude. Again, this is a criminal statute.

Thus, under the present law both sections being amended require that the act either sued for in civil action under the conspiracy section 1985 or prosecuted in a criminal action by the United States under section 1971 must be done under color of law, some State or Federal law. But, most significant, in all existing legislation a trial by jury is necessary.

Now let us examine the proposed amendments. They look simple, and they are so easily justified on the surface. But, are they justified upon a close examination—and, in particular, are they justified so far as they result in denial of trial by jury?

Part 111 of the bill amends the conspiracy section 1985 act by, first, providing that the same acts as are now subject to a civil suit by the person aggrieved may be also brought by the Attorney General in equity for special equitable relief; second, provides the district courts with jurisdiction to hear these cases, even without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law; third, adds words "about to engage" to existing law.

Part IV of the bill amends the right to vote—section 1917—section by, first, providing that the Attorney General, where he under the present law must bring a criminal action under this section, can now invoke equity jurisdiction; second, providing district courts with jurisdiction to hear these cases, without exhaustion of administrative or local remedies; third, providing that the person accused need not be acting under color of law; fourth, providing for a broader crime than discrimination by broadening the crime of denial of right to vote to include intimidation, threaten, coerce, or attempt to intimidate, threaten or coerce the right to vote.

Now we come to the crux of the matter. On the surface, the amendments as explained thus far seem somewhat harmless. But, examined in the light of the fact that any court of equity order issued under the proposed bill can be, and will be enforced by the further court power of contempt. Indirect contempt, which act would constitute a crime under State or Federal law. And, what is wrong with this? An examination of title 18, United States Code, section 3691, when contempt of course is punishable by fine or imprisonment, where this contempt is also a violation of Federal or State law, which it would be in every instance under this bill, the accused is guaranteed the right to demand a trial by jury, and with the exception of where the United States is a party to the suit. The latter exception thus denies the right of trial by jury in every case under this bill because the United States would always, obviously be a party to the suit. Thus, a seemingly harmless bill amending existing law, by principally changing the procedure from criminal to equity as in the case of the right-to-vote section and from civil action in damages, to equity action in case of the conspiracy statute, and by making the United States a party to the suit have brought about the apparently desired result of circumventing the right of trial by jury.

But as to this amendment, I am very much in favor of this amendment and feel that it is absolutely essential if we are to retain the constitutional guaranties which we have. I believe this is a fair and reasonable compromise that is being offered in this particular amendment. I previously reviewed some of the provisions that will still be in the bill even if the pending amendment providing trial by jury is adopted; and I want again to stress the fact that in my opinion it is a fair and reasonable compromise. It relieves Members of the dilemma of having to vote against the trial by jury in order to support the right to vote.

When this bill came to the subcommittee on the Judiciary and then to the full committee we were advised that the administration realized there were many weaknesses in the bill so far as the right to vote was concerned. Many of them will be cured by the adoption of this bill. If this trial by jury amendment is adopted it will apply only in criminal contempt cases; it does not apply in civil contempt cases. I for one want to see it adopted. I want to see the right to trial by jury preserved in America as well as the right to vote.

The only question or issue involved is, Are you willing at this time to make an offering as a sacrifice upon the altar of the right to vote the equally important constitutional right of trial by jury? That is the issue, as I see it.

Do you want to travel the precipitous path that is being suggested in this bill up to the summit, which we all hope to gain at some time of having everyone guaranteed the right to vote unrestricted, and then after we reach the summit and we are all there, the American people are prostrated as a result of having their constitutional lifeblood sapped by being denied the right of trial by jury.

As I started to say a while ago, there is no question but what the other provisions of the right-to-vote portions of the bill would remain intact. They will remain in the bill even though this amendment is adopted. It seems to me this is a fair and reasonable compromise on a matter which admittedly is a heated one, one that has been strenuously debated and as presented in the bill requires that a choice be made between the right to vote and the right to a jury trial. It gives you the right of a preliminary injunction, it provides for permanent injunction even under this proposed compromise.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. FORRESTER. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Florida.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. CRAMER. I thank the gentleman.

Mr. Chairman, this bill takes the existing statute, section 1985, title 42, which is at the present time a conspiracy statute, involving certain basic constitutional rights which are presently triable by a jury in a civil case, and it takes the second section, which is a criminal right to vote statute, section 1971, they take that section which is presently a criminal section and triable by jury, there is no question about it, and do so in order to get away admittedly from this requirement of going before jurors, not trusting jurors. I cannot believe myself that the people of this Nation would take the position that people who swear to uphold their oath as jurors will not do so in any section of the country—but be that as it may, in this instance it takes section 1971, a criminal statute, where the defendant has a constitutional right of trial by jury, and in order to get around the trial by jury the bill provides an equitable remedy, to be brought in the name of the United States, and the bill transposes from another section of the statutes, title 18, a procedural section, section 3691, adds it to these two existing statutes in which trial by jury is guaranteed to the people under our Constitution, and the denial of trial by jury results. How? Because the United States is made a party to a proceeding where otherwise the defendant would have a right to trial by jury. The compromise would retain the jury trial despite the fact that the United States is a party.

Let me bring another fact to your attention, and I ask you to consider this most seriously. By this legal legerdemain, by this sleight of hand, you take existing criminal statutes and bring

them under a civil procedure in equity, you take what presently would be a crime under which a person would be entitled to trial by jury and eliminate the jury trial for the same substantive offense because the United States is a party. I suggest this word of caution if you can do that, that same procedure and that same legislative manipulation can be applied to almost any criminal statute which involves any constitutional right, and nearly all criminal statutes do, and thus deny a right of trial by jury to the defendant although the same substantive set of facts exist and the same act has been committed.

Mr. FORRESTER. Mr. Chairman, I want to use this minute to reply to a statement made by the gentleman from Arizona [Mr. UDALL] when he said the burden was upon those who proposed this amendment to prove their case. The truth of it is that the burden is upon those who are sponsoring this bill to prove the case on account of the fact that as the law now stands all of these contempt cases are triable by a jury and have been triable by a jury since the Clayton Act and the Norris-LaGuardia Act.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. LONG. Mr. Chairman, I ask unanimous consent to yield the time allotted to me to the gentleman from Georgia [Mr. FORRESTER].

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FORRESTER. I appreciate very much the gentleman yielding me this time.

In 1831 a judge by the name of Peck put a lawyer in jail for 18 hours and disbarred him for 18 months. President Jackson was so incensed that he had the man impeached and tried by the United States Senate. He was acquitted by the narrow margin of 22 to 21. Mr. Buchanan, a Senator at that time, and later President of the United States, was instrumental in passing the Judiciary Act of 1831 providing that all contempt cases should be tried by juries except where the offense was committed in the presence of the court or so near thereto as to obstruct justice, and Mr. Buchanan said that this will be the last time that Judge Peck or any other judge would trifle with a man's liberty and that Attorney Lawless would be the last victim of such tyranny. That this was the last time a judge would be accuser, judge, and executioner. Sad. Sad. I wish that Mr. Buchanan was living now and that President Andrew Jackson was living now, and could see that their own Government was asking for a right to deny the people of this country the sacred right of trial by jury in criminal contempts. How far is our Government going to destroy our liberties? How far will Congress permit it to be done?

Mr. SIKES. Mr. Chairman, I ask unanimcus consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Chairman, it is a preposterous thing that there should be questions of trial by jury in this legislation. Of course, trial by jury should be a part of the bill. It is inconceivable that the Department of Justice of the Government of the United States would sponsor legislation of this grave significance without the guaranty of personal rights and liberties provided by jury trial. Yet we find that great agency of government actually opposing trial by jury in the tremendous field of litigation opened by this measure. We live in strange times indeed.

The amendment to insure trial by jury should have the unanimous support of the House. Freedom and democracy are precious things. But they can be lost. They can be lost little by little in bills like this one. Failure to preserve the right of trial by jury can speed the process.

We have had outstanding debate—nearly 2 weeks of it. Much of that debate has centered around the amendment now before us. But not even the great ability of the debaters has obscured the clear necessity of trial by jury if this measure is not to become the tool of prejudice and the vehicle of bigotry. Persecution could become rampant under its terms.

I see no good in the measure before us. But without the safeguard of jury trial it becomes a much more evil thing. I urge the adoption of the amendment.

Mr. FISHER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Chairman, it seems almost incredible that there is any serious resistance to the pending jury trial amendment. Just think of it. Here we are in the 20th century and find people resisting one of the most cherished of all civil rights—that of trial by jury in cases where defendants are about to be sent to jail for an alleged violation.

It is now the law, by act of Congress, that if any laboring man is accused of violating an injunction growing out of any labor dispute, that laboring man cannot be forced to trial before any judge. He is entitled to a trial by a jury of his peers for alleged contempt of the court in regard to any alleged violation of that court order. But what about others who are not members of unions who are hailed before a Federal judge for contempt of a court injunction? Does he have that same privilege as does the union member? No, not unless this amendment is adopted.

Mr. Chairman, the progress of man through the long march of civilization has been marked by some outstanding landmarks. Among them have been the Ten Commandments, the Sermon on the Mount, St. Paul at Rome, the Magna Carta, the voyages of Columbus, the Declaration of Independence, and the establishment of our Constitution.

One of the most outstanding of these was the Magna Carta, because among other things it set the stage for the right of trial by jury in Anglo Saxon jurisprudence. The Bill of Rights was achieved later, and carried forward that right and made it more meaningful. Since that time in America and elsewhere around the world where the light of liberty has gained prominence, the right of trial by jury has been upheld as one of the most fundamental of all civil rights.

And yet today we see here in this Congress, here in this enlightened age, here in the 20th century, an assault being made upon that cherished civil right of our citizens.

It has been thoroughly developed here how by an ingenious gimmick the right of trial by jury in contempt cases will be taken away from our citizens, if this bill is approved. If an individual should seek an injunction against someone who attempts to prevent him from voting or from doing something of a different nature included in this measure, and if the injunction should be granted by a judge, and if a person against whom such injunction applies should be accused of doing some act in violation of that court order, then that person could be hailed into court and tried for contempt. But, except for the clever gimmick, that accused person would be allowed a jury trial on the question of fact as to whether his alleged conduct was actually violative or whether it actually occurred as charged.

But by this gimmick, he is not allowed such right. The gimmick is the provision in this bill allowing the Attorney General of the United States to be a party to all lawsuits involving grievances by those who claim their rights included in this bill are being violated. And where the United States is a party to such a proceeding, then under existing law no jury trial is allowed.

Mr. Chairman, at this point I wish to quote briefly from a recent editorial which appeared in the Evening Star on April 16:

> The bill provides that the Attorney General may seek injunctions against violations of civil rights. Defendants in contempt cases arising out of this provision would not be entitled to trial by jury. This is true even though the penalty might be a fine or a jail sentence. It is argued that this is not a new departure, since there are other instances, labor injunctions excepted, in which there is no right of trial by jury in criminal contempt cases to which the United States is a party. This is correct. But it does not follow that the practice is one which should be extended, perhaps widely extended, by the legislation now pending in Congress * * *
>
> This, it seems to us, contemplates a radical and even dangerous projection of the Federal judicial power. In principle, why should not the defendants in civil-rights disputes be entitled to at least the same jury protection as defendants in labor disputes? If it is argued in the case of the former that the end justifies the means, an unpalatable doctrine in any circumstances, the fact is that experience has not yet shown the existence of such justification.

As I see it, it will not be an easy thing for a Member of Congress to explain away a vote against one of the most sacred and cherished of all civil rights—that of trial by jury when accused of an offense, civil or criminal, for which he may be imprisoned.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA of Minnesota. Mr. Chairman, this is the first time that I have spoken on this bill, which I have tried to follow generally in all of its debate. It is a disturbing bill to me, and this amendment is a very crucial one as far as my judgment is concerned as to what I shall do upon final passage. The reason I am concerned about it is that I, too, have been a victim of intolerance and bigotry, and I think I know some of both of those elements. But, I never urged or even thought that it was necessary that they pass a law that I might not be discriminated against through either bigotry or intolerance. I remember as a young man coming back from World War I when we had the great 18th amendment which became law shortly thereafter. And, I thought it was a good law, but I saw it live to become a tragedy to this country. Why? Because it made for so much disregard for law and order, and if such a bill as you have here is passed, if it does become law and unless it is administered most wisely and fairly, then you are going to have a further decline and a disruption of respect for law and order and that respect is so very necessary in this great country of ours. Mr. Chairman, I hope that in the judgment which you render upon this all-important amendment you will remember one thing also, the importance of trial by jury. Remember that the Communist who is in contempt of Congress, the Communist who is out to destroy the country we love so much is entitled under the Constitution to a trial by jury. But under this bill, if some judge is overzealous he may not treat some citizen of our country fairly and decide to send him to jail, or fine him, or both, without a trial by jury when the Communist who has violated the law is given the right of a trial by jury. Think seriously about it before you finally vote on this all-important issue.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, there has been much said on the floor today concerning the jury trial amendment to the effect that if it were adopted it would tear this bill to pieces. That leads us to the inevitable conclusion that the very purpose of this bill was to deny an American citizen the right of trial by jury.

Let us go on from there. Let us look back through the pages of history and see what happened during those periods when people were subjected to persecution. There were edicts handed down by individuals, not by juries. If we go back to the beginning of the Christian era, when Pontius Pilate did what he did to Christ, Christ did not have a jury. As we go on down through the ages, people who were persecuted were not given the right of a jury trial. That was the case under Hitler. That was the case under the Communists. That is the case under every form of dictatorship in the world today. They all refuse to give a man charged with crime the right to appear before a jury of his peers.

Yesterday I made a few remarks concerning double jeopardy and it was called to my attention that the Court had said at one time that punishment for contempt was not involved in double jeopardy. The Supreme Court has not held any such thing, and so far as the principle laid down in this bill is concerned, it has never been up before that Court to this time. But if this bill passes, you will create a situation where the constitutional right of a plea of double jeopardy will be lost to an American citizen. You will create a situation where a man may be tried not twice but 20 times for the same identical offense. Do not fool yourselves, because that is exactly what can happen. He may be acquitted by a jury of his peers in the morning and in the afternoon he could be tried for the same identical offense and sent to jail.

What do we mean by jeopardy? It is jeopardy of life and limb and the deprivation of his liberty Whether a man is convicted of an offense under a criminal statute and sent to jail or he is sent to jail by a judge in a contempt proceeding makes little difference so far as his life or limb or liberty is concerned. They have been jeopardized.

Mr. Chairman, I plead with you to look well before you adopt a bill that not only creates a situation which will subject a citizen to double jeopardy, but one also which shifts the burden of proof. In the morning when a man is tried for a crime the State must prove his guilt beyond a reasonable doubt. In the afternoon, the man who supposedly is presumed innocent until he is proven guilty must come into court and do what? Show cause why he should not be sent to jail for contempt. If that is the kind of democratic principle that this Nation is built upon, and the people in this Congress are going to put anything like that on the statute books, I do not believe this country could have survived this long and I do not believe that with legislation of this kind it can survive much longer. I hope you will consider well before you do such a thing.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, human freedom is on trial here today. Those who will, let them vote to deny American citizens the right to trial by jury; but let them also answer to themselves, their children and their children's children for this denial of a fundamental, sacred and basic civil right. If freedom in this great Nation is to be preserved for future generations of Americans, then fundamental concepts must be zealously guarded. We who are charged with directing the course of our Government, if we are to bequeath a legacy of freedom to our children, must be true to the principles of Americanism, and stand foursquare against those who would destroy or compromise those principles.

In a letter to Thomas Paine in 1789, Thomas Jefferson wrote:

> Trial by jury, I consider as the only anchor yet imagined by man, by which a government can be held to the principles of its Constitution.

Surely there is no one in this great body who would admit to a desire to destroy the Constitution of the United States of America—we are sworn to uphold and defend it against all enemies, whether foreign or domestic—yet many in this body either wittingly or unwittingly do contribute to its destruction.

Surely the record, by this time, is clearly obvious to anyone who takes the time and trouble to read it. Surely no one can deny conscientiously that this bill was cleverly drafted with the purpose in mind of by-passing the constitutional right of trial by jury in the cases arising under it. Can there be any doubt, after the speeches by the gentlewoman from Illinois [Mrs. CHURCH], the gentleman from Michigan [Mr. DINGELL], and others, that proponents of the bill had a complete lack of confidence in the integrity and sense of fair play of southern juries? Is this not a confession of lack of confidence in our time-honored jury system? Would the distinguished gentlewoman from Illinois [Mrs. CHURCH] publicly express such a lack of confidence in the integrity of juries drawn from the city of Brookfield, or Oak Park, Ill., in her own great State, where Negroes are not permitted to reside? Or would the distinguished gentleman from Michigan [Mr. DINGELL] be willing publicly to express a similar lack of confidence in the integrity of juries drawn from among the all-white suburbs of his great city of Detroit where the same conditions prevail, such as the cities of Dearborn and Owosso, where members of the Negro race are not permitted to remain after sundown? Would the distinguished minority leader, Mr. MARTIN, be willing publicly to express a similar lack of confidence in a jury drawn from the all-white towns of Massachusetts, including the city of Gloucester, where Negroes are not even able to purchase property? Would the distinguished minority leader express a similar lack of confidence in juries drawn from the city of Boston, where, in the district of our distinguished majority leader, Mr. McCORMACK, a Negro was lynched on the streets by four white men in broad open daylight, following which neither he nor Mr. McCORMACK raised their voices, not even in a whisper? Would these distinguished gentlemen, who are so intent on guaranteeing convictions of persons charged under this bill, assure us that the criminals who committed this dastardly crime will be convicted, or, as a matter of fact, even indicted?

No, Mr. Chairman, the subject matter of this legislation is so saturated with politics that even those who profess a deep belief in the right of the accused to

a trial by jury find themselves compromising those views in order to placate, pander, and inculcate the political support of racial minorities seeking special favors at the hands of the Federal Government.

That we should be here considering such a basic and fundamental matter as the right to trial by jury grieves me deeply. Have we so forgotten the lessons of history as to be oblivious to its teachings? Must we distinguish between the civil rights of citizens, so as to deny our citizens the enjoyment of one civil right in order to permit their enjoyment of another? Must we commit ourselves to reactionary policies in one field in order to guarantee liberal policies in another? Can not the two live together; and if not, why not?

Article III of the United States Constitution guarantees the accused of a right to a trial by jury. Amendments VI and VII further secure this right. Who are we, sitting in judgment under the heat of political pressure, to say that these Constitutional guaranties do not mean what they say? Surely we will not submit to a devious gimmick, such as is written into this bill, to abrogate those rights!

Mr. Chairman, in any criminal trial, and more especially in those fraught with emotion and hysteria, a jury must decide the facts if the ends of justice are to be met.

Recently, there have occured instances in litigation instigated by the Department of Justice which were obviously inspired by political considerations.

In Clinton, Tenn., the Department of Justice intervened in a case involving 16 persons charged with contempt of a Federal Court injunction. The Department asked to be made a party to the litigation. After public sentiment throughout the nation indicated that the persons charged should have a jury trial, the Department stated it was a good idea. In other words, Mr. Brownell, in the Clinton case, took a position directly contrary to the position he is taking with reference to this bill.

Even the judge in the Clinton case has confessed that his restraining order contained "unfortunate choice of language." What is to keep judges in the future from issuing restraining orders which include "unfortunate choice of language?" The right of trial by jury is the only method whereby such mistakes can be rectified by an impartial decision of a jury on the facts.

Incidentally, in the Clinton case, these people were cited for contempt in December, 1956, but they have not been brought to trial as of this date. Why?

The Justice Department is acquiring quite an unsavory record of enthusiastic prosecution of certain cases when there is lack of evidence. There is a very recent one—one currently under investigation by a committee of this body. The Justice Department preferred charges and secured a conspiracy indictment against a resident of the District of Columbia and a citizen of Kentucky. A politically appointed district attorney in Louisville, had to prosecute the case which apparently arose from the fact that the Small Business Administrator had a personal dislike for an individual. The judge threw the case out of court without even hearing the defendant's side because the Government failed wholly to make a case.

Although there was a jury in this instance, attention to the case is important because the Justice Department tried to prosecute for the sole reason, apparently, to placate an ambitious Federal bureaucrat.

What will happen if this bill becomes law? The Kentucky case will be multiplied thousands of times if the jury trial amendment is not adopted.

Innocent people will suffer endless harassment at the hands of ambitious Attorneys General. No one will be beyond the long arm of Federal persecution, and political, as well as personal freedom will soon disappear.

Mr. Chairman, the issue before the House is simply whether the Congress of the United States will surrender the rights of the people to an organized selfish-interest minority group; or whether it will stand on those deathless principles of human freedom which made this great Nation the world's citadel of liberty. Will we surrender the precious right of our citizens to trial by jury, or will we surrender to the pressure of momentary political expediency and reestablish the foundations of tyranny which prompted the original emigration to our shores of freedom-seeking people? Generations of Americans, yet unborn, await your reply.

Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Mississippi [Mr. ABERNETHY].

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. DIES].

Mr. WINSTEAD. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Texas [Mr. DIES].

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DIES. Mr. Chairman, I hesitate to intrude myself upon the House at this late hour. I know you are weary with the protracted debate. But I regard this as one of the most serious issues that has confronted the House of Representatives during my 20 years of service in this great body.

From the beginning of this bill I have tried to determine for myself the reason for the opposition to the jury amendment. Certainly this is a drastic proceeding even with a jury amendment. No one can deny that. It is unprecedented, unprecedented in a field as delicate and explosive and difficult as the field of race relationship. With the jury amendment you are still giving tremendous power to the Attorney General of the United States. Then why do the advocates of this measure oppose so strongly the jury amendment? I think they have made that perfectly clear. They are opposed to it because they fear that southern juries will not convict. That is exactly what the Attorney General said quite frankly. In all of the pamphlets I have received from organizations supporting this measure they have denounced what they call the crippling amendment of a jury trial. Is not that about right? I am sure the other Members of the House will agree with me that the basis of this objection to the jury trial amendment is the fear that southern juries will not convict.

Is there any basis for that fear? The record is silent insofar as any testimony to show that any southern Federal jury has failed to convict anyone for violation of civil rights.

There is not any evidence in the record and I defy any Member of this House to stand on this floor and cite one jury trial where a southern jury refused or failed to do its duty in a civil-rights case. There is no such evidence, and therefore this committee made no attempt to collect any such evidence. The Attorney General stated that he had had some complaints about the violation of civil rights in the Southern States. If the Attorney General received the complaints, why did he not do his duty under the law, as it now exists? It was his duty to bring action under the criminal statutes against the persons who had deprived someone of their civil rights. All of the Federal courts were available to him. He had an opportunity. He had a positive duty to proceed against the guilty individual. Is there anything in the record that any member of the Committee on the Judiciary can point to that the Attorney General has ever acted under the laws that are now on the statute books? Who made the complaints? Where are the complaints? What became of the complaints? Were they pigeonholed in the Attorney General's office? Who is there who can truthfully or honestly say that southern juries will not do their duty in civil-rights cases? How are the juries selected in the Federal courts? They are selected by commissioners appointed by the Federal judges. They are often referred to as silk stocking juries. They come from substantial people in every community and they usually represent the business class of people. To indict the South without any evidence whatsoever seems to me is clear proof of prejudice against the Southern States. Who is the real minority in this fight? Is it the Negro or is it the South? Is it the South as a result of the propaganda that has been distributed for years and years throughout the eastern and western sections of this country? What is the cause of this? You would naturally assume that a committee as important as the Committee on the Judiciary would first want to ascertain whether there was any need for this kind of legislation. They would go to the statute books and they would say: What laws do we now have? And they would find that every State has

laws on their statute books. There are Federal statutes dealing with every aspect of civil rights. They would then conclude: Well, we certainly have ample laws. Now let us determine whether or not that law is being enforced. They would find out whether it is enforced and if it is not enforced, they would call the Attorney General and say: "Now, Mr. Attorney General, you say that you have received complaints and you distrust southern juries. Why have you not made a test of it? If there are counties in Alabama and Mississippi and certain other States where Negroes do not vote; what is the cause of it?" There is no evidence here that their failure to vote can be attributed to any violation of anyone's civil rights. Would it not be natural and reasonable that evidence would have been produced before the Committee on the Judiciary proving that you cannot trust southern juries? There is no such evidence in this record.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. RIVERS].

Mr. RIVERS. Mr. Chairman, I lament that one Member of this body embarked upon the Till case to justify taking from 170 million people the right to a trial by jury. In all sections of this Nation, at least in almost every section, we can find cases of violence. I have before me an article from a paper where two men were killed as guns blazed along the Alabama picket line of the United Mine Workers strike in Alabama. Six sticks of dynamite were found in the picket's car. Is that any reason to put those union representatives in jail without a trial by jury? Think of Cicero, Ill., not from where the distinguished lady, the gentlewoman from Illinois [Mrs. CHURCH] calls home. Have you found one southerner to get up on this floor and tell you to abolish the State of Illinois or to get up and say all people in and around Chicago are worthless, good-for-nothing hoodlums? I have not heard about it; have you heard the Southerners get up on this floor and say that because two white men killed a Negro on the streets of Boston, Mass., not long ago because he was walking along the street with a white woman, and the two white men killed him—lynched him on the streets of that great city, had you heard us say that law and order in Boston, Mass., had broken down?

I say to you we ought to be made of sterner stuff, sterner stuff.

In my part of the United States, South Carolina, you have not heard of people being denied voting rights. Some of you would take away from 170 million people this sacred right because of some little small isolated incident, going to take from them the precious right of trial by jury because it is expedient, because on your back now there is the whiplash of the NAACP. I say to you the records do not sustain such an allegation.

I call as witness one Justice Brennan. Mr. Justice Brennan of the Supreme Court had this to say in an American Bar Association regional meeting at Denver recently:

> Another nostrum is that, because jury trials take more time than trials before a judge without a jury, the easy answer is to get rid of jury trials.

As the distinguished gentleman from New York [Mr. MILLER] said, we have to pay the price.

The distinguished Justice continues:

> They pay the price, and willingly, of the imperfections, inefficiencies, and, if you please, greater expense of jury trials because they put such store upon the jury system as a guaranty of the preservation of their liberties.

Do not do this to yourself to punish us folks from my part of America.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Chairman, at the outset of my remarks I wish to personally express my thanks to Chairman Celler of the Judiciary Committee who has since the early days of this session endeavored to be very fair regarding this bill. I know he was under tremendous pressures from certain groups, politicians, and others, to ramrod the bill through this House and down the throats of the people of the South without even a hearing in the committee. We thank him for his courage; without which we would not have had as much as an opportunity to present our case to his great committee.

I have but one criticism to make of the manner in which this bill has been handled. I do not say it was deliberate, but we were sorely disappointed that the bill was assigned to a subcommittee on which there was not one Member who lived farther south than New Jersey. There were 4 Members from New York, 1 from Ohio, 1 from New Jersey, and 1 from Colorado. That seemed to us to be unfair. We have no complaint as to opportunity and time in presenting our case to the subcommittee. We would have felt much better, however, had the South, against whom the bill is directed, been assigned at least 1 seat on this very important subcommittee. I leave it to your own good consciences and sense of fair play to judge whether or not we were treated as you would want yourself to be.

I think this debate has been very good up until today. But today is a black one in the House of Representatives. Prejudice, the like of which I have never witnessed, has been revealed in the well of this House—prejudice against the South. Some of the words, the charges, the finger pointing and the indictments have been most unfortunate. If in order to remain in the House of Representatives I would be compelled to spew from my mouth the bitter venom about the North the like of which has been spewed upon the land of Dixie in the debates of today, then I would be pleased to surrender my commission, return to Mississippi and resume the life of a private citizen. In spite of some of the venom I have listened to today, I still have faith in the people of the North and I know those who have been berating the South do not speak the sentiment of northern people in general.

I would like to say for the benefit of the distinguished gentlewoman from Illinois [Mrs. CHURCH] who in my judgment made a very vicious speech against southern people, that it is much easier to get a conviction by a southern jury of a white man charged with a crime against a Negro than it is to get a conviction of a Negro in the District of Columbia charged with a crime against a white woman. Why, oh why, Mr. Chairman does the gentlewoman not raise her voice about that. Her own Chicago has come in for considerable debate on this bill. And it has also come in for considerable adverse publicity on the racial question. She might do well to take a look at her own backyard, her own hometown, before casting aspersions against the people of the South about whom she seems to know nothing and undoubtedly cares less.

We hear much about racial prejudice. Now we have a new type of racial prejudice—prejudice against the white people of the South. I hope that after the sun sets tonight you will return to your places of abode and attempt to throw it off. If you find yourself unable to do so, I am confident that the One who created you will assist if but asked.

The object of this bill is to circumvent southern people, to circumvent southern juries, get around them, to dodge and avoid them, even though they have never yet been once tried or tested on an issue of this kind, not one time. If that was not the object of the bill, the bill would not be here. The distinguished gentleman from Maryland [Mr. HYDE] the distinguished gentleman from Louisiana [Mr. WILLIS] and others have made that charge, and it is undenied. The Attorney General himself stated that is the reason the bill was sent here, the chairman of the committee said during the debate, and so did others, that the reason for the bill is because they cannot get a conviction from a southern jury. So the bill is designed to avoid a southern jury, to take away a right, a civil right if you please. Otherwise there is no objective to the bill. Your confidence in us, in our acceptance of an organized society, is so lacking. You insult us.

I do know of instances when you have tested and accepted the confidence and responsibility of southern people. When our democracy is threatened from outside, you do not hesitate to take our men into arms. I recall in 1943, when I came to the Congress, I lived in a hotel near the Capitol. After the dinner hour I would often find myself walking over to the Union Railway Station so that I might talk with some of the young men who poured through that station by the thousands every 24 hours headed for the bloody trenches of Africa and Europe. There was a constant shuffle all hours of the day and night of America's youth through that station en route to war and some to death. Most of those who passed through came out of the South. I spent many evenings in conversation with them while they awaited their trains.

They came from Texas, from Louisiana, Mississippi, Alabama, Carolina, Georgia, Virginia and Tennessee—from all sections of the South. From some I received letters after they had crossed the waters. Several requested that I send messages back to their families, telling them that they had passed through, were all right and so on.

One night I ran into a fine looking boy from my home district. He was about 6 feet tall, weighed maybe 190 pounds, was erect and very handsome. He was a fine young man. He had a premonition he would never see family or home again.

He said, "Mr. ABERNETHY, I am on my last march. If word should come back that I am never to return home alive, I want you to tell my daddy that I passed through this station with my head up ready to die for my country." He did not say he was ready to die for the South, or for the North. He said "My country."

In 3 weeks he was dead.

Well, you trusted him with a gun. You likewise trusted thousands of others from my State and thousands more from the South. Most of them are home now, thank God. For some reason some of you do not want to trust them, or me, with jury duty, or with the preservation of the peace and tranquility of our own communities. Why such a lack of confidence in us? You are trusting Poland, a Communist government, this very hour, with a hundred million dollars worth of American money and goods. That decision has just been reached in the Department of State.

You have trusted Tito, an undemocratic dictator, with about $2 billion worth of foreign aid with the expectation of his using it against Communist Russia. But some of you and Mr. Brownell and even Mr. Eisenhower will not even trust a southerner to serve on a jury. You say we will not do the right thing. That is a nice way of just saying we are dishonest and irresponsible. Why, our Government is even at this very hour trusting a Japanese court to try an American boy, but you will not trust a southern jury to do that.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Mississippi [Mr. ABERNETHY].

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. ABERNETHY. Mr. Chairman, I thank my friend, the distinguished gentleman from Alabama.

Mr. Chairman, I am afraid we are about to take a very dangerous step here today. Yes, you will trust Gomulko; you will trust Tito. Your Government will trust the Japanese courts, but a southerner, who is willing to stand in blood up to his waist in defense of the democracy that you and I enjoy, you do not trust as a juror under oath. And, you have the effrontery to come into this well and tell us so. It hurts me deeply. It hurts my people, too. I am wondering if you are ashamed of the southern Members in this body who were sent here by these people whom you refuse to trust. Why do you pat us on the back, telling us we are good fellows? Why do you greet us so cheerfully every morning? Do you really mean it? How could you when you have so little confidence in the people who sent us here? With so little confidence in them how could you have any confidence in or respect for their Representatives in this body? It has put me to wondering, seriously.

Now, after you have abolished trial by jury there will be other steps to follow. Next it will be the elimination of the right of bail, and next the elimination of the right to be confronted by the witnesses, and to be informed of the charge. One by one, a little at a time, these rights, these great civil rights, will be whittled away. The dictators of Europe eliminated juries, too. A little at a time, men like Hitler took away other safeguards.

The minorities in this country should have more to fear from the elimination of a jury trial than any other segment of our population. Yet it is they who are taking the lead here today in removing this right. But of course they intend for it to be taken only from the people of the South. They may some day regret it.

I believe the Members of this House know that I am no religious or racial bigot. I believe they know that I hold the kindliest of feelings toward every Member of this House regardless of where he comes from and regardless of his religion or race. But let me remind my minority friends who are now leading the fight in this House for a bill to deny my people the right of a trial by jury, you had nothing to fear from the juries of Germany. It was Hitler's abolition of juries which led to the erection of two gruesome monuments, Buchenwald and Dachau.

Let us not in our emotion and zeal to please a few unthinking people, in order to gain their political favor, emulate the late Adolf Hitler by taking the first step toward abolition of the sacred right of trial by jury.

Mr. SELDEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SELDEN. Mr. Chairman, I rise in support of the amendment guaranteeing the right of trial by jury.

The proponents of H. R. 6127 have stated throughout this debate that the right to trial by jury is not guaranteed by the Constitution in contempt cases. This statement, as far as civil contempt proceedings are concerned, is correct. But, when the power of injunction is used as an ultimate means of depriving persons of their liberty, without trial by jury, as is the obvious purpose of H. R. 6127, then the spirit, if not the letter, of the constitutional guarantee of jury trial would be violated. In any event, Congress in 1914 inserted in the Clayton Act a stipulation that whenever an act charged as contempt of court is of such character as to constitute a criminal offense under any statute of the United States, or under the laws of any State, the person accused should be tried by a jury if he so requests. Congress at the same time made an exception to this general rule which provides that the right to jury trial in contempt cases should not pertain to suits brought in the name of the United States. It is under that exception that the right to trial by jury will be denied if H. R. 6127 is enacted into law. This legislation does not give to individuals the right to file suit for alleged violations of their civil rights. Only the Federal Government is given that right under H. R. 6127. Therefore, since the Federal Government will constitute the plaintiff in all suits, the right to trial by jury is purposely wiped out by this ill-conceived legislation.

Those who oppose the trial by jury amendment have made statements during the present debate that might lead one to believe that southern juries convict only when it is expedient to do so. Such an implication cannot be supported by the vast preponderance of evidence.

I am quite certain, Mr. Chairman, that there have been miscarriages of justice under the jury system in my State. I am equally certain, however, that there have been similar miscarriages of justice in the States of every Member of this body. But, in spite of those miscarriages of justice under the jury system, would anyone on this floor advocate the abolition of trial by jury? I think not.

Mr. Chairman, while the advocates of H. R. 6127 evidently believe that the measure will correct a wrong, this legislation may well prove to be much more vicious than the wrong itself. I therefore urge this body to improve H. R. 6127 by adopting the amendment now under consideration.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, it is very difficult for a person who is not a lawyer to be sure of just what is right when making up his mind on an issue like this which is very important and with seemingly cogent and compelling arguments being presented on both sides of it.

I have listened long and hard during this debate. I certainly have no desire or disposition to deprive any person of any right that he has under our Constitution, and certainly not the right of trial by jury. So, at the outset, my general learning was to vote for this trial-by-jury amendment. But the more I have listened, the more I changed to the decision to vote against it.

When there are complicated legal and technical arguments, and equally able men of both parties, men who are real legal experts, men who know the facts better than I can know them, men of equal ability and stature, integrity and character, men whom all of us respect—and these experts come to exactly opposite conclusions, 180 degrees apart,

then an ordinary person like myself has got to try to reduce the technicalities to simpler terms, it seems to me, and make up his mind on them.

Certain facts seem to be clear. The first is this, that some civil rights are prescribed and granted under State and Federal statutes; but there are also certain civil rights that are guaranteed in the Federal Constitution. One is the right of every citizen to vote.

A second fact is that the constitutional right to vote is not being enjoyed by literally hundreds of thousands, if not millions, of our citizens. As to the reasons for that, I am not here trying to determine the blame. It is enough to point out that obviously their local agencies of justice and law and order have not succeeded in insuring to those citizens the right to vote that is guaranteed them in our Federal Constitution.

So it seems to me inescapable that the Federal Government has a responsibility and a duty to devise and take appropriate actions to prevent the denial to any citizen of the right to vote guaranteed him in the Federal Constitution. This bill is designed to accomplish that purpose.

Among other things the bill authorizes the Attorney General to bring action in Federal courts to enjoin and try to prevent violations of the constitutional right to vote. Any person who defies the court's order to stop such violations can be held in contempt of court and punished accordingly.

The hue and cry has been raised that this procedure authorized in the bill to insure to citizens their constitutional right to vote will deprive other citizens of the right to trial by jury, those accused of violating the court's order.

Now, if to protect one constitutional right, the right to vote, it were proposed that we take away another constitutional right, the right to trial by jury, I certainly could not go along. But it seems established that the right to trial by jury in contempt cases is not a constitutional right. It is not guaranteed in the Constitution of the Federal Government, as is the right to vote and the right to trial by jury in criminal cases. The constitution of at least one State, Oklahoma, I heard today, does guarantee the right of trial by jury in contempt cases. It is provided also in various statutes in some other States. But it is not a right guaranteed in the Federal Constitution.

Therefore, since the right to trial by jury in contempt cases is not guaranteed in the Federal Constitution, this bill does not take away any constitutional right. It is not convincing that in order to protect the unquestioned constitutional right to vote we must grant by statute rights to trial by jury where they do not now exist. The constitutional right to vote must be given precedence. Therefore, I shall vote against this amendment.

Mr. DOWDY. Mr. Chairman, we have today heard the American jury as being an evil thing by the gentleman from California [Mr. ROOSEVELT]. During this debate we have heard statements from both sides of the aisle by top members of the Judiciary Committee that they have no intention to hedge the right of trial by jury. Those statements are either honest or dishonest. If the statements were honest, they will adopt this jury trial amendment; if dishonest, they will oppose it. We are drawing near to the day of action, the hour of decision, the moment of truth.

It should be known to all of you I support this jury trial amendment. I want to make a few more remarks regarding that issue before the time it is voted on.

Prior to that, a while ago the gentleman from Illinois read a statement by the Speaker, leaving the impression that our Speaker is opposed to the jury trial. I have no authority to speak for him, and I guess he will speak for himself, but if he does not, I will not believe that the Speaker of the House is opposed to the jury trial.

Another thing that is pleasing to me is the fact that I do not have to here apologize for the district I have the honor to represent, as have the Members from Chicago and elsewhere. That sort of misconduct does not take place in our part of the Nation.

But to return to the pending amendment. The proposed government by injunction is bad enough, but taking away the jury trial is unthinkable.

It appears from the Attorney General's testimony in the hearings that he really wants this power because under the present statutes he must prove to a jury that the act complained of was willful, in order to get a conviction. This, it seems, he considers to be too burdensome and too difficult.

If Congress gives him the authority he asks, he would not have to prove anything. He can drag a private citizen or a public official into court on mere suspicion, for the measure provides that he can proceed against a person who is about to engage in any acts or practice which would give rise to cause of action.

Without evidence, merely on the basis of malicious misinformation provided by faceless informers, such as agents of some of the subversive organizations, the Attorney General would be able to get an injunction restraining any person or group that the informers merely suspect is about to do something, or about to attempt to do something.

Then, if either the persons named in the injunction, or other persons not parties to the action, should happen to commit an act of claimed discrimination, that might be construed as violating the injunction, whether innocently, inadvertently, unintentionally, or otherwise, they could be found guilty of contempt without trial by jury, and fined, or jailed, or both.

The gimmick is that the purpose of this bill is to deprive the American people of the right of trial by jury. The Attorney General and proponents of the bill have been so brazen in their statements about it that they cannot deny this bare statement of fact.

By such proceedings, State and local officials and ordinary citizens can be denied their fundamental constitutional rights of free speech, free press, free assembly, and trial by jury, and deprived of their liberty or property, or both, without due process of law.

Most amazing of all is the fact that the Attorney General seeks the right to act on behalf of individuals without their consent, or even without their knowledge. This procedure is so unethical that if a lawyer in private practice tried to get away with it, the court would disbar him for life.

When the Attorney General can haul a citizen into court, enjoin him because of what somebody thinks he is thinking, deprive him of his legal rights, convict him without due process, and subject him to criminal punishment for an alleged civil offense, we will have achieved the ultimate of absurdity and the height of tragedy.

Apparently, the elements who initiated and are demanding this so-called civil-rights legislation will stop at nothing, no matter how outrageous or how vicious to gain their ends. This is a brazen attempt to substitute government by men for government by law.

Before having made such a request of Congress, and before giving his testimony, the Attorney General should have pondered the inscription cut in granite on the front of the Justice Building, which reads:

> No free government can survive that is not based on the supremacy of law.

If anyone believes that the Attorney General can be trusted not to abuse such powers, then I can only say such person can only be naive to the extreme extent.

Even the chairman of the Judiciary Committee in his testimony before this committee, recognized the probability, or at least the possibility that he would have to come back to place bars across this power; and provide a jury trial. I say we should not take a chance on it. I say weld the bars in place right now.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Chairman, this amendment upon which we are about to vote is one of the most crucial amendments to come before this House during my service here. Early today I heard a very fine presentation of his side of this argument by the gentleman from California, in which he asked us not to turn back the clock. I want also to ask this House not to turn back the clock. Do not turn back the clock to the days of a tyrant named Hitler who sought not only to deny the right of trial by jury, but he sought to deny to millions of his countrymen who happened to be of a particular religious faith not only the right of trial by jury but the right to life itself, without a trial of any kind, with or without a jury. And his name is infamous today.

I do not want to see this House turn back the clock to the days of Judge Jeffreys, who often donned his black cap in the court of the Bloody Assizes and sentenced to death men whose only crime was to speak their own thoughts and their own minds and to speak out against

tyranny. I hope that this body will never turn back and deny to the American citizen those sacred rights which were written into our Bill of Rights and into the sixth amendment of our Constitution by the man whose likeness appears on the wall over my left shoulder, to your right, George Mason of Gunston Hall. He is the same George Mason who never gave up in his fight for the rights of the individual, and who never gave up his determined fight to have included in the basic instrument of government of our Nation the right of trial by jury and the other constitutional rights of free men. Without the sixth amendment, without the other nine amendments which go to make up our Bill of Rights, Mr. Chairman, it is highly possible that this country of ours would not have survived the tests which it has survived and under which our Nation and our people have prospered.

I ask you in complete humility and at the same time with all pride in the basic instrument of our Government, the Constitution of the United States, to join those of us who believe in the freedom of the individual, who believe in the American Bill of Rights contained in the first 10 amendments of our Constitution, to uphold the dignity of trial by jury, to uphold one of the most basic rights of man, and to vote for and adopt in this Committee of the Whole House the amendment now pending before this committee.

Both gentlemen from New York [Mr. CELLER and Mr. KEATING] have urged the rejection of this jury-trial amendment and given as justification for its rejection many pieces of legislation heretofore passed by this Congress which have authorized injunctive powers in enforcing such legislation. I have tried to review the legislative history of each of these pieces of legislation to which they have referred, and I find that the injunctive power contained therein was part of the original legislation of those particular subjects. That is not the case in civil-rights legislation. The injunction power is new.

To the best of the information which I have been able to gather this legislation, H. R. 6127, is the first time in the history of this body that the right of trial by jury is sought to be denied where it has heretofore existed beyond question.

The inclusion of broad powers of injunction in this amendment under existing civil-rights legislation is fraudulent, and it is a subterfuge to grant injunctive trials without benefit of jury in cases of criminal contempt. When an act presently criminal under our statutes is made the basis for an injunction, it becomes a criminal prosecution by whatever name it may be called. To deny the right of trial by jury on this or any other criminal prosecution is to reject the words, provisions, and the intent of amendment six of the Constitution of the United States, a part of the American Bill of Rights. Our Union of States might never have been formed into our compact of States under the Constitution without the inclusion of the Bill of Rights in that Constitution. It is doubtful that the required number of States would have ratified the Constitution without the assurance that the Bill of Rights would be added. No one can deny that one of the basic and most important provisions in the American Bill of Rights is the language of the sixth amendment, which is as clear as the English language can make it:

AMENDMENT VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

That portion of our Constitution, like many portions of it, should remain sacred and inviolate until the same authority that wrote it in shall write it out and that authority is two-thirds of both Houses of Congress and three-fourths of the States. It cannot be done by Congressional act alone within the language of our Constitution.

Let there be no destruction of our Constitution or deprivation of constitutional rights by subterfuge, device, or design. If this House sees fit to reject this jury-trial amendment, this will be one of the darkest days in the history of our Nation. It is unbelievable that American men and women who have read, observed and been a part of the history of our constitutional form of government will vote to reject the preservation of existing rights to trial by jury in criminal prosecution or quasi-criminal prosecution. I respectfully urge the adoption of the pending amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. SMITH].

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Mississippi. I yield.

Mr. COLMER. I would like to point out to the gentleman from New York who just spoke that John L. Lewis was entitled to a jury trial, but he elected to take his trial by a judge. He just bet on the wrong horse.

Mr. SMITH of Mississippi. I am glad the gentleman from New York has brought up this matter involving contempt powers and involving labor unions because in this whole question of jury trials I have been somewhat disappointed in some of my friends who fervently espouse, and properly so, the cause of labor in the halls of Congress. This great issue involving jury trials was primarily a labor issue down through the years. We have heard as the foremost citation of why a jury trial in a contempt case is not a constitutional right, the Supreme Court decision involving the great labor leader Eugene Debs before the turn of the century who was denied a jury trial. That was when the issue was first brought before the Nation. The issue became active again before World War I. Then it became a part of party politics. One of the great quotations that has been so often used on the other side of the aisle against the jury trial has been this statement of presidential candidate William Howard Taft defending the position of the Republican Party in opposition to jury trials in contempt cases. That idea was overridden by the country when the Clayton Act was passed in 1912. But, there were still abuses with regard to labor issues which came into focus in the twenties, and which reached a crisis in the late twenties. In the years that followed, bills were introduced up to 1931, and after years of agitation the Norris-LaGuardia Act was passed to provide a jury trial in labor disputes which was heretofore held unconstitutional or illegal. That was provided by law by vote of this Congress in 1932. The Norris-LaGuardia Act was passed because it was a matter of simple justice and this law having to do with labor, which today we regard as a part of the bill of rights of the American laboring man, was adopted by almost unanimous vote on this side of the aisle. I think only one Democrat opposed it. This overall issue of the jury trial is something that should be separated from the idea of civil-rights legislation. There is room for differences of opinion so far as the value of civil-rights legislation is concerned, but as to the jury trial there should be no differences of opinion.

Mr. O'HARA of Illinois. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Chairman, we are nearing the close of a debate that has gone on for many days. It is significant that the debate on civil rights has consumed much more legislative time than that which has been given to any other measure or any other subject by the House of Representatives of the Congress of the United States in the year 1957. In this is the proof that something has reached deeply into the conscience of the American people, who are now as they always have been, men and women of good intentions, good will and good hearts.

In good conscience we cannot divide our neighbors by any other rule than that of character and moral worth. We cannot live in the world of today, with its broadened horizons, by the concepts of a social order that once flourished but now is gone forever. For the wrongs that were done the Negro slaves brought for a profit to our shores we owe to their descendants full recognition of their dignity as neighbors and their rights as American citizens.

The amendment now under consideration is supported in most part by those who would not vote for the bill even if the amendment was adopted. A few Members who support the amendment seem to be confused in drawing a line between courts of law and courts of equity.

A court of equity is a court of conscience. It had its origin in ancient days

when subjects suffering from wrongs incapable of being remedied otherwise came to appeal to the conscience of the king or overlord. Thus courts of equity became a part of our administration of justice, as places to which citizens could come when suffering from wrongs for which there was no remedy in the law, to such redress in an appeal to conscience.

The issue here involved is certainly in the domain of conscience. That is, in good conscience we cannot stand idly on the sidelines when the right to vote is not accorded equally to all American citizens. As long as that continues there will be something weighing heavily on the national conscience. No remedy in existing law has been found. It would seem self-evident that this is exactly the place for equity, or conscience, to step in.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. ABBITT].

Mr. ABBITT. Mr. Chairman, it is inconceivable to me that this House, one of the greatest legislative bodies of all the world, would even consider legislation that would deprive a single American individual of the time-honored right of a trial by jury. I am not unmindful of the assertions by the proponents of this legislation that this is simply additional remedies on the equity side of the court and that, therefore, a party brought under its provisions is not entitled to a jury trial. If that was all that was involved, it would not be so bad, but we have here a bill which has provisions that I am convinced have never been enacted into law in an English-speaking country. It gives to the equity side of the court jurisdiction over criminal acts and then provides that a political hatchetman can step in and deprive an individual of a jury trial by simply bringing the action in the name of the United States of America.

I think perhaps you people would be interested to know that, as far as the records show, the first English-speaking man to be tried in the United States was tried by a jury upon his insistence and demand that, as an Englishman, he had such a right. Capt. John Smith, who was among the first settlers to embark on these shores in 1607, brought ashore in chains and as a prisoner relying upon the Magna Carta and the charter granted to the London Co. by Queen Elizabeth in 1606, demanded to be tried by a jury of his own peers. Under the provisions of this charter, he was entitled to a jury trial and it was granted him. From that day until this, American citizens have always understood that, in matters affecting their individual acts and matters affecting their rights and freedoms, they would have a right to a trial by jury of their own vicinage.

The first representative assembly in America met at Jamestown on August 9, 1619. That very assembly established the jury trial and representative government upon a lasting foundation in America. This bulwark of freedom came as a gift but once given our people have resisted forcefully later attempts to withdraw this right.

King George of England attempted to do to the American Colonies what this bill attempts to do to the American people. The American Revolution resulted from King George's abortive attempts and I say to you today that if you foist upon the American people this ill-conceived, ill-advised, detestable, outrageous, reprehensible, abominable legislation you may expect the American people to react as did their noble ancestors and throw off the chains of slavery and cast aside the people who attempted to enslave them and deprive them of their rights.

I pray to He who guides the destiny of the universe that this House will not at this late date by devious means deprive our people of that precious possession and right. I say to you that you are not fooling anyone. I am sure that the people of America know that it is a political legislative gimmick that is depriving them of this precious heritage and I say to you that an attempt was made only recently to deprive certain citizens of Tennessee of the right of trial by jury but the attempt was too late and the public pressure was so overwhelmingly against such dastardly action that even the Justice Department at the last minute admitted that the defendants were entitled to a jury trial.

I say to you in all candor, if this bill is passed in its present form, and I am not unrealistic enough to think that anything I might say will change it, it will be the blackest day for liberty and freedom in America in a century. It will set the Federal courts up as the administrator of the police powers of the State, the operator of the public schools of the localities with the possibility of the greatest judicial tyrants ever known to mankind. There will be no limitation upon their authority, power, or ability to intimidate and browbeat not only individual citizens but entire communities. Our people realize that it is well-nigh hopeless to appeal any case coming under this legislation to the Supreme Court of the United States as presently constituted.

I realize that the granting of the right of a trial by jury will not soften much of the obnoxiousness of this bill, but it will at least give our citizens the right of a public trial—yes, a trial before a jury of Americans picked by commissioners appointed by the Federal judge. It will be some deterrent upon certain segments of the Federal judiciary who are determined to change the habits, customs, and mores of an entire section of this great country. Even if a jury trial were granted, this bill would still be evil, immoral, liberty-destroying, and in violation of almost every concept of the American jurisprudence or our way of life.

In my opinion, this body should forthwith adopt an amendment referring this legislation to the Un-American Activities Committee for their study and consideration because never in all of my experience have I known of legislation that was more un-American or un-democratic.

The CHAIRMAN. The gentleman from Michigan [Mr. JOHANSEN] is recognized.

Mr. JOHANSEN. Mr. Chairman, I favor this amendment and also am in favor of the right to vote.

I yield back the balance of my time.

Mr. HILLINGS. Mr. Chairman, since I have already participated in debate on this bill, it is not necessary for me to further clarify my views. I am opposed to the jury-trial amendment and I favor the passage of the bill.

There is no place in modern-day America for laws and actions to prevent any of our citizens from voting because of race, creed, or color. I congratulate my distinguished colleagues on the Committee on the Judiciary who have worked and voted for civil-rights legislation, and I have been honored to join with them in this most important battle.

Great credit is also due President Eisenhower and Attorney General Brownell who have consistently urged enactment of civil-rights legislation by the Congress. It is my hope that we will be successful in enacting this legislation into law before the end of the present Congressional session.

Mr. ASHLEY. Mr. Chairman, the merits of this jury-trial amendment have been discussed at great length and from every possible point of view during each of the days that this civil-rights bill has been under consideration. There is little that anyone can now add to discussion of this proposal, and I take the floor only to comment briefly on the reasons why my own position on this amendment has changed.

Some weeks ago, when it became apparent that opposition to civil-rights legislation would be based—in large measure—on the alleged deprivation of the right to trial by jury, I presented a statement to the House Committee on Rules in which I suggested an amendment granting alleged violators of this civil-rights bill the right of trial by jury in cases involving criminal contempt.

In arriving at this suggestion, I was mindful of the fact that the constitutional guaranties of jury trial have never applied to cases brought in courts of equity—but only to cases brought in courts of law. Hence, I knew that this would be a marked departure from established legal procedure and, indeed, a significant extension of our constitutional and statutory provisions relating to the right to trial by jury.

The reason that I suggested this amendment nearly 5 weeks ago was essentially negative in character. It seemed to me at that time that the principal concern should be in compelling compliance with the provisions of this bill which seeks to protect the right to vote. Generally speaking, compliance to a court order can be achieved through civil contempt proceedings where the punishment is not punitive—but remedial in nature. It was my belief, when I suggested an amendment to allow jury trial in criminal contempt proceedings, that effective compliance—in fact, the only effective compliance possible—would be secured through the power of our Federal judges to punish for civil contempts of court. I say that my amendment was negative in character

because its main purpose was simply to prevent a more sweeping amendment—one granting right to jury trial in both civil and criminal contempt cases—which would leave it up to southern juries, for example, to protect the right of the Negro to vote in Federal elections.

What I overlooked, Mr. Chairman, was a provision of law which would, in effect, transform all violations of court orders arising under this bill into criminal-contempt violations. This provision of law provides that where the contempt involves an act which also violates either State or Federal criminal statutes, the defendant is entitled to a jury trial unless the United States is a party to the suit.

As I am sure the authors of this legislation will admit, the existence of this statutory provision presented a major problem. Certainly, it is true that defendants in the contemplated civil-rights suits under this bill would be entitled to a jury trial if it were not for the fact that the suits are to be instituted by the Attorney General. Proponents of the jury-trial amendment must, on their part, admit that the grant of right to a jury trial in all criminal-contempt cases arising under this legislation would actually mean that every case would result in jury trial.

Personally, I am convinced that enforcement of civil-rights legislation, and particularly the right to vote, can best be secured not by jury trial, but by means of court orders, together with the flexible authority of the court to compel compliance with such court orders. It is for this reason that I have alined myself with those in opposition to the amendment under consideration.

In closing, Mr. Chairman, let me simply say that the only real issue before us is the question of equality of citizenship. This issue cannot be disguised or camouflaged by dramatic gestures or stirring oratory. Nor can it be avoided by raising collateral questions such as the ones we have been considering.

If we believe in equality of citizenship for all Americans, then we must have the courage and the wisdom to secure the protection of these rights for all. This can best be accomplished, in my view, by enacting the bill before us as it is and by defeating the jury-trial and other crippling amendments.

The CHAIRMAN. The gentleman from Virginia [Mr. SMITH] is recognized for 3½ minutes.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the gentleman from Virginia may proceed for an additional 1½ minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. BARDEN. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Virginia.

Mr. MARTIN. Mr. Chairman, reserving the right to object, we have already heard called a second time the names of a number of Members. Are we going to get into the practice of going back to Members who did not answer when their names were first called?

The CHAIRMAN. The Chair is endeavoring to be fair insofar as the time has not elapsed.

Mr. MARTIN. But the practice of the House is that when a Member's name is called and he does not answer he has lost his time.

The CHAIRMAN. If the time has not elapsed the Chair intends to give everybody an opportunity to speak and recognize them if they are present.

Mr. MARTIN. The Chair may be fair, and I do not doubt that, but the Chair is not consistent with the regular rules of the House.

Mr. BARDEN. Mr. Chairman, I resent that statement for the Chairman. I think it is very much uncalled for.

Mr. MARTIN. Does not the gentleman think it is the truth?

The CHAIRMAN. The question is, Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to yield my time to the gentleman from Virginia.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH of Virginia. Mr. Chairman, this shows what a nice, gentlemanly, kindly debate we have been having. Everybody has been so generous in yielding time that I have more than I can use and I have not enough breath to go round. I am grateful to see the House approaching the end of this very serious debate in such a fine spirit of good humor and good fellowship.

Mr. Chairman, I want to get down to the logic of this thing, and there is some underlying logic to it, notwithstanding all the other stuff that has been spread around here for the last 2 weeks.

This bill has been debated upon the premise and upon the assertion of those who favor the bill that it does not deprive anybody of any right to trial by jury that he now enjoys. That is what the debate has been all about. I challenge that statement, and I hope that anyone who follows me will undertake to disprove what I am going to say, and it has been said here frequently. A lot of Members did not hear it, but it has been said frequently, it is no secret.

At present the civil rights law consists of two parts. There is a criminal law by which a man for violation of civil rights may be indicted by a grand jury and tried by a petit jury. There is the civil damage suit in a separate statute. Under that he may bring his suit, if he is damaged under this civil action, and he will have a trial by jury. Under every civil-rights statute that exists today, civil or criminal, the party accused is entitled to trial by jury. Does anybody challenge that? I pause for a reply. Nobody can challenge it.

Why are we disturbed about the provision in this bill on page 10? If a man were accused of contempt of a Federal court today, and the thing with which he was accused is a crime, and the United States is not a party—keep that in mind, the United States is not a party—then he is entitled to a jury trial under section 3691 of title 18 of the Code, which is the United States Code. Does anybody challenge that statement? Of course not, because it is obviously the law and written in the books. So, if he was charged with one of these things that will arise under this act, if it is ever passed, he would today be entitled to a trial by jury.

These gentlemen have asserted and argued they are not by this bill depriving anybody of any right of trial by jury that he now enjoys. But he does enjoy the right of trial by jury for these very offenses, and is entitled to it today. If you pass this bill, the insertion of that clause on page 10, which tells the Attorney General to bring the suit in the name of the United States, the minute you do that you deprive him of his right of trial by jury for offenses under the civil-rights and criminal statutes. Does anybody deny that assertion? I again pause for an interruption. Of course, nobody denies that assertion because they cannot deny it. So, let us dispel this foolish claim that you are not depriving anybody of any right which he now enjoys, because the law is so simple and so plain that a man does not have to be a lawyer to understand it.

Then there has been a lot of discussion here concerning why give a man a jury trial in this instance. He does not have a right to trial by jury in a State for contempt. It has just been referred to a minute ago. I recall so many of these gentlemen who have gotten up here and said that the State does not give a man any right of trial by jury in contempt cases. I just want to show you what it does do. In the first case, we have the Norris-LaGuardia Act, and much has been said about it, which gave labor the right of trial by jury in contempt cases in so many words. I was here when that law was passed. I voted for that law. The two gentlemen from New York who are conducting this bill on the floor claim that it has been repealed. I cite you the latest expression of the Congress on that subject, which is found in section 3692 of title XVIII of the code, which gives labor not only the right to trial by jury in criminal cases but in every legal dispute over labor questions they have the right of trial by jury. The two distiguished gentlemen, my friends from New York, have claimed that the States do not give any right of trial by jury. It has just been referred to, but I want to nail it down. The State of New York, from which these two distinguished gentlemen come, in its code—and I hold it in my hand—section 882–a says:

SEC. 882–a. Contempt of injunction order to be tried by jury:

1. Notwithstanding any other provision of law, no person shall be punished either by fine or imprisonment for any alleged contempt arising out of any failure or refusal to obey any mandate of the court contained in or incidental to an injunction order granted by said court in any case involving or growing out of a labor dispute except after a trial by jury to which the defendant shall be entitled as a matter of right; provided,

however, that this section shall not apply to any alleged contempt of such an injunction order committed in the presence of the court.

Now, there is the law of New York. And, there are a lot of Members from New York who say they will not vote to give their constituents a jury trial in civil rights cases. I want to know how many gentlemen from New York are willing to repeal their own statute on the books giving to labor the right of trial by jury. Does anybody speak up? All right.

Now, that is the law of New York. How many of you want to go back to your constituents in any State of this Union and say that we, the Congress, have voted to give the right of trial by jury in labor disputes arising under the laws of the United States, but we refuse to give it to you, our own constituents, when you are charged with a violation of civil rights? How are you going to answer that question in the next campaign, my friends? I know you will be cajoled by your Republican leaders over there; you are being cajoled. It is being insisted that we do not even have the right of a motion to recommit so that you may be put on record, to soften the impact on what you are fixing to do. How many of you want to go home and explain to your constituents that you give labor the right of trial by jury but refuse it to your own people? Let us see what the States have done. The gentleman has contended that the States have not done anything about trial by jury, that they do not give a trial by jury.

I hate to have to stand up here and talk about things that some of you fellows do not want to hear. I know you do not want to hear them. You never want to hear any more that you have voted to refuse a jury trial to your own people and yet you have given that right to labor unions all over the United States. I know you do not want to hear that, but please keep quiet until I get through, because it will not be but a very few minutes.

New York has given the right to labor to a trial by jury. Here are other States that have the same kind of law on their statute books.

Colorado: I am looking at the distinguished gentleman from Colorado who is a member of the Committee on the Judiciary. I am shocked.

Idaho: Idaho gives the right to trial by jury in labor disputes. How about the members from Idaho?

Indiana: That is the State of a great leader in this House, the gentleman from Indiana [Mr. HALLECK]. His State gives labor the right to trial by jury in contempt cases. What has he got to say? How is he going to talk to his constituents when he goes home and has to say, "Yes, I gave that right to labor, but I refused to give it to you, to my own constituents."

Here is Louisiana. Of course, Louisiana is a good State and is standing by its rights now.

Maine: The little State of Maine up there. I doubt if we are going to get many votes for a trial by jury from the Members from the State of Maine. But what are you going to say to your people when you have given the right of trial by jury, through your State legislature, to labor in those cases, but you have refused it to your own citizens in civil-rights cases?

Massachusetts: Oh, Massachusetts. And I am looking at the distinguished gentleman, my old, longtime friend, with whom I have served so many years, the minority leader of this House, Mr. MARTIN. I want to know what Mr. MARTIN is going to say to his constituents when he goes back there and says that, "Like HOWARD SMITH, I was in the House in 1932 and I voted, as he did, to give labor the right of trial by jury, but I will not give it to you, my constituents."

The CHAIRMAN. The time of the gentleman from Virginia [Mr. SMITH] has expired.

The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, I find myself in that most unhappy situation that one finds one's self when one has to follow a speaker of the stature of my great and good friend, the distinguished gentleman from Virginia [Mr. SMITH].

At the outset, by reason of the fact that the geographical location of the members of the subcommittee has been mentioned, I would like to say that the minority did not set up the subcommittee. And notwithstanding the fact that we all happen to be north of the Ohio River, with one exception, I should like to say that I lived in one of the great Southern States for approximately 4 years after I was graduated from Ohio State University, and in that great southern State I made the first money with which I paid the debt that I incurred in going to my State university.

I have tried to be free from prejudice in this matter, Mr. Chairman, from the time that it came to our subcommittee until today and I shall try to be free from prejudice until I cast my final vote on the passage of the bill.

I am opposed to the amendment under the conditions we face today which would write into this bill provisions for a jury trial after one has been cited for contempt of court. I hope that we can all be tolerant down through the years so that by education, by understanding, by determined gradualism, and by following the golden mean we may achieve the goal that every person in this country who is qualified to vote may exercise the right, which means so much in our representative Republic.

I have no desire for the extremes of troops or orders or causes of action that may bring us and our traditions into disrepute, but I do think that the record shows that we should move forward with the trend of the times, as they are evidencing themselves all over the world.

I noticed how my great friend from Virginia, Judge SMITH, called the roll of the States which made mandatory jury trials in citations for contempt in labor disputes. I am sure you noted that he did not call the name of Ohio and he did not call the names of some 36 States.

I should like to ask Judge SMITH, my great and esteemed colleague, this question: Since he has laid so much stress on this position, would he agree to an amendment providing for a jury trial in State courts in labor cases where it is not now granted?

Mr. SMITH of Virginia. The answer is "yes."

Mr. MCCULLOCH. In all State courts?

Mr. SMITH of Virginia. I could vote in only one State, but I would vote in Virginia, where I have my franchise.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, my beloved and distinguished friend from Virginia called the roll of States. There is one State he did not call, that of his own, Virginia. Perhaps there was a good reason for his failure. I find upon inquiry that an attempt to require jury trial in contempt cases was ruled unconstitutional by Virginia's Supreme Court of Appeals.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. SMITH of Virginia. Perhaps the gentleman would be good enough to put a reference to that case in his remarks.

Mr. MARTIN. I shall be very glad to do that.

Mr. Chairman, the Republican National Convention endorsed a platform which specifically pledged the Republicans to this legislation. It did more than that. It specifically named the legislation that it supported and this resolution conforms to the pledge. This legislation was supported in the campaign by President Eisenhower, and he is against this amendment because he knows that the amendment would nullify the purposes of the bill.

Mr. Chairman, I now yield the balance of my time to the gentleman from New York [Mr. KEATING].

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING].

Mr. KEATING. Mr. Chairman, it is rather curious that we are confronted at all by this amendment. I have looked up the debate last year when this question was before us, and I find that there was, during that long debate, only two references at any time to this question of a jury trial. One was by the gentleman from Virginia [Mr. TUCK] who made the statement in the CONGRESSIONAL RECORD, volume 102, part 9, page 12950 that under these procedures citizens would be deprived of the basic right to trial by jury. And following him, our good friend, the gentleman from Virginia [Mr. SMITH] referred to this statement reiterating that a man would be deprived of a jury trial under this bill. That is all that took place in this last Congress when we passed a bill which was similar to this. We never heard anything more about this question of a jury trial. No amendment such as that before us was ever offered.

Able lawyers serve not only on the committee which prepared the bill, but extremely able lawyers like our friends, the two I have mentioned from Virginia, were here, alert to this problem. Literally dozens of amendments were disposed of, but we never heard a peep about jury trial, except as I have stated. It was not until a few months ago, when an excellent lawyer, one of the Members of the other body opposed to this legislation, devised the theory that in this bill we were seeking to take away some right which exists. That has been ballooned into a really serious effort to defeat this bill by amendment.

Mr. Chairman, I want to say 1 or 2 words about the basis of this legislation and the motives behind it, because it has been alleged here that the purpose, the very purpose of this bill, was to take away the right to a jury trial. It has been said that that was the reason why this civil remedy was added to already existing criminal law remedies under which a jury trial would be held.

Let us look at the practical situation we are facing here today as dealt with in this legislation. Suppose we have a State statute which provides that applicants to register to vote must be able to read and write a section of the Constitution. Let us suppose that in some particular county where the population is 26,000 whites and 14,000 Negroes, the registrar of voters in his administration of this law has been doing it in such a way that the result is that there are 9,000 whites and 100 Negroes registered to vote. Suppose this has resulted from the fact that he has required less than 10 percent of the white applicants to demonstrate their ability to read and write a section of the Constitution, but has required every Negro applicant to do so. As a result, very few Negroes have been able to satisfy him.

Now what are these people to do to gain the right to vote? They can sue for damages under the present law. But that will not give them the right to vote. They can sue for an injunction under present law, but it costs money to go to court and usually those who cannot afford to go to court are the ones involved in these cases. And sometimes they just do not dare to bring an action.

Under present law this registrar can be prosecuted criminally, but that will not get the applicant the vote. And who is this registrar, after all? He is not what we ordinarily think of as a criminal. He is very likely to be a senior citizen of his community, perhaps living his last years on his pay as registrar. In most cases, he has merely done as he has been told.

Criminal prosecution is simply not the way in most instances to go about the enforcement of the law in this area. The thing Congress can and should do to meet this situation is to authorize the Federal Government to step in to see to it that all qualified voters are allowed to go to the polls before they are prevented from doing so. That is what this legislation seeks to do. It seeks to restrain the act of keeping them off the rolls rather than to prosecute criminally for keeping them off after the act has been done.

Mr. HYDE. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I cannot yield at the moment.

The remedy provided by this bill is a civil suit for an injunction. If this were the first time that this had been done there might be some merit to the position taken by the proponents of this amendment. I have no objection, in fact, I think it would be a salutary thing for the Judiciary Committee to consider the granting of jury trials in all contempt cases under all the Federal statutes that we have. I would be opposed to it for reasons which I will point out. But I would understand that approach to this problem.

Today we have many parallels to this legislation. Again and again under various Federal statutes a person who does a wrongful act can be proceeded against criminally by the United States Government and at the same time, or as an alternative, the Government can bring an injunction suit to stop him from doing this. He has a trial. If after that trial the court issues an order and then he defies that order he is in contempt and is proceeded against as such. If he is proceeded against criminally he has a jury trial. If he is proceeded against by injunction suit and then defies the order of the court he is tried by the court without a jury.

For instance, in the Securities and Exchange Act if a company is swindling investors through some shady deal the Government can step in and prosecute those people criminally. Then they have a jury trial. Likewise the Government in an action brought by the Attorney General can sue to restrain these acts and then if the people continue to commit these acts they are tried for contempt of the court. Then they have no right to a jury trial.

It is made a crime, indeed a capital offense in some instances, to violate the Atomic Energy Act, but right in the same act it is provided that the Government can, if it elects so to do, proceed against one who threatens to violate the act by civil suit for an injunction rather than criminally and it can bring this proceeding to stop them from engaging in the acts or practices which also constitute a crime. In the one case there is a jury trial, in the other no jury trial.

Under the Interstate Commerce Act it is illegal for a railroad to give an undue preference to one shipper over another. If the railroad does that, it can be proceeded against criminally and they are entitled to a jury trial. If they are tried by a court in a civil action for an injunction and then defy the order of the court they are proceeded against in a contempt proceeding without a jury.

There are numbers of other similar cases. This bill does nothing new. It simply permits the Government to make use of the most effective remedy available to protect the constitutional right to vote.

It sets up no gestapo. It makes no despot of the Attorney General. The accused is accorded every Constitutional protection. Every proceeding will be conducted as all court proceedings are conducted and must be conducted, or they will be set aside on appeal.

Finally, there is a principle involved here which extends far beyond the issues in this legislation. I view this proposal embodied in this amendment as a calculated attack on the integrity and power of our courts. The courts must have the power to enforce their decrees. Take that power away and we are on the road to anarchy.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I ask unanimous consent to proceed for an additional 1½ minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Chairman, the right to trial by jury is one Americans cherish and should be vigorously safeguarded. But trial by jury is not provided by the Constitution for contempt of court. All this oratory about the noble right of trial by jury is irrelevant. This bill does not even mention the words "trial by jury."

We seek to protect the right to vote and other constitutional rights for individuals, too long deprived of those rights, a deprivation that cannot be permitted to continue. The ends of justice will not be served, if in an effort to insure a jury trial for those who flouted a court order, both the authority of the courts and the right to vote are destroyed.

There has been some extravagant, almost irresponsible, talk about the looseness of procedure and arbitrary conduct on the part of the judges issuing injunctions. Let me say, and I support what I am going to say by decisions, the accused must be advised of charges, he must have the aid of counsel, have the right to call witnesses, have the right of cross examination in all cases where the individual is tried for the violation of an injunction order. There is protection against double jeopardy—*Bradley* v. *United States* (318 U. S.). There is protection against self incrimination—Gompers against Buck Stove Co. There must be adequate notice and opportunity to defend and to be heard—Blackmer against United States. There must be a speedy and public trial—Cook against United States. There must be protection against cruel and undue punishment. The contemnor is presumed to be innocent and he must be proven guilty beyond all reasonable doubt, and the burden in that regard is upon the Government. I again cite *Gompers* v. *Buck Stove Company* (221 U. S. 418). These are the cases reviewable on the law and on the facts and the reviewing authority are most careful and cautious in this type of case.

Thus, every constitutional safeguard is thrown around the defendant in a proceeding for violation of a court order.

We have heard much about labor. It is interesting to note that the American

Federation of Labor and the Congress of Industrial Organizations have this to say about the bill:

The proposed legislation, it is argued, would deprive citizens of the cherished right of trial by jury. We in organized labor are particularly sensitive to this issue and have, therefore, given the matter our serious consideration.

It is our considered judgment that the present practices with respect to jury trials are not impaired by any provision of H. R. 6127. We believe that the issue is raised for the purpose of defeating the very objective of the legislation, namely, the protection of voting and other rights of all persons.

Mr. TELLER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. TELLER. I thank the gentleman from New York. The gentleman from Virginia [Mr. SMITH] made a charge of inconsistency against those from New York who would vote against the right to trial by jury.

The gentleman from Virginia declined to yield for the purpose of correction, and I should like to point out that we are not being inconsistent in voting against the jury trial proposal because our court of appeals has construed our anti-injunction act not to apply to any case in which the Government is the plaintiff. Moreover, section 876 (a), applying to labor injunction cases only, applies where a private party is the party-plaintiff and never applies when the union objective is illegal. And, I might say this is true for every other State that has a little Norris-LaGuardia Act, such as New Jersey and Massachusetts. It only applies where a private party is plaintiff and never where the Government is party plaintiff, and this is not inconsistent on our part.

There is no situation, moreover, in Federal law where trial by jury exists in contempt cases arising out of proceedings where the Government is the plaintiff. There is no trial by jury in injunction proceedings under the Taft-Hartley Act where a union or an employer is enjoined from committing an unfair labor practice. In other words, the Norris Act is amended by the Taft-Hartley Act so as to withdraw the right to trial by jury because the Government, as in the civil-rights bill, is the party plaintiff. I deny the charge of inconsistency made by the gentleman from Virginia [Mr. SMITH]. The inconsistency is his.

Mr. RAY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Chairman, the issue raised by this jury-trial amendment can be reduced to simple terms and it can, and I think it should, be decided upon layman's reasoning, rather than upon lawyer's reasoning.

Clearly, the Congress has the power to adopt the jury-trial amendment. Equally clear, in my mind, is the proposition that a jury trial has seldom been provided for those accused of disobeying an injunction issued by a court. The problem, therefore, is simply a question of judgment. Under all the circumstances, is it wise to adopt the amendment? In my judgment it is.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired.

The question is on the amendment offered by the gentleman from Illinois [Mr. KEENEY].

Mr. YATES. Mr. Chairman, on that I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. KEENEY and Mr. CELLER.

The Committee divided and the tellers reported that there were—ayes 167, noes 199.

So the amendment was rejected.

Mr. CELLER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States, had come to no resolution thereon.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ARENDS. Mr. Speaker, may I ask the majority leader if he will kindly advise us as to the program for next week?

Mr. McCORMACK. On Monday there will be the continuation of the civil rights bill, under an agreement that there will be a vote on the bill and all amendments thereto not later than 6 o'clock. Also on Monday there will be the call of the Consent Calendar.

For Tuesday and the balance of the week there will be first, on Tuesday, the call of the Private Calendar. Then the following bills will be taken up:

H. R. 7221, the conference report on the third supplemental appropriation bill for 1957.

H. R. 8090, the public works appropriation bill for 1958.

H. R. 7125, the Excise Taxes, Technical Changes Act of 1957.

H. R. 6974, to extend the Agricultural Trade Development and Assistance Act.

S. 469, relating to the termination of Federal supervision of the Klamath Indians.

H. R. 7168, the Federal Construction Contract Procedures Act.

H. R. 3753, an Agricultural bill relating to loans to homesteaders and desert-land entrymen.

House Concurrence Resolution 172, relating to a survey of the growth and expansion of the District of Columbia.

H. R. 72, relating to guardians and gratuities with reference to veterans.

I make the usual reservation that any further program will be announced later and that conference reports may be brought up at any time.

Mr. ARENDS. I thank the gentleman.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DOMINICAN REPUBLIC

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, on June 11, 1957, I arose in the House to criticize some of the recent attacks which have been made against our good neighbor and ally, the Dominican Republic. In particular, I criticized the succor and encouragement given to Dominican revolutionaries by my distinguished colleague from Oregon.

My primary interest in this controversy is centered around the recent documented warnings that the Communists are making significant inroads in attempting to secure control of the governments of some of our Caribbean neighbors. The State Department after an exhaustive study, has printed a booklet warning of the imminent danger brought about by the ever-increasing infiltration of Communists into positions of authority in certain Caribbean countries. The gentleman from Oregon is a new Member of Congress and he is perhaps unfamiliar with the machinations of the Communist conspiracy particularly with regard to its mode of operations in areas of instability. The State Department reports that this problem is most acute in Cuba and Haiti due to the internal turmoil and relative lack of control by the central governments in those countries. I must remind the gentleman from Oregon that the Dominican Republic is contiguous to both of these countries and that all three lay athwart

the strategic approaches to the southeastern United States and the Panama Canal.

I do not desire to indulge in a personal exchange with the distinguished gentleman, but rather I would like to call the attention of the House to the elementary facts in which this entire situation should be viewed.

What is the status of our relationship with the Dominican Republic? Whether the gentleman from Oregon likes it or not, the Dominican Republic has granted to the United States, free of charge, a guided missile base and a radar base essential to the national security of the United States. In surrendering their sovereign territory for essential American installations, the Dominican Republic has acted in a generous spirit of complete cooperation. The record is clear that under the leadership of Trujillo the Dominican Republic has given the United States the fullest cooperation in bilateral and international relations. In addition to being a stanch ally they have not been the beneficiary of large loans or grants and as such, it cannot be said that we have bought their friendship and this fact has been demonstrated again and again. On the basis of the present and past political and diplomatic relations between the United States and the Dominican Republic, the most cordial and friendly intercourse is justified.

If the gentleman from Oregon will study the Latin American political arena, he will discover that there are many friendly governments of which he personally might not approve. I dare say that no Member of Congress would be in favor of terminating our relationships with these Latin American countries because the gentleman from Oregon personally disapproves of their governments. I strongly suggest that the gentleman from Oregon should discard the sensational approach and assume a sober and responsible attitude toward the conduct of United States foreign affairs in our Inter-American relationships. The course of action suggested by my distinguished colleague from Oregon would be disastrous toward our continued maintenance of friendly relations with our neighbors which is essential to our mutually beneficial inter-American defense system. Our Department of State has great responsibility for maintaining good relations with our neighbors and allies in Latin America for such relations are essential to our national security. I cannot sit idly by without bringing to the attention of the House the responsibility of Congress to encourage and assist the executive branch of the Government in its endeavors to preserve our alliances and thus ultimately safeguard our national security.

I want to close with a little bit of advice to the distinguished gentleman from Oregon. I need not remind him that he is a Member of Congress and a Representative of the American people and as such he possesses a high office and a high responsibility. In the conduct of foreign affairs with other nations, irresponsibility may have grave consequences. As a Member of Congress, I strongly suggest that the gentleman from Oregon cannot be a revolutionary or incite revolution against our Latin American neighbors for the sole reason that the distinguished gentleman is not in accord with their governments. Before the gentleman became a Member of Congress, we passed a law making it a crime to advocate the violent overthrow of the Government of the United States. I and the great majority of the Members of Congress strongly favored such legislation. If it is illegal to advocate the overthrow of our Government, then is it not reprehensible to advocate revolution in a friendly neighboring country?

We have a right to choose our form of Government and a duty to protect it. The nations of Latin America have the same right and we have a duty to respect that right, whether or not the gentleman from Oregon likes it. As a strong believer in inter-American cooperation and harmony, I say that the gentleman is irresponsible in his statement linking the tyranny of communism with the governments of those Latin American countries which have most vigorously fought the Red conspiracy. I would like to apologize to our good neighbors for the reckless statements made on the floor of this House.

DOMESTIC MINING INDUSTRY

Mr. DIXON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. DIXON. Once again, Mr. Speaker, I feel it is my duty to call to the attention of this House the deplorable condition of our domestic mining industry and to point out the unfair manner in which American citizens are being forced to compete with foreign metals producers. This unfair competition which exists to the detriment of our own domestic mines will continue until imports are regulated.

When we allow our domestic metals to compete freely on the domestic market with the same metals produced anywhere else in the world, we are in fact pitting the wage, living, and economic standing of our American miners against some of the cheapest labor in the world.

We cannot allow 10- and 15-cent-per-hour labor in Asian countries to erase our domestic mine production. This is the labor that is competing against $16 and $18 per day American miners. How long can our mines remain open in the face of this type of competition?

The answer to that question is that many of our mines have not remained open. Many have shut down, the miners have moved away and found other employment. Some of these pits fill with water and fall into almost irreparable states of disrepair. In some instances it would take years to get some of them back into production.

This spectre of mine closure is not something that those of us from the mining States have conjured up from a mystical crystal ball. It is a very real fact.

I think many of you will be startled to learn that in my own State, Utah, the records of the State tax commission indicate that in 1947 there were 21 mines producing lead-zinc ore. The latest figures—1955—indicate there were only 9 of the 21 still in operation. It is highly possible that even more mines have shut down in the period since 1955.

These statistics show that in 9 years in Utah 12 mines have ceased operation—more than half of our producing lead-zinc mines have closed their shafts.

We have lost nearly half of the experienced miners employed in this industry. The Utah Department of Employment Security listed as employed in lead-zinc mining in Utah in 1947 3,000 men. By 1956 this figure had dropped to 1,732.

These are something more than mere figures. They represent to me a human tragedy of breadwinners out of work, moving from their homes and hometowns to seek new employment. Translate these statistics into the insecurity and struggle they mean for hundreds of American families and you can glimpse a sad picture.

The lead-zinc industry is sick and it needs our help. How can these operators and miners compete with 10 cents per hour labor in Asia or 21 pesos per day Mexican labor?

Technical reports now available to the Congress plus the testimony of numerous American mining engineers show that a high grade miner in India is paid from 12 to 15 cents per hour for a 12-hour day. In some instances the pay ranges in some mining activities as little as 11 or 12 cents per day for inexperienced miners and women. Women in India for example receive as little as 10 cents per day for mining manganese and in Korea a good day's wages for a miner is a cup of rice.

In South America wage standards are higher. Nevertheless miners in Bolivia are paid wages ranging from $1 to $1.50 per day. In Mexico a highly efficient miner, and I might add parenthetically, a very lucky one, might be paid as high as $3 per day although the average daily wage was only $1.68 in 1956.

A report recently published by the Tri-State Lead Producers Association graphically illustrates the wage differential. In 1956 the Tri-State Association estimated that the typical wage structure of a given company would reflect a payment of something over $2.09 per hour for an American lead-zinc miner. This figure includes indirect hourly wage benefits such as pensions, hospitalization, vacation pay, etc. This company had experienced an increase of 35 percent in its wage scale since 1950.

The same company can operate its mines in Mexico and pay the Mexican miner the average pay of 21 pesos per day or the equivalent of about $1.68 in United States coin. This averages out at about 21 cents per hour. This is the equivalent of 10 percent of the United States miner's pay.

This illustrates the fact that by moving next door to Mexico a lead-zinc producer can cut labor costs 90 percent. If he purchased a mine in Korea he could

save even more and his profits would be greatly compounded. In the meantime, what happens to our own industry? In the event of a war or emergency that would curtail or cut our foreign supplies our Nation would suffer seriously, perhaps disastrously.

I firmly contend that we cannot afford, as a matter of self preservation, to become more dependent upon foreign metals suppliers than we are now. As a matter of fact, perhaps some of you may think we are already too dependent upon foreign producers after hearing some of the following metals statistics: Prof. Hollis W. Barber, of the University of Illinois, published in 1953 his book titled "Foreign Policies of the United States," in which he states:

> Each M-47 tank demands 1,915 pounds of chromium, 100 percent of which is imported; 520 pounds of nickel, 99 percent of which is imported; 100 pounds of tin, 100 percent of which is imported; 6,512 pounds of bauxite (alumimum ore), 65 percent of which is imported.

The United States Bureau of Mines estimates that in 1955 42 percent of our total consumption of zinc was imported. In 1956 their estimate of zinc imports is 45 percent. The Bureau estimates that our imports of lead for 1955 and 1956 averaged approximately 35 percent and 34 percent respectively, of the total amount consumed.

A historical review of the tungsten situation as it pertains to imports shows that since 1925 the United States has been able to supply from domestic production approximately one-half of the amount actually consumed by American industry. This was generally the case until 1952. Since that time the Bureau of Mines reported to me that most of our domestic production has gone into the stockpiling program of strategic metals and most of the tungsten consumed by industry has been derived from foreign sources.

These figures provide us food for thought and should act as a slowing brake for those who would have us speed toward low or no metals tariffs or excise taxes which can ultimately result only in the wreckage of a significant segment of our own mining industry.

These foreign operators seldom use mechanical equipment. The reason is not that they cannot afford it, as it is because mechanical equipment, as efficient and fast as it is, cannot begin to compete with labor that can be bought for 10 to 15 cents per day or even per hour. Much of this foreign mining is accomplished by hand shoveling with the most primitive tools.

Metals produced in this fashion under the conditions described are in competition with the same metals produced in such States as Utah, Colorado, Kansas, Wyoming, Nevada, and others, where miners receive wages commensurate with the rest of our economy.

The net effect of this type of competition has been the abandonment and closure of many American mines. If this trend continues, there will surely come a day when this Nation will regret the fact that we put our crucial metals eggs in the basket of foreign supplers. The shifting winds of international politics cannot blow so constant as to insure us these sources of supply in perpetuity.

Our domestic industry needs not only protection in the form of tariffs and/or excise taxes, but it desperately needs a forward looking exploration and development program.

A paradoxical situation exists in the fact that during the years of World War II and during the Korean war in the years 1950–53 when our Government desperately needed domestic lead-zinc production and when these producers could have made substantial profits had the market sought its natural level, the Government imposed price ceilings for both metals. These producers helped the Government and now they look to us for protection from foreign competitors so that in times of stress they will again be able to supply the needs for our American defense. They are not asking for a dole or a handout or for subsidies. They are asking us for protection from the sort of labor I have described.

A fair question at this point would be, "What has caused our domestic mines to become noncompetitive on the world market with foreign producers?" I can answer that query by citing for you some figures that have been supplied to me by my friend Miles P. Romney, manager of the Utah Mining Association. Mr. Romney reports that in 1947 the base wage per day for a lead-zinc miner in Utah was $9.42. This figure does not include indirect wage benefits such as vacation, pension, or hospitalization. In January of this year the base pay in Utah was $15.96, an increase since 1947 of 69 percent. An operator could purchase 100 pounds of blasting powder in 1947 for $13.16. In January of this year the same amount of powder cost $18.70, an increase of 42 percent. The mine operators could purchase cold rolled steel plates for $3.60 per pound in 1947 and the estimated price per pound in January 1957 was $6.12, an increase of 70 percent. Dimension timbers were purchased for $68 per 1,000 board feet in 1947 and cost in January of this year $107, an increase of 57 percent. In addition, their smelter costs, freight charges, and other operational costs have greatly increased while the price for their metals has drastically dropped due to competition with foreign metals under existing conditions.

In a few days, gentlemen, we will have before us and our committees for consideration, the administration's metals policy in legislative form. The substance of this policy was released to the Congress last week by Secretary Seaton. Many of our mine operators and miners have grave fears that this minerals program will meet with delays here on the Hill. I sincerely hope this is not the case.

A few days ago, I had a prominent mining man say, "We have been waiting for such a program for a long time. I hope that Congress will not fail us in this session. We have operated with losses as long as we can." If this minerals policy is not enacted speedily and before adjournment, I can only conclude that the majority party—the Democratic Party—does not want a program that will help our mining industry. I appeal to them to push this program through the Congress as rapidly as possible.

EQUAL RIGHTS LEGISLATION

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MAY. Mr. Speaker, over the past 2 weeks we have been debating the civil-rights bill in the 85th Congress. For some period of time now, there has been a great deal of interest in this bill and in previous, similar bills dealing with civil rights, on the part of the people in my congressional district—the First District of Connecticut.

There is no doubt in my mind that the present bill, as backed by the administration, is the type of legislation my constituents desire. I have discussed this at great length with a good cross section of the people in my district, both during the election campaign of last fall and since then. I say that now is the time to act. This bill must be passed without crippling amendments that will weaken the basic fiber of this important legislation. This will be an important step forward in the elimination of second-class citizenship, in whatever areas it may occur.

The assertion and preservation of equal Constitutional rights and liberties for every American is a moral duty incumbent upon the Members of this Congress. The prompt passage of this civil-rights bill is the rightful discharge of that duty.

FLAG DAY CEREMONIES AT THE STONEY RIDGE SCHOOLHOUSE

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, at 4:30 this afternoon at the Stoney Hill Schoolhouse, near Fredonia, Wis., the National Fraternal Flag Day Foundation will commemorate the 180th anniversary of the adoption of the flag of the United States of America by the Continental Congress, and the 72d anniversary of the institution of Flag Day.

The observance of Flag Day was originated at the Stoney Hill Schoolhouse on June 14, 1885, for the purpose of awakening greater devotion to our flag and to the Republic for which it stands in the hearts of the American people.

I believe it is appropriate that we pause today in our deliberations and join with the people gathered at the Stoney Hill Schoolhouse in proclaiming our allegiance to our flag and our adherence to the democratic principles of our great Nation .

At this point I would like to read into the RECORD the proclamation of Flag Day

1957 issued by the President of the United States of America:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

Whereas June 14, 1957, marks the 180th anniversary of the adoption by the Continental Congress of the flag of the United States of America; and

Whereas this banner has become the symbol of our freedom and unity as a nation, our way of life as a people, and the principles which have guided us throughout our history, and

Whereas we have adopted the custom of observing June 14 each year with ceremonies designed to commemorate the birth of our flag and to demonstrate our gratitude for the blessings we enjoy as American citizens; and

Whereas the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), has designated June 14 of each year as Flag Day and has requested the President to issue annually a proclamation calling for its observance:

Now, therefore, I Dwight D. Eisenhower, President of the United States of America, do hereby call upon the appropriate officials of the Federal Government, and State and local officials, to arrange for the display of the flag of our Republic on all public buildings on Flag Day, June 14, 1957; and I urge the people to display our colors at their homes or other suitable places on that day, and to recall whenever they see the flag the privileges and responsibilities of citizenship symbolized by the Stars and Stripes.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 31st day of May in the year of our Lord 1957, and of the Independence of the United States of America the 181st.

DWIGHT D. EISENHOWER.

By the President:

CHRISTIAN A. HERTER,
Acting Secretary of State.

The National Fraternal Flag Day Foundation, composed of representatives from various fraternal organizations, is working toward establishing a national shrine at the Stoney Hill School House. Their patriotic efforts should receive the wholehearted support of Americans from coast to coast.

In commending the National Fraternal Flag Day Foundation for their constructive endeavors, I would like to read into the RECORD the list of the foundation's officers and of the various fraternal organizations which they represent. The list reads as follows:

Mr. Fred A. Johnson, honorary chairman of the board, Royal League, Chicago, Ill.

Mr. Norton J. Williams, chairman of the board emeritus, Equitable Reserve Association, Neenah, Wis.

Mr. Joseph F. Walsh, president emeritus, Catholic Knights of Wisconsin, Milwaukee, Wis.

Mr. Alex O. Benz, president, Aid Association for Lutherans, Appleton, Wis.

Mr. August Springob, vice president, Catholic Family Life Insurance, Milwaukee, Wis.

Mr. Julius P. Michalski, secretary Polish Association of America, Milwaukee, Wis.

Mr. Albert Pawlak, treasurer, Federation Life Insurance of America, Milwaukee, Wis.

Board of directors: Mr. Alex O. Benz, Mr. Joseph F. Walsh, Mr. Julius P. Michalski, Mr. R. L. Blodgett, National Mutual Benefit, Madison, Wis.; Mr. Elmer Anderson, Scandinavian American Fraternity, Eau Claire, Wis.; Mr. August Springob, Mr. Albert Pawlak, Mr. R. Gordon Pope, Equitable Reserve Association; Mr. E. E. Bertram, Aid Association for Lutherans; Miss Pearl Bohm, Royal Neighbors of America; Miss Lillian Sharen, Degree of Honor Protective Association; Mrs. Glady Podkomorski, Polish National Alliance; Mr. Harry E. Bertram, general council.

Mr. Speaker, I sincerely hope that the efforts of this group of patriotic citizens will be supported by our people in every State and Territory of the Union.

THE CURE FOR ECONOMIC ILLS OF DISTRESSED AREAS

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, as a pioneer for legislation for assistance and redevelopment for distressed areas, I am convinced that we must blaze a new trail in order to solve the paradox of declining economies in scattered areas that become more pronounced during an era of national prosperity.

No matter how prosperous the United States may be at any given time, there will always be some areas where the old industrial patterns are breaking up, while the ones to replace them have not yet been found.

On May 25, 1954, I called attention to this problem by asking support of my bill, H. R. 9137, originally titled "The Industrial Development Act of 1954."

In it I proposed the formula to define labor-surplus areas that would be eligible for assistance.

My bill was based on the concept that local communities unaided are in no position to handle the job of economic redevelopment with their own limited resources.

It further specified that a separate agency of the Federal Government should be established with authority to advance loans to help distressed areas to build small modern plants that would encourage growth industries to fill the economic void.

Local redevelopment committees would retain initiative and control.

These committees on their own have already accomplished much.

It is obvious from their practical experience, however, that they cannot modernize their industrial pattern to the extent that is required.

They will be fortunate if a large and diversified corporation decides to build a branch in their locality, but such a decision will be that of the corporation rather than the community.

Labor-surplus areas cannot sit back and wait for chance to solve their problems.

Neither can they depend upon a halfway program of filling up ancient and obsolete mill buildings with shoestring industrial ventures that hope to exploit the labor surplus.

It is not enough for these communities to acquire industries that will put their unemployed back to work at severely depressed wages that barely meet the legal minimum.

This is not economic recovery in the full and genuine meaning of the term and in relation to the level of economic activity throughout the Nation. This is only partial recovery that does not meet the needs of economic transition.

Most of these so-called distressed areas, because they were one-industry communities that failed to diversify or to keep up with economic progress, have to make the big leap from the past to the progressive present. Old factories, filled up with industrial odds and ends, will arrest the decline and give a false flush of recovery but they will not cure the basic ailment.

We must build new plants or die.

That is the objective of communities that realistically face up to the problem.

As the New York Herald Tribune business and financial editor stated in his column of April 26, 1957:

Most economists are agreed on the fact that the principal prop supporting America's historic prosperity is the reinvestment, annually, in new plants and equipment, by the Nation's privately owned corporations.

But what about those scattered areas where there has been little research and little or no industrial construction for a third of a century or more?

Modern industry, interpreting this as a lack of initiative for which the community is not mainly responsible, cannot be blamed if it is not attracted to such areas.

As old industries die or move away, the communities that are burdened with with these ancient plants must assume the initiative in a big way.

They must build new plants in order to move forward into modern competition.

But they cannot do the job alone.

An area-redevelopment bill, providing a well-rounded and cohesive solution to this problem, should be passed at this session.

Legislation along this line is inevitable.

Because it will be largely self-supporting—on a revolving loan basis—I believe that we should decide now to come to the aid of those communities needing our help.

As the original advocate of such legislation, I strongly urge its enactment, for I am convinced, more than ever before, that this is the only fully effective way to restore labor-surplus areas to sound economic health.

THE GIRARD CASE

Mr. BOW. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, Robert Dechert, General Counsel of Defense, was recently quoted as saying that the actions of Sp3c. William Girard in

carrying out his duty assignment was "such a complete departure from his duty that he could not have been considered on duty." As usually happens when a storm breaks over a bureaucrat who has made an unseemly remark, he promptly claimed he was misquoted.

Having examined his testimony to the Subcommittee of the Senate Armed Services Committee, however, I believe he was quoted correctly. It was part of the pattern of conditioning the American people to an acceptance of the premise that Girard was guilty of some crime. This trial and conviction started with the joint statement of Secretary Dulles and Secretary Wilson confirming the decision to surrender Girard to the Japanese authorities for trial. Subsequent leakage of adverse claims is calculated to bolster the conclusions in the statement. It is obvious that the purpose is twofold—to cover up the fact that the Japanese put something over on the State Department when the agreement was made, and that the Defense Department erred in its handling of the Girard case.

General Counsel Dechert has in my opinion failed to carry out his responsibilities. If he has no regard for the rights of our servicemen he should resign. In his position he should be a bulwark of protection to servicemen, not their public prosecutor. Furthermore, as a lawyer he should know enough to keep silent about the details of a case that is pending or will be pending in a court. He violates the ethics of his profession.

The absurdity of this new principle to determine when a man is on duty is apparent to all. If a serviceman exceeds the probable actions required by his duty assignment then he is no longer to be considered on duty. Must a soldier now cogitate over the probable result to him before discharging an order—that is determine if it might not subject him to trial in a foreign court? Is the military going to say further that when a man exceeds his instructions, then he is not on duty and cannot be court-martialed for his actions?

I need hardly remind you that the damage to the morale of our troops by the actions of the executive departments in the Girard case is incalculable and irreparable. There has been some hint of deterioration in the morale of our forces abroad because of the status-of-forces agreements, but now that it is demonstrated that our Government will not protect its soldiers on duty, the situation will grow increasingly worse.

AMERICAN ENTERPRISER HERSCHEL MILLS DUNCAN

The SPEAKER. Under previous order of the House, the gentlemen from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, the recent untimely passing of Herschel Mills Duncan, of Houston, Tex., was a tremendous shock to all of us who knew him. I should like at this time to extend to his widow and other members of his family heartfelt sympathy in their great loss.

Mankind is indebted much more than it is inclined to admit to a relatively few restless spirits that are born among us each generation. These are the uncommon men who furnish the added power by which we go forward. To their character, industry, courage, ingenuity, pride, and humility we owe much of the progress we make. Our own great country spawns but few of them each decade.

Such a man was Kentucky-born Herschel Mills Duncan. He was not a scholar or a scientist but an American businessman. Testimony to his stature and character remains behind in the spirit of the institution which he created and among the people who comprise it.

Herschel Duncan was universally recognized as a man who made a phenomenal success from a meager beginning. He built the Duncan Coffee Co. from a two man team into a great organization among those in the Southwest today. His is the story of the small-business man in every respect.

But it is the character of the forces at work within him as he was achieving that success that compel us to honor him today.

At first he worked for an uncle who was in the coffee business. Because of a fierce pride and a conviction that he could do anything that anyone else had done, as an ambitious young man in 1918 he started his business in his uncle's abandoned plant with a pair of overalls and a few dollars capital raised from various people on the promise that their investment would be repaid with an attractive rate of return.

Mr. Duncan was a man of many contrasts. He felt that man must fight—even if only with his own conscience—just to be sure of following the right course. He was restless. The complacent idea that all was well was disturbing to him. He was most sure that it was not. He was convinced that nothing was constant except change. He made an effort to enjoy personally the wealth which his industry and drive had created but could only find genuine pleasure in concerning himself with the problems of his people.

And although his permanent concern was for his own people, he was concerned also for the local banker, the local businessman, and the communities where he sold his coffee. Because of his fierce pride, he exerted great energy to assure that his product had no peer on the market.

His life was spent in the pull and haul of economic tides; in meeting payrolls; in standing up to the emery wheel of competition; in meeting emergencies; in lending and helping; and in concerning himself with the welfare of the people who followed him into that adventure. Those fights which he won, he laughed about; those fights which he lost, he also laughed about.

Truly, all who loved him agree that he has earned the assurance of rest inherent in the epitaph he chose for himself: "To die, to sleep: To sleep! Perchance to dream."

I would also like to include as a part of my remarks an article about the enterprising characteristics of Mr. Duncan. It appeared in the Preview of Texas, May 1951. In that article Mr. Duncan was featured as the "Man of the Month."

The article follows:

MAN OF THE MONTH: COFFEE KING H. M. DUNCAN

In 1907, a hulking, 18-year-old laborer at the Cheek-Neal Coffee Co. plant at 1200 Carr on Houston's north side drew his first week's salary check—$9.

He took his check to a store down the street a block, cashed it, bought two pairs of overalls, then went back to work.

This incident of 44 years ago was a forecast of the life and success of Coffee King Herschel Mills Duncan.

Ever since then, he's been working at—and plowing his profits back into—the hard, speculative, fast-moving, interesting coffee business.

Three times when many others went broke and dropped out of the tough competition in this field due to factors they couldn't control, lusty, lone-wolf Herschel Duncan grabbed economic trouble by its throat and made it build him bigger, serve him better, than good times.

This month with a typically lusty and definite zip, Herschel Duncan is setting his now huge and rich coffee company on a new course.

He's offering the investing public its first chance to get aboard his profitable Duncan Coffee Co., sixth largest coffee roaster in the Nation and overlord of the retail coffee market in Texas, Louisiana, Arkansas, Oklahoma, and part of New Mexico.

He's put on the counter 150,000 shares of non-voting, class A common convertible stock at $9 per share with a 60-cent minimum dividend promised before the other 350,000 shares of common convertible or the 500,000 shares of common stock (family-owned and carrying voting power) can get their returns.

His reasons for doing this are various. Largely, they grow out of the present-day tax policies of the Federal Government.

The preferred 6-percent-plus return backed by Duncan Coffee's $25 million sales of last year, its ever-expanding retail activities, and the sound organization built over the past 33 years, gave the stock offering a pleasing blue-chip appearance to many investors.

With this new policy in effect but with his finger still firmly on his booming baby's pulse, 62-year-old Herschel Duncan is now preparing to retire.

"I guess I have bought more coffee than any living man," he said "I've sent hundreds of men into Latin America to buy coffee and check on statistics, weather, crops, and so on.

"But I've never been to any coffee-growing country except Mexico.

"Now that I'm going to have some time, I believe I'll visit 'em all."

If he does, his staff won't be surprised if a telegram comes back: "Just bought $3 million Santos 2's" (coffee grade). Or maybe simply: "Just bought Rio de Janciro. Very pretty place."

Mr. Duncan, it may be fairly inferred, is a doer. And when he does things, he does them in a big way.

As it has to many another, misfortune gave Mr. Duncan his first boot toward success—and several other nudges since then.

A grandson of the noted Scotch educator, Dr. John Green Duncan, and son of a daughter of the wealthy, landowning Neal family of Kentucky, Herschel Duncan was born and raised on his family's Kentucky tobacco plantation. He entered the University of Kentucky at Lexington at 17 with $1,800 in his poke that he had saved from selling calves and pigs.

That would have been enough money easily to see him through to a college degree, for he already had skipped several requirements by

taking special examinations and was breezing through his studies.

But he heard an older student bragging about a "clean up" at the racetrack in Lexington, winning $200 on a $2 bet. A few days later, Mr. Duncan had some high-priced expert knowledge of racetrack betting, but his $1,800 was gone.

"I was just too damned proud to tell my folks what happened or to take a job washing dishes and earn my way through the rest of the university course," he growled.

"So I quit and came to Houston. My uncle, J. W. Neal, was here and I thought I could get a job."

Mr. Duncan now spends a million dollars a year huckstering Admiration, Maryland Club, and his other fine coffees and teas. But when he came to Houston, his financial condition was such that he sat up overnight in a chaircar.

And when he drew that first $9 from working a week as a laborer for his uncle's Cheek-Neal firm, he needed those two pair of overalls to work in.

Mr. Duncan doesn't think it at all remarketable that his firm today is rated as being worth in excess of $9 million and that the whole coffee world tips its hat in admiration.

"I haven't been successful like, say, Mr. Jesse Jones," he said, "but I have worked hard—and I've been very fortunate."

In 1918, the Cheek-Neal company moved from its old location at 1200 Carr to a new plant. In its old location, it abandoned old roasters, furnaces, and other such heavy, obsolete equipment—leaving almost a whole coffee plant. But who in their right mind would move into such a plant, Cheek-Neal officials reasoned.

Mr. Duncan then was superintendent of the Cheek-Neal plant, had a fine job, was married to the former Miss Linnie Dunn, and they had started a handsome family of four youngsters. It would have been the easy way for Mr. Duncan to refuse to hear opportunity beating a tattoo on his skull. If he had, there would have been no 500 employees of Duncan Coffee Co. today, no $250,000 annual Christmas bonus for them, no orchids flown in from the Philippines to every Dallas housewife last month who bought a pound of Maryland Club coffee, just one of many sensational promotions by Duncan.

But Mr. Duncan couldn't stand the chance. He resigned from his Cheek-Neal job, leased the old plant, worked out a quick deal with the Government to use part of the plant as a warehouse for World War I flour which financed his start, then swung into the coffee business with all his lusty, hard-hitting power.

A month later, J. W. Neal drove past the home of Lester Bland, Mr. Duncan's good friend and Mr. Neal's efficient secretary. He saw Mr. Duncan's car parked there, reasoned correctly that Mr. Bland was helping his nephew out with his business-beginning paperwork.

"Next day, I was fired," said Mr. Bland.

"I was over at Herschel's house before dawn. He said: 'Well, I don't know how two can live on what we can make, but come on to work. We'll manage somehow.' "

Looking at Mr. Duncan in his handsomely furnished office on Carr Street today and thinking back on the stories told of him as a millionaire socialite, it is hard to realize he is the same man who came to work at 5 a. m., fired his own furnaces, and roasted his own coffee in the mornings, then went out in a model T Ford in the afternoons and sold that coffee, pound by pound, to his first customers.

Yet, that's actually what happened.

"I made my first sale across the street there to Weinberg's Grocery—$2.62 worth of coffee on August 12, 1918," said Mr. Duncan. "The store is still there—and they still are our good and valued customers."

Today the company markets 38 million pounds a year and Admiration is far and away Texas' largest seller.

Mr. Duncan hit a rising market. Prices were zooming including those of coffee. He had to either sell shares in his new company, or borrow. He went to the Union National and the board, with William Rice taking a lead, made him a $50,000 capital loan.

"We've made money every year we've been in business—we've never been forced to borrow since then," said Mr. Duncan.

In 1921, Mr. Duncan faced his first real opportunity to go busted. Prices tumbled terrifically. Coffee dropped from 62 to 22 cents a pound on grocers' shelves.

"I set my price a nickel a pound below everybody else's and cleared out my expensive stocks, repurchased at lower figures, cut prices some more, and rode the market right on down," he recalled.

This misfortune (to the rest of the coffee world) actually gave Duncan Coffee Co. its big start.

The depression in 1930–33 gave it its expansion. Cheek-Neal and its Maxwell House products had been sold by J. O. Cheek and Mr. Duncan's uncle, Mr. Neal, to General Foods for $42,500,000. The coffee world was badly shaken up—here and in the financially panicky coffee countries. It was an ideal time to pull in your horns, but Mr. Duncan didn't see it that way.

"Good salesmen were walking the street or taking jobs as janitors, and merchants were begging for any sort of service and credit they could get," he said. "Instead of laying off people, we decided to put them on and expand. We've still got exclusive accounts that we sold in those days, and we've got many a fine salesman who went with us then and is still doing a good job for us."

Next crisis was posed by World War II. The Government put on a 75-percent rationing program, but left it up for grabs among coffee men as to who got what share of the 75 percent of the business permitted. Mr. Duncan hit for Washington in a hurry, got a list of all persons holding coffee importing licenses on which the rationing was based, wound up increasing his volume when the rest of the industry was rationed.

"Boy, did the competition boil and holler," he said with that grim satisfaction that comes particularly to a successful lone-wolf operator.

The postwar period, the development into top executives of his sons-in-laws, Malcom Cummings, sales manager, and Paul Taft, production manager, and his son, Mills Duncan, Jr., as chief in the vital San Antonio area, set the stage for the stock issue and Mr. Duncan's thoughts of retirement.

Will he retire?

Well, last month his coffee-sharp eye caught a flutter in the world coffee market that spotted to him a new "position" as a buyer assumed by the A. & P. Tea Co. which Mr. Duncan unblushingly rates as second only to Duncan as "smartest" in the coffee field.

"Bill Busse (his chief statistician, buyer and interpreter) and I got into a room with only a long-distance telephone and in 2 days we had bought $3 million worth of coffee from all 11 producing countries," said Mr. Duncan.

"Turned out we were right. Prices went up right after that."

Having dealt with all sorts of governments in the Latin American countries, Mr. Duncan is acutely politics-conscious. He is quietly influential in both Austin and Washington, although his loyalty to his friend, Coke Stevenson, set him back slightly in both places when LYNDON JOHNSON nosed out Coke for United States Senator. As do most business executives, he feels the United States is headed helibent into socialism.

"Used to be that when a Government man came out here to the office to look at the books, we'd get all excited," he said testily. "Now there's one of the so-and-so's here all the time, always prowling around looking for something wrong and never finding it. But they don't bother us."

Few things can bother Herschel Mills Duncan for long. He is so charged with restless, high-powered energy that worrying is just too tame an occupation to keep him busy. He's got to do something else.

When he works, he hits the ground running at 5 a. m., begins telephoning his men long before most executives have even thought of getting up. When he plays, he may suddenly have an idea which might sell more Maryland Club, Bright & Early, or Admiration—or perhaps save a bit of their cost. Right off, play stops. He buttonholes whomever is nearest or handiest to the telephone—and off they go. Quite naturally, his sons-in-law feel like their wartime combat assignment in the Navy were restful.

The Duncans maintain a farm at Alief, a bayshore home at Bayshore Terrace near the Yacht Club, rank high in every social field.

They are proud of the overalls-to-riches achievement of Herschel Duncan and his younger brother, Charlie, who in 1921 quit a fine job as a bank cashier in Kentucky to become a shipping clerk under his brother in the coffee business.

The international flavor of their activities, the hazards, the constantly expanding sales, the rigors of handling a packaged food product to please critical housewives—all these make the game as well as the return pleasing.

As for Mr. Duncan, he seems to be able to rise to any occasion—maybe, even, retirement, although the odds are harder against him on that than they were that long-ago day when he went to the Kentucky racetrack.

In 1925, the Salesmanship Club was Houston's most noted soundingboard and gathering spot.

They put on the gridiron dinners of that period, entertained visiting celebrities, and otherwise kept the town and the members on their toes. One day the club had a large group of honored guests. Members were identifying themselves and their companies.

Multimillionaire coffee king, J. Robert Neal, operator then of the world's mightiest coffee firm, stood up, and said: "J. Robert Neal, Maxwell House Coffee, good to the last drop."

Up bounced Herschel Duncan, operator of a small, struggling local coffee plant: "Herschel Duncan, Admiration Coffee, even our last drop is good."

CASE OF SP3C. WILLIAM S. GIRARD

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the following is a resolution by the city council of the city of Lowell, Mass., regarding the case of Sp3c. William C. Girard.

CITY OF LOWELL, MASS.,
OFFICE OF THE CITY CLERK,
June 12, 1957.

HON. EDITH NOURSE ROGERS,
House of Representatives,
Washington, D. C.

DEAR MRS. ROGERS: At the regular meeting of the Lowell city council held on Tuesday, June 11, 1957, the following motion by

Councillor George B. Murphy, Jr., was unanimously adopted:

"That the city council go on record as protesting to the State Department, the Department of Defense and the President of the United States of the turning over to the Japanese authorities for trial the case of Sp3c. William S. Girard."

Will you kindly see that the city council's protest is forwarded on to the proper authorities.

With best wishes, I remain,

Respectfully,

WILLIAM H. SULLIVAN,
City Clerk
(For the City Council.)

Mr. Speaker, the following is a telegram I have received from the William P. Connery Jr. Post, No. 6, of the American Legion, of Lynn, Mass.:

LYNN, MASS., *June 13, 1957.*

Congresswoman EDITH NOURSE ROGERS,
House Office Building,
Washington, D. C.:

At a regular meeting of William P. Connery Jr. Post, No. 6, American Legion, Essex County's largest veterans organization, held on June 13, 1957, it was voted to urgently request that you take drastic action to keep airman Girard out of Japanese courts and protect his rights as a member of the United States Armed Forces. Our members did not fight at Guadalcanal and Iwo Jima to give Japan jurisdiction over our Armed Forces.

THOMAS H. DRISCOLL,
Americanism officer, William P. Connery Jr. Post No. 6, American Legion.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. MCINTOSH, for June 17–June 21, inclusive, on account of subcommittee hearings in San Francisco of the Committee on Un-American Activities.

Mr. COUDERT (at request of Mr. MARTIN), for an indefinite period, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN, for 15 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. SIKES, for 30 minutes on Tuesday next.

Mr. THOMPSON of New Jersey, for 1 hour on Tuesday next.

Mrs. ROGERS of Massachusetts, for 5 minutes on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. SHUFORD and to include an address by Mr. ALEXANDER.

Mr. PATMAN in three instances and to include extraneous matter.

Mr. JARMAN.

Mr. REUSS and to include extraneous matter.

Mr. HOLLAND and to include extraneous matter.

Mr. MCFALL in two instances and to include extraneous matter.

Mr. HÉBERT and to include extraneous matter.

Mr. FEIGHAN and to include extraneous matter.

Mr. LANE.

Mrs. CHURCH to revise and extend remarks made in the Committee of the Whole and to include extraneous matter.

Mr. FLOOD (at the request of Mr. JONES of Missouri) and to include extraneous matter.

ADJOURNMENT

Mr. JONES of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 9 minutes p. m.) under its previous order, the House adjourned until Monday, June 17, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

951. Under clause 2 of rule XXIV, a letter from the General Counsel, Department of Defense, transmitting a draft of proposed legislation entitled "A bill to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to correct errors" was taken from the Speaker's table and referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ENGLE: Committee on Interior and Insular Affairs. H. R. 7708. A bill to amend section 6 of the act approved July 10, 1890 (26 Stat. 222), relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State; without amendment (Rept. No. 569). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H. R. 7540. A bill to amend Public Law 815, 81st Congress, relating to school construction in federally affected areas, to make its provisions applicable to Wake Island; without amendment (Rept. No. 570). Referred to the Committee of the Whole House on the State of the Union.

Mr. DURHAM: Joint Committee on Atomic Energy. H. R. 7992. A bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes; with amendment (Rept. No. 571). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 8152. A bill to authorize a special milk program, a veterans and Armed Forces dairy products program, and an accelerated brucellosis eradication program; to the Committee on Agriculture.

By Mr. BARRETT:

H. R. 8153. A bill to authorize the Secretary of the Army to lease to the city of Philadelphia, Pa., certain piers and other facilities of the United States located in such city; to the Committee on Armed Services.

By Mr. BROOMFIELD:

H. R. 8154. A bill to amend title II of the Social Security Act so as to permit the State of Michigan to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. COOLEY:

H. R. 8155. A bill to assist the United States cotton textile industry in regaining its equitable share of the world market; to the Committee on Agriculture.

H. R. 8156. A bill to amend the Agricultural Trade Development and Assistance Act of 1954; to the Committee on Agriculture.

By Mr. DORN of New York:

H. R. 8157. A bill to permit the flying of the flag of the United States for 24 hours of each day at certain places; to the Committee on the Judiciary.

By Mr. FLOOD:

H. R. 8158. A bill to encourage the establishment of voluntary pension plans by self-employed individuals; to the Committee on Ways and Means.

H. R. 8159. A bill to authorize the sale of five coal-burning Liberty-type vessels to Belgium or its citizens for use in the exportation of anthracite coal from Philadelphia to ports in Belgium and The Netherlands; to the Committee on Merchant Marine and Fisheries.

By Mr. GRANT:

H. R. 8160. A bill authorizing a survey of the Tensaw River, Ala., in the interest of navigation and allied purposes; to the Committee on Public Works.

By Mrs. KNUTSON:

H. R. 8161. A bill to revive and reenact the act of December 21, 1950, authorizing the construction, maintenance, and operation of a toll bridge across the Rainy River, at or near Baudette, Minn.; to the Committee on Public Works.

By Mr. MAILLIARD:

H. R. 8162. A bill to amend section 302 of the Defense Production Act of 1950 to authorize loans to certain public agencies directly connected with activities essential to the national defense; to the Committee on Banking and Currency.

By Mr. PILLION:

H. R. 8163. A bill to amend title II of the Social Security Act to include New York among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mr. PRESTON:

H. R. 8164. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. ULLMAN:

H. R. 8165. A bill to provide for the construction of minimum basic recreation facilities in the Owyhee Reservoir area, Oregon, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 8166. A bill to make the evaluation of recreational benefits resulting from the construction of any flood control, navigation, or reclamation project an integral part of project planning, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. LONG:

H. R. 8167. A bill to provide for the payment of claims for supplies and services furnished the irregular, or guerrilla, forces of

the former Commonwealth of the Philippines during World War II; to the Committee on the Judiciary.

By Mr. SILER:

H. R. 8168. A bill to provide that the provisions of the Natural Gas Act shall not apply to the sale of natural gas, as an incident of its production and gathering, by an independent producer not engaged in the interstate transmission of natural gas; to bring under Federal Power Commission jurisdiction direct sales of natural gas made by natural gas companies; and to prevent below-cost sales of natural gas in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WITHROW:

H. R. 8169. A bill to amend the Watershed Protection and Flood Prevention Act with respect to measures for erosion control; to the Committee on Agriculture.

By Mr. BERRY:

H. R. 8170. A bill to provide authority to make payments for all damages and losses suffered by those displaced by the acquisition of property required for or affected by the construction of navigation, flood control, or related water development projects under the jurisdiction of the Department of the Army; to the Committee on Public Works.

By Mr. MAGNUSON:

H. R. 8171. A bill to authorize the Secretary of the Army to sell certain lands at the McNary lock and dam project, Oregon and Washington, to the port of Walla Walla, Wash.; to the Committee on Public Works.

By Mr. MERROW:

H. R. 8172. A bill to provide that active military or naval service performed during the period beginning on November 12, 1918, and ending on July 2, 1921, by any individual who served in Germany or Russia during that period shall be deemed to be World War I service for the purposes of all laws administered by the Veterans' Administration; to the Committee on Veterans' Affairs.

By Mr. TOLLEFSON:

H. R. 8173. A bill to authorize the Secretary of Commerce to sell war-built vessels and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HOSMER:

H. J. Res. 369. Joint resolution proposing an amendment to the Constitution of the United States relative to disapproval of items in general appropriation bills; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 370. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4; to the Committee on Merchant Marine and Fisheries.

By Mr. MOORE:

H. J. Res. 371. Joint resolution providing for the revision of the Status of Forces Agreement and certain other treaties and international agreements, or the withdrawal of the United States from such treaties and agreements, so that foreign countries will not have criminal jurisdiction over American Armed Forces personnel stationed within their boundaries; to the Committee on Foreign Affairs.

By Mr. SCHWENGEL:

H. J. Res. 372. Joint resolution to establish a Lincoln Sesquicentennial Commission; to the Committee on the Judiciary.

By Mr. PATMAN:

H. Con. Res. 188. Concurrent resolution authorizing the printing as a House document of the document entitled "Congress and the Monopoly Problem; 56 Years of Antitrust Development, 1900–1956"; to the Committee on House Administration.

By Mr. DAWSON of Illinois:

H. Res. 278. Resolution authorizing the printing of additional copies of the report on intergovernmental relations; to the Committee on House Administration.

By Mr. TEAGUE of Texas:

H. Res. 279. Resolution to provide funds for the investigations and studies made by the Committee on Veterans' Affairs pursuant to House Resolution 64 and House Resolution 65; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANFUSO:

H. R. 8174. A bill for the relief of Giuseppe Berlicchi; to the Committee on the Judiciary.

H. R. 8175. A bill for the relief of Maria Proscia; to the Committee on the Judiciary.

By Mr. BARTLETT:

H. R. 8176. A bill for the relief of Yannoula (Gianoula) M. Lapa; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 8177. A bill for the relief of Angelos Vlasios Patsis; to the Committee on the Judiciary.

H. R. 8178. A bill for the relief of Comdr. Cook Cleland; to the Committee on the Judiciary.

By Mr. BURNS of Hawaii:

H. R. 8179. A bill for the relief of Rufo Hermano Ganir; to the Committee on the Judiciary.

H. R. 8180. A bill for the relief of Mrs. Kin Kogawara; to the Committee on the Judiciary.

By Mr. DELLAY:

H. R. 8181. A bill for the relief of Mrs. Rosalie Pasqua Lima; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 8182. A bill for the relief of Ingeborg Stromeier Wilkes; to the Committee on the Judiciary.

By Mr. HOSMER:

H. R. 8183. A bill for the relief of Mrs. Anna (Borbat) Borbatova; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8184. A bill for the relief of Mr. and Mrs. Robert B. Hall; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H. R. 8185. A bill for the relief of Beatrice Ozolins; to the Committee on the Judiciary.

By Mrs. CHURCH:

H. Res. 280. Resolution providing for sending the bill and accompanying papers on H. R. 8136, a bill for the relief of L. Balkin Builder, Inc., to the United States Court of Claims; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

281. By Mr. ADAIR: Petition of Mrs. Robert J. Johnson and members of the Epworth Methodist Church of Bluffton, Ind., favoring the passage of legislation to prohibit the transportation of alcoholic beverage advertising in interstate commerce, and its broadcasting over the air; to the Committee on Interstate and Foreign Commerce.

282. By Mr. HOEVEN: Resolution of the Board of Supervisors and Board of Social Welfare, Plymouth County, Iowa, protesting the Federal ban on old-age assistance payments to persons domiciled in a county-operated home; to the Committee on Ways and Means.

283. By Mr. SMITH of Wisconsin: Resolution of the Veterans of Foreign Wars, Junker-Ball Post 1865, of Kenosha, Wis., unanimously expressing opposition to our Government entering into status of forces agreements giving jurisdiction over American servicemen to the vagaries of foreign justice and foreign courts and specifically expressing opposition to the release to Japanese courts of Army Sp3c. William S. Girard, which was passed unanimously at a regular meeting of the Veterans of Foreign Wars, Junker-Ball Post 1865, Kenosha, Wis., on June 5, 1957; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Importation of Foreign Oil

EXTENSION OF REMARKS

OF

HON. JOHN JARMAN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1957

Mr. JARMAN. Mr. Speaker, the ability of the United States to develop intelligently its great natural resources has played the major role in this Nation's survival and victories in the great wars of this century. Success in these conflicts preserved our unique political freedoms.

In no field of industrial development has this talent manifested itself with greater force than in the dynamic progress of the oil and gas industry of this Nation in time of war or peace. This industry and its advancements in exploration and development have been and will be of vital significance, not only to the oil-producing States, but to the entire Nation, for oil and gas today account for 70 percent of the energy consumed by the United States. It must be obvious that nothing could be more important to the adequate national defense of this country than the continued healthy development of this industry and the guaranty of a continued source of domestic oil at all times.

It was recognized by the President of the United States and a Special Cabinet Committee in 1955 that the importation of foreign oil, above the 1954 ratio of 1 barrel for every 10 produced domestically, could threaten the national security by retarding future exploration, discovery, and production of oil and its derivative products within the continental boundaries of the United States. The Congress, in this same year, by the inclusion of the Defense Amendment to the Trade Agreements Extension Act, provided the Chief Executive with a power to prevent such a danger from occurring. Despite this legislative and executive recognition of the seriousness of the problem, the menace has contin-

ued with imports rising steadily above the 1954 ratio, being interrupted only by the closing of the Suez Canal, and importations this year are expected to be the highest ever. The sole efforts made to curb the flood of imported oil have been the futile attempts of the Office of Defense Mobilization to beg the large importing companies to voluntarily reduce their imports. This approach has been and will be a vain and fruitless effort. Now, again in 1957, 2 years later, the Office of Defense Mobilization has declared that there is evidence that importations are increasing at a rate which could threaten our national security and the President has merely called for still another investigation.

Can any man dispute the danger of increased dependence upon the tenuous supply of the Middle East in the face of the recent Suez crisis and the ever threatening situation still existing? Surely, the memories of the Second World War and the complete success of the Nazi U-boats in greatly reducing tanker shipments have not completely faded.

With every barrel of imported oil over the prescribed ratio, we do violence to our domestic industry. How long can this Congress, with the best interests of this country in mind, continue to allow such a situation to go unchecked? It is now too late for investigations or volunteering and the time has come to act decisively to control a condition which is too vitally significant to ignore. The authority granted the President by the Defense amendment should be exercised immediately to curb this rising tide of oil imports, or the Congress as a body responsible for the general welfare of one hundred and seventy million citizens of this country must act affirmatively and at once to legislate a formula of limitations which will forever operate to prevent the endangering of the future development of one of our greatest natural resources.

Government Bond Market in Slump—National Disgrace

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. PATMAN. Mr. Speaker, there is no reason why Government marketable bonds should sell below par. The bond market can be supported without cost to the Government, the taxpayers, or the Federal Reserve System.

I am inserting herewith copy of a letter I have received from the president of a bank in Davenport, Iowa. It is as follows:

NORTHWEST BANK & TRUST CO.,
Davenport, Iowa, June 6, 1957.
Congressman WRIGHT PATMAN,
Washington, D. C.

DEAR CONGRESSMAN PATMAN: The Des Moines Sunday Register of June 2, 1957, published an article headed "Bond Market Slumps Again." It gave some very interesting, but sad news about the Government bond market and it quoted as follows:

"Chairman WRIGHT PATMAN, Democrat of Texas, of the House-Senate Economic Committee urged the Federal Reserve Board to resume purchasing of Government bonds until they were restored to par and end what he called a 'national disgrace.'"

I certainly am very happy to learn that someone is trying to correct this disgraceful situation.

Our bank was organized in July of 1941. We are located in the northwest section of Davenport which is made up of business and residential property. This section, like many others throughout the United States, has had and is having a very rapid development. Our people are strong believers in savings accounts. Our bank now has over $7,400,000 in savings accounts on which we pay 2 percent interest semiannually. We also have $1,200,000 of savings certificates on which we pay 3 percent interest semiannually. This represents about 60 percent of our total deposits.

Our board of directors has always recommended the purchase of substantial amounts of United States Government bonds. We have from time to time stressed the fact in our advertising of the fine Government bond portfolio carried in our bank. We have always felt that such investments made for a sounder bank and created additional security beyond the Federal Deposit Insurance; however, with the present trend of downward prices we hesitate to stress this investment to our depositors and it is my firm belief that the disgraceful situation now existing is also affecting the sale of other bonds such as E, H, and K.

I am in hearty agreement with your recommendations and do hope you will be successful in the correction of this very, as you put it "national disgrace."

Yours very truly,
W. F. MEIBURG,
President.

Small banks all over the Nation are in a squeeze. Many of them have 50 percent and more of the funds they can invest in Government marketable bonds. These bonds have gone down, many of them to 88 or 12 points below par. A large number of the banks of the country would have a substantial amount of their stock wiped out entirely if they were to sell their bonds in the present market.

The law favors the banks in this matter and permits the examiners to carry the bonds on the books of the bank at par although they are selling much below par. This is done on a logical and reasonable theory that if they are retained until maturity, the bank will collect 100 cents on the dollar.

But this does not help them at the present time. Too many banks have too much of their funds invested in United States Government bonds which are frozen in their possession, and they cannot be disposed of to enable these banks to make local loans to local businesses and otherwise furnish the credit needed for local communities. If holders of Government marketable bonds other than commercial banks, could sell their bonds at par, there would be plenty of money available for residential housing. Under the present tight money market, big concerns are not inconvenienced in the least in getting all the funds desired at a reasonable rate of interest, but small concerns are unable to get adequate credit. The banks—the large ones in particular—are rationing and allocating credit. This situation poses an important question, and that is, are the banks allocating this credit in a way that the public interest is considered? If the people only knew, and if the Members of Congress knew, how few banks and how few businesses control so much of the credit and money of the country, it would be shocking to them.

INTERNATIONAL DISGRACE

Among the many letters I have received on this subject, in which comments were made anonymously, one from a large city in Florida and from one of the largest banks in that city, enclosing a statement showing the closing trading quotations on United States Treasury bonds, is of interest. The closing quotation, 87.24, for 2½ percent Government bonds was circled, with this notation: "An international disgrace."

A Day of Memory for the Baltic Nations

EXTENSION OF REMARKS
OF
HON. HENRY S. REUSS
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. REUSS. Mr. Speaker, for 17 years the people of the Baltic nations, Estonia, Latvia, and Lithuania, have suffered in bondage under the tyrannical power of the Soviet Union. The events of June 1940—when many thousands of men, women and children were deported from their homelands to the barren steppes of Siberia—will always be impressed on the minds and hearts of free people.

As we pause to mark the anniversary of these tragic deportations, we salute the people of the Baltic States. We in America are proud of the contributions of Americans of Estonian and Latvian and Lithuanian ancestry to making our Nation strong and free. We feel too a deep responsibility toward their brothers still behind the Iron Curtain. It is to our country's credit that the United States has never recognized Russia's forceful annexation of these independent nations.

That the spirit of freedom still burns brightly in these lands we know well by the frequent reports of renewed resistance. The Baltic peoples, like the people of other satellite nations, have proven that they will not remain passive under the Soviet's iron heel.

For 10 years America and her Western allies have been building the strength of the Free World. Today we have a great opportunity before us to use that strength on behalf of a new settlement in Eastern and Central Europe which will lead to the restoration of the freedom and independence of the captive nations. I hope, Mr. Speaker, that the memory of the deportations of June 1940 will spur us ever onward toward that goal.

Salute to Unions

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Friday, June 14, 1957

Mr. HUMPHREY. Mr. President, yesterday an event of special importance to our Nation and to the labor movement occurred in New York City with the celebration of David Dubinsky's 25th anniversary as president of the International Ladies Garment Workers' Union.

This morning's New York Times contains an editorial relating to this subject and to the 20th anniversary of the Amalgamated Laundry Workers' Union. I ask unanimous consent that this editorial entitled "Salute to Two Unions," be printed in the RECORD.

Mr. President, I had the honor yesterday of addressing some brief remarks to the Madison Square Garden celebration in honor of Mr. Dubinsky.

I ask unanimous consent that the text of my statement be printed in the RECORD.

There being no objection, the editorial and the remarks were ordered to be printed in the RECORD, as follows:

[From the New York Times of June 14, 1957]

SALUTE TO TWO UNIONS

Two events this week call attention to the achievements of American unionism at its best—to be weighed heavily in the balance against the shortcomings which the McCLELLAN committee has disclosed. We refer to the 25th anniversary of David Dubinsky's presidency of the International Ladies Garment Workers' Union, and the 20th anniversary of the Amalgamated Laundry Workers' Union—a sharp contrast to the other laundry workers' union which faces expulsion from the AFL–CIO for corrupt practices.

It is a tribute to Mr. Dubinsky's enlightened statesmanship that a general work stoppage this week, blessed by the employers, was the first that has taken place while he has been president—unlike the turbulent years of economic warfare that went before. Through the peaceful processes of collective bargaining, backed by effective organization, a sprawling group of workers, torn by factionalism, debt-ridden and unable to meet their own payrolls—has become a well-knit organization of close to half a million members whose wages are more than three times what they were, whose working hours have gone down from 16 a day in sweatshops to 35 hours a week in regulated factories and who have a quarter of a billion dollars in their union treasuries and welfare funds. But the achievement cannot be measured in such figures alone. The union has been a crusader against corruption and a pioneer in the full disclosure of its financial affairs, honestly administered.

Twenty years ago the laundry workers of New York were poverty-stricken, overworked, tuberculosis-ridden, exploited by both Communists and racketeers—orphans of the labor movement. While other international unions refused to enroll them, the Amalgamated Clothing Workers, under the leadership of the late Sidney Hillman, offered them the Amalgamated's protection, strength, and prestige. Today, with no discrimination as to race or color, their wages have trebled, their hours of work have gone down from 60 to 40 a week. They enjoy life, health, and retirement insurance benefits and can get free medical care at their $1.5 million health center. As with other ACW affiliates, their finances are a well-audited open book.

Accolades to the garment and laundry workers for their outstanding accomplishments and to Mr. Dubinsky for his distinguished services in a dedicated cause.

MESSAGE OF SENATOR HUMPHREY TO TESTIMONIAL TO DAVID DUBINSKY, MADISON SQUARE GARDEN, NEW YORK CITY, JUNE 13, 1957

David Dubinsky has always been to me the finest symbol of the heart, the soul, and the intelligence of the labor movement. The 25 years he has spent as president of the International Ladies Garment Workers' Union has permeated the economic, social, and political life in America with the spirit of humanitarian democracy. The consequences of his leadership have been felt beyond the confines of the garment industry. The strength of his personality and the intensity of his idealism have affected all aspects of our Nation's life.

In labor relations, his union has set the pattern for a harmonious industrial stability while attaining the highest standards of working conditions and wages for its members.

The significance of David Dubinsky's political leadership can best be expressed by noting the great careers of Franklin Roosevelt and Herbert Lehman, both of whom owe a large measure of their political success to the ILGWU.

The ethical life of America has been strengthened by the high standards of morality which have been identified with David Dubinsky.

The cultural life of America has been enriched by the pioneering services of the ILGWU in bringing the arts and the members of the ILGWU together.

The ILGWU was an early leader in workers' education. Democracy here and abroad has had no finer friend, nor more loyal champion, than David Dubinsky. His energies and the resources of his union have been responsible for the preservation of free trade unionism all over the world.

It is indeed an honor to be permitted to join the Nation in paying tribute to David Dubinsky on his 25th anniversary as head of his union. I consider it a great privilege to be his friend.

Address Before Democratic Governors Conference

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. PATMAN. Mr. Speaker, I am inserting herewith an address delivered by me before the Democratic Governors Conference at the Mayflower Hotel here in Washington, May 4, 1957.

It is as follows:

Mr. Chairman, distinguished participants in this National Conference of Democratic Governors. It is a great honor and pleasure to be here with you today.

I have been asked to talk to you about the administration's tight money and high interest rate policy, particularly how it has affected the economy of your States and your financing of urgently needed public facilities.

Until recent years, the debt-management and monetary policies of this Nation, under Franklin Roosevelt and Harry Truman, were directed toward strengthening the credit standing of the Federal Treasury as well as that of the State and local governments. Their policies were directed toward maintaining high levels of economic expansion by keeping capital costs low. They supported an ample but not excessive supply of credit at all times, available at reasonably stable interest rates.

Under those policies we achieved full employment and a fair and equitable distribution of purchasing power among the broad masses of the population.

In 1953, a new Republican administration came to power in Washington. One of the first things the Secretary of the Treasury did was to announce that interest rates were too low. Since early 1953, he has been raising rates up and up and up.

We are in a period of the greatest manipulation of fictitious interest rates and credit that this country has ever seen.

For the first time in the history of this country we have a Secretary of the Treasury who has stated he does not consider it to be his responsibility to get the lowest interest rates possible for the people on their public debt.

The Secretary of the Treasury says that all he does is follow the market. Apart from the fact that there is abundant evidence that he has led the market on numerous occasions, the truth is that he regularly invites the big investment bankers, the life insurance companies, and the commercial bankers in to advise him what terms to set on his forthcoming issues.

Has the Secretary of the Treasury ever invited the Governors to advise him what interest rate to set on his securities; or consumers; or small-business men? The answer is "No."

But he has invited in the past 5 years the Investment Bankers Advisory Committee on Governmental Securities, whose chairman is also chairman of the First Boston Corporation, the largest dealer and investor in State and local government obligations in the country. And, coincidentally, the recommendations of this group as to the terms of new Treasury issues have been followed exactly with few exceptions.

In 1953, when the Secretary broke the 2½ percent rate on new long-term bond issues, who were his principal advisers? The former chief executive officer of the First National City Bank of New York and the head of the bond department of the Continental Illinois Bank in Chicago.

What have the recommendations of these advisers and actions of the Secretary of Treasury cost the States?

The inflation of interest rates since 1952 has sharply eroded the value of the State tax dollar for purposes of paying interest charges on their debts.

The most spectacular impact of recent monetary and debt-management policies has been the sharp rise in interest rates paid by States and local governments and the failure in a large number of cases of those governments to sell the bonds which they offered.

Increases in interest rates on State and municipal bonds have been greater than increases on AAA corporate bonds and United States Treasury bonds.

For the first time in a great many years the rate on high-grade tax-exempt municipal bonds is greater than the yield on taxable United States Government bonds.

Since 1952 the yield on high-grade State bonds has nearly doubled; and high-grade municipal yields have risen by 35 percent. This compares with an increase in yields on AAA corporate bonds of 17 percent and United States Treasury taxable bonds of 24 percent.

Despite these higher interest rate increases for State and local bonds, there was a heavy

volume of postponed or unsold issues of authorized bonds in 1956.

Soaring interest rates are bound to be reflected in a curtailed State-local government capacity to meet construction needs over the longer run.

For example, the extra interest to be paid on a school bond issue sold by a New York State school district last year, due to the rise in rates over the past 4 years, would be enough to build a school for 900 pupils.

The most recent reports of the Census Bureau show that interest paid on State debt in fiscal 1956 totaled almost one-third of a billion dollars, more than double the fiscal 1952 sum and three times the fiscal 1950 figure. An indirection of the disproportionate rise in State interest charges may be seen by this comparison. From fiscal 1955 to fiscal 1956, direct expenditures of the States on current operations rose 8.4 percent whereas interest payments rose 24 percent or nearly three times as fast.

It is well known, of course, that the rise in rates was sharpest in the last 6 months of calendar 1956 and consequently was not reflected in the census figures.

From fiscal 1952 to fiscal 1955, interest paid by local school districts on school bond issues rose 25 percent faster than direct general expenditures by local school districts for education.

These are only samples of what we may expect if present monetary policies continue. According to estimates of the United States Departments of Labor and Commerce, the overall need for State-local public facilities in the next decade amount to about $200 billion, including $92 billion for highways, $42 billion for education buildings, $22 billion for hospitals and institutional buildings, $25 billion for water and sewerage works, and $23 billion for other non-Federal public works. To meet these needs will require capital outlays in the next 10 years at an annual rate of $20 billion compared with present spending of $12 billion a year.

By 1965, State-local debt is expected to exceed $60 billion or about 50 percent higher than it is today. On a $60 billion debt a 1 percent interest rate differential would mean $600 million in additional interest payments annually. If State-local interest rates advance over the next decade only at the same rate as they have from December 1952 to March 1957, the additional annual interest payments on the debt in 1965 could be $1.2 billion. This is what the Eisenhower monetary policies may cost you.

Under present monetary policies, many urgently needed State-local projects of high social priority will be cut off and pressures will grow for the Federal Government to undertake directly the financing of construction that has heretofore been financed at the State-local level.

We need to create a market at reasonably stable and low-interest rates for State and local bond issues. This function had been satisfactorily served in the past by the RFC. Recent events have demonstrated that access by the States and local governments to loanable funds at reasonably low and stable rates is of the greatest importance. Some facility must be created to perform this function.

Mass Deportations From Lithuania

EXTENSION OF REMARKS
OF
HON. ELMER J. HOLLAND
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. HOLLAND. Mr. Speaker, today Lithuanians commemorate the anniversary of a great national tragedy. Sixteen years ago this mid-June an estimated 34,260 persons were deported by Soviet Russia to remote areas in Siberia and the Arctic region.

That this act of singular brutality reflects an inner sickness within the Communist system goes without saying. It is incomprehensible that a system of government which perpetrates such terrible acts of inhumanity could have any genuine message for mankind. And yet, the Communists have succeeded beyond all expectations in spreading their gospel of violence, desecration, and decay throughout the world. Many uninformed persons have unfortunately accepted the false words of this Communist anti-Christ as a doctrine of salvation.

On this anniversary of the mass deportation of Lithuanians we commemorate a tragic occasion. But the sacrifice of those thousands of people would not have been in vain if we of the Free World cite their deportation as a classic example of Communist tyranny.

Let all those who are tempted by the false doctrine of communism examine carefully the case of Lithuanian deportations. Let them see communism in action; and then, let them ponder if this is a fit instrument of government for mankind.

Veterans of World War I

EXTENSION OF REMARKS
OF
HON. JOHN J. McFALL
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. McFALL. Mr. Speaker, under leave to extend my remarks, I wish to discuss the veterans of World War I.

A great many of my constituents in the 11th Congressional District of California have expressed deep concern that there is not at the present time in existence an organization which would represent exclusively the veterans of World War I, a group of individuals who have truly proven their allegiance to their country. I wish to mention especially the following among my correspondents: J. R. McDonald, Herbert E. Vandervoort, Mr. and Mrs. Walton Harris, Ward E. Bettinger, G. A. Betz, Wesley Clark, Hiram B. Smith, Fred Farlow, all of Stockton; Roy A. Filloon, commander of Stockton Barracks of World War I Veterans; Manuel D. Kappos and Nick Vakakis, of Lodi; E. L. Healey, of Manteca; F. G. Patterson, commander of Modesto Barracks of World War I Veterans; Philip O'Brien, commander of Turlock Barracks of World War I Veterans; and Vic Sanders, adjutant of Riverbank Barracks of World War I Veterans.

As the Civil War differed from the Spanish-American War, World War I in turn differed from World War II and the Korean conflict.

The veterans of each war have special viewpoints, interests, and identities that separate one from the other. Each group speaks for its own generation. Each group has unique memories and loyal comradeship that cannot be shared fully and freely with veterans of other wars.

Today, 39 years after the end of World War I, we still do not have an organization to represent exclusively the veterans of World War I.

I urgently request official recognition for the veterans of World War I, as well as congressional approval of a national charter for this nationwide organization, whose objectives are admirable, as well as patriotic, and whose membership has contributed greatly to the strength, freedom, and prosperity of our great country.

A national charter would advance the cause of this worthy organization; I feel the veterans of World War I have earned this honor.

It's Father's Day and That Means the Day for Wembley Ties

EXTENSION OF REMARKS
OF
HON. F. EDWARD HÉBERT
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. HÉBERT. Mr. Speaker, Sunday is Father's Day and once again every Member of the House and Senate, the President of the United States, his administrative assistants, the attachés of the House and, this year for the first time, the pages of the House will wear a Wembley tie.

It was 3 years ago that my friends, Sam and Emanuel Pulitzer, the creators of Wembley ties and the world's largest manufacturer of men's neckwear, asked me to distribute to the Members of the House and Senate a tie for Father's Day. So widespread was the acceptance and reaction to the presentation that the Pulitzer brothers announced they would like to do a repeat performance the next year and for as many years as possible. This year it is the third go round and with bigger and better coverage. Today, 1,500 Wembley ties are being distributed on Capitol Hill.

Now, perhaps it seems a bit strange for some who are not fathers to get a Father's Day gift but there is justification for each one of you.

Now, for instance, take the case of Speaker SAM RAYBURN, one of Washington's most famous bachelors. In truth Speaker RAYBURN is the "father" of 435 problem children, not the least among whom is me. I know I am a headache to him more times than either of us would like to have it so but I share the mutual admiration and respect for Speaker RAYBURN of his 434 other "kids" in the House. He deserves recognition on Father's Day.

And now how about the distaff side of the House—those female of the species who each session seem to increase more and more. Of course they really can't be fathers but certainly they are the daughters of fathers and what better justification would there be to get

a Wembley tie for Father's Day. One thing for sure, the ties, while not worn by the ladies—God bless them—will find their way around the neck of either a current father or a hopeful.

And then there are the pages in the House. Father? No. But each one is the father of tomorrow, so as future fathers they most certainly do deserve to share in the wearing of a Wembley tie so they will get accustomed to such choice neckwear.

The following letter was enclosed with each tie which perhaps tells the story as well as it can be related:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., June 12, 1957.

DEAR FRIEND: Sunday is Father's Day and that man is here again.

My friends Samuel and Emanuel Pulitzer, owners of Wembley Ties, the world's largest manufacturer of neckwear (and from New Orleans, of course) have again asked me to remember my colleagues in the Congress, the attachés of the House, and my personal friends in the radio and press galleries, on Father's Day.

This Father's Day remembrance is getting to be a habit and one which I know you hope will continue. It is the third consecutive year Wembley ties have been distributed, and I hope you like this year's selection as well as you did the others.

It is my wish this Father's Day tie matches your individuality and personality. If it doesn't then swap it because the Pulitzers and myself want each of you to be absolutely happy and satisfied with your New Orleans manufactured Wembley tie.

From New Orleans it has got to be right. Best wishes to you.

F. EDW. HÉBERT.

Lithuanian Deportation: A Commemoration

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. FLOOD. Mr. Speaker, in mid-June 1941, a terrible tragedy befell Lithuania. At that time over 34,000 Lithuanians were ruthlessly seized by their Soviet conquerors and deported to distant parts of the U. S. S. R.

Few spectacles in the history of mankind can compare to the gross inhumanity of these deportations. And yet this mode of mass suppression is a cardinal principle in the Communist way of life.

It is sad to contemplate the future of the Lithuanian people; they have managed somehow under great odds to keep the body and soul of their nation together during this period of great national trial. How they have withstood the corrosive oppression of communism for so many years is a source of wonder and admiration to their many friends and relatives across the seas. To assist and support them in every way we can is one of our most solemn and constant obligations.

On this anniversary of Baltic deportations we of the Free World express the hope that the supreme tragedy of Lithuania will never be forgotten; that those who were responsible for this crime of deportation will know the wrath of God's eternal justice and that the people of Lithuania, dedicated as they are to the spirit of their nation, will never succumb to their enemies.

May the light of eternal hope forever burn within the soul of Lithuania.

Address by Hon. Carl T. Curtis, of Nebraska, to the National Association of Manufacturers

EXTENSION OF REMARKS
OF
HON. BARRY GOLDWATER
OF ARIZONA
IN THE SENATE OF THE UNITED STATES
Friday, June 14, 1957

Mr. GOLDWATER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address delivered by the Senator from Nebraska [Mr. CURTIS] at a luncheon meeting of the National Association of Manufacturers, at Detroit, Mich., on June 12, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE LABOR-MANAGEMENT INVESTIGATION REMARKS OF SENATOR CARL T. CURTIS AT NOON LUNCHEON, NATIONAL ASSOCIATION OF MANUFACTURERS, AT DETROIT, MICH., JUNE 12, 1957

When the Senate of the United States created the Select Committee on Improper Activities in the Field of Labor and Management they gave to that committee a broad, important, and direct mandate that calls for an extensive investigation in the entire field. The resolution which created that committee carried the following language: "To conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been engaged in in the field of labor-management relations or in groups or organizations of employees or employers to the detriment of the interests of the public, employers, or employees."

That committee has made an excellent start. As a Senator who has just recently become a member of the committee, and who was not in on its early deliberations, I can, with propriety, praise the work that has been done. Senator JOHN MCCLELLAN, of Arkansas, is an able, fair, and fearless chairman. He is deserving of the support of all. The entire committee is serving with diligence and loyalty.

I urge patience for the task is difficult and complex. Weeks and months of tedious effort on the part of the committee staff are essential to a complete and fair presentation of evidence in public sessions.

The committee began with an investigation of the misuse of the funds belonging to the union members. It has been revealed that the rank and file of the union members are without power to correct the financial problems that exist in their union. They apparently do not even have access to information concerning all the transactions. I shall not take time to reiterate all the evidence taken by the committee. The misuse of funds is not the only evil and perhaps not the greatest.

It appears that this committee will have a lot of work to do. Reports of violence such as beatings, fires, dynamiting and shootings have come in from many of our major cities. Only last week, a small-business man in the city of New York, who operates a bakery, testified under oath concerning the threats that were made to his supplier of eggs. The farmer reported that certain unknown individuals crossed the State line from New York to Pennsylvania and informed him that if he sold any more eggs to that bakery they would burn his farm. Likewise, the committee received testimony of the beating of a 14-year-old boy in Los Angeles by two thugs, one of them using a blackjack. The union boss brazenly stated in his testimony that he heard about the beating, that he did nothing toward investigating it, that the beating was a problem for the police. It is hard to believe that here in our America a man in a position of such power and responsibility as that union boss would express this callous attitude toward children.

Among reports of shootings reaching our committee is one case where the victim was a mere baby. Other reports indicate that a goon was transported across a State line to engage in a beating that resulted in death and the accused has not been returned to be brought to trial. Speaking for myself only, I cannot see how our responsibility to the Senate of the United States and to the public can be fulfilled unless we make a thorough investigation of such violence. Violence begets violence and both sides should be investigated.

When the Taft-Hartley law was passed the Congress made it unlawful to apply pressure against employees of a third concern who was not party to an industrial dispute. Time and experience have proved that we did not make the law broad enough. Today there is a practice carried on in all parts of the country of applying pressure on neutral employers. This is known as the secondary boycott.

I want to tell you about a small business located in a county seat town of about 2,500 people in my home State of Nebraska. The Coffey Transfer Co. had been in business for 26 years and it employed 27 drivers. On August 25, 1955, the transfer company received a demand that they compel their 27 drivers to join the teamsters union. The drivers didn't want to join. I will not take time to enumerate the legal moves and the redtape that followed. It took 5 months to hold an election of 27 drivers. When the election was held, the teamsters union did not receive the vote of a single driver.

However, in the meantime, a secondary boycott was applied to the Coffey Transfer. Other carriers were prevented from turning over freight to Coffey. Without freight to haul no business could be transacted. As a result, 1 month before the teamsters lost their election, Coffey Transfer went out of business. Twenty-seven drivers had to look for employment elsewhere.

I could recite a long list of Nebraska cases that I personally know about. I want to mention a few reports of secondary boycotts that have come to me from other places.

In New York City a new weekly newspaper, the New York Sunday Graphic, was boycotted out of business before it could get out of the pressroom. Why? Because the editor did not obtain advance permission from a circulation union that he could go into business.

Also in New York, folks who owned Royal typewriters were picketed if they attempted to have the typewriters repaired while the union at the Royal Co. was on strike against the firm.

In Akron, Ohio, the Burt Manufacturing Co., has a certified union, men who are members of the AFL–CIO Steelworkers. But the AFL–CIO Sheet Metal Workers refuse to in-

stall Burt ventilators because they do not make the ventilators. Architects, contractors and subcontractors are notified that if they use Burt products there will be trouble on the job site.

The Benjamin Electric Company of Des Plaines, Ill., reports that although 80 percent of its employees are union members, their products cannot be sold in St. Louis and several other cities because the company refuses to apply the union's label to its product. The company's merchandise is kept off the market by a threat of a secondary boycott.

In St. Louis, Swift & Co.'s products were kept from meat market counters because of a secondary boycott by the meatcutters union. The union insisted that Swift salesmen join it.

In Newcastle County, Del., the construction of an airport was held up nearly 5 months because the county gave the electrical work to the lowest bidding contractor. It happened his employees chose to remain outside of the International Brotherhood of Electrical Workers.

As one member of the select committee, I shall urge that an investigation be made of secondary boycotts. I cannot see how we can carry out the instructions that have been given to us without so doing.

About a half century ago, the Congress made it unlawful for corporations to make political contributions. The debates of that time reveal that one of the motivating reasons for such legislation was the protection of the rights of stockholders. It was determined that a stockholder of a corporation should not have his money used by its officers to support candidates and issues in which he did not believe. There was, of course, the additional factor of the power of the corporations and the misuse of that power. Today, 50 years later, we find the need for making effective the prohibition of the use by union leaders of the money belonging to the rank and file of the workers to support candidates and issues in which many of those workers do not believe. Likewise, there is also the factor of the misuse of such power and influence.

The political activities of unions is not a partisan question. It is a concern to both the Democrat and Republican Parties. The basic freedom of the workers it at stake. When the Congress authorized compulsory unionism, it was never intended that that should carry with it compulsory party membership. There is evidence on every hand, not only of the spending of tremendous sums of money belonging to the workers, but of the use of manpower in both primaries and general elections. These practices ought to be looked into. Let the facts speak for themselves. If there are no improper practices that fact should be determined. The responsibility of the select committee cannot be met unless we do investigate these political activities including not only money contributions and the use of manpower, but the question of whether or not intimidation and violence has been used in seizing political power. We owe it to the workers of the country to study these charges and to let the public have the facts.

It is too early to suggest what remedies ought to be applied or what laws ought to be enacted. We need to examine and reexamine the basic causes of whatever improper practices are shown to exist. It may well be that long and complicated laws are not the answer—the answer may be found in some simple and direct changes in the law.

We must never lose faith in the integrity and fairness of the rank and file of all people. When the facts are fairly and completely presented a proper solution will be reached. The basic freedoms of the individual workers must be preserved. The rights of the worker to know what is going on in his union, to be able to control the finances of his union, and to make the officers of the union the servants of the members and not their masters, are basic American rights. The question should be asked, "Should a worker be compelled to lose his job if he withdraws from the union as a protest to thievery and mismanagement of his funds, or to protest acts of violence, or to protest the use of his money by the union leaders to defeat his own political convictions?"

All sides and all parties must be treated alike. Neither side is entitled to special immunities. One of the basic cornerstones of our prized American system is equal treatment under law. Within such a framework we can and will find the just and fair answers to the problems that we face in the field of labor and management.

American Know-How Knows How

EXTENSION OF REMARKS

OF

HON. JOHN J. McFALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1957

Mr. McFALL. Mr. Speaker, under leave to extend my remarks, I include the following, relative to the Tri-Valley Packing Association of California. Organized in 1932, the Tri-Valley Packing Association this month celebrates its 25th anniversary as one the biggest grower-canner organizations in the State of California.

AMERICAN KNOW-HOW KNOWS HOW

This is a story, a familiar story of progressive and dynamic American enterprise.

This is the story of industry born in the economic darkness of a ruinous depression of 25 years ago.

This is the story of the Tri-Valley Packing Association of California; but, it is also the same story reflected time and again in the annals of our Nation's economy when hopeful, ambitious, purposeful men defy untold obstacles to prove that American know-how is more, much more, than just an oft-used expression.

1932 was a historic year for California's canning industry and specifically for that State's great San Joaquin Valley. Shortly before this time, the United States Supreme Court compelled the Nation's large meat packers to discontinue the marketing of processed fruits and vegetables by upholding the packer's consent decree; thereby, in one stroke, wiping out the California cooperative canneries, which for 13 years had used one of the meat-packing firms for distribution of its canned foods.

With the collapse of the Association, its grower members were left without an outlet for their farm products at a time when black depression was upon the land and both business and industry were struggling for survival.

Grimly, a group of 89 growers, spurred by the leadership of George N. Pfarr, of Modesto, Calif., set about to salvage its economic future, banded themselves together in a new association which they called Tri-Valley after the State's three greatest food-producing areas—the San Joaquin, Sacramento, and Santa Clara Valleys—and began operations.

They had little besides produce to work with—no money in the bank, only limited credit, a single carload of sugar and enough cans on hand for only a few days packing.

They did, however, have an abundant quantity of hope and determination. The "depression" baby survived its first year.

It was not an impressive beginning. The initial pack consisted of only 5,300 tons of fruit—all yellow cling peaches—which produced 248,000 cases. But it was a start, and by season's end, all bills and employees had been paid. The growers had received the first installment of a return that eventually mounted to a figure of 57 percent above the current market price.

The second year marked a bigger advance. Production more than doubled to 546,000 cases and included eight different food products.

Each year since 1932, Tri-Valley has shown growth—both in quantity and in the variety of fruits and vegetables packed. By 1956, the total pack was more than 4 million cases, representing approximately 100,000 tons of 30 different kinds of fruits and vegetables from the lush valleys of California.

This year, according to a prediction by General Manager Philip N. Mark, Tri-Valley will pack an estimated 5 million cases of food, representing a 15 percent increase over last season's record.

Today, 25 years later, the Tri-Valley Packing Association of California maintains three large modern food-processing plants—in Modesto, Stockton and San Jose, Calif.

Out of the original 89, 12 growers are still supplying products to Tri-Valley. Tri-Valley honors these growers: W. F. Beard, Frank Goodwin, I. W. Hardie, G. O. Hollingsworth, George Kounias, Joe Vieira, and George N. Pfarr, all of Modesto, Calif. Also, F. H. Caulkins and E. J. Caulkins, of Ceres, Calif.; H. A. Codoni, Empire, Calif.; A. W. Oberg and C. E. Oberg, of Hughson, Calif.

The president of Tri-Valley is Edgar Jackson, of Saratoga, Calif. The directors include Franklin Beard and Alfred Terry, of Modesto, Calif.; John M. Doherty, Acampo, Calif.; and George A. Johnson, Patterson, Calif.

Twenty-five years later, Tri-Valley Packing Association celebrates its silver anniversary as one of the biggest independent grower-canner organizations in the State of California.

Third Supplemental Appropriation Bill for 1957

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1957

Mr. FEIGHAN. Mr. Speaker, tomorrow the House will consider the conference report on the third supplemental appropriation bill for 1957—H. R. 7221.

There will undoubtedly be an effort to have a rollcall vote on amendment No. 17 which provides for a $30 million giveaway to the producers of tungsten. The Senate and House confereees are in disagreement and a motion will be made to recede and concur in the Senate amendment No. 17.

I strongly urge that the Members read House Report 24, dated February 1 of this year—pages 11 and 12, and also House Report No. 145, dated February 21 of this year—pages 3, 4, and 5. Perusal of the pages of these two reports should certainly convince every Member of the House that we should support the House conferees and vote against the motion to recede and concur in the Senate amendment No. 17. I will vote against such an amendment and I sincerely hope that the vast majority of the Members of the House will do likewise for the reasons set forth in the reports.

A Pay Raise Is Mandatory for Underpaid Postal Employees

EXTENSION OF REMARKS
OF
HON. THOMAS J. LANE
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. LANE. Mr. Speaker, under leave to extend my remarks, I include my statement of today before the House Committee on Post Office and Civil Service in support of H. R. 2474, the Morrison bill to provide an increase in salaries for employees of the United States Post Office Department.

The statement follows:

A PAY RAISE IS MANDATORY FOR UNDERPAID POSTAL EMPLOYEES

(Statement for House Committee on Post Office and Civil Service, in support of H. R. 2474, the Morrison bill to provide an increase in salaries for employees of the United States Post Office Department, June 14, 1957)

Mr. Chairman, postal employees cannot strike in an effort to win a living wage from their employer, the United States Government.

But they can resign to secure better paying jobs in private industry, as they are doing in larger numbers, not because they wish to, but because they are forced to by the inexorable operation of economic facts.

The tight-fisted attitude of the Government toward its own employees, and its stubborn refusal to help them in their economic predicament, is endangering the functioning of the most important civil agency of the Government upon which all business and all citizens rely.

There is a very real possibility of curtailment in mail service by July 1, unless we rid ourselves of certain comfortable illusions that have carried over from the past, but simply cannot be maintained in the light of present facts.

Not the least of these is the constantly deteriorating position of postal workers who cannot support their families on their "mark time" salaries, that decline in purchasing power as the cost of living edges ever * * * upward.

Nearly half of our postal workers are compelled to take outside jobs to supplement their regular salaries, in order to make both ends meet.

And the turnover of employees has reached an alarming stage. False economy that denies them a living wage is forcing experienced employees out of the service, to be replaced by new men who must be trained at expense to the Government. The result of this short-sighted policy is waste and extravagance that could have been avoided in the first place, by paying adequate salaries.

The Post Office Department has been kicked around for generations, but the time for playing games with it is running out. If we expect good service, we must pay for it. You cannot expect skilled employees to stay with the Department when they can get much better pay in private industry. No amount of subtlety, or delay, or rationalization, can get around that fact.

Take this situation that happened in my own district. A little more than a month ago, three new employees were appointed to the postal service in one of the cities. Two of the three have already quit. Just a few weeks' work was enough to convince them that the pays, in relation to the split hours that they worked, were not good enough in this year 1957. They both secured better jobs in private industry.

The cost of living has gone up for the eighth straight month.

But the postal employees have received only one pay raise since 1951.

The Post Office Department is not a discretionary or a luxury service, to be expanded or contracted at will. It is absolutely essential to industry, business, and the needs of private communication.

As the President noted in this year's budget message, there has been an increase of 11 percent in the volume of mail handled in the past 4 years, with only a 3-percent increase in personnel. But the postal workers have not shared in this increased productivity. There is reason to believe that some of the users have profited at their expense, and have not been paying for the service that they are getting.

Even these special interests dare not challenge the fact that the postal workers deserve an increase, and a substantial one at that, for the ground they have lost since 1939.

The shrinking purchasing power of their salaries, as compared with the gains made by workers in private industry, inevitably leads to a weakening of morale, a lessening of efficiency, and wholesale resignations.

Are we going to play political hide-and-seek with this issue until it results in a breakdown of the postal service? The consequences of such a crisis would cause irreparable harm, and would eventually cost many times the amount of the contemplated pay increase.

Even the Cordiner report (Defense Advisory Committee on Professional and Technical Compensation) headed by a distinguished leader of industry, after analyzing the impact of inadequate Federal and postal salaries, stated that: "The net effect is a progressive lowering of the level of competence of the Department's civilian work force." Concerning the Government's moral obligation to pay adequate salaries, it found that: "Employees must receive sufficient compensation to enable them to establish and maintain a standard of living which will allow them to discharge their responsibilities to their families and to their employers."

Since 1939, postal workers have received pay increases of 103.8 percent.

The 10 highest representative groups in private industry have gone up 275 percent.

The middle 11 representative groups in private industry have enjoyed wage increases of 239 percent.

The lowest 11 representative groups in private industry show a 188 percent increase.

Or, from another point of reference, the average postal worker's net spendable pay after all deductions for taxes, social security, and so forth, is 83 percent above 1939. The BLS cost of living index stands at 98.3 percent above 1939. This means a 15 percent reduction in net spendable income (or buying power) for postal workers since 1939. The only people with a lower average weekly wage today, are those in sweatshop or depression type industries.

We are fighting a losing battle in trying to recruit competent people to work as carriers or clerks at $1.82 per hour when they can secure anywhere from 20 to 45 cents more per hour in private industry without prior skill or training.

The Cordiner committee has described Federal salaries as second rate. That is what the Post Office Department will become, if we ignore the necessity of upgrading salary levels to the realities of 1957, instead of keeping them forever below the average paid to workers in private industry.

The warning signals are flashing from all directions.

Young men laugh when we advise them to seek permanent employment in the postal service.

"For peanuts?" they mock.

The assistant postmaster at Wichita, Kans., said: "The shortage of clerks and carriers in the Wichita post office is growing more acute. * * * In the last 3 or 4 months the post office has been unable to obtain enough personnel to fill vacancies."

In New York City they had to take unprecedented action. For the first time in history, the United States Civil Service Commission opened continuous filing for clerk-carrier positions in the post office.

Mr. James P. Googe, the regional director of the second United States civil-service region, admitted that: "Postmasters frequently reported increasing difficulty in securing enough eligibles to fill substitute clerk and substitute city carrier vacancies. In some areas, high wage scales and fringe benefits offered by private industry make it almost impossible to fill positions in the local post office."

The salary crisis in the postal service must be faced and solved, without equivocation.

I believe that H. R. 2474, by raising postal salaries to a level consistent with modern standards, will restore the morale of our indispensable civil servants, and enable the Post Office Department to fulfill those responsibilities that are vital to every person and to every economic enterprise in the Nation.

A raise of at least $500 per employee at this session is the irreducible minimum.

Otherwise, we shall risk a serious deterioration in the quality of the personnel * * * who are essential to the functioning of Government and private enterprise.

This pay raise for postal workers is long overdue.

Independent Scrap Dealers Approve Small Business Committee's Investigation

EXTENSION OF REMARKS
OF
HON. WRIGHT PATMAN
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, June 14, 1957

Mr. PATMAN. Mr. Speaker, the Select Committee on Small Business is conducting an investigation of the iron and steel scrap industry. This is an extremely important investigation from

the standpoint of several thousand small businesses. Secondary iron and steel are, of course, vital raw materials in the operations of the steel mills, many of which are small, semi-integrated producers, without ore mines and blast furnaces of their own.

In addition, there are approximately 4,000 independent scrap-yard dealers in the United States whose business consists of collecting, processing and selling iron and steel scrap. These scrap-yard dealers are, in reality, small manufacturers. In addition to serving as collection points for the assembly of scrap materials—which is one of the functions of any manufacturer—the scrap-yard dealers serve the indispensable functions of sorting, grading, processing, compressing, and bundling the scrap materials—in short, putting these materials into forms which make them usable in still other manufacturing processes.

SCRAP FIRMS ARE FAMILY BUSINESSES

The scrap-yard dealers business is perhaps unique among American businesses, in that almost all of these firms are individual family enterprises. In fact, there is an old saying in this industry that the size of the business depends upon how many brothers there are in the family, to help run the business. Within the last few years however, one or more very large corporations have arisen to tower over all the smaller competitors in this industry. Furthermore, not only have organizational changes been taking place, but new trade practices have been taking place which pose serious threats—or so it seems—to the walfare and even to the continued existence of independent scrap-yard dealers. These have occurred in both domestic and foreign markets. The Small Business Committee of the House is, as I have said, looking into these matters; and it is hoped that when the Committee has learned all of the pertinent facts it will have some constructive recommendations to make. Further hearings will be held next week, on June 18 and 19.

SCRAP DEALERS EXPRESS "THANKS"

The National Federation of Independent Scrap Yard Dealers, Inc., has expressed its approval of the committee's investigation, and expressed its thanks for the committee's work on this matter to date. The committee is in receipt of a letter of June 7, from Mr. Stanley Asrael, president of the National Federation of Independent Scrap Yard Dealers, Inc., attaching a resolution which was adopted on that date by the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc. I believe that other Members may be interested in this letter and resolution, which are as follows:

NATIONAL FEDERATION OF INDEPENDENT SCRAP YARD DEALERS, INC.,
New York, N. Y., June 7, 1957.

Hon. WRIGHT PATMAN,
Select Committee on Small Business,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN PATMAN: I take pleasure in enclosing herewith text of a resolution adopted by the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., at its meeting in New York City on Monday, June 3, 1957.

It not only expresses the views of the board but, I feel, fairly reflects the attitude of the approximately 4,000 independent scrap-yard dealers in the United States.

We have had several meetings with members of your staff. I take this opportunity to state to you the great regard which I have for their work and to note the high level of efficiency and courtesy on which the current study is being conducted, judging from my personal experience.

Very truly yours,

STANLEY ASRAEL,
President.

Resolved, That the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., at a meeting assembled, extends its thanks to Hon. WRIGHT PATMAN, chairman of the House Small Business Committee, for the splendid work being conducted by the committee and its staff in its trail-blazing study of the vital scrap industry, composed for the greatest part, numerically, of small-business men; and be it further

Resolved, That it is the sense of the board of directors of the National Federation of Independent Scrap Yard Dealers, Inc., that the current study fills a sorely needed review of this industry which has too long been regarded as being merely on a standby basis and has been denied proper recognition for the indispensable role which it plays in our national economy as one of the few remaining major "noncaptive" components of the steel industry.

Commencement Address—Catawba College

EXTENSION OF REMARKS
OF

HON. GEORGE A. SHUFORD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 14, 1957

Mr. SHUFORD. Mr. Speaker, on Monday, June 3, 1957, Catawba College, Salisbury, N. C., observed its 106th commencement program. My colleague, Hon. HUGH ALEXANDER, of the Ninth District of North Carolina, delivered the commencement address which is a challenge to the youth of America. Because of its timeliness and general interest, under unanimous consent, I include Congressman ALEXANDER'S address in the RECORD:

Mr. President, members of the faculty, graduates, students, and friends of Catawba Colleges, I share with you the deep regret that our distinguished senior Senator from North Carolina, the honorable SAMUEL J. ERVIN, Jr., cannot be with us today. He is an outstanding American, a gifted speaker, and a devoted public servant, whose service in the United States Senate has been recognized by the entire Nation. I am honored to substitute for him on this auspicious occasion.

I shall long remember this day as one on which I had the honor to meet with my Catawba College friends and neighbors and share with them the joy of seeing their sons and daughters receive their college diplomas.

I am proud of Catawba College. I have known and count among my friends, many of her outstanding faculty members and graduates. I have watched with pride her outstanding growth and widening spheres of influence until today Catawba College is regarded and accepted as being in the forefront of the educational system of our State and Nation. Her high scholastic requirements and deep religious atmosphere are known in educational circles throughout our land.

This is a matter of deep satisfaction to all of us as we join together in celebrating the 106th commencement of Catawba College.

I can understand and appreciate in the fullest sense that great feeling of personal pride that swells the hearts and gladdens the souls of the parents who have come here this morning to see their sons and daughters honored. You have a right to be proud; a right to be happy; and I rejoice with you in the splendid scholastic achievement of your sons and daughters.

To the young men and women assembled here today I want to extend my heartfelt congratulations. Your attention to your studies, your perseverance and steadfast devotion to duty are deserving of the highest praise and commendation. You have gained a victory and your life henceforth will be blessed and shaped by the years that lie behind you.

I know there is a feeling of sadness among you this morning. It is natural that it should be so, for we do not lay aside the happy associations and fond memories of this life without a sense of sadness. While perhaps you are not aware of it today, yet tomorrow you will awaken to a glorious sunrise of a new day and a new order of things.

Graduation is a necessary phase of our growing up. It is a part of that mantle of maturity which must settle on the shoulders of each and every one of us if we are to assume our rightful place in the world. While we hesitate to break the golden cords that bind us to the happy past, yet the cord must be loosened and we must march ahead. In so doing we grow up and assume the rights, duties, and responsibilities of maturity.

It is in connection with those new responsibilities which you are about to inherit that I want to talk for a few minutes this morning. Some of you will go on to pursue further study at the postgraduate level; some of you will immediately take your place in life and assume the responsibilities of a career and a home of your own. At some point in your lives many of you young men here this morning will have to fulfill your military obligations to your country.

But regardless of what the next few years will bring one thing is certain—all of you are about to shoulder new and more demanding responsibilites. The world you are about to enter as responsible young men and women is vastly different from what it was when I graduated from college; vastly different from what it was even 5 years ago. The conditions under which we live today are continually shifting. Ours is an age of great progress—great advancements on all fronts—in the arts and in the sciences.

In all things our civilization is moving ahead. Today mankind has more of the necessities and the luxuries of life than the greatest minds could possibly foresee in the past. As you take your place in tomorrow's world you graduates will step into a dynamic society—a society which holds untold promise for the future and the richest of blessings for mankind if made to conform to Christian morality.

Throughout America this week we have observed Memorial Day. It is altogether fitting and proper for us to pause a moment this morning and reflect on the significance of this day on which we honor the memory of, and pay tribute to, the heroism of those Americans who fought and made the supreme sacrifice that we might assemble here today in the full enjoyment of our liberties.

America and its free institutions is not an accident. It is the result of the sacrifices in blood and treasure of dedicated men

and women who had the dream of a better tomorrow for their children. Their dream is our reality. Their sacrifice is now our blessing.

America and its free institutions has been handed down to us by our forefathers as a sacred trust. We must not in any way impair our free institutions but so preserve them that our children's children, in all the ages that lie before us, will bless us for our devotion to liberty.

Therefore, as you young men and women face the future it is well to keep in mind the fundamental principles upon which our Nation was founded and which have enabled it to reach its great position of world leadership. It is well, also, to remember that the character and strength of any nation is commensurate with the character and strength of its citizenship.

Our forefathers did not have the idea that the world—that society, in general—owed them a living. They had to depend upon themselves for food, shelter, clothing and the defense of their homes against the hostile Indian and white man, and thus developed an independence of character and spirit that has distinguished our Republic down through the ages among the nations of the world. The individualistic nature of our forefathers was the great force that wrested America from a vast wilderness and made the desert bloom. The unfettered freedom of our democratic institutions enabled every American to reach the fullest development of his talents.

Had the men and women of 1776 been afraid to face an unknown future, the Thirteen Original States of this Union would have stagnated and suffocated along the eastern seaboard.

We are living in an age of great change. Our age has produced in certain areas of our national life a feeling that the ideas and principles of our forefathers will not work in the 20th century. There is a school of thought in America today—and unfortunately some of it has been translated into positive action—that America has outlived its heritage of the past; that a new way of life must be initiated.

Such a philosophy is false and dangerous to our liberties. The great principles upon which our forefathers fashioned this Republic are as vigorous and vital today as they were 150 years ago. For the United States to forsake its glorious past of individualism and free enterprise, is to invite destruction.

I, therefore, urge you young people to cling fast to the fundamental principles of government as embodied in the Constitution of the United States. Your right to develop your individual talent in the way you see fit in a precious liberty that has been purchased at great sacrifice. To surrender that right is to give up your freedom and ultimately our American way of life.

Now, since the dawn of recorded history, every age has had its problems. Fortunately for mankind, most of these problems have been overcome and civilization has moved forward to the light of a new and a better day.

As for our present era, it will take no great amount of searching in order to find the problem that plagues modern society. It is a problem that circles the globe and has our great peace-loving Nation and the free countries of the world living in a virtual state of siege. That problem is international communism, the godless doctrine that has stalked the world with rapid strides since the end of World War II and brought misery and enslavement to hundreds of millions of people.

Only our great strength has kept that calamity from engulfing our Nation and destroying our precious liberty. Though we may never have to fire another gun—and I pray God that such may be the case—in the defense of our way of life, yet we will have the shadow of international communism to face for many years to come. It will force us to spend our treasure and place our young men in uniform for many years. It will keep the world in a constant state of tension and agitation and will tax the patience of free men.

There is no immediate solution to this problem. The only thing we can do is to keep our Nation's defenses strong and keep ourselves educated to the dangers of the ever-present menace. The burden of this tremendous task to maintain our liberties will rest in a short time with you young men and women. If ever there was a period in our national existence when young people should be conscious of their liberties and the blessings of their American citizenship, it is the age in which we are now living.

So, I say to you young graduates that you have a solemn duty to perform. It has been thrust upon the Free World by causes over which we have no control. But nevertheless, we must cope with it and conquer it, or our way of life will be destroyed. We must, therefore, be vigilant of our liberties and on guard against any material force or philosophy that would destroy our democratic institutions. We should glory in our Americanism and should never give our allegiance to any false doctrine however noble it may sound on the surface. So long as young America understands, appreciates, and loves Americanism, so long then will we maintain the blessings of liberty for ourselves and our posterity.

Let us realize here today that America is the last great hope of the world. If we fail in our mission civilization will be set back a thousand years. Let us resolve, therefore, to face the greatest challenge of our age with determination and courage and in so doing we cannot help but have a brighter tomorrow.

As we face the coming challenge of the future we must have a firm foundation upon which to ground our hopes, our ambitions, and our spiritual aspirations. Nothing of value in this life has ever resulted without plan or purpose. It has been said that man cannot live by bread alone. I know of nothing truer than that fundamental statement. Man, in brief, needs Christ.

As we walk the pathways of life we must travel hand in hand with Him if we are to have inner peace and material success in its truest sense. In our modern world, beset on all sides with the forces of atheistic materialism and spiritual doubt, we need to keep Him near. The great power and moral force of His teachings are the sure foundation upon which every successful life must rest.

In my work in Washington I meet many men who have risen to places of power, wealth, and fame. One thing has always impressed me in connection with their character. They have been men with spiritual convictions; men in whose bosoms the glory of Christ has manifested itself.

Let us remember, always, that a life shared with Him is a happy life—a rich life—a full life. As you begin your march into the future, take along His companionship. There is nothing that I could say to you today that carries so much meaning and so much promise for your future well being.

Life will challenge you on all sides. That is natural. Every day many situations will arise in which you must make decisions. In making these decisions you will often have an inner struggle as to what you should do. You will be tempted to do the so-called smart thing, or that which is more advantageous to you from the standpoint of profit or gain.

But the smart thing—the advantageous thing—should never be the rule by which you govern your life.

There is only one thing which you should do—in fact, you must do—that is the right thing. Only the right thing—that which is just and proper—will ever be the smart thing in life for any of us.

It has been said that if we are true to ourselves then we cannot be false to any man. There is much wisdom in that statement, and it would be wise for us to carry it with us in the days ahead.

We should strive at all times to be ourselves. The Creator shaped each of us in His own image and endowed us with a separate and distinct personality. There is no need in this life for any of us to effect the ways and attitudes of others. Only by developing our own personalities and coming to know and appreciate the strength and weakness that is inherent in our nature, can we find happiness and lead successful lives.

I do not know what success means to the young men and women assembled here this morning. Possibly each of us in our own way has a definition of success. Some of us may look upon success as wealth. Some may consider fame as success, while others would consider success as having enough of the essential things of life as to be free from want.

But to me the successful man or woman is the person who grows each day a better and more useful citizen. The successful man, to my way of thinking, is the individual who gives without thought of reward to others, and strives to build a better community in which to live.

I might add that there are unlimited possibilities for young people today. It is true that the frontier in America has disappeared and it is no longer possible for vigorous youth to pack his family in a wagon and set out across the mountains to virgin territory. But keep in mind that not all frontiers can be marked off in miles on the ground. The world is full of unknown, uncharted realms waiting discovery by mankind. There is a great need for prepared young people in the fields of science, government, education, business, and engineering. The shortage is so great in many of these fields that I understand recruiting from our colleges is a common practice today. In my opinion the opportunities of today are perhaps greater than at any time in our history. I am sure that I do not need to remind you that the traits of character that have marked heroes throughout history are still very necessary in our competitive living. Courage, initiative, hard work, enthusiasm, and honesty are just as valuable today as in the past.

May I suggest that even with all the demands that are made upon you—take time to live.

Take time to think—it is the source of power.

Take time to give—it is too short a day to be selfish.

Take time to play—it is the secret of perpetual youth.

Take time to read—it is the fountain of wisdom.

Take time to pray—it is the greatest power on earth.

Take time to love and be loved—it is a God-given privilege.

Take time to be friendly—it is the road to happiness.

Take time to laugh—it is the music of the soul.

Take time to work—it is the price of success.

In conclusion, I would like to sum up briefly what I have endeavored to put across to you young men and women this morning. As you leave here for the last time as a class I would like for you to carry with you a realization of your responsibility as a young American in a world that is to a great

extent hostile to the ideals upon which your Nation rests. I would like for you to go out into the mainstream of life dedicated to your country and to the principles for which it stands. I would like for you to hold fast to the Cross of Jesus Christ, for it will ever be a source of strength and comfort to you, in victory and in defeat.

And, in conclusion, I would like for you to know yourself and to be true to yourself in all things. If you will remember these things and keep them ever before you, your paths will ever be bright and your lives a success.

Again, I want to say it has been an honor and a privilege to be with you this morning. Thank you for your kindness in inviting me here, and may God bless each and every one of you.

Flag Day Address Delivered by Hon. Karl E. Mundt, of South Dakota

EXTENSION OF REMARKS
OF
HON. KARL E. MUNDT
OF SOUTH DAKOTA
IN THE SENATE OF THE UNITED STATES
Friday, June 14, 1957

Mr. MUNDT. Mr. President, this evening in Constitution Hall I had the high honor of representing the Congress of the United States in the Flag Day ceremonies sponsored by the Benevolent and Protective Order of Elks. A great many Members of the House were present. However, due to the evening session of the Senate, not very many of our colleagues could be present.

Mr. Fred Bohn, the exalted ruler of the Elks, was in charge of a very educational and inspiring and patriotic program. I was privileged to deliver the Flag Day address.

I ask unanimous consent that my address may be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

FLAG DAY ADDRESS

Officers, members, and guests of the Benevolent and Protective Order of Elks, your guests, and my colleagues from the Senate and the House, today, June 14th is Flag Day. It is also known as Elk Day. It is my understanding that the grand lodge of the order of Elks was the first fraternal order to decree that every subordinate lodge should observe Flag Day each year with appropriate services. As a result all Elk lodges have been observing Flag Day since 1911. Your enthusiastic promotion of these ceremonies is a natural endeavor for our order. Elkdom has always been an active exponent of American patriotic principles.

Time will not permit the mention of the numerous activities which our great order promotes for the good of all America. The record speaks for itself.

But may I humbly remind you of the necessity of your continued active participation in the greatest of all organizations—the United States of America.

It is 180 years since Congress authorized the use of a new flag for a new nation. The colors and design were well chosen, and this banner would be beautiful to the eye even if no meaning could be read into it. Nor have the changes since June 14, 1777, impaired its beauty, although star after star has been crowded into a field originally intended for 13.

A simple resolution was adopted by the Congress in session at Philadelphia on June 14, 1777. It read as follows:

"*Resolved*, That the flag of the 13 United States be 13 stripes, alternate red and white; that the Union be 13 stars, white in a blue field, representing a new constellation."

Unfortunately the Journal of Congress makes no mention of the Member who introduced this resolution or the committee that reported it; neither is there any record of the discussions that undoubtedly preceded the adoption of our national ensign.

Philadelphia's Betsy Ross House, on lower Arch Street, continues to give youngsters and sightseers a soul satisfying contact with the Stars and Stripes which would otherwise be denied. Philadelphia is also credited with having launched the first public school celebration of Flag Day on June 14, 1893.

A woman from our great Middle West once made a flag to be used as the prize in a State dairy contest. She embroidered a cow standing in a pasture. Then she added an eagle carrying a ribbon on which she inscribed the motto, "Our liberties and our rights we will maintain."

Whether she knew it or not, this woman was following a good old American tradition of flagmaking, for in the early days of the Revolutionary War, before we had our national emblem, there were colonial flags that expressed the same idea in much the same way. For instance, there were the famous rattlesnake flags, a sample of which we have seen here tonight, some of which bore beneath the figure of the dangerous serpent the legend "Don't tread on me." It was plain that the people who used these flags intended to maintain their rights. The flag of Virginia was a rattlesnake flag. So was a flag carried by the ships of our early Navy.

The pinetree flags, used by the New England Colonies, formed another famous group of banners. It is probable that one of the earliest was raised during the Battle of Bunker Hill at the beginning of the revolution. A later pinetree flag bore the words "Liberty tree" above the pine, and "an appeal to God" below it. The Colonists felt that they were fighting for their just rights and that God was surely on their side.

Had it not been for the War of 1812 and a certain diplomatic mission performed by a scholarly young Baltimore lawyer toward the close of that war, the attention of the whole country might not have been focused upon the flag. This was effectively accomplished while our Nation was still suffering growing pains and badly in need of a stirring symbol.

Francis Scott Key saw the first rays of dawn catch the flag over Fort McHenry on the morning of September 14, 1814, after a night of bombardment, and was moved to compose a victorious battle hymn dedicated to the flag and the land over which it waved. The hymn he wrote, The Star Spangled Banner, has inspired millions of Americans, but it was not until 1931 that Congress officially designated it as our National Anthem.

It was natural to call our flag the "Stars and Stripes" from the beginning, and the poetic inspiration of Francis Scott Key added the beloved title of Star-Spangled Banner.

It was a people of strong character who built this Nation and only a strong people can be trusted with its preservation for years to come.

May I remind you that the passage of time since the days of Washington and Jefferson has in no way lessened our responsibilities to our flag. We cannot rest on the achievements of our Founding Fathers. It is part of the price we must pay to keeep our flag as the symbol of this free Republic.

We need to instill in the minds of young America a consciousness of the forces of freedom which are symbolized in the red, white, and blue. As disciplined American citizens, we need to demonstrate continuously that we understand the institutions that are epitomized by our flag.

Man's emotions are most poignantly aroused by the use of the flag in war. But as the years pass, and as we hope and pray to avoid war, we should thrill to the sight of the flag flying over peaceful and humanitarian enterprises. We give the flag meaning when in our endeavors we rise above narrow partisanship or ignoble self-interest. We can give it meaning in our daily living just as others gave it meaning at Yorktown and at Iwo Jima—and during all the crises in between. Our flag is seen and recognized today in every civilized country as the banner of the world's best hope for permanent peace and for enduring progress.

The patriotism that is aroused in us on special occasions when we witness our flag must be directed to our everyday living. I sometimes wonder whether, in teaching American history, we do not over-emphasize the flavor of the spectacular and neglect to emphasize the solid foundations of hard work and continuous courage and discipline which have brought us into this year 1957.

Today is an opportune moment to stop and say, "What kind of citizen am I?"

We in America frequently use the words liberty, freedom, Republic, and democracy without thinking exactly what they mean. They are all difficult to define. Some of the ideas that these words suggest will appeal to one person and not to another. Some of the privileges of the liberty that Old Glory represents are so commonplace we take them for granted. But there are certain duties that go with the enjoyment of liberty, freedom, democracy, and the preservation of our free Republic. The duty of the citizen to protect his country with his life, if necessary, are familiar words to all of us. In times of peace the less spectacular duties are often overlooked.

Since the time of Plato, students of government have known that the greatest danger confronting a democracy or a republic is an apathetic citizenry. Indeed, the failure of a nation's citizens to exercise their political powers ultimately brings collapse. One of our great American pastimes has been to sit back in smug complacency and say "it can't happen here."

Flag Day is an excellent time to take a long, searching look at the facts, to examine the bad along with the good. It is an appropriate time to single out disturbing influences and to rise up against the forces of evil that would divide our people and sap our strength. Two forms of government are struggling for supremacy as we celebrate this Flag Day. In one form of government, the State is supreme master of the people. The citizen is told where to work, when to work, and what he is to receive for his labors. In the other form of government, the individual is the source of power. He is master of his government—a government based upon God's greatest gift to mankind, freedom of the individual and respect as well as responsiveness to the dignity of the human being.

In one form of government, worship of that government is enforced as the religion of the people. In ours, religion is the free choice of the individual. He worships God according to the dictates of his own conscience.

In the one form—the government of godless communism—all property rights have been wiped out. In the other—our form—the individual is entitled to enjoy the results of his ability, his energy, and his sacrifice.

What do we need to do in order to preserve our great Republic and to keep its flag secure and inviolate?

We must see that America is fully and correctly informed about the true objectives and methods of communism and its danger to all we hold dear.

We must take an active interest in public affairs. Always vote in elections—get others out to vote—and cast that vote intelligently.

We must be fair with our Government. In the interest of fair play and sound economy, we must promote and work for what we feel is best for our country. Our Government will be only as strong as we make it.

We must take a vital interest in the education of our children—get to know their teachers—know how schoolbooks are selected and what they contain. We must be sure that Communist poison is not being administered right under our very eyes, and supported by our own tax dollars.

We must not join groups or sign petitions unless we first investigate them. Communists have so perverted such appealing words as "peace," "freedom," "youth," and "mother" that any organization or document using these or similar words should be questioned until we know who is behind it.

We must strengthen the moral and spiritual fiber of America.

Under the shadow of the flag there is no limitation for our good works—no room for abridgment of our fidelity—no place to pause in our eternal vigilance.

America is still in the making. Its future destiny depends on the loyalty, the devotion, and the character of each citizen. To call men and women and children aside and remind them of their responsibilities to God and country on this Flag Day is the best devotion we can pay our flag.

As we count the blessings that have come since June 14, 1777, we cannot fail to recognize our debt to our flag. The high principles which it has continued to represent in war and peace should be studied, appreciated, and honored until they become part of our lives.

We can strengthen the structure of America if we work with renewed patriotism, increased courage, and firm determination to maintain high moral and spiritual standards.

On this Flag Day anniversary the love of the Stars and stripes should be our steadfast guide to better citizenship, better Americanism, and a deeper appreciation of the rich heritage and the glorious future that is ours.

SENATE

MONDAY, JUNE 17, 1957

The Senate met in executive session at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of wisdom, in all our fallible, willful ways Thou hast called us to be fellowworkers with Thee—channels through which Thy will may be done on earth, as it is in heaven. While we come praying for our ailing world, with a realization that our strength is unequal to our tasks and that our insights are not deep enough for the solving of the tangled problems which confront us, we would pray most of all for ourselves—that the golden glory of the June flowers and foliage may be a parable of the blossoms of the divine grace of meekness, gentleness, charity, and forgiveness which shall make the barren wastes of our own lives as the garden of the Lord. In all, and through all, in the newness of life may our glad hearts sing with the singing birds:

This is my Father's world—
And though the wrong seems oft so strong,
God is the ruler yet.

We ask it in the Redeemer's name. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 13, 1957, the President had approved and signed the following acts:

S. 895. An act for the relief of Josefa Kusiak;

S. 1203. An act for the relief of Lydia Anne Foote; and

S. 1463. An act to amend the Medals of Honor Act to authorize awards for acts of heroism involving any motor vehicle.

ORDER OF BUSINESS

The VICE PRESIDENT. Under the unanimous-consent order of Friday last, the Senate convened at 11 o'clock a. m. today for the purpose of considering the Atomic Energy Treaty. Under the rule, treaties are considered in executive session, and not in legislative session.

Therefore, in the opinion of the Chair, the Senate when it convened, automatically resolved itself into executive session for the purpose of considering the treaty in question.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings:)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GREEN, from the Committee on Foreign Relations:

Roy Richard Rubottom, Jr., of Texas, to be an Assistant Secretary of State, vice Henry F. Holland, resigned.

By Mr. EASTLAND, from the Committee on the Judiciary:

Darrell O. Holmes, of Washington, to be United States marshal for the eastern district of Washington.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The VICE PRESIDENT. The clerk will state the treaty by title.

The LEGISLATIVE CLERK. Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency, which was open for signature at United Nations Headquarters in New York, from October 26, 1956, to January 24, 1957, and during that period was signed in behalf of the United States of America and 79 other nations, reported favorably from the Foreign Relations Committee with an understanding.

The VICE PRESIDENT. Without objection, the treaty will be read the second time and considered as in Committee of the Whole.

The Senate, as in Committee of the Whole, proceeded to consider the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency, which was open for signature at United Nations Headquarters in New York, from October 26, 1956, to January 24, 1957, and during that period was signed in behalf of the United States of America and 79 other nations, which was read the second time, as follows:

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY [1]

Article I

Establishment of the Agency

The parties hereto establish an International Atomic Energy Agency (hereinafter referred to as "the Agency") upon the terms and conditions hereinafter set forth.

Article II

Objectives

The Agency shall seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world. It shall ensure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.

Article III

Functions

A. The Agency is authorized:

1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses throughout the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities by one member of the Agency for another; and to perform any operation or service useful in research on, or development of practical application of, atomic energy for peaceful purposes;

2. To make provision, in accordance with this statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes, including the production of electric power, with due consideration for the needs of the underdeveloped areas of the world;

3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

4. To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;

5. To establish and administer safeguards designed to insure that special fissionable and other materials, services, equipment, facilities, and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose; and to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or, at the request of a State, to

[1] Conference on the statute held at headquarters of the United Nations, September 20 to October 26, 1956.

any of that State's activities in the field of atomic energy;

6. To establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property (including such standards for labor conditions), and to provide for the application of these standards to its own operations as well as to the operations making use of materials, services, equipment, facilities, and information made available by the Agency or at its request or under its control or supervision; and to provide for the application of these standards, at the request of the parties, to operations under any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

7. To acquire or establish any facilities, plant, and equipment useful in carrying out its authorized functions, whenever the facilities, plant, and equipment otherwise available to it in the area concerned are inadequate or available only on terms it deems unsatisfactory.

B. In carrying out its functions, the Agency shall:

1. Conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering the establishment of safeguarded world-wide disarmament and in conformity with any international agreements entered into pursuant to such policies;

2. Establish control over the use of special fissionable materials received by the Agency, in order to insure that these materials are used only for peaceful purposes;

3. Allocate its resources in such a manner as to secure efficient utilization and the greatest possible general benefit in all areas of the world, bearing in mind the special needs of the underdeveloped areas of the world;

4. Submit reports on its activities annually to the General Assembly of the United Nations and, when appropriate, to the Security Council: if in connection with the activities of the Agency there should arise questions that are within the competence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security, and may also take the measures open to it under this statute, including those provided in paragraph C of article XII;

5. Submit reports to the Economic and Social Council and other organs of the United Nations on matters within the competence of these organs.

C. In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute.

D. Subject to the provisions of this statute and to the terms of agreements concluded between a State or a group of States and the Agency which shall be in accordance with the provisions of the statute, the activities of the Agency shall be carried out with due observance of the sovereign rights of States.

Article IV

Membership

A. The initial members of the Agency shall be those states members of the United Nations or of any of the specialized agencies which shall have signed this statute within 90 days after it is opened for signature and shall have deposited an instrument of ratification.

B. Other members of the Agency shall be those States, whether or not members of the United Nations or of any of the specialized agencies, which deposit an instrument of acceptance of this statute after their membership has been approved by the General Conference upon the recommendation of the Board of Governors. In recommending and approving a State for membership, the Board of Governors and the General Conference shall determine that the State is able and willing to carry out the obligations of membership in the Agency giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations.

C. The Agency is based on the principle of the sovereign equality of all its members, and all members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with this statute.

Article V

General Conference

A. A General Conference consisting of representatives of all members shall meet in regular annual session and in such special sessions as shall be convened by the Director General at the request of the Board of Governors or of a majority of members. The sessions shall take place at the headquarters of the Agency unless otherwise determined by the General Conference.

B. At such sessions, each member shall be represented by one delegate who may be accompanied by alternates and by advisers. The cost of attendance of any delegation shall be borne by the member concerned.

C. The General Conference shall elect a President and such other officers as may be required at the beginning of each session. They shall hold office for the duration of the session. The General Conference, subject to the provisions of this statute, shall adopt its own rules of procedure. Each member shall have one vote. Decisions pursuant to paragraph H of article XIV, paragraph C of article XVIII and paragraph B of article XIX shall be made by a two-thirds majority of the members present and voting. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting. A majority of members shall constitute a quorum.

D. The General Conference may discuss any questions or any matters within the scope of this statute or relating to the powers and functions of any organs provided for in this statute, and may make recommendations to the membership of the Agency or to the Board of Governors or to both on any such questions or matters.

E. The General Conference shall:

1. Elect members of the Board of Governors in accordance with article VI;

2. Approve States for membership in accordance with article IV;

3. Suspend a member from the privileges and rights of membership in accordance with article XIX;

4. Consider the annual report of the Board;

5. In accordance with article XIV, approve the budget of the Agency recommended by the Board or return it with recommendations as to its entirety or parts to the Board for resubmission to the General Conference;

6. Approve reports to be submitted to the United Nations as required by the relationship agreement between the Agency and the United Nations, except reports referred to in paragraph C of article XII, or return them to the Board with its recommendations;

7. Approve any agreement or agreements between the Agency and the united Nations and other organizations as provided in article XVI or return such agreements with its recommendations to the Board, for resubmission to the General Conference;

8. Approve rules and limitations regarding the exercise of borrowing powers by the Board, in accordance with paragraph G of article XIV; approve rules regarding the acceptance of voluntary contributions to the Agency; and approve, in accordance with paragraph F of article XIV, the manner in which the general fund referred to in that paragraph may be used;

9. Approve amendments to this statute in accordance with paragraph C of article XVIII;

10. Approve the appointment of the Director General in accordance with paragraph A of article VII.

F. The General Conference shall have the authority:

1. To take decisions on any matter specifically referred to the General Conference for this purpose by the Board;

2. To propose matters for consideration by the Board and request from the Board reports on any matters relating to the functions of the Agency.

Article VI

Board of Governors

A. The Board of Governors shall be composed as follows:

1. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board the five members most advanced in the technology of atomic energy including the production of source materials and the member most advanced in the technology of atomic energy including the production of source materials in each of the following areas not represented by the aforesaid five:

(1) North America.
(2) Latin America.
(3) Western Europe.
(4) Eastern Europe.
(5) Africa and the Middle East.
(6) South Asia.
(7) South East Asia and the Pacific.
(8) Far East.

2. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board two members from among the following other producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal; and shall also designate for membership on the Board one other member as a supplier of technical assistance. No member in this category in any one year will be eligible for redesignation in the same category for the following year.

3. The General Conference shall elect ten members to membership on the Board of Governors, with due regard to equitable representation on the Board as a whole of the members in the areas listed in subparagraph A–1 of this article, so that the Board shall at all times include in this category a representative of each of those areas except North America. Except for the five members chosen for a term of one year in accordance with paragraph D of this article, no member in this category in any one term of office will be eligible for reelection in the same category for the following term of office.

B. The designations provided for in subparagraphs A–1 and A–2 of this article shall take place not less than 60 days before each regular annual session of the General Conference. The elections provided for in subparagraph A–3 of this article shall take place at regular sessions of the General Conference.

C. Members represented on the Board of Governors in accordance with subparagraphs A–1 and A–2 of this article shall hold office from the end of the next regular annual session of the General Conference after their designation until the end of the following regular annual session of the General Conference.

D. Members represented on the Board of Governors in accordance with subparagraph A-3 of this article shall hold office from the end of the regular annual session of the General Conference at which they are elected until the end of the second regular annual session of the General Conference thereafter. In the election of these members for the first Board, however, 5 shall be chosen for a term of 1 year.

E. Each member of the Board of Governors shall have one vote. Decisions on the amount of the Agency's budget shall be made by a two-thirds majority of those present and voting, as provided in paragraph H of article XIV. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of those present and voting. Two-thirds of all members of the Board shall constitute a quorum.

F. The Board of Governors shall have authority to carry out the functions of the Agency in accordance with this statute, subject to its responsibilities to the General Conference as provided in this statute.

G. The Board of Governors shall meet at such times as it may determine. The meetings shall take place at the headquarters of the Agency unless otherwise determined by the Board.

H. The Board of Governors shall elect a Chairman and other officers from among its members and, subject to the provisions of this statute, shall adopt its own rules of procedure.

I. The Board of Governors may establish such committees as it deems advisable. The Board may appoint persons to represent it in its relations with other organizations.

J. The Board of Governors shall prepare an annual report to the General Conference concerning the affairs of the Agency and any projects approved by the Agency. The Board shall also prepare for submission to the General Conference such reports as the Agency is or may be required to make to the United Nations or to any other organization the work of which is related to that of the Agency. These reports, along with the annual reports, shall be submitted to members of the Agency at least 1 month before the annual session of the General Conference.

Article VII

Staff

A. The staff of the Agency shall be headed by a Director General. The Director General shall be appointed by the Board of Governors with the approval of the General Conference for a term of 4 years. He shall be the chief administrative officer of the Agency.

B. The Director General shall be responsible for the appointment, organization, and functioning of the staff and shall be under the authority of and subject to the control of the Board of Governors. He shall perform his duties in accordance with regulations adopted by the Board.

C. The staff shall include such qualified scientific and technical and other personnel as may be required to fulfill the objectives and functions of the Agency. The Agency shall be guided by the principle that its permanent staff shall be kept to a minimum.

D. The paramount consideration in the recruitment and employment of the staff and in the determination of the conditions of service shall be to secure employees of the highest standards of efficiency, technical competence, and integrity. Subject to this consideration, due regard shall be paid to the contributions of members to the Agency and to the importance of recruiting the staff on as wide a geographical basis as possible.

E. The terms and conditions on which the staff shall be appointed, remunerated, and dismissed shall be in accordance with regulations made by the Board of Governors, subject to the provisions of this statute and to general rules approved by the General Conference on the recommendation of the Board.

F. In the performance of their duties, the Director General and the staff shall not seek or receive instructions from any source external to the Agency. They shall refrain from any action which might reflect on their position as officials of the Agency; subject to their responsibilities to the Agency, they shall not disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties for the Agency. Each member undertakes to respect the international character of the responsibilities of the Director General and the staff and shall not seek to influence them in the discharge of their duties.

G. In this article the term "staff" includes guards.

Article VIII

Exchange of Information

A. Each member should make available such information as would, in the judgment of the member, be helpful to the Agency.

B. Each member shall make available to the Agency all scientific information developed as a result of assistance extended by the Agency pursuant to article XI.

C. The Agency shall assemble and make available in an accessible form the information made available to it under paragraphs A and B of this article. It shall take positive steps to encourage the exchange among its members of information relating to the nature and peaceful uses of atomic energy and shall serve as an intermediary among its members for this purpose.

Article IX

Supplying of Materials

A. Members may make available to the Agency such quantities of special fissionable materials as they deem advisable and on such terms as shall be agreed with the Agency. The materials made available to the Agency may, at the discretion of the member making them available, be stored either by the member concerned or, with the agreement of the Agency, in the Agency's depots.

B. Members may also make available to the Agency source materials as defined in article XX and other materials. The Board of Governors shall determine the quantities of such materials which the Agency will accept under agreements provided for in article XIII.

C. Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared, in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

D. On request of the Agency a member shall, from the materials which it has made available, without delay deliver to another member or group of members such quantities of such materials as the Agency may specify, and shall without delay deliver to the Agency itself such quantities of such materials as are really necessary for operations and scientific research in the facilities of the Agency.

E. The quantities, form, and composition of materials made available by any member may be changed at any time by the member with the approval of the Board of Governors.

F. An initial notification in accordance with paragraph C of this article shall be made within 3 months of the entry into force of this statute with respect to the member concerned. In the absence of a contrary decision of the Board of Governors, the materials initially made available shall be for the period of the calendar year succeeding the year when this statute takes effect with respect to the member concerned. Subsequent notifications shall likewise, in the absence of a contrary action by the Board, relate to the period of the calendar year following the notification and shall be made no later than the first day of November of each year.

G. The Agency shall specify the place and method of delivery and, where appropriate, the form and composition, of materials which it has requested a member to deliver from the amounts which that member has notified the Agency it is prepared to make available. The Agency shall also verify the quantities of materials delivered and shall report those quantities periodically to the members.

H. The Agency shall be responsible for storing and protecting materials in its possession. The Agency shall insure that these materials shall be safeguarded against (1) hazards of the weather, (2) unauthorized removal or diversion, (3) damage or destruction, including sabotage, and (4) forcible seizure. In storing special fissionable materials in its possession, the Agency shall insure the geographical distribution of these materials in such a way as not to allow concentration of large amounts of such materials in any one country or region of the world.

I. The Agency shall as soon as practicable establish or acquire such of the following as may be necessary:

1. Plant, equipment, and facilities for the receipt, storage, and issue of materials;
2. Physical safeguards;
3. Adequate health and safety measures;
4. Control laboratories for the analysis and verification of materials received;
5. Housing and administrative facilities for any staff required for the foregoing.

J. The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this statute. No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used.

Article X

Services, Equipment, and Facilities

Members may make available to the Agency services, equipment, and facilities which may be of assistance in fulfilling the Agency's objectives and functions.

Article XI

Agency Projects

A. Any member or group of members of the Agency desiring to set up any project for research on, or development or practical application of, atomic energy for peaceful purposes may request the assistance of the Agency in securing special fissionable and other materials, services, equipment, and facilities necessary for this purpose. Any such request shall be accompanied by an explanation of the purpose and extent of the project and shall be considered by the Board of Governors.

B. Upon request, the Agency may also assist any member or group of members to make arrangements to secure necessary financing from outside sources to carry out such projects. In extending this assistance, the Agency will not be required to provide any guaranties or to assume any financial responsibility for the project.

C. The Agency may arrange for the supplying of any materials, services, equipment, and facilities necessary for the project by one or more members or may itself undertake to provide any or all of these directly, taking into consideration the wishes of the member or members making the request.

D. For the purpose of considering the request, the Agency may send into the territory of the member or group of members making the request a person or persons qualified to examine the project. For this purpose the Agency may, with the approval of the member or group of members making the request, use members of its own staff or employ suitably qualified nationals of any member.

E. Before approving a project under this article, the Board of Governors shall give due consideration to:

1. The usefulness of the project, including its scientific and technical feasibility;

2. The adequacy of plans, funds, and technical personnel to assure the effective execution of the project;

3. The adequacy of proposed health and safety standards for handling and storing materials and for operating facilities;

4. The inability of the member or group of members making the request to secure the necessary finances, materials, facilities, equipment, and services;

5. The equitable distribution of materials and other resources available to the Agency;

6. The special needs of the underdeveloped areas of the world; and

7. Such other matters as may be relevant.

F. Upon approving a project, the Agency shall enter into an agreement with the member or group of members submitting the project, which agreement shall:

1. Provide for allocation to the project of any required special fissionable or other materials;

2. Provide for transfer of special fissionable materials from their then place of custody, whether the materials be in the custody of the Agency or of the member making them available for use in Agency projects, to the member or group of members submitting the project, under conditions which ensure the safety of any shipment required and meet applicable health and safety standards;

3. Set forth the terms and conditions, including charges, on which any materials, services, equipment, and facilities are to be provided by the Agency itself, and, if any such materials, services, equipment, and facilities are to be provided by a member, the terms and conditions as arranged for by the member or group of members submitting the project and the supplying member;

4. Include undertakings by the member or group of members submitting the project: (a) that the assistance provided shall not be used in such a way as to further any military purpose; and (b) that the project shall be subject to the safeguards provided for in article XII, the relevant safeguards being specified in the agreement;

5. Make appropriate provision regarding the rights and interests of the Agency and the member or members concerned in any inventions or discoveries, or any patents therein, arising from the project;

6. Make appropriate provision regarding settlement of disputes;

7. Include such other provisions as may be appropriate.

G. The provisions of this article shall also apply where appropriate to a request for materials, services, facilities, or equipment in connection with an existing project.

Article XII

Agency Safeguards

A. With respect to any Agency project, or other arrangement where the Agency is requested by the parties concerned to apply safeguards, the Agency shall have the following rights and responsibilities to the extent relevant to the project or arrangement:

1. To examine the design of specialized equipment and facilities including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose, that it complies with applicable health and safety standards, and that it will permit effective application of the safeguards provided for in this article;

2. To require the observance of any health and safety measures prescribed by the Agency;

3. To require the maintenance and production of operating records to assist in ensuring accountability for source and special fissionable materials used or produced in the project or arrangement;

4. To call for and receive progress reports;

5. To approve the means to be used for the chemical processing of irradiated materials solely to ensure that this chemical processing will not lend itself to diversion of materials for military purposes and will comply with applicable health and safety standards; to require that special fissionable materials recovered or produced as a by-product be used for peaceful purposes under continuing Agency safeguards for research or in reactors, existing or under construction, specified by the member or members concerned; and to require deposit with the Agency of any excess of any special fissionable materials recovered or produced as a by-product over what is needed for the above-stated uses in order to prevent stockpiling of these materials, provided that thereafter at the request of the member or members concerned special fissionable materials so deposited with the Agency shall be returned promptly to the member or members concerned for use under the same provisions as stated above;

6. To send into the territory of the recipient state or states inspectors designated by the Agency after consultation with the state or states concerned, who shall have access at all times to all places and data and to any person who by reason of his occupation deals with materials, equipment, or facilities which are required by this statute to be safeguarded, as necessary to account for source and special fissionable materials supplied and fissionable products and to determine whether there is compliance with the undertaking against use in furtherance of any military purpose referred to in subparagraph F-4 of article XI, with the health and safety measures referred to in subparagraph A-2 of this article, and with any other conditions prescribed in the agreement between the Agency and the state or states concerned. Inspectors designated by the Agency shall be accompanied by representatives of the authorities of the state concerned, if that state so requests, provided that the inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions;

7. In the event of noncompliance and failure by the recipient state or states to take requested corrective steps within a reasonable time, to suspend or terminate assistance and withdraw any materials and equipment made available by the Agency or a member in furtherance of the project.

B. The Agency shall, as necessary, establish a staff of inspectors. The staff of inspectors shall have the responsibility of examining all operations conducted by the Agency itself to determine whether the Agency is complying with the health and safety measures prescribed by it for application to projects subject to its approval, supervision or control, and whether the Agency is taking adequate measures to prevent the source and special fissionable materials in its custody or used or produced in its own operations from being used in furtherance of any military purpose. The Agency shall take remedial action forthwith to correct any noncompliance or failure to take adequate measures.

C. The staff of inspectors shall also have the responsibility of obtaining and verifying the accounting referred to in subparagraph A-6 of this article and of determining whether there is compliance with the undertaking referred to in subparagraph F-4 of article XI, with the measures referred to in subparagraph A-2 of this article, and with all other conditions of the project prescribed in the agreement between the Agency and the state or states concerned. The inspectors shall report any noncompliance to the Director General who shall thereupon transmit the report to the Board of Governors. The Board shall call upon the recipient state or states to remedy forthwith any noncompliance which it finds to have occurred. The Board shall report the noncompliance to all members and to the Security Council and General Assembly of the United Nations. In the event of failure of the recipient state or States to take fully corrective action within a reasonable time, the Board may take one or both of the following measures: direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with article XIX, suspend any noncomplying member from the exercise of the privileges and rights of membership.

Article XIII

Reimbursement of Members

Unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished.

Article XIV

Finance

A. The Board of Governors shall submit to the General Conference the annual budget estimates for the expenses of the Agency. To facilitate the work of the Board in this regard, the Director General shall initially prepare the budget estimates. If the General Conference does not approve the estimates, it shall return them together with its recommendations to the Board. The Board shall then submit further estimates to the General Conference for its approval.

B. Expenditures of the Agency shall be classified under the following categories:

1. Administrative expenses: These shall include:

(a) Costs of the staff of the Agency other than the staff employed in connection with materials, services, equipment, and facilities referred to in subparagraph B-2 below; costs of meetings; and expenditures required for the preparation of Agency projects and for the distribution of information;

(b) Costs of implementing the safeguards referred to in article XII in relation to Agency projects or, under subparagraph A-5 of article III, in relation to any bilateral or multilateral arrangement, together with the costs of handling and storage of special fissionable material by the Agency other than the storage and handling charges referred to in paragraph E below;

2. Expenses, other than those included in subparagraph 1 of this paragraph, in connection with any materials, facilities, plant, and equipment acquired or established by the Agency in carrying out its authorized functions, and the costs of materials, services, equipment, and facilities provided by it under agreements with one or more members.

C. In fixing the expenditures under subparagraph B-1 (b) above, the Board of Governors shall deduct such amounts as are recoverable under agreements regarding the application of safeguards between the Agency and parties to bilateral or multilateral arrangements.

D. The Board of Governors shall apportion the expenses referred to in subparagraph B-1 above, among members in accordance with a scale to be fixed by the General Conference. In fixing the scale the General Conference shall be guided by the principles adopted by the United Nations in assessing contributions of member states to the regular budget of the United Nations.

E. The Board of Governors shall establish periodically a scale of charges, including reasonable uniform storage and handling charges, for materials, services, equipment, and facilities furnished to members by the Agency. The scale shall be designed to produce revenues for the Agency adequate to

meet the expenses and costs referred to in subparagraph B–2 above, less any voluntary contributions which the Board of Governors may, in accordance with paragraph F, apply for this purpose. The proceeds of such charges shall be placed in a separate fund which shall be used to pay members for any materials, services, equipment, or facilities furnished by them and to meet other expenses referred to in subparagraph B–2 above which may be incurred by the Agency itself.

F. Any excess of revenues referred to in paragraph E over the expenses and costs there referred to, and any voluntary contributions to the Agency, shall be placed in a general fund which may be used as the Board of Governors, with the approval of the General Conference, may determine.

G. Subject to rules and limitations approved by the General Conference, the Board of Governors shall have the authority to exercise borrowing powers on behalf of the Agency without, however, imposing on members of the Agency any liability in respect of loans entered into pursuant to this authority, and to accept voluntary contributions made to the Agency.

H. Decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget shall require a two-thirds majority of those present and voting.

Article XV

Privileges and Immunities

A. The Agency shall enjoy in the territory of each member such legal capacity and such privileges and immunities as are necessary for the exercise of its functions.

B. Delegates of members together with their alternates and advisers, Governors appointed to the Board together with their alternates and advisers, and the Director General and the staff of the Agency, shall enjoy such privileges and immunities as are necessary in the independent exercise of their functions in connection with the Agency.

C. The legal capacity, privileges, and immunities referred to in this article shall be defined in a separate agreement or agreements between the Agency, represented for this purpose by the Director General acting under instructions of the Board of Governors, and the members.

Article XVI

Relationship With Other Organizations

A. The Board of Governors, with the approval of the General Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Agency and the United Nations and any other organizations the work of which is related to that of the Agency.

B. The agreement or agreements establishing the relationship of the Agency and the United Nations shall provide for:

1. Submission by the Agency of reports as provided for in subparagraphs B–4 and B–5 of article III;

2. Consideration by the Agency of resolutions relating to it adopted by the General Assembly or any of the Councils of the United Nations and the submission of reports, when requested, to the appropriate organ of the United Nations on the action taken by the Agency or by its members in accordance with this statute as a result of such consideration.

Article XVII

Settlement of Disputes

A. Any question or dispute concerning the interpretation or application of this statute which is not settled by negotiation shall be referred to the International Court of Justice in conformity with the statute of the Court, unless the parties concerned agree on another mode of settlement.

B. The General Conference and the Board of Governors are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities.

Article XVIII

Amendments and Withdrawals

A. Amendments to this statute may be proposed by any member. Certified copies of the text of any amendment proposed shall be prepared by the Director General and communicated by him to all members at least 90 days in advance of its consideration by the General Conference.

B. At the fifth annual session of the General Conference following the coming into force of this statute, the question of a general review of the provisions of this statute shall be placed on the agenda of that session. On approval by a majority of the members present and voting, the review will take place at the following General Conference. Thereafter, proposals on the question of a general review of this statute may be submitted for decision by the General Conference under the same procedure.

C. Amendments shall come into force for all members when:

(i) Approved by the General Conference by a two-thirds majority of those present and voting after consideration of observations submitted by the Board of Governors on each proposed amendment, and

(ii) Accepted by two-thirds of all the members in accordance with their respective constitutional processes. Acceptance by a member shall be effected by the deposit of an instrument of acceptance with the depositary Government referred to in paragraph C of article XXI.

D. At any time after five years from the date when this statute shall take effect in accordance with paragraph E of article XXI or whenever a member is unwilling to accept an amendment to this statute, it may withdraw from the Agency by notice in writing to that effect given to the depositary government referred to in paragraph C of article XXI, which shall promptly inform the Board of Governors and all members.

E. Withdrawal by a member from the Agency shall not affect its contractual obligations entered into pursuant to article XI or its budgetary obligations for the year in which it withdraws.

Article XIX

Suspension of Privileges

A. A member of the Agency which is in arrears in the payment of its financial contributions to the Agency shall have no vote in the Agency if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. The General Conference may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

B. A member which has persistently violated the provisions of this statute or of any agreement entered into by it pursuant to this statute may be suspended from the exercise of the privileges and rights of membership by the General Conference acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors.

Article XX

Definitions

As used in this statute:

1. The term "special fissionable material" means plutonium 239; uranium 233; uranium enriched in the isotopes 235 or 233; any material containing one or more of the foregoing; and such other fissionable material as the Board of Governors shall from time to time determine; but the term "special fissionable material" does not include source material.

2. The term "uranium enriched in the isotopes 235 or 233" means uranium containing the isotopes 235 or 233 or both in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature.

3. The term "source material" means uranium containing the mixture of isotopes occurring in nature; uranium depleted in the isotope 235; thorium; any of the foregoing in the form of metal, alloy, chemical compound, or concentrate; any other material containing one or more of the foregoing in such concentration as the Board of Governors shall from time to time determine; and such other material as the Board of Governors shall from time to time determine.

Article XXI

Signature, Acceptance, and Entry Into Force

A. This statute shall be open for signature on 26 October 1956 by all states members of the United Nations or of any of the specialized agencies and shall remain open for signature by those states for a period of ninety days.

B. The signatory states shall become parties to this statute by deposit of an instrument of ratification.

C. Instruments of ratification by signatory states and instruments of acceptance by states whose membership has been approved under paragraph B of article IV of this statute shall be deposited with the Government of the United States of America, hereby designated as depositary government.

D. Ratification or acceptance of this statute shall be effected by states in accordance with their respective constitutional processes.

E. This statute, apart from the Annex, shall come into force when 18 states have deposited instruments of ratification in accordance with paragraph B of this article, provided that such 18 states shall include at least 3 of the following States: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Instruments of ratification and instruments of acceptance deposited thereafter shall take effect on the date of their receipt.

F. The depositary government shall promptly inform all states signatory to this statute of the date of each deposit of ratification and the date of entry into force of the statute. The depositary government shall promptly inform all signatories and members of the dates on which States subsequently become parties thereto.

G. The Annex to this statute shall come into force on the first day this statute is open for signature.

Article XXII

Registration With the United Nations

A. This statute shall be registered by the depositary Government pursuant to article 102 of the Charter of the United Nations.

B. Agreements between the Agency and any member or members, agreements between the Agency and any other organization or organizations, and agreements between members subject to approval of the Agency, shall be registered with the Agency. Such agreements shall be registered by the Agency with the United Nations if registration is required under article 102 of the Charter of the United Nations.

Article XXIII

Authentic Texts and Certified Copies

This statute, done in the Chinese, English, French, Russian, and Spanish languages, each being equally authentic, shall be deposited in

the archives of the depositary Government. Duly certified copies of this Statute shall be transmitted by the depositary Government to the Governments of the other signatory States and to the Governments of States admitted to membership under paragraph B of article IV.

In witness whereof the undersigned, duly authorized, have signed this Statute.

DONE at the Headquarters of the United Nations, this twenty-sixth day of October, one thousand nine hundred and fifty-six.

[Here follows a list of signatures in behalf of 80 countries. See summary.]

Annex I

Preparatory Commission

A. A Preparatory Commission shall come into existence on the first day this statute is open for signature. It shall be composed of one representative each of Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, and United States of America, and one representative each of six other States to be chosen by the International Conference on the Statute of the International Atomic Energy Agency. The Preparatory Commission shall remain in existence until this statute comes into force and thereafter until the General Conference has convened and a Board of Governors has been selected in accordance with article VI.

B. The expenses of the Preparatory Commission may be met by a loan provided by the United Nations and for this purpose the Preparatory Commission shall make the necessary arrangements with the appropriate authorities of the United Nations, including arrangements for repayment of the loan by the Agency. Should these funds be insufficient, the Preparatory Commission may accept advances from Governments. Such advances may be set off against the contributions of the Governments concerned to the Agency.

C. The Preparatory Commission shall—

1. Elect its own officers, adopt its own rules of procedure, meet as often as necessary, determine its own place of meeting and establish such committees as it deems necessary;

2. Appoint an executive secretary and staff as shall be necessary, who shall exercise such powers and perform such duties as the Commission may determine;

3. Make arrangements for the first session of the General Conference, including the preparation of a provisional agenda and draft rules of procedure, such session to be held as soon as possible after the entry into force of this statute;

4. Make designations for membership on the first Board of Governors in accordance with subparagraphs A-1 and A-2 and paragraph B of article VI;

5. Make studies, reports, and recommendations for the first session of the General Conference and for the first meeting of the Board of Governors on subjects of concern to the Agency requiring immediate attention, including (a) the financing of the Agency; (b) the programs and budget for the first year of the Agency; (c) technical problems relevant to advance planning of Agency operations; (d) the establishment of a permanent Agency staff; and (e) the location of the permanent headquarters of the Agency;

6. Make recommendations for the first meeting of the Board of Governors concerning the provisions of a headquarters agreement defining the status of the Agency and the rights and obligations which will exist in the relationship between the Agency and the host Government;

7. (a) Enter into negotiations with the United Nations with a view to the preparation of a draft agreement in accordance with article XVI of this statute, such draft agreement to be submitted to the first session of the General Conference and to the first meeting of the Board of Governors; and (b) make recommendations to the first session of the General Conference and to the first meeting of the Board of Governors concerning the relationship of the Agency to other international organizations as contemplated in article XVI of this statute.

SUMMARY OF THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

Articles I and II

The statute upon its entry into force will establish the International Atomic Energy Agency, the basic objective of which is to seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world without at the same time furthering any military purpose.

Article III

The functions of the Agency set forth in article III of the statute are (a) to encourage and assist research on, and development and practical application of, atomic energy for peaceful purposes throughout the world; (b) to make provision for materials, services, equipment, and facilities needed to carry out the foregoing purpose; (c) to foster the exchange of scientific and technical information on, and the exchange and training of scientists and experts in, the peaceful uses of atomic energy; (d) to establish and administer safeguards to ensure that fissionable or other materials, services, equipment, facilities, and information with which the Agency deals are not used to further any military purpose; (e) to participate in the establishment, adoption, and application of standards of safety for the protection of health and the minimization of danger to life and property from activities in the field of atomic energy; and (f) to acquire or establish any facilities, plant, and equipment useful in carrying out its authorized functions.

In carrying out its functions, the Agency is required by the statute (a) to conduct its activities in accordance with the purposes and principles of the United Nations and, in particular, in conformity with United Nations policies furthering the establishment of a safeguarded worldwide disarmament; (b) to control the use of such fissionable materials as are received by the Agency so as to insure that they are used only for peaceful purposes; (c) to allocate its resources so as to secure efficient utilization and wide distribution of their benefits throughout the world, bearing in mind the special needs of the underdeveloped areas; (d) to submit annual reports on its activities to the General Assembly of the United Nations; (e) when appropriate, to submit reports and information to the Security Council, Economic and Social Council, and other organs of the United Nations; (f) to refuse to give assistance to member countries under political, economic, military, or other conditions that are inconsistent with the statute; and (g) subject to the terms of any agreements that may be made between a state or group of states and the Agency, to give due observance to the sovereign rights of states.

Article IV

Initial members of the Agency are to be states members of the United Nations or of any of the specialized agencies which signed the statute within 90 days after it was opened for signature and which deposit instruments of ratification. The following 80 states signed the statute during the period it was open for signature:

Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Federal Republic of Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Italy, Japan, Korea, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippine Republic, Poland, Portugal, Rumania, Spain, Sudan, Sweden, Switzerland, Syria, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Vatican City, Venezuela, Vietnam, Yugoslavia.

Other states may become members of the Agency if their membership is approved by the General Conference upon recommendation of the Board of Governors. In making their recommendations and approvals, the Board of Governors and the General Conference are directed to "determine that the State is able and willing to carry out the obligations of membership in the Agency, giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations."

Article V

The General Conference of the Agency is to be composed of representatives of all the members of the Agency, each member having one vote therein. The General Conference is to meet annually and in such special sessions as are called by the Director General at the request of the Board of Governors or a majority of the members of the Agency. Each member is to be represented at the sessions of the General Conference by one delegate who may be accompanied by alternates and advisers.

The General Conference is to have powers of discussion and recommendation on any matters within the scope of the statute. In addition, it is to elect 10 members of the Board of Governors, approve states for membership, suspend members for persistent violations of the provisions of the statute (art. XIX), and consider the annual report of the Board of Governors. The General Conference is also to be responsible for approving, or recommending changes in, the budget submitted to it by the Board of Governors; approving reports to be submitted to the United Nations except reports to the Security Council of noncompliance with Agency safeguards (art. XII (C)); approving, or recommending changes in, agreements between the Agency and the United Nations or other organizations; approving rules regarding the exercise of the borrowing power, acceptance of voluntary contributions, and use of the general fund (art. XIV (F)); approving amendments to the statute; and approving the appointment of the Director General. The General Conference may make decisions on any matter referred to it for that purpose by the Board of Governors and may propose matters for consideration by the Board or request reports from the Board on any matters relating to the functions of the Agency.

Article VI

The Board of Governors is to have primary responsibility for carrying out the functions of the Agency. In particular, it is to have responsibility for determining the quantities of source of materials, as defined in article XX, and other materials the Agency will accept and the use of such source and special fissionable materials, as are made available to the Agency (art. IX); for approving projects for the peaceful use of atomic energy (art. XI); for imposing sanctions against members which do not comply with Agency safeguards (art. XII); for submitting to the

General Conference an annual report (art. VI) and the annual budget estimates, apportioning administrative expenses among members in accordance with a scale to be fixed by the General Conference, and establishing periodically a scale of charges, for materials, services, equipment and facilities furnished to members by the Agency (art. XIV); for negotiating agreements establishing the relationship of the Agency to the United Nations and other organizations (art. XVI); for requesting, when necessary, special sessions of the General Conference (art. V); for designating nonelected members to the succeeding Board and for establishing necessary committees (art. VI); for appointing with consent of the General Conference the Director General (art. VII); and for preparing such reports as the Agency is required to make to the United Nations or other organizations (art. VI).

In forming the composition of the Board, the outgoing Board (or in the case of the first Board, the Preparatory Commission referred to in the annex to the statute) designates (a) the 5 members most advanced in the technology of atomic energy including the production of source materials; (b) the member most advanced in the technology of atomic energy including the production of source materials from each of the following areas not represented by the aforesaid 5: North America, Latin America, Western Europe, Eastern Europe, Africa, and the Middle East, South Asia, Southeast Asia and the Pacific, and the Far East; (c) 2 members from the following producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal; (d) 1 other member as a supplier of technical assistance; in addition, the General Conference elects (e) 10 members, having due regard to the equitable representation on the Board of those areas listed above (category (b)) so that the Board at all times includes in this category a member from each of those areas except North America. Members designated under categories (d) and (e) (except for 5 members elected to the first Board) are ineligible for redesignation or reelection in the same category the following year. Each member of the Board has one vote, and decisions are taken by a majority of those present and voting, except for decisions on the Agency's budget which require a two-thirds majority of those present and voting.

Article VII

The staff of the Agency is to be headed by a Director General appointed for 4 years by the Board of Governors with the approval of the General Conference. He is to be responsible for the appointment, organization, and functioning of the staff subject to the control of the Board of Governors and in accordance with regulations they adopt. The Agency staff is to be kept to a minimum. In recruiting the staff and determining the conditions of service, the paramount consideration is to be to secure employees of the highest standards efficiency, technical competence, and integrity. Subject to that consideration, due regard is to be paid to members' contributions to the Agency and to the importance of recruiting staff on as wide a geographical basis as possible.

The Director General and the staff are forbidden to disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties for tne Agency. The international character of the responsibilities of the Director General and the staff are recognized.

Article VIII

Article VIII of the statute contains provisions for the exchange and dissemination of information relating to the nature and peaceful uses of atomic energy. It provides that each member should make available such information as would, in the judgment of the member, be helpful to the Agency, and requires each member to make available all scientific information acquired as a result of assistance extended by the Agency. The Agency is to make information thus acquired available in accessible form and to encourage the exchange of information among its members. The statute in no way requires a government to transmit classified information.

Article IX

Provisions governing the supply of special fissionable, source, and other materials by members to the Agency are detailed in article IX. Members are required to notify the Agency annually of the quantities, form, and composition of the materials that they will voluntarily make available to the Agency during the succeeding calendar year. The materials are to be supplied on terms agreed to between the Agency and the members supplying them. The Board of Governors is to determine the use to be made of materials supplied by members, and no member has the right to require the Agency to keep separate the materials that it supplies or to designate the specific project in which they may be used. The materials supplied may, in the discretion of the member supplying them, be stored by that member or by the Agency. The Agency is to be responsible for storing and protecting the materials in its possession, and, to that end, the Agency is required to establish or acquire such facilities (storage, laboratories, housing, etc.), safeguards, and health and safety measures as are necessary.

Article X

In addition to special fissionable, source, and other materials, members may make available to the Agency services, equipment, and facilities that may be of assistance in carrying out the Agency's projects.

Article XI

Agency participation in projects for peaceful uses of atomic energy may be requested by any member or group of members. Agency participation takes the form of supplying, or arranging for the supply of, necessary materials, services, equipment, and facilities, as well as assisting in securing financial support from outside sources. A member or group of members requesting the assistance of the Agency is required to submit an explanation of the purpose and extent of the project and, in considering the request, the Agency may send qualified persons into the territory of the member or members making the request to examine the project. The Statute states specific criteria that are to be considered by the Board of Governors before approving a project: (1) usefulness and technical feasibility; (2) probability of successful completion; (3) adequacy of safeguards; (4) need for Agency assistance; (5) equitable distribution of materials and other resources available to the Agency; (6) special needs of the underdeveloped areas. In addition the Board is directed to consider "such other matters as may be relevant."

If the Board approves a project, an implementing agreement is concluded between the Agency and the member or group of members submitting the project. The statute requires that the agreement shall include provisions covering the following topics: (1) allocation of required special fissionable or other materials to the project; (2) transfer of such materials, under appropriate safeguards, to the member or group of members submitting the project; (3) terms and conditions on which any materials, services, equipment, and facilities are provided to the member or members submitting the project; (4) an undertaking that the assistance provided will not be used to further any military purpose; (5) the relevant safeguards applicable under article XII of the statute; (6) rights and interests of the Agency and of the member or member concerned in any invention or discoveries arising from the project; (7) settlement of disputes; and (8) such other provisions as the Board of Governors considers appropriate.

Article XII

Article XII, dealing with safeguards, is crucial to the achievement of the Agency's objectives. It was debated at great length in the Conference that drafted that statute. By incorporating article XII in the statute, the Conference gave recognition to the need for safeguards designed to prevent source and fissionable material used or produced in Agency-sponsored projects from being diverted to use for military purposes.

The safeguards are applicable only "to the extent relevant to the project or arrangement" in question. For example, if the Agency were to supply radioisotopes for medical diagnosis, there would be neither occasion nor need for any safeguards other than those relating to the protection of health and safety. The first safeguard specified in article XII (A) gives the Agency the right and the responsibility to "examine the design of specialized equipment and facilities, including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose, that it complies with applicable health and safety standards, and that it will permit effective application of the safeguards provided for in this article."

Approval or disapproval of a design on the basis of criteria that are not relevant to the problem of safeguards would be improper under article XII, although it should be pointed out that questions of scientific and technical feasibility, etc., are to be considered by the Board of Governors in approving the project as a whole (art. XI).

The second listed safeguard, requiring observance of health and safety measures prescribed by the Agency, is aimed at the protection of life and property.

The third and fourth listed safeguards, dealing with the making of operating records and progress reports in order to insure accountability for source and special fissionable materials used or produced in Agency products, are necessary to prevent diversion to military purposes as well as to achieve sound management and administration.

The fifth listed safeguard provides that the means used for chemical processing of materials irradiated in an Agency-sponsored project must be approved by the Agency. It is necessary that the Agency have its right, for the dangers to health and safety and the possibility of diversion to military purposes during the chemical processing are great. The Agency is also given the right to require that any special fissionable materials recovered or produced as a byproduct of an Agency-sponsored project be used for peaceful purposes under continuing Agency safeguards or, if such byproducts are in excess of current needs for peaceful purposes, to require that they be deposited with the Agency until such time as the member or members concerned can put them to peaceful uses. There requirements provide the basis for preventing the accumulation by members of stockpiles of special fissionable materials from Agency projects. Such provisions are essential, since a stockpile honestly intended for future peaceful use is indistinguishable from one intended for future military use and could, in fact, be turned to military uses. However, the fact that a nation producing byproduct fissionable materials in an Agency-sponsored project cannot stockpile them itself does not mean that it cannot make full use of them for peaceful purposes at some future time, for the statute expressly provides that such materials deposited with the Agency shall "at the request of the member or members concerned * * * be returned promptly * * * for use under" continuing Agency safeguards.

The sixth listed safeguard is inspection. After consultation with the state or states

concerned, the Agency has the right to send into recipient states inspectors selected in accordance with the standards set forth in article VII. They are to be given access at all times to all places and data and to any person who by reason of his occupation deals with materials, equipment, or facilities which are required by the statute to be safeguarded, as necessary to account for source and fissionable materials and to verify compliance with the applicable health and safety measures, with the undertaking against use in furtherance of any military purpose, and with any other conditions prescribed in the agreement between the Agency and the State or States concerned.

The inspectors are also charged with the responsibility (art. XIII (B)) for examining all operations conducted by the Agency itself in order to insure that the Agency's activities, equally with those of the recipient countries, comply with the appropriate health and safety measures and that adequate measures are taken to prevent source and special fissionable materials in the custody of the Agency or used or produced in its operations from being used in furtherance of any military purpose.

Subparagraph C of article XII spells out the procedures by which sanctions are brought to bear in the event of noncompliance with the applicable safeguards and undertakings. The inspectors report noncompliance to the Director General, who in turn transmits the report to the Board of Governors. The Board is required to report the noncompliance to all members of the Agency and to the Security Council and General Assembly of the United Nations. If the recipient state or states fail to take corrective action within a reasonable time, the Board may curtail or suspend Agency assistance and call for the return of materials and equipment made available to the state or states concerned. In accordance with article XIX, the Agency may also suspend any noncomplying member from the exercise of the privileges and rights of membership.

Article XIII

Article XIII provides that, unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished.

Article XIV

Provisions regarding finance are set forth in article XIV. Annual budget estimates for Agency expenses are to be prepared initially by the Director General and submitted by the Board of Governors to the General Conference for approval. If the General Conference does not approve the estimates, it may make recommendations to the Board so that the latter may submit further estimates.

Administrative expenses of the Agency will include costs of administrative staff, costs of meetings, expenses of preparing Agency projects and distributing information, together with such costs of implementing safeguards and of handling and storing special fissionable material as are not otherwise recoverable. The scale to be used in apportioning administrative expenses among the member states is to be fixed by the General Conference, which is to be guided by the principles followed in assessing contributions of member states to the United Nations budget.

The cost of materials, facilities, plants, and equipment furnished by the Agency and expenses (other than administrative expenses) incurred in connection therewith are to be financed through charges. The scale of charges is to be worked out periodically by the Board of Governors. In addition, voluntary contributions received by the Agency may be applied, at the discretion of the Board of Governors, to meet such expenses. A separate fund is to be set up to receive the proceeds of the operational charges assessed against members. Out of this fund, members furnishing materials, services, equipment, or facilities are to be reimbursed and operational expenses of the Agency in connection with these items are to be met.

If the revenues of this type exceed operational expenses and costs, the excess is to be placed in a general fund, together with any unobligated voluntary contributions received by the Agency. The general fund may be used as determined by the Board of Governors, with the approval of the General Conference.

The statute provides also for borrowing powers on the part of the Agency. It makes clear, however, that members of the Agency are not legally or financially liable for repayment of the money borrowed.

A two-thirds majority of those present and voting is required for decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget.

Article XV

Article XV concerns legal capacity, privileges, and immunities to be enjoyed by the Agency in the territory of each member, and the privileges and immunities to be enjoyed by delegates, alternates, advisers, the Director General, and the Agency staff in exercising their official functions. Provision is made for special agreements on this subject between the Agency and its members.

It is anticipated that such privileges and immunities as may be granted in the United States will be pursunt to the International Organizations Immunities Act (22 U. S. C. 288 et seq.).

Article XVI

Establishment by special agreement of the relationship between the Agency and United Nations is provided for by article XVI with special reference to submission of reports to the United Nations and consideration of United Nations resolutions. The article also anticipates the establishment by special agreement of an appropriate relationship between the Agency and other organizations with related interests.

Article XVII

Article XVII calls for reference to the International Court of Justice of disputes concerning interpretation or application of the statute, unless the parties concerned agree on another mode of settlement. In addition, the General Conference and the Board of Governors are separately empowered, subject to authorization from the United Nations General Assembly, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities.

Article XVIII

Amendments to the statute are provided for in article XVIII. Proposals for amendment may be made by any member and will be communicated to all members at least ninety days before being considered by the General Conference. Amendments come into force for all members when they have been approved by the General Conference by a two-thirds majority of those present and voting and have been accepted by two-thirds of all the members in accordance with their respective constitutional processes.

If a member is unwilling to accept an amendment to the statute, it may withdraw from the Agency by notice in writing to the depositary government. In addition, a member may withdraw for any reason at any time after 5 years from the date the statute takes effect. Withdrawal does not relieve a member of its contractual obligations with regard to assistance received from the Agency, or budgetary obligations for the year in which it withdraws.

This article also provides that the question of a general review of the statute is to be placed on the agenda of the fifth annual session of the General Conference. If approved by a majority of members present and voting, the review is to take place at the next General Conference. Thereafter, a proposal for general review may be submitted at any General Conference session.

Article XIX

If a member of the Agency becomes in arrears in its financial contributions to the Agency in an amount totaling 2 years' contributions, it is to lose its vote in the Agency unless the General Conference is satisfied that failure to pay is due to conditions beyond the member's control (art. XIX).

Persistent violation of the statute or of any agreement made under it may result in suspension of the offending member from privileges and rights of membership. Decisions on suspension are to be made, upon recommendation of the Board of Governors, by a two-thirds majority of members present and voting in the General Conference.

Article XX

Article XX defines the terms "special fissionable material," "uranium enriched in the isotopes 235 or 233," and "source material."

Article XXI

In accordance with article XXI, the statute was opened for signature on October 26, 1956, by states members of the United Nations or of any of the specialized agencies and remained open for 90 days. Ratification by signatory states is called for.

The United States is named depositary Government for receipt of instruments of ratification by signatory states and instruments of acceptance by states approved for membership in conformity with the statute. It is specified that ratification or acceptance by states is to be effected in accordance with constitutional processes.

The statute, apart from its annex, comes into force on deposit of instruments of ratification by 18 states, including 3 of the following: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom, and the United States. The annex, by the terms of article XXI, came into force October 26, 1956, the day on which the statute was opened for signature.

Article XXII

Article XXII provides for resignation of the statute pursuant to article 102 of the United Nations Charter. In addition, agreements between the Agency and any member or members, agreements between the Agency and any other organization or organizations, and agreements between members subject to the approval of the Agency are to be registered with the Agency and, if required by article 102 of the United Nations Charter, are also to be registered with the United Nations.

Article XXIII

Article XXIII provides for equal authenticity of the five language texts in which the statute is drawn up and for transmittal of certified copies of the statute to the governments concerned.

Annex I

The annex to the statute establishes a Preparatory Commission, which is composed of 1 representative each of Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, the United Kingdom, and the United States, and 1 representative each of 6 other states which were chosen by the International Conference on the Statute of the International Atomic Energy Agency (Argentina, Egypt, Indonesia, Japan, Pakistan, and Peru). The Preparatory Commission is to remain in existence until the first General Conference of the Agency is convened and a Board of Governors has been selected in accordance with

article VI or the statute. The Commission elects its own officers, adopts its own rules of procedure, establishes such committees as it deems necessary, and determines its place of meeting. It has appointed an Executive Secretary and a small staff in accordance with the provisions of the annex. The expenses of the Commission are being met by a loan negotiated by the Commission with the United Nations. The loan is ultimately to be repaid by the Agency. If the funds from this source should prove insufficient, the Commission is empowered to accept advances from governments; if such advances are made, they may be set off against contributions of the governments concerned to the Agency.

The functions of the Preparatory Commission are (a) to make arrangements for the first session of the General Conference of the Agency including the preparation of a provisional agenda and draft rules of procedure; (b) to designate certain members of the first Board of Governors of the Agency in accordance with subparagraphs A–1 and A–2 and paragraph B of article VI of the statute; (c) to make studies reports and recommendations for the first session of the General Conference and for the Board of Governors on subjects requiring immediate attention including financing programs and budget technical problems relevant to planning Agency operations establishment of a permanent staff of the Agency and location of permanent headquarters for the Agency; (d) to make recommendations for the first meeting of the Board of Governors concerning the provisions of a headquarters agreement; (e) to negotiate with the United Nations regarding a draft agreement to define the relationship between the United Nations and the Agency; and (f) to make recommendations concerning the relationship of the Agency to other international organizations.

REPORT BY THE CHAIRMAN OF THE UNITED STATES DELEGATION

Report on the Conference on the Statute of the International Atomic Energy Agency

I. Background

A Conference of 81 States and observers from 7 specialized agencies of the United Nations (enclosure 1) met at United Nations Headquarters in New York between September 20 and October 26, 1956, to consider the draft statute of April 18, 1956, for the International Atomic Energy Agency. The Agency was originally proposed by President Eisenhower on December 8, 1953, to foster the peaceful uses of the atom and to provide a positive new approach to the solution of international problems.

The text of the statute debated by the Conference had been drafted and unanimously adopted as a whole by the 12 states sponsoring the Conference (Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States) at a Working Level Meeting held in Washington during the winter and spring of 1956.

The United States, acting on behalf of the sponsoring group, invited all 87 members of the United Nations and its specialized agencies to the Conference, one of the largest international gatherings held to date. Previously this community of nations had had an opportunity to review an earlier draft of the statute circulated for comment by the original 8 negotiating states (Australia, Belgium, Canada, France, Portugal, Union of South Africa, United Kingdom, United States) on August 22, 1955. The comment received in response was carefully studied by the Working Level Meeting in addition to views expressed on the proposed Agency at the sessions of the General Assembly of the United Nations in 1954 and 1955. Thus prior to the Conference, opportunity had been given to interested countries to have their ideas and suggestions incorporated into the draft statute of April 18, 1956.

II. Conference Organization

(a) Officers and Secretariat

The two candidates supported by the sponsoring states, Ambassador Muniz, of Brazil, and Ambassador Winkler, of Czechoslovakia, were unanimously elected President and Vice President of the Conference, respectively. Their able and impartial direction contributed much to the success of the Conference. Much credit must also go to the Secretary General of the Conference, Mr. Dag Hammarskjold, his Deputy, Mr. Ralph Bunche, and supporting members of the United Nations Secretariat, who provided the Conference with exceptionally efficient services.

(b) The agenda of the Conference

The agenda (enclosure 2) was a simple one, the most important item being the discussion of the draft statute of April 18, 1956.

(c) Rules of Procedure

The Rules of Procedure, based generally on those of the United Nations General Assembly and, therefore, familiar to most of the participants, were originally agreed upon by the sponsoring states and were adopted unchanged (enclosure 3) by the Conference. Rule 26, requiring a two-thirds majority vote on decisions to amend the statute and a simple majority for all other decisions, occasioned some criticism and debate. The rule was defended on the grounds that there should be a presumption in favor of the standing text of the statute, which had been carefully drafted by a representative group and which already reflected views expressed by a large number of interested countries.

(d) Conference proceedings

In accordance with the Rules of Procedure, amendments to the statute could be submitted up through midnight of October 2, unless the Conference decided otherwise. Since it would not have been practical to consider specific articles of the statute until all amendments had been submitted, during the first 8 working days (September 20 to October 2) the Conference met in 13 plenary sessions in the General Assembly Hall of the United Nations to debate the statute as a whole. Representatives of 63 counties took advantage of this opportunity to express their general views on the statute and the Agency.

Between October 3 and October 22, the Conference met in Conference Room 4 in 24 sessions as a Main Committee (equivalent of Committee of the Whole) in which all states attending the Conference participated. During this time, the statute was considered article by article, either in terms of amendments to articles or requests for clarification in cases of articles to which there were no amendments. With reference to more controversial articles, such as articles III and XII, there were first and second readings but in most instances the articles were voted upon after one reading.

Some 80 amendments were submitted to all but 6 (arts. I, VIII, XIII, XVI, XIX, and XXIII) of the articles. Of the approximately 60 amendments voted upon, one-half were adopted by the Conference, evidence of the fact that the Conference was not of a "rubber stamp" nature.

The Coordination Committee, consisting of the 12 sponsoring states, was the only other Conference Committee. The main work of the Committee was to review amendments approved by the Conference and the statute as a whole in order to correct drafting errors and eliminate inconsistencies in terminology. The Committee accomplished its review between October 20 and October 22.

III. Major Conference Issues

(a) Agency functions

The largest number of amendments was submitted to article, which outlines general Agency functions. The basic problem in this connection was to determine to what extent authority for specific activities should be spelled out in a broad constitutional document such as the statute or be left to the discretion of the Board of Governors and the General Conference after the establishment of the Agency. Amendments authorizing the Agency to engage in projects such as sponsoring international technical conferences, publishing an international periodical, and establishing a world atomic university, were finally withdrawn after their sponsors were persuaded that a legislative record had been made for these activities which the Agency could undertake under the wide grant of authority contained in the statute if it so desired later on.

Specific authorization, however, for the Agency to encourage the training of scientists and experts in the field of peaceful uses of atomic energy was incorporated into the statute. Atomically less advanced countries were particularly anxious that this Agency activity of special usefulness to them should be explicitly covered by the statute.

The most important amendment to article III adopted by the Conference gives the Agency enabling authority to apply its safeguard system upon request of a member state to the atomic energy activities of that state. The Agency would thus be in a position to apply its safeguards universally in the event of future agreement among countries with atomic weapon programs to safeguard their atomic energy activities against diversion to military purposes. The inclusion of this objective as a possible Agency activity helped ameliorate the fact that for the time being safeguards will be applied only to countries requesting and receiving assistance.

(b) Composition of Board of Governors

Considerable criticism developed of the composition of the Board of Governors (art. VI) in which the atomically advanced countries would have the dominant position. The 12 sponsoring powers, however, maintained a united front against any change on the grounds that the present formula was the most equitable and practical solution that could be attained after long and arduous negotiations of the Working Level Meeting. They stated that in such a compromise formula, even a small change could not be made without impairing the whole structure. To attempt such changes could set off a chain reaction which would delay or even frustrate the establishment of the Agency. Although the present formula might not be perfect, they pointed out that it did provide for wide representation both in terms of geographic areas and of countries that would be the recipients of Agency assistance.

After a useful debate in which issues were clarified and assurances given on points not actually written into the statute (such as support for 2 seats for Latin America and 1 seat for Africa and the Middle East from among the 3 elected but geographically unassigned seats under par. A–3 of art. VI), the formula for the Board's composition was approved unchanged.

(c) Relationship of the Board of Governors to the General Conference

There was also initial criticsm of the limited authority which the General Conference, representing the total membership of the Agency, had in relation to the more complete powers of the Board of Governors. This criticism was met by amendments clarifying and increasing the authority of the General Conference without, however, upsetting the balance of power between the Conference and the Board of Governors necessary for efficient operations of an essentially techni-

cal agency. For example, language based on article X of the United Nations Charter containing a more clearly defined and comprehensive grant of authority to the General Conference was adopted; authority for making decisions referred to the General Conference for that purpose by the Board of Governors was spelled out; appointment by the Board of the Director General was made subject to the approval of the General Conference, etc. Criticism was thus mollified and the structural balance between the General Conference and the Board of Governors maintained.

(d) Safeguard provisions

The extent and depth of the safeguard system contained in article XII of the draft statute proved the most controversial issue of the conference. Two joint amendments submitted by Ceylon, Egypt, India, and Indonesia struck at the heart of the safeguard system. One would have removed source materials from Agency accountability (art. XII A-3); the other would have crippled Agency ability to prevent the accumulation of national stockpiles of weapon-grade fissionable materials produced as byproducts in Agency assisted projects (art. XII A5). The sponsors claimed this curtailment of Agency authority in applying safeguards was necessary to prevent burdensome, unnecessary and possibly dangerous interference by by the Agency in the economic growth of member states, especially the poor and undeveloped members most in need of Agency assistance. The U. S. S. R. supported these amendments, alleging that safeguard provisions as they stood were uncalled for in the absence of agreement on the abolition of nuclear weapons and that these provisions constituted an invasion of sovereign rights.

Following an extensive debate that revealed misconceptions and fears arising from some ambiguity in the language of the draft statute on the issues concerned, Canada, the United Kingdom, and the United States introduced 2 clarifying and qualifying amendments: 1 clearly limiting accountability for source materials to those used or produced in Agency projects and the other making it explicit that in deciding upon retention by member states of byproducts fissionable materials or their deposit with the Agency, the Agency should be guided by only two criteria—whether the materials were to be used for peaceful purposes and in such a way as not to endanger health and safety. These amendments had the effect of removing any possibility that the Agency would seek to judge the economic merit or technical feasibility of projects or programs when reaching decisions concerning the retention of byproduct fissionable materials.

Agreement of India and her cosponsoring states after further negotiations was finally obtained to the Canadian, United Kingdom, and United States amendment on source materials and to a mutually acceptable Franco-Swiss amendment further clarifying and defining Agency rights and objectives regarding the deposit of byproduct fissionable materials to prevent national stockpiling. In both instances, therefore, the basic principles were retained but were couched in new language aimed at dispelling fears that Agency authority would be greater than required to discharge its responsibilities and would be used to interfere beyond its competence in domestic arrangements of member states.

The adoption of a number of Swiss amendments delineating more specifically the Agency's inspection rights (art. XII A-6) also helped to allay misgivings, both among the underdeveloped countries and certain countries of Western Europe. In this connection, it was pointed out that the more technically advanced countries in Western Europe and elsewhere would be the first with programs requiring more comprehensive type safeguards. Hence underdeveloped countries would have an opportunity to observe the effect of the application of such safeguards before having to experience them.

As the result of willingness on both sides to discuss and negotiate original differences, agreement was thus achieved on unimpaired and textually improved safeguard provisions, which were unanimously approved by the Conference.

(e) Finances

Considerable concern was expressed by the underdeveloped countries as to their ability to finance atomic development programs. Hope was expressed that the Agency would either grant financial assistance to poorer countries or make services and materials available free of charge. On the other hand, there was a general desire to avoid making Agency membership too costly. The principle of article XIV (finance) was successfully maintained that the Agency should be operated on a nonprofit business-like basis and should not engage in financing operations. An amendment to article IX sponsored by the Latin American countries was adopted, however, by which the Agency would lend its good offices in assisting members in securing the necessary financing of desired projects from sources outside the Agency. It was the understanding of the Conference that the Agency would not assume responsibility for any such financial arrangements.

In the debate it was pointed out that the Agency would have discretion to take into consideration the financial position of countries in fixing the scale of charges for Agency assistance. Clarifying amendments were also adopted concerning the Agency's authority to accept voluntary contributions and applying the proceeds to reduce the scale of charges.

An attempt by the U. S. S. R. to eliminate the Agency's borrowing authority and restrict the financing of Agency facilities to voluntary contributions, the effect of which would have been seriously to hamper the future development of the Agency, was defeated by a substantial majority.

(f) Definitions

France, supported by India, attempted to incorporate a definition of military purposes in article XX, but withdrew its amendment to this article when the seeming impossibility of finding satisfactory language became apparent. The French delegation, however, wished its understanding included in the record that the Agency should not refuse assistance in the peaceful uses of atomic propulsion solely on the grounds that such propulsion could also be used for military purposes.

(g) Chinese representation and Agency membership

Both at the opening of the Conference and during the discussion of the Secretary General's report on credentials, the U. S. S. R. injected the Chinese representation issue but with fruitless results. The great majority of the delegations believed that the Conference should not be used as a forum for vituperative substantive debate on this issue.

The U. S. S. R. was equally unsuccessful in its attempt to delete membership in the United Nations or its specialized agencies as a requirement for initial Agency membership.

(h) Sovereign rights

The U. S. S. R. did not itself introduce an amendment regarding sovereign rights as it indicated it would do at the Working Level Meeting. It did, however, attempt to make ideological capital from this issue, especially with reference to safeguards. Although solicitude for sovereign rights would naturally have especial appeal to the large number of newly independent countries at the Conference, manipulation of this issue did not strike a responsive chord. Thus a Polish amendment to article III D, as a result of which the issue of protection of sovereign rights could have been pleaded as an excuse for avoiding legitimate Agency obligations, was decisively defeated.

(i) Preparatory Commission

Annex I of the draft statute provided for a Preparatory Commission, composed of the 12 nations which had drafted the statute plus 6 elected members, to come into being on the day the statute was opened for signature and charged with responsibility to arrange for the first General Conference of the Agency and to make designations to the first Board of Governors. An amendment expanding the Commission's activities to include organizational and operational planning was adopted by the Conference as a means of expediting the establishment of the Agency. This amendment was introduced by all of the sponsoring states except Czechoslovakia, India, and the U. S. S. R. While the latter supported the substance of the amendment, they did not join in introducing it because of the opposition of the other sponsoring states to a U. S. S. R. amendment to increase the number of elected members on the Commission from 6 to 7. The object of the Soviet amendment was to obtain another seat for Eastern Europe on the Commission. The other sponsoring states firmly opposed the Soviet move on the grounds that two seats for Eastern Europe were adequate representation and that to start increasing the number of elected seats might result in endless election difficulties and an oversized Commission. The United States proposed that no European country should have any of the six seats, which, to ensure equitable representation, should be divided among the Latin American and Afro-Asian areas exclusively. A last minute Syrian amendment, supported by the U. S. S. R., for increasing the number of elected states to nine, was defeated. The present Commission is thus a reasonably sized body of 18 members, representing all areas of the world.

IV. Final Acts of the Conference

On October 23, the Conference, reconvening in plenary session, approved the Coordination Committee's report recommending the draft statute and then unanimously adopted the statute by a standing vote of approval.

At this same session, the Conference also elected Argentina, Egypt, Indonesia, Japan, Pakistan, and Peru as members of the Preparatory Commission, and passed a resolution recommending the establishment of the Agency headquarters in Vienna.

V. The Signing of the Statute and Closing Session of the Conference

The Conference opened its 16th and final plenary session on October 26, 1956, with a message to the Conference from President Eisenhower read by the Chairman of the United States Atomic Energy Commission, Admiral Strauss. In this message it was announced that the United States will make available to the Agency, on terms to be agreed upon with that body, 5,000 kilograms of a nuclear fuel uranium 235, and would make available additional amounts to match the sum of all quantities of such materials made similarly available by all other Agency members, and on comparable terms, for the period between the establishment of the Agency and July 1, 1960. Substantial initial support for the Agency is thus assured. The statement was regarded as tangible proof of the United States willingness to support the Agency based on the statute as adopted.

To date, representatives of 71 countries have signed this new instrument of peace. The statute has thus been signed by all but 16 of the 87 countries eligible for initial membership and will come into force when ratified by 18 countries, which must include 3 from the following: Canada, France, United Kingdom, U. S. S. R., and the United States.

In a closing address, the President of the Conference, Ambassador Muniz, eloquently summed up the significance of the accomplishments of the Conference. The Secretary General of the Conference, Mr. Hammarskjold, presented Ambassador Muniz with the Conference gavel in recognition of his services. The President then declared closed the Conference on the Statute of the International Atomic Energy Agency.

VI. United States Participation at the Conference

(a) United States preparations for the Conference

The United States played a leading role in drafting the report of the Working Level Meeting, which was sent as an enclosure to the invitations to the Conference, and which contained the provisions agenda and rules of procedure for the Conference. The United States also worked patiently and diligently in arriving at a formula by which the United States could issue the invitations to the Conference in the name of all 12 members of the sponsoring group. The position taken by the U. S. S. R. in particular, regarding invitations to China, Korea, Vietnam, and Germany, made this a thorny negotiating problem.

During the summer and early fall, the United States both through approaches at capitals and through extensive consultations with foreign representatives in Washington and New York, briefed countries invited to the Conference on the position the United States intended to take on the statute. The main points which the United States sought to make were:

1. The draft statute as it stood was acceptable to the United States, which was prepared to give wholehearted support to an Agency based on such a statute.

2. While the United States would sympathetically consider amendments which would improve the statute, it would oppose amendments based on reservations made at the Working Level Meeting as contained in the report of that meeting.

(b) United States representation at the Conference

Ambassador James J. Wadsworth, deputy United States representative to the United Nations, was the United States representative and chairman of the delegation (see enclosure 4 for delegation list), consisting of four congressional advisers (Senators JOHN O. PASTORE, and JOHN W. BRICKER, and Representatives W. STERLING COLE and PAUL J. KILDAY) and a larger number of political and technical advisers from the Department of State and the Atomic Energy Commission.

(c) United States Conference objectives and achievements

The basic United States objective was to obtain the adoption of the draft statute without substantial alteration and with the widest possible international support so as to encourage maximum membership and participation among the 87 countries eligible for initial membership. With the unanimous adoption by the Conference of an improved but basically unaltered text of the statute, this United States objective was fully attained. In achieving it, the United States followed a flexible approach based on willingness to negotiate differences or to explain and clarify issues on which it was necessary to remain firm. The success of this policy is attested to by the fact that the resulting statute not only enjoyed the broadest international approval but also should make possible the establishment and operation of an Agency that the United States can generously support on a continuing basis.

More specifically, the statute contains all those features which the United States worked to include. Functionally, it will make possible an Agency with broad authority to assist in research and development in the peaceful uses field; possess and distribute nuclear materials; carry out the pooling of such materials at the request of member states as proposed by the President; establish and operate its own facilities; organize and apply a system of minimum safeguards in the interest of health, safety, and international security; apply such safeguards on request to bilateral or multilateral arrangements or the atomic energy activities of a member state; conduct its financial management on a flexible but business-like basis in the interest of the entire membership; establish an appropriate relationship with the United Nations and other international organizations; and take into consideration recognized standards of international conduct in connection with the admission of new members. Organizationally, the statute should make possible an Agency with a technically competent but broadly representative Board of Governors responsible for the managerial operations of the Agency and responsive to the General Conference, through which the Agency membership as a whole will be able to speak in connection with the formulation of broad Agency policy.

The unusually cooperative and harmonious atmosphere of the Conference, which made these achievements possible, gives substance to President Eisenhower's hope that the Agency will provide a new and promising avenue to the solution of international problems. The success of the Conference would thus seem to assure the swift translation of the President's Agency proposal from a hopeful idea to a useful, working reality.

DECEMBER 6, 1956.

[Enclosures not transmitted]

REPUBLICA DE VENEZUELA
DELEGACION A LAS NACIONES UNIDAS
NUEVA YORK, *25 de octubre de 1956*

Excelentísimo Señor Presidente:

Tengo a honra llevar a conocimiento de Vuestra Excelencia que, de acuerdo con las instrucciones que he recibido del Gobierno de Venezuela, la Delegación que presido, ha sido autorizada para firmar el Estatuto del Organismo Internacionel de Energía Atómica, dejando constancia textual de la siguiente declaración:

"La Delegación de Venezuela firma *ad referendum* el presente Estatuto en la inteligencia de que:

1) En cuanto al artículo XVII° del mismo, la firma o ratificación del presente Instrumento por parte de Venezuela no implica por ésta aceptación de la jurisdcción de la Corte Internacional de Justicia sin su consentimiento expreso en cada caso.

2) Que ninguna modificación del presente Instrumento, a que se refiere el párrafo *C* del artículo XVIII°, podrá ser considerada en vigor por Venezuela, sin el previo cumplimiento de sus disposiciones Constitucionales acerca de ratificación y depósito de tratados públicos."

Asimismo, me es grato confirmar a Vuestra Excelencia que han sido autorizados para firmar el referido Estatuto los siguientes miembros de la Delegación: el que suscribe, el Doctor Francisco Alfonzo Ravard y el Doctor Marcel Granier.

Válgome de esta oportunidad para reiterar a Vuestra Excelencia el testimonio de mi más alta consideración.

DR. HUMBERTO FERNÁNDEZ-MORÁN,
Dr. Humberto Fernández-Morán,
Presidente de la Delegación de Venezuela a la Conferencia sobre el Estatuto del Organismo Internacional de Energía Atómica.

Al Excelentísimo Señor JOAO CARLOS MUNIZ,
Presidente de la Conferencia sobre el Estatuto del Organismo Internacionel de Energía Atómica
Presente

[Translation]

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REPUBLIC OF VENEZUELA
DELEGATION TO THE UNITED NATIONS
NEW YORK, *25 October 1956*

SIR, I have the honour to inform you that in accordance with instructions I have received from the Venezuelan Government my delegation has been authorized to sign the Statute of the International Atomic Energy Agency, subject to the terms of the following declaration:

"The Delegation of Venezuela signs the present Statute ad referendum and on the understanding that:

1) As regards article XVII, the signing or ratification of this Instrument by Venezuela does not imply Venezuela's acceptance of the jurisdiction of the International Court of Justice without its express consent in each individual case;

2) No amendment to this Instrument under paragraph C of article XVIII shall be regarded by Venezuela as operative until its constitutional provisions concerning the ratification and deposit of public treaties have been complied with."

I also have the honour to confirm that the following members of my delegation have been authorized to sign the aforesaid Statute; the undersigned Dr. Francisco Alfonso Ravard and Dr. Marcel Granier.

I have the honour to be, Sir, etc.,

(signed) HUMBERTO FERNÁNDEZ-MORÁN,
Chairman of the Venezuelan Delegation to the Conference on the Statute of the International Atomic Energy Agency.

His Excellency Mr. JOAO CARLOS MUNIZ,
President of the Conference on the Statute of the International Atomic Energy Agency.

The VICE PRESIDENT. The treaty is open to amendment.

THE JOURNAL

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Texas will state it.

Mr. JOHNSON of Texas. I desire to make a unanimous-consent request without in any way displacing the present order of business of the Senate, except as applied to that specific request. May I request unanimous consent that the Journal of the last day's proceedings of the Senate be approved without reading, with the understanding that its approval will in no way displace the present order of business?

The VICE PRESIDENT. By unanimous consent, that may be done.

Mr. JOHNSON of Texas. Then, Mr. President, I ask unanimous consent that the Journal of the proceedings of Friday, June 14, 1957, be approved without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, now I should like to make the same request with respect to the morning hour, with the understanding that in connection with the transaction of routine business that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection——

Mr. MORSE. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. Mr. President, that would require the Senate to return to legislative session, and thereafter to resume the consideration of executive business; but if I can obtain unanimous consent to have that done, by means of this request, I should like to have it done.

The VICE PRESIDENT. The Chair assumes that the Senator from Texas would include in the request the reference of any bills.

Mr. JOHNSON of Texas. Yes, I would.

Mr. MORSE. Mr. President, reserving the right to object, I should like to have 5 minutes in which to discuss a matter of personal privilege.

Mr. JOHNSON of Texas. Then, Mr. President, I modify my request by proposing that the limitation on statements be 5 minutes, instead of the usual 3 minutes.

The VICE PRESIDENT. Does the request, as modified, meet the desires of the Senator from Oregon?

Mr. MORSE. Yes.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, without displacing the present order of business, the Senate may proceed as in legislative session, with the introduction of bills and other routine business, and that the statements be limited to not to exceed 5 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

FISHING OPERATIONS IN TERRITORY OF ALASKA

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

AMENDMENT OF SECTION 239 OF IMMIGRATION AND NATIONALITY ACT

A letter from the Attorney General, transmitting a draft of proposed legislation to amend section 239 of the Immigration and Nationality Act, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files and several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Public Works:

"Senate Joint Resolution 36

"Relative to pollution of San Francisco Bay

"Whereas historically San Francisco Bay was world renowned for its San Francisco Bay shrimps, oysters, and other marine delicacies, but presently these delicacies are becoming extinct since their breeding grounds are being destroyed by pollution from jettisoned oil, chemicals, and other foreign material so that the shorelines of San Mateo, Alameda, San Francisco, Marin, Santa Clara, Contra Costa, Solano and Napa Counties are almost devoid of their previously plentiful population of crabs, shrimp, and oysters; and

"Whereas the oil, chemicals, and other foreign substances in the waters of San Francisco Bay are destroying the recreational value of the bay and the surrounding beaches to the detriment of the health and welfare of the citizens of the area and of the whole State; and

"Whereas present fines for violation of existing laws prohibiting such pollution are, in relation to the cost of otherwise disposing of such material, extremely minor and such pollution is not properly publicized so as to carry with it the public opprobrium deserving such wasteful practices; and

"Whereas the United States Coast Guard could greatly alleviate this deplorable situation by more adequate policing: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the United States Coast Guard is respectfully requested to immediately increase its efforts to prevent pollution of the San Francisco Bay area by any means but particularly by any person, firm, or corporation who may be violating existing prohibitions by dumping oil, bilge, and other chemicals into the waters of the bay; and be it further

"*Resolved*, That the Congress of the United States is respectfully requested to investigate and take the necessary steps to insure that the penalties for violation of Federal statutes and regulations in relation to the cost of other means of disposal are great enough to prevent pollution of the waters of San Francisco Bay; and be it further

"*Resolved*, That the secretary of the senate is directed to transmit copies of this resolution to the Vice President of the United States and to the Speaker of the United States House of Representatives, to each Member of Congress representing the State of California, and to the Governor of the State of California."

Resolutions of the General Court of the Commonwealth of Massachusetts; to the Committee on Foreign Relations:

"Resolutions memoralizing the Congress of the United States to adopt legislation providing that United States Armed Forces have complete criminal jurisdiction over all members thereof who are in service in a foreign country

"Whereas members of the Armed Forces of the United States who are serving abroad, their civilian components and the dependents of each, are subject to the criminal jurisdiction of certain countries in which they are on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas said treaty and agreements penalize our servicemen in foreign service by depriving them of many of the rights granted by our constitution, which they are sworn to defend; and

"Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes, or if such a modification is refused, then to terminate said agreements; therefore, be it

"*Resolved*, That the General Court of Massachusetts respectfully urges the Congress of the United States to enact the legislation now pending, or similar legislation, so as to secure a modification of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"*Resolved*, That copies of these resolutions be transmitted by the Secretary of the Commonwealth to the President of the United States, to the presiding officer of each branch of the Congress and to each Member thereof from this Commonwealth.

"Senate, adopted, June 6, 1957.

"IRVING N. HAYDEN,
"Clerk.

"House of representatives, adopted in concurrence, June 11, 1957.

"LAWRENCE R. GROVE,
"A true copy. *"Clerk.*
"Attest:

"EDWIN J. CRONIN,
"Secretary of the Commonwealth."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Interior and Insular Affairs:

"Senate Concurrent Resolution 6

"Whereas one of the amendments proposed to Senate bill 50, 85th Congress, entitled 'A bill to provide for the admission of the State of Hawaii into the Union,' reads:

" 'It is further agreed that neither the State of Hawaii nor any subdivision thereof shall enact or enforce any law or regulation which imposes a tax, requirement or restriction which unreasonably discriminates directly or indirectly against nonresident persons, firms or corporations, their business, property, or occupational activities or opportunities'; and

"Whereas such a provision either reiterates constitutional limitations on the sovereign powers or States which presently exist or would impose a restriction on the sovereignty of the State of Hawaii not imposed upon any other State, thus denying to the State of Hawaii the right of admission to the Union on a basis of equality with other States; and

"Whereas the Constitution for the State of Hawaii, already approved by the people of Hawaii, contains, in article 6, section 2, the traditional provision which has been required of other States whose enabling or admission acts called for a provision relating to rights of nonresidents, such provision being inserted pursuant to the terms of previous enabling bills for the admisison of the State of Hawaii into the Union: Now, therefore, be it

"*Resolved by the Senate of the 29th Legislature of the Territory of Hawaii, in special session assembled (the House of Representatives concurring)*, That the Congress of the United States be, and it is hereby, respectfully requested to omit from Senate bill 50, 85th Congress, or from such other bill to admit the State of Hawaii into the Union as may be enacted, the provision referred to in the first paragraph of this concurrent resolution or such other provision of similar purpose as may be proposed; and be it

"*Resolved*, That certified copies of this concurrent resolution be transmitted to the

President of the United States, to the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States, to the chairmen of the respective House Committees on Interior and Insular Affairs, to the Secretary of the Interior and to the Delegate to the Congress from Hawaii."

Resolutions adopted by the National Federation of Settlements and Neighborhood Centers, at Philadelphia, Pa., relating to social security, and so forth; to the Committee on Finance.

Resolutions adopted by the American Unitarian Association, at Boston, Mass., relating to the Government of Hungary, and so forth; to the Committee on Foreign Relations.

The petition of Al Gaumer, Red Bluff, Calif., relating to the manufacture and sale of cigarettes; to the Committee on Labor and Public Welfare.

By Mr. THURMOND (for himself and Mr. JOHNSTON of South Carolina):

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Armed Services.

"Concurrent resolution requesting the Representatives of this State in Congress to exert their efforts in behalf of A1c. Paul E. Bell, of Beaufort, S. C., and requesting Congress to enact legislation relating to status-of-forces agreements.

"Whereas this general assembly believes that members of the armed services of the United States upon their entry into such services relinquish neither their citizenship nor their right to the fullest protection by the Government which they and others like them have made great and powerful; and

"Whereas although members of the armed services may be shot for desertion, their desertion by the Government of the United States is being excused as being necessary, under certain 'status of forces' agreements inadvisedly entered into by the United States, to 'preserve the integrity of the United States'; and

"Whereas it is the opinion of this general assembly that the entry into such 'status of forces' agreements by this Government with foreign governments whose laws and entire way of life differ immeasurably from ours constitutes an unwarranted and inexcusable surrender of the sovereign rights of this Government and the rights of its citizens; and

"Whereas this general assembly deplores the abject surrender by the Government of the United States to pressures brought to bear by alien and foreign powers in their quest for control over the individual members of our Armed Forces; and

"Whereas a young citizen of this State stationed in Japan, A1c. Paul E. Bell is one of the more recent victims of this outrageous policy of spineless cringing and fawning: Now, therefore, be it

"*Resolved by the house of representatives (the senate concurring)*, That the Representatives of this State in Congress be hereby urged to exert every effort to assure A1c. Paul E. Bell, of Beaufort, S. C., of a fair trial under the laws of the United States and before a court composed of United States citizens; be it further

"*Resolved*, That this general assembly hereby goes on record as being opposed to the status-of-forces agreements entered into by the Government of the United States and requests the Congress of the United States to enact such legislation as will terminate all such agreements presently existing and will prohibit the making of such agreements in the future.

"Copies of this resolution shall be sent to the presiding officer of each House of Congress and to each Member of Congress from South Carolina.

"State of South Carolina in the House of Representatives, Columbia, S. C., June 13, 1957.

"I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the Senate.

"INEZ WATSON,
"Clerk of the House."

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of South Carolina, identical with the foregoing, which was referred to the Committee on Armed Services.

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Interstate and Foreign Commerce:

"Concurrent resolution memorializing Congress to refrain from the passage of legislation concerning registration of trucks crossing State lines

"Whereas there is presently pending before the Congress a bill which would require all trucks crossing State lines to be registered with the Interstate Commerce Commission; and

"Whereas such legislation would work an undue and unreasonable hardship upon farmers and small truckers; Now, therefore, be it

"*Resolved by the House of Representatives of the State of South Carolina (the Senate concurring)*, That the Congress of the United States is hereby memorialized to reject any and all efforts to obtain the passage of any legislation which would require the registration of trucks with the Interstate Commerce Commission which casually cross State lines; be it further

"*Resolved*, That a copy of this resolution be forwarded to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each Member of Congress from South Carolina.

"State of South Carolina, in the House of Representatives, Columbia, S. C., June 13, 1957.

"I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the South Carolina House of Representatives and concurred in by the senate.

"INEZ WATSON,
"Clerk of the House."

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of South Carolina, identical with the foregoing, which was referred to the Committee on Interstate and Foreign Commerce.

RESOLUTION OF KANSAS PUBLIC HEALTH ASSOCIATION

Mr. CARLSON. Mr. President, on January 7, 1957, I introduced Senate bill 68, providing for the issuance of a commemorative stamp for Dr. Samuel J. Crumbine.

Dr. Crumbine spent practically his entire lifetime in public-health service. Our Nation and the entire world are benefiting today from many of the public-health practices that he initiated and carried into fulfillment.

The Kansas Public Health Association at its annual meeting on April 4 of this year adopted a resolution urging that a special stamp be issued commemorating Dr. Crumbine and thereby honoring the public-health profession for its contribution to the well-being of mankind.

I ask unanimous consent that the resolution be referred to the appropriate committee, and be printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

RESOLUTION RE CRUMBINE STAMP

Whereas Dr. Samuel J. Crumbine started his medical practice in Dodge City, Kans., in 1885, spent a great portion of his professional life in this State, served for 19 years as the State health officer of Kansas, and for 8 of these years also served as dean of the Kansas University School of Medicine; and

Whereas Dr. Crumbine while in Kansas introduced many new public-health programs and reforms including the elimination of the public drinking cup and common roller towel and measures for the control of tuberculosis and other communicable diseases; and

Whereas these programs were adopted throughout the world and were the foundation of many present-day public-health practices; and

Whereas Dr. Crumbine exhibited the qualities of courage, modesty, personal leadership, and human understanding which made him a great leader and health educator: Therefore be it

Resolved, That the Kansas Public Health Association requests the Postmaster General to issue a special stamp commemorating Dr. Crumbine and thereby, honoring the public health profession for its contribution to the well-being of mankind.

Approved April 4, 1957. Annual meeting of Kansas Public Health Association.

INCREASES IN STEEL PRICES—RESOLUTION

Mr. HUMPHREY. Mr. President, I have just received a resolution adopted by the United Steel Workers of America, District No. 33, 13th Annual Conference held in Duluth, Minn., May 25–26, 1957. The resolution opposes proposed increases in steel prices.

I ask unanimous consent that the resolution be printed in the RECORD, and appropriately referred.

There being no objection, the resolution was referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Resolution 28, Oppose Steel Price Increase

Whereas the steel corporations are again requesting another price increase; and

Whereas the steel corporations have just announced a recordbreaking profit after taxes; and

Whereas if such price increases are granted to the steel corporations, it would have a tendency to raise the price in all building industries, and our everyday living standards; and

Whereas it has always been the policy of our steelworkers' organization to oppose all price increases, which would wipe out the gains of organized labor: Therefore be it

Resolved, That this district 33 conference go on record as opposed to the proposed price increase as requested by the steel corporation. Copy of this resolution to be sent to our international president, the President of the United States, and Members of Congress.

Passed at the Steelworkers, District No. 33, conference held May 25 and 26, 1957, Spalding Hotel, Duluth, Minn.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 651. A bill for the relief of Sister Clementine (Ilona Molnar) (Rept. No. 443);

S. 960. A bill for the relief of Fotina (Theresa) Wardini (Rept. No. 445); and

S. 1102. A bill for the relief of Adolfo Camillo Scopone (Rept. No. 446).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 140. A bill for the relief of Jan Szpytman (Rept. No. 447);

S. 850. A bill for the relief of Stavros Manousos (Rept. No. 444);

S. 957. A bill for the relief of Calogero Maniscalco (Rept. No. 448);

S. 1048. A bill for the relief of Matilda Hajos (Rept. No. 449);

S. 1082. A bill for the relief of Katina Apostolou (Rept. No. 450);

S. 1251. A bill for the relief of Florinda Mellone Garcia (Rept. No. 451); and

S. 1253. A bill for the relief of Myung Ok Shin (Rept. No. 452).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 875. A bill for the relief of Vuokko A. Bingham (Rept. No. 453); and

S. 1310. A bill for the relief of certain aliens (Rept. No. 454).

By Mr. BYRD, from the Committee on Finance, with an amendment:

H. R. 6191. An act to amend title II of the Social Security Act, as amended, to extend the period during which an application for a disability determination is granted full retroactivity, and for other purposes (Rept. No. 455).

By Mr. SCOTT, from the Committee on Agriculture and Forestry, without amendment:

S. 609. A bill to amend the act of June 24, 1936, as amended (relating to the collection and publication of peanut statistics), to delete the requirement for reports from persons owning or operating peanut picking or threshing machines, and for other purposes (Rept. No. 456); and

H. R. 7259. An act relating to marketing quotas and price supports for fire-cured, dark air-cured, and Virginia sun-cured tobacco (Rept. No. 457).

By Mr. WILLIAMS, from the Committee on Agriculture and Forestry, with an amendment:

S. 959. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes (Rept. No. 458).

By Mr. YOUNG, from the Committee on Agriculture and Forestry, with amendments:

S. 606. A bill to permit the transfer of wheat-acreage allotments of lands taken by any Federal, State, or other agency having the right of eminent domain (Rept. No. 459).

By Mr. CLARK, from the Committee on the District of Columbia, without amendment:

S. 2032. A bill to improve and extend, through reciprocal legislation, the enforcement of duties of support in the District of Columbia (Rept. No. 462).

By Mr. CLARK, from the Committee on the District of Columbia, with amendments:

S. 969. A bill to prescribe the weight to be given to evidence of tests of alcohol in the blood or urine of persons tried in the District of Columbia for operating vehicles while under the influence of intoxicating liquor (Rept. No. 460); and

H. R. 3400. An act to provide full and fair disclosure of the character of charitable, benevolent patriotic, or other solicitations in the District of Columbia; and for other purposes (Rept. No. 461).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CURTIS (for himself, Mr. CAPEHART, Mr. HRUSKA, Mr. ALLOTT, Mr. BEALL, Mr. BRICKER, Mr. BUTLER, Mr. CARLSON, Mr. CASE of South Dakota, Mr. EASTLAND, Mr. FLANDERS, Mr. FULBRIGHT, Mr. HICKENLOOPER, Mr. JAVITS, Mr. JENNER, Mr. LAUSCHE, Mr. MARTIN of Iowa, Mr. MORTON, Mr. MUNDT, Mr. POTTER, Mr. SMITH of New Jersey, Mrs. SMITH of MAINE, Mr. THYE, Mr. WILEY, and Mr. YOUNG):

S. 2306. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S. 2307. A bill to amend section 1461 of title 18 of the United States Code, relating to the mailing of obscene or crime-inciting matter; to the Committee on the Judiciary.

By Mr. DIRKSEN (by request):

S. 2308. A bill for the relief of Irmgard Dittler Peschke; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2309. A bill for the relief of Elaine Elva Oliver (Lee Myung Sook); to the Committee on the Judiciary.

By Mr. YOUNG (for Mr. LANGER):

S. 2310. A bill for the relief of William Reinke; to the Committee on the Judiciary.

By Mr. CURTIS:

S. 2311. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes; to the Committee on Rules and Administration.

By Mr. MORSE:

S. 2312. A bill for the relief of Edeltraud Watson; to the Committee on the Judiciary.

(See the remarks of Mr. MORSE when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. J. Res. 105. Joint resolution designating the golden corn tassel as the national floral emblem of the United States; to the Committee on the Judiciary.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

PROPOSED AGRICULTURAL RESEARCH AND INDUSTRIAL ACT OF 1957

Mr. CURTIS. Mr. President, on behalf of myself, and Senators CAPEHART, HRUSKA, ALLOTT, BEALL, BRICKER, BUTLER, CARLSON, CASE of South Dakota, EASTLAND, FLANDERS, FULBRIGHT, HICKENLOOPER, JAVITS, JENNER, LAUSCHE, MARTIN of Iowa, MORTON, MUNDT, POTTER, Mrs. SMITH of Maine, SMITH of New Jersey, THYE, WILEY, and YOUNG, I introduce a bill for appropriate reference.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2306) to provide for the increased use of agricultural products for industrial purposes, introduced by Mr. CURTIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. CURTIS. Mr. President, I ask unanimous consent that the proposal may remain at the desk for 2 days for other sponsors.

The VICE PRESIDENT. Without objection it is so ordered.

Mr. CURTIS. Mr. President, I may best speak on this proposal by referring to a few remarks which appeared in the summary of the report of the President's Bipartisan Commission on Increased Industrial Uses of Agricultural Products.

SUMMARY OF THE REPORT

In Public Law 540, the 84th Congress established a five-man bipartisan Commission charged with the duty of making recommendations designed to bring about the greatest practicable increase in the industrial use of agricultural products.

In carrying out this assignment the Commission obtained the assistance of 188 of the country's outstanding leaders in agriculture, industry, and science, drawn from a wide range of private and public agencies. The 18 task groups or special committees in which they were organized represented all the agricultural products useful or potentially useful in industry. In addition, a number of technical experts served the Commission as consultants or staff members, and the United States Department of Agriculture and other Government organizations were unstinting in providing help and information.

THIS IS THE PROBLEM

American farmers have succeeded so well in the necessary effort to increase their efficiency that they now consistently outrun the capacity of the economy to consume what they produce.

To cope with this situation, which has widespread disrupting effects on markets, Government has resorted to costly programs for restricting land use, controlling production, and disposing of surpluses.

Though population is growing and living standards are rising, the productive capacity of our agriculture promises for many years to keep increasingly ahead of both.

An increase in exports seems unlikely as other countries become more and more self-sufficient.

It is widely agreed that American agriculture should for many reasons be kept at high levels of production and efficiency. Since there seems to be little prospect of a sufficiently large expansion of food markets in the next decade to use all the excess, the question becomes:

Can the economy develop profitable industrial markets capable of absorbing enough of the excess farm production to minimize, possibly even to eliminate, the need for costly restrictions, supports, and surplus-disposing operations?

THIS IS THE ANSWER

The Commission believes the answer is an emphatic "Yes" provided the necessary steps are taken to make possible and encourage such a development.

This conclusion is based on painstaking study, including the testimony of the scores of individuals with wide experience in the practical and scientific aspects of product utilization who made up the task groups and committees.

To make possible and encourage such a development there are four main needs.

The first is a sufficiently sharp sense—lacking so far—of the importance, the

possibilities, and the urgency of the industrial utilization approach to farm surplus problems.

The second need is a greatly expanded program of fundamental and applied research—physical, chemical, biological, economic—to learn far more about the nature of agricultural raw materials and to determine what existing or new industrial products and processes might profitably use them. This work would not end in the laboratory; in promising cases it would go through the development stages of pilotplant experiment and trial commercialization, which must precede full commercial use. The research and development program would mobilize the efforts of many scientific institutions—private, public, State, Federal and perhaps even some in other countries; and in some cases the Government would share the cost of the research with private industries.

The third need is to insure, through fellowships, scholarships, grants, and other means, that much more scientific talent is trained for and channeled into this neglected field of farm-product research and development than it has engaged so far.

The fourth need is to provide in certain cases, suitable financial incentives during a temporary trial or development period—for example, new products or processes that are expensive to launch or that seem less promising than alternative uses of risk capital, or that might lead to especially rapid disposal of surpluses.

The initial step in launching such a program is sound legislative action by Congress.

WHAT INDUSTRY HAS DONE

The expanded program of utilization research and development proposed by the Commission would enable agriculture to do what industry, with its bigger, better-integrated units and larger resources of money and men, has long been doing.

Industry is currently investing at least $3 billion a year, 3 percent of gross sales, in research. The result is obvious in a constant flood of new and improved products—fabrics, plastics, building materials, surface coatings, detergents, chemicals, and many others.

Many of these so-called miracle products of modern research have provided the foundation for vast new industries and the stimulus for new consumer demands. Most of the products are based on nonagricultural raw materials—particularly chemicals derived from petroleum—which are chemically taken apart and rebuilt—synthesized—in new forms. This search by industry is continuous, systematic, and intensive.

By contrast, agriculture spends not over $375 million on research—about 1 percent of gross sales; and most of this goes to improve and increase production. Federal and State Governments spend $190 million of the total, of which no more than $18 million goes for utilization research.

In recent years agriculture has been researched out of a good part of its natural markets. Nearly half the market for natural fibers—cotton, wool, flax, silk—has been taken over by synthetic fibers. Two out of three pairs of shoes are now made partly or wholly of leather substitutes. Two-thirds of the soap has been replaced by detergents, which do not use natural fats. Much of the paint and varnish bypasses linseed and other vegetable oils.

AGRICULTURE CAN DO

Raw materials produced by farmers are made of chemical components just as are most of the nonagricultural materials used to make the products mentioned. Coal and petroleum, in fact, are plants that died a long time ago.

Farm-produced materials, too, can be modified, tailored to particular needs, taken apart and recombined to make new products with new properties—plastics, films, fibers, coatings, and all the rest.

With but few exceptions materials from the farm have not had the intensive and systematic laboratory attention that has been given to those from other sources. When utilization research in agriculture has had the benefit of adequate expenditures and large teams of workers, the results have been outstanding—as in the case of commercial methods for producing penicillin, frozen concentrated fruit juice, nylon from corn cobs, various products from soybeans.

But because in the past food was never abundant enough, because manpower had to be released from the farms to run industry, because great wars created great necessities, most of the research funds in agriculture have always gone into production research—with revolutionary results in such fields as plant and animal breeding, control of diseases and pests, soil management, mechanization.

Partly because of the success of these efforts the time has come to create a better balance by giving more attention to utilization research.

The problems are not fundamentally different. Scientific brains of the kind that have so greatly expanded industrial markets can accomplish similar results with farm-grown materials.

But the problems are knotty, and it is not enough to learn from research that this or that agricultural product would be good for certain industrial uses. Other questions are equally important. Can it compete with products from nonfarm sources, giving as good results at less cost or better results at a cost not too much higher? Will the price remain fairly stable? Will an adequate, reasonable steady flow of supplies be available? Can they be obtained without too much trouble? Can the quality be depended on? The possibility of favorable answers to such questions as these, which determine market acceptance, also depends to a large extent on research.

WITH A DYNAMIC APPROACH

The Commission's Report outlines 188 broad fields of research and development, including hundreds of product uses, that seem to promise fruitful results.

The proposals are drawn from the reports and recommendations of the task groups and committees, which repeatedly emphasized the need for an approach to farm product utilization as dynamic and imaginative as that which characterizes the best work in industry.

The products dealt with include cereal grains, cotton, oilseeds, meat and animal byproducts, tobacco, wool and mohair, dairy products, sugar, fruits, vegetables, edible tree nuts, white potatoes, poultry and eggs, crop residues, forest products, and new crops.

A few promising new crops get special attention largely because of their possibilities as new sources of farm income and as replacements, for industrial use, on a certain amount of land now growing foods or feeds in surplus supply. Not many years ago soybeans were unknown in this country. Now they are a mainstay of farming in large areas. There are literally hundreds of thousands of wild plants about which nothing is known regarding potential uses.

The Commission also made a detailed study of the possibility of utilizing surplus grain for the manufacture of alcohol for industrial uses, for conversion to butadiene to make synthetic rubber, and for blending with gasoline as motor fuel. From the evidence now available, it was not possible to reach any clear-cut conclusions in favor of a large-scale program of this sort at this time.

In the case of industrial alcohol and butadiene, however, the picture is sufficiently promising to warrant extensive research for accurate determination of costs. This could be carried out by reactivating a number of alcohol and butadiene plants, some publicly and some privately owned, that are now idle.

Another promising possibility in this field is the further development of processes for converting corn into alcohol, with protein as a byproduct. The protein could be sold for food or feed at relatively high prices, which would make it possible to provide starch for alcohol at relatively low prices.

BASED ON SOUND LEGISLATION

Following the instructions of Congress, the Commission drew up specific recommendations for achieving the objectives it proposes.

Seven of the ten recommendations deal with points previously discussed in this summary—participation by many public and private institutions in an effective research network; fostering basic research; grants, fellowships, and scholarships to increase the supply of scientists; government-industry sharing of research costs; research and development work with new crops; commercial-scale trials of new products; economic incentives.

The other three recommendations are concerned with financing and administration.

The amount now available for industrial utilization research in the United States Department of Agriculture is $16,145,000. The Commission recommends that this be increased at least threefold, with additional sums for new crops, development and trial commercialization, and incentives.

It recommends that in lieu of direct appropriations, 15 percent of the annual gross receipts from customs revenues be allotted for the industrial utilization program. This would be in addition to

the 30 percent from the same source now available to the Secretary of Agriculture, under Public Law 320, for other designated purposes.

For the administration of the program, two alternative recommendations are made.

The first is to establish a five-member, nonpartisan Agricultural Research and Industrial Board to be appointed by the President with the advice and consent of the Senate. This Board would allocate funds, make contracts with research institutions, and direct and coordinate the program but would not itself engage in research.

The second alternative is to place the responsibility for the program in the Department of Agriculture, under a director with the title of Assistant Secretary of Agriculture who would be in charge of research and education within the Department and would coordinate all agricultural research in the Federal Government. The proposed Board would in that case be appointed by the President, but would be responsible to the Secretary of Agriculture.

In proposing this pattern of procedures, the Commission had in mind the need to achieve effective results as promptly as possible, to maintain and expand the excellent research operations of the Department of Agriculture and the land-grant colleges and experiment stations, to make effective use of the talent and facilities of other institutions, and to add as little as possible to the structure of government.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to the Senator from Nebraska.

Mr. HRUSKA. I should like to commend my colleague from Nebraska for service to the Nation's farmers of constructive and long-range value. His introduction of this bill, the proposed Agricultural Research and Industrial Act of 1957, is another milestone in his continuing efforts to find a sound solution to our problem of agricultural surpluses. I am happy to join as a cosponsor of this measure.

This bill is the result of a year's study of increasing the uses of our farm problems undertaken by the President's Commission on Increased Industrial Use of Agricultural Products. The Commission was established by legislation introduced by my colleague from Nebraska.

Under the leadership of Mr. J. Leroy Welsh, a distinguished citizen of my hometown of Omaha, the Commission has made a splendid record. It is my hope that the recommendations of the Commission can be started on their way to fruition through enactment of this bill.

The American farmer can be heartened by the ringing "Yes" with which the Commission answers the question of whether industrial utilization of farm products holds promise in cutting down our surpluses.

The problem, as summarized by the Commission, is clear. Agriculture has simply been researched out of its natural markets by industry's more intensive, better coordinated research programs.

The answer, as envisioned by the Commission, is a multipronged offensive to find ways to utilize farm products in industry, to coordinate these efforts to make this research more efficient, and to get new ideas, products, and processes from the laboratory into operation.

At the heart of this effort, as proposed by this bill, would be a 5-member Agricultural Research and Industrial Board. To carry out this program, the Board would administer expenditure of certain portions of the duties collected under the customs laws as recommended by the Commission.

Mr. President, as supported by the findings of the Welsh commission, this proposed legislation has bright promise. It is my hope that it be enacted into law so that work may begin to fulfill that promise.

When we consider, Mr. President, that since 1932, farm price supports have cost the American taxpayer some $11.7 billion, we can envision how great is the need for this constructive approach to the problem of farm surpluses and a healthy agricultural economy.

In connection with the second century jubilee, currently being celebrated by the city of Omaha, a meeting was held in that city a week ago to launch an appeal for congressional action to get this program underway.

Mr. President, I ask unanimous consent to have printed as part of my remarks a news story and an editorial on that conference, both taken from the Omaha World-Herald of June 11, 1957.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Omaha World-Herald of June 11, 1957]

AG GROUP MAPS NEW SALES WAY—LEGISLATIVE CHART TO AID CONGRESS

(By Don Muhm)

Agriculture officials from 15 States Monday afternoon launched efforts they hope will help Congress chart a legislative course to help the Nation's farmers recover lost industrial markets.

The action took place at the Jubilee Governors' Conference in the Blackstone Hotel.

J. Leroy Welsh, Omaha grain official and chairman of the President's Commission on Increased Industrial Use of Agricultural Products, told the group:

"The agricultural problem can be solved by intensified utilization research to find industrial markets for our ever-expanding farm production."

NEW POSITION SUGGESTED

He suggested that agriculture be placed in a position where it can compete in the expanding market for synthetic rubber and not compete for existing production.

Farm products, he added, can fill the needs for products now being processed from nonrenewable, natural deposits.

Mr. Welsh predicted the future of agriculture will see increased production and accumulating surpluses unless utilization research is conducted.

RECOMMENDATIONS GIVEN

Wheeler McMillen, the executive director of the Commission, said the group recommends:

Creating a five-member nonpartisan agricultural research and industrial board.

An adequate annual investment in research and development for new crops.

Incentives be extended to both farmers and industry to hasten the establishment of new crops or new industrial uses of farm products.

A cost-sharing program be set up with private industry for research.

Funds be provided to increase the supply of trained scientists who can seek new uses for farm products.

On hand for the conference were Nebraska's Governor Anderson and South Dakota's Joe Foss.

States represented were Nebraska, Iowa, North Dakota, South Dakota, Kansas, Wyoming, Minnesota, Illinois, Idaho, Washington, Oklahoma, Ohio, Louisiana, Colorado, and Texas.

Representatives of both the University of Nebraska and Iowa State College took part.

The governors' conference was called to help enlist aid toward early legislation.

[From the Omaha World-Herald of June 12, 1957]

THE WELSH REPORT

Representatives of 15 States met in Omaha Monday to discuss the agricultural prospectus that has been outlined by the Commission on Increased Industrial Use of Agricultural Products.

It was appropriate that this conference was held as a part of Omaha's Second Century Jubilee. Nebraskans have played a considerable role in the development of chemurgy since Henry Ford organized the first chemurgic conference in Dearborn, Mich., in 1935. J. Leroy Welsh of Omaha is president of the present commission.

Leading chemurgists have contended for 20 years that a Government-enforced economy of scarcity would never solve the problems which bedevil agriculture when agriculture produces too much. How right they have been.

A search for new uses of agricultural produce, and for new crops that could be made useful industrially, has proceeded sporadically, mainly through the efforts of scientists such as the late Leo M. Christensen of Omaha.

These men contend that the ultimate prosperity of farmers lies in their ability to produce in abundance for industries which are eager to transform their products into many usable articles and pass them on to consumer markets.

Mr. Welsh's Commission, in a few months, has come up with a chart for the future. It has enlisted the help of leaders in many industrial fields. And it suggests a whole new realm of research from which a bright future for farmers could emerge.

In its interim report to the President, Mr. Welsh's Commission noted that 250 species of higher plants have been identified since man started farming, but only about 150 plants account for virtually all of the world's cultivated crops. The usefulness of thousands of plants which might supplant crops now being produced in huge surplus remains to be explored.

If anyone thinks there is anything starry-eyed about this approach, let him consider the soybean. It was a brandnew plant, imported from the Orient, only a few decades ago. Last year it was grown on 22 million acres. It produced half the protein feed for America's livestock and 30 percent of the Nation's food fats, as well as the raw material in many industrial processes.

We hope the governors and their representatives departed from Omaha convinced that Mr. Welsh and his panel of experts are on the right track. We hope they will support legislation in Congress to give the Welsh Commission a green light.

Mr. CURTIS. I thank my distinguished colleague, the Senator from Nebraska.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CURTIS. I yield to the Senator from South Dakota.

Mr. MUNDT. I also wish to congratulate the Senator from Nebraska for his leadership in connection with this proposed legislation. I am happy to be a cosponsor of this bill, as I was a cosponsor of the Senator's original resolution which created the Commission to study industrial uses for agricultural production, which has done such a wonderful job, under the leadership of Mr. Welsh, of Omaha.

I believe it is clear, from the statistical record and from the history of the farm problem, that among those things which have contributed to our great farm surpluses are the developments of engineering, chemistry, and the associated sciences. I am perfectly convinced that if we devote the proper amount of attention, money, thought, effort, and energy we can also solve our farm surpluses by the developments of engineering, chemistry, and the associated sciences. I have long and often advocated that we can find the industrial uses and the industrial markets which will provide a full demand for a full production of farm products in this country. This means our farmers will receive that to which they are entitled—full parity income for a full program of production. Anything less than that, Mr. President, is an injustice to the American farmer.

I should like to have the RECORD show, Mr. President, that our distinguished colleague from Minnesota, Representative AUGUST ANDRESEN, ranking GOP member of the House Agriculture Committee, is today introducing a companion bill on this same subject in the House of Representatives. I hope both Houses will take action at this session to enact this "crash" program for the permanent solution of the farm problem on an economic basis of reality. As a member of the Senate Committee on Agriculture and Forestry, I shall do my best to induce the chairman of our committee to hold early hearings on this important and realistic proposal.

Mr. CURTIS. I thank the distinguished and able Senator for his remarks and his help.

Mr. WILEY. Mr. President, will the Senator yield

Mr. CURTIS. I yield to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I received this morning a letter from the distinguished Senator, asking that I join in sponsorship of this proposed legislation. I am happy to say I am very grateful for the request, and very happy to join as a cosponsor of the bill.

Let me say that the proposed legislation is along the line of a bill I introduced in relation to creating, in Madison, Wis., a laboratory to discover better uses for that great volume of milk which is being produced more and more in America. I trust my bill and the Senator's bill can be considered together, before the Committee on Agriculture and Forestry, and that we can arrive at, let us say, some agency or some mechanism which will study the problem and find the solution necessary.

We have these surpluses. We also have great need for production. We need better distribution. We need better utilization. And of course we need markets.

Over and above that, in this atomic age, where we utilize unknown forces, so to speak, we need to find that unknown quantity which will give the answer to what the Senator is seeking.

I congratulate the Senator from Nebraska for introducing this fine measure.

Mr. CURTIS. I thank the distinguished Senator.

EDELTRAUD WATSON

Mr. MORSE. Mr. President, I introduce, for appropriate reference, a bill for the relief of Edeltraud Watson.

This bill is for the relief of an Oregon resident's wife, Mrs. Alexander B. Watson, whose husband is in the Army and is at present stationed at Denver, Colo.

Mr. Watson was on duty in Germany and we helped him get his wife (a German national) over here on a 6-month visitor's visa when the examiners discovered that she had a spot on one lung. There were conflicting reports about whether she had active tuberculosis. She has been a patient at Fitzsimons Army Hospital and the medical officers now say they feel she does not have tuberculosis.

Mrs. Watson's visa has been extended for another 6 months to December 1957, so we are introducing this bill to give her permanent resident status. Otherwise she would have to go back to Germany at the expiration of her visitor's visa.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2312) for the relief of Edeltraud Watson, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT OF AGRICULTURAL ADJUSTMENT ACT OF 1938—AMENDMENT

Mr. WILLIAMS submitted an amendment, intended to be proposed by him, to the bill (S. 959) to amend the Agricultural Adjustment Act of 1938, as amended, to exempt certain wheat producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm, and for other purposes, which was ordered to lie on the table and to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. REVERCOMB:

Address delivered by him before Disabled American War Veterans Convention at Charleston, W. Va., on June 16, 1957.

By Mr. KEFAUVER:

Address prepared to be delivered by him before Tennessee Bar Association meeting on June 14, 1957.

NOTICE OF CONSIDERATION OF A NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of Jacob D. Beam, of New Jersey, a Foreign Service officer of class 1, to be Ambassador of the United States to Poland, vice Joseph E. Jacobs, resigned.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

JOHN FOSTER DULLES

Mr. KNOWLAND. Mr. President, Secretary of State John Foster Dulles first took part in foreign policy 50 years ago last Saturday. On June 15, 1907, the Second International Peace Conference opened at The Hague, and John Foster Dulles, a 19-year-old Princeton undergraduate, was a participant as a secretary to one of the delegations.

It is significant that Mr. Dulles' first exposure to diplomacy was at a peace conference, for in the subsequent half century no man has labored harder or traveled more widely in the quest for peace and security for the United States and the free world.

The Hague Conference met from June to October of 1907. Forty-four countries were represented; and the Conference represented the most comprehensive effort, up to that time, to promote the maintenance of peace and to restrict the savagery of war.

I believe a review of Mr. Dulles' remarkable record is in order on this occasion.

In 1908, a year following his work at the Hague Conference, he was graduated from Princeton, valedictorian of his class, and a member of Phi Beta Kappa. After a year's study at the Sorbonne, in Paris, he returned to Washington, where he studied law at George Washington University, again earning top scholastic honors.

He joined the New York law firm of Sullivan & Cromwell, specializing in ininternational affairs, an association which was to continue, with interruption for military service in World War I and frequent diplomatic assignments, until his appointment as a United States Senator from New York in 1949.

Early in 1917, President Wilson sent him to Panama to help bring about the alinement of Panama and other Central American States for defense of the Panama Canal. In that year, too, he was a United States member of the Pan-American Scientific Congress.

In 1918, after military service as captain and major, he was appointed assistant to the Chairman of the War Trade Board, and then joined President Wilson's advisory staff at the Versailles Peace Conference. That led to assignments with the Reparations Commission and the Supreme Economic Council.

He was next called away from his practice in 1927, to serve as legal adviser on the Polish plan of financial stabiliza-

tion; and in 1933 he was a representative at the Berlin debt conference.

In 1938, Mr. Dulles made a detailed study of the political and economic situation in the Far East.

When Gov. Thomas E. Dewey, of New York, campaigned for the presidency in 1944, Mr. Dulles served as his adviser on foreign policy. During that campaign, he became a close associate of Senator Arthur Vandenberg, with the result that the latter recommended Mr. Dulles for appointment to the United Nations Conference at San Francisco in 1945. At that Conference he helped draft the Charter of the United Nations.

Subsequently, Mr. Dulles was a delegate to the United Nations General Assembly in 1946, 1947, 1948—when he was acting chairman of the United States delegation—and in 1950. In addition, he was an adviser to three Secretaries of State—Secretaries Byrnes, Marshall and Acheson—at meetings of the Council of Foreign Ministers in 1945, 1947, and 1949.

In 1950 he was appointed consultant to the Department of State, and a year later he was named special representative, with the rank of Ambassador, to negotiate the Japanese Peace Treaty, an assignment which culminated in the signing of the treaty at San Francisco in September 1951.

The following are some of the diplomatic achievements for which John Foster Dulles will, I believe, be remembered as a great Secretary of State.

IN THE FAR EAST

He played a decisive role in the final stages of the negotiation of the armistice of 1953 in Korea. He has continued the effort to bring about the unification of Korea by peaceful means.

He played a major part in the negotiation of the treaty of 1954 which established SEATO, and also the bilateral treaties of collective defense with the National Government of China, 1954, and the Republic of Korea, 1953, as well as the agreement of 1954 with Pakistan, for the provision of military assistance.

IN THE MIDDLE EAST

He guided American policy in promoting stable conditions in the Middle East, and supported the United Nations emergency force, which in 1956–57 took over certain areas in Egypt and Gaza. He was also largely responsible for the establishment in 1956 of the principles proposed as a basis for settling the controversy over the Suez Canal.

He guided the development of United States collaboration with the signatories of the Baghdad Pact of 1955, aimed at protecting the northern tier of Middle Eastern states bordering on the Soviet Union.

IN EUROPE

He exercised effective leadership in the London and Paris Conferences of 1954, which concluded agreements for the restoration of sovereignty to the Federal Republic of Germany.

His persistent efforts contributed greatly to the consummation of the Austrian State Treaty of 1955 which resulted in the first withdrawal of Soviet troops from Central Europe.

He played a leading part in the negotiations leading to the settlement in 1954 of the status of Trieste.

He has carefully explored the possibilities for relaxing tensions with the Soviet Union.

IN LATIN AMERICA

He was a chief mover in helping Guatemala recover after that state threw off the bonds of Communist penetration.

He played a leading role in the adoption by the Caracas Conference, in 1954, of the proposal (a) to recognize the international Communist movement as constituting intervention in American affairs and (b) to hold a meeting of consultation in the event of the domination of an American state by the international Communist movement.

IN RESPECT TO THE OPERATIONS OF THE DEPARTMENT OF STATE

He supported the strengthening of the organizational basis of our foreign policy, and to that end was instrumental in bringing about the Wriston program of 1954 for integrating the personnel of the Department of State and the Foreign Service.

HIS TRAVELS IN THE QUEST FOR PEACE

Intent upon the necessity of dealing with our foreign relations problems in the most effective way, wherever they exist and without regard to the sacrifices required in personal hardship, Secretary Dulles has attended some 12 NATO meetings, 10 Foreign Ministers meetings, 4 SEATO meetings, and a host of other conferences abroad in which United States national interest was importantly involved. These meetings and the good will trips he has made have taken him to 41 different countries during the past 4½ years.

In accomplishing this, he has traveled a third of a million miles to every quarter of the globe. At home, he has logged some 64,000 miles of travel in reporting to the people, through public addresses, attending United Nations meetings, conferring with the President, and attending other types of gatherings.

Those of us on both sides of the aisle who know him recognize John Foster Dulles not only as being a great Secretary of State, but a great American.

LOOPER ET AL. AGAINST GEORGIA SOUTHERN & FLORIDA RAILWAY CO. ET AL.

Mr. GOLDWATER. Mr. President, my colleagues will be interested in a decision just handed down by the Supreme Court of Georgia in Looper et al. against Georgia Southern & Florida Railway Co. et al.

In this case the court held that, although it was bound by the decision of the Supreme Court of the United States in the Hanson case, upholding a union-shop agreement made pursuant to the Railway Labor Act, nothing in the latter Court's decision required it to sanction compulsory membership in a union which uses the dues of its members for political purposes, saying:

We do not believe one can constitutionally be compelled to contribute money to support ideas, politics and candidates which he opposes. We believe his right to immunity from such exaction is superior to any claim the union can make upon him.

I ask unanimous consent that the findings of the court be printed at this point in my remarks in the body of the RECORD.

There being no objection, the findings were ordered to be printed in the RECORD, as follows:

IN THE SUPREME COURT OF GEORGIA—LOOPER ET AL. *v.* GEORGIA SOUTHERN & FLORIDA RAILWAY CO. ET AL., 19685, C. J. 4, APRIL TERM 1957.

By the Court: Decided June 10, 1957.

1. Where pursuant to terms of the employment contract petitioners were notified that unless they became members of a labor union within 60 days their employment would be terminated, the suit to enjoin such action and to decree the contract void was not prematurely filed.

2. While we must follow the holding of the Supreme Court that closed shop employment contracts under section 2, of the Railway Labor Act, are valid, yet since that Court has not held that an employee can by such contract be required as an alternative to losing his job to join a union which will use contributions he makes to it to promote ideological and political issues and candidates he opposes, we hold that the petition of these employees seeking to enjoin the enforcement of the employment contract and decree it void because of such uses of their contributions alleges a cause of action and it was error to dismiss the same.

STATEMENT

This is an action for injunctive relief to prevent the defendants, composed of a number of railroad companies and various labor organizations which are the bargaining agents of the employees of such railroad carriers, enforcing a closed or union shop agreement entered into by the defendants and discharging the petitioners who are named employees of said railroad carriers unless they join or remain members of a union. The petitioners also pray that the so-called union shop agreement be declared void. The petitioners allege that the agreement requires the employees to join or remain members of the various labor organizations applicable to their craft or trade as a condition precedent to the continued employment with the various carriers by whom the petitioners are now employed and are threatened with discharge unless the actions of the defendants in enforcing such contract is enjoined. The contract is set out as an exhibit attached to the petition and requires all employees to become members of the labor organization party to this agreement representing their craft or class within 60 days after the effective date of the agreement. The contract is attacked as being illegal, unconstitutional and void, and in direct violation of the Georgia right to work laws (Code, Ann. Supp. secs. 54–801 through 54–906; Ga. L. 1947, pp. 616–620), the 5th and 14th amendments of the Federal Constitution, and certain named sections of the Georgia constitution.

By amendment petitioners further allege that the initiaition fees, periodic dues and assessments which they would be required to pay under the closed shop agreement will be used in substantial part for purposes not germane to collective bargaining but to support ideological and political doctrines and candidates which they are not willing to support and cannot lawfully be forced to support, thus violating their constitutionally guaranteed rights of freedom of association, thought, liberty, and property; and the contract and section 2, 11th, of the Railway Labor Act (45 U. S. C. A. sec. 152, 11th), to the extent that it authorizes such union shop agreement, are violative of the first, fifth, and

ninth amendments of the Constitution of the United States.

After consideration of a written motion to dismiss brought by counsel for the labor union defendants which states that petitioners fail to state a claim against any defendants upon which relief can be granted, citing decisions of the Federal Supreme Court in support thereof; the lower court sustained the motion, dissolved a temporary injunction previously granted, and dismissed the action as to all defendants. The exception here is to this final judgment.

OPINION

Chief Justice Duckworth: 1. The contract complained of was effective April 15, 1953. These petitioners were notified that unless they became members of the union within 60 days from the effective date of the contract their employment would be terminated. This notice accords with a clause in the contract. Thus is alleged and shown by the petitioners definite impending danger of losing their jobs unless this procedure which conforms to the alleged void contract is halted. While a mere apprehension will not authorize resort to equity, *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225, 76 S. Ct. 714, 100 L. Ed. —); *Mayer etc. of Athens* v. *Co-op Cab Co.* (207 Ga. 505 (2) (62 S. E. 2d 906)); *Nottingham* v. *Elliott* (209 Ga. 481 (3) (74 S. E. 2d 93)); *Armed Forces Service Co.* v. *Petree* (211 Ga. 867 (1) (89 S. E. 2d 486)), yet one is not required to await the infliction of the injury before seeking to prevent it by injunction. Indeed these petitioners would have appealed to equity too late if they had awaited the completion of the 60-day notice period and the overt act of discharging them. *Mount* v. *The Great International Brotherhood of Locomotive Engineers* (226 Fed. 2d 604); *Sandt* v. *Mason* (208 Ga. 541 (67 S. E. 2d 767)).

While as indicated above this appeal to equity for injunctive relief is based upon facts and not mere apprehension and is therefore not premature, there is an additional reason why the judgment dismissing the amended petition cannot be sustained upon the ground it is premature, and that is the prayer that the contract be decreed illegal and void.

2. Section 2, 11th, of the Railway Labor Act (45 U. S. C. A., sec. 152, p. 481) plainly authorizes the embodiment of a closed-shop clause in contracts of employment, and in sweeping terms, nullifies all State laws in conflict therewith. The Supreme Court upheld the constitutionality of such a contract under the act in *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225, supra). To uphold a closed-shop contract necessarily approved a denial of one's right to work because he is not a member of a labor union. We do not see a possibility of reconciling that ruling which is based solely upon the status of the individual which is that of nonunion and is entirely lawful, with the following chain of decisions of the same court holding that one could not be lawfully denied the right to work because of his status as indicated therein—because he was a Roman Catholic Priest, *Cummings* v. *State of Missouri* (71 U. S. 277, 4 Wall. 277, 18 L. Ed. 356); a Chinese immigrant, *Yick Wo* v. *Hopkins* (118 U. S. 356, 6 S. Ct. 1064, 30 L. Ed. 220); a teacher of German, *Meyer* v. *Nebraska* (262 U. S. 390, 43 S. Ct. 625, 67 L. Ed. 1042); a freight train conductor, *Smith* v. *Texas* (233 U. S. 630, 34 S. Ct. 681, 58 L. Ed. 1129); a State employee, *Wieman* v. *Updegraff* (344 U. S. 183, 73 S. Ct. 215, 97 L. Ed. 216); a Negro, *Steele* v. *Louisville & N. R. Co.* (325 U. S. 192, 65 S. Ct. 226, 89 L. Ed. 173); a teacher in a municipally supported school, *Slochower* v. *Bd. of Higher Ed. of City of New York* (350 U. S. 551, 76 S. Ct. 637, 100 L. Ed. —). It strikes us as being a futile gesture to solemnly declare the sacred and indestructible constitutional right of one to freedom of speech and freedom of worship, and then sanction a denial of that same one's right to work, which is the indispensable economic support without which neither freedom could endure. One could not for long enjoy speaking and worshiping freely if he was hungry and was denied bread or the means of obtaining it.

Anyone familiar with the experiences of the Thirteen Original Colonies under the dictatorial powers of the King as expressed in the Declaration of Independence, the reluctance of the States to surrender or delegate any powers to a general government is evidenced by the Articles of Confederation, and the demonstrated need for more powers in the area where jurisdiction was given the General Government, will have no difficulty in clearly understanding the meaning of the Constitution when it defines those powers and by the 9th and 10th amendments removes all doubt but that powers not expressly conferred were retained by the States. Even the schoolchildren in these original States know that solely because of the erection by individual States of trade barriers inimical to other States, and the inability to remove this evil by State action, the commerce clause, article 1, section 8, paragraph 3 (code sec. 1-125), invested the General Government with exclusive jurisdiction of interstate commerce to insure the free flow of commerce across State lines. But claiming authority under this clause the Congress, with the sanction of the Supreme Court, has projected the jurisdiction of the General Government into every precinct of the States and assumed Federal jurisdiction over countless matters, including the right to work, which are remotely, if at all, related to interstate commerce. By this unilateral determination of its own powers the General Government has at the same time and in the same manner deprived its creators, the States, of powers they thought and now believe they retained. But State courts, irrespective of contrary opinions held by their own judges which, by law, are required to have had experience as practicing attorneys before they can become judges of the law, must obey and accept the decisions of the Supreme Court of the United States pertaining to interstate commerce. We believe that a single person armed with right—the right to work—should in all courts of justice be able to defeat the selfish demands of multitudes, though they be members of a labor union who seek to deprive him of that right. We would so rule in any case where we are allowed jurisdiction. When the Supreme Court has, as seen above, held the Closed Shop Labor Contract Act valid we must likewise hold, not upon our own judgment, but solely because we are required to follow the Supreme Court ruling. We have made these observations to indicate our deep distress over the utter helplessness of a free American under this law, and our inability to judge his cause according to our understanding of the Constitution.

We go now to the single point raised which the Supreme Court has, we believe, clearly indicated is still open for decision. The petition of these nonunion employees alleges that they have been notified in accordance with the law and the contract of employment that unless they become members of a union within 60 days their employment will be terminated. It is alleged that the union dues and other payments they will be required to make to the union will be used to support ideological and political doctrines and candidates which they are unwilling to support and in which they do not believe, and that this will violate the 1st, 5th, and 9th amendments of the Constitution. While *Railway Emp. Dept.* v. *Hanson* (351 U. S. 225, supra), upheld the validity of a closed-shop contract executed under section 2, 11th, that opinion clearly indicates that that court would not approve a requirement that one join the union if his contributions thereto were used as this petition alleges. It is there said, "Judgment is reserved as to the validity or enforcibility of a union or closed-shop agreement if other conditions of union membership be imposed or if the exaction of dues, initiation fees, or assessments is used as a cover for enforcing ideological conformity or other action in contravention of the first and fifth amendments." We must render judgment now upon this precise question. We do not believe one can constitutionally be compelled to contribute money to support ideas, politics, and candidates which he opposes. We believe his right to immunity from such exactions is superior to any claim the union can make upon him.

Accordingly, the trial court erred in dismissing the amended petition which alleges that such uses will be made of dues and other money which as a member of the union petitioners would be required to contribute to the union.

Judgment reversed. All the Justices concur.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. JOHNSON of Texas. Mr. President, if my colleagues will indulge me, I should like to finish with the routine requests and some statements I must put in the RECORD when we open the Senate each day. This morning the minority leader sought recognition before I secured approval for certain committee meetings. I think we should as early as possible have the consent of the Senate to these meetings, so that all Senators will be on notice.

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following subcommittees were authorized to meet today during the session of the Senate:

The Special Subcommittee To Hold Hearings on Rule XXII, of the Committee on Rules and Administration;

The Special Subcommittee on Welfare Pension Plans Legislation of the Committee on Labor and Public Welfare; and

The Subcommittee on Aviation of the Committee on Interstate and Foreign Commerce.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Committee on Finance, which is scheduled to hear Secretary of the Treasury Humphrey testify tomorrow morning may have permission to sit during the session of the Senate tomorrow.

The VICE PRESIDENT. Without objection, it is so ordered.

FLOOD CONTROL AND DEVELOPMENT OF WATER RESOURCES

Mr. JOHNSON of Texas. Mr. President, in all its national history the United States has spent a total of $16.8 billion in Federal funds for flood control and development of our water resources.

Since the end of World War II, the United States has spent approximately $60 billion for aid to other countries.

I do not state that these latter expenditures were not wise and necessary. I do say that the former expenditures—those for water projects in our own country—constitute a shamefully small investment for this purpose.

Ours is a growing population. Ours is a dynamic, expanding economy. Our investments for the control of floods and the development of water resources have lagged far behind the increase in population and the expansion of the economy.

Between 1950 and 1956, our population increased by 11.6 percent and the national income increased by 42.6 percent. But Federal expenditures for water projects actually were 14.9 percent less in 1956 than in 1950.

Mr. President, that decrease does not make sense to me. I do not see any justification for it. At a time when, by every sound standard, we should have been doing more—we have been doing less. And our failure to do more rather than less has been costly in lost opportunities, in heavy flood damage, in loss of human life.

WATER IS NO. 1 RESOURCE

Water—for consumption by human beings, for use by industry, for agricultural irrigation, for generation of power—is our number one resource in this country. Also, control of water, when the rains came too fast and too heavily, often becomes for a time our number one problem.

We must develop that resource wisely and well. We must meet that problem soundly and efficiently.

Mr. President, Congress has a constitutional responsibility for the national land and water resources program. It is a responsibility we must accept and fulfill.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to invite the Senator's attention to another item at that point. The value of the dollar has been going down also, which makes the comparison the Senator has presented even more striking.

Mr. JOHNSON of Texas. I thank the Senator. I have a statement I should like to make in that connection at a later time.

Mr. President, I now desire to speak on another subject.

The VICE PRESIDENT. The Senator from Texas has the floor.

THE TIGHT MONEY POLICY AND INCREASING INTEREST RATES

Mr. JOHNSON of Texas. Mr. President, the most self-defeating policy that any administration has ever adopted in this Nation is the present "tight money" and increasing interest rate policy. It should be clear to all who wish to see that its continuance can lead only to a depression which will actually curl everyone's hair.

I have already pointed out the great additional burden imposed on the Federal Treasury. We have had presented to us undisputable evidence of the disastrous effect this policy has had on Federal fiscal operations.

This, however, is only one facet of the results of this ruinous policy. At the same time it is threatening the continued existence of our State and local governments by making it impossible for them to carry out the functions which have been wisely and expressly reserved to them by our Constitution.

The population of our public schools has increased and is increasing year by year. Yet the fiscal policy of our national Government thwarts every effort of the States and municipalities to meet the needs created by those increases.

From fiscal 1952 to fiscal 1955 interest paid by local school districts on school bond issues rose 25 percent faster than the direct general expenditures by these local districts for education. Since fiscal 1955 the interest rates paid by these local governing bodies has increased even faster.

Just last year one New York school district sold a bond issue and the extra interest it will be required to pay because of the increase in interest rates in the past 4 years, would be sufficient to build an additional school housing 900 pupils.

Our school systems are in grave peril. There is insistent demand that the Federal Government come to the rescue of the States and municipalities.

It is nothing less than fantastic that, at the time that the administration is strongly urging the Congress to enact an educational construction aid bill, at the very same time, it is pursuing a financial policy which is the greatest deterrent to the ability of the States and municipalities to carry out their constitutional responsibilities for themselves.

DEATH OF CHIEF JUSTICE ARTHUR T. VANDERBILT

Mr. CASE of New Jersey. Mr. President, today's papers carry the news of the untimely death of the chief justice of the Supreme Court of New Jersey.

My senior colleague, who is unavoidably absent today, has expressed very well the loss which our State and Nation have suffered. I ask to include here the text of his statement:

The death of Chief Justice Vanderbilt comes as an overwhelming shock to the people of New Jersey, and especially to those with whom he had been intimate for many years.

I have known Arthur Vanderbilt as a warm personal friend, especially during recent years and since I have been in public life. Arthur Vanderbilt was not only a great jurist, but was primarily responsible for the reorganization of the judicial system of New Jersey in the new State constitution, which was adopted in 1947. He served with outstanding distinction as chief jurist of the highest court in our State and has left a lasting monument of judicial procedure and efficiency of our courts, which is not exceeded by any other State in the Union. He will be missed sorely both in New Jersey and throughout the United States, and also in other countries of the world where our Anglo-Saxon jurisprudence is predominant.

I feel the personal loss of the warm friend for whom I had the deepest affection. Mrs. Smith joins me in sending to Mrs. Vanderbilt and to all the members of his family our deepest affections and sympathies.

On my own behalf I may say that the death of Chief Justice Arthur Vanderbilt is a great loss to the people of New Jersey and to all advocates of effective and expeditious justice.

Chief Justice Vanderbilt was a forceful leader in the area of judicial reform. His work has made the New Jersey court system a model which has been widely drawn on throughout the Nation and, indeed, the world. His insistence on high standards of practice was accompanied by his interest in legal education.

There are thousands of lawyers who have gained much through personal association with Justice Vanderbilt. There will be many thousands more in the future who will benefit from the lasting impression of his thought and his work.

VISIT TO THE SENATE BY ALEXANDER HAMILTON BICENTENNIAL COMMISSION SCHOLARSHIP WINNERS

Mr. MUNDT. Mr. President, I am happy to announce that the Senate has some very distinguished guests in the galleries. I am sure my colleagues will wish to greet them.

There are seated in the galleries the State scholarship winners of the Alexander Hamilton Bicentennial Commission scholarships. The scholarship program has been operated and administered by the Alexander Hamilton Bicentennial Commission. It has however been financed by generous contributions from private donors in the field of business and in the field of the professions. The chairman of the Alexander Hamilton Commemorative Scholarship Fund which has raised the money to make the scholarship program possible, is Mr. Frederick C. Crawford, of Cleveland, Ohio, the chairman of the board of Thompson Products, Inc.

There are in the galleries 55 young Americans who will go from here to Independence Square, Philadelphia, where, for the remainder of the week, they will sit in meetings as a student congress in Constitutional Hall, amid the hallowed surroundings in which the Constitution was born. They will compete against one another to be chosen among the 13 national Alexander Hamilton fellowship winners. Each of these national scholarships will be worth $4,000. Each of these scholarships will be named for one of the 13 original Colonies.

Each of these young Americans in the galleries has achieved distinction by the virtue of the fact that he or she has won a $2,000 State scholarship, entitling him or her to go to a college or a university of his or her individual choice.

In addition to a representative from each of the 48 States, there are representatives in the galleries from associated areas, to make up the magic constitutional number of 55 to correspond with the 55 original fathers of our Constitution. There are representatives from the District of Columbia, Alaska, Hawaii, the Canal Zone, Guam, Puerto Rico, the Virgin Islands, and from each of the 48 States.

I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a statement, including the names and addresses of

these distinguished young Americans, and some data on this week's program for them.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ALEXANDER HAMILTON BICENTENNIAL STUDENTS CONSTITUTIONAL CONVENTION

WASHINGTON, June 16.—The Alexander Hamilton Bicentennial Students Constitutional Convention will open its proceedings Tuesday morning, June 18, in Philadelphia's historic Independence Hall and will continue its deliberations through Friday, June 21, it was announced today by Senator KARL E. MUNDT, Republican, of South Dakota, Chairman of the Alexander Hamilton Bicentennial Commission, under whose auspices the convention is being held.

The convention will have as delegates 55 high-school boys and girls, each a winner of a Hamilton scholarship contest conducted in a State, Territory, or possession of the United States. Each winner is receiving a $1,000 scholarship, with an additional $1,000 award to the college or university. At the Philadelphia convention the 13 delegates judged the best, this number set to correspond to the original 13 States, will each receive an additional $2,000 scholarship with an equal amount to be awarded to the university or college the student elects to attend. The June 18 opening date of the convention is the 170th anniversary of Hamilton's great speech in the Philadelphia Convention of 1787 which wrote the United States Constitution, a speech which led to the formation of a national government.

En route to Philadelphia, the delegates will stop off in Washington. On Sunday evening, June 16, they will attend a reception and dinner in the National Press Club ballroom. Monday morning, June 17, they will visit the Hamilton Bicentennial Exhibition in the United States Treasury Building, a remarkable collection from public and private sources of historic paintings, documents, and other Hamiltonia. At noon they will visit the Capitol. They will be introduced to the United States Senate by Senator MUNDT and afterward they will call upon their individual Senators and Representatives.

At 3 o'clock Monday afternoon the delegates will be received at the White House by President Eisenhower. Following the White House visit, they will leave by bus for Philadelphia.

Funds for the Hamilton scholarship program are being raised from private sources by a special committee headed by Frederick C. Crawford, of Cleveland. Other members of this committee are: James J. Newman, of Akron, vice chairman; Fred F. Florence, of Dallas; James S. Kemper, of Chicago; and Aksel Nielsen, of Denver.

"This Alexander Hamilton Bicentennial Students Constitutional Convention is of unique significance in the history of American education," said Senator MUNDT. "It is the first such convention ever to be held as the outcome of contests held in every State, Territory, and possession, contests in which many thousands of high-school boys and girls have participated. The Hamilton Commission takes special pride in the fact that this is the first time, so far as we can ascertain, that a Federal agency program of this kind has been financed entirely by private funds. We have done this in the Hamilton tradition and we feel that we have set an excellent example for future Federal commissions to follow."

The convention's official opening on Tuesday morning in Philadelphia will be preceded by formal ceremonies in which Senator MUNDT will take part. The delegates will then settle down to the business at hand. Each delegate is sponsoring at least one amendment to some part of the Constitution which will be introduced at the opening session. The convention will then be split into five committees, each of which will consider amendment proposals referred to it and report back to the full meeting. One committee report will be considered and acted upon at each of five sessions. The convention will be brought to a formal close on Friday afternoon.

On Friday evening, June 21, the convocation will be concluded with a dinner in the Bellevue Stratford Hotel at which the 13 top scholarship winners will be announced.

In the course of their 4-day stay in Philadelphia, time will be taken out to allow the student "delegates" to inspect the Philadelphia Navy Yard and to visit Valley Forge and other historic points of interest.

On Saturday morning, June 22, the "delegates" will be brought back to Washington. They will visit Mount Vernon and participate in a ceremony placing a wreath at the tomb of George Washington. After this ceremony the "delegates" will disband.

The details of the State contests and the Philadelphia convention were developed for the Alexander Hamilton Bicentennial Commission by its Committee on Contests and Awards, of which Dr. Bower Aly, of the University of Missouri, is chairman.

Following is a complete list of "delegates" and a copy of the schedule of convention activities.

ALEXANDER HAMILTON BICENTENNIAL COMMISSION, AMERICAN STUDENTS CONSTITUTIONAL CONVENTION

June 16, Sunday, Lafayette Hotel, Washington, D. C.: 4 p. m., registration, lobby; 6 p. m., reception, National Press Club; 7 p. m., dinner, National Press Club; 8 p. m., afterdinner program, Sea Chanters and MUNDT speech.

June 17, Monday: 9:30 a. m., Alexander Hamilton Bicentennial Exhibit; 11:15 a. m., leave for Capitol; 2 p. m., reassemble at buses in front of Capitol; 2:45 p. m., White House, Presidential reception: 3:30 p. m., leave White House for Philadelphia; 7 p. m., arrive Philadelphia, Penn Sherwood Hotel, 39th and Chestnut Streets; 7:30 p. m., dinner at Hotel Penn Sherwood.

June 18, Tuesday: 8 a. m., breakfast at Hotel Penn Sherwood; 8:45 a. m., leave Hotel Penn Sherwood; 9:15 a. m., Independence Hall ceremonies; 9:30 a. m., first session, American Students Constitutional Convention; 12 m., first session adjourns; 12:15 p. m., lunch at Benjamin Franklin Hotel; 2 p. m., committee meeting at Benjamin Franklin Hotel; 7 p. m., dinner at Benjamin Franklin Hotel; 8 p. m., Krout's speech, "George Washington and Alexander Hamilton," 8:45 p. m., bus to Hotel Penn Sherwood.

June 19, Wednesday: 8 a. m., breakfast at Hotel Penn Sherwood; 8:45 a. m., bus to Independence Square; 9:15 a. m., second session, report of committee on article I; 11:45 a. m., adjourn; 12 m., lunch at Benjamin Franklin Hotel; 1 p. m., examination on Alexander Hamilton; 2:30 p. m., examination ends; 2:45 p. m., bus to navy yard; 3:15 p. m., naval demonstrations; 5:30 p. m., leave navy yard by bus; 6 p. m., dinner at Penn Sherwood; 7:15 p. m., bus to Independence Hall; 7:30 p. m., third session, report of committee on article II; 10 p. m., adjourn; 10:15 p. m., bus to Hotel Penn Sherwood.

June 20, Thursday: 8 a. m., breakfast at Penn Sherwood; 8:45 a. m., bus to Independence Hall; 9:15 a. m., fourth session, report of committee on article III; 11:45 a. m., adjourn; 12 m., lunch at Benjamin Franklin Hotel; 1:15 p. m., fifth session, report of committee on articles IV and V; 3:45 p. m., adjourn; 4 p. m., bus to Valley Forge; 5 p. m., arrive Valley Forge; 6:30 p. m., Freedom Foundation; 6:45 p. m., leave Valley Forge; 7:15 p. m., dinner, Conestoga Inn, Bryn Mawr; 8:30 p. m., bus to Hotel Penn Sherwood; 9:15 p. m., arrive Penn Sherwood.

June 21, Friday: 8 a. m., breakfast at Penn Sherwood; 8:45 a. m., bus to Independence Square; 9:15 a. m., sixth session, report of committee on article VI; 11:45 a. m., adjourn; 12 m., lunch at Benjamin Franklin Hotel; 1:15 p. m., University of Wisconsin Hamilton film, Benjamin Franklin Hotel; 2 p. m., seventh and final session, reconsideration of votes taken and miscellaneous resolutions; 4 p. m., adjourn; 4:15 p. m., bus to Penn Sherwood; 6:15 p. m., bus to Bellevue Stratford Hotel; 6:30 p. m., reception and dinner, awards to winners, Bellevue Stratford, Burgundy Room; 10:15 p. m., bus to Penn Sherwood.

June 22, Saturday: 7:30 a. m., breakfast at Penn Sherwood; 8:15 a. m., bus to Washington, D. C.; 11:45 a. m., lunch, Collingwood; 1 p. m., arrive Mount Vernon, place wreath on Washington's tomb; 2:30 p. m., bus from Mount Vernon to airport and Union Station; 3 p. m., arrive National Airport, D. C.; 3:45 p. m., arrive Union Station, D. C.

ALEXANDER HAMILTON STUDENTS CONSTITUTIONAL CONVENTION—STATE CONTEST WINNERS

Alabama: Craig Bamberger, 805 Fifth Avenue, Selma; Albert G. Parrish High School, Selma.

Arizona: Carlisle H. Dick, 2615 E. Manchester Street, Tucson; Tucson High School.

Arkansas: Earl L. McCarroll, Jr., 4817 Lafayette St., Little Rock Central High School.

California: Dan E. McCall, 1122 Trinity, Modesto; Modesto High School.

Colorado: Joseph C. Bell, 2000 South Cook St., Denver; South Denver High School.

Connecticut: Thomas A. Musante, 9 Stiles St., Stratford; Stratford High School.

Delaware: Walter S. Rowland, 46 Dickens Road, Claymont Tower Hill School, Wilmington.

Florida: Joyce Linda McKee, 722 Garden Plaza, Orlando; Edgewater High School.

Georgia: Roma Durrance Thomas, Jr., Patterson; Patterson High School.

Idaho: Gordon R. Chester, 2268 Gekeler, Boise; Boise High School.

Illinois: Katherine F. Hunley, Rural Route No. 2, Auburn; Auburn High School.

Indiana: Samuel J. Stegman, 135 East Fifth St., Peru; Peru High School.

Iowa: Harlan D. Hahn, 620 Vine St., Osage; Osage High School.

Kansas: Constant Poirier, 3324 W. 19th St., Topeka; Topeka High School.

Kentucky: Linda Brown Rue, Moreland Ave., Harrodsburg; Harrodsburg High School.

Louisiana: Barbara Mary Breaud, 4759 Franklin Ave., New Orleans; Mount Carmel Academy, New Orleans.

Maine: Edward D. Berman, 34 Highland Ave., Lewiston; Lewiston High School.

Maryland: G. Robert Jackall, 3101 Ardee Way, Dundalk; Loyola High School, Towson.

Massachusetts: Joshua A. Young, 70 Elm St., Andover; Holderness School, Plymouth, N. H.

Michigan: James M. Copeland, Jr., 3717 Vorhies Road, Ann Arbor; Ann Arbor High School.

Minnesota: Harold P. LeVander, 2323 Thompson Avenue, South St. Paul; South St. Paul Senior High School.

Mississippi: Floyd Dean Copeland, 4025 Pine Hill Drive, Jackson; Murrah High School.

Missouri: Karen E. Ordahl, 963 South Delaware, Springfield; Greenwood High School.

Montana: Reese C. Johnson, 2203 Pine St., Billings; Billings Senior High School.

Nebraska: Harvey W. Nelsen, 3740 No. 53d Street, Omaha; Benson High School.

Nevada: Byron Bartlett, 1212 South 9th St., Las Vegas; Las Vegas High School.

New Hampshire: Robert A. Backus, 24 Summer St., Goffstown; Holderness School, Plymouth.

New Jersey: Michael Marenchic, 305 Lawrie St., Perth Amboy; St. Mary's High School, Perth Amboy.

New Mexico: Frederick D. Gutierrez, Post Office Box 75, Los Lunas; Los Lunas High School.

New York: Richard F. Whearty, 6 Laurel St., Garden City; Chaminade High School, Mineola.

North Carolina: Augustus M. Burns III, Crestwood Drive, Roxboro; Roxboro High School.

North Dakota: Thomas R. Christofferson, 237 Fourth St., N.E., Valley City; Valley City Public High School.

Ohio: Allen R. Rule, 330 Lenappe Drive, Columbus; North High School.

Oklahoma: Lee Nash, 2619 Elgin Ave., Muskogee; Muskogee High School.

Oregon: Owen Meredith Wilson, Jr., 2315 McMorran Drive, Eugene; Eugene High School, Eugene.

Pennsylvania: Joseph C. Glass III, R. D. Box 150, National Pike East, Brownsville; Brownsville Senior High School.

Rhode Island: William F. Newman, 58 Forest St., Providence; LaSalle Academy, Providence.

South Carolina: Hastings Wyman, Jr., 2708 Highland Park Drive, Aiken; Aiken High School.

South Dakota: Mary Ann Butterbrodt, 909 Second Street NW., Watertown; Watertown High School.

Tennessee: Charles G. Adair, Jr., Rural Route No. 1, Pegram; West End High School, Nashville.

Texas: Shannon H. Ratliff, Box 5576, Sonora; Sonora High School.

Utah: Carol Lynn Wright, 630 North Sixth East, Provo; Brigham Young University High School, Provo.

Vermont: George M. Salger, 406 South Winooski Avenue, Burlington; Edmunds High School, Burlington.

Virginia: Carole M. Johnson, 166 Marshall Terrace, Danville; George Washington High School.

Washington: Walter T. Toy, West 234 Franklin Court, Spokane; North Central High School.

West Virginia: Carl G. Adler, Jr., 1818 Jefferson Boulevard, Point Pleasant; Point Pleasant High School.

Wisconsin: Mary-Anne Smoler, 515 70th Street, Kenosha; Mary D. Bradford High School.

Wyoming: Mary Jo Anne Blower, 736 West 12th Street, Casper; Natrona County High School.

District of Columbia: John Kirby, 609 Knollwood Drive, Falls Church, Va.; Gonzaga College High School, Washington, D. C.

Alaska: Robert D. Montgomery, Box 650, Fairbanks; Fairbanks High School.

Canal Zone: Caroline E. Zirkman, Box 1636, Balboa; Balboa High School.

Guam: Oscar A. Mendiola, Agana.

Hawaii: Richard Y. Mitsunaga, 840 15th Avenue, Honolulu; St. Louis High School, Honolulu.

Puerto Rico: Horacio Cordero, Santurce; Perpetuo Socorro Academy, Miramar, Santurce.

Virgin Islands: Winston A. Hodge, Christiansted, St. Croix; Christiansted High School.

Mr. MUNDT. Mr. President, I ask our distinguished young guests in the galleries to rise in order that Members of the Senate may greet them. As Chairman of the Alexander Hamilton Bicentennial Commission, it is my pleasure and privilege to present these distinguished young Americans to the Senate.

(The guests of the Senate rose in the galleries and were greeted with applause.)

The PRESIDING OFFICER (Mr. CURTIS in the chair). The Chair wishes to extend a welcome to our distinguished guests in the galleries. We congratulate them on their achievement, and wish them much success.

PERSONAL STATEMENT BY SENATOR MORSE

Mr. MORSE. Mr. President, some minutes ago I obtained unanimous consent to speak for 5 minutes on a matter of personal privilege.

When I make a mistake of judgment, in my opinion I owe it to my colleagues in the Senate and to the people of my State to admit my mistake. Embarrassing as it may be to me and my colleagues, I wish to bring up for brief discussion today a subject in connection with which I think I made a mistake.

Last week I was taking an active part in the consideration of what I believed to be an exceedingly bad and unfortunate mutual-security bill, which took all my time. A meeting was held by some of my colleagues on a matter of procedure in the Senate, involving civil-rights legislation. I was represented at the meeting by a member of my staff but could not personally attend. I assume full responsibility, and place no responsibility on the shoulders of anyone else, for the inclusion of my name on a statement of a course of action which was recommended as a result of that conference.

For 13 years in the Senate I have insisted upon leaning over backward in the exercise of fair parliamentary procedure. I can very well recall, at the time the famous Flanders resolution on the McCarthy issue was before the Senate for consideration that I subjected myself to a considerable amount of criticism by my liberal colleagues because I felt there should be included in that resolution a bill of particulars. My colleagues who were then in the Senate know that I insisted, in the debate, that a bill of particulars be filed, and I filed one along with others. The record shows that was the final course of action taken by the Senate, and I am perfectly willing to stand on that record.

We have before us, in connection with the civil rights legislation, that may come over from the House of Representatives, another procedural problem. To my liberal colleagues let me say, in my judgment, it would be wrong for us, as liberals, to take any advantage of the rules which we might have procedurally or parliamentarywise available to us under rule 14. If the interpretation being given to rule 14 proves to be correct, as set forth in the statement of a group of Senators, which was issued last Friday, I nevertheless think it would be a mistake to take advantage of it. I think we should resolve all doubts in favor of letting the House bill go to committee and then move to discharge the committee if it bottles up the bill. However, I have studied this question over the weekend, I have serious reservations as to the interpretation being made of rule 14 by my colleagues who signed the Friday statement.

At least I am satisfied that I am right in telling the Senate that after studying this problem over the weekend I have changed my opinion about it. I think that when a bill comes over from the House, as a matter of sound procedure in the Senate it should be referred to a Senate committee. I think that is what the committee system in the Senate is for. I think we would do great damage to the entire committee procedure of the Senate if we were to follow any different course of action with regard to civil rights or any other issue.

We liberals, in particular, I think, should lean over backward in procedural matters, so that no one can say that, as liberals, when it is to our advantage, we will take advantage of some procedural or parliamentary weapon to win our ends. In the long run we will not win with such a course of action. Expediency is no synonym for liberalism.

There is another phase of this matter which I wish to stress. Suppose a right-to-work bill should come over from the House, or suppose a gas bill should come over from the House, or any other bill with respect to which liberals think there should be a thorough committee examination. What would we liberals say then to such a proposal? Plenty. We certainly would be heard from if an attempt were made to place such a House bill directly on the calendar of the Senate. In my judgment, we never make a mistake in the legislative process if we always resolve all doubts in favor of the full and fair exercise of the customary procedures of the Senate.

Let us assume hypothetically, for a moment, that under rule XIV a civil-rights bill could be placed directly on the calendar. We could also discharge a committee by the same majority vote that it would take to place the bill directly upon the calendar.

I happen to believe that the Judiciary Committee of the Senate—and I speak respectfully of its respective members—has delayed a civil-rights bill too long. I think it has had adequate time to consider a civil-rights bill. I think such a bill ought to be on the calendar. It is not on the calendar. But merely because I think the committee has delayed too long in connection with a Senate civil-rights bill, that is no reason why, in my opinion, we, as liberals, should take advantage of any procedural right we may wish to exercise by the elastic stretching of the rules of the Senate and placing immediately on the calendar a House bill coming over from the House of Representatives.

I think such a House bill should be referred to the Judiciary Committee. I serve notice now that if it is referred to the Judiciary Committee, and the Judiciary Committee does not consider it within a reasonable length of time, I myself will make a motion to discharge the committee from further consideration of the bill.

I have struggled with this question over the weekend. I have studied the rules. I have given a great deal of reflection to this question, and as a result my conscience says to me, "You are wrong, as a matter of long time Senate procedure

and practice in seeking to take advantage of anyone or of any rule by having a House civil rights bill placed directly upon the calendar."

Let me make clear again that there is very grave doubt that the rules permit it anyway. But assuming we can—even if we can—I do not believe that we should, because we liberals ought to remember that we are frequently in the minority, and when we are in the minority we do not like the whiplash of a majority exercise of strict construction of Senate rules.

I believe that the best way to get sound civil-rights legislation at this session of Congress is for us at all times to make a record that shows we never sought to take advantage of anyone by any strict and technical use of the rules of the Senate.

Oh, but it is said, the opposition can filibuster three times if we allow the House bill to go to the committee. Let them filibuster three times, if men have the will to do it, and let us break the three filibusters; but let us keep our record for complete parliamentary fairness perfectly clear. Let us give to our opposition all procedural rights by leaning over backwards to resolve doubts as to procedure in favor of our opposition. Let us win the final analysis, as I think we can by avoiding any semblance of parliamentary expediency. If the Senate committee bottles up the bill let us then move to discharge the committee if it holds this bill beyond a reasonable length of time.

I wanted to make these remarks, Mr. President, early today so as to serve notice of my change of opinion on this matter. I am sorry to disappoint some dear friends of mine in the Senate who may think that this is some sort of pulling of the carpet from under them. I do not have that in mind. I have my conscience to live with, and I cannot associate myself with what I consider to be a taking advantage of the rules of the Senate to accomplish a legislative end.

I am in favor of civil rights. I am going to fight for civil-rights legislation. But I am going to carry the fight to the opposition within the long-established, historic practices of the Senate. The common practice, Mr. President, is when a bill comes to the Senate from the House to pay respect to the House by sending the bill to committee for due consideration and deliberation, having it reported by the committee, and then fighting the battle on the floor of the Senate on the basis of either the committee report or by discharging the committee.

Mr. JOHNSON of Texas. Mr. President, I wish to commend the Senator from Oregon for his very forthright statement. It is in keeping with his customary conduct in the Senate.

I share the view the Senator has expressed concerning rule XIV. I appeal to each Member of the Senate carefully to review paragraphs 3 and 4 of rule XIV.

Over the weekend I have had an opportunity to give some study to the provisions of rule XIV. In that connection I have a brief statement I should like to make concerning my views on that question.

The question whether a bill goes to the Senate calendar upon objection after its second reading under rule XIV is controlled by the proper interpretation of paragraph 4 of the rule itself, without considering the fortifying significance of the mandatory reference language in the Reorganization Act.

Paragraph 3 of rule XIV makes it abundantly clear that a bill received from the House can be considered for passage on the same day only by unanimous consent.

It is equally clear that if no objection is raised to second reading, it does not require unanimous consent to consider it for reference to committee. This is extremely important in reaching a proper interpretation of paragraph 4.

I believe the intent and purpose of paragraph 4 is consistent with paragraph 3, and I think it is a further protection against precipitous action on passage of legislation that may be received from the House. In my judgment, the provision of paragraph 4, which reads—

> and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar—

is intended to protect an individual Senator against precipitous passage of legislation by affording him an opportunity to object to such consideration, if the Senate has not by earlier action referred the bill to committee.

This is all that paragraph 4, in my opinion, can be consistently and intelligently construed to do. I am convinced that it was intended to cover only those situations where the Senate wanted to pass a bill rather than refer it to committee but where a minority did not want that to happen immediately after its second reading.

To sum up, I believe that a referral to committee after the second reading of a bill, which is mandatory under the Reorganization Act, cannot be defeated by a single objection. I believe that a motion immediately to consider a bill after its second reading, without its reference to a committee, can be defeated by a single objection which, in the absence of referral to committee, has the effect of placing the bill on the calendar and deferring Senate action by at least another legislative day.

In my opinion, it takes unanimous consent not to refer a bill to committe after its second reading, as well as unanimous consent to consider a bill without referring it to committee. This I submit is the full and consistent meaning of paragraphs 3 and 4 of rule 14.

Before we are confronted with making this responsible and important decision in this body, I ask each Member to examine the consequences that would flow from this decision and the interpretation placed on the rule by the Senator from Illinois [Mr. DOUGLAS] and his colleagues the other day.

If we decide that one Member can object to the referral of a House bill, or referral of a Senate bill, then we are saying that 1 Member of this body can cause 95 others to sit here until a motion is made to debate a bill before any bill can be referred.

Let us take the illustration offered by the able Senator from Oregon [Mr. MORSE]. Suppose the House of Representatives passed a right-to-work bill tomorrow, or an appropriation bill or a tax bill. Are we going to say that one Member can destroy the committee system? Are we going to say something that has never been held in a single precedent since rule 14 was adopted in 1877, that 1 Member can arise and object and keep that bill from going to committee?

I submit for the mature and deliberate consideration of my colleagues in this body that the rule was intended to say and does say—and the precedents in my opinion confirm it, and the judgments of the Senate in the past confirm it—that while one Member may object to a House bill being brought up for consideration, no one Member by objection can prevent referral of a bill to committee.

Mr. KNOWLAND. Mr. President, I did not intend to take the time to engage in a general debate on the question which I realize we shall probably meet tomorrow afternoon, according to the information I have received from the distinguished majority leader. I would not want my silence to be construed as acquiesence in the general statement which the majority leader has made.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. KNOWLAND. Not at this point.

Mr. JOHNSON of Texas. But the Senator has mentioned my name. I would not want my statement to be construed as expressing the opinion of any other Senators.

Certainly their silence must not be construed as agreeing with me. I merely agreed with the Senator from Oregon [Mr. MORSE], as I felt I should do.

Mr. KNOWLAND. As I have said, I did not want my silence here today to be construed as acquiescence in the general statements which have been made. Certainly in this field there is room for an honest difference of opinion. Undoubtedly differences of opinion will be presented tomorrow and at other times when these questions are raised. They are very real questions. We do have precedents, however, on this procedure, which, it has been suggested, might possibly be followed by the Senate.

It is true that the Reorganization Act, to which reference was made, was passed in 1946, which was after I came to the Senate. I was here during the entire period of the debate on the so-called reorganization bill while it was under discussion. The Reorganization Act became effective January 2, 1947.

(See sec. 142.)

It was on May 3, 1948, a year subsequent to the taking effect of the Reorganization Act, that the so-called Downey precedent on the tidelands bill came up for consideration by the Senate. I was in the Chamber at that time. I was a member of the Committee on Rules.

I was here when the distinguished Senator from Arkansas [Mr. FULBRIGHT], on the same day, raised the question and wondered why the same procedure

should not be followed on the oleomargarine bill.

That matter was discussed, and finally the issue arose, not as to whether the previous precedent was sound, not as to whether a previous precedent which had been established should fall, but it arose over whether the Senator from Arkansas should have priority to get his point of view before the Senate, in view of the fact that the then Senator from Nebraska, Mr. Wherry, who was at that time the Republican leader of the Senate, had in the meantime raised the question of the jurisdiction dispute as to which committee the oleomargarine bill should be referred to.

I agree with my distinguished friend from Texas that all Senators not only should read the rules, but they should read the debate, which will be found in the CONGRESSIONAL RECORD, volume 94, part 4, of the 80th Congress, 2d session. I particularly invite their attention to pages 5168–5172 of the RECORD of May 3, 1948, and suggest that they read the discussion which took place on a subsequent day, May 4, 1948—CONGRESSIONAL RECORD, pages 5219–5239—I am certain all Senators will find that debate to be of tremendous interest.

I call their particular attention to the discussion which also includes the remarks by the then Presiding Officer of the Senate, the distinguished former Senator from Michigan, the President pro tempore, Mr. Vandenberg.

This is a matter of great importance. It is a matter as to which all Senators should express their concern. It is a procedure which, as I pointed out in 1948, as a member of the Committee on Rules, can lead to a great deal of difficulty; there is no question about that. It is a procedure which, I think is provided for in the rules. But I think there is a perfectly valid reason why that provision is included. It is a provision which I think should not be used except under great provocation.

But the fact of the matter is that we are in the month of June. Six months have gone by. The Committee on the Judiciary has shown no indication that the bill which is before it will be reported to the Senate.

A bill which has been given consideration by the House is coming to the Senate. It is not a circumvention of the rules that this procedure be used. I think this is a case in point. I think it will give Senators an opportunity to have a bill before them; it will enable the present 95 Members of the Senate—there being 1 vacancy—representing the 48 States of the Union, an opportunity to express themselves on a very important matter of public policy.

Mr. JOHNSON of Texas. The Senator from California says the procedure he proposes is not a circumvention of the rule. I want to ask the Senator this question: Rule XIV was written in 1877. Can the Senator point to a single instance where the procedure he now seems to suggest, and perhaps embrace, has ever been a decision of the Senate, and where that procedure has ever been followed?

Mr. KNOWLAND. I think the procedure was not used, so far as I know, until 1948, when it was raised by my then colleague from California in the matter of the so-called tidelands bill.

Mr. JOHNSON of Texas. Was a point of order or an objection raised?

Mr. KNOWLAND. No; there was not; but the Senate, by acquiescence and with knowledge of the facts, proceeded in that manner.

Mr. JOHNSON of Texas. The Senate may do that. The Senate may do it by unanimous consent. That is the contention of the Senator from Texas. But where a single Senator objects to the immediate consideration of a bill, that Senator is protected by having the bill go to the calendar.

Mr. KNOWLAND. I think the Senator is correct in that had the objection been made that day to both the first and second readings the procedure followed by the Senate when the Senator from California, my then senior colleague, Senator Downey, raised his objection to further proceedings would not have taken place on May 3. It would have had to go over to the following legislative day before it went to the calendar.

Mr. JOHNSON of Texas. Is it fair to say that the Senator from California relies on the Downey precedent alone?

Mr. KNOWLAND. No; I rely also on the Fulbright precedent, which was established the following day.

Mr. JOHNSON of Texas. But the Senate decided, 56 to 15, that that bill should go to the committee.

Mr. KNOWLAND. No; the only issue involved in the Fulbright precedent was whether a priority should be given to the desire of the Senator from Arkansas over the request by the Senator from Nebraska, Mr. Wherry.

If the Senator will read the opinion of the President pro tempore and the debate at that time, he will find that it dealt with the priority of consideration as between the two points of order which had been raised.

Mr. JOHNSTON of South Carolina. Mr. President, I notice that a remark was made by the Senator from California to the effect that the Committee on the Judiciary probably would not report a bill. I may say that the full committee is holding meetings on a civil-rights bill. I think the original bill has been greatly perfected by some amendments which the Committee on the Judiciary has placed in the bill. I do not think those amendments could be given the same consideration on the floor as they have received in committee.

When we started on this bill, I did not think there was much likelihood that the members of the committee would have voted for the amendments to be included. But I think today the bill is in much better shape as result of committee amendments. I can only say that two-thirds of the committee are in favor of reporting the bill. As far as I am concerned, I am opposed to this legislation.

Mr. RUSSELL. Mr. President, I wish to commend the distinguished Senator from Oregon for the statement he has made. The Senator from Oregon and I are as far apart as the poles in our basic philosophy with respect to the proposed legislation, which is called civil-rights legislation. But we have both been Members of the Senate long enough to know what will happen when the Senate is driven by expediency to depart from the procedures of the Senate which are prescribed in rules.

It has often been said that the Senate can do anything by unanimous consent. I will carry that statement further. If the majority of the Senate, are so devoid of principle or respect for the law, the rules of the Senate or of the Constitution, the majority of the Senate can do anything. A majority can even doctor the Journal and make it appear that a proposed constitutional amendment has been approved by a two-thirds vote, whereas it might have been approved by a bare majority. Under the holdings of the Courts, the Courts do not go behind the Journal. The Journal is accepted as conclusive evidence as to what transpires here.

So these matters address themselves to our consciences and our judgment, without regard to our position with respect to the basic legislation which might be involved.

I am glad the distinguished minority leader invited the attention of the Senate to the discussion which occurred on this floor in 1948. I trust that the Members of the Senate—this being a very important matter—will read the RECORD which was made at that time.

It so happened that at that time I was strongly supporting the bill which was introduced by the Senator from Arkansas [Mr. FULBRIGHT], relating to taxes on oleomargarine. I was just as strongly in favor of that bill as was the Senator from Arkansas. But Senators will note from the RECORD that I stated on the floor then that I would not—even though I favored that bill—approve any course of action in the Senate which would be calculated to destroy the Rules of the Senate and the committee system on which all our legislation is predicated. I think I concluded my remarks by stating something like this: that though sick at heart over being compelled to take that action with respect to a bill I heartily favored, in my opinion orderly procedure in the Senate was of paramount importance to every Member of this body, and I therefore would vote to establish the precedent that the bill should be referred to the committee rather than to bypass the committee and place the bill on the calendar.

Mr. President, from reading the press, I understand that the distinguished Senator from California is to support the proposed rather remarkable and unusual procedure; and the article further stated that he and the distinguished Vice President of the United States have completely agreed upon it. I shall not at this time go into the reasons which are ascribed in the article, for this agreement between the Senator from California and the Vice President. But when the minority leader and the Vice President are quoted in the press as joining together to enforce this unusual procedure, that is almost like the Biblical story of the time when word went out from Shushan, the palace, that Mordecai, the Jew, must die.

Those of us who are insisting on orderly procedure here may be in the position of Mordecai.

We may be less fortunate than Mordecai. We may suffer—a parliamentary hanging on the gallows designed by the Vice President and the minority leader in their zeal to bypass committees with this specific legislation. I predict, however, that the administration and its leadership here will often appear in the role of Haman. They will be hanged time and again with the demands of a single Senator to place bills on the calendar that should go to committee. This precedent will arise to haunt them. I cannot conceive of anything likely to be so destructive of orderly procedure and the effectiveness of leadership than to pervert the Rules of the Senate by this kind of procedure.

If Senators adopt the philosophy that the end justifies the means, when the Senate has a process of orderly procedure which will enable Senators to reach their objective, they will be setting a precedent, in the Senate, which can only lead to chaos.

In that connection, I thank the distinguished Senator from California for giving me that word; that was the description he applied in 1948, during the debate at that time, when he said that departure from the committee system would lead to a great degree of legislative chaos. It is unnecessary and is contrary to the rules of the Senate and it can lead only to legislative chaos.

Mr. JOHNSON of Texas. Mr. President, at this point will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. CURTIS in the chair). Does the Senator from Georgia yield to the Senator from Texas?

Mr. RUSSELL. I yield.

Mr. JOHNSON of Texas. Because of the fact that only a limited number of copies of the 1948 RECORD are available, I wish to ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Georgia, there be inserted in the RECORD the discussion of this question which occurred in the Senate on May 3, 4, and 5, 1948. Therefore, I ask unanimous consent to have printed in the RECORD, at the conclusion of the remarks of the Senator from Georgia, the entire debate of May 3, 4, and 5 on this question.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit A.)

Mr. RUSSELL. Mr. President, the distinguished Senator from California referred to what he chose to call the Downey precedent. I have said that a reading of the RECORD will show that it was no precedent at all, because no point of order was raised. The Senate did not pass upon it. The Chair did not rule upon it, for it was not challenged by a point of order; and, therefore, it constitutes no precedent.

The precedent was created by action on the motion of the Senator from Arkansas that he be accorded the same privilege as that which had been accorded the Senator from California in sending the bill to the calendar by a single objection.

I was not on the floor of the Senate at the time when the so-called Downey motion was made, wherein he objected to further proceedings on the bill. At that time, I did not have either the time or the occasion to study the rule, to see just what is implied by this section of rule XIV. I am frank to say that I was somewhat at a loss to understand this provision of section IV of rule XIV until I had studied the matter very carefully.

I assert here and now, Mr. President, and I ask that all Members of the Senate read rule XIV—that every provision of rule XIV is written to protect the rights of individual Senators; no provision of rule XIV is written with any intent to bypass the other rules of the Senate or to expedite the consideration of bills. Every provision of this rule is written to serve as a restraint upon the majority of the Senate.

Now I ask the consideration of my colleagues of all of rule XIV, beginning with section 1, which reads as follows:

1. Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for 1 day.

What is the purpose of that provision? It is clear to any man who can read and think that it is to allow any Senator the right to object for 1 day to the introduction of a bill. It can have no other purpose. It is to protect the rights of each individual Senator to inform himself as to bills.

Now I invite the attention of my colleagues to section 2 of rule XIV, as follows:

Every bill and joint resolution shall receive 3 readings previous to its passage, which readings shall be on 3 different days, unless the Senate unanimously direct otherwise.

What is the purpose of that rule? It is to give every individual Senator a right to object to two readings on the same day, in order that he may consider the matter which is at issue, and to protect his rights as a Senator of the United States. The rule contains nothing to expedite legislation or bypass other rules. It was written to protect individual Senators, whereby one objection could prevent three readings on the same day or more than one reading on the same day. And further to protect the rights of Senators, the remainder of the rule reads as follows:

and the Presiding Officer shall give notice at each reading whether it be the first, second, or third.

So that every Senator might be apprised of the status of the bill and fully protected in the exercise of his right to prevent two readings on the same day.

Now let us go to section 3:

3. No bill or joint resolution shall be committed or amended until it shall have been read twice, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to.

What is the purpose of that part of the rule? It is to give every individual Senator a right to interpose objection, to prevent the measure from being read twice on the same day.

I read further:

for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent.

Every line, every purpose, every objective of that section of the rule is to protect the individual Senator in the exercise of his rights, to secure him a delay of 1, 2, or 3 days, by requiring that these steps in the parliamentary process cannot be taken, save and except by unanimous consent.

Mr. President, those rules come down to us from Jefferson's Manual.

The language which is relied on as the basis for this unusual procedure to bypass the committees by the objection of one Senator—in other words, to have one Senator and the Chair take charge of the Senate and the 95 other Senators—was added in 1877; and at first I was puzzled to know why this language got into the rule. I shall now proceed to demonstrate and illustrate to the Senate why it was included.

I now read section 4 of rule 14:

4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to—

There is the protection for the individual Senator; he can object to the second reading, and have it go over until another day—

on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Mr. President, if Senators will analyze that rule, they will see that it was intended to protect a Senator from the third reading and the precipitate passage of a bill if the bill was not referred to a committee. In other words, one objection, under subsection 3, to a reading of the bill caused it to be referred to a committee. If a Senator did not desire the bill to be referred to a committee, but was not quite ready to consider it, he could interpose his objection under subsection 4 to have it go to the calendar, whereby he would have another legislative day to study the bill. But section 3 and section 4 of this rule, when considered together, make it clear that the bill would be referred to committee except by unanimous consent.

This rule has been used one other time, back in 1928. The Senate was trying to proceed to the consideration of a House bill without reference to a committee. A Senator interposed objection to a third reading on the same day and consideration of the bill and it went to the calendar.

This rule was never designed, when we tie in subparagraph 4 to subparagraph 3, to do other than to allow one Senator who did not wish to have a bill go to a committee, but who was not quite ready to have action on it, have the bill placed on the calendar instead of going to a committee. If the Senator had so desired he could have had the bill referred to

committee as a matter of individual right, rather than have it placed on the calendar.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes.

Mr. KNOWLAND. In the normal procedure under the Senate rules, a bill is not referred to a committee except after a second reading. Is that correct?

Mr. RUSSELL. That is correct, although it may be referred after one reading. There is nothing in the rules to stop it.

Mr. KNOWLAND. If the Reorganization Act of 1946, which went into effect in 1947, meant that this procedure was not to be used at all, then, I ask the distinguished Senator from Georgia why Congress did not take the trouble to amend the section of the rule to clear up that point.

I think a clear reading of it shows that the provision was left in so that a bill coming from the House could, after its second reading, go to the calendar. It is true that a single objection could prevent a third reading of the bill, and, as the Senator has pointed out, our rules are established so as to protect an individual Senator. A Senator could object. The bill could go to the calendar. Then the only way the bill could be taken up would be by motion, which is subject to the protections with which the distinguished Senator from Georgia is well acquainted, and which gives to a minority of the Senate the opportunity to protect itself from being overridden by the majority.

Mr. RUSSELL. But the difference in the interpretation the Senator from California and I place on the rule is this: I said it was intended to protect the individual Senator's right. One objection would send the bill to committee. If no objection was made to bypassing the committee under subsection 3, under subsection IV he could send the bill to the calendar. Under the construction of the Senator from California, it would give one Senator, and the presiding officer, control over the Senate with power to bypass the committee. That was not the intention.

Mr. KNOWLAND. I am frank to admit, as I said in 1948, it is a procedure which should be used only sparingly. I think if used constantly it would create a chaotic condition. Under normal circumstances, I believe the Senate should follow the normal procedure; but, in addition to the rule being a protection to individual Senators—a view in which I concur—I think the Senate as an institution has some right to be protected. In my opinion this is one paragraph in rule XIV of the Senate of the United States under which 96 Members, representing 48 sovereign States, have some protection in a situation in which they would seem justified in proceeding in this way.

Mr. RUSSELL. I shall deal with the Reorganization Act shortly, but I may say I view with great sorrow the day when the Senator from California argues that the end justifies the means, when nobody knows better than does the Senator from California that there is a procedure that permits the Senate to adhere to the rules, to follow orderly committee procedure and at the same time to control committees. No situation exists where a committee controls the Senate. The committees are creatures of the Senate. There are rules for the discharge of committees.

I say the interpretation the Senator from California seeks to put on rule XIV would bring about chaos. The Senator from California says it should not be used except sparingly. That is a declaration that the end justifies the means, when the Senate has plenty of authority under its rules to discharge a committee if it wants to do so, and when there is a majority vote for it.

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. I submit that is not the doctrine at all. I submit this is not a contravention of the rules. This is a rule which is in the rule book of the Senate, which has been there, and on the basis of which a precedent has been established. If the Senator in his judgment desires to proceed under the rule, I think he has a perfect right to do so. In 1948 I suggested that the Rules Committee should examine the rule and see whether there should not be further clarification of it, because there is a conflict between this rule and the Reorganization Act. There is no question about that. But I submit again the precedents of 1948 were made subsequent to the passage of the Reorganization Act.

Mr. RUSSELL. If the Senator contends there is a conflict between the Reorganization Act and the rule, then he has not a leg to stand on. I shall read from the Reorganization Act. The Reorganization Act says, in rule XXV, which outlines the jurisdiction of committees:

> Committee on the Judiciary, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects.

Included in that category is the category of civil liberties.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes, I yield.

Mr. KNOWLAND. Yes, the Reorganization Act says that, and if such a bill is to be referred, that is the committee to which it should be referred.

Mr. RUSSELL. That is not what the language of the rule says. It says, "to which committee shall be referred." It does not say "maybe," "if," "perhaps," or if it suits the minority leader or this group or that group. It says the bill shall be referred to the committee. It says that in the case of all bills coming within the jurisdiction of the committee.

Mr. KNOWLAND. I recognize that is the Senator's honest interpretation of the rule. I had not anticipated we would get into a general debate on this subject today, but there is another interpretation which is in conformity with the rules, and which does not do violence to the rules, and which is in conformance with the precedents.

Mr. RUSSELL. I did not intend to discuss this question today at any length. I did discuss rule 14, and I wish to have my interpretation of it appear in the RECORD, since I am convinced I am right about it.

I read from the Reorganization Act, section 101 (a):

> As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectfully, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith.

That section goes on to say that there is full recognition of the constitutional right of either House to change such rules.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. I might also invite attention to the fact that the concurrent resolution creating the Joint Committee on the Organization of the Congress, which resulted in the La Follette-Monroney Act, the so-called Reorganization Act, is to be found on page 69, the Journal of the Senate, February 12, 1945.

It states:

> *Provided*, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House.

Mr. RUSSELL. But of course the Senator will concede that title I, section 101, which refers specifically to the rules, was a part of that legislation and the bill passed both Houses and was enacted into law. It is nothing new for one Congress to repeal the action of a previous Congress.

Mr. KNOWLAND. Would the Senator not agree that under the previous provisions, where a bill, as I recall the language, "may be referred", at that point the custom and the precedents of Senate were such that the Presiding Officer could not determine whether or not he would make the referral or would leave it up to the Senate to make the referral?

Mr. RUSSELL. Oh, yes.

Mr. KNOWLAND. In the discussion by the then Senator from Michigan, Mr. Vandenberg, his interpretation, as I read it, and reread it on several occasions, was that "shall" referred to his responsibility as the Presiding Officer to make a referral.

Mr. RUSSELL. I do not agree. If the Senator from Michigan, the then President pro tempore, asserted that, he was dealing with section 137. It was agreed that the bill was to be referred, and the whole discussion took place as to which committee should receive the bill. The Senator from Michigan never raised any question about referral of the bill. The issue was as to which committee it would go, at the time the question was raised by Senator Wherry on the floor of the Senate.

Mr. President, I should now like to advert to one other matter, briefly. We

will undoubtedly be discussing this subject tomorrow—for a few hours, at least, if we are permitted to get in the RECORD our view point on the rules, without having a legislative lynching applied to us in the form of a motion to table. We wish to make a record on this matter.

I should like to advert for a moment to the development of the rules of the Senate. Of course, the first Senate did not have committees as such. They appointed at times special committees to consider specific items of legislation. Being a very small body, they generally proceeded as a Committee of the Whole to consider legislation. We must bear that in mind when we consider the background of rule XIV.

This rule grew up out of that procedure, when ofttimes the Senate would consider legislative matters without reference to a committee, because it was a small group, and it proceeded somewhat as a Committee of the Whole Senate. Since then the Senate has grown from 26 Members to 96 Members, and the committee system has become a fixed part of the legislative process.

In my opinion, Mr. President, we would do violence to a proper construction of rule XIV itself if we should bypass the committee under any such procedure as is proposed. I know we would ravish the Reorganization Act, which says that legislation shall be referred to the separate committees. I shall not at this time belabor the point any longer.

I regret very much, suspecting I am in the minority in this matter, that this procedure perhaps is to be adopted, instead of the regular, legitimate procedure of discharging a committee. I can see a justification, ofttimes, for the discharge of a committee, when a majority of the Senate wishes to act, but I can see no justification for adopting any such procedure as this, that can only lead to confusion and chaos in the Senate time and time again, when we establish a precedent that one Senator and the Presiding Officer can defeat the will of the whole Senate by sending a bill to the calendar instead of having it follow our ordinary committee procedure.

EXHIBIT A

[From the CONGRESSIONAL RECORD, vol. 94, pt. 4, pp. 5168–5172]

OWNERSHIP OF LAND BENEATH WATERS

Mr. DOWNEY. Mr. President, I ask that the President pro tempore lay before the Senate House bill 5992.

The PRESIDENT pro tempore. The Chair lays before the Senate House bill 5992, just received from the House, which will be read by title.

The LEGISLATIVE CLERK. A bill (H. R. 5992) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources.

The PRESIDENT pro tempore. Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard.

Mr. DOWNEY. Mr. President, I desire to object to any further proceedings on this measure at the present time.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. What is the status of the bill at present?

The PRESIDENT pro tempore. The bill has been read the second time; and under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee.

Mr. LUCAS. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I to understand that at the present time the bill will not go to the calendar?

The PRESIDENT pro tempore. The bill goes to the calendar and not to a committee, under the objection of the Senator from California.

Mr. LUCAS. Then it will be necessary for some Senator to move to take it from the calendar and refer it to a committee?

The PRESIDENT pro tempore. Yes.

Mr. TOBEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TOBEY. Is this the bill which would nullify, cast aside, and destroy the decision of the Supreme Court of the United States?

The PRESIDENT pro tempore. The Chair would say that in its staggering impact that is hardly a parliamentary question. The Chair does not undertake to meet that impact.

Mr. AIKEN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AIKEN. Can a bill be placed on the Senate Calendar without reference to a committee by simple majority vote?

The PRESIDENT pro tempore. The bill is placed on the calendar, under the rules of the Senate, on objection by any single Senator to further consideration of it when it has been read twice.

Mr. AIKEN. Then, under this procedure, all further hearings on the part of the Senate are bypassed?

The PRESIDENT pro tempore. Unless some Senator in his own right moves at the parliamentary point when he can, to refer the bill to a committee.

Mr. AIKEN. Then does he have to have a majority vote in order to take the bill off the calendar and refer it to a committee?

The PRESIDENT pro tempore. The Senator is correct.

Mr. DOWNEY. Mr. President, it is not my disposition nor I think that of any other Senator, so far as I know, to attempt at this time to make the bill the business of the Senate or in any way preclude the Committee on the Judiciary from bringing in a report upon the bill which is pending before it. This action merely places the bill upon the calendar. There is no disposition to force it out onto the Senate floor at this time.

Mr. AIKEN. Then, Mr. President, does it have the same position as any other bill on the calendar and does the same right exist to have it brought up at any time?

The PRESIDENT pro tempore. That would be the view of the Chair.

Mr. LUCAS. Mr. President, one further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I correct in my understanding now that a similar bill is pending before the Committee on the Judiciary?

The PRESIDENT pro tempore. The Senator is correct.

Mr. LUCAS. And is being considered by the Committee on the Judiciary?

The PRESIDENT pro tempore. That is correct.

Mr. LUCAS. I merely want to say now that I serve notice on the Senate now that I shall move to refer the bill to the committee.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HATCH. I merely wish to inquire whether the bill, respecting which the Senator from New Hampshire [Mr. TOBEY] made such a pertinent inquiry, is the so-called tidelands bill?

The PRESIDENT pro tempore. It is.

Mr. DONNELL. Mr. President, will the Senator from Illinois repeat what he said, so as to enable those of us on this side of the Chamber to know what was the purport of his remarks? I did not hear what the Senator said.

The PRESIDENT pro tempore. The Senator from Illinois gave notice that at the proper time he would move to take the bill from the calendar and refer it to committee.

Mr. AIKEN. Mr. President, if I may, I should like to say, not in the nature of a parliamentary inquiry, that I think this procedure is one of the most highhanded, outrageous procedures ever attempted on the part of any Member of the Congress. I cannot conceive of anyone attempting to bypass committee hearings, or do anything of this nature which would have the effect of robbing the people of the country of the naval oil reserves, and of overthrowing the decision of the Supreme Court.

The PRESIDENT pro tempore. The Chair trusts that the able Senator from Vermont will acquit the Chair of any part in his indictment. The Chair is following subsection 4 of rule XIV, as required.

Mr. AIKEN. I was not questioning the action of the Chair in the least. I simply say that it is an outrageous proceeding.

Mr. Downey obtained the floor.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I decline to yield.

Mr. TOBEY. Will the Senator give me 30 seconds?

Mr. DOWNEY. No; I decline to yield.

Mr. President, I am sure the distinguished Senator who last spoke would not characterize this as an outrageous proceeding if he understood it. In the first place, nothing has been done here except in accordance with the well-established Senate rule. There is no chicanery about it. There is no disposition to bypass the Judiciary Committee.

I should like to recall to the Senate these facts: This same bill was passed by a substantial majority of the House and Senate last year, but we had no opportunity to vote upon the veto because the President vetoed it too late. It has now passed the House of Representatives by a vote of 10 to 1; and it is my personal opinion that there is not only a substantial majority in the Senate for this bill, but a two-thirds vote for the bill.

Pending before the Judiciary Committee in the past 2 or 3 months has been a similar bill. I shall urge the Senate to keep this bill upon the calendar so that if for any reason the Judiciary Committee does not bring in some kind of a report in time for the Congress of the United States to express its opinion, the Congress of the United States, and not a small minority, may have its will prevail.

Mr. TOBEY. Mr. President, Charles Dickens wrote many books. One of the most interesting was a book entitled "Great Expectations." I think the distinguished Senator from California must have been reading the book when he indulged in the gift of prophecy and stated that in his judgment the bill would pass by a tremendous majority

or by a two-thirds vote over the President's veto.

I wish to tell the Senator—I cannot use the word, but if I could I would use the word "damndest"—the Senator is going to have that kind of a fight on this flood, such as we have never seen before. Some people who believe in the decisions of the Supreme Court, and believe that it is greater than the State of California, are going to fight tooth and nail to stop this thing. To use the language used in the Battle of the Marne, It shall not pass. I give notice that the Senator is in for an interesting time.

Mr. DOWNEY. Mr. President, all I desire is to have a majority of the Senate given the opportunity to express itself. If the distinguished Senator has in mind, by a filibuster or any other method such as he uses, and I will not use——

Mr. TOBEY. What is the Senator referring to? I challenge the indictment. I challenge the Senator to name an instance when I filibustered in the 15 years I have been a Member of Congress. I challenge the Senator to name such an instance. He cannot do it.

Mr. DOWNEY. Mr. President, I have no desire to——

Mr. TOBEY. The Senator made the charge. Now let him answer my challenge.

The PRESIDENT pro tempore. The Senator from California has the floor.

Mr. DOWNEY. If the Senator from New Hampshire or any other Senator has no desire to filibuster this bill, there is no reason for heat or emotion. If the Judiciary Committee does not report the bill in time for the Senate to express its will upon it, the Senate will then have two methods by which to proceed—either a motion to discharge the committee, or, if this bill is still upon the calendar, a motion to make it the business of the Senate. Why all this heat and excitement, I do not understand, unless Senators are afraid to give the Senate an opportunity to express its majority will.

Mr. TOBEY. Mr. President, will the Senator yield for a moment? He made a charge against me.

The PRESIDENT pro tempore. The Senator from California has the floor.

Mr. DOWNEY. Mr. President——

Mr. TOBEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TOBEY. It is this: The distinguished Senator from California, within the last 2 minutes, made a charge against me by referring to my stopping the bill by a filibuster, "as the Senator has done" or words to that effect. I challenge that statement. I challenge him to cite one instance during my 10 years in the Senate, when I have used dilatory tactics or resorted to a filibuster. I asked him to name it. He is on the spot.

Mr. DOWNEY. Mr. President, I did not have the slightest intent to use any language with the interpretation which the Senator has in mind.

Mr. TOBEY. The record will speak for itself.

Mr. DOWNEY. The Senator used certain language on the Senate floor within the past 5 minutes that I do not care to use.

Mr. TOBEY. The Senator is ducking the question. The Senator from California made the statement that he could not understand the reason for heat or emotion. I will tell the Senator why there is some heat here. It is because there will be in America some righteous indignation against the tremendous lobby which has been working on the bill for several years, formerly represented by the gentleman from California, Mr. Ed Pauley, of unsavory reputation, and his cohorts. This is only the beginning. Do not ever again challenge me and impute to me filibustering tactics or unfair procedure.

REPEAL OF OLEOMARGARINE TAXES

The PRESIDENT pro tempore. While the President pro tempore is holding court this morning, he would like to conclude the "hangover" responsibilities at the desk by taking up House bill 2245 for reference. This is the oleomargarine bill which has come over from the House.

In the opinion of the Chair, the situation is as follows: The Chair would be very desirous, if it were possible, to submit the question of reference to the Senate for its own decision, because the point is so close that a persuasive argument can be made both ways in respect to reference, as between the Committee on Finance and the Committee on Agriculture and Forestry.

Under the old rules of the Senate it was possible for the Chair to submit a question of reference or a point of order to the Senate without himself ruling. However, under the Reorganization Act, when a question of jurisdiction arises, the act provides:

"The question shall be decided by the Presiding Officer of the Senate without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in the proposed legislation, but such decision shall be subject to an appeal."

Therefore, the only way, in the judgment of the Chair, that he can submit this question to the Senate for its judgment is for the Chair to make a preliminary ruling of reference, and then let an appeal be taken to determine the Senate's position on the question of reference if an appeal is desired.

Mr. WHERRY obtained the floor.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. FULBRIGHT. Is there any reason why House bill 2245 cannot be placed on the calendar in the same way that House bill 5992 was placed on the calendar?

The PRESIDENT pro tempore. The Chair thinks so, in view of the fact that the question of reference has been reached, and submitted to the Senate by the Chair himself.

Mr. FULBRIGHT. Does this action of the Chair preclude the operation of rule XIV?

The PRESIDENT pro tempore. The Chair thinks so.

Mr. FULBRIGHT. Has the bill been read the first and second time?

The PRESIDENT pro tempore. It has not.

Mr. FULBRIGHT. May I be permitted to make an objection to further action?

The PRESIDENT pro tempore. The Chair recognized the Senator from Nebraska. The Chair will have to ask the Senator from Nebraska if he yields to the Senator from Arkansas for that purpose, because the situation must be left in the hands of the Senate, under the rules.

Mr. WHERRY. Mr. President, the Chair has laid down the business. It is the desire of the Senator from Nebraska that the ruling be made on the question of reference of the bill.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I to understand the Chair to say that a point of order cannot be made under any circumstances, against what is now being attempted by the Chair?

The PRESIDENT pro tempore. The Chair does not understand the Senator's inquiry.

Mr. LUCAS. Do I correctly understand the Chair to rule that simply because the Chair recognized the Senator from Nebraska, a point of order cannot be made or a statement cannot be made by the Senator from Arkansas in respect to a situation which, it seems to me, is on all fours with the similar situation which arose a few moments ago?

The PRESIDENT pro tempore. The Chair did not intend to rule to that effect. The Chair was trying to indicate that, inasmuch as the Senator from Nebraska had been recognized, the Chair thought any affirmative action should be in the hands of the Senator from Nebraska until he had at least concluded his right to the floor.

Mr. WHERRY. Mr. President, inasmuch as this is a highly controversial issue in regard to reference, this bill is not in the same category as the bill which was brought up before. So I restate my request that ruling be made by the President pro tempore in regard to the reference of this bill.

The PRESIDENT pro tempore. It is the opinion of the Chair that when the question of jurisdiction is raised, it is necessary for the Chair to rule. The other rule to which the Senator is referring is subordinate to the necessity for the Chair to rule under the Reorganization Act.

Mr. LUCAS. Mr. President, I cannot quite agree with the distinguished occupant of the Chair. I cannot see why a matter of mere reference, a question as to whether a bill shall be referred to the Committee on Agriculture or whether it shall be referred to the Finance Committee, should make any difference in regard to the fundamental proposition. When a bill which has been passed by the House of Representatives comes to the Senate and when the Senator from Arkansas desires to do the same thing regarding it that the Senator from California did in regard to the other bill—namely, make an objection, to the effect that the bill be placed at the end of the calendar, rather than have reference made—it certainly is beyond my comprehension how in one case a ruling can be made whereby there is no reference at all to a committee, and yet in another case, simply because some Senator raises a question of jurisdiction, reference is made. I do not follow the logic of that procedure.

The PRESIDENT pro tempore. Let the Chair make a further observation, because the Chair can understand the confusion of the Senator from Illinois.

Section 137 of the Legislative Reorganization Act reads as follows:

"In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate, without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal."

It is the view of the Chair that the question of precedence in a case of this character depends entirely upon which point is raised first. Since the question of jurisdiction has been raised first, it is the view of the Chair that the question of jurisdiction takes priority.

Mr. RUSSELL. Mr. President, section 137 was in effect just as much in regard to the tidelands oil bill as it was in regard to the oleomargarine bill. Both bills came to the Senate under identically the same circumstances.

I have the greatest possible respect for the Chair. I have never seen a fairer Presiding Officer. But we are adopting a very dangerous precedent in the Senate if the Chair can raise a question of jurisdiction and thereby deny to one bill the same rights which are inherent in respect to another measure, simply because the Chair does not see fit to raise any question of jurisdiction as to the other measure.

The PRESIDENT pro tempore. Let the Chair interrupt the Senator from Georgia for a moment, to say that in the view of the Chair, the Chair did not raise the question of jurisdiction. The Senator from Nebraska, Mr. Wherry, raised the question of jurisdiction.

Mr. WHERRY. Yes.

Mr. RUSSELL. Mr. President, I have been here on the floor. If the Senator from Nebraska raised any question or point of jurisdiction, I did not hear him do so. The Chair announced that there was a question of jurisdiction; and after making that announcement, the Chair recognized the Senator from Nebraska. The Senator from Georgia heard the Senator from Nebraska state only that he hoped the Chair would go ahead and rule on the question of jurisdiction. He made that statement once or twice or three times.

Mr. WHERRY. Mr. President, I raised the question of jurisdiction and I pointed out the difference between the bills. The bill which came to the Senate and as to which the Senator from California objected to any further proceeding, after it had been read twice—with the result that the bill then went to the end of the calendar—was in regard to an entirely different matter.

In this case, the question is one of jurisdiction. I stood on my feet and said that I felt that inasmuch as the measure was a highly controversial one, the question of jurisdiction should be decided, and I asked for a ruling by the Chair.

Mr. RUSSELL. Mr. President, the Chair had already stated that a question of jurisdiction was involved in regard to the bill. I respectfully submit that a question of jurisdiction is involved in regard to any bill. It may not be controversial in some cases, but a question of jurisdiction is involved in regard to every bill which comes to the Senate.

In this case two bills have come to the Senate from the House of Representatives. They did not come to the Senate under different rules or circumstances. Both of them came to the Senate under section 137 of the Reorganization Act and under rule XIV of the standing rules of the Senate. With all deference to the Chair and with great respect which I have for the Chair, I say it is very unfortunate that the Chair raised a question of jurisdiction before the Senator from Arkansas had an opportunity to submit with respect to the oleomargarine bill the same point which was submitted by the Senator from California with respect to the tidelands bill.

The PRESIDENT pro tempore. Let the Chair make this additional observation: In the initial statement made by the Chair, the Chair was not trying to raise a question of jurisdiction. On the contrary, the Chair was trying to disclose to the Senate why it was necessary for the Chair to make a preliminary ruling if he wished to submit the question of jurisdiction to the Senate.

The whole purpose of the Chair is to avoid the necessity of ruling on the question of jurisdiction, but there seems to be no way of doing so, under the rule. What the Chair was anxious to state was that after the ruling had been made, the Chair hoped the Senate would take its own jurisdiction without prejudice or respect to the Chair's ruling, and thus settle the problem for itself. The Chair was not raising the question of jurisdiction himself.

Mr. RUSSELL. Mr. President, the Chair stated that a question of jurisdiction was involved; and when the Senator from Arkansas rose to his feet and addressed the Chair, the Chair asked the Senator to defer until the Chair had an opportunity to make a statement concerning the jurisdiction of this bill.

With all respect to the Chair, I say it is a most unfortunate precedent that different rules should be applied with respect to these two bills.

Mr. Fulbright and Mr. Maybank addressed the Chair.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President——

The PRESIDENT pro tempore. The Chair wishes to state that the Senator from South Carolina [Mr. Maybank] has been on his feet for some time, addressing the Chair. Does the Senator from Arkansas yield to the Senator from South Carolina at this time?

Mr. FULBRIGHT. Not just at this time.

Mr. President, I do not believe House bill 2245 has been read the first and second time by the clerk.

Mr. DONNELL. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Arkansas yield for a parliamentary inquiry?

Mr. FULBRIGHT. Mr. President, I should like to propound my own parliamentary inquiry first.

Mr. DONNELL. Mr. President, I insist that a parliamentary inquiry is always in order.

The PRESIDENT pro tempore. The Senator from Arkansas does not have to yield for a parliamentary inquiry unless he wishes to do so.

Mr. FULBRIGHT. Mr. President, as I understand the situation, House bill 2245 has not been read the first and second time. Is that correct?

The PRESIDENT pro tempore. The Senator is correct.

Mr. FULBRIGHT. As soon as it is, at that point is it in order for me to object to further proceedings in regard to the bill?

Mr. WHERRY. Mr. President, will the Senator from Arkansas yield for a parliamentary inquiry?

Mr. FULBRIGHT. I should like to obtain an answer to my inquiry, first.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Arkansas yield for that purpose?

Mr. FULBRIGHT. Not until I have an answer to the inquiry I have propounded.

The PRESIDENT pro tempore. Will the Senator from Arkansas restate his inquiry?

Mr. FULBRIGHT. It is this: After House bill 2245 has been read the first and second times by the clerk, is it in order for me at that time to object to further proceedings in regard to the bill?

The PRESIDENT pro tempore. If the Senator is recognized, he can do so. The sole question is one of priority in respect to recognition because either procedure is in order.

Mr. FULBRIGHT. In other words, regardless of whether rule XIV applies, it is within the discretion of the Chair, is it not, to recognize the Senator from Nebraska? Is that the situation?

The PRESIDENT pro tempore. The Senator is correct.

Mr. FULBRIGHT. It seems to me that is a rather odd situation respecting the application of rule XIV.

The PRESIDENT pro tempore. There is scarcely anything odd in permitting the Chair to recognize Senators. That is what the Chair is here for.

Mr. FULBRIGHT. But, for the purpose of applying rule XIV, it seems to me, under the California case, the objection to further consideration should be in order, before that action is taken.

Mr. DONNELL. Mr. President, will the Senator from Arkansas yield for an inquiry?

The PRESIDENT pro tempore. Does the Senator from Arkansas yield for a parliamentary inquiry?

Mr. FULBRIGHT. I yield.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. DONNELL. I should like to inquire as a matter of information whether or not the oleomargarine bill has yet received a first and second reading?

The PRESIDENT pro tempore. It has not.

Mr. DONNELL. Then, Mr. President, I make the point of order that it cannot be placed on the calendar at this time because of the fact that rule XIV, subdivision 4, says:

"Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar."

My point is that the Chair is entirely correct in proceeding to make his ruling, and that this bill cannot now be placed on the calendar because a first and second reading of the bill has not yet been had.

The PRESIDENT pro tempore. The Senator is correct, up to this point.

Mr. WHERRY. Mr. President, may we have the first and second reading of the bill?

The PRESIDENT pro tempore. Under the rule bills may be read twice by title.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. LUCAS. I respectfully present this hypothetical question: When the Senate is considering any bill which comes from the House, would it be in order to question committee jurisdiction of the bill, in order to keep it from going to the calendar?

The PRESIDENT pro tempore. Will the Senator repeat his question?

Mr. LUCAS. My question is, With respect to any bill coming from the House, would it be in order for any Senator to question to which committee the bill should be referred, in order to keep it from going to the calendar?

The PRESIDENT pro tempore. It would be, after the second reading.

Mr. LUCAS. And if the Senator could obtain recognition?

The PRESIDENT pro tempore. That is correct.

Mr. MAYBANK. Mr. President, as I understand the parliamentary situation, the bill cannot be placed on the calendar.

The PRESIDENT pro tempore. Will the Senator repeat his question?

Mr. MAYBANK. As I understand the parliamentary situation, the bill is not to be placed on the calendar without reference.

The PRESIDENT pro tempore. The bill has not yet been read.

Mr. MAYBANK. Mr. President, I should like first to suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Gurney, Hatch, Hawkes, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Kilgore, Knowland, Langer, Lodge, Lucas, McCarthy, McClellan, McFarland, McGrath, McKellar, McMahon, Maybank, Moore, Morse, Murray, O'Conor, O'Daniel, O'Mahoney, Overton, Reed, Revercomb, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Stewart, Taylor, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Umstead, Vandenberg, Watkins, Wherry, White, Wiley, Williams, Wilson, Young.

Mr. WHERRY. I announce that the Senator from Ohio [Mr. Bricker], the Senator from South Dakota [Mr. Bushfield], the Senator from Indiana [Mr. Jenner], and the Senator from Colorado [Mr. Millikin] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Nevada [Mr. MALONE] and the Senator from Pennsylvania [Mr. MARTIN] are absent on official business.

Mr. LUCAS. I announce that the Senator from Kentucky [Mr. Barkley], the Senator from Rhode Island [Mr. Green] the Senators, from Alabama [Mr. Hill and Mr. Sparkman], the Senator from South Carolina [Mr. Johnston], the Senator from Washington [Mr. Magnuson], and the Senator from Pennsylvania [Mr. Myers] are absent on public business.

The Senator from Georgia [Mr. George] is absent because of illness in his family.

The Senators from Florida [Mr. Pepper and Mr. Holland] are absent by leave of the Senate. The Senator from Nevada [Mr. McCarran] and the Senator from New York [Mr. Wagner] are necessarily absent.

The PRESIDENT pro tempore. Seventy-five Senators have answered to their names. A quorum is present.

The Chair lays before the Senate, House bill 2245, the oleomargarine bill, which has come from the House and which will be read the first time by title.

The LEGISLATIVE CLERK. A bill (H. R. 2245) to repeal the tax on oleomargarine.

The PRESIDENT pro tempore. Is there objection to the second reading of the bill?

Mr. FULBRIGHT. I object.

The PRESIDENT pro tempore. The bill will go over automatically until tomorrow or the next legislative day.

Mr. MAYBANK. Mr. President——

The PRESIDENT pro tempore. The Senator from South Carolina is recognized.

Mr. MAYBANK. Mr. President, I regret that the situation is such that the Chair could not rule today on the question. The bill, which came from the House of Representatives, was introduced by the Representative from my home district and from my home, Representative RIVERS. After a long fight the bill was finally passed by the House, and I was hopeful that today the Senate would take it up and that the Chair would rule on the committee to which the bill should be referred.

In 1943 and 1944 a similar fight took place in the Senate I submitted to tax bill after tax bill amendments proposing to repeal the taxes on oleomargarine. Extensive hearings were held by the Finance Committee, of which the Senator from Georgia [Mr. George] was at that time chairman. The distinguished President pro tempore of the Senate was at that time the ranking Republican on the Finance Committee. The oleomargarine interests and other witnesses testified. Through all those hearings the measure was handled by the Finance Committee. Of course I should like to see the bill placed on the calendar, as was done in the case of the tidelands oil bill. I hope that the Chair, who has always been fair in the reference of bills, will not forget that the hearings on oleomargarine were held before the Finance Committee in 1943, 1944, and 1948, which committee already has a great deal of information on the subject. I therefore trust that the bill as passed by the House will be referred to the Finance Committee.

The Senator from Colorado [Mr. Millikin], the chairman of the Finance Committee, recently made the statement in the Senate, in answer to me, that he considered it to be a tax matter and that the Finance Committee would take it up in due time.

So, Mr. President, without further statement, I trust that when the matter comes up tomorrow, unless the bill can be placed on the calendar, the distinguished President pro tempore will refer the bill to the Finance Committee which heard the arguments in 1943, 1944, 1947, and 1948.

[From the CONGRESSIONAL RECORD, vol. 94, pt. 4, pps. 5219–5239]

REPEAL OF OLEOMARGARINE TAXES

Mr. WHERRY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnelly, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lodge, Lucas, McCarthy, McClellan, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Daniel, O'Mahoney, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, Young.

Mr. WHERRY. I announce that the Senator from Ohio [Mr. Bricker], the Senator from South Dakota [Mr. Bushfield], the Senator from New Jersey [Mr. Hawkes], the Senator from Indiana [Mr. Jenner], and the Senator from West Virginia [Mr. Revercomb] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Maine [Mr. White] is absent because of illness.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. George] and the Senator from Tennessee [Mr. Stewart] are absent because of illness in their families.

The Senator from Kentucky [Mr. Barkley] and the Senators from Alabama [Mr. Hill and Mr. Sparkman] are absent on public business.

The Senators from Florida [Mr. Holland and Mr. Pepper] and the Senator from Idaho [Mr. Taylor] are absent by leave of the Senate.

The Senator from Nevada [Mr. McCarran], the Senator from Maryland [Mr. O'Conor], the Senator from Louisiana [Mr. Overton] the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] are necessarily absent.

The PRESIDENT pro tempore. Seventy-four Senators have answered to their names. A quorum is present.

Under authority of paragraph 1 of rule VII the Chair lays before the Senate for its second reading, H. R. 2245, which the clerk will read by title.

The LEGISLATIVE CLERK. A bill (H. R. 2245) to repeal the tax on oleomargarine.

The PRESIDENT pro tempore. The Chair wishes to make a general statement of the parliamentary situation so that all Senators may be fully advised of the procedure which is contemplated. There is an unfortunate conflict in construction between rule XIV of the Senate and section 137 of the Reorganization Act. At the moment it is needless to go into the details of this conflict, but it turns finally, apparently, upon the pure question as to who is first recognized by the Chair to assert his rights under these two conflicting rules.

This situation has never heretofore arisen. Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself.

In order to accomplish this result, the following procedure is necessary. The Chair will first recognize the Senator from Nebraska, Mr. Wherry, to raise the question, which he is entitled to raise under section 137 of the Reorganization Act, which requires the Chair, without debate, to make a reference of the pending bill to the committee which in his judgment has appropriate jurisdiction. When that motion has been made by the Senator from Nebraska, and recognized, the Chair will recognize the Senator from Arkansas [Mr. FULBRIGHT] to raise a point of order regarding the priority of his rights under rule XIV of the Senate. When the Senator from Arkansas has made his point of order, the Chair, under rule XX of the Senate, will submit to the Senate itself, for decision, the question whether the Senator from Arkansas is entitled to priority under rule XIV, or whether the Senator from Nebraska is entitled to priority under section 137 of the Reorganization Act. This procedure has been discussed with all concerned, and seems to be the fairest way to resolve an exceedingly difficult and perplexing parliamentary impasse.

The Chair recognizes the Senator from Nebraska.

Mr. WHERRY. Mr. President, from a reading of the discussion and proceedings in the CONGRESSIONAL RECORD of yesterday concerning House bill 2245, there appears to be a difference of opinion as to which committee of the Senate has jurisdiction over the proposed legislation. In view of the fact that such a controversy has arisen in this case, it is my belief that under the provisions of section 137 of the Legislative Reorganization Act of 1946, it now becomes the duty of the President pro tempore of the Senate to decide the question of jurisdiction, and I ask the Chair to rule on that question of jurisdiction and on the question of reference to the committee to which the bill should be referred.

The PRESIDENT pro tempore. The Chair is prepared to rule, but first recognizes the Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, I make the point of order that under rule XIV, paragraph 4, after the second reading of the bill, if objection is made to further proceedings, it shall be placed on the calendar. The language of that rule is very clear. I also submit that under the interpretation requested by the Senator from Nebraska that every bill——

The PRESIDENT pro tempore. The Senator is not entitled to debate the point of order until it is submitted to the Senate.

The Senator from Arkansas raises the point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar. The Chair proposes to submit that question to the Senate under rule XX. The question submitted to the Senate is as follows: Is the point of order of the Senator from Arkansas well taken? Upon that the Senate will vote yes or no.

The question now submitted under rule XX is subject to debate, and the Chair again recognizes the Senator from Arkansas.

Mr. FULBRIGHT. Mr. President, I might cite as the first authority for the point of order, the ruling of the Chair on yesterday by which the Senator from California [Mr. Downey] was recognized for a similar purpose respecting a highly controversial bill. In fact I am sure it will arouse and has aroused already as much controversy as the oleomargarine bill. I refer to the so-called tidelands bill. On yesterday that bill was

sent directly to the calendar by the ruling of the Chair under rule XIV.

The language of rule XIV is very clear. It is not for me to justify that rule on its merits, because I can see that there is possibility of its use to circumvent the committees in many instances. The rule has not been often employed, but it stands, and I think that the ruling, under the present conditions, must be in accord with the provisions of paragraph 4 of rule XIV.

For the benefit of some of the Members of the Senate who were not present yesterday, I should like to read the provision. It is as follows:

"4. Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee—"

And this is the important part—

"shall, if objection be made to further proceeding thereon, be placed on the calendar."

That last sentence is the whole crux of the matter. It seems to me that in the interpretation and application of the rule there is only one reasonable way to apply it, and that is that after the second reading of a bill the Chair then would be in the attitude of saying to the Senate, "Is there objection?", which would give an opportunity for objection at that point; otherwise the rule would be meaningless; and at that point, if any Senator does object—exactly as happened on yesterday when the Senator from California [Mr. Downey] did object to further proceedings on the tidelands bill—the bill should be sent to the calendar. I think that is the only reasonable interpretation of rule XIV.

The alternative, I should say, is that the Chair, by recognizing any Senator who might raise a point of controversy respecting a bill—something which is inherent in every bill, of course—would completely nullify the rule. I think the rule must be abided by and interpreted reasonably; otherwise it stands there as a possibility for such action in respect to all legislation, and it is very important that the Senate clarify the application of the rule. If it is applied as it is written, then we shall know how to proceed. If it is applied as the Chair has indicated it may be—by recognizing some Senator to raise the point of controversy under section 137—we shall be in an indefinite position at all times. The Senate will be subject at any time, when any bill comes to the Senate from the House, to having it placed on the calendar without going to a committee. So the only reasonable way for it to be applied is by the recognition under rule XIV of an objection after the second reading.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. FERGUSON. If the point of order were well taken, would it not mean that from now on all bills coming from the House would go on the calendar?

Mr. FULBRIGHT. If objection were made after the second reading; that is correct.

Mr. FERGUSON. Any Member of the Senate could have the bill placed on the calendar.

Mr. FULBRIGHT. That is correct. I invite the Senator's attention to the fact that that is exactly what happened yesterday in connection with the tidelands bill.

Mr. FERGUSON. That happened yesterday because no Senator had taken the initiative to refer it to a committee. Now we have a motion for a decision on the question of reference. According to the Senator's interpretation of the rule, any Member of the Senate could have the bill placed on the calendar, and then the only way to get it to a committee would be by majority vote.

Mr. FULBRIGHT. On motion.

Mr. FERGUSON. On motion and by a majority vote.

Mr. FULBRIGHT. Yes.

Mr. FERGUSON. A tie vote would still leave it on the calendar.

Mr. FULBRIGHT. Is that not the real meaning of the rule? Is that not what the rule says?

Mr. FERGUSON. I do not so interpret the rule.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. CORDON. My question has no application to yesterday's situation. As I understand the RECORD of yesterday, there was no attempt by the Chair to refer the tidelands bill. Yesterday, when the bill was read for the second time, there was no action on the part of the Chair to refer that bill to any committee. The Senator from California [Mr. Downey] then objected to further consideration. So my question would not be applicable to that situation, but it would be applicable to this situation.

I shall go a little further, if I may, with the Senator's indulgence. Assuming that the bill is read the first and second time, and having in mind the provisions of section 137 of the Reorganization Act, which now directs the Chair to refer bills to committees, giving the Senate only the right of appeal—in view of that section of the Reorganization Act and the provisions of paragraph 4 of rule XIV, assuming that a bill is read twice, and at that time, even though a Senator has risen to his feet seeking recognition, the Chair, pursuant to his duty under section 137 of the Reorganization Act, seeks immediately to refer the bill to a committee. In that event, would not the provisions of paragraph 4 of rule XIV permit that to be done?

The point I make is that the right of the Chair with respect to reference to a committee is a prior right to the right of a Member of the Senate to object to further consideration.

I now come to the reading of the paragraph to which I wish to invite the Senator's attention. Frankly, I feel that the problem here is of far greater importance than any bill that can ever come before the Senate. It is a question of orderly procedure. That is the only reason I am taking the Senator's time. I hope he will indulge me for a few minutes longer.

Mr. FULBRIGHT. Does the Senator interpret section 137 of the Reorganization Act as directing the Chair to make the reference in the absence of a controversy having been suggested by a Member of the Senate? The language seems to provide that he shall exercise this duty only when some Senator has raised the question.

Mr. CORDON. I shall come to that question in a moment. However, in order to have the two provisions together, permit me to read a portion of paragraph 4 of rule XIV. I shall skip the first portion and start with the second line from the bottom, at the comma, which brings out all that is pertinent to my argument:

"And every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar."

I invite the Senator's attention to the clause "without being referred to a committee." To me the use of those words in that sentence indicates that after the first and second reading there may be a reference to a committee; but if such reference be not made, then any Member of the Senate may object to further proceedings, and objection being made, the bill goes on the calendar. That would seem to me to be perfectly clear. If that interpretation were followed it would lead to a far more orderly handling of the business of the Senate.

Mr. FULBRIGHT. Mr. President, I do not see where the Senator finds the duty imposed upon the Chair to make such reference when no controversy has been suggested by a Member of the Senate at that point. Such an interpretation would leave bills coming over from the House in a very indefinite situation. The Chair may, on his own motion, make the reference; or, if he neglects to do so, any bill may be placed on the calendar, with the possible exception of appropriation bills. I believe it is specifically provided under the rules that they shall go to a committee. I believe that all other bills might be placed on the calendar, which is something very unexpected, I think to all Members of the Senate.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HICKENLOOPER. I should like to ask a question of the Senator from Arkansas, the Parliamentarian, or anyone else who has been examining the question. The language "which shall have received a first and second reading without being referred to a committee" raises this question in my mind: Does that mean that if a first and second reading of a House bill or joint resolution is had, and then it is intended to proceed to a vote or to a third reading of the bill, objection can be made and the bill can be placed on the calendar, rather than proceeding to a third reading? The statement is not clear, but it seems that that language might lend itself to such an interpretation. I am wondering if that phase of the question has been explored.

Conceivably, a House bill coming over here could go to its first and second reading and then proceed immediately to a third reading, which would be preliminary to passage of the bill. My question is whether or not the rule in Jefferson's Manual means that objection can be interposed immediately after the second reading and before the third reading and passage and the bill placed on the calendar rather than proceeding to a third reading and passage.

It seems to me, with the meager knowledge I have of precedents, that the general connotation of the rule is that after the first and second reading of the bill it is referred to a committee unless an attempt is made to bring it to a third reading and passage immediately. I am making inquiry of the Senator from Arkansas as to the interpretation of the rule. I am not versed in the precedents. However, I think the rule might well be subject to that interpretation.

Mr. FULBRIGHT. Mr. President, I do not wish to take up too much time. Being a relatively new Member of the Senate, I do not profess to be an authority on the subject. I shall not undertake to explore the other possibilities in regard to the significance of the rule. It seems to me that generally it would be unfortunate for bills to be acted upon indiscriminately, without notice, under rule XIV. But the point is that the rule has been interpreted in this way; and, in all fairness, I think that, inasmuch as the rule was applied that way yesterday, if the rule means anything it all, it should be applied in exactly the same way in this case. If later on the Senate wishes to revise the rule, that will be a different matter.

But I do not think it would be proper to make a distinction in this case, based solely upon the question as to whether the Senator has raised the point under section 137 of the Reorganization Act. That would leave the matter in a wholly unsatisfactory situation. I believe the Senate must follow the language as it is written.

I should like to close my part of the debate and leave the remainder of the debate to other Senators who have had longer service and are much better versed in the Senate rules, and I shall be glad to have them elaborate on this subject.

Mr. WHERRY. Mr. President, first, in raising the question of committee jurisdiction under section 137 of the Reorganization Act, it is my contention that a portion of a paragraph which I shall read later is in contradiction of rule XIV. I think there can be no doubt of that, if we consider the language itself, rather than the background under which the Reorganization Act was passed.

Let me state in the beginning that I am not passing on the merits of this bill when I take the position that I should like to have it referred. The question of the merits of the bill is not at this time before the Senate. Senators may be in favor of or may be opposed to the bill, or they may be in favor of having the bill referred to the Committee on Agriculture and Forestry or they may be in favor of having it referred to the Finance Committee, but those questions are not now before the Senate. What is before the Senate is in reality an interpretation by the Senate of paragraph 137 of the Reorganization Act. That is why it is vital that the decision be made today, because we shall be establishing a precedent, which, if adopted, will place section 137 in conflict at least with rule XIV; and if it is not, then I think either the section or the rule should be clarified.

So I should like to have the RECORD show that there is to be no determination on the merits of the bill in this connection. Neither is there to be a determination now as to whether the bill should be referred to one committee or another committee, until the ruling is made. After the ruling is made, if any Member of the Senate disagrees with the ruling as to the reference of the bill, of course he can appeal from the decision, and that question can be debated.

There was a difference between the status of the so-called tidewater lands bill and the oleomargarine bill at the time when the points as to procedure were made. In answering the question asked by the Senator from Iowa, which I think is very pertinent, let me say that we have to read paragraph 4 and all the other paragraphs in order to understand the full import of rule XIV. Let me suggest that paragraph 2 of that rule provides that—

"Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different day—"

That means three different legislative days—

"unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order."

So, Mr. President, each bill requires three readings, and requires that those readings be had on different days. I point out to the Senate that they must be different legislative days.

The third paragraph of rule XIV provides that—

"No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee—"

Please note that it is not mandatory that a bill be referred to a committee. It may be referred to a committee, but, as I understand, there is no precedent which makes it mandatory that a bill be referred to a committee. It simply may be referred to a committee, after the second reading.

I read further from paragraph 3 of rule XIV:

"Bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to—"

Of course—

"for reference, but shall not be considered on that day nor debated, except for reference, unless by unanimous consent."

I think that clarifies the situation. In other words, it is not mandatory for the Presiding Officer to refer a bill to a committee after the second reading, but that may be done. That is discretionary with the occupant of the chair.

The portion of the fourth section of rule XIV on the basis of which the Senator from Arkansas relies in making his point of order reads as follows:

"And every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceedings thereon, be placed on the calendar."

The senior Senator from California invoked this rule for the first time since I have been a Member of the Senate. He had a perfect right to do so. He stood on the floor and was recognized, and then said, "Mr. President, I object to any further proceedings in connection with this bill."

Then what happened? What is provided in the rule happened. The bill went to the calendar; and when the bill is on the calendar it takes its place with all other bills on the calendar; and the only way it can be brought before the Senate is by motion. In other words, it would have to be made the pending business, and that could be done by means of a motion for the consideration of the bill, as in the case of any other bill.

After the proceedings in reference to the tidelands bill, the President pro tempore referred to House bill 2245, the oleomargarine bill, and the question relative to the committee to which the bill should be referred. At that point the Senator from Arkansas inquired about the operation of rule XIV in that connection and inquired whether the bill had been read either the first or the second time. At that point it had not been read either the first or the second time. I myself stated that it was my desire that a ruling be made on the question of reference of the bill. I requested such a ruling.

Finally, after much discussion and controversy, which the Senator himself admits in his remarks today, the Chair was asked by the acting majority leader if the bill could be read. After the first reading had occurred the Senator from Arkansas took advantage of the same rule of which the senior Senator from California [Mr. Downey] also took advantage yesterday in connection with the tidelands bill, and asked that no further proceedings be had on that day in regard to that bill.

Yesterday the Senate adjourned, thus ending that legislative day, with the result that today we have a new legislative day.

Now we have the second reading of the bill. If the Senator's objection is sustained it will mean that after the second reading of the bill is had the bill will go to the calendar.

But prior to all that I raised once again the question of reference. The President pro tempore, who occupied the chair yesterday, as he does at this time, recognized the acting majority leader, the junior Senator from Nebraska, and I made the same statement that I made yesterday; namely, that a controversy had arisen with reference to which standing committee should have jurisdiction of the bill and the standing committee to which the bill should be referred, and I asked the Chair to rule. Of course, if no objection had been made the Chair would have ruled; and regardless of whether the ruling thus made might have been favorable or unfavorable to any particular Senator, each and every Senator would have had the right, of course, to appeal from the ruling of the Chair, on the basis of the committee to which he preferred to have the bill referred. But a point of order was raised in keeping with the Legislative Reorganization Act of 1946. Section 137, to be found on page 24, which I should like to read at this time, contains the following language:

"In any case in which a controversy arises"—I want Senators to note the language—"In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate—"

"The jurisdiction of any standing committee of the Senate"—not of this committee, not of that committee. It means, in any case, no matter what it is, when a controversy arises. It does not say a controversy here, or a controversy there, but if any controversy arises "as to the jurisdiction of any standing committee with respect to any proposed legislation."

First, in any case; second, any controversy; third, jurisdiction; and last, with respect to any proposed legislation. It seems to me that covers the whole book. Then what happens? When the point is raised, according to section 137, the Chair makes the ruling. Section 137 provides:

"The question of jurisdiction shall be decided by the Presiding Officer of the Senate, without debate—"

What else?—

"in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal."

It may be argued that that particular section has nothing to do with anything except the jurisdiction of a committee, or of a particular committee. That is what we have got to decide this morning. Does this paragraph mean what it says? Does it mean that the only question that can be raised, in the light of the Legislative Reorganization Act, is the question, to which committee shall a bill be referred? If it means what it says, it seems to me that when a controversy arises and it is pointed out to the Presiding Officer that there is a question of the jurisdiction of a standing committee with respect to any legislation, the Presiding Officer is called upon to make a ruling. If the Presiding Officer in making the determination rules that it shall go to one committee over another, which is a part of his duty, then of course Senators have a right to appeal.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. After one more statement I shall yield to the Senator from Georgia.

Of course, each and every Member of the Senate can do what he thinks proper. It is for Senators to decide whether there is any meaning in section 137. I am convinced that the arguments advanced by the distinguished Senator from Arkansas are correct. I believe a Senator who invokes rule XIV has a right to object to the first reading or the second reading, and that if objection is made, it is mandatory upon the Presiding Officer to have the bill placed on the calendar. I think there can be no dispute about it, if we look only to rule XIV, which I interpret as I see it.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. WHERRY. In a moment, if the Senator please. I do not feel that that interpretation was intended by rule XIV, for the reason suggested by the Senator from Michigan [Mr. FERGUSON]. There cannot be orderly procedure in the Senate if each and every bill must go to the calendar upon objection. If that rule should be followed, the Senate would have to provide that a motion should be made that each and every bill so placed on the calendar should come off the calendar and onto the floor as the

pending business, for assignment to a committee. That is my first point.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. WHERRY. In a moment. I have refused to yield to other Senators. I shall yield later. My second point is, if all bills go to the calendar, then the work of the standing committees would be bypassed. That was not intended. Certainly if we are to put all bills upon the calendar, thus bypassing the committees, which I have an idea is what was done by the distinguished Senator from California yesterday, the rule could be invoked for the benefit of one Senator, overriding the wish of other Senators, in the event of a tie vote, to prevent the Senate, in an orderly manner, sending bills to the standing committees, where they can be considered, where they can be discussed, where evidence may be taken, and the bill reported to the Senate in an orderly fashion, for debate and a third reading, to be followed in turn by either passage or rejection. If that is the correct interpretation of rule XIV, and if we are to invoke that rule each and every time a Senator does not want a bill referred to a standing committee, we shall then have utter confusion and chaos in our legislative procedure. It cannot be argued otherwise.

Mr. President, I am not sure that my interpretation of section 137 will be sustained by the Senate, but we are doing something more than simply passing judgment on the interpretation of section 137. We are in reality determining whether if and when there comes before the Senate a bill in respect to which a controversy arises, and any Senator asks the Presiding Officer for a ruling on the question of jurisdiction, and the Presiding Officer makes a ruling, there shall be an orderly determination of whether or not the bill shall be referred to this committee or that committee. In so doing we shall set a regular pattern that will obviate the difficulties which we now experience.

Just one more point, and then I shall conclude my remarks. Question might arise as to whether or not there was a controversy, and as to how the controversy should be raised. That point was made I think by one of the Senators yesterday, because at the time the Senator from Arkansas made his point of order, the complaint was made that no controversy had arisen, and there was no motion before the Senate. I should merely like to refer Members of the Senate to the CONGRESSIONAL RECORD of yesterday. There certainly was a controversy in the Senate about this bill. There was a controversy concerning whether it should be referred to any committee. There certainly was a controversy implied with respect to its reference to a certain committee. We all know that that is what is involved in respect to this bill, just as it was involved in respect to the bill which the Senator from California had placed on the calendar, as the result of his having invoked this particular rule. I do not know that it is necessary to read all the colloquy, but I shall read a portion of it:

"Mr. WHERRY. Mr. President, the Chair has laid down the business. It is the desire of the Senator from Nebraska that the ruling be made on the question of reference of the bill."

I raised that question before a point of order was ever made. As for the ruling under section 137 of the Legislative Reorganization Act, which I think I had a right to ask——

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WHERRY. If the Senator will wait a moment, I shall yield.

Mr. FLANDERS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield?

Mr. WHERRY. I do not yield at this time for a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Nebraska declines to yield.

Mr. WHERRY. I should like to finish my observations, after which I shall be glad to yield to any Senator.

In the next place, as showing the existence of a controversy, I read the following statement by the Senator from Illinois:

"Mr. LUCAS. Am I to understand the Chair to say that a point of order cannot be made under any circumstances, against what is now being attempted by the Chair?"

The President pro tempore of the Senate replied:

"The Chair does not understand the Senator's inquiry."

The Senator from Illinois:

"Mr. LUCAS. Do I correctly understand the Chair to rule that simply because the Chair recognized the Senator from Nebraska, a point of order cannot be made or a statement cannot be made by the Senator from Arkansas in respect to a situation which, it seems to me, is on all fours with the similar situation which arose a few moments ago?"

Of course, the Senator from Arkansas had a perfect right to invoke rule XIV, paragraph 4, if and when it is in order at any time. But I want to say to the distinguished Senators from Arkansas and Illinois that the Senator from Nebraska had already requested a ruling by the Chair, under section 137 of the Legislative Reorganization Act.

From that point, on page 5170 of the RECORD, there was continuous debate. Several times a demand was made for a ruling, and each time it was denied or foreclosed. The point is this: There was a difference, at the time the ruling was made, between the status of the tidelands bill and the status of the oleomargarine bill, although I agree that, at the proper time, in the reading of the bill, the rule could be invoked. That was after the Senator from Nebraska had asked for a ruling on the reference of the bill under section 137, which provides that where a controversy has arisen the Chair shall make a determination of jurisdiction and a further determination as to the committee to which the bill shall be referred.

I first yield to the Senator from Georgia, and then to the Senator from Vermont [Mr. FLANDERS].

Mr. RUSSELL. Mr. President, I largely agree with the Senator's able argument as to the inherent dangers of bypassing committees of the Senate. I would not favor a policy of parliamentary procedure which would deprive standing committees of their jurisdiction in the case of a bill which I favored any more than I would in the case of a bill which I opposed. Our whole parliamentary system is built upon the investigations conducted by committees. The detail work of legislation is done in the committees, and there should be no device which would enable a Senator to bypass a committee and deny it proper jurisdiction.

Mr. President, I think that some of the Senator's argument is somewhat specious and does not finally settle the question which is here involved. If the Chair had recognized the Senator from Nebraska yesterday, and if the Senator from Nebraska had insisted on the application of rule XIV to the oleomargarine bill, if I correctly understand the Senator's argument, the Chair would have been compelled to order the bill to the calendar without any right——

Mr. WHERRY. Mr. President, I think I could have objected, as did the Senator from Arkansas [Mr. FULBRIGHT]. I could have made my appeal and could have brought the question to an issue under section 137, which we are doing today, in reverse.

Mr. RUSSELL. Under the Senator's argument, the Chair and one Senator could bypass a standing committee of the Senate as was done in the case of the tidelands oil bill. It would be left absolutely in the discretion of the presiding officer as to whom he should recognize. That would not be an effective way of complying with section 137 of the Reorganization Act.

Mr. WHERRY. I think the Senator has improperly stated the situation. It would not have made any difference whether the Chair recognized the Senator from Nebraska under section 137 of the Reorganization Act, or had recognized the Senator from Arkansas, under rule XIV. Each one would have had the right to object and to appeal from the decision of the Chair if a ruling were made.

Mr. RUSSELL. Oh, no. Under the Senator's argument, if the Chair had recognized the Senator from Arkansas first and the Senator had asserted his right under rule XIV, the Chair would have had no option but to order the bill to the calendar. Then how could the Senator raise the question under section 137?

Mr. WHERRY. Would not the junior Senator from Nebraska have had a perfect right to disagree with the Chair's action sustaining the objection, to appeal from the decision of the Chair, and to argue and debate the question under section 137?

Mr. RUSSELL. I do not say that the Senator from Nebraska did not have the right to insist on section 137 when he was recognized. The point I raise is that if the Senator from Nebraska had insisted that the bill go to the calendar under rule XIV, there would have been no way to prevent it. There would have been no method of raising the question of jurisdiction under section 137. We have really done nothing toward deciding the question, in the way it is now presented to the Senate, except to say that the Chair and one Senator can operate under rule XIV to keep a bill from a standing committee, but that no single Senator can do so unless he is recognized, and that if a controversy is raised under section 137 the Senator raising it must be recognized first. That does not settle this very grave question.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WHERRY. I shall yield next to the Senator from Vermont [Mr. FLANDERS], if the Senator from Georgia has concluded.

Mr. RUSSELL. I should like to ask the Senator some questions as to what would have happened when the Senator was first recognized if he had said, "Mr. President, I insist that this bill be read the second time and go to the calendar."

Mr. WHERRY. In other words, what would have happened if I had taken the same position as was taken by the Senator from Arkansas? Is that the question?

Mr. RUSSELL. Yes.

Mr. WHERRY. The bill would have gone to the calendar. I could have disagreed with the decision of the Chair. I could have appealed and presented in my appeal section 137. But I think the Senator from Nebraska is in a better position than he otherwise would have been under that procedure, because section 137 provides for the event of a controversy. I think the Senator from Nebraska was recognized even before the Senator from Arkansas had a right to make his objection, because the bill had not been read even once when he made his objection. So at the time I brought up the issue that there was a controversy and asked for a ruling, I did it under the provisions of section 137 of the Reorganization Act, which I had the right to do. At that time the President pro tempore made a ruling, and if his ruling had not been satisfactory an appeal could have been taken.

I now yield to the Senator from Vermont.

Mr. RUSSELL. Will the Senator indulge me for one further observation before he yields to the Senator from Vermont?

Mr. WHERRY. Yes; I shall be glad to.

Mr. RUSSELL. I am not complaining that the Senator from Nebraska asserted his rights

under section 137. I am insisting that we are not making any progress in this matter when the Chair and one Senator can deny the jurisdiction of a standing committee of the Senate if the Chair recognizes a Senator to insist upon rule 14 rather than to raise the issue of jurisdiction under section 137 of the Reorganization Act.

Mr. WHERRY. The only way we can make progress, if we are to invoke rule XIV, is to change the rule. Otherwise any Senator can object to a reference being made; and the only way we can get a bill off the calendar is to get a special order. That certainly would cause chaos in the Senate. By asking an interpretation of section 137 when the Senator from Nebraska was recognized and requested that the bill be referred, a ruling would have been made. If it was a question of reference, we would have had a vote yesterday and the bill would have been referred yesterday. Today where is it? If the objection is sustained, it goes to the calendar. We can get it off the calendar only if there are sufficient votes to bring it up for consideration.

I now yield to the Senator from Vermont.

Mr. FLANDERS. Mr. President, in reading rule XIV, paragraph 4, I find a certain vagueness in the last sentence: "which shall have received a first and second reading without being referred to a committee."

The inquiry I wish to make is, At whose discretion is a bill which is introduced referred to a committee or not referred to a committee?

The PRESIDENT pro tempore. The Senator is reading a section of the rule which is one of the imponderable factors in this entire contemplation. What the language probably means is that if a bill has received a first and second reading, but has not yet been referred in the interlude, this right can be invoked.

Mr. FLANDERS. That means, if the Presiding Officer had not spoken quickly enough.

The PRESIDENT pro tempore. If the Senate procedure had unrolled in due course. It is perfectly obvious, from the discussion, that the language is subject to various interpretations, and perfectly clearly, under the general situation with which the Senate is confronted, it is very important that the Committee on Rules and Administration should take rule XIV within its jurisdiction for a bit of laundering.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. SALTONSTALL. Mr. President, I rise respectfully to say, in answer to the statement which the Chair has made, that I believe the rule should be interpreted in the light of the second paragraph on page 330 of Jefferson's Manual. I point out to the President pro tempore that yesterday, when the tidelands bill was being read, the President pro tempore said:

"Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard."

In paragraph 4 of rule XIV this language occurs:

"Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar."

I submit, Mr. President, that the Chair should have said yesterday, before permitting the Senator from California to speak, "The question before the Senate is, Shall this bill be referred?" In the case of a contested bill, if no Senator makes such a motion, then the question may arise as to whether the bill should be read the third time, and at that point the Senator from California could object to its being read the third time.

The Senate is proceeding now under difficulty because of section 137 of the so-called La Follette law. If we adopt the procedure that was adopted yesterday, we shall get into a very difficult situation, because of what may be done in the future, perhaps, if Senators are not aware of what is happening.

I believe that the Chair is entirely correct in recognizing the Senator from Nebraska this morning to make a motion to refer. I agree with the Senator from Georgia that if the ruling of yesterday shall stand, no Senator should be deprived of a fundamental right, the right to object, by the exercise of the Chair's discretion in recognizing A or in recognizing B.

But I submit, Mr. President, that section 137 of the Reorganization Act and paragraph 4 of rule XIV can be interpreted together. If, when such a question arises, the Chair puts the question, Shall this bill be referred? And if there is no motion that it shall be referred, then any Senator, as in the case of the Senator from California yesterday, can object to a third reading. But if we leave the procedure as it now seems to be, any bill coming over from the House can be read the second time, and if some Senator is on his toes, it can be objected to and placed on the calendar. This may be a very dangerous proceeding, because there will then be no reference to a committee.

I agree with the Chair that the two provisions should be correlated by an amendment to rule XIV, but I submit that in the present situation the Senate should follow the Chair in recognizing the Senator from Nebraska to make a motion to refer the bill to a committee. I personally shall so vote. I hope that then the Senator from Arkansas will appeal from the ruling of the Chair on the reference if he desires to do so, in order that the issue of the reference of the oleomargarine bill may then be debated and decided on the merits.

As I see it, the question before the Senate is one of procedure, and I say most respectfully that I believe the Chair yesterday should have put the question, Shall this bill be referred to a committee? If that had been done and the Senator from California not just permitted to have an opportunity to be heard, then the question as to whether the Senator from Arkansas today was losing a parliamentary right, the right to object, would not have been raised. I say that most respectfully and most humbly.

The PRESIDENT pro tempore. The Chair may make a simple comment, in order to keep the record straight.

The interpretation submitted by the able Senator from Massachusetts is one of several interpretations that could be made of the rule. It may be a preferable interpretation. There should be no preference left to the Presiding Officer in the application of a rule, and in that aspect the Chair totally agrees with the Senator from Georgia, and the sole purpose of the Chair this morning is to relieve the Chair of the privilege of outlawing the parliamentary rights of one Senator by recognizing another.

Mr. LUCAS. Mr. President, I appreciate very much the statement just made by the distinguished Presiding Officer. Obviously if we follow the rule now attempted to be invoked under section 137 of the Reorganization Act, what the Presiding Officer has stated is evidently correct. I know of no way by which the situation can be cured, under the present rules of the Senate and under the Reorganization Act.

The Senator from Illinois, like the Senator from Nebraska, is not at this time interested in the merits of the case; he is not interested in anything but orderly procedure from the standpoint of parliamentary law in the United States Senate.

In view of the fact that this is the first time any question has been raised under rule XIV during the life of any Senator now a Member of this body, so far as I know, and the distinguished Presiding Officer having made a ruling under rule XIV, thereby establishing a precedent on yesterday, the Senator from Illinois insists that in order for the Senate to be consistent as the result of that ruling, the Presiding Officer cannot make a different ruling the following day on a similar bill.

Mr. President, let me call attention to what happened yesterday. I refer to page 5168 of the CONGRESSIONAL RECORD under the caption "Ownership of Tideland Waters." The Senator from California [Mr. Downey] was recognized, and the following debate followed:

"Mr. DOWNEY. Mr. President, I ask that the President pro tempore lay before the Senate House bill 5992.

"The PRESIDENT pro tempore. The Chair lays before the Senate House bill 5992, just received from the House, which will be read by title.

"The LEGISLATIVE CLERK. A bill (H. R. 5992) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and natural resources within such lands and waters and to provide for the use and control of said lands and resources.

"The PRESIDENT pro tempore. Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard.

"Mr. DOWNEY. Mr. President, I desire to object to any further proceedings on this measure at the present time."

Then the Senator from Illinois propounded a parliamentary inquiry as to the status of the bill, and the President pro tempore said:

"The bill has been read the second time; and, under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee."

Mr. President, there is the precedent which the distinguished Presiding Officer laid down yesterday in connection with the tidelands bill. In other words, the Presiding Officer recognized the objection made by the Senator from California as valid under rule 14, and sent the tidelands bill to the calendar. That is the first precedent we have had under rule XIV for many, many years; no Senator can find any precedent prior to this time with respect to it.

Mr. President, I agree with the distinguished Presiding Officer that the conflict is an unfortunate one. I agree with the Presiding Officer that this is one of the serious moments in the history of the Senate, so far as parliamentary law is concerned, and I agree with all that has been said with respect to rule XIV, insofar as the creation of chaos and confusion is concerned as a result of some Senator coming forward at the proper time, making an objection, and having a bill sent to the calendar.

On the other hand, that is not the point before the Senate. The question is one of following a precedent laid down by the Presiding Officer yesterday, and if chaos and confusion result under this rule, the Committee on Rules and Administration should meet at once and do exactly what the Presiding Officer has suggested; namely, prepare an amendment to the rule so that chance for such difficulty in the future will be eliminated.

Mr. President, this is the position in which the Senate finds itself at the moment: Yesterday the tidelands bill went to the calendar upon objection. I agree with the Senator from Massachusetts [Mr. SALTONSTALL] in what he has said. In my humble opinion, under the strict construction of rule XIV, after the second reading of the bill the Chair should have asked whether there was

objection to it, and if there had been no objection, then it should have been referred to the proper committee.

Mr. President, in what situation do we find ourselves today? The Chair, instead of following the precedent he set on yesterday, instead of recognizing the Senator from Arkansas, which would have been consistent with his recognition of the Senator from California, so that the Senator from Arkansas could have made objection and the bill have gone to the calendar—instead of that, the distinguished Presiding Officer recognized the able Senator from Nebraska for the purpose of telling the Chair that a controversy exists as to what committee the oleomargarine bill should be referred. In my humble judgment, if we follow rule XIV strictly, and follow the precedent laid down on yesterday, before a bill can reach the point of reference it must have a first and second reading, and there must be a pronouncement by the Chair requesting whether or not there is objection to the bill, and if so, it goes to the calendar, and if no objection is made, then the reference is in order.

Mr. President, I totally disagree with the meaning which is ascribed to section 137 as taking any priority over the rule XIV of the Senate. Why is section 137 in the Reorganization Act?

Mr. CORDON. Mr. President, will the Senator yield?

Mr. LUCAS. I should like to finish the point if I may. Under the old system in vogue before the Reorganization Act came into being, a Senator would arise, receive recognition, and introduce a bill, and request that it be referred to, let us say, the Committee on Agriculture and Forestry. If there was any question about it at all the Senator himself had to raise the question. He could request or he could move that the bill be referred to the Committee on Agriculture and Forestry. The only difference between the old system and the system which prevails under section 137 of the Reorganization Act is simply that section 137 places the responsibility upon the Chair in the first instance of making the order of referral, and then if a Senator is not satisfied with the decision of the Chair he has the right to appeal. It seems to me that that is the only distinction between what we did in previous days and what we are doing at the present time under the Reorganization Act.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. DOWNEY. I was not on the floor when the distinguished Senator from Illinois began his remarks. I do not know whether he called to the attention of the Senate the fact that I adopted a somewhat unusual procedure in asking the Chair to lay the bill before the Senate. The ordinary procedure is that when a bill comes to the Senate from the House, as a matter of routine action, unless some Senator calls for its presentation to the Senate, it automatically is referred to committee. A Senator has, however, under the rules, the right to ask that when a bill comes from the House it be presented to the Senate. I made that request. I held the floor. The distinguished Presiding Officer did what seems to me is clearly provided for; he followed the usual routine of asking unanimous consent to have the bill read the first and second times. I was then in possession of the floor. As I understand, I had three alternatives. I could have asked unanimous consent to have had the bill read the third time, and it would then have been on the Senate floor and open to amendment. I had the opportunity to ask that it be referred to a particualr committee, and have raised the issue, or, clearly under the rule, I had the right, as I stated, to object to further proceedings, to prevent the bill going to a third reading, or to prevent it going to a committee, thus having it placed upon the calendar.

I might add that I cannot see that the Senate has been placed in difficult situation. There is a bill on the subject now pending before the Committee on the Judiciary of the Senate. A majority of the Senate must consent to the bill being made the business of the Senate before any action can be taken. If a majority of the Senate wants to refer the bill to the committee it can do so.

I should like, with the kindness of the Senator from Illinois, to add one further thought.

Mr. LUCAS. Mr. President, I hope the Senator from California will not take too much of my time.

Mr. DOWNEY. I shall take only 2 or 3 minutes. The course I followed may be considered to be an unusual one, but I took it in order to avail myself of my right or remedy. I think I was clearly entitled to do what I did. I did it for one reason. By a heavy majority vote the House and the Senate passed a similar bill last year. By a vote of 10 to 1 the House this year passed the bill we are discussing. Without any reflection upon members of the Committee on the Judiciary, I will say that I understand that there is a question whether they will be able, for reasons of their own, and I am not critical, to report the bill now in committee in time for the Senate to act upon it. I have no desire to bypass the committee. I still think the committee has ample time to report the bill they have before it. I hope they will do so. But believing, as I do upon good ground, that there is a strong majority of the House and Senate now for the bill, I think I was entitled to use the ordinary parliamentary procedure to place the Senate in a position where a majority of the Senate could pass upon this question, if so desired, or if a majority of the Senate wanted to abide by the decision of the Committee on the Judiciary, and not even vote to have the bill taken up, a majority of the Senate could do that. In any event, I want to assure the distinguished acting majority leader and the Senate that there is not the slightest disposition on my part to fail to give the Committee on the Judiciary full opportunity either to report the bill now in committee favorably, or table it, or take whatever action it desires.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. LUCAS. In one moment. I thought the Senator from California was going to ask me a question. However the statement made is perfectly all right in my time. Let me assure the Senator from California that I am not one who has been complaining about the procedure he took on yesterday. In my judgment he did what was within his right under the rules of the United States Senate. Criticism of what he did came from the other side, and I think it was unjustified, I will say to the Senator from California, so far as the rules of the Senate are concerned.

Mr. DOWNEY. I thank the Senator from Illinois.

Mr. LUCAS. I wish to make one further observation, Mr. President, and then I shall yield the floor, so far as the present discussion is concerned. I am still talking about orderly procedure in the United States Senate, and I am talking about fundamental parliamentary law. I seriously contend that when we adopt a policy one day and then repudiate it the next day we are not making substantial parliamentary law for the future of the Senate. That, however, is exactly what is being done here. In other words, the power is left in the hands of the Presiding Officer as to whom he shall recognize, and if the Presiding Officer is to be consistent with his ruling made on yesterday he must recognize the Senator from Arkansas because the Senator from Arkansas was on his feet yesterday to make the objection at the proper time, and the Senator from Arkansas was following yesterday the precedent which had been laid down by the Presiding Officer a few minutes before.

So what has happened? This great power has been left in the hands of the Presiding Officer, to be exercised as between one Member of the Senate and another, according to his whim, his caprice, his prejudice, or his political views. I say that with the utmost kindness to the distinguished Presiding Officer who is now in the chair, the President pro tempore, because in the time I have been in the Senate I have seen four Presiding Officers, and I will say to the Senate and to the country that the distinguished present Presiding Officer is one of the most fair and one of the most just men we have had to preside over the deliberations of this body.

The point I make, however, is that the President pro tempore laid down yesterday a precedent for the first time respecting rule XIV, and on the following day the same Presiding Officer, the President pro tempore, instead of recognizing the Senator from Arkansas in order to be consistent with what he did the day before, recognized the Senator from Nebraska, in order to get away from the point that the Senator from Arkansas was going to make.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. FULBRIGHT. Mr. President, I wish to clarify one point which was made by the Senator from Nebraska with respect to the timing of this action. Actually the question of controversy was raised by the Chair himself in the first instance. I invite attention to page 5170 of the RECORD of yesterday, in the second column. I submitted a parliamentary inquiry:

"Mr. FULBRIGHT. Is there any reason why House bill 2225 cannot be placed on the calendar in the same way that House bill 5992 was placed on the calendar?"

This was before the Senator from Nebraska made any point about a reference or a controversy. The Presiding Officer answered.

"The Chair thinks so, in view of the fact that the question of reference has been reached, and submitted to the Senate by the Chair himself."

The question had not been presented by the Senator from Nebraska at that point at all. The Chair had raised the question in a preliminary stage. It was not subsequent to the statement of the Senator from Nebraska.

"Mr. FULBRIGHT. Does this action of the Chair preclude the operation of rule XIV?"

I may say for the information of the Senate that I had inquired of the Parliamentarian on last Friday if rule XIV would apply. He informed me that he did not think so. I am referring, of course, to the operation of the rule with respect to placing the bill on the calendar. I may say further that the conditions are quite similar to those in connection with the tidelands bill, because a bill identical with the oleomargarine bill is now pending before the Finance Committee of the Senate. I introduced the bill last December. Similarly, there is a tidelands bill pending before the Committee on the Judiciary. So the argument that the bill is already before the committee, and that our action makes no difference, would apply in this instance.

I may add further that I had no real intention of placing this bill on the calendar, or even attempting to do so, until the action taken with reference to the tidelands bill. I had prepared no motion and had no intention of doing so.

I agree with everything the Senator from Illinois says about the merits of this rule. I seriously doubt that any bill should bypass the committee. I join in this appeal today largely because of the wish to clarify the situation, and not because of its bearing

upon the oleomargarine bill. I hope Senators will understand that in my mind this has no bearing whatever on the merits of the oleomargarine legislation. This is purely a question of parliamentary law, and I do not want the Members of the Senate to be confused.

Mr. LUCAS. Mr. President, I shall conclude with one further observation. I agree with everything that has been said with respect to rule XIV. Rule XIV is ambiguous; it is vague; it is uncertain; it is cookeyed, so far as reaching any agreement upon its proper interpretation. However, I undertake to say that we are not helping the situation by what we are about to do in connection with using section 137 to get around the rule. An interpretation of rule XIV has been made. That interpretation should be sustained if we are to have orderly procedure, and for obvious reasons the Chair should be relieved of the difficult situation involved in recognizing individual Senators on the floor of the Senate, when recognition amounts to a decision as to what may be done.

I sincerely hope that the point of order made by the Senator from Arkansas will be sustained; and I hope that after that the oleomargarine bill will go to the proper committee so that hearings may be held upon it. I am not trying to place the oleomargarine bill on the calendar in order to avoid hearings. What I am attempting to do is to sustain parliamentary procedure in the United States Senate, in order that we may avoid weaving all over the place, with a decision one day and, because of the power of the Chair, doing just the opposite the next day. That is not good for Senate procedure. It is not good for the country.

Mr. KNOWLAND. Mr. President, I do not intend to detain the Senate long. I think it should be perfectly clear, however, that my colleague, the senior Senator from California [Mr. DOWNEY] should not be subject to any criticism for invoking a rule which is plainly a rule of the Senate, albeit it has apparently not been used for a considerable time.

Every protection we enjoy on the floor of the United States Senate rests on the rules, and usually there are good reasons for the rules. As a new member, I have at times differed with my colleagues as to the advisability of some of the rules; but until they are changed, the Senate should, of course, follow them.

However, I believe that the able Senator from Massachusetts [Mr. SALTONSTALL] has raised a point which has not been given sufficient consideration. It involves the background of the rule which was invoked by my colleague, the senior Senator from California.

Those of us who have from time to time read the early proceedings of the United States Senate know that the committee system which we have gradually built up has been the result of evolution. In the early days of the Republic Senators did not have the volume of business that confronts the Senate today. Therefore in those days it was not customary to have standing committees. After the first and second reading of a bill, in many cases it was the procedure of the Senate to go to the third reading of the bill. The Senate might have adopted the alternative of meeting in Committee of the Whole, or referring the bill to a special committee. Our present system of numerous standing committees is something which has evolved over the years.

With particular reference to the rule which has been invoked, I invite attention to what the Senator from Massachusetts has already referred to, namely, page 330 of Jefferson's Manual. I read:

"In the Senate of the United States, the President reports the title of the bill, that this is the second time of reading it; that it is now to be considered as in a Committee of the Whole; and the question will be whether it shall be read a third time, or that it may be referred to a special committee."

In the Senate we operate according to a great many precedents. Apparently the rule under which we are proceeding, rule XIV, paragraphs 3 and 4, grew out of Jefferson's Manual.

I agree with the sentiments which have been expressed on the floor today. I speak as a member of the Committee on Rules and Administration. I think we have uncovered a rule, which, unless it is corrected, will obviously lead to a great deal of legislative chaos. Therefore, regardless of the result of the vote on the pending question, I sincerely hope that the able chairman of the Committee on Rules and Administration, the junior Senator from Illinois [Mr. BROOKS], will call a meeting of the committee at the earliest possible time so that we may correct this situation. However, so long as the rule exists as it is now written, the senior Senator from California was merely standing on his rights as a Member of the United States Senate.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MILLIKIN. I should like to address an inquiry to the distinguished Senator from California. I was not present yesterday, and my question may duplicate questions which arose yesterday. If so, I am sorry to intrude on the time of the Senator.

I notice that section 101 (a) of the Reorganization Act states that the rules contemplated by it shall supersede other rules only to the extent that they are inconsistent therewith. The referral provision in section 102 with respect to each standing committee contains the following language:

"To which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:"

The distinguished Senator from Nebraska [Mr. Wherry] has pointed out section 137 of the Reorganization Act. I should like the opinion of the Senator from California as to whether or not the language which I have read supersedes other matters in the rules which might be in conflict.

Mr. KNOWLAND. I think the Senator has posed a $64 question in that regard. I am not seeking to evade the question, because I think it is one to which the Senate must give very careful consideration at this time. So far as legislative procedure is concerned, I think there is very little doubt in the minds of most of us that if as a matter of common practice we prevent committees from considering legislation, we shall develop a great degree of legislative chaos. I call the attention of the able Senator from Colorado, however, to the fact that the Constitution itself gives to each House—I do not have the exact language before me now—the power to establish its own rules and procedures. The Legislative Reorganization Act, of course, is an act of both Houses of Congress. I assume that to that extent the Senate rules may be amended by that act; and if that be the case, that has the effect, as I think the Senator from Colorado will agree with me, of having the House participate in an amendment of the Senate rules, inasmuch as the bill was passed by both Houses of Congress.

Mr. MILLIKIN. Mr. President, the Reorganization Act itself takes full recognition of that constitutional provision, when it says, in section 101 (b):

"With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House."

My point is that these rules supersede the previously existing rules, to the extent that they have not been changed since and to the extent that there is conflict. These rules say without equivocation that all proposed legislation shall be referred to the respective committees, according to the jurisdiction outlined in the act.

Mr. KNOWLAND. Mr. President, I say to the Senator from Colorado that I think he has raised a very important point and one which I believe might very well be taken, namely, that inasmuch as the Reorganization Act came later than the particular rule referred to, the Reorganization Act, in effect, to that extent amended rule XIV.

Mr. MILLIKIN. If it did not, then there is no validity in the Reorganization Act.

Mr. KNOWLAND. And if so, then certainly there is a conflict between the Reorganization Act, particularly section 137 to which the Senator has referred, and the existing rules of the Senate.

Mr. MILLIKIN. Section 137 fits in perfectly with the language which I have read, which makes it mandatory to refer bills to these committees.

Mr. WHERRY. Mr. President, I had not intended to go into a discussion of this matter at this time.

Mr. SALTONSTALL. Mr President, will the Senator yield to me at this point?

Mr. WHERRY. I yield.

Mr. SALTONSTALL. I should like to say, in further answer to the Senator from Colorado, that I believe the provisions of the Reorganization Act to which he has referred does not directly supersede rule XIV. The purpose of rule XIV is to give the Senate notice that the bill has been received at the desk, and it is read once so that the Senate has notice, and then it is read twice so that the Senate has notice. Then the question arises whether the bill should be referred under rule XIV. If there is a reference under rule XIV, then a bill which relates to agricultural matters must be referred to the Committee on Agriculture and Forestry.

Mr. WHERRY. Mr. President, the whole burden of the debate on the part of those Senators who support the objection, and who are thus opposed to a refere: .ce of the bill, seems to be that we are violating a precedent under rule XIV; and that under all the precedents if objection was made a bill went to the calendar; and that therefore we are in complete violation of rule XIV if we make a determination under section 137 of the Reorganization Act.

I should like to state that if that is all that is at stake in reference to this particular bill, it seems to me that the Senate might act on the question of eliminating rule XIV entirely or making some amendment to it. If the acting majority leader were now to request unanimous consent that rule XIV be suspended for the purpose of permitting a decision to be made in regard to the reference of this particular measure, would such unanimous consent be given? Would any Senator object to such a request, which would be made solely for the purpose of permitting a determination to be made in regard to the reference of this one bill?

Mr. MILLIKIN. Mr. President, I would object, because I think the Reorganization Act has already rendered that part of rule XIV inoperative, for the simple reason that the Reorganization Act says that all bills shall be referred to this, that, or the other committee, according to its jurisdiction. That provision conflicts with placing the bill on the calendar, without referral. By the express language of the Reorganization Act, anything which conflicts with it shall be governed by its terms.

Mr. WHERRY. Very well.

Mr. DONNELL. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. DONNELL. Mr. President, I have been greatly impressed by the point which has been made by the Senator from Colorado, and I think it well deserves the study and the respectful consideration of the Senate.

However, before considering that point, I should like to address myself to this proposition: It seems to me that clearly by the terms of subdivisions 3 and 4 of rule XIV it is

contemplated that an opportunity to refer the bill shall have been afforded. Mention has been made today that subdivision 3 of rule XIV provides that—

"No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee."

Obviously, that portion of rule XIV means that there may be an opportunity for the reference of a bill to a committee, before some Senator may say that he instantaneously objects to any further proceeedings, and may ask that the bill be placed on the calendar.

Therefore, it seems to me that both paragraph 3 and paragraph 4 of rule XIV obviously contemplates that before any Senator immediately following the second reading of a bill shall have a right by mere objection to prevent any further proceedings, with the result that the bill is then placed on the calendar, opportunity must be afforded to the Senate or to the Presiding Officer of the Senate, or both, to refer the bill.

I was greatly impressed by the point made by the Senator from Massachusetts [Mr. SALTONSTALL], and it seems to me that in substance it is precisely the point I have referred to, namely, that when a bill has been read the second time, it does not follow, therefore, that the instant after it has been read, during the momentary drawing of breath before there is a referral, some Senator may, by means of objecting to further proceedings, cause the adoption of a course contrary to reference. It seems to me that clearly there should be afforded both to the Presiding Officer and to the Senate an opportunity, first, to determine whether the bill shall be referred. I think that is doubly true because of the provisions of paragraph 3 of rule XIV, which distinctly contemplate, not that after a bill has been read the second time it may then be placed on the calendar as a result of the action of one Senator, but, obviously, as I have indicated, that no bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee. Clearly that opportunity is not afforded if the construction urged by the Senator from Arkansas is to be applied.

With respect to section 137 of the Reorganization Act, I do not see that there is any conflict between it and rule XIV. It would appear to me that if an opportunity to have a bill referred must be afforded before the remedy which was invoked yesterday by the Senator from California may be applied, then it likewise follows that an opportunity to present a controversy in regard to a decision as to the committee to which the bill shall be referred must likewise be afforded to the Senate before the course of action taken by the Senator from California can be properly taken.

So it appears to me that the Senator from Nebraska is perfectly within his rights and that the Senate is protected by the position he takes today. Therefore, I think that under the terms of both section 3 and section 4 of rule XIV of the Senate Rules, it is clearly the intention, not that instantly after its second reading the bill can be placed on the calendar simply because one Senator makes such a request, but that at that moment there shall be an opportunity during which, to quote section 3 of rule XIV, the bill or joint resolution may be referred to a committee.

It would appear to me, inasmuch as that inference obviously follows, that today the Senate has a right to consider whether the bill shall be referred, and that as an ancillary right, it may consider which committee shall receive the bill.

Mr. President, as I have indicated, I think the point raised by the Senator from Colorado is likewise exceedingly interesting. It had not occurred to me, and I have not given it sufficient thought to express with any finality an opinion upon it, but it would seem to me that certainly the fact that the language of the reorganization plan as applied, for illustration, to the Committee on Banking and Currency, which I think is illustrative of all, namely, "Committee on Banking and Currency, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects," at least raises a very strong point in favor of the proposition suggested by the Senator from Colorado.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DONNELL. I yield.

Mr. MILLIKIN. The language is precisely the same in connection with every other standing committee.

Mr. DONNELL. I assumed it was, though I had not taken the time to see.

Mr. MILLIKIN. No exceptions are carved out. It does not say "subject to an exception contained in rule XIV." The language is completely mandatory that all bills shall be referred to the committees having jurisdiction.

Mr. DONNELL. Mr. President, I would say in that regard that I am greatly impressed by that proposition, though I do not think it necessary to rely upon that in order to sustain the action taken here by the Senator from Nebraska this morning. It would appear to me, therefore, that on the ground that the rules of the Senate, rule IV, subdivisions 3 and 4, clearly contemplate an opportunity being afforded to Senators to seek reference of a bill before one Senator can block reference, and inasmuch as it logically follows from that that the opportunity to present a controversy as to which committee the reference shall be made likewise exists, the action taken this morning, the suggestion made, and the motion made by the Senator from Nebraska should be sustained, and the point of order raised by the Senator from Arkansas should be overruled.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. DONNELL. I yield.

Mr. FULBRIGHT. I accept the Senator's argument sustaining the position of the Senator from Nebraska. I was not clear how the Senator sustained the correctness of the ruling of the Chair yesterday with regard to my point of order.

Mr. DONNELL. Mr. President, with great respect to the Chair, my judgment is that the ruling was in error. I think, as does the Senator from Massachusetts, if I may answer the question, that the proper position to have been taken at that moment was to have given the Senate the right to determine whether the bill should be referred.

Mr. FULBRIGHT. I may say to the Senator from Missouri that it was because of that ruling that the point of order was made.

Mr. DONNELL. I am sorry; I could not hear the Senator.

Mr. FULBRIGHT. It was because of that ruling, which was made immediately preceding the bringing up of this matter, that the whole point arose. I think the Senator will admit it is rather difficult procedure to have 2 rulings so inconsistent in the course of 2 days. That is really the only reason for the argument today. It is not to try to settle the question involved on the real merits of oleomargine legislation.

Mr. DONNELL. Mr. President, as has been pointed out, I think the situation today is different, in fact, from what it was yesterday, because, as I understand, the motion of the Senator from Nebraska was made after the second reading.

Mr. WHERRY. That is correct.

Mr. DONNELL. But I am free to say that in my judgment—and I understand it is also the judgment of the Senator from Massachusetts, who has spoken—the proper procedure yesterday would have been not to permit one Senator to take the bill beyond the control of the Senate with respect of reference and place it upon the calendar. I think the proper procedure would have been to give to the Senate the opportunity, which is clearly contemplated, I think, by rule XIV, to itself exercise the right of determining whether a reference should be made. Today the Senator from Nebraska has presented that proposition. He has presented it along the line of a controversy as to which of two committees shall have jurisdiction over this particular bill. But what he has presented is clearly a corollary of and arises by virtue of the right of the Senate to pass upon the question as to whether the bill shall be referred.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. WHERRY. The morning hour will be concluded at 2 o'clock, will it not?

The PRESIDENT pro tempore. The Senator is correct.

Mr. WHERRY. If a vote is not had between now and 2 o'clock, then the pending business would automatically be set aside, and the Science Foundation bill would be the pending business before the Senate, would it not?

The PRESIDENT pro tempore. That is true, as the Senator from Nebraska well knows.

Mr. WHERRY. Mr. President, I hope the Senate will realize that fact. If possible, I should like to have a vote between now and 2 o'clock on the motion which is before the Senate.

The PRESIDENT pro tempore. The Chair does not wish, of course, to engage in any controversy with any Senators regarding their interpretation of the RECORD in the last 24 hours, but inasmuch as there is considerable importance attaching to what the RECORD will disclose, and without intending to be controversial but merely to state the other side of the situation, the Chair would like to say he thinks there is no collision whatever between the precedent of yesterday and the precedent of today. The Chair thinks that the tidelands bill was in a totally different parliamentary situation from the oleo bill, that there was no question of reference to a committee involved, no question of controversy regarding what committee had jurisdiction, that there was nothing of the sort involved, and that therefore paragraph 137 of the Legislative Reorganization Act was not even a part of the first precedent to which Senators have referred.

Therefore the Chair, preserving his own reputation for some degree of alleged logic and consistency, respectfully states for the RECORD that he thinks the precedents do not collide.

The question before the Senate is, the point of order raised by the Senator from Arkansas, and the precise point upon which the Senate will vote is this: Is the point of order of the Senator from Arkansas well taken?

May the Chair undertake in just two sentences to indicate to Senators precisely what they are voting on, in that connection. If the point of order raised by the Senator from Arkansas is sustained, the bill (H. R. 2245) will not be referred to a committee but will go to the calendar.

If the point of order raised by the Senator from Arkansas is not sustained, the Chair will then rule upon the reference of the bill (H. R. 2245) to the committee he thinks has jurisdiction under the instructions of the Reorganization Act. That reference, if unsatisfactory to the Senate, will in turn be subject to an appeal. The pending question is, Is the point of order of the Senator from Arkansas well taken?

Mr. MAYBANK. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, if there is to be a record vote on this question, I feel I must make a brief statement.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WHERRY. I realize that the Senator has a perfect right to debate this question. If a yea-and-nay vote is insisted upon, it will go beyond the hour of 2 o'clock. I wonder if the request for a yea-and-nay vote may not be withdrawn, so as to permit us to vote on this question before the hour of 2 o'clock.

Mr. MAYBANK. Mr. President——

The PRESIDENT pro tempore. The Senator from Georgia has the floor. Does he yield?

Mr. RUSSELL. I yield.

Mr. MAYBANK. Mr. President, due to the lateness of the hour, it being 10 minutes to 2, I ask unanimous consent to withdraw my request for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have already been ordered. Is there objection to rescinding the order?

Mr. WATKINS. I object.

The PRESIDENT pro tempore. Objection is heard. The Senator from Georgia is recognized.

Mr. RUSSELL. Mr. President, every sympathy I have in connection with this question is with the distinguished Senator from Arkansas [Mr. FULBRIGHT] regarding the point of order he has made. I do not see any difference between the situation existing in this case and that obtaining in the case of the tidelands oil bill. The question of jurisdiction is inherent as to any piece of legislation coming before the Senate. It is there, whether the point be raised by a Senator or whether it be not raised. If section 137 of the Reorganization Act takes precedence over the Senate rules, there can be no question that the Senator from Arkansas will have been done an injustice with respect to the point of order he has raised simply because he was not recognized before the Senator from Nebraska.

I further sympathize with the Senator because I am strongly committed to the proposition which he seeks to espouse; namely, the repeal of taxes on oleomargarine. I shall not debate the merits of that question further at this time other than to say that I do not think such taxes can ever be justified by either reason, justice, or logic. In my mind, the overweening question before the Senate today is whether we shall establish a system whereby the jurisdiction of standing committees of the Senate can be bypassed. Under the precedent of yesterday, in the tidelands bill case, if the Chair sees fit to recognize any Senator for the purpose of interposing an objection, such jurisdiction can be taken from committees. If I happen to be upon the floor at any time in the future when an objection is lodged under rule 14, I shall respectfully appeal from the decision of the Chair, because it is manifestly unfair to have a rule that the Chair can recognize one Senator for the purpose of defeating the wishes of the Senate or for the purpose of denying a Senate committee of jurisdiction, or that the Chair can, at his option, recognize another Senator for the purpose of raising the question of jurisdiction. It should be settled. I regret very much that on yesterday we were all caught somewhat off our feet and did not give the ruling the serious consideration to which it was entitled. An appeal should have been entered to the Chair's ruling. I believe that if it had been fought out on the floor of the Senate the Members of this body could have seen the irreparable injury that would be worked on our committee system and would have established definitely the proposition that section 137 had precedence over rule 14 and that all bills should be referred to committee. I sympathize with the Senator from Arkansas. I know he has not been treated exactly fairly as a Member of the Senate when he is denied the same treatment which was accorded to the Senator from California yesterday. I shall take every step possible to have his bill dealt with fairly but I cannot by my vote, even in this situation, establish a precedent which will destroy the committee system of the United States Senate and of the Congress, because if that be done we shall have destroyed our parliamentary system. So, reluctantly and sick at heart at being compelled to do so, I shall vote against the motion of the Senator from Arkansas.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I want to say that I certainly did not enter into this controversy with the idea of its having any bad effect upon the oleomargarine bill. Personally, I think the rule is a bad rule, and I so stated yesterday. I entered into the controversy today largely with a view of clarifying a point which I think the Senate now admits involves a serious danger. I think it is well to have the Committee on Rules and Administration consider it. A vote not to sustain the point of order, in my own view, is certainly not a bad vote. I was not approaching it from that standpoint. I think the question has been clarified. It has nothing to do with the merits of the oleomargarine bill.

Mr. CORDON. Mr. President, will the Chair restate the question?

The PRESIDENT pro tempore. The question upon which the Senate will vote is this: Is the point of order of the Senator from Arkansas [Mr. FULBRIGHT] well taken? Those Senators who agree with the viewpoint of the Senator from Arkansas will vote "yea"; those who disagree will vote "nay." The clerk will call the roll.

The legislative clerk called the roll.

Mr. WHERRY. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from New Jersey [Mr. HAWKES], the Senator from Indiana [Mr. JENNER], and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent. The Senator from South Dakota [Mr. BUSHFIELD], if present and voting, would vote "nay," and the Senator from New Jersey [Mr. HAWKES], if present and voting, would vote "nay."

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Maine [Mr. WHITE] is absent because of illness.

The Senator from Vermont [Mr. FLANDERS] is absent on official business. If present and voting, the Senator from Vermont would vote "nay."

The Senator from Idaho [Mr. DWORSHAK] is unavoidably detained on official committee business.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Tennessee [Mr. STEWART] are absent because of illness in their families.

The Senator from Kentucky [Mr. BARKLEY] and the Senators from Alabama [Mr. HILL and Mr. SPARKMAN] are absent on public business.

The Senator from Louisiana [Mr. ELLENDER] is absent on official business.

The Senators from Florida [Mr. HOLLAND and Mr. PEPPER] and the Senator from Idaho [Mr. TAYLOR] are absent by leave of the Senate.

The Senator from Nevada [Mr. MCCARRAN], the Senator from Maryland [Mr. O'CONOR], the Senator from Louisiana [Mr. OVERTON], the Senator from North Carolina [Mr. UMSTEAD], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The result was announced—yeas 15, nays 56, as follows:

Yeas, 15: Connally, Fulbright, Green, Hatch, Johnston of South Carolina, Kilgore, Lucas, McClellan, Maybank, Moore, Murray, O'Daniel, O'Mahoney, Thomas of Oklahoma, Tydings.

Nays, 56: Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Cooper, Cordon, Donnell, Downey, Eastland, Ecton, Ferguson, Gurney, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Knowland, Langer, Lodge, McCarthy, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Millikin, Morse, Myers, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Utah, Thye, Tobey, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, Young.

Not voting, 25: Barkley, Bricker, Bridges, Bushfield, Capehart, Dworshak, Ellender, Flanders, George, Hawkes, Hill, Holland, Jenner, McCarran, O'Conor, Overton, Pepper, Revercomb, Sparkman, Stewart, Taft, Taylor, Umstead, Wagner, White.

So the Senate refused to sustain Mr. FULBRIGHT's point of order.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the unfinished business, the so-called National Science Foundation bill, is in order.

Mr. WHERRY. Mr. President, I ask unanimous consent that the unfinished business, Senate bill 2385, be temporarily laid aside and that the Senate proceed to the consideration of House bill 2245, the oleomargarine bill, in order that the Senate may have a ruling from the Chair on the reference of the bill.

The PRESIDENT pro tempore. Is there objection to the request?

Mr. RUSSELL. Reserving the right to object, Mr. President, would that mean that we would follow through to a conclusion of the matter?

Mr. WHERRY. I should like to see that done, if it meets with the approval of the Senate. We might just as well go through with it.

Mr. FULBRIGHT. Mr. President, if the Senator will yield, I had hoped to have an opportunity to consult the chairman of the Committee on Finance, but he is temporarily absent from the Chamber. I thought we were to proceed with the science bill. I personally am ready to proceed, but I notice the chairman of the Committee on Finance is not in the Chamber at present. He was here a moment ago.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. WHERRY. I hope there will be no objection. I should like to get a ruling in the RECORD, and if there is to be an appeal there will be plenty of time to debate the question, and opportunity to consult with the chairman of the Committee on Finance.

Mr. RUSSELL. I shall defer to the wishes of the Senator from Arkansas.

Mr. FULBRIGHT. I do not want delay. I am prepared to proceed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. BALL. Mr. President, reserving the right to object, I ask the Senator from Nebraska whether it is his intention, if a controversy shall develop over the ruling of the Chair on the reference of the bill, to proceed to dispose of that controversy immediately, or merely to get the ruling of the Chair in the RECORD, and then let it go over a day.

Mr. WHERRY. I should like very much to get a ruling from the Chair, and of course if we proceed to that point, there will be nothing to prevent an appeal being taken. I cannot guarantee that some Senator will not appeal from the ruling, but I should like at least to have a ruling. Furthermore, I must ask unanimous consent and in a unanimous-consent agreement it is not possible to make provision of the kind suggested by the Senator.

Mr. AIKEN. Mr. President, should not the Senator from Nebraska divide his request into two parts, first, to have the bill referred, and then, if an appeal is taken, would not further unanimous consent be required to permit debate on the appeal and the reaching of a decision?

The PRESIDENT pro tempore. If the unfinished business shall be temporarily laid aside to conclude the process of reference, that will be a conclusive agreement on the part of the Senate to finish that particular task this afternoon.

Mr. WHERRY. Mr. President, that is my hope. I do not wish to mislead the Senate. So long as the question has been raised, I think it would be well to conclude the discussion. That is the only good method of procedure. I should like very much to have a ruling, and if any Senator then cares to take exception to the reference, he can appeal, and we can proceed to conclude the consideration of the appeal. That is my intention.

Mr. MAYBANK. Mr. President, reserving the right to object, I had intended to ask the very question the Senator from Nebraska has answered. In other words, we should conclude consideration of the question of reference this afternoon, if possible.

Mr. WHERRY. That is correct.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska?

Mr. FULBRIGHT. Reserving the right to object, I wonder if the Senator could delay his request until I have an opportunity to locate the chairman of the Committee on Finance.

Mr. WHERRY. I hope the Senator will not object.

Mr. FULBRIGHT. I shall not object.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield for that purpose?

Mr. WHERRY. Yes; I yield. I will do anything I can at all times.

Mr. RUSSELL. I did not ask the Senator to yield for that purpose. I make the suggestion in my own right.

The PRESIDENT pro tempore. The Senator from Nebraska has the floor.

Mr. RUSSELL. I shall wait until the Senator surrenders the floor, and then suggest the absence of a quorum.

Mr. WHERRY. I yield for that purpose.

Mr. RUSSELL. Very well.

The PRESIDENT pro tempore. The Senator from Georgia is recognized.

Mr. RUSSELL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Georgia suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak Eastland, Ecton, Ferguson, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lodge, Lucas, McCarthy, McClellan, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Daniel O'Mahoney, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, Wiley, Williams, Wilson, Young.

The PRESIDENT pro tempore. Seventy-two Senators having answered to their names, a quorum is present.

Is there objection to the request of the Senator from Nebraska [Mr. Wherry]? The Chair hears none, and the Chair will proceed to rule, under the requirements of section 137 of the Reorganization Act, in respect to the reference of House bill 2245.

The Chair confronts the parliamentary duty of referring this bill to the appropriate committee under the rules. There is a strong argument to be made in favor of reference either to the Committee on Finance or to the Committee on Agriculture and Forestry. Under such circumstances, the Chair wishes to afford the Senate an opportunity, so far as possible, to decide the reference for itself. This could have been done, under the old rules, by direct submission. But the Reorganization Act provides that a question of jurisdiction "shall be decided by the Presiding Officer of the Senate, without debate in favor of that committee which has jurisdiction over the subject matter which predominates in the proposed legislation." But "such decision shall be subject to appeal."

Confronting this injunction of law, the Chair will proceed to make an initial reference in open session, without presuming, of course, to pass upon the merits of the legislation in any aspect whatever. But the Chair specifically invites an appeal without prejudice if the Senate desires a different parliamentary disposition of the measure.

The Chair's decision is moved by the following considerations:

Reference of the bill to the Finance Committee may be strongly urged on the basis of its oversimplified title, "An act to repeal the tax on oleomargarine," because the first duty assigned to the Finance Committee under the Reorganization Act is jurisdiction over revenue measures generally. On the other hand, it can, in the opinion of the Chair, be even more persuasively contended that revenue is only incidental in the purposes of this bill; and that "the subject matter which predominates"—that being the controlling phrase in the Reorganization Act—is the agricultural economy, which clearly lies within the jurisdiction of the Committee on Agriculture and Forestry.

House hearings on the bill disclose a statement by Under Secretary of the Treasury Wiggins that "revenue considerations are not involved." This is particularly significant since the Supreme Court itself has said in *Millard* v. *Roberts* (202 U. S. 429) that "revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue."

Again reference of the bill to the Finance Committee may be strongly urged on the basis of the fact that two previous Senate bills, S. 985 and S. 1907, for this same purpose have been referred in the Senate during the present Congress, to the Finance Committee although no action has ever been taken on them in that committee. This was done on the basis of their titles in usual routine at the legislative desk when no occasion arose to examine the full text of the bills to determine the subject matter which predominates.

On the other hand, it can, in the opinion of the Chair, be even more persuasively contended that the most recent full exploration of this subject matter in the Senate was made in connection with S. 1744 in the 78th Congress which was referred to the Committee on Agriculture and Forestry which held hearings that have been used in these current debates.

On this point, it is significant to note that when this same legislation originally came to the Senate on June 7, 1886, precisely the same sort of controversy which still reigns today was settled by a Senate vote of 22 to 21 in favor of reference to the Committee on Agriculture.

It is further significant to note that though the House Ways and Means Committee is particularly tender of its revenue prerogatives, the present bill was handled in the House by the Committee on Agriculture.

In the Senate there is a mixed record of reference over the years in respect to various types of oleo legislation. As a result, the precedents are far from clear. But it seems clear to the Chair, after a faithful examination of the entire subject, that the pending bill is not a revenue measure in the appropriate sense of that phrase as defined in the Reorganization Act; but that the subject matter which predominates—the controlling phrase in the Reorganization Act—lies preponderantly within the jurisdiction of the Committee on Agriculture and Forestry.

The Chair rules that the House bill H. R. 2245 is referred to the Committee on Agriculture and Forestry. The Chair invites an appeal, if the Senate disagrees, so that the will of the Senate may control.

Mr. FULBRIGHT. Mr. President, is the time appropriate to enter an appeal?

The PRESIDENT pro tempore. Certainly. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, I had hoped that members of the Committee on Finance might have been sufficiently interested in this bill to have raised this point. I wish to take only a few minutes of the time of the Senate to invite attention to a few very interesting questions.

On December 18, 1947, 6 months ago, I introduced Senate bill 1907, which is identical with the Rivers bill, House bill 2245. My bill, without question, was referred to the Finance Committee of the Senate, which was in accordance with the practice of the Senate for many years; and I have a great many precedents which I shall cite a little later.

I believe that the files of the Senate Finance Committee will reveal a great many letters and petitions addressed to the Senate in this connection, which were referred to that committee.

Soon after the introduction of my bill in December, which, as I say, was identical with the bill we are now considering, I wrote to the chairman of the Senate Committee on Finance, the Senator from Colorado, Mr. Millikin, requesting hearings. He replied as follows, under date of January 21, 1948:

UNITED STATES SENATE,
COMMITTEE ON FINANCE,
January 21, 1948.

Hon. J. W. FULBRIGHT,
Senate Office Building,
Washington, D. C.

DEAR SENATOR FULBRIGHT: Thank you very much for your letter of January 15, requesting that hearings be scheduled on S. 1907, which relates to taxes on oleomargarine.

The subject matter of the bill is directly connected with the revenues of the Federal Government and, therefore, under the Constitution such legislation must originate in the House. Since the Senate Committee on Finance is not advised as to whether the House will take action no proposed legislation of that kind, or what the action might be if it should be gone into on the House side, I doubt whether the committee would consider it as practical or desirable to start hearings on the Senate side.

With very best regards, I am,

Sincerely,

EUGENE D. MILLIKIN,
Chairman.

That happened on January 21 of this year. Of course, the Senator from Colorado had in mind article I, section 7, of the Constitution, which provides that bills for the raising of revenue shall originate in the House of Representatives. After the experience in the House Committee on Agriculture with this legislation, it seems very peculiar to me that suddenly, within the course of 2 or 3 months, this bill has changed its character to such an extent that today the subject matter which predominates is agriculture.

No one doubts that the chairman of the Committee on Finance is an expert on taxation. We recall that a few weeks ago he persuaded the Senate, largely by his own

eloquence, I think, to support his position on the reduction of income taxes. He certainly knows, if anyone knows, what a tax measure is.

As the Constitution provides that the Senate may propose amendments, I offered my bill, the same bill which I had introduced as an original bill, as an amendment to the income tax reduction bill. On March 18 of this year my amendment and that of the Senator from South Carolina [Mr. Maybank] were debated on the floor of the Senate. A reading of the debate on these amendments will convince one, if he has an open mind, that they were resisted and defeated largely because they were excise tax measures, and should not be attached to the income tax bill. It will be recalled that many times it was stated that excise taxes were being considered by the House, and that our amendments were proper amendments or features to be included in that kind of a bill. Let me read a few excerpts from the debate on the floor of the Senate on the 18th of March of this year:

"Mr. MILLIKIN. Mr. President I strongly urge that the pending amendment be rejected. A series of amendments of this type came before the Senate Finance Committee. We did not go into the merits of those amendments, and I wish to emphasize that the vote on the amendment is not at all to be considered a necessary reflection of the opinion as to the merits of the amendment of those who, for example, may vote against it. This amendment and the related amendments have to do with excise and occupational taxes. That is a subject which is not directly related to the business of the bill now before us. The Senate Finance Committee necessarily had to delineate the scope of the bill which the committee wished to bring before the Senate. It was perfectly apparent that if we commenced to open up this bill in order to take care of excise taxes and other forms of taxes, we would wind up in a state of complete scatteration. There are many, many inequities in our excise-tax structure. Many of our present excise taxes cannot be justified from the standpoint of logic, or from the standpoint of the competitive situation in which the articles concerned are placed by the taxes thus imposed upon them, or from the standpoint of equity. For that reason, I believe there is sound opinion that all those taxes should be considered together and dealt with in a revision bill.

"However, if we make any other approach to the subject, it seems to me clear that every Senator would have an amendment to propose; and if we allow the pending amendment to come into the bill now before us, there no longer will be any valid reason for keeping out other amendments with respect to which claims for justice can also be made."

Those are the words of the Senator from Colorado [Mr. Millikin]. At no time during that debate or in the preceding consideration before the committee, when I appeared in support of the bill, did any member of that committee raise the question that this was not a proper tax bill for the consideration of that committee in any respect.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MAYBANK. What the distinguished Senator from Arkansas has just read was in answer to a question which I propounded, as he suggested, to the distinguished Senator from Colorado on March 18.

I join with the Senator in saying that although I appeared before the committee, as he did, at no time did any member of the committee suggest that his bill or my amendment should not be considered by the Finance Committee. In 1943, and again in 1944, similar amendments to the tax bill were referred to the Committee on Finance, and at that time extensive hearings were held. Copies of those hearings are available, as the distinguished President pro tempore of the Senate well knows, because he was a member of the Finance Committee at that time, and as other Senators well know. Former Senator Bennett Champ Clark, of Missouri, was chairman of the subcommittee which held hearings. Hearings were held in 1943 and 1944 on the repeal of the oleomargarine tax.

I thank the Senator from Arkansas for bringing this question before the Senate. Since I have been a Member of the Senate, beginning in 1941, the Senate Committee on Finance has had charge of this legislation. It seems to me that some members of that committee should join the Senator from Arkansas, as I am joining him, in asking for consideration of the bill by the Committee on Finance.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. I did not hear all the preliminary remarks made by the Senator from Arkansas when he took the floor. Did I correctly understand him to say that he was appealing from the ruling of the Chair? I ask this question because I should like to know whether there will be anything before the Senate if the appeal is not made. I do not wish to cut off the Senator, but I merely wish to ascertain what he proposes to do.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. FULBRIGHT. Is it necessary for me to make the appeal at this time, in order to address myself to the question?

The PRESIDENT pro tempore. The Chair thinks not, because the Chair will not conclude the process of committee reference until the Senator from Arkansas has had an opportunity to make an appeal.

Mr. FULBRIGHT. Mr. President, as a part of my next statement I should like to present other excerpts from the CONGRESSIONAL RECORD for March 18, at the point where the Senator from South Carolina asked the following specific question:

"Does the Senator agree that it is a tax question?"

The Senator from Colorado replied:

"I agree with that."

Later in the same debate, other Senators joined in making statements very similar to that one. I wish to quote some of them:

"Mr. SALTONSTALL. There are many people in Massachusetts who are very much in need of a repeal of this tax. I have expressed my sympathy with their purpose many times. I understand the distinguished Senator to say that their cause will not be helped at the present time by voting for the pending amendment. Is that correct?

"Mr. MILLIKIN. That distinctly is my opinion, and that gives me the opportunity to make clear something that I intended to come to. Neither the majority nor the Senate Finance Committee is taking any position on the policy involved in the merits of the amendment. A Senator may vote to keep this amendment out of the bill, without prejudicing his position in favor of removing the taxes from oleomargarine. We are not going into the merits of that. Our position is that it has no place in the pending bill, and that if it were put in the bill, it would necessarily be dropped in conference; that it is unwise to put it in this bill, because if we opened the door to extraneous matters, we would wind up here in a state of complete scatteration, instead of getting the kind of bill we wish to get.

"Mr. SALTONSTALL. The bill it is proposed to pass is strictly an income-tax bill, is it not?

"Mr. MILLIKIN. That is correct."

Later, the following occurred:

"Mr. CAIN. If the pending amendment is defeated, can the Senator from Colorado recommend a course of action which would result in bringing the subject of oleomargarine taxation to the floor of the Senate so that it could be thoroughly studied and explored?

"Mr. MILLIKIN. I am very glad the Senator has asked that question, and I shall discuss it at once.

"Mr. President, I can understand the desire of those who favor this amendment to have it added to this bill. I understand there have been some difficulties in advancing an amendment of that kind in the House of Representatives.

"I wish to say that the House of Representatives Ways and Means Committee is considering a general revision bill. Not only do I understand that it is to take care of administrative provisions, but I also understand that inequities in the taxes and rates of tax at various points along the line are likewise being considered.

"Of course, I am not in position to promise what will happen in the House of Representatives with respect to an amendment of this kind."

Here is a repetition on the floor of the Senate of the same sentiment:

"But I believe it is clear that, under the Constitution, the House of Representatives has the initiating jurisdiction in respect to taxes; and I am thoroughly convinced that in a major matter of this kind, no matter what the Senate did in the way of amendment its action would not meet with the approval of the House of Representatives. The House cherishes—and properly so—its right to initiate tax legislation. It is true that we have a right to amend such legislation; but when we propose revolutionary amendments, particularly amendments which at the time do not meet with the sentiment of the House, we are simply wasting time.

"I am quite sure that if an amendment of this kind were adopted by the Senate and were sent to conference, it would be rejected in conference, because the House does not intend that the Senate shall have the initiating power in these important matters of legislation, and especially where there is such a substantial deviation from the bill which the House of Representatives has sent to us."

Mr. President, I cannot see how we could have a more positive statement than that as to the opinion of the very able chairman of the Finance Committee in regard to the character of this bill.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I shall yield, although I should like to finish my statement. I yield for a question.

Mr. MAYBANK. I was going to ask the Senator if he had put in the RECORD today a statement in regard to the tax on uncolored oleomargarine.

Mr. FULBRIGHT. Last year the tax was approximately $7 million, as represented by income to the Government. It is 10 cents a pound on colored margarine, which is approximately 25 percent of its present retail price. It is one-fourth of a cent a pound on uncolored margarine. For colored margarine there is an annual license tax of $600 on manufacturers, $480 on wholesalers, and $48 on the retailers, and there is a license tax of $600 for manufacturers of uncolored margarine, $200 for wholesalers, and $6 for retailers.

Mr. MAYBANK. So the tax on colored margarine is 10 cents a pound; is that correct?

Mr. FULBRIGHT. That is correct.

Mr. MAYBANK. If that is not a heavy tax on the poor people of the United States, then I do not know what such a tax is, because it amounts to about 10 percent or more on the poor man's income. Poor people must fill their stomachs with bread, and a family of five will consume 2 pounds of oleo a week. That means at least a $10 Federal tax, not to mention as much as $15 State and other oleo

taxes which are passed on to the low-income consumer annually. I do not know of any tax now on the statute books which is more regressive. Certainly this is an important consideration in connection with this legislation and should be a concern of the Finance Committee, not the Agriculture Committee.

Mr. FULBRIGHT. I thank the Senator.

Mr. President, after the procedure in the House and the great controversy on this subject, if the bill were now referred to the Committee on Agriculture and Forestry such action would establish a precedent which, in my opinion, would cause great difficulty in the future.

I think reference should be made to the attempt to set a precedent yesterday. Today the Senate, by overwhelming majority, has refused to follow that action as a precedent. That is the way I interpret the vote which has recently been had. I think the real significance of that vote is that the Senate disapproves having that procedure regarded as a precedent for future application. If we do not follow the obviously proper procedure of referring the bill to the Finance Committee, but, instead, if the bill is referred to the Committee on Agriculture and Forestry, in view of the obviously difficult tax problems in connection with the bill and the necessity of giving certain interests an opportunity to study the bill at great length, as they have studied it at great length when the bill was before the House, I think it will be a precedent which we shall regret.

We should consider that one result of such action would be that if a bill of this sort is referred to the Committee on Agriculture and Forestry, then, I assume, if there is such a thing as consistency in the Senate, in the future any bill concerning agriculture would be subject to a tax amendment similar to the one we have been discussing, because such an amendment then would be germane to an agricultural bill. I see no way to avoid that conclusion, for I assume we would be consistent.

There is no question that the oleomargarine taxes are discriminatory, and that they affect one aspect of agricultural economy as against another. Even the proponents will admit that, though they claim in all sincerity that the discriminations are justifiable. But they also affect the consumer as tax measures. And they discriminate by means of taxes. The whole structure of the discrimination is based upon taxation—from the manufacturers, to the wholesalers, to the retailers, and to the consumers.

So, if the precedent of this referral is to stand, we should follow it to its logical conclusion. Remember that, as a revenue measure, it was referred to that committee which has jurisdiction over that constituent of our economy which it most directly affects. For that is the essence and the basis of the referral.

Thus, tobacco and liquor taxes should be under the jurisdiction of the Committee on Labor and Public Welfare, as that committee has jurisdiction over matters affecting public health, to which those articles are related. Everyone knows that the taxes on liquor, for example, are much higher percentagewise than are taxes on other articles, because there is a feeling that they have a direct bearing upon public health; so, if we were to follow the reasoning in this case as to which subject matter is predominant, a very excellent case could be made for sending matters related to liquor and tobacco taxes to the Senate Committee on Labor and Public Welfare. I think the same reasoning could be applied to gasoline taxes. Gasoline taxes, most directly affecting interstate commerce, should go to the Committee on Interstate and Foreign Commerce, or perhaps to the Committee on Public Works, which handles matters concerning roads.

Tariffs and tariff agreements should be handled by the Interstate and Foreign Commerce Committee.

Withholding taxes on wages should be handled by Labor and Public Welfare, which, under rule XXV, as amended by the Reorganization Act, should have all "measures relating to labor." Certainly with respect to such taxes the predominating subject matter is their influence on labor.

Likewise, an exemption in favor of servicemen should be under the jurisdiction of the Armed Services Committee, because, under rule XXV, the Armed Services Committee is charged with matters relating to pay and other benefits and privileges of members of the armed services.

On the other hand, taxes on almost everything should be handled by the Committee on Banking and Currency, for, under rule XXV, all matters should be referred to it which relate to "control of prices of commodities, rents, or services."

This goes on in endless progression, until it results in complete lack of jurisdiction of the Finance Committee. For that matter, the same analogies can be made with reference to matters handled by the Appropriations Committee. For there is no tax or appropriation that does not affect an article, a profession, a class, an industry, or an element of the Nation's economy, as the margarine taxes affect agriculture, directly or indirectly.

The significance of all this, I think, is that what is intended by the organization of the Senate and its committees is that jurisdiction should be determined in the cases of taxes, appropriations, and perhaps other functions, not by the effect particular proposed legislation has upon a particular element of the economy, but, rather, the method of affecting it. And where the method chosen is by taxation, the Finance Committee should have jurisdiction.

Thus, there is nothing to prevent the Agriculture Committee, within the limits of the Constitution, from legislating, or considering legislation, dealing with the margarine and butter question, so long as it does so by general legislation and not taxation.

If price controls on meats were to be reimposed, would that question be handled by the Committee on Agriculture? It certainly affects the agricultural economy. I think it would affect it to a much greater extent than would the taxes on margarine. But what is the method of affecting it? Control of prices—which is a subject within the jurisdiction of the Committee on Banking and Currency.

The fact is that each committee has general jurisdiction over matters expressed within its title, with special jurisdictions added. But that jurisdiction extends to general measures of regulation, assistance, and so forth, only, and in any case where the method of legislation is within the purview of another committee, the latter should have and does have jurisdiction.

Mr. WHERRY. Mr. President, will the Senator yield for an announcement?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. Mr. President, I inquired a few moments ago from the Senator from Arkansas whether or not an appeal is to be taken, my reason being that several Senators had asked whether it was the intention to have a calendar call. By reason of the lateness of the hour, I think it should now be announced that the calendar will not be called today. Announcement will be made later of the time at which it will be called.

Mr. MCCLELLAN. Mr. President, will my colleague yield?

Mr. FULBRIGHT. I yield.

Mr. MCCLELLAN. I think a decisive test on the issue as to where the bill should be referred can be made by inquiring where the bill would be required to originate. If we were now attempting to impose an initial tax, would the bill have to originate in the House of Representatives? In other words, could a bill imposing a tax on oleomargarine, under the Constitution, have originated in the Senate?

Mr. FULBRIGHT. I just read to the Senate the opinion of the chairman of the committee and his remarks on the floor. No one at that time raised the question about his statement. It was so clear that no one ever debated or questioned it.

Mr. MCCLELLAN. Then if that be true, the tax provisions of the bill are bound to predominate.

Mr. FULBRIGHT. I do not think there is any question about it. I am coming now to cases showing what the Supreme Court said about the original bill. As the Senator knows, the oleomargarine tax bill originated in the House in 1886, and later came to the Senate. Of the two cases I am about to discuss, the first one deals with the act of 1886, the second, with the act of 1902. The cases specifically dealt with the point that it was a tax measure.

Mr. MCCLELLAN. I am glad the Senator is approaching it from that viewpoint. I think that would be controlling.

Mr. FULBRIGHT. I want to reinforce the opinion of the chairman of the Committee on Finance with the opinion of the Supreme Court. These cases are referred to as the famous oleomargarine cases. I think they are directly in point. The first case is entitled *"In re Kollock, petitioner* (165 U. S. 526)." It was decided in 1897, and it involved the 1886 oleomargarine tax of one-fourth of a cent per pound. The 1902 act related to taxes imposed on manufacturers, wholesalers, and retailers, in the form of special tax on colored margarine. The second case deals with that particular law.

Kollock, the appellant, appealed on the ground that there had been an unconstitutional delegation of power, vesting in the Commissioner of Revenue the power to determine what acts should be criminal, and empowering him to provide stamps to be placed on particular articles, and to prescribe regulations for enforcement of the tax.

I desire to read a few excerpts from the Kollock case, for the benefit of Senators. I shall read first from page 536.

This is a unanimous decision. I realize that it is almost unbelievable, but at one time the Court did hand down a unanimous decision.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. FULBRIGHT. For what purpose?

Mr. BREWSTER. I thought that possibly, while the Senator was looking up his authorities, he might yield to me for a moment to make a statement regarding an insertion in the RECORD.

Mr. FULBRIGHT. How long will it take? I have my authorities here, and I prefer to put them in at this time.

The PRESIDENT pro tempore. In order to protect the Senator from Arkansas, lest a point of order be made subsequently, the Chair will say that if the Senator contemplates making a point of order, he must do it consecutively with the ruling of the Chair, and that if any matter intervenes he has lost his right.

Mr. FULBRIGHT. I thank the Chair. I must decline to yield.

I read from page 536 of the Kollock case. This has reference to the original oleomargarine act. The Court said:

"The act before us is on its face an act for levying taxes, and although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue. And, considered as a revenue act, the designation of the stamps, marks, and brands is merely in the discharge of an administrative function and falls within the numerous instances of regulations needful to the operation of the machinery of particular

laws, authority to make which has always been recognized as within the competency of the legislative power to confer."

I continue reading from the next page, page 531:

"The oleomargarine legislation does not differ in character from this, and the object is the same in both; namely, to secure revenue by internal taxation and to prevent fraud in the collection of revenue."

I remind the Senate that in addition to its character as a tax bill or revenue bill, the object is to prevent fraud in the collection of revenue, not the alleged fraud of the substitution of oleomargarine for butter, which is often cited as one reason for the continuation of the tax, but it was to prevent fraud in the collection of such revenue.

The opinion of the Court continues as follows:

"Protection to purchasers in respect of getting the real and not a spurious article cannot be held to be the primary object in either instance, and the identification of dealer, substance, quantity, etc., by marking and branding must be regarded as means to effectuate the objects of the act in respect of revenue."

Mr. President, I cannot conceive how there could be a more direct ruling by the Supreme Court of the United States on oleomargarine legislation as to its character as a revenue measure in the sense in which we are dealing with it here.

The next case is the *McCray* case (195 U. S. 27). I should particularly like to call the two cases to the attention of the chairman of the Finance Committee, because I know he is a great constitutional lawyer and will have some respect for the opinion of the Supreme Court and its views as to the character of the legislation practically at the time the original legislation was passed and put into force.

I should like to give a little of the background by reading the statement of the case:

"The judiciary is without authority to avoid an act of Congress lawfully exerting the taxing power, even in a case where to the judicial mind it seems that Congress had, in putting such power in motion, abused its lawful authority by levying a tax which was unwise or oppressive, or the result of the enforcement of which might be to indirectly affect subjects not within the powers delegated to Congress, nor can the judiciary inquire into the motive or purpose of Congress in adopting a statute levying an excise tax within its constitutional power.

"While both the 5th and 10th amendments qualify, insofar as they are applicable, all the provisions of the Constitution, nothing in either of them operates to take away the grant of power to tax conferred by the Constitution upon Congress, and that power being unrestrained except as limited by the Constitution. Congress may select the objects upon which the tax shall be levied, and in exerting the power no want of new process of law can possibly result, and the judiciary cannot usurp the functions of the legislature in order to control that branch of the Government in exercising its lawful functions. * * *

"The Oleomargarine Act of 1886 (24 Stat. 209), as amended by the act of 1902 (32 Stat. 93), imposing a tax of one-quarter of 1 percent on oleomargarine not artificially colored any shade of yellow so as to look like butter and 10 cents a pound if so colored, levies an excise tax and is not unconstitutional as outside of the powers of Congress, or an interference with the powers reserved to the States, nor can the judiciary declare the tax void because it is too high, nor because it amounts to a destruction of the business of manufacturing oleomargarine, nor because it discriminates against oleomargarine and in favor of butter."

The facts were that the defendant had sold some oleomargarine in which there had been incorporated some color.

I read from page 29 of the statement of the case:

"From these averments it was charged that if the law imposed a tax of 10 cents upon the oleomargarine in question the statute was repugnant to the Constitution, because it deprived the defendant of his property without due process of law; because the levy of such a burden was beyond the constitutional power of Congress, since it was an unwarranted interference by Congress 'with the police powers reserved to the several States and to the people of the United States by the Constitution of the United States.'"

In that case that very point was raised. In the argument for the plaintiff-in-error it was said:

"The tax is so large that it is evident that it was imposed, not as an excise for revenue, but as a prohibition."

That is the point, I assume, that must be involved in the reasoning that the bill should go to the Committee on Agriculture. That point was raised by the plaintiff-in-error.

Reading from page 50, in the opinion of the Court itself, it is stated:

"Did Congress in passing the acts which are assailed exert a power not conferred by the Constitution?

"That the acts in question on their face impose excise taxes which Congress had the power to levy is so completely established as to require only statement."

On page 51 the Court quotes from the Kollock case from which I read a moment ago, and reaffirms it. I read only a part of that and shall pass on to the original decision in this case:

"The act before us is on its face an act for levying taxes, and although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue.

"We might rest the answer to the contention as to the want of power in Congress to enact the laws in question upon the foregoing cases. But in view of the earnestness with which the validity of the acts is assailed in argument and the assertion that the necessary effect of the amendment to the act of 1886 by the act of 1902 is to make both of the laws in question so peculiar as to cause them to be beyond the reach of the previous rulings of this Court, we propose to review and dispose of the propositions pressed upon us at bar as indubitably demonstrating that the acts in question were beyond the power of Congress to adopt.

"That the power of internal taxation which the Constitution confers on Congress is given to that body for the purpose of raising revenue, and that the tax on artificially colored oleomargarine is void because it is of such an onerous character as to make it manifest that the purpose of Congress in levying it was not to raise revenue but to suppress the manufacture of the taxed article."

On page 52, the Court continues:

"Whilst it is true—so the argument proceeds—that Congress in exerting the taxing power conferred upon it may use all means appropriate to the exercise of such power, a tax which is fixed at such a high rate as to suppress the production of the article taxed, is not a legitimate means to the lawful end, and is therefore beyond the scope of the taxing power."

I read these excerpts to point out that these very questions as to the character of the tax were raised by the plaintiff in error before the Court, and it was not a matter which was ignored or was not before the Court. Those are the arguments of the plaintiff in raising the question.

Now I wish to read two paragraphs giving the Court's views, on page 59:

"Undoubtedly, in determining whether a particular act is within a granted power, its scope and effect are to be considered. Applying this rule to the acts assailed, it is self-evident that on their face they levy an excise tax. That being their necessary scope and operation, it follows that the acts are within the grant of power. The argument to the contrary rests on the proposition that, although the tax be within the power, as enforcing it will destroy or restrict the manufacture of artificially colored oleomargarine, therefore, the power to levy the tax did not obtain. This, however, is but to say that the question of power depends, not upon the authority conferred by the Constitution, but upon what may be the consequence arising from the exercise of the lawful authority.

"Since, as pointed out in all the decisions referred to, the taxing power conferred by the Constitution knows no limits except those expressly stated in that instrument, it must follow, if a tax be within the lawful power, the exertion of that power may not be judicially restrained because of the results to arise from its exercise."

It seems to me that the theory that the pending bill should go to the Committee on Agriculture and Forestry has reference entirely to the results which may arise from the exercise of the power of taxation, which is predominantly characteristic of this legislation.

One more statement from the court in the McCray case, on page 61:

"The right of Congress to tax within its delegated power being unrestrained, except as limited by the Constitution, it was within the authority conferred on Congress to select the objects upon which an excise should be laid. It therefore follows that, in exerting its power, no want of due process of law could possibly result, because that body chose to impose an excise on artificially colored oleomargarine and not upon natural butter artificially colored. The judicial power may not usurp the functions of the legislative in order to control that branch of the Government in the performance of its lawful duties. This was aptly pointed out in the extract heretofore made from the opinion in *Treat* v. *White* (181 U. S. 264)."

Mr. President, it seems to me that those two cases, directly concerning the legislation which this bill would repeal should certainly settle the question as to the characteristics of the legislation.

I wish to say a word or two about the case cited by the Chair in support of the position that the bill is not predominantly a tax measure.

The referral of H. R. 2245 to the Senate Committee on Agriculture was made, I understand, in reliance upon the decision of the Supreme Court in the case of *Millard* v. *Roberts* (202 U. S. 429), decided May 21, 1906.

This case did not, of course, decide that the oleomargarine legislation was a tax measure. The cases I have cited did that specifically. Therefore, even if this case, as a matter of general law, could not be distinguished, the oleomargarine cases would be controlling. Those cases were made upon the very question here involved:

Is the oleomargarine legislation which would be repealed tax legislation?

Millard v. *Roberts* (202 U. S. 429), decided May 21, 1906, involved these facts:

The Congress had passed three acts providing for the abolishment of dangerous grade crossings of railroads and removing railroad tracks from the Mall and for the construction of Union Station.

The Court said:

"The case is practically that of a contract between the United States and the District of Columbia on the one side and the railroad companies on the other, whereby the railroad companies agree to surrender certain rights, * * * and to construct a work of great magnitude, * * * which Congress deems to be demanded for the best interests of the National Capital and by the public at large; and for this surrender of right * * * Congress agrees to pay a certain sum, partly out of the funds of the United States and

partly out of the funds of the District of Columbia. It is a simple case of bargain and sale, like any other purchase."

That is what the Supreme Court said about that case, that is was simply a case of bargain and sale.

Mr. McMAHON. Mr. President——

The PRESIDING OFFICER. (Mr. KNOWLAND in the chair). Does the Senator from Arkansas yield to the Senator from Connecticut?

Mr. FULBRIGHT. I yield.

Mr. McMAHON. Has the Senator examined the legislative history of these oleomargarine acts, the debates which occurred when they were first written on the statute books?

Mr. FULBRIGHT. I have here a great many instances of referrals of bills, to which I shall come in a moment.

Mr. McMAHON. My question is, When the matter was originally debated, what were the reasons given by the Members of the House and the Senate for being for this tax?

Mr. FULBRIGHT. Being for the tax on its merits, or for the referral?

Mr. McMAHON. On its merits.

Mr. FULBRIGHT. The motive was to use the taxing power to protect the butter industry.

Mr. McMAHON. I know that was the underlying motive, but what I was getting at was what constitutional basis did the sponsors lay in the debate for using the taxing power? Did they claim that oleomargarine was deleterious to health?

Mr. FULBRIGHT. In the arguments on the floor?

Mr. McMAHON. Yes.

Mr. FULBRIGHT. They did claim that. Until very recently the proponents of the legislation have so claimed. They have abandoned it lately, I would say within the last 10 years.

Mr. McMAHON. They have abandoned it because of the placing of vitamins in the product, I suppose.

Mr. FULBRIGHT. And the refinement, purity, and improvement of the product. I think that is correct.

Mr. McMAHON. Does the Senator claim that there is any limitation on the taxing power?

Mr. FULBRIGHT. I think what I read from the Kollock case and the McCray case indicates that there are limitations in the Constitution itself as to the apportionment of direct taxes. But outside of those two limitations, the power of the Congress to tax I think is practically unlimited. The Court states, by way of obiter dicta, that there might be a case so unreasonable that it might be unconstiutional.

Mr. McMAHON. They have never come up with such a case.

Mr. FULBRIGHT. I do not know of such a case, but in the case mentioned they said there might be, but that this was not one of them.

Mr. McMAHON. I may say to the Senator that some years ago I was arguing in the Supreme Court the constitutionality of a tax upon firearms. The Senator remembers the machine guns and shotguns and sawed-off shotguns.

Mr. FULBRIGHT. Yes.

Mr. McMAHON. They had to be registered and a tax paid on them. An attack was made on the constitutionality of the statute on the ground that it was an improper use of the taxing power. I well remember during the argument of the case that the late Mr. Justice McReynolds asked me the question, "Suppose Congress put a $10,000 tax upon each package of cigarettes?", and knowing the Justice's aversion to tobacco, I rather felt he might have thought it was a good thing to do, but the very absurdity of the example rather stopped me, and I stated that I believed it would be open to question. He thereupon stated that he did not think it would be. That always made an impression upon me as to at least one Supreme Court Justice's interpretation of the wide extent of the taxing power. I was curious whether in the Senator's argument he was making any point that the Congress did not have the right to put on any tax it saw fit.

Mr. FULBRIGHT. No; I hope I did not leave that impression. If the Senator did not hear the first part of my argument I shall say that I was reading the statement of the plaintiff-in-error merely to lay a foundation for the conclusion of the Court, which was that the Congress did have the power. The point is that the oleomargarine legislation, the very legislation that is now sought to be repealed, was the subject of those two cases, and in both cases the Court emphasized time after time that the law was a tax measure, an excise tax measure.

The question had been raised before the Senator came in that the chairman of the Finance Committee refused to hold hearings on a bill identical to the one now being referred to the Committee on Agriculture and Forestry on the ground that it was a revenue bill and had to originate in the House. That has been the common feeling, I know, around the Senate. That is one specific example of what is contended by some, that such a measure is a revenue bill, and must originate in the House. The two cases referred to very clearly state that the original law was a tax measure and must be considered as a tax measure, in the words of the Supreme Court which I just read into the RECORD.

Mr. McMAHON. Mr. President, will the Senator yield to me for another question?

Mr. FULBRIGHT. I yield.

Mr. McMAHON. I was detained in my office and did not hear the ruling of the President pro tempore upon the reference of this bill. Will the Senator give me, if he can briefly, the reasons the President pro tempore gave for the referral to the Committee on Agriculture and Forestry.

Mr. FULBRIGHT. I would not undertake to do it precisely, for I might do some injustice to the ruling. The President pro tempore gave it a short while ago and I have not seen it in writing. But under section 137 of the Reorganization Act, which says that the Presiding Officer shall refer bills about which there is a controversy to the committee having jurisdiction of the subject matter which predominates, the President pro tempore felt that the bill should go to the Committee on Agriculture and Forestry.

Mr. McMAHON. It is the Senator's position that what predominates in this measure is the tax?

Mr. FULBRIGHT. It is the method of dealing with the subject matter, not the effect, which predominates. I have gone over this point previously, but for the Senator's information I will say that we can take the analogies of taxes on white sulfur matches, on liquor, on tobacco, or on any agricultural product. Let us consider the various tariffs. They all affect agriculture. They were intended to affect agriculture. Matters relating to them go to the Finance Committee.

Mr. McMAHON. Does the Senator know of any precedents for the referral to the Committee on Agriculture and Forestry of any other piece of taxing legislation?

Mr. FULBRIGHT. The only precedent I know of, in a case which was an out-and-out tax bill, was the original oleomargarine bill, which was referred, after a very bitter fight, to the Committee on Agriculture and Forestry by a vote of 22 to 21. That was long before the present Reorganization Act, as the Senator knows, and the action then taken in the Senate was inspired, in my opinion, by the judgment on the merits of the bill, just as I know the same action was inspired in the House. It was the belief that the agricultural interests concerned could protect themselves better by such a referral. But subsequent to that time in the Senate practically every bill which on its face and in its title purported to be a tax bill affecting margarine went to the Finance Committee. If the Senator wishes, I can give him some examples. Here is one to which the Chair referred a moment ago which was referred to the Committee on Agriculture and Forestry in 1944. The bill was introduced by the chairman of the Committee on Agriculture and Forestry, the late Senator Smith of South Carolina. Following is the title of the bill:

"A bill to provide for the more efficient utilization of the agricultural resources of the Nation during peace and war, to regulate the production and distribution—"

Regulate, not tax—

"to regulate the production and distribution of margarine, a product of certain agricultural commodities in interstate commerce, to remove certain obstructions to the distribution of such product in interstate commerce, and for other purposes."

That was the title of the bill. The bill was referred to the Committee on Agriculture and Forestry. On its face it appears to be just what it is, a regulatory measure. There is no question that a regulatory measure coming before the Senate which provides that no colored margarine shall be produced should go to the Committee on Agriculture and Forestry. In my opinion, that is the proper committee to which to refer such a bill. That is general legislation affecting agriculture.

Mr. McMAHON. There is a tax on railroad tickets. If an interpretation similar to that made by the President pro tempore in his ruling is made with respect to that tax, a bill dealing with it should be referred to the Committee on Interstate and Foreign Commerce, should it not?

Mr. FULBRIGHT. Certainly it should. That is the point I made.

Mr. McMAHON. There has never been any suggestion that such a thing be done, has there?

Mr. FULBRIGHT. The Senator knows that Congress had before it legislation concerning withholding taxes on members of the armed services. Certainly that was legislation which was not greatly concerned with income taxes. The Chair's theory would seem to be that if the bill would provide for the raising of a considerable amount of revenue it would be a revenue bill; that if it would raise only a little revenue it would not be a revenue bill. If the theory of the President pro tempore were to be followed legislation affecting withholding taxes on members of the armed services obviously should be referred to the Committee on Armed Services. I cannot imagine that the amount of the tax raised, that is the absolute dollars and cents amount, should be the consideration which determines whether it is a tax measure or not.

Mr. McMAHON. If that ruling or theory were to be followed it would result in destroying the integrity of the whole system.

Mr. FULBRIGHT. I agree with the Senator. I think if the Senator will examine the bills dealing with margarine he will find that wherever such a bill appeared on its face and in its title to be a regulatory measure it was referred to the Committee on Agriculture and Forestry. But practically every bill except the first, the original bill dealing with oleomargarine, was referred to the Committee on Finance whenever it purported to concern a tax on any kind on margarine. There have been many such bills. There were such bills dealing with margarine during practically all the years following the original bill. I shall give an example. The gentleman from Georgia [Mr. Davis] presented a petition of the Pomona Grange, of Butler, Pa., favoring legislation to regulate the composition of margarine. It was prefectly proper that such a bill should be referred to the Committee on Agriculture and Forestry, for that was a regulatory measure. That petition was presented in 1942. In 1943 Mr. Gillette presented a resolution of the National Coopera-

tive Milk Producers' Association opposing legislation to repeal Federal commodity and license taxes on margarine. That resolution was referred to the Committee on Finance. Resolutions of various kinds, as well as bills were submitted year after year, and whenever they had to do with repeal of the tax or increase of the tax, or stated on their face that they had anything to do with a tax on margarine, they were referred to the Committee on Finance. If a bill was a regulatory one it was referred to the Commmittee on Agriculture and Forestry. That is the distinction the Senate has followed in the past.

Mr. President, I want to make a distinction between the case cited by the Chair, Millard against Roberts, and the cases which dealt with margarine itself. In the Millard against Roberts case the court said:

"The titles of the acts are the best brief summary of their purposes."

Here are the titles of the acts—the acts referred to in the case of Millard against Roberts:

"An act to provide for eliminating certain grade crossings or railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore & Ohio Railroad Co. in the city of Washington, and for other purposes.

"An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railroad Co., in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes.

"An act to provide for a union railroad station in the District of Columbia, and for other purposes."

Only so far as the contribution by the District of Columbia is concerned was a tax involved. A levy or assessment upon properties in the District was made to effect this contribution. The decision was summed up in this sentence:

"Whatever taxes are imposed are but means to the purposes provided by the act."

Contrast this language with that of In re Kollock, which involved the very laws which this bill would repeal, and the very issue here involved, namely, whether the oleomargarine legislation is tax legislation. I quote again from In re Kollock:

"The act before us is on its face an act for levying taxes, and, although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue; and, considered as a revenue act, the designation of the stamps, marks, and brands is merely in the discharge of an administrative function and falls within the numerous instances of regulations needful to the operation of the machinery of particular laws, authority to make which has always been recognized as within the competency of the legislative power to confer.

* * * * *

"We concur with the Court of Appeals that this provision does not differ in principle from those of the internal-revenue laws, which direct the Commissioner of Internal Revenue to prepare suitable stamps to be used on packages of cigars, tobacco, and spirits; to change such stamps when deemed expedient; and to revise and regulate the means for affixing them."

I may say further that with regard to the act respecting the District of Columbia under standing rule XXV of the Reorganization Act, the Committee on the District of Columbia has jurisdiction over taxes in the District of Columbia. In other words, the Congress exercises a direct police power and a special taxing power over the District of Columbia, and I cannot think of a weaker example than that case to support the theory that this bill is not a tax measure.

The Chair also made reference to the Treasury report on this bill as supporting the Chair's view about the character of the legislation. The Treasury Department says in its report on the bill:

"The basic issue raised by the oleomargarine taxes is the propriety and desirability of using the tax laws to affect the relative position of competing industries, both of which use domestic agricultural raw materials."

In other words, the question is, Should the tax laws be used to discriminate between agricultural products? The question of when and under what circumstances the tax laws should be used is properly one for the committee which has jurisdiction over tax laws.

Here it should be pointed out that the Internal Revenue Bureau of the Treasury Department has sole responsibility for administration of the laws which this bill would repeal. The regulations are made by that Bureau, and they are directed solely, as the Supreme Court has held in the Kollock case, toward enforcement of the tax provisions.

The laws themselves are parts of the Internal Revenue Code.

Inasmuch as that report of the Treasury Department on the proposed legislation now before the Senate has been urged in support of the reference made, I think I should read 1 or 2 excerpts from that report, which I believe supports the view that this is predominantly a tax bill. I quote from page 2 of the report:

"The basic issue raised by the oleomargarine taxes is the propriety and desirability of using the tax laws to affect the relative position of competing industries, both of which use domestic agricultural raw materials. In the case of oleomargarine the taxing power is used as a punitive measure against one industry to advance the interests of another. In the process the public is deterred from the free exercise of its consumer preferences. Without passing judgment on the relative merits of the two products from the viewpoint of the public health, it is the view of the Treasury Department that the use of the taxing power to distort the normal development of competing industries and to deprive them of the full benefit of the free-enterprise system conflict with the public interests and, in the absence of compelling considerations, should be avoided."

I quote further:

"The Department is not qualified to appraise the validity of these assertions. They illustrate, however, that the punitive use of the taxing power can result in the inefficient use of resources and support the principle that the tax system should not be used for these ends, except where the objective is clearly in the public interest.

* * * * *

"The tax burden, however, reflects only part of the cost of these taxes to consumers. The existence of the oleomargarine taxes interferes with the availability of oleomargarine in certain areas and induces individuals who would otherwise buy oleomargarine to forego table fats or buy butter. Where, for example, as a result of the occupational taxes, consumers with equal preference for the two products are unable to procure 40-cent oleomargarine and are obliged to purchase 90-cent butter, the burdern of these taxes approximates the difference between the selling prices of these items."

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. May I ask once again, Does the Senator intend to appeal? I wish to formulate the program for the remainder of the afternoon.

Mr. FULBRIGHT. I will say to the Senator that I am approaching the end of this discussion. I shall not be much longer.

I quote further from the report of the Treasury Department:

"The legislative history of these taxes indicates that they were first enacted to assist in preventing the fraudulent sale of oleomargarine as butter. The taxing power has on several occasions been used for regulatory purposes. Taxes imposed on the production or distribution of narcotics, white sulfur matches, firearms, and national-bank notes are examples. In these cases, the taxing power supports the Government's control over certain activities in the public interest. However, in the case of oleomargarine, the need for regulation through the taxing power has been affected by several developments in recent years."

That excerpt, I may say, is so clearly on the point of whether this is a tax bill that I think it goes far to offset, and does offset, the idea that because these taxes do not produce a great deal of revenue in the aggregate, the measures, therefore, are not tax bills.

I read further from the report of the Treasury Department:

"In summary, it is the Treasury Department's view that the present oleomargarine taxes distort the competitive position of two domestic industries, interfere with the optimum utilization of national resources, and unnecessarily burden consumers far in excess of the amount paid in taxes. Revenue considerations are not involved."

The last five words are relied upon by the Chair in saying that this is not a tax bill—

"Revenue considerations are not involved."

This report is signed by the Secretary of the Treasury. It was presented by the Under Secretary of the Treasury when he appeared before the committee. I believe that if the last five words are read in connection with the entire report, it will be perfectly obvious that what the Secretary meant was that there was not a great deal of money involved in these taxes. The testimony had revealed that back in the 1930's the revenue amounted to $2 million or $3 million. It has gradually grown to about $7 million. Although that is not an entirely immaterial or insubstantial sum, in terms of present-day finances it is not a very large sum. I am quite confident that is the only meaning which could properly be attached to that particular expression on the part of the Secretary of the Treasury. So I believe that fact meets and explains the point upon which the Chair based his ruling.

Let me give a few other references to some of the precedents in the Senate. This afternoon we have had quite a lengthy debate on the value of precedents, and I think the Senate very decisively by its vote upon the point of order decided that the precedent as of yesterday was not a correct one, and I believe that will be the way the action of the Senate will be interpreted. However, I know the Senate values consistency in its rules and in the interpretation of its rules. I wish to mention a few instances in that connection, for the benefit of the Senate, going back some years, and referring to the reference of various bills.

For example, in the 64th Congress, 1st session, in 1915, a resolution of the Farmers Booster Club, of Renville, Minn., opposing the proposed repeal of the tax on coloring of oleomargarine, was referred to the Committee on Finance.

In the 65th Congress, 1st session, in 1917, Senate bill 294, to reduce the tax on oleomargarine was referred to the Committee on Finance.

In the 65th Congress, 1st session, in 1917, bill 461, to reduce the tax on oleomargarine, was referred to the Committee on Finance.

The same action was taken in the 67th Congress and in the 68th Congress.

Mr. President, to show the distinction between a bill which had to do with the taxing

of margarine and a bill relating to the regulation of the sale of margarine, I wish to refer to the first case of that sort we come to: In the 69th Congress, 1st session, the Vice President laid before the Senate a joint resolution of the Legislature of the State of Wisconsin favoring legislation to prohibit the manufacture or sale of oleomargarine in the United States. That joint resolution properly was referred to the Committee on Agriculture and Forestry because it was an outright prohibition of the manufacture or sale of oleomargarine, and it dealt directly with that subject matter. That shows the real distinction which we find running all through the various references of such measures. I hold in my hand a list showing the references of a great many measures of that sort, but I shall not take the time of the Senate to read the entire list. A number of measures were referred to the Committee on Agriculture and Forestry, but in practically every case the bills referred to that committee called for amendments of acts defining butter and "also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine." As an example, I refer to Senate bill 5745, in the 3d session of the 71st Congress. That was a bill to amend the act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine, approved August 2, 1886, as amended." As will be seen from the title, the purpose of that bill was to amend that act. The bill did not provide for a repeal or change in the tax itself.

At another time, a bill which prohibited the interstate shipment of margarine in certain cases was introduced. That bill was referred to the Interstate Commerce Committee, where it might very well have gone, because the purpose of the bill was to prohibit the transportation of oleomargarine in interstate commerce.

But I think in no case except the first one—and in that case the decision was made, as the Chair has stated, by a very close vote of 22 to 21—has a bill similar to this one, relating to either the imposition of the tax or the repeal of the tax, as does the bill now before the Senate, been referred to any committee except the Finance Committee.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HATCH. I noticed that the Senator from Arkansas said he had a statement giving various additional references to such measures and their reference. I do not know whether the Senator has referred to all of them, but I suggest that if he has not, at least he insert the statement in the RECORD.

Mr. FULBRIGHT. I shall be glad to insert the entire statement at the conclusion of my remarks. There are several pages of the statement, and of course I do not like to take the time of the Senate to read all of it.

Mr. President, I ask unanimous consent that the complete statement may be inserted in the RECORD at the conclusion of my statement, as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. FULBRIGHT. Mr. President, I may say to the Senator from New Mexico that I think under the former procedure the decision as to the reference of the bill was not based upon the entire bill. That point is brought out by the statement to which I have just referred. When it appeared from the title or face of the bill that it was a tax bill, the bill almost invariably was referred to the Finance Committee. When it appeared on the face of the bill that it was a regulatory bill, it was referred to the Committee on Commerce, in one case, or the Committee on Agriculture. I think that was the theory behind the reference of such bills, in all those cases.

Mr. HATCH. Mr. President, will the Senator further yield to me?

Mr. FULBRIGHT. I yield.

Mr. HATCH. My only thought in suggesting that the statement be placed in the RECORD was that undoubtedly the Senator from Arkansas has done a great deal of work on this matter, and I thought that for the sake of future reference it would be well to have the entire statement available in the RECORD.

Mr. FULBRIGHT. I thank the Senator.

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. In regard to the statement by the Senator from Arkansas that tax bills on this subject were referred to the Finance Committee and that other bills relating to oleomargarine were referred to the Committee on Agriculture and Forestry, I wish to point out that the bills which were referred to the Committee on Agriculture and Forestry did not call for the removal of tax on oleomargarine, but simply called for removal of obstructions to the free distribution of that commodity. That was the fact in the case of the last oleomargarine bill upon which the Committee on Agriculture and Forestry held extended hearings some 3 or 4 years ago. In that case, the bill did not provide for removing the tax on oleomargarine, but simply provided for removing the obstructions to the free distribution of that commodity.

Mr. FULBRIGHT. Mr. President, may I say that I did not read the full text of all the bills, but from their face it is obvious that the decision as to their reference was based solely upon a brief reading of what the bill purported to be, particularly as shown by its title. Whenever it was obvious that the bill was a tax bill, it was referred to the Finance Committee. I think the Senator will agree that that is the case, and that in practically every case where a cursory examination of such a bill showed that it related to tax matters, the bill was referred to the Finance Committee.

One of the best examples was a bill relating to the shipment of oleomargarine in interstate commerce. That bill was referred to the Committee on Interstate Commerce. That fact further illustrates, I think, the theory applied in the reference of such bills.

Mr. President, a further point which I think the Senate should consider here as a matter of pure, practical fairness in regard to this proposed legislation is that, as everyone knows, this subject has been before the Senate, on and off, for 62 years. Everyone also knows that the Senate never has had an opportunity to vote upon such proposed legislation to repeal these taxes, on its merits, by itself.

After the vote on the amendment I offered to the tax bill, several Senators came to me and said that they felt obligated to do what they could to have the Senate pass the income-tax-reduction bill, the so-called Knutson bill, by itself, and that they felt obligated to oppose any controversial amendments which might jeopardize the final passage of that bill. But several of those Senators said, "We are in favor of the repeal of these oleomargarine taxes, on the merits of the matter, and we shall support a bill which does that."

Today, after the unprecedented action of the House of Representatives in taking the proposed legislation, by petition, from the Committee on Agriculture, and passing it by a vote of nearly 3 to 1, with the result that now the proposed legislation comes to the Senate, we find that the same officials of the Senate, after having referred an identical bill to the Finance Committee in December, now decide that the bill presently under consideration must be referred to the Committee on Agriculture and Forestry. Mr. President, that fact in itself raises a question as to the reason for such action. If they are interested in the bill on its merits and in an objective way, why was not the question raised in December in connection with the reference of the other bill? That is the question which bothers so many of us who are solely interested in presenting the bill to the Senate for a vote—a vote on the merits of this issue alone.

It seems to me that after all that has been going through and after all the trouble that has been taken by the proponents and, no doubt, also by the opponents, it would be a very sorry and sad thing for this measure to be buried in a committee. Of course, I do not say that I believe the Committee on Agriculture and Forestry will not proceed to consider the bill on its merits, but I call attention to the fact that an identical bill already has been the subject of hearings before the Finance Committee. I appeared before the Finance Committee in support of the bill I introduced, which is the same as the Rivers bill which now is before the Senate. The Senator from South Carolina [Mr. Maybank] also appeared before the committee, not only this year but in 1944 when he had an amendment very similar to this measure. In other words, during the past several years, and in modern days, let us say, in connection with the matter of taxes, the Finance Committee has considered this proposed legislation.

I may say that the Committee on Agriculture and Forestry is now deeply engaged in the consideration of the long-term agricultural program; and after consultation with some of the members of that committee, I am informed by them that they could not proceed to hold hearings on this proposed legislation this week. They say they might get to it next week.

Mr. President, when we consider how close we are now to the end of the present session of Congress, and in view of the fact that the leadership of the House, I know—and I believe this is also true of the leadership of the Senate—has said they hope to have the Congress adjourn by the 18th of June, and in view of the further fact that we know that practically all the major appropriation bills are yet to be acted upon or are just now beginning to come before the Senate, obviously it may well happen that if this proposed legislation is sent to a committee which already is burdened with the consideration of other important legislation and is not familiar with the recent hearings on this subject which have been held by another Senate committee, the result may be that there will be a fatal delay in the consideration of the bill by that committee.

I therefore submit that today there is no excuse for shifting the reference of this measure to the Committee on Agriculture and Forestry and to deprive the Committee on Finance of the jurisdiction which it so long has exercised. Incidentally, I believe it can be correctly stated that the Finance Committee at the present time has practically no important legislation pending before it. If it has, I am not aware of it. I know one member of the committee told me yesterday he knew of no important tax legislation now pending. It would, therefore, be logical and reasonable to assume that this bill could be considered by the Committee on Finance and reported in time to be acted on at the present session. If the bill is not acted upon, if it should in accordance with the ruling of the President pro tempore go to the Agriculture and Forestry Committee and should not be acted upon, it seems that the Senate and the committee in so voting will have taken the responsibility of denying the right of the Senate to have an opportunity of voting on this legislation. The legislation has been, it may be said, pending on and off for 62 years. This is the first opportunity in all that time we have had of voting upon it. That is assuming the committee will report it to the Senate.

"EXHIBIT A

"OLEOMARGARINE TAXES

"1947

"S. 985 (Mr. JOHNSTON of South Carolina). A bill to repeal the tax on oleomargarine. Referred to Committee on Finance.

"S. 1907 (Mr. FULBRIGHT). A bill repealing certain provisions of the Internal Revenue Code relating to the tax on oleomargarine, and for other purposes. Referred to Committee on Finance.

"1946 AND 1945

"None.

"1944

"S. 1744 (Mr. Smith of South Carolina). A bill to provide for the more efficient utilization of the agricultural resources of the Nation during peace and war; to regulate the production and distribution of margarine, a product of certain agricultural commodities, in interstate commerce; to remove certain obstruction to the distribution of such product in interstate commerce; and for other purposes. Referred to Committee on Agriculture and Forestry.

"1943

"S. 1426 (Mr. Maybank). A bill to provide that certain taxes imposed with respect to the sale or manufacture of oleomargarine which is yellow in color shall be suspended until the expiration of 6 months after the termination of hostilities in the present war. Referred to Committee on Finance.

"Mr. Bushfield presented a resolution of the South Dakota State Dairy Association opposing H. R. 2400, relating to taxes on oleomargarine and license taxes on manufactures. Referred to Committee on Agriculture and Forestry.

"Mr. Gillette presented a resolution of the National Cooperative Milk Producers Association, opposing legislation to repeal Federal commodity and license taxes on oleomargarine. Referred to Committee on Finance.

"Mr. Capper presented a similar resolution. Referred to Committee on Finance.

"1942

"Mr. Davis presented a petition of Pomona Grange of Butler, Pa., favoring legislation to regulate the composition of oleomargarine. Referred to Committee on Agriculture and Forestry.

"1941

"S. 1921 (Mr. Gillette). A bill to promote and protect the public welfare by prohibiting the shipment and sale in interstate and foreign commerce of oleomargarine containing any milk or its products, or which is yellow in color, or which is in semblance or imitation of butter as to color, flavor, or appearance; to regulate the advertising of oleomargarine; to provide for the enforcement of this act; to provide penalties, and for other purposes. Referred to Committee on Agriculture and Forestry.

"1940

"Resolution of the National Cotton Council of America remonstrating against the penalties imposed on the use of margarine. Referred to the Committee on Finance.

"1939 AND 1938

"None.

"1937

"Mr. Duffy presented a joint resolution of the Legislature of the State of Wisconsin opposing the passage of House bill 3905, relating to the sale of oleomargarine. Referred to the Committee on Agriculture and Forestry.

"1936

"Resolutions adopted by milk producers' locals of New England opposing interstate shipments of oleomargarine, favoring the retention of duties on foreign vegetable oils for domestic purposes, and an additional tax on oleomargarine. Referred to Committee on Finance.

"Resolutions of New York branch of Dairymen's League Cooperative Association, asking for a tax of 5 cents per pound on fats used in producing oleomargarine. Referred to Committee on Finance.

"1935

"Mr. La Follette presented a joint resolution of the Legislature of the State of Wisconsin favoring an increase in the tariff on foreign fats and oils used in the manufacture of oleomargarine. Referred to Committee on Finance.

"1934

"The Vice President laid before the Senate a resolution of the St. Lawrenceburg (N. Y.) Pomona Grange favoring the passage of H. R. 6612, relative to the manufacture and sale of products manufactured for butter substitutes. Referred to Committee on Agriculture and Forestry.

"S. 3203 (Mr. Smith of South Carolina (by request)). A bill to amend an act entitled 'An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine,' approved August 2, 1886, as amended, and for other purposes. Referred to Committee on Agriculture and Forestry.

"1933

"None.

"1932 AND 1931 (72D CONG., 1ST SESS.)

"S. 2846 (Mr. Dill). A bill to prohibit the interstate shipment of oleomargarine in certain cases. Referred to Committee on Interstate Commerce.

"S. 2950 (Mr. HÉBERT). A bill to authorize the packing of oleomargarine and adulterated butter in tin and other suitable packages. Referred to Committee on Agriculture and Forestry.

"S. 4065 (Mr. HÉBERT). A bill of the same title as S. 2950. Referred to Committee on Agriculture and Forestry.

"(NOTE.—This bill became a law.)

"SEVENTY-FIRST CONGRESS, THIRD SESSION (DECEMBER 1929–MARCH 3, 1931)

"S. 5745 (Mr. Townsend of Michigan). A bill to amend the act entitled 'An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, exportation of oleomargarine,' approved August 2, 1886, as amended. Referred to Committee on Agriculture and Forestry.

"(The above bill was reported from the committee, and H. R. 16836, a bill of an identical title, was subsequently passed. S. 5745 was postponed indefinitely.) H. R. 16836 became a law.

"S. 5750 (Mr. Howell of Nebraska). A bill of the same title as the two preceding bills. Referred to the Committee on Agriculture and Forestry.

"(Did not get out of committee.)

"(Several petitions in favor of above legislation were referred to Committee on Agriculture and Forestry.)

"SEVENTY-FIRST CONGRESS, SECOND SESSION (1929 AND 1930)

"S. 3838 (Mr. HÉBERT). A bill of the same title as the foregoing. Referred to the Committee on Agriculture and Forestry.

"H. R. 6. A bill to amend the definition of oleomargarine contained in the act defining butter, etc., approved August 2, 1886, as amended. Referred to the Committee on Agriculture and Forestry.

"(This bill passed the Senate by a vote of 44 to 32 and became a law.)

"SEVENTY-FIRST CONGRESS, FIRST SESSION (1929)

"S. 560 (Mr. Schall). A bill of the same title as H. R. 6. Referred to the Committee on Agriculture and Forestry.

"(Not reported.)

"S. 1552 (Mr. Norbeck). A bill of the same title as S. 560. Referred to the Committee on Agriculture and Forestry.

"A resolution of a local grange in the State of Connecticut remonstrating against any change in the oleomargarine laws. Referred to the Committee on Agriculture and Forestry.

"SEVENTIETH CONGRESS, SECOND SESSION (1928–29)

"None.

"SEVENTIETH CONGRESS, FIRST SESSION (1928)

"S. 3737 (Mr. Tydings). A bill to amend the definition of the words 'manufacture of oleomargarine' and to amend the limitation upon oleomargarine taxable at one-fourth of 1 cent per pound in the act entitled 'An act defining butter, etc.,' approved August 2, 1886, as amended. Referred to Committee on Agriculture and Forestry.

"SIXTY-NINTH CONGRESS, SECOND SESSION (1927)

"None.

"SIXTY-NINTH CONGRESS, FIRST SESSION (1925–26)

"The Vice President laid before the Senate a joint resolution of the legislature of the State of Wisconsin favoring legislation to prohibit the manufacture or sale of oleomargarine in the United States. Referred to Committee on Agriculture and Forestry.

"SIXTY-EIGHTH CONGRESS, SECOND SESSION (1924–25)

"None.

"SIXTY-EIGHTH CONGRESS, FIRST SESSION (1923–24)

"S. 392 (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to the Committee on Finance.

"SIXTY-SEVENTH CONGRESS, SECOND, THIRD, AND FOURTH SESSIONS

"None.

"SIXTY-SEVENTH CONGRESS, FIRST SESSION (1921)

"S. 329. (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to the Committee on Finance.

"SIXTY-SIXTH CONGRESS, SECOND AND THIRD SESSIONS

"None.

"SIXTY-SIXTH CONGRESS, FIRST SESSION, (1919)

"S. 461 (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to Committee on Finance.

"SIXTY-FIFTH CONGRESS, SECOND SESSION (1918)

"None.

"SIXTY-FIFTH CONGRESS, FIRST SESSION (1917)

"S. 294 (Mr. McKellar). A bill to reduce the tax on oleomargarine. Referred to Committee on Finance.

"SIXTY-FOURTH CONGRESS, SECOND SESSION

"None.

"SIXTY-FOURTH CONGRESS, FIRST SESSION (1915)

"A resolution of the Farmers Booster Club, of Renville, Minn., opposing the proposed repeal of the tax on coloring of oleomargarine. Referred to Committee on Finance."

Mr. President, I wish to propound a parliamentary inquiry in regard to this bill. As I understand, the Chair referred it to the Committee on Agriculture and Forestry.

The PRESIDING OFFICER (Mr. YOUNG in the chair). That is correct. The bill was so referred.

Mr. FULBRIGHT. I have indicated I might appeal from the decision of the Chair. May I inquire what would be the effect of my doing that? Could a vote be had immediately upon the decision, or might it be expected that it would result in further parliamentary entanglement similar to that which was encountered today as the result of the question raised yesterday? In other words, I should

like the Chair to state what would be the parliamentary situation if I were to appeal from the decision of the Chair.

The PRESIDING OFFICER. The appeal, if made, would be debatable.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. WHERRY. Of course, the appeal would be open to debate, and if the Senator desires, the debate could be continued. If that is the desire of the Senator, it would be perfectly agreeable to me. Otherwise, I should ask for the regular order, in the hope of accomplishing the very thing the Senator has been talking about—the expediting of the program, so we can go on with other legislation and get it out of the way. But if the Senator is going to appeal, it means we shall debate this question until it comes to a vote. That would be perfectly within the rights and prerogatives of the Senator.

Mr. FULBRIGHT. Does the Senator feel that we may get to a vote?

Mr. WHERRY. Oh, yes. As indicated earlier when I made a request for unanimous consent, my hope is that we may be able to terminate this matter definitely one way or another.

Mr. FULBRIGHT. Mr. President, I appeal, then, from the ruling of the Chair, and I request that the bill be referred to the Committee on Finance.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

[From the CONGRESSIONAL RECORD, vol. 94, pt. 4, pp. 5283–5294]

REPEAL OF OLEOMARGARINE TAXES

The Senate resumed the consideration of the appeal of Mr. FULBRIGHT from the decision of the President pro tempore referring to the Committee on Agriculture and Forestry the bill (H. R. 2245) to repeal the tax on oleomargarine.

The PRESIDENT pro tempore. The matter under consideration by the Senate is the appeal of the Senator from Arkansas [Mr. FULBRIGHT] from the decision of the Chair referring to the Committee on Agriculture and Forestry the bill (H. R. 2245) to repeal the tax on oleomargarine.

The question is, Shall the decision of the Chair stand as the judgment of the Senate? Under the unanimous-consent agreement of yesterday the Senate will proceed to vote on the question at 2 o'clock p. m. today, and the intervening time will be equally divided between those favoring the appeal and those opposed thereto, and controlled, respectively, by the Senator from Arkansas [Mr. FULBRIGHT] and the ranking majority members of the Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN].

Mr. WHERRY. Mr. President, I have been asked to suggest the absence of a quorum, and with the permission of the distinguished Senator from Arkansas [Mr. FULBRIGHT] in charge of the time for the proponents, and if there is no objection by the opponents that the time be charged equally, I ask that a quorum be called.

The PRESIDENT pro tempore. The Senator from Nebraska suggests the absence of a quorum, the time required to be charged equally, one-half to each side. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Barkley, Bricker, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hill, Hoey, Holland, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lucas, McClellan, McFarland, McGrath, McKeller, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Conor, O'Daniel, O'Mahoney, Pepper, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Taft, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, White, Wiley, Williams, Wilson, Young.

Mr. WHERRY. I announce that the Senator from Maine [Mr. Brewster], the Senator from South Dakota [Mr. Bushfield], the Senator from New Jersey [Mr. Hawkes], the Senator from Indiana [Mr. Jenner], the Senator from Massachusetts [Mr. Lodge], the Senator from Wisconsin [Mr. McCarthy], and the Senator from West Virginia [Mr. Revercomb] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

Mr. LUCAS. I announce that the Senator from Georgia [Mr. George] and the Senator from Tennessee [Mr. Stewart] are absent because of illness in their families.

The Senator from Alabama [Mr. SPARKMAN] is absent on public business.

The Senator from Nevada [Mr. McCarran], the Senator from Louisiana [Mr. Overton], the Senator from Idaho [Mr. Taylor], the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] are necessarily absent.

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. FULBRIGHT obtained the floor.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. MAYBANK. Does the Senator from Arkansas expect to speak at this time?

Mr. FULBRIGHT. I expect to speak for a short time now, and to reserve a short time in which to speak at the end of the debate, before the vote.

Mr. MAYBANK. Mr. President, day before yesterday I made a brief statement on the subject now pending before the Senate. I ask the Senator if he will be kind enough to permit me to make a request for inclusion of that statement in the RECORD at this time.

Mr. FULBRIGHT. I yield for that purpose.

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the statement I made on day before yesterday respecting the pending bill. In it I gave the reasons for my belief that the bill should be submitted to the Committee on Finance. Inasmuch as I have asked to have the speech included in the RECORD at this point, and since a vote is to be taken on the question of reference of the bill at 2 o'clock today, I do not intend to make any remarks at this time on the subject.

There being no objection, Mr. Maybank's statement was ordered to be printed in the RECORD, as follows:

"Mr. MAYBANK. Mr. President——

"The PRESIDENT pro tempore. The Senator from South Carolina is recognized.

"Mr. MAYBANK. Mr. President, I regret that the situation is such that the Chair could not rule today on the question. The bill, which came from the House of Representatives, was introduced by the Representative from my district and from my home, Representative RIVERS. After a long fight the bill was finally passed by the House, and I was hopeful that today the Senate would take it up and that the Chair would rule on the committee to which the bill should be referred.

"In 1943 and 1944 a similar fight took place in the Senate. I submitted to tax bill after tax bill amendments proposing to repeal the taxes on oleomargarine. Extensive hearings were held by the Finance Committee, of which the Senator from Georgia [Mr. George] was at that time chairman. The distinguished President pro tempore of the Senate was at that time the ranking Republican on the Finance Committee. The oleomargarine interests and other witnesses testified. Through all those hearings the measure was handled by the Finance Committee. Of course I should like to see the bill placed on the calendar, as was done in the case of the tidelands oil bill. I hope that the Chair, who has always been fair in the reference of bills, will not forget that the hearings on oleomargarine were held before the Finance Committee in 1943, 1944, and 1948, which committee already has a great deal of information on the subject. I therefore trust that the bill as passed by the House will be referred to the Finance Committee.

"The Senator from Colorado [Mr. Millikin], the chairman of the Finance Committee, recently made the statement in the Senate, in answer to me, that he considered it to be a tax matter and that the Finance Committee would take it up in due time.

"So, Mr. President, without further statement, I trust that when the matter comes up tomorrow, unless the bill can be placed on the calendar, the distinguished President pro tempore will refer the bill to the Finance Committee which heard the arguments in 1943, 1944, 1947, and 1948."

Mr. YOUNG. Mr. President——

The PRESIDENT pro tempore. Let the Chair state that the Senate is proceeding under a division of time, and all the present proceedings are being charged to the time of the Senator from Arkansas.

Mr. FULBRIGHT. Under those circumstances, I do not yield further at this time.

The PRESIDENT pro tempore. The Chair was about to suggest to the Senator that, without objection, if the Senator is willing to continue to yield, the time now being consumed may be divided. However, if the Senator prefers to proceed, he is entitled to do so.

Mr. FULBRIGHT. Under those circumstances, I think I shall proceed.

Mr. President, under the existing parliamentary situation, I am sure that the opponents of this repeal legislation will argue that a vote to sustain the ruling of the Chair is not a vote on the merits of the bill. Senators will recall that the same argument was made when this measure was offered as an amendment to the tax bill. Technically, that argument is correct; but practically, as a matter of fact, a vote on this referral may well be the only opportunity to vote on the bill at this session.

I have already heard that representatives of the butter interests are seeking to have held hearings lasting a month. One rumor which I heard this morning from a representative of the press is that they expect to present at least 100 witnesses. I have on my desk a copy of the hearings which have already been held on this question during the past 5 years. The record consists of approximately 2,000 pages. It is perfectly obvious that almost all that could be brought out by further hearings is already in evidence. There may be other ways to kill a cat than by choking it with butter; but the experience of 62 years clearly demonstrates that that is the favorite way to kill an oleomargarine tax-repeal bill. It is plain to anyone that by the simple device of delaying the hearings or permitting them to be long drawn out, the Senate would be denied an opportunity to vote on the bill. I realize that members of the Committee on Agriculture and Forestry cannot guarantee any precise time; but the real difficulty in my position and that of others who propose this legislation is the feeling that there may be long delay during the last few days of this session.

Mr. President, much emphasis has been placed upon the fact that the bill under consideration was referred to the Committee on Agriculture of the House. However, we

should not overlook the fact that that committee did not actually report the bill, and in that sense did not handle it. By a majority of 2 to 1 in the House, the House itself took the bill from the committee and acted upon it directly. So in a very real sense by that action the House disapproved the reference of the bill to the Committee on Agriculture.

One basis for the decision of the Chair is the fact that the original bill which created the oleomargarine tax in 1886 was referred to the Committee on Agriculture. That action is cited by the Chair in support of his decision. In that instance the referral was made by the closest possible vote of 22 to 21, and was made, as will be disclosed by an examination of the debate, by very evident exception as to the action proposed by the committee.

The motion to refer the House-approved bill to the Senate Agriculture Committee was made by Senator Miller, of New York, the chairman of the Senate Agriculture Committee.

Senator Beck, of Kentucky, immediately objected in these words:

"I think if Senators will look at the bill they will readily understand that if the bill as it came from the House does not go to the Finance Committee it is hard to imagine any bill that ought to go to that committee. A tariff bill might as well go to the Committee on Agriculture, for that has to do with farmers, with their shoes and stockings, their sugar, their salt, and everything else."

Senator Miller, of New York, then stated the first of the two main arguments for sending the bill to his own committee—the Agriculture Committee. He said:

"The bill comes to us from the other House, having been perfected there in the Committee on Agriculture, having passed the House entirely under charge of that committee, as the RECORD will show, never having been referred to the Ways and Means Committee which corresponds to the Finance Committee of this body."

Senator Miller, who was to lead the fight for the original antimargarine law, then dropped this curious—and I think we must say misleading—suggestion into the debate:

"What will be the condition of this bill when it shall reappear from that committee (the Agriculture Committee), if referred there, I cannot tell—whether there will be anything of a tax in it or not."

This was misleading because only a few months before the dairy interests had held a great convention in New York City at which the whole antimargarine campaign had been planned. That campaign had as its end purpose the drastic curtailment or destruction of the margarine industry—an industry whose chief crime was that it dared to make a food product which competed with butter. That curtailment or destruction, it was generally agreed by the butter interests, could most effectively be achieved through the imposition of an excessive tax. I call attention to the further fact, as evidence of the dairy interests' real purpose, that the original bill, as presented in the House, proposed a straight 10-cent tax on all margarine—a tax which, if approved, would have probably wiped out the whole margarine industry.

Senator Aldrich, of Rhode Island, then rose to challenge Senator Miller, who had just told the Senate that his committee was already considering this subject. Senator Aldrich said:

"It is a tax bill and nothing else and refers in every one of its provisions to the taxation of an article of merchandise and the regulation of its sale by the Internal Revenue Bureau of the Treasury Department."

Senator Aldrich continued—and I think his argument is equally valid today:

"The Senator from New York says that the bill affects the agricultural interests of this country. Does not the tax upon whisky affect the agricultural interests of this country?

"If we are to send every tax bill that relates to, or interests, or affects the agricultural interests of this country to the Committee on Agriculture they would usurp all the functions of the Committee on Finance and all other committees of the Senate."

Senator McPherson then asked Senator Miller this question:

"Is the Senator from New York ready to say that it is not a revenue bill?"

Senator Miller, with what can only be called deceptive frankness, gave this amazing reply:

"As I said before, I do not care to go into a discussion of the bill or any other that we may pass—no revenue will be derived at all."

That was the language of the principal proponent of the original bill. Mark that statement by the chairman of the Agriculture Committee in 1886:

"No revenue will be derived at all, for I hope the legislation passed here will forever make such a fraudulent manufacture as the imitation of butter impossible in this country, and I will state that frankly."

Senator Blair, who also worked manfully for the passage of the original antimargarine law, then rose to supplement Senator Miller's argument. He said:

"If after a primary consideration of the main question, which is that of some method of affording a remedy for this great evil of substituting a fraudulent manufacture for the genuine article to be purchased in the market as an article of food, if after the general question has been considered, the matter of tax should still be retained in the bill and it should come from the Committee on Agriculture as a bill involving taxation to some extent then there could be no impropriety in referring it to the Committee on Finance."

That is the language of Senator Blair and of Senator Miller. In other words, the entire theory of that referral was that the original bill was not expected to involve any revenue. It was expected to be strictly and purely a prohibition against the manufacture of margarine. I need not say that the bill was never referred to the Committee on Finance, and I suppose it would be difficult to prove what I think is obviously the case, that it was never intended that it be done. The whole maneuver, by which the original margarine tax bill was referred in 1886 to the Agricultural Committees of the two Houses—which were supposed to be favorable to the butter cause—rather than the tax committees which would normally have considered them, was most unusual. Today we should look at the facts as they are and act in the light of realities.

The value of this action as a precedent cannot be greater than the value of any previous or subsequent referral. As I have shown, this precedent broke older and previously unbroken precedents. Further, it has not been followed with any consistency since that time.

Mr. ROBERTSON of Virginia. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. ROBERTSON of Virginia. The Senator will recall that the housing bill which was recently before us contained a provision repealing or waiving a tax. Is it not a fact that provision went out on a point of order on the ground that a bill to repeal a tax is as much a tax bill as a bill to impose a tax?

Mr. FULBRIGHT. I think the Senator is entirely correct. I cannot see any basis for argument about the matter in any other way.

Mr. ROBERTSON of Virginia. I think it has been consistently held in both the Senate and the House of Representatives that a bill to repeal a tax is as much a tax bill as is a bill to impose a tax. I wish to say to my colleague the Senator from Arkansas that during the 10 years I served on the Ways and Means Committee of the House of Representatives, I always insisted that any bill relative to taxes, either a bill to impose a tax or a bill to repeal a tax, should be referred to the Ways and Means Committee, because of necessity the tax feature had to be the major feature of the bill and in considering the reference of a bill the indirect effects which might flow from a given piece of legislation should not be given the major consideration.

No doubt the Senator from Arkansas recalls that when the House of Representatives framed a bill to provide a pension for railway employees, that bill was referred to the House Committee on Interstate and Foreign Commerce. It carried a tax. The Supreme Court declared that bill unconstitutional, because the tax was not properly levied. When the House came to remedy that defect, it split the proposed legislation, and sent the tax phase of the Railroad Retirement Act to the Ways and Means Committee, and in that committee we framed a tax which stood up in the courts.

The Senator from Arkansas also will recall that when it was proposed in the House of Representatives to pass a Bituminous Coal Act, the purpose of which was, as was claimed, to eliminate cutthroat competition and the stabilize the coal industry and provide more stable employment in that industry, although the tax on the producers was only a nominal tax, that bill was referred to the Ways and Means Committee because the bill carried a tax.

The same situation applies in the case of the Social Security Act, I may also point out.

Mr. FULBRIGHT. Mr. President, let me say to the Senator from Virginia that I covered that matter at great length yesterday. There are endless examples. The question of jurisdiction is determined by the method by which such matters are reached and not by the indirect or ultimate effects. I could not possibly agree with the Senator from Virginia more fully than I do.

Mr. ROBERTSON of Virginia. I simply wish to make clear why I shall support the appeal of the distinguished Senator from Arkansas, with all due deference to the ruling of the Chair, because the Chair plainly left the decision up to the Senate on a close issue. So, without any reflection upon the Chair, we may decide how we shall vote on the question of having this bill referred to the Finance Committee.

Mr. FULBRIGHT. That is true.

Mr. ROBERTSON of Virginia. I should like to ask the Senator from Arkansas one question. He is opposed to this tax because he says it is unfair competition to put an excise tax upon a competing food product. Does not the Senator think it would be unfair competition to an established product not to require in any new law on the subject that those who sell the competing product shall put their customers on notice as to what they are being served?

Mr. FULBRIGHT. Mr. President, I say to the Senator from Virginia that I am in thorough accord with that position. I have discussed it with those who oppose this proposed legislation; and I have told them that certainly, for myself, and, I think, for everyone else who is supporting this matter, we shall support any kind of direct regulation, with any kind of penalties they wish, that will prevent any deception in the sale of oleomargarine. But that should not be done through the taxing power. The approach should be the same as the approach in connection with the pure-food laws.

Mr. ROBERTSON of Virginia. Mr. President, I wish it understood, because the Senator from Arkansas is leading the fight here on this matter, that when this bill is referred to the Finance Committee, if it is, he will not oppose a provision in this proposed law which will require those who sell margarine to notify their customers what they are selling them.

Mr. FULBRIGHT. Mr. President, I have already submitted to the Senator from Vermont two proposed amendments framed on the idea that we shall work out something of that sort. I certainly shall not oppose it.

Mr. ROBERTSON of Virginia. I thank the Senator very much.

Mr. FULBRIGHT. Mr. President, time is passing. I ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a short summary of some further history of this legislation.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

"In summary of the statements made by those who support the appeal from the reference of this bill to the Committee on Agriculture and Forestry, I should like to restate, point by point, the reasons advanced by the Chair for referral to that committee. The statement of the Chair, I think, is the best possible case which can be made for the decision, and contains all arguments which have been made.

"The Chair in referring a bill to a committee is actually performing a judicial function. He examines a bill, without regard to its merits, and with due regard to the law, the precedents, and the rules of the Senate, refers it to a committee.

"By the same token, then, the Senate of the United States is performing a judicial function, in the nature of an appeal. And it, too, in all justice, should be bound by the law, the precedents, and the rules, without regard to the merits of the bill.

"Indeed the Chair, in referring this bill, has cited precedent, rules, and one case in the Supreme Court of the United States.

"The Chair says, first, that the bill has an oversimplified title. What is the title? Quoting, 'A bill to repeal the tax on oleomargarine.' True this is simple, but is it not precisely what the bill does? Of course it does not tell precisely what effect its enactment will have upon any segment of our economy. But could any possible title of any bill do that?

"Next the Chair makes the point that 'revenue is only incidental in the purposes of this bill, and that "the subject matter which predominates"—that being the controlling phrase in the Reorganization Act—is the agricultural economy.' If this be true, is it not equally true of any tax bill, particularly any excise tax bill, and any tariff? The essence of this interpretation is that a bill should be referred to that committee which has jurisdiction over that constituent of our economy which it most directly affects. By this same interpretation, tariffs and tariff agreements should be handled by the Interstate and Foreign Commerce Committee.

"Withholding taxes on wages should be handled by Labor and Public Welfare, which, under rule XXV, as amended by the Reorganization Act, should have all measures relating to labor. Certainly with respect to such taxes the predominating subject matter is their influence on labor.

"Likewise, an exemption in favor of servicemen should be under the jurisdiction of the Armed Services Committee, because, under rule XXV the Armed Services Committee is charged with 'matters relating to pay and other benefits and privileges of members of the armed services.'

"This goes on in endless progression until it results in complete lack of jurisdiction of the Finance Committee. For that matter, the same analogies can be made with reference to matters handled by the Appropriations Committee. For there is no tax or appropriation that does not affect an article, a profession, a class, an industry, or an element of the Nation's economy, as the margarine taxes affect agriculture, directly or indirectly.

"The significance of all this, I think, is that what is intended by the organization of the Senate and its committees is that jurisdiction should be determined in the cases of taxes, appropriations, and perhaps other functions, not by the effect particular proposed legislation has upon a particular element of the economy, but, rather, the method of effecting it. And where the method chosen is by taxation, the Finance Committee should have jurisdiction.

"Thus, there is nothing to prevent the Agricultural Committee, within the limits of the Constitution, from legislating, or considering legislation, dealing with the margarine and butter question, so long as it does so by general legislation and not taxation.

"If price controls on meats were to be reimposed, would that question be handled by the Committee on Agriculture? It certainly affects the agricultural economy. I think it would affect it to a much greater extent than would the taxes on margarine. But what is the method of affecting it? Control of prices—which is a subject within the jurisdiction of the Committee on Banking and Currency.

"The fact is that each committee has general jurisdiction over matters expressed within its title, with special jurisdictions added. But that jurisdiction extends to general measures of regulation, assistance, and so forth, only, and in any case where the method of legislation is within the purview of another committee the latter should have and does have jurisdiction.

"The next point made by the Chair is that 'revenue considerations are not involved,' quoting from a statement by the Under Secretary of the Treasury in House hearings on this bill.

"I shall not dwell upon the dangers of misinterpretation by quoting out of context, with which all Senators are familiar. But I should like to quote also, from the report of the Secretary of the Treasury on my bill—which is identical to this one—as follows:

" 'The basic issue raised by the oleomargarine taxes is the propriety and desirability of using the tax laws to affect the relative position of competing industries, both of which use domestic agricultural raw materials. In the case of oleomargarine the taxing power is used as a punitive measure against one industry to advance the interests of another. In the process the public is deterred from the free exercise of its consumer preferences. Without passing judgment on the relative merits of the two products from the viewpoint of the public health, it is the view of the Treasury Department that the use of the taxing power to distort the normal development of competing industries and to deprive them of the full benefit of the free-enterprise system conflicts with the public interests and, in the absence of compelling considerations, should be avoided.'

"In the light of this quotation, I think the Treasury's statement, as quoted by the Chair, can only be interpreted as meaning that there is insufficient revenue derived from the taxes to have a material effect. Certainly it is not the Treasury's position that the laws are not tax laws. And cannot the statement quoted by the Chair be applied with evident truth, to practically all tariffs and many, many excise taxes?

"The Chair next cites the Supreme Court case of *Millard* v. *Roberts*, as holding that 'revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.' I attempted to analyze that case yesterday and shall not repeat. Suffice it to say that the court, in that case, held that the acts in question were best described by their titles, which are as follows:

" 'An act to provide for eliminating certain grade crossings or railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore & Ohio Railroad Co. in the city of Washington, and for other purposes.

" 'An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railroad Co., in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes.

" 'An act to provide for a Union Railroad Station in the District of Columbia, and for other purposes.'

"Furthermore, the case in no way involved, directly or remotely, the oleomargarine taxes. On the other hand the cases I cite: *In re Kollock and McCray* v. *United States*, hold that the very laws in question are tax laws, and so depend for their existence.

"Only so far as the contribution by the District of Columbia is concerned was a tax involved in the case of *Millard* v. *Roberts*. A levy or assessment upon properties in the District was made to effect this contribution. The decision was summed up in this sentence:

" 'Whatever taxes are imposed are but means to the purposes provided by the act.'

"Contrast this language with that of *In re Kollock*, which involved the very laws which this bill would repeal, and the very issue here involved; namely, whether the oleomargarine legislation is tax legislation. I quote again from *In re Kollock:*

" 'The act before us is on its face an act for levying taxes, and, although it may operate in so doing to prevent deception in the sale of oleomargarine as and for butter, its primary object must be assumed to be the raising of revenue; and, considered as a revenue act, the designation of the stamps, marks, and brands is merely in the discharge of an administrative function and falls within the numerous instances of regulations needful to the operation of the machinery of particular laws, authority to make which has always been recognized as within the competency of the legislative power to confer.

* * * * * *

" 'We concur with the court of appeals that this provision does not differ in principle from those of the internal-revenue laws, which direct the Commissioner of Internal Revenue to prepare suitable stamps to be used on packages of cigars, tobacco, and spirits; to change such stamps when deemed expedient; and to revise and regulate the means for affixing them.'

"The Chair cites the precedent of the referral of S. 1744, in the 78th Congress, to the Committee on Agriculture. In reply, I call your attention to the great preponderance of bills on the subject which were referred to the Committee on Finance. I also call your attention to the fact that in practically every case of referral to the Committee on Agriculture, the bills and other matters can be distinguished by a preponderant purpose to prohibit, regulate, and affect oleomargarine otherwise than by taxes.

"The Chair next cites the fact that this bill, in the House, was handled by its Committee on Agriculture. We are not in any respect bound by that peculiar circumstance, and I am sure the Chair does not mean to imply that we are. Nor should this reason have any effect, for it has not affected the referral of my bill in this body, nor was it made upon the basis of anything other than precedent created by special rule of the House, without regard to the nature of the bill. We should also not overlook the fact that the House, by a large majority, took the bill from the committee, against the will of the committee, and acted upon it."

Mr. FULBRIGHT. Mr. President, I now yield to the Senator from Washington [Mr. CAIN] the 2 minutes which I think he requested.

The PRESIDENT pro tempore. The Senator from Washington is recognized for 2 minutes.

Mr. CAIN. Mr. President, the junior Senator from Washington represents a State in which there are large and very successful

dairy interests. He is being urged by those interests, among which are many of his personal friends, to support the maintenance of the oleomargarine taxes and to vote in favor of referring House bill 2245 to the Committee on Agriculture and Forestry.

The junior Senator from Washington has not committed his vote on the margarine-tax problem because his study of the facts involved is far from being completed. He is only convinced that in this day of high prices charged to housewives and other consumers, the margarine-tax question should be decided on the floor of the Senate at an early date.

A companion bill to House bill 2245 has, as I understand, been before the Senate Finance Committee for some time, where presumably, no doubt, it has received some consideration. This is one reason why I shall vote in favor of referring House bill 2245 to the Finance Committee. I should like to believe that that committee will report a bill to the Senate in time for the Senate to take action during the present session of Congress.

In referring House bill 2245 to the Committee on Agriculture and Forestry, the President pro tempore said that his decision to refer the bill to that committee, rather than to the Finance Committee, was extremely close. It seems to me that he ruled in favor of the subject of food, rather than taxes.

I strongly feel that the tax question should be granted priority consideration. For this second reason, I shall vote to support the appeal made by the Senator from Arkansas to the referral decision laid down yesterday by the President pro tempore of the Senate. In so voting, Mr. President, the junior Senator from Washington believes he is helping to insure a floor debate on House bill 2245, out of which, as an individual Senator, he can register his vote on the merits of an important public question.

Mr. YOUNG. Mr. President, will the Senator yield to me?

Mr. CAIN. Certainly.

Mr. YOUNG. The Senator from Washington seems to be quite concerned about the position of the Committee on Agriculture and Forestry. The Senator from Arkansas met, the night before last, with four members of that committee who represent the butter industry. At that time we gave him assurance that our committee would not hold up this bill, but would report it to the Senate in time for consideration of the Senate. I think anyone interested in the dairy industry should favor the reference of the bill to the Committee on Agriculture and Forestry, where the dairy interests can receive due consideration.

Members of our Agriculture Committee are considering amendments which may be acceptable to the oleomargarine interests themselves. In fact, there is one which I think is entirely reasonable and which is predicated on the thinking that oleo has been sold for years and years, and is a good product, and ought to be able to stand on its own feet now. There is no reason, in my opinion, why oleo could not be colored just a little different shade than butter, and sold on its own merits, rather than to be colored and sold as butter.

The PRESIDENT pro tempore. The time of the Senator from Washington has expired.

Mr. AIKEN. Mr. President, I yield to the Senator some of the time allotted to the proponents of reference of the bill to the Committee on Agriculture and Forestry, particularly to permit the Senator to answer a question which I should like to ask him. My question is this: Does the Senator from Washington believe that the amendment to the long-range agricultural program bill which was submitted by his colleague, the senior Senator from Washington [Mr. MAGNUSON], and which, in effect, would give the President the right to raise the tariff against Canadian apples—which now are coming into the United States in very large quantity, seeking a market in this country, should be referred to the Finance Committee and not be considered by the Committee on Agriculture and Forestry? Certainly it would affect the revenue of the United States.

Mr. CAIN. Mr. President, will the Senator permit me first to reply very briefly to the Senator from North Dakota, who addressed an observation to me?

Mr. AIKEN. Yes. I think there is sufficient time for everyone, Mr. President.

Mr. CAIN. The junior Senator from Washington feels that the Senator from North Dakota and himself have no quarrel on the subject of sharing a deep concern and interests in the dairy interests of the country. I have such an interest. My vote will be cast in favor of the appeal taken by the Senator from Arkansas, primarily for two reasons. Either rightly or wrongly, I think the matter will be more rapidly brought to the floor of the Senate through referring the bill to the Finance Committee. Secondly, I think primarily the subject under discussion is a tax matter and should be given prior consideration by the Finance Committee. After its action has been taken, and on the assumptions of the Senator from North Dakota and myself that that committee will report a bill to the floor of the Senate, it seems that every Senator will be given ample opportunity to express his personal convictions and feelings on the merits of the proposal which is offered to the Senate.

Mr. YOUNG. Of course, that argument, advanced by the oleo interests, has made the whole situation as complicated and uncompromising as it has been. What greater assurance could the oleo interests have than the assurance by the majority of the Committee on Agriculture that they would report the bill? We were even considering a certain date. If they have no more faith in the Members of the Senate than that, it indicates there is no settlement of this question at all. It seems to me that the Senator from Washington ought to consider the dairy interests of his State, who would prefer having the Agricultural Committee work out a compromise, rather than a tax committee not dealing directly with agricultural interests.

Mr. CAIN. I may say to the Senator that I have had not a single minute of conversation with any representative of what he refers to as the oleomargarine industry. I am basing my decision on what seems to me to be a clear need to send this bill, in the interest of speed and of tax consideration, to the Finance Committee. That is not precluding what all Senators want, which is a thorough and full-scale debate on the subject as soon as some committee sends the approved measure to the floor, so we can decide it in the public interest at the earliest possible time. If the bill goes to the Agricultural Committee, I hope it will report the bill.

Mr. YOUNG. Mr. President, will the Senator yield further?

Mr. CAIN. I yield.

Mr. YOUNG. There is far more involved in this measure than simply taxes. It involves the interests of the dairy industry, which goes back for centuries. There is also involved soil conservation and diversified farming. Further, it seems to me only reasonable to believe that the oleo interests themselves would agree that anyone eating in a public place ought to know whether he is eating oleomargarine or butter. It would be to their best interest. The color would be slightly different from butter. It may even facilitate the sale of their product and probably result in a greater sale of it.

Mr. CAIN. As I understand, we are not debating the subject of oleomargarine at the moment. We are debating which committee ought to have jurisdiction over the subject.

Mr. YOUNG. That is correct.

Mr. CAIN. But the statement by the Senator from North Dakota impels me to ask this question: As I understand, an identical bill introduced by the Senator from Arkansas has been before the Finance Committee for some time. I am not aware of the fact that any question has been raised publicly on the floor of the Senate by the Senator from North Dakota or by any other Senator, or that any exception has been taken to where the bill has been for quite some time. If this matter is so important, according to the terms of the definition of the Senator from North Dakota, where have all Senators been, for some weeks past, that they have not expressed themselves concerning the matter?

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. CAIN. I yield.

Mr. YOUNG. I probably would have raised the question at the time this bill was referred to the Finance Committee, had it been appropriately introduced. The Senator well knows that a revenue or tax measure cannot be initiated in the Senate, anyway; it must originate in the House. So we were not concerned about the reference of the bill of which the Senator speaks.

Mr. CAIN. I was taking it for granted that nothing would happen, one way or another, in connection with the measure.

Mr. YOUNG. It could not. Under our rules nothing could happen.

Mr. CAIN. The Senator from North Dakota was equally aware with me that in due course, when the House took action on the oleomargarine bill, of that sort, a committee in which a bill on this subject had been held for some time would immediately be called into sturdy action.

Mr. YOUNG. I think the remarks of the distinguished President of the Senate are in point.

Mr. THYE. Mr. President——

The PRESIDENT pro tempore. The Senator from Vermont is in control of the time.

Mr. AIKEN. Mr. President, I yielded time to the Senator from Washington, to enable him to answer a question of mine. I should be glad to yield further time to other Senators. I asked the Senator from Washington if he believed that the plea of the applegrowers of the State of Washington to the Agricultural Committee, to seek a solution to their problem so far as the heavy importation of Canadian apples into this country is concerned, should be referred to the Finance Committee, and no further consideration be given to it by the Agricultural Committee? In my opinion it is analogous to the present situation. It concerns a tariff imposed in order to regulate the amount of apples and the price at which apples can be imported into this country. I should like to know whether the Senator thinks the Agricultural Committee also should relinquish jurisdiction of that matter.

Mr. CAIN. If the Senator from Vermont will permit, I should like to express my gratitude for his willingness to allow me to reply to the question of the Senator from North Dakota.

Mr. AIKEN. The Senator from Vermont was very glad indeed to yield the time.

Mr. CAIN. With reference to the question of the Senator from Vermont, I may say that I do not feel qualified to answer it. However, I am glad the Senator has called to my attention the matter of the jurisdiction of that particular bill, which was introduced by my colleague the Senator from Washington [Mr. MAGNUSON]. I shall very promptly study it and give the Senator my opinion for whatever he may think it to be worth.

Mr. AIKEN. I shall be glad to have the opinion of the Senator from Washington. I had hoped that he would be sufficiently

familiar with the situation to enable him to give his opinion at this time.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr FULBRIGHT. Is it not true that reciprocal trade agreements go to the Finance Committee?

Mr. AIKEN. The reciprocal trade agreements go to the Committee on Foreign Relations.

Mr. FULBRIGHT. Why are they sent there, instead of to the Committee on Agriculture? The Committee on Foreign Relations does not handle agricultural legislation.

Mr. AIKEN. I was asking the junior Senator from Washington if he thought the Committee on Agriculture could turn down the pies of the apple growers of the State of Washington, with reference to apples?

Mr. FULBRIGHT. I think it confuses the issue. No one is saying that general legislation, in the form of a tax bill, designed to promote agriculture, including the dairying industry, should not go to the Committee on Agriculture and Forestry.

Mr. AIKEN. I do not think it confuses the issue at all. It may possibly confuse some of those who are insistent that the Chair erred in his reference of the oleomargarine bill, but the issue is the same in each case. That issue is, Where does the preponderance of interest lie—with agriculture or elsewhere?

Mr. FULBRIGHT. I think the issue generally is in respect to the manner in which a particular subject matter would be affected. For example, when a bill came to the Senate to prohibit the shipment of oleomargarine in interstate commerce, it was referred to the Committee on Interstate and Foreign Commerce. The bill specifically provided that the power to control interstate commerce should be invoked. No objection was raised. I think the means by which a thing is to be regulated is determinative of the issue.

Mr. AIKEN. The Senator from Arkansas says that certain bills were referred to the Finance Committee. I may say that of about 40 bills relating to oleomargarine, which have been introduced during the past few years, only 4 or 5 of them have been referred to committees other than that on Agriculture and Forestry.

The Chair, however, yesterday answered the question which has been raised this morning, as to why one or two Senate bills introduced previously this year were referred to the Finance Committee. I quote from the statement by the Chair, which is found in the CONGRESSIONAL RECORD, volume 94, part 4, page 5230.

"Again reference of the bill to the Finance Committee may be strongly urged on the basis of the fact that two previous Senate bills, S. 985 and S. 1907, for this same purpose have been referred in the Senate, during the present Congress, to the Finance Committee although no action has ever been taken on them in that committee.

"This was done on the basis of their titles in usual routine at the legislative desk when no occasion arose to examine the full text of the bills to determine the subject matter which predominates."

In other words, no one knew when the bills were referred. They were referred in a routine manner.

Mr. WHERRY. Mr. President, will the Senator yield for a point of order?

Mr. AIKEN. I yield to myself to complete my statement. When the bill was referred, I doubt that the Chair himself was aware of the reference in view of the routine manner in which it was handled, based on scanning titles.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. AIKEN. I will yield to the Senator from Minnesota [Mr. THYE], because the Senator from Arkansas has an hour's time, and I would rather that some of the yielding be on his time.

Mr. FULBRIGHT. I should like to correct that statement.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. THYE. Mr. President, I wanted to ask the junior Senator from Washington a question. Is the tax which we are now discussing placed on the food content in a pound of oleomargarine?

Mr. CAIN. I have never before heard such a question raised. I presume the tax is placed upon the sale price of oleomargarine.

Mr. THYE. I did not think the Senator had ever thought that question out. That is the reason I asked him the question. The tax is placed upon the color which is in a pound of oleomargarine, and not on the food content. The food itself is always tax free. But if it is colored and camouflaged as butter there is a tax placed upon the pound of oleomargarine. I did not think the Senator from Washington had given that question a complete study.

Mr. CAIN. The Senator from Washington had been previously so informed, but he had not considered the question in exactly the form in which the Senator raised it. It seems to me we are all talking about exactly the same thing, and that is the need for discussing the problem publicly on the floor of the Senate.

Mr. FULBRIGHT. Mr. President, will the Senator yield to me for an observation?

Mr. AIKEN. I will yield very briefly to the Senator from Arkansas. If he takes over a minute he will have to have the time taken out of his own time.

Mr. FULBRIGHT. I shall not take more than a minute.

The Senator from Vermont made the statement that I introduced a bill and no one knew anything about it. I made a speech of, I think, 1 hour's duration in explaining the bill on the day I introduced it in the Senate. I am sure that any Senator who read the RECORD had full notice of the character of the bill. There was no secret about it. A similar bill had been previously introduced. It did not slip by unnoticed.

The next observation I wish to make is to correct the statement of the Senator from Minnesota, that white oleomargarine is sold tax free. There is a tax of one-quarter of a cent. There is no tax on the housewife who puts the yellow color into the oleomargarine. Therefore, I do not see why the Senator argues that the color is what is being taxed, because he is perfectly free, as I am, to buy the oleomargarine and put the color in it. It is the colored margarine that bears a tax.

Mr. THYE. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. THYE. In reply to the remarks of the junior Senator from Arkansas regarding color and the housewife placing color in the product, of course there is no penalty against the housewife putting the color in the product, because the product comes with a capsule or some sort of container with the color in it. But there is no food content in the color. The Senator will admit that.

Mr. FULBRIGHT. It is exactly the same color that is put into butter.

Mr. THYE. The fact is there is no food content in the color. Therefore the tax does not deprive the consumer of the benefit of the food contained in the pound of oleomargarine.

Speaking of excise taxes and the one-quarter-of-a-cent tax on oleomargarine, the processors of all other commodities have to pay a license fee or an excise tax in order to do business. So that subject could be debated from now until sundown, and we could both be correct. The one-quarter-of-a-cent-a-pound tax on the uncolored food content of a pound of oleomargarine is mostly an identification of the product's having been sold. Of course, that is an argument which I would say is minor and is not a question on which we should take any time. But, getting back to the main question, there is no tax on the food content if the product is sold uncolored. It is entirely a question of whether one should be permitted to color it in the form of a camouflaged product to be placed on the tables in public eating places in the form of what might well be butter, where there are more than 62 million meals served every day. The processor has found the greatest opportunity of sales promotion in continuing fighting and feuding between legislative Members representing the dairy interests and legislative Members representing the Deep South or the Cotton Belt and, in more recent years, those who produce soybeans. They have come in for a little share in the debate on the question of whether the product should be camouflaged to deceive the public when it is placed on tables in public eating places, or when it is openly placed and served on the tables.

I might well say, Why the importance of the argument? The housewife, if she were using oleomargarine in her mashed potatoes, would not care what color it was. It would not make any difference, because the mashed potatoes would melt it and the color would disappear, whether she used butter or colored or uncolored oleomargarine. If the housewife wants to use oleomargarine for cooking purposes, the color makes no difference. If she were serving it as a sandwich spread the color, again, would make no difference. If she served it on the table to have it used as an open spread for a slice of bread, then the color would become a factor in connection with having it look like the real thing. The housewife does not want to say to her family or to her neighbors, "We are eating oleomargarine today." That is the reason she comes back to the idea that when she openly serves oleomargarine on the table she wants to have the color in it, so that no one will raise the question of whether it is butter or an imitation product.

So I say to the Senators from the South, and especially to the junior Senator from Arkansas, the processor has found it to be the best publicity, the best advertisement he can possibly conceive of or develop or write, to continue this fighting and feuding which has been so successfully carried on between the dairy and cotton interests and, in more recent years, the soybean producers.

I warn the Senate that if this tax is removed the housewife is going to pay just about the same for the product colored as she is now paying for the product; that she will not be really the beneficiary of the removal of the tax on the colored product; and that so far as the producer in the South, or the soybean producer in the Middle West, is concerned, he will not be much better off financially at the end of the year than he is at the present time.

I also wish to call attention to the fact that if and when the processor can import coconut oil at a cost a little below what the soybean oil and the cottonseed oil now cost him, he will import coconut oil and process his oleomargarine with that, and the cotton producer and the soybean producer will not be the beneficiary of the color, so to speak, in the product.

I wish to say further, in speaking about the entire question, Mr. President, that there is nothing that has lent itself, in the way of general assistance, to diversification of agricultural operations of the South, so much as the dairy cow has lent itself to the general diversification and soil-building practices being followed. In the event the butter market is ruined by the competition which colored oleomargarine will make possible and will bring to it, then I would say that the

diversification and progress made in agriculture in the Southern States will have a setback. As a Nation we have spent a great deal of money in the support of soil-conservation programs and payments in order to bring about that diversification, and if the attempt is successful to throw on the market in competition with butter a camouflaged product it will have a tendency to destroy the splendid progress which has been made in soil conservation in recent years.

I thank the Senator from Vermont.

Mr. AIKEN. Mr. President, I rose to take about 5 minutes of the hour which was allotted to the friends of agriculture in the Senate, to debate the question as to whether the reference made by the Chair of the oleo bill should be upheld.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. I would rather not yield until I make a short statement. I am not going to take much time, because I do not think it is necessary to do so.

The arguments of the Senator from Arkansas and the other Senators who maintain that the bill should not be referred to the Committee on Agriculture and Forestry are based on two assumptions, both of which are false. The first assumption is that the President of the Senate is not familiar with the legislative processes. The President of the Senate has been around here a long time, longer than those who criticize his reference have been.

Mr. FULBRIGHT and Mr. MAYBANK addressed the Chair.

Mr. AIKEN. Mr. President, the opposition has an hour of its own. I wish to get in some time on behalf of the friends of agriculture.

The PRESIDENT pro tempore. The Senator from Vermont declines to yield, and under the division of time, it is not fair to impose on his control of his own time.

Mr. AIKEN. The inference was made that the President of the Senate referred the oleomargarine bill yesterday practically not caring what the decision was on his reference. That is not so, and if one will study the RECORD of yesterday and read what the President pro tempore said, he will learn that he had very definite reasons for referring the bill to the Committee on Agriculture and Forestry.

The reasons which the President pro tempore gave are unanswerable. Let me read his summary. He said:

"But it seems clear to the Chair, after a faithful examination of the entire subject, that the pending bill is not a revenue measure in the appropriate sense of that phrase as defined in the Reorganization Act; but that the subject matter which predominates—the controlling phrase in the Reorganization Act—lies preponderantly within the jurisdiction of the Committee on Agriculture and Forestry."

In reaching the decision he did reach, the Chair was absolutely correct. The opposition goes back to the days before the Reorganization Act was passed, and the arguments against the decision of the Chair in themselves are not sound, for all bills relating to oleomargarine for 20 years have been referred to the Committee on Agriculture and Forestry, and they have been referred to that committee because the oleo interests wanted them referred to it, and they got honest and fair treatment and full hearings, and no one can successfully say they did not.

The other argument of the Senator from Arkansas is based on an equally false assumption, namely, that the Committee on Agriculture and Forestry cannot be trusted to give a fair hearing to a bill of which some of its members may not personally approve. That is a sad reflection to come from those who hold that attitude toward the Committee on Agriculture and Forestry. Why is it that the Committee on Agriculture can be trusted with everything except this oleomargarine bill? Why is it that when the citrus growers of Florida get into a desperate condition, they come to the Committee on Agriculture and trust that committee? Why is it that when the peanut growers of Georgia get into trouble, they come to the Committee on Agriculture and trust that committee to help solve their problems? Why do the apple growers from the State of Washington come to the Committee on Agriculture and trust that committee to help them with their problems, as well as the cotton growers, the wool growers, and the meat producers? These all seem to trust the Committee on Agriculture, and in fact, Mr. President, during the past year the Committee on Agriculture has virtually been the lifeline of the agriculture of those States whose representatives here now question the right of that committee to deal with the subject of oleomargarine, and question that the committee will be fair.

The Senator from Arkansas stated a few minutes ago that the Committee on Agriculture was going to have a hundred witnesses and prolong the hearings indefinitely. I should like to know who made that statement. I will yield him time to answer. Who said the Committee on Agriculture would hear a hundred witnesses and prolong the hearings indefinitely?

Mr. FULBRIGHT. I believe the Senator did not hear my remark. I said that I got the rumor from a newspaperman that it was planned by the butter interests to have a hundred witnesses. I did not say the committee planned that. I said the butter interests planned to produce a hundred witnesses. That has been the practice in the past, so it did not seem unusual. It was not any reflection on the committee.

Mr. AIKEN. Has the Senator from Arkansas so little regard for the Committee on Agriculture that he thinks it will be influenced by this unknown source, some nebulous rumor which he has heard?

Mr. FULBRIGHT. Let me say to the Senator——

Mr. AIKEN. Does the Senator think the committee would not give a fair hearing?

Mr. FULBRIGHT. We have had such a recent demonstration of the conditions which may arise in the Committee on Agriculture in the House that I thought it would be proper to take notice of it. The real situation is that the great Committee on Agriculture has so much other important legislation now pending before it that we really fear it may not have a chance to get around to the consideration of this legislation. The Senator himself told me only yesterday that the Committee on Agriculture and Forestry had before it the long-range agricultural program, and it was doubtful whether hearings could be called for in the immediate future because of the pressing business before the committee. That was the whole reason for the statement.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. Not just now.

The Senator from Arkansas has referred to the conversation which he had with certain members of the Committee on Agriculture and Forestry. I will say that the Senator from Arkansas was insistent that we bring the oleomargarine bill out on the floor not later than May 17, and we were not in any position to promise that, and we are not now in any position to promise it. There are 13 members of the committee. Some of us have talked with the Senator from Arkansas on the subject. We told him we would not sit on this bill, but would try to bring it out in ample time for the Senate to vote on it. That is as far as we could go and can go. We made that statement as individuals and not as an official report of the committee, because we had no right to report on behalf of the committee.

I should like, however, to have the Senator from Arkansas or any other Member of the Senate point out one single instance since the first of January 1947 when the Committee on Agriculture and Forestry has sat upon a bill or refused to let the Senate vote on a bill that was of national interest.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. AIKEN. I now yield to the Senator from South Carolina.

Mr. MAYBANK. I merely wish to state that naturally I believe the bill should be referred to the Committee on Finance, where the original oleomargarine tax bill and the amendments to that bill were referred. It is my understanding from a conversation I had yesterday with the distinguished Senator from Vermont—and if I have misunderstood the Senator I wish he would correct me—and from one even at the late hour of 12:30 today, that the Senator intends to get the bill out on the floor, so that the Senate may vote on it, with or without amendments on it.

Mr. AIKEN. The Senator is entirely correct about that. The Senator from Vermont said to the Senator from South Carolina, and he says to anyone who may be listening now, that so far as he is concerned the bill will be brought out on the floor of the Senate in ample time for the Senate to vote on it.

Mr. MAYBANK. I thank the Senator from Vermont.

Mr. AIKEN. But the Senator from Vermont will further say that he does not believe that all other business of the Senate should be dropped to one side to take up the oleomargarine bill at once. We are working in committee day and night. Many of us met last evening until late in the evening trying to hurry through a good, workable, long-range farm program, and I would be less than frank if I do not say that I believe that farm program should have precedence over the oleomargarine bill.

Mr. MAYBANK. Mr. President, will the Senator yield further?

Mr. AIKEN. I yield.

Mr. MAYBANK. I do not wish to be misunderstood on the Senate floor. I believe that since 1943 and 1944 legislation dealing with the tax on oleomargarine has been referred to the Finance Committee. I shall vote to have the bill referred to the Committee on Finance. I appreciate what the Senator from Vermont has told me, and I want to express my opinion to him that no committee has done more for agriculture in the South than has the Committee on Agriculture, and no Senator has done more for parity and such things in agriculture than has the Senator from Vermont. But I want to say that I think the Senator from Vermont is wrong in this matter, and I shall oppose him and vote to have the bill sent to the Committee on Finance. I want to thank the Senator from Vermont, however, for being so frank and honest with me in the period of the past 2 or 3 days.

Mr. AIKEN. I thank the Senator from South Carolina. Mr. President, I think the Senator from South Carolina understands the situation. I appreciate his words of kindness as regards myself. I have always had a very deep concern for the agriculture of the Southeast. It does need consideration, and will receive consideration so far as it lies within my power to give it. But I do not believe that we should overthrow the decision of the Chair, which is an absolute correct decision, by taking away from the Committee on Agriculture that type of legislation which it has in the main been considering for the past 20 years. This is no time to start taking bills away from one committee and giving them to another simply because one thinks he can receive more votes in some other committee. That is

not good legislative practice. It is merely a perversion of legislative practices.

Mr. President, I do not think I have anything more to say, and I yield the floor.

How much time have we left on our side, may I ask?

The PRESIDENT pro tempore. The time remaining under the control of the Senator from Vermont is 15 minutes, and the time remaining under the control of the Senator from Arkansas is 30 minutes.

Mr. AIKEN. Mr. President, may I make one further remark? Considerable reference has been made to two bills which were referred to the Finance Committee early in January. Am I correct in the month?

Mr. FULBRIGHT. One of them was referred to the committee in December.

Mr. AIKEN. And the fear has been expressed that the Committee on Agriculture would not hold hearings on this latest oleo bill, and that therefore it should be referred to the Finance Committee. I may point out that the Finance Committee has had since December to consider those other bills. The bills have been in that committee during January, February, March, April, and May, 5 months, without consideration, and I do not think the Committee on Agriculture and Forestry should be expected to bring the present bill out within a week.

Mr. JOHNSON of South Carolina. Mr. President, will the Senator yield?

Mr. FULBRIGHT. Mr. President, will the Senator from Vermont yield to me to correct him in that statement?

The PRESIDENT pro tempore. Does the Senator from Vermont yield, and if so to whom?

Mr. FULBRIGHT. I ask the Senator to yield for a correction.

Mr. AIKEN. The Senator from Arkansas has more time than I have. Let him answer in his time.

The PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. FULBRIGHT. Mr. President, with regard to the last remark made by the Senator from Vermont, I will say that I have previously placed in the RECORD the reason why the Senate Finance Committee would not hold hearings on the bill referred to it in December. The reason was that the bill was a tax bill, and under the Constitution it must originate in the House. That is a complete answer to the ruling of the Chair. If it is a tax bill, then it ought to go to the Committee on Finance. The bill under discussion, which has come from the House, is identical to my bill, it is a tax bill, and, under the Constitution, it properly originated in the House. The reason the Committee on Finance did not hold hearings on my bill was because it had not originated in the House.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr AIKEN. In line with the Constitution, the rule of the House provides that tax bills shall originate with the Ways and Means Committee of the House.

Mr. FULBRIGHT. That is correct.

Mr. AIKEN. Did the present bill originate in the Committee on Ways and Means?

Mr. FULBRIGHT. Mr. President, I placed in the RECORD a statement of the way the House perverted that rule, and has succeeded, for 62 years, in preventing any bill being reported on this subject.

Mr. President, I thoroughly believe that the Senator from Vermont is sincere in his attitude of wanting to bring the bill out from the Committee on Agriculture and Forestry, but he has just stated that that committee is working day and night on important legislation which they have before them. It is for that reason I feel they may be unable to get around to the pending bill in time for action at this session. We have only a little over a month left until the time for the adjournment, according to the statements of the leadership in, I think, both Houses. Therefore, the time is very short. The Senate Finance Committee has nothing on its agenda I am informed, of any great importance, and could proceed immediately to consideration of the bill. The Committee on Finance has already held hearings on the proposed legislation in the past several years, and are very well equipped to handle it promptly now.

Mr. President, I have the greatest respect for the Committee on Agriculture and Forestry, but I may say that I believe all committees have certain pet subjects which, for one reason or another, have been difficult to deal with in the past, and I think this is one of them. That is in no way due to the influence of the Senator from Vermont. I have no criticism to make of his integrity or the integrity of the committee.

I may say further that I certainly did not say or intimate in any manner or form that the Chair is not acquainted with and perfectly familiar with the procedures of the House and the Senate—of the whole Congress. I have the greatest respect for his judgment in all matters of importance to the Congress, and particularly in matters of legislation of national interest. But I think it is also well known that the Chair has not the time to investigate every point of order that is raised or every request for a ruling which is made. We have a parliamentarian who takes care of such matters. I believe it is quite proper to question a ruling which is made under these circumstances purely as a matter of his not having had opportunity to give sufficient consideration to the subject, as thoroughly as is possible. I do not think it is any reflection on either his judgment, his intelligence, his integrity, or any other characteristic to make a point of order against his ruling.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I wish to say that I agree with the Senator from Arkansas that the Chair does not have time to read all bills and to determine what shall be done with them. He made it clear yesterday when he stated that the oleomargarine bills introduced last December and January were sent to the Finance Committee in a routine manner on the basis of their titles.

Mr. FULBRIGHT. Last December when I introduced the bill I explained at great length to the Chair and to the Senate—and it is in the RECORD for all to see—exactly what the bill meant. Furthermore, I doubt whether either the Senator from Vermont or the Senator from Michigan has any doubt about the contents and purposes of these bills. As the Senator well knows, similar bills have been introduced every year for 40 years.

Mr. President, I now yield 5 minutes to the Senator from Florida.

Mr. PEPPER. Mr. President, section 137 of the Reorganization Act provides that "in cases in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the Presiding Officer of the Senate without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation, but such decision shall be subject to appeal."

In defining the jurisdiction of Senate committees under section 102 of the Senate rules, jurisdiction is conferred upon the Senate Committee on Agriculture and Forestry over the subject of agriculture generally, as well as over the subject of animal industry and diseases of animals. By the same section, subparagraph 8, jurisdiction is conferred upon the Senate Committee on Finance respecting revenue measures generally before the Senate.

In the RECORD of May 4, yesterday, the distinguished President pro tempore of the Senate, in his reference of this bill to the Committee on Agriculture and Forestry, used the following language:

"The Chair confronts the parliamentary duty of referring this bill to the appropriate committee under the rules."

Skipping a little, the Chair further said:

"Under such circumstances, the Chair wishes to afford the Senate an opportunity, so far as possible, to decide the reference for itself."

Subsequently the distinguished President pro tempore said, after reading section 137 of the Reorganization Act, which I have just read:

"Confronting this injunction of law, the Chair will proceed to make an initial reference in open session, without presuming, of course, to pass upon the merits of the legislation in any aspect whatever. But the Chair specifically invites an appeal without prejudice if the Senate desires a different parliamentary disposition of the measure."

The distinguished President pro tempore has made it clear that this is not a matter of prestige on the part of the President pro tempore. The Chair has not put himself in a position where it would in any sense of the word be regarded as a rejection of our distinguished President pro tempore or a repudiation of his construction of the issues involved if the Senate itself should accept his invitation to refer the pending measure to the Committee on Finance instead of to the Committee on Agriculture and Forestry.

Did I not feel that way about the matter, I would feel some personal embarrassment in voting, as I intend to vote, that this bill should properly be referred to the Committee on Finance, because I have the honor to be a member of the Senate Committee on Agriculture and Forestry. If I felt that the integrity or prestige of my own committee were involved, I certainly sufficiently appreciate membership on that committee, and I am sufficiently loyal to it and to my eminent colleagues on the committee, to vote with them. But, Mr. President, under the Reorganization Act and the rules of the Senate there is involved a question of divided jurisdiction. Obviously the bill pertains to agriculture generally and to animal industry generally, but it is a revenue measure as well. Therefore, the Chair could appropriately refer the bill either to the Committee on Agriculture and Forestry or the Committee on Finance.

Mr. President, what has been the precedent of the Senate since the Reorganization Act has been in effect? If I may say so without impropriety, I had the honor to be a member of the Joint Committee on the Reorganization of the Congress, and I think that act has achieved a salutary improvement in the procedures of the Congress in the interest of a more efficient democracy. However, the Reorganization Act, recognizing that jurisdiction lay in both these committees, gave authority to the Senate itself, upon appeal, to make the decision as to which committee could more effectively, and in the opinion of the Senate more promptly, and perhaps more properly, deal with the legislation.

If I am not in error about the parliamentary history, since the Reorganization Act has been in effect I believe there have been at least three bills on the subject introduced in the Senate. If I correctly recall, the junior Senator from South Carolina [Mr. JOHNSTON] introduced two of the bills. He informed me this morning that both those bills were referred to the Committee on Finance, because it was made to appear that they were revenue measures. The eminent Senator from Arkansas [Mr. FULBRIGHT] was joined by the distinguished junior Senator from South Carolina [Mr. Maybank], who has been so active in this entire effort, in the introduction of a similar bill in December. That bill is identical with the pending bill. It was referred to the Committee on Finance,

and is now pending in that committee. It has been there since December.

The PRESIDENT pro tempore. The time of the Senator from Florida has expired.

Mr. FULBRIGHT. Mr. President, I yield another 5 minutes to the Senator from Florida.

The PRESIDENT pro tempore. The Senator from Florida is recognized for an additional 5 minutes.

Mr. PEPPER. Mr. President, if the Senate Committee on Finance has had referred to it by the distinguished occupant of the Chair three bills identical with the pending bill, under the rules under which we are now operating, and under the Reorganization Act, it seems to me that it can with propriety be said that a fair precedent has already been established for the jurisdiction of the Finance Committee over this piece of legislation.

So, Mr. President, the Finance Committee already having three bills before it, one of them being a bill identical with the pending bill, which is a House bill, it seems to me that we might continue the jurisdiction of that committee without divesting the committee of jurisdiction and conferring jurisdiction upon another committee, which would approach the subject de novo so far as the present session of Congress is concerned, it not having had prior jurisdiction of the subject since the Reorganization Act has been in effect.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield to my distinguished colleague on the Committee on Agriculture and Forestry.

Mr. AIKEN. Does the Senator from Florida maintain that the bills to which he refers as being before the Finance Committee are properly before the Finance Committee?

Mr. PEPPER. I am saying that there is a divided jurisdiction. This is a revenue measure, and in that sense it may properly be referred to the Committee on Finance. It is also a bill affecting agriculture generally and animal industry, because it affects the dairy industry. Therefore, it might with propriety be referred to the Committee on Agriculture and Forestry. There being a proper jurisdiction in either committee, the Chair might have referred the bill to either committee. The Chair referred three identical bills to the Committee on Finance. That committee has already exercised jurisdiction. Such jurisdiction having been conferred, I believe that it would be in the interest of the progress of this legislation to continue that jurisdiction rather than divest the Committee on Finance on such jurisdiction and confer jurisdiction upon another committee, although that committee might with propriety have had the bill referred to it in the first instance.

I am in favor of this proposed legislation. I believe that it would correct a discrimination which long ago should have been removed from the statute books of this land. What does the present law do? It penalizes one section of American agriculture and prefers another by the power of the Congress to tax. It discriminates against oleomargarine, which is made from vegetable oils—oils from soybeans, peanuts, or cottonseed, which are products which are legitimately and honorably grown in our land. Also, I am told, it contains a milk product, either natural milk or skim milk, some manufacturers using one and some the other.

That commodity is penalized by a tax of 10 cents a pound if it happens to be colored a certain color, whereas there is no penalty upon butter, which is similar in character and food value, but bears no tax.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. FULBRIGHT. I yield 5 minutes more to the Senator from Florida.

The PRESIDENT pro tempore. The Senator from Florida is recognized for an additional period of 5 minutes.

Mr. PEPPER. Mr. President, this is one land and we are one people. It is not in the interest of American prosperity or integrity or solidarity for us to tax a product which comes from one part of the country in order to give preference to a product produced in another part of the country. If we do that, we go back to the very divisive and selfish influences which our Constitution was established to circumvent and prevent. Mr. President, when our Nation was founded, our Constitution, setting up our present system, was placed in effect, because, among other reasons, there was an attempt to tax the commerce on one waterway at the expense of the people interested in another waterway in this country. There were conflicting economic interests. Let us permit the several commodities involved to compete for the American market, for the American table, according to the appeal they make to the people, who are the market.

Mr. President, today in the United States three-quarters of the families have incomes under $3,000 a year, and one-half of the families have incomes under $2,300 a year. This tax is a tax upon the food of the poor. It is a tax upon the diet of the American families, one-half of whom have gross incomes of less than $2,300 a year. Therefore, it is not fair to make the American consumer, the American housewife, and those who sit at the American family table pay a tax or tariff which will subsidize a product of the agricultural interests of one part of the United States at the expense of an equally legitimate and equally honorable agricultural product of another part of the United States.

Believing in those principles, I favor the appeal from the decision of the Chair. Believing that with propriety the Committee on Finance has jurisdiction, I shall support the appeal, in favor of reference of the bill to the Finance Committee.

Mr. THYE. Mr. President, will the Senator yield to me?

Mr. PEPPER. Yes; if I have time.

Mr. THYE. I wish to ask the Senator a question: In what manner does the 9¾-cent tax on color deprive the housewife of any food product?

Mr. PEPPER. In the first place, I am informed that there is a considerable difference between the price of butter and the price of oleomargarine on the market today.

Mr. THYE. My question is, In what manner does the 9¾-cent tax on the color which may be placed in a pound of oleomargarine deprive the housewife of a food product?—realizing, on the other hand, that she might buy the pound of oleomargarine without color and without the tax.

Mr. PEPPER. It simply means that if she desires to purchase a commodity that has a certain color, she has to pay 10 cents a pound more for it because of the efforts of some persons to penalize that product in order to give preference to another product of American agriculture. In other words, that principle, if applied to Florida, would mean a preferential-tax treatment for uncolored oranges as against colored oranges. There are certain of our oranges which, although they may be better in content, may not have the golden luster which some persons prefer to see in the skin of an orange. Under our laws, we are permitted to color the skin of oranges, and there is no deception because color is attached or applied to the orange in that way. But it would be unfair if those who colored the skin of oranges were required to pay a tax, when those oranges were in competition in the market with other oranges which were not colored.

Mr. President, the American housewife is not deceived. She knows when she is buying butter and she knows when she is buying oleomargine. But there is no right to tax her 10 cents for each pound of colored oleomargarine simply because she prefers oleomargarine which is yellow in color, instead of white.

The PRESIDENT pro tempore. The time of the Senator has expired.

The Senator from Arkansas has 11 minutes remaining. The Senator from Vermont has 14 minutes remaining.

Mr. FULBRIGHT. Mr. President, is the Senator from Vermont willing to proceed to use his time now?

Mr. AIKEN. No other Senator on my side of the question is requesting time just now. If I thought the Senator from Arkansas had used his time, I would suggest the absence of a quorum, so that we might get ready for the vote at 2 o'clock.

Mr. FULBRIGHT. Mr. President, I have just a few observations to make, to sum up some of the points which seem to me to be of interest in this debate.

I should like to point out the result of a vote sustaining the referral of this bill to the Committee on Agriculture and Forestry.

I and other Senators, who have introduced bills identical to that now in question, are denied hearings on the bills because they are revenue measures which must originate in the House. Yet, the Committee on Finance, which has jurisdiction over revenue measures, is denied that jurisdiction because an identical bill is not a revenue measure.

To put this situation in another way, it has this effect: The Senate of the United States is denied the right to initiate a bill, which it would otherwise have the right to initiate, because it is a revenue measure. Yet, it is not a revenue measure.

The only logical conclusion which can be reached from these circumstances is this: The bill is a revenue measure for the purpose of denying hearings, but it is not a revenue measure for the purpose of referral to a committee.

Also, according to the Supreme Court of the United States, the laws which would be repealed by this bill are revenue measures, but the bill which would repeal them is not a revenue measure. The judicial function of examining and sustaining the laws results in a determination that they are tax laws. But the judicial function of examining a bill repealing those laws and referring it to a committee results in a determination that they are not tax laws.

These are the rather peculiar results of a vote sustaining the referral to the Committee on Agriculture. If it is the decision of the majority that the bill should go to that committee, the issue will be settled. But can the reasons for the decision be satisfactorily explained to the majority of the people, who, I am convinced beyond the slightest doubt, favor the repeal of the margarine taxes? I think the evidence in the House of Representatives a few days ago is conclusive as to that particular subject. As the Senate well knows, the vote there was nearly 3 to 1; it was well over 2 to 1.

Mr. President, I merely wish to reiterate that, as has been intimidated, our position is not that the Committee on Agriculture and Forestry has no desire to be fair and to give consideration to this proposed legislation. A great many matters are involved in the decision relative to the referral of the bill to the Committee on Finance, if that is done. One of the principal ones, insofar as the Committee on Agriculture and Forestry is concerned, is the fact that the committee now is so busy, as the acting chairman of the committee has just stated, that it has to meet at nights during this week. The committee is so busy that there is no probability that it will be able to initiate hearings on this measure in the near future. I think that fact alone is sufficient to justify the Senate in not breaking a precedent which has been so firmly established under the Reorganization Act, as was pointed out yesterday, and as was pointed out just a few moments ago by the senior Senator from Florida.

I hope the Senate will consider this question in its proper perspective, and will realize that we are dealing with a procedural matter, and are setting precedents that will be used in connection with the future legislation. I believe great confusion would result from the precedent which would be set by a referral of a tax bill to the Committee on Agriculture and Forestry. I can well imagine that in the future bills affecting other phases of agriculture, such as bills to tax liquor or tobacco, may be met in each case with the question of where the bill shall be referred. Under the precedents, I think it is very clear that the pending legislation should be referred to the Committee on Finance.

Mr. AIKEN. Mr. President, I yield 5 minutes to the Senator from Minnesota [Mr. THYE].

The PRESIDENT pro tempore. The Senator from Minnesota is recognized for 5 minutes.

Mr. THYE. Mr. President, if because I objected to a product I should attempt to impose upon it a tax which would deprive the public of an opportunity of purchasing the product, I should be wrong. My reason for objecting to color in oleomargarine is that it would become utterly impossible to police the product if it were sold in a form perfectly imitating butter. There would be no way of determining the nature of the product when served in public eating places. As I have previously stated, about 62 million meals are served daily in public eating places.

We know, of course, that the processors of oleomargarine desire that their product shall imitate the color of butter, for in that manner it could be sold and served indiscriminately. The question then would be whether the public in buying and consuming a product would be unable to determine whether it was really a true dairy product. The cost of processing butter is actually more than double the cost of producing oleomargarine, when made of coconut oil, which in most instances is cheaper than either cottonseed oil or soybean oil. The only question with which we are all concerned is, Is the public to be protected, or is it to be permitted in some manner to be deceived?

Those who have had experience in legislative bodies in previous years know there was a necessity for regulating the sale of oleomargarine. They imposed a tax on color only, which tax deprives no one of any of the food content of a pound of oleomargarine. The processors of oleomargarine concede that the color has nothing to do with the food content. The color plays only one minor part, and that is to deceive the public. When colored oleomargarine is placed on the table its appearance deceives the eye, though, as I have said before, when used in cooking it makes no difference, it is not noticed. The only time a person would notice whether it was white or yellow would be when he proceeded to spread it on a slice of bread. He could then tell whether it had the color of butter, or whether it was white, indicating that it was something other than butter.

I repeat, Mr. President, I would be wrong if I tried to deprive the public of any food. It is not the purpose of the pending legislation to deprive the public of any food. It is to cause the product to be marketed on its own merits rather than through coloring it to make it simulate butter. Butter has been known to man from the first day that butterfat was separated from milk.

That is the real argument. The feuding and fighting that have been carried on legislatively have been a profitable source of advertisement to the processors of oleomargarine, who could never have purchased the publicity afforded by headlines in the press and by discussions on the radio and in the Senate. I repeat, color does not materially affect the intrinsic value of a pound of oleomargarine; it merely makes it impossible to police it in channels of trade, whether it be on the shelf of the grocery store or elsewhere. That would become utterly impossible.

The PRESIDENT pro tempore. The time of the Senator from Minnesota has expired.

Mr. THYE. I thank the Senator from Vermont for yielding to me.

Mr. AIKEN. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken, Baldwin, Ball, Barkley, Bricker, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Connally, Cooper, Cordon, Donnell, Downey, Dworshak, Eastland, Ecton, Ellender, Ferguson, Flanders, Fulbright, Green, Gurney, Hatch, Hayden, Hickenlooper, Hill, Hoey, Holland, Ives, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Langer, Lucas, McClellan, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Maybank, Millikin, Moore, Morse, Murray, Myers, O'Conor, O'Daniel, O'Mahoney, Pepper, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Taft, Thomas of Oklahoma, Thomas of Utah, Thye, Tobey, Tydings, Vandenberg, Watkins, Wherry, White, Wiley, Williams, Wilson, Young.

The PRESIDENT pro tempore. Seventy-nine Senators having answered to their names, a quorum is present.

The Senator from Arkansas [Mr. FULBRIGHT] has 3 minutes remaining. The Senator from Vermont [Mr. AIKEN] has 4 minutes remaining.

Mr. FULBRIGHT. Mr. President, I yield 3 minutes to the Senator from Illinois.

Mr. LUCAS. Mr. President, I have so far taken no part in the debate on the question which is pending before the Senate. It so happens that the Senator from Illinois is a member of the Committee on Agriculture and Forestry and is also a member of the Committee on Finance, so that whatever the decision of the Senate may be, the Senator from Illinois must participate in committee hearings before the bill finally comes back to the floor of the Senate.

I wanted to pay tribute, before the debate closed, to the distinguished chairman of the Finance Committee, my good friend from Colorado [Mr. Millikin] for the very vigorous, progressive, and persuasive way in which he has championed the rights of the Senate Finance Committee. I could not let the opportunity pass without some commendation, because the Finance Committee is one of the most, if not the most, important committee in the Senate. It has great powers. It has the power of handling all revenue questions before the Senate. In view of the fact that this bill has a revenue feature in connection with repealing a tax, many Senators thought that the able chairman of the Finance Committee would defend the authority, the right, and the power of the Finance Committee to consider it. It is seldom that any committee wants to lose power or be discharged from its rightful and legal obligation. Under the circumstances I shall be compelled to vote for the motion of the Senator from Arkansas [Mr. FULBRIGHT] to refer the bill to the Finance Committee.

Mr. AIKEN. Mr. President, before the Senate votes on the question I should like to point out that it will not be a vote on the merits of oleomargine versus butter. It will be a vote on whether the Senate shall sustain the ruling of the Chair in referring the bill to the Committee on Agriculture and Forestry. In my opinion, the reasons given by the Chair for referring the bill to the Committee on Agriculture and Forestry are completely unanswerable. Before the vote is taken I wish to read from the statement which was made by the Chair yesterday in referring the bill to the Committee on Agriculture and Forestry:

"House hearings on the bill disclose a statement by Under Secretary of the Treasury Wiggins that 'revenue considerations are not involved.' This is particularly significant since the Supreme Court itself has said in *Millard* v. *Roberts* (202 U. S. 429) that 'revenue bills are those that levy taxes in the strict sense of the word, and are not bills for other purposes, which may incidentally create revenue.'"

Mr. President, I think the logic used by the Chair yesterday in referring the bill to the Committee on Agriculture and Forestry is completely unanswerable. The bill is properly an agricultural bill. The revenue created is purely incidental. Only by being a tax measure could it be referred to the Finance Committee.

I hope the decision of the Chair will be sustained, because that decision was absolutely correct and is backed by all the force of argument.

The PRESIDENT pro tempore. The Senator from Vermont still has 1 minute remaining.

Mr. AIKEN. The Senator from Vermont has run out of anything more to say. That is all there is to say, Mr. President.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. AIKEN. I am sorry. I have thought of something else. [Laughter.] I want to repeat to the Members of the Senate that this is not a vote on the merits of the bill or on the merits of oleomargarine versus butter. It is purely and simply a question of whether the Senate shall sustain the correct and just decision of the Chair.

The PRESIDENT pro tempore. All time for debate has expired. The question before the Senate is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. AIKEN. Mr. President, I ask for the yeas and nays.

The PRESIDENT pro tempore. The yeas and nays have been requested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. TOBEY (when his name was called). I have a pair with the distinguished Senator from Alabama [Mr. SPARKMAN], who is absent on public business. If he were present and voting he would vote "nay." If I were free to vote, I would vote "yea."

Mr. VANDENBERG (when his name was called). Present.

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from South Dakota [Mr. Bushfield] is necessarily absent, and is paired with the Senator from New Jersey [Mr. Hawkes], who is necessarily absent. If present and voting, the Senator from South Dakota would vote "yea," and the Senator from New Jersey, if present and voting, would vote "nay."

The Senator from Wisconsin [Mr. McCarthy] is necessarily absent, and is paired with the Senator from Massachusetts [Mr. Lodge], who is necessarily absent. If present and voting, the Senator from Wisconsin would vote "yea," and the Senator from Massachusetts, if present and voting, would vote "nay."

The Senator from Indiana [Mr. JENNER] and the Senator from West Virginia [Mr. REVERCOMB] are necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent on official business.

The Senator from Indiana [Mr. CAPEHART] is absent because of illness in his family.

The Senator from Maine [Mr. Brewster] is necessarily absent. If present and voting, the Senator from Maine would vote "yea."

Mr. LUCAS. I announce that the Senator from Georgia [Mr. George] and the Senator from Tennessee [Mr. Stewart] are absent because of illness in their families.

The Senator from Alabama [Mr. SPARKMAN] is absent on public business.

The Senator from Nevada [Mr. McCarran], the Senator from Louisiana [Mr. Overton], the Senator from Idaho [Mr. Taylor], the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] are necessarily absent.

If present and voting, the Senator from Georgia [Mr. George], the Senator from Nevada [Mr. McCarran], the Senator from Louisiana [Mr. Overton], the Senator from North Carolina [Mr. Umstead], and the Senator from New York [Mr. Wagner] would vote "nay."

The yeas and nays resulted—yeas, 30, nays 47, answered "present" 1, as follows:

Yeas—30: Aiken, Ball, Bricker, Butler, Capper, Chavez, Cordon, Donnell, Downey, Dworshak, Ecton, Ferguson, Flanders, Gurney, Hickenlooper, Ives, Langer, Magnuson, Malone, Morse, Reed, Robertson of Wyoming, Thomas of Utah, Thye, Watkins, Wherry, White, Wiley, Wilson, Young.

Nays—47: Baldwin, Barkley, Brooks, Buck, Byrd, Cain, Connally, Cooper, Eastland, Ellender, Fulbright, Green, Hatch, Hayden, Hill, Hoey, Holland, Johnson of Colorado, Johnston of South Carolina, Kem, Kilgore, Knowland, Lucas, McClellan, McFarland, McGrath, McKeller, McMahon, Martin, Maybank, Millikin, Moore, Murray, Myers, O'Conor, O'Daniel, O'Mahoney, Pepper, Robertson of Virginia, Russell, Saltonstall, Smith, Stennis, Taft, Thomas of Oklahoma, Tydings, Williams.

Answered "present"—1: Vandenberg.

Not voting—18: Brewster, Bridges, Bushfield, Capehart, George, Hawkes, Jenner, Lodge, McCarran, McCarthy, Overton, Revercomb, Sparkman, Stewart, Taylor, Tobey, Umstead, Wagner.

The PRESIDENT pro tempore. On this vote the yeas are 30, the nays are 47. The decision of the Chair does not stand as the judgment of the Senate. The Chair refers H. R. 2245 to the Committee on Finance.

Mr. HUMPHREY and Mr. TALMADGE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota [Mr. HUMPHREY] is recognized.

Mr. HUMPHREY. Mr. President, I have listened with great interest, and I trust enlightenment, to this very interesting and complex situation relating to the rules of the Senate—rule XIV and rule XXV—rules which control or at least lay down principles for the direction of the Senate in the consideration of bills and resolutions which may come before it.

Mr. President, I invite the attention of the Senators to the statement of the senior Senator from Illinois, of Friday, June 14. I should like to read one or two pertinent portions of that statement as it relates to the discussion this morning and as it refers and relates to the rules of the Senate.

The Senator from Illinois [Mr. DOUGLAS], speaking for himself and several of his colleagues—the junior Senator from Minnesota being one of those colleagues—had this to say:

It is imperative that this sad page of history not be allowed to repeat itself at this session of the Congress.

The Senator was referring to the House action last year on civil rights legislation, and its death here in the Senate. Then the Senator from Illinois went on to say:

For this reason, it is hoped that the Judiciary Committee, which now and for so long has had civil-rights proposed legislation pending before it, will act promptly, so that the Members of the Senate will be given an opportunity to express themselves and, at long last, to vote on a civil-rights bill.

Then I skip down two more paragraphs, to where the Senator from Illinois said:

We would prefer to act on the bill S. 83, which has been pending in the Senate Judiciary Committee since January 7, 1957, and we strongly recommend that it be reported out forthwith by the committee. However, if this is not done before H. R. 6127 reaches the Senate, then we shall be compelled, under rule XIV, after the second reading of H. R. 6127, to object to further proceeding thereon so that it may go to the Senate calendar, to insure Senate consideration of this important legislation at this session.

Further on the Senator from Illinois [Mr. DOUGLAS] says:

Because of this belief, we therefore give notice at this time that when the civil-rights bill, H. R. 6127, comes to the desk of the Presiding Officer of the Senate from the other body, and before any action to refer it or to dispose of it in any way occurs, we shall make certain parliamentary inquiries of the President Officer of the Senate as to the rules of the Senate and his interpretations of those rules.

Mr. President, the senior Senator from Illinois, speaking for himself and other Senators, had no intention of bypassing any rule of the Senate. That is No. 1.

No. 2 is this: It is stated specifically that our purpose is to inquire as to the application and the interpretation of those rules of the Senate when the House bill comes to the desk of the Presiding Officer for its first reading, its second reading, and then for its ultimate disposition.

Also, it should be noted by the wording of the language of the statement that those of us who joined with the Senator from Illinois in this statement would much prefer—in fact, we had long hoped—and we still hope—that the Senate Committee on the Judiciary would report to the Senate a bill upon which it could take action.

Mr. FULBRIGHT. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. In a moment I will yield.

We are not even mentioning the nature of the bill—I know the bill has been amended in the committee by amendments which I personally do not feel are desirable—but I prefer the Senate Committee on the Judiciary report to the Senate a bill.

We have heard a great deal about the rules this morning. One of the rules of the Senate is to act. A quorum of the Senate is a majority, and a majority of the Senate has as its mandate and as its duty under the Constitution to act—not to procrastinate, not to delay, but to act. I submit to any reasonable person that inaction has characterized the Senate of the United States in the field of civil rights. The Senate has been the burial ground of civil rights legislative proposals.

I must say to the Senator from California, who has engaged in the colloquy today, that he is correct when he says that a rule of the Senate, namely, rule XIV, provides, in paragraph 4:

Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

That is the rule. Therefore whatever procedure may be engaged in, it is not an avoidance of the rule, or an effort to circumvent the rule. Whatever is done, the rule will be applied, whether the rule be desirable or undesirable.

The learned Senator from Georgia told us that rule XIV applied at a time, and was written at a time, when the Senate generally met in Committee of the Whole, when it was small in numbers and the number of bills to be considered was limited. Therefore it was feasible, and often was the practice, to consider bills in the Senate as in Committee of the Whole, before reference to any special committee.

That is good history, and I concur in its authenticity. But the rule is still on the books. I say this most respectfully that I have noticed, in connection with other debates, that when certain Members of this body wished to make a point they applied the rules of the Senate. The rules have been used again and again to obstruct action on civil rights.

For example, rule XXII has been applied in the Senate again and again. It protects the system of rules as now written. It protects the filibuster.

I believe in the protection of minority rights. The rules of the Senate are full of the methodolgy for the protection of minority rights. This is fitting and proper. I commend the Senator from Oregon for his deep concern about procedure in the Senate. He is consistent in his concern. He is consistent to the point of being sharply criticized, at times, by those who ought not to criticize him. But I say that rule XIV is a rule, whether it is a good one or a bad one. It can be applied and no one can justly say that the rules are being bypassed.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HUMPHREY. In a moment.

I am no expert on the rules of the Senate, and I do not claim to be. I want the rules of the Senate to be applied so as to expedite reasonably the work of this body. I want the rules of the Senate to be applied in such a manner that there will be opportunity for meditation, consideration, hearings, and testimony. I want the rules to be applied in such a manner that minority rights will be protected; but the majority should act. This is a body of action, not procrastination and inaction. I repeat that the great albatross around the neck of the Senate has been the failure of the Senate to act in the field of civil rights.

The rules of the Senate are sacred to some. At least they are important to all. However, I invite the attention of Senators to the 15th amendment to the Constitution. The 15th amendment to

the Constitution is a part of the supreme law of the land. That amendment reads:

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

I have heard a great deal about the rights of Senators. I ask my colleagues, What about the rights of the people? What about the right of the individual citizen to cast his vote without fear of coercion, intimidation, or violence?

I will go along with any Senator in protecting the rules of this body. In the light of the discussion today, I shall reserve final judgment in regard to my attitude on the rules, as I have heard them interpreted. I wish to be fair. I will not engage in legislative lynching or any other kind of lynching. I will not deal recklessly with the rules of the Senate.

However, I say to my colleagues that there are other rules. There is the rule of justice. There is the rule of fairness. There is the rule of decency. There is the rule of law. The rule of law is clear. If the 15th amendment is not enough, I read the 14th amendment.

My limited knowedge of constitutional law reminds me that at one time the 14th applied to persons, to people—p-e-o-p-l-e—or, as my distinguished friend, the majority leader, said the other night in jest and fellowship, "peepul."

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State where in they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

There is enforcement machinery written into this amendment, such as denying States representation in the House of Representatives under certain circumstances. But we are confronted with an issue which goes far beyond rule XIV or rule XXV. I do not want that statement to be misinterpreted. I want the proper rule to be applied in the Senate. When the vote comes, I shall vote according to my conscience, not political expediency. I shall vote what is in my heart, and I shall not be at all concerned about the political effects or aftereffects.

The Senate is more important than any particular rule. But there is something even more important than the Senate—a Government to serve the people. Yes, a Government which owes its obligation to the people. We are a part of that Government. The Senate must not become so concerned with itself that it begins to serve itself at the expense of the public. He who would destroy himself serves himself. I remind my colleagues not to serve themselves, but to serve others. This is a message which needs to be understood. Let us have no doubt about that.

The issue is joined. We shall argue the question of jury trials. We shall argue civil rights amendments. We shall argue—I do not know why it should be necessary to do so—the right to vote. I thought we lived in the 20th century. I thought the right to vote was one of the precious heritages of the American people. I never dreamed that we would have to stand on the floor of the Senate some day and argue about the right to vote; but apparently we shall have to do so. When we do, we shall win, because in this struggle, whatever rule is applied will be fair. Whatever rule is applied, we shall win, because we are in the 20th century, and the people are on the march. We can delay them, but we cannot stop them. The day is at hand when the right to vote, unfettered, unabridged, with no coercion, no violence, and no intimidation, will be recognized as a fundamental right to be protected and guaranteed by a majority of the people's representatives.

Some of us in the Senate, year after year, have fought for civil rights. We have had to be patient. Sometimes we have been not quite as forceful as others would like to have us be. But let the RECORD be crystal clear. This is a continuing struggle. We have not, nor shall we, retreat or give up.

I appreciate the assistance of those who join us, whether early or late.

The distinguished Senator from Illinois [Mr. DOUGLAS] is present, and he can speak for himself. However, speaking for myself, as one of the cosigners of the statement which was made, one of the reasons why the statement was made was that those of us who have worked in the vineyard of civil rights when the going was hard do not intend to have some procedure intervene and put us out—deny us action, again.

In other words, we are prepared to accept the help of everyone on legitimate procedure, and we are likewise prepared, I may say, not to let something happen which will make for nought the efforts of those who have stood up in good times and in bad times in this struggle on civil rights.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. FLANDERS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. KENNEDY in the chair). The Senator will state it.

Mr. FLANDERS. Is the Senate proceeding under the morning hour?

The PRESIDING OFFICER. It is.

Mr. FLANDERS. I should like to make a unanimous consent request.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. FLANDERS. Are we in the morning hour?

The PRESIDING OFFICER. We are.

Mr. HUMPHREY. I might say that we are accommodating ourselves.

Mr. FLANDERS. Are we following the morning hour procedure?

The PRESIDING OFFICER. We can do so if the Senator calls for the regular order. In that event Senators would be limited on statements to 5 minutes.

Mr. FLANDERS. I should like to request the regular order.

The PRESIDING OFFICER. The Senator may make a point of order, if he wishes to do so.

Mr. HUMPHREY. I merely wish to yield to the Senator from Oregon. Then I shall be happy to yield the floor. We have had a rather free and open discussion without the application of the rule relating to the morning hour.

Mr. FLANDERS. I shall defer my request until the Senator has concluded his remarks.

Mr. HUMPHREY. I had practically concluded my remarks. I merely wish now to yield to the Senator from Oregon.

Mr. MANSFIELD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MANSFIELD. Do I understand correctly that the Senate is now proceeding in the morning hour?

The PRESIDING OFFICER. The Senate is in the morning hour.

Mr. MORSE. All I wanted to say was that I commend the Senator from Minnesota for another one of his great speeches. He has made a speech with which I find myself in agreement. The question I wanted to ask him is—and ask the question because I started this whole discussion—does he not agree with me that if a majority is in favor of civil rights legislation—and I pray they are—we have the votes to prevent an adjournment of Congress until such time as we dispose of the civil rights issue?

We have a majority of votes to discharge the committee. As I said in my speech, I shall favor the discharge of the committee, and I shall favor sitting here as many weeks as it takes to pass what I consider to be fair legislation, resolving all doubts on procedures in favor of our opposition, but insisting that before we adjourn we pass civil-rights legislation. Does not the Senator think that there is some merit in that approach to this problem?

Mr. HUMPHREY. Not only do I think there is merit in it, but I think it is absolutely important that it be concluded on that basis. We should proceed on that basis. Whatever the rule may be, we should proceed on that basis. I think the group which has signed the statement should meet again. I say this in the presence of the Senator from Illinois, and I want the majority leader to know that we respect the rules of this body. If we are in error, we shall publicly say so, as the Senator from Oregon has so stated, because there is a matter of personal relationship in the Senate, and a matter of personal integrity, that goes beyond the winning of an argument.

Whether we apply rule XIV or not, it is my personal feeling that it would be preferable to discharge the committee. If the committee does not act by the time the House bill comes to the Senate, we should discharge the committee. So that the RECORD may be clear, I believe that when the House bill comes to the Senate, we should wait 48 hours or 2 days, and then discharge the committee. We can discharge the committee, I understand, by a majority vote. I would give this thought to my colleagues. Let us think it over. The committee has had a long time to act. This is no personal reflection upon any member of the committee.

The Senate deserves a bill—it deserves action.

Mr. JAVITS subsequently said: Mr. President, I am delighted that the Senator from Minnesota [Mr. HUMPHREY] has returned to the Chamber. I wish to compliment him upon his magnificent speech.

I should also like to point out to him that this very morning, the Senator from Georgia [Mr. TALMADGE] and I opened hearings on amendments to rule XXII. So if any Member of the Senate does not like a Senate rule, he knows exactly what to do about it. Some of us do not like rule XXII as it is, and we are proceeding the hard way to try to change it.

Second, by way of bearing out what the Senator from Minnesota has said, let me point out that the rule book has been thrown at civil-rights legislation time and again. In the committee, when the bell rings at 12 o'clock, the committee sessions end. The chairman of the committee exercises his absolute right, under the rule, to recognize whom he chooses and statements are made for as long as he will allow. That is what has brought the situation to its present pass. For those reasons, no committee action has been taken.

So I think it is only fair that the proponents of civil-rights legislation use the rule book, too; and that is all we will be doing by using rule XIV.

Finally, let me say, that I heard with some uncertainty being created in my mind, the Senator from Minnesota state that he will think about the matter, and that he will be perfectly fair, but that in effect he does not commit his vote in advance on this matter of rule XIV.

Mr. President, I know that the Senator from Minnesota is one of the best friends of civil-rights legislation; but let me say to him that I believe no legislation of that character will be considered and passed without the necessary votes from both sides of the aisle in committee and on the floor. So I ask him to bear that much in mind. In that connection, that there is an obligation to the people superior to any party. I intend to vote that way, and to act that way.

Let me say that I hope very much that the Senator from Minnesota will do the same; and knowing him as I do, I feel very deeply that he will. However, I was worried about the matter.

I know he will forgive me for saying this publicly in this way, but I have done so because I know he is as deeply conscious of the importance of this matter as of any other subject.

Mr. HUMPHREY. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I do not quite understand. This morning I said that those of us who signed the statement of the Senator from Illinois [Mr. DOUGLAS] want to be fair, and do not want to bypass any rule; and that whether it is a good rule or a bad rule, it is still a rule. But I said I will be open-minded about it, and will reexamine it.

Let me say that we hope for success, and there is plenty of room on the success train.

Mr. JAVITS. Good.

Mr. HUMPHREY. So I wish to make clear that we shall welcome every bit of help we can get, and I shall extend every bit of help I can to every Senator. On this side of the aisle there are Members who are deeply committed to the consideration and passage of civil-rights measures. We are trying to have action taken; and I assure the Senator from New York that is my desire.

I hope he will not feel that one needs to be admonished about partisanship in connection with this matter, because I have worked with his distinguished senior colleague [Mr. IVES] year after year. When the Republicans had control of the Congress, the bill was known as the Ives-Humphrey bill for equality of opportunity and employment; and when the Democrats had control of Congress, the bill was known as the Humphrey-Ives bill. Nothing could please me more if the same relationship can exist with the junior Senator from New York.

Mr. JAVITS. The same relationship can exist and will exist.

Mr. HOLLAND subsequently said: Mr. President, I am sorry that my distinguished friend, the senior Senator from Oregon, is not on the floor, because I rose primarily to compliment and congratulate him upon the soundness of his thinking, which was disclosed to us earlier today when he made his very fine, logical, and completely defensible statement.

Let me say that the taking of the course which was suggested the other day by 15 of our colleagues on this side of the aisle would have led to the destruction of stability in the Senate in a greater way than could have been accomplished by any other measure suggested since I have been a Member of this body, except by following the ill-timed and unfortunate suggestion which sometimes has been made in the Senate that at the beginning of each Congress the Senate may rewrite, by simple majority vote, its rules of conduct—its standing rules—so it could carry out the avid hopes and program of a simple majority at that time or perhaps the recommendations of an ambitious and strong Executive.

I warmly congratulate the Senator from Oregon upon his adoption of the cardinal principle of soundness and stability as the quality which should characterize the Senate, because anyone who reads those Federalist Papers which have to do with the Senate and describe its intended function in our Government will remember that it is stability, stability, stability, that is described over and over again as the unique quality which the setting up and the functioning of the Senate was designed to subserve.

The second thing I want to say is this. It is quite apparent that instead of the big contest confronting us being the battle for civil rights, the real contest is, Who is going to get the credit for the passage, as the majority seems determined it shall pass, sooner or later—and I hope it will be very much later—of a so-called bill on so-called civil rights? The critical question now seems to be, Who is going to get the credit for killing cock robin?

Our 15 ambitious liberal friends on this side of the aisle apparently made a bid for that credit the other day. The administration, through its Executive leadership, is making a bid for that credit. If I understood the very brief remarks I heard from the minority leader when I first reached the floor today, the Senate minority is now seeking to claim that credit. I am sure I understood the very clear exposition of his position by the junior Senator from New York a few minutes ago. It was quite clear he wants to be in on the claiming of the credit, and I fear that he is not too greatly concerned with the means by which the action will be taken.

As one who is not impartial in this matter, but who still seeks to preserve his sense of humor, I want to call to the attention of the whole country—particularly the Members of the Senate who think they have made up their minds what they are going to do on this civil-rights matter—that this issue of who is going to have the credit, who is going to claim the corpse, seems now to be the matter of greatest concern. I want to suggest that there is no certainty there is going to be a corpse because many Senators feel very keenly that this measure, miscalled the civil-rights measure, would so operate as to defeat the cause of civil rights, States rights, and individual rights upon so many different levels and fronts that it is not worthy to have the name civil rights applied to it.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. PASTORE. I am not trying to exercise my sense of humor; but I speak seriously when I say, as one of the signers of the petition, I do not care who gets the credit for civil rights legislation. I am interested only in seeing that civil rights are assured. I signed the petition honestly and sincerely, as one believing in civil rights, recognizing also that the Senator from Florida has an opposite point of view, which he has the perfect right to express. It is not my concern who gets credit for it; it is my concern that we have a civil-rights law. I think something should be done about civil rights, and this is the opportunity to do it.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The time of the Senator from Florida has expired.

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may proceed for 3 minutes longer.

Mr. MANSFIELD. Mr. President, I must object, because I objected to the request of the Senator from Indiana.

Mr. FLANDERS. Mr. President, I call for the regular order.

The PRESIDING OFFICER. The regular order is called for. The Senate is proceeding in the morning hour.

THE UNDERTOW IN MODERN EDUCATION

Mr. FLANDERS. Mr. President, it has become clear to me, more so as the

months go by, that public education in the United States is headed in a direction which is bad for the students and bad for the country. How bad it is, and what can be done about it I endeavored to express in a talk before the alumni of Haverford College in Haverford, Pa., last Saturday evening.

Being convinced of the danger of having the organized educationists use the school-construction program as a means of extending their influence, it seems to me to be timely to have this material printed in the RECORD at this time in advance of our consideration of this important legislation. I am hopeful that ways can be found to support much-needed schoolroom expansion without having Federal funds diverted to plant and equipment for other purposes than teaching and learning the essentials.

I therefore ask that the text of my address be printed in the body of the RECORD as an extension of my remarks. I have omitted the introductory language suited to the time and place.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNDERTOW IN MODERN EDUCATION

(Address at Haverford alumni dinner, Haverford, Pa., June 15, 1957, by RALPH E. FLANDERS, United States Senator)

Until 20 years ago or so college graduates tended to marry late and have small families. That seems to be no longer true. The biological revolution which swept the Nation during World War II and the following years found willing cooperation in the ranks of college men and women. Many of them, like our own son, finished college as a GI student with a wife and two children, and postgraduate work with a wife and three.

Children have to be educated. Many of you like other graduates have one or several children. You are, therefore, interested in education and that is what I am going to talk about. The announced subject is the Undertow in Modern Education. Most of us have some knowledge of progressive education and have formed some opinions as to its public phenomena. Let us go a little deeper and observe the force and direction of its subsurface currents.

Modern education in America has a definite ancestry and line of descent. Its characteristics may be traced from the philosopher, John Dewey, through the University of Chicago to his pupil, William Heard Kilpatrick, to Teachers College at Columbia, and thence through George Sylvester Counts and many pupils to the councils of the National Education Association, and thence to every nook and corner of the United States. The standard of the advance guard of this massive movement is now being carried by Theodore Burghard Hart Brameld, who is professor of educational philosophy at New York University. Let us sample the writings of each of these men so that we may get a rough idea as to the influence of each on the education to which our children are subjected.

We must consider two lines of influence streaming from John Dewey, one of educational theory and the other of basic philosophy.

The classic source of Dewey's purposeful effect on education is to be found in a series of three lectures delivered before an audience of parents and others interested in the University Elementary School at Chicago University while he was a professor of pedagogy there. These lectures were published in book form as long ago as 1899. Here is first enunciated the purposes and principles on which his successors have built up their system.

Very properly Dewey makes the child—not the teacher, not the school—the center of the educational process. But this is carried so far as to deny emphasis to teaching and learning. Instead the emphasis is placed on providing such conditions as will encourage the social characteristics and bring forth artistic capacities. Great stress is laid on manual training as a means of learning by doing—and doing together.

Said Dewey: "Such work engages the full spontaneous interest and attention of the children. It keeps them alert and active, instead of passive and perceptive. * * * The mere absorption of facts and truths is so exclusively individual an affair that it tends very naturally to pass into selfishness." The picture which he paints of his ideal school is charming. It is idyllic. Whether it ever was, could be, or should be realized in practice is another matter. It did seek values which can be recognized without discarding others which have been tested by time.

Concurrently a strong but indirect influence on education was flowing from the philosophy of John Dewey. There is dispute as to some of his doctrines but not about his support of the pragmatic philosophy. This word "pragmatic" is derived from a Greek word meaning business and relates to practical affairs. Webster says that pragmatism has "as its characteristic doctrine that the function of thought is as a guide to actions and that the truth is preeminently to be tested by the practical consequences of belief." All of this sounds quite reasonable. We would naturally say "Well, let those who are interested in such things discuss them with each other while we pragmatically tend to our everyday affairs." Unfortunately we cannot shrug off this philosophical doctrine quite so easily. Its continuing effect on our children demands that we, in Webster's words, see that it is "tested by the practical consequence of belief."

It has indeed become basic in modern education that truth is relative to the situation in which and for which it is sought. In particular, for moral judgments there are no basic standards, whether determined by authority or set by the accumulated experience of the ages. We may look for novelties and inventions in ethics as in the world of matter and energy. This doctrine, by the way, is an American one. It is widely held on this side of the Atlantic. It has not appealed to Europeans. Its effects on the education of our children will be mentioned later.

Kilpatrick took Dewey's ideas from Chicago to Columbia. They remained the same, only more so. Under the influence of Teachers' College a great elaboration took place in Dewey's doctrine that the individual pupil and his progress is the proper subject of our school system. To apply that doctrine in the large classes of an American public school was time-consuming and impractical. The solution of that problem was very simple. The individual pupil (and the problem) was swept under the rug of a new educational cliche. It was decided that "man is a social animal." This is undeniably true. But the educationists (not the educators) mutter under their breath "man is a social animal and nothing else."

By acting on this principle it is possible to discharge a very limited responsibility for the individual pupil by concentrating on the progress of his "group." In too large a measure your child ceases to be trained to the limit of his own powers and he progresses only as the group progresses. Serious results for the pupil and the country flow from this practice. It results in standards of scholarship which are low enough to give everybody a chance. It tends to concentrate the selection of studies on those which are easiest so that the group may be kept together and no harm be done to the self-respect of those whose abilities lie in lines other than those of true scholarship.

An example of what this leads to was related to me by a Washington official whose friend has a son who was having a hard time as a freshman in a local university. At the request of his friend the official had the boy in to dinner and a talk afterward. He was amazed at the list of studies in which the boy had been given credits in high school entitling him to graduate and go on in higher education. One of these courses was entitled "Orientation with respect to the school buildings." In plain English this means instruction in how to go from the cafeteria to the toilet. For his proficiency in this abstruse subject the boy was entitled to a credit which went toward his record of a satisfactory completion of his course. There was more of this, though not quite so fantastic. No wonder the boy was not well prepared.

Under Kilpatrick a contempt for learning begins to develop. One Samuel Tennenbaum is the official biographer of Dr. Kilpatrick. He reports the Doctor as saying:

"There are linguistically gifted people for whom the study of languages is profitable. But even for them, I begrudge the time it takes to master the language. If it could be done quickly and easily, and if they could begin the study of literature or whatever else they plan to do with the language, my objection would not be so strong."

Asked if this applied to modern languages, he said that "It holds in less degree" because they are quicker and easier to learn, but he still believed that for the average student it was a great waste of time. In terms of rich, vital interests that might lead to individual growth, languages offer meager possibilities.

Some of the more modern of educationists (not educators) go further yet. Here is a stated opinion of a junior high school teacher of recent years in Champaign, Ill., a university town, by the way. His name is A. H. Lauchner, and there can be no doubt about his being a full-fledged educationist of the new order at the time of writing. He thinks the "3 R's" are too hard. Writing in the local paper, he says:

"Through the years we've built a sort of halo around reading, writing, and arithmetic. We've said they were for everybody—rich and poor, brilliant and not so mentally endowed, ones who liked them and those who failed to go for them.

"We shall some day accept the thought that it is just as illogical to assume that every boy must be able to read as it is that each one must be able to perform on a violin, that it is no more reasonable to require that each girl shall spell well than it is that each one shall bake a good cherry pie."

No wonder that parents are wondering why Johnny can't read. It's because it is unimportant. As to spelling, it doesn't take much sleuthing to discover that most graduates of today's schools are miserable failures in spelling. Why be concerned? Spelling is too hard. Try something easier.

There was implicit in Dewey's doctrine the idea that modern education was adapted to a modern society. It is not clear that he conceived of the schools as being the instrument by which educationists (not educators) formed the coming society by forming the scholars, as Soviet communism undertook to do. The implicit idea becomes explicit purpose under George S. Counts, the third of our four horsemen of the educational apocalypse. He led a study of the social sciences which produced in 1934 17 volumes. The final volume of the study carried its recommendations. The following quotation summarizes them pretty succinctly:

"Cumulative evidence supports the conclusion that, in the United States as in other countries, the age of individualism and laissez-faire in economy and government is clos-

ing and that a new age of collectivism is emerging."

These world-remodeling educators weren't quite sure what exact form this collectivism of theirs would take, but they didn't mind hazarding a guess, a prophetic one, too:

"Almost certainly it will involve a larger measure of compulsory as well as voluntary cooperation of citizens in the conduct of the complex national economy, a corresponding enlargement of the functions of government, and an increasing state of intervention in fundamental branches of economy previously left to individual discretion and initiative—a state intervention that in some instances may be direct and mandatory and in others indirect and facilitative."

Now, this may be taken as a temporary point of view—an emotional response to the great depression. There has, however, been no recanting that has come to your speaker's attention, and all further developments at Teachers College fit into this framework. Furthermore, the purpose of changing the word by indoctrination of our children is clearly stated by Brameld, the fourth of the four horsemen.

Before coming east to New York University, Dr. Brameld carried on an experiment in a Minnesota high school. The curriculum was turned over to him and he has recorded the experiment in a little book entitled "Design for America." Let us pick out of this book just a brief sample and note that in examining his students he asked such questions as: Should there be government ownership or control of radio stations and does the Constitution need some radical modifications? If the student answered "Yes" to these, he got a good mark. If he was doubtful, he got a bad one. Now note in these questions that the teacher has begun to indoctrinate the pupil. He is teaching him to support certain detailed policies in government on which reasonable men may disagree. He is not satisfied with teaching the pupil how to decide on national policy, he teaches him what to do—amend the Constitution.

Dr. Brameld's latest book is entitled, "Toward a Reconstructed Philosophy of Education." Its flavor can be tasted in a few quotations. Here is his opening statement:

"The Culture of America and the world is passing through one of the greatest periods of transformation in the history of mankind. This is our major premise.

"Our minor premise is that education, broadly understood, is a fundamental agency of culture."

In still simpler language this means that teachers and their students are to remake American life and institutions. Did you know that this is going on? Here is some more:

"What we contend is that it is possible to determine the goals that are important to most people in the world of our time. These known goals can then become dependable guides in reorganizing our culture."

This is a typical statement. Under the important heading of "Goals" what emerges is that our future lies in getting what we happen to want. Pragmatism discards the accumulated wisdom of the ages as to what is good or bad, right or wrong. Dr. Brameld emphasizes that the standard is simply what people want, without reference to reason. He says that the utopian order "should be organic, earthwide, and geared to the satisfaction of the maximum number of wants of the maximum number of people. Its characteristics should be apprehended as fully as possible, and therefore scientifically tested. But, in accordance with our discussion above, it should be prehended and inspired by the unrational as well."

Finally, we come back to the pragmatic test. He says:

"The final test of the truth of the consensus would be made, of course, in determining whether its promise is fulfilled in the actual life of that culture."

With no standards of morals or reason accepted, our children are invited to decide what people want, then to experiment with life and see what happens. Does this explain the recent increase in venereal disease? Does this explain the fact that the increase is to be found mostly in teen-age boys and girls? Does this furnish any clue to the cases in which little girls 10 years of age have been the carriers of a disease which has afflicted many scores of adults?

As to what Brameld has in mind for the family, here are scattered sentences, taken out of context—but the context is terrifying.

"So also are proposals to establish a worldwide system of nursery schools in order that little children may be cared for properly if their mothers choose to devote half-days or more to wider affairs of the community through creative work.

"When the mother remains throughout the day with her children in the belief that she is thus realizing herself fully, attendance is optional until the age of about three and a half years; from that age until he is six the average child must attend for a minimum of 3 hours daily. The assumption here is that a combination of home and school experience for very small children is desirable—that, although the mother's care is of course needed, it should be supplemented by expert guidance in habit formation, for example, during these crucially formative years."

These later passages should give an idea as to the position the family holds in the estimation of the educationist (not the educator). In his earlier work, by the way, the teachers and pupils discuss the best ways of running a family, and presumably start a selling campaign on their parents.

Many evenings could be filled with such quotations from the works of the educationists (not educators) but this is enough. Let us now consider the problem for ourselves. First, what are the results of the Dewey-Fitzpatrick-Teachers' College-Counts-National Education Association-Brameld campaign?

The first result is the construction of a monopoly in education. In most States no teacher can be certified unless he or she has taken training in a Teachers College type of pedagogy. It matters not that the teacher knows his subject. It matters not that he can transmit that knowledge to his students. It matters not that he can arouse enthusiasm for his subject. That fits him to be a college professor. It leaves him unfitted to teach our children in the public schools. It leaves him without status, hope of promotion and prospect of pension after retirement. To achieve status, he must have qualified himself in a pseudoscience of education which is largely a training in propaganda and apologetics for a highly dubious type of pedagogy. This education taxes the intelligence but little. For an intelligent man it only requires a surrender of intellectual integrity.

The second result is a complacency toward sloppy teaching and—via pragmatism—toward sloppy morals.

The third result is a purposeful subversion of children toward a society which happily does not now exist and hopefully never will. The educationist's (not educator's) ideal is the anthill. The American ideal is to train every American child to the best and highest use of his faculties and character, so that he may play his own personal part in making his country's future; and to open up to him the enduring satisfactions to be found in the art and wisdom of the past. This is not the natural occupation of the anthill, whose citizens busy themselves with little routines.

At this point a word of warning must be said. What has been described is the powerful undertow in the current of modern education. It will not be found in its full strength in all places at all times. There are, we hope, some parts of our Nation not yet subjected to its powerful pull. Furthermore, where the pull is in full force, there are to be found countercurrents of commonsense, in teachers and in citizens, which for that time and place diminish the dangers. This is fortunate. But the pull is always there, ready to be effective when effort and attention are relaxed.

The question now arises, what can we do about it? The first thing to do is to get acquainted with our local situation. How "progressive" is our own school? Here are some suggested inquiries:

Do our child's report cards give him and give us a measure of his personal achievement? If not, he is unprepared for the world in which he must live, where personal achievement has great importance.

Is promotion dependent on achievement? If not, the child is being conditioned one way or another for rude shocks in the outer world.

Are reading, writing, penmanship, spelling, and grammar treated as being unimportant? This is the modern way. Does it satisfy us? Will it satisfy the child's future employers?

Is mathematics taught as an organized science, one of the great achievements of the human mind, or is it left to "soak in" by some vague, unspecified channel? If so, our children are unprepared to contribute to the world's scientific progress.

Are history, geography, civics, and current events taught as separate subjects, or are they lumped together in "social studies"? If they are so lumped, how can we expect our children to know much about geography, for instance?

If automobile driving is taught in our high school (and that is not a bad idea provided no credits are given), does the superintendent require that the teacher have a master of arts degree? If so, and if this is typical, there may be a chance to redistribute the trained teachers, do more instructing with a smaller staff, and raise the teacher's pay.

One can go on like this indefinitely, but this is enough to demonstrate the general line of inquiry. Should you find that the educationists (not educators) have your children in their grip, what can you do about it? Here are two suggestions.

The first thing to do is to become familiar with your local situation, inform other parents and see what can be done to improve conditions in your own locality. Don't expect this to be an easy thing to do. You are in the grip of the nationwide monopoly of the National Education Association and of the normal schools based on Teachers' College at Columbia. Besides this, you will find yourself opposed by the parents of pupils who are slower mentally, and who are pleased to have them ranked as equal with those having greater intellectual gifts. There is here an unsolved problem. How shall we make available to society the solid virtues of many of the less gifted, without at the same time smothering the contributions of the gifted? We must face this problem.

The next undertaking is to put commonsense into the requirements for teacher certification. The good teacher must have no difficulty in getting certified. Depending on the form of Government which applies, it may be necessary to change a law or perhaps only an administrative procedure. This must be done at the lowest political level applicable, whether city, county, or State. Here again is no mean task set before you.

But the task is imperative. Unless we are successful we will lose our democratic form of Government for one imposed on children by indoctrination; we will lose the services for society of the most gifted among us in favor of the leveled-down, nonprogressive life of the anthill.

"Aux armes, citoyens."

TWENTY-FIFTH ANNIVERSARY OF THE CHARTERING OF THE DISABLED AMERICAN VETERANS

Mr. JOHNSTON of South Carolina. Mr. President, 25 years ago today, on June 17, 1932, the Congress granted a charter to the Disabled American Veterans, a group that had been organized 12 years previously in 1920 to aid and assist worthy wartime disabled veterans, their widows, orphans, and dependents. It is indeed a pleasure to greet this splendid veterans' organization on this memorable occasion.

The title of the association of war veterans originally was "Disabled American Veterans of the World War," and it was so chartered—title 36, chapter 6–A, United States Code—but on July 15, 1942, Public Law 668, 77th Congress, was approved, deleting the words "of the World War." The present national commander is Joseph F. Burke, a veteran of World War II who lost an arm in combat in Italy.

The Disabled American Veterans is composed of veterans, or persons still in the Armed Forces, who were wounded, gassed, injured, or disabled in line of duty while serving with the United States forces during a war of the Korean conflict. It also includes those United States citizens who are otherwise eligible for membership whose disability was incurred in or aggravated by service in the armed forces of those nations associated with the United States as allies during a war of the United States and who were honorably discharged.

In view of the war, disability requirement for membership in the Disabled American Veterans cannot hope to rival the two leading veterans' organizations in point of numbers although it is third in size. The current year of 1957 will show the largest membership in its history. The auxiliary of the Disabled American Veterans is a vital force and is given due credit by the officers of the parent organization for the success so far attained.

The national adjutant of the Disabled American Veterans is Mr. Vivian D. Corbly and he and his staff are located with the national headquarters at 5555 Ridge Avenue, Cincinnati, Ohio. The Disabled American Veterans idento-tag activities are also at that address. Practically every automobile owner in the United States is familiar with the millions of Disabled American Veterans miniature auto license tags mailed out each year and many of the recipients have good reason to bless the Disabled American Veterans when their lost keys are found and returned through the remarkable system operated by idento-tag.

At Washington, D. C., 1701 18th Street NW., is located the national service headquarters. The national directors of claims, employment and legislation, and their staffs, are housed at the above address. The Washington claims staff members contact the Veterans' Administration, its appellate and adjudicating activities, the Veterans' Benefits Office, the Department of Defense and other Government agencies. In addition, national service officers of the Disabled American Veterans are on duty full-time in every regional and district office of the Veterans' Administration to assist veterans and their families with claims.

This service is rendered without charge to the recipients and the fact that they are not Disabled American Veterans members does not affect the relationship in any way.

The Disabled American Veterans service foundation is located at 631 Pennsylvania Avenue NW., Washington 4, D. C., under an executive director. This activity has been of great aid in the furtherance of the rehabilitation program.

The national executive committee and the national finance committee are very important parts of the Disabled American Veterans.

In conclusion, I believe that every American owes a debt of gratitude to the fine veterans' organization we honor today whose members bear the scars of service bravely and unselfishly rendered to this great land of ours in time of war and national emergency.

CIVIL RIGHTS

Mr. ERVIN. Mr. President, some Senators seem to be under the impression that the so-called civil rights bill is restricted to the matter of voting. I should like to state that both in the House bill and the Senate bill, in their present form, the Attorney General of the United States can litigate at public expense, on behalf of any citizen, alien, or private corporation in any of the 48 States, as to any matter coming under the equal protection clause of the 14th amendment, which covers virtually all fields in which States are authorized to legislate.

I ask unanimous consent to have printed at this point in my remarks an editorial entitled "Jury Trials Denied," which was published in the Washington Star of Sunday, June 16, 1957.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JURY TRIALS DENIED

The attempt to add a jury-trial amendment to the so-called civil-rights bill has been beaten down in the House by a vote of 199 to 167. This 32-vote margin, according to Representative WILLIS, Democrat, of Louisiana, resulted from White House pressure on Republican House Members.

We do not know whether this is correct. If it is, it means that the President, who carried 5 Southern States last year, does not trust Southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that Southern juries would not convict defendants in civil rights contempt trials, regardless of the evidence.

Whatever the case with respect to the President, it is clear that the House has prejudged, and adversely prejudged, an entire area of the country. In effect, this was a vote of no confidence in the South, and that, we think, is a high price to pay for some supposed political advantage among Negro voters outside the South.

The jury-trial amendment was offered by Representative KEENEY, a freshman Republican House Member from Illinois. He said he submitted the amendment because as a judge in Illinois he had always considered a jury trial as an integral part of any court.

It required political courage for Mr. KEENEY to take this stand, and, with respect to cases in which punishment for criminal contempt is comparable to punishment for other crimes, we think he is right. We do not believe that considerations of expediency, especially considerations based on speculation, justify bypassing the jury trial, and we trust that this matter will receive more earnest consideration in the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that the Attorney General can take such action even against the wishes of an individual?

Mr. ERVIN. Oh, yes; the Attorney General is allowed to appoint himself the guardian of all Americans in those fields, even though they are 21 years of age and are in full possession of their mental capacity. He is allowed to act for them without their consent and against their will.

INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

Mr. CAPEHART. Mr. President, I ask unanimous consent that I may read a four-page speech which I have prepared.

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). The Senate is operating under a limitation of 5 minutes on speeches in the morning hour. The Senator may proceed under that limitation.

Mr. WATKINS. Mr. President, I have two short matters I wish to present. I have been waiting since 11 o'clock.

Mr. MANSFIELD. Mr. President, I must object. The Senator is operating in the morning hour, and some Senators have been waiting since 11 o'clock. I suggest that the regular order be maintained.

Mr. JOHNSON of Texas. Mr. President, the Senator from Indiana has 5 minutes under the consent agreement.

The PRESIDING OFFICER. The Senator from Indiana is recognized for not to exceed 5 minutes.

Mr. CAPEHART. Mr. President, I am sure that by now all Senators have received a copy of the report of the Commission on Increased Industrial Use of Agricultural Products submitted to Congress pursuant to Public Law 540 of the 84th Congress.

Additionally, all of us have received, I assume, a copy of a press release dated June 15 and a summary of the Commission's report.

First, I wish to extend my heartiest congratulations to the five members of the Commission and my deep appreciation for the hours and hours of hard work which they obviously have devoted to the production of what I consider to be a very excellent report.

It is a report which I hope will be a stepping stone to the permanent solution of one of the most important problems facing our Nation today—assurance of a market which will guarantee in all of the years to come a sound and prosperous agricultural economy in this country.

The Commission has done an admirable job and has my commendation, despite the fact that there are in the Commission's report some features with which I disagree.

Basically, however, the Commission has wisely answered with an emphatic "yes" the fundamental question whether it is possible to develop profitable industrial markets capable of absorbing enough of the excess farm production to minimize, possibly even to eliminate, the need for costly restrictions, supports and surplus disposing operations.

That emphatic yes by the learned members of the Commission is a matter of very great satisfaction to me, Mr. President. It represents the first real official approval of the fundamental farm problem solution which I first proposed to the Congress in the form of S. 3503 on March 21, 1956, and which is now pending before the 85th Congress in the form of S. 724, an identical bill introduced by me on January 17 of this year for myself and 33 other Senators. Both of these bills carry out in principle the provisions of the Commission's report.

I ask unanimous consent to have printed in the RECORD at this point in my remarks the text of S. 724, now pending before the Senate Committee on Agriculture and Forestry.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc.—

DECLARATIONS AND FINDINGS

SECTION 1. The Congress of the United States hereby makes the following declarations and findings concerning the development of new and additional industrial uses for agricultural products:

(a) Current productivity of farms in the United States is substantially in excess of current markets for their products at price levels which provide fair and substantial income to farmers.

(b) National defense and the security interests of the United States require increasing and expanding agricultural productivity to meet possible emergency needs of the United States and its allies, which productivity cannot be achieved or maintained at depressed farm prices resulting from overproduction or with acreage curtailments to avoid overproduction.

(c) It is in the national interest of the United States to increase the level of farm income in order that farmers may continue to share to a greater degree in the general prosperity of the Nation.

(d) No program has been developed, and none can be foreseen, that can successfully shrink farm production for an extended period of time; but research programs provide known means potentially to increase substantially the industrial uses of agricultural products, and thereby to achieve farm prosperity based on full, rather than curtailed, production.

(e) Research facilities, both private and public, including those of land-grant colleges and universities, can and should be utilized for an all-out attack on the development of inceased and additional industrial uses of agricultural products to enlarge opportunities for increased production by farmers and to reduce Government costs for the acquisition, storage, and ultimate disposition of agricultural commodities which are now a substantial financial burden to the Government.

(f) The cost to the United States of such a research program may be expected to be more than offset by increased tax revenues resulting from increased earnings of both farmers and those who sell goods, wares, and merchandise to farmers, as well as by savings to the United States in costs of current agricultural assistance programs.

PURPOSES

SEC. 2. The purposes of this act are to find and develop through research, sponsored and financed by the United States, new industrial uses, and increased use under existing processes, of agricultural products.

ADMINISTRATION CREATED

SEC. 3. There is hereby created in the executive branch of the Government an Industrial Agricultural Products Administration (hereinafter referred to as the Administration), in which is vested the duties, powers, and responsibilities hereafter set out in this act. Such powers, duties, and responsibilities of the Administration shall be vested in an Administrator, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve during the pleasure of the President. The Administrator shall receive compensation at the rate of $22,500 per annum.

DUTIES, POWERS, AND RESPONSIBILITIES OF THE ADMINISTRATION

SEC. 4. The Administration shall conduct research, both scientific and chemical, make field studies, conduct both laboratory and field experiments, test production procedures on a commercial basis, maintain and expand pilot plants whenever necessary, maintain and operate manufacturing facilities where necessary to prove the commercial feasibility of volume production, and otherwise promote the finding, development, and commercial use of new, increased, extended, and perfected processes, techniques, and programs for industrial uses of greater quantities of agricultural products.

POWERS OF THE ADMINISTRATION AND THE ADMINISTRATOR

SEC. 5. The Administration is authorized to:

(a) Utilize such existing facilities of the United States, and such trained personnel employed by the United States, as the President finds can feasibly be transferred to the Administration for carrying out the purposes of this act. The President is hereby authorized to (1) transfer any such facility, facilities, or personnel to the Administration, or to (2) make any such facility, facilities, or personnel available to the Administration for carrying out the purposes of this act.

(b) Build, purchase, or lease plant facilities, or necessary equipment, suitable for research, pilot plant, manufacturing, or other needs of the administration in carrying out the purposes of this act.

(c) Employ such personnel as may be necessary to carry out the purposes of this act; and all technical or scientific employees engaged for research by the administration shall be exempt from the civil-service laws and regulations.

(d) Employ or retain on a contract basis individuals, firms, institutions, and organizations, public and private, including land-grant colleges and universities, to conduct research programs for the administration pursuant to this act.

SEC. 6. The administration is authorized to pay incentive awards to private citizens for suitable and acceptable suggestions to implement the program established by this act, such payments to be made in accordance with previously published rules stating the amounts of, criteria for determining, and subjects of, such awards.

SEC. 7. The administrator is authorized to appoint Industry Advisory Committees and to employ consultants without compensation or at rates of compensation not to exceed $50 per diem.

SEC. 8. The administration may make grants to accredited schools, colleges, and universities for fellowships and scholarships in research for the purposes of this act.

INDUSTRIAL AGRICULTURAL PRODUCTS AGENCY

CREATED

SEC. 9. There is hereby created in the Department of Agriculture an Industrial Agricultural Products Agency (hereinafter referred to as the "Agency." The duties, obligations, and responsibilities of the Agency shall be carried out by and under the direction of the Secretary of Agriculture.

DUTIES AND RESPONSIBILITIES OF THE AGENCY

SEC. 10. Under the delegations, directives, and policy determinations of the administrator, the Agency shall carry out all of the duties, obligations, and responsibilities imposed upon the administration by this act, including the making of research contracts, employment of personnel, contracts for the construction, purchase, lease, or other acquisition of real or personal property, and the maintenance of all records, files, studies and other data undertaken pursuant to this act. Notwithstanding any other provisions of this act, the Administrator may delegate any power given him hereunder to the Agency, and he may control, supervise, and direct all Agency action permitted by law under this act.

SEC. 11. The Administrator shall report semiannually to the Congress progress on research programs undertaken pursuant to this act to find and develop new and increased industrial uses for agricultural products.

SEC. 12. The Agency may license, at a fair and reasonable royalty, any person, firm, or corporation to use any process developed by the Agency or to make and sell under any patent, or application for patent of the Agency. Such royalties shall be based upon fair compensation to the Government for its investment and shall be nondiscriminatory. Whenever the Administrator finds it in the public interest to do so, he may grant royalty-free licenses for processes developed under this act, including the right to make and sell under any patent or application for patent of the Agency.

APPROPRIATIONS

SEC. 13. There is hereby authorized to be appropriated to the Department of Agriculture, for the Industrial Agricultural Products Agency, the sum of $100 million for the fiscal year beginning July 1, 1957, and the same amount annually thereafter. There shall be paid out of such appropriations the salary of the Administrator as well as all other expenses of his office. The President is authorized to transfer to the Agency $1 million out of unexpended Agricultural Department funds to initiate promptly this program following the enactment of this act for and during the fiscal year ending June 30, 1957.

Mr. CAPEHART. Mr. President, I am happy to say that the junior Senator from Nebraska [Mr. CURTIS], who was the principal author of the resolution creating the Commission, likewise was a coauthor of the bills I proposed in both the 84th and 85th Congresses.

It is my understanding, likewise, that the junior Senator from Nebraska is prepared to introduce another bill seeking to carry out the recommendations of the Commission and he has very graciously permitted me to join him as a coauthor. While there are differences in some of the provisions of our bills, both are aimed at accomplishing the same thing.

I should like to go back now to March 21, 1956, when, in introducing the bill for the first time, I said to the Senate:

I am about to propose a far-reaching permanent solution of the farm problem so vast that its potential is virtually unlimited.

Mr. President, I am sure that the 33 Senators who joined with me in the introduction of the bill in the 84th Congress, and those who are cosponsors with me on S. 724 in the 85th Congress, share my elation at the substantiation in the Commission report of the theory and fact which form the basis of our bills.

There is no argument between me and those who seek now to implement the recommendations of the Commission as to the soundness of the program. We agree that this proposal—a vast program of research and development aimed at discovering, developing, and proving new industrial uses for farm products—is the only permanent answer to what we commonly call the farm problem. It just has to be the answer.

We do, however, have some differences as to the mechanics of administration and financing. While I wish to repeat my commendation of the Commission, at the same time I want it to be plainly understood that as between the administrative and financing proposals in the Commission's report and the bills which I have twice proposed to the Congress, I continue to favor and support the recommendations in S. 3503 of the 84th Congress and S. 724 now before us.

Mr. President, my bill recommended that this program be administered by an agency to be known as the Industrial Agricultural Products Administration to be headed by an Administrator appointed by the President with the advice and consent of the Senate. My bill also creates within the Department of Agriculture an Industrial Agricultural Products Agency to do the spadework under the direction of the Administrator who, as I envisioned the position, would be vested with powers comparable to those vested in the late Mr. William M. Jeffers, who was the "czar" of the program which resulted in the emergency development and perfection of synthetic rubber in this country.

This program is so important and so vast that it just must be handled in that way.

The Commission, on the other hand, has suggested the creation of a five-member agricultural research and industrial board to be appointed by the President with the advice and consent of the Senate. As an alternate, the Commission has suggested that the responsibility for the program be placed in the Department of Agriculture under a Director with the title of Assistant Secretary of Agriculture.

Now I am very frank to say that I would have no objection at all to this whole program being administered by the Department of Agriculture under an Assistant Secretary of Agriculture if the department had, at any time in the past or even now, shown a real inclination to accept and do something about the fact that this is and just has to be the real solution to the farm problem.

Unfortunately, the Department has not shown such an inclination, and, as Senators will recall, provided even in the budget which we passed just the other day a wholly inadequate sum for utilization research. Certainly I do not care to belittle the research which the Department and a great many colleges have been doing in this field but, very frankly, the program has been wholly inadequate.

The second major point of difference in the Commission's recommendations and the provisions in my bill has to do with financing. I proposed an appropriation of $100 million with which to get the program underway.

Bear in mind that this is less than one-third of the annual cost of just storing the surpluses which eventually would be completely eliminated under the provisions of my bill and of the Commission's recommendations. I do not wish to take an arbitrary position about $100 million being the amount which should be provided. Perhaps we need only $50 million—perhaps we need $150 million. I shall not argue that point, but at least I believe that in the interest of business-like procedure and good fiscal housekeeping, the Congress should know exactly what is to be spent on the program.

The Commission, on the other hand, recommended that the program be financed by earmarking 15 percent of the gross receipts from duties collected under the customs law, with a carryover provision permitting an accumulation of a fund not exceeding $150 million. This represents a simple disagreement on the mechanics of financing, and is a matter obviously to be decided by the Congress.

Mr. President, I dislike to burden the RECORD, but in my opinion this proposal is so important to the future of this Nation and to the world that I ask unanimous consent to have reprinted at this point in my remarks the speech I made on the Senate floor on March 21, 1956, when the research program in this form first was introduced to the Senate.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SENATOR CAPEHART POINTS OUT UNLIMITED MARKET FOR FARM PRODUCTS—PROPOSES A VAST $100 MILLION RESEARCH PROGRAM TO DOUBLE THE DEMAND FOR FARM PRODUCTS THROUGH DISCOVERY OF NEW INDUSTRIAL USES AND UTILIZATION OF NEW PROCESSES ALREADY KNOWN

(Speech of Hon. HOMER E. CAPEHART, of Indiana, in the Senate of the United States, Wednesday, March 21, 1956)

Mr. CAPEHART. Mr. President, I am about to propose a far-reaching, permanent solution of the farm problem so vast that its potential is virtually unlimited.

While the economic, industrial, and social implications of this program cannot, with any degree of accuracy, at this moment be estimated, it is clear that this program will tend to solve, if not wholly solve, the farm problem for all time.

After months of painstaking examination of its possibilities, I have reached the altogether justifiable conclusion that this plan would, within a few years, create a demand for farm products in industry at least equal in amount to that now consumed for human consumption in the United States. It would double the farm market.

Essentially, this is a solution of the farm problem based, not on the negative theory of curtailing production, but on the positive approach of creating new markets demanding complete and full utilization of our total agricultural capacity.

We have worked long and hard in the Senate for weeks on a farm bill to meet the contingencies of the moment. Out of all the debate, committee findings, staff studies, and my own personal research, I have reached the conclusion that any farm plan, to solve the problem on a permanent basis, must do three things:

First. It must provide for quick disposition of existing surpluses. Our Government is attacking this problem now with admirable vigor. I would like to see it move faster. But we are making substantial progress.

Second. The plan must provide, at the moment, for curtailed production until such time as we can create new demands to prevent accumulation of future surpluses based on normal production. This, too, is a part of the existing plan. This effort will be furthered, somewhat, by provisions of what we have called the soil-bank program.

Third. Most important and almost untouched in relation to its real possibilities, any such plan must include a tremendous research and development program—a program which should be started immediately, and financed by whatever Government funds are necessary—to develop to the utmost the industrial uses we already know about for farm products—and they are considerable—and at the same time find new uses creating a demand for at least double what we have considered the normal farm production of the United States.

It is this third point which I now propose. I know enough about its potentialities to convince me that if we in the Congress will face our responsibility to authorize and order such a program, we shall help to bring about 50 years of the greatest agricultural prosperity in the history of our Nation.

I know enough about it that I have been saying to the farmers of my State of Indiana: Do not sell your farmland. Buy more. The next 50 years on the American farm will see unprecedented prosperity.

Mr. WELKER. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Does the Senator from Indiana yield to the Senator from Idaho?

Mr. CAPEHART. I yield.

Mr. WELKER. As one of the cosponsors of the bill which is being introduced by the distinguished senior Senator from Indiana, I wish to say to him that I commend him very highly for this very wonderful bill, which will solve the agricultural dilemma, and again will make it possible for farmers to live. I can pay to the Senator from Indiana no higher tribute than to say that he has done this job extremely well.

Mr. CAPEHART. I thank the Senator from Idaho very much for his remarks.

Mr. ANDERSON. Mr. President, will the Senator from Indiana yield to me, or does he prefer first to finish his statement?

Mr. CAPEHART. I prefer first to finish my statement, Mr. President.

Imagine, if you can, what it would mean to this country—to all segments of our society—if we of the 84th Congress should be responsible for creating a farm market at least twice as great as any we ever have known.

It can be done if we will legislate a program to take the blinders off, as it were, of our agricultural research and development program, and throw the full white light of technical research and development, experimentation, test facilities, pilot plants, and unexcelled American know-how into an all-out effort to create new industrial uses for just the everyday products of our land.

First, of course, it would mean to the farmer a new life of productivity. It would provide prosperity for him. It would permit him to follow his natural instinct to get everything he can out of his land.

Second, it would create new jobs. Obviously, the demand for farm labor would increase. But its effect on industrial labor generally would be even more phenomenal. Entire new industries with millions of new jobs would come into being—industries to manufacture new products. The demand for new transportation facilities—automobiles, trucks, buses, railroads, airlines,

and so forth—would be tremendous. The demand for new farm machinery alone would provide an industrial and labor stimulus almost beyond our comprehension.

Third, the increase in retail business would mount into the billions of dollars. Farmers, laborers, and, I am convinced, just about every other category of business customer in the United States would have more money to spend for just about everything business has to sell.

Fourth, such a program would, in my opinion, mean the end of a tremendous tax burden now imposed to finance our vast agricultural assistance and storage programs of the moment—a burden which we gladly bear as long as it is necessary, but a burden which all of us will agree would be a welcome deletion from our national budgets. If we can bring this about, and I believe we can, it would enable us to reduce taxes substantially and to make it easier to retire the national debt at a faster pace.

Mr. President, the ramifications of such a plan are staggering. It is brandnew. At the outset, it would cost a little money, but, by comparison, only a drop in the bucket. After all, when it begins to cost more to repair your automobile, your tractor, or your furnace than a new one would cost, what do you do? You buy a new one.

I say to you, Mr. President, that it is high time this Congress bought a new approach to the farm problem, in the form of this research and development plan.

It meets the essential test. It is good for the farmer. It shows every promise of proving economically sound. It is, at the same time, good for all of the people.

What would such a plan replace eventually? This year, our agricultural assistance programs will represent a total investment of three billion, four billion, or perhaps five billion dollars. Yet, that assistance program has contributed to the accumulation of some $9 billion in farm surpluses, for which not only has the Government paid with the taxpayers' money, but which is costing in storage charges a million dollars a day—$365 million a year.

By means of this bill we are only asking for $100 million or less than one-third of the cost to store for 1 year the surplus agricultural commodities the Government of the United States now owns.

At this point, I want to take full cognizance of the good work being done toward working out the surplus disposal problem. The Government has sold, or otherwise disposed of, much more of our surpluses than generally is known. I do not want to criticize the good work which has been done, but I am firmly convinced that the program should be expanded and accelerated. Whenever possible, more and more of our surpluses should be made available to the needy at home and elsewhere. I believe that program is being speeded up. It must be.

Meantime, these surpluses hang over farm prices like a sword. They depress farm prices. This means lower farm income. It means less farmer spending for consumer goods. It means less tax revenue for the Government. And it means increased investments in agricultural assistance programs.

The plan I am proposing would reverse that situation. It would insure the American farmer his rightful share of an otherwise bountiful prosperity, by requiring full production in an economy guaranteeing fair prices. It would put an end to the unsound practice of spending billions of dollars to preserve a bad situation, when a great deal less would provide a permanent cure.

No, Mr. President, we cannot solve our farm problem permanently by curtailing production. We must increase consumption; we must find new markets. Since, generally speaking, the vast majority of our people are well fed, our only alternative is to find new and increased industrial uses for our agricultural products.

There is no question that this can be done.

It is my opinion that the Department of Agriculture and our research and development people know enough now, so that, given a real opportunity to prove it, they can find industrial uses for 5 billion additional bushels of grain, such as corn, wheat, rye, barley, oats, rice, sorghum grains, and potatoes, each year. Let us remember that at present our total production of these grains is only about 6½ billion bushels. This entails a total of 180 million acres of grain cultivation. If another 5 billion bushels are added to that, we can see what that would mean in terms of additional cultivation for the American farmers.

Under capable and efficient management, the great chemical and oil industries of the United States, have found, through research, many new industrial and commercial uses for their products. They now make everything from rubber to clothing materials from chemicals. The plastics industry has had a phenomenal growth through research.

All of this came about in the same degree as these companies invested their profits in research. You will agree that our more successful corporations spend millions of dollars each year seeking new and better products through research.

It is exactly this type of program which must be carried out in discovering new markets for farm products. Yet, no farmer or group of farmers can themselves afford to establish the vast laboratories necessary to carry out that research. It is simply impracticable and impossible for 6 million individual farmers to get together to carry out the kind of research and development program required to keep agriculture abreast of the rest of the economy.

Let me give you one example of a failure to keep pace with an important loss of consumption in farm products. Not so many years ago farm power was provided by horses and mules. This animal power consumed the production equivalent of some 80 million acres of feed grains. For lack of research, in my opinion, we have failed to produce a new market to take up the slack of that displaced production.

We have fewer tillable acres in production today than we had 50 years ago. I think the tillable acres today are about 350 million. Fifty years ago, when the only power on the farm was horses and mules, the horses and mules consumed the equivalent of 80 million acres of feed grains. Therein lies the difference between our surplus today and full consumption.

Mr. President, I come now to the point of proposing the most important program I ever have sponsored in my almost 12 years in the Senate of the United States.

The United States must undertake—and undertake at once—a $100-million-a-year research and development program to find new and increased industrial uses for agricultural products.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. ANDERSON. I hope the Senator will take into consideration, in introducing his bill, that in 1946 the Congress of the United States enacted the Agricultural Research and Marketing Act of 1946, and made provision that various sums might be appropriated in succeeding years, increasing the amount year by year. The amount that could be used in 1947 for research and marketing was $9½ million. In 1948 it was $19 million. In 1949 it was $33,500,000. In 1950 it was $48 million. In 1951 it was $61 million. Thereafter the sky was the limit. One hundred million dollars could have been appropriated under the act.

I invite attention to the fact that in 1950, when $48 million could have been appropriated for research in marketing, the Congress appropriated $19 million. I suggest to the Senator that the problem is to get Congress to appropriate the money, or authorize it, to the extent of the figure of $100 million, which the Senator has suggested.

Mr. CAPEHART. I am thinking in terms of $100 million in addition to that which the Congress has already appropriated, or might appropriate.

I am also thinking in terms of establishing an organization which will really function and get the job done. Unfortunately, in the past, while the Department of Agriculture has done a good job in developing many programs, it has not had the capacity really to organize and promote a program of research, including the construction of pilot plants, the making of field tests, and doing the job in the spirit called for by the proposed legislation.

As the Senator will see when he reads the bill——

Mr. ANDERSON. I have read it.

Mr. CAPEHART. As an inherent part of the legislation, we wish to set up an administrator who will have almost the title of czar. He will proceed to get the job done, in the same fashion in which the Government developed synthetic rubber during the war. One of the weaknesses of the present plan is that everybody's business is nobody's business.

What we propose is to get the job done immediately. The proposed program might well be called a crash program.

I am mindful of what the able Senator has said. Unfortunately the Congress, both in Democratic and Republican administrations, did not take sufficient cognizance of the existing legislation. In my judgment, the job should have been done by this time. At least, we should be well on the road toward accomplishment of it.

What we are now advocating is that we give this program everything we have, and get the job done. We should spend whatever money is necessary, and take whatever time is necessary.

Let me say to the able Senator from New Mexico—and no one knows it any better than he does—that if and when we solve the farm problem, it will be solved on the basis of more uses for farm products in industry. We shall never solve the farmer's problem by producing for food uses alone. He will have to produce for industrial uses.

The question is, shall we solve the problem over a period of 10, 15, or 25 years? Or shall we solve it as we solved the synthetic rubber problem during the war period, by doing the job immediately? That is the purpose of the proposed legislation.

Mr. ANDERSON. I am not opposed to solving the problem.

Mr. CAPEHART. I know the able Senator is not opposed to it.

Mr. ANDERSON. On the contrary, under the terms of the Agricultural Research and Marketing Act of 1946, a special agricultural research administration was established in the Department of Agriculture. Many of us have tried repeatedly since to get sufficient appropriations for that agency.

Mr. CAPEHART. Later in my speech I shall name the laboratories we now have. I shall mention some of the things the Department has been able to accomplish, and I shall cite some of the programs which they are about ready to bring to a successful conclusion. With a mandate from the Congress such as is contemplated in the proposed legislation, I am sure the programs will be accomplished more quickly, and that we shall relieve the farm situation by producing more instead of less. I hope we shall be able to do something really worth while for the country and the people. I know that the able Senator is 100 percent in accord with that aim.

Mr. ANDERSON. Mr. President, would the Senator object to my asking unanimous consent that, at the conclusion of his remarks, there be printed a table with reference to

the previous legislation, showing that it requires steady, constant pushing by the Congress to get the necessary appropriations by the Bureau of the Budget?

Mr. CAPEHART. I shall be delighted to have the table printed in the RECORD at the conclusion of my remarks.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the table which the able Senator from New Mexico has in his hand.

The PRESIDING OFFICER. Without objection, the table will be printed in the RECORD, as requested.

(See exhibit 2.)

Mr. CAPEHART. Mr. President, speaking for a moment about that $100 million figure, it is less than one-third the amount we now spend merely to store surpluses which, as long as they exist, can have no effect other than to cause low farm prices.

I can think of nothing more economically sound than to buy for $100 million a year a program that would eventually replace an assistance program running into the billions and at the same time eliminate the costly surplus situation which makes such an assistance program necessary.

Some may ask why the Government should finance industrial research for one segment of our economy. There are several reasons.

First. Many years ago we "crossed the bridge" in establishing as public policy that the Government had a responsibility to see to it that farmers shared fairly with all others in the national economy. Our farm-assistance program is now public policy. That decision has been made. Our job now is to determine whether we are doing so in the most efficient and economical manner.

Second. We now are spending billions of dollars a year on programs which, on the record, do not face up to our basic farm problems. That is evidenced by the fact that farm productive capacity is far greater than existing markets for farm products.

Third. Industry has proved the value of research in finding new uses and new markets for surplus products. Why, then, should we spend billions of dollars to curtail production and reduce farm income when, as I will show, a few hundred millions of dollars spent on research can be expected to find new markets, sufficient not only to consume our present normal productive capacity but double it?

Fourth. It is just good, sound business for the United States Government and all of its people. The Government now owns $9 billion of farm surpluses. Such a program as the one we propose would enable us to realize at least something on the investment we now have in surpluses. But, much greater than that is the probability that such a program should save billions in support programs, increase farm income, boost tax revenues, stimulate business through increased farm purchasing power, and create millions of new jobs. All of this adds up to greater and greater national prosperity to be shared by every man, woman and child in the United States.

So, I say this is the responsibility of the United States Government, which makes it the solemn duty of the Congress. This Congress and the executive branch of the Government never have had a greater opportunity to serve the welfare of the farmers and all of the people than by extending overwhelming approval to this bill. As far as the Congress is concerned, we should arrange quick hearings and pass the bill promptly.

There are a good many specific examples of benefits, through research already done, which accrue from such a program as this one. Let me recite a few:

Some years ago, the citrus fruit industry was in bad shape. Then, our Department of Agriculture, through research, aided in the perfection of the quick-frozen food process. I am told that this virtually saved the citrus-fruit industry. Consumption went up, income went up, and a great new phase of this industry resulted—from what?—from research.

The Department of Agriculture is said to be on the verge of perfecting powdered, whole milk. All commercial powdered milk at the moment is skim milk. I believe that perfection of powdered whole milk would go a long way toward doing for the dairy industry what the freezing process did for the citrus industry.

I understand the Department is about ready to perfect the research on powdered, whole milk. If they are, it means that there will be twice as much whole milk sold as now. It will require twice as many cows as now. It will give the dairy industry twice as much business. If and when the Department of Agriculture perfects powdered whole milk, that is what will happen.

Someone may say to me, "You say they have perfected it." Possibly that is true. However, even after it is perfected, under the provisions of the bill, pilot plants will be built to prove its worth. Field tests will be given, and its worth will be proven. Then private industry will be licensed to proceed with the production of powdered whole milk.

Agriculture is now working on a high-protein food for cattle that would, if perfected, revolutionize animal feeding and consume an additional 150 to 160 millions of bushels of wheat a year, the production equivalent of 7½ million acres. From a 56-pound bushel, we would get 16 to 20 pounds of high protein feed.

Think of that, Mr. President. One hundred and fifty million to 160 million bushels of wheat. That is almost enough wheat to take up the surplus of wheat at the moment. That is only one item.

Work is progressing to develop metallurgical oils from grain.

I am told that the researchers are near perfection of an oil made from grains which can be used in the manufacture of paint.

We know that synthetic rubber can be made from grain. True, the process is more expensive, at the moment, than rubber made from crude oil. Agriculture is working now to bring that cost down. It would take 350 bushels of grain to make 1 ton of rubber. If we used ethyl alcohol from grain to produce all of the 900,000 tons of synthetic rubber a year, it would require the consumption of 315 million bushels of grain, or the production equivalent of about 7 million acres.

That is 315 million bushels of grain. At the present time we produce only about 6½ million bushels each year. That 1 item alone would take 315 million bushels.

One of the great potentials in the field is the production of microba rubber, a natural rubber, from the gluten in grain. There is another great possibility.

All of these, if finally perfected, would require the production equivalent of hundreds of thousands—yes, millions of acres of grain. Who can tell just how many acres?

There is no limit, as the population increases and new uses are found for the products of the farm.

We have known for many years that ethyl alcohol can very successfully be blended with the gasoline used in an automobile. If just 10 percent of the blend was ethyl alcohol made from grain, it would require more than 2 billion bushels of grain a year and there would be no grain surplus. Actually, a blend of 25 percent of such alcohol could be used without major adjustments to the engine.

At the moment it would cost more, but know-how in America always gets the price down, as we well know. If we had a 10 percent blend, it would take more than 2 billion bushels of grain. The total production at the moment is only 6½ billion bushels. That is the entire production in the United States. That is just one item, Mr. President, and it is a matter of bringing the price down.

Now, if such a program should be undertaken, it might reduce temporarily the consumption of crude oil. But my best judgment is that in the long run this reduction would be more than offset by increased consumption in the hundreds of thousands of new tractors, trucks, transport vehicles, automobiles, and other petroleum-burning equipment in use because of this very program.

The petroleum industry might lose 10 percent and retain 90 percent. However, the 90 percent in only a few years time would be so much bigger in volume and so much more important to the industry, that the two are hardly worth comparing. It shows what can be done, if only we in Congress would have the same imagination now, and get that same imagination and push and zip into the Department of Agriculture, to do the job that private industry is doing. We would not have to appropriate money for subsidies for the farmer, and we would not have to worry about the farm bill.

We could put the farmer into a very prosperous position. We are not going to help the farmer very much by reducing his production. We can help him only by increasing his production, and this bill provides for that. The White House is already behind it. It is very enthusiastic about the objectives and purposes of the bill.

As many Senators know, it was an Englishman who first discovered penicillin. But, it was our Department of Agriculture that developed the means for its commercial production. So, Mr. President, what I am here proposing already is going on at a snail's pace, while we spend billions on an agricultural surplus program. This must not be a snail's pace program.

This must be a crash program as an investment in agricultural and even greater national prosperity and economic health.

It is the only way I know to achieve a permanent farm prosperity based on full production rather than costly acreage curtailment.

Such a crash program in research will, of course, require pilot plants, field tests, and commercial plant-testing facilities. This type of operation is not new to the United States Government either.

The Government owns a now idle plant in Omaha, Nebr., for making ethyl alcohol from grain. This should be reactivated immediately.

This and possibly other similar plants should at least make into grain alcohol the surplus grains which are available. Yet the plant at Omaha is standing idle, and it should be reactivated.

Plants are being operated under the system about which the Senator from New Mexico was speaking, but they have not a sufficient appropriation. They do not have one man thinking about the problem day and night. They are dragging. They are not going forward. Partially, of course, it is because Congress has not given them sufficient money, and likewise, partially, because they do not have the imagination in the Department which they should have in order to accomplish this objective. In my opinion, they should have advocated the same thing which some 35 Senators are advocating here today. They know the situation and they know what can be done.

Mr. BRICKER. Mr. President, will the Senator from Indiana yield?

Mr. CAPEHART. I yield.

Mr. BRICKER. Some 10 or 15 years ago there was a great deal of activity in this field by a private organization supported by industry, and known as the Chemurgic Council. They were on the point of success, when the war came on, and the project was tem-

porarily abandoned because of the war. Does the Senator from Indiana know whether there has been any revived activity?

Mr. CAPEHART. I do not.

Mr. BRICKER. I have heard of none.

Mr. CAPEHART. It was financed, I think, by private industry.

Mr. BRICKER. It was. The Ford Motor Co. was interested in it, and there was a great deal of interest in my State. It is centrally located, in Columbus, Ohio. It was operated along the line of developing food and fiber products into commercial uses, not only in the field of gasoline, about which the Senator has been speaking, which is entirely practicable except dollarwise, but in every field of utilization for construction, for the building of automobile bodies, as I remember, and soybean utilization. They were manufacturing cloth out of milk. One man had a hat made out of milk. It seemed to be as good as any other hat. It was made by Stetson, as I remember.

Mr. CAPEHART. We should do what we did during the war with reference to synthetic rubber. Once the Government perfects and approves each of these products, it can then be immediately turned over to private industry for production.

Mr. BRICKER. The synthetic rubber program was really perfected by private industry with Government money.

Mr. CAPEHART. That is correct. Private industry is working on many, many uses for farm products. If we can pass this bill, it will help the farmers. The project could be concentrated under one man in Washington whom I am willing to call a czar, to do whatever is necessary—bumping whatever heads are necessary to be bumped in the Government in order to find new ways to use farm products so that the farmer can increase instead of decrease his production and be on an equal footing, so far as profit is concerned, with industry.

Mr. BRICKER. I am happy to join the Senator in sponsoring the bill. I think it offers great possibilities. In the years ahead, I believe the possibilities will become greater and greater. It is a field in which the Government should interest itself.

Mr. CAPEHART. There are 6 million farmers, and they cannot all get together.

Mr. BRICKER. Industry is not interested at this time, because there is no dollar return.

Mr. CAPEHART. They have about all the business they can handle at this time.

Mr. BRICKER. So long as they have the resources available to them to coal and fuel oils, out of which they can make so many of the products which are now being made synthetically, they will not turn to farm products, because of the dollar cost.

Mr. CAPEHART. They are selling about everything they can make. Only the Government can help the farmers at this time. Only the Government can do what is proposed, and it should do it.

Mr. BRICKER. I think it is comparable to an observation I heard yesterday with respect to the fiber-glass development in this country. It started in one small plant, and fiber glass is now used in 101 different ways. There was an adequate return to justify investing capital in the project. But the Senator feels that cotton fiber and the like can be utilized.

Mr. CAPEHART. I shall show that 11 probable uses can be made of agricultural products. The Department estimates that these uses will take nearly 3 billion bushels of grain. I shall name the 11 products in just a moment.

Mr. BRICKER. It becomes more important as the years go by, because our other resources, such as oil, coal, minerals, and so forth, are becoming depleted. We shall ultimately have to have some kind of synthetic substance.

Mr. CAPEHART. It will have to be done some day if we are to solve the farm problem. The question is, Will it be done over a period of 50 years, or are we going to just sit down and think about the money, the time, and the effort required to do the job quickly, instead of spending billions of dollars in subsidies paid to the farmer to keep him from producing something? If we spent a small fraction of the money in helping the farmer to find new uses and new markets for his products, everyone would be better off.

Mr. BRICKER. I think we all agree with the Senator's statement of a moment ago that the farm bill is not satisfactory to anyone. It has been hampered by expediency, and we are not happy about the situation existing in agricultural areas.

There is not only a department of research in the Federal Government, but in practically every State there is an agricultural research station bent upon increasing production. They are developing better crops and new things for the farmer to develop in the conventional agricultural line.

Does the Senator from Indiana know of any research work going on, either federally or at State levels, or in the universities, to transfer to industrial uses some of the food and fiber now used in normal consumption?

Mr. CAPEHART. I think there is considerable work going on, possibly in private enterprise. Our Government departments are doing some work in universities. The Federal Government has been spending hundreds of millions of dollars, as have the agricultural universities, to help farmers to grow more, but they have completely forgotten about where the market can be found. This bill would provide that the Government shall spend money and time finding a market for that which they have been showing the farmers how to produce.

Mr. BRICKER. The Senator anticipates, then, in this program, that emphasis would be laid upon the new utilization of farm products, and he would also encourage a continuation of the research now being done in State institutions.

Mr. CAPEHART. The administrator would encourage private industry, the universities, and the Department of Agriculture all to go forward with more research. Everybody would get to work on the problem in an effort to solve it.

Private agencies have been spending large sums of money on research for many years. Consider Purdue University in my home State of Indiana. Purdue has helped the farmers of Indiana to produce more and more and more; but no one is spending the money or taking the time to find out where the farmer will be able to merchandise or sell his increased production. The proposed legislation would do that.

American farm production has been built to a very high level. There is too much on hand. There is overproduction. Vast surpluses exist. Now let us spend the time, money, and effort—and it can be done—to find new uses and new markets for the farm products. When that has been done, the farm problem will have been solved.

Mr. BRICKER. I congratulate the Senator from Indiana upon his leadership in the program, which I think is of great interest to all of us. I am very happy to join with him, and I hope we may successfully start the program.

Mr. CAPEHART. I thank the Senator from Ohio.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. ELLENDER. I had occasion to read the remarks of the Senator from Indiana, which he kindly sent to my office yesterday, and I also have scanned the bill.

I am wondering what is the difference between his proposal and the proposal submitted by the Senator from Nebraska [Mr. CURTIS], which is a part of the bill that was passed by the Senate on Monday.

Mr. CAPEHART. I think the big difference is that the proposal of the Senator from Nebraska, which was made a part of the farm bill, called for a commission to study the problem and to report to Congress in June 1957.

My bill calls for getting busy now—today—because now is when the farmers need the help. The program ought to be started now. I do not think a study is needed to learn what should be done. I am a farmer; I know what ought to be done. Only one thing needs to be done, and that is to find more markets for that which is grown on the farm.

Mr. ELLENDER. That was why I opposed the Curtis amendment. It sought to make studies which already have been made. The Senator is aware of the fact that about 12 years ago, as a result of studies made, Congress authorized the establishment of 4 huge laboratories, 1 of them in New Orleans.

Mr. CAPEHART. Before the Senator from Louisiana came to the Chamber, I named them. They are located in New Orleans; Peoria, Ill.; Albany, Calif.; and Philadelphia.

Mr. ELLENDER. That is correct. Those four research laboratories ought to be required to make the studies. Why is it necessary to spend more money for further research?

Mr. CAPEHART. The bill goes beyond research. It calls for the building of pilot plants. It calls for additional studies to be made by the State universities.

I am not criticizing what has been done in the past. I know that in 1946 a bill was passed, in which a certain sum was authorized, and the laboratories were set up. The compaint I have is that in 10 years——

Mr. ELLENDER. Nothing has been done.

Mr. CAPEHART. There has not been accomplished what I think should have been accomplished. I think that through the proposed legislation Congress ought to mandate the administration, especially the Department of Agriculture. An administrator, whom I should like to call a czar, should be appointed to get the job done. I want to see one appointed who will start bumping heads together. Let us get the job done. The farmers are in a bad sitaution.

A real farm problem exists. We worried about it on the floor of the Senate for days and days. It is costing billions of dollars.

There is no one who knows anything about business who does not know that a person's income cannot be increased by cutting back production. It is necessary now to do it temporarily under the farm bill, in order to reduce surpluses, so that prices can be brought up higher. But that is not the real answer; it is only a temporary answer.

Mr. ELLENDER. I simply wish to remark that research as a rule, is a very slow process. What the Senator from Indiana seeks is a continuation of the utilization of the surpluses on hand, without any method having been found for their use.

Mr. CAPEHART. I do not follow the Senator's line of reasoning. I am trying to have Congress and the administration do for agriculture that which was done for the rubber industry during the last World War. During the war and in a hurry, the Government developed a synthetic-rubber industry to the point where today more synthetic rubber can be produced in the United States than can be used.

I do not want to delay the expenditure of the money. The program ought to be what might well be termed a crash program, and the administration ought to be mandated to proceed with it. We should insist that the administration move ahead promptly with such a program. It ought to be accomplished twice, 3 times, or 4 times as fast as any similar program that has been undertaken.

Mr. ELLENDER. There must be a basis from which to start. It is not possible to say that wheat or that cotton should be used unless a process has already been devised, and that requires research.

Mr. CAPEHART. Of course, it does; and that research will not be done in 1 month or 1 year. But if a start is not made, the research never will be done.

I am going to discuss some 11 projects on which the Department of Agriculture is working at the moment, and which the Department feels reasonably certain can be accomplished and will use 3 billion bushels of corn a year.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. MUNDT. It seems to me the difference between the approach which the Senator from Indiana is taking—and I commend him for his constructive thinking, and am happy to be one of the sponsors of the bill—and the approach discussed by the chairman of the Committee on Agriculture and Forestry, is simply that we find ourselves today where we were in 1943, 1944, and 1945 in the development of atomic energy and the atomic bomb. A large amount of research was in progress in a great number of laboratories for many years. Dr. Lawrence, of South Dakota, one of our distinguished sons, was engaged upon that project for a great many years. When the war began, it was put on a crash basis.

Under the bill which is now proposed, the research program will be put on a crash basis, and will be given new impetus. Discoveries, which have already been made in the Peoria Laboratory, and in other laboratories and institutions, will be developed further in pilot plants, in an effort to give publicity to the new uses which can be made of farm products, and thus to speed up the disposal of farm surpluses.

I am certain that no one expects that a bill which will be passed this year will solve the problem next year; but it will certainly shorten the time which otherwise would be taken if we relied solely upon the normal processes of exploration, investigation, and study in Government laboratories. Am I correct?

Mr. CAPEHART. I think the Senator from South Dakota is 100 percent correct. We are trying to make a start and to arouse enthusiasm on the part of the Department of Agriculture to accomplish this job.

Who would have said 50 years ago that today there would be radio, television, and plastics? Who would have said 75 years ago that there would be automobiles to the extent that they exist today? Who would have said at the beginning of the century that we would have all the new products which we enjoy today?

I think that what we are talking about, will eventually be worked out. I think eventually enough uses will be found for farm products. But it will take too long to find them unless the Government becomes interested in the matter, because 6 million farmers cannot do the work by themselves; they have no way of doing it.

Mr. MUNDT. What is sought to be done by the bill is to take the program of farm chemurgy out of low gear and to put it into high gear.

Mr. CAPEHART. That is exactly correct.

Mr. MUNDT. There is a very good historical background for doing this. Senators will recall that in World War I the United States found itself without a dye industry. We were at war with Germany, who had a great deal of experience and know-how in the making of dyes. But by putting the program of dye-making on a crash basis, by stimulating the program for the research and development of raw products in laboratories and chemical factories, and in the clothing industry, before the war was over the United States has acquired a first-class dye industry, in a short space of time. What we did in wartime from the standpoint of dyes we can do in peacetime from the standpoint of farm products. We did that in the matter of synthetic rubber produced from industrial alcohol obtained from corn, molasses, and a great number of other products. We did it from the standpoint of utilization of atomic energy as a weapon of war in the more recent war. America's history is replete with evidence of our capacity to get a job done when we concentrate our money, energy, and know-how on the problem. The only way to get ahead is to make a start.

Mr. CAPEHART. There is not any question that the American researcher and American engineer and the American people and this Congress and the Department of Agriculture and our great universities and our great research laboratories can do the job if somebody—and that somebody has to be the Congress of the United States—mandates them and tells them to do it, and helps them to do it with appropriations and with direction, and with an administrator for the whole program.

Mr. MUNDT. The difficulty has been that we have been nibbling away at the whole problem, when it takes a man-sized bite to get going. The bill would provide enough latitude for the Secretary of Agriculture, or the man he appoints to administer the program, not only to enter into contracts with colleges and universities, not only to stimulate American genius in laboratories at Peoria and elsewhere, but to enter into contracts with our great chemical corporations and great industrial laboratories, whereby their genius would be devoted to this problem. It that correct?

Mr. CAPEHART. That is correct.

Mr. MUNDT. So we would bring into the picture not only our scientific scholars and students in the laboratories at colleges and universities, but some of the most hard-headed businessmen who for years have utilized their production with scientific discoveries in the laboratory, and who could devote their efforts to the problem.

Mr. CAPEHART. That is correct.

Mr. BRICKER. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. BRICKER. It seems to me the parallel between atomic energy and the production of synthetic rubber during the war does not wholly follow. We are not faced with a great need for a product; we are faced with the need for a new utilization of the surplus production of the farms of the country. The problem becomes not one of scientific development, because that is generally understood. Formulas have been arrived at and the research has been done, but not to the degree of determining the economy of such a process. One of the problems of our scientific and research organizations is to work out the economic problem, because, in our economy, we have to bring the cost of production down to the point where it can compete with products conventionally used.

Mr. CAPEHART. Which means that we must have pilot plants built and field tests must be conducted in order to prove the products.

Mr. BRICKER. It is an engineering and a production problem rather than a scientific and research problem.

Mr. CAPEHART. Possibly it is more of an engineering and production problem.

Mr. BRICKER. I think that is correct.

Mr. CAPEHART. We already know how to proceed. It is a question of ways and means to operate economically.

Mr. BRICKER. Those engaged know how to do many things with the products, but new developments may come.

Mr. CAPEHART. There are more developments we have not heard of than there are that we know of.

The Government owns four going research and development laboratories as follows: First, Southern Utilization Branch, New Orleans, La.; second, Northern Utilization Branch, Peoria, Ill.; third, Western Utilization Branch, Albany, Calif.; and, fourth, Eastern Utilization Branch, Philadelphia, Pa.

We now have an oil-from-shale pilot plant at Rifle, Colo.

We have operated two coal hydrogenation plants from which a great deal has been learned about the economics of making gasoline from coal.

Senators all know, of course, that the Government perfected the process of making synthetic rubber during World War II. Recently, we were able to sell the plants we used in this process at a profit and create a whole new series of income-producing, taxpaying properties.

In this connection, it is my belief that as fast as the Government proves the practicability of each new farm product in industry, the process should then be turned over to private industry for production.

Mr. President, there can be no justification for further delay in starting this program.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. MUNDT. There is one item the Senator may have mentioned before I came to the floor, but I did not hear him touch on it. We have also developed a very successful method of utilizing industrial alcohol as a gasoline blend.

Mr. CAPEHART. Yes; I mentioned that.

Mr. MUNDT. During the great depression days of the thirties we had, in South Dakota, in Sioux City, Iowa, and in that general area, half a hundred filling stations which were at that time selling an alcohol-blend gasoline, and it worked very satisfactorily in the automobiles of motorists. It was sold, that long ago, at competitive prices.

I have under preparation at this time a bill I intend to introduce in the Senate which would provide some kind of method whereby, from tax or some other concessions, we would make it possible to utilize alcohol from farm products for fuel. We do now have a way to cut into the surpluses.

Mr. CAPEHART. The administrator, under the bill, would be authorized immediately to get busy. The Government now owns an alcohol plant in Omaha. We wish to have that reactivated and have it start making grain alcohol. We wish to have a pilot plant to start blending alcohol and gasoline in order to get the price down and prove its worth. We ought to have all sorts of programs of that kind.

Mr. MUNDT. I presume one of the responsibilities and duties of the new administrator would be to make legislative suggestions to Congress so that Congress could be helpful, perhaps in the way of granting tax concessions for the manufacture of alcohol-gasoline blends for automotive purposes, or perhaps granting tax concessions to factories engaged in the production of industrial goods made from agricultural products. There are many ways in which a man dedicated to this responsibility could function, in addition to handling the contracts and the general scientific and exploratory functions of the office.

Mr. CAPEHART. The Senator is absolutely correct.

When it reaches the point of productivity which I envision for it—the point at which it will obviate the necessity for our present agricultural assistance programs—it will have accomplished the dual purpose of reducing Government expenditures and increasing farm and national prosperity and the social, economic, and industrial welfare of our Nation. As I see it, this thing is nearly all pluses and almost no minuses. I cannot see any minuses in it at all.

What we have been doing up to now is based upon a hope that some day conditions may improve to such a point that we shall have an adequate market for our farm products.

I wish to repeat that thought, and I want the officials of the Department of Agriculture to read it, and I should like to have the Secretary of Agriculture to read it. What we

have been doing up to now is based upon a hope that some day conditions may improve to the point at which we shall have an adequate market for our farm products.

What we are proposing is a concrete program to create that kind of a market. Much of this program can and should be carried on in existing public and private laboratories, particularly in our schools and colleges. The Department of Agriculture has been working with many such educational institutions for years. Moreover, the Department now has a limited research staff in its several experimental stations working on these and related projects.

The program we propose should be built on the framework of and within the existing research activities of the Department of Agriculture. It would not be well to disrupt the Department's existing organization or disregard the value of its experience.

The program here suggested must use all of the existing research and experimental facilities of the Government. In the past, it seems to me, one of the weaknesses has been a lack of funds for pilot plants and field tests. These are, of course, necessary to test the commercial feasibility of any new process or product. My proposal would make such funds available.

So we propose to utilize to the fullest every existing Government facility. But the larger and more dynamic program which we contemplate cannot be accomplished on any business-as-usual basis.

For that reason, we propose that this entire research and development program be placed under the direction of a full-time Administrator at the White House level.

He must be the most competent man available, a man of great stature, who would have the complete confidence of the President. No other man in the executive branch of the Government would have a more important job to do for his country. We are convinced that this program, under such dynamic leadership, would go a long way toward permanent solution of the farm program.

For want of a better term, we might call this man the czar of the agricultural industrial products development program.

Who knows what miracle products such a program might develop? The possibilities are challenging to the Congress, to the executive department, to our best scientific research brains, to the American people, and, more particularly, to the American farmer.

There are many industrial uses for agricultural products on which some research has already been done. I shall read a list of 11 probable industrial uses for agricultural products, on which the best available estimates indicated a likely annual use of 2½ billion bushels of agricultural products, whereas we now produce only 6½ billion yearly. This list was given to me by the Department of Agriculture:

"1. High-protein food by fermentation, 150 million bushels a year.

"2. Paint from vegetable oil, if 5 to 10 percent of potential market is reached, 15 to 60 million bushels a year.

"3. Synthetic rubber, 365 million bushels a year.

"4. Microbia rubber, if 10 percent of the potential market is reached, 25 to 30 million bushels a year.

"5. Increased use of starch in paper, 40 to 100 million bushels a year.

"6. Industrial exploitation of oxystarch, 10 million bushels a year.

"7. Raising disease-free poultry for export, 13 million bushels a year.

"8. New drug plants, 4½ million bushels a year.

"9. Hardboard, boxboard, and building board from wheat, 20 to 40 million bushels a year.

"10. Development of high-amylose corn, 10 million bushels a year.

"11. Blending 10-percent grain alcohol with gasoline, 2 billion bushels a year.

"Total, 2.6 to 2.7 billion bushels."

Other possible uses for grain derivatives include smokeless powder, plastics, medicinals, toilet preparations, soaps, cleaners, anesthetics, antifreeze, dyes, varnishes, power, and fuel.

If we keep at this research job, I can foresee in time our using in industry 6 billion bushels or more a year of agricultural commodities.

This program has been under study by a great many persons other than myself. It is the product of a great deal of serious consideration of one of the most serious problems in the United States.

The potentialities are so vast that any attempt to evaluate the benefits to this Nation and its people dollarwise is an almost hopeless task. I have been unable to select any segment of our economy—any group of our people—who would not lead more comfortable lives and enjoy higher standards of living and benefit generally from the fruits of such a program.

It would mean the assurance of a full market for full farm production.

It would end our farm-surplus problem.

It would save the Government money.

It would help to relieve the tax burden and give us a chance to reduce the national debt.

It would create new industries.

It would create new jobs.

It would stimulate retail sales.

It would provide better incomes for our people, including the Nation's 6 million farmers.

It is, in our opinion, in all modesty, the most constructive approach to the farm problem yet devised.

Mr. President, in conclusion, let me say we have no time to waste. I hope the bill will be referred to the Committee on Agriculture and Forestry, that the committee immediately will hold hearings on the bill, and that representatives of the Department of Agriculture will be prepared to testify in behalf of the bill before the committee. I am certain they will favor it, because, in my opinion, this program, as I said a moment ago, is one which the Department of Agriculture itself should have begun and should have suggested to the Congress 1 or 2 years ago, or perhaps longer ago than that. After all, the solution of this problem is the responsibility of the Department of Agriculture, which does have, as it should, the best interests of the farmers at heart; and the Department of Agriculture should be enthusiastic about any plan which shows any chance whatsoever of helping the American farmers, particularly under existing conditions.

Mr. SMITH of New Jersey. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER (Mr. Laird in the chair). Does the Senator from Indiana yield to the Senator from New Jersey?

Mr. CAPEHART. I yield to the distinguished Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, I should like to say to the Senator from Indiana that I appreciate very much the presentation he has made on this very interesting subject. Some 15 years ago, as the Senator from Ohio has stated recently, there was a chemurgic movement, which I believe was a private activity. The Senator has said he is familiar with it.

Mr. CAPEHART. Yes.

Mr. SMITH of New Jersey. I was very much interested then, as a layman, in the field of farming. I think there are many more commercial uses of farm products.

I desire to commend the distinguished Senator from Indiana for the very fine presentation he has made; and I wish to say that I can well understand the reason for the great success he has had in the business world, because the zip he has shown in his presentation of this bill demonstrates a positive approach to the problem of finding increased uses for our agricultural products, with the result of greater prosperity for the farmers of the Nation.

I am very happy to be a cosponsor of the bill, along with the distinguished Senator from Indiana.

Mr. CAPEHART. I thank the Senator from New Jersey.

It is so obvious to me that this plan is the only way to solve the farm problem. That problem will be solved only by finding new uses and new markets for our agricultural products. The problem will not be solved—at least, not in a satisfactory way—by paying subsidies or by reducing production or by anything of the sort.

The problem will be solved only by increasing production—by having the farmers produce more and by having an increased economy, rather than a decreased economy. That simply must be the answer; there cannot be any other.

The only question is whether the Congress and the administration wish to go along as usual in regard to this matter; or whether we really want to do a proper job, and do it quickly.

As the able Senator from New Mexico [Mr. ANDERSON] stated a moment ago, in 1946 the Congress set up the laboratories. But perhaps both the Democratic administrations and the Republican administration since that time should be blamed, and perhaps the Congress itself should be blamed for not appropriating enough money and not requiring the administration to get this job done.

Today, I plead that we do the job. I plead that all of us get behind this program. Let us give the farmer some hope. Let us say to the American farmer, "We are going to get this job done for you. We are going to create new markets for your products. We are going to make it possible for you to grow more, instead of less."

By doing that, the farmer will be able to buy—and will buy—more farm implements and more of all other kinds of products; and the railroads will carry more grain and other farm products, and so will the trucking lines. The retail stores in the small towns in the farming communities will sell more. Everyone will gain; no one will lose.

Mr. SMITH of New Jersey. Mr. President, I thank the distinguished Senator from Indiana for the excellent presentation he has made.

Mr. CAPEHART. I thank the Senator from New Jersey.

Mr. President, I cannot conceive that anyone would be against this plan. In fact, I do not know of anyone who is against it. Some persons have said, "At the moment there are not enough engineers or scientists to make it possible for such a program to be carried out." However, Mr. President, in my opinion, those are alibis and excuses; they are not good reasons.

I have always said that when handed a lemon, make lemonade out of it.

In this case the farmers and the country generally are faced with a great problem because of the overproduction of agricultural commodities. We have encouraged the farmers to produce more and more. We have spent hundreds of millions of dollars for our agricultural schools, which have worked diligently to show the farmers how to produce more and more and more. The seeds have been improved. Today there is huge production; but the markets for it are insufficient. Let us be just as enthusiastic in helping the farmers find new markets as we have been in increasing agricultural production. Once we do that, we shall really be doing something for the American farmer, and we shall really solve this problem. Unless that is done, the problem will not be solved, in my opinion.

I do not want anyone to get the impression that I am criticizing the farm bill we

passed the other night, or that I am criticizing the Department of Agriculture, the Congress, or any individuals. I am simply trying to point out what is so obvious to me as a businessman and a farmer.

We ought to start on this program tonight. Possibly the Senate should remain in session tonight to pass this bill and set ourselves on the road toward accomplishment of this program.

Mr. CAPEHART. Mr. President, since I have heretofore introduced an identical copy of the 1956 bill, I will not repeat the text at this point.

In conclusion, I wish again to commend the Commission for its fine work, to express appreciation for its unselfish devotion to the major task which has claimed its attention, and to repeat my own gratification that the Commission's studies have approved the soundness of the recommendations I have been making over and over in the Senate.

The time for action by the Congress is long overdue.

HUMANE SLAUGHTER OF LIVESTOCK

Mr. PURTELL. Mr. President, earlier in the session I joined with the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Oregon [Mr. NEUBERGER] in introducing S. 1497.

Recently the then Acting Secretary of Agriculture, True D. Morse, returned an unfavorable report to the Chairman of the Senate Committee on Agriculture. I was furnished a copy of this report, and have replied to Chairman ELLENDER expressing my disagreement with the Agriculture Department's views on this subject.

I ask unanimous consent that my communication to the chairman of the Senate Agriculture Committee, as well as a copy of the Department's unfavorable report, be printed in the RECORD at this point.

I sincerely hope that my colleagues after reading the report and my reply will agree with me and press for action on this worthy legislation.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 13, 1957.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of March 6, 1957, for a report on S. 1497, a bill "to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes."

The Department is in accord with the objective of humane handling of animals as proposed in S. 1497, but opposes the enactment of such bill. Our opposition to this bill is due to the mandatory aspects of the bill. We believed that the end result could best be obtained through scientific research and development and cooperation of the public, producers, farm organizations, industrial groups, and humane associations.

S. 1497 defines the terms "commerce," "Secretary," "person," "slaughterer," "livestock," "poultry," and "approved method." The bill provides that livestock and poultry must be slaughtered by an approved method. The term "approved method" means (1) in the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary of Agriculture to be rapid, effective, and humane; (2) in the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary of Agriculture to be rapid, effective, and humane; and (3) slaughtering in accordance with the requirements of any religious faith. In addition, livestock and poultry could not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl. The bill provides penalties for violations of its provisions. The bill further provides for the Secretary of Agriculture to appoint an Advisory and Research Committee composed of not more than 10 members and this Committee would advise him concerning any questions arising in the administration of the proposed legislation. The bill would be effective 2 years after its enactment. Upon a showing of good cause and upon the recommendation of the Committee, the Secretary of Agriculture could, by order, exempt any person from compliance with any provision of the proposed legislation for such period of time, not exceeding 1 year, as he determines to be reasonable.

The attitude of this Department is that a practical approach should be made to devise improved methods for the humane handling of livestock and poultry. Judgment of a procedure or method to determine whether it is in fact "humane" is extremely difficult, since all food animals must be killed and the act of killing is at best an unpleasant business. Wide differences of opinion are usually expressed about the practicality and the humaneness of any method of slaughter. Each method, in our opinion, must be most carefully considered and tested in the plants to determine these issues.

It is also apparent that much fundamental knowledge is lacking upon which to base an opinion as to the acceptability of one method over another from the standpoint of humaneness. It seems evident that research is needed to develop information which may shed light on this aspect of the problem.

It would appear from the title of S. 1497 that the bill is intended to apply to the slaughter of livestock and poultry in interstate or foreign commerce. It is noted, however, that section 2 of the bill is not limited in its applicability to slaughterers as defined in the bill, but is applicable to any slaughtering of livestock or poultry.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

JUNE 12, 1957.

Hon. ALLEN J. ELLENDER,
Chairman, Agriculture Committee, United States Senate, Washington, D. C.

DEAR MR. CHAIRMAN: I thank you for sending me a copy of Acting Secretary True D. Morse's report dated May 13 on S. 1497 which was introduced by Senator HUMPHREY for himself, Mr. NEUBERGER, and me. As you know, this bill would require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce and for other purposes.

I have read and reread Secretary Morse's report and failed to find a scintilla of substantive reasoning in opposition to this bill. I think, too, it is lacking in constructive criticism, other than that contained in the next to the last paragraph concerning the applicability of the bill. Of course, section 2, to which he refers, can easily be revised in committee. The Secretary points out in his report that "the attitude of this Department is that a practical approach should be made to devise improved methods for the humane handling of livestock and poultry. Judgment of a procedure or method to determine whether it is in fact 'humane' is extremely difficult, since all food animals must be killed and the act of killing is at best an unpleasant business. Wide differences of opinion are usually expressed about the practicality and the humaneness of any method of slaughter. Each method, in our opinion, must be most carefully considered and tested in the plants to determine these issues."

Of course, there are differences of opinion as to which would be the most humane method of slaughter; but I feel, since the bill would not become effective until 2 years after its enactment, this 2-year period of time would certainly give the Department ample opportunity to explore these methods and reach some consensus as to the means determined to be the most humane.

Secretary Morse goes on to point out that "fundamental knowledge is lacking upon which to base an opinion as to the acceptability of one method over another from the standpoint of humaneness." He goes on further to say that research is needed to develop information.

Obviously, research is needed, but is not a period of 2 years sufficient in which to conduct this research? Can we not draw upon the experience of other countries who have put humane slaughter into effect? And, as a matter of fact, it is my understanding that at least one very well known packing house in this country already employs humane methods of slaughter. Cannot some research information be obtained from this company?

In other words, I feel this report is more a statement of trying to find out how not to effect humane slaughtering methods, rather than getting to work and finding out how best we can accomplish this job.

Mr. Chairman, I have received literally hundreds of letters and many petitions from my own constituents and other people throughout the country urging the enactment of this legislation. Letters come from people in all walks of life, as well they should, because humaneness is not confined to any particular group of individuals in this country but, thank heaven, is shared in by all of us.

I plead most strongly that your committee proceed with action on this worthy legislation and report it favorably to the Senate.

Sincerely yours,

WILLIAM A. PURTELL,
United States Senator.

A MIDCENTURY APPRAISAL OF WATER AND POWER NEEDS

Mr. WATKINS. Mr. President, one of the greatest needs of the day in the field of natural resources in the United States is an abundant supply of water and electric energy. Recently the Farmers Union, under the direction of President Douglas Simpson, of Kamas, Utah, conducted a Western Water and Power Conference in Salt Lake City. This conference was widely attended. Under the very able and effective direction of President Simpson, it presented to the people of the Intermountain West and the whole United States some very excellent papers and addresses on ways and means of developing and using our water and power resources.

One of the notable addresses on that occasion was given by the Honorable George D. Clyde, Governor of the State

of Utah. Governor Clyde has had an extensive background in water and power development. He was formerly dean of engineering at the Utah State University at Logan, Utah. He was also Director of Irrigation and Power Research for the United States Department of Agriculture in the 17 Western Reclamation States. In this field he has achieved national eminence for the able and efficient manner in which the research was directed and far-reaching results produced.

Later he became executive director of the Utah Water and Power Board. He accepted this position, although it seemed a step downward, because he believed the time had arrived when an all-out campaign should be made to develop the water and power resources of the State of Utah and the four upper Colorado Basin States. He was one of the strongest advocates of advancing the cause of the upper Colorado River storage project. I believe it would be to the advantage of all the Members of Congress to read the address of Governor Clyde. Therefore, I ask unanimous consent that the address be printed in full in the RECORD, as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A MIDCENTURY APPRAISAL OF WATER AND POWER NEEDS

(Address by Gov. George D. Clyde, Western States Water and Power Conference, University of Utah Campus, Salt Lake City, Utah, May 10, 1957)

Trying to appraise the Nation's and the world's needs for water and power in the next century, or even the next 50 years, gives one the feeling of unreality, of living in the world of Alice in Wonderland.

It is not only that rapid advancements of scientific progress leave one figuratively gasping. It is also because the requirements both for water and for power are increasing at such a fantastic rate that it is hard to relate them to the known and recorded experience of the past. Plotted on a graph, the curve swings upwards at such a steep angle that the analyst's feeling in following it is akin to that of being out into space in one of the new ultrafast jet airplanes, or perhaps even a rocket.

Quantities which used to supply the world's needs for centuries, and even milleniums, will soon be sufficient for only a few years. It has become necessary, in discussing power consumption and future power needs, to invent a new unit of measurement—something comparable to the megatons of equivalent TNT power in terms of which we discuss the energy release of A-bombs and H-bombs; and some alert newspaperman came up with the suggestion that we need "megabucks," dollars in comparably large quantities, to pay for the nuclear weapons program. Certainly it is that we are getting used to thinking and talking casually of quantities that used to be virtually beyond imagination, whether we are referring to Government finances, the production of home appliances, or the number of motorists crowding the highways when we go out for a Sunday drive. The once-awesome word "million" has become archaic in talking about our Federal budget—like including the odd pennies when we discuss the price of a new car. Already the word "trillion" is creeping into our everyday language in referring to future Government spending. The world population has left the millions class and gone into the billions.

In looking forward to the water and power requirements of the next 100 years, we similarly have to free our minds from the confining bounds of past experience and we think in entirely new terms.

We in this semiarid western region have long been familiar with the problem of securing sufficient water to meet our needs. So far, we have managed to stay a jump or two ahead of disaster, and right now we are beginning a tremendous undertaking, the Colorado River storage project, designed to develop our last available water source of any size, and put it to beneficial use. But we know, all too well, that there is a final limit on the water we can develop, save, reclaim, or otherwise lay our hands on—and that when that final limit is reached, our growth and industrial expansion must come to an end. There is no substitute for water, in the home, on the farm, or in industry.

Other areas, particularly the relatively humid eastern half of the United States, have had an abundant supply of water from the beginning of their history. The people take water for granted, and have not yet grown accustomed to thinking in terms of water conservation and full use. But even in the East, conditions are fast changing.

Just a few years ago, the great city of New York was getting panicky because a prolonged dry spell had caused the reservoirs which supply water to the city to run low. New York City has since acted to acquire supplemental supplies of water and is temporarily secure, but New Yorkers have learned the importance of water and that the supply of it is definitely not inexhaustible, even in the relatively humid East.

Cincinnati, Ohio; Peoria, Ill.; and many other eastern and midwestern communities have been encountering problems of water shortages in the past few years. Farmers in some areas of eastern United States have found it advantageous to follow the western practice of irrigation—and some of them have had a rough time of it, because eastern water law differs from western water law, it being based on riparian rights, without contemplating the impact of agricultural consumptive use of most sources of water supply for municipal purposes.

I venture to say that there are very few places in the world that do not have serious problems involving water. If it is not a problem of water shortage, it is one of water in too great abundance, producing damaging floods. Only a very few places are so blessed as to have a perfectly balanced water supply. Even in India, where the annual monsoon rains bring water from the skies in incredible quantities, there are extended periods of drought between rainy seasons, and vast areas of that nation are drought-stricken because the flow of water has not been adequately regulated.

As the population increases, this Nation and the world at large will face in increasingly serious problem of producing sufficient food. Right now, with our vexing agricultural surpluses, it is hard for most Americans to think in terms of food shortages—but even today there is not enough food produced to provide an adequate diet for all the people in the world. And in this Nation, our best agricultural economists estimate that we shall srtike a balance in food production about 1962. After that, we shall have little concern with shortages, but will be hard-put to bring every available and suitable acre of land into production to feed our population. And this, of course, will require water. Water will make the arid lands the breadbaskets of the world.

Our expanding industrialization will require tremendous quantities of water, and, as I shall discuss more fully in considering our power requirements, industrial expansion is likely to exceed the wildest estimates of a few years ago.

Aside from these special uses for water, we must have water for its own sake. No animal or vegetable life can maintain itself without water, and the demands of human beings for water is steadily increasing. It is not merely a matter of having enough water to drink but of having plenty for removing sanitary wastes, cooling, bathing, for our automatic washers, for washing our automobiles and to grow the grass and flowers and trees that beautify our homes. Not only do we have many millions more people than we had 50 or 100 years ago, but our per capita consumption of water has also increased substantially. And we can expect it to increase correspondingly in the years ahead—or, at least, we can expect the per capita demand for water to increase. We may have to restrain it artificially as we approach the limit of our available supply.

In a dry region such as this, I think there is no doubt that we must approach, and eventually arrive at, total consumptive use of our available water supply. To make full consumptive use of any source of water, requires complete control and regulation of the source of supply. This involves reservoirs, either on the surface or below the surface of the ground. Both manmade surface reservoirs and our natural subterranean reservoirs must be utilized fully and intelligently to reach our goal.

As we approach the limit of our available water supply, the problem of effective regulation becomes more complicated and the cost correspondingly greater.

The complexities and the costs can be met, if we plan intelligently for the multiple uses and distribute the financial burden proportionately. Storage of water for flood control, production of hydroelectric power, recreational uses such as fishing and boating—as well as storage of water for consumptive use in cities and towns, agriculture and industry, may be provided by the same regulating system.

The complexities, and cost of regulating our larger and more difficult streams and rivers, places the task out of the reach of private enterprise, acting alone and unaided. Multiple use development of our water resources, from here on out, can be best done under the partnership principle which has been enunciated by President Eisenhower, and under which agencies of local, State, and Federal Government work closely and in cooperation with private enterprise on projects that are in the permanent interest of all the people.

The comparatively recent action of the Federal Government in recognizing the principle of the basin account makes the partnership operation easier and greatly assists in solving the problem of river regulation. The principle of the basin account is that net revenues from the generation of hydroelectric power sold at competitive rates, from multiuse projects may be used to pay that portion of the cost of such projects that is beyond the ability of consumers of water to pay. Through this procedure, the costs of developing our remaining water and hydroelectric power resources may be shared by the direct beneficiaries, through their payments for water and power, and the indirect beneficiaries through the general expansion of the economy which always follows the creation of new wealth.

I think the program being formulated and followed in this semiarid region, where the ultimate utilization of every available drop of water is already in sight, can serve as a model for other areas where the problem may be further away in terms of full, ultimate impact, but is basically the same.

In other areas, where conditions differ, solutions may also differ—although they will not depart from the principle of developing, conserving and using all available water.

One of the most interesting programs of all time is now in the final planning stage in California, where the fabulous Feather River project contemplates taking millions of acre-feet of water from the rivers of northern

California, where it is not needed and is wasting into the ocean, and carrying it down to the parched southern end of the State. This is engineering on the grand scale, and shows what can be accomplished by modern tools and modern daring—and under the spur of necessity.

Another big source of water for the future is the desalting of the waters of the ocean. This is already an actuality, and the only remaining problem is to refine the process so as to bring down the cost. According to an article in the Saturday Evening Post 2 full years ago, the process had already been refined to the point of being very close to commercially feasible. In fact, it was even then being used under certain extreme conditions, where water was so urgently needed that it justified the cost that would be prohibitive in other parts of the world.

I am sure that before too many years have passed, the conversion of sea water will be a common practice and can meet the needs of seaside areas which do not receive sufficient rainfall. The limitation on this source of water will be the obvious one; it will not be practical to take it any great distance from the seacoast or to lift it to high elevations.

Water will become a more and more critical factor in the next 50 or 100 years. Many areas will reach their ultimate limit of development within that period. Other areas, where water supply has never been a problem, will have to begin careful husbanding of their supplies and careful planning for the future.

In turning, now, to appraise our future power requirements we find the picture, if anything, even more startling. This is because the rapidly increasing demands for power in the highly civilized and industrialized countries is soon going to be augmented by swelling demands from the vast areas of the globe that are now classified as "backward" in terms of industrial progress and of standard of living.

For many centuries, man's use of power was extremely limited. He simply did not know how to develop it and turn it to use. When man, back in the predawn of history, learned to use the wheel and the lever, the basic principles of mechanics, he increased his own productive capacity tremendously. Later, he learned to harness sources of power outside and beyond his own strength and that of his draft animals to these wonderful machines. The water wheel and the windmill were marvelous helps, but their application was limited, their operation sometimes uncertain, and their capacity for work comparatively small. Until the mid-19th century, these were the only genuine power sources man had at his disposal.

During this time, he did use comparatively limited quantities of the fossil fuels and the renewable fuels which are important sources of power in the modern world, but they were used mainly to produce heat, rather than power. And the rate of consumption, in terms of today's—and especially in terms of tomorrow's—use was extremely small.

In adding up the consumptive use of power fuels in the past, the present, and the future, it now becomes necessary to provide ourselves with a unit of measurement adequate to the task. As you know, the energy content of any fuel or other source of power is normally expressed in British thermal units. But in discussing the world power consumption and requirements, we should be lost if we tried to talk in terms of British thermal units. We should quickly get into the trillions, the quadrillions, the quintillions, and beyond. Even our modern minds, accustomed as they are to enormous numbers, would get lost. It would be like trying to discuss the Federal budget in terms of mills instead of dollars.

The unit of measurement which has been devised for our purpose is simply called "Q." But this one-letter appellation covers a lot of energy. "Q" represents the energy content of 38 billion tons of coal. Accepting this as our unit of measurement, we can talk in terms of world requirements, and make some revealing comparisons, without getting lost in a maze of ciphers.

From the time of Christ, which is just about the earliest date from which we have even reasonably accurate records, until 1850, it is estimated that the total consumption of power in the world was about 9 Q. This is the equivalent of some 340 billion tons of coal and a very impressive figure—when considered by itself. But when we came to comparing it with the consumption of power at the presently accelerating rate, it takes on a different aspect. If we were to continue our power use at the pre-1850 rate, we should have no worries about the future. At the rate of less than 5 Q per 1,000 years, our use of energy would not deplete our known sources, even of fossil fuels alone, for so long a time that we should not have to worry.

About the middle of the last century, however, the situation changed drastically. The invention of the steam engine placed a tremendous new source of power at man's disposal, and caused a corresponding increase in the consumption of fuel to produce the steam. As the 19th century ran its course and we turned into the scientific age of the 20th century, new sources of power were developed and their applications and uses multiplied. We learned to turn the power of steam into the much more versatile and useful power of electricity, and also to produce electricity from the energy of falling water. The internal combustion engine and the diesel engine were developed and improved, to provide conveniently mobile sources of power.

All of these new applications of power did wonders for man's productivity, and his standard of living rose to standards undreamed of in past centuries. They also used quantities of fuel that were fantastic by all past standards. The use of falling water to produce electricity did not, of course, deplete the earth's store of usable energy, for falling water is a renewable resource. But the other applications of power consumed "mined" fuels, whether coal or petroleum or some other fossil fuel; and these fuels, once used, are gone forever. They cannot be replaced.

The total consumption of power in the century from 1850 to 1950 was 4 Q—almost half the total that had been consumed in the 18½ centuries from the birth of Christ to 1850. The rate of consumption was almost 10 times greater than it had been in the days before the steam engine and the electric generator.

Even this new and accelerated rate, however, would not be cause for serious concern if it were to remain static. Our supplies of fossil fuels would hold up for a long time at the rate of 4 Q a century. But our rate of power production and corresponding fuel consumption is a long way from being static. It is accelerating at a breathtaking pace.

The population, both of the Nation and the world, is increasing steadily, of course. It is now estimated that world population—now a little more than 2 billion—will reach 3 billion in the next 100 years. This alone would account for a tremendous increase in the demand for power. But this is not the sole factor to be considered. The per capita consumption of power is steadily increasing, too.

Per capita consumption of power is not measured merely in the amount each individual utilizes directly. The use of all forms of power and power fuels by the individual, in operating home appliances and automobiles and the various other things that go into our comfortable modern way of life, is steadily increasing, of course. But the power requirements for manufacturing the appliances and the automobiles and for turning all the wheels of our vast and complicated industrial system also must be reckoned in.

It is most instructive, incidentally, to compare the consumption of power with the standard of living in various parts of the world. There is a very close connection between the two. A recent study by the United States Statistical Office presents a most interesting picture. A graph charting the position of the nations of the world in relation to their per capita consumption of energy and their per capita national income shows a virtually straight line, slanting from the lower left-hand corner where Burma, with a per capita annual energy consumption of only 0.3 metric tons of coal equivalent, has a per capita annual income of only 40 United States dollars, to the upper right-hand corner, where the United States leads the world in per capita energy consumption—the equivalent of more than 8 metric tons of coal—and in per capita income, at almost $2,000. Very few nations are off the straight line of the graph, and the deviations are minor. It is a basic fact of economic life that the use of energy in any nation is a measure of its standard of living.

Now, it should be noted, for it is important to the future of world development, that many of the backward areas—where the people have not yet learned to utilize energy in substantial quantity—hold substantial stores of energy fuels. The Middle East, with its tremendous oil reserves, is a classic example. The Middle East is supplying a large part of the petroleum requirements of the world at the present time. But the day is not far off when the people of the Middle East will want to use substantial quantities of their oil for themselves. This will automatically make it unavailable for the already industrialized areas that now depend on it, and put a further strain on other available energy sources.

If the increase in the use of power around the world continues at the rate of 4 percent each year—and in many areas it is now much greater than that—the next 50 years would see a total power consumption of 16 Q. That is almost double the total use of power from the beginning of the Christian era to 1850. More fantastic yet, if that same rate of increase continued through the second half of the century just ahead, the 100-year total power consumption would be 187 Q. That is 187 times the energy equivalent of 38 billion tons of coal. Expressed in terms of coal alone, that would be more than 7 quadrillion tons of coal—if your mind can grasp what so fantastic a figure implies.

There just isn't that much coal in the world, of course. And when we take all of our known sources of energy, and particularly of fossil fuels, we see more and more clearly the enormous size of the problem ahead.

Total world coal reserves, exclusive of Russia and Red China, where we cannot get accurate information, and in terms of coal that can be mined at not more than double the 1950 production cost—which is a pretty liberal estimate of how far we can stretch our economic pattern—are estimated at 16 Q. The estimates of recoverable oil and gas in the world are about 5 Q. Our oil shales can provide another 1 Q to the energy pool, and our petroleum sand a fraction more. But the total of all our known fossil fuels in the world, outside Red China and Russia, add up to something less than 40 Q in terms of energy content.

Compare this to the 187 Q we should need to maintain a normal 4 percent a year increase in power consumption, and you can see how short is the life expectancy of our fossil fuel reserves.

We are now beginning to develop atomic power for general use, and, while this development is in its infancy, there is no doubt at all that it will play an increasingly important role as time goes by. In fact, if it

were not for this new source of power, the outlook might be bleak indeed, for the end of our store of fossil fuels is already in sight.

Just what is the total reserve of nuclear power cannot at this point be estimated, due to the incompleteness of available data and to the fact that so much of the information concerning atomic energy development has been classified. We do know, however, that the potential is tremendous—and this is most fortunate.

At the same time, we must not lose sight of the fact that nuclear power also has its definite limitations. To begin with, nuclear fuel is a mined fuel, just as are the various fossil fuels. That means that once it has been used, it is gone forever. It is nonrenewable. Whatever the total reserves of fissionable materials, they can eventually be exhausted.

Another limitation to the use of nuclear power lies in the problems growing out of the very action of fission that creates the power. It also creates radiation that is highly dangerous to human beings, and an atomic power plant must be shielded by tremendous layers of lead, concrete or other materials that form effective barriers to radiation. This makes for a heavy, ponderous installation that is fine for stationary powerplants, and for heavy transportation, but far less suited to light transportation and various other mobile uses.

The limitations on our mined fuels, plus the fact that our hydrocarbon fossil fuels have vitally important uses as sources of chemicals as well as their use as fuels, places obvious and heavy emphasis on the importance of our renewable sources of power. There are such things as wood, which has relatively small importance as a source of power, and which is renewable but over a long cycle of years. There are farm wastes that can be burned. There is the potential power of burning accumulated and dried algae from stagnant waters, but at present the price of processing is prohibitively high. There is the power of ocean tides in a few favorable locations. Where air movement is heavy enough and consistent enough to make it reasonably reliable, wind becomes a source of power. There is solar power, which we are just beginning to develop and which is still too expensive for commercial application, but which may have importance in the future. And, of course, there is the power of falling water: Not used, as our forefathers used it, to turn a simple water wheel, but to turn giant dynamos and create hydroelectric power.

The total potential over the next 100 years of all these renewable sources of power put together is estimated at only 8 Q. This may look small, compared to the tremendous demand for power which we have and which is so rapidly increasing, but its importance can hardly be over-emphasized. Our mined or so-called capital fuels must be conserved as much as possible, both for their advantageous use as fuels and for their value as sources of important chemicals, and maximum use of renewable or "income" fuels offers our best hope of conserving them for the longest possible time. It should be remembered, too, that the 8 Q energy potential of our renewable fuels is not a lump sum that can be utilized once and then is gone forever. It is a recurring figure, that can be used in calculating our energy potential into the future indefinitely. There will be another 8 Q energy content—probably considerably more as some of these renewable sources are further developed—for use in each succeeding century.

The development, and maximum utilization, of hydroelectric power is particularly important in the year ahead, for it is closely tied to the development and full use of water supplies.

As we approach and reach total consumptive use of water in the inland arid and semi-arid areas of the world, as I have indicated that we must and will, the water available for generating hydroelectric power will not be reduced, but will actually increase. If water is to be put to full consumptive use, it must be stored to prevent its loss during the high-runoff seasons of the year. When water is stored, it is ready to perform the function of generating hydroelectric power as it is released from the storage reservoir to be put to consumptive use. Many streams now running uncontrolled or partly controlled will be brought under full control, and in most cases it will be possible to construct multiple-purpose reservoirs, from which power in varying quantities can be generated.

Hydroelectric power is of particular value for "peaking" purposes—as a standby to a steam-generating plant, for example, to supply power needed for the periods of the day when peak or maximum demand for electricity are encountered. Steam-generating plants are comparatively inefficient for this purpose. When the demand for electricity drops, the furnaces cannot immediately be shut down or reduced, and considerable fuel is burned wastefully. But when the demand drops, the outlet gates of a reservoir are shut almost instantaneously, and the potential energy of the stored water is saved for use in another period of peak demand.

To sum up, the water and power needs of this Nation, and for the world, in the next century will require maximum efforts if they are to be successfully met.

In all but a few very humid areas, water will have to be most carefully conserved, and even many areas which have heretofore been considered humid will have to revise their thinking and start appraising water in terms of maximum consumptive use.

In the arid and semiarid areas, water will inevitably be the final limiting factor on growth, and many of these areas may reach their ultimate limit of development comparatively soon. Antipollution efforts will be increased, wasteful practices eliminated, and every available source of water developed to the fullest practical extent. It is more than probable that the water supply, rather than any other factor, will place a curb on the use of power also, for all of the manufacturing processes that require extensive quantities of power also require great quantities of water. Except for the conversion of sea water to fresh water, there is no unlimited source of water in the world; and even this potential supply is limited by the cost of the conversion process and the fact that it could be utilized only in close proximity to the shore and would not ease the problem of inland areas.

In assessing our power requirements, I think we should be conservative in estimating the rate of growth of our power output. While the 4 percent a year increase I used earlier as a basis of calculations is not large in terms of present trends in many areas—right here at home, the Utah Power & Light Co. increased its output at the rate of 9 percent a year in the first postwar decade—and while there will be great pressure from the backward areas of the world to move ahead on a program of industrialization, I believe the competitition for available power sources will force some slowdown in the tempo. I believe 3 percent, rather than 4 percent, a year will be the probable average rate of expansion around the world. But that 3 percent increase, compounded annually, will bring a total demand for energy in the neighborhood of 72 Q's, which is considerably beyond the total of our fossil fuels, but can be effectively met through judicious use of fossil fuels where conditions make them particularly desirable, through steady expansion of our nuclear power resources, and through maximum utilization of the hydropower and other renewable sources of energy.

The key to the future, I believe, is the development of our water resources through efficient multiple use projects constructed under a partnership program between Government and private enterprise. Nothing should be wasted, and nothing improperly used.

This will require clear thinking and careful planning. Conferences such as this show that the problem is fully recognized and is being attacked in orderly and intelligent fashion.

May success attend your efforts.

COMMENDATION OF THE PASSPORT OFFICE

Mr. CARLSON. Mr. President, every Senator's office receives many calls from his State in regard to visas and passports. My office is no exception; and during the past several years I have noticed a marked improvement in the speed with which passports are processed.

For some time I have wished to express my appreciation for the fine service we receive from the Director of the Passport Office, Miss Frances G. Knight, and her staff.

I know personally of occasions when citizens have telephoned me from Kansas, and have stated they were on their way to New York, and hoped to have a passport on arrival. Those who are familiar with the securing of passports know it takes time to check on all the details and to issue a passport.

On one occasion, one of my friends had a passport which had expired, but he did not find out about it until he landed in Newfoundland. It was necessary for him to return to the United States, and to have his passport renewed. Through the kindness and assistance of Miss Knight and her staff, he was delayed only a very short time in New York, and was practically back on his airline schedule in a matter of 1 or 2 hours.

An article by Phil Casey, published in this morning's issue of the Washington Post and Times Herald, encouraged me to make this statement to express my appreciation to Miss Knight and the Passport Division. From the article I am interested to note that despite the fact that they are now issuing passports in from 4 to 5 days during the rush travel season, they expect to reduce the time to 2 days within the next year.

In this jet age in which the world has shrunk in size, we are fortunate in having in our Government an agency that is keeping step with the progress of transportation.

DEATH OF LUTHER PATRICK

Mr. KEFAUVER. Mr. President, I know that many of my colleagues who knew him as I did shared my grief at the death of former Representative Luther Patrick, of Alabama.

I served with Mr. Patrick in the House of Representatives, where he represented the Birmingham district for four terms.

Although he has been in ill health during recent years, he continued an active interest in his community life and

in the affairs of the Nation. He will be greatly missed. Our sympathies go to his widow and daughter, Mrs. Patricia Brasher, of Birmingham, who survive him.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee has the floor.

NOTICE OF MEETING OF ANTITRUST AND MONOPOLY SUBCOMMITTEE AT 10:30 O'CLOCK A. M. TOMORROW

Mr. KEFAUVER. Mr. President, I wish to give notice that at 10:30 o'clock tomorrow morning, at room 457, the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary will continue its hearing in connection with its consideration of rapid tax amorzation and its effect on monopoly and small business. At that time particular attention will be given to the legality of rapid tax certificates to industries which have a guaranteed income, of which the Idaho Power Co. is one. Also, Mr. Gordon Gray has been invited to testify further at this meeting in connection with a memorandum he received from Dr. Flemming in connection with the Idaho Power certificate, which would throw a good deal of information on the issue, if he is willing to tell about it.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. DIRKSEN. I should like to ask the Senator from Tennessee a question. It is likely that the Senate may meet early tomorrow morning, in which event the committee session would be very short. If there were a request for permission to sit, I would almost be constrained to object, because of the business to be transacted on the floor of the Senate. I understand the Hells Canyon bill is coming up for action.

Mr. KEFAUVER. It was not my understanding the time of the meeting of the Senate for tomorrow had been fixed.

Mr. DIRKSEN. That is correct. I was basing my statement entirely on anticipation.

Mr. KEFAUVER. I hope that if the Senate meets early the subcommittee will have permission to meet.

Mr. DIRKSEN. I would object. I think we should be present on the Senate floor if the Senate should convene early.

Mr. KEFAUVER. That is a contingency.

JURY TRIALS IN CIVIL RIGHTS LEGISLATION

Mr. NEUBERGER. Mr. President, on this day, when the House of Representatives is likely to pass a civil-rights bill, I believe it might be appropriate to present to the Senate an illuminating and penetrating article on this vital question by Gen. Telford Taylor, noted lawyer and author. In the New York Times magazine for June 16, 1957, under the title of "Crux of the Civil Rights Debate," General Taylor has effectively answered the claim of opponents of the civil-rights bill that this legislation should contain a jury-trial amendment in injunctive suits brought in Federal court to require that the voting privileges of Negro voters be respected. He is against such an amendment.

General Taylor has demonstrated, in this New York Times article, that there are no comparable questions of fact at stake in prospective voting-right suits in the South, to relate in any way to the suits which took place concerning strikes by trade unions in the era when the Norris-LaGuardia Act first was adopted.

While I realize that this is a highly controversial issue, General Taylor is a brilliant lawyer, and I believe his article should be made available for the information of Members of the Senate. I ask unanimous consent that it appear in the body of the RECORD as a contribution to the whole civil-rights question, which is one of the central issues of our time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CRUX OF THE CIVIL RIGHTS DEBATE

(By Telford Taylor)

By far the most important provisions of the administration's civil rights bill are those which authorize the Attorney General to bring Federal court proceedings in behalf of persons whose rights are being threatened or denied. Should this bill (S. 83, introduced by Senator EVERETT M. DIRKSEN for himself and 36 other Republican Senators) become law, the Attorney General could obtain Federal court injunctions directing State officials to registered qualified Negroes as voters, to eliminate segregation in a school system or to observe other civil rights.

Racial discrimination is a social ailment, and many of its manifestations lie beyond the proper reach of court proceedings. The law cannot stamp out the physical differences between races, nor can it eliminate the low standards of living, lack of education, and other disabilities which are both cause and consequence of anti-Negro discrimination, especially in the South.

Furthermore, since the ultimate object is to cultivate friendly relations based on mutual respect between the races, litigation is not the most propitious avenue to this end. Regardless of their outcome, lawsuits rarely foster harmony and trust between the parties. Therefore, litigation to enforce civil rights is not a desirable first step toward their fulfillment, but rather is a last resort when the prospects of voluntary remedial action by the community appear hopeless.

Unhappily, in the South these prospects remained remote for three-quarters of a century, and in several States progress is still distressingly slow. In many parts of Mississippi, for example, State election officials simply refuse on one pretext or another to register Negroes on the voting rolls. The individual Negro, however clearly qualified to vote, is virtually helpless. So, at the present time, is the Federal Government, for even if the Negro should persuade the United States attorney to prosecute the officials, the election would be over long before the case would come to trial, and local juries would probably acquit the officials in any event. Under the administration bill, however, the United States attorney could obtain a Federal court order directing the election officials to register the Negro and record his vote, and disobedience could be promptly punished by imprisonment for contempt of court.

In the field of racial segregation, the courts have been of more help to the Negro. If he has the temerity he can apply for a court order granting him admittance to a school, or access to other public facilities, on an unsegregated basis. Indeed, this is why the courts have in recent years played so crucial a role in the civil-rights controversy.

The current phase of that controversy stems from the Supreme Court's decision 3 years ago in the school segregation cases. When the Court spoke, there was reason to hope that its decision would be given general effect by voluntary, even if gradual, action by local school authorities. In some localities—notably Louisville and Charleston, W. Va.—this is just what happened. But in large areas of the South, the aftermath of the segregation cases has been a wave of repressive prosegregation sentiment and organized activity. The Supreme Court's decision is not self-enforcing, and instead of spelling the end of an era of civil-rights litigation, it has marked the beginning of a new and even more bitter phase.

In such an unhappy impasse, it is at least better that the issue be dealt with by courts and lawyers than by bullets and fiery crosses. If we must resign ourselves to the prospect of a new series of Court actions to enforce the law of the land and vindicate the dignity of man, then the legal principles and procedures to be applied in this tense and touchy milieu are indeed a matter of deep national concern. They must be effective to achieve the end in view—equal access to public facilities regardless of race—but only by methods which commend themselves to our sense of justice.

In these terms, the administration's proposal that the Attorney General be authorized to sue in the name of the United States is thoroughly sound. Under our Constitution and laws, the elimination of racial discrimination—whether in public education, transportation, recreation or the franchise—is the national policy. It is fitting and proper that the Attorney General should be charged with the advancement of that policy within the ambit of his duties as the Nation's chief law officer.

The Attorney General's participation has great practical as well as symbolic value. In general, those deprived of their civil rights are those least able to assert them. It takes fortitude, and a willingness to face physical and economic hazards, for a Negro to bring a civil-rights action. Not a single school-integration suit has yet been instituted in Senator EASTLAND's State of Mississippi.

Because the individual southern Negro rarely has the resources to go to law, most of the southern civil-rights cases have been sponsored or supported by protective organizations such as the National Association for the Advancement of Colored People (NAACP). Indeed, the NAACP's legal spokesmen have been so effective in focusing the attention of bench and bar on the civil-rights problem, and in bringing their cases to a successful outcome, that this association is now the target of a wave of new southern State legislation designed to harass and cripple it, or even to drive it completely out of the South.

At once the most interesting and alarming among these recent laws are those relating to barratry, the old and almost forgotten crime of instigating disputes and lawsuits. The rare prosecutions for this offense in the past always involved malicious harassment, or venal schemes to profit from other peoples' quarrels. But now Virginia, Georgia, and South Carolina have enacted new barratry statutes, intended for specific application to the NAACP and like organizations, which forbid any person to encourage or finance litigation in which he has no personal or direct interest.

The dangerous implications of these measures are clear and numerous. Their underlying principle might as well be applied to the American Society for the Prevention of

Cruelty to Animals and the Society for the Prevention of Cruelty to Children, and to all sorts of organizations to suppress vice and obscenity or to maintain professional and business standards, as well as to groups dedicated to the safeguarding of human rights. The result of such laws is not only to throw the individual victim back on his own resources, however slender, but also to deny every citizen one of the most precious of all rights: To concern himself that justice be accorded his fellow men. As the Supreme Court of South Carolina declared in a barratry case decided in 1830: "The pursuit of right, whether public or private, can never be an offense where justice alone is the end in view."

Southern legislatures have also passed statutes requiring registration of organizations such as the NAACP and public disclosure of the names of their members and contributors, and providing for the disbarment of attorneys involved in "barratrous" cases. Thus the repressive impact of these laws, and of the public temper which they reflect, is felt not only by the Negro, but also by the white man who departs from accepted southern attitudes. Indeed, one of the most distressing social consequences of the civil-rights crisis has been the pressure for conformity of word and deed among white southerners, and the accompanying erosion of freedom of speech and press.

It is these circumstances that make the Attorney General's participation in civil-rights litigation so necessary. If southern legislators are determined to make it hazardous and often impossible for civil rights to be enforced by private action, then there is no alternative (other than nullification) to enforcement by the Federal Government as a litigant in behalf of those whose access to the courts is thus obstructed.

While some southern legislators are openly hostile to any such measure, the more effective opposition has come from those who, like Senator SAM J. ERVIN, Jr., of North Carolina, have directed their shafts at the administration bill's most controversial feature: the method of enforcing court injunctions. Under the Attorney General's proposal, if, for example, State officials should be accused of failure to comply with a Federal court order for school integration, the judge who issued the injunction would hear the case himself and, if he found the officials guilty, could jail them for contempt of court. This procedure, says Senator ERVIN, amounts to "robbing our citizens of their right of jury trial." Accordingly, he and other southerners have argued that persons accused of violating such injunctions should be punished only after a jury trial and a verdict of guilty.

The issue thus drawn has great practical significance, for in the public temper now prevailing in many parts of the South, juries would not convict in such cases, even if the violation of the injunction were open and notorious. Indeed, Assistant Attorney General Warren Olney has publicly characterized the southern jury-trial proposal as a clever device to nullify the civil-rights program.

No doubt nullification is the real purpose in the minds of at least some of the jury-trial proponents. But this circumstance is not a solution of the issue in either legal or social terms. Obviously, we should not make exceptions to the jury system in order to enforce locally unpopular laws, any more than we should exceptionally require jury trials in order to obstruct such enforcement. Justice does not require absolute logic and utter symmetry, but it does call for stability of principle.

Nor is the answer to be found in the Bill of Rights. Senator ERVIN has tried to blow the constitutional trumpet, but in this case it sounds a false note. The sixth and seventh amendments respectively guarantee the right of jury trial in criminal prosecutions, and in suits at common law (generally speaking, for money damages). Injunctions, however, are issued under a court's equity powers, to which these amendments do not apply. Even during colonial times, American judges tried injunction violation cases without juries, and the seventh amendment did not change that procedure.

But if those accused of violating civil-rights injunctions may constitutionally be tried and punished by a judge alone, it does not necessarily follow that this would be a wise practice. Undoubtedly Congress also has power to provide for jury trials in such cases. The problem now at hand is to determine what course is preferable as a matter of legal and social policy.

Until about the turn of the century, the suggestion that a jury be used in injunction-violation cases would have been regarded as preposterous. But at that time, as now, the Federal court injunction became the focus of social controversy. During the turbulent labor disputes that marked the early growth of trade unionism, employers often obtained injunctions against picketing, boycotts, and other union practices. Some of these were drawn in sweeping terms, and strikers and union organizers were haled into court and jailed for contempt under circumstances that aroused bitter labor opposition.

As a result, in 1914 Congress passed a statute requiring jury trials, as a safeguard against judicial severity, in certain Federal injunction-violation cases. In 1932 the Norris-LaGuardia Act imposed numerous other restrictions, including jury trial, on all injunction cases "involving or growing out of a labor dispute." However, these laws of 1914 and 1932 have now lost most of their practical significance in the labor field. Under the National Labor Relations Act, Federal participation in labor-management disputes is largely committed to the National Labor Relations Board. Court orders affirming the board's decisions may be enforced by judges without the use of juries, as is the practice with numerous other Federal agencies.

But if the labor-injunction legislation is no longer important, its history teaches lessons that may usefully be applied in resolving the present controversy. It was the vague and sweeping language of the old labor injunctions—prohibiting a broad and undefined range of conduct and purporting to bind not only the parties to the suit but all the world as well—that was their essential vice. Where there may be substantial doubt whether or not a person has in fact deliberately disobeyed an injunction, the impaneling of a jury may be an appropriate safeguard, for juries customarily decide such questions of fact.

In the usual civil-rights injunction case, however, there will be no such factual issues. Most of them will apply only to local officials, whose compliance or noncompliance will be a matter of public record. For example, if a county school board should refuse to comply with a court order to integrate the schools, it would be absurd to require a jury trial, for there would be no question of fact for the jury to decide. Those who advocate jury trials in such situations can only intend that southern juries be allowed to nullify civil-rights laws by refusing to convict even flagrant violators. It is to be hoped that responsible southern legislators and other leaders will not take so anarchic and indefensible a position.

There may, however, be exceptional situations where a court issues a broad injunction—for example, forbidding anyone to obstruct or interfere with the integration of a school or transportation system. In such cases (the Clinton, Tenn., school fracas is a good example) there may be real doubt about what a person actually did, and whether he intended to disobey the court order. In line with the labor-injunction experience Congress might profitably consider making provision for jury trial under carefully specified conditions.

From the foregoing some conclusions may be drawn:

1. There is ample reason for authorizing the Attorney General to obtain Federal court orders for the enforcement of civil rights, as is proposed in the administration's civil-rights bill.

2. There is no reason to require jury trials in civil-rights injunction-violation cases generally. Such a requirement would be wholly out of keeping with judicial practice and experience, would encourage flouting the law and would undermine the national policy in the civil-rights field.

3. Civil-rights injunctions should be enforced, if possible, in the same way and under the same safeguards as other Federal court injunctions. It is not the subject-matter but the scope of the injunction and the nature of the questions which its enforcement may raise that should determine whether or not a jury should be impaneled.

4. Congress might usefully re-examine the laws which presently govern Federal injunction enforcement, some of which are outmoded. It may be reasonable to require jury trials where guilt or innocence of contempt involves substantial factual questions. Another possible safeguard would be an upper limit on the penalties which may be imposed by judges, to insure that the contempt power will be used primarily for remedial rather than punitive ends.

It is along these lines that the current controversy about the administration's bill may perhaps be resolved. Certainly it should be possible for Congress to find a way to promote the national policy against racial discrimination by means which are consonant with the constitutional requirements of due process and which will strengthen the fabric of justice.

THE SENATE RULES

Mr. NEUBERGER. In conclusion, Mr. President, I should like to propound a parliamentary inquiry. When the Senate is in the morning hour, how many minutes is each Senator supposed to be allotted for each item which he discusses?

The PRESIDING OFFICER. The Chair is advised that it varies, depending upon the request of the majority leader. This morning the request, to which unanimous consent was given, was for 5 minutes.

Mr. NEUBERGER. This is a parliamentary inquiry which I am stating. I think it bears upon what we discussed this morning. If a Senator speaks longer than 5 minutes on any subject, without asking unanimous consent to continue, is that Senator in violation of the rules?

The PRESIDING OFFICER. Not unless some other Senator objects or calls for the regular order, which was done this morning. He would not be in violation of any rule.

Mr. NEUBERGER. I should like to have the RECORD show that there were many Senators who spoke on the floor this morning, demanding strict adherence to the rules of the Senate to the last single letter of the rule—rule XIV, XXII, I do not remember all of the exact numbers. Yet those very Senators who spoke took longer than the time allotted. I clocked one of them at 26

minutes. One of them spoke 26 minutes during the morning hour without asking unanimous consent, on the subject of strict compliance with the Senate rules.

I am a very new Member of the Senate, but I have observed that the rules are very flexible; that one holds with the hounds and runs with the hare, as he chooses.

I think the RECORD should show there were many speeches urging strict compliance with the rules that were far beyond the normal time which the rule allows.

The PRESIDING OFFICER. However, the fact is that the Chair was bound by the objection raised from the floor. Since that time no Senator has exceeded the time limit.

Mr. MANSFIELD. Mr. President, I wish to state that it is the custom for the Chair to be lenient. So long as no objection was raised, the Chair, I believe, was acting in a perfectly proper manner. When objection was raised and the regular order called for by the junior Senator from Vermont, then, of course, the procedures of the Senate went into action, and the Chair has acted circumspectly since that time.

THE SENATE RESTAURANT

Mr. TALMADGE. Mr. President, as chairman of the Subcommittee on the Senate Restaurant, I should like to report that the subcommittee held a meeting on Wednesday, June 12, 1957, to consider ways and means of diminishing the financial deficit in the operations of the restaurant facilities in the Senate. At that meeting, the Senator from Montana [Mr. MANSFIELD], the Senator from New York [Mr. JAVITS] and myself met with representatives of Nationwide Food Service, Inc., the Senate restaurant contractor, and staff personnel of the Senate Committee on Rules and Administration, to consider a comparative study and analysis of the individual prices listed on the Senate menus. In our deliberations, we received valuable counsel from the Senator from Illinois [Mr. DOUGLAS] and the Senator from Oregon [Mr. NEUBERGER], both of whom had demonstrated admirable interest in the problems which beset the restaurant. In behalf of the subcommittee, I want to thank them and others of my colleagues who have offered helpful suggestions in connection with the senatorial cuisine.

The Senate restaurant contractor recommended upward price adjustments in many of the items carried on the menu. Those recommendations were predicated on a comparison of the prices charged for food in similar local restaurants. As I am sure all of my colleagues realize, any endeavor to compare prices involves intangibles and the peculiarities of varying facilities. Despite these factors, however, it was apparent that our restaurant here in the Capitol was, in most cases, charging less than the going rate. In those circumstances, the members of the subcommittee unanimously decided to approve the price increases recommended by the restaurant contractor. I can assure my colleagues that the increases are both modest and justified.

In a further attempt to lower the cost of operation of the Senate restaurant, the Restaurant Subcommittee also approved another recommendation of the restaurant contractor, to allow adjustments in the annual leave plan for employees in the Senate restaurant. For the information of those Senators who may not be fully acquainted with the background of the Senate restaurant operations, the dining room facilities, prior to 1947, were operated by the Architect of the Capitol, and the employees of the restaurants were Government employees. As such, under the leave system then in effect, all those employees enjoyed 26 days' annual leave. Since 1947, the employees of the Senate restaurant are no longer employees of the Federal Government. In the beginning, the restaurant contractor, who retained practically all of the restaurant employees, allowed the privilege of 26 days of annual leave to continue. In the intervening years, since 1947, the Federal Government has revised its own leave system so that the 26 days' leave, previously granted to all employees, is now reserved for those employees with at least 15 years of Government service. Other Government employees receive 20 days a year, if the employees have at least 3 years of service, and for employees with less than 3 years' service, the current allotment is 13 days a year. It was Nationwide's recommendation that a parallel adjustment in the vacation time of restaurant employees was long overdue. After careful consideration, the Senate Restaurant Subcommittee gave its consent.

Admittedly, Mr. President, the action taken by the Restaurant Subcommittee at is recent meeting does not solve entirely the financial problem of operating an essentially "one meal" type of eating facility, with all of the other comparatively unique features attendant upon the operation of a restaurant in the United States Senate. It is estimated, however, that the subcommittee's decisions will reduce the restaurant's operating costs by approximately $22,000 during the coming year. This is a step in the right direction.

We of the Restaurant Subcommittee wish to assure all Senators and Senate employees that we will continue to exercise diligence and vigilance in the interest of providing the best quality of food with the maximum of service and at reasonable prices. It is our hope that, with the establishment of more adequate and modern cafeterias and dining-room accommodations in the new Senate Office Building, the Senate restaurant can eventually be maintained without an operating deficit. This is a goal which apparently has not been reached in our generation. With the cooperation of all concerned, positive advances toward that objective can reasonably be expected. In closing, I wish to thank again all of those who labor daily with us and who have demonstrated their understanding interest in our common problem.

Mr. CAPEHART. Mr. President, I am not a member of the Committee on Rules and Administration, and I have nothing to do with the cost of operating the Senate restaurant. However, I think the wrong impression has gone out to the country in respect to the Senate restaurant.

I believe the restaurant serves approximately 5,000 meals a day; and yet less than 250 of those meals—possibly only about 200 of them—are served to Senators. The best way to eliminate the expense would be to permit Senators to have their own club, pay the Government rent for the restaurant, and let Senators sustain the full cost, eliminating the serving of meals to employees, members of the press, and visitors who come to Washington.

The employees of Senators, members of the press, and visitors consume about 5,000 meals a day, whereas the average number of meals consumed by Senators, I am told, is about 200. So the expense is not the result of serving meals to Sentors. It is the result of serving meals to visitors, employees of the Senate, employees of Senators, and members of the press.

I do not know why so much fuss is being made over the question. If we wish to be perfectly fair and honest, we can easily understand the cause of the expense. There are only 96 Senators. If they all took their breakfasts, lunches, and dinners here, there would be less than 300 meals a day served to Senators. As Senators know, Senators do not take their breakfasts in the Senate restaurant, and very seldom have supper there, unless the Senate is in session late.

So possibly 150 meals a day are actually served to Senators. I think those who have been criticizing and causing the Senate itself and individual Senators to be criticized for this subsidy, ought to be fair. It should be pointed out that it is the visitors and employees of the Senate, along with the members of the press, who consume the food. If there is any subsidy, it is going to those people, and not to Senators.

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

ORDER FOR ADJOURNMENT UNTIL TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 12 o'clock noon tomorrow; and that in the event action has not been concluded on the treaty, the Senate convene in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I give notice that if by remaining in session until a reasonably late hour this afternoon, perhaps 5 or 6 o'clock, we can conclude action on the treaty, we will do so; if not, we will go over until 12 o'clock tomorrow.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Texas will state it.

Mr. JOHNSON of Texas. Under the order now entered, the Senate will convene in executive session, will it not?

The PRESIDING OFFICER. The Senator is correct.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6070) making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. THOMAS, Mr. YATES, Mr. EVINS, Mr. BOLAND, Mr. CANNON, Mr. VURSELL, Mr. OSTERTAG, Mr. JONAS, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7441) making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WHITTEN, Mr. MARSHALL, Mr. NATCHER, Mr. BOWLER, Mr. CANNON, Mr. ANDERSEN, Mr. HORAN, Mr. VURSELL, and Mr. TABER were appointed managers on the part of the House at the conference.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

THE ATOMIC DILEMMA

Mr. MANSFIELD obtained the floor.

Mr. FULBRIGHT. Mr. President, will the Senator yield in order that I may suggest the absence of a quorum?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I ask unanimous consent that 2 speeches which I delivered on atomic and nuclear weapons 2 years ago, as well as certain excerpts from 4 commencement-day addresses which I delivered in Montana and Iowa within the past 3 weeks, together with certain statements by radio commentators and newspaper editors, as well as certain articles from various publications, be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, the material referred to may be printed in the RECORD, as requested.

(See exhibit 1.)

Mr. MANSFIELD. Mr. President, 12 years ago the United States detonated the world's first atomic bomb in New Mexico. Since then there have been close to 100 nuclear explosions. The United States has exploded about 65 bombs. The Soviet Union has tested 20 or more, and the United Kingdom has tested at least 7, including its first 2 hydrogen bombs in the vicinity of Christmas Island in the Pacific. The British have now joined the ranks of those capable of producing thermonuclear weapons, capable of unheard of destruction. Recent tests by the United States, the Soviet Union, and the United Kingdom, have added fuel to a growing controversy in this field.

During the last presidential campaign, the testing of thermonuclear weapons was one of the dominant issues of the campaign, and in the past several weeks the subject has again come sharply into the public eye. The problem of H-bomb tests and radioactive fallout is perhaps the most dangerous problem that confronts the world.

This issue, so important to mankind and for so long shrouded in secrecy, has been brought into the open for discussion. The scientists and leaders of the free world who have had the courage to tell the public of the great risks involved in the continuation of nuclear tests deserve our gratitude. As I have said on a previous occasion, "to accept the thesis that this subject should not be discussed with the American people is to lay open the possibility that history and science may bring about the era of the last man."

The discussion of hydrogen-bomb tests and their aftereffects is not something that can be treated lightly. It is an issue which must be reckoned with seriously and speedily. It is not, I repeat, not, a partisan issue.

I believe that we are approaching the saturation point insofar as the number and destructiveness of the large thermonuclear weapons are concerned. If we continue these tests, we will be gambling with future generations of mankind. We will be pushing toward the brink of total destruction.

The distinguished majority leader, the senior Senator from Texas [Mr. JOHNSON] in a recent New York address presented what I consider to be one of the finest recent statements on American foreign policy. It was extremely well timed in view of the current disarmament talks and the worldwide debate over the continued testing of hydrogen weapons.

The majority leader has offered a sound, shrewd program to counteract Soviet propaganda. The plan he has put forward calls for the systematic presentation of American views on Sovietwide uncensored radio and television facilities. This proposal, if followed, would beat —or at least meet —Khrushchev and the Soviet leaders at their own game.

If adopted by the administration, this open-curtain idea would effectively put on the Soviets the burden of proof whether they are sincere in their profession for ending the nuclear-weapons race.

The senior Senator from Texas proposed that we as a nation take action on five objectives, all leading toward the ultimate of a worldwide agreement on disarmament. I am particularly interested in his third objective, a frank and open search for a method of suspending tests of the bigger nuclear weapons, under airtight conditions which give full protection against violations.

As the majority leader states, "we must create a new world policy. Not just of open skies, but of open eyes, ears, and minds, for all peoples of the world." He insists that the case must be submitted to the people of the world and I am sure that if this great issue is freely discussed the people of the world will demand an end to the testing of large thermonuclear weapons.

Again, I want to say that the speech of the Senate majority leader has provided a firm and constructive position on the greatest issue of the day.

In 1955, I expressed my views to the Senate on nuclear and thermonuclear weapons, their development, and their part in our domestic and foreign policies.

At that time, I tried to examine in an objective way the various ramifications of the radioactive fallout and destructiveness of these weapons. I discussed the pros and cons of continuing atomic and hydrogen bomb tests and the part those tests play in our defense. I suggested some means by which we might develop an effective program to combat the threat of worldwide destruction in nuclear warfare.

MULTILATERAL BAN ON TESTS

In the two years that have passed since I first expressed myself on this issue, I have given it a great deal of thought, and everything leads me to feel that a multilateral ban on nuclear tests is an essential first step if mankind is to survive.

Some two weeks ago, Mr. President, in a commencement address at Clarke College in Dubuque, Iowa, I proposed that the President give consideration to the urgent convening of the heads of state of the Soviet Union, the United Kingdom, France, and the United States for the sole purpose of seeking a multilateral agreement for stopping tests of the big hydrogen weapons whose very testing threatens the future of mankind.

Let me make one thing very clear at this point. I do not propose that the United States unilaterally stop testing these big, world-destroying weapons. I propose only that we attempt to reach a multilateral agreement with other nations producing atomic weapons whereby we would jointly agree not to test bombs over a certain size—the bombs which are so large that virtually any nation in the world with scientific talent would automatically know if such a bomb is exploded.

I do not propose that the United States agree to limit or stop such tests unless and until the Soviet Union also agrees.

I do not propose at this time that the agreement extend to small nuclear weapons.

I did not lightly reach the conclusion that the time had come for the President of the United States to make an all out effort to get multilateral agreement to stop testing the big weapons.

I do not now view lightly my repeated request that the time has come when the No. 1 problem of survival requires forthwith a concerted effort to agree on a multilateral basis that the tests of the big ones be stopped.

It has been 2 years, Mr. President, since the heads of state met to discuss peace. Much has happened in these 2 years which might shape the thinking of such a meeting. Britain has a new Prime Minister. President Eisenhower has been reelected by a great majority. The leaders in the Soviet Union have faced the crisis of rebellion in the satellite nations. The Middle East crisis has warned us that war lurks around the corner for nations not ever mindful of the terrible consequences that might flow from what might start out as a relatively isolated military action.

I believe that another summit conference is due and we have one big problem for the agenda. Our ultimate goal in such a conference should be a multilateral agreement to suspend tests of all nuclear weapons over one megaton in strength.

A binding agreement of this kind accompanied by reasonable inspection would tend to be self-enforcing. We know from reading the daily press that our detection devices, as well as those of many other countries, can infallibly detect hydrogen test explosions when they exceed a certain strength. It follows therefore that if any party to a multilateral agreement not to test the biggest bombs were to violate that agreement, the violation would instantly be known to the entire world.

I grant that such an agreement would not be without its dangers. But I believe the time has come when the dangers of further uncontrolled big tests outweigh the dangers of agreement to suspend such tests.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. GORE. Is it the essence of the able Senator's advocacy that the United States, itself the first to harness the strength of the atom, the first to detonate an atomic weapon, and the first to detonate a hydrogen weapon, be foremost in seeking to bring about a multilateral agreement to cease the testing of larger and ever larger hydrogen weapons?

Mr. MANSFIELD. The Senator from Tennessee, a member of the Joint Committee on Atomic Energy, is correct. The strength level I have in mind, above which a suspension of tests could be undertaken on a multilateral basis, would be one megaton, which I understand is the equivalent of 1 million tons of TNT. I believe that this administration, which has been reacting, rather than acting toward the moves of the Soviet Union, ought to take the initiative in this field, and ought to implement what the President did in 1953 in his appeal before the United Nations in his atoms-for-peace speech, and which he is asking us to ratify in the International Atomic Energy Agency Treaty, which is before the Senate today.

I certainly think we ought to cease allowing the Soviet Union to seize the advantage and keep it. The times call for leadership, courage, and initiative.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MANSFIELD. I yield.

Mr. GORE. I am not advised as to the secret instructions which Mr. Stassen may have, as our representative at the London conference, and I shall not undertake to speculate on those instructions. However, at least publicly, the Soviet Union seems to have seized the initiative before the bar of world public opinion in bringing about a cessation of the testing of superhydrogen bombs by a specific proposal. In the battle for the minds of men, waged by contending concepts of life, liberty, and pursuit of happiness, do not the United States stand to be the great loser by allowing the initiative to be seized by the Soviet Union in this field, about which more and more elements of world public opinion are becoming aroused?

Mr. MANSFIELD. The Senator is absolutely correct. Once again the Russians have taken the initiative. Once again we do not seem to know how to react. I think it is about time we began to exhibit some of the leadership which our friends throughout the world expect of us. I am in full accord with what the Senator from Tennessee has said, that on the basis of the most recent Soviet proposals, they have, of course, once again taken the initiative in the struggle for the minds of men throughout the world, both free and slave.

Mr. GORE. Mr. President, will the Senator yield once again?

Mr. MANSFIELD. I yield.

Mr. GORE. I wish to congratulate the able Senator for his suggestion earlier that the President of the United States consider the convening of another summit conference for this purpose. Whether this be the particular method of seizing the initiative and maintaining American leadership in this vital area, or whether it be some other, which I take it might be agreeable to the Senator from Montana, I join with the Senator in a very deep and sincere feeling that the United States is damaging its leadership of the free world by continuing to remain on the defensive in this very potentially dangerous field.

Mr. MANSFIELD. I think on the basis of the meetings which have been held in the postwar period, the United States has gone to those meetings with a number of problems to discuss, and the result is that, by and large, nothing was accomplished except a lot of talk.

My proposal this time is that we meet to discuss this one problem, which I think constitutes a dilemma, indeed a terrible dilemma, so far as the future of mankind is concerned. I hope that if we can emphasize and concentrate our energies on this one particular question, maybe the heads of state, recognizing their responsibilities, can come up with a reasonable agreement, which will, in turn, insure some degree of safety and security for mankind in the future.

Mr. GORE. Again I thank the able Senator. His thoughts are provocative. His leadership in this field is very valuable, and I am grateful to him.

Mr. MANSFIELD. I thank my good friend, the Senator from Tennessee.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. PASTORE. I also am very much impressed with any suggestion made by my distinguished colleague from Montana. But looking back to the previous conference at the summit, where the heads of state met, shook hands with one another, smiled at one another, toasted one another with vodka, and what have you, and then left it to their ministers to meet a few months later to work out the arrangements, which the Russians always knew they would never carry out, what is the Senator's observation as to that? Does he think more will come of his proposed meeting than came from the previous Geneva meeting at the summit?

Mr. MANSFIELD. Because of the lack of success attendant upon the summit meeting at Geneva 2 years ago, at which time many problems were discussed, it is my idea that if the chiefs of state would meet together and discuss one big problem, the chances of success would be that much better.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. First of all, so far as the recommendations which the able Senator from Montana makes to the Senate and the country are concerned, they are always impressive. I regard the Senator from Montana as one of the ablest Members of the Senate, as I think he knows.

I completely disagree with the comment made by the Senator from Tennessee [Mr. GORE] to the effect that this country has lost the leadership in the cause of disarmament, with particular reference to the control of atomic missiles. Let me ask the Senator a couple of questions.

Mr. MANSFIELD. We are not discussing atomic missiles.

Mr. KUCHEL. I should have said nuclear warheads of a certain size.

First, is it not true that the President of the United States at the summit Conference demonstrated a great leadership for the hopes and aspirations of the free world in advocating that steps be taken, through the appropriate ministers of the countries represented there, in the interest of an enforcible disarmament?

Mr. MANSFIELD. Yes, indeed.

Mr. KUCHEL. I can well recall—and I think the Senator from Montana will recall with me—that Members of the Senate who are my senior stood up and cheered the news, as it came over

the ticker, concerning what the President of the United States had indicated at the summit conference.

Second, as the Senator from Montana was having his colloquy with the Senator from Tennessee, a thought passed through my mind concerning the speech which Winston Churchill made toward the end of his tenure as Prime Minister, when he said it was his considered judgment that an overwhelming deterrent to Communist aggression in free Europe was the possession by the United States of a nuclear arsenal. Does the Senator from Montana recall that?

Mr. MANSFIELD. Yes; but Mr. Churchill also said that when the Soviet Union finally caught up with us, or almost caught up with us, on the basis of nuclear might on the part of both nations, we would be confronted with a peace by terror, based on the fact that if anything happened to either nation in the field of nuclear aggressiveness, it might be the end of both. I shall refer to that later in my speech.

Mr. KUCHEL. I recall that, too. I shall not detain the Senator except to say that I believe the record of this administration in this field and its leadership in the cause of peace and in the cause of disarmament is magnificent. I think that what has been done by the Eisenhower administration in those causes redounds to the credit of all our people. I should like to have proof of the statement that this Nation has lost the leadership to the Soviet Union in that field.

Mr. MANSFIELD. There is room for a difference of opinion. I certainly do not doubt the peaceful intent of this administration, nor do I doubt the peaceful intent of the President of the United States. I shall say so during the course of my speech. But I am worried about the fact that we seem to have lost the initiative in so many aspects in the field of foreign policy, whereas I think, considering what has transpired so far, we should have seized the initiative, and instead of reacting to what the Soviet Union is doing, we should have the Soviet Union reacting to what we do.

Mr. KUCHEL. The Senator from Montana is entitled to that opinion. However, there are some of us who recall the whole series of conferences in which this Government participated and urged that steps for disarmament be taken. One after another of those steps has met with delay, frustration, and rebuff by the representatives of the Soviet Union. So I do not think it is fair to suggest that this country has lost the initiative in this field, merely because the leaders of Soviet Russia have consistently made recommendations and have then tried to becloud the issue and have tried to avoid any forward steps on their part.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. BUTLER. Is it not also true that there has been no complaint whatever about the explosion by the Soviet Union of bombs having a high megaton content, whereas all the criticism has been directed to the United States, largely by our own people, so that we automatically have to go on the defensive?

Mr. MANSFIELD. That is true, so far as both the United Kingdom and the United States are concerned. There have been many protests to the Governments of both countries, but we have no knowledge that there has been any protest to the Soviet Union. I ask, however, so far as our own people are concerned, to whom should they protest except to their own Government? So far as the United Kingdom is concerned, to whom should the British protest except to their own Government? I certainly would not expect the British or our own people to protest to the Soviet Union.

Mr. BUTLER. Who are the persons who are doing all the protesting? This matter first started with a plant by a person who now admits that he did not know what he was talking about when he made his original statement, and who is a little sorry he made it. Now the situation has been blown up out of all proportion as being something wicked on the part of the United States.

I think the Senator knows there is a great divergence of opinion among our experts as to whether atomic testing, or further atomic testing, is detrimental to the human race.

Mr. MANSFIELD. That is correct.

Mr. BUTLER. Does the Senator think it is detrimental to the health or detrimental to the well-being of the world, in that a bomb may be developed which will be so powerful as to blow up the earth?

Mr. MANSFIELD. I shall touch upon that point in the course of my speech. But does the Senator from Maryland mean to imply that if anybody raises a protest against the continued testing of bombs, he is for some reason suspect?

Mr. BUTLER. No; I do not mean that at all. I made myself perfectly clear.

It is my information that the whole question arose from a statement made by one man, who later admitted he did not know what he was talking about, but who made the statement that to continue the atomic explosions would be detrimental to the well-being of the people of the world.

If it be true that he made such a statement, I say it was a plant. The Senator from Montana can treat it in any way he wants to treat it. To me it is bad information, which should never have been disseminated. It has been blown up out of all proportion.

Mr. MANSFIELD. May I ask the Senator exactly of whom he is speaking?

Mr. ANDERSON. Yes; will the Senator tell us so that we can have the information in the RECORD?

Mr. BUTLER. It was Professor Schweitzer, was it not? Did he not later say that he was unfamiliar with the problem at the time he made his declaration? It seems to me he started the whole affair and caused it to be blown up out of all proportion.

Mr. MANSFIELD. Oh, no; it was not only Professor Schweitzer who made such a statement. Even the Pope had something to say about the testing of nuclear weapons.

Mr. ANDERSON. Mr. President, I wish to say to the Senator from Maryland that if he is complaining about Dr. Schweitzer, he would have to indict the Pope, because the Pope made his statement far ahead of Dr. Schweitzer's statement, and I do not believe anyone would claim that the Pope is a member of a communistic organization.

Mr. BUTLER. Mr. President, the Senator from New Mexico is imputing to me something far different from anything I had in mind.

I wish to say that Dr. Schweitzer was the first scientist who made this declaration, was he not?

Mr. ANDERSON. No, he was not. Senators who complain about statements by one who does not know what he is talking about, should be careful not to fall into the same error. I say to the Senator from Maryland that Dr. Schweitzer was not the first to make the statement. The Federation of American Scientists, with approximately 1,900 members, made the statement long before Dr. Schweitzer did, and that organization has supported the statement.

Mr. BUTLER. But did the Senator from New Mexico hear of the building up of any real expression of united opinion or united thought on the subject until Dr. Schweitzer made his announcement? Let us be fair about the matter. When did it begin to take on any real proportion in the minds of the people?

Mr. MANSFIELD. As a layman—and in that respect I think the Senator from Maryland and I are on equal footing, as compared with members of the Joint Committee on Atomic Energy, which is represented here today by the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. GORE], and the Senator from Rhode Island [Mr. PASTORE]—let me say that I believe Dr. Schweitzer is a johnny-come-lately in the matter of these protests, which from time to time have been heard by the Joint Committee on Atomic Energy and carried in the press of the Nation.

Mr. BUTLER. But was there any real public reaction to that until he pinpointed it?

Mr. MANSFIELD. Oh, yes; there has been a building up for a long time.

Mr. PASTORE. Mr. President, as a matter of fact, the question of radiation fallout and contamination has been under consideration for a long time. A special committee, under the auspices and aegis of the United Nations, and with the aid of scientists from almost every nation in the world, has been studying this matter. There is no doubt in the mind of anyone that the potential danger is essentially one of degree. Everyone admits that such contamination is bad. Some say the amount thus far is not injurious to human life; but there is agreement—indeed there is unanimity on this point—that if the United States and other nations continue with the tests, there is no telling how long it will be before everything of substance on God's earth is contaminated. There is no question about that. The question is only as to how much and when.

Of course we should be concerned with the problem and we should take all proper safeguards. The question foremost in the minds of those in the scientific world is how far one can go. It is not in our power to decide that, because other nations are engaging in these tests—for instance, Russia and Great Britain; and perhaps other nations will begin to make tests. But if this matter gets out of hand, only God knows what will happen.

Mr. BUTLER. Is it not true that Russia is exploding bombs which have fallout with greater effect on the world than that from any bombs the United States has exploded?

Mr. PASTORE. I do not think anyone can answer that question. All these things are relative. The United States has exploded some large bombs, and so have the Russians. We do not know whether the United States has exploded larger bombs than the Russians have.

Mr. BUTLER. Has the Senator from Rhode Island heard any great amount of complaint about the explosion of atomic bombs by the Russians? In other words, when the Russians propose to explode one or do explode one, has the Senator from Rhode Island heard of complaints about that and of a great to-do about it?

Mr. PASTORE. Where; in Russia?

Mr. BUTLER. Anywhere in the world.

Mr. PASTORE. Yes; in the United Nations; and all the nations of the world are represented there.

Mr. BUTLER. But how about the demonstrations by Japanese students and students in other countries?

Mr. PASTORE. Yes; they have occurred.

Mr. BUTLER. Then such complaints do not get into the newspapers.

Mr. PASTORE. Of course they do; they are reported in the newspapers, even in United States newspapers. The Japanese are concerned with this problem, because they have been victims of atomic fallout.

Mr. BUTLER. The Japanese are concerned when we explode such a bomb, but they do not seem to be concerned when other nations explode one.

Mr. PASTORE. No; the Japanese complain against such activities by any nation. If the Senator from Maryland is trying to tell me that, as of the moment, there is more free speech in the United States than there is in any other country, of course that is understandable, because free speech is the basis of our whole concept of government. But the Senator from Maryland need not tell me that only the American people are concerned about this problem. Every person on earth is concerned about it.

If nuclear explosions ever get out of hand, everything on earth stands a chance of becoming contaminated. The question is how far one can go.

Mr. ANDERSON. Mr. President, will the Senator from Montana yield to me?

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Does the Senator from Montana yield to the Senator from New Mexico?

Mr. MANSFIELD. I yield.

Mr. ANDERSON. In trying to be helpful, I hope I may say that the point raised by the Senator from Maryland has some validity. The Russians made tests, and there were very, very few demonstrations.

But I think the Senator from Montana made a correct statement when he said the United States has lost the initiative. The Japanese students did not protest nearly so vigorously against the Russian tests, because the Russians kept saying, "Yes; we test weapons but we want to stop, and to get out of this business." That propaganda has made people believe that the Russians sincerely want to be out of it. On the other hand, the British and the Americans have said, "We must go ahead"; and those expressions caused Japanese riots.

I do not believe the Russians are any more sincerely desirous of stopping the ill effects of atomic energy, whatever they may be, than is the United States. But the Russians state, "We will immediately stop testing; and if that works out well, we will disarm," whereas the United States seems to say, "We would like to have you disarm, and then we will stop testing." As I have said to a newspaperman who asked me about that, it reminds me of a man who knew a lovely woman, and wanted to marry her. But he was an awful drinker; and she would not marry him until he stopped drinking, and he would not stop drinking until she married him.

Similarly, the Russians say, "We will stop the tests if you will disarm," and the United States says, "We will disarm if you will stop the tests." I hope that, as a result of that situation, the United States will not lose all the psychological advantage.

Mr. PASTORE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. PASTORE. Mr. President, I dislike to disagree with the distinguished former chairman of the Joint Committee on Atomic Energy; but I am not too much impressed by the argument that the Russians have been convincing the rest of the world that they are sincere in the proposal they have made. My experience in the United Nations was entirely to the contrary. It is true, and everyone admits, that the Russians are making these proposals; but if we may judge by the performance of the Russians in the past, inasmuch as they have regularly broken all the promises they have made, I do not believe the people are convinced that the Russians really believe in eliminating the tests. I do not believe the Russian leaders have even convinced the Russian people of that. I think the people of the world know they can rely on the morality of America, and that America must take the leadership in this matter.

I quite agree with the distinguished Senator from Montana that we must assume the leadership in this matter, because it involves the question of life or death. But I am not convinced that public opinion in the world in connection with this question is on the side of Russia.

Mr. MANSFIELD. Not at all; and I certainly hope that if someone advocates a suspension of the tests or a limitation of the tests, he will not become politically suspect. I say that because I hold in my hand an Associated Press dispatch from London, dated May 21, reading as follows:

> Lord Cherwell, former top scientific adviser of the British Government, said today that Pope Pius XII was establishing a "dangerous precedent" by taking sides in expert dispute over the possible danger to humanity from H-bomb tests. Cherwell told the House of Lords that the Pope has been "taken in" by the followers of the Communist Party line.

Mr. COOPER. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. COOPER. I understand that the distinguished Senator from Montana has said that this administration has lost the initiative in the field of nuclear weapons, their control, and the suspension of nuclear tests. I am not an expert——

Mr. MANSFIELD. Neither am I.

Mr. COOPER. But it seems to me that two questions are involved. Does the Senator from Montana say that the United States has lost control to Russia of propaganda over the suspension of testing nuclear weapons; or does he mean that the United States has lost the initiative in regard to the ultimate issue, which is the control and limitation of the weapons themselves?

Mr. MANSFIELD. I do not think they have undertaken the initiative in either field.

Mr. COOPER. Mr. President, will the Senator permit me to respond?

Mr. MANSFIELD. Yes.

Mr. COOPER. I speak first of the initiative taken by this administration. Today we are considering a proposal which grows out of an initiative taken by the President of the United States in 1953, when he proposed that we turn our faces and minds to the peaceful use of the atom.

Mr. MANSFIELD. That is correct.

Mr. COOPER. One purpose of his proposal was that public opinion, directed to its peaceful uses, would assist in moving toward limitation and control of nuclear weapons.

I also remind the Senator that at the Geneva Conference in 1955, the President took a second initiative; another great step. He made the open-skies proposal.

Mr. MANSFIELD. That is correct, but——

Mr. COOPER. That was intended to create confidence so that some kind of disarmament could come to pass.

Mr. MANSFIELD. The atoms-for-peace proposal is now being considered by the United States Senate after eight nations, including Soviet Russia, ratified it. It was our idea.

Mr. COOPER. If there was a delay, that delay can be charged to the Congress of the United States, including the Senate, as much as to the executive branch.

Mr. MANSFIELD. The Senator may be right.

Mr. COOPER. It would appear from the speeches made in the Senate today—and I assume the Senator has spoken in that vein, although I did not hear him—that nothing has happened because of our initiative in the committee which is dealing with the question of disarma-

ment in London. It would appear from what has been said by some of my friends on the other side, that the proposals made by the Soviet are new proposals, initiated by them, when the Senator knows they are partial agreements to positions taken by the United States in the past. For example, on the question being debated just now—the suspension of nuclear tests—as I said in the beginning, the first, the real question, is whether we want a suspension of nuclear tests without some concurrent progress, some agreement by the U. S. S. R. toward a limitation of nuclear armaments that can destroy the world.

What has happened in the disarmament conference? The Government of the United States has itself suggested a suspension of tests, but—if I read the newspapers correctly—with the condition that there be technical experts and adequate inspection to assure that there is an actual suspension of nuclear tests; also a limitation as to the time of suspension, so that if the Russians did not move forward in the direction of disarmament during that time we would know their intention. I am sure the Senator knows those ideas have been advanced.

Now the Soviet Union has made a modification of the position it has taken in the past, but one which has nothing to do with true control, and limitation of the weapons themselves.

I desire to ask the Senator and some of my other friends on the other side of the aisle; What are they for? Are they merely for the suspension of the tests? Do they want the United States to lose its full influence in the negotiations, by giving up an instrument we can bring to bear upon the negotiations, that is agreeing immediately to the suspension of tests; or do they want to see if at the same time we can reach some agreement upon the limitation and control of nuclear weapons?

Mr. MANSFIELD. I will say to the Senator I hope he is not misinterpreting what I have said.

Mr. COOPER. I hope I have not.

Mr. MANSFIELD. I hope the Senator is not saying things which I have not as yet said. Certainly, I hope we can go ahead with disarmanent. I think on any occasion we can sit down with our friends and enemies to discuss disarmament we should do so. My proposal has not been suspension per se. I have suggested it might be a good idea for the heads of state of all of the nuclear nations to get together and consider one problem, and that is the suspension of nuclear tests above one megaton. As the Senator knows, 1 megaton is the equivalent of 1 million tons of TNT. I have not proposed a unilateral proposal; this would be a multilateral agreement. I think it would be a big step forward. I think we should take the initiative now, as the President did in 1953, when he advanced the atoms for peace proposal. The Senator has suggested that perhaps Congress may have been responsible for a delay in the consideration of the proposal made in 1953. Perhaps Congress has been. So far as the Senate is concerned, there has been no delay in getting this particular proposal to the floor of the Senate.

Mr. COOPER. I am not talking only about this one.

Mr. PASTORE. Mr. President, will the Senator from Montana yield?

Mr. MANSFIELD. I yield to the Senator from Rhode Island.

Mr. PASTORE. I ask the Senator from Montana, and also the Senator from Kentucky, if America's leadership in this very delicate and sensitive area was not dealt an irreparable and severe blow when the President of the United States seriously damaged the prestige of his personal representative in the personality of Harold Stassen when he relieved him as special assistant at the White House and relegated him to an inferior position in the State Department? Does not the Senator think American leadership and its activities in this field were given a severe blow when that happened?

Mr. MANSFIELD. Yes; I do.

Mr. PASTORE. That is what we are talking about.

Mr. MANSFIELD. Mr. Stassen has been undermined all the way through. He does not know whether he is coming or going.

Mr. PASTORE. Will the Senator yield for a further observation?

Mr. MANSFIELD. Yes.

Mr. PASTORE. We pictured to the entire world that the question of disarmament and cessation of hydrogen and nuclear tests was so important to mankind that the President undertook to name a special assistant from the White House to represent him before all the governments of the world. Before we knew it, there was a clash between the special representative of the President and the Secretary of State. Who won out? Did the Nation win? Did the world win? Did disarmament win? No; the Secretary of State won. Here is that person representing us at London, and he does not carry the prestige he should carry in that very vital field.

Mr. GORE. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield to the Senator from Tennessee.

Mr. GORE. As one demonstration of the reaction of people of other nations, we read this morning that Mr. Hugh Gaitskell, the leader of his party in Great Britain, endorses the proposal in this field made by the Soviet Union. I read one sentence from today's issue of the Washington Post:

> Mr. Gaitskell's stand on the proposal will find strong support in virtually every segment of his party and among many other Britons who are eager to see a start toward disarmament.

I say, along with the junior Senator from Montana, the United States of America should maintain the initiative, in reality, and also before the bar of world public opinion, to bring a halt to the testing of multimegaton hydrogen bombs, which the scientists of the world have agreed contain potential dangers for all the human race.

I agree with the junior Senator from Rhode Island that there is disagreement as to the extent of the danger, as to the amount of contamination that will bring about a given hazard, the severity of hazard, but there is no disagreement among scientists, so far as I have heard, that there is a potential danger from the continued testing of hydrogen bombs.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I should like to continue my statement. I have read only about a third of it, but I yield to the Senator from Kentucky.

Mr. COOPER. I wish to respond to the statement of the Senator from Rhode Island. First, I should like to say to my friend the Senator from Montana that I think he knows I listen to every suggestion he makes in the field of foreign policy. I do that because of the great respect I hold for him and for his views.

Mr. MANSFIELD. I thank the Senator.

Mr. COOPER. I would say the proposal which has been made is worthy, but it seems to me that, as a committee of the United Nations is engaged with this question today, an attempt to take a part of the issue away from the committee might effectively stop the present negotiation.

Mr. MANSFIELD. The Senator has a point.

Mr. COOPER. That is a matter of argument.

Mr. MANSFIELD. I shall meet that point later, because I think the two can go together simultaneously.

Mr. COOPER. Answering "No" to the Senator from Rhode Island, I must say that I do not share his feeling that dire consequences are in store because of the title of the position Mr. Stassen may hold. I think he has worked hard, conscientiously, and with real optimism and faith toward a great purpose, and deserves support.

I do question and challenge the suggestion from the other side, and stated a few minutes ago by the Senator from Tennessee [Mr. GORE], that the United States has lost the initiative. I repeat, it is not clear in my mind whether those who have spoken on the majority side wish to suspend tests now without any assurance of progress toward the actual control of nuclear weapons. I do not agree that we merely suspend tests, lose one of the instruments we have available toward security agreement on the actual control of nuclear weapons. I am not clear what my distinguished friends desire.

I wholly disagree when they say this country has lost the initiative. Every important initiative that has been taken with regard to the question of the control of nuclear weapons and the control of armaments since 1952 can be traced to the Geneva Conference and the proposals made there by the President.

I believe the facts will bear out the statement I have made.

Further, I hope when the time comes, when it seems there is a possibility of agreement, the leadership of this body, both Republican and Democrat, will serve in any capacity, whether it be as observers or consultants or otherwise, to help in finding a solution of this fateful problem of the world, the control of and eventual abolition of nuclear weapons.

Mr. MANSFIELD. I may say to the Senator from Kentucky that he has interposed a question which is not connected with the subject we are discussing at the present time. The Senator says we do not seem to know what kind of an agreement we want. I made some remarks at the start of my speech today, referring to a speech by the distinguished majority leader in New York a week ago Saturday night. In the course of those remarks I stated that the senior Senator from Texas proposed that we as a nation take action on five objectives, all leading toward the ultimate end of a worldwide agreement on disarmament.

I said I was particularly interested in his third objective:

> A frank and open search for a method of suspending tests of the bigger nuclear weapons, under airtight conditions which give full protection against violations.

I do not see what is wrong under those conditions for the heads of state—the individuals who have the destinies of millions of people in their control—to get together to discuss the suspension of testing bombs above a strength level of one megaton, one million tons of TNT. How long are we to continue polluting the air? How long are we to create the circumstances which may well have a bad genetic effect, not on us but on our children and our children's children? What about our responsibility?

The Senator from Kentucky talks about observers. Of course, if the administration desires to have observers and there is a chance they will be put to use, they will be sent. But the idea of having Mr. Stassen return from London, apparently to receive some kind of a reprimand, and to be sent back with what he refers to as new instructions, and then to suggest that a couple of Senators attend the conference—I think we had better wait to see how much is being accomplished before we let any Member from this body leave his seat here, because we have a responsibility, too, and I think we ought to live up to that responsibility.

Then, when there is a chance we can do some good—but not before—let us consider the possibility of participating.

I was shocked and surprised to read in this morning's paper the analysis of what the majority leader is supposed to have said. He did not shut the door. He said, "Under the right and proper circumstances, they will be sent over if need be."

The idea of two Senators going over at this particular time, I think, is ill advised and cannot be useful. Everyone recognizes the importance of this conference, but I think we had better make some progress, before we disrupt the continuation of this body to send some of our Members over there to participate in some way or another with Mr. Stassen.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. Mr. President, I should like to have the RECORD show that the majority has and will always be anxious to meet the Executive more than halfway when it can make any constructive contribution whatever to the disarmament plans that this Nation may propose or may be confronted with deciding upon.

Only a few days ago, with the approval of the majority and minority leaders, we met at some length in the Committee on Foreign Relations and heard a detailed report first from the Secretary of State and later from the Special Assistant, Mr. Stassen. It has been suggested that perhaps we might want to decide whether or not it was advisable for certain Senators to accompany Mr. Stassen on his return to London.

I have told the Secretary of State that it was not the wish of the majority party ever to usurp the prerogatives of the Executive; that when we could, by advice and counsel, make any contribution, we were ready, willing and eager to do so; that it has been the custom over the years. I have occupied the responsibility of leadership in this body to discourage Senators attending conferences during the last months of a session, because we have found it almost impossible to get Senators to leave during that period; but if it were felt matters were of sufficient urgency so that senatorial presence was required, or if we could uphold the hands of some of our representatives there, we would be glad to pursue that course when Congress concluded.

I disclose no secret when I say that we arranged for a meeting with a high official of the State Department at 3 o'clock this afternoon. It is going to be our suggestion that the State Department be informed that the appropriate committee of the Senate, the Committee on Foreign Relations, and particularly the Special Subcommittee on Disarmament, headed by the junior Senator from Minnesota [Mr. HUMPHREY] is ready, willing, and anxious to review all developments, to consult and counsel in connection with any problems that may occur or any proposals that may be made or received, and that we shall be glad to go over the cables day by day and make any contributions we can make.

After the conclusion of the session, if it is felt by the leadership of both sides and the Executive that the presence of Senators is desired, then the Senate leadership, so far as I am concerned, is prepared to make the proper recommendations.

I know of no administration in history which has received greater cooperation from the opposing party in the field of foreign policy than the Eisenhower administration.

I did not have the privilege of continuing my conversation with Secretary Dulles as long as I had hoped the other day, because the mutual-aid bill was under consideration in the Senate, and I was too busy trying to prevent certain amendments to that bill being adopted. I did not wish to miss any of the yea and nay votes.

I can assure the Senator from Kentucky, if he does not already know it—and I think he does—that any administration which has the cooperation of the loyal opposition in the foreign-policy field to the extent this administration has had cooperation from this opposition has every reason to be glad. I may add that I think the country has every reason to be proud.

Mr. COOPER. Mr. President, I wish to make it clear—as I am sure the Senators knows—that I cast no aspersions upon the loyalty and helpfulness of the Senator from Texas. In my statement a moment ago, I said that when the time comes, and when it appears that there is a possibility of reaching agreement, I hope the leadership will give every assistance. I think that is what the Senator from Texas has said, in effect.

Mr. MANSFIELD. If I misunderstood the Senator, I am sorry. I now see that he and the majority leader are in full accord.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ANDERSON. Since the Senator quoted a statement by a top scientist of the British Government to the effect that Pope Pius XII was establishing a dangerous precedent, with the permission of the Senator I should like to place in the RECORD exactly what His Holiness said upon that occasion.

In his Christmas message of 1955 he said:

> We propose to direct our attention to a recent proposal which aims at putting a check on experiments in nuclear weapons by means of an international agreement.

The able Senator from Montana had an opportunity to look at the testimony given by those at the Los Alamos Scientific Laboratory, who have given the closest study to the question of the effects of the dropping of nuclear weapons, and the testing of nuclear weapons.

It was the conclusion of that scientific body that there should be a limit on the total amount of fissionable products put into the atmosphere each year—something in the neighborhood of 10 megatons. It strikes me—and I hope the Senator from Montana will agree with me—that this is in full conformity with what has been suggested about a check on experiments in nuclear weapons by means of an international agreement.

Pope Pius went further and said:

> There has been talk also of taking further steps toward conventions, through which the use of those weapons would be renounced, and all states subjected to an effective arms control. Thus, there would be question of three steps: Renunciation of experimentation with atomic weapons, renunciation of the use of such, and general control of armaments.

It strikes me that Pope Pius XII was suggesting that we might obtain some control over the experiments, and that such control might lead toward general control of the weapons themselves, and finally, toward a general control of armaments. I think that was a fine statement. I am not a member of the Catholic Church, but I certainly subscribe to it as a desirable statement.

It was poor taste for the representative of the British Government to suggest that the Pope had had bad advice, because in the long run this will prove to be very sound doctrine.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HUMPHREY. First, I join my colleagues in commending the Senator from Montana for his vision, courage, and sound judgment. It is heartening and refreshing to the American people to know that on this crucial issue there is this kind of imaginative initiative and leadership in the person of the Senator from Montana. A few days ago we witnessed distinguished leadership on the part of the majority leader, in expressing the idea of the "open curtain." I regret that minds of members of the administration are not sufficiently open to accept the doctrine of the "open curtain." I regret, too, that we have found ourselves vacillating and being anything but convincing in recent disarmament negotiations.

I notice from the press that Commissioner Willard F. Libby, of the Atomic Energy Commission, in opposing a halt to the nuclear tests, said a week ago that weapons development could be crippled by putting an end to the tests, and that such a move thus would be a form of disarmament.

That statement has been quoted widely, not only in the American press, but throughout the world. On the one hand, one of the top authorities of this Government states that to limit or ban the tests may very well cripple some of the scientific development, particularly of the intercontinental ballistic missile.

What do we see? I have before me an item from the Washington Post and Times Herald. However, it appeared in every newspaper in the land. The headline reads as follows: "Pentagon Chief Feels Missile Does Not Depend on Atom Test—Wilson Sees Test Ban No ICBM Bar."

Here we have statements by two of the most prominent officials of the Government. One, who is the Commissioner of the Atomic Energy Commission, which possesses all the secrets, issues one statement. The other, who is the Secretary of Defense, in whose department there are supposedly some secrets, issues another statement. One says that to ban the tests may very well cripple development. The other says that it does not really matter at all—"Wilson Sees Test Ban No ICBM Bar."

The question is: Who is right? I suggest that this is a very pertinent question for the Joint Committee on Atomic Energy, and, since it enters the field of disarmament, I think it is a pertinent question for the Senate Subcommittee on Disarmament.

The Commissioner may say, "I was talking about a total ban." The Secretary may say, "I was talking about a limitation of tests." However, in the minds of the public it sounds like conflict. I submit that it is.

Mr. MANSFIELD. I should say the Senator is correct. I hope his committee will look into the question, and I hope the committee of the senior Senator from New Mexico, the Joint Committee on Atomic Energy, will also look into it.

Mr. HUMPHREY. I assure the Senator that it will be a matter of high priority for the committee to look into the question at once.

Furthermore, when a disarmanent adviser is called home for the purpose, as was stated in the press, of receiving new instructions, and he is publicly—in the newspapers, on the radio, and on television—dressed down and chastised, scolded by the Secretary of State, regardless of whether the Secretary was right or wrong—I am not in a position to know—it certainly does not enhance the adviser's prestige when he returns to London.

If Mr. Stassen did bypass our allies, and if he went first to the Soviet Union, he committed a diplomatic blunder, and he should be chastised. If he did not, then, indeed, nothing should have been said. But whatever was said should have been said privately—either that or the adviser should be removed. The adviser now goes back to his post, with Admiral Radford being very suspicious or critical of some of the efforts being made. Again, I am not giving any value judgment. All I know is that Admiral Radford sees the disarmament question from a different point of view than does Mr. Stassen.

Mr. Dulles asserted his authority. He put Mr. Stassen back in his place, whatever place that may be. So we see a member of the Atomic Energy Commission and Admiral Radford, on one side, contradicting Mr. Stassen. On the other hand, we see Mr. Dulles chastising Mr. Stassen, and in between we see Eisenhower, saying, "Boys, boys, let us all behave," unwilling to make a choice.

I think we ought to know what are the instructions to Mr. Stassen. Are his instructions along the lines of the Radford doctrine, or not? Are his instructions coming from the President or the Secretary of State? Did Stassen negotiate with the Soviet Union and bypass our allies? We ought to know.

In passing, let me say that it might not be a bad idea to find out whether there is really any conflict of attitude as between Commissioner Libby and the Secretary of Defense.

I gather that the Senator from New Mexico has some observations to make on the subject.

Mr. ANDERSON. Mr. President, I wish to say to the Senator from Minnesota and the Senator from Montana that this is a matter on which the Joint Committee on Atomic Energy has conducted some hearings and received some testimony. We have had full information with reference to intermediate range missiles and intercontinental ballistics missiles. If I were to make a choice as of this day, I would agree with Secretary Wilson, that we could go ahead with missile testing without in any way putting large amounts of nuclear energy into the atmosphere so a ban on testing of nuclear weapons would not bar the missile development. I do not believe that real delay in the development of missiles is based upon progress on a nuclear warhead, but something entirely different from that.

If the Senator from Minnesota had heard the testimony given before the Armed Services Committee of the kind that we have heard, he would come to the same conclusion. That is a matter of opinion, but I can arrive at no other opinion after hearing such definitive testimony.

Mr. HUMPHREY. Mr. President, I want the RECORD to note that some of the things which are being discussed at so-called high levels in the London conference have been discussed openly and publicly before the Disarmament Subcommittee. Let us take, for example, one of the problems involved, namely the Soviet proposal to limit the tests. Immediately the issue arises, How would inspection be made within the Soviet Union? I do not know how many observers would be required, but I warn the Senate that it is a matter of record that the Government is not prepared, by manpower and by training, or by the number of people available, to put very many observers into the Soviet Union.

This is one of the serious manpower problems. That has been testified to by the top officials of the Atomic Energy Commission and the Department of Defense. Furthermore, if this is a Soviet propaganda move, as has been suggested, why do we not find out? Why do we not find out by putting them in the position at the negotiation table of having them read the fine print?

Mr. MANSFIELD. That is what should be done.

Mr. HUMPHREY. Let us ask them for the details. However, what does the administration do? It states three reasons why we should not do it. That is no way to influence people or make friends. Apparently the administration needs to have a Dale Carnegie as a member of its administration, to get into the right frame of mind. That is one way it could get its right foot forward. Certainly it is not any way of putting our best foot forward. Certainly the world leaders are not of the opinion that the Soviet Union is right. I am sure that the leaders of the world are not being duped by the Soviet propaganda. However, I submit that we make the Soviet propaganda look half way plausible. We cannot have political arthritis in this kind of world. We should have a little flexibility and mobility when we are dealing with the Soviet Union.

I suggest the place to have it is at the London conference. Let us stay on the home base, but at least let us have some room in which to maneuver.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. POTTER. I am sorry that I came in after the Senator had concluded his remarks.

Mr. MANSFIELD. I am just starting my remarks.

Mr. POTTER. I should like to ask the Senator this question. From the observations the Senator from Montana has made, I have received the impression that the Senator believes that we should accept the Soviet Union's bait—

Mr. MANSFIELD. Bait?

Mr. POTTER. To negotiate on the basis of eliminating our weapons test without going into the real issue of eliminating the production of atomic weapons.

Mr. MANSFIELD. No.

Mr. POTTER. I want to make sure that I understand the Senator's position.

Mr. MANSFIELD. I am not advocating that we snap at the bait offered by the Soviet Union in its most recent proposal, because I think it is suspect. What I am advocating is that the heads of the nuclear nations of the world get together at a summit meeting to consider one problem, and that is the elimination of the testing of the huge thermonuclear devices above a strength of 1 megaton, or above the strength of the equivalent of 1 million tons of TNT. That would be done mullilaterally, not unilaterally. If we can sit down with the Soviet Union, the United Kingdom, and perhaps also France, and put our cards on the table, we will know whether the Russians are bluffing, and whether we are right in believing that what they are offering is suspect.

Mr. POTTER. I agree it is a very serious problem so far as all civilization is concerned.

Mr. MANSFIELD. It is indeed.

Mr. POTTER. Thermonuclear explosions constitute a serious problem, I agree, but a far more serious consideration is whether we should enter into an agreement to eliminate the testing of weapons without any agreement as to the production of weapons.

Mr. MANSFIELD. If the Senator will allow me to continue with my speech, I am sure some of the questions in his mind will be answered by what is brought out. If not, I shall be glad to answer them later.

Mr. POTTER. I thank the Senator.

Mr. MANSFIELD. Mr. President, as I said, I grant that such an agreement would not be without its dangers. But I believe the time has come when the dangers of further uncontrolled big tests outweigh the dangers of agreement to suspend such tests. Surely this is an important enough issue for the heads of state to explore together ways and means of agreeing to limit or stop altogether the testing of hydrogen bombs so large that their fallout of radioactive material seriously threatens mankind.

President Eisenhower has been highly acclaimed for the "atoms for peace" proposal he presented to the United Nations. In the words of President Eisenhower, when he addressed the General Assembly of the United Nations on December 8, 1953:

> The United States pledges before you and, therefore, before the world, its determination to help solve the fearful atomic dilemma, devoting its entire heart and mind to find a way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life.

I commend the President for seizing the initiative at that time in the promotion of world peace.

President Eisenhower has taken an active part in the promotion of the ratification of the statute of the International Atomic Energy Agency which embodies the basic ideals of his original "atoms for peace" plan.

Our President on behalf of all Americans is the foremost champion of peace and a man of tremendous prestige through the world. What better way could he attempt to promote his desire to dedicate the miraculous inventiveness of man to the betterment of mankind than to again take the initiative and actively explore, in cooperation with the heads of the other nuclear nations, the feasibility of calling a conference to consider a multilateral international agreement to ban the testing of thermonuclear weapons of more than one megaton in strength.

In my opinion such a conference would not hinder the progress of the current disarmament discussions in London. Such an international conference would cement and make even stronger the results that we all pray will be forthcoming.

Let me set forth briefly my reasons for asking for this kind of initiative on our part and then develop in more detail the promises and the admitted dangers in such an approach.

THE THREAT OF CONTINUED TESTS

Today, as I did 2 years ago, I note that I am a complete amateur in the field of the nuclear sciences and without access to classified documents. As a layman, I have developed a tremendous interest in atomic energy as it affects the Nation's welfare and security. My source material has always been, and continues to be, public sources—radio, TV, newspapers, magazines, and other printed matter.

On this basis, I feel that a multilateral nuclear test ban would be in the best interests of the United States and the world.

Only a year ago anyone proposing an agreement to limit tests of H-bombs would have been accused of plotting disaster. But each day more people add their voices to the world chorus demanding an end to the testing of superhydrogen bombs. The brilliant and world-renowned Dr. Albert Schweitzer and Pope Pius XII have warned in solemn pronouncements against the menace of nuclear weapons. Pope Pius XII recently noted that increased radioactivity in the face of the yet unknown margin of biological security threatens horrors of monstrous offspring and possibly even more dangerous hidden shocks to parental genes.

A recent Gallup poll reported that "a majority of the American people today believe that this country should agree to stop making more tests of nuclear weapons—if all nations, including the Soviet Union, agree to do so."

This was the stated point of view of 63 percent of all adults questioned in a nationwide survey. It is interesting to note that in April 1954 only 20 percent were in favor of abandoning these tests.

The Japanese Government has renewed its plea to end such tests, and recently the National Academy of Sciences was told by a leading biologist that total radiation from all sources may now be approaching 50 percent of the permissible dosage for human beings.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. JOHNSON of Texas. On the basis of the Senator's study, can he state it as his opinion that it would be possible to work out arrangements whereby the testing of the larger weapons could be banned and the nations involved in such an arrangement could know at once whether the ban was being violated?

Mr. MANSFIELD. Yes, indeed. It is my understanding that any explosion above a megaton in strength can be detected infallibly throughout the world, and that anything above 100 kilotons—well, I should like to ask the Senator from New Mexico to answer that.

Mr. ANDERSON. I was going to say I do not believe there is any question at all about the Senator's statement that explosions caused by weapons of a megaton in size can be detected anywhere in the world. As a matter of fact, we have detected explosions of bombs which were a tiny fraction of that in size, and the instruments with which they were detected were primitive compared with what we now possess.

I do not try to establish the range, but when the Senator speaks of weapons running to a 100 kilotons, that is far above what I think the practical range for detection is.

So he does not have to worry about 1 megaton. One can just barely sneeze aloud, and the world will be able to detect it. We do not have to worry about a 1-megaton bomb; there is no possibility it cannot be detected.

Mr. JOHNSON of Texas. I am very happy to have the Senator's statement.

I think the Senator from Montana is making a constructive speech and an outstanding contribution. I deeply appreciate also the contribution to the discussion which the Senator from New Mexico has made.

I shall follow the remainder of the address of the Senator from Montana with great interest, as I have followed him as he delivered the early portion of his remarks.

Mr. MANSFIELD. I thank the Senator from Texas.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I dislike to interrupt the Senator from Montana any further, because I know he has been diverted by a long series of questions. But I should like to say that I am very much interested in his speech; it is a very excellent one.

One thought has occurred to me growing out of the colloquy he has just had, namely, that for some reason or other we must not make an agreement to stop testing without making an agreement to limit manufacturing.

Does the Senator from Montana feel that the elimination of the testing of large weapons is, by and in itself, a good thing? Or is it a bad thing? Or is it a significant thing?

Mr. MANSFIELD. I should say it is a significant thing, because it could be very good or very bad depending upon the interpretation one wants to place on it. If testing is necessary for defense, it is a good thing, if I may use "good" in that sense. But if it is not necessary, and there is a possibility that some agreement on a multilateral basis can be arrived at, then I think the continued testing of large thermonuclear weapons can well be construed as a bad thing.

Mr. FULBRIGHT. If it is a bad thing, not necessary for our defense, it is likewise bad for anything else.

Suppose, for the purpose of argument, we assumed we could do nothing else at this time except to stop testing. Would or would not the Senator do that?

Mr. MANSFIELD. I cannot make a direct yes-or-no answer to that question, because I would have to qualify any answer I gave.

If it were a case of simply stopping the testing and being secure in the belief that nothing would happen to the Free World, I would say the tests should be stopped, because I think the harmful effects of radiation and fallout are such that it is necessary to move cautiously and carefully. But, as has been pointed out several times today, we should also think of our own defense in relation to the development of thermonuclear devices by other nations.

Mr. FULBRIGHT. Does the Senator feel that because this matter became an issue in the campaign last year, the members of the administration have become so frozen in their attitude that they are unwilling to do anything about stopping the tests?

Mr. MANSFIELD. I should hope not, because I think that even before the matter became an issue in the campaign last year, there had been certain intimations by persons in the administration itself that they looked with favor upon the idea of possible suspension.

Mr. FULBRIGHT. I did not really ask the Senator whether he hoped that or not; I asked him whether he thought it. It strikes me that the administration is extremely sensitive to the proposal made, and is reluctant to consider it favorably, whatever the reason may be.

Practically every other country, as has been demonstrated by the Senator from Tennessee [Mr. GORE], including England, and certainly Japan, is desirous of discontinuing the testing. I know of no other country which takes the same attitude toward this matter that we take. I was searching for a reason, if there is a reason, why the United States is so reluctant to stop the tests, even for 1 year.

Mr. MANSFIELD. Frankly, I do not know. I do not like to imply anything which may not be fairly accurate. There may or there may not be some reaction left over from the issue of the bomb tests which was discussed in the presidential campaign of last fall. However, I think what it really adds up to is another indication of the fact that we seem to be afraid to take the initiative; that we are willing always to let the Soviet Union make the first move, and then we will react or will not react to it.

I hope there is no political implication in the fact that we seem to be so unwilling to consider such a proposal at this time.

Mr. FULBRIGHT. I thank the Senator from Montana.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. LAUSCHE. Further pursuing the thoughts developed by the Senator from Arkansas, may I ask whether the Senator from Montana, in making this proposal, considered only the dangerous impact which strontium and other fallout might have upon the people of the world, and therefore makes his proposal in an attempt to perform a moral obligation?

Mr. MANSFIELD. Yes, I agree with the Senator from Ohio. I am thinking of the dangers to future generations. I am making that statement on the basis of testimony I have heard and testimony I have read. I wish to reiterate that there is a great deal about atomic energy and its various aspects about which I know little. But I think some of us ought to take the initiative ourselves in the hope that the administration might, in turn, take the initiative on a worldwide scale, to see if something cannot be done on a multilateral basis, with full safeguards, to bring an end to the atomic arms race, which if not stopped may well wreak destruction upon the whole world in the long run.

Mr. LAUSCHE. Mr. President, if the Senator will further yield, I should like to state that my familiarity with this problem is rather limited. However, I felt a bit encouraged to note that the source of the information of the Senator from Montana is practically from the same agencies from which I got mine. But I have looked at the situation in this way:

First, it must be admitted that there is a moral obligation on the part of all of the nations of the world not to contaminate the air with this highly poisonous material.

Second, from a militaristic and defense standpoint, it is essential that we try to ascertain what the comparative advancement is which has been made by the Soviet Union and ourselves in the development of the size of fissionable bombs.

Third, we have to compare the advances made in using the great power in bombs having an explosive content of a megaton or more.

With regard to the moral obligation, that is simple to answer. However, I find myself at an impasse when I try to limit our efforts to defense, not knowing the extent to which the Soviet Union has advanced.

May I have the Senator's views on those thoughts?

Mr. MANSFIELD. I would agree with the Senator from Ohio. I find myself in an impasse, too. I think the only way to break the impasse is to get those who are responsible to hundreds of millions of people—the heads of the nuclear nations—to sit down and see whether they can work out something in this one field only which will give some hope and some security to future generations of all nations in the world, including those not yet in a position to be considered nuclear nations.

I would point out to the Senator from Ohio that ideas and hypotheses cannot be hid behind a curtain, be it a lace curtain, an Iron Curtain, a Bamboo Curtain, or an open curtain, because ideas will break through.

Mr. President, the time is not too far off, according to some of my scientific friends, when other nations will have some of these secrets. Then we might be in trouble, because if the wrong people got hold of these particular phenomena, they might use them unwisely, and then all of us would pay the price. But the Senator from Ohio is correct. Morally, there is no right. But the way to break the impasse is to have a summit conference. I hope the President will once again take the lead in carrying forward the proposal he made in 1953, which showed his great interest and his great concern, insofar as atomic energy is concerned.

Mr. BUSH. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield for this question; but after it, I wish to conclude my speech.

Mr. BUSH. I thank the Senator from Montana.

I entered the Chamber a little late, as the majority leader was speaking, after the Senator from Montana had yielded to him. The discussion appeared to be in regard to an invitation from the administration or from the Secretary of State for the Senate to send observers to the present disarmament conference. Is that the case? Did the Senate or the majority leader or the Senator from Montana receive such an invitation from the State Department?

Mr. MANSFIELD. I did not; but the Senator from California, the distinguished minority leader, and the Senator from Texas, the distinguished majority leader, both did; and I understand that they are in agreement on the matter of not sending observers at this time, because, for one thing, of the press of Senate business—although that is of secondary importance—and primarily because it seems there is a long way to go before agreement will be reached in London.

Mr. BUSH. I have not had an opportunity to discuss this matter with the minority leader or with anyone else. But I believe the Senator from Montana attended the SEATO Conference, along with the Secretary of State, did he not?

Mr. MANSFIELD. Yes; while Congress was not in session, in September 1954. At that time the Congressional session—including the 2 heaviest months of the session—had ended; consequently, conditions were different.

Mr. BUSH. I thought the Senator from Montana, along with the Senator from New Jersey, rendered very useful service in that connection; and I thought it very appropriate that the Senate was invited to send two representatives to that very important conference.

My point is that the present conference is equally important. So I wish to take this opportunity to suggest that the decision not to send Senators to the present disarmament conference be reconsidered, because of the extreme importance of the conference. I believe the Senate would do well to send two of its own Members there. Certainly the Senate has a constitutional responsibility in connection with treatymaking.

Mr. MANSFIELD. I am quite sure the Senator from Texas and the Senator from California are both fully aware of that fact, and that the door has not been closed. I am also quite sure they recognize that there is such a thing as Executive responsibility under the Constitution, and the Executive must know that on the basis of the events of the past week—with Mr. Stassen returning to the United States, and with Mr. Stassen evidently being reprimanded, and with Mr. Stassen then being sent to London, with new instructions—he still has a long way to go. I think the majority leader and the minority leader are wise in saying, "All right; we will go, if needed, but we do not think this is the time to send observers." I think they are correct; and I think the Senator from Connecticut should recognize that fact, because the Senate now has important legislative matters awaiting its action; and if Senate representatives are needed at the conference, they can be sent on short notice, since London is only 14 hours away by ordinary airplane transportation, and only 8 hours away by transportation by jet plane.

Mr. BUSH. I believe they would be needed now, as much as at any future time. The purpose of going there would be to observe and to try to get the feel of the situation.

Mr. MANSFIELD. Then why so late? If it is important, why did they not go with Mr. Stassen in the beginning?

Mr. BUSH. I do not know the circumstances which existed at that time, or whether they were invited to go. The Senator from Montana, being a member of the Foreign Relations Committee, would know more about that than I would.

But if the administration thinks that at this time it would be advisable or helpful to have two Senators go to the conference, I hope Senators will be in favor of sending them, because of the usefulness which has been demonstrated of having Senators present at such conferences in the past.

Mr. MANSFIELD. If there is a possibility that a contribution will be made, then I hope the advisability of sending Senators as observers will be considered. But I should like to point out that we have a Disarmament Subcommittee which should be kept in close contact with what Mr. Stassen is doing in London. Furthermore, both Mr. Stassen and Mr. Dulles appeared before the Foreign Relations Committee, and brought the committee up to date on the progress of the negotiations up to that time. In addition, the situation looked more encouraging then than it seems to look at the present time.

Mr. WILEY. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield.

Mr. WILEY. I have listened with a great deal of interest to the Senator from Montana. I do not agree with a great deal he has said. When the proper time comes, I shall be happy to express my own views in regard to many of the things he has discussed.

I think the term "advice and consent" does not always mean what we have seen occur on the floor of the Senate time and time again. In my view, "advice and consent" means something else.

In view of the serious situation to which the Senator from Montana has referred, I think we had better reconsider what the term "advice and consent" means.

Mr. FULBRIGHT. Mr. President, will the Senator from Montana yield for a further question?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. Does the Senator from Montana believe that the urgency of having a Senator attend the London conference exists because of the realization that we have no leadership in the executive, and that those in the executive are incompetent to carry out the duties of the executive under our Government?

Mr. MANSFIELD. A lack of confidence in Mr. Stassen seems to be indicated, because in addition to wanting two Senators sent to the conference, I think the administration has sent an able career diplomat, Mr. Julius Holmes, to advise Mr. Stassen in London.

Mr. President, as I was saying, the Japanese Government has renewed its plea to end such tests, and recently the National Academy of Sciences was told by a leading biologist that total radiation from all sources may now be approaching 50 percent of the permissible dosage for human beings. It is unreasonable to think that all of these pleas—many from patriotic and eminent scientific sources—are based on manufactured fears, and should be ignored.

In addition to the threat of radioactive fallout, we must consider whether a multilateral large H-bomb test ban would damage our defense.

WEAPONS FOR DEFENSE?

It is difficult to understand why we should develop bombs more powerful than those we now have. We already have more than are necessary to bring utter destruction to the world. Our defense may require the testing of small tactical nuclear weapons and devices, but there is serious doubt whether our defense requires more perfect big bombs.

It has been demonstrated that an H-bomb with an explosive power of 10 to 15 megatons or 10 to 15 millions of tons of TNT is capable of wiping out a city of hundreds of thousands of people. This can be done with one bomb successfully dropped from the air.

In May 1956, the Atomic Energy Commission detonated an H–bomb over a deserted atoll in the Pacific, at an altitude of 10,000 feet. According to reports, the bomb was believed to have released energy equivalent to 10 million tons of TNT.

At the time when this test explosion was reported, the New York Times illustrated the scope of the destruction of such a bomb, had it been dropped on a large city, as follows:

Virtually every building, even those of reinforced concrete construction with 10-inch thick walls and 6-inch thick floors, outward for more than 2 miles from Ground Zero, would have been crushed by the smashing blow of the explosion. Even at a distance of more than 9 miles, there would have been serious damage to steel-frame buildings. Homes like those found in any suburb would have been heavily damaged as far as 12 miles away.

This would have been the effect only of the blast. Aside from this, the flashing many-thousand-degree heat from the explosion would have set off a "fire storm" like that which burned Tokyo and Berlin in World War II.

The instantaneous radiation of the bomb's burst would have produced no visible damage to structures. But any person close to Ground Zero or outward for several miles would have been radiated to the point of early death or longlingering illness.

Incidentally, Mr. President, we must keep in mind that this test explosion lacked the force of the superbomb exploded in the 1954 Pacific tests.

Need we develop more destructive weapons than these? I sincerely hope not.

A full-scale attack on Russia with these nuclear weapons by American bombers would kill "several hundred million" people, including many in surrounding Free-World countries, according to a statement made by Lt. Gen. James M. Gavin before a Congressional subcommittee. The Army's Research and Development Chief said, depending on "which way the wind blew," the lethal dust would fall on Western Europe or across Asia and hit Japan and possibly the Philippines. Let us not forget that an attack on the United States would wreak similar destruction.

The production of nuclear weapons is not something new. We have been stockpiling and testing the weapons for over 10 years. It is reported that this country already has put untested 20-megaton bombs in its stockpile. These are 1,000 times or more the size of the bomb which leveled Hiroshima—equivalent in explosive power to from fifteen to twenty million tons of TNT. I believe, if I am correct, that in Mr. Stewart Alsop's column this morning in the Washington Post and Times Herald he made the statement that tested 40-megaton bombs may be in the stockpile at the present time.

The development of so-called clean thermonuclear weapons has become one of the major points in the justification of additional tests of large nuclear devices. The Atomic Energy Commission is concentrating on efforts to cut the superbomb's fission products of radioactivity. There has been some success in this field.

However, scientists say so long as fission exists, so long as bursts are big, and so long as earth particles are sucked up into the fireball, there will inevitably be radioactive fallout.

Despite this assertion, there has been little interest shown in clean bombs by our defense agencies. In fact, the New York Times reported on May 28, 1957, that a Department of Defense booklet warns that "with the development of the hydrogen bomb radioactive contamination has become a new offensive weapon." If there were a nuclear war, I am quite sure the Russians would not use clean bombs unless it were in their own interest to do so. Also, short of a self-enforcing agreement, there is no way to prevent the Russians from contributing to the radiation hazard with tests of big dirty weapons, irrespective of what we do.

Winston Churchill has clearly described the relationship of nuclear power to defense. He has stated the inescapable truth that both sides now possess nuclear power to such an extent that the use of heavy nuclear weapons by either side would result in mutual annihilation. Defense for both the United States and the Soviet Union is therefore reduced to a matter of stalemated mutual deterrence. Does this not rule out the need for further testing of heavy weapons?

As President Eisenhower has indicated, the United States is now interested in defense against the aerial delivery of heavy nuclear bombs. It may be presumed that this is also a principal interest of the Soviet Union. Testing weapons for such tactical purposes is relatively harmless compared to testing of the heavy nuclear weapons. Tests for tactical purposes might be continued, even though there were a multilateral agreement to ban tests of a magnitude greater than 1 megaton. Under existing circumstances, the testing of nuclear weapons larger than 1 megaton would not seem to be essential to the defense of the United States, in view of our existing stockpile of big weapons.

Furthermore, in this day and age, these massive weapons could be used only in the kind of war which no one could risk. It would be a tragic error if our military policy were to lead us into the blind alley in which our only alternatives were massive retaliation or appeasement. An infatuation with big bombs may put us in just that position.

SOVIET INITIATIVE

The Soviet Union has seized the initiative in proposing to ban atomic tests and to outlaw the possession of atomic bombs. The Russians made these proposals some time ago; and as recently as May 9 the Moscow radio reported that Russia was willing to halt nuclear bomb tests, if the United States and Britain would do likewise. Premier Bulganin made this overture to a Japanese Peace Committee. I might say that proposal has once again recently been reiterated.

Russia's motives are suspect, but she has seized and held the initiative in the field in which the United States pioneered. Russia is making headway in world opinion.

I am convinced that United States initiative in seeking on a multilateral basis to limit or prohibit future nuclear tests would be in the national interest. It would serve to reestablish a feeling of international confidence in the peaceful intentions of the United States.

President Eisenhower, in his press conference of June 5, set forth in clear, distinct terms the official position of the United States. He said, in effect, that fallout results from tests and tests are necessary if we are to continue to maintain an adequate defense. He observed that the United States cannot agree to any ban on tests unless there is a concurrently effective ban on the use of nuclear weapons. In other words, any ban on testing must be linked to an effective disarmanent agreement.

I cannot agree with what is in effect a position of all or nothing. We must not rule out the possibility of a step by step attack on the threat posed by bigger and more bombs. We must not rule out the possibility of agreements upon partial or restricted limitations on testing.

THE EFFECTS OF RADIATION

The strongest argument for suspending tests of nuclear weapons is based on the knowledge that to some extent these nuclear tests have already poisoned the atmosphere. Whether this poisoning has yet reached a dangerous amount we do not know with certainty. However, it is known with certainty that more big nuclear tests will add to the amount of contamination and increase the possibility of genetic damage.

The first witness to appear before the recent Joint Atomic Energy Committee hearings on radiation hazards, Dr. Charles L. Dunham, Medical Director of the Atomic Energy Commission, said that production of some undesirable fallout was an inevitable result of nuclear explosions.

As we know, in this atomic age, nuclear bomb tests create radioactivity which may register its impact virtually any place in the world. The big question is how much the human race can absorb safely and what effect such absorption will have on future generations.

The heaviest fallout of a nuclear bomb occurs within approximately 100 miles of the test site. It produces radiation sickness and death as the radioactive debris gradually settles to earth.

The concern of many of our top scientists today, however, is not with the local fallout but with the remote fallout of radioactive particles which are carried high into the stratosphere by the violence of the explosion. It is only now becoming clear, and increasingly so, that man cannot go on testing more and more, and bigger and bigger, bombs without the stratosphere becoming loaded with radioactivity, with consequent unknown damage to life.

Much radioactive debris comes to earth in a short time, some of it brought earthward by rain and snow, as in the case of the radioactive rain which fell on Washington, D. C., on May 14, 1957. Even though the radioactive content of that rainfall was not considered dangerous by the Atomic Energy Commission, and even though, as the atomic physicist, Dr. Ralph E. Lapp, has explained, fallout does not necessarily mean that mankind will be bombarded by penetrating rays which might threaten the future of civilization, there is a chemical element called strontium 90, which is spawned by uranium fission. Strontium 90, within a comparatively few years, could become a grievous woe to mankind.

Even Dr. Willard Libby, of the Atomic Energy Commission, one of the Federal Government's defenders of the position that continued tests will not hurt too much, has admitted that there is a risk in the tests. He has stated that "excessive dosages" of strontium 90 can cause bone cancer and leukemia in animals, "so we should not casually dismiss the possibility of harmful results from fallout." But the risk appears to be remote, according to the findings of Dr. Libby. I cannot help asking, "What about people?"

Despite Dr. Libby's optimism, the Federation of American Scientists, a group of 2,100 scientists and engineers, has been a strong force in urging agreement on the cessation of H-bomb tests. In addition, the federation has been seriously concerned about the effect radioactive fallout might have on the genetic makeup of mankind. When Commissioner Thomas E. Murray appeared before the Senate Foreign Relations Committee several weeks ago he concurred in my feeling that continued testing of weapons producing strontium 90 as a byproduct presents clear and present danger for us and an even greater danger for our children.

During the course of this hearing Commissioner Murray summed up the problem when he stated that "the situation that confronts you and the whole world and all of us is how much of this strontium 90 can you deposit around the world and not get yourself into some very serious trouble. There is no backtracking."

In this connection, I noted with considerable interest the recent report by scientists of the United States Weather Bureau indicating that there is a greater hazard to residents of some areas than the AEC has apparently believed to be the case.

These Weather Bureau scientists concluded that "some areas of the United States, particularly the northern tier of States, has received and will receive 2 to 3 times more strontium 90 fallout than Southern States."

Their report also stated that "Strontium 90 fallout patterns are more complex than the AEC believed, being related to certain intricate wind, rain, and other meteorological factors not previously taken into account."

Even though the present degree of saturation is still below what the AEC considers a danger point, this information as to fallout pattern does upset predictions of future dangers.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. What good will the statistics or averages be to the man, woman, or child who happens to be the victim of unusual precipitation and thereby receives a dangerous amount of strontium 90? The fact that the average overall for humanity of the world does not show a large per person content may be of little consolation to the man who will die because he has received more than average.

Mr. MANSFIELD. He may not even know it. Averages are not of great value, but they are the only guidesticks we have at the present time. Of course, we know there are great differences between scientists themselves, but there is no disagreement so far as the fact that the stratosphere is becoming loaded is concerned, and that the danger to mankind is increased with each experiment being carried on.

Mr. GORE. Mr. President, will the Senator yield further?

Mr. MANSFIELD. Yes, indeed.

Mr. GORE. Those who take a sanguine attitude toward this potential danger refer to uniform fallout. I think the hearings before the Joint Committee have demonstrated conclusively that there is no uniform radioactive fallout. As the able Senator has just stated, the Weather Bureau gives conclusive testimony to that effect.

Mr. MANSFIELD. The Senator is correct.

Mr. President, the future testing of nuclear weapons is a topic of major international concern. I find it more disturbing that the positions of the opponents and the proponents of continued testing are hardening.

The American people are entitled to know the risks they face. The Iron Curtain of the Atomic Energy Commission does not contribute to an understanding of the problem.

The Joint Committee on Atomic Energy has recently conducted hearings on the effects of radioactive fallout. The committee has performed an enormous service in promoting an intelligent discussion of the subject. I sincerely hope they will give consideration to the views of some of the eminent scientists from other nations of the Free World who have done so much pioneering work in atomic energy.

I should hope that this committee study will be the first step in a program to bring about a multilateral agreement to halt large nuclear tests.

NEED FOR POSITIVE ACTION

Mr. President, as I urged earlier, the time has come for the President to move with courage and vigor. There can be little doubt of the positive response among the people of the world should the United States assume the leadership in this direction. A multilateral limitation upon testing can be separately negotiated and need not interfere in the slightest with present disarmament negotiations.

The first need is for agreement in broad principle among the heads of the nations advanced in the production of nuclear power, the United States, the Soviet Union, Britain, and possibly France. Such a meeting of the heads of state should concentrate upon an agreement limiting nuclear testing to weapons for 1 megaton or less. On this basis there is reasonable hope for agreement. The far-reaching benefits that would accrue from this—like an atomic chain reaction—are imponderable. And not the least of these would be restored confidence in the positive leadership of the United States.

At a recent press conference, the President linked proposals to stop tests with the conclusion of an all encompassing disarmament agreement. The President was speaking however of a total ban on testing. The President has left open the possibility for a multilateral agreement limiting tests. Of course, an effective disarmament is to be desired. But to make one agreement unequivocally dependent upon the prior conclusion of the other seems unreasonable to me. It seems evident to me that the blocks to a multilateral limitation upon testing are not unsurmountable. The Soviet Union has voiced a desire for such a limitation. If, in negotiation, the Soviet Union were to block agreement, it would be clear to the people of the world where the responsibility lay.

THE INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. President, last week the Committee on Foreign Relations unanimously recommended approval of the Statute of the International Atomic Energy Agency. Let this Nation follow that action by action in the field of atomic weapons.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HICKENLOOPER. I am somewhat confused by the Senator's reasoning in the last statement. I understand what he means and says about the Soviet Union's blocking attempts by the United States to obtain these agreements, and about the world understanding it was the Soviet Union, and where they stood. I recall, ever since the Baruch plan was put forward by the United States, the subsequent constant striving by the United States to obtain realistic and workable agreements for the reduction of atomic weapons and armaments, and that in every instance it has been the Soviet Union which has blocked these plans; yet day by day we hear that if we will do this and the Soviet blocks it the world will know it is the Soviet acting as the big obstruction to this objective.

The Soviet has blocked every proposal the United States has made. I suggest that the fact that the probability that the Soviet would block another proposal of the United States would not cause me to believe there was any great promise of convincing the world of the perfidy of the Soviet Union. I think it might be contributory and cumulative, since they have blocked everything we have tried to do in the past.

Mr. MANSFIELD. That is true. I would not disagree with the Senator from Iowa, but I would still take the chance of sitting down with them around the table and considering a proposal which would seek to bring about some degree of limitation, with safeguards, so far as experiments are concerned.

Mr. HICKENLOOPER. Mr. President, will the Senator yield further?

Mr. MANSFIELD. Yes.

Mr. HICKENLOOPER. I submit that has been our constant effort, the effort to get the Soviet Union to sit down around a table and discuss practical solutions to the problems which have arisen.

Mr. MANSFIELD. The Senator is correct.

Mr. HICKENLOOPER. We have always observed them make sometimes rather attractive but still chimerical statements. When it gets down to negotiation, the details of the contracts and the reliable terms upon which a program will operate, they have always walked out from under and gone about their business otherwise, without being cooperative at all.

Mr. MANSFIELD. Mr. President, I cannot disagree with what the Senator from Iowa has stated, but I would say in reply—and I am not being facetious—that while there is life there is hope.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. MANSFIELD. Yes, indeed.

Mr. ANDERSON. I feel, if the Senator from Montana will permit me to say so, that there has been a slight change in the situation around the world. When the Baruch proposal was made, the Government of the United States was the only possessor of atomic bombs. It was not known how many bombs this country possessed, but I think the number was fairly limited. We were not actively engaged in production of them for quite a while. But at least we had the only weapons; and when we made our proposal to the Russians, as I recall, Mr. Baruch's proposal required that there be full inspection. It seems to me that the Russian reply was that we had to destroy our facilities for the production of bombs. I think the record will bear me out. They insisted upon the destruction of the facilities at Hanford and Oak Ridge and Los Alamos, where we had facilities for construction of the bombs. That would have brought us down to a position in which the land armies of Russia would have been superior in numbers to anything we might have had, and would have made it easy for Russia to overrun a war-weary Europe. It was our bombs which made it possible to prevent the overrunning of Europe.

Now the situation is quite different. The Russians have a stockpile of bombs in fairly substantial number, if our reports may be believed. They have a family of weapons, as we have, and we do not have a situation in which we can say to them, "We hold the power, and can do as we please."

Therefore, I feel that the situation has changed.

I ask the Senator from Montana, who is a member of the committee which would deal with this question, whether or not he knows of a positive program which the United States Government has

looking either toward the elimination of bombs or the termination of testing.

Mr. MANSFIELD. I know of no such program.

Mr. ANDERSON. I cannot find any program for the termination of testing.

Mr. MANSFIELD. I do not know of any.

The basic purpose of the International Agency, as we know, is to advance international development of the peaceful uses of the atom. The approval of this statute will be the first step in realizing the great benefits to be derived from peaceful consultation and cooperation in the field of nuclear energy.

Mr. GORE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. GORE. I am prompted by the last question of the distinguished junior Senator from New Mexico to ask the able Senator from Montana, who is a member of the Committee on Foreign Relations of the Senate, if he knows whether or not Governor Stassen is under instructions to propose, at the London conference, some step or some method by which an agreement might be reached to bring to a halt the testing of multimegaton hydrogen bombs?

Mr. MANSFIELD. Not along the lines of the question asked by the Senator from New Mexico. Specifically, I know of no such instructions.

There are other points, of course, about which we have been informed in the committee.

Mr. GORE. I am not asking the Senator to divulge any secrets.

Mr. MANSFIELD. The answer to the direct question raised by the Senator from New Mexico is "No." The ranking member of the Foreign Relations Committee and the chairman of the Foreign Relations Committee are present, and I think they will corroborate what I have just said.

The International Atomic Energy Agency will begin on a modest scale. But it has a great future in the development of power. It will have a vital role in research, in the disposal of atomic waste, in health, and it will promote the exchange of scientific information among member states.

The International Atomic Energy Agency is not a cure-all. The provisions of the statute will, however, serve to help bring the power of the atom under control and to direct its tremendous energy to peaceful purposes.

The established purpose of the Agency as set forth in the statute reads as follows:

> This agency will seek to accelerate and enlarge the contribution of atomic energy to peace, health, and prosperity throughout the world. It shall insure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.

This Agency will serve as a world atomic bank, a storehouse of the basic-nuclear fuels such as U–235 and plutonium. These fuels may be made available to the Agency by the atomically advanced nations and allocated to non-military projects in member nations. The United States has offered to make available to the Agency, when it begins operation, 5,000 kilograms of U–235 and has agreed to match the contributions made by other nations until July 1, 1960.

The details of the statute of the Agency are discussed fully in the report of the Committee on Foreign Relations. The point I want to emphasize is that the creation of this Agency gives the world an opportunity to begin to twist the atom from a fearful path of destruction to a path of peace. We cannot expect the Agency to succeed overnight. But the creation of this instrumentality of international collaboration may give mankind a way to wrench itself free from the headlong rush toward sure disaster which has characterized warborn, atomic thinking of the past 10 years.

The atomic world has become too large and its possibilities of earthly destruction are too great for us to go it alone.

Eight nations have already ratified the statute of an Agency conceived by the United States. It is time that we were rid of an attitude of indifference, of fear, of hesitation.

It is my earnest hope that Members of the Senate and the American people will support our President as he pushes ahead on the path he charted in 1953 when he submitted his "atoms for peace" proposal to the United Nations. He deserves our wholehearted support in this effort to develop the atom as an instrument for the welfare of all mankind.

While supporting the President in this endeavor to help mankind by promoting the peaceful uses of the atom, at the same time, I urge him and his advisers to try to help mankind by demoting the fearful threat of the military use of the big bombs. The time has come when the President and his advisers must in a nonpartisan, nonpolitical atmosphere examine the premises which seem to underlie a reluctance seriously to embark on negotiations to limit by multilateral agreement the testing of big weapons of mass destruction which are already stored in deadly quantity.

There is no perfect weapon of mass destruction. The most imperfect weapon we could develop would be the one which might hurl into the atmosphere the final debris of full saturation and thus destroy that which God had wrought.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. FULBRIGHT. I congratulate the Senator on a very thoughtful and interesting speech, which I think will be of great benefit to Members of the Senate. Particularly I should like to commend him for his suggestion to the administration that it should not wait until an overall, complete, and perfect settlement of the disarmament problem is reached before making any agreement at all. That is what I had in mind when I addressed a question to the Senator a little earlier. If the cessation of testing of large bombs is in itself a good thing, why should not that be the first step? If we can take one step in this field, would not that tend to inspire confidence in the next step? We must make a beginning somewhere.

Mr. MANSFIELD. There is no question about the thesis of the Senator from Arkansas. Certainly the idea of "take it or leave it; all or nothing," means that we are further away from disarmament, further away from reaching an agreement which might protect the future of mankind.

Mr. FULBRIGHT. The Senator will recall that when the Secretary was before our committee he discussed the question of applying the "open skies" concept to a limited area. It was limited, on the theory that this was merely the first step. If we can take the first step, we shall have placed ourselves in a position to take the second step.

I think I interpreted the feeling of the committee to be that we were favorably impressed with that idea and that particular thought.

Mr. MANSFIELD. Yes, indeed.

Mr. FULBRIGHT. I cannot understand why there is so much reluctance to take the first step toward the cessation of tests in the big bomb field, as a preliminary to the cessation of manufacture of weapons in the future, along the line of the question of the Senator from Michigan. There seems to be the feeling that we should not take this step under any circumstances unless we get the further step of the cessation of manufacture of weapons. I am unable to follow that reasoning. I wonder if the Senator can throw any particular light on that question.

Mr. MANSFIELD. No. All I can say is that the majority leader—and I am speaking strictly in a nonpartisan sense—has advanced a plan which contains a great deal of hope. I express the hope that the administration will discuss with the majority leader his proposal, in an effort to determine what the administration and the Congress, together, could do to further the five points enunciated by the majority leader, the third of which, of course, has to do with the cessation of thermonuclear experimentation, under proper safeguards.

Mr. FULBRIGHT. Let me make one last observation. As the Senator knows, the Committee on Foreign Relations has been meeting practically every day. In any event, it is available for consultation. Also the Subcommittee on Disarmament is meeting. There is no reason whatever why they should not be consulted at any time the administration wishes to consult them in any manner respecting the disarmament question, is there?

Mr. MANSFIELD. None whatever. The full Foreign Relations Committee and the Disarmament Subcommittee, under the very able chairmanship of the Senator from Minnesota [Mr. HUMPHREY], stand ready and willing, as they have been at all times, to discuss with the administration any questions which might be of interest to the security and welfare of the country and of the entire Free World.

Mr. FULBRIGHT. I thank the Senator.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of my speech the colloquy between the Senator from New Mexico [Mr. ANDERSON] and myself, contained in the CONGRESSIONAL RECORD of June 11, at page 8792 be printed in the RECORD.

There being no objection, the colloquy was ordered to be printed in the RECORD, as follows:

Mr. MANSFIELD. Mr. President, will the Senator yield to me?

Mr. ANDERSON. I will yield to the able Senator from Montana, if the able Senator from Georgia will permit me to do so.

Mr. RUSSELL. I yield.

Mr. MANSFIELD. Mr. President, I wish to ask the Senator from New Mexico, the former chairman of the Joint Committee on Atomic Energy, and at the present time the ranking member and vice chairman of the committee, if I understood correctly that what he said on the matter of the suspension of bomb tests was not to call for a total suspension, but instead for a multilateral suspension above a certain level of strength?

Mr. ANDERSON. Yes. I wish to say to the able Senator from Montana, I was in support of the proposals made by scientists. We know the safe level of fissionable material which can be put in the atmosphere by all countries. It is something in the neighborhood of from 4 megatons of fission products to 10 megatons of fission products. Somewhere in between is the safe limit. I have said that so long as we stay within the 4 to 10 megatons of fission products—not the total tonnage of bombs, but of fission products—we ought to be able to secure an international agreement among Russia, Britain, and ourselves, which would still leave plenty of room to test all of the devices now being tested at Las Vegas Proving Ground or in the far Pacific, all of the devices the Russians want to test, and all the devices the British want to test, provided we try to use cleaner bombs—not totally clean bombs, but cleaner bombs than we have been using. I believe it can be done. It should be done. I believe this country ought to move boldly in that direction.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. COOPER. I should like to say, first, as I said a few minutes ago, that when the distinguished Senator from Montana speaks on a question of foreign policy, or on any issue, I listen to him carefully, because I know that he speaks sincerely, and what he says proceeds from a good heart and fine mind.

I must say, however, that I believe it would be unfortunate if he leaves the impression that the United States has lost the initiative in the matter of disarmament and, second, if we accept an assumption that the President of the United States has taken the position in the disarmament negotiations that we must have all or nothing. I do not believe the facts bear out either of these assumptions.

First, let us examine the question of whether the United States—whether the President of the United States—has shown initiative in this field. The Senator admitted in his speech a few minutes ago, that the treaty we are preparing to ratify, is the consequent of the initiative the President of the United States took in January 1953, in his speech before the United Nations.

Mr. MANSFIELD. That is true.

Mr. COOPER. The tribute the Senator paid the President at the end of his speech shows his generosity. At the same time, he confirmed that the initiative was taken by the President of the United States.

Second, as the Senator has also admitted the President of the United States proposed at the Geneva Conference aerial inspection by the United States and Russia. He did more than that. He offered to exchange with the Soviet Union full information about our Armed Forces. Although tentative responses have been made to his proposal by the Soviet Union, it has not accepted the initiative of the President. Again, the Senator's speech was based upon an assumption, which I do not believe correct. It is that the United States has adopted a fixed position in the negotiations at London, that if we cannot reach complete agreement with Russia respecting complete control of nuclear weapons, we will not agree to any suspension of tests.

Mr. MANSFIELD. Not at London; at the last press conference downtown.

Mr. COOPER. But the negotiations at London express the policy of the United States. I point out that the Soviet Government has made a proposal, according to the newspapers. It is that they are willing to suspend tests for 2 or 3 years, and to establish international control posts to observe whether the agreement is being kept.

However, we do not know whether control posts would actually be established, or where they would be established. It is not known whether any reports from the control agency would be subject to veto in the Security Council. It is at most, at this time a tentative proposal.

Mr. MANSFIELD. Are we making inquiries?

Mr. COOPER. I am certain that we are inquiring. I am certain that Mr. Stassen is inquiring, although I have no official information. I read the newspapers. We are not foolish about this. We must assume that Mr. Stassen has gone back to London for this purpose.

There is another assumption in the Senator's speech, that I believe incorrect, if the Senator will permit me to say so, and that refers to the position of the United States. What is our proposal? According to the newspapers—and I assume the newspapers are correctly reporting—and this I have read in the New York Times, the Washington Post and Times Herald, the New York Herald Tribune, and other newspapers. A few weeks ago the Government of the United States proposed at London that we would agree to a suspension of tests, provided that Soviet Russia would agree to a joint suspension of the production of fissionable material for nuclear weapons. I do not know whether the report is correct but I believe it is true.

Mr. MANSFIELD. Neither do I.

Mr. COOPER. At least it has been stated. The Senator is a member of the Committee on Foreign Relations, and he has an opportunity to inquire. He has made a speech on the issue. And he has proceeded upon the assumption that the United States has presented only one alternative to the suspension of tests—that of absolute control of nuclear weapons. I do not believe the assumption to be correct. Again, according to reports in the newspapers, the United States has presented other alternatives. It has said it would agree to the suspension of tests for a shorter period—10 months or a year—if the Soviet Union would agree to facilities which would assure that tests had actually been suspended, and arrangements to commence plans and steps toward actual control of nuclear weapons.

There are two issues at stake. One is, do we want to suspend nuclear tests and nothing else? The world would like to see and we would like to see them ended. Our dilemma is whether we should do this without assurance of the security of our country, and unless there is reason to believe that we can go further and take steps toward agreement with Russia to control the destructive weapons themselves. As I understand the position of the United States, it is that as much as we would like to see the suspension of nuclear tests, we must use all the influence that we have, to move forward, not for complete control and disarmament in one step, but at least some step, some beginning, in the control and disarmament of the weapons which threaten life and civilization. Suspension of tests will not give such assurance.

The question I ask is not based on a partisan view. But today, an attack has been made on the administration, and certain assumptions of its position and purpose have been ascribed to it which I do not believe are correct. What I should like to know is whether those who criticize the President want to stop nuclear tests now without any provision and any safeguards toward the actual control of nuclear weapons.

Mr. MANSFIELD. Nobody has been advocating that.

Mr. COOPER. It has not been clear.

Mr. MANSFIELD. If I can say it again——

Mr. COOPER. The Senator opposes the President——

Mr. MANSFIELD. We say the administration lacks initiative.

Mr. COOPER. The Senator would attack the President if he suspended the tests. And he has attacked because he has not agreed to suspend tests.

Mr. MANSFIELD. No, not at all, not under the right conditions. If he were to do it per se, yes. We have made the suggestion that the heads of the nuclear states meet and take cognizance of their great responsibility—I think the President recognizes his—to see what they can do about limiting the experimentation in thermonuclear devices above 1 megaton in strength. What is wrong with a plan like that?

Mr. COOPER. It is a suggestion that should be considered. What I object to is the statement to the world that the

administration has not offered alternatives—that it is without initiative.

Mr. MANSFIELD. What have they offered? I would like to know what they have offered. I see members of the Joint Committee on Atomic Energy on the floor. What has been offered by the administration?

Mr. COOPER. We cannot all sit in the meeting at London. I would assume that the members of the Joint Committee on Atomic Energy and the members of the Committee on Foreign Relations could inquire about our position. It is in the newspapers.

Mr. MANSFIELD. We will inquire.

Mr. COOPER. The reported proposals are in the newspapers every day.

Mr. MANSFIELD. Members of the Joint Committee on Atomic Energy and of the Foreign Relations Committee are present on the floor.

I assure my friend from Kentucky that we will look into that. To the best of my knowledge, I do not know. We have not received any reports as to what they would indicate.

EXHIBIT 1

INTRODUCTION TO SPEECH OF SENATOR MIKE MANSFIELD, OF MONTANA, ON ATOMIC BOMBS TO U-BOMBS IN 10 YEARS, APRIL 18, 1955

Mr. President, few subjects are of greater importance to the Nation and, for that matter, to the world, than the rapid development of the destructive power of atomic weapons. A great deal of information on this subject has been published in the press both in this country and abroad. Yet we do not have this information collected in a form that brings home to those of us who are not specialists the full impact of developments in this field.

We need not approach the subject of atomic weapons with fear. On the other hand, we cannot pass it off as just another innovation in military science. Either of these approaches, it seems to me, can lead us into very serious errors of foreign policy.

What we require are the facts on the potentialities of atomic weapons development. We require them, moreover, in a perspective which will enable us to understand the life and death issues that are involved. Then, perhaps, we may have a chance of devising effective policies for dealing with the enormous forces which scientific knowledge is setting loose in the world.

As a step in my own education on this subject I have compiled a study of developments in atomic weapons, as reported in the public press and it is the information so obtained that I wish to make available to the Senate.

I reiterate that the material for this study has been drawn solely from public sources. Enough has been published, however, to make clear that there is an urgent need for a most penetrating study by the Senate as well as the executive branch of the implications of atomic weapons developments for our foreign policy. The time of decision on the question of the survival of civilization, if not human life itself, appears to be drawing uncomfortably close.

It is almost 10 years since the second atomic-fission bomb killed 70,000 people and destroyed 2 square miles of the city of Hiroshima in Japan. Since that fateful day the scientists of the Free World and those of the Communist world have made astounding advances in the physical sciences. Advances in this atomic age have been so great that it is predicted that it is now possible to build 1 bomb equivalent to 60 million tons of TNT. This prediction was made by Val Peterson, Civil Defense Administrator, in a speech in Chicago on January 25, 1955.

Nine years after the bombing of Hiroshima, on March 1, 1954, the Atomic Energy Commission task group detonated a thermonuclear device of monstrous size. In its widest implications that explosion has not yet ceased to reverberate. A long chain of incidents, ranging from the curious to the tragic, has made it clear that peacetime nuclear explosions may be a possible threat to our well being. Storm signals from earlier atomic tests such as fogged photographic fields and radioactive rain have given way to the storm—which has already resulted in the radioactive poisoning of several hundred people, according to news releases. The March 1, 1954, explosion also blasted the lid of secrecy from the AEC's thermonuclear experiments, giving the public its first real look behind the uranium curtain; thus it is now known that the AEC touched off three prior explosions, the third of which was detonated in November 1952. Likewise, we have been told that the Russians have set off three more atomic explosions since August of last year.

The March 1, 1954, bomb was expected to explode with a force of 4 to 6 megatons or, from 4 to 6 million tons of TNT. Instead, according to Joseph and Stewart Alsop, New York Herald Tribune, April 7, 1954, the force of the explosion was 14 megatons. It left scientific measuring instruments unable to record its full effects. The magnitude of this test can best be illustrated by comparison with previous explosions. The earlier hydrogen blast set off at Eniwetok equaled at least 1 megaton, or 1 million tons of TNT. The atomic bomb dropped on Hiroshima equaled about 20,000 tons of TNT. The largest blockbuster of World War II equaled 10 tons of TNT. Today, according to Hanson Baldwin in the New York Times, March 17, 1955, "our least powerful atomic weapon has an explosive force equivalent to about 3,000 tons of TNT." Sound waves from the March 1, 1954, blast were detected in London, and an American astronomer said the flash could have been seen from Mars. President Eisenhower admitted that the explosion astonished and surprised the scientists, but the AEC called it a routine atomic test, and clamped on the tight lid of secrecy. Then word leaked out that there were some inhabitants of the Pacific islands who were unexpectedly exposed to radiation.

On March 13, 1954, a grave new consequence of the routine atomic test was reported. The Japanese fishing trawler *Fukuryu Maru* docked in Yaezu, Japan, with its 23 crew members showing symptoms of acute radiation exposure. They told how on March 1, 1954, they were some 80 to 90 miles from Bikini, when at 4 a. m. they fancied they saw the sun rising prematurely in a strange manner. Six or seven minutes later they heard a roar, and 2 hours later they were showered with a white ash, which continued to fall for several hours. The ash was fallout from the explosion, consisting mainly of irradiated coral dust. Only after they had become quite ill did they suspect that they had been rained with "ashes of death" and headed for port. They had on board 40 tons of freshly caught tuna and shark, which according to the New York Times exhibited radioactivity sufficient to be fatal to any person who remained for 8 hours within 30 yards of the fish. Two of them were in worse condition than the rest, having eaten some of the fish. The crewmen were hospitalized, the trawler was ordered burned at sea and sunk, and the fish buried but not before several thousand pounds of the contaminated fish had been unloaded and shipped to market. A "hot fish" panic ensued in Japan, and police, in a frantic effort to track it all down, ordered a thousand tons of other fish destroyed.

Soon after the mishap, Dr. John Morton, head of the Atomic Bomb Casualty Commission (ABC) at Hiroshima, reported concerning the 23 fishermen, "they will recover completely within a month." But by the 23d of March 1954, five of the fishermen were reported in serious condition.

About March 25, 1954, it was reported that the United States Navy tanker *Patapsco*, operating with the H-bomb task force group, had received light but not dangerous contamination by radioactive fallout.

On March 27, 1954, two more atom-dusted Japanese trawlers came into port and were quarantined. One had been operating about 780 miles from the test site and the other 200 miles away. There were numerous other ramifications, of varying degrees of gravity, from the first March explosion.

On March 29, 1954, Newsweek magazine wrote:

"The subject isn't discussed openly around the AEC but scientists are worried about the whereabouts of the radioactive mushroom cloud generated by the March 1st H-bomb explosion. * * * Within a few days after all previous tests, laboratories around the United States have reported detecting traces of radiation in the atmosphere. So far no traces have been spotted from the March 1 bomb, which shot its mushroom an unprecedented 20 miles into the air."

Against this turbulent background, the AEC detonated an even larger H-bomb on March 26, 1954. The March 26th bomb was intended to have been dropped by parachute from a B–36 superbomber, according to reports, but for reasons of caution this plan was abandoned. This was probably for the best since the bomb, expected to develop 3 megatons, exploded instead with about 17 (according to the Alsops). And Newsweek later reported on April 12, 1954 that "Air Force officials refuse to talk about it, but a giant B–36 superbomber observing the March 26th H–bomb explosion was flipped completely over by the blast." The AEC had by now taken many new precautions, such as extending the restricted zone to an area 450 miles wide, covering several hundred thousand square miles. It had searched the area carefully, to make sure no ships were there. Nevertheless two Japanese fishing boats came into port on April 8, 1954 with cargoes of radioactive tuna.

The guarded secrets and facts about the H-bomb were gradually coming out and, as we know, a vast clamor rose about the tests around the world. It seems that the test model we now have is a far cry from the H-bomb ordered by President Truman in 1950. Thus, we now have a sketchy résumé of the highlights following the March hydrogen bomb tests.

Strange incidents continued to show up in the newspapers but each received less notice than the last, until it was practically forgotten. Then on September 23, 1954, Aikichi Kuboyama, a humble Japanese fisherman, died—the world's first fatality from a hydrogen bomb blast. He died in Tokyo Hospital, reportedly of jaundice brought on by radiation sickness. This one death brings very close to home the horrifying aspects of the hydrogen bomb.

I admit to being a complete amateur in the physical sciences. My entire source of information has been a large number of our national magazines, quarterlies, reviews, and daily newspapers. The material on the atomic and hydrogen bombs, guided missiles, the cobalt bomb, radioactivity, and the various aspects of nuclear warfare that I have accumulated has been authored by eminent scientists and laymen. The end result has been enlightening but disturbing.

It is difficult to realize that science has progressed to such a point that 1 hydrogen bomb can destroy 200 square miles of a city and kill several million city-dwellers. New York, London, Moscow, or Peking could be effectively destroyed by a single H-bomb.

As I understand it, each exploded nuclear weapon sends into the atmosphere its share of radioactive byproducts. One result of this is an increase in the radioactivity of the gases which make up the earth's atmosphere. The other is "fallout." The increase is radioactivity now appears inconsequential and will remain so unless there is a general war with the all-out use of nuclear weapons, in which case the matter could become serious, according to the experts. Unless such a war occurs, radioactivity will continue to be less of a menace to humanity than automobile exhausts and cigarettes. (The Commonweal, December 10, 1954.)

Fallout, according to an article in the Commonweal, December 10, 1954, is quite another matter. When a nuclear explosion occurs, particles of radioactive matter—vaporized metal, sand, etc.—are thrown into the upper air and carried by the winds until they cool and resolidify. Then they drop like rain. It was such an unexpected fallout which struck the *Fukuryu Maru*.

Atomic weapons, particularly those in high-penetration missiles and "small" bombs, do not produce fallout of any drastic consequence. But the Commonweal article says that a strategy of attacks on industrial complexes would almost inevitably mean the large-scale employment of air burst hydrogen bombs. Judging from published reports, an all-out air-burst hydrogen attack on a scale intended to cripple a modern state could render uninhabitable an area equivalent to the populated portions of Russia or North America. Unexpected winds, like those which affected the Japanese fishermen, could bring the fallout down upon the attacking—or an innocent—nation. The combination of these two dangers, general radioactivity and fallout, not to mention the incredible physical destruction involved, would mean that a nation launching all-out nuclear war would be toying with human suicide.

Overshadowed by the official announcements and speculation about the hydrogen bomb and the atomic bomb is the so-called C-bomb or cobalt bomb.

According to a New York Times article, March 28, 1954, "This in itself will not be an explosive weapon designed primarily for mass destruction by blast and heat, but a vehicle of radiological warfare. It would be an additive to powerful explosive weapons. The explosion would disseminate the radioactivity impregnated in the element cobalt."

In an all-out war situation, there might be a need for other means of incapacitating enemy troops or war workers or of rendering a big area uninhabitable for a period. In such a case the natural "fallout" of radiated material from an atomic cloud, with its short life, would be inadequate. The problem seems to be to keep alive, at a high level, the radioactive contamination. The mineral element cobalt is providing the answer.

Cobalt, according to the New York Times, is not fissionable. That is, its atoms cannot be split readily like uranium, nor fusioned, driven together, like hydrogen. But some forms, such as the element cobalt 60, have a prolonged radioactive life when impregnated. The contamination can last for several years. Of equal significance militarily, other atomic forms of the element have much shorter life spans, so the contamination can be imposed for days or even years.

Prof. Otto R. Frisch, the noted British professor of nuclear physics at Cambridge University issued a warning in a speech in January, 1954, that he believed that a "cobalt bomb" could wipe out all civilization. Frisch helped build the first American atom bomb.

According to a February 13, 1955, news release from Hamburg, Germany, Nobel prize-winner Otto Hahn, first man to split uranium, declared that the explosion of 10 cobalt-coated hydrogen bombs could endanger continuation of human life, "no matter where they are dropped." The scientist said radioactive explosion dust, coated with cobalt 60, would retain its fatal effects for years and destroy all life. He said the danger for mankind is even bigger since the price of radioactive cobalt is only a small fraction of that of the same amount of radium.

As a finale to the intrigue and speculation over the atomic and hydrogen tests, the Washington Post and Times Herald reported on March 5, 1955, that, "The 'thermonuclear device, detonated on March 1, 1954, in the Pacific was more than a single hydrogen bomb, it was an incredibly enriched superbomb offering the most potent weapon of death and destruction thus far known."

"It was not the long-dreaded cobalt bomb, either, but its fire-ball blast and lethal radioactive fall-out quickly outdated even the concept of the C-bomb."

The International News Service has learned authoritatively the March 1 blast used a hydrogen bomb core surrounded by a deadly jacket of natural state uranium (U-238), a relatively inexpensive substance. The result of this new superbomb, the U-bomb, surpasses the death potential of the theoretical C-bomb. This conclusion has been verified by top nuclear scientists.

The February 15, 1955 AEC report revealed that the death zone from radioactive fall-out in the March 1 blast covered a cigar-shaped area up to 7,000 square miles.

According to the press the same principle works in both the U- and C-bombs. A cobalt jacket would surround the bomb core and, when exploded, lay down a lethal radioactive blanket of dust over large areas. The difference, as already noted, is that cobalt decays very slowly while uranium decays rapidly. Since the rate of decay is related to the radioactivity given off, this means that cobalt has a relatively low lethal value per day. On the other hand, uranium gives off a high dosage in the first few hours.

So, while cobalt can contaminate an area for a long period of time, its low radioactivity gives populations a chance to evacuate. With uranium, enough radioactivity is laid down to give an immediate lethal dose. One of the advantages, if that can be said, is that the new U-bomb is cheap and very effective. There is no need to refine uranium into the precocious U-235. Scientists have been unable to experiment with the cobalt bomb because it would leave a large area contaminated for a long period of time, years perhaps.

The United States is far advanced in many respects as compared to the Soviet Union. While their military strength is considerable and increasing, we outstrip them in most fields except mass manpower.

Published estimates of comparative nuclear strength in the New York Times, March 4, 1955, indicates that the United States stockpile of all types of nuclear weapons is probably more than 5,000. The Russian stockpile may be more than 500, perhaps as many as 1,000. If a more accurate yardstick is used, the total yield of the two stockpiles, the combined power of available Russian weapons today is between twenty and forty megatons, or the equivalent of 20 million to 40 million tons of TNT. One United States thermonuclear test device, detonated a year ago in the Pacific released the equivalent of 20 million tons of TNT.

Moreover, according to the New York Times, there is no clear-cut evidence that Russia yet has an operational hydrogen bomb, one that can be carried by plane. There is no physical evidence that the Russians have practiced air refueling. Another illustration, the bulk of their long-range bomber fleet is still composed of more than 1,000 B-29 type propeller-drive aircraft, which are obsolete in our service except for special missions.

My immediate concern is not that the Russians are going to take the lead in this race very soon or that the United States will ever take a secondary role.

The danger which has disturbed me above all the mysteries of the atomic age is whether or not there is worldwide cutoff or danger point. Will the abnormal amount of radioactivity released in each explosion have a very slow but definite cumulative effect upon the earth's atmosphere and/or upon its vegetable and animal life, and hence upon human life?

There are many scientists and lay people who are worried about this possibility and they do not know the complete answer. According to a November 8, 1954, article in the New York Times, "The increasing worry—and it is nothing more definite than that—is primarily about the ingestion and inhalation and absorption of tiny radioactive particles—not at the moment about the external menace of these particles to the human body."

According to the press, there seems to be a real possibility that continued explosions could slowly raise radioactive levels around the world to the detriment of health and human genetics, and there is the sure knowledge that the area of immediately dangerous fallout is much larger than had been expected before the last tests in the Pacific. Views on this topic extend from one extreme to the other. Nevertheless there is a genuine concern about this problem, and I am in complete sympathy with that concern.

In November of 1954 Prime Minister Winston Churchill stated in the House of Commons that it was his understanding that the radioactivity released by the explosions of nuclear devices might be cumulative and that the detonation of an undue number might have serious effect upon the earth's atmosphere for 5,000 years. This statement may have created unnecessary fear, but at the same time no one has the answer.

During the CBS Years of Crisis broadcast on January 2, 1955, correspondent David Schoenbrun, spoke of the great scare that was raised in France last December when Nobel Prize-winning physicist Prince Louis de Broglie claimed that the danger point in atomic saturation of the earth's atmosphere has already been reached, perhaps it has even been surpassed, by the result of 10 H-bombs being exploded experimentally in the last 2 years. He warned that life on earth might be changed or even wiped out if 10 or 15 more bombs are exploded in the next year or two, even without war.

Is there a biological threat? As nuclear tests go on, will the earth's atmosphere become contaminated? Will animals and humans occasionally subjected to small but more than normal amounts of radioactivity, absorb, breathe, or eat these particles to such an extent that development, growth, or life itself might be effected?

In a series of articles in the Washington Evening Star by science editor, Thomas R. Henry, he writes of the threat to the continued existence of man on earth during this atomic age.

What is involved in this threat is not the frequently voiced fear of slaughter and destruction in war on an unprecedented scale, but of the effects of a hidden, insidious, largely undetectable and uncontrollable poison which perhaps is capable of destroying the human race as a biological genus.

According to this thesis, which admittedly is far from satisfactorily established, it is not members of the present generation who are being injured. It is their unborn descendants for generations to come.

These implications were stated forcefully by Prof. A. H. Sturtevant in an address before the Pacific division of the American Association for the Advancement of Science. "There is no possible escape from the conclusion that the bombs already exploded will ultimately result in the production of numerous defective individuals—if the human race survives for many generations. The risk is one to which the entire human race, present and future, is being subjected," the California professor said.

Scientists are very concerned over the possible effect of radiation on the genetic structure of man. The series of articles by Thomas Henry is only one of many attempts to bring the problem to the general public in words they can understand.

In the fact of warning from some of the world's foremost geneticists that the human race may suffer serious deterioration over a course of generations because of the inevitable buildup in the background radiation of the earth due to atomic-bomb detonations, experiments to date indicate the danger may be quite exaggerated.

This is reassuring but at the same time there is no positive proof that future generations will not be affected.

On February 15, 1955, Lewis L. Strauss, Chairman of the Atomic Energy Commission, announced officially that a hydrogen bomb such as was exploded in the Bikini Atoll last March is capable of blanketing a 7,000-square-mile area, the size of New Jersey, with deadly radioactive fallout.

According to the Washington Post: "Such a bomb, if exploded over Norfolk, for example, could shower enough fallout particles to—

"Kill all the unprotected persons living as far north as the southwest edge of Washington.

"Kill half the unprotected persons living between Washington and the outskirts of Baltimore.

"Kill 5 or 10 percent of the unprotected living between Baltimore and the Maryland-Pennsylvania line.

"Allow the residents of Harrisburg, Pa.—more than 220 miles away from Norfolk—the dubious privilege of being left alive to gaze at the holocaust within the deadly fallout ellipse.

"The projections, drawn from figures in the report, are extremes," based on the assumption that the inhabitants remained fully exposed to the radioactivity over a 36-hour period, taking no shelter or other protective measures. Even simple shelters, Strauss said, greatly reduce the danger from radioactivity.

This belated admission of this new atomic hazard has come long after unofficial analyses had described the newest danger. It is assumed by some that this report was planned to coincide with the start of the new series of atomic tests in Nevada and may have been intended to assure the American people that the Nevada tests represented only a very slight danger. As I understand it, atomic weapons, particularly those in high penetration missiles and small bombs, do not produce fallout of any drastic consequence. Presumably these are the type atomic weapons which are being tested in Nevada. The second test of the 1955 series in Nevada, a small nuclear device—the probable protype—exploded on February 22 with a force that jarred cities 135 miles away. The predawn flash was seen 400 miles away, according tc the February 23 edition of the Washington Post and Times Herald.

The device tested on the Yucca Flats is said to have been one of the smaller weapons. The shot rattled windows in Las Vegas, 75 miles away, and jolted St. George Utah, 135 miles eastward. It gave the Congressmen, AEC scientists, and 200 military observers a sharp jolt or two, depending on where they were standing. Wind and atmospheric conditions were such that the rumble of the blast was heard in Bishop, Calif., about 140 airline miles west, but skipped the Charleston range where many observers were watching the tests.

The orange flash was reported to have lit up the morning sky in Los Angeles, about 250 miles away, and was visible in Sacramento, Calif., and the San Francisco Bay area, 400 miles distant.

The biggest blast of the new atomic test series on March 7, this year flashed forks of light visible in a dozen States including Montana, caused an earth rumble 360 miles away, and sent scientists and soldiers scurrying for safety from the Nevada test site. The predawn flash of a nuclear device believed to be at least 1½ times the strength of the standard A-bomb was seen in the Black Hills of South Dakota, more than 800 miles northeast, south of the border in Mexico and in all Western States. The fireball lasted 20 seconds, according to the Washington Post and Times Herald.

Incidentally, in statements to the press, two Colorado University professors said that fallout from the Nevada tests can no longer be ignored by persons concerned with public health and safety. Dr. Ray R. Lanier and Dr. Theodore Puck were not suggesting that necessary nuclear tests be discontinued but stressed the importance of continued study of the effects of these experiments on the human race.

I recognize the necessity and value of tests and experiments, but at tLe same time it is difficult to reconcile this with the possibility of miscalculation and the number of hydrogen and atomic bomb explosions that it will take to make the atmosphere radioactive, if there is any basis to the numerous fears of some of the world's greatest scientists. In addition to the remarks of scientists and statesmen and I have already cited, a statement made by Dr. Edgar D. Adrian has been brought to my attention. He is quoted as saying last fall, "We must face the possibility that repeated atomic explosions will lead to a degree of general radioactivity, which no one can tolerate or escape." Adrian, president of the royal society, is a former Nobel prizewinner and serves officially as the master of Trinity College, Cambridge University in England.

President Eisenhower and Chairman Strauss have answered the question: Should we continue to test hydrogen weapons? Their answer was "Yes." There is a great element of risk in this decision, but at the same time it is the only answer at the moment, for it might very well be disastrous if the Soviet Union was allowed to gain an advantage over us.

There are those who feel that continued atomic and hydrogen bomb tests are a crime against humanity and will only intensify the jeopardy to the human race. Others feel the program should be expanded and accelerated in this race with the Soviet Union. Few will argue against forging ahead in the nuclear sciences, but relying on the hydrogen bomb as our principal offensive weapon is something else again. It is definitely a deterrent but complete reliance on such a suicidal weapon may lead to self-destruction.

The latest move along this dangerous path is the new doctrine of "limited" atomic war with tactical weapons, recently expounded by Secretary of State Dulles, with the endorsement of President Eisenhower. This new doctrine has merit in time of war when considering our present nuclear power superiority when faced with the Communist advantage in ground forces. But this argument seems to be rather shortsighted.

Tactical atomic weapons used on military targets only is a wishful attempt at minimizing the dangers of nuclear warfare. Can we rely entirely on this increased precision and accuracy? We must not overlook the unpredictable changes in weather, human error and mechanical failures. Military targets, particularly airfields, are usually near towns and cities. A weapon large enough to insure the destruction of such targets will almost inevitably take a toll of nonmilitary areas. To completely paralyze an enemy it would be necessary to hit the cities, the centers of industry. The nuclear bombardment of cities might well turn war into suicide. I find very little assurance in the possibility of limiting an atomic war once it was started.

It is not my intention at this time to discuss the merits and demerits of the present military and defense program in general. An excerpt from an address by Sir Winston Churchill in the House of Commons on March 1, 1955, at this point might be very timely. He said:

"The hydrogen bomb has made an astounding incursion into the structure of our lives and thoughts. Its impact is prodigious and profound, but I do not agree with those who say, 'Let us sweep away forthwith all our existing defense services and concentrate our energy and resources on nuclear weapons and their immediate ancillaries.' The policy of the deterrent cannot rest on nuclear weapons alone. We must, together with our NATO Allies, maintain the defensive shield in Western Europe."

We do not have the answers to substantiate or discredit the fears about continued hydrogen tests, or if answers do exist, they are kept under a tight lid of secrecy. Until such time as we know of these things, we should not for one moment forget the earth-shattering and destructive power that we are placing so much confidence in.

The working paper before the United Nations sponsored by the United States proposes the establishment of a United Nations disarmament and atomic-energy-development authority composed of the members of the Security Council and Canada. The objectives in establishing this authority were:

1. To provide international control of atomic energy so as to enforce compliance with the prohibition of atomic and hydrogen weapons and insure that nuclear materials are used for peaceful purposes.

2. To supervise programs for limitation and balanced reduction of armed forces and conventional armaments, and prohibition and elimination of major mass-destruction weapons.

3. To supervise the various safeguards necessary to enforce a disarmament program, including disclosure and verification.

4. To assure each participant that the other states are observing the various agreements.

It is the opinion of many that such a disarmament program as this is somewhat of a lost cause in many respects. The Soviet Union has placed many obstacles in the course of any plan which would meet the approval of the Western World. The most recent was the new Soviet demand, made public almost on the eve of the latest London negotiations, for a preliminary "freeze" on armed forces and armaments as of last January 1. Such a "freeze" would prevent the armament of Japan and, more particularly, West Germany. This is unacceptable to both the United States and Great Britain. At this point it is very unlikely that any system of inspection can be arranged to meet the approval of all nations concerned.

In recent months a great deal of interest has been rallied around a proposal to seek an international moratorium on experimental detonations of hydrogen bombs. * * *

Such a moratorium was suggested last fall by David R. Inglis, of the Argonne National Laboratory, and proposed informally to the President and the Secretary of State by Pierre Mendes-France during his premiership. It also has the backing the Asian Prime Ministers who met at the Colombo Plan Conference in Jakarta last December, though they suggested it not only because they thought it would be a substitute for disarmament but because so many of them do not like the nearness of the Pacific proving grounds.

The Washington Post and Times Herald, on February 11, 1955, suggested in its editorial columns five significant advantages of such a proposal. They are briefly: (a) The plan would be a step, even though a small step, away from war; (b) the ban would be self-enforcing, no elaborate enforcing machinery; (c) it would tend to curb the development of new nuclear devices; (d) the ban would relieve fears about the further accumulation of radioactivity in the atmosphere; (e) a careful proposal would help convince the world of the sincerity of this country's efforts to reverse the drift toward war.

Before I conclude I wish to make note of a proposal sponsored by the Federation of American Scientists which would establish a United Nations commission to study the effects of atomic and hydrogen bomb tests. The 2,000-member federation suggests that the U. N. commission examine the extent of radioactive contamination as the result of past tests, evaluate the potential genetic effects on human beings of future tests and attempt to establish a "danger threshold." This proposal is more or less a modification of the plan I have just discussed.

If the United States were to initiate a program along these lines, it would undoubtedly have a great effect in quieting many fears.

It is difficult to understand how a great nation, such as ours, which has shown such genius in the fields of science and nuclear warfare and, at the same time, has had such poor success in charting a path away from the destruction brought on by these discoveries. Need we advance beyond the point of no return?

NUCLEAR WEAPONS AND THE FUTURE OF MAN, JULY 11, 1955

One of history's recurrent tides for peace may again be flowing in the world today. In the United States, among our allies and possibly even in the Communist bloc there is a deep realization that a nuclear world war would mean only mutual destruction and there would be no victor. Advances of fantastic proportions have been made in the nuclear and thermonuclear sciences in the past 10 years. If utilized to the detriment of man, they could very easily erase these achievements and those of past centuries in a matter of days. We have harnessed a new energy, the atom, that can destroy cities and complete armies, against which there is little defense. Yet, if used properly, this new energy can be utilized for the benefit of mankind in industry, transportation and power.

Almost a year ago I began to take particular note of these new problems and dangers confronting us with the advent of the atomic and hydrogen bombs. In April I compiled my views and thoughts in a speech to the Senate. My entire source of information at that time as it is today was from newspapers, magazines, quarterlies and public documents. The results of my first efforts to analyze the situation evolved around a chronology of events occurring since the first atomic bombs were dropped on Nagasaki and Hiroshima in Japan at the end of World War II.

Today I wish to expand on the more recent developments, the program for the future and some of the serious problems facing the policymakers of the world These are three general areas which I wish to discuss:

1. Radioactive fallout.

2. The position of atomic and hydrogen weapons in our military program and defense system.

3. An effective program to preserve peace and to combat the threat of world-wide devastation in nuclear warfare.

Radioactive fallout is a shower of dust after a thermonuclear explosion. The mushrooming cloud in an atomic or hydrogen explosion is made up of dust particles which are spread by the winds after an explosion. They settle down over wide areas with the winds or they are carried down in rain or snow.

It was this dust that fell on the Japanese fishing boat that was contaminated by fallout 100 miles from the Bikini hydrogen explosion March 1, 1954.

According to reports the fallout peril depends upon how much radioactive dust is created in the moments following the explosion. In an air burst, dangerous fallout dust is made up of fragments of the casing of the bomb and its vaporized mechanical components plus the end products of the fission and fusion reactions. A wide range of chemical elements is involved, a field in which I am strictly an amateur.

Also, according to correspondence with scientists and newspaper sources, some stray dust particles floating in the air may become irradiated to a high degree. But the total amount of air burst dust is relative small. The fallout hazard, as I understand it, is much greater with an explosion near or at the surface. Tons of earth and rock and other terrestrial objects destroyed by the explosion are sucked up into the great mushroom. Intense radiation transforms these particles into hot radiation emitters. The great force of the explosion blows the radioactive dust very high. The heavier particles may fall soon, while the light particles may stay in space for a long period of time. The radioactive "hot" particles which fall in a matter of hours after the explosion are the deadly menace.

The perplexing problem is what effect do these experimental explosions have on the human race, today and in the future. It is generally recognized that the immediate fallout of radioactivity after a test explosion in the immediate area is dangerous and deadly. Inadequate answers remain to the problem of the long-range possibility of increasing the natural background radiation of the world as a whole. Another question unanswered is how much effect does the fallout have internally on human beings? There have been opinions of one extreme to the other coming from scientists and public figures. Only recently has there been any official pronouncements coming from the Atomic Energy Commission.

Late in May, this year, a Yale physicist charged the AEC with giving what he called misleading information about the danger to mankind from atomic test blasts. He warned that the radioactive fallout from such blasts is producing genetic effects in mankind that will be showing up for thousands of years to come. The expression of these fears has diminished somewhat in recent weeks.

Prof. Milton S. Livingston of the Massachusetts Institute of Technology, also chairman of the Federation of American Scientists, says that those people who say H-bomb tests are a danger to mankind and that they must be stopped are making these statements on an uninformed basis and that time will have to pull the picture into perspective.

Eminent scientists such as Dr. Ralph Lapp and Dr. H. J. Muller show concern about the long-lasting effect these experimental tests may have upon the human race in the future. However, they feel that we cannot jump to conclusions and it is important to have more complete information from authoritative sources.

Dr. Willard F. Libby, Commissioner of the AEC, speaking at the Alumni Reunion at the University of Chicago, on June 3, 1955, said that: "Tests, therefore, do not constitute any real hazards to the immediate health." Incorporated in his speech was a statement on the genetic question prepared by the Advisory Committee for Biology and Medicine to the AEC. The last two paragraphs of this report read as follows:

"No measurable increase in defective individuals will be observable at any time as the result of current weapons' tests, since the few radiation-induced defectives will not change measurably the number of about 40,000 defectives who will occur spontaneously among the 4 million births of each year in the United States. It may be pointed out that no significant change in the percentage of malformed children has been observed among those conceived after the war whose parents had been exposed to the atomic bombs in Hiroshima and Nagasaki.

"The foregoing conclusions apply only to the genetic effects of weapons' tests carried out at the present level and of foreseeable peacetime uses of atomic energy. The genetic effects of a generalized nuclear war would be one of many catastrophic consequences of such a disaster."

More intensive studies are needed and more information must be made available before any sound conclusion can be reached on the question of radioactive fallout.

In my April speech I expressed my concern, about the theoretical cobalt bomb, its vast destructive power and its threat to all mankind. The C-bomb has never been tested. My concern over this mythical bomb has been minimized by the now numerous reports of the superbomb or U-bomb. This new weapon was detonated in the March 1954 test on Bikini. This was no A-bomb such as was dropped on Hiroshima and Nagasaki in 1945; nor was it an H-bomb such as was tested at Eniwetok atoll in 1952. It was a U-bomb triggered by fissionable uranium 235, fanned up by a fusionable hydrogen ingredient and finally split asunder by enormous fissioning of ordinary uranium 238. This has been verified by the recent report made by Dr. Libby of the AEC.

I believe that ordinary atomic bombs are measured by "kilotons" and thermonuclear weapons are measured by "megatons." A kiloton is equivalent to 1,000 tons of TNT; a megaton to 1 million tons. It has been estimated that the Bikini explosion equalled 14 to 16 megatons.

According to Dr. Libby's recent report, the energy is released by fission rather than fusion. This indicated that ordinary, cheap uranium 238 was the major explosive content and was responsible for fallout over a vast area.

One of the most significant things about this newly released information on the H-bomb is that it means that Russia or any other nation capable of making atomic bombs can, with a little more effort, create superbombs.

This cheaper weapon is tremendously more deadly than a pure hydrogen bomb. The destructiveness of a hydrogen bomb is produced by heat and blast. By adding ordinary uranium to this weapon, the additional lethal radioactivity is created. Dr. Libby's

report has confirmed, at long last, the speculations and deductions of eminent scientists like Dr. J. Rotblat, British physicist and Dr. Lapp, as well as many others.

There are several conclusions that can be drawn from the information made available to the general public. The U-bomb is cheap. The weapon can be made in any size because of its comparative simplicity and the cheapness of uranium 238. The only restriction on the size of the bomb is the method of delivery. One of the results is that the fallout persists for days, weeks or months. In addition to its direct or external radiation effects, the weapon creates toxic products like strontium 90 and radioactive iodine in large quantities, which are internally damaging.

The information finally coming out is material which is vital in our civil defense setup. It has been almost 16 months since the superbomb was detonated. But for the fallout that sickened the Japanese crew 100 miles from the explosion site, the nonofficial scientific world might not have learned that the United States had achieved a vastly more powerful weapon.

Until Libby's talk to the Chicago alumni, AEC's comments on fallout had been pretty well limited to the much-publicized news release by AEC Chairman Lewis L. Strauss last February 15, 1955. In it, he officially conceded the existence of fallout and described the pattern it took at the Bikini test. Admiral Strauss did not discuss persistence—how long and to what extent fallout radioactivity can deny humanity a normal aboveground existence. This is the information which is necessary to have made known in order to prepare any type of defense.

Dr. Libby has now testified that fallout radioactivity becomes one-tenth as intense 7 hours after the burst, one-hundredth after the first 2 days, one-thousandth after the first 2 weeks, and one ten-thousandths after the first 3 months.

The AEC has been very reluctant in releasing official facts about atomic and hydrogen bomb tests, the aftereffects, persistence of fallout or any recommendations for protection against the heat, blast and radioactive fallout, products of these thermonuclear blasts. The first official facts about the March 1, 1954, blast were released by the AEC on February 15 of this year, almost a year later. In fact the AEC denied the existence of the new superbomb until the recent Libby report. I fear that the administration has failed to take the public into its confidence. We must face up to the facts and adequate information must be available if we are to carry out any realistic program of defense.

The people must have all the facts possible so that they can understand the nature of the problems which confront them. We in America do not need a glossy coating on unpleasant material. If we are supplied with the necessary information, there will be no panic or hysteria. I think perhaps some of the lack of interest in our civil defense program is due to the fact that people do not realize what we are faced with in thermonuclear weapons.

I wish to voice my unqualified support for the United States proposal that the United Nations evaluate the effects of nuclear radiation and fallout from atomic and hydrogen bomb tests. I spoke of such a plan in my previous speech. The proposal was originally suggested on March 6, 1955, by the Federation of American Scientists, a group of 2,200 United States scientists and engineers concerned with science's role in world affairs.

This proposal is a major step forward. An assemblage of radiological information from all sources will make it much easier to answer the questions raised throughout the world about the possible harmful effects of nuclear tests.

This United States proposal was announced by Ambassador Henry Cabot Lodge, Jr., at the United Nations commemorative session at San Francisco. This proposed study is essential to insure that humanity is not endangered by these tests. A general study of this nature has already been undertaken by the federation with a grant from the Rockefeller Foundation.

At this point I think it appropriate that I speak briefly about several problems involving our scientists—namely, security and the shortage of capable scientists and engineers.

In the May 27 issue of Science, a bulletin of the American Association for the Advancement of Science, Dr. M. Stanley Livingston said great difficulty had been met in finding scientists willing to talk in public about the problem of nuclear radiation hazards.

"This experience illustrates," Dr. Livingston reported, "one of the political dilemmas in which we find ourselves. * * * Those who know won't speak and those who don't know cannot speak with authority." Security regulations, fear of controversial issues and administrative restriction on speaking by employees were cited by Dr. Livingston as the reasons that a scientific-political program was difficult to arrange.

It is unfortunate that in this Nation of ours that men who attempt to voice an opinion run the risk of being accused of having Communist leanings or lack of professional competence. We are fortunate that there are a few who are willing to take the risk and express their particular viewpoint. Without these few we would be lost because solutions can be arrived at only after proper discussion.

Insecurity in the field of science has a definite bearing on the appeal and inducements to bring new and fresh talent into the science and engineering fields.

In an address before the Alumni Federation of Columbia University, Allen Dulles, Director of the Central Intelligence Agency, said that in the decade from 1950 to 1960, the Soviet Union would graduate 1,200,000 scientists and engineers, compared to 900,000 in the United States. He warned that unless something was done at once, Soviet scientific manpower might well outnumber ours in many key areas.

In an article in the May 31, 1955, issue of the Washington Evening Star, Ben H. Bagdikian brought forth some very enlightening figures. This article cites a 1953 poll of science Ph. D.'s graduating from research universities which showed them equally divided where they would like to work, one-third each in Government, industry and universities. In 1954—after the investigation of Fort Monmouth and the case of Dr. J. Robert Oppenheimer—a poll of Ph. D.'s showed that the 33 percent who wanted to work for the Government had dropped to 8 percent. The chief reason given: security.

The Nation cannot afford to discourage young scientists. At a time when its requirements for trained men are rising sharply, bachelor degrees in science have been dropping, 20 percent in 1950–51, another 25 percent in the next year. In 4 years all bachelor degrees in science and engineering have dropped from 80,000 to 34,000. We cannot underestimate the quality of Russian scientists and engineers. If this trend is not diverted we will be threatened with the loss of the battle for scientific manpower. In addition the Federal Government cannot afford to encourage public contempt of highly trained and skilled men in the sciences.

I plan to discuss this matter of scientist and engineer shortages more completely at a later date. Briefly, there are a number of things which can be done to give new life to the incentives in the science fields. Encourage the study of science at the high-school level; better teaching methods and facilities; a correction of the selective-service laws; a Federal scholarship program to help worthy students meet expenses; and finally a better public relations and security program.

Theoretically, the entire human race can for all practical purposes be eliminated for the small sum of about 40 cents per human, give or take a few cents either way. The authority for this statement is credited to Dr. Leo Szilard, a distinguished physicist, by columnist Stewart Alsop. This statement is somewhat misleading since it makes no allowance for the cost of delivery or the attrition of defense. It assumes, in effect, a deliberate, unopposed effort to commit global suicide, for which I presume the human race is not yet ready.

However accurate this statement by Dr. Szilard may be it makes it very plain that this enormous scientific advance opens up the possibility of genuinely unlimited destruction at very low cost. Combined with the fallout phenomenon it basically transforms the whole world situation.

The second question which faces our policy makers who must deal with these new advancements in science and warfare is—What part do the atomic, hydrogen, and super weapons play in our overall military and defense program?

At the height of the debate over our foreign policy in the Formosa Straits, Secretary of State Dulles put forth a new policy, endorsed by President Eisenhower—the doctrine of "limited" atomic war with tactical weapons. This approach seemed plausible at first glance, but further examination brings a considerable number of doubts to mind.

In 1949 this doctrine may have been a great deterrent to war, because of our great superiority in the development of nuclear and thermonuclear weapons. We no longer have this great advantage. The Soviet Union has advanced much faster than predicted. We do not know whether they have the U-bomb, but we do know that they have tested the H-bomb. It is likely that they will have the superbomb in the near future if they do not have it already, because of the general simplicity in development of this new force, once you have mastered the atomic bomb, which they have done.

Tactical weapons used on military targets only is a wishful attempt at minimizing the dangers of nuclear warfare. Can we rely entirely on this increased precision and accuracy? These nuclear weapons, large and small, are subject to error, human and mechanical. Weather conditions can change at the last moment. Military installations are usually near towns and cities. A weapon large enough to insure the destruction of such a military target will almost inevitably take a toll of nonmilitary areas. To paralyze an enemy it would be necessary to hit the centers of industry, which are heavily populated.

We may use a small atom bomb on an aggressor, but we can expect retaliation. The enemy may not have perfected a tactical atomic or hydrogen weapon, so they will drop several large ones. The next step would be a thermonuclear holocaust out of which would emerge no victor.

I find little assurance in the possibility of limiting an atomic war once it was started.

We have geared our national defense policy to nuclear weapons to such an extent that we are not really prepared to fight a nonnuclear war. We are cutting the budgets of our armed services and reductions are planned in manpower. The consequences of a cutrate-defense policy can be disastrous.

I am pleased with and wholeheartedly endorse the increase in the Defense Department's funds, being granted for fiscal year 1956. At this point I wish to take the opportunity to commend my colleagues here in the Senate who have taken it upon themselves to warn the people against the complacency about our air superiority over the Soviet Union. Extended debate and testimony indicate that we are not necessarily in the lead in every respect in air superiority. Our advantage today is in means of delivery, but Stewart Alsop reported on May 16, 1955, that the Russian type 39 and type 37 do the same jobs as our B–47's and B–52's with half the number of engines. This means that the Soviet engineers have developed jet engines with twice the thrust of any yet achieved in this country. All indications are that we are neck and neck in the race to develop the intercontinental missile. Perhaps our biggest asset is our industrial capability and an advantage in offense and defense due to our air bases around the world.

A revulsion to the use of nuclear weapons is developing throughout the world. It is not very different to that which eventually was followed by the banning of poison gas and bacteriological weapons after the First World War. When that revulsion is added to the prospect of mutual annihilation, it may be that atomic weapons may also be headed for outlawing. If that should be the case, we are playing into the hands of the Russians by relying almost exclusively on nuclear weapons in our plans for massive warfare.

Recently Brig. Gen. Thomas R. Phillips, military analyst of the St. Louis Post-Dispatch, called for the abolition of nuclear weapons and proposed in effect that the NATO countries, which have 160 million more people than the Communist bloc, match the armed strength of the Russian and satellite forces.

Phillips said that "a nuclear war is so destructive that no one could possibly win." He continued: "Such a war has no relation to any war that ever has been fought before. It is necessary to prevent it before mankind destroys itself. A single thermonuclear bomb today can release more explosive energy than has been used in all wars since gunpowder was invented."

The greatest problem that we face in the future is setting up a world-wide program for the advancement of peace and an operative disarmament program. It seems much more difficult, however, to chart a positive and constructive future than the negative one that we have been following, up to this time.

As Albert Einstein once said, "Every step appears as the unavoidable consequence of the preceding one. In the end there beckons more and more clearly general annihilation."

Man has developed the means to destroy himself. A satisfactory nuclear disarmament agreement may take years to reach. Our first objective should be to get on at once with the discussions which may lead to an agreement.

In considering the possibilities of an arms control program there are several things which must be considered. Huge bomb stockpiles in themselves are no longer of any great advantage because of the unlimited destructive power of these superbombs. As Dr. Libby said in his report, 30 10-megaton U-bombs could blanket the entire continental United States with radioactive fallout and, of course, cause enormous blast, burn, and localized radiation in the immediate areas hit.

The value of numerical superiority in nuclear weapons has declined considerably. The American lead in the stockpile of atomic and hydrogen weapons is of less significance today. If the enemy has enough bombs to destroy us, there is little advantage in our having enough to destroy him 3 or 4 times over. Scientists moreover now believe we are approaching the ultimate weapon in the ICBM—the intercontinental ballistic missile—which will soar through the stratosphere to bring death and destruction from blast, radiation, fire, and fallout. The earth is of a limited size and the ICBM is believed to be virtually unlimited in distance and destructive powers.

International inspection, as first proposed in the Acheson-Lilienthal-Baruch plan, no longer provides foolproof knowledge of a nation's nuclear buildup. With natural uranium as the basic ingredient, only a minimum amount of the costly uranium 235 and plutonium need be produced and could be easily hidden. There will be no need for many huge power sources, no need for enormous gaseous diffusion plants, such as that at Oak Ridge, Tenn.

As so pointedly stated by the Washington Post and Times Herald columist, Chalmers Roberts, leaders on both sides of the Iron Curtain are beginning to alter their thinking and policies because of the nuclear facts of life.

It has become quite obvious that absolute control of all fissionable material—including each and every weapon—is now impossible. It is impossible because it has become relatively easy for any nation which has mastered the original technique to manufacture fissionable material and to create A- and H-bombs.

There have been a number of proposed disarmament programs. It is generally agreed that in this day and age, a relative, rather than an absolute program of controls over all types of arms and armed forces might be obtainable. A prerequisite to any effective arms control would have to be a relaxation of world tension. There is some indication that there may be a general relaxation of tensions at the present time. That possibility will be put to a test at the forthcoming summit meeting of the Big Four.

Any effective arms control plan may also require a ban on nuclear tests. There are arguments, pro and con in this respect. Continued tests of nuclear weapons are probably of less value to the United States than they were several years ago, prior to the testing of the H-bomb. Now our scientists and defense officials are primarily interested in greater weapon efficiency. Continued tests would be more useful to nations who have not progressed as far in nuclear weapons as America. Tests would be necessary for all countries which are attempting to develop the intercontinental ballistic missile. As I have said, the ICBM is believed to be the ultimate in weapons and it is the goal which the United States must reach first, unless an effective arms control can be perfected.

A ban on tests would introduce an element of uncertainty into the development of guided missiles. The scientists could not be sure that the missile would perform as calculated. Concealment of tests might be possible in deep mines, though it would limit their usefulness. I seriously doubt that anyone could conceal an H-bomb explosion.

One of the greatest problems in any arms control program would be the question of how to make use of atomic energy for peaceful purposes and at the same time eliminate bomb-making potentialities.

In addition it is necessary that reductions in conventional weapons proceed along with nuclear disarmament. If arms control were limited to nuclear weapons, the Soviet would hold a decisive advantage with its massive ground forces and new advancement in air power.

Our country has been the target of much harmful propaganda abroad, due to the shift in winds at the March 1, 1954, H-bomb test at Bikini and the accidental injury to Japanese fishermen and some of the Marshall Islanders. It is clear that we will suffer further harmful propaganda if we continue tests without having the approval of friendly and neutral nations. As long as we must compete with the Soviet Union in the race for superiority in thermonuclear weapons we must continue to test these weapons.

Therefore, I wish to emphasize again that a United Nations study which would confirm the AEC assurances that well-safeguarded tests in small numbers would not exceed the danger threshold, would do much to quiet fears among our allies and friends.

Ambassador Lodge could not have chosen a better way to relieve fears about radioactive fallout than to propose a survey through the United Nations. I sincerely hope that the administration will press for support of the Ambassador's proposal before the United Nations in September.

In the meantime it would be most appropriate for the Senate Foreign Relations Committee to begin consideration of Senate Concurrent Resolution 22, a resolution favoring United States participation in a scientific commission within the United Nations to study certain effects of nuclear explosions. This resolution was introduced by the distinguished Senator from Maine, Mr. PAYNE. I am proud to be one of the cosponsors. Before adjournment, I feel that it would be a big help if the Senate went on record overwhelmingly in favor of Senator PAYNE's resolution.

In conclusion, let me say that it would be foolish of us in America to relax any sound nuclear and military preparations until we can actually bring the Communist bloc nations to terms by getting them to agree to accept conditions under which there can be really effective international control of armaments of all kinds.

A fitting statement to end my remarks is credited to Albert Einstein. When asked what he felt the weapons of world war III would be, he replied something to the effect that he did not know what weapons would be used in the next world war, but he was sure that the weapons used in world war IV would be rocks.

THE NATION'S FUTURE IN THE WORLD

(Excerpts from address of Senator MIKE MANSFIELD of Montana, commencement exercises, Central Catholic High School, Billings, Mont., 8 p. m., Sunday, May 26, 1957)

This world of today is also a world of instant communications. And it is a world in which space is losing its meaning. In aviation, distances are no longer calculated in miles but in hours of flying time; with the coming of the jet age they will soon be calculated in minutes and seconds.

It is a world in which nations depend intimately upon one another for the food, the minerals, the countless products which are essential to their existence. It is a world in which no one part is far from or can be separated from the rest.

It is, in short, a greatly different world from that of a century or a half century ago. It is a world of new dangers. You graduates know from your science studies the grim possibilities which it contains. You know the implications of the threat of atomic war.

Even the testing of nuclear weapons let alone war with these weapons, raises complex questions. When a single hydrogen bomb is set off in a test in the Pacific, for example, it is necessary to close off over 400,000 square miles of the ocean to all ships to guard against accidental death or injury. And we dot not yet know with any degree of certainty what the long-range effect of the so-called radio-active fallout from nuclear ex-

plosions will be on human life and future generations. We do know, however, that like X-rays, the effect of this fallout is cumulative and that it can be highly dangerous to mankind in concentrated amounts. Moreover, no nation is immune from it, even though the nation may be hundreds or thousands of miles from the scene of the explosions.

Three countries are already testing these nuclear weapons—the United States, Soviet Russia, and Great Britain. Others will in all probability have them in the not too distant future. The level of radioactive fallout in the atmosphere will increase as testing increases.

That is the kind of new danger which confronts us in the present world. If testing of weapons alone is such a serious matter, it is not too difficult to imagine the danger posed by such weapons in the hands of an aggressor nation capable of delivering them in jet planes and guided missiles.

Graduates in 20th Century World

(Excerpts from address of Senator Mike Mansfield, of Montana, commencement exercises, Butte Public High School, Butte, Mont., 8 p. m., Tuesday, May 28, 1957)

Ladies and gentlemen of the Class of 1957, distinguished faculty and friends.

All of you, whatever your interests, can look forward to a future of promise. It is not, however, a future without problems. And perhaps the greatest problem which the Nation will face in the next 25 years is to see to it that our technological progress does not run away with us, overwhelm us and, in the end, destroy those things in our way of life which make it most worthwhile.

The great power of the United States places us in a position of great responsibility. It is first of all a responsibility to ourselves and to future generations. If we no longer have the immunity of distance and remoteness from developments in the rest of the world—and technological progress has ended that immunity—then we must take steps to safeguard the Nation in its new contacts. What we do or fail to do in our relations with others has a great influence throughout the world. Our actions are an important factor in determining whether the world will keep a measure of peace or whether it will be plunged into a great war from whose destructiveness no nation will escape. What we do or fail to do in our relations with others also has a great influence on the continued progress of all mankind and ourselves as a part of it.

These are new problems to which a short time ago people in this country gave little thought. Now we have no choice but to give a great deal of thought to them. We will have to use our great power with wisdom, with restraint and with economy to safeguard peace or we shall be compelled to use it recklessly in the terrible waste of war. As your Senator, I have tried as others have tried to give these international problems the attention they must have if your Government is going to handle them successfully. I have done so because they involve the safety and well-being of the people of this State, of all the people of the United States; in fact, of civilization itself. They are the major problems confronting us today and they will become even more important tomorrow.

A Foreign Policy for Peace

(Excerpts from address of Senator Mike Mansfield, of Montana, commencement exercises, College of Great Falls, Great Falls, Mont., 8 p. m., Wednesday, May 29, 1957)

Yet the shadow of war still hangs above the earth. The shadow today, moreover, is darker than that which preceded World War II. It is a darker shadow than any in the history of mankind. It is the shadow of a war which threatens not only the Soviet Union and this country but all countries. It is the shadow of a war which threatens not solely civilization but the human race itself; not merely this generation but all generations to come.

I shall not dwell at length, today, on the terrors of this war of the future. You have read of them. You have heard of them. Sufficient to say that each year its potential destructiveness grows larger as atomic weapons are brought to an ever higher state of perfection. We have already reached the point where is is necessary to clear an area three times the size of the State of Montana in order to test a hydrogen bomb. Think of it for a moment. Over 400,000 square miles of the Pacific Ocean must be emptied of unprotected shipping before a single explosion can be set off safely. Even then, there must also be a prayer that the winds hold and that there has not been a miscalculation. If we have already reached this state merely in testing nuclear explosives, it is not difficult to imagine what would happen if such explosives were released in actual warfare.

The United States, Soviet Russia, and Britain already have these weapons. It will not be long before other nations add them to their arsenals.

And we are only at the beginning. Guided missiles are commencing to replace piloted planes for delivering nuclear explosives in warfare. These missiles now travel several hundred miles with uncanny accuracy. Both Russia and the United States are already experimenting with new models that will speed to targets 1,500 miles away in a matter of minutes. It is only a question of a few years until these devices will have been developed to the point where they will carry nuclear explosives between the continents and reach speeds of 15,000 miles or more per hour in their flight.

This is not science fiction but scientific fact. These are the realities of the world in which we live in this second half of the 20th century.

It is no wonder that the conscience of humanity has begun to speak out. We have heard it in the words of His Holiness Pope Pius XII. We have heard it from the depths of Africa in the words of that great missionary, Albert Schweitzer. We have heard it from other religious leaders throughout the world.

The words of each may differ but the message in every case is the same. The warning is clear: Mankind is walking blindly on the brink of an overwhelming catastrophe. There is little margin for error. There is little margin of time.

I said that I would not dwell at length today on the dangers inherent in war and I shall not. What is essential is that we recognize these dangers as very real. What is essential is that we do not close our minds to them as being beyond our comprehension. What is essential is that we seek to understand the problems that these weapons pose for the Nation and do what we can to deal with them.

The danger to peace arises from the fact that these men—these men without fixed responsibility to their peoples—control vast forces of destruction. They can unleash these forces in a moment of fear, in a moment of miscalculation, in a moment of whim.

Strangely enough the hope that peace shall not give way suddenly in these circumstances lies in the fact that these Soviet rulers are not only ruthless men, they are also intelligent men. They are fully aware of the dangers to themselves as well as to others in modern warfare. They know something of the power of nuclear weapons since they themselves have them and they are fully aware that these weapons are held by the United States and other free nations. They know that if they launch a military aggression it will be met by retaliation. Since such is the case, if they act as intelligent men, they will not invite their own destruction by precipitating a war.

That is not much of a hope for peace. It is a delicate fulcrum on which to balance the fate of civilization. For the moment, however, there is no other. That is one of the realities of the situation which confronts the Nation, and we have no choice but to live with it.

What, then, does the situation within the Soviet system add up to in terms of a foreign policy for peace? What attitudes and actions on our part does it suggest? It suggests, first of all, that we cannot underestimate the continued danger of aggression from the Soviet system. It also suggests, however, that if we can do anything to lessen the threat which a potential war with the scientific weapons of today represents to all mankind, we ought to be prepared to do it. We should be prepared to negotiate at any time and at any place and on any matter which relates to the control of this warfare of the future. These negotiations must be pursued not with blind optimism but with all the soberness we can command, with a full awareness that there is no room for false steps or empty promises.

I am confident that we can trust the President of the United States to negotiate in that fashion. It amazes me when people say that the President, our representatives or other Americans cannot talk with the Russians without being contaminated or without getting the worst of the bargain. If we ever reach the point where we fear negotiations on any matter because we believe we are less capable, less competent or more subject to contamination than others, or because we regard ourselves less able to distinguish between what is good or bad for this Nation then we shall indeed have reached a sorry state.

Your Heritage of Freedom

(Excerpts from address of Senator Mike Mansfield, of Montana, commencement exercises, Clarke College, Dubuque, Iowa, 3 p. m., Saturday, June 1, 1957)

The World You Face

What is this world you face? Is it likely to be a peaceful world?

Last year I delivered an address to the graduating students of Montana State University. I told them that for the first time in my experience I could state my belief that a world war in their lifetime might be avoided. I said that I believed this was possible because of things done by men and women from many nations.

I reminded them of the discovery of atomic power—a discovery which was a threat and still is—but which may also be a benefit in disguise because any nation which might start a war may now reasonably expect to bring about its own destruction. Nations of the world have realized in the past 2 years that another war might destroy all life. We live at peace as the result of what Sir Winston Churchill has described as the mutual terror resulting from the threat of atomic destruction.

Two years ago, at the summit conference, the United States and the Soviet Union crystallized an unspoken and unwritten understanding. The understanding was that neither country on pain of self-destruction could start a major war or permit a situation between other powers to deteriorate to the point where a major war might threaten.

Today if we get into a world war, it is not likely to be because the great powers

want war, but because they will have slipped into war inadvertently.

Recall, for a moment, the most serious situation of last fall, the situations in the Middle East. Israeli troops had moved on Suez. France and Great Britain brought force to bear in the same area. The situation was fraught with danger that a small war might become a big war.

I cannot go into the details of those historic months. But I call your attention to the fact that the world stood virtually united in demanding that the use of force cease. The United States and the Soviet Union—with no understanding between them—found themselves on the same side. Together, unwillingly together, they worked through the United Nations to snuff out the fire of military action in the tinderbox of the Middle East.

I do not attribute the stopping of hostilities in the Middle Eastern crisis to any great diplomatic finesse on the part of the United States, the Soviet Union, or any other nation. I attribute it to the overriding, but unspoken, threat posed by the existence of weapons of mutual terror. These weapons might inadvertently have been unleashed had the use of force in the Middle East continued unrestrained.

A NEW SUMMIT MEETING?

It has been 2 years since the President met at Geneva with the Chiefs of State of France, the United Kingdom, and the Soviet Union. It may well be that the time is approaching for another such meeting.

Much has happened in these 2 years which might shape the thinking of such a meeting. Britain has a new prime minister. President Eisenhower has been reelected by the greatest majority of any President. The leaders in the Soviet Union have faced the crisis of rebellion in the satellite nations. The Middle East crisis has warned us all that war lurks around the corner for nations not ever mindful of the terrible consequences that might flow from relatively isolated military action.

It seems to me that the people of the earth have the right to expect that the chiefs of state of these great powers should gather at least once every 2 years to discuss the issue of war or peace.

I believe that another Summit Conference will soon be due, and I suggest a new technique for such a conference. Past conferences of this kind have been followed by disillusionment and disappointment, I believe partly because they tried to do too much.

Would it not be advisable then in devising an agenda for such a conference to limit it to one important problem? Could the nations not agree, for example, to consider only one question on which agreement might be expected?

One of the difficulties in past conferences of this type has been that the agenda has been as wide open as the problems that face the great powers. Such an agenda tends to concentrate discussions on all the problem areas on which we disagree.

Why could not the chiefs of state take up just one problem—a big one I must admit—but one upon which there is some chance of agreement?

LIMIT HYDROGEN BOMB TESTS

I have felt for some time now that real progress might be made toward agreement for the suspension of testing of hydrogen bombs of great size.

This should not be a suspension of tests on our part only. I propose instead that we endeavor to reach agreement with the Soviet Union and the United Kingdom on suspending tests of bombs over a certain strength level.

An agreement of this kind would be self-enforcing. We know from reading the daily press that our detection devices as well as those of many other countries can infallibly detect hydrogen test explosions when they exceed a certain size. It follows therefore that if any party to an agreement not to test the biggest bombs were to violate that agreement, the violation would instantly be known to the entire world.

I grant that such an agreement would not be without its dangers. But I believe that the time has come when the dangers of further uncontrolled big tests outweigh the dangers of agreement to suspend such tests. Surely this is an important enough issue for the heads of state to explore together ways of agreeing to limit or stop altogether the testing of hydrogen bombs so large that their fallout of radioactive material poses a threat to mankind.

LEADERSHIP

It is a strange thing that the United States, which has been the leading nation in the development of military uses of the atom, has somehow failed to occupy a leadership in the development of the peaceful uses of the atom. It is a strange thing that this Nation somehow failed to convince much of the world that we are in the forefront in seeking to control the devastating effects of the atom and to put it to peaceful uses.

The time has now come for a vigorous and vital effort, led by the President of the United States, to begin to roll back the dangers of atomic warfare.

The President cannot exert this leadership by occasionally authorizing his press secretary, Mr. Jim Hagerty, no matter how competent, to respond to pronouncements by Bulganin or Khrushchev. Neither can Mr. Dulles counter the propaganda moves of the Soviet Union by authorizing his press secretary, Mr. Lincoln White, to answer Mr. Gromyko. The voice of our leaders must be heard, not the voice of their press secretaries.

Moreover, leadership can never be exerted by waiting for the other side to make a statement to which this Nation can then respond.

An essential element of leadership on the part of a man or a nation is willingness to take the initiative, to move out ahead. Leadership requires imagination and boldness and coolly calculated assessment of alternatives in any course of action.

Leadership is not based on big talk, big size, or big emotion. I am sure that you have had experience enough to know that some men are assumed to be leaders, just because they are big, strong, and have a powerful voice. But you also know that real leadership among men or nations is not based on appearances, but rather is based on performance. Acts speak louder than words, as the saying goes.

Can we look at our Nation today and know that we are willing to face the issues? Are we able to look a fact in the face and recognize it as a fact? Or do we look at facts and call them fancies because we aren't willing to face them? Do we see the Russians as they are, or as we would like to think them to be? Do we recognize the threat of hydrogen weapons, or do we hide from it? Do you read the comic section of your newspaper because you are unwilling to face the hard issues of the editorial page? Do you say, "Let those in Washington worry about that one—they're the experts"?

In asking these questions, I have intentionally mixed together those we should ask as a Nation with those we should ask as individuals because what we are as a group of individuals, we are as a Nation. If we as individuals adopt an attitude of "Let George do it," if we as individuals are unwilling to face facts, be honest, and do the best we can with what we've got, then we as a Nation cannot expect to exercise the leadership essential to the creation and maintenance of a world in which freedom shall not perish.

EDWARD R. MURROW WITH THE NEWS, CBS RADIO NETWORK, JUNE 7, 1957

A member of the Atomic Energy Commission, Dr. Willard Libby * * * today told the Joint Committee investigating radiation dangers that the weapons development program of the United States would be "crippled" by a cessation of tests. "There is no substitute," he said, "for testing to determine the reliability of a weapon—conventional or atomic." He added that the United States should limit its test shots, however, "to those essential for the survival of the free world."

Probably the biggest event of the last days has been the decision of the British not to explode the final hydrogen bomb in their current tests, and President Eisenhower's hint that we, too, are through with the testing of the biggest hydrogen bombs. In the atomic age, these are the first retreats being publicly made in development of atomic weapons.

We need more information to judge how much the retreats are due to public pressure. They have been made at a time when the opposition to nuclear explosions is being vigorously expressed. The labor opposition in London has been vehement in arguing for curtailment of the tests. The hydrogen-bomb issue was injected into the last presidential campaign by Adlai Stevenson. Scientists of all kinds have voiced opinions. To some extent the issue has been taken over by organized propaganda, for protest demonstrations abroad have been held only against Britain and American tests, and were singularly missing when the Russians exploded their last hydrogen bombs, which may have been the most dangerous yet set off in respect to fallout. Lord Cherwell, British nuclear scientist is quoted as saying: "The efficiency of the Communist propaganda machine is shown by the fuss. It is really shameful to see how many decent people are being taken in by it." The Russian radio continues to demand an immediate end to all tests.

But it is safe to say that neither the British nor American Governments retreated in the matter of the H-bomb because of Communist propaganda. Indeed it would be more than unfortunate—it might be highly dangerous—if all criticism of the tests was to be swept aside simply because there is such propaganda. What is happening is that science and governments alike are both feeling their way into the new powers of nuclear energy, and still cannot be sure what is safe and not safe. The retreat from the big hydrogen bomb may have been hastened by public pressure—as in the House of Commons—but it is essentially the result of the growth of scientific knowledge.

The fact that scientists themselves disagree makes it harder for governments to know what risks to run. Mr. Eisenhower said yesterday that he accepted the findings of the American Academy of Sciences. But Dr. H. Bentley Glass, of Johns Hopkins University, one of the geneticists responsible for the academy's estimate of the safety level last year, told the joint congressional committee that this estimate might have to be revised, as the danger now appears to be greater. An atomic scientist, Dr. Walter Selove, of the University of Pennsylvania, told the committee that the academy's estimate is "seriously out of date." Dr. Shields Warren, of Boston, disagreed. Warren, who helped write the academy report, said there are at present "no available facts which would warrant a change to a significant degree, as far as the pathological effects are concerned."

Mr. Eisenhower stressed the greater cleanliness of American bombs, and the British are elated to find that their hydrogen bombs have been remarkably clean. The British radiologist who rode through the atomic cloud after the last explosion to take samples said: "There was no fallout at all." But he added: "Ultimately the fallout will come down, sometime in the next year or two." And that assertion is a reminder that the radiation is there, ready to do the injury that radiation causes.

One fact the public is beginning to understand is that there are two kinds of damage from radiation. One is to bones and tissues, the other is to genes. When some scientists speak of a safety level below which radiation does not injure humans, they refer to injury to the tissues and bones of persons now living. The geneticists, the scientists of heredity, say there may be no level of safety whatever, because the damage to genes is transmitted to persons not yet born. The geneticists talk in a different time-span. That explains the sensational figures they give the vast numbers that will be damaged by nuclear tests.

Dr. James Crow of the University of Wisconsin told the Congressional joint committee that the tests so far made will produce 80,000 cases of gross genetic abnormalities, 300,000 childhood deaths and stillbirths, 700,000 embryonic deaths, plus an unknown number of minor defects. Now governments and scientists have to decide whether it is more justifiable to kill or maim millions over a prolonged period than over a short period. At any rate the geneticists argue that the risks taken have to be justified.

This is Ed Murrow. I'll be back in a moment with the word for today.

Regarding the effects of radioactive fallout, there is disagreement—even among the experts. This is an issue in which the distinction between what is known, and what is not known, needs to be clearly drawn. Thoreau said, "To know that we know what we know and that we do not know what we do not know, that is true knowledge." It might in this case be survival itself.

Goodnight and good luck.

[From the St. Louis Post-Dispatch of June 15, 1957]

THE APOCALYPTIC QUESTION—ERIC SEVAREID IN A RADIO NEWS ANALYSIS, COLUMBIA BROADCASTING SYSTEM

(Congressional fallout hearings involved not just our country but whole world and future generations; burden of proof now lies on those who want to continue bomb tests; could administration say today that Adlai Stevenson was wrong on issue?)

Science may not yet be the master of human affairs; but it is no longer the simple servant of human will; it must now be met on its own terms.

A row of mortals, Members of Congress, sat in a row on what was once the high judicial bench of the Supreme Court in the old court chamber of the Capitol Building. They were trying to find out what terms science has set for the continuity of a healthy human race.

But they sat there rather helplessly; the real judges, good or bad ones, were the witnesses, the sedate-looking physicists—biologists, geneticists come out of their laboratories to explain to the political sovereignty the demands of the scientific sovereignty, one of whose findings already is that nature has no special interest in the survival of Americans.

For the implicit political decisions, a new element has been added; indeed, the final element. The responsible officers of one country now face decisions affecting not just their own country, but all countries; not just the generation they inhabit, but all generations to come.

The atomic energy suboommittee in the old chamber has been hearing from the geneticists; these are the men who deal with heredity. And they are neither very complacent nor very divided about radioactive fallout; less so than the physicists or the biologists; and one of them, Muller of Indiana, told the committee that the bomb tests already held, have, in all probability, impaired—that is diseased, deformed or prematurely shortened—hundreds of thousands or even millions of lives to come in future generations.

The sheer weight of scientific testimony is getting too heavy for the previous official position here to hold—the position that there is no reason for serious concern. When Mr. Adlai Stevenson a year ago raised the alarm and proposed an American initiative, at an unknown risk to security for stopping the big bomb tests, the administration denounced his attitude; it could not do so today; the climate of opinion has swung a long way in that direction.

The area of scientific doubt about fallout effects, present and future, is still considerable. Atomic Commission officials used to occupy that breach by insisting that the pessimists prove their case; now their opponents are filling the breach, insisting that the optimists must prove their case; on the simple proposition that if the optimists turn out to be wrong, it will then be too late.

No magic scientific finding is expected to resolve the whole question neatly and finally; too little is known about other possible injurious substances besides strontium 90; too little is known about how the winds will concentrate the fallout now in the stratosphere upon the earth; too little can be forecast as to how many additional nations will be exploding how many additional bombs as time goes on.

Therefore the decisions that must be made are not scientific decisions, they are political and moral.

If we can get little new scientific information now, we probably can have new military-security information, and this may help. Always, our atomic and military authorities have balanced the fallout risk in testing, against the military-security gain. But what is this gain? They have not told us; and it is hard to see how the wisest legislators can reach even first-stage decisions about the most apocalyptic question ever faced by legislators unless they can have a look at the security side of this coin. Several moves now seem almost inevitable:

The administration is providing that look. An independent authority established to judge the world effect of bomb testing, with official advocates no longer doubling as official judges; a serious new initiative for an enforceable test ban with Russia; and—if Russia will not agree to enforcement procedures—facing again the Solomon's question; of whether, as a civilized people, we shall take a present security risk upon ourselves in the name of everyone's descendants?

[From the Christian Science Monitor of June 7, 1957]

HUMANITY OWNS THE AIR

President Eisenhower and Prime Minister Macmillan bear a heavy responsibility for defense of their respective nations and the free world. It is understandable that they express unwillingness to halt nuclear tests which they believe contribute to that defense—unless a ban can also be made effective on Soviet tests. Yet this cannot be the final word on this tremendous question.

For in two respects the atomic tests—especially the big bomb tests—differ from ordinary defense and disarmament problems. For one thing, we are dealing here with something quite different from practice on an artillery range or mock airplane battles. The situation is more like one where artillery practice or plane battles would involve penetrating across a neighbor nation's border. For the effects of big bomb tests cannot be confined to any nation's territory.

A second distinctive factor is that tests of big bombs cannot be hid. No new inspection system would be required to insure detection of any violation of an agreement to ban such tests. So nations honestly adhering to a test ban would run relatively minor risks from treacherous violators. The chief risk—a timelag—could be sharply reduced by continuing laboratory experiments.

Of course, Moscow is carrying on a propaganda campaign against British and American tests while continuing its own tests. But that is no reason for not trying to ban big bomb tests. Indeed, it is a reason for doing so—to spike the hypocritical Soviet propaganda. And it is foolish to try to label as Communist inspired all the worldwide concern about fallout. The United States Atomic Energy Commission itself has finally conceded that all testing involves some danger.

Indeed, it is apparent that both Britain and America are recognizing the weight of humanity's mounting feeling about big bombs. Tacitly the Eisenhower administration appears to have modified the official position held during the last election. At his last press conference the President let the information fall that the United States is not likely ever to explode another 14-megaton bomb (like the big Bikini one). And Mr. Macmillan has been emphasizing that Britain's test bombs are unusually clean.

It seems to us that both Washington and London should go further than this informal and one-sided curb. Even from a defense standpoint they have more to gain than to lose from getting formally on the right side of this question. We believe that many of the predictions of disaster from fallout are guesses that should not be accepted. But there is agreement that tests—even the cleanest—do involve some dangers. America and Britain cannot afford to act as if the Pacific were a private lake. Even less can they afford to act as if they owned the earth's atmosphere.

Instead they would be well advised to take the initiative in affirming that no nation has a right to contaminate the air humanity must breathe. Let them cut through the shilly-shallying over the complexities of disarmament with a simple demand for a feasible ban on big bomb tests.

[From U. S. News & World Report of June 14, 1957]

HERE ARE EISENHOWER'S VIEWS ON THE FALLOUT SCARE—FROM THE TRANSCRIPT OF PRESIDENT EISENHOWER'S NEWS CONFERENCE OF JUNE 5, 1957

MARVIN L. ARROWSMITH (Associated Press). Mr. President, in the last few days some top geneticists and other scientists have testified that fallout radiation from nuclear-weapons tests will damage hundreds of thousands, and perhaps millions, of the yet unborn in terms of physical deformities and shortened life spans.

Could you, as the man who must make the final decision on these tests for our country, tell us what your scientist advisers tell you on this matter?

The PRESIDENT. Well, first of all, last October we published a very long report from the National Academy of Sciences which gave a very full discussion of this whole matter, bringing up the amount of radiation you get from natural sources, the sun and X-ray

pictures and all the rest of it—I believe down even to include phosphorus on the dial of your watch—and things of that kind.

That is the authoritative document by which I act up to this moment, because there has been no change that I know of.

Now, on the other hand, here is a field where scientists disagree.

Incidentally, I noticed that—many instances—scientists that seem to be out of their own field of competence are getting into this argument, and it looks like almost an organized affair.

I am concerned just as much as I am of this fallout—I am concerned with the defense of the United States. I have tried, and this Government has tried, to make the abolition of tests a part of a general system of disarmament—controlled and inspected disarmament.

If we can do that, we will be glad enough, and very quickly, to stop tests. But we do have the job of protecting the country.

Our tests in recent years, the last couple of years, have been largely of the—in the defensive type of armament to defend against attack from the air and, particularly, to make bombs cleaner so there isn't so much fallout.

We have reduced the fallout from bombs by nine-tenths. So that our tests of the smaller weapons have been in that direction to see how clean we can make them.

MERRIMAN SMITH (United Press). Mr. President, could you elaborate a little for us, sir, on your saying that among the disagreeing scientists on the question of fallout that some of them are out of their field of competence, and it looks like an organized affair?

Why do you say that, sir? Who is organizing it, in your opinion?

The PRESIDENT. I don't know. I haven't any idea, but I just say it seems to come up so many places and so many different speeches, and you find scientists of various kinds other than geneticists and physicists in this particular field that have something to say about it.

Robert E. CLARK (International News Service). Mr. President, can you tell us what you think about Khrushchev's television interview Sunday, including his offer to withdraw Russian troops from Europe if the United States would do likewise?

The PRESIDENT. Well, this is what I say, of course, about such an appearance:

Now, let's make no mistake, that appearance was not the same as taking a kinescope of one of these press conferences and broadcasting it completely in Russia.

We know that there are no prepared questions here and no prepared answers. It is a matter of trying to deal honestly with each other, and then putting it on—in the papers and on the radio and in the television—on the television screen; and this other performance of last Sunday afternoon was far from that.

Now, with respect to his proposal: He took one part of a proposal that affects not especially our country, but countries of our allies. And it is an old method, when you are dealing with a number of allies, to try to propose something which seems to be to the obvious interests of one in order to drive a wedge between them.

What is done in Europe, what we do there, is always going to be the subject of consultation between us and our allies before we do anything about it.

So this matter—I noticed he didn't say that Germany would be reunified or anything of that kind—just merely withdraw the troops.

JOHN SCALI (Associated Press). Mr. President, Mr. Khrushchev, in answering questions on disarmament, said that Russia, in his words, was quite prepared to seek a first step of partial disarmament agreement rather than to hold out for the comprehensive disarmament agreement, which has been their policy in the past.

Since this objective also is what we are seeking, do you think that his words, at this particular time, add encouragement to the possibility that an agreement along these lines is really possible at this time?

The PRESIDENT. Well, I think that we can only say we can only hope so.

As I told you before, all the reports are that this time at London the conference reflects, apparently on all sides, a more serious, a more definite purpose to get ahead with substantive matters than ever before, and to use it, the occasion, less as mere, as a mere platform for propaganda.

So every word that indicates a desire to meet sensibly on a step-by-step basis—which is the only way, by the way, I think it can ever be done—I welcome it, and certainly don't reject it until it's been explored to the full.

JAMES B. RESTON (New York Times). Mr. President, the comments here this morning, sir, about the fallout are, I think, open to the inference that this is just an organized campaign, and that the scientists who are——

The PRESIDENT. Oh, no.

Mr. RESTON. Disturbed about it——

The PRESIDENT. Oh, no; I didn't say that at all. I said there does seem to be some organization behind it. I didn't say a wicked organization.

Mr. RESTON. I think it is, the way it is left right now—this is merely an opinion—as open to that inference.

NO REFLECTION ON SCIENTISTS

The PRESIDENT. Well, I don't mean that at all.

There are as many of these people just as honest as they can be, there is no question about that. But, as I say, when they begin to talk a little bit out of their field, then I would rather go myself to the Academy of Sciences, which has no ax to grind of any kind, is not looking for publicity, and say, "Now, what do you people think?"

I made mention that I was living by the document that they have given at this moment.

Mr. RESTON. May I ask two questions about this: whether you have any plans to deal with anxiety of the country about the fallout and, second, whether in any way you are modifying your plan about testing?

The PRESIDENT. Well, I wouldn't say I have got a plan, because the plans that we have for testing are all bound up in the plans we have for disarmament, which we think is necessary. We think if you are going to include these weapons as a positive or almost-certain weapons of war in any future global thing, we would be foolish indeed to be behind anybody else.

Now, that means testing, because the scientists in your laboratories each year believe they have found something that makes them cleaner, better, more efficient, or particularly what we are working on so hard, as you know is defense against hostile aircraft. So those people cannot continue to work unless they can test them.

On the other hand, I would like to allay all anxiety in the world by a total and complete ban of all testing—based upon total disarmament in this field, is what I'd like.

CHALMERS M. ROBERTS (Washington Post). In speaking, sir, of your desire for what I believe you call the total and complete ban on tests under disarmament agreement, do you mean that you would be willing to agree to such a ban under this first-step agreement, as part of this first-step agreement, with the Soviet Union?

The PRESIDENT. Only you could do that, I think, in toto the way I expressed it there—in a complete thing—you could do that only if the same agreement were so couched, so made, that you could see there would be no more atomic bombs used in war.

Mr. ROBERTS. But it could be as part of the so-called first step if it were firm enough—

WHY INSPECTION IS ESSENTIAL

The PRESIDENT. Well, only if it brought in that other part, though, that we were going to eliminate these things as weapons of war, and there were an inspection system that could make sure that was coming about; otherwise, you couldn't do it.

Mr. ROBERTS. I am not clear, sir. Are you speaking of the so-called fourth-country problem?

The PRESIDENT. No; not at all. Other fourth countries have got a right to do as they please.

I am saying that we couldn't enter into any program which forever banned tests unless we also had a system which we knew would—and could be convinced would—forever ban the use of weapons, of these weapons in war.

RICHARD L. WILSON (Cowles publications). Mr. President, it seems to me that the discussion on testing of H-bombs has left a lot of vacant spaces that we don't completely understand, at least I don't understand.

You have said that our tests are going toward the point of testing clean weapons at the present time——

The PRESIDENT. Yes.

Mr. WILSON. Does this mean that we will not test any more H-bombs, which create a great fallout?

The PRESIDENT. Well, as a matter of fact, I don't think your statement is correct. I think we have found that the H-bomb, in proportion to its size, is probably one of the cleanest. I don't think that your statement is correct.

Mr. WILSON. Let me ask it again: Will there be any more tests of H-bombs similar to the large one in the Pacific which caused such a wide fallout?

The PRESIDENT. The early one, you mean?

Mr. WILSON. Yes.

The PRESIDENT. I would doubt that anything like that would ever be repeated. But I want to say this again: Our plans, and even our thinking on this, we are trying to weave into programs which we must concert with our allies before they are of great value, and if I have not been as frank in this one subject as you people think I should, remember this: If I say something that Britain or France or some other great ally, or Canada, cannot accept, and they get irritated or embarrassed by it, then our whole program of trying to achieve real disarmament and real cessation in all these terrible fields is hurt. So I have told you what I think is public property, and what I think is proper to say.

[From U. S. News & World Report of June 14, 1957]

WHAT'S ALL THIS ABOUT "STRONTIUM 90"?

(There's a strange term—strontium 90—that is heard more and more in the growing argument over fallout from atomic tests. What is strontium 90? Why is there concern about it? How dangerous is it? Here are answers to these and other important questions about atomic radiation.)

Just what is strontium, anyway?

Strontium itself is a harmless element with a close chemical resemblance to calcium. It looks like a silver-white metal and is used, among other things, to give some fireworks a reddish flame.

Is strontium 90 something else?

This is a radioactive form of strontium, not found in nature but produced by nuclear reactions of an atomic blast.

Then is it like radiation?

In a way. Fallout from an atomic blast contains strontium 90 in the form of tiny radioactive particles. These continue to

emit radioactive rays for a long time. Strontium 90 serves as a vehicle for radioactivity, in other words.

Can you see strontium 90 in atomic fallout?

No. The particles are much too small.

Is it possible to taste it, feel it, or smell it?

Not in the quantities in which it drops as fallout. It is not like the radioactive "ash" that fell on Japanese fishermen in the Pacific after the first big H-bomb test.

Is strontium 90 deadly if it falls on you?

No, it will not kill you by falling on your skin.

Then why all the talk about it now? What is dangerous about it?

The danger in strontium 90 is that, if it is absorbed into the body in large-enough quantities, it might cause a form of cancer.

How can strontium 90 be absorbed into the body?

A good bit of the strontium 90 that falls on leaves or on the soil is absorbed into the plant. Some of these plants might be eaten directly by human beings. Others may be consumed by cows which, in turn, could produce milk that would contain minute quantities of strontium 90. People thus can take in the radioactive substance in their food.

Could it be hazardous to eat meat from cows that have grazed where strontium 90 has fallen?

Not particularly. Strontium 90 so closely resembles calcium that the amount retained by the animals goes automatically to the animals' bones, which are not used as food for human beings.

What do officials say about the danger of strontium 90 from atomic tests?

The amounts involved are far too small to be dangerous, officials insist. Dr. Willard F. Libby, scientific member of the United States Atomic Energy Commission, says:

"At the present time, the radiation dosage to bone from the most worrisome part of radioactive fallout, which is strontium 90, is about the same as what the Denver resident would receive as additional radiation from cosmic rays if he moved from Denver proper about 200 feet up on the mountainside."

What are some scientists so concerned about, in that case?

The thing to watch out for, they say, is what would happen if a lot of strontium 90 would get into the air and fall on farm crops and grazing land. The minute, radioactive particles of strontium 90 may be carried great distances—sometimes around the world—before coming down to earth. And strontium 90 remains radioactive for many years after it drops to earth.

Is the amount of strontium 90 from fallout being watched carefully now?

Yes. A very elaborate sampling program is being carried out now, known as Project Sunshine. It consists of daily samplings of particles in the air, collected on gummed paper at 200 stations in the United States and around the world. Also, there are monthly tests of milk sold in each of 6 milksheds in the United States, monthly sampling of sea water and of air in the stratosphere. In addition, annual checks are made of the soil at 17 points around the United States, and of pastures, vegetables, and animal bones in 7 areas in this country.

Just how much more radiation are people getting now from strontium 90?

Latest findings show that the radiation absorbed by children's bones in this country from strontium 90 amounts to 1 or 2 percent of the dose received regularly from natural background radiation—or less than the variation you get by moving from one altitude to another.

What would happen if a lot of strontium 90 were absorbed in a human body?

Scientists say it would tend to concentrate in the bones. There it would continue to emit faint radioactivity for years. Although scientists do not yet have all the necessary data, some experiments indicate that too much strontium 90 in the bones might cause bone cancer, because of this radioactivity.

There is a suspicion that it could also cause leukemia, a form of blood cancer, by the effect of radioactivity on the marrow in the bones. There is an argument now over how much strontium 90 it would take to cause these effects.

Could strontium 90 have an effect on future babies?

Apparently not. Dr. Libby says: "It is well to note that, since radiostrontium [strontium 90] is assimilated in the bones, it constitutes essentially no genetic hazard, because its radiations do not reach the reproductive organs."

How long does strontium 90 stay radioactive?

Roughly 40 years, with its radiation decreasing gradually over that period.

About how much strontium 90 is there in the atmosphere at this time?

An AEC commissioner stated recently that: "If all the radioactive fallout which still is airborne should come down suddenly, there would be about one-third more total radioactive strontium on the ground than we now have in the United States. It falls so slowly, however, that there is expected to be relatively little increase over the present amount deposited—the extra fallout just about compensating for the natural radioactive decay of the radiostrontium already deposited."

Is there any natural defense against the dangers of strontium 90?

Yes, evidently both plants and animals get rid of most of it. The calcium in milk and cheese, for example, is only one-tenth to one-fifth as radioactive with strontium 90 as the grass that the cows ate. The human body rejects much of its intake of strontium 90 as well.

Is there a difference between strontium 90 from A-bomb tests and that from H-bomb tests?

The strontium 90 is the same, but the distribution is different. In the case of big H-bombs, the fallout is injected into the earth's upper atmosphere and is distributed around the world. But strontium 90 from smaller atomic bursts comes back to earth quickly, concentrated in the same general area in which the bomb was exploded.

How about future tests—will they increase the amount dangerously?

This is the subect of a big argument now, among scientists and laymen alike. Some scientists recommend an end to big tests, on the ground that it is better not to take a chance. But the top AEC scientists say this is unnecessary and add: "The cause for real concern is not the deleterious effect of radiation resulting from weapons tests, but rather what would be the effect of the infinitely greater amount of radiation which would result from the massive use of nuclear weapons in warfare. Here we would be dealing with excessive radiation, not to all the people of the world as has been suggested, but quite probably to large numbers of people residing in areas of substantial contamination."

[From the New York Daily News of June 4, 1957]

CAPITAL CIRCUS

(By Michael O'Neill)

WASHINGTON, June 3.—If most of us ordinary citizens are befuddled by the merry-go-round of conflicting opinion which has featured the Congressional hearings on atomic fallout, we should be pardoned. Nearly everyone else is in the same sorry condition.

The members of the Senate-House Atomic Energy Subcommittee, all well-informed men, said they have heard so many pros and cons and do's and don'ts the last few days that they're slightly dizzy. And it is universally admitted the scientists themselves are confused.

There are many reasons for this state of affairs. Although it seems to be human nature to expect order and agreement among scientists, the reverse is more often the case.

High-school texts on physics or chemistry may be smugly certain, but modern men of science actually operate far out on the frontiers of knowledge, beyond the known and simple. For them, speculation, opinion, and confusion are not the exception; they are the very essence of their way of life.

DANGERS MAGNIFIED, SAYS AEC EXPERT

Dr. Charles L. Dunham, head of biology and medicine for the Atomic Energy Commission, suggested in his testimony that some scientists are magnifying the dangers of atomic tests not because of proved facts but because of their political opposition to anything promoting the possibility of nuclear war.

On the other hand, another prominent scientist who appeared before the subcommittee asserted privately today that the AEC is dismissing the fallout risk simply because it feels it has to back President Eisenhower's policy of pushing atomic weapons development so long as there is no disarmament agreement with Russia.

Whether or not there is any merit to these views, most observers feel the basic reason for the confusion lies much deeper. Senator CLINTON P. ANDERSON, Democrat, of New Mexico, a leading member of the subcommittee, put it this way to us: The overwhelming fact is that science still hasn't come up with enough hard data—the kind you can't deny—to provide sure answers to the life-and-death questions involved.

WE'RE RUNNING AHEAD OF OUR FACTS

In his headlong rush into the atomic age, man has resembled an overeager general: He has run far ahead of his support troops. Although he is test-firing bombs, he is not precisely certain what they are doing to him or to his environment and, for the moment, he leans heavily on such unsatisfactory props as educated guesses and theory. This is especially true of atomic fallout and its biggest villain, radioactive strontium.

All hands concede that of all the by-products of nuclear fission strontium 90 is far and away the most worrisome. A single tablespoonful could theoretically injure or kill everyone in the world. It has a long life—about 28 years—and when it is hurled into the stratosphere in the bigger atomic blasts it gradually spreads around the entire globe, slowly sifting to earth over a period of years. Even more important, Sr-90 is a close chemical relative of calcium so that it passes through plants and animals and lodges in man's bones, where it is capable of causing cancer.

The current great debate over atomic testing and the hazards of Sr-90 has centered on three crucial questions: How much Sr-90 can man take without serious injury? How much Sr-90 is now being absorbed by adult and, more important, children's bones? And how much strontium can be injected into the stratosphere in the next 10, 20 or 30 years without posing a threat to all humanity?

On the first question there are nearly as many opinions as scientists. The AEC says the Sr-90 limit for the average adult should

be 100 sunshine units, a measure of strontium in relation to body calcium. The National Academy of Sciences favors a 50-sunshine maximum while the British have been lobbying for 10.

One critical issue is how much allowance to make for individual variations and for children, who are especially susceptible. Another is whether there is or is not a threshold beneath which Sr-90 does no detectable bone damage. The controversy remains unresolved because medical research still hasn't produced solid data on the precise relationship between Sr-90 and body damage.

On the second question—man's present burden of strontium—there is even more controversy. AEC Commissioner Willard F. Libby, acknowledged leader of the no-danger school, insists the present bone levels of Sr-90 are 200 times less than the AEC's 100-sunshine safety limit. The increased radiation, he says, is no more than a man would get by moving to a higher altitude, or about 400 feet closer to the sun and its cosmic rays. At the present rate of atomic testing, Libby asserts, the general public would never hit the safety limit.

UNIFORM DISTRIBUTION THEORY CONTRADICTED

Despite the assurance with which these estimates have been advanced, they have come under heavy attack. A Government meteorologist revealed new evidence during the hearings that the stratosphere drops most of the Sr-90 on northern countries, contradicting Libby's assumption of uniform distribution. Another medical scientist cited findings suggesting that the body absorbs Sr-90 at a far greater rate than Libby has supposed. Many unknowns remain to be cleared away before the conflicts can be resolved.

Regarding the question of how much Sr-90 will be visited on man in the future, there is again uncertainty and dispute. All AEC estimates are based on the present rate of testing. The commission's critics insist it has closed its eyes to the fact that atomic testing probably will continue to increase, greatly multiplying the dangers of Sr-90. During the hearings, AEC experts finally conceded there would be trouble if testing were not limited to 10 megatons of fission material a year.

[From The Hartford Times of May 25, 1957]

FALLOUT PERIL: A PROPOSAL

The number of thinkers who believe man is committing murder and suicide by making tests of nuclear weapons is growing daily. These men include philosophers, theologians, physicians, physicists—men of many occupations and all political beliefs. They are desperately afraid.

Their fear is that test explosions of nuclear weapons have been creating, and are still creating, clouds of radioactive dust in the upper air, dust that settles in a gentle, deadly fallout over the whole earth. This dust cannot be disposed of. It will be dangerous for many generations to come. It poisons water, food, the very earth itself. Settling into the bones of humans, especially children, it starts incurable cancers.

Who are these fearful men? Dr. Albert Schweitzer, the medical missionary who works in isolation in Africa and has been given international recognition as a moralist and a musician. Pope Pius XII, voicing his thoughts through radio, public audiences and the columns of the Vatican newspaper. The Atomic Scientists Association of England. Dr. Linus Pauling, a chemist at California Institute of Technology and a Nobel Prize winner. An association of German physicists, banded together to beseech their government's opposition to continuing nuclear tests. The Japanese Government, which sent a special envoy to London and Rome for a similar purpose.

There are many others, whose knowledge and authority cannot be gainsaid. All are afraid—not for themselves but for humanity.

Every nuclear explosion carries aloft many dangerously radioactive elements. Some of these elements decay very quickly, a few in a matter of seconds. Some are dangerous for several lifetimes. Others will be deadly for as much as 200,000,000 years. There is no way to rid the earth of them. They fall into rivers, fields and oceans, and are absorbed by plants and eaten and drunk by animals. When a fish dies from their lethal emanations, the radioactivity does not cease. It can kill another fish or a human.

Never before, until now, has man had in his hands the means of bringing about his own total destruction. Knives, clubs, guns, fire bombs, all the weapons of the past—these can kill only in the vicinity of the place in which they are used. Once used, they are harmless until used again.

The dust from nuclear bombs can kill again and again and again, and there is no way to stop it from killing. Every nuclear explosion is more dangerous than the last, because the accumulation of dust is that much heavier.

Spokesmen for the Atomic Energy Commission say the danger is not yet great enough to menace mankind. They cannot deny that it exists. The layman, without scientific training or physical equipment to assess the peril, may hope that the AEC is right, but he must give great weight to the opinions of the men who disagree. And the terror is contagious.

Atomic Energy Commissioner Willard F. Libby announces that the United States now has a "clean" H-bomb, in which health hazards are minimized. He does not say they are eliminated. The difference is only one of degree. Each H-explosion adds much or little to the accumulation of poison.

Is there any hope for mankind under this terrible and progressively worse threat of death? Yes. Man can survive the present level of artificial radioactivity. Thousands will die, but man will live. Dr. Pauling says 10,000 persons have died or are dying from the effects of the explosions already set off, but the prospect of cancerous death is not yet universal. It is only an increase in radioactivity, contributed by more and more explosions, that can kill the human race.

Protection, then, lies in a halt to nuclear explosions large enough to throw deadly dusts into the upper air. This means stopping tests of the H-bomb.

Up to now, H-bombs have been tested by three nations, Russia, the United States, and Great Britain. It is unlikely that any other nation can develop an H-bomb. Therefore, if Russia, the United States, and Great Britain stop testing their bombs, humanity will be safe from the effects unless war breaks out and the bombs are put to military use.

The horribleness of the H-bomb is the best deterrent to its use. The problem of nuclear disarmament is outside our scope in this discussion of the tests and their effects. But there is a way to approach an international halt to testing.

It would not involve any great danger to any nation's security. There would be no need for international inspection of nuclear production. There need not even be a formal agreement. All that is required is a statement from President Eisenhower:

"The United States will not again explode any nuclear device capable of poisoning the atmosphere unless it has evidence that such a device has been exploded, after this date, in a foreign country."

What would happen if the President made that statement? In one short sentence he would take a long step toward safety. Russia would be put into a position in which, if she is sincere in her many protests of horror at the continued poisoning of the atmosphere she must do the same thing or lose great face. Great Britain would be in a similar position. Who would wish to be responsible for continuing the pollution of the world?

Would the security of the United States be endangered? There might, of course, be some risk. But we now have a usable H-bomb, big enough to serve our military purposes in a future war. If Russia stops testing, we are still ahead. If she does not stop, we can resume our tests.

Would there be danger that Russia might outstrip us in the arms race if tests were stopped in both countries? No; for nothing would be said about laboratory research and mathematical investigations of H-weapons. Each side would continue that kind of work.

Could we trust the Russians to stop tests if we did? There would be no need for trust, because an H-bomb explosion is impossible to hide. Instruments that monitor the upper air over America reveal in a few days an explosion anywhere on the globe. If they indicated that Russia was again, or still, exploding H-bombs, we could start our tests again. The Russians know this, of course.

It would take courage for the President to stop the tests. For one thing, such a proposal was one of the chief points of the campaign of Adlai E. Stevenson, his recent opponent for the Presidency. The President would have to expect jeers from both his own party and the Democrats for adopting Mr. Stevenson's suggestion. We believe he is big enough to ignore them.

If tests stopped, the world could relax a little. It is impossible to forecast whether the door to disarmament might also open a little wider. That, if it happened, would be wonderfully welcome.

But the goal of greatest immediate importance, the result we must achieve, is a stop to the deposit of one tiny layer after another of deadly poison on the earth.

[From the Washington Post and Times Herald of June 15, 1957]

VACCINATION SUGGESTED FOR IKE—SCIENTIST SAYS RADIATION FROM A-TESTS MAY HAVE CAUSED NEW FLU EPIDEMIC

The seeds of a new influenza virus sweeping Southeast Asia already have spread to the North American Continent, the World Health Organization said yesterday at its Geneva headquarters.

In London, British biochemist Norman Pirie said the new strain might have been born under the influence of nuclear radiation fallout from test explosions conducted all over the world.

Dr. Pirie's suggestion that the virus might be a consequence of nuclear radiation fallout was published in The Lancet, a leading British medical weekly.

He explained that "viruses share the ability to mutate (change) under the influence of radiation." He added that East Asia "is the area that has already suffered most from fallout."

All reports received stress that the disease caused by the virus remains mild, the United Nations agency reported.

The new strain, officially dubbed "Virus A/Singapore-1/57" because it first was identified by laboratory tests in that city, has felled thousands in Asia. In the Philippines, about 185,000 cases have been reported, with 441 deaths ascribed to influenza.

In Australia, virus authority Sir MacFarlane Burnet said he believes the Asian epidemic will spread to nearly every country in the world—especially during the winter months.

The risk of Americans catching the flu is "considered to be a distinct possibility" because of the large numbers of Americans who have been in Asia recently and now are scattered all over the United States, the agency said.

In Britain, the liberal Manchester Guardian suggested it might be a "good idea" if President Eisenhower was vaccinated against influenza. It added that Mr. (Premier Harold) Macmillan is another problem; the stock markets are less sensitive to his state of health.

In stressing the mildness of the new flu strain, the U. N. agency said:

"Very few deaths have been scientifically proved to be due to this cause and are mostly among elderly people suffering from chronic bronchitis."

[From the Phillips County News, Malta, Mont, of June 13, 1957]

WHICH RISK SHOULD WE TAKE?

The leading scientific minds of the world are presently engaged with a problem as perplexing as any ever faced in the entire history of mankind. The continued existence of the human race and of the world as we know it may well depend upon the final decision which is reached by the scientists and endorsed by statesmen, soldiers and political leaders.

The question is: Should testing of thermonuclear weapons be continued?

Negative answers have been voiced by most of the world's humanitarians and by the scientists who understand fully the destructive potentialities of the hydrogen bomb and of other even more powerful devices which might yet be built. Considering the H-bomb as the weapon which could ultimately destroy 20th century civilization, those who oppose continued testing and development of nuclear weapons are right by any standards.

Applying the yardstick of military practicality, however, we find that if the United States were to discontinue H-bomb development today it would probably be subjecting itself to a bigger risk than by going on with the tests.

Regrettable as it is, we must face the fact that as long as the Soviets have the nuclear weapons we must continue our nuclear development. We must stay ahead of the Russians in retaliatory power. It is an unpleasant prospect to think of what will happen if the Kremlin rulers ever decided that they are far enough ahead of us in weapon strength to launch an offensive while we do not have the material to retaliate in kind.

A stalemate seems to be the only victory in this new kind of cold war. An equal or very nearly equal balance of power between East and West will prevent either side from foolishly detonating an explosion which could destroy the world.

Atomic Energy Commissioner Willard F. Libby last week asked a House-Senate Atomic Radiation Subcommittee, "* * * Would we prefer to run the risk of annihilation which might result if we surrendered the weapons which are so essential to our freedom and our actual survival?"

There is only one possible answer to Commissioner Libby's rhetorical question.

The human race right now is being measured against the most demanding standards ever applied to any generation. Can we find the international means to control nuclear weapons so that all nations will be safe and so that no nation can secretly develop a striking force which will make the rest of the world its prey. The continued existence of the human race demands that a method be found to control the power of the atom for all people. The solution rests in the hands of the diplomats. May God grant them the wisdom and the strength to get the job done.

[From the Washington Post and Times Herald of June 17, 1957]

POINT OF NO RETURN

(By Stewart Alsop)

The National Security Council, the Nation's top policymaking body, has been pondering in recent weeks the basic question of American national strategy: How much should the United States rely on the terrible multimegaton nuclear weapons as instruments of national power? To put the question another way: Under what circumstances, short of all-out Soviet nuclear aggression, would an American President authorize the use of such incredibly destructive weapons?

The NSC has decided in principle that the United States must not become exclusively dependent on the big nuclear weapons. But such decisions in principle have a way of fading into meaninglessness, and the decision has resulted in no visible changes in American defense planning. Such changes are inevitable, if the trend toward ever-increasing reliance on the multimegaton weapons is to be reversed.

Recent testimony on Capitol Hill points up what the issue with which the NSC has been grappling is all about. A few days ago, Gen. Lauris Norstad, able NATO commander, testified that this country had the power of "destroying everything that is of military significance in Russia." Norstad was talking, of course, of the power to launch an all-out nuclear attack on the Soviet Union, which is the heart of the western strategy of deterrence.

Such an attack would require the explosion of many hundreds of high-yield nuclear weapons. The Soviets presumably, would reply in kind. Thus the kind of war Norstad was talking about would mean the explosion of nuclear weapons with a total power of something like 2,500 to 3,000 megatons.

Only a few days before Norstad spoke, leading scientists had also testified on Capitol Hill. They disagreed on a lot of things, but almost all agreed that, in the interests of global safety, there must be an upper limit on the testing of nuclear weapons. Most put this limit at around 10 megatons of fission products, which would be released by a single large and dirty hydrogen bomb.

In an all-out nuclear war, much would depend on dirtiness of the bombs used. But in such a war, the amount of fission products released would be enormously greater, probably hundreds of times greater than the upper limit set by the scientists. What would be the effect of such a war, not only on the nations directly involved, but on the whole human race?

Atomic Energy Commissioner Thomas Murray has stated that such a war would endanger a whole generation, embracing tens of millions of people, in Russia, in the United States, in all the countries of the world.

Others, like Murray's colleague, Commissioner Wilson Libby, have disputed this view. The plain fact, which came out very clearly in the testimony of the scientists, is that nobody knows. The human race might survive an all-out nuclear war without suffering permanent and essential damage. On the other hand, it might not.

Yet an all-out nuclear war is the kind of war the United States is preparing to fight. More and more it is threatening to become the only kind of war the United States will be able to fight. We are in real danger of passing a nuclear point of no return.

As Murray has said, the whole emphasis in the AEC is on producing bigger and bigger bombs. A device with the power of 40 megatons has already been tested. The current Air Force requirement is for a deliverable bomb of 50 megatons. The newest Air Force bomber, the B–58, is designed to carry very high-yield nuclear weapons and only such weapons. All long-range and medium missile designs call for a multimegaton warhead.

The Navy is also becoming a multimegaton Navy. The Sixth Fleet, for example, is equipped with high-yield bombs, in cruisers as well as carriers. And the Army has put a heavy proportion of its resources into an effort to get in the multimegaton act, with its medium missile, while its nonnuclear capabilities steadily decline.

Obviously, the United States must be capable of fighting an all-out nuclear war. However globally disastrous the consequences, the President of the United States must at all times be capable of ordering a devastating retaliation for nuclear aggression.

But under what circumstances short of aggression would a President, aware of the possible global consequences, order the use of the multimegaton weapons: Would he order their use if, say, the Soviets blockaded Berlin again, or the Chinese Communists invaded Burma?

As Commissioner Murray (who is to be fired for his pains) has said, in any situation short of all-out Soviet nuclear aggression "the danger is that * * * our only recourse will be to moral indignation." This danger becomes daily greater, as the United States becomes daily more dependent for its defense on the terrible weapons which may never be used.

[From U. S. News & World Report of June 21, 1957]

IF YOU'RE STILL WONDERING ABOUT FALLOUT DANGER, HERE ARE DEFINITE ANSWERS FROM WORLD'S TOP AUTHORITIES

(In what follows, you get the last word, so far as it is known, on the hazards of fallout and other sources of atomic radiation. Here are answers to questions now being raised about the effects of bomb tests, as prepared by independent panels of leading scientists in this country and Great Britain. President Eisenhower has recommended the report by the National Academy of Sciences and has said that it has influenced his views and policies on atomic matters. The study made by the British Medical Research Council is regarded as the most authoritative one on the subject in that country.)

The National Academy of Sciences, in a 1956 report to the public on The Biological Effects of Atomic Radiation, concluded: "Thus far, except for some tragic accidents affecting small numbers of people, the biological damage from peacetime activities—including the testing of atomic weapons—has been essentially negligible. Furthermore, it appears that radiation problems, if they are met intelligently and vigilantly, need not stand in the way of the large-scale development of atomic energy. The continuing need for intelligence and vigilance cannot be too strongly emphasized, however."

The Medical Research Council of Great Britain, in a 1956 report to Parliament on The Hazards to Man of Nuclear and Allied Radiations, had this to say: "The general conclusion to be drawn from a consideration of the hazards inseparable from the application of ionizing radiations in peacetime is that at present there is no cause for alarm; but that, as all such radiations are potentially dangerous, their use should be the subject of constant and close scrutiny, and that adequate justification should be required for their employment on however small a scale."

EFFECTS ON HUMAN BEINGS

National Academy of Sciences:

"At present the United States population is exposed to radiation from (a) the natural background, (b) medical and dental X-rays, (c) the fallout from atomic-weapons testing. The 30-year dose to the gonads received by the average person from each of these sources is estimated as follows:

"(a) Background: About 4.3 roentgens.

"(b) X-rays and fluoroscopy: About 3 roentgens.

"(c) Weapons tests: If continued at the rate of the past 5 years would give a probable 30-year dose of about 0.1 roentgen. This figure may be off by a factor of 5, i. e., the possible range is from 0.02 to 0.5 roentgen. If tests were conducted at the rate of the 2 most active years—1953 and 1955—the 30-year dose would be about twice as great as that just stated."

British Medical Research Council:

"From the bombs exploded up to the present time, the population of this country [Great Britain] may expect to receive, over the next 50 years, additional radiation amounting to between 0.02 percent and 0.04 percent of the radiation which will be received over the same period from natural sources.

"If the firing of bombs were to continue indefinitely at the same rate as over the past few years, radioactivity would gradually accumulate to a level at which an inhabitant of this country would receive an average dose of 0.026 roentgen over a period of 30 years, or about 1 percent of that which he would receive in the same period from natural sources."

SAFE LIMITS OF EXPOSURE

National Academy of Sciences: "Individual persons should not receive a total accumulated dose to the reproductive cells of more than 50 roentgens up to age 30 years, and not more than 50 roentgens additional up to age 40. (About half of all United States children are born to parents under 30, nine-tenths to parents under 40.)"

British Medical Research Council: "During his whole lifetime, an individual should not be allowed to accumulate more than 200 roentgens of whole body radiation, in addition to that received from the natural background, and this allowance should be spread over tens of years; but every endeavor should be made to keep the level of exposure as low as possible."

EFFECTS OF FALLOUT

National Academy of Sciences:

"Radiation in the general environment has not yet become a serious problem. In a few decades, however, radioactive waste products from atomic powerplants will represent an enormous potential source of contamination.

"Radiation from fallout inevitably contaminates man's food supply. Radioactive elements in the soil are taken up and concentrated by plants. The plants may be eaten by humans, or by animals which in turn serve as human food.

"At present the contamination is negligible. But the maximum tolerable level is not known. There is not nearly enough information about the long-term biological effects on man or animals from eating radiation-contaminated food."

British Medical Research Council:

"It is unlikely that the inhalation of radioactive particles present in the air as a result of fallout would constitute a problem in ordinary civil life.

"Account must be taken, however, of the internal radiation from the radioactive strontium which is beginning to accumulate in bone. At its present level, no detectable increase in the incidence of ill effects is to be expected. Nevertheless, recognizing all the inadequacy of our present knowledge, we cannot ignore the possibility that, if the rate of firing increases, and particularly if greater numbers of thermonuclear weapons [H-bombs] are used, we could, within the lifetime of some now living, be approaching levels at which ill effects might be produced in a small number of the population."

WHAT X-RAYS CAN DO

National Academy of Sciences:

"The average dental X-ray delivers 5 roentgens to the patient's jaw, but only five-thousandths of a roentgen of stray radiation to more remote parts of the body such as the gonads.

"Radiologists die 5 years earlier on the average than physicians having no known contact with radiation.

"The medical use of X-rays should be reduced as much as is consistent with medical necessity."

British Medical Research Council: "The amount of radiation reaching the reproductive organs of the people of this country [Great Britain] through diagnostic radiology is as much as 22 percent of that derived from natural sources. Indeed, in view of the minimum figures adopted in these calculations, the contribution of diagnostic radiology may well be very considerably higher than 22 percent. It undoubtedly forms the most important source of man-made radiation and its application has been steadily increasing in recent years."

SHORTENING OF LIFE

National Academy of Sciences: "Doses up to about 100 roentgens, when spread over years, have not been shown to shorten human life. On the other hand, we cannot yet say that there is a minimum amount below which the effect does not take place. If very large numbers of people were exposed to a gradually accumulated dose of 100 roentgens, or even less, their life expectancy might well be lowered by a minor, but statistically observable, amount."

British Medical Research Council: "A number of reports based on observations made on animals suggest that exposure to ionizing radiations may lead to a reduction in the expectation of life. No evidence has yet been published that this occurs in man."

GENETIC EFFECTS

British Medical Research Council: "The genetic effects to be expected from present or future radioactive fallout from bombs fired at the present rate and in the present proportion of the different kinds are insignificant. They might not be so, if present rates of firing were increased and particularly if a greater number of thermonuclear weapons were tested."

LUMINOUS WATCH DIALS AND TV SETS

British Medical Research Council: "The contribution of radiation from watches and clocks with luminous dials is also small but real. The main hazard is to workers in the luminizing industry, but the risk from the widespread use of such instruments is not entirely negligible.

"We recognize that there are circumstances which require the use of instruments with self-luminous dials. For the majority, however, there is no such necessity and their wider use constitutes an avoidable, if small, risk which could be minimized for all concerned if the amount of radioactive material in these instruments was reduced to the lowest possible level.

"It has been recognized that television sets give rise to very small amounts of X-rays but at the present time radiation from this source does not constitute either a personal or a significant genetic hazard. * * * So far as sets used by the general public are concerned, most of the radiation is normally absorbed in the apparatus itself and is insignificant at the usual viewing distances."

BOMBS AND THE WEATHER

National Academy of Sciences:

"Ever since the first atomic explosion, people have wondered about the possible effect of these superpowerful blasts on the weather and climate.

"The meteorology committee has considered the matter in the light of all the information collected over the past decade. Its conclusion:

" 'No evidence has been found which indicates that the climate has been in any way altered by past atomic and thermonuclear explosions. The amount of study given to the problem is sufficient to indicate that it is unlikely that any test explosions conducted in the number and along lines similar to past tests will have any important effect on the weather. However, this conclusion is based on our present knowledge and the importance of the subject requires continued study.' "

A TOP UNITED STATES SCIENTIST SAYS THIS

Dr. Shields Warren, Harvard pathologist and one of the leading United States scientists who directed work on the 1956 report issued by the National Academy of Sciences, testified before the Joint Committee on Atomic Energy of Congress on June 6, 1957, as follows

"I would say that at the present time, so far as the report [of the National Academy of Sciences] on pathological effects is concerned, that there are no points that as yet are sufficiently well established to warrrant a significant change in that report as it stands."

[From the New York Times of June 17, 1957]

CONFERRING ON THE ATOMIC DANGER

(By C. L. Sulzberger)

PARIS, June 16.—The Swiss Government is now considering whether to take the initiative in convening an international scientific meeting to discuss whether nuclear tests menace mankind's future. This is a praiseworthy idea. For, until the scientists themselves can get together, it is surely not reasonable to expect untutored politicians to agree.

At this stage the subject of radiation, fallout, and other repercussions, both direct and indirect, is generally regarded in the world as sorcery and witch doctory were viewed centuries ago. There is as little apparent agreement among the learned as among the uninformed on what evils the atom should be held responsible for.

The current Lancet, British medical journal, speculates that the virulent grippe epidemic sweeping westward from the Orient may result from nuclear experiments. Hotel proprietors from Italy to Scandinavia, disturbed by this spring's cool, moist weather, blame the bomb.

The ignorant little man who comprises 99.44 percent of this earth's population is deeply disturbed by bewildering experiments taking place around, beneath, and above him. A correspondent for the Times of London reported a farmer saying recently in Twin Springs, Nev.:

"You can't help feeling uneasy when you look up an see one of those clouds. You don't know what the hell it is all about—and as for the AEC—I wouldn't believe them on a stack of Bibles."

RADIATION RISE NOTED

Who and what are we to believe? Dr. Takanobu Shiokawa, professor at Shizuoka University in Japan, says the accumulation of fallout on the surface of Asiatic lands has more than doubled since 1955—because of weapons tests. Dr. Merrill Eisenbud of the AEC claims that within the same period there has been a tenfold increase in the amount of radiostrontium in American milk.

Dr. Alvin C. Craves, chief of AEC weapons testing, admits a really clean (fallout proof) superbomb is impossible to make. And everybody who has them—Russia, America, and Britain—is experimenting with superbombs. The 1954 Bravo explosion at Bikini is estimated at 15-megatons force by Dr. Ralph Lapp.

Dr. Lapp and Dr. Jack Schubert of the University of Chicago claim that by last January the energy exploded in experiments had already approached 100 megatons in value—50 times the total explosive tonnage dropped on Germany in World War II. With all three possessor powers busily touching off bombs since then—in Siberia,

in Nevada, and on Christmas Island—that limit has surely been surpassed.

What this is doing to present and future generations simply cannot be said. There has not yet been serious international consultation on the matter such as the Swiss are contemplating. Dr. Willard Libby of AEC thinks the present rate of testing can safely go on for decades. Dr. William F. Neumann, a biochemist, believes the earth's atmosphere is already near the permissible saturation point for strontium 90.

SCIENTISTS DISAGREE

Geneticist James F. Crow insists tens of thousands of people will be diseased, deformed, or doomed by fallout if the present rate continues. Prof. C. H. Waddington of England remarks of tests: "My personal view is that the biological cost of them is not large."

The most lurid account of dangers ahead was given in last spring's Oslo broadcast from Dr. Albert Schweitzer. But Schweitzer's grimmest warning concerned the menace of waste from the Hanford, Wash., atomic plant, flowing into the Columbia River. He foresaw a kind of geometric progression of radioactivity multiplying its venom from plankton to fish to insects to birds to the yolks of those birds' eggs.

In fact, the danger to mankind is possibly as great from unwise peaceful use of nuclear energy as from excessive testing of weapons. (Naturally, if the latter are ever put to work in a business sense, finis will be written to both problems.)

What we must get used to—and quickly—is the potential danger of all atomic energy. Last year a thoughtful report on "The Hazards to Man of Nuclear and Allied Radiations" was published in England by the Medical Research Council and signed by such distinguished scientists as Sir John Cockcroft. This concluded:

"The hazards to health are qualitatively the same, however, whether they arise from nuclear weapons or from the use of ionizing radiation for peaceful purposes. The difference is one of degree or intensity only."

Obviously, such being the case, it would be wise if the Swiss, before formulating the invitations to their conference, were to broaden its contemplated scope. The danger to humanity arises not merely from the explosion of nuclear arms. It derives from the atom itself. This is a very small entity but still immensely unknown to most of us, including statesmen, whether we wish to use it for good or ill.

FEDERATION OF AMERICAN SCIENTISTS,
Washington, D. C., June 14, 1957.

Hon. MIKE MANSFIELD,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MANSFIELD: Enclosed is a copy of a statement released June 12 by our executive committee, in regard to our proposal for a ban on the further testing of large nuclear weapons.

We believe that this is a practical step which can and should be taken soon, and which may greatly facilitate further disarmament negotiations. We have urged Congressional action in the form of the draft resolution sent to you with my letter of May 23. We shall be interested in receiving your reaction to our proposal, and would welcome an opportunity to discuss it with you in more detail.

Respectfully yours,

PAUL M. DOTY,
Chairman.

TEXT OF STATEMENT FAVORING BAN ON LARGE NUCLEAR WEAPONS TESTS BY THE EXECUTIVE COMMITTEE OF THE FEDERATION OF AMERICAN SCIENTISTS

The Joint Committee on Atomic Energy has just completed extensive hearings on the potential dangers of radioactive fallout from nuclear weapons tests, and the information revealed at these hearings should make a valuable contribution to public appreciation of this aspect of the nuclear testing problem. While there is uncertainty as to the extent of the hazard, it is clear that the three nations currently involved must carefully weigh their reasons for further testing of large nuclear weapons against the damage that may be done by such testing. On the other hand, decisions regarding limitation of future bomb-testing programs must ultimately rest on other factors of a political and strategic nature, and the current concentration on the radiation hazard problem should not be allowed to obscure these other considerations. The executive committee of the Federation of American Scientists (FAS) wishes to call attention to a number of points which may help to place the question of a nuclear weapons test ban in proper perspective, and which argue for a ban on the testing of large nuclear weapons at the present time:

1. It is of the greatest importance in discussions of a nuclear weapons test ban to distinguish clearly between small and large bombs. Only the large bombs can be detected with assurance by monitoring systems outside national boundaries, and for this reason, they are the only bombs subject to a self-enforcing ban. The testing of large bombs is by far the major source of fallout radiation; testing of small, tactical weapons adds little to already existing radiation levels.

AEC Commissioner Libby has stated the importance of continuing our nuclear weapons testing program until international agreements to cease all nuclear weapons development are reached, together with the necessary inspection provisions. However, the requirements for international inspection appear to be an insurmountable obstacle in reaching an agreement concerning all nuclear weapons at the present time. On the other hand, a ban specifically limited to the testing of large nuclear weapons would not depend on inspectors stationed within national boundaries, and would more likely be acceptable to the major powers.

From the unclassified information available, an estimate can be made of the size of weapons detectable with extranational monitoring systems like those currently in operation. Our scientists are confident that there should be no difficulty in detecting explosions above the level of 100 kilotons. Even much smaller explosions can be detected with a high degree of probability, and might be excluded also, since the high probability of detection would discourage attempts to circumvent the agreement. Monitoring techniques that would insure the detection of violations are already available, and responsibility for supervising monitoring operations could be vested in an appropriately constituted United Nations agency.

2. Since 1945, this country has worked unceasingly in the U. N. to find a formula for disarmament that would remove the threat of a catastrophic third world war. In the absence of a satisfactory international disarmament agreement, we have continued to build up our retaliatory power to a maximum, as a deterrent to aggression, and to test nuclear weapons as an essential part of this buildup. Our production facilities have been in operation longer and we have conducted more tests than other countries. Now, there is good reason to believe that we already have, or can soon have without further testing, more than enough large nuclear weapons capacity to deter any potential aggressor. We could, until further disarmament agreements are reached, continue to stockpile large nuclear weapons, thus preserving the deterrent value of our atomic arsenal.

3. A ban at this time might have an important effect in slowing down the development of refined nuclear weapons, particularly H-bomb warheads of a size deliverable with the intercontinental ballistic missile (ICBM). The slowdown of development along these lines would be at least as great for the Russian program as for our own. Perfection of this terrifying weapon would put all countries, including our own, at the mercy of an aggressor nation that could launch a surprise attack against which there would be no adequate defense. Once this weapon has been developed and produced, it will be extremely difficult to devise practical inspection systems to disclose the stockpiles, and it will be far more difficult to reach international agreement on the detailed inspection systems that would be necessary.

4. The potential hazard from radioactive fallout has become a moral problem which has attracted critical comment and discussion from responsible people around the world. A moratorium on large bomb tests would minimize this threat, and would allay the present worldwide anxiety over radiation hazards from fallout.

5. So far, only three countries have produced and tested A- and H-bombs: the United States, Britain, and the U. S. S. R. Many other countries are building or soon will be building atomic piles, and some anticipate producing nuclear weapons material. In a very few years, several such countries will be in a position to make bombs and to conduct tests. The danger of a worldwide conflagration from a mistaken judgment or hasty act on the part of a nation armed with nuclear weapons will be minimized if the number of nations possessing such weapons does not increase.

In view of these considerations, the FAS renews its proposal that the United States Government take the leadership in the United Nations for negotiation of an international agreement prohibiting further test explosions of large nuclear weapons. We propose that the initial agreement be restricted to nuclear weapons above a size-limit to be specified after discussions among the technical delegations of the nations negotiating the agreement, and we urge that a U. N. agency be established to supervise the monitoring procedures necessary to detect violations.

If an international agreement to ban further tests of large nuclear weapons could be obtained without first attempting to solve the other more difficult problems requiring complicated inspection and control schemes, all the nations of the world would benefit, and a first step would have been made toward further disarmament agreements. The ban would test the sincerity of the participants in the negotiations, and, most important of all, it would offer hope to the peoples of the world that some progress is being made toward a workable, effective technique for the international control of nuclear weapons. Our representatives at these negotiations would make an important contribution to world peace if they could obtain agreement on stopping large nuclear weapons tests as a first small, practical step toward the ultimate disarmament which is the goal of our national policy.

Mr. GREEN. Mr. President, I rise to present to the Senate the report of the Committee on Foreign Relations recommending that the Senate give its advice and consent to the ratification of the statute of the International Atomic Energy Agency.

It gives me especial satisfaction to do so at this time, since the Senate has been, for some hours, impressed with the dangers of the present situation. This report provides the means by which we can undertake to meet and overcome those dangers.

Only infrequently in the past has it been given to Members of the Senate to exert upon the international community that degree of influence which is commensurate with the responsibilities of the United States as a world power. Under our Constitution, of course, that influence, whether benign or adverse, is largely dependent upon policies followed by the Chief Executive acting through his Secretary of State; whereas, the impact of Senate action is not always readily apparent.

The role of the Senate, while indispensable in the treaty process, is normally a subordinate one in foreign affairs. But every so often we are asked to give our consent to a document which has such pervasive significance for our people, and also the people of other nations, that what the Senate does—or fails to do—may be of critical importance for the future of our Nation. In such a situation, the impact is direct and profound.

Mr. President, the statute of the International Atomic Energy Agency, which we are now considering, offers the Senate such an occasion. We are given an opportunity to make a positive contribution, not only to the prestige and authority of the United States but also to the betterment of human welfare throughout the world.

When, on December 8, 1953, the President of the United States announced to the General Assembly of the United Nations a proposal to create an international authority for the peaceful development of atomic energy, the nations of the world were electrified. The response was inspiring. Here, at last, appeared to be a way to break the atomic impasse which threatens to engulf us all. At last, for the first time, the attention and energies of the world community were focused upon methods to advance the peaceful potential of the atom in a great cooperative effort.

The statute now before the Senate is the outgrowth of President Eisenhower's proposal. It seeks to introduce a semblance of international order in the development of nuclear energy, a field which cries out for relief from the condition of anarchy which the world has allowed to develop.

At the present time, each nation is proceeding with its atomic energy program without any let or hindrance upon its activities, without commonly accepted standards of health and safety, and without protection against the careless use of fissionable materials by other nations. Chaos reigns.

On the other hand, there are many nations whose resources are so limited that without the assistance of an international agency their peoples must long remain deprived of the great blessings which are locked within the atom. For these peoples the power of the atom holds out hope for economic advancement and the promotion of human welfare. It means electrical energy. It means revolutionary improvements in agriculture and industry. It means progress in the diagnosis and treatment of disease. It is in these fields that the true promise of the atom lies, rather than in its use for military weapons and destruction.

These, in general, are the objectives of the statute before us. They would be achieved through the creation of an international agency, vested with responsibility for advancing the peaceful uses of the atom, in the interest of the general welfare of humanity. To that end it is contemplated that source materials and fissionable elements will be pooled, and that member nations will provide the means of cooperative action in the interest of all members. As a necessary adjunct to this program, the treaty provides a mechanism of inspection and controls against the use of atomic energy for military purposes by any nation receiving fissionable materials from the agency.

I cannot emphasize too strongly the importance of this mechanism. It may come to pass that the system of inspection and controls instituted by the statute will one day prove to be its greatest accomplishment. This is because the statute provides, on a modest scale, a realistic testing ground for the feasibility of a more extensive inspection system.

In this way, Mr. President, what has been designed essentially as an instrumentality to advance the peacetime use of the atom, may also provide the basis for a reliable system of restraints upon its wartime utilization.

A great many allegations have been made concerning the statute of the International Agency which the Committee on Foreign Relations found wholly lacking in substance. It has been charged, for example, that the United States would be giving away millions of dollars' worth of fissionable materials. It has been charged that these materials could be used without question by the recipient nation for the manufacture of atomic weapons. It has been charged that the Agency would be given classified information on nuclear energy which would prejudice the security of the United States. The committee weighed all these charges, and dismissed them as unfounded.

It has been charged, furthermore, that the United States, with only 1 vote in an organization of 80 members, would be outvoted, and that the policies of the agency would be dominated by unfriendly nations. I can assure the Members of the Senate that this will not be the case. Anyone who takes the trouble to examine the method adopted in article VI of the statute for selecting the Board of Governors, will quickly realize that this body is so constituted that the United States is unlikely to be overwhelmed by adverse votes. The predominant influence in the Board is in highly responsible and friendly nations.

It is not my purpose, Mr. President, to review here the provisions of the statute of the new international agency. Those provisions have been summarized with considerable care in the report of the Committee on Foreign Relations. In that report is also to be found a discussion of some of the more common misconceptions concerning this treaty.

For example, contrary to an impression which somehow seems to have made headway, the United States does not obligate itself to put even a single kilogram of uranium 235 at the disposal of the Agency. The statute specifically declares in article IX that "members may make available to the Agency such quantities of special fissionable material as they deem advisable." Paragraph C of that article makes it plain that any such contribution by the United States would be in conformity with the laws of our country, so that if Congress at any time chooses to modify or increase the limitations under which uranium 235 or any other material may be made available to foreign governments, it may do so, notwithstanding any earlier provision of law to the contrary. It is true that we have indicated to the rest of the world that we are prepared to make available for the program of the Agency, 5,000 kilograms of U–235 of not to exceed 20 percent enrichment. But we are not formally bound to do so, and the times and amounts of this material to be delivered are entirely within our discretion. These matters will be appropriately dealt with in agreements to be entered into by our Government with the Agency for that purpose. Moreover, the agreements must satisfy the conditions of our own Atomic Energy Act of 1954, including the requirement that agreements must be submitted to the Joint Committee on Atomic Energy for a period of at least 30 days.

A second misapprehension is that fissionable or other material we may make available to the Agency will not be paid for. Nothing in the statute requires the United States to donate any uranium-235 to the Agency or to any government. In other words, this is not a giveaway program. Here, again, the statute expressly provides that one of the terms of any arrangement for transfer will be an agreement on the price to be paid.

There are 1 or 2 other aspects of the statute which deserve particular notice. One of these relates to the system of safeguards established by the statute to insure that a recipient nation will not divert to a military purpose the material it acquires. Article XII of the statute, which deals with this question, was drawn with great care. The more one reflects upon it, the more admirable these provisions seem. Under article XII, grantee states accept some very important restrictions upon their sovereignty, in favor of an international control of their domestic activities. I should add, in parentheses, that these restrictions do not apply to a grantor government.

It is my conviction, Mr. President, that the system of safeguards to be applied by the Agency is such as to render most unlikely any misuse for military purposes of the materials furnished. The fissionable materials to be furnished by the United States are far below the quality required for weapons use. To convert them to weapons quality would require construction of a most elaborate plant, a costly enterprise which could not escape detection. The committee, after all the evidence was in, was satisfied that the risk of misuse does not present a serious objection to the treaty.

Those who examine the system of article XII will see that it parallels very closely the principles adopted in our own bilateral agreements concluded under section 123 of the Atomic Energy Act.

This was another reason why the committee, after thoroughly considering the matter, came to the conclusion that there would be no undue risk to the national security from United States participation in the work of the Agency.

Another comment I desire to make bears upon the need for a multipartite agency, in view of the relative success which is being realized under our bilateral program. What advantages do we obtain from the Agency, it may be asked, which are not available under the bilateral arrangements being negotiated by the United States?

The great weakness of the bilateral program lies in its inability to establish worldwide standards in the handling of nuclear materials, and in safety and health measures which must be adopted to safeguard all nations. Intensification of competition between various supplying countries proceeding upon a bilateral basis must inevitably result in depressed standards of health and safety.

On the other hand, we have already learned that there are definite limitations upon the extent to which the United States may go in its bilateral programs. Many nations which are intensely eager to take advantage of atomic developments for the advancement of their peoples, are nevertheless reluctant to compromise their neutralist position in the East-West rivalry. This is particularly so because the inspection and control safeguards which we insist upon in these treaties are distasteful to these nations when administered by another power; but they would be accepted under the authority of an international body.

There remains one further aspect of the statute which I must mention. I refer to the provisions of article XVIII on amendments. Under paragraph C of that article, amendments to the statute which have been approved by two-thirds of the member states in accordance with their constitutional processes, come into force for all members, even those which fail to ratify the amendments. However, in virtue of paragraph D of article XVIII, any member who is unwilling to accept an amendment to the statute may withdraw from the agency. Failure to exercise the right to withdrawal necessarily means that a nonratifying member is bound by the amendment in exactly the same way as all members who have approved it.

This feature of the statute was the object of a penetrating examination by the committee. That which disturbed its members was the legal possibility that the United States might find itself bound by an obligation rejected by the Senate, unless the executive branch took affirmative action by exercising the right of withdrawal. In the view of some members of the committee, this situation was fraught with future difficulties arising from a possible difference of views between the executive and legislative branches as to whether the United States should or should not accept a given amendment.

For my part, Mr. President, I believe this concern to be exaggerated because of the position which the United States would occupy in the agency. It is hardly conceivable that an amendment unacceptable to the United States would be adopted by two-thirds of the membership over our determined opposition. If that eventuality ever materialized, I am sure that it would evidence such a state of affairs that we would no longer desire to participate in the agency. I have no doubt that if the national security were threatened by any such development, the President and Congress would move swiftly to terminate our membership.

Nevertheless, the committee believes it to be important that no uncertainties exist as to the Senate's intention with respect to the effect of any amendments which it refused to approve. For this reason, we have recommended that the resolution of ratification embody an interpretation and understanding containing two elements: First, that any amendment to the statute would be submitted to the Senate for its advice and consent; and, second, that the United States will not remain a member of the agency in the event of adoption, as a part of the statute, of an amendment which is rejected by a formal vote of the Senate.

The second element constitutes something in the nature of a condition subsequent. The Senate's consent to the statute is made effective until the time that an amendment is adopted which fails of Senate approval. When that happens, United States membership will terminate. Thus, the interests of the United States are completely protected.

Let me add that this understanding was not adopted out of any distrust or lack of confidence in the executive branch. Something far more fundamental was involved in the committee's action. We believed that article XVIII contained a potential hazard to the constitutional division of responsibility between the Chief Executive and the Senate in the treaty process. To acquiesce in any procedure which permitted a treaty to be amended without senatorial advice and consent would, in the view of the committee, be an abrogation of the Senate's duties under article II, section 2, of the Constitution. The understanding recommended by the committee eliminates any such implication.

In conclusion, Mr. President, it is my fervent hope that the Members of this body will not merely approve the present treaty by the necessary two-thirds vote, but that they will endorse it overwhelmingly. Such support would constitute a sign to the rest of the world that we are joining the new Agency without timidity, in the full endorsement of its lofty and humanitarian objectives.

In all candor, Mr. President, I would be deeply saddened if it ever could be said that the opportunity which now lies before us was lost. American resourcefulness, joined to the surging tide of history, has given us an unparalleled opportunity to make an affirmative contribution to the welfare of humanity. In my judgment, if we repudiate the proposal which we conceived, and which kindled the hopes and imagination of peoples everywhere, the effect upon United States prestige throughout the world would be most serious. We would stand discredited in the eyes of other nations, while the Soviet Union, which has already ratified the statute, would present itself as the apostle of atomic peace.

I, therefore, urge the Senate to give its wholehearted approval to the statute of the International Atomic Energy Agency.

During the delivery of Mr. GREEN's speech,

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a request?

Mr. GREEN. I yield.

Mr. JOHNSON of Texas. Mr. President, as is our universal practice when a treaty is under consideration, the leadership asks for the yeas and nays on its ratification. Therefore, in order that all Senators may be on notice that there will be a yea-and-nay vote, I ask that the yeas and nays be ordered on the resolution of ratification.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. I thank the Chair, and I thank my distinguished friend from Rhode Island. I ask that these remarks appear in the RECORD at the conclusion of his speech.

I commend the Senator from Rhode Island for his diligence and promptness in bringing the treaty before the Senate. I do not know how his committee has done as much as it has done, by having brought the mutual-security bill and the treaty before the Senate at almost the same time. The Senator from Rhode Island and his committee are to be congratulated. I appreciate the fine work they have done.

I enjoyed the very constructive and intelligent address made today by the assistant majority leader, the distinguished Senator from Montana [Mr. MANSFIELD]. I am very proud of the work the Committee on Foreign Relations has done in this field.

Mr. GREEN. I thank the majority leader for his gracious remarks.

Mr. WILEY. Mr. President, it is my purpose today to join in support of the historic treaty which now is pending before the Senate for ratification.

The unanimous action of the Senate Foreign Relations Committee in approving this treaty indicates the well-deserved degree of its acceptance.

Executive Report No. 3 by our committee well summarizes the case of American participation in this Agency.

At any time, the case would be strong for America joining in an organization devoted so crucially to the betterment of mankind.

At any time, America would be glad to give its support to so fine an opportunity for service by harnessing the miracles of science to mankind.

But at this particular time in history there is a special case for ratification of this treaty. The reason is because, at this very moment, we are endeavoring to agree upon some form of mutual inspection system with the Soviet Union, so that there could not be a surprise attack against one or the other.

To reach agreement on such an inspection system requires the greatest of care.

We must have ironclad safeguards to prevent Soviet abuse of this right.

But almost everyone is agreed that inspection is one of the answers to prevent a potential aggressor from preparing his forces in such a way as to get a surprise advantage for world war III.

So it is our hope that out of the inspection provisions of the Atomic Energy Treaty may come a practical method, practical experience, which can be expanded into a larger inspection system.

FEARS HAVE BEEN DISCOUNTED

In the course of the committee hearings on the treaty, administration witnesses effectively answered the numerous fears which had been raised concerning this treaty. All sorts of such fears had been presented to the committee.

There were fears that the donated fissionable materials might be diverted from their intended peaceful use. There were fears that a country which the United States would regard as ineligible to receive fissionable materials, that is, like Red China, might receive fissionable materials through the back door. Other fears as well were expressed.

Each and every one of these doubts was effectively answered in the course of the committee hearings. That does not mean, however, that the treaty is foolproof. It does not mean that this instrument, as in the case of other instruments, might not potentially be abused.

Actually, we know that any treaty is no better than the men who carry it out. If a treaty is to be fulfilled in its letter and spirit, then there must be the will, intent, and purpose on the part of those who are fulfilling it to genuinely achieve its objectives.

A treaty can be a mere scrap of paper, or it can be a great tool for a man's benefit. I believe that the pending treaty will not be a mere scrap of paper. I believe that it may well prove to be a great landmark in the history of mankind.

Three and a half years have elapsed since President Eisenhower's great address before the United Nations General Assembly on December 8, 1953.

During those 3½ years men have been working toward implementing that great address.

Today we have the results of their work. I say that these results are worthy of our support.

The world looks to the United States for atoms-for-peace leadership. We must not disappoint the world.

The Soviet Union had originally attacked the idea of an atomic-energy treaty, but when it found virtually all of mankind aroused against it, the Soviet Union changed its tack. That is why it was one of the first to ratify this treaty.

I do not doubt that the Soviet Union may still try to change the treaty, to use this treaty for its own purposes. But that is no reason why we should be filled with fear. Instead, we must be vigilant to prevent such abuse.

We have a tool. We have an instrument. It depends upon how we and like-minded nations now use it.

I earnestly hope, therefore, that my colleagues will join in overwhelming approval of the treaty, as I believe they will. By doing so, we will not simply be making a propaganda gesture to mankind, for we are not interested in mere token activities for atoms for peace. We are interested in solid results, and this treaty, if wisely applied by men of prudence and care, can help achieve that great objective.

Mr. PASTORE. Mr. President, the Statute of the International Atomic Energy Agency is before the Senate by virtue of the action and recommendation of the Committee on Foreign Relations, which has had the statute under consideration.

I must preface the remarks I intend to make on the statute by an expression of gratitude and congratulation to my colleague the senior Senator from Rhode Island [Mr. GREEN] and to the committee of which he is chairman.

Let me thank the Senator from Rhode Island and his committee, first of all, for their courtesy in permitting me, as a member of the Joint Committee on Atomic Energy, to sit with them, with the privilege of participating in the discussions and of examining witnesses. It was a vantage point from which I could witness the competence of the chairman and the committee, their industry and integrity, their high patriotism and sense of international responsibility in this day of decision.

All of these are qualities which have always been evident to their fellow Senators, and perhaps need no embellishment from me. They are emphasized in the report the committee has submitted, which, in itself, may well be treasured as one of the important documents of this nuclear age. But I would be remiss to myself if I did not thus record another demonstration of the dedicated statesmanship of my colleague the senior Senator from Rhode Island, and his committee, as I have seen it in this important measure that moves toward world cooperation and world peace.

I add my voice to those speaking in support of the statute for the International Atomic Energy Agency. I can understand something of the fears of those who are not certain that they can commit themselves to its support, and I want them to understand something of the faith I have in this statute as a great forward step to world peace.

I am not one who can be characterized as being starry eyed. I, too, am intent that any special nuclear materials supplied by the United States for reactors may not be diverted from peaceful uses. It is my belief that an adequate system for inspection and control to prevent such diversion can be set up, and I believe that it is set up in the statute.

This conclusion is reached, in part, from my own personal practical experience derived from my 4 years as a member of the Joint Committee. In particular, I have in mind a trip I took last winter to a number of atomic energy installations.

On that trip I saw and studied some 19 different reactors of all kinds and descriptions. Among my stops were the Argonne National Laboratory at Chicago; Sandia at Albuquerque; the University of California at Los Alamos; the North American Aviation Company in Los Angeles; General Electric Company at Vallecitos; University of California at Livermore; Hanford Works at Richland in the State of Washington; and the National Reactor Testing Station at Idaho Falls.

Those operations are not haphazard. By their very nature they could not be. Techniques of inspection and control had to be set up, and those techniques must be adequate even for operations that have no immediate relation to other nations.

For the fuel involved is immensely valuable. It is powerful in process, and it is radioactive when extracted. For its worth as uranium alone, it could not be handled with more care if it were pure gold. Its movements are checked and double checked.

Then consider the construction of those reactors that I saw—those that were capable of producing energy in an appreciable amount. The fuel is locked up as safely and securely as though it were in a vault. The metal containers around the fuel are liquid tight and gas tight, and around the containers are immense concrete walls and other walls.

One can imagine the effort it requires to remove the fuel from the core. It involves a major, if not a complete, shutdown of the reactor.

The fuel, when extracted, is so hot—radioactively speaking—that it has to be handled at a great distance and with infinite care. For safety reasons, each reactor has many interlocking and overlapping devices. Most of these register even minor changes in the reactor operation, let alone major variations. Nothing is left to chance.

In the statute these techniques of inspection and control are expanded. They would preclude the diversion of the fuel from the purposes intended by this Government.

Moreover, these reactors, because of their intricacy and immensity, can be had only at great expense. A nation would have to undergo real financial stress to establish one. It seems unlikely that such a nation would try any devious means to siphon off any materials for military purposes.

After all, if any such nation, prepared to make such a financial commitment, wanted to get into the military end of the atomic energy game, it could do so on its own without any strings whatsoever. America does not hold a monopoly on the laws of nature.

That, Mr. President, I think is a point on which we can lay especially strong emphasis. Many who are opposed to this statute are living, I believe, under the mistaken impression that we have a monopoly of all this knowledge and all this material, and now we are ready to open up the Pandora's box and expose it to the rest of the world.

Mr. President, I might suggest that the Pandora's box is already open. The knowledge we possess today is not exclusively within our own keeping. The material we possess today is not material to be found alone in the United States of America. There are other nations in the world which possess and own similar material. They possess and

have the knowledge of which we are speaking today. Principally I refer to Russia itself.

So let us not delude ourselves into believing that we are sitting tight on all this knowledge, all this technology and all this material, and that now we are going to let the rest of the world in on it. There is not a blessed thing this international agency can do or give that some of the other nations today cannot go to Moscow and get. That is a very important consideration we must bear in mind, because if we forget that, we forget the very spirit, the very keystone and the very inspiration that gave birth to the idea which is being developed on the floor this afternoon.

I have said our precautions as to inspection and control are expanded under this statute, and I have studied those provisions very carefully.

These precautions make it possible for the Agency to watch and approve the entire project of any reactor from its first design, through its construction and operation—and up to the extraction, processing and further use of its materials. The controls under the statute are as alike to the controls in our power bilaterals as they could be.

They afford every opportunity not only to detect diversion if it should be tried, but even to plan to prevent diversion before it is undertaken.

The Atomic Energy Commission has stated emphatically that the inspection and control factors of the statute are adequate. This is the assurance of its Chairman, Mr. Strauss, the assurance of Mr. Murray, and the assurance of its officer—a scientist—responsible for this phase of the Agency operations. Their statements have been made without any disagreement or contradiction from any quarter. No person—much less any scientist of any repute—ever challenged any of these statements before the Foreign Relations Committee. Indeed, the only additional testimony from scientists who appeared before the committee corroborated this belief. All these assurances are sufficient for me, and I feel they should allay any fears on the part of any Member of this body.

So much for fears. Now let me speak of my faith. With an international system of inspection and control, I believe the peaceful uses of atomic energy can develop on a uniform and adequate and worldwide basis.

I believe such uniformity would minimize the possibility that this field, by competitive undercutting, could turn into "atomic anarchy" as it was described by Mr. Strauss and by Mr. Murray.

In this I see the most important advantage of the Agency over bilateral agreements.

I should like to digress again for a moment, to make another point which I think needs to be emphasized. One of the arguments which will be made by those who oppose—if there is any opposition—is, "Why get into this international agency if we have bilateral agreements with all the countries with which we are friendly?" I have heard that argument.

That is a very cogent, a very strong, and a very valid argument, but we must remember that the line which demarcates the difference between using this material for peace or for war is only fictional. Therefore, the inspection of this material and the inspection of the geography which may be concerned with the development of these projects is essentially the same if one inspects for peace as if one inspects for war.

If we can develop this international attitude toward inspection and control, which will give us the bedrock and the foundation for further expansion, so that one day we can use these procedures, use this technique, and use this knowledge in order to inspect and control against the purposes of war, we possibly will find the key which will open the door for peace in our time and for generations to come. That to me represents the entire efficacy of the whole idea. If we only will develop an international attitude which will lead to international cooperation for inspection and control of atomic energy, so that it will be used exclusively for peace and not for war, we may in our time be guaranteeing peace to ourselves and to our children.

Inspection and control provisions for these international programs can be similar for similar projects, and competing nations will not try to cut under these provisions in their bilaterals merely for the sake of making another sale. The international standards would prevail.

While these provisions would apply primarily to the ability to prevent the diversion of materials for military purposes, they would also apply to the standards of health and safety which will be used by nations as they undertake new programs.

This will be a source of protection to their own peoples and to other peoples of the world, as well, since winds and ocean currents could carry radioactive debris from operations that might otherwise be unsupervised and unsafe.

Regardless of the existence of the Agency, atomic-energy plants will be built around the world. I emphasize that statement. We cannot stop science. Under the Agency, the world would have the assurance of safe operation.

However, my faith in the Agency goes beyond these advantages. Senators will remember that the Agency was suggested by President Eisenhower at a time when there was no hope among nations for disarmament talks. Gloom and despair of ever solving the atomic dilemma had seized upon the world.

The President made the suggestion in an effort to find some part of the atomic program on which international agreement could be reached. To the extent that the inspection and control features of this Agency begin to work and work successfully, we will have begun to find the answer to the inspection and control problems of atomic arms.

This Agency is not established to police weapons. I do not expect that it ever will. But the experience of this Agency can prepare the way for the science and law and public acceptance of international arms control.

To me, this is the best hope for the future.

It cannot be realized under any system of bilaterals.

My faith is reinforced by what I would call the spirit of the Agency—the inspiration it has given to men. It is an inspiration to find the matters upon which they can agree rather than to emphasize attitudes that lead to division and disintegration.

This inspiration seems to have started with the President's speech before the General Assembly of the United Nations on December 8, 1953. A spark was kindled in the heart of all nations who heard him—and hope was kindled in the heart of every man, woman, and child in the world.

For over 2 years I have had the privilege of living and working very close to the spread of that flame of hope. The earliest draft of the statute was fully described by Ambassador Morehead Patterson before the Subcommittee on Agreements for Cooperation of the Joint Committee. This was before the 1955 draft was given to the Soviet Union and to those nations who are members of either the United Nations or its specialized agencies.

That very fall of 1955 I was honored to be designated as a delegate to the 10th General Assembly of the United Nations. There I had the responsibility of presenting the views of the United States on the method of arriving at a final draft of the statute. It was at that time that the United Nations decided upon the full international conference to be called in the fall of 1956.

I debated the future course of the Agency in the First Committee of the General Assembly and I talked to a great many of the delegates from other nations.

After the working level group had finished revising the draft statute in Washington in the spring of 1956, Ambassador James J. Wadsworth came before the Subcommittee on Agreements for Cooperation and discussed the draft statute in its revised form.

Lastly, I had the honor to be named as one of the congressional advisers to Ambassador Wadsworth at the conference on the statute held at the United Nations last September and October. This was when the final draft was agreed upon.

I cannot let this moment pass without expressing my own personal approval of the manner in which Ambassador Wadsworth and his staff handled the negotiations at the conference. It was due to their integrity, patience, and skill that the statute reached its present form.

The other Members of Congress who were named to be congressional advisers were Senator BRICKER and Representatives COLE and KILDAY. At the invitation of the Foreign Relations Committee, both Representative COLE and Represenative KILDAY, as well as Representative DURHAM, chairman of the Joint Committee, filed with the Foreign Relations Committee statements in support of the statute.

If I seem to speak with the authority of experience, it is an authority that this

Congress vested in me serving as your agent as a member of the Joint Committee and attending, as congressional adviser, the conference last fall. It was a privilege so to act, but with it goes the responsibility of bringing to Senators my beliefs, which could be their own if they had served in my place.

I am satisfied with the efficacy of controls under article XII. Suspicion as to the possibility of nuclear materials leaking to unfriendly nations is purely academic. There is no shortage of fissionable materials in possession of a nation that might give us concern. Bilateral agreements could give small nations the impression that we are dealing from a position of power, dictating as we deal out our generosity. The international statute is a call to cooperation in an atmosphere of trust and respect. The peaceful progress of the world and the prestige of America depend on the promptness with which we join.

This is the deep American thinking of devoted individual minds. This is the hopeful cooperative thinking of representatives of the 81 nations in attendance at the conference. As the 24 articles of the statute received individual consideration, there was no negative vote cast. The statute, as a whole, was approved unanimously. Eighty nations signed the pact. It awaits the signature of the United States, which inspired it.

The accomplishment, to date, is the culmination of what I have called the spirit of the Agency. Never in my life have I seen a group of Government officials, representing so many different points of view, so intent upon coming to reasonable agreement on any subject. It made an indelible impression on me. It reflected the world longing to reach a reasonable accord.

Now that the Senate has had opportunity to study and examine the statute, I pray that the same spirit will move the Senate to grant its advice and consent to the ratification of the treaty by a vote that will recall our enthusiasm of 1953.

We invited the world to a wide and wonderful field of peaceful cooperation. Let us accept our own invitation.

Mr. GORE. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GORE. I congratulate the able junior Senator from Rhode Island, my friend and esteemed colleague on the Joint Committee, for one of the most eloquent speeches I have listened to in this body. I appreciate the opportunity of working with him. His probity, his intellect, and his character are an inspiration.

Mr. PASTORE. I thank the Senator. He is very generous and very kind.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. GREEN. In the first place, let me thank my distinguished colleague, whose kind words about my address are highly appreciated. Even more, I was moved by his admirable exposition of the situation in which we find ourselves today. It seems to me that he shows a great grasp of the situation, and a fine conception of what our actions should be.

Mr. PASTORE. I thank my colleague.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HUMPHREY. I join my colleagues in commending the distinguished Senator from Rhode Island for his statement, and most of all, for the work which he did before the statement was made; for the work which he performed as a delegate to the United Nations, the fine efforts he made, and the effective contributions he made as an adviser in connection with the consummation of this treaty. It was a work of statesmanship, and all his colleagues are very proud of his contribution.

Mr. PASTORE. I thank my colleague from Minnesota. However, I think I should emphasize—and it needs emphasis and reemphasis—that I was amazed, impressed, and exhilarated by the devotion and dedication of Ambassador Wadsworth and his staff, and the excellent work they did at the United Nations.

They were imbued with a deep sense of patriotism the like of which is rarely seen in individuals. They were very patient. They were very judicious. They were cooperative. The contribution which they made was made in a spirit of cooperation, a spirit of devotion to the interests of humanity, and seeking, if possible in this dark hour, to find some lamp to light the road to peace.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. DOUGLAS. I join my colleagues in congratulating the Senator from Rhode Island for his eloquent, moving, and logical statement. It is one of the best expositions I have heard of the nature of the Atoms-for-Peace Treaty, and the problems connected with it. I think the Senator from Rhode Island deserves the thanks of the entire Nation for the work he has done in the years which have gone by. We know that in the years ahead a great career of even increased usefulness will open up before him.

Mr. PASTORE. I thank the Senator from Illinois.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. CASE of New Jersey. I join my colleagues in their expression of appreciation to the Senator from Rhode Island for a very learned and persuasive, and, as the Senator from Illinois has said, moving address on this most important subject. It is in the highest traditions of the Senate that he has served as a member of the Joint Committee on Atomic Energy, as a Senator, and as our delegate to the United Nations in this most important field. All of us share with him the belief that this is the right and proper and only way in which we can make progress toward bringing within the control of reasonable men of good will this awful force which has been unleashed.

I am grateful for the bipartisanship he has shown and for the fairness with which he has dealt with this problem, without any considerations of party, or anything like that. Here we are Americans, and Americans only. I cannot too strongly express my appreciation to the Senator from Rhode Island for his splendid address.

Mr. PASTORE. I thank the Senator from New Jersey.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. WILEY. I, too, would like to commend the Senator for what I call a speech of a real statesman. His was a constructive address, which expressed the efforts of those who had a job to do, and gave credit where credit was due. Besides that, he outlined his own conviction so dynamically and so clearly that anyone who listened to it or who will read it will find in it the words of wisdom.

Mr. PASTORE. I thank the Senator.

Mr. HUMPHREY obtained the floor.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may yield to the Senator from Oregon [Mr. NEUBERGER]. I wish to say to my good friend from Illinois that I shall be glad to yield to him also, because I know he has a statement he wishes to make.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the Senator from Oregon is recognized.

THE ACCELERATED WRITEOFF

Mr. NEUBERGER. Mr. President, I wish to call to the attention of the Senate a letter to President Eisenhower from one of the Nation's outstanding engineers and scholars—a former dean of the Harvard Engineering School—which confirms in precise mathematical terms the size and appalling ramifications of the quick tax writeoff given the Idaho Power Co. so that it may carry on its inadequate underdevelopment of the Hells Canyon area.

This information is of importance to the Senate, not only because of its source, but because it reveals the extent of what is perhaps the largest and most unjustified invasion of the public treasury for the exclusive benefit of our economy's most-favored corporations—the private electric utilities. This is a subject which has brought action from two Senate committees—in the Finance Committee, under the able direction of the senior Senator from Virginia [Mr. BYRD] and in the Judiciary Committee, through the tireless efforts of its Antitrust Committee chairman, the senior Senator from Tennessee [Mr. KEFAUVER]. I present this information to the Senate now because it affirms—from a learned outside source—some of the material developed so ably by these committees.

On June 10, 1957, Dr. Comfort A. Adams of Philadelphia, founding president of the American Institute of Elec-

trical Engineers and one of the engineering members of the National Academy of Sciences, addressed a lengthy report to President Eisenhower on the subject of the tax writeoffs to Idaho Power Co. The writer, Dr. Adams, was not unknown to the President. On April 8, 1957, Mr. Eisenhower had joined in lauding him for outstanding contributions to American technology and for his meritorious achievements in electrical science.

A copy of the letter from Dr. Adams, the 1956 recipient of the Edison medal, to President Eisenhower was forwarded to me. To the best of my knowledge, the content of Dr. Adams' letter has not been made public. Because Dr. Adams is so admirably qualified to comment on the subject. I am taking this opportunity to bring his views to the attention of the Senate.

Through a mathematical formula, Dr. Adams has shown the President that the quick tax writeoff to the Idaho Power Co. "would cost the Government at least $81.5 million of the taxpayers' money."

And Dr. Adams added:

> The sum of these two certificates is $65.2 million. The interest free loan is $30.5 million and the long time subsidy over the 50-year period is $329 million.

Mr. President, these are not guesses as to the results of the administration's gift to Idaho Power. They are carefully considered computations based on facts.

The President was told by Dr. Adams that—

> Although the calculations involved are far from simple, I can guarantee that they are sound and based on premises accepted by all reliable experts, even by Ebasco Services, Inc., as employed by the power companies.

Although Dr. Adams' letter was aimed mostly at the results of the Idaho Power tax writeoff, his report to the President also develops an indictment of the entire fast depreciation program as it was applied to the private electric utility industry.

According to the calculations of this leading engineer, certificates granted to private power companies prior to July 11, 1956, will have a total accumulated cost to the Federal Government of $2.65 billion. And, he adds, the total subsidies to private power companies accumulated over 33⅓ years is $7.2 billion. I venture to say, Mr. President, that never before in the history of this Nation has a segment of the economy—existing under monopoly franchise with guaranteed profits—been given such a bonanza of benefactions at such great expense to the taxpayers.

In his letter to the President, Dr. Adams declared:

> I cannot believe that any honest legislator who has these facts before him would vote for continuance of the system which brought this about and which is "totally indefensible" as stated by Senator BYRD and is a reckless and utterly unfair handout of the taxpayers' money to the power corporations.

I wish to commend Dr. Adams for his courageous action in pointing up the responsibility for continued existence of the fast writeoff system. He told the President:

> The granting of these certificates is in the hands of the ODM which is part of the executive branch of the Government of which you are the head. The ODM director is one of your appointments which does not require Congressional approval. The strong corporation bias of the present director is amply demonstrated by the results of his early decisions to grant certificates to the Idaho Power Co. against the advice of Mr. Seaton, the Secretary of the Interior.
>
> Thus these important grants to the power companies which have already resulted in a giveaway of several billion dollars of the taxpayers' money without any return to the Government or any reduction in the power rates to the consumer, is practically in the hands of a single man appointed by you without the consent of Congress. You cannot honestly shirk this responsibility.

Before submitting for the RECORD the details of the precise formula by which an esteemed engineer has reached these disturbing conclusions, I would like to quote a few portions of the report he has made to the President. His words, derived from a background of objectivity and long study, cut to the core of how the compounded results of quick tax writeoffs to private utilities are adverse to the public interest.

Dr. Adams wrote:

> As an illustration covering the average of the whole private power industry at the present time, the fast tax writeoff for each of the first 5 years reduces the average Federal income tax paid from 12.9 of the operating revenue to approximately 9 percent.
>
> This fantastic policy described by Senator BYRD as utterly indefensible is not only a deceptive financial trick but also not strictly honest. It practically forces these companies to keep two sets of books, one for computing their rates and profits, both of which take no account of the subsidy but is for public scrutiny and is published in Federal Power Commission reports, and the other for computing the taxes which they must pay the Government which are largely reduced by the fast tax writeoff.

Mr. President, I would like to mention in conclusion an important point emphasized by Dr. Adams. The final paragraphs of his report to the President made it clear that this is a matter of significant public policy. He wrote:

> If this were a little matter, this letter would never have been written, but since grants already made amount to a long-run subsidy of more than $7 billion to the private-power group, this is a very big matter of vital importance to the financial soundness of our Government. Thus, Mr. President, I am convinced that if you have any faith in my ability and if you accept the unquestionable validity of the figures presented, you cannot continue to support this fast tax writeoff application to the private-power companies in general or the Idaho Power Co. plan for development of Hells Canyon.

Mr. President, I ask consent to include in the RECORD with my remarks a portion of the letter to President Eisenhower from Dr. Comfort A. Adams and brief biographical information from Who's Who in America so that the Senate may know the background and accomplishments of the distinguished engineer who has analyzed so thoroughly the effects of the fast tax writeoff program.

There being no objection, the letter and biography were ordered to be printed in the RECORD, as follows:

> Although the body of this letter deals largely with the Hells Canyon project and the ODM certificates to the Idaho Power Co., I shall add later on a brief statement of significant facts concerning the relative cost of private and public power prior to 1951 when no such certificates had been granted the private power companies.
>
> ODM CERTIFICATES OF NECESSITY AS GRANTED TO PRIVATE POWER COMPANIES
>
> These certificates are variously labeled, accelerated amortization, accelerated depreciation, tax-free loans, etc.
>
> Their value to the recipient is briefly the interest on the deferred tax payments compounded at 6 percent over the period of deferment. The 6 percent is the minimum guaranteed net profit to the private power companies concerned and is not likely to be reduced over the period of contract. If increased the accumulated benefit to the recipient would be increased accordingly.
>
> It is also assumed that the corporate income tax is 52 percent. If it is reduced after the first 5 years of accelerated depreciation it will increase the net subsidy to the recipient. If it is moderately decreased during the first 5 years and stays reduced during the remainder of the contract period, its general effect will not be significant; that is it may be either slightly plus or minus, depending upon unknown factors including the dates and amounts of income tax reduction.
>
> The cost of the certificate to the Government is computed in practically the same way except the interest is figured on the basis of a long time loan to the Government, which is at present 3½ percent.
>
> This certificate device was developed under war conditions in 1951 and was intended as a kind of subsidy to the producers of war material, the demand for which might stop rather abruptly after the war was over, leaving the producer with a large plant which would be much less useful in peacetime. The period of rapid depreciation granted by the certificate, namely 5 years, was an outside estimate of the probable length of a war. Thus the basis for such grants was the assumption that the cost of the plant or a considerable part thereof was chargeable to war mobilization.
>
> In applying them to the private power-plant extension or construction, the only excuse was the possibility that some portion, usually very small portion, of the plant output might be used at some questionable time or place, to supply this small excess of power to the war industries.
>
> As a matter of fact, the ODM set up a criterion which has so encouraged the power companies that their total grants up to July 1', 1956, are literally appalling as indicated in the statistics presented below. Although the calculations involved are far from simple, I can guarantee that they are sound and based on premises accepted by all reliable experts, even by Ebasco Services, Inc., as employed by the power companies.
>
> The granting of these certificates is in the hands of the ODM which is a part of the executive branch of the Government of which you are the head. The ODM Director is one of your appointments which does not require Congressional approval. The strong corporation bias of the present Director is amply demonstrated by the results of one of his early decisions to grant certificates to the Idaho Power Co. against the advice of Mr. Seaton, the Secretary of the Interior. Thus these important grants to the power companies which have already resulted in a giveaway of several billion dollars of the taxpayers' money without any return to the

Government or any reduction in the power rates to the consumer, is practically in the hands of a single man appointed by you without the consent of Congress. You cannot honestly shirk this responsibility.

VALUE TO THE RECIPIENT

Let F_s=face value of a certificate, or the amount amortized at 6 percent. Then the interest free loan will be—

$I_{33 1/3}$=.442 F_s when amortized for 33⅓ years, and

I_{50}=.468 F_s when amortized for 50 years.

Each of these tax free loans accrue during the first 5 years and is thus practically independent of the duration of the period of amortization.

$S_{33 1/3}$=The accumulated benefit to the recipient over 33⅓ years at 6 percent equals 1.503 F_s.

S_{50}=the same over 50 years equals 5.05 F_s.

COST TO GOVERNMENT

$F_{3.5}$=face value of certificate or the amount amortized at 3.5 percent.

$D_{33 1/3}$=total accumulated deficit over 33⅓ years $=0.988\times10^6$ $F_{3.5}$.

D_{50}=total accumulated deficit over 50 years=1.25 $F_{3.5}$.

APPLICATION TO THE IDAHO POWER CO. WITH F=$65.2 MILLION

Applying these to the Idaho Power Co. with $F=65.2\times10^6$ we get—

$I_{50}=0.468\times65.2\times10^6=30.5\times10^6$.

$S_{50}=5.05\times65.2=329\times10^6$.

$D_{50}=1.25\times65.2\times10^6=81.5\times10^6$.

$D_{33 1/3}=0.988\times65.2\times10^6=64.4\times10^6$.

RESULTS OF ALL THE CERTIFICATES GRANTED TO PRIVATE POWER COMPANIES PRIOR TO JULY 11, 1956

The total face value of these certificates is $3.14 billion and the following results are based on an amortization period of 33⅓ years.

The total of the interest-free loans is approximately $1.39 billion which accrues during the first 5 years of amortization.

The total accumulated cost to the Government is $2.65 billion.

The total subsidies to private power companies accumulated over 33⅓ years is $7.2 billion.

These are not exaggerations but soundly determined facts which represent the present situation and which cannot be readily changed without some revolutionary legislation. But the process which brought this about can be stopped, since if it continues it will only mean a further pouring out of the taxpayers' money into increased corporation profits without the slightest reduction of the cost of power to the consumer.

Even from the purely governmental point of view, can this picture be justified as representing sound financing instead of a contribution to inflation?

For example, consider the increase in the interest rate which the Government must pay for its long-term loans. Is it not fairly obvious that the reason for that increase is the fact that loose capital can often be invested at much higher rates, particularly in loans to installment purchasers at at least 10 percent which now amount to about $30 billion? Moreover if this subsidizing process continues the real earnings of the electric utilities will be increased as to make the purchase of their stock more attractive.

I cannot believe that any honest legislator who has these facts before him would vote for a continuance of the system which brought this about and which is "totally indefensible" as stated by Senator BYRD and is a reckless and utterly unfair handout of the taxpayers' money to the power corporations.

Assume that one of our legislators would propose a bill providing for a fully amortized loan to one of our public power agencies, for an amount only a small fraction of this appalling free gift to power corporations. What would happen is perfectly obvious from past experience. Shouts of "socialism," in contrast with cheers for a policy which hands over billions to the private power companies, which already are natural monopolies not only fully protected by our Government, but also guaranteed a net profit nearly twice as great as that to the owner of savings bonds. Then we wonder why prices and interest rates are rising.

Please note also that since the private power companies are guaranteed a minimum of 6 percent net earnings which now include at least $1.39 billion of the taxpayers money, and since the power companies are not allowed to pass on the corresponding savings to their customers, the latter are obliged to pay rates which are based not only on the actual cost of private power development but which also include a 6 percent interest on the part of their assets contributed by the taxpayers of the country, of which these consumers are a part.

The minimum estimate of this Government contribution to the assets of the utilities is the interest-free loan which accrues during the first 5 years, namely, $1.39 billion, 6 percent of which is $83.4 million per year. This is a minimum estimate of the amount which our power consumers are now paying as interest on that part of the assets of the private power companies which are provided as a free gift by the taxpayers of the country.

This fantastic policy described by Senator BYRD as utterly indefensible is not only a deceptive financial trick but also not strictly honest. It practically forces these companies to keep 2 sets of books, 1 for computing their rates and profits both of which take no account of the subsidy but is for public scrutiny and is published in Federal Power Commission reports, and the other for computing the taxes which they must pay the Government which are largely reduced by the fast tax writeoff.

As an illustration covering the average of the whole private power industry at the present time, the fast tax writeoff for each of the first 5 years reduces the average Federal income tax paid from 12.9 percent of the operating revenue to approximately 9 percent.

Return now to the Hells Canyon situation in order to compare briefly the relative advantages of a single high dam built by the Government and the two dams to be built by the Idaho Power Co.

GOVERNMENT HIGH DAM

The estimate of its cost is about $380 million. This will be so amortized over the 50-year period that at the end, the Government will have received back not only its initial investment but also the interest during that period, at the end of which the Government would own the dam and everything connected therewith without any final cost.

Moreover, at the end of this period the cost of the power to the consumers need not include any interest on the investment. Even during the 50 years the annual amortization payments would be at Government interest rates or roughly about one-half of those which would be charged by a private corporation. This would add little to the cost of power.

TWO DAMS TO BE BUILT BY THE IDAHO POWER CO.

I have not included the third dam in prospect since the two certificates were granted only for the first two dams. The sum of these two certificates is $65.2 million. The interest-free loan is $30.5 million and the longtime subsidy over the 50-year period is $329 million.

The contract with the Idaho Power Co. provides an equivalent rental which represents the equivalent payment of roughly .004 cents per kilowatt hour.

In addition the Idaho Power Co. will pay both Federal and local taxes, but at what rate is not yet known. In any case it is obvious that such taxes would be collected from the consumers and with a comfortable margin. As a matter of fact this would be more than absorbed by the subsidy.

At the end of the 50 years the whole plant would belong to the Idaho Power Co. but it would cost the Government at least $81.5 million of the taxpayers' money whereas the Government-built dam at the end of the same period would cost the Government nothing.

But this is not all since the consumers of the Idaho Power Co.'s power would be obliged to pay several million dollars a year more than with the high dam. This is of course only roughly approximate but generally sound.

On this basis it would certainly be much sounder business for the Government to build the high dam. In other words, the avoidance of a temporary loan fully amortized may sound good to our economy politicians when it is related to the budget, but at an appalling final cost. Note also that the necessary amount of this borrowing is chickenfeed as compared with the billions already given away to the power companies of the country without any possible return. The only result is to increase the profits of those companies and to force the consumers to pay millions of dollars in excess of the cost from the Government high dam.

The following is a quotation from the remarks of Representaitve ALBERT C. ULLMAN, Democrat, Oregon, who credits his election largely to the Hells Canyon issue:

"I think it is high time that the American people took stock of what they can expect to receive as a result of this deal. The American people lose $30,500,000 in taxes over a period of 5 years. They must pay $22,900,000 in interest charges over a period of 50 years. Idaho Power receives a net windfall of $329 million.

"And for this dubious exchange, what does the Pacific Northwest receive:

"We lose 500,000 kilowatts of year-round cheap power by destroying the possibility of a high Hells Canyon Dam.

"We lose 2,800,000 acre-feet of vitally needed storage for flood control and downstream power generation.

"We lose the possibility of irrigating 1 million acres of upstream land through potential power revenues from a high dam at Hells Canyon.

"We lose recreation and fish and wildlife facilities for millions of Americans.

"We lose, at a time when the region is undergoing an economic slump, thousands of jobs and new industries that would produce more goods and pay more taxes to Federal Government."

COMPARISON OF NORMAL RATES FOR PRIVATE AND PUBLIC POWER

By normal rates I mean those which did obtain before any certificates or other subsidies were granted.

INTRODUCTORY NOTE CONCERNING TVA AND ITS DISTRIBUTORS

The TVA proper sells only wholesale power to its distributors, who are mostly municipalities and REA cooperatives with relatively small consumers.

Taxes: Neither TVA nor its consumers pay any Federal income tax, but together they pay 6.1 percent of their combined revenue for State and local taxes, which although less than the average of those paid by the utilities throughout the Nation (8.9 percent) meets all the State and local laws of the TVA area. The average private power company in the same area would pay no more. But this difference is much overbalanced by the much lower rates to the municipalities.

The REA cooperatives were started by amortized Government loans and the record of the annual payments is excellent. The purpose of these cooperatives was to bring electric power within the reach of farming or thinly settled districts which had no access to other power sources.

At the beginning the percentage of electrified farms was less than 10 percent, whereas

now it is more than 95 percent. The farmer members pay less for their power than most of our city residents even when the cooperative buys its power wholesale from a private power company. For years prior to the inauguration of this "socialistic" institution the farmers had begged for electric power, but the utilities concerned demanded prohibitive rates.

There are now nearly a thousand of these cooperatives scattered all over the country, many of them supplied with power purchased wholesale from private power companies. Thus this institution has been responsible for the revolutionizing of farm life and by this producing a huge increase in the market for electrical equipment, the demand for which increases as the power rates decrease.

It is this same amortized borrowing from the Government which I have recommended for the building of the Hells Canyon high dam and which was applied to the Hoover Dam and the Grand Coulee Dam, which proved to be lifesavers during the Second World War.

Moreover, our TVA development is known throughout the world, and several similar developments have been made in India.

In fact, TVA has thousands of visitors every year, many of them from foreign countries. A similar but smaller development has actually been suggested for Palestine and that region and supported by some of our Americans who call TVA socialistic.

Since the only difference in taxation between private and public powerplants is in the Federal tax, the resulting differential is so small as compared with the difference in rates as presented below that it cannot be considered as explaining that difference in rates. Moreover, the tax differential is many times overbalanced by the savings to the consumer, including those in the municipalities and in the REA cooperatives.

Thus the use of this tax differential in explaining the difference in rates is not only grossly exaggerated but is almost ludicrous, even when no subsidies are involved. When such subsidies are involved it becomes worse than ludicrous.

RESIDENTIAL CONSUMER

Private power

Rates vary from 2.5 cents to 4 cents per kilowatt-hour. There may be a few companies in the general neighborhood of TVA with rates lower than this, but they are all subsidized and are forced down by competition with TVA.

Public power

The average rate of the ultimate consumer in the several TVA distributors is 1.16 cents per kilowatt-hour. These are either residents of municipalities or farmers on the REA cooperatives.

BULK OR WHOLESALE POWER

Private power

This varies from about 1 cent to about 2 cents per kilowatt-hour, depending upon the size of the industry involved.

Public power

This varies over the same range from one-half cent to 1 cent per kilowatt-hour.

These figures do not include a few special plants built especially for the supply of power to the AEC since, when the power supply is from private corporations the AEC pays all the taxes, whereas, the TVA is not so thoroughly covered. However, in both cases the rates are about the same; namely, 0.4 cent or even a little less per kilowatt-hour.

Thus for residential consumers, private power costs about double that of public power and this difference decreases to a very small amount under similar conditions of taxation. Actually some special private plants for AEC cooperate with a lower tax allowance than the tax equivalent paid by TVA.

Finally, Mr. President, since I have always had great respect for your integrity, I have been forced to believe that you have been grossly misled by your advisers who are practically all primarily concerned with the financial interest of our great corporations.

It is on this account that I have devoted weeks of study and computation in order to be able to present to you vital facts that cannot honestly be contested by any intelligent and informed expert in this field. I have just read an item in the New York Times of today, June 14, 1957, in which the head of the Idaho Power Co. scores persecution over tax writeoffs for his two dams, in which he makes many loose and inaccurate statements concerning this important problem. He even challenges as "astronomical" the estimate of $83.5 million as the ultimate cost to the Government presented by Russell C. Rainwater, chief accountant for the FPC, and suggests that in making his calculations simple interest without compounding over this long period should be employed which would result in a $16 million cost to the Government instead of $83.5 million.

This is not only contrary to all financial methods employed by industry but is absolutely dishonest and terribly misleading not only to the public, but to our legislators who ultimately will decide the issue.

Thus I wish to assure you since this is the kind of testimony which will influence the decision of our Congress concerning these fast tax writeoff certificates and that this decision will affect the continuance of the policy which has already resulted in a real giveaway of billions of dollars to our private corporations.

If this were a little matter, this letter would never have been written, but since grants already made amount to a long run subsidy of more than $7 billion to the private power group, this is a very big matter of vital importance to the financial soundness of our Government.

Thus, Mr. President, I am convinced that if you have any faith in my ability and if you accept the unquestionable validity of the figures presented on page 3 of this letter, you cannot continue to support this fast tax writeoff application to the private power companies in general or the Idaho Power Co. plan for development of Hells Canyon.

Sincerely yours,

COMFORT A. ADAMS.

THE LIBRARY OF CONGRESS,
Washington, D. C.

COMFORT AVERY ADAMS

Adams, Comfort Avery, electrical engineer: born, Cleveland, November 1, 1868; son of Comfort Avery and Katherine Emily (Peticolas) A.; bachelor of science, Case School of Applied Science, Cleveland, 1890, E. E., 1905, doctor of engineering, 1925; honorary doctor of engineering, Lehigh University, 1938; student mathematics and physics, Harvard, 1891–93; married to Elizabeth Challis Parsons, June 21, 1894; children, John, Clayton Comfort. Assistant in physics, Case School of Applied Science, 1886–90; designing engineer, 1890–91; instructor, 1891–95, assistant professor, 1895–1905, professor, electrical engineering, 1906–16, Lawrence, professor of engineering, Harvard University, 1914–36, Gordon McKay, professor of electrical engineering, 1935–36, emeritus since 1936; dean, Harvard Engineering School, 1919; chairman, division engineering, National Research Council, 1919–21; consulting engineer for American Tool & Machine Co., Boston, 1905–30, the Okonite Co. since 1915, Okonite Callender Cable Co. since 1925, Babcock & Wilcox Co. since 1926, General Electric Co., 1927–32, the Budd Co., 1934–47. Member International Jury of Awards (department of electricity), St. Louis Exposition, 1904. Unitarian. Fellow, American Academy of Arts and Sciences, American Institute of Electrical Engineers (president 1918–19) American Society of Mechanical Engineers, A. A. A. S.; member, National Academy of Sciences, Institution Electrical Engineers, Société Francaise des Electriciens, American Society of Civil Engineers, Society of Promotion of Engineering Education, American Physical Society, American Welding Society (president, 1919–20), American Bureau of Welding (director, 1919–36), Engineering Foundation (honorary chairman, Welding Research Council since 1949), American Engineering Standards Committee (chairman, 1918–20). Member, John Fritz Medal Board of Award (president, 1922), Edison Medal Board of Award (chairman, 1920). Chairman, General Engineering Committee of Council of National Defense, during war period, also as chairman, Welding Committee of Emergency Fleet Corporation Clubs: Engineers (Philadelphia) (New York); Cedarbrook Country. Author: Dynamo Design Schedules; also articles on kindred subjects. Received first award of Miller medal for conspicuous contributions to the art of welding, 1929; Lamme medal from American Institute of Electrical Engineers for contributions to theory and design of alternating current electrical machinery and to electric welding, 1940. Home: 417 West Price Street, Philadelphia 44, Pa.

Source: Who's Who In America, volume 29, 1956–57, page 21.

Mr. NEUBERGER. I thank the Senator from Minnesota.

Mr. HUMPHREY. Mr. President, I now ask unanimous consent that I may yield to the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from Illinois is recognized.

CIVIL RIGHTS

Mr. DOUGLAS. Mr. President, the statement of the senior Senator from Oregon [Mr. MORSE] this morning, that he had changed his mind about the statement which 15 of us submitted on Friday, has created some doubt as to the present position of the remaining members of the group. It will be remembered—and I summarize the situation again for the sake of the record—that 15 Democratic Members of the Senate from the North and the West on Friday stated that they wished to have the question of civil rights brought to the floor of the Senate at as early a date as possible for full debate and for final decision.

We stated that we would prefer to have the Judiciary Committee report out a bill. However, in view of the fact that the Judiciary Committee has been sitting on such a bill for over 5½ months, and shows no evidence of proceeding to report out any bill, these 15 Members stated last Friday that it was their intention, when the House bill came to the Senate, to object to the reference of that bill to a committee, and to insist instead that it be placed upon the calendar. The Senator from Oregon agreed to that decision.

Over the weekend he changed his mind. I suppose that is the right of everyone. This morning, without consulting the group as a whole, he announced that he no longer favored this position, that he would oppose it, and that he believed instead that they try to discharge the committee.

This afternoon a meeting was called of all the original signers, and a considerable majority of the 15 attended. It is proper to say now, I believe that it was the unanimous decision of the group, aside from the Senator from Oregon, that we would stand on what we announced last Friday; namely, that we want the Senate to have a chance to vote on civil rights; that we do not propose to be whipsawed any further and to have this bill bottled up in committee, with no possibility of getting it on the floor; and that, therefore, representatives of our group will seek recognition when the House bill is laid before the Senate. If recognition is granted, we will object, after second reading, to the reference of that bill to a committee, so that instead it may go on the calendar.

If another Senator should be recognized, and if the Chair makes a ruling, and an appeal is taken from the ruling of the Chair, we will support any group which believes that the House bill should be placed upon the calendar.

If, as a result of this, the Senate Committee on the Judiciary decides that at long last it will break the logjam and report a civil-rights bill, we naturally will favor that. But we know that we are acting within our rights. We call attention again to the last clause in paragraph 4 of rule XIV, which I think should be clearly understood:

> Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar.

That means the calendar of the Senate. Some Senators may say that that rule never should have been adopted by the Senate. I am not arguing that matter. It is now a part of the rules of the Senate. We northern liberal Democrats, who have the rule book thrown at us every time we try to further human rights on the floor of this body, propose to take proper advantage of the rules of the Senate. We say this without the slightest malice.

We want the press and the Senate to know that this procedure has been invoked successfully before; that it was invoked by Senator Downey, of California, in 1948, when he objected to the so-called tidelands oil bill being referred to a committee. He was successful, and the bill was placed upon the calendar. We are assembling other precedents.

Our purpose in this matter is to use the rules of the Senate, for once, to enable the Senate to decide this crucial issue, instead of having the rules of the Senate continuously used to prevent the Senate from considering important issues.

I make this statement in order that the position of the group of northern Democrats may be made clear. We have no hard and fast caucus. We have no powers of control over our Members except their consciences. We cannot, of course, speak for every Democratic Member of the North and the West. But we can say, I think, as a result of the caucus we have held this afternoon, that the Senator from Oregon [Mr. MORSE], in his statement this morning, did not represent the considered judgment of the vast majority of northern and western Democrats.

Our position is as it was announced last Friday. I wish to assure our friends across the aisle that although they come somewhat tardily into this struggle, we welcome them, and we will cooperate with them to the fullest.

We hope that we may be granted the courtesy of recognition; but if we are not granted that courtesy, we will support what we believe to be right without regard to who gets the credit, because tremendous human issues are involved in the matter, issues which far transcend party or personal advantage.

We are moving without animus in this matter. We esteem our Southern colleagues; individually, we like them very much. I think I, myself, would be willing to be tried before a tribunal composed of those men as individuals. We have no sense of self-righteousness in the North as compared with the South. We know that our race problems have been less acute because the Negro population is a much smaller fraction of the North than it is of the South, and because, through the accidents of climate and history, the South has been cursed with the institution of slavery in the past.

So I do not want our Southern friends to feel that we are making any personal indictment of them. We simply say that this is a time in history when the people of the United States must insist that all men—all men—in the words of Jefferson and the Declaration of Independence, should be given those elemental human rights for which, supposedly, this country was founded. One of the most elemental of those rights is the right to vote. If the right to vote be given, which should be the right and privilege of every American of proper age, many of the other abuses which exist will be self-correcting.

Mr. President, many strange things happened last year after the House passed its civil-rights bill. I was watching that situation pretty closely. I went over to the House to escort the House bill to this Chamber. I reached the House Chamber just after the House bill had been passed. I went to the desk of the Secretary of the House and asked if I might see the House bill. I intended to accompany it to the Senate in person. The bill, however, has disappeared. I wondered where it was, and I feared the worst. So I rushed back through the corridors, only to find, when I got into the Senate Chamber about 4 minutes later, that the bill had been received, had been read the first and second times, and had been assigned to a committee.

In the parliamentary procedures of this body, there is a zone of mystery between the time a bill is passed by the House and the time it appears in the Senate and is laid before the Senate by the Presiding Officer of the Senate. The Speaker of the House has jurisdiction of the bill until it leaves the House. The Secretary of the Senate has jurisdiction over it, presumably, when it reaches the Senate. Into how many pockets it may, however, be placed, and what delays can occur in its handling, only the human imagination can conjure up.

I think we might see some rather peculiar dealings with the present House bill. I urge my friends on the other side of the aisle to be very alert in this matter, and we on our side of the aisle will try to be alert, too.

But I think this is a matter in which we should not try to outwit each other. We have served notice twice that we intend to object, after the second reading, to the reference of the bill to a committee, and to move, under the rules of the Senate, to place the bill on the calendar.

We ask our colleagues not to try any "hidden ball" tricks. I remember that when I was a youngster the Carlisle Indians played Harvard and scored a touchdown against Harvard because the football was slipped under the jersey of one of the Carlisle Indian players, where it was held in suspense by contrivances which had already been placed there. Nobody could find the ball, but it was underneath the jersey. Therefore a touchdown was scored.

We may run into such an occurrence after the passage of the House bill, which probably will occur tomorrow. So I should like to have the chronology and the history of that bill from the time it is passed by the House until it appears in the Senate. I hope that no one will try any Carlisle Indian "hidden ball" tricks. I hope the bill may be brought into the Senate, placed on the desk under the custody of the Presiding Officer, and brought out openly; that it will not come by submarine, by airplane, or by devious passages, but will come in a straightforward manner, down the corridors and down the center aisle, and that at each and every moment we will know where the bill is.

I hope very much that as soon as the bill arrives, the Presiding Officer will call it up after a prior quorum call. Then I suspect there will be a few Senators who will seek recognition in order to object after the second reading to its referral to a committee.

So, my friends, I felt I should make this frank declaration of purpose, and also to make it clear that the Senator from Oregon, who exercised his right to change his mind, does not represent the considered judgment of the northern and western Democrats.

Mr. HUMPHREY. Mr. President, I join with the Senator from Illinois in the statement he has made in reference to the procedures which will be followed. I said today that I felt the group who signed the statement last Friday should gather together for the purpose of further discussion. I want the RECORD to show that that discussion was held. We had a meeting in the room of the Committee on the District of Columbia. The meeting was well attended. At the meeting there was a frank and open discussion relating to the rules of the Senate, particularly with respect to rule XIV and its application.

The members of the group also discussed the precedent which might be established—if any such precedent is to be established—and what would be the continuing effects of our action.

We want it to be crystal clear that our preference has been, and continues to be, that the Senate Committee on the Judiciary report a bill to the Senate. We would prefer to see a Senate bill on the Senate Calendar. That has been our plea not only today, yesterday, and the day before, but also for months.

I believe it can be truly said that the distinguished senior Senator from Illinois [Mr. DOUGLAS] has again and again reminded the Senate of the interest which many of us have held in seeing such action taken by the Senate committee. So his statement of today and his statement of last Friday were not hastily conceived and were not spontaneous utterances. Instead, they were considered in both their words and meaning, and surely they are backed up and supported by a record of long and continuing interest in civil-rights legislation.

Mr. President, some of us truly regret that these procedures must be followed. However, as has been stated, the rules of the Senate have been used again and again to block action; and now the rules of the Senate will be used to expedite action.

Let us make no mistake about it, Mr. President: Every rule is subject to interpretation. As was indicated on Friday, questions will be asked and parliamentary inquiries will be made of the Presiding Officer, for the purpose of ascertaining the proper interpretation of the rules, particularly of rule XIV. I am sure it is fully appreciated that an appeal will be taken from the ruling of the Chair, no matter what the ruling may be. It may be that in connection with that appeal, the first vote on proposed civil-rights legislation will be cast, because the vote will be taken on the question of whether the Senate will have an opportunity to take up proposed civil-rights legislation at this session of Congress.

Mr. LONG. Mr. President, will the Senator from Minnesota yield to me?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Louisiana?

Mr. HUMPHREY. I yield for a question.

Mr. LONG. I am sure the Senator from Minnesota would not wish to suggest that Members of the Senate should not vote in accordance with their honest convictions when a vote is taken on the meaning of rule XIV.

Mr. HUMPHREY. Of course not.

Mr. LONG. But the Senator from Minnesota said that the vote on that question would be the first vote taken on proposed civil-rights legislation.

Mr. HUMPHREY. I meant to say it would be the first vote pertaining to Senate action on proposed civil-rights legislation. The Senator from Louisiana is correct, of course. I did not mean to say that a Senator who might vote in opposition to the position I take on the proper interpretation of the rule would necessarily be opposed to civil-rights legislation. But I think it should be crystal clear that unless that vote is one which upholds what is now the interpretation of rule XIV, action by the Senate on civil-rights measures will be very difficult to obtain at this session.

I want the RECORD to show clearly that if we are blocked by the application of rule XIV, we shall then proceed to what is left for us, namely, a motion to discharge the committee from the further consideration of the bill. In other words, the attempt in connection with the interpretation of rule XIV will be the first attempt; and if, by majority vote of this body, it is held that rule XIV does not apply, then an effort will be made to discharge the committee from the further consideration of the bill, and that effort will be made within the rules of procedure of the Senate.

Mr. LONG. Mr. President, will the Senator from Minnesota yield further to me?

Mr. HUMPHREY. I yield.

Mr. LONG. I believe the Senator from Minnesota knows—since he came to the Senate at the same time I did—that although I may differ with him on the merits of pieces of proposed legislation, I have never voted to deny any Member of this body his rights under the rules of the Senate, based upon a fair estimate of what the rules are. I certainly hope that all Senators will conduct themselves in that fashion, because it seems to me it is the duty of every Senator to give each Member of the Senate his rights under the rules of the Senate, just as they were written and just as they were intended.

Mr. HUMPHREY. Exactly.

Mr. LONG. I wish to state that I believe that a vote on the question of the proper interpretation of the rule should not be held to be a vote on the question of what action should be taken by the Senate on such measures, but should be held to be a vote in regard to what should be the application of the rule.

Mr. HUMPHREY. I accept the amendment of the Senator from Louisiana. There will be Members of the Senate who, on the question of the proper interpretation and application of the rule, may have a point of view different from their position regarding the substance of the legislative policy involved in connection with this matter.

Mr. ANDERSON. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. ANDERSON. I would also remind the Senator from Minnesota that when we had a discussion of this matter in the early days of the session, when the question was one of a change in rule XXII, there was considerable discussion about the rules of the Senate and the rights of Senators. At that time I tried to make it clear that that was probably the only chance any Member of the Senate would have at this session to vote in regard to anything even remotely resembling that subject. Since then, a number of months have come and gone; and now it is apparent that my prediction was not too bad.

Mr. HUMPHREY. Mr. President, the Senator from New Mexico was a good prophet.

Mr. ANDERSON. I said to the Senators who stood beside me then that we might not have another chance to vote on that subject at this session or, indeed, at any session, until we vote on a proposal to change rule XXII.

Mr. JAVITS. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. JAVITS. I am very glad to have heard what has just been said, and it is very gratifying. I thought as much, and I know it puts our colloquy of this morning in proper perspective.

Mr. HUMPHREY. It does, indeed.

Mr. JAVITS. I commend very strongly the great sincerity of the Members on the other side of the aisle; and I know that those Members, who are as deeply interested in the matter as are we on this side of the aisle, will not permit themselves to be distracted by comments such as those made today. I have as great respect for the sincerity of the senior Senator from Florida [Mr. HOLLAND] as I hope he has for those of us on this side of the issue. But we will not permit ourselves to be distracted by comments about who is going to get the credit. There is more credit to be had in accomplishing the things the Senate has been striving for years to accomplish; and I am delighted to hear the subsequent remarks of the Senator from Illinois [Mr. DOUGLAS] and the Senator from Minnesota [Mr. HUMPHREY] on a matter so highly important to the general public.

Mr. HUMPHREY. I am sure the Senator from New York will agree with me that on this great issue, which goes far beyond party—even though both parties are committed to the adoption of an effective program in regard to civil rights—there is great need for bipartisanship, just as in the case of foreign policy. This is one of the overriding issues of our time, and it has international repercussions and implications. Surely, we need the most closely coordinated and effective type of bipartisanship, if we are to succeed. We will work together as a team and as a solid force for the fulfillment of the objectives of our civil-rights program.

Mr. JAVITS. I agree entirely, and I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. NEUBERGER. I thank the Senator from Minnesota.

Mr. President, as I am sure some of my colleagues understand, this has been a rather difficult situation for me. I have high esteem and affection for my colleague, the senior Senator from Oregon [Mr. MORSE]. I wish it understood that I do not share in any criticism which may have implied of the senior Senator from Oregon because he changed his mind. To change one's mind is the prerogative and right of all conscientious legislators. A person who cannot ever change his mind, regardless of the circumstances, has a closed mind. I respect and honor the right of any person who, in all conscience and sincerity, does change his mind.

In conclusion, I merely wish to state that I, myself, have stayed with the original statement entered into by our group of liberal Senators; I have done so because of one fundamental reason, namely, that for many decades, in my opinion, archaic and unfair rules of the

Senate have been invoked to prevent the United States Senate from voting directly on the civil-rights issue. I do not believe that is consistent with the reputation of what is colloquially known as "the greatest parliamentary body in the world." It is not consistent, as I see it, with the traditions of our great, free democracy.

I would not have joined in supporting what might be called a rather extraordinary procedure except for the context of history in which it has been proposed. That context is that for many decades the Senate of the United States has been unable to vote on the question of protecting the rights of millions of Americans in various parts of the country who may be in minority groups.

I thank the Senator from Minnesota for yielding to me.

Mr. CLARK. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. CLARK. I should like to associate myself with the views so ably expressed by the Senator from Minnesota [Mr. HUMPHREY] and the junior Senator from Oregon [Mr. NEUBERGER], and to reaffirm my conviction that the statement made last week on the floor of the Senate, on behalf of all of us, by the distinguished senior Senator from Illinois [Mr. DOUGLAS] was correct. I have not had any occasion to change my view.

Mr. HUMPHREY. I thank the Senator.

Mr. President, I ask unanimous consent to yield for 5 minutes to the Senator from New York, who had inquired earlier during the day as to his privilege of addressing the Senate. I ask unanimous consent to do so without losing my right to the floor.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, how long is this going to take?

Mr. HUMPHREY. The Senator desires to address himself to the treaty.

Mr. JAVITS. Will the Senator yield so that I may explain?

Mr. JOHNSON of Texas. I have no objection, but I had an understanding with the minority leader that the session would not go past 5:30.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, the Senator from New York is recognized.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. JAVITS. Mr. President, the International Atomic Energy Treaty represents an historic issue of policy for the President, the most important single measure upon which the President has seized the initiative in his peace leadership of the world and a question of confidence among the 80 nations which have been led by the President in entering into the treaty. Under these circumstances, it is vitally important to determine the objections which have been made to the treaty and whether they have any validity.

On December 8, 1953, in his dramatic personal appearance before the General Assembly of the United Nations on this subject, the President said:

> The United States would be more than willing—it would be proud—to take up with others "principally involved" the development of plans whereby such peaceful uses of atomic energy would be expedited. Of those "principally involved" the Soviet Union must, of course, be one. I would be prepared to submit to the Congress of the United States, and with every expectation of approval, any such plans.

Since that time the opposition to the treaty has developed the following arguments: That it would place the United States, a "have nation" in terms of fissionable materials, under the control of "have not" nations; that it would make possible the admission of Communist China to the treaty; that it would provide an inadequate safeguard for the conversion of the fissionable material which might be furnished from civilian to military uses; and that it would provide inadequate sanctions in the event of a breach of the treaty.

Other arguments made against the treaty are that it would be a logical development if world tensions were resolved, and that the bilateral agreements which the United States has already made with 40 friendly countries looking to cooperation in atomic research and in the construction of power reactors is adequate for the purpose. It is even argued that we ought to be suspicious because the Soviet Union has hastened its approval of the treaty, even before we have approved it. Of course, an equally valid argument could be made that the Soviet's speed is designed merely to scare us off.

The basic point, however, is whether what has been done is important and worth while to the United States, and the answer to that I believe is an unequivocal "yes".

Let us take up the opposition arguments in turn. The first is that we are a "have" nation of atomic materials and will be under the control of "have not" nations. This is invalidated by our desire to make similar agreements on a bilateral basis with the nations of the Free World, which we certainly should not do if we feared that eventuality. The only remaining question, then, is why should we make any agreements with nations behind the Iron Curtain? In that respect I think our answer is different than it is for the free nations, but nonetheless as persuasive, for the treaty provides a system of inspection and control by UN personnel. This is the very principle we are fighting for in the disarmament negotiations in London. If accepted for the peaceful uses of atomic energy, it is nevertheless an indispensable precedent for the disarmament negotiations and at the same time gives an opportunity for experience where it cannot do us too much harm.

It must be remembered that in any case the Soviet Union could furnish its satellites with fissionable materials, so that we would not be depriving them of it by excluding them from the treaty. In short, we have far more to gain than we have to lose.

The safeguards of the treaty to prevent conversion to military purposes of fissionable materials are very tight. Both inspection and control are provided for by United Nations technicians, who would inspect the sites, design, and plans before approval and thereafter. Record maintenance and periodic reports are required on all critical operations. Surplus nuclear byproducts must be stored with the agency established under the treaty, and U. N. inspectors are given access at all times to places, persons, and data concerned with the operation. The composition of the 23-man board of governors, which is the real control body, is so tight that not more than 3 Communist countries will probably serve on it. Its actions are by a majority vote, and are not subject to veto.

As to the possibility of the admission of Communist China, the 81 nations will all be represented by one vote in the General Conference established under the treaty, but new members are not admissible except on recommendation of the Board of Governors. The problems of keeping out Communist China are the same, therefore, with this conference as they are with the United Nations General Assembly, and there the vote has been constantly against admitting Communist China to membership.

As recently as November of last year, the United States position was sustained in the General Assembly by a vote of 47 to 24, with 8 abstentions.

It must also be emphasized that there will not be any great amounts of fissionable materials affected. The United States is putting up 11,000 pounds of U–235, and the aggregate pool available is estimated as not exceeding 30,000 pounds. In addition, the only nations eligible to receive fissionable materials are those which are unable to obtain the materials otherwise, and the U. S. S. R. would not qualify.

As to the question of sanctions for a breach of the agreement, technically they would be referred to the United Nations for action; but, practically, the reaction of the Free World would be so severe that no nation would undertake to breach the treaty unless ready to accept war as a consequence and, in addition, the amounts of fissionable materials involved could not be a major factor in war against any major atomic power.

The treaty does have the great advantage, however, of reducing the incentive for nations other than those now engaged in making fissionable material to engage in the process.

The strongest objections which have been made relate to the fact that continuance of our program of bilateral agreements is sufficient for the purpose with the possibility of amendment of the statute of the treaty itself, presenting us with a new situation.

Though we shall undoubtedly continue to make bilateral agreements, we gain a great advantage in ratifying the treaty because of the acceptance of the all-important principle of inspection and control by the Soviet Union and its satel-

lites, while we really give up nothing more than fissionable material which the Soviet Union could itself supply.

We do not increase, but rather reduce, the risk as to the misuse of this material that we run under the 40 existing bilateral agreements, because under the treaty there are 80 nations to back us up in redressing violations.

It is a fact that the statute which the treaty authorizes can be amended by a two-thirds majority in the General Conference and acceptance by two-thirds of all the members, in accordance with their respective constitutional processes. But in our case this would require the consent of the Senate as well as the approval of the President, and if the Senate refused its consent under the ratifying legislation now in contemplation, our country would withdraw forthwith from the agency itself. We must be careful that the amendment process safeguards us while it is not so rigid as to make it possible for the Soviet bloc to veto necessary and desirable changes in the statute.

To sum up, the risks we run in the International Atomic Energy Agency do not measure up to the benefits we gain in terms of peace and world economic development; and at the same time we make successful the single greatest initiative in foreign policy taken by President Eisenhower, by bringing about acceptance of the principle of inspection and control, for which we have fought since 1945, and establish in the conscience of the world the beneficent aspects of the use of the atom rather than concentrating attention exclusively upon its destructive aspects.

In conclusion, Mr. President, I think this historic redemption of the initiative taken by the President of the United States is one of the greatest developments in mankind's history and emphasizes the beneficent aspects of the atom instead of its war potentials. I think that is all to the good, and I hope the treaty will receive a resounding vote in the Senate.

DETERIORATION IN VALUE OF UNITED STATES BONDS

Mr. GORE. Mr. President, it is my unpleasant duty to call to the attention of the Senate the further deterioration in the value of bonds of the United States Government. I have taken upon myself the unpleasant task of advising the Senate when, unfortunately, there is a new alltime low reached in Government bonds, or when there is a new high in interest rates on obligations of the United States Government. On last Friday, the last marketing day before today, five issues of United States Government bonds fell to a new alltime low. Victory bonds for the first time were bid below 87.

The economic consequences of this unfortunate trend are far reaching. They reach into every home, every factory, every business and onto every farm in America.

A hearing will begin tomorrow on the economic policies, the credit policies, the tax policies, and the fiscal policies of our Government. It would seem to me that the first task would be to analyze and understand what the policies are, and their interrelationship to each other.

Secondly, we need to examine the effects of those policies. The administration asserts those policies are good. Good for whom? Bad for whom? What are their effects on the whole national economy?

Third, it seems to me our task will be to examine remedies.

It is said that these policies are pursued to combat inflation. Let us examine the areas of inflation and the areas of deflation, and we will find the imbalance in our economy—in some instances brought about, in some instances complicated by, and in some instances multiplied by the high interest rate, tight money policies, and their interlocking relationship with other economic and fiscal policies pursued by the administration.

I should like to invite the attention of the Senate to a compilation I have made on the losses sustained by the holders of marketable bonds and obligations of the United States Government. This compilation shows that losses amount to $6,432,888,755. Those are losses of the American people brought about by fallacious monetary and fiscal policies. Some large institutions can hold long term bonds to maturity. Many cannot, and they suffer serious losses in liquidation.

I ask unanimous consent, Mr. President, that there be printed at this point in the RECORD a compilation of the loss in value of United States bonds, Treasury notes and United States certificates of indebtedness; these being, of course, marketable securities.

The PRESIDING OFFICER (Mr. CLARK in the chair). Is there objection?

There being no objection, the compilation was ordered to be printed in the RECORD, as follows:

Loss in value of United States bonds, treasury notes, and United States certificates of indebtedness

Issue	Amount outstanding	Market, June 14, 1957	Loss in value
BONDS			
2½s March 1958	1,448,747,650	99.11	$9,507,414
2½s September 1959	3,819,287,500	96.27	120,546,265
2½s March 1959	926,811,000	97.24	20,850,740
2½s June 1958	4,244,811,000	98.27	49,080,620
2½s June 1963	918,780,600	99.30	574,237
2½s December 1958	2,368,366,000	98.10	39,966,190
2½s June 1962	5,271,446,500	93.8	345,822,638
2½s December 1962	3,460,625,000	92.30	244,406,641
2½s November 1960	3,806,484,000	95.0	190,324,200
2½s December 1965	1,485,383,100	99.28	1,856,779
2½s September 1961	2,239,262,000	95.30	90,970,019
2½s November 1961	11,177,153,000	94.24	586,700,532
2½s June 1967	2,114,132,700	89.14	223,305,267
2½s August 1963	6,754,695,500	93.0	472,828,685
2½s December 1968	2,823,103,500	88.6	333,468,464
2½s June 1969	3,749,832,000	87.24	459,354,420
2½s December 1969	3,824,888,000	87.22	470,939,335
2½s March 1970	4,710,795,000	87.18	585,905,038
2½s March 1971	2,955,233,500	87.16	369,404,188
2½s June 1972	1,865,775,000	87.16	233,221,875
2½s September 1972	2,716,611,200	86.28	366,476,470

Loss in value of United States bonds, treasury notes, and United States certificates of indebtedness—Continued

Issue	Amount outstanding	Market June 14, 1957	Loss in value
BONDS—continued			
2½s December 1972	3,779,648,000	87.16	$472,456,000
3¼s June 1983	1,605,523,500	94.24	84,288,984
3s February 1995	2,744,147,500	89.8	294,995,857
			6,067,250,858
TREASURY NOTES			
2¾s August 1957	12,056,000,000	99.28	15,070,000
2s August 1957	3,792,000,000	99.24	9,480,000
1½s October 1957	824,000,000	99.12	5,150,000
1½s April 1958	382,000,000	98.20	5,252,500
2⅜s June 1958	4,391,000,000	99.9	31,560,324
1½s October 1958	121,000,000	97.18	3,045,000
1⅞s February 1959	5,102,000,000	97.4	145,807,500
1½s April 1959	118,000,000	96.12	4,277,500
1½s October 1959	99,000,000	95.14	4,516,884
1½s April 1960	198,000,000	94.14	11,013,750
3½s May 1960	2,406,000,000	99.17	11,278,125
1½s October 1960	277,000,000	93.12	18,351,250
1½s April 1961	144,000,000	92.0	11,520,000
1½s October 1961	332,000,000	90.20	31,125,000
3⅝s February 1962	647,000,000	99.23	1,819,688
1½s April 1962	316,000,000	89.18	32,982,500
			342,250,021
CERTIFICATES OF INDEBTEDNESS			
3¼s June 1957	1,312,000,000	99.31	410,000
3¼s October 1957	7,271,000,000	99.30	4,544,376
3⅜s February 1958	10,850,000,000	99.27	16,953,125
3½s April 1958	2,351,000,000	99.30	1,469,375
Total			23,387,876
Total loss in value			6,432,888,755

Mr. GORE. Mr. President, the tight money policy is multiplying many of the distortions to which I have referred. As the hearing proceeds, I shall seek to demonstrate that big business is growing bigger, that the rich are growing richer, that small business is having growing difficulty, that unemployment is rising, as is the cost of living.

I am delighted that the investigation is getting under way. Basic questions must be asked. Truthful answers must be obtained. A solution must be sought, and I hope found, because as the bonds of the United States Government deteriorate daily—almost daily, if not daily—and as interest rates increase in an accelerating spiral, the hardships are spreading across the land to the extent that we have the highest bankruptcy rate since the early 1930's, that farm income is collapsing, small-business profits are tending to the vanishing point, unemployment is rising and hardships are multiplying.

This will be an important study.

Mr. President, I yield the floor.

RELATIONSHIP OF AMERICAN FOOD AND FIBER TO AMERICAN FOREIGN POLICY

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a press release I issued on the American foreign policy and the relationship of American food and fiber to that foreign policy, with 10

recommendations concerning the improvement of our foreign policy as related to the use of food and fiber.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

UNITED STATES FAILING TO APPRECIATE VALUE OF FOOD ABUNDANCE AS FORCE FOR FREEDOM

If American foreign policy, not only in the Middle East but also in southern Europe, is to be of maximum effectiveness, "a drastic revision is required in the prevailing official concept regarding disposal of our food and fiber in the world," Senator HUBERT H. HUMPHREY (Democrat, Minnesota), will advise the Senate this week in a report on his recent study mission in the Mediterranean area for the Senate Foreign Relations Committee.

Senator HUMPHREY's report, which will present a series of specific foreign policy conclusions and recommendations regarding the Middle East, will also include a section on the Role of Food and Fiber in Foreign Policy.

Highlights of his recommendations regarding use of food to bolster foreign relations were made public yesterday in advance of the more complete report:

"We have an abundance of one resource unequaled, as yet, by that in the hands of any other world power: our food and fiber, and our ability to produce it in abundance," Senator HUMPHREY comments.

"Other powers in the world are matching us in the production of weapons of destruction; none, however, have equaled us in producing the basic essentials of life. We have either failed to grasp the full significance of that advantage, or lacked the imagination and boldness to make the most of it.

"It is becoming ever more apparent that Russia recognizes the advantage we hold, and is deliberately setting out to offset it. It would be tragic if we allowed our own eyes to remain closed to some obvious facts of life to which the Russians have shown they are alert—the basic necessity of people getting food, and the vital impact on relations between countries involved in fulfilling that basic need.

"From my own personal observations, I am convinced that our Government policy has been far too shortsighted about how powerful a factor sharing our abundance of food and fiber can be in our foreign relations," he declared. "The principal object in the use of our food stocks should not be simply to get rid of them, but to promote the foreign trade and foreign policy of the United States.

"We have cheapened the spirit behind our humanitarian food contributions abroad, and weakened our own bargaining power in negotiating trade agreements for food and fiber, by continually proclaiming it is just something we have no use for, and want to get rid of anyhow, at any cost."

Senator HUMPHREY outlined 10 specific recommendations on food and fiber policy. The recommendations, with some of Senator HUMPHREY's comments about them, are:

1. New emphasis is urgently needed at the highest levels of government on our national food and fiber utilization policy as a valuable and integral part of our foreign aid efforts. "If either Congress or the executive branch expects to obtain proper public understanding so necessary for the support of such policies, they must be emphasized either by a Presidential Executive Order or by a policy declaration from the Congress itself."

2. More intensive training of all our country's overseas missions is needed in the broad concept of Public Law 480 (basic legislation governing foreign sale and utilization of surplus U. S. farm products) and encouragement to make greater use of the potential it offers. "Regional schools or conferences of foreign service, ICA, USIS, and Defense personnel might be necessary. Touring teams of instructors from the major participating agencies at the Washington level—and possibly representatives from both the Foreign Relations and Agriculture Committees of the Congress—might be helpful in emphasizing the overall objectives that go far beyond individual Department lines."

3. The period of authorization for the program should be lengthened at least to 2 years, and preferably to 5 years, instead of its current year-to-year basis. "Participating countries need more assurance of continuity to encourage longer-range planning of requirements and development programs."

4. Congress should consider eliminating a fixed total dollar amount in the authorization and establish instead new criteria for the executive branch to conduct the program (within some reasonable safeguarding annual limitations, subject to review) on the basis of available supplies of commodities beyond estimated domestic needs, anticipated requirements for dollar exports, and a safe reserve for our own security. "Establishment of the fixed dollar total carries the misleading implication of indicating expenditures up to that amount. Actually the program provides constructive uses for commodities in which the Government has already committed its investment as part of domestic farm policies."

5. Foreign currencies obtained through sale of farm commodities under Public Law 480, in addition to other constructive uses now provided, should be made available for loans to American private enterprise interested in establishing businesses or industries overseas. "Encouragement of private American investment abroad is one of our foreign policy objectives * * * American business firms say that they are handicapped in borrowing local currencies in various countries, and indicate that availability of loans out of Public Law 480 funds would be a valuable incentive to increasing expansion of United States private enterprise abroad. Broadening the scope of Public Law 480 for such a purpose would help establish the legislation as basic foreign trade policy serving business and industry as well as serving agriculture and American foreign policy."

6. The Department of Agriculture, in the light of world food needs and our country's commitments around the world, should reevaluate its policies of determining what it regards as surplus production. "No longer is effective cash demand the end-limit to which food and fiber can usefully serve our Nation's interest. For that reason there is no legitimate reason to regard as surplus all production beyond immediate need for effective cash demand. Perhaps we need an annual appraisal of our supply picture in terms of degrees of need, such as estimated effective domestic demand, estimated effective export demand (cash sales), adequate security reserve stockpiles, at home and abroad, as determined by the National Security Council; estimated availability for concessional export under Public Law 480 in support of the Nation's foreign policy; estimated availability for emergency humanitarian use at home and abroad through voluntary agencies."

7. Military and Defense officials should immediately review food and fiber needs for our own forces and those of our allies in event of total war, and institute new means of making sure adequate supplies are available where they will be needed if an emergency arrives. "It is foolish to prepare for mobilization in terms of men, guns, and tanks, and neglect proper preparation for feeding the men who have to man the guns. Dependence on military forces of our allies in food deficit areas requires advance assurance of these other countries having adequate food reserves they do not now posseas."

8. Greater recognition should be given to the constructive people-to-people advantages resulting from use by American voluntary agencies of relief commodities provided under the donation provisions in title III of Public Law 480. "Such programs do and should carry the American humanitarian spirit abroad without any political strings; they offer a chance to get directly to the people in countries where for international policy reasons we as a government may not want to be directly helping the government of another country. Perhaps the Department of Agriculture should anually arrive at some quantity of food and fiber available for this purpose. This amount could be set aside at the discretion of the Presndent for implementing our international relations on a people-to-people basis through voluntary agencies such as CARE and our church organizations now doing such valuable work overseas."

9. The Department of Agriculture should immediately explore ways and means of making available to the voluntary agencies some form of fats and oils for inclusion in relief feeding programs. "Such products are urgently needed for healthful diets, and offer an opportunity to provide maximum nutritional value in a most condensed form. None are now being made available for overseas relief feeding purposes, although they are in surplus supply in the United States."

10. The Bureau of the Budget should immediately explore accounting procedures with a view toward better disbursing costs of food and fiber utilization programs among various agencies of our Government to avoid the unfair piling of costs upon agriculture that in reality serve Government objectives far afield from the American farmer. "Public Law 480 is not just a farm program. The law places authority under it in the hands of the President. The President, by Executive order, has disbursed that authority widely through almost every Department of our Government. For that reason the public should not be led to believe that 'costs' under this program are just to help agriculture."

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. HUMPHREY. Mr. President, in the few moments before the Senate recesses I should like to make a few comments concerning the statute of the International Atomic Energy Agency, reported favorably by the Senate Committee on Foreign Relations, and also a few comments in line with the theme established today by the distinguished Senator from Montana [Mr. MANSFIELD].

We have been very fortunate today in the Senate to hear three remarkable addresses. First was the address of the distinguished and able chairman of the Committee on Foreign Relations, in the presentation of this statute of the International Atomic Energy Agency, in support of the action of the Committee on Foreign Relations recommending that the resolution of ratification be agreed to.

Second was the brilliant, imaginative, and courageous address of the Senator from Montana [Mr. MANSFIELD], wherein he called upon the four great powers and their heads of state to sit down again to discuss and negotiate a limitation upon the testing of the large nuclear and thermonuclear weapons.

Third was the splendid and statesmanlike address of the junior Senator from Rhode Island [Mr. PASTORE].

This has been a feast of discussion, debate, and thought-provoking analysis of some of the great problems of our time. Indeed, one of the greatest of those problems is the peaceful use of atomic energy and, on the reverse side, the destructive power of nuclear energy.

Mr. President, I shall support the statute of the International Atomic Energy Agency. I believe it represents a very constructive and hopeful development. I commend the President of the United States for his leadership in the development of the program for the peaceful use of atomic energy. I surely wish to commend those who negotiated this very difficult and complex agreement. It will all lend itself, in the long run, toward a better world.

I should like to direct my attention now for a few moments to some of the discussions that are taking place in London on the part of the membership of the Subcommittee on Disarmament of the United Nations, and to the role of the American Government in that subcommittee, and in particular the role of our adviser on disarmament, Mr. Harold Stassen.

I invite the attention of Senators to the fact that as far back as last September, in a preface to staff study No. 4 of the Senate Subcommittee on Disarmament, a staff study relating to technical problems of disarmament, as chairman of the subcommittee I suggested that the executive branch explore the ending of H-bomb tests with the Soviet Union. This was before any presidential candidate had made any such suggestion.

This was recommended because an agreement would be self-enforcible, since the large tests, the kind referred to by the Senator from Montana [Mr. MANSFIELD] today, can be detected with present detection techniques.

The administration has been reluctant to give open consideration to this proposal. I regret to say that it became a political issue. This was most unfortunate. Because it became a political issue there has been a type of stickiness and inflexibility on the part of the administration spokesmen in discussing this subject with the candor which is deserves.

Recently the Soviet Union forged out in front, at least on the propaganda front, with its proposal to limit atomic and hydrogen weapons tests for at least 2 years. The present Soviet proposal is for a ban on all atomic tests, with the inspection devices to be located within the Soviet Union.

I suggest to my colleague that this is a great departure from the previous position of the Soviet Union. The Soviet Union has, parrot-like repeated again and again that it wanted a ban on all atomic bombs. Do away with the bomb; end the bomb. That was the slogan.

In recent months it has talked more or less about stopping all atomic tests, but it did not propose inspection.

The Soviet representative at the United Nations, in discussing some of the Soviet foreign policies, has now proposed not only a limitation on atomic tests, but also inspection, to be located within the Soviet Union.

On the surface, this offer should be accepted in negotiations now going on in London.

Let me interpolate for a moment. When I say accepted, I mean accepted for purposes of discussion, at least initially. It should be negotiated with a view to acceptance, because if all atomic bomb tests were to be banned the detection devices would probably need to be located within the country or the area of testing.

If the United States, Great Britain, and the Soviet Union were to agree to stop all tests, and provide for the necessary inspection to insure that the bomb tests were being observed, the United States should also propose that all nations agree to observe such a ban. This would prevent a fourth, fifth, or tenth power from developing, testing, and stockpiling atomic weapons.

It is important to have all countries included in such a ban or limitation, because with the spread of fissionable material and the knowledge of producing atomic energy, many nations would soon possess the capability of experimenting with atomic weapons. This would probably happen regardless of the existence of an International Atomic Energy Agency, such as is proposed in the statute we are discussing today. But with the International Atomic Energy Agency and its inspection provisions, we would have an opportunity to protect all of us from the spread of nuclear weapons and nuclear weapons testing.

To affirmatively consider the Soviet proposal, does not mean that we should grab it without examining the fine print. Firm international commitments are not made through propaganda. The Soviet Union often proclaims its interest in a certain aspect of disarmament, and then promptly reneges on its offer when questioned in close negotiation. The Communists use this method to win propaganda battles without undertaking serious treaty obligations. We ought not to let the Soviets get away with this technique in connection with the most recent offer. We should offer to negotiate and see what they really have in mind. In other words, we should call their bluff, if that is what it is. We should meticulously negotiate and examine down to the last detail, and compel the Soviet Union to outline in detail, in specifics and particulars, what it means when it calls for international observers and inspection within the Soviet Union.

I submit that if the Soviet Union is willing to permit effective inspection within its territorial limits, this represents a fundamental change in Soviet foreign policy. If the Soviet Union is willing to permit any type of effective inspection, by inspectors who are free to move within the country, inspectors who are capable and ably trained, and are men of competence and scientific knowledge, that represents a break through the solid wall of Soviet foreign policy which has characterized that nation since 1918.

Therefore, it is my personal view that the suggestion of the Soviet Union should be explored to the utmost, knowing full well that any kind of limitation upon nuclear testing must be supported by the most effective type of inspection—and preferably both ground and aerial inspection.

Although a halt to bomb tests would be a first step toward stopping the arms race, there are other aspects of the question that should be negotiated with the Soviet Union. If we were to agree to stop nuclear weapons tests, we also ought to negotiate a cut-off date for the production of nuclear weapons. Such an agreement would be more complicated than a halt to weapons tests, because it involves the institution of a widespread inspection system to insure that fissionable materials are not going into the production of weapons.

If we agree to stop tests for 2 years we should also agree to work with the Soviet Union and other countries during this period to evolve an inspection system to prohibit the production of nuclear weapons. Actually the United States should have such an inspection system already prepared.

I suggest here today that our Government press forward in the United Nations Subcommittee on Disarmament for a proposal to establish a committee or a commission of top grade scientists to perfect and evolve a system of inspection designed to prevent the production of nuclear weapons, in case an agreement should be entered into. As I have said, the United States should have such an inspection system already prepared; but if we do not, we should get busy to see that one is perfected.

I repeat what I said earlier today, that one of the problems in inspection is the lack of available skilled scientific talent. The need in this country for nuclear scientists is very urgent. There is great need for a much more comprehensive system of recruitment of personnel if we are to have the kind of inspection system that is needed.

Also, a halt to bomb tests and a ban on the use of future production of fissionable materials for weapons purposes ought to leave the United States adequately ahead of the Soviet Union. I shall submit a chart which will indicate that since 1945 the United States has conducted approximately 68 atomic weapons tests. The chart shows 19 for the Soviet Union, although the Atomic Energy Commission has stated that it does not announce all Soviet tests, but only those of special significance. Therefore, the Soviet number should be well above 19, but very likely not close to the United States today of 68 tests, which have been announced.

I believe I am correct in saying that for the first time our subcommittee on disarmament has tabulated the tests which have been recorded by international agencies or by our own Government; and we are able to report that, so far as the official reports are concerned, the Soviet Union has had 19 such tests, and the United States has had 68.

We do not want to have the proposal of the Soviet stand by itself as if we were unconcerned, or at least as if we did not have adequate interest to examine it in more detail.

RADIOACTIVE FALLOUT

A halt on bomb tests would put an end to contaminating the atmosphere through radioactive fallout released through the detonation of nuclear weapons tests. We do not know how harmful or harmless these tests are but we do know that they increase the amount of radiation in the atmosphere and we also have been told that radioactive particles fall unevenly over the earth with the highest concentrations in such places as the upper Midwest of the United States.

I call to the attention of my colleagues that the upper Midwest of the United States is an area of potential heavy contamination in case there is a serious threat from fallout.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. Does the Senator believe that his constituents will be greatly consoled by the averages we hear about?

Mr. HUMPHREY. Not a bit; certainly not when the scientific knowledge reveals that the area of the country known as the upper Midwest is potentially an area of high contamination due to the explosions of H-bombs and A-bombs.

The attached charts indicate that the rate of testing certainly has not slowed down and has increased during the period of the last 4 years greatly over the previous 8 years. We must not be complacent about ignoring possible dangerous genetic and pathological effects of nuclear weapons testing.

The President and the Atomic Energy Commission have stated that they rest their case on continued testing on the report on radiation of the National Academy of Science released in June 1956. However, Warren Weaver, the chairman of the section on genetic effects of the committee report, admitted that a great deal more research should be conducted. He also asserted that the British did a more thorough job than the United States committee on the pathological effects and that the United States committee was now undertaking a more comprehensive study of the question. In the view of this admission, how can the President and the Atomic Energy Commission dismiss the problem as casually as they do? Weaver's statement is as follows:

> The British group, on the whole, did a more detailed piece of research on the strontium 90 problem than we did. They have good reason to be more concerned with it than we have. As I suppose you are doubtless familiar, there have actually been examples of sheep in England, some from Wales and some from up in Scotland, where the strontium content of the bones of these sheep had already reached practically a dangerous level * * *. We are now doing a better job on the strontium problem than we did before. (Pp. 1949–50, pt. 12, of the subcommittee hearings.)

When a noted scientist testifies before a committee of Congress that the British have done a better job on the pathological effects and on the strontium 90 problem than we have in the United States, and then proceeds to show that radioactivity in the bones of sheep in pastures in Wales and Scotland have already reached practically a dangerous level, then indeed there is something to be concerned about.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. GORE. The Senator referred a moment ago to the rather easy dismissal of this question by certain officials. Does not the Senator take pride in the fact that one of the nominees for President of the United States last fall had the courage to speak frankly and forthrightly to the American people about these potential hazards?

Mr. HUMPHREY. I surely am. It was, if not a political service, a great moral service to the American people and to humanity.

DEVELOPMENT OF THE ICBM AND IRBM AND ATOMIC TESTS

The administration is really trying to keep us guessing about whether atomic tests are needed to perfect long-range ballistic missiles. Atomic Energy Commissioner Willard F. Libby said to the Joint Committee on Atomic Energy: "Unfortunately, there is no substitute for testing to determine the reliability of a weapon, conventional or atomic. To cut off testing, therefore, means the cutting off of the introduction of improved nuclear weapons systems." This implies that we could not perfect the development of the intercontinental ballistic missile without tests. However, the Secretary of Defense on June 15 was reported to have said that the United States would continue developing the intercontinental ballistic missiles regardless of any prohibition of nuclear tests.

The administration unfortunately uses its information depending on how it wishes us to think. We have been told that whether atomic tests were necessary to perfect long-range missiles was a highly classified secret. No Member of Congress was to date to talk about the problem in public. Then when Mr. Libby wants to oppose a test ban he states we must have the tests to develop the missiles. When Mr. Wilson wants us to believe an atomic test is not essential he comes out with his viewpoint. What is the Congress and the public expected to believe in the fact of such contradictions of what should be either an unclassified or classified matter, but not both?

I repeat that the administration cannot have it both ways.

Why cannot the Atomic Energy Commission and the Defense Department agree on what should be a clearly ascertainable fact?

In the development of the ICBM and the IRBM we should assume the Russians will never agree to controls on these missiles until they have also perfected them. Therefore, we have an important decision to make in the near future. Either we must negotiate now for effective controls on these missiles or wait for the day when both the United States and the Soviet Union have them. If the latter is our choice then I am told that the cost of perfecting protective devices against these missiles will be in the billions and the present defense budget will seem like peanuts compared to what it will be then. I hope that I can be proven wrong. But I do not think we should dismiss this matter lightly.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD the preface to Staff Study No. 4.

There being no objection, the preface was ordered to be printed in the RECORD, as follows:

PREFACE

(By Senator HUBERT H. HUMPHREY, chairman)

Increasingly, the assumption is being made that the "balance of terror" may spare the human race the catastrophe of nuclear war. Even if this assumption were correct, and there is no assurance that it is, the harrowing race to maintain the balance prevents civilization from developing its fullest potentialities. The nuclear race channels a large share of man's resources, energy, and genius into destructive ends. It denies to the people of the world that sense of security and faith in the future which individuals need to achieve their maximum growth. The fear it breeds may be suitable for tyranny. It is not conductive to an atmosphere of freedom.

It seems to me that control and reduction of armaments is imperative. The attainment of international disarmament, however, is not made easier by its urgency. The political problems involved are as difficult as ever. The technical problems continue to grow more complex as weapons and military organizations become more intricate. Disarmament will be safe and practicable only to the degree that progress is made in solving the political and technical problems.

This staff study, the fourth in a series being prepared at my request on various aspects of the disarmament question, outlines the scope of the technical problems involved in achieving disarmament.

As this study points out, there would be many difficulties in obtaining a satisfactory disarmament program, even without the complication of political issues which stand between the Communist and non-Communist worlds. Is there, for example, any formula by which a balanced reduction of forces and armaments can be devised which will be equitable and acceptable to all sides? How many submarines would equal an aircraft carrier in such a formula? These are the types of questions with which this study is concerned. Such questions bring to mind, moreover, an even more fundamental question. Can a system of inspection and control be devised which is sufficiently foolproof to make it possible, in theory at least, to reduce arms even in a period when suspicion, not trust, dominates relations among many states?

The study reemphasizes that one of the great technical problems confronting us is that there is no feasible method at present of detecting hidden stockpiles of nuclear weapons. Awareness of this fact makes it reckless to consider an agreement to destroy all stockpiles when there would be no way of ascertaining whether the agreement had been observed. It leaves disarmament planners with several alternatives; they can wait until some method of detection is found and concentrate scientific knowledge on this search; they can bypass this barrier in controlling nuclear weapons by working along other avenues such as reduction of armed forces and conventional weapons; they can attack the nuclear threat from a different direction by working to prevent the stockpiles from growing bigger; and they can attempt to control the methods by which nuclear weapons are delivered.

The technical roadblock created by our inability to detect stockpiles of bombs warns us of the need to seek agreement with all possible speed on those aspects of disarmament where technology presents a gateway, rather than a roadblock. One such area which is already available is that of detection of large nuclear-test explosions. Although the Soviet Union does not announce its tests to the world, as the United States does, we are not only able, according to competent testimony received by the committee, to detect large tests that occur but we also have the ability to determine, to a considerable extent at least, their magnitude. The significance of this technical knowledge is that if the United States and the Soviet Union were to agree to ban the testing of large nuclear weapons, it would not be necessary to rely on the Soviet's word alone that the agreement was being observed. Nor would such an agreement, to be effective, require an elaborate inspection system. Our detecting methods are presently located outside the Soviet Union. Many other nations have means to detect large nuclear explosions wherever they occur. Any violation of an agreement would, therefore, be almost instantly known to the world at large. Certainly our negotiators should not overlook these facts in attempting to reach agreement with the Russians on the control of armaments.

This study also points up another aspect of the disarmament problem. With scientific research continuing in a technological race between the United States and the Soviet Union, new weapons systems may soon be devised which will render present disarmament proposals obsolete or, at least, inadequate. This applies to the race for the development of the intercontinental ballistic missile as well as weapons yet unknown.

Staff Study No. 4: Control and Reduction of Armaments, Technical Problems, is a valuable introduction for those of us who are not military experts but who, nevertheless, are faced with the challenge of finding an arms-control agreement which will enhance rather than jeopardize our security. This study was prepared under the direction of the subcommittee staff, by Col. Charles H. Donnelly, senior specialist in national defense, Legislative Reference Service, Library of Congress. It does not necessarily reflect the views of the subcommittee or any of its members.

OCTOBER 7, 1956.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD an analysis of all the nuclear-weapons explosions.

The following table has been compiled principally from press releases of the United States Atomic Energy Commission. However, reports in the press as to the size and nature of various explosions have been included when available.

On April 12, the United States had announced 19 Soviet tests. The AEC has pointed out that this country does not disclose all of the U. S. S. R. shots of which it has knowledge but limits itself to statements about explosions of special interest. The actual number of Soviet detonations is therefore significantly higher than those announced.

As of June 17 the AEC has announced 68 tests by the United States. However, the total number of detonations made by this country has never been announced.

The United Kingdom has announced 11 tests to date, June 17, which is understood to be the total number of tests made by that country.

Mr. President, I have had compiled by the staff of the Subcommittee on Disarmament a complete record of all the tests to date on which there are any reports from the Atomic Energy Commission, the Library of Congress, and the press services of the United States. There is also included not only the tests and the year and the date, but also something about the size of the tests and any other descriptive material that may be helpful.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1945	July 16	Alamogordo					1st test of A-bomb.
	Aug. 6	Hiroshima					Air burst, energy release about 20,000 tons of TNT.
	Aug. 9	Nagasaki					Do.
1946	July 1	Operation Crossroads, Bikini Lagoon.					Air burst, Nagasaki-type bomb.
	July 25						Underwater detonation.
1948 (spring)		Operation Sandstone, Eniwetok Atoll.					3 explosions announced May 17, no details given.
1949			Sept. 23	Soviet territory			1st atomic explosion in U. S. S. R. announced by President Truman.
1951 (winter)	Jan. 27	Operation Ranger, Nevada Flats.					5 tests primarily for tactical information. Air bursts.
	Jan. 28						
	Feb. 1						
	Feb. 2						
	Feb. 6						
1954	Mar. 1	Operation Castle, Bikini					Hydrogen bomb reported to have had a yield of 15 megatons. Radioactive fallout over 7,000 square miles.
	Mar. 26						No information released concerning this test.
	Apr. 6	Eniwetok					3d test in the series. Presumably an H-bomb.
			Oct. 26	Soviet territory			Announcement made by the AEC of a series beginning in September.
1955	Feb. 18	Operation Teapot, Nevada Flats.					14 air, tower, and underground tests. Included atomic trigger for detonating H-bombs, also civil defense test and "air-killer" test.
	Feb. 22						
	Mar. 1						
	Mar. 7						
	Mar. 12						
	Mar. 22						
	Mar. 23						
	Mar. 29 (2 tests)						
	Apr. 6						
	Apr. 9						
	Apr. 15						
	May 5						
	May 15						
	May 17	Operation Wigwam, off west coast.					Small underwater atomic weapon exploded, probable yield 1,000 to 5,000 tons of TNT.
1951	April and May	Operation Greenhouse, Eniwetok.					4 tests described as "experiments contributing to thermonuclear research."
			Oct. 3	Soviet territory			2d explosion. Reported by the United States, later confirmed by the Kremlin.
			Oct. 22	do			President Truman announced evidence of a 3d nuclear explosion by the U. S. S. R.
	Oct. 22	Operation Buster Jangle, Nevada Flats.					7 air, tower, and surface or underground bursts. Low yield. Tactical.
	Oct. 28						
	Oct. 30						
	Nov. 1						
	Nov. 5						
	Nov. 19						
	Nov. 29						
1952	Spring and summer.	Operation Tumbler Snapper, Nevada Flats.					8 air and tower bursts. Troop participation in some tests.
	Apr. 1						
	Apr. 15						
	Apr. 22						
	May 1						
	May 7						
	May 25						
	June 1						
	June 5						

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1952	Fall	Operation Ivy, Eniwetok					2 tests. 1 was the 1st hydrogen bomb ever exploded. Yield 5 megatons.
					Oct. 3	Monte Bello Islands.	Nature of bomb not disclosed. Probably of Hiroshima type.
1953	Mar. 17 Mar. 24 Mar. 31 Apr. 6 Apr. 11 Apr. 16 Apr. 25 May 8 May 19 May 29 June 4	Operation Upshot Knothole, Nevada Flats.					11 tests. Air, tower, and 1 shot from a 280-millimeter gun. The largest explosion, that of Apr. 18, was reportedly equal to 30,000 to 40,000 tons of TNT.
			Aug. 12	Soviet territory			Initial hydrogen bomb (nondeliverable).
			Aug. 31 [1]	do			Fission explosion in same range of energy release as Nevada Flats tests.
			Aug. 4	do			AEC announced that the Soviets had resumed testing of nuclear weapons.
			Sept. 24	do			Announcement by AEC of another Soviet nuclear explosion.
					Oct. 15	Woomera Rocket Range, Australia.	2 tests, the 1st equivalent to 20,000 tons of TNT. No data for the 2d test.
			Nov. 10	Soviet territory			Announcement by AEC of a further test in the 1955 series.
			Nov. 23	do			Hydrogen bomb in the range of megatons. Khrushchev announced on Nov. 27 that it was a hydrogen bomb and that it had been dropped at a great height from an airplane.
			Mar. 21	Soviet territory, probably central Asia.			AEC announced another Soviet nuclear explosion.
			Apr. 2				Another explosion in current series announced by AEC.
	May 5	Operation Red Wing, Eniwetok.					Relatively small device exploded, about 10 kilotons.
					May 16	Monte Bello Islands.	Test expected to supply data for triggering of H-bomb.
	May 21	Bikini					1st H-bomb dropped by U. S. Air Force. Yield at least 15 megatons.
			Aug. 24 Aug. 30 Sept. 2	Southwestern Siberia.			A series of small explosions.
					Sept. 27	Maralinga Proving Ground, South Australia.	4 tests, tower and air; new and cheaper kinds of A-bombs tested.
			Nov. 17	Southwestern Siberia.			Small explosion.
			Jan. 19 Mar. 8 Apr. 3 Apr. 6 Apr. 10 Apr. 12 Apr. 16	do			Moscow announced these tests were designed to perfect atomic warheads for tactical purposes.
					May 15	Christmas Islands.	H-bomb dropped from Vickers Valiant jet bomber. Energy release 1,000,000 tons of TNT.
	May 28	Beginning of Operation Plum Bob, atomic test site, Nevada. The tests are scheduled to continue into September.			May 31	do	Probably a warhead for small rockets or missiles. Yield about 10,000 tons of TNT. 2d hydrogen bomb exploded by the British.

[1] 1 of a series.

Prepared for the use of the Subcommittee on Disarmanent by Janie E. Mason, of the subcommittee staff, on loan from the Library of Congress, June 6, 1957.

Mr. HUMPHREY. I also ask unanimous consent to have printed in the RECORD at this point an article entitled, "Atoms for Peace: The Challenge to Us," written by Thomas E. Murray, Commissioner of the Atomic Energy Commission, published in the New York Times magazine of yesterday.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times Magazine]

ATOMS FOR PEACE: THE CHALLENGE TO US—ONE WAY TO ATOMIC DISARMAMENT, AN AEC MEMBER ARGUES, IS TO DEVELOP ATOMIC INDUSTRY—HERE HE PRESENTS A PROGRAM FOR EXPORTING NUCLEAR KNOW-HOW TO A WORLD SORELY IN NEED OF IT

(By Thomas E. Murray)

WASHINGTON.—The benefits that will accrue to mankind from peaceful uses of atomic energy need not be described in lyrical terms, as if we now had at our disposal a force that could renew our civilization throughout all its fabric, and banish from the earth all mankind's ancient enemies—famines and wars, physical disease and social inequalities. Even on a more sober view the prospects are exciting enough.

If men consent to act reasonably (it is a big "if"), atomic energy can powerfully assist in creating certain conditions in the world which men commonly acknowledge to be at least the earthly conditions of human welfare; for instance, the advancement of man's understanding of nature, the improvement of human health, and the provision of a decent standard of living on a worldwide scale. These are authentically human purposes sanctioned by the high imperatives of the moral order. There are two chief areas in which peaceful uses of atomic energy can further them.

First, there is the large, and rapidly expanding, area in which uses are being found for radioactive isotopes. These byproducts of atomic processes can be applied to many purposes in medicine, genetics, technology, and agriculture. They are useful in the diagnosis and treatment of certain diseases, including cancer; they provide a sure and rapid way of testing industrial materials; they can serve in the production of new plants through genetic mutations. Perhaps their most important use so far has been as "tracer elements." By adding a small amount of radioactive isotope to a given element it is possible to follow the fate of this element in chemical reactions, and even in living organisms, by observing the radiation emitted. The use of this method has already marked a new epoch in our understanding of the processes of nature.

The beneficent possibilities inherent in the use of radioactive isotopes present an immense challenge to the scientific intelligence. But the exploitation of these possibilities raises no issue of national policy. It is otherwise in the second great area in which atomic energy can make an incalculable contribu-

tion to human betterment. I mean the use of nuclear energy to generate industrial power. It is in this area that the famous phrase, "atoms for peace," can acquire its full meaning. The use of radioactive isotopes is a splendid opportunity; the use of atomic energy for industrial power is an urgent need.

Two recent developments emphasize the urgency of the need. The first was the formation of EURATOM, the European Atomic Energy Community, composed of six nations. The second was the constitution of the International Atomic Energy Agency, the work of eighty nations. These two new institutions have a common premise. The report, "A Target for EURATOM," lays the premise down with all bluntness: "The shortage of energy threatens to become a major brake on economic growth [in Europe]." A new source of energy, other than conventional fuels, is needed with a critical urgency that the cold figures in the report make altogether clear. The basic inspiration of the International Atomic Energy Agency is the same—the increasingly urgent international need of this new source of energy to heat water to make steam to drive turbines to operate generators to produce electricity, and thus to get on with the business of civilization.

The word "civilization" brings me to an even more important aspect of the present situation. The fact is that our scientific, technological, and industrial civilization now has a global destiny. Less than one-third of mankind presently enjoys the material advantages that it affords. But it has set norms of human welfare in terms of adequate food supplies, health, and a standard of living of which the remaining two-thirds of the world is more or less acutely aware. There no longer exists a society which does not wish to partake of the material benefits which industrial development sets within the reach of the general population. Men everywhere now realize that it is no longer necessary to live in wretchedness. They are determined to lift themselves out of the subnormal conditions which have hitherto been their lot. The achievement of the industrialized way of life has become a fundamental imperative for practically the whole world. In many regions the political form of government is of less concern than the promise of a better economic way of life. Marxism is made to seem more acceptable than misery.

This situation is fraught both with danger and with opportunity. We stand at a turning point in the economic history of the world. And the crisis is intensified by the fact that the world's population in the year 2000 may well be more than 4 billion, as against 2½ billion in 1955. If no deliberate international effort is made, perhaps only a quarter of these 4 billion will be able to live on or near the level of human welfare set by our privileged civilization.

What is at stake here is the common good of mankind, which must now be defined in the same terms in which an industrial civilization defines its own common good. The challenge is more than scientific and technological, or even political. It is profoundly a moral challenge. And upon our success in meeting it, steadily and over the long haul, will depend everything that is meant by peace as the work of justice.

The key to success is industrial power. Providentially, we have the key in our hands—atomic energy. If we exploit its possibilities with energy and foresight, we can avoid the explosive situation that wide economic inequalities in the world will increasingly intensify. More importantly, we shall seize the historic opportunity to establish a level of material civilization that will be truly universal. This will, of course, be only a technical and industiral achievement. But it will establish in the world the particular kind of order that is the indispensable foundation of the more noble edifice of international stability, unity, and peace.

We face here a task that will have to be finished by a generation yet unborn. In any case, I am convinced that our own generation will not find sufficient stimulus to vigorous action in the present unless we view our instant responsibilities in these larger and longer perspectives.

What then should our policy be? What kind of program should it inspire, right now? It seems to me that there are two alternatives and that the choice between them depends on your conception of American national interest. Briefly, is the dominant American interest simply power, or is it peace?

An industrialized nation can regard atomic energy merely as a fortunate means for maintaining and expanding its existent industrial complex and thus consolidating or increasing its power position in the world. This, in great part, seems to be the attitude assumed by Great Britain. A heavy investment in atomic industrial power offers her the means of maintaining her status as a first-class industrial and commercial world power. Moreover, the pressure to seize this opportunity was powerfully augmented by the critical power shortage in England. An emergency existed, and it imparted a sense of urgency to the British program.

In contrast, no immediate emergency exists in the United States. Enormous as our power needs are, they can still be satisfied by the use of conventional fuels. Moreover, nuclear technology has not yet reached the point where it can put electric power on the lines in competition with power from conventional generators. Hence, if the national self-interest is narrowly identified with the supply of America's own power needs, there is no compelling incentive to embark on a large-scale nuclear power program.

Our present program is inadequate. There is only one large reactor from which power may be expected before 1961. For the rest, the Atomic Energy Commission's activities in this country are confined to research and development, to the construction of small pilot plants, and to the granting of limited assistance to utility groups. The responsibility for setting the pace of large reactor development is left to private industry. Under the limitations imposed by the large costs and risks involved, private industry is doing all it can. The international aspect of the program consists in the negotiation of bilateral agreements with other countries concerning the exchange of technological information, partial financial assistance for research reactors, and provision of nuclear materials for scientific research and for reactor construction.

For my part, I think that this program is much too limited. It falls woefully short of the demands of the current world situation. Moreover, I cannot accept the narrow view of the national self-interest which presently commands our policies. In my view, our national interest is basically identified not with power on the national scene but with peace on the international scene. At the moment it is difficult for me to see that we have developed an atoms-for-peace program that will realize the great human promise in this phrase.

An effective policy, one that will make the phrase a reality, must find its first premise in the conviction that the international atomic-power economy, which has now begun to develop, offers a firm hope of peace. This is true in two senses. It will help to create among the nations an order of interdependent economic life; it will unite them in pursuit of the new international common good which I have briefly described; it will assist in correcting the wide social inequalities in the world, which are a source of unrest and hostility. What is even more important, this whole development, if rapidly pushed, will help to diminish the dire threat now posed by nuclear weapons. This, to me, is the point of central significance.

What we now confront in the field of nuclear weapons is a state of anarchy. Each nation is acting as a law unto itself. There are no common norms or standards binding on all; there are no common agreements accepted by all. The present race for armaments is literally ungoverned. The situation is fraught with disaster. Until this international lawlessness and anarchy are resolved into some measure of order, neither America nor the world at large can enjoy even that basic security which consists in the assurance of continued national existence. In speaking of order I mean the institution of procedures of regulation, control, supervision, and inspection of the development and production of nuclear weapons.

We are attempting to work toward the conditions of order through direct disarmament negotiations. This is necessary; but it is by no means enough. More solid progress would be made by a genuine program of atoms for peace; that is, atoms for an international atomic-energy economy. Such an economy can only come into being under some supranational standards of regulation and control, whose enforcement would require supervision and inspection. The result would be experience in the workings of these procedures; and this experience would be invaluable in the problem of international weapons control.

Moreover, a receptivity to the whole idea of control and inspection would be created. It would be recognized that restraints upon nations in the nuclear field are necessary, and, what is more, the experience of such restraints would be ultimately beneficial. The whole notion of orderly cooperation among nations would be powerfully strengthened. The principle of order would have been introduced into the nuclear field in the interest of a common prosperity, which is at once a condition of peace and a force for peace.

But this development could not fail to affect the weapons field. Into it, too, the principle of order would find its way in the form of widening and more efficient systems of regulation and inspection. And as the program of atoms for peace gains momentum, the pace of the present mad rush of atoms for war would be brought under a due measure of rational control. This, I maintain, is not mere fancy. I believe that controls can most successfully be introduced into the field of nuclear armament by this indirect method—through an experience of the success and value of controls in the development of an international atomic-power economy.

From all this, the outlines of a sound American policy, adequate to the present crisis in economic history, begin to appear. If American self-interest is to be identified with the cause of peace through worldwide industrial development, it requires that we immediately take up the task of giving solid substance to the present international movement toward the utilization of atomic power for industrial purposes. This task is ours; only we can do it. Without us, the whole movement will stall. Or, if it moves, it may move in directions that we shall regret.

There is only one way of giving solid substance to the movement, and that is by putting industrial reactors into operation as soon as possible and as widely as possible. This in turn means that we must ourselves immediately undertake the construction of 2 or 3 large power reactors of different types in what would be the first phase of an accelerated construction program. At least

two basic designs give us points of departure—the Shippingport pressurized water reactor and the gas cooled reactor. Advanced versions of these two basic types should at least be constructed as a matter of highest priority in the first phase of the accelerated program. In later phases the results of our research into other reactor types could be utilized.

This construction program will not look to the satisfaction of America's own present power requirements. Its essential purpose looks beyond any day-by-day demands to a more basic need, namely, to develop an atomic-power industry in America. By this I mean the technological know-how and manufacturing capacity that will be the source and the strong support of the international movement toward an atomic-power economy, a peaceful economy that will itself undergird a peaceful and prosperous international community.

This extension of America's industrial potential into the new area of atomic power is the immediate goal. The way to set this development afoot is by a reasonably substantial program of reactor construction, in the course of which American industry will acquire the new nuclear dimension that must be added to it in this critical moment of history. The achievements of this new industrial capacity will then become a major article of export from American shores, to the advancement of American national interest and to the common good of the wider community of nations.

This proposal can and should be carried out without disturbing traditional patterns of American industry. Without initial Government assistance an American atomic-power industry cannot be created in time to meet the demands of the present crisis. However, in certain phases of America's newest and biggest business we have already proved that this initial reliance on Government need not create any dangers to the American system.

For instance, the uranium ore industry, orginally a governmental initiative, is now in the hands of private corporations. The present private-capital investment amounts to well over $100 million. Within a few years the annual production will have a market value of several hundred million dollars. This is the pattern of development that I envisage for the whole American atomic-power industry, as it comes into being. The industry would eventually be private enterprise in the full American sense.

Today we are accustomed to call the American system responsible capitalism. The name will be more deservedly bestowed when the American system fully shoulders its new responsibility, which is both economic and moral, for the creation of an international atomic power economy. To the assumption of this responsibility America is summoned by the vision which must guide the American people and their Government in this decisive moment of history—the vision of a strong and confident America using its resources of strength and its sense of moral purposes to lead the nations of the world toward the common goal of public prosperity in a peaceful international order.

DESIGNATION OF GOLDEN CORN TASSEL AS NATIONAL FLORAL EMBLEM OF THE UNITED STATES—RESOLUTION

Mr. DOUGLAS. Mr. President, I introduce, for appropriate reference, a joint resolution that the golden corn tassel be designated as the national floral emblem of the United States, and that the President be requested to declare such fact by proclamation.

The PRESIDING OFFICER (Mr. CLARK in the chair). The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 105) designating the golden corn tassel as the national floral emblem of the United States, introduced by Mr. DOUGLAS, was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. DOUGLAS. Mr. President, while no less than 30 countries have official national flowers to represent them, we do not. I am, therefore, proposing that the golden corn tassel be designated as our national floral emblem.

Two questions naturally arise in this connection. First, is it worth while to have a national floral emblem? Second, is the golden corn tassel the most appropriate emblem we can choose?

Any national floral emblem is a symbol, and proper symbols are extremely important and highly valuable. The cross focuses and intensifies the religious devotion of hundreds of millions. The lamb is the symbol of compassion. The flag stirs and deepens our patriotism. A national flower or floral emblem will, if it is appropriate, add legitimate grace and still further depth to our patriotism. The Irish properly pride themselves on the shamrock. The thistle, while perhaps unlovely to others, is beloved by the Scotch, while the fleur-de-lis symbolizes the beauty and the crowded history of the proud people of France.

Most of our States have State flowers, but we have no national floral emblem. Surely it would be better if we did. But if we choose such an emblem, we should take care that it be characteristic of our country; that it be meaningful and that it be beautiful. The golden corn tassel meets all three of these requirements.

It is certainly characteristic of the United States. The Indians had developed corn long before Columbus discovered the New World. It was corn given by the Indians which saved the Pilgrims from starvation during that first terrible winter at Plymouth. Along with tobacco and the potato, corn was one of the New World plants which were carried back to Europe and incorporated into the consumption and agriculture of the Old World.

The early colonists used corn as a staff of life and as the settlers moved westward, it furnished the food for man and beast. Cornmeal was the basis for the bread and corn on the cob was the harvest delicacy. If, therefore, there is a floral emblem which is completely American, it is the golden corn tassel.

But the corn tassel also has real meaning. Its Indian name was maize—which is the term still given to it in Europe. But maize was also the Indian term for mother. So, according to the Indians, corn was the lifegiver and life creator. Today, it is the best evidence of the fertility of our soil and the ability of our farmers. Over 3 billion bushels a year are normally produced with an annual value of over $4 billion.

Corn not only helps to nourish man directly through cornmeal and corn sirup, but it also feeds man indirectly, since it is the chief animal food of the country. Fed to hogs and cattle, it produces the pork and the beef which enrich our tables and give strength to our bodies.

Its industrial uses are also manifold, from cornstarch to industrial alcohol to fiberboard and to a myriad of other products. Fertility and abundance in a world of scarcity is blessed in itself and if wise use is made of that abundance, it can be of priceless value to humanity. The golden corn tassel will thus have deep significance and meaning.

Finally, the golden corn tassel has a unique beauty. Those who have seen endless rows of corn in the field, with the pale green tassel waving in the early summer breeze as an emblem of the coming victory of the fruitfulness of the earth over the despair of hunger, know how beautiful that phase is. Then, as the late summer and early fall approaches, the tassel turns a beautiful gold representing the wealth to come after the harvest. Not only is the tassel beautiful in the field, but that beauty is recorded on film, as witness the picture I hold and for which I am indebted to the Department of Agriculture. I will let the beauty speak for itself, as mere words will only be gilding the lily.

As we all know, many States and most nations have floral emblems representing them, and not all of these emblems are flowers in the strictest sense of the word. Maine is represented by the white pine cone and tassel, Vermont by the red clover, and Oregon the Oregon grape. While Illinois has as its State flower the violet, let me assure the Senate that we are far from shrinking in extrolling the virtues of this great State, particularly when it comes to the production of corn.

Turning to the floral emblems which represent other great countries of the world, we find that here, also, not all are flowers, strictly speaking. Mexico has its prickly pear, Wales its leek, and—being a Douglas—I must not forget Scotland and its thistle. Australia proudly displays her golden wattle, renowned for both its beauty of pale gold in flower and for the timber used in decorative wood wares, as her national floral emblem. Many of the flowers which represent their countries are either native to the land or have historical or religious significance. We see that the fleur-de-lis of France was proudly carried in battle as the emblem of their kings, and the shamrock was used by St. Patrick to illustrate the unity of the Trinity; and, hence, these became national emblems. Therefore, it is altogether fitting and proper that we select the golden corn tassel, native to our shores and having an important place in our lives, as our emblem.

While the rose has been suggested by both the Senator from Maine [Mrs. SMITH] and the Senator from New Mexico [Mr. CHAVEZ], and while I like the rose both in a vase or on the bush as well as my good friends do—indeed, in a modest way, I grow a few roses—I feel that it does not truly represent the whole Nation as does the golden corn

tassel. The rose was, as we all know, imported from England, where the Houses of York and Lancaster fought the War of the Roses, so-called for the red and white emblems of those two royal houses. Furthermore, it is already the national emblem of at least two other countries—Iran and Rumania—and it is the State flower of several of our States. And while I hope I do not cause the wrath of the rose fanciers to be lowered on my head, I believe the golden corn tassel better represents us all and should be our choice.

We in Illinois are particularly proud of our corn crop. Last year, we produced approximately 550 million bushels, more than any other State in the Union.

In view of all this, perhaps our Iowa friends will be willing to allow us to take over their State song so that it will read:

Illinois, Illinois,
That's where the tall corn grows.

I should like to give a little background on how I became interested in making the golden corn tassel our national floral emblem. A great lady, often called the Jane Addams of Peoria, Ill., Julia Proctor White, offered the suggestion that I look into this matter. I did, and found that Miss Margo Cairns, of Minneapolis, Minn., was the originator of the idea of honoring both our country and the important place corn has in our economy by choosing the golden corn tassel as our emblem. Miss Cairns has spent much time and money of her own in publicizing her idea. To attest to her devotion to this idea, the Minnesota Legislature has memorialized Congress to make the golden corn tassel our emblem. Not to be outdone, my good friend, Paul Simon, is introducing a resolution in the Illinois House of Representatives to do the same. Therefore, I invite both the senior Senator from Minnesota [Mr. THYE] and the junior Senator from Minnesota [Mr. HUMPHREY] to join me in introducing this joint resolution, even though Minnesota does not rank with Illinois in the production of corn. Representative JUDD has introduced a companion resolution in the House.

Mr. HUMPHREY. Mr. President, will the Senator permit me to do that at this point?

Mr. DOUGLAS. Certainly.

Mr. HUMPHREY. The only reason why the junior Senator from Minnesota did not proceed forthwith was that he had mentioned to him the sad statistical fact which the Senator from Illinois has just recorded, namely, that Illinois now ranks first in the quantity of corn grown.

Mr. DOUGLAS. That is correct.

Mr. HUMPHREY. I suggest most humbly that Minnesota ranks first in quality.

Mr. DOUGLAS. I invite the Senator from Minnesota to come to Illinois and see whether this statement is really correct.

While Mrs. White has, in her characteristic way, insisted that Margo Cairns receive all due credit for her idea, Mrs. White has given me permission to use a poem written by her aunt, Miss Edna Dean Proctor, also a native Illinoisan, published first in 1892. I feel this poem sums up the argument for the golden corn tassel becoming our national floral emblem very well, and with which I close. The last stanza reads as follows:

The rose may bloom for England,
The lily for France unfold;
Ireland may honor the shamrock,
Scotland her thistle bold;
But the shield of the great Republic,
The glory of the West,
Shall bear a stalk of tasselled corn—
The sun's supreme bequest!
The arbutus and the goldenrod
The heart of the North may cheer,
And sunflower, cactus, and poppy
To sierra and plain be dear.
And jasmine and magnolia
The crest of the South adorn;
But the wide Republic's emblem.
Is the bounteous, golden Corn!

SENATE PROCEDURE ON CIVIL-RIGHTS BILL

Mr. MORSE. Mr. President, I wish to make a few more remarks about the civil rights procedure problem which is pending before the Senate.

The lightning of personal criticism has been crashing around my head most of the day, I understand, from various quarters. But I am accustomed to that, and I have pretty much of a lightning-rod resistance to it.

However, I wish to make these comments for the RECORD, so that those who do not now understand will have a statement on the basis of which to arrive at a correct understanding.

I think I covered the matter adequately in my comments of this morning. I said then, and I repeat now, that the fact that my name appears on the statement which was issued last Friday is 100 percent my responsibility, and I assume full responsibility for it, although I was unable to participate in the meeting at which it was agreed among some of my very dear friends and colleagues to frame such a statement. Although my work on the floor of the Senate prevented me from studying such a statement, nevertheless I certainly gave permission to include my name on any understanding which my colleagues reached at that meeting. I respectfully say that I assume that carried with it, in this parliamentary body, no responsibility to continue to underwrite what I subsequently decided is a mistake, because any Senator who would do that would, from that moment on, betray the trust he owes the people of his State.

I have always taken pride in the fact that whenever I find myself wrong, I change my opinion. I recall that it was about 2 weeks before the end of the last session, I believe, before the last campaign, that the distinguished Senator from Illinois [Mr. DOUGLAS]—and, as I have said in many places, I consider him to be not only the greatest economist in the Congress, but also one of the greatest economists in the country—took the floor of the Senate, after I had completed a speech on a fiscal matter. I thought I was correct; I was representing a point of view shared by a considerable number of my colleagues. We thought we were correct, as we prepared for Senate action on that issue. But as I listened to the speech of the Senator from Illinois, more and more I became convinced that I was wrong; and, finally, when he came to several statistical tables which he read, I said to myself, "If I heard what I think I heard, I know I am wrong." Whereupon, I left my seat, and walked over to the seat of the Senator from Illinois. He was still reading his manuscript. I sat beside him, and looked at the tables he had read. The CONGRESSIONAL RECORD will show—I do not have it before me now, but I assure my colleagues that I summarize it with accuracy—that I asked the Senator from Illinois whether he would yield. He yielded. Then I asked him several questions; and then I told him I was satisfied that he was right and I was wrong, and that I wanted him to know that in view of the facts he had set forth, during the remainder of the debate I would be on his side of the issue. The Senator from Illinois, who always is very courteous, made it, I felt, rather easy for me to "eat crow" regarding the change of my opinion; and I returned to my seat.

It was rather interesting that during the next hour, several of my colleagues came to me and laughingly asked, "How do you expect to be reelected, when you publicly admit you were wrong?" We joked a little about that; and then I said, "I owe it to my constituents and also to my colleagues to change my position, even in the last few hours of a debate, when I become convinced that I am wrong."

Mr. President, I say that because, during my 13 years of service in this body, my record shows that I have never hesitated to change my position if I have become convinced I was wrong.

Of course, I also hold to the opinion that no Senator has the right irrevocably to commit himself in the case of a given issue, so that he cannot change his position, even if he becomes convinced he is wrong. I have said this before, and I thought all Members of this body knew it: I never hold the view that any Senator has the right to make an irrevocable commitment. I never ask for it, and I never give it.

Mr. President, my name was used properly on the statement, and I studied the issue after the statement was made. I wish I had had time to attend the meeting last week. I wish I had had time to study the statement. But I wish to make clear that none of the Members of the Senate who signed the statement are subject to the slightest criticism because my name was on it, inasmuch as they had the right to put my name on it, and they had the right to expect that I would share their point of view.

However, having convinced myself that I was wrong, I did the only honorable thing that, according to my code, I could do—when I walked onto the floor of the Senate this morning and gave the Senate publicly my reasons for changing my opinion.

Mr. President, it has been said today that I did so without going back to the

group which issued the statement. Of course I did that, and I did it for two principal reasons. First, I think it would have been very embarrassing to those concerned if I had asked them to hold another meeting, so that I could tell them exactly what I would tell the Senate. I could see no good to be accomplished by doing that. In fact, if I were to ask that a meeting be held so that I could announce that I changed my opinion, I think that would have been an unjustifiable imposition upon the time of those of my colleagues.

In the second place, I did not think, and I do not now think, that there was any obligation on my part to call the group together, in order to obtain their permission—and I can see no reason why any of them should want me to have them called together again—to announce publicly my reasons for a change of opinion in regard to the recommendation made by the group last week. They can sincerely differ with me about whether I am right in taking that course of action; but what I have stated is the reason for my taking it.

Mr. President, honest men can differ on this procedural matter; but my study of it leads me to certain conclusions. Unless someone can show me, during the debate which will follow, when this matter comes up on its merits, that I should hold a contrary view, this will be the way I shall decide the issue:

There is no doubt that rule XIV in its present wording justifies, I think, the literal interpretation that if a bill is read twice when it comes from the House of Representatives, and if, at that point, some Senator objects to having it go to committee, the bill goes on the calendar. But, as was pointed out this morning by the Senator from Georgia [Mr. RUSSELL], that is an old rule, coming from Jefferson's Manual; and it is an old rule which was modified into its present form in rule XIV, as I understand from the parliamentarian, in about 1877.

Since then, the Reorganization Act has become law. As I read rule 25 and such precedents as have been made to date on rule XXV, in relation to rule 14, I cannot escape the conclusion that under rule 25, proposed civil-rights legislation is to be referred to the Judiciary Committee; and that when the Senate adopted the LaFollette-Monroney act, in effect it modified rule 14. I think that position is supported—as the Senator from Georgia [Mr. RUSSELL] pointed out this morning—by the procedure on the day in 1948 when both the tidelands bill and the oleomargarine tax bill were before the Senate. When the tidelands bill came before the Senate from the House, Senator Downey, of California, at the time of the second reading of the bill—as the RECORD will show—objected to having the bill go to committee, and insisted that it go on the Calendar. The bill went on the Calendar. There was no discussion about it, no debate on it, and no objection was raised; and there was no parliamentary ruling on it. As the Senator from Georgia [Mr. RUSSELL] said this morning, and also in my judgment, it is not a precedent; it is merely an historical fact which shows what happened to that bill when no objection was raised.

But on the same day, the oleomargarine tax bill came before the Senate. It was suggested by the Senator from Arkansas [Mr. FULBRIGHT] that the same procedure which was followed in the case of the tidelands bill be followed in the case of the oleomargaine tax bill. I do not know what had happened in the intervening time, but I have a hunch that somewhere in the various precincts of the Senate some Senator had had discussions with other Senators, and I can imagine that there was plenty of cloakroom discussion about what had transpired in the case of the tidelands bill. But that is all conjecture.

The RECORD is perfectly clear what happened when the oleomargarine tax bill came before the Senate, with the request on the part of the Senator from Arkansas that it go to the calendar. There was objection. The then Senator from Michigan, Mr. Vandenberg was in the chair. I paraphrase again, but it will be printed in full in the CONGRESSIONAL RECORD of tomorrow, and the RECORD will show that, in effect, was the first incident, since the passage of the Reorganization Act, in which a precedent was to be established. The Senator from Michigan felt that the question should be determined by the full Senate. He referred it to the full Senate, and the full Senate, by a substantial vote, voted against the position taken by the Senator from Arkansas.

There is the precedent. I happen to think it was a correct precedent. I think we established a precedent in 1948 by the vote of the Senate in the oleomargarine case, and Senators cannot erase it. Although promises have been made that other precedents will be cited, I am waiting for a precedent which will erase the precedent established in 1948 in the oleomargarine case.

So far as strict legal technicalities are concerned, I rest my case there; but I do not rest my full case there. I want to rest my case on a much broader foundation—personal, subjective, if one wants to call it that, but pretty deep with me so far as concerns the course of conduct I think I should follow in connection with parliamentary procedure.

There is not a southern Senator on this floor—and certainly the Senator from Georgia [Mr. RUSSELL] could be my witness on this point—who does not know I disagree with those who seek to prevent the passage of what I consider to be adequate civil-rights legislation. I do not yield to any Member of the Senate when it comes to my record on civil-rights legislation, but I cannot accept the contention, which is being advanced in the press today, that the acid test of a Senator's convictions on civil-rights legislation is going to be shown by how he will vote in the Senate on the interpretation of rule XIV.

I respect these gentlemen for their point of view, but their point of view on procedure is not going to be the acid test of my position on civil rights, because I happen to believe, as I said to the Senator from Minnesota this morning when he made his brilliant speech covering the 14th and 15th amendments, that the Senator from Minnesota set forth a very sound public policy, as well as a sound legal position, with regard to civil-rights legislation. I happen to hold to the point of view that as Members of the Senate we ought to lean over backward whenever there is a question raised as to whether we are being completely fair with respect to procedure in the Senate. As I said earlier, and I repeat now, parliamentary expediency is no synonym for liberalism. I would much prefer to take the longer way and make the harder fight, if necessary, but at the same time lean over backwards and grant every doubt to our opponents on this issue so far as procedural rights in the Senate are concerned.

I am not going to ignore the fact that throughout the history of the Senate the custom and the practice has been to refer bills automatically to the committees to which they should be appropriately assigned. Oh, yes, there have been some exceptions, Mr. President, but not on contest; not when a colleague in effect says, "I do not think you are treating the opposition fairly."

I talked to the Parliamentarian about this. I may be wrong in my recollection of what he said, but my recollection of the figure he gave me is this: I want him to listen to me, because I shall correct the RECORD if this figure is not accurate. My recollection is that the Parliamentarian told me he did not think there had been more than 18 cases throughout the long history of the Senate, since the rule of 1877, where there had been any exception to the practice I am now outlining, namely, the practice of bills messaged from the House almost automatically going to the appropriate Senate committees. Even if we did not have the precedent established in 1948, by a yea and nay vote of the Senate on the oleomargarine tax case, I do not think we should adopt that practice merely because it might be to our parliamentary advantage to follow that precedent. We would leave colleagues in the Senate thinking we had not been fair to them procedurally. I know it is said we, too, at long last ought to be somewhat out of patience, because many times we fight for human rights legislation and we find we have obstacles of parliamentary procedure to overcome. My answer to that is that if we do not like the rules of the Senate, we ought to change them.

My southern friends did not like the position I took on rule XXII. Some years ago, it will be recalled, I took the position that we ought to change rule XXII; my position was not based on any issue as to whether or not the Senate is or is not a continuing body. I said then, and the RECORD will so show, I thought that was an argument on form much more than substance. I thought the substance of the issue was that, under the rules as they are written, the Senate was in a difficult position in attempting to reach consideration of civil-rights legislation. I was in favor of an outright, forthright changing of the rule. I still am, but by a vote of the Senate, and not by what I consider to

be, speaking respectively, at best, a narrow technical interpretation of the rules.

Therefore, in this fight, Mr. President, I am for civil rights legislation, but I am for the House bill, if and when it comes over to the Senate, going to the Judiciary Committee, as the Reorganization Act, I respectfully said, clearly contemplated and intended, in my opinion. I am for giving that committee a reasonable length of time to consider it. We are not going to be fooled by any committee that uses technical procedure to bottle up pending legislation. If that committee tried to bottle up the bill, I would then be in favor of a resolution to discharge the committee from consideration of the bill. By the same majority vote, we can discharge a committee.

It is said that we shall still be in parliamentary difficulty, because it means that has to be done during the morning hour, and Senators can speak until 2 o'clock, and by dilatory tactics, they can prevent the motion from coming up for some time. Mr. President, they lose in the long run, unless they have the conviction I have. I happen to hold to the view that when people use tactics of that kind, they destroy the very case they are seeking to defend, if the opposition has the will and determination to stick to the issue and hold fast until finally sound civil rights legislation can be enacted.

People say, "Senators become tired. They want to go home. They want to do this, and they want to do that." I know of nothing more important, so long as we sit in the Senate, than carrying out the full obligations of our oath of office.

As I said to the Senator from Minnesota this morning in my colloquy with him, when I commended him for what I thought was another one of his great speeches, I think we ought to fight, on the basis of procedure, so no one can say we used any form of parliamentary expediency. We should give the Judiciary Committee an opportunity to consider the House bill and give it a reasonable time to report the House bill. Then, if we are satisfied the committee is not keeping faith with its obligation to the Senate, namely, to report the bill, either with approval or without approval, we can then move to discharge that committee, and keep that issue before the Senate until we finally get a vote on it, and use our majority, if we have a majority. If we have a majority, we can use it to discharge the committee and then to pass fair civil rights legislation. That is my case.

To all of the other 13 Members whose names are on the statement Friday I wish to say I am exceedingly sorry if I have offended them in any way. I said this morning, however, that I would presume that some of them would think I had pulled the rug out from under them, but I want them to know I reached no conclusion on this matter, as a member of my office staff can tell them, until midafternoon yesterday, when I finally told my staff member that I thought the procedure proposed was not the sound procedure we ought to follow and that I was going to have to reverse myself on that issue.

I have made this statement, Mr. President, because I thought the record ought to be clear. I am perfectly willing to be judged by my conscience on this matter.

To those 13 colleagues of mine, let me say they can count on me to fight with them for good civil-rights legislation. However, I do not intend to go along with a course of action which, in my judgment, has some of the characteristics of parliamentary expediency, which I think will be at the cost and expense of complete fairness to all our colleagues in the Senate on this issue.

Mr. JOHNSON of Texas obtained the floor.

Mr. DOUGLAS. Mr. President——

Mr. JOHNSON of Texas. Does the Senator desire to address the Senate?

Mr. DOUGLAS. I would appreciate it if I might be recognized.

Mr. JOHNSON of Texas. I was recognized, let me say to the Senator.

Mr. DOUGLAS. I beg the Senator's pardon.

Mr. JOHNSON of Texas. I had planned to make a motion to adjourn.

Mr. DOUGLAS. I wonder if the Senator from Texas would be willing to withhold his motion and yield to me for a brief moment.

Mr. JOHNSON of Texas. That is the reason I asked the question, as to whether the Senator desired to address the Senate. I am happy to yield to the Senator.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DOUGLAS. Mr. President, I should like to say, not in reply to my friend, the Senator from Oregon, but in comment upon what he has said, that of course a man's conscience is his most sacred possession and it is very important that one should follow one's conscience at all times.

If upon careful examination of the issues and careful scrutiny of one's conscience a man believes he was in error, it is perfectly proper and acceptable for him to so declare immediately. I wish to assure the Senator from Oregon that I understand and appreciate his motives and have no criticism of those motives. I have expressed myself privately to him that I thought it would have been better if the rest of our group had received advance notice of what he intended to do. I still feel that way but this is a matter for him to decide.

I wish to say that the views which the Senator from Oregon holds on most public issues are so close to the beliefs of the Senator from Illinois, and I think of the vast majority of northern and western Democrats, that I hope he will not feel this difference constitutes any permanent breach between us. We happen to believe, on our side of the fence, as strongly as he does on his side that we are proceeding properly. We have arrived at this opinion after reading what happened on both the tidelands and oleo bills. While we may have some temporary differences of opinion, which I am sure some would like to encourage, I hope these differences will not be permanent between us and that after this immediate issue is decided that the Senator from Oregon, the Senator from Illinois and others of the same faith may move together on the many issues which we hold in common.

I shall be very glad to talk to the Senator from Oregon off the floor on this subject, and to assure him of the deep and continuing friendship of the Senator from Illinois, and of my hope that this friendship may be continued in the future.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield to the Senator from Oregon.

Mr. MORSE. I wish to say to my friend, the Senator from Illinois [Mr. DOUGLAS], that I never had the slightest idea our difference over this matter would have any effect on our personal relations whatsoever. I told the Senator earlier this afternoon that I consider him one of my dearest friends. I shall always hold for him the high regard and respect I now entertain for him, and keep him on my list as one of my dearest friends.

THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY—RESERVATION

Mr. BRICKER submitted a reservation, intended to be proposed by him, to the resolution of ratification of the statute of the International Atomic Energy Agency, which was ordered to lie on the table and to be printed.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. The Senate is now in executive session?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Texas. Pursuant to the order previously entered, when the Senate convenes tomorrow it will convene at 12 o'clock, in executive session?

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that the Senate will convene in executive session.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, pursuant to the order previously entered, while we have such a wonderful atmosphere existing, I move that the Senate stand in adjournment until tomorrow.

The motion was agreed to; and (at 6 o'clock and 26 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Tuesday, June 18, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate June 17, 1957:

DIPLOMATIC AND FOREIGN SERVICE

Jacob D. Beam, of New Jersey, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Poland.

ATOMIC ENERGY COMMISSION

John S. Graham, of North Carolina, to be a member of the Atomic Energy Commission for the term expiring June 30, 1959, vice John Von Neumann, deceased.

John Forrest Floberg, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1962, vice Thomas E. Murray, term expiring.

HOUSE OF REPRESENTATIVES

MONDAY, JUNE 17, 1957

The House met at 12 o'clock noon.

Dr. Ralph M. Sharpe, minister, Francis Asbury Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, unto whom all hearts are open, all desires known, and from whom no secrets are hid; cleanse the thoughts of our hearts by the inspiration of Thy holy spirit, that we may perfectly love Thee, and worthily magnify Thy holy name; through Christ our Lord.

We rejoice today that the things which gladden, enrich, and perfect life are Thy gifts. Thou, O Lord, art the supreme giver and the source of all our blessings. We pray that our thoughts and affections may be centered on Thee, forgetting not Thy benefits. Give us possession of ourselves, sustain us with Thy presence, and gladden us in the increase of our strength.

Let not the spirit of thankfulness die in our hearts, thankfulness for a great heritage worth living and dying for; gratitude for abiding faith that will survive all disaster and rise triumphant above the wrecks of time. Let us be attentive to Thy voice that we may know the things which belong to our peace and the peace of the world. We ask in the Redeemers's name. Amen.

The Journal of the proceedings of Friday, June 14, 1957, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes.

DEPARTMENT OF AGRICULTURE AND FARM CREDIT ADMINISTRATION APPROPRIATION BILL, 1958

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 7441, making appropriations for the Department of Agriculture and Farm Credit Administration for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause]. The Chair hears none and appoints the following conferees: Messrs. WHITTEN, MARSHALL, NATCHER, BOWLER, CANNON, H. CARL ANDERSEN, HORAN, VURSELL, and TABER.

INDEPENDENT OFFICES APPROPRIATION BILL, 1958

Mr. THOMAS of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6070, making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments, disagree to the amendments of the Senate and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. THOMAS, YATES, EVINS, BOLAND, CANNON, VURSELL, OSTERTAG, JONAS, and TABER.

COMMITTEE MEETINGS DURING SESSIONS OF THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Small Business may be allowed to sit this week after today during general debate in the House.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

THE HOUSE TALLY CLERKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the gentleman from Pennsylvania [Mr. FULTON] referred to the fact that in only 4 instances in his 13 years of service in the House has he been recorded incorrectly on rollcalls. May I say that in 32 years as a Member of this House in only 1 instance have the tally clerks made an error in recording my vote? I think this is a very fine record and I congratulate them for their accuracy.

SUBCOMMITTEE ON LABOR

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent that the Fair Labor Standards Subcommittee of the Committee on Labor may have permission to sit during general debate for the balance of the week.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

WORLD WAR VETERANS' ACT, 1924

The Clerk called the bill (H. R. 72) to amend section 21 of the World War Veterans' Act of 1924, to provide for the disposition of certain benefits which are unpaid at the death of the intended beneficiary.

Mr. ASPINALL. Mr. Speaker, a rule has been granted on this bill. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

KLAMATH TRIBE OF INDIANS

The Clerk called the bill (S. 469) to authorize the United States to defray the cost of assisting the Klamath Tribe of Indians to prepare for termination of Federal supervision, to defer sales of tribal property, and for other purposes.

Mr. CUNNINGHAM. Mr. Speaker, a rule has been granted on this bill; therefore I ask unanimous consent that it may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EQUIPMENT AND SERVICES TO BOY SCOUTS FOR JAMBOREE

The Clerk called the bill (H. R. 6881) to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Boy Scouts of America for use at the Gold Rush 1957 Jamboree of the Boy Scouts of America, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. VINSON. Mr. Speaker, I ask unanimous consent that this bill be stricken from the calendar.

Mr. CUNNINGHAM. I concur in that request, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

MEAT PROMOTION PROGRAM

The Clerk called the bill (H. R. 7244) amending the Packers and Stockyards Act, 1921, to permit deductions for a self-help meat promotion program.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

SERGEANT BLUFF CONSOLIDATED SCHOOL DISTRICT

The Clerk called the bill (H. R. 1942) for the relief of the Sergeant Bluff Consolidated School District.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not

otherwise appropriated, to the Sergeant Bluff Consolidated School District, of the State of Iowa, the sum of $15,217.53. The payment of such sum shall be in full settlement of all claims of the said school district against the United States for tuition for children of Air Force personnel stationed at Sioux City Air Force Base, Iowa, for the school year 1951–52, 1952–53, 1953–54, which tuition payments the said school district failed to receive because of erroneous information given to them by an Air Force representative: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 4, strike out "in excess of 10 percent thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AMENDING TITLE 10 OF THE UNITED STATES CODE

The Clerk called the bill (H. R. 1061) to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 10, United States Code, is amended as follows:

(1) Chapter 163 is amended—

(A) by adding the following new section at the end thereof:

"§ 2736. Property loss; personal injury or death; incident to use and operation of Government property and not cognizable under other law.

"(a) Under such regulations as the Secretary of a military department may prescribe, he or any officer designated by him may settle, and pay in an amount not more than $1,000 a claim against the United States, not cognizable under any other provision of law, for damage to, or loss of, property, or for personal injury or death, caused by a civilian officer or employee of that department or a member of the Army, Navy, Air Force, or Marine Corps, as the case may be, incident to the use or operation of Government property.

"(b) Under such regulations as the Secretary of Defense may prescribe, he or any officer designated by him has the same authority as the Secretary of a military department with respect to a claim for damage to, or loss of, property, or for personal injury or death, caused by a civilian officer or employee of the Office of the Secretary of Defense, incident to the use or operation of Government property.

"(c) A claim for personal injury or death under this section may not be allowed for more than the cost of reasonable medical, hospital, and burial expenses actually incurred, and not otherwise furnished or paid by the United States.

"(d) No claims may be allowed under this section unless it is presented in writing within 2 years after it accrues."; and

(B) by adding the following item at the end of the analysis:

"§ 2376. Property loss; personal injury or death; incident to use and operation of Government property and not cognizable under other law."

(2) Chapter 651 is amended—

(A) by repealing section 7625; and

(B) by striking out the following item in the analysis:

"Claims against the United States; private property; loss or damage."

With the following committee amendments:

Page 3, line 3, strike out "accrues" and insert "accrues."

Page 3, line 6, strike out "651" and insert "653".

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, the Secretary of the Navy now has power to settle claims for damages to or loss of private property not in excess of $500. The proposed bill would expand this settlement power to include the settlement of claims for personal injury and death and would increase the top limit of such settlement from $500 to $1,000. Furthermore, it would apply to the Secretary of Defense and the Secretary of the Army and Air Force as well as to the Secretary of the Navy. The Secretary of the Navy has had this power for more than 25 years and in practice it has worked well.

In the opinion of the committee there is a very practical need for the Secretary of the military departments to exercise the authority to settle the type of claims contemplated under this bill and the possession of this authority would eliminate the introduction of numerous private bills every year, for as it is expressly stated in the bill the claims to be settled under this proposed measure would be only those which are not provided for under any other law.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FEDERAL PROBATION ACT APPLICABLE TO DISTRICT COURTS

The Clerk called the bill (H. R. 7261) to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of title 18, United States Code, section 3651, shall apply to the United States District Court for the District of Columbia. Accordingly, the first paragraph of section 3651 of title 18, United States Code, is amended by striking therefrom the words, "except in the District of Columbia", so that said paragraph shall read as follows:

"Upon entering a judgment of conviction of any offense not punishable by death or life imprisonment, any court having jurisdiction to try offenses against the United States when satisfied that the ends of justice and the best interest of the public as well as the defendant will be served thereby, may suspend the imposition or execution of sentence and place the defendant on probation for such period and upon such terms and conditions as the court deems best."

SEC. 2. The act approved June 25, 1910 (36 Stat. 864; sec. 24–102, D. C. Code) is repealed insofar as it applies to the United States District Court for the District of Columbia but nothing contained in this act shall be construed to amend or repeal the provisions of the act entitled "An act to provide for the suspension of the imposition or execution of sentence in certain cases in the Municipal Court for the District of Columbia and in the Juvenile Court of the District of Columbia," approved June 18, 1953 (67 Stat. 65).

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PROVIDING REASONABLE NOTICE FOR CERTAIN INTERLOCUTORY RELIEF

The Clerk called the bill (H. R. 6789) to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the third sentence of subsection (b) of section 9 of the act of December 29, 1950 (64 Stat. 1132; 5 U. S. C. 1039), is amended to read as follows: "In cases where irreparable damage would otherwise ensue to the petitioner, the court of appeals may, on hearing, after reasonable notice to the agency and to the Attorney General, order a temporary stay or suspension, in whole or in part, of the operation of the order of the agency for not more than 60 days from the date of such order pending the hearing on the application for such interlocutory injunction, in which case such order of the court of appeals shall contain a specific finding, based on evidence submitted to the court of appeals, and identified by reference thereto, that such irreparable damage would result to petitioner and specifying the nature of such damage."

SEC. 2. The second sentence of subsection (d) of section 1006 of the Civil Aeronautics Act of 1938 (52 Stat. 1024; 49 U. S. C. 646), as amended, is further amended to read as follows: "Upon good cause shown and after reasonable notice to the Board, interlocutory relief may be granted by stay of the order or by such mandatory or other relief as may be appropriate."

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, under the present law—section 1039 of title V of the United States Code—where irreparable damages would otherwise ensue to the petitioner, the court of appeals may, after not less than 5 days' notice

to the agency involved and to the Attorney General, order a temporary stay of the operation of the order of the agency for not more than 60 days. It has been felt that to require the petitioner to give the agency and the Attorney General 5 days' notice in certain urgent cases prevents the court of appeals from staying the operation of the agency's order in sufficient time to avoid undue hardship to the person involved.

This bill, which has been recommended by the Judicial Conference of the United States, would simply change the requirement of not less than 5 days' notice to a requirement of "reasonable notice" to the agency and the Attorney General.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTEREST CHARGES ON CIVIL SERVICE RETIREMENT DEPOSITS

The Clerk called the bill (H. R. 3048) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mrs. PFOST. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 601, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Idaho?

There was no objection.

The Clerk read the Senate bill as follows:

Be it enacted, etc., That section 4 (e) of the Civil Service Retirement Act, as amended, is amended by adding at the end thereof the following: "No interest shall be charged for any period of separation from the service which began before October 1, 1956."

SEC. 2. The amendment made by this act shall take effect as of October 1, 1956.

Mrs. PFOST. Mr. Speaker, I offer the first of two amendments.

The Clerk read as follows:

Amendment offered by Mrs. PFOST: Strike out all after the enacting clause and insert in lieu thereof the following: "That section 4 (e) of the Civil Service Retirement Act, as amended, is amended by adding at the end thereof the following: 'No interest shall be charged for any period of separation from the service which began before October 1, 1956.'

"SEC. 2. Section 403 of the Civil Service Retirement Act Amendments of 1956 (70 Stat. 760; 5 U. S. C. 2251, note) is amended by adding at the end thereof the following sentence: 'The beginning date of the annuity of the surviving widow of any Member described in the immediately preceding sentence who shall have died on or after January 1, 1957, shall be the first day of the month in which such Member shall have died or the first day of the month in which this sentence is enacted, whichever day occurs later.'

"SEC. 3. The amendment made by the first section of this act shall take effect as of October 1, 1956."

The amendment was agreed to.

Mrs. PFOST. Mr. Speaker, I offer a second amendment.

The Clerk read as follows:

Amendment offered by Mrs. PFOST: Amend the title so as to read: "A bill relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes."

Mr. BYRNES of Wisconsin. Mr. Speaker, I move to strike out the last word, and I do so to inquire of the gentlewoman as to whether or not these amendments bring the Senate bill in conformity with the bill reported out of the House committee.

Mrs. PFOST. Yes.

Mr. BYRNES of Wisconsin. So these amendments all have committee approval?

Mrs. PFOST. Yes. The first amendment is to the text of the bill. The second amendment conforms the title and the change in the text. The effect of the amendment to the text of the bill is to incorporate in the bill the language in the text of H. R. 3048 as reported by the Post Office and Civil Service Committee, which is explained in House Report No. 540, accompanying H. R. 3048. The amendment to the text of S. 601 conforms the title of this bill and the title of H. R. 3048 as reported.

S. 601 and H. R. 3048 as introduced are identical.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended to read: "A bill relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes."

A motion to reconsider was laid on the table.

H. R. 3048 was laid on the table.

EXTENDING TITLE II, FIRST WAR POWERS ACT, 1941

The Clerk called the bill (H. R. 7536) to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of January 12, 1951 (64 Stat. 1267), as amended, is further amended by striking out "1957" and inserting in lieu thereof "1959".

With the following committee amendments:

Page 1, line 4, strike out "1267" and substitute "1257".

Page 1, line 5, strike out "1959" and substitute "1958".

Mr. KEATING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEATING. Mr. Speaker, under the provisions of title II of the First War Powers Act, the President may authorize any department or agency of the Government, which is dealing with national defense, to make contracts and negotiate with respect to the contracts, without regard to the provisions of the law relating to the making, performance, or amendment of such contracts. The President can authorize this whenever he deems that it would facilitate the national defense.

Pursuant to this act the President has conferred the powers authorized upon the heads of a number of departments including Defense, Commerce, Agriculture, Interior, and the Atomic Energy Commission.

It is felt that continuation of these emergency powers is important to assist the various departments in the prosecution of the national mobilization program. Under this act, for example, an executive department could modify a Government contract without requiring additional consideration where a threatened loss on the contract might force the contractor out of business.

Title II was reactivated for the Korean emergency in 1951 and has been extended ever since. Unless extended now it will expire on June 30 this year. This bill would extend it for another 1-year period until June 30, 1958.

The bill as referred to the Committee on the Judiciary provided for an extension until 1959. It was, however, the opinion of a majority of the committee that emergency legislation such as this should not be automatically extended for long periods of time without sufficient study and understanding by the committee. For this reason, the committee amended the bill so as to extend the act for a period of only 1, rather than 2 years. Meanwhile, it is my hope that the committee will make the proper study to determine whether this act should be further extended next year.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GRANTING CERTAIN LANDS TO THE TERRITORY OF ALASKA

The Clerk called the bill (H. R. 3940) to grant certain lands to the Territory of Alaska.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby granted to the Territory of Alaska all right, title, and interest of the United States, in and to section 16, township 13, north, range 3 west, Seward meridian, containing 640.08 acres, and in and to the minerals in said lands, including all rights, title, and interest under any lease, permit, or contract covering said lands and minerals.

SEC. 2. Notwithstanding the provisions of section 1 of the act of March 4, 1915 (38 Stat. 1214; 48 U. S. C. 353), as amended, the Territory of Alaska may manage and dispose of the lands and minerals described in section 1 of this act in any manner as the Legislature of Alaska may by law direct: *Provided*, That the proceeds or income hereafter derived from said lands and minerals, over and above their cost of management or disposal, shall be set apart as permanent funds, to be invested and the income expended for the

exclusive use and benefit of the public schools in Alaska in the same manner as provided for in section 1 of the act of March 4, 1915, supra.

SEC. 3. Nothing in this act shall affect any valid rights and obligations under the laws of the United States and under the laws of the Territory of Alaska existing at the date of enactment of this act.

SEC. 4. Enactment of this act shall not entitle the Territory of Alaska to designate other land for reservation in accordance with section 1 of the act of March 4, 1915, supra, in lieu of the land granted by this act.

SEC. 5. The Secretary of the Interior is authorized and directed to issue to the Territory of Alaska, a patent for the lands and minerals described in section 1 of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SETTLEMENT AND ENTRY OF PUBLIC LANDS IN ALASKA CONTAINING COAL, OIL, OR GAS

The Clerk called the bill (H. R. 4635) to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act of March 8, 1922 (42 Stat. 415; 48 U. S. C. 376), is hereby amended:

(a) By striking out the words "from and after the passage of this act" and by inserting in lieu thereof the following: "Claims under section 10 of the act of May 14, 1898 (30 Stat. 413), as amended (48 U. S. C. 461), and"

(b) By striking out the phrase "settler who has initiated a homestead claim" and by inserting in lieu thereof "claimant who has initiated such a claim."

SEC. 2. Section 2 of the act of March 8, 1922 (42 Stat. 416; 48 U. S. C. 377) is hereby amended by striking out the last proviso of that section.

SEC. 3. The act of May 14, 1898, as amended, supra, is further amended by inserting immediately after the words "coal lands" and "gas lands" where they appear, the following: "except as provided under the act of March 8, 1922 (42 Stat. 415; 48 U. S. C. 376)."

SEC. 4. Any person who heretofore settled or entered on lands made subject to the provision of the act of March 8, 1922, under the terms of this act shall be entitled to credit toward the requirements of the act under which settlement or entry was made to the full extent that he complied with such requirements prior to the enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

REVISION OF TRIBAL ROLL, EASTERN BAND OF CHEROKEE INDIANS

The Clerk called the bill (H. R. 4830) to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That nothwithstanding the act of June 4, 1924 (43 Stat. 376) and the act of March 4, 1931 (46 Stat. 1518), the Tribal Council of the Eastern Band of Cherokee Indians, under such rules and regulations as it prescribes subject to the approval of the Secretary of the Interior, is authorized to revise the roll of the Eastern Band of Cherokee Indians of North Carolina, prepared and approved pursuant to such acts of June 4, 1924, and March 4, 1931, (1) by removing from such roll the name of any person who is not living on the date of enactment of this act, (2) by placing on such roll all members of the Eastern Band who on the date of enactment of this act are not on such roll, and (3) by making from time to time such other changes in, additions to, and deletions from the roll as the tribal council determines to be necessary. The tribal council shall, subject to approval by the Secretary of the Interior, prescribe the requirements (including the degree of Cherokee Indian blood) for membership in the Eastern Band of Cherokee Indians for persons born on or after June 4, 1924.

SEC. 2. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That completes the call of the eligible bills on the Consent Calendar.

CALL OF THE HOUSE

Mr. MASON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 110]

Adair	Fogarty	Porter
Bailey	Griffin	Powell
Baker	Hillings	Scherer
Beamer	Holtzman	Simpson, Ill.
Bentley	James	Steed
Blitch	McConnell	Teague, Calif.
Bowler	McGovern	Walter
Brownson	McIntosh	Williams, N. Y.
Coudert	Machrowicz	Yates
Evins	May	

The SPEAKER. On this rollcall 406 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

Mr. CELLER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H. R. 6127, with Mr. FORAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose on Friday the bill was considered as having been read and open to amendment at any point. It was also agreed that all time for debate on the bill and all amendments thereto would close not later than 6 p. m. today.

Are there any further amendments?

Mr. SMITH of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Virginia: On page 10, line 5, after the period add a new sentence as follows: "It is hereby declared to be the policy of the Congress that in the trial of charges of criminal contempt of court in any proceedings pursuant to this act no person shall be deprived of a trial by jury who would be entitled to such trial by jury in the absence of this act."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I make the point of order that this amendment, providing for jury trial, has already been dealt with.

Mr. SMITH of Virginia. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair must state that the amendment is in an entirely different form than the one already considered and must hold that it, too, is germane and overrules the point of order.

Mr. SMITH of Virginia. Mr. Chairman, this is a very simple amendment and it is designed to illustrate the sincerity or lack of sincerity of those who debated the jury trial amendment. The entire debate was predicated upon the assertion by the ranking minority member of the Committee on the Judiciary, the gentleman from New York [Mr. KEATING], the author of the bill, and by the chairman of the committee, the gentleman from New York [Mr. CELLER], that there was no intention on the part of the authors of this bill or the Congress to deprive a person of a trial by jury who would otherwise be entitled to it.

Now, it is well known that ordinarily a person cited for contempt under section 3691 of the code is entitled to a trial by jury unless the Government is a party. In this case the Government is a party, for whatever purpose I will not discuss, but it was affirmatively asserted that there was no intent on the part of the gentlemen who propose this bill to the Congress that it should deprive any person of the right of trial by jury who would otherwise be entitled thereto. Now, this amendment simply says what they say. If they meant it, all right; if they did not mean it, let them come up on the floor and say they did not mean it.

I want you to pay particular attention to this language, because what it says is to say what they said when they were proposing the bill and debating for the bill. The amendment simply says:

It is hereby declared to be the policy of the Congress that in the trial of charges of criminal contempt of court in any proceedings pursuant to this act no person shall be deprived of a trial by jury who would be entitled to such trial by jury in the absence of this act.

Now, is that not simple? Is that not what you intended to do, or did you have your tongue in cheek when you voted against the trial by jury amendment? I am just putting you to the test. Did you mean it or did you not mean it? All this says is that it is the policy of the Congress—there is nothing affirmative about it except to express what the gentlemen expressed—that no person would be deprived of a jury trial by this bill who would otherwise be entitled to it.

In closing I want to again call attention to the language at page 8501 of the RECORD of June 6.

First the gentleman from New York [Mr. KEATING].

I will say to the gentleman that I was the author of this provision as it came to me from the Justice Department.

Which meant the Justice Department was the author, really.

I say to the gentleman categorically—

Categorically, mind you—

that, while it may be an admission of ignorance, it never entered my mind that I was taking away anybody's right to a jury trial when I introduced the measure or when I voted for it in committee and in the last Congress. Such a motive was never in my mind. I do not know whether it was in the mind of anyone else or not.

He was followed by the distinguished chairman of the committee, the gentleman from New York [Mr. CELLER] who said:

I want to say at the outset I agree with what the gentleman from New York [Mr. KEATING] said with reference to our motives. As I said before, I am a libertarian, and I would not want by any stretch of the imagination to take away any rights from anyone.

Gentlemen, there it is. I have laid it on the line. You either meant it or you did not mean it. Your vote will test your sincerity.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment offered by the distinguished gentleman from Virginia [Mr. SMITH]. We have already passed on the substance of this amendment by a very decisive vote. The amendment, which in substance is this very amendment now offered by the gentleman from Virginia [Mr. SMITH] was decisively defeated. Let me read the amendment that we defeated here Friday:

Provided, That in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, and the act or thing done or omitted, also constitutes a criminal offense under any act of Congress, or under the laws of any State in which it was done or omitted, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

All the gentleman does is state it in another way. He uses different language, but the import and meaning are exactly the amendment which we defeated on last Friday.

I will state that nobody acted with tongue in cheek. I would say beyond that that the gentleman from Virginia [Mr. SMITH] is as wrong as a 2-foot yardstick in proposing this amendment at this time and saying that it is different than the amendment that we defeated.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the gentleman from Virginia [Mr. SMITH] sometimes has a very, very unpleasant way of pointing down the highway we are traveling. The result is that we are shown to be inconsistent—a disagreeable feeling. He made the statement a few moments ago that during the debate the contention had been all through—and that is my understanding of it—that we were not taking away from anyone anything at all by rejecting the amendment providing for a trial by jury.

Notwithstanding the statement of the very distinguished gentleman from New York [Mr. CELLER] that this was the same amendment, different only in words, from the jury-trial amendment—previously offered—my understanding, as I listened to the ruling of the Chair is that it was a different amendment. If I am wrong I want to be corrected.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from New York.

Mr. CELLER. I think the Chair said it was only different as to form.

Mr. HOFFMAN. Different words? Well, different as to form. Do you mean it? As the gentleman from Virginia said, did you mean it the other day when you said this bill would not deprive anyone of a trial by jury? All this amendment does is to make clear that it was not the intent of this bill to deprive anyone of a civil right.

Mr. CELLER. Is the gentleman asking me?

Mr. HOFFMAN. Last Friday one of our colleagues said that we had to make the choice between the right to vote and the right to trial by jury. That was not and is not the issue. But I wonder, if that was the real issue, what Girard, awaiting trial in Japan, would say. Would he rather have a trial by jury, an American jury, or the right to vote? A vote may not do him much good if he cannot get a trial by jury.

Then another thing, some of us have grown a little bit weary of having our actions characterized in a certain way. Let me read from the RECORD: Of those who oppose this bill, it was said:

Clothing their arguments in sheep's garments of high-sounding phrases, nevertheless, the heart of their approach is one of hypocrisy and dishonesty.

I apologize to the House for sitting here and letting a Member get away with that statement. A point of order should have been made. I just did not ask to have the words taken down, as I should have.

Here is another quote:

As for me, I would like you to face your conscience and make the choice between hypocrisy and honesty.

Some are getting a little bit tired of listening to accusations of hypocrisy and dishonesty every time he does not agree with what someone, especially from those who preach the Gospel, has to say.

The gentleman from Virginia has put it right on the line. Do you mean what you said the other day when you said you were not by this bill taking away any right that was vested in a citizen?

Mr. BOYLE. Mr. Chairman, I rise in opposition to the amendment, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BOYLE. Mr. Chairman, this is the ninth day of debate. A lot has been said on both sides of this issue. When this bill cleared the committee it was evident the only amendment to the total bill of any significance or consequence was the so-called trial-by-jury proviso.

Transmitting all of those sad and bitter charges of hypocrisy and dishonesty, I am going to ask you to bear with me in these last hours of discussion to see if we can divorce emotionalism from this bill and figuratively put it in a bag, remove it from the Chamber and hang it out in the cloakroom, because its removal will help the deliberations. A cold, calm, and dispassionate view will help us discern the jury issue fairly and factually according to the dimensions of the bill itself.

Every Member who voted in favor of this measure last Friday is strong in support of the right of a trial by jury in criminal cases. They realize, like you and I, that the right to a trial by jury represents a 700-year struggle for human rights. Nobody who voted against the amendment offered by the gentleman from Illinois [Mr. KEENEY] would in anywise want that wonderful guaranty to be taken away from the American people because that right is the very cornerstone of American jurisprudence.

As I have stated on this floor on at least two occasions, this civil-rights bill provides a civil remedy in the hope of shoring up the guaranty of the 15th amendment. Being only a civil proceedings, it provides for a civil remedy permitting the Attorney General to go in and represent to the court that some one individual or a group of individuals' rights to vote are being jeopardized. On that representation by verifying complaint or by an affidavit, the court in its wisdom will or will not issue an injunction writ. If granted, the writ is served upon an individual or individuals. The party or parties are enjoined, restrained, or directed by the injunction writ to do or not to do a certain act. In the event that the individual or individuals designated and served with process decided to thwart the decretal order of the court, of course, the court then cites that individual into court under a rule to show cause and asks him in substance—did he or did he not violate that injunction writ. The opponents of the bill inject the legal proposition called criminal contempt. Criminal contempt which takes place outside the presence of the court is separate and distinguishes it from another type of contempt called civil or direct contempt which takes place in the very presence of the court. Up to this moment the opponents have conceded they have no quarrel with the inherent right

of the court to try and sentence any individual who commits a contempt in the presence of the court. What would be an example of direct or civil contempt? Assume as a lawyer I am trying a case or law suit. In the course of the trial, the court would hold against me on a question of evidence. In the face of the ruling I might observe, "Well, I think the court is silly here. I do not think the judge knows what he is doing." This colloquy having taken place in the presence of the court constitutes contempt—it is directed against the dignity of the the court and its ruling. The court could deal with me summarily and hold me in contempt of court. There is no right to a trial by jury under this hypothesis.

I respectfully submit the amendment should be voted down.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEATING. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, the gentleman from Virginia has presented a very ingenious and adroit amendment. Although it raises the same issue as the jury trial amendment, it has been ruled by the Chair to be in order. This whole question of a right to a jury trial is presented here exactly as it was in the matter which we voted on last Friday. This amendment, as it is worded, could cause some confusion. I am going to assume it means that it would permit anyone who was brought up for violation of an injunction issued pursuant to this bill to have a jury trial, because I am sure that is the intention of the author. Certainly, we must face that as the issue here.

In this field, as in many other fields, an individual who is injured and is deprived of the right to vote can today sue for damages or for an injunction. If he sues for damages, it is a suit for damages involving over $20, which comes squarely within the four walls of the Constitution. The defendant, therefore, gets a jury trial. If, however, as we provide in this bill, in order to protect and strengthen these civil rights, including the right to vote, the Attorney General, in the public interest, brings suit for an injunction, the defendant does not get a jury trial in a proceeding to punish for any contempt of the court order.

In the bill we had before us last year it was said that the Attorney General could bring an action for damages in the name of the real party in interest. That has been struck out in this bill. The only proceeding here is a suit by the Attorney General in the public interest to sustain and strengthen civil rights.

The situation is exactly the same, for instance, as it is under the Sherman Act and the Clayton Act. There, competitors who are injured by an illegal or criminal act can bring a suit for damages and in that suit for damages the defendant is entitled to a jury trial.

Likewise, the United States Government, through the Attorney General, can bring a civil suit to prevent or restrain these acts from being done. If the businessmen involved go ahead and commit these acts in violation of that injunction they can be held for contempt of court. There is no trial by jury.

The same applies under the Securities and Exchange Act, under the Public Utilities Act, and, for instance, under the Fair Labor Standards Act. Employees who are injured by a criminal violation of the Fair Labor Standards Act may sue for double damages. In such suit they would be entitled to a jury trial. On the other hand, the Attorney General may bring an action to restrain employers from continuing to violate the act. The acts may be criminal in their nature, but if the Attorney General proceeds by the injunctive process it is a civil suit; and if the person involved defies the order of the court and is held in contempt, he does not have a jury trial.

The same is true under the Interstate Commerce Act. It is true throughout our Federal jurisprudence that an injured individual may bring an action to recover damages, in which case a jury trial is required.

Mr. SMITH of Virginia. Mr. Chairman, will the gentleman yield for a question?

Mr. KEATING. Not at the moment.

On the other hand, if the Attorney General proceeds through the injunctive process, as is envisioned in this bill, then there is no jury trial.

The amendment before us, Mr. Chairman, is in essence and in substance exactly the amendment which we had before us on Friday, and it should be defeated.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GROSS. Mr. Chairman, I move to strike out the last word and yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I do not care for time, but I thank the gentleman for his generosity. I will state, however, since the gentleman has yielded to me, what I wanted to ask the gentleman from New York when he declined to yield for me, and after I state the question he may wish to reconcile his position. The question I wished to ask is this:

Will the gentleman describe the difference between his own statement in the RECORD which I read:

> And I say to the gentleman categorically that while it may be an admission of ignorance, the thought never entered my mind of taking away anybody's right to a jury trial when I introduced this measure or when I voted for in this committee. Such a motive was never in my mind.

Now, I would like the gentleman to state what the difference is between his statement to the House which I have just read, and the amendment I have just offered.

Mr. KEATING. I shall be very happy to respond if the gentleman from Iowa will yield.

Mr. GROSS. Certainly I yield to the gentleman.

Mr. KEATING. There is no right to a trial by jury that is taken away by this bill. This bill provides that an action may be brought in the public interest by the Attorney General of the United States in accordance with a long line of other Federal statutes. In such an action there is never given a right to a jury trial to one who defies the order of the court and is cited for contempt. The statement I made to the gentleman from Maryland still stands, as does the explanation I have given.

Mr. SMITH of Virginia. I am sorry the gentleman did not see fit to answer my question categorically.

Mr. ALGER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, I take this brief moment only to tell some of my colleagues that maybe one reason we like a jury trial is because some of us are very puzzled over the scope of this bill. I have not yet heard defined in this House, and I have listened to almost all of the debate, what the civil rights are that are involved, if we take out the right to vote. And I point out to you the language at the bottom of page 10, which reads as follows:

> Providing for the protection of civil rights, including the right to vote.

Does that language include freedom of worship? The bill mentions religion. Does it include the right of free assembly, the right of free speech, the freedom of the press, or all of the first 10 amendments as well as the 14th and 15th amendments? Should we not be further covered by having this right to trial by jury, or, at least, not have a right taken away from us. I am saying nothing new from what I said the other day, last Friday and again Thursday, however, these questions have not been answered.

Mr. Chairman, when I expressed this earlier I was told by the chairman of the committee that such observations have no place in this argument, that they would not be germane to the bill. I directed my remarks, for example, to the right of a laboring man, whether he joins a union or not, to work. I tested that matter by offering an amendment. The Chair ruled that this bill dealt with political rights and that my amendment covered labor rights, therefore was not in order. In the debate we have not differentiated between political and labor rights and civil rights. Refer to section 104, paragraphs 2 and 3. Are civil rights involved in the first 10 amendments to the Constitution? Should we not, therefore, be protected by having the right to trial by jury? Do we dare take away any of these rights, such as the right to trial by jury for criminal contempt if we are tampering with these civil rights? Regardless of the merits of the present bill, should we not be accorded the protection of a trial by jury?

Having been ruled out of order and noting that my colleagues have not introduced any other amendment along this line, I do not intend to introduce any further amendment; but I rise to ask your support for the jury trial amendment and leave you with this one unanswered question which I think ought to be in the RECORD: What are specifically these civil rights that the Civil-Rights Commission is supposed to investigate? If we do not spell them out what protection do we have?

Mr. Chairman, I conclude by simply saying that unless and until we define just what the civil rights are that are

to be protected, other than the right to vote which is perfectly clear to us, there should be the right of trial by jury so that all of these are protected.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. SMITH of Virginia.

The committee divided and the tellers reported that there were—ayes 141, noes 163.

So the amendment was rejected.

Mr. RAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RAY: On page 10, line 12, strike out the words "or other" in line 12 of page 10 and insert at the end of said line the following sentence: "The district courts shall not exercise jurisdiction in proceedings authorized by this section if a plain, speedy, and efficient remedy may be had in the courts of the State or Territory in which the party aggrieved resided at the time the cause of action arose."

Mr. RAY. Mr. Chairman, I have a duplicate amendment on page 12. I ask unanimous consent that the two amendments be considered en bloc and that I may be allowed to proceed for 10 minutes on both amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Where does the second amendment come in the bill?

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

Amendment offered by Mr. RAY: On page 12, lines 12 and 13, strike out the words "or other" in lines 12 and 13 on page 12 and add at the end of line 13 on page 12 the following sentence: "The district courts shall not exercise jurisdiction in proceedings authorized by this section if a plain, speedy, and efficient remedy may be had in the courts of the State or Territory in which the party aggrieved resided at the time the cause of action arose."

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. ROOSEVELT. Reserving the right to object, Mr. Chairman, will the gentleman from Illinois allow 10 minutes to a speaker in rebuttal?

Mr. MASON. Where there are two amendments to be discussed; yes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAY. Mr. Chairman, in my mind these amendments reach the most serious defect, and it is a very serious defect, in the bill before us, H. R. 6127.

Last year I voted for th civil-rights bill. After its passage here, I talked with many who had supported and many who had opposed the bill, in an effort to find out for myself what its advocates thought most important in the bill and what its opponents thought was most damaging. Both sides emphasized the same thing and that was the sweeping power given the Attorney General to bring injunction proceedings in Federal courts to the exclusion of the State courts. Further study led me to believe that there was a middle ground which would provide an adequate remedy where one did not exist, and which would not destroy the proper functions and the sovereignty of the States where adequate remedies did exist. Those with whom I had talked earlier, both pros and cons, thought the suggestion had merit.

The portions of H. R. 6127 which I would amend are in parts III and IV.

The amendments have both been read, and I will not repeat them here.

The idea for the proposed amendment came from section 1342 of title 28 of the United States Code which forbids the Federal courts to grant injunctions in certain cases raising constitutional questions otherwise within their jurisdiction "if a plain, speedy, and efficient remedy may be had in the State courts." It has been on the books for many years and it has worked well. Prior law had permitted many utilities to go into the Federal courts for injunctive relief when they thought their property was being confiscated by order of a State regulatory commission. This procedure aroused much controversy and finally Congress enacted the language above quoted. Now the companies merely proceed directly in the State court, or, if they start in the Federal court, must show that the remedy available in the State court does not meet the specifications above stated.

Before the Congress adjourned last summer, I had talked with my distinguished colleague, the gentleman from New York [Mr. KEATING], about what I was working on. His comment was that the committee's studies had been very exhaustive; that no such idea had been placed before the committee by anyone, and that he did not believe the change I proposed would make the bill any more palatable to those who had opposed it.

I discussed the idea further in last year's campaign wherever I had occasion to speak or answer questions about the civil-rights bill.

Later I talked separately with the Attorney General and the Deputy Attorney General; and with several members of the White House staff who referred me to the Department of Justice. At that Department I was told frankly, perhaps bluntly, that they wanted the bill as is.

When the bill came before the subcommittee of the Judiciary Committee, I was given a full and fair hearing but the subcommittee did not accept the amendments. They were later presented to the full committee by my distinguished colleague from Maryland [Mr. HYDE] and others—and the vote of those present was 14 in favor and 12 against the amendments. Five proxy votes held by the chairman swung the ballot against them.

That history makes clear, I submit, that this is not a last-minute idea or one introduced for purposes of debate. Neither can these be considered crippling amendments. They represent a sincere effort to find a way by which civil rights, particularly the right to vote, can be protected and given reality where necessary, and this with a minimum interference with the rights of States to make and enforce their own laws.

Where a right is assured by the Constitution, it is fitting that the Department of Justice is authorized to take action in the courts to prevent infringement or loss of that right. It is not essential and it seems to me wrong to authorize the Attorney General to take action only in the Federal courts as is provided in the sections of the bill to which my amendments relate. If the laws of a State provide plain, efficient, and speedy remedies in its courts, the Attorney General should use those courts rather than the Federal courts for the actions authorized in the bill. That is the purpose and that is the effect of the amendments I propose.

If a State does not provide remedies of that sort, the Attorney General should be permitted to go into Federal court. If there are any States whose laws do not provide such remedies, the amendments under discusssion would permit them to change their statutes in order to protect the proper sovereignty of the State, if they wish to do so.

The relationship which should exist between Federal and State laws and Federal and State Governments in fields of mutual interest was discussed clearly and effectively last year by the Department of Justice and the Judiciary Committee of the House, on pages 4 and 5 of Report No. 2576 filed by that committee on July 3, 1956, to accompany H. R. 3. I quote first from the letter signed by the Deputy Attorney General as follows:

There can be no question of the paramount, although not exclusive, interest of the Federal Government in the prevention of sedition and advocacy of violent overthrow of government, and if Congress considers it in the public interest to do so it may expressly displace State laws on these subjects. The converse is also true and Congress may elect to share its power in this area. This Department believes that the Congress should do so.

Some time ago the Attorney General stated publicly that "Experience has shown that both in theory and in result this dual system of sovereignty possesses the necessary degree of flexibility to meet the crises of the present and future as successfully as it has met them in the past.

It is the view of the Department of Justice that in the fields of sedition and subversion, the Federal and State Governments can work together easily and well, supplementing each other with that degree of flexibility to which the Attorney General referred. This legislation would clearly express the Congressional intent that such cooperation between the Federal and State Governments in this field is to be encouraged.

Beyond that the committee said in its report:

As stated above, the amendment to H. R. 3 recommended by this committee deals specifically with the subject of Federal-State relationships in connection with laws relating to subversion against the governments of the States and the Government of the United States. In recommending this amendment this committee recognizes the interests and rights of the individual States to deal with criminal acts of that category within their respective jurisdictions. It has concluded that the most effective way to meet the threat of subversion and sedition, is to make it clear that Congress recognizes the right and the power of each State to enforce criminal penalties for acts, attempts, or conspiracies to commit sedition against that State or the United States, or for acts, attempts, or conspiracies to overthrow the Government of the State or of the United States.

The views of the Department of Justice and of the Judiciary Committee as to H. R. 6127 seem harsh and grasping when compared with the reasonable and cooperative statements they made regarding H. R. 3.

I appreciate that the two situations differ on facts, but there is every bit as much need to have cooperation and coordination in the field of civil rights and their protection as there is in the criminal law enforcement provisions.

The platforms of both parties contain strong assertions of the importance of preserving and strengthening the rights of States and of restoring to the States powers which have been taken over by the Federal Government in so many cases. No program has come to my attention under which our already overgrown central government would be expanded, largely duplicating existing State organizations, to the extent which would be inevitable under H. R. 6127.

I submit that the adoption of the amendments under discussion is the only way yet suggested by which, in this bill, H. R. 6127, the proper authority of the States can be fully respected and at the same time the Constitutional rights of individuals be safeguarded. I hope the amendments will be adopted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment, and wish to ask the author of the amendment a question to see if we can arrive at a mutual understanding of the effect of his amendment.

Do I understand that the gentleman's amendment is to the effect that if there is a plain, speedy, and adequate remedy at law or in equity in the State courts, then the Attorney General is prohibited from proceeding with an injunction as provided by this law until he has gone into the State court and exhausted that plain, speedy, and adequate remedy in the State court? Is that the gentleman's amendment?

Mr. RAY. Down to the last clause, yes. When the gentleman began to say "Until he has exhausted" I would have to take exception to it.

Mr. ROGERS of Colorado. Would the gentleman's amendment then require the Attorney General of the United States to go into a State court before he could exercise the authority vested in him by this law?

Mr. RAY. It is not a question of first or second. If the Attorney General alleges in his bill that he files in the Federal Court that there is not a plain, speedy, and efficient remedy in the State courts, and the court upholds that contention he can stay in the Federal court.

If the Federal court decides that there is a plain, speedy, and efficient remedy in the State courts the trial would take place there. There would not then be a later suit in the Federal court, but there would be an appellate procedure taking the case ultimately to the Supreme Court, if necessary.

Mr. ROGERS of Colorado. Will the gentleman respond to this question? Do I understand correctly the gentleman's amendment to mean that before the Attorney General could establish the right to go in under this amendment in the Federal court he must allege that there is no plain, adequate, or speedy remedy at law in a State court?

Mr. RAY. Yes; exactly.

Mr. ROGERS of Colorado. What does the gentleman propose that the Attorney General do in the case of the violation of a law as it may relate to the Federal Government?

Mr. RAY. Just exactly what other people have had to do who have constitutional rights that have been referred to trial in State courts in the first instance. It worked well there. The rights have been protected.

Mr. ROGERS of Colorado. The gentleman has reference to those cases where State law requires public utility companies before they can go into Federal court to exhaust remedies in the State court, and as we have passed in the Congress; is that true?

Mr. RAY. It is not a question of exhausting remedies, or one remedy; it is either one or the other.

Mr. ROGERS of Colorado. But what the gentleman has in mind is that Congress has limited them to exhaustion of the State remedies before they get into the Federal court?

Mr. RAY. They never get back into Federal court except by appeal. They try the case in the State court if proper machinery does exist. It is not a case of exhaustion of remedies at all.

Mr. ROGERS of Colorado. I thank the gentleman so much for answering my question, because it is very apparent from the amendment that what the gentleman is attempting to do is to take from the Attorney General the duties and responsibilities imposed upon him by this act which would say that he should go into a State court or that he must allege in his petition for injunction that there is not an adequate, speedy remedy at law in the State courts.

Mr. RAY. May I reply to that?

Mr. ROGERS of Colorado. Was that not the gentleman's statement?

Mr. RAY. No. To start with, the Attorney General now has no right to go into a court of equity for an injunction. You are giving him that right.

Mr. ROGERS of Colorado. Yes.

Mr. RAY. And I propose a limitation upon that gift. That is all this is.

Mr. ROGERS of Colorado. In other words, what the gentleman wants to say to the Attorney General is that he has a right to do something but we are going to hamstring the Attorney General so that he cannot operate under this procedure.

Mr. RAY. Perhaps I can make it clear this way: In a large majority of the States there are adequate, speedy and efficient remedies. They act without delay. But they are not all alike, they do not involve court proceedings. However, the constitutional right of the individual is protected. I do not want to have an Attorney General have the power to set aside State procedures that are adequate for the protection of the constitutional right and be able to come into a Federal court with an injunction proceeding.

Mr. ROGERS of Colorado. Then I take it from the gentleman's answer that he does not want the Attorney General under a Federal right, to proceed in a Federal case to exercise the authority with which he is clothed until he has made an exhaustive study of the laws of that particular State to ascertain whether or not there is a plain, speedy and adequate remedy at law in that State? In other words, you deprive him of that privilege. Is there any other instance where the Attorney General or any prosecuting officer of the Federal Government is limited to what a State may do as to a Federal right?

Mr. RAY. We are taking a first step here by this legislation and I think the step should be a short rather than a long step.

Mr. ROOSEVELT. Mr. Chairman, I move to strike out the requisite number of words.

(By unanimous consent (at the request of Mr. ROOSEVELT) he was allowed to proceed for 5 additional minutes.)

Mr. ROOSEVELT. Mr. Chairman, may I first point out that it certainly would seem to be almost ludicrous to require that the Government of the United States should have to go through a State court procedure to enforce a Federal statute. I doubt very much whether anyone who has the interest of this bill at heart would want to establish such a precedent.

Secondly, I believe there is a clear legal decision on this matter and by reading that classic decision of *Lane* v. *Wilson*, which was decided on December 22, 1939, it is visible that this proposal is clearly unconstitutional. I wonder whether the distinguished Chairman of the Judiciary Committee will read the appropriate words, and I gladly yield to him at this time if he will do so.

Mr. CELLER. I will read briefly from the case of *Lane* v. *Wilson* (cited in 307 U. S.):

"Barring only exceptional circumstances" and there are cases cited "or explicit statutory requirements" statute cited "resort to a Federal court may be had without first exhausting the judicial remedies of State courts."

Mr. ROOSEVELT. I thank the gentleman very much. That it seems to me decides the case, if there is any doubt in the minds of any of us, as to the unconstitutionality of the proposal proffered.

The unalienable right of every citizen to vote is guaranteed by the Constitution and therefore protected by the Federal Government. The sole purpose of H. R. 6127 is to strengthen already existing Federal statutes. The desperate need for further legislation has been clearly shown by the fact that the States, to which this amendment would require that the power of redress be returned, have proven incapable and undesirous of protecting that right. The sections on page 10, lines 8 to 12, and page 12, lines 9 to 13, are included expressly because the States have failed to protect voting rights. The amendment proposed by the distinguished gentleman from New York [Mr. RAY], can only serve to undermine the effectiveness of this legislation and indeed to virtually destroy it in those areas where it is most vitally needed.

Although on the surface the gentleman's measure appears reasonable, in that he recognizes the necessity for speedy and efficient remedy of civil rights violations, let us examine more closely the tortuous path which an aggrieved party whose right to vote has been denied must travel in order to secure relief and who lives, as an example, in the State of Mississippi.

First he may appeal to the district attorney or the State attorney general to petition the circuit court for an order enjoining the election officer to allow him to vote. If his request is denied, he may himself appeal to the circuit court for a writ of mandamus—mandatory injunction—for the same purpose. If the court refuses his petition, he has one additional recourse. If he is a "reputable citizen," a term not defined in the Mississippi Code, he may then initiate a criminal action. This will afford him the satisfaction of punishing the election officer, but it will not provide for him the opportunity to vote.

Now, certainly there has been little evidence in the past that many State courts look with sympathy on claims of this nature nor any indication that they might in the near future. Yet the aggrieved resident of Mississippi is forced to turn to this proven hostile source for relief, which the gentleman assures us must be plain, speedy, and efficient. But who is to determine whether or not redress will be speedy and efficient or even what defines the terms? Surely the burden of proof that it will not be sufficiently so will fall on the petitioner. The broad undefined nature of this amendment seems an indication that it is not in fact presented for any other reason than to destroy the effectiveness of the bill under the cloak of preserving a State's right.

The purpose of the original section is to enable the Attorney General to institute suits and thus relieve the citizen from the need to institute them in his own name. Hearing testimony has shown that individual action to secure civil rights has led to intimidation and even physical violence. Moreover, there is nothing to prevent State courts and administrative agencies from changing their rules of procedure for redress if the Federal court determines that action has not been plain, speedy, and efficient and substituting an equally slow process in the name of compliance. This compliance might then be tested again in long, drawn-out proceedings. All we have to do is look at what is happening in certain States respecting the application of the Supreme Court decision in the school integration matter.

H. R. 6127 is specifically limited to Federal elections. On page 11, lines 11 to 21, amending section 2004 of the Revised Statutes (42 U. S. C. 1971), the bill reads:

> No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special, or primary election.

The precedent for direct Federal action, bypassing existing State machinery, is clear in the many examples of constitutional guaranties which run concurrently with State guaranties where jurisdiction is clearly defined. In cases of Taft-Hartley violations involving interstate commerce, the National Labor Relations Board may institute suits in States which have their own, and occasionally similar, legislation that is applicable only in cases involving intrastate commerce. Under the present sections of H. R. 6127, the power of the Attorney General would be directly comparable to that of the National Labor Relations Board in instances of elections including at least one Federal office, with State judicial and administrative remedies reserved for exclusively State and municipal elections.

There must be no delay or obstruction to the rightful consideration of alleged denial of equal protection. Speed and efficiency, and litigation through the State courts to get to the Federal court are mutually exclusive actions. It is impossible to have both. I assure you that if this amendment is adopted, the successive appeals which must be made in order to reach the Federal judicial level (and there can be no guaranty that this will not be the case) will consume such time, energy, and expense that few will attempt it. Those few will have spent long periods of time in a state of deprivation of the very rights which this legislation seeks to insure. I urge the defeat of this amendment by all those who sincerely wish to assure the right of every American citizen to be protected in his constitutional right to vote without tieing him up in all kinds of redtape.

Mr. Chairman, I am now glad to yield to the distinguished gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Chairman, I think the gentleman made it clear in the course of the remarks he made following my effort to ask a question, that the remedy in the State he mentioned, if it is as he described, could not qualify as a speedy, efficient, and adequate remedy. The Federal court decides that question in the first instance. There is no exhaustion of remedies in one place before going to the other to start the proceeding. The Attorney General can start the proceeding in a State court or he can start it in a Federal court.

Mr. ROOSEVELT. Mr. Chairman, I would simply say to the gentleman that I have not been able to find anywhere a definition of speedy, direct, and efficient means. I think the gentleman will agree that if time is consumed to litigate and decide the question, there would be no question but that the election would be over and the right to vote would have been denied.

Mr. RAY. If the gentleman will yield further, I do not have the citations, but there were decisions under section 1342, title 28, which I mentioned, which define that question.

Mr. ROOSEVELT. Would not the gentleman agree that there would have to be a new definition in each case?

Mr. RAY. In my experience with the Department of Justice, which has been considerable, I would say that they know the law of the States and they can find that more rapidly than I. I have no question about their ability to decide that question quickly and easily.

Mr. CELLER. Mr. Chairman, will the gentleman from California yield for a unanimous-consent request?

Mr. ROOSEVELT. I yield.

Mr. CELLER. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, the last 5 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOYLE. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield.

Mr. BOYLE. In connection with the amendment, is it not a fact that the section and title cited, namely section 1341, provides for taxes by the States and the language in that first section says that—

> The district courts shall not enjoin, suspend, or restrain the assessment, levy, or collection of any tax under State law where a plain, speedy, and efficient remedy may be had in the courts of such State.

That refers only to the State's ability to tax, is not that so?

Mr. ROOSEVELT. I think that is correct.

Mr. BOYLE. And no Federal law is involved, as the gentleman stated in his opening remarks.

Mr. ROOSEVELT. I thank the gentleman.

Mr. BOYLE. If the gentleman will yield further so I may make the observation that section 1342 has to do with rate orders of State agencies. The language says:

> The district courts shall not enjoin, suspend, or restrain the operation of or com-

pliance with any order affecting rates chargeable by a public utility and made by a State administrative agency or a rate-making body of a State or political subdivision.

Mr. ROOSEVELT. The gentleman is correct and I thank him.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. ROOSEVELT. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. ROOSEVELT. I yield to the gentleman from Florida.

Mr. CRAMER. May I ask my distinguished colleague from California if he or the chairman of the committee can cite any existing statute which carries a provision similar to the one under discussion which has the effect of preempting all State laws involved?

Mr. BOYLE. In the absence of the chairman, I would say there were none.

Mr. CRAMER. I think the gentleman is correct and thank him for his candor, because I understand there is no such statute presently on the books, and that this is writing new statutory law, regardless of the fact that the Wilson case held judicially to that effect. There is nothing to my knowledge on the statute books of a similar nature under any other statute.

Mr. ROOSEVELT. In answer to the gentleman, may I say that he is correct. I think the reason is because of the prior decision recognizing it was unconstitutional.

Mr. CRAMER. I differ with the gentleman as to his reasoning because I fundamentally believe that the Federal Government does not have an exclusive remedy or right in these different fields to the exclusion of all State statutes on similar subjects.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, it is my opinion that the Federal statutes do not in these fields preempt State statutes where there are similar Federal statutes under our Constitution. May I ask the gentleman, however, a question with regard to the activities of the Committee on the Judiciary. Last year, as I am sure the gentleman is aware, our committee considered at length Mr. SMITH of Virginia's bill with regard to the preemption of the State statutes by Federal statutes on similar subjects as ruled by the Federal Supreme Court. As a compromise on that bill, there also having been a resolution introduced in regard to the sedition and subversion findings on the part of the Supreme Court, overruling those findings so far as they relate to sedition and subversion, a compromise bill provided that as a matter of policy as far as the United States Congress is concerned in these fields the Federal statutes do not preempt the State statutes but a person might be convicted under either statute.

The House Committee on the Judiciary voted that compromise bill out favorably, overcoming the preemption theory so far as sedition is concerned. Does not the gentleman think it is highly inconsistent that they should vote out this provision which is nowhere else existing under the law?

Mr. ROOSEVELT. The gentleman has asked me a question about the Judiciary Committee, of which I am not a member. I would have to yield to a member of the Judiciary Committee to answer that.

Mr. CRAMER. I yield to the gentleman from Illinois to answer it.

Mr. BOYLE. There is no preemption in this bill. The only area germane in the discussion of this amendment is the Federal rights that are guaranteed by the Federal Constitution. The language has been taken out of State statutes, which provide procedures, in two instances only, in connection with taxes and utility rates. They refer specifically to State laws. It is easy enough to see why the gentleman from New York would talk about those sections because that branch of law is his specialty. It is my understanding he was a former vice president of a telephone company, and its general counsel, which should not serve to disqualify him; as a matter of fact, it shows he has superior knowledge on the subject. But there is no reason to confuse the issue when the issue is simply whether these are Federal rights guaranteed by the 15th amendment.

Mr. CRAMER. On that point, I ask my distinguished colleague, Is it not always a defense in any Federal case that the administrative remedies have not been exhausted?

Mr. BOYLE. Only where you are talking about such rights, not where you are talking about rights guaranteed by the Constitution as it refers to restrictions on State activities. The Attorney General under the Constitution has the unqualified right to proceed in the Federal courts.

The CHAIRMAN. The time of the gentleman from Florida has expired.

The Chair recognizes the gentleman from Illinois [Mr. BOYLE].

Mr. BOYLE. I yield to my colleague from Florida.

Mr. CRAMER. I call attention to page 10 of the report, the last sentence on the page, and ask the gentleman if this is not going much farther in this bill as reported out of the Judiciary Committee than it has ever gone before, so far as statutes are concerned, and even so far as judicial decisions are concerned. It says:

As to the exhaustion of State administrative remedies, the proposal does change existing laws to a certain extent.

This in my opinion is a most dangerous departure from all existing laws and decisions, a departure admitted by the committee.

The report says:

The Committee on the Judiciary believes that a waiver of the doctrine of exhaustion of State administrative remedies is necessary in civil rights' cases—

Admitting they are going farther than even the courts have held up to the present time.

Mr. BOYLE. Answering the question categorically, I would say you are correct. There is nothing fatal about the fact that this bill might go a little bit farther than previous legislation. There is, as the gentleman knows in common law no rule requiring an exhaustion of remedies anticipatory to or as a condition precedent to proceeding under a Federal statute. But, I would rather transmit that question because I do not think we need to get into that area to resolve the simple proposition of whether or not under the guaranties of the 15th amendment we need a civil suit with a civil remedy to firm up this guaranty of the right to vote.

Mr. CRAMER. Will the gentleman yield further?

Mr. BOYLE. I am glad to yield to my colleague.

Mr. CRAMER. Could I give the gentleman a concrete example of what might happen under this?

Mr. BOYLE. If the gentleman wants to indulge in a hypothesis on my time I am going to let him, but I would prefer to use my own time to address the Committee.

Mr. CRAMER. Suppose the supervisor of registration in my own county is involved in this kind of case. Someone comes to her and asks to register. She says, "No, you have not been, in my opinion, in the county for 6 months and in the State for 1 year as is required by law." The supervisor of registers likewise, if she does not carry out that law, is subject to removal by the governor. Now a case is brought by that person seeking to register without going to the county commissioner. Let us assume they are administrative remedies which the present law gives him, if the supervisor does not carry out those responsibilities, the person seeking to register could have gone to the county commissioners to appeal the case, but he did not do it. Instead of that, he asked the Attorney General to bring an injunction under this statute. What happens? Even though the supervisor would be guilty of a crime for not complying with State law requiring residence, in her discretion he determined that man was not there for a year, without even having to exhaust the administrative remedy, she could be put in jail for contempt, if she does not carry out the court's orders.

Mr. BOYLE. The answer is "No," because as a condition precedent to coming into court and asking for relief there would have to be first the certification that the individual aggrieved has properly registered under existing law.

The CHAIRMAN. The time of the gentleman has expired.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. FORRESTER].

Mr. FORRESTER. Mr. Chairman, it is mighty hard for a southerner like me to try to say anything in 2½ minutes. However, I rise to say this to you. The forefathers of some of us participated in the War of Independence trying to free themselves and their posterity from

the British yoke. There were certain people in this country who were called Tories and who opposed the ambitions and aspirations of our people to set up a democracy. You know they opposed liberty under democracy for this reason. They said that no democracy had ever existed more than 200 years or could exist for more than 200 years because the people would become so greedy and so corrupt and the officers of the central government would become so intoxicated with power that they would pull down the pillars that supported the temple of democracy. I have witnessed things here today and last week that make me ask you, my friends, to seriously consider what the Tories said about how long a democracy can last. Soon we will be 200 years old. I have seen sovereign states' rights made complete shambles on this floor. I have seen the work of a power hungry centralized government at first hand. I have seen the Government of the United States—not individuals—come in and ask for the right to deny people the right of trial by jury as they have under existing law. I have heard this highhanded and unconstituted request defended on the theory that we must appease people across the seas. So far as trying to appease the Communists is concerned, it cannot be done and ought not to be done. I have the Communist party platform of 1928 here before me. I want to tell you in all seriousness and in all candor we have already, through legislative, executive decree and Supreme Court decisions, done everything that the Communist party asked for in 1928 so far as the races are concerned. There is no appeasement. They only ask your abject surrender, and the Republicans and Democrats in this house know I am telling you the truth.

Here are the demands of the Communist Party set out in its platform of 1928, as the same appeared in the Daily Worker, Saturday, May 26, 1928, page 6:

DEMANDS

1. Abolition of the whole system of race discrimination. Full racial equality.

2. Abolition of all laws which result in segregation of Negroes. Abolition of all Jim Crow laws. The law shall forbid all discrimination against Negroes in selling or renting houses.

3. Abolition of all laws which disenfranchise the Negroes on the ground of color.

4. Abolition of laws forbidding intermarriage of persons of different races.

5. Abolition of all laws and public-administration measures which prohibit, or in practice prevent, Negro children or youth from attending general public schools or universities.

6. Full and equal admittance of Negroes to all railway station waiting rooms, restaurants, hotels, and theaters.

7. The War and Navy Departments of the United States Government should abolish all Jim Crow distinctions in the Army and Navy.

8. Immediate removal of all restrictions in all trade unions against the membership of Negro workers.

9. Equal opportunity for employment, wages, hours, and working conditions for Negro and white workers.

It is strange to the people of the South and the good people everywhere that somehow the Democrats and Republicans have been so forgetful of the South. Every Communist demand has been met with the sole exception of the abolition of laws forbidding intermarriage of persons of different races.

A case is now pending before the United States Supreme Court asking that laws forbidding such intermarriages be held unconstitutional. I want to now predict that the United States Supreme Court will strike down such laws and will hold that they are unconstitutional.

The CHAIRMAN. The gentleman from Texas [Mr. ROGERS] is recognized.

Mr. ROGERS of Texas. I did not ask for time, Mr. Chairman, but since I have been recognized I ask unanimous consent to yield my time to the gentleman from Georgia [Mr. FORRESTER].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FORRESTER. I thank the gentleman from Texas.

In all kindness I want to tell you now you are doing the last thing that the Communists asked you to do and still, still, we are facing the threats of all-out war by the Communists. They only want you to implement the Executive desires and Supreme Court decisions already made, and this proposed legislation will do that.

I tell you now, I do not like it. I want all of you to know I do not like it.

You have maligned my people of the South. I have heard you talk about Georgia, Alabama, Mississippi, and other States in terms of condemnation I did not know could be uttered. But, oh, when the going gets rough you are going to be mighty glad to see us marching side by side with you, and you are going to expect us, and we are going to come—when the crowd that you are voting for and the crowd that you are accepting instead of us deserts you; and many of that crowd will desert you. Yes, you are going to be mighty glad to see us when the day of wrath is being visited upon you.

I am ashamed of the contempt that has been demonstrated on this floor toward my people. I resent it. You say that you did not say that the southerners will not convict. Of course you said it. It has been said by Mr. Brownell; it has been said in the Judiciary Committee, it has been shouted from the housetops; it has been written upon the doorposts. You have said it, of course you have. You have branded my people as felons. You are branding my people by this legislation. You on both sides of the aisle will someday regret that you did it.

And I say to the Democratic side, to the Republican side, you whip us, but our heads are unbowed; and although you are going to whip us today, and I know it, my people are willing, if we have to, to walk alone through the fiery furnace. Do not forget that. But if we walk alone we will walk unafraid and unashamed, proud of our heritage, proud of States rights, and delighted to know that we did not participate at the States rights funeral, the constitutional funeral, posterity's funeral, conducted today.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. MCCULLOCH] for 2½ minutes.

(By unanimous consent, Mr. MCCULLOCH yielded his time to Mr. KEATING.)

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEATING] for 5 minutes.

Mr. KEATING. Mr. Chairman, we should remember in the consideration of this amendment, as with others, that it involves a proceeding by the Attorney General in the public interest. That is the only basis upon which he is entitled to proceed. It would, in my judgment, be completely destructive of the purposes of this bill and a complete innovation of the Federal law to require the exhaustion of State remedies by private individuals before the Attorney General could bring suit under this bill.

We have heard a lot of theory. Let us take a specific case which might make it clear. Suppose that individuals A, B, and C complain to the Federal Government that the registrar of voters in a particular county has discriminated against Negroes in registering persons to vote. An investigation then indicates that the complaints are justified and that there has been a continuance of this widespread discrimination which keeps Negroes off the voting rolls.

There are State administrative and judicial remedies open to A, B, and C, and other individuals, but they cannot exhaust them, either because it costs too much, or because the local social and economic pressures are such that they dare not bring an action. There is no remedy open to the Attorney General before these State administrative agencies or the State courts, and nothing done by this Congress can create a remedy for the Attorney General in State courts.

To require the Attorney General to wait until each individual has exhausted his State remedies, administrative or judicial, or both, would mean that Federal intervention would be denied in those very areas where it is most needed. Instead of relief in 1957 or 1958, we would have relief in 1970 or 1978. In an area where there are adequate and speedy local remedies, and where citizens, as a practical matter, are able to take advantage of those remedies, there would be no occasion for Federal suits and there would be no occasion for bringing this bill to you. The whole reason for this legislation, or for any civil rights legislation, is to permit Federal intervention in those situations where, for one reason or another, the local areas do not provide adequate remedies where persons are being deprived of their constitutional rights.

The proposed amendment, offered in good faith by our able colleague from New York, by making Federal action dependent upon private invocation of State remedies would, in effect, permit the nullification of Federal policy by local pressures upon private complainants.

There is a very great difference between the cases cited by our friend from New York and the situation under this bill. He has cited instances where there

is similar legislation in the Federal field now, cases relating to public utilities, for instance. He says in those cases remedies in the State court must first be exhausted, which is true, but there is this distinction: Those are suits brought by one private individual against another. You are not dealing in those cases with a suit brought by the Attorney General, or by the United States Government, in order to vindicate a public interest.

In section 1342, which he cited, Congress itself recognized that the situation was different when a Federal interest was involved. That section permits the Federal courts to retain jurisdiction, even though an adequate State remedy is available, where the State order interferes with interstate commerce.

Mr. Chairman, the pending amendment should be defeated.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOWDY. Mr. Chairman, I rise in support of this amendment to preserve the rights guaranteed by the 9th and 10th amendments by striking from this bill the provision to bypass the State courts.

For the benefit of everyone here, and everywhere, let me say there is great danger and there are strong pressures to deprive us of our dearly bought and deeply treasured individual freedom and personal liberties. We must make up in determination what we have lost in time, and if we are determined, we can still preserve the liberties guaranteed us by the Constitution and the Bill of Rights.

There is a relationship between States rights and the fight against Communist subversion in our Nation.

A repentant ex-Communist once said:

> Communism is not an economic system. It is a conspiratorial drive for tightly centralized government in the hands of Godless gangsters. Communism must, as a prerequisite for success of its conquest, pull all powers of the Government into one place—Washington, D. C.
>
> It must first have central control of police; second, central control of the ballot box; third, central control of property and business; fourth, central control of the press; and fifth, last but not least, central control of education.
>
> In this country the Constitution of the United States decentralizes the control of all these things by constitutional mandate. As long as the constitutional doctrine of States rights is maintained in this country, the Communist conspiracy can never succeed.

Neither can any other effort to establish a dictatorship or tyrant to rule over us, and our individual rights, liberties and freedoms will continue to live.

Under our Constitution, and the express language of the 10th amendment, all powers not delegated to the Federal Government by the Constitution are reserved to the States and to the people; and among those things that are not delegated to the United States, among the powers and authorities that are reserved to the States and to the people in the States are the control of the police, the control of the ballot boxes, of property and business, of the press, and the control of education.

Unless we can maintain the decentralization of these controls, all of our efforts to frustrate the continued inroads on our personal rights will be lost, and the possibility of tyranny from un-American dictators will be enhanced.

If dictatorship, whether Communist or otherwise, comes to our beloved Nation, it will come as history shows it has come to every dictator-controlled nation, as it came to Czechoslovakia under Hitler and Hungary under Russia. It will come by the centralization of power in one place in each country, and when this is safely tucked away in one place, the dictator can grab those powers and subjugate the nation. History shows that to be the pattern followed through the ages to the present day.

So, what is the remedy? What is our protection? We must revive, reestablish, and preserve States rights. For such protections as we have left, we do not owe thanks to our present generation; we do not owe it to our present-day officials, though I will say some of us have held out for those freedoms and resisted all steps toward centralization. We owe our thanks for those protections to the foresight and the courage of the Founding Fathers. In the 10th article of the Bill of Rights they said to us, finally and faithfully, what we could do in order to save America:

> The enumeration in this Constitution of certain rights shall not be construed to deny or disparage other rights retained by the people. The delegation in this Constitution, the rights not delegated to the United States, are reserved to the States and to the people of the States.

We have heard a great deal about the fifth amendment, for traitors and other people in trouble rush for its protection, but we should be thankful for and remind ourselves continually of the 9th and 10th amendments, for they were designed to protect and preserve our Republic, by insuring decentralization of power, by reaffirming States rights in unmistakable words.

Yet in one of the nominating conventions held in August of last year, a governor of one of the States finally managed to get the floor and said, "I have sat on the floor of this convention 4 days and have yet to hear anybody say anything about States rights or constitutional government." Eight days later at the near end of the other convention, somebody might have gotten the floor and could equally as truthfully said, "I have sat in both conventions all the time, both day and night, and have yet to hear anybody say a thing about States rights or constitutional government."

Faced with that situation we need to tell ourselves, and tell the world that States rights and constitutional government are still important in this country and to our children and to the future generations in this world.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, as the gentleman from New York [Mr. KEATING] says, the gentleman from New York [Mr. RAY] has in mind rate cases, public utility rate cases. The idea for the proposed amendment comes from section 1342, title 28—I am reading from Mr. RAY's testimony given before the Rules Committee—of the United States Code, which forbids Federal courts to grant injunctions in certain cases otherwise within their jurisdiction if a plain, speedy, and efficient remedy might be had in State courts.

That law refers to rate cases, to cases involving property rights, the rights of electric light companies, the rights of gas companies, the rights of companies with reference to rate cases. But we are dealing here with human rights and not with property rights.

Furthermore, the district courts have jurisdiction over actions for conspiracy to interfere with civil rights and of actions to redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege, or immunity secured by the Federal Constitution or any act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States.

Now, what do we have with this amendment? It says, in effect, that if there is a speedy and effective trial in the State courts, then the person aggrieved cannot go into the United States district court. Now, in most cases, I do not say in all, but in most cases, there are State statutes which hold that in order to get into the State court you must have exhausted, as a condition precedent, your administrative remedies. I do not say that is true in all cases, but in some cases.

Now, what does that mean? It means the party aggrieved would have to exhaust all the administrative remedies that the State law provides. That could be a veritable obstacle race. He might have to file his papers at the State capital far distant from his residence. He might have to satisfy certain onerous conditions with reference to the presentation of evidence; the bringing of witnesses at all odd stages of appeal and review. I can envisage all manner and kinds of hindrances and difficulties that would be attendant upon the path of the person aggrieved in order to get his rights redressed administratively, and then after he satisfies all administrative remedies he then files in the State court.

Then there starts another obstacle race. By that time the individual who is hurt, to use the phrase of a popular song, is really bewitched, bothered, and bewildered. He would not know where he was at; he would be old and gray before he could get his wrongs redressed, and that is exactly what would be the result attendant upon the gentleman's amendment if we adopt it. You would utterly destroy and render abortive and ineffectual this whole bill, which is an attempt to prevent the filching of rights from certain individuals. We know that there are rights now under the old statute, the statute of 1871, which gives the aggrieved individual the right to go into equity or go into law and sue for an injunction or sue for damages. But, what happens? There has been a dearth of those cases.

You can count those cases on your fingers. That law has been on the statute books for 86 years. Why have there been so few cases? Because the individual does not know what his rights are. There is no attempt to explain to him what his rights are. He is kept in the dark as to what his rights are, and if he has the intelligence to know, then he probably has not got the wherewithal; he has not got the money to hire a lawyer to go through the intricate administrative, legislative, and judicial processes, and for that reason I hope this amendment will fail.

There is an often-repeated statement that there is a rule of judicial administration that no one is entitled to judicial relief for a supposed or threatened injury until the prescribed administrative remedy has been exhausted. However, the Supreme Court has often provided judicial relief in the absence of exhaustion of administrative remedies. Moreover, State courts probably require exhaustion of administrative remedies less frequently than the Federal courts.

The true status of the law as embodied in case holdings clearly is that sometimes exhaustion is required and sometimes not. The precise limits of the application of this doctrine of exhaustion cannot be readily defined. This is all the more clear when it is remembered that we are dealing here with a rule of judicial administration which a court may rightly relax under the use of its discretion in the exercise of equity jurisdiction. Indicative of this fact are the apparently contradictory rulings of the courts on the doctrine of exhaustion.

There are, however, certain fairly well-defined exceptions to the requirement. These exceptions are usually, first, that the action of the agency is unconstitutional; second, clearly illegal; third, beyond the jurisdiction of the agency; fourth, that the agency action will cause irreparable injury; and fifth, agency remedies are clearly inadequate. However, in regard to these exceptions it should be remembered that there are contrary holdings and it appears that each case must be determined on the particular facts involved.

The situation is particularly acute in regard to racial cases, particularly since the rendering of the school segregation decision. Several of the States have enacted statutes relating to the assignment of pupils; these statutes usually contain specific standards and provide for review of assignment both by higher administrative agencies and State courts. Thus, a number of recent cases have arisen in the Federal courts on the admission of children to public schools without regard to race or color. In these cases the major issue is whether or not the administrative remedies under the statutes must be exhausted. The principle factor in these cases appears to be, first, the constitutionality of the statutes, and, second, the adequacies of the remedies.

It appears that the recently enacted State statutes were deliberately designed to operate under the doctrine that administrative remedies must be exhausted before judicial relief may be had.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RAY].

Mr. RAY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers the gentleman from New York [Mr. RAY] and the gentleman from Colorado [Mr. ROGERS].

The Committee divided, and the tellers reported that there were—ayes 127, noes 147.

So the amendment was rejected.

Mr. BROOKS of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOKS of Louisiana: On page 12, line 4, after the period insert, "No person shall be tried for contempt of any such restraining order or injunction except within the judicial district wherein the alleged contempt occurred."

Mr. ROGERS of Colorado. Mr. Chairman, I make the point of order against the amendment that it is not germane to any legislation here and would seek to change the jurisdiction of the court that might have charge of the contempt proceeding. It relates purely to venues and has nothing whatsoever to do with the legislation here, as it relates to jurisdiction.

The CHAIRMAN. Does the gentleman from Louisiana desire to be heard on the point of order?

Mr. BROOKS of Louisiana. Yes, Mr. Chairman.

Mr. Chairman, this amendment involves substantially the same principle as the original amendment presented to the Chair for decision which is known as the trial by jury amendment. It simply provides procedure within the framework of the terms of this bill for carrying out the terms of the bill. It does not add anything to it. It provides additional procedure. I submit it is well within the terms of the bill.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from Louisiana offers an amendment to page 12, line 4, of the bill now under consideration, and particularly to that section referring to the appearance of the Attorney General to institute for the United States or in the name of the United States a civil action or other proper proceeding dealing with contempt.

The amendment has to do with practically the same subject. The Chair is of the opinion that the amendment is germane, and so rules that the amendment is germane and overrules the point of order.

Mr. BROOKS of Louisiana. I thank the Chair very much.

Mr. KEATING. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. BROOKS of Louisiana. If it is not taken out of my time.

Mr. KEATING. I want to know to what part of the bill the amendment is offered. I do not understand it.

Mr. BROOKS of Louisiana. I will explain it to the gentleman if he will be patient and listen, and I hope he will accept it. I think it is acceptable. I do not see why anyone here cannot accept it without in any way compromising his position back home and without in any way violating any of the ideas of right and wrong which he may have in his mind or conscience.

Mr. Chairman, this amendment simply provides that no person shall be tried for contempt under any of these injunction orders issued under this act save at the place where the act occurs. Without this amendment, what is the situation? You could get a contempt order from a court, let us say, in Virginia. That order could be mentioned in the papers. What may happen out in the State of California? Someone out there by reading the newspaper may fall within the terms of the act. In that event, this person can be cited for contempt by the Federal court in Virginia and be brought across the continent, from the West Coast to the East Coast, and he can be tried right here in Virginia under the jurisdiction of the court that issued that order. I submit that that practice is wrong. It is wrong economically because it is going to cost the Government a lot more money to move the witnesses across the whole continent and to bring that defendant across the whole continent. It is wrong morally because it takes a person away from his home and his surroundings and brings him to a court miles and miles away from where he normally has his habitat and where the act occurred. It is wrong from the viewpoint of the United States because the Attorney General will be faced with the same problem of obtaining the attendance of witnesses in proving the violation of an injunction order and proving the contempt of court by having to move his witnesses and his investigating staff to a distant point for the trial of the contempt.

Mr. Chairman, without this particular provision in this statute, someone reading a newspaper in California and reading this order restraining certain acts can be cited, as I say, by the Federal court in the State of Virginia and be brought to trial thousands of miles away from where the act originally occurred. In the history of this country, and in the history of Anglo-Saxon jurisprudence, we have always maintained the practice in criminal cases of trying defendants where the act occurs. This is a radical departure from this particular philosophy that we have followed all through the time of the development of our jurisprudence. Unless we place this particular provision in the statute, such an abuse can grow up and become legal under this bill. So as to avoid and obviate any need for any discussion of differences of opinion about it, I borrowed the books of the distinguished chairman of this committee and I read from them. He has one there on his table. It says, specifically, unless we write this in the law, trial can be had at distant points from where acts of this sort occur. Nothing can be gained by trying a man 3,000 miles away from his home. Nothing can be gained in time. A lot has been said about time. You can actually save time if you try that man where the act occurred in the State of California, Texas, or Illinois, or wherever it might

be. You have every advantage in trying him where the act occurred and you have every disadvantage in taking him to a distant point where the order may have been signed. I hope, therefore, that the chairman of this committee will accept the amendment and I yield time for him, if he wishes, to agree or to accept the amendment. I would like to hear from the gentleman.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish I could accede to the wishes of the distinguished gentleman from Louisiana, my very dear friend, but I must register emphatic objection to his amendment. He submits to the Committee a suppositious case of a judge in Virginia trying to reach out to somebody out in California. That is not likely, to have a Virginia judge reach out some 3,000 miles across the continent.

In the first place in order for that to be done there must be jurisdiction of the case in Virginia. Not only that, but the contemnor, the person who violates the order, must have knowledge that he is violating the order, and it must be a willful violation.

So before you can fine or punish a man for violation of an injunction, as for contempt, you must prove the violation; the burden is on the court to show knowledge in the first instance. Second, there must be willful conduct.

Now, there is a big gap between the court and the so-called contemnor, that is between Virginia and California. I cannot conceive how you could have the presence of both knowledge and willful conduct.

I think the gentleman from Louisiana is wrong in his premises and he has conjured up a lot of things; in a way it is looking for ghosts under the bed.

For the reasons I have stated I hope the amendment will be voted down.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. BROOKS of Louisiana. Why, may I call the gentleman's attention to the rule, 42, section 2428, page 324 of the middle volume right there on the gentleman's table, where anyone out in California reading of a court proceeding of this type in Virginia may after merely reading that fact in the papers, be cited for contempt of the order out in California, and as a result brought here to Virginia for trial for that violation of the restraining order.

Mr. CELLER. How could the order be served in the first instance?

Mr. BROOKS of Louisiana. It is served by notice printed in the papers; and there is the case right before you at the bottom of that page I referred to; there is the case there that I have read. The gentleman should take time to read it, too.

Mr. CELLER. I do not agree with the gentleman in his conclusions.

Mr. BROOKS of Louisiana. The gentleman has studied this a great deal, I know, but he has covered so much territory he forgets some over which he has passed. I have pinpointed this for the gentleman; I have been studying this in particular and I am indicating to the gentleman what the law on this is.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to ask the chairman of the Committee on the Judiciary a question or two concerning a provision on page 9 for the creation of an additional Assistant Attorney General. Will the gentleman from New York tell me how many assistants—

Mr. CELLER. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. GROSS. Mr. Chairman, it seems to me that the question of an additional Assistant Attorney General is important to this bill and to this amendment.

The CHAIRMAN. The gentleman will proceed.

Mr. GROSS. I yield back my time. I will get time when there is no amendment pending.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment, and I will not take 5 minutes.

Mr. Chairman, usually a person will be tried in the district where the alleged contempt occurred. For that reason, at first blush, this might not appear to be a serious amendment. But to read into this statute a compulsion such as exists in no other statute requiring that the person be tried in the district where the contempt occurs seems to me extremely unwise. If we are going to go about this problem at all let us do it by a general legislative act and not single out the civil rights legislation as the only piece of legislation where we put such a restrictive provision in.

Mr. BROOKS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. BROOKS of Louisiana. If the gentleman will read this proceeding set forth in volume 4, section 2428, rule 42, page 324, he will find specifically set forth on that particular page that clause of the statute, and I am reading the wording of it. It requires trial in the district where the contumacious acts are committed. Trial cannot occur elsewhere.

And they cite this case. Actually it is settled jurisprudence. There is cited here the case of Houston and North Texas Border Freight Lines against Local 745 of the National Brotherhood of Teamsters. There are other cases in point. So it is not a new thing. It is not something that has not been tried, it is well established law.

Mr. KEATING. I know of no other Federal statute, Mr. Chairman—I do not say there is none—in which this is done, and the very reading of the statute reinforces the position I take that we should not single out this piece of legislation for special treatment.

Mr. CELLER. I think what the gentleman says is sound. It might be well at some future time for the Judiciary Committee to revamp the whole subject of the procedures concerning injunctions and that they might well be brought up to date; then the gentleman's suggestion could well be considered by the committee. I assure the gentleman if that is done we will be glad to hear him. I do not think it is proper to have the matter considered specifically in a bill of this character.

Mr. KEATING. I agree with the gentleman from New York. This is neither the time nor the place to adopt an amendment of that sort to this kind of legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

Mr. CELLER. Mr. Chairman, I ask unanimous consent that the amendment may be reread.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk again read the Brooks of Louisiana amendment.

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. Mr. Chairman, that is the point I was raising before. There is no period in line 4, page 12.

Mr. BROOKS of Louisiana. Mr. Chairman, it is line 6, page 12 and I ask unanimous consent to correct the amendment accordingly.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS of Louisiana. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. BROOKS of Louisiana.

The Committee divided; and the tellers reported that there were—ayes 108, noes 118.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Now, Mr. Chairman, I hope I am now in order in asking the chairman of the committee some questions. The gentleman from New York [Mr. CELLER] has now had a advance notice, and I am sure he will give me the answers that I seek. There is a provision in the bill on page 9 to establish an additional Assistant Attorney General. I should like to know from the gentleman from New York, since I cannot find any information in the report on this bill, how many Assistant Attorneys General we now have on the payroll.

Mr. CELLER. As I understand, there are 7 Assistant Attorneys General.

Mr. GROSS. Now, how many assistants to the various Assistant Attorneys General do we have on the payroll?

Mr. CELLER. I think I said 7.

Mr. GROSS. I said assistants to the Assistant Attorneys General.

Mr. CELLER. Oh, I do not know offhand how many assistants there are to the Assistant Attorneys General. I suppose all employees in the Department of Justice, if they are lawyers and are

learned in the law, are assistants to the Assistant Attorneys General.

Mr. GROSS. Does the gentleman mean to tell me that he held hearings and provided for a new Assistant Attorney General, knowing very well that he would have to have at least one assistant, and did not go into the matter of how many assistants to the Assistant Attorneys General there are on the payroll today?

Mr. CELLER. I want to say to the gentleman that we were very careful to ask that question. We propounded that question to the Attorney General himself and he very promptly said that he could not tell how many assistants would be required. He did not know how broad or expansive or how narrow the work would be if we passed this bill. Naturally he would have to appear before the Committee on Appropriations and make his request. In order to tell how many assistants were necessary he would have to project himself into the future, and, therefore, he could not give a definite answer at that time.

Mr. GROSS. We have gotten that story every time one of a new assistant secretarys or attorney general is asked for, that they do not know how many employees they are going to have to have. I know that story. That is an old one. But will the gentleman tell me, what did the Attorney General tell him about the number of assistants to the Assistant Attorneys General there are in his department?

Mr. CELLER. He could not answer that question. We did not ask him how many assistants there are presently in the Department—assistants to the Assistant Attorneys General. We did not ask that because we did not think it was germane to the subject matter.

Mr. GROSS. Then it does not make any difference what the cost of the bill will be, is that correct?

Mr. CELLER. No.

Mr. GROSS. So far as the gentleman is concerned?

Mr. CELLER. The gentleman will have a chance to determine that when the Committee on Appropriations comes in with their bill.

Mr. GROSS. Let me ask the gentleman this question. If the gentleman was concerned about the cost, did he get any report from the Bureau of the Budget concerning this new Assistant Attorney General?

Mr. CELLER. If I remember correctly, we did not get any specific notice from the Bureau of the Budget, but the Bureau of the Budget, of course, had no objection to the passage of this proposed legislation.

Mr. GROSS. But the gentleman got no report from the Bureau of the Budget concerning the creation of another high-priced office in the Department of Justice?

Mr. CELLER. The Bureau of the Budget, in the light of its communication to us, naturally approved the form of the bill and the contents of the bill, and, therefore, approved that particular section, section 111 on page 9.

Mr. GROSS. Perhaps the gentleman from New York [Mr. KEATING] can tell me how many assistants to Assistant Attorneys General there are in the Department?

Mr. KEATING. As the chairman of our committee has said, I believe there are seven various divisions in the Department, each headed by an Assistant Attorney General. I assume that each of those Assistant Attorneys General has an assistant.

Mr. GROSS. Yes, at least one.

Mr. KEATING. I suppose all of those divisions have more than one attorney in them.

Mr. GROSS. It is strange that the gentleman did not get at least some information when the Attorney General was testifying for this legislation, and demanding another additional Assistant Attorney General. The gentleman apparently did not go into that because the committee report, aside from the $20,000-a-year salary to be paid the new Assistant Attorney General, fails completely to provide any information with respect to the huge bill of expense involved in salaries of assistants and office staffs. It was simply agreed that there would be another Assistant Attorney General at $20,000 a year and that is as far as the committee went, is it not?

Mr. KEATING. No; that is not as far as we went.

Mr. GROSS. Then let the gentleman tell me the story? I am waiting to get it from somebody.

Mr. KEATING. I think I shall cover that when the time comes.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield to me?

Mr. GROSS. I am happy to yield to my friend from Georgia, one of the hardest working and most astute members of the Judiciary Committee. I know that if he has any information on this subject that it will be dependable information.

Mr. FORRESTER. I thank the gentleman and I think I can give him some information. I tried my dead level best to get out of the committee what the gentleman is trying now to get out of the committee. And in order to draw them out, I offered an amendment—as a matter of fact, I am the gentleman who offered the amendment that there should not be over 15 assistants to the Assistant Attorney General. That was defeated in committee. Then we asked them how many they did want, to give us some idea.

Mr. GROSS. Why do you suppose I could not get that information from the chairman of the Judiciary Committee and the ranking Republican member? That was a committee action, was it not?

Mr. FORRESTER. It certainly was.

Mr. GROSS. Yes; go ahead.

Mr. FORRESTER. Uncontradicted in the record is the testimony of Will Maslow, general counsel of the American Jewish Congress, that they would require at least 50 assistants to the Assistant Attorney General, and that without dispute.

Mr. GROSS. Mr. Chairman, I am opposed to the creation of a new Assistant Attorney General. His duties under this legislation are completely unspecified and this RECORD will show that not a single proponent of this legislation can make a case for this permanent increase in the payroll. In addition, as the gentleman from Georgia [Mr. FORRESTER] has just indicated, implicit in the creation of this new official will be a veritable army of assistants to the assistant, all at top salaries. This is personnel empire building, and I am opposed to it.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Substitute amendment offered by Mr. HOFFMAN: Strike out all after the enacting clause and insert:

"PART I—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

"SEC. 101. Section 1980 of the Revised States (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated 'fourth' and 'fifth' and to read as follows:

" 'Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs 1st, 2d, or 3d, any person conceiving himself aggrieved may instittute a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order.

" 'Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 102. Section 1343 of title 28, United States Code, is amended as follows:

"(a) Amend the catch line of said section to read,

" '§ 1343. Civil rights and elective franchise.'

"(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

"(c) Add a paragraph as follows:

" '(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil right, including the right to vote.'

"PART II—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

"SEC. 111. Section 2004 of the Revised staatutes (42 U. S. C. 1971), is amended as follows:

"(a) Designate its present text with the subsection symbol '(a).'

"(b) Add, immediately following the present text, three new subsections to read as follows:

" '(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commisioners from the Territories or possesssions, at any general, special, or primary election held solely or in part for the purpose of selecting or electing any such candidate.

" '(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the person so injured may institute a civil action or other proper proceeding for preventive re-

lief, including an application for a permanent or temporary injunction, restraining order, or other order.

"'(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law.'

"SEC. 112. This act may be cited as the 'Civil Rights Act of 1957'."

Mr. HOFFMAN. Mr. Chairman, it is doubtful if any of us knows anyone anywhere who would deprive any citizen of the right to vote. The gentlemen from New York, especially Mr. CELLER, are to be commended for trying to remedy conditions in the South, if because of those conditions an individual is deprived of his right to vote. Perhaps it would be permissible to suggest to the gentleman from New York [Mr. CELLER] that when he gets the South lined up the way he wants it—and there is one thing I think the proponents may have forgotten; I am not sure. You got rid of a jury trial all right, but what about some judge down there from the South, what are you going to do about him if one comes along and does something you do not like? I do not think you thought about that. Will you have the alleged offenders tried in New York by a judge from Puerto Rico? Would you then try to change the law or go to some State in the North or some district where the situation was more favorable to your purpose? Is justice to be handed out to promote expediency?

When the gentlemen get through with the South, how about going up into New York? You have a lot of Puerto Ricans up there. But of course there are no political implications in this bill. But how about getting the situation corrected in New York so that when a man like Riesel is assaulted, acid thrown in his face, his eyesight destroyed, you would do something to protect the witnesses who would testify if it was not for fear. That would be helpful in the administration of justice.

Back to this amendment. It is assumed that the purpose is to allow all people in the South to vote. As I read this section 1971 of title 42 of the code these words are found:

SEC. 1971. Race, color, or previous condition of servitude not to affect right to vote.

All citizens of the United States who are otherwise qualified by law to vote at any election by the people in any State, Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding. (R. S., sec. 2004.)

As long as we have that law on the books, and as long as we have an Attorney General who is as capable as the present individual is who is handling our affairs for us, and as long as we have the FBI—and from what was said here in answer to the question of the gentleman from Iowa [Mr. GROSS], an undetermined number of assistant Attorneys General, why can they not take care of the situation which needs correction? At least one-fourth of the membership of the House are lawyers and probably a third of that number have been prosecuting attorneys. I doubt if there is one who sincerely believes that he could not clean up the situation that exists in the South if he wished and was given permission. Now why—why is it that we need new legislation when the laws on the books provide that everyone everywhere who possesses the prescribed qualifications has the right to vote? Why can they not vote? Is it not true that the United States district attorney can ask for an indictment from a grand jury for a conspiracy to deny the right of any individual to vote? The answer that a southern jury would not convict if the facts justified a conviction is not sound—it is an indictment of a whole section—is not justified.

The only difference between the bill and this amendment, if the amendment is accepted, would be to wipe out the Commission. That is something we seem to have forgotten. For 20 years or longer, we have been trying to get rid of unnecessary commissions and sub-agencies or whatever you want to call them, which have burdened our people with unjustified snooping. If there is anything in the Republican platform that is being stressed year after year, it is the economy plank. Yet, here we come along with a bill that creates a new Commission of six, and then an advisory Commission to take over the duties of the standing committees of the House. What will happen in the years to come? Take a look into the future, if you will. What will you find in the years to come? What will you find? You will find the ADA. You will find the society for—what is it—the advancement of colored people, which has a worthy and necessary objective and in many cases has done a good job. You will find 4 or 5 other groups that do not like our Government. You will find them all attempting to control and joining together to control the Commission for their own purposes. In the future there will be legislation which will be oppressive—deny the civil rights of those now in the majority. The people of the country will get some proposed legislation advocated and endorsed and supported by this Commission, and if it ever becomes law there will be extremely oppressive minority groups other than the ones we are talking about in this debate.

Adoption of this bill opens the door to persecutions by the Commission—will cause unnecessary expense—at a time when there is adequate remedy available.

(By unanimous consent (at the request of Mr. CELLER), all debate on the pending amendment, and all amendments thereto, was limited to 20 minutes with the last 5 minutes reserved to Mr. CELLER.)

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I do not expect to use the full 5 minutes. I would like to ask the gentleman from Michigan if his amendment would strike out the provision for a new Assistant Attorney General?

Mr. HOFFMAN. I will say to the gentleman from Iowa there is nothing in the amendment about the Assistant Attorney General.

Mr. GROSS. You would abolish the Commission only?

Mr. HOFFMAN. If the amendment is adopted, there need not be a commission. And it gives the citizen who is injured a right of action and prohibits the Attorney General, for example, if you were the Attorney General from bringing a suit for me when I did not want it.

Mr. GROSS. But the gentleman's amendment would abolish the Commission.

Mr. HOFFMAN. Yes.

Mr. GROSS. Fine. I certainly support the amendment by the gentleman from Michigan, because I offered the first amendment when this bill came up for consideration under the 5-minute rule to strike out the first section dealing with the Commission. As the gentleman from Michigan has well said, we are already loaded down now with boards, bureaus, and commissions. The taxpayers are already carrying entirely too great a load in supporting all these commissions, and this is a good place and time to stop the creation of another one.

I support the gentleman's amendment.

The CHAIRMAN. The gentleman from Ohio [Mr. MCCULLOCH] is recognized.

Mr. MCCULLOCH. Mr. Chairman, I rise in opposition to the amendment. As the distinguished gentleman so definitely said, this amendment would strike out of the bill we have before us, the provision for the Commission. It would also strike out that part of section 2 providing for an additional Assistant Attorney General, together with the new procedure therein provided.

Without belaboring the issue, because we have talked about it so much, I am sure that a majority of the members of this Committee, and of the House as well, wish to create a Commission to investigate the charges that have been made all down through the years.

I hope the statements that my numerour friends have made are true, that there are no persons in America being deprived of their right to vote contrary to the Constitution; that there are no persons being intimidated; and that, in large part, we are creating a Commission with nothing to do. It, the Commission, will have served a useful and necessary purpose, if those facts are determined to be true. All the world will know about it and we will have that much better standing everywhere.

Mr. Chairman, if this bill is to be effective and it to do what it is intended to do by all of these people who have been supporting it, it will be necessary to provide for the additional Assistant Attorney General in the Department of Justice. I am sure all of you who are interested in small business are interested in law enforcement, and are interested in the many duties that are being performed by the Department of Justice,

know that this Department is understaffed, if we have any understaffed department anywhere in the Federal establishment. I think that when the record is written, free from passion and prejudice, and politics, that record will show that the Department of Justice under this administration has done more things for more people who needed things done for them than has been done within my time.

Mr. Chairman, the amendment should be rejected.

The CHAIRMAN. The gentleman from New York [Mr. KEATING] is recognized.

Mr. KEATING. Mr. Chairman, this amendment might be called the mass execution of this measure, because the gentleman from Michigan has really wrapped up a good deal in these two pages.

In the first place, he wipes out part 1, which is the Commission we have already discussed. An amendment to strike out the Commission was once defeated.

Second, it eliminates part 2, providing for the Assistant Attorney General.

The language of his amendment as it is proposed as a substitute puts back the jury trial issue. So we have everything in this amendment that we have had up to date, and a little more.

This amendment should be defeated, first, because it would eliminate parts 1 and 2 of the bill, the provision for the Commission and for the Assistant Attorney General. We have already debated at some length and defeated by a substantial majority an effort to strike out part 1.

As to part 2, which is the provision for the Assistant Attorney General, the importance of putting all of these civil-rights matters into one Division of the Attorney General's Office arises if for no other reason than the fact those matters are now dealt with in the Criminal Division. The Criminal Division would be entirely inappropriate to administer a civil suit to restrain the commission of an illegal act such as envisioned in this legislation.

There has been some discussion, and perhaps this would be an appropriate time to mention it, regarding the cost or the size of this Division in the Department of Justice. Of course, it is impossible for us to know how many lawyers, exactly how many, will be employed in the Civil Rights Division. There is nothing in this bill which requires any large number of additional employees in the Department of Justice. The Bureau of the Budget, I might say, estimated that the first-year cost of the measure would not exceed $250,000. That figure is, of course, a pure estimate, but they have submitted that as an estimate of the first year's cost. So we are not here dealing with huge figures. We are dealing with relatively conservative figures. There is no reason on the ground of the expense involved why we should not create this additional Division to strengthen and enforce the constitutional rights of our citizens.

The adoption of the pending amendment would overturn what we have decided here a couple of times. I refer to the jury-trial amendment. It repeats very much of the language in the section preceding the ones which we are here concerned with that gives a right of action for damages by one individual against another for violation of civil rights. In such case you would have a jury trial. But the gentleman in his amendment has stricken out the right of the Attorney General to bring any proceeding in the public interest and simply allows the proceeding to be brought by one individual against another. So that we are back to the old story of the jury trial.

For the reason that we have already defeated all of the proposals leveled at this measure, except abolition of the Assistant Attorney General, and that should be defeated, I hope the pending amendment will not prevail.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, the amendment offered by the gentleman from Michigan would wipe out this Commission. In my opinion, we need, the country needs, the knowledge and information concerning the filching from individuals of their political and economic rights in various parts of the country. The Commission would hear all and sundry concerning these matters. It may be that those rights have been corroded, those rights have been stolen, from people in the North as well as the South. But this amendment would preclude a Commission from holding its investigation in every State of the Union. Such a Commission will focus attention upon the robbing of people of their constitutional rights. We must throw the pitiless light of knowledge on this matter so that as many people as possible will know what is going on. Let the people of the Nation know what is happening in all parts of the country relative to civil rights.

In addition, the amendment would eliminate the Office of the Assistant Attorney General herein provided, and very significantly, and rather cutely, I would say, the amendment provides that the Attorney General could not sue, the Government could not sue. The Government is eliminated as a party. Why? Because the Attorney General would be eliminated from the proceedings. That is just another attempt to restore the right of trial by jury, because the United States would not be a party.

I would say that the persistence and the obstinancy of the effort made to restore this jury-trial provision, and its constantly being knocked down, is about as effective as driving nails into rotten wood. The wood will not hold them. The House does not want to hold that kind of an amendment and it seems to me rather anomalous that we should keep on voting and voting and voting repeatedly against an amendment involving the jury trial.

Now, also the amendment offered by the gentleman from Michigan gives nothing new. It is practically what this bill is now, what the law is now, only it is dressed up in some fancy language. It is the old statute reworded. But, what happened under those old statutes? The individuals aggrieved did not know what their rights were. As I said before, there were so few cases brought under those old statutes. Now they have gone in some of the States pretty far so that organizations that might be in a position to spread knowledge and disseminate information about these rights are now boxed in and hampered and hounded.

Let me read you the laws against so-called barratry in some of the States prohibiting support of lawsuits by persons having no direct interest in them. Though aimed specifically at the National Association for the Advancement of Colored People, such measures would jeopardize the right of any group to challenge a law that the legislature sees fit to enact. What about the legislative investigations now going on in certain sections of the country? Any organization can be investigated out of existence by a legislative committee in some States, with unlimited power to seize records, publish membership lists, subpena individuals, books, and papers, and otherwise harass a group in its field. Such action against the National Association for the Advancement of Colored People has been taken in a number of Southern States, and it is that organization which is endeavoring to do a good job by way of telling the colored people in the South what their rights are. But see how organizations are hobbled when they seek to inform people of their rights.

Now, the gentleman from Michigan would change all this. There is a public right here that has been violated, a constitutional right. The United States is interested. The United States has a right to bring that action in equity. Under this amendment the United States could not bring such an action. The action is relegated again to the individual, who too often is too ignorant to know what his rights are or, if he is enlightened, he has not the wherewithal, the money, to bring suit. And, if he does bring suit, he is beset with all sorts of harassment. He must exhaust his State remedies, judicial remedies, administrative remedies, and by the time he gets through with all those remedies, he is old and gray, as I said before.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired.

The question is on the substitute offered by the gentleman from Michigan [Mr. HOFFMAN].

The substitute was rejected.

Mr. WHITENER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 8, immediately following line 24, insert: "*Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to

compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel at Government expense."

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment is not germane. In effect, it provides for a public defender. It provides for legislation that is not within the scope of this bill. It provides in addition for various types of processes which are not within the scope of this bill. It is not germane specifically to the section to which it has been offered.

The CHAIRMAN. Does the gentleman from North Carolina care to be heard on the point of order?

Mr. WHITENER. Mr. Chairman, this amendment is strictly procedural. As far as creating a public defender is concerned, there is no justification for that claim because the proposed amendment merely says that in each case the court, upon the merits of the particular case, shall appoint someone learned in the law to represent the person who is cited for an alleged contempt of some order of the court.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. Since this amendment relates to having counsel, I am glad to have the counsel of my good friend, the gentleman from North Carolina.

Mr. COOLEY. Does not the gentleman's amendment contemplate a finding by the court that the accused is not financially able to employ counsel, using his own resources?

Mr. WHITENER. Yes; a finding by the judge or by the court.

Mr. COOLEY. In many instances where an accused is brought before the court and is financially unable to employ counsel, it is now incumbent upon the judge to appoint counsel to represent the accused.

Mr. WHITENER. I had contemplated going into some of those statutes in my argument in support of the amendment.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman.

Mr. GROSS. The gentleman is cognizant of the fact that the bill on page 2 provides that witnesses at hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights. There is provision, if they have the money, for the employment of counsel.

Mr. WHITENER. Does the gentleman say that is on page 2?

Mr. GROSS. That is correct.

Mr. WHITENER. That would be a hearing in the Commission, would it not? This relates to a hearing in the court where a defendant is charged with having violated an order of the court, and who is cited for contempt.

Mr. Chairman, I submit that this is procedural and certainly in line with the previous ruling of the Chair and therefore germane.

Mr. KEATING. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. KEATING. In addition to the observations made by the gentleman from New York [Mr. CELLER], I call the Chair's attention to the fact that the wording of this amendment is that anyone cited for an alleged contempt under this act shall be allowed to make full defense, and so forth; and gives him counsel in any action under the provisions of this act.

The gentleman has placed it under the section relating to the Commission, but it would be as broad as the act, is procedural in character and not germane.

Mr. WHITENER. If the gentleman will yield to me on that point, I will point out that in section 3005 of title 18 practically identical language is used in giving to traitors to this country counsel under the same circumstances, but it states that those indicted for treason shall be allowed, and so on.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from North Carolina [Mr. WHITENER] offers an amendment at the bottom of page 8, which is at the end of section 105, having to do with the powers of the Commission. The amendment itself applies to the whole act and is not germane to that particular section. It would be germane to the bill as a separate section, but it is not germane to the section to which offered. Therefore, the Chair must sustain the point of order.

Mr. WHITENER. Then, Mr. Chairman, I ask unanimous consent that I may offer this amendment in the form of a separate section, to be known as subsection (e) of section 131, and to be inserted immediately following line 13 on page 12.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Chairman, there is nothing novel about the suggestion that persons charged and who are subject to imprisonment shall have counsel. Section 3005 of title 18 provides:

COUNSEL AND WITNESSES IN CAPITAL CASES

Whoever is indicted for treason or other capital crime shall be allowed to make his full defense by counsel learned in the law; and the court before which he is tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial, as is usually granted to compel witnesses to appear on behalf of the prosecution.

It carries the identical language set forth in the new section I have offered to this bill.

Rule 44 of the Federal Rules of Criminal Procedure provides for the appointment of counsel in criminal cases in Federal courts:

If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

The Code of Military Justice provides:

The court shall appoint * * * a defense counsel * * * for an accused soldier.

Title 8, section 1252, and section 1362, provide that an alien who is about to be deported or who is in the process of having hearings shall be entitled to counsel.

The United States Constitution in the sixth amendment states that "In all criminal prosecutions," the accused shall have certain rights, and it goes on with the other part with which you are familiar, and closes by stating, "and to have the assistance of counsel for his defense."

Mr. Chairman, this is a very important suggestion which I am undertaking to make to this committee. This bill is saying that the full Treasury of the United States shall be placed at the disposal of any individual who wants to claim that his rights have been violated, so it is very little to say that the court shall appoint one country lawyer at the taxpayer's expense to represent the accused who is just before going to jail.

Mr. CELLER. Is it not the rule today that the court in its discretion may appoint 1 or 2 counsel?

Mr. WHITENER. I would point out to my distinguished friend from New York [Mr. CELLER] that throughout this debate the chairman of the Committee on the Judiciary has pointed out that this is not a criminal proceeding but a civil proceeding under which the Government will proceed under this act. My amendment merely seeks to carry over into this particular civil procedure field the existing provisions under rule 44 of the Rules of Criminal Procedure.

Mr. CELLER. I said the other day that due process of law in the prosecution of contempt, except that committed in open court, does require that the accused should be advised of the charges and have a reasonable opportunity to defend them. This includes assistance of counsel.

Mr. WHITENER. I would point out to the gentleman that down in my country when we use the word "prosecution" in the practice of the law we usually refer to criminal prosecution. We refer to "maintaining" civil actions and "prosecuting" criminal actions.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. COOLEY. I am somewhat disturbed at the observation made by the gentleman from New York in reference to this amendment, which clearly indicates that the gentleman from New York feels unless we have an amendment, the accused will not have the right to have counsel.

Mr. CELLER. Oh, no, I do not say so at all. I am saying this. That under the rules of practice, as we have them today, the court is allowed to assign counsel in cases of this sort, namely, contempt cases and the rules permit the court to assign to the contemnor either one or two counsel.

Mr. COOLEY. All right, then I ask the gentleman from New York why he does not accept the amendment.

Mr. CELLER. He has it to read, "at the expense of the Government."

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WHITENER. I yield.

Mr. COOLEY. Now, apparently, the gentleman from New York is perfectly willing for the accused to have counsel. The gentleman from North Carolina [Mr. WHITENER] is trying to take care of the poor man who does not have the money with which to employ a lawyer.

Mr. CELLER. I say he is entitled to counsel.

Mr. COOLEY. But, he must pay the lawyer.

Mr. CELLER. No; he does not.

Mr. COOLEY. Yes; he does have to pay in a criminal action in which the defendant is charged with a serious crime. The court, of course, can and does appoint an attorney to defend the defendant if it appears to the court that the defendant is without counsel and is not financially able to employ counsel, but in civil actions even involving citations to show cause why the person cited should not be held in contempt of court, the judge has no authority to appoint counsel nor to pay counsel to appear on behalf of the person so cited. Of course, the interested party does not have to pay counsel if he is not able to pay counsel, but the fact is he will not have the benefit of counsel if we do not now provide that in such cases the court shall appoint competent counsel to represent the person named in a citation to show cause.

Mr. CELLER. I say to the gentleman he does not have to pay.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Why is it that the gentleman from New York will not agree to accept this amendment? If you agree now that they have the right, this would absolutely eliminate any ambiguity with reference to the rights of the accused who is unable financially to employ a lawyer.

Mr. CELLER. In the first place, there is no ambiguity whatsoever. The gentleman says there is ambiguity.

Mr. COOLEY. You say there is no ambiguity?

Mr. CELLER. You say there is ambiguity and I say there is no ambiguity. Under the rules of practice, the defendant in a criminal action or a contemnor or defendant in a contempt proceeding is entitled to due process and due process under the cases which I put in the RECORD on Friday indicate that he is entitled to the right of counsel, and the counsel can be assigned by the court in the event he cannot afford counsel. That is the law today. What is the need for the amendment except——

Mr. COOLEY. I do not agree with you: There is need for this amendment. I do not agree with you, and I will not permit you to speak for me. I tell you that you are talking about a criminal action in which a man is accused of a crime. We do provide that he shall be represented by counsel. Here we are talking about a purely civil action.

Mr. CELLER. It is not purely a civil action. In the case of contempt, the courts are permitted to grant counsel to the defendant.

Mr. COOLEY. Mr. Chairman, I want to get the legislative history of this straight. Do I understand that the chairman of the Committee on the Judiciary now contends that this amendment is not necessary because this is a right which is now enjoyed by the accused?

Mr. CELLER. I do not say that. I said it provides counsel at Government expense.

Mr. COOLEY. Government expense for what?—to employ a lawyer for the accused?

Mr. CELLER. For the counsel.

Mr. COOLEY. That is right. The gentleman from North Carolina [Mr. WHITENER] wants to guarantee that the accused, however humble he may be and however finacially embarrassed he may be, will have the advice of counsel. Does the gentleman agree that under the law, as it exists today, the defendant has that right or does he not have it?

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. It seems to me that you could get together and agree one way or the other. Why will you not accept this amendment? Because the gentleman said he did not want any amendments in this bill. That is the only reason you do not accept the amendment.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. To whom does the gentleman want to yield?

Mr. COOLEY. I will yield to both gentlemen.

Mr. CELLER. At once?

Mr. COOLEY. I will yield to either one. I yield to the Chairman.

Mr. CELLER. I would be perfectly willing so far as I am concerned to accept the gentleman, if the gentleman strikes out these few words.

Mr. COOLEY. All right; do you want to strike out that part which obligates the Government to pay the attorney? That is the very guts of the amendment.

Mr. CELLER. I said in the beginning that I could follow it as the gentleman expressed it except that one part.

Mr. COOLEY. I want to conclude my remarks by saying that the gentleman agrees that in this serious situation where the accused is financially embarrassed he should have the right of counsel, but the gentleman is not willing for the Government to pay for it.

I now yield to the gentleman from North Carolina [Mr. WHITENER], who is more reasonable on this than the gentleman from New York.

Mr. WHITENER. I had commenced to read some language from the decision in *Williams* v. *Kaiser* (323 U. S. 471), by the Supreme Court, the opinion being written by Mr. Justice Douglas in 1944. In that opinion he said this:

> Even the intelligent and educated layman has small and sometimes no skill in the science of the law. If charged with crime, he is incapable, generally, of determining for himself whether the indictment is good or bad. He is unfamiliar with the rules of evidence. Left without the aid of counsel he can be put on trial without a proper charge, and convicted upon incompetent evidence, or evidence irrelevant to the issue or otherwise inadmissible. He lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel at every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence.

And listen to this:

> If that be true of men of intelligence how much more true is it of the ignorant and illiterate, or those of feeble intellect.

In *Smith* v. *O'Grady* (312 U. S. 321 (1941)), a habeas corpus proceeding arising out of a criminal conviction in the State courts of Nebraska, Mr. Justice Black said:

> For his petition presents a picture of a defendant, without counsel, bewildered by court processes strange and unfamiliar to him, and inveigled by false statements of State law enforcement officers into entering a plea of guilty. The petitioner charged that he had been denied any real notice of the true nature of the charge against him, the first and most universally recognized requirement of due process; that because of deception by the State's representatives he had pleaded guilty to a charge punishable by 20 years to life imprisonment; that his request for the benefit and advice of counsel had been denied by the court; and that he had been rushed to the penitentiary where his ignorance, confinement, and poverty had precluded the possibility of his securing counsel in order to challenge the procedure by regular processes of appeal. If these things happened, petitioner is imprisoned under a judgment invalid because obtained in violation of procedural guaranties protected again State invasion through the 14th amendment.

In *Betts* v. *Brady* (316 U. S. 450, at p. 475 (1941)), Mr. Justice Black in a dissenting opinion said:

> An historical evaluation of the right to a full hearing in criminal cases, and the dangers of denying it, were set out in the Powell case, where this Court said: "What * * * does a hearing include? Historically and in practice, in our own country at least, it has always included the right to the aid of counsel when desired and provided by the person asserting the right * * *. Even the intelligent and educated layman * * * lacks both the skill and knowledge adequately to prepare his defense, even though he have a perfect one. He requires the guiding hand of counsel in every step in the proceedings against him. Without it, though he be not guilty, he faces the danger of conviction because he does not know how to establish his innocence." *Powell* v. *Alabama*, supra, 68–69. Cf. *Johnson* v. *Zerbst*, supra, 462–463.
>
> A practice cannot be reconciled with "common and fundamental ideas of fairness and right," which subjects innocent men to increased dangers of conviction merely because of their poverty. Whether a man is innocent cannot be determined from a trial in which, as here, denial of counsel has made it impossible to conclude, with any satisfactory degree of certainty, that the defendant's case was adequately presented. No one questions that due process requires a hearing before conviction and sentence for the serious crime of robbery. As the Supreme Court of Wisconsin said, in 1859. "Would it not be a little like mockery to secure to a pauper these solemn constitutional guaranties for a fair and full trial of the matters with which he was charged, and yet say to him when on trial, that he must employ his own counsel, who could alone render these guaranties of any real permanent value to

him. • • • Why this great solicitude to secure him a fair trial if he cannot have the benefit of counsel?" *Carpenter* v. *Dane County*, (9 Wis. 274, 276–277).

"Denial to the poor of the request for counsel in proceedings based on charges of serious crime has long been regarded as shocking to the "universal sense of justice" throughout this country. In 1854, for example, the Supreme Court of Indiana said: "It is not to be thought of, in a civilized community, for a moment, that any citizen put in jeopardy of life or liberty, should be debarred of counsel because he was too poor to employ such aid. No court could be respected, or respect itself, to sit and hear such a trial. The defense of the poor, in such cases, is a duty resting somewhere, which will be at once conceded as essential to the accused, to the court, and to the public." *Webb* v. *Baird* (6 Ind. 13, 18).

So, you see, my friends, that the present Supreme Court—in spite of its many erroneous decisions of late—concurs in my thought that the presence of counsel learned in the law shall be guaranteed to an accused at every stage of proceedings which involve and jeopardize his liberty.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. McCULLOCH. Mr. Chairman, I seek recognition on this amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. McCULLOCH. Mr. Chairman, I think perhaps there has been some misunderstanding of the basic law in the matter of compensation for lawyers assigned by the court to defend indigent persons, charged with crime.

It is my understanding that any indigent person charged with a crime under Federal law is entitled to have counsel assigned, and does have counsel assigned if he is to have due process of law.

It is my further understanding that the Government of the United States is not obligated to pay, and does not pay counsel assigned, in such criminal case. I agree with the distinguished chairman of our committee when he says that if a person be cited for contempt and it be a criminal contempt, which I think this contempt would be—and this statement has been made time and time again—if he does not have funds with which to procure his own counsel the Federal judge is bound to assign him counsel. There is no obligation under existing law for the Federal Government to pay that counsel either in this kind of case or any other criminal case, with the exception, as I recall, of that mentioned by the distinguished gentleman from North Carolina.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. McCULLOCH. I yield.

Mr. WHITENER. I wish to ask the distinguished gentleman from Ohio what is the provision in civil procedure? Is there any requirement set up that the courts appoint counsel for a person charged with violating a civil process or a civil order?

Mr. McCULLOCH. I was speaking of a criminal offense, and a citation for contempt under this law, in my opinion, pursuant to the citation mentioned by the chairman would authorize an assignment by the court of counsel to the person cited for contempt.

Mr. WHITENER. Does the gentleman feel it would require the assignment of counsel to a person under this bill?

Mr. McCULLOCH. I believe that section 3771 of the Rules of Criminal Procedure would require it.

Mr. WHITENER. Criminal procedure? But does the gentleman from Ohio take the position that the citation of an alleged contemnor under the provisions of the pending bill would constitute a criminal offense or charge of a criminal offense?

Mr. McCULLOCH. It takes on the nature of criminal contempt. In my opinion, it is such an action against a citizen which to give him due process must provide that the court assign counsel, if the person does not procure counsel himself or herself. I think it proper that he should have counsel assigned to him if he is not able to pay for counsel, but I do not believe that counsel should be paid in this case any more than counsel should be paid in a case where he is assigned when charged with some other crime against the United States of America.

Mr. WHITENER. I may say to the gentleman I do not feel that counsel ought to be required to work free in any case.

Mr. McCULLOCH. That statement is one with which I agree. But that proposal has been before the Congress for many, many years and was before us as recently as last year. We have not seen fit to provide that counsel be paid from the Federal Treasury on the occasions I have mentioned. I repeat, I feel sure my explanation of the law is correct.

Mr. WHITENER. The gentleman has said this would be a new departure for the Government to pay for counsel for an accused. This entire legislative proposal is a new departure in a procedural way, is it not?

Mr. McCULLOCH. Certainly, it gives a new right of procedure to the Attorney General, I would not have anyone think otherwise.

Mr. WHITENER. Well, if we are going to take a new approach, we better have some good old free wheeling action and go all the way with it.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. Chairman, to quiet the fears of the gentleman who proposed the amendment and to quiet the fears of the distinguished Chairman of the Committee on Agriculture, who supported the gentleman proposing the amendment, let me read from title 18, United States Code, section 3771:

> The Supreme Court of the United States shall have the power to prescribe, from time to time, rules of pleading, practice, and procedure with respect to any or all proceedings prior to and including verdict, or finding of guilty or not guilty by the court if a jury has been waived, or plea of guilty, in criminal cases and proceedings to punish for criminal contempt of court in district courts of the United States.

Then, in pursuance of that authority which the Congress granted to the court, the court promulgated rule 44 which reads as follows, and it is entitled "Assignment of Counsel":

> If the defendant appears in court without counsel, the court shall advise him of his right to counsel and assign counsel to represent him at every stage of the proceeding unless he elects to proceed without counsel or is able to obtain counsel.

Then there are decisions in Federal Practice and Procedure by Barron as follows:

> The rulemaking power of the Supreme Court with respect to criminal proceedings was extended to proceedings to punish for criminal contempt by the act of November 21, 1941.

I therefore say that the amendment offered by the gentleman is exactly what the law is today, but this amendment has the additional language that the Government must defray the expenses of counsel.

Mr. Chairman, I have had a bill before my own Committee on the Judiciary for a number of years providing for a public defender which would permit in cases of poverty-stricken defendants the right to have somebody represent them. I have not been able to make very much headway on that bill, which I would say, provides for payment, by the defendant, the so-called public defender in criminal cases, which would also involve criminal contempt. But I think that matter must be considered separately and distinctly from a bill of this size and magnitude and importance, so that I say to the proponent of the amendment what you say is law already. You simply add matters which would involve expenditures of the Government, and for that reason I must oppose the amendment, although if you had a separate bill providing a comprehensive public defender act, there would be a different story and my attitude would be different.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman indicates that he is perfectly willing for the accused in a criminal contempt proceeding to have the benefit of counsel.

Mr. CELLER. That is the law today.

Mr. COOLEY. He has that right. But, what good is the right unless the man has some money with which to employ counsel?

Mr. CELLER. I think the gentleman has a rather woebegone attitude as to what court procedure is. If he goes into court and he finds that situation to exist, the court assigns counsel in every instance. Where a defendant is poverty-stricken and cannot afford a lawyer, the court will invariably assign him a lawyer. That is the law today.

Mr. COOLEY. But the lawyer has to work for nothing.

Mr. CELLER. Yes.

Mr. COOLEY. Why impose that burden on the members of the bar?

Mr. CELLER. I did not know that the gentleman was so solicitous about lawyers.

Mr. COOLEY. I certainly am.

Mr. CELLER. Then, let us get a comprehensive bill and not take it up in this

offhanded way by an amendment to a bill of this character. If the gentleman would strike out those last few words "at the expense of the Government," it would be a different story.

Mr. COOLEY. Will the gentleman from North Carolina, for the sake of argument, strike out those words?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN to the amendment offered by Mr. WHITENER: After the word "contempt" insert "or charged with any offense."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I assume that this would broaden it into a general defender bill, which, I confess, is my main objection to the existing amendment. But, it is not germane. We cannot cover in this bill every offense in the Federal statutes.

Mr. HOFFMAN. Mr. Chairman, that is not the point of the amendment. I think it is properly drawn.

The CHAIRMAN. Does the gentleman care to be heard on the point of order?

Mr. HOFFMAN. Yes. As I understand this bill—and if I am wrong, all right—it provides for actions other than contempt, does it not? Sure it does. Look on page 10, section 4, line 20, "to recover damages" and so on. Now, that is provided for. Then over on pages 11 and 12 it provides for punishment.

The CHAIRMAN. The Chair is ready to rule.

Mr. CELLER. May I be heard on the point of order, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. CELLER. Title 18 is the criminal code and the offenses are classified there and defined there: (1) any offense punishable by death or imprisonment for a term exceeding 1 year is a felony; (2) any other offense is a misdemeanor; (3) any misdeameanor the penalty for which does not exceed imprisonment for a period of 6 months or a fine of not more than $500.

Now, he provides for an enlargement of the subject matter to include crimes, which is a matter that would have to be in another bill. It cannot be germane to this bill which provides for civil penalties.

Mr. HOFFMAN. Mr. Chairman, may I be heard further on the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HOFFMAN. On page 11 there are amendments to a statute which also provides for criminal penalties.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule. The Chair has examined the amendment offered by the gentleman from North Carolina [Mr. WHITENER] and also the amendment to the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] and finds that the amendment of the gentleman from North Carolina has to do with contempt, whereas the amendment offered by the gentleman from Michigan has to do with any offense or charge, which broadens the scope of the pending amendment to a degree where the Chair holds that it is not germane to this particular amendment and therefore sustains the point of order.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the purpose of the amendment to the amendment was to provide that when anyone violated the act or the act which it amended, he should have the benefit of counsel who shall be paid.

The Supreme Court has held time and time again not only with reference to Federal offenses but also State offenses—that one charged with a criminal act is entitled to due process which means the services of an attorney. In fact, the Court has freed more than one man who had been convicted and whose conviction had been sustained, because he did not have the benefit of counsel.

It is my understanding that the purpose of this amendment is to enable one who is charged with contempt, civil or criminal, to have an attorney at public expense.

To show the justice of a provision requiring the payment of a court-appointed attorney just think back to what happened here in Washington some years ago. The gentleman from New York [Mr. CELLER] was very, very greatly interested in that proceeding. It was a prosecution for a charge of sedition—begun in 1942. Thirty individuals were brought here from all over the United States and put on trial. They were involved by subterfuge, all right enough, there is no argument about that; brought down here and put on trial. They were on trial here for 4 years. They were brought down here at the request of the United States district attorney on an indictment and they were here for 4 years. Finally the whole proceeding was dismissed as being without basis. There was no justice in the charge. As a matter of fact, it was a conspiracy carried on by the Washington Post through Dillard Stokes, its employee, who used 3 or 4 aliases. It is all in the record.

What happened to the attorneys? Those attorneys were appointed by the court, and, from my recollection of the case, they gave of their utmost ability, were faithful and loyal all the way through, for 4 years. Some of us tried to get a bill through to give them some compensation for that service. They never got it.

Now it is all right and I go along with the right to protect those who want to vote; I do that wholeheartedly. If done in a proper way and without undue expense and so that it may be effective, no one will oppose. But is it right, is it fair to American citizens just because they happen to be lawyers, to require them to devote of their time without compensation? Ordinarily, all right. But in these cases where the Federal Government gets to them in that way, it is not right. Do you know how poor one of these defendants was who was brought down for trial? He died here and there was not enough of his money left to buy a suit of clothes for him. They shipped him back to his home naked. That is what happened.

Those lawyers, I repeat, who were substantial, good citizens of this district, this city, put in their time for 4 long years. Do you not think that we should be fair, that we should be just? Should they not have counsel? And should not counsel be paid? This amendment should be adopted. That is all it does, it requires counsel be paid.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I agree with the gentleman from New York [Mr. CELLER] that this amendment restates existing law, so far as I understand it, with the exception of giving to an indigent defendant in this instance something which he does not get under any other statute; namely, to have his lawyer paid. I appeal in opposition to this amendment on this ground primarily: This is no way to write complicated legislation of this nature. This is a field which is highly charged with emotion. It is a field where there are many technical features involved. To consider adoption of an amendment like this, which has never been studied by the committee or its counsel, seems to me a great mistake.

As to the merits of the amendment, I would be inclined to agree that if the words "at Government expense" were stricken out it would set forth present law, because a man today has the right to counsel. But, again, as in so many of these other amendments which have been offered, why single out this particular piece of legislation for special treatment whereby the defendant's lawyer is paid when he is not paid under any other statute except in a case of capital offense?

One of the objections to this legislation that we have heard made on several sides is its expense. While the expense would not be greatly added to by this amendment, I would hope there would never be a case where anyone would defy the order of the court and that there would never be a case where anyone would have to be tried for contempt under this Act. Though this is a rather minor point, it is just one more thing to increase the expense of the administration of the Act.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Georgia.

Mr. FLYNT. Has not the gentleman contended all along in the debate that this bill provides for a civil action, albeit a new type of civil action, but still a civil action?

Mr. KEATING. It is a civil action. A suit for an injunction is a civil action and the order is made by the court. Then if someone defies that order it may be a civil or it may be a criminal contempt. It may be both. If when he defies it he is doing an act which is a crime now under Federal or State statutes, it would be both a civil and a criminal contempt.

Mr. FLYNT. Is it not true that the new Assistant Attorney General in

charge of a newly created Civil Rights Division is for all practical purposes the attorney for the complainant who says that he has been deprived of some right?

Mr. KEATING. The individual has the right to bring the action in the first instance.

Mr. FLYNT. If the Government is going to pay the expense for the counsel on one side of a civil action, is it not eminently fair the Government should provide and pay the expense of counsel on both sides if the defendant is unable to hire his own lawyer?

Mr. KEATING. I am not necessarily opposed to a public defender bill. I have never studied it enough to know all the ramifications involved in it. It is always true under all of the 28 similar Federal statutes which we have that if the action is brought by the Attorney General in the name of the United States he is paid by the Government, but when he acts in that regard he is not acting for an individual, he is acting in the public interest. That is the only basis. It is the people of the United States who are bringing the action in order to protect the public interest; namely, the constitutional rights of citizens of the United States. He is not acting for any particular individual.

Mr. FLYNT. Has not the gentleman said so many times during the debate on this measure that it is necessary for the Attorney General through a new Assistant Attorney General to pursue this action for the benefit of the persons who may be aggrieved?

Mr. KEATING. No; I have not. He is not pursuing it for the benefit of those people, and those words are not in this bill. Those were in the bill we had before us last year but were struck out this year in committee. The Attorney General brings the action in the name of the United States because there is a public interest to be protected.

Mr. FLYNT. Mr. Chairman, I move to strike out the last word.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield to the gentleman from North Carolina.

Mr. COOLEY. The gentleman from New York is talking about a public defender. That is not contemplated by this amendment. The purpose of this amendment is to provide an attorney for an accused person who is not financially able to employ counsel.

Mr. KEATING. That is what a public defender does.

Mr. COOLEY. No, it is not a public defender at all.

Why are you so anxious to protect the civil rights of one person and so anxious by the same token to deny civil rights to the accused?

Mr. KEATING. The gentleman knows that that is not what I am trying to do.

Mr. COOLEY. Why do you not agree with this amendment?

Mr. KEATING. Because I do not agree that we should apply to this statute a different rule from the one which pertains in all of our other Federal statutes.

Mr. COOLEY. I have never known an amendment that has so much sympathy and that everybody seems to agree with, but nobody is willing to accept it.

Mr. KEATING. I will agree with the chairman of our committee that if these words "at Government expense" are taken out, the amendment does no harm nor does it do any good because it restates existing law.

Mr. COOLEY. All right, then, if the gentleman will adopt this amendment, it will clear up any ambiguities that exist.

Mr. FLYNT. Mr. Chairman, let us look at this thing and analyze it just exactly as it is. This amendment is not a public defender bill, but it is to provide to some poor man who is hailed into court under this legislation the same right to be represented by counsel at every stage of the proceeding which was afforded under the very language of the bill itself creating the new Assistant Attorney General in charge of the civil rights division. I know from experience, and I know that a great many Members of this House know that if this legislation is finally enacted into law, a lot of the defendants who are going to be haled into court are going to be just as poor as church mice. They are going to be just as poor as some of the people the distinguished chairman of the Committee on the Judiciary referred to a while ago. The position I want to take right here and now on this amendment is that if a man is brought into court and does not have counsel at every stage of the proceeding, he might as well not have counsel at all. I wish the gentleman from New York, the chairman of the committee, and the gentleman from New York, the ranking minority member, would withdraw their objection to this amendment and be fair and unbiased on this thing and give to everybody the same treatment under this so-called civil rights legislation.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. JOHANSEN. I wonder if the gentleman from Georgia would not agree that this House is rather adept in the art of getting the camel's nose into the tent, and that being the case, would not the gentleman from Georgia think that the gentleman from New York, the distinguished chairman of the committee, might welcome this amendment as a sort of nose in the tent for his public defender project?

Mr. FLYNT. I thank the gentleman. I certainly hope he would.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. FLYNT. I yield.

Mr. DIES. Is this not the situation: that the taxpayers are going to pay for the Attorney General to bring these proceedings in behalf of certain people, and if that is true why should not the taxpayers also provide for the defense? If in one instance you are going to provide a group of people with counsel, you ought to provide the defendant with counsel.

Mr. FLYNT. I agree with the gentleman from Texas, and I thank him. If, by this legislation, the Government of the United States is going into the business of stirring up civil actions in our courts, then it ought to provide counsel and adequate counsel for both sides of the case. I want to say one thing more before the Chairman calls time on me here and now. That the distinguished chairman of the Committee on the Judiciary a few minutes ago seemed to question the motives of those of us who favored the amendments which seek to provide for jury trials. I want to say in answer to what he said about the obstinacy and persistency of those of us who take this position that we are obstinate and we are persistent whenever the right of jury trial or any other constitutional right is involved because we believe in it. We believe in it with every ounce of strength that we have and with every grain of intellect that we possess. I want to say to the distinguished gentleman from New York that during the early days of the Battle of Britain, it seemed imminent that the forces of Hitler, the same Hitler who deprived so many people of jury trial and deprived them of any kind of jury trial and even of the right to live itself, were on the threshold of an invasion of Britain and the Prime Minister of Britain at that time said, and I want to quote him as best I can:

> If that time comes, we will fight the enemy in the fields. If we are driven from the fields, we will fight him on the plains. If we are driven from the plains, we will fight him in the cities and the town streets, and if we are driven from there, we will fight him in the hills. We will never surrender.

Mr. Chairman, we in my State of Georgia and throughout the great section of the United States known as the South believe in constitutional rights and the rights of the individual as much as do the people in any section of America and we shall never surrender in our fight to maintain the principles of constitutional government and the rights of freemen.

I have never questioned the motives of any member of this House in any position he or she takes on any legislation, but I am afraid that many of the advocates and sponsors of H. R. 6127, inadvertently and without meaning to do so but nevertheless, are helping tear down established law, constitutional guaranties, and individual liberties which have been enjoyed by free Americans throughout the whole history of our Nation and our people.

Certainly no one can deny that the Communist Party in the United States and others like those Communist Party members are strong supporters of this legislation. That being true then the advocates of this bill have, perhaps without realizing it, put themselves into the company of some highly questionable characters. When the Communist Party and its members take a position on any pending legislation we must assume that it is for the purpose of accomplishing their avowed objective, which is the overthrow of our form of government and our very Government and Constitution itself.

I just want to say to the gentleman from New York, the chairman of the

Judiciary Committee, that if this legislation aimed at my people, aimed at the section of the country I represent, is sought to be forced on us without any valid reasons or principles behind it, then we will fight just as hard as the Prime Minister of England said his people would fight, and not solely for the purpose of being obstinate or persistent. Mr. Chairman, I do not know of any instances in the Fourth District of the State of Georgia or indeed anywhere in the State of Georgia where there are any persons being deprived of their right to vote for the reasons set out in H. R. 6127. However, this so-called civil-rights legislation is intended by its sponsors to be a gun pointed at my section of the United States, and neither the people whom I represent nor I want any gun pointed at us whether that gun is loaded or not.

The amendment of the gentleman from North Carolina [Mr. WHITENER] is a good and proper amendment; it is designed to promote fair play and honest, aboveboard dealings between the United States Government and all of its citizens and I urge that the amendment be adopted.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I yield to the gentleman from North Carolina [Mr. WHITENER].

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. WILLIAMS of Mississippi. I yield.

Mr. WHITENER. If the gentleman from New York [Mr. CELLER], the distinguished chairman of the Judiciary Committee were here, I would address a question to him. I understood at the outset that the chairman of the Judiciary Committee stated that this proposal which I have made was objected to by him solely because of the language "at Government expense."

I understand that the ranking member of the Committee on the Judiciary has said that the law now provides as this amendment states.

Since neither of those gentlemen is here I am wondering if there is any way to ascertain whether or not they would have any objection to going along with this proposal with the words "at Government expense" stricken?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. COOLEY. Why does not the gentleman from North Carolina ask unanimous consent that those words be stricken from the amendment? Both the chairman and the ranking minority member have indicated they would accept the amendment if that were done.

Mr. WHITENER. I would not want to do that in the absence of a specific agreement on their part that they favored the proposal which my amendment contains.

Mr. COOLEY. I think every Member of the House heard them say that was the objectionable language and constituted their objection to the amendment.

Mr. WHITENER. The gentleman from Colorado [Mr. ROGERS] is here. He has been speaking very eloquently and often for the Judiciary Committee. I wonder whether the gentleman from Colorado could speak for the committee.

Mr. ROGERS of Colorado. What is the question?

Mr. WHITENER. The question is whether the committee would withdraw objection to the proposed amendment I have submitted as a new section to this bill if I struck out the words "at Government expense"?

Mr. ROGERS of Colorado. As far as I am personally concerned I would not have any objection, but I am not in charge of the bill. Let me point out that it is the opinion of the committee that under the present law it is the duty and responsibility of the judge to appoint counsel.

Let me call attention to the fact that in the amendment the gentleman has offered he mentions "two persons learned in the law."

Mr. WHITENER. Not more than two.

Mr. ROGERS of Colorado. Not more than two. There is some question, of course, as to how many lawyers could meet that qualification.

Mr. WHITENER. We are told that this bill is applicable only in the South. I know there would be no trouble down there finding that kind of lawyers.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. COOLEY. The chairman of the committee is here now. I suggest that the gentleman propound his question to the gentleman from New York.

Mr. WHITENER. Mr. Chairman, will the gentleman from Mississippi yield?

Mr. WILLIAMS of Mississippi. I yield.

Mr. WHITENER. I propound the interrogatory to the chairman of the Judiciary Committee as to whether objection to the proposal which I have made would be withdrawn by the committee if we struck out the language "at Government expense"?

Mr. CELLER. Speaking for myself—I cannot speak for the other members of the committee—speaking for myself and whatever influence I may have, I would be willing to accept the striking out of those words and then accept the amendment.

Mr. WHITENER. If the gentleman will yield further.

Mr. WILLIAMS of Mississippi. I yield.

Mr. WHITENER. I want to address the question to the other distinguished gentleman from New York [Mr. KEATING] and ask him if he would accept and agree with his colleague from New York?

Mr. KEATING. I would say to the gentleman from North Carolina that there are degrees of opposition; and I do not like the amendment even with those words out, because it has this business mentioned by the gentleman from Colorado "learned in the law" and certain other phrases; it provides for two counsel which would not normally be the case in any other situation; and it is not written according to the Federal Statutes.

But I presume if the gentleman from New York, the chairman of our committee, sides with the gentleman from North Carolina, our opposition will, to a degree, evaporate, but I would feel very much better with those words out.

Mr. WHITENER. Knowing the gentleman's opposition to the jury trial, I feel certain that he would not want to be a party to depriving an American citizen of the right to counsel when he is on trial for alleged conduct which could result in his going to prison.

Mr. COOLEY. It will be necessary, if I understand the matter correctly, that the gentleman ask unanimous consent to correct his amendment. When that is done, we can submit it to a vote.

Mr. WHITENER. If the gentleman will yield, I ask unanimous consent to delete the words "at Government expense" in the last sentence of the new section which I have offered as an amendment.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. WHITENER: On page 12, after line 13, insert: "(e), *Provided*, That any person cited for alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel."

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina [Mr. WHITENER]?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina [Mr. WHITENER].

The amendment was agreed to.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read, as follows:

Amendment offered by Mr. ROGERS of Texas: page 12, after the last period add a new paragraph to be numbered part V.

"Notwithstanding any provisions herein contained or otherwise provided by statute, rule or regulation, no person shall be subject for the same offense to be twice put in jeopardy of life or limb. And a plea in bar shall be available to any person proceeded against under this act or the Criminal Statutes of the United States or any State thereof, who can establish a prior proceeding against such person for the same offense act or transaction, for which he is called upon to answer, whether such proceeding be under the Criminal Statutes of the United States or any State thereof or under the provisions of this act."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment offered by the distinguished gentleman

from Texas is not germane. It provides for changes in criminal statutes, it provides for immunities in criminal statutes, for double jeopardy, which cannot be part and parcel of a bill that is limited solely to civil penalties and civil procedures. Therefore, the amendment offered is not germane to the bill.

Mr. ROGERS of Texas. Mr. Chairman, would the gentleman reserve his point of order?

Mr. CELLER. No; I would like to get a ruling.

The CHAIRMAN. Does the gentleman from Texas desire to be heard?

Mr. ROGERS of Texas. Mr. Chairman, this amendment is certainly in order because it is an incorporation in this act of a part of the Constitution that is applicable to the provisions of this new law which creates a restriction on how far the Attorney General can exercise this right or the other courts of the land can exercise the right if the Attorney General takes action.

The CHAIRMAN (Mr. PRICE). The Chair is prepared to rule.

The gentleman from Texas [Mr. ROGERS] has offered an amendment, to which the gentleman from New York [Mr. CELLER] raises a point of order that the amendment is not germane.

The Chair holds that the amendment offered by the gentleman from Texas is too broad in its purposes, it opens up all other statutes, rules, and regulations, whereas the bill under consideration is confined strictly to matters of civil rights.

The Chair, therefore, sustains the point of order.

Mr. ROGERS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS of Texas. If I strike out the reference to rules and procedures, would the amendment be in order?

The CHAIRMAN. If the gentleman from Texas proposes another amendment, the Chair will then consider that amendment.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, my amendment was offered in an attempt to forestall effective repeal of a part of the fifth amendment to the Constitution, and I feel that it is certainly germane to this legislation. I yield to the ruling of the Chair, but shall attempt to rearrange the language so that it will be in order.

You heard the chairman of the Committee on the Judiciary just the other day admit to me that a man can be tried twice under this legislation. In a hypothetical question that I put to him, he admitted that it was possible for a man to be tried twice on the same day because of this bill, should it become law, admitting indirectly, if not directly, that a man could be tried time and time again under this act.

Now, the amendment that I offered contained the language of the Constitution of the United States insofar as double jeopardy is concerned, and I felt in this deabte the Members of this House should have the opportunity to place their approval or disapproval upon the provisions of the Constitution in that regard. It was for that reason that I offered the amendment, and for that reason I shall undertake to change the language so that we will not create situations in destruction of civil rights now guaranteed by the Constitution.

For instance, a man could be indicted on one day, tried on the next day before a jury, mind you, sent to jail for a year, let us say, and on the same afternoon of that conviction he could be hailed again before that same court, before that same judge, but without a jury, and be required to prove his innocence of the same identical act, and if he was not able to do it, be sent to jail for another year by that same judge. And the judge could fix it so that the terms would be consecutive and not concurrent, which simply means that the man could be required to serve 2 years when a jury had convicted him and given him 1 year. On the other hand, if that jury had acquitted that man and he was supposed to have walked free from that courthouse, as we have always led the people of the world to believe, that the United States so provided in its Constitution and in its laws, a deputy marshal could have been waiting on the doorsteps of the courthouse or the Federal building, and the only freedom that the defendant would have enjoyed by the acquittal of a jury of his peers, as he is guaranteed under the Constitution, was when he walked down the stairs to where that deputy was waiting, just long enough for the deputy to have time to serve a showcause order. He could be again hailed into that Federal building and sent to jail and held there, if the court so determined; he could be brought before that court again and even though he thought he was free the day before, he could be sent to jail without the benefit of a jury by the very judge that tried him the day before.

Let us carry it one point further. This act talks about intimidation and threats. It creates a situation where intent can be assumed. A judge may assume intent. It is not required to be proven. Unless an amendment of this type were adopted, the same judge could try a man one day for tripping a fellow, the next day for glowering at him, the next day for sneering at him, the next day for talking about him behind his back, idle gossip. That man could be sent to jail each time for a different term because he had violated the act; and, mind you, that would be without the benefit of a jury, and under a proceeding where he could be required to establish his own innocence.

I say to the Members of this Congress who are representing the people of this country, in all seriousness, I hope you will think twice before doing violence to the Constitution of this country. To destroy one section of the fifth amendment will be the crack in the dam that could result in the loss of all rights therein guaranteed.

Mr. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS: Page 10, line 22, strike out period and add the following: "and the right to work"; page 12, between lines 13 and 14, insert the following:

"PART V—TO PROVIDE CRIMINAL SANCTIONS FOR VIOLATIONS OF THE RIGHT TO WORK"

"SEC. 141. Section 241 of title 18 of the United States Code (conspiracy against rights of citizens) is amended by inserting after "United States" the following: "(including the right to obtain and keep employment regardless of membership or nonmembership in a labor or trade organization)."

"SEC. 142. Section 242 of title 18 of the United States Code (deprivation of rights under color of law) is amended to read as follows:

"'242. Deprivation of rights under color of law

"'Whoever, under color of any law, statute, ordinance, regulation or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States (including the right to obtain and keep employment regardless of membership or nonmembership in a labor or trade organization), or to different punishments, pains, or penalties on account of such inhabitant being an alien, or by reason of his color or race, or by reason of his membership or nonmembership in a labor or trade organization, than are prescribed for the punishment of citizens, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.'

"Renumber section 141 as section 151."

Mr. CELLER. Mr. Chairman, I make the point of order that the amendment is not germane to the bill. It covers so-called economic rights; it deals with the subject of labor. This is a civil-rights bill. It also provides for criminal penalties, so that it is in a sense a criminal statute that is sought to be placed upon a civil-rights statute. It enlarges the whole purport of the bill.

I believe it is not unrelated to the proceedings that were before the distinguished Chairman in the last Congress and in this also when an amendment of similar import was offered and was ruled out of order as being not germane. It is not unlike an amendment which was offered in the early part of the consideration of this bill which likewise involved the right to work and, very properly following the precedent he established in the last Congress, the Chairman held that amendment was not germane.

For those reasons I say the amendment now offered is not germane.

Mr. RIVERS. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. RIVERS. On last Thursday when an amendment similar to this came to the floor, the Chair said this:

The Chair in 1956 ruled on a practically similar question.

Then I interrogated the Chair and among other things this transpired. I had trouble understanding the Chair, and I asked the Chair most respectfully this question, if this bill referred only to political rights. The Chair said this:

The bill deals with political rights. Voting is a political right.

That has been all the discussion here, about political rights. I understood the

Chair to say that the bill dealt with political rights. I am asking the Chair if the Chair held that the bill does not deal with political rights. The right to vote is a part of the Bill of Rights. Does the Chair hold that the Bill of Rights is a civil right? The Chair said both.

Part III on page 9 of the bill states this, and it was put in there by the great Committee on the Judiciary:

To strengthen the civil rights statutes, and for other purposes.

I went to look in the dictionary I have in my office. I think it is still in date and has not been changed. It said that civil rights relate to private rights of an individual in a community and to legal proceedings in connection therewith.

Under part III, "To strengthen the civil rights statutes, and for other purposes," the committee wrote in this language, "including the right to vote."

Then there is another part, part IV, "to provide means of further securing and protecting the right to vote." My amendment adds another section, section 5, which outlines what happens in connection with what the dictionary refers to as the rights of an individual in a community and to legal proceedings in connection therewith.

I pose this question to the Chair. Does not the individual have the right to be secure in his person and in his home? He is not up in Wisconsin today, and neither is Mr. Riesel in New York, whose eyes are bashed out. Are not those civil rights, I suggest to the Chair? When the people are deprived of their rights, should there not be some recourse whether or not the Committee on the Judiciary put it into the bill or not?

The CHAIRMAN. Is the gentleman speaking to the point of order?

Mr. RIVERS. I am just about getting back to it.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. RIVERS. My point has to do with basic civil rights, because they were not thought of by the Attorney General and mimicked by certain members of the Committee on the Judiciary without dotting an "i" or crossing a "t." I submit they were basic civil rights before the Chair or I ever saw the dawn of day. I submit they are therefore germane and part and parcel of the Bill of Rights of this country. Therefore, they are bound to be germane.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule.

The gentleman from South Carolina offers a new section to the bill now under consideration, H. R. 6127. He offers his amendment as "Part V—To provide criminal sanctions for violation of the right to work."

The question of germaneness has been raised. The Chair read from volume 8 of Cannon's Precedents, section 2911, on page 477, which is a ruling made by Chairman Garrett, of Tennessee, one of the outstanding Members of this House at any time:

The rule providing that an amendment must be germane has been construed as requiring that the fundamental purpose of an amendment be germane to the fundamental purpose of the bill to which it is offered.

The fundamental purpose of the bill now before us is the protection of civil rights with particular reference to the right to vote. The amendment offered by the gentleman from South Carolina deals with an economic right, the right of an individual to obtain and hold employment.

Based upon the aforementioned section of Cannon's Precedents plus the rulings of the present occupant of the Chair on July 19, 1956, and again on June 13, 1957, the Chair holds that the amendment is not germane and the point of order is sustained.

Mr. RIVERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RIVERS: On page 12, line 14, after "141" strike out the rest of line 14 and 15 and insert: "This act shall be known as the Celler-Keating Political Act of 1957."

Mr. RIVERS. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Chairman, I have tried to get an amendment through to protect the civil rights, the thing to keep you and me out of jail. But, we have occupied 4 or 5 days here talking about nothing but political voting rights. There has been more talk about voting rights on this thing than a show dog can jump over. We have been talking about the deprivation of rights here, there, and yonder, and when I try to really protect the civil rights of people, I am ruled out of order so fast it makes your head swim. Now, let us give this bill the title to which it is entitled. This is a political bill. Rights are so far removed from this bill that you could not contact them with a radar. There are no civil rights in this bill. These are political rights. This bill deals with the right to get reelected in 1958 and the Presidential elections thereafter. You have the hideous spectacle of this gentleman competing with this gentleman to get back to New York to say, "Look what I did. I hung, drew, and quartered the South in absentia. We really fixed those southerners; didn't we?"

The New York Times will have headlines—not boxcar letters, but letters the size of boxcars. That is what will happen. This is not a civil-rights bill. As the distinguished gentleman from Texas [Mr. DIES] said, "This is a political bill." Let us look at it for what it is worth. This is a political act, and it is tragic—it is tragic. As the Star said yesterday in an editorial, and I want to refer to it since my people have been held up to ridicule, scorn, and derision by the most brilliant oratory that could be imagined from East, West, and the Far West. You heard the distinguished gentlewoman from Illinois and how she gave us the unadulterated works. You heard that. And there was not any charity in those words—I say to you there was no charity in those words. The editorial reads:

The attempt to add a jury trial amendment to the so-called civil-rights bill has been beaten down in the House by a vote of 199 to 167. This 32-vote margin according to Representatives WILLIS, Democrat, of Louisiana, resulted from White House pressure on Republican House Members.

They had some help from another section of the country.

I would like to depart from my written text to say this, that when the election happened last November the only votes Adlai Stevenson got were from the South and from the State of Missouri. We kept you boys who are now cussing us out, we kept you in business. If it were not for us you would have been out of business, for you would not have carried one State in the last Presidential election. The matter is in your hands. You are going to build the edifice. You better know what you are doing and what you are talking about. We are tired of being the whipping boys for all the Nation and the avenue by which some of our colleagues who call themselves Democrats—who call themselves Democrats—reach Washington, in the District of Columbia, and get sworn in as Members of the House of Representatives. We are tired of that statement. Our pants are getting threadbare in the part that you have been utilizing for your own convenience.

Now, says the Star, when I was compelled to depart from my text:

We do not know whether this is correct.

That is whether the jury trial amendmen was defeated as a result of White House pressure on Republican House Members. But the editorial goes on to say:

If it is, it means that the President, who carried five Southern States last year, does not trust Southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that Southern juries would not convict defendants in civil-rights contempt trials regardless of the evidence.

That is a terrible indictment, that is a terrible indictment of my people and of my section; and when the distinguished gentleman from Louisiana [Mr. BROOKS] asked the House to restrict it to the district in which the offense was alleged to have been committed you were not even willing to leave him the district. You do not trust the jurors, you do not even trust the Southern Federal judges. Methinks you do not even trust yourselves sometimes, because it is possible under this Celler-Keating political act of 1957—and that is the most germane title ever tied to a bill; and if you do not like that then you can call it the Keating-Celler Act, because these Gold Dust Twins—why do they not ask that my words be taken down? These Gold Dust Twins are now just before putting on the statute books of this session of the Congress, the greatest, the greatest and the most unconstitutional piece of legislation that has ever been proposed to a prostrate section of this country for want of sympathy—a prostrate section of this country for want of sympathy—a most obedient House that is sensitive to the wishes of the NAACP, the ADA, and other bodies, propose now today to put its stamp of approval—and it will not be

long before the vote comes—to the worst piece of legislation as far as civil rights are concerned that has ever been handed to the American people since Thaddeus Stevens walked these corridors or Charles Sumner walked the other corridors.

And it is ironic that the successor to Thaddeus Stevens, or a man who succeeded him, is the gentleman from Philadelphia [Mr. HUGH SCOTT]. That is appropriate, but I hate to think that his running mate is one MANNY CELLER, and the other to whom they throw the ball, one KEN KEATING. They throw the ball from CELLER to SCOTT to KEATING.

Mrs. GREEN of Oregon. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise in support of the provisions of H. R. 6127 as reported by the Committee on the Judiciary and without any amendments that would in any way weaken its provisions.

On the floor and in the halls of this Congress we have been urged often, during these several days of debate on this bill and the amendments proposed to it, to approach this subject from the standpoint of logic and not emotion.

Indeed, Mr. Chairman, there have been times almost when it has seemed that there was something wrong in our becoming emotional about the fact that millions of our fellow citizens are being deprived of their sacred constitutional right to participate in their government because of the color of their skins—that in many places in our Nation representative government is a mockery—that for too many of our Negro citizens this has been a government for them and not by them.

And we are told to be cold and logical and unemotional.

Frankly, Mr. Chairman, I'm getting emotional about this deprivation of the basic constitutional rights of my fellow Americans.

We cannot view this blow to the vitals of representative government with detachment and calm, because we realize that if long continued it will inevitably debase all our protestations that this is a government of the people, by the people, and for the people.

The cornerstone of our democratic form of government was enfranchisement of the greatest number of its citizens and their participation in the election of those who would represent them here in the Halls of Congress and in the executive branch of the Government.

The Constitution specifically prohibits the denial of the franchise to any citizen on the basis of color. And yet when we here in the Congress seek legislation translating into a reality that constitutional prohibition, we are met by a veritable barrage of words, uttered at times almost disdainfully, to the effect that we are becoming emotional—unreasonable, that we should remain calm and logical and detached.

Calm and logical and detached about what?

Calm about the violation of the Bill of Rights of the Constitution—secured and preserved with blood that drew no color line?

Logical in the face of a situation where men and women in certain portions of our land walk in fear while their constitutional rights are trampled under foot?

Detached at the fact that almost a century after the Proclamation of Emancipation millions of American citizens are denied the basic right to a voice in their Government because they are Negroes?

Disdain, Mr. Chairman, cannot quell our emotional indignation at the continuance of such discrimination.

Neither can that indignation be quelled by a smokescreen of legalistic hairsplitting that somehow, through some feat of legerdemain, seeks to cast the onus upon us who seek to remove this manmade, unconstitutional disqualification of American citizens from full participation in their own Government.

Let us keep the issue clear, Mr. Chairman.

Many amendments have been offered and much as those who have spoken in opposition to this measure would like to steer a different course, (the basic issue is not to deprive anyone of any rights.) The basic issue is that no longer shall there be deprivation of the right to vote by millions of Americans solely because of their color.

That is the basic issue.

We have heard much, these past few days, Mr. Chairman, of the so-called viewpoint of the South on this legislative proposal. But have we really heard from the South—or have we heard only from the white South? Even here, how can we have represented the true viewpoint of the South when so many of its citizens are denied the right to participate in the election of the very Members who are here rising to speak on behalf of the South.

And yet we have been told to be unemotional.

I submit Mr. Chairman, it is time for a bit of emotion, a time for deep feeling on behalf of the rights of our fellow American men and women who are treated as less than second class citizens because of their color.

At a time when the United States is locked in mortal struggle with totalitarian nations, when the Free World seeks the minds and the hearts and the loyalties of the oppressed, how can we here be asked to sit in calmness and logic and contemplate a situation where the Bill of Rights continues to be undermined and underenforced.

The time for subterfuge has long since gone. It ill behooves the United States to proclaim freedom and democracy abroad in ringing tones, and deny their very essence to so many of its own citizens.

The time for action is upon us. I hope this body will act speedily to approve this measure. I hope the other body will act as speedily. But, more than that, I hope and trust that once this bill is enacted reason and logic and adherence to legal principles will prevail and there will then be voluntary adherence to principles set forth in it and the prompt enfranchisement of all citizens of the United States without regard to color, race, religion or national origin.

This I hope for deeply, and, if you will, emotionally. For none of us, loving our Nation and the principles upon which it was founded as we do, can long contemplate wholesale violations of our long-cherished Bill of Rights without deep emotion.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. RIVERS].

The question was taken; and on a division (demanded by Mr. RIVERS) there were—ayes 47, noes 105.

So the amendment was rejected.

Mr. DOWDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: On page 10, line 1, after the words "may institute" strike out "for the United States, or in the name of the United States" and insert "at the written request of the aggrieved person or persons institute for and in the name of the aggrieved person or persons."

Mr. DOWDY. Mr. Chairman, I have another amendment that applies at another place but is identical, and I ask unanimous consent that they be considered en bloc and that I be recognized for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment.

The Clerk read as follows:

Amendment offered by Mr. DOWDY: Page 12, line 2, strike out "for the United States, or in the name of the United States" and insert "at the written request of the aggrieved person or persons institute for and in the name of the aggrieved person or persons."

Mr. DOWDY. Mr. Chairman, these are the amendments that I mentioned the second day of general debate, Friday, June 6, after the gentleman from New York, the ranking minority member of the Committee on the Judiciary made his statement, in other words, his confession of ignorance, that it had never entered his mind that he was taking away anybody's right of trial by jury in reporting this bill, and it was agreed to by the gentleman from New York [Mr. CELLER], in which he said:

I would not want to by any stretch of the imagination take away any rights from anyone.

Now, as I mentioned on June 6 in this debate, the sincerity of their statements could be put to test with this amendment. The moment of truth is here. We will find out whether the statements have been honest or not; that they do not want to take away anybody's rights.

Now, they have repeatedly and repeatedly stated that this does not take away any rights, but it does, because it has been admitted earlier in the debate that at the present time anyone violating these particular things that are covered by this bill would be entitled to a trial by jury.

In my part of the country, if a man now has a right of trial by jury, and this bill would take it from him, you are depriving him of a right he presently has. That cannot be denied. There is express wording in this bill providing that the case be brought in the name of

the United States, and there was a reason for that. The sole purpose and intent of putting those words in the bill was to deprive American citizens of the right of a trial by jury.

Now, there has been talk about libertarians and liberals and all that sort of thing during the discussion of this bill. I want to say that there has been a revolution going on in the United States of America for a number of years. This revolution was peacefully accomplished by the technique of bringing it to pass not only within the form but within the word, so that people are and were all the while fixed with the delusion that they were talking about the same thing because they were using the same words. Opposite and violently hostile ideas were and are represented by the same words. For instance, we know that the Russians claim that they are a democracy. We here in the United States say that we are a democracy. But those two conceptions are violently hostile. Each one calls itself a democracy. That is done to fool the people.

Some years ago a liberal was a person who believed in the freedom of the individual, who did not want his rights taken away by government. He wanted to be able to make a free choice of what he did. It is a directly opposite sort of person who calls himself liberal today, because they want to fool other people. Today a liberal is somebody who wants a dictatorship, a tyranny here in Washington by bringing all powers of government to Washington. And included in that, of course, is the necessity to destroy, to abrogate and abridge the right of trial by jury.

I believe it was Hitler, in his book, who said something to the effect that it did not make any difference how great a falsification was, if it was repeated enough times, the people would believe it, and we have seen the truthfulness of that in operation here.

The statement that this bill does not take away the right of trial by jury specifically has been repeated over and over so many times here in this debate in the House that even the people who are saying it, knowing it to be false, now apparently actually believe it.

It was demonstrated last Friday and again today that a majority of the membership of this House present at the time of the voting, had been told so many times that this bill did not take away the right of trial by jury that they really believe it. In the beginning, by the statements of several, they knew it was false, but it was said so many times that they finally believed it.

There is no doubt that this bill, besides being a political bill, is class legislation. The House voted down the attempt to make this apply to all people alike. That makes class legislation, of course. And these untruths that they are repeating over and over, so many times, have had the effect on some Members of causing them to believe the falsehoods.

There have been other demonstrations of the fact that people can be brought to believe things that are not true. The sweetest person in this House, during this debate, rose here and I was shocked to hear the words containing unmitigated venom, with facial expressions of unadulterated hatred of people in a section of our country. I have known this person ever since I have been in Congress and I just did not believe it was possible. But, you see, the mind has been poisoned on this particular subject.

The continuous repetition of falsehoods has even had its effect on our President to the extent that he has put all the pressure of his office on Members of Congress in his party, demanding that they vote against jury trials for the American people. That information comes to me from Members who have been so pressured, as well as the newspapers.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. DOWDY. I yield to the gentlewoman from Illinois.

Mrs. CHURCH. I do not think that the gentleman could possibly be referring to me, as I do not take such compliments lightly, but if by chance his words should have reference to me, I should like to say to the gentleman that there is no hatred but strong conviction that current wrongs must be removed. I thank the gentleman.

Mr. DOWDY. I have here some letters. One of them, which is from Colorado, asked if Members of Congress would actually vote to deny a person trial by jury. I told him that I certainly would not so vote.

Another from Colorado asked how could a Member of Congress vote to deprive anyone of the right of trial by jury. "Are they knaves or fools?" he said. I answered, "I will vote to guarantee the jury trial, and I am not going to vote to deprive anybody of the right to a trial by jury; you will have to ask each Member who votes against the jury trial to classify himself."

I have a letter that came from Massachusetts. The writer said he understood that members of the Judiciary Committees of both Houses voted to reject amendments which would guarantee the right of trial by jury, and he asked me if that was true. I told him it was true, but that it was not unanimous in either committee, and that in the House committee it was barely defeated; I further answered that I certainly did not want to be classed as a person who would deprive any person of the right to trial by jury. Later I got a letter from the same gentleman in Massachusetts who stated he had received a letter from a Member of Congress attempting to justify voting against jury trials. This is his statement: "I would not have believed that a Member of Congress could express such a view if I had not seen it with my own eyes in writing." I agree with the writer of the letter. But he should have been here today and yesterday to see the degrading spectacle here on the floor as the majorities voted to sacrifice the sacred rights of the people who elected them as their Representatives. We have heard it said that "it cannot happen here"; yet we have seen it happen today, when a majority of the Members of Congress betrayed the people who chose them, by failing to protect their rights, but, to the contrary, voting to destroy, abrogate, and abridge their right of trial by jury.

I have here an article that I tore out of a Sunday paper not long ago, an article about Memorial Day. It was written by our colleague the gentleman from Pennsylvania [Mr. VAN ZANDT]. There is a part of it which I think is applicable here in the problem that is facing us today in contending with this alien philosophy that wants to destroy the rights of the American people. This is what he says:

> Our Nation may be destroyed as ruthlessly in times of peace as by ruthless enemies in time of war. In peace, it may be destroyed by subversive doctrine, by abandonment of fundamental principles, by surrender of the rights and privileges of the citizens.
>
> Against the armed enemy we rush forward to do our part in defense of our country. Often peacetime undermining of our civic structures comes in such pleasing disguise it leads many to welcome and encourage it.
>
> We are apt to forget history's lesson that government by the people is not eternal and that such governments have fallen victim to internal decay. In paying our debt to the heroes to whom Memorial Day is dedicated, let us be as vigilant in guarding against our own apathy as against foreign foes.
>
> The American form of government is only for those who appreciate it, who deserve it, and who are willing to defend it against all enemies at home or abroad. Let us resolve that, no matter what the cost, we will deserve our form of government, we will protect it, and we will pass it on unimpaired to those who follow.

I received yet another letter that I want to read a portion of to you.

He complimented those who are fighting to safeguard the rights and liberties of the American people which are desperately close to being lost because of proposals such as the one before us. I would like to quote this part of his letter:

> Too often criticism is leveled by others who are long on talk but short on vision; self-seeking men who would not hesitate, for personal gain, to destroy those rights and freedoms which have been fought for so valiantly on the world's battlefields by Americans.

So you can see, all of the American people are not misled by the pious self-serving declarations made by the proponents of this bill.

I sincerely hope my amendments will be adopted. Not only will they preserve the present right of trial by jury, but also take away the authority of the Attorney General to file a suit without the consent and knowledge of the party or parties he purports to represent.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment provides for the necessity of a written consent of an individual aggrieved. During the hearings, the Attorney General opposed such a provision. He said there was involved here a public right as well as a private right and, therefore, the United States had the right to proceed to protect that right. Under this amendment of the gentleman from Texas, the United States are eliminated as a party authorized to file an action in equity. What does that do? That brings in the jury trial again by the back door. Again

we have to vote on the jury trial. That is the effect of this amendment. It seems at every twist and turn, we are confronted with some sort of a provision which brings back the necessity for jury trial. Vote it down as much as we will, it seems to bob up again and again. Apparently, some of the Members in that regard are insatiable. It is impossible to satisfy them. Some of the Members are just about as impossible to satisfy in that regard as it is impossible to make a vegetarian out of a tiger by feeding him beef steak. There are many, many instances where the Government sues where there may be also an infringement of a private right. For example, in our antitrust laws a private person who has been injured is given a right of action for treble damages. At the same time, the Attorney General may bring suit to restrain the same violations which give rise to the private suit. There are quite a number of Federal statutes which recognize the right of a private individual to sue for individual relief at the same time authorizing the Federal Government to sue for injunctive relief without requiring the consent of the individual as a prerequisite to the Government's suit. That is the situation with reference to the Longshoremen's and Harbor Workers' Compensation Act. That is the case with reference to the National Housing Act, the Interstate Commerce Act and the Securities and Exchange Commission Act, the Atomic Energy Act and the Federal Power Act, and many, many other statutes which permit the Federal Government to sue without the intervention of or consent as a condition precedent to sue from the party who might be aggrieved. I say this is a public right. If you are going to insist on the individual becoming a party to the proceedings by making the written request, and then the suit being brought on behalf of the individual, he becomes, as it were, the center of attraction. In some communities, it might bode ill for him if he has the temerity to start a proceeding of that sort and importune the Attorney General to take such action. He might be the victim of reprisals, economic reprisals, political reprisals. When you consider the emotional state that exists in some sections, unfortunately, why such an action would have the effect of exacerbating the emotional strains that already exist, and for that reason I do hope that the amendment will not prevail.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CELLER. I should like to propound a consent request. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from West Virginia [Mr. NEAL] is recognized.

Mr. NEAL. Mr. Chairman, in spite of long hours of debate, contradictory legal interpretations, and occasional outbursts of regional prejudice, I am still far from convinced that any laws enacted since the adoption of the 14th and 15th amendments to the Constitution, or their subsequent legal definitions, have changed the constitutional right of any American citizen to exercise his or her voting franchise.

On the other hand, our original Constitution reserved to the States such powers as were not specifically delegated to the Federal Government. Even while granting the right of franchise to the new freedmen, the 14th and 15th amendments did not specifically deprive the States from making laws governing the time, place, conditions, and manner for holding elections. Neither did they prescribe specific rights, conditions, or qualifications affecting the voting privilege.

Yet, there can be no doubt that intelligent use of the ballot, regardless of a voter's race or color, is only in direct proportion to the social, educational, economic, and cultural condition of the voter. Hence, there have arisen in the years since the Civil War sectional and ethnological attitudes toward the right to vote in the several geographical areas of our country.

In the immediate past, there was conclusive evidence, to be had for the asking, that in several States with heavy Negro populations, there were legal barriers to the unimpeded use of the ballot. This moral wrong and injustice under law has been, throughout the years, gradually correcting itself as our restless population, with full freedom of choice of residence, shifted to areas where restrictions on their franchise were less severe or nonexistent.

This movement of our citizens, coupled with a rapidly growing moral pressure aimed at correcting this basic wrong, was, and is, gradually moving toward the day when tolerance will have totally replaced prejudice in a great many States.

As to trial by jury, I believe it is fundamental to our whole system of jurisprudence; and, I would approve of this bill more readily had that amendment been adopted.

But as it stands, I support this legislation in the belief that the bypartisan character of the proposed Commission on Civil Rights will find an avenue of approach toward a nationwide acceptance of the right-to-vote principle without resort to methods that will further extend the existing breach between our Federal Government and the States involved.

The CHAIRMAN. The gentleman from New York [Mr. KEATING] is recognized for 5 minutes.

Mr. KEATING. Mr. Chairman, all of the actions contemplated under this bill are to be brought by the Attorney General for the United States or in the name of the United States. The United States can and will only institute actions under this bill to protect the public interest. Only indirectly will such action benefit private individuals.

It should be noted that the bill before us today omits the phrase, which was in the bill we considered last year, where in the same section it was provided that action was to be brought for the benefit of the real party in interest. That is not in this bill. Private rights of action now provided by existing statutes for one person against another will not be affected in any way by this measure.

This amendment, requiring the written request of the aggrieved party, might be appropriate if the Attorney General were suing on behalf of private individuals. When, however, the suit is one brought to protect the public interest, there is no precedent for such a requirement. We have many statutes on the books which permit suits by the Attorney General in the name of the United States. They do not require any written request on the part of any complainant who may have claimed that some harmful action was being done to him.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Michigan.

Mr. HOFFMAN. What becomes of the doctrine of the Supreme Court which says that where the Federal Government enters the picture legislation by the States goes out?

Mr. KEATING. That is not the issue before us on this amendment.

Mr. HOFFMAN. When the gentleman was talking I understood him to say something about the right of an individual to bring a suit. Now we have the Federal Government entering into the picture, the Attorney General bringing that suit for the benefit of an individual. Does the gentleman anticipate that there would be any holding that because of the Federal Government entering into the picture such right of the individual to bring suit will be denied?

Mr. KEATING. This bill confers no right upon an individual to bring a suit.

Mr. HOFFMAN. No; but if I remember the provision in the bill it is that the Attorney General can bring a suit; for example, for me, for my benefit. It says so in so many words, for my benefit.

Mr. KEATING. No; I wish to correct the gentleman. That was in the bill last year, but it is not in the bill this year.

Mr. HOFFMAN. Then, as a matter of fact, there is nothing in this bill to protect my right to vote if it is denied.

Mr. KEATING. Only to the extent that the public interest is involved. If the gentleman is one of a group whose right to vote is denied, his right will be protected, along with that of others, when the Attorney General brings the suit.

Mr. HOFFMAN. If the gentleman will yield further, if your humble servant is deprived of the right to vote does that affect the public interest to such extent that the Attorney General may bring a suit to protect me? How many of us must there be?

Mr. KEATING. I think I responded to another inquiry of that kind, but I would expect that the actions under this bill would be brought, normally, where a group of several persons were involved, not where only one was involved. There is nothing in the statute, however, which would prevent its being brought where only one person was involved.

The insertion of such a clause as is sought here would make enforcement of the public interest most difficult in those areas where it is most needed. We all

know there are local economic and social pressures which can be brought to bear upon an individual who might have the temerity to sign an affidavit or a consent or a request to the Attorney General to bring action. Such a requirement for written consent of the so-called aggrieved party might, in many instances, vitiate completely the salutary purposes of the legislation.

Mr. Chairman, I hope the pending amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. DOWDY].

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) there were—ayes 81, noes 115.

Mr. DOWDY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CELLER and Mr. DOWDY.

The committee again divided and the tellers reported that there were—ayes 98, noes 156.

So the amendment was rejected.

Mr. DOYLE. Mr. Chairman, the 15th amendment to the United States Constitution was proposed to the several States of the United States by the 40th session of the United States Congress, on February 27, 1869. This means by both the action of the House of Representatives and the Senate.

By researching the legislation and judicial history of the 15th amendment and that dissertation about it by John Mabry Matthews, published in 1909, I find that he frequently refers to the Senate Journal of the 40th Congress, together with the House Journal of the 40th Congress. Since my time in this debate does not permit me to quote from him but very briefly, I wish to quote him in his discussion about the voting in the Senate and the House respectively on the final form in which the 15th amendment was adopted, as follows:

> The amendment was rejected by the House and there ensued between the two Houses a wrangle in which the instability of the coalition between the humanitarians and the quasi-humanitarians was shown by the action of the Senate in deserting the coalition amendment, and then passing a resolution similar to the final form of the amendment, excepting that it was designed to guarantee the right to hold office, as well as the right to vote. With exasperation and variability the House in turn disagreed and the differences between the two branches had to be submitted to committees of conference, who reported an amendment in the exact form which it finally assumed. The report was immediately agreed to in the House by vote of 144 to 44, but was violently attacked by many Senators who were incensed at the action of the committees in omitting the words "hold office." The consideration, however, that this was probably the best form obtainable, and that a refusal to accept it would endanger the success of the whole measure, finally rallied to its support the various factions who favored a suffrage amendment of some kind, and on February 26, 1869, it was agreed to by a vote of 39 to 13 (in the U. S. Senate).

At the early date of March 30, 1870, it was proclaimed by the Secretary of State that 29 of the 37 States had already ratified it.

The order of ratification by the States, as reported, was as follows: North Carolina, West Virginia, Massachusetts, Wisconsin, Maine, Louisiana, Michigan, South Carolina, Pennsylvania, Arkansas, Connecticut, Florida, Illinois, Indiana, New York, New Hampshire, Nevada, Vermont, Virginia, Missouri, Mississippi, Ohio, Iowa, Kansas, Minnesota, Rhode Island, Nebraska, Texas, and Georgia.

The text of that 15th amendment shows clearly that, at that early date, it was recognized that no citizen should be denied the right to participate at the election polls, to help shape his individual destiny, and likewise to be an integral part and person of our representative form of government.

The 15th amendment, promptly ratified by the States, declared:

> SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.
>
> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

Mr. Chairman, it is crystal clear to me that when the 40th Congress submitted the 15th amendment the distinguished Members of that session of Congress were acting soundly and with the perpetuation of our representative form of constitutional government expressly in mind. They then knew, as we do today, that there is no decent place, nor any place, nor room, in our beloved Nation for second-class citizens. And depriving a citizen of his or her right to vote is deliberately a disservice to our national success in matters of eliminating classes on account of race, color, or national origin. It results in a second-class citizenship.

History records that Congress itself, and the ratifying States also, then recognized their necessity of making it as difficult as possible to abridge or deny the Negro, or anyone else, the right to vote. Section 1 of amendment 15 spells that out in no uncertain terms.

But not only did the 40th Congress declare this sound and equitable principle of democratic participation, this same 40th Congress included in the 15th amendment, section 2 thereof which said:

> SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

So, our predecessors in this United States Congress, as an express and explicit declaration, provided that we, in this 85th Congress, shall have—and do have the power, by legislation we consider appropriate, to enforce the right of all citizens of the United States to vote and to see that not a single American citizen, black or white, rich or poor, shall have his constitutional right to vote denied, or even abridged, by either the United States Congress, or by any State, making up the United States.

Yes, the 40th Congress anticipated that the time would likely come when we of Congressional sessions succeeding them, should be charged with enacting appropriate legislation.

If they did not, even back in 1869, recognize this an appropriate subject for necessary Congressional legislation, why did they expressly include it and submit it to the States for ratification?

The 15th amendment ratified in 1869 and 1870 expressly gave us authority and power to do what we are doing when we enact H. R. 6127. Our predecessors in Congress left it up to us to declare what we considered as appropriate legislation.

Mr. Chairman, each of the six terms I have already served in this great legislative body, Mrs. Doyle and I have deliberately motored to or from California, through the beautiful Southern States of our beloved Nation. A main reason we did so, was to personally visit and observe the people and conditions in that area. We have noticed sharp and material changes and improvements. I compliment these marked improvements.

This bill, H. R. 6127, will apply nationwide; I do not consider it a sectional bill. In my support thereof, I expect its application to be fair and just to all peoples in all sections. Our Nation can only go forward as all geographical sections and areas go forward and prosper together in good will and material prosperity. What harms or blesses one section, does either hurt or good to all sections.

The speed and ease of travel has transformed our people into a Nation of like interests; of interdependence upon one another.

No ill will or prejudice is in my conscious self toward these distinguished colleagues from the South, who have so brilliantly and tirelessly presented their case against the jury trial and against this bill. Honest differences of opinion should be encouraged. This bill will, they claim, compel action ahead of the time they are ready for it. I again repeat, there is room nationwide for more promptness in this field. We must be diligent about the business of seeing that no American is "denied or abridged" in his constitutional right of franchise.

Let us go forward, all together, in harmony and understanding.

Mr. McINTOSH. Mr. Chairman, under general leave to extend remarks on the civil-rights legislation, I desire to express for the RECORD my clear intent to support for the civil-rights bill which comes to final vote when I shall be absent from the House on official business.

Having been assigned several weeks ago by the chairman of the House Committee on Un-American Activities to special subcommittee hearings in San Francisco during the week of June 16, it is impossible for me to be present when the civil-rights measure reaches a final vote. Could I be present, I would vote "nay" on restricting amendments and on any motion to recommit, and "yea" on final passage of the bill.

Mr. DOLLINGER. Mr. Chairman, it is inconceivable and incongruous that this Congress, the legislative body of our Nation which was "conceived in liberty and dedicated to the proposition that all men are created equal" should now be engaged in a bitter wrangle over whether or not to assure to a great segment of our population the rights guaranteed them under our Constitution. Our duty is clear; the great need for good civil-

rights legislation is proved to us daily; every right-thinking American expects this Congress to pass an effective civil-rights bill. The delay in acting on this question, over a period of many years, has been unconscionable.

The purpose of the civil-rights legislation many of us have striven for is to assure to all our citizens, regardless of their race, color, religion, ancestry, or national origin, true equality and freedom as guaranted by our Constitution. We must establish, by effective laws, the rights of those who are now discriminated against, harassed, intimidated, and denied some of our greatest privileges of citizenship, because of their race, or color, or religion.

Although I had hoped for a stronger measure, I support H. R. 6127 because it is the best bill to be had at this time. It is a minimum program, but represents somewhat of a victory in the long struggle for civil-rights legislation. I am unalterably opposed to any crippling amendments to the bill before us; nothing less than H. R. 6127 as it stands will be acceptable to me.

Opponents of civil-rights legislation have, through the years, used every weapon available—their tactics have been to confuse, delay, object, filibuster, and to use every legislative procedure open to them to stop the measure from reaching the House and Senate for final action. This year, all their usual tactics have failed and they have now come forth with a new angle, a claim that this bill would deny the right of trial by jury. The right of trial by jury is held so sacred by Americans that such a claim endangers passage of the bill unless its real purpose is recognized for what it is—a clever device to undermine one of the most important provisions of the pending bill.

Opponents of the measure know just as well as I that H. R. 6127 is entirely consistent with our present practices with respect to jury trials. A jury trial for those who violate court orders designed to protect the civil rights of people would permit and encourage the violation of civil-rights statutes with impunity. An addition of a "trial by jury" amendment would render H. R. 6127 futile and meaningless. The truth is that to require a jury trial in connection with H. R. 6127 would actually be writing something new into our laws, since no jury trial is provided in about 30 other laws dealing with contempt. There is no justification for treating civil rights cases differently from any other cases involving persons charged with contempt for disobeying an injunction. Once court orders have been issued, their enforcement should not depend upon finding a local jury that would uphold the court against the local official in contempt. It is obvious that those now clamoring for an amendment to give the right to jury trial have as their real motive the acquittals by juries sympathetic with those who disobey civil-rights injunctions rather than the granting of the right to jury trial as a matter of principle. We must look upon the jury trial amendment as a clever maneuver, having as its only purpose the defeat or crippling of the civil-rights bill before us, and defeat such amendment.

Civil rights has always been one of my major concerns. I have again introduced my many bills dealing with various phases of civil rights—to prohibit discrimination in employment; to abolish the poll tax; to prevent Federal funds being used for housing where discrimination in housing exists; an anti-lynching bill; to prohibit segregation of passengers because of race or color; to withhold Federal aid from schools which discriminate among students by reason of their race, color, religion, ancestry, or national origin. The bill before us would not accomplish all this—far from it—but it would end some of the existing evils and would give some much needed protection to those whose rights are now denied them.

I repeat what I have said so many times—as a nation we can no longer afford to allow present discriminatory practices to continue. Almost daily headlines and reports concerning the school segregation-integration controversy, bombings, killings, and other crimes having as their basis race-hatreds and discrimination, have lowered our prestige and have furnished the Communists powerful ammunition to be used against us. Our undemocratic and cruel treatment of countless citizens in all parts of our country, must disgust many of the nations which we want to win to or keep on the side of democracy and to which we proclaim that our people enjoy the best form of government. I say that while discrimination flourishes here, we have no true democracy—we are trying to sell something that we ourselves have not achieved.

It is deplorable that we as a nation have lost so much ground in diplomatic and world affairs during the past 4 years. It is time that we started to win a few victories in the cold war and in the diplomatic field. One major victory would be to put into effect a good, practicable, and effective civil-rights program so that our own house will be in order, and so that on this score, at least, our enemies cannot shame us or cause others to lose faith in our democracy.

I have voted against every crippling amendment which has been proposed. I shall support H. R. 6127 as written.

Mr. HENDERSON. Mr. Chairman, section 1 of article XV of the Constitution of the United States provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2 of that article says:

> Congress shall have power to enforce this article by appropriate legislation.

One of the unique features of the American form of government rests in the freedom of the individual. A second feature, as important as the first, is the right of the citizens to vote, to have a voice in their Government. Both freedom and franchise are essential ingredients of this Republic.

A great and tragic war was fought because some Americans were not free. Victory in that war brought freedom to those enslaved millions. But freedom did not necessarily bring them a voice in their Government. A further step was required, the adoption of the 15th amendment, spelling out the fact that the right to vote was to be theirs.

In many States the voice of the Constitution was sufficient, and the right was afforded them. For the first time men of all races were permitted to vote. But even now, in 1957, nearly 90 years later, in parts of our country, the right to vote is being denied to some Americans. Many are the ingenious devices employed to accomplish this disenfranchisement. On occasion the devices have included threats, intimidation, and violence.

Sufficient time has elapsed to permit local authorities and local governments to give force and meaning to the Constitution. Federal legislation, guaranteeing the right of franchise granted to all citizens of this land of liberty, regardless of race, color, or previous condition of servitude, must be enacted so that the privilege of voting may be enjoyed in all parts of our Nation. I shall vote for this legislation. It must be passed without delay.

Mr. VANIK. Mr. Chairman, this has been a prolonged and strenuous debate upon this very important and vital legislation. Millions of Americans have followed this debate with care, patiently expecting the approval by Congress of this legislation.

It has been argued during the course of the debate that the need for civil-rights legislation has become a political cause and that it has sought to divide the regions of America. The fact of the matter is that this legislation transcends politics, transcends regions. It is in every respect a moral issue.

It was a revelation to witness the strength of this legislation and the militancy of its supporters during the course of the many amendments which were proposed during the debate. Some of the amendments would not be harmful, while others would have fatally destroyed the legislation and made its administration impossible.

I was proud to be on the floor throughout the debate and oppose every single effort that was made to amend the legislation in the form in which it was reported out of the House Judiciary Committee. The committee studied all issues very carefully, and the House of Representatives confirmed its faith in that committee by accepting the committee's work almost without change. The chairman of the committee, Mr. EMANUEL CELLER, and the members of the committee are to be commended for their brilliant efforts.

The most serious attack on the civil-rights bill was made by the so-called jury trial amendment, which sought to undermine the authority of the Federal courts by seriously weakening their power to enforce lawful orders. The jury trial amendment was proposed by enemies of the legislation who sought to destroy its very efficacy. Certainly the right of all people to vote is paramount to the right

of defiant people to violate and transgress a lawful order of a court. It was contended by many during the course of this debate that the American people must fear the growth of injunctive power. As a matter of fact, the injunctive power of our courts is a modern approach to the need of avoiding and eliminating injuries to the rights of persons before they occur. It may be expected that the use of the injunctive power will grow rather than diminish. By restraining an unlawful act before it is committed, it will undoubtedly prove a most useful device for protecting the personal rights and liberties of every American citizen.

It is my hope that the other body will promptly take up this important civil-rights legislation as a first order of business, so that the American people can live in early hope for the day when the right of all people to vote is no longer an issue in America.

It is my further hope that with the final passage of this legislation an era of good will will encompass the Nation which will make the administration of this law a very easy task.

Mr. SHEEHAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHEEHAN: On page 6, line 25, strike out paragraph (b), line 25 through line 7 on page 7.

Mr. SHEEHAN. Mr. Chairman, I have two other amendments relating to the same subject and ask unanimous consent that they may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. ROGERS of Colorado. Reserving the right to object, do they relate to the same problem?

Mr. SHEEHAN. They are on the same subject matter referred to in this section, but in other parts of the bill.

The CHAIRMAN. The Clerk will report the amendments of the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. SHEEHAN: On page 7, line 8, after "The Commission", strike out "may constitute such advisory committees and"; and on page 7, line 12, strike out paragraph (d), lines 12 through 19.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois that the three amendments be considered en bloc?

There was no objection.

Mr. SHEEHAN. Mr. Chairman, this amendment deals with paragraph (b) of section 105 and seeks to strike out the uncompensated advisory committee to the Commission. In the report accompanying H. R. 6127, the only reference made is at the bottom of page 7 which reads as follows:

The Commission is authorized to utilize the services of voluntary and uncompensated personnel and to reimburse them for travel and subsistence while engaged in the work of the Commission. Provision is made, however, that not more than 15 persons may be employed in such capacity at any one time. It is the opinion of the committee also that the Commission should not employ at any one time more than half of this type of personnel who are affiliated with the same organization or group.

Mr. Chairman, it seems to me there is no question that this is a change in the law as passed in 1956, the limitation of not more than 15 volunteers being utilized at one time. It is the duty of the Congress to provide the funds for as many investigators as might be needed to properly carry out the intent of this legislation.

As the gentleman from New York [Mr. KEATING] said previously today it is estimated that approximately $250,000 would be used and, in his words, that was a generous estimate. Therefore, it does not seem to me that we should go out through the country and look for people to, if you please, stir up trouble. I do not think this provision will add anything at all to the bill. In the opinion of many of us, if anything, it will destroy some of the good and the effectiveness of this bill.

In my personal opinion it might and probably will bring on a lot of mischief. It provides, if you please, for carpetbaggers, for volunteer people to help the Commission and stick their nose in wherever they think they may be helpful, and I am doubtful that the Commission could adequately supervise and regulate the people who are working on a voluntary basis.

I realize that the volunteers are limited to 15, but what could happen? An organization with a great deal of money could employ a tremendous staff of people, and then put up to 7 members at the disposal of the Commission and turn over all of the data, by being utilized by the Commission for only 1 month of actual work as voluntary workers of the Commission. I would not object if it was to provide for additional useful information to the committee, but I am concerned that much of the information they would bring forth would just stir up trouble.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. SHEEHAN. I cannot yield.

I should like to address the balance of my remarks to my colleagues on my own side.

With this thought in mind, there is no question in my mind who will be doing this voluntary work, who will be providing the funds, the wherewithal to help stir up trouble within the country. I can name them for you: The Americans for Democratic Action, who certainly are not on our side of the fence and who would be doing their best either to work against us or work against the people to stir up trouble.

I do not have to talk to you about the socialist labor leaders of the CIO dominated by Walter Reuther, who have tremendous funds and who would be sending their men under the guise of their education funds, out into the South and into various other parts of the country just to stir up trouble. They would bring to the Commission just the information they wanted the Commission to get in order to foster their own ideology. These labor leaders would do this without the consent of their own rank and file members.

I do not have to tell you about the Committee for an Effective Congress, which has a lot of money at its disposal and always seems to work against our type of people.

I do not have to tell you some of the other committees, fake committees, that have been set up in this country for purposes of merely stirring up the people. To me, it seems that this particular section of the bill will not lend a bit of good for the proper enforcement of the law and the good of the country but might stir up a tremendous lot of evil.

As I said, only the moneyed organizations would be able to provide the free personnel to assist the committee, because if they have any kind of good investigators or any kind of good lawyers they are going to have to pay them good salaries, and only organizations with money in their treasuries can provide the Government with voluntary workers.

Why does the Government need this assistance? If we are going to put a law on the books, it seems to me we the Government should provide this money, and hire adequate staff personnel so that the commission could guide and control its staff along the lines deemed best by the Commission.

Mr. ROGERS of Colorado. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is the first time I have ever heard of a Member of Congress deliberately assuming that because six men had been selected by the President of the United States, men of different political parties and whose confirmation must be made by the Senate of the United States, the President would deliberately go about appointing a group of carpetbaggers to stir up trouble to the detriment of their duties and responsibilities as members of this Commission.

If you are going to assume that the President of the United States is going to appoint irresponsible persons, people who have no regard and responsibility for the duties assigned to them, then I may accept the arguments advanced by the gentleman.

A moment ago when I asked him to yield but he was unable to yield because he did not have time, I wanted to ask him the question then, and I will repeat it now: What does the gentleman know as to what the complexion of this Commission will be?

Mr. SHEEHAN. My amendment does not refer to the Commission members to be appointed by the President. It is the uncompensated people who are to assist the Commission to whom I refer.

Mr. ROGERS of Colorado. The Commission is the one that authorizes their appointment. The Commission is authorized and its members are appointed under section 101 (b) of the bill. The thing you are trying to get at and the thing you are asking Congress to do is that in connection with the powers given to this Commission—you say that you are fearful—under paragraph (b) of section 105, which appears on page 6, and again under paragraph (d) on page 7, that the personnel selected by this Commission who may volunteer their

services will be irresponsible carpetbaggers, as you have indicated, who will be going out and stirring up trouble. What I want to know from the gentleman first of all—whom do you feel the President is going to appoint to this Commission, and, secondly, how do you think they are going to disregard their duties when they are assigned to this Commission?

Mr. SHEEHAN. Again I say to the gentleman, my amendment in my opinion does not pertain to the Commission at all. It pertains to the "voluntary and uncompensated personnel." If you look at the report, you will note that your own committee had some reservations on it this year as compared to last year because they limited these volunteers to 15. In your report, you state that not more than seven members shall be affiliated with the same organization. So evidently your own committee had some doubts about this matter.

Mr. ROGERS of Colorado. May I direct the attention of the gentleman who offered the amendment that on page 6 at line 25, it says that the Commission may accept and utilize the services of volunteer, uncompensated personnel. The point I am trying to get from you—is why do you think, if they may accept those services, you are going to get this type of person? The responsibility for the selection of the uncompensated personnel is placed with the Commission. You agree to that; do you not?

Mr. SHEEHAN. That is right, and I say we should appropriate enough money to pay their salaries so that we can control them and not have outside persons doing voluntary work.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. FLYNT. In connection with whether the personnel appointed to the Commission are good men or bad men, will the gentleman from Colorado not agree with me that the test of this legislation as well as the test of all legislation is not what good men will do with it, but what bad men might do with it.

Mr. ROGERS of Colorado. The answer to that is very simple. I am assuming, and I think every Member of the Congress assumes that the President of the United States is going to select good men and that those men are going to perform the duties they are authorized to perform under that Commission.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Colorado. I yield.

Mr. DIES. What is the need of this provision? The Commission can hire its investigators. Why do you want to include in the bill a provision to use uncompensated members?

Mr. ROGERS of Colorado. They may be Members of Congress like the gentleman from Texas who would be interested in such matters.

Mr. DIES. But I would not be interested in uncompensated work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHANSEN. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I am not going to use the entire 5 minutes, but it seems to me I recall some very loud complaints, some of them seemed to come from the other side of the aisle in the last few months about the so-called conflict of interest. Now how do you invite the greater temptation, the conflict of interest by bringing this in on an ostensibly objective investigation when you open the door to possible volunteers who are far from objective and who have something definite to sell in the form of bias?

Mr. Chairman, I yield back the balance of my time.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. HOFFMAN. Just a few moments ago, the gentleman, a member of the committee, the gentleman from Colorado [Mr. ROGERS], asked where the gentleman from Illinois got the idea that there might be bad men on that Commission. I can tell you where I get it. I was listening to the Members on the majority side, especially the members of the Committee on Government Operations subcommittees, and I recall very distinctly for the last 4 years the President, according to their idea, has not appointed anyone who has ability and sincerity.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield.

Mr. MASON. Would the gentleman not agree that some of these appointees, these voluntary appointees, could be designated as stool pigeons?

Mr. JOHANSEN. I would not preclude the possibility.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from Georgia.

Mr. FORRESTER. I just wanted to say to the membership and to the gentleman from Illinois who submitted this amendment that it is crystal clear the President will appoint the six-member Commission, but the Commission will appoint this uncompensated personnel. Now, if there is anything to history, if you can judge the future by the past, I will tell you what the Democrats did with this provision when Mr. Truman appointed the Civil Rights Commission, and you will find it on page 329 where it says:

> The NAACP, American Civil Liberties Union, Fiske University, and others furnished most of the information.

In the committee this very point was raised. It was raised on the theory that we wanted to know who that uncompensated personnel was. We threw out the challenge to the effect that it would be these pressure groups. There was no denial of it in any way, shape, or form; and I just want to tell the gentleman from Illinois he is completely correct. There was no denial whatsoever of it in the committee. If you appoint these men you are going to have to have a repetition of what has gone before.

Mr. KEATING. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. Under a unanimous consent request of the gentleman from Illinois to consider the three amendments as one, am I correct that a vote against the amendment would be a vote against all three?

The CHAIRMAN. The gentleman is correct.

Mr. KEATING. That we are considering them all together?

The CHAIRMAN. They are being considered en bloc.

Mr. SHEEHAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SHEEHAN. When I asked that the three amendments be considered en bloc I thought the three amendments referred only to the voluntary members of the Commission. Upon rereading the third amendment I find it refers to the whole Commission. I did not intend it that way.

I ask unanimous consent, therefore, that that part of it not be considered because it refers to the whole Commission and not to the voluntary Commission.

Mr. CELLER. Mr. Chairman, reserving the right to object, I do not quite understand the point made by the gentleman from Illinois. Will he restate it for me?

Mr. SHEEHAN. Certainly. When I sent the 3 amendments to the desk I thought all 3 referred only to the voluntary members of the Commission. I now find that the third amendment has reference to the entire Commission, both appointed and voluntary. I did not mean this to apply to the actual members of the Commission.

Mr. CELLER. Does that mean that the gentleman withdraws his amendment which strikes out subdivision (d) on page 7?

Mr. SHEEHAN. That is right.

Mr. CELLER. And all that the gentleman has left would be the striking out of all of subdivision (b) and the striking out of line 8 on page 7 and line 9 "constitutes such advisory committees and may."

Mr. SHEEHAN. The gentleman is right.

Mr. KEATING. Mr. Chairman, reserving the right to object, subsection (c) has nothing to do with this unappointed personnel either. The advisory committees are not in any way to be appointed by the Commission; they are not in any way covered by subsection (b) having to do with this unappointed and voluntary personnel.

I would suggest to the gentleman from Illinois that he confine his amendment simply to subsection (b) having to do with the question under controversy. Otherwise this gets into two different fields entirely.

Mr. SHEEHAN. Mr. Chairman, it is my recollection in this particular phrase that in the previous parts of the bill it states that there are two different types of advisory commissions. First of all there is this 15-man commission, then it also states there is a voluntary commission composed of governors, states' attorneys, and so forth. So I felt this particular language indicated two different types of commissions. If you will

read the section it reads: "The Commission may constitute such advisory committees and may consult with governors, attorneys-general, and other representatives of State and local governments." I think there are two distinct and different types of commissions referred to.

Mr. CELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Where do we stand now? What is the effect of the gentleman's request?

Mr. SHEEHAN. Mr. Chairman, if I may propose a new consent request.

Mr. CELLER. Mr. Chairman, I object; we are wasting time. I object.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Illinois.

Mr. KEATING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Illinois.

Mr. Chairman, two of the three paragraphs which the gentleman seeks to amend have nothing to do with the subject which has been mainly discussed here. Section (c) is the one which authorizes the Commission to appoint advisory committees and section (d) provides that the members of the Commission, the Commissioners themselves, as well as any personnel that they may have, shall not be governed by the conflict of interest statutes. Section (d) on page 7 is the normal provision which is always carried in bills creating a Commission in order to get the type of men that the President would want in a position of this kind. It has been the uniform practice of Congress to provide in such cases for a waiver of the conflict of interest statutes. Let no one be under any misapprehension that he is only voting against section (b) when sections (c) and (d) are concerned as well. I concede my friend from Illinois has made every effort to put his amendment in a shape where we will have before us only the subject which he has been discussing, but the unfortunate thing is that is not what we are voting on. We are voting on striking out section (c) as well as (b).

Even as to section (b) I am opposed to its elimination and I think it will be conceded that we have improved this section over the bill we had before us last year.

At that time we took into consideration some of the representations that have been made here today and we did limit the number of people who could be employed by this Commission on such a voluntary basis to 15 at any one time. That would avoid this Commission being loaded down with a large number of people who particularly were from one organization or group. The purpose of it is so that this Commission can get the services of people who are very much interested in this area, but they will not in any way be able to dominate the thinking of this Commission since it is contemplated the Commission will be composed of men of the very highest caliber and I am confident they will be such if they are appointed by the President of the United States.

This is a provision which is found in other Commissions that have been created, such as the Commission on Government Operations and the Commission on Intergovernmental Relations. They were specifically authorized to secure such temporary employees under proper limitations. There is nothing unusual, there is nothing sinister about it. It is offered in the utmost of good faith.

Mr. VORYS. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Ohio.

Mr. VORYS. Let us look at the converse of this. Suppose Congress set up some sort of commission to study something, could you imagine the Congress writing in prohibitions against private uncompensated citizens giving advice to that commission if they wanted to?

Mr. KEATING. I cannot and I think it would be a great mistake to do so. I call attention again to the fact, however, that is not the sole question before us under the procedure whereby we are voting on the three amendments. To vote for them we strike them all out and that would include two other very necessary sections of the bill.

Mr. CELLER. Mr. Chairman, I rise in opposition to the pending amendments.

Mr. Chairman, certainly we could not expect to obtain the services of decent, capable men of the highest integrity if we did not provide exemption to the conflict of interest statutes for those whom the President would appoint as members of the Commission. It is common practice to offer these exemptions of the conflict of interest statutes.

The Committee on the Judiciary felt it was the wisest thing to do, and therefore we included section (d) which the gentleman now wishes to strike. Beyond that the Committee on the Judiciary tightened up the matter of employment of uncompensated personnel. It was not left wide open in the sense that the Commission could hire without restraint as to number, and we limited the number to 15. That is a fairly good number, and yet the proponent of the amendment would want to take those—I will say for want of a better term—experts or those who have expert knowledge on this subject away from the Commission. It would be idle, wrong, and futile to do that. Every commission that I know of which has been set up has used volunteers. We must leave discretionary power somewhere, and I am perfectly willing to leave such discretionary power as to the employment of these uncompensated voluntary personnel to the six members of the Commission appointed by the President, with the advice and consent of the Senate.

Mention has been made of the Truman Committee on Civil Rights, but I want to say to those who mentioned that Commission that the members thereof were appointed solely by the President and those appointments were not to be confirmed by the Senate. I take it that you will have a check on these members of the Commission; that the Senate, after examination and receiving information of one sort or another concerning these men, can grant or withhold confirmation.

Now, mention has been made by the proponent of the amendment that there might be the employment of mischief makers and carpetbaggers, but I think in that sense again we must rely upon the intelligence and the integrity of the members of the Commission. Mention has been made of organizations; mention has been made of the CIO and labor organizations. Well, again we must rely upon the integrity and the intelligence of the members of the Commission as to appointments.

The CHAIRMAN. The time of the gentleman from New York has expired.

The question is on the amendments offered by the gentleman from Illinois [Mr. SHEEHAN].

The amendments were rejected.

Mr. HEMPHILL. Mr. Chairman, I offer an amendment. I have two amendments, and I ask unanimous consent that they be read and considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

Mr. CELLER. Mr. Chairman, reserving the right to object, let us hear them first.

The CHAIRMAN. The Clerk will report the amendments.

The Clerk read as follows:

Amendments offered by Mr. HEMPHILL: At the end of line 12, on page 10, of the bill, add a new section, to be known as (par. sixth), section 121, of the bill (42 U. S. C. 1985), which will read as follows:

"Sixth. Nothing herein contained shall deprive the courts of record of the several States of their jurisdiction over elections, nor shall this legislation preempt the right of the several States in jurisdiction over all elections within the several States."

Amend at the end of line 13, page 12, of the bill by inserting therein a subparagraph (E), section 131 of the bill (sec. 2004 of the Revised Statutes (42 U. S. C. 1971)):

"(E) Nothing herein contained shall deprive the courts of record of the several States of their jurisdiction over elections, nor shall this legislation preempt the right of the several States in jurisdiction over all elections held within the several States."

Mr. KEATING. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. KEATING. I make the point of order against the amendment that it is not germane to the bill. It provides for election machinery, which certainly has nothing to do with this legislation.

Mr. HEMPHILL. I would like to be heard on the point of order, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HEMPHILL. Mr. Chairman, I believe that the first amendment, which is on page 10, line 2, has to do with section 1985 of title 42 of the Code. I think, upon reading that particular section of the United States Code, the Chair will find that that has to do with holding elections. The same is also true of section 1971 of title 42 to which the second amendment refers.

The specific language of the statutes in question, which are the statutes referred to in the bill and which are the statutes sought to be amended by this

legislation and by these amendments, takes up the question of voting in elections. My amendments take up the same question. I think they are germane.

Mr. Chairman, I have the sections here and if the Chair wishes I can read from the United States Code.

The CHAIRMAN (Mr. FORAND). The Chair is ready to rule. The gentleman from South Carolina [Mr. HEMPHILL] offers two amendments, both dealing with the jurisdiction of the courts of the several States over elections. The amendments are offered to sections of the bill that have to do with voting, therefore with elections. For that reason the Chair holds that the amendments are germane and overrules the point of order.

Is there objection to the request of the gentleman from South Carolina that the two amendments be considered en bloc?

There was no objection.

Mr. HEMPHILL. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. HEMPHILL. Mr. Chairman, I had high hopes that these particular amendments would be agreed to, particularly as the members of the committee themselves, including the distinguished gentleman from Illinois [Mr. BOYLE] who sits at the table by the distinguished gentleman from Colorado [Mr. ROGERS], have admitted to me that this particular legislation does not seek to preempt the Federal statutes, as amended, over the State statutes now governing elections. I think we all know that under the 10th amendment to the Constitution as interpreted, your State and mine have the right to set up the laws governing elections; and not only does your State and mine have the right under its legislative powers to set up those laws, but they have the right to police elections under legislative powers.

So I should like to ask the chairman of the committee [Mr. CELLER] at this point if the committee would not agree to these amendments since the members of the committee have expressed the idea that they do not want to preempt the Federal Government in the field of elections.

Mr. CELLER. The gentleman puts me in a rather embarrassing position. I would like to accede, but I am afraid I cannot, in the interest of good legislation.

Mr. HEMPHILL. Would the gentleman from Illinois care to state his position?

Mr. BOYLE. I thank the gentleman for saluting me, but I think the gentleman's amendment goes too far. We appreciate the depth of the 10th amendment under which the States have the perfect right to legislate as far as elections are concerned and they are legal so long as they apply to all classes similarly and are not arbitrary or capricious. But I think the gentleman in his amendments, has gone too far.

In addition I would say that the law never wants the Congress to do a useless act, and to merely spell out again what we all know about the 10th amendment would be useless.

Mr. HEMPHILL. Mr. Chairman, and members of the committee, I would appreciate very much your attention on this one matter. Admissions have been heard from the chairman and the members of the committee, as was done in the Steve Nelson case, which has been referred to here, that if this legislation passes, even though members of the committee have said that they do not attempt to preempt into the field of State elections this particular legislation, even as was done in the Smith Act of 1948 in the Steve Nelson case, the Supreme Court of the United States will preempt into your State and mine by decree some legislative enactment not approved by the Congress, not in keeping with the powers preserved to the States.

The committee admitted that they do not want to preempt. If they do not wish to preempt, then what harm is there in these amendments? If there is no harm in these amendments, then how can this legislation suffer from the amendments which the gentleman from Illinois just said have no harm in them?

We in the Congress have to spell out the specific law, so I ask you to put in these amendments because I believe you will be saving today the difficulty that will occur when this legislation appears before the Supreme Court of the United States. And I guarantee you it will if ever any case arises in my district, if I have to be the counsel without compensation. The Supreme Court of the United States may say, "We do not care what the Congress intended, it is not written into the legislation." Therefore, by this act the Attorney General and the Federal Government can go into your State elections and my State elections and set up rules and regulations by decree rather than by legislation.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield.

Mr. ROGERS of Colorado. In the amendment the gentleman has offered appear these words:

> Nothing herein contained shall deprive the courts of record of the several States of their jurisdiction over elections, nor shall this legislation preempt the right of the several States in jurisdiction over all elections held within the several States.

As I indicated to the gentleman a moment ago, this legislation does not in any manner interfere with the State election laws in any particular, for the reason we are going into a field, if we accept these amendments the gentleman has suggested, that restricts the right of the Federal Government in some instances, as the gentleman has indicated here, in that it would not deprive the courts of record of the several States of their jurisdiction over elections. The courts of record of the several States do not necessarily have jurisdiction over elections. They may be confined to the county clerk and recorder. They may be confined to the election commission.

I want to assure the gentleman as far as I am concerned in the interpretation of this legislation the Attorney General does not have the right to interfere with the States in their elections so long as they comply with the 14th and 15th amendments to the Constitution of the United States. Only when they would interfere with them would the injunctions be granted under this legislation.

Mr. HEMPHILL. I thank the gentleman.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from Illinois.

Mr. MASON. We read definitely into the Smith Sedition Act that nothing in this act should take away from the courts of the States, and so forth. In spite of that the Supreme Court ignored what we put into that law. Certainly if the gentleman's amendment is not put into this bill there is no protection whatever from the Supreme Court in their action.

Mr. HEMPHILL. I think that has been proven by recent decisions. I have no doubt a number of Members here speaking on constitutional law are keeping up with the decisions; and many of us are. I ask you in all fairness if they are not attempting to preempt. The gentleman from Colorado says they are not. Then what harm is there in including in the bill a provision that they shall not preempt. If it is harmless it cannot hurt the bill. If they intend to preempt, then of course they want this amendment left out of the bill. The only reason on earth they could want the amendment left out of the bill is to tell the Attorney General of the United States, and how many assistant attorneys general or assistants to the assistants there may be I do not know, "You can write the legislation by decree."

Suppose an individual, or a group, in a Federal election, is convinced they were wronged, or that their individual, or collective rights have been usurped—they go to the State court. The State court officials say: "No, we cannot give you remedy; that is a matter for the Federal district attorney under the so-called civil rights bill or act. The Federal district attorney, not having anything to gain for his party, or his candidate, tells the individual or group to resort to the State courts.

Where, then, is the citizen, or the group? Would we not be far better off to spell out, by these amendments, the respective authority?

Shall we have Congressmen, Senators, State and county officials appointed by Federal courts?

The Communists, and their friends, the NAACP, ADA, and many others rejoicing in this legislation, are happy. The laws conflict—there will be confusion—and freedom will suffer. I mean the freedom you who are proponents of H. R. 6127 claim to espouse. Some have design that the South will suffer—others that freedom will suffer—others that respect for courts will suffer. I tell you all of America will suffer from this legislation—every facet of justice and freedom.

I plead with you to support these amendments. Even the authors of the

bill have neither idea nor conception of the monster they seek to create. It would be ungentlemanly to impugn improper motives—but I tell you they are playing a game at which they cannot but lose. They are gambling freedom for political expediency. It will not work.

Mr. Chairman and members of the committee, protect your States rights and your State laws by supporting these amendments.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I must oppose this amendment because we have a Federal constitutional right here which is protected and there should be a direct right of direct access to the district courts. We should not have to go into the State courts. I fear me that the import of the gentleman's amendment would be to compel going into the State courts first.

By this bill we do not deprive the State courts of record of their jurisdiction over elections. We do not deprive the States of their jurisdiction over elections. For example, the States can change their election laws. We do not say that they shall have no right to change their election laws. They could, for example, reduce the age of voting from 21 to 18. They can permit teen-age voting. They could provide for various kinds of literacy tests. We only ask that if there are any changes, the changes must be applicable to all citizens and to all races and creeds equally. There cannot be any discrimination by way of violation of the Constitution. We do not disturb the State courts. They can pass upon all State election laws. They can pass upon all State laws and statutes. All we say is that the States and the courts in their actions must recognize the right of the individual under the 14th and 15th amendments. If that last requirement is satisfied, there is not the slightest scintilla of interference with either the jurisdiction of the court or the jurisdiction of the State. For that reason, I hope the amendment will be voted down.

Mr. KEATING. Mr. Chairman, I move to strike out the last word and rise in opposition to the amendment.

Mr. Chairman, if the proposed amendment does no more than the proponent of the amendment claims for it and merely states existing law, it is not necessary at all. But, there is a real danger and joker in this language to the effect that the legislation shall not preempt the rights of the several States in jurisdiction over elections in the States, in that it might and could be construed as nullifying the authority which we have given to the Attorney General to bring an action in the United States district courts.

The law is well settled that we cannot interfere with the requirements for voting in the several States. Age and literacy requirements and any other qualifications of voters are for the States to determine. It is only when the States take action which is violative of the United States Constitution that the Federal Government steps in. It is to strengthen and enlarge and enforce the constitutional rights of our citizens that this legislation is presented to this body. I hope the amendment will be voted down.

Finally, Mr. Chairman, we have now reached the last 2 minutes of debate, and I would like to close the debate in the way in which it opened by saying at times probably all of us here who have engaged actively in the debate have become at one time or another somewhat heated. If I have said anything which is offensive to any Member of this body on either side of the aisle, I am extremely sorry. I have nothing but the most cordial and friendly feelings for everyone on both sides of the aisle. Particularly that remark is directed to the opponents of this legislation who have represented their viewpoint with great ability and fidelity to their cause. I enjoy a scrap as much as the next fellow and I want to assure you that in the morning, or even sooner than that, I will be glad to shake hands with any Member of this body and wish him well. I sincerely hope that feeling is reciprocated.

Mr. FLYNT. Mr. Chairman, I rise in support of the amendment offered and so ably explained by the gentleman from South Carolina [Mr. HEMPHILL]. In view of the recent decision of the Supreme Court in the Steve Nelson case arising out of the State of Pennsylvania wherein the Supreme Court ruled, to the amazement of nearly everybody in this House and throughout the Nation, that the Smith Act preempted the field of subversive legislation and denied to the States the right under their existing laws and respective State constitutions to legislate against Communist activity and activity of all subversive groups, this amendment ought to be adopted.

I find myself in partial agreement with the gentleman from New York [Mr. KEATING], to this extent: The gentleman from New York says this amendment is not necessary and that there will be no preemption in the field of voting laws if no constitutional provision is violated. I think that is true, too, but it occurs to me that one or more members of the present United States Supreme Court might not agree and might use the language contained in H. R. 6127 to prohibit the States from enacting statutes or enforcing present statutes affecting the conduct of State elections.

Therefore, Mr. Chairman, I feel that this amendment should be included in the bill. For the record, I wish to specifically call attention to the statement of the gentleman from New York and to establish legislative history on this so-called civil rights legislation that it is not the intent of Congress to preempt the field of controlling and regulating elections within the States whether or not such election includes the election of Members of Congress and presidential electors.

I have felt that the Supreme Court far exceeded its authority and abrogated the expressed intent of Congress in its decision and in the opinion of the court in the Steve Nelson case. I hope that the debate on the amendment offered by the gentleman from South Carolina [Mr. HEMPHILL] will show conclusively that it is not, repeat not, the intent of Congress to preempt the field of control and regulation of State elections and State election machinery and that the States shall henceforth continue to have as they now have the right to regulate such elections and to provide statutory provisions for the conduct of such elections.

Mr. ABBITT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. ABBITT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Chairman, that part of this legislation revoking, wiping out, and exterminating State remedies is one of the most dangerous, obnoxious, revolting, and shocking provisions of this bill. With one stroke of the legislative pen it wipes out one of the main tenets of the sovereignty of the several States. The basic concept of our republican form of government reserved to the several States the right to regulate its internal affairs and the exercise of all its police powers.

The provision on page 10 of part III, which waives the heretofore necessity of exhausting State remedies, permits one man, a political appointee, to supersede State law, State remedy procedures, and State jurisdiction when and if it suits his fancy to do so. State authority is ruthlessly thrust aside. The police powers of the State are wiped out by a wink of the eye or the nod of the head by the political hatchet man of the administration then in power and he is made the sole guardian of the people with full authority to bring suits or refuse to bring suits in their behalf in all civil-rights matters. With his numerous henchmen, harpies, hatchet men, political quacks, and his band of gestapo agents at his beck and call, he can harass, browbeat, threaten, intimidate, and enjoin in the Federal court an entire community, a State, or a region. There are no limitations or provisions to stop him or to moderate him or any of his agents. It is unprecedented arrogation of power to the exclusion of the constitutional rights of a State to administer her own police powers, her school system, her transportation system, and many other of the normal functions of a community and a State. This is as obnoxious as the deprivation of a right of trial by jury.

This is one of the provisions of the bill which has been held out by its proponents as a civil rights bill intended to protect the liberties and rights of our people. Even the present Supreme Court, in spite of all its leftwing socialistic, sociological leanings has recognized the absolute necessity of compelling the exhaustion of State administrative remedies before a party is permitted to go into the Federal courts to regulate and take over the police powers of the several States and localities.

We have recently seen in Virginia the arbitrary, dictatorial, arrogant, judicial tyranny displayed on the bench. This was done without this obnoxious legisla-

tion being on the statute books. Think what can happen—would happen—and will happen if and when this type of legislation becomes the law of the land. We will see judicial tyranny—yes, as bad as the days of despotic kings when free men had to band together and wrest from despotic rulers inch by inch the rights and privileges that heretofore we have had in this great country of ours.

I plead with the Members—North, South, East and West—to think well and consider long before enacting a measure that will obliterate the States, annihilate the freedoms and liberties of our people and place the individuals of this country of ours in a political straitjacket with the key turned over to a political hatchet man with no strings attached and power unlimited, with the right and privilege to bring a cause of action in behalf of a person without his consent—yes, even against his wishes. This bill deprives the people and the States of all of their rights and concentrates them in the hands of the Attorney General of the United States.

Mr. DORN of South Carolina. Mr. Chairman, will the gentlemen yield?

Mr. KEATING. I yield.

Mr. DORN of South Carolina. I want to say to the distinguished minority leader for the committee that he has conducted this debate on a very, very high plane. I am willing to shake hands with him right now or at any other time, but I do hope that he will shake hands with me on this amendment offered by my distinguished and able colleague from South Carolina.

Mr. FLYNT. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. FLYNT. Mr. Chairman, I ask unanimous consent to extend my remarks following those of the gentleman from New York.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KEATING. The gentleman from Texas has been on his feet for some time. I yield to him.

Mr. DOWDY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD following the vote on the pending amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANHAM. Mr. Chairman, in a statement I made on the floor of the House during the debate on this bill last week, I said:

I am sure that Negroes in Atlanta, Ga., and other large cities in our State have more economic advantages and live fuller and better lives than in any other State in our Union. Not only do they take part in politics but they own their own banks, they have several insurance companies of their own, and there is absolutely no effort made to prevent their entering into any business they may desire.

Moreover, there are three or more fine educational institutions conducted by and for the members of the Negro race. Race relationships had been good until the Supreme Court decision of 1954 decreeing the end of segregation in our schools.

Judging from the vote that so many of you cast against the amendment proposed by the gentleman from Illinois [Mr. KEENEY], guaranteeing the right of trial by jury to those charged with violating a court injunction granted under the power conferred by this act, you did not believe what I said. Now comes confirmation from Martin Luther King, Negro minister of Montgomery and the darling of those of you who are willing to sacrifice basic constitutional rights for political advantage. King, after stating that a meeting to be attended by Vice President NIXON could well be held in Atlanta because of its location in the heart of the Deep South, said—and I quote from an article by Harold Davis, Washington correspondent for the Atlanta Journal: "Atlanta is a city where the channels of communication between Negroes and whites can probably be reopened easier than in other cities. Atlanta has done a fair job of race relations. It has made great strides." King went on to say that this is particularly true in the field of Negro voting and that Negroes in the city have done fairly well economically and culturally.

I am glad to have this confirmation of the statements I made relative to race relations in Georgia, even though I am not proud of the source.

Well, expediency won over principle in the vote on the jury trial amendment and I expect that there are many of you who are not really proud of your vote. Of course, you are not on record and you may be able to keep the folks back home from knowing how you voted but deep down in your hearts, I know that many of you are not satisfied that you cast the ballot you did against a jury trial.

In this connection, here is what an editorial in the Washington Sunday Star said:

JURY TRIALS DENIED

The attempt to add a jury-trial amendment to the so-called civil rights bill has been beaten down in the House by a vote of 199 to 167. This 32 vote margin, according to Representative WILLIS, Democrat of Louisiana, resulted from White House pressure on Republican House Members.

We do not know whether this is correct. If it is, it means that the President who carried five Southern States last year, does not trust southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that southern juries would not convict defendants in civil rights contempt trials, regardless of the evidence.

Whatever the case with respect to the President, it is clear that the House has prejudged, and adversely prejudged, an entire area of the country. In effect, this was a vote of no confidence in the South, and that, we think, is a high price to pay for some supposed political advantage among Negro voters outside the South.

The jury-trial amendment was offered by Representative KEENEY, a freshman Republican House Member from Illinois. He said he submitted the amendment because as a judge in Illinois he had always considered a jury trial as an integral part of any court.

It requires political courage for Mr. KEENEY to take this stand, and, with respect to cases in which punishment for criminal contempt is comparable to punishment for other crimes, we think he is right. We do not believe that considerations of expediency, especially considerations based on speculation, justify bypassing the jury trial, and we trust that this matter will receive more earnest consideration in the Senate.

The CHAIRMAN. The time of the gentleman from New York has expired, all time has expired.

Mr. ROGERS of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROGERS of Texas. Mr. Chairman, I have an amendment at the desk. Will it be voted on?

The CHAIRMAN. All amendments that may be offered after this amendment is voted on will be read and voted on, but there will be no more debate.

(By unanimous consent the pro forma amendments were withdrawn.)

The CHAIRMAN. The question is on the amendments offered by the gentleman from South Carolina [Mr. HEMPHILL].

The question was taken, and on a division (demanded by Mr. HEMPHILL) there were—ayes 118, noes 182.

So the amendments were rejected.

Mr. DOWDY. Mr. Chairman, it had been my intention to offer amendments to strike out the words "about to engage" in two places in the bill, on page 9, line 22, and page 11, line 24. Under the conditions prevailing in the House, time will prohibit my doing so.

To make the record complete on this, I do want to state the purpose of my proposed amendments, in order that same be considered on final vote.

It seems, as this bill is written, that the Attorney General might move in and initiate action in the court even though the party supposedly aggrieved did not feel aggrieved at all, at any time any person is about to engage in any acts or practices which would give rise to a cause of action, and so forth.

Thus, he can anticipate injury to individuals who, themselves, do not so anticipate such injury. They might be completely happy with the situation. They might have no thought of any injury whatsoever. Yet under this bill, the Attorney General could take the matter in his own hands, move in and initiate all actions which might come to his mind in line with the proposal here before us.

What could you mean by the words "about to engage in any act"? The Attorney General is charged with great responsibility, when you legislate that he must pass upon whether or not someone is about to engage in an act. Here, there would be no overt act.

I wonder what kind of evidence the courts would require from the Attorney General when he requests the prohibition of some act that a person is about to do? Or is it meant that the courts

should act merely on the basis of whim, and assume jurisdiction of a case having no foundation in fact?

Those questions are not facetious, and it is not straining a point to say that this is dangerously close to, if it is not actually in the area of thought control.

This bill in general, and some of its provisions in particular, degrade the dignity and detract from the prestige of this House, as well as the Congress as a whole. This language that I would strike from this bill would give the Attorney General the right to go into court and sue an individual citizen when he might feel that such citizen is about to engage in or about to attempt to do something in violation of the bill. Under the bill as written, if I understand it rightly, a person may be liable even though he may never commit an overt act. By removing this language from the bill, it will, at least require proof of an overt act by an individual before he can be held liable for prosecution in a civil suit. If these words "or about to engage," are left in, the Attorney General can arbitrarily haul anyone into court in any part of the United States and make him subject to a suit for something he may have never done, and never thought of doing.

This amendment should certainly be adopted to remove the thought-control and mindreading language from the bill. With the language left in the bill, an Attorney General of the United States would have as much power and authority as did the Gestapo during the days of Hitler.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 6, strike out lines 9 through 14 and insert the following:

"(b) The Commission shall submit interim reports to the President and the Congress and shall submit to the President and the Congress a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of enactment of this act."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was rejected.

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Page 12, after the last period, add a new paragraph numbered 5, as follows:

"5. Notwithstanding any provisions of this act no person shall be subject for the same offense to be twice put in jeopardy of life or limb by reason of the provisions of this act."

Mr. CELLER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CELLER. Mr. Chairman, this amendment has already been voted upon and voted down.

The CHAIRMAN. This is a different amendment, the Chair understands.

Mr. CELLER. It was voted on and voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. ROGERS].

The question was taken; and on a division (demanded by Mr. ROGERS of Texas) there were—ayes 132, noes 189.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. FORAND, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States pursuant to House Resolution 259, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that further consideration of this bill be postponed until tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on the pending bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PHILBIN. Mr. Chairman, there are no provisions of the American Constitution which are more precious to our people than the Bill of Rights. These provisions were not included in the Constitution as originally adopted, but as a result of overwhelming public sentiment, were inserted into that immortal document not long afterward. They set forth briefly and eloquently the basic rights of free men and women living under our Government. They are fundamental guaranties for freedom of conscience and belief, the inviolability of the person and property of American citizens and those who dwell within the confines and jurisdiction of the Nation.

There are other provisions in the Constitution, which afford similar and additional rights to the individual, which in the very broadest sense spell out the doctrine of equality before the law and the safeguards against persecution and discrimination. The due process and equal protection clauses of the Constitution afford special and most carefully written provisions insuring respect for person and property, and provisions against discrimination based on what might be termed essentially private, inherent status of the individual such as race, creed, class or origin.

Esteemed, able colleagues on both sides of the aisle have delivered eloquent addresses during this debate on civil rights and the Constitution. Many strong, persuasive, well-documented legal arguments have been presented on both sides of the question pending before the House in this legislation. I shall, therefore, not elaborate upon the legal or constitutional aspects and facets of this question.

I take it for granted that we are all agreed that we are living under a government of laws by men and that we are all subject to the rule of law under the Constitution.

It is this faith and purpose in ordering the affairs of government by popular will under the rule of law that differentiates our system from many so-called democracies and from the absolute, authoritarian powers.

Here in America, men are judged by their merits or demerits, and not by their rank, or station, or color, or religion, or national origin. Under constitutional philosophy rule and practice the dignity of each human being is recognized and protected regardless of the color of his skin, the size of his purse, the kind of his religious beliefs, his calling, or his station in life. The poorest citizen, yes, even the most depraved human wretch is entitled to his day in court, equality of justice and fair treatment under the law. It is this respect for the Constitution and its safeguards, so characteristic of all our laws, which has won for us the esteem of almost all nations, and usually assures the individual living under the American flag of absolutely equal treatment before the law.

American boys have fought and died for the Nation in every war. Boys of every race, every religion, every class, creed, station, and origin, when crisis and need arose, have offered their lives on the altar of American patriotism. When this great Government called many of these boys into the service during our various wars it never rejected them because of the color of their skin, the church they attended, the race they belonged to, or the place they or their parents came from. They were all taken into the service to fight for our country, regardless of any of these external considerations, and they became part of great, united, American forces of invincible strength which through valor, sacrifice and bloodshed hammered out many notable victories for the cause of liberty, and successfully defended the national security and our free institutions from power-crazed tyrants plotting our destruction and enslavement.

It may be commonplace to say it, but it is unquestionably and undeniably true, that boys who were willing to fight and die for this Government and our way of life should be entitled to enjoy all its rights without reservation, restriction or limitation. All our people must be so entitled.

Under our constitutional system, we cannot have two rules of law, we cannot have two types of citizenship. The same rule of law must apply to all, and the same rights and privileges of citizenship must be enjoyed by all who are entitled to them.

We cannot have one law for the North and another for the South; one law for the East and another for the West. We all must have one law—the law that derives directly from the Constitution—the law that is based upon constitutional mandate. That law must apply with equal force to all persons.

Disobedience to that law, circumvention of that law, flouting and flagrant violation of that law can never serve to solve the social or political problems of any section. To flout and disregard the plain provisions of the Constitution will only bring discord and heighten misunderstanding and engender fresh hatreds. In the end these divisive forces will cause increasing bitterness, disruption and violence. They will upset the moral, political and economic balance so essential to common understanding. They will harden the conflict between race and group and seriously breach the national unity.

Some of the very able arguments and discussions of this controversial bill have been delivered on this floor by my learned, distinguished and dear friends from the South. In my legislative experience I do not recall such able, penetrating debate, such well-reasoned and well-documented and well-briefed legal arguments, such commendable emotional restraint, dispassionateness and objectivity admirably suppressing the intense, pent-up feelings of more than a century and a half of established sectional, social customs and usages. I must commend these colleagues for their high-minded patriotic manner and the great ability with which they discussed these difficult and distressing issues.

I am not satisfied in any sense that this bill is letter perfect, or that it will accomplish all that its more ardent advocates claim for it. Nor am I particularly enthused about the application of the techniques of equity that are so ingeniously incorporated into this measure. While I do not specifically question the legality of the measures which have been adopted to achieve the ends sought by this bill, I think on the whole that improved interracial relations could be achieved by an approach that would make it abundantly clear beyond cavil or doubt that the bill intends no circumvention of the right of trial by jury, a treasured right to the American people, which goes back to Magna Carta and beyond in the history of Anglo-American law.

However, the principles which the bill seeks to serve are so strongly entrenched in the American Constitution and in the very spirit of our laws as to be completely inescapable from the standpoint of American jurisprudence and history. These principles penetrate deeply into the origin and life of our Nation. They are expressly written into the Constitution and the laws. They constitute a mandate to each and every one of us to uphold, honor, and respect the doctrine of equality of opportunity, equality of legal treatment, equality of right as well as duty, which are clearly prescribed by many legal decisions of political, social, and economic significance as well as historic value.

Since I believe that it is not only illegal but un-American to deny any person the right to enjoy all the constitutional rights and privileges that are available to any other person, and the right to be protected against persecution, intimidation, violence, discrimination, and unfair, unequal treatment, I am prepared to support this bill.

At the same time, I plead for moderation and rationalized restraint on the part of all citizens regarding the great, social questions which are the source of such acrimony and bitterness. I hope that this legislation, if it is enacted, may be a landmark of reaffirmation of American principles, which will serve the purpose of alerting all the contending groups concerning the truly sacred character which Americans do attach or should attach to the great civil and human rights guaranteed by the Constitution.

Time and time again in our history we have had occasion to observe the futility of sumptuary laws and laws designed to uproot deeply imbedded traditions of the people.

It is my prayerful and devout hope and wish and plea to all those who are concerned with these vital, difficult questions that reason and justice and the tolerant spirit of human brotherhood and the call of humanity may be potent, irresistible forces swiftly and inexorably healing the wounds of misunderstanding, friction, and division, sweeping away the dark shadows of skepticism, distrust and suspicion, and instituting in our American society the only values upon which we may permanently rely for our security and our salvation—unity, trust, and deep faith in the Creator, in our great free Government, and in the wholehearted purpose of ourselves to do what is right, honorable, and just among our fellow citizens and all mankind.

I commend the distinguished chairman of the committee for the fair, able manner in which he handled the bill on the floor and his distinguished associates on the committee for their painstaking, capable work.

Mr. CANFIELD. Mr. Speaker, it was good to note the standing ovation accorded the distinguished gentleman from Rhode Island [Mr. FORAND] when he yielded the gavel to Speaker RAYBURN last Tuesday after presiding for 10 days over the Committee of the Whole House on the State of the Union during debate on the civil-rights bill. It was generally agreed that he had performed with ability, finesse, and impartiality.

It was my good fortune first to become acquainted with Mr. FORAND when he was named to Capitol Hill as a congressional secretary in 1929. He had been a successful newspaperman in his native State, had served in his State's legislature, and had been with our troops in France during World War I. Later he was first elected to Congress in November 1936, and he has gained valuable seniority in his assignment on the House Ways and Means Committee. He is a real gentleman and worthy Congressman.

SECRETARY DULLES' 50 YEARS OF EXPERIENCE

The SPEAKER. The Chair recognizes the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, I ask unanimous consent to extend at this point my remarks on Secretary Dulles' 50 years of experience, and that others who desire to do so may extend their remarks at this point on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS. Mr. Speaker, last Saturday, June 15, marked the 50th anniversary of Secretary of State John Foster Dulles' participation in foreign affairs. On that date the Second Peace Conference opened at The Hague, and Foster Dulles, a 19-year-old student from Princeton, was made secretary of the Chinese delegation because of his linguistic knowledge. He was later made one of the General Conference secretaries. This conference, which 44 countries attended, adopted conventions to promote the peaceful settlement of international disputes and to regulate the laws of war on land and sea. Big power opposition prevented discussion of arms limitations. The Hague Conference was an historic step in the pursuit of just and lasting peace that still continues.

In the intervening half century, John Foster Dulles has worked as hard as any man living in that pursuit, with great dedication, boundless energy, increasing experience and notable accomplishments.

In 1917 he was sent to Panama by President Wilson to help in arrangements for the defense of the canal.

In World War I, as an Army officer, he became assistant to the Chairman of the War Trade Board, and then joined President Wilson's advisory staff at the Versailles Peace Conference. Assignments with the Reparations Commission and the Supreme Economic Council followed.

In 1927 he was called away from his successful law practice to serve as legal adviser on the Polish plan of financial stabilization. Six years later he was a representative at the Berlin debt conference.

He spent a good part of the year 1938 on a firsthand study of the political-economic situation in the Far East.

In 1939 he published a book, War, Peace and Change. It represented 20 years of his thinking. As a freshman Congressman, I read it, was profoundly impressed and spent a Sunday morning discussing it with Mr. Dulles. In the ensuing 19 years I have watched him in action, developing practices and principles for peaceful change as a substitute for war in solving international tensions and adjusting the status quo to new conditions. He developed this

philosophy further in 1950 in another book, War or Peace.

His close association with Senator Vandenberg in the 1944 campaign led to his appointment as senior United States adviser at the United Nations conference at San Francisco in 1945, where he helped draft the charter of the United Nations.

He has been a 4-time delegate to the United Nations General Assembly and was acting chairman of the United States delegation in 1950.

As special representative with the rank of ambassador, Mr. Dulles negotiated the Japanese Peace Treaty which was signed in San Francisco in September of 1951.

President Eisenhower's first Cabinet appointee, Secretary Dulles has in the last 4½ years made a remarkable record in waging peace.

The United States now has regional and bilateral defensive alliances with 42 nations. The North Atlantic Treaty Organization, the Organization of American States, and the Southeast Asian Treaty Organization are active and powerful elements of Free World strength. In all of them, Mr. Dulles has played leading and influential roles.

Here are other accomplishments:

The final stage of the negotiation for a Korean armistice in 1953, and the efforts which still continue to bring about the peaceful unification of Korea.

The development of the northern tier concept, bringing together the Middle Eastern states bordering on the U. S. S. R. for purposes of defense, and culminating in the Baghdad Pact.

The consummation of the Austrian Peace Treaty (1955) after 8 years of negotiation.

The settlement of the status of Trieste (1954).

The London and Paris Conferences of 1954 at which agreements were worked out for the return to sovereignty of the Federal Republic of Germany, with its indispensable contribution to NATO defensive strength.

The adoption by the Caracas Conference in 1954 of the proposal that recognized the threat of international communism to the American Continents.

He worked with our President and Congress in maintaining peace through strength in the Formosa crisis in 1955 and in the Middle East during the past year.

In his work the Secretary has logged 338,169 miles in international travel and another 60,000 or so in this country.

The world has not yet achieved the just and lasting peace that was the high hope of the Hague Conference and its young secretary 50 years ago, but our country has had peace and prosperity for 4 years with Foster Dulles as Secretary of State. On this golden anniversary of his service in foreign affairs and his quest for durable peace, I feel like congratulating not only Secretary Dulles, but our country. Amid the tensions, uncertainties and controversies of today, I venture the prophecy that the history of the next 50 years will show that we were fortunate in having him as our Secretary of State with 50 years of experience, and history will pay him grateful tribute, as I do today.

Mr. GORDON. Mr. Speaker, it is a distinct pleasure for me to note a historic occasion. I refer to the fact that June 15 marked a half century during which Secretary of State John Foster Dulles has been engaged in the practice of foreign affairs.

Secretary Dulles' first assignment was in a modest capacity at the Second Hague Peace Conference in 1907. Since that date he has held increasingly responsible positions in representing our Government abroad. His Government service has been interspersed with the successful practice of law particularly in the international field. He is also an author of articles and books that reflect a keen insight of international events. Even those who may not agree with his analysis at all times must recognize that he brings an incisive mind to our complex problems.

The Committee on Foreign Affairs meets frequently with ranking officers of the Department of State, including, of course, the Secretary of State. We have always enjoyed the appearance of Secretary Dulles. He has been a competent witness who reduces complex issues to understandable terms.

In my capacity as chairman of the committee I have found him cooperative and understanding of the legislative process. Since he became Secretary of State, he has traveled about 400,000 miles. I can recall numerous occasions when he would come to our committee in a matter of hours after his return from an arduous mission abroad. We welcome that interest in our work. I congratulate the Secretary on his half century of work in behalf of our Government and express the hope that his health will permit him to continue to hold the high post he now occupies.

Mr. MARTIN. Mr. Speaker, I wish to join in offering my warmest felicitations to Secretary of State John Foster Dulles on the completion of a half century of outstanding diplomatic service for the United States.

During this period he has faithfully served his country in a great many important international conferences and missions. He has done so with distinction and with great credit.

Our country has never had a more diligent or more indefatigable Secretary of State.

Foster Dulles has been completely dedicated to the best interests of our country in the field of international relations.

It is significant that his 50th anniversary as a diplomat came upon the anniversary of his arrival at the Second Peace Conference at The Hague in 1907. Throughout the long span of years since that event, Foster Dulles has been passionately devoted to the cause of peace and international good will.

I am sure history will record him as one of the great men of our times.

Mr. MORANO. Mr. Speaker, it gives me real pleasure to join with my colleagues in congratulating Secretary of States Dulles on his 50 years' service in the field of diplomacy and in expressing our good wishes for his future.

Few Americans have ever brought to the Office of Secretary of State such extensive experience in diplomacy and foreign affairs. Before becoming Secretary of State, Mr. Dulles had rendered distinguished service to his country on numerous occasions and had attained a worldwide reputation for his understanding of international problems.

It is difficult for us today to evaluate Secretary Dulles' accomplishments objectively because we are all too close to the turbulent and ever-changing scene. Nevertheless, I am convinced that most Americans agree that the danger of Soviet aggression is less imminent today than when Secretary Dulles took office, that our position in world affairs is stronger than it was then and that the prospects for peace are brighter.

I am confident that the verdict of history will be that John Foster Dulles has been one of the greatest Secretaries of State ever to serve our Nation. The United States is fortunate in having produced a man of his caliber to guide us in these troubled years. I sincerely hope that he may continue to serve us for many years to come.

Mr. HALLECK. Mr. Speaker, I am indeed happy to join in this deserved tribute to one of the truly great Americans of our time, John Foster Dulles, Secretary of State.

Serving, in 1907, as secretary to the Hague Peace Conference at the age of 19, his is a record of devotion to public duty spanning half a century.

Time and again, through the years, the Nation has called on John Foster Dulles for difficult assignments in the field of foreign affairs, assignments often involving great personal inconvenience and sacrifice.

He has been indefatigable in his efforts to bring about the heart's desire of every American—and mankind everywhere—a just and lasting peace for the world.

In his long career, and particularly during the years he has guided the conduct of our foreign policy as Secretary of State, John Foster Dulles has brought to his tasks a broad knowledge of world affairs based on long experience and a brilliant mind coupled with an extraordinary capacity for hard work.

No man on the scene today has done more to demonstrate his dedication to the cause of freedom.

John Foster Dulles' remarkable talents, his background, energy, and loyalty have combined to serve the people of this country well in these critical times.

When the day comes that success crowns our efforts to achieve mutual respect and understanding in an atmosphere of trust among nations of the globe, a major share of credit will be due him.

Meanwhile, all of us may rest assured that the leadership of the Department of State is in able and experienced hands.

It is my hope this distinguished lawyer-statesman, Secretary Dulles, will enjoy many more years of good health, happiness, and service to his fellow men.

I count it a privilege to be his friend.

Mr. PROUTY. Mr. Speaker, I am proud to associate myself with the many Americans from all walks of life who have paid tribute to Secretary Dulles on the occasion of the 50th anniversary

of his entrance into the field of diplomacy.

In reviewing the life of John Foster Dulles the word "peace" comes to the forefront over and over again. When he was only a junior at Princeton, he went as secretary to his grandfather, John W. Foster, a former Secretary of State, to the Second Peace Conference at the Hague in 1907 and at the close of World War I he served as adviser to President Wilson at the Paris Peace Conference. In 1950, President Truman called upon Mr. Dulles to perform the difficult task of negotiating the Japanese Peace Treaty. The result of his labor has often been called the finest peace treaty ever drafted.

In private life he served as chairman of the board of trustees of the Carnegie Endowment for International Peace.

The achievements which I have just mentioned are but a few of the many accomplishments of Mr. Dulles. Is it any wonder then that in his grasp and conduct of foreign affairs he has been called such things as "no ordinary mortal" and in the language of President Eisenhower the "greatest Secretary of State of the modern era"?

During the half century that he has devote to the prevention of war and the attainment of a lasting peace, it is estimated that Secretary Dulles has traveled nearly 1 million miles to carry out his mission. Because of his industry and extraordinary skill in the conduct of foreign affairs we as a Nation and other countries throughout the world are at peace today. Let us share with President Eisenhower the hope that we will have "the benefit of his experience and wisdom for many years to come."

WHAT'S WRONG WITH AMERICA'S LONG-RANGE MISSILE PROGRAM?

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, in the last few months, we have seen an appalling lack of leadership on the part of the Department of Defense in the implementation of our ballistic missiles program. We have heard the Russians brag about the success of their long-range missiles and we suspect they have perfected submarine-based missiles. On top of this, our own top brass has told us that the development of an intercontinental ballistic missile is a "must" to our national security. The United States, however, does not even have a 1,500-mile missile, much less a 5,000-mile missile.

This, in itself, is confusing and baffling. Many simply dismiss it as a situation which they regret, but over which they have no control.

Yet, the strangest part of this confusion is taking place right under our own eyes. First, we learn that the Department of the Army has successfully launched its Intermediate Range Ballistic Missile, the IRBM, which they call Jupiter. It has the longest range of any missile yet developed outside Russia. In a matter of seconds, the Jupiter can go 1,500 miles under full control.

Our Nation then does have a "ready missile" but where is it? For all we know, Jupiter exists only on drawing boards or in test models. Its production has not been authorized by our Department of Defense, which has assigned the Air Force to work on a missile of the same range. The Air Force's success, let us say, has not been established. Although it has made several tries, the Air Force has not been able to get its IRBM, the Thor, off the ground.

At the time that both the Army and the Air Force were assigned the job of developing a 1,500-mile missile, the Department of Defense said both services would work on the IRBM until tests showed which of the missiles was superior. Now it seems perfectly feasible to continue both projects until definite and scientific comparisons can be made, but the Department of Defense is showing no rhyme or reason in not making a decision at this time. Not only is the Air Force's project extremely expensive, it is time consuming.

The Department of Defense, in allowing the IRBM program to drag out, is endangering our national security. For this, there can be no excuse. Neither is there justifiable explanation for the Defense Department delaying our IRBM buildup for the express purpose of giving the Air Force months or maybe years to come up with its own IRBM. As you know, the Department of Defense has already decided that the Air Force will have exclusive use of the IRBM once it is developed.

This interservice bickering should not be tolerated while national security is in issue. The Army has assembled perhaps the greatest missile development team in the world today. The Army got many of these brilliant, German-born scientists at the end of World War II. Their work is done at the Army Ballistic Missile Agency at Redstone Arsenal, Huntsville, Ala.

Needless to say, this is a Government operation. These scientists happily work as a team for the Army for a mere fraction of what they could receive elsewhere. By contrast, all the other armed services have to farm out practically all of their research work to aircraft plants and other private industry. This, of course, is extremely expensive, with the cost going up every day.

Mr. Speaker, with the unification of our armed services, we were told that there would be no need for bickering between the services. Unfortunately, there is a bitter rivalry and especially in the missile program. Cut out this interservice jealousy, I say, and take full advantage of the Redstone Arsenal research team.

Stop farming out so much of the development to private industry at the expense of the American taxpayer. Save the taxpayer's hard-earned money. Use this Government facility at Redstone Arsenal which has demonstrated itself so outstandingly. Stop rejecting missiles for one service just because they were developed by another service.

The Army's Redstone Arsenal has proven itself. So has the Army's Jupiter. Until such time that the Air Force can produce a better IRBM, or indeed a successful intercontinental ballistic missile, it seems to me that we should let Redstone Arsenal lead our Nation's way in vital missile research and development.

NEWSPRINT

Mr. MACK of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MACK of Illinois. Mr. Speaker, the critical supply of newsprint has caused much concern over the past few years and continues to be the subject of much Congressional interest.

The Committee on Interstate and Foreign Commerce, by House Resolution 99, acting as a whole or by subcommittee, was authorized to investigate and study the current and prospective consumption of newsprint and other papers; the current and prospective production and supply; factors affecting such production and supply and possibilities of additional production through the use of alternate source materials.

Such authorization continues that made to the committee since the 78th Congress.

Your committee, and its Subcommittee on Commerce and Finance, again has been active in developing the broad aspects of both the nearterm and long-range supply-demand aspects of newsprint, and in due course will apprise the House of its findings and recommendations.

Last year, in order that a better appreciation might be had of the longer range prospective supply and demand for newsprint, the subcommittee requested the Department of Commerce to prepare a comprehensive survey of the competitive demand for woodpulp arising from all users in the woodpulp, paper and board field. This survey now has been completed by the Department.

While the committee has not yet had opportunity for the consideration of this comprehensive survey which its thorough and careful analysis warrants, the committee, in view of the continuing interest of the Members of the House in the newsprint supply situation is submitting this report today so that the members may take advantage of the information contained herein.

RIGHT-TO-WORK LAWS

Mr. KELLEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY of Pennsylvania. Mr. Speaker, I would like to say a few words

on a subject that is by no means new, but that has recently enjoyed a certain revival of interest, the so-called right-to-work laws. I am opposed to such laws, currently on the statute books of 18 States as well as under consideration by the legislatures of several more States. I am opposed to these laws because they are in conflict with basic American principles of democracy and our national policy of encouraging collective bargaining as the means of settling industrial disputes.

These laws are usually very simple and to the point—they outlaw all forms of union security arrangements worked out in collective bargaining by labor and management. They outlaw not only closed shop agreements under which employers can hire only members of a union, but also union shop agreements, under which employers can hire whom they please but employees are required to join the union within a certain time in order to continue in their jobs, as well as lesser forms of union security. Federal labor relations law, under both the Taft-Hartley Act and the Railway Labor Act, does not permit the closed shop. Both of these Federal statutes, however, recognize the principle that when employers and unions representing a majority of the employees agree on a union shop they should have the right to have one. Such a provision can be included in a collective bargaining agreement only if: the union is the recognized bargaining agent for the workers, having been endorsed by a clear majority of the employees; the union members have asked management for a union security clause in their collective bargaining contract; and, the employer agrees to include the clause in the contract.

Why is such a provision sought by unions, employers, and employees? First of all, union security embodies a basic principle of justice, that those who receive benefits must contribute their share of the cost. The union is required by law to represent all workers in the bargaining unit, not only union members. The wage increases, the shorter hours, the health and welfare plans, the observance of seniority—all the benefits won by the union extend to every worker in the plant or the shop. Ought not the union then, if a majority of its members desire it, be allowed to negotiate a union security agreement with the employer requiring every employee to support the collective bargaining representative? Can a law prohibiting arrangements desired by employers and the majority of employees, be said to be truly in the interests of democracy and justice?

So far I have spoken about the undesirability of right-to-work laws from the viewpoint of the majority of the union members. Employers, too, have come to recognize the contribution of union security to satisfactory collective bargaining relations. Only when he is dealing with an established union can an employer enjoy stabilized labor relations. He is also assured of more highly qualified workmen, a more productive work force and a more constructive union attitude toward improving efficiency and lowering costs. Where a union is not secure, it must concentrate on protecting its members from discrimination. It may be compelled to take a more obstructionist attitude in areas of employer discretion that might tend to discriminate against its members.

The Nation's official policy, originating in the Wagner Act and continued under the Taft-Hartley Act is one of "encouraging the practice and procedure of collective bargaining." Free collective bargaining can only take place where there is as little interference as possible from government. Laws restricting the subjects of collective bargaining, such as right-to-work laws run counter to the true function of government in labor-management relations.

This has been recognized by impartial and fairminded people outside the political and labor fields. The following statement was approved by the executive board of the division of christian life and work of the National Council of the Churches of Christ in the United States of America in July 1956: "It is the opinion of the executive board of the division of christian life and work that union membership as a basis of continued employment should be neither required nor forbidden by law: the decision should be left to agreement by management and labor through the process of collective bargaining." Other leading religious leaders have expressed their views on right-to-work laws in the following terms:

President John S. Coleman, of the United States Chamber of Commerce:

> Labor unions * * * should recognize that right-to-work laws "have a moral basis."

Rev. William J. Kelley, O. M. I.:

> Right-to-work laws are immoral according to Catholic social teaching.

Rabbi Israel Goldstein, president of the American Jewish Congress:

> Union security agreements are merely devices whereby an attempt is made to distribute the cost of unionism among all the persons who receive its benefits. Under such circumstances, can it be said that there is a moral or any other justifiable right to be free not to join the union and to be a free rider?

Rev. Dr. Walter G. Muelder, dean and professor of social ethics, Boston University School of Theology:

> The right-to-work laws are virtual conspiracy of the crafty, the ignorant, or the misguided to subvert industrial peace, exploit men's need to work, and deluge the community with industrial irresponsibility. Right-to-work laws do not create jobs; they only victimize the worker and make his organization ineffective.

The enlightened management of many of the largest companies in America have agreed to security for the unions representing workers in their plants. Today approximately 4 out of every 5 contracts between labor and management contain some form of union security provision. If such provisions were immoral or unjust or so harmful to the country that they needed to be outlawed by legislation, I do not believe that so many responsible businessmen would have incorporated them in their collective-bargaining agreements. The union shop is not unfair or un-American. Quite to the contrary. In the words of George Meany:

> The so-called right-to-work laws are a patent fraud and deception upon the American people. These laws do not guarantee any right to work to any citizen of our land.

As Mr. Meany noted:

> Actually, the true purpose and effect of the so-called right-to-work laws in this country are to prohibit employers and unions from entering into collective-bargaining contracts providing for union security. Thus, when stripped of their phony camouflage, the right-to-work laws are exposed as compulsory non-union-shop laws.

I agree with Secretary of Labor James P. Mitchell that—

> When employers and unions representing a majority of their employees agree on a union shop, they should have the right to have one.

As Mr. Mitchell further stated, if "the States which have these laws will give them further consideration, I believe they will find that these laws do more harm than good." They would conclude this because right-to-work laws have not created jobs for their citizens and have not improved the standard of living of their people. The per capita income in States with right-to-work laws is far lower than in States which do not have them. I do not claim that the right-to-work laws have lowered the per capita income. I only claim that they have not helped raise the standard of living in these States.

If the energy, money, and other resources which are now devoted to impairing the hard-won rights of working people and to destroying the security of trade unions through right-to-work laws were dedicated instead to improvement of the working and living standards of the people of our Nation, we should all be far better off.

CONSERVATION OF AMERICA'S FORESTS

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, there is now before the Conference Committee on Appropriations for the Department of Agriculture for fiscal 1958 a very important question regarding conservation of America's forests. There are some phases of the tree-planting program under the soil bank on which general information will, I think, be helpful.

The $5 million for nursery operation and development being considered by Congress for fiscal year 1958 under the soil-bank program will enable the State foresters to meet the unprecedented demand for nursery seedlings. This need is particularly acute in Florida and other Southern States. The soil bank tree planting signup to date in Florida makes up 9 percent of the entire national signup. The Florida State forester expended capacity of three existing State nurseries in fiscal year 1957 with soil-bank funds. Next winter, he will have about 46 million soil-bank seedlings available and can produce up to about 58 million seedlings for this

program in each remaining year for the life of the program.

It is planned to use $4,500,000 of the $5 million in the budget for fiscal year 1958 for purchasing seed, operating nurseries, and purchasing seedlings from commercial nurseries. The remaining $500,000 will be used to complete expansion of soil-bank nurseries started in fiscal year 1957.

For fiscal year 1956 commercial nurseries produced an output of 76,923,000 seedlings for forest and shelterbelt planting; whereas production of similar stock by State foresters was 580,884,000; by forest industries was 77,307,000; by Forest Service and TVA was 141,850,000; and by soil conservation districts, counties and municipalities was 9,004,000. This output from all sources totaled 885,968,000, of which the commercial nurseries share was 8.7 percent, and for State nurseries was 65.6 percent. An equivalent of this entire fiscal year 1956 output from all sources was planned as the annual soil bank need for nursery stock. The State foresters had the experience and basic facilities to provide for rapid expansion of nursery production. They were willing to do the job based on cooperative agreements and are in a position to distribute the needed planting stock through their regular distribution systems. Agreements have been made with 33 State foresters accordingly. No expansion of Federal nurseries has been made or is contemplated. Full consideration has been and will continue to be given to acquiring adapted nursery stock from commercial nurseries when available at reasonable prices. In many States and groups of States where large signup is developing, there are no commercial nurseries producing the class of stock required. Each of the State foresters considered fully the commercial nursery capacities and potentials in his State before preparing plans for expansion and production schedules in State nurseries. Although State nurseries are ordinarily able to provide stock at cheaper prices for soil-bank use than are commercial nurseries, this was not the determining factor in planning program stock sources. It appears that the assistance of all types of nurseries will be needed to meet the accelerated demands for soil-bank nursery stock. Commercial nurseries will especially be of importance in providing hardwood stock for soil-bank shelterbelts and post lots in the Great Plains.

Tree planting accomplishment is forging ahead under the impetus provided by the soil bank program. The State foresters are proceeding with renewed determination to attack the job of planting the some 60 million acres in need of forestation.

Tree planting signup under the soil-bank program has been heavy in some States and light in others. Florida is the third State in magnitude in this tree planting signup and furnishes an outstanding example of tree planting interest and cooperation.

Farmers basically want to make the wisest use of their land and a considerable acreage will be shifted to trees. Some farmers are expected to move slowly in making this shift and signup is expected to continue until the deadline of 1960. State foresters are confident that signup will increase and are going forward accordingly.

Actual soil-bank signup through April 15, 1957, in Florida was 49,764 acres and is expected to increase rapidly. The comparable national signup was 562,165 acres. Florida is estimated to have 480,609 acres that should be shifted from cultivation to trees and at least one-half of this is expected to be signed up in the soil bank program.

I feel there is a justification for the funds that have been requested and that our Nation will benefit by the expenditure.

HIGH INTEREST RATES AND THE FEDERAL RESERVE

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 10 minutes.

Mr. PATMAN. Mr. Speaker, when I addressed the House a few days ago, June 3, in connection with my remarks, a telegram that I had sent to Mr. Martin, Chairman of the Federal Reserve Board, was inserted. On June 4, I received a reply to the telegram, as follows:

> Your telegram to Chairman Martin arrived during his absence in Switzerland at the meeting of the Bank for International Settlements. Pending his return, copies have been distributed to all members of the Board of Governors and other members of the Open Market Committee.
>
> Sincerely yours,
>
> C. C. BALDERSTON,
> *Vice Chairman.*

It is not my purpose to insist on bonds being brought back to par immediately, but a program which will protect them from further declines and which will eventually bring them back to par should be agreed upon soon.

PAR VALUE FOR ESTATE SETTLEMENTS NOW

Any of these depreciated bonds held by a deceased person can be used at par with the Government in settlement of Federal estate taxes. Commercial banks are also allowed to carry them on their books at par. If the banks with these frozen bonds could dispose of them in a satisfactory way, local people would have more credit available for their use. The high interest policy in this way is preventing many small banks from rendering adequate service to their communities.

TABLE OF INCREASED RATES

A casual reader looking at the figures I inserted in my remarks June 10, on the average interest rate applicable to the total public debt outstanding, is likely to get an erroneous impression. For example, the average rate on the total debt is about 2.7 percent. The casual reader will say, "Well, that seems reasonable. What are those Democrats complaining about?" However, what is not observable to that reader is this: The average rate on the total debt is heavily weighted by the low rates on long-term issues put out by the Democrats before 1953. So the Republicans have inherited that advantage from the Democrats, and it makes them look not as bad as they would if only their rates were shown on the public debt.

I believe it would clarify this matter if the rates on the issues put out by the Republicans were published separately. I have put together such a table. It includes not only Government obligations, but changes in other interest rates as well.

Changes in interest rates on selected obligations, 1952–57

Year	U. S. Government obligations (marketable)				State and local government bonds, general obligations (tax-exempt)			Corporate bonds			Business loans, bank rates on short term
	3-month Treasury bills	9- to 12-month issues	3- to 5-year issues	Long-term U. S. Treasury bonds	Total	Aaa	Baa	Industrial	Railroad	Public utility	
1952	1.766	1.81	2.13	2.68	2.22	1.80	2.70	3.00	3.36	3.20	3.5
1953	1.931	2.07	2.56	3.16	2.82	2.31	3.41	3.30	3.55	3.45	3.7
1954	.953	.92	1.82	2.70	2.46	2.04	3.09	3.09	3.25	3.15	3.6
1955	1.753	1.89	2.50	2.94	2.57	2.18	3.14	3.19	3.34	3.22	3.7
1956	2.658	2.83	3.12	3.11	2.94	2.51	3.50	3.59	3.65	3.54	4.2
1957	[1] 3.37	[2] 3.51	[1] 3.09	[2] 3.47	[3] 3.57	[3] 3.10	[3] 4.23	[3] 4.02	[3] 4.14	[3] 4.01	[3] 4.6

[1] June 8, 1957.
[2] May 29, 1957.
[3] Average 1st quarter 1957.

Source: Federal Reserve and U. S. Treasury.

FIXED GOVERNMENT INTEREST RATE

The rate of interest on long-term Government bonds is the wholesale rate for money. Other rates are always higher. There should be fixed rates for all Government securities in view of the size of our national debt. It is all right for other rates to be flexible. The Federal Reserve Open Market Committee can keep the Government rates at any point the committee desires to keep them and at the same time keep all Government securities at par. This can be done without cost to the Government, the Federal Reserve, or anyone else.

Marriner S. Eccles was Chairman of the Board of Governors longer than any other person in the history of the System. He knows as much, if not more, about the Federal Reserve and its powers and duties than any other person. A few years ago, Mr. Eccles was testifying before the House Committee on Banking and Currency. When asked if

the Open Market Committee could keep Government bonds at par on a 2½ percent interest rate, his reply was in the affirmative. No informed person will contend otherwise.

WILL CANADIAN GAS PRICING POLICIES PROTECT AMERICAN GAS CONSUMERS?

The SPEAKER. Under previous order of the House, the gentleman from West Virginia [Mr. BYRD] is recognized for 30 minutes.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, since the resumption last month of Federal Power Commission hearings on the Canadian gas cases, I have been doing some research on the Trans-Canada pipeline and related matters. I need not explain the reason for my intense interest in the subject, for I am certain that all of my colleagues realize that the importation of foreign natural gas would create a serious impact upon the economy of the coal regions of West Virginia and neighboring States. As representative of the Nation's largest coal producing congressional district, I propose to do everything possible to prevent effectuation of this new threat to our very existence. I ask that all Members of Congress follow closely the Canadian gas hearings before the FPC. These proceedings are not only of local concern to coal State representatives but, in reality, are a subject of national importance due to the fact that our country's security is involved.

The FPC proceedings are in their initial stages, and, so far as I can learn, much of the elapsed time has been devoted to monotonous recitals of plans and promises by attorneys for the international pipeline faction. Except for brief opening statements, opposing voices have not yet been heard. We on Capitol Hill, meanwhile, cannot afford to be complacent about what is taking place at the Commission for, in actuality, we have a function to perform that would be of invaluable assistance in the determination of the case.

When the Natural Gas Act became law about 20 years ago, foreign gas did not enter the picture. The extension of pipelines from western Canada are a consequence of recent discoveries in the Dominion; in fact, exploitation of these developments is still in the hit-or-miss stages. This consideration is what I wish to emphasize today.

The fact that Canadian gas, if permitted to cross the border, would disrupt oil and coal markets in affected areas can be established without waiting for completion of testimony before the FPC. Our coal producers have for years served most of the markets which the pipeline backers expect to gain. If this fuel, produced and transported with minimum labor cost under the monopolistic protection of public utility status, were made available, coal and oil would, of course, lose customers. The pipeline companies would be in position to serve these markets at whatever price would be necessary to undersell coal. If necessary, the gas could be marketed at a loss, inasmuch as the money group behind it realizes that the long-term potential is unlimited.

If coal loses ground to natural gas in North Dakota, Minnesota, Wisconsin, and neighboring States, repercussions will be felt in mining towns, on railroads, and at dock sites on the Great Lakes. Some mining operations would, of necessity, be suspended. While I have no knowledge of what plans for adjustment would be made by coal-carrying railroads, there is a distinct possibility that some lines serving customers whom gas importers intend to capture would be abandoned. The same predicament would persist for dock facilities if the need for their services were dissipated by the switch to a foreign fuel.

Now, let us assume that Canadian gas has moved into these markets. Let us look ahead a few short years and see what has happened to the services which were the losers in the case. The former coal suppliers have been forced to cut down or suspend operations. Railroads have taken up miles of track or, at least, discontinued its maintenance. Docking facilities for coal barges are no longer in existence, and the barges have been put to other uses or, perhaps, transferred out of the lakes.

The markets under discussion are captives of foreign gas. The financial backers, acting in the tradition of all monopolists, begin to step up their prices. Up and up and up go these prices on Canadian natural gas. What recourse has the consumer? In substance, none, for the source of this fuel is outside the authority of any Government regulating body in this country. Competition has been removed, so there can be no relief in this direction.

Those are economic disadvantages that occur in permitting a segment of our population or of our industrial system to become dependent upon a foreign product. What about the national security aspects? In an emergency, there would be no insurance that the accelerated demands consequent to such a situation would be made by the foreign supplier. The prospect is certainly not to be relished.

Our military production capacity has been dispersed throughout various sections of the country, the theory being that concentration of plants manufacturing war equipment is strategically unsound. To place any component of the materiel-producing network at the disposition of a foreign supplier—regardless of that nation's relationship with us—is an invitation to disaster. Should international tension explode, Canada herself will be called upon to mobilize to the maximum of her capacity. She will need all the fuel that is available. She could not be expected to subordinate her own needs to the industrial and domestic demands of this country. I say that it would be folly for us to permit the incapacitation of any part of the coal, railroad, and/or dock industries at a time when there is so much uncertainty in the world situation.

I have indicated that activities in connection with the development of the Trans-Canada pipeline should be explored. In my research I have obtained a copy of a transcript of the colloquy that took place in Canada's House of Commons on March 13 of this year. I believe that excerpts of this discourse ought to be called to the attention of the Congress. They are of especial importance during this period when the natural gas decontrol bill introduced by the gentleman from Arkansas [Mr. HARRIS], H. R. 6790, and the gentleman from Minnesota [Mr. O'MARA], H. R. 6791, is being prepared for debate on the House floor. Regardless of one's views in respect to the decision of the Supreme Court on the Federal Power Commission's control over natural gas production, it would be impossible to admit Canadian gas into United States markets without a sharp departure from the philosophies of both sides of the gas decontrol bill. First, let me remind you of what President Eisenhower said when he recommended removal of FPC price authority at the wellhead. Here are his remarks:

"I thoroughly believe that the pipeline is a public utility and must be treated as such, including its right to fix its price at which the gas enters the pipeline."

The President represents a point of view apart from those who desire to retain FPC control over prices down into the producing fields. Supporters of this policy are convinced that the decision in the Phillips' case must not be upset, lest such action would result in higher prices for the consumers.

In neither case is there a place for Canadian gas, because the FPC would be completely excluded from authority over both prices and supplies of natural gas produced in a foreign country. Thus we find that imported natural gas would be alien to the philosophies expressed by both advocates and opponents of the decontrol bill.

Now, if these considerations in themselves do not lend sufficient emphasis to the undesirability of natural gas imports, I believe that the March 13 discussions in the Canadian House of Commons, to which I have referred, should dispose of the gas import proposals once and for all. Here are excerpts from that debate:

PIPELINES

TRANS-CANADA PIPE LINES—STATEMENT ON SETTING OF RATES

On the orders of the day:

Hon. GEORGE C. MARLER (Minister of Transport). Mr. Speaker, I would like to reply to a question asked on March 7 by the hon. member for Kamloops. He asked if the rates at which gas will be carried or sold by Trans-Canada Pipe Lines would be subject to approval by the board of transport commissioners and, if so, at what stage of construction or operation would such jurisdiction of the board commence to be exercised?

The answer, Mr. Speaker, is that Trans-Canada Pipe Lines is not a common carrier. It buys and sells gas on its own account, and since it is not a common carrier it does not charge rates for transmitting gas; and the Pipe Lines Act does not give the board of transport commissioners authority to control the selling price charged by Trans-Canada, or other transmission pipe line companies. Competition with other fuels will, of course,

place a ceiling on the prices that can be charged by Trans-Canada or any other natural gas transmission company.

Mr. E. D. FULTON (Kamloops). Mr. Speaker, I should like to ask the Minister of Transport a question arising out of his answer to my earlier question in which answer he said that the board of transport commissioners will not have jurisdiction over the rates to be charged by Trans-Canada Pipe Lines Limited. May I ask whether the Government will give consideration to amending the Pipe Lines Act so that this company, which has been placed in a monopolistic position as the result of Dominion Government policy, will have its rates controlled in the public interest by a regulatory body under Federal authority?

Mr. MARLER. Mr. Speaker, all I can say in answer to the honorable gentleman's question is that I think my answer made it quite clear that the situation which he attempted to describe in his question is not the case. In the second place, I can see no reason why we should give consideration to the suggestion the honorable gentleman has just made.

INQUIRY AS TO POWER TO REGULATE EARNINGS

On the orders of the day:

Mr. CARL O. NICKLE (Calgary South). I should like to direct a question to the Minister of Transport. What agency of government has authority to regulate the maximum percentage earning on rate base that will be permitted any interprovincial pipeline transporting natural gas or oil?

Hon. GEORGE C. MARLER (Minister of Transport). I can only refer the honorable gentleman to the Pipe Lines Act, which I think will give him all the information that he desires.

Mr. E. D. FULTON (Kamloops). May I ask the Minister of Transport whether it is a fact that the answer to the question asked by the honorable member for Calgary South just a moment ago is that there is in fact no Federal body which will regulate the rates to be charged by Trans-Canada Pipe Lines Corporation?

Hon. GEORGE C. MARLER (Minister of Transport). I think if the honorable gentleman will consult the Pipe Lines Act he will find that Parliament has not given to the board of transport commissioners the power to regulate rates for the carrying of natural gas. As the honorable gentleman well knows, it contains other regulatory provisions and I think that a study of the act shows perfectly well what the situation is.

Mr. STANLEY KNOWLES (Winnipeg North Center). May I direct a question to the Minister of Transport supplementary to the questions asked by the honorable member for Calgary South and the honorable member for Kamloops. Will the government consider amending the Pipe Lines Act so as to give authority to the board of transport commissioners over these rates or to provide regulation of such rates in some other way?

Mr. MARLER. Mr. Speaker, I thought that the answer I had given to the honorable member for Kamloops indicated that the government did not feel that the circumstances of Trans-Canada Pipe Lines were such that an amendment to the Pipe Lines Act was necessary.

Mr. Speaker, I refer this testimony to the attention of every Member of Congress, particularly to those of my colleagues who have been active in either the support of or opposition to the gas decontrol bill. In all probability the Federal Power Commission is alerted to such proceedings in the House of Commons in Ottawa; it is, therefore, unlikely that the Commission could for 1 minute approve of any application to transport this completely unregulated fuel into the American markets. Nevertheless, the replies of the Minister of Transport are further evidence of the need for a directive from Congress to the Federal Power Commission in substantiation of the theory that the general welfare should be taken into consideration when decisions on applications are in the making.

Mr. Speaker, subsequent to the House of Commons colloquy, which I have outlined above, the Trans-Canada Pipe Lines Ltd. has itself given further implementation to the argument against extension of the Canadian line across the borders of the United States. Following is the verbatim quotation of the first part of a news story appearing on May 31, 1957, in the Albertan, a daily newspaper published in Calgary, Alberta:

Trans-Canada Pipe Lines Ltd., has boosted the basic price it will pay western Canada producers of natural gas to 12 cents per thousand cubic feet from 10, an increase of 20 percent.

The company has not made an announcement but it is known producers have been offered contracts on this basis.

Rapidly expanding markets in eastern Canada and the increase have resulted in a glow of rosy optimism spreading over the gas industry in western Canada.

Although producers will be able to make better deals with Trans-Canada for the sale of their gas, other factors, possibly involving export to the United States Thursday, boosted Trans-Canada bonds 10 points to 155 and the common stock to 42½ from 37 the previous day.

Mr. Speaker, it is my intention to transmit to the Federal Power Commission a number of reprints from the CONGRESSIONAL RECORD containing the testimony which I have inserted here today. I believe that this material alone could be a determining factor in the Canadian gas case. Meanwhile I appeal to my colleagues in the House to recognize that it is incumbent upon us to take whatever steps are necessary to protect the American consumer against what could surely be a disastrous fuel policy if the Canadian pipeliners, in alinement with the more ambitious international groups with headquarters in this country, were permitted to burrow their way into the markets which are by birthright and by tradition the selling place for our own fuel producers.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SIMPSON of Illinois (at the request of Mr. ARENDS), for today, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PATMAN for 10 minutes today, and to include therein extraneous matter.

Mr. BYRD, for 30 minutes, today.

Mrs. ROGERS of Massachusetts, for 5 minutes on tomorrow, and to include extraneous matter.

Mrs. ST. GEORGE, for 30 minutes, on Wednesday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. GATHINGS.

Mr. ANFUSO (at the request of Mr. ZELENKO) and to include extraneous matter.

Mr. JOHNSON (at the request of Mr. REUSS) and to include extraneous matter.

Mr. VANIK and to include extraneous matter.

Mrs. KELLY of New York in two instances and to include extraneous matter.

Mr. EDMONDSON and to include extraneous matter.

Mr. JUDD and to include an address by Secretary Benson.

Mr. WOLVERTON in two instances and to include extraneous matter.

Mr. OSTERTAG (at the request of Mr. MCGREGOR) and to include extraneous matter.

Mr. MEADER to revise and extend the remarks he made in Committee last Friday and to include extraneous matter.

Mr. TEAGUE of Texas.

Mr. BARRETT (at the request of Mr. MCCORMACK) and to include extraneous matter.

Mr. FASCELL (at the request of Mr. MCCORMACK) and to include extraneous matter.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2130. An act to amend further the Mutual Security Act of 1954, as amended, and for other purposes; to the Committee on Foreign Affairs.

ADJOURNMENT

Mr. MCCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 16 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 18, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

952. A letter from the Chairman, President's appointed bipartisan Commission on Increased Industrial Use of Agricultural Products, transmitting the report of the Commission on Increased Industrial Use of Agricultural Products, pursuant to Public Law 540, 84th Congress; to the Committee on Agriculture.

953. A letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes"; to the Committee on Interior and Insular Affairs.

954. A letter from the Attorney General, transmitting a draft of proposed legislation entitled "A bill to amend section 239 of the

Immigration and Nationality Act, and for other purposes"; to the Committee on the Judiciary.

955. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation entitled, "A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes"; to the Committee on Merchant Marine and Fisheries.

956. A communication from the President of the United States, transmitting specific legislative recommendations relative to the Hoover Commission recommendations (H. Doc. No. 197); to the Committtee on Government Operations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 8002. A bill to provide for improved methods of stating budget estimates and estimates for deficiency and supplemental appropriations; without amendment (Rept. No. 572). Referred to the Committee of the Whole House on the State of the Union.

Mr. MACK of Illinois: Committee on Interstate and Foreign Commerce. Report on pulp paper and board supply demand pursuant to House Resolution 99 (85th Cong., 1st sess.); without amendment (Rept. No. 573). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIAMS of Mississippi: Committee on Interstate and Foreign Commerce. H. R. 8053. A bill to authorize funds available for construction of Indian health facilities to be used to assist in the construction of community hospitals which will serve Indians and non-Indians; without amendment (Rept. No. 574). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. Sixth report pertaining to replies from State and local governments to questionnaire on intergovernmental relations; without amendment (Rept. No. 575). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON of Illinois: Committee on Government Operations. H. R. 7390. A bill to amend the Administrative Expenses Act of 1946, and for other purposes; with amendment (Rept. No. 576). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 8186. A bill to provide for the increased use of agricultural products for industrial purposes; to the Committee on Agriculture.

By Mr. BARING:

H. R. 8187. A bill to create a United States Department of Mineral Resources and to prescribe the functions thereof; to the Committee on Government Operations.

H. R. 8188. A bill to stimulate the production of certain strategic and critical minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 8189. A bill to stimulate the investment of venture capital in the production of strategic and critical metals or minerals; to the Committee on Ways and Means.

By Mr. BARTLETT:

H. R. 8190. A bill to settle land claims in Alaska, and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 8191. A bill to provide that lands reserved to the Territory of Alaska for educational purposes may be leased for periods not in excess of 55 years; to the Committee on Interior and Insular Affairs.

By Mr. BONNER:

H. R. 8192. A bill to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BURNS of Hawaii:

H. R. 8193. A bill transferring to the Territory of Hawaii the title of the United States to public lands and other public property in Hawaii; granting certain authority to the Legislature of the Territory of Hawaii with respect to such public lands and property, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H. R. 8194. A bill to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the code; to the Committee on the Judiciary.

By Mr. DAWSON of Illinois (by request):

H. R. 8195. A bill to facilitate the payment of Government checks, and for other purposes; to the Committee on Government Operations.

By Mr. DEROUNIAN:

H. R. 8196. A bill to require the Secretary of Agriculture to obtain the consent of States, and political subdivisions thereof, which will be affected, before undertaking programs for the control and eradication of certain pests and plant diseases; to the Committee on Agriculture.

Mr. FERNÓS-ISERN:

H. R. 8197. A bill to amend the Fair Labor Standards Act of 1938, as amended, to provide for review by the Secretary of Labor of the minimum-wage recommendations of industry committees, and for other purposes; to the Committee on Education and Labor.

By Mr. FLYNT:

H. R. 8198. A bill to amend title II of the Social Security Act so as to permit the State of Georgia to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H. R. 8199. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. LATHAM:

H. R. 8200. A bill to provide for observing certain legal public holidays on Monday; to the Committee on the Judiciary.

By Mr. McMILLAN (by request):

H. R. 8201. A bill to provide an alternative acreage adjustment and price support program for the 1958 crop of cotton and for other purposes; to the Committee on Agriculture.

By Mr. SAYLOR:

H. R. 8202. A bill to amend title II of the Social Security Act to provide that an individual's disability insurance benefits shall not be reduced because of periodic benefits payable to him by the Veterans' Administration; to the Committee on Ways and Means.

By Mr. SISK:

H. R. 8203. A bill to correct inequities arising in the enrollment of the Indians of California; to the Committee on Interior and Insular Affairs.

By Mr. THOMSON of Wyoming:

H. R. 8204. A bill to amend section 27 and to repeal section 2 (c) of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain; to the Committee on Interior and Insular Affairs.

By Mr. WHARTON:

H. R. 8205. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for certain dependent parents of individuals entitled to old-age insurance benefits; to the Committee on Ways and Means.

By Mr. HARDY:

H. R. 8206. A bill to validate the salary overpayments made to certain officers and employees incident to the salary adjustment provisions of the Federal Employees Salary Increase Act of 1955, and for other purposes; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H. R. 8207. A bill to provide for improvement in the system of personnel administration through the establishment of a senior civil service in accordance with the recommendations of the Commission on Organization of the Executive Branch of the Government; to the Committee on Post Office and Civil Service.

By Mrs. KELLY of New York:

H. Con. Res. 189. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. SELDEN:

H. Con. Res. 190. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. COFFIN:

H. Con. Res. 191. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. BENTLEY:

H. Con. Res. 192. Concurrent resolution expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites; to the Committee on Foreign Affairs.

By Mr. GUBSER:

H. Con. Res. 193. Concurrent resolution expressing the sense of the Congress that appropriate steps should be taken by the United States in the United Nations to bring about the creation of two committees for an investigation and study of radioactive fallout resulting from nuclear explosions; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. MARTIN: Memorial of the General Court of Massachusetts, urging adoption of legislation providing that United States Armed Forces have complete criminal jurisdiction over all members thereof who are in service in a foreign country; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELANEY:

H. R. 8208. A bill for the relief of Niki Nikolaou; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H. R. 8209. A bill for the relief of Anthony Robert Lowry (Antonio Piantadosi); to the Committee on the Judiciary.

By Mr. McFALL:

H. R. 8210. A bill for the relief of Ho Wey You; to the Committee on the Judiciary.

By Mr. METCALF:

H. R. 8211. A bill to authorize and direct the Secretary of the Interior to quitclaim to Joseph G. Pettet, all right, title, and interest of the United States in and to certain lands in the State of Montana; to the Committee on Interior and Insular Affairs.

By Mr. MULTER:

H. R. 8212. A bill for the relief of Mrs. Rifca Wolff; to the Committee on the Judiciary.

By Mr. SCUDDER:

H. R. 8213. A bill for the relief of John Soderman; to the Committee on the Judiciary.

By Mr. WALTER:

H. Con. Res. 194. Concurrent resolution approving the granting of the status of permanent residence to certain aliens; to the Committee on the Judiciary.

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. J. Res. 374. Joint resolution for the relief of certain aliens; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

284. By Mr. HORAN: Petition of Mrs. M. W. Jacobs and 11 citizens of Spokane, Wash., urging the Congress to pass legislation prohibiting alcoholic beverage advertising on television broadcasts; to the Committee on Interstate and Foreign Commerce.

285. By Mr. JENSEN: Petition of AMVETS Post No. 1, Atlantic, Iowa, protesting the handling of the Girard case; foreign aid appropriations; proposing the repeal of the status of forces treaty and agreements to protect our servicemen; to the Committee on Foreign Affairs.

286. By the SPEAKER: Petition of the secretary, American Unitarian Association, Boston, Mass., petitioning consideration of their resolution with reference to condemning the brutal attack by the Soviet Union on the Hungarian people; to the Committee on Foreign Affairs.

287. Also, petition of Travis Salmon, Seminole, Tex., requesting a thorough Congressional investigation of the Food and Drug Administration to correct abuses and restrain this branch of Government from trying to destroy the Hoxsey treatment for cancer; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

Civil Rights

EXTENSION OF REMARKS
OF
HON. CHARLES A. WOLVERTON
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. WOLVERTON. Mr. Speaker, today will bring to a close the long and hard-fought battle to enact a civil rights bill.

The purpose of the bill is to provide a means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

It has been perfectly apparent during the debate that there was no misunderstanding as to what the bill sought to accomplish nor the conditions it sought to correct. The flagrant refusal in certain sections of our Nation to grant, or at least recognize, the right of colored citizens to vote, of course, was the basic reason for the bill.

This bill is designed to protect the civil rights of persons within the jurisdiction of the United States by the adoption of four major proposals, namely, first, the creation of the Commission on Civil Rights, second, the establishment of a Civil Rights Division in the Department of Justice, third, a supplement to title 42, United States Code, section 1985, providing civil remedies against conspiracies depriving a person of civil rights, and fourth, a provision for a civil remedy by the Attorney General to strengthen and protect the right to vote. In connection with this latter provision and to make it fully effective the bill amends existing law so as to permit the Federal Government to seek from the civil courts by injunction preventive or other necessary relief in civil-rights cases.

It has been difficult for me to understand why there should be such violent opposition to the enactment of a bill of this character. In fact, it seems to me that under our system of government, the right of all citizens regardless of race, color, or creed to vote is so plainly and surely based upon the provision of our Constitution that there should have been no necessity to adopt legislation to enforce the right. But, unfortunately, the necessity does exist and hence this legislation now before the Congress for adoption. I am, of course, in full and hearty accord with the legislation as drawn and will support it against all efforts to weaken its provisions.

We should not at any time fail to recognize the truth and justice of the Founding Fathers of this nation in the expression that was adopted by them, namely, "that all men are created equal, and they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." These are noble words and express a principle that gives to this Nation a form of government that is distinctive among the nations of the world. To accomplish this basic principle of our Government has been our constant endeavor throughout all the years that have intervened between the founding of our Government and the present time.

The rights and privileges accorded our citizens, regardless of race, color, or creed, are basic to our American way of life and, consequently, there is a continuing duty upon our part to make certain that these rights and privileges are maintained fully and completely for all our citizens.

Furthermore, as Americans we must also realize and accept the fact that the responsibility of worldwide leadership, which is now ours, carries with it a responsibility of providing an example of liberty and freedom for all in our daily lives. Any deprivation, intolerance, or discrimination in the application to every citizen of our basic rights and privileges would have a tendency to cast a cloud upon our vaunted liberties and recognition of the equality of all citizens. This could not be otherwise than highly detrimental to our standing throughout the world and could not be other than a disappointment to the millions of people throughout the world who are seeking in their respective nations the benefit of the same principles of liberty and freedom we enjoy. And in no particular is our distinctive character as a nation more apparent than in our individual right to vote. To destroy this right or deny it to any class of our citizens, as the result of prejudice or otherise, would undoubtedly destroy to an appreciable extent that high standing we now enjoy among all liberty-loving and liberty-seeking people. Thus it becomes our duty by such means as may be necessary to preserve and strengthen the rights inherent in citizenship in this great country of ours.

I support this legislation, because I consider it a duty to preserve fully and without any deviation the rights of all citizens, regardless of race, color, or creed. The bill deserves and should have the full support of the Congress and the approval of the President.

The Tragedy in Lithuania

EXTENSION OF REMARKS
OF
HON. WILLIAM A. BARRETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. BARRETT. Mr. Speaker, 16 years ago the world was shocked by the conduct of our then ally, the Soviet Union. Sixteen years ago, on June 13 and 14, the deportation of 60,000 Lithuanians from their beloved homeland to the frozen steppes of Siberian and other labor camps was carried out. Their fate remains unknown. The horrible practice of mass deportation has been condemned in numerous international agreements and treaties since the end of World War II. Few other crimes are more onerous.

The hardships and martyrdom of these people, friends and relatives of many of us here in the United States, is worthy of our deepest tribute and homage. The pain and inequities of Lithuanian satellization bore mute testimony to the future destiny of those who fought in conscience for their liberties, their freedom, and their homeland, against the Soviet Union. Their uncommon bravery remains a source of

inspiration and education to all of us of the powerful "quiet strength" of the small nations opposing the expansionisms of Russian communism.

No Justification for Kinzua Dam

EXTENSION OF REMARKS
OF
HON. HAROLD C. OSTERTAG
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. OSTERTAG. Mr. Speaker, under leave to extend my remarks, I include in the RECORD a copy of a telegram I have just received from Gov. Averell Harriman, of New York, with respect to the Kinzua Dam on the upper Allegheny River. Governor Harriman points out that there is an alternative to this $101 million project which has not received adequate consideration and study.

"Until that study is made," he wires, "there is no justification for going ahead with a plan that will deprive the Seneca Indians of their reservation lands, in violation of long-standing treaty rights."

Mr. Chairman, I applaud New York's Governor for taking this stand on a matter which will come before the House later this week as part of the public-works appropriation bill. A careful study of this project, as it has been presented to the House committees over the years shows that it is only in small measure a flood-control project and, therefore, a Federal responsibility. It is a water-supply project and, in fact, is so described in House Document No. 491 of the 83d Congress, and it is a pollution-control project, designed to dilute Allegheny River pollution in Pennsylvania, with waters impounded in New York State.

Neither water supply nor pollution control is properly a responsibility of the Federal Government and the taxpayers of this country, under the terms of the flood-control statutes and programs.

Yet this project is being pushed as a 100 percent Federal liability under the guise of flood control.

Mr. Speaker, this is one of the most questionable projects ever to come before this House. It cannot be economically justified within the framework of existing legislation.

It certainly cannot be morally justified, for in order to build it, virtually all of the habitable land on a reservation granted to the Seneca Nation of Indians under the Presidency and signature of George Washington will be preempted, and most of it will be flooded.

Governor Harriman rightly challenges the validity of this project. I hope his political colleagues in this House will support him.

The full text of his telegram follows:

HON. HAROLD C. OSTERTAG,
House of Representatives, Office Building, Washington, D. C.:

I am advised that an amendment to strike from the public works appropriation bill $1 million to start the Allegany Reservoir project will come up on the floor of the House tomorrow or Wednesday. I hope you will support the amendment. The Seneca Indians have presented an impressive series of documents on an alternative proposal which has apparently not received careful study by the Corps of Engineers. Until that study is made there is no justification for going ahead with a plan that will deprive the Senecas of their reservation lands in violation of long-standing treaty rights.

AVERELL HARRIMAN.

An Affirmative Policy Toward the Soviet Satellite Nations

EXTENSION OF REMARKS
OF
HON. EDNA F. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mrs. KELLY of New York. Mr. Speaker, on June 17, the Honorable ARMISTEAD SELDEN, the Honorable FRANK M. COFFIN, and the Honorable ALVIN M. BENTLEY and I introduced identical concurrent resolutions expressing the sense of Congress on the need for an affirmative policy toward the Soviet satellites. The text of the measure follows:

House Concurrent Resolution 189 (by Mrs. KELLY), House Concurrent Resolution 190 (by Mr. SELDEN), House Concurrent Resolution 191 (by Mr. COFFIN), House Concurrent Resolution 192 (by Mr. BENTLEY) expressing the sense of the Congress on the need for an affirmative policy toward the Soviet satellites.

Whereas the Hungarian freedom revolution which broke out October 23, 1956, was catastrophic in nature and caught the free world totally unprepared; and

Whereas its tragic finale left a feeling of bitter disappointment and regret that the governments of the free world were not ready to take effective action; and

Whereas the barbaric action of the Soviet Union in Hungary demonstrates that the Soviet Union is determined to go to any and all lengths to maintain its empire of enslaved peoples by the most brutal forms of armed subjugation and repression, when permitted to do so; and

Whereas the crisis and foment created by developments in the satellite nations require a reevaluation of and revision in strategic policy to meet changed conditions: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the United States should establish and implement an affirmative policy toward the satellites to utilize fully and effectively the position of leadership of the United States through all proper means within and without the United Nations, including the use of economic and political sanctions and the establishment of a clearly defined satellite refugee program.

SEC. 2. It is further the sense of the Congress that the President, through the United States Representative to the United Nations, should immediately request the convening of a special session of the General Assembly of the United Nations to consider the report of the United Nations Special Committee on the Problem of Hungary and other available information on the brutal action of the Soviet Union in Hungary and other satellite nations.

The concurrent resolution is intended to give Congressional expression to the major recommendations which we made recently in our special study mission report on policy toward the satellite nations (H. Rept. 531, 85th Cong.).

Our report demonstrates that we are now in the midst of a new era on satellite relations which constitutes as vital a challenge to the interests of the Free World as the situation in the Middle East. This new era requires a reevaluation of and revision in United States and Free World strategic policy to meet changed conditions.

The absence of United States and Free World effective action with respect to the Hungarian revolution last fall, when the Hungarian freedom fighters believed that such action would be forthcoming, dealt the whole Free World and the hopes and expectations of the millions of captive satellite peoples a heavy blow.

During our study mission to Europe there was everywhere apparent bewilderment, confusion and skepticism about Free World action, particularly by the United States, in the event of future satellite outbreaks. It is therefore essential that the people of the United States, through their elected Representatives in Congress, take the lead in expressing, in the words of the resolution, "that the United States should establish and implement an affirmative policy toward the satellites * * *", so that it will be known to the executive branch of our Government where our country stands in this issue. This is the first essential step in formulating and implementing an effective policy.

The resolution further calls for the full and effective utilization by our Nation of its position of leadership, both within and without the United Nations. We must be prepared with measures and programs to cope with a future outbreak, including the establishment of a clearly defined satellite refugee program.

In section 2 of the measure the President is called upon, through the United States Representative to the United Nations, Ambassador Lodge, to request at once, upon the adoption of this resolution, the convening of a special session of the United Nations General Assembly. It would be the sole function of the special session to consider the report of the United Nations Special Committee on Hungary and other available information which has been accumulating on the brutal activities of the U. S. S. R. in Hungary as well as in other satellite nations. The purpose of this section is to direct the attention of the world to the inhumanity and ruthlessness of Soviet imperialism and to put the Kremlin on the defensive at a time in history when peoples are bursting with a yearning for independence and freedom from the yoke of imperialism. It is further the objective of section 2 of our resolution to make it possible to demonstrate before the world forum that the true imperialists are the Soviets with their new brand of imperialism never before equaled in brutality and savagery.

The resolution looks to the future. Its purpose is not to criticize past failures but rather to profit from those failures in the future.

Twenty-fifth Anniversary of DAV

EXTENSION OF REMARKS
OF
HON. OLIN E. TEAGUE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. TEAGUE of Texas. Mr. Speaker, on this 17th day of June 1957 the Disabled American Veterans, that unique and patriotic veterans' service organization, is celebrating its 25th year of chartered existence, and I am happy to pay my respects in this public manner. The DAV was actually organized 37 years ago for the express purpose of aiding and assisting worthy wartime disabled veterans, their widows, orphans, and dependents.

In addition to the character of discharge requirement, it is necessary that the applicant for membership be shown to have been wounded, gassed, injured, or disabled in line of duty while in the service of the Armed Forces of the United States during a war or the Korean conflict. The fact that such person is still in the United States Armed Forces does not preclude eligibility for membership. Citizens of the United States who became disabled from conditions incurred in or aggravated by service in the armed forces of those nations associated with the United States as allies during any of its war periods, and who were honorably discharged from such service, may also join the Disabled American Veterans.

The act of Congress—title 36, chapter 6-A, section 90a through section 90k, United States Code—chartering the DAV was approved June 17, 1932. Public Law 668, 77th Congress, approved July 15, 1942, deleted the words "of the World War" in the title and shortened the name to "Disabled American Veterans." The present national commander is Joseph F. Burke, a combat amputee of World War II.

The DAV is third in size of the major veterans' organizations but because of its restrictive membership eligibility requirements it does not approach in mere numbers the two leading groups. It does, however, make up in enthusiasm and constructive achievements what it lacks in size. This year will see the largest membership in the history of the Disabled American Veterans and its officers look forward with confidence to the future. Full credit should be given to the auxiliary, its officers and members, in promoting the progress and success of the parent organization.

The national headquarters is located at 5555 Ridge Avenue, Cincinnati 13, Ohio. The DAV national adjutant, Mr. Vivian D. Corbly, and his staff have their offices at national headquarters.

The national service headquarters is located at 1701 18th Street NW., Washington 9, D. C., and there the national director of legislation, claims and employment, with their staffs, have their quarters. It is believed that a special word of explanation is due in regard to the DAV claims activities. That service has trained and expert claims representatives on duty in the VA central office, the Washington, D. C., VA Benefits Office, and the Department of Defense. Contacts are also made with other Government agencies. In addition to these claims officials located in the Nation's Capital, the DAV has national service officers in all the regional offices of the Veterans' Administration and the VA district offices. There they render great assistance to many thousands of veterans and their families regardless of whether the veterans concerned are members of the organization. This valuable service is freely given without charge or recompense of any kind.

The national executive committee and national finance committee play major parts in the transaction of important organization business and in guiding the operations and destinies as to DAV policy.

The record of the past augurs well for the future of this up-and-coming veterans' association of the war disabled, so aptly named the Disabled American Veterans, and it is my hope, and I am sure all Members join me in hoping, this historic 25th anniversary will mark a nationally important milestone in a long and honorable career of loyal and outstanding service.

Our Farm Surplus Compared With Peacetime Supply of Tungsten

EXTENSION OF REMARKS
OF
HON. LESTER R. JOHNSON
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. JOHNSON. During the current debate on the minerals purchase program we have heard reports that there is enough tungsten to last this country through 26 peacetime years or through 6 war years. The information throws a new light on farm surpluses about which we have heard so much in recent months, particularly from the Secretary of Agriculture. I think the Secretary of the Interior may be backsliding a little in his job in not keeping the American citizen as well informed on strategic mineral stockpiles as the Agriculture Secretary does on food and fiber.

Millions of our city friends have been deluged for years with a flood of articles, newscasts, cartoons, pictures, and televised reports on our farm surplus. There are Americans who automatically get a mental picture of a mountain of potatoes or a mound of butter whenever they hear the word "surplus." There are probably a hundred for anyone that gets a mental image of a barrel of tungsten.

The reports on available tungsten remind me that our stockpiles of farm goods as of December 31, 1956, were not as big as some folks might have been pounded into believing. I have not been away from the farm long enough to forget that something called food is as important to a military and civilian population in time of crisis as is tungsten.

So that we will compare our farm surplus properly with the 26 years' peacetime supply of tungsten I would like to report that as of December 31 we had:

Wheat to last 13 months and 20 days.
Cotton to last 9 months and 23 days.
Corn, 4 months and 21 days.
Peanuts, 3 months and 9 days.
Flaxseed, 3 months and 13 days.
Grain sorghum, 2 months and 19 days.
Rye, 3 months and 8 days.
Barley, 2 months and 22 days.
Cheese, 1 month, 28 days.
Soybeans, 1 month, 22 days.
Dried milk, 28 days.
Oats, 16 days.
Tung oil, 10 days.
Honey, 2 days.
And no butter.

The United States Corps of Army Engineers

EXTENSION OF REMARKS
OF
HON. E. C. GATHINGS
OF ARKANSAS
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. GATHINGS. Mr. Speaker, June 14 marks the 182d illustrious birthday of the founding of the United States Corps of Army Engineers.

The Corps of Engineers dates from June 1776, when the Continental Congress authorized Gen. George Washington to appoint a Chief Engineer for his Army. General Washington designated Col. Richard Gridley to that post, and from that date, July 3, 1775, until now the United States has been served by 40 Chief Engineers. Holding that post with honor and distinction at this time is Maj. Gen. Emerson C. Itschner.

June 14 also marked the observance of the 76th anniversary of the establishment of Corps of Engineers offices to serve the Mississippi River and its tributaries. On February 1, 1881, the Corps of Engineers set up the Little Rock River and Harbor office with authority confined to the Arkansas, White, and St. Francis Rivers and tributaries. However, in 1882, the Mississippi River Commission established districts with headquarters in Cairo, Ill., and Memphis, Tenn., and these offices were consolidated in the Memphis office in 1890.

A separate district, with responsibility for dredging operations was established at Memphis in 1918, and 3 years later the Little Rock office was moved to the Mississippi River city and the name was changed to the Memphis River and Harbor District.

In 1928, with adoption of the first comprehensive plan for flood control on the lower Mississippi River, the Memphis River and Harbor office, the river and harbor district, the Mississippi River Commission's first and second districts, and the dredging district, were all consolidated to form the United States Army Engineers District, Memphis.

The Mississippi River, wildly temperamental in its 1,000-mile trip to the Gulf of Mexico, drains 40 percent of the Nation, an area lying across the northern reaches of the United States from New York State to Wyoming. Enough rain falls on this area in a normal year to fill a tank 8 miles wide, 8 miles long, and 8 miles high. During an average flood year a million tons of water passes down the river.

This tremendous power supports the mighty Mississippi, the main artery of the Nation's 28,000-mile inland waterway system. And more than 80 million tons of important commodities move each year on the river.

To control this mighty river and to protect the valley against floods is the task of the Corps of Engineers and the Mississippi River Commission. Today a 1,600-mile system of giant levees 200 miles longer than the Great Wall of China are maintained by the corps to harness the powers of the river. Cutoffs have straightened the river where Mark Twain was pilot, and the river has been shortened by about 170 miles.

Col. E. B. Downing is the district engineer for the Memphis district, and he has given valiant service to the work on the Mississippi and its tributaries. Today Colonel Downing is making certain special awards to employees of the district, and I am sure that other Members of Congress whose areas are served by this office will desire to join in commending Colonel Downing and all of the men and women of the office there for the fine service they are continuing to render. Since the location of this office, almost 2,000 man-years of work has been given to controlling the turbulent floodwaters of the lower Mississippi and its tributaries.

That much work continues to be done is evidenced by the floods that still beset this vast area. However, it should be pointed out that these floods result from rainfall equal in many places to the total annual averages and but for the great structures created to handle the Arkansas and the other tributaries, the present disaster would be extended throughout the entire lower valley and over the Midsouth. Millions of dollars, untold acres of farm and forest lands, and thousands of lives were saved by the work of the Mississippi River Commission and the Corps of Engineers.

It is fitting, therefore, on this day to celebrate the 182d anniversary of the founding of the Corps of Engineers and the 76th anniversary of the Memphis district to salute the peacetime work of the corps in preserving for us and for our posterity that great heartland of America.

Arthur T. Vanderbilt

EXTENSION OF REMARKS

OF

HON. CHARLES A. WOLVERTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1957

Mr. WOLVERTON. Mr. Speaker, today New Jersey had a sad duty confronting it as it laid to rest the body of its most distinguished jurist. Chief Justice Arthur T. Vanderbilt has passed into the Great Beyond. His life has been one of great usefulness. His activity in all the many and varied phases of life has been most commendable. His accomplishments have been so great that it would be impossible to adequately set forth all of them in the manner their importance deserves. In the field of politics his objective was always good government. In the field of jurisprudence he continually sought to establish justice and equity that was certain and assured. To accomplish this he surmounted barriers of long established procedures that worked against change of any kind. But, with zeal and intelligence, he carried on his fight for a swifter and more certain justice until he attained his goal. The result is that today we have in New Jersey one of the most modern and effective systems of justice to be found anywhere within the United States or elsewhere.

Arthur T. Vanderbilt was recognized throughout this Nation as one of the most outstanding judicial personages engaged in the administration of law and equity. His standing among lawyers and judges was such that he stood as on a pinnacle. He was worthy of every honor that was accorded him during his long and useful life. His views on matters pertaining to administrative procedures in the practice of law were the result of a long and varied experience in the practice of law, and, the experience thus gained, and, that which came as the result of his occupancy of the high position of chief justice of New Jersey, provided a strength and reason to his views that enabled them to stand firm and overcome any and all opposition.

Not only was Arthur T. Vanderbilt a man of great intelligence in law and all other phases of government, but, he was a man of superlative character and integrity. At all times his every action either on the bench, or, in his many years of activity at the bar and in active politics was based upon careful consideration of all the facts incident to the matter. And, when his opinion was finally formed, he stood back of it without any deviation or compromise. He stood for what he thought was right.

In conclusion, and, as part of my remarks, it is appropriate that I should include an editorial appearing today in the Washington Post and Times Herald. It is so true and illustrates that even in this Capital City of the Nation, his fame and outstanding character as lawyer, judge, and citizen was as well known and recognized as in his home State of New Jersey.

It reads as follows:

The death of Chief Justice Arthur T. Vanderbilt of the New Jersey Supreme Court is a tragic loss to the causes of justice, judicial reform, and legal education. In the last decade he had directed almost a judicial revolution in New Jersey. That was the culmination of many previous years of hard struggle to bring administrative management, sound organization, and highly qualified judges into the judicial system. As chief justice in New Jersey, he was able to put into practice what he had been preaching, with the result that that State now has one of the best judicial systems in the Nation.

After trying for 17 years to interest the bar, the judges, and the politicians in judicial reform, Mr. Vanderbilt decided a decade ago to carry his fight to the people. Govs. Charles Edison and Alfred E. Driscoll joined in the struggle, and a new constitution was adopted for New Jersey, including a model judicial system. Mr. Vanderbilt, who had won eminence in the practice of law and as dean of the New York University Law School, was then named chief justice.

There followed a decade in which rules were simplified, dockets were cleared of old cases, able and energetic lawyers were named to the bench and modern administrative management was applied to the work of the courts. In a single year the output of the New Jersey courts was increased by 98 percent. Justice is no longer soured by endless delays, confused jurisdiction, or excessive emphasis on technicalities. Arthur Vanderbilt's leadership in this sphere has brought New Jersey to the forefront among the States seeking to modernize their judicial systems.

In his practice as in his teaching, Mr. Vanderbilt was a strong defender of civil liberties and of independent judgment on the bench. As counsel for Norman Thomas, he induced the Supreme Court of the United States to strike down the Jersey City ordinance under which the late Mayor Frank Hague had forbidden the Socialist leader to address a public meeting there. As president of the American Bar Association, he contributed enormously to the defeat of President Roosevelt's efforts to pack the Supreme Court in 1937. It is the judicial reforms that he helped to establish in New Jersey, however, that are likely to stand as his most enduring monument.

Good Government Is the Issue

EXTENSION OF REMARKS

OF

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1957

Mr. FASCELL. Mr. Speaker, I would like to call to the attention of the membership, excerpts from an address recently delivered by my close friend and colleague, from Florida, PAUL ROGERS, to the members of the third national reorganization conference sponsored by the Citizens Committee for the Hoover Report.

These remarks were made by an outstanding Member of the House whose interest we should all share in promoting good government on an economical and efficient basis.

The excerpts follow:

GOOD GOVERNMENT IS THE ISSUE

(Excerpts from speech by Congressman PAUL G. ROGERS, Member, United States House of Representatives from Florida since 1955; formerly member of Burns, Middleton, Rogers & Farrell law firm; member, House Public Works Committee)

Permit me, first of all, to express my great pleasure to you for this opportunity to participate in the program of the third national reorganization conference, by the Citizens Committee for the Hoover Reports. I am sure that all of us here this morning are conscious, as I am, of our deep responsibilities toward our Government, and of the splendid opportunity which this conference provides for promoting the cause of good government.

Good government is indeed the issue. It is an issue that is never fully resolved and laid to rest. It is an issue that needs constant attention, reexamination, and hard work. In a society of growing complexity, such as our own, the maintenance and preservation of good government makes increasing demands upon our diligence, vigilance, and common sense. * * *

As basic objectives, the Hoover Commissions have sought to achieve greater economy and efficiency in the Federal Government. These objectives are not, perhaps, identical, but they are certainly so closely related that the study of one strongly invites the study of the other. The problems of both are largely the outgrowth of the size of the Government and the scope of its activities, factors which are of legitimate and continuing concern not only to members of the Hoover Commissions but also to every thoughtful citizen as well.

One of the great services of the Hoover Commissions has been to inform the American people about the staggering size and cost of running their Government. No dramatic effects or histrionics are needed here. The facts speak for themselves, and the Hoover Commissions have presented these facts. All of us must be made to realize the possible consequences of the progressive expansion and growing operating expenses of the National Government; and all of us must work together to control these forces which, I believe, could seriously threaten our democratic society and our free economy.

I know that we are a big, powerful nation of nearly 170 million people; I know also that we are a productive and wealthy Nation. I know that the Government has many obligations it must meet, both at home and abroad. I know, too, that there are many expensive services which the people expect the Government to provide—services which in many cases only the Federal Government can provide.

A large budget is understandable, and extensive Government activities seem to be inevitable, under these circumstances. What must be done, therefore, is to see that the Government gets its money's worth for every dollar it spends. * * *

It is axiomatic that big, expensive government places a heavy tax burden upon the people. It cannot be otherwise. It is likewise true that costly government and heavy taxes have contributed in some measure to the weakening or downfall of many governments, both ancient and comparatively modern. * * *

The disastrous effect of a crushing tax load upon the people of the Roman Empire is one of the great lessons of history. * * *

The history of the struggle of the English people against arbitrary taxation is the history of the English Constitution. One cause of the great 17th century revolution in England, which established many of the constitutional rights of the English people, was the question of taxation. * * *

"No chapter in history is more replete with interest and instruction than that which exhibits the system for exacting contributions for the support of the state which characterized the fiscal policy and administration of France during the 17th and 18th centuries, and which is now acknowledged to have been mainly instrumental in bringing on the memorable revolution in the closing years of the latter century." * * *

Finally, we certainly ought not to overlook our own experiences with excessive taxation. It is certainly true that the attempt by Great Britain nearly 2 centuries ago to tax her American colonies without their consent was a primary cause of the American Revolution. * * *

Our task is to eliminate waste, duplication, and extravagance from the operations of the Government without impairing its essential functions.

I am particularly interested in the budget and accounting report and the 25 recommendations it contains. The task force has shown that tremendous savings can be realized if the Government's budgeting and accounting methods are revised along the lines of its recommendations. These savings could amount to some $4 billion a year, more than 5 percent of the new budget. This is the largest estimate of possible savings made by any of the task forces. * * *

Congress has already taken some action, I am happy to say, with regard to the budget and accounting proposals. * * *

Last May I introduced a bill (H. R. 11526) into the 84th Congress which would have placed the entire governmental financial structure on an annual accrued expenditure basis. It provided for a much closer supervision by Congress over the expenditures of the executive branch and made possible a more complete and meaningful understanding of the financial operations of the Government.

This measure was the same as the Senate bill (S. 3897) which, after being amended, was enacted as Public Law 863. Although Public Law 863 contains many provisions that will greatly improve our financial management, I am of the opinion that the amendments, insisted upon by some of my colleagues in the House of Representatives, removed a major provision of the original bill by eliminating the provision for adoption of the accrued expenditure appropriation procedure. * * *

One of the first things I did after the opening of the 85th Congress last month was to introduce a new bill (H. R. 2494) calling for the determination of appropriation estimates on an annual accrued expenditure basis. The President, in his budget message to the Congress, has requested that this legislation be passed. There is widespread agreement among the budget and financial experts that this method of appropriating funds would be much superior to the present system. Exact dollar savings that might result from the use of this procedure cannot be determined, but it surely seems safe to say that they would be substantial. * * *

Of course, there is opposition to some of these recommendations. It is doubtful if they would be worth much if they did not engender some opposition. It is certainly normal in the United States for controversies to arise over matters affecting the Government, and for this controversy, we can indeed be grateful. It is a sign of the health of our free and democratic system of government. * * *

This conference is important. It can serve as a forum for the exchange and dissemination of ideas and information.

I am most grateful to you for the privilege of participation in these proceedings.

A Pious Phrase on a Yellowed Document

EXTENSION OF REMARKS

OF

HON. ED EDMONDSON

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1957

Mr. EDMONDSON. Mr. Speaker, under leave to extend my remarks, I am pleased to place in the RECORD a speech by our distinguished colleague from California, the Honorable JOHN E. MOSS, which was delivered before the New England Associated Press News Executives' Association in Boston.

JOHN E. MOSS is one of this body's great leaders in the fight for freedom of the press, and his outstanding work as chairman of the House Government Information Subcommittee of the Committee on Government Operations has shown him to be a zealous champion of the rights of the press as opposed to arbitrary Government secrecy.

This speech, which follows, is another fine example of the contributions he has made in this field, and reflects the same great principles which have made this Nation a land of freedom and democracy:

A PIOUS PHRASE ON A YELLOWED DOCUMENT

That the press must be free goes without saying. It is equally obvious that the constitutional guarantee of press freedom is rendered meaningless if the press is shackled by arbitrary Government secrecy. This basic concept, however, is continually in danger.

A contrary principle recently espoused by Secretary of State John Foster Dulles, for instance, would emasculate freedom of the press. In a recent letter to Mr. Arthur Hays Sulzberger, publisher and chairman of the board of the New York Times, Mr. Dulles stated: "The constitutional 'freedom of the press' relates to publication, and not to the gathering of news."

This is an appalling statement from the man who is leading the United States in the titanic struggle to preserve our basic rights against the threat of world communism. Under such a principle, no matter how laudatory the motives, freedom of the press would be nothing more than a pious phrase on a yellowed document in the National Archives.

Yet Mr. Dulles has gone even further in his crazy-quilt policy. At a recent press conference he seriously suggested that American newspapers and news agencies hire foreigners to cover the news for them in Red China. Such a suggestion shows a complete lack of understanding of freedom of the press. The arbitrary refusal of passports for American newsmen to travel in Red China is bad enough. But the thought that Americans are thereby to be forced by their own Government to view news through the eyes of foreign nationals is inconceivable in 20th century America. Surely Mr. Dulles doesn't suggest that American news agencies hire Chinese Communists as their reporters.

News agencies, of course, do hire foreign nationals for overseas coverage. But they are primarily supplemental and their work is closely supervised by American newsmen, usually in the country of origin. There is no substitute, however, for on-the-spot coverage by an American reporter. When Americans abdicate their right to see for themselves, we have lost a major battle in the struggle to defend our hard-won freedoms. These freedoms must not be chipped away by Mr. Dulles or anyone else for the sake of expediency.

Mr. Dulles makes it clear that he believes the American press should be made an instrument of foreign policy. Reporters traditionally have gone abroad as free agents, reporting the news as they saw it, without fear of what the State Department may think or do. Under Mr. Dulles' policy would the stories of American newsmen be viewed as objective reports or as stories intended to bolster foreign policy as part of a reporter's loyalty and patriotic duty?

Mr. Dulles fails to realize that in a democracy the people have a vested right to seek and obtain information in order to govern themselves. This right is not vested solely in the press but in all the people. The press is merely a vehicle to provide information to the public. I, therefore, sharply question

any policy which denies the right of any American to seek information at home or abroad.

Government officials, on the local, State, and Federal level, usually agree readily that the public has a right to know about their government. But all too frequently, these same officials adopt the attitude that they, and they alone, are to decide what facts the public shall get about the public's business.

This attitude is probably best exemplified in a directive issued a few years ago by Secretary of Defense Charles E. Wilson. Mr. Wilson has been plagued by rivalry between the armed services, a rivalry which he apparently believes should be confined to the Pentagon and withheld from public debate. It was against this background of service rivalry and "leaks" that Mr. Wilson issued the directive stating that no information of any kind shall be released from the Military Establishment unless the material is a "constructive contribution" to the mission of the Defense Department. In simple language, Mr. Wilson tells the vast military organization: "If it doesn't make us look good, boys, don't release it."

This directive is an insult to the intelligence of our Nation's military leaders. It is amazing that such a directive was ever issued. The absurd results of this directive have been documented in cases aired by the subcommittee in public hearings. It is amazing that the directive still stands.

Last summer, Mr. Wilson was disturbed by a new rash of leaks involving the fight between the Army and the Air Force over control of the missiles program. He appointed a special committee to find a way to stop leaks. He named former Assistant Defense Secretary Charles A. Coolidge, an eminent Boston attorney, to head the committee, and named four retired military leaders as the other members.

The Coolidge Committee found, in effect, that arbitrary secrecy led to the very leaks that Mr. Wilson sought to prevent.

As a result of the Coolidge Committee recommendations, Mr. Wilson on March 22 issued four new directives. Only one of them, however, is aimed at freeing information. It would set up an Office of Declassification Policy in the Defense Department. It fails, however, to give the director specific authority to declassify or to force others to declassify. The directive even fails to tell the director specifically what he is to do. Such a directive appears to be a very weak David for the Goliath of classified material piling up in warehouses out of reach of scientists and historians who have been pleading for access to this important information.

Mr. Wilson's second new directive provides for prompt investigations and a disciplinary crackdown on leaks. Such a directive might well be warranted if it were directed solely at leaks of security information. Nothing but the strongest efforts must be made to protect true military secrets. But the new directive spells danger because it is directed as well at leaks of nonsecurity information. An oppressive investigative machine is ready to bear down on an employee who releases plain administrative information, either in good faith, deliberately, or through inadvertence, if the release displeases higher authorities.

A third new directive is perhaps the most repressive. It covers nonsecurity, administrative information only. It does not involve military security whatsoever.

Mr. Wilson's fourth new directive included high-sounding language, apparently bowing to the right of Congress to have information. But the new directive incorporates the other new directive on administrative secrecy and leaves it up to the Defense Department to determine what Congress shall and shall not have.

Mr. Wilson's directives are thus highly restrictive, highly improper and ultimately very dangerous. They impose penalties or the threat of penalties for the release of nonsecurity information, but fail to provide even a threat of reprimand for arbitrary and unjustified withholding.

They bolster the attitude that public officials are to decide what the people are entitled to know and that public officials must justify release rather than justify withholding. Thus, the public, reporters, and Congressmen must justify their requests for information just as if they lacked any right to know.

The question of attitude is vital. Congress could pass 100 laws aimed at the release of public information. But the best laws and the best regulations can be rendered completely ineffective by the man who administers them. Recently, Mr. Murray Snyder, former assistant presidential press secretary, was appointed as Assistant Secretary of Defense for Public Affairs. That is the top information job in the Military Establishment. He calls the tune not only for the Defense Department itself but for the military services as well. Even the Secretaries of the Army, Navy, and Air Force must submit their speeches for Snyder's clearance before they can make them. Mr. Snyder checks those speeches not only for security, but also for policy.

Mr. Snyder repeatedly assured the subcommittee that he was taking over the new post in an effort to get out the news. He said he would do this despite the subcommittee's concern that he would be hampered by Mr. Wilson's restrictive directives.

I understand that Mr. Snyder did not participate in the drafting of the new Wilson directives. But because of their restrictive language, it is, in my opinion, a Herculean task which Mr. Snyder faces. On the other hand, despite the doubts raised by the unfortunate wording of the directives, Mr. Snyder, by adopting a straightforward and enlightened policy, can materially aid in freeing the flow of information from the Pentagon. If he is determined to do so, he can change the attitude of those in the Military Establishment who regard information as something to be managed or kept out of sight. Certainly he is entitled to additional time before any attempt is made to evaluate the job he has taken on. However, let us hope that an incident reported in a recent Associated Press story illustrates an exception rather than the rule which Mr. Snyder will follow. I quote from the AP story dated May 9, 1957:

"Reporters got shooed out of a Pentagon meeting today—by an official who says it is his job to get information to the public.

"The official was Murray Snyder, Assistant Secretary of Defense for Public Affairs and former Assistant Press Secretary to President Eisenhower.

"The incident came at a meeting in which Ralph J. Cordiner, chairman of military pay study committee, presented the Committee's final report to Secretary of Defense Wilson.

"If either Mr. Wilson, or Mr. Cordiner had any ideas they wanted to express to the newsmen assembled for the ceremony, they were stopped by Mr. Snyder.

"Mr. Wilson took the report from Mr. Cordiner, eyed the newsmen, then asked: 'Do you men of the press know what this is all about?'

"A reporter started to ask a question. Mr. Snyder turned to the newsmen, interjected quickly, 'that's all, gentlemen,' and shooed them out."

A recent news magazine story praising Mr. Snyder's avowed aim to uncork the news at the Pentagon was written before Mr. Snyder shooed the reporters away from Mr. Wilson. The story made a point of the fact that Mr. Snyder had moved his office from the third floor in the Pentagon near Mr. Wilson's office, to the first floor near the press room. This was interpreted as a move to make him more conveniently available to the working press.

Newsmen at the Pentagon now have some other theories about the move. Shortly after the shooing-out incident, they report that Mr. Snyder passed the word to the press room "suggesting" how reporters write their stories about the Cordiner report. You can rest assured, however, that the Pentagon reporters use their own judgment on what is news, Mr. Snyder's "suggestions" notwithstanding.

Arbitrary secrecy inevitably leads to an effort to "manage the news". This effort is nothing new. It was one of the first complaints received by the subcommittee.

Franklin D. Roosevelt and Civil Rights

EXTENSION OF REMARKS
OF
HON. CHARLES A. VANIK
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. VANIK. Mr. Speaker, during the course of the current debate a great many Americans are being misled into believing that the cause of civil rights was something only recently championed by President Dwight D. Eisenhower. The record of former President Harry Truman and the late President Franklin D. Roosevelt cannot be overlooked. They are the real leaders in the struggle for civil liberties. Their efforts, running back over 20 years, are producing the civil-rights victory which is near at hand today.

In connection with the current debate in Congress on the civil-rights issue, I would like to submit for the consideration of the Members of Congress the following paper prepared at my request by the Legislative Reference Service of the Library of Congress and entitled "Franklin D. Roosevelt and Civil Rights":

FRANKLIN D. ROOSEVELT AND CIVIL RIGHTS—WHAT ARE CIVIL RIGHTS: THE DISTINCTION BETWEEN CIVIL LIBERTIES AND CIVIL RIGHTS

The distinction between civil liberties and civil rights is often hard to draw, but as the terms are customarily used, the distinction would seem to depend upon who is in a position to do the depriving. Generally, the term "civil liberties" is used when the possible source of infringement or deprivation is government or an agent of government. The term "civil rights" is used when the source of deprivation is an individual or a group of individuals. Robert Cushman is making this distinction in his book Civil Liberties in the United States when, on page 124, he writes:

"Constitutional guaranties of civil liberty are in the main protections which the citizen enjoys against abridgement by the action of government, State or local. No individual can possibly violate the Federal Bill of Rights, which begins with the words, 'Congress shall make no law,' and which has been held to restrict only the Federal Government. Nor can an individual violate the 14th amendment, which clearly says 'no State' shall do the things forbidden. * * *

"At the same time there are rights and privileges which the citizen enjoys which arise either from the Constitution or from acts of Congress, and Congress may punish individuals who 'injure, oppress, threaten, or intimidate any citizen' in the full and free enjoyment of these rights. * * * These pro-

visions * * * comprise the bulk of the Federal Government's arsenal of legislation directed against persons who interfere with the civil rights of other persons."

1928–38: REFERENCES TO CIVIL LIBERTIES AND CIVIL RIGHTS WERE MOSTLY OF A GENERAL CHARACTER

During the early New Deal, Roosevelt rarely mentioned civil rights, as we understand them today, in his public pronouncements. More often, he would praise the practice of tolerance, the concept of brotherhood. This was especially true during the presidential campaign of Al Smith in 1928 when Roosevelt would frequently exhort his listeners to forgo religious bigotry, in appraising the qualities of Smith, a Catholic, as a potential President. For example, on October 17, 1928, while urging Smith's election before a gathering in Binghamton, N. Y., Roosevelt labeled the religious bigotry advanced against Smith "the worst sort of un-Americanism." Continuing, he said, "I believe that the day will come * * * when education * * * will be so widespread, so clean, so American, that this vile thing that is hanging over our heads in the presidential election will not be able to survive."

Occasionally, during the early New Deal, Roosevelt would be called upon to deliver a purely patriotic speech. His approach on these occasions was generally to laud the Bill of Rights, the blessings of freedom and liberty, and the virtues of our Constitution. He apparently viewed these assignments as a time for reasserting agreement on fundamental principles, for his purely patriotic speeches contain little which deals with civil rights that could be considered controversial.

Clearly, his chief concern during this period was to end the depression. In this connection, he made numerous references to liberty and freedom, but almost invariably his emphasis was upon the economic aspect of liberty. This was a theme repeated time and again, inserted in his every speech to serve as both the basis and the justification for decisive action and sweeping reform. Here is a typical illustration, the final paragraph of his second "Fireside Chat" of 1934 (vol. III, p. 432):

"I am not for a return to that definition of liberty under which for many years a free people were being gradually regimented into the service of the privileged few. I prefer, and I am sure you prefer, that broader definition of liberty under which we are moving forward to a greater freedom, to a greater security for the average man than he has ever known before in the history of America."

This profound desire to mobilize support for his social-economic program—and thus enhance human freedom—was handled by the President in a variety of ways. Frequently, for instance, he would issue blistering attacks against "sectionalism" and "class distinction," attacks which might be interpreted as attempts to advance, indirectly, the cause of civil rights. Speaking before the American Legion Convention on October 2, 1933, the President had this to say (vol. II, p. 374):

"But there are two enemies of national unity—sectionalism and class—and if the spirit of sectionalism or the spirit of class is allowed to grow strong, or to prevail, that would mean the end of national unity and the end of patriotism * * *.

"The other enemy of national unity is class distinction, and you and I are well aware of the simple fact that as every day passes, the people of the United States are less and less willing to tolerate benefits for any one group of citizens that have to be paid for by others."

Or again, he would wage battle against the depression even on patriotic occasions, as he did on September 17, 1937, while addressing the Nation on the 150th Anniversary of Constitution Day (vol. VI, p. 369):

"Nothing would so surely destroy the substance of what the Bill of Rights protects than its perversion to prevent social progress. The surest protection of the individual and minorities is that fundamental tolerance and feeling for fair play which the Bill of Rights assumes."

That the President was opposed to racial discrimination but reluctant to disrupt his majority coalition in Congress with civil rights proposals too progressive for the times is perhaps best borne out by an examination of his messages to groups who were greatly concerned with Negro rights.

For example, on September 22, 1933, he congratulated America's Negro citizens upon the 70th anniversary of the Emancipation Proclamation in these words (vol. II, p. 364):

"I heartily congratulate the Negroes of the United States upon the seventieth anniversary of their emancipation. Their progress during these 70 years has been remarkable. They have contributed greatly to the economic development of the Nation and I am sure that as prosperity returns they will share proportionately in the greater security, increased comfort, and happiness resulting therefrom."

Two years later, on June 17, 1935, in the course of some informal remarks to State Works Progress Administrators gathered in Washington, Roosevelt counseled (Washington Post, June 18, 1935, p. 4):

"The second point I make is that we have to be extremely careful not to make any kind of discrimination. We cannot discriminate in any of the work we are conducting either because of race, or religion, or politics. If anybody asks you to discriminate, you can tell them that the President of the United States gave direct orders that there is not to be any such discrimination."

And in 3 more years, on June 25, 1938, he was to dispatch this greeting to the National Association for the Advancement of Colored People (vol. VII, p. 401):

"I am happy to extend to the twenty-ninth annual conference of the National Association for the Advancement of Colored People cordial greetings and best wishes for the success of its efforts in advancing the interests of the Negro race and bringing about the cooperation and understanding between the races so essential to the maintenance of a vital democracy.

"I have watched with interest the constructive efforts of your organization, not only in behalf of the Negro people in our Nation, but also in behalf of the democratic ideals and principles so dear to our entire Nation. For it is evident that no democracy can long survive which does not accept as fundamental to its very existence the recognition of the rights of its minorities."

The impression received from a study of Roosevelt's prewar statements which have bearing upon civil rights is that he chose to place first things first. He felt, apparently, that what the people wanted most were more jobs, more purchasing power, more security for self, family, and community. He made many statements which revealed his strong stand against racial and religious bigotry and his firm belief in equal justice for all; but the bulk of his legislative program was directed toward ending the depression, once and for all. Probably he regarded this goal as an indispensable prerequisite to confronting civil-rights problems in more direct fashion.

1939–1945: CIVIL RIGHTS PROBLEMS APPROACHED IN MORE SPECIFIC AND DIRECT MANNER

Beginning in the late 1930's, Roosevelt took more decisive action regarding civil rights. Why he did so is not within the scope of this survey to discuss. Certainly the war influenced the shift. Perhaps, too, the fact that most of the legislative measures embodying the New Deal philosophy had been achieved allowed the President to turn his hand to other problems. At any rate, 1939 saw for the first time the establishment of a civil rights section within the Department of Justice.

According to Robert Cushman, it was not until the civil rights section was created in the criminal division of the Department of Justice "that any well-planned and imaginative campaign for the effective enforcement of the civil rights statutes was made possible" (p. 125). Professor Cushman continues:

"Prior to the creation of the section, responsibility for prosecuting persons who violated these statutes rested with the local United States attorneys, and these, especially in southern communities, had displayed little energy or courage in protecting the civil rights of Negroes."

The newly created section immediately undertook to enforce existing civil rights statutes, and despite the fact that its staff was rather small and its assignments often included enforcement of laws only remotely involving civil rights, its achievements were of real value. Its major efforts were directed toward prosecuting cases of police brutality, destroying the Ku Klux Klan, investigating cases of lynching where evidence indicated local officials were implicated in the crime, and protecting the citizen's right to vote in Federal elections.

With the coming of the Second World War, it became clear to the President that to build a powerful United States required the integration of every group into the national defense effort. His antipathy for the undemocratic practices of discrimination coincided perfectly with a determination to make the best possible use of our human resources. According to the editor of Roosevelt's public papers, Samuel Rosenman, "he (the President) felt keenly the inconsistency of helping to defeat the Nazis and Fascists and of tolerating the kind of injustice and discrimination on which these dictatorships thrived" (vol. X, p. 235).

Accordingly, on June 25, 1941, the President issued Executive Order 8802, establishing the Committee on Fair Employment Practice. The heart of the order required that all defense contracts with the Government contain a provision "obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin" (vol. X, p. 234).

Less than 3 years later, the President expressed his strong disdain for discrimination in the Armed Forces. At a press conference on February 5, 1944, the President commented on mistreatment of colored troops with these words (vol. XIII, pp. 66–7):

"It is perfectly true, there is definite discrimination in the actual treatment of colored engineer troops, and others. * * * The trouble lies fundamentally in the attitude of certain white people—officers down the line who haven't got very much more education, many of them, than the colored troops, and the Seabees, and the engineers, for example. * * * And we are up against it, absolutely up against it. I always think of the fact that it probably is improving. I like to think that mere association helps things along."

During President Roosevelt's fourth campaign for the Presidency, he issued one of the strongest protests against interference with the right to vote ever pronounced by a Presidential candidate until that time. In a national radio address from the White House delivered on October 5, 1944, the President contended:

"It is true that there are many undemocratic defects in voting laws in the various States, almost 48 different kinds of defects, and some of these produce injustices which prevent a full and free expression of public opinion.

"The right to vote must be open to our citizens irrespective of race, color, or creed—

without tax or artificial restriction of any kind. The sooner we get to that basis of political equality, the better it will be for the country as a whole."

From this brief survey, it can be seen that most of the steps actually achieved later, or advanced currently, for reducing discrimination had antecedents in the Roosevelt era. Reduction of discrimination in employment, in the armed services, realistic enforcement of existing civil rights statutes, elimination of undemocratic conditions preventing the right to vote—all of these proposals were favored by President Roosevelt.

In addition, he spoke repeatedly in favor of civil liberties and, perhaps most important of all, constantly reminded the American people that the ultimate source of discrimination and bigotry was ignorance. He had great faith in the efficacy of a sound, liberal education.

The Middle East and Discrimination

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1957

Mr. ANFUSO. Mr. Speaker, under leave to extend my remarks, I wish to insert into the RECORD the text of an address I delivered on Saturday, June 15, 1957, at the annual convention of the New York Department of the Jewish War Veterans of the United States of America, at South Fallsburg, N. Y.:

ADDRESS BY CONGRESSMAN VICTOR L. ANFUSO, JEWISH WAR VETERANS, NEW YORK DEPARTMENT, HOTEL BRICKMAN, SOUTH FALLSBURG, N. Y., JUNE 15, 1957

Mr. Chairman, members, and friends of the Jewish War Veterans, United States of America, and ladies auxiliary, I am delighted to be here with you this afternoon and to have the opportunity to renew old acquaintances and make new ones. Many of your leaders are my personal friends. I am quite familiar with your wonderful organization and its great record of achievements. In fact, several times during these past few years I had occasion to speak in the Halls of Congress and to insert material into the CONGRESSIONAL RECORD about the activities and accomplishments of the Jewish War Veterans of the United States of America.

May I say to you at this time, on the occasion of your annual convention, that I wish for you a year of fruitful activity in the coming 12 months, and may you realize your programs in all spheres to the fullest extent, and may you go from strength to strength in your efforts. Yours is a good cause, a deserving cause, and I shall always be proud to be associated with you in any endeavor you may call upon me.

Your past national commander and my dear friend, Abe Kraditor, who is primarily responsible for my being here today, has suggested that I discuss with you the recent agreement between the United States and Saudi Arabia in which the United States acceded to the discrimination against Americans of the Jewish faith by that Arab country. Although this is a matter involving constitutional law and would require a long dissertation, I shall touch on it, nevertheless, in the general context of the Middle East situation.

The Middle East situation, as you well know, has been relatively quiet these past few weeks. Nasser has been losing ground in the Arab countries, such as Jordan and Lebanon, and may soon find himself completely isolated. But not only is he losing ground and prestige with his Arab neighbors, but he lost much more with Israel when the latter routed his army in Sinai and captured many of his tanks and other equipment.

In fact, there is a nice little story making the rounds in Israel now. At the Independence Day celebration a few weeks ago, the Israelis put on a big parade in Tel Aviv in which they displayed some of the captured Egyptian tanks. Two Jews were standing and watching the parade. One of them was a refugee from Egypt who had been expelled by Nasser and recently arrived in Israel. As the Egyptians tanks came rolling by, he turned to the other Jew, and said:

"You know, Nasser was right. He kept his promise."

"What do you mean he kept his promise?" asked the Israeli Jew.

"Well, it's this way," replied the Egyptian Jew. "Last year I stood in Cairo and heard Nasser tell the Egyptians that his tanks would parade through the streets of Tel Aviv. Well, he kept his promise. Here they are."

Speaking in a more serious vein, I am glad to see considerable improvement in the Middle East situation of late. The military situation appears to be relatively stable. Nasser's influence, as I stated a moment ago, has diminished and his ego is much deflated—thanks to Israel. American-Israeli relations have improved to some extent over these past few months, and I trust they will remain friendly and cordial for many years to come.

That does not mean that all problems have been solved or are on the verge of being solved tomorrow or the next day. Israel is still confronted with difficult international problems, with the security of its borders, its relationship with the Arab countries who are continuing and expanding their boycott of Israel, and also with the problem of attaining economic self-sufficiency. If peace could be maintained in the Middle East, many of these problems could be solved in due time.

It was most unfortunate that the relations between the United States and Israel became strained last fall after the Sinai action. There was no cause or reason for it. Had the United States pursued its traditional policy in this matter, had we truly realized then the full meaning of Nasserism and its Communist coconspirators, had we understood that they were gunning not only for Israel but even more so for the United States and the Free World, we could have avoided much misunderstanding and tension.

It is my deep regret that the United States in recent years has failed to pursue a firmer policy with the Arab countries, as befits a world power such as ours. By now, we are all aware that appeasing Nasser has not achieved peace and stability in the Middle East, just as appeasing Hitler in the 1930's did not achieve world peace. It is high time for the United States to exert all possible influence in world affairs to put this would-be Hitler of the Middle East in his proper place, if we desire to safeguard that area against communism. The removal of Nasser would be the best contribution to Middle East stability and world peace.

Must we wait until he brings on a new disaster by his arrogance? Must we continue to coddle Nasser and to ignore his anti-Western intrigues. Must we disregard his alliance with Russia and his reckless purchases of new arms? Must we close our eyes to his announced goal to destroy Israel?

The answers to these questions are obvious. If Nasser is permitted free rein as in the past, a new crisis will develop—and for this we shall have to thank our State Department because it pursues a Middle East policy which does not measure up to reality. Some of our officials still talk about bringing Nasser back to the path of peace and righteousness, and reaching a satisfactory agreement with him. But I tell you that this man constitutes a serious threat to the Free World.

I wonder sometimes whether the State Department realizes the full gravity of this menace. When I see that Mr. Dulles is still aspiring to play the role of an impartial peacemaker in the Middle East, when I realize that the Eisenhower administration still refuses to take a firm and decisive stand regarding the Arab countries—then I must conclude that our Government is blind to the impudence and threats of a Nasser and his ilk. Unfortunately, Secretary Dulles continues to drift along in a state of immobility for fear he might provoke the Arabs. Instead of strength, we display weakness.

And this brings me to the United States-Saudi Arabian agreement, to which I referred earlier. The agreement which allows Saudi Arabia to keep American-Jewish military personnel out of our air base at Dhahran is an affront to Americans of all faiths. Originally concluded in 1951, this agreement was extended for another 5 years when King Saud visited Washington last February. It specifies that no persons objectionable to Saudi Arabia would be assigned there. In 1951 President Truman held that this was to be done only on an individual basis, rather than in terms of discriminating against a whole people.

It is quite clear that this is simply and solely discrimination against American Jews. I, for one, regret that it has been so codified with this interpretation under the Eisenhower administration. True, the State Department keeps assuring us it will continue its efforts to remove this discrimination, but if it could not be done before the agreement was signed it certainly will not be achieved now. The Saudi Arabian government continues to deny entry and transit privileges to Americans of the Jewish faith, and no American-Jewish soldiers are allowed at an American air base built and operated with the funds of American taxpayers. In fact, the Air Force Manual of the United States Government states specifically: "Individuals of Jewish faith or descent are strictly barred entrance or transit to Saudi Arabia."

This is absolutely base discrimination. As an American citizen, I resent it. As a naturalized citizen of this country, I wish to state with all the emphasis at my command that once an alien becomes an American citizen he should receive the same respect and treatment as any native-born citizen. I think it is the duty of our country to see to it that he is so respected by foreign countries, regardless of whether he was born a Jew, an Italian, a Negro, or a Chinaman. He should never be referred to in any other manner but as a citizen of the United States. Unless we protect these rights for our citizens, we are letting ourselves open to many abuses in the future.

In addition to our acceptance of Saudi Arabian discrimination against American citizens, there are also commercial repercussions which are closely related to it. Saudi Arabia, together with other Arab countries, boycotts American firms in which Jews have an interest. All American firms, which have contributed to the United Jewish Appeal or have agents or branches in Israel, are blacklisted. Ships which call at Israeli ports are blacklisted and forbidden to enter Arab ports. This is a boycott which is destined to hurt not only Israel, but the whole Middle East and in the long run also the United States. What are we doing to stop it?

Actually, there is no legal basis for challenging the agreement, which in itself is an executive arrangement. You will remember that about a year ago (July 26, 1956) the Senate passed a resolution, Senate Resolution 323, sponsored by Senator George, which stated that discriminations such as those practiced by Saudi Arabia are incon-

sistent with American principles. It went on to note that these discriminations were incompatible with friendly international relations and it called for every reasonable effort in our negotiations to maintain our democratic principles. The resolution was adopted only in the Senate, but never came before the House, hence it is not a law and therefore has no binding legal effect. A much stronger resolution was previously introduced by Senator Lehman of New York stating it was the sense of the Senate that certain actions were highly inappropriate in our foreign relations, but Lehman's resolution was sidetracked in favor of the George resolution.

There remains, however, a vital moral and political issue which has been expressed in terms of an old dilemma—that of posing political principle against the requirements of the national interest. There is the value of the airbase in a relatively secure area on Russia's southern flank—an area which is subject to severe Russian pressure. There is the oil flowing from the Arabian Peninsula, which is of great material and strategic importance to the Free World. Finally, there is the belief that Saudi Arabia can play a key role within the Arab world against Communist infiltration in that area.

The opponents of these policies set forth some practical arguments. They hold that Saudi Arabia gains a great measure of protection against the threat of communism from the existence of the base on her territory, and also from the $50 million military aid program from the United States. Saudi Arabia also derives a huge income from its oil, which runs into several hundred million dollars annually. Thus, there is no need for the United States to make further concessions to that country.

Finally there is the question of American foreign policy objectives as measured against the so-called spiritual position of Saudi Arabia in the Middle East. Our purposes, ironically enough, are pointed up in the Eisenhower-Saud communique: both parties avowed a determination to settle Middle Eastern problems under the U. N. Charter and to oppose the use of force from any source to settle disputes. They added that any aggression would be opposed by the principles and purposes of the U. N.

The American Government stands for political stability in the Middle East, which includes also the peaceful existence of Israel and the end of efforts, like those of Nasser, to master Arab nationalism for extremist purposes. Yet, despite this understanding with the United States, Saudi Arabia remains at war with Israel and, like the other Arab States, calls for Israel's eventual destruction. It seeks jet planes, larger and more tanks, and enough arms to double its present force of 15,000 men. I ask in all sincerity: For what purposes does Saudi Arabia need these arms? And I also ask of our own Government: In agreeing to permit Saudi Arabia to discriminate against our own citizens, how do we enhance our foreign policy objectives? Aren't we encouraging other nations to do the same and to pursue discriminatory practices against our people? Is this the way we uphold democratic principles?

Our failure to confront such discrimination and to deal with it properly feeds Arab-Israel tension by enabling Arab extremists to argue that they can get United States aid and protection against communism, and at the same time prepare themselves for war against Israel. Instead of acting to check the power of Nasser, who is leading the anti-Israel movement, we are actually fostering the conditions under which his power grows and sustains itself. This is the path to further flare-ups, like that of last year, and of permanent political instability. It does not really enhance our national interest. On the contrary, it jeopardizes our interests in the Middle East.

Address by Hon. Chapman Revercomb, of West Virginia, Before Disabled American Veterans

EXTENSION OF REMARKS
OF
HON. CHAPMAN REVERCOMB
OF WEST VIRGINIA
IN THE SENATE OF THE UNITED STATES
Monday, June 17, 1957

Mr. REVERCOMB. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address which I delivered yesterday before the Disabled American Veterans in their West Virginia State convention, at Charleston, W. Va.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I am happy to meet with you on the occasion of your 27th convention, for I count it a privilege to address those who have made such heroic sacrifices for their country, and who continue to labor in the interest of the Nation's security and the preservation of human liberty and freedom.

Certainly, no group of American citizens is more deeply conscious of the responsibility that rests upon the United States than those assembled here. That responsibility is thrust upon America because of our high concern for the preservation of the kind of life which has been our heritage and which you yourselves have defended so valiantly. Our security must be a primary concern as we seek in every way possible to avert open strife.

It is my conviction that our best assurance of preventing a catastrophic atomic war lies in a powerful defense force and real military alliances with friendly nations.

I need not remind you that nuclear weapons and the means of delivering them with fabulous speed over vast distances have produced a revolutionary change in our affairs. Never before has our country faced the potential danger that confronts us today and will continue to, so long as great atomic power is concentrated in the hands of a potential enemy bent on world domination.

Modern science of warfare, therefore, has left this country with but one alternative: To maintain sufficient military strength to deter aggression. Moreover, Communist aims have forced us to provide not only ourselves with strong defenses, but to extend our defense line beyond our borders into other lands.

I need not remind you that the United States is the only free Nation with sufficient strength to lead in prevention of enemy domination of the world. Therefore, we must make use of this strength to deter would-be aggressors from starting a war—a war that would inevitably involve this country and threaten the destruction of civilization, our own included.

It is my conviction that if the United States took any other course, we would see one friendly nation after another fall.

We cannot close our eyes to the fact that this threat exists today, and we know quite well that, left standing alone, this country, with all its power, resources, and industrial potential, would have an exhausting experience to try to remain a free nation for long.

Nearly every American is convinced, I believe, that the leaders of this country are dedicated to the task of achieving conditions in the world that will lead to peace. In his second inaugural address, the President said it is our firm purpose to build a peace with justice in a world where moral law prevails. I quote his words: "The building of such a peace is a bold and solemn purpose. To proclaim it is easy; to serve it will be hard; and to attain it, we must be aware of its full meaning and ready to pay its full price."

The price we are paying for today's uncertain peace is high. More than 60 percent of the Federal budget is for our protection. But the price of war is many times higher, not only in dollars but in a far more priceless possession—the lives of Americans. I say to you in all sincerity that we must not lessen our efforts at a time when the western world is growing stronger and the danger of war is receding.

Our defense dollars are being spent not only for our present protection but for insurance for the future. We must think of them as buying time—time to work toward easing the international tensions, time to establish a more certain and secure peace. As long as there is loose in the world a country or a power that would destroy us, we must remain geared to meet it with force, if need be. If we falter at this point, or lessen our efforts, we run a grave risk of losing everything we hold dear.

I do not like or prefer this policy which we now must pursue; but I do not like the world situation that has necessarily brought it forth. We do not like impending danger, but we cannot ignore prevailing facts. We must act with wisdom in the light of realities. Failure to do so would bring disaster.

Therefore, for the interest of our own security and self preservation, we must continue military alliances with friendly nations. We should, I believe, out of necessity, continue military aid to our allies. But the time has come when economic aid must be placed on a loan basis.

It is heartening to me, and I know it must be satisfying to you, to know that the Mutual Security Act now before Congress provides for a development loan fund for development assistance to those friendly nations in need of economic help.

I have urged time and again that economic aid, when necessary to other lands, be in the form of sound business loans—and it must come as heartening news to Americans throughout the length and breadth of this land to know that at last Congress is recognizing the fact that while we want security, we also have a regard for our own people, their property, and their money.

Direct military aid to allies will continue. But, loans to friendly nations requiring economic aid is far better than grants, handouts, or giveaways. This is far better for the American people, and it is far better for the people receiving such assistance. There is still contained in the bill direct gifts in some instances—but a new and wholesome step has at last been taken—and I hope to see soon all economic help abroad upon a secure and sound loan basis as we now provide for development operations in the present bill.

There is increasing evidence that, together with our present allies, we are growing stronger all the time and may soon reach the point where would-be aggressors will not dare risk war.

This is the whole aim of our foreign policy. As to defense measures, I believe it to be a sound one. It has kept this country out of a shooting war for more than 4 years. It has undoubtedly kept some of our allies from falling to communism.

As the anti-Communist alliance grows stronger, as the danger of war recedes, we all look forward to the time when the billions we are now spending for defense can be diverted to internal improvements in our own country, or turned back to the people in the form of tax relief.

I am convinced, however, that the best way to avert war is to maintain strong defenses

and firm military alliances until the present international tensions have eased and the threat of aggression has diminished. Any other course could well lead to our downfall.

Address by Hon. Estes Kefauver, of Tennessee, Prepared for Delivery Before Tennessee Bar Association

EXTENSION OF REMARKS
OF
HON. ESTES KEFAUVER
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES

Monday, June 17, 1957

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an address I had prepared for delivery before the Tennessee Bar Association at its meeting on last Friday. Because I was detained in the Senate so that I could vote on the mutual security bill, I could not be present to deliver it.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS PREPARED FOR DELIVERY BY ESTES KEFAUVER, DEMOCRAT, TENNESSEE, BEFORE THE BAR CONVENTION, CHATTANOOGA, TENN., JUNE 14, 1957

It is a great pleasure for me to meet today with the Bar Association of Tennessee. I have always liked to be among lawyers. When I was a very small boy my father owned the only hotel in the great city of Madisonville, Tenn. All the lawyers used to stay there, when there was a session of court, and I used to sit on the porch and listen to them spin their tales of courtroom lore. It was then that I decided to be a lawyer.

You have asked me to speak with you today on the subject of the importance of lawyers in Government. The degree and depth of that importance may be measured by a number of indications.

First of all, I want to point out that the majority of our Nation's founders were lawyers. With their unparalleled foresight, they planned and executed a civil bible for all Americans. Their work has well withstood the tests that time has applied. Lawyers, as a profession, meeting in the Constitutional Convention, were the leaders in the founding of our way of life. Lawyers, as a profession, are today trustees of the rights which their predecessors wrought.

The people look to you for leadership. Not only do they accept the fact that you supply the leadership, but they expect you to live up to the heritage first formulated by the men who founded our Nation. This entails more obligations than those of any other profession. You are a group set apart.

As proof of the continuing importance of lawyers in government during our modern day, I offer the evidence that today 60 percent of the Members of the Senate of the United States are lawyers. This should serve as a warning, as well as a compliment, to the profession. If the country is really going to the dogs, as some claim, then with this preponderance of lawyers in the Senate, the people will know where to place the blame.

They can blame the lawyers.

On the other hand, if you are essentially optimistic, as I am, then you must agree that a large part of the credit for whatever good is accomplished by our Government must go to the legal profession.

The burden of my few words with you here today is a plea for lawyers, both inside and outside the Government, to adopt the same principles that those early members of our profession held with regard to a free exchange and interchange of ideas. In my library at home I have a book which I frequently pick up in the evening and read a few passages from. It is Madison's Journal of the Constitutional Convention. It is impressive to note that among our Founding Fathers no idea was too hot to discuss rationally. I don't believe their work would have endured, as it has, if these predecessors of ours in the Constitutional Convention had been afraid of new ideas and free discussion of them. Running throughout the pages of this journal is the evidence of a devotion that is almost fierce to freedom of discussion and to the free search for ideas, and freedom of speech.

I fear that we have become much more timid as our Nation has progressed. On a Sunday afternoon not long ago, I took Nancy and the children on a drive to the home of one of these members of the Convention—Monticello. It is always an exciting thing for me to visit the home of this man who showed in everything he did a genius which is born only of intellectual curiosity. Whenever I step across the threshhold of Thomas Jefferson's home, I feel that here is a man in whose company I would have liked to spend a long evening before the fireplace. His consuming curiosity—about the law, about philosophy, about government, about the weather—showed that here lived one of the really vital men of any time.

Do you remember the words from Thomas Jefferson's first inaugural address—those wonderful words that expressed so well his devotion to the principles of liberty, even for those with whom he disagreed? At the time of Jefferson's first inaugural we were not far removed from the Revolutionary War. Many still lived in the then infant Republic who had sided with the British during that war. And we were a small Nation, just a handful of States, with the ocean to our faces and a vast wilderness to our backs—a small and weak Nation.

Yet Jefferson, unlike some men of little faith today, defended the good commonsense of allowing anyone to speak freely. He said:

"If there be any among us who would wish to dissolve this Union, or to change its republican form, let them stand undisturbed as monuments of the safety with which error of opinion may be tolerated where reason is left free to combat it."

Let us consider what Jefferson's words mean to us today in our relationship to the rest of the world, and especially to the Communist nations. In our relationship with communism the dangers of ignorance have reached a high point. There are some who believe most strongly that our way of life would be contaminated by contact with the Communist ideology. And so they objected to the appearance on a CBS program a couple of weeks ago of Mr. Khrushchev. In their view we Americans are so soft and undiscriminating that we are unable to distinguish what is good from what is bad for our Nation.

I say that this is an incredible view. I say we can talk with the Russians and also with the Chinese Communists without succumbing to evil or getting the worst of the bargain. Indeed, I see no alternative but to be aware of what is going on in the world. We need not fear facts. We need fear only ignorance of them or indifference to them. We must reaffirm our faith in the people of the United States and their ability to decide what is best for themselves.

Only yesterday I was talking with Senator LYNDON JOHNSON, the distinguished majority leader of the Senate. Senator JOHNSON made a speech last week in which he proposed, now that the way had been paved by Khrushchev's appearance, that the curtain be lifted further. He proposed that there be agreements for periodic broadcasts in both the Soviet and the United States, with Soviet leaders appearing on the American stations and American leaders having the opportunity in turn to visit Soviet homes through television.

We have nothing to fear from this," Senator JOHNSON said to me. "The only man who has anything to fear is Khrushchev."

That is true. We are not afraid for the facts of American life to be exposed to the Soviet or anyone else. We have nothing to hide. I was glad to note that Senator WILLIAM KNOWLAND, the Republican leader, endorsed this proposal, and that Secretary Dulles also had kind words to say about it.

On the other hand, the Secretary objects to American newspapermen going into Communist China to report for American newspapers. This is the very opposite of a properly informed policy. These American reporters will not be there as agents of this or any other Government. They would be there simply to report to you and to me what is going on in China. We have a right to know. The Chinese have said they may enter. We have said they may not. We need not be afraid to know the truth. We need be afraid only not to know the truth.

As Jefferson further said: "I know of no safe depository of the ultimate powers of society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education."

Education is the meaning of freedom under law. Informed public opinion, the greatest law enforcer of all, can come only from those who understand the problems we face. We must never forget that if we are able to give the people light, they will find their own way. Each day we are called upon to make our decisions. They cannot be honestly arrived at without deep thought and searching debate in the marketplace of ideas. And this thought and debate are made useful and informed through knowledge.

So it is with other areas of intellectual darkness. One of these is atomic power. With so many conflicting statements from the scientists, those who are supposed to know, it is difficult to be able to talk about this deadly weapon without becoming emotional. Yet it is a subject which requires the most careful and considered thought, not only among the higher echelons of technical opinion, but also down on the level of the little people, for they have as much to lose as anyone.

Yet fear and ignorance of the magnitude of such power have tried to force logical thought right out of our minds. We know so little about the dangers of fallout, and so little about the possibilities of creative peacetime applications of this enormous energy that we refuse to consider these problems as our own. But we must consider them our own, for that is what they are.

Part of this dangerous lack of information and the anxiety it breeds is due to the recent epidemic of secrecy which has found its way into our Government. Some of the operations of our Defense Department are necessarily conducted away from the public eye for obvious reasons.

But it is another matter when nonsensitive agencies adopt these same policies for no better reason than saving themselves possible embarrassment. In this category I would place much of the State Department's recent dealings in the Middle East. Some of you may recall the controversy growing out of the shipment of American tanks to Saudi Arabia, and the complete blank that Congress drew when it attempted to learn some details of the Eisenhower doctrine.

This habit has invaded the domestic affairs of our country as well. Any day in Washington you can find officials protecting

the people from information which might upset them.

One of these issues is public power. I have seen the stamp of secrecy under many different forms—executive privilege, secret trades, restricted reports. We went all through that in Dixon-Yates. We are going through it again in Hells Canyon. I sometimes wonder how we were able to find out as much as we have.

It is too easy to form an opinion grounded on personal bias, insufficient interest and slanted evidence. The most dangerous aspect of this is that opinions so formed are often more powerful than those based on careful inspection of the facts, impartiality, and truth. Some of these conflicts are so basic that the mere mention of the phrase which identifies them is enough to set off a chain reaction of reflexes. Try this test on the phrase "civil rights." You will get an emotional, not a rational, reaction. Minds on both sides have been closed, and are reluctant to open, even to hear the most logical and reasonable arguments.

Ignorance may be bliss, but bliss is not the aim of a progressive and intelligent people. We cannot think straight with insufficient knowledge, but the problems confronting us in a modern world require us to learn and keep learning. We must always seek the better solution, the newer method, the greater advance.

These principles are self-perpetuating. Knowledge breeds thought; thinking leads to the conception of new ideas; new ideas result in the search for more knowledge.

For my part, I cast my belief with that of Woodrow Wilson. He said that if you give the people the facts, then they will come up with the right answer. You lawyers have a great responsibility in seeing that this is done.

Lawyers are to truth what doctors are to health, and this is your province. You must lead the way in maintaining an open mind. You must provoke the search for facts. You must encourage full and free discussion. Applying the rules of law and evidence to everyday life, you can offer leadership by example.

Address of the Honorable Gracie Pfost, of Idaho, to the Graduating Class of the Marjorie Webster Junior College

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, June 17, 1957

Mrs. KELLY of New York. Mr. Speaker, it is not only a privilege but also an honor to insert into the CONGRESSIONAL RECORD the following address of the Honorable GRACIE PFOST, of Idaho, to the graduating class of Marjorie Webster Junior College.

In pointing out that this age affords greater possibilities of achievement than any time in history, Congresswoman PFOST urged the graduates to—

Reach for the stars. Dream the dreams of the great—for dreams do come true. Just remember that no goal is too ambitious for you to realize, if you will so direct your life that you squeeze the very most out of each talent and each skill that you possess.

I guarantee that GRACIE PFOST spoke from experience. As a Representative from an eastern State, my attention to the vast problems of the West was brought into a better focus by the dynamic presentation of the facts by the one and only GRACIE PFOST. Her reasoning power on the basic principles involved in the Hells Canyon controversy soon launched her as an authority on the subject and clearly pointed up the necessity for the full development of the people's natural resources. She, and she alone, made available to Congress the issues involved.

The need for this vast high dam in the West is agreed to. Her sincerity and her determination for its realization is her dream. In other words, to give the most benefits to the greatest number for the least cost.

Her advice to the graduates is one to which all of us as legislators should pay heed.

Following is Congresswoman PFOST's address:

SPEECH BY REPRESENTATIVE GRACIE PFOST, DEMOCRAT OF IDAHO, BEFORE MARJORIE WEBSTER JUNIOR COLLEGE, AT GRADUATION EXERCISES, MAY 27, 1957

Dr. Webster, graduates, your parents, and friends, it is thrilling for me to stand here and face a group of young women who are about to go out into the world and fashion for yourselves a place in history. You have almost your whole life ahead of you—and you can make of it what you will.

In the next few years you will be taking the turns and making the decisions that will chart your course. Those of us who are older have already taken most of those turns and made most of those decisions—and few of us will ever have the opportunity to go out again into fresh fields and prove ourselves. Our courses are already set. But you have ahead of you—all of the splendor and satisfaction of making your way upward.

The most important advice I can give you today is—reach for the stars. Dream the dreams of the great—for dreams do come true. Just remember that no goal is too ambitious for you to realize if you will so direct your life that you squeeze the very most out of each talent and each skill that you possess.

You have been privileged in this school, to receive thorough training in the special fields in which you have native abilities and outstanding bents. You have achieved your education in the finest and freest society the world has ever known. You constitute a fragment of a generation of Americans that is without a doubt the most envied and the most immediately useful in all of the history of our country.

I sometimes wonder if we in our time fully realize the glory and grandeur of this era. America is at the peak of her eminence. We have emerged from two great wars with victory for the principles by which we live. Our cost in manpower and money has been great—but not nearly so great as the agony of those people whose country was a battlefield. And we can be deeply grateful that as we meet here, the free world is still the dominant force on our tight little globe.

It is across this threshold that you, the graduates of the Marjorie Webster Junior College, are entering the world of business, the world of ambition, the world of achievement.

I personally, could not wish to have been born in another world—either as a person or as a woman. The status of women in this country is incomparably beyond anything since the beginning of time. There is even now, within a half day's flight from this hall, a number of nations where women are little more than chattels or beasts of burden. Their value is so low that men with several wives cannot even be bothered to add up the number of their daughters. Girls there, just do not count. My friends, whole ages stand between the freedom you possess, and the bondage of many of the other women in the world.

I repeat—no generation of American women have been as welcome and as royally saluted as the generation of which you—being college-bred—are perhaps the choicest segment.

It was only a brief time ago that giving women a college education was regarded as a profound social mistake. And it was only a brief time ago that women in industry or in business—and especially women in politics were looked upon as a little queer—or to say the least, unrefined.

The 19th amendment to the Constitution of the United States was only presented to the legislatures of the several States by the 65th Congress, and was finally adopted as recently as 1920. And, even then, the State of Maryland, in which many of you girls live—was one of the States that rejected that amendment. Alabama and Virginia were the other two. Had a sufficient number of other States followed their example, we women might not have had the vote even today.

You can be grateful that you girls who are going out into commerce and industry today, go with much of the struggle for women's freedom behind you. We still haven't broken down all of the barriers—and we still have to work harder than men to make a success in any field we may choose, but every day we see greater evidence of a vast fusion of men's and women's efforts on an enormous coindustrial, copolitical, and coartistic scale.

Watch the crawl on a big television show and see how many women have been involved in a top capacity—in the writing, direction, choreography, or in the acting and singing. Look at the women who own their own businesses from jam kitchens to restaurant chains, from shoe factories to beauty parlors. There are women stockbrokers, women real-estate brokers—which was my field before coming to the Congress—there are women judges and lawyers, painters and sculptors, women educators like your own Dr. Webster, and there are women in public office. And the horizons are widening every day.

Today, womanpower is a potential and an indispensable ingredient in our economy. Nine out of every ten women will at some point in their careers hold down one job or another. The average schoolgirl of today may well spend fully a quarter of a century in some job or profession. Five million young women will join the labor force in the next decade. Today, 3 married women out of 10 are working—and 2 out of 5 of them have school-age children.

Fortunately, our economy is expanding—creating millions of new jobs. There is more executive work, more clerical work, and more on-the-line production to be done in this country than ever before.

Well—the question is—where do you fit in? I can only say to you again—dreams really do come true.

Decide what you want to be, and don't hesitate about reaching for the top. You can never tell when you may meet someone who can give you the advice and the help to get there.

This was brought home forcibly to me just the other night. I was in a group which included several young people and some members of both the House and the Senate. Someone asked one of the young men, who is serving as a Capitol Hill policeman during the day, and studying at night for his master's degree in political science, what he wanted to do with his life. Without any hesitation, he said:

"I want to be a United States Senator."

There was a slight pause. I thought someone might feel he was brash—then one

of the Senators spoke up and said: "That's swell. Let me suggest to you how to get there. As soon as you finish school, go back to your own State and become active in civic affairs—try to be of service to the people. After you are well known, run for the State legislature and get some legislative experience. Then, after you have proven yourself on the State level, strike out for a national office."

I know this young man well. He is intelligent and ambitious. No work is too hard for him, and no hours too long. He never worries whether other people are pulling their full load—nor is he concerned about doing more than his share of the work. He outproduces and outworks almost everybody around him, and does every job well. I expect some day to hear great things from him—for he is one person who will truly take from life what he wants.

Most people who have achieved success have started from the bottom and worked their way up. Senator MARGARET CHASE SMITH, rated by the Gallup poll as the fourth most admired woman in the world, was once a telephone switchboard operator.

Sally Victor, experimenting with 30 cents worth of braid, created her first hat while she was still in high school, and promptly became the family milliner. She took a summer job as stock girl at Macy's—and in 4 short weeks was head stock girl. She went from assistant millinery buyer to head buyer, and on to designer in the space of a few short years. Today she designs hats for famous and well-dressed people the world over—including the President's wife, Mamie Eisenhower.

Dorothy Shaver, who is president of Lord and Taylor—and today it is a $30 million corporation—started out as a comparative shopper for the store. Working in both the merchandising and fashion fields, she rose steadily in responsibility. Her dream turned a rather dowdy store into one of New York's most glamorous and modern department stores.

Another example is Elsie Murphy, who rose from saleswoman to president of S. Strook & Co., in New York. Now after having carried the store to a new peak, she has enough free time to spend many hours happily with her grandchildren.

And there's Helena Rubenstein, who has netted more than $25 million in her career as a cosmetician—which began in 1902 in a one-room shop in Melbourne, Australia.

Mrs. Margaret Rudkin, the president of Pepperidge Farm, Inc., in 1937 started her business career to supplement the family income so that her 3 children could have greater advantages. Her company now has bakeries in 3 States, and her gross income is estimated at $5 million a year.

Time won't permit me to tell you the success stories of many other modern American women. Some of them are truly fabulous. The number of women who are managers, officials or proprietors in some field of business or industry has more than doubled since 1940. Within that time there has also been a 50 percent gain in the number of business and professional women. It is estimated there are about 3½ million women in professional, technical and managerial work today, including teachers, nurses, accountants, editors, reporters, lawyers, judges, physicians, surgeons and architects.

And now the question is, "What special qualities take women to the top?" Energy and confidence are certainly two of them. Pleasure in achievement is undoubtedly a third. I think successful women must also have a sensitivity to people, and a flair for moving with a situation. If one method or approach is unrewarding, then another must be tried.

But most important of all, a successful woman must have an unshakable determination to be successful. She must not let setbacks and disappointments sway her from her charted course.

At the risk of being personal, I will say frankly to you that I would not be in Congress today if I had not been more persistent than a hound dog worrying a bone.

The first public office I aspired to was county treasurer. The first time I ran I was defeated by 1,500 votes. I had to wait 4 long years before I could try again.

During those years I continued in my position as deputy county clerk, auditor, and recorder—and I took advantage of every opportunity that presented itself to give service to the people. I worked hours and hours of overtime—trying to do the best possible job I could. The second time I ran, I was elected, and I was reelected 4 more times.

During my courthouse career I was also a member of a number of women's organizations such as the Business and Professional Women, and the Soroptimists. We talked constantly about the importance of advancing women in policymaking posts. Congress was one of the stars to which we had hitched our wagon.

But although Idaho women seemed willing to run for various county jobs, and for the State legislature, and other State offices, before I came along, only one Idaho woman had ever had the courage to try for Congress and she lost. There had been a hesitancy on the part of women to get out and to do the hard work and to take the hard knocks and to spend the money necessary to be elected. I finally decided to practice what we had been preaching.

So in 1950 I ran for Congress, and to make a long story short, I was defeated by a mere handful of votes. Though that was a heartbreaking experience, it was also a very valuable one. I learned a lot, and I made many, many friends.

Then, along in the spring of 1952, my husband, Jack, said to me one morning:

"GRACIE, you sowed a lot of grain 2 years ago. Are you going to let it go to waste, or are you going to get out this fall and harvest it?"

I hesitated only momentarily before I decided: I'd try again.

In my 1952 campaign I traveled over 20,000 miles. I started in April and didn't stop until the polls had closed on election day. My husband and I stayed in every type of accommodation—from good hotels and motels to pitching our tent out under the stars in the little ghost mining town of Dixie. Near the end of the campaign there were 5 nights when I did not go to bed at all, and many nights when I had only 2 or 3 hours' sleep. My campaign took my husband and me into logging camps where we ate with the men in the mess halls—to mining dumps where I handed out my campaign cards to grimy muckers who had finished a day's toil underground.

Somewhere along the line I picked up the 591 votes that made me the victor.

A major factor in my election was the support of many other women. In fact it was the endorsement of the Caldwell Business and Professional Women's Club that gave me the courage to run in the first place. I am hopeful that as the years go by more women will aspire to higher jobs—and that other women will support their endeavor.

I honestly believe that we women as a whole have more patience and tenacity than men, and that this is one of our greatest assets. We frequently overcome great odds and obstacles to achieve our goal.

An example is Miss Ann Pamela Cunningham, a South Carolina invalid, whose efforts a century ago saved us one of our greatest national shrines—Mount Vernon.

The walls were crumbling and the roof sagging when, in 1853, John Augustine Washington, George Washington's great-grand nephew who was then living at Mount Vernon offered to sell the estate to the Federal Government or to Maryland. Neither was interested.

From her invalid's couch in South Carolina, Miss Cunningham directed a campaign to raise $200,000 to buy Mount Vernon. The public was hard to arouse, and by the time the money was raised, John Washington had decided not to sell.

Miss Cunningham made her painful way north to induce him to change his mind. She had no luck. She was carried back to the Mount Vernon wharf, only to find the steamer had left. In the long interval before the next steamer, she finally induced Mr. Washington to sell.

The more than a million people who visit Mount Vernon each year owe a great debt of gratitude to the lionhearted lady who dreamed of making the crumbling house on the Potomac a national shrine—and did so.

You girls graduating in this year of 1957 have an even greater opportunity to achieve success and to give service to others, than the women whose careers I have touched on today. You are moving into a distinctly modern world, citizens of the greatest Nation on earth, equipped by your fine training to reap the fullest rewards that life can offer in our time.

Girls, the thought I wish to leave with you is that the promise for the youth of today is limitless.

The most important single fact of your generation is the emergence of the United States on the world scene as the greatest Nation of all time. We are now committed in practically every part of the earth to keep the free world safe and to avert world war III. Had the United States been committed to intervene in full strength from the first moment of World War I and II, the First World War, and certainly the Second World War might never have happened.

This theory is now under the acid test. It has worked successfully up to this hour.

Basic to world peace is our country's economic strength.

Our gross national product is expected to reach $473 billion in 1957. Compare this with our national income of $677 million back in 1799 when our Nation was young. Our Federal budget alone—that is to say the cost of our National Government alone—is over 100 times what the Nation's total income was just 166 years ago.

It is said there are no longer any frontiers to conquer. It is true, to be sure, that the covered wagon is gone. It is true that despite uranium prospecting, we will probably not again have a repetition of the gold rush of 1849. The days of Lewis and Clark, the Louisiana Purchase, and the annexation of Texas may never again be duplicated. But to deduce from this that all the frontiers have been crossed and there are no new worlds to conquer is to the blind to some of the most fabulously exciting opportunities of all time.

Atomic energy has revolutionalized the status of civilization.

Air travel is turning the whole world into a provincial town.

Medicine is giving new outposts to life itself.

Science is bringing areas of the universe almost as close to the earth as America was to Europe in the 15th century.

The present frontiers open vistas far more exciting than the gold rush, or the purchase of Alaska. The possibilities are so enormous they paralyze the imagination.

We speak of interstellar space with more familiarity today than mapmakers spoke of the great intercontinental oceans in Columbus' time.

We are even dispatching manmade satellites to discover for us the mysteries of outer space. Scientists speak of travel to the moon as a reality probably within the experience of you young people in this room.

Prejudice in all areas—including business and professional discrimination against women—is being eliminated.

This, girls, is your inheritance. I cannot imagine any period in our history when the prospect for the graduate was more promising. You are going out into the world in an epoch in history that presents limitless opportunities for you as an individual.

Secretary Benson Exposes Half-Truths About Agriculture

EXTENSION OF REMARKS
OF
HON. WALTER H. JUDD
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, June 17, 1957

Mr. JUDD. Mr. Speaker, under leave to extend my remarks I include the following address by Secretary of Agriculture Ezra Taft Benson before the Minnesota Bankers Association meeting in St. Paul, Minn., on June 12. Perhaps no major problem has been subjected to as many half-truths during recent years as occurred with respect to the farm problem. Secretary Benson, in his speech to the Minnesota Bankers Association, clearly and effectively and in his characteristically straightforward way has told the whole truth about a number of these half-truths. There are enough difficulties in this field even when only the facts—all of them—are considered. It is essential to eliminate these difficulties and differences which are based on beliefs or charges that are not in accord with the facts. Secretary Benson's address contributes greatly to making clear the real facts.

The address follows:

ADDRESS BY SECRETARY OF AGRICULTURE EZRA TAFT BENSON BEFORE THE MINNESOTA BANKERS ASSOCIATION, JUNE 12, 1957

This is a great pleasure, a signal honor, and a challenging responsibility. I welcome the opportunity to meet with you and share my thoughts regarding the agricultural problems of this great State and this favored Nation.

One might wonder what a Secretary of Agriculture would have to say to a group of bankers. At first thought, our respective fields might appear remote from one another.

Yet the Secretary of Agriculture must be concerned with financial matters. Our Commodity Credit Corporation is the second largest corporation in the world, exceeded only by the Federal Reserve Bank of New York. We now hold loans on farm commodities totaling $2.3 billion, and we own $5.5 billion worth of commodities taken over through nonrecourse loans. We hold about $3.7 billion worth of loans made to farmers for financing the purchase of real estate, for production credit, for building farm storage, for supplying electricity and telephones, for construction of facilities to conserve soil and water resources, and for various other purposes. This $3.7 billion does not include loans of the Farm Credit Administration, which was made an independent agency in 1953 in accordance with the recommendation of this administration.

So, along with you, I am concerned with interest rates, terms of repayment, and other financial matters.

I am also concerned about Government competition with private business. I believe that Government should not be in competition with its own taxpaying citizens. I believe we should leave to private enterprise those things which private enterprise is able and willing to do.

You, on your part, must be interested in agriculture. You have an outstanding record in staying with your farmer borrowers in spite of drought and other economic reversals. You are in a key position to counsel with farmers on important business decisions.

The financial needs of our farm people are great indeed. Farmers require extensive financial services. They have borrowed almost ten billion dollars, secured by real estate, and they have borrowed another $8 billion of short-term credit of one kind or another. Private sources supply the bulk of farmer borrowings; it will be my unfailing purpose to keep it so.

Not only must our farmers be financed; the many industries which serve agriculture have their special credit needs. Implement factories, petroleum refineries, fertilizer plants, feed mills, facilities for processing, storing, transporting, refrigerating, and merchandising farm products, these all require financing. The food business, in its many phases, is the largest single business in the country. It takes 25 percent of the consumer's dollar. It takes a goodly share of your services. We do indeed have a community of interest.

Because the farm and financial community are interdependent, they should understand one another. Certainly the financial services which you provide are not always well understood by farm people; I am likewise sure that the problems of our farm people are not clear to all of you. The air is filled with statements, denials, allegations, and half-truths regarding your field and mine. The problem is to distinguish between the truths, the half-truths, and the untruths.

You could easily prepare a list of half-truths about the banking fraternity; ideas that are somehow plausible, yet take undue liberty with the facts.

One half-truth that comes to mind is the belief, widely held by farm people, that bankers work only from 10 o'clock in the morning until 3 in the afternoon. Some people don't stop to think that there is work to do after the cashier's cage is closed.

Another popular misconception is that the banker hopes the borrower will be unable to repay his loan so that the banker can take over the collateral.

Statements which are totally false cannot long survive.

Statements that are wholly true may be resisted for a time, but the truth must ultimately triumph.

The troublesome statement is the half-truth, which has some visible basis in fact, the statement which has enough truth to make it plausible and enough untruth to make it dangerous. Such a statement can be used by the uninformed or the unscrupulous to convey an entirely erroneous impression.

I should like to enumerate nine widely-held ideas about agriculture. All of them can be made to sound more or less plausible, but they contain only a fragment of truth. All of them stand in the way of sound solutions to farm problems.

The first half-truth is that there is a single farm problem or a single solution.

How we long for simple explanations and simple remedies.

How easy the answers become when we oversimplify the problem.

Shall we say the farm problem is the level of price supports for the basic commodities? This ignores most of the problems in agriculture; only 12 percent of Minnesota's farm income is from the basic commodities. It ignores the hardships resulting from drought, flood, frost, and other natural causes. It ignores the true cause of low income, namely the fact that many farms are too small and lack sufficient resources.

There are many problems, not one. And for each problem there are many potential remedies, not just one. Most of these remedies are in the hands of individual farmers and their organizations. Better farming methods, improved marketing, power production costs, better choice of enterprises, these are solutions which may lack political appeal, but they are effective.

Beware the man who paints agriculture as having one problem and one solution.

Another half-truth is that agricultural production can be controlled with acreage allotments.

Acreage controls can, to a degree, restrict the output of a particular crop. But controls have little effect on total production.

When a farmer is restricted on the acreage of a particular crop he picks his best land, fertilizes heavily, uses modern methods, and increases the yield per acre. And he uses the acres taken out of one crop for the production of other crops.

It might be possible to work out regulations which would be stiff enough really to control production. But the evidence of 25 years is that farmers do not want them. The Congress will not enact them and even if they were enacted it would be difficult to enforce them.

You read in the papers, occasionally, that farmers have voted production controls on themselves as a means of getting a particular level of price support. What you do not read is that these controls have been watered down by law to such a point that they don't control production. A whole battery of fudge factors has been introduced; permission to plant on acres diverted from the basic crops, minimum national allotments, minimum individual allotments, legislative action to boost allotments or keep them from falling, and control on the basis of harvested rather than planted acres.

The number of acres of wheat actually needed, according to formula, to bring supplies into line this year was only about 12 million. Yet the number of acres offered to farmers in the referendum, by law, was 55 million, 4½ times as great.

The alternative to a vote favoring quotas has been made unattractive by law. Instead of offering reasonable alternatives, the choice offered is between quotas and virtually no program at all.

Farmers have voted favorably on acreage allotments and marketing quotas, but such a vote cannot be correctly interpreted as indicating that farmers favor controls which will actually control.

It is clear that we have no other choice than to live with abundance. Experience indicates that we cannot effectively legislate scarcity. Nor should we want to do so. Abundance is a blessing if our programs are sound.

A third belief, embracing only a fragment of truth, is that farm prices, over the long pull, can be made in Washington.

When a farmer sells wheat or soybeans or hogs he is paid a price. Why that price? Why not a higher price? He needs an answer that he can understand, and there are plenty of people ready to supply it.

What answer is easier to accept than that farm prices are made in Washington? If farm prices are rising, the ins will be supporting this view and the outs will be denying it. If farm prices are falling, the reverse will be true. So the issue always has a considerable number of people who will keep it alive. To those who must have a simple explanation for prices, this is both the simplest and the most readily available.

Are farm prices really made in Washington? Certainly for a crop like corn, the level of price support set in accordance with law has an important influence, at least in the short run. But if the price is set too far

from where the buyers and sellers themselves would set it, the forces of the market will ultimately reassert themselves.

The belief that farm prices are made, or should be made or could be made in Washington is particularly dangerous because it leads to pressures for unworkable programs, the final results of which are harmful to farmers.

A fourth half-truth is that farm prosperity depends directly on farm prices.

I want to see farm prices as high as we can have them, consistent with retaining and expanding our markets.

My concern, and the farmers' concern, is more with net farm income than with price per unit. It is income that farmers spend, not price. Income is the result of production times price per unit minus costs.

Certain of our farm products have been supported continually and substantially above the levels that would prevail if producers and consumers were free to bargain together. It is my belief that lower prices for a number of these crops would have the long-run effect of expanding markets and increasing net farm incomes. Markets would be regained. Production could be increased. Production costs per unit would be decreased. And farm people would be better off.

For other commodities, or with other market conditions, prices could and should go up. We have raised price support levels, on occasions when we thought it would be helpful to do so, above the minimum levels specified in the law and above the levels of previous years.

I think our price structure in agriculture should have flexibility in it, flexibility to go up or down in accordance with market conditions.

Another half-truth is that farmers alone are exposed to the competitive system, while everyone else is protected from it.

It is true that, compared with certain other groups, farmers occupy an exposed economic position and lack bargaining power.

Much has been attempted, through Government programs of one kind or another, to provide more economic security for farm people. The net realized cost last year of Federal programs primarily to support farm prices and farm income was $1.9 billion, a sum equal to 16 percent of our net farm income. This year the cost will be much larger. Costs are high because we are now picking up the tab for losses experienced in moving commodities accumulated in earlier years.

Nonfarm enterprises do not completely escape competitive forces. Only about three-fourths of the wholesale trade firms survive their first full year of operation; only about 30 percent survive more than 10 years. Only about three-fifths of the retail trade firms survive their first year and only about one-sixth reach the age of 10 years. Labor has a minimum wage, it is true, but no job is assured at that minimum wage. And the guaranteed minimum is only about 50 percent as high as the average hourly earnings of factory workers. This is something like a support price at 50 percent of the market level.

One of the most important components of economic security is the opportunity to change freely from one enterprise to another. Fortunately this opportunity continues for all groups with fewer impediments in this country than in any other country in the world.

The economic hazards of our farm people constitute a serious problem. These can be at least partly counteracted by farmer cooperatives, sound agricultural legislation, improved farming methods, and sound fiscal and monetary policy. They cannot be remedied by invidious and erroneous comparisons.

The sixth half-truth on my list is this: That price supports protect the small farm operator.

Suppose a farmer has only a few cows and a few acres of land, with total sales of less than $1,000 a year. There are a million and a half such farm families in the United States. How much will it help a farmer like that to have higher price supports? His problem is volume; not price; 200 percent of parity wouldn't give him a decent level of living.

Most of the dollars put out to support farm prices go to the large producers. Here, crop by crop, for a recent year, are the percentages of the total loan funds going to the 1 percent of the borrowers who took out the largest loans:

Barley, 24 percent of the dollars to 1 percent of the borrowers.

Wheat, 12 percent of the dollars to 1 percent of the borrowers.

Oats, 11 percent of the dollars to 1 percent of the borrowers.

Grain sorghums, 11 percent of the dollars to 1 percent of the borrowers.

Soybeans, 8 percent of the dollars to 1 percent of the borrowers.

Flaxseed, 8 percent of the dollars to 1 percent of the borrowers.

Corn, 6 percent of the dollars to 1 percent of the borrowers.

Some loans to a single producer have run as high as a million dollars in a single year.

For every dollar that goes to a small-farm operator, many dollars go to the large unit.

A seventh fractional truth is that farmers increase production when prices fall, in order to maintain income.

There are some farmers, with few alternative opportunities, who operate in this manner. Most of them do not.

Why have hogs recently risen above $19.00 per hundred pounds? Because the low prices of a year and a half ago caused farmers to reduce farrowings. If we had supported hog prices then, as some people wanted us to, we would now have heavy supplies and low prices instead of a good market.

Why are hatchings of replacement chicks running 21 percent below a year ago? Because of low egg prices this past winter.

There is no competent research that I know of which supports the belief that farmers in the aggregate increase production when prices fall, other things being equal. On the contrary, a large number of scientists have affirmed the fact that a high price generally stimulates production and a low price either reduces output or retards expansion.

If farmers increase production when prices fall, then the Congress should have lowered price supports during the war, when added production was needed. Instead, supports were raised, indicating that the Congress, by its deeds if not its words, recognizes the true nature of the relationship.

The belief that farmers increase production when prices fall is little more than a rationale for high price supports.

No matter what the diagnosis is, the practical prescription is the same:

Is there a general depression? Raise price supports.

Is there inflation? Raise price supports.

Do we need more production? Raise price supports.

Do we need less production? Raise price supports.

Farm problems need better diagnosis and better prescription than that.

The eighth on this list of misconceptions is the belief that the family farm is on the way out.

The family farm is undergoing changes, but it is not on the way out. It has had to change in order to survive. It is becoming larger, it requires more skills, it takes more capital. But still, as has always been the case in America, most of our farm production comes from farms on which the capital, the labor, and the management are supplied primarily by the farmer and his family.

The percentage of our agricultural production which is turned out by family-sized farms has not changed appreciably in the last 15 years.

Three-fourths of our farms are operated by those who own them.

Two out of three farms have no mortgage debt.

The family farm has withstood inflation, depression, war, drought, and other disasters. It is withstanding the impact of a technological revolution. It will outlast the pessimists who predict its extinction.

The men who laid the foundations for our agriculture had faith in the family farm, not only as a good place to raise crops and livestock but as a good place to raise American citizens. Their judgment has been thoroughly vindicated.

The family farm has great adaptability and staying power so long as management is kept free to make needed adjustments. To freeze the family farm into a rigid, preconceived pattern would be the quickest way to weaken it.

A ninth and final item on this list is a complete untruth and one that especially arouses my ire. It is the suggestion that farmers are just a lot of goldbrickers who want Government handouts.

Anyone who makes such a statement simply does not know farm people and does not know farm problems.

Farmers have genuine problems. They are on a cost-price squeeze. They are adjusting from wartime to peacetime markets. They feel the impact of a technological revolution. They are subject to great natural hazards. Their markets suffer from huge surpluses due at least in part to programs of the past. To say that they have no real problems is outright folly.

Farm people need the sympathetic help of their Government, something they have not always had. A loose purse string is not the answer. The need is for solid facts and an understanding heart.

A great majority of our farm people want no special favors. In the race they must run they want only a fair place at the starting line. Sometimes they are overrepresented, to their disadvantage, by well-meaning self-appointed spokesmen.

These nine half truths were the foundation for some of the farm programs of the past. On this shaky base was erected a great superstructure of production controls and price supports, with rigid formulas and detailed schedules.

The superstructure is now beginning to sag and creak at the joints. Increasingly, farm people are becoming convinced that some changes need to be made. The architects are assembling to draw up new plans.

My plea is that we not just consider patching up the superstructure, but that we take a good look at the foundation itself. If we simply patch up the building without fixing the foundation, we can be sure that before long we're in for trouble again.

I know no better foundation than one which will support an agriculture which is prosperous, expanding, and free.

We have been moving in that direction. The Agricultural Act of 1954 was an important first step. It reestablished the essential principle of price flexibility. The Agricultural Act of 1956 defended the ground gained in 1954 and in addition provided useful tools for dealing directly with surplus problems.

Now we are ready for another step. We should move away from formulas in the old basic law which require that price supports be raised as soon as surpluses are moved. If we do not, the stage will be set for surplus

number 2 as soon as we dispose of surplus number 1. We should move toward more freedom of decisionmaking on the part of the individual farmer. I so indicated in recent letters to Senator ELLENDER and Congressman COOLEY, chairmen of the Agricultural Committees of the Senate and the House of Representatives.

There is much that is good in our present farm laws. What is good should be saved. What is not good should be changed. I do not propose to eliminate price supports. We have programs that are working well; examples are the programs for soybeans, oats, rye, barley, and grain sorghum. These successful programs can be a pattern for the programs that are now causing difficulty.

Years from now, the historian will write the history of the present day. What will he write? That the winning of abundance resulted in the loss of freedom? That this generation had so little faith in its free institutions that it surrendered them without firing a shot?

Or will he write that these free institutions were put to the test, that they survived, intact and strengthened, ready to serve as an inspiration to liberty-loving people everywhere? This is what he must write. This is what he will write, if we are equal to the opportunity which confronts us.

May God grant us wisdom, faith, patience and courage to see the opportunities which lie beyond our problems. May we willingly accept the responsibility which will forever be the counterpart of freedom.

SENATE

TUESDAY, JUNE 18, 1957

The Senate met in executive session.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Eternal Spirit, who hast appointed our portion of labor, we pause in the midst of this day's duties to acknowledge that we are not our own; it is Thy lordship over life which we would keep vividly before our eyes, lest we be confounded by the world's confusion and become mired in the devices and desires of motives which are essentially selfish.

Help us to work while it is called day, knowing that the night cometh when our work is done. We beseech Thee, help us to use the precious hours of every day in such manner that Thou canst hallow them with Thy blessing and glorify them with Thy presence. Keep our expectant eyes on the dawning future toward which we strive. Give us the radiant joy which is the constant reward of those who are workers together with Thee for a redeemed earth to which Thy kingdom of brotherhood at last shall come. Amen.

THE JOURNAL

Mr. JOHNSON of Texas. Mr. President, as in legislative session, I ask unanimous consent that the Journal of the proceedings of the previous day, June 17, 1957, be approved without reading.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

By unanimous consent, the following favorable report of nominations was submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Franklin R. Gossett, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey.

NOMINATIONS

Mr. JOHNSON of Texas. Mr. President, I ask that the Senate proceed to the consideration of the nominations on the Executive Calendar.

The VICE PRESIDENT. The nominations on the calendar will be stated.

FEDERAL HOME LOAN BANK BOARD

The Chief Clerk read the nomination of Albert James Robertson, of Iowa, to be a member of the Federal Home Loan Bank Board for a term of 4 years expiring June 30, 1961.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DEPARTMENT OF STATE

The Chief Clerk read the nomination of Roy Richard Rubottom, Jr., of Texas, to be an Assistant Secretary of State.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The Chief Clerk read the nomination of Darrell O. Holmes, of Washington, to be United States marshal for the eastern district of Washington for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, inasmuch as the Senate convened in executive session, I ask unanimous consent that Senators, upon unanimous consent, may introduce bills for reference, file reports, and make statements, which shall be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

IMPORTANCE OF MULTIPURPOSE DAMS AND RESERVOIRS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may proceed to make a statement for 3 minutes.

The VICE PRESIDENT. Without objection, the Senator from Texas may proceed.

Mr. JOHNSON of Texas. Mr. President, in my State of Texas, 8 years of continuous drought have been followed by 10 weeks of devastating floods.

At the middle of April, 9 multipurpose reservoirs on the Trinity, Brazos, Neches, and Colorado Rivers impounded only 800,000 acre-feet of water. By the end of May, the same reservoirs held back more than 5 million acre-feet of water; and there have been additional heavy rains in some areas since the end of May.

Terrific damage has resulted from these spring floods in Texas. Homes have been swept away. Business properties have been ruined. Human lives have been lost.

Agricultural damage from the floods has been set at $27.3 million. In all, the damage done by floodwaters that existing dams could not control is estimated by the Corps of Army Engineers at $69.7 million.

Mr. President, that is a brief accounting of the damage done.

What about the damage prevented—prevented by the kind of flood-control and water-conservation projects for which we shall be called upon shortly to vote appropriations?

Except for projects of this kind that already have been constructed in Texas, flood damage in the State would have been $106.3 million greater than it actually was.

If money had not been spent wisely—invested soundly—for these projects, our flood damage in Texas so far this year would have amounted to $176 million, instead of $69.7 million.

What have these projects cost? Mr. President, the total cost of the structures that saved the $106.3 million was $121.4 million. They almost paid for themselves in a single flood season. When past benefits are taken into account—such benefits as water supply and the generation of power and the prevention of flood damage in other years—we see that the projects have much more than paid for themselves.

Every benefit we gain from them in the future will be clear profit—a healthy return on a wise investment.

We could have prevented even more damage in Texas this year. We could have made even greater savings. If flood-control projects authorized by the Congress, but not yet constructed, had been in existence, the engineers tell us flood damage would have been $37.8 million less than it actually was.

For the want of a dam, these millions of dollars were lost.

For the want of a dam, the lives of human beings were lost.

I know that Senators coming from other States subject to periodic floods can describe situations similar to those that exist in Texas. In those States, as in Texas, damage is suffered that could have been averted; lives are lost that could have been saved.

Mr. President, the Congress must have the vision, the determination, and the drive to go forward with a vast network of flood-control and water-conservation projects.

Delay has proved terribly costly. Further delay will add to the cost.

COMMITTEE MEETING DURING SENATE SESSION

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be authorized to meet for a short period of time, beginning at 2:30 o'clock this afternoon, on two or three important matters.

The VICE PRESIDENT. Without objection, it is so ordered.

IMPLEMENTATION OF HOOVER COMMISSION RECOMMENDATIONS—COMMUNICATION FROM THE PRESIDENT

The VICE PRESIDENT laid before the Senate the following communication from the President of the United States, relating to the status of certain pending legislative measures to implement Hoover Commission recommendations which have the support of the administration which, with the accompanying paper, was referred to the Committee on Government Operations:

THE WHITE HOUSE,
Washington, June 17, 1957.

The Honorable RICHARD M. NIXON,
President of the Senate, Washington, D. C.

DEAR MR. PRESIDENT: On April 18, 1957, in commenting on House Resolution 190 which asked me to provide the House of Representatives with suggested ways in which the 1958 budget could be reduced, I indicated that there were a number of bills pending before the Congress which would implement various Hoover Commission recommendations for which legislative action is required.

Subsequently I have received an up-to-date report from my special assistant, Mr. Meyer Kestnbaum, outlining progress in implementing the Hoover Commission recommendations. Much of the action needed for further implementation of specific recommendations requires no additional legislative approval. However, some of the remaining outstanding recommendations of the Hoover Commission will require Congressional action.

I am aware of the fact that the Congress already has enacted a number of bills which provide for implementation of Hoover Commission recommendations. I realize also that a large number of bills to implement other recommendations are before this session of the Congress. In order to assist in the consideration of such measures in this session, I am listing herewith a series of such bills on which this administration has favorably reported, including those to which the administration would attach top priority.

Specifically, in order that we may have final Congressional action at this session of the Congress I would urge that priority be given to bills implementing the following Hoover Commission recommendations:

1. Extension of the Reorganization Act of 1949.
2. Authorization of appropriation on the basis of annual accrued expenditures.
3. Provision for training of Federal personnel at public or private facilities.
4. Repeal of provision for clearance of real property transactions with Congressional committees.
5. Discontinuance of the Postal Savings System.

The attached memorandum from the Director of the Bureau of the Budget indicates the status of bills concerned with each of these proposals, as well as other Hoover Commission proposals now pending before the Congress which the administration has supported. I am glad to note favorable action by one or the other House on some of these proposals. I commend these measures to the Congress for its earnest consideration with the thought that approval of them would be further evidence of our joint determination to take advantage of every opportunity to bring to our Government greater efficiency and economy in operation. Even though implementation of such recommendations does not always manifest itself in dollar savings which can be readily identified in a budget, I know the Congress is as eager as I am to achieve every possible improvement in our Government.

Sincerely,

DWIGHT D. EISENHOWER.

EQUALIZATION OF ALLOTMENTS ON AGUA CALIENTE (PALM SPRINGS) RESERVATION, CALIF.

The VICE PRESIDENT laid before the Senate a letter from the Under Secretary of the Interior, transmitting a draft of proposed legislation to provide for the equalization of allotments on the Agua Caliente (Palm Springs) Reservation in California, and for other purposes, which, with the accompanying paper, was referred to the Committee on Interior and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California; to the Committee on Agriculture and Forestry:

"Senate Joint Resolution 29, relative to memorializing the Congress of the United States in relation to surplus food warehousing and the civil defense program

"Whereas civil defense planning contemplates the evacuation of urban areas in the event of an enemy attack; and

"Whereas food and other basic supplies necessary to maintain the population of the State are for the most part stored within these urban target areas which will be evacuated and abandoned in the event of an enemy attack, leaving the population of the State, which would become refugee population, without adequate food and other supplies necessary to maintain life; and

"Whereas the Federal Government has on hand and in storage large quantities of surplus stocks of basic foods and other essentials, and there is before Congress a measure providing for the stockpiling of these surplus foods at strategic locations throughout the country and there is also before Congress the proposal that basic foods and other essentials be stockpiled in connection and the national civil defense program; and

"Whereas California's sister State of Nevada by Assembly Joint Resolution No. 4 adopted by the 1957 Nevada Legislature calls upon the Federal Government to take notice of this inadequacy in the national civil defense program; Now, therefore, be it

"*Resolved, by the Senate and Assembly of the State of California (jointly)*, That the Congress of the United States be urged to take notice of this present inadequacy of the civil defense program of California and to take positive action to provide for the stockpiling of surplus foods and other essentials of life in strategic locations within the State of California and such other strategic locations as may be found desirable and essential to a well-rounded civil defense program, so that in the event of an enemy attack the refugees of the urban and target areas will be provided with adequate basic foods and other supplies as would be necessary to maintain the public health and safety; and be it further

"*Resolved*, That the Congress of the United States be urged to direct the Commodity Credit Corporation and other Federal agencies holding in storage surplus foods and supplies to store in strategic places in California these essentials in order that they may be available in the event they would be needed in the civil defense program; and be it further

"*Resolved*, That the secretary of the senate be hereby directed to transmit copies of this resolution to the chairman and members of the appropriate Congressional committees which will consider legislation relating to surplus foods, the warehousing of such surplus commodities, and civil defense planning, and to each member of the California Congressional delegation."

A joint resolution of the Legislature of the State of California; to the Committee on Finance:

"Senate Joint Resolution No. 37, relative to memorializing the United States Government to control the import of dried figs and fig paste to the extent necessary to protect adequately the American fig producing industry located in California

"Whereas American fig production is located practically entirely in the central portion of the San Joaquin Valley of California; and

"Whereas such production is an important and significant part of the agricultural economy of California and of the United States; and

"Whereas this American fig production under the control of a Federal marketing order currently runs less than 80 percent of American fig consumption; and

"Whereas however, for the past 3 or 4 years an increasing share of this American market has been obtained by foreign figs from Portugal, Greece, and Turkey which are produced by peasant families operating at a labor cost against which American producers cannot compete; and

"Whereas these increasing imports of foreign figs have driven down the price received by American fig producers to the lowest level since the years immediately prior to World War II; and

"Whereas a substantial portion of American fig production under the aforementioned Federal marketing order is being diverted to noncompetitive and low value uses to the economic disadvantage of the American fig producers; and

"Whereas this decreasing share of the American market, these declining prices, and this disadvantageous diversion of much of the American fig production to noncompetitive and low value uses threaten the American fig industry with extinction in the not too distant future; and

"Whereas last August the United States Secretary of Agriculture officially recognized the catastrophic plight of the American fig producing industry and requested the President of the United States to direct the United States Tariff Commission, under appropriate Federal legislation, to investigate whether or not imports of dried figs and fig paste should not be restricted; and

"Whereas last October the President of the United States directed the Tariff Commission to make such investigation; and

"Whereas, however, after an investigation and hearing the Tariff Commission last December strangely reported that no import restrictions upon figs were warranted; and

"Whereas under these conditions fig producers in California will be forced into other lines of agriculture and thereby tend to destroy the delicate balance of supply and demand in those lines; and

"Whereas, furthermore, much of California's specialized agricultural production, such as the almond, walnut, olive, and date crops, depends on the retention by those crops of a fair share of the American market and could therefore be similarly injured if this policy of nonrestriction of foreign imports is followed with respect to them; and

"Whereas, therefore, the State of California cannot afford to see its fig production industry destroyed by unrestricted and unfair foreign competition, not only because of the destruction of the fig production industry but also because of the harmful precedent set for and unstabilizing influence resulting to the many other import-vulnerable crops of the State of California: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to take steps with all due haste, under the Agricultural Adjustment Act or otherwise, to place such limitations upon the importation of dried figs and fig paste as will restore order to the domestic fig producing industry; and be it further

"Resolved, That the secretary of the senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States, to the Secretary of Agriculture, and to the Chairman of the United States Tariff Commission."

A joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"Senate Joint resolution 38, relative to the Land Use Program for the Lower Colorado River

"Whereas the Parker Dam County Recreation District has been created in San Bernardino County comprising in its entirety land owned by the United States; and

"Whereas the United States Department of the Interior has under consideration at the present time numerous proposals which would affect the use of the land along the Colorado River below Parker Dam; and

"Whereas such proposals would, in their present form, adversely affect the administration of said lands by the Parker Dam County Recreation District; and

"Whereas said district is authorized under the laws of this State to lease or otherwise acquire control of all or any of the land in the district from the United States upon such terms as may be mutually agreed upon by the trustees of the district and the United States, and to, in turn, rent or sublease any of such land to any person for any purpose, recreational or otherwise, not inconsistent with the terms of the lease or other agreement under which the district holds the land under the United States: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the Congress of the United States and the United States Department of the Interior, to give consideration to leasing or giving control to the Parker Dam County Recreation District the lands located within the boundaries of said district and that the department be requested to take no action with respect to land use which will affect the operation of said district; and be it further

"Resolved, That the secretary of the senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Secretary of the Interior, the Speaker of the House of Representatives, and each Senator and Representative from California in the Congress of the United States."

The petition of Mr. and Mrs. J. Marino, of Brooklyn, N. Y., praying for the enactment of legislation to permit orphans to enter the United States for adoption; to the Committee on the Judiciary.

The petition of Clarence Vaught, of New York, N. Y., praying for the enactment of a new GI bill, for the benefit of veterans; to the Committee on Labor and Public Welfare.

RESOLUTIONS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may present a series of resolutions for appropriate reference, and printing in the RECORD.

The VICE PRESIDENT. Without objection, the Senator from Minnesota is recognized for that purpose.

RESOLUTIONS OF RABBINICAL ASSEMBLY OF AMERICA

Mr. HUMPHREY. Mr. President, I have just received copies of two resolutions adopted by the Rabbinical Assembly of America at its convention at Kiamesha Lake, N. Y., on May 16, 1957.

The first of these resolutions concerns access by Israel to the Suez Canal and the Gulf of Aqaba.

The second seeks speedy revision of the McCarran-Walter immigration law.

I ask unanimous consent that the resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on Foreign Relations:

"Resolution on Israel, Suez, and Aqaba adopted by the Rabbinical Assembly, Kiamesha Lake, N. Y., May 16, 1957

"Out of deep religious concern for the preservation of human life, we urge the statesmen of our country to redouble their efforts to bring peace and stability to the Middle East. Essential to the prevention of hostilities in that area is a fair and clear American foreign policy. To hide behind the smokescreen of inability to cope with a situation within the United Nations framework, only makes a mockery of peace and justice. The world has a right to expect progressive leadership from the United States of America such as was demonstrated during the recent crisis in Jordan. Lack of American leadership in the Middle East will result in continued violence which may eventually spread to other areas. Promises, which have been made or implied by the President of the United States of America to Israel concerning the use of the Suez Canal and Gulf of Aqaba, must be fulfilled if we are not to yield to the blackmailing devices of Arab potentates who flirt with communism. Egypt must not be permitted to return to the positions from which it may again blockade the Gulf of Aqaba and its international waterway."

To the Committee on the Judiciary:

"Resolution on immigration policy adopted by the Rabbinical Asembly Convention, Kiamesha Lake, N. Y., May 16, 1957

"The Rabbinical Assembly of America deplores the failure of Congress to eliminate the restrictive, discriminatory provisions of the Immigration and Nationality Act of 1952 (McCarran-Walter law), which have been denounced by many religious and civic groups and by Presidents Truman and Eisenhower.

"We urge Congress to enact speedily amendments which will revise the immigration law in order to:

"(a) Substitute an equitable and nondiscriminatory formula for the admission of new Americans in place of the invidious national origins quota system;

"(b) Eliminate the unnecessary and harsh deportation provisions;

"(c) Eliminate the inequitable distinctions now in the law as between native-born and naturalized Americans;

"(d) Set up fair appellate procedures in immigration and nationality matters.

"We further call upon the President to make use of the powers at his disposal in order to admit refugees from Egyptian tyranny and persecution as was done for the Hungarian refugees."

RESOLUTIONS OF AMERICAN UNITARIAN ASSOCIATION

Mr. HUMPHREY. Mr. President, the American Unitarian Association at its annual meeting in Boston on May 28, 1957, adopted two resolutions which have just been sent to me.

The first urges the American delegation at the United Nations to work for the establishment of a permanent U. N. police force, and the second urges the United States delegation at the United Nations to continue to challenge Soviet violation of international law and morality in Hungary. It also supports immediate action by Congress to recognize the admission of Hungarian refugees to the United States.

I ask unanimous consent that the two resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

UNITED NATIONS POLICE FORCE

Whereas the United Nations Charter envisions the establishment of a police force for the purpose of maintaining international peace and security; and proposals to this end have already been introduced by Canada and Pakistan; and

Whereas the United Nations Force in the Middle East has been an important factor in halting hostilities and facilitating peaceful settlement; and

Whereas the present United Nations force in the Middle East is of an emergency and limited nature: Therefore be it

Resolved, That the American Unitarian Association urge the American and Canadian delegations to the United Nations to work for the establishment of a permanent United Nations police force; and be it

Resolved, That copies of this resolution be sent to the members of the American and Canadian delegations to the United Nations, the United States State Department, and the Canadian Office of External Affairs.

Adopted by the annual meeting of the American Unitarian Association, May 28, 1957.

HUNGARY

Whereas the recent tragedy which has befallen the heroic people of Hungary has aroused the sympathy and ire of freedom lovers the world over: Therefore be it

Resolved, That the American Unitarian Association:

1. Condemn the brutal and unprovoked attack by the Soviet Union on the Hungarian people and express its solidarity with those who have risked or laid down their lives for freedom; and

2. Offer support to the Unitarian Service Committee, and those organizations working with it, who are rescuing and rehabilitating those who have fled the Soviet terror; and

3. Urge the United States delegation to the United Nations to continue challenging the illegal Soviet occupation of Hungary and the alleged deportation of its citizens; and

4. Give support to a special act of Congress to give refugees of the current exodus from Hungary full immigrant status, without charging their numbers against any present or future quota.

Adopted by the annual meeting of the American Unitarian Association, May 28, 1957.

RESOLUTIONS OF MINNESOTA BRANCH, NATIONAL ASSOCIATION OF POSTAL SUPERVISORS

Mr. HUMPHREY. Mr. President, I have just received two resolutions from the State convention of the Minnesota branch, National Association of Postal Supervisors.

The first of these resolutions advocates an immediate 15-percent increase in postal employees' salaries, including the postal supervisors.

The second urges the passage of S. 1534, the postage rate increase bill.

I ask unanimous consent that the two resolutions be printed in the RECORD, and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

Resolution 2

Whereas salaries of postal employees, and in particular, salaries of post office supervisors, continue to lag far behind wages paid in private industry; and

Whereas, as recently as May 1957, the Department of Labor stated that the cost of living had reached an all-time high: Therefore be it

Resolved, That the Minnesota State branch of the National Association of Postal Supervisors, in convention assembled in Fargo, N. Dak., June 7–8, 1957, go on record as favoring an immediate 15-percent increase in salaries across the board.

Approved by Minnesota Branch, National Association of Postal Supervisors, Fargo, N. Dak., June 7–8, 1957.

D. O. BODIEN,
Secretary-Treasurer, Cambridge, Minn.

Resolution 3

Whereas postage rate increase bills, S. 1534 and H. R. 5836, have been introduced in Congress; and

Whereas we believe that the increased revenue will more accurately reflect the value of the service rendered to the public: Therefore be it

Resolved, That the Minnesota branch of the National Association of Postal Supervisors, in convention assembled in Fargo, N. Dak., June 7 and 8, 1957, go on record favoring and urging the passage of these bills.

Approved by Minnesota Branch, NAPS, Fargo, N. Dak., June 7 and 8, 1957.

D. O. BODIEN,
Secretary-Treasurer, Cambridge, Minn.

RESOLUTION OF CARLTON COUNTY COOPERATIVE POWER ASSOCIATION, KETTLE RIVER, MINN.

Mr. HUMPHREY. Mr. President, I have just received two resolutions from the Carlton County Cooperative Power Association at Kettle River, Minn.

The first endorses S. 555, the Hells Canyon bill, of which I am glad to be a cosponsor.

The second opposes any increase in REA cooperative interest rates as well as any legislation which would raise the cost of REA loans.

I ask unanimous consent that the two resolutions be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

Ordered to lie on the table:

"Resolution

"Whereas the passage of Senate bill 555 will reopen the possibilities for the full development of the electric power generation potential of the Snake River at Hells Canyon, and because of the low cost of power so produced, will benefit, not only the Northwest, but will result in a tremendous saving in the production cost of phosphate fertilizer to the farmers of the Midwest States, and including Minnesota; and

"Whereas it now appears that the Idaho Power Co. proposes to finance the construction of three substitute small dams in their alternate plan, the cost of which will be subsidized by the American taxpayer without returning commensurate benefits to the public; and

"Whereas the Federal construction of a high dam at Hells Canyon will be self-liquidating and the sale of power will not only pay for the dam but will help to finance the related benefits of conservation, irrigation, and so forth, without cost to the public: Now, therefore, be it

"*Resolved by the Board of Directors of Carlton County Cooperative Power Association of Kettle River, Minn., representing 3,500 farmers and rural residents and consumers of electric power*, That we go on record in support of Senate bill 555 and that we petition our Senators, the Honorable EDWARD J. THYE and the Honorable HUBERT H. HUMPHREY, to support the Federal Hells Canyon bill and cast a vote in favor of Senate bill 555 whenever the opportunity is presented and to work for its passage on behalf of the entire Midwest and Northwest United States.

"M. P. BRINK,
"Secretary, Carlton County Cooperative Power Association."

To the Committee on Agriculture and Forestry:

"Whereas the enemies of REA have carried on a persistent campaign to stop the growth of rural electric cooperatives; and

"Whereas the administration recently took a strong step in that direction by executive order, changing the long-established and equitable terms of mortgage and interest payment which will have the effect of raising the cost of all new REA projects; and

"Whereas the administration now proposes to strike another blow at rural electric cooperatives by asking Congress to increase the cost of loan money available from REA for construction and expansion; and

"Whereas the present rate of 2 percent on rural electrification loans has returned a net of about $47 million to the Federal Government and on a long-term basis no increased rate is needed or justified; and

"Whereas many rural electric cooperatives which are striving to give area coverage of electric service are operating on such a slim net margin that any increase in cost of money will result in penalizing rural citizens by a stoppage of expansion or a substantial increase in electric power cost: Now, therefore, it is hereby

"*Resolved by the board of directors of Carlton County Cooperative Power Association of Kettle River, Minn.*, That we go on record opposing an increase in the interest rate to REA cooperatives and opposing any legislation which would have the effect of raising the cost of REA loans; and be it further

"*Resolved*, That copies of this resolution be mailed to Senator EDWARD J. THYE, Senator HUBERT H. HUMPHREY, and Congressman JOHN BLATNIK.

"M. P. BRINK,
"Secretary, Carlton County Cooperative Power Association."

RESOLUTION OF WOODLAWN FARMERS UNION, SABETHA, KANS.

Mr. CARLSON. Mr. President, under the 3-minute order, I ask unanimous consent to present a resolution.

The VICE PRESIDENT. Without objection, the Senator from Kansas may proceed.

Mr. CARLSON. Mr. President, the Woodlawn Farmers Union of Sabetha, Nemaha County, Kans., has forwarded me a resolution, adopted on June 11, in regard to urging its membership to vote in favor of continuing wheat marketing quotas at the referendum on June 20.

I call this resolution to the attention of the Senate, and ask unanimous consent that it be referred to the Committee on Agriculture and Forestry, and printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Whereas wheat-marketing quotas will be voted upon on June 20, 1957; and

Whereas if quotas are voted down wheat will drop in 1958 to $1.20 on the loan and to $1 on the cash market; and

Whereas if quotas are voted in the support price will be $1.78 national average for 1958; and

Whereas the best price obtainable in this choice is too low; and therefore, be it

Resolved, That the group assembled at Woodlawn Farmers Union Local this 11th day of June 1957 urge all people eligible, to vote "yes" at the referendum on June 20; and be it further

Resolved, That the support price for 1958 is too low and should be raised to full parity

but at least to the level of 1956 and 1957; and be it further

Resolved, That copies of this resolution be mailed to Senators Andrew Schoeppel, Frank Carlson, Allen Ellender, Congressmen William Avery, and Harold Cooley, Secretary of Agriculture Ezra Benson and the press.

WILLIAM ACKERMAN,
Secretary.
JOE J. RENYER,
President.

Adopted at Woodlawn Farmers Union, Sabetha, Nemaha County, Kans.

ALVIN BANMAN,
Legislative Director.

RESOLUTION OF AMERICAN CITIZENS OF BALTIC DESCENT, RACINE, WIS.

Mr. WILEY. Mr. President, under the order which has been entered, I ask unanimous consent to present a resolution.

The VICE PRESIDENT. Without objection, the Senator from Wisconsin may proceed.

Mr. WILEY. Mr. President, I received in the morning mail a resolution adopted by the American Citizens of Baltic Descent living in Racine, Wis.

The resolution commemorates in sorrow the long, far too long, forcible occupation of the countries of Estonia, Latvia, and Lithuania by the Soviet Union.

As we deal with the Communists today, we must be careful not to overlook this "real evidence"—the enslavement of the Baltic and other states, which so strongly illustrates the deceit of Soviet tactics and policies.

Despite its current declarations of a desire for peaceful coexistence and gestures toward disarmament, this is a grim reminder that the Kremlin does not practice what it preaches.

I am proud that these fine American citizens of Baltic descent, as proclaimed in this resolution, again reaffirm their dedication, along with the rest of the Nation, to the achievement of world peace, and the independence of all nations.

I ask unanimous consent to have the resolution printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Soviet Russia, in utter violation of the international treaties and her solemn obligations, occupied the territory of the Republics of Estonia, Latvia, and Lithuania and imposed upon the population the ruthless regime of a police state; and

Whereas despite the condemnation of these Soviet acts of aggression by the great powers of the Free World, including the United States, Estonia, Latvia, and Lithuania are still subjected to the unscrupulous Kremlin rule of terror, murder, and deportations; and

Whereas since the seizure of the Baltic States, the Soviet Union managed to take over many other independent countries and now represents the greatest menace to the civilization, culture, and religion of mankind that history has ever known; and

Whereas the precautionary steps which the free nations have so far undertaken to avert this menace did not prove effective, in many cases, to impress the Kremlin masters: Therefore be it

Resolved, That the American citizens of Baltic descent of the city of Racine, Wis., pledging their wholehearted support to the Government of the United States in its efforts to secure peace and stability in the world and to promote the cause of freedom and justice for all nations, express their sincerest thanks to the President, Dwight D. Eisenhower; Secretary of State John Foster Dulles; the distinguished leaders and Members of the United States Congress, and both Republican and Democratic Parties for their continued support of the national aspirations of the Baltic people; and be it further and finally

Resolved, That the American citizens of Estonian, Latvian, and Lithuanian descent of this city appeal to the highest authorities of their beloved United States of America to exert to the fullest the American leadership in the fight for peace, justice, and freedom by inaugurating a positive and dynamic program of foreign policy to thwart the evil Communist designs for world domination and to abolish the fruits of all past Soviet aggressions.

GEORGE KAPOCIUS,
Chairman, Lithuanian American Council.
OLGA MALBE,
Representative, Americans of Estonian Descent.
VALENTINS JAUNKALNIETIS,
Representative, Americans of Latvian Descent.

RACINE, WIS., *June 15, 1957.*

REPORTS OF COMMITTEES

By unanimous consent, the following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on Agriculture and Forestry, without amendment:

H. J. Res. 172. Joint resolution relating to the stockpile of Extra Long Staple cotton under the Strategic and Critical Materials Stockpiling Act (Rept. No. 463);

By Mr. SMATHERS, from the Committee on Interstate and Foreign Commerce, without amendment:

S. 1459. A bill to amend section 208 (c) of the Interstate Commerce Act, as amended (Rept. No. 465);

By Mr. SPARKMAN, from the Committee on Banking and Currency, with amendments:

H. R. 4602. An act to encourage new residential construction for veterans' housing in rural areas and small cities and towns by raising the maximum amount in which direct loans may be made from $10,000 to $13,500, to authorize advance financing commitments, to extend the direct loan program for veterans, and for other purposes (Rept. No. 464).

By Mr. GOLDWATER, from the Committee on Interior and Insular Affairs, without amendment:

S. 2161. A bill to amend the act of August 14, 1955 (69 Stat. 725) (Rept. No. 466).

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 3836. A bill to repeal section 1157 of title 18 of the United States Code, as amended (Rept. No. 467); and

H. R. 3837. A bill to amend the act of August 24, 1912, as amended, with reference to educational leave to employees of the Bureau of Indian Affairs (Rept. No. 468).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

S. 1894. A bill to amend the law with respect to the recoupment of funds expended in cooperation with the school board of Klamath County, Oreg., because of the attendance of Indian children, and for other purposes (Rept. No. 469); and

H. R. 6692. An act to authorize the transfer of the Coyote Valley Indian Rancheria to the Secretary of the Army, and for other purposes (Rept. No. 470).

BILLS AND JOINT RESOLUTION INTRODUCED

By unanimous consent, bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCHOEPPEL:

S. 2313. A bill to provide for the advancement of Brig. Gen. Thomas B. Wilson, Army of the United States (retired), to the grade of major general on the retired list; to the Committee on Armed Services.

By Mr. HUMPHREY:

S. 2314. A bill for the relief of Paul Daniel Schaer (Ba Be Kim); to the Committee on the Judiciary.

By Mr. IVES:

S. 2315. A bill for the relief of Michiko Miyake Schlottmann; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 2316. A bill for the relief of Jung Kong (Wing Hong) Lee; to the Committee on the Judiciary.

By Mr. CLARK (for himself and Mr. HUMPHREY):

S. 2317. A bill to establish a commission to study and revise the present compensation system for civilian salaried employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2318. A bill to provide for the conveyance of certain land of the United States to the city of Salem, Oreg.; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. POTTER:

S. J. Res. 106. Joint resolution to establish a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. POTTER when he introduced the above joint resolution, which appear under a separate heading.)

COMMISSION ON REVISION OF COMPENSATION SYSTEM FOR CIVILIAN SALARIED EMPLOYEES

Mr. CLARK. Mr. President, I am about to introduce a bill and, under the order which has been entered, I ask unanimous consent that I may be permitted to speak on it for 3 minutes.

The VICE PRESIDENT. Without objection, the Senator from Pennsylvania may proceed.

Mr. CLARK. Mr. President, on behalf of myself, and the Senator from Minnesota [Mr. HUMPHREY], I introduce, for appropriate reference, a bill to establish a commission to study and revise the present compensation system for civilian salaried employees of the Federal Government, to amend the compensation schedule of the Classification Act of 1949, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2317) to establish a commission to study and revise the present compensation system for civilian salaried employees of the Federal Government, to amend the compensation schedule of the Classification Act of

1949, and for other purposes, introduced by Mr. CLARK (for himself and Mr. HUMPHREY), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

Mr. CLARK. Mr. President, for some time it has been felt that pay for Classification Act employees has not been and is not commensurate with pay for their counterparts in industry. Substandard pay places Federal employees at an economic disadvantage and is not fair to them; substandard pay jeopardizes the ability of the Government to recruit and hold the kind of people it needs. This is particularly true in the Defense Department.

Some time ago Defense Secretary Wilson appointed the Defense Advisory Committee on Professional and Technical Compensation—commonly referred to as the Cordiner Committee. This Committee was composed of leading industrialists and public members such as Ralph J. Cordiner, president of General Electric; Charles R. Hook, chairman of the board of Armco Steel; Dr. John A. Hannah, president of Michigan State, and former Assistant Secretary of Defense for Manpower, Personnel, and Reserve Forces; Mr. H. Lee White, of the New York firm of Cadwalader, Wickersham & Past, and formerly Assistant Secretary of the Air Force for Manpower, Personnel, and Reserve Forces; the four Assistant Secretaries for Personnel in Defense; and four key military members. The Cordiner Committee studied the matter of compensation for Classification Act employees for almost a year. In this study, the Committee had the complete cooperation of the Civil Service Commission and the advice and direction of two key salary administrators in industry—one from General Electric, the other from Armco Steel. The findings and recommendations of this distinguished group merit our attention and action.

The Cordiner Committee came up with these findings:

First. The present Classification Act system for Federal white collar employees fails to meet modern criteria.

Second. Federal salaries for professional, technical, and managerial personnel are currently 15 to 20 percent below the average rates for equivalent jobs in industry. This finding was based on extensive salary studies, one of which was conducted in conjunction with the Civil Service Commission and covered over 17,000 occupied positions in more than 130 industrial firms in all parts of the United States.

Third. Government fringe benefits no longer exceed those of industry. The Cordiner report states:

> The Committee retained independent consultants, Industrial Relations Counselors, Inc., of New York, N. Y., to evaluate industry practices and compare them with those offered by civil service. These consultants reported:
>
> "The differential (between Government and industry employee fringe benefits) is not large enough to be significant in helping to recruit or retain employees in the higher salary levels."

The Cordiner Committee has fully substantiated my beliefs on the situation of pay for Classification Act employees. These employees are not being fairly paid today and our best talent is leaving. Federal salaries are not sufficient to bring in necessary new blood. The result is that the efficiency of the Government is being seriously impaired, our Defense Establishment is being weakened, and the cost of turnover and loss of high quality people is tremendous.

The situation must be rectified now.

Three important recommendations on pay were made by the Cordiner Committee. The first and most important recommendation was that a joint commission of legislative branch, executive branch, and public members be established to propose a thorough overhaul of the present Classification Act compensation system so that it will meet modern criteria. This is a long range matter.

The second recommendation was that an interim salary adjustment must be made now "to halt the exodus and bring in new talent." This adjustment would provide competitive entrance salaries for college graduates with the entrance level for these people at the GS–7 rather than GS–5 level, a ceiling of $19,000—the same as that for top scientists and engineers under other authorities, and rates for various grade levels as close as practicable as those of industry.

The third recommendation dealt with the provision of adequate numbers of top positions.

I am introducing a bill to carry out these three recommendations. The bill calls for:

First. A Joint Commission to recommend to the President and to Congress by March 1, 1959 changes which will modernize the compensation system for Classification Act employees.

Second. An interim salary adjustment for these employees as proposed by the Cordiner committee.

Third. Adequate numbers of top level positions with adequate controls on the establishment of such positions. A companion bill for military personnel has been introduced by the distinguished Senator from Missouri [Mr. SYMINGTON].

I feel that this is a matter of grave concern to all of us. The bill is based upon a thorough detailed study by top experts; it is deserving of everyone's support.

I regret very much that the Eisenhower administration and the Defense Department have not seen fit to propose legislation of their own. Therefore, I send the bill to the desk, together with a section-by-section analysis, which I ask unanimous consent to have printed at this point in my remarks.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

SECTIONAL ANALYSIS

Section 1 establishes a Commission to study and revise the present compensation system for salaried employees of the Federal Government.

Subsection 1 (a) titles the Commission and provides for its membership—4 to be appointed by Congress from among its Members; 4 from the executive branch (the Chairman of the Civil Service Commission and 3 others appointed by the President); 4 from public life appointed by the President, 1 of whom will serve as Chairman of the Commission.

Subsection 1 (b) exempts service with the Commission as a member, employee, or adviser from the conflict-of-interest statutes.

Subsection 1 (c) provides that Members of Congress and persons in the executive branch of the Government who are members of the Commission serve without additional compensation but will be reimbursed for travel and other expenses.

Subsection 1 (d) establishes compensation for public members at $100 per day and provides for reimbursement for travel and other expenses.

Subsection 1 (e) provides for the appointment and compensation of the staff and for the appointment of advisory personnel.

Subsection 1 (f) prescribes the duties of the Commission. The Commission will recommend a modern, flexible system of compensation for personnel presently covered under the Classification Act of 1949. The Commission will also consider system of compensation applicable to other groups of salaried employees, and make recommendations to the extent it deems necessary to carry out the provisions of this act.

Subsection 1 (g) directs heads of departments and agencies to cooperate fully with the Commission. It further authorizes the detail of officers and employees of the executive branch to serve with the Commission.

Subsection 1 (h) calls for the submission of the report of the Commission to the President and to Congress not later than March 1, 1959. The report shall contain recommendations and drafts of legislation necessary to implement those recommendations. Ninety days after submission of the report, the Commission shall cease to exist.

Section 2 amends the general schedule of the Classification Act of 1949 for grades GS–7 and above, and authorizes the Civil Service Commission to establish positions to grades GS–16, GS–17, and GS–18.

Subsection 2 (a) amends the compensation schedule of the general schedule for grades GS–7 and above.

Subsection 2 (b) adjusts compensation of officers and employees.

2 (b) (1), except as provided in other paragraphs of the subsection, provides for conversion on a step-for-step basis; however, employees in the fourth and fifth rates of grade GS–17 will receive the fourth rate of GS–17.

2 (b) (2) makes provision for an employee compensated at rates between scheduled or longevity rates to receive the higher of the two corresponding rates provided in this act.

2 (b) (3) adjusts the compensation of an employee whose salary is in excess of the maximum longevity rate of the grade or the maximum rate of the grade, if there is no longevity rate, to the maximum longevity rate or maximum rate provided by this act, as the case may be.

2 (b) (4) provides adjustment of salary of those employees compensated at rates in excess of the minimum by reason of the operation of Section 803 of the Classification Act on the basis of step increases earned as if section 803 had not been enacted.

2 (b) (5) provides that no officer or employee shall receive basic compensation under this act at a rate less than he was receiving before the effective date of this act.

Subsection 2 (c) amends Section 505 to remove the numerical limitations on positions in Grades GS 16, 17, and 18, to continue the requirement that positions shall be placed in those grades by action of a majority of the Civil Service Commissions and to continue reporting requirements to Congress currently in being.

Subsection 2 (d) amends the definitions for levels of difficulty for positions in Grades

GS-5, GS-7, and GS-9 of the Classification Act to enable the hiring of college graduates with bachelor's degrees at the GS-7 level.

Subsection 2 (e) retains present length of service requirements for Grades GS-7 through GS-10 at 52 weeks by changing language in Section 701 of the Classification Act to conform with new amounts of step increases provided by this act.

Subsection 2 (f) repeals existing provisions regarding reporting requirements for positions in GS 16, 17, and 18 and incorporates those provisions in this act.

Section 3 provides for the establishment of professional and scientific positions.

Subsection 3 (a) defines the term "department."

Subsection 3 (b) permits the President to authorize the head of any department to establish positions requiring the services of specially qualified scientific or professional personnel for research and development work.

Subsection 3 (c) authorizes the head of a department, subject to the approval of the Civil Service Commission, to fix compensation for such positions at rates not less than $12,500 or more than $19,000 a year.

Subsection 3 (d) places positions established under this act in the classified civil service and exempts appointees to such positions from competitive examination requirements.

Subsection 3 (e) retains present reporting requirements to Congress for such positions.

Subsection 3 (f) repeals existing authorities to establish such positions.

Subsection 3 (g) contains technical amendments to the United States Code.

Subsection 3 (h) provides a savings clause for personnel in existing positions until action is taken under authority of this act.

CONVEYANCE OF CERTAIN LANDS TO CITY OF SALEM, OREG.

Mr. NEUBERGER. Mr. President, under the order which has been entered, I ask unanimous consent to introduce a bill, and make a brief statement thereon.

The VICE PRESIDENT. Without objection, the Senator from Oregon may proceed.

Mr. NEUBERGER. Mr. President, on behalf of myself, and the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference, a bill providing for the conveyance of certain Federal lands to the city of Salem, Oreg.

In 1936, the city of Salem changed the source of its municipal water supply from the Willamette River to the North Santiam River, and in 1937 the city completed a pipeline between Salem and Stayton Island in the North Santiam, a distance of approximately 18 miles. The city installed a filtration system on the island after purchasing such land as was deemed necessary for operation of the plant. Examination of records and maps available at that time indicated that the city had received clear title to this land.

In 1953, the city was advised by the Bureau of Land Management of the Department of Interior that a portion of this land was the property of the Federal Government. The city was requested to pay—and did pay—for a trespass upon that portion of the land and for removing timber therefrom. Since that time, the Federal Government has made no attempt to dispose of the land to any other party, and the city still uses the land in question in connection with its water system. However, the city desires to obtain title to the land for the protection of its installation. The bill that I have introduced today would permit the city to acquire this property, upon payment to the Federal Government of an amount equal to its fair market value.

Salem is the capital city of the State of Oregon, and it is important that this privilege be allowed to its local government.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2318) to provide for the conveyance of certain land of the United States to the city of Salem, Oreg., introduced by Mr. NEUBERGER (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

COMMISSION TO INVESTIGATE UTILIZATION OF CERTAIN RADIO AND TELEVISION FREQUENCIES

Mr. POTTER. Mr. President, I ask unanimous consent that I may introduce a joint resolution and that in connection therewith, I may make a statement lasting not to exceed 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. POTTER. Mr. President, I introduce, for appropriate reference, a joint resolution designed to establish a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government. The three Commission members, to be appointed by the President, would not be officers or employees of the Federal Government, but they would be experts in the field of communications.

It would be the duty of the Commission to conduct a thorough and comprehensive study and investigation of the radio and television frequencies allocated to the various agencies and instrumentalities of the Federal Government, with a view to determining: First, whether such frequencies are being efficiently utilized to the maximum degree possible; second, whether any of such frequencies may, without jeopardizing the public interest, be relinquished to the Federal Communications Commission, for allocation to nongovernmental purposes; and third, what are the likely future requirements of the various agencies of the Federal Government for radio and television frequencies.

The Commission would submit to the President and the Congress, within 6 months after the date of enactment of this joint resolution, a full and complete report of the results of its study and investigation, except there would be omitted from the report to Congress any information which has been classified for security purposes.

The need for the facts which would be developed by the Commission is urgent and compelling. Contrary to the layman's opinion, the presently usable spectrum does not offer an unlimited number of channels. Despite technical and operational improvements, the demand for frequencies has steadily crowded the supply within the usable spectrum; and the situation could well become critical, unless factual data is obtained promptly.

The limitations of the Communications Act of 1934, as amended, and of the Commission created largely for its administration, have been the subject of much consideration by Congress in recent years. The law was written when radio was not so highly developed, and when television as we know it today was in the stages of invention and experimentation, and before the present demand for spectrum space had become acute. It established a dual system of allocations as between Federal Government and non-Government users, but provided no umpire. The Federal Communications Commission is empowered to assign radio frequencies to non-Government users, and the President is likewise empowered to assign frequencies to Federal Government users.

Certainly all of us wish to see each Federal agency possess the allocations required for the full discharge of its responsibilities. But, in view of the great demand and the relatively limited number of channels available, every precaution should be taken to insure that the Government has not unnecessarily preempted spectrum space.

In 1959, our Government will participate in an international conference dealing with the spectrum. Unless our Government knows specifically its current use of the spectrum and what our future needs are likely to be, the best interests of the United States will suffer.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 106) to establishing a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government, introduced by Mr. POTTER, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. BUSH:

Introductory remarks introducing Senator CASE of New Jersey and address by Senator CASE of New Jersey at Chamber of Commerce dinner, Hartford, Conn., June 12, 1957.

By Mr. HUMPHREY:

Address delivered by Senator CLARK before the national housing conference.

SENATE SALAD LUNCHEON, WEDNESDAY, JUNE 19

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that I may make a brief announcement to the Senate.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Maine may proceed.

Mrs. SMITH of Maine. Mr. President, the distinguished junior Senator from Arizona [Mr. GOLDWATER] and I wish to bring to your attention an unusual event which will take place tomorrow in the District of Columbia Committee room, just off the Senate floor.

It will be our pleasure to introduce to the Senate a new dish—the Senate salad—which one day may well take its place on the dining-room menu alongside Senate bean soup.

The State of Maine, of course, is making a major contribution to the "Senate salad"—Maine lobster, fresh and succulent, to be shipped here especially for this luncheon. In all, 75 pounds of juicy lobster meat will be mixed into this salad, and will be served from the world's largest salad bowl.

Mr. President, the Senator from Arizona and I would like to have you and the Members of the Senate join us in the District Committee room for a plate of salad. Luncheon will be served from 1 to 3 p. m.

And, to add a final fillip to this attractive luncheon, you will be served by the Nation's No. 1 housewife, Mrs. America of 1958.

JUDGE G. FREDERICK FROST, OF RHODE ISLAND

Mr. PASTORE. Mr. President, I ask unanimous consent that I may address the Senate for not to exceed 3 minutes.

The VICE PRESIDENT. Without objection, the Senator from Rhode Island may proceed.

Mr. PASTORE. Mr. President, tonight, in the city of Providence, the Rhode Island Bar Association will honor G. Frederick Frost, presiding justice of the Superior Court for the State of Rhode Island, on the occasion of his 85th birthday.

This is a spontaneous expression of the appreciation and regard of every Rhode Island lawyer for the scholarly talents of a judge dispensing the problems of justice with deep human feeling and with genuine consideration of counsel and client.

I have great personal affection for Justice Frost, remembering his kindness to me when I appeared in my first tort case before him. Later it was my duty and opportunity, in the Attorney General's Department of the State of Rhode Island, to come under his encouragement when Justice Frost presided over the criminal session.

Still later, when I was Governor, I had high appreciation of the public service of the justice, and I am sure our mutual regard has increased with the years.

On this, his 85th birthday, Justice Frost looks back on more than a half century of service, in which he has helped to write an important part of the judicial history of our State. For 45 of those years he has proudly worn the title of "Judge." That pride is not only his, but the pride of the people of the entire State, as is evidenced by an editorial appearing today in the Providence Journal. I ask unanimous consent that this editorial be incorporated in my remarks and made a part of the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

RHODE ISLAND HONORS AN ABLE JUDGE

Few States are given faithful public servants like presiding Justice G. Frederick Frost of the Rhode Island Superior Court, who observes his 85th birthday today.

Judge Frost has dedicated his life to the law, but he finds time also for living. His discriminating mind makes him an outstanding judge. His human warmth has won him friends beyond the law library and the courthouse. His humility has endeared him to the people of high and low station. A sense of high principle and integrity has given his life meaning.

A native of Chelsea, Mass., Judge Frost is an adopted son of Rhode Island. He attended Brown University, becoming one of its most illustrious graduates. The University honored him and itself 4 years ago by conferring upon him the honorary degree of Doctor of Laws.

The Rhode Island Bar Association, whose younger members look upon him as the "grand man of the Rhode Island bench" will pay tribute to Judge Frost at a banquet tonight.

But tomorrow, and the day after and the day after that—if it is the will of God—Judge Frost will be back on the bench doing a volume of work that few men half his years can carry. To Judge Frost work and service are a salvation, not a chore, and that is the secret of a serene life.

We hope Judge Frost will decide to remain on the bench as long as he is able.

IMPERILED FLOOD INSURANCE

Mr. BUSH. Mr. President, may I inquire if the Senate is in the morning hour?

Mr. JOHNSON of Texas. I may say to the Senator from Connecticut we have no morning hour this morning. Unanimous consent was asked that Senators could be recognized by unanimous consent, and statements are being limited to 3 minutes, so if the Senator will ask unanimous consent——

Mr. BUSH. Mr. President, I do so.

The VICE PRESIDENT. Without objection, the Senator from Connecticut may proceed for 3 minutes.

Mr. BUSH. I hold in my hand an editorial from the Washington Post and Times Herald of June 18, 1957, entitled, "Imperiled Flood Insurance." This editorial is a very good argument for the experimental bill whose fate now rests, I believe on the floor of the House of Representatives. I ask unanimous consent that the editorial be printed at this point in my remarks in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

IMPERILED FLOOD INSURANCE

The move to deny all funds for flood insurance merits a high place on the list of strange actions taken in the name of economy. Last year Congress appropriated $500,000 to set up the Federal Flood Indemnity Administration. In 1955 the country's losses from floods had mounted to about $1 billion and Congress was almost unanimous in its decision that something must be done to minimize these losses to citizens and to relieve the Government of heavy demands for the relief of flood victims. Now the flood-insurance system is ready to operate, but the House voted to deny it the necessary funds.

What has happened to change Congressional sentiment in this fashion? One factor is the reduction of flood losses last year, although they are again high in 1957, and another is the economy wave. As the flood-insurance program is not yet in operation, some legislators appear to have concluded that it can be slashed without taking anything away from anybody. Well, that may be good politics, but it involves a flagrant disregard of the public interest.

One absurd argument that is being made against the program is that it would mean another $5 billion outlay of Federal funds. Actually the FFIA is authorized to write insurance totaling not more than $3 billion, which could be raised to $5 billion upon authorization by the President, but this would create only insurance liability. The FFIA has set up a schedule of flood-insurance rates, covering 14 different zones, with the aid of commercial rating specialists. People in danger of floods would buy this flood insurance from commercial firms with the Government merely underwriting the venture because no private company is in a position to do so. Some losses might be incurred, but it is absurd to talk as if the $3 billion liability were an expenditure.

For the first time this system would enable people living in areas of flood danger to contribute to their own protection. That is in accord with the general American pattern. The net effect might be to reduce demands upon the Government in flood emergencies and thus produce savings instead of added expenditures. Certainly a system that offers such potential advantages to the Government as well as to flood victims should not be abandoned without a trial.

House conferees who have been fighting this program will take their disagreement with the Senate conferees to the House floor today. That will give an opportunity for second thinking. In our opinion, the House should candidly recognize its error and accept the $14 million the Senate wrote into the third supplemental appropriations bill to put the system into operation.

THE STUDENT-EXCHANGE PROGRAM AND THE FULBRIGHT SCHOLARSHIPS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that I may address the Senate for not to exceed 3 minutes.

The VICE PRESIDENT. Without objection the Senator from Arkansas may proceed.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that an editorial from the New York Times, May 24, 1957, entitled "A Treasure Discovered" be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A TREASURE DISCOVERED

One of the happiest episodes in the whole history of the Fulbright scholarships has just been reported from Finland. Dr. Harold E. Johnson of Butler University in Indianapolis, in Finland on a Fulbright grant, has been able to announce the discovery of 20 previously unlisted works by the greatest of Finnish composers, Jean Sibelius. Some of them are of considerable scope and stature. Others will help to fill gaps in the hitherto known Sibelius literature.

This is one of the world's best types of treasure hunt. What has been found enriches the cultural life of the whole world, not only because it adds still other composi-

tions to the long list of the Sibelius masterpieces but also because it will shed more light on some phases of his work that have been obscure. Naturally, we want to know as much as we can about Sibelius and all his works. He has long since been recognized as one of the real giants of our time. But he has been so modest that often we have seemed to have had to learn about him almost against his will.

The exchange of students and scholars is being more and more widely recognized both as a contribution to better international understanding and to scholarship itself. The Fulbright idea was a good one from the start. If ever it needed vindication it has had, now, an excellent example of what can be accomplished through such projects.

Mr. FULBRIGHT. Mr. President, I received many letters from persons who have participated in the educational exchange programs of the Department of State, telling me of their experiences, and I also receive many letters from persons who have come into contact with exchange students and have had an opportunity to observe the contribution which the program has made to better international understanding and good will. I should like to be able to share all these letters with my colleagues, but because of space limitations, that is, of course, impossible. However, I intend from time to time to insert in the RECORD some representative letters which I feel will be of interest to Members of Congress and to others who read the RECORD.

Therefore, I ask unanimous consent that two letters I have recently received, one from Beatrice Brown, of Long Island, N. Y., a former exchange student, and one from Mr. John L. Lyons, of New York City, a businessman, be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

ROSLYN HEIGHTS, LONG ISLAND, N. Y.,
April 7, 1957.

Senator J. W. FULBRIGHT,
United States Senate,
Washington, D. C.

DEAR SENATOR FULBRIGHT: * * * In 1953, I was the privileged recipient of a Fulbright scholarship to study symphonic conducting and then had the great honor of being accepted by Hermann Scherchen as a private student. Of my musical studies, I am sure you will surmise that I gained in 2 years, what many people seek a lifetime to achieve. But my experience as a Fulbright scholar was not only significant to me as a student of music, it was the richest experience of living I have ever been exposed to. Fortunately, because I had to travel so much with Professor Scherchen, I gained firsthand contacts with all the people concerned in the fields of music, radio, television, and recording in England, France, Italy, Germany, Switzerland, and Austria. Not contacts of professional importance, but contacts of human relationships and understanding, which have so much meaning to me with regard to the interpretation of German musical form, of French nuance in dynamics, of Italian "agitato," and Austrian "gemütlichkeit." Now I know, that really to know a culture, you must live with the people and be one of them. It was also a gratifying experience for them (I am sure) to learn that an American has culture and none of the affectations attributed so readily to American tourists—brash with their dollars. No amount of propaganda or diplomatic maneuvering has accomplished as much for the exchange of human relationships as your foresightedness in the Fulbright student exchange program. Even with a man as great as Hermann Scherchen, the many small misconceptions he had concerning the American way of life, were instantly eradicated when I became a member of his household and he said: "You have come to us, not as a junior diplomat, but as the 'measuring stick' of what can truly be accomplished in a country which seeks to erase its 'invisible frontiers of tradition and ignorance.'" Indeed this is true—for I am the naturalized citizen (born in England) of immigrant parents (originally from Russia and Latvia), who received all of my education, musical, and academic, free—as an inherent right of American citizenship. My European friends are always astonished at seeing the living example of Americanisms—the ones so unlike the characteristic movie mannerisms, perpetrated the world over. All of my Fulbright friends had the same experiences—that of assuring their European friends that they were not atypical Americans, but typical of an educated group.

Most respectfully,

BEATRICE BROWN.

PRINTING DEVELOPMENTS INC.,
New York, N. Y., June 11, 1957.

Hon. W. J. FULBRIGHT,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: I recently returned from a business trip to Italy and on it was privileged to be a guest at the first meeting of an association being formed by the former Fulbright scholars living in Milan, Italy. It was an extremely interesting evening and I was very impressed, not only by the caliber of the scholars, but also by their enthusiasm about the benefits of the Fulbright scholarships.

I came away feeling that the idea of the Fulbright scholarships was one of the best contributions that we have made to the field of international affairs in a long time and just wanted to take this opportunity of congratulating you for your sponsorship of such an idea.

Sincerely yours,

JOHN L. LYONS,
General Manager.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The VICE PRESIDENT. If there is no further morning business, the Chair lays before the Senate the International Atomic Energy Agency Treaty.

The Senate, as in Committee of the Whole, resumed the consideration of Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency, which was open for signature at United Nations headquarters in New York, from October 26, 1956, to January 24, 1957, and during that period was signed in behalf of the United States of America and 79 other nations.

The VICE PRESIDENT. The treaty is open to amendment.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

HEARING BY SENATE FINANCE COMMITTEE ON TIGHT MONEY MARKET

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may make a brief statement of not to exceed 3 minutes.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Texas may proceed.

Mr. JOHNSON of Texas. Mr. President, the Senate Finance Committee is opening today what may well turn out to be one of the most important Congressional inquiries of this Congress.

It is planning a thorough and complete exploration of the circumstances which have brought us to our present tight money market. This is a situation which affects every man, woman and child in these United States.

Our current tight money market has crept upon us a bit at a time for the past few years. It has moved slowly and imperceptibly—like a developing cancer which does not make its presence known until it is almost too late to act.

Indeed it is a cancer—an economic cancer which clogs the normal arteries of trade and commerce and chokes out normal growth and development.

A casual reading of the Wall Street Journal—one of our most authoritative publications—on yesterday reveals facts which are shocking.

Long-term Treasury bonds—backed by the full faith and credit of the most powerful government of the Free World—have declined to record lows. It is the feeling in the "trade" that they will go even lower.

This is the fruit of "hard money."

Tax exempt municipal bonds slipped to their lowest levels in 22 years. But at the same time, the yield index on these municipals went from 3.42 percent to 3.46 percent—the highest yield since October in the depression year of 1935.

This is the fruit of "hard money."

Corporate bond issues during the past week reached the highest interest rates in a quarter of a century. Imagine the plight of the small-business man competing for credit in such a market.

This is the fruit of "hard money."

Leading sales finance companies raised the interest rates which they will pay on their directly placed commercial paper by one-eighth of a percentage point across the board. This means that the consumer will pay more for his refrigerator, his furnace, and every other article of decent living.

This is the fruit of "hard money."

And to top it off, the same issue of the Wall Street Journal tells us of the conclusions of a special panel of the United States Chamber of Commerce on the business outlook. The panel sees a continued rise in prices for the rest of the year.

Mr. President, I do not pretend to be a highly trained economist. But it does not require a rich academic background to realize that an economic system in which lending is the only profitable activity cannot long survive.

I recall an economics professor who always cited as the height of economic

absurdity the community in which folks lived by taking in each other's washing. It is equally absurd to believe that we can live solely by lending each other money.

For economic health, there must be both lenders and borrowers. And each class must have some degree of freedom to exercise their proper function.

And when lending and borrowing get too far out of balance, some force must be ready to step in.

Mr. President, I do not believe this is an issue we can avoid. For this reason, I welcome the study which opens today, and have confidence that it will produce the necessary facts and figures which will give us a basis for prudent action.

Mr. SALTONSTALL subsequently said: Mr. President, I listened to the statement of the Senator from Texas a few minutes ago with respect to the investigation to be conducted by the Committee on Finance. I believe we all want such an investigation to be conducted, under the careful leadership of the Senator from Virginia [Mr. BYRD] and his committee. What we want today is to keep our economy going, to have prosperous conditions continue and, if there is anything wrong with our present credit system, to find out what it is and to improve it. If Congress can help in that effort, it should do so. But first we must have a very careful and thorough investigation under the guidance of men who know the problem, and who are sympathetic toward the needs.

INCREASED PAY FOR POSTAL WORKERS AND CLASSIFIED EMPLOYEES

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may make a brief statement regarding increased pay for the Nation's postal workers and classified employees, and that in that connection I may request that a letter be printed in the RECORD.

The VICE PRESIDENT. Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, many of us have worked for months and years to help bring the compensation of our Nation's postal workers and classified employees into line with industrial wage rates. The discrimination between the salaries of the Federal employees and the national average for comparable work continues to be indefensible.

Consequently, Mr. President, many of us rejoiced last week when the Senate Subcommittee on Federal Employees Compensation, under the chairmanship of the distinguished junior Senator from Oregon [Mr. NEUBERGER], favorably reported two bills to the Senate Committee on Post Office and Civil Service.

It is my understanding that the subcommittee recommended an increase of $500 across the board for employees of the postal field service, while it recommended an average 9.2 percent pay raise for our classified employees. These increases are not as much as some of us—including, I believe, the chairman of the subcommittee—would have liked. Nevertheless, in the interest of speed, I hope all friends of liberalized pay for our Federal employees will now join in the effort to promote the rapid enactment of this proposed legislation.

I have written to the Senator from Oregon [Mr. NEUBERGER] a letter expressing my gratification over the completion of his subcommittee action. Mr. President, so far as I am concerned, this pay increase proposed legislation is a high priority matter. I hope the committee will see fit to act in the near future and that the Senate will have an opportunity to vote promptly thereafter.

I ask unanimous consent, Mr. President, that the text of my letter to the junior Senator from Oregon be printed at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 18, 1957.

HON. RICHARD NEUBERGER,
Chairman, Federal Employees Compensation Subcommittee, Senate Post Office and Civil Service Committee, United States Senate

DEAR DICK: I want to take this occasion to congratulate you and the Subcommittee on Federal Employees Compensation for your action in favorably reporting bills to authorize pay increases for the Nation's 500,000 postal workers and 950,000 classified workers.

As a cosponsor of the original version of S. 27, I naturally hoped that even greater pay increases for our underpaid postal workers might prove possible, but I agree with you completely that an immediate increase in pay is justified. Since speed in enactment was the most persuasive reason for your recommending the more moderate figures, I hope that action by the full committee can be expected in the very near future.

Your recommended increases for our classified workers are also encouraging. You can depend upon me to support these recommendations and to assist you in writing them into law in any way that I can.

Best wishes.

Sincerely yours,

HUBERT H. HUMPHREY.

PEOPLE-TO-PEOPLE PARTNERSHIP IN SPORTS

Mr. WILEY. Mr. President, on the sports pages of almost every daily newspaper, there are welcome indications of an increasing number of international sports competitions.

There is ever increasing recognition that through the means of friendly sports rivalry—not simply at the Olympics, but in a great host of other international meets—we can come to know foreign peoples better as human beings. We can help ease world frictions by recognizing the individual worth and merit of sportsmen.

We can advance the tradition of fair competition among folks of different nationalities in track and field events, in swimming, on the baseball diamond, in soccer, boxing, tennis, wrestling, golf, and a wide variety of other sports events.

I was pleased, therefore, to receive word today of the broad supplementary program for information and exchange, as planned by the sports committee of the People-to-People Foundation, of which I have previously spoken. This committee is under the chairmanship of Col. Edward F. P. Eagan. I send to the desk a list of the 15 varied phases of activities envisioned by this sports committee. These activities will go beyond the actual athletic contests held under other auspices. It will disseminate much-needed information, will promote exchange tours and the like.

I precede this fine committee plan with a list of the outstanding individuals representing all walks of sporting activity who serve as directors and members of this group.

I ask unanimous consent that both items be printed at this point in the body of the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

PEOPLE-TO-PEOPLE SPORTS COMMITTEE, INC., 29TH FLOOR, 48 WALL STREET, NEW YORK 5, N. Y., WHITEHALL 4-8600

Dwight D. Eisenhower, honorary chairman; Edward P. F. Eagan, president and board chairman.

Directors: J. Lyman Bingham, Asa Bushnell, C. J. Devine, Daniel J. Ferris, Sidney L. James, Joseph Prendergast.

Executive Director: Harold F. Moor.

Members: Don Allen, George P. Apdale, N. J. Barack, John Barrington, Dr. Joyce Brothers, John J. Carlin, Bob Considine, Arthur Daley, Miguel A. de Capriles, Dr. Albert de Ferrari, Jack Dempsey, Joe di Maggio, Richard S. Falk, James A. Farley, Stanley Frank, Ford Frick, Bernard Gimbel, Isaac B. Grainger, Willard N. Greim, Arthur B. Hancock, Jr., Carl H. Hansen, Ben Hogan, Bob Hope, Clarence H. Johnson, John B. Kelly, Jr., Henry Kemper, Harlan de Baun Logan, Byron E. Martin, Bob Mathias, Jinx Falkenberg McCrary, Renville H. McMann, C. G. Mowatt, Stanley Mullen, Chester Nelson, Sr., James Norris, Emmett O'Donnell, Jr., Jacqueline Cochran Odlum, Jesse Owens, Frank Pace, Jr., Charles S. Payson, Leo Peterson, Walter Powell, Samuel F. Pryor, Jr., R. Max Ritter, Stanley M. Rumbough, Jr., George Skouras, Red Smith, Hudson Stoddard, Ed Sullivan, Edward Sullivan, Lowell Thomas, Richard S. Tufts, Gene Tunney, DeWitt Wallace, Morton M. Weil, Mal Whitfield.

ACTIVITIES INITIALLY ENVISIONED BY THE SPORTS COMMITTEE OF THE PEOPLE-TO-PEOPLE PARTNERSHIP PROGRAM

1. Create an awareness on the part of sports-minded Americans as to the need for expanding their people-to-people activities and of the opportunities common interests in sports—the world over—provide.

2. Effect in a liaison capacity (a bridge, so to speak) between sports enthusiasts in the United States and those of other nations in their exchange of activities, ideas, equipment, literature, etc.

3. Effect a functional subcommittee organization (one subcommittee for each sport) and provide, where necessary, the office services essential to their operation.

4. Fill, insofar as possible, requests from abroad for information, equipment, supplies, instructional materials, etc., in the field of sports.

5. Organize and/or assist in making arrangements for overseas tours of United States sports delegations for purposes of competition, exhibition, the conduct of training clinics, etc.

6. Invite and assist in making it possible for more foreign athletes, coaches, and teams to exhibit and compete in the United States; arrange for public appearances and publicity designed to make them feel wanted; provide them with opportunities to learn as much as possible about life in these United States.

7. Provide adequate orientation for individuals and groups going on tour abroad to

the end that they will make the most of their opportunities to make friends and pass along the true story of life in America; provide orientation for groups coming from abroad.

8. Make it possible for sports enthusiasts, both at home and abroad, to familiarize themselves with the true facts about the United States.

9. Plan and arrange for speaking engagements abroad for popular United States athletes, both past and present. Invite and arrange for more outstanding foreign sports figures to do the same in the United States.

10. Encourage pen-pal activities between persons at home and abroad having common sports interests.

11. Encourage the collection of sports magazines and books for distribution abroad.

12. Encourage schools and communities now exchanging activities with counterparts abroad to include sports events in their exchange programs; encourage more schools and communities to launch exchange programs involving sports activities.

13. Publish a booklet on Sports in the United States for distribution abroad through various available outlets.

14. Make available to the press, both at home and abroad, news releases and human interest stories relating to people-to-people activities.

15. Encourage colleges and universities in the United States to arrange for fellowships for outstanding foreign athletes; seek to make the maximum utilization of their services.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. HICKENLOOPER obtained the floor.

Mr. GREEN. Mr. President, will the Senator yield to me to place a pertinent article in the RECORD?

Mr. HICKENLOOPER. I yield.

Mr. GREEN. Mr. President, in view of the Senate's consideration of the statute of the International Atomic Energy Agency, I believe it would be helpful to include as a part of the RECORD a column by Arthur Krock which appeared in the New York Times this morning. Mr. Krock's column draws favorable attention to the interpretation and understanding which the Committee on Foreign Relations has included as a part of the recommended resolution by which the Senate would give its advice and consent to ratification of the pending treaty.

I ask unanimous consent that the article by Mr. Krock may be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN THE NATION

(By Arthur Krock)

A SIMPLE REMEDY FOR THE BRICKERITES' CONCERN

WASHINGTON, June 17.—The statement of its understanding with the Executive that the Senate is about to include in its resolution approving the treaty by which the United States is to become a member of the International Atomic Energy Agency is the first employment of a simple method whereby the causes for loading down treaties with reservations and the principal argument for the Bricker amendment are simultaneously removed.

This legislative instrument has always been available to the Senate. The attachment of formal reservations to treaties can cause their rejection by other nations which are parties to the compact. And the Bricker amendment in its successive forms would hamstring the Executive in the conduct of foreign policy. But a statement by the Senate to the Executive of its understanding of the scope of a treaty in approving it has neither of these damaging effects. If accepted by the Executive in advance of Senate action (as in the instance of the Atomic Energy Treaty), the limitations of a treaty are agreed on at the outset. And if the Executive declines to accept the Senate's interpretation, that body can approve or reject the treaty with full knowledge of the meaning of its action.

One of the principal arguments that have won support for the Bricker amendment proposal is that treaties have been interpreted and enforced by the Executive as self-executing in internal law when that was not the Senate's understanding in approving them. But if the resolutions of advice and consent had included a stated condition that the treaties were not to be self-executing in internal law, this would have prevented the Executive from interpreting and enforcing them as such.

The committee text

The Senate Committee on Foreign Relations has now applied this simple principle to the Atomic Energy Treaty as follows:

"*Resolved* (*two-thirds of the Senate concurring therein*), That the Senate advise and consent to the ratification of Executive I, 85th Congress, first session * * * subject to the interpretation and understanding that (1) any amendment to the statute [treaty] shall be submitted to the Senate for its advice and consent as in the case of the statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent."

The purpose is, in the words of the committee report by Chairman GREEN, to foreclose in advance "a legal possibility that the Nation might find itself bound by a treaty obligation which had failed upon submission to the Senate. * * * To the committee it appears essential that no uncertainty be permitted to subsist as to whether the United States, through continued participation in the agency, would be obligated by some amendment which the Senate saw fit to reject."

By this method the main contention for the Bricker amendment is met. The resolution does not dispose of the part of the Bricker proposal that is designed to prevent the enforcement in internal law of compacts made with other nations by the Executive and, on the ground that they are agreements, not treaties, are not submitted to the Senate. But, as Senator KENNEDY noted, there are 11 existing safeguards Congress can impose against excesses by Presidents in the agreement area.

The rule XXXVII proposal

Beginning in November 1953, and many times thereafter, it was pointed out by this department that the method now employed by the Senate Committee on Foreign Relations was constantly available, and that by two changes in Senate rule XXXVII the genuine concern of Senator BRICKER and his supporters could reasonably be allayed. One of these changes has since been effected: That there must be a rollcall on any vote by which treaties are approved or rejected. But the Senate has not yet made the other change in the rule, though it was followed in principle in the atomic energy treaty resolution recommended by Senator GREEN's committee.

With this second change rule XXXVII would provide that, before the Senate can be certified as having by the necessary two-thirds advised and consented to a treaty (the constitutional requirement before the President can complete the act of ratification), the Senate shall also stipulate whether or not its approval was given on the understanding that the treaty is self-executing in internal law. If the stipulation were negative, that would be a plainly stated condition for the President, and, if he disregarded it, a clear guide for the courts. Also it would not be a reservation in international law: The United States is almost alone among the nations where a treaty is ever self-executing in internal law.

Should the Senate make a precedent of the Green resolution, it could get the same results on an item-by-item basis. But inserting in rule XXXVII the provision as outlined here would remove the last prop under the Bricker proposal as long as the rule endured.

Mr. HUMPHREY. Mr. President, I wonder if the Senator from Iowa will yield to me in order that I may address the Senate for 5 minutes, under the unanimous-consent agreement.

Mr. HICKENLOOPER. Morning business has been concluded.

Mr. HUMPHREY. I understand that. I just learned that it had been concluded, even though I had been of the opinion that the morning hour lasted until 2 o'clock.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me for a 30-second statement?

Mr. HICKENLOOPER. The Senator from Massachusetts must attend a committee meeting. I should like to yield to him for 30 seconds.

Mr. HUMPHREY. Please do.

Mr. SALTONSTALL. I thank the Senator from Iowa.

(Mr. SALTONSTALL addressed the Senate briefly. His remarks will be found following the statement by Mr. JOHNSON of Texas on the hearings being held by the Finance Committee.)

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, if I may have the attention of the Senator from Georgia [Mr. RUSSELL], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from California [Mr. KNOWLAND], I am informed that the House has acted upon the so-called civil rights bill and messaged it to the Senate.

It is my information that the Chair cannot lay the House message before the Senate until the Senate is in legislative session.

It is the intention of the leadership to attempt to complete discussion and action on the pending treaty, and then to move that the Senate return to legislative session as soon as action is taken on the treaty. At that time, according to the information of the Senator from Texas, the Chair will lay before the Senate the House-passed bill. I should like to have all Senators on notice as to the action which has been taken, so that they may be on hand to present whatever viewpoint they may wish to present.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. HICKENLOOPER. Mr. President, I believe I have the floor. I shall be happy to yield to any Senators.

Mr. JOHNSON of Texas. I have no pride in yielding.

Mr. HICKENLOOPER. The Senator does not have the floor.

Mr. JOHNSON of Texas. The Senator from California asked me to yield, and I yielded for a question.

Mr. HICKENLOOPER. I am glad to yield to the Senator from California.

Mr. KNOWLAND. I thank the distinguished Senator from Iowa for yielding.

Mr. President, I thank the distinguished Senator from Texas for his statement. I think it is fair. It is fair to all Senators, because they all have a vital interest in this subject. As I understand, the Senate will continue in executive session until the treaty has been disposed of, and at that time it will resume legislative session, when the House bill will be laid before the Senate.

Mr. JOHNSON of Texas. The Senator is correct.

Mr. McNAMARA. Mr. President, I should like to ask the Senator from Texas a question.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Senator from Iowa may yield to me briefly, without losing the floor, in order that I may answer a question from the Senator from Michigan.

Mr. HICKENLOOPER. I am delighted to yield.

Mr. JOHNSON of Texas. I yield to the Senator from Michigan.

Mr. McNAMARA. May we be assured of having a quorum call prior to laying the message from the House before the Senate?

Mr. JOHNSON of Texas. The Senator from Texas will make every attempt to keep all Senators informed.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. It is true, of course, that there will be a yea-and-nay vote upon the treaty, so that all Senators will be informed upon the conclusion of the executive business.

Let me say that I was not surprised at the fairness of the majority leader. I knew that it would be that way, and I thank him.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1008. An act for the relief of Colonel Benjamin Axelroad;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.;

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antoine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

The message also announced that the House had passed the bill (S. 601) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 1454) for the relief of Jeffrey Charles Medworth.

The message further announced that the House had agreed to the amendments of the Senate to the joint resolution (H. J. Res. 274) to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOGARTY, Mr. LANHAM, Mr. DENTON, Mr. CANNON, Mr. TABER, and Mr. LAIRD had been appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 to the bill and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 2, 5, and 16 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 15 and 17 to the bill.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law;

H. R. 1942. An act for the relief of the Sergeant Bluff Consolidated School District;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended;

H. R. 4830. An act to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes;

H. R. 6127. An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

H. R. 6789. An act to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies;

H. R. 7261. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia; and

H. R. 7536. An act to amend the Act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. RUSSELL. Mr. President, will the Senator from Iowa permit me to make a parliamentary inquiry?

Mr. HICKENLOOPER. Certainly.

Mr. RUSSELL. Mr. President, there seems to be some disposition to make the rules as we go along with respect to this specific legislation, and allow the regular rules to apply to all other legislation.

I should like to know whether the Chair agrees with the statement of the Senator from Texas that this subject cannot be brought up while the Senate is in executive session.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. I am glad that we are at least sustained in that respect.

Mr. HOLLAND. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HOLLAND. I understand that the Senate is now proceeding not only in executive session, but under a unanimous-consent agreement which reads as follows:

Ordered, That when the Senate convenes on Monday, June 17, 1957, it convene at 11 a. m., for the purpose of considering the atomic-energy treaty, and that it remain the pending business until disposed of.

Is that correct?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLAND. Then, unless unanimous consent were requested and given, no business other than the pending treaty would be before the Senate or could be disposed of?

The VICE PRESIDENT. The Senator is correct.

Mr. HOLLAND. I serve notice on the Senate that I shall object if any unanimous-consent request is made to set aside the present unanimous-consent agreement before the pending business is disposed of.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HICKENLOOPER. In answer to the question of the Senator from Florida, as I understand, he stated that no other matters could be discussed while the treaty was before the Senate. Does that mean that speeches could not be made on extraneous subjects?

Mr. HUMPHREY. Oh, no.

The VICE PRESIDENT. As the Chair understands, the Senator from Florida was referring to action rather than discussion.

Mr. HICKENLOOPER. The reason for my inquiry is that I understood the question of the Senator from Florida to be as to whether or not matters other than the treaty could be discussed before final action upon the treaty. I understood the Chair to answer in the affirmative. I have no objection. I merely wish to know the ground rules.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. The Senator from Florida has been a Member of this body for several years. He knows perfectly well that the utterances of other Senators cannot be controlled by any such simple procedure as proceeding under a unanimous-consent agreement.

The point made by the Senator from Florida is that he will object to any request to set aside the pending operative unanimous-consent agreement under which the pending treaty is the pending business, until it is disposed of.

Therefore, under that statement no business can become the pending business other than the Atomic Energy Treaty, and a return of the Senate to legislative session cannot be accomplished until the pending business has been disposed of.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. RUSSELL. I understood the Senator from Florida to say that he would object to laying aside the pending business, which is being considered by the Senate under the unanimous-consent agreement, until action upon the treaty has been concluded. However, we can appreciate the apprehension of the Senator from Iowa. The Senate has operated without a rule of relevancy in debate and discussion since the first Senate met. But we have cast aside other rules, and there is apparently no reason why a majority cannot cast aside the rule permitting Senators to address themselves to such subjects as they wish and, by a point of order sustained by the ruling of the Chair, confine Senators to relevant discussion.

Mr. HICKENLOOPER. My apprehension was stirred somewhat by the fact that the Senator from Minnesota has asked me to yield 5 minutes to him so that he may make a statement on an extraneous matter. I did not know whether I would be getting off base if I yielded to him, in view of the suggestion of the Senator from Florida.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. CAPEHART. My question is based on what can and possibly will happen. In other words, there could probably be prolonged debate on the treaty, and such prolonged debate could run for several days or several weeks. I would not want to call it a filibuster, because I presume it would all be addressed to the merits of the pending treaty.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. I wish to reassure my suspicious friend from Indiana, that there is no plan for such proposed discussion known to the Senator from Florida, and I wish to see every Senator have the privilege of going downstairs to get his lunch without being nervously distraught and apprehensive that he may be called back to the floor without any warning whatever to cast an important vote. The Senator from Florida reiterates his statement that he will not agree to any unanimous consent request to lay aside the present pending business or to lay aside the present pending unanimous consent agreement under which the Senate is now operating.

Mr. CAPEHART. Would the Senator say that if a Senator has a sick grandmother he could visit her, even though it might take several days to do so?

Mr. HOLLAND. Especially if the grandmother is downstairs in the Senate restaurant. The Senator from Indiana, being such a valiant trencherman, can feel reassured that he may go downstairs and indulge in his favorite sport without any fear of immediate adverse effects.

Mr. HICKENLOOPER. I might say to the Senator from Florida that I am a devotee of a certain comic strip called "Pogo." It may be that the humor of Pogo is at about my intellectual level. At any rate, at the present time Pogo is being exorcized of a devil, which is thought to be inside Pogo. That is being done by his friends sitting beside his bed and talking to Pogo about food and all the luxurious things that one can think of.

It so happens that I must make a speech at this time and I shall not be able to get any food for perhaps an hour. The Senator from Florida, consequently, gave me a little shiver when he spoke about the food that all of us like to get at about this time.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. Would it be fair to say that the gist of this colloquy between Senators is that there is a renewed interest in the treaty relating to the International Atomic Energy Agency, and that after we have shed some light on the atomic energy question we may expect some heat to be generated? Would the Senator say that we might be engaged in such type of deliberation?

Mr. HICKENLOOPER. I know that one of the most unusual things about the Senate is that it can go along calmly hour after hour and then, without any warning whatever, it can generate a great deal of heat, sometimes so much, perhaps, as to rival the heat of an atomic bomb. It is possible that we are approaching one of those situations.

Mr. HUMPHREY. The Senator from Florida, at least, has assured us that we can eat our lunch in tranquillity.

Mr. HICKENLOOPER. I can give the Senator so such assurance. Does the Senator wish me to yield to him for a statement?

Mr. HUMPHREY. In light of the announcements which have been made, and the remarks of my good friend, the Senator from Florida, I shall defer the reading of my statement until a little later, when I get the floor in my own right.

Mr. HOLLAND. Mr. President, will the Senator yield further?

Mr. HICKENLOOPER. I yield.

Mr. HOLLAND. While my remarks about the pursuit that is so well loved by our distinguished friend from Indiana do not apply to our distinguished friend from Minnesota, I think that he, too, would be safe in going down to have his cup of coffee or bowl of soup or whatever it is that he indulges in at lunchtime, because I shall not give consent to lay aside the pending business or the unanimous-consent agreement.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. HUMPHREY. I wish to say that the Senator's kindness is exceeded only by the orderliness of his comment.

Mr. CASE of South Dakota. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. CASE of South Dakota. I merely wished to ask the Senator from Iowa, in view of the fact that a good deal of explanation is to be given during the

debate, whether the Senator believes that the debate would deal with fission or with thermonuclear matters?

Mr. HICKENLOOPER. I think there is a peculiar amalgamation here which we might call fission on the matter that is coming up.

Mr. CASE of South Dakota. And that there may also be some thermonuclear reaction?

Mr. HICKENLOOPER. Perhaps it will be a combination of both.

Mr. President, the question before the Senate today, the ratification of Executive I, 85th Congress, 1st session, The Statute of the International Atomic Energy Agency, proposes what may be one of the most important political and humanitarian steps this country has ever taken. Ever since President Eisenhower first advocated the creation of an international agency for the advancement of the peaceful uses of atomic energy, the nations and the people of most of the world have looked forward with anticipation and hope. His proposal received extraordinary acceptance, because it seemed to point the way toward better international understanding and cooperation for the establishment of confidence in a field where there exists much apprehension and fear.

The limitless possibilities for the use of energy released from the atom have long been realized. While this realization was in the field of theory for many years, its practicability was proven at Alamogordo in 1945 when the first atomic explosion took place. Whether it was fortunate or unfortunate for the world that the first major proof that man could release useful energy from the atom came in the form of a weapon is really a moot question. We did not work up to an explosion as a result of step by step economic peacetime uses of atomic energy, but rather we leaped over many intermediate steps to reach the bomb as a necessity in war. In a sense we have started at that point and have been working backward down the line in research and development for peaceful uses.

It is true that we have continued our development of better and more powerful weapons, through necessity created by continuing world tensions and because of the militant aggressiveness and threats of international communism controlled by the Kremlin. Weapon development has been spectacular and therefore leaves many people, and perhaps many nations, feeling that it is the major area of atomic development. The fact is, that we have devoted a great part of our program and vast research and efforts to the development of peacetime uses of atomic energy.

Indeed, our efforts to establish reliable safeguards against the development and use of atomic energy for war began at the close of World War II, and ever since that time we have constantly labored with this object in mind. Our efforts, and the efforts of the free nations of the world, however, have been constantly blocked by the Soviet refusal to agree to any practical and reliable international safeguards. We have kept on probing, however, for a formula and for step-by-step approaches under which we may eventually succeed in our peaceful goals.

This International Agency may well be an important entering wedge in our efforts to penetrate the Iron Curtain of resistance, by establishing in the peaceful atomic field the cooperation and understanding among 80-odd nations which will help dispel suspicion and bring us closer to reliable international peace.

Mr. President, the proposed treaty, because of its far-reaching effects and because it sets up an independent and autonomous International Agency, merits careful and serious consideration. I believe the treaty has received careful consideration by the Foreign Relations Committee and by individual members. Because it involved atomic energy, the Foreign Relations Committee invited the Senate Members of the Joint Committee on Atomic Energy to join in the hearings, and the two committees cooperated in probing this proposal.

Because this treaty is in fact a statute which will govern the activities of the International Agency, it necessarily contains many provisions, and I think it is necessary that we understand as fully as possible what the objectives of the Agency are and what the various provisions mean so far as our interests are concerned and so far as its activities with respect to other nations may be concerned. An additional fact of utmost importance to us and also to the Agency is that initially, at least, we will be the major supplier of fissionable material to the Agency for its peaceful uses. If Russians claims and statements are true with respect to her development in the atomic field, then, of course, Russia should be a comparable supplier with the United States; but as matters stand today, the amounts of fissionable material which Russia has offered to make available are minute indeed as compared with those of the United States.

Mr. President, I ask unanimous consent that the text of the International Statute, which is the statute now being considered, be printed at this point in the RECORD.

There being no objection, the text of the International Statute was ordered to be printed in the RECORD, as follows:

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

ARTICLE I

Establishment of the agency

The Parties hereto establish an International Atomic Energy Agency (hereinafter referred to as "the Agency") upon the terms and conditions hereinafter set forth.

ARTICLE II

Objectives

The Agency shall seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world. It shall ensure, so far as it is able, that assistance provided by it or at its request or under its supervision or control is not used in such a way as to further any military purpose.

ARTICLE III

Functions

A. The Agency is authorized:

1. To encourage and assist research on, and development and practical application of, atomic energy for peaceful uses through the world; and, if requested to do so, to act as an intermediary for the purposes of securing the performance of services or the supplying of materials, equipment, or facilities by one member of the Agency for another; and to perform any operation or service useful in research on, or development or practical application of, atomic energy for peaceful purposes;

2. To make provisions, in accordance with this Statute, for materials, services, equipment, and facilities to meet the needs of research on, and development and practical application of, atomic energy for peaceful purposes, including the production of electric power, with due consideration for the needs of the under-developed areas of the world;

3. To foster the exchange of scientific and technical information on peaceful uses of atomic energy;

4. To encourage the exchange and training of scientists and experts in the field of peaceful uses of atomic energy;

5. To establish and administer safeguards designed to ensure that special fissionable and other materials, services, equipment, facilities, and information made available by the Agency or at its request or under its supervision or control are not used in such a way as to further any military purpose; and to apply safeguards, at the request of the parties, to any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

6. To establish or adopt, in consultation and, where appropriate, in collaboration with the competent organs of the United Nations and with the specialized agencies concerned, standards of safety for protection of health and minimization of danger to life and property (including such standards for labour conditions), and to provide for the application of these standards to its own operations as well as to the operations making use of materials, services, equipment, facilities, and information made available by the Agency or at its request or under its control or supervision; and to provide for the application of these standards, at the request of the parties, to operations under any bilateral or multilateral arrangement, or, at the request of a State, to any of that State's activities in the field of atomic energy;

7. To acquire or establish any facilities plant and equipment useful in carrying out its authorized functions, whenever the facilities, plant, and equipment otherwise available to it in the area concerned are inadequate or available only on terms it deems unsatisfactory.

B. In carrying out its functions, the Agency shall:

1. Conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international cooperation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies;

2. Establish control over the use of special fissionable materials received by the Agency, in order to ensure that these materials are used only for peaceful purposes;

3. Allocate its resources in such a manner as to secure efficient utilization and the greatest possible general benefit in all areas of the world, bearing in mind the special needs of the underdeveloped areas of the world;

4. Submit reports on its activities annually to the General Assembly of the United Nations and, when appropriate, to the Security Council: if in connexion with the activities of the Agency there should arise questions that are within the com-

petence of the Security Council, the Agency shall notify the Security Council, as the organ bearing the main responsibility for the maintenance of international peace and security, and may also take the measures open to it under this statute, including those provided in paragraph C of article XII;

5. Submit reports to the Economic and Social Council and other organs of the United Nations on matters within the competence of these organs.

C. In carrying out its functions, the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute.

D. Subject to the provisions of this statute and to the terms of agreements conclude between a state or a group of states and the Agency which shall be in accordance with the provisions of the statute, the activities of the Agency shall be carried out with due observance of the sovereign rights of states.

ARTICLE IV

Membership

A. The initial members of the Agency shall be those states members of the United Nations or of any of the specialized agencies which shall have signed this statute within 90 days after it is opened for signature and shall have deposited an instrument of ratification.

B. Other members of the Agency shall be those states, whether or not members of the United Nations or of any of the specialized agencies, which deposit an instrument of acceptance of this statute after their membership has been approved by the General Conference upon the recommendation of the Board of Governors. In recommending and approving a state for membership, the Board of Governors and the General Conference shall determine that the state is able and willing to carry out the obligations of membership in the Agency, giving due consideration to its ability and willingness to act in accordance with the purposes and principles of the Charter of the United Nations.

C. The Agency is based on the principle of the sovereign equality of all its members, and all members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with this statute.

ARTICLE V

General Conference

A. A General Conference consisting of representatives of all members shall meet in regular annual session and in such special sessions as shall be convened by the Director General at the request of the Board of Governors or of a majority of members. The sessions shall take place at the headquarters of the Agency unless otherwise determined by the General Conference.

B. At such sessions, each member shall be represented by one delegate who may be accompanied by alternates and by advisers. The cost of attendance of any delegation shall be borne by the member concerned.

C. The General Conference shall elect a president and such other officers as may be required at the beginning of each session. They shall hold office for the duration of the session. The General Conference, subject to the provisions of this statute, shall adopt its own rules of procedures. Each member shall have one vote. Decisions pursuant to paragraph H of article XIV, paragraph C of article XVIII and paragraph B of article XIX shall be made by a two-thirds majority of the members present and voting. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting. A majority of members shall constitute a quorum.

D. The General Conference may discuss any questions or any matters within the scope of this statute or relating to the powers and functions of any organs provided for in this statute, and may make recommendations to the membership of the Agency or to the Board of Governors or to both on any such questions or matters.

E. The General Conference shall:

1. Elect members of the Board of Governors in accordance with article VI;

2. Approve States for membership in accordance with article IV;

3. Suspend a member from the privileges and rights of membership in accordance with article XIX.

4. Consider the annual report of the Board;

5. In accordance with article XIV, approve the budget of the Agency recommended by the Board or return it with recommendation as to its entirety or parts to the Board, for resubmission to the General Conference;

6. Approve reports to be submitted to the United Nations as required by the relationship agreement between the Agency and the United Nations, except reports referred to in paragraph C of article XII, or return them to the Board with its recommendations;

7. Approve any agreement or agreements between the Agency and the United Nations and other organizations as provided in article XVI or return such agreements with its recommendations to the Board, for resubmission to the General Conference;

8. Approve rules and limitations regarding the exercise of borrowing powers by the Board, in accordance with paragraph G of article XIV; approve rules regarding the acceptance of voluntary contributions to the Agency; and approve, in accordance with paragraph F or article XIV, the manner in which the general fund referred to in that paragraph may be used;

9. Approve amendments to this Statute in accordance with paragraph C of article XVIII;

10. Approve the appointment of the Director General in accordance with paragraph A of article VII.

F. The General Conference shall have the authority:

1. To take decisions on any matter specifically referred to the General Conference for this purpose by the Board;

2. To propose matters for consideration by the Board and request from the Board reports on any matter relating to the functions of the Agency.

ARTICLE VI

Board of Governors

A. The Board of Governors shall be composed as follows:

1. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board the five members most advanced in the technology of atomic energy including the production of source materials and the member most advanced in the technology of atomic energy including the production of source materials in each of the following areas not represented by the aforesaid five: (1) North America, (2) Latin America, (3) Western Europe, (4) Eastern Europe, (5) Africa and the Middle East, (6) South Asia; (7) South East Asia and the Pacific, (8) Far East.

2. The outgoing Board of Governors (or in the case of the first Board, the Preparatory Commission referred to in Annex I) shall designate for membership on the Board two members from among the following other producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal; and shall also designate for membership on the Board one other member as a supplier of technical assistance. No member in this category in any one year will be eligible for redesignation in the same category for the following year.

3. The General Conference shall elect ten members to membership on the Board of Governors, with due regard to equitable representation on the Board as a whole of the members in the areas listed in subparagraph A–1 of this article, so that the Board shall at all times include in this category a representative of each of those areas except North America. Except for the five members chosen for a term of one year in accordance with paragraph D of this article, no member in this category in any one term of office will be eligible for reelection in the same category for the following term of office.

B. The designations provided for in subparagraphs A–1 and A–2 of this article shall take place not less than sixty days before each regular annual session of the General Conference. The elections provided for in subparagraph A–3 of this article shall take place at regular annual sessions of the General Conference.

C. Members represented on the Board of Governors in accordance with subsection A–1 and A–2 of this article shall hold office from the end of the next regular annual session of the General Conference after their designation until the end of the following regular annual session of the General Conference.

D. Members represented on the Board of Governors in accordance with subparagraph A–3 of this article shall hold office from the end of the regular annual session of the General Conference at which they are elected until the end of the second regular annual session of the General Conference thereafter. In the election of these members for the first Board, however, 5 shall be chosen for a term of 1 year.

E. Each member of the Board of Governors shall have one vote. Decisions on the amount of the Agency's budget shall be made by a two-thirds majority of those present and voting, as provided in paragraph H of article XIV. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of those present and voting. Two-thirds of all members of the Board shall constitute a quorum.

F. The Board of Governors shall have authority to carry out the functions of the Agency in accordance with this statute, subject to its responsibilities to the General Conference as provided in this statute.

G. The Board of Governors shall meet at such times as it may determine. The meetings shall take place at the headquarters of the Agency unless otherwise determined by the Board.

H. The Board of Governors shall elect a Chairman and other officers from among its members and, subject to the provisions of this statute, shall adopt its own rules of procedure.

I. The Board of Governors may establish such committees as it deems advisable. The Board may appoint persons to represent it in its relations with other organizations.

J. The Board of Governors shall prepare an annual report to the General Conference concerning the affairs of the Agency and any projects approved by the Agency. The Board shall also prepare for submission to the General Conference such reports as the Agency is or may be required to make to the United Nations or to any other organization the work of which is related to that of the Agency. These reports, along with the annual reports, shall be submitted to members of the Agency at least 1 month before the regular annual session of the General Conference.

ARTICLE VII

Staff

A. The staff of the Agency shall be headed by a Director General. The Director General shall be appointed by the Board of Governors with the approval of the General Conference

for a term of 4 years. He shall be the chief administrative officer of the Agency.

B. The Director General shall be responsible for the appointment, organization, and functioning of the staff and shall be under the authority of and subject to the control of the Board of Governors. He shall perform his duties in accordance with regulations adopted by the Board.

C. The staff shall include such qualified scientific and technical and other personnel as may be required to fulfil the objectives and functions of the Agency. The Agency shall be guided by the principle that its permanent staff shall be kept to a minimum.

D. The paramount consideration in the recruitment and employment of the staff and in the determination of the conditions of service shall be to secure employees of the highest standards of efficiency, technical competence, and integrity. Subject to this consideration, due regard shall be paid to the contributions of members to the Agency and to the importance of recruiting the staff on as wide a geographical basis as possible.

E. The terms and conditions on which the staff shall be appointed, remunerated, and dismissed shall be in accordance with regulations made by the Board of Governors, subject to the provisions of this statute and to general rules approved by the General Conference on the recommendation of the Board.

F. In the performance of their duties, the Director General and the staff shall not seek or receive instructions from any source external to the Agency. They shall refrain from any action which might reflect on their position as officials of the Agency; subject to their responsibilities to the Agency, they shall not disclose any industrial secret or other confidential information coming to their knowledge by reason of their official duties for the Agency. Each member undertakes to respect the international character of the responsibilities of the Director General and the staff and shall not seek to influence them in the discharge of their duties.

G. In this article the term "staff" includes guards.

ARTICLE VIII

Exchange of information

A. Each member should make available such information as would, in the judgment of the member, be helpful to the Agency.

B. Each member shall make available to the Agency all scientific information developed as a result of assistance extended by the Agency pursuant to article XI.

C. The Agency shall assemble and make available in an accessible form the information made available to it under paragraphs A and B of this article. It shall take positive steps to encourage the exchange among its members of information relating to the nature and peaceful uses of atomic energy and shall serve as an intermediary among its members for this purpose.

ARTICLE IX

Supplying of materials

A. Members may make available to the Agency such quantities of special fissionable materials as they deem advisable and on such terms as shall be agreed with the Agency. The materials made available to the Agency may, at the discretion of the member making them available, be stored either by the member concerned or, with the agreement of the Agency, in the Agency's depots.

B. Members may also make available to the Agency source materials as defined in article XX and other materials. The Board of Governors shall determine the quantities of such materials which the Agency will accept under agreements provided for in article XIII.

C. Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared, in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

D. On request of the Agency a member shall, from the materials which it has made available, without delay deliver to another member or group of members such quantities of such materials as the Agency may specify, and shall without delay deliver to the Agency itself such quantities of such materials as are really necessary for operations and scientific research in the facilities of the Agency.

E. The quantities, form and composition of materials made available by any member may be changed at any time by the member with the approval of the Board of Governors.

F. An initial notification in accordance with paragraph C of this article shall be made within three months of the entry into force of this statute with respect to the member concerned. In the absence of a contrary decision of the Board of Governors, the materials initially made available shall be for the period of the calendar year succeeding the year when this statute takes effect with respect to the member concerned. Subsequent notifications shall likewise, in the absence of a contrary action by the Board, relate to the period of the calendar year following the notification and shall be made no later than the first day of November of each year.

G. The Agency shall specify the place and method of delivery and, where appropriate, the form and composition, of materials which it has requested a member to deliver from the amounts which that member has notified the Agency it is prepared to make available. The Agency shall also verify the quantities of materials delivered and shall report those quantities periodically to the members.

H. The Agency shall be responsible for storing and protecting materials in its possession. The Agency shall ensure that these materials shall be safeguarded against (1) hazards of the weather, (2) unauthorized removal or diversion, (3) damage or destruction, including sabotage, and (4) forcible seizure. In storing special fissionable materials in its possession, the Agency shall ensure the geographical distribution of these materials in such a way as not to allow concentration of large amounts of such materials in any one country or region of the world.

I. The Agency shall as soon as practicable establish or acquire such of the following as may be necessary:

1. Plant, equipment, and facilities for the receipt, storage, and issue of materials;

2. Physical safeguards;

3. Adequate health and safety measures;

4. Control laboratories for the analysis and verification of materials received;

5. Housing and administrative facilities for any staff required for the foregoing.

J. The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this statute. No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used.

ARTICLE X

Services, equipment, and facilities

Members may make available to the Agency services, equipment, and facilities which may be of assistance in fulfilling the Agency's objectives and functions.

ARTICLE XI

Agency projects

A. Any member or group of members of the Agency desiring to set up any project for research on, or development or practical application of, atomic energy for peaceful purposes may request the assistance of the Agency in securing special fissionable and other materials, services, equipment, and facilities necessary for this purpose. Any such request shall be accompanied by an explanation of the purpose and extent of the project and shall be considered by the Board of Governors.

B. Upon request, the Agency may also assist any member or group of members to make arrangements to secure necessary financing from outside sources to carry out such projects. In extending this assistance, the Agency will not be required to provide any guaranties or to assume any financial responsibility for the project.

C. The Agency may arrange for the supplying of any materials, services, equipment, and facilities necessary for the project by one or more members or may itself undertake to provide any or all of these directly, taking into consideration the wishes of the member or members making the request.

D. For the purpose of considering the request the Agency may send in'o the territory of the member or group of members making the request a person or persons qualified to examine the project. For this purpose the Agency may, with the approval of the member or group of members making the request, use members of its own staff or employ suitably qualified nationals of any member.

E. Before approving a project under this article, the Board of Governors shall give due consideration to:

1. The usefulness of the project, including its scientific and technical feasibility;

2. The adequacy of plans, funds, and technical personnel to assure the effective execution of the project;

3. The adequacy of proposed health and safety standards for handling and storing materials and for operating facilities;

4. The inability of the member or group of members making the request to secure the necessary finances, materials, facilities, equipment, and services;

5. The equitable distribution of materials and other resources available to the Agency;

6. The special needs of the underdeveloped areas of the world; and

7. Such other matters as may be relevant.

F. Upon approving a project, the Agency shall enter into an agreement with the member or group of members submitting the project, which agreement shall:

1. Provide for allocation to the project of any required special fissionable or other materials;

2. Provide for transfer of special fissionable materials from their then place of custody, whether the materials be in the custody of the Agency or of the member making them available for use in Agency projects, to the member or group of members submitting the project, under conditions which ensure the safety of any shipment required and meet applicable health and safety standards;

3. Set forth the terms and conditions, including charges, on which any materials, services, equipment, and facilities are to be provided by the Agency itself, and, if any such materials, services, equipment, and facilities are to be provided by a member, the terms and conditions as arranged for by the member or group of members submitting the project and the supplying member;

4. Include undertakings by the member or group of members submitting the project: (a) that the assistance provided shall not be used in such a way as to further any military purpose; and (b) that the project shall be subject to the safeguards provided for in article XII, the relevant safeguards being specified in the agreement;

5. Make appropriate provision regarding the rights and interests of the Agency and the member or members concerned in any inventions or discoveries, or any patents therein, arising from the project;

6. Make appropriate provision regarding settlement of disputes;

7. Include such other provisions as may be appropriate.

G. The provisions of this article shall also apply where appropriate to a request for materials, services, facilities, or equipment in connection with an existing project.

ARTICLE XII

Agency safeguards

A. With respect to any Agency project, or other arrangement where the Agency is requested by the parties concerned to apply safeguards, the Agency shall have the following rights and responsibilities to the extent relevant to the project or arrangement:

1. To examine the design of specialized equipment and facilities, including nuclear reactors, and to approve it only from the viewpoint of assuring that it will not further any military purpose, that it complies with applicable health and safety standards, and that it will permit effective application of the safeguards provided for in this article;

2. To require the observance of any health and safety measures prescribed by the Agency;

3. To require the maintenance and production of operating records to assist in ensuring accountability for source and special fissionable materials used or produced in the project or arrangement;

4. To call for and receive progress reports;

5. To approve the means to be used for the chemical processing of irradiated materials solely to ensure that this chemical processing will not lend itself to diversion of materials for military purposes and will comply with applicable health and safety standards; to require that special fissionable materials recovered or produced as a byproduct be used for peaceful purposes, under continuing Agency safeguards for research or in reactors, existing or under construction, specified by the member or members concerned; and to require deposit with the Agency of any excess of any special fissionable materials recovered or produced as a byproduct over what is needed for the above-stated uses in order to prevent stockpiling of these materials, provided that thereafter at the request of the member or members concerned special fissionable materials so deposited with the Agency shall be returned promptly to the member or members concerned for use under the same provisions as stated above;

6. To send into the territory of the recipient state or states inspectors, designated by the Agency after consultation with the state or states concerned, who shall have access at all times to all places and data and to any person who by reason of his occupation deals with materials, equipment, or facilities which are required by this statute to be safeguarded, as necessary to account for source and special fissionable materials supplied and fissionable products and to determine whether there is compliance with the undertaking against use in furtherance of any military purpose referred to in subparagraph F-4 of article XI, with the health and safety measures referred to in subparagraph A-2 of this article, and with any other conditions prescribed in the agreement between the Agency and the state or states concerned. Inspectors designated by the Agency shall be accompanied by representatives of the authorities of the state concerned, if that state so requests, provided that the inspectors shall not thereby be delayed or otherwise impeded in the exercise of their functions;

7. In the event of noncompliance and failure by the recipient state or states to take requested corrective steps within a reasonable time, to suspend or terminate assistance and withdraw any materials and equipment made available by the Agency or a member in furtherance of the project.

B. The Agency shall, as necessary, establish a staff of inspectors. The staff of inspectors shall have the responsibility of examining all operations conducted by the Agency itself to determine whether the Agency is complying with the health and safety measures prescribed by it for application to projects subject to its approval, supervision or control, and whether the Agency is taking adequate measures to prevent the source and special fissionable materials in its custody or used or produced in its own operations from being used in furtherance of any military purpose. The Agency shall take remedial action forthwith to correct any noncompliance or failure to take adequate measures.

C. The staff of inspectors shall also have the responsibility of obtaining and verifying the accounting referred to in subparagraph A-6 of this article and of determining whether there is compliance with the undertaking referred to in subparagraph F-4 of article XI, with the measures referred to in subparagraph A-2 of this article, and with all other conditions of the project prescribed in the agreement between the Agency and the state or states concerned. The inspectors shall report any noncompliance to the Director General who shall thereupon transmit the report to the Board of Governors. The Board shall call upon the recipient state or states to remedy forthwith any noncompliance which it finds to have occurred. The Board shall report the noncompliance to all members and to the Security Council and General Assembly of the United Nations. In the event of failure of the recipient state or states to take fully corrective action within a reasonable time, the Board may take one or both of the following measures: direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with article XIX, suspend any noncomplying member from the exercise of the privileges and rights of membership.

ARTICLE XIII

Reimbursement of members

Unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished.

ARTICLE XIV

Finance

A. The Board of Governors shall submit to the General Conference the annual budget estimates for the expenses of the Agency. To facilitate the work of the Board in this regard, the Director General shall initially prepare the budget estimates. If the General Conference does not approve the estimates, it shall return them together with its recommendations to the Board. The Board shall then submit further estimates to the General Conference for its approval.

B. Expenditures of the Agency shall be classified under the following categories:

1. Administrative expenses: these shall include:

(a) Costs of the staff of the Agency other than the staff employed in connection with materials, services, equipment, and facilities referred to in subparagraph B-2 below; costs of meetings; and expenditures required for the preparation of Agency projects and for the distribution of information;

(b) Costs of implementing the safeguards referred to in article XII in relation to Agency projects or, under subparagraph A-5 of article III, in relation to any bilateral or multilateral arrangement, together with the costs of handling and storage of special fissionable material by the Agency other than the storage and handling charges referred to in paragraph E below;

2. Expenses, other than those included in subparagraph 1 of this paragraph in connection with any materials, facilities, plant, and equipment acquired or established by the Agency in carrying out its authorized functions, and the costs of materials, services, equipment, and facilities provided by it under agreements with one or more members.

C. In fixing the expenditures under subparagraph B-1 (b) above, the Board of Governors shall deduct such amounts as are recoverable under agreements regarding the application of safeguards between the Agency and parties to bilateral or multilateral arrangements.

D. The Board of Governors shall apportion the expenses referred to in subparagraph B-1 above, among members in accordance with a scale to be fixed by the General Conference. In fixing the scale the General Conference shall be guided by the principles adopted by the United Nations in assessing contributions of member states to the regular budget of the United Nations.

E. The Board of Governors shall establish periodically a scale of charges, including reasonable uniform storage and handling charges, for materials, services, equipment, and facilities furnished to members by the Agency. The scale shall be designed to produce revenues for the Agency adequate to meet the expenses and costs referred to in subparagraph B-2 above, less any voluntary contributions which the Board of Governors may, in accordance with paragraph F, apply for this purpose. The proceeds of such charges shall be placed in a separate fund which shall be used to pay members for any materials, services, equipment, or facilities furnished by them and to meet other expenses referred to in subparagraph B-2 above which may be incurred by the Agency itself.

F. Any excess of revenues referred to in paragraph E over the expenses and costs there referred to, and any voluntary contributions to the Agency, shall be placed in a general fund which may be used as the Board of Governors, with the approval of the General Conference, may determine.

G. Subject to rules and limitations approved by the General Conference, the Board of Governors shall have the authority to exercise borrowing powers on behalf of the Agency without, however, imposing on members of the Agency any liability in respect of loans entered into pursuant to this authority, and to accept voluntary contributions made to the Agency.

H. Decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget shall require a two-thirds majority of those present and voting.

ARTICLE XV

Privileges and immunities

A. The Agency shall enjoy in the territory of each member such legal capacity and such privileges and immunities as are necessary for the exercise of its functions.

B. Delegates of members together with their alternates and advisers, Governors appointed to the Board together with their alternates and advisers, and the Director General and the staff of the Agency, shall enjoy such privileges and immunities as are necessary in the independent exercise of their functions in connection with the Agency.

C. The legal capacity, privileges, and immunities referred to in this article shall be defined in a separate agreement or agreements between the Agency, represented for this purpose by the Director General acting under instructions of the Board of Governors, and the members.

ARTICLE XVI

Relationship with other organizations

A. The Board of Governors, with the approval of the General Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Agency and the United Nations and any other organizations the work of which is related to that of the Agency.

B. The agreement or agreements establishing the relationship of the Agency and the United Nations shall provide for:

1. Submission by the Agency of reports as provided for in subparagraphs B–4 and B–5 of article III;

2. Consideration by the Agency of resolutions relating to it adopted by the General Assembly or any of the Councils of the United Nations and the submission of reports, when requested, to the appropriate organ of the United Nations on the action taken by the Agency or by its members in accordance with this statute as a result of such consideration.

ARTICLE XVII

Settlement of disputes

A. Any question or dispute concerning the interpretation or application of this statute which is not settled by negotiation shall be referred to the International Court of Justice in conformity with the statute of the court, unless the parties concerned agree on another mode of settlement.

B. The General Conference and the Board of Governors are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Agency's activities.

ARTICLE XVIII

Amendments and withdrawals

A. Amendments to this statute may be proposed by any member. Certified copies of the text of any amendment proposed shall be prepared by the Director General and communicated by him to all members at least ninety days in advance of its consideration by the General Conference.

B. At the fifth annual session of the General Conference following the coming into force of this statute, the question of a general review of the provisions of this statute shall be placed on the agenda of that session. On approval by a majority of the members present and voting, the review will take place at the following General Conference. Thereafter, proposals on the question of a general review of this statute may be submitted for decision by the General Conference under the same procedure.

C. Amendments shall come into force for all members when:

(i) Approved by the General Conference by a two-thirds majority of those present and voting after consideration of observations submitted by the Board of Governors on each proposed amendment, and

(ii) Accepted by two-thirds of all the members in accordance with their respective constitutional processes. Acceptance by a member shall be effected by the deposit of an instrument of acceptance with the depositary Government referred to in paragraph C of article XXI.

D. At any time after five years from the date when this statute shall take effect in accordance with paragraph E of article XXI or whenever a member is unwilling to accept an amendment to this statute, it may withdraw from the Agency by notice in writing to that effect given to the depositary Government referred to in paragraph C of article XXI, which shall promptly inform the Board of Governors and all members.

E. Withdrawal by a member from the Agency shall not affect its contractual obligations entered into pursuant to article XI or its budgetary obligations for the year in which it withdraws.

ARTICLE XIX

Suspension of privileges

A. A member of the Agency which is in arrears in the payment of its financial contributions to the Agency shall have no vote in the Agency if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. The General Conference may, nevertheless, permit such a member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the member.

B. A member which has persistently violated the provisions of this statute or of any agreement entered into by it pursuant to this statute may be suspended from the exercise of the privileges and rights of membership by the General Conference acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors.

ARTICLE XX

Definitions

As used in this statute:

1. The term "special fissionable material" means plutonium 239; uranium 233; uranium enriched in the isotopes 235 or 233; any material containing one or more of the foregoing; and such other fissionable material as the Board of Governors shall from time to time determine; but the term "special fissionable material" does not include source material.

2. The term "uranium enriched in the isotopes 235 or 233" means uranium containing the isotopes 235 or 233 or both in an amount such that the abundance ratio of the sum of these isotopes to the isotope 238 is greater than the ratio of the isotope 235 to the isotope 238 occurring in nature.

3. The term "source material" means uranium containing the mixture of isotopes occurring in nature; uranium depleted in the isotope 235; thorium; any of the foregoing in the form of metal, alloy, chemical compound, or concentrate; any other material containing one or more of the foregoing in such concentrations as the Board of Governors shall from time to time determine; and such other material as the Board of Governors shall from time to time determine.

ARTICLE XXI

Signature, acceptance, and entry into force

A. This statute shall be open for signature on 26 October 1956 by all states members of the United Nations or of any of the specialized agencies and shall remain open for signature by those states for a period of ninety days.

B. The signatory states shall become parties to this statute by deposit of an instrument of ratification.

C. Instruments of ratification by signatory states and instruments of acceptance by states whose membership has been approved under paragraph B of article IV of this statute shall be deposited with the Government of the United States of America, hereby designated as depositary government.

D. Ratification or acceptance of this statute shall be effected by states in accordance with their respective constitutional processes.

E. This statute, apart from the annex, shall come into force when eighteen states have deposited instruments of ratification in accordance with paragraph B of this article, provided that such eighteen states shall include at least three of the following states: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Instruments of ratification and instruments of acceptance deposited thereafter shall take effect on the date of their receipt.

F. The depositary government shall promptly inform all states signatory to this statute of the date of each deposit of ratification and the date of entry into force of the statute. The depositary government shall promptly inform all signatories and members of the dates on which states subsequently become parties thereto.

G. The annex to this statute shall come into force on the first day this statute is open for signature.

ARTICLE XXII

Registration with the United Nations

A. This statute shall be registered by the depositary government pursuant to article 102 of the Charter of the United Nations.

B. Agreements between the Agency and any member or members, agreements between the Agency and any other organization or organizations, and agreements between members subject to approval of the Agency, shall be registered with the Agency. Such agreements shall be registered by the Agency with the United Nations if registration is required under article 102 of the Charter of the United Nations.

ARTICLE XXIII

Authentic texts and certified copies

This statute, done in the Chinese, English, French, Russian, and Spanish languages, each being equally authentic, shall be deposited in the archives of the depositary government. Duly certified copies of this statute shall be transmitted by the depositary government to the governments of the other signatory states and to the governments of states admitted to membership under paragraph B of article IV.

In witness whereof the undersigned, duly authorized, have signed this statute.

Done at the headquarters of the United Nations, this twenty-sixth day of October, one thousand nine hundred and fifty-six.

ANNEX I

PREPARATORY COMMISSION

A. A Preparatory Commission shall come into existence on the first day this Statute is open for signature. It shall be composed of one representative each of Australia, Belgium, Brazil, Canada, Czechoslovakia, France, India, Portugal, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, and United States of America, and one representative each of six other States to be chosen by the International Conference on the Statute of the International Atomic Energy Agency. The Preparatory Commission shall remain in existence until this Statute comes into force and thereafter until the General Conference has convened and a Board of Governors has been selected in accordance with article VI.

B. The expenses of the Preparatory Commission may be met by a loan provided by the United Nations and for this purpose the Preparatory Commission shall make the necessary arrangements with the appropriate authorities of the United Nations, including arrangements for repayment of the loan by the Agency. Should these funds be insufficient, the Preparatory Commission may accept advances from Governments. Such advances may be set off against the contributions of the Governments concerned to the Agency.

C. The Preparatory Commission shall:

1. Elect its own officers, adopt its own rules of procedure, meet as often as necessary, determine its own place of meeting and establish such committees as it deems necessary;

2. Appoint an executive secretary and staff as shall be necessary, who shall exercise such powers and perform such duties as the Commission may determine;

3. Make arrangements for the first session of the General Conference, including the preparation of a provisional agenda and draft rules of procedure, such session to be held as soon as possible after the entry into force of this statute;

4. Make designations for membership on the first Board of Governors in accordance with subparagraphs A–1 and A–2 and paragraph B of article VI;

5. Make studies, reports, and recommendations for the first session of the General Conference and for the first meeting of the Board of Governors on subjects of concern to the Agency requiring immediate attention, including (a) the financing of the Agency; (b) the programmes and budget for the first year of the Agency; (c) technical problems relevant to advance planning of Agency operations; (d) the establishment of a permanent Agency staff; and (e) the location of the permanent headquarters of the Agency;

6. Make recommendations for the first meeting of the Board of Governors concerning the provisions of a headquarters agreement defining the status of the Agency and the rights and obligations which will exist in the relationship between the Agency and the host Government;

7. (a) Enter into negotiations with the United Nations with a view to the preparation of a draft agreement in accordance with article XVI of this statute, such draft agreement to be submitted to the first session of the General Conference and to the first meeting of the Board of Governors; and (b) make recommendations to the first session of the General Conference and to the first meeting of the Board of Governors concerning the relationship of the Agency to other international organizations as contemplated in article XVI of this Statute.

Mr. HICKENLOOPER. Mr. President, when the text of the statute was made available, I undertook to examine it quite carefully. Many questions arose in my mind as to the meaning of its terms, so I submitted a list of some 48 questions to the Secretary of State with regard to the various provisions. On May 3, 1957, I received the answers to these questions from the State Department. I ask unanimous consent that the questions together with the answers by the State Department be printed at this point in the RECORD.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

REPLIES TO QUESTIONS SUBMITTED TO THE DEPARTMENT OF STATE WITH RESPECT TO THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY BY SENATOR HICKENLOOPER

1. Question. Article IV (B) of the International Atomic Energy Agency statute refers to future membership of states not now members of the United Nations. To what Communist and what non-Communist nations could this section possibly refer?

Answer. The only states which are not now members of the United Nations or any of the specialized agencies are Outer Mongolia, East Germany, North Korea, and North Vietnam. Ghana was not a member of the United Nations when the statute was signed, and thus not eligible for initial membership. Presumably as other new states become independent they will wish to apply for membership in the IAEA. Other states which did not sign the statute although they are presently members of the United Nations, such as Finland, Jordan, Saudi Arabia, Yemen, Ireland, and Nepal, will also now qualify for membership under article XIV–B.

2. Question. If the United States does not join this international agency and does not make fissionable material available to Communist countries, is there any substantial evidence that the U. S. S. R. will contribute substantial amounts?

Answer. The Soviet Union in a note dated July 18, 1955, pledged to contribute 50 kilograms of uranium 235 to the agency. At that time the United States had indicated a contribution of 100 kilograms. Since then the United States has announced an increase in the amount it has offered to make available to 5,000 kilograms and a matching of all other contributions until the year 1960. It is expected that the U. S. S. R. will also increase to some extent the amount it will make available since it is unlikely that the U. S. S. R. would be content to let the United States exercise sole leadership in the atoms-for-peace field. There is no "substantial evidence" that the U. S. S. R. would contribute substantial amounts to the Agency if the United States does not join, but the advantage to them in seizing world leadership in the field of peaceful uses of atomic energy would offer them a strong inducement to make such contributions.

3. Question. Since the United States is the only Nation, with significant quantities of fissionable material, which has indicated, through the President, its willingness to make significant amounts of such material available to the agency, what would be the effect on the Agency if the United States did not join?

Answer. Should the United States, with its commanding resources, its technical leadership and its record of initiative, fail to join the Agency, it is doubtful that the Agency could play an important role. It is also possible that the conditons of article XXI, paragraph E of the statute would not be met. This provision requires ratification by three of the following states: Canada, France, U. S. S. R., United States and United Kingdom before the statute shall come into force. It is not certain that three of these nations will join the Agency if the United States does not do so.

4. Question. Has any nation, either before or after joining the treaty, made any firm commitments to make available significant amounts of fissionable material to the Agency? If any nations have, what are the nations and how much are the commitments of each?

Answer. On July 18, 1955, the U. S. S. R. offered to deposit 50 kilograms of fissionable material with the Agency, and the United Kingdom 3 years ago offered 20 kilograms. Subsequently, the United States offered to make available to the IAEA, on terms and conditions to be agreed, 5,000 kilograms which is the largest quantity yet offered to the Agency. Thus all nations in a position to offer fissionable material to the Agency have done so.

It is anticipated that several other nations will make offers of natural uranium.

5. Question. What is the status of the situation of the United States insofar as the signing, execution, or any binding participation in the treaty is concerned at this time? Is the United States a member of the Agency at this time?

Answer. The United States is not a member of the Agency at the present time.

The United States and 79 other nations have signed the IAEA statute. Signature alone is of no binding effect. Under the terms of the statute (art. XXI, par. B), deposit of an instrument of ratification is required before a signatory state becomes a party of the statute.

6. Question. Since the United States, Canada, Great Britain, and the Soviet Union are the only nations presently capable of producing significant amounts of fissionable material, and since there might be 76 or more members of the Agency who do not possess such capabilities, would there be any way possible that the "have not" nations could requisition atomic material from the "have" nations without the consent of the nation involved?

Answer. No. The provisions of article IX (A) and (C) make it clear that no member of the Agency will be obliged to furnish it with any fissionable materials. Such materials will be supplied to the Agency only with the consent of the supplier and "in conformity with its laws."

7. Question. What is considered a state under article IV (B)? For instance, Red China has not been recognized by the United States and many other countries but has been recognized by a substantial number of countries. Does Red China constitute a state which could be admitted to membership under article IV–V?

Answer. Under any accepted definition in international law, China is a state. The United States, and the majority of other countries in the world, recognize the Government of the Republic of China as the legitimate government of China. Others recognize the Communist Chinese (Government of the Peoples Republic of China) as the legitimate government.

The problem of Red China and its participation in the Agency is one of representation and not of membership. It is unlikely that the Red Chinese regime would apply for membership, since it is certain that the Republic of China would already have adhered to the Agency statute and to apply would constitute an acceptance by the Red regime of a "two-China" concept.

If Red China did apply for membership, the United States would, of course, vigorously oppose acceptance of its application and would no doubt be successful.

The credentials of the representatives of the Republic of China, the government which will have signed and ratified the statute, will no doubt be challenged by members of the Communist bloc or others. Our experience in the U. N. system affords evidence that we will defeat this challenge.

8. Question. Does the statute create an autonomous international agency independent of the United Nations supervision, control or jurisdiction? What is the analysis of this situation?

Answer: The IAEA will be independent of United Nations supervision, control or jurisdiction. It will be brought into relationship with the United Nations in accordance with an agreement as envisaged in article XVI of the statute. This agreement will, inter alia, call upon the Agency to submit reports to the United Nations and to consider resolutions relating to its work which might be adopted by the United Nations. The Agency will not be required, however, to abide by these resolutions or to carry out any directives from the United Nations.

9. Question. Since the present and potential possibilities of atomic energy are so vast, what are the prospects that an autonomous international Agency will overshadow and perhaps supplant the United Nations in importance, prestige, and functions?

Answer. The Agency is concerned with the field of atomic energy and has no competence in the many political and economic areas in which U. N. is assigned responsibilities. Thus, the Agency and the U. N. are complementary rather than competing organizations. In view of the important and varied activities for which the U. N. is responsible, as compared with the single field of even so significant an activity as atomic energy, the prospect that the Agency will overshadow or supplant the United Nations is negligible.

10. Question. Does the statute provide, for instance, that Red China could become a member of the Agency by the vote of a simple majority of the Board of Governors and of the General Conference?

Answer. It is unlikely, as explained in reply to question 7, that Red China would apply for membership in the Agency, although it is expected that certain states will continue their efforts to have representatives of this regime seated in place of the representatives of the Republic of China. The vote

required on such a question will depend upon the Rules of Procedure adopted by the General Conference of the Agency. It should be noted in this connection that whereas a requirement of a two-thirds majority would facilitate the rejection of any move to seat representatives of the Communist regime, it would, on the other hand, make it more difficult to approve the credentials of representatives of the Republic of China if they are challenged. Whether the majority required to recognize the credentials of the present representatives of China is determined to be a simple majority of two-thirds, the United States does not anticipate the seating of the Red Chinese.

The United States successfully defeated past efforts to seat Red China during the negotiation and there is no reason to doubt that any future attempts will be similarly defeated.

It might be noted that the prospective membership of the Agency will not differ substantially from that of the 11th General Assembly of the U. N. which in November of last year voted by a large majority, 47 to 24 with 8 absentions, to support a United States proposal not to consider any proposal to seat representatives of Communist China or to unseat representatives of the Republic of China.

11. Question. Some 80 nations are reported to have signed the International Atomic Energy statute. If the United States joined, does this mean that we would have just one vote among the 80 in the General Conference, and depending also whether or not the United States representatives was on the Board of Governors, one vote on the Board of Governors?

Answer. As explained in the answer to question 24, the United States is virtually certain of representation on the Board of Governors when it becomes a member of the Agency. As in the U. N. and most other international organizations, each State which is a member will have one vote. As in these other organizations, United States influence in the Agency will, of course, extend far beyond our single vote. This will be particularly true in the IAEA because of our leadership in the atoms-for-peace program and because of its dependence on our contributions and cooperation. It should be remembered also that the great majority of Agency members in the General Conference, and even a larger extent in the Board, will be Free World countries. These nations will be basically in sympathy with the United States on major issues.

12. Question. Does the statute in any way require that any member of the Agency shall give to the Agency all requested information on peaceful uses and developments in the field of atomic energy possessed by such nation?

Answer. The supply of scientific information by members to the Agency is optional with the member, except for scientific information which is developed directly as the result of Agency assistance (art. VIII, A and B). Since the United States is not expected to be the beneficiary of Agency-supplied assistance, there would be no obligation for us to furnish any information. In no case is it contemplated that we furnish the Agency or members of the Agency classified information.

13. Question. If the United States should deliver atomic materials to the Agency, could the United States get back this material if it so desired at any time? (I am aware that there are certain agreement provisions for recovery of material, but in the event a nation or the Agency simply refused to honor a request for returning of materials, what reliable means and methods would we have guaranteeing and actually securing the return of such materials?)

Answer. No country could itself require the return of fissionable materials that have actually been delivered to the Agency or to an Agency project. Nor can the Agency require the return of payment made for such materials. It is contemplated that such materials will be furnished to the Agency on a business basis and not as a gift. After delivery, the use and disposition of the materials are determined by the Agency itself, in which the United States will, of course, have substantial influence.

In the event that a member of the Agency should fail to comply with the safeguards established for Agency projects, the Board of Governors can call upon it to return the fissionable and other materials previously made available to it. In addition, the General Conference (under art. XIX (B), acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors, may suspend from membership any state that has persistently violated the provisions of the statute or of any agreement entered into pursuant to the statute. Such actions by the Board of Governors and the General Conference are not subject to any veto. Article XII (C) also requires that the Board of Governors report any noncompliance with Agency safeguards to the Security Council and General Assembly of the United Nations. In the Security Council, the Soviet Union would, of course, be able to exercise the veto power that it has exercised so often in the past, but it should be pointed out that the General Assembly, in its uniting for peace resolution, has found a way to act on situations threatening international peace and security when action by the Security Council is blocked by the veto power.

14. Question. Since only four nations presently have the ability to make fissionable material in significant quantities, what might be the pressures exerted on the United States by the so-called have-not members of the Agency if the Agency developed grand plans for farflung operations and the United States either felt unable or, in its own best interests, unwilling to supply the demanded amount of materials to implement these programs?

Answer. The limited ability of the have-not nations to finance programs of unusual size, will in itself act as a brake on their aspirations. In any event, the United States is under no obligation to sell to the Agency or its members any more material than it voluntarily allocates.

15. Question. Article IX of the statute has far-reaching provisions. Section H of article IX states that special fissionable materials in the possession of the Agency shall be stored in such a way as not to allow concentration of large amounts of such material in any one country or region. Since sizable reactors require substantial amounts of atomic material of varying degrees of enrichment and often in amounts sufficient to make weapons, what is considered to be the concentration of large amounts of such materials? If the United States makes available 5,000 kilograms of enriched U–235 (certainly a large amount) does this mean that this material could not be stored in the United States or in North America, but would have to be stored at various other places in the world?

Answer. Under the proposed treaty, nations making materials available to the Agency have complete freedom with respect to their storage. Thus, they may or may not transfer such materials to the Agency for storage. For the present, the United States will retain possession of the 5,000 kilograms of U–235 which it has offered to make available until required for use in Agency-approved projects. Deliveries will be to the project site as the materials are needed.

Any subsequent determination to transfer material to the Agency for storage will be voluntary on the part of the United States.

Attempted seizure of fuels in a reactor is very unlikely because of the technical difficulty of converting to weapons material and because it would be contrary to the economic self-interest of the participating state. Fuels in large-scale reactors will be of low enrichment and are highly radioactive and hazardous to handle. Considerable time, large-scale facilities, and advanced technology would be required to extract the U–235 or plutonium, upgrade the enrichment, and fabricate weapons. Curtailment of all future supplies of fuel would invalidate the large investment made in a nuclear-power project in the recipient country.

Plutonium generated in Agency assisted reactors will be stored by the Agency to the extent that it is not put to some immediate peaceful use under Agency safeguards. Any possible attempt to seize such material would be an open, overt act known to all member states. The amounts involved will be small relative to weapons material possessed by the United States and the Soviet Union, and could have no impact on the military balance or power between the Soviet bloc and the Free World. Moreover, because of the time required to fabricate seized materials into weapons, none of the smaller powers could hope to profit from an attempt to seize materials.

16. Question. Article IX, section D requires that any member, "from material which it has made available," shall deliver without delay to another member or group of members such quantities of such material as the Agency may specify. Does this mean that on the demand of the Agency the United States would have to deliver, from the material which it had made available to the Agency, such amounts of this material to, for instance, Bulgaria, Czechoslovakia, Rumania, Poland, or any combination of these countries, if they are members of the Agency?

Answer. The Agency may allocate material made available to it to any member state. Such material must, however, be for use in projects approved by the Board of Governors in accordance with established criteria. There is no basis in the statute for discriminating against Soviet bloc or other member states, but of course all Agency supported projects would be subject to inspection and safeguard provisions of article XII.

17. Question. With reference to section J of article IX, does this mean that the United States would have no voice whatsoever (except its vote in the General Conference or possibly on the Board of Governors) as to the use to which any member would put the materials received by such member (except, of course, military use which is prohibited by the statute)?

Answer. Allocations by the Board of Governors of nuclear materials will be in accordance with established criteria for the appropriateness of projects including their scientific and technical feasibility, adequacy of plans, funds, and technical personnel, and standards of health and safety. If it is assumed that the Agency will be dependent to a large degree on the United States for its supply of fissionable materials, it is reasonable to assume that the Agency will exercise due caution in allocating the materials available to it, since the pattern of its allocations will have a direct influence on the amounts of material that the United States may be willing to furnish in the future. Moreover, the United States will be able to exercise great influence on the disposition of materials available to the Agency through its membership on the Board of Governors.

18. Question. Under article XIV, finance, provisions are made for certain fiscal powers of the Agency. Precisely, how will the Agency be financed? Does section D of article XIV mean that members shall be assessed or required to contribute amounts as fixed by the Board of Governors under a scale established by the General Conference?

Answer. Article XIV, classifies the expenditure of the Agency in two categories; the administrative expenses and expenses other than administrative. The administrative expenses, salaries, meeting costs, rent, etc., are to be met by apportioning such expenses among members in accordance with a scale to be fixed by the General Conference. The budget estimates covering the administrative expenses shall initially be prepared by the Director General and submitted to the Board of Governors which in turn will submit the budget to the General Conference for its approval. The General Conference therefore shall have control not only of the scale of contribution but the Agency's administrative budget as well.

The expenses other than administrative referred to in article XIV, B2, are to be financed from revenues accruing to the Agency as a result of the charges to be made by it for storage, hauling, materials, services, equipment and facilities furnished to members by the Agency. (Art. XIV, E.) The membership is thus not to be assessed for the cost of projects for the benefit of a single member or a group.

Section D of article XIV therefore means that the Board of Governors shall apportion the administrative expenses reflected in the budget approved by the General Conference and consistent with the scale of contribution fixed by the General Conference. The Board of Governors does not have authority to deviate from the approved budget or from the scale of contribution established by the General Conference. And in no case can a member be required to make a contribution for other than administrative expenses.

19. Question. Under subsection E of article XIV, is it contemplated the Agency will depend to any substantial degree whatsoever upon voluntary contributions as against adequate charges for atomic materials to recipient nations to cover the expenses referred to in paragraph 2 of subsection B of article XIV?

Answer. The statute has been drawn in such a fashion that there is no dependency on voluntary contributions for the functioning of the Agency. At present no specific plans for voluntary contributions are known to the United States Government. Until and unless such donations are made, the operations of Agency projects will depend entirely on charges for materials and service provided, or on conventional financing.

20. Question. While subsection G of article XIV authorizes borrowing power on behalf of the Agency without imposing any liability on members in respect of loans to the Agency, nevertheless, would not this borrowing power and its exercise, in fact, tend to create a moral pressure upon financially responsible members of the Agency to guarantee any such loans?

Answer. The borrowing authority provided in section G of article XIV is vested in the Board of Governors but is subject to rules and limitations approved by the General Conference. It is to be expected that this Agency will conduct its financial affairs as would any organization which resorts to borrowing for authorized purposes, that is, the authority would be exercised to the extent permitted by the assets of the organization and its annual income. Although there is no provision in the statute barring a member state from acting as guarantor for a loan or loans, it is most unlikely that a contributing member would, because of moral pressures, agree to act as guarantor or surety on any loan contracted by the Agency. In the case of the United States, the United States representative to the Agency, the United States Delegation to a General Conference or United States member of the Board of Governors could not legally bind the United States as guarantor without specific Congressional authority.

21. Question. Does the statute make any provision or establish any requirement that the Agency purchase materials for Agency disposition and use, or does the statute contemplate that the Agency will rely upon gifts or donations of materials to the Agency?

Answer. Article XIII of the statute states: "Unless otherwise agreed upon between the Board of Governors and the member furnishing to the Agency materials, services, equipment, or facilities, the Board shall enter into an agreement with such member providing for reimbursement for the items furnished." Any donation of materials would be entirely at the discretion of the prospective donor.

22. Question. Does the statute contain any provisions for the raising of funds for the purchase of materials?

Answer. Section E of article XIV authorizes the Board of Governors to establish a scale of charges, including reasonable storage and handling charges, for materials, services, equipment and facilities furnished to members by the Agency. This section also provides that the scale shall be designed to produce revenues for the Agency adequate to meet the expenses and costs to be covered by the operating budget of the Agency, that is, those expenses other than the administrative expenses referred to in answer to Question 18.

23. Question. With respect to the staffing of the Agency, is there anything in the statute which permits the United States to approve or disapprove of employees, either American citizens or citizens of any other country, other than the vote which the United States might have in the General Conference or on the Board of Governors?

Answer. There is no provision in the statute which would permit the United States to approve or disapprove of employees, whether or not of American citizenship. However, American citizens will be employed by the Agency only after they have been investigated and their loyalty to the United States has been determined under provisions of Executive Order 10420, as amended. Specific arrangements between the United States and the Director General of the Agency are expected to correspond to current arrangements of this kind with respect to other international organizations.

24. Question. What is the number of members on the Board of Governors?

Answer. In present circumstances, it is anticipated that the Board or Governors will have 23 members. Thirteen of these members will be designated in accordance with article VI of the statute by the outgoing Board or, in the case of the first Board, by the Preparatory Commission. Ten members will be elected by the General Conference.

It is expected that the following 13 states will be designated to the first Board: United States, United Kingdom, U. S. S. R., France, Canada, Brazil, Union of South Africa, India, Australia, Japan, Belgium (or Portugal), Czechoslovakia (or Poland), and one state who will qualify as a supplier of technical assistance, i. e., a Scandinavian or western European country.

Of the 10 elected members, it is expected that 3 will be Latin Americans, 2 from Africa and the Middle East, 1 Western European, 1 Eastern European, 1 South Asian, 1 from Southeast Asia and the Pacific, and 1 Far Eastern country.

25. Question. While the statute contains certain requirements for agreement by members who receive atomic materials to use those materials for peaceful uses only, what reliable guaranties, other than agreements, would we have against the use of atomic materials by some country or group of countries for military purposes? If a nation refused to return materials that were being wrongfully used, would the Agency expect to use force to recover the materials?

Answer. Under article XII, A, 5, the Agency will have a force of international inspectors, including United States representation, who will have free access, in the territory of any recipient states, at all times to all places and data and to any person dealing with an Agency project to provide proper accountability for fissionable materials supplied and to determine whether there is compliance with the undertaking against the use of any such materials for military purposes.

The Agency itself could not use force to recover materials in the case of violation of the statute provisions. The action which the Agency can take is described in article XII, paragraph C. In the case of noncompliance by a state, the Board of Governors is required to report the facts to the Security Council and the General Assembly of the United Nations. These bodies can take whatever actions are open to them under the Charter of the United Nations, including the use of force. It must be recognized, however, that the veto in the Security Council would apply in such instances. However, in view of the other safeguards provided for in the statute of the Agency, including the restriction found in article XII–A.5 against excessive stockpiling of dangerous materials, it is unlikely that a state would accept the risks involved in violation including the cutting off of fuel for essential nuclear power for the very limited advantages which might be gained.

26. Question. Section D of article III states that the activities of the Agency will be carried out with due observance of the sovereign rights of states. Does this mean, for instance, that at any time a state might determine that it no longer would permit inspection of or access to facilities and materials which it had already received under the statute, the Agency would be impotent except for the possible filing of protest, because to take any physical steps would be a violation of the sovereignty of the recipient nations?

Answer. Article III D states: "Subject to the provisions of this statute and to the terms of agreements concluded between a state or a group of states and the Agency which shall be in accordance with the provisions of the statute, the activities of the Agency shall be carried out with due observance of the sovereign rights of states."

Under this provision, any claim of sovereign rights by a state receiving Agency assistance in atomic-energy projects will be subject not only to the provisions of the statute but also to the provisions of the agreement between the Agency and the state or group of states receiving Agency assistance. This agreement will make specific the safeguards and inspections to which the state receiving the assistance must submit (see art. XI F (4)). If a state receiving Agency assistance refused to permit inspection of or access to facilities and materials, as required by the statute and by the agreement between the Agency and the state in accordance with article XI F (4) of the statute, the steps which the Agency can take are outlined in the answer to question 12. The claim that sovereign rights are being violated could not be invoked against the application of any of the relevant provisions of article XII (safeguards).

27. Question. Once an atomic facility has been built in a member state, in the event that state should violate the Agency statute and agreement, how could the facility be recovered or removed in the event the Agency decided such action was desirable, unless the recipient state consented to such removal?

Answer. The facility could, in these circumstances, be removed only by the use of force. However, as explained in the answer to question 25, curtailment of further supply of fuel would be a most effective sanction.

28. Question. In view of the fact that the Soviet Union and its satellites have violated

nearly every formalized agreement which they have entered into, is there any assurance that they would not violate provisions of the International Atomic Energy Agency statute at any time it suited their convenience or they considered it to be advantageous to them to so violate it?

Answer. Aside from the point that violations of agreement by the U. S. S. R. are inevitably attended by an adverse world reaction, a factor which must be given weight in judging the possibilities of Soviet violation of obligations they may have accepted by joining the Agency, it is considered that Soviet development in the atomic energy field is sufficiently advanced that there would be no reason for it to cheat the Agency. Intelligence reports do not indicate that a shortage of fissionable materials is any longer the limiting factor in Soviet nuclear capability that it was at the outset of their program.

Since Agency assistance will require Agency inspection and since the U. S. S. R. has ample atomic energy resources of its own, the Soviet Union is no more likely to be a beneficiary of the Agency than the United States.

It is not possible to say precisely what has been the reason for the cooperativeness which the U. S. S. R. has displayed in Agency negotiations. We believe that a major reason was their recognition that the United States intended to proceed with the creation of the Agency even without their participation. Since the United States was gaining a great deal of goodwill and prestige from our leadership in the creation of the Agency, the U. S. S. R. probably saw only disadvantage in continuing its opposition to the Agency. U. S. S. R. and satellite cooperation is probably motivated by a desire to secure a degree of international respectability rather than an anticipation of any opportunity to gain by violating the Agency provisions.

29. Question. In view of the apparent inability of the United Nations to secure speedy and effective compliance by certain member nations with the directives and resolutions of the United Nations, is there any substantial reason to believe that the International Atomic Energy Agency could be any more successful?

Answer. The major factor which would indicate that the IAEA could be successful in securing compliance within its directives is that it will be empowered by a simple majority vote of its Board of Governors to cut off further assistance in cases of violations. This would affect not only new projects but the continuance of old ones. If the Agency develops as an important instrument of international cooperation in this field, it is unlikely that any state which has relied on it for assistance would want to cut itself off from such a source of information and supply. This is a type of sanction which is not available to other international organizations except the U. N., where the use of sanctions is often inhibited by the veto.

30. Question. Ambassador James J. Wadsworth, who was the United States representative when the statute was drafted, stated: "If the Agency were to make the materials and information for peaceful development of atomic energy available throughout the world, without full assurance that they cannot be used to produce weapons, it would be adding to a problem which, difficult as it is, is sufficiently confined to keep up the world's hope for a solution." Isn't this exactly what the International Agency would do since it has no enforcement powers of its own regulations but can only appeal to the United Nations?

Answer. Atomic energy materials and know-how will inevitably spread throughout the world, Agency or no Agency. This process is taking place today. The Agency, if successful, will accelerate this process, but will insure a safety factor that is now completely lacking. Without the Agency there would be no certain restrictions on use of such material and technology or any limitations against stockpiling of such materials. In the statement quoted, Ambassador Wadsworth was alluding to the fact that by developing a control system that would guard against the diversion of peaceful uses assistance to military ends, we could avoid a further complication of the problems we now face in securing a disarmament agreement.

It must be recognized that the real danger is not a sudden seizure of plants or material on hand by overt action which would immediately become known and invite rapid retaliation. A graver danger would be a gradual undetected syphoning off of materials ostensibly being used for peaceful uses, and the slow building up of a clandestine stock of weapons to be used in a moment of surprise. It is this latter danger against which the specific Agency safeguards will protect. The former is a matter for collective political action by states whose security might be endangered and, in a world of sovereign states, no international organization has been designed to guarantee against a final resort to force. The Agency system, however, will minimize the chances of such an occurrence by minimizing the advantages which would be gained by seizure and by providing an early warning of aggressive intent.

In our bilateral agreements as well there is no final sanction, if discontinuing assistance fails, except resort to force.

31. Question. As a matter of fact are there any reliable safeguards that would adequately insure against either the seizure of plants and facilities by a violation nation or the diversion of atomic materials for weapons use, other than simple agreements?

Answer. The safeguards which are written into the IAEA statute are designed to prevent diversion of materials or the dangerous accumulation of unused quantities of materials. We are convinced that they will be effective and adequate for this purpose. They include such concrete measures as approval of plans and inspection and measurement of materials. These safeguards will not provide an ultimate guaranty against seizure of plants and facilities, but they will succeed in making seizure unattractive and unprofitable. Even if the unexpected occurred, since the material which might be seized or diverted would not be immediately usable for military purposes, the Agency safeguards system provides an effective alarm system against aggressive intentions which would be lacking if the Agency did not exist.

32. Question. If the Agency has sufficient atomic materials to operate on an international scale within or among some 75 or 80 countries, it then becomes a simple fact that the materials at the disposal of the Agency, and in the hands of recipient member states under Agency operation, would be sufficient for many atomic weapons. Is the United States justified in cooperating in an adventure which will place very substantial amounts of atomic materials, without realistic and practical controls and safeguards, around the world in locations and in certain states which might not hesitate to use these materials for other than peaceful purposes?

Answer. The United States would only be justified in doing this on such a scale if the U. S. S. R. followed suit. That was the President's intention and statement on December 8, 1953. However, the United States no longer enjoys a monopoly of atomic technology. The raw materials of an atomic energy program are more abundantly dispersed throughout the world than had earlier been known to be the case. Worldwide development of the use of atomic energy has already begun and its expansion is inevitable even if the Agency is not established. An effective international agency provides the opportunity to establish a framework of international controls with concrete inspection measures within which this development can take place to the greater security of all nations. Thus, the United States faces a choice of cooperation or chaos in the worldwide development of atomic energy.

33. Question. What specific advantages in the field of peaceful uses of atomic energy could the International Agency produce that cannot be developed through the bilateral program which we now have in effect?

Answer. (a) The IAEA will make safeguard provisions in the United States bilateral agreements more acceptable since comparable provisions of the Agency statute were written by an international conference at which 80 nations were represented. Many of the neutralist states that would not accept the imposition of safeguard measures by the United States alone, may be willing to undertake such commitments as part of a system in which they themselves are important participants.

(b) If the spread of nuclear weapons is to be discouraged and contained, the integrity of these safeguards must be maintained. Without internationally accepted standards, there may be a gradual debasement of their effectiveness. This would inevitably result from international political or commercial competition. If assistance were limited to bilateral arrangements, the U. S. S. R. would have a strong incentive to seek adherents through nuclear aid with no strings attached; that is, without inspections and controls. In other countries, commercial suppliers would exert pressure on their governments to permit them to export nuclear materials and equipment under the least onerous conditions. Thus without the IAEA the erosion of control criteria would eventually tend to place any reasonably advanced country in a position to create weapons. Conversely, establishment of suitable international control criteria will make more acceptable those safeguards contained in our bilateral agreements.

(c) By helping to prevent unnecessary duplication of research through continuing exchange of information on research programs and results, and through arrangements for coordinated research efforts, the Agency will make possible more economic use of nuclear materials and scarce trained manpower.

(d) There is to be a pooling of the new discoveries made with Agency assistance by its recipients. Since the exact pattern of future scientific development is not always predictable and will not necessarily be restricted to those states with which we have bilateral relationships, the United States itself may gain, in ways not now known, from research conducted with Agency assistance.

(e) The IAEA provides a link between our disarmament objectives and policies and the atoms-for-peace program in a way the bilaterals cannot. The creation of a practical working model of a feasible inspection system may prove to be a valuable guide for the establishment of broader control designed to provide adequate safeguards for a disarmament agreement.

(f) Another important advantage offered by the International Agency is that described by President Eisenhower to the United Nations General Assembly—"to open up a new channel for peaceful discussion, and initiate at least a new approach to the many difficult problems that must be solved * * * if the world is to shake off the inertia imposed by fear, and is to make positive progress toward peace." Negotiations on the establishment of the IAEA have opened up a new avenue of peaceful cooperation between the free world and the Soviet bloc in a field of vital importance and symbolic significance for world peace. The existence and successful functioning of this channel may in time

have an impact on the general climate of international relations, an effect that goes far beyond any that might come from any bilateral program.

(g) Finally, if the United States does not supply the initiative for an international approach, it is inevitable some other country—most probably the U. S. S. R.—will attempt to do so. Because atomic energy is both a threat and a promise of such proportions, the world is bound to continue to seek its control and application through organized international cooperation. The United States has gained enormous goodwill and prestige from its atoms-for-peace program, and the Soviets could not be depended upon to overlook these potential political benefits.

The foregoing reply is not meant to suggest that we intend to abandon our bilateral programs; on the contrary, there remains an area of specialized cooperation which can best be served in this manner.

The United States has bilateral agreements with about 40 countries, most of which are of the nuclear research reactor type, while the remaining provide for cooperation in development of reactors for production of power. Since they can be tailored to meet specific requirements of the individual nations, bilateral agreements will continue as one means of our cooperation with foreign countries. The Atomic Energy Act of 1954 contemplates use of both bilateral and multilateral means of foreign cooperation. The more comprehensive power bilaterals contain safeguard provisions essentially identical to those of the IAEA statute.

34. Question. Will not the United States actually be losing benefits of atomic development under the International Agency because information will be reported to that Agency and not to the United States, whereas, under the bilaterals information and discoveries will be reported by the various countries participating to the United States?

Answer. The Agency channel for United States acquisition of research information will not be less favorable than that provided in our bilaterals. Scientific information from experimentation and development in the atomic energy field which is reported to the Agency will be freely available to the United States. We will have scientists on our permanent delegation to the Board of Governors and no doubt one of their primary tasks will be to see that such data is channeled to our country. Actually, on a quantitative basis, we may actually profit more from Agency sources than from our bilateral channels, since the former will cover a much wider range of participating countries.

35. Question. What is the situation with regard to the European Atomic Energy Community arrangement, referred to as EURATOM? Can EURATOM participate in the International Agency or is it an independent group that will go its own way in competition with the International Agency?

Answer. The precise arrangements between EURATOM and the Agency must necessarily await the formation of both bodies before being formulated. As the statute is written, it permits cooperation between the two bodies. There is no reason to assume that anything other than a mutually advantageous relationship will develop between them.

36. Question. It has been stated that the dissipation of fissionable materials on an international scale would diminish the amount of these materials available for use in weapons and thus contribute to the cause of world peace. If the United States is the sole, or the major, contributor of these materials to such an organization and other producing nations fail to participate, at least proportionately to their ability, how can this contribute to the cause of world peace, in view of the fact that other nations would continue to increase their potential weapon strength while we might be weakening ours?

Answer. The President's proposal involved both the siphoning off of fissionable material from the world's atomic stockpiles and the development of atomic energy for peaceful purposes without spreading the capacity to make nuclear war. The success of his effort to reduce atomic stockpiles is necessarily dependent upon equitable contributions by all producing nations. Until this commences, his objective in this respect will not be achieved. However, as the Agency develops and confidence in its integrity grows, the likelihood that it will serve both elements of the President's proposal will be enhanced. Until some effective nuclear disarmament plan is agreed upon, the IAEA will be the best international means of channeling nuclear materials to peaceful purposes.

We can be sure in the meantime that any commitments made by our Government will take full prior account of United States national security interests.

37. Question. Since the International Agency does not contemplate the production of fissionable materials itself, but in the main acts as a transfer agency, why set up the Agency when direct negotiation between the United States and recipient countries under our bilateral program could eliminate this step of distribution?

Answer. Use of the Agency as a medium of international cooperation has certain advantages not possible of achievement through bilateral arrangements. It opens up a new channel for peaceful discussion among nations of the world. Successful application of IAEA nuclear controls will provide a basis upon which disarmament safeguards can be constructed. Most importantly it is the best assurance we have that civil uses of atomic energy will develop under a worldwide security system.

Many of the neutral states that would not accept the imposition of safeguard measures by the United States alone, may be willing to undertake such commitments as part of a system in which they themselves are important participants. In such situations, the practical consequence would probably be direct delivery of materials, at Agency request, to projects located in the territory of recipients, committed to Agency safeguards.

38. Question. Article III. C. states that "the Agency shall not make assistance to members subject to any political, economic, military, or other conditions incompatible with the provisions of this statute." Article II. J. states that "no member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific projects for which it must be used." Taken either separately or together, do these provisions mean that a contributing nation, such as the United States, would have no control, as a contributor, with respect to the countries or areas to which these materials would be transferred or the purposes for which they would be used (other than a restriction against military)? What is the interpretation of these provisions?

Answer. Yes. In order to make the policies of the Agency and the Board of Governors fully effective, controls by the supplier on materials made available were precluded. Thus, the U. S. S. R. could not specify that all Soviet aid must go to satellites. However, as a member of the Board of Governors and the major nuclear nation, the United States would be able to exercise substantial influence on the Board's decisions. The United States will always be free to discontinue making materials available if the Agency pursues unsound or irresponsible policies. Further, we would not need to make allocations to the Agency in the future until projects had been approved.

39. Question. In general what is the difference between an international agency for the distribution of atomic wealth as compared to an international agency for the distribution of food, fiber, and industrial material?

Answer. The basic difference lies in the unique commodity being distributed. The IAEA is designed to permit, and encourage, the peaceful development of atomic energy and also to insure that it takes place under conditions which will not "further any military purpose."

40. Question. If the International Agency is to emphasize assistance to the underdeveloped nations of the world, how can they be assisted when the very fact of their underdevelopment means that they have little or no scientific competence or technical skills, unless scientific development is had in some other more competent spots and simply moved into this underdeveloped country in a sort of atomic international foreign aid program?

Answer. The establishment of the Agency will make it possible for the United States and other nations advanced in atomic energy technology to cooperate in assisting in the training and scientific development of underdeveloped nations. The pooling of technological assistance can reduce the demands on our scarce talent. The extent to which the United States will assist in developing atomic technology of other countries under its atoms-for-peace program is entirely under United States control, whether we contribute to this objective through the International Agency or through bilateral programs. The establishment of the Agency will, however, offer some opportunities for greater efficiency.

41. Question. Article XV refers to privileges and immunities of the Agency and of the members of the Board of Governors as well as all other personnel of the Agency. It also seems to place authority in the Agency through its Board of Governors and the Director General to agree with the members, which may mean the General Conference, in defining such "legal capacity, privileges, and immunities." Is not this an unlimited authority to the Agency to declare any activity of the Agency or its personnel as coming within this definition without any recourse whatsoever on the part of any member (after the Agency has made its definition) against any acts engaged in by any of the Agency personnel? By way of illustration, while certain diplomatic personnel enjoy immunities in the country to which they are assigned, if they perform acts sufficiently offensive to that country the country can request their withdrawal, but it seems that not even that protective safeguard is contained in this treaty.

Answer. Article XV is not an unlimited grant of authority to the Agency to declare any activity of the Agency as falling within the category of "privileges and immunities * * * necessary for the exercise of its functions." On the contrary, it is expressly provided that such "privileges and immunities * * * shall be defined in a separate agreement or agreements between the Agency * * * and the members." In negotiating such agreements any member state can insist on provisions for recourse with regard to offensive acts.

42. Question. Under present law can the United States make fissionable material available to any foreign state except under bilateral agreements?

Answer. Under the Atomic Energy Act of 1954, special nuclear material may be distributed abroad pursuant to an agreement for cooperation entered into in accordance with section 123 to (1) "any nation" (sec. 54), or (2) a "group of nations" with whom there is an "international arrangement" (sec. 124). The term "international arrangement" is defined in section 11k. Section 124 has been described as providing "a mechanism to implement the President's peacetime international atomic pool plan, outlined

in his speech before the United Nations on December 8, 1953" (S. Rept. No. 1699 on S. 3690, 83d Cong., 2d sess., p. 6).

43. Question. The statute places almost exclusive emphasis on aid to underveloped areas, and since most of the underdeveloped areas of the world seem to have no finances with which to purchase materials and facilities, how will they obtain such materials and facilities from the Agency except by gift to be paid for in substantial amount by the United States? How does this square with the statement in the Department of State release for March 1957 with reference to the Agency, page 7, in which it is stated that "the IAEA was not created for the purpose of distributing economic aid. Unless otherwise agreed, the nations receiving materials and facilities will pay for them, and the contributing nations will be reimbursed by the Agency"? Does not the proviso "unless otherwise agreed" in fact completely nullify the reasonable possibility of any payment to any contributing nation from "underdeveloped areas"?

Answer. The cited clause "unless otherwise agreed" does not imply that there is no reasonable possibility of payment to supplying nations. Article XI, F. 3 provides that charges shall be agreed upon for any materials, services, equipment and facilities provided by the Agency.

The establishment of the IAEA will provide a channel through which atomic materials and technology can be obtained under terms and conditions to be agreed upon with supplying countries. The high priority placed on atomic development by underdeveloped countries is likely to lead them to devote some of their limited financial resources in this direction. As technological progress increases the potential contribution of the peaceful uses of atomic energy to economic welfare, there will be greater incentives to underdeveloped countries to devote resources to these purposes.

The IAEA was not created for the purpose of distributing economic aid. The use of voluntary contributions, should they be forthcoming, or grants of financial assistance is not precluded. However, underdeveloped countries seeking financial assistance for Agency approved projects will normally seek to borrow funds from the IBRD or other sources, or seek aid through other foreign aid channels. In joining the Agency, the United States would assume no obligation to donate such aid.

44. Question. Has there been any ascertainment of the annual cost and budget of the Agency projected over the next several years? If so, what is the amount of such budget, etc., and how many employees in total over, say, the next 10 years on an annual basis may be anticipated?

Answer. The Agency's annual administrative budget is dependent upon the size of the staff which in turn will be governed by the program to be undertaken by the Agency. Preliminary thinking would indicate that the majority of member states represented on the Preparatory Commission envisage a total eventual employment of approximately 450 people with an annual assessment budget of approximately $7 million.

Expenses, other than administrative, will be financed from the revenue derived from charges.

45. Does the statute permit the Agency to have complete authority to fix compensation allowances, etc., of its personnel?

Answer. The rate of compensation and the scale of allowances and other adjustments, usually embodied in staff regulations," would be established by the Board of Governors subject to general rules approved by the General Conference on the recommendation of the Board.

46. Question. What advantages could any non-Communist nation obtain from this International Agency which it could not obtain now under a bilateral agreement with the United States?

Answer. Definite technical and economic benefits will accrue from cooperative arrangements. The Agency will stress activities where the greatest progress can be achieved through a cooperative worldwide approach. Members will have access to assistance which is not tied to any particular country or political bloc and will receive the combined benefits of assistance from all the technically advanced countries. This will be particularly important in the fields of standardization of nuclear power, equipment, training, health and safety, waste disposal and exchange of information.

More important, however, is the fact that each member can participate as an equal partner in exerting influence on the development of peaceful uses under prudent safeguards, and can enjoy the added security of knowing that a framework of international controls is being established.

47. Question. Will the establishment of the International Agency in effect nullify or greatly depreciate the bilateral agreement program of the United States?

Answer. No; it will not. The two programs are complementary. The Agency will provide enlarged facilities and opportunities for the training and research necessary to equip countries to achieve concrete results in the use of atomic energy. The pool of trained manpower available from all technically advanced countries will reduce the drain on United States resources both for operating programs and inspection and control. By establishing worldwide patterns of control the Agency will be contributing to the broader objectives of world security and influencing desirable worldwide developments. The bilateral program lends itself to being specifically tailored to meet the particular needs of individual countries.

The Atomic Energy Act of 1954 contemplates the use of both channels of foreign cooperation.

48. Question. Has any other nation in ratifying the treaty attached any reservations, interpretations, or other limitations in its act of ratification, and if so, what are the nations and what are the limitations?

Answer. The only nation which, to date, has made a reservation or other statement in depositing its instrument of ratification is Switzerland, which made the following reservation (in translation):

"Upon the occasion of the deposit of its instrument of ratification of the statute of the International Atomic Energy Agency, Switzerland makes the general reservation that its collaboration with the International Atomic Energy Agency, particularly with regard to the relations of that organization with the United Nations, may not go beyond the limits imposed upon it by its position as a perpetually neutral state. It is within the meaning of this general reservation that it makes a special reservation both with respect to the text of article III, letter b, figure 4, of the statute and with respect to any similar clause that might replace or supplement these provisions in this statute or in another arrangement."

This reservation means that Switzerland does not obligate itself to report to the United Nations since it is not a member.

Venezuela made a reservation on signing the statute.

This reservation states that in signing or ratifying the statute Venezuela does not imply acceptance of the jurisdiction of the International Court of Justice without its express consent in each case and that Venezuela will not regard any amendments as operative until its constitutional provisions have been complied with.

Mr. HICKENLOOPER. Mr. President, the organization of the International Agency consists initially of the states that are members of the United Nations or any of the specialized agencies which have signed the statute within 90 days after its opening for signatures, and shall have deposited an instrument of ratification. Provisions are made for other states to join at a later date, if they have the recommendation of the Board of Governors and the approval of the General Conference.

A General Conference is created consisting of representatives of all members and this Conference shall meet at regular annual sessions and special sessions from time to time as requested by the Board of Governors or a majority of the members. The General Conference shall elect the customary officers, and each member of the Conference shall have one vote. In the main, the General Conference has overall authority concerning the activities of the agency, but will delegate much of the day-to-day Agency operations to a Board of Governors. The General Conference, however, retains, in many areas, power of approval of actions of the Board of Governors.

The Board of Governors shall, in the first instance, be elected by the Preparatory Commission and the General Conference, in accordance with a formula set out in article VI of the statute, and thereafter the outgoing Board of Governors shall designate a portion of the members for the succeeding term or terms, and the General Conference shall designate the remainder. It is expected that the first Board of Governors will consist of 23 members, and that the Western Hemisphere and Western Europe will be strongly represented.

The Agency will have for its objectives the cooperation with nations which can qualify in the research and development of peaceful uses of atomic energy.

The Agency must establish safeguards against the use of atomic materials furnished any participating country by such country for military purposes, and under agreements of such participating country that they will use such material only for peaceful purposes. Such participating country must agree to and permit full and adequate inspection of any facility installed with the help of the Agency and the Agency will set up safeguards against the violation of the basic provisions for peaceful uses as set out in the statute.

Any fissionable or useful byproduct material produced in any facility in any country assisted by the Agency, and not essential to the continued operation of such facility, will be returned by such country to the Agency for reprocessing, storage, or such other legitimate use as the Agency may determine.

The Agency will receive its atomic materials from members which have the facilities and capacity for producing these materials and, as noted before, at the outset probably the United States will supply the greater amount of these materials. The matter of our supplying these materials has created a number of questions.

However, before any atomic materials are supplied to the Agency by this country, there will be an agreement setting out the terms and conditions under

which we will make such materials available. This agreement between the Agency and the United States will have to be drawn after the Agency has been established, and without doubt will define the circumstances under which the materials are delivered. This contract is referred to as an "Agreement for Cooperation" and would have to be in compliance with section 123 of the Atomic Energy Act, which provides for certain safeguards in the matter of international agreements and, among other provisions, requires that the agreement lie before the Joint Committee on Atomic Energy for 30 days while Congress is in session, that is, prior to its going into effect.

I believe, Mr. President, that we can rely upon the drafters of any such Agreement for Cooperation and upon the terms of section 123 of the Atomic Energy Act as safeguards against any "undue risk to the common defense and security" of such an agreement.

The statute provides that an amendment can become effective thereto upon all member nations if the amendment is (1) approved by two-thirds of the members of the General Conference present and voting, and upon recommendation of the Board of Governors, and (2) if such amendment is approved by two-thirds of the members of the Agency in accordance with their constitutional processes. It is therefore possible that an amendment could become effective and controlling for all members of the Agency, even though some members, including ourselves, might fail to ratify such an amendment.

The matter of amendment to the statute raised a number of questions, the chief of which was what the attitude of the United States should be if it failed to ratify an amendment which the Senate deemed ill-advised or which might change the general direction or composition of the Agency. To meet this situation the Committee on Foreign Relations recommends that the resolution of advice and consent include, in addition to the regular form of such resolution, the following:

Subject to the interpretation and understanding, which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the statute shall be submitted to the Senate for its advice and consent, as in the case of the statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent.

This interpretation and understanding has the approval and agreement of both the committee and the Secretary of State. The understanding and interpretation affects only the internal responsibility of the United States in case the Senate refuses to ratify an amendment, and does not in any way affect the mutual agreement between nations. It therefore will not be necessary to resubmit the statute for renegotiation because of this provision.

This understanding and interpretation means that in the event an amendment is not ratified by the Senate, as was the original treaty, the United States would not continue to be a member of the Agency. Mr. President, I believe this is a satisfactory safeguard against the possibility that an amendment to the treaty would be adopted by the Agency which the Agency knew to be repugnant to the United States, in view of the fact that the United States will be, initially and for the foreseeable future, the major support of the Agency.

Some concern has been expressed as to whether or not the United States will be embarking on a huge giveaway program involving atomic materials. The hearings, including the assurances of the Department of State and the Atomic Energy Commission, establish the fact that we will sell this material at its reasonable value according to the principles now prevailing for the bilateral programs in which the United States is engaged with various countries in the world, except in special instances when limited quantities of such materials may be transferred for research and medical purposes. The statement was made by the State Department, and is confirmed by the Atomic Energy Commission.

Mr. President, in connection with the question of whether we shall give away this material or whether our program will be to sell it and to receive a reasonable value for it from the agencies, I ask unanimous consent to have printed at this point in the RECORD a letter which appears in the hearings held by the Foreign Relations Committee on this statute on May 10, 14, 15, and 20, 1957. The letter was written to the junior Senator from Rhode Island [Mr. PASTORE] by Chairman Lewis L. Strauss, of the United States Atomic Energy Commission, and touches on the matter of policy and the program for the sale of these materials and the circumstances under which they would be made available on that score.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNITED STATES ATOMIC ENERGY COMMISSION,
Washington, D. C., February 15, 1957.

Hon. JOHN O. PASTORE,
Chairman, Subcommittee on Agreements for Cooperation, Joint Committee on Atomic Energy, Congress of the United States.

DEAR SENATOR PASTORE: Please refer to the letter of January 5, 1957, from you and Senator ANDERSON, requesting the views of the Commission as to its authority under the Atomic Energy Act of 1954, as amended, to make a gift of special nuclear material without direct Congressional action.

Section 54 of the act authorizes the Commission to cooperate with any nation by distributing special nuclear material and to distribute such material subject to the terms of an agreement for cooperation to which such nation is a party. The General Counsel of the Commission advises that examination of other sections of the act and the legislative history does not reveal that the precise method of transfer (i. e., by sale, lease, or gift, etc.) was specified. Congress wisely permitted a degree of flexibility as to the means of transfer. Thus, the Commission, in fulfilling its statutory responsibilities to foster research and development on the peaceful application of atomic energy, could, for example, make modest gifts of special nuclear material for use in research under an agreement for cooperation made in accordance with section 123 of the Atomic Energy Act of 1954, as amended. It is the General Counsel's view, however, that the act does not clearly provide authority for a gift of special nuclear material involving substantial quantities and large sums of money.

Accordingly, the General Counsel has advised the Commission that should it wish to provide for a gift of a substantial quantity of special nuclear material in an agreement for cooperation entered into under the Atomic Energy Act of 1954, as amended, explicit Congressional authority should be obtained. The Commission does not presently have such a proposal before it.

Sincerely yours,
LEWIS L. STRAUSS, *Chairman.*

Mr. HICKENLOOPER. Mr. President, we are also assured that if future developments should make a basic change in policy and in the interest of the United States appropriate Congressional approval will be sought.

The report of the Foreign Relations Committee which accompanies this statute discusses various contingencies which might arise and explains some of the areas of doubt. I call special attention to the letter of the Honorable John Foster Dulles, Secretary of State, under date of June 4, 1957, and addressed to the junior Senator from Arkansas [Mr. FULBRIGHT], who was chairman of the subcommittee of the Foreign Relations Committee in connection with the hearings and testimony on this subject. The letter is designated "appendix A" in the report. As a member of the subcommittee and of the main committee, I want to assure you, Mr. President, that this letter, with its terms and explanations, was a document upon which the committee relied in connection with its recommendation for ratification.

Mr. President, I think it might be well, in connection with my remarks, for the sake of convenience, to have printed at this point in the RECORD a copy of the letter to which I just referred. It was written by the Secretary of State, Mr. Dulles, to the Senator from Arkansas [Mr. FULBRIGHT] as chairman of the subcommittee. Therefore, I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APPENDIX A

DEPARTMENT OF STATE,
Washington, June 4, 1957.

The Honorable J. W. FULBRIGHT,
Committee on Foreign Relations, United States Senate.

DEAR SENATOR FULBRIGHT: Your subcommittee has asked for clarification of certain testimony given by representatives of the Department of State and the Atomic Energy Commission during the course of the Senate Foreign Relations Committee hearings on the statute of the International Atomic Energy Agency and on the policy to be pursued in connection with United States participation in the Agency. I am glad to provide this clarification.

It has been asked whether the statute of the International Atomic Energy Agency, if ratified by the United States, would supersede the procedures for the transfer of special nuclear material required by the Atomic Energy Act of 1954, as amended. It would not. Section 124 of the Atomic Energy Act and related sections 123 and 54 would govern the transfer of special nuclear materials to the Agency, including the 5,000 kilograms of U-235 which the President offered to make

available to the Agency last October. The United States cannot, under the terms of the Atomic Energy Act, transfer materials to the Agency until the conditions of the Atomic Energy Act are met, including the following: (1) The Atomic Energy Commission has submitted to the President a proposed agreement for cooperation with the Agency, including among other provisions the terms of the transfer of materials to the Agency; (2) the President has approved and authorized the execution of the agreement after making a determination in writing that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and (3) the proposed agreement has been submitted to the Joint Congressional Committee on Atomic Energy and the period of time prescribed in the act has elapsed. It should be noted that article IX (C) of the statute of the International Agency provides that any member making materials available will do so in conformity with the laws of that member state.

It has also been asked whether amendments to the statute would be submitted to the Senate for advice and consent to ratification. I can assure you that this would be the case. Amendments to the statute come into force for all members only after they have been accepted by two-thirds of them in accordance with their respective constitutional processes. However, the interests of the United States are protected since it would have the right provided in article XVIII (D): "Whenever a member is unwilling to accept an amendment to the statute it may withdraw from the Agency by a notice in writing * * *" There have been questions as to whether the President would act to effectuate withdrawal of the United States from the Agency if the Senate did not consent to the ratification of an amendment that had been accepted by two-thirds of the members of the Agency. We believe that he would and should do so if a majority of the Congress were of the view that the amendment so altered the nature of our treaty obligation as to render our continued participation in the Agency inconsistent with the interests of the United States. However, in my opinion, and as I said in my testimony before the Senate Foreign Relations Committee, the participation of the United States is so vital to the existence of the Agency that I cannot visualize a situation in which an amendment would be ratified by two-thirds of the members of the Agency that would impair or endanger the continued wholehearted support of the United States.

The subcommittee has asked whether the statute is self-executing and whether implementing legislation is needed to enable the United States to participate in the Agency. Effective United States participation will require three types of legislation: (1) The existing Atomic Energy Act of 1954; (2) a participation act; and (3) annual appropriations.

The internationally binding character of the limited obligations contained in the statute is, of course, not conditioned on the enactment of legislation by the governments of Agency members. Within the United States, the payment of this country's share of the administrative expenses of the Agency will require both authorizing legislation and annual appropriations by the Congress. However, the other obligations contained in the statute of the Agency (to act as depositary, to afford the Agency certain limited privileges and immunities) do not require implementing legislation.

To cover the administrative details of United States membership in the Agency, a draft participation act has been submitted to the Congress; a copy of this legislation is attached. It will provide for the appointment of United States representatives to the Agency and authorize the appropriation of funds needed for United States participation.

It should be reemphasized that nothing in the statute of the Agency obligates the United States to provide materials, equipment, or facilities to the Agency. As article IX states, the furnishing of special nuclear and other materials is to be in conformity with the laws of each member. For the United States, this means the Atomic Energy Act of 1954, as amended, which already provides procedures for cooperation with the International Atomic Energy Agency. There is no conflict between the statute of the Agency and the United States Atomic Energy Act.

During the course of my testimony there were inquiries as to whether the United States would donate the special nuclear material we make available to the Agency and its projects. Article IX provides that material shall be made available on terms to be agreed with the Agency. Article XIII provides that supplying governments will be reimbursed by the Agency for such materials unless otherwise agreed. The intention and policy of the United States Government is to apply the principles now prevailing for the bilateral program which require reimbursement for the cost of special nuclear materials except in special instances when limited quantities may be transfered for research or medical purposes. If future developments should make a basic change in policy with respect to donation desirable and in the interests of the United States, appropriate Congressional approval will be sought.

A question has also been raised as to what steps can be taken to encourage other governments to make material available to the Agency. In our judgment, the initial United States offer of a substantial quantity of special nuclear materials constitutes an earnest of our desire for an effective Agency and, as such is the best method of encouraging substantial offers from other countries. The scope and degree of our further support for the Agency will be decided upon, of course, in the light of the cooperation given by other governments. While the furnishing of material by any member of the Agency is entirely voluntary, the United States hopes and expects that cooperation will be forthcoming and will use its best efforts to encourage wholehearted support of the Agency by its members to the extent of their capabilities.

While only 2 or 3 countries are now in a position to sell, lease or otherwise make available special nuclear materials, other countries could make available equipment and other useful materials, such as natural uranium which is also a reactor fuel. When the Agency, in accordance with the provisions of article IX (B), has determined its needs for such materials, facilities, and equipment, we are confident that these countries will make offers to supply them. In fact, once the Agency has been established and its safeguards system is in force, its members will have an incentive to use the Agency as a channel for marketing nuclear materials.

Questions have been raised with regard to the extent and nature of the United States commitment to deliver special nuclear material to Agency projects or to the Agency itself. Can the United States be required to deliver materials before there is need for their use in approved specific projects? Will ratification of the statute commit the United States to deliver special nuclear materials to the Agency without prior knowledge of the projects to which these materials will be allocated?

The United States presently has no legal commitment to deliver any material to the Agency. We plan to carry out the President's offer of 5,000 kilograms of U-235 plus a sum equal to all quantities of such materials made available by other nations prior to July 1, 1960, subject to an agreement being concluded with the Agency on the terms and conditions under which it will be made available in accordance with the Atomic Energy Act of 1954, as amended. After such an agreement has been concluded, the Agency may request delivery of specific quantities of this material as it is needed for specific projects which have been approved by the Board of Governors or for use by the Agency itself. Until that time, the United States will retain special nuclear material made available to the Agency within its own boundaries.

No member has the right to designate the specific projects in which the material made available to the Agency will be used. However, the United States, through its membership on the Board of Governors, will have full knowledge of the Agency's projects and programs when we reach decisions in the future on amounts of material which we may subsequently make available to the Agency. Our decisions will be guided by our judgment of the needs and policies of the Agency and the security interests of the United States. Even with respect to the 5,000 kilograms, the United States will have ample opportunity beginning with the initial application for an Agency supported project, to be informed of the circumstances surrounding a proposed project and to be assured that the principles and objectives of the Agency are respected.

We were asked to clarify the interpretation of the word "terms" in the light of the negotiating history of the statute. The word "terms" as used in article IX (A) of the statute is not limited by the negotiating history. In our interpretation the word "terms" means "terms and conditions." It will be our policy to include in any agreement with the Agency under article IX (A) of the statute a provision that no materials will be shipped from the United States until they are needed for specific projects approved by the Agency. The Agency could not, of course, properly agree to the inclusion of any conditions in such agreements that were in conflict with any provision of the statute. For example, it could not agree to a term in such an agreement that was inconsistent with the provision in article IX (J) that "No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used." In the case of the United States, special nuclear materials cannot be made available to the Agency except in conformity with an agreement for cooperation negotiated under the provisions of the Atomic Energy Act of 1954, as amended.

For purposes of evaluating the President's offer, it may be noted that 5,000 kilograms is approximately the amount of U-235 required to fuel 2 or 3 medium-sized reactors throughout their useful lives. Moreover, the degree of enrichment of this uranium will be far below the level required for weapons-grade materials. As Chairman Strauss of the Atomic Energy Commission has testified, the United States will not supply the Agency with material enriched in excess of 20 percent.

Some questions were also raised concerning the dividing line between administrative and other expenses. Article XIV (B) (1) of the statute, entitled "Finance," identifies those expenses which may properly be included in the administrative budget. Furthermore, it is the accepted practice in international organizations in which the United States participates to confine administrative expenses to those which are for general support, such as salaries of the Secretariat staff, conference or meeting costs, travel, and so forth. Also include in administrative expenses are costs of implementing safeguards for Agency projects and certain costs related to the handling of Agency materials. In the light of the provisions of article XIV (B) (1), and of the

practice followed generally in international organizations, the Agency's administrative budget will not include or provide for physical facilities such as reactors or "universities." Such expenses would be financed by charges voluntarily agreed to by members benefiting from the projects concerned, and should the United States decide to participate therein the United States dollar share of these amounts would have to be authorized and appropriated.

Finally, a question often asked was whether we are contemplating furnishing the Agency classified information. No secret or classified information will be provided to the Agency.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. HICKENLOOPER. Mr. President, the report of the Foreign Relations Committee, as well as the testimony developed in the hearings on this treaty, will constitute a part of the legislative history.

It is also to be noted that an act of participation or legislative act will be necessary for the full implementation of this treaty; and such an act has now been submitted, and is before the Joint Committee on Atomic Energy. This act and its terms will no doubt shortly be before both Houses of Congress, for consideration and approval.

The discussion in which I have engaged, Mr. President, is by no means comprehensive with respect to the statute. The hearings and the report have gone in great detail into the matters involved in this very important adventure for the peaceful uses of atomic energy. As I suggested at the outset, it may be an all-important means of bringing nations closer together in mutual confidence. It has vast possibilities for good, if nations of good will sincerely cooperate to that end. If it can bring us a step closer toward the goal of reliable peace, our efforts will be well rewarded; if it can bring us closer to the abolishment of atomic energy for destructive purposes, we are making progress, indeed. We hope that the full realization of the unthinkable catastrophe of an atomic war can be realized by aggressor nations, and that a realization of the limitless possibilities of peace can help dissipate the tensions which beset the world today.

Mr. President, I believe it might be additionally useful if the formal, prepared testimony of Ambassador James J. Wadsworth, our representative to the Preparatory Commission of the International Atomic Energy Agency, when the statute was finally agreed upon, be printed at this point in the RECORD, even though the statement already appears in the hearings. It sets forth succinctly the overall position of the State Department and its interpretation in connection with the testimony developed at the hearings. I ask unanimous consent that it be printed at this point in the RECORD, Mr. President.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY AMBASSADOR JAMES J. WADSWORTH, UNITED STATES REPRESENTATIVE TO THE PREPARATORY COMMISSION OF THE INTERNATIONAL ATOMIC ENERGY AGENCY BEFORE THE SENATE FOREIGN RELATIONS COMMITTEE, MAY 15, 1957

I would like to cover some aspects of this treaty not fully gone into by Secretary Dulles and Chairman Strauss. Secretary Dulles last Friday discussed with you the great foreign policy considerations that hinge on ratification. Chairman Strauss yesterday explained the atomic energy advantages and the safeguards which we look to this Agency to produce. I would now like to give you some insights into the process by which this treaty was hammered out and then I will be glad to answer your questions.

I have been working for over 4 years as the deputy United States representative to the United Nations. During all the international conferences in which I have participated, I have never sensed such an intense interest and such a strong will for agreement as developed during these political negotiations on the atoms-for-peace program. It is somewhat difficult to define exactly the atmosphere in which we worked on this project. It was not a long series of agreements couched in generalities. Rather it was a businesslike negotiation aimed at spelling out provisions for international agreement to permit certain technical activities around the world. There was real skepticism about a number of important points which we overcame only after lengthy and intensive consultations. I would describe the atmosphere as one of "determined cooperation." At the finish there was general agreement that the statute represents the soundest, most logical, and safest way of attaining international promotion for and supervision of peaceful uses of atomic energy.

As we run through the important articles of the treaty, I think you will agree that we were not outnegotiated. If you compare the United States draft which was submitted to the 12-nation working meeting in Washington in February 1956 with the final text of the treaty as agreed upon last fall, it will be perfectly clear that all of the original American policies are fully reflected in the treaty. Of course, some changes were made—in our judgment a number of improvements came out of the negotiating process. But as the Secretary of State said the other day, "* * * despite the need to reconcile these varied interests the statute has kept intact every element of the President's proposal without sacrifice of substance or principle."

RUNDOWN OF THE STATUTE

Article I (establishment of the Agency) and article II (objectives) are self-explanatory.

Article III, functions: This article spells out what the Agency is authorized to do. Because we hope that this Agency will be good for the long pull, it has been given wide scope. In its early years it certainly will engage only in modest activities compared to the full scope of its authorized functions. This is clear from the planning work that has already taken place in the Preparatory Commission in New York during the past few months. There are a number of factors which will be at work to limit the scale of Agency activities in the beginning. The basic factor will be the caution with which this new international venture will be approached by supplying countries. Potential suppliers will watch this young project develop before assigning to it any large-scale responsibility for materials handling. One may say: "Well, the United States has already committed itself to transfer 5,000 kilograms right away to the Agency. But you will recall that the terms and conditions under which this material is to be made available to the Agency are still to be worked out. I am sure that the terms and conditions which we will require will take full account of the preliminary status of this Agency.

I would like to call your attention to article II (d) which is generally referred to as the "sovereign rights" clause. The question of sovereign rights is one on which nations are quite properly very sensitive, and there was a good deal of concern expressed in many quarters during the negotiation about the possibility that the operations of the Agency will infringe the rights of nations. I think it is fair to say that we satisfied the legitimate concerns expressed and succeeded in getting acceptance for language that in no way will hinder an efficient operation of the safeguards system.

Article IV, membership: The statute divides this problem into two parts—initial members of the Agency (par. A of art. IV) and other members (par. B). In the first category, the United States recommended from the beginning a formula which would restrict original membership to those states "members of the U. N. or specialized agencies." Four regimes—East Germany, North Korea, North Vietnam, and "outer Mongolia"—have not achieved membership in any of these agencies, so the formula automatically rules them out. At preliminary meetings in Washington in the spring of 1956, efforts by the U. S. S. R. to strike out this phrase on the grounds that membership should be universal were easily defeated.

At this point I might deal briefly with the problem of Red China. At the 12-nation conference the Soviet Union tried to have an invitation to the September conference sent to Red China. This move was soundly defeated. The government of the Republic of China was invited instead and this Government is presently engaged in the process of ratification.

In the second category—admission of new members—there was less controversy. The issue was whether admissions should be left exclusively to the General Conference or whether the Board of Governors should have a role.

Some delegations thought the General Conference should alone admit new members. The United States insisted that new members should not be admitted until both the Board of Governors and the General Conference had determined that the applicant is willing and able to carry out the obligations of Agency membership and with due consideration to its ability and willingness to act in accordance with the purposes and principles of the United Nations Charter. As you see, these provisions are part of the statute before you. The purpose of the reference to obligations of the United Nations membership is obvious. It is under essentially the same criterion as set forth in the United Nations Charter that Red China has been excluded from the United Nations and we feel this criterion should be applied in the Agency.

Article V, General Conference: A basic difference of opinion developed over the division of authority between the Board of Governors and the General Conference. The latter body is composed of a representative from each member of the Agency. There was an effort to make the General Conference the main policy-making body of the Agency. On the other hand, the United States supported by a majority argued that on grounds of efficiency of operation, the smaller body, the Board of Governors, meeting frequently, should be given this authority.

The final language of article V recognizes this principle, while at the same time giving appropriate powers to the Conference. For example, the Conference will review and approve (1) the budget, (2) amendments, and (3) selection of the Director General. It will elect 10 members to the Board of Governors. It will also have the authority to discuss any question that falls within the scope of the statute. The views of the Conference on these latter questions may be presented to the Board of Governors in the form of recommendations.

Article VI, Board of Governors: Debate on the composition of the Board of Governors was intensified as it became apparent that it would be the center of authority. Long and difficult negotiations were required before a

solution was found that all could accept. The United States felt that those countries having advanced atomic energy programs should have substantial influence in deciding the Agency policy. On the other hand, there was the view that standard international practice of allocating seats on the basis of geographic distribution should be followed. A formula was finally worked out which did take into consideration the principle of geographic representation while at the same time recognizing the legitimate interest and responsibilities of potential suppliers.

Let me show you how this formula works.

The world is divided into eight areas for purposes of selecting members to the Board of Governors. The chart shows likely dividing lines between the areas, although there is no firm understanding among the nations concerned as to exactly where these lines should be. The United States has not taken a position on this question except that in cases where a country might be in one or another geographic area, we think it should decide for itself which area it wishes to be in. For example, the Philippines might with equal justification opt for the Far East or Southeast Asia and Pacific. Finland might be in either Western or Eastern Europe. However, there are relatively few such cases.

The statute provides for two major categories of membership—those designated by the outgoing Board of Governors and those elected by the General Conference. In the case of the first Board of Governors, the Preparatory Commission carries out the designating function. Within the designated group there are four subdivisions:

1. Five members most advanced in the technology of atomic energy from the world at large.

2. The member most advanced in the technology of atomic energy from each of the 8 areas of the world not represented by the first 5.

3. Two of the following four producers of source materials: Belgium, Czechoslovakia, Poland, and Portugal.

4. One member as a supplier of technical assistance.

The General Conference elects 10 members to the Board of Governors for 2-year terms except in the case of the first Board, when 5 of the 10 are to be elected for 1 year in order to commence a staggered system of terms (similar to the Security Council). The statute provides that each area of the world, except North America must be represented in this group by at least one country. Of course, in the case of North America there would be no other members to seek election since the two countries that comprise the area, the United States and Canada, will undoubtedly be designated by the Board of Governors in the first category.

The above is a description of the process for selecting members of the Board as outlined in the statute. However, on the basis of negotiations and consultations that have taken place as the statute was being prepared, it is possible to indicate the probable composition of that part of the Board designated by the outgoing Board or in the first instance, the Preparatory Commission. The original version of the statute prepared by a working group of eight in August 1955 would have based the selection of members of the Board primarily on accomplishments in the atomic-energy field. However, in later negotiations there was considerable pressure from the less-developed areas of the world to base selection on geographic representation. The final solution was a compromise of these two positions. Implicit in the final formula was a general understanding of all participants as to the countries qualified for designation by the Board in the category of "most advanced in the atomic-energy field." However, the statute does not name these countries since there may be changes in the future.

For the first group of five there is general agreement that the United States, U. S. S. R., United Kingdom, France, and Canada are qualified. Since this group of 5 come from 3 areas of the world (North America, Western Europe, and Eastern Europe), this would leave 5 of the 8 areas to be represented in the second group. Those selected as the most advanced in these five areas will probably be Brazil from Latin America, Union of South Africa from Africa and the Middle East, India from South Asia, Australia from Southeast Asia, and Japan from the Far East. The qualifications of the "most advanced" countries listed above will probably be unchallenged, and all are members of the Preparatory Commission, which designates the members in the first instance. There was no general understanding as to which country would be designated as a supplier of technical assistance; it will probably be a Scandinavian country. Under this formula, there will be 23 members on the Board, 10 in the first category of "most advanced" countries, 2 from the group of 4 producers of source materials, 1 supplier of technical assistance, and 10 elected by the General Conference.

It is difficult to tell this far in advance what countries will be elected by the General Conference. As pointed out above, the Conference is to elect 1 member from each of 7 areas, which would leave 3 floating seats. The United States has taken the position that these 3 seats should be allocated—2 to Latin America and 1 to Africa and the Middle East. We believe this distribution will be followed in practice since it accords with the principle of equitable geographic representation.

So you can see that a large measure of control of the Agency rests in the Board, and the predominant influence of the Board rests in responsible hands.

And, by the way, I think it should be pointed out that the United States, United Kingdom, and the U. S. S. R. are not the only potential suppliers to this Agency. I understand that natural uranium (as opposed to enriched uranium) is going to be a prime fuel for power reactors. A number of countries such as Canada, Australia, the Union of South Africa, Czechoslovakia, and Portugal will be able to supply natural uranium to the Agency. Norway is a supplier of heavy water, India and Brazil of thorium. The list could be made longer.

Article VII, staff: The decisions of the Board of Governors will be carried out by the Agency staff, headed by a Director General. As the chief administrator, he will be appointed for a 4-year term. He will report to the Board of Governors.

There are a number of distinguishing features in the arrangements which govern the composition of the staff. Note in particular these three requirements: First, the paramount criterion in selection of staff to obtain employees of the highest standards of efficiency, technical competence, and integrity; second, an injunction to keep the Agency staff to a minimum embodied directly in the language of the statute; and, third, the provision giving some preference to nationals of member countries providing support to the Agency.

Article VIII, exchange of information: Article VIII deals with the exchange of scientific information. The following features are noteworthy. First, the provision of general information is wholly discretionary with each member; second, scientific information developed as the result of Agency assistance to particular projects must be made available to the Agency, and subsequently to each of the members. Since we don't contemplate the United States as a recipient of Agency aid, our role as a supplier of information remains entirely voluntary. The United States will not furnish the Agency information of a classified nature.

Article IX, supplying of materials: The first point to make about article IX, which deals with the supplying of materials, is that it puts no obligation on the members. The decision to sell or otherwise make available any materials to the Agency is entirely up to them.

The text of article IX leaves no room for any different interpretation in this regard. Paragraph A, on fissionable * * * materials, merely says that the "members may make available * * * such quantities as they deem advisable"; and paragraph B, on source materials also uses the same language: "Members may * * * make available."

If there were any doubts here on the meaning of the statute, the statutory history would dispel them. At the New York conference last fall, Denmark and Pakistan proposed that paragraphs A and B be amended by substituting "should" for "may" so as, in their words, "to put at least some moral obligation on members" to come forward with materials. The United States, among others, spoke against this amendment and it was defeated.

Materials transactions between the Agency and its members are voluntary on both sides. Just as the Agency cannot call on any member to make materials available, so the members cannot fob off any materials on the Agency that the Agency does not need and does not wish to accept. Members will notify the Agency how much, and what kind of materials they are prepared to make available. These notifications are essentially offers to the Agency. If the Agency takes up an option, and concludes an agreement with the supplying country setting out the terms, the supplying countries then have a contractual obligation to deliver the materials to Agency projects as the Agency specifies, but until the Agency so specifies the supplier has the right to keep the materials in its own possession. It can, of course, deliver to Agency storage facilities, but only if it wants to and if the Agency agrees.

Paragraph C of article IX provides that in offering to make materials available to the Agency, the supplying member undertakes to do so only "in conformity with its laws." This phrase was added to the statute before the 12-nation meeting in Washington early in 1956, and was accepted without debate both at that meeting and the subsequent 81-nation meeting in New York. It embodies a suggestion made in the course of a discussion of the statute at an executive session of the Joint Committee on Atomic Energy during the summer of 1955. This language gives additional assurance, in respect to materials of what is abundantly clear throughout the statute: that there is nothing in it that supplants or conflicts with any law of the United States.

One further observation on article IX. Members make materials available only "on such terms as shall be agreed with the Agency." This phrase of article IX–A means that if the supplier is not satisfied with the price that it will get or with the Agency's provisions for storage or with any other arrangements bearing on security or health and safety, it is under no obligation whatsoever to commit any of its materials. However, under article IX, the Board of Governors makes the decision as to the specific Agency project in which the material will be used. I am confident that the Board of Governors is so made up that in practice the distributions will be equitable, reflecting the criteria set forth in article XI, which I shall discuss presently.

In the unlikely event that the Board of Governors should distribute materials in a way that any supplier regarded as unfair, it would run the risk of losing this supplier. The United States, like any other supplier,

could not be expected to continue to offer materials if the performance of the Agency were not fair and reasonable.

Article X, services, equipment, and facilities: Only a brief word is needed on article X. Essentially it provides that members may make services, equipment, and facilities available to the Agency. Here, again, the decision is entirely up to the supplier. As in article IX, the words "may make available" are used. In New York, the Danish and Pakistani delegations proposed, as they had for article IX, that the word "should" be substituted for "may," but after the rejection of their amendment to article IX, they withdrew this one without a vote. The same provision is made for reimbursing suppliers of services, equipment, and facilities as is made for reimbursing suppliers of materials.

Article XI, agency projects: Article XI provides a standard set of arrangements which must be followed in getting materials, services, equipment, and facilities to the nations who will use them. Paragraph A provides that any member or group of members of the Agency desiring to set up any project for the peaceful development of atomic energy may request the Agency's assistance. Paragraph C authorizes the Agency to arrange for the supplying of any of these in two ways. The Agency may act as intermediary to bring the applicant into direct arrangements with the supplier. Or it may provide the needed items directly.

The Agency is also authorized, by article XI-B, to help the applicant get financing of the project from outside sources, but in doing this the Agency will neither provide guaranties nor assume any other financial responsibility itself. Note also that the reference to "outside sources" confirms what is otherwise quite clear that the Agency itself is not going to be a financial institution authorized to make grants or loans to members.

In approving a project, the Board of Governors is directed by article XI-E to give due consideration to such points as the usefulness and feasibility of the project; the adequacy of proposed health and safety measures; the adequacy, availability, and equitable distribution of materials and other resources; and the special needs of underdeveloped areas.

In connection with every approved project there must be a so-called project agreement between the Agency and the member or members concerned.

Article XI-F requires that this project agreement must include certain provisions. Among them are provisions for allocation to the project of any required materials and for transfer of fissionable materials under adequate conditions to protect health and safety. There must also be a statement of the terms and conditions, including charges, on which any materials, services, equipment and facilities are to be provided. In addition, provision must be made for the disposition of rights in inventions, and any patents on them, growing out of the project.

Finally, every project agreement must include two important undertakings by the member or members concerned. The first is that the assistance provided shall not be used in such a way as to further any military purpose. The second is that the project shall be subject to the safeguards provided for in article XII. Since the safeguards of article XII, which I shall discuss next, are designed to be adequately protective for every possible type of project the Agency might support, not all of them would be applicable in every case. It was provided that the project agreement should specify which of the safeguards are relevant to the project, thereby eliminating a possible source of dispute at the outset.

Article XII, agency safeguards: Article XII permits the United States to join the agency in confidence that the great affirmative aim of accelerating the peaceful development of atomic energy throughout the world can be realized without concurrent furtherance of any military purpose. Secretary Dulles has explained how article XII may achieve even more than that, how it may make a positive contribution to solving the problem of nuclear disarmament. I shall not go over this ground again, nor shall I repeat Admiral Strauss' statement of the technical and scientific reasons for having faith in article XII's adequacy for the function it aims to perform.

The striking thing about this "safeguards" matter was the unanimity reached after long and fairly hot discussions as Secretary Dulles said last Friday, if the atoms for peace program is to be effectively supervised it will have to be under some multilateral scheme. Bilateral policing by American inspectors has a limited life expectancy. This treaty provides the best multilateral safeguard arrangement that we know of.

Article XIII, reimbursement of members: The principle set out in this article was already proposed in our draft of August 1955 which was discussed with the Joint Atomic Energy Committee before its release. Right from the start we have insisted on the idea that this agency is a technical agency and not a grant-aid service.

Article XIV, finance: Leadership in the drafting of this article was borne primarily by Canada during the Washington 12-nation negotiations and again in New York its defense fell to a large extent to Canada. They were mindful of the importance of following financial procedures which would not run the risk of facing members of the Agency with large bills to pay for extravagant programs. A similar spirit of caution and conservatism governed the reaction of others also.

The concept of dividing Agency expenses into administrative costs, to be met by apportionment among members, and operational outlays, to be recovered from program beneficiaries, was a new contribution to the field of financing international activities.

Articles XV (privileges and immunities), XVI (relationship with other organizations) and XVII (settlement of disputes) do not contain provisions requiring extensive explanation.

Article XVIII, amendments and withdrawals:

I know that this article is of special interest to members of the Committee. Questioning in previous sessions has indicated that there is some concern lest amendments unacceptable to United States would be adopted over our objection.

First, let me say that this eventuality is entirely inconceivable to me. If two-thirds of the members of the Agency ever took a stand on a basic issue which was opposed to our own, I am sure that this would signify a situation of such a character that well before the occurrence of such a development, we would have ceased to be either a member or active participant in the Agency.

But in any event, as you will see in paragraph D, a nation is fully at liberty to withdraw whenever an amendment unacceptable to it is adopted through the procedures of paragraph C. Note also that there is no limitation on withdrawal at any time after 5 years from the entry into force of the statute.

I would point out, finally, that the amendment procedure is similar to the majority of the specialized organizations in which the United States participates.

Any more rigorous procedure would have increased the difficulty of making changes in the statute which the United States may at some future time consider desirable.

Article XIX (suspension of privileges), XX (definitions), XXI (signature, acceptance and entry into force), XXII (registration with the U. N.), and XXIII (authentic texts and certified copies) do not contain provisions which warrant taking up your time unless you have specific questions.

Annex I—Preparatory Commission

You will notice that there is an annex to the statute which provides for the establishment of a Preparatory Commission. This Commission, consisting of 18 member states, was set up to make arrangements for the first meeting of the General Conference, to study and recommend to the first Board of Governors and General Conference an initial program and budget and to carry out certain other administrative responsibilities.

The Commission has been meeting intermittently since last October and is well on the way to accomplishing its assigned tasks. Paul Jolles, of Switzerland, was appointed executive secretary, and a staff of about 15 is assisting him. Detailed discussions are underway on the specific, immediate activities the Agency should undertake, and on the staff and budget required to carry out these activities. The United States delegation to the Commission has played a key role in all of this activity.

The Commission is to meet next Monday to set a target date for the first meeting of the General Conference and the Board of Governors. As you know, Vienna has been tentatively selected as the site of the Agency headquarters, pending formal approval of the Agency itself after it comes into existence, and these first meetings of the Agency will be held in that city.

Mr. Chairman, my enthusiasm for this Agency and for United States participation in it stems from a profound conviction that it carries in it the seed of the genuine international peace and cooperation that we have all been seeking for so long. I am not a stranger to international conferences, large and small, many of them frustrating. As an example, 2 years ago I spent many weary weeks in London haggling over disarmament, and with painfully little success.

But this operation has been different, and for a very simple reason: the nations of the world not only want this Agency—they want it to succeed. The New York conference on the statute represented the entire civilized world in a way that no conference of this kind has ever represented it before.

You are aware that 81 nations, the entire membership of the conference, voted for this statute that is now before you for ratification. Not only that, there was not 1 single negative vote on any 1 of the 23 articles of this statute. That was the net achievement of this part of the great project: That all these nations wanted this Agency so much that they were willing to assume the obligations written into this document—willing to submit to inspection and control—willing to submerge national aspirations, ingrained suspicions of one another, even age-old hatreds. The result is a better statute than the one developed by the 12-nation working group, which in turn was an improvement on the draft of August 1955.

This great and satisfying experience has left me with two sincere convictions which I submit to you now in closing:

1. The International Atomic Energy Agency in itself represents one of the great hopes of the world. This world has shown that, first, by its overwhelming approval of the concept then, by its unanimous adoption of the machinery.

2. The negotiations and the conference have proved that the representatives of the people of the world can work together, can iron out differences and break deadlocks, can come triumphantly and unanimously to a common worldwide position.

Mr. Chairman, even if the Agency should not live up to all expectations in the practice of its functions, it has already achieved a hitherto unachieved distinction in history. It has brought the world together on a common ground of agreement and endorsement. It has opened up vistas of peaceful

consultation and cooperation that many had despaired of finding.

I have been truly grateful for the chance to participate in this first big breakthrough toward our common goal of peace with justice—the breakthrough initiated, nourished, developed, and brought to maturity by the United States. I told the final session of the 81-nation conference that we had been making history during the few weeks we had been working, and I ended with this challenge to them:

"Science has given us the knowledge. Diplomacy has developed the instrument. May we have the wisdom to use both for the benefit of all mankind."

Mr. HICKENLOOPER. Mr. President, I yield the floor.

THE NATION'S FISCAL MESS

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may address the Senate.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Without objection, the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, in recent weeks we have been witnessing one of the most amazing hassles to take place in Washington. I refer to the budget controversy which came about as a result of bungling on the part of the administration. It is not surprising to see the Republican administration and the Republicans in Congress contradicting each other, but it is fantastic to observe the confusion within the administration itself. The President has been unable to control even his own official family; and this, in my opinion, is a most shocking state of affairs.

Early in April, the President told a news conference that he did not think the budget could be cut by any startling amount, such as $2 billion. Virtually, at the same moment, Under Secretary W. Randolph Burgess was telling the Senate Finance Committee that the budget could, and should, be cut by $2 to $3 billion. The question arose as to just who was setting policy—the President of the United States, or Under Secretary Burgess, one of the chief architects of the tight-money policy, and a former top official of the National City Bank of New York.

The next day Mr. Burgess explained that there really was no disagreement between the President and himself over the budget. He then made this amazing statement:

> The trouble is that both of us gave some figures, and when you pull figures out of the air, you can get in some trouble.

Is it any wonder then the American people are confused and disturbed over the budget, when a man in the responsible position of Mr. Burgess says he and the President were just pulling figures out of the air when they talked about the budget? I say most sincerely, Mr. President, that this is a deplorable condition for which there is no justifiable excuse. The President of the United States under our Constitution is delegated responsibility for being the master of his house, and this duty cannot be relegated or delegated to others.

A matter as important as the National Budget cannot be handled by presidential assistants. It is a matter for the attention of the President, as the elected leader of the American people. I am gratified to note that the President is beginning to take the reins and to defend and fight for his own budget. When he has done so, the results have indeed been encouraging in terms of the budget. I fear, however, that in many instances it may be too late to rectify the mistakes that have taken place.

Despite the general chaos in Republican ranks and the delight with which so many members of the GOP attack the proposals of their own President, there is one significant portion of the budget upon which all of them seem to agree. Unanimity of thought in the Republican Party is so rare these days that it deserves attention. I refer to the part of the proposed budget for the fiscal year 1958 which calls for $7,300 million in interest on the public debt. This compares with $5,859 million paid in interest in the fiscal year 1952, the last full fiscal year of the Truman administration.

Is it not amazing that the party which campaigned so loudly and vigorously for economy in Government back in 1952, and again in 1956 does not raise a cry over the fact that interest payments in the proposed budget are $1,441 million more than they were under the administration of President Truman? One would think that the economy party would show some alarm over the fact the taxpayers will have to pay out an added $1,441 million a year in interest alone. But no, we hear no words of compassion for the long-suffering taxpayers on this score from the Republicans.

The reason, of course, is quite understandable. The rising interest payments are a direct result of the tight money policy which the Republican Party has brought into full operation. Interest rates today are the highest they have been since the last time we had Republican rule under Harding, Coolidge, and Hoover. And the facts indicate that the interest rates will go still higher. There seems to be no one who can safely predict where they will stop.

The newspapers have been reporting the dilemma the Treasury faces in refinancing maturing securities. I am happy to note that at long last the newspapers are pointing out to the American people what is happening under this tight money, hard credit, high interest rate policy that has been designed and put into effect by the administration.

In one report it was pointed out that in May $4.2 billion in securities came to maturity. Holders of these securities, which were issued in 1954 at a 1⅞ percent interest rate, were offered an 11-month certificate—which is a very short-term certificate—paying 3½ percent, and a 57-month note bearing interest at 3⅝ percent. This was the highest rate of interest offered on 3- to 5-year notes since 1933, at the depth of the depression, when the entire monetary system of the country was in great peril.

Despite the generous offerings, at more than twice the rates earned on the maturing securities, holders of $1.2 billion of these securities turned down the exchange offer and demanded cash instead.

In August $16 billion in securities will mature and the Treasury will have to offer extremely high interest rates to prevent large-scale demands for cash. Between now and mid-1958 a total of $54.1 billion of such securities will come due and will have to be paid off in cash or else refinanced.

What this means to John Q. Public is simply this: He is going to be forced to pay more and more in taxes to finance the public debt. More and more of our taxes will be going into the pockets of investors, and a smaller and smaller portion going into goods and services for the American people. If the entire debt is refinanced at present rates, it will mean $2 billion additional a year in interest alone.

I repeat, it will mean $2 billion more over and above the $4,100,000,000 which we have had to pay in extra interest—an almost $3.5 billion increase in interest payments on the public debt.

Referring to the dilemma of the Treasury in raising money, the Wall Street Journal of June 3 said this:

> The plain, simple and incontrovertible fact is that the Government of the United States is in a fiscal mess.

I repeat, that statement did not come from the Democratic Digest. It did not not come from the lips of the Democratic chairman. It came from the Wall Street Journal. The fiscal-financial mess is not only on our doorsteps; it permeates the entire household of the Government of the United States.

The statement continues:

> To put it bluntly, the Treasury of the richest Nation on earth is short of money. At one point this spring it had hardly enough cash to pay a week's worth of bills. And with current spending rising faster than current income, despite the "balanced" budget, the squeeze threatens to get worse.

Barron's National Business and Financial Weekly of June 3, in a front page editorial on the Treasury crisis, stated:

> Specifically, in the exercise of one of its most strategic functions, management of the public debt, the Treasury lately has suffered painful reverses. It has been compelled to raise money with distressing frequency and at steadily rising costs. At the same time, its serious financial straits have posed a mounting threat to overall economic stability. In short, while the Nation remains as solvent as ever, debt management policy has come perilously close to bankruptcy.

Mr. President, I say, most respectfully, if statements such as those I have just read had been made by people in public office—politicians, as we are called—they would be termed irresponsible at least by those who disagree; but I mention the fact again, and I call it to the Senate's attention, that these statements come from the Wall Street Journal and Barron's Financial Weekly, two of the most responsible, and yet conservative, journals in the United States.

Treasury short-term bills in the first week of June rose to 3.374 percent—the highest rate since the "bank holiday" period of 1933. A year ago the Treasury sold short-term bills at 2.562 percent, and 2 years ago the rate was 1.390 percent. This amounts to a jump in interest rates of 142 percent in 2 years.

Is this not an incredible record for an administration which campaigned for economy in Government, a return to "sound" money policies, and an end to inflation? After 4 years of Republican mismanagement we have a bigger debt than before, we have inflationary money rates, and we are paying well over a billion dollars a year extra in interest on the debt.

The administration attempts to explain the whole thing away by saying that it is simply a victim of the tight money squeeze just as other borrowers are, and there is nothing it can do about it.

In other words, the Government of the United States, which is charged with the responsibility of raising taxes, of coining money, and regulating the value thereof, which has control over the credit policies of our economy, says frankly it is helpless before the private interests of the Nation.

This is a sad commentary. If the Government of the United States is helpless before bankers, what is it going to do with the Soviet Union? If it cannot resist the money barons, how is it going to resist the commissars? I think we might ask whether or not the Government is in charge of the fiscal policies, or whether it has delegated the responsibility to private interests. If it has, the time is at hand to take corrective action. As Franklin Roosevelt, the late and beloved President, said when he became President of the United States, he took the key away from the Wall Street brokers who had the key to go into the back door of the White House and said, "Come in the front door, like anyone else, if you are coming in."

Mr. President, tight money and rising interest rates are a result of fiscal and monetary policies of the Federal Government, which is today, in the executive branch, operated and run, lock, stock, and barrel, by the Republican Party.

Business Week, in its May 11 issue, stated the situation very well. I should like to quote from Business Week. This magazine is not known as a publication that announces Democratic policy or carries Democratic propaganda. Business Week said, in the May 11 issue:

> The unhappy plight of the Treasury is the inevitable result of the administration's all-out reliance on general and indirect monetary controls to combat inflation.

I say, Mr. President, that inflation has not been combated, so that the administration policies did not even succeed in doing what they were designed to do.

I also point out, Mr. President, that the Republican Party cannot have it both ways. It cannot advocate tight money, put such policy into effect, and then deny any responsibility for soaring interest rates which the American taxpayer has to pay.

What is going on concerning the national debt is also going on at the State, county, and municipal levels. The Dow-Jones municipal yield level for June 10 was 3.42 percent. This is the highest level in 20 years. In 4 short years high-grade municipal bonds have gone up 35 percent and State bonds are up twice that amount. It should be noted also that municipal issues are tax exempt and, therefore, are much more attractive than 20 years ago, when taxes were a great deal lower. This means, of course, that State and local governments, which are faced with terrific needs for more schools and hospitals, better roads and other public services, find themselves in the position of seeing less and less of their tax money going into brick and concrete and more and more into the hands of money lenders.

I have taken the time here today, Mr. President, to discuss briefly the subject of interest rates on the public debt because it is one of the most important topics and one which is not given the thought and attention which it merits. Monetary policy affects each and every citizen.

I submit that not only have the interest rates on public financing gone up, but every person who borrows money for a home, for a car, for an inventory, or for capital plant expansion, pays a higher rate of interest today than he has paid in years.

There is a chain reaction the same as there is with an atomic explosion; when the Federal Government designs a policy to make money harder to get by tightening credit and raising interest rates on its own financing, the immediate impact is felt all the way down to the end of the stream of commerce. The Federal Government is such a big user of funds, such a large buyer in the money market, that the standards it establishes and the rates it is willing to pay govern the rest of the money market. There is no way by which this administration can wash its hands of this responsibility. There is no Pontius Pilate treatment that can be given this matter. The Government has to accept responsibility.

If inflation had been stopped, if price rises had been curbed, this administration would have been the first to say that it was their hard money, tight credit, high interest rate policies which did it. They would have said, "It was our remedy, our medicine, that cured the patient."

But, Mr. President, this phony remedy does not cure the patient. The patient becomes sicker and sicker, and the medicine becomes more expensive by the day. What we need, apparently, is a change of doctors and not a change of patients.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will be happy to yield in a moment, because I want my good friend to hear all of this, since it is for his benefit and for the benefit of those who believe as he believes.

Mr. BUSH. I appreciate the Senator's concern, Mr. President.

Mr. HUMPHREY. It is a deep personal concern.

Mr. President, the present situation is little short of being scandalous. The much ballyhooed efficient and business-like Republican administration is leading the country into the gravest money crisis since the GOP ran the Government in the twenties and early thirties. May I say, that is a very high standard to repair to, when it comes to getting into trouble.

The reason for the current fiscal mess is not difficult to explain. It is the logical result of administration policies designed to assist the financial interests of the country rather than the people of the country whom the Government is supposed to serve.

I know of no topic which better illustrates the basic difference in philosophy between the Democratic and Republican Parties than does fiscal and monetary policy. The Republicans, true to their fashion, defend credit policies which aid the wealthy on the grounds that the benefits will eventually trickle down to the people.

Despite efforts by the GOP to create the impression in the public's mind that it is a party which is progressive and modern, the truth of the matter is that the Republican Party is basically no different today from what is was 50 years ago. The philosophy on money matters of Mark Hanna, Andrew Mellon, George Humphrey, and W. Randolph Burgess is strikingly similar. If not related biologically at least ideologically these philosophies are strikingly similar.

The Democratic Party, true to its historical tradition, maintains that money policies should be designed with the good of all the people in mind and not just a chosen few in positions of financial power. The Democratic Party, as it has been accused, has advocated over the long period of time more credit, lower rates of interest, and what we call a softer money policy.

I am happy to say I would rather be known for a soft heart and soft-money policies than for a hard heart and hard-money policies. I would rather be accused of having been a little too generous than of trying to run a race with Scrooge.

Mr. President, I am confident that despite the propagandizing of the Republican Party, the people will see through the financial smokescreen which has been created. They will recognize what the Wall Street Journal has said to be the truth.

I repeat that, and ask my Republican colleagues not to argue with me. Do not engage in controversy with the junior Senator from Minnesota for what he is saying, because what he is saying has been said by the editors of the Wall Street Journal, Business Week, and Barron's Financial Weekly.

The Wall Street Journal says that the administration has this country in a financial mess, a fiscal mess.

What does Business Week say? It says, "It was the inevitable result of the administration's reliance upon its money policy to curb inflation."

So I suggest to my colleagues, who are about to pounce upon this statement of mine, that they should carry their fight to the Wall Street Journal, to Barron's Financial Weekly, and to Business Week, and when they do they should be prepared to lose it, because the facts are that their case is weak; the facts are that the administration has itself today in a fiscal and financial mess which it will take a political Houdini to get out of, and I do not see at the moment any Houdini available to extract them from their own designs.

Mr. SYMINGTON. Mr. President, will the distinguished Senator yield to me?

Mr. HUMPHREY. I wish to yield first to the Senator from Connecticut.

The PRESIDING OFFICER (Mr. MORSE in the chair). The Chair understands that the Senator from Connecticut desires the floor in his own right.

Mr. BUSH. Mr. President, I did ask the Senator to yield a few moments ago. The Chair is correct in stating that I desire the floor in my own right after the Senator from Minnesota has concluded. First, I ask him to yield to me for a moment.

Mr. HUMPHREY. I am happy to yield.

Mr. BUSH. First, I wish to say that the Republican Party is grateful to the Senator and to those who have associated themselves with his ideas on this subject for bringing this matter to the attention of the Senate and of the country.

Mr. HUMPHREY. I am glad to do so.

Mr. BUSH. I think it emphasizes the fact that under this administration the degree of confidence which the people generally have shown in the Government and in the business and economic situation is responsible for a degree of prosperity which is unprecedented, the value of which to all the people has been so great as to make the interest-rate problem which the Senator magnifies so greatly of relatively small importance.

The point I wish to make with the Senator is this: I have listened intently to what he has said, but I have not heard from him any alternative program, or a suggestion of alternatives to the policies to which he objects. I should like very much to know whether we are to hear about the alternatives which he and those who agree with him think would be such a great salvation in the current situation, which he finds so disagreeable.

Mr. HUMPHREY. I have some alternatives, and I am very happy to suggest them.

One of the first alternatives is to change doctors. That will have to wait until 1960.

In the meantime, another alternative is to change a few of the interns. That will be done in 1958, in the Congressional elections.

Another alternative is: where there is interest gouging, where there are tight-money policies at work adversely upon the economy, to let the Government of the United States step in and lend money directly. That will bring down some of the interest rates.

The Senator has asked for alternatives. I am doing my best. One further suggestion I have is that the Federal Reserve Board start to exercise its responsibility to manage the fiscal affairs of the Nation in terms of the monetary policy.

I can give another alternative. There should be some revisions in the tax laws. I have a long list of alternatives. Still another is to close some of the loopholes in the tax laws, which loopholes do not benefit 1 person out of 10,000.

Mr. BUSH. May I ask the Senator a question?

Mr. HUMPHREY. Certainly.

Mr. BUSH. Does the Senator feel that the loopholes in the tax laws have any particular effect on the question of interest rates?

Mr. HUMPHREY. I do, indeed, because if some people did not have to pay a disproportionate share of taxes, they would not have to borrow so much. Indeed that factor has some effect on the interest-rate policies.

Furthermore, if some of our small-business firms were able to retain more of the cash reserves that come from their businesses, instead of having to pay them all out, and then being compelled to borrow money from a bank for plant expansion, that would help a great deal.

The Secretary of the Treasury of the United States goes around cooing like a dove whenever he sees a rise in interest rates. It has an effect on the market, just as when the Secretary of Agriculture starts looking around, like a political pallbearer, and goes around with a gray look in his face, talking about farm prices. It depresses not only the people, but the prices.

The Republican Party likes to claim credit for prosperity outside the Government, but it does not wish to assume any of the responsibility for mismanagement in the Government. That would be a cute trick, if they could get away with it. And they could get away with it if we were blind, deaf, and dumb. We are none of these. Certainly we are not blind; we are not deaf; and I shall try to prove that we are not dumb.

My friend from Connecticut wishes to know a little about the Republican philosophy. For 3 years what did we hear? We heard that the administration had controlled inflation, until prices started to rise. Then it was said, "Well, inflation is on its way, but we had nothing to do with it. It is something that just happened. It is an act of Nature."

The Republicans cannot work both sides of the street so openly. It can be done, but it is usually done more carefully.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BUSH. The Senator from Minnesota spoke about the patient, the doctor, and the interns. I remind him that only 8 months ago the patient—if we can call him that—had the good grace to appraise the situation, and he decided that the doctor was all right. All the patients, by an overwhelming majority, decided that the doctor was all right.

Mr. HUMPHREY. One of the great attributes of a democracy is the right to be wrong.

Mr. BUSH. The Senator is correct. It is also historically true that the people are not always wrong, but that they are frequently right in matters which affect them very deeply.

Mr. HUMPHREY. I say most kindly to my distinguished friend from Connecticut, a delightful, brilliant, and able spokesman for an unhappy cause, but who is doing a good job with what he has to work with, that when the American people really find out that their Government, the most powerful government on the face of the earth, and supposedly in charge of the most prosperous economy on the face of the earth, cannot even finance its own public bond issues, they are going to ask, "Who really runs this place?"

When they find that a budget includes $1,400,000,000 of extra interest payments which go to someone else, they will be a little more suspicious. When they find out that in the next 2 years another $2 billion will be added as extra interest payments, they will take an interest. The people will take enough interest to lower the interest rates, because they know what is beginning to happen. When a man buys a home, and he sees a bedroom which he needs for his family going into interest payments to a broker or bondholder who does not own it, he will take some more interest. Public interest will sooner or later counteract high interest rates. It is only a matter of waiting.

Mr. McNAMARA. Mr. President, will the Senator yield for a question?

Mr. HUMPHREY. I yield.

Mr. McNAMARA. The degree of confidence in the present administration certainly is not reflected on the part of the moneylenders. They show very little confidence.

Mr. HUMPHREY. The practical-minded men do not have enough confidence to buy the bonds.

Mr. McNAMARA. And when they have them, they sell them at a discount. Does that indicate a degree of confidence in the administration and its fiscal policies?

Mr. HUMPHREY. The question which the Senator asks contains its own answers.

I point out that yesterday the distinguished junior Senator from Tennessee [Mr. GORE], a member of the Committee on Finance, placed in the CONGRESSIONAL RECORD a table, a copy of which I hold in my hand. The table is entitled "Loss in Value of United States Bonds, Treasury Notes, and United States Certificates of Indebtedness."

We talk about waste and loss. Only recently there was a great argument over mutual security, with respect to which there are honest differences of opinion. But I submit that no one can reveal a great single loss; no one can point accurately to a greater single loss than the loss of value in connection with Government securities. This tabulation was prepared by the junior Senator from Tennessee for use in his remarks on the floor of the Senate.

What is the total loss in value so far? It is $6,432,880,755. That is what the fiscal policy has cost the bondholders. That is how much it has cost even the friends of the administration. What price loyalty and friendship?

Is it any wonder that we read in the press every once in a while that some businessman refuses to contribute further to the GOP? He has already contributed $6,432,880,755. When is it going to stop?

Mr. McNAMARA. The Senator mentioned a figure of $1,400,000,000; and a future figure——

Mr. HUMPHREY. That is what the "take" is now.

Mr. McNAMARA. The projected estimate is $2 billion will be paid in additional interest because of this policy.

Mr. HUMPHREY. Yes.

Mr. McNAMARA. Can the Senator conceive of such an amount of money being paid to people who do not produce anything, without resulting in inflation? Is not this program in itself very inflationary?

Mr. HUMPHREY. Certainly. We constantly hear the charge that a rivers and harbors program is inflationary. We hear it said that farm price supports are expensive. Every time there is a $700 million loss in connection with the farm program, there is a great explosion, which makes the hydrogen bomb look like a firecracker. Something is considered to be awfully wrong. However, here we see an extra billion dollars being paid out to people who do not need it, and that is not called inflationary, according to the GOP, but simply the result of circumstances.

I am sure that if they could claim credit for its being good in some way, they would make that claim.

I had not intended to extend this discussion as far as I have, at this time, because we will certainly come back to it day after day, and we will continue to talk about the fiscal and monetary policies of our Government.

I am happy to see on the floor the Senator from Louisiana [Mr. LONG], who is a member of the Committee on Finance. I wish to commend the members of that committee for conducting a survey of the monetary, credit, and fiscal policy of the Government. I urge upon them a searching investigation. I urge upon them the same kind of diligence that has characterized other investigations by our committees. I remind them that they have a responsibility second to none.

Of course, there have been misdeeds in the American economy. There have been people who violated both private and public trusts, and their caricatures and profiles and features have been portrayed over television throughout the country.

However, I say that all that we have heard to date about mismanagement of union funds and welfare funds, and dabbling here and dabbling there, will look like the widow's mite, compared with what we will find out about the monetary and fiscal policies of the Government in terms of cost to the American people.

Oh, it will be said that whatever has been done along that line has been legal, whereas the other matters I have referred to were illegal. That may be true, because legal is what the law says. We make the law, or the President and his agents make the law. But the question is whether it is right or wrong, or sound or unsound. I am of the opinion that the policies being pursued by the Government are not sound.

PROPOSED LEGISLATION TO CARRY OUT HOOVER COMMISSION RECOMMENDATIONS

Now, Mr. President, I should like to give my colleagues something to be happy about. I want the RECORD to note that today the President suggested that priority be given to five Hoover Commission bills. I refer to a feature story published in the press this morning. It is the United Press dispatch, stating that the President yesterday urged Congress to give consideration to five pending bills to put into effect recommendations of the Hoover Commission and Government reorganization. He has asked Congress to give earnest consideration to those five pending bills, according to the United Press dispatch.

I am happy to say to the President that three of the bills he has recommended have already been reported favorably by the subcommittee which I am privileged to serve as chairman; namely, the Subcommittee on Government Reorganization. They were reported favorably by the full Committee on Government Operations, and were passed by the Senate. Two of the bills are in process of being worked on, and will be reported to the Senate for favorable consideration.

Since I have mentioned today some of the difficulties facing our country, I should like to note that the Citizens Committee for the Hoover Report has estimated that savings, capital returns and increased revenues totaling almost $3 billion may be traced to adoption of the recommendations of the first Hoover Commission which reported to the Congress in 1949, and the second Hoover Commission which reported in 1955.

I am fully aware of the difficulty of pinpointing specific savings in the Government's operations resulting from reorganizations within the executive branch, but I am convinced that we are getting much more value from the taxpayers' dollar in terms of greater efficiency, improved management and general economies as a result of the Commissions' work. I, therefore, believe it is of interest to briefly review the Citizens' Committee's analysis of progress made in implementation of the Hoover Commissions' recommendations to date.

FIRST HOOVER COMMISSION

In its statement May 21, 1957, the Citizens Committee estimates that approximately 72 percent of the recommendations of the first Hoover Commission, 1947 to 1949, have been implemented by the Congress or the executive branch.

Based on this percentage, Clarence Francis, National Chairman of the Citizens Committee, estimated that specific savings, capital returns and increased revenues from adoption of the first Hoover Commission's recommendations have amounted to $2,337,900,000. Mr. Francis broke this total down as follows:

General Services Administration	$677,000,000
Veterans' Administration (cut back of hospital facilities)	545,000,000
Post Office Department (increased revenue from raising post cards to 2 cents)	72,000,000
Reconstruction Finance Corporation (revenues from liquidation of assets)	474,000,000
Department of Defense (general economies)	569,500,000
Total	2,337,900,000

SECOND HOOVER COMMISSION

The 84th Congress enacted 36 public laws, 2 House Resolutions and 1 Senate Resolution, which implemented 55, or approximately one-third of the 167 legislative recommendations that the second Hoover Commission—1953–55—made.

In addition to the Congress' action, the White House on May 23, 1957, announced that the administration had accepted wholly, partially, or as to objective 73.8 percent of the Commission's recommendations, which presumably includes the 33⅓ percent enacted by the Congress. Of the 73.8 percent accepted, 56.3 percent have been or are being implemented by the executive branch, the White House stated.

In his statement May 21, Mr. Francis, the Citizens Committee chairman, estimated that savings, capital returns, and increased revenues directly attributed to implementation of the second Hoover Commission's recommendations total $480,100,000, broken down as follows:

Treasury Department	$20,300,000
General Services Administration	131,700,000
Federal Housing Administration	500,000
Interior Department	600,000
Commerce Department	19,300,000
Veterans' Administration	13,600,000
Post Office Department	56,000,000
Health, Education, and Welfare Department	2,200,000
Defense Department (10 percent of total economies)	235,900,000
Total	480,100,000

In summary, the Citizens Committee estimates specific savings, capital returns, and increased revenues totaling $2,818,000,000 directly or indirectly attributed to adoption of the recommendations of both the Hoover Commissions.

In justifying these estimates, the committee states that the amounts given were taken directly from, or were based upon, agency reports or statements made by officials of the executive branch or by the Comptroller General. However, it might be pointed out that in many instances, especially in the Department of Defense, specific savings are not related directly to specific Hoover Commission recommendations, but to overall economies. For example, the Citizens Committee takes a flat 10 percent of the $2,359,000,000 economies reported by the Department of Defense for fiscal 1955–56 as stemming directly from the Hoover Commission's reports. Also, some question might be raised as to the validity of counting increased Government revenues resulting from raising the cost of penny postcards from 1 cent to 2 cents as a savings.

In my opinion, all estimates on Hoover Commission savings should be approached with caution, even when identified by the Citizens Committee as in its recent release. The Hoover Commission, itself, made no estimate, but listed the estimates of its various task forces which together totaled more than $8,500,000,000, a figure for which no authoritative documentation exists.

It also might be recalled that the Bureau of the Budget, although requested

by the Congress on several occasions to do so, has never been able to produce any hard-and-fast dollar figure on Hoover Commission savings anywhere near approaching the current estimates.

However, although it may be impractical to specifically document existing savings, it is my belief, as I stated in my opening remarks, that tangible benefits to the taxpayer in better Government operations are flowing from the substantial progress made on the Hoover Commission reports.

Some 70 to 75 bills, not including duplicates in the House of Representatives where more than 100 have been filed, to implement various aspects of the Hoover Commission reports, have been introduced in the present Congress. Hearings have been held upon various measures, others have been reported favorably by committees and necessary staff work is proceeding on the remainder as rapidly as the heavy workload of the Congress permits.

As Members recall, on Wednesday, June 5, the Senate unanimously approved three important Hoover Commission bills recommended by the Subcommittee on Reorganization of the Committee on Government Operations, which I have the privilege of serving as chairman.

They were: First, S. 434, to determine appropriations on an expenditure basis; second, S. 1791, to extend the Reorganization Act of 1949 to June 1, 1959; and, third, S. 1536, to improve the management of Federal records.

It is my intention as chairman of the subcommittee to continue to give the highest priority to the Hoover Commission's reorganization recommendations which, after thorough analysis, prove beneficial to the Government's operations.

Mr. President, I ask unanimous consent that the article to which I have referred be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 18, 1957]

IKE REQUESTS PRIORITY ON FIVE HOOVER BILLS

President Eisenhower urged Congress yesterday to give earnest consideration to five pending bills to put into effect recommendations of the Hoover Commission on Government Reorganization.

He told Vice President RICHARD M. NIXON and Speaker SAM RAYBURN in letters that the enactment of five bills would not necessarily result in savings which could be readily identified in the budget. But he added that he knew that "the Congress is as eager as I am to achieve every possible improvement in our Government."

The five bills the President recommended for priority passage would:

Extend the 1949 Reorganization Act for 4 years. The Senate already has voted a 2-year extension of the law, which permits the President to reshuffle the duties of Government agencies. A 4-year extension bill is pending in the House.

Authorize appropriations on the basis of annual accrued expenditures. The Senate already has passed such a bill.

Authorize the training of Federal employees at public or private institutions. The Senate has passed such a measure.

Repeal the provisions in existing law requiring the Government to clear real-estate transactions with Congressional committees.

Discontinue the postal-savings system. The House Post Office Committee has approved such legislation.

Mr. HUMPHREY. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a letter which I addressed to the editor of the St. Paul Pioneer Press & Dispatch.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SUBCOMMITTEE ON ORGANIZATION,
June 10, 1957.

EDITOR,
St. Paul Dispatch,
St. Paul, Minn.

DEAR SIR: Your timely editorial, "Ways To Economize," which appeared in a recent issue of the St. Paul Dispatch, calls for the highest plaudits. I could not be in more agreement with the views you express on the necessity of reducing Federal expenditures wherever consistent with the national welfare.

Your reference to the Hoover Commission's proposal for accrued expenditure budgeting was of interest to me because a major legislative responsibility of mine during the present session of the Congress has been the implementation of this significant proposal. As I am sure you are aware, the United States Senate on June 5, acting on the recommendations of the Senate Subcommittee on Reorganization, of which I have the privilege of serving as chairman, unanimously approved legislation, which I cosponsored, authorizing the adoption of this much needed fiscal reform.

I also take this opportunity to call to your attention that on the same date the Senate approved two other important Hoover Commission proposals endorsed by the Subcommittee on Reorganization—extension of the Reorganization Act, which empowers the President to submit reorganization programs to the Congress, and certain improvements in the Government's tremendous records management program.

The most recent tabulations of the executive branch of the Government indicate that more than 50 percent of the 1955, or second, Hoover Commission's recommendations have been or are being implemented. When it is considered that 5 years was required for implementation of 72 percent of the recommendations of the 1949, or first, Hoover Commission, this indicates that real progress, with substantial savings, is being made.

As you pointed out in your editorial, the Citizens Committee for the Hoover Report has estimated that savings, capital returns and increased revenues totaling almost $3 billion may be traced to adoption of the recommendations of the two Hoover Commissions. While I recognize the difficulty of pinpointing specific Government savings, I am convinced that we are getting a much greater value from the taxpayers' dollar in terms of increased efficiency, better management and overall economy as a result of the Commissions' work.

Improved management of the Government's affairs has been of primary interest to me throughout my service with the Senate, as indicated by my lengthy tenure on the Committee on Government Operations, my membership on the Subcommittee on Reorganization during the last 5 years and my present chairmanship in the 85th Congress. I shall continue to vigorously support worthwhile reorganization recommendations consistent with preservation of the national welfare.

As to the item veto, which your editorial endorses, my record is clear. I not only have supported expansion of Presidential powers to include the veto of specific items from appropriation bills, but, as you may be aware, I have introduced legislation to grant the President such additional authority.

My best wishes.

Sincerely,

HUBERT H. HUMPHREY,
Chairman, Subcommittee on Reorganization.

Mr. BUSH. Mr. President, first I wish to express my appreciation to my good friend, the Senator from Minnesota [Mr. HUMPHREY] for having enlightened us so thoroughly on the point of view of those who agree with him on the question of interest rates. He has confirmed our suspicions that more than a little politics is involved in their discussion of that question. I was a little surprised to hear him quote so extensively from the Wall Street Journal, because I have also quoted from that newspaper, particularly with respect to the editorial approval it has given to the Federal Reserve Board and the Treasury for their activities in the field of credit control and the courageous way in which these agencies have conducted their affairs in the interest of all the people in an effort to keep the inflationary forces under as great a measure of control as possible.

Mr. President, the Committee on Finance today began an investigation of the fiscal monetary and credit policies of the Government of the United States. The investigation began in an atmosphere of suspicion that the Democratic leadership in Congress is seeking to pervert the inquiry into a politically motivated attack upon the Eisenhower administration.

At this point I should like to read an excerpt from an editorial which appeared in today's Washington Post. The editorial, at the beginning, states:

If Senator Byrd means to run anything more than a political sideshow, it is not suggested by the advance buildup for the fiscal investigation which his Senate Finance Committee will begin today.

Later the editorial makes this very cogent comment:

Inflation is an extremely complex subject. No one knows for sure how to control it—but there is general agreement that one way to let prices get out of hand is to meet a shortage of goods and services with a surplus of printing press money. This is what the Federal Reserve Board, with Treasury support, has refused to do. That is why interest rates have risen. But some Democrats, such as Majority Leader JOHNSON and Senator GORE, seem determined to use the BYRD investigation to force open the money floodgates and thus feed the very inflationary fires which Senator BYRD wants to put out.

Mr. President, I agree with the purpose of the editorial, which is to point out that it is very unfortunate that the opposition is playing partisan politics with the very serious issue of inflation, which certainly affects the lives of every American family.

Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point in my remarks the editorial published in the Washington Post, to which I have referred.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post of June 18, 1957]

IN SEARCH OF PARADISE

If Senator BYRD means to run anything more than a political sideshow, it is not suggested by the advance buildup for the fiscal investigation which his Senate Finance Committee will begin today. Senator BYRD is correct in identifying inflation as an important and dangerous problem. But he engaged in some rather fanciful thinking about the subject in a television broadcast from New Orleans Sunday—thinking which he must discard if he is serious about finding some answers.

"We have no war on and we have no deficit spending on," he asserted, so it is "very difficult to account" for the continued rise in prices. But he accounts for it, nonetheless. His position is reported to be that, since there is no war and the budget has been balanced for 2 years, inflation must be due to high Government spending. Because the living cost index was relatively stable in President Eisenhower's first 3 years in office, when spending was reduced, it is more than coincidence, he says, that costs again have risen as Federal spending has climbed in the past 3 years.

Even if all of these statements and assumptions were correct, which they are not, such an explanation fails completely to take into account the tremendous inflationary pressures arising from the unprecedented industrial expansion of the past 2 years and from many soft wage settlements. Federal spending, of course, has been a part of the total high demand for goods and services—but it is a relatively small part.

To say, however, that there is "no war on" and thus to imply that Government spending could be more or less easily reduced is sheer nonsense. Beginning with Korea there has been an exceedingly costly "war on" which has required the expenditure of no less than $40 billion a year on major national security items for 6 years. The defense budget for next year is not greatly in excess of what has been spent in each of the past 3 years, less than the cost of defense in 1952, 1953, or 1954. But this one item—protection—accounts for 63 percent of the 1958 budget, as Senator BYRD well knows, and the best efforts of Congress to reduce the sum produced little or no real saving.

Senator BYRD is also wrong to suggest that inflation was brought under control by the early Eisenhower budget reductions. There was a business recession in 1953 and 1954, but the prices of many items have in fact risen almost uninterruptedly throughout the period of reduced, then augmented, Federal spending. Low farm prices merely held the average steady for a time.

Inflation is an extremely complex subject. No one knows for sure how to control it—but there is general agreement that one way to let prices get out of hand is to meet a shortage of goods and services with a surplus of printing press money. This is what the Federal Reserve Board, with Treasury support, has refused to do. That is why interest rates have risen. But some Democrats, such as Majority Leader JOHNSON and Senator GORE, seem determined to use the Byrd investigation to force open the money floodgates and thus feed the very inflationary fires which Senator BYRD wants to put out.

Senator BYRD may be correct in suggesting, however, that his committee's study will be the biggest thing since the Aldrich fiscal investigation of 50 years ago. That one took 4 years. It will take the Democrats longer than that to find the fiscal paradise they're talking about; lower taxes, balanced budgets, less spending, a sound dollar and cheap money. If they can deliver all of this and still keep America secure and employed, we'll gladly eat all 390,000 copies of this editorial.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUSH. I shall be very glad to yield to the Senator after I have proceeded to get my case before the Senate. Then I shall be delighted to yield to the Senator from Louisiana.

Mr. President, I also have in my hand an article entitled "Investigative Farce Predicted," written by Sylvia Porter, and published in the Washington Evening Star of Monday, June 17, 1957. In part, Miss Porter says:

With apologies to the Senate Finance Committee, I hereby predict that its imminent full-scale investigation into our Nation's monetary system and the banking structure will be a farce.

The hearing may produce some explosive argument. It's conceivable that out of the give and take will come some constructive proposals. It's conceivable.

But the much-touted sweeping study of our bewilderingly complex financial structure—the study we so obviously need and which President Eisenhower requested in his state of the Union message?

This we will not get from Senator BYRD's committee. Instead, this will be another of those piecemeal hearings into interest rates, debt management, tight money, etc.—and in today's political atmosphere it will be an achievement if they even approach the dignity of the piecemeal hearings conducted by Senator DOUGLAS in 1949 and Senator FLANDERS in 1954.

While I shall ask unanimous consent in a moment to have the entire article printed in the RECORD, I may say that I do not entirely share the feeling which this writer has. I particularly wish to say that I exempt the distinguished Senator from Virginia [Mr. BYRD], the chairman of the Committee on Finance, from the charge which Miss Porter has made that the hearing will be a farce.

I feel it is very unfortunate, indeed, that the whole subject which was recommended by the President for study and report by an objective commission, which was to have been created by law, is to be involved in a sort of political contest over the subject of interest rates and inflation, with the opposition—those who bitterly oppose the President and his policies—trying to injure him in the public mind and to make it seem to the voters and the consumers of the country as though the President's policies were not designed for their benefit, but rather for their detriment.

I believe it would have been much more preferable if Congress had adopted a resolution authorizing a study to be made by an objective commission, such as was done almost 50 years ago, when the Aldrich Commission was appointed.

Mr. LONG. Mr. President, will the Senator yield now, or does he desire to continue uninterrupted in his speech?

Mr. BUSH. I ask the Senator from Louisiana to be indulgent with me until I get a little further along. I do not want to get off the subject or into extraneous facets of the discussion until I have completed my remarks. But I shall certainly yield to the Senator, if he will be patient with me.

Mr. President, I remind the Senate that Representative PATMAN tried to get the House of Representatives to provide for an investigation of this kind, but the House voted him down.

The investigation by the Committee on Finance was never approved by the Senate. I am one who doubts very much that the Senate would have approved this type of investigation. Indeed, it is a serious matter. But the Committee on Finance did pick up the loose ball a few weeks ago; and I am certain that under the able chairmanship of the distinguished Senator from Virginia [Mr. BYRD], there will be as orderly a proceeding and as careful a study as possible within the prevailing political atmosphere and the very limited time and the very limited resources which the committee has at its disposal.

Mr. President, I now ask unanimous consent that the article entitled "Investigative Farce Predicted," written by Sylvia Porter, and published in the Washington Evening Star of June 17, 1957, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star of June 17, 1957]

INVESTIGATIVE FARCE PREDICTED

(By Sylvia Porter)

With apologies to the Senate Finance Committee, I hereby predict that its imminent "full-scale" investigation into our Nation's monetary system and banking structure will be a farce.

The hearing may produce some explosive argument. It's conceivable that out of the give-and-take will come some constructive proposals. It's conceivable.

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This we will not get from Senator BYRD's committee.

Instead, this will be another of those piecemeal hearings into interest rates, debt management, tight money, and so forth—and in today's political atmosphere, it will be an achievement if they even approach the dignity of the piecemeal hearings conducted by Senator DOUGLAS in 1949 and Senator FLANDERS in 1954.

Yet, as the National Bureau of Economic Research warns in its deeply thoughtful annual report published today, important areas of ignorance exist about our financial systems and there is a great need to explore them before they turn into trouble spots.

LAST PROBE 40 YEARS AGO

We are ignorant because in the 40 years since the last full-scale review of our financial system we have developed a fantastic web of financial institutions and of debt and ownership which is not thoroughly understood by any of us.

Just consider these contrasts—and shudder.

In 1912—when our basic financial laws were written—commercial banks overwhelmingly dominated our financial structure and primary attention was riveted on how to regulate their activities.

Today, commercial banks hold far less than half the assets of financial institutions. The institutions which have become of towering significance are insurance companies,

other types of savings institutions, pension funds.

Over the investing and lending activities of these the Federal Reserve System has only the most indirect control. And we don't know enough about them and their relationship to our economy to suggest what new controls should be devised.

NINETEEN HUNDRED AND TWELVE SITUATION RECALLED

In 1912, Government financial institutions were picayune, accounted for less than 1 percent of all assets.

Today, Government financial institutions are a group by themselves, holding 24 percent of all assets.

As the national bureau's research director, Dr. Solomon Fabricant, puts it wryly, "One interesting observation, which offers much food for thought, is on the lack of central coordination of the large variety of Government programs * * * and, deliberately or otherwise, pursuit of the special purposes of separate programs without regard to overall economic stability."

One of the great directors of the national bureau once remarked that we must experiment through the years to learn how "to keep money, the good servant, from becoming at times a bad master."

"Reasonable men will not expect more. Few of us would settle for less," adds Dr. Fabricant, in putting the bureau on record as urging a new national inquiry into our financial system.

But with the Byrd probe so far, reasonable men are settling for less—much, much less.

Mr. BUSH. Mr. President, I have before me another article written by Miss Porter, whose ability, incidentally, I am beginning to admire very much. The article is entitled "Abominable Rumor," and was published in the Washington Evening Star of June 9, 1957. In her article she says:

A dangerous and baseless rumor is spreading through the country that the Treasury is in a money crisis so terrible that it actually may run out of cash and not be able to borrow enough to meet its bills and maturing loans.

I have heard that rumor uttered on the floor of the Senate, much to my amazement. Anyone who knows anything about the credit of the Government of the United States knows one thing for certain, and that is that the Government simply cannot run out of money; that it has the only sound, 100 percent credit in the world today; and that any obligation which the United States Government makes cannot possibly fail of payment. That is something which any Senator who wishes to participate in this debate should understand. I think Miss Porter has done a real service in pointing that out in her article.

Mr. President, I ask unanimous consent that the article entitled "Abominable Rumor," written by Sylvia Porter, and published in the Washington Evening Star of June 9, 1957, be printed in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Star of June 9, 1957]

ABOMINABLE RUMOR

(By Sylvia Porter)

A dangerous and baseless rumor is spreading through the country that the Treasury is in a money crisis so terrible that it actually may run out of cash, and not be able to borrow enough to meet its bills and maturing loans.

The rumor is being fed by some abominably superficial reporting and uninformed editorializing about the Treasury's position today. What's more, there's a real risk that the crisis talk may explode during the imminent Senate probe into tight money, Treasury debt policies and the Federal Reserve's restrictions on credit.

This is the sort of rumor that can cause appalling damage. It simply must be killed while it still is in its infancy. Here, therefore, is my effort to set the record straight.

It is true that the Treasury is in a trap. I have written this before, I am writing it now and I'll be writing it again.

TRAP IS EXPLAINED

The trap is not of the Treasury's making.

It is due to the fact that the Federal Reserve System no longer is printing money with abandon, and is trying to fight inflation by clamping down on borrowers. At the same time, demands for credit from every source, corporations, States, cities, individuals and the Treasury, have been enormous and have been overwhelming the supply of savings.

As a result, interest rates have been rising sharply during the past couple of years. Because the Treasury is not being protected from the market by the Federal Reserve System, as it was during the wartime 1940's, it, too, must compete for money and it is paying the highest interest rates in over a quarter century on its new securities. It has been forced to go to the market repeatedly to get billions to meet its regular bills, to pay off maturing loans, and to satisfy the demands of people redeeming savings bonds.

In Wall Street terms, this is a trap. When a borrower of the caliber of the Treasury is compelled to borrow constantly at higher and higher rates, trap is the word for it.

But does this imply that at some date the Treasury might find it could not borrow the billions it needed?

Never. The Treasury always will be able to borrow whatever it needs from the Nation's banks and other investing institutions.

It may have to pay heavily for the cash. Right now, it's paying over 3¼ percent for 91-day loans; in late July, when it must raise money to redeem a $15.6 billion loan that comes due in August, it will have to pay a stiff rate for a short-term extension of the loan. But assuming it pays the rate the market demands—and under today's conditions, it has no other alternative—it will get whatever billions it needs.

BONDHOLDERS ARE SAFE

Does the trap imply that holders of savings bonds might not get their cash on demand?

Never. The Treasury always will pay off a savings-bond holder whenever a bond is presented for payment.

It may have to sell short-term securities to the banks to get the cash—scarcely a classical anti-inflationary program. It certainly has had to shelve its grandiose plans to reconstruct the public debt. But there'll always be money to pay off savings bonds.

Does the trap imply that the Federal Reserve System has abandoned its responsibilities to the Treasury?

Never. The Federal Reserve cannot and it will not let the squeeze on the Treasury reach the point even of disorder—much less panic.

It may supply funds needed for the Treasury's financings most reluctantly, but it will supply at least the minimum needed.

Confidence is a delicate thing. Those spreading the crisis rumors may be great patriots, but in this instance they're neither informed nor responsible citizens.

Mr. BUSH. Mr. President, the skepticism with which the press views the committee's inquiry is, in my judgment, justified by many recent statements on the Senate floor, which sought to blame the administration for the so-called tight-money policy and higher interest rates. Democrats attempting to pin responsibility upon the Eisenhower administration for tight money and higher interest rates are deliberately throwing dust in the eyes of the people. They must know that they are shooting at the wrong target, and that the blame for rising interest rates, if any blame is to be attached, rests primarily on excessive demands for credit, and, secondarily, on the Federal Reserve Board.

The Federal Reserve Board, which was created under a great Democratic Party President, Woodrow Wilson, and a great Democratic Secretary of the Treasury, Carter Glass, later a Senator of the United States, is the only Federal agency empowered by law to tighten or ease the supply of credit and thus influence interest rates. It is completely independent of the executive branch and is responsible solely to Congress. Congress made it that way. For Members of Congress to try to make the people believe that the Treasury is the responsible agency is a sheer, deliberate ignoring of the facts, which must be plain to everyone, because they are written clearly into the law.

I pose this question: Are the Democrats who complain about tight money seeking to destroy the effectiveness of this agency of their own creation, an agency manned at present by an overwhelming majority of men of their own choosing?

Again, I feel I must remind the Senate that of the seven members of the Federal Reserve Board, only two, Mr. Balderston and Mr. Shepardson, received their initial appointments from this administration. It is true that the incumbent Chairman, Mr. William McChesney Martin, was reappointed by the incumbent President of the United States. But the other four members of the Board were all appointed previously, and they represent very excellent selections. I have no criticism of those men. But it amazes me to hear from the other side of the aisle, day after day, statements which inferentially attack those men who were appointed by a Democratic President.

I should like to make it crystal clear that I am not, in anything that I have said, criticizing the Federal Reserve Board. On the contrary, I believe the Board deserves great credit for wisely and courageously following policies which have permitted an extraordinary period of good times for the great majority of the American people, and which, in view of the boom conditions of the past few years, have kept inflation under a remarkable degree of control.

I believe the Board deserves great credit for resisting intense political pressures which some Democrats have brought to bear upon it, to resume practices halted since 1951, and which brought us dangerously close to printing press money. Until the Treasury-Federal Reserve accord of 1951, the Treasury Department, under the Truman administration dictated to the Board and

insisted that the Board support Government bonds at par. This practice kept interest rates artificially low. But there were ruinous consequences which contributed to a galloping inflation that cut the value of the dollar almost in half, added billions of dollars to the cost of running the Government, wiped out billions of dollars of the people's savings, and inflicted cruel hardships on social-security beneficiaries, teachers, and other persons having fixed incomes.

Do the Democratic Party members who are complaining about higher interest rates want to let loose, again, the sneak-thief of inflation upon the people? If not, let them consider the consequences of undermining the confidence of our people in the Federal Reserve Board and undermining the confidence of our people in the credit of the Government of the United States.

Mr. President, the Secretary of the Treasury, George Humphrey, today made a magnificent statement in clarifying the issues involved in the investigation being conducted by the Finance Committee. His statement was made at the hearings which opened this morning. The statement was indeed a devastating one to his critics, Mr. President, because to the mind of any objective person it completely takes the wind out of the sails of this political attack upon the Eisenhower administration.

Mr. CASE of South Dakota. Mr. President, will the Senator from Connecticut yield for a question?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. BUSH. I yield briefly for a question, if it is in point.

Mr. CASE of South Dakota. The Senator from Connecticut will have to be the judge of whether the question is in point.

I was wondering whether the Senator from Connecticut could tell me when the present members of the Federal Reserve Board were appointed.

Mr. BUSH. Prior to the entrance of the Senator from South Dakota into the Chamber, I said that of the seven members of the Federal Reserve Board, only two have received their initial appointments from President Eisenhower. All of the other five were appointed initially by President Truman, although President Eisenhower did reappoint Mr. William McChesney Martin, Jr., the present Chairman of the Board. The two members who were not appointed prior to the Eisenhower election are Mr. Balderston and Mr. Shepardson.

Mr. CASE of South Dakota. The reason why I asked the question and the reason why I hoped the question would be in point was that the Senator from Connecticut was referring to a political attack or a political presentation with respect to the Federal Reserve Board. I hoped to emphasize the fact that, to the best of my knowledge, the Board has been proceeding in an objective way. Whether one agrees or does not agree with its policies is beside the point. But I have not been aware that the Board was proceeding from a politically biased point of view.

Mr. BUSH. Mr. President, I thank the Senator from South Dakota for the comment, and I think it is very much in point. I am sorry he was not in the Chamber when I dealt with the position of the Board and its composition.

We should emphasize the fact that the Board is not an Eisenhower Board; instead, it is a Truman Board. Five of the seven members were appointed by President Truman. I give President Truman great credit for the fact that he appointed Mr. Martin the Chairman of the Board, and I give President Eisenhower great credit for the fact that he reappointed this outstanding citizen as Chairman of the Board.

Despite the fact that I have pointed out the Democratic Party parentage of the Board, I wish to say that I certainly disapprove of bringing the Federal Reserve Board into the political arena and kicking it around in the way that has been done by opponents of the Eisenhower administration in trying to make the people believe that the administration has any control whatever over the Federal Reserve Board. I deprecate that position very much indeed; and I hope that as the debate continues, this fallacy, as it may properly be called, will be exposed.

Mr. LONG. Mr. President, will the Senator from Connecticut yield to me?

Mr. BUSH. I yield.

Mr. LONG. The Senator from Connecticut realizes that the Board was created by the Congress, and is supposed to serve the national interest.

Mr. BUSH. Yes; I agree that the Board was created by the Congress, and is supposed to serve the national interest.

Mr. LONG. But regardless of who appoints the members of the Board, the question is whether there is approval or disapproval of what the Board is doing. The Senator from Connecticut is arguing that he approves of what the Board is doing, even though it is contributing so mightily to the present high interest rates.

Mr. BUSH. But what I object to is the fact that the Senator from Louisiana and other Members on his side of the aisle are trying to pin responsibility for what they call the high interest rate situation, not upon the Federal Reserve Board, but upon the administration, upon the President of the United States.

Mr. LONG. Does the Senator from Connecticut recognize the fact that the President of the United States thus far approves of this policy and approves of what the Board is doing?

Mr. BUSH. I certainly do.

Mr. LONG. The President has the authority to appoint the members of the Board, does he not?

Mr. BUSH. He certainly does; and I think he is to be commended for sticking by his guns, in the interest of all the people.

Mr. LONG. Is the Senator from Connecticut arguing, on the one hand, that the Republican Party has nothing whatever to do with the policy; and then is he arguing, on the other hand, that the Republican Party has something to do with it?

If the policy is bad, it seems to me something should be done about it. If the policy is good, it seems to me the same policy should be pursued.

Mr. BUSH. Mr. President, the Senator from Louisiana has not correctly interpreted my position at all. I have simply taken the position that the attack on the administration, because of the policies of the Federal Reserve Board, is unwarranted. I am perfectly willing to say, as a Republican Senator and as a supporter of the President of the United States, that I commend him and his Secretary of the Treasury for having been boldly in support—and for having publicly so stated—of the policies of the incumbent Federal Reserve Board, because they believe, as I do, that the Board should be independent and free to adopt sound policies in the interest of all the people. That is my answer to the Senator from Louisiana.

Mr. LONG. Mr. President, will the Senator from Connecticut yield again to me?

Mr. BUSH. I yield.

Mr. LONG. Recognizing that the Senator from Connecticut is something of an authority in this field—although I disagree with his view that the Board should be doing exactly what it is doing, and when he says he approves 100 percent—can he see any objection to having those of us who serve on the committee which deals with this matter, look into it?

Mr. BUSH. I see no objection to having such Senators look into the matter. But if an objective study is to be made of the position of the Federal Reserve Board and the money market and the control of credit in the United States, that should not be done in the atmosphere of a political contest—in which, unfortunately, the committee investigation is being conducted. Every day on the floor of the Senate, during the past few weeks, some Senator has risen and has made an attack on the administration because of what he calls the tight-money policy or the hard-money policy.

I have taken the floor of the Senate several times to deny that there is any such policy on the part of the administration, but I have said that the policy of the administration is to control inflation and to support a sound-money policy.

The fact that interest rates have gone up is the result of the excessive demands for credit in a period of prosperity made possible by a very successful administration—so successful that the people of the United States last November gave the President the most overwhelming majority one could possibly imagine—a record-breaking justification.

So I say to my good friend, the Senator from Louisiana, that the people have spoken on this matter. They are well satisfied with the situation; and I think it is very unfortunate that, for the purpose of attempted political advantage, the faith of the people in their currency, and in the credit of their Government is sought to be undermined by these political attacks.

Mr. LONG. Mr. President, it seems to me that the Senator from Connecticut should argue either one way or the other. Either he should argue that the

high interest rates and the hard-money policy are good for the public, and he should accept them and should take credit for what he believes stems from them; or he should take the attitude that the administration has nothing to do with them.

It seems to me that he is trying to make two entirely conflicting arguments: First, that the administration has nothing to do with these things; and, on the other hand, that the administration is entitled to credit for any benefit flowing therefrom.

Mr. BUSH. No, Mr. President; I have stated repeatedly that I think the policies employed by the Federal Reserve Board in these premises have been sound and in the interest of all the people, but that in approving of them, the Secretary of the Treasury and the President have acted wisely, rather than attempting to dictate, as was done during the preceding administration, and trying to put the Federal Reserve Board under the thumb of the Secretary of the Treasury.

Mr. LONG. If the administration approves of these policies and reappoints the members who are following these policies, then it seems to me the administration should be willing to accept responsibility for the program being pursued.

Mr. BUSH. I do not see why the administration should accept responsibility for the policies of an independent agency which is the creature of Congress, and is not responsible to the administration, but is responsible to the Congress of the United States. There is no secret about the fact—and the Secretary of the Treasury said so in the statement he made this morning, and I shall come to it in a moment; and the Senator from Louisiana heard the Secretary of the Treasury say it—that the Secretary of the Treasury congratulated the Federal Reserve Board upon its courage in standing up for what it knew was the right thing and the sound thing in the interest of all the people.

Mr. CASE of South Dakota. Mr. President, will the Senator from Connecticut yield now to me?

Mr. BUSH. I yield.

Mr. CASE of South Dakota. My understanding is that while the President may have the appointive power, he does not have the removal power, insofar as the members of the Federal Reserve Board are concerned. Is that correct?

Mr. BUSH. If the Senator tells me that, I accept his statement. I do not know.

Mr. CASE of South Dakota. I think there are some appointees whom the President has power to remove. Some offices are held at the pleasure of the President. If my recollection is correct as to the Federal Reserve Board, the President may appoint members to that Board, but he does not have the authority to remove them. I wanted to put that statement into the RECORD, so that it would not be thought that the President had a creature he could control by pulling strings at any time.

Mr. BUSH. May I ask the Senator from South Dakota a question? Does he not agree with me that even if the President had that power, he would have no cause at the present time to exercise it respecting any member of the Federal Reserve Board?

Mr. CASE of South Dakota. In answer to that question, I must say that I am not personally familiar with the members of the Board and I am not aware of anybody the President would remove. I have not given that matter any study. However, I think there is one thing for which the administration is entitled to credit—and this bears on the problem of inflation more than any other aspect—it is entitled to credit for operating with a balanced budget. The great enemy of the people is inflation, and a powerful impetus to inflation is the operation of Government finances on a deficit basis. The place where the administration is entitled to credit is in the field of operating with a balanced budget.

Mr. BUSH. I thank the Senator for that observation.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BUSH. I desire to yield first to the Senator from Louisiana.

With reference to the question the Senator from Louisiana raised, I desire to read one paragraph from the statement of Secretary of the Treasury Humphrey before the committee this morning:

> A mere statement of the respective functions demonstrates the major role of the Federal Reserve in the effort to stop inflation. The Federal Reserve has the authority and the tools to take monetary and credit action. We do not. The Treasury cannot determine the level of interest rates but must pay the rates determined by market forces. The Federal Reserve can influence the levels of market rates although there are definite limits to its power to maintain any fixed level of rates, as is shown by history. I do not point this out to shift any responsibility from the Treasury. On the contrary, we approve wholeheartedly the course which the Federal Reserve has followed, and have admiration for the courage and decisiveness with which the Board has acted.

I associate myself with that very able statement.

Mr. LONG. Will the Senator yield?

Mr. BUSH. I yield.

Mr. LONG. If I understand the Senator's argument, he agrees with the policy the Federal Reserve Board has been following, which is the major factor in the high interest charges in effect at the present time. My question to the Senator is this: If he happened to be of the point of view of some of us who do not agree with him, and did not believe it is in the national interest, without regard to whether one is a Republican or a Democrat, to increase the cost one has to pay for financing his home or for loans on his farm, it seems to me he would have a right to criticize and to speak out against that policy. If the Federal Reserve Board is going to follow a policy which, after investigation, we believe, is not in the public interest, we should bring it to the attention of the people. The Federal Reserve Board members do not run for office.

Mr. BUSH. I think it is up to the Senator from Louisiana and those who agree with him to answer the challenge which the Secretary of the Treasury made before the committee this morning, when he gave the alternatives to the policy of the Federal Reserve Board, of which the Senator from Louisiana and others fully disapprove. Those alternatives, as outlined by the Secretary of the Treasury, are to be found on page 26 of his statement. They are very brief, and I read them:

> In view of the breadth of the subject of your inquiry, it is appropriate that we consider what might have been some available alternatives to general monetary and credit policy.
>
> These alternatives are:
>
> (a) Direct controls prohibiting or limiting certain types of credit.
>
> (b) Compulsory saving.
>
> (c) Physical controls on prices and wages—plus, perhaps, rationing and allocation of materials and labor.
>
> (d) Higher taxes and large governmental surpluses to be applied on the bank-held debt.
>
> (e) Greater individual savings and voluntary effort at restraint.
>
> (f) A reversion to the pre-1951 policy of Federal Reserve purchase of Government securities at or above par—and consequent encouragement of severe inflation.

Then he goes on to discuss those alternatives as follows:

> The use of any of the first three alternatives in peacetime would have been inequitable, impractical, and inconsistent with our traditions of freedom. The fourth alternative would have required the imposition of additional taxes on top of our present heavy load, and would not have been acceptable. The fifth, which the President emphasized in his state of the Union message just a few months ago, can help immeasurably, but can be achieved only if other policies are effective.
>
> Thus, as a practical matter, the real choice is between the anti-inflationary course which we have pursued, and a new round of inflation.
>
> Those who, in a period such as this, urge an abandonment of our anti-inflationary policies, those who urge either deficit financing or a policy of artificially creating more spendable dollars are, whether unwittingly or by intention, inflationists. No matter what their motives, their proposals for further credit expansion are proposals to further reduce the purchasing power of the dollar, to rob every housewife, every farmer, every pensioner, every wage earner, and every family with savings. Their arguments must be understood to urge just that.

I say to my colleagues across the aisle—and I include the good-natured and friendly Senator from Louisiana—what we are entitled to hear are some alternatives to be used. I agree with the Senator that he has a perfect right to question the policies of the Reserve Board or the policies of the Treasury of the United States or the policies of the executive branch of the Government. Certainly; but I believe when we are dealing with so important and so delicate a subject as the credit of the Government of the United States, if those in opposition are to engage in creating scares, they ought to come up with something constructive.

Mr. LONG. Would the Senator agree that it would be something constructive if we held hearings and looked into the matter to see what people have to say for the program or whatever they suggest?

Mr. BUSH. I am not one to say any Senate committee should not hold hearings on any important issue such as this. I previously stated, however, I thought in a matter such as this, it would have been much more appropriate if the President's request had been heeded and there had been established by law a nonpartisan commission which would be carefully selected and which would objectively review the fiscal policies and the credit policies and the policies of the Federal Reserve system affecting the interest of the people of the United States. It has been 50 years since such a comprehensive study was undertaken, and I am one who believes it is time it be done again.

The criticism I have of the Senator's committee is twofold. First, I think it is not going to be thorough enough, because I do not think the committee has the time or the money to make a sufficiently thorough investigation. I might possibly prove to be mistaken in that regard.

My second point is that it is too political and too wrapped up with an attack on the administration.

I sat on the floor of the Senate for some time this afternoon, listening to my good friend from Minnesota [Mr. HUMPHREY]. Day after day I have heard the majority leader attack the administration and throw doubt on the credit of the United States. I hear it almost every day. It is in the newspapers. Everybody knows the Democrat Party is trying to make it a political issue. Only today I read that it may be the No. 1 issue in the 1958 elections. As I said a month ago on the floor, I am ready for the challenge. I am certainly going to do everything I can to try to keep the thinking on this subject straight, because we are dealing with one of the most delicate and one of the most important matters in connection with the whole economy and life of the people of the United States.

Mr. LONG. May I suggest to the Senator that he is certainly premature in saying the committee is being motivated by unworthy considerations, when the only witness the committee has had so far is the Secretary of the Treasury, and he has not been asked a question so far.

Mr. BUSH. Mr. President, one simply has to read the newspapers and the writings of political commentators all over the country to find I am not the only one who suspects there are political motives involved. One simply has to sit in the Senate a few days to realize that. We are not children. We can tell when we see a political attack organized and looming up. It is perfectly apparent when we see the so-called advisory committee to the Democratic National Committee or the Democrat Party come to Washington and issue a blast about what they call the crisis in which the Treasury finds itself, when there is not any crisis at all, and all the responsible financial and editorial writers say such a statement is strictly the "bunk" and there is nothing to it.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Indiana.

Mr. CAPEHART. On January 14 I introduced, for myself and Senators IVES, BRICKER, PAYNE, BEALL, BENNETT, BUSH, and ALLOTT, a bill to establish a National Monetary and Financial Commission. That bill was referred to the Committee on Banking and Currency. I shall make a statement about what is happening, which I think is political. I can prove it is political.

The Committee on Finance is now entering upon a study. While they have some jurisdiction over this matter, the major jurisdiction belongs with the Committee on Banking and Currency. The bill I introduced has been bottled up in the Committee on Banking and Currency. The bill I introduced called for a nonpartisan commission to study the matter.

The Senate Committee on Finance is making its study without any specific authority from the Senate, which they can do. They are doing it with their own staff. While they are doing it, and while the chairman of that committee is making statements that that investigation is going to be more valuable than the investigation conducted by the Aldrich Monetary Commission, which lasted 4 years, the bill I introduced, calling for doing a thorough job, which would take a year, is bottled up in the Committee on Banking and Currency.

Mr. President, I am not afraid to make the statement that in my best judgment the present investigation is political. In my best judgment it is going to be conducted along political lines.

The very fact that the bill I introduced has been bottled up in the Banking and Currency Committee, and that the Finance Committee is conducting the investigation, without any specific authority from the Senate, is the best proof in the world that the action is political. I am not in the least bit afraid to say so.

Furthermore, let me say to the Senate: I am 100 percent behind the administration and the Federal Reserve Board. I think they have done an excellent job of controlling inflation in the United States. While the value of the dollar under the Democrats went down and down, until the dollar was worth only about forty-odd cents, after 4½ years under President Eisenhower and the Republican administration the inflation has been so small that the cost of living index has risely only from 114 up to, I think, 118 points. I think they have done a remarkable job, and the so-called tight-money or hard-money policy is nothing more than an effort on the part of the administration to control inflation and to protect the American people against inflation.

I congratulate them. I think they have done an excellent job. I think they could be doing a much better job if some persons would quit sniping at them and trying to imply that they are activated by a sinister motive. There is none. All in the world they are trying to do is to control inflation.

I say that today inflation is the most dangerous thing facing the Nation. There is too much of it at the moment. I should like to find some way of controlling it.

As the Secretary of the Treasury said this morning—and I presume that is what our friends mean—the opposite course is to attempt to control inflation by legislation. We can attempt to control it by legislation, but that is not the desirable way of doing it.

I am not a bit frightened to say that I think personally this procedure is political, and I think the record proves it is political.

I would ask the able Senator from Arkansas [Mr. FULBRIGHT] who is sitting in the Chamber now, the chairman of the Committee on Banking and Currency, why he does not hold hearings on and report S. 599.

The Committee on Banking and Currency has at least 75 percent of the jurisdiction over the so-called study the Committee on Finance intends to make.

Mr. BUSH. Mr. President, I thank the distinguished Senator from Indiana for bringing out the importance of his bill. I previously mentioned it in my remarks. I agree with the Senator from Indiana that if we are going to have an investigation into these very delicate matters it should be an objective one, with plenty of time allowed for doing it. I think it took the Aldrich Monetary Commission not 1 year but 2 or 3 years to complete its deliberations. As a result of that work they made a very constructive group of recommendations, including those for the establishment of a central banking system and the establishment of a Federal Reserve System. To the everlasting credit of the Democratic party, I will say it was begun under Woodrow Wilson and under the Secretary of the Treasury of that time, Carter Glass.

Mr. CAPEHART. Mr. President, will the Senator yield further?

Mr. BUSH. I yield.

Mr. CAPEHART. Mr. President, I ask unanimous consent that at this point in the Senator's remarks there be printed in the RECORD a copy of S. 599.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). Is there objection?

There being no objection, the bill (S. 599) to establish a National Monetary and Financial Commission was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That—

SECTION 1. During the past half century major changes have occurred in the financial system of the United States. Long established institutions have added new functions, while new lending institutions, private and public, have grown rapidly in size and significance. During the same period increasing reliance has been placed upon monetary, credit and fiscal measures to foster expansion in production, employment and income and to combat inflationary or deflationary pressures. The Congress, therefore, declares that a comprehensive and objective review is necessary to appraise the nature, performance and adequacy of existing financial institutions and monetary and other financial measures in meeting present and future needs of our growing economy.

SEC. 2. (a) There is hereby established on a nonpartisan basis a Commission to be known as the National Monetary and Financial Commission, hereinafter referred to as the Commission. The Commission shall be composed of nine citizens, each of whom

shall be qualified for the duties to be performed and shall be appointed by the President of the United States.

(b) The President shall designate the Chairman and the Vice Chairman of the Commission from among the members thereof.

(c) Five members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

(d) Any vacancy on the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(e) Service of an individual as a member of the Commission, or as the Director provided for in section 5 (e) hereof, shall not be considered as service or employment bringing such individual within the provisions of section 281, 283, or 284, of title 18, United States Code, or section 190 of the Revised Statutes (5 U. S. C. 99).

SEC. 3. The Commission shall make such studies and investigations as it may deem necessary to appraise the nature, performance, and adequacy of existing financial institutions and monetary and other financial measures in meeting the needs of our changing economy. These shall include, but need not be limited to, the following:

(a) A survey of major developments in recent decades in the fiancial structure of the United States.

(b) An appraisal of the relaitve powers, advantages, privileges and limitations of the various classes of financial institutions.

(c) A survey and appraisal of the role played by Government and quasi-Government lending agencies and agencies guaranteeing and insuring private loans.

(d) An evaluation of the growth in public and private debt, including consideration of the several major components of the debt, and the impact of the management of the Federal debt.

(e) A comparative review and appraisal of the Federal and State laws and practices governing the chartering, examination, supervision and regulation of financial institutions, and the insurance of deposits in, or shares of, any such institutions, including study of:

(1) The uniformity and adequacy of the standards applied in chartering such institutions;

(2) The adequacy of examination and supervisory laws and practices to assure the continuing soundness of the institutions examined and supervised and the adequacy and distribution of the responsibilities and powers now vested in the various supervisory agencies;

(3) The consistency of the policies followed in chartering new institutions, authorizing branches and controlling mergers and other combinations with the maintenance of effective competition and the avoidance of monopolistic restraints; and

(4) The effectiveness and scope of Federal insurance of bank deposits and of share accounts in savings and loan associations, the adequacy of the reserves of the insured institutions and the insuring agencies, and the impact of such insurance on the competitive relationships among financial institutions.

(f) An evaluation of the existing means for adapting the volume of money and credit to the needs of the economy, including review of:

(1) The effectiveness of monetary and credit policy as a means of stabilizing the economy, the impact of changes in policy on different parts of the economy;

(2) The adequacy of existing instruments of credit control including their coverage over types of institutions and transactions;

(3) The organizational structure and powers of the Federal Reserve System, and its relationship to other agencies of the Federal Government; and

(4) The coordination of credit controls and other Government measures designed to promote economic growth and stability.

SEC. 4. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such subcommittee or member may deem advisable. Subpenas may be issued under the signature of the Chairman of the Commission, of such subcommittee, or any duly designated member, and may be served by any person designated by such chairman or member. The provisions of sections 102, 103, and 104 of the Revised Statutes (2 U. S. C. 192–194, inclusive) shall apply in the case of any failure of any witness to comply with any subpena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure from any executive department, agency, corporation or independent establishment of the Government of any information deemed necessary to carry out its functions under this act; and each such department, agency, corporation, and establishment is authorized and directed to furnish such information to the Commission, upon request made by the Chairman or the Vice Chairman when acting as Chairman.

SEC. 5. (a) There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this act.

(b) Each member of the Commission shall receive $50 per diem when engaged in the performance of duties vested in the Commission, and may be allowed travel expenses in accordance with the provisions of section 5 of the act of August 2, 1946 (60 Stat. 808), as amended (5 U. S. C. 73b–2), as the said provisions relate to persons employed intermittently in the Government service.

(c) The Chairman of the Commission may appoint and fix the compensation of such employees as he deems advisable without regard to the provisions of the civil service laws and the Classification Act of 1949, as amended.

(d) The Chairman of the Commission may procure, without regard to civil service laws and the classification laws, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $100 per diem for individuals.

(e) Without regard to the civil service and classification laws, the Chairman of the Commission may appoint and fix the compensation of a Director at a rate not exceeding $20,000 per annum, who shall perform such duties as the Chairman shall prescribe.

SEC. 6. (a) The Commission, not later than December 1, 1958, shall submit to the President for transmittal to the Congress its final report, including findings and recommendations, and the Commission may also from time to time make to the President such earlier reports as the President may request or as the Commission deems appropriate.

(b) Six months after the transmittal to the Congress of the final report provided for in subsection (a) of this section, the Commission shall cease to exist.

Mr. CARLSON and Mr. LONG addressed the Chair.

Mr. BUSH. I yield to the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I do not wish to let the RECORD stand with the statement of the Senator from Indiana questioning the authority of the Committee on Finance to hold this hearing.

Mr. CAPEHART. Mr. President, I did not question the authority of the committee to hold it. They have the authority. What I said was that I questioned whether they should do it or not, in view of the fact that the Senate Committee on Banking and Currency has about 75 percent of the jurisdiction.

The least that should have been done by the Committee on Finance would have been to invite the Committee on Banking and Currency to sit with it. That is the least that should have been done.

We could have passed S. 599.

No, I do not question the authority of the Committee on Finance to hold the hearings.

Mr. CARLSON. Mr. President, will the Senator from Connecticut yield further?

Mr. BUSH. I yield.

Mr. CARLSON. I want the RECORD to show that the Senate Committee on Finance, based upon the provisions of the Legislative Reorganization Act of 1946, has the authority, as does every other committee of the Senate, to conduct investigations and hold hearings.

In the standing rules of the Senate, as to the Committee on Finance it is stated that the Committee on Finance shall consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Revenue measures generally.
2. The bonded debt of the United States.

I will say, Mr. President, I think that is one of the reasons our committee took hold of this matter, because the chairman of the committee was concerned about the financing of the Federal debt.

3. The deposit of public moneys.
4. Customs, collection districts, and ports of entry and delivery.
5. Reciprocal trade agreements.
6. Transportation of dutiable goods.
7. Revenue measures relating to the insular possessions.
8. Tariffs and import quotas, and matters related thereto.
9. National social security.
10. Veterans' measures generally.
11. Pensions of all the wars of the United States, general and special.
12. Life insurance issued by the Government on account of service in the Armed Forces.
13. Compensation of veterans.

I wish to say, Mr. President, I think the chairman of the committee, the distinguished Senator from Virginia [Mr. BYRD], made a very fine statement, in the course of which he set forth that there could be no question as to the authority of the Committee on Finance to conduct the investigation or as to the need for the investigation. Since I know the chairman and members of the Finance Committee, I believe the country can feel confident that a thorough hearing will be held. I sincerely hope we will come up with a report which will be of great benefit.

Mr. BUSH. I may say to the Senator from Kansas that I made it very clear, before he came into the chamber, that I do not in any way question the right of the Senate Committee on Finance to conduct the investigation. In fact, in the light of what has transpired, which I went into—beginning with the introduction of the bill of the Senator from Indiana, and including the Patman resolution in the House, which was not adopted—I think the Committee on Finance of the Senate did pick up the loose ball. I think they had a perfect right to do it.

What the Senator from Indiana has said about the Finance Committee inviting the Committee on Banking and Currency to join them and to hold joint hearings would have appealed to me very much indeed, and perhaps to other members of the Banking and Currency Committee.

I do not want the Senator from Kansas to feel that there is any disposition on my part to question the right of the Finance Committee to conduct the hearing.

Mr. CAPEHART and Mr. LONG addressed the Chair.

Mr. BUSH. I yield to the Senator from Indiana.

Mr. CAPEHART. I should like to read the responsibilities and the duties of the Committee on Banking and Currency. As I said a moment ago, they have at least 75 percent of the responsibility:

1. Banking and currency generally.
2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
3. Deposit insurance.
4. Public and private housing.
5. Federal Reserve System.

The Committee on Banking and Currency has 100 percent legislative control over the Federal Reserve System. The Committee on Finance has none.

6. Gold and silver, including the coinage thereof.
7. Issuance of notes and redemption thereof.
8. Valuation and revaluation of the dollar.

That is exactly what we are talking about. That is exactly what inflation and deflation involve—namely, the valuation of the dollar.

Listen to this:

Control of prices of commodities, rents, or services.

That is exactly what we are talking about. I do not question the jurisdiction of the Finance Committee or any other committee. But the Finance Committee took it upon itself to proceed when there was pending a resolution to make a study of the entire subject over a period of a year.

Also, I question the advisability of the Senate Finance Committee making this study without joining with the Banking and Currency Committee; and I question the advisability of any chairman making a statement such as that made by the chairman of the Finance Committee, that he proposes to have the greatest investigation of this kind since 1899, when the so-called Aldrich hearings were held. We are dealing with the most sensitive thing in the world, namely, money. Yet statements are made that this subject is to be the biggest issue in the campaign next year.

Again, I congratulate the administration on an excellent job. I hope, as a result of what many Senators have said on the floor today, that the Finance Committee hearing will not become too political. My opinion is that up to the present time it has been such.

Mr. BUSH. Mr. President, in conclusion, the only point at issue so far as I am concerned is that it seems to me that it would be better for this kind of investigation to be conducted in a nonpolitical atmosphere, by a commission which would approach the subject objectively, with plenty of time and plenty of money.

The investigation should be conducted by an impartial agency. It should not be conducted in a strictly political atmosphere, which is almost inevitable in the case of a Senate committee. I do not remember any investigation by a Senate committee which did not have strong political connotations attached to it. I repeat that my preference would be strongly in favor of the type of commission recommended in the bill introduced by the Senator from Indiana.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BUSH. I yield.

Mr. LONG. Let me make two suggestions.

First, so far as the Senator from Louisiana, who serves on the Finance Committee, is concerned, I would have no objection whatever to the Banking and Currency Committee looking into the same subject matter; or, if the Banking and Currency Committee wished to have some outside group investigate the subject, I would have no objection.

As a matter of fact, the junior Senator from Louisiana even suggested to the chairman of the Banking and Currency Committee that perhaps that committee might like to look into the subject. However, the Finance Committee had the question directly before it less than a month ago. There was before it the question of authorizing a change in the interest rate paid on Government E-bonds. The Senator knows that a change was authorized without any question. However, the question arose as to the extent of the change, if any. Under the rules of the Senate, a bill on that subject was entrusted to the Senate Finance Committee. The question was whether or not we should vote to recommend an increase in the interest rate on the Government E-bonds.

We resolved the question by splitting the difference. The administration wanted an increase of one-half of 1 percent. We recommended an increase of one-quarter of 1 percent.

The more we went into the question, the more we saw the need of a thorough study of the situation. The Federal Government owes $275 billion. That is more than one-third of the whole private and public debt of the United States. The Committee on Finance has some responsibility.

Mr. BUSH. No one is questioning the responsibility of the Finance Committee. It saw a loose ball on the field, and fell on it. It is the Finance Committee's ball.

I should like to terminate the argument about jurisdiction. The present situation is a fait accompli. I hope the committee will continue to do the good job which it did this morning, when it heard from the Secretary of the Treasury the most comprehensive statement on the subject before it that could possibly be made.

Mr. LONG. That is the reason why I do not see any reason for complaint on the part of the Senator from Connecticut. We have heard only one witness, and he has not been asked a single unfriendly question as yet.

Mr. BUSH. He will be asked plenty of them.

Mr. President, I should like to conclude——

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BUSH. I am very happy to yield to the distinguished Senator from Ohio. He has been waiting very patiently.

Mr. LAUSCHE. I noted the Senator's statement that Members on this side of the aisle have been indulging in criticism without offering something constructive in the direction of stopping inflation.

I agree with the Senator from Indiana [Mr. CAPEHART] that the gravest problem confronting the people of our country, with the exception of the international threat, is inflation.

I do not believe that a good job has been done in fighting inflation. I recognize that one method of stopping inflation would be to impose legislative controls. I do not believe the people of the country desire such an approach.

The next method is to fight inflation by self-discipline; and such self-discipline must be practiced by every citizen, every industrial corporation, every village, county, city, and State, and, above all, by the Federal Congress.

I do not believe it is fair to blame the administration alone for the inflation under which we are suffering. The responsibility lies equally with us.

I regret to say that I have seen hardly a scintilla of evidence showing a self-imposed discipline on the part of the Congress of the United States in fighting inflation. Fourteen new programs involving Federal Government operations which historically and traditionally have been performed by local governments and States are in the Federal budget this year. The Federal Congress, the State governments, the city governments, and the industrialists all are fighting to buy the scarce manpower and material.

Frankly, it seems to me that we are on a drunken spree, trying to see how much money we can pass into the market, thus increasing the danger and the gravity of the inflation.

Getting back to my question, the Senator from Connecticut asked the Senator from Louisiana what recommendations those of us on this side of the aisle have with respect to methods of fighting inflation. I think I have expressed my recommendations thus far.

I should like to know what the recommendation of the Senator from Connecticut is, other than Federal controls, and the effort to stop the flow of money in the market by increased interest rates.

Mr. BUSH. Mr. President, I shall be glad to discuss that subject. First, let me say that I welcome the comments of the Senator from Ohio on this situation. I agree with almost everything he has said. I believe that when he speaks of the need for self-discipline he is putting his finger on the nub of this situation.

That need applies not only to people all over the United States, but to Members of this body and Members of the other body of Congress. The Senator makes a very valuable contribution when he points out that need.

There is not a single answer to the question of fighting inflation. There are many answers to it.

The question is so significant that I should like to read at this point what the Secretary of the Treasury said this morning on the subject of what the administration has accomplished in this area.

First he referred to the pledge that was made in 1952:

"First, reduce the planned deficits and then balance the budget, which means, among other things, reduce Federal expenditures to the safe minimum."

To what extent have we accomplished this goal?

1. We first reduced and then entirely eliminated planned deficits.

The budget in effect when we took office in 1953 produced a $9.4 billion deficit, and the budget proposed for the fiscal year 1954 called for a $9.9 billion deficit. Our administration immediately went to work with the help of the Congress to reduce the planned deficit for fiscal 1954, and indeed the final deficit ($3.1 billion) was only one-third of that anticipated by the prior administration.

Then the Secretary goes on to say:

2. We have balanced the budget.

By fiscal 1956, we had entirely eliminated deficits, balanced the budget, and completed the year with a surplus of $1.6 billion.

The 1957 budget will result in another surplus, and the budget proposed by the President for 1958 provides for a third successive surplus for the first time in 25 years.

He said further:

3. We have reduced Federal expenditures.

Federal expenditures were reduced from $74.3 billion in the inherited budget of 1953 to $67.8 billion in 1954, and $64.6 billion in 1955. As a result of additional programs authorized by Congress, substantial pay increases, and the need for increasingly expensive military equipment, expenditures increased slightly in the last year to $66.5 billion, with further increases anticipated to $68.9 billion for 1957 and $71.8 billion for 1958.

The 1957 budget is $5.4 billion below the budget we inherited in 1953, and is but 16 percent of our current gross national product now as compared to 21 percent in 1953.

I say to the Senator that is a partial answer to his question.

A continuation of that kind of budgetary control, I believe, is an essential contribution which this administration can make to the general question of control of inflation.

But again I do not want to dissociate myself too far from what the Senator from Ohio [Mr. LAUSCHE] has said about self-discipline, and the responsibility of Congress in this area, not by dictating to the Federal Reserve Board, exactly, what it should do, but by controlling Government expenditures in a statesmanlike way.

Now, Mr. President, I have had the floor too long already.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BUSH. I yield to the Senator from Florida.

Mr. HOLLAND. I appreciate the graciousness of the Senator in yielding to me when I know he wishes to yield the floor.

First, I wish to say that it seems to me the Senator from Connecticut is forgetting the well-known qualities of the distinguished senior Senator from Virginia [Mr. BYRD] when he seems not to approve wholeheartedly the carrying on of the investigation into our fiscal policies by the Committee on Finance, chairmaned, as it is, by the distinguished senior Senator from Virginia.

Mr. BUSH. I should like to interrupt the Senator at that point, because before he came into the Chamber, in the early part of my remarks, I paid a very handsome tribute to my good friend the senior Senator from Virginia.

Mr. HOLLAND. I may say that I heard that statement. I also heard the later statement of the Senator from Connecticut, in which he decried the fact that a Congressional investigation was going to be made instead of one by the——

Mr. BUSH. A nonpartisan commission as recommended by the President.

Mr. HOLLAND. Instead of by the Executive. That brings me back to my point. I do not believe the Executive could find anywhere in the length and breadth of the United States anyone who knows as much about Federal finance or the fiscal business of this Government as does the senior Senator from Virginia.

Mr. BUSH. I want the Senator to let me agree with him at that point.

Mr. HOLLAND. I thank the distinguished Senator. Secondly, I wish to call his attention and the attention of the Senate to the fact that the nonpartisan and unpartisan attitudes of the Senator from Virginia have been so fully recognized throughout the years that he has been continued as the head of the Joint Committee on Reduction of Nonessential Expenditures through Republican control, through Democratic control, through liberal control, and through conservative control in the Senate. Furthermore, everyone has recognized the fact that he knows more about our fiscal affairs than anyone else, and that he has a more sincere and better demonstrated desire for economy and for soundness in our fiscal affairs than anyone else.

Mr. BUSH. I ask the Senator if he can say the same thing for all the other members of the committee.

Mr. HOLLAND. The Senator from Florida is not here to defend the Republican Members of the committee, if that is what the Senator has suggested. [Laughter.]

Mr. BUSH. I can well appreciate that statement.

Mr. HOLLAND. The Senator from Florida believes they are in good hands so long as one Member of that able committee from the minority side has the floor. So long as that is the situation, the able minority will be well represented. I do not think that the Democratic Members require any defense.

I should like to say that the senior Senator from Virginia is recognized throughout the length and breadth of the country as being the soundest man in financial matters now serving in Congress. For that matter, he is mentioned in the same breath with the Secretary of the Treasury who is now leaving office. I think they are both regarded as men of great soundness in this field.

Therefore, I hope the Senator from Connecticut will not allow himself to suffer from an inferiority complex on behalf of the Senate to the extent that he will believe that the Chief Executive, able as he is, would be able to find a chairman or a committee or a commission abler than the one which we have in the Senate.

Mr. BUSH. I thank the Senator for what he has said. I also wish to call his attention to the remarks made at the opening of the hearing when the Senator from Virginia introduced the witness, the Secretary of the Treasury, George Humphrey.

The reason I suspect that there is a slight modicum of politics in this investigation is that the Senator from Virginia, who so ably presides over the committee and has the respect of all Members of the Senate, is not supported, so far as we have been able to find, by the Senators on his side of the table.

So far as I am concerned, and I believe I speak for most of my colleagues in this Chamber, we have the greatest respect for the distinguished senior Senator from Virginia. I thank heaven that inasmuch as the Committee on Finance fell on this loose ball in an open field, the quarterback and captain of the team is to be the distinguished senior Senator from Virginia.

Mr. HOLLAND. The next thing I should like to say is that, while I appreciate the scholarly, though sometimes labored, remarks of the distinguished Senator from Connecticut, my admired friend, I wish to say that I am somewhat distressed to find him speaking, in a representative character, I fear, for the other side of the aisle, in apparently discounting the handling of matters by our regular committees.

There is a matter pending now on the desk which involves an effort to bypass a standing committee of the Senate, in connection with a matter which, it is said, has been long delayed; and I find my distinguished friend from Connecticut now saying that he does not even want a committee of the Senate to take jurisdiction of a proper matter, even though there is no delay involved, and even though the committee has gone into the matter promptly and under the leadership of the man who, the Senator from Connecticut says, is the ablest man we have to handle this particular business. Nevertheless

the Senator from Connecticut does not want our committee to function in the way prescribed by law and our rules. I am beginning to regret the sliding away of confidence which is apparent on the minority side in the functioning of the Senate through its regular committees.

It is quite apparent that our distinguished friends—at least, the Senator from Connecticut, who now has the floor, and the Senator from Indiana [Mr. CAPEHART], who so ably seconded him a few minutes ago—are of the feeling that someone outside the Senate should have jurisdiction; that someone outside the Senate can do a better job; that our regular committees are not to be relied upon to do their own jobs well. I deplore that attitude. I hope my distinguished friends on the other side of the aisle will come back to fundamentals, get away from what is sometimes now referred to as modern Republicanism and return to the established principles of both Republicanism and Democracy, to the degree that they will believe again in the soundness of the Senate and the Senate system.

I do not like to see this apparent unwillingness on the part of my distinguished friends to trust our own committees and our own leaders to do at least as good a job as a group named by the President could do.

Mr. President, that was the real purpose for which I rose. I hope my distinguished friend, in his desire to see sound money remain our basic goal in this field—and he will have no firmer agreement in that field than from the senior Senator from Florida—will not get to the point where he is afraid to trust the Senate or the committees of the Senate or the able senior Senator from Virginia, the ablest American of them all, to handle this particular type of business.

I thank my friend, the distinguished senior Senator from Connecticut.

Mr. BUSH. Mr. President, I simply wish to observe that I have so much respect for my good friend, the senior Senator from Florida, that I disliked to interrupt him to remind him that I had the floor. I should now like to serve notice that if any other Senator asks me to yield while I retain the floor, which I hope will be only a short time, I will not yield for the purpose of discussing the issue of civil rights, but only to discuss the investigation which is now in progress before the Committee on Finance.

Did the Senator from Arkansas wish to question me?

Mr. FULBRIGHT. Mr. President, I think, in view of the remarks made by the Senator from Indiana [Mr. CAPEHART] a few minutes ago, I should like to say a word or two. I am opposed to his bill or resolution. I was opposed to it at the time he introduced it. I thought I made it clear that one reason was that I thought the administration was quite free, if it saw fit, to appoint a commission outside the Senate to study the matter. I have no objection to their doing that at all. But I did not see then, and do not see now, why the Senate should authorize the Executive to do what the Executive has every power and right to do if it sees fit.

Coming to the immediate question, the Senator from Indiana pointed out various aspects of the problems which are within the jurisdiction of the Committee on Banking and Currency with respect to which he is quite correct. On the other hand, the tax laws are within the jurisdiction of the Committee on Finance.

It is my opinion that the tax law of 1954 is the greatest single contributor to the inflationary pressures which now prevail. If there is to be any cure in that field, it would not be possible for the Committee on Banking and Currency to do anything about it, as it was not possible in several other cases, notably the recent effort I made to revise the relationship between taxes on small business and large business. We are at the mercy of the Committee on Finance.

The Senator will recall that in 1954 Congress reduced taxes very substantially—I believe by about $7 billion. Very substantial benefits were given to big business in that act. I remind the Senator that I voted against the bill, because I thought it was highly inflationary, and inequitable besides. There is nothing the Committee on Banking and Currency can do in that field. Therefore, I think the proper committee, so far as jurisdiction is concerned, is conducting the study.

Of course, that committee will be somewhat influenced by the fact that they reported the bill, and I doubt seriously that they would be inclined to offer the slightest criticism of that legislation. But that leaves the situation right where it started.

In the House an attempt was made to have a study made by the Committee on Banking and Currency of that body, but the House itself rejected that proposal, as the Senator from Connecticut knows. But I myself see no particular reason why the Senate Committee on Banking and Currency should now undertake to institute a study in this field, in view of the action of the Committee on Finance and in view of the fact that the Executive has both the facilities and any opportunity it wishes to take to look into this matter.

Mr. BUSH. I agree with the Senator's statement. I do not think there is any question before us now that the Committee on Banking and Currency should enter this field.

Mr. FULBRIGHT. One last observation. The Committee on Banking and Currency has jurisdiction of the Federal Reserve System. I myself—and I think I am in the minority on this side of the aisle—have never offered criticism of the present policy of the Federal Reserve System. The Senator may recall that, I believe it was, a year ago the Committee on Banking and Currency conducted a study of the inflationary influences in the stock market. I would not say that as a result of the study the Federal Reserve System was encouraged to and did increase the margin requirement about that time, but at least I think they were influenced by the study.

I think that within the narrow field of interest rates, which is in their jurisdiction, the Federal Reserve System is trying to exercise a restraining influence, but I would certainly agree that interest rates alone are by no means equal to the job of controlling inflation. They constitute one small segment of the overall economy which can be brought to bear.

So I think the Federal Reserve System may be doing about all it can in that respect.

Mr. BUSH. I should like to conclude my remarks, if I may, in a few minutes.

I may say to my good friend, the Senator from Ohio [Mr. BRICKER], that I am sorry to have kept him waiting so long for the floor, but I cannot take all the responsibility for that myself.

In conclusion, I may say that the Secretary of the Treasury, the Honorable George Humphrey, made a magnificent statement today clarifying the issues involved in the investigation being made by the Committee on Finance, at the hearings which opened this morning. For the information of Senators who are not members of the committee, and for the benefit for the readers of the CONGRESSIONAL RECORD, who I believe are some 50,000 in number, I ask unanimous consent that Secretary Humphrey's statement be printed at the conclusion of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SECRETARY OF THE TREASURY GEORGE M. HUMPHREY BEFORE COMMITTEE ON FINANCE, UNITED STATES SENATE, TUESDAY, JUNE 18, 1957

Mr. Chairman, gentlemen, I appreciate the opportunity of meeting with you today as you commence your study of the financial condition of the United States.

Such a study will undoubtedly involve an appraisal of our current financial condition, the management of the Federal debt, fiscal and monetary policies employed during the past 4 years, and an analysis of supplemental or alternative courses of financial policy which may be suggested. In order to assist you in this inquiry, it seems appropriate that I provide a statement as to the problems we have faced, the goals we set, and the record of our accomplishments in the past 4 years.

It is a record of a prospering America with new high levels of employment, rising income, and increasing purchasing power. It is a record of more and better jobs, more homes, more cars, more leisure, and more recreation. It is a record of unequaled prosperity with both the blessings and the problems of such a period.

Last year an average of 65 million of our people were gainfully employed, an increase of 3,700,000 in only 4 years. During the same 4 years, unemployment has averaged only 3.8 percent of the civilian labor force compared to 4.1 percent during 1949 through 1952, and 15 percent from 1937 until the beginning of World War II. The present low level of unemployment has been achieved although the civilian labor force has increased from 63 million in 1952, to 68 million today. For the first 5 months of this year, unemployment has averaged about 3.7 percent.

The record of the past 4 years is also a record of rising levels of living, widely shared. During this period, average annual family income, after Federal income taxes, has increased from less than $4,500 to an estimated $5,200, an increase of about 12 percent, even after eliminating the effect of price changes. In 1956, the average family purchased 12

percent more goods and services, in real terms, than in 1952.

Almost 5 million families have moved into new homes since 1952. Almost 30 million families own their own homes today, an increase of 13 percent in only 4 years. The number of homes with electric refrigerators has increased from 36 million to 45½ million, accounting for 96 percent of all wired homes. In only 4 years, the number of homes with food freezers has increased from 5 million to 8½ million; the number with clothes dryers (either electric or gas) from 1½ million to 5½ million, and the number with television sets from 21 million to 36½ million. The number of families owning automobiles has increased from 31 million to 37 million.

This growing prosperity has extended to nearly all segments of our society except the farmer. The postwar adjustment in farm income has only recently been reversed, with a small increase last year for the first time in several years. Farm income per worker last year was $1,862, up $151 from 1955. Farm prices have been rising moderately in the last few months, and on May 15, were up 3 points above the level of a year earlier. The objective of this administration is to enable our farm families soon to share more fully in the record prosperity which characterizes the rest of our economy.

The record of the past 4 years is one of great enhancement in personal financial security. The number of life insurance policies increased from 219 million in 1952, to an estimated 265 million in 1956, an increase of 21 percent, and the number of persons covered by hospital insurance increased from 91 million to 112 million, or 23 percent. Time deposits in banks and share accounts in savings and loan associations increased from $79 billion to about $112 billion, or 41 percent, and the estimated number of shareholders in American industry increased from 6½ million to more than 6½ million.

The record of the past 4 years is also one of increased leisure. There has been a 19 percent increase in the amount of time Americans took for their vacations—85 percent with pay. About 55 million of our people visited national park areas last year, an increase of 30 percent in the last 4 years, and approximately 60 million are anticipated this year.

This great increase in the income, the living standard, the recreation, and security of our people has been achieved at a time when there has been a substantial contraction in our defense expenditures. Our free economy has again demonstrated its ability to absorb reductions in Government expenditures not by contracting, but by expanding employment and the living standards of our people.

The record of the past 4 years has been one of unequaled investment. The Nation has devoted a vast amount of its resources to improving and enlarging its productive capacity. Businesses have spent an alltime high of $152 billion on new plant and equipment, compared with $123 billion in the preceding 4 years. This record volume of capital outlays has provided a dramatic answer to those who would contend that our economy would run down without the artificial stimulus of chronic deficit spending and the backlog of private demands deferred by the war. Outlays to make better provision for needed public facilities have also been at very high levels in recent years. Total public construction in 1956 was $13.4 billion, 23 percent above 1952 levels, and educational construction outlays during this same period increased 56 percent, from $1.6 billion in 1952, to $2.5 billion in 1956.

The increased confidence of our people and of our business concerns, that they will be free to determine their own course—free from unnecessary regulation or harassment—greater confidence in the stability of our Government and the wider distribution of purchasing power, have encouraged our consumers, our homeowners, our business concerns, and our communities, to plan for the future, and to buy the automobile, or the home, to build the factory or the schoolhouse, that a brighter future justifies.

Thus the record of the past 4 prosperous years has been characterized by the many blessings of widely shared prosperity—but it has also been beset by one of the problems of prosperity.

The tremendous outlays to expand our public and private facilities have required financing, and this has inevitably given rise to a heavy demand for borrowings. With growing confidence on the part of lenders as well as borrowers, there has been a rapid increase in the volume of both long- and short-term credit. Almost all of this increase has come from savings and not from an increase of money supply in the banks. Nevertheless, there has been, and is, the ever-present threat of rising prices.

The monetary policies of the Federal Reserve and the fiscal policies of this administration have been designed to encourage the growth of the supply of goods (as the foregoing figures indicate), but not to encourage excessive credit expansion. The cost of living has risen an average of only six-tenths of 1 percent per year for the past 4 years, as compared with an average increase at the rate of about 7 percent per year for the preceding 13 years. In short, the rise in prices during this administration has been at only one-tenth the average annual rate of the preceding 13 years. Even this rise is more than I like to see, but it is a record of far better price stability than in many years. Nevertheless, prices have been rising a little faster for the past 12 months, and the threat of renewed inflation, which had been so severe from 1946 to 1952, is perhaps our most serious domestic economic problem.

The greater increase in demand for credit than in the supply thereof has inevitably brought about higher interest rates.

The record of the past 4 years is one of sensitive and flexible adjustments to the release of controls, and to the return to free markets, an accommodation of the post-Korea curtailment in military spending, and of a free market's emphasis first on housing, then automobiles, and now new-plant construction with continuous improvement in the total economy. It is a record of encouraging savings and investment in increased productive capacity, of encouraging an adequate volume of credit, but of not encouraging that excess of credit which, in a period of high employment, could only penalize our people by bidding up prices without increasing production. It is essentially a record of flexible and quickly adjusting fiscal and monetary policy designed to continue the sound improvement in levels of living, widely shared, which is the wonder and ambition of all the rest of the world.

It is a most significant record, important to us all, because the monetary activities of the Federal Reserve System and the fiscal activities of the Treasury affect the wages, the standard of living, and the savings—indeed the entire financial well-being—of each one of our citizens.

It is above all a record of the renewal of widespread confidence of the people in the preservation of their individual freedom of choice, in their jobs, in their right to the enjoyment of the fruits of their own initiative and endeavor, and in the security of their savings. It is a record of renewed confidence in the security of our country.

Feeling as I do that there should be the widest possible public interest in this subject, and feeling such a deep pride in what this administration has done and is doing, I welcome this opportunity to speak to your committee, and through you, to the more than 171 million Americans whom the Congress represents.

Let me review the major policies of, and the fiscal actions taken by, this administration since we took office in January 1953.

In discussing fiscal, monetary and credit policies, as I am doing today, I do not want to give the impression that they alone can prevent inflation and assure economic growth. They are, however, a subject of the present inquiry and I shall concentrate my attention on them. Certainly if they are not sound, there is little chance for sound money and sound long-term economic growth.

As a preface to our present policies, let us review the situation as it existed when we came into office.

I. WHERE WE WERE IN 1953

A. The direction in which we had been going

You will recall the tremendous changes that had occurred in the period before 1953. In 10 of the 13 fiscal years from 1939 through 1952, the Government operated at a deficit, as it had in the preceding 9 years. Largely as a result of World War II, the Federal debt increased in only 13 years from $47½ billion at the end of 1939, to $267½ billion at the end of 1952. The interest charge on this indebtedness had grown from an annual rate of $1¼ billion per year in December 1939, to $6¼ billion in December 1952, an average increase in interest cost of almost $400 million per year.

In 13 years, annual Federal taxes had increased from a little less than $5 billion in 1939, to almost $65 billion in 1952. This amounted to an increase in the average tax burden of each American citizen from $36 in 1939, to $413 in 1952.

B. The conditions which we faced upon taking office in 1953

When this administration came to office in January of 1953, we faced—

1. A Federal debt equal to 89 percent of our annual national income.

2. Budget expenditures of $74.3 billion for fiscal 1953, and proposed budget expenditures of $77.9 billion for 1954.

3. A budget deficit of $9.4 billion for 1953, and a planned deficit of $9.9 billion for 1954.

4. A continuing spiral of inflation which had reduced the purchasing power of the dollar from 100 cents in 1939, to 77 cents by 1945, and had further reduced it to 52 cents by 1952.

In appraising these conditions and the course to pursue, we were influenced by a recognition of the overpowering importance of preventing another devastating postwar inflation, which, prior to 1953, the Government was attempting to control by inadequate means.

II. THE GOALS WHICH OUR ADMINISTRATION SET FOR ITSELF

Within less than a month of his taking office in 1953, President Eisenhower, in his State of the Union Message, called attention to the "inescapable need for economic health and strength," and stated:

"Our immediate task is to chart a fiscal and economic policy that can:

"First, reduce the planned deficits and then balance the budget, which means, among other things, reducing Federal expenditures to the safe minimum;

"Second, meet the huge costs of our defense;

"Third, properly handle the burden of our inheritance of debt and obligations;

"Fourth, check the menace of inflation;

"Fifth, work toward the earliest possible reduction of the tax burden;

"Sixth, make constructive plans to encourage the initiative of our citizens."

Let us review these goals and our efforts, our difficulties, and our accomplishments to date, in achieving them.

III. WHAT THIS ADMINISTRATION HAS ACCOMPLISHED

A. "First, reduce the planned deficits and then balance the budget, which means, among other things, reducing Federal expenditures to the safe minimum."

To what extent have we accomplished the goal?

1. We first reduced and then entirely eliminated planned deficits.

The budget in effect when we took office in 1953 produced a $9.4 billion deficit, and the budget proposed for the fiscal year 1954 called for a $9.9 billion deficit. Our administration immediately went to work with the help of the Congress to reduce the planned deficit for fiscal 1954, and indeed the final deficit ($3.1 billion) was only one-third of that anticipated by the prior administration.

Without the largest tax cut in our Nation's history, the budget would have been balanced in 1955. However, in view of the transition resulting from the reduction in military spending, and anticipated further reductions in spending which in fact materialized concurrently with our action, we were able to pass some of the savings from our reduced expenditures back to the people, even though this meant another year's delay in achieving a balanced budget. Fiscal 1955 was, however, the last year of deficits.

2. We have balanced the budget.

By fiscal 1956, we had entirely eliminated deficits, balanced the budget, and completed the year with a surplus of $1.6 billion.

The 1957 budget will result in another surplus, and the budget proposed by the President for 1958 provides for a third successive surplus for the first time in 25 years.

3. We have reduced Federal expenditures.

Federal expenditures were reduced from $74.3 billion in the inherited budget of 1953, to $67.8 billion in 1954, and $64.6 billion in 1955. As a result of additional programs authorized by the Congress, substantial pay increases, and the need for increasingly expensive military equipment, expenditures increased slightly in the past year to $66.5 billion, with further increases anticipated to $68.9 billion for 1957 and $71.8 billion for 1958.

The 1957 budget is $5.4 billion below the budget we inherited in 1953, and is but 16 percent of our current gross national product now as compared to 21 percent in 1953.

B. "Second, meet the huge costs of our defense."

Major national security expenditures have been reduced from $50.4 billion in 1953, to $46.9 billion in 1954, to an estimated $41.0 billion in 1957, with a proposed $43.3 billion in 1958. This reduction has been achieved despite the fact that, though not at war, we are still engaged in a titanic contest which requires not only the expense of preparedness, but extremely expensive research and development. Such research is necessary to assure preparedness for tomorrow, and the days beyond, in the terrible race for primacy in the most complete transition from old to new weapons in the history of the world.

While our fantastically costly weapons of tomorrow are still in the expensive research and development stage, we must continue to maintain our maximum strength in the weapons of today. This means that during this transition period we must support increased costs of two systems of defense.

We have met these huge costs with a balanced budget and with a reduced tax burden. We have provided the necessary large amounts of expensive and revolutionarily new equipment needed for our national safety, greatly expanded our productive facilities, and at the same time enabled far more capital and labor to be directed toward building more cars, more houses, more of all of the good things our people need and want.

C. "Third, properly handle the burden of our inheritance of debt and obligations."

As you have invited the Under Secretary, Mr. Burgess, to meet with you, I have asked him to report to you in detail on our handling of the debt.

In preface to his remarks, I might say that the management of $275 billion of debt is not a simple assignment under any circumstances. The Federal Reserve's proper withdrawal from the pegging of the Government bond market, which withdrawal was the most effective single action taken in the battle against inflation, has made it more difficult to manage debt operations than it was when a fixed rate was assured. Had such a policy continued, however, the resulting inflation would eventually have produced even greater complications for debt management than we have experienced under a system whereby interest rates are determined by the forces of the market.

In January 1953, when this administration took office, the average rate on all Government interest-bearing issues outstanding was 2.35 percent. The total net computed interest cost at an annual rate at that time was $6.2 billion. Four years later the average rate on all Government issues outstanding was 2.67 percent or an increase of about three-tenths of 1 percentage point. The total net annual computed interest cost, as of December 31, 1956, was $7.3 billion, of which $0.9 billion is due to increased interest rates, and $0.2 billion is due to an increase in the debt incurred to pay obligations inherited from previous commitments.

This increase in interest rates results from the free market influences of supply and demand in a period of unparalleled prosperity. It is a continuation of a rise that has been going on for the past 10 years under the growing pressure of borrowing demands.

Computed interest rate on the public debt

December:	*Percent*
1946	2.06
1952	2.35
1956	2.67
May 1957	2.75

For the entire period from December 1946 through May 1957 there was an increase of sixty-nine one hundredths of 1 percent in the computed interest rate on the public debt. Of that increase, twenty-nine one hundredths occurred prior to this administration, and forty one hundredths occurred during this administration.

During the past 4 years there has been no increase in public debt interest cost in relation to national income. The interest cost was 2.1 percent of national income in December 1952, and was the same percentage in December 1956, for the increase in interest cost has only kept pace with the increase in national income.

Furthermore, the $1 billion increase in interest paid reflects increased earnings received by the investors who own the securities.

Of the $7 billion of interest paid on the public debt during calendar year 1956, $1.4 billion represented the payment of interest to social security funds and other Government investment accounts.

About $0.6 billion of public debt interest was received by the Federal Reserve banks, 90 percent of which is returned to the Treasury as surplus earnings.

Commercial banks received approximately $1.4 billion of such interest last year. About $0.6 billion went to other financial institutions (mostly insurance companies and savings banks), $0.5 billion to corporations, $0.4 billion to State and local governments, and $0.4 billion to nonprofit institutions, foreign accounts, etc. The remainder of about $1.8 billion—the largest single segment of the interest on the public debt—went to individuals, either in the form of cash payments or accumulated interest to the 40 million holders of savings bonds. Millions of Americans are benefiting from these higher interest rates.

I am asking Mr. Burgess to review other phases of our debt management program.

D. "Fourth, check the menace of inflation."

1. The problem: At the risk of oversimplification, let me condense the story of inflation to about a dozen lines.

Almost all of our employable labor force is employed—and at higher wages than they have ever received before. Our people are buying virtually all that they are producing, but they want to buy more, both more consumer goods and more productive facilities. Being confident of the future, they desire to borrow to buy more. The lenders are lending more than ever before, but still not as much as the public would like. However, with most resources fully utilized, additional bank credit would not put any more people to work—it would merely provide additional demand in excess of the supply of both labor and goods. Such a demand in excess of supply would cause a rise in prices if it were fed by excessive bank credit expansion.

A rise in prices hurts every housewife, every one on a pension, every person with a fixed or lagging income, every saver. It robs labor of much of its gain in wages. This rise in prices has been a principal cause of the farmers' difficulties, because while income per farm remained fairly static during the last 10 years, the farmer has had to pay higher prices. As a consequence, he has been particularly hurt by the inflation which, to a lesser extent, injures every one of us.

There are two ways to check this rise in prices: (a) increase the supply of goods, and (b) slow the expansion in the number of dollars bidding for the goods.

We have utilized both methods. The administration in many ways has encouraged an increase in productive facilities which is the only way to increase the supply of goods. The Federal Reserve and the administration have taken action to restrain a too rapid growth in the number of borrowed dollars available to bid up the price of the limited supply of goods and services.

2. The respective roles of the Federal Reserve and the Treasury: I would like to take a moment to identify the respective roles played, on the one hand by the Treasury, which influences fiscal policy (through its recommendations on tax and budget policy as well as its management of the public debt), and on the other hand by the Federal Reserve, which is responsible for monetary policy (through its influence on the cost and availability of money and credit).

A mere statement of the respective functions demonstrates the major role of the Federal Reserve in the effort to stop inflation. The Federal Reserve has the authority and the tools to take monetary and credit action. We do not. The Treasury cannot determine the level of interest rates but must pay the rates determined by market forces. The Federal Reserve can influence the levels of market rates although there are definite limits to its power to maintain any fixed level of rates, as is shown by history. I do not point this out to shift any responsibility from the Treasury. On the contrary, we approve wholeheartedly the course which the Federal Reserve has followed, and have admiration for the courage and decisiveness with which the Board has acted.

(a) Through 1952: As you will recall, throughout the decade prior to 1951, the Federal Reserve followed a policy of supporting the market for United States Government securities at or above par. This was done to enable the Government to sell, at a low interest cost, the great volume of securities which was necessary to finance World War II. It accomplished that purpose, but, it created cruel inflationary conditions which

required the sale of more bonds and increased debt to pay the resulting higher costs of the war.

In artificially holding interest rates at low levels, the Federal Reserve made credit cheap, not only for the Government, but for all borrowers. By maintaining a market which enabled the banks to liquidate their Government bonds at any time at par or better, it encouraged a continuance of the war-born expansion of excessive bank credit. This cheap and plentiful credit was an important cause of the wartime inflation which, despite wartime restrictions of direct controls and rationing, robbed the dollar of 23 cents of its purchasing power between 1939 and 1945.

Calendar year average	Consumers price index (1947–49=100)	Purchasing power of dollar (1939=100)
1939	59.4	100.0
1940	59.9	99.2
1941	62.9	94.4
1942	69.7	85.2
1943	74.0	80.3
1944	75.2	79.0
1945	76.9	77.2

At the end of World War II there was an acute shortage of goods. There was, however, a pent-up demand, a demand made effective by both a large amount of liquid assets accumulated during the war and a rapid increase in private credit. The war-born policy of the Federal Reserve, mistakenly continued into peacetime under Treasury insistence, enabled the supply of credit to rise too rapidly, with the result that this credit-backed demand for goods exceeded the supply of goods. While interest rates were held at artificially low levels, prices continued their serious rise, at an average annual rate of over 7 percent from 1945 to 1951, and in those 6 years the dollar lost another 23½ cents of its purchasing power.

Calendar year average	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1945	76.9	77.2
1946	83.4	71.2
1947	95.5	62.2
1948	102.8	57.8
1949	101.8	58.3
1950	102.8	57.8
1951	111.0	53.5

It was becoming clear to increasing numbers of observers that the unwise credit stimulus provided by the Federal Reserve should be withdrawn. Such a withdrawal could be achieved only by paying the lesser penalty of an increase in the interest rates to be paid. It was clear that, if the Federal Reserve ceased purchasing Government securities at par, natural market forces, reflecting increasing demand for credit, would result in the higher interest rates which the Federal Reserve purchase policy had so far postponed. During this postwar period, the Federal Reserve made several modest moves toward freer short-term markets, but was held back by the Treasury. After a most thorough review of the relative advantages and disadvantages of such a change, the Subcommittee on Monetary, Credit, and Fiscal Policies (the Douglas subcommittee) concluded in 1950 that "as a long-run matter we favor interest rates as low as they can be without inducing inflation, for low interest rates stimulate capital investment. But we believe that the advantages of avoiding inflation are so great and that a restrictive monetary policy can contribute so much to this end that the freedom of the Federal Reserve to restrict credit and raise interest rates for general stabilization purposes should be restored even if the cost should prove to be a significant increase in service charges on the Federal debt and a greater inconvenience to the Treasury in its sale of securities for new financing and refunding purposes."

Partly as a result of that review and report, the administration then in office and the Federal Reserve, by an agreement referred to as the "accord," changed the prior policy, and the Federal Reserve began to withdraw its support to the market for Government bonds in March of 1951. While this was a step in the right direction, it was not a complete step. On a number of occasions during 1951 and 1952 the Treasury still relied on Federal Reserve purchases to keep new issues from sinking in the market.

Let me pause in this chronology to remind you of the facts about that change in policy.

It was put into effect by an independent agency, the Federal Reserve.

It was urged by many of the best informed Members of Congress.

It occurred during the preceding administration—21 months before this administration took office.

This new policy of the Federal Reserve was not so much anti-inflationary as it was a tempering of what formerly had been positively inflationary action. The Federal Reserve began to reduce the amount of credit it had been artificially creating. It freed natural market forces.

As an incidental result of the reduction in the volume of artificial credit generated by the Federal Reserve, the supply of credit grew somewhat more slowly than the demand for credit. As a consequence, interest rates began to rise and the market prices of bonds went down.

Though the full force of this change in the Federal Reserve policy was not immediately effective, almost a quarter of the increase in the computed interest rate on the public debt (from 2.22 percent at the time of the Federal Reserve-Treasury accord in 1951 to 2.75 percent in May 1957) occurred in the 21 months prior to the time this administration took office.

As a result, banks and insurance companies which had such large blocks of Government securities were more hesitant to sell them at a 3- or 4-point loss in order to make a loan. This caused them to make fewer loans than they would have made had the earlier policy been continued.

Although by the "accord" of March 1951 the administration then in office had reluctantly agreed to the right of the Federal Reserve to take such monetary action, that administration itself continued to rely on direct controls on wages, prices, and rents. In addition, after the short-lived budget surplus of 1951, increasing Government spending, and renewed deficits in 1952, largely as a result of the Korean conflict, encouraged a further depreciation in the dollar to 52.3 cents.

Calendar year average	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1951	111.0	53.5
1952	113.5	52.3

Inflation had been appreciably slowed, but if inflation was to be effectively checked, the Federal Reserve's new policy had to be supported more vigorously and supplemented with parallel fiscal policies.

(b) Since 1952: In 1952, General Eisenhower campaigned for the Presidency in part on the ground that further inflation must be prevented, and advocated:

"A Federal Reserve System exercising its functions in the money and credit system without pressure for political purposes from the Treasury or the White House."

(i) We have conducted our affairs so as not to interfere with the Federal Reserve's monetary policies: We have lived up to that promise to the letter. To do so, however, has subjected the Treasury to certain burdens, just as it has other borrowers. Not to do so would have created much more serious burdens for all of us.

Although new financing was less expensive and easier in 1954, it has again become more costly. With a very high percentage of bank and insurance company assets now in loans, these institutions are not clamoring for long-term—or even intermediate-term—Government securities.

We must, therefore, at present, sell mostly shorter-term securities, which are attractive because of their high liquidity. I do not say this to complain, but to acknowledge an obvious fact. We will meet these difficulties and solve them as we have in the past, continuing our flexible policy, postponing debt extension when we must, achieving it whenever we can.

There is a strong demand for short maturities. Our bill auctions each week are always well oversubscribed. The Treasury faces no crisis. Our securities are the most highly regarded in the world. But in a free market, we must compete for funds. That means the factors of supply and demand determine the rates we must pay. Rates may decline or they may go higher. I would be disappointed to see them go higher, but if that is the price we must pay to prevent the growth of excessive credit and consequent inflation, it will well justify the price.

This administration, in addition to supporting the Federal Reserve's independence, has utilized its debt management and fiscal functions to help check inflation.

(ii) Planned deficits have been eliminated: Federal deficits necessitate increased Federal borrowing. More Federal borrowing, to the extent it comes from the banks, means the creation of additional bank credit. This tends to create more spendable dollars than there are goods to buy. As your chairman, Senator BYRD, so clearly pointed out in his remarks to the Senate on August 13, 1954:

"Deficit spending is perhaps the greatest single factor in the cheapening of the value of the money."

In ending deficits, we have eliminated this very inflationary pressure.

(iii) The debt is being reduced: We reduced the public debt in fiscal 1956 as a result of our budget surplus of $1.6 billion. Another budget surplus is being applied to the debt this year and we expect to do it again in 1958. Reduction of the public debt is one of the best ways to fight inflation.

(iv) Government expenditures have been reduced: Government expenditures are inflationary, particularly when the economy is at a high level of output and employment. Taxes divert to Government spending some funds which, in the hands of the taxpayer, would have gone into savings. Furthermore, some Government expenditures go into payrolls to produce goods and services (especially military equipment and services), which neither contribute to the Nation's capital account nor become available for private consumption. Yet this additional purchasing power competes for the existing supply of both goods and services.

By reducing Government expenditures, we have released more workers and materials directly to private industry where they could add further to the supply of goods and services needed to meet our heavy demands for plant and equipment, and greatly increase the supply of homes, cars, television sets, and other consumer products necessary for our rising standard of living. Reduced Government expenditures have been an anti-inflationary influence.

(v) We have reduced the floating debt: The amount of marketable public debt maturing within a year, plus demand obligations (other than E and H savings bonds) in the hands of the public—securities which in many ways are close to cash—has been

reduced by $25 billion from the high point in 1953.

(vi) We have shifted some of the debt away from the banks: Since increases in bank loans represent additional spendable money, they tend to be more inflationary than loans that grow out of a transfer of existing savings. As a consequence, one of the Treasury's long-range debt-management objectives has been to reduce bank holdings of Government securities to a reasonable minimum. To this end we have, in the past 4 years, reduced the amount of Government securities held by the banks by $4 billion. This has been achieved in part by paying off some securities and in part by designing the terms of new issues (such as tax-anticipation bills and certificates) to be particularly attractive to nonbank investors.

(vii) We have stimulated increased savings: Greater confidence in the future, higher rates of interest, and increasing confidence in the stability of the dollar, have all encouraged our people to save more both in dollars and in relation to disposable income. As one means of encouraging savings and combating inflation, we have emphasized the continued sale of series E and H savings bonds. The amount of these small-saver bonds outstanding has increased from $35.3 billion to $41.4 billion during the past 4 years.

Moving thus on all of these fronts, by ending deficits, by reducing the debt, by reducing expenditures, by keeping down the bank-held debt, by reducing the floating debt, and by selling more E and H savings bonds, as well as by working closely with the Federal Reserve, we have accomplished a tempering of inflationary pressures during these years, with a decline in the purchasing power of the dollar of only eight-tenths of a cent in 4 years.

Calendar year average	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1953	114.4	51.9
1954	114.8	51.7
1955	114.5	51.9
1956	116.2	51.1

The past 4 years have been characterized by greater price stability than any other 4-year period since 1939. But inflation is not stopped. It is only slowed down. Indeed, there has been a disturbing renewal of pressures in the last 12 months during which the dollar has lost almost 2 cents in purchasing power.

Month	Consumer Price Index (1947–49=100)	Purchasing power of dollar (1939=100)
1956—April	114.9	51.7
July	117.0	50.8
October	117.7	50.5
1957—January	118.2	50.3
February	118.7	50.0
March	118.9	50.0
April	119.3	49.8

This most recent decline in purchasing power is disturbing. It reinforces our conviction that we must continue the vigorous pursuit of our present policies. We should certainly not abandon them.

3. The necessity for flexibility: While over the past 4 years it has been necessary to follow generally anti-inflationary fiscal and monetary policies, we have had changes in the economy which have required us to moderate them on occasion, and we may encounter other circumstances which may require some relaxation at some times in the future. We approve the philosophy expressed in the Douglas subcommittee report that "timely flexibility toward easy credit at some times and credit restriction at other times is an essential characteristic of a monetary policy that will promote economic stability rather than instability."

Our administration had been in office only a few months when the coincidence of the full effect of the Federal Reserve's new policy, and the curtailment of defense spending, temporarily changed the problem. We were, at that time, more concerned with preventing a decline in employment and production than with a rise in prices. Taxes were reduced and the administration relaxed downpayment and maturity terms on FHA and VA guaranteed housing loans. At the same time, Federal Reserve policy also eased, making funds more readily available. The decline was stopped and a sound economic expansion got underway with renewed public confidence in the courage of the administration and the flexibility of its policies. By 1955, economic activity was again vigorous and the problem was one of inflationary pressures (which have continued), and easy bank credit expansion was no longer encouraged.

4. The available alternatives: In view of the breadth of the subject of your inquiry, it is appropriate that we consider what might have been some available alternatives to general monetary and credit policy.

These alternatives are:

(a) Direct controls prohibiting or limiting certain types of credit.

(b) Compulsory saving.

(c) Physical controls on prices and wages—plus, perhaps, rationing and allocation of materials and labor.

(d) Higher taxes and large governmental surpluses to be applied on the bank-held debt.

(e) Greater individual savings and voluntary effort at restraint.

(f) A reversion to the pre-1951 policy of Federal Reserve purchase of Government securities at or above par—and consequent encouragement of severe inflation.

The use of any of the first three alternatives in peacetime would have been inequitable, impractical, and inconsistent with our traditions of freedom. The fourth alternative would have required the imposition of additional taxes on top of our present heavy load, and would not have been acceptable. The fifth, which the President emphasized in his state of the Union message just a few months ago, can help immeasurably but can be achieved only if other policies are effective.

Thus, as a practical matter, the real choice is between the anti-inflationary course which we have pursued, and a new round of inflation.

Those who, in a period such as this, urge an abandonment of our anti-inflationary policies, those who urge either deficit financing or a policy of artificially creating more spendable dollars are, whether unwittingly or by intention, inflationists. No matter what their motives, their proposals for further credit expansion are proposals to further reduce the purchasing power of the dollar, to rob every housewife, every farmer, every pensioner, every wage earner, and every family with savings. Their arguments must be understood to urge just that.

There can be no doubt as to the wisdom of our choice in utilizing the tools of monetary and credit policy. As to the extent to which we used these tools, I can only say that I gain confidence from the fact that we are criticized with equal vigor by those who feel that credit has been restricted too severely, and those who feel it has not been restricted severely enough.

Despite some recent tendency for prices to rise again, the administration can take considerable pride in what has been achieved to date in respect to this, the President's fourth goal.

E. "Fifth, work toward the earliest possible reduction of the tax burden."

The Eisenhower administration and the Congress, working together, have already made possible the greatest single tax cut in history.

In 1954, in order that the people might benefit from the substantial reduction in Government expenditures, we brought about a tax cut that has provided them with annual savings of about $7½ billion.

As the President pointed out in his letter of April 18, 1957, to the Speaker of the House, this tax cut has already saved our people almost $25 billion in taxes."

More than 60 percent of that reduction went to individuals. Every taxpayer benefited.

That was a creditable accomplishment by the Congress and the administration. Tax receipts are now at an alltime high as a result of our current prosperity, but even so, Federal taxes account for a slightly smaller proportion of our national income than they did in 1953.

We intend to go further at the earliest justifiable opportunity, for the tax burden is still far too heavy. However, the possibility of a reduction in taxes depends upon the degree of success of the administration and the Congress in keeping the budget position sound.

F. "Sixth, make constructive plans to encourage the initiative of our citizens."

A primary goal of this administration is a free and prosperous America. To encourage the initiative, energy, and savings of our people, which are the only means to prosperity, our most important steps were our anti-inflationary actions which have increased public confidence in the security and stability of our economy. In addition, we have taken other helpful action.

1. We relieved the public of the burden of controls: When this administration took office in 1953, the country was still handicapped with controls over prices and wages, and the use of certain materials. We promptly terminated these controls.

2. We have reduced Government activities which compete with private business: During the past 4 years, some 500 Federal enterprises competing with business have been abolished. We have disposed of the Government-owned synthetic rubber producing facilities and the Government-owned tin smelter to private enterprise, and the Reconstruction Finance Corporation is now in the process of liquidation. Surplus real estate, worth $366 million, has been sold and turned back to local tax rolls.

3. We have created a more favorable climate for enterprise:

(a) We have moved vigorously to prevent monopolies: The number of antitrust prosecutions has been materially increased and the number of convictions, guilty pleas, and consent decrees obtained in the past 4 years has been more than 40 percent higher than in the preceding 4 years.

The number of prosecutions under section 7 of the Clayton Act, as amended in 1950, has increased from only 1 in the 2 years, 1951 and 1952, to 29 during this administration.

(b) We have encouraged small business: Upon the success of small-business firms to prosper and grow depends much of our production and our survival as a free competitive society. This administration has sought in many ways to aid smaller firms and to relieve them of burdensome taxes and requirements.

In the past 4 years small business has benefited materially from tax-law changes—the expiration of the excess profits tax law, the reduction in personal income tax rates in 1954, and the extensive revision of the Internal Revenue Code. Even more important to the smaller firms is the general prosperity of the past 4 years.

To aid small firms which are unable to obtain adequate credit from normal sources,

President Eisenhower signed the Small Business Administration Act on July 30, 1953. That act created the Small Business Administration, and authorized a revolving fund of $275 million to provide needed loans to small-business concerns. Subsequently, the administration supported increases in the SBA funds to $375 million in 1956, and to $455 million in 1957. The administration now has a bill pending to increase this to $600 million, and to make the SBA a permanent organization. Each year the SBA has made a larger number of loans, with over $125 million made in the last 10 months, and currently is making loans to about 60 percent of the applicants whose files have been reviewed.

(c) We have encouraged trade with other countries: This administration has effected measures which have aided the increase in our total foreign trade in 1956 by 22 percent (exports 25 percent) over 1952. In addition, the Treasury, with the cooperation of your committee, has put into effect a number of customs simplification acts which have reduced the complexities attendant on the movement of goods into the United States. We have also provided greater certainty in our administration of the tariff laws.

(d) We have encouraged initiative and activity: Throughout the past 4 years this administration has continuously attempted to encourage rather than discourage enterprise. As a result, our productivity and living standards have been rising steadily.

During the past 4 years, 500,000 new business corporations were formed in the United States. Of course, not all succeeded. A free economy is not a riskless economy. During that period, 44,000 enterprises—noncorporate as well as corporate—failed but that is lower in relation to the number of new corporations formed than during the preceding 4 years (34,000 failures and 355,000 new incorporations).

(e) We have encouraged savings: The importance of savings as the anti-inflationary source of financing is so great that I would like to make these points:

(i) There are many people who benefit from higher interest just as there are many who find it an additional cost. You and I hear complaints today about the increased cost of money. We know it is nowhere as important as the increased cost of labor, but we also know that higher labor cost is a two-sided coin. Someone pays more—but someone receives more. The same is true of interest.

Although many of us owe money in one form or another, it is equally true that many of us have savings in one form or another. As a result, we have a stake in protecting our principal against deterioration in the value of the dollar. We have a further stake in a higher interest return on our money. We are owners of millions of share accounts in savings and loan associations, time deposits in banks, and mutual life insurance policies. Many of us belong to a pension system and our benefit payments tend to increase as interest earnings rise.

Some critics allege that higher interest rates benefit only the bankers. That is nonsense. Earnings of insured commercial banks as a return on average capital accounts in 1956 were 7.82 percent. This is lower than the average for the prior 3 years, or for the years 1948–52. Such bank earnings have averaged 8.29 percent for the past 4 years. This is less than the average of 8.62 percent for the entire 8 years of the prior administration. Bank earnings for 1956 of 7.82 percent are substantially less than the average earnings of all manufacturing companies which averaged 12.3 percent. In 1952, bank earnings of 8.1 percent compared with manufacturing earnings of 10.3 percent.

Bankers are brokers of money. When they receive more, they pay more. Our people have approximately 90 million savings accounts in banks and savings and loan associations. As you know, during the past few years most banks and savings and loan associations have increased the rates they pay to the saver. The amount of return paid or accrued for savers in the savings and loan associations (members of the Federal Home Loan Bank System) increased from less than $500 million in 1952, to an estimated billion dollars in 1956. The amount of interest so accrued for savers in mutual savings banks rose from $500 million to almost $800 million in 1956. Interest paid or accrued to depositors in commercial banks increased from about $450 million in 1952, to about $800 million in 1956. In the past 4 years, interest rates on all these types of savings have been moving upward, and, in a modest way, we have followed with our recent increase in the interest rates on newly purchased savings bonds.

(ii) Increased interest stimulates savings: The higher interest rates paid in the past few years have encouraged greater savings. During the 4 years of the Eisenhower administration, our people saved more, both in terms of dollars ($75 billion of personal savings compared to $56½ billion in the preceding 4 years), and in relation to disposable income, 7.1 percent as compared to 6.4 percent.

(iii) Increased savings are a major means of assuring continued high employment and prosperity: Increased capital investment (more tools, more factories, more equipment), is necessary to provide the jobs with the high wage levels which are paid in this country. It is the principal means by which we can raise our living standards. To the extent such increases in capital investment are provided by excessive bank credit expansion, they are inflationary. To the extent they are financed out of savings, they are not.

With the great increase in capital investment in tools, it is essential to encourage savings in order that as little of this investment as possible be financed in such a way as to stimulate another round of inflation.

In the past 4 years, we have moved to an unparalleled prosperity. More people are living better than ever before. It is this prosperity, in turn, which creates heavy demands for money and requires some anti-inflationary restraint.

We have made great progress toward the sixth goal established by the President—to make constructive plans to encourage the initiative of our citizens.

IV. CURRENT MONETARY AND FISCAL POLICIES HAVE BEEN BENEFICIAL TO THE ECONOMY

This administration has successfully encouraged saving, enterprise, and production. This is a demonstrable and desirable accomplishment. With such means as it has had at its disposal, the administration has attempted to arrest inflation and has been largely successful.

I note, however, that there have been some complaints that the monetary and fiscal policies have been too severe and have affected certain segments of the economy unfairly.

A. Has the administration's anti-inflationary program been injurious?

Let me review again what the administration has done to fight inflation.

We have reduced the Government debt.

We have reduced Government expenditures.

We have balanced the budget.

We have reduced the floating debt.

We have moved some of the debt out of the hands of the banks and put more of it into the hands of individuals.

The reduction in Government expenditures has perhaps injured those corporations which might have received orders had the Government spent more money. The entire course of action, having been anti-inflationary, may have injured those few who might have benefited, at the expense of the rest of our citizens, from runaway inflation. But, except for these few, the good of the overwhelming majority of our people was best served by the course we have followed.

We have also endorsed the independence of the Federal Reserve and conducted our affairs in such a way as to avoid interference with its anti-inflationary monetary policy.

B. Has the Federal Reserve's anti-inflationary program been injurious?

1. By restricting the growth of credit?

The Federal Reserve's program is one of allowing the natural market forces to operate, while adjusting credit availability to meet the needs of normal seasonal activities and sustainable economic growth. The Federal Reserve has ceased its earlier policy of creating additional bank credit, except to the extent needed to meet the basic requirements of a healthy economy.

(a) The Federal Reserve has not reduced the volume of available credit.

Some current discussions of Federal Reserve policy proceed on the mistaken assumption that the Federal Reserve has reduced the amount of credit below an amount previously available. Nothing could be further from the truth. Credit (the aggregate of new savings and new bank credit) has expanded substantially in the past 4 years, and at a rate fully equal to the need.

There is more credit outstanding today than ever before—$146½ billion more than in 1952.

[In billions of dollars]

Uses and sources of credit	Amount outstanding—		Change
	Dec. 31, 1952	Dec. 31, 1956	
Uses of credit:			
Individual:			
Mortgage	82.4	131.5	+49.1
Consumer	27.4	41.9	+14.5
Other	25.7	34.1	+8.4
Total	135.5	207.5	+72.0
Corporate	202.9	249.3	+46.4
State and local government	31.2	50.0	+18.8
Total (other than Federal)	369.6	506.8	+137.2
Federal Government	267.4	276.7	+9.3
Total	637.0	783.5	+146.5

As important as the fact of the increase in credit, is the source of this increase.

[In billions of dollars]

Uses and sources of credit	Amount outstanding—		Change
	Dec. 31, 1952	Dec. 31, 1956	
Sources of credit:			
Nonbank credit (savings)	508.0	643.8	+135.8
Bank credit (money supply)	129.0	139.7	+10.7
Total	637.0	783.5	+146.5

In 1956 alone, total debt (other than Federal Government) increased $37½ billion. Of this increase, $17.5 billion was individual debt, $15.5 billion corporate, and $4.5 billion State and local government debt. (The Federal debt was reduced by $4.1 billion in the calendar year 1956.)

The increase in total credit in the past 4 years has been greater than in either of the 2 preceding 4-year periods. But a most important fact to note is that 93 percent of this increase has come from savings and only 7 percent from an expansion in the money supply.

[In billions of dollars]

Uses and sources of credit	Increases in 4-year period		
	Dec. 1944–48	Dec. 1948–52	Dec. 1952–56
Uses of credit:			
Individual:			
Mortgage	19.4	32.0	49.1
Consumer	9.3	13.0	14.5
Other	3.7	7.4	8.4
Total	32.4	52.4	72.0
Corporate	29.6	63.2	46.4
State and local government	2.7	11.5	18.8
Total (other than Federal)	64.7	127.1	137.2
Federal Government	20.8	14.5	9.3
Total	85.5	141.6	146.5
Sources of credit:			
Nonbank credit (savings)	64.3	124.2	135.8
Bank credit (money supply)	21.2	17.4	10.7
Total	85.5	141.6	146.5
Percent of increase accounted for by—			
New savings	75	88	93
Expansion in money supply	25	12	7
Total	100	100	100

Of the $146.5 billion increase, $135.8 billion has come from existing funds of nonbank investors (which amount may be called savings), and only $10.7 billion from bank credit expansion, or increased money supply (new and additional spendable dollars). The total increase has been adequate for our most healthy economic expansion in many years. The growth in the money supply, at the rate of only 2 percent per year, has prevented any objectionable bank credit inflation. The secret of success in providing adequate funds for proper expansion without inflation is to encourage savings as the principal source. That we have done.

The foregoing table points out three most important facts:

(i) Total loans have increased substantially in the past 4 years, indeed more than in either of the two preceding 4-year periods.

(ii) This increase has been primarily in private credit, credit to buy homes, cars, consumer goods, rather than tanks or guns.

(iii) This increase has come much more from savings and less from bank credit expansion than in prior years, hence it has been much less inflationary.

The Federal Reserve policy of not encouraging more rapid bank credit expansion has been based on the premise that further expansion of bank credit would merely have enabled more would-be buyers to bid up the price of the limited supply of goods and services. This policy has been necessary and in the best interests of the great majority of our people. But despite the substantial credit expansion that has taken place, since there has been less new credit created than the demand therefor, there has been some disappointment, and in some cases, real hardship.

It is said that the unavailability of unlimited credit has been particularly burdensome on the housing industry, on small business, and on State and municipal projects. As these areas are very important to all of us, perhaps we should briefly review them.

(a) Housing: It is charged that we have impeded the flow of credit to housing. During the past 25 years, far from restricting credit to housing, the Government has greatly increased the volume of credit available to this industry, over what it would be in a normal free market, by stepping in and guaranteeing the payment of millions of homeowners' mortgages. This has helped to provide many Americans with homes which they otherwise could not afford. On the whole, this has been a good program, but we must recognize that it has introduced certain artificialities into the free market for the purpose of diverting credit from other uses into home mortgages, credit that wouldn't be available to housing without these Government guaranties. That was true under the prior administration; it is true under this administration.

Has this administration restricted the terms of new housing loans? We have not; we have relaxed them. We have lowered the minimum downpayment on FHA loans, and we have permitted 30-year loans in place of the former 25-year maximum. We have materially liberalized FHA mortgage terms on existing homes. In addition, FNMA special-assistance programs have been innovated since 1952 to provide mortgage support for relocation, redevelopment, and rehabilitation housing under sections 220 and 221 of the National Housing Act, for housing for the elderly, and for Capehart military housing. Also, the voluntary home mortgage credit program, started in 1954, has helped obtain home financing for veterans and others in small and remote communities, and for minority group members.

Has the administration restricted the availability of mortgage funds by curtailing the FNMA secondary market operations? Again, let's look at the record.

Purchases of mortgages by FNMA in the secondary mortgage market, during the last 12 months, have totaled nearly a billion dollars, an amount surpassed only in the calendar year 1950. Furthermore, in 1950 all of those funds were provided by the Treasury; under the sounder participating program as Congress has now revised it, the funds largely come from private sources.

According to preliminary figures, in May of this year there were 96,000 private nonfarm housing starts. This is a second consecutive monthly increase on a seasonally adjusted basis, and brings the annual rate of new housing starts in May up to 990,000. While this is somewhat below the annual rate of 1,146,000 starts in May a year ago, and even further below the 1,398,000 rate in May 1955, it is still a substantial volume of housing.

There are undoubtedly many contributing causes to this decline. For the past few years home construction has been running ahead of new family formation, with a consequent reduction in the backlog of young families needing a home. Building costs have risen substantially in the past 10 years. The price of land has also risen, as have State and local taxes, which are an element of cost. As the aggregate of these costs results in substantial increases in the price of a home, the number of potential purchasers is reduced. This cost increase has been accentuated by the host of new labor-saving appliances and luxury equipment which our people feel are now necessary in a home. There has been actual overbuilding in some localities and a diminishing supply of desirable building sites in others.

All of these factors have had an adverse effect on new home construction, but the unavailability of unlimited mortgage credit is also a major factor, and it falls most heavily on those who heretofore have been able to obtain mortgage credit only through Government assistance.

The number of new homes financed through conventional mortgages (based entirely on the credit of the borrower and the amount of his equity) has not declined. Indeed, the number of such housing starts so financed in the first 5 months of this year (269,400) was slightly higher than the number so financed in the first 5 months of last year. It is the Government-guaranteed mortgages which are finding the less receptive market. The number so financed in the first 5 months of this year (114,200) was 42 percent less than the number financed in the first 5 months last year. This decline is due to the lower interest rate which such guaranteed loans bear. The increase in the maximum rate on FHA loans from 4½ to 5 percent has given such financing renewed strength, but the lack of Congressional authorization of an increase in the rate on VA-guaranteed mortgages has made it increasingly difficult for a veteran to obtain such a loan.

The significance of rate limitations is indicated by the most recent figures. Housing starts financed by conventional mortgages increased from 63,900 in April to 69,000 in May (which compares with 64,500 in May 1956). Housing starts under the FHA program increased from 12,100 in April, to 15,000 in May (as compared with 19,700 in May 1956). Housing starts under VA inspection declined from 13,500 in April, to 12,000 in May (compared with 26,600 in May 1956).

Thus it appears that there is only a relatively limited supply of mortgage credit available for the small downpayment, extended terms, and 4½ percent interest rate on VA-guaranteed loans. There is a substantial volume of mortgage money available for FHA-insured mortgages at the 5 percent rate, although there is some insistence on higher downpayments than the minimum permitted under FHA terms. There appears to be sufficient mortgage credit available to finance those borrowers who can make an adequate downpayment and pay the going rate of interest.

This is the result of a free money market. It undoubtedly has caused many young families to postpone the purchase of a new home. Their disappointment, and that of the builder, is understandable. Yet how much better off would they have been if a more than adequate supply of credit had brought about increased prices not only of their home but of all of the other articles which they desire?

(b) Small business: I am sure that there have been some small-business firms which have been unable to obtain all of the credit that they would have liked at the rates they would like to pay. I believe this has been true in every year through history, and it has been true for each of the past 4 years, but this does not mean that there has been any reduction in the dollars of credit extended small business in the past 4 years. Quite the contrary. Both the number and amount of loans made to small business have been increasing substantially.

In this connection we must remember that the great majority of our banks are themselves quite small and the size of the loans they can make is limited by law. Of the 13,101 insured commercial banks in the United States, 10,853 have deposits of less than $10 million each, and, in general, cannot make loans above $100,000. Total loans of banks in this category increased by almost $2.1 billion during the past 4 years, an increase of 19 percent. Virtually all of their loans are to farmers, homeowners, consumers, and small-business firms.

Another 1,802 banks generally can make loans up to $500,000, but most of their loans would actually be in amounts of less than $100,000. Total loans of banks in this category increased by $4.4 billion during the past 4 years, an increase of 44 percent.

The remaining 446 banks do indeed represent almost 65 percent of the Nation's deposits, and are of great importance to the economy. They are the primary source of bank credit to larger business firms, but even they make many loans to small business. A survey made of a representative group of 78 such large banks indicated that in the year from September 1, 1955 to August 31, 1956, their small-business loans (for amounts of under $100,000) had increased by $228 million, or 14 percent, and that the number of such loans had increased by 5 percent. Within this group there was more of an increase, both in numbers and dollar-

amount, in the loans under $50,000 than in those between $50,000 and $100,000.

While it is true that total business loans of banks increased somewhat more rapidly than those loans for amounts under $100,000, this is a pattern which would be expected in such a period of rapid economic expansion for the cyclical heavy goods industries naturally tend to require a larger volume of credit in such a period. At all times the established, successful firm is more able to obtain necessary credit than is the new, unproven or unsuccessful company, and this is particularly true of a period of credit stringency. Not all firms have obtained all of the credit they have wanted. Yet, in the aggregate, they have obtained more than ever before.

In addition to the increased amount of bank credit received by small business during the past 4 years, there has also been a sizable volume of book credit extended by larger firms to smaller firms (distributors, merchants, and suppliers).

I do not mean to minimize the disappointment, inconvenience, and in many cases, real hardship, that some businesses have experienced because of their inability to obtain as much credit as they would have liked.

Indeed this is a matter of deep interest to the administration, which, as you know, has supported the creation of the Small Business Administration, the enactment of improved tax laws and the granting of exemptions from certain Securities and Exchange Commission regulations. In addition, we have made vigorous efforts to see that more defense work is subcontracted to smaller firms.

I understand that you intend to invite Mr. Mueller, Assistant Secretary of Commerce, to testify before you, and I believe he will discuss the matter of small business financing at somewhat greater length. I do, however, want to make the point that there has been a large volume of credit available to, and used by, small business in the past 4 years.

(c) States and municipalities: In the past 4 years, a quarter of a million new schoolrooms have been built for our youngsters. Total public construction in 1956 was 23 percent above 1952 levels, and educational construction up 56 percent.

During 1956 alone, new borrowing by States and municipalities totaled $5.4 billion, and during the last 9 months for which figures are available, more elementary and secondary school bonds were sold than in any 9-month period in our history.

State and municipal financing has increased by $18.8 billion in the past 4 years. This is more than it has ever increased in any other 4-year period, and compares with $11.5 billion during the period 1948–52.

These figures do not demonstrate any extraordinary burden on State and municipal financing from lack of available credit. Undoubtedly, local governments have been unable to obtain all of the funds they would have wished, but they have built more and financed more than in any other 4-year period.

The Federal Reserve's monetary policy for the past 4 years has been, and is, one of discouraging the growth of credit at quite as rapid a rate as would-be borrowers desire. As a consequence, some individuals, some home purchasers, some small businesses, and some municipalities, and other categories of our citizens, have felt some pinch as a result of limited credit. But—

In the past 4 years, small loans to business have increased substantially.

In the past 4 years, $57½ billion has been spent for housing—as much as had been spent in the preceding 6 years.

In the past 4 years, $16.7 billion has been spent for new highway construction—more than had been spent in the preceding 11 years.

In the past 4 years, $8.8 billion has been spent for school construction—more than had been spent in the preceding 20 years.

This is not the record of extreme credit stringency. Any freer credit would have inflated prices.

2. By permitting interest rates to rise: The Federal Reserve's abandonment of its pegging of prices in the bond market has prevented an unlimited growth in credit. It was intended to, and did, slow the rate of growth of bank credit. It also has resulted in some increase in interest rates. It is alleged by some that this increase in interest rates has brought about a severe increase in the burden of taxes and in the prices we pay for manufactured goods, or utility services; that it has materially increased farmers' costs, or the price of a home. Is that true?

Higher interest (although the result of a lesser supply of credit than the demand therefor, a condition which prevents far greater inflationary increases in other costs) is itself an element of general costs and in some cases may be reflected in higher prices. However, interest payments are such a small fraction of the total cost of business operations, that a rise in the rate does not represent much of an increase in total cost.

(a) The interest burden on the taxpayer: Total budget expenditures for fiscal 1957 are estimated at $68.9 billion. Of this, $7.2 billion, or 10.4 percent, represents interest expenditures. The per capita cost of all expenditures of the Federal Government for this fiscal year is $406; for interest alone, the per capita cost is $42.40. In 1952, interest on the public debt was $37.57 per capita. Thus the increase in interest on the public debt during the past 4 years amounts to less than $5 per person.

(b) The price of manufactured goods: In 1946, gross sales of all manufacturers amounted to $132 billion. Manufacturers had net interest expense in that year of about $154 million, equal to one-eighth of 1 percent of total sales. In 1952, interest expense had increased to about one-fourth of 1 percent, and on the basis of limited information now available, it appears that the 1956 ratio will be about one-third of 1 percent. Thus, interest costs are only one-third of 1 percent of the average sales price of manufactured goods. Of the cost of an article selling for $100, about 33 cents represents interest, with no more than 10 cents of that representing an increase since 1952. Furthermore, the increase in this minor item of interest costs reflects an increase in the amount of debt as well as an increase in interest rates.

The relative unimportance of interest as a part of total costs is reflected in the fact that during the same 10-year period, prices of goods that consumers buy rose 27½ percent, or $27.50 on a $100 item (due to labor and other costs), compared to the 20-cent increase due to higher interest. The far greater significance of the increase in labor and other costs is reflected quite clearly in the price of consumers' services which have risen 43½ percent during the same 10 years.

It is apparent from these figures that even with increased interest rates and increased indebtedness, the burden of interest costs on manufacturers in reference to their total costs is very slight. The effect of higher interest on the sales price of goods is hardly significant.

This is even more apparent when we compare the increased costs of the last year. Prices of goods bought by consumers (which reflect material, labor, interest, and profit) have risen 1.3 percent. The price of consumers' services (which reflect primarily labor costs) has gone up 2.3 percent.

(c) Public utility rates: It has been suggested that higher interest rates lead to substantial increases in public utility rates. This sounds plausible because public utilities rely heavily on bonded indebtedness. However, the latest figures available indicate that the net interest expense of public utilities is still less than 4 percent of gross revenue—the same proportion as in 1952. Even for electric utilities, where average interest cost on long-term debt now exceeds 5 percent of gross revenue, the relative cost of interest has risen very slowly. The estimated average of 5.2 percent for both 1955 and 1956, compares with 4.8 percent in 1952 and 5 percent for 1946.

(d) Farmers' costs: Difficult as the farmer's position has been, it is not the result of interest rates. The Department of Agriculture estimates that only about 5 percent of farmers' costs are for interest. Interest rates on farm loans outstanding in insured commercial banks on June 30, 1956, averaged 6.1 percent. This was four-tenths of a percentage point higher than the average rate reported in a similar survey made in 1947. Thus this four-tentha of 1 percent increase in rate would be less than one-half of 1 percent of his total costs, or 5 cents on a sale of $10 worth of farm products.

(e) The cost of a home: The effect of higher interest rates in relation to the decline in private non-farm housing starts from 465,000 units in the first 5 months of last year to 384,000 for the same period this year, has been grossly exaggerated. Housing is perhaps the most dramatic example of the effect of rising costs. Hourly wage rates in building construction have risen 21 percent in the past 4 years. In the manufacture of some products, the increased cost due to hourly labor rates has been offset by greater efficiency. Through use of additional capital goods (tools), the productivity per man hour has been increased enough so that the total cost has been kept fairly stable. This is true of most of our home appliances. However, in those fields in which mechanization is not practicable or in which restrictive practices or legal requirements have prohibited maximum efficiency, the cost of the finished product has risen in close relation to the increase in hourly labor rates. There is no better example of this than housing.

Many home purchasers consider only the size of the required monthly payment—not the number thereof or the elements that make it up. To them, interest is of no significance. To the more sophisticated purchaser who inquires as to the component elements in his mortgage payments, increased interest rates are small in relation to increased labor and material costs. This is apparent if we compare the cost and financing charges of the same house in the spring of 1946, 1953, and 1957. Let us take as an example a house that cost $10,000 to build in the spring of 1946, and compute the required monthly payments on the basis of 15 percent down and the balance over a period of 20 years.

	Spring of—		
	1946	1953	1957
Estimated cost of house	$10,000	$17,300	$19,000
Interest rate (FHA) (percent)	4	4¼	5
Monthly payment (for 20 years)	$51.51	$91.06	$106.58
Increase in cost of house since 1946	----------	$7,300	$9,000
Increase in monthly payment since 1946:			
Due to interest rate	----------	----------	$8.71
Due to other costs	----------	----------	$46.36

The monthly payment has more than doubled in 11 years. Of this increase of $55.07, $46.36 reflects higher labor and material cost, and $8.71 is due to higher interest rates. During the past 4 years in which our policies have resisted inflation, the sales price of that house has gone up much

less (about $400 per year as compared to about $1,000 per year from 1946 to 1953). Which has been the major factor in discouraging construction? The $9,000 increase in building cost ($46.36 per month), or the 1-percent increase in the cost of interest ($8.71 per month)?

While interest is an element in the cost of mortgaged homes, the increase in interest rates has not been the major factor in delaying home construction. Mortgage interest rates were higher in 1955 than in any prior recent year, yet new nonfarm housing starts were the second highest in history, at more than 1,300,000.

Almost 5 million new dwelling units have been built in the past 4 years. Less than 3½ million new households have been formed in that period, so that 1½ million units have gone to satisfy prior shortages and to cover houses abandoned or razed to make way for new construction. The proportion of married couples without their own household has declined 21 percent since 1952.

A strong desire continues to exist for better housing—but it is hindered from becoming an effective demand by today's inflated prices. To attempt to force an acceleration in home construction today by making more credit available for housing would add further to the already increased building costs. This would not only be inflationary; it would encourage uneconomic practices and curtail the new construction that we might otherwise expect in years to come.

The foregoing review of the effects of this administration's fiscal policies indicates that the supply of credit has not been reduced. The supply of credit has merely been prevented from expanding as rapidly as the demand therefor. This slowing of the rate of growth of credit has inconvenienced those who have found credit unavailable, and imposed a higher charge on those who have borrowed. These results are hardly welcomed for their own sake—but they are the price we have had to pay for the price stability that we have achieved in the past 4 years. This has been a far greater stability in prices and in the purchasing power of the dollar than we have enjoyed for two decades. Faced with this choice between the inconvenience of limited credit and the robbery of renewed inflation, our people would certainly choose the course which we have pursued for the past 4 years.

CONCLUSION

I have attempted to review for you the conditions existing when the Eisenhower administration took office, the goals that the President set for us, and our progress toward those goals.

We have not achieved perfection. We have been unable to fully accomplish some of our debt management objectives. We have perhaps checked, but not entirely stopped inflationary pressures. In the process, some of our citizens, some of our municipalities, and some of our businesses, have been unable to obtain all of the credit they would have liked. We have had a large measure of success in encouraging the initiative of our citizens, but not every business has prospered as much as it might, nor every citizen had all of the comforts he would enjoy.

I acknowledge imperfections in our accomplishments, but I entertain no doubts as to the propriety of our goals or the wisdom of our policies. To aid you in your consideration of the alternative courses, and to help you measure their promises against the actual results of the past 4 years, let me remind you of some of our achievements.

When we took office in 1953, the Federal debt was equal to 89 percent of our national income—in December 1956, it was 79 percent.

For the fiscal year 1953, budget expenditures were $74.3 billion, and for the year 1957, they are estimated at $68.9 billion, and $71.8 billion for 1958.

For the fiscal year 1953, the budget resulted in a deficit of $9.4 billion—for 1957, it will result in a surplus.

From 1939 through 1952, the cost of living increased an average of 7 percent a year—for the past 4 years, the average increase has been only six-tenths of 1 percent.

In the past 4 years, civilian employment has risen 6 percent, average weekly earnings of production workers in manufacturing have risen 18 percent, and after allowance for the 2.4 percent increase in consumer prices which occurred between 1952 and 1956, the gain in workers' earnings, after taxes, amounted to about $10 per week, or more than 15 percent.

Personal income of individuals has risen every year, from $272 billion in 1952, to $325 billion in 1956, a gain of 20 percent, and an estimated $340 billion for 1957.

Labor income has not only risen in dollars; it has increased from 67.2 percent of national income in 1952, to 69.8 percent in 1956 (while corporate profits declined from 12.7 percent of national income, to 11.9 percent).

Striking achievements have been made in housing. The 5 million dwelling units that were constructed exceeded the number built in any previous 4-year period and substantially enlarged the housing stock available to the American people. There were improvements in the size, design, and equipment of new homes, and sizable outlays for repairs and alterations added to the comfort and convenience of existing homes. A growing proportion of our homes were owner-occupied—60 percent in 1956, compared with 55 percent in 1950.

This is a gratifying record of the improvement in the level of living that can be achieved only through a vigorous competitive, free-market economic system which offers both individual freedom of choice and the stimulation of initiative through personal incentive. In particular, it shows the capacity of such a system to bring about confidence and daring in enterprise, and widespread participation in the benefits of economic expansion. This is in sharp contrast to the artificial restrictions, interferences, and controls of a paternalistic bureaucracy.

The past 4 years have demonstrated the ability of the Nation's private economy to expand, to provide an increasing number of better jobs at better pay and to raise levels of living. These 4 years have tested the capacity of our economy to adjust to large changes in the pattern of demand and the effectiveness of public policies designed to promote growth of individual freedom and stability in the economy. Because the problems are continually changing in a dynamic economy, policies aimed at promoting stable growth must be flexible. This fact was well illustrated in the past 4 years of the Eisenhower administration. Our problems have shifted from those of a controlled wartime economy to those of a rapidly widening prosperity. We have been able to encourage this prosperity.

Through the flexibility of monetary and fiscal policies, the Government has been able to adjust to the rapid changes in our economy. We have moved forward toward our goals and demonstrated the great capacity of a free economy to correct imbalance and to maintain growth with a high degree of stability.

We have accommodated the reduction in wartime Government spending, accompanied by record-breaking tax reduction, and offset a threatened decline in employment and business activity in 1953–54. We have encouraged an expansion of enterprise to new high levels, and through expenditure and debt reductions, as well as debt management, we have slowed the growth of inflationary credit. We have encouraged a rapidly rising economy which has brought more wealth, more purchasing power, more comfort, more jobs, more homes, more luxuries, more leisure, more education, and more security to our people than they have ever enjoyed before.

Gentlemen, I take great pride in making this report.

THE HUMPHREY-BURGESS RECORD

Mr. WILEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article entitled "The Humphrey-Burgess Record," written by Nate White, business and financial editor of the Christian Science Monitor.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE HUMPHREY-BURGESS RECORD

(By Nate White)

NEW YORK.—Here in the financial district where the United States Government's immense financing programs are launched, the assessment of the accomplishments the past 4½ years of George M. Humphrey and W. Randolph Burgess is under way.

In another 2 weeks the United States will close its books for the current fiscal year. This will mark also the conclusion of 4 full years of Government financing by the Secretary of the Treasury and his competent undersecretary, both of whom will leave the Treasury service soon.

What is the record?

No two men approached their Federal service with more diligence, solid conviction, and business and financial competence than Mr. Humphrey and Mr. Burgess. Secretary Humphrey's complete devotion to his concept of a stable dollar, a balanced administrative budget, and debt reduction is a matter of record. To achieve this concept during his stewardship in the Treasury he applied all the toughness gained from years of financial experience in the business world.

Undersecretary Burgess entered the Treasury equipped with a knowledge of monetary and fiscal policies and an understanding of the role of debt management in the economy without precedent in the Treasury.

It is clear from the record that each official has waged some important battles. They have won some. They have met some hard defeats because of the times in which they live. They have made some strategic gains for the long term, and they have established some principles of policy which will continue to operate long after their departure from the Treasury.

The big story is in what has happened to the Federal debt under the Humphrey-Burgess attack.

Few folks realize what a whale of an impact the United States debt exercises on the economy. It is an undramatized, headlineless impact. But it is always there—pressing hard.

Whether one belongs to the liberal economic school which says that concern about the debt is old-fashioned, that the debt can be made into a good thing, and that the country has not begun to live up to it, or whether he belongs to the school which makes a fetish of debt reduction, there is general agreement that the debt has reached proportions which are times have seemed unmanageable.

This is one of those discouraging times. The Humphrey-Burgess team has made steady inroads on the debt. In the past year they paid of $6 billion. From July 1 last year through March this year, 9 months of fiscal 1957, the Treasury showed a budget surplus 3 months out of 9, and a surplus for the year. The net debt stood at $272.8 billion last June 30. It was at $275.1 billion for the

latest figures, March this year. Fiscal 1953 when the Humphrey-Burgess team began operations showed a net debt of $266.1 billion.

On the surface this looks like a staggering defeat. What doesn't show is the steady increase in Government expenditures, the steady increase in Government costs due to inflation, and the steady increase in interest rates. These increases have been accompanied by substantial revenue increases which enabled Mr. Humphrey and Mr. Burgess to bring about the debt reduction of last year.

The big problem which has beset the Humphrey-Burgess team has been the problem of refinancing the debt as it came due. Calendar 1956 saw the Treasury going to the public to refinance $67 billion.

This large requirement put a pressure on the money market and the economy which cannot be estimated in any understandable terms. At the same time the interest rate on all types of securities was rising. Secretary Humphrey's natural business instincts would favor a higher interest rate. He remembers a 7-percent interest rate in the late 1920's. A natural opposite to cheap money would be money with a higher interest rate.

The Treasury's refinancing needs, however, put the Secretary in a position where he had to pay higher and higher interest on every new or refinanced Government security. The net effect of this was to put the Treasury in the growing business of issuing 91-day bills or securities with a 1-year maturity date. Marketable debt due within 1 year rose $8 billion last year. It reached $68.5 billion. Short-term debt represented at the end of calendar 1956 43 percent of the United States total net debt.

This short-maturity problem in the debt put the Burgess objective of stretching out the Federal debt over the long term in a straitjacket.

Even so, Mr. Burgess can leave the Treasury pointing to substantial gains. In 1952, just before he entered the Treasury, the short-term or 1-year-maturity debt totaled $80 billion, or 52 percent of the marketable debt. Last September the figure stood at $70 billion, or 45 percent of the marketable debt. The net gain in stretching out the debt was obvious. There is still much to be desired in getting the debt into long-term securities.

Mr. Burgess' main contribution would seem to be in this area of trying to lessen the economic impact of Government financing on the economy as a whole.

Coupled with this achievement is the Federal Reserve policy of credit restraint. Hand in hand the two agencies have helped slow down inflation. Humphrey-Burgess policies of debt management have marked a turn forward in responsible government.

AMVETS MEMORIAL SCHOLARSHIP PROGRAM

Mr. BUSH. Mr. President, I had intended at 2:30 this afternoon, by request of the AMVETS, to make a brief statement concerning the award of the AMVETS memorial scholarship to Miss Susan Ellen Zaur, of Fairfield, Conn., but I hesitated to interrupt the debate then in progress in order to do so.

Therefore, I ask unanimous consent that the statement which I should have made while Miss Zaur and others interested in the AMVETS memorial scholarship program were in the gallery of the Senate, a statement complimentary to the AMVETS and to my young constituent, Miss Zaur, of Fairfield, Conn., be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH

Many of my colleagues may be familiar with the AMVETS memorial scholarship program. Each year since 1952, this organization of the veterans of World War II and the Korean conflict have been providing a number of college scholarships to the sons and daughters of men who are deceased or who were totally disabled in the service of our Nation.

Seated in the gallery is a representative group of the winners of this year's national competitive examinations. I am proud to say that among them is a young lady from my State. She is Miss Susan Ellen Zaur, from Fairfield, Conn.

I am sure my colleagues are happy to take this opportunity to add our words of congratulations to those voiced yesterday morning by President Eisenhower in the awards ceremonies held at the White House.

During the past 6 years AMVETS have awarded a total of forty-seven 4-year college scholarships. It is interesting to note that many of these winners are preparing for and have entered fields in which there is a critical shortage of qualified personnel, such as teaching, which Miss Zaur has selected as her career objective, the sciences, and other technological fields.

By their scholarship program, AMVETS are not only materially assisting those children in furthering their education, but are also making a major contribution to the security of this country.

ORDER FOR ADJOURNMENT TO WEDNESDAY

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. BUSH. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared concerning the International Atomic Energy Agency.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BUSH ON THE INTERNATIONAL ATOMIC ENERGY AGENCY

We are faced here with a problem which contains two major factors: First, the practical matter of making a worldwide atoms-for-peace program work, and second, the world leadership which the United States has demonstrated in the quest for peace with justice.

As to the first factor, I am persuaded that the machinery set up by this statute is safe, sound, and workable. The few risks inherent in any such undertaking (and freely admitted by the executive branch), seems to me pale in comparison with the good this Agency can do and, perhaps more important, the harm it can prevent.

I need not remind this body of the danger that lies in the possibility of the manufacture of nuclear weapons by nations other than those now possessing weapons programs. We are all alive to the fact that such weapons in irresponsible hands would represent the utmost in peril to the survival of the civilized world. This Agency represents the best hope of controlling that situation that has yet appeared.

In London our representatives are working earnestly to achieve at least a partial agreement—a start on the road to the disarmament for which the world is anxious. Their work and the work of this Agency will supplement each other, and success in either field will automatically enhance the chances of success in the other. Let me give just two examples of what I mean:

It is well known that one of the major barriers to agreement on disarmament has been the question of inspection and control. Even now, when the Russians have proposed a modified version of President Eisenhower's open-skies plan, there is no guaranty that agreement on these matters is just around the corner. On the other hand, the 81 nations who negotiated this atomic statute have agreed on a system of inspection and control; they have agreed unanimously that such a system is indispensable if we are to be secure in the knowledge that material in Agency projects will not be diverted for military purposes. An inspectional system, therefore, will shortly be in operation, and it will demonstrate that such things can be achieved through international cooperation, that they can be accepted by sovereign states without pain or loss of pride. This is one of the ways in which this Agency can help in other fields.

On the other hand, any success on the disarmament side is bound to help the Agency. In addition to the relaxation of tensions, it will release materials and manpower for the peaceful uses of the atom—it will put the atomic millenium much more nearly within the reach of all.

So much for the first of the major factors of which I spoke at the outset: The question of making this great concept work. I should now like to dwell briefly on the other major factor, the factor of American world leadership for peace with justice.

For many centuries thoughtful men have been seeking for peace. It has indeed been a frustrating and unsuccessful search. Yet, as new weapon followed new weapon and war followed war, we have all become more and more convinced that peace is not just a desirable goal: It is an absolute necessity for survival.

Over the past half century the value of international cooperation has been slowly but steadily emerging. It has made progress in spite of the failure of organizations like the League of Nations and the shortcomings of the United Nations. Today, many international organizations are resounding successes, respected and supported by the nations of the world. This Agency will take its place in the forefront of that group.

I say this because of the extraordinary unanimity displayed by 81 sovereign nations in voting approval of this statute—a document which many of them understood thoroughly would set them on an untrodden path. And it has been United States leadership and patient persistence which brought about what was described by veteran observers as a real miracle. All the way from December 1953 to the present, from President Eisenhower's great speech revealing the concept to our ratification action today, it has been American vision and drive which has provided the major fuel to the effort.

This leadership will be confirmed and continued by our action in the Senate, for it is unthinkable that this body would do other than approve ratification, and we will be closing another chapter of one of the most inspiring stories ever written.

We have been proud of our scientists and experts when they have achieved scientific

breakthroughs enabling us to develop and enjoy all the wonders of modern living. We should be no less proud of our participation in the building of this Agency, for it represents a breakthrough in international relations—a breakthrough of such proportions as to stagger the imagination. Let us recognize this as one great opportunity for us all—the opportunity to move the world a giant stride toward peace.

Mr. BRICKER obtained the floor.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. BRICKER. I will yield to the Senator provided I do not lose the floor.

Mr. JENNER. I should like to suggest the absence of a quorum.

Mr. BRICKER. Mr. President, I ask unanimous consent that I may yield to the Senator from Indiana for the purpose of suggesting the absence of a quorum without my losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JENNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JENNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ATOMS FOR PEACE, ATOMS FOR POWER, AND ATOMS FOR WAR

Mr. BRICKER. Mr. President, I wish to speak on a matter which is germane to the issue now before the Senate. I wish there were more Senators present to confer with me on this matter, because to my mind it is one of the most vital and one of the most important matters the Senate has had to consider since I have been a Member of the Senate.

Mr. President, I dislike to oppose an international treaty which seems to meet with such hearty approval, in view of the speeches we have heard during the last day or two on the floor of the Senate. However, there are some matters which must be called to the attention of the Senate before the final vote is taken.

Some of the matters to which I shall refer were not considered by the delegates to the international conference which drafted the statute. I do not criticize them for that. For one reason, they were outside of their competence. In the second place, the information to which I shall refer was not available to them at that time. Neither was it available to the Foreign Relations Committee when it was considering this statute. No witnesses were called before that committee to ascertain the facts which I shall present this afternoon or to discuss the dangers which are attendant to them.

Mr. President, in the present case we are dealing with a subject matter which promises good or evil to the world; and this whole program is fraught with grave dangers which the Senate should consider before it votes to ratify the statute.

Mr. President, I oppose ratification of the statute of the International Atomic Energy Agency in its present form. The activities of this global atomic-energy agency will, more probably than not, produce the following undesirable consequences:

First, a universal, enforcible plan of disarmament will become far more difficult, if not impossible, to achieve.

Second, the danger of worldwide atomic warfare will be increased.

Third, radiation hazards to world health may exceed limits which are biologically and morally tolerable.

Fourth, the military potential of Communist countries will be enhanced to some extent.

For these reasons, approval of the treaty as written would be, in my judgment, an act of suicidal folly.

ATOMS FOR PEACE

The phrase "atoms for peace," which has been repeated time and time again on the floor of the Senate during the past few days, when applied to the pending treaty, is a misnomer. The treaty is not limited to international cooperation in the benign uses of the atom. If the treaty concerned only peaceful applications of atomic energy, I would favor ratification without amendment or reservation.

Mr. President, I wish to say that, as my colleagues on the Joint Committee know, no one was more interested in, and sincerely devoted to, obtaining in 1954 a bill which would promote the peaceful uses of atomic energy than I was. Ever since 1947, I have sat on the committee; and for many, many years we heard of nothing but destruction and bombs, war, and terror. It was with a great new hope that we were able, in 1953 and 1954, to begin to give our attention to the peaceful uses of atomic energy.

However, the pending treaty does provide a mechanism for disseminating widely and equitably the benefits of safe atomic science. Research reactors, technical information, basic scientific training, radioactive isotopes for physical, biological, medical, industrial, and agricultural research—these are what are meant by "atoms for peace." Moreover, most of the benefits of atomic energy stem from the use of the atom as a research tool and from the industrial use of radioisotopes and pile radiation.

President Eisenhower deserves the highest praise for proposing an international pooling of talents and materials to promote peaceful uses of the atom. As I said before, if the pending treaty involved "atoms for peace," and nothing more, I would vote for it without dotting an "i" or crossing a "t." However, the treaty does concern something more than "atoms for peace." It is not limited to safe atomic science. It also involves "atoms for power," and the very real danger that "atoms for power" will become "atoms for war."

Furthermore, everything here proposed in regard to the peaceful uses of atomic energy can be properly carried out under the bilateral program now in effect and working successfully, wherein 48 bilateral agreements have been entered into by our Government, and have been carefully surveyed by the Joint Committee on Atomic Energy. But, Mr. President, in my judgment this program will put an end to the bilateral program which now is operating.

ATOMS FOR POWER

It is a pity that atoms for peace has been so often equated with the production of electric power. Industrial atomic power development involves grave health hazards, extreme military dangers, and benefits considerably less than those which are now being derived from safe atomic science.

What the pending treaty involves primarily is an international nuclear power program. The legislative history of the treaty and its specific provisions indicate that the International Atomic Energy Agency will be concerned principally with atoms for power, and only secondarily with atoms for peace. Virtually all the testimony before the Senate Foreign Relations Committee concerned the industrial atomic power aspects of the treaty. At the hearings I asked Admiral Strauss if the statute, as drafted, did not in fact subordinate atoms for peace to an atomic power program. He replied that he "would hate to designate it as an atomic power program because those of us on the Commission feel that the use of radioactive isotopes will in the course of time become equally as important as power." I disagree with the priority given to atomic power development, not only because of the inherent military and health hazards, but because the major benefits from atomic energy for many years to come must stem from the research reactor and isotope programs.

ATOMS FOR POWER—ENHANCEMENT OF COMMUNIST MILITARY STRENGTH

Can special fissionable materials made available by the United States to the Agency be used by recipient countries to supply power for a munitions plant? The answer is, "Yes."

Can the nuclear power be used to operate a jet plane factory? The answer is, "Yes."

Can nuclear power from fissionable materials supplied by the United States be distributed to an atomic weapons plant without violating the terms of the treaty? Again, the answer is, "Yes."

When I put these questions to Admiral Strauss, he admitted that the recipients of the fuel could use it to supply electricity to a munitions plant, a jetplane factory, or even an atomic weapons plant, without violating any provision of the treaty. In other words, there is nothing in the statute that controls the end use of nuclear power. To promote such a program under an atoms-for-peace trademark is deceptive, to say the least.

It should be obvious that the atoms for power part of the Agency's program will increase to some extent, the military strength of Soviet satellites and of Red China, after Red China is admitted to membership, if she is. Presumably, the Soviet Union itself will not be a recipient of fissionable materials because it is a potential, although altogether unlikely, supplier. Whereas Red China's admission to the U. N. requires a two-thirds vote, her admission to membership in the International Atomic Energy

Agency can be effected by a simple majority vote.

Once atomic material is made available to the Agency—and the President has already promised 5,000 kilograms at 20 percent enrichment of U–235—the United States is prohibited by article IX, J from designating the specific projects in which the material must be used.

In other words, when it is once committed, it is entirely out of our hands and subject to the control of this agency, in which the United States, although supplying practically all the materials, has 1 vote out of 23.

The United States therefore, cannot insist that its atomic materials not be used to generate power for the defense plants of Poland, Czechoslovakia, Rumania, Albania, Hungary, or, maybe later on, Communist China. Does anyone deny that a nation's powerplants are vital to the successful prosecution of war? It would indeed be anomolous for the United States to prohibit the export of conventional fuels and other strategic material to its potential enemies, while at the same time providing them by treaty with enriched uranium, the most strategic material of all.

ATOMS FOR POWER—THE HEALTH HAZARD

I desire to discuss with my colleagues the question of the health hazard, which was neither considered nor presented to the Foreign Relations Committee, and in fact, much of the information is not yet available in print for the public. I see the distinguished Senator from New Mexico [Mr. ANDERSON] present on the floor. He and I recently sat through about 3 weeks of hearings of the most technical character anyone can possibly imagine—so technical it was extremely difficult to appreciate the testimony at various times.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. I merely wish to say I appreciate the fact that the Senator from Ohio did sit through those hearings. There were many days when he and I felt it was a little above our heads. I congratulate him publicly for the fidelity with which he sat through the hearings.

Mr. BRICKER. I thank the Senator. He, too, is to be congratulated for his attendance at those meetings and his attention to the subject of the hearings.

Far more serious, in my opinion, than supplying part of the energy requirements of Communist countries is the increased danger to world health which an international atomic power program may entail. In the hearings before the Senate Foreign Relations Committee, this grave problem was not even discussed. I did ask Commissioner Murray to comment on a statement by Dr. H. Bentley Glass, of Johns Hopkins University, that industrial atomic power development may expose mankind to radiation far in excess of that resulting from the fallout from weapons testing.

By the way, Dr. Glass was one of the witnesses before the fallout committee to which the Senator from New Mexico and I referred a few moments ago.

Commissioner Murray said that, "We may be able in time to control this material from our atomic—power—reactors," but he admitted that the problem has not yet been solved.

That, Mr. President, is the basis for my statement that we are going too fast and too far in this program, without adequate consideration of the attendant dangers.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. REVERCOMB. I commend the distinguished Senator for his very able and very clear statement on the subject he is discussing. I am listening to him with interest.

In the beginning of this discussion a great deal was said about the danger of fallout. I believe that one of the first speeches made on the subject largely dealt with fallout and protection from it. What has fallout or the danger of fallout or the control of explosions got to do with the treaty? What relation is there, if at all, between the control of explosions of atomic weapons and the provisions of the proposed treaty?

Mr. BRICKER. The treaty does not deal with the explosion of bombs in any way, shape, or form, but, as I shall develop a little later, there is involved ionizing fission radiation emanating from utilization of atomic energy. As Commissioner Murray stated, that problem has not yet been solved in power reactors. The Congress will no doubt be requested—the Atomic Energy Committee has been considering the question—to authorize the Government's backing up insurance amounting to $500 million as against a power reactor accident that might imperil the health and safety of the people of a number of communities.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield.

Mr. REVERCOMB. From the extent of the discussion about controlling explosions and the danger of fallout, one might have been led to believe that there was some connection between the control of explosions of atomic material and the treaty now pending, which I understand provides for a pooling of atomic material. Is there any connection whatsoever?

Mr. BRICKER. There is no relation in any way.

Mr. REVERCOMB. My reason for making the inquiry was that we have been discussing the dangers of fallout and the need for something to be done to protect the people of the United States and of the world against the dangers of atomic explosions occurring in tests. That is a very important subject. But I have never yet heard it connected with the provisions of the pending treaty or the purpose of the treaty.

Mr. BRICKER. As I shall explain a little later, the testimony is not yet in print, though it will be, I hope, at a very early date. I refer to the testimony of the fallout hearings, wherein we were alerted, in the joint committee, to the dangers of a power reactor program. I shall give the figures a little later, as to what could happen in that field.

I agree with the Senator that there is danger. I do not think it has yet reached the point where we ought to be alarmed about the atomic explosions. We cannot unilaterally stop them in this country, unless there is a binding agreement, providing for inspection, among all of the countries that have bombs and are exploding them.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield further.

Mr. REVERCOMB. The Senator says he will discuss the danger of fallout and the danger of test explosions. What has that to do in any degree with the terms of the proposed treaty?

Mr. BRICKER. Only that ionizing radiation has the same effect upon human life, whether it comes from a power reactor, from an X-ray, from a fluoroscope, or from a bomb exploded in the air. It has the same deleterious effect upon human life.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield further.

Mr. REVERCOMB. Agreeing to the resolution of ratification of this treaty will not lessen in any degree atomic explosions, or control atomic explosions, will it?

Mr. BRICKER. It will not lessen the danger. It will enhance and increase greatly the danger.

Mr. REVERCOMB. Will it control the number of explosions or the extent and power of the tests?

Mr. BRICKER. It will have nothing to do with them at all.

Mr. REVERCOMB. That is the point I am attempting to bring out.

Mr. BRICKER. The treaty has nothing to do with them at all.

Mr. REVERCOMB. That is the point upon which I am trying to gain understanding, because there has been so much discussion in the course of this debate as to the danger of fallout to the people of the United States and indeed to the people of all the world. Why was that discussed in relation to this treaty, it it has nothing to do with it at all?

Mr. BRICKER. It has nothing to do with it at all; the Senator is entirely correct. I appreciate his bringing that subject up, because there might be some question on the floor about it.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from New Hampshire.

Mr. COTTON. I, too, am listening with great attention and with deep appreciation to the statement of the Senator from Ohio.

Along the line of the questions propounded by the distinguished Senator from West Virginia, in order to further clarify the point, it was my understanding that it was contended that the proposed treaty would have some impact on explosions of atomic energy, testing purposes, in that under the terms of the treaty there would be an opening wedge which would lead to certain mutual inspections. Would the Senator comment on whether or not that is a correct statement?

Mr. BRICKER. Such a statement has been made, and it was discussed in the Committee on Foreign Relations. I think that statement was made by the chairman of the committee in the Senate.

I do not believe that the one follows the other. I do not believe inspection of a powerplant would in any way enhance the program of inspections of the dispersal of bombs or the explosions which would take place in the world. I think that is something which must be worked out on a very high level between individual countries. I hope it will be done very soon and effectively, along with other disarmament programs. Mr. President, I might say to the distinguished Senator that in my judgment not only would the pending treaty not lead to an enforceable inspection system and arms control, but it might enhance the war potential and the arms potential of many countries which are not now in the bomb field. There is a possibility of that being the result, as I shall mention later.

Mr. COTTON. I thank the Senator for his statement.

Mr. HICKENLOOPER. Mr. President, will the Senator yield for a question?

Mr. BRICKER. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. One thing which was either developed in the hearings or discussed, with respect to whatever advantage might come from inspection as a protection against the possibility of any harmful radiation which might emanate from the atomic energy plants, was the fact that actually atomic energy development is going forward in the world apace, in any event, whether we sponsor it or whether we do not. It is going to be investigated, extended, and expanded. As it is expanded, if there is danger surrounding these plants or these experimental activities, without some sort of an international standard of safeguard and security, the safeguards against possible harmful effects of the plants in various parts of the world would be a hodgepodge of uncorrelated regulations and attitudes. Some would be good and some would be bad.

It has been argued—and I think persuasively, at least, so far as I was concerned—that the proposed International Agency, assuming that it established an adequate and proper scientific system of safeguards against the dangers, would be able to standardize safety throughout activities in the atomic field all over the world, and that would be a great step forward toward keeping safeguards out of a maelstrom of confusion and various degrees of inefficiency and incompetence.

Mr. BRICKER. Many countries, of course, are interested in developing a power program and developing it very rapidly. EURATOM is working on the program now. This treaty will not stop that in any way, shape or form, if they have the source of material.

Here it is proposed the United States shall offer to other countries 11,000 pounds of enriched uranium, enriched up to 20 percent, which will be available to be disposed of by the proposed International Authority. I want to know, before we enter into the agreement—and this has been my position all along—whether it is safe, and whether standards of safety are adequate for the protection of the public. We in this country do not yet know.

We have spent billions of dollars on research in the United States. We have put $14 billion into the physical assets of this program. It is costing approximately $2 billion a year to carry on the atomic energy program in the United States.

Until there are adequate safeguards and until there is an analysis of the evidence produced before the fallout committee within the past month, I think the Senate would be very foolish to go ahead with a treaty which would turn over the safeguards not to ourselves or to our allies, but to 80 countries represented by 23 countries, of which we will have 1 vote.

Mr. HICKENLOOPER. I do not think that is exactly correct.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from New Mexico.

Mr. ANDERSON. I desire about a second, to ask a question.

The Senator said it is proposed to turn over to other countries 11,000 pounds of enriched uranium, and then said it was 20 percent enriched uranium. The actual fact is that we will turn over 11,000 pounds of 100 percent uranium. We will not turn it over to other countries in the form of 20 percent enriched uranium.

Mr. BRICKER. Eleven thousand pounds of 100 percent enriched uranium.

Mr. ANDERSON. That would be 55,000 pounds of 20 percent enriched, or 110,000 pounds of 10 percent enriched uranium. It is 11,000 pounds of a complete 100 percent enrichment.

I think the Senator might put that into his speech, because it substantially increases the quality of uranium mentioned by the Senator.

Mr. BRICKER. That is the point I desired to make.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. In addition to that, we have to carry out our commitments under the bilaterals, do we not?

Mr. BRICKER. We certainly ought to. We are already bound to do that. We have entered into agreements with other countries. The Congress has authorized them.

Mr. BUTLER. Mr. President, will the Senator yield further?

Mr. BRICKER. I yield further.

Mr. BUTLER. Are we subject to the same hazard in carrying out of our bilaterals? Can they not use the material for the generation of power?

Mr. BRICKER. They could; but we have control over the conditions under which it is used. We have control over the amount we will furnish. We have control over all the conditions, and we have inspection rights, of course. Also, we have the right to train their scientists.

Mr. BUTLER. The difference between the bilateral agreements and the convention is that under the bilateral agreements we have absolute control, whereas under the convention we would not have.

Mr. BRICKER. We have no veto over the President unless we pass a bill or joint resolution rejecting some agreement he might negotiate, or a cooperative agreement deposited with the joint committee. It would require a two-thirds vote in both Houses to override a veto.

Mr. BUTLER. That is what I mean.

Mr. BRICKER. In other words, we would turn over to the Executive complete control over this great resource.

Mr. BUTLER. The Senator from New Mexico has enlightened us. I thought we were turning over 11,000 pounds of 20-percent enriched uranium.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. I will say to the able Senator from Maryland that I originally had the same impression. Then the statement was made that we might turn over uranium enriched to the extent of 1 or 2 percent. I calculated that if it were desired to enrich that uranium, the result would be a rather small supply.

But the situation was clarified. Eleven thousands pounds, or 5,000 kilograms, relates to the maximum concentration of 100 percent. On the basis of 20-percent enrichment, the quantity would be 5 times that much. On the basis of 2-percent enrichment, it would be 50 times that much.

Mr. BRICKER. That was not in the President's original statement, but the situation was clarified at the hearing by witnesses from the Commission.

Mr. ANDERSON. The Senator is entirely correct.

Mr. BUTLER. What is the value of that uranium?

Mr. BRICKER. According to the figure fixed by the Atomic Energy Commission and announced by the Chairman of the Commission, it figures out to about $88 million for the first supply. The testimony before the committee was also to the effect that that would be only enough power for the lifetime of the 3 power reactors.

What countries would get that material? Are not the other countries of the world entitled to it? Will not the demand be made upon us, not for $80 million worth of material, but for $1 billion worth of material, if we have it? In granting such a request, if we should do so in behalf of good international relations—and we are told that we should pour out our money and resources for that purpose—what would be the depletion effect upon our own resources in this country? Would we be selling out the heritage of our children, which they might need for power in the future?

Some day conventional fuels will become depleted. At that time these materials will become valuable here. At that time I hope there will be safeguards which will protect the health of the people.

Mr. BUTLER. Mr. President, will the Senator further yield?

Mr. BRICKER. I yield.

Mr. BUTLER. Has there been any evidence before the committee in connection with the production of uranium by the other nations of the world?

Mr. BRICKER. Only two other nations are producing enriched uranium to such an extent as to enable them to make bombs. Those two nations are England and Russia. Both have exploded bombs. There may be a fourth such country before many days.

Mr. BUTLER. What are those two nations putting in the atomic energy pool?

Mr. BRICKER. Up to the present time England has offered 20 kilograms, and Russia has offered 50 kilograms, or approximately 43 and 110 pounds, respectively.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HICKENLOOPER. To clear up the question of the weight, to which the Senator from New Mexico [Mr. ANDERSON] referred a while ago, if Senators will refer to page 111 of the hearings, they will find a series of questions which I asked Chairman Strauss, of the Atomic Energy Commission, and the answers, which were later supplemented by a letter from Mr. K. E. Fields, general manager of the Commission. He sets forth specifically the weights of this material for the various percentages of enrichment, namely, 20 percent, 10 percent, and 2 percent.

Mr. BRICKER. Does the Senator mean the ratio instead of the weight?

Mr. HICKENLOOPER. No. I mean the weights.

Mr. BRICKER. Does the Senator mean the ratio as between the U–235 content and the U–238 content?

Mr. HICKENLOOPER. I shall not take the time to read the letter into the RECORD. Mr. Fields says that the 20-percent enrichment would not represent 5,000 kilograms of uranium, but 5,000 kilograms of U–235 content, which would mean a far greater total weight of uranium. The figures are set forth. If the percentage of enrichment were 2 percent, that would represent a total weight of uranium of 50 times as many pounds; 10 percent enrichment would represent 10 times as many.

Mr. BRICKER. Will the Senator give the page to which he is referring?

Mr. HICKENLOOPER. I am referring to pages 111 and 112 of the hearings.

Mr. BRICKER. Mr. President, I believe that that excerpt from the record of the hearings should be printed in the CONGRESSIONAL RECORD. I ask unanimous consent that the excerpt be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

URANIUM ENRICHMENT

Senator HICKENLOOPER. In the event that it is contemplated that the enrichment of this uranium will be only 2 or 3 percent, what is the underlying reason for making the offer of availability of 5,000 kilograms of 20-percent enriched uranium?

Mr. STRAUSS. That was in order to measure the total amount, Senator. If this had been stated, for example, in terms of 2 or 3 percent, the figure of 5,000 kilograms would have been multiplied.

If one were mentioning it in terms of 100 percent enrichment, it would be yet another figure. The figure of 5,000 kilograms was tied to the 20,000-kilogram statement which had been made in February of the preceding year in order to indicate that it was one-fourth of that amount.

Senator HICKENLOOPER. Then, do I understand that if we make available to the agency uranium enriched, let's say 2 or 3 percent, that the kilograms of uranium, that is the total weight, would be substantially in excess of that?

Mr. STRAUSS. That is right, Senator.

Senator HICKENLOOPER. If the enrichment were 2 percent, then it would be the equivalent of 50,000 kilograms of uranium?

Mr. STRAUSS. That is correct, Senator. The tonnage would be very much increased.

(The Atomic Energy Commission subsequently supplied the following information:)

MAY 17, 1957.

Hon. B. B. HICKENLOOPER,
United States Senate.

DEAR SENATOR HICKENLOOPER: You have requested information on equivalent amounts of U–235 at concentrations of 20 percent and 2 percent, in connection with the 5,000 kilograms of U–235 which the President stated on October 26, 1956, will be made available to the International Atomic Energy Agency on terms to be agreed. That 5,000 kilograms is part of the 20,200 kilograms of U–235 which the President announced on February 22, 1956, will be available for distribution outside the United States for peaceful purposes. The 20,200 kilograms is, at present, the maximum permitted reduction in output of highly enriched uranium from our gaseous diffusion plants resulting from the distribution of enriched uranium of any U–235 concentration for peaceful uses abroad.

The simplest way to evaluate the effects of withdrawing materials of various concentrations from the gaseous diffusion plants is to consider the dollar values of such materials according to the price schedule. That schedule is computed in such a way that equal dollar values of material withdrawn at any concentration mean equal reductions in the output of highly enriched uranium.

According to the price schedule publicly announced by the AEC on November 18, 1956, the price per gram of U–235 content is $17.07 at a U–235 concentration of 90 percent, $16.12 at a U–235 concentration of 20 percent, and $11 at a U–235 concentration of 2 percent. Five thousand kilograms of U–235 which would have a value of $85,350,000 at a U–235 concentration of 90 percent, corresponds to about 5,300 kilograms of U–235 at 20 percent concentration and about 7,760 kilograms of U–235 at 2 percent concentration. On the same basis, the total amount of uranium (including the U–238 content) is 26,500 kilograms at a U–235 concentration of 20 percent and 388,000 kilograms at a U–235 concentration of 2 percent.

In general the relation is that the U–235 content for a concentration of 2 percent corresponds to 1,465 times the U–235 content for a concentration of 20 percent. The total uranium (including the U–238 content) for a concentration of 2 percent corresponds to 14.65 times the total uranium for a concentration of 20 percent.

Sincerely yours,

K. E. FIELDS, *General Manager.*

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. What the Senator from Iowa has pointed out is entirely correct. The letter to which reference is made is dated May 17, 1957, and is addressed to him. It points out that—

Five thousand kilograms of U–235, which would have a value of $85,350,000 at a U–235 concentration of 90 percent, corresponds to about 5,300 kilograms of U–235 at 20 percent concentration and about 7,760 kilograms of U–235 at 2 percent concentration.

On the same basis, the total amount of uranium (including the U–238 content) is 26,500 kilograms at a U–235 concentration of 20 percent, and 388,000 kilograms at a U–235 concentration of 2 percent.

That is what we have been saying here. On the basis of a 20 percent enrichment, 5,300 kilograms, multiplied by 5, would be 26,500.

I am sure the arithmetic given by Mr. Fields is correct. I think the Senator from Iowa has rendered a useful service in bringing out the actual amount of fissionable material that is involved.

Mr. SCHOEPPEL. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. SCHOEPPEL. The Senator from Ohio mentioned the danger which might possibly flow from defective reactors in the reactor process. I should like to ask the Senator if, in the inspection of such reactors—assuming that the treaty is ratified and the international commission is established—reactors in the various countries can be inspected without express permission of certain countries?

Mr. BRICKER. The treaty sets forth that they can. There is a statement in the treaty which I do not understand, to the effect that inspection will be carried out with due respect to the sovereignty of the various nations. I do not know whether that means that they can limit the inspection power after they once get the material, or what sovereignty means. There is no clarification on that point. However, the treaty itself sets forth the right of inspection, which must be satisfactory to the Agency itself.

Mr. SCHOEPPEL. Let us assume that a certain country might refuse to permit an inspection, once it had obtained the material. What recourse would our country then have?

Mr. BRICKER. Our country would have none, because we would have only 1 vote out of 23 on the governing board. The governing board would then dismiss this country as a participant, and would deny any further supply.

The only other thing the Agency could do would be to send in an army to get the material back; but it would have no army.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BARRETT. I commend the Senator for his very able discussion of this question.

I am concerned about the amount of our contribution to the international agency. As I understand the situation, some commitment has been made under which 11,000 pounds of 100 percent enriched uranium has already been offered by our country to the International Agency. Are we bound in any way to contribute any additional amount, or any specific amount? Just what is the arrangement under the charter?

Mr. BRICKER. Let me say to the distinguished Senator that we would be under the same pressure, if an additional request were made, that we are now under to force this treaty through without adequate consideration.

The way the plan is expected to work is this: According to the testimony of the Department of State, the President will enter into a cooperative agreement with the International Agency, and that cooperative agreement, regarding the amount to be sent—and it is only an offer at this time—will be filed with the Joint Committee on Atomic Energy, under the provisions of the Atomic Energy Act of 1954, and it will lie on the table for a period of 30 days before becoming effective. If Congress is not in session, it must lie on the table for 30 days while the Congress is in session. The only relief would be that Congress might pass a bill denying the right to send the material. That bill would become a law unless the President should veto it; and if he should veto it, a two-thirds vote would be required to override his veto. That would be the only power in the Congress.

Mr. BARRETT. That covers the initial contribution, as I understand. Would the same procedure apply to future contributions?

Mr. BRICKER. Any future contributions would be made under the same arrangement.

Mr. BARRETT. Are such contributions related in any way to contributions by other nations?

Mr. BRICKER. Not at all.

Mr. BARRETT. What assurance have we that under the proposed arrangement an unfriendly power will not get a considerable portion of our contribution?

Mr. BRICKER. It will be entirely up to the governing board as to where the material shall go. We will have nothing to say about it. The treaty expressly forbids that the country giving or selling the material shall have anything to say about where it shall go or what it is to be used for, so long as it is used for peaceful purposes, so-called.

Mr. BARRETT. I understand that is the situation under article IX, subsection J. However, I should like to ask the Senator if we would not have the recourse of refusing to make further contributions in the event the International Agency were to give our contribution of uranium to any power we thought should not have it.

Mr. BRICKER. We could refuse to give any more. We do not have to give any in the first place. There is no obligation on us to give any in the first place, any more than Russia is under any obligation to give any. I understand she has already offered 40 pounds or so; or so far as England is concerned, who, I understand, has offered to give 110 pounds. There is no compulsion on us, in other words, to furnish the material.

The President has already made this gesture.

Mr. BARRETT. It seems to me that under our bilateral agreements with 39 nations and our agreements with 23 other countries, there would not be any substantial change so far as the treaty is concerned.

Mr. BRICKER. The Senator is absolutely correct. We have some control and some say over that. We have the right to make rules with respect to inspection and to see to it that the reactors are properly operated, as well as over the training of the personnel, and so forth. Under the treaty, we would have no such right. In fact, we would be deprived entirely of such right.

Reference was made the other day to the fact that since Russia had signed first, we must ratify the treaty; in other words, that we must accept our own invitation. I do not see why Russia should not sign, if we are to give material or sell material, and Russia will have a say as to where it will be sent and how it will be used. That is another reason why I am opposed to the treaty.

Mr. BARRETT. I have been giving some thought to the reservation the Senator from Ohio has proposed. What I should like to know is whether, if the reservation should be adopted, it would be necessary to resubmit the treaty to the countries which have signed it already.

Mr. BRICKER. In my opinion it would not be necessary to resubmit it. However, I talked to the Senator from Iowa [Mr. HICKENLOOPER] the other day, who has followed this matter very closely, and he believes it may be necessary to resubmit it.

The reservation I intend to submit deals with the question of our granting or selling the material to the International Agency. There is no compulsion on us to do so. There is no country that can make us do it. Therefore the matter should be left in the hands of Congress, rather than in the State Department or with the Chief Executive. We should have some control over it. If we have control over it we will know where it will be used. We will not know where it was used in the past, but we will know where it will be used in the future. We are entitled to that much.

Mr. BARRETT. Does the Senator take the position that we have any control over the granting of the uranium?

Mr. BRICKER. It becomes purely an executive function, under the treaty.

Mr. BARRETT. But the action taken must be submitted to——

Mr. BRICKER. It is sent to our committee, under the agreement, so we are told, and as was testified to. I think the present officials are bound so far as they are concerned, but what might happen in the future, I would not venture to guess. However, under the agreement of cooperation the proposal would be sent to our committee and in 30 days would become effective unless Congress did something about it. There is nothing Congress could do. That is the practical effect of it.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. Do I understand correctly that the Senator would like to make his reservation part 3 of the committee interpretation and understanding set forth on page 17 of the committee report?

Mr. BRICKER. My reservation is an independent reservation. Why in the name of commonsense the Department does not want to call it a reservation I cannot see for the life of me. I do not know why it should be called an interpretation and understanding. It is our business.

Mr. BUTLER. The committee reservation does not have any validity insofar as the other signatory nations are concerned in my opinion. What is there so abhorrent about the Senator's reservation, that we cannot make it a part of the committee reservation? What is behind the Department's refusal to take it?

Mr. BRICKER. I submitted the same proposal to the Committee on Foreign Relations, and the State Department promptly turned it down. I presume they want to retain control in the hands of the Executive as much as they can, and keep Congress out of it. That seems to be the present trend.

Mr. BUTLER. That is covered in the Atomic Energy Act, and the bilateral agreements have certainly worked out very well.

Mr. BRICKER. They have worked well bilaterally, and I hope they will continue to do so.

Mr. BUTLER. The atomic energy program has gone along satisfactorily under the Atomic Energy Act and under the bilateral agreements.

Mr. BRICKER. But those who are behind the treaty do not seem to be willing to leave the United States in the picture. They want to get control out of our hands and get it into the hands of an international agency.

Mr. BUTLER. Even though the uranium is admittedly the property of the people of the United States. In other words, the Senate, by ratifying the treaty, would be depriving this country of its property.

Mr. BRICKER. That is exactly correct. The Constitution of the United States makes it the responsibility of Congress to dispose of property belonging to the United States.

Mr. BUTLER. The Senator means that that used to be the law.

Mr. BRICKER. That used to be the law, but now the Senate is asked to ratify this treaty.

Mr. BUTLER. Now there seems to be a disposition to give property belonging to the United States to anyone who wants it. I believe that is wrong.

Mr. BRICKER. That is exactly what my reservation would prevent.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. CURTIS. Will the distinguished Senator from Ohio tell us what is included in the term "peacetime uses of atomic energy," excluding, of course, military uses and power uses?

Mr. BRICKER. Of course, there is the use of the isotopes in medicine and in agriculture, as well as in industrial production, where practically no harm comes from them, and they are pretty well controlled. Now they are being

used in many places, thanks to the generosity of the United States.

Mr. CURTIS. There is a spreading to humanity of benefits in medicine and agriculture, and the like, among people who are interested in sharing atomic energy and material.

Mr. BRICKER. What I am interested in particularly, and what I want to see the people of the world have the benefit of, is, better health and better crops and better living conditions, and all the things that go with them. The power program is something different.

Mr. CURTIS. With that definition of the peacetime uses of atomic energy, can the objectives be obtained, in the Senator's opinion, entirely through bilateral agreements?

Mr. BRICKER. There is no question that any country can enter into proper agreements with the United States. No country has ever been turned down, as a matter of fact.

Mr. CURTIS. There is no deterrent to any increase of that program by means of bilateral agreements, is there?

Mr. BRICKER. To the contrary, every encouragement is given to it.

Mr. CURTIS. If it were determined that it were wise to share such a program with Russia, in the opinion of the distinguished Senator from Ohio would it be safer to do that under a bilateral arrangement, or under the proposal before the Senate?

Mr. BRICKER. If it were done at all, it should be done under a bilateral agreement. However, there would be no thought of dealing with Russia under any bilateral agreement in connection with this matter, because they already have the material, and they have scientists working on it. We discovered at Geneva that they had been doing considerable research in the fields of medicine and agriculture.

Mr. CURTIS. Under either one, there would perhaps be no exchange of ideas or materials with Russia itself.

Mr. BRICKER. Word came to us at Geneva that the Russians had done such research. In fact, the Russians had access to all the papers at Geneva. They saw all the work we had done, and had access to all our exhibits. We likewise had access to their information, although I am not clear exactly what they gave us or how much we got from them. Nevertheless, there was cooperation there in this field.

Mr. CURTIS. I will state the question in another way. So far as dealing with Russia is concerned, are there any advantages to the United States in proceeding through the statute of the International Atomic Energy Agency, which is now before the Senate, as opposed to a bilateral approach?

Mr. BRICKER. None at all, so far as Russia and any of the other Communist countries are concerned, and, in my judgment, no advantage to any country. The only testimony to support that position was that there are some countries which do not want to deal with the United States; that they are so nationalistic minded that they would rather deal with an international agency, where there would be no commitment to any one nation—our Nation being the one. With that position I cannot agree.

Mr. CURTIS. I thank the Senator from Ohio.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. JAVITS. I just heard the Senator make a statement about there being no advantages to the United States of the treaty as against a bilateral arrangement. But the Senator has not said anything about the proposals for inspection and control which would extend into the respective countries, including the countries behind the Iron Curtain.

Does not the Senator feel that the value of experience with inspection and control would be more determinative under the treaty than it would be under a bilateral arrangement?

Mr. BRICKER. I may have some value. I discussed that a moment ago; it is in the RECORD. It may have value.

I do not believe the inspection will work. We have the best kind in the United States. We give better service than anybody else can give or will give. I trust them, and I want to continue to do so, to protect the public health and peace.

I am not ready to rush, and I do not think we ought to rush, into this treaty and turn over the inspection to another body over which we do not have any control.

Mr. JAVITS. Mr. President, will the Senator further yield?

Mr. BRICKER. I yield.

Mr. JAVITS. Would the Senator's views also obtain as to the current disarmament negotiations? Would the Senator be adverse to any disarmament which would involve disarmament control, because, if anything, this is a pilot plan for that operation?

Mr. BRICKER. It has no relationship to disarmament in any way, shape, or form. It might enhance the war potential instead of lessening the war threat.

I most heartily favor the disarmament program. I think it is to the advantage of the United States and the advantage of Russia. But I think there should be some type of inspection as to which we have a voice.

Mr. JAVITS. But the Senator from Ohio does not think that the inspection under a disarmament plan might prove to be useful as a pilot plan?

Mr. BRICKER. Not in any way, shape, or form.

Mr. ANDERSON. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. I appreciate the Senator's yielding at this point. As to this particular provision, I am in a somewhat embarrassing position. I may not vote for the Senator's reservation, but I am interested in his discussion. Section 6 of article 12, which is the inspection article, I may say to the Senator from New York, relates to sending inspectors into the territory of the recipient state.

The United States is not going to be a recipient state; Russia is not going to be a recipient state; Great Britain is not going to be a recipient state.

The Senator from New York just mentioned the benefits which would come from disarmament. The United States, Russia, or Great Britain would not be inspected.

Mr. JAVITS. But the inspection would be extended into one of the satellites if it should be a party to the treaty.

Mr. ANDERSON. I see no reason why a satellite country which is now being offered everything it wants by Russia would be a recipient from an international agency, because the last thing Russia would want would be to have inspectors coming into that area.

Furthermore, in the testimony the question was asked, "If Great Britain happens to get a small amount of material from the United States, will the Russians be able to go into Great Britain and inspect it?" The answer given was, "No; under the provisions of the treaty, Great Britain could object to a Russian inspector."

I then asked, "Does not that work the other way, too?" If we then wanted to inspect anything in a satellite state of Russia, Russia could merely object and say, "No; we will take an inspector from Russia, and nowhere else."

So while I intend to vote for the treaty, I do not place any reliance on the inspection which has been discussed, because I find no real value to inspection.

What we are told is that if some of the material is given to Patagonia we may go there and see how Patagonia handles it. While I think that is an advantage to the United States, it has nothing to do with the problem of trying to make Russia, Britain, and ourselves live up to the rules.

Mr. JAVITS. It is a fact, however, that even though the satellites may get some material under the treaty, if they get it, it makes them subject to control, and we would get some benefit from that.

Mr. BRICKER. They would have the right to say what inspectors should go in to the country, as the Senator from New Mexico said a moment ago.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. REVERCOMB. I should like to address a question to the Senator from New Mexico, who made an important statement a moment ago to the effect that he does not rely on inspection for security and safety under the treaty.

Mr. KNOWLAND. Mr. President, will the Senator from West Virginia speak louder?

Mr. REVERCOMB. What protection is there today under the treaty to prevent abuse in the use of this material in the hands of the Agency, if inspection does not secure us against injury?

Mr. ANDERSON. Mr. President, will the Senator from Ohio yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. Apparently I did not make myself clear. I do rely on the inspection facilities if we are going into a wholly different country. I intended to say to my able friend from New York that I do not think the inspection provisions would give us any chance to have a peek at what Russia was doing, or would give Russia a chance to take a peek at what we were doing. Therefore, I do not think it has any real relationship to disarmament in the field of nuclear weapons. It would not apply

to Great Britain, Russia, or ourselves, who are the manufacturers of nuclear weapons.

Mr. REVERCOMB. If the material is placed in the hands of the Agency, the Agency will have complete control over it, as I understand.

Mr. BRICKER. That is correct.

Mr. REVERCOMB. Could the Agency, if requested, supply any of this material to Russia for peacetime uses?

Mr. BRICKER. It could; but I doubt very much if that would happen, because Russia in accepting it would have to submit to some kind of inspection.

Mr. REVERCOMB. It could be done?

Mr. BRICKER. It could be done.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. CASE of South Dakota. From that standpoint, it might be desirable to have Russia ask for some of the material.

Mr. BRICKER. I think we could depend upon Russia to look after her own selfish interests.

Mr. CASE of South Dakota. Am I to understand that the issue is whether, as a matter of policy, we should make this material available? Or is it a matter of giving it away free?

Mr. BRICKER. It could be given away free, but I judge it would be sold, because the price has been fixed by the Atomic Energy Commission for this material. I have no reason to think it will not be sold.

Mr. CASE of South Dakota. So it is not a matter of dollars and cents; it is a question of the wisdom of the policy?

Mr. BRICKER. That is correct. I do not discount the fact, however, that pressure will be brought, and at not too distant a date in the future, to have the material contributed instead of sold.

Mr. BUTLER. As a matter of fact, the treaty is wide open on that point. The treaty says the material may be disposed of at any time agreed upon.

Mr. BRICKER. That is correct.

Mr. CASE of South Dakota. I wanted to go a step further with respect to the matter of inspection. Am I to understand that the inspection permission granted would be only as to the countries which got some of the material?

Mr. BRICKER. To the countries which receive the material; that is correct. There is this advantage, however. It is somewhat relieved by the reservation recommended by the Committee on Foreign Relations and as worked out by the minority leader, the distinguished Senator from California [Mr. KNOWLAND] and the distinguished Senator from Iowa [Mr. HICKENLOOPER], to the effect that any amendment to the statute must have the advice and consent of the Senate or the United States automatically ceases to be a member of the agency. Prior to that time, if that reservation had not been accepted, the Agency might have changed the rules on us, amended the statute to provide for a two-thirds vote, so that we would not have a vote, or would not necessarily have a vote on the question of inspection by those who grant the material or sell the material.

Mr. CASE of South Dakota. Does the Senator's proposed reservation require that Congress deal individually with each future transaction, or would it merely reserve to Congress the right to establish a policy which might be applicable to any sale?

Mr. BRICKER. It would be up to Congress in each individual instance. It is not possible to take away from the Congress the right to give that authority, if it wishes to do so. I myself think Congress should consider each one of the grants, or whatever they might be called.

The reservation I propose to the resolution of ratification provides—

> That the United States shall not make special fissionable materials—

Which no doubt are among the most priceless materials dealt with by the United States—

> available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress.

In other words, the reservation proposes the use of the same means that have previously been used by the Congress in granting authority to the administrative branch of the Government.

Mr. CASE of South Dakota. I am thinking of an analogy in the field of foreign aid. Originally there were bilateral agreements, or, at least, acts of Congress which dealt with the giving of aid to Greece and Turkey, as individual nations. However, as the foreign-aid program developed, we found the Congress giving the President authority to transfer aid of one kind or another to all the nations within a certain area or to all the nations coming within a certain definition.

I do not know how many sales would be involved, but it seems to me there might be some disadvantage if the reservation required the Congress to act individually on every transaction which came up.

Mr. BRICKER. The resolution would require action on the part of the Congress. I do not want any Senator to have any illusions about the pressures which will be applied for more and more of this material, as the years go by, if the program is reasonably effective.

Mr. POTTER. Mr. President, will the Senator from Ohio yield to me?

The PRESIDING OFFICER (Mr. MORTON in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. BRICKER. I yield.

Mr. POTTER. Is it not true that the treaty will need implementing legislation, in order to carry out the provisions of the treaty?

Mr. BRICKER. Yes, and in that connection there would have to be a representative of the United States, just as in connection with the United Nations. But that would not be the case in connection with the sale of the material.

However, the representative of the State Department testified that the provisions of the Atomic Energy Act of 1954 would be complied with; and those provisions authorize an agreement for cooperation. The representative of the State Department testified that they would simply file it with the Joint Committee on Atomic Energy.

Mr. POTTER. When the Congress does act by way of implementing legislation in connection with the treaty, will not the reservation of the Senator from Ohio be much more applicable to the implementing legislation than to the treaty itself?

Mr. BRICKER. The difficulty is that at that time I doubt very much that the Congress could or would see fit to amend the statute by which it participates in this International Agency. After entering into it, I doubt that the Congress could or would see fit to amend it. I think the time to protect ourselves is now.

Mr. POTTER. Would that have to be done by means of an amendment to the statute?

Mr. BRICKER. I think it would.

Mr. POTTER. In other words, as I understand the proposed reservation, in connection with authorizing the granting of this material to the International Agency, the Senator from Ohio thinks an amendment to the treaty would be required, instead of Congressional action on a domestic problem, insofar as our relationship to the Agency is concerned. Is that correct?

Mr. BRICKER. That is my judgment, because the statute expressly says that after there has been a granting or a giving or an authorization or an allocation of material, then it is entirely out of the hands of the country from which the material comes, or the giving country.

Mr. KNOWLAND. Mr. President, will the Senator from Ohio yield to me?

Mr. BRICKER. I yield.

Mr. KNOWLAND. First, I wish to say that I think the Senator from Ohio is performing a useful service on the floor of the Senate, as he did in the committee, in raising certain of the problems, because certainly the treaty is important, and should have the full consideration of the Senate.

However, apropos the question raised by the Senator from Michigan, is not the Senator from Ohio of the opinion that an implementation act will be necessary, even if it is for the limited purpose the Senator has stated?

Mr. BRICKER. That is correct. That was the testimony given before the committee; and I have no reason to doubt that that will be carried out explicitly, as was suggested in the testimony.

Mr. KNOWLAND. The Senator from Ohio also agrees, does he not, that it will be within the province of the Congress, as a coequal arm of the Government of the United States, in connection with the implementation agreement to provide limitations on the sale or the giving of the material? In effect, the implementation act could be used to amend, if necessary, the Atomic Energy Act of 1954.

Mr. BRICKER. Of course, that gets us into another discussion which I have often had with the minority leader, namely, a discussion regarding the effects of a treaty; and whether the Congress can by simple act of Congress amend a treaty, especially one of the importance of this one; and whether it

would be desirable from the standpoint of the administration.

In the first place, I do not think it would be accepted by the administration. In the second place, a two-thirds vote of the two Houses of Congress would be required; and I do not think that could be obtained.

Mr. KNOWLAND. But if an implementation act is necessary—and I think both the Senator from Ohio and I agree that it is necessary—then, if the Senate in its wisdom, and if the House of Representatives concurred, wished to write restrictions and protections such as the ones the Senator from Ohio has suggested in his reservation, it seems to me that could very easily be done by way of an amendment to the implementation act; and in that event there would be no implementation act unless that reservation or restriction was attached. So, in effect, a veto of the reservation or restriction would veto the implementation act.

I am pointing out that to that extent, and in that way, I think the Senator from Ohio could reach the point he has raised by means of his reservation, without having a reservation attached to the treaty itself.

Mr. BRICKER. I wish to assure the minority leader that if this reservation is not adopted, and likely it will not be; I have no illusions on that score—then, when the proposed implementing legislation comes before us, I shall try to have this language made a part of it, because I think it necessary and essential.

Furthermore, I think the State Department has no thought of doing anything of this kind, because the representatives of the Department testified to the contrary at the hearings.

Mr. BUTLER. Mr. President, will the Senator from Ohio yield to me?

Mr. BRICKER. I yield.

Mr. BUTLER. The Senator from California has raised a point which is rather confusing to me. I though the United States Government as of the present time was obligated to supply 11,000 pounds of 100 percent uranium, and that that would be provided to the international agency, regardless of whether the United States later withdrew or whether it forever remained a party to the agreement. In that connection, it was my understanding that no implementation would be needed.

Mr. BRICKER. That is only a tentative offer by the President.

Mr. BUTLER. But I think the record showed that that much material would be given, in any event.

Mr. BRICKER. That is correct.

Mr. BUTLER. Then an act of the Congress implementing the treaty is not necessary in that regard. When will the Congress have an opportunity to say how the uranium shall be used or what will be paid for it? The treaty provisions are very elastic. Although $17 may be the price today, yet the treaty provides that the price can be anything that is agreed upon between the donor of the uranium and the Agency. That might be anything.

Mr. BRICKER. Or it could be given away, without payment, under the treaty.

Mr. BUTLER. Yes, it could, by means of the treaty. The report goes meticulously into the fact that material is not to be given away; but the treaty says it can be conveyed for any consideration agreed upon between the donor and the receiver.

Mr. BRICKER. That is true.

Mr. BUTLER. When the material goes into the atomic pool, we shall have lost all control of it. As a result, how can an act of implementation affect that situation?

Mr. BRICKER. Once we give it away, we cannot get it back.

Mr. BUTLER. Even if we decided to withdraw. Yet at the time when this vastly important property of ours—and it is very strategic property—is disposed of, we shall have no right to say what shall be done with it.

I wish to find where, by means of an act of implementation, the Congress will be able to determine how this valuable asset of the people of the United States shall be disposed of.

Mr. BRICKER. The testimony of the representative of the State Department was to the effect that, for the purpose of implementation of the treaty itself, such matters would be self-executing. It does not happen to be in the power of the State Department to determine that question. Ultimately that will be a question for the courts to determine. But until there is a decision by the courts, I think every action taken will be taken explicitly within the terms stated by the representatives of the State Department—in other words, that they will submit to the committee these cooperative agreements.

Mr. BUTLER. Yes, to the joint committee, 30 days prior to ratification. But if the committee objects, our only recourse will be to try to get two-thirds of the entire Congress to vote to override the President's will.

Mr. BRICKER. The Senator from Maryland is correct about that.

Mr. KNOWLAND. Mr. President, will the Senator from Ohio yield further to me?

Mr. BRICKER. I yield.

Mr. KNOWLAND. I desire to call to the attention of the Senator from Ohio—although he is thoroughly familiar with it—and to the attention of the other Members of the Senate article IX of the proposed treaty. It relates to the supplying of materials. Paragraph C reads as follows:

> Each member shall notify the agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared—

I call particular attention to the following words—

> in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

So I think the treaty itself recognizes that the amount and the means of making the material available shall be in conformity with the laws of the country making the donation. In our case—and I get back again to the act of implementation—if the Congress wanted to amend the present provisions of the Atomic Energy Act—I mean if that were its judgment; I am not arguing the point what type of amendment should be made—I think in the implementation act the Congress could say the material could not be given, that it could only be sold. It could say, in effect, the material could be sold only at the cost of production, or whatever decision the Congress might make. I think the treaty itself recognizes that the donor government is bound by the laws of the country making the donation, and the other countries do not automatically get a right to requisition the sale or the transfer on their own terms.

Mr. BRICKER. That is the basis on which I made the statement a moment ago. If the reservation is adopted, it will have to be submitted to the other countries for ratification.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. While the language is "in conformity with its laws," I point out that we have to find out what our laws are. If we read section 124 of the Atomic Energy Act of 1954, it will be seen that no strict regulations are provided. I would have been very happy if the able Senator from California or some other Senator had been able to come up with a proposal for revising section 124. I hope the Senator, whose reservation I supported as vigorously as I could, will join in an effort to change section 124. As the law now stands, I think the Senator from Ohio will agree that section is the law of the country.

Mr. BRICKER. It has been admitted by the State Department that it will abide by that law. As soon as the statute is ratified it becomes the supreme law of the land, and if the treaty is inconsistent with any of the laws established in America, the treaty prevails.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. COOPER. I think it may be possible that the statement by the minority leader and the comment made by the Senator from New Mexico have answered my question. Assume the Senate ratifies the treaty, and the reservation offered by the Senator from Ohio is rejected, will there be any means available to the Congress, under the Atomic Energy Act, to control or limit or prevent the transfer of any fissionable material?

Mr. BRICKER. The law would have to be changed before that could be done.

Mr. COOPER. Under the present act.

Mr. BRICKER. Under the present act there is nothing giving the United States any control, except what was suggested a moment ago relating to the agreement of cooperation.

Mr. COOPER. Let me ask another question. The minority leader quoted from article 9. Assume that the promise which has been made by the President has been fulfilled, and then later the agency should ask the United States for additional supplies of fissionable materials. Article 9 states that members may make available to the agency such quantities of special fissionable materials as they deem advisable "on such terms," and so forth. The membership in our

case is the United States Government. How would the Senator interpret that section? Who would make the decision?

Mr. BRICKER. The President would make the decision, complying with our law as it is today, or the agreement of cooperation.

Mr. COOPER. Is it stated in the treaty that the President would make the decision?

Mr. BRICKER. No. It says the Government, but the President deals in international affairs, and he is the voice of this country in international treaties. They could be limited, but the testimony of officials of the State Department was that they would abide by the 1954 act.

Mr. COOPER. If the Congress attempted to legislate on this subject, the old question would arise, would it not?

Mr. BRICKER. The question that we have debated back and forth would arise again.

Mr. COOPER. As to whether the Congress could constitutionally enact any such act?

Mr. BRICKER. Yes.

Mr. COOPER. I know that the Senator from Ohio spoke on the subject many times in 1953 and 1954, but if the constitutional question arose, what is the Senator's idea and position as to what would be done by the Congress were it desired to limit the transfer of fissionable material?

Mr. BRICKER. Of course, that point goes to the question we have debated many, many times, as to what a treaty does to the Constitution. The Secretary of State has stated that a treaty cuts across the Constitution and the Bill of Rights. The Supreme Court gave a hint last week, although it was not necessary to the decision of the Court in the case, and is mere obiter dictum, that such an interpretation is not correct. I hope that the full Court will ultimately sustain the statement made by some of its members. I have always felt that Congress could take the United States out of a treaty by a law. The President, of course, would have to sign. If the President vetoed the bill, it would take two-thirds of both Houses of Congress to override the veto. However, if that were done, we would break our moral obligations with the countries with which we had agreements. I would be very hesitant about breaking our obligation in that respect.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to my distinguished colleague from Ohio.

Mr. LAUSCHE. On page 10 of the report, in the last paragraph, there is contained this statement:

> The committee considers it highly important to correct a misconception which appears to be somewhat widespread as to the nature of the United States offer to supply uranium to the Agency. Contrary to an assumption in many quarters, there is no intention to donate this special nuclear material. Indeed, existing legislation may preclude making a gift of that kind in the absence of specific authorization by Congress. Article IX–A of the statute specifically declares that whatever quantities of fissionable materials which Members deem advisable may be made available to the Agency "on such terms" as shall be agreed with the Agency. Under article XIII of the statute, moreover, reimbursement is to be provided for any material offered "unless otherwise agreed upon" between the Board of Governors and the supplying member. This escape clause does not signify that substantial amounts of fissionable material could be supplied by the United States without compensation, in the absence of Congressional authority which is now lacking.

My query is this: First, I gather that there is presently a limitation on the power of the President to make a gift of fissionable material. Secondly, even though there were no such limitation and prohibition, the spirit and the letter of the statute contemplate that there shall be compensation for the material.

I should like to ask my colleague's understanding of the paragraph of the report I have read.

Mr. BRICKER. I think the spirit of the statute itself does contemplate payment for the material, and certainly that was the testimony of the representatives of the negotiating authority, and of the State Department, and of the Atomic Energy Commission. There is nothing either in the statute or in the law which requires that the material be paid for. If this treaty should become the supreme law of the land, if it should be ratified by the Senate of the United States, we could provide that the material should be paid for, as one of the terms of the agreement submitted to the Joint Committee on Atomic Energy. I doubt very much if it would be done that way. I will say that quite frankly. I do not know whether we would get adequate compensation.

Mr. HICKENLOOPER. In order that I may help clear up that point, Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator.

Mr. HICKENLOOPER. I invite the attention of the Senator to a letter which I put in the RECORD this afternoon in connection with the remarks I made on the treaty. The letter appears on page 166 of the hearings. It is a letter from Chairman Strauss of the Atomic Energy Commission to the Senator from Rhode Island [Mr. PASTORE], who had written Chairman Strauss about this matter. I shall not read the entire letter, for it is available and the Senator may read it. The last paragraph is as follows:

> Accordingly, the General Counsel has advised the Commission that should it wish to provide for a gift of a substantial quantity of special nuclear material in an agreement for cooperation entered into under the Atomic Energy Act of 1954, as amended, explicit Congressional authority should be obtained. The Commission does not presently have such a proposal before it.

Mr. BRICKER. I think the Senator is correct, that they should get authority. I certainly agree with that. However, there is nothing which compels them to do it.

Mr. KNOWLAND. Mr. President, may I suggest that the entire letter be printed at this point in the RECORD?

Mr. BRICKER. The letter is already in the RECORD.

Mr. HICKENLOOPER. I asked unanimous consent to have it printed this afternoon in connection with my remarks. I took the letter from page 166 of the hearings. The Senator from Rhode Island is present in the Chamber. I referred to the letter to illustrate some things in connection with the matter he was discussing.

Mr. PASTORE. Mr. President, will the Senator yield to me?

Mr. BRICKER. I yield to the Senator from Rhode Island, although I am anxious to finish my speech.

Mr. PASTORE. In answer to the observation made by the distinguished junior Senator from Ohio [Mr. LAUSCHE] the Senator will notice the very cautious use of the word "may," in pointing out what I think he read from the bottom of page 10.

Mr. LAUSCHE. "May" in what line?

Mr. PASTORE. If the Senator will give me a moment I will find it.

> Article IX A of the statute specifically declares that whatever quantities of fissionable materials which members deem advisable may be made available to the Agency 'on such terms' as shall be agreed with the Agency. Under article XIII of the statute, moreover, reimbursement is to be provided for any material offered "unless otherwise agreed upon" between the board of governors and the supplying member.

The significant point is that, before that, the report states:

> Indeed, existing legislation may preclude making a gift of that kind in the absence of specific authorization by Congress.

It does not say it does preclude it, but that it may preclude it. That is the "may" to which I was referring.

It is true that section 124 says, "Under such terms and conditions as the President shall prescribe." That question was raised by me with the Atomic Energy Commission. I think under the existing law, if the President really wanted to, he could give this material away. We submitted that question to the Commission, and they answered that if the amount were small he could do it, but if the amount were large he could not do it. That does not make legal sense to me. It never did.

It is significant, of course, that the Secretary of State, when he appeared before the committee, said there was no intention on the part of the administration to give the material away, but that they intended to sell it. This leads me to the observation that was made by the distinguished minority leader. I think what we are getting at here is the proposed amendment of section 124. I would go along with the distinguished Senator from Ohio, since he raises a very significant point, but I think he is going at it in the wrong way. I think what we ought to do is to amend section 124, so as to provide that the material cannot be given away, that the matter will have to be submitted to Congress, and that a price will have to be paid for fissionable material.

Mr. BRICKER. Is there a wrong way to do a good thing?

Mr. PASTORE. Yes, there is.

Mr. BRICKER. The Senator thinks this would be wrong?

Mr. PASTORE. Yes. There is a good way of punishing one's children, and there is a bad way of punishing one's children. All the Senator is proposing

to do is to punish the President in the wrong way.

Mr. BRICKER. But if we do it in the wrong way, then it is not a good thing?

Mr. PASTORE. I am afraid if we begin to insert reservations in this treaty at this time, such action will destroy the very thing the President was trying to accomplish when he made the speech before the General Assembly on December 8, 1953. I should like to state that I went through all these negotiations in the United Nations, and it was not an easy task. If we are going to go through them all over again, I say we might as well stop right now.

If we do not have enough faith and confidence in the President of the United States to believe that he will carry out the assertions made before the committee that there is no intention to give the material away, and if there is any fear of that in the future, then let us amend the law. But let us not do it now, because, if we do it now, we will show a lack of confidence in the man on the other end of Pennsylvania Avenue, and that is the important thing before the Senate this afternoon. Do we have enough confidence in the word of the President, which was relayed before the committee, that there is no intention to give this material away? If we believe him, we do not have to worry about it this afternoon; but if the Senators are afraid of a Democratic President, after 1960, then I say we can amend the law tomorrow.

Mr. BRICKER. Mr. President, I did not yield to the Senator for a speech, but in commenting upon what he has had to say I only hope that in the future he will show the confidence in the President that I have shown.

I came to the Senate with my own judgment. I have continued to vote and speak as I feel, regardless of what anybody at the other end of the avenue may say. If I should fail to do that, I would violate every trust the people of my State have reposed in me, and I would be recreant in my duty as a United States Senator.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. BUTLER. I wish to enlist under the banner of the Senator from Ohio and associate myself with that statement. Any statements I have made here are not a reflection on the President of the United States. There is a right way to do these things. We are dealing here with public property. We have a responsibility, as the representatives of the people, to protect their interests in that property.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. BRICKER. I will yield for a question, but I should like to finish my speech.

Mr. PASTORE. It will have to be more than a question, if I am going to answer that speech.

Mr. BRICKER. I think we have heard about enough on this matter. With due deference to my distinguished colleague, I should like to get back to the speech.

I was discussing the speech of Dr. H. Bentley Glass, of Johns Hopkins University, who appeared before the Fallout Committee as a witness. In his speech last month—and I want this to be heard—at the atoms-for-peace symposium at Brookhaven National Laboratory, Dr. Glass outlined the magnitude of the danger.

Said Dr. Glass, one of the most distinguished scientists of our country in this field:

If even 1 percent of the long-lived fission products produced at a 20,000-megawatt annual level of atomic power were to be released by leakage and accident, the effect would be equivalent to the radiation of 100 bombs of the Hiroshima size.

Mr. President, I ask unanimous consent at this time that the speech of Dr. Glass be printed in the RECORD at this point.

The PRESIDING OFFICER (Mr. MORTON in the chair). Is there objection?

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Menace to human life from fallout of radioactive material due to nuclear weapons tests, if continued at the present average rate, is negligible when compared with the possible radioactivity of waste materials likely to be produced through industrial use of atomic energy over the next 20 years, according to Prof. H. Bentley Glass, chairman of the department of biology of the Johns Hopkins University, Baltimore, Md.

In a paper presented to the Inter-American Symposium on the Peaceful Application of Nuclear Energy at Brookhaven National Laboratory, which is being attended by around 100 visiting South and Central American scientists and others interested in atomic energy—and an equal number of United States scientists—Professor Glass estimates that:

"The development of nuclear reactors for power, in the United States alone by 1975, will produce long-lived fission products that would be equal to the annual explosion of 200 to 400 megaton bombs." In other words, the radioactivity resultant from the detonation of nuclear bombs equivalent to 200 to 400 million tons of TNT annually would approximate the potential radioactivity inherent in the waste material from industrial reactors, if that waste material were not effectively controlled or disposed of.

One of the pressing problems of the atomic age that must be solved, according to Professor Glass, is the safe disposition of these radioactive waste materials and perhaps their profitable utilization just as slaughterhouses, which once processed only the meat of steers, now use economically everything from horn to hoof.

Another preoccupation of scientists, geneticists, and health authorities these days is the extent to which mutations are induced by exposure to radiation and the long-range dangers to humans.

Mutations, the vast majority of which are harmful to some degree but also largely recessive in effect, also occur spontaneously as well as from all manmade ionizing radiations, according to Professor Glass. "It is a serious unsolved problem to determine what fraction of spontaneous mutation is attributable to background radiation," he said. Background radiation is the natural radiation people are subjected to through the omnipresent cosmic ray bombardment and emanations from radioactive materials in buildings and the earth's crust. Exposure to X-rays also is a factor in determining the average gonadal dose to which people in various parts of the world are subjected.

"The background radiation in the United States," according to Professor Glass, "averages 3 roentgens over a 30-year human reproduction lifetime." In some places, such as Brazil and Travancore, India, where the soil is highly radioactive, it is as high as 50 roentgens.

"Since a dose of radiation that would double the spontaneous mutation rate would be expected in 10 or 12 generations to double the frequency of tangible genetic defects in the population," says the writer, "the comparison of populations on different backgrounds may yield information from which the doubling dose can be estimated more accurately than it now is." A doubling dose, it is claimed, would seriously increase the genetic defectiveness of any population exposed to it, and the upper limit to which a people should be exposed should be kept well below it.

Mr. BRICKER. Mr. President, by 1965 Great Britain expects to be producing 6,000 megawatts of atomic energy, the United States 4,500, Euratom 15,000, and the Soviet Union 2,500 by 1960. Added to this annual production of power from atomic energy would be that of recipients of Agency materials and facilities which are involved in this Treaty. Without knowing the dimensions of the health hazard involved, it would be foolhardy to plunge blindly into this international atomic-power program. To do so would be to disclaim even a minimal reverence for human life or health.

What are the true dimensions of the danger? Actually, nobody knows.

The distinguished Senator from New Mexico and I, along with others, have heard the last word, and we are very uncertain at the present time as to what the danger actually is.

Nevertheless, in the recent hearings on fallout before the Radiation Subcommittee of the Joint Committee on Atomic Energy, many able scientists pointed out that nuclear powerplants may soon be poisoning the atmosphere as much as continued bomb testing at the current rate. In addition, many of the scientists, particularly the geneticists, appearing before the Holifield subcommittee agreed that it would be rash, in view of our imperfect knowledge concerning radiation dangers, to push the radioactive content of the atmosphere above the present rate of pollution from weapons tests.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. The statement just made by the Senator is completely correct. In addition, some of the scientists thought the level-off would be lower than the present rate of fission products. The Senator and I agree that this does not involve the total amount of explosive power of the bomb. He will remember, I am sure, the statement of Professor Dunham, of the University of Rochester, a true expert in the field.

Mr. BRICKER. He is one of the very best.

Mr. ANDERSON. At first he set the level at 2.2 tons of fission products. When we questioned him rather vigorously, he said he had used a factor of 50, whereas other scientists had used a factor of 100. Therefore, to be completely fair, he would raise the level to 4.4 tons.

Also another able scientist, Dr. Wright Langham, who has been connected with the Los Alamos Laboratory, and who has

probably had more experience in this field than almost anyone else in America, came up with an estimate of 10 tons of fission products; and the testimony was that 10 tons of fission products had been put into the atmosphere each year for the past 5 years.

I insert this information in the RECORD in order that Members who have been listening to the Senator from Ohio may know that he is dealing with facts as they were developed.

Mr. BRICKER. I thank the Senator from New Mexico. I think the Senator will agree with me that when the hearings were concluded, even though scientists differed, none of them could be sure. However, they all agreed that there was grave danger.

It seems to me that mankind, and particularly the American people, must pause and prayerfully consider to what extent it wishes to enter an industrial nuclear age. I reject as the counsel of despair the following statement by Admiral Strauss:

> With time the operation of atomic reactors all over the world is inevitable. It can no more be prevented than one could restrict or prohibit the use of fire.

We have restricted the use of fire, as arsonists well know.

We are not dealing with fire here, but we are dealing with a very subtle danger, which no one can hear, see, or feel, and which is insidious in its effect upon human life.

I have enough faith in the commonsense of humanity to believe that it will forego the benefits of atomic power if the price must be reckoned in thousands of cases of leukemia, the shortening of millions of lives, and irreparable damage to the hereditary material of the whole human race. What is the price of dotting the globe with industrial atomic powerplants? We do not know, and therefore, we ought not to play atomic roulette with humanity at this time.

From the hearings on fallout before the Holifield subcommittee we have learned that the present scale of weapons testing cannot be sharply increased without incurring physical and genetic harm that all men of good will would find intolerable. No one whose compassion does not project itself beyond his own generation is worthy of high office. If bomb testing continues, the operation of atomic power reactors the world over will probably lead to impermissible concentrations of radioactivity in air, soil, and water. Here is what Mr. W. B. Rankin, Assistant to the Commissioner of the Food and Drug Administration, wrote in the June 1957 issue of Antibiotic Medicine and Clinical Therapy:

> Although the quantity of fission products that has been produced thus far is tremendous, it is almost insignificant as compared with the amounts of radioactivity to be produced as this new form of energy is used in powerplants now being planned. It has been estimated that by 1965 United States reactors will be producing over 20 pounds of fission products per day. By 1980 the accumulated solutions of wastes may amount to 200 million gallons and, by the year 2000, to 2.4 billion gallons.

That waste material is being dumped into the ocean at the present time, and no one knows what the effect is or will be. During the geophysical year great attention is being devoted to the study of the radioactive effects of such waste materials on the bottom of the ocean as the currents move about and the bottom waters replace surface waters.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. ANDERSON. Let me say to the Senator from Ohio that the question of waste is one of the subjects which has all of us worried. No one knows exactly what to do with waste. Therefore, many of us worry as atomic energy spreads in countries which do not have the same regard for sanitation as does the United States.

Mr. BRICKER. I know that the Senator from Ohio is worried over the question. If I were not worried I would not have given the attention I have to this subject matter. If I were not worried I would not try, as I am doing this afternoon, to bring these dangers to the attention of my colleagues on the floor of the Senate.

Continuing with the statement of Mr. Rankin:

> Adequate methods for disposing of this quantity of radioactive wastes have not been developed; there is little doubt that a material amount of radioactivity will spill over into the farmland and water supplies of this Nation and into the oceans.
>
> At the same time that we begin utilizing radioactivity to a greater extent, we will be increasing our consumption of water at a tremendous rate. It has been estimated that the United States will be using twice as much water in 1975 as today. This will complicate the problem of obtaining water from sources adequately safeguarded against radioactive contamination.
>
> The National Academy of Sciences report to the public on the Biological Effects of Atomic Radiation, released last year, points out that radioactive elements in the soil and the oceans are taken up and concentrated by land plants and by marine plants and animals; eventually some of the radioactivity will become a part of man's food supply.
>
> The report indicates also that the maximum permissible tolerance for radioactivity in food is not known. There is not nearly enough information about the long-term biological effects on man or animals from eating radiation-contaminated food.

I now come to what is possibly the most serious aspect of fallout.

Many scientists are apprehensive about strontium 90, a deadly radioactive poison which has a half life of 28 years and which, as a surrogate for calcium, settles in bone marrow causing leukemia or bone cancer. It has been estimated that the 20-megaton hydrogen bomb set off by the United States in the Pacific in 1954 released 43 pounds of Sr-90 in fallout. This is a substantial percentage of the Sr-90 causing so much concern today.

That is only a small percentage of the total, however. The bombs dropped by Russia are just as deadly in their poisoning influence. The same is true of the bombs dropped by England.

However, Indian scientists have estimated that if 50 percent of the world's present energy requirements were produced by atomic fission the annual production of strontium 90 in wastes would rise to 8,000 pounds.

In hearings before the Holifield subcommittee a distinguished scientist, Dr. Kulp, observed that by entering the atomic era industrially "we will probably wind up taking more risk than at least with present testing," and that "we are going, if there is no threshold, to have deaths in the world as a whole from peacetime application, regardless of whether it is testing or not."

Until this health danger has been carefully assessed, it would be reckless indeed for the Senate of the United States to proceed on the blasé assumption that there is no difference between atoms for peace and atoms for power. Special fissionable materials should be made available to the Agency for the production of electric power only to the extent authorized by subsequent legislation based on hearings before the Joint Committee on Atomic Energy.

ATOMS FOR WAR

The following colloquy at the hearings shows very clearly how atoms for power would lead to atoms for war:

> Senator HICKENLOOPER. Therefore, the burden of my question is this: Nations who will come into this Agency to receive assistance from it will, in the main, be nations that do not have the competence themselves to develop this science at this moment.
>
> Mr. MURRAY. I agree with that.
>
> Senator HICKENLOOPER. As these nations, if they have the latent or potential ability to develop the science themselves with aid, do so, a number of them probably will gain some proficiency in the atomic science.
>
> Mr. MURRAY. No doubt about it.
>
> Senator HICKENLOOPER. As they gain proficiency in the peacetime uses of the atomic sciences, don't they go a long step down the road toward gaining knowledge and potential proficiency in the fabrication of weapons?
>
> Mr. MURRAY. There is no question in my mind about that; yes.

Of course, that is true. If nations are given the facilities, the equipment, and all scientific and technical information required for the safe operation of an atomic power program, they will not find it hard to take the final step of bomb fabrication. Many of them will take that step, knowing that atomic weaponry would automatically qualify them as major world powers. They will test the weapons they produce, thus adding to the radiation danger from fallout.

The treaty does not prevent recipients of Agency information and material from making atomic weapons. That is a fundamental defect. When fourth countries equip themselves with atomic bombs, the danger of a nuclear holocaust will be increased to a tremendous degree. Dr. Hans Morgenthau, director of the Center for Study of American Foreign Policy at the University of Chicago, outlined the gravity of the danger in his testimony last January before the Senate Subcommittee on Disarmament. Dr. Morgenthau said:

> There is, however, one problem with regard to all-out atomic war which is not yet acute, but which is likely to become acute in a few years' time and that will arise when more than 2 or 3 nations will have the ability to wage all-out atomic war; for if I am correctly informed by scientists it will be possible within 5 years or a decade for 6 or 8 or 10 or 12 or perhaps 15 nations who have fissionable material to use the byproduct of fissionable

material for the purpose of manufacturing atomic weapons.

That is as true today as can be. Said he further:

Once this contingency has occurred, it seems to me we will then be confronted with a situation infinitely more serious and infinitely less susceptible to control by the self-restraint than the one which exists today.

Today if an atomic bomb explodes in the port of New York we know who only could have planted it and could use atomic retaliation in order to operate against it and the very fact that we know it and the very fact that we can use that atomic retaliation prevents such an atomic bomb from being exploded by the Soviet Union.

But what is going to happen if in 10 years' time an atomic bomb explodes in the port of New York? Against whom are we going to use atomic retaliation? Against whom are we going to drop atomic bombs?

Nobody will know or nobody needs to know at least who planted that bomb. I daresay in comparison with the insecurity, perhaps even the panic which will exist then in the relations among nations, the first decade of the atomic age may well appear as a kind of golden atomic age.

That is from a great scientist. Proceeding further, he said:

I think there is urgent need today before this contingency has materialized to reflect upon ways and means by which this contingency can be forestalled and while I regard many of the disarmament proposals which have been suggested in recent times and in the last 150 years or so as utopian as not susceptible to realization, I think here is one area of disarmament where the vital interests of the United States and the Soviet Union coincide. And it seems to me there is urgent need on the part of the Government of the United States to think about ways and means to forestall this contingency and to control strictly the use of fissionable material for peaceful purposes.

The pending treaty does not control strictly the use of fissionable material for peaceful purposes. The International Atomic Energy Agency will make its members so proficient in the handling of large quantities of fissionable material in the production of power, that it will be fairly simple for many of them to fabricate atomic weapons. The treaty does not prevent such manufacture.

The Statute of the International Atomic Energy Agency does provide that fissionable materials furnished by the Agency shall not be used in weapons manufacture. The treaty provides for inspection of materials and facilities supplied by or through the agency. The control provisions will not prevent seizure of fissionable material made available by the agency and will probably not be effective to prevent diversion.

The danger of diversion arises from the fact that it is impossible to account precisely for losses of fissionable material incurred in large-scale operations. Moreover, inspection, to be even partially effective, would require competent scientific personnel to be in atomic power plants 24 hours a day, 365 days a year. It is highly unlikely, in view of the shortage of scientists and engineers, that competent people can be hired for the dull, but critically important, job of inspection.

I have a letter from the Atomic Energy Commission, which I should like to have printed in the RECORD at this point. It sets forth how impossible it is for them to keep complete track of all fissionable material. I ask unanimous consent that the letter, and my letter to the Commission, may be printed in the RECORD at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JANUARY 24, 1957.

Adm. LEWIS L. STRAUSS,
Chairman, Atomic Energy Commission, Washington, D. C.

DEAR ADMIRAL STRAUSS: I would like very much to have a memorandum from the Commission on the problem of unaccounted-for fissionable materials in the United States atomic-energy complex.

Please understand that this request does not stem from any feeling on my part that the Commission has been negligent or that indeterminate losses of fissionable material are traceable to subversive activities. What I desire is an authoritative statement explaining why, under the most prudent management and under the best accounting and inspection procedures, it is impossible to determine precisely process losses; accumulation in plants (for example, gaseous diffusion plants); losses in extrusion, milling, etc.; and residues in canyons.

Sincerely yours,

JOHN W. BRICKER.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., January 29, 1957.

Hon. JOHN W. BRICKER,
United States Senate.

DEAR SENATOR BRICKER: This is to acknowledge your letter of January 24, 1957, requesting a memorandum from the Commission on the problem of unaccounted-for fissionable materials in the United States atomic-energy complex.

A prompt reply will be forwarded.

Sincerely yours,

BRYAN F. LAPLANTE,
Special Assistant to the General Manager.

UNITED STATES
ATOMIC ENERGY COMMISSION,
Washington, D. C., February 14, 1957.

Hon. JOHN W. BRICKER,
United States Senate.

DEAR SENATOR BRICKER: This is in reply to your letter dated January 24, 1957, in which you ask for information concerning the reasons for unaccounted for fissionable materials in the United States atomic-energy complex.

The inability to account exactly for all fissionable materials stems primarily from two limitations; viz., the difficulty of obtaining truly representative samples of the materials being processed, and the uncertainty inherent in measurement of the fissionable material content of the samples.

To take a specific example, the determination of the plutonium content at the beginning of the chemical processing sequence is made on samples which are roughly a millionth of the volume of the batch from which they are drawn. These samples then require a series of chemical and physical manipulations in order that the quantity of plutonium present may be determined. Replicate samplings and analyses lead to results which agree closely, but very often not exactly. Under these circumstances it is not possible to state exactly the quantity of plutonium present, and hence the error of overstatement or understatment of the true quantity will, ultimately, show up as an apparent gain or loss.

Throughout the atomic-energy complex, the determination of quantities of fissionable materials being processed involves sampling and measurement problems similar in kind to the above, and varying through a wide range of complexity. In addition, there are sometimes further complications; that is, the chemical processing plants for irradiated materials may have as much as 8 or 10 miles of pipes for transferring solutions from one part of the process to another. The pipes may vary as to fullness and concentration of solution, and these factors will introduce error into the statement of fissionable material content; this error, again, will show up as an apparent gain or loss.

A somewhat different type of problem exists in the case of gaseous diffusion plants. Here the statement of material in the diffusion cascade is based on the volume of the uranium-hexafluoride gas, its pressure, and its temperature. These factors can be determined rather precisely, although not exactly, and serve as the basis for stating a large share of the cascade inventory. However, in addition to the gas content, the cascade contains sizable quantities of uranium which have deposited on its inner surfaces. These quantities are not subject to direct measurement, and hence introduce error into the statement of cascade inventory. Experience permits reasonable estimates of the deposited uranium, but the true quantity cannot be determined.

The above examples are illustrative of the problem of unaccounted for fissionable materials in the atomic-energy complex. For the most part the problem is no different in kind than is routinely encountered in private chemical and metallurgical industries. In theory, and only in theory, it would be possible to account exactly for all materials. However, as a practical matter it would be impossible to do so (perfect sampling and measurement methods would be needed, all process equipment would have to be shut down and cleaned out, etc.). Accordingly, the approach which industry takes is that its accounting efforts should bear a reasonable relationship to the value of its materials. This approach contemplates a greater degree of control for valuable materials than for those that are inexpensive, and recognizes that there will be some inexactness for all materials.

The Commission has followed this same approach and in so doing has continually sought ways to obtain better measurements on its materials. One recent example is the agreement by the National Bureau of Standards to assist us in the development and distribution of material standards. The availability of standards containing known quantities of material will increase our ability to obtain measurements which are more exact than is possible today without standards.

I trust that I have answered your questions satisfactorily. If I can be of any further assistance please do not hesitate to contact me.

Sincerely yours,

R. W. COOK,
Acting General Manager.

Mr. BRICKER. Mr. President, an even greater military hazard is the danger of seizure. The agency has no enforcement machinery to punish violators of the treaty or to recover fissionable materials which have been illegally seized. All it can do is to cut off further assistance, report the violation to the U. N., and, by a two-thirds vote of the General Conference, suspend the member in violation.

Illegal diversion and seizure of fissionable materials are not remote possibilities. Not in scores of nations consumed by the fires of intense nationalism and more or less openly dedicated to destroy

one or more of their neighbors. I cannot imagine that the defense ministers of such countries would not make plans to facilitate the conversion of atoms-for-power into atoms-for-war.

The international atomic power program envisioned by the treaty will make universal disarmament difficult if not impossible to achieve. In this connection, I ask unanimous consent to have printed at the conclusion of my remarks an article by Cuthbert Daniel and Arthur M. Squires which appeared in the April 1947 issue of the Bulletin of the Atomic Scientists.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE INTERNATIONAL CONTROL OF SAFE ATOMIC ENERGY

(By Cuthbert Daniel and Arthur M. Squires)

Are the benefits of industrial atomic power worth the risk? We believe they are not. We believe that the problems of the international control of atomic energy can be reduced to manageable proportions only by an international agreement not to develop industrial atomic power for a generation. We believe that most of the foreseeable benefits of atomic energy to our generation can be had without its use for industrial powerplants.

International control takes on quite different sense and seriousness for different parts of the field of atomic energy. Control of its use in scientific research and development is easy. A world control authority need place little check on properly designed experimental piles producing radioisotopes and intense radiation, or on the use of these isotopes and radiation in physical, chemical, and biologic research. Laboratory reactors (e. g., those at Clinton Laboratories, Oak Ridge, and Argonne Laboratory, Chicago) require only small quantities of fissionable material, and produce plutonium usable in a bomb at a very small rate. Owing to fundamental construction features, the Clinton pile could make a bomb only after many years of production. To guarantee the safety of nuclear research laboratories, the world authority need only supply them with uranium, plutonium, and thorium according to their needs, and inspect them occasionally to insure legal use of these materials.

Control of the use of nuclear fuels to generate power is difficult. The existence of full-scale industrial power piles requires large-scale mining of uranium and thorium, and large-scale separation of U–235 and production of U–233 and plutonium. Their existence requires an extensive traffic in fissionable materials, large stockpiles, and high rates of production of materials usable in bombs. Their existence is attended by danger of illegal diversion of bomb material to small easily concealed bomb fabrication plants. It is generally recognized that power piles and the associated mining and production activities must be managed by a world agency, if the people of the world in which they exist are to feel secure against surprise atomic attack. National seizure of these plants and stockpiles is immediate cause for an international crisis, probably war, because of the short period (variously estimated at a few weeks to a year) in which a team of physicists and engineers can produce bombs from stockpiled material and new production. In short, nuclear power systems are the only part of the field of atomic energy for which it is true, as it is so often said of the whole field, that peacetime activities and wartime activities are 80 percent identical.

Why then should industrial atomic powerplants be built? To this question it is generally answered that man must not deprive himself of the benefits of the uses of atomic energy. These benefits, however, fall in two categories—those flowing from safe atomic science (including the industrial use of radioisotopes and pile radiation), and those from dangerous industrial atomic power. The prospects for these two categories are by no means equally impressive; in the words of the Secretary of War's Interim Committee on Atomic Energy, "It is probable that the exploitation of atomic energy as a tool for research will outweigh the benefits to be derived from the availability of a new source of power."[1]

There is no doubt that the next 20 years of science will be more exciting and much more profitable because of the widespread availability of new powerful research tools stemming from laboratory piles. Fortunately, scientific uses of atomic energy involve no great danger to world peace and no major difficulties of inspection and control; nor do these uses now depend on the construction and operation of large-scale industrial plants, since stockpiles of enriched U–235 and plutonium now exist adequate to supply the world's laboratories during our lifetime.

Why are the benefits of scientific and industrial uses so closely associated in most discussions of nuclear developments? Most discussions make it appear that man must engage in all activities, going nearly up to bomb production, in order to secure any of the benefits. This is not the case. Safe atomic science, and the major benefits, can be had without dangerous atomic industrial development at this time.

Are the benefits of industrial atomic power worth the risks? The world must answer this serious question, and not by default. Our own answer is not based on private sources of information—we are not nuclear physicists; nor do we believe that inside technical information is necessary to judge this economic and political question. We have tried to form our opinion on the basis of all pertinent information which we or anyone else can properly secure.

A group of scientists and engineers working under C. A. Thomas reported to the United Nations Atomic Energy Commission that atomic powerplants of a type similar to the Hanford piles can supply electricity at a price competitive with electricity generated from coal costing $10 a ton.[2] (The average wholesale price of coal in the United States is about $5 a ton in normal times.) Such plants will burn natural uranium together with all plutonium produced as a by-product of power generation. Thomas' group emphasized the difficulty of the technological problems which must be solved before such plants can be built. We recognize that the report may be conservative from the long-range standpoint, since ultimately cheaper methods of power production may be developed which utilize a much higher percentage of U–238. On the other hand, it was reported by Wilmot, Minister of Supply in the British Government, that in some quarters the report is thought to be somewhat overoptimistic.[3]

The economic benefits foreseen for atomic powerplants are a consequence of the negligible cost of transporting nuclear fuels. Plants can be built in regions remote from ordinary fuel deposits, and decentralization of industry can be effected by locating small atomic powerplants at many points of a large electricity distribution network. J. Marschak, Professor of Economics at the University of Chicago, has called attention to the fact that the total cost of transporting fuel from mines to power stations generating electricity is a very small fraction of the entire United States national effort (about one-eighth of 1 percent); this cost amounts on the average to one-eighth cent per kilowatt-hour.

If nuclear fuels were free and were capable of replacing coal in all its uses, the saving would be 2 percent of the national income. Professor Marschak pointed out, however, that no one can predict what new industrial combinations would arise from widespread use of atomic power. Like the automobile, which did not just replace carriages, atomic power might have far-reaching and unpredicted effects upon our entire technology.[4]

ATOMIC POWER NOT FEASIBLE NOW

It is generally agreed that many years must pass before atomic power can be used on a significant scale. H. A. Winne stated that "economically competitive atomic power" is "a long-term project, possibly requiring decades."[5] Its development then will have little economic effect during our generation, and cannot soon contribute to relief of the acute energy shortages current in some parts of the world.

It is difficult today to determine the potential long-range importance of nuclear fuels relative to coal as sources of energy. The U–235 in rich uranium deposits known before the war had an energy equivalent to only 0.014 percent of the world's total coal reserves.[6] It seems unlikely to us that new ore discoveries have increased this percentage by more than a factor of 10 or so. Although the cost of recovering uranium from rich deposits is sufficiently low that its use is competitive with $10 coal, large-scale power production from U–235 would lead to quick exhaustion of rich deposits. As Fermi has indicated, "further production would have to use very poor ores with a consequent increase of several orders of magnitude in the cost of the primary material." The long-range importance of atomic power depends upon solution of the difficult problems associated with engineering power systems which utilize a high percentage of U–238.[7]

It seems likely to us that large-scale atomic power would not be developed in any country for many generations, if it were not for the direct or indirect support of the military in every major country. Atomic power is in a category with the airplane, whose rate of development was accelerated manifold by military support: Development cost is high, prospects of early economic benefits are negligible, and long-range economic importance is problematical. The advantages of nuclear fuels are their small weight and bulk per B. t. u., advantages of great importance for military applications. The efficiency of nuclear fuels in battleship and submarine powerplants and in rocket propulsion may well be decisive in military judgment, to which cost is often a minor consideration. Late in 1945, Langmuir pointed out that atomic power would probably first be used for naval ships, and that the field of atomic power would not be attractive to industry for a long time to come.[8]

There can be no criticism of the armed services for their intense interest in nuclear power piles, and in nuclear physics generally;

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[1] Quoted by State Department Report on the International Control of Atomic Energy (the Lilienthal committee), p. 19.

[2] The International Control of Atomic Energy: Scientific Information Transmitted to the United Nations Atomic Energy Commission. IV. Nuclear Power (September 5, 1946).

[3] Bulletin of Atomic Scientists, vol. 3, No. 2, p. 52 (February 1947).

[4] Ibid., vol. 2, Nos. 5 and 6, p. 8 (September 1946).

[5] Reported in New York Times, March 19, 1947.

[6] One World or None, ch. 4 (Gale Young).

[7] Chemical and Engineering News, vol. 24, p. 1357 (May 25, 1946).

[8] Hearings before the Special Committee on Atomic Energy, U. S. Senate, 79th Cong., 1st sess., p. 109 (Nov. 30, 1945).

the Army and Navy will be interested in all scientific development as long as there is need for an Army and Navy. Their interest in nuclear development will not decline appreciably with the advent of international control. Every effort will be made to determine the locations and capacities of power piles on strategic rather than economic grounds, even under international control. Persons who wish to see their country at a high pitch of military preparedness will regard with favor the large stockpiles of fissionable material at powerplants, and will calculate the number of bombs which can be made from them in a crisis. This will be no less the case if these plants are managed by an international agency rather than by a national one.

BACKWARDNESS OF COAL TECHNOLOGY

Comparisons of atomic power with coal power frequently ignore the backwardness of coal technology. Although Thomas has stated that the cost of coal energy is likely to increase, other engineers believe the opposite.[9] Chemical engineering techniques developed during the past 20 years by the oil industry are just beginning to find application to the problems of rational utilization of coal; methods of producing high B. t. u. gas from coal and transporting the gas in pipelines promise large reductions in the cost of coal energy to consumers remote from mines. Moreover, many believe that modern mechanical engineering can appreciably reduce the cost of mining coal. The open-cycle, coal-fired gas turbine is already at an advanced stage of development in this country, where it promises to be of use in locomotives. This engine is also well adapted to isolated, waterless locations, and may make possible a great increase in power production wherever water availability is now the limiting factor.[10]

It is apparent that large gains in economy of coal utilization can be achieved by a modest expenditure of technical and industrial effort. We suspect that a rational effort to increase the world's power supply during the next several generations, to decentralize industry, and to industrialize remote regions, would concentrate on exploitation of waterpower, on improvements in utilization and transportation of coal energy, and on the gas turbine, and not on industrial use of nuclear fuels. We suspect this to be true, realizing that we do not possess all information necessary for a definitive judgment. We suspect that pipeline gas or waterpower will prove to be the cheapest energy for most regions where power is now expensive, such as the Mediterranean Basin, California, and the south of China. Many of these regions would not be helped greatly by atomic power development under an international control authority, since in many instances nuclear power systems of economic importance would be denied because of their military threat.

England, France, and Russia all stand in greater need of an increased power supply than the United States; a given expenditure of technical and industrial effort directed toward the generation of electricity from nuclear fuels will produce results of far less economic importance for these countries, in our opinion, than an equivalent effort directed toward improved mining and gasification of coal and the manufacture of high B. t. u. gas and liquid fuels.

Are the benefits of industrial power worth the risks? The commonest of all errors of judgment, we suppose, is to consider the palpable advantage more important than the latent danger. But the presence in every major country of 80 percent of the operations required to make atomic bombs seems to us greatly to increase the likelihood that sooner or later, under the present world conditions of national sovereignty and mutual distrust, some country will make bombs.

The predicted benefits of industrial atomic power should not impress us. Even if these predictions underestimate the facts, and it actually were possible to enjoy large-scale economic use of atomic power in our lifetime, still mankind can afford to wait a generation—let us hope, in peace—for new atomic industrial frontiers on mountain and desert, for space ships, and the like. We believe that there should be international control of safe atomic energy activities, and international prohibition of dangerous activities until the world's people learn the limitations of nationalism and the advantages of working together. In the words of Professor Marschak, "Reaching for a few strawberries on the edge of a precipice we may fall and break our necks."

A COMPROMISE PROPOSAL

There can be no doubt that the Russians and Americans are poles apart in their points of view on atomic energy control. Let us not be unduly discouraged by March's news or unduly encouraged by December's. There will be no real hope for an effective pact establishing the international control of atomic energy until a basis of agreement between these two great protagonists has been found. Russia demands immediate destruction of all atomic bombs followed by inspection with a minimum of interference with national institutions. America requires an operating system of international inspection before full transfer of present United States plants to the world control authority; the authority will be responsible for the management of all such plants in every country. The Russians feel management to be a degree of control which interferes intolerably with national life.

Clearly no golden mean is possible between these two irreconcilable positions. The irreconcilability is aggravated by the deep conviction on each side that the other is trying to outmaneuver, surround, and eventually overpower it.

Usually compromise is reached by each side giving up part of its position. Tit for tat. In this case, we propose that both sides give up the same thing, for the same reasons. We propose a compromise whereby the principal tool of military power is removed from the hands of both sides, by agreement, without loss of the foreseeable benefits of nuclear science to either side. Whether a plan for international control of atomic energy is adopted or not, equality in atomic military potential is eventually inevitable. Equality in this field is most advantageous when both sides of the equation are set equal to zero. The advantage to the people of the world becomes less, the higher the military potential. At some point national equality becomes dangerous national rivalry.

The plan now under discussion by the United Nations[11] calls for construction of dangerous atomic production plants in many nations, while the United States gives up only the bomb fabrication phase of its current activities. Thus the atomic military potential of all major nations will be equalized nearly at the present high level of the United States. If no industrial plants are permitted to exist, national rivalry in the field of atomic energy is reduced to a rivalry in the quality and size of the staff of research and development experts who can activate a bomb project.

The experience of the armament race leading to 1914 indicates that the likelihood of war is greater the higher the general level of military potential. It is clear that industrial atomic facilities raise a nation's military potential, whether managed by a world control agency or not. We propose to do more than remove the threat of surprise atomic attack; we propose to minimize the danger of atomic war.

We propose the following compromise between the Russian and American positions: Let there be a world agreement that no new industrial atomic plants shall be built anywhere in the world for a number of years. Let there be established an Atomic Development Authority along the lines proposed by the United States, with responsibility for world geological surveys, inspection against illegal activities leading toward bomb manufacture, and operation of laboratories for nuclear research and pilot plants for development of methods of U–235 enrichment and plutonium production.

The Authority will estimate the quantity of enriched U–235 and plutonium required for research and development activities during the next 20 or so years, and draw plans for its distribution to research stations throughout the world. Enriched material now existing in excess of this quantity will be destroyed. The size of research and development piles will be set so that the rate of production and the inventory of material usable in bombs within each nation are below agreed-upon limits. We believe that limits can be set which permit a large-scale research effort with no danger to peace.

All pilot plant studies of fissionable material production and of power generation will be undertaken by the Authority; since the men who make the studies will be viewed as military assets by groups planning to seize military power, these men should come under close international surveillance.

As soon as there is established an inspection system which provides safeguards agreed on previously, the United States will dismantle its large-scale production plants (K–25 and Y–12 at Oak Ridge and the plutonium piles at Hanford), permit the distribution of fissionable material for research, and publish all significant scientific and technical information, from mining to bomb design. When the supply of fissionable material for research is exhausted, let the nations agree upon the operation of a single small U–235 separation plant and a pile to provide material for experimentation at the required rate. (If after 10 to 20 years the nations cannot so agree, there will be far more serious things to worry about than the shortage of U–235 and plutonium for research.)

POWERS OF ATOMIC DEVELOPMENT AUTHORITY

Under our proposal, neither the Atomic Development Authority nor any other person will have the power to mine and process uranium and thorium on a large scale (beyond needs of laboratory and ordinary commercial users); to operate reactors or separation plants which produce large quantities of material usable in bombs or which, by relatively minor operational changes, could make material for bombs; to operate facilities for making atomic weapons or for research and development in military uses of atomic energy—these activities, let the world agree, are too dangerous for our time, since they guarantee national rivalry in the field of atomic energy at an extremely dangerous level. Let us spend our time in world education and political development so that future generations will not know fear.

Our proposal contains little that is new. It is a modification of the plan proposed by the Lilienthal committee, and indeed may be regarded as a proposal concerning the steps whereby the Lilienthal committee's plan may ultimately be put in effect when world conditions permit. In the fall of 1945, Urey, Langmuir, Szilard and others, while testifying before the Senate's Atomic Energy

[9] P. C. Keith, Chemical Engineering, December 1946, p. 101; see also Fortune, March 1947, p. 85, for the first of a series of 3 articles on coal technology.

[10] J. I. Yellott, American Institute of Mining and Metallurgical Engineers, Technical Publication, No. 2086 (August 1946).

[11] Bulletin of the Atomic Scientists, vol. 3, No. 1, p. 16 (January 1947).

Committee, expressed their willingness to delay the development of atomic power, if delay would make war less likely. The authors of the Chicago Draft Convention [12] proposed a 5-year delay in construction of large-scale powerplants; during this time the international agency would carry out pilot-plant studies to determine plant designs which make control easy and sure.

We add two requirements: (1) That the present United States plants be destroyed, since if they are not other countries will wish similar plants immediately, even if construction of powerplants is delayed; and (2) that the exploitation of atomic power be postponed until the world can use it safely.

Our proposal is in the interest of the people of the United States. To persuade them of the fact may be difficult. On the surface it appears that our proposal requires America to give up much which she would keep under the present United States plan. It will require a more extensive and serious educational campaign in this country than is now in progress to explain that our temporary atomic military superiority is a potential hazard, and not an advantage, either strategically or as a bargaining point. Today this superiority is perhaps the greatest single stimulus for an atomic armaments race. Tomorrow the superiority will vanish. If atomic equality is reached after an armaments race, or after a program of construction of atomic industries in other countries under the present United States plan, the American people will be exposed to greater threat of war than if our proposal is adopted.

The United States can progress toward international cooperation only by courageous display of farsightedness. It cannot throw away its present atomic military superiority before a control agreement is reached, but it should clearly express willingness to destroy the plants and stockpiles which constitute this superiority. The people of the United States must learn to prefer an atomic agreement which does not put nearly complete atomic bomb plants in every major country. They will suffer no hardship if our present atomic plants are dismantled and if no industrial atomic powerplants, battleships, or rockets are built. No country is less in need of a new and expensive fuel than the United States. We believe there are more profitable tasks for this country's staff of technical men, now in short supply because of the war, than work on nuclear power systems.

Although it is difficult to analyze the motives of the Russian leaders, it appears to us that our proposal has many advantages to them. The present superiority of the United States makes their discussion of the United States plan difficult. They are unwilling to contemplate a situation in which the combined atomic production capacity of non-Russian states exceeds the capacity of Russia and her satellites, yet they cannot hope to secure agreement to a disposition of production plants in which this is not the case. If the United States plan is adopted, Russia must expand a large technical and industrial effort to match America's present production plants and stockpiles. In addition, the Russian leaders must use valuable personnel to lay plans and train men for the militarization of authority facilities in the event of war. All of this must be done if Russia is to feel "secure," however questionable security based on competitive preparations for atomic war may be.

Under our proposal, Russia's leaders will be assured, by an inspection system partly under their control, that no such competition is needed. Russia's (and every country's) security is complete as soon as the United States reveals its know-how, scatters its stocks of fissionable materials, and dismantles its plants. Russia can then use its scientific and engineering staff for more constructive tasks than duplication of America's atomic facilities.

[12] Ibid., vol. 1, No. 8, p. 11 (Apr. 1, 1946).

INSPECTION EASIER

The Lilienthal committee pointed out that "it is far easier to discover an operation that should not be going on at all than to determine whether a lawful operation is being conducted in an unlawful manner." [13] Inspection is easier under our proposal because there are fewer lawful operations than there are under the United States plan. Our proposal requires an inspection system which will detect the existence of unlawful large-scale mining operations, large-scale processing of uranium and thorium, manufacture of nuclear fuels, and bomb fabrication. The only lawful operations are small-scale laboratory use of fissionable materials and possibly small-scale mining. A high degree of assurance that attempts to obtain bombs must fail is afforded under our proposal by a careful geological survey of the world for deposits of uranium and thorium, followed by a continuous watch of all known deposits. Experts generally agree that such a survey and watch has a high probability of success.[14] The United States plan requires not only an inspection system to detect the unauthorized existence of all operations from mine to bomb, but also a system to insure that all authorized mines and plants for processing, manufacture and use of nuclear fuels are operated without illegal diversion of material in amounts dangerous to peace. Every nation will demand assurance that dangerous plants in all other countries are legally operated. In addition, private vendors of graphite for Authority piles, of diffusion membrane, centrifugal pumps, and control instruments for Authority gaseous diffusion plants, etc. must be carefully watched to prevent production of undeclared goods and their shipment to illegal plant sites. (Under our proposal the manufacture of these unusual materials on a scale unwarranted by their limited commercial use constitutes a danger signal.) Because of the scale of the effort required to construct an atomic industry, a large fraction of the industrial know-how can never be under direct Authority control, and so must come under close Authority surveillance.

We believe that there has been insufficient emphasis on the difficulties of assuring that large industrial plants are legally operated. The problems of material accounting will assume nightmarish proportion when the world's rate of production of fissionable material becomes many times the present productivity of Oak Ridge and Hanford, so that very small percentagewise losses become potentially very hazardous.

Some may argue that under our proposal there is greater temptation to attempt an illegal bomb-production program, since success finds the criminals with great relative strength when no one else is engaged in industrial activities leading nearly to bomb assembly. Against this argument we must set the temptation under the United States plan to misuse or seize dangerous industrial facilities. We believe that an inspection system can give more positive assurance that no large-scale illegal bomb programs exist than that no fissionable material is diverted to small hidden bomb-assembly plants, or that groups do not plan seizures.

The Lilienthal committee emphasized the fact that first-rank scientists and engineers, the only people competent to direct an inspection force, will not choose to serve on a purely negative, policelike inspection force. Our proposal calls for a world authority with no purely operating jobs, fewer police jobs than are called for by the plan proposed originally by the Lilienthal committee and now under consideration by the United Nations, and the same number of interesting research and developmental jobs. The men needed to direct an inspection force will be attracted and stimulated by research, development, and pilot-plant activities of the Authority; they are not much interested in the operation and control of large plants or the mass procurement of materials of construction. The job of inspection is largely one of imagination, a job of guessing the manifold forms which an illegal plant might take, the substitute materials, the dodges.

[13] Reference (1), p. 34.

[14] Jerome Fisher, Bulletin of Atomic Scientists, vol. 1, No. 5, p. 1 (Feb. 15, 1946); Report on Control of Mineral Production by Committee under Chairmanship of P. F. Kerr, ibid., vol. 1, No. 6, p. 4 (Mar. 1, 1946).

ENFORCEMENT LESS LIKELY TO MEAN WAR

Under the United States plan the most probable form of violation of the atomic-control agreement is the seizure of Atomic Development Authority plants and stockpiles, an action highly likely to succeed. Even when persons are caught diverting material to hidden bomb sites or mining illegally or building plants, they are likely to attempt seizure of the nearest Authority plants in an effort to carry through their jeopardized plan of world conquest. Each country will prepare plans and staffs for the seizures and rapid militarization of Authority plants; it will do this in self-defense against the day another country acts. Leaks of information about these plans and staff will contribute to international tensions.

Minorities eager for political power will be likely to urge seizure, an overnight task tempting in its apparent sudden increase in national military advantage. Public and technical support for seizure will be easier to obtain than support for a program of building bomb plants from scratch, since the latter requires years before military advantage is secured. In the crisis following seizure, successful fabrication of second-rate bombs—second rate, that is, relative to those used in August 1945—from denatured material is not much less serious than fabrication of first-rate bombs.

When a group seizes Authority plants and stockpiles within a country, it is likely that the only means of punishment available to the Authority is a request for other countries to declare war on the offending nation. Thus, even though the people of the country are not in sympathy with the seizure prior to its occurrence, they will probably be forced to unite behind the criminals in mutual defense against the violence of the attack from without.

Under our proposal, since no legal industrial plants exist, the crimes of their seizure or misuse cannot occur. Persons who would make bombs must secretly engage in all activities from mine to bomb, and the likelihood of success is small.

There is a good chance that punishment of all crimes possible under our proposal can rest on prosecution of individuals in courts of law. At the first sign of the opening of a mine, the construction of an illegal plant, or the misuse of a laboratory device, the Atomic Development Authority can issue a warrant for the arrest of all persons with knowledge of the illegal activity, so that they can be arraigned before an international court of law.

A MANAGEABLE STEP TOWARD WORLD GOVERNMENT

Atomic energy control must be a first step in the evolution of the United Nations toward world government and complete disarmament.

We believe that the United Nations, as presently organized, is too weak to assume the grave responsibilities of atomic energy control according to the present United States plan. This plan in our opinion requires full world government based on a strong habit of peace. The United Nations shows little sign today of moving toward

peace; the nations show little sign of wishing to disarm. It is hard to imagine countries giving up other capital weapons unless they are disarmed atomically. Rather, each nation will argue a sacred duty to maintain a military establishment to protect the vital industrial plants of the Atomic Development Authority within its borders.

There has been little discussion of the steps leading to international control by the United States plan, but it may be safely predicted that no major nation will be satisfied with any other nation's plan for the locations, capacities, and startup dates of large U–235 separation plants and plutonium reactors, for mining quotas, ore shipments, stockpiles of enriched material, etc. Persons who speak of a strategic balance in the geographical distribution of plants and stockpiles raise questions only of their own disingenuousness—a way has not yet been found to slice a pie 5 ways so that each single piece is larger than the other 4 put together.

There is good historical evidence that reliance on balance of power to preserve peace, when nations mistrust each other, actually makes war more likely. If roughly equivalent atomic energy installations are located in many countries (possibly along with a few atomic bombs, as sometimes suggested), in the hope that overwhelming strength will remain with the law-abiding in the event of a violation of the atomic energy agreement, one can be fairly sure that no violations will occur until a number of countries have been lined up in a coalition. In fact, there will be an intense diplomatic effort to form opposing parties of nations, i. e., to establish a balance of power between two groups. One can also be fairly sure that shortly after opposing groups of nations are organized, all countries in one bloc will, as if by coincidence, violate the atomic energy agreement simultaneously. Simultaneous seizure of Authority plants and stockpiles can easily be arranged and takes a few hours to execute. Simultaneous violations are far less likely if no industrial atomic energy plants exist, since operations leading to the undetected manufacture of atomic bombs takes years and are unlikely to be attempted by a number of countries at the same time.

SHALL THERE NEVER BE INDUSTRIAL ATOMIC POWER

Some may argue that our proposal places an intolerable restriction on human progress; that man in his conquest of nature is fated to exploit large-scale atomic power, and no turning aside or delay of fate's processes is morally acceptable. In the words of the Lilienthal committee, the argument is that "any effort to confine the inquiring mind * * * is doomed to failure," and that "the very existence of a prohibition against the use of piles to produce fissionable material suitable for bombs would tend to stimulate and encourage surreptitious evasions." [15] This argument makes humanists of power pile designers, and of us, advocates of medieval reaction.

We believe that it is both desirable and possible to place limitations on human inquiry. A psychologist who wishes to study panic would learn much by setting fire to theaters. This is a method of investigation which is forbidden to the humane scientist. Progress is this field of psychology is desirable, but must proceed at the slow pace set by accidental discovery (as by a psychologist who by chance can observe panic during a theater fire). It is easy to think of other examples. We believe that for our generation any information which can be obtained from large-scale atomic powerplants (and which cannot be obtained from pilot plants) is not worth the probable price in human suffering.

[15] Reference (1), pp. 17 and 21.

Engineering experience generally suggests the unlikelihood of additions to scientific knowledge as a direct result of large-scale industrial activity. Industrial installations are usually poor experimental tools, because their construction is necessarily conservative and the range of operating variables limited. It is conceivable that a purely scientific enterprise may require the construction of a pile which produces bomb material at a dangerous rate. If the experiment can be performed quickly, so that there is no dangerous accumulation of bomb material, it may be possible to secure international agreement to construct one such pile, operate it for a short time, and destroy it. But if the enterprise requires long-term operation of such a pile, we believe that our generation should forgo the information which the enterprise could yield.

We do not propose that industrial atomic power never be developed; it is probably a long-term good. As other sources of energy become depleted and as the habits of peace become strong, the advantage of atomic power will become greater and the danger less.

In making a judgment on a foreseeable social change of the magnitude of that promised by the development of nuclear power, it is important to consider path and method even more carefully than goals and outcomes. The history of social programs and plans shows many sad examples of the failure to consider means along with ends. The Communist experiment will not, we fear, be the last horrid example. The attempt to force technological change, just because the physicists have said "Ready," leaves out the other crucial prerequisites of a successful, socially advantageous development.

The Tennessee Valley Authority shows how the Atomic Development Authority should proceed. The technical methods of flood and erosion control, power and fertilizer production, and scientific farming were ready for large-scale application long ago. An attempt to force immediate use of these methods, without preparatory education, would have failed. Such success as the TVA has had as a social experiment is due to the pace and methods used in showing the people of the valley how to work together. Education in living together is as important a component in the TVA's program and aim as is education in the methods of scientific farming.

Today the majority of the people of the world are helpless, uninformed, and concerned mainly with finding enough food. In these respects they are like babies. One does not give explosives to babies, and one does not invoke the baby's right to full and unfettered satisfaction of all its curiosities. As the people of the world become free, through education and adequate feeding, they will be able to make sensible judgments about the use they wish to make of nuclear fuels.

Our generation may well devote a major part of its energy to the job of catching up politically. It needs a peace during which to learn the sharp limitations of national advantage. It needs to find and learn a set of social values more suited to the technological era than the feudal and megalopolitan values received from the predatory past. It needs to develop the United Nations into a really democratic world government. It needs to go slowly in the development of atomic industry in order to minimize the threat of war in our time. If our generation establishes peace, any future generation can develop nuclear power; if our generation fails to establish peace, no one for many generations can develop nuclear power or anything else. International control of safe atomic science, and prohibition of dangerous atomic industry during our time, can be a real step toward world peace and permanent civilization.

PROPOSED RESERVATION

Mr. BRICKER. Mr. President, I intend to propose the following reservation to the Statute of the International Atomic Energy Agency:

That the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress.

The proposed reservation is not inconsistent with the terms of the treaty. Adoption of the proposed reservation would not prevent ratification of the treaty by the United States. No member of the Agency is under any obligation whatever to make any quantity of special fissionable materials available to the Agency. Article IX (A) says that "members may make available to the Agency," and so forth. Administration witnesses pointed out that amendments requiring member nations to make available special fissionable materials were either withdrawn or defeated.

The proposed reservation would not prevent international cooperation in the development of atomic energy as a source of power. Nuclear power development could proceed in countries that are wholly trustworthy under our present bilateral program, and in other countries subject to the safeguards spelled out in subsequent legislation.

The proposed reservation would give the Senate a second look and the House of Representatives and the Joint Committee on Atomic Energy a first look at the potentially dangerous features of the treaty. All the potentially dangerous aspects of the treaty spring from the industrial atomic power program envisioned by the treaty.

That is what the other nations were looking at, more than at the benign effects which would come in the fields of health and agriculture.

If my suggested reservation is adopted, the Congress could accumulate a reliable body of information concerning:

First. Progress made under the power bilateral programs of the United States;

Second. Health hazards in connection with the industrial atomic-power program;

Third. The kind of people employed by the Agency in policymaking positions;

Fourth. Agency practices and procedures in safeguarding nuclear material;

Fifth. The extent to which Agency members are willing to permit inspection of atomic-energy projects;

Sixth. The influence of the Soviet Union, its satellites, and neutralist nations in the governing body and in the general conference;

Seventh. The feasibility of projects planned by the Agency;

Eighth. The extent to which a global industrial atomic-power program would help nations to make atomic weapons;

Ninth. Contributions in material, money, and manpower by other members of the Agency; and

Tenth. Availability of competent scientists and engineers.

All those things ought to be in the possession of Congress if this power is

to be given the Agency, as I suggest in the reservation.

THE MORAL ISSUE

There is one other aspect of the treaty to which I wish to pay some attention, and that is the moral issue.

The most disturbing evidence presented in the hearings of the Holifield subcommittee was to the effect that no threshold may exist; that is, every increase in manmade radiation may cause physical and genetic harm in linear proportion to the amount of the dose, no matter how small. Prior to these hearings, it had been widely assumed on the basis of official assurances that a maximum permissible limit of concentration existed below which no danger to health occurred.

In continuing bomb tests, we weigh the physical and genetic damage against the consequences of world domination by the Soviet Union. Nevertheless, we are uneasy, because the risk is different in kind from the risk of death on the highway, for example. A man can avoid death on the highway by staying at home. He cannot escape the deleterious effects of manmade radiation, nor can he avoid transmitting genetic defects to his offspring.

If the industrial application of atomic power represents a radiation hazard comparable to, or greater than, that of bomb fallout, then the Congress of the United States—and let us not forget this—is morally obligated to reexamine our domestic atomic power program; our bilateral power agreements; and, free of any prior commitments, the international atomic power program.

It is true, unfortunately, I think, that nuclear energy as a source of industrial power has captured the imagination of the world. The United States is primarily responsible for overselling this idea. As Dr. Henry DeWolfe Smith pointed out in the October 1956 issue of Foreign Affairs, "Our 'atoms-for-peace' program rests more on faith than on solidly established economic and technical data."

In support of the pending treaty, it is argued that the United States, having unleashed the terrible force of the atom, is morally obligated to use the atom to help fill the energy requirements of other countries. Some of those countries sit on top of a sea of oil. Others have ample reserves of coal. Still others have untapped water resources. The blessings of atomic power, so far as individuals are concerned, can be counted at best in pennies.

America does have an awesome responsibility in the field of atomic energy. That responsibility, as I see it, is not to supply the energy needs of foreign countries to the detriment of disarmament hopes, at the risk of undermining world health, by increasing Communist military strength, and by helping to put atomic weapons in the arsenals of 10 or 20 nations.

Our solemn moral duty is to act as the trustees for all humanity in safeguarding the destructive force we set loose at Alamogordo. Supplying electricity was not nominated in the bond. I find only the injunction: "Mankind must not die by the misguided use of his own genius." One whose compassion does not project itself beyond his own hour, time, yes, even his own generation, is not true to his high trust here and his duty to his fellow man.

Mr. BRICKER subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article entitled "Conferring on the Atomic Danger," written by C. L. Sulzberger, and published in the New York Times of June 17, 1957.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 17, 1957]

CONFERRING ON THE ATOMIC DANGER

(By C. L. Sulzberger)

PARIS, June 16.—The Swiss Government is now considering whether to take the initiative in convening an international scientific meeting to discuss whether nuclear tests menace mankind's future. This is a praiseworthy idea. For, until the scientists themselves can get together, it is surely not reasonable to expect untutored politicans to agree.

At this stage the subject of radiation, fallout and other repercussions, both direct and indirect, is generally regarded in the world as sorcery and witch doctory were viewed centuries ago. There is as little apparent agreement among the learned as among the uninformed on what evils the atom should be held responsible for.

The current Lancet, British medical journal, speculates that the virulent grippe epidemic sweeping westward from the Orient may result from nuclear experiments. Hotel proprietors from Italy to Scandinavia, disturbed by this spring's cool, moist weather, blame the bomb.

The ignorant little man who comprises 99.44 percent of this earth's population is deeply disturbed by bewildering experiments taking place around, beneath and above him. A correspondent for The Times of London reported a farmer saying recently in Twin Springs, Nev.:

"You can't help feeling uneasy when you look up and see one of those clouds. You don't know what the hell it is all about—and as for the AEC—I wouldn't believe them on a stack of Bibles."

RADIATION RISE NOTED

Who and what are we to believe? Dr. Takanobu Shiokawa, professor at Shizuoka University in Japan, says the accumulation in fallout on the surface of Asiatic lands has more than doubled since 1955—because of weapons tests. Dr. Merril Eisenbud of the AEC claims that within the same period there has been a tenfold increase in the amount of radiostrontium in American milk.

Dr. Alvin C. Graves, chief of AEC weapons testing, admits a really "clean" (fallout proof) superbomb is impossible to make. And everybody who has them—Russia, America and Britain—is experimenting with superbombs. The 1954 "Bravo" explosion at Bikini is estimated at 15-megatons force by Dr. Ralph Lapp.

Dr. Lapp and Dr. Jack Schubert of the University of Chicago claim that by last January the energy exploded, in experiments had already approached 100 megatons in value—50 times the total explosive tonnage dropped on Germany in World War II. With all three possessor powers busily touching off bombs since then—in Siberia, in Nevada and on Christmas Island—that limit has surely been surpassed.

What this is doing to present and future generations simply cannot be said. There has not yet been serious international consultation on the matter such as the Swiss are contemplating. Dr. Willard Libby of AEC thinks the present rate of testing can safely go on for decades. Dr. William F. Neumann, a biochemist, believes the earth's atmosphere is already near the permissible saturation point for strontium 90.

SCIENTISTS DISAGREE

Geneticist James F. Crow insists tens of thousands of people will be diseased, deformed or doomed by fallout if the present rate continues. Prof. C. H. Waddington of England remarks of tests: "My personal view is that the biological cost of them is not large."

The most lurid account of dangers ahead was given in last spring's Oslo broadcast from Dr. Albert Schweitzer. But Schweitzer's grimmest warning concerned the menace of waste from the Hanford, Wash., atomic plant, flowing into the Columbia River. He foresaw a kind of geometric progression of radioactivity multiplying its venom from plankton to fish to insects to birds to the yolks of those birds' eggs.

In fact, the danger to mankind is possibly as great from unwise peaceful use of nuclear energy as from excessive testing of weapons. (Naturally, if the latter are ever put to work in a business sense, finis will be written to both problems.)

What we must get used to—and quickly—is the potential danger of all atomic energy. Last year a thoughtful report on "The Hazards to Man of Nuclear and Allied Radiations" was published in England by the Medical Research Council and signed by such distinguished scientists as Sir John Cockcroft. This concluded:

"The hazards to health are qualitatively the same, however, whether they arise from nuclear weapons or from the use of ionizing radiation for peaceful purposes. The difference is one of degree or intensity only."

Obviously, such being the case, it would be wise if the Swiss, before formulating the invitations to their conference, were to broaden its contemplated scope. The danger to humanity arises not merely from the explosion of nuclear arms. It derives from the atom itself. This is a very small entity but still immensely unknown to most of us, including statesmen, whether we wish to use it for good or ill.

VISIT TO THE SENATE BY HON. JOSEPH GRIMOND, LEADER OF THE LIBERAL PARTY OF THE BRITISH HOUSE OF COMMONS

During the delivery of Mr. BRICKER'S speech,

Mr. KNOWLAND. Mr. President, I wonder if the distinguished Senator from Ohio will permit an interruption, to come at the end of his remarks?

Mr. BRICKER. I am delighted to yield.

Mr. KNOWLAND. We have a distinguished guest in the Senate Chamber at this time. I refer to Hon. Joseph Grimond, leader of the Liberal Party of the British House of Commons, whose home is in Orkney, Scotland. I present him to the Senate.

[Applause, Senators rising.]

Mr. BRICKER. Mr. President, I am glad to have yielded to the minority leader for this purpose. I wish to express a word of personal welcome to the distinguished guest.

Mr. KNOWLAND. I thank the distinguished Senator from Ohio.

AWARD OF MEDAL OF HONOR TO "DORCHESTER" CHAPLAINS

Mr. SYMINGTON. Mr. President, several months ago the senior Senator from New Hampshire [Mr. BRIDGES], and I jointly introduced a bill to award posthumously the Congressional Medal of Honor to the four chaplains who sacrificed their lives in the sinking of the *Dorchester* during World War II, in order that the lives of other servicemen might be saved.

This bill is still pending before the Armed Services Committee of the Senate and I share the hope of the senior Senator from New Hampshire that it may receive favorable consideration during this session of Congress.

Mr. President, I ask unanimous consent to have inserted in the body of the CONGRESSIONAL RECORD an article published in the June 13 issue of the Manchester Union Leader, of Manchester, N. H., which contains the statements of noted religious leaders in wholehearted support of the bill.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Manchester Union Leader of June 13, 1957]

LEADERS OF MAJOR FAITHS BACK DRIVE TO HONOR HEROIC FOUR

Typical of the wires of protest against the Army's ruling on the four chaplains, and in support of award of the Congressional Medal for them, were these:

NORMAN V. PEALE

"I am shocked that there is any hesitancy about posthumous award of Medal of Honor to each of the four chaplains. This is one of the most inspiring historical events in American military history and I believe the churches would regard the defeat of Senate bill 1225 as an affront to the chaplaincy. All of us hope this bill will pass by unanimous vote."—Rev. Norman V. Peale, minister, Marble Collegiate Reformed Church, New York City.

RABBI R. B. GITTELSOHN

"As former chaplain who saw combat, cannot understand Brucker ruling on four chaplains, who sacrificed their lives to the enemy in defense of our Nation at war. Ruling appears to me to be cheap legalism. Vigorously urge granting Medal of Honor posthumously to four chaplains."—Rabbi Roland B. Gittelsohn, Temple Israel, Boston.

ARCHBISHOP CUSHING

"Heartily approve Congressional Medal award to four chaplains, symbolizing the great contribution that chaplains of all faiths have made and are making to the religious and moral training of men and women in the service of the country. Love of God and love of country are indispensable in these trying times."—Most Rev. Richard J. Cushing, archbishop of Boston.

DR. HERBERT GEZORK

"I personally agree with your statement that the heroism of the four chaplains on the *Dorchester* was equal or even superior to heroism manifested in actual conflict with the enemy. It might well be the most outstanding act of sacrificial heroism in the history of our Nation. I believe that posthumous awards of the Medal of Honor to each of these four chaplains would be most appropriate."—Dr. Herbert Gezork, president, Andover Newton Theological School, Newton Center, Mass.

RABBI EISENDRATH

"I fully support Senate bill 1225 to extend the Medal of Honor posthumously to the four chaplains whose extraordinary heroism was a supreme act of faith which ennobled religion and democracy alike. Their noble sacrifice should be sanctified in the traditions of America and Senate bill 1225 is a fitting expression of this sentiment."

(Copy of a telegram to Senator Symington, sent specifically in response to the union leader's inquiry, by Rabbi Maurice M. Eisendrath, president, Union of American Hebrew Congregations, New York.)

DR. J. E. WAGNER

"If the only objection the Army has to awarding the medal * * * is that their act of self sacrifice did not occur in actual conflict with the enemy, it seems to me to be an absurd position for the department to take * * * the act which cost the lives of all four of them resulted from a choice which had to be deliberately made when at least one other understandable alternative was available. That simple fact alone seems to me to lend a character to their act which would make it entirely worthy of the recognition the Medal of Honor award would reflect."—Dr. James E. Wagner, Evangelical and Reformed Church, Philadelphia.

REVEREND MR. REINELT

"Agree with you wholeheartedly these chaplains gave their lives in heroic service beyond call of duty. Let us hope Congress corrects attitude of Department of Army and acts favorably to the honor of the chaplains."—Rev. George Reinelt, Franklin, president, New Hampshire Council of Churches.

Four of the replies to this newspaper's request for statements were either off the record for personal reasons, or indicated a policy of not taking public stands on such issues. Two of these were plainly in favor of the proposal, though they asked not to be so quoted. The officers of Rt. Rev. Henry Knox Sherrill, presiding bishop of the Protestant Episcopal Church said he was on a speaking tour, so was not available for a statement.

Very Rev. James A. Pike, dean of the Cathedral of St. John the Divine, New York City, wired: "Have greatest respect for heroism of the four chaplains, but am not sufficiently acquainted with standards for Congressional Medal of Honor, nor deeds of previous recipients to comment usefully."

At the suggestion of Methodist Bishop John Wesley Lord of Boston, this newspaper also asked the widow of Chaplain Fox for comment. Now minister of the Methodist Church in Lunenburg, Vt., Reverend Fox wired, in reply:

"While the family of Rev. George Fox would feel greatly honored if Congress were to grant the Medal of Honor posthumously, I do not feel that I could properly take any action in the matter. However, I do appreciate your interest and concern. Gratefully yours, Rev. Mrs. George L. Fox."

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate, as in Committee of the Whole, resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. GREEN. Mr. President, I wish to make a few remarks complementary to the splendid address which my colleague, the junior Senator from Rhode Island [Mr. PASTORE], delivered yesterday, and in which I heartily join.

Mr. President, I rise to oppose the reservation proposed by the senior Senator from Ohio [Mr. BRICKER]. My reasons, briefly stated, are as follows:

First, the reservation of the Senator from Ohio has the effect of amending the Atomic Energy Act of 1954. That act provides in section 124 for United States cooperation with just such an international agency as this we are considering. Now, by providing in the proposed reservation that no fissionable materials shall be made available to the Agency except after separate legislation, the reservation serves, in effect, to repeal section 124 of the Atomic Energy Act.

Second, the reservation proposed by the Senator from Ohio is completely unnecessary. Article IX, paragraph C, clearly states that fissionable materials supplied to the Agency by a member state are to be supplied in conformity with its laws. So it would be possible for this Nation at any time to change its laws relating to the disposal of fissionable materials. Such a change would not violate the terms by which we have joined the Agency.

For illustration, let us consider an extreme case: At any time it would be possible for Congress to pass a law prohibiting the disposal of any fissionable material to any nation or nations or combination of nations. Such a law would be consistent with the provisions of the treaty. That fact alone makes it clear that this reservation is unnecessary.

Third, finally, since the Senator from Ohio couches his proposal in terms of a "reservation," it is clear that it would need to be submitted to every other signatory of the statute, for its approval. There are 79 such states. This reservation would assure the rejection of this treaty by other states. It would play directly into the hands of the Soviet Union, which surely would reject a reservation and would seek to blame the United States for such rejection.

Mr. JENNER. Mr. President, I think the distinguished Senator from Ohio [Mr. BRICKER] is to be congratulated for the contribution he has made this afternoon to this very important subject.

Mr. President, it is most appropriate that immediately after passage of the radically new foreign-aid bill, and while the disarmament talks are going on in London, we should be considering the proposed treaty for an International Atomic Agency. The new foreign-aid bill, the atomic-energy treaty, and the disarmament proposals are three of a kind.

I need not take much of the time of this august body, because the question before us is simple. The cold realities of our position in the world are grim. I think the distinguished Senator from Ohio has pointed out part of that grimness.

The public relations reports on where we are and what we are doing are a rosy pink. The question is whether the Constitution, when it provided that the Senate should give its advice and consent to treaties, meant the Senate was to give its cold-sober judgment, or whether it was to ratify the statements of the Govern-

ment's public-relations men who tell us all is well and, if we agree with them, tell our constituents that we are statesmen of the first calibre.

The grim facts are three:

First. There are no such things as atoms for peace. Atoms are atoms. Atomic fuels and atomic know-how can quickly be converted to military purposes.

Second. This treaty is a constitutional monstrosity, locking us tighter than ever in the embrace of international government. We have an excellent system for bilateral agreements on atomic energy, devised, on the insistence of Congress, in 1954. It is working very well. Why change to supergovernment?

Third. This treaty is a dangerous step in limiting the ability of our fighting forces to obey the orders of our Government and to guard our national security.

Let us look a little closer.

The public-relations experts keep talking of "atoms for peace," but what is the reality?

There is, in fact, no significant difference between the technology of atoms for peacetime uses and the technology of atoms for war. By this statute, we shall be giving away perhaps 75 percent of the basic techniques for using nuclear power for weapons, and naively pretending that no rulers in any other country, large or small, will feel the slightest urge to use that knowledge for military advantage.

There is no excuse for anyone today to believe there is any real division between atoms for peace and atoms for war.

When the Soviet Union entered upon its 5-year plan, and stressed the manufacture of tractors, for an agriculture still operating almost entirely by hand, a few persons pointed out that those were war plants, to be converted to the production of tanks if war threatened.

A tractor can be made into a tank, by a few changes in assembly-line planning. We know how quickly our automobile plants were converted in both world wars.

There is no good reason why anyone should expect us to believe there is a mysterious line separating atoms for peace from atoms for military dictatorship or world conquest.

To make everything more absurd, we have not been offered any substantial evidence that "atoms for peace" are either useful or desirable. Will they really offer a cheaper source of power to undeveloped nations, or to those like England, where the miners are reluctant to mine coal?

I can find no satisfactory evidence that nuclear energy is going to fill the world's need for a cheap, safe, and plentiful fuel.

The problem of disposing of atomic wastes, which the Senator from Ohio [Mr. BRICKER] and the Senator from New Mexico [Mr. ANDERSON] have recently, when speaking on the floor, told the Senate about, is, by itself, serious enough to raise our doubts. How long can we go on burying such wastes in the ground, or carrying them out to sea? What hazards will be created if we give nuclear energy to nations because they are not industrially developed, and if these technically inexperienced people make a bad mistake and let loose the power of nuclear energy? Will the catastrophe be confined to their country?

I was amazed to read, the other day, that one of the countries which is going to take our gift of atomic materials, likes it so little that it insists that we collect all atomic waste matter there, and bring it back to this country, for disposal.

How silly can we get, in pursuit of our dreams of global unity?

If we are concerned about the problem of energy and fuels, let us put our engineering and technical genius to work to help other people get oil from the ground or get electric power by harnessing their rivers or get power from the solar system.

I have no liking for the poisonous wastes from atomic bomb tests which are polluting our atmosphere. But I am profoundly shocked to see how the very persons who are denouncing nuclear tests, under strict American controls, as a threat to mankind, are piously insisting that we give all the knowledge and the essential raw materials for making atomic weapons to nations about whose political stability and moral restraints we can only hope.

I also said this proposed treaty is a constitutional monstrosity.

The dangers to our constitutional system come partly from explicit provisions, and partly from loopholes well hidden in the text.

Careful analysts have pointed out that the President has no constitutional right to give away all or any part of the 20,000 kilograms of nuclear fuel, valued at $500 million, which he has already allocated to foreign nations. We in the Senate cannot appropriate public money. The House must also vote for all spending measures. I am, however, afraid the President already has all the statutory power he needs, by means of the broad grants of power Congress has voted, especially appropriations made directly to the President.

I have frequently pointed out that such statutes are unconstitutional, because they are a forbidden delegation of legislative duties; but at present we have no effective way to get a constitutional test of legislation which gives excessive power to the executive branch.

There is another constitutional danger in this treaty. This statute commits us to pay annually a fixed percentage of the total budget of an international agency. The budget is set by the Board of Governors of the agency, with approval of the General Conference. The share to be allocated to each member is set by the Board of Governors. It is to follow, not American law, but the principles adopted by the United Nations in assessing contributions of member states to the regular budget of the United Nations. Congress has no representation anywhere along the line in this process. Only the executive branch, chiefly the foreign policymakers, have a voice.

I have called attention several times to the fact that our adherence to the internationalist budgeting machinery of U. N., NATO, and U. N. agencies is a violation of Congressional power of the purse. Larger and larger areas of our national expenditures are fixed somewhere in the stratosphere of international conferences. That means ever smaller shares of our Government spending are within the jurisdiction of our constitutional legislators.

Congress has surrendered piecemeal its taxing power and its legislative power to agencies above our Constitution, and above our laws. Is it not about time the Congress set about tracing these grants of authority to international agencies, and estimating the fraction of our sovereignty which has passed from our country by this method?

I cannot take the time of the Senate to point out all the constitutional dangers. It is only necessary to read carefully what is in the text of the statute.

This International Agency is to have inspectors, who are to have access at all times and places to any plant or operation or possible storage place, in any nation participating. They are also to have guards. But what are guards? They are force.

The staff is to take instructions from no source but the International Agency.

The Agency can decide on the design of equipment, establish safety measures, set labor policies, insist on production of records.

Perhaps Senators think these inspectors and guards and such will affect only the undeveloped nations which receive our gifts of nuclear materials. I see no such reading of the text. There is a way for our State Department to put us under all these international controls whenever they wish, by asking for advice or other assistance. I ask Senators to read article III A (5).

If we are put into this plan by the State Department, who can get us out?

Oh, it is said, "If this Board of Governors, where we have 1 vote out of 23, does something we do not like, we can quit and go home."

Yes, we can quit and go home, but the half billion dollars' worth of nuclear material we will have to leave behind.

I see no reason whatever to hope the Red Chinese will be kept out. Khrushchev has already served notice the Russians will come in, and Russia was the first nation to sign the treaty.

If some of us dislike the idea of Red Chinese inspectors and guards visiting our most secret plants, what of it? We are barred from political influence once this treaty is agreed to.

The nuclear program is to be directed primarily to the needs of undeveloped areas.

Its help is to be nonpolitical. That is, no favors are to be given to any nation because it is anti-Communist.

My third point is that this statute vitally affects the military security of the United States. We shall continue to maintain a large military establishment, but its teeth will be pulled, and its claws clipped. We shall spend money for defense, but get armed forces which cannot move to right or left except under the direction of some international official.

I have told the Senate of the revolution by interchangeable parts, which is going to put us under a tight unshakeable world government before most of our people know what is going on.

The most important step in that plan is control of the military establishments of the once independent nations. The most important element in military power today is nuclear power.

But military power is political power. Whoever controls nuclear energy will control the most powerful political energy on earth.

Let us look at the interchangeable parts we are putting into place.

By this statute we are giving a United Nations agency the possession, the skills, and the legal controls over nuclear energy. It is called peacetime nuclear energy, but it is instantly convertible into military energy.

We have given the United Nations military power in the Charter itself. We recently established the beginnings of active military power, in the U. N. Emergency Force.

In the Middle East resolution we gave the President of the United States the power to give men and money to the United Nations Emergency Force. He also had that power under the old Mutual Security Act, but they like to have 2 or 3 roads open to their goal.

In the recent Mutual Security authorization we put all military dealings with foreign nations under the State Department. We gave military assistance funds direct to the President, which means decisions will be made by the State Department.

Under NATO we have tied in many of the policy and financial decisions of our forces to an international agency, which represents us, not through the voters, not through Congress, not through the military, but through State Department control of top representation.

We are getting nearer to the end.

The next step is to take from our military establishment the right to use nuclear weapons. Harold Stassen is now in London working out his plan. In this treaty there is an interesting suggestion that "the Agency would thus be in a position to apply its safeguards universally, in the event of future agreement among countries with atomic weapon programs to safeguard their atomic energy activities against diversion to military purposes." It all fits.

We know the campaign of publicity which has been built up to support restrictions on nuclear weapons. President Eisenhower himself said the publicity had a managed look. That is always a sign that something critically important will be done—out of sight.

When the fantastic German peace agreement was drafted, I warned that the conditions imposed on German rearmament were probably the model for all national armies, in the future, under one world omnipotent government.

Germany was to have neither a general staff, nor the most modern technical weapons—nuclear weapons, chemical weapons, nor the best aircraft. It was to have manpower, but what good is manpower today without a general staff and technological weapons?

Of course we were told that Germany must be kept disarmed because of the two World Wars, and the fears of the French. But the French were not so silly as to object to a German shield against Soviet barbarism. The real reasons were reasons of power, and the power seekers were those who wanted to build a world state, under their direction, which could hold all nations with a tight rein.

I said this German treaty was the model for the one world military forces, with the old nation-states providing manpower for the peace armies but with the U. N. authority having a monopoly of what counted. But if international government has the decisive military power, where will de facto sovereignty lie?

Let me close with the reminder that all international bodies, of which we are members, look to the executive branch and the State Department for what they call American policy. The American people, the American Congress, and now most of the executive establishments are shut out of this international power system. They do not count.

In Los Angeles last year I pointed out how the international planners were changing our constitutional form of government, by building up an elaborate system of executive agencies, answerable neither to Congress, the President, nor the courts. At the same time they were building up an elaborate system of international agencies above our Government, answerable to no one in our political system but a small group of the foreign policymakers.

I pointed out then that this meant the gradual extinction of free election. People could go to the polls and vote. Parties could be voted in and out. Presidents could be changed, but all their real power was vanishing. The new President, the new Congress, the new party in power, could work only in a narrow zone, barred from making important changes by the powerful bureaucracy below them and by the powerful bureaucracy above them, working as one, under direction of the internationalist elite.

Congress and the President might look just as important as ever, or even have more fancy trappings. They might do more talking and running about, but the real power would be leaking, leaking, leaking away.

At that time I was talking about our political right to govern ourselves.

By this statute we are applying the same squeeze to our Military Establishment. Hamstrung by the State Department on one side and the internationalists on the other, our Military Establishment will grow bigger and more expensive, but its true power to defend us will be leaking away.

When the crisis comes, who will defend the United States? If omnipotent world government gives us orders we refuse to obey, what good will our legions be against nuclear bombs?

We in Congress have had one experience drafting the young men of our Nation to fight for their country and then struggling to free them from the grip of the internationalists who let the victory slip away in Korea.

Today we have in this country 23 million veterans, men who have felt the hot breath of war. Can we look at the men of Belleau Wood, the men who landed on the beaches of Normandy, or in the shallows of Iwo Jima, or the men who suffered the long march from the Yalu or fought for Pork Chop Hill, and tell them we know this treaty can be used to cut the guts out of American military strength, and we do not care?

Mr. President, I wish to offer as a part of my remarks, to be printed in the RECORD, several articles. First is an editorial from the Wall Street Journal of May 14, 1957. Second is an article from the Spotlight, written by David Shea Teeple. I should also like to have printed two letters, with appended material, dated May 13, 1957, and May 21, 1957, which were sent to all Members of the Senate, by Mr. Robert B. Dresser.

There being no objection, the editorial, article, and letters, with appended material, were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal of May 14, 1957]

ATOMIC GIVEAWAY: THE GLOBAL AGENCY FOR PEACEFUL NUCLEAR DEVELOPMENT COULD POSE A SERIOUS THREAT TO UNITED STATES SECURITY

(By William Henry Chamberlin)

There has been far less discussion of the atomic giveaway program involved in United States membership in the International Atomic Energy Agency than the importance of the subject demands.

The alluring slogan, "Atoms for Peace," and the sponsorship of the agency by the President and other high officials have tended to stifle doubts, or at least the open expression of doubts. But there are some disquieting features about this scheme, which seems better adapted to an age of far-reaching international confidence and good will than to the real world of the cold war and hostile coalitions.

Here are some of these disquieting features which, it is to be hoped, will be thoroughly canvassed during the current hearings and during the Senate debate preceding the vote on whether the United States should enter the Agency.

First, we shall be in the invidious position of a "have" nation subject to the voting control of a majority of "have-nots." The Agency, to which 80 nations have given initial endorsement, is organized on the principle of 1 nation, 1 vote. The United States is expected to contribute to the Agency information, scientific and technical personnel, fissionable material, and money.

Very few of the other member nations will be in a position to contribute any of these things. Yet their votes can control the distribution of our contributions. This might lead to consequences that would startle American public opinion, to say the least.

There is nothing to prevent the Agency, by majority vote, from admitting Red China to all the benefits of have-not membership. Nor is there anything to prevent part of the 11,000 pounds of enriched uranium, which the United States has already promised to make available to the Agency, from being shipped to the Soviet Union, to Red China or to any Soviet satellite state.

GROTESQUE POSITION

It is somewhat grotesque that this country simultaneously imposes so many restrictions on exports of strategic material to the Soviet bloc and to Red China and leaves such a large loophole open for the shipment of

uranium, surely the most strategic material of all.

Second, the difficult if not impossible problem of control is not clearly solved under the terms of establishment of the Agency. The enriched uranium which this Government has already promised to make available is supposed to be for nonmilitary use. But it is scientifically possible to convert uranium of this type into fissionable material for A-bombs.

The only safeguard against this would be a system of continuous close inspection to which Communist nations have been extremely allergic in the past. Nothing less than such inspection would afford any guaranty that the United States was not supplying its enemies with the deadliest kind of munitions.

Third, the sanctions which can be invoked in the event of breach of the agreement seem inadequate. All the Agency can do in the event of violation is to cut off the supply and report the affair to the United Nations. There have been many occasions when it was impossible to get a clear-cut decision from the United Nations. The Agency could do nothing if the nation guilty of violation should seize the material and throw out the Agency's inspectors.

Fourth, the establishment of an International Atomic Agency could set a precedent for other international bodies, dealing with electrical power, steel, wheat, cotton, or almost any foodstuff or raw material under the sun. In any such body the United States would have the same unfavorable position of a "have" among the "have-nots."

What makes United States membership in the International Atomic Energy Agency still less desirable is that there is an entirely safe means of realizing the benefits which are supposed to flow from the Agency. The United States has already concluded almost 40 bilateral agreements with friendly countries looking to cooperation in atomic research and in the construction of power reactors.

CHANCE TO CHOOSE

The advantages in the bilateral approach are that the United States is in a position to choose which countries may be helped without risk to American national security and to impose safeguards which seem adequate in the judgment of the men charged with responsibility for America's own atomic program. Both these advantages would be forfeited if the United States should enter the International Agency, which maintains complete control over all the fissionable material it receives.

An International Atomic Energy Agency of the type now proposed might well be a logical development in a world where national differences had been reduced to a minimum, where there was no fear that some nation or group of nations might have the design of using the terrific destructive power of nuclear weapons to achieve world domination. This is not the situation at the present time.

It is a very curious sense of relative values that makes the administration throw as many roadblocks as possible in the way of American newspapermen going to Red China and haggle with other powers over what is permissible for export to China and the Soviet bloc and at the same time support a scheme which could result in the transfer of such a vital nuclear material as uranium to Communist countries. If this is not possible under the constitution of the Agency, it is the obligation of its administration sponsors to explain why it is not possible.

SPEED IN MOSCOW

The suggestion is now being made that the recent Soviet ratification of this plan should hasten its approval by the United States Senate. But it could certainly be argued with equal plausibility that any scheme accepted with such unusual speed in Moscow should receive a long second look in Washington. Just because there has been so little advance discussion of the International Atomic Energy Agency, every detail of the project should receive a thorough going-over at the hands of independent-minded Senators.

The apparent defects should at least inspire some sweeping reservations, if it is not decided that they warrant the scrapping of the whole project.

[From Spotlight of January 12, 1957]

ATOMS FOR PEACE OR WAR?

(David Shea Teeple)

Would you vote to send atomic material to Russia or the satellite nations, or to give our atomic information and materials to an International Agency in which we do not have a decisive voice?

Question. What is the International Atomic Energy Agency?

Answer. It is an agency designed to direct atomic energy to the cause of peace, health, and prosperity throughout the world. The Agency is independent of the United Nations but is designed to cooperate with U. N. on matters of mutual interest.

Question. How is this Agency organized?

Answer. There is to be a general conference consisting of all member states, each with one vote. It will meet once a year to consider policy questions. Detailed administration will be provided by a Board of Governors, consisting of at least 21 member states, each with one vote. Specific administration will be discharged by a Director General appointed by the Board of Governors (with the approval of the general conference) for a term of 4 years. The Director General appoints, organizes, and supervises the staff.

Question. What nations can belong to the Agency?

Answer. Any nation that belongs to the U. N. (or a specialized agency thereof) and ratifies the treaty. Nations not now members of the United Nations can become members by signing the treaty and being approved by a majority of the general conference, upon recommendation by the Board of Governors.

Question. Might Red China be a member of the Agency?

Answer. There is no reason why not. The only thing necessary is a majority vote by the Board of Governors and the general conference. There is no veto power.

Question. What is the Agency empowered to do?

Answer. The Agency is to act as broker and clearinghouse for atomic information, facilities, plants, materials, and equipment. The Agency can also acquire materials and acquire and build plants, facilities, laboratories, and equipment.

Question. Why is the Agency needed?

Answer. Presumably so that any atomic have-not nation may acquire atomic information, atomic materials, facilities, plants and equipment without having to negotiate directly with have-nations.

Question. What is the United States expected to contribute to the Agency?

Answer. (1) Information, (2) scientific and technical personnel, (3) fissionable material, and (4) money.

1. Information: Already the Atomic Energy Commission is using the Agency as an excuse for declassifying information of considerable sensitivity. The danger of surrendering atomic information lies in the fact that there is no clear dividing line between information for peaceful uses and information for the making of weapons.

For example, considerable information dealing with plutonium is now classified because of its military implications. Yet it would be impossible to operate a power reactor which produces plutonium unless this information were available.

Dr. Donald J. Hughes, senior physicist at Brookhaven National Laboratory, stated before a Congressional committee on March 8, 1956: "You cannot distinguish military from peacetime considerations when it is a matter of a high-powered reactor producing plutonium."

Once we make the information available to the Agency, it can be distributed as the Agency sees fit to all members.

2. Scientific and technical personnel: It is not clear how, given the shortage of scientific and technical personnel in the United States, we are to furnish such personnel for the International Atomic Energy Agency.

3. Fissionable material: On February 22, 1956, the President announced that 20,000 kilograms (44,000 pounds) of Uranium-235 would be allocated for use abroad. On October 23, 1956, a telegram from the President was read to the national conference drafting the Agency's statute which said "The United States will make available to the International Agency, on terms to be agreed with the Agency, 5,000 kilograms of the nuclear fuel, Uranium-235, from the 20,000 kilograms of such material allocated last February by the United States for peaceful uses by friendly nations."

The President further stated that "In addition to the initial 5,000 kilograms of Uranium 235, the United States will continue to make available to the International Atomic Energy Agency nuclear materials that will match in amount the sum of all quantities of such materials made similarly available by all other members of the International Agency, and on comparable terms, for the period between the establishment of the Agency and July 1, 1960."

We are further informed that the uranium to be furnished will be enriched 20 percent in the isotope 235 and will probably be furnished in the form of uranium hexafloride. Twenty percent enriched U-235 is extremely valuable and readily convertible into weapons material, as explained later.

4. Money: The cost of the Agency (as yet undetermined) will be assessed according as member nations currently support the U. N. Under this arrangement the United States will pay one-third of the cost, whatever it may be.

Question. How much are 20,000 kilograms of Uranium-235 worth?

Answer. The price of Uranium-235 is set by the Atomic Energy Commission. The Commission values 20,000 kilograms of U-235 at $500 million, or over 13 percent of our capital investment over the years in atomic energy facilities and equipment.

Question. Can this Agency prevent materials from being diverted for military purposes?

Answer. Most American scientists have agreed that any large atomic powerplant can create material latently useful for the production of atomic weapons. The 5,000 kilograms which the United States is to contribute could quickly be brought from 20 percent enrichment to enrichment sufficient for weapons. Moreover, the AEC has shown that 94 percent of the cost of enriching uranium from normal to 90 percent has been paid when the material is 20 percent enriched.

Question. What have American scientists said about the export of fissionable material?

Answer. Some years ago Dr. J. Robert Oppenheimer said: "There are no ingenious devices whereby one nation could detect or control atomic armament in another nation committed to sovereignty and secrecy in this field. If you hired me to walk through the cellars of Washington to see whether there were atomic bombs, I think my most important tool would be a screwdriver to open the crates and look. I think that just walking by, swinging a little gadget, would not give me the information * * *."

"The manufacture of atomic energy for peace, in any plants that I have heard discussed, would make material latently which could be used for war. * * * If you did this, if you made atomic energy and sold it in kilowatts and so on and definitely made no provision for military inspection of the production which you were making at the same time and did this on a large scale, you would have perhaps solved, let us say, more than 60 percent and less than 90 percent of the problem of making atomic weapons."

Dr. Leo Szilard endorsed Senator Tydings' summation of his position, as follows:

"Senator TYDINGS. Therefore, I take it that your answer meant that unless there was an international climate created which would make the control of the bomb or the elimination of the bomb, whichever it might be, reasonably feasible with a promise of safety that, as an alternative, it would be better if we could have an agreement that nobody would manufacture atomic energy even for peacetime purposes, because it would be so easy to slip over into the field of war purposes. Am I correct in what I have said?

"Dr. SZILARD. Yes; precisely."

Question. Assuming that the signatory powers actually admitted inspectors to view the various projects, would such inspection be a reliable safeguard against the diversion of materials to military projects?

Answer. The only reliable form of inspection would be a continuous inspection, of the kind that would be tantamount to superintending of operations 24 hours a day, 365 days a year.

Question. Does this Agency have enforcement machinery to punish violators and recover materials or equipment?

Answer. No. The only thing the Agency can do to a violator is to refuse to give any more assistance and to report the matter to the United Nations. A member can be suspended by a two-thirds vote of the Conference upon the recommendation of the Board of Governors. The Agency could do nothing effective if a member expelled the inspectors and seized the materials stored or being used in the country.

Question. Is the United States committed to the Agency?

Answer. The President has stated that "It will be our policy * * * to seek to conduct our operations in support of nuclear power development abroad in consonance with the policy of the International Atomic Energy Agency, in whose endeavors we shall take our full part" (November 18, 1956). The United States Senate must ratify the agreement.

Question. Would the distribution of U-235 throughout the world constitute a military hazard?

Answer. Definitely. Present restrictions prevent a discussion of the number of A-bombs that could be made from 5,000 kilograms of 20 percent enriched 235, but the number is substantial.

Question. Is Uranium 235 in short supply in the United States?

Answer. One would assume so given the high support price of uranium. Twenty thousand kilograms (44,000 pounds) of 20 percent U-235 represents hundreds of thousands of tons of natural uranium ore.

Question. Is there now in existence any workable plan to extend the peacetime uses of atomic energy in a scientific and orderly manner?

Answer. Yes. The United States has entered into 37 bilateral agreements with various countries covering both research and the construction of power reactors, and will consider agreements with other countries prepared to meet the prerequisites we have established for mutual self-protection. The 20th Semiannual (July 1956) Report of the United States Atomic Energy Commission devotes 5 full pages to lauding our progress in this area.

Question. Is American participation essential to the establishment of the Agency?

Answer. No. Article XXI E states that the Agency does not go into effect until at least three of the following states—Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall have ratified the statute. But without United States participation it would be pretty much a paper organization, for it is not expected that it will acquire substantial atomic assets from any other nation.

Question. Has any prominent American opposed our membership?

Answer. Not yet.

Question. If the international distribution of atomic energy has the effect of industrializing underdeveloped nations, have we assured world peace?

Answer. No one has ever been able to show a correlation between the industrial capacity of a country as measured by kilowatts and the pacifism of the nation. Actually if there is any correlation it appears to be in the reverse. Seldom do agricultural nations disturb the peace.

Question. Will the program in fact assist the underdeveloped areas of the world?

Answer. This is very doubtful. There is no such thing as a safe economic atomic power reactor built as yet. Until one is developed, it is unlikely that any country will receive benefits from atomic power.

The greatest chance for such development is in the United States. If we transfer the responsibility to an international organization it will undoubtedly retard our own program since we are abundantly supplied with fossil fuels. If American business is deprived of a foreign market there will be less incentive for our industry to proceed.

Question. Are we expected to believe that the President, Chairman Strauss of the AEC, the State Department, and others are sponsoring our membership in an organization which is contrary to our national interests?

Answer. This is a fair question and impossible to answer.

Question. The purpose of the Agency, then, seems to be to relieve individual nations of the necessity of individually negotiating agreements with other nations concerning atomic energy. If that principle is sound, why shouldn't international agencies be formed to handle the distribution of other commodities, e. g., steel, fuel, feed, and fiber, which are now subject to negotiation between nations?

Answer. There is no reason at all.

Question. Will the provisions of this agreement be kept by the signatory nations?

Answer. This can only be answered with a question, namely: Do you know of any other international agreement that has not been violated within 5, 10, or 25 years?

Question. Do you think the American people would approve of U-235 which is an A-bomb material being given, sold, or leased by the United States to the International Agency and subsequently being sent by the International Agency to Czechoslovakia, Yugoslavia, Rumania, Poland, the Soviet Union, or Red China?

Answer. The question is rhetorical.

Question. Could such a thing happen under this agreement?

Answer. Positively—without a doubt. Once we make the material available to the Agency we have no further control over it. Control is vested in the Agency.

Article IX D states "On the request of the Agency a member shall, from the materials which it has made available, without delay deliver to another member or group of members such quantities of such materials as the Agency may specify. * * *" Ridiculous as it may seem, we could be required under this agreement to deliver the material directly to such nations as those mentioned above.

Furthermore, article IX J states: "The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this statute. No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used."

Question. What is the basic fault with the International Atomic Energy Agency?

Answer. It is too big a step to be taken at this time. The proposed Agency has no substance, no continuity, and no responsibility. It has absolutely no effective enforcement powers to carry out many of the functions of its own charter. Yet it could eventually acquire quantities of fissionable material which would constitute a grave threat to world peace.

Question. What can I as an American citizen do about the International Atomic Energy Agency?

Answer. If the questions and answers you have just read cause you any concern, you should exercise your right of petition by contacting your Congressmen, Senators, and civic leaders. Ask them the questions which you have just read and do not stop until you get satisfactory answers.

And remember, the treaty comes before the Senate of the United States for ratification this month.

(EDITOR'S NOTE.—David Shea Teeple has served as military intelligence officer on the Manhattan (A-bomb) project, deputy director of the Joint Congressional Committee on Atomic Energy, Special Assistant for Atomic Energy to the Inspector General of the Air Force, and Assistant to the Chairman of the Atomic Energy Commission. He is now a consultant on atomic energy to both Government and private industry.)

PROVIDENCE, R. I., *May 13, 1957.*

Re International Atomic Energy Agency

Honorable Members of the Senate of the Congress of the United States, Washington, D. C.

GENTLEMEN: It is with the greatest apprehension that I have read the reports of the pending hearings on the International Atomic Energy Agency.

Let me state my understanding of the facts as I have obtained them from various reports.

In 1953 President Eisenhower made his Atoms for Peace proposal to the United Nations.

On October 26, 1956, President Eisenhower said in New York City:

"The United States will make available to the International Agency * * * 5,000 kilograms of a nuclear fuel uranium 235 from the 20,000 kilograms of such material allocated last February by the United States for peaceful uses by friendly nations."

According to 1 estimate 20,000 kilograms of this material costs roughly $500 million. One-quarter of this amount, which is to be given immediately, would cost $125 million. In addition to this, the President has promised to give an additional 15,000 kilograms during the next 3 years, provided a similar amount is given during that period by all the other nations of the world combined.

Russia was the first nation to ratify the charter of the Agency.

The charter has been submitted by President Eisenhower to the Senate for ratification and hearings are now being held. As it is a treaty, action by the Senate alone is required. The House is not called upon to act.

The question that strikes one at the outset is: From what source does the President derive this power to give away the people's money? The gift to which he proposes to

commit the Nation can be paid for only out of taxes levied on the American people. But the power to impose taxes is given by the Constitution to the Congress, which means both the Senate and the House. It is not given to the President and the Senate.

Aside from the disturbing implications of this assumption of power by the President there is the fact that the uranium given by us to this International Agency can be used for the purpose of making atomic bombs. True, it is intended that it shall be used only for peaceful purposes. But once having gotten into the hands of other nations, what effective means can possibly be devised to prevent its use for war purposes?

The Soviet Union and its satellite nations are eligible for membership in the Agency. All of these nations, and even Red China, could be given a part of the uranium that we supply.

Since we would constitute but 1 out of a possible 80 or 90 nations eligible for initial membership in the Agency, our wishes could readily be overruled.

Various statements have been made as to the number of atomic bombs that could be made out of our initial gift to the Agency. The smallest estimate I have seen is that it would make 100 bombs of the power of the bomb dropped on Nagasaki.

It is all very fine to talk about atoms for peace and our desire to help the other nations of the world. Unfortunately, we are not living in a peaceful world. On the contrary, we are presently engaged in a life and death struggle with a nation controlled by an unprincipled group of international gangsters bent upon our destruction.

Anyone having the least familiarity with the facts knows that we are losing the cold war with Russia. Starting with a nation of 200 million people a decade ago, Russia has since steadily increased her influence until today she controls in one way or another about half the world's population. Our own population is but 6 percent of the total.

This increase in Russian power has been due principally to the unbelievable conduct of our foreign affairs, whereby we turned over the control of China to the Communists and suffered 150,000 casualties in a Korean war we were not permitted to win.

And now to cap the climax, the administration proposes to put within the control of our mortal enemies the means of our own destruction.

To quote a great and much abused American patriot, the late Senator Joseph R. McCarthy, "offering to share our atomic wealth is in a class with the Chicago Police Department offering to share its pistols and submachine guns with the Dillinger mob."

I earnestly beg you and your colleagues to oppose the ratification of this treaty.

Respectfully yours,

ROBERT B. DRESSER.

PROVIDENCE, R. I., *May 21, 1957.*

Re International Atomic Energy Agency, (supplementary letter).

Honorable Members of the Senate
of the Congress of the United States,
Washington, D. C.

GENTLEMEN: In my letter to you of May 13 I raised the question of the President's power to give one-half billion dollars of nuclear fuel Uranium 235 to the International Atomic Energy Agency for distribution among foreign nations.

Control of this material is vested in Congress. While Congress may perhaps authorize the President to give the material to one or more other named nations for stated purposes and upon certain specified conditions, it cannot authorize him to redelegate to an international body the power to determine such distribution, nor can it itself delegate this power directly to such a body.

In *United States* v. *Shreveport Grain & Elevator Co.*, (287 U. S. 77), the United States Supreme Court said (p. 85):

"That the legislative power of Congress cannot be delegated is, of course, clear. But Congress may declare its will, (and after fixing a primary standard), devolve upon administrative officers the 'power to fill up the details' by prescribing administrative rules and regulations." (Matter in parentheses mine.)

Congress cannot delegate its legislative power to a private body or to a trade group. (*Schechter Corp.* v. *United States*, (295 U. S. 495, 537); *Carter* v. *Carter Coal Co.*, (298 U. S. 238, 310–311).)

In the Schechter case the Supreme Court said:

"Such a delegation of legislative power is unknown to our law and is utterly inconsistent with the constitutional prerogatives and duties of Congress."

The fact that in the present case the body to which the power is to be delegated is an international body should not provide an exception to the rule. On the contrary, it is an even stronger case against the delegation.

If Congress itself cannot authorize this redelegation by the President and cannot itself directly delegate such power, it would seem clearly to follow that the President and Senate alone would have no greater power. It cannot be emphasized too strongly that the power to appropriate is vested by the Constitution in the Congress, which means the Senate and House together, and not in the President and the Senate.

But perhaps it is the view of the State Department that ratification by the Senate of the Agency's charter (or "statute" as it is called), since it is an exercise of the treaty power, supersedes the powers given Congress in the Constitution. If so, this is further evidence of the need of a constitutional amendment, such as the Bricker Amendment, to safeguard the powers of Congress.

This attempted delegation of an important power to an international body is not the only such delegation sought by the State Department. There is a similar attempt being made to get Congress to delegate or authorize the delegation to an international agency of the power given Congress in the Constitution to impose tariffs and regulate our commerce with foreign nations. I refer, of course, to the Organization for Trade Cooperation (OTC) and the General Agreement on Tariffs and Trade (GATT). This proposal is unconstitutional for the reasons outlined above.

What may we expect next? It has been aptly suggested that "the establishment of an International Atomic Agency could set a precedent for other international bodies dealing with electrical power, steel, wheat, cotton or almost any foodstuff or raw material under the sun. In any such body the United States would have the same unfavorable position of a 'have' among the 'have-nots'." (Article by William Henry Chamberlin in the Wall Street Journal of May 14, 1957.)

The persistent attempts by the State Department to secure the delegation to an international body of powers given by the Constitution to our own Congress are most disturbing. Do these attempts mean that we are being led into a world government by easy stages? It is difficult to reach any other conclusion.

If this is the ultimate objective of the State Department and the administration for which it purports to speak, it is about time that the fact be disclosed and the exact pattern of the world government that is planned be made known.

It is a matter of common knowledge that there are powerful groups at work seeking to establish a world government through an amendment of the United Nations Charter, which is in itself a treaty. For example, in London in 1953 the second London Parliamentary Conference on World Government formulated a plan for world government to be made effective by amending the United Nations Charter. Among other things, the plan provides—

1. That once membership in the world government is accepted, there is no right of secession.

2. That there shall be "complete, simultaneous, universal, and enforceable disarmament carried out by rapid stages * * * subject to inspection, supervision, and enforcement by the United Nations police."

3. That there shall be a "United Nations police to enforce the provisions of the charter and the decisions of the international courts," and that "United Nations police should be strategically placed, i. e., it would not be open to a state to refuse the presence of members of the United Nations police on its soil," and that "its members should owe exclusive allegiance to the United Nations."

4. That there should be "power to raise revenue for United Nations purposes * * * to be levied proportionately to national income."

Since the foregoing plan contemplates accomplishing these changes through the exercise of the treaty power, action would be taken only by the President and Senate. Neither the House of Representatives, the State legislatures, nor the people would be given a chance to vote on the matter.

Let us consider for a moment the implications of the establishment of such a government. With the United States having about 6 percent of the world's population and Russia controlling approximately 50 percent, who is likely to control the international police force? Certainly not the United States. And how long does anyone think our constitutional Bill of Rights and the freedom of the American people would be preserved under any such government? And who would provide most of the revenue?

The answers are obvious.

If the State Department's ultimate objective is the establishment of a world government, is this the sort that it has in mind? It would seem that any effective plan for world government must include among its terms complete disarmament of the member nations and the establishment of an international police force to maintain order. A world government with its member nations having their own independent armed forces would be like having a United States of America with 48 different State armies.

That the people, if fully informed, would ever approve our entry into a world government, or any steps in that direction, is inconceivable.

What more important reform can be conceived than an amendment to the Federal Constitution that would prevent our being forced into a world government by the action only of the President and the Senate under the treaty power as at present construed?

Respectfully yours,

ROBERT B. DRESSER.

Frank E. Holman, past president of the American Bar Association, telegraphed us as follows:

"The administration's proposal to use the treaty process involving action by the President and the Senate only to appropriate American tax dollars to an international atomic organization disregards the constitutional safeguard requiring action by the House of Representatives on all appropriations and again discloses the need for a constitutional amendment clearly stating that any treaty or executive agreement violating the Constitution shall be of no force or effect."

This was relayed by telegraph to all Members of the Senate and many others.

On May 22 we wired by night letter all Senators as follows:

"Pending International Atomic Energy Treaty gives United States only 1 vote in 80 while Russia can exercise preponderant control. Yesterday's New York Journal American, page 2, says quote Khrushchev will demand Red China's admission to the International Energy Agency over American opposition unquote.

"When Communist China begins to receive our nuclear material and atomic information, what will the American people do and say about those who led them into this treaty law bear trap?"

STATEMENT OF THE COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.

The important problem now is to project quickly to the whole Nation information, regarding the destructive nature of the International Atomic Treaty. Ask for 5 free copies of this Dresser letter of May 21, and the earlier Dresser letter of May 13. Distribute in quantity; 4 cents each.

Our constitutional Republic is your greatest heritage. It will be destroyed by the movement to take this Nation into world federalism. Your help and that of others whom you enlist is urgently needed.

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This is your fight and that of every American citizen who wishes to safeguard the Republic.

COMMITTEE FOR CONSTITUTIONAL GOVERNMENT, INC.

NEW YORK, N. Y.

Mr. CASE of New Jersey obtained the floor.

Mr. FLANDERS. Mr. President, will the Senator yield to me? I should like to make a unanimous-consent request that I may address two questions to the Senator from Ohio [Mr. BRICKER], without the Senator from New Jersey [Mr. CASE] losing his place on the floor.

Mr. CASE of New Jersey. Mr. President, I yield to my colleague.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. FLANDERS. I thank the Senator from New Jersey.

I should like to ask the Senator from Ohio a couple of questions as to his reservation. First I shall ask if in line 7 the word "special" has any peculiar significance, when it is stated that "the United States shall not make special fissionable materials available."

Mr. BRICKER. It has a very special significance of meaning, and is a special term of the art, defined in the Atomic Energy Act of 1954.

Mr. FLANDERS. Could the Senator define it in a few words, so that it will be in the RECORD at this point?

Mr. BRICKER. It is the material which is subject to making of fissionable material, or explosives.

Mr. FLANDERS. I believe that is clear.

Mr. BRICKER. I will get a definition for the Senator. I do not have it with me at this time.

Mr. FLANDERS. That is the sense of it?

Mr. BRICKER. The Senator from New Mexico [Mr. ANDERSON] has it, if he will let me borrow it.

The term "special nuclear material" means (1) plutonium, uranium enriched in the isotope 233 or in the isotope 235, and any other material which the Commission, pursuant to the provisions of section 51, determines to be special nuclear material, but does not include source material; or (2) any material artificially enriched by any of the foregoing, but does not include source material.

That is natural uranium. Enriched uranium is that which has uranium 235 added to the natural uranium 238, in a greater proportion than found in nature.

Uranium 233 is an isotope that is formed in the pile from the irradiation of thorium. It also is fissionable, and can be used to enrich natural uranium.

Mr. FLANDERS. The second question which I wish to ask the Senator from Ohio is one which I must ask from a lack of knowledge of the art, which is supposed to be in the minds of members of the Joint Committee on Atomic Energy.

It has been my impression—and that impression was heightened 2 or 3 years ago by a visit to ARCO—that the material which is used in the piles for power generation and similar uses has a much smaller concentration of the active material than is the case with the materials used in bombs. Is that true?

Mr. BRICKER. It might be and it might not be. In many instances different materials are used in the reactors in the production of power. There are many different kinds. But if the Senator has in mind the piles in Washington, they take the enriched material as it comes from Oak Ridge, and the final product is plutonium, which is a fissionable isotope element, really.

Mr. FLANDERS. The point I am trying to get information upon is this—

Mr. BRICKER. Let me make a correction. Plutonium is in the periodic scale, but it is formed in the pile from the irradiation of thorium.

Mr. FLANDERS. It is a separate element in itself, a vanishing element.

Mr. BRICKER. That is true.

Mr. FLANDERS. The point I am trying to get at is this: Could fissionable material of the concentration contemplated in the uses set forth in this charter be concentrated to the point where it might be useful in warfare without exceedingly complicated and expensive processes, requiring large conversion establishments?

Mr. BRICKER. It depends upon the amount of enrichment. Twenty percent has been mentioned as one type of enrichment. That is a long step toward a weapon material.

Mr. FLANDERS. Nevertheless, would it not have to be put through elaborate conversion processes?

Mr. BRICKER. Not nearly so elaborate as those required to make the first 20 percent enrichment.

Mr. FLANDERS. I got that impression at ARCO when I saw what had to be done to reconcentrate the spent material.

Mr. BRICKER. It is a tremendous operation. It almost staggers the imagination of anyone who is not thoroughly familiar with the techniques. It is difficult to see how it is humanly possible to do it, but it is being done, and there are scientists all over the world who know the principles very well.

Mr. FLANDERS. The question I am raising is whether the material provided for power generation would not require such elaborate conversion processes to make it available for warfare that it could scarcely be done in secret?

Mr. BRICKER. There might be a chance of detecting it if the proper guards were on duty; but it could be subversively and secretly done. When we get above the 20 percent enrichment level, we may get into the bomb field. Whether or not such material will ever be provided, I do not know. There is no intention on the part of this administration to provide it, because the testimony is to the contrary. There is no intention ever to supply an enrichment to the point where it could become available for bomb material initially.

Mr. FLANDERS. Those are the two questions I had in mind.

I should like to say, in conclusion, that we are indebted to the Senator from Ohio for raising questions which we must face.

Mr. BRICKER. We must face them sooner or later.

Mr. FLANDERS. From anything I have seen or heard they have not been sufficiently developed, in my judgment.

Secondly, the Senator has brought—at least to my mind—the thought that at this particular moment we are in the midst of a conflicting mass of testimony as to the health and genetic effects of this program, and that perhaps we are doing something now that we may regret when we learn more about what we are doing.

I am grateful to the Senator.

Mr. BRICKER. That is the reason I counseled delay, and an analysis of the testimony, which is the last word scientifically, so far as I know, that has been presented to our committee. The testimony is conflicting; but, as I said to the Senator from New Mexico [Mr. ANDERSON] a while ago, there is one point on which all the scientists agree, and that is that the material is very dangerous.

Mr. FLANDERS. I thank the Senator from Ohio.

I thank the Senator from New Jersey for giving me the opportunity to ask these questions.

Mr. BRICKER. I appreciate the opportunity to answer them, and I, too, thank the Senator from New Jersey.

Mr. CASE of New Jersey. Today the Senate has an historic opportunity. There is before us a treaty which is the first concrete step on an international basis to turn the mighty potential of the atom to the good of mankind.

This is an opportunity that is not likely to come again. At this point in history the United States no longer has a monopoly in the nuclear energy field. A number of nations including, of course, the Soviet Union, are engaged in nuclear development. Fortunately, relatively few of them are as yet active in the weapons field. Many other nations, especially the underdeveloped countries, are eagerly seeking an opportunity to avail themselves of the marvelous benefits the atom can bring.

Let us not delude ourselves into the belief that the United States can decide whether these nations shall be cut off

from utilization of the atom. That is not within our power. Let us rather keep clearly in mind that the question is whether we shall join with and help other nations in their quest, whether we will take the lead in an effort that offers real hope of insuring that the development of peaceful uses of the atom will go forward in ways which will best serve our interests and the peace of the world.

It is significant that this statute to establish an international atomic energy agency is the first plan of development and control in the atomic energy field on which virtually all the nations of the world have been able to agree.

The United States has an opportunity for leadership. Surely we will not forgo that opportunity. To do so would be to discourage the legitimate hopes and aspirations of a large part of the world. And we know that others, basically hostile to us, will be quick to exploit any failure on our part to take the lead. Most important of all, nothing would seem more clearly in the best interests of the United States than to encourage every reasonable step in the direction of effective international control of nuclear energy. To refuse to take this step, preliminary and modest though it is, can have incalculable consequences in terms of our own interests.

The essential question seems to me a simple one. It is clear that atomic energy development is going to proceed, with or without our help. Plainly, if we do not help, our chances of influencing that development will necessarily lessen.

I realize, of course, that the United States has a number of bilateral agreements with other nations in the nuclear field. This Agency will not supplant them. Rather, as the responsible officials have pointed out, it should be a most effective supplement in many ways. It will enable us to reach nations who object to inspection by a single nation but do not have the same reluctance to inspection by an international agency. It will provide a pool of information on which we, too, can draw. It will lessen the drain on limited United States technical personnel and facilities. It can make an important contribution in maintaining health and safety standards.

This latter consideration deserves greater public attention than it has so far received. As I understand the testimony of the technical experts, there are serious problems involved in the disposal of atomic waste and in avoiding pollution of water sources, for example. These problems know no national boundaries. The chances of maintaining proper standards and safeguards such as are now provided in bilateral agreements are certainly far better under an orderly system of international regulation than in the competition likely to develop in the absence of an effective international agency.

What of the risks that are involved in membership in this new Agency?

I understand the risks, but I have been unable to discover any substantial risk that can be avoided by refusing to join the Agency?

The draft statute specifically forbids the use for military purposes of fissionable material supplied through the International Atomic Energy Agency. To insure the effectiveness of this prohibition, a comprehensive system of safeguards is provided. These safeguards are the equal—indeed the same I am informed—of any the United States now prescribes in its bilateral atomic agreements with other nations.

Among the most important of the safeguards is the right of inspection, of free access by Agency personnel to all places, persons, and data having to do with a project. The project itself first has to be approved in detail by the Agency. This means, of course, that like any other country that seeks Agency assistance, any applicant among the Soviet satellite countries will have to submit the projects for approval and agree to continuous inspection and accountability procedures. This would at least open a window on an area now cut off from our view, though not from a major source of nuclear materials and technology.

I am not a scientist, but qualified technical experts state that diversion of fissionable materials of the quality specified to military purposes would be most difficult, if not impossible, to achieve clandestinely. First of all, the material itself is below weapon quality so that long and expensive chemical processing would be required to make the material usable for weapons. Secondly, the amounts involved are too small to permit production of significant quantities for military use. At the same time the strict accountability features in conjunction with other technical factors and the requirement that excess material be stored in Agency storehouses make it most unlikely that diversion could be accomplished secretly.

Nearly 3½ years ago President Eisenhower appeared before the United Nations and pledged this Nation to find the way by which nuclear forces could be dedicated to the benefit, not the destruction, of man.

His words sparked new hope throughout the world. Today we have before us the result of the effort thus launched.

To me our choice seems clear. We, no less than other nations, want and need in the President's words, the "new instrument of peaceful progress" this treaty would provide. Its ratification will add new strength to our efforts for peace and may yet prove the key to a better future for every man.

The PRESIDING OFFICER. If there is no further debate, without objection the treaty will be considered as having passed through the several parliamentary stages up to and including the presentation of the resolution of ratification.

The Committee on Foreign Relations having reported an amendment to the resolution of ratification, the clerk will read the resolution, together with the committee amendment, designated as an interpreation and understanding.

The legislative clerk read the resolution of ratification, with the interpretation and understanding, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive I, 85th Congress, 1st session, a certified copy of the Statute of the International Atomic Energy Agency, which was open for signature at the United Nations Headquarters in New York for 3 months, from October 26, 1956, to January 24, 1957, and was signed in behalf of the United States of America and by 79 other nations, subject to the interpretation and understanding, which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the statute shall be submitted to the Senate for its advice and consent, as in the case of the statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the statute being adopted to which the Senate by a formal vote shall refuse its advice and consent.

Mr. BRICKER. Mr. President, I offer an amendment to the interpretation and understanding of the committee, in view of the fact that the Committee on Foreign Relations felt that possibly the reservation I had suggested would have to go back to the various participating nations for ratification and might in some way involve us in a misunderstanding.

Therefore I wish to amend the interpretation and understanding, which has just beeen read, by striking out the word "and" immediately before the "(2)"; and by striking out the period at the end of the resolution of ratification, inserting in lieu thereof a comma, and adding the following language: "(3) and that the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress."

In that way the paragraph becomes a part of the interpretation and understanding, instead of being a reservation in specific terms.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from Ohio to the committee amendment.

The LEGISLATIVE CLERK. In the resolution of ratification it is proposed to strike out the word "and" immediately preceding the figure "(2)"; to strike out the period at the end of the resolution of ratification, and insert in lieu thereof a comma, and to add the following words:

(3) and that the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress.

Mr. BRICKER. Mr. President, the reservation is not inconsistent in any way, shape, or form with the treaty; it would not in any way require that the treaty be resubmitted or renegotiation with any other nation. It simply has to do with the furnishing of material, and the furnishing of material will be purely and voluntarily an act on the part of the United States Government. My amendment would, as I said a moment ago, enable Congress to look at the furnishing of the material; it would give the Senate a second look; and it would give the Joint Committee on Atomic

Energy and the House of Representatives a first look at our participation in the years to come.

With the uncertainty involved in the power of Congress over a treaty, I think it is essential that the representatives of the people of the United States, who actually own this property, have a direct and immediate voice in its disposal. I am not in any way criticizing the executive branch for what it might do; but there is only one representative there, while Congress is the real voice of the people; and the determination of policy concerning the disposal of the assets of the people of the United States—and perhaps this is one of the most valuable assets we have—is a policy function of the Government. It is a function which I think Congress should not give up in any instance.

There has been a great tendency on the part of Congress to abdicate its duties and responsibilities. This is one field in which I think Congress should not do so.

Mr. President, in view of the tremendous importance of this matter, and in view of the fact that this is the last say there will be on the subject by either body of Congress, I ask for a record vote: I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HICKENLOOPER. There are few occasions when I am in disagreement with my very close, long-time friend, the senior Senator from Ohio, for whom I sincerely have, and have had for many years, the greatest respect. In view of what I know is his deep conviction in this matter, I am grieved to disagree with him now. I mean that sincerely.

I wish to raise a couple of questions with regard to the particular proposal he has offered. First, it seems to me that his proposal would be an effort in connection with a treaty to enact a legislative proposal, to provide for a legislative function, a function which Congress alone can exercise. There has been some discussion, as the Senator stated earlier—and he and I ourselves had some discussion—as to whether the treaty would have to be resubmitted to the signatory powers for renegotiation. I originally thought it might. I have given the matter considerable thought, and I am of the opinion now that it would not have to be resubmitted if the Senator's proposal were adopted.

I do not think it should be adopted as a part of the treaty, because it would be an act by the Senate in connection with an understanding on the treaty which would attempt to fix Congressional legislative policy.

I think if Congress wants to put this kind of restraint on the disposal of the material, the better place to put the restraint, if that be the desire of Congress, would be in the act of participation, when that comes before the Senate for consideration. I think Congress has the right, in its wisdom, if it so desires, to include this legislative proposal in the act of participation. I think that is the proper place for it. I do not say I will support it in the act of participation; I make no commitment on that. I am only attempting to advance the argument that we will have a proper forum, a proper medium, for attaching the provision, if we so desire, because there must be an act of participation to implement the treaty in the areas in which it is not self-executing.

I have raised the question merely because I think that is the proper place to consider a limitation such as the Senator now proposes to add to the treaty.

Mr. BRICKER. Mr. President, as I stated a moment ago, I think it is proper at any time to do the right thing. I think the Senate owes an obligation to the people of the United States to preserve the legislative voice in the giving away, the selling, or the disposing of American material. The material with which we are concerned is such a priceless asset and is so dangerous in its handling, if that be not properly done, that I think a safeguard should be placed in the original document itself, so that everyone will know that the voice of Congress must be listened to in disposing of one of the Nation's assets.

Mr. HICKENLOOPER. I think the voice of Congress would be completely listened to if Congress saw fit to put this provision in the act of participation.

Mr. BRICKER. I doubt very much that it would be better in the act of participation. I know there will be opposition to it in the executive branch then, just as there is at the present time.

This is the place where I think the provision should be, so that the agency will have in mind that we are going to operate by our constitutional processes, and that the Senate is not going to give to the executive the power of Congress.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I oppose the amendment offered by the distinguished senior Senator from Ohio. I join with the Senator from Iowa [Mr. HICKENLOOPER] in paying my respects to and expressing my high regard for the Senator from Ohio. He has been one of the most diligent members of the Joint Committee on Atomic Energy, and I know he has very deep convictions in this matter.

As I said earlier in the day, I think the questions which the Senator from Ohio raised when the Committee on Foreign Relations and the Joint Committee on Atomic Energy were sitting together during the consideration of the treaty were helpful and clarified the intent of the executive branch of the Government concerning a number of the features of this very important and far-reaching treaty, features which I think needed to be clarified, certainly, before I was prepared to vote for the ratification of the treaty. As a matter of fact, I was not prepared to do so, I must say in frankness, until the committee and the executive branch had come to an agreement on the interpretation and understanding to which I have previously referred, and which I again wish to call to the attention of the Senate, as follows:

> That the Senate advises and consents to the ratification of Executive I, the Statute of the International Atomic Energy Agency, subject to the interpretation and understanding which is hereby made a part and condition of the resolution of ratification, that (1) any amendment to the Statute shall be submitted to the Senate for its advice and consent, as in the case of the Statute itself, and (2) the United States will not remain a member of the Agency in the event of an amendment to the Statute being adopted to which the Senate by a formal vote shall refuse its advice and consent.

I think that was necessary to safeguard the constitutional powers and prerogatives of the Senate of the United States. I think it was necessary to maintain the constitutional provision relative to the ratification of treaties.

Where I differe with my good friend and colleague from Ohio is in this respect: I believe that with regard to the language to which I referred previously, and to which I again call attention, namely, Article IX, subsection C:

> Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared in conformity with its laws—

I underscore "in conformity with its laws"—

> To make available immediately or during a period specified by the board of governors.

The Atomic Energy Act of 1954 itself, Chapter 11, page 21 of Public Law 703, deals with international activities. This is legislation passed by Congress, a coordinate, co-equal branch of the Government, possessing all the legislative power under the Constitution, and operating, of course, by approval of both Houses.

The Executive did not proceed with this international agreement, contrary to any legislative instructions. To the contrary, the Congress of the United States by statute had outlined the general procedures to be followed in the case of our international activities.

Section 124, in relation to the international atomic pool, reads as follows:

> The President is authorized to enter into an international arrangement with a group of nations providing for international cooperation in the nonmilitary applications of atomic energy and he may thereafter cooperate with that group of nations pursuant to sections 54, 57, 64, 82, 103, 104, or 144 (a); *Provided, however,* That the cooperation is undertaken pursuant to an agreement for cooperation entered into in accordance with section 123.

So the Executive had been authorized by the Congress—if that were necessary; and I think it was certainly most desirable—to proceed with the international convention which now is before us.

Mr. HICKENLOOPER. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I may suggest to the Senator from California—to see whether his understanding is the same as mine—that it was considered that under the language of existing law, the President could have entered into this agreement without submitting it to the Senate as a treaty. However, the President felt he should submit it as a treaty and put it on the basis of a treaty,

rather than as an international agreement.

I ask the Senator from California whether he agrees with me that if the President had exercised the authority which is given to him by existing law, and if he had entered into this agreement with the international organization as an executive agreement, then any amendments or changes in the international organization could have been made only by executive agreement, and there would have been no police power by means of offering any amendments, or no police power at all over the treaty itself, on the part of the Senate, as there is now under this treaty arrangement.

Mr. KNOWLAND. I think the Senator from Iowa is certainly substantially correct on that point; and I think it is very fine that the President of the United States determined on the course of submitting this document to the Senate as a treaty, for ratification by the treatymaking process, rather than as an executive agreement.

Mr. HICKENLOOPER. Yes. Under the provision in the statute that it shall be accepted by constitutional processes, it is entirely possible that it had to be submitted as a treaty. But if it had been handled as an executive agreement, such a provision did not have to be included in the statute. That provision was included at the insistence of our people, so the proposal would be submitted to the Congress as a treaty, although the terms could have been such that it could have been handled as an international agreement or an executive agreement, without the exercise of the treatymaking process.

Mr. MANSFIELD. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. For the benefit of the Senate, I wish to point out that if anyone is entitled to credit for putting the treaty in such form as to be fully acceptable to the Senate, it is the distinguished minority leader, the senior Senator from California [Mr. KNOWLAND], and also the senior Senator from Iowa [Mr. HICKENLOOPER], both of whom worked long and hard to try to bring about mutual agreement between the executive and the legislative branches.

I should like to point out that this is the idea of the President of the United States, for on December 8, 1953, he said, at the General Assembly of the United Nations, in New York:

> The United States pledges before you and, therefore, before the world, its determination to help solve the fearful atomic dilemma, devoting its entire heart and mind to find a way by which the miraculous inventiveness of man shall not be dedicated to his death, but consecrated to his life.

As I listened to the Senator from Ohio, I had the feeling that he was saying that if the pending treaty should be ratified, then—as a result of such things as the atomic wastes which would be created—perhaps we would be emphasizing the radiation factor, or the death factor, if you will.

However, I should like to call attention to the fact that the Senator from Ohio attended the hearings held by the Senate Foreign Relations Committee and the members of the Joint Committee on Atomic Energy, and he did not there offer this amendment or reservation.

If the amendment or reservation was to be offered, I think it should have been offered in the committee, rather than here on the floor of the Senate. I do not think the floor of the Senate is the place where it should be offered.

Mr. BRICKER. Mr. President, if the Senator from California will yield further to me, let me say that I did offer the amendment there, and it was taken by the State Department, which turned it down, and also the first section.

Mr. MANSFIELD. Mr. President, will the Senator from California yield further to me?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. I wish to say that to the best of my knowledge, this amendment was not offered to the committee. I say that because I attended every meeting, and I do not remember that the amendment was brought before the committee for consideration.

I should like to ask the chairman of the committee or the chief of staff of the committee if that was the case.

Mr. GREEN. I can answer that it was not brought before the committee.

Mr. KNOWLAND. In fairness to the distinguished Senator from Ohio, however, I think it should be said that it is true that he had submitted it to the Department, even if not in the exact words of this reservation.

Mr. BRICKER. If the Senator from California will yield to me, let me say that I submitted the first section, and also the second section, to the committee and to the representative of the State Department. I do not know whether the Senator from Montana was there or not, but the chairman of the committee was there.

Mr. KNOWLAND. Mr. President, I think the Senator from Ohio did, in fact, submit it to the committee, because I think we were on notice that the Senator from Ohio had a reservation. However, it is true, to the best of my knowledge and belief—unless it occurred at a time when I was not present—that the amendment was not offered for a formal vote in the committee.

Mr. BRICKER. I had no power to offer it in that way. I am not a member of the committee, and I had no power to call for a vote there. But I sat at the hearings; and at the end, after the hearings had gone around and around and around, I was asked whether I had anything to offer.

Mr. KNOWLAND. It was not offered for a formal vote in the committee, but I think it was clear that the Senator from Ohio had a reservation which he would like to have the committee and the State Department consider.

Mr. MANSFIELD. I may be mistaken about the matter.

Mr. BRICKER. Mr. President, if the Senator from California will yield again to me, let me say that I have stated the truth about this matter.

Besides, what difference does it make? If I were negligent in the performance of my duty, I apologize.

Mr. MANSFIELD. It makes a great deal of difference, because I believe an amendment of this nature should have been given serious consideration by the committee, in the course of its deliberations.

Mr. BRICKER. The committee had it.

Mr. MANSFIELD. Mr. President, I do not think the floor of the Senate is the proper place for the consideration of so serious a matter.

I wish to say that the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from California [Mr. KNOWLAND] did a very fine job in trying to go as far as they could in endeavoring to meet the fears and doubts which were in the minds of some Senators. It seems to me they are trying to make sure that if certain difficulties arise, we shall be in a position to exercise our coequal rights, as compared with the rights of the executive branch.

Therefore, Mr. President, I sincerely hope the reservation will be rejected.

Mr. KNOWLAND. Mr. President, I shall not detain the Senate long.

Certainly I think the Senator from Ohio has brought a very valid point to the attention of the Senate. Of course, in connection with this matter, as in connection with all other questions, there certainly is room for an honest difference of opinion.

However, I believe it will be necessary to have an act of implementation, or whatever it may be called, before the United States delegate can be appointed Consequently, if the Congress in its wisdom desires to include language substantially of the nature of that being suggested by the Senator from Ohio, it seems to me the proper place to include it is in the act of implementation, because while there may be, and undoubtedly there are, certain features of the treaty which are self-executing, yet it is also clear from the testimony of the representatives of the executive branch that they feel they need an act of implementation.

When this matter and its relationship to the various provisions was discussed during the committee session, it was pointed out that if the Congress should in the future feel it desirable to make changes in certain statutes, such proposed changes would go to the President; and in that case the President—and in this matter we are not dealing with personalities, because such a thing might occur either this year or 10 years from now or 50 years from now—might veto the act of Congress by means of which Congress sought to include some restrictions which it believed to be wise. In that case, under the Constitution, it would, of course, take a two-thirds vote of both Houses of Congress to override a Presidential veto.

That is why I suggested earlier that if, in the judgment of the two Houses of Congress, certain restrictive language should be applied, the proper place to apply it would be in the act of implementation, because in that case if the particular language were unsuitable to the President, in the exercise of his constitutional prerogative he could veto the act of implementation. However, in that event, it would again have to come

back to the Congress; and if the Congress did not have the necessary two-thirds votes to override the Presidential veto, at least the treaty would not be implemented until another bill had gone through the legislative process.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. ANDERSON. The Senator from California was present a good deal of the afternoon during the very able address by the Senator from Iowa, and if he listened to some of the questions I asked and the part I took in the discussion he would recognize I thought the Senator from Ohio had raised a very valid point. I thought he had said something of great importance to the Senate and the people of the United States, and, to the best of my ability, I should like to support him in his desire to see to it that this special fissionable material shall not be made available without the approval of the Congress of the United States.

Now, I should like to ask the Senator from California if I may conclude, from what he has just said, that he believes that the place for such language is in the act of implementation, and not as a third section of the so-called Knowland-Hickenlooper reservation, which, if I may say so, added tremendously to the situation with reference to the treaty.

I was inclined to be against the treaty, and I think I would have remained against the treaty had it not been for the language which the Senator from California and the Senator from Iowa helped put into it. I believe I shall vote for it, because I think it is for the good of the country.

I want to say to the Senator from California that I am strongly attracted to what the Senator from Ohio [Mr. BRICKER] has been saying this afternoon. I do not believe we should simply pour fissionable material around the world without Congress having something to say about it. I think the President ought to trust Congress enough to be willing for Congress to have some say about it.

Do I correctly understand, from what the Senator from California has just said, that the place to put the suggested language is in the act of implementation?

Mr. KNOWLAND. The Senator is absolutely correct. I think the place to put it is in the act of implementation. I also have a considerable feeling that some language, if not in these exact words, in general substance, is both necessary and desirable. I would want the opportunity to go through the hearings and examine the testimony. It may be some other provisions may also be necessary in the act of implementation; but in view of the legislative history and in view of the fact that the Executive has proceeded in general accord with the Atomic Energy Act of 1954, it seems to me that in fulfilling our legislative responsibilities we should proceed by amending section 124 of the Atomic Energy Act, if the Congress deems it advisable to amend it.

Mr. ANDERSON. I will say to the Senator from California I was anxious to see section 124 amended. At the time of the conferences which were held in New York there was a suggestion made that the Joint Committee on Atomic Energy might designate advisers to the conferences. As chairman of the joint committee, I did designate and was happy to send two strong members there. I do not want to undo what we did. At the same time, I am strongly attracted by what the Senator from Ohio has said.

I had gone so far in my own mind as to suggest language to amend section 124 of the Atomic Energy Act of 1954, reading as follows, and it is almost exactly the language suggested by the Senator from Ohio:

> Section 124 of the Atomic Energy Act of 1954, as amended, is amended by striking out the period at the end thereof, inserting a semicolon, and adding as follows: *Provided further*, That the United States shall not make special nuclear materials available to the International Atomic Energy Agency except as may be authorized and prescribed by joint resolution of the Congress.

I had intended going to the Senator from Ohio and suggesting to him that if he would offer such language I would work as hard as I could to have it enacted into law, because I thought it would be a sound position to take.

I have this much hesitation about it: If we should pass a bill amending section 124 of the act of 1954, the President could veto it, and probably he would veto it, because he might not be in sympathy with it. A majority of the Congress might or might not feel the same way.

If it is the opinion of the Senator from California that the suggested language could be inserted in the act of implementation—and I would certainly try to help those who would try to put it into the act—then would it be possible for the President to operate under the Agency and put this Government into the Agency, since he chose to do so, unless Congress passed an act of implementation?

Mr. KNOWLAND. The Senator has raised a very interesting point. I think there are certain provisions and sections of the treaty which are self-implementing, but I think before this Government could fully operate under the treaty, an act of implementation would be necessary, and I think the Executive has clearly indicated to the committee that he expects an act of implementation to be passed. That is the reason why I suggested I thought it was more appropriate, if the Congress is interested in changing section 124 of the Atomic Energy Act, that the act of implementation be amended to do it, because I think to that extent it would be, while not exactly veto proof, since it could still be vetoed, nevertheless in such shape that if it were vetoed, at least a new act of implementation would have to be started, and Congress and the Executive would have to come to an agreement on whatever language the act of implementation would take.

Mr. ANDERSON. The Senator from California and I may not be using the word "appropriate" the same way. My own idea of the proper use of the word "appropriate" would be for Congress to cover the matter of imposing necessary restrictions in such a way as would be virtually veto proof. That is the way I used the word "appropriate." I therefore appreciate the Senator from California's pointing that out.

Mr. KNOWLAND. I do not think the Senator from New Mexico would maintain that the fact that Congress might add an amendment along the line he suggested would prevent the President, under the Constitution, exercising his prerogative of presidential veto.

Mr. ANDERSON. Not at all.

Mr. KNOWLAND. But if the President did veto it, there would be no act of implementation unless Congress, by a two-thirds vote, passed the bill over his veto, or unless Congress started a new act of implementation. So I think it gives security to the Congress—if that term can be used—that if the bill were vetoed, it could still pass another bill.

Mr. ANDERSON. Has the Senator from California discussed with the able majority leader the possibility that an act of implementation is to be presented in the reasonably near future?

Mr. KNOWLAND. I understand that the act of implementation is now before the Foreign Relations Committee, so that Congress has an act of implementation before it. All Senators can take due notice of that. I am sure that, according to its custom, the committee will be glad to have the views of the Senator from New Mexico and of the Senator from Ohio and of any other Senators in regard to the language desired.

Mr. ANDERSON. I only asked the question because I wished to avoid the very thing which happened this afternoon, when the question was raised as to why the able Senator from Ohio [Mr. BRICKER] had not presented his proposal to the committee. He felt, I am sure, he was in the same position I considered myself to be in. We were sort of strangers to the blood, and were there by courtesy.

I think if this matter is going to be considered by the Committee on Foreign Relations, an opportunity ought to be given to those of us who feel very deeply on this question, and that we should have a chance to explain why we believe this restriction should be in the act.

Mr. KNOWLAND. I cannot speak for the chairman of the committee.

Mr. ANDERSON. I understand.

Mr. KNOWLAND. Certainly, knowing the procedures the committee follows, I am confident it would welcome the presentation.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. It is my understanding that the act of implementation has been sent to Congress and will be referred to the Joint Committee on Atomic Energy. Is that the case?

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the letter from the Secretary of State and the draft of the International Atomic Energy Agency Participation Act of 1957 be printed at this point in the RECORD.

There being no objection, the letter and draft were ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. SPEAKER: On March 21, 1957, a certified copy of the statute of the International Atomic Energy Agency was transmitted by the President to the Senate, with a view to receiving the advice and consent of the Senate to ratification.

To enable the United States to participate in the International Atomic Energy Agency, it is necessary that legislation be enacted to provide for the appointment of persons to represent the United States in the organs of the Agency, and to establish necessary administrative arrangements for United States participation in the Agency, including authorization to appropriate such sums as are necessary for the salaries, expenses, and allowances of the United States representatives, their staffs, and dependents, and to defray expenses of the United States participation in the International Atomic Energy Agency and in the Preparatory Commission for the Agency. I am, therefore, transmitting to you a draft bill to accomplish these purposes. As stated in section 3, the participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended."

To direct United States participation in the work of the Agency, regular procedures are being established within the Executive Branch for coordination and collaboration between the Department of State and the Atomic Energy Commission in the determination of positions to be taken by the United States in the organs of the Agency and for obtaining recommendations regarding the policies to be followed by the United States in the course of its participation.

The Department has been informed by the Bureau of the Budget that there is no objection to the submission of this proposal to the Congress for its consideration.

I am transmitting a similar message to the President of the Senate.

Sincerely yours,

JOHN FOSTER DULLES.

(Enclosure: Draft participation act for International Atomic Energy Agency.)

A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes

Be it enacted, etc.—

SECTION 1. This act may be cited as the "International Atomic Energy Agency Participation Act of 1957."

SEC. 2. (a) The President, by and with the advice and consent of the Senate, shall appoint a representative and a deputy representative of the United States to the International Atomic Energy Agency (hereinafter referred to as the "Agency"), who shall hold office at the pleasure of the President. Such representatives and deputy representatives shall represent the United States on the Board of Governors of the Agency, may represent the United States at the General Conference, and they serve ex officio as United States representative on any organ of that Agency, and shall perform such other functions in connection with the participation of the United States in the Agency as the President may from time to time direct.

(b) The President, by and with the advice and consent of the Senate, may appoint or designate from time to time to attend a specified session or specified sessions of the General Conference of the Agency a representative of the United States and such number of alternates as he may determine consistent with the rules of procedure of the General Conference.

(c) The President may also appoint or designate from time to time such other persons as he may deem necessary to represent the United States in the organs of the Agency. The President may designate any officer of the United States Government, whose appointment is subject to confirmation by the Senate, to act, without additional compensation, for temporary periods as the representative of the United States on the Board of Governors of the Agency in the absence or disability of the representative and deputy representative appointed under section 2 (a) or in lieu of such representatives in connection with a specified subject matter.

(d) All persons appointed or designated in pursuance of authority contained in this section shall receive compensation at rates determined by the President upon the basis of duties to be performed but not in excess of rates authorized by sections 411 and 412 of the Foreign Service Act of 1946, as amended (22 U. S. C. 866, 867), for chiefs of mission and Foreign Service officers occupying positions of equivalent importance, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under subsection (b) or subsection (c) of this section as a delegate or representative of the United States or as an alternate to attend any specified session of specified sessions of the general conference shall be entitled to receive such compensation. Any person who receives compensation pursuant to the provisions of this subsection may be granted allowances and benefits not to exceed those received by chiefs of mission and Foreign Service officers occupying positions of equivalent importance.

SEC. 3. The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its statute and the policy concerning the development, use, and control of atomic energy set forth in the Atomic Energy Act of 1954, as amended. The President shall, from time to time as occasion may require, but not less than once each year, make reports to the Congress on the activities of the International Atomic Energy Agency and on the participation of the United States therein.

SEC. 4. The representatives provided for in section 2 hereof, when representing the United States in the organs of the International Atomic Energy Agency, shall, at all times, act in accordance with the instructions of the President, and such representatives shall, in accordance with such instructions, cast any and all votes under the Statute of the International Atomic Energy Agency.

SEC. 5. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for the payment by the United States of its share of the expenses of the International Atomic Energy Agency as apportioned by the Agency in accordance with paragraph (D) of article XIV of the statute of the Agency, and for all necessary salaries and expenses of the representatives provided for in section 2 hereof and of their appropriate staffs, including personal services without regard to the civil service laws and the Classification Act of 949, as amended; travel expenses without regard to the standardized Government travel regulations, as amended, the Travel Expense Act of 1949, as amended, and section 10 of the act of March 3, 1933, as amended; salaries, expenses, and allowances of personnel and dependents as authorized by the Foreign Service Act of 1946, as amended; services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a); translating and other services, by contract; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section II of the act of March 1, 1919 (44 U. S. C. 111); official functions and courtesies; such sums as may be necessary to defray the expenses of United States participation in the Preparatory Commission for the International Atomic Energy Agency, established pursuant to annex I of the statute of the International Atomic Energy Agency; and such other expenses as may be authorized by the Secretary of State.

Mr. ANDERSON. Is the Senator able to answer the question of the Senator from Iowa?

Mr. MANSFIELD. It is the Joint Committee on Atomic Energy.

Mr. PASTORE. Mr. President, will the Senator yield to me at that point?

Mr. HICKENLOOPER. Perhaps the Chair can enlighten us on that matter. Has the proposed act of implementation been laid before the Senate, or referred to a committee?

The PRESIDING OFFICER. The Chair cannot say whether it has been referred. Normally, proposed legislation relating to atomic energy would go to the Joint Committee on Atomic Energy.

Mr. HICKENLOOPER. If the Senator will yield further, I may say that I have been informed by a member of the staff of the Joint Committee on Atomic Energy that the proposed legislation has been referred to the Joint Committee on Atomic Energy.

Mr. MANSFIELD. The Senator is correct.

Mr. KNOWLAND. Both the distinguished Senator from Ohio [Mr. BRICKER] and the Senator from New Mexico [Mr. ANDERSON], who is now the vice chairman and was formerly the chairman of the Joint Committee on Atomic Energy, serve on the joint committee.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. PASTORE. And the junior Senator from Rhode Island is chairman of the Subcommittee on International Agreements.

Mr. KNOWLAND. The Senator is correct.

Mr. PASTORE. Which subcommittee will consider the proposed implementation legislation.

So that we will have no misunderstanding, I should like to read from section 3 of the proposed implementation act.

Mr. KNOWLAND. If the Senator will permit one interruption, of course, serving on that Joint Committee on Atomic Energy are also the distinguished Senator from Iowa [Mr. HICKENLOOPER], the Senator from Idaho [Mr. DWORSHAK], the Senator from Tennessee [Mr. GORE]——

Mr. PASTORE. Without naming them all, it is pretty easy to find out who they are. The fact of the matter remains that section 3 should be read. I would like to have all Members of the

Senate understand this, because we do not wish to have any misunderstanding later on. Section 3 of the draft implementation act reads as follows:

The participation of the United States in the International Atomic Energy Agency shall be consistent with and in furtherance of the purposes of the Agency set forth in its statute and the policy concerning the development, use, and control of the atomic energy set forth in the Atomic Energy Act of 1954, as amended.

As the junior Senator from Rhode Island now understands the matter, insofar as the special nuclear material which will be given or made available to the Agency is concerned, that will be done by way of presidential agreement, which agreement will be submitted to the committee and lie with the committee 30 days before it becomes consummated. Beyond that I do not see that the joint committee, the Senate, or the Congress will do anything further. The only thing we can do at that time is by a special act or a joint resolution to repudiate the agreement. I think we ought to understand that at this point.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Tennessee.

Mr. GORE. I hope the Senator will pardon me for interrupting his speech, but I have been very much interested in this treaty and this development. I have not said anything, but I should like to express my concern that the Senate at this late moment in this great development, which has so appealed to the world, should attach an additional requirement, which it seems to me would subject any act which the President might take to make available fissionable material to the procedure of an executive agreement, even though we ratify a treaty on the subject. Would that not essentially be the situation?

Mr. KNOWLAND. I think the Senator is probably correct in that statement.

Mr. GORE. I appreciate the statesmanship and the great ability of the Senator from Ohio [Mr. BRICKER]. I think there is much merit to the apprehension which he feels.

However, as has been brought out in the discussion, this matter will be in substantive form before the Joint Committee on Atomic Energy. The joint committee can act. It would seem to me to be hazardous to do what we are now asked to do, namely, to attach to the treaty a provision which would subject any act by the President whatsoever to make available that which he would be committed by the treaty to make available, under certain conditions, to the future affirmative act of Congress. That would be, it seems to me, subjecting any such act to the procedure of an executive agreement.

Mr. KNOWLAND. I think, however, there is great merit in the contention that the United States has certain assets, and certainly the fissionable material, the uranium and so forth, is an asset of the Government and the people of the United States. In the same way, the Congress has rather jealously guarded its prerogatives with regard to turning over destroyers to some other country, and has expected to take a hand in connection with disposing of other assets. I think it is entirely proper that consideration be given to legislation which would require the Congress to be a partner in turning over of nuclear assets of the Government and the people of the United States.

Mr. GORE. On that point I agree. My concern is that here, at the last moment, it is proposed to attach a provision to a treaty which might make the treaty unworkable.

Mr. KNOWLAND. While I do not think it would necessarily make it unworkable, I agree fully with the Senator, and I spoke about that before he came into the Chamber. I merely express a personal opinion, and obviously the Senator from Ohio [Mr. BRICKER] is just as entitled to have a completely opposite point of view. I think the best place to take care of this matter would be in the act of implementation. Then we could proceed in an orderly way, if desirable, to amend the statute which the Congress itself had previously passed, and under which the Executive had moved ahead in this field.

Mr. BRICKER and Mr. HICKENLOOPER addressed the Chair.

Mr. KNOWLAND. I will yield first to the Senator from Ohio.

Mr. BRICKER. Mr. President, I asked the distinguished minority leader to yield, because I do not want to be defaulted by a member of the Committee on Foreign Relations. I did submit the first resolution, which dealt with the same subject matter the distinguished Senator from California and the distinguished Senator from Iowa had worked out, but with which I was not entirely satisfied. I thought there ought to be a different reservation. Nevertheless, the wording of their proposal was satisfactory to the State Department.

I not only submitted it at the time to the committee, and discussed it with them, but I left a copy with the representative of the State Department who was there, who told me the Department would consider it and reply. I not only did that, but I discussed it with the representative of the Committee on Foreign Relations, and I left a copy there. What became of it I do not know. I am not a member of the committee.

Mr. KNOWLAND. The Senator is not referring to anything I said, because I tried to make that clear in my remarks.

Mr. BRICKER. The Senator from Montana [Mr. MANSFIELD] implied a while ago that I had been negligent in my duty, by not presenting this reservation or amendment to the committtee. I was not a member of the Committee on Foreign Relations. I was permitted to attend the hearing, and I did ask a few questions at some of the hearings.

Furthermore, so that the RECORD will be clear, in response to what was suggested by the Senator from Iowa [Mr. HICKENLOOPER] a few moments ago, the President could not have entered into this agreement as an executive agreement. He had to do one of two things, under the act of 1954. He had either to submit it as a treaty or come to the Congress and ask for an authorization by both Houses of Congress. He chose to submit it as a treaty. I was advised of that in New York. When it was under consideration the first day, I was advised that it was coming to the Senate as a treaty, instead of as an executive agreement, which, under the law would have to be authorized by both Houses of Congress.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. To correct an impression for the RECORD in connection with a very important point to which the Senator from Tennessee [Mr. GORE] referred a moment ago, as I understood the Senator from Tennessee he stated that one reason he objected—and I am only paraphrasing—was that this might be construed to be an attempt to preclude the President from making certain materials available, which we are committed to make available under the treaty. It is the words "which we were committed under the treaty" to which I wish to call attention. We are not committed under the treaty to make anything available. There is no requirement in this treaty, and no agreement in the treaty, that the United States or any other nation must make any materials available. Such action is voluntary on the part of any nation which wishes to make such materials available.

There is a moral commitment, raised by the speech of the President of the United States; but so far as the treaty is concerned, there are no provisions in the treaty requiring any country to make any materials available.

Mr. KNOWLAND. I think the Senator is absolutely correct, and I think the treaty is very clear in that regard.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. GORE. The Senator is entirely correct. I used the word "commitment" in the terms of a moral commitment or concert into which we had entered.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. MANSFIELD. I should like to address my remarks to the attention of the senior Senator from Ohio [Mr. BRICKER], and to assure him that I did not say he had been negligent in his duty. If he gained that impression, I wish publicly to apologize, because I know that the Senator is very diligent in the performance of his duties.

I did make the statement that there was no proposal before us. I have before me a letter signed by Carl Marcy, addressed to Hon. JOHN W. BRICKER, which indicates that he did present several proposals to Francis Wilcox; and, of course, I recognize the validity of the Senator's statement.

Mr. BRICKER. It was Dr. Wilcox who was present the day we discussed the subject before the committee, and he took the proposal with him. I appreciate the word of the Senator from Montana.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield first to the Senator from Maryland, and then I shall yield to the Senator from Florida.

Mr. BUTLER. It had been my understanding heretofore that there was no question that we would be obligated to give the uranium which was referred to by the President of the United States in his 1953 speech, and that such uranium would be an asset of the International Agency, irrespective of whether we might be a member for a day or a week, and then retire.

Now a new idea is introduced. It is now said that we are not obligated to give any uranium. Am I to understand that when this statute is ratified by the United States Senate we shall not be obligated to give the uranium which has been promised by the President?

Mr. KNOWLAND. I think the statement of the Senator from Iowa in response to some colloquy which had previously taken place on the floor brought out quite correctly—and I think very clearly; and it is clear in the language of the treaty—that under the treaty the United States is not obligated to sell, to give, to exchange, to lend-lease, or in any other manner to furnish any quantity of uranium to the International Agency.

Article IX, subsection A, provides:

> Members may make available to the Agency such quantities of special fissionable materials as they deem advisable and on such terms as shall be agreed with the Agency. The materials made available to the Agency may, at the discretion of the member making them available, be stored either by the member concerned or, with the agreement of the Agency, in the Agency's depots.

So I think it is very clear that there is no requirement to furnish such materials, and no power of the Agency to requisition or demand them, or to force a member to make available fissionable material.

Mr. BUTLER. How does the title pass from the United States of America into the Agency, if the transaction is not consummated under the treaty?

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I should like to include in the RECORD at this point—and I think perhaps the entire statement ought to go in the RECORD—the statement of the President of the United States on October 26, 1956. Among other things, he said:

> Here is what I, in behalf of the United States, propose:
>
> First: It shall be my care, when our Congress reassembles, to present the statute for official ratification by our Senate in accordance with our Constitution, and to request appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency. I wish my country to be among the first to recognize by official action what you at this conference have accomplished.

The statement contains paragraphs numbered second and third, in addition to some further discussion. There is attached to the statement a letter accompanying the release statement. The letter was written by the President to His Excellency Joao Carlos Muniz, President of the Conference on the Statute of the International Atomic Energy Agency.

With the permission of the Senator from California, I should like to offer the copy of this letter of the President to the President of the Conference on the Statute of the International Atomic Energy Agency, together with the statement of the President in full, excerpts from which I have read, for printing in the RECORD.

Mr. KNOWLAND. I think those statements should be included in the RECORD.

There being no objection, the letter and statement were ordered to be printed in the RECORD, as follows:

His Excellency JOAO CARLOS MUNIZ,

President of the Conference on the Statute of the International Atomic Energy Agency.

YOUR EXCELLENCY: I beg to acknowledge your gracious invitation to address the closing session of the Conference on the Statute of the International Atomic Energy Agency on October 26.

This invitation has been a source of gratification to me personally and to the people of the United States. It had been my earnest hope to appear at this historic conference, at which the largest number of nations in history are met together. But it is now clear that the special circumstances of my present life—which add inescapable political engagements to my official duties—oblige me to deny myself the honor and privilege of accepting your great courtesy. It will be necessary for me to be present in Washington on Friday of this week.

May I hope, Mr. President, that you will express my sincere regrets to the assembled delegates, and transmit to them some considerations which I had wished to present in person at the conference's concluding session and which I am enclosing with this letter.

Sincerely,

DWIGHT D. EISENHOWER.

STATEMENT BY THE PRESIDENT, READ AT THE CLOSING SESSION OF THE CONFERENCE ON THE STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY BY LEWIS L. STRAUSS, CHAIRMAN OF THE ATOMIC ENERGY COMMISSION, AT THE UNITED NATIONS, FRIDAY MORNING, OCTOBER 26, 1956

Mr. President and Delegates to the Conference on the Statute of the International Atomic Energy Agency:

Almost 3 years have passed since I was honored by an invitation to speak to the General Assembly of the United Nations. On that occasion, I proposed in behalf of the United States that atomic power—the greatest force science ever placed in man's hand—be put to work for peace.

Specifically, my proposal was: first, that governments begin, and continue, to make, from their atomic materials stockpiled for war, joint contributions to an International Agency; and, second, that this Agency be responsible for finding methods to apply these atomic materials to the needs of agriculture, medicine, and other peaceful pursuits of mankind.

The United States then pledged its entire heart and mind to finding how the miraculous inventiveness of man should be dedicated, not to his death, but consecrated to his life.

The atom was regarded, in 1953, as a terrible weapon for war. Since the first explosion in 1945, men had fearfully multiplied its destructiveness. People knew that a single air group could carry a more devastating cargo than all the bombs that fell on Britain in World War II. Several nations had learned to make atomic weapons and swiftly transport them across oceans and continents. To many people the doom of civilization in a nuclear war seemed inevitable. When they looked ahead, they saw no hope for a peaceful future.

The proposal made in 1953 by the United States offered: for apathy, action; for despair, hope; for the whirlpool of general war, a channel to the harbor of future peace.

From the time that proposal was made, I watched with ardent expectation the outcome of all the work done by the sponsoring powers and the working groups, and the debates in the General Assembly and at this culminating Conference. The planning and framing of the International Atomic Energy Agency has required many months of patience and intelligent effort. These labors have now been completed by the Conference's approval of the statute.

I congratulate the conference for what it has accomplished. The statute, and the international agency for which it provides, hold out to the world a fresh hope for peace.

Since the United States made its proposal, in 1953, the intensity of the atom's destructiveness has again been greatly multiplied. For their own salvation, men are under a compulsion that must not be denied to turn this furious, mighty power from the devastation of war to the constructive purposes and practices of peace.

That is why the world needs fresh hope—a new chance for man working with man to root out past frustration and past hopelessness.

That is why the United States will never cease from seeking trustworthy agreements under which all nations will cooperate to disarm the atom.

To spur the coming of such a day, the peace-loving nations have pressed forward with benign uses of the atom for man's well-being and welfare. As increased knowledge makes more terrible the atom's might, it also brings closer the realization of its potential for good.

Peace can come from nations working together. When they have a common cause and a common interest they are drawn together by this bond.

We, as one of the peace-loving nations, have sought to share our atomic skills and materials.

Last February we offered to make available to friendly nations for peaceful use 20,000 kilograms of nuclear materials—an amount equal to that allocated for like use within the United States. And we have entered into agreements with 37 nations represented at the conference—and are negotiating with 14 more—to cooperate in building in their lands atomic reactors, of all types and sizes, for peaceful works.

People have shown their hunger to learn the intricate mysteries of the new atomic science. We have tried to satisfy that hunger, to break open doors that sealed off the knowledge they sought—through initiating great scientific congresses and by providing libraries and training courses and schools. We have been happy to offer our knowledge of ways to use the atom for peace, of ways to use the atomic isotope in medical care and cure and in agriculture and industry. Because science is without boundaries, a common knowledge of the peaceful application of this new science can help us all to a better understanding of each other.

In all those things that we do as a government, the United States does not seek for domination or control or profit. Nor shall we, as a government, ever do so.

It is now for nations assembled at this Conference formally to adopt the Statute.

Here is what I, in behalf of the United States, propose.

First: It shall be my care, when our Congress reassembles, to present the statute for official ratification by our Senate in accordance with our Constitution, and to request

appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency. I wish my country to be among the first to recognize by official action what you at this Conference have accomplished.

Second: To enable the International Atomic Energy Agency—upon its establishment by appropriate governmental actions—to start atomic research and power programs without delay, the United States will make available to the International Agency, on terms to be agreed with the Agency, 5,000 kilograms of the nuclear-fuel uranium 235 from the 20,000 kilograms of such material allocated last February by the United States for peaceful uses by friendly nations.

Third: In addition to the above-mentioned initial 5,000 kilograms of uranium 235, the United States will continue to make available to the International Atomic Energy Agency nuclear materials that will match in amount the sum of all quantities of such materials made similarly available by all other members of the International Agency, and on comparable terms, for the period between the establishment of the Agency and July 1, 1960. The United States will deliver these nuclear materials to the International Agency as they are required for Agency-approved projects.

Assuming that all nations represented at the Conference undertake parallel steps—within their capabilities—together we can overcome the obstacles that lie ahead and prove to each other that international controls are not only feasible but generally acceptable as a way to achieve peace.

The prompt and successful functioning of the Agency can begin to translate the myriad uses of atomic energy into better living: in our homes, at our work, during our travel and our rest.

At present, we see only the first fruits of this atomic growth. Atomic-fueled plants, which are being planned or built in this and several countries, will in a few years be producing power for civilian uses: to turn the wheels of factories—to light the darkness in countless homes.

We will not lead people to expect the advent overnight of an atomic millenium. In many countries, long and patient scientific experimentation and trial must precede the generation from atomic sources of electric power that can compete with that produced by using available coal, oil, gas, or water power. But, in the meantime, this International Agency will be encouraging those scientific labors and research to hasten the looked-for day.

The benefits of our daily living which will result from putting the atom to work for peace—more abundant and cheaper power and light, irrigation of arid lands, less costly transportation, the opening to industry of territories hitherto denied—may come to us more slowly than we would wish. But there is something more important than these material benefits. I mean those highways that lead to a settled tranquility among nations.

People have long been seeking a channel for peaceful discussion. The International Atomic Energy Agency offers one such channel. During the last 3 years of deliberations upon its establishment and functioning, this channel has been kept open. It shall be the purpose of the United States to broaden this channel and to encourage its general use.

Someday, we fervently hope, sanity will overcome man's propensity to destroy himself. Then, the world can beat its swords into plowshares. All nations can turn their plants that make nuclear fuel to an exclusively civilian use, and the fuel in their stockpiled nuclear weapons can also be put to work for man's health and welfare. In that happy time, the giant of atomic energy can become, not a frightening image of destructive war, but an obedient servant in a prosperous and peaceful world.

The real vision of the atomic future rests not in the material abundance which it should eventually bring for man's convenience and comfort in living. It lies in finding at last, through the common use of such abundance, a way to make the nations of the world friendly neighbors on the same street.

Mr. HICKENLOOPER. I reiterate that in my opinion a moral commitment has been raised to make materials available, but under terms and conditions to be agreed upon between the United States and the Agency after we become a member.

Mr. GORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Tennessee.

Mr. HOLLAND. The Senator agreed to yield to me.

Mr. GORE. Furthermore, the transaction must be in conformity with the laws of the country. Subsection C of article IX reads as follows:

Each member shall notify the Agency of the quantities, form, and composition of special fissionable materials, source materials, and other materials which that member is prepared, in conformity with its laws, to make available immediately or during a period specified by the Board of Governors.

Mr. KNOWLAND. I thank the Senator.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BUTLER. This discussion is closely identified with the point which I am trying to make clear.

Am I to understand that there will be an act of Congress authorizing the President to sell uranium? If not, where is there any lawful authority to turn over the property of the people of the United States without an act of Congress, whether the transaction be a sale or a gift? Where is the authority?

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. PASTORE. I point out to the Senator from Maryland that the only binding commitment we have at the moment is the word of the President that he does not desire to give this material away. However, under the law, in the case of bilateral agreements, the State Department and the Atomic Energy Commission, representing the President of the United States, negotiate a bilateral agreement which contains all the terms and conditions. That agreement comes to the Joint Committee on Atomic Energy, and lies on the table for 30 days.

After 30 days the agreement becomes a consummated contract or agreement with the country involved or with the Agency.

Mr. BUTLER. Suppose that the committee should not approve it?

Mr. PASTORE. In that event a bill would have to be introduced to repudiate the agreement. Do I make it clear?

Mr. LAUSCHE. Within the 30 days.

Mr. PASTORE. It must be done within 30 days. Otherwise it would be ex post facto.

Mr. BUTLER. What if the treaty were ratified?

Mr. PASTORE. It would merely reaffirm section 124 of the Atomic Energy Act of 1954.

Mr. KNOWLAND. But the Senator will agree that if the Congress should decide to change section 124, so that materials could not be made available except by express consent of the Congress, through a joint resolution, concurrent resolution, or bill, or by whatever method might be provided, Congress would have the power to do so.

Mr. PASTORE. Absolutely. But the President would have to agree to that change in the law. I think perhaps he would.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. KNOWLAND. I now yield to the Senator from Florida.

Mr. HOLLAND. I thank the Senator.

Mr. KNOWLAND. I apologize to the Senator from Florida.

However, we got into a discussion on a point which I thought we might just as well clear up at that time.

Mr. HOLLAND. That is quite all right, because the points discussed were in line with the points which have been on my own mind.

Mr. President, like a good many other Members of the Senate, I have been disturbed by the question now before the Senate. I was particularly impressed with the presentation made by the distinguished senior Senator from Ohio [Mr. BRICKER]. I may say that I think my mind has been cleared up by the statements made by the Senator from Iowa [Mr. HICKENLOOPER], the Senator from California [Mr. KNOWLAND] and the Senator from New Mexico [Mr. ANDERSON] and particularly by the statement of the Senator from New Mexico as well as by the distinguished Senator from Rhode Island [Mr. PASTORE].

I should like to ask a few questions which, if they are answered in the affirmative, will indicate at least that my own mind is clear on the matter and may be at rest.

Do I understand correctly that under section 124 of the 1954 amendments of the Atomic Energy Act, the President is given the right to make bilateral agreements with friendly nations in this field, and that he has done so in the case of some 38 friendly nations?

Mr. PASTORE. I believe the number is 46. It was 44 at the last count, and in the past few weeks I have submitted 2 more.

Mr. HOLLAND. I will change my question, then. Do I correctly understand that in the case of 40 or more nations the President has made such bilateral agreements, subject only to the condition that they be reported to the Joint Committee on Atomic Energy and lie over for 30 days, within which time the committee has the right to bring affirmative action if it wishes to do so in order to protest against consummation? Is that correct?

Mr. PASTORE. The Senator is correct?

Mr. HOLLAND. Am I to understand further that without any affirmative action by the committee to stop the bilateral agreements, in the case of 40 or more nations they have gone into effect?

Mr. PASTORE. That is correct.

Mr. HOLLAND. And that under those agreements materials like the materials covered by the agreement now

submitted in treaty form have been and are in process of being delivered in substantial quantities to the friendly nations which have joined with us in those executive agreements?

Mr. PASTORE. I would not say substantial quantities. Many of them refer to research, and in many instances agreements have been reached, but the material has not been passed over. I am not in a position to say how much material has been delivered.

Mr. HOLLAND. But substantial material will be delivered, including reactors in several cases.

Mr. PASTORE. In 8 cases.

Mr. HOLLAND. In 8 cases. And materials for the operation of the reactors, as well. Is that correct?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. Then am I to understand that the President of the United States in this case has chosen, because of the breadth of the proposed action, and because of his own statement made heretofore, to submit the matter in the form of a full treaty?

Mr. PASTORE. He must under the law. This is the one instance in which he cannot do it by a bilateral agreement. The Atomic Energy Act provides that in the case of an agency, it must be done by treaty or by concurrent action of both branches of Congress.

Mr. HOLLAND. Then the President in this case, rather than proceeding with innumerable bilateral arrangements, has chosen to recommend the setting up of an International Agency, in which case he has been forced under the terms of existing law to proceed in accordance with a treaty such as is now submitted to the Senate for action. Is that correct?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. But that the materials covered by this proposed action are of the same sort and in the same field as those covered at least in some of the bilateral agreements. Is that correct?

Mr. PASTORE. The Senator is correct.

Mr. HOLLAND. And that the Joint Committee on Atomic Energy now has under consideration a proposal to amend section 124 of the 1954 amendments of the Atomic Energy Act. Is that correct?

Mr. KNOWLAND. No; I would say that that is not quite correct. The Joint Committee on Atomic Energy has before it an act of implementation which some Senators on the floor had suggested—including the minority leader and the Senator from New Mexico—could well be the vehicle to which amendments to section 124 or other sections of the Atomic Energy Act of 1954 might be appended.

Mr. HOLLAND. I thank the distinguished Senator from California for that clarification. Then, if I understand the situation, we are now confronted with the fact that the President, rather than proceeding with individual nations under bilateral agreements in extenso—that is, with a dozen or perhaps a hundred, if he has chosen to do so—has chosen, instead, to recommend, as he did in the United Nations, the setting up of an international agency, to proceed by way of the proposed treaty; and that in the implementation of this treaty and in carrying it out, the President will be bound by any subsequent action of Congress in the act of implementation or otherwise, just as he would have been bound in the case of bilateral agreements, in the event the joint committee had proceeded seasonably by affirmative action, which in its effect would negative and turn down a proposed bilateral agreement. Is that correct?

Mr. KNOWLAND. The Senator is correct.

Mr. HOLLAND. I wish to say that I think my mind is clear on the matter. I see no difference at all between the proceedings that we are undertaking and carrying out, and that which would have eventuated if the President had gone through a maze of bilateral agreements, and had chosen to go alone instead of doing the more friendly thing by inviting other nations who have gone into this field of atomic energy to cooperate with us.

My own feeling is that we are simply proceeding in a sounder way and a more plenary way than we have done heretofore on a more selfish basis through bilateral agreements.

I see no objection to following the proposed course embodied in the treaty.

Mr. KNOWLAND. I will say to the Senator that the only part of his statement with which I would not wish to agree is that the bilateral agreements are selfish agreements. The bilateral agreements have performed a very useful purpose. I think they are of great value. They have contributed substantially to the President's original proposal of 1953, his atoms for peace proposal, and showed the good faith of the Government and the people of the United States in wanting to help make available to other nations for peaceful uses atomic materials both for research and for power.

I do not like to consider the bilateral agreements as being selfish. Of course, it is correct to say, as the Senator has pointed out, that certain quantities of the material which will be disposed of under the bilateral program will also be disposed of, and perhaps more extensively, under the multilateral treaty. The President in his wisdom, for reasons which were made clear to the committee, felt that this was highly desirable as an additional step in the atoms for peace program.

I frankly say to the Senator that I think the point raised by the Senator from Ohio [Mr. BRICKER] should be gone into by the Joint Committee on Atomic Energy. I also say that I hope the Executive will keep in mind that before additional commitments of materials are made—even though they only be commitments with the understanding that the Congress will ultimately have to act on them—there should be a higher percentage of contribution by other nations having atomic materials than is the case in the present offer by the President of the United States.

I think we can make the case, in order to get this proposal under way, that we are perhaps justified in making a much higher percentage available. However, I hope that such action will not be followed as a precedent. For the future I would not want the ratio of 5,000 kilograms to 50 or 20 kilograms to be considered as being either desirable or proper.

Mr. HOLLAND. I thoroughly approve of the most recent statement of the Senator from California, especially that part in which he spoke of the desirability of the consideration of the matters brought out by the statement of the distinguished Senator from Ohio.

The point I should like to make is this: Had the President chosen to do so, he could have confined, under existing law, the whole situation to a maze of bilateral approaches, through which we could have dealt with numerous nations, perhaps with all the nations which might have wished to enter into and proceed under the international agreement. We do not know that as yet. But if that had occurred, it could have been done under existing law. It could have been done solely by the reporting of each of them to the committee, and waiting 30 days. It would not have been accompanied by an invitation to other nations which are producing atomic materials to come in and join in a worldwide approach to this matter. It would not have been marked by any showing of worldwide responsibility, such as is shown by us, as the leading developer of atomic energy products, in this treaty.

It seems to me that the treaty is a wise approach and is to be preferred to the other approach. However, all of us should recognize the fact that the President had it fully within his power to proceed the other way, had he chosen to do so. Is not that correct?

Mr. KNOWLAND. Yes; I believe that is correct. I think this country could have made bilateral agreements with every country, if it had desired to do so, which would have become a member of the International Agency, if that had been the determination.

Mr. HOLLAND. But without creating any showing of our willingness to cooperate with other nations, generally.

Mr. KNOWLAND. Again the Senator from Florida and I differ on that point a little, because I think a desire to cooperate can be shown by a lateral or a bilateral agreement.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. LAUSCHE. From the standpoint of getting a chronological understanding of what took place, did the act of 1954 constitute a consummation of the declaration which the President made in 1953 that he would go to Congress for the purpose of getting authority to supply this material to the nations with which we would enter into agreements?

Mr. KNOWLAND. Yes; I think the Senator is correct.

Would the Senator permit me to interrupt him? The majority leader desires to propound a unanimous-consent agreement.

ORDER OF BUSINESS TOMORROW

Mr. JOHNSON of Texas. Mr. President, if I may have the attention of the Senator from Illinois [Mr. DOUGLAS], the Senator from Georgia [Mr. RUSSELL], and the Senator from California [Mr. KNOWLAND], I desire to propound a unanimous-consent request.

I ask unanimous consent that when the Senate adjourns tonight, it meet tomorrow at 12 o'clock noon, and that after the approval of the Journal any Senator may be recognized for the introduction of bills, insertions in the RECORD, and statements not to exceed 3 minutes; provided further, that no other business be in order. Following the above specified routine business, the majority leader be recognized to suggest the absence of a quorum, after which the Chair will lay before the Senate H. R. 6127.

The PRESIDING OFFICER (Mr. MORTON in the chair). Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. DOUGLAS. Mr. President, reserving the right to object—and it is not my present intention to object—I should like to have the parliamentary situation clarified, if I may.

The first question I wish to address to the Chair is this: Has the civil rights bill already received its first reading when its title was read at the desk, or has it not?

The PRESIDING OFFICER. The bill was received from the House today, but it has not been read in the Senate today.

Mr. DOUGLAS. So its first reading will be tomorrow?

The PRESIDING OFFICER. If the Senate gets to the point where the bill is read at all, that will be its first reading.

Mr. DOUGLAS. I wanted to make that clear. Do I understand correctly that if objection is raised tomorrow to the second reading, the bill will go over to the following day?

The PRESIDING OFFICER. That is correct; it will go over to the following legislative day.

Mr. DOUGLAS. To the following legislative day? That means that if the Senate recesses tomorrow, the day after tomorrow will not be the following legislative day, but will be the same legislative day.

The PRESIDING OFFICER. The Senator is correct.

Mr. DOUGLAS. Would the Senator from Texas be willing to modify his proposal, therefore, to provide that at the end of the session tomorrow, the Senate adjourn, so that the day after tomorrow will be another legislative day, at which time there may be the second reading of the bill, if the second reading shall be objected to tomorrow?

Mr. JOHNSON of Texas. No, the Senator from Texas will not do that. The Senator from Texas intends tomorrow to move that the Senate adjourn. He has no intention to move that the Senate recess. The Senator from Texas does not intend to modify his agreement to do as the Senator from Illinois proposes.

Mr. DOUGLAS. But it is the intention of the Senator from Texas to move tomorrow to adjourn until the day after tomorrow. The Senator from Texas is a highly honorable man, and I trust the intentions of the Senator from Texas.

Mr. JOHNSON of Texas. The Senator from Illinois is undoubtedly aware of the fact that I obtained an agreement from the Senate earlier today to adjourn until tomorrow.

Mr. DOUGLAS. I understand. The Senator from Illinois is anxious that we have a gentleman's agreement to adjourn from tomorrow until the next day.

Mr. JOHNSON of Texas. That is not necessary. The Senator from Texas does not propose to delay the matter by having the Senate recess instead of adjourn. He made that abundantly clear to all Members of the Senate earlier today when he asked for the order to adjourn until tomorrow.

The Senator from Texas does not want to make any trade. But he assures his friend from Illinois that he is not going to use the recess procedure even if he could.

Mr. DOUGLAS. I hope the Senator from Texas will not regard me as being unduly suspicious in this matter, but he will remember that in the closing days of the session last summer, I ran into precisely the same recess situation, by which no new legislative day was created. But I drop the matter.

Mr. JOHNSON of Texas. The Senator from Illinois may object to the proposed agreement if he wishes to. The agreement is as much for the protection of the Senator from Illinois as it is for any other Senator.

I have reviewed the agreement with him. If he objects to it, we can all be here in the morning and follow the usual course of events. But I had hoped we could enter into the agreement so that every Senator would be on notice that sometime around 12:20 or 12:30 the matter in which the Senator from Illinois is interested would come up. It is not a matter of great importance to the Senator from Texas. I simply wanted each Senator to know the ground rules under which it is intended to operate, assuming they are satisfactory to the Senate.

Mr. DOUGLAS. It is not my intention to object. I congratulate the Senator from Texas, but I also believe it is well to know what the ground rules are.

Mr. JOHNSON of Texas. I attempted to explain them in some detail to the Senator privately. The proposed agreement speaks for itself. I have now given additional assurance. If it will help any, I shall be glad to retire to the cloakroom and go over the proposal again with the Senator from Illinois.

Mr. RUSSELL. Mr. President, reserving the right to object—and I shall not object—I am glad the distinguished Senator from Illinois did not insist on more than the pound of flesh which the proposed unanimous-consent agreement gives to the Knowland-Douglas axis. [Laughter.]

Mr. KNOWLAND. Mr. President, the Senator from Georgia is welcome to join the axis. [Laughter.]

Mr. RUSSELL. I had assumed that since this remarkable agreement had been reached, and the act had been performed, one of the leaders, at least, was sure of enough votes to enforce a motion to adjourn without undertaking to require an assurance far in advance.

I think the proposed agreement provides for orderly procedure. At least, it insures that we will not have to spend the greater part of the night discussing the matter.

Mr. President, since the proposed agreement seems to be reasonable and fair, I shall not object.

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall not object—with his customary courtesy, the distinguished majority leader consulted me, as I understood he had consulted with other Senators, in regard to this matter. I think this is a fair proposal, one which puts the entire Senate on notice. I certainly have no objection to it.

Mr. DOUGLAS. Mr. President, I congratulate the Senator from Texas for scattering oil upon somewhat troubled waters.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and the agreement is entered.

The agreement as entered is as follows:

Ordered, That when the Senate adjourns tonight it meet tomorrow at 12 noon and that after the approval of the Journal any Senator may be recognized for the introduction of bills, insertions in the RECORD, and statements not to exceed 3 minutes: *Provided further*, That no other business be in order. Following the above specified routine business the majority leader be recognized to suggest the absence of a quorum, after which the Chair will lay before the Senate H. R. 6127.

Mr. JOHNSON of Texas. Mr. President, I wish to express my gratitude to the Senator from Ohio.

STATUTE OF THE INTERNATIONAL ATOMIC ENERGY AGENCY

The Senate resumed the consideration of the treaty, Executive I (85th Cong., 1st sess.), the statute of the International Atomic Energy Agency.

Mr. LAUSCHE. Mr. President, in order to assure a proper understanding, and inasmuch as the Senator from Iowa [Mr. HICKENLOOPER] is on the floor, I should like to ask him a question. The President's message was delivered in 1956. In it he said he would request of the Congress authority to implement the sort of moral commitment he made.

Mr. HICKENLOOPER. I read into the RECORD the statement in which, as I recall, the President said he would request of the Congress the proper Congressional authority, or something to that effect.

This is the pertinent paragraph of the statement made by the President to the delegates to the Conference on the Statute of the International Atomic Energy Agency, at or near the close of its deliberations on October 26, 1956; this is a

part of what the President said, when speaking to the Conference:

Here is what I, in behalf of the United States, propose:

First: It shall be my care, when our Congress reassembles, to present the Statute for official ratification by our Senate in accordance with our Constitution, and to request appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency. I wish my country to be among the first to recognize by official action what you at this Conference have accomplished.

I repeat the words:

to present the Statute for official ratification by our Senate—

And then I skip a little, and now I am quoting again from the same paragraph:

to request appropriate Congressional authority to transfer special nuclear materials to the International Atomic Energy Agency.

Mr. LAUSCHE. Mr. President, that indicates very clearly, to me, that the President does not contemplate donating fissionable material, or otherwise, without approval from the Congress. He stated specifically that he would ask for Congressional authority.

I should like to ask a further question, for purposes of information. The Senator from Tennessee read the language which states that each member, in accordance with paragraph C of article IX, is to notify the Agency, at periods specified by the Board of Governors, of the amount and kind of materials it is prepared to make available in conformity with its laws. I am certain that the laws now in existence control the President.

My question is this: If the treaty is entered into, does the Congress have the power—in violation of the provisions of the treaty—to change the laws which do or do not empower the delivery of the material?

Mr. KNOWLAND. In reply to the Senator from Ohio—and the Senator from Iowa [Mr. HICKENLOOPER] is present—let me say that certainly nothing in the treaty prevents the Congress of the United States from changing the Atomic Energy Act or any other law on the statute books governing this subject matter. When the act is changed, and when the change becomes the law, the President is bound by it; and nothing in the treaty is contrary to that. In other words, I think the language of the treaty shows clearly that it is recognized that any voluntary action any country may take shall be in conformity with the laws of that country.

Mr. LAUSCHE. In accordance with the laws in existence either before or afterward?

Mr. KNOWLAND. Either before or afterward; that is my interpretation.

Mr. PASTORE. That is correct.

Mr. HICKENLOOPER. It is subject to laws passed after the ratification of the treaty, as well as laws existing at the time when the treaty goes into effect.

Mr. KNOWLAND. I fully concur in the statement made by the Senator from Iowa.

Mr. HICKENLOOPER. I think the hearings amply bear that out, because questions on that very point were raised.

Mr. LAUSCHE. That statement seems to conform with the wish of the President, when he said he would request of the Congress authority to supply the material which he feels the Agency ought to have.

Mr. PASTORE. Mr. President, on that point, in order that there may be no mistaken understanding, let me say that the authority he is speaking about is under section 124, which means they will negotiate it, and then will make the request of Congress. I think the President had that in mind, namely, that if the Congress does not repudiate it by means of any authority Congress has, then it will be the law.

Mr. KNOWLAND. Under present law.

Mr. PASTORE. Yes; that Congress would have to change it by taking action in the affirmative, and in that way change section 124.

Mr. KNOWLAND. That is correct.

Mr. CAPEHART. Mr. President, the President has suggested that the United States will sell 11,000 pounds of the material to the International Agency. If a new treaty is ratified and goes into effect, will the President—before he can deliver or before he can even agree to deliver or to sell the 11,000 pounds—have to notify the Joint Committee on Atomic Energy, and will that notice have to lie with the Joint Committee for 30 days?

Mr. ANDERSON. The answer is "yes."

Mr. CAPEHART. In the case of the 11,000 pounds of the material we have been discussing, that notice will have to come to the Joint Committee on Atomic Energy; and the Joint Committee will have a right, if it wishes to do so, to adopt a resolution denying the President the right to deliver the material; is that correct?

Mr. ANDERSON. Now the Senator from Indiana is asking a different question.

First, let me say there is no question about the first question. The President has to notify the Joint Committee of an agreement for cooperation under section 124.

After he enters into the agreement, section 123 of the act applies; and it provides that the proposed agreement for cooperation, together with the approval and the determination of the President, must be submitted to the Joint Committee, and a period of 30 days must elapse while Congress is in session. Then we find the qualifying words. I interpret that to mean that if in the meantime the Joint Committee decided to disapprove it, it could do so. The Joint Committee by itself has no power of disapproval. However, it could recommend the passage of a bill or joint resolution by which the Congress would disapprove. I may say that other Senators agree as to that; and they include the Senator from Rhode Island [Mr. PASTORE], who was in on it. I think I can agree that that is correct.

Mr. KNOWLAND. On that point, the letter should be placed in full in the RECORD. Therefore, Mr. President, I ask that there be printed in the RECORD the entire letter of June 4, 1957, addressed to the Honorable J. W. FULBRIGHT, Committee on Foreign Relations, United States Senate, and signed by John Foster Dulles, Secretary of State.

But first I shall read from the letter the following:

It has been asked whether the statute of the International Atomic Energy Agency, if ratified by the United States, would supersede the procedures for the transfer of special nuclear material required by the Atomic Energy Act of 1954, as amended. It would not. Section 124 of the Atomic Energy Act and related sections 123 and 54 would govern the transfer of special nuclear materials to the Agency, including the 5,000 kilograms of U-235 which the President offered to make available to the Agency last October. The United States cannot, under the terms of the Atomic Energy Act, transfer materials to the Agency until the conditions of the Atomic Energy Act are met, including the following: (1) The Atomic Energy Commission has submitted to the President a proposed agreement for cooperation with the Agency, including among other provisions the terms of the transfer of materials to the Agency; (2) the President has approved and authorized the execution of the agreement after making a determination in writing that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and (3) the proposed agreement has been submitted to the Joint Congressional Committee on Atomic Energy and the period of time prescribed in the act has elapsed.

I ask unanimous consent that the entire letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 4, 1957.

The Honorable J. W. FULBRIGHT,
Committee on Foreign Relations,
United States Senate.

DEAR SENATOR FULBRIGHT: Your subcommittee has asked for clarification of certain testimony given by representatives of the Department of State and the Atomic Energy Commission during the course of the Senate Foreign Relations Committee hearings on the statute of the International Atomic Energy Agency and on the policy to be pursued in connection with United States participation in the Agency. I am glad to provide this clarification.

It has been asked whether the statute of the International Atomic Energy Agency, if ratified by the United States, would supersede the procedures for the transfer of special nuclear material required by the Atomic Energy Act of 1954, as amended. It would not. Section 124 of the Atomic Energy Act and related sections 123 and 54 would govern the transfer of special nuclear materials to the Agency, including the 5,000 kilograms of U-235 which the President offered to make available to the Agency last October. The United States cannot, under the terms of the Atomic Energy Act, transfer materials to the Agency until the conditions of the Atomic Energy Act are met, including the following: (1) The Atomic Energy Commission has submitted to the President a proposed agreement for cooperation with the Agency, including among other provisions the terms of the transfer of materials to the Agency; (2) the President has approved and authorized the execution of the agreement after making a determination in writing that the performance of the agreement will promote, and will not constitute an unreasonable risk to, the common defense and security; and (3) the proposed agreement has been submitted to the Joint Congressional Committee on Atomic Energy and the period of time

prescribed in the act has elapsed. It should be noted that article IX (C) of the statute of the International Agency provides that any member making materials available will do so in conformity with the laws of that member state.

It has also been asked whether amendments to the statute would be submitted to the Senate for advice and consent to ratification. I can assure you that this would be the case. Amendments to the statute come into force for all members only after they have been accepted by two-thirds of them in accordance with their respective constitutional processes. However, the interests of the United States are protected since it would have the right provided in article XVIII (D): "Whenever a member is unwilling to accept an amendment to the statute it may withdraw from the Agency by a notice in writing * * *." There have been questions as to whether the President would act to effectuate withdrawal of the United States from the Agency if the Senate did not consent to the ratification of an amendment that had been accepted by two-thirds of the members of the Agency. We believe that he would and should do so if a majority of the Congress were of the view that the amendment so altered the nature of our treaty obligation as to render our continued participation in the Agency inconsistent with the interests of the United States. However, in my opinion, and as I said in my testimony before the Senate Foreign Relations Committee, the participation of the United States is so vital to the existence of the Agency that I cannot visualize a situation in which an amendment would be ratified by two-thirds of the members of the Agency that would impair or endanger the continued wholehearted support of the United States.

The subcommittee has asked whether the statute is self-executing and whether implementing legislation is needed to enable the United States to participate in the Agency. Effective United States participation will require three types of legislation: (1) the existing Atomic Energy Act of 1954; (2) a participation act; and (3) annual appropriations.

The internationally binding character of the limited obligations contained in the statute is, of course, not conditioned on the enactment of legislation by the governments of Agency members. Within the United States, the payment of this country's share of the administrative expenses of the Agency will require both authorizing legislation and annual appropriations by the Congress. However, the other obligations contained in the statute of the Agency (to act as depositary, to afford the Agency certain limited privileges and immunities) do not require implementing legislation.

To cover the administrative details of United States membership in the Agency, a draft participation act has been submitted to the Congress; a copy of this legislation is attached. It will provide for the appointment of United States representatives to the Agency and authorize the appropriation of funds needed for United States participation.

It should be reemphasized that nothing in the statute of the Agency obligates the United States to provide materials, equipment, or facilities to the Agency. As articles IX states, the furnishing of special nuclear and other materials is to be in conformity with the laws of each member. For the United States, this means the Atomic Energy Act of 1954, as amended, which already provides procedures for cooperation with the International Atomic Energy Agency. There is no conflict between the statute of the Agency and the United States Atomic Energy Act.

During the course of my testimony there were inquiries as to whether the United States would donate the special nuclear material we make available to the Agency and its projects. Article IX provides that material shall be made available on terms to be agreed with the Agency. Article XIII provides that supplying governments will be reimbursed by the Agency for such materials unless otherwise agreed. The intention and policy of the United States Government is to apply the principles now prevailing for the bilateral program which require reimbursement for the cost of special nuclear materials except in special instances when limited quantities may be transferred for research or medical purposes. If future developments should make a basic change in policy with respect to donation desirable and in the interests of the United States, appropriate Congressional approval will be sought.

A question has also been raised as to what steps can be taken to encourage other governments to make material available to the Agency. In our judgment, the initial United States offer of a substantial quantity of special nuclear materials constitutes an earnest of our desire for an effective Agency and, as such is the best method of encouraging substantial offers from other countries. The scope and degree of our further support for the Agency will be decided upon, of course, in the light of the cooperation given by other governments. While the furnishing of material by any member of the Agency is entirely voluntary, the United States hopes and expects that cooperation will be forthcoming and will use its best efforts to encourage wholehearted support of the Agency by its members to the extent of their capabilities.

While only 2 or 3 countries are now in a position to sell, lease or otherwise make available special nuclear materials, other countries could make available equipment and other useful materials, such as a natural uranium which is also a reactor fuel. When the Agency, in accordance with the provisions of article IX (B), has determined its needs for such materials, facilities, and equipment, we are confident that these countries will make offers to supply them. In fact, once the Agency has been established and its safeguards system is in force, its members will have an incentive to use the Agency as a channel for marketing nuclear materials.

Questions have been raised with regard to the extent and nature of the United States commitment to deliver special nuclear material to Agency projects or to the Agency itself. Can the United States be required to deliver materials before there is need for their use in approved specific projects? Will ratification of the statute commit the United States to deliver special nuclear materials to the Agency without prior knowledge of the projects to which these materials will be allocated?

The United States presently has no legal commitment to deliver any material to the Agency. We plan to carry out the President's offer of 5,000 kilograms of U-235 plus a sum equal to all quantities of such materials made available by other nations prior to July 1, 1960, subject to an agreement being concluded with the Agency on the terms and conditions under which it will be made available in accordance with the Atomic Energy Act of 1954, as amended. After such an agreement has been concluded, the Agency may request delivery of specific quantities of this material as it is needed for specific projects which have been approved by the Board of Governors or for use by the Agency itself. Until that time, the United States will retain special nuclear material made available to the Agency within its own boundaries.

No member has the right to designate the specific projects in which the material made available to the Agency will be used. However, the United States, through its membership on the Board of Governors, will have full knowledge of the Agency's projects and programs when we reach decisions in the future on amounts of material which we may subsequently make available to the Agency. Our decisions will be guided by our judgment of the needs and policies of the Agency and the security interests of the United States. Even with respect to the 5,000 kilograms, the United States will have ample opportunity beginning with the initial application for an Agency supported project, to be informed of the circumstances surrounding a proposed project and to be assured that the principals and objectives of the Agency are respected.

We were asked to clarify the interpretation of the word "terms" in the light of the negotiating history of the statute. The word "terms" as used in article IX (A) of the statute is not limited by the negotiating history. In our interpretation the word "terms" means "terms and conditions." It will be our policy to include in any agreement with the Agency under article IX (A) of the statute a provision that no materials will be shipped from the United States until they are needed for specific projects approved by the Agency. The Agency could not, of course, properly agree to the inclusion of any conditions in such agreements that were in conflict with any provision of the statute. For example, it could not agree to a term in such an agreement that was inconsistent with the provision in article IX (J) that "No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used." In the case of the United States, special nuclear materials cannot be made available to the Agency except in conformity with an agreement for cooperation negotiated under the provisions of the Atomic Energy Act of 1954, as amended.

For purposes of evaluating the President's offer, it may be noted that 5,000 kilograms is approximately the amount of U-235 required to fuel 2 or 3 medium-sized reactors throughout their useful lives. Moreover, the degree of enrichment of this uranium will be far below the level required for weapons-grade materials. As Chairman Strauss of the Atomic Energy Commission has testified, the United States will not supply the Agency with material enriched in excess of 20 percent.

Some questions were also raised concerning the dividing line between administrative and other expenses. Article XIV (B) (1) of the statute, entitled "Finance," identifies those expenses which may properly be included in the administrative budget. Furthermore, it is the accepted practice in international organizations in which the United States participates to confine administrative expenses to those which are for general support, such as salaries of the Secretariat staff, conference or meeting costs, travel, etc. Also included in administrative expenses are costs of implementing safeguards for Agency projects and certain costs related to the handling of Agency materials. In the light of the provisions of article XIV (B) (1), and of the practice followed generally in international organizations, the Agency's administrative budget will not include or provide for physical facilities such as reactors or "universities." Such expenses would be financed by charges voluntarily agreed to by members benefiting from the projects concerned, and should the United States decide to participate therein the United States dollar share of these amounts would have to be authorized and appropriated.

Finally, a question often asked was whether we are contemplating furnishing the Agency classified information. No secret or classified information will be provided to the Agency.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. CAPEHART. The answer is that the President would have to submit to Congress his proposal to sell 11,000 pounds through the International Agency.

Let us assume that 30 days later he decided he wanted to make more available to them. He would have to go through the same procedure again. He would have to notify the Joint Committee. The matter would have to lie over for 30 days. Is that correct?

Mr. KNOWLAND. That is my interpretation.

Mr. CAPEHART. My next question is this: At any time Congress wanted to, it could amend the basic Atomic Energy Act so as to provide that the President could not make available any material without presenting the matter to Congress and having a vote of Congress as to when and how much.

Mr. KNOWLAND. Congress could do so, but the only reason I suggested that this issue be faced in connection with the implementation act is that if it were a separate piece of legislation, it could be vetoed, and it would take a two-thirds vote of Congress to override the veto.

Mr. CAPEHART. Could not Congress amend the basic Atomic Energy Act?

Mr. KNOWLAND. Yes, it could, and I think Congress could also amend the act by a provision in the implementation act, since we have no rule of germaneness in the Senate. Besides, I think it would be germane.

Mr. CAPEHART. So the proposal of the Senator from Ohio is that he would have Congress pass on whether we would make available 11,000 pounds, more or less, from time to time. Both branches of Congress would pass upon the questiton, rather than have the Joint Atomic Energy Committee pass on it, and, if a member of the committee did not like it, he could introduce a resolution to stop it?

Mr. KNOWLAND. No. The Senator from Ohio is present, and he is fully capable of making his own interpretation of the amendment he is offering; but, as I understood the amendment in its modified form, the Senator from Ohio would attach language to the end of the interpretation and understanding, the instrument of ratification, which would be the understanding and interpretation of the Senate that Congress would have to be consulted prior to the material being delivered.

Mr. CAPEHART. In other words, Congress would pass a resolution saying the President could sell 11,000 pounds? The Senator from Ohio would substitute that procedure for the procedure under which we operate under the 1956 act?

Mr. KNOWLAND. That is correct. The Senator from Ohio would do it as part of the proposal, whereas I would do it by amendment to the act of implementation.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. CURTIS. As I have listened to the discussion, there seems to be a great deal of agreement on the principle involved in the proposal of the distinguished senior Senator from Ohio. There is some objection as to when and where that proposal should be set forth by the Senate.

I should like to ask this question: Would the adoption of the proposal offered by the distinguished senior Senator from Ohio at this time be in any way detrimental to the interests of the United States?

Mr. KNOWLAND. I would not want to say it would be detrimental to the interests of the United States, but I believe the executive branch of the Government, the Department of State and the President, feel that at least so far as the original reservation offered by the Senator from Ohio is concerned, countries abroad would get the impression that we were seeking in some way to renege. I do not believe actually it goes that far, but I think the administration feels that it would be undesirable to have this amendment added.

Mr. CURTIS. If the Senator will yield further, if the amendment were adopted, would it be a barrier to carrying out the statute setting up the International Agency?

Mr. KNOWLAND. I do not want to give the Senator a categorical answer to that question. All I can say to the Senator, in regard to the original proposed reservation, which has been slightly modified by the Senator from Ohio, at least, is that in a letter dated June 7, addressed to the Senator from Arkansas [Mr. FULBRIGHT] and signed by the Assistant Secretary of State, the objections the administration had to the reservation were pointed out, and I may say, the Department believed it would not be desirable to adopt the reservation. I believe the view of the Department would be the same as to the amendment which has been offered.

Mr. President, I ask unanimous consent that the letter of June 7 to which I have referred be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, June 7, 1957.

The Honorable J. W. FULBRIGHT,
Senate Foreign Relations Committee,
United States Senate.

DEAR SENATOR FULBRIGHT: The Committee on Foreign Relations has asked the views of the Department of State on a proposed "reservation" to the statute of the International Atomic Energy Agency reading as follows: "That the United States shall not make special fissionable materials available to the International Atomic Energy Agency except to such extent, and in accordance with such terms and conditions, as may hereafter be authorized or prescribed by act or joint resolution of the Congress."

The Department of State considers that any reservations to the statute are undesirable since they could operate to exclude the United States from the Agency and might serve to stimulate reservations by other countries, thus interfering with the establishment of the Agency as a going concern adequate to its great purposes.

As to a provision such as that quoted above, the Department regards its inclusion in the ratification of the statute of the International Atomic Energy Agency as inappropriate because the provision does not relate to any of the obligations contained in the statute, but rather to the constitutional processes of the United States in arranging for cooperation with the Agency.

On the merits of this proposed "reservation," the Department believes that its intended effect would be harmful. An international arrangement for cooperation in the nonmilitary applications of atomic energy had been proposed by President Eisenhower in his address to the General Assembly of the United Nations on December 8, 1953. When the Atomic Energy Act of 1954 was enacted, section 124 was included specifically to provide for United States cooperation with a group of nations such as the International Atomic Energy Agency. The effect of the suggested "reservation" would be to cancel out the Atomic Energy Act of 1954 as a basis for cooperation between the United States and the Agency, and to require the enactment of new implementing legislation by the Congress. The Department of State would strongly oppose removal of the existing legislative basis for our cooperation with the new Agency. Any such action would inspire grave distrust of United States intentions in proposing and joining the Agency and would seriously impair our influence in the formulation of its foreign policies.

In the memorandum accompanying the proposed "reservation" it is stated that "If the suggested reservation were adopted, the Congress in its authorizing legislation could prohibit delivery of special fissionable materials to Communist countries." This statement evidently contemplates the possibility of materials being funished by the United States to the Agency subject to conditions limiting the countries to which such materials could be allocated by the Agency. As Secretary Dulles has stated in his letter to you, dated June 4, 1957:

"The Agency could not, of course, properly agree to the inclusion of any conditions in such agreements that were in conflict with any provision of the statute. For example, it could not agree to a term in such an agreement that was inconsistent with the provision in article IX (J) that 'No member shall have the right to require that the materials it makes available to the Agency be kept separately by the Agency or to designate the specific project in which they must be used.'"

The first sentence in article IX (J) of the statute makes clear that the Agency is to control the allocation of materials. That sentence reads: "The materials made available pursuant to this article shall be used as determined by the Board of Governors in accordance with the provisions of this Statute."

In view of the foregoing considerations, the Department of State is constrained to oppose a provision such as that contained in the suggested "reservation."

Sincerely yours,

FRANCIS O. WILCOX,
Assistant Secretary.

Mr. CURTIS. Mr. President, if the Senator will yield a little further—and I appreciate his courtesy—I should like to say it seems to me that if the principle involved is sound, as I consider it to be, I do not believe there is any feeling in this body that the Congress would withhold the authority to supply the material. If what is proposed by the Senator from Ohio is going to be done at a later date, certainly it would be the part of candor and fairness to all nations and to all parties involved to do it now, rather than approve the statute and then later adopt his proposal in a separate act of Congress, or in the implementing act. It occurs to me, as a matter of fair play and advance notice, it ought to be done now.

Mr. KNOWLAND. I think, as a matter of fact, the discussion on the floor has been substantial advance notice as

to the general feeling in the Congress; but at least my own viewpoint is that it would be more advisable not to adopt the amendment offered by the Senator from Ohio, but go ahead with the ratification and with the interpretation and understanding which the committee itself has recommended, and which has been agreed to by the executive branch of the Government, after long discussions and negotiations, and then after adequate hearings by the Joint Committee. I am sure the Senator from Nebraska was in the Chamber at the time I said it, but for the benefit of Senators who were not present, I repeat that the statement is already before us that proposed implementation legislation is now before the Joint Committee on Atomic Energy, on which the distinguished Senator from Ohio serves as a full and able voting member, as well as the Senator from New Mexico and other Senators who have been mentioned, and I think they are entirely mindful of the problem which has been raised.

Mr. CURTIS. I thank the Senator, although I do not agree with his conclusion.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield.

Mr. CASE of South Dakota. If it is to be understood that fissionable material is to be available on such terms and conditions as will be set forth in independent or followup legislation, it seems to me there is not any great harm in saying so. I was impressed, however, by what the Senator said about the interpretation other countries might put upon our saying this in a negative way. When we start out by saying, "The United States shall not make special fissionable materials available except to such extent," and so forth, it perhaps sounds like other countries are not going to get any. I was wondering if the purpose might be served and the situation remedied if the language were to read:

> The special fissionable materials to be made available to the International Atomic Energy Agency shall be on such terms and conditions as may be hereafter provided and prescribed by joint resolution of the Congress.

Under such language there would be no implication that the materials would not be made available, but it would be made clear that the terms and conditions would be in independent subsequent legislation.

Mr. KNOWLAND. It seems to me that the objection to that procedure is the one which I think was discussed by the Senator from Rhode Island and the Senator from Iowa. I think it is really the crux of the whole situation.

The President, in the negotiation of this treaty, proceeded in accordance with statutes passed by the two Houses of Congress and signed by the President. I think the record is very clear on that point. The existing law, the Atomic Energy Act of 1954, contains provisions whereby this material can be made available either in the bilaterals or in a multilateral agreement. The Senator from Rhode Island made that very clear.

The Congress, in its judgment—both Houses of Congress, acting together, as they must in a legislative function—may want to change that law. In other words, they may not be satisfied to have an agreement lie over for 30 days and then, if Congress does not take affirmative action, let it become final.

On the other hand, after hearings are held before the Joint Committee, some additional facts might be developed which would make it inadvisable to foreclose that procedure, and the Congress might wish to continue it or to have alternative procedures.

If we adopt the amendment which the Senator from Ohio seeks to add to the understanding and interpretation, it seems to me that what we will be saying is that the Congress—although, of course, we are acting as the Senate—is not satisfied with the procedure which is now provided in the law, which we helped to pass, and unless there is new legislation adopted in this regard the President cannot proceed. I think that is the weakness of the proposal of the Senator from Ohio.

Mr. CASE of South Dakota. Mr. President, admittedly there are some phases of the proposition now presented to the Senate and to the country which were not contemplated at the time the Atomic Energy Act was passed. The ramifications of the proposal here, and the creation of this agency, were not contemplated in toto as they now appear, at the time we passed the act. It seems to me we are justified in saying that the material to be made available to this new agency should be on such terms and conditions as Congress might specify by independent action.

Mr. KNOWLAND. The Senator has his point. I do not argue it with him, but with all the facts before us, I think it would be better to proceed by the amendment of the implementation act.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. BRICKER. Mr. President, for purposes of clarification I should like to take only a moment or two, to explain some of the confusing issues which have arisen.

I was especially anxious to answer the distinguished Senator from Florida [Mr. HOLLAND] when he said we were entering into a clear-cut way of carrying on this program, instead of the maze of bilaterals. There is no maze of bilaterals. This country has control of the terms and conditions. It likewise has control over the source material and over the fissionable material that might be used.

In this case we will really get into a maze through which we will never see our way. It is proposed to turn the material over to an international authority, and that it be distributed to various countries of the world, in such a way that we will have nothing to say about it.

That is the one distinction which I have tried all afternoon to bring to the attention of the Senate. If my amendment is not adopted to the reservation, we enter into this treaty without any power on the part of Congress to control the future distribution by the President of the United States, except the authority under the Atomic Energy Act of 1954. He will make agreements not with a nation but with a large group of nations. There are 80 of them at the present time, if they all ratify the treaty. We are one of the nations, and we will contribute to the group practically all the material both now and I think I can properly assume in the future. For it we will pay, if we charge for the material, one-third of the cost ourselves, because we are going to pay one-third of the total cost of operation of the organization. There will be no place else to get the money, until perhaps it develops in the future, and that is a long, long way off.

So we are really getting into a maze. We propose to organize a group by a treaty, and then let another bilateral be filed with the Joint Committee on Atomic Energy, which after 30 days will become the law of the land, unless there is some contrary action taken. There are already 48 bilaterals which have become effective under the law, and I doubt if there is a Member of the Senate, outside of the members of the Joint Committee on Atomic Energy, who has ever seen one of them, let alone read one.

I wish to assure Senators that if they reject the amendment I have submitted, and which will be voted on almost immediately, there will be no one following up the procedure except the Joint Committee on Atomic Energy. In the 30 days the bilateral which is going to be filed, for which we will pay one-third of the cost, will receive the attention of no one except the members of the Joint Committee, and 30 days is not long enough for the Congress to know what is going on or to pass legislation in regard to it. Then if we should pass legislation, and the President did not like it, he could veto it, and it would take two-thirds of the membership of both Houses to override the veto.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRICKER. In a moment.

The vote on this amendment will be as to whether the Congress of the United States shall continue to control the assets and the resources of the people of the United States, or whether we shall turn them over practically, in substance without any veto, to the President of the United States in agreement with this International Agency.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. BRICKER. I yield to the Senator from California.

Mr. KNOWLAND. Is it not correct to state, however, that the distinguished Senator from Rhode Island [Mr. PASTORE], as chairman of the subcommittee dealing with the bilaterals, has made it a matter of standard operating procedure, though he is not required to do so by any statute, to have the bilaterals printed in the CONGRESSIONAL RECORD, or at least practically all of them? There may be some more recent ones which are pending, but the bilaterals have been printed in the CONGRESSIONAL RECORD.

Mr. BRICKER. I said, with the exception of the members of the committee. The Senator from California and I have looked at them. We have studied them. We have held hearings on many of them.

The Senator from Rhode Island has been most diligent in his consideration of the matter. I compliment him for his work.

Mr. KNOWLAND. My point is that through publication in the CONGRESSIONAL RECORD they have been made available to all Senators.

Mr. BRICKER. The Senator is correct.

Mr. MALONE. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

DISTRIBUTION OF KNOW-HOW

Mr. MALONE. What is the commission which is to be set up? What is the real objective of it? Is it a holding operation for distributing among nations atomic-energy fuel, and the knowledge and the know-how we have in this field?

Mr. BRICKER. That is a part of it, of course. It is for the peaceful use of atomic energy, but the primary purpose of the statute is a power program for the countries of the world. That is the fundamental part of it, as the Chairman of the Commission said. He said he hoped that the other aspects of the program would someday become equal to the power aspect of the program, which is the real incentive back of it.

Mr. MALONE. When we have furnished everything to this central Agency, it will be located in Austria, will it not?

Mr. BRICKER. I do not know where it will be located.

AGENCY TO HAVE HEADQUARTERS IN EUROPE

Mr. MALONE. It will be located in some central place in Europe. After we have furnished all the necessary fuel and know-how to this Agency, is there any restriction as by way of examination or inspection? How would we know this material would be used for peaceful purposes, and not diverted for a future use for some other purpose?

Mr. BRICKER. A system of investigation and inspection is provided for in the statute. That will be under the control of the Agency, which will have a director general or an administrator or whatever we may wish to call him, who will be in charge. The administrators will be picked by the various countries of the world, signatory to the treaty.

Mr. MALONE. How many nations are members?

Mr. BRICKER. There are 80 which signed the agreement. They have not all ratified it yet. Russia was the first to ratify. There was one nation which signed with the reservation that it would not be held to any amendments to which it did not agree. I do not think the signature of that country has yet been lodged with the depository country, which is the United States.

Mr. MALONE. How is the organization to be controlled? Is it to be controlled by the vote of the members?

Mr. BRICKER. The organization is to be controlled by a board of governors, consisting of 23 members; and they will be empowered to choose an administrator or chief executive officer. Then there will be a meeting of the representatives of all the countries once a year—a so-called annual meeting—in which each member shall have one vote.

Mr. MALONE. How are the directors to be chosen?

Mr. BRICKER. The directors are to be chosen by the member nations. The method is set out at the beginning of the section dealing with the treaty organization itself, in the statute. There are to be so many from one section of the world, and so many from another section of the world. There must be represented on that board 3 of the first 5 members engaged in the scientific development of atomic energy. Those five members are Russia, the United States, Canada, England, and France. Three of the five must be represented on the board.

There will be 1 representative from South America, 1 from Africa, and 1 from the Far East. They are designated geographically. There will be 23 of them, representing separate nations.

INTERNATIONAL ATOMIC POOL

Mr. MALONE. This program involves the pooling of information, the pooling of formulas, and the pooling of research.

Mr. BRICKER. The Agency will be empowered to go into the research field, and to contract with the universities. I presume that under the statute, if it had the money to do so, it could build a reactor itself.

Mr. MALONE. If they are to have all the formulas for building the reactors for power and other purposes, is there any information which they will not have?

Mr. BRICKER. Certain classified information will be withheld by our own country; and we know that Russia will not give up any such information. So it is inherent in the statute that the program is to be for peaceful uses, and not for war purposes. It is not a very easy thing to draw the line between that which is for peaceful purposes and that which is for war purposes, because the basic science is the same. The same metallurgical principles apply in both fields, and the same basic principles of science underlie both programs.

Mr. MALONE. All we would have would be the word of a nation when we furnish these atomc-energy materials or formulas.

Mr. BRICKER. An inspection system will be established by the Agency. That is the only way in which compliance can be assured. The only thing that can be done if any country does not use the material for peaceful purposes, and tries to convert it to war purposes, is that that country can be dismissed from membership by a vote of two-thirds of the membership. There is no way of getting back the material.

Mr. MALONE. That is, after they have received the formulas and the materials.

Mr. BRICKER. Yes. I pointed that out this afternoon.

Mr. MALONE. Is not this the sort of information that Mr. Hiss and some of the others we have been punishing wanted to furnish to possible enemies of the United States?

Mr. BRICKER. I do not know. I have not been following Mr. Hiss.

Mr. MALONE. I did not follow him very far, but I followed him to the pentitentiary.

Mr. BRICKER. I do not know what he proposed. In the beginning he was a part of the Acheson program.

Mr. MALONE. I note that the Supreme Court is turning most of them loose, anyway.

Will there be some reward for those who started the Senate of the United States to thinking on this subject?

Mr. BRICKER. I do not know.

VITAL INFORMATION POOLED WITH FOREIGN NATIONS

Mr. MALONE. So long as we are to give all these materials away, it is incomprehensible to me that representatives of 80 nations could meet for the interchange of information and not exchange some very vital information.

Mr. BRICKER. I think some very vital and important and significant information will be bound to be exchanged. But the representatives of our country are prohibited from giving away anything that is classified. The classification of the material will be entirely up to the Atomic Energy Commission itself. I assure the Senator that there will be great pressure on the Atomic Energy Commission to declassify more and more material as the program progresses.

Mr. MALONE. If we are to keep the classified information which we have, and if Russia, presumably, keeps what it has, what will be the benefit?

Mr. BRICKER. We shall not keep what we have. We are under a moral obligation that the President shall propose to the Joint Committee that we turn over a certain amount of such materials. Whether it will be the amount he has mentioned, I do not know.

Mr. MALONE. The Senator is speaking of atomic energy fuel.

Mr. BRICKER. Yes.

Mr. MALONE. Presumably we would keep certain classified material.

Mr. BRICKER. Anyone in this country who gives away classified material is subject to serious penalties. He is subject to prosecution. I do not believe that anyone engaged in this program, whether in the Joint Committee or in the executive branch of the Government, would have any thought of revealing anything which should not be revealed. Of course, certain things might be revealed by mistake; and many mistakes may be made.

Mr. MALONE. The scientists who are to meet in this organization are the source of the information which the Commission and Members of Congress have, are they not?

Mr. BRICKER. That is correct. The Senator from Nevada and I well know that there has been a school of thought among scientists who have the scientific information and knowledge, that such scientific information and knowledge has a universality which should not be restricted, by Government regulation or otherwise. That has long been one of the doctrines preached by many of them. They have certainly been the source of the development provided for our program, which is the creative product of the minds of the great scientists of our country.

Nevertheless, I do not believe that any one of them would reveal anything the revelation of which was prohibited by the Government.

THIN LINE BETWEEN ATOMIC WAR AND PEACETIME USES

Mr. MALONE. Perhaps not intentionally; but when engineers and scientists are thrown together in a great organization of this kind, where information is pooled for a great power development, there is a very thin dividing line, is there not, between peaceful uses and war uses?

Mr. BRICKER. There is a very thin dividing line between peaceful uses and war uses. It is very difficult to separate one category from the other scientifically, because the same materials and formulas are valuable in both programs. When scientists get together, the only one who could ever catch them revealing classified information would be another scientist, because they talk in terms difficult for the ordinary layman to understand.

Mr. MALONE. I entirely agree with the Senator from Ohio.

Did we not at one time appropriate money to buy all the uranium from the Belgian Congo, to prevent its going into other hands?

Mr. BRICKER. Yes. We had to have the material. In the beginning our program was based upon the material we obtained from the Belgian Congo. Since then it has been developed in other places, including our country, Canada, Australia, and many other countries. So there is an adequate supply of the basic raw material at the present time.

I believe that in the statement from the Secretary of State it was pointed out that no doubt other countries producing the oxides, or whatever they are called, which will be valuable for this program, will sell them there instead of selling them to us. We may need them some of these days; and I dislike to see that channel of trade disrupted, to the detriment of the United States.

POLICY OF PRECLUSIVE PURCHASES OF ATOMIC MATERIALS NOW REVERSED TO PERMIT GIVE-AWAYS

Mr. MALONE. My basic question is this: While we were buying all these materials to keep other nations from getting them, we were going in one direction. Now we are doing an about-face, and we are giving away what we have purchased.

Mr. BRICKER. We are not only giving away the materials which we have purchased, but we are giving away processed material, which is much more valuable. We have invested $14 billion in capital assets, and we incur operating expenses of $2 billion a year in the facilities we have developed.

Mr. MALONE. We have not only made an about-face in our program of buying uranium and other fissionable materials in order to keep other countries from getting them, but we are going a step further. We are giving them processed materials.

Mr. BRICKER. I do not know that we can conclude that we bought them to keep other countries from getting them. No one had any use for them, except possibly England, which used some of the material. It is true that we had some difficulty in obtaining certain materials.

Mr. MALONE. One of the things which has been impressed upon me is that during the latter part of the war I was told that if we did not get this material, some other nation would grab it.

Mr. BRICKER. Of course the only one would have been Russia. Russia would have gotten it. In fact, she gets her supply from Czechoslovakia and from East Germany. We permitted her to get it, at the end of the war, as the Senator well knows.

ATOMIC POWER AND FUEL TO BE DIVIDED AMONG 80 FOREIGN NATIONS

Mr. MALONE. Of course that is correct. So this organization of 80 members, or whatever number will ultimately make up the organization, will sit down together, will get their scientists together, will pool their information, and there will be only a thin dividing line between peace uses and war uses of this material although the scientists will be together and they will be encouraged to produce power and use fuel for the benefit of these 80 nations.

Mr. BRICKER. That is the program.

Mr. MALONE. It is a program under which we can give Russia all the fuel it needs——

Mr. BRICKER. I do not think we need worry about giving Russia any fuel. If we did, Russia would have to subject itself to inspection. An inspection system is called for, of course. The Senator knows as well as I do that they do not want any inspectors in their country.

SOVIET RUSSIA AND SATELLITES SELF-SUFFICIENT IN FISSIONABLE MATERIAL

Mr. MALONE. My conclusion, after traveling 14,000 miles in Russia and Bulgaria was that there was fissionable material available in Bulgaria. In fact, Russia and its satellites are self-sufficient for either war or peace, as we can be here in our hemisphere.

Mr. BRICKER. I think they have all the material they need in the fissionable field.

Mr. MALONE. Then, if we could go ahead and build the most bombers and bombs, would not that be the best way to deter any other nation from starting a war?

Mr. BRICKER. We must keep ahead in the armament field, of course, and we must have constant development in connection with planes and so forth, because I think that is the greatest deterrent to war. When we lose that advantage, there is a real danger of war starting.

Mr. MALONE. I should like to ask one final question of the Senator from Ohio. Will not this treaty hasten the time when our potential enemies will catch up with us?

Mr. BRICKER. It was suggested this afternoon in the discussion that that might be true, that this might promote the war effort, instead of hinder it.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. BRICKER. I yield.

Mr. HOLLAND. My respect for the Senator from Ohio is so very great that I should like to make very clear two points on which I believe his amendment should fail, and after I have stated my two points I should like to hear his discussion of them.

The first point is this: The President has undoubted authority to make bilateral agreements, as he has done in the case of forty-odd nations. Under the provisions of existing law he can deliver property of untold value to those nations, subject only to the condition, which he has fulfilled, of reporting his proposed action in each case to the Joint Committee on Atomic Energy, and waiting 30 days.

The property value involved in those 40 bilateral agreements is much greater than what is considered here or what is about to be involved.

It seems to me that the Senator is trying to make his case entirely on the question of the wisdom or unwisdom of Congress insisting upon special, separate action in connection with property matters. I simply call to the attention of the Senator from Ohio that the President has already acted in these 40-odd cases in property matters without any such checking and without any effort on the part of the distinguished Senator from Ohio, so far as I know, or the Joint Committee on Atomic Energy, to withdraw the authority.

Mr. BRICKER. The Senator may remember that when the debate on the 1954 act was underway I took an active part in defeating an amendment which would have made it possible for the President of the United States to file a bilateral agreement with a group of nations, such as would be involved in the treaty now before the Senate.

Mr. HOLLAND. The point I was making is that from the standpoint of property value alone—and that seems to be the principal matter which is giving great concern to the distinguished Senator from Ohio—we have already on the statute books a law which is operative in connection with 40-odd nations, and that fact negatives the position he has taken in this case.

Mr. BRICKER. Not by any means. The amount of money is not nearly so great as it will be in the proposed program now before us. Furthermore, the United States has control over it. We have those relations with the countries involved. They are bound to us in a sense, I hope, because we have cooperated with them and we have helped them out. But in the instant case we will not have control; we will have only 1 vote out of 23 votes. No nation will feel any responsibility to the United States or any willingness to cooperate with us, because they can get the material, perhaps cheaper, and they can get it without any strings attached to it, and no doubt many of them would be more willing to deal with such an agency than with the United States, which has made possible all of this material.

Mr. HOLLAND. Be that as it may, under the proposed treaty the United States can at any time discontinue making delivery of any additional materials. It has the option of deciding whether it will deliver any and, if so, how much.

Mr. BRICKER. That is the option the President has, subject to filing it for 30 days. As I said, there has never been any adverse reaction, and there might not be to the International Atomic Agency. I do not know. Certainly, I think control ought to be in the hands of Con-

gress. I am not in favor of Congress divesting itself of its responsibility.

Mr. HOLLAND. Of course, the Senator knows of his own knowledge that an implementation statute is already under study by the Joint Committee on Atomic Energy.

Mr. BRICKER. It came down to the committee within the last day or so.

Mr. HOLLAND. The second point is that if the Senate should adopt the amendment offered by the distinguished Senator from Ohio the result would be to modify the provisions of section 124 of the Atomic Energy Act, as amended in 1954. The Senator from Florida feels that the very least the Senate should insist upon before it takes unilateral action, without concurrence of the House, to change an act adopted by both Houses, would be to act upon a suggestion or recommendation from the Senate members of the Joint Committee on Atomic Energy.

The distinguished Senator, of course, is one Member from the Senate on the Joint Committee on Atomic Energy. However, as against his position is the recommendation of the distinguished vice chairman of the Joint Committee on Atomic Energy, the Senator from New Mexico [Mr. ANDERSON]; the recommendation of the distinguished Senator from Rhode Island [Mr. PASTORE], who sits as chairman of the subcommittee which handles this subject; the recommendation of the distinguished minority leader, the Senator from California [Mr. KNOWLAND]; and the recommendation of the distinguished Senator from Iowa [Mr. HICKENLOOPER], all of whom have been very active members of the Joint Committee on Atomic Energy.

If there is any other member of the Joint Committee on Atomic Energy who has taken the same position the Senator from Ohio has taken, the Senator from Florida has not heard him express it.

Mr. BRICKER. In times past there were members of the committee who agreed with me. If they wish to change their minds, that is all right with me. However, let me say to the Senator from Florida that I am still a Member of the Senate, and even if I am the only member of the Joint Committee on Atomic Energy who feels this way I will still vote my conviction, and I will still tell the Members of the Senate, within my ability, what I think about this matter, and I will not be bound by the other members of the joint committee.

Mr. HOLLAND. I honor the Senator for feeling that way about it. I am simply calling to the attention of the Senator and of the Senate the fact that it is now proposed, on the suggestion of one of the Senate members of the Joint Committee on Atomic Energy, to take action upon the treaty, which in effect would be an amendment of an act which had been very carefully worked out and passed by both Houses of Congress, and would become the law of the land, if the treaty were approved with that modification in it. The Senator from Florida does not believe that is sound legislative procedure. That is his second point.

Mr. BRICKER. The treaty itself modifies the amendments to the 1954 Atomic Energy Act. The treaty itself does that, not my suggestion.

Mr. HOLLAND. The treaty, of course, is based upon negotiations by the President with other nations, and reported by him, and passed upon by the full Committee on Foreign Relations, and likewise, is based upon the recommendations of all the members of the Joint Committee on Atomic Energy who have spoken about it, except one member.

Of course the one member may be right, and the Senator from Ohio undoubtedly thinks he is right. I have the very highest opinion of his patriotism and intelligence, but I cannot see the wisdom of making a change in existing law upon a last-minute floor-proposed amendment on a matter of this kind, particularly when the existing law covers such a tender field, and when it was considered so carefully by both houses, and when the Joint Committee on Atomic Energy, serving Congress and the Nation, has not recommended this action.

Mr. BRICKER. Of course the Senator is entitled to follow his judgment in that respect, and I hope he will give me the right to do as much, and that is to advocate this proposal and to vote on it as I see fit. Let me say that this is not anything new in this field. This whole question was debated on the floor of the Senate when the 1954 act was adopted. I remember the participation of many Senators in that debate. At that time we decided not to apply this section of the 1954 act in regard to agreements of cooperation. We decided not to apply it to multiple nations, but only to one nation. So it was debated before and passed upon once by the United States Senate and by the House of Representatives as well.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR WEAPONS EXPLOSIONS—CORRECTION

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a correction of the table giving an analysis of the nuclear weapons explosions as prepared by the staff of the Subcommittee on Disarmament. This table, which appeared on pages 9355–9356 of the RECORD of June 17, was inadvertently garbled, the chronological sequence of the tests being given incorrectly, and in some instances the year in which the explosions took place being omitted altogether.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

NUCLEAR WEAPONS EXPLOSIONS

The following table has been compiled principally from press releases of the United States Atomic Energy Commission. However, reports in the press as to the size and nature of various explosions have been included when available.

On April 12, the United States had announced 19 Soviet tests. The AEC has pointed out that this country does not disclose all of the U. S. S. R. shots of which it has knowledge but limits itself to statements about explosions of special interest. The actual number of Soviet detonations is therefore significantly higher than those announced.

As of June 17 the AEC had announced 68 tests by the United States. However, the total number of detonations made by this country has never been announced.

The United Kingdom has announced 11 tests to date, June 18, which is understood to be the total number of tests made by that country.

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1945	July 16	Alamogordo					1st test of A-bomb.
	Aug. 6	Hiroshima					Air burst, energy release about 20,000 tons of TNT.
	Aug. 9	Nagasaki					Do.
1946	July 1	Operation Crossroads, Bikini Lagoon.					Air burst, Nagasaki-type bomb.
	July 25						Underwater detonation.
1948 (spring)		Operation Sandstone, Eniwetok Atoll.					3 explosions announced May 17, no details given.
1949			Sept. 23	Soviet territory			1st atomic explosion in U. S. S. R. announced by President Truman.
1951 (winter)	Jan. 27	Operation Ranger, Nevada Flats.					5 tests primarily for tactical information; Air bursts.
	Jan. 28						
	Feb. 1						
	Feb. 2						
	Feb. 6						
1951	April and May	Operation Greenhouse, Eniwetok.					4 tests described as "experiments contributing to thermonuclear research."
			Oct. 3	Soviet territory			2d explosion. Reported by the United States, later confirmed by the Kremlin.
			Oct. 22	do			President Truman announced evidence of a 3d nuclear explosion by the U. S. S. R.

Year	United States		U. S. S. R.		United Kingdom		Remarks
	Date	Place	Date	Place	Date	Place	
1951	Oct. 22	Operation Buster Jangle, Nevada Flats.					7 air, tower, and surface or underground bursts. Low yield. Tactical.
	Oct. 28						
	Oct. 30						
	Nov. 1						
	Nov. 5						
	Nov. 19						
	Nov. 29						
1952	Spring and summer	Operation Tumbler Snapper, Nevada Flats.					8 air and tower bursts. Troop participation in some tests.
	Apr. 1						
	Apr. 15						
	Apr. 22						
	May 1						
	May 7						
	May 25						
	June 1						
	June 5						
	Fall	Operation Ivy, Eniwetok					2 tests. 1 was the 1st hydrogen bomb ever exploded. Yield 5 megatons.
					Oct. 3	Monte Bello Islands.	Nature of bomb not disclosed. Probably of Hiroshima type.
1953	Mar. 17	Operation Upshot Knothole, Nevada Flats.					11 tests: Air, tower, and 1 shot from a 280-millimeter gun. The largest explosion, that of Apr. 18, was reportedly equal to 30,000 to 40,000 tons of TNT.
	Mar. 24						
	Mar. 31						
	Apr. 6						
	Apr. 11						
	Apr. 16						
	Apr. 25						
	May 8						
	May 19						
	May 29						
	June 4						
			Aug. 12	Soviet territory			Initial hydrogen bomb (nondeliverable).
			Aug. 31 [1]	do			Fission explosion in same range of energy release as Nevada Flats tests.
1954	Mar. 1	Operation Castle, Bikini					Hydrogen bomb reported to have had a yield of 15 megatons. Radioactive fallout over 7,000 square miles.
	Mar. 26						No information released concerning this test.
	Apr. 6	Eniwetok					3d test in the series. Presumably an H-bomb.
			Oct. 26	Soviet territory			Announcement made by the AEC of a series beginning in September.
1955	Feb. 18	Operation Teapot, Nevada Flats.					14 air, tower, and underground tests. Included atomic trigger for detonating H-bombs, also civil defense test and "air-killer" test.
	Feb. 22						
	Mar. 1						
	Mar. 7						
	Mar. 12						
	Mar. 22						
	Mar. 23						
	Mar. 29 (2 tests)						
	Apr. 6						
	Apr. 9						
	Apr. 15						
	May 5						
	May 15						
	May 17	Operation Wigwam, off west coast.					Small underwater atomic weapon exploded, probable yield 1,000 to 5,000 tons of TNT.
			Aug. 4	Soviet territory			AEC announced that the Soviets had resumed testing of nuclear weapons.
			Sept. 24	do			Announcement by AEC of another Soviet nuclear explosion.
					Oct. 15	Woomera Rocket Range, Australia.	2 tests, the 1st equivalent to 20,000 tons of TNT. No data for the 2d test.
			Nov. 10	Soviet territory			Announcement by AEC of a further test in the 1955 series.
			Nov. 23	do			Hydrogen bomb in the range of megatons. Khrushchev announced on Nov. 27 that it was a hydrogen bomb and that it had been dropped at a great height from an airplane.
1956			Mar. 21	Soviet territory, probably central Asia.			AEC announced another Soviet nuclear explosion.
			Apr. 2				Another explosion in current series announced by AEC.
	May 5	Operation Red Wing, Eniwetok.					Relatively small device exploded, about 10 kilotons.
					May 16	Monte Bello Islands.	Test expected to supply data for triggering of H-bomb.
	May 21	Bikini					1st H-bomb dropped by U. S. Air Force. Yield at least 15 megatons.
			Aug. 24	Southwestern Siberia.			A series of small explosions.
			Aug. 30				
			Sept. 2				
					Sept. 27	Maralinga Proving Ground, South Australia.	4 tests, tower and air; new and cheaper kinds of A-bombs tested.
			Nov. 17	Southwestern Siberia.			Small explosion.
			Jan. 19	do			Moscow announced these tests were designed to perfect atomic warheads for tactical purposes.
			Mar. 8				
			Apr. 3				
			Apr. 6				
			Apr. 10				
			Apr. 12				
			Apr. 16				
					May 15	Christmas Islands.	H-bomb dropped from Vickers Valiant jet bomber. Energy release 1,000,000 tons of TNT.
	May 28	Beginning of Operation Plum Bob, atomic test site, Nevada. The tests are scheduled to continue into September.					Probably a warhead for small rockets or missiles. Yield about 10,000 tons of TNT.
					May 31	do	2d hydrogen bomb exploded by the British.

[1] One of a series.

Prepared for the use of the Subcommittee on Disarmanent by Janie E. Mason, of the subcommittee staff, on loan from the Library of Congress, June 6, 1957.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER] to the committee amendment to the resolution of ratification. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that if present and voting, the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Minnesota [Mr. THYE] is necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from Minnesota [Mr. THYE] would each vote "nay."

The result was announced—yeas 31, nays 55, as follows:

YEAS—31

Bennett	Flanders	Revercomb
Bible	Frear	Robertson
Bricker	Goldwater	Russell
Butler	Hruska	Schoeppel
Byrd	Jenner	Smathers
Case, S. Dak.	Johnston, S. C.	Stennis
Cotton	Magnuson	Talmadge
Curtis	Malone	Williams
Dworshak	Martin, Pa.	Young
Eastland	McClellan	
Ervin	Mundt	

NAYS—55

Aiken	Hayden	Morse
Allott	Hennings	Morton
Anderson	Hickenlooper	Murray
Barrett	Hill	Neuberger
Beall	Holland	Pastore
Bush	Humphrey	Potter
Capehart	Ives	Purtell
Carlson	Jackson	Saltonstall
Carroll	Javits	Scott
Case, N. J.	Johnson, Tex.	Smith, Maine
Church	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Symington
Dirksen	Kuchel	Thurmond
Douglas	Lausche	Watkins
Ellender	Long	Wiley
Fulbright	Mansfield	Yarborough
Gore	Martin, Iowa	
Green	McNamara	

NOT VOTING—9

Bridges	Langer	O'Mahoney
Chavez	Monroney	Payne
Kefauver	Neely	Thye

So Mr. BRICKER's amendment to the committee amendment to the resolution of ratification was rejected.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the amendment of the Senator from Ohio to the committee amendment was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move that the motion to reconsider be laid on the table.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The question is on agreeing to the motion to lay on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment to the resolution of ratification.

The amendment was agreed to.

The PRESIDING OFFICER. The question now occurs on agreeing to the resolution of ratification, as amended.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I further announce that if present and voting, the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. MONRONEY], the Senator from West Virginia [Mr. NEELY] and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from North Dakota [Mr. LANGER], and the Senator from Maine [Mr. PAYNE] are absent because of illness.

The Senator from Minnesota [Mr. THYE] is necessarily absent.

If present and voting, the Senator from Maine [Mr. PAYNE], and the Senator from Minnesota [Mr. THYE] would each vote "yea."

The yeas and nays resulted—yeas, 67, nays, 19, as follows:

YEAS—67

Aiken	Gore	Morton
Allott	Green	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	Pastore
Bennett	Hill	Potter
Bush	Holland	Purtell
Capehart	Humphrey	Revercomb
Carlson	Ives	Robertson
Carroll	Jackson	Saltonstall
Case, N. J.	Javits	Scott
Case, S. Dak.	Johnson, Tex.	Smathers
Church	Johnston, S. C.	Smith, Maine
Clark	Kennedy	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Symington
Dirksen	Lausche	Thurmond
Douglas	Long	Watkins
Ellender	Magnuson	Wiley
Ervin	Mansfield	Williams
Flanders	Martin, Iowa	Yarborough
Fulbright	McNamara	
Goldwater	Morse	

NAYS—19

Bible	Frear	Russell
Bricker	Hruska	Schoeppel
Butler	Jenner	Stennis
Byrd	Kerr	Talmadge
Curtis	Malone	Young
Dworshak	Martin, Pa.	
Eastland	McClellan	

NOT VOTING—9

Bridges	Langer	O'Mahoney
Chavez	Monroney	Payne
Kefauver	Neely	Thye

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification, as amended, is agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which it gave its advice and consent to the treaty.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Texas.

The motion to lay on the table was agreed to.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be notified that the Senate has given its advice and consent to the treaty.

The PRESIDING OFFICER. Without objection, the President will be notified.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

DETERIORATION IN VALUE OF UNITED STATES BONDS

Mr. GORE. Mr. President, I shall detain the Senate only a moment. Since I have undertaken to place in the RECORD each day the transactions relating either to the new high in the interest rates or the new low in the price of United States bonds, I call the attention of the Senate to the fact that on yesterday the Government paid the highest rate on short-term paper that it has paid since the bank holiday of 1933.

I call attention also to the fact that 11 issues of United States Government bonds sank to a new low; that there was a very severe deterioration in the value of the bonds of the United States Government; and that the holders of those bonds lost yesterday, in value $334,365,062.

HELLS CANYON DAM

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Order No. 330, Senate bill 555.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 555) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM TOMORROW—THE CIVIL RIGHTS BILL—ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I am prepared to yield to Senators if they have any insertions to make in the RECORD. Otherwise, pursuant to the order previously entered, I am about to move that the Senate adjourn.

I desire to call to the attention of Senators that when the Senate convenes

tomorrow, there will be a limited morning hour. Senators may be recognized for the purpose of introducing bills, and they will be limited to statements of 3 minutes, at the conclusion of which the so-called civil rights bill will be laid before the Senate. I want all Senators to be on notice. I expect that will take place sometime around 12:30 o'clock. We shall suggest the absence of a quorum, and obtain a quorum, before the Chair lays the House bill before the Senate.

Mr. President, pursuant to the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 8 o'clock and 14 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Wednesday, June 19, 1957, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 18, 1957:

DEPARTMENT OF STATE

Roy Richard Rubottom, Jr., of Texas, to be an Assistant Secretary of State.

FEDERAL HOME LOAN BANK BOARD

Albert James Robertson, of Iowa, to be a member of the Federal Home Loan Bank Board, term of 4 years expiring June 30, 1961.

UNITED STATES MARSHAL

Darrell O. Holmes, of Washington, to be a United States marshal for the eastern district of Washington for a term of 4 years.

HOUSE OF REPRESENTATIVES

TUESDAY, JUNE 18, 1957

The House met at 11 o'clock a. m.

Rev. Francis B. Schulte, chairman, social studies department, Reading Central Catholic High School, Reading, Pa., offered the following prayer:

Save this moment, O Lord, from being merely a gesture to custom or convention, and make it a real experience for each one of us in this place as we call upon Thee for guidance and for help.

O God of grace and God of glory, make us heed Thy presence in the business of this day.

May that presence give us the peace of a good conscience for our actions in conformity with Thy will. But grant us also the true blessing of a reproachful conscience if we should ever allow expediency to distort our vision.

May that same presence of Thine remind us of that forgottten and misunderstood virtue, humility. Let us always be humble enough to remember that as we rule, we really serve, and as we judge, we shall face judgment.

May our hearts burn within us with the fire you came on earth to kindle, burn for truth, burn for justice, burn for charity.

All this we ask of Thee, O God, through Jesus Christ, Thy Son, our Lord, who lives and reigns with Thee in the unity of the Holy Spirit, God, world without end. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 18, 1957.

The honorable the SPEAKER,
House of Representatives.

SIR: Desiring to be temporarily absent from my office, I hereby designate Mr. H. Newlin Megill, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and of clause 4, rule III of the House.

Respectfully yours,

RALPH R. ROBERTS,
Clerk, United States House of Representatives.

CIVIL RIGHTS ACT OF 1957

The SPEAKER. The unfinished business is the third reading of the bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

CALL OF THE HOUSE

Mr. VAN PELT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 111]

Bailey	Hillings	Scherer
Baker	Holtzman	Simpson, Ill.
Beamer	Kean	Springer
Bentley	McConnell	Taber
Bowler	McGovern	Walter
Gray	McIntosh	Williams, N. Y.
Griffin	Machrowicz	Wilson, Calif.

The SPEAKER. On this rollcall 413 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

CIVIL RIGHTS ACT OF 1957

The SPEAKER. The Chair will state again that the unfinished business is the third reading of the bill H. R. 6127, the so-called civil-rights bill, which the Clerk will read by title.

The bill was read the third time.

Mr. MARTIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MARTIN. Mr. Speaker, on a motion to recommit, for over 20 years it has been the custom for the minority leader to select the Member who shall make that motion. The leader has selected a member of the committee who is absolutely opposed to the bill. My parliamentary inquiry is, does he have preference over someone who would move to recommit with instructions but who at the same time would not vote for the bill even if the motion to recommit should prevail? So I propound the inquiry whether a gentleman who is absolutely opposed to the bill, who led the fight for the jury trial amendment in the committee, would have preference over someone who would not vote for the bill even in the event a motion to recommit prevailed.

The SPEAKER. The Chair in answer to that will ask the Clerk to read the holding of Mr. Speaker Champ Clark, which is found in volume 8 of Cannon's Precedents of the House of Representatives, section 2767.

The Clerk read as follows:

The Chair laid down this rule, from which he never intends to depart unless overruled by the House, that on a motion to recommit he will give preference to the gentleman at the head of the minority list, provided he qualifies, and then go down the list of the minority of the committee until it is gotten through with. And then if no one of them offer a motion to recommit the Chair will recognize the gentleman from Kansas [Mr. Murdock], as the leader of the third party in the House. Of course he would have to qualify. The Chair will state it again. The present occupant of the chair laid down a rule here about a year ago that in making this preferential motion for recommitment the Speaker would recognize the top man on the minority of the committee if he qualified—that is, if he says he is opposed to the bill—and so on down to the end of the minority list of the committee.

Mr. MARTIN. Will the Clerk continue the reading of the section? I think there is a little more to it than that.

The SPEAKER. If the gentleman desires, the Clerk will read the entire quotation. The Clerk will continue to read.

The Clerk read as follows:

Then, if no gentleman on the committee wants to make the motion, the Speaker will recognize the gentleman from Illinois, Mr. Mann, because he is the leader of the minority. Then, in the next place, the Speaker would recognize the gentleman from Kansas, Mr. Murdock. But in this case, the gentleman from Kansas, Mr. Murdock, is on the Ways and Means Committee, which would bring him in ahead, under that rule, of the gentleman from Illinois, Mr. Mann.

Mr. MARTIN. The Chair does not think that preference should be given to an individual who was going to make a motion to recommit and who was absolutely opposed to the bill?

The SPEAKER. The Chair is not qualified to answer a question like that. The Chair in response to the parliamentary inquiry of the gentleman from Massachusetts will say that the decision made by Mr. Speaker Champ Clark has never been overturned, and it has been upheld by 1 or 2 Speakers since that time, especially by Mr. Speaker Garner in 1932.

In looking over this list, the Chair has gone down the list and will make the decision when someone arises to make a motion to recommit. The Chair does not know entirely who is going to seek recognition.

Mr. POFF. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. POFF. I am, Mr. Speaker.

Mr. KEENEY. Mr. Speaker, I also offer a motion to recommit, and I, too, am opposed to the bill.

The SPEAKER. In this instance the Chair finds that no one has arisen who is a member of the minority of the Committee on the Judiciary until it comes down to the name of the gentleman from Virginia [Mr. POFF]. He ranks the gentleman from Illinois [Mr. KEENEY] and is therefore senior. Under the rules and precedents of the House, the Chair therefore must recognize the gentleman from Virginia [Mr. POFF].

The Clerk will report the motion to recommit offered by the gentleman from Virginia.

The Clerk read as follows:

Mr. POFF moves to recommit the bill H. R. 6127 to the Committee on the Judiciary with instructions to report the bill back forthwith the following amendment: Page 10, line 5, afer the word "order" strike out the period, insert a semicolon and add the following: *"Provided*, That in all cases of contempt arising under the laws of the United States governing the issuance of injunctions or restraining orders in any action or proceeding instituted under this act, and the act or thing done or omitted also constitutes a criminal offense under any Act of Congress, or under the laws of any State in which it was done or omitted, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the contempt shall have been committed.

"This proviso shall not apply to contempts committed in the presence of the court or so near thereto as to interfere directly with the administration of justice nor to the misbehavior, misconduct or disobedience of any officer of the court in respect to the writs, orders, or process of the court."

Mr. KEATING. Mr. Speaker, I make the point of order that the wording of the motion to recommit is not germane to the bill. We have already debated the germaneness of the wording of this motion in Committee of the Whole. But, I have this additional observation to make, which was not made, as I recall, during the debate, namely, that this proposed amendment is to the act, where as it is inserted as an amendment to a section of the act. It is sought to insert this in part III of the bill only at page 10, line 5, but it purports to be an amendment to the entire act. We had a similar situation presented in the Committee in the consideration of this matter and the Chair ruled in Committee that because the wording was an amendment to the section, but was worded as an amendment to the act, that it was not germane. I urge that if the amendment were to the act, as it purports to be, it would have to be at some other point in the bill and could not be an amendment to the act in the middle of one of the sections of the act.

The SPEAKER. The Chair is ready to rule.

This same question was raised in the Committee of the Whole on the same amendment. The very capable gentleman from Rhode Island [Mr. FORAND], Chairman of the Committee of the Whole, overruled the point of order after having heard all the debate. The present occupant of the Chair, having read all of the debate and having heard most of it, reaffirms the decision of the Chairman of the Committee of the Whole in the consideration of the bill and, therefore, overrules the point of order.

Mr. CELLER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. POFF. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 158, nays 251, answered "present" 6, not voting 18, as follows:

[Roll No. 112]

YEAS—158

Abbitt	Gary	O'Hara, Minn.
Abernethy	Gathings	Passman
Adair	Grant	Patman
Albert	Gregory	Perkins
Alexander	Gross	Pilcher
Alger	Gwinn	Pillion
Andersen, H. Carl	Haley	Poage
	Hardy	Poff
Andresen, August H.	Harris	Polk
	Harrison, Nebr.	Preston
Andrews	Harrison, Va.	Rains
Ashmore	Hays, Ark.	Ray
Barden	Hébert	Rees, Kans.
Bass, Tenn.	Hemphill	Rhodes, Ariz.
Beckworth	Herlong	Riley
Bennett, Fla.	Hiestand	Rivers
Bennett, Mich.	Hoffman	Roberts
Blitch	Huddleston	Robeson, Va.
Boggs	Hull	Robsion, Ky.
Bonner	Hyde	Rogers, Fla.
Bow	Ikard	Rogers, Mass.
Boykin	Jarman	Rogers, Tex.
Bray	Jennings	Rutherford
Brooks, La.	Jensen	Scott, N. C.
Brooks, Tex.	Johansen	Selden
Brown, Ga.	Jonas	Shuford
Broyhill	Jones, Ala.	Sikes
Budge	Jones, Mo.	Siler
Burleson	Keeney	Smith, Kans.
Byrd	Kilburn	Smith, Miss.
Chelf	Kilday	Smith, Va.
Chenoweth	Kilgore	Smith, Wis.
Clevenger	Kitchin	Spence
Cole	Knox	Taber
Colmer	Landrum	Teague, Tex.
Cooley	Lanham	Thomas
Cooper	Lennon	Thompson, La.
Cramer	Long	Thompson, Tex.
Davis, Ga.	Loser	Thornberry
Davis, Tenn.	McMillan	Trimble
Devereux	Mahon	Tuck
Dies	Marshall	Van Pelt
Dorn, S. C.	Mason	Vinson
Dowdy	Matthews	Watts
Durham	Miller, Nebr.	Weaver
Edmondson	Miller, N. Y.	Whitener
Elliott	Mills	Whitten
Evins	Morris	Williams, Miss.
Fascell	Morrison	Willis
Fisher	Moulder	Winstead
Flynt	Natcher	Wright
Forrester	Neal	Young
Fountain	Nicholson	
Frazier	Norrell	

NAYS—251

Addonizio	Breeding	Coudert
Allen, Calif.	Broomfield	Cretella
Allen, Ill.	Brown, Mo.	Cunningham, Iowa
Anderson, Mont.	Brown, Ohio	
	Brownson	Cunningham, Nebr.
Anfuso	Buckley	Curtin
Arends	Burdick	Curtis, Mass.
Ashley	Bush	Curtis, Mo.
Aspinall	Byrne, Ill.	Dague
Auchincloss	Byrne, Pa.	Dawson, Ill.
Avery	Byrnes, Wis.	Dawson, Utah
Ayres	Canfield	Delaney
Baldwin	Cannon	Dellay
Baring	Carnahan	Dempsey
Barrett	Carrigg	Dennison
Bass, N. H.	Cederberg	Denton
Bates	Celler	Derounian
Baumhart	Chamberlain	Diggs
Becker	Chiperfield	Dingell
Belcher	Christopher	Dixon
Betts	Chudoff	Dollinger
Blatnik	Church	Donohue
Boland	Clark	Dooley
Bolling	Coad	Dorn, N. Y.
Bolton	Coffin	Doyle
Bosch	Collier	Dwyer
Boyle	Corbett	Eberharter
Engle	Laird	Rhodes, Pa.
Fallon	Lane	Riehlman
Farbstein	Lankford	Rodino
Feighan	Latham	Rogers, Colo.
Fenton	LeCompte	Rooney
Fino	Lesinski	Roosevelt
Flood	Lipscomb	Sadlak
Fogarty	McCarthy	Santangelo
Forand	McCormack	St. George
Ford	McCulloch	Saund
Frelinghuysen	McDonough	Saylor
Friedel	McFall	Schenck
Fulton	McGregor	Schwengel
Garmatz	McIntire	Scott, Pa.
Gavin	McVey	Scrivner
George	Macdonald	Scudder
Gordon	Mack, Ill.	Seely-Brown
Granahan	Mack, Wash.	Sheehan
Gray	Madden	Shelley
Green, Oreg.	Magnuson	Sheppard
Green, Pa.	Mailliard	Sieminski
Griffiths	Martin	Simpson, Pa.
Gubser	May	Sisk
Hagen	Meader	Smith, Calif.
Hale	Merrow	Springer
Halleck	Metcalf	Staggers
Harden	Michel	Stauffer
Harvey	Miller, Calif.	Sullivan
Haskell	Minshall	Talle
Hays, Ohio	Montoya	Taylor
Healey	Moore	Teague, Calif.
Henderson	Morano	Teller
Heselton	Morgan	Tewes
Hill	Moss	Thompson, N. J.
Hoeven	Multer	Thomson, Wyo.
Holifield	Mumma	Tollefson
Holland	Nimtz	Udall
Holmes	Norblad	Ullman
Holt	O'Brien, Ill.	Vanik
Horan	O'Brien, N. Y.	Van Zandt
Hosmer	O'Hara, Ill.	Vorys
James	O'Konski	Vursell
Jenkins	O'Neill	Wainwright
Johnson	Osmers	Westland
Judd	Ostertag	Wharton
Karsten	Patterson	Widnall
Kearney	Pelly	Wier
Kearns	Pfost	Wigglesworth
Keating	Philbin	Wilson, Calif.
Kee	Porter	Wilson, Ind.
Kelley, Pa.	Powell	Withrow
Kelly, N. Y.	Price	Wolverton
Keogh	Prouty	Yates
King	Rabaut	Younger
Kirwan	Radwan	Zablocki
Kluczynski	Reece, Tenn.	Zelenko
Knutson	Reed	

ANSWERED "PRESENT"—6

Berry	Jackson	Steed
Hess	Miller, Md.	Utt

NOT VOTING—18

Bailey	Hillings	Machrowicz
Baker	Holtzman	Murray
Beamer	Kean	Scherer
Bentley	McConnell	Simpson, Ill.
Bowler	McGovern	Walter
Griffin	McIntosh	Williams, N. Y.

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Baker for, with Mr. Kean against.
Mr. Utt for, with Mr. Hillings against.
Mr. Steed for, with Mr. Machrowicz against.
Mr. Murray for, with Mr. Holtzman against.
Mr. Jackson for, with Mr. Williams of New York against.
Mr. Berry for, with Mr. Beamer against.
Mr. Hess for, with Mr. Simpson of Illinois against.
Mr. Miller of Maryland for, with Mr. McConnell against.

Until further notice:

Mr. Bailey with Mr. Bentley.
Mr. Walter with Mr. Griffin.
Mr. McGovern with Mr. Scherer.
Mr. Bowler with Mr. McIntosh.

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. MACHROWICZ. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. JACKSON. Mr. Speaker, I have a live pair with the gentleman from New York, Mr. WILLIAMS. I voted "yea." If he were present he would have voted "nay." I withdraw my vote and vote "present."

Mr. UTT. Mr. Speaker, I have a live pair with the gentleman from California, Mr. HILLINGS. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. BERRY. Mr. Speaker, I voted "yea." I have a live pair with the gentleman from Indiana, Mr. BEAMER. Had he been present he would have voted "nay." I therefore withdraw my vote and vote "present."

Mr. HESS. Mr. Speaker, I voted "yea." I have a live pair with the gentleman from Illinois, Mr. SIMPSON. Had he been present he would have voted "nay." I therefore withdraw my vote and vote "present."

Mr. MILLER of Maryland. Mr. Speaker, I voted "yea." I have a live pair with the gentleman from Pennsylvania, Mr. MCCONNELL. Had he been present he would have voted "nay." I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. KEATING. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEATING. My inquiry is this, Mr. Speaker: Can the Speaker inform the House when the bill will be messaged to the Senate after the passage of the measure?

The SPEAKER. That is a question the Chair had put to him today in a press conference, and he did not enjoy any part of it. This bill is going to take the same course as every other bill that is passed. Any suggestion from any source that it might be held up is utterly unjustified.

Mr. KEATING. A further parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KEATING. Does the bill in its ordinary course go to the Senate on the same day it is passed?

The SPEAKER. If it is engrossed it does.

The question is on the passage of the bill.

Mr. SMITH of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 286, nays 126, answered "present" 2, not voting 19, as follows:

[Roll No. 113]

YEAS—286

Adair	Ashley	Belcher
Addonizio	Aspinall	Berry
Allen, Calif.	Auchincloss	Betts
Allen, Ill.	Avery	Blatnik
Andersen, H. Carl	Ayres	Boland
Anderson, Mont.	Baldwin	Bolling
Andresen, August H.	Baring	Bolton
Anfuso	Barrett	Bosch
Arends	Bass, N. H.	Bow
	Bates	Boyle
	Baumhart	Bray
	Becker	Breeding
Broomfield	Halleck	O'Brien, N. Y.
Brown, Mo.	Harden	O'Hara, Ill.
Brown, Ohio	Harrison, Nebr.	O'Konski
Brownson	Harvey	O'Neill
Buckley	Haskell	Osmers
Burdick	Hays, Ohio	Ostertag
Bush	Healey	Patterson
Byrd	Henderson	Pelly
Byrne, Ill.	Heselton	Perkins
Byrne, Pa.	Hess	Pfost
Byrnes, Wis.	Hiestand	Philbin
Canfield	Hill	Pillion
Cannon	Hoeven	Polk
Carnahan	Holifield	Porter
Carrigg	Holland	Powell
Cederberg	Holmes	Price
Celler	Holt	Prouty
Chamberlain	Horan	Rabaut
Chenoweth	Hosmer	Radwan
Chiperfield	Hyde	Reece, Tenn.
Christopher	Jackson	Reed
Chudoff	James	Rees, Kans.
Church	Jenkins	Reuss
Clark	Johnson	Rhodes, Ariz.
Coad	Judd	Rhodes, Pa.
Coffin	Karsten	Riehlman
Cole	Kearney	Robsion, Ky.
Collier	Kearns	Rodino
Corbett	Keating	Rogers, Colo.
Coudert	Kee	Rogers, Mass.
Cretella	Kelley, Pa.	Rooney
Cunningham, Iowa	Kelly, N. Y.	Roosevelt
Cunningham, Nebr.	Keogh	Sadlak
Curtin	King	Santangelo
Curtis, Mass.	Kirwan	St. George
Curtis, Mo.	Kluczynski	Saund
Dague	Knox	Saylor
Dawson, Ill.	Knutson	Schenck
Dawson, Utah	Krueger	Schwengel
Delaney	Laird	Scott, Pa.
Dellay	Lane	Scrivner
Dempsey	Lankford	Scudder
Dennison	Latham	Seely-Brown
Denton	LeCompte	Sheehan
Derounian	Lesinski	Shelley
Devereux	Lipscomb	Sheppard
Diggs	McCarthy	Sieminski
Dingell	McCormack	Siler
Dixon	McCulloch	Simpson, Pa.
Dollinger	McDonough	Sisk
Donohue	McFall	Smith, Calif.
Dooley	McGregor	Springer
Dorn, N. Y.	McIntire	Staggers
Doyle	McVey	Stauffer
Dwyer	Macdonald	Sullivan
Eberharter	Mack, Ill.	Talle
Edmondson	Mack, Wash.	Taylor
Engle	Madden	Teague, Calif.
Fallon	Magnuson	Teller
Farbstein	Mailliard	Tewes
Feighan	Marshall	Thompson, N. J.
Fenton	Martin	Thomson, Wyo.
Fino	May	Tollefson
Flood	Meader	Udall
Fogarty	Merrow	Ullman
Forand	Metcalf	Vanik
Ford	Michel	Van Pelt
Frelinghuysen	Miller, Calif.	Van Zandt
Friedel	Miller, Md.	Vorys
Fulton	Miller, Nebr.	Vursell
Garmatz	Miller, N. Y.	Wainwright
Gavin	Minshall	Weaver
George	Montoya	Westland
Gordon	Moore	Wharton
Granahan	Morano	Widnall
Gray	Morgan	Wier
Green, Oreg	Moss	Wigglesworth
Green, Pa.	Moulder	Wilson, Calif.
Griffiths	Multer	Wilson, Ind.
Gubser	Mumma	Withrow
Gwinn	Neal	Wolverton
Hagen	Nicholson	Yates
Hale	Nimtz	Younger
	Norblad	Zablocki
	O'Brien, Ill.	Zelenko

NAYS—126

Abbitt	Brown, Ga.	Fascell
Abernethy	Broyhill	Fisher
Albert	Budge	Flynt
Alexander	Burleson	Forrester
Alger	Chelf	Fountain
Andrews	Clevenger	Frazier
Ashmore	Colmer	Gary
Barden	Cooley	Gathings
Bass, Tenn.	Cooper	Grant
Beckworth	Cramer	Gregory
Bennett, Fla.	Davis, Ga.	Gross
Bennett, Mich.	Davis, Tenn.	Haley
Blitch	Dies	Hardy
Boggs	Dorn, S. C.	Harris
Bonner	Dowdy	Harrison, Va.
Boykin	Durham	Hays, Ark.
Brooks, La.	Elliott	Hébert
Brooks, Tex.	Evins	Hemphill
Heriong	Matthews	Shuford
Hoffman	Mills	Sikes
Huddleston	Morris	Smith, Kans.
Hull	Morrison	Smith, Miss.
Ikard	Natcher	Smith, Va.
Jarman	Norrell	Smith, Wis.
Jennings	O'Hara, Minn.	Spence
Johansen	Passman	Taber
Jonas	Patman	Teague, Tex.
Jones, Ala.	Pilcher	Thomas
Jones, Mo.	Poage	Thompson, La.
Keeney	Poff	Thompson, Tex.
Kilburn	Preston	Thornberry
Kilday	Rains	Trimble
Kilgore	Ray	Tuck
Kitchin	Riley	Vinson
Landrum	Rivers	Watts
Lanham	Roberts	Whitener
Lennon	Robeson, Va.	Whitten
Long	Rogers, Fla.	Williams, Miss.
Loser	Rogers, Tex.	Willis
McMillan	Rutherford	Winstead
Mahon	Scott, N. C.	Wright
Mason	Selden	Young

ANSWERED "PRESENT"—2

Steed Utt

NOT VOTING—19

Bailey	Holtzman	Murray
Baker	Jensen	Scherer
Beamer	Kean	Simpson, Ill.
Bentley	McConnell	Walter
Bowler	McGovern	Williams, N. Y.
Griffin	McIntosh	
Hillings	Machrowicz	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kean for, with Mr. Baker against.
Mr. Hillings for, with Mr. Utt against.
Mr. Machrowicz for, with Mr. Steed against.
Mr. Bailey for, with Mr. Murray against.

Until further notice:

Mr. Holtzman with Mr. Bentley.
Mr. Walter with Mr. McIntosh.
Mr. McGovern with Mr. Griffin.
Mr. Bowler with Mr. Scherer.

Mr. STEED. Mr. Speaker, I have a live pair with the gentleman from Michigan, Mr. MACHROWICZ. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. UTT. Mr. Speaker, I have a live pair with the gentleman from California, Mr. HILLINGS. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, FISCAL YEAR 1958

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6287) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1958, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. FOGARTY, LANHAM, DENTON, CANNON, TABER, and LAIRD.

WAIVING PROVISION OF IMMIGRATION AND NATIONALITY ACT IN BEHALF OF CERTAIN ALIENS

Mr. CHELF. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the resolution (H. J. Res. 274) to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 11, after "Giordano", insert "and."

Page 1, line 11, and page 2, line 1, strike out "and Mrs. Anna Hoczak Aumueller Cathey."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

JEFFREY CHARLES MEDWORTH

Mr. CHELF. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1454) for the relief of Jeffrey Charles Medworth, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, for the purposes of the Immigration and Nationality Act, Jeffrey Charles Medworth, a British subject who was born in India, shall be deemed to have been born in Great Britain."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MRS. THEODORE ROUSSEAU

Mr. CHELF. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1359) for the relief of Mrs. Theodore (Nicole Xantho) Rousseau, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That, in the administration of the Immigration and Nationality Act, Mrs. Theodore (Nicole Xantho) Rousseau shall be deemed to be within the purview of section 354 (3) of the said act."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CHELF. I offer an amendment.

The Clerk read as follows:

Delete the period at the end of the Senate amendment, substitute a comma therefor, and add the following: "and to have had no nationality other than Rumanian prior to her nationalization as a United States citizen."

The amendment was agreed to.

The Senate amendment, as amended, was concurred in.

A motion to reconsider was laid on the table.

SENATE SALAD LUNCHEON, WEDNESDAY, JUNE 19

Mr. UTT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, in 1912 my father planted one of the first avocado orchards in California. Today the avocado is one of California's most noble products.

So, it is a matter of special pride to me to be able to contribute to the Senate salad, which will be introduced at tomorrow's luncheon between 1 and 3 p. m. in the Senate District of Columbia Committee Room.

We Californians all appreciate a good salad and we think that the Members of this great body from other States will have a growing appreciation of salad if you find a few minutes tomorrow to come over and sample the Senate salad.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

PETER V. BOSCH

The Clerk called the bill (S. 189) for the relief of Peter V. Bosch.

Mr. VAN PELT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

JULIAN D. DYCAICO

The Clerk called the bill (S. 407) for the relief of Julian D. Dycaico.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time, the Secretary of the Army is authorized and directed (1) to consider and determine any claim filed under section 2734 of title 10 of the United States Code within 1 year after the date of enactment of this act, by Julian D. Dycaico, of the Province of Pampanga, Republic of the Philippines, for compensation for the use of certain land belonging to him in the Republic of the Philippines by the Armed Forces of the United States during World War II and for damage to such land alleged to have been caused by the Armed Forces of the United States, and (2) to pay to the said Julian D. Dycaico, or to certify to Congress in accordance with the provisions of such section, the amount of compensation payable under such section to which he would have been entitled had such claim been filed within the time and in the manner provided by such section.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COL. BENJAMIN AXELROAD

The Clerk called the bill (S. 1008) for the relief of Col. Benjamin Axelroad.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Col. Benjamin Axelroad, Tullahoma, Tenn., the sum of $2,799.50, as compensation for legal services performed and expenses incurred in assisting Chester H. Tuck, Mary Elizabeth Fisher, James Thomas Harper, and Mrs. T. W. Bennett, all of Tullahoma, Tenn., in the successful prosecution of their claims against the United States. Although the efforts of the said Col. Benjamin Axelroad contributed materially to the obtaining of evidence which led to the enactment of a private law for the relief of the above-mentioned claimants (Private Law 498, 83d Cong.), such private law prevented any payment to the said Col. Benjamin Axelroad out of sums appropriated in such private law: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim of the said Col. Benjamin Axelroad for such compensation, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTOINE VELLEMAN

The Clerk called the bill (S. 1206) for the relief of Antoine Velleman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Antoine Velleman, of Geneva, Switzerland, the sum of $526.06. The payment of such sum shall be in full satisfaction of all claims of the said Antoine Velleman against the United States for compensation for services rendered by him as an instructor for the United States Army internees at Adelboden, Switzerland, from August 1, 1944, to September 15, 1944: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GILLOUS M. YOUNG

The Clerk called the bill (H. R. 1492) for the relief of Gillous M. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Second Lieutenant Gillous M. Young, United States Air Force, retired, of San Antonio, Texas, is hereby relieved of all liability to refund to the United States the sum of $3,751.47. Such sum represents the unrefunded portion of the retired pay (originally totaling $5,127.12) received by the said Gillous M. Young for the period beginning January 8, 1951, and ending February 28, 1953, while he was employed as an aircraft radio flight repairer at Kelly Air Force Base in Texas and was receiving compensation and retired pay from the United States at a combined annual rate in excess of that permitted by law. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Gillous M. Young, the sum of $1,375.65. Such sum represents the portion of the retired pay received by the said Gillous M. Young for the period beginning January 8, 1951, and ending February 28, 1953, which he has already refunded to the United States by means of deductions from amounts otherwise due him: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTONIO RANALLETTA

The Clerk called the bill (H. R. 1634) for the relief of Antonio Ranalletta.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Antonio Ranalletta, of 6 Alps Street, Rochester, N. Y., in full settlement of all claims against the United States as reimbursement for bond posted in his behalf: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE W. ARNOLD

The Clerk called the bill (H. R. 1861) for the relief of George W. Arnold.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to relieve George W. Arnold, an employee of the Treasury Department, of all liability to refund to the United States the sum of $1,707.50. Such sum represents the excess cost of shipping from Boston, Mass., to Paris, France, his personal and household effects over that authorized by Executive Order No. 9805.

With the following committee amendment:

On page 1, line 6, strike out "$1,707.50" and insert in lieu thereof "$1,101.09."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANKLIN INSTITUTE OF THE STATE OF PENNSYLVANIA

The Clerk called the bill (H. R. 2058) for the relief of the Franklin Institute of the State of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Franklin Institute of the State of Pennsylvania, Philadelphia, Pa., the sum of $1,476.95. The payment of such sum shall be in full settlement of all claims of the said Franklin Institute against the United States for reimbursement of amounts advanced by the said Franklin Institute to the Secretary of the Treasury in order to expedite the striking of 71 bronze medals commemorating the 250th anniversary of the birth of Benjamin Franklin, which medals were authorized to be struck by the act entitled "An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member, founder, or sponsor in observance of the 250th anniversary of his birth," approved August 9, 1955 (69 Stat. 541): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 8, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossd and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHYLLIS L. WARE

The Clerk called the bill (H. R. 2302) for the relief of Phyllis L. Ware.

Mr. SHEEHAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore (Mr. BOGGS). Is there objection to the request of the gentleman from Illinois?

There was no objection.

LUCY ROLANDONE

The Clerk called the bill (H. R. 2592) for the relief of Lucy Rolandone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to Lucy Rolandone, of Oakland, Calif., in full settlement of all claims against the United States for personal injuries, hospital and medical expense sustained as the result of an accident involving a Federal Communications Commission vehicle at the intersection of Williams and Clarke Streets, San Leandro, Calif., on June 14, 1942.

With the following committee amendment:

On page 1, line 11, strike out the period and add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HARRIET SAKAYO HAMAMOTO DEWA

The Clerk called the bill (H. R. 2740) for the relief of Mrs. Harriet Sakayo Hamamoto Dewa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Harriet Sakayo Hamamoto Dewa, Madison, Wis., in the sum of $5,381.04. The payment of such sum shall be in full settlement of all claims of the said Mrs. Dewa against the United States arising out of the confiscation and total loss of her sampan, the Itsukushima Maru, together with all the supplies and equipment thereon, which occurred while such sampan was in the custody of the Armed Forces of the United States between December 10, 1941 (when it was seized by the United States Navy off the coast of Oahu, Hawaii) and July 31, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out the figures and insert in lieu thereof "5,280.62."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY AND SADIE WOONTEILER

The Clerk called the bill (H. R. 2928) for the relief of Harry and Sadie Woonteiler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Woonteiler, of New York, N. Y., the sum of $2,500, and to Sadie Woonteiler, of New York, N. Y., the sum of $15,000. The payment of such sums shall be in full settlement of all claims of the said Harry and Sadie Woonteiler against the United States arising out of an automobile accident which occurred on July 20, 1952, in Barranquilla, Colombia, in which the personal injuries sustained by the said Harry and Sadie Woonteiler were found to have been caused by the negligence of the operator of a truck owned by the United States Embassy in Colombia. No part of either of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$2,500," and insert "$500."

Page 1, line 7, strike out the figures "$15,000," and insert "$3,500."

Page 2, line 3, strike out "United States Embassy in Colombia," and insert "Inter-American Geodetic Survey."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARENCE L. HARRIS

The Clerk called the bill (H. R. 2937) for the relief of Clarence L. Harris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $204.73 to Clarence L. Harris, of Little Rock, Ark., in full settlement of all claims against the United States. Such sum represents a refund of alleged excess cost in connection with the return of his household goods from Tripoli, Libya, North Africa, to Little Rock, Ark., pursuant to official travel orders directing permanent change of station during the month of September 1954: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALTON B. YORK

The Clerk called the bill (H. R. 2985) for the relief of Alton B. York.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alton B. York, Cottage Grove, Oregon, the sum of $711.76. The payment of such sum shall be in full settlement of all claims of the said Alton B. York against the United States arising out of personal injuries and property damage sustained by him on November 1, 1951, when the truck which he was driving was struck near Tacoma, Washington, by an Army cargo truck which had been negligently driven through a stoplight. Such claim is not cognizable under the Federal Tort Claims Acts because of the fact that the driver of the Army truck (an enlisted man of the Army) was using such truck for unauthorized purposes and was not acting within the scope of his employment at the time of the accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 7, following the word "act" strike out the balance of the line.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. GRACE C. HILL

The Clerk called the bill (H. R. 3280) for the relief of Mrs. Grace C. Hill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Grace C. Hill, of Joppa, Md., is hereby relieved of all liability to refund to the United States the sum of $371.81. Such sum represents the amount of certain alleged salary overpayment made to her in connection with a promotion on November 29, 1953, in violation of the so-called Whitten amendment. Such overpayment was made to her while employed by the Army Chemical Center, Maryland, entirely beyond her knowledge and control.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Mrs. Grace C. Hill, an amount equal to the aggregate of any amounts which have been made, or withheld from or credited against sums otherwise due her, in complete or partial satisfaction of the claim of the United States for such refund.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY GOLD

The Clerk called the bill (H. R. 3309) for the relief of Harry Gold.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry Gold, Los Angeles, Calif., the sum of $368.74. The payment of such sum shall be in full settlement of all claims of the said Harry Gold against the United States for reimbursement of expenses incurred by him in traveling to Hawaii in February 1956, to bid on surplus goods as the invitation of the Secretary of the Army. Such invitation to bid was canceled by the Secretary of the Army but the said Harry Gold was not informed of such cancellation until after his arrival in Hawaii: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 10, strike out "as" and insert in lieu thereof "at."

Page 2, line 3, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM E. HEILMANN

The Clerk called the bill (H. R. 3899) for the relief of William E. Heilmann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William E. Heilmann, Hartly-Templeville Road, Post Office Box 87, Hartly, Del., the amount as certified by the Secretary of the Navy, which would have been paid to the said William E. Heilmann, as night differential pay for the period from February 15, 1942, to June 15, 1943, had application for such pay been filed on or before July 31, 1948, as provided by the act of July 31, 1946 (5 U. S. C. 949o): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 2, line 1, strike out "(5 U. S. C. 9490)" and insert in lieu thereof "(60 Stat. 747; 5 U. S. C., sec. 951)."

Page 2, line 3, strike out "in excess of 10 percent thereof."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAMON TAVAREZ

The Clerk called the bill (H. R. 4335) for the relief of Ramon Tavarez.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

LESLIE A. BATDORF

The Clerk called the bill (H. R. 4541) for the relief of Leslie A. Batdorf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Leslie A. Batdorf, 625 North Second Street, Shamokin, Pa., in full settlement of all claims against the United States as reimbursement for bond posted for Gretel Parks (nee Weckler) on September 17, 1948: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ORVILLE G. EVERETT AND MRS. AGNES H. EVERETT

The Clerk called the bill (H. R. 5288) for the relief of Orville G. Everett and Mrs. Agnes H. Everett.

Mr. VAN PELT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MRS. EMMA HANKEL

The Clerk called the bill (H. R. 5627) for the relief of Mrs. Emma Hankel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Emma Hankel, Tacoma, Wash., the sum of $150. The payment of such sum shall be in full settlement of all claims of the said Mrs. Emma Hankel against the United States for reimbursement of expenses incurred by her in connection with the burial of her husband, the late Henry W. Hankel (Veterans' Administration claim No. XC-1510422): *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOUAD GEORGE BARODY

The Clerk called the bill (H. R. 6176) for the relief of Fouad George Baroody.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fouad George Baroody, of 105 Main Street, Timmonsville, S. C., the sum of $500. The payment of such sum shall be in full settlement of all claims of said Fouad George Baroody against the Government of the United States, in connection with the $500 departure bond posted by the said Fouad George Baroody, on behalf of himself on approximately May 22, 1950: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 1 and 2, strike out "in excess of 10 per centum thereof."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JANE BARNES

The Clerk called the bill (H. R. 6621) for the relief of Mrs. Jane Barnes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Mrs. Jane Barnes, of 385 Hawthorne Street, Brooklyn, N. Y., the sum of $150, in full settlement of all claims against the United States. Such sum represents the statutory award of burial expenses of her son, Theodore R. Barnes, a veteran of World War II, which she did not receive within the 2-year period of the statute of limitations: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MADAME HENRIETTE BUAILLON AND STANLEY JAMES CARPENTER

The Clerk called the bill (H. R. 7014) for the relief of Madame Henriette Buaillon and Stanley James Carpenter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury shall pay, out of money in the Treasury not otherwise appropriated, to Madame Henriette Buaillon, of 26 Rue Lucien Vallee, Petit Quevilly, Seine Maritime, France, the sum of $2,241, in settlement of all claims for damages arising out of the death of her son, Andre Achille Buaillon, as a result of an accidental shooting on May 4, 1945, in Zeitz, Germany; and to Stanley James Carpenter, of Solsbanksgatan 41, Goteborg, Sweden, the sum of $256, in settlement of all claims for damages arising out of an incident in Unterammergau, Germany, on August 5, 1950, involving him and enlisted personnel of the United States Army.

SEC. 2. Notwithstanding any contract no part of the amounts appropriated in this act shall be paid, or delivered to, or received by any agent or attorney on account of services rendered in connection with such claim. Any person who violates any provision of this section is guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS S. THOMAS AND D. GRACE THOMAS

The Clerk called the bill (H. R. 7213) for the relief of Louis S. Thomas and D. Grace Thomas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis S. Thomas and D. Grace Thomas, both of Deep River, Conn., the sums of $2,000 and $8,000, respectively, in full settlement of all their claims against the United States arising out of large expenses and serious injuries sustained by them when the automobile in which they were riding was struck by a Navy station wagon at Middletown, Conn., on or about May 9, 1946. The losses and serious injuries complained of and sustained by the said Louis S. Thomas and D. Grace Thomas at said time and place were the direct results of the grossly negligent operation by the Navy personnel of the Navy vehicle, the driver of which was asleep at the wheel. At said time and place the said Louis S. Thomas and D. Grace Thomas were free from any negligence which in any way contributed toward said accident and the resulting injuries therefrom. In actions brought on these claims under the provisions

of title 28 of the United States Code relating to tort claims, the United States District Court for the District of Connecticut decided on June 6, 1950, that it is without jurisdiction because the driver of the Navy station wagon was not acting within the scope of his office or employment: *Provided*, That no part of either of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$2,000" and insert "$1,000."

Page 1, line 7, strike out "$8,000" and insert "$6,500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD NEAL FISHER

The Clerk called the bill (H. R. 7554) for the relief of Edward Neal Fisher.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purposes of all laws of the United States, Edward Neal Fisher, Effingham, Ill., shall be held and considered to have served continuously on active duty with the United States Army during the period beginning May 20, 1898, and ending May 2, 1899, both dates inclusive, and to have received an honorable discharge from such service.

SEC. 2. No benefits shall be payable by reason of this act to any person for any period prior to the date on which an application for such benefits is filed subsequent to the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHILIP J. DENTON

The Clerk called the bill (H. R. 1446) for the relief of Philip J. Denton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act are hereby waived in favor of Philip J. Denton, Loveland, Colo., and his claim for compensation for disability sustained by him as a result of disease incurred during the period beginning June 1, 1940, and ending November 30, 1945, while he was employed by the Department of the Interior, Bureau of Reclamation, at Estes Park, Colo., shall be acted upon under the remaining provisions of such act if he files such claim with the Bureau of Employees' Compensation, Department of Labor, within 60 days after the date of the enactment of this act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following: "That sections 15 to 20, inclusive, of the Federal Employees' Compensation Act are hereby waived in favor of Philip J. Denton, Loveland, Colo., and his claim for compensation for disability sustained by him as a result of disease alleged to have been incurred during the period beginning June 1, 1940, and ending November 30, 1945, while he was employed by the Department of the Interior, Bureau of Reclamation, at Estes Park, Colo., shall be acted upon under the remaining provisions of such act if he files such claim with the Bureau of Employees' Compensation, Department of Labor, within 60 days after the date of the enactment of this act: *Provided*, That no benefits shall accrue by reason of the enactment of this act for any period prior to its enactment, except in the case of medical or hospitalization expenditures which may be deemed reimbursable."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL D. OVENS

The Clerk called the bill (H. R. 4992) for the relief of Michael D. Ovens.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of sections 202 (d) and 216 (e) of the Social Security Act, the minor child, Michael D. Ovens, shall be held and considered to have been legally adopted by Verne E. Ovens and Elizabeth H. Ovens, of Milwaukee, Wis., on February 20, 1954; and the said Michael D. Ovens shall be entitled to child's insurance benefits under such section 202 (d) on the basis of the wages and self-employment income of the said Verne E. Ovens, beginning with the month of August 1954, if he is otherwise qualified for such benefits and a new application for such benefits is filed by him or on his behalf within 6 months after the date of the enactment of this act. For purposes of the preceding sentence and such section 202 (d), the formal adoption of the said Michael D. Ovens effected by the said Elizabeth H. Ovens after the death of the said Verne E. Ovens shall not operate to prevent payment of such benefits to the said Michael D. Ovens or terminate his entitlement to such benefits.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EGLIN MANOR, INC.

The Clerk called House Resolution 260.

There being no objection, the Clerk read the House resolution, as follows:

Resolved, That the bill (H. R. 3320) entitled "A bill for the relief of Eglin Manor, Inc.," together with all accompanying papers, is hereby referred to the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code; and said court shall proceed expeditiously with the same in accordance with provisions of said sections and report to the House of Representatives at the earliest practicable date, giving such findings of fact, including an analysis of the amounts included as the basis for the sum stated in the bill, and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand, as a claim legal and equitable, against the United States.

The House resolution was agreed to and a motion to reconsider was laid on the table.

HAROLD GEORGE JACKSON

The Clerk called the bill (S. 1179) for the relief of Harold George Jackson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of paragraph (9) of section 212 (a) of the Immigration and Nationality Act, Harold George Jackson may be admitted to the United States for permanent residence, if he is found to be otherwise admissible under the provisions of such act: *Provided*, That the provisions of this act shall apply only to grounds for exclusion under such paragraph known to the Secretary of State or the Attorney General prior to the date of enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ABRAM VAN HEYNINGEN HARTENDORP

The Clerk called the bill (H. R. 1701) for the relief of Abram van Heyningen Hartendorp.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Abram van Heyningen Hartendorp, who lost United States citizenship under the provisions of section 404 (c) of the Nationality Act of 1940, may be naturalized by taking, prior to 1 year after the effective date of this act, before any court referred to in subsection (a) of section 310 of the Immigration and Nationality Act or before any diplomatic or consular officer of the United States abroad, the oaths prescribed by section 337 of the said act. From and after naturalization under this act, the said Abram van Heyningen Hartendorp shall have the same citizenship status as that which existed immediately prior to its loss.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOHA BIN HADJI DULAH, HANNA REZMOVIC, SISTER EMMANUEL (MISS MARGARETE FU)

The Clerk called House Joint Resolution 338.

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That, for the purposes of the Immigration and Nationality Act, Toha Bin Hadji Dulah, Hanna Rezmovic, Sister Emmanuel (Miss Margarete Fu), Loutfie Kalil Noma, Jael Mercades, Maria Baricelli, Jan Kryla, Francisco M. Jegers, Mary Carmelita Ottolina, Emily Ting, Mosche Davidovitz, Frieda Davidovitz, Alice Selim Nakhla Fakhouri (also known as Denise Fakhouri), Filippina Huber, Erma Murer, and Antonia Martignetti, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fees: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act in the case of Loutfie Kalil Noma. Upon the granting of permanent residence to each alien as provided for in this section of this act, if such alien was classifiable as a quota immigrant at the time of the enforcement of this act, the Secretary of State shall instruct

the proper quota-control officer to reduce by one the quota for the quota area to which the alien is chargeable for the first year that such quota is available.

SEC. 2. The Attorney General is authorized and directed to cancel any outstanding orders and warrants of deportation, warrants of arrest, and bonds, which may have issued in the cases of Charles Blasi, Juan Pedro Garay-Muro, Arcadio Navarro-Savala, and Vartuhi Parsejian de Carpenter (also known as Rosa Carpenter). From and after the date of the enactment of this act, the said persons shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and orders have issued.

With the following committee amendments:

On page 1, line 5, after the name "(Miss Margarete Fu)", strike out the name "Loutfie Kalil Noma".

On page 1, line 6, after the name "Mercades," insert the name "Simeon Krammer".

On page 1, line 6, after the name "Jan Kryla," insert the following: "Balbina Kryla, Stanislau Kryla, Maria Kryla".

On page 1, line 6, after the name "Jegers," insert the name "Raffaele D'Auria".

On page 1, line 9, after the name "Denise Fakhouri)," insert the following: "Su-Ying Wong Kao".

On page 1, line 9, after the name "Filippina Huber," insert the following: "Lino Aguilon Reyes".

On page 2, line 2, after the word "fees" change the colon to a period and strike out the remainder of line 2, all of line 3, all of line 4, and the following language on line 5: "of the said act in the case of Loutfie Kalil Noma".

On page 2, line 17, after the name "Navarro-Savala," strike out the word "and" and insert the following: "Margarete Holdy, Ohan Evrenian, Vehanousa Evrenian".

On page 2, line 18, after the name "Rosa Carpenter)" strike out the period and insert the following: "and Agavni Balantzyan."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PADBLOC CO., INC., AND HARRY G. LANKFORD

The Clerk called the bill (H. R. 5183) to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Padbloc Co., Inc., and Harry G. Lankford, of Wichita, Kans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, determine, and render judgment upon the claim of the Padbloc Co., Inc., of Wichita, Kans., against the United States Government relating to the taking and use by or for the United States Government of packaging means developed and owned by the Padbloc Co., Inc., or Harry G. Lankford of Wichita, Kans., notwithstanding that such claim may be based upon tortious misappropriation, breach of contract sounding in tort, or unjust enrichment.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IN BEHALF OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 339) to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

Mr. HEMPHILL. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

FACILITATING ADMISSION OF CERTAIN ALIENS

The Clerk called the resolution (H. J. Res. 340) to facilitate the admission into the United States of certain aliens.

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Antonia Salazar, shall be held and considered to be the natural-born alien child of Sfc. Willie R. Love, a citizen of the United States.

SEC. 2. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Sumiko Nakamura, shall be held and considered to be the natural-born alien child of Lois Henderson O'Biecunas, a citizen of the United States.

SEC. 3. For the purposes of sections 101 (a) (27) (A), 203 (a) (2) and 205 of the Immigration and Nationality Act, the minor child, Lurline Jackson, shall be held and considered to be the natural-born alien child of David A. Jackson, a citizen of the United States, and Mrs. Mable D. Minott shall be held and considered to be the mother of the said David A. Jackson.

SEC. 4. For the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Romeo (Casabuena) Celestial, shall be held and considered to be the natural-born alien child of Vicente Celestial, a citizen of the United States.

SEC. 5. For the purposes of section 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Jeanne May Sasaki, Pamela Joyce Suzuki, Dorothea Grace Itoh, Frank Louis Morita, and John Michael Takezawa, shall be held and considered to be the natural-born children of Jean M. Fuller, citizen of the United States.

SEC. 6. For the purposes of the Immigration and Nationality Act, Mrs. Anneta N. Thalassinos shall be deemed to have been born in Canada.

With the following committee amendments:

On page 2, after line 2, insert a new section 3 to read as follows:

"SEC. 3. For the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor children, Henry Aleong Gonzales, Perline Aleong Gonzales, and Annette Aleong Gonzales, shall be held and considered to be the natural-born alien children of Mrs. Vera Aleong Lorick, a citizen of the United States."

On page 2, line 3, strike out "SEC. 3." and substitute "SEC. 4."

On page 2, line 10, strike out "SEC. 4." and substitute "SEC. 5."

On page 2, line 15, strike out "SEC. 5." and substitute "SEC. 6."

On page 2, after line 20, insert new sections 7 and 8 to read as follows:

"SEC. 7. For the purposes of sections 203 (a) (3) and 205 of the Immigration and Nationality Act, Antonio Murgia shall be held and considered to be the minor alien child of Mrs. Giuseppa Murgia, a lawfully resident alien of the United States.

"SEC. 8. In the administration of the Immigration and Nationality Act, Machie Yoshiyama, the fiance of Ralph Springer, Jr., a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Machie Yoshiyama is coming to the United States with a bona fide intention of being married to the said Ralph Springer, Jr., and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Machie Yoshiyama, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Machie Yoshiyama, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Machie Yoshiyama as of the date of the payment by her of the required visa fee."

On page 2, line 21, strike out "SEC. 6." and substitute "SEC. 9."

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VALIDATING A PATENT ISSUED TO CARL E. ROBINSON

The Clerk called the bill (H. R. 3877) to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That patent numbered 1147303, issued to Carl E. Robinson, of Anchor Point, Alaska, on October 11, 1954, for the north half north half of section 36, township 3 south, range 15 west, Seward meridian, is declared to be valid as of the date of issue.

SEC. 2. The act of August 1, 1955 (69 Stat. A87; Private Law 248, 84th Cong.), is hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS, APACHE NATIONAL FOREST, N. MEX.

The Clerk called the bill (S. 44) to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to Floyd McMahan and Annie Locket McMahan all right, title, and interest of the United States in and to the following-described tract of land (together with any improvements thereon), located within the Apache National Forest, N. Mex.: South half of the north half of the southwest quarter of the southwest

quarter, and the south half of the southwest quarter of the southwest quarter of section 34, township 5 south, range 18 west, New Mexico principal meridian; and the west half of lot 18, east half of lot 19, east half of the east half of lot 22, west half of the west half of lot 23, all in section 4, township 6 south, range 18 west, New Mexico principal meridian; containing 79.24 acres more or less; and to accept in exchange therefor a conveyance in fee simple to the United States by Floyd McMahan and Annie Locket McMahan of the following described tract of land (together with any improvements thereon) located in the State of Mew Mexico: Northeast quarter of the southwest quarter of section 33, township 5 south, range 18 west, New Mexico principal meridian, containing 40 acres.

SEC. 2. (a) Prior to the consummation of the exchange authorized by the first section of this act the Secretary of Agriculture shall have an appraisal made of the parcels to be exchanged, and in the event that the property to be conveyed to the United States is of less value than the federally owned property to be conveyed under this act, the grantors of the property to be conveyed to the United States shall, as a condition to such exchange, pay to the Secretary, to be covered into the Treasury as miscellaneous receipts, an amount equal to the difference in the appraised value of the respective properties.

(b) The appraised value of the federally owned property to be conveyed under this act shall not include any increased value resulting from the development or improvement of such property by the said Floyd McMahan and Annie Locket McMahan, or their predecessors in interest.

With the following committee amendment:

Page 2, line 5, strike out "79.24" and insert "79.34".

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MIDWEST CLAYPAN EXPERIMENT STATION, McCREDIE, MO.

The Clerk called the bill (S. 1034) to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to convey by quitclaim deed to the University of Missouri, without cost, the real property, together with the buildings and improvements thereon, constituting the United States Department of Agriculture Midwest Claypan Experiment Station located at McCredie in the county of Callaway, State of Missouri, which property is more particularly described as follows:

The east half of the southwest quarter of section 10, and 140 acres, more or less, being all that part of the southeast quarter of section 10 lying west of the center of the Fulton and Mexico road;

Also 14.90 acres being that part of the east half of the northeast quarter of section 10 lying south of the McCredie and Williamsburg road;

Also 1 acre, more or less, in the northwest corner of the northwest quarter of the southwest quarter of section 11, being all that part of the northwest quarter of the southwest quarter lying west of the Fulton and Mexico road;

Also about 1 acre in the southwest corner of the northwest quarter of section 11, being that part of said quarter section lying south of the McCredie and Williamsburg road and west of the Fulton and Mexico road;

Also all that part containing about 65 acres of the west half of the northeast quarter and of the east half of the northwest quarter of section 10 lying south of the McCredie and Williamsburg road;

All of the above-described property lying and being in township 48 north, of range 9 west, in the aforesaid State and county, and containing 300 acres, more or less. Such property shall be conveyed upon such conditions as in the opinion of the Secretary of Agriculture will assure the use of such property in the cooperative agricultural experimental work of the Department of Agriculture and the State of Missouri. The conveyance of such property shall contain a reservation to the United States of all the minerals in the land, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROPERTY IN MASSACHUSETTS TO WOODS HOLE YACHT CLUB

The Clerk called the bill (H. R. 6623) to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, the Secretary of the Interior shall convey to the Woods Hole Yacht Club, Woods Hole, Mass., all right, title, and interest of the United States in and to the real property described in section 2, upon the payment to the United States by such yacht club of the fair market value of such property, as determined by the Secretary, within the 2-year period beginning on the date of enactment of this act. In determining the fair market value for the purposes of this act the Secretary shall not include the value of improvements constructed on such property by such yacht club during the period of the lease referred to in section 2. The money received from the conveyance authorized by this section shall be covered into the Treasury as miscellaneous receipts.

SEC. 2. The property referred to in the first section was leased from the United States by the Woods Hole Yacht Club for the 25-year period beginning on January 1, 1935, under authority of Private Law 341, 73d Congress, approved June 25, 1934 (48 Stat. 1430), being that portion of the property owned by the United States at Penzance Point, or Long Neck, Woods Hole, and more particularly described as follows:

Side A, from boundary mark in direction 224 degrees 14 minutes 45 seconds true, a distance of 90 feet, which comes to high-water mark; side B, from boundary mark in direction 111 degrees 14 minutes 45 seconds true, a distance of 215 feet; side C, from easterly end of side B in direction 190 degrees 29 minutes 15 seconds true, a distance of 74 feet, which comes to the high-water mark; side D, from the southerly end of side C in a westerly direction along the irregular high-water line to the southerly end of side A and including the rocks lying offshore.

With the following committee amendment:

Strike out all after the enacting clause and insert "That, notwithstanding any other provision of law and upon determination by the Administrator of General Services that the property described in section 2 of this act is surplus to the needs of the Government, the Administrator of General Services shall convey to the Woods Hole Yacht Club, Woods Hole, Mass., subject to such terms, conditions, reservations, and restrictions as may be determined by the Administrator of General Services to be necessary to protect the interests of the United States, all right, title, and interest of the United States in and to the real property described in section 2, upon the payment to the United States by such yacht club of the fair market value of such property, as determined by the Administrator of General Services, within a 2-year period beginning on the date the property is determined to be surplus. In determining the fair market value for the purposes of this act the Administrator of General Services shall not include the value of improvements constructed on such property by such yacht club during the period of the lease referred to in section 2. The money received from the conveyance authorized by this section shall be covered into the Treasury as miscellaneous receipts."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RENOUNCE RIGHT IN CERTAIN LANDS IN MONTANA

The Clerk called the bill (S. 1319) to renounce any right, title, and interest which the United States may have in certain lands in Montana.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the United States hereby renounces any right, title, and interest to lots 5 to 12, block 25, Graves second addition, Harlowton, Wheatland County, Mont., which it may have obtained under the last will and testament of Edwin A. Patterson, of Harlowton, Mont., who died on May 12, 1954.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIGHTS TO REMOVE TIMBER FROM ACQUIRED UNITED STATES LANDS

The Clerk called the bill (H. R. 7522) to authorize the extension of certain rights to remove timber from lands acquired by the United States.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That in order to provide time sufficient for the acceptance thereof by the Secretary of the Interior under the act of March 20, 1922, as amended (16 U. S. C. 485, 486), in exchange for authority from the Secretary of Agriculture to cut and remove not to exceed an equal value of national forest timber, the Secretary of Agriculture is authorized to extend for a period reserved by it in deed dated September 20, 1957, the right of the McCloud River Lumber Co. to cut and remove merchantable timber reserved by it in deed dated September 20,

1932, situated on those parts of northeast quarter northeast quarter, southwest quarter northeast quarter, west half southeast quarter section 12, township 39 north, range 2 west, Mount Diablo meridian, north and west of the McCloud River (further identified as land exchange survey No. 331), which reservation is set forth as an exception in deed from Shaw Lumber Co. to the United States dated February 20, 1941, and recorded on page 30, volume 120, official records of Siskiyou County, Calif.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALL OF THE HOUSE

Mr. CANNON. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ROONEY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 114]

Andresen, August H.	Hillings	Prouty
Bailey	Holtzman	Reece, Tenn.
Baker	Kean	Scherer
Beamer	Keeney	Simpson, Ill.
Bennett, Mich.	Knox	Taylor
Bentley	McCarthy	Ullman
Bowler	McConnell	Wigglesworth
Celler	McIntosh	Williams, Miss.
Dawson, Ill.	Machrowicz	Williams, N. Y.
Dooley	Meader	Willis
Griffin	Murray	
Haskell	Porter	
	Powell	

The SPEAKER. On this rollcall 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1957

Mr. CANNON. Mr. Speaker, I call up the conference report on the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 478)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, 11, 12, 13, and 26.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 18, 19, 20, 27, 29, 30, 32, 34, and 36, and agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,215,776"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 25, 28, 31, 33 and 35.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOHN TABER,
BEN F. JENSEN,
H. CARL ANDERSEN,
CLIFF CLEVENGER,
Managers on the Part of the House.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
STYLES BRIDGES,
LEVERETT H. SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

CHAPTER I

Department of Agriculture

Amendment No. 1: Inserts heading.

Amendment No. 2: Reported in disagreement. It is the intention of the managers to offer an amendment which will make $4 million available through June 30, 1958. This amount includes funds to reimburse the President's Disaster Relief Fund which is available to meet emergency needs of this type where specific appropriations have been exhausted.

Amendment No. 3: Deletes language proposed by the Senate appropriating $25 million for emergency range conservation. The funds for this purpose were not agreed to since policies and procedures have not yet been worked out to insure that the money expended will result in the improvement or protection of cover on the land as contemplated by the law.

Amendment No. 4: Inserts heading.

Amendment No. 5: Reported in disagreement. It is the intention of the managers to offer an amendment which will provide $11,500,000 for emergency feed and seed assistance. This amount includes funds to reimburse the President's Disaster Relief Fund which is available to meet emergency needs of this type where specific appropriations have been exhausted.

Amendment No. 6: Authorizes $26 million for farm ownership loans as proposed by the Senate.

CHAPTER II

Panama Canal Company

Amendment No. 7: Deletes language proposed by the Senate appropriating $1 million for the Panama Canal bridge.

CHAPTER III

Department of Defense—Military functions

Amendment No. 8: Reported in disagreement.

CHAPTER IV

American Battle Monuments Commission

Amendment No. 9: Reported in disagreement.

CHAPTER V

Independent offices

Amendment No. 10: Reported in disagreement.

Amendments Nos. 11, 12, and 13: Delete language proposed by the Senate relating to the Federal Employees' Group Life Insurance Fund.

Amendments Nos. 14, 15, and 16: Reported in disagreement.

CHAPTER VI

Department of the Interior

Amendment No. 17: Reported in disagreement.

Amendment No. 18: Authorizes $283,000 for resources management, to be derived by transfer, instead of $133,000 as proposed by the House.

Amendment No. 19: Appropriates $15,000 for the Alexander Hamilton Bicentennial Commission as proposed by the Senate.

CHAPTER VII

Department of Health, Education, and Welfare

Amendment No. 20: Amends language of the House relative to hospitalization and medical care as proposed by the Senate.

Amendment No. 21: Reported in disagreement.

CHAPTER VIII

Public works

Amendments Nos. 22 and 23: Reported in disagreement.

CHAPTER IX

Department of State

Amendment No. 24: Appropriates $750,000 for salaries and expenses instead of $500,400 as proposed by the House and $1 million as proposed by the Senate. The conferees do not approve of the use of any appropriated funds for official residence allowances for deputy chiefs of missions or for medical benefits for dependents.

Department of Justice

Amendment No. 25: Reported in disagreement.

Funds appropriated to the President

Amendment No. 26: Appropriates $1,300,000 as proposed by the House instead of $1,500,000 as proposed by the Senate.

CHAPTER XI

Legislative branch

Amendments Nos. 27 through 34: Insert items for the Senate as proposed by the Senate. Of the foregoing, amendments 28, 31, and 33 are reported in disagreement.

Amendment No. 35: Reported in disagreement.

CHAPTER XII

Claims for damages, audited claims, and judgments

Amendments Nos. 36 and 37: Insert reference to Senate Document and appropriate $4,215,776 instead of $4,437,896 as proposed by the Senate. The amount agreed to is $222,120 less than proposed, due to the

elimination of the judgment set forth in Schedule C of Senate Document No. 38.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOHN TABER,
BEN F. JENSEN,
H. CARL ANDERSEN,
CLIFF CLEVENGER,
Managers on the Part of the House.

Mr. CANNON. Mr. Speaker, in addition to the conference report, the statement of which has just been read from the desk, there are 15 amendments in technical disagreement, mere formalities, and 2 amendments in material disagreement, 1 on flood insurance and the other on the stockpiling of strategic minerals, notably tungsten, which must be disposed of following adoption of the report.

I yield to the gentleman from New York [Mr. TABER] such time as he may require.

Mr. TABER. Mr. Speaker, as far as the conference report is concerned, I do not desire any time; it is as good as we can get.

I would like to say, however, that if we could get rid of all the amendments except the two in disagreement before we take them up, we would get along a little easier.

The conference report was agreed to.

Mr. CANNON. In compliance with the suggestion of the gentleman from New York [Mr. TABER], I ask unanimous consent that amendment Nos. 15 and 17 be considered last.

There was no objection.

Mr. CANNON. I ask unanimous consent that amendments Nos. 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the amendments, as follows:

Senate amendment No. 8: Page 6, line 16, insert:

"DEPARTMENT OF THE ARMY

"Military personnel

"For an additional amount for 'Military personnel,' $27,444,000, to be derived by transfer from the appropriation for 'Procurement and production,' Army."

Senate amendment No. 9: Page 7, line 13, insert:

"AMERICAN BATTLE MONUMENTS COMMISSION

"Construction of memorials and cemeteries

"To the extent that the Commission may find necessary or desirable, the appropriation granted under this head in the General Government Matters Appropriation Act, 1957, shall be available for the purposes of the act of April 2, 1956 (70 Stat. 84)."

Senate amendment No. 10: Page 8, line 11, insert:

"CIVIL SERVICE RETIREMENT ACT

"For the purpose of determining the beginning date of the annuity under the Civil Service Retirement Act of any survivor of a Member of Congress who dies subsequent to April 1, 1956, and prior to the effective date of the Civil Service Retirement Act Amendments of 1956, such amendments shall be deemed to have taken effect on April 1, 1956, but no such annuity shall commence by reason of the enactment of this section prior to the date of such enactment."

Senate amendment No. 14: Page 9, line 18, insert:

"OPERATING EXPENSES, FEDERAL SUPPLY SERVICE

"The limitation under this head in the Independent Offices Appropriation Act, 1957, on the amount available for expenses of travel, is increased from '$120,000' to '$130,000.'"

Senate amendment No. 21, page 14, line 24, insert:

"FOREIGN QUARANTINE SERVICE

"Section 364, part G, title III, of the Public Health Service Act is amended by adding thereto the following subsections:

"'(c) Employees of the United States Public Health Service, Foreign Quarantine Division, performing overtime duties including the operation of vessels, in connection with the inspection or quarantine treatment of persons (passengers and crews), conveyances, or goods arriving by land, water, or air in the United States or any place subject to the jurisdiction thereof, hereinafter referred to as "employees of the Public Health Service", when required to be on duty to perform such duties between the hours of 6 o'clock postmeridian and 6 o'clock antemeridian (or between the hours of 7 o'clock postmeridian and 7 o'clock antemeridian at stations which have a declared workday of from 7 o'clock antemeridian to 7 o'clock postmeridian), or on Sundays or holidays, shall be paid, in lieu of compensation under any other provision of law, at the rate of 1½ times the basic hourly rate for each hour that the overtime extends beyond 6 o'clock (or 7 o'clock as the case may be) postmeridian, and 2 times the basic hourly rate for each overtime hour worked on Sundays or holidays. As used in this subsection, the term "basic hourly rate" shall mean the regular basic rate of pay which is applicable to such employees for work performed within their regularly scheduled tour of duty.

"'(d) (1) The said extra compensation shall be paid to the United States by the owner, agent, consignee, operator, or master or other person in charge of any conveyance, for whom, at his request, services as described in this subsection (hereinafter referred to as overtime service) are performed. If such employees have been ordered to report for duty and have so reported, and the requested services are not performed by reason of circumstances beyond the control of the employees concerned, such extra compensation shall be paid on the same basis as though the overtime services had actually been performed during the period between the time the employees were ordered to report for duty and did so report, and the time they were notified that their services would not be required, and in any case as though their services had continued for not less than 1 hour. The Surgeon General with the approval of the Secretary of Health, Education, and Welfare may prescribe regulations requiring the owner, agent, consignee, operator, or master or other person for whom the overtime services are performed to file a bond in such amounts and containing such conditions and with such sureties, or in lieu of a bond, to deposit money or obligations of the United States in such amount, as will assure the payment of charges under this subsection, which bond or deposit may cover one or more transactions or all transactions during a specified period: *Provided*, That no charges shall be made for services performed in connection with the inspection of (1) persons arriving by international highways, ferries, bridges, or tunnels, or the conveyances in which they arrive, or (2) persons arriving by aircraft or railroad trains, the operations of which are covered by published schedules, or the aircraft or trains in which they arrive, or (3) persons arriving by vessels operated betweeen Canadian ports and ports on Puget Sound or operated on the Great Lakes and connecting waterways, the operations of which are covered by published schedules, or the vessels in which they arrive.

"'(2) Moneys collected under this subsection shall be deposited in the Treasury of the United States to the credit of the appropriation charged with the expense of the services, and the appropriations so credited shall be available for the payment of such compensation to the said employees for services so rendered.'"

Senate amendment No. 22: page 19, line 7, insert:

"DEPARTMENT OF THE INTERIOR

"Southeastern Power Administration

"Operation and maintenance

"For an additional amount for 'Operation and maintenance, Southeastern Power Administration', $35,000, to be derived by transfer from the appropriation for 'Operation and maintenance, Southwestern Power Administration', fiscal year 1957."

Senate amendment No. 23: page 20, line 8, insert:

"RIVERS AND HARBORS AND FLOOD CONTROL

"Construction, general

"That portion of title III of the Act of July 2, 1956 (Public Law 641, Eighty-fourth Congress, 70 Stat. 474, 480), that pertains to the purchase of lands and improvements in the Buford-Trenton Irrigation District in lieu of protecting said Buford-Trenton Irrigation District in connection with development, construction, and operation of the Garrison Dam and Reservoir project on the Missouri River, is amended to read as follows:

"'That in lieu of protecting the East Bottom of Buford-Trenton Irrigation District, the sum of $1,621,791 of the funds herein or hereafter appropriated for the Garrison Dam and Reservoir project on the Missouri River shall be available for the purchase of lands and improvements in and contiguous to the Buford-Trenton Irrigation District, exclusive of tracts numbered H. H. 3170 and H. H. 3168, and not to exceed $2,000,000 shall be available to the Corps of Engineers for protection of the intake structure of the pumping plant in Zero Bottom and for the construction of bank protection to prevent erosion in the Missouri River adjacent to the Buford-Trenton irrigation project. The substitution of land acquisition for protection shall be made and the Secretary of the Army shall acquire such land and improvements if all of the landowners, except Lester G. Larson, the heirs of Louis Morin, Junior, and the heirs of A. Desjarlais, on or before September 15, 1957, have offered to sell their property on the terms agreeable to said landowners, and within the amount provided for such land acquisition: *Provided*, That the Chief of Engineers, United States Army, is authorized to acquire by condemnation proceedings, in the appropriate United States district court, tract 208 C of the Buford-Trenton project, Williams County, North Dakota, according to the recorded plat thereof which tract is owned by Lester G. Larson, the public domain allotment of A. Desjarlais, now deceased, described as Government lots 5 and 8 in section 19 and Government lot 1 in section 30, township 153 north of range 102 west of the fifth principal meridian, North Dakota, and the public domain allotment of Louis Morin, Junior, now deceased, described as the west half southwest quarter, section 16, and the north half southeast quarter, section 17, township 153 north, range 102 west, fifth principal meridian, North Dakota, in connection with the construction and operation of the Garrison Dam and Reservoir: *Provided further*, That in the event land acquisition is undertaken in lieu of protection of the East Bottom, that in

recognition of the increased per acre annual operation and maintenance cost of the remaining lands in the Buford-Trenton Irrigation District, the construction charge obligation assignable to the remaining lands of said district pursuant to the Act of October 14, 1940 (54 Stat. 119), as amended, and the proposed contract between the United States and the Buford-Trenton Irrigation District, approved as to form February 23, 1955, shall be nonreimbursable, and the Secretary of the Interior is authorized and directed to enter into a contract with the Buford-Trenton Irrigation District to transfer operation and maintenance responsibility for project works constructed by the Bureau of Reclamation for the benefit of the Buford-Trenton Irrigation District to such district."

Senate amendment No. 25: Page 23, line 10, insert:

"DEPARTMENT OF JUSTICE

"Legal activities and general administration

"Salaries and Expenses, United States Attorneys and Marshals

"For an additional amount for 'Salaries and expenses, United States attorneys and marshals,' not to exceed $300,000, to be derived by transfer from any appropriation available to the Department of Justice for the fiscal year 1957."

Senate amendment No. 28, page 28, line 14, insert "For payment to Jean K. McCarthy, widow of Joseph R. McCarthy, late a Senator from the State of Wisconsin, $22,500."

Senate amendment No. 31, page 28, line 20, insert "There is hereby established within the contingent fund of the Senate a revolving fund which shall consist of (1) the unexpended balance of the appropriation 'Contingent expenses, Senate, stationery, fiscal year 1957,' (2) any amounts hereafter appropriated for stationery allowances of the President of the Senate and of Senators, and for stationery for use of committees and officers of the Senate, and (3) any undeposited amounts heretofore received, and any amounts hereafter received as proceeds of sales by the stationery room of the Senate. Any moneys in the fund shall be available until expended for use in the same manner and for the same purposes as funds heretofore appropriated to the contingent fund of the Senate for stationery, except that (1) the balance of any amount appropriated for stationery for use of committees and officers of the Senate which remains unexpended at the end of any fiscal year, and (2) allowances which are not available for obligation due to vacancies or waiver of entitlement thereto, shall be withdrawn from the revolving fund."

Senate amendment No. 33, page 31, line 5, insert "Not to exceed $25,000 of the amount of $60,000 under the heading 'Capitol Buildings' continued available for the fiscal year 1957 in the Legislative Branch Appropriation Act, 1957, for the installation of 2 additional elevators in the Senate wing of the Capitol, is hereby made available for expenditure without regard to section 3709 of the Revised Statutes, as amended, for repairs and improvements to the 2 elevators in the Senate wing located adjacent to the 2 additional elevators, and is continued available until June 30, 1958."

Senate amendment No. 35, page 32, line 10, insert:

"GENERAL PROVISION

"Notwithstanding the provisions of any other law, the unexpended balances of appropriations for the fiscal year 1955 and succeeding fiscal years which are subject to disbursement by the Secretary of the Senate or the Clerk of the House of Representatives shall be withdrawn as of June 30 of the second fiscal year following the year for which provided. Unpaid obligations chargeable to any of the balances so withdrawn or appropriations for prior years shall be liquidated from any appropriations for the same general purpose, which, at the time of payment, are available for disbursement."

Mr. CANNON. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate and concur therein.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 and concur therein.

Mr. CANNON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, the pending blanket motion of the distinguished gentleman from Missouri [Mr. CANNON] includes, with regard to amendment in disagreement No. 21, a motion that the House recede from its technical disagreement to this amendment of the Senate No. 21, and concur therein.

I am sure that the House will unanimously agree with the action suggested by the gentleman from Missouri and adopt the Senate language with regard to the Foreign Quarantine Service, Public Health Service, Department of Health, Education, and Welfare. This language provides for the payment of overtime services of employees of the Foreign Quarantine Division of the United States Public Health Service without cost to the taxpayers, and will permit the clearing of ships at our ports after 6 o'clock in the evening and on Sundays and holidays.

In unanimously agreeing to the language contained in amendment of the Senate No. 21, the conferees were also in unanimous agreement that nothing should be done to disturb the long-established practice affecting officers of the Customs and Immigration Services insofar as overtime services and reimbursement by the parties requesting such overtime services are concerned. The practice, as carried out by these two agencies, is one that is equitable to the Government, to the employee, and to the third party. It is the opinion of the conferees that an extension of this practice to quarantine officers of the Public Health Service would be consistent with this long-established equitable principle that has been in effect for many years and comprises a formula that has been practical and satisfactory at great savings to the taxpayers.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendments.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: On page 3, line 2, insert:

"EMERGENCY CONSERVATION MEASURES

"For an additional amount to enable the Secretary to make payments to farmers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created which, (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage which is unusual in character and, except for wind erosion, is not the type which would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use, and for reimbursement to the appropriation to the President for 'Disaster relief,' for allocations to the Secretary of Agriculture for such purposes, $15,000,000: *Provided*, That this appropriation may be expended without regard to the adjustments required under section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended (16 U. S. C. 590h), and may be distributed among States and individual farmers without regard to other provisions of law."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 2, and concur therein with an amendment, as follows: "Strike out the sum of '$15,000,000', named in said amendment and insert in lieu thereof '$4,000,000, to remain available through June 30, 1958.' "

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 4, line 8, insert:

"DISASTER LOAN REVOLVING FUND

"Not to exceed $15,000,000 of the Disaster Loan Revolving Fund established under the act of April 6, 1949, as amended (12 U. S. C. 1148a–1 to 1148a–3), may be used for emergency feed and seed assistance under section 2 (d) of said act in addition to, and under the same conditions as, the amount made available under this head in the Third Supplemental Appropriation Act, 1954 (68 Stat. 81, 88)."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows: In lieu of the sum of $15,000,000" named in said amendment, insert "$11,500,000."

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 10, line 3, "Notwithstanding" insert the following: "For an additional amount for "Inpatient care", $2,000,000, of which $1,450,000 shall be derived by transfer from the appropriation for "General operating expenses", fiscal year 1957, and $550,000 shall be derived by transfer from the appropriation for "outpatient care", fiscal year 1957: *Provided*, That, notwithstanding."

Mr. CANNON. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON moves that the House recede from its disagreement to the amendment of the Senate numbered 16, and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment insert "For an additional amount for "Inpatient care", $1,000,000, of which $725,000 shall be derived by transfer from the appropriation for "General operating expenses", fiscal year 1957, and $275,000 shall be derived by transfer from the appropriation for "Outpatient care", fiscal year 1957: *Provided*, That, notwithstanding."

The SPEAKER. The question is on the motion offered by the gentleman from Missouri that the House recede and concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement, Senate amendment No. 15:

The Clerk read as follows:

Senate amendment No. 15: On page 10, line 1, insert:

"HOUSING AND HOME FINANCE AGENCY

"Office of the Administrator

"Federal Flood Indemnity Administration

"Payment for flood indemnity operations

"For payment of compensation for services rendered by private organizations and persons pursuant to section 13 (a) of the Federal Flood Insurance Act of 1956 (70 Stat. 1078), for services and facilities of the Federal Reserve banks and public agencies as authorized by section 13 (b) of said act, $14,000,000, to remain available until expended."

Mr. CANNON. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

Mr. BOLAND. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. BOLAND moves that the House recede and concur in Senate amendment No. 15.

Mr. CANNON. Mr. Speaker, I ask for a division on the question.

The SPEAKER. The question is: Will the House recede from its disagreement to the amendment of the Senate numbered 15.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, this amendment and the motion which I offered to recede and concur in the Senate amendment embraces the $14 million necessary to get the Federal flood insurance program off the ground. Those who were in the Chamber on May 7 will recall that in the third supplemental appropriation bill the committee struck out the $50 million which was requested by the FFIA, and I moved the amendment on the floor of the House at that time to restore $14 million in order that the program could get started.

At that time, Mr. Speaker, I said that the question before the House is not whether or not we want a flood insurance program. The question before the House was whether or not we wanted that program to get started, because the issue of whether or not this Congress wanted a flood insurance program was well settled back in July 1956, when this House and the other body voted overwhelmingly for a flood insurance program recommended by the President of the United States and also recommended in the several bills which were filed by a great many Members of this body and in the other body. At that time, last July, this House and the Senate voted overwhelmingly in favor of a flood insurance program.

Now, it is impossible to have a flood insurance program unless we implement that program with the necessary funds, and that is precisely what this amendment will do. All we ask is that this House agree with the Senate in restoring the $14 million to the Federal Flood Indemnity Administration. This amendment was defeated on May 7 of this year in this House, 127 to 97, by a teller vote. The bill went over to the Senate and the Senate put this $14 million back into the bill and put it back in overwhelmingly.

I would like to call the attention of the Members of this House to the debate that occurred on May 7 in which the argument was made against the program on the basis that it would mean another $5 billion of Federal funds outlay, consisting of $3 billion plus $2 billion more on presidential approval. I would like to deal directly with that argument, because some of my colleagues might have been influenced by that argument on the floor at that time. To begin with, there is no likelihood that the Government would ever be called upon to pay that amount of money in any one policy year. It should be remembered that the $3 billion or $5 billion represents the total authorized amount of liability in force, and to my mind the statement that this amount of liability in force must be paid off in any one year is contrary to the fact, and I think the facts will prove it.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. Is it not also true that the program today is even more important than it was when you first introduced your amendment, in view of the recent floods and the disasters that have struck different sections of our country?

Mr. BOLAND. The gentleman is right. This condition is not confined to New England. The only reason more New Englanders got on the floor May 7 in defense of this bill is because we have lived with floods longer than anybody else in this Nation. The fact of the matter is that recent events show that this is a problem that is common to the entire United States, not only New England but the west coast, the north and south Atlantic coasts, the middle Atlantic coast, Kansas, Iowa, South Dakota, Missouri, Oklahoma, Texas. All over the United States there is a demand for this kind of insurance, for this kind of program, so that the little man who is unable to get insurance might be able to insure his property, either his dwelling or the contents of his dwelling, for $10,000 coverage. That is all we ask for. This is the kind of coverage that is not available generally in the insurance industry, and they have shied away from it, as the distinguished chairman has said. They have shied away from it, because it will be an expensive program, and the Federal Government will pay all the loss. That is precisely what we said when this bill was debated. At that time we said the losses would be paid by the Federal Government, and this is an opportunity to put the Federal Government into the insurance business on a plane on which it ought to come in, because this is a cooperative basis. On this basis the private insurance companies will write all of the insurance and the administration of it will be supervised by the Federal Government. That is precisely the manner in which we ought to get this started.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I would like to ask the gentleman if these insurance policies could also cover such items as fences and crops on farmlands in the event of floods.

Mr. BOLAND. No. In my opinion it would not cover crop losses, unless there was a washaway of the soil by the water. It would be possible there.

Mr. EDMONDSON. The gentleman thinks it would cover a washaway of the soil. Would it cover fences and outbuildings on farms?

Mr. BOLAND. My information is that it would cover outbuildings, barns, and so forth.

In the debate in the House on May 7, the argument was made against the program on the basis that it would mean another $5 billion outlay of Federal funds, consisting of $3 billion, plus $2 billion more on Presidential approval. I would like to deal directly with this argument because some of my colleagues might have been influenced by such a statement.

To begin with, there is no likelihood that the Government would ever be called upon to pay that amount of money in any one policy year. It should be remembered that the $3 or $5 billion represents the total authorized amount of liability in force and to make the statement that this total liability would have to be paid off in any 1 year is contrary to the fact, and I will prove it.

First, the $3 billion will be spread nationwide on a basis related to the exposure in the various 14 different rating areas and there is no likelihood that there would be total losses under all policies in all parts of the country at the same time. The entire approach which has been developed by the FFIA has been to spread the risk nationwide and not concentrate the coverage in one particular flood area.

Second, the FFIA has built into the program certain safeguards in addition to those set forth in the statute. They are as follows:

The amount of insurance which can be sold to any person or corporation is limited to $250,000 and to $10,000 on a dwelling and its contents.

The contract itself will be for 1 year, noncancellable with the premium payable in advance. There will be a 30-day

waiting period before the effective date—purposely adopted to avoid insuring risks when the storm warnings go up, and cancelling policies when the storms have passed over.

In addition to a number of exclusions, the contracts will contain a $500 deductible plus 5 percent of the remainder of the loss.

Most losses arising under the contracts will in all probability be partial losses, and the amounts payable will fall below the face amount of the policies. Consequently, the total amount of $3 billion authorized by the statute, representing the maximum face amount of the contracts issued, is not and reasonably should not be assumed to be the measure of the Government's exposure.

By selling the contracts nationwide, we believe sufficient spread will be obtained to minimize losses. The rating treatment is based on major river basins, and experience shows that all river basins do not suffer damaging floods in any one year.

As indicated previously, losses may be lower than the amount paid by the policyholders alone and, conversely, may exceed that amount. In our opinion, over a period of years, with progressive rate adjustments, the premium income from policyholders should be equal to or above what we can reasonably expect to pay out in claims settlement.

The underwriting and distribution of the contracts will be controlled so that there will be no undue concentration in any one area. Rates will be adjusted rapidly to changing conditions, especially in areas of high exposure.

By controlling rates, underwriting, and distribution, I expect to modify the subsidy downward with the hope that it would ultimately reach zero. If this program is to be absorbed into the private insurance market, as intended by the Congress, the rate must be adequate, without any contribution from the States or Federal Government.

To take the argument of those opposed to this motion that you measure the amount of loss by the insurance in force and then assume that that is the liability that would have to be paid off in any 1 year would mean that no insurance company could exist. The fact is that no insurance company ever deals with the total liability in force. The only figure that is meaningful is the average annual losses a company will be called upon to pay and then obtain sufficient premium income for that purpose, and that is what the FFIA program is designed to do. The experts who have been dealing with this program have placed the figure of $90 million as the maximum liability that the Government would be called upon to pay in losses in any 1 year and the rates are based on this figure.

One of my distinguished colleagues referred in the debate of May 7 to the fact that in 1951 flood losses in the Kansas City area amounted to $2½ billion and then made the assumption that if $2 billion of these losses were covered under the program, or even $1 billion, the Government, after the collection of premiums, would have to pay out of the United States Treasury $900 million for that 1 flood alone. Again, those opposed to this motion are dealing with false assumptions. The $2½ billion to which they refer takes into account all types of losses and as I have already indicated, this flood insurance would be spread nationwide and there could not be a concentration of this amount of liability in any one area. Secondly, much of the properties that go into making up the $2½ billion would not be insured under exclusions in the insurance contract itself. Thirdly, the maximum liability on any 1 property is fixed by statute at $10,000 on dwellings and $250,000 on commercial properties, and there are deductible provisions, all of which would reduce the total amount of losses payable by the Government. In addition, not all persons in any flood area will be holders of policies. Indeed, it has been stated by those opposed to this motion that the premiums are so high that not many people would purchase it anyway.

Congress wisely provided that this was to be an experimental program with a 5-year maximum period. Those opposed to the motion, in recognition of this experimental measure, have stated that the FFIA should continue to study the program another year and use up the $325,000 remaining out of the original appropriation of $500,000. In my judgment, to continue to study this program further would be a waste of time and money. The best abilities available in the private insurance industry and in Government have developed this program after almost 10 months of diligent, conscientious, and continuous work and study and, in their opinion, it is now ready to be given a trial by actually offering the product to the American public at the prices that have been determined upon. The only real test of whether this program or any other is feasible is the market place, and while the agency could continue to study various aspects indefinitely, we will never know whether or not the program is sound and marketable unless and until it is given a field test by actual sale of policies. In addition, all insurance, and in fact, all new business ventures must develop experience upon which to predicate prices, distribution, and acceptability, and the only way that can be done in this new venture is by actually offering the contract of insurance publicly. The insurance industry has made it abundantly clear that if the Federal Government develops experience, which they are unable to do, and this experience establishes the feasibility of this type of insurance, they would then undertake to offer such coverage to the American people on a private-enterprise basis, which is the ultimate result this Congress had in mind when it passed the legislation less than 1 year ago.

I therefore urgently recommend this House to authorize the $14 million by appropriation in order that we can give this program a fair trial and achieve the results which were intended by offering to the American people some measure of self-protection.

Mr. Speaker, I include an editorial from the Washington Post of June 17, 1957:

IMPERILED FLOOD INSURANCE

The move to deny all funds for flood insurance merits a high place on the list of strange actions taken in the name of economy. Last year Congress appropriated $500,000 to set up the Federal Flood Indemnity Administration. In 1955 the country's losses from floods had mounted to about $1 billion and Congress was almost unanimous in its decision that something must be done to minimize these losses to citizens and to relieve the Government of heavy demands for the relief of flood victims. Now the flood-insurance system is ready to operate, but the House voted to deny it the necessary funds.

What has happened to change Congressional sentiment in this fashion? One factor is the reduction of flood losses last year, although they are again high in 1957, and another is the economy wave. As the flood-insurance program is not yet in operation, some legislators appear to have concluded that it can be slashed without taking anything away from anybody. Well, that may be good politics, but it involves a flagrant disregard of the public interest.

One absurd argument that is being made against the program is that it would mean another $5 billion outlay of Federal funds. Actually the FFIA is authorized to write insurance totaling not more than $3 billion, which could be raised to $5 billion upon authorization by the President, but this would create only insurance liability. The FFIA has set up a schedule of flood-insurance rates, covering 14 different zones, with the aid of commercial rating specialists. People in danger of floods would buy this flood insurance from commercial firms with the Government merely underwriting the venture because no private company is in a position to do so. Some losses might be incurred, but it is absurd to talk as if the $3 billion liability were an expenditure.

For the first time this system would enable people living in areas of flood danger to contribute to their own protection. That is in accord with the general American pattern. The net effect might be to reduce demands upon the Government in flood emergencies and thus produce savings instead of added expenditures. Certainly a system that offers such potential advantages to the Government as well as to flood victims should not be abandoned without a trial.

House conferees who have been fighting this program will take their disagreement with the Senate conferees to the House floor today. That will give an opportunity for second thinking. In our opinion, the House should candidly recognize its error and accept the $14 million the Senate wrote into the third supplemental appropriations bill to put the system into operation.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Mr. Speaker, the issue before us is whether the House conferees are to recede on their disagreement with Senate amendment No. 15 to the third supplemental appropriations bill—H. R. 7221. This would restore $14 million to the Federal Flood Indemnity Administration. I am speaking in favor of restoring that sum.

This issue was before this House on May 7. But in spite of the lengthy discussion we had on the flood insurance item at that time I don't think the

Members had an opportunity to understand the real issues. There was some confusion on this item because of errors of fact that came forth during the heat of the debate. If we are to deal intelligently with this matter, those errors must be corrected.

Let me add that this is not an academic question of keeping the RECORD correct—although that is a factor. These errors of fact are preventing people all over America—my constituents included—from getting protection against flood losses which this Congress authorized in the past session.

By way of background, the President asked in his budget message for $100 million to make the flood insurance program operative. Subsequently, the administration cut its estimates in half and the actual request was for $50 million.

The Federal Flood Insurance Act, which we enacted last year by an overwhelming majority, authorizes the Government to insure $3 billion worth of property, and another $2 billion with the authorization of the President. By normal insurance standards this is a small underwriting authority. Many individual fire and casualty companies insure greater valuations of property.

The Government will use normal private enterprise channels to market and service this flood insurance and it will pay the insurance companies for their actual costs—and nothing more. For this purpose, it is estimated the Government will need $14 million. That is the item we are considering today.

Let us be clear on that. The $14 million we are now considering—which was restored in the appropriation by the Senate—is not for the Federal Flood Indemnity Administration to hire employees, or to pay rent or to do any of the other things that contribute to enlarging the Federal establishment. It is to pay for the services of the private insurance people who will be performing a valuable service for the Government—in place of Government employees.

Some Members have implied that the insurance companies will make money on this arrangement. That is not so. The companies have agreed to sign contracts with the Federal Government whereby they will perform these functions at no profit, no overhead, and will not even charge for administrative costs. The net effect is that Frank Meistrell, Commissioner of the Federal Flood Indemnity Administration, has an option on the services of the entire American insurance industry at cost. He will pay for these services if and when they are used. I challenge anyone to suggest a more efficient and economical way to do this job.

If you have a piece of property and you want to insure it against floods, the Government will estimate the rate. If the estimate is $1 for $100 of insurance, the property owner will pay 60 cents and the Government will pay 40 cents. The 40 cents is the subsidy which was mentioned on the House floor during the past debate. The subsidy money does not go to the insurance companies as a Member suggested. It goes into a disaster insurance fund—along with the property owner's 60 cents of premium payment—and this money will be earmarked as loss reserves. This premium money and subsidy money can be used only for one purpose: Payments of loss claims.

Where will the Federal Flood Indemnity Administration get the subsidy money for the disaster insurance fund? By borrowing from the Treasury.

The borrowing authority is provided in the Federal Flood Insurance Act of 1956. I had to look to be sure. During some of the debate on this floor on May 7 it sounded for all the world like this agency had been caught sneaking into the Treasury through some legal loophole. But no, here is the authorization in the act we passed in this body. The act gives the agency the right to borrow—and I quote—"an amount not exceeding $500 million (or such greater amount as may be approved by the President)."

A distinguished Member of this House, a man whose ability we all respect—had this to say during the heat of the May 7 debate:

> One section says that the amount of insurance that can be outstanding at any one time is a small, paltry sum of $5 billion. So I presume that any good administrator would limit the amount of Treasury borrowing to a cool $5 billion. And how often? Every 12 months. Five billion dollars every 12 months. Now think about that.

I did think about that and I was shocked to think that a distinguished Member would make such a statement on the floor of this House.

True, the agency can insure $3 billion worth of property and another $2 billion with the authority of the President. True, if there are losses in excess of premium income the agency will borrow to pay claims.

But do you know that in any large disaster only a percentage of the victims carry insurance? Do you know that most people under insure? The Government's flood-insurance policies only permit $10,000 coverage on a home and $250,000 on commercial property. Do you know that every policy will carry deductible provisions where the insured must pay the first $500 of his loss plus 5 percent of the remainder of the loss? Do you know that zoning provisions in the act give the agency the right to refuse to write insurance in an area if there are no zoning laws to keep people out of the way of floods?

Enough on the misstatements. I want to use the rest of my time to advise the House on the implications of the vote today. We are voting here on the life or the death of the flood-insurance program.

The House previously passed this appropriations bill providing no funds for the Federal Flood Indemnity Administration. The Committee on Appropriations advised the agency to use the balance of money appropriated last year—some $300,000—to continue studies on the problem. But that money previously appropriated is for use only in the current fiscal year. It has not been reappropriated. So the agency dies at the end of this June. And so does the flood insurance program. And so do the hopes of my people and millions of others along the eastern seaboard, in the Ohio Valley, the Mississippi-Missouri Valley, in Texas, Oklahoma, and the west coast.

These Americans are asking only for the right to buy insurance protection from flood losses. They can get charity—the Red Cross is wonderful at that. They can get Federal handouts—the Federal Government disburses millions of dollars in relief to disaster areas.

But they do not want charity and they do not want relief. They want to pay for what they get.

But Members of this House stand up and say "No. You can't pay enough for this insurance to make a profit. So we are not going to sell it to you. There have been floods for a thousand years and there will be floods for another thousand. Too bad for you who get hurt. But no profit, no insurance."

I urge the Members to vote instructions to our conferees that they recede from their disagreement with Senate amendment 15 and restore $14 million to the flood-insurance program.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the majority leader.

Mr. McCORMACK. May I call attention to the fact that within a few weeks this House will have before it a special insurance bill in relation to peacetime atomic energy reactors, which will involve about $500 million. We may have to do that in order to inspire this activity; yet we shall probably find that those who oppose this $14 million appropriation will vigorously fight for the passage of that bill. And I probably will favor the bill, recognizing the practical situation that exists in connection with peacetime reactors. On the other hand, it seems to me that we should not make fish of one and flesh of another.

Mr. THOMPSON of New Jersey. I agree with the distinguished majority leader.

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. Mr. Speaker, I want to congratulate the gentleman from Massachusetts [Mr. BOLAND] on the fine fight that he has made on this issue. Also I compliment the gentleman from New Jersey [Mr. THOMPSON]. When the amendment was on the floor previously, I spoke in favor of it. I am in support of the amendment now and I hope that this House will adopt it.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Speaker, I should like to have the gentleman emphasize the point that there is no question about the fact that the losses will never run up to $3 billion or $5 billion. I think that was the point that was made in the

House on May 7 that impressed the House more than any other argument. The fact of the matter is that the risk will be spread all over the United States and that the risk will be allocated in particular river basins; and that the amount of the premiums that will be paid will be paid according to the type of risk that the Government will insure. So I say that there is no possibility of the Federal Government ever being called upon to pay anything like $3 billion or $5 billion in losses.

Mr. THOMPSON of New Jersey. Is it not also true that this is the first time those who are frequently stricken by floods will have the opportunity to pay toward indemnity for some of their own losses?

Mr. BOLAND. This is the first opportunity that has ever been offered. I think it is a good opportunity to give these people a chance to get some relief. This is a good way to stop the relief and rehabilitation that the Federal Government pours into disaster areas. I think this is a good way to save money. It is a good way to save tax money because every time there is a disastrous flood of course there is a large number of losses taken for tax purposes.

Mr. SEELY-BROWN. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Connecticut.

Mr. SEELY-BROWN. I think the gentleman is making a very good point, because actually this is a program which in the long run could save money. When any disaster occurs on any large scale Uncle Sam comes in and picks up the whole tab. Here we have an opportunity to give the people themselves a chance to participate in that program.

Mr. THOMPSON of New Jersey. I thank the gentleman. I thank also all of those Members of the House from the many, many States involved on both sides of the aisle for the tremendous amount of assistance being given us in this effort.

Mr. SCUDDER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. SCUDDER. The gentleman is making a constructive statement on this very necessary program, if we make insurance available for flood disaster I believe that a substantial number of policies will be issued and should give a reasonable spread of coverage throughout the potential flood areas. The premiums income, without a doubt will come from all areas subject to floods which will build a reserve to cope with many of the normal losses. Should flood insurance be available and a loss occurs the demand on the Federal Government would be lessened because they would have had the opportunity to buy insurance and the Government would not have the implied responsibility to assist in an emergency. Nobody sympathizes too much with a person who neglects to protect his property by taking out fire insurance. So if you have insurance available there will be little reason for people not insuring, the money the Federal Government puts up will be small as compared to the premiums paid by the property owners, I believe this program assisted by the Federal Government can be developed into an actually sound program and will eventually revert to private enterprise.

Mr. THOMPSON of New Jersey. Does not the gentleman think this should be consistent with the argument of those who say the Federal Government should get out of the business of direct grants wherever possible? Is it not a fact that here at least to some degree as never before there is an opportunity for people to help pay indemnity?

Mr. SCUDDER. The gentleman is absolutely right.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Speaker, I hope the House will agree to the motion to recede and concur in this amendment. As has been said already, this is insurance in which individuals will have an opportunity to participate.

Last year when this House passed a bill creating the Flood Indemnity Administration it was fully understood by everyone that this would mean that the Federal Government would have to spend some money. But let us not forget that each time we have a disaster the Federal Government spends a lot of money, because we are all in the same position, we all feel full of sympathy for the individuals who are suffering these hardships.

I have said in the past and I repeat now, those of you who have not lived through a flood have no idea of what it actually is. I say to you it was my experience in 1955 to go through that terrific nightmare that struck my district so forcefully. I shall never forget it, and I hope I never again have the same experience.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I refresh the memory of the Members of the House that only within the past several weeks a number of places in Missouri were visited with floods, also Kansas and a wide area of Texas and Oklahoma, so this is not a sectional problem, it is a national problem. May I also call attention to the fact that the Federal Flood Indemnity Administration has set up a schedule of flood insurance rates covering 14 regions.

Mr. FORAND. There is absolutely no question about what the gentleman says. It is the truth. We must also keep in mind the fact that the insurance companies have shied away from this type of risk. There is nobody that wants to take this type of risk except Uncle Sam, who should in view of the fact that all of the taxpayers of the country, if they do not contribute through the flood insurance program to the relief of the people affected by floods, will do it through their contributions to the Red Cross or through the President's emergency fund. They will do it in one way or another. Yet, the poor individual who is hit is the person who has to rely on charity whereas here you give him the opportunity to recover at least a part of his loss through insurance for which he has contributed in part.

Mr. BONNER. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. BONNER. I want to join with the gentleman in his urging the House to adopt the Senate amendment and give the people of the Nation an opportunity to protect themselves with a form of insurance that private industry does not offer. No insurance company offers this kind of insurance. Furthermore, this is not a local problem. We have seen, recently, Texas as well as many other States suffering from devastating floods. I certainly hope the House will give the people of the United States an opportunity to have this insurance and to give this insurance program a trial. If it proves successful, then it can be turned over to the private insurance companies. If it is not successful, then we will cancel it out.

Mr. FORAND. The gentleman is absolutely correct in his observation, and I thank him.

Mr. BONNER. This is a fair request to make of the House.

Mr. FORAND. The point for us to remember is that the Congress recognized the necessity for this last year.

Mr. BONNER. Yes; and the House passed it by an overwhelming vote.

Mr. FORAND. That is correct. The House passed this bill last year. Now we have been spending money to set up this program. The program is about ready to go, but if the plan does not have blood in its veins, it just cannot live.

Mr. BONNER. This is simply providing something to implement the program.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. FLOOD. Unlike most of my colleagues, I would be interested in seeing a "Flood" in my district at least every second year.

Mr. FORAND. The gentleman has one all the time.

Mr. FLOOD. But apart from that point, in the northeastern part of Pennsylvania 2 years ago we were struck by a devastating hurricane and floods and many of the people there, based upon the action of the House last year, are anticipating the setup to execute this program. I certainly concur with the efforts of the gentleman in introducing the amendment.

Mr. FORAND. Before my time runs out, I would like to call the attention of the Members to a newspaper clipping which has just been handed to me. The news story is entitled "Tornado Drops Out of Driving Rain, Destroys 25 Homes in Texas Town." It is as follows:

TORNADO DROPS OUT OF DRIVING RAIN, DESTROYS 25 HOMES IN TEXAS TOWN

OLTON, TEX., May 24.—A sneak tornado smashed down out of a driving rain here today to destroy 25 homes—1 twister of more than 20 that boiled across west Texas.

A hundred homes were damaged by another at Tahoka.

State police reported 1 person missing and 3 injured here when the twister wiped out the Negro and Latin-American sections. Rubble was being searched tonight for more possible victims.

The tornadoes broke out shortly before noon and marched across upper Texas until late afternoon.

They raged from Amarillo, in the heart of the Texas Panhandle, as far south as Midland, 240 miles south of Amarillo.

In north central Texas—at Fort Worth and Denton—flash floods from rains, of more than 8 inches in places, drove additional homeowners fleeing for safety.

It was the 37th day of violent weather in Texas, which began April 18. An estimated 64 or more persons have died this spring in the State from tornadoes, floods and lightning. Property loss has been estimated as well in excess of $100 million.

At Tahoka, 30 miles south of Lubbock, the tornado hit shortly after 1 p. m. At the small community of Wilson nearby it blew away 5 or 6 houses, and moved over Tahoka.

In Tahoka proper, it damaged about 100 structures, stripping off roofs, destroying garages and other light buildings. The storm at Tahoka was preceded by a deluge with hail the size of baseballs.

At Hereford, about midway between Lubbock and Abilene, an approaching tornado almost caused panic. Streets were cleared in 30 minutes. At least 4 traffic collisions occurred as residents scrambled for safety, and 1 man was injured in a traffic accident.

At Denton overnight rains of 8.02 inches sent Pecan Creek on a rampage. More than 50 families were driven from their homes.

Early today, the second deluge in 2 days soaked water-weary Fort Worth, forcing hundreds from their homes again. Police patroled the area, rousing residents about 2 a. m. with sirens.

Mr. CHRISTOPHER. Mr. Speaker, will the gentleman yield?

Mr. FORAND. I yield.

Mr. CHRISTOPHER. I compliment the gentleman on the fine statement that he has made. I want to tell him I am in utter accord with this legislation. However, I do not believe tornado insurance as such is included in this flood-control measure, but I am still for it because tornado insurance is purchasable now from the regular stock companies along with fire, lightning, windstorm, and so on.

Mr. FORAND. But the tornadoes bring the floods.

Mr. CHRISTOPHER. And losses from floods are not insurable.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, I desire to speak in favor of the flood insurance amendment. It is one of the features of President Eisenhower's great humanitarian program to help the people. Floods and disasters respect neither individuals nor sections. They come unexpectedly to all people. We should all realize the necessity of doing something about this problem. Realizing the scope of recent disasters, the President would like to construct a program of aid. The President is in favor of this program because he believes it is not just spending more money, but rather he believes that through the establishment of a proper insurance program the country can save money when disaster comes and erases the savings of a lifetime.

Mr. CURTIN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. CURTIN. Mr. Speaker, I again desire to add my voice to those who are appealing for this $14 million to implement the Federal Flood Indemnity Program.

Those devastated by the 1955 floods will not soon forget the terrible loss of life and property which resulted. We, the Congress, however, are now being charged with having forgotten.

Last year the Congress adopted the Federal flood indemnity insurance program. It may not be a perfect law, as has been claimed by some of its critics. However, what law is? Last year the memory of the devastating floods of 1955 was fresh in the minds of the Members of the Congress, and the decision was almost unanimous that something must be done to minimize these losses to citizens and to relieve the Government of heavy demands for the relief of flood victims. Appropriate legislation was enacted into law. No one can deny that the legislation then passed represents the first practical attempt to make flood insurance available at reasonable rates.

Under this program, people living in areas of flood danger are, for the first time, offered a practical approach to their ever present problem.

However, the program on the books is completely valueless without money to bring it into being.

I would like to repeat what I said before on this subject—this is not charity—it is merely giving to all people of this country the opportunity to partially protect themselves in time of flood—it gives them the opportunity to purchase needed insurance.

This is in accord with the general American pattern. The net effect might be to reduce demands upon the Government in flood emergencies and thus produce savings instead of added expenditures.

The sum of only $14 million is asked at this time. Last year it was felt that there was a clear duty to provide this protection. Is such duty any less this year? Therefore, I support this appropriation item.

Mr. PATTERSON. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. PATTERSON. I concur in the statements just made by the gentleman. I would remind the Members of the House that they only would have to witness a devastating flood once to realize the value of a piece of legislation like this. As far as the people are concerned, it is something that will help them. It is something that will help them to rehabilitate their business establishments and rebuild their homes. It is a program that will protect them in the future.

With many of my colleagues here in the House, I introduced flood-insurance legislation as early as January 3, 1956. I supported and fought for the bill that was subsequently enacted. This law must be given a thorough trial to afford our people some measure of protection against future floods.

In my district in Connecticut, we are exerting every effort to install flood-preventive works before the next storms strike. But the alarming fact we must not forget is that no flood-protective works are 100 percent efficient, and floods can and do occur somewhere in this country every season of the year. Furthermore, it requires years of engineering planning and construction to provide adequate flood-control protection. In the interim, flood insurance will afford some measure of protection.

Flood losses this year are already in excess of the damage caused in the whole of 1956, and the arrival of the hurricane season is awaited with great misgivings. Few sections of the country are completely secure from flood disaster, and it would be wrong to deny so many of our people the protection afforded by the Federal flood-indemnity program.

I have personally followed the step-by-step development of the flood-indemnity program, and I am firmly convinced that Commissioner Frank J. Meistrell's associates have formulated an economical and practical program that could be put into effect almost immediately if we today make available the operating funds contained in this meager appropriations item requested at this time.

Under the proposed program, any person can buy Government insurance against flood loss on his home, firm, or business property up to prescribed amounts, at rates which may be from $1 to $2.50 per $100 of coverage. The contracts will be sold and serviced by the private insurance industry.

I can think of no more economical way to operate this program than by using the personnel and facilities of the insurance industry on an actual cost basis. This is what the insurance industry has agreed to do, and it is convincing proof of their desire to make this new experiment in insurance a genuine success.

I earnestly implore my colleagues in the House to support this $14 million appropriation item to implement the Federal flood-indemnity program.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. MAY. I concur in what my colleague, the gentleman from Connecticut, has said as well as the distinguished gentleman from Massachusetts and I concur with the gentleman from Massachusetts who has instituted this amendment.

Mr. SCOTT of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mr. SCOTT of Pennsylvania. Mr. Speaker, I attended the flood-control conference called by the President and, together with the Governor of the State of Pennsylvania, at the request of the President. I was much impressed with the need for the program. I concur in and support the position that the gentleman from Massachusetts has taken.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that people living in areas which may be flooded live in perfect terror and fear of being wiped out? A

program such as this would do much to alleviate their loss.

Mr. MARTIN. I repeat, this legislation is a considered effort to help people help themselves. That is the heart of this program. It is not expected to be a continued expense upon the Government; it is an effort in time of need to give people a chance to have the insurance which would rescue them from disaster.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN. I yield to the gentleman from Florida.

Mr. CRAMER. I wish to ask a question of the chairman of the committee with regard to page 4 and amendments 11, 12, and 13 which were deleted in the Senate.

My question to the chairman of the Committee on Appropriations with regard to that is: I understand there is a Senate bill pending which would accomplish the same objective, S. 1740, and I understand that it is the belief of the Committee on Appropriations that the matter should be handled in that manner, and that already some 16 beneficial companies have been taken care of; that there are 9 who do not have the benefit the other 16 already have.

Am I correct in understanding that, as a result of the Appropriations Committee's action they are covered in the Senate bill when it is enacted?

Mr. THOMAS. Yes; I think the gentleman is correct.

Mr. CRAMER. Mr. Speaker, the purpose of my interrogating the chairman of the Appropriations Subcommittee the gentleman from Texas [Mr. THOMAS] on the deletion of amendments Nos. 11, 12, and 13 under chapter V, Independent Offices, which "deletes language proposed by the Senate relating to the Federal employees' group life insurance fund" was to bring to light the effect this deletion has on many retired people who have group life insurance with beneficial associations that have not as yet been taken over under the Federal Employees' Group Life Insurance Act of 1954, as amended in 1955, some 9 of some 25 of such groups, and some 90,000 people who have no redress if Congress doesn't give some relief this year.

The deleted language eliminates $180,000 to appropriate this amount for payment from the employees' life insurance fund expenses incurred by the Civil Service Commission in assuming and maintaining the assets and liabilities of certain beneficial associations, a program entered into under the 1954 act but which must be abandoned so far as the remaining 9 associations with slightly over 90,000 policyholders thus put in jeopardy. Since the act of August 11, 1955, amending the 1954 act, the Commission has assumed the assets and liabilities of 16 such beneficial associations, leaving these 9 yet unassumed, and the Commission is without time—act expires August 17—or money to complete the job already embarked upon.

It certainly is unfair to have the United States undertake to assume the assets and liabilities of only a part of the beneficial associations and a part of the policyholders. Why should some 90,000 policyholders in some 9 associations be discriminated against? Congress is responsible as the results of the 1954 act for jeopardizing these associations by enacting the Federal Employees' Group Life Insurance Act, and recognized this would be the case by passing the 1955 act giving some relief.

I brought out in debate that the Senate has had favorably reported to it S. 1740 by the Committee on Post Office and Civil Service and I trust that it will be passed promptly, this bill authorizing the continuation of the program under the 1955 act and protecting these 90,000 policyholders. My purpose was to call this situation to the attention of the House and to elicit from the Committee on Appropriations the thought that the amount was eliminated mainly because of the possible question that the spending of the money had not been sufficiently authorized and that the committee thus was not necessarily opposed to it in principle. I trust immediate action will be taken by the Senate, and I urge the House to act favorably on the matter as well.

Mr. MARTIN. Mr. Speaker, in conclusion, we have spent some money in perfecting this experiment and we are about ready to go ahead. Let us not stop now. Let us spend these few millions requested in the hope that it will save the country many millions later. People overcome by great disasters have a right to expect aid from their Government.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, I realize full well the complex problems relating to the adoption of an adequate, equitable, flood-insurance bill.

When I first appeared before our very distinguished House Committee on Banking and Currency during the hearings on the original proposal, I expressed myself very definitely on the point that any worthwhile flood-insurance program would have to apportion the risk over the entire field on the principle of the war risk insurance laws. However, this principle was not accepted. On the other hand, another approach was adopted by the committee which worked long and zealously, and this one was finally adopted by the Congress last year.

I presume that no one, including the committee which labored long and diligently to perfect suitable legislation, would contend that the bill adopted was completely satisfactory or adequate. It was reported and passed with the distinct understanding that it was a beginning, so to speak, that would inaugurate a period of experimentation in order that with some experience in this difficult field a program could be finally evolved that would do the job that will have to be done in order to afford sufficient protection for flood-stricken areas.

I still adhere to my original concept that such a bill should be much broader in its coverage. I recognize the difficulties that are implicit in such a broadgaged measure. First, it would be necessary, as I think it is with regard to all proposals of this kind, to write into the legislation safeguards for our private enterprise system. This Congress must be most zealous not to set up needless competition with the private companies. At the same time we have every reason to expect the cooperation of private companies and recognition on their part that the Nation is confronted with a major problem regarding flood insurance that must be solved by something more than the mere creation of makeshift provisions.

When we consider the large number of floods and natural disasters that occur every year in this country and the great damage and havoc that is wrought and the stultification of incentive and enterprise that frequently results as an aftermath, it seems shocking indeed that the Congress should turn its back during this session upon the flood-insurance legislation which we enacted during the last session. The proposed abandonment of the flood-insurance program is neither wise, nor can it be logically justified on the grounds of economy or any other grounds. The few million dollars that are involved here in order to carry last year's program forward are of little or no consequence in the overall budget of over $73 billion. In fact, the amount sought is negligible and petty as compared with huge sums we are spending abroad and at home for many causes far less worthy and certainly less urgent.

None of us can be sure of the degree of urgency that is involved in this legislation because great, fearsome, natural disasters, floods caused by violent sustained storms, tornadoes and other holocausts, protracted droughts, wind and sand storms, devastating fires, and other destructive natural phenomena would seem to be on the increase.

There are some who believe that the large number of severe storms, climatic phenomena, tornadoes, and the like that we have been having recently are attributable to current nuclear experiments, in fact, many things seem rightly or wrongly to be attributed to these manmade explosions designed to perfect substances of apparently almost infinite, global destructibility. Notwithstanding the assurances of the scientists and experts, many thoughtful American citizens are not persuaded that there is not some relation between nuclear explosions and recent natural disasters stemming from violent, torrential storms. I am not asserting that there is necessarily any relation between the two, because I have not had the opportunity to study the question at any great length, but the occurrence of so many of these holocausts serves vividly to bring forcibly to our attention the need for adequate Government organization to cope with them, and this includes not only flood insurance, but the adoption of other proposals improving our readiness and efficiency in handling these disasters which I have heretofore touched upon in the House and about which, unfortunately, in the broader sense, the Congress has not as yet taken affirmative action.

To be sure, we have made substantial provisions for relief and rehabilitation of distressed areas and on the whole these have been carried out by the Government. In the case of storms and disasters in my own district and area and in other areas, I may say with pride and

gratitude that the Congress has acted to provide assistance and to inaugurate projects that will materially reduce, if not entirely eliminate, many future dangers. In my appearance before our distinguished House Appropriations Committee recently in support of additional budgetary implementation of existing projects, I was happy to note what seemed to me to be a commendable understanding of these problems and a cooperative spirit and purpose to further their solution. I have every reason to believe that pending legislation will appropriate sufficient funds to carry forward the urgent projects that have been commenced.

It is to the broader aspects that I am addressing myself, first, with regard to natural disasters, and, secondly, with regard to so-called manmade disasters which may seem remote—and we hope they are and believe they will be—but which nevertheless are definitely within the range of possibility, however much we may seek to persuade ourselves to the contrary. In other words, it is to every eventuality, and not merely to some, that I direct the attention of the House, and this would include provisions for an overall, fully integrated, comprehensive program that would entail the creation of an adequate, ready organization that could be promptly mobilized both in its military and civilian components and rush speedily into the breach whenever the need arises.

I am convinced that Congress should consider these matters in the very broadest sense. I particularly urge the adoption of all pending appropriations that have been approved by the committee up to this time with respect to flood and water control and the implementation of the flood-insurance program in its entirety, so that we may go forward as heretofore authorized and planned with the proposed experimentation program that will point out the ways and means by which we can finally come to an effective solution.

Let us by all means continue to practice commendable economy which we so badly need today to insure the American people some relief from staggering burdens of taxation. But as we effectuate economy and efficiency, let us not be blind to the stern fact that we must achieve these desirable needs without paralyzing or impairing legitimate essential activities of government. Economy achieved at the expense of vital governmental programs would be merely an illusion and in the end would defeat its own purpose by stultifying the progress of the Nation and jeopardizing the security, well-being, and happiness of the American people. If we avoid irrational penury as well as extravagant spending, we will best be serving the paramount national interest.

The distinguished majority leader, my valued friend, Mr. McCORMACK, with his usual forward-looking approach, judgment, and ability, in an exceedingly meritorious, able, recent speech on the Federal Flood Indemnity Administration, has presented an unanswerable plea for the further implementation of the previously established flood insurance system. Our very able, much beloved, valued friend, the distinguished minority leader, Mr. MARTIN, is in strong support of flood insurance. The House voted last year to commence this most necessary program, only $14 million is required to put the program into effect, if this sum is voted by the House existing plans can be put into operation immediately, the matter has been exhaustively studied and documented, the Government would not be competing with private insurance companies, Congress would be fully informed of the progress of the experiment so that, if necessary, perfecting action might be taken. These are the plain facts.

Many safeguards are contained in the bill to minimize the Government's potential liability. I allude to the limited coverage of $10,000 for single dwellings and their contents. The mere statement of this amount clearly indicates and establishes the strict limitations on Government liability.

I am in a position, personally, to testify on this phase of the question because as a consequence of the 1955 flood disaster in my district, one company is said to have spent about $1 million to rehabilitate its plant and continue the employment of about 3,000 employees. Other companies spent very substantial sums for this purpose, and many of them really could not afford it. Many people lost everything. Flood insurance would greatly mitigate disaster, hardships, and damages.

Conditions are written into the act strictly limiting the Government's liability, the risks will be spread over a relatively broad field, no policy can be issued indiscriminately, and zoning provisions must be enacted by appropriate public bodies which will insure even greater restrictions upon Government liability.

The rating system which has now been devised is not permanently fixed, but will be revised and reshaped in accordance with actual experience.

Floods, tornadoes, great natural disasters are no respecters of section, States, areas, or persons. They strike anywhere without warning, they wreck indescribable havoc and damage to persons and property. They leave trails of tragedy, sorrow, privation, and extensive damage. They inflict a national loss as well as State and local losses.

They are happening so frequently these days that it must be, it inevitably will be, the duty of Congress to cope with them. Lip service is not enough. Hoping that they will not happen is a palpable delusion. They will happen and we cannot foresee where they will strike. Yesterday it was my district and State. Tomorrow it could be the district and State of any other Member of this House. Let us act before it is too late, and let us act in a way that will render maximum, organized, speedy, efficient, and economical help to suffering people who will need it so badly. No amount of clever argument can possibly obscure the true urgency for flood insurance. I hope and urge that the House will support this amendment to recede and agree.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, a few years ago when this legislation was under consideration by the House, we had in New England and on the eastern seaboard from Florida to Maine a territory which had suffered one of the worst hurricane seasons in our history. Following that the west coast, including the States of California, Oregon, and Washington, suffered some of the worst floods in their history. As a result of those disasters, appeals were made to Congress and money was appropriated to help in those areas both on the eastern seaboard and also in California, Oregon, and Washington because of the severe losses that were sustained.

At that time it was suggested this might be a regional problem that concerned only New England and the eastern seaboard or California, Oregon, and Washington. That no longer is true. In this present year $200 million of damage has occurred because of floods. The President has designated certain Midwestern States as disaster areas because of the recent tornados and floods that have occurred. Especially in the Southwest, in Texas and other States, they have suffered more damage this year perhaps than they have in many, many years.

As the author of the amendment, the gentleman from Massachusetts [Mr. BOLAND] so well stated a while ago, this is not a $5-billion program at all, although the Government is authorized to provide for coverage up to $3 billion. It does not mean that the Federal Government is going to spend $3 billion at all. It simply means they are going to offer this coverage and work in conjunction with the insurance companies, as a result of which the premiums will, we believe, cover the cost of such a program.

Mr. Speaker, the motion before us would restore funds to the Federal Flood Indemnity Administration and begin a program of flood insurance to offer protection to property owners throughout America.

As a member of the Committee on Appropriations, I have some close acquaintanceship with this appropriation request. And I would suggest to the membership that the main issue before us is more important that the start or failure of a system of flood insurance. The overriding question is whether we are going to keep our people forever dependent upon handouts and charity or whether—by this vote—we will finally give them an opportunity to pay something toward their own protection. It is as clear as that: charity versus an American system of insurance.

As things stand today your constituents and mine cannot buy flood insurance. Private companies won't sell any and until we appropriate some money to get the Government program going they cannot buy Federal flood insurance.

There are people all over this country today who wish they had an opportunity to put money on the line to protect themselves from the catastrophe of floods.

As I previously stated, to date this year Americans have suffered some $200 million property damage from floods, according to the latest Corps of Engineers

figures. The President has already declared areas in 11 States as flood disaster areas under Public Law 875. The States affected are Kentucky, West Virginia, Oregon, Virginia, Washington, Texas, Louisiana, Oklahoma, Idaho, Missouri, and Arkansas. Twenty other States have suffered flood damage of lesser magnitude this year.

This is hardly a sectional issue. I'm from New England. We haven't had a flood yet this year. Thirty-two other States have. This is a national problem.

The man who owns his own home, whether it be near the shore or in communities along the rivers which flow through the State, is a substantial member of his community. His roots are established in that community. The taxes he pays to the community, the money he spends on family needs and utilities, go to the maintenance of that community. If through despair of ever being able to feel safe and secure from these damaging forces he pulls up stakes and goes elsewhere, the community, and each of its members, suffers to some extent.

Industry, whether it is of the small shop kind or a substantial manufacturer of goods, is the employer of thousands of people in the communities of our State. If the small shopkeeper becomes so discouraged that he will not endeavor to make a fresh start, or the stockholders who own the large manufacturing concerns decide that their investment must be protected by moving elsewhere, then the very lifeblood of the economic existence of the community is drawn off and the entire area withers. To my mind it is exactly this situation which a system of Federal insurance should be designed to prevent.

I recall vividly the situation in Providence, R. I., when hurricane warnings were raised. For weeks the economic life of the city was out of gear. The owners of businesses in the downtown area were vitally concerned with moving merchandise out of the reach of the waters which were expected to pour into the city. The feeling of frustration was terrific. The expressions of despair were many, and many times I heard men and women say they would never go through this experience again.

I have been told often by people in the insurance business that one of its greatest features is the peace of mind that it provides for the policyholder. With this thought I am in complete agreement.

Thousands of Americans today are relying upon charity and relief to repair or replace their homes, farms, and factories which were damaged by floods this year. They are hoping also that they will be able to deduct some of these losses from their next income-tax returns.

Neither is the Federal Treasury escaping any losses because of the lack of insurance. The 11 disaster areas are eligible for millions of dollars of Federal relief. Internal Revenue will feel the pinch when the next filing time rolls around.

Mr. Speaker, is this economy? Or is this any way for us to treat our constituents?

We are being asked today to start an experimental program that will protect millions of Americans from the sudden catastrophe of unexpected floods. It replaces no private enterprises existing today because there are none in this field. It will not establish a large Federal establishment because the Government will use the services of private insurance industry to sell and service these policies.

Although the Government is authorized to cover $3 billion worth of property, this is not an expenditure. We believe premium income will substantially cover loss payments to property holders.

But this insurance will give Americans the opportunity to protect themselves from flood losses for the first time in history. I cannot think of a more equitable system.

I urge the restoration of flood-insurance funds.

Mr. CANNON. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina [Mr. LENNON].

Mr. LENNON. Mr. Speaker, this is certainly not a political piece of legislation, it is not a partisan piece of legislation, it is not a sectional piece of legislation. The distinguished minority leader commented on the fact that the President wanted this legislation. May I say to all of those within my hearing today that I believe the people of America want this type of legislation and are entitled to it.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. LENNON. I yield to the gentleman from New Jersey.

Mr. CANFIELD. In all fairness, I think it should be stated that former President Truman recommended this type of legislation also.

Mr. LENNON. I thank the gentleman for his remark. We should not consider in any light that this is partisan legislation.

Let me say to those of you who are present that in October 1954 my congressional district suffered the greatest damage of any section of America by Hurricane Hazel. Twelve hundred buildings completely destroyed in 2 counties of my Congressional district, 750 homes were more than half destroyed and damage ran into the millions of dollars.

May I say, Mr. Speaker, that this insurance is not now available in America at any cost, at any price that you may be able to pay. The legislation itself provides that by July of 1958 the States must enact ordinances that will set up flood-preventive measures in order that this insurance program may become a success. In July of 1959 the act provides that the several States who participate in this program must share a part of the subsidy or cost. The act now provides that the Government will pay 40 percent of the premium and the policyholder will pay 60 percent; but, after July 1959, the States must come in and share part of the expense. I think that is right.

Mr. MORANO. Mr. Speaker, the gentleman has made a fine statement and I want to compliment him on the statement he has made.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Speaker, I was just thinking, when they were talking about the terrible damage that had been inflicted by these floods, that if we had had this insurance in vogue at that time it would not have been a $2-billion or a $3-billion but it might well have been a $5-billion obligation on the part of the Federal Government.

Mr. Speaker, the $14 million written into the independent offices appropriation bill by the other body was given full consideration by our Subcommittee on Appropriations in hearings held some months ago.

The Housing and Home Finance Agency at that time asked for a $50-million appropriation, of which $14 million, they felt, would be necessary to pay private insurance companies for writing the first year's business.

They had held many conferences with insurance organizations who were quite willing to cooperate, and out of those conferences it was mutually agreed that it would require about $14 million to pay the agents and the expense of putting a year's business on the books.

Now, inasmuch as the Housing and Home Finance Agency would be by law compelled to pay a subsidy of 40 percent of the cost of the premium for the insured, it was estimated that the Government's part of the subsidy for the first year would run $36 million. This would cause the Government a total loss the first year of $50 million.

The Members of our committee, based on the facts brought out in the hearings, felt it was not wise to approve the flood-indemnity-insurance program, which would put the Federal Government into the insurance business in a big way on a plan, we felt, from an economic standpoint, just could not be successful.

The Housing Administrator, Mr. Cole, and his assistants explained that the premium rates on the insurance risk written would vary somewhere between $1.50 and $13.50 a hundred on premium rates.

I believe they testified that they thought the average might be around $3 per hundred. Even though the Government would be committed to pay 40 percent of all such insurance premiums, we felt that the premiums would still be so high that enough business could not be written to justify the amount of money the Government would risk, and the danger of tremendous losses.

I think we know that successful insurance companies, which have built up a tremendous business over 100 years past, of necessity, had to follow a policy of scattering their risks so widely that a great deal more premium money would come into the companies in excess of the losses they would have to pay out. All of these companies have used great care in selecting their risks. Where the risk is too great, they will not write it because, consequently, the losses would be too great.

Throughout the years, the best insurance brains in the Nation have consistently refused to write flood indemnity insurance in any substantial volume be-

cause they felt the risk was too dangerous.

Now, the Government proposes to go into this nonselective bad risk insurance, and realizes it is so bad that they will have to start out with taking a loss of 50 percent of the premiums involved of the insurance that is wrtten. In addition to that, they have to hire the insurance companies to go out and get the business, and put it on the books, and that is what this $14 million requested in this bill is for. The insurance companies take none of the risk whatsoever, In addition, if we approve this $14 million, I feel quite sure the Housing Agency feels they can go direct to the Treasury and get the other $36 million which we will have to spend in paying 40 percent of the cost of the premiums written.

So, we lose on the first year's business $50 million, and if we get started we may lose over $5 billion in a year in attempting to do the unheard of in indemnity insurance. By the "unheard of" I mean—and this is the greatest objection to this program—that we propose to insure property against flood danger—all of which is the very worst possible risk that could be taken, and none of the risk could be graded as fair, or desirable.

We can only insure the people living along the valleys and streams who are willing, with the assistance of the Government, to pay high insurance rates against ultimate disaster that they fear and have reason to believe will follow.

In other words, no high-grade minimum-risk insurance will be written. All will be poor risk, and undesirable from an economic standpoint.

We just cannot afford to put the Government in business and add this expense, with the people demanding that the Government get out of business and that we cut the cost of appropriations.

A Member with long service in the House, in discussing this privately said to me the other day, "If we go into this flood indemnity business in a big way, it could, added to all the other pressing fiscal problems, wreck the financial solvency of our Government."

Because of these objections and many others, we felt and advised the Housing and Home Finance Agency to use $325,000 in making a further study of this problem in the hope of coming up with a plan that would offer some possibilities of success without too great cost to the Government.

We felt that the present plan was too dangerous to adopt, but we wanted to give the Housing and Home Finance Agency an opportunity for further study to see if they could present a more acceptable plan to the committee at a later date.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, I do not want anybody to feel that I have less sympathy than somebody else for those who are in trouble over floods. But I want you to get a little idea of what this would mean. Under this bill houses may be insured for up to $10,000 at a cost of approximately $300 a year. If you buy fire insurance the premium for $10,000 under ordinary circumstances, on individual houses, would only be about $60 for 3 years, or $20 a year. This bill is set up so that the Federal Government pays the 40 percent commission to the agents. That is why they want this money.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. BOLAND. I do not think that is quite accurate.

Mr. TABER. Oh, yes.

Mr. BOLAND. That the Federal Government pays 40 percent commission to the agents?

Mr. TABER. Forty percent commission, on these premiums, goes to the agents. That is the practice.

Mr. BOLAND. I still insist the gentleman is not correct.

Mr. TABER. I did not make the statement without checking.

Mr. BOLAND. Will the gentleman yield for a correction?

Mr. TABER. The gentleman has had the opportunity for that. I do not think I can yield further, because I do not have sufficient time. Here is the picture. If we go into this and get it started and provide the first money for it, it rolls. And what will it roll to? Five hundred million a year for 6 years; and in addition, if the President so elects, $2 billion more or $5 billion over all, to come out of the Federal Treasury.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. MORANO. I understood that this bill provided that the Government would pay 40 percent of the premiums, not 40 percent commission to the agent.

Mr. TABER. That is what the commission to the agent is. I did not make that statement without finding out.

Mr. MORANO. I understood the commission to the agent would be 9 percent and the Government would pay 40 percent of the premium.

Mr. TABER. That is the situation, and frankly, I do not want to get into a $5 billion proposition. This authorizing bill was put through the House without any rollcall; most of the Members did not know it was up. That was, I believe, at the close of the last session. I do not like to have these bills go through like that without sufficient consideration. I want the membership of the House to know what is going on. Now we have that situation. When you get into this, you are getting into the neighborhood of $5 billion of expense. If you do not stop it now we are in over our heads. The Government guarantees all the losses on these things, and the money can come right out of the Treasury without any appropriation or any review. The whole thing is wide open just as soon as we pass this appropriation to start the thing rolling.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. The gentleman from New York rightly brought out that to insure a $10,000 risk there would be a premium of approximately $300.

Mr. TABER. For 1 year.

Mr. H. CARL ANDERSEN. Would that not make it practically impossible for anybody even to insure under this Act unless he felt that his risk was so tremendous that he almost was forced to do so?

Mr. TABER. There would not be any question about that. I am afraid there would not be enough policies sold so that there would be a possibility of getting in money enough in premiums to pay the losses we would have. I do not see how it could be done.

When these people were before the Independent Offices Appropriations Committee my understanding is that they did not have a real, good, definite program, after having had $500,000 available to them for 7 or 8 months. On top of that, they had spent only about $150,000 when they were up before the committee, and they had $300,000 left. With that they could get up a real program, instead of coming in here without a definite, positive program.

Mr. CANNON. Mr. Speaker, I yield myself 5 minutes, and ask unanimous consent to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Speaker, let there be no misunderstanding about it, this is one of the most dangerous amendments that has been offered in this session. It does not involve mere millions of dollars, it involves billions of dollars.

One Member speaking here just now told us that in one downpour alone, in his district, 1,200 houses were washed away. Multiply that by the storms annually and by the 435 congressional districts in the Nation and make an estimate. Or consult the daily newspapers through the year and you will see that it is merely a matter of a comparatively brief time before a bill will be presented to the Federal Treasury for payment, and every taxpayer in the Nation will start digging up the coin to make up the deficit.

All over the country areas subject to inundation and shouldering their own responsibilities for a hundred years will be taking a free ride and the Government and the taxpayers will be holding the bag and paying the bill.

The title of this bill ought to be changed. It ought to be captioned, "A bill to increase the taxes of every Federal taxpayer in the United States," for that is exactly what it will do if this amendment is adopted. It will increase taxes by billions of dollars.

Mr. Speaker, nearly every annual budget that comes up here has some damfool estimate in it that throws all former figures completely out of balance. And when we ask "How in the world is it that this budget is so out of all proportion to what it was last year?" The answer is that Congress passed some new law authorizing appropriations for some new project.

Thereupon everybody joins in apostatizing the legislative committees and demanding that these new authorizations expanding and mushrooming the costs of government when we ought to be reducing and contracting the expenses of government should be stopped at the source.

And here we are at the source, Mr. Speaker. If left in here this amendment will spiral and pyramid and expand, and all hope of tax reduction will be further away than ever. This amendment ought to be cut off right behind the ears. Let us right here, right now, lean a few props up against the tottering doors of the United States Treasury instead of pouring in more nitroglycerine behind the few hinges still hanging in futile effort to keep out the raiders.

But, Mr. Speaker, we sit here in wonder and astonishment this afternoon listening to these gentlemen who have been making the welkin ring all this session with screams to keep the Government out of business. On all and sundry occasions, in season and out of season, they march into this well vociferously demanding that we keep the Government out of business. And now these same identical gentlemen are demanding that we put the Government in business—the insurance business.

The country is literally littered with insurance companies. There is an insurance agent around every corner waiting to waylay you. You can insure your house, your life, your wife, your automobile, and what have you. You can insure anywhere, anytime, anything—except one thing. You cannot insure against flood. Why not? Because the insurance companies are too smart. They know they are certain to lose. Those whose property is subject to inundation will take out a policy. Those not subject to inundation will not take out a policy. It is "tails I win, heads you lose." There is no possible way to break even. So they start looking around for a fall guy. And who but Uncle Sam and the taxpayer. Extra copies of the roll call on this coming vote ought to be printed and distributed to taxpayers. And then when they hear some knight in shining armor caterwauling about keeping the Government out of business just before the November election let them run down the list and see if he voted on June 18, 1957, to put the Government in the insurance business.

Someone insists we ought to go into the insurance business as an experiment. They are unwilling to abide by the experience of every insurance company in the country. The insurance companies which have tried it have wound up with all the experience and none of the money.

And Uncle Sam has already tried it. The Government has tried every possible combination on crop insurance. I started it when I was chairman of the subcommittee on agricultural appropriations. We worked for years on it but the farmers who knew they would have a crop failure insured and the farmers who knew they would not have a crop failure would not insure. When the drought at seeding time indicated certain failure the farmers took out a policy. And after a late flood farmers would drive in a wet field and scratch up a little dirt and throw around a little seed and collect the insurance. As usual the Government got the experience and the farmer got the money. To the desperate farmer, robbed and exploited by the rest of the Nation who took his hard-earned produce away from him at less than cost of production it was a case of the blind sow finding an acorn once in a while.

It is not an experiment. It has already been weighed in the balance and found wanting. It cannot fill any legitimate need in the economic life of the country. It puts the Government back into business—a business doomed to certain failure. It expands the cost and function of Government with no compensating advantage. It was defeated here in the House when it was first on the floor in the original bill.

To all my friends whose hearts are bleeding for the downtrodden taxpayer, may I suggest that here is at last an opportunity for you to give a reason for the faith that is in you. Here is a chance to ride horse and dragoon to the rescue of the taxpayer—not by eloquence and perfervid oratory—not by heroic platform declaration or challenging release to the press, but by your vote. By your vote to defeat this amendment and keep down taxes and keep the Government out of business.

Mr. Speaker, I yield the remainder of my time to the gentleman from Texas [Mr. THOMAS].

Mr. WAINWRIGHT. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks following Mr. CANNON.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WAINWRIGHT. Mr. Chairman, the distinguished chairman of the Appropriations Committee has worked so diligently on the multitude of matters before him that he has been unable to study the details of the problem. The proposed act does not put the Government in the insurance business. It merely allows the private companies to extend risks which ordinarily would not be taken. If these risks pass a certain stage, the Federal Government stands behind the loss. These people pay a premium, so this is not like many of the proposals supported by the gentleman from Missouri, such as the giveaway farm programs. In any event, people on Long Island would like to be able to insure their houses and property against the ravages of hurricane. The gentleman from Missouri is killing their chances.

Mr. BYRD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Speaker, I rise in favor of the motion that the House recede from its disagreement to the amendment of the Senate numbered 15 and agree to the same, in order to provide the sum of $14 million, to remain available until expended, for operating the Federal flood insurance program. The adoption of this motion will signal the initiation of the Federal flood insurance program. In so doing, we reassure our citizens that the Congress was sincere when it passed the Federal Flood Insurance Act of 1956 and held out to the public at least partial security from flood damage.

In 1955 flood losses in our Nation cost about $1 billion. The Congress determined that some legislative program was necessary to minimize the losses suffered by citizens in such disasters, as well as to relieve the amount of direct Federal and State aid for relief, rehabilitation, and charity. In this regard, permit me to direct the attention of our members to Public Law 875 of the 81st Congress, which authorizes the President to determine when certain catastrophes may be classified as major disasters. Public Law 875 provides that the governor of the State involved must request that the law be invoked and give assurance of the use of a reasonable amount of funds by the State or local governments for relief. Since the enactment of Public Law 875 in 1950, the appropriations thereunder have mounted to over $90 million.

Now for the first time our citizens have an opportunity to contribute to their protection. The reduction in flood losses in 1956 and the present economy wave cannot remove our responsibility to the public who overwhelmingly requested the Federal flood insurance program.

Unless the House takes action now, the Congress must tell the American people—the small property owner, the small-business man—that after almost 1 year we are not yet ready to proceed with the program. At the same time the Federal Flood Indemnity Administrator has testified that the Federal flood insurance program is ready to be put into operation promptly.

It should be made clear that the item of $14 million is for operating expenses of the program and is not required for the payment of salaries to employees of the FFIA staff. The amount is required to cover the expenses of insurance companies for issuing and servicing policies, underwriting, accounting, and statistical work on behalf of the Government. In other words, the item of $14 million is for the express purpose of providing the operating expenses to the private insurance companies that will write the contracts, will sell the insurance, and adjust the losses.

The objections that have been offered to appropriating this amount are easily overcome. If anyone is of the opinion that this program means the Government is getting into the insurance business, let us dispel that fear by pointing out that the Government is prohibited from so doing by the plain language of section 12 (a) of the Federal Flood Insurance Act of 1956, which provides as follows:

> No insurance or reinsurance, or loan contract, shall be issued under the provisions of this act covering risks against which insurance is available on reasonable terms from other public or private sources.

There certainly cannot be objection to the fact that a portion of the requested amount is for expenses to be paid claim adjusters for their services in handling the settlement of claims. The payment of compensation for services rendered by outside specialists cannot be criticized. Such practice is not without precedent in the administration of other Federal programs. On the other hand, it means that the Government will not be called upon to recruit a large staff and to employ claim adjusters whose services would, of course, only be needed if and when losses should occur.

It is a sad reflection upon the House when we realize that by rejecting this item we are, in effect, nullifying our action last year when we passed the Federal flood-insurance law. That legislation was enacted only after days and days of extensive hearings and after lengthy studies and surveys were submitted. The insurance industry itself has assisted and cooperated in the organization of the Federal Flood Indemnity Administration. Rates have been established for each major river basin in the United States, and these rates have been reviewed and approved by the industry itself. It is my understanding that the program includes adequate safeguards that will maintain a proper balance between premium and loss reserves. Admittedly, then, there is no justification to the argument that additional studies are needed.

Obviously, the Federal flood-insurance program is not designed to benefit big business, which can well afford the high premiums that would necessarily be required by private insurance companies for insuring risks of this nature. The adoption of this motion, however, will reassure thousands of citizens, such as our small-business man and the ordinary homeowner, that the Congress is not abandoning them and leaving them at the mercy of Federal aid in the form of charity.

My State of West Virginia was stricken by the severe floods early this year. Parts of West Virginia, Virginia, and Kentucky, were declared areas of major disaster by the President. Pursuant to the authority under Public Law 875, the President has allotted to these States the sum of $2.4 million for flood relief. On May 29, 1957, Gen. Alfred M. Gruenther, president of the American National Red Cross, forwarded to me the final field report summarizing the Red Cross relief activities in these three States. That report showed that, while a total of 17,469 families were affected by the floods, 9,512 families received assistance. This assistance involved expenditures of $3,963,231.

These figures make it evident that, if we do not appropriate these necessary funds, we cannot rightly say that we are effectuating a saving. As a matter of fact, we are disregarding the will of our people who are eager to contribute to their own protection. By making possible such contributions, the net effect might well be to reduce Government expenditures in flood emergencies and, thus, provide a real savings to the American taxpayers.

In view of these facts, I sincerely hope that the motion will be adopted.

Mr. THOMAS. Mr. Speaker, let me talk briefly to both sides of the aisle on this problem. I do not know too much about it, but I have been studying it hard, I assure you, and if you know anything much about this bill, you are much better than I am because I do not think you can know much about it in the shape that it is in. There is nothing partisan about this subject matter. This has been tried before and it has been studied before. Read the report from that able committee headed by the able gentleman from Arkansas [Mr. NORRELL] in 1951 when we had the tremendous flood all through the Middle Western States along the Missouri River, when that one flood alone cost $2,500,000,000 in damages. There is nothing partisan about it and there is nothing new about this subject. We have had floods for the last 100 years in this country, and I am sure and I am afraid that we will have them in the years to come regardless of what we do or do not do here today. Floods are horrible and they are heartbreaking, but still we know we are going to have them because we have had them in the past. There is no telling what this program will cost.

Read the report I referred to a while ago, the report back in 1951 when they had all the top private insurance company executives in American before the committee. Who are we to disagree with those gentlemen who with their predecessors have been in the insurance business for from 50 to 100 years. They said, "Gentlemen, it will not work. It cannot work. It is not a proper field for insurance because nobody is going to buy such insurance unless he is reasonably certain that he is going to suffer damages." And, yet, we are putting our expert opinion up against the opinions of those gentlemen. Does it not really make us look a little bit foolish? Those representatives of the insurance companies say it will not work and that it is too expensive. I have figured out that if we had had this insurance in effect in 1951 when we had that horribe flood throughout Missouri and the other States—if we had had only one-fifth the coverage allowed under this act—we would have lost in excess of $450 million at that time. Think about it. Who is going to pay for that? Your taxpayers and mine are going to pay the bill.

My country is under water, too; a lot of it. Some part of it has been getting under water for a good many years, and I am sure that for a good many years in the future it will continue that way. Yet you do not want to listen now.

Our Hoover Commission friends said, "Get our Government out of business. Get us out of business." I can hear them hollering now all the way from Houston up here about getting the Government out of business; and my friends from Massachusetts and South Carolina can hear it, too; yet here we are about to embark on a business where the probabilities are the loss will exceed $500 million a year. If anybody can controvert that statement, he is all right in my estimation.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to my distinguished friend.

Mr. BOLAND. I do not like to dispel the argument of the gentleman from Texas, because he is one of the most persuasive of men in the House. He kills us with kindness most of the time but winds up killing the bill.

The testimony before the committee was that there would be no loss totaling the amount the gentleman has mentioned.

Mr. THOMAS. The gentleman's guess is as good as mine. He said the loss will not be large. I say it will be. Certainly the gentleman would not say there would be no loss under the bill.

But let us get back to the matter I was talking about, getting the Government out of business.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. Just one minute, are you going to have the Government pay for forest-fire insurance? We have had some terrible ones. Are we going to put the Government in drought insurance? We have had more droughts in the last 7 years than we have had floods. Those droughts have cost many States a lot of money, and my friends out there in the drought area certainly are as much entitled to relief as those in the flood areas. And some of my friends out on the Pacific coast have had some earthquakes. Are they not entitled to subsidized earthquake insurance, too?

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. I appreciate the gentleman's yielding to me. I have worked rather hard on this.

Mr. THOMAS. The gentleman certainly did.

Mr. WHITTEN. Here is what I would like to say for the record. The evidence is that most of the damage in these floods come from people who push closer and closer down to the water level. If this bill is passed where the Government would pick up the check, you would find the people getting into the more risky areas day after day, adding to the problem the gentleman has mentioned.

Mr. THOMAS. I thank the gentleman very much. He is 100 percent correct.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman now yield?

Mr. THOMAS. I must yield to my friend from New Jersey.

Mr. THOMPSON of New Jersey. Does the gentleman claim that a Government insurance program would not be putting the Government in business?

Mr. THOMAS. Does the gentleman deny that?

Mr. THOMPSON of New Jersey. It would be putting them in business.

Mr. THOMAS. It might be a give-away business.

Mr. THOMPSON of New Jersey. What has the gentleman to say about war insurance, when we gave each man a $10,000 policy during the war when no insurance company would write such a policy as that?

Mr. THOMAS. We had 20 million men under arms at that time. There is no more connection between that and this form of insurance than there is between daylight and dark.

Mr. THOMPSON of New Jersey. How much is twenty million times ten thousand?

Mr. THOMAS. Mr. Speaker, this item ought to be deleted, this $14 million. Do you know what the request was when this first came to us? It was $100 million. Then they called a second confab, and do you know what their second request was? $50 million. Now my friends take a third bite at it and they set the figure at $14 million. If you give them $100, you might just as well give them $100 million, because they will be back here next Monday asking for the remainder.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield.

Mr. PILLION. Whether we invest $14 million or $500 million, will we be able to save one life or avoid one tornado or one hurricane, or minimize the loss in any way?

Mr. THOMAS. May I thank the gentleman for bringing that point out. We have had these terrible floods in the past and will have them in the future, whether we have this program or do not have it. It is not going to save any lives.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. That is not the issue, the matter raised by the gentleman from New York. It is not a question of saving lives; it is a question of saving people who are in these areas from disaster. It gives them an opportunity to get on their feet.

Mr. THOMAS. A gentleman stated a while ago that if we adopt this program we are going to save the money that the Government is now spending for disaster relief. There never was a more sincere but a more erroneous statement made on the floor than that, because we appropriate money every year, $20 to $25 million for the President, regardless of which party he belongs to, for relief purposes. How is that money allocated? Is it allocated to aid a particular State? The President must first examine the area in a State and designate that as a relief area. Then the money goes to that particular State and that State allocates the money, not to A, B, or C, but allocates it on a community basis. Let us get this point straight. The act is so defective that the State and the counties and the political subdivisions under it cannot get one red 5-cent piece. Does anybody challenge that?

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Did I not hear the gentleman in his committee recommend some funds for this organization to go ahead with the program?

Mr. THOMAS. Did we or did we not?

Mr. CANFIELD. Did the gentleman not recommend some fund, the gentleman and his committee?

Mr. THOMAS. No.

Mr. TABER. If the gentleman will yield to me, we did carry an appropriation last year of $500,000, of which $300,000 is left.

Mr. THOMAS. About $175,000 now.

Mr. CANFIELD. Did the gentleman not recommend that when he last appeared before the House?

Mr. THOMAS. I think you have $175,000 left to study it. Let them study the matter and get these horrible conflicts out of the way.

Do you know what this act does? It is possible to have $5 billion in insurance outstanding at one time. It is possible for the Administrator to go to the Treasury and bypass the Congress and get $500 million. If the President says, "O. K." he can go back without coming to the Congress—get this, without coming to the Congress—and get how much more, do you know?

Mr. CANFIELD. No, I do not know.

Mr. THOMAS. Any amount, five, ten or fifteen million dollars—think of it—without the Congress ever saying one thing about it.

Mr. CANFIELD. The gentleman's committee is keeping the organization in business.

Mr. THOMAS. Mr. Speaker, I ask for a vote now. We have debated this matter extensively. The amendment ought to be voted down. If you give them $14 million they are in business and they will be back here in less than 10 days looking, and your guess is as good as mine, for five to one-hundred million dollars more.

Mr. JACKSON. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from California?

Mr. JACKSON. I want to ask a question. Last summer my district in California suffered from a disastrous fire that swept through the mountains out there. Many homes were wiped out, homes which could not be insured because of their location. Now, the analogy is complete. There is no difference between one of those homes in those mountains and a place that cannot be insured. It is only one short step from flood insurance to fire insurance to drought insurance and to other forms of insurance.

Mr. THOMAS. If your people are entitled to flood insurance they are entitled to fire insurance.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I think I can say to the membership of the House that flood insurance is not generally available to the public throughout this Nation. There is not a Member here who advocates this program who would want this program if that insurance were available, but flood insurance is not available. Fire insurance is available all over the Nation.

Mr. THOMAS. Mr. Speaker, the reason flood insurance is not available is that the experience of these people who have been in the business for a hundred years shows it will not work. Now, if it would work, it would be available.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Tennessee.

Mr. EVINS. I should like to point out that in addition to the fund which the chairman has indicated—the President's emergency fund—there is also available the Federal civil defense disaster relief fund through which aid can be given and has been promised; also the Red Cross goes into areas where they have these particular disasters; also there are available assists from the Corps of Engineers, and the States and the municipalities, so that when flood disaster strikes there is always an abundance of aid made available from various sources without the need of the Congress subsidizing insurance companies for embarking on a new program.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from New York.

Mr. TABER. A vote of "nay" on this motion to recede is a vote to reject this operation.

Mr. THOMAS. And I hope everybody votes "Nay."

Mr. GREEN of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. THOMAS. I yield to the gentleman from Pennsylvania.

Mr. GREEN of Pennsylvania. I do not see how you can compare fire insurance with flood insurance. Anybody can buy insurance against fire, so how can you talk about fire insurance?

Mr. THOMAS. The gentleman was talking about forest fires in his section where you cannot buy insurance because it is too expensive and the people would lose money on it.

Mr. Speaker, I ask for a vote.

Mr. CANNON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House recede from its disagreement to the amendment of the Senate No. 15.

The question was taken; and on a division (demanded by Mr. FOGARTY) there were—ayes 95, noes 124.

Mr. BOLAND. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 218, not voting 29, as follows:

[Roll No. 115]

YEAS—186

Addonizio	Bonner	Curtis, Mass.
Albert	Breeding	Dawson, Utah
Alexander	Brooks, La.	Delaney
Anderson, Mont.	Broomfield	Dellay
	Brown, Ga.	Dempsey
Anfuso	Burdick	Denton
Aspinall	Byrd	Devereux
Auchincloss	Byrne, Pa.	Dingell
Avery	Canfield	Dixon
Baldwin	Carnahan	Dollinger
Baring	Carrigg	Donohue
Barrett	Celler	Dorn, N. Y.
Bass, N. H.	Chamberlain	Doyle
Bates	Chelf	Durham
Beckworth	Christopher	Eberharter
Bennett, Fla.	Chudoff	Edmondson
Bennett, Mich.	Clark	Elliott
Boggs	Corbett	Engle
Boland	Cretella	Farbstein
Bolling	Curtin	Fascell

Fenton	McIntire	Rodino
Flood	Macdonald	Rogers, Colo.
Fogarty	Mack, Ill.	Rogers, Mass.
Forand	Magnuson	Rooney
Fountain	Martin	Roosevelt
Frelinghuysen	May	Sadlak
Fulton	Meader	Santangelo
Gathings	Merrow	St. George
Gavin	Metcalf	Saund
Gordon	Miller, Calif.	Scott, N. C.
Granahan	Miller, Md.	Scott, Pa.
Gray	Montoya	Scudder
Green, Pa.	Morano	Seely-Brown
Gubser	Morgan	Shelley
Hagen	Morris	Shuford
Hale	Morrison	Sieminski
Hardy	Moss	Sikes
Hays, Ark.	Moulder	Siler
Healey	Multer	Simpson, Ill.
Heselton	Natcher	Sisk
Hoeven	Nicholson	Smith, Miss.
Holland	Norblad	Staggers
Holmes	O'Brien, Ill.	Steed
Jarman	O'Brien, N. Y.	Sullivan
Jonas	O'Konski	Teller
Jones, Ala.	O'Neill	Thompson, La.
Karsten	Osmers	Thompson, N. J.
Kearns	Passman	Trimble
Kee	Patman	Udall
Kelley, Pa.	Patterson	Ullman
Kelly, N. Y.	Perkins	Van Zandt
Keogh	Pfost	Wainwright
King	Philbin	Watts
Kitchin	Porter	Wharton
Kluczynski	Price	Whitener
Lane	Prouty	Widnall
Lanham	Rabaut	Wigglesworth
Lankford	Rains	Wright
Lennon	Reece, Tenn.	Young
Long	Reuss	Zablocki
McCarthy	Rhodes, Pa.	Zelenko
McCormack	Rivers	
McFall	Robsion, Ky.	

NAYS—218

Abbitt	Dowdy	Knox
Abernethy	Dwyer	Knutson
Adair	Evins	Krueger
Alger	Fallon	Laird
Allen, Calif.	Feighan	Landrum
Allen, Ill.	Fino	Latham
Andersen, H. Carl	Fisher	LeCompte
Andrews	Flynt	Lesinski
Arends	Ford	Lipscomb
Ashmore	Forrester	McCulloch
Ayres	Frazier	McDonough
Bass, Tenn.	Friedel	McGovern
Baumhart	Garmatz	McGregor
Becker	Gary	McMillan
Belcher	George	McVey
Berry	Grant	Mack, Wash.
Betts	Green, Oreg.	Madden
Blatnik	Gregory	Mahon
Blitch	Griffin	Mailliard
Bolton	Griffiths	Marshall
Bosch	Gross	Mason
Bow	Gwinn	Matthews
Boyle	Haley	Michel
Bray	Halleck	Miller, Nebr.
Brooks, Tex.	Harden	Miller, N. Y.
Brown, Mo.	Harris	Mills
Brown, Ohio	Harrison, Nebr.	Minshall
Brownson	Harrison, Va.	Moore
Broyhill	Harvey	Mumma
Budge	Haskell	Neal
Burleson	Hemphill	Nimtz
Bush	Henderson	Norrell
Byrne, Ill.	Herlong	O'Hara, Ill.
Byrnes, Wis.	Hess	O'Hara, Minn.
Cannon	Hiestand	Ostertag
Cederberg	Hill	Pelly
Chenoweth	Hoffman	Pilcher
Chiperfield	Holifield	Pillion
Church	Holt	Poage
Clevenger	Horan	Poff
Coad	Hosmer	Polk
Cole	Huddleston	Preston
Collier	Hull	Radwan
Colmer	Hyde	Ray
Cooley	Ikard	Reed
Cooper	Jackson	Reese, Kans.
Coudert	James	Rhodes, Ariz.
Cramer	Jenkins	Riehlman
Cunningham, Nebr.	Jennings	Riley
Curtis, Mo.	Jensen	Roberts
Dague	Johansen	Robeson, Va.
Davis, Ga.	Johnson	Rogers, Fla.
Davis, Tenn.	Jones, Mo.	Rogers, Tex.
Dennison	Judd	Rutherford
Derounian	Kearney	Saylor
Dies	Keating	Schenck
Diggs	Keeney	Schwengel
Dooley	Kilburn	Scrivner
Dorn, S. C.	Kilday	Selden
	Kilgore	Sheehan
	Kirwan	Sheppard
Simpson, Pa.	Tewes	Weaver
Smith, Calif.	Thomas	Westland
Smith, Kans.	Thompson, Tex.	Whitten
Smith, Va.	Thomson, Wyo.	Wier
Smith, Wis.	Thornberry	Willis
Spence	Tollefson	Wilson, Ind.
Springer	Tuck	Winstead
Stauffer	Utt	Withrow
Taber	Vanik	Wolverton
Talle	Van Pelt	Yates
Taylor	Vinson	Younger
Teague, Calif.	Vorys	
Teague, Tex.	Vursell	

NOT VOTING—29

Andresen, August H.	Coffin	McIntosh
Ashley	Cunningham, Iowa	Machrowicz
Bailey	Dawson, Ill.	Murray
Baker	Hays, Ohio	Powell
Barden	Hébert	Scherer
Beamer	Hillings	Walter
Bentley	Holtzman	Williams, Miss.
Bowler	Kean	Williams, N. Y.
Boykin	Loser	Wilson, Calif.
Buckley	McConnell	

So the preferential motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Murray against.
Mr. Holtzman for, with Mr. Loser against.
Mr. Walter for, with Mr. Scherer against.
Mr. Bailey for, with Mr. Kean against.
Mr. Buckley for, with Mr. Williams of New York against.
Mr. Dawson of Illinois for, with Mr. Hillings against.
Mr. Machrowicz for, with Mr. McConnell against.
Mr. Powell for, with Mr. Beamer against.
Mr. Ashley for, with Mr. Bentley against.
Mr. Coffin for, with Mr. Williams of Mississippi against.

Until further notice:

Mr. Bowler with Mr. Cunningham of Iowa.
Mr. Hays of Ohio with Mr. McIntosh.
Mr. Barden with Mr. Baker.
Mr. Boykin with Mr. Wilson of California.

Messrs. BOYLE, RHODES of Arizona, and YOUNGER changed their vote from "yea" to "nay."

Messrs. PATMAN and HAGEN changed their vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

Mr. TABER. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this matter may have permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 17: On page 11, line 14, insert:

"OFFICE OF THE SECRETARY

"Acquisition of strategic minerals

"For an additional amount for 'Acquisition of strategic minerals', $30 million."

Mr. CANNON. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment.

The Clerk read as follows:

Mr. CANNON moves that the House insist upon its disagreement to the amendment of the Senate No. 17.

Mr. ENGLE. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. ENGLE moves that the House recede from its disagreement to the amendment of the Senate No. 17 and concur therein with an amendment as follows: In lieu of the matter proposed by said amendment insert: "Chapter VI, Department of the Interior, Office of the Secretary, acquisition of strategic minerals. For an additional amount for 'acquisition of strategic minerals' $10,000,000."

Mr. CANNON. Mr. Speaker, I ask for a division of the question.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the amendment before us calls for $10 million to continue the subsidy on tungsten. Now, the situation is this: The Congress provided for a stockpile, and we have gone ahead and built up that stockpile, and we have now reached the point where we have enough tungsten on hand to last for 20 years if we had an extreme use of the metal in case of hostilities. That is the kind of a situation we are up against. The question is, Should we longer continue a subsidy on tungsten.

Now, for my own part, I cannot go along with that operation, because I do not feel that we have any right to put money into things that there is no prospect of being used. I think that we ought to protect the interests of the United States and have everything in the stockpile that we need, but we have got everything of that kind there now that we need, and why should we go further and pile it up?

I have seen reports in the newspapers relating to the production of tungsten. There was an article in one of the papers recently telling about a stockholders meeting where the president of the corporation that produced tungsten primarily told these people that they were going to be able to produce tungsten and sell it in the market at the regular price, which price is affected by importations, and he said that they were going to be able to produce tungsten and sell it for that price and that they could do it without any subsidy. Now, when one of them can, I believe that others can, and I can see no sense of our going along and piling up enormous quantities of tungsten at a price away above the market price and at a time when we have enough on hand to last for 20 years of very active use of that article. Now, I do not believe that the ordinary fellow is getting too much of this subsidy. The information that seems to come in is that the big payments go to the big corporations whose other interests are paramount and with whom the tungsten proposition is a minor figure. I do not believe, if we are going on the basis of giving a gratuity to the small producers that we should approve a proposal under which most of the money goes to big producers. There may be many small producers, I would not want to say, but what they get represents a very minor item as compared

with what is received by the large producers. I think it is time for the people of the United States, represented by their Members in Congress, to be careful about what we do this year. This year things are not as good as I wish they were because our appropriations are so high. But we should not make them higher by adding this item to the list.

Mr. CANNON. Mr. Speaker, I yield the remainder of the time to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Idaho [Mrs. PFOST].

Mrs. PFOST. Mr. Speaker, the passage of this amendment to provide $10 million for the purchase of strategic minerals is of grave importance to the people of Idaho. The livelihood of many of the people of Custer and Lemhi Counties—two of the counties in my congressional district—are desperately dependent upon what action we take here today.

But it is not only the people of my congressional district—and the people of the State of Idaho—who have their eyes on Congress right now. Good citizens everywhere are watching to see whether we are going to welch on our solemn word, given last session, to appropriate funds to implement Public Law 733.

The promise in question was made close to the end of the 2d session of the 84th Congress. At that time we appropriated $21 million to finance the purchase of strategic minerals—including tungsten, asbestos, fluorspar, and columbium-tantalum—for the remainder of the calendar year of 1956, with the assurance that additional funds would be forthcoming to continue the purchase program in 1957.

Tungsten producers in Idaho—and elsewhere—took us at our word. Rather than close their mines down, and let their labor force scatter to the four winds, they kept on producing tungsten, and stockpiling it against the day when the new purchase program would swing into action.

As a result there was on hand—on the last date for which figures are available—an unsold tungsten backlog totalling about 220,000 tons.

It is now almost a year since Congress promised the funds to implement Public Law 733. Already many tungsten producers have been wiped out by the long delay in the passage of an appropriation item for which the Congress had already morally obligated itself.

Frankly, I do not know how I can go out and face the people of Custer and Lemhi Counties if we betray them here today—betray them unforgivably and indefensibly. We should appropriate the $30 million we promised them, but since the Congress is not willing to do that, surely you will vote for the $10 million this amendment provides.

Let me tell you briefly how serious the situation is for Custer and Lemhi Counties. Ima mine, which produces tungsten at Patterson, Idaho, is 1 of the 2 major mining operations in the area. It is Lemhi County's largest single taxpayer. The mine spends approximately $100,000 in the region each month, and has an annual payroll of over $500,000. If a substantial appropriation to continue the tungsten-purchase program is not included in this bill today, I am told that Ima mine will close down within the month, throwing a large number of miners out of work, and stranding their families.

Now, I realize these figures are not too impressive to those of you who represent districts which have hundreds of large industries in them, with annual payrolls running into the millions. But in Lemhi and Custer Counties, the loss of an industry with an annual payroll of $500,000 is a serious economic blow to the whole region. I wish I had time to read you some of the telegrams and letters I have received from citizens in all walks of life—merchants and miners, public officials and civic leaders—imploring me to do everything humanly possible to secure funds to continue the tungsten-purchase program—funds which we here in this Chamber solemnly promised would be forthcoming.

It is not only the miners and merchants of Idaho who will be hurt, however, if this amendment fails. We are taking a long chance with America's security.

It has been argued on this floor that we now have on hand in our stockpile a supply of tungsten sufficient to meet our military needs for 20 years to come. However, you have not heard any responsible military authority who is in a position to know about our requirements make such a statement. Those who have enough information to assess our needs—both our present military and industrial needs, and our long-range ones—say flatly the figure is closer to 6 years. And even then they can't be sure.

Right now this country is on the threshold of enormous new uses for tungsten—both military and industrial—and our needs may double or treble within the foreseeable future.

The original stockpiling program was designed to bring in enough tungsten for munitions—particularly for tungsten core shells, and basic armor-piercing shells and for special armaments. We are using tungsten in the development of heat-resistant metals for faster planes, for high-temperature alloys for rockets, and for light-weight radiation shielding essential to atomic aircraft. When it is alloyed with carbon it constitutes the hardest of all manmade materials.

If the accelerated technology in many fields increases the requirements for tungsten to the extent now forecast, our present tungsten stockpile could evaporate in a very short time. This is a chance we cannot afford to take. We must keep our tungsten mines operating.

As many of you know, once a mine is closed down it is often very difficult and expensive to open it. The shaft may fill up with water or the timbers dry rot, as happens in many Idaho mines. It takes time and money to put a deteriorated mine back into operation.

If a good part of the tungsten mining industry goes to the wall, and the predicted technological advances or urgent defense needs suddenly step up demands for tungsten, we would have to reach out into the world market for it. And a large portion of the world's tungsten resources are behind the Iron Curtain.

We all remember what happened during the last war when our tungsten requirements skyrocketed. The price went up to $90 a ton, and we had men out all over the world trying to locate tungsten. We can buy it now for $55 under Public Law 733—and stockpile it indefinitely for the uncertain and perilous years ahead.

Mr. Speaker, it will be a breach of faith with the people who have worked for and invested in the domestic critical minerals industry if we do not vote here today for the necessary appropriations obligated in the passage of Public Law 733.

It would be utter folly to allow tungsten production to stop when the goals will most likely have to be reset in order to meet increasing industrial and defense needs.

Mr. KIRWAN. Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada [Mr. BARING].

Mr. BARING. Mr. Speaker, I take exception to the figure given by the gentleman from New York [Mr. TABER].

Mr. John Lieber of the ODM told us that there was a 6-year supply, not a 20-year supply. The State of Nevada has a black picture, all the mines are closed because Congress prefers to let the domestic industry die and purchase tungsten from the foreign market. I hope you will seriously consider this letter when the amendment is voted. I am quoting a letter written by one of my constituents who is a tungsten miner. He succinctly expresses the domestic miners' feelings toward Congress in its failure to appropriate funds to carry out the provisions of Public Law 733.

RENO, NEV., *April 6, 1957.*

Mr. LOUIS D. GORDON,
Secretary, Nevada Mining Association,
Reno, Nev.

DEAR MR. GORDON: A courageous fight has been waged by the proponents of the tungsten appropriation, and not the least of the struggle has been waged by Senators MALONE and BIBLE, Representative BARING, and you. I am very sure that everyone directly or indirectly connected with the production of this vital metal, and they number in the thousands, join me in expressing heartfelt thanks.

That I might establish my right to speak of a far more vital issue than the mere refusal on the part of the House Appropriations Committee to recommend the appropriation, I respectfully submit that I purchased a large tungsten property in central Nevada in 1952; that subsequently, under the stimulus of the original stockpiling program, I subjected this property to a thorough and competent development program; that between the years 1953 and 1956 I spent upwards of $60,000 in payments on the purchase of the property and in development of the ore deposit; that when the 84th Congress passed Public Law 733 extending the stockpiling program late in 1956, I, along with every other domestic producer, committed myself fully to the mining and milling of tungsten; that having exhausted my own financial resources I drew others into the project, whose faith in the integrity of their Government was as unshakeable as my own; that these working men and women invested more than $30 million in the project of mining and milling tungsten ore, and

that the project in which they invested was entirely sound and profitable under the appropriation covering Public Law 733; that as the sole result of the refusal on the part of the House Appropriations Committee to recommend the appropriation, our project has failed, debt has been accumulated, the investors have lost their hard-earned savings, and I have been wiped out.

If, by the above, I have qualified myself to speak out, then I would say that the issue here is betrayal, inexcusable and unforgivable. I would argue that the issue is not whether or not our Government has stockpiled enough tungsten concentrates to meet any emergency for a long period of time; not that the budget ought to be reduced; not that only a very few domestic producers benefit by the stockpiling program; not for any other policy, economic or political reason, but rather if it intends to meet an obligation it incurred by the passage of a law of the land, after inducing a whole industry to irrevocably commit itself by the passage of the law.

If our elected representatives in Government can now betray a handful of "dispensable" voters without danger of punishment, how long will it be before with like impunity they can betray a whole people?

We hold there is a law in effect now, a law that drew us deeply into the mining and milling of tungsten; that had the law not been passed we would not have so committed ourselves; that we did so commit ourselves because we had unbounded faith in our Government, and that the duty of Government is therefore plain.

We hold that if this appropriation is not passed, and at once, we have been cruelly and fatally betrayed; but we hold that something far more horrifying will have been established if this appropriation is not made: a clear precedent will have been raised for more and ever greater betrayals, shocking and confounding the peoples ever more deeply, destroying in increasing measure their faith in their own kind. And, if that comes to pass, what then will follow?

Cordially,

ROBERT C. ARMSTRONG.

It is almost unbelievable that the House Committee would so completely reverse itself in regard to the tungsten program after it had become a law. This very act by this committee can do nothing but shatter the faith of the people toward Congress. Assurances were given to producers, who in turn laid out operational programs and expended funds for development and operation and found themselves suddenly cut off. The tungsten mining industry cannot be turned on and off as a water tap. If our foreign supplies are suddenly cut off in an emergency, will our domestic operators be expected to produce our needs by reopening their mines on short notice? Should they be subjected to competition from foreign sources because of a lack of a proper tariff? The American taxpayer seems to be the goat in this case. Not only is he being taxed, unconstitutionally, for foreign aid, which moneys help produce the foreign tungsten, but his support at home is cut off. However, he is still expected to go along with any foreign aid program. Will he be able to continue paying these taxes if he is shut down? Not unless he finds some other means of livelihood.

The 84th Congress passed Public Law 733 to provide for certain purchases of domestic tungsten, asbestos, columbium, tantalum and fluorspar. Rejection by the House Appropriations Committee of a promise of $30 million for continued purchase and stockpiling of strategic minerals threatens to stop in its tracks defense efforts to develop the heat resistant metals we must have for faster planes and light weight radiation shielding essential to atomic airframes and engines.

Back of this story is a perfect example of the absurdity of passing legislation to implement progress and not providing the money to do it. But as the RECORD will show, there are outstanding some $62 million in contracts to purchase tungsten from foreign producers, at an average price of $55 a unit. I am advised that those contracts are legal, they are enforcible and foreign producers can collect on them. Are we to say to our domestic producers, "We, now in Congress, did not pass Public Law 733 and we will not carry out the promise given you last July to buy your tungsten?" Without the Government purchase program America is at the mercy of foreign producers, since the world price of these metals is too low to support American wage scales.

Dr. Flemming, formerly with the Office of Defense Minerals, stated:

I want it to be clearly understood that we favor Public Law 733 and naturally, favoring the public law, we favor the appropriation of funds necessary to carry out the policies.

We must give our domestic producers a chance. Foreign spending has put them out of business and closed their mines.

I want to remind the Members that Secretary Seaton endorsed the tungsten program.

In a statement made to the Senate Interior Committee on June 4, 1957, Secretary Seaton said:

The Department of the Interior has supported and will continue to support the tungsten purchase provisions of Public Law 733. We feel that it is right and proper that the domestic industry be enabled to amortize investments made at the urgent request of the Government during the Korean conflict, and be given an opportunity to reorient their operations to the market. Continuation of Public Law 733 is the best method of assuring these objectives. We believe that if the industry operates under this program until December 1958, the production then existing, coupled with new and reasonably anticipated demands from industry, will provide a more realistic basis from which to evaluate the position of the industry in our overall economy.

Dr. Flemming, stated before the Senate Interior Committee on February 26:

We feel that Public Law 733 represents sound public policy under all of the circumstances that confront us at the present time.

We should avoid weakening this particular segment of our economy by permitting it to close down, as a weakened segment of the economy weakens the foundations on which our whole defense mobilization program rests.

In conclusion, the issue is not whether this country has sufficient tungsten now—but whether it wants to have some assurance of a supply in the event of an emergency.

In normal times, the domestic industry cannot maintain itself without help in the face of foreign competition.

Without the Government purchase program, America is at the mercy of foreign producers since the world price of these metals is too low to support American wage scales.

The Members not acquainted with mining do not realize when a mine closes down, the timbers rot, the mine fills with water and caves in, thus making it almost impossible to ever reopen.

Members of the House, I urge you to support this amendment for actually a committee of this House has indicated it will ruin a segment of our national economy by its refusal to appropriate funds and this committee is not an authorizing committee but an appropriating committee. The Interior Committee of both Houses passed this law and I cannot see how the House Appropriations Committee can reject the will of the people. Also, I remind you that if you shatter the belief of these miners in their Government, then in time of an emergency, whom are you going to turn to? I urge you, gentlemen, please support this amendment. If the law is no good, then let us amend it or get rid of it; I refer to Public Law 733. For Heaven's sake, let us keep our word and faith to the people.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ENGLE].

Mr. ENGLE. Mr. Speaker, it would not be possible in 5 minutes to debate the merits of this program from one end to the other. I am perfectly sure that the Members of the House have not had an opportunity to read and study the record, but I want to call the list of the people who stand with us on this proposition.

First is the Subcommittee on Mines and Mining of the House Committee on Interior. We held a hearing just the other day and passed a resolution in which we called upon the House to support the continuance of this program. A copy of that resolution was sent to every Member of this House. We did not do that because this program is completely silly and we are wasting the taxpayers' money.

The committee of the other body, the Senate Committee on the Interior passed on the same matter and took the same position.

The Senate Committee on Appropriations twice and the Senate itself twice by overwhelming votes have supported this appropriation and the continuance of this program.

The Department of the Interior not only recommended it initially, but Secretary Seaton came before the Committee on the Interior of the Senate in the last week and recommended that this particular program, Public Law 733, be continued as a part of the permanent long-range domestic mining program.

The Office of Defense Mobilization appeared before the Senate Committee in February and testified again in support of this program.

The Bureau of the Budget not only has cleared this amount of money but has cleared a total of $90 million to carry this program from the beginning to the end.

Mr. Speaker, I say to you that our distinguished friends of the Committee on

Appropriations are the only group, the only committee, the only agency of the Government, which has ever considered this program and heard a word of testimony on it, that has been against it.

I know that you do not have the time, as I say, to read all the testimony, and I have not the time here today to argue it all.

But I do say that if you will listen to the list of witnesses, these are the people, these are the agencies, charged with the responsibility for this program, and they have supported it.

The Senate added $30 million in this bill for the minerals program. This amendment will substitute the sum of $10 million, which is enough to run the minerals program for a period of about 2½ months. That is just beyond the expiration of this session. Secretary Seaton has submitted his long-range program, in which he has recommended the continuation of this very program. If that long-range program is adopted before we adjourn, then this whole matter will be necessarily considered on its merits again. If it is not, then we have provided a sum for these people to wind up their production.

You must remember what has happened. This bill passed in August of last year. Twenty-one million dollars was appropriated. The committee of the other body told the producers and told the Senate itself that a supplemental appropriation would be requested. They ran out of money in November. The General Services Administration, which is the purchasing agent, sent out letters, and I intend to put them in the RECORD, in which they said that—

> When moneys are made available for the continuation of this program you will be advised. You may continue to submit monthly offerings until the program reopens.

In another letter they said:

> We will continue to receive offers during the period for which the program is suspended and will appreciate your making them monthly.

In other words, these miners were led to believe that this suspension was only temporary, by the purchasing agency itself, and as a consequence they have proceeded. Along came the Appropriations Committee and cut them off at the pocket and left them a mile and a half from shore without any oars or even a boat to get back in. What I say is that the fair thing, the elemental fair thing this House can do, is to give this $10 million which continues this program until we have a chance to go into the long-range domestic program.

After all, this was never a defense program, it was an interim program set up to take the place of any program until we come up with a long-range mining program. If that is not adopted, this $10 million simply constitutes a clean-up program and an opportunity for these people to get back to shore. You must remember that they had to open their minds, they had to employ help, that they have had to make commitments, and this is the fair thing for the House of Representatives to do. I hope you will vote for this amendment.

Mr. KIRWAN. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, it is imperative that the general purchase programs established by Public Law 733, the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956, be carried out in accordance with the basic legislation that was passed by both Houses of the 84th Congress and then approved by the President on July 19, 1956. The domestic tungsten, asbestos, fluorspar, and columbium-tantalum miners were encouraged by the basic act to continue their efforts to search for and to develop and to mine domestic deposits of these materials—which are significant for high-temperature applications. Moreover, these materials will become of increasing importance as research now underway shows us how to make better use of the higher temperatures that are associated not only with new forms of energy, such as atomic energy and high-energy chemical fuels, but also with the improvement of the efficiency of such items as vessel propulsion plants, and superheated steam turbo-generators. The advancement of our technological civilization is dependent on the development and the improvement of materials that will permit the safe and efficient utilization of superheats at elevated temperatures and pressures, often in atmospheres where corrosive conditions are extreme, and in surroundings subject to vibration and shock.

That the high-temperature area is of highly critical importance to the national defense and domestic uses was pointed out in no uncertain terms as recently as last month (April 2, 1957) by Lt. Gen. C. S. Irvine, Deputy Chief of Staff for Material of the Air Force, when he told the Society of Automotive Engineers in New York that:

> Improved use of engineering manpower and capabilities is an essential forward step in the production of air vehicles. But beyond this step lie many problems which must be solved if we are to progress as rapidly as necessary in the efficient design of future air vehicles. Foremost among these problems we must find ways of developing and using new materials capable of withstanding sonic vibration and high temperatures. * * * For the plain fact is that unless we do advance the state of the art of the thermal resistant materials, air vehicle development will lag.

And in a similar vein, the Director of the Office of Defense Mobilization, testifying before the Senate Committee on Interior and Insular Affairs on February 26, 1957, said:

> I think it is clear to the members of this committee that we are utilizing at the present time the properties of our presently available nickel and cobalt base, super-high-temperature alloys to the maximum possible extent. We all know that we have some shortages as far as that is concerned. And there is reason to believe that any further gain which might be realized in the high-temperature properties of these types of alloys will be marginal at best, and, therefore, it would appear that any further developments will lie in the area of greater use of refractory metal such as columbium, molybdenum, tantalum, and tungsten which have melting points considerably higher than cobalt and base alloys we are now working with.

For the benefit of those Members who may not be familiar with the materials that are considered to be suitable for refractory, that is high-temperature, applications I wish to insert in the RECORD at this point a table listing in descending order the melting points of those elements which occur in quantities sufficient to justify considering them for any significant industrial uses. Melting points are in degrees centigrade, and are taken from the Reactor Handbook published by the Atomic Energy Commission:

Element:	*Melting point* (°C.)
Carbon (graphite)	3,700
Tungsten	3,395
Tantalum	2,996
Molybdenum	2,622
Columbium (niobium)	2,415

It should be noted that the melting points of these materials are all considerably higher than that of the conventional stainless steel ingredients such as iron, 1,539° C.; cobalt, 1,495° C.; and nickel, 1,455° C. It is also immediately obvious that three of the materials covered by Public Law 733, tungsten, columbium, and tantalum are in the refractory category.

Now, in past weeks, we have heard many statements as to the quantities of some of these materials on hand in Government inventories, and while I wish to be fair to those who may have used such statements, I can only state that the official testimony clearly shows that the Government, at this time, has absolutely no idea as to the amounts that are required for defense purposes, and that all such statements as have been cited as to the amounts on hand are obsolete and based on war plans that are no longer current. For proof of this, I wish to cite the letter written on December 13, 1956, by Hon. Reuben B. Robertson, Jr., Deputy Secretary of Defense, to Dr. Arthur S. Flemming, Director of Defense Mobilization. Mr. Robertson said:

> Recently the Secretary of Defense announced a clarification of the roles and missions of the military departments which was necessary owing to recent, rapid technological advances in weapons. It is, therefore, now evident that new guidance is required from the Joint Chiefs of Staff in order to develop requirements consistent with these new concepts. It is difficult for us to forecast at this time the effect of these revisions upon the determination of materials requirements in the event of mobilization; it is probable, however, that such requirements will be lower for most materials than they have been in the past.

Now, naturally, it is to be expected that these new technological advances in weapons will reduce requirements for most of the classical strategic materials, such as natural rubber, abaca, sisal, sperm oil, and tin, which are presently stockpiled, but certainly the effect of these new advances must be that requirements for the high-temperature refractory metals, including tungsten, columbium, and tantalum will go up.

Now, in the face of the expert opinions cited above, it seems clear to me that the basic policy and program established

by Public Law 733 is sound, and that it could well be suicidal from the defense viewpoint for us to shut down our domestic mining mobilization base for these refractory metals—tungsten, columbium, and tantalum—at this point.

And what of the 2 other materials covered by Public Law 733? Asbestos is one of the best high-temperature insulating materials, while fluorine, produced from acid-grade fluorspar, is an ingredient of some of the high-temperature chemical fuels. Thus, all 5 of the materials covered by Public Law 733 are particularly important to the fabrication of the supersonic jet planes and the guided missiles, upon which we are putting ever-increasing reliance for the defense of not only the United States itself, but also of the entire Free World.

Mr. Speaker, in addition to the very clear defense reasons for carrying out this program, there are also equally compelling moral and economic reasons for its continuance.

The Congress of the United States encouraged the domestic miners of these minerals to believe that the programs established by law—Public Law 733—were honestly set forth and intended to be carried out in accordance with the law. Indeed, what honest citizen could assume otherwise when he reads the clearly stated and detailed programs set forth in the basic law? If now the Congress of the United States comes along less than a year later, and kills off this program by a failure to appropriate the necessary funds, then respect, not only for this law, but for all laws, can only decline. Since respect for the law is one of the prime foundations upon which our great American civilization has been erected I for one cannot in good conscience associate myself with any sleight-of-hand maneuver designed to circumvent the basic law in this case. Our citizens who have been encouraged to invest their time, capital, and their best efforts in the search for these minerals and in the production thereof under the programs set forth by Public Law 733 must be honestly and fairly dealt with by their elected representatives here in the Halls of the Congress. You may be well assured that if we fail to keep faith in this area, the precedent will not pass unnoticed in many other fields.

Lastly, there are several economic justifications for implementing the programs set forth by Public Law 733. Who does not remember the price-gouging to which our industries have been subjected in the past when too great a reliance has been placed on foreign sources of vital materials, even when these materials were in the hands of nominally friendly nations? If we permit our domestic mining industry for these critical materials to go down the drain simply because it appears at the moment that the spot price for material of foreign origin may be lower, who can say that the price for the same material will not rise several times over once our domestic mines are shut down, the equipment dismantled, the skilled miners dispersed to other jobs, and the mine workings themselves flooded by the ever-present groundwater? While we all are searching for real and honest ways to save money for the taxpayers, let us not beguile ourselves into believing that reliance upon foreign sources of critical materials is economic. Indeed, when proper weight is given to the State, local, and Federal taxes paid by the mining companies, their employees, and their suppliers, it should be obvious that domestic production of these vital minerals takes place at real costs that can compare favorably with present prices for foreign material.

To sum up, then, there are defense, moral, and economic justifications for the proper implementation of the domestic mineral-purchase programs set forth less than a year ago by the Congress in Public Law 733, and approved by the President on July 19, 1956. Let us not present the citizens with a picture of a Congress that knows not from 1 year to another right from wrong, that goes off in opposite directions without apparent purpose. Rather let us cease forthwith the undue dalliance that has already caused great hardship among the miners of these United States. Let us make available without further delay the funds necessary to carry out the program that we ourselves established less than a year ago, so that the confidence of the citizens in this body is restored and strengthened and so that they can proceed is an orderly way with the very important business of producing vitally important strategic materials—materials which are essential for the defense of the Nation in time of emergency and which are also essential for its continued growth and technological advancement in the present age of peril in which we find ourselves.

In a jet engine like the J–57 there are approximately 45 pounds of tungsten contained in the various parts of the engine which are made of tungsten alloy metal. Some of the engine parts, of course, contain no tungsten and some parts contain more than others but on the average, in a modern jet turbine like the J–57 there is contained about 45 pounds of tungsten or something like 1 percent of the total weight of the engine, which is approximately 5,000 pounds, with the afterburner.

The amount of tungsten required for the manufacture of a jet engine like the J–57 is roughly 3 times the amount contained in the finished parts, so it is easy to calculate that somewhat more than 140 pounds of tungsten are required in the manufacture of each modern jet engine. This is due to the fact that the forgings have to be on the average three times the weight of the finished part. This is true on the average of jet engines. In many cases it is much higher as, for instance, in the cylinder-head part of a piston engine where the weight of the original forging is 10 times that of the finished part. In the case of a crankshaft for a piston engine the forging would weight six times as much as the finished shaft.

It is, therefore, apparent that any conception that only 20 pounds of tungsten is required in the manufacture of a modern jet turbine is completely inaccurate as an average of somewhat more than 7 times that is required. The parts of the forging which are trimmed off and cut away are not completely lost but they are lost as far as the manufacturer of the jet engine is concerned for the reason that waste of this type is recovered and sold in the steel alloy trade to be used in the manufacture of alloys using lesser amounts of tungsten for other purposes. This, however, does not change or alter the fact that more than 140 pounds of tungsten is required for the manufacture of a jet engine like the J–57. When a tungsten base alloy is developed which will permit jet engines of this type to be operated at a much higher temperature than at present the amount of tungsten required for each engine will be vastly increased and will no doubt exceed more than 1,500 pounds for each engine.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DURHAM. I yield.

Mr. EDMONDSON. I do have a district where there are mines and where most of those mines are shut down today because of the importation of foreign metals at disastrously low competitive prices. I would like to ask the gentleman if this amendment is not adopted, will the Government's purchasing program on columbium and tantalum also be terminated?

Mr. DURHAM. It will be terminated on June 30 and there will be no more of it.

Mr. EDMONDSON. I certainly join with the gentleman, and I hope the amendment for the $10 million is put in this bill.

Mr. KIRWAN. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I would like to speak a little bit about asbestos. Too many times we think there is only one mineral involved here. But, that is not the case. There is an asbestos mine on the San Carlos Indian Reservation in Arizona which would not be there except for this particular program. This mine is affording employment to some 200 San Carlos Indians who would not otherwise be employed. This mine will be in a position to sell in the world market within 2 years because of the fact that they have been able to uncover a very fine vein of asbestos. If the mill is built, which is needed to process this asbestos, the asbestos will be sold on the world market within 2 years.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. RHODES of Arizona. I yield.

Mr. ASPINALL. Mr. Speaker, I feel that there has been too much talk about stockpiling as far as the proposition now before the House is concerned. As far as this particular matter is concerned, this is not primarily one of stockpiling. The question is whether or not we are going to firm up our domestic mining industry. We were caught short in this country before each 1 of the last 3 major conflicts. It is a fact that we now have built up a healthy domestic producing tungsten industry. This is largely because of some of the incentives that we have heretofore offered.

The issue before us at this time is really quite simple. It has been confused

only because we have overlooked the fundamentals and given weight to transitory statements and positions.

I realize that the distinguished members of the Appropriations Committee who have opposed the provision of funds for the continuation of purchases under Public Law 733 have done so out of a conviction that the program is not necessary. I respect their opinion and regret very much that I must disagree with these friends of long standing. I might concede to their position were it not for the fundamental consideration which I cannot overlook. This fundamental can be simply stated. Just last summer the Congress passed and the President signed into law an 18-month program to purchase a certain quantity of critical minerals, primarily tungsten. Funds to implement this purchase program were approved last year in the amount of $21 million. The program then was activated by the proper agencies of government and the interested producers of these materials had then, and should now have, every reason to believe that the program as passed would be carried out. They proceeded to mine and produce these materials, making investment, blocking out ore, firming up employment and the many details which go into a production venture. Now they see this effort, this investment suspended in midstream. Workers who thought they had employment see its sudden termination. This boom-and-bust fluctuation in mineral production has been all too prevalent in this Nation, and it has cost the Nation valuable reserves of critical mineral resources as mines were left to cave and ruin. The Congress should not, indeed cannot, be an active party in another such dismal event, since the Congress was the body which held the carrot before these producers in the form of the purchase program.

I have no tungsten production in my district and my district interest, if any, would be in the fluorspar part of this program since there is fluorspar production in my district. Still, I have seen too often the tragic consequences of abandoned mines, flooded, caved, a crumbling hole which swallowed investment, hope, and valuable mineral reserves which this Nation needs.

I have had information from a tungsten producer in Colorado, not in my district as I said earlier, but a small Colorado producer. This small firm has limited capital, yet in prospect of the purchase program, it invested some $65,000 in its operation. This company now stands to lose some $200,000 on tungsten concentrates already produced and over $500,000 on improvements made in reliance upon this Federal program. Beyond this, some 80 workers will be out of work in a small town where no alternative employment opportunity exists. This we cannot, in good conscience, allow.

Consider, there is now outstanding and enforceable, some $60 million in contracts for tungsten with foreign producers. These will be honored. There will be no midstream termination. We can do as much for our own people and equally honor our commitments to them.

There is some suggestion that certain producers have done better than necessary under this program and that perhaps certain adjustments are needed. If this be true, then this program should come before the proper legislative committee where, I can assure you, it will be carefully considered and necessary adjustments made as to production to be purchased from any producer, price, and so forth. We owe these domestic producers at least this consideration for their determined effort to provide for us a domestic tungsten industry. We need to have, beyond any doubt, a safe domestic supply, even an oversupply, of this evermore vital defense material.

Mr. RHODES of Arizona. I thank the gentleman from Colorado.

Mr. Speaker, in closing, I would just like to call attention again to the fact that this bill does build up the domestic mining industry and in so doing has served in the best interest of the Nation's well-being.

I do not want you to pull the rug out from under these producers the way you did after World War II. Someday, you know, we are going to have to ask those people to produce, and they are not going to do it because they will remember when they once got their feet burned. We have done it twice now; I do not think we should do it again.

Mr. KIRWAN. Mr. Speaker, I yield 2 minutes to the gentleman from Colorado [Mr. HILL].

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. HILL. I yield to the gentleman from California.

Mr. ENGLE. The gentleman is a member of the Committee on Agriculture which from time to time authorizes farm programs. I am wondering what he thinks would happen if after initiating a farm program we chopped it off about the 1st of January rather than permitting it to run along for a sufficient period of time, or at least we changed our mind about it suddenly? What does he think would happen if they cut this off this year instead of next year?

Mr. HILL of Colorado. I would say to the gentleman that he is speaking good, sound, hard sense. We are going to do that.

A few days ago the Senate had gumption enough to put some three to five hundred millions back in the soil bank, and I for one say to you that it is about time we took a second look at agriculture. I want to associate myself with all the Members of this House who feel that we should not cut this tungsten program off at this particular time. I am not an expert; I only live close to the mines. Colorado had a great history in mining, but it was before my day, long before my day. Now we have an opportunity to keep our mines open and we have a few mines in the West where tungsten is a very important product, most of them are small mines.

I am turning to page 5 of the testimony of a gentleman, which was given on February 26, 1957, Dr. Arthur Flemming. Let me give you his full name so you will know who I am talking about, Dr. Arthur S. Flemming, Director of the Office of Defense Mobilization.

Now, we are losing the impact of the argument for this appropriation unless we consider it as a defense activity, and we also lose it if we start at the word "defense" and do not consider the future. We probably do not know, and the testimony would indicate that they are not quite ready for an overall and all-inclusive minerals program. But what are you going to do? Listen to what Dr. Flemming said here uncontroverted. He said, commenting on a letter on the stationery of a certain firm—I will not read the name of the firm:

Attached to this letter is a chart. There are figures here which purport to show the total stockpile of tungsten.

Every one of you should listen to this because these are the facts. Let us get it straight.

The SPEAKER pro tempore. The time of the gentleman from Colorado has expired.

Mr. HILL. Mr. Speaker, will the gentleman from Ohio yield me 1 additional minute?

Mr. KIRWAN. I am sorry, but I cannot.

Mr. HILL. I will put the statement in the RECORD where Dr. Flemming shows we have only a 6-year supply, not a 20-year supply. You had better think this over before you cast your vote.

Dr. FLEMMING. It is recognized by all of us that our total mobilization program must rest, if it is to succeed, on the foundation of a strong and sound economy. This is reflected in this report. It is clear that if the industries with which we are dealing this morning are shut down, one segment of our economy will be weakened. Surely no one can argue that closed-down mines filled with water, with miners out of work, can do anything but weaken this segment of our economy.

We felt last year, and still feel, that it would be unwise for the Congress to permit this to happen in view of the fact that the administration intends to recommend and the Congress to consider long-term policies that are designed to create or will be designed to create a more favorable economic climate for these industries than now exists.

As I indicated, Mr. Chairman, last year, we regard this as purely interim, stopgap legislation. Nevertheless, we feel that it is important for Congress to go through with the policy set forth in Public Law 733 until the long-term policy is developed and enacted into law.

Mr. Chairman, that is simply a restatement, really, of the position that I took when the Congress was considering Public Law 733.

The CHAIRMAN. Thank you, Mr. Flemming.

Mr. Redwine of the committee staff desires to ask you a few technical questions. Mr. Redwine?

Mr. REDWINE. Dr. Flemming, I hand you a letter on the stationery of Kennametal, Inc., Latrobe, Pa., which for reasons which will develop in a moment, Mr. Chairman, I do not wish to offer for the record. I just want Dr. Flemming to identify it.

Dr. Flemming, attached to this letter is a chart. There is a figure here that purports to how the total stockpile on tungsten. Is such a figure classified information?

Dr. FLEMMING. It certainly is.

Mr. REDWINE. Dr. Flemming, please do not mention the figure that is given, but can you say whether or not, without violating security, that is a realistic figure?

Dr. FLEMMING. I prefer not to comment on the figure at all, in view of the fact that it is classified.

Mr. REDWINE. Doctor, in the letter reference is made back to that figure and it is stated that that figure constitutes a 20-year supply in time of emergency of tungsten.

Can you say whether you have a 20-year supply of tungsten on hand?

Dr. FLEMMING. Let us make the question very specific. That is a 20-year supply for dealing with a wartime emergency?

Mr. REDWINE. Correct, sir.

Dr. FLEMMING. The answer to that is "No, we do not have anything approaching that on hand."

Mr. REDWINE. Can you, without violating security, tell the committee approximately how many years' supply you have on hand for wartime emergency?

Dr. FLEMMING. Thinking in terms of the requirements for a wartime emergency, we have on hand enough to carry us through approximately a 6-year emergency.

Mr. REDWINE. Mr. Chairman, I do not think this letter should be put in the RECORD in view of the testimony of Dr. Flemming.

Dr. Flemming, you have been procuring materials for a good many years for the Federal Government. Do you consider when you announce a program that you will purchase so many tons or units of this or that, that you have entered into an implied contract with the producers thereof?

Dr. FLEMMING. That is the position, of course, we have taken consistently before this committee where we made in effect a holding out that we will require certain quantities within a given period of time; that the Government is then under obligation to acquire those quantities provided they come in within the time period set.

Mr. REDWINE. The Congress, faced with the circumstance it is, that it has made an implied contract with the producers of these 4 metals, if Congress reneged on that, what effect do you think that would have in a time of dire emergency which might come ahead of us? What would the producers feel if the Government had once reneged on them?

Dr. FLEMMING. Mr. Redwine, as I indicated in the conclusion of the statement I just read, we feel for a number of reasons that it is important for Congress to go through with the policy it outlined in Public Law 733 until this long-term policy is developed and enacted into law.

* * * * *

On the other hand, as you have indicated, competent authorities do continue to advise us that accelerated technology, particularly in the field of military devices, is moving constantly in the direction of higher and higher temperatures.

I think it is clear to the members of this committee that we are utilizing at the present time the properties of our presently available nickel and cobalt base, superhigh-temperature alloys to the maximum possible extent.

We all know that we have some shortages as far as that is concerned. And there is reason to believe that any further gain which might be realized in the high-temperature properties of these types of alloys will be marginal at best and, therefore, it would appear that any further developments will lie in the area of greater use of refractory metal such as columbium, molybdenum, tantalum, and tungsten which have melting points considerably higher than cobalt and base alloys we are now working with.

Mr. Chairman, members of the committee, again I would like to make the proposition very clear; we are not supporting, we did not support Public Law 733, and we are not supporting it now on defense grounds; that is, in terms of the need for these materials for defense purposes as of the present moment.

But we are supporting it on the ground that there is a long-term policy that the administration is going to present and that the Congress is going to consider and we feel that during this interim period, between now and the time there is agreement on the long-term policy, it just does not make good sense from any point of view to permit these mines to close down and the water to flood the mines and so on, and to put the miners out of work.

* * * * *

Senator MALONE, do you wish to ask some questions at this time?

Senator MALONE. Yes, I would like to develop one point with Dr. Flemming.

Doctor, are you familiar with the research that is going on now to develop higher heat-resistant alloys?

Dr. FLEMMING. Yes, sir, generally; not as a technician, but I have been informed along that line, as I indicated a few minutes ago.

Senator MALONE. Yes. I doubt if the emphasis has been sufficient on that point.

We had a very interesting paper from Dr. Thielemann, whom you probably know, R. H. Thielemann, chairman of the department of metallurgy of Stanford Research Institute. His latest results are a part of his paper.

I would like to call your attention to this matter for the record in the light of your testimony that you have a 6-year reserve or stockpile on tungsten.

Now, Dr. Thielemann says, and I heard him testify before a House committee in San Francisco last Sunday, a week ago, that:

"If satisfactory tungsten base alloy can be developed which will have useful engineering properties of temperature of 2,000° F. and higher expected consumption would be doubled or tripled."

Now, if you believe that is really right on top of us, what would you say about your stockpile?

Dr. FLEMMING. Senator, as you know, it is difficult to comment on that in a specific way because I do not know what Defense will come up with in the way of requirement in the light of a statement of that kind, but unquestionably the requirements will be higher than they have been at the present time and that will be reflected in the stockpile.

I would like to say this, Senator: I think the point we are making, although we don't have any figures to go on at the present time, the point that you are making nevertheless indicates the desirability of keeping industries of this kind on a going basis rather than letting them shut down because in this kind of world we never know when somebody is going to come through with something like this.

Senator MALONE. I think you and I discussed this at another meeting we had last year, that is your best stockpile is a going-concern industry.

Dr. FLEMMING. We have always had that feeling.

The CHAIRMAN. Senator Allott, of Colorado, wishes to ask some questions.

Senator ALLOTT. I have no questions I want to ask the doctor; thank you, Mr. Chairman. I am a member of this subcommittee, but I have one or two things I would like to say.

First of all, I want to express to Dr. Flemming my own personal regret that he is leaving the position he has occupied. I think it would not be amiss to emphasize here what I conceive to be one of the biggest dangers and faults in our Government at this time which he on his part has done his best to eliminate. Unfortunately, in these hearings, and this is true not only under this administration, but it has been true for many years, in the testimony of people who are charged with policymaking, there is always the tendency to leave a door or doors open which lead to statements and declarations of policies which have so many doors in them that they are not policies at all. Doctor, if I could commend you for anything at all, it is for the forthrightness and definiteness with which you have always stated your own point of view, which then gives other people a chance to put it on an anvil and beat it out to find out its merits or lack of merit, as the case may be.

Dr. FLEMMING. Thank you.

Senator ALLOTT. And in your case it has been mostly merit. I would like to say this in addition: I appear here only because I want to express myself completely and wholly in support of the program. The real matter at issue here is to give the doctor a chance to refute some misconceptions of his testimony. But at this time I cannot help but follow up to some extent my good friend, the Senator from Idaho, and express my own thoughts in support of this whole program to implement Public Law 733 of last year.

There are so many examples that can be used in this field that they are almost endless. I point to the fact that 2 years ago, in 1955, numerous Senators appeared before the Appropriations Committee and begged for appropriations to continue our oil-shale experiments. Contrary to that, they were gutted. The place was closed down, and the situation which many of us predicted was a possibility has become an actuality in less than 2 years because we do not have any Suez Canal any more, and we do not have any pipelines of oil out of the Near East. Yet the means and the opportunity to make at least 900 billion barrels of oil available to the American people was in our hands and we flubbed it. When I say "We," I do not want to take any burden for that myself, because most of the Senators—in fact, all of the people here, as far as I know—supported that building up of the oil-shale development so that it could be economically feasible. We should have right today—right this minute, right this second—an oil-shale process which would enable us to produce oil in unlimited quantities competitively with oil out of the ground. If we should find ourselves in another war, nuclear or otherwise, we will rue the day that we did not follow through and complete this oil-shale program.

There is another thing I want to speak out very strongly for. I realize that we do have to trade with other countries some. I do not believe that we serve our own interests by purchasing all of our minerals at home. I think in a broad sense we help ourselves by purchasing some of them abroad. And where the balance will be struck is a question that will always be troublesome to the administrators and to our administrators and Senators and Congressmen. But I do oppose, as we did in Mexico, taking United States money and building production of fluorspar to compete as we did with our own dollars, while we are shutting down our own. I recognize the advisability, as I say, of trading somewhat with those people and making purchases there and trying to reason out with reasonable men a balance. But to take that when we have the production in the United States and build production in competition to our own is something which I do not think can be justified, and I want to express myself as being opposed to it.

Thank you, Mr. Chairman and members of the committee, for this opportunity to say these few words, because I could not let this opportunity go by without expressing my complete support. I hope the Members of the House who are here will be able to do something on their side to put this appropriation back in good order.

The CHAIRMAN. Thank you, Senator Allott.

Mr. KIRWAN. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Speaker, I rise to support the amendment offered by the gentleman from California [Mr. ENGLE]. If this House fails to appropriate at least sufficient funds to permit an orderly liquidation of the tungsten program, the producers in my district will feel and will be entitled to feel that their Federal Government has broken faith with them and has utterly failed to fulfill the promises which have caused them to make large expenditures. I appeal to the conscience and the fair play of the Members and I most urgently ask them to provide funds with which to carry out the provisions of Public Law 733 which this Congress held forth as a promise and an obligation to carry on the strategic minerals program.

I call to your attention that in dozens of small mines in this country, producers have continued operations and kept on employing miners and borrowing money to meet payrolls on the strength of your promise of a market for their ore. They have piled up this ore and it lies there without a market unless these funds are appropriated. They are far in the hole, overobligated to the banks and lending agencies on the strength of your promise. They have no future except disaster and bankruptcy if you now say you never intended to fulfill the promises upon which they relied. It is not conceivable to me that you will let them down.

There is ample evidence of the urgent need of this program, lest we again be caught without the minerals essential to a crash war production program and an operating mining industry to provide them. We are all deeply concerned with adequate defense and the strength of America and we need to continue to make sure we have these minerals.

For the strength and future of our country and to fulfill our promises in good faith, I most urgently appeal for the passage of this amendment.

Mr. KIRWAN. Mr. Speaker, I yield 4 minutes to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Speaker, I do not customarily take a position in opposition to my good friend from New York [Mr. TABER] or the gentleman from Ohio [Mr. KIRWAN], and if I did not feel keenly about this being an economic measure I would not be here at the present time. I would simply like to rehearse some of the facts which I think indicate that we are going to make a mistake if we do not agree to this amendment. Back at the time of World War II we did not have a domestic tungsten mining industry in this country, so the Government adopted a program of trying to stimulate the production of tungsten in this country. At that time we were paying as high as $65 a unit for tungsten. We entered into long-range contracts with foreigners for this metal at that price. Then we came along and stimulated the domestic mining industry and, as a result, we brought the price down 100 percent under the amount we were paying to our foreign friends. The industry, of course, sprung up and our producers got in business. At the present time if the Government does not continue to give them support to keep them going, we are going to be again at the mercy of the foreign producers. You are going to be paying a price that will more than offset the amount of the subsidy which we are now giving to our domestic producers.

Mr. DIXON. Mr. Speaker, will the gentleman yield?

Mr. DAWSON of Utah. I yield to the gentleman from Utah.

Mr. DIXON. This is not a question of stockpiling, it is a question of the existence of these strategic mines.

Mr. DAWSON of Utah. That is correct.

Mr. DIXON. You cannot turn a mine on and off like you would a faucet. Would the gentleman explain that?

Mr. DAWSON of Utah. That is a mistaken notion that a lot of people have, that by keeping these metals stored up in the ground you are effecting a conservation program; however, if you close a mine which is timbered and subject to flooding, you are going to actually do the very opposite. The timbers rot away, the mine caves in and the metals are lost to the country. The cost of putting them back into production again is far greater than the amount spent in the form of subsidies.

Mr. DIXON. I wish to associate myself with those supporting this amendment. I do not think we should go from white to black in one leap the way the proposed bill would do.

Mr. DAWSON of Utah. Let me inform the Members, particularly those on this side of the aisle, that this is an administration measure. There has been some reference made to the fact the administration does not back it. Ten days ago, Secretary Seaton came before the Senate Interior Committee and in answer to a question I propounded to him in regard to the effect on the industry if we failed to go ahead with the program, he made this statement:

> I said this morning that the administration supported the program in the first instance and it supports it now.

Further, in reply to a question by the chairman of the committee, he made this statement:

> I said as delicately as I could that I do not want to put any blame on anybody in the Congress, but I feel personally, and I cannot help but express myself, that when the Congress of the United States authorized this program in the last session there was in fact a moral commitment to carry it on.

There is that commitment. These people have gone to the expense of building up their facilities depending on the program being carried out. If we let them down now and close the facilities, we are not keeping faith and the mines will close.

In answer to a further question put to Mr. Wormser, the following statement was made by Mr. Wormser, Assistant Secretary of the Interior, in regard to what would happen to these producers if this appropriation were not granted. He stated:

> My feeling is that we perhaps have 1 or 2 producers able to meet the international competitive situation, but by and large the industry has been shutting down.

I can testify that in my own State we have two producers who process tungsten. One is closed down and the other is preparing to close down probably next week if this appropriation is not granted.

In the narrowest sense, the approval of funds for the continuation of the Government's tungsten purchase program is necessary if Congress is to keep its pledge to the domestic producers of this vital and critical metal.

But in the larger sense, continuation of this program—until an adequate alternate can be adopted—is necessary if this Nation is to remain self-sufficient in a metal that, due to the high temperature jet age, is vital to our national defense.

This history of our dependence upon foreign sources is, in miniature, a typical example of what happens when this Nation allows low-cost foreign production of any needed material to become our sole source of supply of this material. First during World War II and more recently in the Korean war we have been given a dangerous and expensive lesson in this regard.

During World War II we managed—of necessity—to meet with domestic production our tungsten needs by bringing into being an entire new industry. This required expensive Government investments and diversion of critically needed manpower from other war industries. But we learned then—as we should remember now—that we cannot depend upon foreign production to meet our needs in times of emergency.

This lesson was quickly forgotten in the bright era of peaceful optimism that flared up briefly after the war. We again allowed our domestic sources to collapse, choosing instead to again become dependent upon foreign sources of tungsten. The folly of this course was soon demonstrated as the cold war flamed into a raging conflict in Korea.

Deprived or major sources of tungsten from abroad, this Nation saw the world market price increase to over $65 per unit as foreign producers adopted the techniques of charging all the traffic would bear. The only alternative was to revive—again at great expense—our domestic mining industry. Our domestic producers again rose to the task. The tungsten industry arose like the phoenix from its own ashes. Right now, the United States is capable of meeting its own tungsten requirements.

If this industry is to survive—if we are to avoid a mistake already twice-made—we must continue the tungsten purchase program until an adequate substitute is evolved. For my authority, I quote Secretary of Interior Fred A. Seaton. Appearing before the Senate Interior and Insular Affairs Committee on June 4, 1957, the Secretary was asked what would happen if Congress failed to vote funds to continue the tungsten purchase program. He replied and I quote:

> Secretary SEATON. Mr. Chairman, in the first place, I would not like to think in terms of being unsuccessful. I said this morning that the administration supported the program in the first instance. It was part of the President's budget in this session of the Congress. The whole administration has supported it time and again.

I said, as delicately as I could, that I did not want to put any blame on anybody in the Congress, but I felt personally, and cannot but feel, that when the Congress of the United States authorized the program in the last session, that there was, in fact, a moral commitment to carry on.

In the language of the appropriation, we were advised that we had been given part of the money, or part of the money had been appropriated to carry it on, and there was certainly at least an implied invitation if not an actual one to return to Capitol Hill and ask for further appropriations in this session of the Congress.

I would hope very much that those of us who believe in the program, and those who feel as I do about the program's being carried on, will be successful in their efforts.

As to what we do if those things do not come to pass, I would much rather reserve that for consideration, but I would assure you, Mr. Chairman, that we would have no intention of just leaving that hanging on the line. What we could do might be entirely different, sir, because a Congress which had refused to appropriate money to carry on a program which it, itself, had authorized might or might not be susceptible to further suggestions, do you not see, either from the Department of the Interior or the administration as a whole, or the gentlemen who are members of this committee and who believe in the program. That is a question I cannot answer.

Mr. Speaker, I do not think any Member of Congress should want to consider this problem on the basis of our being unsuccessful today in our efforts to have it continued. The tungsten program is too involved in our basic defense needs to lend itself to the economy ax. The producers who interpreted a decision by Congress last year to continue the program are entitled to have their confidence in our intent justified. The Nation itself is entitled to the comfortable feeling of knowing that its supply of domestically produced tungsten is available in cases of national emergency.

Mr. KIRWAN. Mr. Speaker, I yield myself the balance of the time.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman from California [Mr. ENGLE] asked what would happen if the farm program were changed. I do not know but in the last 25 years farm programs have been changed every year. I would like also to say to the gentleman from Colorado [Mr. HILL] that one farm program that has been kept very stable is the wool growers support price program and the beet sugar producers support prices. If they just apply that rule to the rest of agriculture, we would get along pretty well, but Mr. Benson and some of the Members in Congress are willing to change the farm program every year.

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from California.

Mr. ENGLE. It is true, also, is it not, that tungsten is used in armor-piercing shells, in tools, and also in other ways?

Mr. KIRWAN. It is used in many ways. Now, I will tell you that in 1944 the steel companies that were using 72 percent of the total tungsten concentrates for drills and dies and tools were only using 26 percent in 1954. There they are using a substitute which is much better. I asked for and received a table from the Department of the Interior showing how much tungsten was consumed in the 5 most prosperous years of the history of this Nation, the last 5. They said that an average of 7,400,000 pounds were used annually in the last 5 years. We added 400,000 pounds a year to that, just so that we would not be wrong, and would give them the benefit of the doubt. Based on 8 million pounds a year, we now have enough tungsten for 26 years of peacetime use.

Let me read what President Eisenhower said to the Congress in his budget message. Turn to page 89 of this year's budget. He said, "We have $260 million worth of tungsten that we cannot put in the stockpile." That is in this year's budget.

One of the speakers who preceded me told you about what a wonderful mineral tungsten is. Any schoolboy or schoolgirl knows that and has known it from the day that Edison invented that light bulb up there. Tungsten was what kept it from burning out. But I am telling you what supply this Government has of tungsten. This is what the President of the United States said in this year's budget, that we have $260 million worth of tungsten that we cannot put in the stockpile.

The stockpile went up to the limit in about 2 years. Then they came in and extended this act for 2 more years. Then when they tried to extend it still again, the President vetoed it.

There never was a time when the Department of the Interior or anybody down the street asked for this bill. It was initiated here by the Congress. Congress was responsible. Is not that a fine thing to take out to the people of the United States, that that is the way we are running the Government? But that is what we did. The administration never asked for this legislation. We did it. We thought they needed more tungsten. There were no House hearings printed on the matter.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. DAWSON of Utah. The gentleman said that the administration was not backing this program?

Mr. KIRWAN. They just came out for a long-term program, is that correct?

Mr. DAWSON of Utah. That is correct.

Mr. KIRWAN. Secretary Seaton said he was for it. He would be foolish if he were not, when he was appearing before the Congress. Anyone down the street would be for it. But they never asked for it before the Congress passed it.

Mr. DAWSON of Utah. Will the gentleman yield further?

Mr. KIRWAN. I yield.

Mr. DAWSON of Utah. Is it not a fact that in the statement that was handed to some of the Members there was included the fact that the matter was deferred by the committee awaiting the long-range program.

Mr. KIRWAN. Yes.

Mr. DAWSON of Utah. Now the long-range program is out and they are recommending the continuation of the subsidy-purchase program.

Mr. KIRWAN. Let me turn this thing around and ask the gentleman a question. Is the gentleman for more tungsten when the President says that we have $260 million of it that we cannot get into the stockpile? Are you for tungsten when one producer of tungsten, General Electric, which owns 30 percent of a mine that produces tungsten, will not buy 1 pound of their own tungsten? But they do tell you that 40 percent of the tungsten that they sold to the Government is of nonstockpile grade. Why, Russia would not do that. There is no nation on earth that would do it.

Mr. DAWSON of Utah. Will the gentleman yield further?

Mr. KIRWAN. I yield.

Mr. DAWSON of Utah. The gentleman asked me a question and I would like to answer it as to whether the President was for this program. The President has recommended this program. I think that is the best answer.

Mr. KIRWAN. I again tell the gentleman this. I heard Mr. Flemming's name mentioned here a while ago. Flemming said, "I again tell you that no additional tungsten purchases are necessary for defense purposes." Then when he is up here with a group of attorneys and Senators around him trying to press him and asking the question, "Will you go for the program?" he would be foolish, as he was leaving the Government in 1 week, not to say that he was for the program. He was just living up to the old adage, "Always leave them laughing when you say goodbye."

Mr. DAWSON of Utah. Why did he recommend it?

Mr. KIRWAN. Because he was going out of the picture. He never asked for it.

Let us review the history of this subsidy program.

In 1953, Congress extended this domestic purchase program for 2 more years to help these producers. During this period we bought $187,562,000 worth of tungsten and all of it was surplus to the strategic and critical stockpile. We paid $63 a unit when the market price was $43.

The President vetoed H. R. 6373 on August 14, 1955, which would have again extended the domestic minerals purchase program. At that time he stated:

Finally, the provisions of H. R. 6373 would apply to only a small segment of the domestic minerals industry and would not reach the fundamentals of the program. Indeed this bill would make solution of the overall problems of the industry more difficult. * * * The interests of the domestic minerals industry will be better served by proceeding with the careful development of a long-range minerals program than by approving a stopgap measure extending substantial Government aid to only a segment of the industry.

On July 13, 1956, S. 3982, which became Public Law 733, was brought in here under the suspension of the rules and was passed without any debate. The legislation had not been proposed by the administration. There were no

printed House hearings available and there was not a word of explanation on the Floor that this law would cost $91 million.

The Senate Appropriations Committee inserted $35 million in the Second supplemental appropriation bill, 1957. In conference the Senate conferees agreed to strike the item and the conference report was approved by this House without a dissenting remark.

The Senate insisted on restoring the item in the closing hours of last session and in conference we finally compromised at $21 million to carry the program until the House committee could review the need for additional purchases. Of this total, $16,273,000 was for tungsten.

I have now had a chance to study this subsidy and here are some of the facts.

A 6-year wartime supply of tungsten is now on hand in inventory, another year's supply is on order, and at least an additional 2-year supply can be readily produced during war time in United States, Mexico, and Canada.

Based on current annual consumption the supply in inventory and on order would last over 26 years.

As of December 31, 1956, the estimated value of undeliverd orders under existing foreign contracts was $61,957,368. Other funds have previously been made available to finance these contracts some of which extend into 1959.

The United States has purchased to date $635,683,000 worth of tungsten including $219,555,000 from domestic producers. An additional $32,386,000 is estimated for 1958 under the existing foreign contracts.

The President states in his 1958 budget that there is $260 million worth of tungsten in inventory which cannot be absorbed within existing stockpile objectives and there is no current industrial need for the material in the economy.

The Sixth Annual Report of the Joint Committee on Defense Production states the ultimate net loss to the Government on the tungsten stockpile will be $138 million, the highest loss among all the minerals.

NUMBER OF TUNGSTEN PRODUCERS

It was claimed that 700 small producers would benefit. Yet only 177 have participated, and 11 producers have received $12,826,000, or 86 percent of the total. Ninety-two percent of the money went to only 18 producers. Take for example, Idaho.

Under Public Law 733 only three companies in Idaho have sold tungsten to the Government, totaling $968,000. $897,000 of this, or 93 percent, went to the Bradley Mining Co. These mines are leased from the Haile Mines, Inc., of North Carolina. Thirty percent of the stock in this company is owned by the General Electric, one of the largest users of tungsten in the United States. Yet, the president of this North Carolina mining corporation testified as follows on page 117 of the Senate hearings in answer to questions by one of the Senators:

Senator ———. I was amazed yesterday when I learned that not a single pound of our domestic production (of tungsten) is used by industry. Do you think that is correct?

Mr. LONG. Not a single pound.

Senator ———. I also understand that some of our biggest processors, General Electric, Union Carbide, Sylvania, are interested in the production of tungsten, the mines where the total output is sold to the Government, although these same companies purchase the tungsten they use in their own operating facilities from abroad; is that correct?

Mr. LONG. Yes.

This means we are being asked to continue buying from the domestic mines of some of these corporations at $55 a unit while they continue to purchase foreign tungsten for use in their own industry at the United States market price of $26.

For example, Union Carbide, one of the largest users of tungsten, has received $1,696,541 under this new subsidy program since last August 1 for tungsten produced in its domestic mines.

The Government to date has purchased over $26 million worth of tungsten from the North Carolina mines of the Haile Corp., including $1,375,000 under Public Law 733, at prices far in excess of the going market price.

In addition, this corporation received a certificate of necessity for rapid tax amortization on its tungsten production.

Also this Carolina corporation and the Bradley Mining Co. currently have contracts for Government assistance totaling $355,000 to discover more tungsten under the defense minerals exploration program. Altogether the Government now has 21 such contracts in force at a cost to the taxpayer of $1,011,050 to discover more tungsten. Yet Senator MALONE said on page 104 of the Senate hearings on Public Law 733:

For your information there is enough tungsten in Nevada and California to last the country a hundred years * * *. Now we are arguing about how to get rid of it. * * * It is running out of their ears.

What are some of the other corporations who it is said will suffer if this subsidy is not extended again?

First. One company in Colorado, which has received $932,000 under Public Law 733, reported a net profit of $15,152,965 from its various mining operations in 1956. According to Moody's Manual, it had assets of $66,489,302 in 1955.

Second. Another large domestic producer, who has received over $2 million under Public Law 733, still has over $22 million due under its contract with the United States to furnish tungsten from its foreign mines. It is the same old story of working both sides of the street.

Third. Another large domestic producer also has mines in Mexico and is negotiating to acquire other interests there. This company announced on April 5, 1957, that it was "dealing with the Mexican Government for a large reduction in export taxes and for the approval of tax subsidies as provided by Mexican law in connection with building of a plant." Yet we are told we need this appropriation to protect our mines from foreign competition.

SMALL NUMBER OF MINERS AFFECTED

Now it has also been claimed thousands of miners would be put out of work if we stopped this subsidy. When we asked the Assistant Secretary of Interior about this, he said:

There are not too many, however, as a matter of fact.

A president of one of the large tungsten companies testified before the Senate, page 80 of the hearings, that based on figures he had gathered there was a total of only 4,000 employees in the United States who would be affected if the purchase program was stopped. He said as of February 1956, a little over 1,000 were directly employed in Nevada, which has produced about one-third of the tungsten under Public Law 733.

An official of the third largest producer under the program testified he had 308 employees and that they could be consumed by other local industries.

NO OBLIGATION TO PRODUCERS

Now let us look into this claim that we still have an obligation to these producers, for whom the law was previously extended for 2 years at a cost of $187,562,000. We paid them $63 a unit when the market price was $43 and all of the purchases were surplus to the stockpile requirement. Ten of the producers, including Union Carbide, Wah Chang, and Tungsten Mining of North Carolina received certificates for rapid tax amortization.

Public Law 733, which as I said, passed the House without debate under suspension of the rules, merely authorizes appropriations. It contains no definite amount to be appropriated. Nor does it state how much tungsten shall be purchased. Instead it states "No more than 1,250,000 short tons of tungsten." In other words, the law sets a ceiling on purchases, not a minimum—there is no guaranty in the law that the United States will purchase $70 million worth of tungsten as the proponents claim. Nor has a single contract been executed with any producer.

The initial request for funds went directly from the Budget Bureau to the Senate during the closing days of last session. There was no opportunity for the House Committee on Appropriations to hold hearings and consider the items. The Senate reported out only $35 million, not the budget estimate of $91,670,000. It is true that the Senate committee in its initial report stated that it expected the Department to submit a supplemental request for funds when additional funds were required. But this did not not constitute final action on the item. To the contrary, the Senate committee agreed to strike all funds for Public Law 733 in conference and that report was agreed to by the House without any dissent. The Senate, however, rejected this conference report and the House conferees, in the closing hours of the last session, finally compromised at $21 million to carry the program until they they had an opportunity to review the program. There was no assurance given in the conference report that any additional funds would be provided. To the contrary, the action by the conferees could not be construed to have been other to cast doubt on possible extension of the program.

The resolution recently adopted by the House Subcommittee on Mines and Mining states:

Whereas the General Services Administration, to which was delegated responsibility for administration of this program, indicated to the domestic miners that the necessary funds to carry out the programs were expected to be forthcoming and that the miners should conduct their operations on this basis (as detailed in letters from GSA in November and December 1956).

I have reviewed these letters, sent to the regional commissioners by the Commissioner here in Washington, and in each instance they made perfectly clear that future acceptance of offers would be dependent upon whether additional funds were made available by Congress. These letters, to which the resolution refers, were necessary because the producers and the Interior Department exhausted the funds by November 1, 1956, within 3 months after they were appropriated, instead of spreading them over until February 1, 1957, as was intended by the conferees. So these producers wanted to keep submitting offers to be on record if they could pressure Congress into appropriating funds and authorizing the backdating of purchases to December 1, 1956. For example, the letter of December 18, 1956, from the General Services Administration clearly stated:

It is repeated that such offers cannot now be accepted and that the final determination as to whether they can be accepted later will depend on the terms upon which further funds may be available to GSA.

We have no obligation to these corporations, and they know it. This is just a last minute smokescreen they have put up when they knew they were fighting a losing battle. If the House Appropriations Committee had been given an opportunity to review this program, they would not even have received the $16 million that was rushed through in the closing moments of the last session.

And it is interesting that a vice president of one of these tungsten companies is quoted in the "Western Mineral Survey," dated April 5, 1957 as follows:

Mr. Sullivan said that tungsten operations in Montana would proceed, it is anticipated, throughout 1957, "since the Calvert Creek Mines is able to produce ore at a cost that will be competitive with any foreign product."

There is a real obligation, however, which every Member has, and that is to the taxpayers of this Nation. Now that the facts are available, our only course of action is to stop this terrible waste of money. We have purchased $219,555,000 worth of tungsten from these domestic producers and it is all surplus to our needs. Think of the millions we will have to keep on spending just to maintain this excess material.

Another interesting fact that we have discovered is the poor quality of the tungsten which these producers are dumping on the Government at over $20 a unit above the market price. We have found that of the tungsten which was sold to the Government prior to Public Law 733 for $187,562,000, about 40 percent was of nonstockpile grade. Now under Public Law 733 you would expect that they would have at least shipped us better stuff. But GSA figures show that 18.5 percent of the tungsten received at a cost of $16 million since last summer was of nonstockpile grade. Maybe this explains why industry prefers to sell its tungsten to United States at subsidy prices and use foreign tungsten in its own plants. And yet they say we have an obligation to these companies.

NO DEFENSE REQUIREMENT

I note that the resolution of the House Subcommittee on Mines and Mining also states:

Whereas any present official statements as to the defense requirements for high temperature metals, such as tungsten, columbium, and tantalum, are completely obsolete (as noted in the letter of December 13, 1956, from the Deputy Secretary of Defense to the Office of Defense Mobilization).

What are the facts? Dr. Flemming was questioned about this at a special hearing before a Senate committee on February 26, 1957, and here is what he stated:

Dr. FLEMMING. You will recall in the letter of December 13 the Secretary of Defense, or the Defense Department, did advise us that it is probable that the military requirements will be lower for most materials than they had been in the past. * * * I do think it well to keep the issue rather sharp. We do not have any firm, tangible evidence from the Department of Defense at the present time pointing to the fact we do not have enough of these materials on hand; we just don't have any evidence along that line. I would like to make that clear.

Now, the tungsten sponsors like to quote Dr. Flemming's statements on this day when they called him up for the special hearing in the Senate and worked him over after we had cut the money out in the House. That was on February 26, 1957, and he resigned and left his Government post on March 14, 1957.

But despite efforts that day to make him say the tungsten supply might not be adequate for defense requirements, he finally said:

Mr. Chairman, members of the Committee, again, I would like to make the proposition very clear. We are not supporting, we did not support Public Law 733, and we are not supporting it now on defense grounds, that is, in terms of the need for these materials for defense purposes as the present moment.

SURPLUS TUNGSTEN AVAILABLE FOR NEW USES

R. H. Thielemann, chairman of the department of metallurgy of Stanford Research Institute, is the leading spokesman for the sponsors of this subsidy on possible new developments of high-temperature alloys. Again it is interesting to know that the Stanford Research Institute is financed by the tungsten producers of this country.

I wonder why the sponsors never discuss what our present inventory of tungsten really means in terms of these so-called future possibilities.

We now have in inventory and on order a surplus of 115,000,000 pounds of tungsten in excess of the long-term strategic stockpile objective. Just for example, let us see what this surplus tungsten will do.

First. They talk of the possible need of more tungsten for jet engines. Even assuming double the present average of about 25 pounds per engine, or 50 pounds we would have enough tungsten surplus to the long-term stockpile objective for 2,300,000 airplane engines. With the present defense requirements of about 12,000 engines per year, the surplus tungsten would be adequate for about 192 years.

Second. Now let us look at this new claim that tungsten may be needed for shielding atomic aircraft from atomic radiation.

It is true that tungsten is one of many metals being studied. However, because of the weight of tungsten it is possible that a lighter weight metal will be found to be more satisfactory.

An atomic airplane will have to be very large to carry the weight involved. Therefore, only a relative small number of such planes would be built considering the excessive cost. Yet even if 10 tons of tungsten would be used in such a plane, we have enough in surplus alone to build 5,750 atomic aircraft.

Now here is what a Member of the other body said a year ago during the Senate hearings on the authorizing bill on this question of the adequacy of the tungsten supply and restrictions on defense use:

Since it has been amply proven, and I said before the success of the program works against me a little bit, that we are now currently producing twice as much tungsten for the normal civilian needs and that you have a 5-year stockpile (it is now 6 going on 7). The going concern production is such that coupled with the stockpile it is so far ahead of needs that there is no need of worrying about it at all.

Dr. FLEMMING. That is right, on the basis of our present requirements and information.

NO LONG-RANGE PLAN FOR TUNGSTEN

The stated purpose of Public Law 733 was to merely provide interim assistance to the tungsten producers pending the development of a long-range nondefense domestic-minerals program. We have all waited patiently for over 2½ years for the administration to come up with solution to the problem. Even as late as May 24, 1957, the House Subcommittee on Mines and Mining in its resolution gave as one of the reasons for supporting this appropriation the fact that the long-range program had not yet been recommended by the administration. Well, last week on June 4, the administration finally submitted its long-range minerals program to Congress. Again I repeat Public Law 733 was merely to provide interim assistance until we have a long-range nondefense plan for tungsten—and what was announced as the long-range plan—that we continue with the interim assistance under Public Law 733. Just go ahead and buy another $53,650,000 worth of tungsten which we don't need and all the problems will be solved. The domestic producers claim they can't compete with foreign producers in the United States market. I fail to see what is going to be accomplished by continuing to sell all of their tungsten to the United States Government at $20 a unit over market price, while foreign tungsten is used by industry. The only long-range plan that I can see in this is that they will keep coming back and back for more money. We don't need the tungsten. We have $260 million worth now we don't know what to do with, and more is still coming in. The taxpayers would be a lot better off if we gave these producers a gift of $30 a unit and told them to leave it in the ground.

The truth is there isn't going to be any long-range plan, at least as long as there is hope they can keep this handout going. Now is the time to stop this so-called interim assistance.

I agree with the official of one tungsten company who said in testifying on the authorizing legislation that merely continuing Government purchase of tungsten "would be an easy answer, although I believe at the end of 3 years we will still be faced with the same problem we have today."

The campaign which has been put on by the proponents of this subsidy reminds me of the old days when fictitious names, taken from telephone books, were used to flood Congress with telegrams. I have noticed with interest that similar editorials began showing up in small-town newspapers from Ohio to New England stating the same generalities in favor of the tungsten subsidy. I have not received one letter from a small tungsten producer requesting this appropriation.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. BOLAND. Is it not a fact if General Electric and Union Carbide and these other companies that are buying tungsten which is produced in foreign countries and are yet producing tungsten in the mines here, if they really were interested in a long-range tungsten program, they would be using the tungsten that is produced in our domestic mines by our own industry?

Mr. KIRWAN. That is correct. How do we know that they are not taking the tungsten that is produced over there in the foreign mines and selling it to the Government here?

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. If you will give me proof, I will yield to the gentleman. How do you know they are not doing it?

Mr. DAWSON of Utah. If the gentleman will give me some time, I will try to answer.

Mr. KIRWAN. Oh, if you had the proof, you would give it to me in 2 seconds and I would not have to yield.

This means we are being asked to continue buying from the domestic mines of some of these corporations at $55 a unit.

Let me show you what happened just this last Friday. The world market on tungsten last Friday closed at $26—and the duty is included. That means now that we are almost about to give these tungsten people $30 a unit. Have the farmers ever gotten a break like that?

Mr. WITHROW. What is meant by a unit?

Mr. KIRWAN. It is 20 pounds.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. KIRWAN. I yield.

Mr. TABER. I understand that before the committee of the other body the question was asked of the president of the Tungsten Institute as to whether or not the domestic production was used by industry and the president of the Tungsten Institute said, "Not a single pound."

Mr. KIRWAN. That is correct. He said that not a single pound was used.

Mr. TABER. So they do not use what they produce.

Mr. KIRWAN. No, they do not use what they produce. The can buy it for $26 and sell it to us for $55. Suppose we went home and some fellow came up on the television and said, "Look at what John McGook, your Representative, is doing?" Where would we be? Why, they would have us in the ash can—this, the great deliberative body that styles itself the greatest deliberative body on earth. I am only telling you facts.

Mr. EVINS. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. EVINS. I think the gentleman has shown to this House that there is an abundance of tungsten available, both in the stockpile and at the mines. I think we should be guided in this debate by the testimony of the Administrator of the General Services Administration before the Independent Offices Subcommittee to the effect that the Government had reached its minimum objective and also its long-range minimum objective in most categories.

Mr. BOLAND. I ask my colleague if this is not true, that not one dime was appropriated here for the fiscal year 1958 for the stockpiling of tungsten by GSA and the Office of Defense Mobilization? Is that not right?

Mr. KIRWAN. Yes, there is more than an abundance in the mineral stockpile. They have achieved the minimum objective and the long-term stockpile objective.

Mr. BOLAND. And the long-term objective was a period of 5 years?

Mr. ENGLE. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. Briefly.

Mr. ENGLE. I do not want to make a lengthy statement, but I would like to ask if it is not true that Dr. Flemming, the head of the Office of Defense Mobilization, appeared before the House committee——

Mr. KIRWAN. That was asked before, and I know he did appear before the Senate committee.

Mr. ENGLE. I am getting back to the authorization bill. Let me finish my question.

Mr. KIRWAN. I do not care about that fact. I told you about it and I did not lie.

Mr. ENGLE. I am not accusing the gentleman of lying, I am just calling attention to all the facts.

Mr. KIRWAN. I covered all that, and you sent me to conference without even the hearings being printed.

Mr. ENGLE. I beg to differ with the gentleman, and I want to cite the record. I am asking a question.

Mr. KIRWAN. On Public Law 733 did you have printed hearings?

Mr. ENGLE. Please let me ask the question. I ask if it is not true that Dr. Flemming, the head of the Office of Defense Mobilization, appeared before the House Committee on the Interior as well as the Senate Committee on the Interior? And his testimony appears on page 6 of the House Committee Report No. 2596 accompanying the bill S. 982, a measure which became Public Law 733.

Mr. KIRWAN. Dr. Flemming at no time said that he did not have enough tungsten for defense requirements. Now, I have covered that already.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. EDMONDSON. I wanted to ask the gentleman—I am not so concerned about tungsten—but I am concerned much more about the other metals.

Mr. KIRWIN. I know what the gentleman refers to—the conference with the other body.

Mr. EDMONDSON. I want to ask the gentleman why it was they did not eliminate tungsten.

Mr. KIRWAN. We did not want tungsten, but in the conference they would not take out one; it was all or nothing.

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield.

Mr. METCALF. There is a tungsten mine in Montana producing tungsten and selling tungsten on the market, but there are other tungsten mines in Montana which have closed down because they could not produce competitively.

Mr. KIRWAN. Let me read you a letter I received from a taxpayer in Montana.

DEAR MR. CHAIRMAN: The enclosed clipping is an example of the extreme pressure being exerted, on those of you chosen to direct our Federal Government, by special groups.

While it is not my wish to close down these tungsten operators in my county, the fact remains that you have a very great responsibility in expenditures. Our Government must have spent some $20 million in getting these properties in operation. If they can't stand on their own feet by now, I'm sure there is no hope for them.

This in no way criticizes the initial program. If you need the tungsten for stockpiling, that's one thing. If we don't, let's not have mineral surpluses like we have farm surpluses.

I salute you fellows for doing your own thinking. Keep it up.

Very truly yours,

WILLIAM E. HAND.

DILLON, MONT.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from North Carolina.

Mr. DURHAM. I know the gentleman wants to be fair. Does the gentleman know about the tungsten contract we have over there in Korea?

Mr. KIRWAN. I do not care about Korea. We have enough for jet engines to last for 192 years. I know we flew it out of Korea during the war, but we do not need it today.

Mr. DURHAM. We will tear down an engine and we will settle the argument of how much tungsten there is in a jet engine. We will try to do that.

Mr. KIRWAN. We took that up with the research and development laboratory at Wright Field and they said they used on an average from 20 to 25 pounds of tungsten in a jet engine. They are the ones who gave us the information.

Mr. DURHAM. Why are we buying tungsten then?

Mr. KIRWAN. That is what we are trying to prove here today.

Mr. DURHAM. We want to further subsidize the mine and put them in business with American dollars. You cannot blame them for buying it where they are getting it the cheapest.

Mr. KIRWAN. Do we need tungsten today?

Mr. DURHAM. I am not arguing with the gentleman about tungsten, if he will listen to what I said. I was putting this on the basis that we must continue our mining industry in this country.

Mr. KIRWAN. There are about 4,000 people in this country in the tungsten industry from the king down to the miner. I am talking about people working in the industry. It only involves 4,000. Yet in the State of Pennsylvania alone there are something like 25,000 miners who have not worked since World War II and we are not thinking of giving them a bonus to go back to work. We are not giving them any work to do.

Mr. DURHAM. I am not arguing that.

Mr. KIRWAN. I speak from the heart when I say it has not been easy for me to oppose my friends who have favored this appropriation to help the mining industry in their States. I only hope they will understand how I feel when I see this needless expense of $70 million and realize what that money would accomplish in our national forests and parks, in providing urgently needed flood protection and reclamation, and in research on our national resources. Our committee has approved large increases for the Bureau of Mines. On the 4 minerals covered by Public Law 733, we more than doubled the research in the 1958 bill over what was appropriated in 1956. These are the expenditures which will keep this country great and I will continue to support them. But with the rising cost of Government, we will not be able to provide adequately for these essential expenditures unless we stop needless subsidies like this which benefit only a relatively few individuals.

I have no objection to providing additional funds fluorspar, asbestos, and columbium-tantalum, because these are small industries needing help to get started. An unobligated balance of over $2 million is still available, and only a very small appropriation is required to carry these 2 minerals through the next fiscal year. I will make every effort to see that these funds are made available.

Now many Members have told me in recent weeks that Members on both sides have come to them and said it would mean their defeat if this tungsten money was not appropriated. The way I look at it, if we give this $70 million away, the people should ask for waivers on all of us.

I ask you all to support the committee in stopping this tungsten subsidy for I know it is the only right thing for us to do.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

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DOMESTIC MINERAL POLICIES

Mr. BERRY. Mr. Speaker, I wish to associate myself with the remarks of those Members who are supporting this amendment.

In my opinion in the debate upon appropriations for the purchase of tungsten and other strategic materials there is much more at stake than the number of dollars involved.

First. The testimony in hearings before congressional committees proves that in 1951 we were desperately in need of tungsten. This need was directly due to the failure of maintaining our tungsten production following World War II. We were relying on cheaper imports from other nations, and seemed to be unwilling to pay a price for American tungsten to offset American costs of labor, taxes, and materials.

Our desperate need of tungsten led the Defense Department to initiate a domestic program which contemplated the production of 3 million units of tungsten at a price which would pay American costs.

In addition contracts were executed with other nations to produce approximately 7,500,000 units at a price level quite comparable to that paid to domestic producers.

The foreign contracts brings up the question, Why did we execute production contracts with them for two and one-half times that of domestic contracts? The answer in my opinion is that many of those in charge of procurement had been led to believe that we did not have the domestic deposits to produce the tungsten required by the Defense Department.

Five years of production, however, have proved that we do have the deposits to produce the tungsten we need for many years in the future, providing we have a mineral policy which believes in domestic production and provides a unit price which will permit the payment of American cost factors.

For Congress and the United States to have the definite proof that we do have tungsten deposits to supply our needs in peace or war is worth many times the cost of the program up to this time.

In addition American industry, knowing that a future supply will be available, can expand the present use of tungsten in producing many new types of high-grade steel.

Second. The Defense Department in setting up a buying program for tungsten and other strategic materials, backed up with appropriations by Congress induced individuals to invest their capital and led them to believe that the program would be replaced with a long-range mineral policy.

In the 84th Congress we enacted Public Law 733. In passing this type of legislation producers were led to believe that the program would be continued until a long-range program could be worked out. Therefore in my opinion Congress is morally obligated to continue the appropriations until such time as may be required to replace it.

Failure to appropriate the funds will mean the closing out of our tungsten industry. In so doing we will liquidate the capital invested for production and once again we will be dependent upon other nations in a period of uncertain supplies and uncertain future needs. I cannot conceive of anything more destructive to our economy than to discontinue production from our own natural resources. It means a loss of jobs and income.

Three. Opponents of the appropriation are afraid of the cost. Why should we be afraid of costs? If we produce the tungsten we will have both the tungsten and the money. We cannot lose by producing our own supply.

During the 25-year period 1929–53, the record of our economy proves beyond the question of doubt that for each $1 of raw material produced in our economy we generated $5 of national income. Let me illustrate the turnover of the new dollar earned by production of new wealth in the form of tungsten.

In 1956 we produced approximately $55 million of tungsten. With the five times turnover of the new wealth dollar, the industry created $275 million of national income.

At the present time the average wage earner is receiving approximately $4,000 per year. In other words the national income created by tungsten production will pay directly and indirectly the wages of 68,750 American workers.

There is an old saying that you cannot have your cake and eat it. Failure to continue the appropriations will force us to lose both the tungsten production and the $275 million of national income created by its production.

The Federal Government at the present time is receiving approximately 23 percent of the national income in tax revenue. The loss of tax revenue on the national income created by tungsten production will approximate $63 million.

It should be remembered that in closing up the tungsten mines, we will also close up many communities now dependent upon the mines for their business volume and their payment of State and local taxes. From a financial standpoint for Congress to deliberately vote to shut off the appropriations thus forcing the mines to close would be pennywise and pound-foolish.

Fourth. Finally in voting against the appropriations to continue the mining of tungsten and other strategic materials we will indirectly establish a precedent which could lead to the destruction of all metal mining in the United States.

Since 1954, by the purchase of metals for stockpiling, we have been in reality supporting the metal prices for the entire world. If it is a sound policy to stop the appropriations for tungsten because of the fear of costs, the next logical step would be to vote against all appropriations for stockpiling of other metals. Such a step would force many other types of mining to suspend their production thus shutting off the sources of many billions of dollars of national income.

In closing I would like to point out that since 1940 we have added approximately $600 billion to the total debt, public and private. We have increased hourly wages from an average of 63.3 cents per hour for all industry up to $2.05 per hour in 1957.

These financial obligations and the payroll existing at the present time cannot be met by closing down our own production of new wealth. They cannot be met by importing cheap raw materials from other nations as a reciprocal market to buy the output of manufactured goods. The current buying power of an American miner producing tungsten is approximately five times that of miners in other producing nations.

Stated simply we cannot afford to cut back the production of new wealth from any domestic source if we wish to have the income to operate a solvent economy. What we do in regard to this appropriation is applicable to thousands of American products. If we are going to discontinue our own production because of costs then we must be prepared to accept a similar reduction in payrolls, national income, and domestic buying power.

Mr. KIRWAN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House recede from its disagreement to the amendment of the Senate numbered 17.

The question was taken; and on a division (demanded by Mr. ENGLE) there were—ayes 47, noes 156.

So the motion offered by the gentleman from Missouri [Mr. CANNON] was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the conference report may have 5 legislative days to extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, FISCAL YEAR 1958

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for the fiscal year ending June 30, 1958, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the bill be limited not to exceed 2 hours, one-half to be controlled by the gentleman from Iowa [Mr. JENSEN], and one-half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8090, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. CANNON. Mr. Chairman, the Committee on Appropriations presents to the House the Public Works Appropriation bill for 1958. With the exception of the mutual security appropriation bill and the usual supplemental bills, it is the last appropriation bill to come to the House.

It is not a perfect bill. But it is probably the most satisfactory public works appropriation bill reported by the committee for some time. It totals $814,813,023. It is $61,639,977 below the budget estimates and it is $52,521,977 below corresponding appropriations for the fiscal year 1957.

We are glad to report that there is not one item in the bill that is not budgeted and there is no item above the budget estimate.

Mr. Chairman, some have contended that the Congress should not permit the Bureau of the Budget to write the appropriation bills. I heartily concur. That is a function of the Congress. Congress does permit some of the departments to write some of their own legislative bills, as you know. Congress in effect has partially surrendered its functions to some of the departments.

But in connection with the disparaging reflections made by some on the function of the Bureau of the Budget, may I call the attention of the House to a very interesting chapter in the fiscal history of the Nation.

It goes back to 1908 and beyond. At that time, although the revenues of the Government were largely from excise taxes, we were already beginning to appreciate the inadequacy of the old haphazard method of handling appropriations.

In 1908 a National Monetary Commission was appointed under the chairmanship of Senator Nelson W. Aldrich, of Massachusetts. This Commission visited practically every capital in Europe, carefully considered the budgetary system of every major nation of the time, and with large and competent staffs exhaustively analyzed and collated European methods with our own.

Finally, in 1919 a special committee of the House under the able chairmanship of Mr. Good, of Iowa, collaborated with a Senate committee and reported out what became the Budget and Accounting Act of 1921.

The pressure for a revised budgetary system was further emphasized when the 16th constitutional amendment was adopted. Under the 16th amendment income taxes brought in such a golden stream of revenue, so far beyond anything which anyone had anticipated, that a more modern system was imperative.

The act of 1921 established the Bureau of the Budget. The Bureau has more than justified the expectations on which it was established. Naturally, it has had its critics but to date there have been no criticism which a one-package appropriation bill would not remedy.

Its estimates should be considered ceilings and this year those ceilings have been particularly high—the highest in the peacetime history of the country.

And yet there are those who complain because the budget, as large as it is, does not include estimates in which they are personally interested. It might be said in passing that if a project is so lacking in merit or priority as to fail to be included in this year's budget, it must be deficient indeed.

Certainly proponents of a project reveal the poverty of their cause when they seek to make capital for their proposal by abusing the budgetary system established with such painstaking care and so fully justified by the experience of more than three decades of exacting trial and research in the most hectic period of the world's history.

Mr. Chairman, we concede that in the bill now before you—a more than a generous bill—it is possible there may be included, items perhaps of doubtful merit, appropriations which could be reduced or eliminated.

But certainly, Mr. Chairman, the bill provides every expenditure for public works, submitted either by the Bureau of the Budget, or by any member of the committee or the House, legitimately needed at this time.

We welcome reductions which can be justified. We see no possible need for increases in any item.

Mr. Chairman, I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I presume most Members have read the report which is not too lengthy, but which explains the bill quite well. The committee recommends an appropriation of $814,813,023, a reduction of $61,639,977 or a 7-percent decrease in the budget estimate and $52,521,977 below similar appropriations for the fiscal year 1957—that is the present year. The recommendations of the committee and the specific appropriation items will be found in the table at the end of the report as usual.

Mr. Chairman, as you know, this appropriation provides funds for a multitude of projects, all river and harbor improvements, flood control, irrigation and reclamation, hydroelectric dams and transmission lines. There are some 280 projects provided for in this bill either for investigating funds, planning funds or construction funds. The committee held hearings for 2 months. There were over 700 witnesses before the committee of which approximately 200 were Members of Congress who came before the committee with people from their districts who are interested in projects in their respective areas.

Mr. Chairman, this bill provides money for many things in America. There is no money in this bill for anything beyond our shores. It is a bill to furnish funds to carry on the conservation of our natural resources of every nature including the conservation of our soil on all our public land, the conserva-

tion of minerals and metals and the conservation of soil in every area of this country where erosion is a problem along our seashores and rivers.

So it is a very important bill. I am sure if every American could have the privilege of sitting in the hearings of the Committee on Public Works they would be intrigued by the great interest manifested by people in every walk of life, asking the Federal Government to spend money for these many projects. I would say an overwhelming majority of those projects are very necessary and worthwhile, and all of a beneficial nature nationally. When we on the committee get ready to mark up the bill to determine how much money we shall allow for each item, we are dealing with important matters. We want to do the thing that is best for every area of the country, but we do not want to appropriate money that is not necessary.

There are disturbing things, of course, that come before the committee. I might read what the report says on page 12, half way down the page, under the heading "Local Cooperation":

> The committee is seriously concerned about the lack of local contribution on many of the local flood protection and harbor projects. It feels that where there is a major flood-control problem on large interstate rivers that the Federal Government logically can assume the greater portion of the cost. On those projects that are intrastate, and often of a strictly local origin and benefit, the local interests should rightfully provide a substantial portion of the cost of the projects. It is the intent of this committee to give more consideration to those projects where local interests are willing and able to make the proper contribution, regardless of whether or not the authorization requires it.

Many localities show good faith when they come before the committee, and their representatives tell us that the local contribution to the project is so many hundred dollars or so many thousand dollars or so many million dollars. There are projects in this bill, that cost millions and millions of dollars where there is not one red penny of local contribution I am sorry to say.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I notice on pages 17 and 18 a rather critical reference by the committee of the Ainsworth and Farwell projects in Nebraska. They were disallowed largely because the Ainsworth project paid only 30 percent of the repayment rate and Farwell 40 percent. The average repayment, I am sure the gentleman knows, in the Missouri River Basin is about 17 percent. Some projects only pay back at the rate of 10. However, under reclamation law the power revenues are applied. I am a little disturbed when I find these two projects, after the people had their repayment contracts made and had gone through all of the machinery it is necessary to go through, then have them disallowed on the basis they were not paying back when actually they are paying back far more than the average reclamation project in the United States. There is no flood-control money in here because flood control pays back not one penny.

Mr. JENSEN. I know well what the gentleman is talking about and I can understand why he is disturbed about the fact that funds for those projects were deleted from the bill.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JENSEN. I yield myself 5 additional minutes.

Mr. Chairman, generally speaking, reclamation projects pay back on an average about 90 percent of the funds Congress has appropriated for such projects, based upon a 50-year amortization period. These two projects in Nebraska would be exceptions, and I might say that I, too, was quite surprised that these two projects were deleted from the bill.

I do want to call attention also to some language in the bill wherein the committee was quite critical of the Bureau of Reclamation regarding the transfer of funds without coming to the Appropriations Committee members to make a case for such transfer.

I have a statement here from Mr. Dexheimer, Chief, Bureau of Reclamation, which I shall read into the RECORD at this point.

The statement is as follows:

PUBLIC WORKS APPROPRIATIONS FOR FISCAL YEAR 1958—BUREAU OF RECLAMATION

The committee print on the public works appropriation, dated June 13, 1957, covers funds for civil functions of the Department of the Army, civil works of the Corps of Engineers, and the following agencies of the Department of the Interior: Bureau of Reclamation, Bonneville Power Administration, Southeastern Power Administration, and Southwestern Power Administration, and recommends an appropriation of 7 percent below the budget estimate submitted.

It is noted in the report that for the majority of the agencies the committee recommended appropriation of most of the money requested by them. However, it is noted that extreme and drastic cuts far in excess of the 7 percent were made in the Bureau of Reclamation request. For example, planning funds for the Bureau were cut 25 percent. The overall cut for the Bureau of Reclamation is over 12 percent.

This is most difficult to understand because, first, the Bureau of Reclamation is an agency which returns over 90 percent of its funds appropriated by repayment contracts with water users and by power revenues. In addition, over 50 percent of the funds appropriated to the Bureau of Reclamation is from the reclamation fund which is made up of revenues from public land States. The planning work done by the Bureau of Reclamation is most essential to development of sound, economical, and well-engineered projects before presentation to the Congress. Planning of the projects, of course, does not necessarily mean that the Congress will authorize them. Extensive hearings are held before the Interior and Insular Affairs Committees of both Houses before any project is authorized for construction. In view of this, it seems very shortsighted to curtail a program of investigation so important to development of the water resources of the arid Western States.

Now, Mr. Chairman, I have been asked the question as to whether or not the pending bill contains any money for power facilities for the Trinity River project. My answer is a categorical "no", while the bill contains money for other features of the project, it contains no money for power facilities. So that Members will be informed on this point, I should like to make a brief explanation.

The act—Public Law 386, 84th Congress, 1st session, approved August 12, 1955—which authorized the Trinity River division of the Central Valley project of California contains this provision:

> *Provided*, That the Secretary is authorized and directed to continue to a conclusion the engineering studies and negotiations with any non-Federal agency with respect to proposals to purchase falling water and, not later than 18 months from the date of enactment of this act, report the results of such negotiations, including the terms of a proposed agreement, if any, that may be reached, together with his recommendations thereon, which agreement, if any, shall not become effective until approved by Congress.

The Secretary of the Interior, in compliance with this directive, made a report to the Congress with respect to negotiations on the sale of falling water to be produced by the Trinity River division. He also submitted the terms of the proposed agreement together with his recommendations thereon. His report and recommendations were submitted on February 12, 1957, and are contained in House Document No. 94, 85th Congress, 1st session.

Bills which would carry out the Secretary's recommendations have been introduced and are now pending before the Interior and Insular Affairs Committee.

Because of the provision in the basic act which I have just read, the President did not recommend any money for the power facilities of the Trinity project. The President correctly construed the authorizing language to mean that the authorization for the power facilities cannot be effective until the requirements set forth in the proviso quoted above have been complied with.

When appropriations for the Central Valley project were being considered by our committee, the Secretary's recommendations and the pending legislation were discussed at some length. I proposed that the following language be included in the committee report:

> In 1954 the committee enunciated the policy that it would not consider appropriations for any project not authorized by legislation. Although the Trinity project as a whole was authorized in 1955 (Public Law 386, 84th Cong.), the authorizing legislation directed that a study be made by the Secretary of the Interior to determine the feasibility of construction of the power facilities by a non-Federal agency and that any recommended agreement covering joint development be submitted to the Congress for approval.
>
> Such agreement has now been recommended by the Secretary and bills which would authorize joint development are now pending in the Interior and Insular Affairs Committee. Under these circumstances, the committee does not consider the authorization for Federal power facilities as being effective until the action directed by the authorizing act has been completed. Therefore, the committee directs that no part of this appropriation shall be obligated for Trinity power facilities.

The committee felt that the language which I proposed was unnecessary. Their view was materially strengthened by the clear-cut and positive statement

of Clyde Spencer, regional director of the Bureau of Reclamation, Sacramento, contained on page 442 of the hearings and reading as follows:

Mr. RABAUT. Are there any funds in the 1958 request which would implement construction of the power features either on a partnership or on an all-Federal basis?

Mr. SPENCER. No, sir.

Mr. RABAUT. All right. I assume you would not use any available funds to implement the power features on either basis until after appropriate review by the committee.

Mr. SPENCER. That is correct, sir. We would have to have a mandate from the Congress.

You will note that Mr. Spencer agrees that without further action by the Congress, neither the Bureau of Reclamation nor the Department of the Interior have any authority in law to use any funds or to request such funds to implement the power facilities of the project.

Mr. GUBSER. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to my good friend from California.

Mr. GUBSER. I wonder if the gentleman knows offhand, or could inform me at a later time, as to whether or not this bill includes funds for any project or any investigation which was not in the President's budget request?

Mr. JENSEN. No; it does not.

Mr. GUBSER. I thank the gentleman.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Colorado.

Mr. ASPINALL. I would like to ask my friend from Iowa a question relative to the introductory paragraph on page 14 concerning the Department of the Interior which perhaps is one of the most significant criticisms that the Appropriations Committee can levy against any bureau of the Government. It is particularly interesting to me because I have the responsibility and the honor of chairmaning the committee which has to do with irrigation and reclamation. The paragraph reads as follows:

During the course of the hearings, a number of the Bureau witnesses demonstrated an apparent lack of preparedness and an inexcusable unwillingness to provide factual and responsive answers to questions of the committee members. The committee expects and is fully entitled to prompt, comprehensive and responsive answers. It does not expect to be put through the process of digging out facts piece by piece in a time wasting and unnecessary process.

I wish my good friend from Iowa to know that I agree entirely with the statement in the last two sentences, the expectations of the committee, but I would like to know as fully as the gentleman has time to explain it just what did take place or what did not take place as to the Bureau of Reclamation's failure to justify its presentation.

Mr. JENSEN. My only answer to the gentleman must be that I did not—I was not asked to take part in writing the report; nor did any Member on my side of the aisle have any part in writing the report to my knowledge. I do not know who wrote the report. There are some things in the report I do not agree with.

The final draft of the report on the bill was handed to us first just shortly before we went into committee. Now, I am sure the gentleman from Missouri [Mr. CANNON] would be in a position to answer that question.

Now, Mr. Dexheimer in his statement, which I will make a part of my remarks, explains that that reduction is going to work a hardship on the Bureau of Reclamation. I hope that the Department of the Interior and the Bureau of Reclamation, whoever testifies before the Senate committee, will make a better showing and that they will explain this matter more to the satisfaction of the Senate committee than they did to our committee.

Mr. ASPINALL. Then may I ask this additional question? It is the feeling of the gentleman from Iowa that they did fail to make a complete justification?

Mr. JENSEN. I must admit that their answers to our questions in some instances were not quite up to the standard of the past several years.

Mr. EVINS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. LANE].

Mr. LANE. Mr. Chairman, I rise at this time to support this bill.

Mr. Chairman, the average yearly flood damage to New England is $32 million. In 1955 hurricane Diane cost 90 lives and between five hundred and six hundred million dollars due to river flooding alone.

Next to the Connecticut, the Merrimack is the most important river in this region.

The disasters suffered by New England in this decade, would even wake up a Rip Van Winkle. As a result, New England's share of flood-control money was raised a little. In 1956 it reached 4.23 percent of the Nation's total. This is far, far below the amount needed to provide flood-control projects that, in the opinion of Army engineers, are essential to prevent a recurrence of such disasters.

In considering the bill that provides appropriations for civil functions administered by the Department of the Army, and certain agencies of the Department of the Interior, I am aware that the Committee on Appropriations is guided by the recommendations of the Bureau of the Budget. I know that the committee has labored long and earnestly to bring out a bill that it considers fair and prudent.

In this connection, I am grateful for the $550,000 that is recommended by the committee for the Mystic River in Massachusetts. Concerning the $14,000 for an initial study of methods to control the Merrimack River which courses through the States of New Hampshire and Massachusetts, I think that it errs on the side of moderation.

The flood control compact for the Merrimack River was ratified by the legislatures of the two States whose agreement was necessary in working out preliminary details.

Congress gave its approval.

On April 23, 1957, President Eisenhower signed the bill giving consent to this interstate compact.

As the Bureau of the Budget had already made its recommendations before this ratification procedure had been completed, the $600,000 that is regarded as a minimum to expedite work on the Hopkinton-Everett Reservoir that will be the key to control of the Merrimack, was not included in the present bill.

I hope that, before this bill goes to the President for his signature, ways and means will be found to insert this $600,000 item in the bill.

Time is the all-important factor here, because it will take over 5 years to complete the Hopkinton-Everett project. Legislative delays will extend the danger period for the hundreds of thousands of people living in the industrial communities that were built up along the banks of the Merrimack in the days when the river provided water-power for the textile mills.

Mr. Walter P. Muther, staff director, Associated Industries of Massachusetts Flood Control Committee, describes the Merrimack as "potentially the most dangerous flood site in Massachusetts today."—From Industry, which is the official spokesman for industry in Massachusetts, in its issue of October 1956.

The history of the Merrimack offers an all too vivid and painful documentation of this fact.

What happened before, will happen again * * * with damage to property and irreplaceable loss of human life, unless we build protective works to control the Merrimack in flood season.

I know that it is impossible for the Committee on Appropriations to approve every flood-control bill that is introduced. The exigencies of politics require that every Congressman should try to get as large a slice of these appropriations for his own district, in order to provide construction jobs for some of his constituents, and to prove that he is on the ball.

This is a human motivation, with which one cannot quarrel.

But, as between those projects that are urgent and those that could be deferred or denied, I submit that there is an important distinction as to need and priority.

By any objective appraisal, the Merrimack River constitutes a real danger that must be controlled.

To verify this statement, I have no hesitancy in referring you to the sound and competent judgment of the United States Army engineers.

The appropriation of $14,000 for the Merrimack, out of an overall appropriation of $814,813,023 recommended by the committee, is but a "finger in the hole of the dike."

I shall vote for this bill, in the national interest, and because of the worthwhile and necessary projects in other sections of the nation, but even at this late date in the legislative process, I seek some way to keep the door open for additional funds to expedite progress on the Merrimack Valley flood-control program.

Before this bill reaches the President, there should be recognition of the fact that a $14,000 appropriation is not enough to make a real and effective start on a flood control project that has been delayed for 17 years, with consequent losses to the people and the industries of the valley.

How long, Mr. Chairman, must we wait for flood protection?

Mr. BATES. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BATES. Mr. Chairman, the Merrimac Valley flood control problem is a serious one to which I have given much time and attention, and I regret that the compact between the States of Massachusetts and New Hampshire on flood control was not consummated in time to permit the incorporation of the required funds in H. R. 8090, the public works appropriation bill before us today, and thus permit the construction of the Hopkinton-Everett Reservoir project in the Merrimack River Basin.

The Army engineers have advised me that their studies have convinced them that the lack of control of the Contoocook River watershed basin poses a very serious threat to the entire Merrimack Valley.

It has been estimated that a recurrence of the 1936 floods in the Merrimack area would cause $157,000,000 damage and losses without reservoir protection. Of this potential damage, about $94,000,000 would be prevented with existing reservoirs.

It is imperative, however, that the project must be completed in order to give the area the protection it requires.

I sincerely trust that the Senate will provide the funds requested in my bill H. R. 6637 and totaling $600,000 so that the initial step may be taken this year and thus initiate proper protective flood control for this area.

Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, I take this time for the purpose of clearing up what I consider to be an error in the report, at least an error in the material which was placed before our subcommittee when we were marking up this particular bill. I have reference to the Elk City—Table Mound—Reservoir in Kansas.

At the time we were considering the bill in subcomittee under the general understanding that we would not consider projects which fell in a certain classification, there was, before the members of the subcommittee, a so-called worksheet upon which Elk River was designated as a new start. In the multiplicity of these projects none of us can keep advised of each and every one of them, but had I known at the time that $165,000 had already been expended in investigation related to this project I certainly would have insisted that the $85,000 presented by the budget for this project should be included.

The purpose of my rising now is first to ask the gentleman from Pennsylvania [Mr. FENTON] if my statement is not correct that upon the worksheet placed before us the term "new start" was used in connection with this project.

Mr. FENTON. This is what it says: "New planning start."

Mr. H. CARL ANDERSEN. That is correct. It was upon that assumption, Mr. Chairman, on the part of several of us on the committee, that we turned down this project.

May I ask our chairman [Mr. CANNON] if we could not rectify this error by agreeing unofficially that this $85,000 to complete the planning for this project should by right be in the bill. Would the gentleman go as far as to agree with me on that?

Mr. CANNON. The gentleman is correct that it is a continuation of the planning. When it was submitted to the committee, as the gentleman will recall, it was submitted upon the recommendation of people who had studied the matter, and no recommendation was made that it be further provided for in this bill. I do not recall any discussion of it.

Mr. H. CARL ANDERSEN. As I have stated, it escaped our attention, immersed as it is in this vast quantity of projects. I personally never would have agreed in subcommittee to the deletion of this project unless I had felt it was a new start, which it is not. So it is my intention when we read the bill for amendment to offer an amendment to restore this $85,000 to the planning for this project.

Mr. CANNON. This project was not taken up for consideration in the subcommittee.

Mr. H. CARL ANDERSEN. That is correct. I would appreciate it if at that time I could offer it as a committee amendment, to rectify this error.

Mr. CANNON. As the gentleman is aware, the amendment was taken out of the bill at the time the subcommittee reported it to the whole committee.

Mr. H. CARL ANDERSEN. That is correct.

Mr. CANNON. It was not considered either in the subcommittee or the whole committee, except we did know it was an amendment.

Mr. H. CARL ANDERSEN. It is my intention to offer it as an amendment when we reach the proper place in the reading of the bill.

Mr. GEORGE. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Kansas.

Mr. GEORGE. This $85,000 is to carry on a project that has been underway in the planning stage since 1941. It has cleared the Army Engineers and been recommended all the way through. However, due to the fact that some of my colleagues considered it as a new start, they did not give it the consideration in committee it should properly have had.

Mr. H. CARL ANDERSEN. That is correct. As far as I personally am concerned, and I am sure this applies to the gentleman from Pennsylvania [Mr. FENTON] and the gentleman from Iowa [Mr. JENSEN], we did consider it as a new start because of that asterisk placed in the worksheet before us.

Mr. GEORGE. Certainly this committee has heard evidence on it.

Mr. CANNON. Mr. Chairman, I yield 8 minutes to the gentleman from Tennessee [Mr. EVINS].

Mr. EVINS. Mr. Chairman, the distinguished gentleman from Missouri [Mr. CANNON], chairman of the Appropriations Committee, and other members of the committee who have preceded me, have fully covered the major items in the pending public works appropriations bill. This bill carries recommended overall appropriations in the amount of $814,813,023 to continue the work and services of the various agencies for which the funds are needed in the public interest.

It is always stimulating and refreshing to work with the members of the Public Works Appropriations Subcommittee. Service on this committee, at times is taxing and arduous, but it is also rewarding and I would like to take this opportunity to again express my thanks and appreciation to our Chairman, the gentleman from Missouri [Mr. CANNON], and to our subcommittee chairman, LOUIS RABAUT; to the gentleman from New York [Mr. TABER], to the gentleman from Iowa [Mr. JENSEN], and all of the members of the committee for their cordiality and spirit of cooperation.

The bill as reported, carries funds for the management and operation of the Bonneville Power Administration, Southeastern Power Administration, and Southwestern Power Administration, civil functions of the Department of the Army which includes the public works program of the Corps of Engineers.

In keeping with the other recommendations of the Appropriations Committee during this session of the Congress, this bill represents a reduction of $61,639,977, or 7 percent less than the budget request—and is $52,521,977 below similar appropriations for the fiscal year 1957.

This bill can truly be called an all-American bill because of the diversity of the projects included in this appropriation. The public works development of our Nation will move forward as result of the money provided in this bill and our country will be made stronger and our national defense strengthened.

Having heard the testimony throughout the hearings on this bill, one cannot escape without being impressed with the great public works program of the Corps of Engineers, and the Bureau of Reclamation and the power marketing programs of Bonneville, Southeastern, and the Southwestern Power Administrations.

Our committee has heard testimony and sympathetically considered projects for all areas of the country—the New England Basin, the South Atlantic Basin, the upper and lower Mississippi River Basins, the Ohio River Basin, the Great Lakes-St. Lawrence Seaway Basin, the Missouri Basin, the Rio Grande and Southwest area, the upper Colorado River Basin, the Columbia River Basin, the Central Valley of California, and, in fact, projects in all areas of our great Nation.

Time will not permit extensive statements with respect to all of the great projects carried in this bill. Funds are provided for continuation of the great

program undertaken in the Great Lakes-St. Lawrence River basin. This overall program includes the dredging of a canal from the St. Lawrence River which will extend more than 250 miles into the heartland of our country and thereby creating a network of canals and ports which will greatly improve navigation and commerce. This overall plan calls for construction of 32 hydroelectric power-producing units within this project—16 on the American side and 16 on the Canadian side.

Also of particular concern to the Nation is the great construction projects underway in our New England States which have suffered severely in recent years from recurring floods. These projects in New Hampshire, New York, Rhode Island, Vermont, Massachusetts, and other New England States will greatly contribute to soil conservation and be effective in reducing the terrible toll from floods which have plagued this particular section of our Nation.

For example, funds are carried in this bill totalling $14,970,000—almost $15 million for construction alone in the State of Massachusetts for needed and necessary projects. The smaller State of Vermont will receive $7,802,000 for construction work on 5 projects.

These projects are aimed at conserving and utilizing the water resources of our country—one of our most precious and valued possessions. Our ability to turn the God-given water of this land to its proper and natural use for travel, irrigation, and power, has contributed beyond measure to the growth and greatness of our country. Through appropriations such as the one before us today, our Nation will move forward in the progress of the internal development of our great Nation.

For 133 years the Corps of Engineers has built and maintained our Nation's harbors and navigable waters—helping bring this Nation to its present peak of world leadership in navigation.

Since 1936, the United States Corps of Engineers has been chiefly responsible for the task of providing nationwide flood control. In this history of achievement, the corps has completed some 2,200 projects authorized by the Congress—at a cost of more than $3.4 billion. In addition, $3.9 billion has been invested in projects underway, and authorized projects will cost $9.3 billion. These projects are primarily for navigation and flood control, but they are yielding and have yielded other benefits—such as hydroelectric power, municipal and industrial water supply, recreation development, pollution abatement, fish and wildlife conservation, irrigation supply and other emoluments.

A few moments ago, I referred to this bill as an all-American bill, and I would like to explain this remark a little more in detail. We, of the Tennessee Valley, are almost continuously under fire because of our great Tennessee Valley Authority. I would like to point out that Tennessee projects in this bill make up only a small portion. The largest percentage of funds in this appropriation will go for the development of the Missouri Valley. More than 15 percent of the total appropriation will be expended for needed developments in this great basin. More than 14 percent of the total appropriation will be expended for developments in the Columbia River Basin in the Northwest; 10.59 percent will be expended on the lower Mississippi; 9.30 percent for the Ohio Basin and slightly more than 9 percent for New England and the Great Lakes-St. Lawrence seaway development—every area and region of this Nation will benefit by this bill.

In this connection, I recall to mind the statements of Assistant Secretary Aandahl of the Department of Interior who appeared before the committee. Mr. Aandahl appeared to present the 1958 recommendations of the Department of Interior for irrigation, development of arid lands and the marketing of electric power—and I would like to quote part of his opening remarks.

Mr. Aandahl said, and I quote:

> While these programs are conducted mainly in the Western States, they benefit the Nation as a whole. The conservation of our water, the reclaiming of unproductive lands, and the producing of power which turns the wheels of industry, all add to the commonwealth of the Nation and thus benefit all of the people.

Mr. Aandahl was speaking with great accuracy when he said that these great projects, taken individually, benefit only a small part of our population, but taken together and collectively, they benefit all of our people and contribute directly to the strength of this Nation.

This is the point that we of the Tennessee Valley are continually making—that construction, for example, of the Great Lakes-St. Lawrence seaway will have little direct effect on the people I am privileged to represent in the great Fourth Congressional District of Tennessee—nor would projects on the upper Colorado—nor would the $16 million Los Angeles County drainage project. However, one would be entirely provincial in thought if he did not admit that these projects, as well as the others in this bill, will contribute directly to our national economy and strength.

Even though there is no money in this appropriations bill for a construction project in my congressional district, I am pleased to support the appropriation requests for the many projects—they are needed and necessary and I am convinced that in the final analysis, the citizens of the Fourth Congressional District of Tennessee as well as all citizens will benefit from the proper utilization of our natural resources.

If our country is to attain greater heights—for which we all strive—we must continue this development of our water resources—utilizing these benefits, to the greatest possible advantage.

I am confident that with all regions and areas working together, that we will be able to continue to develop our water resources program for the benefit of all the people and not just for the benefit of selfish and special interests. In doing this, we will be serving our best interest and promoting our great American heritage.

Mr. Chairman, I join my colleagues in urging passage of this needed bill.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I am pleased to yield to my distinguished leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. I want to congratulate my friend from Tennessee on making what I consider to be one of the finest speeches I have ever heard in its national outlook. The gentleman's broadness and understanding of the fact that we are a Union of States is very, very impressive, and the speech made by my friend from Tennessee, in my opinion, is one of the finest I have ever heard on this subject in all the years I have been a Member of this body.

Mr. EVINS. The gentleman is most generous; I appreciate his remarks.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. EVINS. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I would like to add my endorsement as well. I appeared before the committee a number of times. The gentleman from Tennessee was always there, and he has a grasp of the problems of all areas of the country that I think deserves the notice and commendation of every Member of this Congress.

Mr. EVINS. I thank my friend.

Mr. Chairman, I yield back the balance of my time.

Mr. JENSEN. Mr. Chairman, I yield 8 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, since this is the first time that I have had the opportunity of serving on this subcommittee I want to express my appreciation for the fine manner in which the hearings were conducted.

Chairman CANNON and our colleagues, Congressmen RABAUT and KIRWAN handled the hearings in such a businesslike manner that I am sure the witnesses that appeared before us could not help but feel satisfied.

Our hearings began on March 27 wound up about 2 months later—May 21 to be exact.

In that time many witnesses were heard from the Chief of the United States Army Civil Function Engineers, Gen. E. C. Itschner and his staff, to the many fine, capable, and distinguished officer in charge of the field work throughout the United States.

Likewise the Bureau of Reclamation was represented by Assistant Secretary of the Interior, our former colleague, the Honorable Fred G. Aandahl, the Commissioner of Reclamation W. A. Dexheimer, and their staffs, together with the various chiefs of divisions and regional directors from the field.

During the 2 months of hearings, in addition to the governmental agencies, we heard about 800 witnesses—witnesses from all over the United States.

Included in those 800 witnesses were about 175 Members of Congress—that is from the House of Representatives, and 12 or 13 Members of the Senate. In other words 188 Members of the Congress.

Three governors, and many personal representatives of governors, appeared before us, and—last but not least—our distinguished Speaker.

And may I point out that of the remaining 612 outside witnesses, pleading

for money for planning, beginning construction, or construction to be continued, were scores of chambers of commerce representatives and officers from the 48 States and our possessions.

Now I was greatly impressed with such a large array of witnesses—not only because of the interest they displayed in their particular projects, their earnestness and in most instances their anxiety—but the time and effort they expended, the expense that they incurred by coming to Washington—many at their own expense.

In fact I wanted to follow through in those hearings and consequently I heard pretty nearly all of them testify because I had an almost perfect attendance record.

As I have already indicated, the witnesses received and were afforded many courtesies as was the membership of our subcommittee by those in charge.

Now I want to particularly point out that this is going to be charged by some as a "pork-barrel" program; it is also going to have to run the gamut of those who will charge that because of the large budget that we will have to put aside many projects in favor of economy; it will also be charged that some of the projects are not necessary and may encroach on the historical rights of others. These gripes are particularly true of the flood-control features of this bill.

Therefore I have endeavored to weigh all of those arguments and with the majority of the membership of our subcommittee and the full committee, I believe we have presented to you a reasonable bill. While we have eliminated over $61,639,977 from the budget estimate, it is nevertheless a bill that we believe can be justified.

There will naturally be some disappointments—in one way or another—but I can assure you that, speaking as one of the subcommittee, we have done our best. The testimony as recorded in the 4 volumes of hearings consisting of 3,784 pages will, I believe, attest to that.

Each project of which there was any question at all was given thorough consideration in our markup. There was no meat-ax approach, and again I want to pay tribute to the panel—regardless of whether we agree or not on certain projects.

Speaking for myself, I cannot see any justification for permitting conditions to exist that are inducive to the destruction of life and property.

My friends, you would be amazed at the mounting numbers of people who have lost their lives over the years and the terrific property damage occurring annually by floods. I have not attempted to secure any totals because of lack of time. However, I am sure that from the history given by the testimony before us that we are justified in doing something to prevent future distress.

Another thing that impressed me very much in the testimony of a vast majority of the witnesses were the statements that the projects were of great help in not only retaining industry already located in those areas but also in securing new industry.

Therefore it is very apparent that the taxpayers of those areas—American citizens—are entitled to protection not only from loss of life and property but also to improve their industrial potential.

Incidentally, this poses a question that should receive the attention of this Congress. I refer to a number of bills that have been introduced—both in the House and the Senate—area redevelopment bills that would establish a program of financial and technical assistance designed to alleviate conditions of substantial and persistent unemployment in economically depressed areas, and so forth.

Those areas are to my mind entitled to just as much consideration as far as saving existing industry or assisting in securing new industry as are those areas located on rivers and streams that are subject to periodic flooding. I certainly cannot see where there is any great difference in those two cases. A disaster, whether by a flood or by economics, is just as harmful as far as the inhabitants of the involved areas are concerned.

We hope that the appropriate committees who have those area assistance bills within their jurisdiction will soon be able to have hearings and make a report on them. Coming from one of those areas, and knowing how some assistance is needed—it will be appreciated if action can be expedited.

Navigation is another subject that came to our attention throughout a great deal of the hearings. The dredging of rivers and streams to permit water transportation—yes; even to manmade canals.

These dredgings for navigation have, of course, two objectives—namely, cheap water transportation and more industry in those areas, together with flood control.

Now of course the things that I have mentioned thus far are in the interest of America—just as much as are our commitments made under our foreign policies. In fact more so, because it is from our industrial strength and the taxes therefrom that we are able to help as much as we have—our friends in other countries.

Thus far I have spoken mainly of the functions of the Army engineers in civil functions.

The Reclamation Bureau as I said before testified at considerable length.

They have a large program and over the years have done fine work.

Having served on the Interior Department Subcommittee on Appropriations for a number of years I am fairly familiar with some of their work and projects.

I am frank to admit that I have been greatly impressed at times at the enormous work and jobs that they have done, and at other times I have been disappointed.

Of one thing I am sure—that they have expended plenty of the taxpayers money in those projects over the years.

Here we have another arm of our Government which deals basically with flood control—at least that is the premise on which most of the proposals are made. We are for all justified flood-control projects.

However, from this has grown the multiple purpose dams—dams to control floods; for hydroelectric plants to take care of the scarcity of power—so they say, for irrigation, for recreation, for fish and wildlife, and so forth.

We have no quarrel with all of those fine objectives, except to say that they should not say it is for scarcity of power that they erect hydroelectric power plants—rather should they say that it is for cheap power because you and I know that that is the drawing card for industry.

Now I relate those things, not in the spirit of criticism but rather to point out that area redevelopment—or area development—is not new and I repeat that we should be getting on with some of the bills for redevelopment of areas of great unemployment. They are just as entitled to consideration as those areas that enjoy the works of the Reclamation Bureau.

The budget estimates for the functions under this bill was—as you know—$876,453,000 for fiscal year 1958, broken down as follows:

Corps of Engineers	$638,905,000
Bureau of Reclamation	199,312,000
Bonneville Power Administration	33,772,000
Southeastern Power Administration	1,939,000
Southwestern Power Administration	4,464,000

As I said before the Committee cut the budget estimate by $61,639,977, broken down as follows:

Corps of Engineers	$31,708,200
Bureau of Reclamation	24,623,777
Bonneville Power Administration	5,263,000
Southwestern Power Administration	45,000

Which amounts to about 7 percent.

However there will be some items that were allowed by our subcommittee and the full committee that will cause some dispute and which will probably call for some discussion.

In that respect may I again call to your attention the fact that certain items were discussed at length in the committee and that there was no meat-ax approach used.

As far as I am concerned there was no pork-barrel policy involved either, and the items allowed were to my knowledge fully justified.

Your subcommittee handling this bill has worked hard and earnestly and I trust that you will support us in adopting it as recommended.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I would like to compliment the gentleman from Pennsylvania [Mr. FENTON], for his great record of attendance to duty which he exhibited during these hearings, and I want to add to the gentleman's name that of the gentleman from Michigan [Mr. RABAUT]. Those gentlemen sat for many, many a day listening to these many witnesses at sessions some of us on the subcommittee were unable to attend. The House little realizes the strain put upon the members of that subcommittee

listening to witnesses continuously, not for days but for weeks, and I want to pay my personal tribute to the gentleman from Pennsylvania [Mr. FENTON], and the gentleman from Michigan [Mr. RABAUT] for the good job they have done on this particular bill.

Mr. FENTON. I thank the gentleman very much.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. Chairman, I wish to add my word of appreciation particularly to the chairman and the senior members of this committee for the fine job they have done on these hearings. Any time you sit down to listen to 800 witnesses on a single bill you have a job cut out for you.

I wish also to comment briefly on a point which the gentleman from Pennsylvania [Mr. FENTON] mentioned; and that is the habit of the press of referring to this as the pork barrel bill.

I should like to say particularly to the ladies and gentlemen of the press, of whose ranks I was once a member, and may be again some day if the voters of my district see fit to turn me out of Congress, that we do not consider this bill a pork barrel bill. The money appropriated in this bill is among the most important appropriated by the Congress. It is an investment in America and I think while the term pork barrel is a catchy phrase and like all catchy phrases has a tendency to catch on and be repeated, it is a most unfair and derogatory term to use constantly in connection with this bill.

Mr. Chairman, I take this time to discuss two items which were eliminated from this bill by my committee. Both are of vital importance to my area and I feel a serious mistake has been made.

It is not my intention to offer an amendment at this time because I know of the committee's strong desire to hold the line which has been set up in this bill. However, it is my hope that by the time the bill has been signed into law, both of these appropriations will have been restored and that my colleagues on the Public Works Subcommittee will be in agreement with that action.

The items I refer to are for starting work on two transmission lines for the Bonneville Power Administration grid. One is the Rocky Ford-Tacoma line, for which $1,863,000 was requested and eliminated by the committee. The other is the Chief Joseph-Rocky Reach Valley line, for which the committee rejected a $296,000 request for surveys.

I am most hopeful that when all the facts are understood, the conferees on this bill, and the House and the other body, will agree that reconsideration should be given to these two items. To eliminate them will have a most serious adverse impact on the economy of the Pacific Northwest. Furthermore, to deny them strikes at the very heart of the power-wheeling system operated by Bonneville, which has operated with such tremendous benefit to the Northwest and the Nation.

In the report on this bill, the position is taken that the wheeling of non-Federal power, which would be a part of the use of these proposed lines, should have separate authorization, and that the wheeling of power from Priest Rapids and Rocky Reach Dams by Bonneville would set a precedent.

I should point out that Priest Rapids Dam is being built by the Grant County Public Utility District by express authority of Congress. Rocky Reach Dam is being built by the Chelan County Public Utility District. Both the public utility districts are public agencies, although non-Federal.

In my opinion, and in the opinion of the solicitor for Bonneville, ample legal authority exists for the proposed lines in the Bonneville Power Act, particularly section 2 (b). That section provides in part:

> In order to encourage the widest possible use of all electric energy that can be generated and marketed and to provide reasonable outlets therefor * * * the administrator is authorized and directed to * * * construct * * * such electric transmission lines and substations * * * as he finds necessary, desirable, or appropriate for the purpose of transmitting electric energy, available for sale, from the Bonneville project to existing and potential markets, and, for the purpose of interchange of electric energy, to interconnect the Bonneville project with other Federal projects and publicly owned power systems constructed on or after August 20, 1937.

I should like to call attention particularly to the words, for the "interchange of electric energy with publicly owned power systems." These words precisely describe the situation contemplated here. The Bonneville Power Administration proposes to accept Priest Rapids power at the substation nearest to the dam and use that power to supply the needs, among others, of the Hanford atomic energy project nearby, and then to give the Grant County Public Utility District power at a substation near Seattle in exchange. A similar interchange of power is proposed for the Rocky Reach project.

In addition to the Bonneville Power Act, there is specific legislation relating to the Priest Rapids project which, in my opinion, also authorizes and requires the proposed interchange of power. That act requires that there be integration of the Priest Rapids development as part of the comprehensive plan for the Columbia River, that the output of the plant be sold in neighboring States as well as in Washington, and that the public benefits accruing from the plant be spread over as extensive an area as practical. The only way that these objectives can be accomplished is through the utilization of the Bonneville grid, which reaches into all the northwestern States. Wheeling over the Federal grid specifically was contemplated in the Congressional deliberations preceding the enactment of the Priest Rapids Act; without such wheeling, I feel sure that the act would not have been passed.

For full utilization of the benefits of the Priest Rapids and Rocky Reach plants, they must be integrated hydraulically and electrically with the other major plants of the region. This is a mandatory requirement of the FPC licensees under which both plants are being built. For efficiency in transmission, the basic grid principle—the maintenance of power pooling—must be preserved. Wheeling arrangements accomplish these generating and transmission system benefits and efficiencies.

The wheeling of non-Federal power will be on a fully reimbursable basis. It will not be a financial burden to the Government or to Bonneville's other customers. Not only will wheeling be fully reimbursable, it will also be of substantial direct advantage to the Government's system and its customers.

Since load centers will be served from closest points of generation, losses of power in transmission will be reduced. More efficient utilization of transmission capacity, heavier line loadings, will result.

Wheeling is not new. The principle and specific applications previously have been approved. For example, Bonneville now wheels power from the Box Canyon plant of the Pend Oreille Public Utility District a distance of 235 miles. Beginning in November 1957, Bonneville will wheel power from the Pelton plant of the Portland General Electric Co. a distance of 100 miles. Power does not, of course, actually flow these distances. The wheeling is accomplished by displacement and interchange. This type of displacement and interchange is the real secret of the tremendous technical advantages of the Northwest Power Pool, which must be preserved.

This pooling principle to which I have just referred also is not new. The Northwest Power Pool has been commended many times on this floor. Not only are the 15 Federal generating plants of the Northwest interconnected through this pool, there are a total of 139 plants, large and small, public and private, comprising the generating resources of the States of Washington, Oregon, Idaho, and Montana with links to British Columbia and Utah, which are tied together. The BPA grid is, of course, the basic high voltage transmission system which makes the pool possible.

It is inconceivable that major new projects such as Priest Rapids and Rocky Reach not be linked to this grid.

The Rocky Ford-Tacoma line is of direct advantage to the Government, to the Pacific Northwest region, and, in fact, to the Congress itself.

It should be clearly understood that while this line is associated with the wheeling of Priest Rapids power, it is not required solely for this purpose. In actuality, more than three-fourths of the power flowing over the line will be Federal power. A fourth or less of the actual kilowatts on the line will be Priest Rapids kilowatts. This is so because Priest Rapids power will supply directly the Government's nearby Midway-Hanford load center, displacing deliveries to this load center which are now made from the more distant Federal plants. This is of direct advantage to the Government, as transmission losses are thereby reduced. Further, it makes more dependable the service to the Federal atomic defense center at Hanford.

The proposed wheeling arrangements will save the Government money. For example, the interchange with Priest

Rapids will eliminate power and reactive losses of $410,000 per year. As the annual cost of the Rocky Ford-Tacoma line is $324,000, there is a net saving here of $86,000. In addition, the Government also will receive revenue for the Priest Rapids power which flows over the line in the amount of $93,000 annually, so the total benefits to the Government will be $179,000 per year.

This line, because of load growth, is required to insure the stability of service to the Puget Sound area. Without the Rocky Ford-Tacoma line, loadings on the other lines crossing the mountains will increase to the point where stability is marginal by 1960–61. In other words, loss of any line at that time under fault conditions would cause the others to open up in a cascading action, thereby disrupting the entire western half of the power pool. In later years, the Rocky Ford-Tacoma line will be required for all Federal loads. Its earlier construction, to make possible the benefits just mentioned, is essential.

I previously mentioned that the Government would receive revenues of approximately $93,000 per year for the Priest Rapids power which will be wheeled over the Rocky Ford-Tacoma line. This, however, is only a portion of the Priest Rapids power to be wheeled. Total revenues to the Government for wheeling Priest Rapids power will exceed three-quarters of a million dollars annually.

The wheeling of Priest Rapids power by the Government—and indeed any similar wheeling arrangements of the Government—have regional advantages of such substance and magnitude that they cannot be ignored. Under wheeling, it is possible for small distributors to purchase power. Under wheeling, distributors situated at considerable distances from the plant can purchase power. A marketing scheme which would preempt the rights of small purchasers and of more remote purchasers should not be permitted.

I mentioned that wheeling was also of interest to the Congress itself. The people of the Pacific Northwest region, and in particular of my State of Washington, have demonstrated their willingness to ease the burden on Federal appropriations by making their own investments in new generating capacity. I am proud that the people of my State have been willing to undertake the tremendous financial task of raising the hundreds of millions of dollars necessary for the construction of the Priest Rapids and Rocky Reach plants. This action by the people has done much to reduce the pressure on Congress for appropriations for new generating capacity. But the willingness and ability of the Government to wheel power from these new privately financed projects is essential to the success of these present endeavors and to further efforts for non-Federal generating-plant construction.

In conclusion, because of the direct advantages to the Government, the advantages to the region, and to the Congress, which I have cited, I feel that the Rocky Ford-Tacoma and the Chief Joseph-Rocky Reach-Valley lines, and the wheeling associated with these lines, should be endorsed heartily by the Congress. I feel also that the Congress should endorse continuation of the pooling arrangements—of which wheeling is now an important part—which have led to maximum development of the power resources of the Pacific Northwest region.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Washington.

Mr. HORAN. It is stated in the report that there is no precedent for the Bonneville Power Administration to wheel non-Federal power. The facts are that BPA has many contracts under which it wheels non-Federal power and non-Federal lines wheel Federal power. It is part of our grid system. I wonder if the gentleman knows that the wheeling is not freewheeling, it is completely reimbursable.

Mr. MAGNUSON. Everything that has been said by my colleague from the State of Washington is true. Not only that, but, as I point out here, much of this wheeling is not actually wheeling for a long distance but an interchange of power, a wheeling by displacement.

Mr. CHUDOFF. Mr. Chairman, will the gentleman yield?

Mr. MAGNUSON. I yield to the gentleman from Pennsylvania.

Mr. CHUDOFF. The gentleman knows that the Subcommittee on Public Works and Resources of the Committee on Government Operations has made very prolonged power studies of the operation of Government-owned dams, of REA co-ops, and so on. The subcommittee felt that it would not make much sense to construct these dams unless funds were available to wheel this power. Was any reason given why the funds were not available, and if not, who was going to wheel the power?

Mr. MAGNUSON. The statement in the report is that for wheeling non-Federal power a relatively long distance a separate authorization should be sought, a statement, incidentally, with which I do not agree.

Mr. CHUDOFF. Does the gentleman agree it does not make much sense to construct these dams so that we will have the power available if there is no way to wheel it?

Mr. MAGNUSON. That is right. Of course, the alternative is to have the builder of the dam construct his own transmission lines.

Mr. CHUDOFF. I understand that.

Mr. MAGNUSON. But this would be duplicative. I might also point out that these lines eventually will be needed by the Federal system whether there is wheeling of Priest Rapids power or not.

Mr. HORAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HORAN. Mr. Chairman, I do feel a responsibility to point out that an elimination of item 171, Rocky Ford-Tacoma line for $1,863,000 and item 180, Chief Joseph-Rocky Reach-Valley line for $296,000 as proposed in the House bill are of such impact on the economy of the Northwest that reconsideration should be given to these two items.

To carry out the intent of the Priest Rapids Act, the Bonneville Act, and integration of Rocky Reach project some wheeling of non-Federal generation by BPA is essential. This does not set a precedent as BPA has a number of previous contracts by which it wheels non-Federal power over Federal lines and non-Federal agencies wheel Federal power for BPA over their lines

The Rocky Ford-Tacoma line is necessary for the transmission of power to the Puget Sound area. Three-fourths or more of the load on this line will be Federal power; the balance will be Priest Rapids generation and the line will be necessary by 1960. Other Priest Rapids generation will be transmitted over existing facilities. Wheeling of non-Federal power is on a fully reimbursable basis and does not constitute a cost to the Government. The benefits that accrue to the Government as a result of this wheeling are many. For example: An increased stability of the northwest grid, reduction in the line losses, savings in reactive power, economy resulting from "bulk carrier" principle, and more reliable service. This line will be required to transmit Federal power even if there are no wheeling contracts.

Chief Joseph-Rocky Reach-Valley line, item 180 in our budget, requests $296,000. Preliminary planning and surveying are essential at this time as the line is over rugged terrain where work can be done only part of the year. This item in our budget request makes possible collaboration with Chelan County Public Utility District, Puget Sound Power & Light Co., and BPA in integration studies. This line serves a number of functions: Integration of generation from Chief Joseph, a Federal project, and two non-Federal projects, namely, Rocky Reach and Priest Rapids. Also this line will carry power to the Puget Sound area. Studies have not proceeded sufficiently far, as yet, to determine who should build the line or what part of the line. If it is decided that this circuit or any part should be non-Federal construction, the Government will negotiate appropriate reimbursement of any expenditures on this item.

In carrying out the Priest Rapids Act BPA wheeling contracts make it possible for small distributors in our marketing areas that are located in a remote point to purchase blocks of power at reasonable costs. Wheeling in the Pacific Northwest in reality is accomplished by displacement and interchange of power which makes the Northwest power pool feasible and operates to the advantage of all participants and their customers. Wheeling arrangements make it possible for public agencies, private utilities, and municipalities to purchase economical blocks of power. Also, our wheeling contracts make it possible to finance major generating projects with non-Federal funds and to achieve maximum comprehensive development of the water resources of the area.

Again let me remind you that BPA has many precedents for the wheeling

of non-Federal power and that this is fully reimbursable.

Mr. TOLLEFSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. TOLLEFSON. Mr. Chairman, I regret that the Appropriations Committee did not include two items in the budget requests of the Bonneville Power Administration. These were important items and I share the views of Mr. Pearl, the administrator, whose statement with respect to them I should like to read to the Members of the House. The statement reads as follows:

Bonneville Power Administration, by amendment, revised its construction budget request downward $5,658,000 a few weeks before presenting it to the House Appropriations Committee. We are ready and willing to cooperate in reduction to the extent requested by the Congress. We do, however, feel a responsibility to point out that an elimination of item 171, Rocky Ford-Tacoma line for $1,863,000 and item 180, Chief Joseph-Rocky Reach-Valley line for $296,000 as proposed in the House bill are of such impact on the economy of the Northwest that reconsideration should be given to these two items.

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Mr. JENSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. BRAY. Mr. Chairman, I make the point of order that a quorum is not present.

Mr. CANNON. Mr. Chairman, I hope the gentleman will withhold that point of order. We are just about through with the general debate.

Mr. BRAY. I withdraw the point of order, Mr. Chairman.

Mr. SAYLOR. Mr. Chairman, it is with reluctance that I come to the well of the House at this time to call attention to an item in this bill which I think should be deleted. I refer to a project in Pennsylvania on the Allegheny River known as the Allegheny River Reservoir or the Kinzua Dam. This reservoir was first authorized in the Flood Control Act of 1936. The figures from 1936 to date, I think, are particularly important to the Members of the House, because with even a casual glance at them one should recognize just what has happened. I have had a chart made up which I have placed before the members of the Committee. From the testimony that has been brought before the Appropriations Committees since 1936, the Army engineers have asked that a dam be built, not that which Congress originally authorized but a new and different dam.

Mr. BROWNSON. Mr. Chairman, I make the point of order that a quorum is not present. I believe that the gentleman's presentation deserves an audience.

Mr. CANNON. Mr. Chairman, I hope the gentleman will permit us to proceed a little further at this time. We are going to finish debate in a few minutes and then read the first paragraph and I would appreciate it if the gentleman will let us go ahead at this time.

Mr. BROWNSON. Mr. Chairman, this is an important speech and I think a quorum should be here to hear it.

Mr. JENSEN. Mr. Chairman, I had promised the Members on this side that we were not going to finish debate today. Some of the Members want to speak on these projects and they would like to speak during general debate instead of under the 5-minute rule. So, Mr. Chairman, since the hour is getting late, it might be well for the Committee to rise at this time and complete general debate on tomorrow. That is what I would suggest.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

THOMAS E. MURRAY OF THE ATOMIC ENERGY COMMISSION

Mr. CANNON. Mr. Chairman, one of the most important governmental agencies in current scientific development, and in the formulation of national policy respecting relations with the other nations of the world, is the Atomic Energy Commission.

This Commission was set up by the Congress as a five-man Commission, expected to function as such, in the discharge of the many grave responsibilities entrusted to it. The expiration of the term of Commissioner Thomas E. Murray on the 30th day of this month, and the failure to reappoint him, have given cause for serious concern.

Commissioner Murray is a scientist of international reputation, a man of unassailable character, of the highest integrity, devoutly dedicated to the application of atomic energy to the cause of peace. He has demonstrated a degree of competence in this complex field unsurpassed by any similar official in Government service today.

He has contributed immeasurably to the work of the Commission and has been a stabilizing influence in the decisions which have been made and which should be made if the civilization of the world is to be preserved.

It was Commissioner Murray who first, in early 1956, proposed a ban on the continued testing of the superbombs, very logically insisting that we have enough of them in weapons stockpiles to obliterate and devastate large portions of humanity. His then proposal is now under serious consideration in the disarmament discussions taking place in London.

Commissioner Murray insisted earlier on the accumulation of an adequate weapons stockpile, and more recently in the development of small-scale nuclear weapons which will be more readily adaptable to the curbing of aggressions than the superbombs whose use can lead only to world conflagration. He is largely responsible for the program of uranium procurement which is so vital to the development of nuclear weapons and power.

The United States has under construction today only one large-scale nuclear powerplant with promise of early delivery of atomic electric power, the Shippingport plant which was conceived by Commissioner Murray early in 1953, and initiated by the Congress on his recommendation. He has spoken out repeatedly on the wisdom of declassifying all information relating to the peaceful aspects of atomic energy, in the interest of the advancement of atomic science, and of more importance in the interest of the advancement of peace.

Commissioner Murray has always been a firm believer in the free-enterprise system, and he himself is an outstanding product of it. He has known the problems of power generation since boyhood and was eminently successful in the field of electrical manufacturing. His inventive mind has provided over 200 patents in this field. His background is firmly rooted in private power. Yet it is he who has urged that this Nation is seri-

ously falling behind other nations in the development of nuclear power to the extent that the Federal Government should immediately undertake a program of constructing large-scale reactors at Government sites in order to at least stay abreast of other nations in this critical field.

Commissioner Murray's reward for outstanding public service is enforced retirement from a Commission which sorely needs his experienced service. No one who could be appointed to succeed Dr. Murray could possibly fill as effectively the great national and international need which will be occasioned by his summary dismissal.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Missouri for that purpose?

Mr. SAYLOR. I yield, Mr. Chairman.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1956, and for other purposes, had come to no resolution thereon.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

Mr. GROSS. Mr. Speaker, reserving the right to object, can the gentleman tell us why we must come in at 11 o'clock tomorrow and disturb committee procedures that some of us think are very essential?

Mr. McCORMACK. Yes; I will be very happy to tell the gentleman. The gentleman will remember that we just completed a bill today that took 2 weeks. This means that the consideration of a number of other bills has been delayed. Tomorrow there will be the continuation of this bill, and from the best information I can get I understand the bill is liable to take not only all of tomorrow but probably some part of Thursday. Then we have the excise-tax bill, the agriculture-trade bill, and several others that I would like to dispose of this week.

Mr. GROSS. If I may ask the distinguished majority leader, then is it anticipated that the T and T Club will be in operation this week, that there will be no session on Friday?

Mr. McCORMACK. I do not recognize the T and T club.

Mr. GROSS. I know the gentleman does not, but then he would let me refer to it as the T and T Club, I am sure.

Mr. McCORMACK. This, of course, is a land of free speech, and I cannot keep the gentleman from talking or making such a reference, if he wants to; but, fairminded man that he is, I think the gentleman upon reflection will realize that that is not a proper statement to make.

Mr. GROSS. Is the gentleman saying that we are going to meet on Friday?

Mr. McCORMACK. We are going to meet on Friday; yes. If, however, the rest of the program is completed by Friday, I am always eager to recognize the problems of Members in their offices and other places, and I am always glad to do those things from a very fair and flexible angle.

Mr. GROSS. I may say to the gentleman from Massachusetts that we are trying to complete hearings on a pay raise bill for postal employees.

Mr. Speaker, I am constrained to object to coming in at 11 o'clock tomorrow morning.

The SPEAKER. The gentleman objects.

PERSONAL EXPLANATION

Mr. McGOVERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. McGOVERN. Mr. Speaker, my flight today bringing me back from my district was unavoidably delayed. I reached the House 5 minutes after the voting ended on the civil rights bill. Had I been present I would have voted against the motion to recommit and in favor of final passage of the bill.

ANNOUNCEMENT

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, during the rollcall on the civil-rights bill today I was called out of the Chamber on the first rollcall. On the second rollcall I was called to the telephone on a very important long-distance call. Hence I failed to vote on final passage of that bill. Had I been present I would have voted "nay."

THE CONGRESSIONAL QUARTERLY

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 30 minutes.

Mr. SIKES. Mr. Speaker, on June 11 my colleague from the First District of Florida [Mr. CRAMER] spoke at length on the subject of the Congressional Quarterly and of that private publication's method of measuring the support that Congressmen give to the President. I have asked Mr. CRAMER to be present in order that I may be completely fair to him.

The Congressional Quarterly has established itself as a nonpartisan recorder of the affairs of Congress and of related affairs; in fact, it has made quite a reputation in this field and it is now subscribed to by more than 230 American newspapers of every political hue besides many Members of both Houses of Congress. Many of the Washington correspondents who cover the affairs of the Congress refer to it regularly.

The Congressional Quarterly was founded in 1945 and since then has become a very practical place for a voter or an editor or others interested in Congress to check up on all the rollcall votes taken in the House and the Senate. This is no small service for before 1945 it was extremely difficult to go back and check on the actual votes taken by Members of Congress. My friend from the First District pointed out the fact that the Congressional Quarterly was founded by Nelson and Henrietta Poynter, who also publish the St. Petersburg Times, which is distributed primarily in the First District. Because the St. Petersburg Times usually takes the Democratic viewpoint, the gentleman assumes this viewpoint is carried over in the editorial operations of the Congressional Quarterly. This I think is an unfair and inaccurate assumption.

The Congressional Quarterly would lose its usefulness if it took a partisan point of view and to say it does is a disservice to the variety of newspapers and others interested in Congress who subscribe to that publication, as well as to the men and women employed by the Congressional Quarterly, who work so diligently to present a clear, accurate picture of congressional activities.

For example, Mr. Speaker, newspapers with such divergent points of view as the Chicago Tribune, the New York Post, the St. Louis Post Dispatch, the Kansas City Star, the Boston Herald Traveler, and that fine publication owned by the family of the distinguished minority leader of the Senate, Mr. KNOWLAND, the Oakland Tribune, all subscribe to the Congressional Quarterly.

At the moment, Mr. Speaker, the Republicans are annoyed that their nonsupport of the President is exposed with such a searching analysis as that made by the Congressional Quarterly. However, it seems to me a somewhat unimaginative and shortsighted point of view. Suppose, for instance, in 1960, a Democratic President is elected. The Republicans then may be very happy to have this same measurement of presidential support available to them. And, incidentally, the same analysis of presidential support now in use was conceived before the present administration took place. The characterization that the gentleman from Florida [Mr. CRAMER] made of the St. Petersburg Times is also misleading. It is my understanding that the St. Petersburg Times has frequently supported members of the Republican Party, and I am informed that in the last election in November 1956, the St. Petersburg Times supported the candidacy of the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, will the gentleman yield at that point?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. I would like to say to my distinguished colleague—and I am delighted that he brought the fact out—because it gives greater credence to my statement of June 11 as being impartial and not arising out of any feeling of animosity on my part toward the paper as such. When that support was proffered I told them I did not want it. I repudiated it. The character and the nature of the recommendation was anything but complimentary. It was about as backhanded a recommendation as I have ever seen. After saying "These are reasons we have never backed him before," they said, "We think we will have to back him this time because his opponent is less acceptable to the paper than he is." That is about what it amounted to. I appreciate the gentleman's information, but I suggest if he will read the editorial he will see it was not such an endorsement that either a Democrat or a Republican could be proud of it. This exemplifies clearly the type of support Republicans get from this admittedly Democratic newspaper.

Mr. SIKES. The newspaper stated it had endorsed the gentleman. The fact remains that the paper was for him, and against his Democratic opponent. That I insist constitutes an endorsement. Now to proceed; just last year, as will be seen in the CONGRESSIONAL RECORD, volume 102, part 11, page 15464, the senior Senator from my State [SPESSARD L. HOLLAND] had this to say about the St. Petersburg Times:

> The Republicans are in [Mr. Poynter's] debt because his newspaper stanchly supported the two-party system when they were weak in his area in numbers and funds.

The senior Senator from Florida also said that "in my years of careful reading of Congressional Quarterly reports, I have found no bias carried over to it from the editorial attitudes of the St. Petersburg Times."

As the Harrisburg (Pa.) Patriot said on September 2 of last year, when a similar controversy over CQ figures occurred:

> It all depends upon whose political ox is gored by a particular CQ report of voting or its breakdown of that voting.

While Mr. CRAMER and others on his side of the aisle have flinched at the careful analysis of the Republican Party's support of the President thus far this year, the distinguished minority leader of the Senate used those same CQ figures in his case, to say on the television program, Face the Nation, on June 9:

> As a matter of fact, according to Congressional Quarterly, I stand among the six highest Republicans, percentagewise, in support of the President's program, both domestic and foreign, with a percentage, I think, of 89 percent.

I would like to go into some of the specific criticisms that my colleague made of Congressional Quarterly's methods. I make note of the fact that he also made comparison between my voting record and the President's program which hardly were calculated for my advantage. On that I state flatly I am answerable to the people of the third district—not to Mr. Eisenhower; not to any other President, and this is not said in disrespect of the office of President. The gentleman shows a misunderstanding, I believe, of the purpose and the methods used by Congressional Quarterly. Congressional Quarterly does not evaluate the performance of Congress or of individual Members. It merely records the performance of Congress and its Members based on rollcall votes. We Members do the voting.

Perhaps it would be well to ask under what circumstances Members from the other side of the aisle think that Congressional Quarterly is being unfair.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield there?

Mr. SIKES. I yield to the gentleman.

Mr. HOFFMAN. I examined the Congressional Quarterly Almanac. In it I read the statement on page 82 for the Senate, where they said they counted rollcalls where Members were not present as a vote against the administration. Does the gentleman think that is a fair way of counting?

Mr. SIKES. I am inclined to believe that the gentleman does not have a complete understanding of the method of scoring. Let me go a little further, and I think I can outline what the procedure is.

Mr. HOFFMAN. May I ask the gentleman this question? Does the gentleman mean that he doubts that that is in the Quarterly, in the Almanac?

Mr. SIKES. I have not seen the material in question. The information which is available to me is that Congressional Quarterly scores all known votes of Members. If a Member does not vote they send him a questionnaire which he is requested to use to show how he would have voted had he been present. That information is included in their tabulation. If the Member does not provide Congressional Quarerly with the information on his stand he cannot expect credit for having supported the President.

Mr. HOFFMAN. As to that I do not know, but what I am referring to is the statement in the Quarterly Almanac that they do record a Member as voting against the President's policy if he is absent on rollcall or does not vote.

Mr. SIKES. Again specifically let me say I have not seen the item the gentleman has referred to. I think the method of scoring is fair to everyone and I point out again that absence does not prevent inclusion of a Members' stand in a Member's Congressional Quarterly record on voting.

Mr. HOFFMAN. If I can get it back from the Library, there would be no objection on the part of the gentleman to including that in my remarks at this point?

Mr. SIKES. Of course not.

Mr. HOFFMAN. Here is the statement to which inference was made. On page 81 of the Congressional Quarterly Almanac, volume 9, 1953, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

This was to the vote in the House.

And, over on the next page, 82, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

This was to the vote in the Senate.

Mr. DEROUNIAN. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. DEROUNIAN. In the CONGRESSIONAL RECORD, volume 102, part 11, page 15070, in the remarks of Senator SCHOEPPEL, he introduced a letter from MARGARET CHASE SMITH, United States Senator from Maine, in which she is bemoaning the fact that the Congressional Quarterly has been unfair to her in its appraisal of her votes with the President. She says this:

> I was absent on 9 of the votes this year in the Congressional Quarterly analysis—and all 9 were marked as being against the President in spite of the manner in which I was announced.

Mr. SIKES. Had the gentlelady filled out the questionnaires submitted to her by Congressional Quarterly, she would have been recorded for or against on each of the votes in question. Since there was nothing in Congressional Quarterly records to show her stand, that organization could hardly be expected to assume she supported the President in the cases in point. Perhaps there is a better way to handle the matter of absent votes. I do not champion Congressional Quarterly's procedure. I am simply explaining it; but I must point out it applies the same way to all of us.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman.

Mr. GROSS. I believe the gentleman, earlier in his remarks, said that the Republicans were annoyed by this voting record as stated by Congressional Quarterly.

Mr. SIKES. That, of course, was a general statement. I realize there are some distinguished Members on both sides of the aisle, and my good friend from Iowa is one of them, who are completely independent and each of whom votes his own mind and conscience all the time.

Mr. GROSS. I want to thank the gentleman for making that exception.

Mr. SIKES. Perhaps we might ask under what circumstances Members from the other side of the aisle think that Congressional Quarterly is being unfair. For instance, one of the major studies of Congressional Quarterly is called the Presidential Box Score.

On May 27 this publication issued its news story on the presidential box score which mentions the degree of action which the Congress has given to the President's legislative program, and the story began as follows:

> The Democratic 85th Congress has approved only 6.6 percent of President Eisenhower's legislative program thus far this year.

Many Republicans have used this story to belabor the Democrats who control this Congress. I wonder if they

think this is an unfair story from the Congressional Quarterly.

My colleagues' principal argument, however, is with a periodic analysis done by Congressional Quarterly called Presidential Support and Opposition. This analysis measures the individual performance of each Member of both Houses in relation to actual, specific requests made by the President.

I might point out that Congressional Quarterly analyses began during the Truman Administration and were not prepared merely to measure the current administration's program.

The support and opposition tabulation shows how the President fares when each Member has a chance to go on record with a yea or nay vote. That would appear to be another refutation of the allegations that absenteeism need count against a Member's support of the President.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. I read from the Congressional Quarterly for the week ending May 17, 1957, page 600, in which they say "Support and Opposition." Then they analyze support and opposition and they say, and this is in that Congressional Quarterly itself in reporting on this analysis:

> Failure to answer a yea-or-nay vote for whatever reason thus may serve to lower a Member's score because these scores as well as composite scores that appear below are tabulated solely on the basis of yea-and-nay votes, and pairs and other announced stands do not count.

Thus they clearly say in their own publication that where a person does not vote it does serve to lower a Member's support score.

Mr. SIKES. I repeat, it is my information that each Member who does not vote on a record vote is given an opportunity to state his position and be tabulated by being sent a printed questionnaire from the Congressional Quarterly on which he is invited to show how he would have voted had he been present. If he submits that information I am told it is counted in his score.

Mr. CRAMER. What happens if it is not sent in? Then it automatically goes against him; is that correct?

Mr. SIKES. If he does not declare himself I am at a loss to understand how he can expect to be listed as supporting the President's program. If any Member wants to be recorded as supporting the President, he has opportunity to do so.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Illinois.

Mr. PRICE. I, of course, am not familiar with the method of scoring in the Congressional Quarterly, but certainly I can see the merit of scoring if a person would miss nine votes on matters that were considered of importance, a part of the administration's program, for I certainly could not see how they could be construed as supporting that program.

Mr. SIKES. If he were very particularly interested in the President's program and were not prevented by illness it would appear he would attend and vote for it.

Mr. PRICE. That is right.

Mr. SIKES. The Senate and the House decide the issues on which they take rollcall votes. The Congressional Quarterly decides whether or not these issues represent part of the President's personal program based on public statements and messages issued by the President himself.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. CRAMER. The gentleman has put his finger on the matter at issue: The Quarterly decides what issues are to be included in the tabulation and how support by Ike is to be determined. I trust that the gentleman appreciates that my whole approach to this situation is not one based upon whether the St. Pete Times endorses or does not endorse me, and on whether I am opposed in any way to the editor of the St. Petersburg Times or not. I will suggest to the gentleman though that when there appears in your district as appeared in mine in the Times an article of this nature based upon the Congressional Quarterly which clearly attempts to mislead the people into believing that there is a congressional revolt finding the Democrats stronger for Eisenhower than the GOP and your name appears in a column below showing that you supported the President according to the analysis of that Quarterly much less than some of your colleagues on the other side of the aisle—and I have no quarrel as to how they vote one way or the other—you, too, would be a little concerned about the basis for coming to this conclusion. I trust the gentleman appreciates that my approach was to try to examine the basis for these conclusions and to show in my opinion that the manner in which they are arrived at is not fair, realistic, or basically honest.

Mr. SIKES. May I say to the gentleman, I did not yield for a lengthy statement. The gentleman made his statement on this subject on June 11 and failed to accord me the courtesy of informing me he was bringing my voting record into the discussion. Now I would like to proceed. If the gentleman has a question to ask, I will be glad to yield to him for that purpose.

Mr. CRAMER. I would be delighted to ask the gentleman a question and appreciate his willingness to enter into this "give and take" on this matter.

Mr. SIKES. I am glad to yield to the gentleman for a question.

Mr. CRAMER. And I would be delighted to try to get my friend, the gentleman from New York [Mr. DEROUNIAN], to yield some of his time to you, if you see fit. But, do you believe it is a fair and impartial analysis where, as I pointed out in my statement, a $30,000 appropriation cut is judged on the same basis as a $50 million appropriation cut for the sake of weighing both votes equally?

Mr. SIKES. I must say to my friend, you cannot weigh a vote by the amount of money involved or by the magnitude of the question. The President has programs that have many facets. I am sure the gentleman does not limit his support only to those facets of the President's program which are of major magnitude; therefore, he must expect to be scored on all those things that the President has expressed an interest in.

All rollcall votes and issues where the President's position is known before the vote are included in the tabulation. That means big issues, little issues—all issues that are a part of the President's program. This method results in the inclusion of some noncontroversial votes as well as the exclusion of certain important rollcall votes on which the President's specific position is not publicly clear at the time the vote is taken. Any departure from this method would lead to a subjective weighing of the issues, and I fear this would result in even more serious and constant challenge by Members on both sides of the aisle who might disagree with the weighing.

I think I should remind my colleagues on the other side of the aisle that during the election campaign last fall the Republicans created what they called a truth squad. This Republican truth squad actually used the Congressional Quarterly figures to support their position. In Kansas City on September 27, for instance, the senior Senator from Nebraska [Mr. HRUSKA] said, and I quote:

> The Congressional Quarterly shows that Republicans supported Mr. Eisenhower 72 percent of the time on 99 rollcalls while the Democrats voted with the administration only 48 percent.

Now, I do not always like the results of the Congressional Quarterly studies, and I do not always agree with their findings. However, I do think it is unfair to point an accusing finger at the Congressional Quarterly and say that it is biased and unreliable. For more than 13 years, the Congressional Quarterly has been presenting the record of Congress, the rollcall votes, the activities of congressional committees, the record of pressure groups on Congress and so on in a way that has helped newspapers and others vitally interested in our activities to understand and present those activities in clearer and more intelligible form. It seems to me this activity has resulted in a distinct advantage to American citizens and that the Congressional Quarterly has played an important part in the improvement of citizen understanding of politics and congressional activity in the changing American scene.

I would say that it would be a distinct disservice for partisan forces to engage in a calculated attempt to destroy such a service, no matter how embarrassing the objective results of that service may prove to be from time to time.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. If the gentleman desires me to yield further, I shall be glad to.

Mr. CRAMER. I do not think we are actually in so much basic disagreement as might appear. My position, of course,

is that I do not agree with the basis used, the foundation for coming to the conclusion of the percentages that are published throughout the Nation as "from the CONGRESSIONAL RECORD." As a matter of fact, I suggest the gentleman may have gotten as confused as I did in trying to follow some of the conclusions arrived at. The Quarterly tried to give the impression that the information came from Congress.

Mr. SIKES. Let me comment on that. My colleague made use in his statement to the House of studies prepared last year by the senior Senator from Kansas [Mr. SCHOEPPEL], and the gentleman from Pennsylvania [Mr. SIMPSON]. I should point out that these gentlemen prepared these analyses in practically the same way used by the Congressional Quarterly.

They did not weigh the issues; they included all rollcalls in which, according to their belief, the President stated his position; in fact their analyses resulted in the inclusion of more rollcall votes than the Congressional Quarterly did. The Senator from Kansas even included in his rollcalls the single vote cast when several treaties were ratified en bloc.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further at that point.

Mr. SIKES. I yield.

Mr. CRAMER. That is precisely the point I suggested to my distinguished colleague: The Senators who analyzed it felt that some determination as to the President's position should be based upon what position the leadership of the Democratic Party and Republican Party took on the floor of the Senate; that when the minority leader of the Senate takes a position that that should give some indication as to whether or not it reflected the position of the President of the United States. The Quarterly at no time considered any position taken by the leadership on the floor of the House as to whether or not the President was for or against a particular bill.

Mr. SIKES. And I stated very clearly that the Congressional Quarterly uses those issues in which the President has made a definite statement before a vote is taken to show whether he is for or against a particular program. The Republican leadership in the Congress frequently is in disagreement with the stated position of the President.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. PRICE. Would it not be very difficult if you were to base it upon the position taken by the minority leadership when we have had many instances of one party leadership going one way and the other party the other?

Mr. SIKES. That is very clear, and certainly it is true that it would be unrealistic for scoring to be based on any person's statements other than the President.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. Mr. Speaker, will the gentleman yield further?

Mr. SIKES. I have yielded a number of times to the gentleman from Florida. I now yield to the gentleman from New Jersey [Mr. THOMPSON].

Mr. THOMPSON of New Jersey. Is it not generally felt that the President is considered as the leader of the Republican Party?

Mr. SIKES. I think that has generally been considered the case, but apparently there has been frequent confusion in the Republican Party about who is the leader or which way the leadership is going.

Mr. THOMPSON of New Jersey. I will agree.

I noted with some amusement from the program of the young Republicans, who are in Washington this week, that they are having a beauty contest. Undoubtedly, they have many beautiful girls. I notice they have 7 contests, I suppose 1 for each of the wings of the Republican Party. But the fact is that the President is the leader and Congressional Quarterly has always used his policies and has never used a rollcall, to my knowledge, unless the President has had a stated position in regard to that particular matter. Is not that true?

Mr. SIKES. That is true.

Now, if I may proceed with my statement, I think that my friend from Florida has noted that his own score under the analysis of the gentleman from Pennsylvania, in which my friend appears to place considerable faith, results in a poorer showing than the gentleman from Florida made under the analysis conducted by the Congressional Quarterly which he has criticized rather severely.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. CRAMER. I think that clearly shows the very point I am trying to make in reference to someone representing to the people they are making an objective analysis of how a Member votes as it relates to the President's position. I think that is a very tenuous proposition. The Congressional Quarterly analysis proves how misleading such an approach can be.

Mr. SIKES. What the gentleman would like to do is to prepare his own scoring method rather than to abide by one that has been set up to apply to all of us?

Mr. CRAMER. That is hardly a fair statement. The point that the gentleman brought out in regard to the Congressional Quarterly making a choice in the crux. It makes the choice as to what the President's position is.

Mr. SIKES. After the President has made statements or after he has sent messages to the Congress to show his position on an issue, there can be no question about his stand in these cases. Therefore, the Congressional Quarterly scores a Member on whether he votes for or against those items. That is about as plain as can be.

Mr. CRAMER. If we will assume that is correct for the sake of argument, can the gentleman explain why on that standard there was eliminated from this particular analysis of only 22 votes 3 crucial votes on H. R. 190 dealing with a resolution on the budget which was sent to the President and asking that he indicate where it should be cut? Does the President need to make a statement he does not desire that resolution passed? Yet it was eliminated from the Congressional Quarterly analysis. This illustrates how foolish and misleading the requirement of a statement by the President as to support as used by the Quarterly is—it is about as foolish as eliminating all statements of support—as the lack of it—as stated by the Republican leadership in the House or Senate.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The fact is that the President, despite newspaper speculation and so on, acceded to the request of Congress and sent a message back here, which was a very helpful one, outlining some specific cuts, did he not?

Mr. CRAMER. May I ask the gentleman, Does he think the position of the President was in favor of that resolution or there was any doubt on the floor of the House to the effect he was against it, particularly due to the fact that practically every Republican opposed it and every Democrat voted for it?

Mr. THOMPSON of New Jersey. There is frequent doubt here as to exactly what the President wants because we have the gentleman from Indiana saying one thing and the gentleman from Massachusetts another, or one group doing one thing and another group doing another. It is awfully hard unless the President has taken a specific stand. It is even more difficult to determine what the President meant when he attempts to answer press questions. He did like the resolution regarding the budget.

Mr. CRAMER. There are many of those situations, but I submit again on this particular resolution there was no question in anybody's mind that the President opposed it and it should have been included in any fair and impartial analysis of voting up to that point. That is the only point I make.

The SPEAKER pro tempore (Mr. EVINS). The time of the gentleman from Florida has expired.

Mr. DEROUNIAN. Mr. Speaker, I ask unanimous consent that the gentleman from Florida be given 5 minutes of my time.

The SPEAKER pro tempore. Under a previous order heretofore entered, the gentleman from New Jersey is recognized next.

Mr. DEROUNIAN. I thought the gentleman's time was vacated and put over to another day.

The SPEAKER pro tempore. Then the next previous order is for the gentlewoman from Massachusetts, who will be recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I shall be glad to withhold my time.

The SPEAKER pro tempore. If there is no objection, the gentlewoman may yield her 5 minutes to the gentleman from Florida.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like my time later.

Mr. DEROUNIAN. Mr. Speaker, I am yielding 5 minutes of my time to the gentleman.

The SPEAKER pro tempore. The gentleman is recognized for an additional 5 minutes.

Mr. THOMPSON of New Jersey. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. THOMPSON of New Jersey. Mr. Speaker, I was not aware that my time for today had been yielded. I did request my distinguished friend from Florida to ask for an hour tomorrow because I thought what I would say today would carry on for an hour.

Mr. SIKES. Mr. Speaker, may I say to the gentleman that I regret to advise my friend from New Jersey I misunderstood his desires and I did ask that his time be vacated today. He has time on tomorrow.

Mr. THOMPSON of New Jersey. I thank the gentleman and I hope he will be here tomorrow so that we can continue this discussion.

Mr. SIKES. Mr. Speaker, perhaps I should ask what my status is at this time. I am a tenant in the well of the House by suffrage of the gentlewoman from Massachusetts [Mrs. ROGERS] and of the gentleman from New York [Mr. DEROUNIAN]. I am grateful to both for their courtesy.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Iowa.

Mr. GROSS. I am just curious to know, Mr. Speaker, how a Member's vote would be analyzed by the Congressional Quarterly under these circumstances. The President supported the natural-gas bill. It came to Congress with the support of the administration, and those who voted for it, I assume, supported the administration. I happen to be one of those who voted against the natural-gas bill. Later the President vetoed it. I wonder if the gentleman could tell me how the Members were represented under those circumstances.

Mr. SIKES. The gentleman has a keen mind, and this would be such a challenge to his own ingenuity that I would not deprive him of the opportunity to analyze that problem.

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Montana.

Mr. METCALF. Mr. Speaker, I propounded a question in the short time which was allotted to me the last time this matter was brought to the floor to the gentleman from New York [Mr. DEROUNIAN]. I am interested in the question the gentleman from Florida [Mr. CRAMER], raises: How are you going to weigh these things? I am rather disturbed by having a rather high support of the President. I do not like to have a 95 percent support of the President's alleged program. I would like to know how the gentleman from Florida [Mr. CRAMER], would weigh these things. Is a vote on a $15 million item 15 times as important as a vote on a $1 million appropriation? I hope that when the gentleman from New Jersey [Mr. THOMPSON], comes in tomorrow or when the Gentleman from New York [Mr. DEROUNIAN], is talking, we can get into this a little deeper, but I would like to hear from the gentleman from Florida, if the gentleman from Florida in the well now will yield.

Mr. SIKES. I yield.

Mr. CRAMER. I would like to say to my distinguished colleague that the thing that bothers him is exactly the same thing that bothers me.

Mr. SIKES. Will the gentleman tell us whether he would weigh a $1 million vote only one-fifteenth as much as a $15 million vote?

Mr. CRAMER. The gentleman indicated very clearly by his question what the problem is. The question is not whether I would evaluate $1 million as against $30,000 or $30,000 as compared to $50 million, as occurred in the HEW appropriation bill. But, there is no one in the country that would weigh them both the same, does the gentleman not agree, particularly due to the fact that the President contrary to the Quarterly did not even favor the $50 million appropriation?

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Illinois.

Mr. PRICE. It is entirely possible by reducing one item $30,000 and reducing another item by $1 million you may eliminate 2 important programs of equal importance in some way.

Mr. SIKES. Does my friend from Florida not realize that if you were to try to weigh these questions, try to establish a basis of the comparative value or importance of these programs, that you would never arrive at any system on which any two people could agree? Such a method of scoring would never be accepted by the public.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Everything being relative, it might be helpful if the gentleman from Florida [Mr. CRAMER], were to devise some scheme whereby these things could be weighed, because it would apply equally to the Republicans and to the Democrats, and the percentage would be relatively the same.

I have some suggestion with reference to the Congressional Quarterly, and I hope to suggest to the gentleman from Michigan [Mr. HOFFMAN], an amendment to his bill to prohibit them from using the name. There is an old bourbon whisky named Old Senator. I do not think that should be used. And, there is a distinguished restaurateur, Mike Palm, who calls his establishment Relaxatorium, and I think that is a little unfair to imply that we have part of Mike's business. There are numerous instances which I will cite tomorrow.

Mr. SIKES. In conclusion, Mr. Speaker, an interesting revelation emerges from a comparison of the Schoeppel-Simpson analysis for the 1956 session of the 84th Congress and the Congressional Quarterly analysis for the same period. It is illustrated by the following tabulation:

	GOP score	Congressional Quarterly score
SCHOEPPEL:	*Percent*	*Percent*
1956 Presidential support	67.5	69
1956 Presidential opposition	19.3	20
SIMPSON:		
1956 Presidential support	60.6	68
1956 Presidential opposition	9.8	17
CRAMER:		
1956 Presidential support	78.7	79
1956 Presidential opposition	19.7	17

While some of the gentlemen on the other side of the aisle are unhappy about the discosure of their lack of support for the standard bearer of their party, I must say they cast their own votes, the record speaks for itself.

FLOOD CONTROL ON THE MERRIMACK RIVER

The SPEAKER pro tempore (Mr. EVINS). Under previous order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, it is rather late and the staff of the House and the Members have had long, hard days.

I want to call attention to the remarks that I have asked permission to insert in the RECORD during the debate on the flood-control bill, especially the letter from the head Army engineer of the New England division, General Fleming, in which he speaks of the fact that the money for flood control in the Merrimack River is the No. 1 project of importance in all of New England.

There are 50 members on the Committee on Appropriations and my prayers and my pleas are to them and also to the House that they will grant the $600,000 that has been asked by the Army engineers, asked by me and other Members from Massachusetts.

This is a tremendously important and beautiful river and there are very valuable industries on it. Great damage both to life and limb and property have taken place in the last years through floods and hurricanes.

As I look around and see the Members, I know the ones who have always been helpful to me down through the years. They have always helped when I have gone to them for assistance. Sometimes I wonder how we succeed in the passage of certain legislation. There are many, many interests that are considered and that conflict, but flood control saves great suffering.

This amount of money was not budgeted because for 2 years no compact was signed between Massachusetts and New Hampshire.

Mr. PHILBIN. Mr. Speaker, will the gentle lady yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Mr. Speaker, I desire to commend the gentle lady upon her excellent speech and upon the splendid effort she is making in behalf of what is indeed the No. 1 pending flood-control project in New England.

I should like very much to associate myself with the lady in the remarks she has made and also to assure her that, so far as I am concerned, I shall join her in doing everything I possibly can to bring about the results we desire.

Mrs. ROGERS of Massachusetts. I know the gentleman has always been very helpful. Since 1925 I have watched the high water and the damage done in the Merrimack Valley. It is the only valley in the country that has local flood control as indicated by the Army engineers. It was the last thing that Senator Copeland ever did in the Senate before he died.

I remember the people who helped so much in various ways. General Clay, then Captain Clay, of the Army engineers, helped very much in the original work on the Merrimack River. I went to his office day after day and day after day and he helped. We know the great tragedy caused by floods and hurricanes to people in our area, when they are put in that danger. I shall plead with the Members to support an amendment, perhaps not an amendment in the House now, but when the bill returns from the Senate, because it will be very difficult to get that through at present.

I believe the Senate will put the six hundred for the Merrimack in the bill.

THE GIRARD CASE

Mr. Speaker, again I should like to express my deep appreciation of and pleasure at the fact that a district judge has refused to turn Sergeant Girard over to the Japanese for trial. I believe no foreign court should try our soldiers, and the status-of-forces law should be repealed. The gentleman from Ohio [Mr. Bow] has made a great fight for justice for our soldiers.

The SPEAKER pro tempore. The time of the gentlewoman from Massachusetts has expired.

VALUES OF WESTERN CIVILIZATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. PHILBIN] is recognized for 30 minutes.

Mr. PHILBIN. Mr. Speaker, I desire briefly to address the House on the subject of the values of western civilization.

Mr. PHILBIN. Mr. Speaker, it is lamentable and deplorable that our way of life is beset and challenged in this generation by the organized forces of Marxist communism in a manner and to an extent which greatly threatens the basic values of western civilization. Age old human freedom has historically had to face many serious, if not desperate, challenges to the perpetuity of its institutions. Tyranny is an ever-restless evil thing which powerfully and relentlessly strives to compress mankind into the restricted channels of human slavery. The periodic onslaughts of tyranny on the weak and the helpless, and even on the powerful, are conducted through the spread of ideologies, the infiltration of free institutions, and the threat or application of force or aggression.

What is at stake in this conflict between the free and the slave world? What are the values which we seek to preserve as free men? First, from a historic and philosophical standpoint comes the dignity of the human being and the sacredness of the human soul. Free governments were established to insure and protect these values. Every effort to destroy these values has been perpetrated by a ruthless tyranny. Thus, our religious concepts and political ideals are assailed and jeopardized, and the status of the individual as a free physical political and spiritual entity is gravely threatened. Communism is atheistic; it defies the living God.

Secondly, the Marxist Communists assail and attack the acquisition of impartial knowledge, the pursuit of free inquiry and the development and practice of that objectivity and disinterestedness in the free body politic that accords equal rights to all and prohibits discrimination against any. Communism is a ruthless dictatorship; it fights against freedom.

The third value we cherish is our free system of enterprise, and this in turn involves not only the protection, but the proper utilization from a social standpoint of the huge mass production machinery, which, in its effects, has elevated working and living standards of the average American to the highest peak of all recorded time. It is with regard to our mastery of the machine, including the latest technological innovations, that the real test lies for our system for, being free, we cannot allow the machine or the mass-production system to enslave our people. We cannot permit cold science, gross materialism, or pure reason, for that matter, standing by itself, to dominate the life of America, since that life affects human beings entitled to be judged and treated on the basis of human values rather than by the rigid, ruthless formulas of science and the material world. Our whole system is based on the freedom of the human spirit under the rule of law and not upon the savage rule of the jungle. Communism is antisocial; it seeks to destroy initiative.

Hence, it is essentially the things of the spirit that free governments are designed and destined to preserve in the first instance, if they are to fulfill their aims of keeping alive and real the opportunities of the people to be free and to be left alone by government, so long as they remain within the legal boundaries. Preeminently, the things of the spirit are primarily the things which differentiate democracy from absolutism wherein men and women become pawns of the absolute state subject to the whims and caprice of its arbitrary rules. Communism is materialistic and greedy; it converts the individual into a helpless pawn of the godless superstate.

It is free inquiry, free pursuit of knowledge, free, boundless, spiritual independence of the ruthless restraints of the police state which give strength and vitality to the democratic system. It is this freedom of opportunity, combined with institutions of justice protecting it, which the Marxists have been unable to find a substitute for, because there is no substitute for freedom that will make serfdom palatable to the average man or woman. Creativeness and ingenuity follow naturally and logically in the wake of the free way of life. Free people, left to their own devices, not only create and produce better; but they can fight better; they have more real inspiration and incentive to defend their institutions than those who are enslaved under Marxist rule. Communism is a reversion; it would stifle the human soul.

Our great problem is to preserve the values of Western civilization, to prevent them from deteriorating and degenerating under the sustained assaults of the Marxists into the weak, enervating patterns of collectivism. To this extent, we must ever be conscious of the age-old truth that eternal vigilance is the price of liberty; and that, if men and women want to retain their freedom, they must make up their minds to be ready to fight to protect and preserve it in every generation. Brave men and women worthy of the name "American" will never surrender their great heritage before the atomic threats, nefarious plots, and the countless efforts being made by the Communists to intimidate and terrorize them, for they well know that the battle for freedom must have stanch hearts moved by faith in the Creator and firm intent at all costs upon preserving the things of the spirit upon which freedom depends. Communism is the greatest menace that has ever confronted free nations; we must combat it with all our energies—with all our hearts and souls.

Vigilance and determination will enable us to protect those value of civilization and liberty upon which lasting peace, security, and freedom depend.

GENERAL AGREEMENT ON TARIFFS AND TRADE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Washington [Mr. TOLLEFSON] is recognized for 5 minutes.

Mr. TOLLEFSON. Mr. Speaker, I rise today to call the attention of the House to a State Department action, which, I believe, raises serious questions of propriety and legality.

The State Department has announced that public hearings will be held on June 18, by the Committee for Reciprocity Information relative to freezing for an unspecified period the United States right to modify or withdraw tariff concessions made in conjunction with the General Agreement on Tariffs and Trade, or GATT, except under certain conditions. This would be an extension of arrangements now in effect under GATT, a so-called executive agreement never brought before Congress.

I object to this action. My objection is premised on two principal grounds:

First, questions surrounding a 6-month arrangement: The Trade Agreements Act of 1934, as amended, expires on June 30, 1958. The freezing arrangement in question would start on January 1, 1958. If the freezing of concessions is to be for 6 months only—that is, coterminous

with the underlying and basic body of law—there seems to be little point in it. In fact, the mere idea of putting American business, both domestic producers and those involved in foreign trade, to the trouble and expense of making presentations at hearings on such a short-term matter would be outrageous. So, too, would be the expenditure of public time and public moneys in any negotiations at Geneva, Switzerland.

Second, question relevant to a long-term arrangement: If the extension is to be beyond the date of June 30, 1958—say for 3 years, like similar arrangements in the past—that would mean an extension of the arrangement beyond the present terminal date of the underlying body of law. That, too, would be outrageous. Such an extension would commit the American Government, or the Executive, at least, under GATT for 2½ years beyond the date by which Congress must act on the whole matter. And we can be sure that Congress will undertake a thorough reexamination of the entire trade agreements program next year. It might be argued that the Executive has residual authority to make such an arrangement beyond June 30, 1958. Such authority would relate to existing trade agreements, negotiated in the past, pursuant to previous directives from Congress. However, I believe that such a contention is highly questionable as a matter of law.

And as a matter of propriety, there is no question at all. It is certainly not proper conduct for the State Department to engage in negotiating an executive arrangement extending past the date on which Congress will review the entire underlying body of law. This is particularly so when Congress may well discard the entire program. And even if Congress does not discard the entire program, it will, beyond question, modify the program in major respects. Hence, the State Department would be going ahead and committing the United States Government in an area of responsibility from which Congress may well foreclose the Executive after June 30, 1958. Such an advance committal would be highly irresponsible.

COMMITTING CONGRESS IN ADVANCE

Aside from the outrageous aspect of entering into such a long-term arrangement, one other matter troubles me deeply. Is the State Department here attempting to enter into an arrangement designed to commit the Congress of the United States in advance? Will the Congress be told next spring when it is debating the underlying body of law that the United States is morally obligated to extend this program, because the State Department has already agreed to do certain things in conjunction with it for a period going several years beyond the terminal date of June 30, 1958? Will not an effort be made to coerce Congress by this advance commitment?

RECIPROCITY

I would be remiss were I not to tell you that supporters of the State Department maintain that there is a theoretically good reason or purpose for these proposed negotiations. That is to freeze other nations' tariff concessions as well as our own. In other words, the purpose is to prevent other nations from running out on the concessions which they have made under GATT. That sounds reasonable enough, but only in theory.

In practice, it is quite another matter. The arrangement in question relates mainly to tariffs—not to a host of practices in which many other nations engage. The United States agrees to freeze its tariff concessions and to give what is called compensation if we deviate from such a freezing. Other countries do the same.

The hitch, however, is that tariffs are too often only a minor method which other nations use in restricting their imports. On the other hand, tariffs are a principal method in our control of imports. As this House knows full well, practically all other nations place their major reliance upon more stringent controls than tariffs. And these would not be touched by the instant arrangement. Other nations use import licensing, embargoes, currency restrictions, state trading, cartel mechanisms, and a host of other devices, of which tariffs are very often a very minor element. Since the United States does not normally employ such practices, the forthcoming negotiations are of much greater importance to us than to other nations. This is because the freezing of concessions that we will undertake is meaningful. For many nations, the freezing of tariffs is but a hollow gesture. In other words, while in theory the anticipated negotiations will be reciprocal or on a quid pro quo basis, these negotiations will in fact amount to little more than a unilateral action by the United States.

CONGRESSIONAL QUARTERLY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. DEROUNIAN] is recognized for 15 minutes.

Mr. DEROUNIAN. Mr. Speaker, the previous remarks of my colleague from Florida [Mr. SIKES] amply demonstrated a number of things:

No. 1, the Congressional Quarterly is human. It has its bias just like an editorial in a newspaper. No two groups of people agree on what is a weighted vote and what is not.

No. 2, the gentleman from Florida [Mr. SIKES] amply demonstrates that the people of the First Congressional District of Florida are endeared of their Representative, BILL CRAMER, for he was returned, Congressional Quarterly or no Congressional Quarterly, by an even greater majority than before.

No. 3, I am curious to know how the Congressional Quarterly will weight the vote on civil rights this afternoon since more Democrats voted for the jury amendment than against it, and only 52 percent of the Democrats supported the President on this one whereas 90 percent of the Republicans did.

I now yield to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Speaker, I want to say for the RECORD, as I have stated before, that my objective on June 11 in analyzing the Congressional Quarterly with regard to support or nonsupport of the President was in order to demonstrate how perilous it is for this group who are in charge of the Congressional Quarterly to try to determine, on a basis of what they think is a vote in support of the President how much support each Member of Congress gives the President.

I attempted to show in my analysis of June 11 that three crucial votes on House Resolution 190 were left out. That resolution dealt with a question about which there could be no doubt whatsoever as to what the position of the President was and what the position was on the part of the House, largely the Democratic side, that the President should send up a new budget. Could anyone, by any stretch of the imagination, say that was something the President would not be opposed to? Yet, those 3 crucial votes out of a total of some 22 analyzed were eliminated. That shows very clearly how perilous the Congressional Quarterly method of doing this is.

Second, it was pointed out very clearly in the Congressional Quarterly analysis that there was no attempt to evaluate or weigh in any way the different votes regardless of the amount of money involved, regardless of the crucial nature of the issue involved, regardless of the support or lack of it on the part of the Democrats or Republicans on either side. With regard to that latter point I pointed out that there were three votes on the Mideast resolution, and the only one about which there was any controversy whatsoever was the first vote on adoption of the rule. Outside of that, practically everyone, Democrats and Republicans, on the following 2 votes, supported the resolution, yet on all 3 votes they were equally weighed and the vote for the resolution was given the same weight as the vote on the initial question of whether or not to consider the resolution. That shows how Congressional Quarterly using the method they do, just do not reflect the support of the President.

The crucial issue is just simply this: Is the standard or test being used by the Congressional Quarterly a fair one? In my opinion, as demonstrated particularly in this instance, where they took 14 votes from 1 bill alone, 1 of which votes was for $30,000 and another for $50 million, weighing them equally—and on the $50 million vote the President himself had indicated he did not support that particular program of sewage control—to take the position that each of those are weighed equally, and that anyone who opposed either program, the $30,000 or the $50 million program, opposed the President, is just asinine. I say that advisedly.

Then to take those 15 votes on appropriations and add to them only 7 votes for that early part of the session, and to try to come up with a tabulation, obviously wanting the people of America to believe it reflected the Democratic versus Republican votes in the House and support for the President, is just unfair. It is not realistic. That was my charge, and I repeat it.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. DEROUNIAN. I yield.

Mr. LAIRD. Do you not think this was an attempt on the part of the Congressional Quarterly, which is recognized as a New Deal mouthpiece to cover up the deep split which we saw demonstrated on the floor of the House today in the Democratic Party?

Mr. CRAMER. Well, it is one of the cleverest techniques to accomplish that, if that is their objective. There is no question but that you can take figures and juggle them around and accomplish any purpose.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. DEROUNIAN. I yield.

Mr. CEDERBERG. Do you not think this is another obvious attempt on behalf of the gentleman from New Jersey [Mr. THOMPSON] to cover up for the utter failure of 80 liberal Democrats who proposed a program earlier in this session and so far, well here it is almost July, and they have not done anything about it? So rather than try to concentrate on the Democratic program, are they not involved in this?

Mr. CURTIS of Missouri. Mr. Speaker, I am a little surprised that this debate occurred at this time. I had expected to be here anticipating an hour's discussion on the part of the gentleman from New Jersey [Mr. THOMPSON], not realizing that the gentleman from Florida [Mr. SIKES] was going to discuss the same subject. My interest in this matter, of course, is derived from the fact that on Thursday, May 23, I put in the CONGRESSIONAL RECORD a statement of position of the Congressional Quarterly being neither authoritative nor nonpartisan, and I called upon the publishers to cease using the term "Congressional," and certainly to stop using the byline "The authoritative reference on Congress," because I do not believe in either instance that is accurate and it tends to mislead the public. I said at that time that I would be glad to put an answer to the charges I made, an answer from the publishers of the Congressional Quarterly in the CONGRESSIONAL RECORD, if they chose to have me do so. I did receive a reply from Thomas N. Schroth, executive editor of the Congressional Quarterly, on May 29, 1957, in which he enclosed a lot of data and information which I thought was pertinent. However, the letter was not in a form in which it could be put into the CONGRESSIONAL RECORD. I have answered that letter as of June 17, 1957, pointing out that I did not believe his, Mr. Schroth's, answer to those charges, would hold water, again offering, however, to put into the CONGRESSIONAL RECORD his statement of position or the position of the Congressional Quarterly. If the publishers thought the letter they had written was in sufficient form, I would put that in the CONGRESSIONAL RECORD, although I believe Mr. Schroth would agree that it was not designed for that purpose. Essentially, the charges against the Congressional Quarterly still remain unrefuted. No. 1, the very business of taking a test vote on presidential support right in the middle of a Congressional session was a little unusual, particularly where there were only 30 rollcall votes and 14 of those, as has been pointed out, were on one particular appropriation bill which in itself, as the House well remembers, was quite extraordinary. I do not think the oldtimers have ever seen anything like that. According to what I hear them say, in their memory they have never known an appropriation bill or any bill for that matter to have 14 rollcall votes, particularly on what we would call minor items as so many of them were. But, the essential basis upon which I charge that the Congressional Quarterly is partisan and unfair is the fact that the publication failed to list in that particular issue the votes on which it was contended the President had expressed himself. These votes were listed in the May 31 edition of the Congressional Quarterly after these charges had been made of partisanship and unfairness. But, even the May 31 edition, although it lists the votes used, is not adequate because the 8 votes, and there were only 8 other votes, that they did not use, were not listed and should have been listed so that the readers also could judge whether or not the President had expressed himself on those subjects. As a matter of fact, anyone reading, I believe, or going down the list of these 8 items which were not included will find 6 of them were very obvious items upon which the President's position was known. Now, I did receive a letter because I circulated my original remarks to a number of publications that might use the Congressional Quarterly and one replied by saying——

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent that I may proceed for 10 minutes.

The SPEAKER pro tempore (Mr. EVINS). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. The statement was whether selecting test votes of the Congress on the basis of "the President's own messages, public statements prior to the votes that the President supported or opposed the proposal in question" was fair; and my answer in the letter to that person was that I thought it was perfectly fair to both those who supported and who did not support the President. However, I added this, that I would add to that those votes—a vote on an issue—where the President's position is so obvious that a formal statement on his position was unnecessary. There are five votes in that classification. They are rollcalls Nos. 17, 18, and 19 of March 12, 1957, on the rule, the motion to recommit, and final passage, respectively, of a resolution by the Democratic leadership requesting the President to tell Congress where the budget could be cut.

This was obviously an anti-Eisenhower move by the Democratic leadership. No one denies that; everyone, including the press, knew that was the case. The entire debate in the House stressed this fact.

On what possible grounds could the Congressional Quarterly say that these votes were not test votes and should not be included?

And also on rollcall No. 60, of April 11, 1957, giving the Committee on Interstate and Foreign Commerce the power to investigate all the boards, commissions, and so forth, of the Federal Government. That, too, was partisan and a slap at the Eisenhower administration. Certainly, it did not require a formal statement from the President to let any person know that he was opposed to it. The Members knew it at the time of the debate on the floor of the House; the debate was all along that line. These votes were not used by Congressional Quarterly. Rollcall No. 23, on March 13, 1957, on final passage of the corn and feed grain program was not used as a test vote although rollcall No. 22, on the same day, which was on recommittal of this same bill, was used. Why?

Finally, I find out that the Congressional Quarterly did not use, as they certainly should have used, the very first vote that was taken in the beginning of the Congress, a vote in which everyone was interested, certainly a partisan vote, the vote for Speaker. There was no question of how the President stood or which nominee for Speaker he would have desired.

In the campaign of 1956, and later, he made it very clear that, of course, he preferred the gentleman from Massachusetts [Mr. MARTIN], the Republican.

From these facts it is quite clear that the Congressional Quarterly was partisan and was so obviously unfair as to warrant the charge that this was deliberate. Certainly the publication is not authoritative.

And finally, and developing further the point made of these 14 votes on the 1 appropriation bill, I would challenge the Congressional Quarterly to show any Presidential statement that was clear that he was opposed to those individual 14 cuts. As a matter of fact, the President's general views on the subject of the budget were to the effect if the Congress could find any areas where it could reasonably cut that he would expect the Congressmen to do their constitutional duty, if you please, to go over that budget to look for items that could be cut.

When the Congressional Quarterly uses 3 items, incidentally, of sums below $50,000, can it be said these cuts are ones to which the President was opposed? The President, of course, could not give his position on details of that sort.

As a matter of fact, in analyzing those 14 cuts, as I have, it shows, I think, that 3 of those cuts were $50,000 and less. Six others were for less than $500,000. Three were for $1,500, or less.

Only 2 were of substantial amounts, 1 for $12 million and 1 for $50 million; and on the $50 million item the President's position was thoroughly known to be opposed to that particular thing.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield.

Mr. LAIRD. And I would call the gentleman's attention to the fact that $10 million of that reduction was reflected in a point of order raised by the gentleman

from New York [Mr. TABER], against the amendment offered by the gentleman from Wisconsin [Mr. BYRNES], and $10 million was knocked out on that point of order.

Mr. CURTIS of Missouri. I thank the gentleman.

The point I am making is that in the total appropriation bill you are talking about, sums of money of that size are relatively minor amounts; and no President of the United States, not even President Eisenhower, could possibly go into those details so that he could have expressed a clear view on it.

That is supposedly the test that the Congressional Quarterly was using. As I pointed out, the one glaring instance, the one which was a major item the President was on record as being opposed to that particular program, which was grants to States for sewage disposal plants, and so forth.

Mr. THOMPSON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The statement was made earlier to the effect that I am attempting some sort of a cover-up for an alleged previous statement. I do not precisely understand this, but I have never used the Congressional Quarterly, the CONGRESSIONAL RECORD, or any other device for that purpose. I should like to refer, for instance, to what myself and my colleagues who signed that statement did on behalf of the President's civil-rights bill which passed this House only today. I may say further this was undertaken as an analysis. We accepted it. I do not pretend that the Congressional Quarterly is entirely correct nor do I agree that it is in any sense partisan. Frankly, I was disturbed by issue No. 15 of April 12, 1957, where on page 444 the Congressional Quarterly stated:

> Despite the Democratic talk about the need for economy in Government, it is the Republicans who wield the shears when pruning time comes around.

They went on to relate the story and said that when the chips were down it was the Democrats as a party who defended the domestic welfare spending requested by the Republicans.

That characterized us with their subscribers all over the land, including one in my district, the Democrats, as being spenders. I did not hear any objection to that.

Tomorrow I propose to relate instances where the Congressional Quarterly has been quoted by leaders of the Republicans and by the Republican press and by, in fact, the Republican Senate Campaign Committee and the national chairman of the Republican Party.

Mr. CURTIS of Missouri. I would say probably they have, because it has been well known that in their opinion the Congressional Quarterly has been partisan. If they can demonstrate that even a partisan publication would say these things, it might lend weight to a particular position. Tomorrow we can continue this.

Mr. THOMPSON of New Jersey. I would rather continue it tomorrow.

Mr. CURTIS of Missouri. The charge I am making, at any rate, is not against the Congressional Quarterly exercising its own views. I am happy to have the various publications do that. Of course, that is the right of freedom of the press. My objection is that it is going under the guise of being nonpartisan and using such as a color of authority, as if they are the authority. Somewhat like the CONGRESSIONAL RECORD which is an authoritative publication of the Congress. It seems to me that this slant, as I call it, has been quite deliberate and can be explained in no other fashion.

Mr. DEROUNIAN. Mr. Speaker, I might point out to the gentleman from New Jersey that he and his 79 cosigners of that little manifesto made this statement:

> We believe also, that unless the world situation improves significantly, there should be no reduction of the personnel in the armed services. We will support legislation and appropriations necessary to accomplish these purposes.

Day by day the Democrats tell us we are falling apart, that we have never been at a lower prestige. But what did these 79 liberals do on the vote of May 29 to add $313 million, or to put that amount back into the President's defense budget? The gentleman from New Jersey and 66 of his cohorts voted against putting that money back. Five of them were absent. Only five of this group who had committed themselves in morality and in honesty to support this type of program voted to put this money back.

Mr. THOMPSON of New Jersey. We pledged support where we felt support was necessary. I am sure that the majority of the committee did not consider that a 3-percent cut was going to result in anyone being dropped from the armed services.

Now, if the gentleman can at this late stage of the game show us where one man is going to be taken out, then we can discuss this further.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

NEW REPUBLIC

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, Mr. Gilbert Harrison, editor of the New Republic, asked that I correct the RECORD. I assume he means apologize, because I said that that paper went out of existence. I was mistaken about that. He tells me that they are still publishing the New Republic. And, one of the girls in the office said what I should have talked about, because it was farther to the left than even the New Republic, was the PM. If the gentleman was here in years gone by, he would recall it was not the authorized Communist publication, because that was the Daily Worker. It was just one of those hangers-on; sort of a barroom loafer.

What I wanted to put into the RECORD was this: On page 81 of the Congressional Quarterly Almanac, volume 9, 1953, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

And, over on the next page, 82, we find this language:

> Failures to vote are counted as "times at bat," so that such failure reduces effective support score as much as an "anti-Eisenhower" vote.

Now, that is not the way to score, is it? If I were scoring in the annual baseball game between the Republicans and the Democrats, and every time a fellow did not go to bat, I would mark one down for our side, you would kick right away, would you not?

Mr. THOMPSON of New Jersey. Yes.

Mr. HOFFMAN. I have been advised that the method of scoring now used by the Congressional Quarterly has been improved, but I cannot place too much reliance on that, because of their demonstrated inaccuracy.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WILLIAMS of Mississippi (at the request of Mr. COLMER) for the balance of the week on account of official business.

Mr. SADLAK for the remainder of the week on account of attending a funeral.

Mr. LOSER for June 19, 20, and 21 on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PHILBIN, for 30 minutes, today.

Mr. MILLER of California, for 30 minutes, on Friday next.

Mr. THOMPSON of New Jersey (at the request of Mr. SIKES) that his special order for today be vacated and that he may address the House for 60 minutes on tomorrow.

Mr. TOLLEFSON, for 10 minutes, today.

Mr. DEROUNIAN, for 15 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. WIDNALL.

Mr. TEAGUE of California in two instances and to include extraneous matter.

Mr. BOGGS and to include extraneous matter.

Mr. VANIK and to include extraneous matter.

Mr. VAN ZANDT.

Mr. HERLONG.

Mr. KILGORE.

Mrs. ROGERS of Massachusetts, and include some of the testimony she gave

before the Appropriations Committee on the Merrimack River flood-control project. Also to include a very important letter from the head of the Corps of Engineers, saying that it is a No. 1 project in importance in New England, and to include other material from the Corps of Engineers.

Mr. GRIFFIN.

Mr. SCHERER (at the request of Mr. DIXON) and to include extraneous matter.

Mr. COOLEY (at the request of Mr. MCCORMACK) and to include extraneous matter.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H.J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H,. J. Res. 308. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. THOMPSON of New Jersey. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 19 minutes p. m.) the House adjourned until tomorrow, Wednesday, June 19, 1957, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

957. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1958, and for other purposes, in the amount of $64,701,500 for various agencies and $1,167,388 for the District of Columbia (H. Doc. No. 198); to the Committee on Appropriations and ordered to be printed.

958. A letter from the Assistant Secretary of the Navy (Material), relative to the Department of the Navy proposing to transfer a contact mine of the type used in the North Sea barrage of World War I to the Mariners Museum of Newport News, Va., pursuant to title 10, United States Code, section 7545; to the Committee on Armed Services.

959. A letter from the Archivist of the United States, transmitting a report on lists or schedules covering records proposed for disposal by certain Government agencies, pursuant to the act approved July 6, 1945 (59 Stat. 434); to the Committee on House Administration.

960. A letter from the Chairman, United States Civil Service Commission, transmitting a draft of proposed legislation entitled "A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes"; to the Committee on Post Office and Civil Service.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MILLS:

H. R. 8214. A bill to provide for a judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8215. A bill to provide for a judicial review of administrative findings of the Secretary of Labor under title III of the Social Security Act, as amended, and chapter 23 (Federal Unemployment Tax Act) of the Internal Revenue Code of 1954, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. COOPER:

H. R. 8216. A bill to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8217. A bill to amend the Internal Revenue Code of 1954 to prevent unjust enrichment by precluding refunds of alcohol and tobacco taxes to persons who have not borne the ultimate burden of the tax; to the Committee on Ways and Means.

By Mr. COOPER:

H. R. 8218. A bill relating to the administration of certain collected taxes; to the Committee on Ways and Means.

By Mr. REED:

H. R. 8219. A bill relating to the administration of certain collected taxes; to the Committee on Ways and Means.

By Mr. ABERNETHY (by request):

H. R. 8220. A bill to amend the District of Columbia Business Corporation Act; to the Committee on the District of Columbia.

By Mr. FINO:

H. R. 8221. A bill to amend title II of the Social Security Act to provide coverage under the Federal old-age, survivors, and disability insurance system for certain employment and self-employment performed before 1937; to the Committee on Ways and Means.

My Mr. HAGEN:

H. R. 8222. A bill to provide an alternative acreage adjustment and price support program for the 1958 crop of cotton and for other purposes; to the Committee on Agriculture.

By Mr. HOEVEN:

H. R. 8223. A bill to require the Secretary of the Interior to make a preliminary examination and survey of the Missouri River to determine the practicability of rehabilitating the water supply of western Iowa; to the Committee on Interior and Insular Affairs.

By Mr. HORAN:

H. R. 8224. A bill to amend title 18 of the United States Code to make it unlawful to destroy, deface, or remove certain boundary markers on Indian reservations, and to trespass on Indian reservations to hunt, fish, or trap; to the Committee on the Judiciary.

By Mr. MILLER of New York:

H. R. 8225. A bill to amend section 1733 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 8226. A bill to amend title II of the Social Security Act to provide that certain military service of a veteran entitled to a civil service retirement annuity may be counted for social security purposes if he irrevocably elects to exclude such service from the computation of such annuity; to the Committee on Ways and Means.

By Mr. PORTER:

H. R. 8227. A bill to amend section 6 of the act of August 24, 1912, as amended, with respect to the recognition of organizations of postal and Federal employees; to the Committee on Post Office and Civil Service.

By Mr. THOMPSON of New Jersey:

H. R. 8228. A bill to amend the act entitled "An act to provide books for the adult blind"; to the Committee on House Administration.

By Mr. FISHER:

H. R. 8229. A bill to authorize the restoration of times taken from patents covering inventions whose practice was prevented or curtailed during certain emergency periods by service of the patent owner in the Armed Forces or by governmental controls; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H. R. 8230. A bill to amend and supplement the Federal-Aid Highway Act of 1956; to the Committee on Public Works.

By Mr. YATES:

H. Con. Res. 195. Sustaining the principle of religious freedom in treaties between the United States and other nations; to the Committee on Foreign Affairs.

By Mr. WALTER:

H. Res. 281. Authorizing the printing of additional copies of House Report No. 1661, 82d Congress, 2d session; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to control the import of dried figs and fig paste to the extent necessary to protect adequately the American fig producing industry located in California; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to the land-use program for the lower Colorado River; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States relative to pollution of San Francisco Bay; to the Committee on Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to adopt legislation providing that United States Armed Forces have complete criminal jurisdiction over all members thereof who are in service in a foreign country; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of South Carolina, memorializing the

President and the Congress of the United States requesting enactment of legislation relating to Status of Forces agreements; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to refrain from the passage of legislation concerning registration of trucks crossing State lines; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of South Carolina, memorializing the President and the Congress of the United States to enact legislation designed to secure for the country a body of judicially experienced and in every respect qualified persons for positions on the United States Supreme Court; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States relative to Joint Resolution No. 76, relating to the life and public service of William H. Stafford; former Congressman from the Fifth District; to the Committee on House Administration.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States relative to the admission of Hawaii to Statehood; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROYHILL:

H. R. 8231. A bill for the relief of certain employees of the Department of the Navy at the United States Naval Gun Factory, Washington, D. C.; to the Committee on the Judiciary.

By Mr. HOFFMAN:

H. R. 8232. A bill for the relief of Istvan Urai and Sandor Mayr; to the Committee on the Judiciary.

By Mr. JUDD:

H. R. 8233. A bill for the relief of James L. McCabe; to the Committee on the Judiciary.

By Mr. MONTOYA:

H. R. 8234. A bill for the relief of Yee Kung Sun; to the Committee on the Judiciary.

H. R. 8235. A bill for the relief of Yee Mah Mee; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 8236. A bill for the relief of Carlos J. Martinez; to the Committee on the Judiciary.

By Mr. SCOTT of Pennsylvania:

H. R. 8237. A bill for the relief of Adam Billings, also known as Adam Billinger; to the Committee on the Judiciary.

H. R. 8238. A bill for the relief of Petar Rudolf Valentic, also known as Peter Valentic; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8239. A bill for the relief of Maria Dittenberger; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

288. By Mr. SMITH of Wisconsin: Resolution adopted at a mass meeting of Lithuanian American Council on June 15, 1957, in Racine, Wis., appealing to the highest authorities of the United States to exert to the fullest the American leadership in the fight for peace, justice, and freedom by inaugurating a positive and dynamic program of foreign policy to thwart the evil Communist designs for world domination and to abolish the fruits of all past Soviet aggressions; to the Committee on Foreign Affairs.

289. By the SPEAKER: Petition of the Secretary, Lithuanian American Council, Racine, Wis., petitioning consideration of their resolution with reference to pledging their wholehearted support to the Government of the United States in its efforts to secure peace and stability in the world and to promote the cause of freedom and justice for all nations; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Civil Rights Bill

EXTENSION OF REMARKS
OF
HON. ROBERT P. GRIFFIN
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. GRIFFIN. Mr. Speaker, in order to fulfill a firm and longstanding commitment, it was necessary for me to be back in the 9th Congressional District on Monday evening, June 17. I had hoped to return to Washington in time to cast my vote today on the civil-rights bill—H. R. 6217.

However, because the House was called into session at 11 a. m. this morning instead of the usual hour, 12 noon, it was impossible for me to be present in time to answer to my name.

Mr. Speaker, I wish for the record to reflect that I would have cast my vote in favor of the civil-rights bill on final passage. I wish to state further that I would have voted against the so-called jury trial amendment, and, accordingly, I would have voted "No" on the motion which was offered to recommit the bill.

Under the Taft-Hartley law, and under 29 other Federal statutes now on the books, injunctions are authorized in a manner similar to that provided in the civil-rights bill, and there is no right to trial by jury for contempt of court.

While we are concerned about securing to every citizen his constitutional right to vote—at the same time we would not, and should not, deprive anyone of a constitutional right to trial by jury in the cases where it applies.

However, the plain fact is that the civil-rights bill, as proposed by President Eisenhower, does not take away any constitutional right of jury trial—Congress could not effectively pass such a law—for the simple reason that if it did, such a statute, of course, would be unconstitutional.

I regret that circumstances made it impossible for me to cast my vote in person, but I am pleased that the bill carried without crippling amendments by such an overwhelming majority.

Senate Salad Luncheon

EXTENSION OF REMARKS
OF
HON. CHARLES M. TEAGUE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. TEAGUE of California. Mr. Speaker, California, I believe, is conceded to have the lead over the rest of the Nation when it comes to salad making and salad eating. The Sunshine State also grows more of the produce—lettuce, celery, ripe olives, and so forth—that go into salad, than any other State.

Therefore, it is fitting that California should take an active part in introducing to the Nation a new salad, "Senate salad."

I do not think it is too wishful to express the hope that Senate salad will shortly take its place next to the famous Caesar salad and chef's salad among Californians.

I also feel that after Mrs. American Housewife in the East, the South, the North, and the Midwest tosses her first Senate salad, it will become a regular feature on tables across the Nation.

Therefore, it is a distinct pleasure for me to joint with a number of my distinguished colleagues in both Houses to invite all of you to walk across the Capitol between 1 and 3 tomorrow afternoon and drop in at the Senate District of Columbia Committee Room, just off the Senate floor, to partake of a dish of Senate salad served to you by Mrs. America of 1958.

Senate Salad Luncheon

EXTENSION OF REMARKS
OF
HON. HALE BOGGS
OF LOUISIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. BOGGS. Mr. Speaker, the ingredient the State of Louisiana is contributing to Senate salad, which will be served between 1 and 3 o'clock tomorrow on the other side of the Capitol, is salad oil.

The State of Louisiana is responsible for the production of the largest amount of salad oil—and, in my opinion, the finest salad oil—in the United States.

Senate salad will be a real treat for my colleagues tomorrow. It is made of lobster, avocado, two varieties of lettuce, watercress, celery, green onions, ripe olives, grapefruit, tomatoes.

But, as Oscar Wilde once said, "To make a good salad is to be a brilliant diplomatist—the problem is entirely the same in both cases. To know exactly

how much oil one must put with one's vinegar."

In other words, a salad is only as good as its dressing. Senate salad dressing will have just the right amount of Louisiana salad oil, blended with vinegar and a delicate touch of garlic-type salad dressing mix.

American Democracy

EXTENSION OF REMARKS
OF

HON. PRESCOTT BUSH

OF CONNECTICUT

IN THE SENATE OF THE UNITED STATES

Tuesday, June 18, 1957

Mr. BUSH. Mr. President, last week, on June 12, the distinguished Senator from New Jersey [Mr. CASE] spoke in Hartford before the Hartford Chamber of Commerce. He was introduced by Mr. William H. Mortensen, former mayor of Hartford, and also, in part, by George J. Ritter, corporation counsel of the city of Hartford.

The address of the Senator from New Jersey was a very significant one. I have prepared excerpts from it which I think would be of great interest to Members of the Senate and to others who read the CONGRESSIONAL RECORD. For that reason I ask unanimous consent that both the address and the introductory remarks by both gentlemen be printed in the RECORD.

There being no objection, the introductory remarks and the excerpts were ordered to be printed in the RECORD, as follows:

INTRODUCTION OF UNITED STATES SENATOR CLIFFORD CASE, OF NEW JERSEY, BY WILLIAM H. MORTENSEN, FORMER MAYOR OF HARTFORD, AT ANNUAL MEETING OF HARTFORD CHAMBER OF COMMERCE, HOTEL STATLER, HARTFORD, CONN., JUNE 12, 1957

In the summer and fall of 1954 we had a number of exciting and close-fought political campaigns in this country. But none of them was more spectacular or more closely engaged public interest the Nation over than the battle for the United States senatorship in New Jersey. The winner of that important contest is our principal speaker tonight.

You might suppose, from his Phi Beta Kappa key, that our guest of honor tonight belongs in the venerable American tradition of the scholar in politics. That is hardly an adequate designation. It takes something more than scholarship to accomplish what he has done on the American scene.

He has been a phenomenally successful political candidate. In fact he has held public office continuously since 1938—a remarkable achievement when you consider that he doesn't come from the Deep South.

For 20 years his climb has been steady: Five years on the council of his native Rahway; 2 years in the legislature of his State; 9 years a Congressman from his New Jersey district, and now in the midst of his first term in that most august of legislative assemblies, the United States Senate.

And he seems to have gotten better as he went along. On his fifth successive trip to Congress, his fellow citizens of the sixth district packed him off to Washington with a majority of nearly 55,000 votes. This was 20,000 higher than any other Congressman from the district had ever received. In fact, 10,000 more than the voters of the district gave his good friend, President Eisenhower, in the same campaign. (You certainly don't have to have the political savvy of Ned Allen or John Bailey to appreciate that kind of batting average at the polls.)

I spoke of the gentleman's academic distinction, but, obviously a candidate has to have something more than good grades at college to win such a massive and continuing mandate from his fellow citizens.

In addition to a first-rate mind and a willingness to work around the clock, he brings to politics and government the warmth of heart and human understanding without which no candidate can for very long retain the confidence of the people. A practical idealist, he has shown himself consistently eager to seek out the right thing, and then to do his best to make the right thing the possible thing.

It gives me much pleasure to present him to you: Lawyer, humanitarian and an ornament to American politics and government, United States Senator from New Jersey, the Honorable CLIFFORD CASE.

REMARKS MADE BY GEORGE J. RITTER, CORPORATION COUNSEL OF CITY OF HARTFORD, AT HARTFORD CHAMBER OF COMMERCE BANQUET, JUNE 12

Mr. Toastmaster, Senator CASE, invited guests, on behalf of Mayor Cronin, Acting Mayor Parskey, and the city of Hartford, I am pleased to bring you greetings tonight.

As a transplanted Jerseyite, with some deep roots—and lots of relatives—still left in the Garden State, I am particularly happy to extend a warm welcome to our speaker of the evening.

A double coincidence has served to help focus my close attention on the Senator's public life. First, the Senator and I are fellow alumni of Rutgers University. Second, one of my closest friends, a former classmate at Rutgers, is the Senator's top assistant.

Accordingly, I have followed with much interest, Senator CASE'S vigorous support of such important measures as our mutual security program, Federal aid to education, protection of civil rights, the President's program of atoms for peace, and adequate funds for our vital United States information program abroad.

His record, previously as a Congressman, now as a Senator, explains why many responsible and influential citizens cross party lines to support him at election time.

Senator CASE, I'm happy to be able to assure you that your approach to politics finds great support in our Hartford community. Indeed, our toastmaster, Mr. Mortensen has brought to local public life a system of values, and an ability to stick to these values such as distinguishes your own career.

Senator, I know you will share much of yourself with us this evening. In return, I hope that in your few hours with us you will be able to sense our high regard for you. Perhaps this will serve in some small measure to reinforce you in your most vital and demanding job.

PARTIAL TEXT OF REMARKS BY SENATOR CLIFFORD P. CASE, REPUBLICAN, OF NEW JERSEY, PREPARED FOR DELIVERY AT CHAMBER OF COMMERCE DINNER, HARTFORD, CONN., JUNE 12, 1957

Like everything else, American democracy suffers from the defects of its own virtues. And the very fact that our democracy has been so successful has magnified these inherent defects.

If democracy—government by consent—is to work, the people must achieve a working consensus on the issues they consider truly important. In America we have achieved this consensus to a remarkable degree. But with it has developed a willingness to conform, a pressure for conformity, a tendency toward orthodoxy in action and thought, which, unless consciously and continuously corrected, could mean disaster over the long pull.

There are those who reject democracy on this very ground. But, for me, surely for the great majority of Americans, that alternative is unthinkable. Our problem is to maintain our American consensus, so essential to government by consent, and still find ways to prevent the smothering of the individual and to promote individual initiative and diversity without divisiveness. This we must have if our society is to continue to grow and expand and to adapt itself to the changing needs of our people in this modern age.

This is one of the reasons why our continued support for the civil rights and freedoms embodied in our Constitution and the Bill of Rights is so essential. These rights, in our view, are inherent in each individual because he is a human being. Beyond that, the maintenance of each individual's rights is essential to our society because only as the rights of the individual are thus protected will society have the benefit of the spontaneous contributions which can only be made by men who are truly free.

Another defect inherent in our successful democracy is our insistence that the great decisions be made by the people as a whole. Both because of our egalitarian tradition and our commonsense recognition of man's capacity for evil as well as for good, we refuse to entrust power to any single individual or group. We reject any notion of an elite ruling class.

This insistence is indeed soundly based. But once refusal to allow an elite to make the decisions for us can be disastrous if we as a people are unwilling to assume the burden of making those decisions for ourselves and in a responsible manner. If as a people we fail to meet this responsibility, we shall certainly destroy our democratic way of life. And in this thermonuclear age our failure in this regard may well spell the end of civilization.

When errors of judgment or lack of wisdom in dealing with the great issues carry such fateful penalties, an alert and informed public opinion becomes more than ever essential. Two examples may help to make clear by meaning.

No one who has followed the hearings on defense appropriations can help but feel deep concern at the interservice rivalry they so clearly reveal. Conflicting claims, duplication of effort, the constant battle for public attention, all point up the absence of any true unification.

Even more important, they indicate the lack of an overall defense policy or doctrine under which the role and mission of each service is clearly defined. Yet surely nothing could be more important to the long-term security of the country than its ability to protect itself against small as well as big aggression.

The unfortunate fact, however, is that the battle for budgetary priority has inevitably tended to emphasize the "bigger bang for a buck." The development of ever more powerful and complex mechanisms has overshadowed the problems involved in recruiting and keeping the skilled manpower required to operate them. Most significant of all, in the opinion of responsible authorities, it has weakened our ability to defend ourselves by something less than all-out war.

Closely allied is the problem of finding ways to lessen the threat of nuclear catastrophe. As you know, talks are now going on in London looking toward the possibility of breaking through the unhappy impasse in which we have been living for some years.

I will not here attempt to discuss this question. My point is that in this, as in the other case I cited, there are no easy or

dogmatic answers. They require a thoughtful objective approach, keeping always in mind the long-range interests of our country and people. They require a willingness to explore all possible avenues to agreement as well as a sustained effort. But the effort can succeed only as it is backed by the understanding and support of the people. And this in turn largely depends on the degree to which the relevant information is freely available and freely discussed.

Each one of us has responsibility for the course we follow in matters of this kind. If you and I are to participate intelligently, we must first of all want to. And, second, of course, we need facts and an opportunity to examine different points of view.

I am one of those who believe the American people have nothing to fear from a free exchange of ideas and opinion. I do not think our security is threatened by exposure to a Khrushchev on television. Indeed his appearance seems to me to provide a chance to press for an equal opportunity for an American to be heard on Soviet airways. We should, in my view, welcome such opportunities just as I think that wherever possible it is preferable for us to have the reports and accounts of our own newsmen even in such a country as Red China.

In short, I do not think we need ever fear the facts, whether they concern radiation hazards, the condition of our Armed Forces, or the strategic alternatives we face. Indeed we must ever seek the facts for, in the largest sense, our survival as a Nation and democracy is at stake.

Merrimack River Flood Control

EXTENSION OF REMARKS
OF
HON. EDITH NOURSE ROGERS
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1957

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following testimony which I gave before the Appropriations Committee on the Merrimack River flood-control project; also a letter from the head of the Corps of Engineers:

WITNESS: HON. EDITH NOURSE ROGERS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS

Mr. CANNON. We are delighted to have with us the gentlewoman from Massachusetts, Mrs. EDITH NOURSE ROGERS.

On what project do you appear, Mrs. ROGERS?

Mrs. ROGERS. Mr. Chairman, I am appearing in behalf of the project for flood control on the Merrimack River.

Mr. CANNON. We shall be glad to hear from you at this time, Mrs. ROGERS.

Mrs. ROGERS. Mr. Chairman, I introduced a bill which would provide $800,000 to be expended by the Chief of Engineers under the direction and supervision——

Mr. CANNON. Is it included in the budget, Mrs. ROGERS?

Mrs. ROGERS. No; it is not. The reason it is not included in the budget is because we had to wait before proceeding until the compact was signed between New Hampshire and Massachusetts.

Mr. CANNON. The gentlewoman will proceed.

Mrs. ROGERS. Last year the New Hampshire Legislature was not in session. So, they did not act. I personally endured two floods in the Merrimack Valley in my district, at Lowell, Mass., and other towns along the Merrimack. It was very bad in 1936, and we had to go about in boats in certain areas of Lowell.

In 1938 I was out when the hurricane first struck the dike that was being constructed, and then I went home. As we drove, first one tree fell down right in front of us and almost on us, and then another, and then another, and then another. I went in the house to use the telephone and while I was in there one of the chimneys of my house came down right over my head. I opened the door in one room, and the window blew in on me. A little later when I started out again I had to go back as the slate was blown off my roof. It made an upright wall about the house.

There was a great deal of suffering and a great deal of damage through my district. At Lowell where I live, the Concord flows into the Merrimack River so when we have flood conditions, the danger is extremely great.

General Fleming is the Chief of Engineers of New England division, and states that of the New England areas the Merrimack Valley is one program that should be taken care of at once. He has stated repeatedly that we are sitting on a volcano. There were many times last year when the valley was in great danger.

Mr. CANNON. Thank you, Mrs. ROGERS.

Mrs. ROGERS. I thank the distinguished chairman.

May I include as a part of my remarks a letter from General Fleming and a statement from me?

Also, may I include a statement from Mr. George Brady of the Boston American, of Boston?

Mr. CANNON. Those matters may be inserted into the record at this point.

Mrs. ROGERS. I greatly appreciate that privilege, Mr. Chairman.

(The matters referred to follow:)

CORPS OF ENGINEERS,
UNITED STATES ARMY,
OFFICE OF THE DIVISION ENGINEER,
NEW ENGLAND DIVISION,
Boston, Mass., March 29, 1957.

Hon. EDITH NOURSE ROGERS,
House of Representatives,
Washington, D. C.

DEAR MRS. ROGERS: In accordance with our telephone conversation, I am pleased to furnish you with information concerning the Hopkinton-Everett project.

The Merrimack River problem is the greatest unsolved flood-control puzzle in New England. Fortunately, the construction of the Hopkinton-Everett project is the key to its solution. If the 1936 and 1938 floods were to recur today the flood damages would exceed $74 million in New Hampshire and $140 million in Massachusetts. The operation of Hopkinton-Everett Reservoir together with the flood-control reservoirs already built would prevent 85 percent of the damage in New Hampshire and 70 percent in Massachusetts.

Although $50,000 in planning funds was provided this fiscal year for Hopkinton-Everett no money could be used until concurrence in the project had been given by the State of New Hampshire. Due to this lack of concurrence at the time our budget requests were submitted it was impossible to request funds for this project for fiscal year 1958.

As you know, recent favorable action by the New Hampshire Legislature gave Governor Dwinell necessary authority to commit the State of New Hampshire to the project. Immediately upon the removal of the legal roadblock Governor Dwinell wrote to me giving the formal concurrence of the State of New Hampshire. This cleared the way for initiation of planning which is now getting under way.

When a project is authorized we develop a tentative schedule for surveys, planning, and construction, which is revised from year to year. This schedule is made up without any reference to other projects in the division, the total civil-works program, or other program needs of the Government, or the availability of men or equipment generally in any one year. It therefore is a figure for internal planning purposes only. That figure for this project is $600,000 for fiscal year 1958 and would include planning and some funds for limited real-estate acquisition. For your further information the President has directed that our fiscal year 1958 expenditures as estimated in his budget presented to the Congress, be considered as the maximum that can be made within the overall fiscal policies of the administration for that year. Since no funds are included in the budget for the Hopkinton-Everett project, no funds can be utilized for this project and meet the administration's objectives.

Sincerely yours,

ROBERT J. FLEMING, JR.,
Brigadier General, United States Army, Division Engineer.

INFORMATION ON THE HOPKINTON-EVERETT PROJECT, NEW HAMPSHIRE

(Assembled for Congresswoman ROGERS, May 6, 1957)

SUMMARY

Description: The Hopkinton-Everett Reservoir is located within the towns of Henniker, Hopkinton, Weare, and Dunbarton in Hillsboro and Merrimack Counties, Merrimack River Basin, N. H. The project consists of a dam and 2 dikes in the Contoocook River Basin and a dam and 2 dikes in the Piscataquog River Basin. The reservoirs thus formed would have a capacity of 60,500 acre-feet in the Contoocook River Basin and 96,500 acre-feet in the Piscataquog River Basin, and would be connected by a canal of sufficient capacity to cause the storage areas to function as a single unit. Construction has not been initiated.

Federal cost estimate as of July 1956: $34,100,000.

Funds appropriated to date $117,000.

Benefit-cost ratio: 1.4 to 1.

Status of local cooperation: None required.

Applicability of provisions of continuing authorization acts to the project: The project is a unit of the authorized comprehensive plan for flood control and other purposes in the Merrimack River Basin.

AUTHORIZATION

The Hopkinton-Everett Reservoir project, a unit of the authorized comprehensive plan for flood control and other purposes in the Merrimack River Basin, provides for the construction of dams in the Contoocook and Piscataquog River Basins near the villages of West Hopkinton and East Weare. Authorization for the project is contained in the following act:

Act and document: Flood Control Act of June 28, 1938 (H. Doc. 689, 75th Cong., 3d sess.).

Work authorized: A system of flood-control reservoirs and related flood-control works which may be found justified by the Chief of Engineers.

LOCATION AND DESCRIPTION

The Hopkinton Dam, on the Contoocook River, about one-half mile upstream from the village of West Hopkinton, would be of rolled-earth construction with outlet works for regulating the discharge of impounded floodwaters. The spillway for this portion of the project would be located in a saddle about 1.8 miles east of West Hopkinton. The Everett Dam, on the Piscataquog River, about 1.3 miles southeast of the village of East Weare, would be of rolled earth with an adjacent concrete spillway. The crest of this spillway would be at an elevation 2

feet higher than the Hopkinton Dam spillway. A project map is bound at the end of this report.

Pertinent data (preliminary)

	Hopkinton	Everett
Dam and dikes:		
(1) Top elevation dam (feet, mean sea level)	432	430
(2) Top elevation dikes (feet, mean sea level)	430	431 430
(3) Length of dam (feet)	670	1,250
(4) Length of dikes (feet)	7,500	5,900
(5) Maximum height of dam (feet)	75	115
(6) Maximum height of dikes (feet)	70	46
Spillway:		
(1) Crest elevation (feet, mean sea level)	412	414
(2) Length of crest (feet)	650	200
	No. 1	No. 2
Canals:		
Length (feet)	2,050	14,500
Width (feet)	130-150	170
Reservoir:		
(1) Storage capacity to Hopkinton spillway crest elevation.	157,000 acre-feet or 6 inches of runoff from a gross drainage area of 490 square miles.	
(2) Reservoir area at Hopkinton spillway crest elevation.	6,300 acres.	

Lands to be acquired

Type of land:	Acreage
Lots	205
Tillage	1,050
Pasture	750
Woodland	5,495

Relocations

Features:		
Highways	miles	21
Railroad	do	5.25
Telephone and electric distribution lines		
Water distribution system		
Cemeteries (4)	graves	2,800

PROJECT BENEFITS AND ECONOMICS

This project, together with the 3 completed reservoirs, will control about 32 percent of the total drainage area of the Merrimack River Basin. The 4-reservoir system would reduce the annual flood loss in the basin by $3,948,500. The Hopkinton-Everett project is an important unit in the comprehensive plan of improvement for flood control in the Merrimack River Basin. The reservoir area is 66 percent wooded, 14 percent in pasture, and 20 percent in tillage. One small community, the village of East Weare, is included in the reservoir area.

Construction of this reservoir is required, in addition to the completed reservoirs, to reduce the stage of the standard project flood to authorized grade of levees at those downstream cities now having local protective works.

Flood damages and protection afforded by Hopkinton-Everett 1936 flood: Damages in the 1936 flood amounted to $36 million.

A recurrence of the 1936 flood, without Hopkinton-Everett protection, would cause $153 million in damages under present conditions. Of these damages, $38 million would be prevented by Hopkinton-Everett. The stage reduction at Manchester, N. H., would be 4 feet, and at Lowell, Mass., 3 feet.

1938 flood: Damages in the 1938 flood amounted to $6 million.

A recurrence of the 1938 flood, without Hopkinton-Everett protection, would cause $53 million in damages under present conditions. Of these damages, $16,500,000 would be prevented by Hopkinton-Everett. The stage reduction at Manchester, N. H., would be 3.4 feet, and at Lowell, Mass., 2.6 feet.

Average annual flood-damage reduction, $1,800,000.

INDUSTRIES AFFECTED BY THE HOPKINTON-EVERETT PROJECT

New Hampshire: Based on property assessment values in 1939 of industrial properties damaged in the floods of 1936, 29 industrial concerns in the New Hampshire portion of the basin, with an assessed valuation of $35,500,000, would be affected by the Hopkinton-Everett stage reduction. These industries produce woolen and cotton textiles, mica products, paper, gypsum board, and other miscellaneous manufactured products. The 1939 assessed value represented 50 to 75 percent of real value.

Massachusetts: Based on similar data, a total of 174 industrial concerns in the Massachusetts portion of the basin would be affected by the Hopkinton-Everett stage reduction. These industries, generally similar to those in New Hampshire, produce wool, cotton, and synthetic textiles, shoes, shoe machinery, paper and paper box products, and plastics. Their 1939 assessed value amounted to $51,200,000.

Total: The total assessed value of 203 affected industries in the entire basin amounted to $86,700,000. Since 1939, a few manufacturing concerns, especially industrial concerns, have liquidated and have been replaced by electronic and plastic manufactures, so that the value of industrial properties that would be protected by Hopkinton-Everett is probably a lot higher now.

Price Increases

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1957

Mr. VANIK. Mr. Speaker, in today's newspapers it was distressing to learn of further price increases ranging from 20 percent in the cost of automobile insurance policies, an undetermined amount for steel products, and a 5-percent increase in the cost of cigarettes.

The curious fact is that these price increases are industrywide and merit the serious consideration of Congress. The issue is raised of possible antitrust law violations.

For example, all 5 major tobacco companies raised the wholesale price of their nonfilter brand cigarettes 35 cents per thousand, effective immediately. The American Tobacco Co. was the first to announce the boost and was followed by Liggett & Myers, Philip Morris, Inc., P. Lorillard, and R. J. Reynolds. The increase will amount to 1 cent per package at the retail level or a price increase of 5 percent.

It seems to me that Congress should concern itself with the reasons why all five companies should find it necessary to raise prices the same amount at the same time. Is it not conceivable under a free-enterprise system that 1 of the major manufacturers may not be as adversely affected by the general rise in costs as the other 4? In the same way is it not conceivable that another of the major manufacturers might be compelled to request an even higher increase in price because of higher production costs? Was it not possible for 1 major manufacturer to face this problem earlier or later than the other 4?

When 5 of the major manufacturers producing almost 98 percent of the cigarettes manufactured in America come to the same conclusion on the same day that a 1-cent-per-pack increase in the retail price of cigarettes is necessary, that determination smacks of colusion and possible violation of antitrust laws of America.

Perhaps the only defense the American consumer has is to stop smoking and fortify himself with fresh air.

The Unmentioned Famous Letter of Benson to Ellender

EXTENSION OF REMARKS

OF

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1957

Mr. TEAGUE of California. Mr. Speaker, a very significant editorial appeared in the California Farmer, a publication devoted to agriculture, on June 8, 1957, and in the same issue of that publication considerable space was given to a letter written by the Honorable Ezra Taft Benson, Secretary of Agriculture, to United States Senator ALLEN J. ELLENDER. Because "some people consider this letter one of the most unusual and important pronouncements to be made by a Secretary of Agriculture in the last 25 years," under unanimous consent, I am having the editorial and the brief of Secretary Benson's letter printed in the CONGRESSIONAL RECORD.

THE UNMENTIONED FAMOUS LETTER OF BENSON TO ELLENDER

Senator ELLENDER, chairman of the Senate Committee on Agriculture, asked Secretary Benson his views on problems that have arisen under existing price support legislation.

Benson, who has been twitching the rug under this subject for some time, decided this was the big moment, and he gave the rug a terrific jerk.

Benson's observations tear to shreds most of the farm legislation dealing with crop production and its attempted regulation for the past 24 years.

Take his opening three points just for example. He says:

1. Controls have not been effective in reducing production.

2. Farm products are likely to continue to be abundant and they cannot be successfully priced as if they were scarce.

3. Our formulas governing acreage allotments and price supports are obsolete.

The letter is a frightfully frank analysis of our legislative fumbling in the field of agriculture. For example, he points out that if we do succeed in cutting down stored surpluses of food, the first thing farmers will demand is increases in their acreage allotments, and we will start the expensive cycle all over again.

He coined one phrase that was pretty good. Speaking of the technological explosion that has doubled production per farm worker in the last 15 years he said, "This creates a new dimension in farm policy and makes it virtually impossible to curtail agricultural output with the type of controls acceptable in our society."

This is the kind of a letter that a politician would never write unless he were going some place to die. Benson, ostensibly, has 2 more years of this mess to manage, and here he has just announced—or rather dragged out into the beam of the searchlight—the naked, shivering truth. We have all picked at the problem and watched Congress temporize, theorize and vulcanize the farm program, but it is sort of a shock to see the entire monster with all of its clothes off.

After busting this thing wide open, Benson walks away and leaves the pieces. He does say that he thinks we should continue the surplus food disposal program and soil bank acreage reserve program until we get rid of our mountains of stored food, but adds that as soon as we accomplish that, we should do away with the soil bank program and all these other miserable mistakes that have piled up surpluses.

This letter, one of the most unusual pronouncements of its kind, has been given wide circulation, but so far the silence on the part of the press has been deafening. It's the kind of silence you get when you hit a man between the eyes with a hammer. Is it stunned or just incapable of analyzing the implications?

This has been a very interesting administration in Washington, to say the least. Someone is always bouncing a fast ball off the dome of the chief while he is looking into the sun.

Benson led them all down an alley, left them no escapes and slammed the door.

What the Republicans, what the Democrats, what the disintegrating farm bloc will do, we have no idea. It does occur to us, however, that if we had just read this thing over carefully and we found the words "90 percent of parity" in our mouth, we would wash our mouth out with soap.

We have tried to brief the text of Benson's letter for inclusion elsewhere in this edition.

THE LETTER BENSON WROTE TO ELLENDER

(EDITOR'S NOTE.—Some people consider this letter one of the most unusual and important pronouncements to be made by a Secretary of Agriculture in the last 25 years. It is a very long letter, so unfortunately we had to shorten it for reprint.)

Benson made the following statements in the letter addressed to Senator ELLENDER, chairman of the Senate Committee on Agriculture:

"You asked for my views on problems arising under existing price-support legislation.

"Now is the time to see that graneries and warehouses presently being emptied are not filled again with price-depressing surpluses. I wish to make three points:

"1. Controls are not effective in reducing overall agricultural production, despite the severe restrictions they impose on farmers' freedom to produce and market.

"2. Agricultural products are likely to continue to be abundant. Under such conditions, they cannot be successfully priced as if they were scarce.

"3. The present legal formulas governing acreage allotments and price supports are proving obsolete.

"Production per farmer has doubled in the last 15 years. This creates a new dimension in farm policy and makes it virtually impossible to curtail agricultural output with the types of controls acceptable in our society.

"Farmers are being subjected to the forces generated by the technological revolution. They are adjusting from wartime to peacetime demands. Their markets are burdened by surpluses which result at least in part from past wartime programs. Obviously, farmers must be protected from the harsh price effects which would result from their exposed economic position, their weak bargaining power, and their abundant production. Government efforts should help rather than hinder them.

"If surpluses are reduced, farmers will feel that acreage allotments should be increased. Under present law, however, farmers are unlikely to receive increased allotments for most of the basic crops. Hence, under present law, disappointment awaits many farm families.

"Last year, in spite of acreage allotments, marketing quotas, the beginnings of a soil bank, and a severe drought in the Southwest, overall farm production reached an all-time record.

"Here are partial results of a special study of the USDA on acreage reduction programs as requested by the Appropriations Committee of the 84th Congress:

"1. The acreage allotment, marketing, quotas, and associated price support programs that have been in effect during the last 2 years have had little influence in total farm production, although the production of specific commodities has been modified considerably.

"2. An 8 percent reduction from 1953 to 1955 in the total production of four of the basic allotment crops—cotton, wheat, corn, and rice—was more than offset by increases in production of nonallotment crops.

"3. Land and other resources diverted from production of these crops were used mainly to grow feed grains other than corn, oilseed crops, rye, and hay.

"To continue with Benson's thoughts: We cannot control the total output of agriculture by controlling the acreage of crops which yield only one-fourth of our farm income. Obviously, it is unfair to the producers of the nonbasic products to expect them to solve their own supply problems and shoulder as well the supply problems shifted to them by producers of the basic commodities.

"We were trying for production control during the past 24 years of farm programs, but we have done many legislative things to defeat the purpose such as: Permission to plant on acres diverted from the basic crops, minimum national allotments, minimum individual allotments, legislative action to boost allotments or to prevent them from falling and control on the basis of harvested instead of planted acres.

"Farmers repeatedly vote for marketing quotas by wide margins, but actually they have no realistic choice. If quotas are voted down, the price support is only 50 percent of parity and farmers must stay within their allotments if they wish to receive even that low support. Furthermore, quotas have not been restrictive enough to balance supply and demand. For example, in 1956 accumulated stocks of wheat were so heavy that a quota of only 12 million acres would have been appropriate to adjust supplies to normal demand according to law. To deal with this impossible situation, the Congress provided a minimum national allotment of 55 million acres.

"Farmers favored a cotton quota based by law on 17.6 million acres, when a quota of 4 million acres would have been required to adjust to normal. For both wheat and cotton, the allotment on which farmers voted was more than four times as large as would be needed to adjust supplies to normal.

"Votes of this kind cannot reasonably be said to indicate farmers' willingness to keep supplies in line with demand in order to receive the support price. Eisenhower's recommendation for quantity allotments for cotton and other crops was turned down by Congress.

"Some people recommend extending acreage controls to the feed grains and the oilseed crops, a step which would approximately double the number of acres under Government control. Experience suggests that we should move away from acreage controls rather than toward more of them.

"The acreage reserve part of the soil-bank program came into being due to the intolerable situation caused by mounting stocks of food. It must be used to reduce accumulated stocks. It must not be put to other purposes. It must not be allowed to become permanent. A permanent program which subsidizes nonproduction is contrary to our tradition.

"The evidence of the past 24 years is inescapable. Farmers will not accept, legislators will not vote, and from a practical standpoint administrators cannot impose the kind of controls which, at the price objective specified by law, would be necessary to bring production into line with market outlets.

"Agricultural products are likely to be abundant. Under such conditions, they cannot be successfully priced as if they were scarce.

"Since we apparently cannot legislate scarcity, we must learn how to live with abundance. We need to build markets so that this abundance can be used. We cannot build markets by pricing ourselves out of them.

"The agricultural budget submitted for the coming year totals in the neighborhood of $5 billion. It was pointed out on the floor of the House that this is the equivalent of nearly half the net income of our farm people.

"Few would object seriously to heavy costs if these costs were temporary and if the program were moving toward a solution.

"There are two things which the American people are not likely to tolerate:

"1. The rebuilding of surpluses after stocks have been pulled down by surplus disposal and the soil bank.

"2. A permanent soil bank and a permanent disposal program of the dimensions made necessary by incentive prices and ineffective controls.

"Certainly, more production adjustments are needed for our basic crops than are likely to come from the type of controls we hitherto have had. Farmers are capable of making many needed adjustments on their own if permitted to do so.

"Many provisions of law are good and workable. There are more than 200 farm products for which we are authorized to provide price supports. For all but 11 of these (the basic commodities, wheat, cotton, corn, rice, peanuts, and tobacco, and a few other commodities with special programs, dairy products, wool, sugar, honey, and tung nuts) general guides are provided by law as a basis for price supports without the use of fixed formulas. For the 190 or so commodities to which these criteria apply, problems have perhaps been less troublesome than for the basic commodities.

"Of any proposed solution, I ask these questions: Will it work? Is it good for farmers?

"I have no doctrinaire solution for agricultural problems. My comments regarding governing legislation stem from the fact that these programs are not working.

"EZRA TAFT BENSON,
"Secretary of Agriculture."

Senate Salad

EXTENSION OF REMARKS
OF
HON. JOE M. KILGORE
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1957

Mr. KILGORE. Mr. Speaker, Texas could have supplied practically all of the ingredients of Senate salad. My

district, which contains both the Rio Grande Valley and the winter garden areas of Texas, has often been called the Nation's salad bowl, and very aptly so. Last year it shipped 60,000 carloads of produce to all the markets of the Nation.

It is fitting, therefore, that Texas, the biggest State, should be a participant in the creation of the biggest salad in the world, which will be served tomorrow from the world's largest salad bowl. This bowl is 3 feet wide and 14 inches deep. Heaped, it will serve 320 main-course salads. Hand turned, it is made of solid walnut.

The salad fork and spoon naturally had to be a little larger than normal to accompany the salad bowl. Each is 3 feet long.

The bowl will be full tomorrow in the Senate District of Columbia Committee room at 1. We hope that you will come between 1 and 3 and help us empty it.

A Salute to Two Distinguished North Carolinians

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. COOLEY. Mr. Speaker, it is with great pride and satisfaction that I bring to the attention of the House today the devoted service of two distinguished North Carolinians in behalf of the farm families and the general agriculture and economic development of my State.

Upon these two men the United States Department of Agriculture recently bestowed its Superior Service awards. Summations of these awards read:

David S. Weaver, Extension Service, Raleigh, N. C., for encouraging farmers to modernize their operations which has been instrumental in bringing about greater efficiency and cultural advancement; and for promoting cooperative relationships among agricultural agencies and farm leaders.

Horace D. Godfrey, Agricultural Stabilization and Conservation, Raleigh, N. C., for leadership in bringing about an outstanding degree of accuracy and efficiency in the operation of North Carolina ASC State and county offices; and for achieving the fullest cooperation of all agricultural agencies in the State.

Mr. Speaker, it has been through the work of such men as David S. Weaver and Horace D. Godfrey that our agriculture has become the most efficient of any nation, that Americans are the best fed people in the world and that consumers in our country, after paying for their food, have three-fourths of their income left for investment in good homes, modern, neat, and progressive communities, and in other necessities, conveniences, and comforts that together make a good life on an American standard of living that is the envy of the world.

Mr. Weaver is director of the North Carolina Agricultural Extension Service. He was born at Westwood, Hamilton County, Ohio. He served with the infantry in World War I. After receiving his bachelor of science degree at Ohio State University in 1920, he turned his interests southward, and in 1925 was awarded his master of science degree in agricultural engineering at North Carolina State College.

He entered a distinguished career as a teacher, served for a while as principal engineer for the Federal Rural Electrification Administration in Washington, and then returned to North Carolina State College as head of the Department of Agricultural Engineering. He became director of the Agricultural Extension Service, North Carolina State College, in 1950.

His particular interests in professional work has included the improvement of the efficiency of human labor on farms; he conducted the first statewide rural electrification survey and was instrumental in formulating both State and Federal laws pertaining to rural electrification; and he encouraged the development of farm mechanization including tractors, combines, haying, and other laborsaving equipment.

He is the author of numerous scientific works. His membership in learned and professional societies include Phi Kappa Phi, Alpha Zeta, Delta Theta Sigma, and Kappa Sigma Pi.

Mr. Weaver, in 1950, was named Man of the Year in Service to North Carolina Agriculture by the Progressive Farmer. In 1955 he was given the Distinguished Service to Agriculture award by the North Carolina State Grange.

He is married and has three sons. He is a Presbyterian and a member of the Masonic order.

Horace Godfrey was born August 22, 1915, at Waxhaw, Union County, N. C. He is 1 of 6 sons and 4 daughters of the late Cloyd and Helen Therrell Godfrey. Following graduation from high school in 1932 he went to work and attended business school at night. Two years later he went to Raleigh as a comptometer operator for the old Agricultural Adjustment Administration. His appointment was only for 3 months, but now he is finishing out 23 years. His agency first was AAA, then PMA, and now is ASC—Agricultural Stabilization and Conservation.

Mr. Godfrey went into military service in January 1943 and served with the Army Air Corps. When World War II ended he returned to his job in Raleigh and resumed his climb upward. Since 1949 he has been the top administrator of his agency in North Carolina.

Recently he was elected chairman of the North Carolina Board of Farm Organizations and Agencies.

Mr. Godfrey was married in 1943 to Julia Orr, a native of Great Falls, S. C. There are three children. Mr. Godfrey is a Baptist and a member of the Masonic order.

Mr. Speaker, I sometimes wonder if the Nation fully realized how much all of us owe to such men as David S. Weaver and Horace D. Godfrey. They are making this a better country not only for farmers and their families whom they serve directly but for the people in the towns and cities as well.

They are the kind of men upon whom our farm families can confidently depend, to improve the conditions of our farms and to bring to agriculture an equitable share in the Nation's prosperity.

I salute these two devoted men and I commend the Department of Agriculture for bestowing upon them the superior service awards for their outstanding service.

Address Delivered by Hon. Joseph S. Clark, of Pennsylvania, Before the National Housing Conference

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Tuesday, June 18, 1957

Mr. HUMPHREY. Mr. President, the distinguished junior Senator from Pennsylvania [Mr. CLARK] addressed the National Housing Conference last night in Washington. The conference could not have chosen a more appropriate speaker on the subject of housing. His long-time interest in housing matters, buttressed by his outstanding record as mayor of Philadelphia, have made Senator CLARK an authority in this field. I am glad to be associated in all aspects of his work for better low-cost housing.

Our current national housing crisis which our colleague discussed last night in his address is more than a sufficient reason for Senate adoption of S. 2159, Senator CLARK's bill, which I joined in cosponsoring, and which would create a Department of Housing and Urban Affairs.

Mr. President, I ask unanimous consent that the text of Senator CLARK's address be printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR JOSEPH S. CLARK, DEMOCRAT OF PENNSYLVANIA, BEFORE THE NATIONAL HOUSING CONFERENCE JUNE 17, 1957, STATLER HOTEL, WASHINGTON, D. C.

I am glad to have this chance to become better acquainted with you of the National Housing Conference. Having been on the Housing Subcommittee of the Senate for the last 6 months, I have developed an even greater respect for your organization than I had before.

In that committee, the bankers tell us what is good for the people who lend for housing. The real estate boards tell us what is good for the people who trade in housing. The builders tell us what is good for the

people who build housing. But when Ira Robbins or Lee Johnson or Bill Wheaton steps up to testify for the National Housing Conference, then we know we are going to hear about what is good for the people who live in housing—which is, after all, what houses are for.

We meet at a time when, as all of you know, the housing situation is literally going from bad to worse. Seven mayors came before our committee a few weeks ago representing the American Municipal Association and the United States Conference of Mayors and told us that in virtually every city of the Nation, the slums and blight that are the shame of the 20th century are spreading faster than they are being cured. We are scarcely building houses as fast as families are being formed plus normal losses of housing units—so we are not rehousing the 5 to 7 million families living in places not fit for human beings. To really make progress in improving housing standards, there is general agreement that we need each year at least half again as many houses as are now being built, and the best authorities I know reckon we really need twice as many.

We need more houses—and we need cheaper houses. The price of new homes has been rising recently much faster than family income. Forty-five percent of the increase in the cost of living since 1952 has been due to the 13 percent rise in the cost of shelter, including rent. And if present trends continue we will have, within a few years, not just a housing shortage, but a housing famine—with all the effect that that will have in pushing prices even further upward and in undermining family life in America.

I am not going to try tonight to set forth the answers to the question of what, exactly, should be done. There are experts enough in this room to devise the answers. What we are lacking is not ideas but a political climate in which good ideas can be translated into action. I want therefore to describe a political framework within which those who understand housing, like yourselves, can come up with your solutions, and we can then put them into effect.

The first essential element in this framework is a comprehension where it counts that housing is, first of all, human environment. Homes are a social, not just an economic, fact. Housing must be thought of first as people in need, not as a commodity, an industry, something to be financed and traded, from which rents and profits can be gotten.

Certainly, we need a healthy housing industry. But when we consider any housing measure, we need to ask not only will it produce the highest profits but will it provide the most homes and the best homes, within a cost range that the public can afford?

Unhappily, this is not the way the question is being asked these days.

I believe it is correct to say that no significant new departure in the field of housing has been presented to Congress by this administration—certainly not this year—that was opposed by any significant combination of those who make up the housing industry. In fact, you can sit in the committee hearings, and having heard what these groups oppose, you can fairly well predict what the administration will oppose.

If we make our housing policy subservient at all times to the short-run welfare of those who finance and trade in housing as a commodity, we may as well give up. Their interests are not necessarily identical with the needs of the people for more and cheaper housing. In the absence of Government support, there is more profit and less risk in high-cost than in low-cost housing. There are even groups whose self-interest would lie in maintaining a housing shortage, notably landlords and bankers, because shortages produce higher rents and the willingness to pay higher interest rates because demand forces prices up. Witness the opposition to any kind of direct lending by the Government to increase the supply of housing. Witness the warnings issued from time to time by various segments of the housing industry against the dangers of overbuilding—which from the standpoint of social needs is impossible as long as millions of families live in housing unfit for human habitation. Look behind the fight against public housing, and among other influences you will see the interests of those who profit from the slum homes that ought to be replaced.

Housing is far too important to be left to the housing industry and the banks without making sure that their interests do coincide in each particular aspect with the interests of the consumers of housing. The character of our housing supply has a profound effect on the whole character of a city and of all the people in it. When there is conflict, the general good must override the private good.

The second element in our political framework must be a willingness, more than that, a determination, to use the instrumentalities of Government to help get the job done.

We may have thought that decision was made in 1949 when the Congress adopted, and the President approved, a declaration of national housing policy. That policy acknowledged the responsibility of the Federal Government to use its programs and resources to help realize "as soon as feasible the goal of a decent home and suitable living environment for every American family."

That is a good statement. We could hardly improve on it today. The only trouble is that, as an expression of our actual national policy in 1957, it is a dead letter.

The exact extent of our housing needs may be argued, but that there is a shortage, and that it is an overwhelming shortage, is not controverted. Yet, who is doing anything about it? The prevailing attitude in those places from which our national housing policy should be aggressively directed is, I am afraid, one of brazen feet-dragging. The HHFA just does not have the will to solve the housing crisis. Their proposals, when you boil them down, amount to just letting well enough alone, or, if pressed, just raise the interest rate. That's all that's needed, they say, to get houses built, as if slum families are ever going to be able to outbid General Motors in the money market. And I regret to say that the Congress, while it seems somewhat more alive to human misery than does the administration, is not going to write a bill this year that will come anywhere near to what is needed.

Why is this? Well, there will always be those among us, I suppose, who believe that if they just don't look at unpleasant facts they will go away. But, beyond that, we still have to struggle with a pervasive reluctance in both the executive branch and in the Congress to the whole idea of setting social priorities in the disposition of our national resources and the guidance of our economy, even when we know very well things aren't going right without them. This is the socially obsolete philosophy of the 18th century that priorities shall be determined by the impersonal mechanics of the market place.

Look what happens to those who suffer from this intellectual hangover. When they are confronted with a chart which shows, for example, that manufacturing plant construction has gone up 43 percent in the last 2 years, utilities up 41 percent, nonresidential construction up 14 percent, and housing down 15 percent, they have to say, in effect, that whatever is is good—because that's what the market place decided.

For myself, I have no faith in the ultimate social wisdom of the market place. I think God put wisdom in human minds to use, not to abdicate. The splendid cities of good homes that Americans should have in this century will rise only through conscious acts of man.

The fact is, of course, that housing is one field where nobody is really honestly preaching laissez-faire. We have Government intervention in housing on a massive scale. We have FHA, VA, HHFA, Fannie May, and so on, and the last thing that those who denounce Government intervention as socialism want us to do is to take them at their word. If we did, and abolished those agencies, we would hear an urgent cry for a return to socialism from some of the most unexpected people.

So let it not be argued that the issue is Government intervention versus no intervention. We have crossed that bridge. The housing economy is not going to be left alone. It is going to be influenced, and guided. The question is simply whether it is going to be guided intelligently and well and in the interests of the men, women, and children to be housed.

There are some words of Lincoln that President Eisenhower has sometimes quoted with approval. They are:

"The legitimate object of government is to do for a community of people whatever they need to have done, but cannot do at all, or cannot so well do for themselves—in their separate and individual capacities."

I suggest to the latter-day Lincolns of this new, modern Republican Party that if they wish to lend to these fine words substance they can begin with housing.

Once we resolve to make serving people our guide and resolve to get the job done, then we can proceed to inventory our needs and analyze the market.

Who are the people who are ill housed? In general, the people in the upper third of the income scale can get good housing—although it may be in developments whose planning may be atrocious.

But the lower and middle-income families are not well served. And this raises a basic philosophic question about what the role of Government should be.

If we look back two decades, we will see that our housing programs were then reasonably balanced. We set up the FHA to take the risk out of mortgage lending to those who could afford new housing, but we also set up a strong and vital public-housing program for the lowest income groups who could not afford private housing. But 20 years ago was about the last time we had such balance. Since then, the FHA program has consistenly been enlarged and made bigger and more active and has been backed up with Fannie May, while public housing has with equal consistency and dedication been gradually strangled to death. New wrinkles have been added year by year to guarantee more private mortgages, but the principal new wrinkles in our housing for the lower income groups have been ingenious new restrictions.

This trend reached a climax of sorts this year. The Administration asked for $600 million more for insuring mortgages and asked that the limit be raised to push even more of the assistance into the higher brackets. At the same time, it asked nothing at all for public housing and proposed a cutback which would bring slum clearance and urban renewal to a grinding halt. The House of Representatives then did the administration one better. It added another $1.5 billion to Fannie May, and it passed a punitive resolution designed to restrict the public housing program even further—which surely must be this year's leading example of how to beat a dead horse.

The House amendment to cripple this instrument which is indispensable in the solution of the slum problems of the great metropolitan cities was sponsored, incidently, by a Congressman from a district whose largest city has a population of 52,093.

So the third necessary element in the political framework for housing progress is a determination to restore the balance in our housing programs. Government exists to serve the poor as well as the relatively well-to-do; and if we provide billions for an active Fannie May for the suburban middle class—which I agree we should do—we are honor-bound to have also a working program to improve the housing of the urban poor.

For the middle-income families the problem is one of bringing down the price. We cannot bring down the cost of land, and there is not much we can do—not quickly, anyway—about construction costs. But there is one highly flexible item in the cost equation, and that is the price of money. What can be done by reducing the interest rates and extending the amortization period is a revelation to anyone who has not studied it before. On a $12,000 house, increasing the term from 25 to 40 years and lowering the interest rate from 5½ to 4 percent will reduce the payments by $23 a month and bring the $12,000 house within the reach of almost half, instead of only 30 percent, of our people. Think what that would mean toward reviving the building industry and improving our national standards of housing.

Of course, you won't get an interest rate of 4 percent without either reversing the Government's high interest rate policy or passing on to middle-income families the advantages of the lower rates which the Government pays for money. Unhappily, neither of these things can be done except over the dead bodies of the organized money lenders and of the administration which reflects their views. But the Sparkman bill, which was incorporated in the Senate housing bill after my own moderate-income measure was defeated in committee, will be a start in this direction if the administration does not succeed in knocking it out of the bill that finally passes.

There remains the large segment of our population who cannot rent or buy decent housing even should the cost of money be brought down—the families theoretically eligible now for public housing. If we mean what we say about a decent home for every American family, then obviously those who cannot pay for such housing have to be subsidized.

So far, we have had just one means of subsidizing new housing for these families—the public housing program. Now I believe in public housing. I fought, with WAYNE MORSE and PAUL DOUGLAS and HUBERT HUMPHREY, the losing fight to authorize 200,000 starts this year, and I sponsored the amendments in the Senate bill to make our public housing program more workable. I would insist that nothing be done to impair the present public housing program unless and until a better one can be devised.

But I do believe a more effective one can be devised. Just as I have argued that the private interest should give way to the general interest when necessary, so I would argue that the public interest should be served with the greatest possible adherence to our traditional practices of free enterprise. The public housing program as now conceived and operated is unfortunately divorced from our private enterprise economy. In order to subsidize rent in good housing, it is not necessary to do it exclusively through publicly owned and publicly operated projects which set low-income people in a class apart in effect, institutionalizing them. I am impressed, as I know you are, with the proposals that Mr. Abrams made this afternoon. I think we should explore to the fullest the possibilities of subsidizing rental in new or reconditioned private as well as public housing, of scattering public housing units in normal neighborhoods, of permitting private or cooperative purchase of public units, and of subsidizing the purchase as well as the rental of decent homes. If we thus shift a large segment of our public housing load into the private-enterprise framework, I think we would be able to rally far more support for our efforts in each of our communities.

I agree with Henry Churchill that we need a rethinking and not a retinkering of public housing. It is my hope that the work which the Housing Subcommittee of the Senate undertakes this fall will be that kind of rethinking, and that we will develop some fresh ideas to present to the Senate when it convenes next year.

Concurrently, I urge your support for the bill which Senator JAVITS and seven other Senators have joined me in introducing, to create a Department of Housing and Urban Affairs in order to elevate the status of, and bring proper recognition to, these important programs.

The issues that confront us in the field of housing are part of the greater issue of our time—whether our economic institutions will be allowed to drift or whether they will be guided and shaped to serve men—all men.

In the long run, they must so serve. No economic system will ultimately survive which does not satisfy the basic needs of mankind—and among these are the need for shelter. When a free economy fails to serve, the solutions imposed are far more radical than the gentle social guidance and political invention that could have made it serve. Khrushchev expressed his own confidence in our inability to adapt when he predicted blatantly that the United States would be Socialist in 50 years. It is because we believe in our free economic system that we must use our God-given wisdom to so guide and influence it that it will work for the fullest benefit of all.

I think the awakening is already on its way. I have seen the renaissance of civic spirit and civic will in one city, and I know that you have seen it, and indeed helped create it, in others. I think that awakening is becoming an overwhelming force. In due time—and I believe the time is not too far ahead—that force arising in the great cities of America will sweep into the Nation's Capital, and there will be here, too, a renaissance of will and spirit. Then the Nation will join with its States and its communities, and together we will build in America the cities of bright homes that will be jewels instead of stains on the fabric of our civilization.

Trial by Jury

EXTENSION OF REMARKS
OF
HON. A. S. HERLONG, JR.
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. HERLONG. Mr. Speaker, those of us who are so interested in preserving the right of jury trial in the so-called but misnamed civil-rights legislation underestimated the effect of pressures from the White House. We did not believe the boys uptown would work so hard to deprive the people of this civil right. I suppose if we had provided, in our jury trial amendments, that the venue of the case be moved to Japan and that the jurors be Japanese, we would have had no such opposition from the other end of Pennsylvania Avenue, because it is pretty obvious that that type of jury trial is approved by the administration.

If this bill is passed and becomes law, as it is now written, there will be a lot of southern people who will probably go to jail. From yesterday's action of the Supreme Court it seems the only sure way to stay out of jail is to engage in Communist activities, and we are not going to do that. Quo vadis, mia patria?

The Navy's Transition to Nuclear Power Is Providing This Country With a Long-Term Industrial Asset, Namely, an Industrial Base With Atomic Tools and Trained Manpower

EXTENSION OF REMARKS
OF
HON. JAMES E. VAN ZANDT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, June 18, 1957

Mr. VAN ZANDT. Mr. Speaker, our Nation and its people derive many advantages from the Navy's nuclear shipbuilding program. These advantages are not always immediately apparent. During a recent hearing before the Senate Foreign Affairs Committee, Mr. Lewis L. Strauss, Chairman of the Atomic Energy Commission, stated that the United States leads both Great Britain and the Soviet Union in the development of the peaceful utilization of the atom. He supported his statement by reference to the two reactors built for the U. S. S. *Nautilus*. This successful project represented the first practical application of nuclear energy for peaceful purposes.

It is important to remember that the purely military use of nuclear energy is represented by atomic and hydrogen bombs, nuclear warheads for missiles, and atomic projectiles for cannons. However, nuclear propulsion of submarines, cruisers, and aircraft carriers is basically a peaceful use of the atom, for in itself, it is not a weapon of war. These ships will make constructive use of the atom. At the keel laying of the first nuclear-powered submarine, a fundamental promise held out to the American people by President Eisenhower was the use of nuclear power for electricity to light our American homes.

Mr. Speaker, it is easy to foresee that knowledge learned and experience gained in building an atomic carrier will greatly further the peaceful benefits to the United States and her people. The Navy's transition to nuclear power is providing this country with a long term industrial asset, namely, an industrial base with atomic tools and trained manpower.

We should recognize that all power producing reactors have technology in common and that at this stage of their development, gains in one application inevitably mean improvement in others. This is particularly true in the application of nuclear power to naval ships and to central power station use, since the technical power in these reactors is expected to be quite similar. There is no fundamental conflict between any objective to develop atomic power for cities and for other applications. Actually, the technologies of all nuclear power applications contribute to one another.

Since we are now spending over 70 percent of the national budget for activities associated with defense, the military application for nuclear power has important immediate economic significance. It is clear that if nuclear power makes it possible to do our military job with fewer ships, planes and men, and to do these jobs with greater effectiveness, then the saving to the individual American is real and direct.

Mr. Speaker, we should never forget for one moment that some weapons of war have made a direct and substantial contribution to the peaceful pursuits of this country. It has been said that without the *Nautilus*, the United States might not today be the leading nation of the world in the peaceful use of the atom. Defense Department money spent in past years for the *Nautilus* and *Seawolf* makes it possible to build today an ocean-going merchant ship which will herald a new era in world shipping.

The construction of a nuclear carrier will be a new chapter in this peaceful progress schedule. She will be powered by eight nuclear reactors which present new problems not only for the nuclear scientist but for the mechanical, construction, and design engineers. It may well be that the nuclear carrier powerplant will open the door to practical and economical powerplants to serve the needs of great industrial factories. It may bring to sections of this country and the world a proven source of electrical and propulsion energy which has heretofore been the roadblock to the production and employment benefits of the industrial age to many areas—both here and abroad.

During the past few years great emphasis has been placed upon the reorganization of the Federal Government in the name of efficiency and economy. I am certain the Congress will continue to be concerned with this problem and rightfully so. No member, however, serves long in this body without being aware that there often is a realistic limitation to what we can do through statute in the name of reorganization to achieve efficiency and economy in the Government. Efficiency and economy must in large measure result from understanding, coordination and cooperation not only among the various departments of the executive branch, but also in their working relationships with industry and the civilian population. We in the Congress can provide stimulus and direction through reorganization, but we cannot guarantee results through reorganization alone.

The nuclear carrier presents a real challenge in this area. For the appropriation of the requested sum to the Department of Defense will not of itself assure successful completion. I have no doubt that the nuclear carrier will be a success. It will require, however, the closest of cooperation between many departments of the Government—the military services, the Atomic Energy Commission—all of whom must work in the closest cooperation with various segments of American industry. This cooperation must take place on all levels and be based on understanding of a common objective and its long-range importance to all of the American people in the years ahead. A current example of such cooperation is the Nation's first commercial-scale atomic powerplant, located at Shippingsport, Pa., which is the shore-based counterpart of a Navy aircraft carrier which never put to sea. Plans for the carrier were about to be scrapped in early 1953 when it was proposed that the technology involved be salvaged for a commercial atomic power plant. It is upon this type of cooperation between government and industry—voluntary and stimulated through understanding and mutual interest—that efficiency and economy in the military services must in large measure rest.

I am as concerned as any Member of this body with the costs of government and the price tag of American security. I think, however, that we would be less than honest if we did not recognize that many of the projects and programs which are carried on in the name of national defense make an immediate and important contribution to the material level of American life as well as that of the whole world.

The big commercial airliners which speed our people to all corners of the Nation and the world evolved from Air Force design contracts; a young child enjoys the protection and comfort of the lightweight, warm and waterproof snowsuit as a result of the Army's research with cold weather clothing during and since World War II; the revolution which has taken place in the packaging and preservation of the many foods which line the shelves of our supermarkets today resulted in large measure from the pioneering of the military. The Navy is primarily responsible for advancing the progress of radio—the military development of radar opened new vistas in television. The conversion from diesel to atomic power will revitalize the Nation's shipbuilding industry. By law, half the Navy's ships must be built in private yards.

I cite only a few examples, but the list is long. The price tag for much of the technological progress in this country is a part of the annual military budget—but the secondary benefits often are soon translated into benefits for all our people.

In this age of nuclear weapons, America must never hesitate to take the lead in development of new technological programs which give great promise for commercial and civilian benefit. We shall lose a tremendous international advantage if the Soviets forge ahead of us in peacetime applications of the atom.

It may be one of the great anomalies of our time, but perhaps the tremendous destructive capabilities of nuclear weapons will bring the realization to people everywhere that there can be no alternative to world disarmament and world peace. Perhaps the plowshares of the future will be shaped from the atomic sword.

Mr. Speaker, I urge my colleagues to give their continual and enthusiastic support to early transition to nuclear-powered ships for the Navy. We will enhance our military preparedness and we will get a running jump in building our atomic industrial base.

Scherer Replies to California Bar Association

IN THE HOUSE OF REPRESENTATIVES

OF

HON. GORDON H. SCHERER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1957

Mr. SCHERER. Mr. Speaker, on March 29, 1957, the gentleman from California, Mr. JAMES ROOSEVELT, called to the attention of the House the censure of a subcommittee of the Un-American Activities Committee by the board of governors of the State bar of California. In connection with his remarks, Mr. ROOSEVELT inserted in the RECORD the resolution.

Today, at the opening of hearings in the city of San Francisco, I answered the board of governors of the State bar of California as follows:

Mr. Chairman, at the opening of these hearings here in California, I request, as a matter of personal privilege, the opportunity to discuss a resolution adopted by the board of governors of the California State Bar Association on March 15, 1957.

I was a member of a subcommittee of the Un-American Activities Committee of the Congress of the United States which held hearings at the direction of that committee in Los Angeles and San Francisco, Calif., in the month of December last year. This resolution severely criticized and condemned the subcommittee for its conduct during these hearings. Copies of this resolution, by direction of the board of governors of the bar association, were sent to the Speaker and my colleagues in the Congress of the United States. The resolution was printed in the CONGRESSIONAL RECORD. The press all over the country carried accounts of the censure.

Under the circumstances, I feel that on my first return to the State of California since this censure, it is necessary for me to answer. In fact, I requested the chairman of the Un-American Activities Committee to appoint me as a member of this subcommittee so that I might make this reply in the backyard of the board of governors of the California State Bar Association.

What I say here today in connection with this matter is not a statement of the Un-American Activities Committee nor of the

subcommittee against whom the censure was directed, nor does it necessarily reflect the feelings of the other members of that subcommittee or its director, none of whom is with us this week in California.

I have practiced law as a member of the State and Federal bar in Ohio for a quarter of a century. I am a member of my local and the American Bar Association. There is almost nothing that hurts a lawyer more than to be censured by a governing body of the bar with the attendant publicity. It is shocking to be censured by a bar association, supposedly steeped in the tradition of the law—censured when one is 2,000 miles away, censured without notice that any such action was contemplated, without any knowledge of the charges, without a hearing, without an opportunity to reply contemporaneously with the publication of the censure in the CONGRESSIONAL RECORD and newspapers of the country.

When I was elected to the Congress for the first time in 1953, I was naturally thrilled by the responsibility of my post, by the dignity and prestige it presumably carried. Now, I can only smile a bit wryly over that first reaction.

I could not guess that soon after reaching Washington I would be reviled, ridiculed, and insulted from coast to coast. Of course, I am not the only victim of this kind of abuse. It is shared by all members of the House and Senate committees investigating the ravages of the Communist conspiracy within our gates, even as it was the fate of our predecessors, beginning with the much-maligned Texan, MARTIN DIES, about 20 years ago.

Legislators may probe garden-variety crimes or scandals like the Beck case, with relative impunity, but, when they venture to tackle the Kremlin's little gremlins, they have need for strong nerves and tough hides.

In accepting a place on the House Committee on Un-American Activities, I had neither misgivings nor forebodings. Our boys were dying in the Communist firing in Korea. The mischief wrought by Communist agents and spies was no longer a matter of generalized surmise—enough of it had been exposed in detail to alarm the American people. To dislodge these internal enemies seemed to be a task any patriotic American could undertake proudly, earnestly, and with a clear conscience. Alas for my innocence.

I failed to see that in joining this committee one made himself at once a target for organized slander, regardless of how he might conduct himself. Before I had met all of my colleagues on the committee and before it had held its first meeting, I was being plastered by sticky epithets by expert mud-gunners.

It does not make any difference who succeeds to the chairmanship of any of the committees of the Congress investigating the Communist conspiracy. Whether it be Martin Dies, Joe McCarthy, Pat McCarran, Bill Jenner, or Francis Walter, they immediately become subject to attack.

I recall that it was only a very short time after FRANCIS WALTER became chairman of the Un-American Activities Committee that the committee held hearings in Newark. I believe it was one of the first hearings conducted under the chairmanship of Mr. WALTER. No one could possibly have been aware of his policies or the manner in which he would handle the chairmanship of the Un-American Activities Committee.

Nevertheless, as I left the hotel at which the committee was staying in Newark on the night of the first day of the hearings, at which Mr. WALTER was not even present, 1,200 pickets, by FBI count, most of them imported from New York City, surrounded the hotel. They carried dozens of well-painted signs criticizing, condemning, and vilifying the new chairman of the committee. These signs had been prepared by experts, some of them members of the bar. Ninety percent of the people in the picket line did not or could not understand the import of the signs they were carrying.

As I say, a number of the Communist lawyers representing clients at that hearing assisted in the preparation of this demonstration, as well as in the disruptions that took place during the hearings. We were even favored with the presence of one of the Communist lawyers who had almost driven Judge Medina to distraction in the trial of the 11 Communists in New York under the Smith Act.

Pseudoleftwing liberals who are always interested in protecting the sacred rights of the Communists who appear before our committee were strangely silent about these demonstrations against the committee.

You learn to expect this treatment from the agents of the Kremlin. You are shocked and disheartened when it comes from the board of governors of a State bar association.

Let us take a look at a number of facets involved in this censure. During the 4½ years of my service in the Congress, I have participated in hearings in Los Angeles on 4 different occasions. There is no place in the country—and I have sat in hearings from coast to coast—where the committee has been insulted, slandered, ridiculed, its hearings disrupted, more than in Los Angeles. There is no city in the country where there have appeared before the committee more lawyers who have themselves been identified as members of the Communist conspiracy than in Los Angeles. There is no city in the country where these Communist lawyers and their like have participated in, urged, and planned these attacks upon the committee more than in Los Angeles.

I have seen lawyers put words into the mouths of witnesses, telling them how to answer factual questions—telling them how to bait the committee and disrupt the hearings. On more than one occasion I and other members of the committee have publicly and in the record of the hearings called attention to this reprehensible conduct upon the part of these lawyers.

If lawyers had conducted themselves one-tenth as contemptuously in a courtroom as they have before our committee, they would have been jailed. These lawyers of whom I speak realize that the committee cannot punish for contemptuous conduct and, therefore, have continued to violate the rules of ethics and decency. Undercover agents of the Federal Bureau of Investigation have testified, as did one of them at the hearings in Los Angeles in December, that often lawyers meet with witnesses—known Communists—and instruct them how to bait the committee, how to disrupt the hearings. Some have gone so far as to set up a signal system between them and their clients for answering questions.

Has the California bar board of governors taken any action whatsoever during the last 4 years against one or more of the lawyers who have been guilty of the conduct I have just outlined? It has not.

Now someone will say that I am exaggerating the situation. I am willing to rest my case on the records of the California State Bar Association itself.

The conduct of certain lawyers at hearings in this State before the Un-American Activities Committee was so bad that two bar association committees found it necessary to make a complete investigation of the nature and extent of this misconduct. The reports of these committees to the board of governors of the California State Bar Association confirmed in every respect what I have said here today about the unethical tactics of these lawyers. These reports are carried in the Journal of the State bar of California.

To illustrate the unethical and contemptuous conduct of certain lawyers who appeared before the Un-American Activities Committee in Los Angeles, the reports set forth excerpts from the testimony of the hearings. In the Journal of the State bar of California, we find this committee, in reporting to the board of governors and in urging that the rules be changed so that the bar could deal more effectively with these lawyers, saying this, and I quote:

"At the time of the hearings of the Committee on Un-American Activities in 1952, several members of the bar called as witnesses before the committee conducted themselves in a most contemptuous and objectionable manner. A lawyer is never entitled to conduct himself so as to be discourteous and highly objectionable to any public body, court, or otherwise."

In another place in the report in the Journal, we find this language:

"The amendment we suggest should be ample to cover the principal grievances concerning misconduct presently being considered by the committee. We believe the existing rules inadequate to permit the board of governors on its own motion to take disciplinary steps against lawyers whose conduct was so objectionable in the Un-American Activities Committee hearings."

The report continues:

"As to lawyers suspected of Communist activities, although we feel that the State bar does have some power under section 6106.1, nevertheless it would be desirable to broaden the section in the manner provided for in exhibit A."

The bar association committee which studied the conduct of these lawyers before Congressional committees was so shocked by their conduct that it recommended that section 6068 of the business and professions code be changed to read as follows:

"The following are the duties of an attorney:

"1. To maintain the respect due to the courts of justice and judicial officers, a committee of the Congress of the United States, a committee of the legislature of this State, any subcommittee of such committee of the Congress or of the legislature, the board of governors of the State bar of this State, and any administrative committee of the State bar of this State.

"2. Never to seek to mislead by artifice or false statement of fact or law a court of justice or judicial officer, a committee of the Congress of the United States, a committee of the legislature of this State, any subcommittee of such committee of the Congress or of the legislature, the board of governors of the State bar of this State, or any administrative committee of the State bar of this State."

Now I ask: What has the board of governors of the State bar done with that report, which also contains recommendations for dealing with Communist lawyers and those who take the fifth amendment? What has it done? Nothing. What action has it taken against these lawyers? None. It has not even censured them.

Yet it was willing to censure this committee, reputable members of the bar, who have come to Los Angeles time and time again and have been faced by this same cabal of attorneys. While FRANCIS WALTER, the chairman of the full committee, was not personally present at the Los Angeles hearings, nevertheless the censure of his subcommittee is a reflection on him, a man who has been the recipient of the American Bar Association award for contributing

most to the preservation of our American form of government.

The board of governors of the State bar of California has failed miserably and has been derelict in its duty to act affirmatively on the basis of the findings of its own committees. By reason of its failure to act, it shares with these lawyers I have been talking about the responsibility for what happened in the hearing room in Los Angeles last December.

For years the committee allowed itself to be subjected to abuse and harangued by those who served the Communist conspiracy, waiting patiently for some evidence of courage, some action on the part of the leaders of the bar of the State of California.

It was apparent when we came to Los Angeles last December that there was a well-conceived plan by the Communists and some of these same lawyers to again disrupt the hearings and abuse the committee as they had so many times in the past.

When we acted firmly and ejected these betrayers of the legal profession, so the hearings could proceed in an orderly manner, the board of governors, who were not present at the hearings, censured members of Congress, reputable members of the bar.

I have studied the censure resolution by the board of governors of the California Bar Association with exceeding care. I have likewise searched the transcript of the proceedings at the December hearings in Los Angeles. The truth is that the basic facts as reported in the statement of the board of governors of the California Bar Association are misrepresented.

The tenor of the statement is that certain lawyers, whose conduct was in thorough accord with all of the canons of ethics for lawyers, were not accorded proper treatment by the committee. The truth is, as reflected by the record and as is indelibly impressed in my memory, that certain lawyers who had been repeatedly identified under oath as members of the Communist conspiracy deliberately engaged in barroom and back-alley tactics as they did in previous hearings for the purpose of disrupting a serious enterprise of a Congressional committee.

The statement of the board of governors further complains that one of the lawyers was identified in the course of the proceedings as a Communist. Since when have lawyers who are Communists been immune from exposure or identification? Does the board of governors of the bar association seriously contend that this committee, the Congress of the United States or the American people are precluded from attempting to detect and isolate traitors, even though they be possessed of a license to practice law?

The bar association statement likewise completely misrepresents the announced purpose of the hearings. The statement contains the following:

"The announced purpose of the hearing was to investigate opposition to the McCarran-Walter Immigration Act."

This is a baldfaced misrepresentation of the facts, which should be apparent to anyone who would take the trouble to read the transcript of the proceedings. The announced purpose of the hearings was to investigate and develop facts respecting the activities of the Communist conspiracy in its program of political subversion.

In another place, the board of governors used this language in censuring the subcommittee:

"Counsel appearing for the witnesses were not permitted to address the committee or to make objections to the manner in which the proceeding was being conducted; but counsel were repeatedly told that 'their sole and exclusive right was to advise their clients.' "

We admit that counsel were repeatedly told that their sole and exclusive right was to advise their clients. Evidently the board of governors are not familiar with the rules of the Committee on Un-American Activities.

Rule VII reads as follows:

"The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client."

It was because the lawyers insisted on violating this rule that they were ejected after the repeated warnings.

Rule VIII provides that the committee shall remove from the hearing room attorneys who violate the rules. It is apparent, from the mere reading of the last two specifications of alleged misconduct on the part of the subcommittee, that the lawyers were violating rule VII.

In fact, the whole censure resolution is so erroneous and biased that I wonder what influences were at work in its preparation and adoption.

I want it clearly understood that this is not an indictment of all lawyers who have appeared before our committee in the Los Angeles area or elsewhere. By far the great majority of the attorneys who have represented witnesses before our committee have conducted themselves in a most exemplary manner and in accordance with every provision of the code of ethics.

By the same token, the unwarranted and intemperate action of the board of governors does not represent the will of the great mass of lawyers in the State of California. This is evidenced by the fact that we have received numerous letters from members of the California bar deploring and condemning the action of the board of governors.

The records of the hearings of this committee clearly indict those lawyers who are members of the Communist conspiracy and who have conducted themselves in the manner I have described. What the record does not show is the fact that some of these very lawyers about whom I have been complaining have violated the basic duty and obligation of a lawyer; namely, to serve the best interests of his client. There have been occasions when it was obvious that it would have been to the best interests of the client to have cooperated with the committee; and yet, when that witness employed a Communist lawyer or had an attorney furnished him by the Communist Party, he was advised to take the fifth amendment to his detriment. Why? Simply because the lawyer was serving the Communist Party rather than his client. I have often wondered why bar associations have failed to act in such cases.

Lest my observations be construed as wholly negative, may I commend the American Bar Association for its forthright position on the issue of communism as expressed by its action in creating a special committee of which former United States Senator Herbert O'Conor, of Maryland, is chairman, for the purpose of coming to grips with this very situation. This special committee on Communist tactics, strategy, and objectives of the American Bar Association is working zealously toward the objective of removing from the ranks of the legal profession those who are in fact dedicated to the forcible overthrow of our Government.

Some few months ago, FRANCIS WALTER, chairman of this committee, introduced legislation which would preclude from practice before Congressional committees or in the executive department persons who have been publicly identified under oath as Communists.

I commend this bill to the bar association of this State, as well as to all other groups and organizations in this country which are or should be earnestly concerned over the increasing menace of communism.

While the censure resolution of the board of governors of this bar, to say the least, has adversely affected all of the members of the subcommittee and its director, it has been a rather severe personal blow to Congressman CLYDE DOYLE, from the Los Angeles area. As chairman of the subcommittee, he feels particularly responsible for the conduct of those hearings and the censure weighs heavily upon him because he is a member of the California bar.

While CLYDE DOYLE is a Democrat and our political philosophies and voting records in the Congress are as far apart as the poles, there is no more sincere, conscientious, upright, and patriotic man in the Congress than he. All those who know him intimately as I do will agree that what I have said is no exaggeration. For many years he has been a highly respected member of the California bar, a man who lost his only son in the service of his country, a fine, moral, family man. It hurt him deeply to be censured by his own bar without a hearing and without cause. He was shocked when a colleague of his in the adjoining district, a man with a prominent name but a man who is in no position to throw stones, placed the resolution of censure in the CONGRESSIONAL RECORD—in a subtle violation of the rules of the House, and without even discussing the matter with Mr. DOYLE or any other member of the committee.

I need not tell you that the Communists and their apologists from coast to coast were delighted at the action of the board of governors and JIMMY ROOSEVELT. They have used this censure resolution effectively.

I wonder when so-called responsible Americans are going to learn the danger of the threat from within and stop attacking the policeman and start chasing the criminal.

Senate Salad Luncheon

EXTENSION OF REMARKS
OF
HON. WILLIAM B. WIDNALL
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 18, 1957

Mr. WIDNALL. Mr. Speaker, on Wednesday, June 19, a new Senate salad will be introduced to the country at a luncheon in the Senate District of Columbia Committee room. I am very pleased that the Rutgers tomato will be amongst the vegetables used in its preparation. New Jersey, the Garden State, has developed the tastiest, juciest and firmest tomato. The Rutgers tomato was named for the university where Prof. L. G. Schermerhorn spent years of experimentation in cultivating the seed.

New Jersey is the third largest tomato-producing State in the Union and in 1956 $4,310,000 of tomato production went into the fresh market and $10,717,000 produced for the canneries. The Rutgers tomato is the color standard for tomato juice.

I am sure that Senate salad is going to be just a little bit better because of the fact that New Jersey has made its contribution to this new all-American dish.

SENATE

WEDNESDAY, JUNE 19, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O merciful God, whose law is truth, whose statutes stand forever sure, we beseech Thee to grant unto us, who in the morning seek Thy face, fervently to desire, wisely to discern, and obediently to fulfill that which is pleasing unto Thee. Unite the hearts and minds of Thy servants in this ministry of public affairs to withstand the selfish pressures and to bear the heavy burdens that are here laid upon them. In these baffling times, when false decisions may imperil the very survival of the precious heritage the Founding Fathers bequeathed to us, grant unto Thy servants who stand in this historic Chamber of governance tallness of stature that, rising above partisan division, they may see, beyond the walls of prideful opinions, the good of the largest number. We ask it in the Redeemer's ever-blessed name. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Tuesday, June 18, 1957, was approved, and its reading was dispensed with.

HOUSE BILLS REFERRED

The following bills, received from the House of Representatives on June 18, 1957, were severally read twice by their titles, and referred as indicated:

H. R. 1061. An act to amend title 10, United States Code, to authorize the Secretary of Defense and the Secretaries of the military departments to settle certain claims for damage to, or loss of, property or personal injury or death, not cognizable under any other law;

H. R. 1942. An act for the relief of the Sergeant Bluff Consolidated School District;

H. R. 6789. An act to provide for reasonable notice of applications to the United States courts of appeals for interlocutory relief against the orders of certain administrative agencies;

H. R. 7261. An act to amend the Federal Probation Act to make it applicable to the United States District Court for the District of Columbia;

H. R. 7536. An act to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941; to the Committee on the Judiciary;

H. R. 3940. An act to grant certain lands to the Territory of Alaska;

H. R. 4635. An act to provide for settlement and entry of public lands in Alaska containing coal, oil, or gas under section 10 of the act of May 14, 1898, as amended; and

H. R. 4830. An act to authorize revision of the tribal roll of the Eastern Band of Cherokee Indians, North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The VICE PRESIDENT, on today, June 19, 1957, signed the following bills and joint resolutions received from the House of Representatives on June 18, 1957, which had previously been signed by the Speaker of the House of Representatives:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 9, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 306. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 44) to authorize the Secretary of Agriculture to exchange certain lands in the State of New Mexico, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1446. An act for the relief of Philip J. Denton;

H. R. 1492. An act for the relief of Gillous M. Young;

H. R. 1634. An act for the relief of Antonio Ranaletta;

H. R. 1701. An act for the relief of Abram van Heyningen Hartendorp;

H. R. 1861. An act for the relief of George W. Arnold;

H. R. 2058. An act for the relief of the Franklin Institute of the State of Pennsylvania;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 2740. An act for the relief of Mrs. Harriet Sakayo Hamamoto Dewa;

H. R. 2928. An act for the relief of Harry and Sadie Woonteiler;

H. R. 2937. An act for the relief of Clarence L. Harris;

H. R. 2985. An act for the relief of Alton B. York;

H. R. 3280. An act for the relief of Mrs. Grace C. Hill;

H. R. 3309. An act for the relief of Harry Gold;

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes;

H. R. 3899. An act for the relief of William E. Heilmann;

H. R. 4541. An act for the relief of Leslie A. Batdorf;

H. R. 4992. An act for the relief of Michael D. Ovens;

H. R. 5183. An act to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Padbloc Co., Inc., and Harry G. Lankford, of Wichita, Kans.;

H. R. 5627. An act for the relief of Mrs. Emma Hankel;

H. R. 6176. An act for the relief of Fouad George Baroody;

H. R. 6621. An act for the relief of Mrs. Jane Barnes;

H. R. 6623. An act to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club;

H. R. 7014. An act for the relief of Madam Henriette Buaillon and Stanley James Carpenter;

H. R. 7213. An act for the relief of Louis S. Thomas and D. Grace Thomas;

H. R. 7522. An act to authorize the extension of certain rights to remove timber from lands acquired by the United States;

H. R. 7554. An act for the relief of Edward Neal Fisher;

H. J. Res. 336. Joint resolution for the relief of certain aliens; and

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred as indicated:

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H. R. 1492. An act for the relief of Gillous M. Young;

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H. R. 1701. An act for the relief of Abram van Heyningen Hartendorp;

H. R. 1861. An act for the relief of George W. Arnold;

H. R. 2058. An act for the relief of the Franklin Institute of the State of Pennsylvania;

H. R. 2592. An act for the relief of Lucy Rolandone;

H. R. 2740. An act for the relief of Mrs. Harriet Sakayo Hamamoto Dewa;

H. R. 2928. An act for the relief of Harry and Sadie Woonteiler;

H. R. 2937. An act for the relief of Clarence L. Harris;

H. R. 2985. An act for the relief of Alton B. York;

H. R. 3280. An act for the relief of Mrs. Grace C. Hill;

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H. R. 7213. An act for the relief of Louis S. Thomas and D. Grace Thomas;

H. R. 7554. An act for the relief of Edward Neal Fisher;

H. J. Res. 338. Joint resolution for the relief of certain aliens; and

H. J. Res. 340. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. R. 3877. An act to validate a patent issued to Carl E. Robinson, of Anchor Point, Alaska, for certain land in Alaska, and for other purposes; and

H. R. 7522. An act to authorize the extension of certain rights to remove timber from lands acquired by the United States; to the Committee on Interior and Insular Affairs.

H. R. 6623. An act to provide for the conveyance of certain real property of the United States in Massachusetts to the Woods Hole Yacht Club; to the Committee on Government Operations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Public Lands Subcommittee of the Committee on Interior and Insular Affairs was authorized to meet today during the session of the Senate.

ORDER FOR ADJOURNMENT UNTIL TOMORROW, AT 11 A. M.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today, it stand in adjournment until tomorrow, at 11 a. m.

The VICE PRESIDENT. Without objection——

Mr. RUSSELL. Mr. President, did the Senator from Texas say 11 o'clock tomorrow morning?

Mr. JOHNSON of Texas. Yes.

Mr. RUSSELL. Is there any special reason for having the Senate meet at 11 a. m.—except that, of course, I realize that, in the sound discretion of our distinguished majority leader, he always has a good reason for anything he proposes, and that if there were not, he would not have made the request.

Mr. JOHNSON of Texas. The unfinished business is Senate bill 555, the Hells Canyon Dam bill; and several Senators are anxious to discuss the bill and to have it voted on this week. If, by meeting at 11 o'clock, and perhaps by having the session continue until late in the day, we could obtain a vote on Friday evening, the majority leader would like to do so, because certain Senators have informed him that they would like to avoid a vote on Saturday, if that is possible.

So, after conferring with the minority leader, we agreed that perhaps an 11 o'clock opening would permit us to get the morning hour over and to get the bill under consideration by the usual time of convening. Then by having the session continue until 6:30 or 7:30 in the evening, perhaps on Friday we could reach a point where Senators would be willing to have the vote taken, and thus avoid the necessity of a Saturday session.

Mr. RUSSELL. Mr. President, it is not my purpose to attempt to delay the vote on the Hells Canyon bill, and it is not my purpose at this time to attempt to delay a vote on any other issue which may be before the Senate. However, there may develop a parliamentary situation which might make it necessary for some conferences to be held, in order to determine just what course of procedure should be followed; and in the long run it might save some time if we were to make it possible for such conferences to be held.

Have the distinguished Senator from Texas and the distinguished minority leader had any conferences as to the possible time of adjournment today? That might help, as well.

Mr. JOHNSON of Texas. No; but I had hoped that the session today might continue until 7 or 7:30 p. m., if sufficient speakers were available, and then to have the Senate adjourn sometime between 7 and 8 p. m., but with the understanding that there would be no votes after, say, 6 p. m.

Mr. RUSSELL. Of course, I shall not object, for I have such great deference for the esteemed majority leader. But I should dislike to see the Senate placed in such a position that Senators could not, without absenting themselves from the floor, be able to confer with respect to possible parliamentary situations which might develop. However, I shall not object.

The VICE PRESIDENT. Is there objection? Without objection it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HOLLAND, from the Committee on Agriculture and Forestry:

Marshall R. Edwards, of Florida, to be a member of the Federal Farm Credit Board, Farm Credit Administration; and

George W. Lightburn, of Oklahoma, to be a member of the Federal Farm Credit Board, Farm Credit Administration, vice H. W. Clutter.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

COAST AND GEODETIC SURVEY

The Chief Clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Coast and Geodetic nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc, and without objection, they are confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask that the President be immediately notified of the nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED TRANSFER OF CONTACT MINE TO MARINERS MUSEUM, NEWPORT NEWS, VA.

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, that the Department of the Navy proposes to transfer a contact mine of the type used in the North Sea barrage of World War I to the Mariners Museum of Newport News, Va.; to the Committee on Armed Services.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

HEALTH INSURANCE FOR FEDERAL EMPLOYEES

A letter from the Chairman, United States Civil Service Commission, Washington, D. C., transmitting a draft of proposed legislation to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes (with accompanying papers); to the Committee on Post Office and Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated.

By the VICE PRESIDENT:

A resolution adopted at a reunion of the Class of 1917 of Bryn Mawr College, favoring the enactment of legislation to return to Ryu Oyaizu, of Tokyo, Japan, certain funds impounded under the Trading With the Enemy Act; to the Committee on the Judiciary.

A letter in the nature of a memorial from the Santa Ana, Calif., Chamber of Commerce, signed by Frank J. Gelinas, secretary-manager, remonstrating against Federal aid to education; to the Committee on Labor and Public Welfare.

A letter in the nature of a petition from the Santa Ana Chamber of Commerce, of Santa Ana, Calif., signed by Frank J. Gelinas, secretary-manager, praying for the enactment of legislation to increase postal rates; to the Committee on Post Office and Civil Service.

RESOLUTION OF MILWAUKEE ASSOCIATION OF COMMERCE URGES RENAMING OF GRASS RIVER LOCK ON ST. LAWRENCE SEAWAY AS WILEY-DONDERO LOCK

Mr. KNOWLAND. Mr. President, I was pleased to note in the public press that the Milwaukee Association of Commerce had passed a resolution unanimously favoring the granting of a well-deserved honor to the senior Senator from Wisconsin [Mr. WILEY] and to the former chairman of the House Public Works Committee, former Congressman George Dondero, of Michigan. The purpose of the resolution is to secure the renaming of the Grass River lock in the International Rapids section of the St. Lawrence Seaway as the Wiley-Dondero lock.

Such a designation of this great portion of the seaway structure would be more than fitting, in view of the fact that it was our colleague from Wisconsin who took a leading part in the enactment of the seaway bill on the Senate side, and that thereafter it was his associate on the House Public Works Committee who spearheaded enactment in the House of Representatives.

This twin action, however, climaxed a long, uphill fight, which had been waged by both these Midwest legislators over a period of many years.

It is more than fitting that one of the two locks on the United States side of the border should be named in honor of the President of the United States who signed the seaway bill into law.

I ask unanimous consent that the resolution adopted by the Milwaukee Association of Commerce together with an explanatory press release, be printed in the RECORD.

There being no objection, the resolution and press release were ordered to be printed in the RECORD, as follows:

MILWAUKEE ASSOCIATION OF COMMERCE,
LEGISLATIVE DIVISION,
June 18, 1957.

WILEY-DONDERO LOCK RESOLUTION

Whereas the Milwaukee Association of Commerce has long recognized the great economic advantages that will accrue to the Milwaukee metropolitan area, the State of Wisconsin, the entire Great Lakes region and to international trade on the completion of the St. Lawrence Seaway project; and

Whereas it is recognized that for many years efforts had been made to enlist support of the United States Government in the St. Lawrence River development, but it was not until the 83d Congress passed Public Law 358 on May 6, 1954, which President Dwight D. Eisenhower approved on May 13, 1954, that United States participation in the project was assured; and

Whereas Senator ALEXANDER WILEY, of Wisconsin, then chairman of the Senate Foreign Relations Committee and Representative George A. Dondero, of Michigan, then chairman of the House Public Works Committee were coauthors of the St. Lawrence Seaway bill, now designated as the Wiley-Dondero bill, and were leaders in guiding the measure through the Senate and the House of Representatives, respectively; and

Whereas a vital part of the seaway project, the Grass River lock at the east end of Long Sault Canal in the International Rapids section, is now under construction with completion scheduled for 1959 when the seaway will be opened to ocean traffic; and

Whereas 1 of the 2 great locks in the American seaway project has been named the Eisenhower Lock in recognition of presidential support of the seaway project: Now, therefore, be it

Resolved, That in recognition of the great leadership of Senator ALEXANDER WILEY, of Wisconsin, and Representative George A. Dondero, of Michigan, and in tribute to their dauntless championship of the seaway over a period of many years, the board of directors of the Milwaukee Association of Commerce in meeting assembled on June 18, 1957, does hereby recommend and urge to the Congress of the United States, the Secretary of Defense, and the St. Lawrence Seaway Development Corporation of the United States that the Grass River lock in the International Rapids section of the St. Lawrence Seaway be designated as the Wiley-Dondero lock as a fitting tribute to these two Congressional leaders for their contributions in making the St. Lawrence Seaway project a reality; be it further

Resolved, That all interested persons and organizations in the State of Wisconsin, the State of Michigan and all the Great Lakes region be invited to join with the Milwaukee Association of Commerce in honoring the two Congressional leaders to whom must be attributed, in large part, the successful development of the St. Lawrence seaway.

LESTER S. OLSEN,
President.

Attest:

RAY H. WEISBROD,
Executive Vice President.

MILWAUKEE ASSOCIATION OF COMMERCE URGES NEW NAME FOR SEAWAY LOCK

The Milwaukee Association of Commerce passed a resolution today urging Congress to designate the Grass River lock in the International Rapids section of the St. Lawrence Seaway as the Wiley-Dondero lock.

Association President Lester S. Olsen, president of the Olsen Publishing Co., noted that "this action was urged as a tribute to Wisconsin Senator ALEXANDER A. WILEY and Michigan Representative George A. Dondero for their great leadership and unselfish contributions in making the St. Lawrence Seaway project a reality."

Olsen led a group of 50 Milwaukee area business leaders on a tour of the seaway project June 11–13 to observe first-hand the greatest construction program the North American Continent has ever seen.

The association plans to work through all interested persons and organizations in the State of Wisconsin and the State of Michigan to help insure that this honor becomes a reality.

This action was taken at a regular meeting of the association's board of directors Tuesday afternoon, June 18.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. How many locks are there going to be in that seaway? Does the Senator know?

Mr. KNOWLAND. No.

Mr. HUMPHREY. I was wondering if there were going to be enough locks to name one after a Democrat.

Mr. KNOWLAND. I hope there may be.

Mr. HUMPHREY. If there are not, we shall have to look into the resolution and perhaps amend it.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, with amendments:

S. 846. A bill for the establishment of a National Outdoor Recreation Resources Review Commission to study the outdoor recreation resources of the public lands and other land and water areas of the United States, and for other purposes (Rept. No. 471).

By Mr. NEUBERGER, from the Committee on Interior and Insular Affairs, without amendment:

S. 1417. A bill relating to the affairs of the Osage Tribe of Indians in Oklahoma (Rept. No. 472).

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 32. Concurrent resolution favoring Congressional recognition of the National Cowboy Hall of Fame and Museum to be located in Oklahoma City, Okla.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Texas:

S. 2319. A bill for the relief of Cho Mae Wha;

S. 2320. A bill for the relief of Huh Hai Sook; and

S. 2321. A bill for the relief of Mai Soon Bai; to the Committee on the Judiciary.

By Mr. NEUBERGER (for himself and Mr. MORSE):

S. 2322. A bill for the relief of Linda Diane Hunt (Chun Sun Nam);

S. 2323. A bill for the relief of Barbara Marie Waddington (Helen Lee);

S. 2324. A bill for the relief of Elaine Marie Simonton (Yu Keum Ok); and

S. 2325. A bill for the relief of Benjamin Paul Klinger (Lee James); to the Committee on the Judiciary.

(See the remarks of Mr. NEUBERGER when he introduced the above bills, which appear under a separate heading.)

By Mr. SPARKMAN (for himself and Mr. HILL):

S. 2326. A bill for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; to the Committee on the Judiciary.

By Mr. HILL (for himself and Mr. SPARKMAN):

S. 2327. A bill for the relief of certain employees of the Department of the Air Force, Mobile Air Materiel Area; to the Committee on the Judiciary.

By Mr. HUMPHREY:

S. 2328. A bill for the relief of Sieglinde Preiss; to the Committee on the Judiciary.

By Mr. CAPEHART:

S. 2329. A bill for the relief of Jean Kim Wickes;

S. 2330. A bill for the relief of Cynthia Cay Huffman; and

S. 2331. A bill for the relief of Lois Jean Smith; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 2332. A bill for the relief of the McLaughlin Community Hospital;

S. 2333. A bill for the relief of Memorial Hospital Association, Inc.; and

S. 2334. A bill for the relief of Lowe Clinic and Hospital; to the Committee on the Judiciary.

By Mr. DIRKSEN:

S. 2335. A bill to amend section 239 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. THYE:

S. 2336. A bill providing for a preliminary examination and survey of the Redwood River, at Marshall, Minn.; to the Committee on Public Works.

(See the remarks of Mr. THYE when he introduced the above bill, which appear under a separate heading.)

By Mr. JENNER:

S. 2337. A bill for the relief of Stamatiki Demetrick Nicolakaki; to the Committee on the Judiciary.

By Mr. WILEY:

S. 2338. A bill for the relief of Paul Andrew Venema and Mark Berend Venema; to the Committee on the Judiciary.

By Mr. JOHNSTON of South Carolina (for himself and Mr. CARLSON) (by request):

S. 2339. A bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina when he introduced the above bill, which appear under a separate heading.)

By Mr. ALLOTT:

S. 2340. A bill for the relief of Laszlo Kalmar; to the Committee on the Judiciary.

By Mr. PASTORE:

S. 2341. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

(See the remarks of Mr. PASTORE when he introduced the above bill, which appear under a separate heading.)

By Mr. WILEY:

S. 2342. A bill for the relief of Robert Pineda and Richard Pineda; to the Committee on the Judiciary.

By Mr. AIKEN (for himself, Mr. FLANDERS, Mr. IVES, and Mr. JAVITS):

S. J. Res. 107. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

RELIEF OF CERTAIN IMMIGRANT ORPHANS

Mr. NEUBERGER. Mr. President, on behalf of myself, and my colleague, the senior Senator from Oregon [Mr. MORSE], I introduce four more private orphan immigration bills, for reference to the appropriate committee of the Senate. I hope general orphan legislation will be speedily enacted, and that these four private bills will not need to be considered.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. NEUBERGER (for himself and Mr. MORSE), were received, read twice by their titles, and referred to the Committee on the Judiciary, as follows:

S. 2322. A bill for the relief of Linda Diane Hunt (Chun Sun Nam);

S. 2323. A bill for the relief of Barbara Marie Waddington (Helen Lee);

S. 2324. A bill for the relief of Elaine Marie Simonton (Yu Keum Ok); and

S. 2325. A bill for the relief of Benjamin Paul Klinger (Lee James).

PRELIMINARY EXAMINATION AND SURVEY OF REDWOOD RIVER, MARSHALL, MINN.

Mr. THYE. Mr. President, I send to the desk a bill for appropriate reference. This bill would permit the Secretary of the Army to proceed with the preliminary examination and survey of the flood situation in western Minnesota, which has wrought such devastation to the city of Marshall, Minn., as well as the countryside.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2336) providing for a preliminary examination and survey of the Redwood River, at Marshall, Minn., introduced by Mr. THYE, was received, read twice by its title, and referred to the Committee on Public Works.

PROPOSED FEDERAL EMPLOYEES HEALTH INSURANCE ACT

Mr. JOHNSTON of South Carolina. Mr. President, by request, on behalf of myself, and the Senator from Kansas [Mr. CARLSON], I introduce, for appropriate reference, a bill to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes.

This bill would provide for both basic health insurance and major medical insurance for Federal employees and their families. It would have the Government share in the cost of this insurance, and would provide for administration of the program by the Civil Service Commission.

I believe it is high time that legislation providing for health insurance for Government workers should be enacted. It is my understanding that virtually all large employers furnish this so-called fringe benefit to their employees, and that most of them have done so for some time past. The Government employee group is thus one of the last, if not the last, sizable force of workers who do not have this benefit furnished to them as part of their contract of employment.

I understand this program has been worked out over a period of 3 years or so, with leaders of the large employee organizations participating and furnishing advice, support, and counsel.

I know health insurance is a considerably more complicated subject than life insurance. It is offered in various forms and at a wide range of prices. It is offered in many combinations of protection against costs of hospitalization, of surgical care, of in-hospital medical care, out-of-hospital medical care, extended benefits, major medical benefits, and so on.

What combination of these benefits is actually best for Federal employees is a question on which reasonable men may well disagree. It is a question on which complete agreement of all interested parties can, I suppose, never be reached.

However, the bill we have before us outlines a program of health insurance protection which the employees, through their organizational leaders, have endorsed in principle. I understand the main difficulty has been over the extent of Government participation. This is something the Congress will have to decide after hearing all the facts.

With the short time remaining to us in this session, it is not likely that it will be possible to hold hearings and to give the measure the full and careful consideration which this subject warrants.

If this turns out to be the case, as I fear it will, I would hope that the committee staff can give the program concentrated study during the recess. It will thus be possible to initiate hearings as soon as we reconvene in January.

I ask unanimous consent that a sectional analysis of the bill, together with an explanation of its provisions, may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the sectional analysis and explanation will be printed in the RECORD.

The bill (S. 2339) to provide Federal contributions and authorize payroll deductions for prepaid health insurance for Federal employees and their dependents, and for other purposes, introduced by Mr. JOHNSTON of South Carolina (for himself and Mr. CARLSON) (by request), was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

The sectional analysis and explanation presented by Mr. JOHNSTON of South Carolina are as follows:

FEDERAL EMPLOYEES HEALTH INSURANCE ACT
SECTIONAL ANALYSIS

The title of the bill directs attention to the important facts that the proposed insurance will be financed by a combination of Government contributions and deductions from the employees' pay.

Section 1 creates a short title for easy citation.

Title I—Basic Health Insurance

Section 101 provides for the same eligibility as is provided for life insurance under the Federal Employees' Group Life Insurance Act. Provisions pertinent only to life insurance have not been used. The two insurance acts are not connected, although some of the provisions are similar.

All civilian employees and officers of the executive, legislative, and judicial branches of the Federal Government will be eligible for voluntary participation unless excluded

by law or the Commission's regulations. The coverage extends to officers and employees of Government owned corporations except those under the Farm Credit Administration which have a member of the board of directors elected by private interests. Specific provision has been made to cover the officers and employees of Gallaudet College. A definition in section 102 includes the Official Reporters of the proceedings and debates of the Senate and their employees under the legislative branch for the purposes of this bill.

Only one group of employees is excluded by law: Noncitizen employees permanently stationed outside the continental limits of the United States.

The Commission's regulations may exclude employees whose coverage would be impractical, such as short term and intermittent employees.

The section requires every employee seeking coverage under the bill to enroll for both types of insurance offered by the bill, i. e., (1) basic health insurance, and (2) major medical insurance. In other words, the bill makes a "package offer" and an employee cannot enroll for only one type of the insurance provided. The only exceptions to this requirement are (1) employees age 65 or over and retired employees, both of which groups may continue their major medical insurance whether they have basic health insurance or not and (2) such other groups of employees designated by Commission regulations as have been provided by act of Congress with basic health benefits; these may enroll for major medical insurance whether they have basic health insurance or not.

Section 102 sets forth the definitions of five terms used in the bill.

"Carrier" is defined to include every recognized type of commercial insurance and prepayment health care organization, including within the definition national associations of Federal employees.

The definition of "children" is somewhat more liberal than usual in that it covers them from birth to 21 years of age. Frequently, insurance plans exclude infants and children 19 years of age or older unless the latter are students. The definition of "children" in the present bill avoids the complex determinations of student status and is considered to be an equitable compromise on the age question.

"Dependent" is defined to include wife (or husband) and children only. A distinction is drawn between the dependents of male and female employees. This distinction is based on the premise that under normal conditions, a husband is responsible for the care and support of his unmarried children and, therefore, such children of a female employee whose husband is capable of self-support are not eligible to be enrolled as dependents. However, the unmarried children of a female employee are eligible for enrollment as dependents if they receive no support from a father. Provision is made for a dependency coverage of unmarried children over 21 years of age if they became incapable of self-support prior to age 21 and are still incapable of self-support. Dependency coverage is extended to the husband of a female employee only when he is incapable of self-support.

"Legislative branch" is defined to include the official reporters of the proceedings and debates of the Senate and their employees.

"Premium" is defined in a manner sufficiently broad to encompass payments for the type of insurance or services regularly provided by any of the types of carriers defined previously.

Section 103 provides that each employee covered by the act may enroll for either himself or himself and his dependents in any basic group health insurance plan that he selects. The employee's enrollment must, of course, meet the enrollment requirements of the plan selected and, as subsequently provided in section 108, the plan must also meet certain minimum requirements. The most significant aspect of section 103 is the fact that the employee is free to make a voluntary selection of any of the many health insurance plans available.

Section 104 contains provision for the employee to submit a written notice of enrollment authorizing deduction from his pay of the amount necessary to pay his share of the cost of the insurance. This section grants the Commission authority to prescribe the form of the enrollment notice and the conditions of enrollment, and reserves to the employee the right to cancel the notice in a manner prescribed by the Commission. This single notice is for major medical, as well as basic health purposes.

Section 105 specifies that the employee's share of the cost of the basic health insurance will be premium payable for the plan selected, minus the amount paid on that premium by the Government contribution prescribed in the next section.

Section 106 contains the provision establishing the amount of the Government contribution toward the cost of the basic health insurance selected by the employee. With but one exception the Government contribution is set at 50 cents for each biweekly pay period if the insurance is for the employee alone, and $1.50 for each such pay period when the insurance covers the employee and at least one dependent. The sole exception is when the 50 cents or $1.50 contribution exceeds one-third of the premium. In the latter instance, the Government contribution will be restricted to one-third of the premium cost. This is the only exception to the contribution figure and that figure is otherwise unchanged regardless of the type of plan or plans selected by the employee. This section assures the appropriate application of the Government contribution by requiring that the contribution be made only after the deduction has been made for the employee's share of the premium. Provision is made in section 301 for adjustments for employees paid at intervals other than biweekly.

Section 107 contains a direction to the agency heads to pay over the employee deductions and the Government contributions. The Comptroller General is given authority to prescribe or approve procedures relative to paying and accounting for these sums. Such procedures may require the establishment by the carriers of not more than five clearinghouses to receive payment for all the carriers.

Section 108 sets forth, in subsection (a), the minimum requirements that a plan must offer before the carrier is eligible to receive the premium payments from the Government for the cost of basic health insurance. It also authorizes the Commission to prescribe additional requirements relating to benefits, financial responsibility of carriers, and continuity of coverage. The most noteworthy requirements specified are those providing for the continuation of coverage in the event that the employee transfers, is separated, or retires. Except in the case of transfer, continuation of coverage may be in the form of individual rather than group insurance but must be otherwise similar to the insurance provided under the bill. In addition, the section prohibits discrimination as to coverage because of race, sex, or hazardous employment, and adverse amendment of coverage due to the age of an insured person. Requirements are provided for an offering at group rates, for a certificate summarizing the plan of insurance, for advance notice of premium change, and for each carrier to furnish such information as may be needed in connection with a claim for major medical insurance. Finally, one requirement provides that benefit payments shall not be excluded due to any preexisting physical condition except pregnancy.

Subsection (b) contains provision for the establishment of procedures under which the Commission may withdraw approval from any plan after appropriate notice and opportunity to be heard. It also recognizes the inherent differences between a group practice prepayment plan and other basic health insurance plans and provides that carriers offering the former may qualify without meeting all of the requirements established for the latter. This subsection makes provision for the Commission to substitute different requirements for those waived in the case of a group practice prepayment plan.

Title II—Major medical insurance

Section 201 refers back to the employee's notice of enrollment filed under section 104 and provides that the same notice will authorize a salary deduction for the employee's major medical insurance. This section, without specifically so providing, emphasizes the legal requirement that an employee cannot enroll for the basic health insurance without also enrolling for the major medical insurance. The amount for the biweekly salary deduction is established by this section as not to exceed 25 cents for an enrollment of the employee alone or 75 cents for the employee and at least one dependent. Section 301 authorizes proportionate deductions for employees not paid biweekly.

Section 202 provides for the Government contribution toward the cost of major medical insurance. The Government contribution is established as in the Federal Employees Life Insurance Act, at one-half of the employee deduction set under section 201. As in section 106, provision is made for the Government contribution to be made only after an authorized salary deduction in order to assure appropriate use of Government funds.

Section 203 sets forth the circumstances under which the major medical insurance will generally continue without further cost to the employee or his agency. Broadly speaking, these are when the employee retires, when he reaches the age of 65, when he is in receipt of Federal Employees' Compensation Act benefits, and when he is on leave without pay for not longer than 12 months. This section also specifies that insurance will otherwise cease when payroll deductions are no longer made.

Section 204 is composed of three subsections, each controlling a separate phase of the provisions of the policies for major medical insurance that may be purchased under the bill.

Subsection (a) of section 204 spells out the amount of medical (including surgical) and hospital expense insurance benefits. In the case of medical expenses, a flat $100 deductible is established for all employees. This $100 deductible is applied after exclusion of the standard surgical fees established under section 205 and medical expenses covered by other policies or contracts. In regard to hospital expenses, there are exclusions for the first 70 days of hospitalization in a calendar year and such additional hospital expenses in that year as may be covered by other policies or contracts. These provisions contemplate that standard surgical fees and some other medical expenses and the first 70 days of hospitalization can be covered under the basic health policy purchased under title I. The additional deduction of $100 is based on the assumption that ordinary medical expenses for persons in reasonably good health will not exceed $100 a year, and the desire to eliminate the disproportionately high administrative costs of processing small claims.

The amount of the major medical insurance benefits will be 75 percent of the medical (including surgical) and hospital expenses incurred after the exclusions and the deductible have been satisfied.

The medical (including surgical) and hospital expenses covered, and certain special provisions applicable in the event of a common accident and for expenses incurred in the final 90 days of a calendar year, are explained in detail in the specifications attached.

Subsection (b) of section 204 provides for an aggregate maximum of $10,000 in benefits for each insured person with a prohibition against payment of over $5,000 for expenses incurred in any single calendar year. The $10,000 aggregate maximum is reinstateable prior to the end of the year in which the employee reaches the age of 65 upon the submission of evidence of insurability that is satisfactory to the carrier and approved by the Commission.

It is contemplated to include a provision in the Commission's regulations that 1 year of continuous employment by an insured employee, without major medical care, will constitute conclusive evidence of insurability. When the unused balance of the aggregate maximum for an employee or his dependents is less than $5,000 at the end of the calendar year in which the employee attains the age of 65, each such person will have an automatic reinstatement to a new $5,000 maximum without evidence of insurability.

Subsection (c) of section 204 sets forth 2 restrictions on benefits. These limit benefit payments to expenses actually incurred for which the insured person is obligated by law to pay, and which would have been made had no insurance existed. These are expected to prevent the payment of unreasonable charges and, also, to prevent the payment of expenses which the insured person has not incurred or is not obligated to pay. Benefits will not be paid for persons enrolled as dependents who do not meet the requirements of section 102 for dependents on the date the expense is incurred.

Section 205 recognizes the fact that there are established local fee schedules for surgical procedures and provides that such schedules may be adopted for use by the Commission in connection with the surgical exclusion referred to in section 204 (a). The Commission will consider the recognition or adoption of such schedules by State and county medical societies and will, as far as administratively practical, recognize geographical variations in surgical charges.

Section 206 contains provisions paralleling those now included in the Federal Employees Group Life Insurance Act of 1954, as amended. These provide for the creation of a fund composed of the amounts deducted from the salaries of employees and the Government's contributions. This fund, which will be maintained in the United States Treasury, will be available for premium payments for major medical insurance, and for expenses of the Commission incurred in the administration of this act. In addition, provision is made for the Secretary of the Treasury to invest and reinvest the moneys in the fund in Government obligations and apply any interest therefrom to the fund.

Section 207 is a lengthy, technical section that is identical, insofar as possible, with counterpart provisions in several sections of the Federal Employees Group Life Insurance Act of 1954, as amended.

Subsection (a) of section 207 authorizes the Commission to purchase a contract or contracts of major medical insurance. This subsection contains provisions designed to assure that each carrier selected will be legally competent and otherwise qualified to administer insurance of the size and nature contemplated. "Group health benefit payments" is the yardstick most comparable to "group life insurance in force," the yardstick used in the Federal Employees Group Life Insurance Act for determining the adequacy of a carrier.

Subsection (b) of section 207 is self-explanatory in providing that the carriers will establish an administrative office under a name to be approved by the Commission.

Subsection (c) of section 207 requires that each contract of major medical insurance will include a basic premium rate consistent with the lowest rates generally charged for new group major medical contracts issued to large employers. Provision is made for the subsequent adjustment of the rate as required by experience and as determined by the Commission.

Subsection (d) of section 207 contains provisions concerning the maximum expense and risk charges that are analogous to those relating to the basic premium rate discussed above in regard to subsection (c).

Subsection (e) of section 207 provides that each carrier shall give an accounting to the Commission for all income and expense under each contract. Provision is made for the holding of any excess of premium income over expenses in an interest-bearing contingency reserve. This reserve will be held by the carrier until such time as it reaches an amount sufficient to provide for adverse fluctuations in future charges, at which time any further excess will be deposited in the fund referred to in section 206. Provision is also made to payments into the fund when a contract is discontinued with a positive balance remaining in the contingency reserve.

Subsection (f) of section 207 establishes the bill's major medical insurance benefits as those which are provided at the issuance of the initial contract or contracts purchased. This subsection also contains a provision authorizing the Commission to amend the benefits in any manner after consultation with the Advisory Committee referred to in section 304. The authority to amend the benefits is limited so that they may not be reduced below 75 percent of the value of the benefits provided at the issuance of the initial contract or contracts. This limitation is included as it is believed that a greater reduction of benefits should be made only after legislative consent whereas, less drastic changes would not warrant legislative action. An example of a less drastic type of change is an instance when the actual claims cost is less than anticipated so that an increase in the benefits is justifiable.

A decrease in the benefits may be justified when the actual claims cost is more than anticipated. Change in the benefit structure, not involving change in the actual claims cost, might also be desirable due to changes in medical care practices or in employee insurance needs.

The increase in benefits under subsection (f) of section 207 would not authorize an increase in either the deductions from employees' pay or the Government contribution beyond the established maximums in sections 201 and 202.

Subsection (g) of section 207 requires the carriers of major medical insurance to reinsure portions of such insurance with other qualified insurers. This will have the effect of distributing the tremendous volume of insurance among many interested insurers and will provide financial stability to the program. The allocation of the reinsurance will follow the pattern now operating satisfactorily in connection with the Federal Employees Group Life Insurance Act.

In a manner similar to that in the Federal Employees Group Life Insurance Act, a formula is included for determining the proportionate amount of insurance to be retained by an issuing carrier and the amount to be given to a reinsuring insurer. The proportions established under the formula assure smaller carriers of a larger share of reinsurance than such carriers would receive on a basis strictly proportionate to their total health insurance benefit payments. Provision is included to prohibit an issuing carrier or reinsuring insurer from retaining insurance in an amount so large that it exceeds 25 percent of the carrier's total group health insurance benefit payments made in the latest calendar year for which information is available.

Subsection (h) of section 207 provides that the Commission may redetermine the eligibility of reinsuring insurers and the proportion of insurance allocable as necessary but not less often than every 3 years and whenever a participating insurer withdraws.

Section 208 will require that each insured employee be furnished with a certificate setting forth the benefits to which he and his dependents may be entitled, and summarizing other pertinent information.

Title III—General Provisions

Section 301 recognizes that some Federal employees are not paid on a biweekly basis and, accordingly, makes provision for adjusting the salary deductions or Government contributions at a proportionate rate.

Section 302 grants the Commission final responsibility for deciding questions of dependency and disability relating to the question of dependency. In order to assure uniform and equitable treatment, it is believed that these questions should be decided at one point. The Commission already has the facilities for deciding such questions in retirement situations.

Section 303 is self explanatory in granting the Commission authority to promulgate regulations necessary to implement the bill.

Section 304 grants to the Chairman of the Commission the authority to appoint a committee to advise the Commission on matters under the bill. This committee will be composed of insured employees or elected representatives of Federal employees, and persons experienced in group-health insurance.

Section 305 requires an annual report to Congress by the Commission relative to the operation of the bill.

Section 306 authorizes the Commission to set the effective date of the insurance, the salary deductions, and the Government contributions. It is contemplated that this effective date will be as soon as possible after enactment, taking into consideration the necessity for preparing regulations, drafting forms, contracting for insurance, and similar activities.

SPECIFICATIONS FOR HEALTH INSURANCE PLAN FOR FEDERAL EMPLOYEES AND THEIR DEPENDENTS

This health insurance plan will make available group hospitalization, surgical, medical, and other personal health service benefits, including major medical expense insurance, for civilian officers and employees of the Federal Government and their dependents. The plan is offered as a combined package including basic health insurance and major medical insurance; an employee may not elect to participate in only one part of the plan except that (1) an employee may, if he wishes, discontinue his basic health insurance after he reaches age 65 or retires and (2) the Commission may by regulation designate groups of employees who may enroll for the major medical insurance without enrolling for basic health insurance when such groups have been provided with basic health benefits by another act of Congress.

SECTION 1. COVERAGE (APPLICABLE TO BOTH BASIC HEALTH INSURANCE AND MAJOR MEDICAL EXPENSE INSURANCE)

A. Employees covered: All employees in the executive, judicial, and legislative branches of the Government and of the municipal government of the District of Columbia, and

employees of Gallaudet College, with the following exceptions:

(a) employees of any corporation under the supervision of the Farm Credit Administration of which corporation any member of the board of directors is elected or appointed by private interests, and

(b) employees excluded by regulation of the Commission.

B. Dependents covered: Dependents as defined in section III.

SECTION II. COST

A. To the Government:

1. Basic health insurance: One-third of the premium or subscription charge up to 50 cents biweekly if the employee is insured for himself alone, or up to $1.50 biweekly if he is insured for himself and one or more dependents. Total yearly cost is estimated to be $51.4 million.

2. Major medical expense insurance: Not to exceed 50 percent of the amount of each employee's share of the cost. (Estimated 12½ cents biweekly for single employee coverage and 37½ cents biweekly for employee and dependent coverage.) Coverage is continued without further cost to the Government when the employee reaches age 65, retires, or is receiving employees' compensation and is unable to return to duty. Total yearly cost is estimated to be $13.1 million.

3. Estimated yearly cost to Government for both basic and major medical insurance—$64½ million.

B. To the employee:

1. Basic health insurance: Amount of premium or subscription charge for the group health plan selected by him less the amount of the Government contribution outlined above.

2. Major medical expense insurance: Estimated 25 cents biweekly if employee is insured for himself alone, or 75 cents biweekly if employee is insured for himself and one or more dependents. Coverage is continued without further cost to the employee when he reaches age 65, retires, or is receiving employees' compensation and is unable to return to duty.

3. The combined cost is shared between the Government and the employee on a ⅓–⅔ basis; i. e., on the same basis as group life insurance.

SECTION III. DEFINITION OF CHILDREN AND DEPENDENTS (APPLICABLE TO BASIC HEALTH INSURANCE AND MAJOR MEDICAL EXPENSE INSURANCE)

A. The term "children" includes the employee's own children or lawfully adopted children, stepchildren, foster children, and other children who depend upon the employee for support and who reside with the employee in a regular parent-child relationship.

B. The term "dependent" means—

(1) In the case of any male employee—

(a) his wife

(b) his unmarried children under 21 years of age, and his unmarried children over 21 years of age who are incapable of self-support by reason of mental or physical disability, and who became so incapable before reaching age 21;

(2) In the case of any female employee—

(a) her husband, if he is incapable of self-support by reason of mental or physical disability;

(b) her unmarried children under 21 years of age, and her unmarried children over 21 years of age who are incapable of self-support by reason of mental or physical disability, and who became so incapable before reaching age 21; *Provided*, That her husband is deceased or is a dependent included in (a) immediately preceding, or *Provided*, That the children receive no support from a father, a stepfather, or an adoptive father.

The fact of dependency will be determined by the Civil Service Commission. Its decision with respect to such matters will be final and conclusive and not subject to review. The Commission may order or direct at any time such medical or other examinations as it deems necessary to determine the facts relative to the nature and degree of disability of any such dependent. No person will be considered a dependent who is in the armed forces of any country. No person will be covered both as an employee and as a dependent, and no person may be considered as a dependent of more than one employee.

A basic health insurance plan may have a more liberal definition of either dependent or children; these other individuals may be included under the basic plan, but the amount of Government contribution for basic health insurance will be based on the dependents, if any, who meet the definition of this section.

SECTION IV. DESCRIPTION OF BASIC HEALTH INSURANCE

A. Choice of plan: An employee may enroll in any approved prepaid plan of group health insurance or group health care which meets the minimum eligibility standards outlined in (B) below and others which may be established by Commission regulations. Insurance carriers underwriting or sponsoring health insurance plans include prepayment community nonprofit organizations, employee organizations, and commercial insurance companies. Group health care plans are offered by group practice prepayment organizations.

B. Minimum eligibility standards.

1. Group health insurance plans: To be eligible to receive the Government contribution toward premium or subscription payments and the facility of payroll deductions any group health insurance plan must undertake to provide coverage in accordance with at least the following minimum standards:

(a) The plan must be offered at group rates.

(b) There must be no discrimination on entry into the plan because of race or sex.

(c) The plan must provide that an employee, or the surviving dependents of a deceased employee, shall have the right to continue coverage, without evidence of insurability, upon separation or retirement or death of the employee. The continuing coverage may be either individual or group insurance. It must be similar in benefits, premiums, and other provisions to plans then being offered by the carrier for continuance of coverage in like circumstances.

(d) The plan must provide that when an employee currently enrolled under a basic health insurance plan is transferred within his agency or between agencies he shall be immediately eligible for basic health coverage at his new location. This immediate eligibility will not affect adversely any claim incurred under his former plan.

(e) For so long as the employee remains employed, the plan may not reduce benefits nor increase premiums or subscription changes because of age without prior approval by the Commission.

(f) The carrier must furnish the employee a policy, certificate, or agreement summarizing the conditions of the plan, including those concerning benefits, claims, and payments.

(g) The carrier must agree to furnish notification of any change in premium or subscription charges at least 3 months in advance of the change.

(h) The carrier must furnish the insured person or the major medical insurer information required to process claims for major medical expense insurance.

(i) The carrier must accept enrollment in the plan, without regard to age or physical condition, of any employee who enrolls within a reasonable period, as prescribed by the Commission, after he first becomes eligible for the plan.

(j) The plan must not exclude payment of benefits for any preexisting physical conditions, but payment of benefits for a pregnancy existing on the effective date of coverage of a female employee or dependent shall not be required.

2. Group practice prepayment health care plans: To be eligible to receive the Government contribution toward subscription or membership payments and the facility of payroll deductions, any group practice prepayment health care plan must undertake to provide coverage in accordance with standards imposed on other carriers; alternatively the Commission may impose other requirements in substitution for some of these.

3. Commission disapproval of plans: The Civil Service Commission may withdraw approval of any plan after giving the carrier at least 3 months' notice and opportunity to submit its reasons why approval should be continued.

C. Payment to carriers: The sums withheld from employees and the sums contributed by the Government will be paid by the agency or department head in such manner as may be prescribed or approved by the Comptroller General.

SECTION V. DESCRIPTION OF MAJOR MEDICAL EXPENSE INSURANCE

A. Benefit formula:

1. Schedule of benefits: For each covered individual benefits are:

(a) Seventy-five percent of the covered medical expenses (including surgical expenses) incurred in a calendar year on account of that individual which are in excess of the sum of (i) $100 and (ii) cash or service benefits for such covered expenses under any other policy or contract of insurance.[1]

(b) Seventy-five percent of the hospital expense of the types covered by the policy incurred in a calendar year on account of that individual after excluding (i) all hospital expenses incurred in the first 70 days of hospitalization in that year, and (ii) all hospital expenses incurred thereafter which are covered by any other policy or contract of insurance.

In the design of the plan it has been anticipated that each covered individual would be insured under an adequate basic surgical plan. In order to provide as uniform benefits as possible for all covered individuals the Commission will approve standard surgical fee schedules after consideration of local fee schedules approved by State and local medical societies. For individuals with no basic surgical insurance or insured under surgical plans providing benefits less liberal than the standard schedules the appropriate fees from the standard surgical fee schedule will be used in determining the benefits to be paid.

2. Maximum benefits: For each covered individual the maximum benefit payable is $10,000 ($5,000 in any one year); more than $10,000 will be payable if the reinstatement requirements outlined in "D. Other benefit provisions" are satisfied.

B. Covered expenses: Covered expenses are charges incurred for services of the following kinds when performed or prescribed by a physician or surgeon and to the extent such expenses are reasonable, necessary, and customary:

1. Covered medical expenses:

(a) Charges by surgeons and assistant surgeons including pre- and post-operative care for surgical procedures as defined in "Part E. Definitions." Major medical insurance will cover these charges only to the extent they exceed the larger of (1) the fee schedule in the appropriate standard local surgical fee schedule or (2) the amount payable under any other policy or contract.

(b) Services of physicians, including specialists, for other than surgical operations.

[1] See pt. C for expenses not covered.

such as treatment at home, office, or hospital; examination; diagnosis; consultation; injections; psychiatric care; pediatric care.

(c) Services of registered graduate nurses, other than a nurse who ordinarily resides in the employee's home or who is a member of the employee's immediate family.

(d) Medical expenses when not covered as inhospital expenses under "2" below, such as: anesthesia; X-ray, laboratory, and other diagnostic services; oxygen and its administration; X-ray or radium treatment; drugs and medicines; rental of iron lung or other durable equipment, such as wheelchairs, required for temporary therapeutic use; blood transfusions; this will include blood or blood derivatives upon presentation of satisfactory evidence that local conditions were such that it was necessary for the insured to incur expenses for such blood or blood derivatives.

(e) Physiotherapy, when the attending physician certifies that he has prescribed physiotherapy by duration and by specific type for the therapeutic treatment of the individual.

(f) Artificial limbs, artificial eyes, and other artificial replacements.

(g) Local professional ambulance service.

2. Covered hospital expenses: The charges of a hospital required for medical care or surgical treatment, including hospitalization for tuberculosis and mental or nervous disorders. When ward or semiprivate accommodations are used there is no limit on the amount of the hospital's daily room and board charge that may be considered as a covered hospital expense. However, when private accommodations are used the maximum room and board charge to be counted as covered expenses will be equal to three-fourths of the hospital's charge for the accommodations occupied. Benefit payments will be limited to 75 percent of this reduced amount. Major medical expense insurance will cover only hospital charges beyond the first 70 days in any calendar year. It is anticipated that the basic hospital benefits of most employees will cover at least the first 70 days.

C. Expenses not covered:

The following expenses are not covered:

1. Hospital charges as defined in part B above until the covered individual has been hospitalized for 70 days in any calendar year (except as provided in part D (3)).

2. Surgical charges not exceeding sums fixed by the Commisison as appropriate for the surgical procedure in question after consideration of local fee schedules approved by State and county medical societies.

3. Expenses incurred for pregnancy or resulting childbirth, miscarriage, or cesarean section, or for pre- or post-natal care, except that hospitalization for these reasons will count toward satisfaction of the 70-day exclusion in (1) above. If there are severe medical or surgical complications for pregnancy commencing while insured, any additional medical, hospital, and surgical expenses due to such complications will be covered. Severe complications include extrauterine pregnancy or complications requiring intra-abdominal surgery after termination of pregnancy, as well as pernicious vomiting of pregnancy and toxemia with convulsions.

4. Dental care, treatment, and appliances, except oral surgery and appliances to the extent necessary for the correction of damage caused by accidental injury or impairing illness suffered while insured.

5. Cosmetic surgery or treatment, except to the extent necessary for correction of damage caused by accidental injury or impairing illness suffered while insured.

6. Any expenses resulting from an injury arising out of or in the course of employment or from a sickness for which the individual is entitled to benefits under any workmen's compensation or occupational disease law.

7. Eyeglasses, hearing aids, and examinations for prescription or fitting thereof, except to the extent necessary for correction of damage caused by accidental injury while insured.

8. Any services received from any facility contracted for or operated by any Government agency which are or may be obtained without cost to the individual by compliance with laws or regulations enacted by any Federal, State, Municipal, or other governmental body.

9. Services received for injury or sickness due to war (declared or undeclared) or any act of war, which act shall have occurred after the effective date of this plan. This provision will not exclude noncompensated expenses incurred after return to active employment following the injury or sickness referred to above.

10. Expenses for which payment or reimbursement is received by or on the account of the individual as a result of legal action or settlement from any other person or persons.

11. Expenses to the extent of benefits paid by any other insurance or services provided by any prepayment plan. If the other insurance has any provision similar to this provision, this plan will not pick up until benefits of the other insurance would have ceased without the application of such similar provision.

D. Other benefit provisions.

1. Common accident provision: A separate deductible will be applied to each covered individual, except in the event of a common accident. If two or more covered members of an employee's family are injured in the same accident, covered expenses which result from the accident in the calendar year of the accident and in the following calendar year will be combined and one deductible will be charged against all such expenses.

2. Carryover provision: So that an individual may not have to meet two deductible requirements within a relatively short period of time, covered expenses incurred while insured during the last 3 months of a calendar year and charged to the deductible amount for that year will be used to reduce the deductible amount for the next calendar year.

3. Hospital and surgical expenses commencing in one year and ending in another: To avoid the necessity for an individual having to meet more than once the hospital and surgical expense exclusions mentioned in part C (1) and (2) when such expenses start in one calendar year and continue into another:

(a) Only one hospital expense exclusion will be applicable to hospital charges incurred during one continuous period of hospital confinement or successive periods of hospital confinement not separated by 3 months or complete recovery.

(b) Only one surgical expense exclusion will be applicable to surgical fees for surgical operations not separated by 3 months or complete recovery.

4. Reinstatement of maximums: At any time after $1,000 in benefits has been paid on account of any one individual, application may be made for reinstatement of the $10,000 maximum amount payable. This reinstatement depends upon the acceptance by the insurance company (in accordance with standards agreed to by the Commission) as satisfactory evidence of complete recovery. This may include submission of evidence of insurability, furnished at the individual's own expense. An employee (but not a dependent) will be considered completey recovered, without submission of evidence of insurability, if he has been continuously at work for a year without medical care for other than a minor ailment. This reinstatement provision does not apply after the end of the calendar year in which the employee's 65th birthday occurred. If at that time the maximum on any covered individual has been reduced to less than $5,000, this maximum shall be restored to $5,000 without evidence of insurability.

E. Definitions:

1. Physician: An individual legally licensed to practice medicine and to administer all drugs, or to perform all surgery.

2. Drugs and medicines: Drugs and medicines requiring a physician's prescription, dispensed by a licensed pharmacist or physician, and necessary to the treatment of a particular illness.

3. Hospital: A regularly constituted hospital operated for the care and treatment of sickness and injuries and having facilities for diagnosis, major surgery, and 24-hour nursing service. For a hospital primarily concerned with the treatment of chronic diseases, the major surgery requirement will be waived if it meets all the other requirements. The term "hospital" may not include an establishment that is, other than incidentally, a place for rest, a place for the aged, a place for drug addicts, a place for alcoholics, a nursing home, a hotel, or the like.

4. Hospital charges: Charges billed by a hospital for services by the hospital staff or employees to an inpatient for surgical and medical diagnosis and treatment. Examples of such services are: room and board, including regular nursing services, anesthetics, use of operating room, X-rays, laboratory services, drugs and medicines, and similar hospital services.

5. Surgical procedures: These include but are not limited to incision, excision, endoscopy, repair, destruction, amputation, and surgical collapse therapy.

6. Local professional ambulance service: This includes professional ambulance service when used to transport the individual from the place where he is injured by an accident or stricken by an illness to the first hospital where treatment is given, or to another hospital in the area when such change of hospitals is necessary and recommended by the attending physician. Also included is local professional ambulance service from the hospital to the patient's home when made necessary by the patient's condition. No other charges for transportation or travel are covered.

F. Effective date of insurance:

1. An employee who enrolls for health insurance during the initial enrollment period will be covered no later than the first day of the pay period following the one in which he enrolls.

2. Employees retired prior to the effective date of the insurance may not enroll for coverage.

3. Any employee enrolling for health insurance after the effective date of the major medical expense insurance will become insured no later than the beginning of the first pay period next following his enrollment.

4. Insurance for dependents then eligible will become effective on the date the employee's insurance becomes effective provided he has enrolled for dependent coverage.

5. New dependents acquired through marriage or childbirth after the employee becomes insured for dependent coverage will become insured on the date the employee acquires such dependents. Dependents acquired otherwise are not eligible for coverage until they have been dependent for 3 months.

6. In order to be reimbursed, a charge for a covered expense must be incurred while the individual is insured. If, on the effective date of an individual's insurance, the individual is confined in a hospital or other institution for care or treatment or is confined at home under the care of a physician or surgeon because of a disabling physical or mental sickness or injury, reimbursement will not be made for expenses which are incurred prior to the date that such individual has been discharged from the hospital or other institution, and is no longer confined

at home under the care of a physician or surgeon.

G. Discontinuance of insurance: The major medical expense insurance, except as noted in part H, stops on the earliest of the following dates:

(1) The date of separation of the employee from the service.

(2) The date a period of 12 months of continuous nonpay status ends for the employee.

(3) The day immediately before the day the employee enters active military duty (except when the employee has been granted military leave with pay from his civilian position).

(4) For any surviving dependent of a deceased employee, 6 months after the employee dies.

(5) The date of any other change in employment resulting in loss of eligibility for major medical expense insurance.

(6) The last day of the pay period for which the required deduction is made from the employee's salary if the employee withdraws his authorization for payroll deductions.

(7) The date of termination of the major medical expense insurance plan.

(8) For a dependent of an employee whose major medical expense insurance has not terminated: The date that such person ceases to be a dependent as defined in section 3.

Continuation of benefits after insurance stops: If the employee or one or more of his dependents is confined in a hospital or other institution for care or treatment, or is confined at home under the care of a physician because of a disabling physical or mental sickness or injury on the date major medical expense insurance stops, benefits will be continued for covered expenses incurred for that individual up to the date the individual is discharged from the hospital or institution and is no longer confined at home under the care of a physician; but benefits will not continue beyond a year from the date on which the major medical expense insurance stops. For a pregnancy existing on the date the major medical expense insurance stops, benefits will be payable for severe medical or surgical complications of that pregnancy for covered expenses incurred prior to the end of 1 year from the date on which such pregnancy terminates.

H. Continuance of major medical expense insurance without further cost: If at the time the major medical expense insurance would otherwise stop under items "1" or "2" of "Discontinuance of Insurance," an employee who is enrolled for major medical expense insurance (1) retires on an immediate annuity either after completion of 15 years of creditable service as determined by the Commission or for disability, (2) reaches age 65, or (3) is receiving employees' compensation and is unable to return to duty, the major medical expense insurance will be continued without cost to him or to his agency. If he is enrolled for dependent coverage, the insurance will be restricted to the coverage for dependents existing on the day the insurance would otherwise have terminated.

I. Claims and benefits: Benefits under the plan are payable by the insurance company upon receipt of proof of claim. The date the expenses are incurred is the date the service is received or the purchase of a drug is made, not the date a bill for services or purchases is received. Claims will be filed with the insurance company through the employing office of the employee. The employing office will supply claim forms. It is the responsibility of the employee to furnish proof of claim within the time prescribed. Proof of claim must be filed not later than 90 days after the end of the calendar year in which the loss for which claim is made is incurred unless it is not reasonably possible to do so and proof is filed as soon as is reasonably possible. The insurance company reserves the right to give a medical examination to an individual for whom claim is made. In the event an individual is entitled to receive payment or reimbursement from any other person or persons as a result of legal action or claim with respect to any expenses paid or reimbursed to him under this plan, the insurance company shall be entitled to subrogation rights against such other person or persons.

J. Certificate: The employee will receive a certificate describing the major medical expense insurance plan.

K. Amendment or termination: The major medical expense insurance may be modified or terminated as may be required by any change in the Federal Employees' Group Health Insurance Act or for any other reasons. The Commission will be authorized, after consultation with the employee advisory committee, to increase, decrease, or otherwise change the major medical expense benefits within a 25-percent range either up or down. The actuarial value of the changed benefits must be at least 75 percent of the actuarial value of the benefits enacted. Any such modification or termination, however, will not affect adversely any claim for covered expenses incurred prior to the effective date of such amendment or termination.

L. Payment of benefits: Benefits of major medical expense insurance are for the purpose of reimbursing the employee or the employee and his dependents for expenses actually incurred. Benefits are payable only with respect to charges which would have been made even if no insurance existed and which the employee (or a dependent of the employee) is legally obliged to pay.

Mr. CARLSON subsequently said: Mr. President, together with my respected colleague from South Carolina, I should like to call to the attention of the Senate a bill just received from the Civil Service Commission.

This bill would provide for health insurance for all officers and employees of the Federal Government and their dependents, and would require the Government to make certain financial contributions to help defray the cost of the insurance. This proposed legislation would round out the existing program of fringe benefits for Government employees and would fill the largest remaining gap in the list of benefits started nearly 40 years ago with the passage of the earliest version of the Civil Service Retirement Act.

It is in my judgment a fitting piece of companion legislation to the Federal Employees' Group Life Insurance Act passed by the Congress in 1954. The latter act, as this body knows, has been of immense assistance over the past 3 years to the surviving dependents of Federal employees who have died in office. The proposed bill would be of even greater immediate assistance to employees, since most of us incur medical expenses with every year that goes by.

In taking favorable action on this proposed legislation we would be following the good example set by most, if not all, of the forward-looking large private industry. A survey of representative industrial concerns made by the National Industrial Conference Board in 1954, for example, showed that, even then, of the 438 firms studied, some 85 percent contrbuted part or all of the cost of health insurance for their employees.

Briefly, this proposed legislation would provide a Government contribution of approximately one-third to the cost of basic hospital and surgical insurance of the individual employee's choice and a contribution of exactly one-third to the cost of catastrophic or major medical insurance which would be furnished on a uniform basis like that of the group life insurance program. The plan is designed in such a way as to combine two desirable qualities: First, the greatest possible flexibility of choice by the employee of the basic plan which best suits his needs and his pocketbook; and, second, the savings made possible by mass purchase through the group method of major medical insurance.

The total annual cost of the program to the Government is estimated to be $64.5 million. This is based on the assumption that 90 percent of eligible employees would choose to participate and that the per capita cost would be not to exceed $35.75.

Health insurance is a complex field. It is particularly complex in relation to a group like that of our Federal work force which is more than 2 million strong and is scattered throughout the world. The Civil Service Commission has met with a number of stubborn problems over the period of the last 2 or 3 years in trying to design a health insurance program which would do the best possible job for Federal employees. I am happy to say I think the Commission has now succeeded, and I hope the Senate will give favorable consideration to enacting this bill into law.

REPRESENTATIVES IN ORGANS OF INTERNATIONAL ATOMIC ENERGY AGENCY

Mr. PASTORE. Mr. President, I introduce, for appropriate reference, a bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2341) to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes, introduced by Mr. PASTORE, was received, read twice by its title, and referred to the Joint Committee on Atomic Energy.

Mr. PASTORE. Mr. President, I have just introduced a Participation Act for the International Atomic Energy Agency as suggested and approved by the administration. I have introduced it in order to have a basis for hearings to be held before the Subcommittee on Agreements for Cooperation, of the Joint Committee on Atomic Energy, to start on Thursday, June 27.

Neither the committee nor myself is bound by this draft bill. I am introduc-

ing it since it is possible that some Senators will wish to make a presentation before the subcommittee, either in person or by written statement. This will give them sufficient notice and time to study yesterday's debate, in order to prepare their statements.

TAX ADJUSTMENT BASED ON FEDERAL PROJECT AUTHORIZATIONS—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 12, 1957,

The names of Senators WATKINS, MARTIN of Pennsylvania, CURTIS, FLANDERS, BEALL, LANGER, LAUSCHE, POTTER, and SCHOEPPEL were added as cosponsors of the bill (S. 2272) to provide for tax adjustment based on increase or decrease in Federal project authorizations, introduced by Mr. BENNETT on June 12, 1957.

PROPOSED AGRICULTURAL RESEARCH AND INDUSTRIAL ACT OF 1957—ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of June 17, 1957,

The names of Senators BARRETT, KEFAUVER, LANGER, and STENNIS were added as additional cosponsors of the bill (S. 2306) to provide for the increased use of agricultural products for industrial purposes, introduced by Mr. CURTIS (for himself and other Senators) on June 17, 1957.

PROPOSED AMENDMENT TO CONSTITUTION RELATING TO EQUAL RIGHTS FOR MEN AND WOMEN—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. BUTLER. Mr. President, I ask unanimous consent that the name of the distinguished Senator from Vermont [Mr. AIKEN] be added as a cosponsor of the joint resolution (S. J. Res. 80) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, introduced by me, for myself and other Senators, on April 4, 1957.

The VICE PRESIDENT. Without objection, it is so ordered.

RECOGNITION OF NATIONAL COWBOY HALL OF FAME AND MUSEUM—ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. ANDERSON. Mr. President, I ask unanimous consent that the name of the junior Senator from Colorado [Mr. ALLOTT] may be added as a cosponsor of Senate Concurrent Resolution 32, the so-called Cowboy Hall of Fame concurrent resolution, which was reported this morning from the Committee on Rules and Administration. The Senator from Colorado had asked that his name be added, but through some inadvertence it was omitted.

The VICE PRESIDENT. Without objection, it is so ordered.

PRINTING OF REVIEW OF REPORT ON CENTRAL AND SOUTHERN FLORIDA—HENDRY COUNTY WEST OF LEVEES 1, 2, AND 3 (S. DOC. NO. 48)

Mr. McNAMARA. Mr. President, on behalf of the chairman on public works, the distinguished Senator from New Mexico [Mr. CHAVEZ], I present a letter from the Secretary of the Army, transmitting a report dated March 18, 1957, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of report on central and southern Florida—Hendry County west of levees 1, 2, and 3, requested by a resolution of the Committee on Public Works, adopted November 15, 1954. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. THYE:

Address entitled "Freedom's Open Door," delivered by him before the midsummer festival of the Swedish-American League of Duluth, at Duluth, Minn., on June 16, 1957. Also an editorial entitled "Thye Realistic in Views on Red China Problem," published in the St. Paul (Minn.) Pioneer Press of June 17, 1957.

By Mr. JENNER:

Release and newsletter prepared by him regarding the case of Sp3c. William S. Girard.

NOTICE OF CONSIDERATION OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. GREEN. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that the Senate received today the nomination of H. Freeman Matthews, of the District of Columbia, a Foreign Service officer of the class of career ambassador, to be Ambassador of the United States to Austria.

Notice is given that the nomination will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule.

NOTICE OF HEARING ON SENATE JOINT RESOLUTION 3, PROPOSING AN AMENDMENT TO THE CONSTITUTION RELATING TO THE LEGAL EFFECT OF CERTAIN TREATIES AND OTHER INTERNATIONAL AGREEMENTS

Mr. KEFAUVER. Mr. President, on behalf of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, June 25, 1957, at 10 a. m., in room 424, Senate Office Building, on Senate Joint Resolution 3, proposing an amendment to the Constitution of the United States, relating to the legal effect of certain treaties and other international agreements.

Two witnesses, Senator BRICKER, of Ohio, and Senator HENNINGS, of Missouri, will be heard. Others desiring to express their views should submit statements to the subcommittee for inclusion in the record. This procedure has been adopted since extensive hearings on the same subject matter were conducted in the 82d, 83d, and 84th Congresses.

The subcommittee consists of myself, chairman, the Senator from Missouri [Mr. HENNINGS], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Dakota [Mr. LANGER], and the Senator from Illinois [Mr. DIRKSEN].

CIVIL PUBLIC WORKS, THE CORPS OF ENGINEERS, AND THE BUREAU OF THE BUDGET

Mr. JOHNSON of Texas. Mr. President, civil public works are the business of the public. Flood-control projects and water-development programs are of direct and vital concern to the people of the areas in which they exist.

When beneficially used, water provides for the growth and development of these areas. When uncontrolled, water can destroy lives, sweep away valuable agricultural land, and ruin the works of man.

Mr. President over a period of years, certain changes have taken place in the manner in which water control and use projects have been developed and built. I consider these changes unfortunate.

There was a time when the Corps of Engineers was, in effect, a body of expert consultants of the Congress. The engineers reported directly to Congressional committees on the merits of river and harbor projects.

Then the changes began. First, the engineers were required to channel their reports through the Bureau of the Budget. Then, they were required to report directly to the Bureau, rather than to Congress. Finally, they were required to defend projects in detail, with the Bureau deciding whether each project conformed to its own specifications and thus could be recommended to Congress at all.

In other words, the Bureau of the Budget has interposed itself between the Corps of Engineers and the Congress. It has become more than a fiscal office of the Federal Government. It has become a policymaking body, as well.

This development has produced a number of serious effects.

First, it has resulted in a progressive withering away of the responsibility of Congress to develop and carry out an adequate public-works program.

Second, it has complicated what had been a simple procedure, and has caused prolonged delay in the consideration of urgently needed projects.

Third, it has thrown a cloud of secrecy over civil-works projects for

months on end before the administration sends to the Congress the projects of which it approves.

The overall effect of these changes has been that the Bureau of the Budget now attempts to exercise an "item veto" over civil-works projects. This veto is called into play before the President submits his budget message to Congress. That is why it so often becomes necessary for Congress, in acting on the civil public-works bills, to add projects that have been delayed by the Bureau of the Budget beyond endurance.

Frankly, Mr. President, I shall not hesitate to urge the addition of such projects when the need and justification for them are clearly to be seen.

Floods do not wait. We cannot bring about the orderly and necessary development of our land and water resources by following policies that are both restrictive and repressive.

Our population is growing. Our economy is a dynamic one. We urgently need—we must have—a realistic and courageous program to control floods and to conserve our water and land resources.

The Congress is familiar with, and responsive to, the needs of the American people. Upon the Congress rightly rests the responsibility for developing and carrying out the kind of program we need.

Let us not lag behind. Let us meet the challenge forthrightly and in a fashion befitting the bigness of our country.

ARTHUR T. VANDERBILT

Mr. SMITH of New Jersey. Mr. President, on last Saturday New Jersey lost one of her most distinguished citizens, the chief justice of the New Jersey Supreme Court, Arthur T. Vanderbilt. On last Monday my distinguished colleague [Mr. CASE] inserted in the RECORD a statement made by me, and he himself paid a glowing tribute to Justice Vanderbilt.

Since that time I have noticed in certain of our daily newspapers tributes to Justice Vanderbilt. I ask unanimous consent that there may be printed in the body of the RECORD, as a part of my remarks, an editorial from the New York Herald Tribune of June 17, 1957; an editorial from the New York Times dated June 18, 1957; and an editorial from the Washington Post and Times Herald dated June 18, 1957. All of these editorials are entitled "Arthur T. Vanderbilt."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of June 17, 1957]

ARTHUR T. VANDERBILT

The death at 68 of Chief Justice Arthur T. Vanderbilt, of the New Jersey Supreme Court, closes one of the most distinguished and valuable judicial careers in modern-day America. His monument is the New Jersey judiciary, which Justice Vanderbilt transformed from an archaic, tortuous, overburdened institution into one of the Nation's most effective and respected court systems. And the New Jersey constitution, whose adoption in 1948 came about largely through Justice Vanderbilt's efforts, similarly stands as a model of its kind.

Justice Vanderbilt was a jurist whose attainments and outlook went considerably beyond narrowly legalistic considerations. He was a leader in education and good government, no less than in court reform. As an attorney in private practice he showed particularly deep concern for civil liberties, even at the risk of espousing unpopular causes. To him the protection of the law was the right of every American citizen.

With this underlying basic approach it was no surprise that Justice Vanderbilt was in the forefront of the battle to make the courts serve the people with the utmost efficiency and speed. He labored unceasingly to bring about improvements in court structure, administration, and procedure, and the results he achieved in New Jersey served as an example and goal for jurists in other States.

Judges like Arthur T. Vanderbilt, courageous, hard working, and farseeing, are a credit to America and its legal profession. He will long be remembered as one to whom the administration of justice was a sacred trust.

[From the New York Times of June 18, 1957]

ARTHUR T. VANDERBILT

Chief Justice Vanderbilt of the New Jersey Supreme Court made his influence felt for many years in the interest of good government, good courts, good citizenship, and good human relations. He was known throughout the country for his forward-looking views. He was respected for his integrity and his courage.

One of his many contributions to New Jersey was his leadership in the rewriting of the State constitution. Another was reform of the judicial system. He worked to the same high purposes toward improvement of the Federal court system. His example made itself felt in New York State, through encouraging constant examination and application of new ideas to management of the courts' business. So the death of this distinguished judge will be widely and deeply regretted.

[From the Washington Post of June 18, 1957]

ARTHUR T. VANDERBILT

The death of Chief Justice Arthur T. Vanderbilt of the New Jersey Supreme Court is a tragic loss to the causes of justice, judicial reform, and legal education. In the last decade he had directed almost a judicial revolution in New Jersey. That was the culmination of many previous years of hard struggle to bring administrative management, sound organization, and highly qualified judges into the judicial system. As chief justice in New Jersey, he was able to put into practice what he had been preaching, with the result that that State now has one of the best judicial systems in the Nation.

After trying for 17 years to interest the bar, the judges, and the politicians in judicial reform, Mr. Vanderbilt decided a decade ago to carry his fight to the people. Govs. Charles Edison and Alfred E. Driscoll joined in the struggle, and a new constitution was adopted for New Jersey, including a model judicial system. Mr. Vanderbilt, who had won eminence in the practice of law and as dean of the New York University Law School, was then named chief justice.

There followed a decade in which rules were simplified, dockets were cleared of old cases, able and energetic lawyers were named to the bench, and modern administrative management was applied to the work of the courts. In a single year the output of the New Jersey courts was increased by 98 percent. Justice is no longer soured by endless delays, confused jurisdiction, or excessive emphasis on technicalities. Arthur Vanderbilt's leadership in this sphere has brought New Jersey to the forefront among the States seeking to modernize their judicial systems.

In his practice as in his teaching, Mr. Vanderbilt was a strong defender of civil liberties and of independent judgment on the bench. As counsel for Norman Thomas, he induced the Supreme Court of the United States to strike down the Jersey City ordinance under which the late Mayor Frank Hague had forbidden the Socialist leader to address a public meeting there. As president of the American Bar Association, he contributed enormously to the defeat of President Roosevelt's efforts to pack the Supreme Court in 1937. It is the judicial reforms that he helped to establish in New Jersey, however, that are likely to stand as his most enduring monument.

ADDRESS BY SENATOR HUMPHREY BEFORE FOREIGN POLICY CONFERENCE, MINNEAPOLIS, MINN.

Mr. HUMPHREY. Mr. President, on June 8, 1957, in Minneapolis, Minn., a foreign policy conference was held under the sponsorship of the distinguished former Ambassador to Denmark, Mrs. Eugenie Anderson. Nearly 800 people attended to hear a series of speakers on different aspects of the international situation.

Ambassador Mehta from India discussed the role of India in world affairs. It was my privilege to present a report based on my experience at the United Nations, and more recently in the Middle East.

I ask unanimous consent that the text of my remarks be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE UNITED NATIONS AND THE MIDDLE EAST

For all of us there is nothing more important in the world today than foreign policy. The most important thing about foreign policy, of course, is that there is no such thing any more. Foreign indicates something apart, different, unusual. The very terminology smacks of a bygone age. Even the committee on which I serve, the Senate Foreign Relations Committee, ought, I think, to change its name and move into the 20th century. I have introduced a Senate resolution to rename it the Committee on International Relations.

The briefest recollections of the tragedies and triumphs of the last 20 years should be enough to prove that the seemingly solid stable symbols of a generation ago are gone forever. The world of 1914—even of 1929—is now more foreign to us than Patagonia or Siberia was to our parents' generation. The old order has not only passed; it has fled.

The tragedies of depression and war will never be forgotten by those of us who have lived through them. Let us hope that we shall not forget the triumphs: the burying of isolationism as the New World went forward to rescue the Old, the leadership of a Franklin Roosevelt and a Winston Churchill, the creation of the U. N.; the courage and collective purpose that went into the formulation of the Truman doctrine, NATO, and the defense of Korea, the imagination and boldness that formulated the Marshall plan and point 4.

In practical living terms, these decisions and achievements reflected at the time an accurate understanding of America's new world role and our stake in peace and world

development. By 1952, American policy had demonstrated considerable flexibility, accommodation and capacity to reshape itself to meet new kinds of challenge.

But today's new world is a fast-moving one. Even 5 years can make a lot of difference. Policies which were adequate, or at least hopeful in 1952, may be much less adequate and much less hopeful in 1957.

1952 was only yesterday, but who then would have thought that 5 years later newspaper headlines would tell of Hungarian men and women trying to beat back Soviet tanks with their fists in the streets of Budapest, British planes dropping bombs upon Cairo, the collapse of our joint boycott against mainland China trade, the American flag being torn down by Nationalist Chinese on Formosa, the Polish Catholic Church lending its support to a new kind of Communist government in Warsaw, nuclear scientists and geneticists warning us about strontium 90, Nikita Khrushchev "facing the nation" on a Sunday afternoon.

These developments have come pretty thick and fast for any among us who have been the victims of slogans, or who insist on total solutions for complicated problems.

The nostalgic desire to withdraw from it all is a natural reaction. I have seen a lot of it lately in the extravagant letters I have received from some people urging multibillion dollar cuts in our defense and foreign aid programs. But I think that the vast majority of our people know in their hearts today that withdrawal from these complicated problems is impossible and that we are going to have to grapple with them one way or another.

Grappling with them becomes an increasingly personal problem for each of us as world events begin to impinge more and more upon our lives. It seems to me that even the most casual among us—particularly in such a group as this—owes it to himself to try to assemble his own scattered thoughts to see whether any practical wisdom and answers have come to him from his experience, his reading, his conversations and his work.

I want to do this publicly myself today, especially with regard to two experiences which I have had during the past few months and which have profoundly affected my own views of the world and what we ought to do in it.

Many of you know that I have served as one of the American delegates to the 11th General Assembly of the United Nations in New York and also that I have just returned from a month's visit to the Middle East. In a sense, this is my first personal report to the people of Minnesota on both of these experiences.

One of them, the United Nations, gave me a perspective in breath and scope which I suppose is difficult to duplicate anywhere else. The other, the Middle East, gave me a perception in depth of the intensity and ferment of just one of the world's many areas of crisis. Taken together, these two experiences have given me an opportunity to review and reconsider the strengths and weaknesses of American foreign policy against the backdrop of this world that refuses to stand still.

Let me begin with the United Nations and describe for you a scene which became familiar to me during my service at the United Nations General Assembly. Here sat representatives of 80 nation states unequal in power, wealth, or culture. All claimed an equal sovereignty and each pursued, or tried to pursue, an independent policy. Each judged its own best national interest. Each entertained its own private and public opinion about the characteristics of a perfect world.

Very few of the delegates at the United Nations pretended for a moment that the United Nations itself, either as an organization or in terms of its record of achievement, constituted that perfect world. One of my fellow delegates, Senator KNOWLAND, however went to great lengths to criticise the United Nations for its lack of perfection. He complained about an abuse of the veto power, a so-called double standard of morality, a tendency toward bloc voting, possible interference in domestic jurisdiction, and the disproportionate financial burden placed upon large nations like the United States for the United Nations support. There is a grain of truth in each of his criticisms, and no one would deny it.

But the delegates themselves represent contrasting historical backgrounds and exhibit cultural differences to such a vast extent that most logical men could easily despair over the possibility of any commonly accepted standards. Some of the members of the United Nations do pay much of the cost of its operation; others pay very little. There are blocs. Delegates frequently think more of their interests than the overall peace of the world—or rather, I should say, almost all delegates identify their own interests, and the interests of their own blocs, with the overall peace of the world. Lately, it has seemed to be painfully true that those who defy the law of nations seem to get away with more than those that respect the charter.

But we are foolhardy, if we judge the United Nations by the standards of literal-minded men. I shall not claim that it is able to produce absolute justice or even rough justice for all. I shall not claim that the weak are as powerful as the strong. Neither will I claim that the weak are necessarily wise in some of their voting.

But I will say that the United Nations represents the early stages of the evolution of mankind to international law and order. So tenacious is the desire of man for peace, so strong is this impulse for law and order, that within the last 12 years the United Nations has withstood the most terrific shocks and assaults upon it. It has survived the advent of the atomic age and the revolt of a quarter of the world against the colonial system. I earnestly believe that had it not been for this organization, the world might well be in its third and final war.

The United Nations is far from perfect. But all the hopes of man to evolve a just international economic order, to advance human rights, to stop aggression, to disarm, to establish a reign of law, are bound up in the United Nations. It is for us to apply not absolute logic, but rather the tests of imagination and insight.

This, of course, does not mean smothering the United Nations with excessive reliance. I had the feeling on critical issues last October, November, and December that the administration's policy of full reliance on the United Nations occurred most readily in those cases when the administration did not have or could not agree upon a specific policy to meet the situation. Reliance on an infant world organization under such circumstances is hardly adequate to the tasks now facing us as the most powerful nation on earth.

I do not wish to be misunderstood. I should like to see the United Nations used increasingly, but used effectively. I should like to see it energized by American leadership. I should like to see it strengthened and developed in a dozen different ways, not only in its political, but in its economic and scientific aspects as well.

Here are just a few of the thoughts that occur to me as I recall my experiences at the United Nations General Assembly.

1. A cushion for nationalism: One of the basic facts of our time is the upsurge of nationalism which dominates the thinking of people in two-thirds of the world. This upsurge is not limited to the antiwesternism so evident in much of Asia and Africa and so enticing to Soviet blandishments. A similar spirit of nationalism has re-emerged in Eastern Europe, and has shaken the very foundations of the Soviet satellite empire.

It is a paradox that nationalism is still such an explosive force in much of the world at the very time when the United States and the nations of Western Europe are moving more and more toward forms of international organization. But it would be futile and wrong to oppose nationalism which springs from basically good patriotic feelings widely shared by men everywhere.

But I was impressed again and again with the value of the United Nations as a means of assisting nationalism to find a proper and responsible role in the world society. The United Nations can channel nationalism toward constructive purposes and to keep it from running wild. With UN membership comes a dignity and security as well as a widened sense of responsibility—qualities which new and inexperienced nations and governments might otherwise take much longer to achieve.

2. A symbol of equality: The United Nations has been criticized for equating small states and large states when it comes to voting rights. But exaggerated as this arrangement may be in certain particulars, the United Nations in its very makeup recognizes one of the dominating ideas of this century—the idea of equality. It is not news to anyone any longer that we are living in the midst of a worldwide revolution which has equality as one of its central themes. This revolution has many facets: Democratic socialism in Europe and in Asia, anticolonialism in Asia and Africa, the drive for industrialization of underdeveloped areas abroad, the Negro's struggle against second-class citizenship at home, the farmer's fight for agrarian reform both at home and abroad. We can think of other examples, all of them grounded in the fight for equality of status and opportunity.

Even the tourist observer at the United Nations must be struck with the overtones of equality of status there. No one should underestimate the prestige and psychological importance which new young states like the Sudan and Ghana derive from this situation.

But it is not only the new and underdeveloped states which benefit from equality of status at the United Nations. It just happens that during the last few months the familiar old bipolar cold war world has become unfrozen a bit. The U. S. S. R. and the United States are still the world's great super powers, the great icebergs of the cold war age. But under the impact of recent events, the icebergs have melted a little even above the surface. And in the thaw, lesser icebergs have on occasion split off from the two superblocks, to go their own way and serve their own purposes.

Not only the so-called uncommitted nations, but the allies of both superpowers are becoming more independent. During the single month of October 1956 voting alliances were splintered before our very eyes in the United Nations General Assembly over the double crisis of Suez and Hungary. Situations arose which required a softening of the rigid positions and the adoption of new alinements. The difficult and delicate maneuvering involved in such transformations was eased by the United Nations framework of equality. The very competition for votes among ostensible equals put a high premium on political persuasion and diplomatic imagination, even on the part of the representatives of the larger powers.

3. Exposure of fakery: While there is a tendency among some people to decry the United Nations as a debating society which can do no more than adopt pious resolutions, my own observation and participation in the work of the General Assembly convinced me that the United Nations is performing an invaluable service in the sheer exposure of doubledealing.

Even the Soviet Union is not wholly insulated from the force of world public opinion. Frankly, the Soviets took a considerable beating because of their actions in Hungary. It just happens that many of the nations of the world, particularly the young uncommitted nations of Asia and Africa, make a practice of sending to the United Nations their most capable public officials. To a degree not always appreciated outside the United Nations, these participants are in a position to mold opinions in their home countries.

The repercussions of Soviet brutality in Hungary are still seeping into the minds and hearts of Asians and Africans through the reports of their delegates at the United Nations.

Even during the General Assembly debate on the Hungarian question, more and more so-called neutralists shifted from a position of abstention to a position of voting against the Soviet Union. Soviet doubledealing and doublecrossing were clearly exposed. The success of the Bulganin-Khrushchev smile campaign came to an abrupt halt with the news from Budapest last fall, and the Kremlin is now working overtime to recover lost ground. Khrushchev and his henchmen are now busy applying deodorants to Soviet policy everywhere.

Once more they are trying to capitalize on one of their major assets—you start by being so bad that people will compliment you when you show any improvement. In a race for that kind of credit, the Kremlin is unbeatable. But never again will they enjoy the same kind of openminded reception which was theirs a year ago in many parts of the world before Hungary.

4. Pressures for progress: I have already mentioned that something tremendously important is happening to two-thirds of mankind living on three underdeveloped continents. Today the whole underdeveloped world is seething with what Arnold Toynbee has called a revolution of rising expectations. This revolution centers on a worldwide demand for economic development and economic dignity, concepts which after all should not be very alien to Americans.

A few years ago Henry Luce announced that we were entering the American century. Although there is a self-righteous overtone to the phrase, this is indeed the American century in many ways. Wherever I have traveled, and almost every day in one form or another, from coca cola to steel plants, I have found America coming back. Today it is coming back not only in the terms of intense desire of other peoples to repeat our economic achievements, but in the equally intense desire to practice in responsible Jeffersonian terms the democratic ideals which we once let loose upon the world.

Hopes have been raised for progress in both of these areas—hopes for economic advance and human dignity. These hopes cannot now be stifled without bitterness, disillusionment and enmity. Of course, these hopes may be exaggerated. Undoubtedly many of them are. Even if the United States and other countries which have been blessed with many technological advantages were to pour out their talents and resources in a gigantic effort to develop the rest of the world, many of these hopes would still be dashed.

Nevertheless, here as elsewhere, the facts are not always as important as what people believe the facts to be. The world is on fire for progress and one only has to sit in the General Assembly of the United Nations day after day to appreciate how deep and burning this desire can be.

I have already mentioned the recent weakening in cold war alinements, a weakening which was reflected most dramatically in United Nations votes. But even before Suez and Hungary, I had felt that in the public conduct of our policy abroad we had about reached the end of our capacity "to flog the anti-Communist political horse." Both in State Department press conferences and at the United Nations, the statement of many great international issues seem to be badly posed. We had fallen into a deep and dangerous rut.

As a matter of fact, we are still in it. We wait to see what the Communists will do. If they are for it, we try to be against it. The discussion of relations between the Communist and non-Communist world has become routinized on our part, just at the time when the Communists themselves are showing greater flexibility and are stepping up their own effort to appear pleasant and reliable.

Now the important thing is that there are 2 billion men, women, and children on earth who are neither Russian nor American. A large percentage of them profoundly distrust both Soviet and American policy. What do they think? It might matter.

A large percentage of them, of course, are too sick to think. Their days are totally absorbed with malaria, cholera, intestinal parasites, or some other disease. Many of them are too hungry to think except about food. Many die when they are babies, so they never have to think at all.

The overwhelming bulk of them are colored black, brown or yellow, and the motto of many if not most of them, based on centuries of experience with imperialism is, "Never trust a white man."

It seems to me that we have failed to understand in recent years how misleading and disrupting and self-defeating it is to enter this real atmosphere of the world with essentially military glasses. In the midst of our own critical military rivalry with the Soviet Union, we have tended to look out upon the world and to see basically only two kinds of people: Russians and potential manpower that we and the Russians must compete for. This is a highly dangerous and unrealistic view of the actual condition of mankind.

How dangerous and unrealistic it is can be brought home to us any day we care to visit the United Nations General Assembly. The interests of the rest of the world are not basically concentrated on the Soviet-American struggle. The delegates representing the rest of the world have, of course, a profound stake in the outcome of our competition with the Soviet Union. But they have far more immediate and desperate problems facing them than that, problems which result in pressures for progress—pressures for survival.

Nowhere are these more in evidence than at the United Nations. These pressures exert themselves in the tremendous and absorbing interest in which the rest of the world has in the constructive agencies and affiliates of the United Nations—the World Health Organization, the United Nations Technical Assistance Program, the Food and Agriculture Organization, the Children's Fund, UNESCO, the International Labor Organization, the Human Rights Commission, and all the others.

It is these agencies which people on three continents look to to satisfy their high hopes for progress. Indifference or callousness toward these agencies on our part inevitably means that much of the world looks at us with suspicion and distrust.

5. The multilateral approach: Through these various agencies, the United Nations is a living demonstration of another great truth about the world today—the truth that a multilateral approach to help underprivileged peoples to help themselves is a more efficient and satisfactory approach than many of the bilateral methods of medical, technical, and economic assistance which we have also used. Millions of children have received supplementary feedings, vaccinations, and clothing as a result of United Nations activity. Hundreds of thousands of people today are benefiting from the expert advice and training of technicians operating under U. N. auspices. Food production in widely scattered areas of the world has been increased dramatically by new agricultural methods.

The United Nations specialized agencies give us an opportunity to reach people in ways most meaningful to them. We can reach them under the auspices of the world's society itself, thus saving ourselves the onus of excessive responsibility when things go wrong, as well as the disagreeable aspects of a difficult donor-beneficiary relationship. In many instances it is easier to give and easier to receive under United Nations auspices.

Not only should we utilize these specialized agencies which already exist under the United Nations structure, but we should press for the formation of new United Nations agencies which can go right to work. Later I shall refer to two of these agencies which I have recently proposed: A Middle East Good Offices Commission, and a Middle East Development Authority. In recent months I have proposed at least two others which I repeat again today. The first is SUNFED, the Special United Nations Fund for Economic Development, which has been repeatedly requested by a majority of United Nations members only to be repeatedly rebuffed by the United States. The second is a new International Waterways Commission to help avoid jurisdictional crises over waterways like that of Suez, yes, and Panama.

6. People-to-people in microcosm: We should not underestimate the United Nations as a practical working symbol of another important dimension of international relations today. We are going to have an increased emphasis on people-to-people exchange, international trade fairs, cultural exhibits, student and professor transfers, etc. The United Nations itself offers a special kind of forum for interpersonal exchange. Together, with the dignity and security which United Nations membership brings them, the representatives of many new nations are developing a stronger sense of responsibility earlier than they might otherwise.

At the United Nations they are in daily contact with the representatives of older and more experienced powers. Even the latter representatives find the U. N. an encouraging forum for effective action. Indeed, this last point is worth stressing. The fact that delegates of the U. N. take it seriously enough to engage in politics there—call it, if you like, a special kind of personal diplomacy—this is one of the most encouraging signs we have. We engage in politics and political maneuvering when we feel strongly about something. It is highly encouraging that U. N. delegates feel strongly enough about the U. N. to engage in politics there. The friendships formed around the council tables, in the cloakrooms, and in the delegates' lounge may be of great importance in years to come. Indeed, no one can guess just how important those contacts may be.

I cannot imagine any delegate to the United Nations who has taken his duties seriously who would henceforth be blind to the fact of cultural exchange. As far as I am concerned, this program should be dramatically increased. If the Soviet Union wants competitive coexistence, we should compete and compete with the best that we have. I am ready to engage them in any area they choose. Contrary to some of the critics of the exchange program, I am convinced we have far more to gain than we have to fear in our whole people-to-people program.

Last year I was pleased to be the author of Public Law 860, which placed what was formerly the President's emergency program for international trade fairs and cultural par-

ticipation on a permanent basis. I regret that the State Department, the Commerce Department, the Agriculture Department, and other agencies concerned have not grasped the full significance of this program. Much remains to be done, and I shall continue to insist that we do it.

7. Disarmament: As a delegate to the United Nations I had a dual role on the issue of disarmament. Because of my work as chairman of the Senate's Special Disarmament Subcommittee and the extensive hearings which that subcommittee had held, I was asked to represent our U. N. delegation in disarmament discussions in New York.

It was interesting to compare the relative sense of urgency inside and outside the United States on the disarmament issue and related matters. My Senate subcommittee has held widespread hearings on all aspects of this complicated disarmament problem. We have found intense interest on the part of scientists, professors, and laymen in communities across the country. We have had important and sometimes startling testimony in the hearings which we have conducted in Washington; but, nevertheless, I should say in all fairness that I have not felt a tremendous sense of involvement or urgency on the part of Congress itself.

My experience at the U. N. convinced me that the intense concern on this question which I found in grassroots America is shared around the world. There was general acknowledgement of the difficulties, obstacles, and uncertainties involved in this challenging effort. But at the U. N. there was absolute insistence that the disarmament effort be persevered in. There was a preoccupation with the matter.

The issue of bomb tests and fallout dangers were uppermost in the minds of the majority of my fellow delegates to the United Nations. The hearings in Washington currently being held by the Joint Committee on Atomic Energy are now for the first time giving the American people an inkling of the kind of concern which I found at the U. N. months ago.

I must say in all frankness that our offical position on bomb tests is not a popular one abroad. It is fast becoming an unacceptable one. If we persist in it, we could easily find ourselves isolated and alone, with the Russians claiming cheap and false credit for being interested in ceasing tests while we are left in a militaristic posture with Admiral Strauss and his suspiciously reassuring arguments. This is highly serious business, and I for one do not intend to equivocate about it. I think we must press for an immediate agreement on the cessation of large H-bomb tests. Bomb tests above a certain magnitude, according to competent scientific evidence, can be monitored anywhere, and the agreement would be in this sense self-enforcing. The actions of the United States should set the pace, not bring up the rear. If we fail in our responsibility, others will do the same. Leadership imposes a responsibility to lead. America had better get on with the job on this issue of bomb testing in particular and disarmament in general.

This is all the more important at the moment because there are indications coming from the United Nations Disarmament Subcommittee in London that the Soviet leaders may have decided to take the whole arms control question more seriously. Certain pressures have exerted themselves on Soviet leaders inclining them to consider the possibility of serious negotiations. In part these pressures are:

1. Soviet awareness that new weapons are so destructive that in an allout war all nations, including their own, might perish;

2. Soviet recognition that neither external blandishments on the part of the U. S. S. R. nor internal dissension has resulted in the disintegration of NATO and other free world alliances. These remain intact and the Russians know that with our strength in Europe and with our bases located in key spots in the world we are prepared to help defend free countries against aggression, and if a Soviet attack is launched, we can respond with devastating counter attacks from many bases;

3. Soviet concern that the United States will achieve a ballistic missile that can reach the Soviet Union from overseas bases before the Soviet Union develops the intercontinental ballistic missile necessary to reach the United States from its territory;

4. Soviet realization of the danger that other nations, not now in possession of atomic weapons, may begin to develop nuclear weapons;

5. Soviet fear that uprisings of the peoples of Eastern Europe might bring about conflict with the United States and other Western nations;

6. Soviet concern over loss of prestige and acceptance due to their ruthless suppression of the revolt of the Hungarian people;

7. Soviet doubts about the reliability of satellite troops or even of their own troops;

8. Internal Soviet economic pressures resulting from a labor shortage, the high cost of modern armaments and the need for drastic reorganization of the Soviet economy.

While these pressures may combine to promote new interest in a limited arms agreement between the Soviet Union we should not expect the Soviet leaders to drop their imperialistic aims. On the contrary, we should expect them to continue and increase and emphasize all political, economic, and psychological competitions. The Kremlin may have decided against blowing the world to bits, but its strategy continues to stress picking up the world bit by bit.

Disarmament like many of the problems I have already mentioned is a tough and difficult one. We Americans have too often tended to believe that each defined problem carries with it a possible ready solution. We have had a certain complacency toward extremism, a persistent demand for total solutions, and an impatience that fails to consider our increasing necessity to accept the hazards and inconveniences of being a great power. To the extent that this is still true of us, we need to mature. Unless we do, we shall not be equipped for the complicated new challenges that will face us for perhaps the next generation.

I have just given you in a rather haphazard way some of my basic impressions from the United Nations. I could give you many more, for the U. N. represents in its personnel, its membership, and its agenda the best index we have to the problems presently tormenting people everywhere.

The United Nations should not be a strange place for an American who comes from a country built from different backgrounds, races, creeds, and national origins, or for a Minnesotan whose very State is a United Nations in miniature. The U. N. today costs us a little money, but our total annual share of the U. N. bill, including the specialized agencies is equal to what 10 hours of World War II cost us. And yet in the U. N. we have an instrument which not only gives us all of the opportunities to focus our attention on all of the problems which I have already mentioned, but it is an instrument which can chalk up to its credit the practical achievements of a large collective victory effort in Korea, the Declaration of Human Rights as a code for conduct for the rest of the century, and the atoms-for-peace proposal which can open up vistas of productive man-saving energy for the future and much more.

MIDDLE EAST

Let me now make an abrupt change of pace in order to give you the second report I promised you today. For a few minutes I should like to summarize my conclusions after an intensive 1 month, on-the-spot study of the Middle East. I have just returned from a visit to that part of the world in my capacity as chairman of the Senate Subcommittee on the Middle East. I spent several days each in Egypt, Israel, and Lebanon, and flew over much of the entire area. I talked to statesmen, politicians, church and welfare workers, soldiers, and refugees. Let me give you my frank analysis, distilled from many interviews and observations.

The foreign policy of the United States has failed to keep pace with our obligations and responsibilities in the Middle East.

In an area of the utmost strategic importance to ourselves and our allies, we have for too long pursued a policy of drift and improvisation.

We have confused our friends, and we have not retarded our enemies.

Without further delay, the United States must formulate and implement a policy which comprehends the dimensions of our role in the Middle East and which responds realistically to the needs and aspirations of the peoples of the region.

The fact is that we have been increasingly engaged in the Middle East since 1947 when the Truman doctrine committed us to halting the Soviet military menace to Greece and Turkey. Since then, as the British and French relinquished their positions inevitably we have inherited new responsibilities. But because we have shown no real initiative in dealing with the region's problems, we have also inherited the enmity and suspicion once directed toward the colonial powers and we have failed to build on the residue of goodwill they left in the region.

To put it bluntly, our policy has concerned itself too much with kings and oil, too little with people and water.

We have conceived of the security of our interests in the Middle East in terms of military pacts, arms agreements and advance bases, when it depends in fact on our ability to win the support and friendship of the region's 40 million people.

The Eisenhower doctrine has served an important purpose in notifying the Russians of where we stand. It can be a framework for a policy. But it cannot of itself undo the fact of Russian penetration in the Middle East or avert the danger of increasing Communist influence.

Only a policy which satisfies the demands of the peoples of the region for an improved standard of life in a decent social order can do this.

The United States, in other words, must now bolster the Eisenhower doctrine by a policy which comprehends and attacks the real causes of the social and political turmoil that threaten to destroy free world interests in the Middle East.

These are the realities with which such a policy must deal:

1. That since the 1955 arms deal with Egypt, the Soviet Union has been in the Middle East waging an all-out campaign to subvert the region with arms, propaganda, commercial missions, military technicians, and agents of every kind.

2. That the masses of the Middle East are in revolt against poverty, serfdom, ignorance, and disease.

3. That the legitimate aspirations of the Arab peoples are being diverted and exploited by Nasser and by the Communists into a xenophobia which fixes responsibility for every ill, fancied or real, on the imperialism of the West.

4. That the Arab refugee problem and the lack of Arab-Israel peace are being exploited by the Communists to their own advantage.

5. That the influence both of Nasser and of the Communists reaches out across national boundaries and over the heads of government to infect millions of people, with the result that the security of every Arab regime depends on the support of its army.

These are the political facts of life in the Middle East today. Whether we like them or not, we can no longer afford to ignore them.

The Middle East needs time to develop its resources for the benefit of its people. But the pressure for change, for social advance, for an end of poverty and ignorance will not wait for the region to mobilize and exploit its resources on its own. No country in the Middle East and certainly no Arab country has the experience or the skills and few the funds to stave off communism by pushing development on a scale and at a pace commensurate with the need. The area could be lost to the Communists without a single military move unless we place at its disposal the wealth of our experience and where necessary the funds required to step up the process of human rehabilitation and social progress.

The imperatives of an effective American policy, therefore, are:

First, to attack the basic causes of economic instability which lie in the deprivation of the masses;

Second, to remove the causes of political instability which lie in the rebellion against poverty, in the existence of 900,000 refugees whose hopelessness makes them readily susceptible to Communist agitation, and in the lack of peace between the Arab States and Israel.

It is of the utmost importance, however, to pursue these objectives without lending credence to Communist and Arab nationalist charges of imperialism. We must take cognizance of the importance of the nationalist psychology in the new states of the Arab world which insist upon self-expression, freedom from any kind of foreign domination and the right to work out their own destinies as independent nations. We need to cooperate not to dominate.

MIDDLE EAST DEVELOPMENT AGENCY

For this reason, as well as for many others, the idea of creating a Middle East Development Agency, composed of all the states in the region and in the Mediterranean area plus other states contributing to its capital, has much to commend it. Such an institution could be a decisive new element in the Middle Eastern situation and a catalytic agent which might precipitate solutions for many of the most vexing problems of the region.

Such a Development Agency could undertake projects itself, lend money to either private or public agencies, and participate in equity financing, in the manner of the International Finance Corporation. It could manage projects. It could carry on scientific research in such matters as soil fertility. It could make basic engineering surveys and contribute to the drawing up of overall regional development plans. Furthermore, it could carry on long-term technical assistance.

Its advantages would be political and psychological as well as economic.

It would divert the attention of Arab leaders from military adventures to internal economic development. Turning Arab energies into constructive channels would eventually lead to institutional and social changes, such as the growth of a middle class, which would have a beneficial and stabilizing influence.

It would provide a means of channeling Arab oil revenue into productive uses which would benefit the entire area, thus utilizing part of the presently existing hard-money resources of the Middle East for the financing of regional development.

It would be an international entity with which the states of the area could carry on bilateral negotiations and bilateral economic agreements.

It could aid in the solution of the Palestine-Arab refugee problem. The only long-term solution for the refugees is basic economic development, which will make it possible for the area to support more people at a higher standard of living.

It could encourage international acceptance of the Jordan River plan and similar development projects involving more than one state.

It could give technical assistance and supervised farm credit to farmers settling on new lands coming into production from the development of the Jordan, the Litani, the Tigris, the Euphrates, and the Nile.

The creation of a Middle East Development Agency in the terms here suggested would emphasize the fact that it is in the interests of all concerned to move from intraregional feuding to intraregional cooperation for development.

Most important, perhaps, such an agency would encourage a regional approach to the problems of Middle East development. Isolated projects here and there, financed by bilateral aid from the United States, obviously offer no real answer to the needs of the region. Even a cursory look at its resources reveals the absolute economic interdependence of the states of the area and the necessity of intraregional cooperation. All of the region's major rivers, for example—the Tigris, the Euphrates, the Jordan and the Nile—flow through more than one state. Their development for irrigation and power depends on agreement between the states concerned. Oil produced in Saudi Arabia and Iraq must be transported to market across the territory or through ports controlled by other states of the region. Industrial development hinges upon the opening of mutual markets, a freerer exchange of goods among the several countries of the region as well as trade with the rest of the world. The essential patterns of regional cooperation and development cannot be produced by a series of bilateral arrangements with the several nations of the area.

PEACE

The lack of peace between the Israel and Arab States is still a major source of tension and political unrest in the region, forcing the states of the area to divert funds which could be used for human welfare to nonproductive military purposes. American policy should maintain a constant and unrelenting pressure on all of the states of the region to resolve this conflict once and for all through direct negotiations through an intermediary such as a U. N. Good Offices Commission. Not since 1952 has the United States, either in or out of the United Nations, made a determined effort to bring about a peace discussion between the parties. Not even the recent crisis was utilized persistently to press for peace objectives in the region. After 10 years of temporizing with this situation, it is time to insist that the nations involved come to terms—and the only way of producing a settlement acceptable to both sides, and therefore durable, is by insisting that they reach a settlement themselves.

REFUGEES

Nor can the United States or the West afford to temporize further with the problem of Arab refugees.

Living on a bare subsistence level in wretched camps maintained by the United Nations, rootless, jobless, disillusioned, and embittered, these hapless people, now nearly over 900,000 strong, are a challenge to the conscience of humanity.

The refugee camps have become hotbeds of political intrigues deliberately fomented by Communist and anti-Western Arab agitators. They are breeding grounds of hatred for the United States and sources of political instability for the countries that harbor them.

Half of the refugees are now under 15 years old, a fact of tremendous significance in terms of an ultimate solution of this problem. It means that, despite the clamor of professional refugee leaders for a return to Palestine and the insistence of the Arab Governments on repatriation of all to their former homes, half of the refugees have in fact no roots in Palestine at all. They were either less than 5 years old when they left that country, or were born in the refugee camps in Arab States. To return them now to an alien society they have been taught to despise would be as unthinkable as abandoning them to nature in the appalling atmosphere of hopelessness which pervades the refugee camps. The destiny of these young Arabs clearly lies in the opportunity for a productive and self-reliant life in an Arab environment and culture.

Since the responsibility for creating the Arab refugee problem derives from the Palestine War and the United Nations Partition Resolution, the world community must share the blame for letting the problem go unsolved for 10 long years. In the United Nations we have salved our conscience by contributing to the support of these unhappy people without coming to grips with the real problem of assuring them the opportunity for a decent way of life. It is high time that the United States took the initiative in and out of the United Nations to bring about a final and effective solution of the problem.

The facts of the situation themselves point to the only possible solution—the provision of permanent homes and decent livelihoods in the Arab States for the vast majority and a recognition and willingness by Israel to accept and repatriate a limited number on a yearly quota basis.

Iraq is desperately short of people. Rich in resources of oil, land, and water, Iraq needs additional population to exploit its potential productive capacity. Experts estimate that the country could absorb at least 3 million, and perhaps as many as 5 million additional people. Iraq, moreover, has shown a disposition to accept immigrants from the refugee population. Five thousand have already been taken in without any appeal for United Nations assistance by the Government of Iraq. With help from the international community to defray costs of resettlement, the entire refugee population could readily be absorbed in that country alone, with benefit to the indigenous population.

Syria, while less richly endowed with natural resources, is also underpopulated. With some help, it could assimilate a substantial number of refugees with benefits to itself.

As many as 200,000 of the refugees could be settled in the Jordan Valley if the proposal advanced by the United States for developing the Jordan River Valley were accepted by the Arab States. Syria's objection, based on its determination to retard Israel's progress even at heavy cost to itself and Jordan, is all that holds the project up.

The fact is that the Arab States have for 10 years used the Palestinian refugees as political hostages in their struggle with Israel. As a matter of concerted policy, these people have been kept penned up in the camps in conditions of wretched hopelessness in order to embarrass Israel before the eyes of the world. While Arab delegates have shed crocodile tears in the United Nations over the plight of their brothers in the refugee camps, nothing has been done to promote a final settlement lest political leverage over Israel be lost.

This is not to say that Israel has no responsibility for cooperating in an ultimate solution of the problem. The Government of Israel has already disclosed its willingness to compensate the refugees for property left in former Palestine; the United States has offered to lend Israel the money. All that is necessary is to set up the machinery and establish the procedures under which just compensation would be paid.

Repatriation of all, or even a large number, of the refugees by Israel, on the other hand, is no longer possible. In the first place, Israel has accepted and settled some

900,000 immigrants, half of whom were in fact refugees from Arab States where repressive measures have made their lives intolerable. Furthermore, surrounded by nations which insist upon exercising rights of beligerency against her, it would be suicidal for Israel to admit a large group of immigrants whose whole indoctrination for the past 10 years has been one of hatred for the Jewish State. To do so would be to establish a fifth column inside the country. Finally, from the viewpoint of the refugees themselves, repatriation to Israel would result in bitter disillusionment. They would necessarily have to live in a society foreign to their own background and culture and assume all the obligations of citizenship in a state which they have been taught to despise.

Nevertheless, as Prime Minister David Ben-Gurion told me, the Government of Israel would be prepared, in the context of a general settlement of the problem, to admit a limited number of refugees who would pledge to become constructive and productive Israeli citizens and not subversives. Hence Israel should be willing to recognize the principle of repatriation, provided that principle is implemented only by token numbers of refugees, perhaps admissible on a quota basis.

All of these things should be carefully explored by a new United Nations Good Offices Commission. It should be the duty of this Commission to press unremittingly for a breakthrough on this critical refugee problem.

As we look at the whole Middle Eastern situation, it seems to me that it has been clear for some time that the only realistic basis for an effective American policy toward the Middle East is one which rests on the following assumptions:

1. That Israel is an integral part of the region and is there to stay;

2. That the 1949 armistice boundaries constitute inviolable political boundaries subject to change only by the joint agreement of the states concerned;

3. That resettlement in Arab lands, with compensation for property left in Palestine, is in fact the only effective and realistic way of solving the Arab refugee problem;

4. That the stability and security of the region demands an early settlement of the Arab-Israel conflict.

But these basic premises of any reasonable American approach toward the Middle East have been obscured by a policy characterized by ambivalence, vacillation, and expediency. We have, in fact, often encouraged opposite suppositions. It would be healthy both in terms of our relations with the region and in terms of our relations with the Soviet Union now to reassert and reemphasize the fact that this is where we stand.

By moving simultaneously toward regional development and social progress, toward a final disposition of the refugee problem and toward a negotiated Arab-Israel peace, we can make our position unequivocably clear.

When we have done that, we will be better understood, and therefore better liked and trusted by the people and the natives of the Middle East.

In the context of a clear and positive policy, there are many other steps which can be taken to improve understanding between ourselves and the people of the Middle East.

1. We should improve the signal of the Voice of America. In an area which is 80 percent illiterate, Radio Cairo, Radio Damascus, and Radio Tashkent put forward a Nasser, and/or Communist line, and are heard and believed by millions. Our Voice of America does not begin to reach this vast audience, nor is its program geared to meet the realities of the present situation.

2. We need more conferences on a regional level by American Foreign Service personnel in the Middle East. Not only do we need more frequent conferences between American Ambassadors assigned to the Middle East countries, but we need similar conferences for second- and third-level personnel. This is the best way I know to broaden viewpoints and to save our own Foreign Service personnel from the dangers of overzealous advocacy in the interests of the particular country to which they are assigned.

3. We should enlarge the exchange of our military personnel. The military plays a role in the Middle East which is perhaps larger than any other single element in the society. We should not overlook the role which American military, naval and air training schools can play in the general picture. Incidentally, I was shocked to learn that Israel is not included in our military exchange program. I have recommended to the Secretary of State that Israel be included and I am told that plans are now underway.

4. We must increase the ordinary student exchange between the United States and the Middle East. American-sponsored colleges and universities in Beirut, Cairo, Tel Aviv, and Jerusalem are positive and constructive forces for freedom and progress. They are in desperate need of new sources of endowment. Their situation could be eased by a new injection of American public and private funds for faculty and student scholarships and facilities assistance.

5. We should do much more to encourage the operation of voluntary agencies like CARE. I was startled to discover in Egypt that CARE has been deprived of access to our food surplus storage despite the need in Egypt following the British and French attack.

This leads me to a sixth and final point which is perhaps the most important single recommendation I would make following my survey in the Middle East.

6. Food is the common denominator of international life. Food and fiber are a great potential force for freedom today. It can be an active instrument of our foreign policy.

I am convinced that our official policy at the moment is far too shortsighted. A disservice has been done to the American people by creating the impression that our abundance is just an unwanted problem instead of a blessing.

I know from what I have seen that American food and fiber are vital to the very existence of thousands of undernourished people in the Middle East—the brightest ray of hope for building stronger economies and greater political stability in most of the countries I visited.

I wish every Minnesota farmer who has been told he must drastically cut down his production could have walked with me through the Palestinian refugee camps in Lebanon, the orphanages in Greece, or among the masses of unemployed huddled in shanty towns in Spain. I wish they could have seen the young hands outstretched for food, and heard the appeals for milk from haggard and worried mothers.

More of our food and fiber can be marketed for foreign currencies if we expand and extend Public Law 480. Here is an area for positive progressive action and one which vitally affects the people of Minnesota. When I return to Washington on Monday, I shall open 3 weeks of hearings on this particular problem—the expansion and extension of Public Law 480. The possibilities are enormous and I intend to do something about it.

And, now let me conclude.

One of my most cherished friends at the United Nations was the great Foreign Minister of Lebanon, Dr. Charles Malik. I had a long and rewarding visit with this world statesman in Beirut only a few weeks ago. He is a sincere and devoted friend of the West and has been heavily criticized for it by some of his fellow countrymen. Dr. Malik once wrote:

"If the habits and institutions of the West are not adapted for the production of a ringing message, full of content and truth, satisfying the mind, appealing to the heart, firing the will, a message on which one can stake his life, then in the present world the West cannot lead. The world prefers a false prophet to no prophet at all. Leadership must pass to others, no matter how perverted.

Dr. Malik continued: "If your only export * * * is the silent example of flourishing political institutions and happy human relations, you cannot lead. If your only export is a distant reputation for wealth and prosperity and order, you cannot lead. Nor can you really lead if you send forth to others only expert advice and technical assistance. To be able to lead and save yourself and others, you must above everything else address their mind and soul. Your tradition, rooted in the glorious Greco-Roman-Hebrew-Christian human outlook, supplies all the necessary basis for leadership. All you have to do is to be the deepest you already are."

How completely I agree with Dr. Malik. Whatever may be the weakness and shortcomings of this Nation, let us hope that we still have one saving glory: the liberal and liberalizing faith that there is more of compassion than of cruelty in this land; more of generosity than selfishness; more of faith than fear.

If this Nation can show the world a way to eradicate the shame and scandal of poverty, of exploitation, of oppression, of greed, without resort to violent revolution and class struggle and dictatorship; if we can place these material values in their proper subordinate place within the context of a mighty spiritual movement which will be revolutionary without being subversive, which will draw its substance from the riches of the Western tradition, then our faith will not have failed us.

Friends, if these things are not the elements of the liberal tradition to which this conference and our Democrat-Farmer-Labor Party is dedicated, then I do not know what those elements are. If I were not sure that these are the ultimate and indispensable underpinnings of American policy, I would not feel that we would be entitled to have much hope for the future. As it is, I do.

THE REPUBLIC OF PERU

Mr. MANSFIELD. Mr. President, in the Christian Science Monitor for June 1 and June 3, 1957, there appeared two articles relative to the present situation in Peru. One of the articles has to do with the contributions made by Dr. Pedro Beltran, owner and editor of La Prensa, which is published in Lima.

Dr. Beltran is one of the hemisphere's great democrats. The Americas—North and South—can well be proud of this man for his courage, his understanding, and his tolerance. As a newspaperman, he is trying to bring the truth to his people, and, as a Peruvian of the first water, he has tried to bring about reforms to keep his country on an even economic and political keel. It is hoped that Mr. Beltran and the present President of the Republic of Peru, Dr. Prado, will have success in their efforts. It is my opinion that the Government of Peru at the present time is operating on a democratic basis. As one who has visited there in recent months, I want to report to the Senate how tremendously I was impressed with both the country and its people. We are indeed

a fortunate people that the Peruvians call us friends.

So far as investments from overseas is concerned, the Government of Peru has welcomed American capital and has welcomed it from other sources on a reasonable and fair basis and in a way which will accrue to the benefit of the Peruvian economy.

I ask unanimous consent that the two articles to which I have made reference may be incorporated in the RECORD at this point in my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor of June 1, 1957]

EDITOR SPARKS PERU'S PENAL REFORM

(By Robert M. Hallett)

LIMA, PERU.—One way to reform a penal system is to send newspapermen to jail.

That is what Peru found out anyway. Largely as the result of the imprisonment of Dr. Pedro Beltran, owner and editor, and other members of the staff of La Prensa during the Odría regime, fundamental changes in the physical plant and operations of the penal system here are planned.

Although Dr. Beltran, one of the most influential publishers here, had been personally close to Gen. Manuel Odría when he came to power, he broke sharply with him when the general began to become more and more totalitarian. Toward the end of the regime the paper was the most outspoken foe of the regime.

Its constant criticism began getting under the skin of the regime. One midnight about a year ago the downtown block in which this morning paper is published was besieged by a small army of police. Unable to get past the newspaper's iron gates, the police lobbed tear gas shells into the plant.

Dr. Beltran and other members of his staff withdrew into the interior of the building. The police then brought firemen to the scene in the hope of using their ladders to invade the upper stories. The firemen refused to be a party to this and withdrew.

ANTHEM CHECKED POLICE

Finally the policemen broke a window in the plant and poured into the building. The final recourse of the editor and his staff was to sing the national anthem which forced the police to stand at attention. After about a half hour of this, however, their voices gave out.

The only orders the police had were to arrest Dr. Beltran. But other members of the staff who had gathered around him defensively refused to let him go alone.

Thereafter, typesetters, doormen, machinists, and writers walked in a group down the stairs and through the streets to the penitentiary. In the early hours of the morning Dr. Beltran and some of his associates were taken in a tug to El Fronton, an infamous island for prisoners that juts rocklike out of the harbor of Callao, Lima's port.

The island was a penal colony not only for hardened criminals but also for those arrested for making a political nuisance of themselves or those being held for trial. In Peru the number in the latter category is many times higher than those already sentenced. This leads to terrific congestion in the jails.

FILTHY AND CRAMPED

Dr. Beltran was taken to a large room with a broken cement floor covered with cockroaches. There was only one table. The food was terrible. And for 50 persons in the room there were only 12 mattresses.

They had to sleep in shifts cramped together on the mattresses as best they could. There were no showers, no sanitary facilities. And at times the water supply, which was carted from the mainland, ran out.

Political prisoners were allowed virtual freedom of the island. To reinforce the almost medieval atmosphere the guards on the island carried woven leather whips to maintain discipline.

Walking about the island Dr. Beltran and others had an opportunity to see how the regular criminal prisoners were treated. In one part were the "solitary" cells about 5 by 8 feet with only one tiny window which faced on an outcropping of rock. The cells had no facilities. Some did not contain even mattresses. The men never were allowed out of those cells—sometimes for as long as 3 months.

Dr. Beltran and other political prisoners who were able to have food sent in from the outside sometimes shared it with these unfortunate prisoners.

ON ISLAND 4 WEEKS

The publisher was kept on the island for 4 weeks. Many of his associates were let go much earlier.

Meanwhile, the imprisonment of this prominent man had sounded alarms in editorial rooms throughout the hemisphere. The Inter-American Press Association kept up a constant barrage of propaganda against the regime for jailing the publisher. Dr. Beltran attributes his release to this international pressure.

While Dr. Beltran was in prison, the regime told his wife, a native of California, and La Prensa editors it would not prevent the paper from coming out but that censorship would be imposed. The editors refused to accept censorship, and finally the government backed down and let it appear without censorship even before the editor was released.

After his release Dr. Beltran's main preoccupation for some time was with elections which were held last June. However, some time later a mutiny broke out on El Fronton, and La Prensa jumped into the issue, exposing conditions there in detail.

MAJOR REVAMPING DUE

On May 21 Augusto Thorndike, Justice Minister, visited El Fronton and announced major revamping of the prisons which will be presented to Congress. Other minor reforms in the practices at El Fronton and other jails have been introduced already.

Every man at El Fronton will have his own cot and mattress. Food conditions are being improved. Sanitary facilities have been installed. Adequate water is guaranteed.

In addition, it is proposed that 150 million soles ($1 equals about 19 soles) be spent to build new penitentiaries in Lima and elsewhere. Conjugal visits will be allowed and 1 day's "vacation" a week will be given the well behaved.

With reform of the civil code and penal procedures the Justice Minister believes Peru may have one of the best penal systems in the world rather than one of the worst.

[From the Christian Science Monitor of June 3, 1957]

MILITARY POWER IN BACKGROUND: PERU CONTINUES EXPERIMENT IN DEMOCRATIC GOVERNMENT

(By Robert M. Hallett)

LIMA, PERU.—Last July the Peruvian Congress and President declared Peru a democracy by act of Congress; and another dictator, Gen. Manuel Odría, went into the discard.

Almost a year later Peru is still functioning as a democracy, which is encouraging not only to its own people but to those of other countries in the hemisphere as well. But the roots of free government do not run deep in this country of sunbaked deserts, cold and barren altiplanos, and low-lying jungles.

The Inca Empire which centered in Cuzco, Peru, was a benevolent dictatorship. Spanish colonial control brooked no opposition, and after the country won its independence dictatorship and military rule have been the custom.

Democracy is a comparatively new experience for Peruvians. And for the most part they seem extremely pleased with it.

But there are forces in the country that threaten these free new institutions. Major mistakes by the regime of President Prado could bring back military control of the country.

By the same token a sane stable rule by the constitutional government could set a precedent that might be difficult for an ambitious military man to break.

So in effect Peru's democracy is on trial.

COOPERATION WITH LEFT

Dr. Prado, a traditional Peruvian conservative, who has, however, been sticking pretty much to the middle of the road, has been governing under a "convivencia" or collaboration with the Apristas, left-wing party. The military has a deep distrust of the Apristas. Should the regime give them too much power, ultraconservative forces and the military might once again lower the boom.

This happened once before. In the mid-1940's the Bustamante regime, another era of democratic experimentation, gave what other elements in the body politic considered too much power to the Apra. Result: General Odría came to power in a conservative-army reaction against this in 1948. Apra was outlawed.

Behind the scene today the military is still the strongest political force. It gained much respect with the people by permitting free elections last year and keeping hands off since that time.

Dr. Prado apparently knows he is walking a tight rope between left and right. He knows just about how far he can go in working with the left before the military step in.

CAUTIOUS PROGRESS

While left-of-center groups do not consider the present government sufficiently revolutionary in program, the President and his party (Peruvian Democratic Party) are giving some indications of moving forward cautiously.

The President set up a commission representing all political colorations to study plans to improve housing of the poor and to initiate a program of agrarian reform. The report on housing is about to be submitted to the President.

Dr. Pedro Beltran, publisher of La Prensa and head of the commission, has gone to Rome to study agrarian land reform in that country and elsewhere.

Manuel Cisneros, foreign minister and head of the President's party, said that the main purpose of the regime is to firmly plant democracy in the country. Each day it becomes more difficult for an ambitious military man to gain power, he said.

The Prado forces in Congress are usually backed not only by the Apristas, many of whom ran as independents in the elections, but also by the National Unification Party which represents the rightist elements in the country. In addition, the Christian Democrats, a small party making some headway here, sometimes vote with, sometimes against, the regime.

BLUNDERS ADMITTED

The Apristas have learned much since 1948 when they were suppressed. Prior thereto, Apra leaders were extremely immature and admittedly blundered by trying to rush the country too fast toward reform, about the details of which they were not entirely in agreement themselves.

Now Apra leaders are older and apparently wiser. They know they cannot push too fast, which explains their willingness to work with the regime. The difficulty is that while the leaders know this, there are elements among the lower echelons of the party that are as eager as ever for prompt reform in a country which has been ruled traditionally, both economically and politically, by a few hundred privileged families.

The more aggressive sectors of the party believe the convivencia with the government alines them with these traditional conservative ruling groups and against progress. Also they question what value the agreement (which the Prado people deny is a formal pact) has for their party. They hold no Cabinet seats.

However, the party, illegal under General Odría, has been given legal status and some minor patronage by the regime in return for its support in the elections and in Congress.

An Apra convention in June will prove whether the leadership is strong enough to stay in power or whether the "Young Turks" will have their way. It is expected that the leadership will prevail.

Since the Apra as a party was not able to participate openly in the 1956 elections there has been no relative test of the party's strength. Some Peruvians feel it has lost a considerable amount of its force over the long years of suppression.

And there is another leftist group that has come up rapidly in the country. This is Acción Popular, party of Fernando Belaúnde Terry. Some believe this group, because of the dynamic leadership of Señor Belaúnde, an architect, has taken over much of Aprista strength.

After a whirlwind campaign, Señor Belaúnde came within 100,000 votes of winning the presidency last year. The Belaundistas and the Apra have somewhat similar aims. Each seeks a fundamental revolution in the way of life of Peru.

Each wants to lessen the role of the small clique of wealthy families who have ruled the country for decades. Both seek to improve the lot of the Indian and the humbler classes of society.

SLOGANS WAVED

Apra was born in the post-World War I ferment when communism was a challenging new concept. While the party has long since turned against communism (it claims it is today communism's No. 1 foe in Peru) it still retains in its program issues like inter-Americanization of the Panama Canal, action against imperialism, and solidarity with oppressed peoples throughout the world. It was originally intended to be an international movement. It did not catch on outside of Peru to any major extent.

The Belaundistas reject all international slogans of the Apristas and focus on national matters. One of the main points made by Señor Belaúnde is that Peru needs a revolution in credit. His point is that the humbler citizen has no means of getting money from banks or insurance companies to do business or better his farm output or housing under the present setup in the country.

The savings of the people must be put to social use as they are in the United States through savings and loan associations and life insurance company investments in housing, Dr. Belaúnde says.

Future elections will provide a real test between the Acción Popular and the Aprista forces.

Despite differences among the various politicians in the country there is still a feeling on the part of the majority that Peru has entered a new democratic period which must be defended at all costs.

"The differences that we have with the government do not mean we are in favor of new military coups," one Christian Democratic leader said. "My party has criticised severely some measures of the government but we believe firmly in democracy. All other objectives must be subordinated to this."

INDEPENDENT AIRLINES ASSOCIATION

Mr. SPARKMAN. Mr. President, a significant development recently occurred in the air transportation industry. The independent airlines—the rugged veterans of the Berlin, Korean, and Hungarian refugee airlifts—have joined together in one association for greater efficiency in the industry and greater service to the country. The name of the association is the Independent Airlines Association. I am happy to note that Jesse F. Stallings, of Nashville, Tenn., a graduate of the University of Alabama, and the son of a former Representative in Congress from Alabama, has been elected president of the association.

The independents are the small business element of the airline industry. Formerly known as the nonscheduled lines, they have recently been officially designated by the Civil Aeronautics Board as supplemental air carriers. These airlines get no subsidy, and they ask for none. They are willing and able to fly anywhere at any time in service to the general public or the military. They are an essential element of the Nation's reserve airlift for use in case of national emergency.

Restricted as to the amount of civilian common carriage business they may do, the independents have developed the market for peacetime transportation of military personnel. They have not always been met with cordiality at the Pentagon. I urge the Military Traffic Management Agency to look upon this Independent Airlines Association as a partner in swift, safe, and economical transportation of military personnel, and to make greater use of their services than they have in the past. The Military Air Transport Service should be guided by the same principles in contracting for commercial transportation.

The independent airlines will produce even greater economies to the military now that the recent 15 percent fare increase to the eastern railroads will, according to a recent article in the Washington Post, raise the military's rail transportation bill by $40 million in 1 year.

So on the occasion of this organization's creation, bringing together the carriers of the Aircoach Transport Association and the Independent Military Air Transport Association, I offer congratulations and best wishes for long service as a plowshare of peace and, if necessary, a sword of war.

GAS-RATE CONTROL

THE PHONY STANDARD OF SO-CALLED REASONABLE MARKET PRICE IN GAS-RATE CONTROL

Mr. WILEY. Mr. President, very shortly, apparently, the House Interstate Commerce Committee may commit the unfortunate error of reporting favorably on the Harris bill, H. R. 6790.

The net effect of this bill will be to cause an inflationary price rise in the natural-gas rates as paid by 30 million American consumers.

It is most unfortunate that the administration has not seen its way clear to oppose this dangerous proposed legislation.

I say very frankly that it is strangely self-contradictory for an administration which contends that it is opposing inflation to recommend and to support so inflationary a bill. It is a bill which will probably boost prices for consumers and industry more drastically than virtually any other piece of legislation which will be enacted during the 85th Congress.

ADMINISTRATION WITHDREW TWO AMENDMENTS

Even the two feeble amendments which the administration had previously favored in order to provide some potential protection to the consumers have now virtually been withdrawn. So, the consumer is left utterly unprotected.

The bill, as it now stands, is, I say in all candor, a work of deception.

THE FALSITY OF THE BILL'S SO-CALLED YARDSTICK

It purports to provide so-called controls. Actually, it offers no such thing. The so-called reasonable market price which it sets as a standard is really no standard at all. It will be virtually impossible for the Federal Power Commission to effectively regulate gas rates on the basis of such a fuzzy and unenforceable standard.

This is particularly so, because the Federal Power Commission has shown itself to be no friend of the consumer.

With the Commission's present composition, it is clear that nothing short of a strong public-utility-type formula for rate control on the statute books will suffice to protect the consumer.

MONITOR EDITORIAL CONDEMNS BILL

I ask unanimous consent that the text of a legal memorandum analyzing the meaninglessness of so-called reasonable market price be printed at this point in the body of the RECORD, to be preceded by a recent Christian Science Monitor editorial on the same general subject.

There being no objection, the editorial and memorandum were ordered to be printed in the RECORD, as follows:

GAS AND COMPETITION

When President Eisenhower vetoed the bill for freeing natural-gas producers from Federal price control he did so because of arrogant lobbying employed to obtain its enactment. He said then he favored the general purpose of the bill. And he has now withdrawn even the suggestion for amendment he made last year. Today he sees as unnecessary any provision to let the Federal Power Commission look into costs of production.

Without more evidence of effective competition we are unable to share his confidence that in such case consumers would be adequately protected. Gas producers make a strong point in contending that they do not occupy such a monopoly position as most suppliers of electricity—which has led to close regulation. But they are inaccurate in saying they are like coal producers. For the consumer of gas has to buy from one supplier. At the consuming end monopoly does prevail.

For this reason the FPC has authority to regulate prices charged by distributors. But distributors declare that their prices are eventually determined by what they pay producers. This means that the producer really sets the consumer's price. Just how much competition exists among producers is not clear. Some of them are giant oil companies with their own pipelines.

In two respects an open market situation does not govern: The householder who has installed gas-using equipment cannot easily shift to avoid a gas price rise; the pipeline that has built feeders to a certain producer's wells cannot easily shift if he boosts the price.

Billions are at stake in this legislation and Congress should not plump for it until sure it is fair to both ends of the pipeline.

A LEGAL ANALYSIS OF H. R. 6790, 85TH CONGRESS, 1ST SESSION (HARRIS BILL)

First, let us see what the bill purports to do; then, let us see how the criteria for control as set forth in the bill, are utterly useless and unenforcible.

BREAKDOWN OF THE BILL

The bills under consideration purport to prescribe the following controls:

Producers as such are exempted (sec. 2 (a), p. 2).

Jurisdiction is retained over prices in contracts.

New contracts: Indefinite price clauses are prohibited in new contracts (13A (a), p. 5).

Definite price clauses, including those with specific increases at definite intervals and negotiation clauses (sec. 3 (13), (14), (15), pp. 4–5), are permitted in new contracts but may be opposed by utilities, cities, etc. (sec. 13B (2), p. 6). If found by the Commission to be in excess of reasonable market price then contracts containing such clauses are void (sec. 13A (f), p. 9).

Existing contracts are validated (sec. 5 (a) (b), p. 19), except an indefinite price clause which, at the date of enactment of the new law, is subject to a proceeding instituted by the Commission, section 4 (e), or by some other party, section 5 (a), or is the result of renegotiation of an existing contract, or is a proceeding subject to court review (sec. 5 (a) (b), pp. 19–20). Even these clauses will be valid if the price does not exceed the reasonable market price (sec. 5 (d) (e), p. 21). The Eisenhower administration had recommended that all price clauses in existing contracts be subject to regulation, i. e., not in excess of the reasonable market price.

Pipelines: These remain subject to regulation except that the companies will be allowed to charge a reasonable market price for gas produced by them or purchased from an affiliate (sec. 13 (F), p. 17). This reverses the *City of Detroit* decision. (*City of Detroit* v. *FPC* (230 F. 2d 810 (CA DC 1955)), and will result in millions of dollars being given pipelines for their own produced gas—a windfall which the court of appeals reversed and remanded in the City of Detroit case.

Determination of reasonable market price (sec. 13C): After listing a number of factors (including the current level of field prices) that the Commission shall consider, the law expressly provides that the reasonable market price is not necessarily any one of those considerations. Thus, in the final analysis, the FPC will be at liberty to determine a price without any specific objective standard. In short, the only objective evidence of reasonable market price will be market price.

REASONING IN A CIRCLE

There is no effective regulation in the Harris bill since the criterion which the Federal Power Commission is to use in arriving at a price for gas is to be a reasonable market price. The rate formula of reasonable market price involves reasoning in a circle and cannot be an effective regulatory standard. It must necessarily be vague, indefinite and under the conditions and in the circumstances in which the producer segments fits into the economy of the Natural Gas Industry it is a negative definition of reasonable market price in section 13 (C) (4) of the bill.

The regulatory formula established by this bill would require the Commission to use price to find price or in other words it would be starting with what it must find. (See *Federal Power Commission* v. *Hope Natural Gas Company* (320 U. S. 591) wherein Mr. Justice Douglas set forth the same infirmity which was inherent in the fair value theory of rate fixing previous to the Hope case.)

Actually price is being made to depend upon price when price is the end product sought. Of what possible consequence is the price charged by Phillips Petroleum Co. with respect to Sinclair Oil prices or of Humble's oil prices? Actually, there is none. Yet, this is precisely what will occur in practice should this bill become law.

USELESS CRITERIA

To show the ridiculousness of the provisions of section 13 C (2) and 13 C (3) it is only necessary to set them forth. First the Commission must consider whether the price of gas as determined by it will assure to consumers of natural gas a continuing adequate supply thereof. The Commission can do nothing which will increase deposits of gas. This claimed principle is not an objective standard but it is merely a suggestive one and the producers are actually the only ones who can tell what this price will be. Furthermore, it seems elemental that the only objective standard which would be conducive to the encouragement of exploration and development is the standard of fixing rates geared to the recovery of cost and profit.

Secondly, the second stated criteria or principle which the Commission must consider under the bill is "whether the contract price was arrived at competitively and at arms-length bargaining." Such a criterion is absolutely impossible of determination. Under regulation the pipelines recoup whatever price they pay. Therefore, they are only interested in the gas, not the price. Furthermore, how is the Commission to ascertain whether or not there is arms-length bargaining? Certainly, neither party would be willing to say that there was not arms-length bargaining and it places the intervenors and the Commission in an impossible position.

The third criteria "the reasonableness of all the provisions of the contract in that they relate to prices under definite pricing clause" also lacks any standards.

Further, the criterion in section 13 C (2) subparagraphs (d) and (e) requires the Commission to consider the quality of the natural gas being purchased and the conditions of delivery. This is practically impossible of determination. All that the Commission can do along this line is determine a reasonable price under some as yet unknown standard and by a process of comparison fix a different price if the quality of the gas and conditions of delivery were different. It would be an impossible task to undertake such a study and the Commission has neither the staff nor the time to engage in such a procedure.

However, the vagueness of the bill is set forth clearly in section 13 C (4) which states as follows:

"(4) The reasonable market price is not necessarily the price of the last sale, the highest price, the lowest price, the weighted highest price, the average field price, or other price arrived at by the mechanical application of a single criterion. Instead, it is a price which the Commission, exercising its judgment and discretion in weighing, among other things directly relevant to the issue, all factors enumerated above, determines is the reasonable market price."

IF ONE PRICE GOES UP, ALL GO UP

It is clear the Commission is not bound by any criteria as is shown by the usage of the words not necessarily. Since they cannot use cost, that is, they are specifically precluded from doing so and they cannot use a traditional rate-base method and if the price to be used is not necessarily any of the things which are set forth then the only conclusion that one can come to is that it is going to be that price which is presently the going price in the field.

As one price goes up in the field all prices will of necessity go up in the field since the reasonable market price will be the last price which any person has paid in that particular field. Consequently, this bill will merely permit companies to charge and in fact force the Federal Power Commission to grant the highest price in the field or the price the market will bear.

ADMISSION OF CERTAIN REFUGEE ORPHANS TO THE UNITED STATES

Mr. NEUBERGER. Mr. President, last January I introduced proposed legislation to admit to the United States up to 10,000 orphans who had been or will be adopted by American families. I was given assurances that this humanitarian and noncontroversial bill would receive prompt consideration by the Congress, so that orphan children adopted by American families could promptly enter our country. To date no action has been taken or scheduled by the appropriate Senate Committee.

At the present time the only way by which adopted orphan children can enter the United States is through the enactment of private legislation in each specific case. This private legislation is time-consuming and costly, and interferes with the regular work of Congress. I have been advised by the staff of the Senate Immigration Subcommittee that a goodly portion of all the private immigration bills deal with orphan children who have been adopted by American families.

Mr. President, the Refugee Relief Act of 1953 provided for the admission of 4,000 orphan children, under the age of 10, who had been or will be adopted by American families. This legislation expired at the end of 1956, and the quota was used up by last October. The President directed the Attorney General and the Secretary of State to admit orphan children under the emergency parole procedures of the Immigration and Nationality Act and to parole them to their adoptive parents. Over 800 adopted orphan children were admitted under this procedure which expired, by executive order, last January 31. Since that time, the only way adopted children of American families could be admitted is through the private bill routine.

Mr. President, I should like to call to the attention of the Senate the dreadful plight of many hundreds of mixed-blood orphan children in Okinawa, Japan, and Korea. These mixed-blood children, fathered by American and other United Nations military personnel, are shunted aside by people of their country and are heavily discriminated against in countries which are poor and overpopulated.

Many children already adopted by American families will die this summer unless Congress takes prompt action for

the admission of these children. Due to inadequate food and water, summer heat, and lack of medicines, these undernourished children may not live through the summer.

Mr. President, I have been advised by the Immigration and Naturalization Service that more than 321 private bills have been introduced in the Congress to admit 381 children already adopted by American families. I do not believe that we want the death of some of these children on our conscience.

Last week I told the Senate of a most pressing military aspect of this problem, namely, that many military families stationed abroad have adopted orphan children and these children have become a part of the family. When the military family is due to be rotated to the United States they are unable to bring their children with them. This aspect of the problem is receiving most careful consideration from the Department of Defense, and I understand that there are many hundreds of families so involved.

Mr. President, I ask unanimous consent to have printed at this point in my remarks an excellent letter which appeared in the Letters-to-the-Editor column of the New York Times of June 9, 1957. This letter is written by the noted humanitarian and Nobel prize winner, Pearl S. Buck, and sums up the status of orphan legislation, and very movingly calls for prompt action by the Congress.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

ENTRY FOR ORPHANS URGED—DELAY IN ACTION ON BILLS ADMITTING MIXED-BLOOD CHILDREN QUERIED

(EDITOR'S NOTE.—The writer of the following letter, novelist and Nobel prize winner, is president of Welcome House, an adoption center for American-Asian children.)

To the EDITOR OF THE NEW YORK TIMES:

The most needy children in the world today are some thousands of mixed-blood orphans left behind by occupation forces in Korea, Japan, and Okinawa. There numbers are unknown and others are still being born.

The onus of being the children of conquerors lies heavily upon their innocent shoulders. The onus of being half-white lies still more heavily. They are discriminated against in countries already poor and overpopulated. In cultures where it is difficult, if not impossible, to find jobs except under the sponsorship of family, they will have no families to help them as they reach adolescence.

Yet to their plight the American public has remained indifferent, although most of them are fathered by American men. As these children grow into displaced adults it is all but inevitable that they will become centers of rebellion and revolution. Their hatred will turn inevitably to those who have brought them into being and then rejected them.

LOWEST CLASS CITIZENS

It cannot be wise, surely, to allow half-white children, most of them of half-American background, to grow up in Asia as the lowest class of citizen. It cannot add to the prestige of our own people, or the white man, if this takes place. Yet it is taking place and will take place increasingly, unless something is done for these orphans while they are still children.

Paradoxically, thousands of adoptive parents in the United States want the children. Homes are ready and waiting for them. Money is no problem. The problem is that at present not one of these orphans is allowed to enter the United States. Organizations and individuals who have heretofore with heroic effort and by many devices brought in a few children, can bring in no more.

While cynicism about our brand of democracy mounts in those parts of the world where half-American children live unwanted and too often neglected, let us examine the situation in Washington regarding their plight. Why is there no bill that would allow them to come to waiting adoptive homes?

Briefly, here are the facts:

When the Refugee Relief Act expired in 1956 President Eisenhower requested and Immigration Commissioner Swing authorized the parole into the United States of orphans who had been adopted or whose adoption was under consideration. This was an emergency measure, taken when Congress was not in session, and it is now ended. An extension of the parole has been denied, on the grounds that it would be inappropriate at a time when Congress has pending before it legislation introduced for the purpose of alleviating the plight of the orphans.

PRESIDENT'S PROGRAM

The legislation now proposed is as follows:

The President's own immigration program, submitted to Congress on January 31, contains section 208 authorizing the issuance of 2,500 nonquota immigrant visas annually to eligible orphans who have been or will be adopted by United States citizens;

The bill, S. 1006, introduced by Senator WATKINS, provides for needed changes in our immigration laws and also contains a section allowing an annual quota of 2,500 orphans;

Congressman WALTER's bill, H. R. 4008, provides for an orphan quota of 5,000;

Senator NEUBERGER's and Senator MORSE's bill is S. 866 and provides for the entry of 10,000 orphans to adoptive homes in the United States, and Congressman PORTER has an identical bill;

Congressman CELLER's new omnibus bill in the House is H. R. 3364.

There is an encouraging amount of interest in the mixed-blood orphans in Japan and Korea and Okinawa on the part of some Congressmen. Yet months pass by and the bills thus far introduced are not passed. They are being held more or less permanently in committee, for reasons unknown.

It may be argued that other and more pressing matters face Congress. Is there anything more pressing in the world today than orphans in their need? A few months, a year or two, and then adoption is increasingly difficult until it is impossible. The adjustment cannot be made. Children remain homeless and parents childless.

The passage of a simple noncontroversial bill, allowing for the entry of a specified number of orphans for waiting adoptive homes would take only a few minutes and no money. Parents pay all costs.

Delay, then, is only an excuse, for reasons unknown. It is time to inquire why the delay and what the reasons.

PEARL S. BUCK.

PERKASIE, PA., *June 5, 1957.*

Mr. NEUBERGER. Mr. President, it was my honor to be visited on June 5 and 6 by my friend and constituent, Harry Holt, of Creswell, Oreg. Mr. Holt was in Washington to speed enactment of orphan legislation so that the many hundreds of children adopted by American families could be admitted to our country. Mr. Holt left here on June 7 for his sixth trip to Korea, where he will join his two daughters, who have been in Korea for several months running orphanages for mixed-blood children.

Mr. Holt was recently honored to receive the annual Brotherhood Award of the National Conference of Christians and Jews. This award was presented by the noted editor of the Cleveland (Ohio) Press, Louis B. Seltzer. Mr. Holt has been responsible for bringing over 400 mixed-blood children to the United States and find them good homes in our country. He has done this at the sacrifice of his health and personal fortune.

Mr. President, during Mr. Holt's brief visit in Washington, he was able to confer with officials of the Department of State and Immigration and Naturalization Service as well as with two of the President's aides at the White House, Mr. Max Rabb, secretary of the Cabinet, and Mr. I. Jack Martin. Mr. Holt thus materially advanced the cause of orphan legislation.

I know of no nobler effort than to help these homeless orphan children, many of whom have been fathered by American military personnel. Hundreds of these children have already been adopted and are awaiting entry into our country, and in many other cases American families are hesitant to make adoptions because of the difficulty they will experience in gaining entry for their children. I hope that the Congress will now be able to act promptly on this humanitarian and noncontroversial legislation.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks two excellent and impelling articles by A. Robert Smith which tell of the Washington visit of Mr. Holt. These articles appeared in the June 7 issue of the Eugene (Oreg.) Register-Guard and the June 11 issue of the Medford (Oreg.) Mail-Tribune.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Eugene (Oreg.) Register Guard of June 7, 1957]

PRESIDENTIAL AIDS PLEDGE HELP FOR HOLT

(By A. Robert Smith)

WASHINGTON.—Harry Holt, of Creswell, carried his fight for Korean orphans to the White House on Thursday, and received a pledge from presidential aids to "do everything in our power to help."

Holt wound up 2 days in Washington, D. C., calling on Government officials to enlist their support for an orphan immigration bill that will permit him to continue his "baby lift" from Korea.

At the White House, Holt called on Max Rabb, secretary to the President's Cabinet, and later he met with Jack Martin, one of the President's administrative assistants who specializes on immigration matters.

Earlier in his visit, Holt met with officials of the Refugee Relief Administration at the State Department, with the Under Secretary of Defense, and officials of the Immigration and Naturalization Service.

"The orphans' bill seems to be popular," Holt said on Thursday, expressing hope that Congress will move before the summer adjournment.

Legislation permitting adoption of Korean orphans by United States families outside regular immigration quotas expired last December 31, and since that time Holt's work to find homes for additional war waifs has been stymied.

He now seeks passage of a bill sponsored by Senator RICHARD NEUBERGER, Democrat, of

Oregon, to admit 10,000 orphans from all parts of the world.

Holt will leave Washington Friday, going to New York from where he will fly to Frankfurt, Germany.

He said he is going to look into the war-orphan problem in Europe en route to Korea. He plans to stop in Vienna, Rome, Athens and Tel Aviv before flying to the Far East.

DAUGHTERS' LETTERS INDICATE IMMEDIATE ACTION NEEDED

WASHINGTON.—Harry Holt was in a reflective mood Thursday evening after 2 days of buttonholing Washington officials in behalf of his orphan-adoption program.

"You know," he observed, "this country makes an awful commotion if some little kid is down in a well. But over there in Korea, these little kids of American fathers are dying every day."

Not much commotion is being made here over the orphan problem that has become so dear to Holt's heart. While finding the idea he champions to be popular, Holt said everybody he talked with expressed fear of undesirable amendments that might be added to an orphan-immigration bill.

Holt was pleased to learn that the House Immigration Subcommittee has just approved a new 2-year orphan program with no ceiling on the number of youngsters that could be brought in for adoption by American families. Holt would like to see Congress pass Senator RICHARD L. NEUBERGER's bill allowing 10,000 orphans to enter, with no time limit.

WORD FROM KOREA

The Oregon farmer's thoughts turned to his two daughters, Molly, 21, and Barbara, 19, who are in Korea looking after some 160 war babies at an orphanage in Seoul established by Holt with his own funds.

In Senator NEUBERGER's office he had read a sheaf of recent letters they had written the Senator about the problems they are encountering.

From Barbara came this report:

"Yesterday we received 4 more children making 48 in 24 days. One is a beautiful 4-year old girl with curly brown hair. She has had polio and should be in the States receiving treatment."

FOOD SO COSTLY

Molly wrote: "We have written to the commanding general of the Army here and asked if he could help get some food supplies for us at cost through Army sources. We must buy everything on the Korean market and it is so expensive * * *."

"Barbara was up all night last night. Not only do we have to feed 30 bottle babies, it takes all night to boil water for the next day * * * many of these little ones will die if they have to stay here all summer. Is there any encouraging news at all?"

The two sisters together wrote in another letter that "the weather is hot already and there are many flies. Soon conditions will be impossible. * * * Are there those that oppose these little ones being adopted by American families?"

Holt estimates he has received inquiries about adoptions from 7,000 to 10,000 American families. But they are in the United States, the orphans who need parents are overseas, and Congress and the immigration barriers now keep them apart.

[From the Medford (Oreg.) Mail-Tribune of June 11, 1957]

HOLT LOUD IN PRAISE OF NEUBERGER FOR HELP WITH KOREAN ADOPTIONS

(By A. Robert Smith)

WASHINGTON.—Two years ago this month Harry Holt first went to Korea to see about adopting a few youngsters who were the orphans of American soldiers and Korean women "and ever since then I haven't been able to let go of it."

"When I was in the sawmill business," said Holt, "all I could talk about was the lumber business. Now all I can talk about is orphans."

Holt was here last week talking about the plight of hundreds of babies in Korea and elsewhere around the globe, wherever United States soldiers are and have been stationed, trying to get Government officials off dead center on legislation that will permit orphans to be brought to America where thousands of families would like to adopt them.

Holt has personally brought about 400 orphans to new homes in this country from Korea the past 2 years, plus 8 he and Mrs. Holt have adopted themselves. He has faced problems at every step of the way.

"When we first went over there 2 years ago," he recalled, "the American Embassy wouldn't even admit that it was possible to adopt those orphans unless the parents went there in person. It took us 4 months to get that straightened out."

PROXY ADOPTIONS

He explained that he was prepared to make the adoptions on a proxy basis for parents who didn't have the money to go to Korea so that the poor family would be on an equal basis with the rich.

Holt was profuse in his praise of the help he received then and ever since from Senator RICHARD NEUBERGER, none of this would have been possible, he declared.

The Holt girls out in Korea paint a graphic picture of conditions in their letters written every few days to the Oregon Senator. Here are some excerpts:

"Yesterday we received 4 more children making 48 in 24 days. One is a beautiful 4-year-old girl with curly brown hair. She has had polio and should be in the States receiving treatment. She just has to sit until someone comes and moves her to another place. Today we are very happy as the sun is shining and the clothes are drying but yesterday it rained and we had quite a time as there weren't enough clothes as they all got in the wash. It takes a lot of clothes for 64 children. We hope you can help us."

EVERYTHING EXPENSIVE

"It is very hot today. I took our little boy that had polio to the hospital, walked back a long ways with him on my back. Everyone thought he was my own boy. We have written to the commanding general of the Army here and asked if he could help get some food supplies for us at cost through Army sources. We must buy everything on the Korean market and it is so expensive. It seeems that the Army could help out its own children."

"It rained today, so we are short of diapers again. Barbara was up all night last night, not only do we have to feed 30 bottle babies, but it takes all night to boil water for the next day."

MANY WILL DIE

"Many of these little ones will die if they have to stay here all summer. Is there any encouraging news at all? Even as the Lord provided relief last winter, we are praying he will move the hearts of our legislators before the terrible summer comes. The little ones are crying in the next room, so I must close now."

"The weather is hot already, and there are many flies. Soon conditions will be impossible. I wonder how many of these little ones will die here because Congress has been so slow passing your bill (to reopen the orphan admission program). Are there those that oppose these little ones being adopted to American families (Holt has had inquiries from nearly 10,000 families wanting these orphans for adoption)? Do they think we will overpopulate America with her great wealth of land and resources? Would we refuse to allow these little ones a home, who resemble so closely their American fathers?"

Only Congress can answer their questions.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. EASTLAND. Let me tell the Senator that I think his fears are groundless. I think such a bill as that referred to by the Senator will soon be on the Senate Calendar. I hope so. I may say, as chairman of the subcommittee, I favor such a bill.

Mr. NEUBERGER. I thank the distinguished Senator for his assurance. I am sure he is aware of the fact that my orphan bill was introduced approximately 6 months ago, and there are many human problems attendant on this very urgent situation.

Mr. EASTLAND. I agree with the Senator. As I told him, I expect and hope that such a bill will shortly be on the Senate Calendar.

Mr. NEUBERGER. I again thank the Senator for his assurance. I am extremely gratified to learn that there will soon be on the Senate Calendar the bill dealing with the problem of the refugee orphans who can be adopted by American families.

FISCAL AND MONETARY POLICIES

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the statement made by me as chairman of the Senate Finance Committee upon the opening of the committee's examination of fiscal and monetary policies.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BYRD, CHAIRMAN OF THE SENATE FINANCE COMMITTEE, OPENING THE COMMITTEE'S EXAMINATION OF FISCAL AND MONETARY POLICIES, TUESDAY, JUNE 18, 1957

The Senate Finance Committee, by resolution, today is undertaking to make a complete study of the financial condition of the United States, including:

(1) The revenue, bonded indebtedness, and interest rates on all public obligations, including contingent liabilities;

(2) Policies and procedures employed in the management of the public debt and the effect thereof on credit, interest rates and the Nation's economy and welfare; and

(3) Factors which influence the availability and distribution of credit and interest rates thereon as they apply to public and private debt.

This will be the first full-dress examination of our fiscal and monetary policies since the one conducted by the Aldrich Monetary Commission in 1908.

The immediate occasion for this study is the existing credit and interest situation and, more important, inflation which has started again with its ominous threat to fiscal solvency, sound money and individual welfare.

Legislative matters relating to Federal revenue and debt, tariff and trade, and social security and pensions are under the jurisdiction of this committee. In this discharge of its direct responsibilities with respect to these subjects, the committee has become convinced that serious conditions exist in the areas to be studied, and that these conditions have exceedingly dangerous potentialities.

It is the purpose of the commmittee to explore these areas, examine the conditions, determine the cause, and so far as possible find the remedies.

To make such a study complete, the committee must examine fiscal and monetary policies, mark the distinctions between them, and study their relationships, one to the other.

The hearings incident to this study are opened today against a background of historical facts, documented developments, and obvious conditions which are of grave concern to the country and to every individual citizen.

Some of these facts, developments and conditions which necessarily must be examined by the committee may be summarized as follows:

Generally speaking, the United States maintained itself on a pay-as-you-go basis until 1932. The principal exceptions were periods of war, and until World War II we hastened to pay off our war debts. For example, after World War I we paid our war debt down to $16 billion. But for the quarter of a century since 1932, the Federal Government has been virtually on a deficit financing basis in all but 5 years. We have been at peace three-fourths of that period.

DEBT

Now our direct Federal debt is $275 billion. This direct debt is practically even with the statutory debt limit which this committee has preserved as a safeguard against even greater excessive spending.

In addition to the $275 billion in direct debt there are more than $250 billion in contingent liabilities, and effort will be made at this time to determine to what extent these contingent liabilities may become an actual charge on the Treasury.

State and local debt have been rising steadily since 1946. All public debt, Federal, State, and local, is now estimated to total more than $325 billion.

Debt increase has not been confined to public operations. Private and corporate debt also has been on a constant rise. Commercial bank loans are now at their alltime high.

All debt in this country estimated as of last December totals nearly $800 billion:

	Billions
Corporate	$253
Private	213
Federal	277
State and local	50
Total	793

This is an increase of $200 billion, or about 33 percent, in 4 years.

EXPENDITURES

With only temporary exceptions to the rule, Federal expenditures have been rising continually, and in recent years—since 1954—the greatest increases have been in strictly domestic-civilian programs; not military and foreign aid. State and local governments have been following suit. Combined Federal, State, and local expenditures from tax revenue, miscellaneous receipts and borrowing are running to a total of more than $132 billion annually.

TAXES

In the past 25 years we have raised Federal taxes to their alltime high in both rate and take. Now, 4 years after the Korean war, we are still practically on a wartime Federal tax rate.

State and local taxes are rising steadily. Total receipts—Federal, State, and local—are now estimated at approximately $110 billion for fiscal year 1958, as compared with the pre-World War II total of $14.6 billion in 1940. (These figures exclude State and local miscellaneous receipts from such sources as business-type activities.)

As a measure of magnitude, it may be noted that taxes are now nearly equivalent to one-third of the national income as reported by the United States Department of Commerce.

This committee is vitally concerned with the question as to how long our economy can absorb taxation of these proportions and still provide the stimulus of the profit motive necessary to the free-enterprise system. When the currently continuing Korean war taxes were imposed on corporations, Mr. C. E. Wilson, formerly president of General Electric Co., said these rates could not be endured indefinitely by American industry. Mr. Wilson made this statement in testimony before this committee as Chairman of the Office of Defense Mobilization.

The committee is equally concerned over the question as to whether we can risk even higher taxation or debt which is likely to result from increased spending at either the Federal, State, or local level, or all down the line.

INFLATION

In its consideration of the debt resulting from all of the easy credit, both public and private, which we have been experiencing for nearly a quarter of a century, this committee can never lose sight of the fact that the Government's fiscal integrity depends upon a stable currency.

This involves not only the value of the money with which the Government redeems its own bonds, but it involves also the savings, pensions, life insurance, etc., of the people of the Nation which can be kept intact only by a stable dollar.

When the Government increases expenditure programs, it contributes to the inflation spiral and thereby increases costs, and perhaps the cost of living, taxes, and debt. Secretary of Defense Wilson recently demonstrated the effect of inflation on the cost of Government. He said it will take $38.5 billion in fiscal year 1958 to buy what $33.4 billion bought for defense in 1954.

The committee cannot overlook the fact that responsibility for sound currency is a prime responsibility of the Central Government. Yet, the value of the American dollar dropped more than 47 cents in 12 years, between 1940 and 1952—more than 9 cents in 1 year, 6 cents in another year, and another 9 cents in another year, etc. Generally speaking, it stabilized at around 52 cents in 1953, 1954, and 1955. Now it is losing value again. From April 1956 to April 1957 it lost nearly 2 cents, and now it is worth 49.8 cents as compared with the 1940 dollar. The indications are that inflation is continuing, and perhaps accelerating.

The squeeze of this inflation, even at this point, is being felt seriously by individuals of fixed incomes, and in businesses which cannot pass on inflated costs. The cost of living has increased steadily for 8 consecutive months.

Actually, confidence in the American dollar is the principal deterrent in the world today to Russian aggression. The pages of history detail the stories of nations which have been wrecked by unsound fiscal policies and debased currencies. If the value of the dollar continues to drop at the rate of 2 cents a year, as it has in the past year, it will be worth only 25 cents in 12 years, as compared to the 1940 dollar.

This committee wants to know the causes of this new inflation, and it wants to find the remedy before the consequences become disastrous.

INTEREST

The committee has reason to be concerned also over the fact that the cost of money is rising. The Federal Government offered 3⅝ percent interest on a recent 5-year bond issue which was taken only in small measure despite the highest interest rate in 34 years.

The committee has been watching the cost of interest on the Federal debt for some time. Interest is now taking more than 10 cents out of every tax dollar collected from American citizens. If the Federal debt were refinanced at 3⅝ percent interest, it would cost taxpayers $10 billion a year.

Interest paid by the Federal Government is taken as a standard, and refinancing any substantial part of the nearly $800 billion total debt in the country at a percentage of increase in interest comparable to that already offered by the Federal Government is a matter of general concern. It would place new burdens on all consumers.

GENERAL

There is obvious need for appraisal in all of the areas covered by the resolution under which the committee is working to determine to what degree the present prosperity is sound.

The committee would be remiss in its duty if it did not examine the possibility of a recession even though it may be a minor one. Few people realize the great effect levels of income have upon budget receipts. For example, if present corporate and personal income levels dropped to the level of only 2 years ago, that is the 1954–55 level, the budget surplus we have today, according to estimates by the Joint Committee on Internal Revenue Taxation, would be converted to a deficit of $12 billion.

With the Federal debt at its present precarious heights, miscue in its management can be costly. The same sort of tremendous responsibility rides on every action through the Federal Reserve System.

It is easy for a nation indulging in excessive expenditures, taxation, debt and credit to close its eyes to reality. It is easy to charge the whole matter off to growth. But our growth is not commensurate.

In this statement I have touched on only some of the matters of vital concern which prompted this study. From its years of experience with the fiscal affairs of the Nation, the Senate Finance Committee is acutely aware of the importance and complexity of its work, and it approaches the undertaking with a consciousness of its implications.

It is the committee's purpose to conduct an objective examination to clarify the situation and be helpful in the effort to avoid further inflation, and to establish sound fiscal principles flexible enough to meet possible recessions as well as increasing prosperity.

As chairman of the committee, it will be my purpose to see that each member is afforded opportunity to develop all phases of the vital questions before us. It is the desire of the chairman that the discussion at public hearings be completely free, so that out of the wisdom of the individual Senators may come helpful contributions, and out of the collective wisdom of the committee may come constructive recommendations.

The fact that the committee is composed of men of great capacity, and long training in business and fiscal affairs is a source of pride and confidence to the chairman. We open these hearings sincerely hoping that the effort will be worthwhile.

For the record, and the information of the witnesses and the public, the committee has agreed to the following rules of procedure:

1. The witness will not be interrupted while he is presenting his prepared statement.

2. Questioning by members of the committee will be in order of seniority, beginning with the chairman, followed first by the ranking Democratic member, then the ranking Republican member, and so on until each member has had an opportunity to interrogate.

3. No limitation on time will be imposed on a Senator during the first round of questioning of the first witness.

4. No Senator will be asked to yield part of his questioning time to another member. However, one Senator may yield his entire time to another member for questioning if he so desires. The Senator yielding will take the turn of the member to whom he yields.

The Chair takes the liberty of making one further suggestion. In the interest of a compact record, it is suggested that statistical matter and other documentary type material be placed at the conclusion of the testimony in the record for each day's hearing.

The first witness is the Honorable George M. Humphrey, Secretary of the Treasury.

SENATORIAL PARTICIPATION IN LONDON DISARMAMENT CONFERENCE

Mr. SYMINGTON. Mr. President, a recent editorial in the St. Louis Post-Dispatch dwells on the question of senatorial participation in the London Disarmament Conference. It does not purport to supply final answers.

It is an excellent, objective statement and analysis of the question—and I ask unanimous consent that it be printed in the body of the RECORD, for ready examination by all Members of the Senate and the public.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NEEDED IN WASHINGTON

Ought two or more Senators leave the closing weeks of the present session in Washington and go to London as advisers to the disarmament conference now in progress there? This request has been made by Secretary of State Dulles and Senate Majority Leader JOHNSON of Texas has rejected it. Senator WILEY of Wisconsin, senior Republican on the Foreign Relations Committee, opposes the JOHNSON position and says that the Senate should cooperate with the executive.

The question is not one of senatorial cooperation with the executive branch. All reasonable cooperation is always desirable. One of the worst troubles of the Eisenhower administration has been lack of cooperation of old guard Republican Senators with the White House and its policies. The problem now arises from the fact that Congress has entered a critical period when every day counts and so does every Senator. With the 2 parties divided 49 to 46 (1 Republican vacancy), the absence of 2 or more Senators could determine the outcome of important legislation.

Any absences in London just now would be the more serious because the assignments undoubtedly would be to Senators with seniority on the Foreign Relations Committee. With this seniority would go participation and influence in the work of the Senate generally. Senator HUMPHREY of Minnesota is chairman of the special Senate committee on disarmament and he in all probability would be one of those chosen. Yet Senator HUMPHREY is urgently needed in Washington to help get civil-rights legislation through the Senate.

If the decision is made on the basis of legislative urgency in Washington, then it is not necessary to debate the issue of whether Senators ought to be advisers as Secretary Dulles proposed, or at most observers as Senator JOHNSON contends. As a general proposition, no activity by a Senator outside his chamber should seem to commit his colleagues.

None of this depreciates in any way the efforts of London toward disarmament. Developments there are increasingly hopeful. They deserve every possible encouragement.

Mr. SYMINGTON. Mr. President, I add this comment. The editorial states that the majority leader has rejected Secretary Dulles' proposal for senatorial participation. I believe it more accurate to state that the majority leader has only stated that participation at this time does not seem sufficiently essential to justify making an exception to the firm policy of not sending Senators abroad in the closing weeks of a session. He has, of course, also said that Senators should be observers, not advisers.

In any event, I am sure that if the circumstances should change, or be in fact different from those so far presented by the Secretary of State, the majority leader's decision would be adjusted to such new facts.

VIEWS OF REPRESENTATIVE HOLIFIELD ON ATOMIC INDEMNITY BILLS

Mr. ANDERSON. Mr. President, I ask unanimous consent to have printed in the RECORD the separate views of my distinguished colleague on the Joint Committee on Atomic Energy, Representative CHET HOLIFIELD, concerning H. R. 7383 and S. 2051, the atomic energy indemnity bills.

Mr. HOLIFIELD's views were printed in the House report on these identical bills, but not in the Senate report.

Although Mr. HOLIFIELD does not agree with my position in this matter, I respect his views, and I believe that they should be brought to the attention of all Members of the Senate, as well as the House of Representatives. I therefore request unanimous consent that his views be printed in the RECORD.

There being no objection, the separate views of Representative HOLIFIELD on atomic indemnity bills were ordered to be printed in the RECORD, as follows:

SEPARATE VIEWS OF REPRESENTATIVE HOLIFIELD ON ATOMIC INDEMNITY BILLS (H. R. 7383 AND S. 2051)

With the chairman and other members of the Joint Committee on Atomic Energy, I share a deep sense of responsibility for congressional committee supervision of the Nation's atomic-energy program. We stand as one in our desire to maintain a strong national defense and to encourage the peacetime development of atomic energy. Therefore, I regret exceedingly that I must take issue with my chairman and colleagues who recommend the enactment of H. R. 7383 and S. 2051, providing governmental indemnity and limitation of liability for persons engaged in atomic-energy enterprises.

SUMMARY OF OBJECTIONS

My objection to H. R. 7383 and S. 2051 may be summarized as follows:

1. It would provide another Government subsidy to atomic-power development without any commensurate benefits to taxpayers and power consumers.

2. It would place upon the Federal Government an enormous potential liability that could reach several hundred billion dollars.

3. It would weaken congressional control over appropriations by transferring to the Atomic Energy Commission complete discretionary power to commit the Government to undetermined liabilities in advance of appropriations.

It would further weaken congressional control over appropriations by transferring to the district courts authority to allocate funds for the payment of claims indemnified by the Government.

5. It would open up new areas of bureaucratic control and create opportunities for favoritism and preferential treatment.

I will amplify each of these five points.

ANOTHER GOVERNMENT SUBSIDY

For some years the representatives of private utilities and certain other industries have been hammering at the doors of Congress for legislative incentives to promote private atomic industries. Their first large and successful effort came with the enactment of the Atomic Energy Act of 1954, which completely revised the 1946 legislation and ended exclusive Government ownership and control.

I contended at the time that the industrial demands were premature. I feared that a relaxation of Government effort on the basis of an optimistic but unjustified expectation that private industry would pick up and sustain this effort at a high level would result in a dangerous gap in the atomic-energy program.

This gap would have been far wider and more dangerous than it is now had the Congress permitted the industrial representatives to write completely their own ticket in atomic-energy legislation. And even today, despite the enormous public investment in the atomic-energy program and the broad range of research and development effort, we cannot say honestly that we are maintaining a pace swift and sure enough to stay ahead of the Soviet Union and other countries.

Since the enactment of the 1954 legislation, the industrial representatives have not relaxed their demands for more incentives, which usually mean more Government subsidies in one form or another. Their bright promises of a few years ago that private industry would spur the development of atomic energy if only the bars of Government monopoly were let down are yet to be fulfilled.

Atomic-power groups have sought legislative or administrative relief from the Public Utility Holding Act so that certain combinations of utilities could be organized for atomic-power-development purposes.

Arrangements have been devised for recapturing capital investments by selling plutonium produced in reactors to the Government at guaranteed fixed prices.

Concessions have been demanded from the Government in the form of waivers of inventory costs or processing charges on fuel elements, free or low-cost use of Government research facilities and laboratories and rapid tax amortization equivalent to interest-free loans from the taxpayers.

Besides the various Government subsidies planned or available, potential consumers of atomic electric power will be asked to absorb a substantial portion of costs through conventional power rate increases.

In this context of public and consumer subsidy as the price of private atomic industrial development the proposed legislation for governmental indemnity and limitation of liability is just another prop for industries too timid to move ahead without paternalistic Government help.

This bill is put forth by its proponents as a bill for the protection of the public. This amounts to making a virtue out of a subsidy. The bill is protective of large utilities, industrial companies, and insurance companies which are not willing to adhere to the tenets of free enterprise.

GOVERNMENT WOULD ASSUME ENORMOUS POTENTIAL LIABILITY

The main argument in support of the bill is contradictory and self-defeating.

On the one hand, it is said that the private insurance companies cannot or will not offer protection against such large but unknown risks.

On the other hand, we are assured that the chances of atomic accidents are so negligible and so remote that the Federal Government probably will never be called upon to discharge the enormous financial commitments that would be thrust upon it by this indemnification program.

The Government would undertake through this bill to indemnify parties liable to damage suits for atomic injuries up to $500 million for each individual accident (called nuclear incident in the bill). If 10 large-scale reactors were in operation, the burden of potential liability on the taxpayers would be $5 billion. If 100 such reactors were operating, surely not a great number in a country as large as this, the burden of potential liability would be $500 billion.

I cannot accept the assurance of the Atomic Energy Commission that the chances of atomic accidents affecting a large number of people are practically nil. This complacent and optimistic assurance is akin to that concerning fallout from nuclear bomb testing. The dangers of fallout are evaporated by the AEC in statistical computations of global averages and in favorable comparisons with radiation emissions from the natural environment and X-ray devices.

Yet every day we read accounts of new discoveries of dangerous or potentially dangerous concentrations of radioactivity such as that recently reported by a Public Health Service official in testing milk in a certain locality.

And despite the remarkable record of accident-free operation of reactors in the Government program to date, accidents have a way of happening. Where the technology is still new and developing, accidents are bound to happen, particularly as more industrial newcomers get into reactor operations.

A statement submitted by Acting Atomic Energy Commission Chairman Harold S. Vance and appended to the majority report gives theoretical estimates of assumed personal and property damage for three types of assumed accidents. It was estimated that personal damage might range from a lower limit of none injured or killed to an upper limit, in the worst case, of about 3,400 killed and about 43,000 injured.

Theoretical property damage estimates ranged from one-half million dollars to $7 billion in the worst case. The latter figure was based largely on assumed contamination of land with fission products.

Commissioner Vance stated that for the majority of the theoretical reactor accidents considered, losses in each case would not exceed a few hundred million dollars.

Granting that these are estimates of theoretical accidents, and that the probability of actual occurrence is small, yet the probability cannot be eliminated. A reactor accident near a large city could cause heavy damage to life and property. Commissioner Vance in his statement estimated that under adverse circumstances people could be killed at distances up to 15 miles and injured at distances of about 45 miles, with land contamination extending for greater distances.

Large new reactors are planned for construction at Lagoona Beach, Mich., and Dresden, Ill. These are the first of their kind. No history of experience exists to afford accurate prediction of safety factors. Why should the Congress be persuaded to believe that these will be accident-free operations when the pooled resources of 139 insurance companies offer only a fraction of the dollar protection demanded from the Government.

The insurance companies say that the risks are unknown. The fear of insolvency as the result of a major atomic accident constrains them to offer in combination not more than $50 million coverage for one "nuclear incident." I am sure that the insurance companies are using good business judgment and prudence. Why should the Congress be asked to do otherwise? Why should the Congress be asked to afford 10 times the protection offered by the private insurance companies?

The majority report expresses hope that within the next 10 years sufficient experience will be gained to solve the problems of reactor safety and thus enable insurance companies to work out a program of insurance coverage.

Until private insurance companies are willing to cover the risks incident to this type of atomic industrial development, there is a grave question as to the wisdom of constructing these large scale unproven power reactors near centers of population.

The Government would be far more justified in providing indemnity or insurance in cases of natural disasters such as floods, earthquakes, tornadoes, and other catastrophes beyond ordinary human control.

There are, in my opinion, compelling reasons for the Federal Government, in the face of unwillingness by private insurance companies to offer protection to the hapless victims of natural disasters, to take the lead and attempt to work out arrangements for insurance protection, as exemplified in the Federal flood indemnity program under legislation enacted by the 84th Congress.

I see no compelling reasons for the Government to assume an enormous potential liability in helping large companies to build high-cost atomic reactors near large cities, when the Federal Government has hardly begun to assist the unfortunate persons, numbered in the thousands, whose homes or businesses are swept away to ruin each year by ravaging wind or water or violent disturbances of the earth.

CONGRESSIONAL CONTROL OVER APPROPRIATIONS WEAKENED

Section 170j of the proposed amendment would authorize the Atomic Energy Commission to make contracts to indemnify reactor operators or other potentially liable parties in advance of congressional appropriations. The Commission would be given blanket authority to promise indemnity to any person who qualifies, up to $500 million.

Heretofore the Congress has been extremely jealous of its constitutional power over the national purse. While contracts in advance of appropriations have been authorized on occasion, these have been for specific public works projects or for construction underway, and not for unspecified future projects brought into being by the will of an administrative agency.

In any case, there is a question in my mind whether future Congresses could be bound under this bill to appropriate the huge sums required, if indemnification became necessary.

NEW BURDENS PUT UPON THE COURTS

Not only would the Atomic Energy Commission, under this bill, be empowered to commit the Government to enormous liabilities in advance of appropriations, but the Federal district courts would be vested with new and extensive responsibilities, including some of a fiscal nature. The Atomic Energy Commission or any indemnified person would be authorized to seek and obtain from appropriate Federal courts orders limiting public liability for any "nuclear incident" to the limit imposed by the bill: that is, $500 million. The courts would be asked also to stay the payment of claims, order the apportioning of payments to claimants, to permit partial payments, and to order the setting aside of funds for possible latent injuries.

Consider the problems posed to the court in setting aside payments for latent injuries. Leukemia or bone cancer might show up in persons many years after the date of a "nuclear incident." Consider the problems, also, posed to the Congress of appropriating funds years later for such delayed injuries. I am inclined to the belief that these provisions of the bill are unworkable. Not being a lawyer, I will not attempt to speculate on the constitutional problems suggested by the congressional authorization in this bill for courts to limit liability of private parties in damage suits.

NEW AREAS OF BUREAUCRATIC CONTROL

There is a curious paradox in the position of private atomic industry, which demands that the Government withdraw from atomic activities and at the same time asks for Government subsidies. The paradox is that as a condition of granting the subsidies, the Atomic Energy Commission is taking upon itself more and more discretionary power and assuming new instruments of control. By legislation of the kind proposed here, the Congress would spawn not only subsidies to private industry, but new forms of bureaucratic control which, in the end, would defeat the very objectives sought by industry.

To illustrate: As a condition of providing governmental indemnity, the Atomic Energy Commission under the bill would require the parties indemnified obtain a certain amount of "financial protection" from private insurance companies or other sources. The amount of such "financial protection" would be fixed by the Commission. If the Commission decided that private insurance rates were too high, it would be enabled to decrease the amounts of required protection from private sources.

Since the Commission would charge only $36 per $1 million of liability for Government indemnity, whereas the private insurance companies have set average rates at $5,000 per $1 million of liability, we might expect that the Commission would be under constant pressure to reduce the amount of "financial protection" from private sources as a condition of indemnification. This would also serve as a deterrent for the insurance companies to reduce rates and broaden coverage.

At the same time the Commission would be directed to utilize the facilities and services of private insurance organizations to the maximum practicable extent and to pay compensation therefor. The opportunities for favoritism and preferential treatment to atomic enterprises are at once apparent.

CONCLUSION

In my view, this legislation is unnecessary and unwise. If the risks are negligible, as the proponents of this bill contend, there is no reason why the Government should assume potential liabilities of the magnitude indicated above. If the risks are real and substantial, then reactor development programs should continue to be developed under direct Government supervision and control at isolated locations, with the continued promise of safety exhibited in the record of Government performance.

Until we can prove by a history of experience in the operation of the new and unproven power reactors (which are now planned) that they are safe mechanisms, we should insist they be located safe distances from populated centers. Congress cannot evade its responsibility for protecting human lives by authorizing huge dollar payments.

This bill is not a minor technical amendment to the Atomic Energy Act. It is a major piece of legislation. It goes far beyond anything I know in committing the Federal Government to future liabilities without any clear understanding or basis in experience as to the nature or the magnitude of those liabilities.

For the reasons stated and amplified above, I am opposed to the enactment of this proposed legislation.

HELLS CANYON DAM

Mr. MORSE. Mr. President, as we are to start today with the important debate—it is particularly important from the standpoint of the public welfare—on the Hells Canyon Dam issue, I should like to have printed in the RECORD a few editorials with regard to certain phases of the problem.

Mr. JOHNSON of Texas. Mr. President, may we have order? I cannot hear the Senator.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD——

Mr. JOHNSON of Texas. Mr. President, may we have order? The Senator is making a request. I want to agree to it, if I can, but I cannot unless I can hear the Senator.

The VICE PRESIDENT. The Senate will be in order.

Mr. MORSE. I ask unanimous consent to have printed in the RECORD an editorial from the Boston Daily Globe entitled "Hells Canyon Writeoff."

I will read two paragraphs from the editorial in the 3 minutes I have on this matter. The editor says:

> Now, in connection with the Idaho Power Company's dam-building project at Hell's Canyon, Interior Secretary Fred Seaton appears on record, protesting a procedure which involves giving the company involved a $65 million bonus, from the public till, in the form of a 5-year writeoff privilege against the income taxes the company would otherwise be obliged to pay.
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> This situation is becoming dangerously akin to a public scandal. Mr. Seaton says that the Idaho Power Co. obtained its license from the Federal Power Commission, for this project, on the basis that there would be no cost to the Government in connection with the construction of the dams. Yet the Office of Defense Mobilization, headed by Mr. Gordon Gray, claims that Mr. Seaton's view is irrelevant, and last month granted the company's request for these tax privileges.

Later in the editorial the editor says:

> The plan has served a useful purpose in most cases; but it is high time it ended, or more narrowly restricted to bona fide defense installations. Otherwise, as the Hells Canyon affair suggests, it verges upon a racket. The Senate Antitrust and Monopoly Subcommittee, which is exploring this matter, deserves the full support of public opinion.

I ask that the entire editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELLS CANYON WRITEOFF

Many months ago, high officials in the Eisenhower administration urged that abuses of the tax writeoff privilege granted to industries made it desirable to restrict that procedure sharply. Among critics of the going practice was Secretary of the Treasury Humphrey.

Now, in connection with the Idaho Power Co.'s dam-building project at Hells Canyon, Interior Secretary Fred Seaton appears on record, protesting a procedure which involves giving the company involved a $65 million bonus, from the public till, in the form of a 5-year writeoff privilege against the income taxes the company would otherwise be obliged to pay.

This situation is becoming dangerously akin to a public scandal. Mr. Seaton says that the Idaho Power Co. obtained its license from the Federal Power Commission, for this project, on the basis that there would be no cost to the Government in connection with the construction of the dams. Yet the Office of Defense Mobilization, headed by Mr. Gordon Gray, claims that Mr. Seaton's view is irrelevant, and last month granted the company's request for these tax privileges.

The tax amortization scheme originated in connection with the Korean war and the intensive period of defense building. Its benefits to companies favored stem from permission to write off in 5 years against taxes, amortization which would normally spread over 20 years. Thus far, this has amounted to billions of tax favors for its beneficiaries.

The plan has served a useful purpose in most cases; but it is high time it ended, or more narrowly restricted to bona fide defense installations. Otherwise, as the Hells Canyon affair suggests, it verges upon a racket. The Senate Antitrust and Monopoly Subcommittee, which is exploring this matter, deserves the full support of public opinion.

Mr. MORSE. Mr. President, next I ask unanimous consent that an editorial from the Des Moines Register of May 27, 1957, entitled "Hells Canyon Questions" be printed at this point in the RECORD. This editorial also raises serious questions about the fast tax writeoff.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HELLS CANYON QUESTIONS

Hells Canyon is still living up to its name. The 10-year battle between public and private power interests over which should build hydroelectric plants in the canyon appeared almost settled a year ago.

The Federal Power Commission had granted power rights to the Idaho Power Co. An attempt in Congress to reverse that decision and clear the way for authorization of a Federal power project lost by a vote of 41 to 51 in the United States Senate.

But it wasn't the end of the battle after all. New fires are being lighted and public power advocates in the Senate are preparing to broil the administration if they can.

The fuel this time is the granting of a national defense tax writeoffs application by the Idaho Power Co. This permits the company to depreciate 65 percent of the cost of 2 of the plants it is building during the first 5 years of their operation.

This fast writeoff privilege represents a deduction from earnings for tax purposes during those years in the amount of $65,206,094. It is a method adopted by the Federal Government to encourage expansion of production facilities for defense purposes where normal conditions might not justify either the capital investment or the additional production. Expansion of power production facilities has been included in the group of projects to which this privilege has been granted.

Up to that point, all had seemed to be immune to criticism by the public power folks, even though they didn't like it. But new circumstances have given the public power folks an opportunity to talk about Hells Canyon again.

The Office of Defense Mobilization a few weeks ago announced a sharp cutback in the types of industries eligible for fast tax writeoff privileges in the future. President Eisenhower and Secretary of the Treasury Humphrey went on record in favor of an early abandonment of the program.

The granting of the privilege to the Idaho Power Co. only a few days before this new policy was announced gave the public power advocates (and Democrats in general) a new weapon.

Why, they are asking, should the Idaho Power Co. be granted a tax moratorium in addition to one of the most attractive hydroelectric power sites left in the West?

Their question will demand a well documented answer from the administration.

Considering the 10-year battle the private power company has put up for the right to build the Hells Canyon plants, it can hardly contend that it needed this tax writeoff privilege as encouragement. Surely the battle for the site was not made without some assurance of the capital to finance the projects.

Neither the public nor the private power interests have ever contended that there is not an immediate and adequate market for the electricity to be produced. On the contrary the case for each side has been based on the growing needs for power through the Northwest.

The one remaining basis for granting the privilege might be the urgent need for power to permit quick expansion of other defense industries. Full explanation in that respect has not yet been made by the Office of Defense Mobilization.

The fires being built by the public power folks with this tax writeoff fuel may turn out to be mostly smoke and very little flame, but they contain the potential for leaving some bad scars unless the administration comes up soon with some very convincing explanations.

Mr. MORSE. Mr. President, next I ask unanimous consent that there be printed at this point in the RECORD an article from the Lamar Daily News entitled "The Fast Tax Writeoff Gimmick."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE FAST TAX WRITEOFF GIMMICK

One of the most important hearings held in Washington recently has been the one in connection with the Idaho Power Co. projects on the Snake River. However, the subject is so complicated that it is difficult for the average newspaper reader to get a clear understanding of it, particularly when the newspapers give only a few paragraphs per day dealing with hearings which consume hours of important testimony. This is not said in criticism of the newspapers, but merely points up the difficulty of the public obtaining the facts, even in a land such as ours where news material is available on every hand.

In brief the situation simply is that back in the days when Oscar Chapman was Secretary of Interior he favored granting a license for a Federal power project on the Snake River at Hells Canyon—known generally as the high dam. Douglas McKay succeeded Chapman, and the Eisenhower "partnership" power policy succeeded the New Deal conception of the development of natural resources. The Idaho Power Co. was granted licenses to build three small dams and the license for Hells Canyon was withdrawn.

Idaho Power has begun construction of two of the smaller dams. In the meantime the Hells Canyon Dam Association in the Northwest has kept up the fight for the high dam, but to no avail, despite the fact that voters in the last election demonstrated their keen interest in the project by reelecting Senator WAYNE MORSE of Oregon over McKay; electing Senator CHURCH of Idaho, reelecting Senator MAGNUSON of Washington and electing several pro-Hells Canyon Representatives from Oregon as well as Congresswoman GRACIE PFOST of Idaho.

The issue is due for a vote in Congress. A Hells Canyon bill was defeated in the Senate at the last session, 51-41. The Hells Canyon people claim they have gained some

votes and that the vote this time will be close.

In the meantime another phase of the situation has come to light through an investigation of rapid tax writeoff applications granted the Idaho Power Co. by Gordon Gray of the Office of Defense Mobilization. Such applications were supposed to be granted for the use of companies building various plants for defense purposes. Secretary of Interior Fred Seaton wrote a letter March 11 saying he was opposed to granting this privilege to Idaho Power. Some idea of the value of the tax writeoffs to Idaho Power may be seen when we understand that estimates of the value range from $17 million by Secretary Seaton to $339 million by an official of the Federal Power Commission and also by the Denver Post and others who have figured the ultimate loss to the public by the use and re-use of the tax-saving gimmick granted the Idaho Power Co. In other words, the Idaho Power Co. not only got the licenses to build dams which would develop far less power than the high dam, but also received unwarranted tax writeoff privileges which actually will go far toward paying the cost of constructing the dams. Some Members of the Congress think this is carrying the partnership policy to extremes.

Senator ESTES KEFAUVER, who played a prominent part in uncovering the Dixon-Yates shenanigans in 1955, is chairman of the Antimonopoly and Antitrust Subcommittee of the Judiciary Committee which has been digging into this important matter. He has invited Senator CARROLL, of Colorado, to sit with the committee and the Colorado Senator has contributed greatly toward uncovering the facts. It is to be hoped that the public will get the full import of the situation and demand that the administration will ask the Federal Power Commission to rescind the licenses granted the Idaho Power Co. and that the Congress will move toward the original and worthwhile goal of fully developing the ultimate potential of the Snake River by returning to the high Hells Canyon Dam, originally planned.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a resolution adopted by the California Rural Electric Cooperative Association advocating the construction of a high multipurpose dam at Hells Canyon on the Snake River.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A resolution of the California Rural Electric Cooperative Association advocating the construction of a high multipurpose dam at Hells Canyon on the Snake River

Whereas members of the California State Cooperative Association are vitally interested in the full and complete development of rivers within the United States where power, irrigation, flood control, recreation, and economic development present a vast potential; and

Whereas the area in and around the proposed site of a high Hells Canyon Dam presents such a potential; and

Whereas the two small dams, maybe a third one at some time in the future, as proposed by the Idaho Power Co., do not and never will develop the area to its greatest potential; and

Whereas such a plan as proposed by the Idaho Power Co. was falsely presented as a project which would be constructed at no cost to taxpayers of the United States, but subsequent application for fast tax writeoff certificates which will provide, if granted, more than $338 million in taxpaid subsidies over a 50-year license period, give the lie to this propaganda; and

Whereas power costs will be increased by the proposed plan of the private power company; and

Whereas little or no assistance will be in store for recreation, fish, wildlife, and irrigation; and

Whereas the three-small-dams proposal of Idaho Power Co. constitutes a rape and wanton waste of our natural resources, at increased rather than decreased cost to the taxpayers; and

Whereas the proposed high Hells Canyon Dam will be for the benefit of all the people, developing the surrounding area to its full potential; and

Whereas the proposed high dam will provide 4 times the water storage capacity of 3 small dams; and

Whereas such storage will provide flood control, downstream power benefits and navigation; and

Whereas 1,122,000 kilowatts of year-round power will be available to the surrounding region, 6 years after start of construction, at wholesale power rates as sold under the Bonneville Power Administration and which, in 1956, were the lowest in the Nation at 2.3 mills; and

Whereas previous large hydro projects constructed by the Federal Government are repaying the original cost with interest and still showing a profit; and

Whereas a high dam at Hells Canyon will provide large-scale fish and wildlife, recreation and irrigation benefits, and

Whereas the proposed Hells Canyon Dam will provide power for the development of Idaho phosphate resources with a resultant saving to western and midwest farmers in the purchase of phosphate fertilizer; and

Whereas the people of the northwestern area of the United States, by their voting in the 1956 election, definitely delivered an ultimatum showing their preference for candidates willing to support and work for a high Federal dam at Hells Canyon; and

Whereas a high Hells Canyon Dam, by using the facts and figures available, will actually not cost the taxpayers additional money, but will be paid for by the power users and additional income will be realized by the Federal Government due to the fact that new manufacturing sites will develop, new jobs created, and additional vast areas be made available for food production: Now, therefore, be it

Resolved, That

1. The California Rural Electric Cooperative Association opposes the Federal Power Commission's decision to allow Idaho Power Co. to build three small dams on the Middle Snake River.

2. The California Rural Electric Cooperative Association requests Congress and the administration to support and pass legislation which will allow the construction by the Government of a large high dam at Hells Canyon on the middle Snake River, thus allowing full development of the natural resources of the area.

3. The California Rural Electric Cooperative Association is of the opinion this resolution is in conformity with the mandate of the people in the area concerned and that the construction of a Federal high dam at Hells Canyon will benefit the greatest number of people at less cost than any other plan submitted for development of the middle Snake River.

I hereby certify that the foregoing resolution was adopted at a regular semiannual meeting of the California Rural Electric Cooperative Association held at San Bernardino, Calif., on Monday, May 6, 1957.

CONE HUNTER, *President*.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD a resolution which I have received from the Aluminum Workers International Union, in support of a high dam at Hells Canyon. I ask that both their letter and the resolution be printed in the RECORD at this point in my remarks.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

ALUMINUM WORKERS
INTERNATIONAL UNION,
St. Louis, Mo.

To the Honorable Members of United States Senate and Congress, Washington, D. C.:

The enclosed resolution was adopted at the third biennial convention of the Aluminum Workers International Union held in Vancouver, Wash., the week of May 19, 1957.

The Aluminum Workers International Union strongly urge your support of this resolution to push this resolution before Senate and Congress to build the Hells Canyon Dam on the Idaho and Oregon border.

Aluminum, a few years ago, was considered a metal which could be used only for cooking utensils; however, today it is a highly competitive metal to steel, and is used in making different kinds of electrical appliances such as cable wire and many other conductors of the electrical field. Aluminum is one of the most important metals used for the defense of our Nation.

Homes and large office buildings are now being constructed out of aluminum throughout our country; thus it is important that the large aluminum plants in the Northwest maintain full employment.

Due to water shortages in various sections of our country where aluminum plants are in operation, the workers have been faced with layoffs from time to time which greatly reduces the purchasing power of the workers in these sections of the country. It is therefore important that the large aluminum plants in the Northwest maintain full employment, so that the aluminum industry will expand in the Northwest to meet great demands for aluminum in our country.

To produce aluminum, it takes a tremendous lot of hydroelectric power. Billions and billions of kilowatts of electricity are going to waste by not constructing Hells Canyon Dam.

Would appreciate hearing from you as to your support of same.

Very sincerely yours,

WILLIAM L. COWLEY,
Secretary-Treasurer.

Hells Canyon, on the Idaho-Oregon border, is the last available site for a high dam in the United States.

Whereas Hells Canyon Dam symbolizes, in our times, the issues of conservaton of the Nation's water resources in order to produce for public benefit the maximum amount of flood control, navigation, electric power, recreation, and other uses of growing importance in the United States; and

Whereas the Federal Power Commission, under influence of the administration, has licensed to a power company three inferior dams that would waste substantial amounts of flood control and power benefit otherwise obtainable from Hells Canyon site for the benefit of the people of the United States; and

Whereas the Federal Power Commission licensed the private dams on the ground that they would be built "without expense to the United States," and the power company asserted that it would build the project "without 1 cent of cost to the taxpayers of the United States"; and yet the administration has granted to the power company a 5-year tax exemption of at least $30 million at the expense of the taxpayers of the United States; and

Whereas the Northwest has been continuously faced for the past 10 years with power shortages; and

Whereas at each power brownout that we have, our people within the aluminum industry are faced with a layoff and, therefore, lowering their yearly income; and

Whereas the various organizations in the States of Washington, Oregon, and Idaho have all endorsed the high dam at Hells Canyon; and

Whereas the recommendation of the Corps of Army Engineers has pointed out the advantages of a high dam at Hells Canyon: Now, therefore, be it

Resolved, That the Aluminum Workers International Union go on record at their convention in Vancouver, Wash., May 20 through May 24, as unanimously approving the building of a high dam at Hells Canyon instead of the three lower dams to be built by the Idaho Power Co.; and be is further

Resolved, That the Aluminum Workers International Union contact the chairman of the Senate Interior Committee and impress upon him the importance of the building of the high dam at Hells Canyon; and be it further

Resolved, That the local unions within the Aluminum Workers International Union contact their Senators and Congressmen urging them to comply with the resolution.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a resolution I have received from the Huntington Park Democratic Club, Huntington Park, Calif., in opposition to the fast tax writeoff to the Idaho Power Co., and a resolution adopted by the same organization in support of a high dam at Hells Canyon.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

HUNTINGTON PARK DEMOCRATIC CLUB,
Huntington Park, Calif., April 2, 1957.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.

DEAR SIR: The following resolution was unanimously passed at our regular meeting of the Huntington Park Democratic Club May 27, 1957:

"Whereas President Eisenhower's action as administration head in allowing a writeoff in cost to the Idaho Power Co. of building private dams at Hells Canyon; and

"Whereas such action is politically immoral and causes United States citizens to make up any deficit in taxes and is betraying the confidence of the American citizens and is a corrupt practice; and

"Whereas WAYNE MORSE has compared this action of President Eisenhower analogous to Dave Beck usurping union funds: Therefore be it

"*Resolved*, That the Huntington Park Democratic Club commends Senator WAYNE MORSE for his fortitude in bringing the case to the attention of the American people in a forthright way."

Sincerely,

NOLAN HUBBS,
Corresponding Secretary.
For TREVA GRONNEBECK,
President.

HUNTINGTON PARK DEMOCRATIC CLUB,
Huntington Park, Calif., April 2, 1957.
Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Resolution—Idaho Power Co. Writeoff

Whereas the Idaho Power Co. was authorized to build hydroelectric power projects on the Snake River as private enterprise; and

Whereas private power companies advertise that they pay taxes not assessed on Government-built projects; and

Whereas the administration has granted a large writeoff for the building cost of the dams at Hells Canyon: Therefore be it

Resolved, That the Huntington Park Democratic Club condemns any such grant to the Idaho Power Co. as fraudulent and maladministration in Washington and urges that steps be taken to obtain legislation to stop such misuse of authority.

Sincerely,

NOLAN HUBBS,
Corresponding Secretary
(For Treva Gronnebeck, President).

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a speech which I delivered over a considerable number of Oregon radio stations on June 9, 1957, entitled "The Quick Tax Writeoff Scandal."

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

THE QUICK TAX WRITEOFF SCANDAL—REPORT OF SENATOR WAYNE MORSE OVER OREGON RADIO STATIONS WEEK OF JUNE 9–16, 1957

Fellow Oregonians, the Nation is waking up to a scandal I have been warning against for 4 years.

Senators and Congressmen returning from the Memorial Day long weekend report that more questions are being asked them about this administration's tax favoritism to the Idaho Power Co. amounting to millions of dollars to help the private utility build two inadequate dams in the Hells Canyon area.

During the last three Congresses I have warned that not only would this administration give the Idaho Power Co. licenses to underdevelop the Hells Canyon reach, but in addition the Eisenhower administration would help the company finance the pigmy dams with taxpayers' money as well.

Events have proven these predictions of betrayal of the public interest to be correct.

A quick review of what has happened is in order. In May 1953 the Eisenhower administration, through its new Secretary of Interior, withdrew the Truman administration's opposition to the Idaho Power Co.'s low-dam application—only a few weeks after the new Eisenhower-appointed Chairman of the Federal Power Commission took office. Chairman Kuykendall was the public utility commissioner of Washington—appointed to that post by one of the most outspoken opponents of a high Federal Hells Canyon Dam.

In July 1953, the Hells Canyon hearings opened. In August 1953, the Idaho Power Co. filed quick tax writeoff applications for two of its small dams—by an amazing coincidence the two dams the FPC issued firm licenses for 2 years later.

Under the leadership of Chairman Kuykendall in December 1953, the FPC ruled that a company which saved money under a quick tax writeoff certificate did not have to use the saving to reduce rates to its customers.

Throughout this time, the Idaho Power Co. and its administration apologists claimed that the company dams were desirable because they would be built at no cost to the taxpayers.

As early as 1953, as I recall it, I was at Coos Bay in November at a Hells Canyon rally. I said that the no-cost-to-the-taxpayer tune was untrue because of the quick tax writeoffs.

In the FPC hearings, the president of the company testified that the quick tax writeoff certificates had been filed, but that they weren't needed and he had little expectation of getting them. That this was less than candid is demonstrated by the fact that practically no utility applicants have been turned down.

After a bitter legal struggle, the FPC granted the Idaho Power Co. licenses in August 1955. Within a few days I wrote to the head of the Office of Defense Mobilization, the agency handling the tax-certificate program, and protested consideration of the certificates on the ground, among others, that FPC based its decision on the supposed fact that the company dams would be built without cost to the United States Treasury and the taxpayers. He replied that I would have an opportunity to file a detailed brief against the certificates. On February 6, 1956, I did just that and was joined by 18 other Members of Congress from many regions.

Our brief pointed out that the Department of the Interior recommendation of 1955 and ODM's own staff memorandum contained many errors of fact—serious errors of fact. We heard nothing, despite our request for a public hearing to resolve the issues.

Meanwhile, I discussed the quick tax writeoff program which was providing a gravy train for the private utilities. Many of you may remember my broadcast in July 1954 discussing the Idaho Power Co.'s applications, as well as others by PGE and Copco.

In my discussions I pointed out that the quick tax writeoff enables the utilities to save millions of dollars in taxes—taxes lost to the United States Treasury. That means the Treasury borrows money and pays interest, thereby increasing the national debt and the interest payments—and so the vicious circle goes on. When I discussed this on the Senate floor, in newsletters, in open forums at home, Oregon's editorial apologists for the administration and utilities couldn't condemn me strongly enough.

When, again, on April 29 of this year, I repeated the charge after this administration issued the $65 million Idaho Power Co. tax certificates, the newspaper editorialists went after me again. "Untrue" and "Misleading" were the mildest epithets used.

But, now the story is coming out in the Kefauver hearings. Only a few days ago the chief accountant of the Federal Power Commission, in response to a question by a Republican Senator, testified that the Treasury would have additional interest costs amounting to $83 million as a direct result of the Idaho Power Co. tax writeoffs. That's a tab the taxpayers pick up. In addition, the FPC chief accountant testified that the value of the interest-free loan from the Treasury to the company would be worth $339 million—$10 million higher than the estimate I used on the Senate floor on April 29. The Oregon press has not been talking much about this.

Further, ODM Director Gray repeatedly claimed that the Department of the Interior recommended the tax writeoff to Idaho Power. Then, on his second appearance before the Kefauver committee, he was confronted with a letter dated March 11, 1957, from Secretary of the Interior Seaton urging denial of the certificates on the same grounds I have been objecting to them for several years. Senator KEFAUVER said, "It's a fact, Mr. Gray, that you had no intention of disclosing this letter until you knew we had a copy of it from Interior."

Gray lamely explained that it did no more than repeat objections of Congressional critics—and he was right. Why had Gray, why had the administration suppressed this letter? Why had Gray and the administration sought to give the impression that Interior recommended the certificates, when the Secretary of Interior recommended against them?

Gray claims that the letter gave Seaton's opinion and did not deal with the so-called criteria for the program. But the letter did deal with the criteria—namely it said—as did FPC—that the company dams would not supply power for defense programs over the company's normal needs.

It has turned out that the Interior official who worked on the certificates did not go to the FPC transcript for the facts of the case. He relied on the Idaho Power Co.'s representations. This may be explained in part by the fact that he formerly was a private utility official.

The hearings have shown that the company attorney presented evidence before the Senate Interior Committee in March 1957, that the Oxbow Dam would be completed in 1961. But in order to qualify for the tax writeoff the dam would have to be completed in 1958. Gray's assistant obtained a letter from the company declaring Idaho Power's "intention" to complete the dam in 1958—and that was considered enough to grant the handout—despite other official documents listing the completion date as 1961, almost 3 years after the cutoff date. Incidentally, such a speedup would increase costs—and the tax writeoff—enormously.

Several times, Director Gray has claimed executive privilege to avoid disclosing all the facts. Perhaps he has this right. But the rest of us have the right to inquire—what is he hiding? Why has he refused to disclose what dealings he had with four of President Eisenhower's top White House assistants. He admits talking to them about the case, but won't say where, when or what was said.

There is much more to this sordid story of giving away the taxpayers' money to a favored private utility to aid it in wasting the precious Hells Canyon site.

That is why I compared this administration's action with Dave Beck's taking money from out of the pockets of teamsters in the form of an interest-free loan. I was attacked on the Senate floor and in the Oregon press for this—attacked falsely I may add with a quotation that didn't pass my lips. I did not make the statement attributed to me that Eisenhower and Beck are "the same kind of immoralists." I put the proof into the CONGRESSIONAL RECORD. Now I'm waiting to see whether the editorials written on this supposed quotation are corrected.

What I am interested in doing is correcting the Eisenhower administration's giveaway of Hells Canyon to the Idaho Power Co. for underdevelopment—and giving them millions in an interest-free loan to enable them to take advantage of the first giveaway.

The public is getting the facts on this scandal—which so resembles Dixon-Yates. It is up to the President and his supporters to make all of the facts available—to admit the giveaway and the mistake and go forward with a sound program of water resource development. The logical place to start is Hells Canyon by building the high Federal dam.

Mr. MORSE. Last, Mr. President, I ask unanimous consent that there be printed at this point in the RECORD, because it bears on this general subject, a speech which I delivered on June 6, 1957, to the League of Women Voters of Prince Georges County, Md., on the subject Water—America's Future.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

WATER—AMERICA'S FUTURE—EXCERPTS FROM ADDRESS OF SENATOR WAYNE MORSE, LEAGUE OF WOMEN VOTERS, PRINCE GEORGES COUNTY, JUNE 6, 1957

It is a genuine pleasure to be here tonight to discuss water—America's future, at this meeting sponsored by the League of Women Voters of Prince Georges County.

I think I can say without reservation that all of us in the Congress are aware and respect the wonderful work that women in the league are doing to make this a better America. The work the league does in getting people to register and vote is one of their most important functions. I think that the way they take great national issues such as water and study them in all of the local leagues in the country is an admirable way to become fully informed on a subject. There are many people who write to Senators who represent special interest groups with preconceived notions that are not based on facts. I can assure you that those letters do not have a great impact. There is one group, however, which does command the respect of your Senators and that is the League of Women Voters because they always explain where they stand and they rationally state the reason for their stand.

There really is a double pleasure in coming out here tonight because this is part of Maryland's Fifth Congressional District. I would feel remiss if I did not mention to you the outstanding job that your Congressman DICK LANKFORD has done in representing this county, the State, and the Nation.

The State I represent in the Senate is all the way across this country—3,000 miles. But yet it has a lot in common with Maryland. Also in many ways it is quite different from this Free State. Since tonight we are talking about water, let us just consider for a moment a few statistics. The average rainfall in Malheur County in eastern Oregon is about 7 inches a year, while in Tillamook County along the Pacific coast, we get 130 inches a year. On a statewide basis Oregon gets 27 inches of rainfall a year.

I am sure you can appreciate that this variation in rainfall presents some unusual problems to the people of our State. Maryland, on the other hand, has an average rainfall of 42 inches a year, which is fairly well distributed over your entire State.

I did not come here tonight to talk statistics but I think these few figures will help you appreciate that water problems differ in every region of our vast land. And I think that you know that every State in the Nation has water problems which are affecting the growth of our Nation. In my State we have had floods and droughts simultaneously and this is true in other Western States, because the West is primarily an arid region where water runoff in the spring is rapid and often devastating. We had to make an intense study in how to solve our water problems. Here in the East the water problems have often been more subtle but they have been very real problems. Let us think for a moment of a local problem right here in your county. Just a few thousand yards from here is the Peace Cross on the banks of the Anacostia River. This little stream hardly looks like it has a flood potential but everyone in this room knows the damage it has wrought. It is indeed hard to believe that when the British attacked Washington in the War of 1812, that their ships sailed up the Anacostia where they disembarked for a march on Washington. Today it is almost impossible to navigate a rowboat up this river. In the very near future it will again be possible for boats to navigate the Anacostia and the flood menace of this little stream will be abated.

In recent years we have heard a lot of talk about a water policy known as partnership. The present administration would have us believe that this is a new policy and I will say to you that as carried out by this administration, it is a new interpretation of partnership. It is a partnership in which the Government pays the bills and private enterprise gets the benefits and the profit.

For many years you have had a genuine partnership policy and this Peace Cross project is a good example of local government and the Federal Government having long cooperated on a partnership basis. On May 17, 1950, President Harry Truman signed into law the authorization for this flood-control project. The Legislature of the State of Maryland and the local government are cooperating in the financing of this project. About $5 million is being spent by the people of Maryland for the construction of highway bridges and utility relocations. Prince Georges County and the Maryland Park and Planning Commission have sold bonds totaling almost $3 million to finance land purchased, the relocation of utilities, and to provide accessory drainage. The local contributions will be approximately equivalent to those of the Federal Government. When this project is completed there will be a complete system of channel improvement and levees to contain high waters, a system of park lands along the Anacostia, and a boat basin located at Bladensburg. The benefits that this project will provide will exceed the cost by $2.27 for every dollar expended. This is a good investment for the taxpayers' money. When we think of benefits, we often think of just the obvious ones. How many of you people have been forced to detour several extra miles around the Peace Cross to get to your destination? How often have you sat in your car 30 minutes or an hour while traffic slowly made its way through a foot of water at the Peace Cross? How often have you been an hour late for work at your employer's expense? Those delays cost you money and they cost the community money. The loss is a hidden loss. But if the hidden cost to you alone was only $1 a year and the cost to your employer was only $1 a year, would you rather let that hidden drain continue or would you be willing to spend 50 cents of your money in the form of taxes to stop that loss? I think that the answer is obvious.

There is another aspect to water conservation and that is what causes these floods. Siltation in the river has filled its channel and caused it to spread out over a wide area. Development in this little river basin has made it difficult for rainfall to be absorbed by the soil and slowly discharged, and today after every rain the water rushes toward the sea. In a place such as this we probably cannot make any tremendous changes in the watershed. In a county such as this where the population is expanding, each new housing development requires additional streets and sites for homes and stores and there is less soil area which can absorb the rain. We put in gutters and sewer systems which speed the water on its way to the main stream. Thus we must take the necessary action to contain the water and minimize the damage that it does. Another water problem that we have is maintaining its quality. Thirty years ago people used to swim on a sandy beach by what is now the site of the Jefferson Memorial. Today the pollution in the Potomac is so great that to bathe in that river would be suicide. One of the major crimes against nature that we have committed is the pollution of our rivers and the Potomac is a prime example of the maltreatment our rivers have received. I am delighted that the Izaak Walton League of America, an outstanding conservation organization, has resolved not to hold any future conventions in Washington until action is taken to correct this pollution problem. I am also sad about this action because it is a national scandal when the very river which flows past the door of our Capitol receives a label such as this. I have pledged myself to continue to work for comprehensive development of the Potomac River Basin. I think our sense of national pride should cause all of us to join together to remove the label that the Potomac River now has.

I am sure that many of you are interested in the relation between water and power development. National consideration of water problems automatically requires a consideration of this use for water. Twenty-five years ago the attempt to thwart the development

of Grand Coulee Dam on the Columbia River represented an effort by private utilities to usurp and steal the water resources of the American people. Charles L. McNary, my noted Republican predecessor in the Senate, and many other Republicans and Democrats joined with Franklin Delano Roosevelt to insure that these water resources would be used for the benefit of the people. Instead of the little dams that the private utilities wished, the Nation got maximum water development through the federally sponsored Grand Coulee project. I am sure you all know the tremendous contribution this dam made to our successful prosecution of World War II. The water that this project provides for irrigation enables the people of the State of Washington to provide many of the foods that you buy in your stores here in Maryland. Today we have another example of the private utilities seeking to destroy a water resource. This time it is on the Snake River, a part of the Columbia Basin, where the Idaho Power Co. proposes to build pygmy dams instead of the Hells Canyon Dam. There is a lot of debate about whether 1 high dam will do as much as 3 low dams. In talking about this Hells Canyon issue, there are a few facts that you ought to know. The Idaho Power Co. started off talking about building 3 dams, but now they are only building 2. The Idaho Power Co. said that these dams would be built without expense to the taxpayers. They painted a rosy picture of the private taxpaying utility stemming the tide of socialism and preserving the system of free enterprise. But how will they preserve this great system of free enterprise? One thing is certain. They are going to dip into the taxpayer's pocket and take out $83 million. This is $20 million less than the cost of their 2 pygmy dams according to their own figures. The total benefit of this $83 million gift to the company from the taxpayer becomes $339 million. This is 3 times the cost of their 2 dams. The total benefit is obtained because the actual tax saving can be reinvested to earn this stupendous amount. The private utilities of this Nation are Government-licensed monopolies with a guaranteed minimum rate of earning and the tax subsidy that this company seeks will do nothing more than enrich the stockholders of this corporation, whose principal office is not in Idaho but is in Maine. The people in the Northwest will pay a high rate for this power. The people all over the Nation will pay a subsidy to this private utility and only a fraction of the flood control and power development of this site will be realized.

Just the other day I was apprised of opposition to a flood control and power project in northwest Pennsylvania, which would flood the Corn Planter Indian Reservation and several thousand acres of land, which are supposed to have high agricultural value. All over our Nation there are other examples of dam projects, which will flood lands, needed or valuable for other uses. In the Northwest most of the remaining dam sites will destroy vast stands of timber, salmon spawning streams and farmlands. The Snake River is one of the few places on our continent where this problem is not present. We could build almost any size dam on that river and not destroy any other valuable land uses.

If we build the pygmy dams that this administration has supported in consort with the Idaho Power Co., we will destroy a tremendous potential for electric power and the development of our Nation.

The VICE PRESIDENT. Is there further morning business?

Mr. JOHNSON of Texas. Mr. President, before concluding the period when Senators may make 3-minute statements in connection with the transaction of routine business, I wish to have a quorum call to notify other Senators, so that they may come to the Chamber and make such statements as they desire to make. If there are no further items of routine business, we shall then proceed to other business.

I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

PERSONAL INCOME AND NATIONAL PROSPERITY

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD an article published in the Indianapolis Times of Sunday, June 16, 1957, entitled "Indiana's Plateau of Prosperity," and also an article entitled "Personal Income in May Reached a New Peak Rate," published in the Washington Post and Times Herald of Tuesday, June 18, 1957.

On yesterday the able junior Senator from Tennessee [Mr. GORE] placed in the RECORD some figures showing that Government bonds had reached their lowest point, and that interest rates had reached their highest point.

I wish to point out today that more people are employed in the United States than ever before; that they are earning higher wages than ever before; that the national income and the national gross product are the highest in the Nation's history.

The article states:

Personal income in the United States reached an adjusted annual rate of $340.5 billion during May. A new record, this figures out as almost $2,000 a year for each of the country's 171 million inhabitants.

I am sure that the people are the ones who receive that income in the form of wages and salaries, because not too many of them own bonds.

I ask unanimous consent that the articles be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post and Times Herald of June 18, 1957]

PERSONAL INCOME IN MAY REACHED NEW PEAK RATE

Personal income in the United States reached an adjusted annual rate of $340.5 billion during May.

A new record, this figures out as almost $2,000 a year for each of the country's 171 million inhabitants.

The Commerce Department in its survey found personal income on a seasonally adjusted basis jumped $1 billion over April, and $17.5 billion over May 1956.

The May rate was $4 billion higher than for the first 3 months of this year.

Wages and salaries were up by $1 billion, property income—dividends, interest and business income—by a bit less than 1 billion, and transfer payments by about 2 billion. Transfer payments consist mostly of veterans' payments and social-security benefits.

The Commerce Department estimates of personal income include wages and salaries, the net income of proprietorships and partnerships—farm and nonfarm—as well as dividends and interest, net rents received by landlords, and other types of individual income.

The $2 billion rise in Government transfer payments reflected a sharp increase all spring as farm operators and other groups became eligible in larger numbers to receive old-age benefits. These groups came under the social-security law in 1955.

A side factor to the steepness of the increase in recent monthly payments is the fact that the first social-security checks to new claimants usually cover several months' payments.

The Commerce Department said most other components of personal income were relatively stable from April to May. Wages and salaries, after seasonal adjustment, were little changed as moderate gains in nonmanufacturing industries offset declines in manufacturing.

Payroll increases in nonmanufacturing industries reflected higher employment and higher average earnings. The increases were noted in trade, construction, finance, and State and local governments.

[From the Indianapolis Times of June 16, 1957]

INDIANA'S PLATEAU OF PROSPERITY: WHY BUSINESS WILL BOOM—INDUSTRY ENJOYS FAVORABLE TAXES, FRIENDLY CLIMATE

(By Robert Hoyer)

Indiana is destined to become an industrial giant by 1970.

Hoosier prophets of progress see a golden plateau of prosperity, with Indiana moving progressively ahead of her sister States.

They say Indiana has four basic lures to new industry.

1. Geography (the State is centered in one of the world's richest markets).

2. A sound tax structure that appeals to business.

3. A friendly political climate (Governor Handley and Lieutenant Governor Parker have promoted new business).

4. Comparatively good labor relations the last decade.

Since World War II, the State has been wooing industry at a record clip.

And, in line with industrial expansion, population has been increasing faster than the national average.

In predicting a bright future for the State, leaders point to the 191 new industries that have located here since April 1, 1955.

They cite the big expansion programs planned by major steel companies in the Gary area.

They say that Indiana—currently 10th among the States in population with 4.4 million—will grow to 5.6 million by 1970, and move ahead of Massachusetts and New Jersey.

Planners long have estimated there will be an almost solid urban development between Indianapolis and Chicago by 1975.

Three theoretical centers—often determining factors in business location—fall in Indiana. They are:

1. United States center of manufacturers.

2. United States center of aluminum distribution (Terre Haute).

3. United States center of small motors manufacture (Allen County).

Indiana is first in per capita production of 16 products, second in 14 and third in 13 others.

First place per capita productions are:

Pig iron, 7 kinds of steel, 5 kinds of furniture, 3 types of canned goods, coke screenings, book printing and letterpress work, building limestone, power transmission equipment, mechanical stokers, household refrigerators, condensing units, measuring and dispensing units, plumbing and heating

valves, household radio receivers, TV sets, phonographs and record players, musical instruments (except pianos and organs), wood caskets and coffins.

John C. Mellett, director of Indiana Economic Council, explained still another lure to industry here, "Industries go where industries are because:

"1. They will find subcontractors to do some of their work.

"2. They will pick up work from other industry.

"3. In industrial areas, there usually exists an available labor force."

Of the plants moving here since April 1955, 22 came from Illinois—most of them in the Chicago area; 15 relocated from Michigan, 10 from Pennsylvania, and 9 from New York State.

Mr. Mellett said Indiana lost only two plants since April 1955.

During the same period 71 firms spent millions of dollars on expansion programs.

Business leaders say Indiana can become the industrial hub of the Nation, if the tax structure is kept in line and if the political climate remains favorable.

"Since Indiana is equal to most States in most things, tax structure assumes the key role in industrial development," John Barnett, Indiana State Chamber of Commerce explained.

The center of population, which has moved progressively west from Baltimore, Md., in 1790, now is just 10 miles west of Vincennes, in Illinois.

The center of manufacturers, which in 1850 was in central Pennsylvania, now is in Indianapolis.

Officials believe that Indiana is the most balanced industrial State in the Nation.

They point to the population distribution, to the many towns and cities spread across the State's 36,205 square miles.

In this respect Indiana is better than States like New York, Illinois, Michigan, and Pennsylvania.

New York has to fight against New York City. In Illinois it's a battle between Chicago and downstate rural and urban areas. In Michigan it's a duel between Detroit and the rest of the State, and in Pennsylvania it's Philadelphia and Pittsburgh against the agrarian middle of the State.

Indiana's largest city is Indianapolis with 475,000. Evansville, South Bend, Gary, Ft. Wayne, and Hammond, all top the 100,000 figure, and Muncie and Terre Haute boast populations of 75,000.

With the opening of the St. Lawrence Seaway, the entire Middle West will assume an even bigger role in the Nation's economic future. And Indiana, long the heart of the Midwest's fertile Farm Belt, should be one of the biggest beneficiaries.

Plans for an Indiana port on Lake Michigan fit into this picture of increased commerce on the St. Lawrence.

Indiana currently ranks second only to Texas on per capita construction of industrial buildings. Ohio ranks fourth, Illinois seventh, and Michigan ninth.

The Engineering News Record lists Indiana industrial construction for 1954–57 at $1.7 billion—or 6.5 percent of the Nation total.

An Indiana Economic Council survey shows State wages and salaries up 425 percent since 1939, as compared with a national increase of 420 percent.

Employment is up 71 percent in Indiana as compared with 70 percent nationally and Hoosier population has increased 22.5 percent against a national increase of 13 percent.

The number of factories in Indiana has increased by 52 percent and the national average is 66 percent. "But this is a deceiving comparison," Mr. Mellett explained. "Some States like Kansas that had virtually no industry showed vast percentage gains, but Indiana's total gain was much greater."

Business and industrial leaders singled out Indiana's gross income tax as a basic reason for bringing industry here.

"Indiana has no tax that clips firms doing national business," explained Harry T. Ice, attorney for a number of big industries here.

Big firms are not important for the tax they pay, but because of the tax they generate. That's the beauty of the gross tax. It's a turnover levy, and every time a payroll turns over, it produces revenue.

"It's the most painless tax, as far as growth. It doesn't hit the little fellow harder than the big fellow."

"With more than 10 new industrial payrolls coming to Indiana each month, you can be sure management has carefully compared Indiana with other States.

"Moreover, Indiana's tax picture is clear now for a number of years. The 1957 legislature made a drastic review of tax needs, and adjusted revenue schedules," Gov. Handley said.

Lt. Gov. Crawford Parker said only Ohio can compete with Indiana, in industrial growth, but he pointed out that Indiana is more favorably situated for a number of industries.

Jack Reich, executive secretary of Indiana State Chamber of Commerce, said the tax picture is one of the first considered by prospective industries.

Leaders also point to the growing cultural advantages of Indiana with Indiana University in the southern half of the State and Purdue University serving the north.

The Indianapolis symphony and an all-season program of cultural activity in a half dozen Indiana cities brighten the prospects of new business. Industrial leaders like to locate new plants in communities that offer full social and cultural opportunities.

Hobert Autterson, secretary-treasurer of Indiana State Federation of Labor, called labor-management relations here "better than in any State of Indiana's size and productive capacity."

Although unions lobbied against the gross income tax increase in the 1957 legislature, they considered it a lesser evil than a proposed sales tax, which posed as a possible substitute.

Leaders cited communications advantages.

1. Principal railroads and trucking companies course the State.

2. More Federal highways converge on Indianapolis—Indiana capital and geographic center—than any other American city.

It is without exaggeration that Hoosiers refer to Indianapolis as crossroads of the Nation.

FEDERAL FLOOD INSURANCE

Mr. PASTORE. Mr. President, I learned with deep regret that the House of Representatives has disagreed to Senate amendment No. 15 to the third supplemental appropriation bill of 1957, known as H. R. 7221.

This amendment proposed to make available $14 million for payment of compensation for services rendered by private organizations and persons pursuant to section 13 of the Federal Flood Insurance Act of 1956.

This meant $14 million to meet the costs of the private insurance industry, which would undertake to write the policies, execute the contracts, and adjust the losses under the Federal flood insurance authorized by the Congress with enthusiasm last summer.

But what is more than all the technical aspects—the life or death of the measure means the life or death of this Federal agency. It means a sentence of death to take effect June 30—for without this agency the Federal Flood Insurance Act is dead.

What a story to tell the people in the areas where floods have taken their toll. What will be the feelings of the people who thought the Congress meant it when it responded to the desperate pleas of countless citizens and appropriated half a million dollars to begin the study?

What reason is given? It is said the costs would be too great. Yet, it is the very enormity of the losses that caused the agitation in the first place. Does good government run away from the necessities of its people? Do we turn our faces away when disaster strikes any segment of our Nation? Are we so callous that we have not time to think of our neighbor in need?

Are we so deficient in talent to meet the needs that we simply abandon the task, and say, "There is nothing that can be done; we of the Congress will detour around this responsibility"?

Another reason given is that it would put the Government in business. It would put the Government in business only to the extent that private industry will not or cannot meet the needs of the situation. Where is an individual to turn to get coverage against the dangers of flooding? What insurance company will take care of him? He may be ready and willing to pay his share. He must be ready and willing to pay his share. But what company is there to help him?

There is no company. That is precisely the reason why the Federal Government seeks to do something about it. We must do something about it or confess that we are not equal to taking care of the problems which should be our concern.

The last thing Federal flood insurance contemplates is to put the Government in business. The first thing Federal flood insurance has to do is to get out of the insurance business just as soon as any private company will offer adequate insurance at reasonable rates. That is provided in the law itself. The agency is obligated to get out of business as soon as private industry finds from its tables of experience that private industry can handle the program at a cost that is satisfactory to itself and to the public.

The money the Senate amendment sought to provide was to go to private companies which have been praised for their readiness to cooperate and give Federal flood insurance a good start by doing, at low cost, the paperwork, the policy writing, contract making, and loss adjusting with their expert staffs.

Everybody is only too anxious to have the private insurance industries take over the whole matter. We do not blame them for being cautious. We congratulate them on their cooperation thus far. And we would hasten the day when they will do the whole job. But we cannot wait on that happy day.

In any event there is a 5-year cutoff of the activities of the agency. It must report back to the Congress in 1962 to see if the Congress will continue its operation.

There is no permanence to the agency unless the Congress wills it.

Now there is a little ray of sunshine, as I see it. One hundred and eight-six

votes supported the amendment in the House.

And the House has been on record as favoring a continuing study by the agency. In January last they hoped that the agency would make a good continuation with the $350,000 it had at that time.

By June 30 that amount will have been whittled down to some $160,000 or $170,000. There will be that much left. But the agency cannot spend it. Its authority dies on June 30.

Here is a little agency doing a big job. Here is an agency with less than 30 people who have come up with some factual findings and some dollar-and-cent steps which will take us far along our road of responsibility. And the Agency is finding the answers to the cost coverage of the disasters which have so grievously hurt many areas of our country.

And here we are dismissing them almost curtly; cutting off their blood supply; but, worse of all, cutting off the hopes of our people that we really intended to grapple with the problems of their perils.

It should be the business of the Congress to find some supplemental measure by which to keep a foot in the door. That door must not be slammed in the face of flood sufferers.

We must take all the necessary steps to see that we do not choke off even our own finer feelings in the matter. We have meant to keep this Agency alive. We have given them some money. They have not spent it all.

It is important to keep this Agency alive until at least another session of Congress when we may see things in a more mature light. We have to keep this agency and its employees on the job or the future of Federal flood insurance will fade away while we shall be plagued with the echoes of the fine words we uttered a year ago and the patriotic sentiments of a Congress concerned with the responsibility to lessen the burden of relief and rehabilitation that falls on the Federal Government when neither private citizen nor private industry can rise to the occasion.

It is my hope that a supplemental bill may provide the life-giving lease to this capable agency and keep alive in the hearts of people the hope that we can find the answer to their risks as unpredictable Nature threatens home and life and business at the most unforeseen times.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. SALTONSTALL. I agree with the principle stated by the Senator from Rhode Island. The people of New England are very much interested in this subject. Yesterday the Senator from Rhode Island, the Senator from Connecticut [Mr. BUSH], and I conferred on this subject. As the Senate knows, the Senator from Connecticut and former Senator Lehman, of New York, served on the subcommittee which went into this matter at great length. The House has been adamant with respect to this authorization.

However, Mr. President, the Agency is still in existence, and there is still some money available. The Senator from Rhode Island and I have talked with the senior Senator from Arizona [Mr. HAYDEN], the chairman of the Committee on Appropriations, and I believe we have his sympathy with regard to presenting this matter in connection with another supplemental appropriation bill, with the hope that the Agency may be continued by reappropriating the funds still available.

Mr. PASTORE. The distinguished Senator from Massachusetts is absolutely correct. It is true that the Agency still has between $160,000 and $170,000 remaining to its credit. However, the authorization dies on the 30th of June, and unless we have a continuation of the authority the Agency will die. I hope the chairman of the Committee on Appropriations will favor us in that regard.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. JAVITS. Mr. President, I wish to associate myself with the views of the Senator from Rhode Island and the Senator from Massachusetts. New York pays 20 percent of the Federal taxes, twice as much as its proportionate share from the standpoint of population. We feel very deeply about this subject, and we should like very much to see some action taken on it. I believe I can speak also for my colleague, the senior Senator from New York [Mr. IVES], when I say that we will be able to take the kind of action the Senator has described. I thank the Senator from Rhode Island for making such an eloquent speech in behalf of our cause.

Mr. PASTORE. I thank the Senator.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. NEUBERGER. I wish to thank the Senator from Rhode Island for his interest in the matter. My State is one of the States which has been tragically affected by floods. We certainly hope the Senator from Rhode Island will be successful in being able to continue the appropriation and in securing the money which is necessary. Oregon needs the Federal flood-insurance program, and needs it at an early date.

JURY TRIALS IN CIVIL-RIGHTS CASES

Mr. JOHNSTON of South Carolina. Mr. President, I have before me two thought-provoking editorials. One of them, which is entitled "Jury Trial Memo," was published in the Washington Evening Star of June 14, 1957; the other which is entitled "Jury Trials Denied," published in the Washington Sunday Star of June 16, 1957.

I think the editorials are most timely now, and I ask unanimous consent that they be printed in the body of the RECORD. I ask every Senator to read them to see exactly what the people are thinking about at this time.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star of June 14, 1957]

JURY TRIAL MEMO

There are two sentences in Justice Black's recent decision in the case of the wives who murdered their soldier husbands which deserve the thoughtful attention of those who cry out in horror against the proposal to provide for jury trials in civil rights contempt cases.

In one sentence Justice Black said that "trial by jury in a court of law and in accordance with traditional modes of procedure after an indictment by grand jury has served and remains one of our most vital barriers to governmental arbitrariness." The other sentence reads: "The concept that the Bill of Rights and other constitutional protections against arbitrary government are inoperative when they become inconvenient or when expediency dictates otherwise is a very dangerous doctrine and if allowed to flourish would destroy the benefit of a written constitution and undermine the basis of our Government."

We are fully aware that Justice Black was talking about the trial of a criminal charge against a nonmilitary person by a military court. We are also aware that a prosecution for criminal contempt, strictly speaking, is not a criminal trial in the ordinary sense. But the distinction is more one of form than of substance.

What Justice Black really was driving at is the fact that trial by jury is a vital and fundamental safeguard for the individual—what Blackstone called the glory of the English law. Does it make sense to say that of course a man charged with stealing a cow is entitled to a jury trial, but that the same man, charged with violating a civil-rights injunction, must be denied a jury trial? The latter is essentially a criminal prosecution, and the man, if convicted, faces a prison sentence which might well be much more severe than in the theft of a cow. Why should he not be entitled to the safeguard of a jury trial?

The answer, of course, is that the jury trial opponents think it would be easier to convict an injunction-violator in a trial by a judge than in a trial by jury. They might be right. But is not this essentially the strategy of convenience and expediency which Justice Black has condemned as "a very dangerous doctrine"? We think it is. And we also think that those who denounce jury trials in civil-rights cases, before they even know what the juries will do, are rendering a great disservice to the fundamental concepts of our Constitution and Bill of Rights.

[From the Washington Star of June 16, 1957]

JURY TRIALS DENIED

The attempt to add a jury-trial amendment to the so-called civil-rights bill has been beaten down in the House by a vote of 199 to 167. This 32-vote margin, according to Representative WILLIS, Democrat of Louisiana, resulted from White House pressure on Republican House Members.

We do not know whether this is correct. If it is, it means that the President, who carried five Southern States last year, does not trust southern jurors to live up to their oaths. For the real reason behind the drive against the jury-trial amendment was the fear, real or professed, that southern juries would not convict defendants in civil-rights contempt trials, regardless of the evidence.

Whatever the case with respect to the President, it is clear that the House has prejudged, and adversely prejudged, an en-

tire area of the country. In effect, this was a vote of no confidence in the South, and that, we think, is a high price to pay for some supposed political advantage among Negro voters outside the South.

The jury-trial amendment was offered by Representative KEENEY, a freshman Republican House Member from Illinois. He said he submitted the amendment because as a judge in Illinois he had always considered a jury trial as an integral part of any court.

It required political courage for Mr. KEENEY to take this stand, and, with respect to cases in which punishment for criminal contempt is comparable to punishment for other crimes, we think he is right. We do not believe that considerations of expediency, especially considerations based on speculation, justify bypassing the jury trial, and we trust that this matter will receive more earnest consideration in the Senate.

DETERIORATION IN VALUE OF UNITED STATES BONDS

Mr. GORE. Mr. President, I regret to call the attention of the Senate to the fact that commercial interest rates in Wall Street yesterday increased another one-eighth of 1 percent under the impetus of the administration's monetary and economic policies.

I further call attention to the fact that this is the second such increase thus far in the month of June.

Yesterday 22 issues of bonds of the United States Government deteriorated to new lows. Victory bonds were bid down to 86.2, almost $14 below par.

Mr. President, this occurred yesterday at the very time the Secretary of the Treasury was advising the Senate Committee on Finance that higher interest rates were still needed.

Yesterday the holders of United States Government bonds suffered losses in value totaling $113,390,344.

Mr. President, the values of Government bonds are deteriorating daily. How long can this continue without the representatives of the people taking action?

I congratulate the able chairman of the Committee on Finance, the distinguished Senator from Virginia [Mr. BYRD], upon his withering examination of the Secretary of the Treasury this morning. He was probing deeply into fiscal facts and was ferreting out the truth, which was glossed over yesterday. I congratulate the Senator from Virginia. I am happy the investigation has started.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. GORE. I yield.

Mr. BENNETT. It will be interesting to have our colleague from Tennessee stand up every day and recite his impression of the losses in the values of bonds to the bondholders. He does not say, of course, that that kind of process takes place in the stock market every time the price of a stock or bond changes. The loss is a paper loss only. The Federal Government is prepared, under the terms of the bonds, to redeem them at par when they become due.

So the losses are theoretical losses. I hope nobody will rush to get rid of his bonds on the theory that the day will come when the Federal Government will not be prepared to redeem them at their face value.

Mr. GORE. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. GORE. A large insurance company may be able to hold its bonds to maturity. Unfortunately, many individuals and concerns cannot do so. Unfortunately, some institutions and some people must liquidate. When they liquidate, they suffer a very real loss. Even though they do not liquidate, the market value of the bonds of our country is deteriorating daily.

Mr. BENNETT. Of course, people do not buy bonds to speculate in them. The situation which the Senator from Tennessee describes would exist even if people were speculating in the bonds. But people buy bonds expecting to carry them to maturity.

Most private citizens hold E and H bonds, which do not deteriorate. However, it is true that some companies might, under some circumstances, decide that they would rather sell their bonds at current prices and buy something else. The fact remains, nevertheless, that it is still merely a paper transaction.

Mr. CAPEHART. Mr. President, will the Senator from Utah yield?

Mr. BENNETT. I yield.

Mr. CAPEHART. Did the Senator know that I placed in the RECORD a few minutes ago a statement to the effect that the national income today is the highest it has been in the history of the Nation? I said more people are employed today than ever before in the history of the Nation. The wages and personal income of the American people today are the highest in the history of the Nation. The gross national product is the greatest in the history of the Nation. I wondered if the Senator from Utah was aware of that.

Mr. BENNETT. I know it generally; I did not know the Senator from Indiana had placed that information in the RECORD.

Mr. CAPEHART. I wonder if the able Senator from Tennessee is going to check up each day during the so-called investigation and tell us about the prices of Government bonds.

Mr. BENNETT. I imagine that may happen. Of course, we can go to the news tickers and the newspapers to ascertain that information for ourselves.

Mr. CAPEHART. Is the able Senator from Tennessee a member of the Committee on Finance, which is conducting the investigation?

Mr. BENNETT. Yes; the Senator from Tennessee is a member of that committee.

Mr. CAPEHART. Is it possible, then, that the Senator from Tennessee can take the position that he is not being political about this matter?

Mr. BENNETT. Under the rules of the committee, both the Senator from Tennessee and the junior Senator from Utah are going to sit silent for a while until the senior members of the committee have questioned the witnesses. I imagine the Senator from Tennessee is enjoying an opportunity to talk in a situation where he is not required to sit silent.

Mr. CAPEHART. Has the Senator from Tennessee offered in the committee any suggestions as to how to cure the situation?

Mr. BENNETT. In fairness to the Senator from Tennessee, it should be said that his opportunity to offer suggestions will not come for some little time; but I assume he will do so.

Mr. KERR. Mr. President, the distinguished Senator from Utah made a couple of interesting statements about Government bonds. First, he said that they are bought usually by the holders, if I understood the distinguished Senator correctly, to carry to maturity, and not for purposes of speculation.

In that regard, the present administration has issued two series of long-term bonds: One in May 1953, at 3¼ percent, for a period of 30 years; the other, a series of bonds issued in 1955, for a period of 40 years. I do not believe that any reasonable man would expect the holders of those bonds to carry them at a loss through periods of 30 or 40 years, in the hope that in the lifetime of their children or grandchildren there would come along a Government which would have more respect for them than did the administration that issued them.

The Senator said Government bonds are not a speculative security. Mr. President, there was a time when that was true. There was a time when the issuing agency had enough respect for them to give them a decent environment, so they would not have to go from life to death from the date of issue to the date of maturity. But that is a historic situation, and is not the reality of today.

I say that the Secretary of the Treasury, George Humphrey, in agreement with—on a basis that amounts almost to a conspiracy—the Federal Reserve Board, has made a speculative security out of every Government bond now in existence or those which they contemplate issuing. They have stripped from them every vestige of reinforcement capable of being given to them by those who give them birth and put them into circulation. They send them forth into a jungle of financial maneuvering and speculation, saying they will neither own them nor respect them nor recognize them nor give them any value after the day they are born; and they serve notice to the world that the bonds they expect to issue thereafter will be at a higher rate of interest, which can do nothing but drive down the value of those which have been issued, and which is the inevitable result of making a speculative security of them.

There was a time when conservative people, including old people, had confidence that if they put their money into Government bonds, even though they would not get back, in return, as large a rate of interest as they might hope to expect from a speculative investment, yet they had a Government of honor and integrity which respected its own offspring, so that Government bonds

would not suffer deteriorating reduction in their daily value.

The distinguished Senator from Tennessee talked about what happened yesterday, when investors in Government bonds lost nearly $200 million. The day before they lost nearly $800 million. The day before that, when the markets were open on last Friday, they lost $600 million. The day before that—on last Thursday—they lost $500 million.

The Senator from Utah—naively, in the language and the propaganda of the Secretary of the Treasury and the Federal Reserve Board—says Government bonds are not a speculative security. I wish to state that this administration has made them nothing but speculative securities; and until this administration reaches the point where it recognizes its responsibility and its power to maintain the integrity of its own bond issues, they can be nothing but speculative securities.

Mr. CAPEHART and Mr. SALTONSTALL addressed the Chair.

The VICE PRESIDENT. Does the Senator from Oklahoma yield; and if so, to whom?

Mr. KERR. I yield.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Is not the Senate still in the morning hour?

The VICE PRESIDENT. It is.

Mr. KNOWLAND. What is the time limitation on the making of insertions in the RECORD?

The VICE PRESIDENT. Three minutes.

Mr. KNOWLAND. Then, Mr. President, I ask for the regular order.

Mr. KERR. Mr. President, I say to the Senators who have asked me to yield, your leader has protected me from you. [Laughter.]

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that I may yield to the Senator from Massachusetts [Mr. SALTONSTALL], to enable him to propound an inquiry to the Senator from Oklahoma.

The VICE PRESIDENT. Is there objection? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Then, Mr. President, I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I thank the Senator from Texas.

Mr. President, the Senator from Oklahoma used the word "conspiracy," and said the Federal Reserve Board and the Secretary of the Treasury had entered into a conspiracy to make the bonds of the United States speculative. I am confident that the Senator from Oklahoma did not mean to make such a statement.

Mr. KERR. I said they had adopted a policy in agreement with each other, on a basis that amounted almost to a conspiracy. When they agreed to do that which turns every Government bond loose in the jungle of the law of supply and demand, with the killer ever ready with a principle of increasing the rate of interest on each succeeding issue, that can be but little below the dignity of a conspiracy to destroy the value of their own issues.

Mr. SALTONSTALL. Mr. President, will the Senator from Texas yield further to me?

Mr. JOHNSON of Texas. I yield.

Mr. SALTONSTALL. I wish to say that from my knowledge of George Humphrey and William Martin, of the Federal Reserve Board, I am confident that there is not a conspiracy to affect the value of the bonds of the United States.

Mr. KERR. I say to the Senator from Massachusetts that if people, through the best of intentions or through reckless disregard, run over millions of investors in Government bonds and impair and partially destroy their investment, the effect is just the same as though they had deliberately planned it that way.

Mr. CAPEHART. Mr. President, I presume the able Senator from Oklahoma [Mr. KERR], inasmuch as he is a member of the Finance Committee, will offer a solution to the problem he has just been discussing. I wish to say that here is another case of a member of the Senate committee making politics out of the so-called investigation.

I wish to say that the able Senator from Oklahoma—big-business man that he is—knows better than to make the statements he has just made, because he knows there has never been a time in the history of the United States when Government bonds did not move up and down in their current value. He knows, and he, more than any other Member of the Senate, because possibly he is capable of buying more Government bonds than is any other Member of the Senate—that every Government bond on its maturity date is worth 100 cents on the dollar, and he knows that every Government bond that has ever been issued has been paid off by the Federal Government at 100 cents on the dollar.

Why the able Senator from Oklahoma, who himself is a big-business man, would try today, on the floor of the United States Senate, to cause the American people to lose confidence in their Government and lose confidence in their Government's bonds, is something I shall never understand.

Let me say that all that Mr. Martin and Mr. Humphrey and this administration are trying to do is to hold down inflation. I do not think I shall go so far as to say it was a conspiracy, but I might, if I wanted to indulge in the same terms the able Senator from Oklahoma used. But, if I remember correctly—and I think no one can successfully contradict me—when his party and his Secretary of the Treasury were running the fiscal affairs of the United States, over a period of 15 years, the value of the dollar and the purchasing power of the dollar were reduced by almost 50 percent, whereas under President Eisenhower and Secretary of the Treasury Humphrey and William Martin, the Chairman of the Federal Reserve Board, inflation has increased only about six-tenths of 1 percent a year.

I think it is very, very unfortunate that the present investigation—and yesterday I called attention——

The VICE PRESIDENT. The regular order has been requested; and the time available to the Senator from Indiana has expired.

Mr. CAPEHART. May I have 1 additional minute?

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senator from Indiana may have 1 additional minute.

The VICE PRESIDENT. Is there objection?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object—although I shall not object—let me say that the minority leader indicated to me that Senators should confine their remarks to the 3-minute limitation. If exception is to be made, it should be applied equally to both sides. However, I do not object to the request.

Mr. CAPEHART. Then I ask for only an additional one-half minute.

Mr. VICE PRESIDENT. Without objection, the Senator from Indiana may proceed.

Mr. CAPEHART. I think it is unfortunate; and I am hopeful that the able senior Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee, will try to put a stop to playing politics with this investigation. Already we have heard from two members of the Finance Committee on the opposite side of the aisle; and today one of them—the able Senator from Oklahoma [Mr. KERR]—indulged in condemnation of the Secretary of the Treasury of the United States and the head of the Federal Reserve Board that borders almost upon—well, Mr. President, I do not know what to say, when a man says that the Secretary of the Treasury and the Chairman of the Federal Reserve Board and others have almost entered into a conspiracy. That is very strong language. I should think he would want it stricken from the RECORD [laughter] because he, of all the Members on the floor of the United States Senate, knows it is not true.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that 2 additional minutes be given to the Senator from Indiana.

Mr. CAPEHART. The Senator from Oklahoma is a businessman and he knows how business operates.

Mr. JOHNSTON of South Carolina. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. KERR. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield for a question. I have a matter I should like to present.

Mr. KERR. I wanted the Senator to yield to me as a matter of personal privilege so that I might pay my personal respects to the distinguished Senator from Indiana. He said he did not know what to say, and he spent 10 minutes proving it. [Laughter.]

Mr. CAPEHART. Mr. President, if the Senator will yield to me. The reason I said I did not know what to say was that although I knew what to say, I did not believe the rules of the Senate would permit me to say it. [Laughter.]

Mr. BENNETT. Mr. President——

The VICE PRESIDENT. The Senator from Utah.

Mr. BENNETT. The Senator from Utah wants to respect the limits of the morning hour, but would like to recite a little bit of history. In 1941, in order that the war might be financed——

Mr. JOHNSON of Texas. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. JOHNSON of Texas. Under the unanimous consent agreement, can a Senator speak more than one time on the same subject?

The VICE PRESIDENT. The regular order is requested.

Mr. JOHNSON of Texas. I do not ask for the regular order, and I shall not object to the Senator speaking a second time on the subject. I merely wanted all Senators to know that it required unanimous consent. I have no objection to the Senator's proceeding and our hearing what he has to say, although I assume any other Senator who wants to speak a second time on the same subject will be accorded the same privilege.

Mr. BENNETT. Mr. President, I do not desire to impose on the Senate under those circumstances. I shall give my little lesson in history at a later time.

Mr. HICKENLOOPER. Mr. President.

The VICE PRESIDENT. The Senator from Iowa.

Mr. HICKENLOOPER. This is the first time I have spoken on this or any other subject today. I merely wish to make a suggestion and ask the advice of the leadership. On many occasions I have seen a subject opened up in the morning hour, under the 3-minute rule, and have seen the rule violated by those who opened up the subject and who spoke. Often a number of Senators have spoken at length on one side. Then, when rebuttal is offered, the 3-minute rule is invoked and the regular order is called for.

I understand that is not the program or the plan of any individual. I believe if the 3-minute rule is invoked in the morning hour, it should start with the first speaker, and he should be limited to 3 minutes, and it should not be invoked merely to curtail later speakers. I do not suggest that Senators who speak later be given unlimited time, but I suggest that the limit on time be applied to the very first speaker.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. JOHNSON of Texas. The Senator was looking directly at this side of the aisle. No one on this side of the aisle has invoked the 3-minute rule. We have refrained from doing so, although the minority leader did ask me if I did not think it would be the better part of wisdom for us to remain within the 3-minute rule, and I agreed.

Mr. HICKENLOOPER. I may say to the majority leader I am not accusing anybody.

Mr. JOHNSON of Texas. I should like to inform the Senator that, as he well knows, he may invoke the rule at any time, as may any other Senator. The majority leader has not invoked it, and does not propose to do so.

Mr. HICKENLOOPER. Mr. President, the regular order has been called for on occasion this morning. I merely believe if we are going to operate under rules, and if a 3-minute rule or a 5-minute rule or a 2-minute rule is established, the rule should be invoked beginning with the first speaker and that it should apply to every speaker who may succeed him. That applies to both sides of the aisle, the Democratic and the Republican sides.

Mr. JOHNSON of Texas. Mr. President, if there is any other Senator who desires to address the Senate under the 3-minute rule, I should like to have him speak up. If not——

Mr. WILEY. Mr. President, I have listened to this discussion of Government bonds. As one who has faith in the Government and who has faith in investments in Government bonds. I merely wish to say that Government bonds are in competition with oil stocks and other securities that return greater interest. Consequently, the situation is simply an indication of what the market is in relation to the interest return.

I have lived long enough to see Government bonds in my time selling down in the 80's, and I have seen them come back. I have never lost 1 cent on Government bonds.

The only suggestion I make is that if we take such action and follow such courses as will depreciate the value of the dollar to a great extent, we will really damage the interests of those who have put their money into bonds. Inflation is the real danger. What have my Democrat friends to say on that subject?

I am sure no Senator who has spoken today will want to say that Government bonds today are not the best investment from the standpoint of security, and that America is not the best land in which to invest one's money, whether it be in Government bonds, corporate stock, municipals, or any other investment. Loose talk now will not help the situation.

Mr. LONG. Mr. President——

The VICE PRESIDENT. The Senator from Louisiana.

Mr. LONG. I do not wish this morning hour to close without commenting for just one moment on this discussion. I believe that when bonds which have been issued by the United States Government are bought by a person who believes, in good faith, that he is paying $750 for a bond which will mature at $1,000, and after holding it 6 months finds he must sell it, and finds he cannot even get his $750 back, that is a serious matter, indeed. I believe such a situation is worthy of investigation by the Finance Committee. It does a man very little good to tell him that if he can hold on for 10 years or 25 or 30 years, he will get his money back with interest. Many persons are forced to sell their bonds at an earlier date than maturity, and the Government well recognized that fact by issuing Series E bonds, which are guaranteed to return the investment with interest after the bond has been held for 6 months or even less. However, almost 90 percent of the Government bonds are issued on such a basis that their value prior to maturity is now speculative. When we find Government obligations selling at 14 points below par, that is a serious matter, and I believe one which is worthy of investigation. I think those who are responsible for that situation should explain it and try to justify it.

Mr. FLANDERS. Mr. President, will the Senator yield?

Mr. LONG. I am glad to yield, if I have the time.

Mr. FLANDERS. I thank the Senator. I should like to inquire what the significance was of suggesting the $750 investment in Government bonds. That sounds to me like an E-bond and an E-bond is worth its face value at any time.

Mr. LONG. I made that statement referring to figures that worked out in even numbers. About 10 percent of the Government's credit is represented by series E-bonds. I explained that when the other 90 percent of Government obligations is subject to complete speculation, it is a very serious matter. I believe we should look into it to see if something can be done about it. Those who support that kind of program should justify it. We are looking into it now to see if they can.

Mr. CASE of South Dakota. Mr. President, if this is the forerunner of the 1958 campaign, I trust that those who are responsible for raising this issue will do a little research and find out how it happened that the gold clauses were canceled and ignored in the bonds that were issued some time ago. Perhaps the No. 1 plank for any person having political aspirations for 1958 would be a restoration of the gold standard.

Mr. HUMPHREY. Mr. President, I gather we have just heard the announcement of the new Republican fiscal policy, the restoration of the gold standard.

What apparently is more interesting to the American people now is the restoration of the value of bonds. I should like to suggest most respectfully and kindly to my distinguished and able friend, the Senator from Wisconsin [Mr. WILEY], that I have great faith in Government bonds. There is no doubt that the bonds of the Government of the United States are the finest bonds in the world. The trouble is that those in whom we do not have faith are the ones who are issuing the bonds. There is not a thing wrong with the Government credit structure that cannot be remedied by a change of management.

Senators do not have to take my word for that. They can take the word of some of the most conservative, yet some of the most authentic journals in the field of finance.

I should like to have my Republican friends listen for a moment to a few passages of financial scripture from the Wall Street Journal of June 3:

> The plain, simple and incontrovertible fact is that the Government of the United States is in a fiscal mess.

I would not be a bit surprised to find that the author of that statement may have some kind of ideological kinship with the Republican administration.

Let us look down a little bit further. The statement reads:

To put it bluntly, the Treasury of the richest Nation on earth is short of money. At one point this spring it had hardly enough cash to pay a week's worth of bills. And with current spending rising faster than current income, despite the "balanced" budget, the squeeze threatens to get worse.

Going down a bit further, we find Barron's national business and financial weekly. This is not exactly a publication of the Socialist organization or of the Democratic National Committee. Barron's weekly is considered to be a responsible, respectable financial journal, and it states as follows, in the June 3 issue:

Specifically, in the exercise of one of its most strategic functions, management of the public debt, the Treasury lately has suffered painful reverses. It has been compelled to raise money with distressing frequency and at steadily rising costs. At the same time, its serious financial straits have posed a mounting threat to overall economic stability. In short, while the Nation remains as solvent as ever, debt management policy has come perilously close to bankruptcy.

I suggest that our Republican friends should direct their attention toward those comments.

The minute any Democrat raises his voice to suggest that something may be wrong in this administration, it is as if he were committing a mortal sin. I wish to say to my Republican friends, most respectfully, "Thou, too, can err along life's way," believe it or not. And I think the evidence is mounting and the evidence is coming in in reams and volumes that our Republican friends have erred abundantly.

The VICE PRESIDENT. The time of the Senator from Minnesota has expired.

Mr. HUMPHREY. I have said enough, and I think it is to the point, Mr. President.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and I want to inform the Senate that as soon as a quorum is obtained, the Chair, under the previous unanimous-consent agreement, will lay before the Senate the House civil-rights bill.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Dworshak	Kefauver
Allott	Eastland	Kennedy
Anderson	Ellender	Kerr
Barrett	Ervin	Knowland
Beall	Flanders	Kuchel
Bennett	Frear	Lausche
Bible	Fulbright	Long
Bricker	Goldwater	Magnuson
Butler	Gore	Malone
Byrd	Green	Mansfield
Capehart	Hayden	Martin, Iowa
Carlson	Hennings	Martin, Pa.
Carroll	Hickenlooper	McClellan
Case, N. J.	Hill	McNamara
Case, S. Dak.	Holland	Morse
Chavez	Hruska	Morton
Church	Humphrey	Mundt
Clark	Ives	Murray
Cooper	Jackson	Neuberger
Cotton	Javits	O'Mahoney
Curtis	Jenner	Pastore
Dirksen	Johnson, Tex.	Payne
Douglas	Johnston, S. C.	Potter
Purtell	Smathers	Thurmond
Revercomb	Smith, Maine	Thye
Robertson	Smith, N. J.	Watkins
Russell	Sparkman	Wiley
Saltonstall	Stennis	Williams
Schoeppel	Symington	Yarborough
Scott	Talmadge	Young

Mr. MANSFIELD. I announce that the Senator from Oklahoma [Mr. MONRONEY] and the Senator from West Virginia [Mr. NEELY] are absent on official business.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The Senator from Connecticut [Mr. BUSH] is necessarily absent.

The VICE PRESIDENT. A quorum is present.

CIVIL RIGHTS ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, if we may have order in the Chamber, I invite the attention of the Senator from California [Mr. KNOWLAND], the Senator from Illinois [Mr. DOUGLAS], and the Senator from Georgia [Mr. RUSSELL] to what is about to happen.

The VICE PRESIDENT. The Senate will be in order. Morning business is concluded.

Under the order of yesterday the Chair lays before the Senate a bill coming over from the House of Representatives, House bill 6127. Without objection, the first reading of the bill will be by title.

The LEGISLATIVE CLERK. A bill (H. R. 6127) to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

Mr. RUSSELL, Mr. DOUGLAS, and other Senators addressed the Chair.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. Am I correct in stating that the second reading cannot be held on this legislative day, except by unanimous consent?

The VICE PRESIDENT. The Senator is correct.

Mr. KNOWLAND. I wished to serve notice that should such a request be made I would object to the second reading on this legislative day.

Mr. RUSSELL. Mr. President, the distinguished Senator from Texas [Mr. JOHNSON] apparently had a crystal ball to indicate the order in which Senators would be recognized. When the first reading of the bill was had, I had hoped that the distinguished Vice President might see or hear me. I certainly was active and vociferous enough in my effort to obtain recognition.

I had hoped that I might ask that the Senate follow section 3 of rule XIV, and rule XXV of the Rules of the Senate. I intended, had I been recognized, to ask that the bill be read a second time and referred to committee. That would have been the historic and usual procedure in such a case.

The Senator from California has served notice that he would object to a second reading of the bill today. There can be no question whatever, under the provisions of rule XIV, that he is entitled to object to a second reading today. I merely wish to have the Senate take note of the source from which the objection to the second reading emanated.

Mr. President, I ask unanimous consent to have printed at the conclusion of my remarks rule XXV of the Rules of the Senate, as that rule obtained prior to the passage of the Reorganization Act.

I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks rule XXV of the Rules of the Senate as adopted under the Reorganization Act.

I also ask unanimous consent to have printed in the RECORD at the conclusion of my remarks title I of the Reorganization Act, the same being section 101 of that act, subsections A and B, which relate to the vitality of the Reorganization Act as Rules of the Senate, by stating that this act supersedes any other rule that is inconsistent therewith.

Further, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the statement of the distinguished and late lamented Senator Vandenberg, of Michigan, who at that time was President pro tempore of the Senate, and the only permanent and legal Presiding Officer the Senate had at that time, because there was then no Vice President.

On May 4, 1948, when he submitted to the Senate the identical question which we have been told will arise in this case, the President pro tempore said:

The Senator from Arkansas raises the point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar.

The Chair proposes to submit that question to the Senate under rule XX. The question submitted to the Senate is as follows: Is the point of order of the Senator from Arkansas well taken? Upon that the Senate will vote yes or no.

Mr. President, I ask further that the yea and nay vote upon that question be printed in the RECORD. There are a number of present Members of the Senate who were Members at that time, and who voted on the question submitted by the distinguished Senator from Michigan.

Mr. President, I shall await with a great deal of interest the further proceedings to be had in this matter.

I am particularly intrigued by the statement of the distinguished Senator from California that this rule should be sparingly applied. Heretofore I had been under the impression that any rule of the Senate was either a rule or was not a rule. I had been under the impression that any right that was exerted on this floor by any Senator in one case was open and available to any other Senator in any similar case that could possibly arise under our parliamentary procedure.

I do not know that there has ever been placed upon a rule an interpretation that it should be sparingly used, or that an objection by one who happened to be the minority leader could have an

effect which did not apply in the case of an objection which might be raised by any other Member of the Senate to any bill after it had been read the second time.

I think the Senate might well consider the precedents and rules in this connection, and the effect which any overthrow of the rules to gain a temporary advantage with reference to specific legislation might have.

I want those who occupy positions of leadership, or who may aspire to positions of leadership in the Senate, representing an administration in power, to consider a precedent under which a tax bill, for example, might come from the House of Representatives, a bill which might contain a provision which appealed greatly to one Member of the Senate, but might be very objectionable to the administration in power. I ask those in positions of leadership to consider whether it would be a sparing use of rule XIV for a Senator to undertake to exercise rights equal to those with which we are now threatened, by rising in his place and saying, "Mr. President, the bill must go to the calendar. I, one Senator, will take it out of the power of 95 other Senators to deal with it."

We may be told that even if that were done, the bill could be brought up on motion and made the unfinished business. Later, by motion—and both motions to which I have referred would be debatable—it could be referred to committee, reported back to the Senate by the committee, and placed on the calendar, again to be brought up on motion and considered.

I submit that it might be well to consider which course is more calculated to result in delay—to follow the rules of the Senate and undertake to attack this problem by a motion to discharge a committee, or to set a precedent which will haunt the leadership of the Senate for years to come. Days might be spent in undertaking to get the bill off the calendar. Eventually, if there were a majority in favor of taking it from the calendar, it could be taken from the calendar. Then it could be sent to committee on motion. That process could be followed if there were a majority in favor of it.

However, we have a right to speak and to discuss the reasons why such a course should not be followed. After the bill has come from the committee and has been placed upon the calendar, it can be taken from the calendar on motion.

We must decide whether it is more advisable to follow the rules of the Senate which would accomplish the same result, or to establish a precedent which could tie up any administration in power, and make it most unlikely that it could ever obtain the enactment of a comprehensive program if there were Senators who wished to avail themselves of any precedent which permitted a single Senator to strike down rule XXV, which provides that a bill shall be referred, and send a bill to the calendar, thus bypassing the committee.

Such action would break down the precedent of the Senate which was established by a vote of 56 to 15 in May 1948, when the Senate undertook to protect the validity of the committee system.

Certainly we all know as practical men that in today's world, when we must grapple with so many important problems, without a freely functioning committee system it would be impossible for the Senate to legislate.

It is said that the system has been abused. Probably it has been abused in the past, and it may be abused in the future. However, the remedy lies in the Senate to deal with the matter, because any Senator can move to discharge a committee. It is a simple process.

Mr. President, we should not establish the precedent urged by the distinguished Senator from California and the Senator from Illinois [Mr. DOUGLAS], with the assistance of other Senators on this side of the aisle who may feel they have been a little neglected by not having been brought in on the kill after the blood was scented. If such a precedent should be established we will pay a terrible price in time to come.

The VICE PRESIDENT. Without objection, the requests of the Senator from Georgia are agreed to.

Mr. RUSSELL. What did the Chair say?

The VICE PRESIDENT. The Senator made several unanimous-consent requests with respect to printing some material in the RECORD at the conclusion of his speech.

Mr. RUSSELL. Yes.

The VICE PRESIDENT. Without objection, the material will be printed in the RECORD.

(See exhibit 1.)

Mr. RUSSELL. Mr. President, I know the temptation to resort to expediency. I have often been tempted to yield to expediency in connection with legislation which I favored, when I could not get action as fast as I thought action should be taken. However, I wish to read to the Senate, and particularly invite the attention of some of the self-confessed liberals, who are not always in a majority, a statement from Jefferson's Manual. It is the first statement in the Manual. It reads as follows:

SECTION I. IMPORTANCE OF ADHERING TO RULES

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power. So far the maxim is certainly true, and is founded in good sense; that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House, by a strict adherence to which the weaker party can only be protected from those irregularities and abuses which these forms were intended to check and which the wantonness of power is but too often apt to suggest to large and successful majorities (2 Hats., 171, 172).

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business not subject to the caprice of the Speaker or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body (2 Hats. 149).

Mr. President, in view of the importance of protecting the committee system, and of assuring the leadership of this body the authority which they must have, if we are to have regular and orderly procedure in all cases, I propose the unanimous-consent request that the Senate follow rule XXV in this instance.

Mr. DOUGLAS. Mr. President, I object.

Mr. RUSSELL. Mr. President, although I am flanked by objectors on both the right flank and on the left flank, and I may have one firing from the rear, I ask unanimous consent that the bill be read the second time and appropriately referred by the Chair.

Mr. KNOWLAND. Mr. President, I object.

Mr. DOUGLAS. I object.

Mr. RUSSELL. That was a chorus of objections which emanated from two souls with a single thought and two hearts that beat as one. [Laughter.] I can only hope that the Senate, when this issue is presented to them, after the delay that is caused by the objection, will decide that it will follow the rules of the Senate.

EXHIBIT 1

RULE XXV PRIOR TO ENACTMENT OF THE REORGANIZATION ACT

Standing committees[1]

1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

Committee on Agriculture and Forestry, to consist of 20 Senators.

Committee on Appropriations, to consist of 25 Senators.

Committee to Audit and Control the Contingent Expenses of the Senate, to consist of 8 Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same: *Provided*, That any such resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

Committee on Banking and Currency, to consist of 20 Senators.

Committee on Civil Service, to consist of 10 Senators.

Committee on Claims, to consist of 13 Senators.

Committee on Commerce, to consist of 20 Senators.

Committee on the District of Columbia, to consist of 15 Senators.

Committee on Education and Labor, to consist of 18 Senators.

Committee on Enrolled Bills, to consist of 3 Senators, who shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate, and which shall have power to act jointly with the same committee of the House of

[1] As amended S. Res. 52, 78–1, Jan. 14, 1943.

Representatives, and which, or some one of which, shall examine all bills or joint resolutions which shall have passed both Houses, to see that the same are correctly enrolled, and, when signed by the Speaker of the House and President of the Senate, shall forthwith present the same, when they shall have originated in the Senate, to the President of the United States in person, and report the fact and date of such presentation to the Senate.

Committee on Expenditures in the Executive Departments, to consist of 8 Senators.

Committee on Finance, to consist of 21 Senators.

Committee on Foreign Relations, to consist of 23 Senators.

Committee on Immigration, to consist of 14 Senators.

Committee on Indian Affairs, to consist of 14 Senators.

Committee on Interoceanic Canals, to consist of 8 Senators.

Committee on Interstate Commerce, to consist of 21 Senators.

Committee on Irrigation and Reclamation, to consist of 17 Senators.

Committee on the Judiciary, to consist of 18 Senators.

Committee on the Library, to consist of 10 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Committee on Manufactures, to consist of 13 Senators.

Committee on Military Affairs, to consist of 18 Senators.

Committee on Mines and Mining, to consist of 13 Senators.

Committee on Naval Affairs, to consist of 18 Senators.

Committee on Patents, to consist of eight Senators.

Committee on Pensions, to consist of 11 Senators.

Committee on Post Offices and Post Roads, to consist of 19 Senators.

Committee on Printing, to consist of eight Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Committee on Privileges and Elections, to consist of 17 Senators.

Committee on Public Buildings and Grounds, to consist of 14 Senators, which shall have power to act jointly with the same committee of the House of Representatives.

Committee on Public Lands and Surveys, to consist of 15 Senators.

Committee on Rules, to consist of 13 Senators.

Committee on Territories and Insular Affairs, to consist of 17 Senators.

2. The said committees shall continue and have the power to act until their successors are appointed.[2]

Quorum of committees[3]

3. That the several standing committees of the Senate having a membership of more than three Senators are hereby respectively authorized to fix, each for itself, the number of its members who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee; but in no case shall a committee, acting under authority of this resolution, fix as a quorum thereof any number less than one-third of its entire membership, nor shall any report be made to the Senate that is not authorized by the concurrence of more than one-half of a majority of such entire membership.

[2] As amended Senate Journal 44, 67–1, Apr. 18, 1921.

[3] As amended Senate Journal 271, 62–2, Apr. 12, 1912.

RULE XXV AS ADOPTED UNDER THE REORGANIZATION ACT

Standing Committees[1]

1. The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

(a) Committee on Agriculture and Forestry, to consist of 15[2] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Agriculture generally.
2. Inspection of livestock and meat products.
3. Animal industry and diseases of animals.
3. Adulteration of seeds, insect pests, and protection of birds and animals in forest reserves.
5. Agricultural colleges and experiment stations.
6. Forestry in general, and forest reserves other than those created from the public domain.
7. Agricultural economics and research.
8. Agricultural and industrial chemistry.
9. Dairy industry.
10. Entomology and plant quarantine.
11. Human nutrition and home economics.
12. Plant industry, soils, and agricultural engineering.
13. Agricultural educational extension services.
14. Extension of farm credit and farm security.
15. Rural electrification.
16. Agricultural production and marketing and stabilization of prices of agricultural products.
17. Crop insurance and soil conservation.

(b) Committee on Appropriations, to consist of 23[3] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Appropriation of the revenue for the support of the Government.

(c) Committee on Armed Services, to consist of 15[4] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Common defense generally.
2. The War Department and the Military Establishment generally.
3. The Navy Department and the Naval Establishment generally.
4. Soldiers' and sailors' homes.
5. Pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces.
6. Selective service.
7. Size and composition of the Army and Navy.
8. Forts, arsenals, military reservations, and navy yards.
9. Ammunition depots.
10. Maintenance and operation of the Panama Canal, including the administration, sanitation, and Government of the Canal Zone.
11. Conservation, development, and use of naval petroleum and oil shale reserves.
12. Strategic and critical materials necessary for the common defense.

(d) Committee on Banking and Currency, to consist of 15[5] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Banking and currency generally.
2. Financial aid to commerce and industry, other than matters relating to such aid which are specifically assigned to other committees under this rule.
3. Deposit insurance.
4. Public and private housing.
5. Federal Reserve System.
6. Gold and silver, including the coinage thereof.
7. Issuance of notes and redemption thereof.
8. Valuation and revaluation of the dollar.
9. Control of prices of commodities, rents, or services.

(e) Committee on Post Office and Civil Service,[6] to consist of 13[7][8] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. The Federal civil service generally.
2. The status of officers and employees of the United States, including their compensation, classification, and retirement.
3. The postal service generally, including the railway mail service, and measures relating to ocean mail and pneumatic-tube service; but excluding post roads.
4. Postal-savings banks.
5. Census and the collection of statistics generally.
6. The National Archives.

(f) Committee on the District of Columbia, to consist of nine[9] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. All measures relating to the municipal affairs of the District of Columbia in general, other than appropriations therefor, including—
2. Public health and safety, sanitation, and quarantine regulations.
3. Regulation of sale of intoxicating liquors.
4. Adulteration of food and drugs.
5. Taxes and tax sales.
6. Insurance, executors, administrators, wills, and divorce.
7. Municipal and juvenile courts.
8. Incorporation and organization of societies.
9. Municipal code and amendments to the criminal and corporation laws.

(g) (1) Committee on Government Operations,[10] to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Budget and accounting measures, other than appropriations.

(B) Reorganizations in the executive branch of the Government.

(2) Such committee shall have the duty of—

(A) receiving and examining reports of the Comptroller General of the United States

[1] As amended, Senate Journal 299, 79–2, June 10, 1946, effective Jan. 2, 1947.

[2] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[3] Number changed from 21 to 23. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[4] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[5] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[6] Name changed from Committee on Civil Service to Committee on Post Office and Civil Service, effective January 1, 1948. Senate Journal 198, 80–1, April 17, 1947.

[7] Number changed from 13 to 11. Senate Journal 56–57, 83–1, January 9, 1953.

[8] Number changed from 11 to 13 for the duration of the 84th Congress. Senate Journal 24, 84–1, January 6, 1955. Same change for the duration of the 85th Congress. Senate Journal 41, 85–1, January 9, 1957.

[9] Number changed from 13 to 9. Senate Journal 56–57, 83–1, January 9, 1953.

[10] Name changed from Committee on Expenditures in the Executive Departments. Senate Journal 127, 82–2, March 3, 1952.

and of submitting such recommendations to the Senate as it deems necessary or desirable in connection with the subject matter of such reports;

(B) studying the operation of Government activities at all levels with a view to determining its economy and efficiency;

(C) evaluating the effects of laws enacted to reorganize the legislative and executive branches of the Government;

(D) studying intergovernmental relationships between the United States and the States and municipalities, and between the United States and international organizations of which the United States is a member.

(h) Committee on Finance, to consist of 15[11] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Revenue measures generally.
2. The bonded debt of the United States.
3. The deposit of public moneys.
4. Customs, collection districts, and ports of entry and delivery.
5. Reciprocal trade agreements.
6. Transportation of dutiable goods.
7. Revenue measures relating to the insular possessions.
8. Tariffs and import quotas, and matters related thereto.
9. National social security.
10. Veterans' measures generally.
11. Pensions of all the wars of the United States, general and special.
12. Life insurance issued by the Government on account of service in the Armed Forces.
13. Compensation of veterans.

(i) Committee on Foreign Relations, to consist of 15[11] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Relations of the United States with foreign nations generally.
2. Treaties.
3. Establishment of boundary lines between the United States and foreign nations.
4. Protection of American citizens abroad and expatriation.
5. Neutrality.
6. International conferences and congresses.
7. The American National Red Cross.
8. Intervention abroad and declarations of war.
9. Measures relating to the diplomatic service.
10. Acquisition of land and buildings for embassies and legations in foreign countries.
11. Measures to foster commercial intercourse with foreign nations and to safeguard American business interests abroad.
12. United Nations Organization and international financial and monetary organizations.
13. Foreign loans.

(j) Committee on Interstate and Foreign Commerce, to consist of 15[12] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Interstate and foreign commerce generally.
2. Regulation of interstate railroads, busses, trucks, and pipelines.
3. Communication by telephone, telegraph, radio, and television.
4. Civil aeronautics.
5. Merchant marine generally.
6. Registering and licensing of vessels and small boats.
7. Navigation and the laws relating thereto, including pilotage.
8. Rules and international arrangements to prevent collisions at sea.
9. Merchant marine officers and seamen.
10. Measures relating to the regulation of common carriers by water and to the inspection of merchant marine vessels, lights and signals, lifesaving equipment, and fire protection on such vessels.
11. Coast and Geodetic Survey.
12. The Coast Guard, including lifesaving service, lighthouses, lightships, and ocean derelicts.
13. The United States Coast Guard and Merchant Marine Academies.
14. Weather Bureau.
15. Except as provided in paragraph (c), the Panama Canal and interoceanic canals generally.
16. Inland waterways.
17. Fisheries and wildlife, including research, restoration, refuges, and conservation.
18. Bureau of Standards, including standardization of weights and measures and the metric system.

(k) Committee on the Judiciary, to consist of 15[13] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Judicial proceedings, civil and criminal, generally.
2. Constitutional amendments.
3. Federal courts and judges.
4. Local courts in the Territories and possessions.
5. Revision and codification of the statutes of the United States.
6. National penitentiaries.
7. Protection of trade and commerce against unlawful restraints and monopolies.
8. Holidays and celebrations.
9. Bankruptcy, mutiny, espionage, and counterfeiting.
10. State and Territorial boundary lines.
11. Meetings of Congress, attendance of Members, and their acceptance of incompatible offices.
12. Civil liberties.
13. Patents, copyrights, and trademarks.
14. Patent Office.
15. Immigration and naturalization.
16. Apportionment of Representatives.
17. Measures relating to claims against the United States.
18. Interstate compacts generally.

(l) Committee on Labor and Public Welfare, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Measures relating to education, labor, or public welfare generally.
2. Mediation and arbitration of labor disputes.
3. Wages and hours of labor.
4. Convict labor and the entry of goods made by convicts into interstate commerce.
5. Regulation or prevention of importation of foreign laborers under contract.
6. Child labor.
7. Labor statistics.
8. Labor standards.
9. School-lunch program.
10. Vocational rehabilitation.
11. Railroad labor and railroad retirement and unemployment, except revenue measures relating thereto.
12. United States Employees' Compensation Commission.
13. Columbia Institution for the Deaf, Dumb, and Blind; Howard University; Freedmen's Hospital; and St. Elizabeths Hospital.
14. Public health and quarantine.
15. Welfare of miners.
16. Vocational rehabilitation and education of veterans.
17. Veterans' hospitals, medical care, and treatment of veterans.
18. Soldiers' and sailors' civil relief.
19. Readjustment of servicemen to civil life.

(m) Committee on Interior and Insular Affairs,[14] to consist of 15[15] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Public lands generally, including entry, easements, and grazing thereon.
2. Mineral resources of the public lands.
3. Forfeiture of land grants and alien ownership, including alien ownership of mineral lands.
4. Forest reserves and national parks created from the public domain.
5. Military parks and battlefields, and national cemeteries.
6. Preservation of prehistoric ruins and objects of interest on the public domain.
7. Measures relating generally to Hawaii, Alaska, and the insular possessions of the United States, except those affecting their revenue and appropriations.
8. Irrigation and reclamation, including water supply for reclamation projects, and easements of public lands for irrigation projects.
9. Interstate compacts relating to apportionment of waters for irrigation purposes.
10. Mining interests generally.
11. Mineral land laws and claims and entries thereunder.
12. Geological survey.
13. Mining schools and experimental stations.
14. Petroleum conservation and conservation of the radium supply in the United States.
15. Relations of the United States with the Indians and the Indian tribes.
16. Measures relating to the care, education, and management of Indians, including the care and allotment of Indian lands and general and special measures relating to claims which are paid out of Indian funds.

(n) Committee on Public Works, to consist of 13[16][17] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Flood control and improvement of rivers and harbors.
2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams).
3. Water power.
4. Oil and other pollution of navigable waters.
5. Public buildings and occupied or improved grounds of the United States generally.
6. Measures relating to the purchase of sites and construction of post offices, customhouses, Federal courthouses, and Government buildings within the District of Columbia.
7. Measures relating to the Capitol Building and the Senate and House Office Buildings.
8. Measures relating to the construction or reconstruction, maintenance, and care of the buildings and grounds of the Botanic Gardens, the Library of Congress, and the Smithsonian Institution.

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[11] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[12] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[13] Number changed from 13 to 15. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[14] Name changed from Committee on Public Lands. Senate Journal 51, 80–2, January 28, 1948.

[15] Number changed from 13 to 15. Senate Journal 56–57, 83–1, January 9, 1953.

[16] Number changed from 13 to 11. Senate Journal 56–57, 83–1, January 9, 1953.

[17] Number changed from 11 to 13 for the duration of the 84th Congress. Senate Journal 24, 84–1, January 6, 1955. Same change for the duration of the 85th Congress. Senate Journal 41, 85–1, January 9, 1957.

9. Public reservations and parks within the District of Columbia, including Rock Creek Park and the Zoological Park.

10. Measures relating to the construction or maintenance of roads and post roads.

(c) (1) Committee on Rules and Administration, to consist of nine[18] Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

(A) Matters relating to the payment of money out of the contingent fund of the Senate or creating a charge upon the same; except that any resolution relating to substantive matter within the jurisdiction of any other standing committee of the Senate shall be first referred to such committee.

(B) Except as provided in paragraph (n) 8, matters relating to the Library of Congress and the Senate Library; statuary and pictures; acceptance or purchase of works of art for the Capitol; the Botanic Gardens; management of the Library of Congress; purchase of books and manuscripts; erection of monuments to the memory of individuals.

(C) Except as provided in paragraph (n) 8, matters relating to the Smithsonian Institution and the incorporation of similar institutions.

(D) Matters relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; Federal elections generally; Presidential succession.

(E) Matters relating to parliamentary rules; floor and gallery rules; Senate Restaurant; administration of the Senate Office Building and of the Senate wing of the Capitol; assignment of office space; and services to the Senate.

(F) Matters relating to printing and correction of the CONGRESSIONAL RECORD.

(2) [19] Such committee shall also have the duty of assigning office space in the Senate wing of the Capitol and in the Senate Office Building.

[2] [20] Each standing committee shall continue and have the power to act until their successors are appointed.

3.[21] (a) Except as provided in paragraph (b) of this subsection, each standing committee, and each subcommittee of any such committee, is authorized to fix the number of its members (but not less than one-third of its entire membership) who shall constitute a quorum thereof for the transaction of such business as may be considered by said committee, subject to the provisions of section 133 (d) of the Legislative Reorganization Act of 1946.

(b) Each standing committee, and each subcommittee of any such committee, is authorized to fix a lesser number than one-third of its entire membership who shall constitute a quorum thereof for the purpose of taking sworn testimony.

4.[22] (a)[23] Each Senator shall serve on 2 standing committees and no more; except that not to exceed 16[24] Senators of the majority party, and not to exceed 5[25] Senators of the minority party, who are members of the Committee on the District of Columbia, the Committee on Government Operations,[26] or the Committee on Post Office and Civil Service may serve on 3 standing committees and no more.

(b)[27] In the event that during the 85th Congress members of one party in the Senate are replaced by members of the other party, the 21 third-committee assignments shall in such event be distributed in accordance with the following table:

Senate seats:

Majority	Minority
48	48
49	47
50	46
51	45

Third committee assignments:

Majority	Minority
18	3
16	5
14	7
12	9

[From the CONGRESSIONAL RECORD, May 4, 1948, 80th Cong., 2d sess.]

The PRESIDENT pro tempore. The Senator is not entitled to debate the point of order until it is submitted to the Senate.

The Senator from Arkansas raises the point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar. The Chair proposes to submit that question to the Senate under rule XX. The question submitted to the Senate is as follows: Is the point of order of the Senator from Arkansas well taken? Upon that the Senate will vote yes or no.

The question now submitted under rule XX is subject to debate, and the Chair again recognizes the Senator from Arkansas.

Prior to submitting the question, Senator Vandenberg, the President pro tempore, made this statement to the Senate:

"Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself."

[From the 79th Cong., 2d sess.]

TITLE I—CHANGES IN RULES OF SENATE AND HOUSE

RULEMAKING POWER OF THE SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress:

(a) As an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such, they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner, and to the same extent as in the case of any other rule of such House.

[Excerpt from Senate Journal, May 4, 1948, p. 292, pending, H. R. 2245, oleo tax bill]

The President pro tempore, under paragraph 2 of rule XX, submitted to the Senate the question of order raised by Mr. FULBRIGHT.

On the question, Is the point of order made by Mr. FULBRIGHT well taken?

It was determined in the negative—Yeas, 15; nays, 56.

On motion by Mr. Maybank, the yeas and nays being desired by one-fifth of the Senators present.

Senators who voted in the affirmative are: Connally, Fulbright, Green, Hatch, Johnston of South Carolina, Kilgore, Lucas, McClellan, Maybank, Moore, Murray, O'Daniel, O'Mahoney, Thomas of Oklahoma, Tydings.

Senators who voted in the negative are: Aiken, Baldwin, Ball, Brewster, Brooks, Buck, Butler, Byrd, Cain, Capper, Chavez, Cooper, Cordon, Donnell, Downey, Eastland, Ecton, Ferguson, Gurney, Hayden, Hickenlooper, Hoey, Ives, Johnson of Colorado, Kem, Knowland, Langer, Lodge, McCarthy, McFarland, McGrath, McKellar, McMahon, Magnuson, Malone, Martin, Millikin, Morse, Myers, Reed, Robertson of Virginia, Robertson of Wyoming, Russell, Saltonstall, Smith, Stennis, Thomas of Utah, Thye, Tobey, Vandenberg, Watkins, Wherry, Wiley, Williams of Delaware, Wilson, Young of North Dakota.

So the Senate decided that the point of order was not well taken.

Mr. KNOWLAND. Mr. President, I wish to make only a brief statement at this time, and presumably we will discuss the matter more in detail on the next legislative day. I wish to call the attention of the Senate to the CONGRESSIONAL RECORD, volume 94, part 4, page 5169, of May 3, 1948; but before doing that I desire to call attention to the fact that the Reorganization Act—the so-called La Follette-Monroney Reorganization Act—became effective under its terms as of January 2, 1947.

The Downey precedent, to which considerable reference has been made, occurred on May 3, 1948. In the CONGRESSIONAL RECORD, volume 94, part 4, page 5169, to which I have referred, the following colloquy appears:

The PRESIDENT pro tempore.—

That was Mr. Vandenberg of Michigan—

Without objection, the bill will be regarded as having been read the second time, as is the usual procedure, for the purpose of permitting the Senator from California to be heard.

Mr. DOWNEY. Mr. President, I desire to object to any further proceedings on this measure at the present time.

Mr. LUCAS.—

Mr. Lucas, I may say parenthetically, was then the majority leader of the Senate.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. What is the status of the bill at present?

The PRESIDENT pro tempore. The bill has been read the second time; and under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee.

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[18] Number changed from 13 to 9. Senate Journal 56–57, 83–1, Jan. 9, 1953.

[19] As amended, Senate Journal 60, 80–1, January 17, 1947.

[20] Erroneously numbered "3" in original (Public Law 601, 79th Cong., sec. 102 (3)).

[21] As amended, Senate Journal 85, 81–2, February 1, 1950.

[22] As amended, Senate Journal 56–57, 83–1, Jan. 9, 1953.

[23] As amended for the duration of the 84th Cong. Senate Journal 24, 84–1, Jan. 6, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

[24] Number changed from 14 to 16 for the duration of the 84th Cong. Senate Journal 24, 84–1, Jan. 6, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

[25] Number changed from 3 to 5 for the duration of the 84th Cong. Senate Journal 33, 84–1, Jan. 10, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

[26] As amended, S. Jour. 127, 82–2, Mar. 3, 1952.

[27] Section (b) added for the duration of the 84th Cong. Senate Journal 24, 84–1, Jan. 6, 1955. Same change for the duration of the 85th Cong. Senate Journal 41, 85–1, Jan. 9, 1957.

This statement by the distinguished President pro tempore at that time took place a year after the passage of the La Follette-Monroney Act.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I shall yield in a moment.

Mr. RUSSELL. I should like to correct the statement the Senator made. He referred to the former Senator from Illinois, Mr. Lucas, as being the majority leader at that time. As a matter of fact——

Mr. KNOWLAND. He was the minority leader. I am sorry.

Mr. RUSSELL. The late Senator from Kentucky, Mr. Barkley, was the minority leader. So the Senator from California is wrong on both scores.

Mr. KNOWLAND. I apologize. The Senator from Illinois had been the majority leader, I believe.

Mr. RUSSELL. Mr. Lucas became the majority leader in 1950.

Mr. KNOWLAND. 1950; yes. I stand corrected in that respect.

Mr. President, the statement has been made in some quarters that such action would result in all proposed legislation, even appropriation bills, following the procedure here suggested. I submit that there is nothing in the Reorganization Act or in the legislative history of the Reorganization Act which indicates that there had been any intention of changing rule XIV. I submit that a very careful search of the record indicates that there was no such legislative history.

But when it comes to the question of appropriation bills, I think it is very interesting to note that the Reorganization Act itself, in section 139 (a), very clearly points out that appropriation bills cannot take this course under rule XIV, paragraph 4. I should like to read the specific language of the Reorganization Act, because had there been any legislative intent or any desire to change rule XIV, I think it is quite clear that specific language would have been used, as was done in the case of appropriation bills.

Section 139 (a), which appears on page 24 of the Reorganization Act, reads:

> No general appropriation bill shall be considered in either House unless, prior to the consideration of such bill, printed committee hearings and reports on such bill have been available for at least 3 calendar days for the Members of the House in which such bill is to be considered.

I submit that that is indicative of the fact that it was specifically intended to set forth a different procedure for appropriation bills than for other proposed legislation.

Some reference has been made to the fact that this is a matter with which only the present minority leader or some other minority leader or majority leader might deal. The Senate knows, of course, that that is not the case. The rule exists. Any one of the 96 Senators may use it. There are now only 95 Senators, there being one vacancy; but any Member of the Senate can use the rule.

Some of us have been Members of the Senate for a longer, some of us for a shorter period of time. But we know very well that sometimes rules are strictly enforced, and sometimes they are lightly enforced. For instance, the rule that a Senator may not speak more than twice on a single day on one subject is normally not enforced. A Senator may speak a dozen times. But if the Senate gets into a situation where prolonged debate is in progress, and some Senator wants a strict interpretation of the rules, the rules are strictly applied.

Normally in the morning hour, other than the one under which the Senate was operating today, by virtue of a unanimous-consent agreement, relating to the important issue coming before the Senate, we know that the rule is lightly enforced. But it can be enforced strictly by any Senator calling for the regular order.

This rule does not give power to any single Senator and take it away from the 95, because the majority of the Senate always has it within its power to refer to a committee a bill which might be placed on the Senate Calendar by this procedure.

I again call the attention of Senators to rule XIV itself, subsection 4:

> Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave,

And this I wish to emphasize—

> and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

I do not care to detain the Senate longer this morning. We shall go further into the matter tomorrow. But I may say that the proceedings which are intended to be followed are strictly in accord with the rules of the Senate. They are strictly in accord, in my judgment, with the precedents of the Senate. I believe they restore to the Senate its capacity to function as a legislative arm of the Government of the United States.

Mr. DOUGLAS. Mr. President, I realize that I am a relative newcomer to this body, since this is only the ninth year in which I have served in the Senate. But I had my baptism of fire last year on the issue now before the Senate, and have watched the struggle as it was waged in previous years.

I was somewhat amused at the quotation by the Senator from Georgia [Mr. RUSSELL] from Jefferson's Manual, and by the clear implication which he seemed to give that Jefferson's Manual was possibly more controlling than the rules of the United States Senate.

My memory went back to the time when the Senate was trying to change rule XXII. In that discussion I pointed out that Jefferson's Manual provided for moving the previous question, to shut off debate. If my memory serves me right, the Senator from Georgia rose and, quite authoritatively, reminded me of the fact that Jefferson's Manual did not constitute the rules under which the Senate was proceeding, but that we were proceeding under the rules of the Senate.

Mr. RUSSELL rose.

Mr. DOUGLAS. Have I made an error?

Mr. RUSSELL. The Senator from Illinois has made two errors. In the first place, he said I held Jefferson's Manual to be more controlling than the rules of the Senate.

Mr. DOUGLAS. I said by implication.

Mr. RUSSELL. I said so neither directly nor by implication.

Mr. DOUGLAS. The Senator from Georgia concedes, then, that Jefferson's Manual does not lay down the parliamentary procedure under which the Senate is operating?

Mr. RUSSELL. It does not. I so contended. If the Senator had been listening, he would have heard me say so.

Mr. DOUGLAS. I thank the Senator from Georgia. I am glad that this issue is cleared up.

I think it is now clear, both from the statement of the Senator from Georgia and from the facts before us, that we are proceeding under the rules of the United States Senate.

ON OBJECTION UNDER RULE XIV, PARAGRAPH 4, BILL CLEARLY GOES TO SENATE CALENDAR

I wish to affirm again the point which the Senator from California has just made. I urge that every Senator who has not already done so read the last 5 lines of paragraph 4 of rule XIV. Forgive me if I read them again, because they need to be clearly borne in mind:

> Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

That applies to H. R. 6127, when, after second reading without a referral, objection is made to further proceeding thereon.

I do not know that there could be, or is, any clearer statement than that, namely, that if a bill, upon the completion of the second reading, has not been referred to a committee, and if a Senator then makes an objection, the bill goes to the calendar. That requirement is not optional; it is mandatory. The rule reads:

> shall, if objection be made to further proceeding thereon, be placed on the calendar.

This provision in the fourth paragraph of rule XIV is reinforced, in addition, by the language of the third paragraph of rule XIV, to which I invite attention:

> No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

The language does not provide that the bill shall be referred to a committee. It is not mandatory that the bill be referred to a committee. The rule states that it may be referred to a committee. It is, therefore, permissive, and the bill might be referred to a committee, or it might not be referred to a committee.

MAJORITY OF SENATE ULTIMATELY DECIDES

If it be objected that this procedure puts into the hands of one Senator the power to decide whether a bill goes to a committee or to the calendar, there is a very clear answer in addition to that which the Senator from California has already made.

When this issue is raised tomorrow—as it undoubtedly will be—upon the second reading, the Chair will be called upon to make a ruling. Undoubtedly an appeal will be taken from the ruling of the Chair, no matter what the ruling of the Chair may be.

CONSTRUCTION OF HELLS CANYON DAM

The VICE PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 555) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

THE CIVIL RIGHTS ACT OF 1957

Mr. DOUGLAS. Mr. President——

The VICE PRESIDENT. The Senator from Illinois may proceed.

Mr. DOUGLAS. Whenever that debate is concluded, it will be concluded by a vote of the Senate, either by a Senate vote on an appeal from the decision of the Chair or by tabling any appeal from the ruling of the Chair. The vote will be by majority vote of the Senate. So the decision as to whether the bill will go to the calendar or will be referred to committee will not be the decision of one Senator alone. The decision will be that of a majority of the Senate, under the rules of the Senate.

Mr. RUSSELL. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. Mr. President, I did not interrupt the Senator from Georgia when he was speaking. I prefer to proceed without interruption so that I may develop my argument in sequence.

Mr. RUSSELL. I am glad to desist.

Mr. DOUGLAS. Mr. President, I shall be glad to yield at the conclusion of my statement.

REFERRAL OF ALL BILLS TO SENATE COMMITTEES WAS NOT MADE MANDATORY BY RULE XXV

The Senator from Georgia has said that rule XXV in effect supersedes rule XIV, and requires the reference of all bills—whether originating in the Senate itself or coming from the House of Representatives—to committee.

Rule XXV does no such thing. It merely provides that if and when a bill is referred to committee, the committee to which it is referred shall be determined by the jurisdiction which is specifically marked out in rule XXV.

Nothing in rule XXV says it supersedes rule XIV.

In fact, as the Senator from California has pointed out by implication, from the procedures dealing with appropriation bills, rule XXV fits in with, and reinforces, rule XIV.

Along with the Senator from California—but independently from him—I, too, have searched the legislative history in connection with the passage of the Congressional Reorganization Act. In the legislative history or in the debate on that act, of which rule XXV was a part, there is nothing whatsoever to indicate that rule XXV has anything to do with rule XIV or supersedes rule XIV in any respect.

As I read the assertions on this point by the Senator from Georgia in debate on Monday, however, I became further interested in the matter; and, therefore, I addressed a request to the Legislative Reference Service of the Library of Congress, in order to obtain from it on the basis of a review of the committee action and floor debate on that bill an interpretation of what the phrase "shall be referred" as it appears in rule XXV, as enacted in the Legislative Reorganization Act, actually means. I requested the senior specialist in American Government, Dr. George B. Galloway, who was the staff director of the Joint Commitee on the Reorganization of Congress, otherwise known as the La Follette-Monroney committee, and who was in charge of the research, and was the staff assistant in the preparation and the enactment of the La Follette-Monroney act, to prepare such an interpretation.

At this time I should like to read the text of his letter, which I have just received:

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
June 19, 1957.

Senator PAUL H. DOUGLAS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR DOUGLAS: This is in reply to your request of today for an interpretation of the meaning of the phrase "shall be referred" as it appears in rule XXV of the standing rules of the Senate, as amended by section 102 of the Legislative Reorganization Act of 1946.

One of the major objectives of that act was to reorganize the committee structure of Congress and to clarify the jurisdictions of the reformed committees which were undefined theretofore in the Senate rules except in isolated instances.

To this end, the jurisdiction of each of the reorganized committees was defined in the 1946 act in terms of the legislative subjects that they were to handle, respectively. In so doing, the phrase "shall be referred" was used in each case for the guidance of the Presiding Officer in determining the reference of bills to committees so that overlapping and duplication would be eliminated and so as to avoid jurisdictional disputes between them (see S. Rept. No. 1400, 79th Cong., 2d sess., pp. 2–3, 10–11).

I invite the particular attention of the Senate to the following paragraph:

Speaking as the former staff director of the La Follette-Monroney committee, there was nothing in the recorded legislative history of the Legislative Reorganization Act of 1946 to suggest that the phrase "shall be referred" in section 102 had any significance or implications beyond an attempt to develop a more efficient division of labor and distribution of the legislative work load among the reorganized committees of the Senate and the House of Representatives.

Sincerely yours,

GEORGE B. GALLOWAY,
Senior Specialist, American Government.

Mr. President, I believe the facts as stated in Mr. Galloway's letter are correct and that although Senators may argue about rule XXV they will be unable to provide a single bit of evidence in the recorded legislative record of that act to show that rule XXV was in any way intended to supersede or repeal rule XIV.

Mr. President, continuing the argument, let me say it has been a common practice of this body——

Mr. ERVIN. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. Mr. President, I did not interrupt the Senator from Georgia. Since then, he has requested that I yield to him; but I asked to be allowed to continue my statement so that I may develop my argument in sequence. So, regretfully, I must ask the Senator from North Carolina to permit me to continue.

HOUSE-PASSED BILLS OFTEN GO TO SENATE CALENDAR AFTER SECOND READING, WITHOUT REFERRAL TO COMMITTEE

Mr. President, it has been a common practice of this body and of the Presiding Officers of this body to place on the Senate Calendar or to hold at the desk, without reference to committee, bills which have passed the House of Representatives. That is done under two sets of conditions: (a) where there already is on the calendar a companion Senate bill; and (b) when it is believed that a Senate committee is about to report a companion bill.

It so happens that from time to time we save in our offices old calendars. I hold in my hand the legislative calendar for August 1, 1953—almost 4 years ago. From that calendar and also from the calendar for the legislative day of August 5, 1954, I find that a whole series of measures passed by the House of Representatives were placed on the Senate Calendar after second reading, without prior reference to a Senate committee.

Among them, I mention House bill 9924, House bill 9987, House bill 9712, House bill 1254, House bill 6616, House bill 7290, House bill 7334, House bill 8821 for August 5, 1954, and House bill 5603, and House Joint Resolution 250 for August 1, 1953. These appear on only two calendars.

I suppose that during the past 30 years, hundreds, and perhaps thousands, of bills passed by the House have been placed on the Senate Calendar or held at the desk without reference to committee, generally in cases when there has been on the calendar a somewhat companion Senate bill or when it has been believed that a companion Senate bill has been ready to be reported from committee.

If referral to committee were mandatory under rule XXV, as alleged, how could all these House-passed bills march directly to the calendar?

Sometimes the question is asked, "What difference does that make? Even if a Senate bill is on the calendar, why not put the companion House bill on the calendar?" Mr. President, that gives the proponents of such proposed legislation a very great advantage, because then the House bill is available for action; and therefore the proponents are able to avoid sending the Senate bill

to the House of Representatives, for action by the House of Representatives, or are able to avoid the holding of a conference. Instead, it is possible for the proponents to have the House bill substituted for the Senate bill in the concluding minutes of the debate.

We remember that in the case of the so-called natural gas bill last year, after all the substantial amendments proposed to the Senate bill had been rejected and the committee amendments to conform it to the House bill had been adopted, one of the proponents of the bill moved that the House bill be substituted for the Senate bill. That was done because it was believed that if the Senate bill had been passed by the Senate, or if the Senate had amended the House-passed bill, thus requiring subsequent action by the House and possibly necessitating the holding of a conference, then in all probability at that time the House would not have acted favorably on the bill, since originally it had passed the House bill by only a very narrow margin and further opposition had developed since that time.

I may say that the natural gas bill from the House was passed on the calendar on Friday, July 29, after the second reading, without being referred to committee; that will be found on page 10339 of the daily CONGRESSIONAL RECORD for Friday, July 29, 1955.

SINCE REFERRAL IS NOT MANDATORY UNDER RULE XXV, RULE XXV CANNOT BE HELD TO REPEAL OR SUPERSEDE RULE XIV

So I wish to make it clear that referral under rule XXV does not supersede rule XIV. If referral is not mandatory for House-passed bills when there is a similar or a companion Senate bill on the calendar, surely it cannot be argued and does not follow that all bills must be referred to committee under rule XXV. If this rule is not mandatory for some bills, it is obviously not mandatory for all bills. There is no basis, therefore, for the claim that rule XXV repeals paragraph 4 of rule XIV.

A very interesting question has developed about the referrals of House-passed bills to the Senate Calendar without prior reference to committee. As I have said, even the reading of a few calendars shows this is a widespread practice, and it is very interesting to note how this is done.

I have, as I say, been a Member of the Senate for only 9 years, but I have been in reasonably diligent attendance at sessions, and I have never heard formal announcement from the Chair, or almost never heard formal announcement from the Chair, that bills were being read a second time and were being placed on the calendar.

What, instead, seems to happen is that since 1925, approximately, this has been a routine practice, not involving a vote of the Senate, and in each individual instance not effected by any formal or announced rule, but brought about by the private decision, in camera, of the Presiding Officer or his authorized agent. Then we find ourselves faced the next day with a fait accompli, which is published in the CONGRESSIONAL RECORD and noted in the Senate Calendar.

Mr. President, surely what can be done privately by one man can be done publicly by the Presiding Officer in the presence of the full Senate. If the Presiding Officer has the ability to put House-passed bills on the calendar privately, where there is no explicit rule to that effect, and have those bills entered on the calendar the next day, certainly he has the right to make the ruling publicly where there is an explicit rule—rule XIV—that they shall be placed on the calendar.

But sometimes a House bill is put on the calendar when there is no corresponding Senate bill on the Senate Calendar at all, where the House-passed bill is put on the calendar not to match a Senate bill, but because there is no Senate bill, and it is desired that the House bill be placed on the calendar.

Reference has been made to the fact that this was done in 1948 on motion of Senator Downey, of California, who had the House-passed offshore oil bill placed on the calendar, although no Senate bill had been reported. It is true that this was done, but that is not the only illustration. In the brief time in which I have had to go over this matter, I found at least one other case, and it is a case of relatively recent occurrence.

It is a case which came up on August 1, 1953, and will be found in the calendar of August 1, 1953, on page 21. It was H. R. 4305, an act to authorize additional appropriations of $2½ million for the lower San Joaquin River project. That was a bill which had been passed by the House the day before. There was no corresponding Senate bill on the calendar. Yet, according to the CONGRESSIONAL RECORD, volume 99, part 8, page 10746, that bill, H. R. 4305, it is announced, had been read twice by its title and placed on the calendar. I may say at the same time one other House-passed bill was placed directly on the calendar. Subsequently, on that same day, H. R. 4305 was passed by the Senate. That will be found in the CONGRESSIONAL RECORD, volume 99, part 8, page 10837 for that day. It may well be more common for this to happen at the end of a session than on other occasions, but nevertheless, it does happen and bills do go directly to the calendar even when there is no companion Senate bill on the calendar, as this example shows.

VANDENBERG RULING ON OLEO BILL WAS NOT CONTRARY TO PRIOR RULING ON OBJECTION UNDER RULE XIV

Mr. President, I know that an argument will be made that the decision in 1948 by the Presiding Officer of the Senate, in the oleo case is to the contrary of the principles which I have enunciated. I have read the debate on the oleo issue, which has been photostated for the benefit of Members of the Senate. I have studied the RECORD very carefully, and it is clear that, though the issue was confused and clouded in the minds of some and the debate somewhat uncertain, the Presiding Officer was perfectly clear as to what the issue was.

The issue, according to the Presiding Officer, the eminent, then senior Senator from Michigan, was not whether a bill should be placed on the calendar or referred to committee, but who had priority of recognition. The Senator from Arkansas [Mr. FULBRIGHT] and the then Senator from Nebraska, Mr. Wherry, were both seeking recognition of the Chair. The eyes of the Chair happened to light upon his fellow party member, which sometimes happens, and which we expect as a normal course of events, and about which the Senator from Georgia need not complain, and Mr. Wherry was recognized first and raised the question of jurisdiction that the oleo bill should go to the Committee on Agriculture.

The Senator from Arkansas [Mr. FULBRIGHT] was trying to get a ruling on the question whether it should go to the calendar. But I should like to read from the opinion of Senator Vandenberg, then acting as President pro tempore. This appears on page 5219 of the CONGRESSIONAL RECORD for that day, May 4, 1948:

At the moment—

Senator Vandenberg said—

It is needless to go into the details of this conflict, but it turns finally, apparently, upon the pure question as to who is first recognized by the Chair to assert his rights under these two conflicting rules.

Then later the Presiding Officer, Senator Vandenberg, said the decision of the Senate, as expressed on the yea-and-nay vote, and to which the Senator from Georgia has called attention, was in no sense in conflict with the precedent established the previous day when Senator Downey had the House-passed tidelands oil bill sent to the calendar rather than to committee. I should like to read from the statement Senator Vandenberg made from the chair.

There is no collision whatever between the precedent of yesterday and the precedent of today.

On another occasion he said:

It is the view of the Chair that the question of precedence in a case of this character depends entirely on who raises the point first. Since the question of jurisdiction has been raised first, it is the view of the Chair that the question of jurisdiction takes priority.

So that if anything was decided by the vote of the Senate, it was merely the question of who was recognized first, whether the Chair correctly gave priority to that question, and what should be done under the question first brought to the attention of the Chair and of the Senate.

Furthermore, I remind Senators that the Senate is not necessarily bound by a majority vote taken in a preceding session of the Senate.

Mr. President, there is another practice which interests me. The practice of holding a House-passed bill at the desk, or even sometimes putting it on the calendar, when a Senate committee has met and considered companion legislation, or similar legislation, and is about to report it favorably to the Senate, clearly shows that referral of all House-passed bills to committees in the Senate is not mandatory under rule XXV.

Mr. President, I should like to inquire if it is not true that when a Senate committee has met, considered a bill, and is about to report the bill, it is the common practice to hold a House-passed bill on

the same subject at the desk and place it on the Senate Calendar without reference to the Senate committee? That is an inquiry which I address to the Chair.

The VICE PRESIDENT. The Parliamentarian informs the Chair——

Mr. DOUGLAS. I thank the Chair.

Mr. RUSSELL. Mr. President——

The VICE PRESIDENT. The Senator did not allow the Chair to finish.

Mr. DOUGLAS. I beg the Chair's pardon.

The VICE PRESIDENT. The Parliamentarian informs the Chair it is not the practice.

Mr. RUSSELL. I know I had never heard of it.

The VICE PRESIDENT. It is the practice to hold it on the desk only when the Senate bill has been reported and is ready to go on the calendar.

Mr. DOUGLAS. Mr. President, may I put my inquiry into somewhat different form? If a Senate committee has met, considered a bill, and is about to report the bill, is it not the common practice to hold at the desk a House-passed bill on the same subject?

The VICE PRESIDENT. In that instance the practice is to hold the House bill on the desk until the Senate bill is reported, and then to place the House bill on the calendar.

Mr. DOUGLAS. Then it is not referred to the committee, but is placed on the calendar?

The VICE PRESIDENT. It is placed on the calendar, but it is not placed on the calendar until the Senate bill is reported.

Mr. DOUGLAS. That response also shows, therefore, that referral of all bills to committee is not mandatory under rule XXV.

KEEPING H. R. 6217 ON SENATE CALENDAR MAY ENABLE SENATE TO ACT ON LEGISLATION TO PROTECT CONSTITUTIONAL RIGHTS

Mr. President, I have been making my plea thus far in terms of the rules and procedures of the Senate. If referral to committee was not mandatory for the off-shore oil bill and for the natural gas bill, surely it is not mandatory when human rights are at stake.

I should like to say that this issue is much broader than mere technical rules of the Senate. It goes to the very heart of the democratic structure of this country.

Last year there was a civil rights bill before this body. It was referred to committee. The committee bottled it up throughout the year. The committee never reported the bill at all. So far as I know, it did not even submit an adverse report on the bill, which was simply smothered to death.

This year, immediately after the convening of the Congress, another civil rights bill was introduced. Hearings were held on that bill, and were concluded in March. The able chairman of the subcommittee, the Senator from Missouri [Mr. HENNINGS], got early action, and that bill was reported promptly to the full committee. The full committee has been meeting on that bill now for 3 months. But despite the valiant efforts of the Senator from Missouri and some of his colleagues, every advantage has been taken by others to delay proceedings and not report the bill.

So, Mr. President, we are not acting capriciously, when we take full advantage of the rules and procedures of the Senate. We are taking advantage of the rules and procedures of the Senate so that the Senate, at long last, may be privileged to decide the issue as to whether or not the right of American citizens to vote should be protected. So we are moving in conformity with the spirit, as well as following the very letter of the law.

Mr. RUSSELL. Mr. President, I desire to make one or two observations with respect to some of the statements which have been made.

The emphasis has been upon the contention that the procedure which has been discussed relates to House bills, and that a single objection will carry such a bill to the calendar and bypass the committee. I wish to point out, for the benefit of the Senate, that the rule refers equally to bills introduced in the Senate on leave in regular order. As to any bill introduced by a Senator, if any other Senator wishes to rise and go through the processes suggested here, he can send the first Senator's bill to the calendar.

In addition, Mr. President, under this procedure and under this rule, on which the proponents of the civil-rights bill rely, a Senator could rise, introduce a bill himself, send it to the calendar, and bypass any committee, if the construction urged by the Senator from California [Mr. KNOWLAND] and the Senator from Illinois [Mr. DOUGLAS] is correct.

This is what the rule says:

> Every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Let it be perfectly clear that the rule is not limited to bills coming to the Senate from the House; it applies equally to bills introduced in the Senate.

Mr. KNOWLAND. Mr. President, will my distinguished friend, the Senator from Georgia, yield at that point?

Mr. RUSSELL. I am happy to yield.

Mr. KNOWLAND. I invite the attention of the distinguished Senator, since he has mentioned the procedure which could be followed in the case of a Senate bill, to the CONGRESSIONAL RECORD of March 2, 1931, at page 6956, where the colloquy to which I am about to refer appears. Some mention has been made of our late esteemed friend and colleague, Vice President Barkley, then Senator from the State of Kentucky, and for many years majority or minority leader of this body.

Mr. RUSSELL. To what year is the Senator referring?

Mr. KNOWLAND. I read from the CONGRESSIONAL RECORD of March 2, 1931:

ADJUSTED-SERVICE CERTIFICATES

> Mr. BARKLEY. Mr. President, when the soldiers' bonus loan bill came over from the House it was recognized by everyone in this body that no amendments should be placed upon the bill. Many of us desired to make the loans applicable to certificates regardless of their date. In his veto message the President criticized the omission of any provision making the loans applicable to certificates which had been issued within the last two years. I ask unanimous consent out of order to introduce a bill to correct that situation, and then I shall ask unanimous consent for its present consideration.
>
> The VICE PRESIDENT. Let the bill be read.
>
> The bill (S. 6269) relating to the making of loans to veterans upon their adjusted-service certificates was read the first time by its title, and the second time at length, as follows:
>
> "*Be it enacted, etc.*, That notwithstanding the provisions of section 502 (b) of the World War Adjusted Compensation Act, as amended, prohibiting the making of loans to veterans upon their adjusted-service certificates prior to the expiration of two years after the date of the certificates, hereafter loans may be made upon such certificates in accordance with loan basis provided by law at any time after the date of issuance thereof."
>
> Mr. SMOOT. Mr. President, I ask the Senator to let the bill go to the Finance Committee. I will get a report on it today. I should like to see just what the effect of it might be.
>
> Mr. BARKLEY. I do not want to consent to a reference at this time because the committee is not in session and has not been called in session.
>
> Mr. SMOOT. The committee was in session this morning and held a meeting, and the committee will be called together again.
>
> Mr. BARKLEY. The committee was called in session to pass on nominations and not for legislative purposes.
>
> Mr. SMOOT. It was for all purposes.
>
> The VICE PRESIDENT. Objection is made to the request of the Senator from Kentucky.
>
> Mr. BARKLEY. I desire to enter a motion to suspend the rules so as to consider and pass the bill.
>
> The VICE PRESIDENT. The motion will be entered.
>
> An objection to a request for the consideration of the bill having been interposed by Mr. SMOOT.
>
> *Ordered*, That the bill, under rule XIV, paragraph 4, be placed on the calendar. (March 2, 1931, 71–3, RECORD, p. 6596.)

Mr. RUSSELL. That happened in 1931. The Reorganization Act, which made it mandatory that bills be referred, was not enacted until 1946.

Mr. KNOWLAND. But we have the Downey precedent in 1948.

Mr. RUSSELL. No one raised a point of order in the Downey case. I challenge the Senator now to show where a point of order was raised against the Downey precedent.

Mr. KNOWLAND. I do not think a point of order had to be raised. The fact is that in the Downey case the Senate proceeded under rule XIV, subsection 4.

Mr. RUSSELL. Because no objection was entered. However, I assure the Senator that objection will be entered to proceeding under that subsection in connection with this bill. The Reorganization Act of 1946 provides that the bill shall be referred to committee.

Mr. KNOWLAND. And the Senate will have an opportunity to pass upon that issue.

Mr. RUSSELL. Oh, yes. In some form. If we are to throw out the window the laws, the rules, and the Constitution in order to get at "these infernal southerners" in a hurry, what the Senator suggests can be done by a majority of the Senate. However, such action would establish precedents which

would destroy the leadership in the years which lie ahead.

I realize the situation which obtains in this instance. I know some of the forces and counterforces which are at play in pressing for legislation of this character. However, I say that what is proposed cannot legally be done under the rules.

I was greatly intrigued by the distinguished Senator from Illinois and his effort to wipe out rule XXV. He seeks to make legislative history by means of a statement from a member of the staff of the Committee on Reorganization of the Congress. There are now living and in the Senate men who were members of that committee. There are now living and in the House of Representatives men who served on that committee. This is the first time to my knowledge that we have gone to the clerk of a committee to make legislative history, so as to water down or eliminate a rule of the Senate.

I happen to know Mr. Galloway, because I served on the Committee on Reorganization of the Congress, on which the distinguished Senator from Oklahoma [Mr. MONRONEY] rendered such fine service, and on which the distinguished late Senator from Wisconsin, Mr. La Follette, was one of the leaders.

Let me say, with all deference to Mr. Galloway, that over a period of years, when any question arises in connection with making a change in a rule of the Senate, the proponents of gag rule have been fortified from here to there with all kinds of legislative statements and findings from Mr. Galloway. On at least one occasion I wrote him with respect to errors which I discovered in statements of his which had been placed in the RECORD, and he admitted that he was in error.

When it comes to legislation of this type, if anyone desires legislative history outside the Senate, he can obtain a stronger legislative history on this question from Mr. Galloway than from anyone less, unless it be the Senator from Illinois and the Senator from California [Mr. KNOWLAND], because Mr. Galloway is in favor of this kind of legislation.

Let me make one further observation, and then I shall conclude. I do not wish to labor the question.

Some of our friends have risen into the clouds and loftily referred to "the right to vote," as though that were all that is involved in this bill. They talk about the right to vote, but what they are really thinking about is schools, and the provisions of the bill which would enable the Attorney General of the United States to invade every southern community and jail or imprison the trustees of the schools unless they agreed to strike down the separate school system for the people of the two races, which has existed there over the years.

Senators should not be deceived by the smokescreen about voting. That is one of our minor problems in the South. It may be a major problem in some few communities, but it is not a major problem in the entire South. Those who talk about voting are hiding behind a smokescreen in an effort to give the Attorney General vast powers to bring about a certain condition in the Southland, which has been subjected to a hate-the-South campaign the like of which has not been seen in this country for many years. The purpose is to enable the Attorney General of the United States to invade the South and deal with the question of enforcement of the Supreme Court's decision in the school cases. They are willing to throw away the rule book and strike down the Constitution and individual rights of American citizens, in their determination to make the white people of the South conform.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. ERVIN. I ask the distinguished Senator from Georgia if, immediately after the passage of the proposed civil-rights bill, the Attorney General of the United States could not bring suits, at the expense of the taxpayers, to compel immediate integration of every school in the South, or elsewhere in this country?

Mr. RUSSELL. He certainly could; and he could jail, without benefit of jury trial, any school trustee who did not proceed forthwith to order integration of the schools. That is what is behind the bill. Let no one try to give me any holier-than-thou talk about voting. That is only a smokescreen. That is not the true purpose of the bill.

Mr. ERVIN. If this bill were enacted into law, would it not confer upon the Attorney General of the United States the power to bring suit, at the expense of the taxpayers, on behalf of any citizen of any race, any alien of any race, or any private corporation within the territorial jurisdiction of the United States, based upon an allegation that he or it had suffered discrimination as a result either of the wording of State law, or the application to him or it by State or local officials of any State law anywhere in the realm in which the States are authorized by the Constitution to legislate?

Mr. RUSSELL. I understand that he could not only do that, but he could do it even if the person in whose favor he was claiming to proceed were opposed to the procedure; and he would proceed at the expense of the taxpayers of the United States. Never has there been such a sweeping bill as this presented to the Congress in my time.

The bill was so deviously drawn that it went through a series of hearings without people catching on to the fact that it was skillfully and cunningly designed to eliminate the benefit of jury trial to American citizens.

Mr. ERVIN. I ask the distinguished Senator from Georgia if this is not the third time in the history of America that an effort has been made to rob the people of their right to trial by jury. I ask the distinguished Senator if the first effort was not made by the British Parliament in connection with the Stamp Act and similar legislation, just before the Revolution, and if that did not result in Thomas Jefferson writing into the Declaration of Independence, as one of the reasons for the colonists severing political ties with England, the fact that in many instances they had been denied the right to trial by jury.

I will ask the Senator if the second effort to rob Americans of the right to jury trial was not made by Congress in reconstruction legislation under the leadership of Thad Stevens, when military commissions were set up in the Southern States to try the people rather than to have them tried in civil courts? I also ask the Senator if this is not the first time that a person in the name of the President of the United States has made an effort to rob the people of their right to trial by jury?

Mr. RUSSELL. So far as I am advised, it is. It may be that the military courts undertook to do what the Senator suggests, but the case of Ex parte Milligan, decided by the Supreme Court, said that if there were civil courts and juries available the military courts had no jurisdiction. However, that was in a different day. The passions of men in that period had been inflamed as a result of the terrible fratricide in which millions of Americans had lost their lives on both sides of the struggle. There was more reason for inflamed passions then than today even with such a propaganda campaign as we are witnessing. But even in those days no one proposed such extreme measures as this proposed bill adopts.

I yield to the knowledge of the Senator from North Carolina, who has done a magnificant job in connection with this subject. I know of no other man who has done more to sound the tocsin on the danger to be found in the pending bill to the individual liberties of Americans everywhere. It is all very well to say, "We will get those Southerners on this," but I remind the people of all other sections that when the bell tolls for us, it will toll for them also.

It is impossible to abolish the right to jury trial in the South without denying it in other sections.

I say to Senators that they can rush this bill through if they wish, but if they do, they will start a series of events that will abolish the individual rights and liberties of American citizens everywhere.

Mr. ERVIN. I should like to ask the distinguished Senator if the passage of the bill would not reduce State and local officials to a constitutional and legal status inferior to that which would thereafter be possessed by murderers, thieves, smugglers, dope peddlers, and persons alleged to be parties to the Communist conspiracy to overthrow the United States Government by force and violence?

Mr. RUSSELL. I am inclined to think the Senator is completely correct, because those people would be entitled to a jury trial, whereas men charged with a penal offense that is made a civil cause under the bill would not be entitled to a jury trial.

Mr. ERVIN. I have just one more question, and it will be the final question. I ask the distinguished Senator from Georgia if the bill is not predicated upon the assumption that State and local officials in the South are so unworthy that they should be denied the right to invoke for their protection in courts of justice

the constitutional and legal safeguards enacted by the Founding Fathers and by previous Congresses to protect all Americans from governmental and judicial tyranny.

Mr. RUSSELL. If I understand the proposed legislation, it wipes out individual rights and liberties which the Anglo-Saxon race has cherished and on which it has depended for well nigh a thousand years. It would vest in an appointed official, the Attorney General, powers over the American people which no President, elected by the people, has ever had.

It is the most deviously drawn bill I have ever seen or have ever undertaken to read. The more often I read it, the more appalling it becomes.

It indicts and convicts the whole people of a great section of this country without a shred of evidence to show necessity for such drastic action. They say southern jurors will not convict in such cases without any evidence to prove their aspersions.

I did not intend at this time to go into the merits of the bill, or perhaps I should say its demerits, because if there are any merits in it, I have been unable to discover them from a reading of it several times.

I made the statement because of the oft-repeated contention that this is merely a bill to assure voting rights.

Mr. President, it is nothing of the kind. It is not limited to voting. So far as my own State is concerned, there is no reason whatever for the Federal Government to undertake to lay so heavy a hand upon the people of my State and upon its citizens.

Mr. KNOWLAND. Mr. President, I would not want the remarks of the distinguished Senator from Georgia to stand without some comment from this side of the aisle. Certainly I have the highest respect and regard for him, as I am sure the Senator from Georgia knows I have. This is not an issue which we have presented here to punish the South. The South is a great area of our common country. Those of us who live in the North and in the West and in the Midwest have a deep interest in the economic development of the South, and recognize that anything which hurts the economy of that section, hurts the entire Nation.

All we are trying to do, as my good friend from Texas has so often said, is to enable the Senate, a coordinate arm of the legislative branch of the Government, to have the proposed legislation before it so that we may reason together.

The South has some of its most eloquent spokesmen in this body. There is no doubt they have a very strong case, which they are entitled to, and no doubt will, present to the Senate.

They must not take the position that all of us on this side of the aisle, or all of those who do not come from the South on the other side of the aisle, are prejudiced against the South or have their minds closed to the facts which will be presented. All we ask is that the Senate shall not become immobilized, so that it cannot even function as a legislative body, but that in a matter of great public policy, involving some constitutional questions, 48 States and 96 Senators shall have an opportunity to pass judgment on the question, as the other great body has done. That is the issue which I believe comes before us on the question of rules.

When the bill is finally before the Senate, either later in this session or early in the next session, and debate is had on it, I have no doubt that Senators will be influenced by the arguments. The Senators on the other side of the argument do not love the Constitution of the United States any more than do those of us who take a different view. They do not desire to have preserved the rights of States any more than we desire to preserve the rights of States.

However, we think, as Senators, that we are entitled to legislate as a legislative arm of the Government of the United States.

Mr. RUSSELL. Mr. President, the Senate will have that opportunity to legislate. I do not doubt it. However, it can do it without proceeding in the way contemplated by the Senator from California, and without violating the rules of the Senate.

I had no intention of discussing the bill today but I felt that I should at least make a brief statement, because during the last week or 10 days on more than a dozen occasions Senators have risen on the floor and have tried to make it appear that the bill is merely designed to enforce the right of franchise, and has to do only with voting. It has been said that it is inconceivable how anyone could become concerned and oppose a bill to establish the right to vote.

So far as my own State is concerned, we have no serious problem on that question. We do have problems in other fields affected by this bill.

I have seen magazine articles and other publications which show that there has been a propaganda campaign waged against the South. There can be no question about that. We can see it in television programs. We can see it in the contemporary literature, and we can hear it on our radio programs. There is a concerted effort to make it appear that the southern people are prejudiced, bigoted, and, indeed, a brutish people.

I resent it. I resent it with every power of my being. The southern people have their faults, just as do people in other sections of the country. But the southern people are a generous, a kindly, courageous, patriotic people. They are the peers of those of any other section of the country.

The article in the American Mercury, for example, deals at great length with this campaign and the reason for it. It says:

> To these resourceful schemers, the South, with its deep-running conservatism and with its unshaken Anglo-Saxon traditions, was an obstacle which had to be removed. Its leaders must be discredited as political pariahs, its way of life must be held up to public detestation and ridicule.
>
> What better instrument was there to direct against the South than the Negro question? Americans, both northerners and southerners alike, have long felt a sense of national guilt over the Negro, and there has been general agreement that inherited discriminations must be gradually abolished. The fact that the South was doing something about it made little difference to the doctrinaire Liberals, whose book called for a political jehad against southern conservatism. It was determined to use the Negro issue as a smashing club against the South, to compel immediate compliance with the blueprints of "one world" liberalism.

In other words, to make them conform with whatever steps are necessary.

> What assured "liberal" success in this undertaking was the political potency of the northern Negro vote. An organization such as the National Association for the Advancement of Colored People which has always been under left liberal (before World War II, even Communist) influence, offered itself as a ready-made instrument for this purpose. The NAACP could direct terrific influence upon northern politicians, both Republican and Democratic, by threatening reprisals by the Negro voters. The 6 million northern Negro voters, acting as a bullet bloc, could easily decide the outcome of a Presidential election. They meant the difference between victory and defeat in the hairline outcome of many a House or even Senate election in the North. No ambitious politician, who wanted to stay alive, would willingly affront such a balance of power.
>
> Commencing sometime in the early 1940's and taking on accelerated speed as the years passed, we have seen the spectacle of an almost bandwagon rush of northern politicians to the NAACP side in local and national elections. The pressure of the local politicians, who get out the vote, upon individual Senators and Congressmen in Washington became terrific. Republicanism under Eisenhower, and Democracy under Adlai Stevenson and Walter Reuther, are sternly against them.
>
> In a period in which the South is no longer feared politically, it has ceased to be respected intellectually or socially. It has become the butt of mediocrity in literature, in journalism, on the screen and over the airwaves. It has become the whipping boy of every political and journalistic demagogue who is seeking an easy road to quick success. Enlistment in the anti-South hate campaign is the surest pathway for the unscrupulous to win the great claque of liberalism to further his career.
>
> It is a shameful episode in the history of our times. It is also a disastrous experience for Americans. At an historic juncture when the hostility of the American people should be channeled exclusively against our enemies at home and abroad, liberalism has detoured us into a hate drive against other Americans. At a time when tolerance has become almost a national religion, the tolerance high priesthood is itself launched on one of the most intolerant smear campaigns in the annals of propaganda.

Mr. President, I have not read from a magazine published in the South. I have read from the American Mercury, which I understand is published in New York City.

I have watched this campaign conducted year after year, until finally it has become almost a stampede to force the Southern people to conform with what the rest of the people of the country think should be the proper pattern in schools and in social life. It is a sad commentary on our times to see such feeling generated against a great section of our country.

I shall not discuss the issue any longer now. Undoubtedly, in connection with the various parliamentary maneuvers which are contemplated, we may have an opportunity to speak at some length on this question.

VISIT TO THE SENATE BY MEMBERS OF THE PARLIAMENTS OF OTHER NORTH ATLANTIC TREATY COUNTRIES

Mr. GREEN. Mr. President, we are honored today to have with us some 45 members of the parliaments of other North Atlantic Treaty countries. Our honored guests, for the port part, participated in the second NATO parliamentary conference, which was held in Paris last November, and which was attended by a delegation from the House of Representatives and the United States Senate.

The conference last year honored the United States by selecting Representative WAYNE HAYS, of Ohio, as president. I was honored to serve as chairman of the United States delegation to that conference.

We are glad to welcome these guests here today, and I hope the Members of the Senate will have an opportunity to speak to them briefly.

[The visitors rose in their places, and were greeted with applause, Senators rising.]

The VICE PRESIDENT. The Chair wishes to speak on behalf of the Members of the Senate in welcoming our distinguished guests from abroad. We are delighted to have them attend the session of the Senate and observe a debate over the Senate rules, which, because of their own experiences, the Chair is sure our guests will understand.

THIRD SUPPLEMENTAL APPROPRIATION BILL, 1957—CONFERENCE REPORT

Mr. HAYDEN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 7, 11, 12, 13, and 26.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 4, 6, 18, 19, 20, 27, 29, 30, 32, 34, and 36 and agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$750,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,215,776"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 8, 9, 10, 14, 15, 16, 17, 21, 22, 23, 25, 28, 31, 33, and 35.

CARL HAYDEN,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
ALLEN J. ELLENDER,
LISTER HILL,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
MILTON R. YOUNG,
WILLIAM F. KNOWLAND,
Managers on the Part of the Senate.

CLARENCE CANNON,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
JAMIE L. WHITTEN,
JOHN J. ROONEY,
JOHN TABER,
BEN F. JENSEN,
H. CARL ANDERSEN,
CLIFF CLEVENGER,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, the distinguished chairman of the Committee on Appropriations earlier in the day discussed this matter with the majority leader and the minority leader. We both agreed that as soon as the House civil-rights bill had been laid before the Senate and discussion was had on it, it would be a good time to bring up the conference report. I understand that the report involves no great controversy, and I hope it may be considered now.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. JOHNSTON of South Carolina. Mr. President, what appropriation bill is this?

Mr. HAYDEN. The Third Supplemental Appropriation bill.

Mr. JOHNSTON of South Carolina. Is that the one which contained the amendment dealing with flood insurance?

Mr. HAYDEN. Yes.

Mr. JOHNSTON of South Carolina. I should like to know what the committee of conference did in regard to that amendment.

Mr. HAYDEN. We deleted it from the bill.

Mr. JOHNSTON of South Carolina. That amendment was placed in the bill on the floor of the Senate when I offered it. It was taken to conference. I am very much grieved to know that the amendment is not now in the bill. On three different occasions the Senate has placed a similar amendment on appropriation bills.

Mr. HAYDEN. This item is now in the regular independent offices appropriation bill.

Mr. JOHNSTON of South Carolina. It is in that bill?

Mr. HAYDEN. Yes. That bill passed the Senate and will go to conference next week. No action has been taken on it yet by the conferees.

Mr. JOHNSTON of South Carolina. Is the Senator from Arizona a member of the committee of conference which will consider the Independent Offices Appropriation bill?

Mr. HAYDEN. No, I am not a member of that conference committee. The Senator from Washington [Mr. MAGNUSON] is the chairman of the subcommittee on Independent Offices Appropriations.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. SALTONSTALL. I may say, as one who is himself interested in the item, just as is the Senator from South Carolina, that a similar amendment was adopted by the Senate and is now in conference, as I understand, in the full amount which is necessary. I hope the Senate conferees will be able to sustain it, although it has not been possible to do so in the past 2 or 3 years.

Mr. JOHNSTON of South Carolina. I know that is true, but the time limit will expire in August.

Mr. SALTONSTALL. I so understand.

Mr. JOHNSTON of South Carolina. If the time runs out, a great injustice will be done to many employees. Furthermore, I think it will result in discrimination in favor of some insurance companies and against other insurance companies.

Mr. SALTONSTALL. I am heartily in favor of the position taken by the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I think every Senator recognizes that fact. I hope the conferees will make certain that the amendment is retained in the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

Mr. ALLOTT. Mr. President, reserving the right to object—and I shall not object—I wish to address a question to the Senator from Arizona concerning the situation with respect to tungsten.

Mr. HAYDEN. That amendment, which was placed in the bill by the Senate, was, as the Senator knows, by a teller vote of 156 to 47, rejected by the House.

Mr. ALLOTT. Mr. President, will the Senator from Arizona yield, so that I may say a word or two about this matter?

Mr. HAYDEN. I yield.

Mr. ALLOTT. I shall not object to the conference report at this time, because I realize that to do so would be futile. But I cannot permit the moment to pass, especially in view of some remarks which were made in the House of Representatives yesterday, without calling the attention of the Senate again to the fact that under Public Law 733 certain representations were held forth to the mining interests of the United States. Pursuant to those representations, those interested in the mining industry have invested hundreds of thousands of dollars in mining operations.

The able Senator from Arizona [Mr. HAYDEN] and other able Senators have given us ample support in our attempts to keep the American mining industry upon a sound basis and to protect it from importations from other countries, when critical mineral situations were involved.

Mr. President, it is a sad day when this appropriation is eliminated from the third supplemental appropriation bill.

I wish to extend my own appreciation and that of many of the people of the West to the Senator from Arizona and his colleagues on the committee, for I know they have fought very hard to try to keep the faith of the Congress with the miners, as it was expressed in Public Law 733.

The PRESIDING OFFICER. Is there objection to the request for the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

The report was agreed to.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7221, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.
June 18, 1957.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 8, 9, 10, 14, 21, 22, 23, 25, 28, 31, 33, and 35 to the bill (H. R. 7221) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes," and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

Strike out the sum of "15,000,000," named in said amendment and insert in lieu thereof: "$4,000,000, to remain available through June 30, 1958."

That the House recede from its disagreement to the amendment of the Senate numbered 5, and concur therein with an amendment, as follows:

In lieu of the sum of "$15,000,000" named in said amendment, insert "$11,500,000"

That the House recede from its disagreement to the amendment of the Senate numbered 16, and concur therein with an amendment, as follows:

In lieu of the matter proposed by the said amendment insert:

"For an additional amount for 'Inpatient care,' $1,000,000, of which $725,000 shall be derived by transfer from the appropriation for 'General operating expenses', fiscal year 1957, and $275,000 shall be derived by transfer from the appropriation for 'Outpatient care', fiscal year 1957: Provided, That notwithstanding"

That the House insist upon its disagreement to the amendment of the Senate numbered 15.

That the House insist upon its disagreement to the amendment of the Senate numbered 17.

Mr. HAYDEN. Mr. President, I move that the Senate agree to the amendments of the House to the Senate amendments Nos. 2, 5, and 16, and that the Senate recede from its amendments Nos. 15 and 17.

Mr. BIBLE. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. BIBLE. Will the Senator from Arizona indicate the significance of having the Senate recede from its amendment No. 17? Is that amendment the so-called minerals amendment?

Mr. HAYDEN. Yes. As all Senators know, on 2 separate occasions the Senate voted, with only 17 votes in opposition, in favor of the appropriation with respect to tungsten; in other words, to keep the moral obligation imposed by law. The House has refused, by a vote of 47 to 156, to agree to the position of the Senate. So it seems that we have done all we can. It is for that reason that I have moved that the Senate recede.

Mr. BIBLE. The Senator from Arizona knows of the keen interest which those of us from the Western States have taken in regard to this particular amendment. Personally, I very much regret the action taken by the House of Representatives. It seems to me it puts the Congress in the position of failing to keep faith with the American miners.

Mr. HAYDEN. I agree entirely with the Senator from Nevada.

Mr. BIBLE. I cannot stress too fervently the point which has always impressed me, namely, that at this time the Government of the United States is perfectly willing to carry out contracts for the purchase of approximately $62 million worth of tungsten from foreign sources and foreign producers, but is failing to live up to a moral obligation of the United States Government under Public Law 733. I think that is greatly to be regretted.

For that reason, I must object to having the Senate recede on this amendment.

I would be less than appreciative if I did not say to my good friend, the Senator from Arizona, that I know of the fine work which he, as Chairman of the Appropriations Committee, and the other members of the committee have done in attempting to have this item included in the appropriation bill; and the same is true of the distinguished majority leader and the distinguished minority leader of the Senate. To me, it is unthinkable that by this action the Congress would put out of business or deprive of their occupations approximately 4,000 miners who depend upon the continuance of this provision for their livelihood.

Mr. HAYDEN. However, we are faced with the situation that the bill carries appropriations of $2 million for the Commodity Credit Corporation; and if the bill is not passed promptly, payless paydays for the employees of that Corporation will begin on June 24.

Furthermore, the bill carries appropriations of $500,000 for the Civil Service Commission, for annuities for Panama Canal construction workers and Lighthouse Service widows; and the payments due to be made June 1 have not been made.

The bill also carries appropriations of $65 million for the Veterans' Administration. The readjustment benefits are due on June 21. But all the funds have been exhausted; and if the bill is not passed promptly, the benefit payments will have to be suspended.

In the case of the Railroad Retirement Board, the bill carries an appropriation of $600,000. If the bill is not passed promptly, no funds will be available to meet the current payroll of that Board, which will become due next week.

Furthermore, in the case of the Judiciary, the bill carries appropriations of $253,000 for the salaries of referees; but on June 15, the authority to obligate expired.

The bill also carries other appropriation items of a similar kind.

These agencies and departments of the Government cannot operate unless the necessary appropriations are made.

Mr. MANSFIELD. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. MANSFIELD. I hope the Senator from Nevada [Mr. BIBLE] will change his position, even though I feel exactly as he does. I feel that in this instance the House of Representatives has broken a solemn commitment. But in that connection no blame can be attached to the administration or to the Senate.

However, in this instance the Senate is faced with the existence of a fact; and it is impossible for us to separate one item of the bill from the others, and to go through the procedure again.

What the Senate conferees insisted upon, and what the Senate got, was a record vote in the House of Representatives, thus showing definitely the opinion on the part of the House.

Although I am not happy about the situation in the case of amendment numbered 17, nevertheless, in view of the circumstances, and despite my great misgivings, I think we should go along with the motion of the Senator from Arizona. All of us know that the Senator from Arizona, the chairman of the Appropriations Committee, and the other members of the committee have worked on this matter for a number of months, and we are certain that they have done their very best.

Mr. SALTONSTALL. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. SALTONSTALL. I reiterate the statements of the Senator from Montana, in the case of amendment numbered 15, which is in a position similar to that of amendment numbered 17.

Amendment numbered 15 deals with the appropriation for flood insurance. As the distinguished Senator from Rhode Island [Mr. PASTORE] and I have brought out recently, we hope the Appropriations Committee, and particularly its chairman, will give sympathetic consideration to a further supplemental appropriation bill which will include an item to continue the work of the Commission, so that this matter will not be completely dropped, but will be further studied, and perhaps a better bill will come along, and perhaps next January the House of Representatives will take a different position.

Mr. HAYDEN. On the amendment relating to flood insurance, the vote in the House of Representatives was 218 to 186; so the House rejected the amendment by a substantial majority.

On the other hand, it seems only reasonable that funds should be allowed to enable the Commission to proceed in at least a moderate way to carry out the program.

I am very hopeful that in another supplemental appropriation bill, a sum per-

haps not so large as $14 million, but still a reasonable sum—will be included, in order to permit the activities of the Commission to be carried on.

Mr. PASTORE. Mr. President, will the Senator from Arizona yield to me?

Mr. HAYDEN. I yield.

Mr. PASTORE. I wish to compliment the distinguished Chairman of the Appropriations Committee, and to express to him my appreciation for his attitude and his cooperation in the case of this particular item. I fully realize the practicalities and the realisms confronting us at this time; and under present circumstances, I do not see how we could attempt to have a further conference held.

However, I wish to say to the distinguished chairman of the committee that the one dim ray of hope I entertain at the present time is this: Even the Members of the House of Representatives who voted against this item at least expressed some sentiment that this agency should not go out of existence, even though they voted against the item of $14 million. Perhaps in a future supplemental appropriation bill it will be possible to include an appropriation of a smaller amount which will be acceptable to the House of Representatives, and will enable this agency to exist, and in the meantime afford opportunity to restudy the entire situation.

Mr. HAYDEN. It is my hope that that will be done.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. HAYDEN. Mr. President, I ask unanimous consent to have inserted in the RECORD a table in regard to the third supplemental appropriation bill, showing the budget estimates, the House and the Senate allowances, and the amounts agreed to in conference.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	DEPARTMENT OF AGRICULTURE				
	AGRICULTURAL RESEARCH SERVICE				
115	Salaries and expenses: Research	(1)	(1)	(1)	(1)
115	Payments to States, Hawaii, Alaska, and Puerto Rico: Penalty mail [2]	($250,000)	($250,000)	($250,000)	($250,000)
	EXTENSION SERVICE				
115	Federal Extension Service: Penalty mail [2]	(514,000)	(514,000)	(514,000)	(514,000)
	AGRICULTURAL CONSERVATION PROGRAM				
48	Emergency conservation measures	[3] (25,000,000)		15,000,000	4,000,000
S. 36 / 115	Emergency range conservation [2]	(25,000,000)		(25,000,000)	
	FARMERS' HOME ADMINISTRATION				
48	Disaster loan revolving fund	(25,000,000)		(15,000,000)	(11,500,000)
48	Loan authorization	(26,000,000)		(26,000,000)	(26,000,000)
	OFFICE OF THE SECRETARY				
115	Salaries and expenses [2]	(23,400)	(23,400)	(23,400)	(23,400)
	COMMODITY CREDIT CORPORATION				
115	Administrative expense limitation	(2,500,000)	(2,000,000)	(2,000,000)	(2,000,000)
	Total, chapter I			15,000,000	4,000,000
	DEPARTMENT OF COMMERCE				
	COAST AND GEODETIC SURVEY				
115	Salaries and expenses [2]	(55,000)	(55,000)	(55,000)	(55,000)
	RELATED AGENCIES				
	PANAMA CANAL COMPANY				
115	Panama Canal Bridge	1,000,000		1,000,000	
	TARIFF COMMISSION				
115	Salaries and expenses	25,000	25,000	25,000	25,000
	Total, chapter II	1,025,000	25,000	1,025,000	25,000
	DEPARTMENT OF DEFENSE				
	DEPARTMENT OF THE ARMY				
S. 36	Military personnel [2]	(27,444,000)		(27,444,000)	(27,444,000)
	DEPARTMENT OF THE NAVY				
115	Medical care, Navy [2]	(12,200,000)	(10,000,000)	(10,000,000)	(10,000,000)
	Servicewide supply and finance [2]	(8,000,000)	(8,000,000)	(8,000,000)	(8,000,000)
	DEPARTMENT OF THE AIR FORCE				
115	Military personnel [2]	(30,335,000)	(30,335,000)	(30,335,000)	(30,335,000)
	Total, chapter III				
	GENERAL GOVERNMENT MATTERS				
	AMERICAN BATTLE MONUMENTS COMMISSION				
	Construction of memorials and cemeteries			(1)	(1)
	COMMISSION ON GOVERNMENT SECURITY				
115	Salaries and expenses	(1)	(1)	(1)	(1)
	Total, chapter IV				
	INDEPENDENT OFFICES				
	CIVIL SERVICE COMMISSION				
115	Salaries and expenses	150,000			
115	Annuities, Panama Canal construction employees and Lighthouse Service widows	552,000	500,000	500,000	500,000
	Civil Service Retirement Act			(1)	(1)
115	Employees' life insurance fund, administrative expenses (increase in limitation)	(76,500)		(76,500)	

[1] Language.

[2] To be derived by transfer.

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference—Con.

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	INDEPENDENT OFFICES—Continued				
	GENERAL SERVICES ADMINISTRATION				
115	Public buildings service, operating expenses	$1,220,000	$900,000	$900,000	$900,000
S. 36	Operating expenses, Federal supply service	(2)		(4)	(4)
	HOUSING AND HOME FINANCE AGENCY				
	Office of the Administrator:				
115	Housing studies, administrative expenses	170,000			
115	Housing studies	800,000			
115	Federal Flood Indemnity Administration	50,000,000		14,000,000	(5)
115	Federal National Mortgage Association (increase in limitation)	(200,000)			
	VETERANS' ADMINISTRATION				
115	Medical administration and miscellaneous operating expenses	(1)			
115	Inpatient care (transfers)	(3,000,000)	(1)	(2,000,000)	(1,000,000)
115	Readjustment benefits	77,000,000	65,000,000	65,000,000	65,000,000
115	Automobiles and other conveyances for disabled veterans (transfer)	(1,000,000)	(850,000)	(850,000)	(850,000)
	Total, chapter V	129,892,000	66,400,000	80,400,000	66,400,000
	DEPARTMENT OF THE INTERIOR				
	OFFICE OF THE SECRETARY				
48	Acquisition of strategic materials	30,000,000		30,000,000	(6)
	BUREAU OF INDIAN AFFAIRS				
S. 36	Resources management [3]	(150,000)		(150,000)	(150,000)
115	Resources management [3]	(133,000)	(133,000)	(133,000)	(133,000)
	FISH AND WILDLIFE SERVICE				
115	General administrative expenses [3]	(230,000)	(75,000)	(75,000)	(75,000)
	ADMINISTRATION, DEPARTMENT OF THE INTERIOR				
115	Salaries and expenses [3]	(75,700)	(65,000)	(65,000)	(65,000)
	DEPARTMENT OF AGRICULTURE				
	FOREST SERVICE				
	SALARIES AND EXPENSES				
115	Control of forest pests [3]	(800,000)	(800,000)	(800,000)	(800,000)
	INDEPENDENT OFFICES				
	Alexander Hamilton Bicentennial Commission			15,000	15,000
	INDIAN CLAIMS COMMISSION				
115	Salaries and expenses	7,700	7,700	7,700	7,000
	SMITHSONIAN INSTITUTION				
115	Salaries and expenses, National Gallery of Art	30,000	30,000	30,000	30,000
	Total, chapter VI	30,037,700	37,700	30,052,700	52,700
	DEPARTMENT OF LABOR				
	OFFICE OF THE SECRETARY				
115	Salaries and expenses	(24,000)	(24,000)	(24,000)	(24,000)
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	FREEDMEN'S HOSPITAL				
115	Salaries and expenses	60,200	46,400	46,400	46,400
	OFFICE OF EDUCATION				
115	Grants for State committees on education beyond the high school	650,000			
	PUBLIC HEALTH SERVICE				
	Foreign Quarantine Service	67,500		(7)	(7)
115	Hospitals and medical care	1,260,000	1,184,000	1,184,000	1,184,000
	ST. ELIZABETHS HOSPITAL				
115	Salaries and expenses	133,000	133,000	133,000	133,000
115	Construction and equipment, maximum security building	673,000	673,000	673,000	673,000
	OFFICE OF THE SECRETARY				
115	Salaries and expenses, Office of Field Administration	(68,000)	(68,000)	(68,000)	(68,000)
	Total, Department of Health, Education, and Welfare	2,843,700	2,036,400	2,036,400	2,036,400
	NATIONAL MEDIATION BOARD				
115	Salaries and expenses	(15,500)	(15,500)	(15,500)	(15,500)
	NATIONAL RAILROAD ADJUSTMENT BOARD				
115	Salaries and expenses	(8)	(8)	(8)	(8)
	RAILROAD RETIREMENT BOARD				
115	Salaries and expenses	(600,000)	(600,000)	(600,000)	(600,000)
	U. S. SOLDIERS' HOME				
115	Maintenance and operation	(70,000)	(70,000)	(70,000)	(70,000)
	Total, chapter VII	2,843,700	2,036,400	2,036,400	2,036,400

[1] Language.
[2] To be derived by transfer.
[3] Travel limitation increased from $120,000 to $135,000.
[4] Travel limitation increased from $120,000 to $130,000.
[5] In actual disagreement.

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference—Con.

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	PUBLIC WORKS, DEPARTMENT OF DEFENSE—CIVIL FUNCTIONS				
	DEPARTMENT OF THE ARMY				
115	Entombment of unknown Americans of World War II and Korea	$269,000	$159,000	$159,000	$159,000
	DEPARTMENT OF THE ARMY—CIVIL FUNCTIONS—CONSTRUCTION—GENERAL				
	Rivers and harbors and flood control			(1)	(1)
	DEPARTMENT OF THE INTERIOR				
	Southeastern Power Administration: John Kerr project [2]	(45,000)		(35,000)	(35,000)
	Total, chapter VIII	269,000	159,000	159,000	159,000
	DEPARTMENT OF STATE				
115	Salaries and expenses	2,200,000	500,400	1,000,000	750,000
	Emergencies in the diplomatic and consular service		725,000	725,000	725,000
115	Contributions to international organizations	7,464,384	4,169,409	4,169,409	4,169,409
115	International contingencies	450,000	225,000	225,000	225,000
	Total, Department of State	10,114,384	5,619,809	6,119,409	5,869,409
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
	Salaries and expenses, United States attorneys and marshals [2]	(300,000)		(300,000)	(300,000)
	THE JUDICIARY				
	SUPREME COURT OF THE UNITED STATES				
144	Care of the building and grounds	7,500	7,500	7,500	7,500
	COURT OF CLAIMS				
115	Salaries and expenses	50,400	34,400	34,400	34,400
	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES				
115	Salaries of judges [2]	[1] (300,000)	[1] (300,000)	(300,000)	(300,000)
115	Fees of jurors and commissioners	160,000	160,000	160,000	160,000
115	Salaries of referees	(253,000)	(253,000)	(253,000)	(253,000)
115	Expenses of referees	(79,900)	(57,000)	(57,000)	(57,000)
	Total, the judiciary	217,900	201,900	201,900	201,900
	FUNDS APPROPRIATED TO THE PRESIDENT				
115	President's special international program	1,500,000	1,300,000	1,500,000	1,300,000
	Total, chapter IX	11,832,284	7,121,709	7,821,309	7,371,309
	DISTRICT OF COLUMBIA				
	OPERATING EXPENSES				
115	Department of General Administration	(180,000)	(180,000)	(180,000)	(180,000)
115	Personal services, wage-scale employees	(415,000)	(415,000)	(415,000)	(415,000)
	CAPITAL OUTLAY				
115	Public building construction	(390,000)	(390,000)	(390,000)	(390,000)
	MISCELLANEOUS				
115	Settlement of claims and suits	(22,798)	(22,798)	(22,798)	(22,798)
115	Judgments	(347)	(347)	(347)	(347)
115	Audited claims	(8,062)	(8,062)	(8,062)	(8,062)
	Total, chapter X	(1,016,207)	(1,016,207)	(1,016,207)	(1,016,207)
	LEGISLATIVE BRANCH				
	SENATE				
	Payment to the widow of Senator Joseph R. McCarthy			22,500	22,500
	CONTINGENT EXPENSES				
	Senate Restaurants			30,000	20,000
	Stationery			(1)	(1)
	General provisions			(1)	(1)
	HOUSE OF REPRESENTATIVES				
	CONTINGENT EXPENSES				
115	Folding documents	20,000	9,000	9,000	9,000
	CAPITOL POLICE				
115	General expenses	1,500			
	EDUCATION OF SENATE, HOUSE, AND SUPREME COURT PAGES				
115	Education of pages	2,240	2,240	2,240	2,240
	GOVERNMENT PRINTING OFFICE				
115	Printing and binding, 1958	1,300,000	1,300,000	1,300,000	1,300,000

[1] Language. [2] To be derived by transfer.

Comparative statement of budget estimates, amounts recommended in House and Senate bills, and amounts agreed to in conference—Con.

H. Doc. No.	Department or activity	Budget estimates	Recommended in House bill	Amount recommended by Senate	Conference action
	LEGISLATIVE BRANCH—Continued				
	ARCHITECT OF THE CAPITOL				
144	Office of the Architect, salaries	$7,500	$7,500	$7,500	$7,500
144	Capitol building	13,500	13,500	13,500	13,500
	Capitol building			8,000	8,000
	Capitol building			(1)	(1)
	Senate Office building	17,000		17,000	17,000
	Total, chapter XI	1,361,740	1,332,240	1,409,740	1,409,740
	JUDGMENTS AND AUTHORIZED CLAIMS				
156 S. 38	Judgments and authorized claims	4,437,896	2,728,739	4,437,896	4,215,776
	Grand total	181,699,320	79,840,788	142,342,045	85,669,925

1 Language.

The PRESIDING OFFICER. That concludes the action of the Senate on the conference report and the supplemental matters in connection therewith.

THE CIVIL RIGHTS ACT OF 1957

Mr. JOHNSTON of South Carolina. Mr. President, much has been said about the bill which commonly is known as the Civil Rights bill, namely, House bill 6127. I hope each Member of the Senate will read that bill very carefully. I make that statement because the House bill now pending before the Senate is not the same bill the Judiciary Committee has amended. It will be found that the bill which has come from the House gives to the Attorney General the right to act in behalf of any individual in the United States, even against that individual's will.

Here is the way the bill would do away with jury trial: The Attorney General would be able to go into court and ask for an injunction against certain procedures or against certain activities in a community. If the judge should grant the injunction, and after he had granted it, a person in the community should violate the injunction, not willfully, and not even knowing the injunction was in operation, he could be hailed into court and without a jury trial convicted and sentenced to so many days, months, or years in jail.

The bill goes further. In order to enforce its provisions, the President of the United States is given the power of using the Army and the Navy to see that the order is put into effect and carried out. So, Mr. President, the bill is so far-reaching I want to ask at this time if it is not true that the bill has had its first reading by title only.

The PRESIDING OFFICER. The Senator is advised that is correct.

Mr. JOHNSTON of South Carolina. Tomorrow the bill will come up for a second reading. I want to ask here and now that when it comes up for its second reading the Senate clerk read it word by word, and line by line, and not skip any of it, so that we may know exactly what is in the bill and so that each person present at that time will know what is contained in the bill. May I make that request at this time?

The PRESIDING OFFICER. The Chair is sorry to inform the Senator that the Parliamentarian advises that the request or objection will have to be made at the time of taking up the bill tomorrow.

Mr. JOHNSTON of South Carolina. I serve notice I shall make that request at the time the bill is taken up tomorrow, because I think it is important that we know exactly what the House bill contains, since it is proposed that it be not referred to any committee, and Senators do not have on their desks a copy of the bill to read, and probably will not have tomorrow morning before they come to the Senate. For that reason I am going to make that request when the Senate is in session tomorrow.

Mr. MCNAMARA. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Michigan will state it.

Mr. MCNAMARA. Is it a fact that the bill has been printed in the RECORD of the House proceedings?

The PRESIDING OFFICER. The Chair begs to advise the Senator that, since there has been no request for the reading of the bill in full, the bill in full will not appear in the CONGRESSIONAL RECORD tomorrow.

Mr. MCNAMARA. Mr. President, my question was——

The PRESIDING OFFICER. The Senator is advised that the Parliamentarian informs the Chair that under the handling of the measure so far, and its handling has been completed for today, the bill will not appear printed in the RECORD tomorrow except by title.

Mr. MCNAMARA. I was not asking about any action on the part of the Senate today; the question I asked was whether the bill was printed in the RECORD when it was before the House, or in the interim between now and then.

The PRESIDING OFFICER. The Parliamentarian advises that it has not been printed in any Journal of the proceedings of the Senate, and he is not advised whether it was printed during the proceedings in the House.

Mr. MCNAMARA. I thank the Chair. I shall seek the information elsewhere.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MCNAMARA. Yes.

Mr. DIRKSEN. If the usual custom in the House was followed, it was read and debated, but the text of the bill is not assembled in one place in the RECORD. It is very doubtful that the bill appears in its entirety in the CONGRESSIONAL RECORD of the House proceedings, unless some special request was made.

The PRESIDING OFFICER. The Chair wishes to inform Senators who may be interested that the Parliamentarian advises that the practice in the House is as stated by the Senator from Illinois, and without having any definite knowledge of it, the Parliamentarian thinks it doubtful that the text of the bill was printed in the RECORD of the House during its consideration.

ORDER OF BUSINESS

Mr. MURRAY obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator from Montana yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WATKINS. Mr. President, reserving the right to object, in my opinion the Hells Canyon bill is quite an important measure, and I believe some Senators who at least are not either active proponents or opponents of the bill should be present to listen to the debate.

Mr. JOHNSON of Texas. Mr. President, I have no objection, if the Senator wishes to object to the rescinding of the order for the quorum call. There are some Senators whom we cannot make listen to other Senators. I have found that to be true.

Mr. President, I should like to announce that it will be my purpose, if the order for the quorum call is rescinded, to ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Order No. 445, S. 2243, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

Mr. President, I had an agreement with the minority leader that we would bring that bill up for consideration. It is an authorization bill, and the other body cannot act on the appropriations relating to atomic energy properly without its passage. The minority leader and I agreed that when the Senate had finished its discussion of the civil-rights bill we would bring up for consideration Senate bill 2243.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. WATKINS. I do not object, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF ATOMIC ENERGY ACT OF 1954

Mr. JOHNSON of Texas. Mr. President, my previous request was that the order for the quorum call be rescinded. Next, so that I may carry out my agreement with the Senator from California [Mr. KNOWLAND], the minority leader, I ask unanimous consent that the Senate proceed to the consideration of Order No. 445, S. 2243, a bill to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2243) to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Joint Committee on Atomic Energy, with amendments, on page 2, line 9, after the word "of", to strike out "specific", and in line 12, after the word "commercial", to strike out "production of byproduct material" and insert "provision of byproduct material, irradiation, or other special services,", so as to make the bill read:

Be it enacted, etc., That section 261 of the Atomic Energy Act of 1954, as amended, is amended to read as follows:

"SEC. 261. Appropriations:

"a. There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this Act, except—

"(1) Such as may be necessary for acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion: *Provided*, That for the purposes of this subsection a., any nonmilitary experimental reactor which is designed to produce more than 10,000 thermal kilowatts of heat (except for intermittent excursions) or which is designed to be used in the production of electric power shall be deemed to be a facility.

"(2) Such as may be necessary to carry out cooperative programs with persons for the development and construction of reactors for the demonstration of their use, in whole or in part, in the production of electric power or process heat, or for propulsion, or solely or principally for the commercial provision of byproduct material, irradiation, or other special services, for civilian use, by arrangements (including contracts, agreements, and loans) or amendments thereto, providing for the payment of funds, the rendering of services, and the undertaking of research and development without full reimbursement, the waiver of charges accompanying such arrangement, or the provision by the Commission of any other financial assistance pursuant to such arrangement, or which involve the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion undertaken by the Commission as a part of such arrangements.

"b. The acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only."

SEC. 2. The Atomic Energy Act of 1954, as amended, is amended by adding a new section 58 with appropriate amendment to the table of contents, as follows:

"SEC. 58. Review: Before the Commission establishes any fair price or guaranteed fair price period in accordance with the provisions of section 56, or establishes any criteria for the waiver of any charge for the use of special nuclear material licensed or distributed under section 53 the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge shall be submitted to the Joint Committee, and a period of 45 days shall elapse while Congress is in session (in computing such 45 days there shall be excluded the days in which either House is not in session because of adjournment for more than 3 days): *Provided, however*, That the Joint Committee, after having received the proposed fair price, guaranteed fair price period, or criteria for the waiver of such charge, may by resolution waive the conditions of or all or any portion of such 45-day period."

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from New Mexico [Mr. ANDERSON] so that he may make a brief explanation of the bill and the necessity for its passage.

Mr. ANDERSON. Mr. President, S. 2243 is a bill to amend the Atomic Energy Act of 1954 to provide for more extensive Congressional review of the AEC atomic power program. The bill was carefully drafted after many meetings between the members of the joint committee and the AEC staff, and agreement of language was reached between the members of the joint committee and the Atomic Energy Commission.

S. 2243 amends the Atomic Energy Act of 1954 by amending section 261 concerning authorization of appropriations, and by adding a new section 58 concerning Congressional review of AEC determinations which affect the civilian atomic power program.

The bill has the unanimous approval of the joint committee, from Republican and Democratic members alike. The Atomic Energy Commission has indicated that it will comply with the provisions of the bill in seeking authorization for appropriations this year as well as in future years.

Inasmuch as the Subcommittee on Legislation of the Joint Committee on Atomic Energy is now holding hearings concerning the AEC request for authorization of appropriations, I request that the Senate approve this bill at this time in order that these hearings may proceed in accordance with the provisions of this bill.

The joint committee made two very minor amendments to the bill while it was in committee, which are explained in Senate Report No. 437, which is the committee report accompanying S. 2243.

It is my understanding that Mr. DURHAM, the distinguished chairman of the joint committee, intends to bring the bill up for consideration on the floor of the House of Representatives as soon as possible.

I therefore request that S. 2243, as reported by the Joint Committee on Atomic Energy, be passed by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the question is on agreeing to the committee amendments en bloc.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2243) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ANDERSON. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

Mr. ANDERSON. Mr. President, on behalf of the Atomic Energy Commission and the Joint Committee on Atomic Energy I wish to thank the distinguished majority leader and the distinguished minority leader, for their cooperation.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. MURRAY. Mr. President, the Senate Committee on Interior and Insular Affairs, upon which I have the honor to serve as chairman, has again recommended that the bill, S. 555, to authorize construction of high Hells Canyon Dam, be passed.

Our Subcommittee on Irrigation and Reclamation, chaired by the distinguished Senator from New Mexico [Mr. ANDERSON], held hearings and gave careful consideration to the current situation on the Middle Snake River, and recommended to the full committee that the bill be passed.

As the committee report states, there never has been any other proposal for development of this stretch of the Snake River which will fully develop its resources. The three small dams which the Idaho Power Co. has been licensed to build in the Hells Canyon reach of the

river would mean only fractional development of the potentialities there. Large amounts of flood control capacity would be lost if the small dams are built. Tremendous amounts of firm, low-cost electric power would be wasted. Fish and wildlife would be threatened by the necessity of building flood control reservoirs on other streams, where there are salmon runs, to replace the storage lost at Hells Canyon.

The bill we have reported to the Senate authorizes construction of high Hells Canyon Dam as described in House Document 473, 81st Congress, as modified, and the Scriver Creek power facilities of the Payette unit, Mountain Home division, as described in the May 11, 1951, report of the Commissioner of Reclamation.

The bill provides for interconnection of the Hells Canyon facilities with the Bonneville Power system, reserving 500,000 kilowatts capacity for Idaho and eastern Oregon.

The measure provides unequivocably for the protection of present and future rights to the use of water for irrigation and other beneficial consumptive uses under State laws, and specifically subordinates the operation of Hells Canyon Dam to such rights.

The measure provides that Hells Canyon and Scriver Creek developments, including the irrigation features of the Payette Unit, Mountain Home Division, shall be treated as a single project.

On May 16 of this year I discussed the Hells Canyon project and Columbia Basin development in considerable detail on the Senate floor. This matter was debated extensively a year ago and I shall not again go into project details.

The fundamental issue involved here is not public power versus private power. The issue is a moral one: whether or not we are going to waste God-given resources, not only to the detriment of the present generation, but to the detriment of generations still to come.

Mr. President, once the dams are in place in the Middle Snake River, they are going to be there for several generations at a minimum. High Hells Canyon Dam can be a monument to wise, farsighted, maximum development of our resources potential. The three small dams would be monuments to wasted resources; monuments to a giveaway era when the dominant forces in our Government were more concerned with favoring their vested-interest friends than in national strength and national welfare.

The Army engineers and the Bureau of Reclamation jointly have developed a plan for the Columbia River and its tributaries which will end floods, produce large blocks of low-cost power for industries we need for defense, irrigate lands, and extend navigation. It is a plan for full, integrated, multiple-purpose development of the river and its tributaries as one great unit.

The high Hells Canyon Dam is a key structure in this overall plan. Its 3,800,000 acre-feet of storage would provide about one-eighth of the first 27 million acre-feet of flood control storage called for in the plan. This same storage capacity, by permitting control of the flow of the river, would provide water in dry seasons to keep generators running in the downstream dams. That would add to the firm power supply.

This Nation has been aware for 50 years of the interrelationship of projects in river basins. It was a Republican President — Theodore Roosevelt — who first espoused unified development because of the possibility of each dam in a river system contributing to the efficiency of all the others. He said in 1908:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made we will find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such.

The high Hells Canyon Dam is an integral part of such a plan for the development of the Columbia River Basin. It is not only a vastly productive unit of itself, utilizing all the fall of the middle Snake River to produce electric power; it adds to the efficiency of many other power units downstream. Likewise, it impounds within the deepest canyon in the United States a large quantity of water, reducing floods on the flatter lands downstream and making the water available for navigation later in dry seasons.

The contribution of the Idaho Power Co.'s small dams to downstream benefits will be practically negligible in comparison. Only 1 million acre-feet of storage is provided. They will not be a part of a great system, but a segment serving, primarily, the separate single purpose of a separate, corporate owner.

Full development of the full potentialities at Hells Canyon is needed.

We have had several floods in the Columbia River Basin in recent years. The flood a year ago—June 1956—was the third greatest on record. The area, which was an arsenal of democracy in World War II, is now nearly out of available prime power capacity. It needs every kilowatt high Hells Canyon can develop, on site and at downstream dams, to revive its economy.

In spite of these needs, there has not been a major new dam started in the Columbia River system since 1950.

It will be a tragic day, indeed, in this Nation's history if, on the day we vote on Hells Canyon Dam again, we vote to repudiate Teddy Roosevelt's teaching, abandon our full development plans, sacrifice flood-control capacity, sacrifice power potential, ignore the economic needs of the area, and surrender the world's deepest canyon for three puny run-of-the-river dams.

During the discussion of Hells Canyon and the Columbia Basin program in this Chamber on May 16, I dealt at considerable length with the details of the project and the Columbia Basin situation. At that time, several Senators participated with me in demonstrating the inaccuracy of charges of tax subsidies, too-low rates, and excessive expenditures by the Federal Government in the Pacific Northwest. These statements, repeated in the minority report on S. 555, are as groundless today as they were a month ago.

There is no tax subsidy, because the Columbia Basin program is repaying its cost. The power rates out there are adequate to repay the costs and more. The proportion of Federal expenditure and investment in resources development projects built in the Northwest is large, but far from equal to the proportion in the Northwest of resources requiring development.

I need not impose on the Senate again to go over these matters point by point. Today I want to deal a few moments with broad and ominous circumstances involved in this debate which are not in the printed hearings, nor in the committee report on Hells Canyon Dam.

Mr. President, as chairman of a United States Senate committee dealing with resource development, I conceive it to be one of my responsibilities to try to see that we have for this Nation the fullest, best integrated, and soundest resource development program in the world. This requires keeping up with what other nations are doing, including those behind the Iron Curtain. It is my unhappy duty at this time to report that we are doing poorly and getting worse. In terms of fully integrated water and power development, we are cutting back while other nations, great and small, are driving forward. Overseas, equivalents of Hells Canyon Dam are being constructed as parts of integrated, full, river-basin developments, but not in the United States of America. In India, in Mexico, in South America, Africa, and Asia, nations are putting together integrated valley authorities patterned on our fabulously successful Tennessee Valley Authority, which this administration seeks to disintegrate, calling it an example of creeping socialism.

We all agree that survival in this competitive world will go to the strong. We appropriate billions of dollars and work daily to attain national strength. We also agree that strength comes from God-given natural resources and their wise development and use. But we are not practicing what we preach in the water and power field which we also agree is vital. Other countries are moving forward in resources development while we do little or nothing.

I do not underrate the strength of the United States today, or even its cumulative vast natural resource development in the water and power fields. We are not today the weakest nation in the great power struggle. But without a change in direction we can lose our leadership.

Mr. President, I want to direct attention to water and power developments in Russia, China, and India, which after the United States, may be the three strongest nations in this world. The fact that some of us may not like a lot of totalitarian practices in certain countries has little to do with the fact that their increasing acre-feet of stored water are just as useful and their increasing kilowatts of electrical energy just as powerful as in our democratic country.

India, sometimes referred to as an underdeveloped nation, has developed

over the years about three times the irrigated acreage of the United States. That is not an invidious comparison. India may need 10 times our irrigated area. Now, Nehru's government has undertaken to expand India's water-control works as much in 10 years as had been done in the whole century prior to India's independence. It is all done on a multiple-purpose, integrated, full-development basis, according to advice and encouragement of the United States, sometimes not followed by this Nation itself. Needed power facilities are uniformly included in India's projects. This is no secret. The Indians proudly display their dams, canals, powerhouses, and transmission lines to visitors. Perhaps Senators have seen them in their travels. They should have, because the United States of America paid for many of them. One to which we generously contributed is the Damodar Valley Authority, outside Calcutta. It was conceived and built in the image of our TVA, which the present administration seems to want to destroy. It was even built and is operated with guidance from some ex-TVA American technicians for whom we appear to have no more work. As we prepare to vote on Hells Canyon, let me ask: Do we wish to see such great American concepts, and the skills and talents to achieve them which are produced here, held for export only?

We are always worrying about Russia—and for good reason—since it is a bigger country, with more people than ours. There are a lot of things about Russia we do not like. One which I do not like is that Russia is outstripping the United States of America in the water and power resource field of full, integrated development of resources, which adds tremendously to her strength in peace or war.

The Soviet's proclaimed program is to irrigate 70 million more acres in 15 years to increase her strength by producing food for 100 million more Communists.

Because of our great productive capacity, irrigated acres are not so important to us at this time as power. It is in the hydroelectric field that the contrasts between Russia and the United States are startling. The Russians have, as just part of their program, four hydroelectric plants, completed or building, each of which will spark Russian industry with more kilowatts than our greatest, Grand Coulee Dam, which happens to be on the same river system where we are about to authorize or deny Hells Canyon Dam. The Soviet big 4 are Kuibyshev Dam, already producing Volga River power; the Stalingrad plant; and the 2 largest hydro stations in the world, Bratsk, on the Angara River, and Krasnoyarski, on the Yenisei River, in eastern Siberia. The last 2 dams are scheduled to start producing 3 million kilowatts of power each in 1960.

China—Red Mainland China—is also engaged in a stupendous, unified, multipurpose river basin development program. At one time recently 24 million Chinese were working on their rivers in this endeavor and doing things on a scale beyond anything we ever dreamed about, or heard about before. As an example, I learn that the new China is served now by the North Kiangsu Canal that irrigates 4 million acres. This is quadruple the number of acres that may ultimately be served in our largest project in the Columbia Basin. This Chinese ditch has a bed width of 420 feet—wider than any in the United States—and is 100 miles long. It was built in a remarkably short time by an army of Chinese workers.

I have obtained a most competent report on resources development in China, which I hold in my hand. It is an eyewitness report by an acknowledged expert in the field who recently made a 7,500-mile trip behind the Bamboo Curtain to observe developments. The author is Kanwar Sain, an internationally known engineer who frequently has visited this country. He is now chairman of India's Central Water and Power Commission. There are many amazing observations of vital interest in this document. They are pertinent to the matter we are discussing here today. The report is an official Indian Government publication.

Such is the broader background on which we will be voting when we answer the rollcall on Hells Canyon Dam. The high Hells Canyon Dam alone will not reverse this world scoreboard. But, in recommending it to the Senate again, the Interior Committee gives Senators an opportunity to start to reestablish American leadership in the vital field of water and power development.

Mr. President, if survival lies in strength, here is a real opportunity to cast our votes for a program to make America strong.

Mr. WATKINS. Mr. President, will the Senator yield for a question?

Mr. MURRAY. I yield.

Mr. WATKINS. As I understand, the Senator is trying to make the point—I could not hear him very clearly—that the proposed high Hells Canyon Dam would be built partly for defense purposes, to strengthen our defense. Is that correct?

Mr. MURRAY. That would be the ultimate purpose of it.

Mr. WATKINS. That was one of the pleas the Senator was making in his argument, as I understand.

Mr. MURRAY. It strengthens the whole Nation, and in that way strengthens our national defense. But it is not a defense project.

Mr. WATKINS. The Senator was also comparing the high Hells Canyon Dam with some projects in——

Mr. MURRAY. China and India.

Mr. WATKINS. And also in Russia.

Mr. MURRAY. Also in Russia.

Mr. WATKINS. And what they were doing to prepare themselves for defense or for offense, if they want to go that way. On the other hand, the Senator was pointing out that the high Hells Canyon project would be an excellent one with which to strengthen our defenses. Is that correct?

Mr. MURRAY. I do not quite understand what the Senator has in mind. Will he speak louder?

Mr. WATKINS. What I said was that the Senator was trying to make the point that the high Hells Canyon Dam would strengthen the defenses of the United States.

Mr. MURRAY. That is correct.

Mr. WATKINS. I thank the Senator.

Mr. MURRAY. It would strengthen our whole national economy.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MAGNUSON. As I understood the Senator's point, it was that the high Hells Canyon Dam would not be a defense project, as such.

Mr. MURRAY. That is correct.

Mr. MAGNUSON. It would add to the wealth and resources of the Nation, and, therefore, anything that adds to the wealth and resources would strengthen our country economically, in peace or war. Is that correct?

Mr. MURRAY. That is the point I intended to make.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. I wish to commend my distinguished senior colleague on the statement he has just made. As chairman of the Committee on Interior and Insular Affairs, he has kicked off the battle that we have long anticipated on the authorization of the high Hells Canyon Dam.

I am quite sure that when the Senator made his statement about the overall defense feasibility of the high Hells Canyon Dam and other dams, he did not have in mind in that respect the fast tax writeoff which the Idaho Power Co. is getting. Is that correct?

Mr. MURRAY. I assumed that other Senators would discuss that point. I did not want to cover the whole subject in my address.

Mr. MANSFIELD. That is correct. I intend to discuss it at a future date. However, I wish to make the RECORD clear that what the Senator was referring to was not that particular item, which others of us will cover, but the fact, rather, that in the overall picture this is a part of the defense structure of the Nation, just as a dam anywhere else is, but not a particular structure like this tied to a particular matter like a fast tax writeoff.

Mr. MURRAY. That is correct.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MAGNUSON. It is true, of course, that so far as the three sites on which the Idaho Power Co., has a license to build so-called low dam projects is concerned, there is not a defense plant within hundreds of miles of those sites. In other words, it is not strictly a defense matter. Perhaps the Senator from Utah misunderstood the Senator from Montana.

Mr. MURRAY. Certainly.

Mr. WATKINS and Mr. NEUBERGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom does he yield?

Mr. MURRAY. With the indulgence of the Senator from Oregon, I shall yield again to the Senator from Utah.

Mr. WATKINS. I take it the Senator is acquainted with the provisions of S. 555, the pending bill, which states as follows:

That in order to foster comprehensive development of the resources of the Columbia River and its tributaries, and for the purposes, among others, of controlling and utilizing the Snake River and its tributaries for beneficial objects, including generation of hydroelectric power and energy for the national defense—

And so forth.

Mr. MURRAY. I do not recall the exact language.

Mr. WATKINS. I was reading the bill. The Senator is one of the sponsors of the bill.

Mr. MURRAY. That is correct.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. That is the encompassing, overall effect of the dam. It does not apply to a specific defense project which, at this time, is getting something on the order, according to Federal Power Commission estimates, of $80 million or $85 million in vast tax writeoff benefits.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. NEUBERGER. I join with the distinguished junior Senator from Montana in commending the distinguished senior Senator from Montana not only for his support of the Hells Canyon project today, but also for his long-time backing of the project.

Is it not true that the reference to national defense merely refers to the fact that, by the full use of this great natural resource, we will add to the wealth and the income-producing capacity of our country? We all know, as we stand in the Senate, that Russia, which is our potential foe in a clash of ideologies, is using her great rivers, like the Yenisei, the Ob, and the Volga, to the utmost of their capacity by building on those rivers dams which I understand will be even larger than the Grand Coulee project, located in the State of the senior Senator from Washington, which today is the largest hydroelectric project ever built.

Such projects as Hells Canyon on the Snake River, and Glen Canyon, on the upper Colorado River, all add to the wealth and the defense capacity of our country.

The senior Senator from Montana was the chairman of the committee which reported favorably the upper Colorado project, which was partly sponsored so successfully by the distinguished Senator from Utah, and which in many ways is so similar to the Hells Canyon project. Although the Senator from Utah is very strongly in favor of the vast Federal investment in Glen Canyon Dam, he cannot see the wisdom of a similar investment by the Federal Government in a project at Hells Canyon, which will return the principle cost and interest to the Federal Government.

Mr. MANSFIELD. Mr. President, will the Senator further yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. In furtherance of the statement made by the Senator from Oregon, as I recall, every Democratic Senator from the Northwest who is interested in the Hells Canyon project voted for the project on the upper Colorado. We indicated our faith in the judgment of the Senator from Utah. We, of course, hoped that at the proper time he would demonstrate his faith in our judgment concerning the development of this particular water resource.

Mr. NEUBERGER. We have all regretted the fact that the distinguished Senator from Utah, while he was so glad to get our support for the upper Colorado project, which includes the Glen Canyon Dam, that is so parallel to Hells Canyon in many ways, has been leading the opposition to our project in the Pacific Northwest.

Mr. WATKINS. Mr. President, will the Senator yield for an observation?

Mr. MURRAY. I yield.

Mr. WATKINS. Since the Senator from Oregon has suggested that I supported the Colorado project, but am not supporting the Hells Canyon project, let me point to one of the principal reasons. I happen to believe in what Lincoln said, namely, that the Government should not do for the people those things which the people can do for themselves.

In the upper Colorado project, we have no private power company to build any of our dams and powerplants. That is a project which requires the intervention of an agency strong enough to build it.

But in the Hells Canyon area, of Idaho and Oregon, the people themselves, through one of the agencies they have set up, have the power and resources to build the project. Not only have they the power, but they are now building it.

Mr. NEUBERGER. They are not building a high dam at Hells Canyon?

Mr. WATKINS. They are building dams which will have practically the same effect as a high dam would have in that canyon.

Mr. NEUBERGER. Does the Senator from Utah regard 1 million acre-feet of storage——

The PRESIDING OFFICER. The Senator from Montana has the floor.

Mr. WATKINS. I cannot answer all the questions in one statement, but I point out that I am supporting the one project because it had to be done by the Government, because the people could not do it. But in the Hells Canyon area, the people are actually building it themselves.

Mr. NEUBERGER. What people?

Mr. WATKINS. The people in their private capacity.

Mr. NEUBERGER. What private capacity does the Senator mean?

Mr. WATKINS. What organization?

Mr. NEUBERGER. Does not the Senator want to mention the name—Idaho Power Co.?

Mr. WATKINS. Certainly; I will mention it: Idaho Power Co., or X, Y, Z company. It does not make any difference to me. If the people are able to do it with their own means, without Government carrying the load, they should do it. The Government should intervene only in those cases where it is necessary to do so and where the people cannot build the project themselves.

Mr. NEUBERGER. Would the Senator from Utah be willing to trade the maximum storage capacity at Glen Canyon for approximately 25 percent of that storage capacity?

Mr. WATKINS. The upper Colorado project is, substantially all of it, for irrigation purposes. Irrigation is something for which the Hells Canyon project is not needed.

Mr. NEUBERGER. Does the Senator not regard flood control as a major factor in the Pacific Northwest?

Mr. WATKINS. I think flood control is an important matter; but the Senator will see, as the debate develops, how flood control will be solved in the Hells Canyon area.

Mr. MURRAY. I should like to know what the Senator means. Is he taking the position that the Idaho Power Co. will build a high dam?

Mr. WATKINS. If they felt it would have been better to build a high dam, they probably would have built it. They probably had good reasons for building the three dams.

Mr. NEUBERGER. Why did the Senator from Utah not urge them to build a high dam?

Mr. WATKINS. Because I happen to believe under the circumstances that three dams are better than a high dam.

Mr. MURRAY. Based on the facts which have been presented to the Senate in the past year or more, it seems to me the Senator from Utah is quibbling about this matter and is trying to make it appear that the Idaho Power Co. is doing a legitimate job of national defense, when, as a matter of fact, no national defense is involved in their project at all. If the Idaho Power Co. had undertaken to build a high dam, he could then have claimed that such a dam would strengthen the national economy and thereby contribute to the national defense.

Mr. WATKINS. There is a difference of opinion as to that. But I heard the Senator say the high dam was in the interest of national defense. If it is in the interest of national defense, then dams a little smaller, and doing almost the same job, certainly ought to be in the interest of national defense.

Mr. MAGNUSON. I hope the Senator from Utah does not change his mind concerning what he said today, so that we may discuss fully tomorrow his statement that the difference between the project in Utah and the project at Hells Canyon is that in the case of the Utah project no one would go there to build it, but at Hells Canyon some generous people are going to build three little dams on the great, majestic, Hells Canyon site.

Mr. NEUBERGER. People unnamed.

Mr. MAGNUSON. Unnamed.

Let me tell the Senator from Utah that if I could get a tax writeoff of $83 million, and which will amount to $339 million over a 50-year payout, I would go to Utah and build 10 dams.

Mr. WATKINS. Of course, we would have to wait quite a while for the Sena-

tor from Washington to go there and build them.

Mr. MAGNUSON. I could get an Ebasco company to finance me tomorrow. I could call them on the telephone now. If I should, they would be busy on Wall Street all night long, preparing to go to Utah to build 2 or 3 of those dams, if they could get that kind of tax writeoff.

Mr. WATKINS. Mr. President, will the Senator yield for an observation?

Mr. MURRAY. I yield.

Mr. WATKINS. I know what the Senator said. I expect to meet him head on.

Mr. MURRAY. Let us not meet head on.

Mr. WATKINS. Let us not dodge the issue; let us not avoid it at all. All the ballyhoo about the fast tax writeoff being to the disadvantage of the United States will disappear when the Senator really gets all the facts, which is what we intend to give him.

Mr. MAGNUSON. The money will disappear; I know that.

Mr. WATKINS. We want the American people to get the facts of the matter through this debate, no matter how long it may take.

Mr. MAGNUSON. We will bring out all the facts.

Mr. WATKINS. I surely hope the Senator will. He and his associates have been talking about the matter for weeks and months. Day after day we have heard about it through the press. Yet when the story came before the committee, and we heard the real truth of the matter, all I could read in the press locally was that so and so denied so and so. There was no explanation whatsoever.

We heard implications, and insinuations without any evidence to back them up. Yet when something important has been done about the matter, the great President of the United States was smeared and criticized unfairly.

When we get through with it, I think we shall know what the facts are. We shall show that this is a case of attempting to evade the real issue, which is whether there is, in connection with the development of the resources of the United States, a place in which private capital can go along with Government endeavor.

I say to the Senate, Mr. President——

Mr. MURRAY. Mr. President, I do not desire to yield further. The Senator from Utah is making a speech.

Mr. WATKINS. Mr. President, if the Senator from Montana does not wish to hear it, he has a right to refuse to yield further to me. In that case, I shall speak in my own time.

Mr. MAGNUSON. Mr. President, will the Senator from Montana yield to me, to permit me to make a brief observation?

Mr. MURRAY. I yield.

Mr. MAGNUSON. I wish to join the junior Senator from Montana [Mr. MANSFIELD] and all the other Senators who are, and have been, vitally interested in the Hells Canyon project. I desire to compliment the senior Senator from Montana [Mr. MURRAY] on the fine work which he and his committee have done. The Senator from Wyoming [Mr. BARRETT] and other Senators have filed minority views.

This matter has been before the committee for a long time, and has required a great deal of work and testimony. I believe the report on the bill is one of the finest reports I have ever read on a project of this nature. The Senator from Montana [Mr. MURRAY] has done a yeoman job.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield to me? I should like to keep the record straight.

Mr. MURRAY. I yield.

Mr. DIRKSEN. Mention was made of unnamed sites.

Mr. MANSFIELD. Oh, no; the mention was of unnamed companies.

Mr. DIRKSEN. I thought unnamed sites were mentioned. In that connection, if Brownlee or Oxbow are not definite names of definite sites, then I have never heard of any.

Mr. NEUBERGER. The Senator from Illinois did not understand the statement which was made. The Senator from Utah [Mr. WATKINS] referred to unnamed organizations which would build the so-called three low dams. Finally, Senators on this side of the aisle asked whether it would not be wise to specify that the organization is the Idaho Power Co. Nothing was said about unnamed sites.

Mr. DIRKSEN. Is there any reason why the Idaho Power Co. should not be named?

Mr. NEUBERGER. We merely wished the Senator from Utah had named it at the beginning of his remarks. It was the Senator from Utah who did not mention it at the start of his remarks, and not Senators on this side of the aisle.

Mr. DIRKSEN. Well, I am only too glad to identify it.

Let me ask my friend, the Senator from Washington [Mr. MAGNUSON], a question: It is quite true, is it not, that the Office of Defense Mobilization has issued 926 fast tax writeoffs similar to the one issued to the Idaho Power Co.?

Mr. MAGNUSON. Not similar.

Mr. DIRKSEN. Of course, they may vary in amount; some may be larger, and some may be smaller. But the criteria are exactly the same.

Mr. MAGNUSON. I do not know. The Senator from Illinois and I talked to them about this matter, a few days ago. I do not know how many they have issued.

Mr. DIRKSEN. The testimony shows 926.

Mr. MAGNUSON. There was reference to 926, but we talked about the intent of the act. The act was for the purpose of helping people build plants, when they were going to engage in purely defense projects, such as the addition of a wing to a plant in my home town. For instance, I think several divisions of the Boeing Aircraft Co. received a tax writeoff because they are working on items for the defense budget.

In this case, there may be a defense plant somewhere in the area; but I do not know of it, and I know the area rather well. I do not think the power from the Idaho Power Co. project would serve, even in the second degree, a defense plant. The power will go into the Bonneville pool, if we can prevail upon the authorities to permit that to be done; and the Bonneville pool serves several defense plants.

But the pool is private; I think Senators will agree with me about that.

There is a great deal of talk about the three dams the Idaho Power Co. will build. However, the company has not even made an attempt to build the third dam, which would make possible the generation of more kilowatts than would be generated at the two other dams. From what I have read and heard to date about the increase in interest rates, I doubt very much that the Idaho Power Co. could afford to build the third dam, because the cost of the power from the dam would be too great, unless the company could obtain another $339 million tax writeoff.

In this case there are not sufficient defense elements to justify the expressed intent of the company. On the other hand, in many other cases sufficient defense elements do exist.

For instance, in my State there is a foundry which makes logging equipment. It began to manufacture shell cases in its foundry, and for that purpose it made an addition to the plant; and it applied for a tax writeoff in that connection.

But I do not know of any case similar at all to the one now under discussion in the Senate.

Mr. DIRKSEN. Mr. President, if the Senator from Montana will yield further to me, let me ask whether it is not conceded that these two dams, when in operation, will make a very definite contribution of energy to the Northwest power pool?

Mr. MURRAY. No, I do not think so; they will be entirely inadequate.

Mr. DIRKSEN. Then the testimony of the director of the Northwest power pool and the testimony of the others who appeared before the committee must be inaccurate. I would prefer to accept their testimony, since they are the operating heads.

Mr. MAGNUSON. Of course the two dams will produce some kilowatts of power, and it will add to the national supply of power. But it will not go into the so-called Bonneville power pool. Application might be made to have it go into the Bonneville power pool, but the cost of the power would be higher.

However, it is true that some kilowatts of power will be produced; that is true. There is no argument about the fact that when a dam is built, some power will be produced.

But the Hells Canyon issue is a very simple one.

Mr. DIRKSEN. It is indeed, I must say.

Mr. MAGNUSON. To many persons, the solution does not appear to be simple. However, the issue is very simple. It is this: Here is the greatest remaining dam site in the entire North American continent, and it belongs to the people. The question is whether we wish to use it to its fullest ultimate capacity, or whether we wish to foreclose the development of the full potential use of this great site in this great reach of

the river, by building two small dams which, although they will produce some kilowatts of power, will not produce all the other benefits. The issue is as simple as that.

Added to it—let me say that I am not always correct, but in this case I have been correct and I am correct—is the fact that last year I stated on this floor, in addressing the Senators on the other side of the aisle, that if they would watch, they would see that the minute the Idaho Power Co. was allowed to proceed, it would get a tax writeoff. That statement is to be found in the RECORD. And that has happened.

So I have stated the issue.

It is true that the small dams the Idaho Power Co. wishes to build would produce a certain amount of electrical power, a certain number of kilowatts; and they would be fine kilowatts, because those dams would skim off the cream; but they would not result in any flood control. Furthermore, we would lose water storage, which is the most important thing in the Pacific Northwest. Even now we are having a tough time with Canada, and the question is whether Canada will permit us to use the upper reaches of the Columbia River. So perhaps we need the Hells Canyon Dam now more than ever.

The Senator from Illinois sits with me in the Appropriations Committee, and I know he squeezes and gets the most out of everything he can; and that is good. That is all we are trying to do in the case of this God-given resource.

Mr. MANSFIELD. Is the Idaho Power Co. project not the one which was not supposed to cost the Government a dime?

Mr. MAGNUSON. Oh, yes.

Mr. NEUBERGER. Mr. President, will the Senator from Montana yield to me?

Mr. MURRAY. I yield.

Mr. NEUBERGER. The Senator from Illinois asked the Senator from Montana and the Senator from Washington whether many tax writeoffs had been granted. Of course, many have been. However, I should like to have the Senator from Illinois tell us of any other case in the entire history of the fast tax writeoff program when a fast tax writeoff has been granted to a company which placed tens of thousands of dollars' worth of advertising in national magazines, all over the United States, in an effort to tell the people of the United States that it should be given a great natural resource for exploitation, because that would not cost the taxpayers a dime. Has any other company ever done that? The national magazines have been full of advertising sponsored by the private utility industry, in behalf of the Idaho Power Co., claiming that the Idaho Power Co. should be given Hells Canyon because the Idaho Power Co. could develop Hells Canyon without taking a dime out of the Federal Treasury.

Mr. DIRKSEN. Mr. President, will the Senator from Montana yield to me, so that I may answer?

Mr. MURRAY. If the Senator from Illinois will answer, I yield.

Mr. DIRKSEN. Mr. President, I have seen no such advertising.

Mr. NEUBERGER. I will produce it tomorrow, for the Senator from Illinois.

The PRESIDING OFFICER (Mr. HOLLAND in the chair). The Chair must enforce the rule, which is that if a Senator desires to be recognized, he must first address the Chair, and must ask whether the Senator who has the floor will yield.

Mr. DIRKSEN. Mr. President, I believe the Senator from Montana yielded to me.

The PRESIDING OFFICER. That is correct.

Mr. DIRKSEN. First, Mr. President, I wish to say that I have seen no such advertising.

Second, I wish to say that I think many of the statements which have been made today will not stand up in the light of the testimony we have received.

I had no intention of making a speech on this issue, since the area involved is 1,400 or 1,500 miles away from my home State. But, Mr. President, I think I will finally make a speech on it, before the matter is disposed of.

Mr. MURRAY. When he makes that speech, I hope he will confine himself to facts.

Mr. DIRKSEN. Yes; I will. I have them all right there on my desk. I have the transcript of the hearings from the Judiciary Committee.

Mr. WATKINS. Mr. President, since I was made the subject of some of the discussion that has taken place, will the Senator yield?

Mr. MURRAY. I yield for a question.

Mr. WATKINS. Has the Senator seen a complete list of the tax certificates issued by the ODM to public utilities?

Mr. MURRAY. Were they not connected with the national-defense program?

Mr. WATKINS. For the purpose of throwing a little light on the matter, let us make them a part of the RECORD. Will the Senator agree to put that list in the RECORD?

Mr. MURRAY. I think the Senator can put the list in the RECORD when he makes his speech. I do not want to encumber the RECORD with something entirely irrelevant to the matters I have discussed.

Mr. WATKINS. It might help us understand what we are talking about if it were put into the RECORD. Here is the full list of all of them.

Mr. MURRAY. Very well; let it go in the RECORD.

The PRESIDING OFFICER. Does the Senator from Montana give consent that the list of the Senator from Utah be printed in the RECORD?

Mr. MURRAY. Yes.

The PRESIDING OFFICER. Is there objection?

There being no objection, the list was ordered to be printed in the RECORD, as follows:

TAX AMORTIZATION FOR POWER COMPANY CERTIFICATES OF NECESSITY ISSUED FOR ELECTRIC POWER FACILITIES

Summary

State	Number of certificates	Amount certified (thousands)	Amount amortized (thousands)	Kilowatts	State	Number of certificates	Amount certified (thousands)	Amount amortized (thousands)	Kilowatts
Alabama	10	$122,930	$57,478	866,000	Nevada	2	$14,951	$5,233	104,000
Arizona	14	27,748	11,740	190,000	New Hampshire	7	68,500	33,145	314,000
Arkansas	14	61,851	33,683	422,000	New Jersey	17	109,003	48,477	535,000
California	122	709,587	313,602	2,952,000	New Mexico	12	41,393	22,948	224,000
Colorado	8	69,954	29,934	418,000	New York	44	433,463	165,617	2,177,000
Connecticut	16	95,126	43,851	441,000	North Carolina	12	122,273	75,853	679,000
Delaware	3	52,286	27,314	185,000	North Dakota	1	6,080	3,040	25,000
District of Columbia	1	10,665	6,399	25,000	Ohio	74	759,814	375,578	3,610,000
Florida	24	191,070	88,792	1,300,000	Oklahoma	6	115,188	73,448	947,000
Georgia	17	128,974	60,907	765,000	Oregon	7	97,598	63,021	471,000
Idaho	9	172,221	106,135	795,000	Pennsylvania	41	410,347	190,145	2,021,000
Illinois	23	157,452	78,280	645,000	South Carolina	15	84,919	45,105	540,000
Indiana	42	262,372	137,890	1,545,000	South Dakota	2	3,446	901	20,000
Iowa	12	68,737	31,821	319,000	Tennessee	4	4,384	1,888	----------
Kansas	16	87,210	47,988	470,000	Texas	64	360,026	195,730	2,704,000
Kentucky	7	16,531	8,004	60,000	Utah	2	2,454	1,894	----------
Louisiana	30	130,853	69,529	950,000	Vermont	5	5,396	1,650	21,000
Maine	6	56,427	28,144	146,000	Virginia	44	304,117	158,409	1,750,000
Maryland	17	86,014	34,094	461,000	Washington	4	94,810	64,201	453,000
Massachusetts	14	72,286	27,688	342,000	West Virginia	52	274,366	146,627	1,545,000
Michigan	34	316,859	127,278	1,572,000	Wisconsin	7	78,284	33,979	280,000
Minnesota	12	85,904	39,280	464,000	Wyoming	1	22,960	14,918	100,000
Mississippi	11	66,425	33,221	475,000					
Missouri	24	150,264	75,828	803,000	Total	913	6,655,765	3,253,064	35,451,000
Montana	4	22,557	12,286	116,000					

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957

ALABAMA

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
842	Alabama Power Co	Dec. 22, 1950	$2,468	$2,468	June 9, 1951	$1,234	50	55
843	do	do	307	307	do	154	50	
844	do	do	24,848	24,673	do	13,570	55	200
851	do	do	5,771	5,765	do	1,441	25	40
7955	do	Apr. 6, 1951	24	24	do	16	65	
10455	do	June 13, 1951	22,448	22,285	Apr. 7, 1952	12,257	55	125
10456	do	do	277	275	Mar. 17, 1952	69	25	
13450	do	Aug. 6, 1951	17,467	17,467	Apr. 14, 1952	11,354	65	125
24244	do	Jan. 23, 1953	24,979	24,979	Apr. 15, 1953	8,743	35	156
31023	do	Dec. 21, 1955	24,687	24,687	Feb. 14, 1956	8,640	35	165
	Total		123,276	122,930		57,478		866

ARIZONA

5443	Arizona Edison Co., Inc	Mar. 22, 1951	$164	$164	Dec. 28, 1951	$66	40	1
6879	do	Mar. 23, 1951	33	33	do	10	30	
7490	Central Arizona Light & Power Co	Mar. 26, 1951	150	117	Sept. 21, 1951	76	65	
13183	do	July 16, 1951	24	24	Mar. 17, 1952	12	50	
13455	Arizona Edison Co., Inc	July 30, 1951	98	98	do	39	40	
13456	do	do	176	176	do	79	45	1
13457	do	do	316	316	do	63	20	3
16229	Citizens Utilities Co	Nov. 29, 1951	13	13	Mar. 14, 1952	4	30	
21417	do	July 14, 1952	418	418	Jan. 15, 1953	188	45	1
22428	Arizona Public Service Co	Sept. 16, 1952	14,000	13,950	Nov. 14, 1952	5,580	40	90
22782	do	Oct. 13, 1952	10,900	10,900	Dec. 1, 1952	4,905	45	90
26008	do	June 30, 1953	887	887	July 28, 1953	399	45	
26137	do	July 6, 1953	522	522	do	235	45	4
31160	Citizens Utilities Co	Dec. 30, 1955	130	130	June 15, 1956	84	65	
	Total		27,831	27,748		11,740		190

ARKANSAS

6128	Arkansas Power & Light Co	Mar. 23, 1951	$13,620	$13,580	Jan. 9, 1952	$6,111	45	132
6130	do	do	660	660	Jan. 17, 1952	297	45	
6132	do	do	200	200	do	90	45	
6133	do	do	420	420	do	189	45	
6134	do	do	561	561	do	252	45	
6135	do	do	528	528	do	238	45	
6136	do	do	272	272	do	122	45	
15530	do	Nov. 1, 1951	9,300	9,300	Apr. 23, 1952	5,115	55	90
16724	do	Dec. 19, 1951	12,650	12,650	Feb. 29, 1952	6,958	55	105
16725	do	do	12,750	12,750	Apr. 24, 1952	8,288	65	105
19682	do	Apr. 16, 1952	8,300	8,300	May 23, 1952	4,565	55	
20815	do	June 12, 1952	250	250	July 21, 1952	137	55	
20823	do	do	2,260	2,260	July 18, 1952	1,243	55	
25272	do	Apr. 10, 1953	122	120	May 5, 1953	78	65	
	Total		61,893	61,851		33,683		432

CALIFORNIA

4247	California Electric Power Co	Mar. 12, 1951	$402	$383	Feb. 5, 1952	$211	55	
6682	Southern California Edison Co	Mar. 23, 1951	228	228	Feb. 6, 1952	125	55	
9110	Pacific Gas & Electric Co	May 4, 1951	51	51	Feb. 4, 1952	21	40	
9640	do	May 18, 1951	48	48	Mar. 14, 1952	14	30	
9762	do	May 21, 1951	28,198	28,198	Mar. 4, 1952	15,509	55	200
12526	Southern California Edison Co	June 18, 1951	49,209	48,754	Dec. 16, 1952	13,372	27	250
12565	Pacific Gas & Electric Co	do	40	40	Mar. 13, 1952	8	20	
12566	do	do	283	283	Apr. 2, 1952	57	20	
12623	Southern California Edison Co	do	35,500	35,182	Feb. 25, 1952	14,073	40	100
12681	do	June 21, 1951	5,242	5,067	Feb. 15, 1952	1,013		
12994	Pacific Gas & Electric Co	July 11, 1951	244	244	Feb. 13, 1952	49	20	
13464	do	July 30, 1951	148	148	Feb. 4, 1952	30	20	
13465	do	do	220	220	do	44	20	
14207	do	Aug. 27, 1951	42,523	42,523	Apr. 15, 1952	19,135	45	250
14324	do	Sept. 4, 1951	760	760	Feb. 29, 1952	152	20	
14325	do	do	75	75	do	15	20	
14327	do	do	3,918	3,918	do	784	20	
14442	do	Sept. 10, 1951	25	25	Mar. 13, 1952	5	20	
14458	do	do	273	273	do	55	20	
14459	do	do	150	150	Mar. 11, 1952	26	20	
14684	do	Sept. 24, 1951	192	192	do	38	20	
14689	do	do	2,045	2,045	do	409	20	
14902	do	Oct. 1, 1951	1,819	1,741	Apr. 29, 1952	696	40	
14903	do	do	2,019	2,019	Mar. 11, 1952	484	20	
14904	do	do	5,520	5,512	Apr. 2, 1952	2,205	40	
14974	Southern California Edison Co	Oct. 8, 1951	$32	$32	Mar. 19, 1952	$10	30	
14997	Pacific Gas & Electric Co	Oct. 9, 1951	666	666	Feb. 26, 1952	266	40	
16212	do	Nov. 26, 1951	81	81	Mar. 14, 1952	24	30	
16383	do	Nov. 20, 1951	309	309	Mar. 13, 1952	62	20	
16391	do	Dec. 5, 1951	228	136	Mar. 21, 1952	27	20	
16444	do	Dec. 3, 1951	330	330	Mar. 17, 1952	82	25	
16445	do	do	114	114	July 23, 1952	23	20	
16996	Southern California Edison Co	Dec. 20, 1951	29	29	Mar. 13, 1952	6	20	
17135	Pacific Gas & Electric Co	Jan. 4, 1952	32,000	32,000	Apr. 15, 1952	14,400	45	300
17180	do	Jan. 7, 1952	718	718	Apr. 3, 1952	287	40	
17289	do	Jan. 10, 1952	504	504	Feb. 26, 1952	202	40	
17290	do	do	496	496	do	198	40	
17291	do	do	1,583	1,583	do	633	40	
17292	do	do	1,146	1,146	Feb. 25, 1952	459	40	
17293	do	do	667	667	do	267	40	

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

CALIFORNIA—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
17356	Pacific Gas & Electric Co	Jan. 14, 1952	$8,225	$4,395	Feb. 9, 1952	$1,758	40	
17359	do	do	42	42	Apr. 22, 1952	17	40	
17677	do	Jan. 25, 1952	178	178	June 24, 1952	71	40	
17679	do	do	182	134	Aug. 8, 1952	54	40	
17680	do	do	175	175	Apr. 15, 1952	70	40	
17681	do	do	265	265	July 24, 1952	106	40	
17682	do	do	429	429	July 15, 1952	172	40	
17797	do	Jan. 29, 1952	68	68	do	27	40	
17798	do	do	98	98	July 24, 1952	39	40	
17801	do	do	37	37	Apr. 2, 1952	15	40	
18384	do	Feb. 25, 1952	212	212	May 6, 1952	85	40	
18760	do	Mar. 3, 1952	135	60	Apr. 15, 1952	21	35	
18761	do	do	804	804	do	322	40	
18861	do	Mar. 6, 1952	1,054	1,009	do	555	55	
18894	Southern California Edison Co	Mar. 10, 1952	2,415	1,363	May 1, 1952	273	20	
19168	Pacific Gas & Electric Co	Mar. 24, 1952	545	545	June 2, 1952	218	40	
19608	Southern California Edison Co	Apr. 11, 1952	62	62	June 25, 1952	22	35	
19801	do	Apr. 22, 1952	1,076	1,076	May 26, 1952	430	40	
19921	do	Apr. 29, 1952	2,560	2,525	June 13, 1952	1,010	40	
20181	Pacific Gas & Electric Co	May 9, 1952	7,274	7,274	July 25, 1952	3,273	45	
20452	California Electric Power Co	May 26, 1952	5,568	5,568	Aug. 13, 1952	1,949	35	40
20502	Southern California Edison Co	May 27, 1952	2,855	2,682	June 26, 1952	1,073	40	
20838	do	June 13, 1952	4,196	2,927	Mar. 31, 1953	1,171	40	
20878	Pacific Gas & Electric Co	do	1,204	1,204	July 21, 1952	421	35	4
20879	do	do	25,171	25,171	Dec. 18, 1952	11,327	45	85
21148	do	June 30, 1952	487	339	Aug. 11, 1952	136	40	
21427	do	July 11, 1952	60	60	Aug. 4, 1952	24	40	
21493	Southern California Edison Co	July 16, 1952	2,114	2,092	Oct. 6, 1952	837	40	
22054	California Electric Power Co	Aug. 20, 1952	347	347	Sept. 3, 1952	121	35	
22629	do	Sept. 30, 1952	262	248	Nov. 17, 1952	87	35	
22631	do	do	137	137	Nov. 18, 1952	48	35	
24050	Pacific Gas & Electric Co	Dec. 29, 1952	44,311	44,311	Feb. 19, 1953	19,940	45	250
24309	Southern California Edison Co	Jan. 30, 1953	94	94	Mar. 11, 1953	38	40	
24808	Pacific Gas & Electric Co	Mar. 10, 1953	2,464	2,464	Apr. 7, 1953	1,109	45	
25072	Southern California Edison Co	Apr. 2, 1953	96	96	May 4, 1953	38	40	
25105	Pacific Gas & Electric Co	Apr. 6, 1953	312	312	June 1, 1953	140	45	
25106	do	do	2,684	2,624	do	1,101	45	
25431	California Electric Power Co	May 4, 1953	350	350	do	122	35	
25432	do	do	380	244	do	85	35	
25433	do	do	148	148	do	52	35	
25470	Southern California Edison Co	May 7, 1953	8,653	8,653	July 28, 1953	2,596	30	
25555	do	May 15, 1953	148	148	June 30, 1953	59	40	
25582	do	May 18, 1953	80	74	July 6, 1953	30	40	
25654	Pacific Gas & Electric Co	May 26, 1953	9,902	9,902	June 23, 1953	4,456	45	40
26368	do	Aug. 5, 1953	179	179	Apr. 17, 1956	63	35	
27425	do	Jan. 12, 1954	1,680	1,680	do	588	35	
27426	do	do	2,613	2,613	Apr. 19, 1956	914	35	
27663	do	Mar. 8, 1954	3,914	3,914	Mar. 28, 1955	1,761	45	
27664	do	do	959	959	Apr. 19, 1956	336	35	
27731	do	Mar. 19, 1954	146	146	Mar. 28, 1955	65	45	
27863	do	Apr. 16, 1954	1,988	1,988	do	895	45	
28052	California Electric Power Co	June 1, 1954	5,172	5,172	May 9, 1955	1,551	30	40
28326	do	Aug. 4, 1954	71	71	do	25	35	
28382	Pacific Gas & Electric Co	Aug. 20, 1954	2,481	2,481	Apr. 4, 1955	1,116	45	
28445	do	Sept. 7, 1954	40,460	40,460	Oct. 18, 1955	14,161	35	108
28454	California Electric Power Co	do	165	133	May 11, 1955	40	30	
28527	do	Sept. 27, 1954	64	64	May 9, 1955	19	30	
28436	Pacific Gas & Electric Co	Apr. 28, 1955	107	107	June 2, 1955	48	45	
29538	Southern California Edison Co	May 11, 1955	204	188	July 6, 1955	122	65	
29539	do	do	234	234	Aug. 15, 1955	152	65	
29540	do	do	1,070	980	Oct. 14, 1955	539	55	
29573	Pacific Gas & Electric Co	May 16, 1955	132,100	132,100	July 4, 1955	46,235	35	367
29633	do	May 23, 1955	1,240	1,127	Apr. 4, 1956	394	35	
29661	Southern California Edison Co	May 26, 1955	2,600	2,600	July 14, 1955	1,690	65	19
30159	Pacific Gas & Electric Co	July 19, 1955	529	529	Mar. 29, 1956	238	45	
30552	do	Sept. 13, 1955	408	408	do	143	35	
30744	do	Nov. 7, 1955	435	435	do	196	45	
30745	do	do	60	60	do	21	35	
30746	do	do	525	525	Apr. 4, 1956	184	35	
30775	do	Nov. 14, 1955	8,200	8,200	Jan. 10, 1956	5,330	65	59
30777	do	do	5,250	5,250	Apr. 4, 1956	1,838	35	
30778	do	do	2,692	2,692	Apr. 9, 1956	942	35	
30847	do	Nov. 29, 1955	1,389	1,389	June 5, 1956	625	45	
30921	Southern California Edison Co	Dec. 9, 1955	66,509	66,034	Feb. 14, 1956	42,922	65	400
30923	do	do	68,000	67,418	do	43,822	65	460
30924	do	do	343	268	Apr. 25, 1956	174	65	
30925	do	do	50	50	do	32	65	
30926	do	do	35	35	do	23	65	
30927	do	do	119	119	do	77	65	
30932	California Electric Power Co	do	8,963	8,963	Feb. 10, 1956	4,930	55	60
30979	Pacific Gas & Electric Co	Dec. 16, 1955	300	300	July 18, 1956	105	35	
30997	Southern California Edison Co	Dec. 19, 1955	780	780	Apr. 25, 1956	312	40	
	Total		717,919	709,587		313,602		2,952

COLORADO

7328	Public Service Company of Colorado	Mar. 26, 1951	$25,516	$15,104	Feb. 19, 1952	$3,474	23	128
17186	Frontier Power Co	Jan. 3, 1952	440	440	July 16, 1952	198	45	
17608	Public Service Company of Colorado	Jan. 16, 1952	10,897	10,897	Apr. 10, 1952	4,904	45	60
22915	do	Oct. 20, 1952	1,782	1,782	Dec. 31, 1953	980	55	8
25960	do	June 23, 1953	17,312	17,312	Aug. 5, 1953	7,780	45	100
29804	do	June 13, 1955	19,000	19,000	Nov. 15, 1955	9,500	50	100
31155	do	Dec. 29, 1955	4,240	4,240	Apr. 16, 1956	2,332	55	22
31264	Colorado Central Power Co	Feb. 6, 1956	1,200	1,179	Mar. 23, 1956	766	65	
	Total		80,387	69,954		29,934		418

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

CONNECTICUT

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
5751	Connecticut Light & Power Co	Mar. 27, 1951	$135	$109	Dec. 21, 1951	$27	25	
5752	do	do	20,022	9,401	do	2,350	25	120
5753	do	do	350	350	do	87	25	
5755	do	do	1,269	948	do	237	25	
11884	United Illuminating Co	June 28, 1951	8,500	8,482	Feb. 29, 1952	4,665	55	30
12742	Connecticut Light & Power Co	July 3, 1951	1,800	1,797	Dec. 21, 1951	449	25	
16481	do	Dec. 11, 1951	17,300	17,300	Mar. 21, 1952	6,920	40	75
16482	do	do	2,876	2,865	Apr. 4, 1952	1,432	50	10
16483	do	do	2,822	2,822	Feb. 8, 1952	1,270	45	10
16518	Hartford Electric Light Co	Dec. 10, 1951	14,500	14,500	do	7,975	55	60
17997	Derby Gas Electric Co	Feb. 5, 1952	764	764	Mar. 13, 1952	150	20	
20940	Connecticut Power Co	June 19, 1952	355	293	July 22, 1952	132	45	
21261	do	July 3, 1952	3,465	3,465	July 25, 1952	1,906	55	
24671	Connecticut Light & Power Co	Feb. 27, 1953	13,643	13,015	Apr. 3, 1953	3,904	30	36
30989	Hartford Electric Light Co	Dec. 16, 1955	18,000	18,000	Feb. 14, 1956	11,700	65	100
31502	do	May 14, 1956	995	995	July 18, 1956	647	65	
	Total		106,990	95,126		43,851		441

DELAWARE

21166	Delaware Power & Light Co	June 30, 1952	$12,650	$11,910	Oct. 8, 1952	$5,360	45	60
29610	do	May 19, 1955	17,817	17,660	July 14, 1955	10,596	60	75
29924	do	June 30, 1955	22,716	22,716	Nov. 22, 1955	11,358	50	50
	Total		53,183	52,286		27,314		185

DISTRICT OF COLUMBIA

5254	Potomac Electric Power Co	Mar. 21, 1951	$10,665	$10,665	June 27, 1951	$6,399	60	25

FLORIDA

845	Gulf Power Co	Dec. 22, 1950	$15,156	$15,156	June 9, 1951	$9,851	65	80
846	do	do	4,838	4,829	do	2,410	50	30
13311	Florida Power Co	Aug. 2, 1951	7,012	6,994	Mar. 19, 1952	1,399	20	40
13312	do	do	12,559	12,559	Apr. 9, 1952	4,396	35	80
13314	do	do	6,366	6,290	Apr. 3, 1952	1,887	30	40
13315	do	do	5,535	5,510	Apr. 2, 1952	1,653	30	30
13316	do	do	868	868	Mar. 19, 1952	174	20	
13317	do	do	1,768	1,768	Mar. 31, 1952	530	30	
13318	do	do	84	84	Mar. 17, 1952	25	30	
15816	Florida Power & Light Co	Nov. 16, 1951	8,884	8,802	Apr. 23, 1952	3,961	45	75
20427	do	May 23, 1952	9,340	9,340	June 9, 1952	4,670	50	60
24511	do	Feb. 16, 1953	11,000	11,000	Mar. 6, 1953	4,400	40	60
25177	do	Apr. 18, 1953	18,200	17,186	June 9, 1953	7,734	45	100
25634	Florida Power Corp	May 25, 1953	9,125	9,125	June 23, 1953	2,738	30	70
25635	do	do	5,394	5,394	June 30, 1953	1,618	30	31
29563	Florida Power & Light Co	May 12, 1955	9,800	9,800	July 14, 1955	4,410	45	63
29602	Florida Power Corp	May 18, 1955	9,474	6,806	do	3,062	45	70
29603	do	do	1,320	1,262	Oct. 14, 1955	568	45	
30143	Florida Power & Light Co	July 18, 1955	28,800	28,100	Oct. 20, 1955	18,265	65	320
30389	Florida Power Corp	Aug. 10, 1955	1,250	1,250	Dec. 12, 1955	562	45	
30394	do	do	16,212	15,875	Nov. 25, 1955	7,938	50	120
31004	do	Dec. 19, 1955	1,826	1,826	June 5, 1956	913	50	
31006	do	do	1,928	1,928	do	964	50	
32182	Florida Power & Light Co	Dec. 28, 1956	9,327	9,327	Apr. 24, 1957	4,664	50	
	Total		196,066	191,070		88,792		1,390

GEORGIA

841	Georgia Power Co	Dec. 22, 1950	$12,977	$12,977	June 9, 1951	$6,488	50	100
848	do	do	811	809	do	405	50	
850	do	do	1,460	1,460	do	365	25	20
852	do	do	7,748	7,565	do	3,783	50	40
5319	do	Mar. 22, 1951	16,765	15,287	do	7,644	50	45
5577	do	do	1,316	1,316	do	329	25	
5578	do	do	1,256	631	do	158	25	
10682	Mississippi Power Co	June 14, 1951	284	282	Apr. 14, 1952	155	55	
10863	Georgia Power Co	do	15,765	15,569	Apr. 7, 1952	8,562	55	100
10865	do	do	203	203	Apr. 15, 1952	81	40	
13313	Georgia Power & Light Co	Aug. 2, 1951	875	707	Apr. 9, 1952	212	30	
13948	Georgia Power Co	Aug. 20, 1951	12,967	12,967	Apr. 7, 1952	7,132	55	100
18886	do	Mar. 7, 1952	15,991	15,886	May 1, 1952	10,326	65	100
19043	do	Mar. 14, 1952	579	579	Apr. 23, 1952	319	55	
25212	do	Apr. 15, 1953	931	931	May 28, 1953	326	35	10
29849	do	June 20, 1955	20,917	20,838	Oct. 18, 1955	7,293	35	125
30928	do	Dec. 9, 1955	20,967	20,967	Feb. 10, 1956	7,339	35	125
	Total		131,812	128,974		60,907		765

IDAHO

5629	Utah Power & Light Co	Mar. 22, 1951	$566	$283	Mar. 14, 1952	$99	35	
5630	do	do	130	130	Mar. 18, 1952	45	35	
5944	Idaho Power Co	do	21,109	20,047	Dec. 28, 1951	10,024	50	83
5945	do	do	833	833	Mar. 18, 1952	208	25	
5948	do	do	899	726	Mar. 19, 1952	181	25	
9077	Washington Water Power Co	May 10, 1951	46,107	46,107	Dec. 7, 1951	29,970	65	200
20507	Idaho Power Co	May 27, 1952	1,034	1,034	Apr. 24, 1953	414	40	
26407	do	Aug. 6, 1953	35,923	35,923	Apr. 17, 1957	21,554	60	152
26500	do	Aug. 21, 1953	67,138	67,138	do	43,640	65	360
	Total		173,739	172,221		106,135		795

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

INDIANA

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
5897	Indiana-Michigan Electric Co	Mar. 22, 1951	$25,244	$25,244	June 15, 1951	$6,311	25	150
5900	do	do	20,437	20,437	do	9,197	45	150
5926	do	Apr. 4, 1951	1,686	1,681	do	756	45	
6359	do	Mar. 23, 1951	661	661	do	165	25	
12202	Northern Indiana Public Service Co	June 15, 1951	90	82	Mar. 19, 1952	10	20	
12240	do	do	79	65	do	23	35	
13386	do	July 26, 1951	1,396	1,134	Apr. 11, 1952	340	30	
13508	do	Aug. 6, 1951	27,680	27,680	Apr. 4, 1952	8,304	30	180
14384	Indiana-Michigan Electric Co	Sept. 6, 1951	111	111	Mar. 14, 1952	33	30	
15281	Indianapolis Power & Light Co	Oct. 25, 1951	8,288	7,901	Apr. 4, 1952	4,345	55	60
15291	do	Oct. 29, 1951	10,458	9,993	do	5,496	55	60
16875	Public Service Co., Inc	Dec. 28, 1951	14,516	14,516	Mar. 28, 1952	4,355	30	
16876	Public Service Company of Indiana, Inc	do	24,879	24,879	June 16, 1952	9,952	40	180
17532	Indiana-Michigan Electric Co	Jan. 16, 1952	44,631	44,559	Mar. 31, 1952	20,052	45	200
18711	do	Feb. 29, 1952	179	179	June 5, 1952	63	35	
19412	Indianapolis Power & Light Co	Apr. 3, 1952	509	509	Apr. 29, 1952	280	55	
20223	Indiana-Michigan Electric Co	May 3, 1952	76	76	June 6, 1952	27	35	
20819	do	June 12, 1952	238	183	July 15, 1952	100	55	
21511	Southern Indiana Gas & Electric Co	July 17, 1952	454	423	Sept. 17, 1952	127	30	
21902	do	Aug. 8, 1952	10,552	10,444	Jan. 7, 1953	4,700	45	40
24070	Indiana-Michigan Electric Co	Dec. 31, 1952	1,740	1,740	Apr. 29, 1953	1,131	65	
24222	Southern Indiana Gas & Electric Co	Jan. 22, 1953	1,322	1,294	Apr. 13, 1953	453	35	
24938	Public Service Company of Indiana, Inc	Mar. 23, 1953	17,000	17,000	June 1, 1953	6,800	40	125
24952	Northern Indiana Public Service Co	do	209	209	May 8, 1953	73	35	
25034	Indiana-Michigan Electric Co	Mar. 31, 1953	271	271	May 15, 1953	149	55	
25166	Public Service Company of Indiana, Inc	Apr. 13, 1953	1,702	1,702	June 1, 1953	681	40	
25807	Indiana-Michigan Electric Co	June 9, 1953	456	456	July 10, 1953	251	55	
25925	do	June 18, 1953	1,613	1,599	July 28, 1953	719	45	
26667	do	Sept. 15, 1953	3,008	3,008	Oct. 28, 1953	1,955	65	
27312	Public Service Company of Indiana, Inc	Dec. 21, 1953	432	432	May 3, 1954	281	65	
27668	Indianapolis Power & Light Co	Mar. 8, 1954	14,322	14,322	May 6, 1955	9,309	65	100
27785	Indiana-Michigan Electric Co	Mar. 30, 1954	2,701	2,556	Apr. 7, 1955	1,164	45	
29916	Public Service Company of Indiana, Inc	June 29, 1955	31,922	31,922	Nov. 25, 1955	11,173	35	150
30878	Indiana-Michigan Electric Co	Dec. 6, 1955	4,540	4,540	Feb. 27, 1956	2,951	65	
30880	do	do	1,323	1,323	Apr. 25, 1956	860	65	
30881	do	do	651	619	do	217	35	
30954	do	Dec. 13, 1955	1,802	1,794	July 12, 1956	628	35	
30955	do	do	736	729	June 21, 1956	255	35	
31018	do	Dec. 21, 1955	701	701	June 7, 1956	245	35	
31051	Public Service Company of Indiana, Inc	Dec. 27, 1955	14,718	14,718	Feb. 14, 1956	8,831	60	150
31389	Indiana-Michigan Electric Co	Mar. 29, 1956	20,918	20,905	July 18, 1956	13,588	65	
31509	Chicago District Electric Gas Corp	May 15, 1956	5,000	2,800	do	1,540	55	
	Total		286,251	282,372		137,890		1,545

IOWA

15571	Iowa Southern Utilities Co	Oct. 30, 1951	$8,926	$8,865	Aug. 18, 1952	$3,483	39	40
20462	Iowa Public Service Co	May 26, 1952	2,700	2,700	July 14, 1952	1,485	55	12
21386	Iowa Power & Light Co	July 11, 1952	9,777	9,709	Jan. 6, 1953	4,885	50	66
21392	do	do	9,363	9,353	Dec. 17, 1952	4,676	50	44
21760	Iowa Public Service Co	July 31, 1952	4,435	4,425	Aug. 20, 1952	2,434	55	
23721	Iowa Electric Light & Power Co	Dec. 11, 1952	7,777	7,761	Mar. 17, 1953	4,269	55	30
25267	Union Electric Power Co	Apr. 21, 1953	918	918	July 6, 1953	321	35	
25892	Iowa Electric Light & Power Co	June 15, 1953	4,246	4,131	July 27, 1953	2,272	55	30
29088	Iowa Public Service Co	Feb. 10, 1955	2,215	2,198	May 24, 1955	1,209	55	
30646	Union Electric Company of Missouri	Oct. 10, 1955	770	612	Feb. 2, 1956	398	65	
30861	Iowa Southern Utilities Co	Dec. 1, 1955	2,443	2,443	Feb. 14, 1956	977	40	22
31070	Iowa Power & Light Co	Dec. 27, 1955	15,462	15,452	Feb. 29, 1956	5,412	35	75
	Total		69,032	68,737		31,821		319

KANSAS

9042	Kansas Gas & Electric Co	May 8, 1951	$8,307	$8,036	Jan. 2, 1952	$3,214	40	40
15519	Kansas Power & Light Co	Oct. 26, 1951	7,805	7,724	July 9, 1952	4,248	55	33
16638	Kansas Gas & Electric Co	Dec. 17, 1951	8,785	8,605	Apr. 7, 1952	4,733	55	60
18481	Empire District Co	Feb. 26, 1952	6,961	6,961	July 15, 1952	2,784	40	40
21972	Central Kansas Power Co	Aug. 14, 1952	1,907	1,901	Sept. 23, 1952	950	50	12
21973	do	do	475	475	Sept. 24, 1952	237	50	
22339	Western Light & Telephone Co	Sept. 10, 1952	3,517	3,495	Dec. 4, 1952	1,922	55	15
23139	do	Nov. 5, 1952	2,020	2,020	Jan. 9, 1953	1,111	55	
24980	Kansas Gas & Electric Co	Mar. 25, 1953	10,981	10,909	May 21, 1953	7,130	65	60
25641	Kansas Power & Light Co	May 25, 1953	8,000	8,000	June 30, 1953	3,600	45	40
29571	Western Light & Telephone Co	May 16, 1955	2,830	2,830	July 19, 1955	1,840	65	17
29579	Kansas Gas & Electric Co	do	13,283	13,283	Oct. 14, 1955	8,634	65	100
30398	Empire Distribution & Electric Co	Aug. 11, 1955	8,868	8,868	Feb. 23, 1956	5,321	60	40
31024	Western Light & Telephone Co	Dec. 21, 1955	3,343	3,342	Feb. 14, 1956	1,838	55	16
31089	do	Dec. 29, 1955	401	401	Apr. 16, 1956	261	65	
31142	do	Dec. 30, 1955	300	300	May 4, 1956	165	55	
	Total		87,783	87,210		47,988		470

ILLINOIS

1678	Public Service Co	Jan. 18, 1951	$1,200	$1,160	Nov. 9, 1951	$522	45	
5305	Central Illinois Light Co	Mar. 22, 1951	12,080	9,195	Sept. 21, 1951	4,891	53	60
12856	Union Electric Power Co	June 20, 1951	5,670	5,670	Apr. 3, 1952	3,119	55	
15055	Central Illinois Public Service Co	Oct. 11, 1951	3,100	3,100	Mar. 26, 1952	1,705	55	
15101	Illinois Power Co	Oct. 15, 1951	2,301	2,301	do	1,266	55	
16359	Central Illinois Electric & Gas Co	Dec. 5, 1951	1,711	1,272	Mar. 19, 1952	700	55	
16395	Illinois Power Co	do	16,773	16,538	Apr. 9, 1952	5,788	35	60
17720	do	Jan. 28, 1952	15,785	15,785	Apr. 7, 1952	5,525	35	90

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

ILLINOIS—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
18499	Central Illinois Light Co	Feb. 27, 1952	$345	$205	Mar. 31, 1952	$62	30	
18998	do	Mar. 13, 1952	225	200	July 16, 1952	90	45	
19148	do	Mar. 21, 1952	744	744	June 25, 1952	335	45	
20652	Union Electric Power Co	June 4, 1952	161	117	July 14, 1952	47	40	
21407	Public Service Company of Northern Illinois	July 11, 1952	525	525	Aug. 4, 1952	341	65	
21573	Commonwealth Edison Co	July 21, 1952	201	201	Aug. 11, 1952	70	35	
21577	do	do	245	245	Aug. 12, 1952	86	35	
23181	Union Electric Power Co	Nov. 7, 1952	641	641	Jan. 28, 1953	352	55	
23431	Central Illinois Electric & Gas Co	Nov. 25, 1952	6,600	6,600	Feb. 4, 1953	3,630	55	30
25851	Union Electric Power Co	June 11, 1953	476	476	July 17, 1953	166	35	
30222	do	July 25, 1955	2,619	2,541	Dec. 20, 1955	1,652	65	
30803	Illinois Power Co	Nov. 18, 1955	15,320	15,320	June 11, 1956	6,894	45	100
31109	Iowa-Illinois Gas & Electric Co	Dec. 29, 1955	3,122	3,116	May 1, 1956	1,714	55	
31137	Commonwealth Edison Co	Dec. 30, 1955	59,000	59,000	Mar. 23, 1956	32,450	55	305
31140	do	do	12,500	12,500	June 11, 1956	6,875	55	
	Total		161,344	157,452		78,280		645
	KENTUCKY							
14106	Kentucky-West Virginia Power Co., Inc	Aug. 22, 1951	$672	$607	Feb. 15, 1952	$243	40	
14563	do	Sept. 17, 1951	217	217	do	43	20	
15846	Kentucky Utilities Co	Nov. 2, 1951	9,506	9,506	Mar. 14, 1952	4,278	45	60
19513	do	Apr. 7, 1952	2,453	2,443	July 15, 1952	1,343	55	
21095	do	June 27, 1952	1,024	1,024	July 25, 1952	410	40	
30155	Kentucky Power Co	July 19, 1955	1,100	1,100	Oct. 20, 1955	715	65	
30785	Union Light Heat & Power Co	Nov. 15, 1955	1,634	1,634	Dec. 15, 1955	1,062	65	
	Total		16,606	16,531		8,094		60
	LOUISIANA							
6137	Louisiana Power & Light Co	Mar. 23, 1951	$8,124	$7,937	Jan. 25, 1952	$3,572	45	60
6138	do	do	845	736	Mar. 6, 1952	331	45	
13597	Central Louisiana Electric Co	Aug. 6, 1951	7,360	7,026	Apr. 14, 1952	3,197	46	40
15145	Louisiana Power & Light Co	Oct. 19, 1951	9,900	9,900	Apr. 23, 1952	5,445	55	90
16726	Gulf States Utility Co	Dec. 20, 1951	51	51	Mar. 19, 1952	23	45	
16727	do	do	598	598	Apr. 15, 1952	269	45	
16728	do	do	16,500	16,500	Apr. 4, 1952	10,725	65	80
16729	do	do	600	598	Apr. 9, 1952	329	55	
16730	do	do	10,000	10,000	do	6,500	65	90
16731	do	do	1,000	1,000	do	500	55	
16732	do	do	8,500	8,500	Apr. 14, 1952	4,675	55	60
16905	Louisiana Power & Light Co	Dec. 28, 1951	202	202	Apr. 15, 1952	111	55	
16906	do	Feb. 21, 1952	1,322	1,115	May 1, 1952	613	55	
16907	do	Dec. 28, 1951	944	904	Apr. 28, 1952	497	55	
19241	do	Mar. 25, 1952	496	466	May 7, 1952	251	55	
19242	do	do	606	550	do	302	55	
19928	Central Louisiana Electric Co	Apr. 29, 1952	1,069	824	July 2, 1952	453	55	
20194	Gulf States Utility Co	May 13, 1952	404	404	June 12, 1952	141	35	
20195	do	do	202	202	do	81	40	
20376	Central Louisiana Electric Co., Inc	Dec. 15, 1952	246	246	Feb. 24, 1953	135	55	
25213	Louisiana Power & Light Co	Apr. 15, 1953	15,000	15,000	June 16, 1953	9,750	65	125
25768	do	June 4, 1953	229	200	June 17, 1953	130	65	
26833	Central Louisiana Electric Co., Inc	Oct. 1, 1953	7,244	6,005	June 16, 1955	3,603	60	50
27513	do	Feb. 1, 1954	1,240	874	Mar. 29, 1955	350	40	
29803	Southwestern Gas & Electric Co	June 13, 1955	11,411	11,411	Apr. 4, 1956	3,994	35	100
30380	Louisiana Power & Light Co	Aug. 9, 1955	20,000	20,000	Nov. 25, 1955	8,000	40	200
30381	do	do	2,964	2,964	Dec. 6, 1955	1,185	40	
30714	Central Louisiana Electric Co., Inc	Oct. 31, 1955	5,744	5,744	Dec. 13, 1955	3,734	65	55
30937	do	Dec. 12, 1955	479	426	Apr. 25, 1956	277	65	
31788	do	Aug. 27, 1956	471	470	Sept. 21, 1956	306	65	
	Total		133,751	130,853		69,529		950
	MAINE							
3657	Central Maine Power Co	Mar. 2, 1951	$1,604	$151	Sept. 21, 1951	$34	23	
15039	do	Oct. 8, 1951	12,881	12,881	Apr. 15, 1952	5,780	45	
19085	do	Mar. 18, 1952	17,101	16,541	May 2, 1952	7,443	45	45
23612	do	Dec. 8, 1952	959	959	Mar. 2, 1953	528	55	
27902	Maine Public Service Co	Apr. 28, 1954	2,340	2,340	May 9, 1955	819	35	13
29668	Central Maine Power Co	May 27, 1955	23,696	23,555	Oct. 18, 1955	13,540	57	88
	Total		58,581	56,427		28,144		146
	MARYLAND							
5848	Consolidated Gas & Electric Light & Power Company of Baltimore	Mar. 22, 1951	$13,907	$13,907	Sept. 21, 1951	$4,867	35	100
5849	do	do	10,319	10,255	Jan. 14, 1952	2,051	20	75
5878	do	do	5,076	4,614	Jan. 19, 1952	923	20	
5879	do	do	905	905	Feb. 14, 1952	272	30	
5883	do	do	79	74	Jan. 28, 1952	15	20	
6894	Potomac Edison Co	Mar. 23, 1951	489	484	June 22, 1951	121	25	
12305	Consolidated Gas & Electric Light & Power Company of Baltimore	June 15, 1951	14,525	14,481	Apr. 29, 1952	5,792	40	75
12309	do	do	50	50	Jan. 25, 1952	10	20	
15547	Potomac Edison Co	Oct. 31, 1951	40	40	Mar. 18, 1952	10	25	
15548	do	do	19	19	Apr. 29, 1952	4	20	
20435	do	May 23, 1952	326	126	June 24, 1952	63	50	
22144	Consolidated Gas & Electric Light & Power Co	Aug. 26, 1952	24,465	24,465	May 8, 1953	11,009	45	125
27164	Potomac Edison Co	Nov. 23, 1953	1,367	1,303	Dec. 28, 1953	587	45	
30818	South Penn. Power Co	Nov. 23, 1955	408	399	Dec. 6, 1955	179	45	
30941	Potomac Edison Co	Dec. 12, 1955	682	674	Mar. 29, 1956	303	45	
31022	do	do	12,848	12,848	Apr. 9, 1956	7,066	55	86
31694	Eastern Shore Public Service Company of Maryland	May 19, 1955	1,370	1,370	Aug. 21, 1956	822	60	
	Total		72,286	72,286		27,688		342

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

MASSACHUSETTS

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
7034	Boston Edison Co.	Mar. 23, 1951	$14,100	$14,100	Feb. 6, 1952	$4,230	30	81
13767	Massachusetts Electric Co.	Aug 13, 1951	7,258	7,258	Apr. 2, 1952	2,903	40	40
17717	Boston Edison Co.	Jan. 24, 1952	16,613	16,613	Mar. 26, 1952	5,815	35	81
17972	do	Feb. 5, 1952	3,626	3,626	May 1, 1952	1,088	30	
19210	do	Mar. 25, 1952	268	268	Apr. 21, 1952	80	30	
21335	do	July 9, 1952	1,022	1,022	July 25, 1952	358	35	
21339	do	do	301	301	do	90	30	
21786	do	Aug. 1, 1952	532	532	Oct. 2, 1952	160	30	
26439	do	Aug. 12, 1953	670	670	Oct. 7, 1953	234	35	
27525	do	Feb. 4, 1954	1,865	1,865	Feb. 28, 1955	653	35	
29554	do	May 12, 1955	1,706	1,706	July 14, 1955	1,109	65	
29555	do	do	415	415	do	269	65	
29585	Western Massassachusetts Electric Co.	May 16, 1955	1,210	1,210	Aug. 1, 1955	484	40	
31103	New England Power Co.	Dec. 29, 1955	22,700	22,700	Apr. 16, 1956	10,215	45	140
	Total		72,286	72,286		27,688		348

MICHIGAN

4248	Detroit Edison Co.	Mar. 14, 1951	$39,041	$39,041	June 9, 1951	$17,568	45	125
4252	do	do	20,449	20,449	do	13,292	65	125
4253	do	do	18,867	18,867	do	12,264	65	125
5494	do	Mar. 22, 1951	42,799	42,799	do	10,700	25	200
5970	Consumers Power Co.	do	117	117	Mar. 14, 1952	35	30	
5971	do	do	60	60	do	18	30	
5972	do	do	493	431	Dec. 28, 1951	86	20	
5973	do	do	31,095	31,086	do	10,880	35	170
11549	do	June 20, 1951	565	565	Mar. 17, 1952	226	40	
12978	do	July 12, 1951	506	506	Mar. 19, 1952	152	30	
13634	do	Aug. 9, 1951	16,690	16,690	Dec. 29, 1951	6,676	40	196
14266	do	Jan. 10, 1952	320	320	Mar. 18, 1952	80	25	
15586	Michigan Gas & Electric Co.	Oct. 29, 1951	72	72	Mar. 17, 1952	14	20	
15904	Detroit Edison Co.	do	5,538	5,538	Feb. 20, 1957	3,601	65	
16937	Consumers Power Co.	Dec. 29, 0951	27,839	27,839	Mar. 26, 1952	9,743	35	133
16938	do	do	45	45	Apr. 23, 1952	25	55	
17219	Wisconsin-Michigan Power Co.	Jan. 5, 1952	2,064	2,064	Apr. 7, 1952	826	40	10
17220	do	do	976	976	do	390	40	3
17221	do	do	488	488	Apr. 3, 1952	171	35	
17582	Consumer Power Co.	Jan. 25, 1952	75	75	Apr. 30, 1952	15	20	
17583	do	do	62	62	May 6, 1952	25	40	
17586	Detroit Edison Co.	Jan. 22, 1952	33,450	33,450	Apr. 3, 1952	11,708	35	12
17616	Indiana-Michigan Electric Co.	Jan. 18, 1952	595	595	Apr. 2, 1952	238	40	
17636	do	Jan. 21, 1952	601	601	Mar. 24, 1952	240	40	
17817	Consumers Power Co.	Jan. 30, 1952	35	35	Jan. 19, 1952	10	30	
19802	Lake Superior Distributing Power Co.	Apr. 22, 1952	473	438	June 23, 1952	175	40	
19863	Upper Peninsula Power Co.	Apr. 28, 1952	262	136	May 27, 1952	75	55	
21817	Consumers Power Co.	Aug. 5, 1952	193	166	Sept. 18, 1952	66	40	
22257	do	Sept. 3, 1952	201	192	Oct. 10, 1952	67	35	
25941	do	June 22, 1953	29,640	29,640	July 21, 1955	10,374	35	133
28395	Detroit Edison Co.	Aug. 20, 1954	4,534	4,534	Mar. 29, 1955	2,947	65	
29547	Consumers Power Co.	May 13, 1955	18,280	18,280	July 18, 1955	6,398	35	156
29900	do	June 27, 1955	18,960	18,960	Oct. 18, 1955	7,584	40	157
31019	Indiana-Michigan Electric Co.	Dec. 21, 1955	1,740	1,740	June 7, 1956	609	35	
	Total		317,129	316,859		127,278		1,572

MINNESOTA

4254	Minnesota Power & Light Co.	Mar. 14, 1951	$4,350	$3,955	Nov. 9, 1951	$1,384	35	37
5943	do	Mar. 22, 1951	13,703	13,703	do	7,537	55	88
6237	Northern States Power Co.	Mar. 23, 1951	1,662	1,662	June 27, 1951	416	25	13
6239	do	do	9,673	9,673	Feb. 4, 1952	3,869	40	50
17237	do	Jan. 5, 1952	3,741	3,741	Mar. 31, 1952	1,496	40	
17611	do	Jan. 14, 1952	14,518	14,518	June 2, 1952	5,807	40	90
19457	do	Apr. 4, 1952	7,927	7,927	do	3,171	40	40
19589	do	Apr. 10, 1952	2,272	2,203	June 25, 1952	881	40	
19905	do	Apr. 28, 1952	904	904	June 5, 1952	362	40	
24724	do	Mar. 3, 1953	13,495	13,495	Apr. 7, 1953	5,398	40	90
27334	Minnesota Power & Light Co.	Dec. 22, 1953	2,219	2,213	Mar. 28, 1955	1,217	55	
30351	do	Aug. 5, 1955	12,000	11,910	Jan. 23, 1956	7,742	65	60
	Total		86,464	85,904		39,280		

MISSISSIPPI

847	Mississippi Power & Light Co.	Dec. 22, 1950	$11,696	$11,696	June 9, 1951	$7,602	65	80
5953	do	Mar. 22, 1951	466	461	do	115	25	
6139	do	Mar. 23, 1951	7,622	7,587	Sept. 21, 1951	3,414	45	60
6140	do	do	6,244	6,157	Feb. 6, 1952	2,771	45	60
6143	do	do	1,962	1,950	Jan. 28, 1952	877	45	
6144	do	do	82	82	do	37	45	
10860	Mississippi Power Co.	June 14, 1951	948	948	Apr. 9, 1952	521	55	
10861	do	do	423	423	do	190	45	
15531	do	Nov. 1, 1951	23,545	23,265	Apr. 28, 1952	12,796	55	200
24507	do	Feb. 16, 1953	180	160	Mar. 10, 1953	104	65	
29695	do	June 2, 1955	13,877	13,696	Oct. 18, 1955	4,794	35	75
	Total		67,045	66,425		33,221		475

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

MISSOURI

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
7116	Union Electric Company of Missouri	Mar. 23, 1951	$23,875	$23,735	Feb. 6, 1952	$11,868	50	110
12745	do	June 20, 1951	66	66	Mar. 19, 1952	33	50	
12746	do	do	999	920	Apr. 2, 1952	460	50	
12747	do	do	366	364	Apr. 11, 1952	128	35	
12748	do	do	843	808	Apr. 2, 1952	404	50	
12749	do	do	1,375	1,325	do	662	50	
12750	do	do	3,891	3,711	Apr. 10, 1952	2,041	55	43
12751	do	do	18,153	16,155	Feb. 6, 1952	8,885	55	110
12777	do	do	2,137	2,036	Mar. 28, 1952	1,018	50	
13507	Kansas City Power & Light Co	Aug. 6, 1951	13,700	13,700	Apr. 4, 1952	7,535	55	90
14883	Arkansas-Missouri Power Co	Oct. 1, 1951	72	72	Mar. 14, 1952	22	30	
18202	do	Feb. 14, 1952	139	139	Mar. 28, 1952	49	35	
19867	Missouri Public Service Co	Apr. 28, 1952	3,240	3,240	July 10, 1952	1,458	45	20
23180	Union Electric Company of Missouri	Nov. 7, 1952	173	173	Jan. 26, 1953	95	55	
23938	do	Dec. 29, 1952	59	59	Feb. 16, 1953	32	55	
23945	do	do	208	208	Feb. 17, 1953	115	55	
29722	Kansas City Power & Light Co	June 6, 1955	27,375	26,775	July 26, 1955	17,404	65	156
30223	Union Electric Company of Missouri	July 25, 1955	4,576	4,381	Dec. 15, 1955	2,848	65	
30224	do	do	1,791	1,785	Nov. 22, 1955	1,160	65	
30537	Kansas City Power & Light Co	Sept. 18, 1955	4,932	4,932	do	3,206	65	
30906	Empire Distributing Electric Co	Dec. 8, 1955	1,668	1,668	Feb. 2, 1956	1,001	60	
31005	Union Electric Company of Missouri	Dec. 19, 1955	2,351	2,171	June 1, 1956	760	35	
31025	Missouri Public Service Co	Dec. 21, 1955	4,077	4,077	Feb. 27, 1956	1,427	35	24
31037	Union Electric Company of Missouri	Dec. 22, 1955	37,764	37,764	Feb. 14, 1956	13,217	35	250
	Total		153,830	150,264		75,828		803

MONTANA

5180	Montana Power Co	Mar. 21, 1951	$5,445	$5,410	July 3, 1951	$1,353	25	60
25942	do	June 22, 1953	607	607	Aug. 13, 1953	182	30	
30384	Pacific Power & Light Co	Aug. 9, 1955	1,540	1,540	Dec. 15, 1955	1,001	65	
31059	Montana Power Co	Dec. 27, 1955	15,000	15,000	Mar. 29, 1956	9,750	65	50
	Total		22,592	22,557		12,286		110

NEVADA

28477	Southern Nevada Power Co	Sept. 13, 1954	$6,672	$6,632	Dec. 27, 1955	$2,321	35	44
31150	do	Dec. 30, 1955	8,319	8,319	Feb. 23, 1956	2,912	35	60
	Total		14,991	14,951		5,233		104

NEW HAMPSHIRE

5978	Public Service Company of New Hampshire	Mar. 22, 1951	$1,290	$112	Sept. 21, 1951	$28	25	
14889	do	Oct. 3, 1951	9,255	9,207	Mar. 18, 1952	3,956	43	80
17910	do	Jan. 31, 1952	1,310	1,310	Apr. 2, 1952	590	45	
22620	Connecticut River Power & New England Power Co	Sept. 30, 1952	42,713	38,980	Mar. 28, 1956	19,490	50	150
23752	Public Service Company of New Hampshire	Dec. 15, 1952	9,076	9,076	May 21, 1953	4,084	45	40
25534	do	May 14, 1953	815	815	June 10, 1953	448	55	
29532	do	May 10, 1955	7,000	7,000	Nov. 25, 1955	4,550	65	44
	Total		71,459	66,500		33,146		314

NEW JERSEY

10912	Public Service Electric & Gas Co	June 14, 1951	$861	$721	Mar. 19, 1952	$108	15	
10913	do	do	608	608	Feb. 15, 1952	122	20	
13271	do	July 30, 1951	105	105	do	21	20	
13650	do	Aug. 10, 1951	45,999	45,721	Feb. 29, 1952	22,663	50	290
14725	do	Sept. 28, 1951	493	441	do	88	20	
14766	do	do	95	95	Mar. 20, 1952	33	35	
15060	do	Oct. 15, 1951	635	635	Mar. 19, 1952	127	20	
15885	do	Nov. 5, 1951	42	42	Mar. 17, 1952	17	40	
15976	do	Nov. 15, 1951	48	48	Mar. 19, 1952	17	35	
16056	Philadelphia Electric Co	Nov. 19, 1951	900	900	Apr. 2, 1952	180	20	
17088	Public Service Electric & Gas Co	Dec. 28, 1951	27,000	27,000	Apr. 7, 1952	10,800	40	185
17641	do	Jan. 2, 1952	824	824	May 6, 1952	371	45	
19371	do	Apr. 1, 1952	2,253	2,253	May 1, 1952	1,239	55	
22942	Atlantic City Electric Co	Oct. 23, 1952	13,871	13,871	Dec. 1, 1952	6,242	45	60
25976	do	June 24, 1953	3,074	3,074	July 28, 1953	1,383	45	
31111	Public Service Electric & Gas Co	Dec. 29, 1955	9,700	9,365	Aug. 21, 1956	3,746	40	
31087	do	Dec. 27, 1955	3,300	3,300	Mar. 5, 1957	1,320	40	
	Total		109,808	109,003		48,477		535

NEW MEXICO

5740	Southwestern Public Service Co	Mar. 22, 1951	$58	$58	Mar. 13, 1952	$12	20	0
15484	do	Oct. 31, 1951	3,334	3,334	Apr. 7, 1952	1,834	55	19
15687	Public Service Co. of New Mexico	Nov. 1, 1951	6,045	6,045	May 19, 1952	3,328	55	40
18818	do	Mar. 5, 1952	4,626	4,626	May 14, 1952	2,544	55	30
18836	do	do	556	556	May 9, 1952	306	55	
18837	do	do	698	698	do	384	55	
18838	do	do	271	271	May 8, 1952	149	55	
25417	El Paso Electric Co	May 4, 1953	4,800	4,800	July 2, 1953	2,640	55	30
26109	Basin Light & Power Co	July 2, 1953	225	222	July 24, 1953	67	30	
29586	Southwestern Public Service Co	May 16, 1955	9,045	9,036	July 14, 1955	5,874	65	75
30332	Public Service Co. of New Mexico	Aug. 3, 1955	4,985	4,985	Dec. 13, 1955	1,745	35	30
30982	El Paso Electric Co	Dec. 16, 1955	6,775	6,775	Feb. 27, 1956	4,065	60	
	Total		41,418	41,393		22,948		224

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

NEW YORK

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
5562	Niagara Mohawk Power Corp.	Mar. 22, 1951	$28,500	$28,333	Nov. 28, 1951	$8,500	30	160
5564	do	do	10,572	10,572	do	2,114	20	80
5565	do	do	4,930	4,927	do	985	20	30
6243	Consolidated Edison Co.	Mar. 23, 1951	69,225	69,225	Jan. 19, 1952	31,151	45	329
6244	do	do	45,800	45,800	do	9,160	20	250
6245	do	do	20,700	14,904	do	2,981	20	60
10330	New York State Electric & Gas Co.	May 28, 1951	8,121	8,121	Feb. 29, 1952	1,624	20	60
11628	do	June 7, 1951	7,836	7,623	do	2,668	35	40
12000	do	June 15, 1951	17,142	17,142	do	7,714	45	80
14162	Niagara Mohawk Power Corp.	Aug. 29, 1951	25,200	25,200	Jan. 14, 1952	10,080	40	100
14445	Long Island Lighting Co.	Sept. 10, 1951	17,894	17,894	Apr. 2, 1952	8,053	45	90
14595	Niagara Mohawk Power Corp.	Sept. 20, 1951	2,631	2,631	Jan. 28, 1952	789	30	
14713	Consolidated Edison of New York	Sept. 27, 1951	31,600	31,600	Jan. 22, 1952	14,220	45	160
15177	New York State Electric & Gas Co.	Oct. 19, 1951	64	64	Mar. 14, 1952	19	30	
15362	Niagara Mohawk Power Corp.	Oct. 30, 1951	12,000	11,609	Apr. 9, 1952	4,644	40	80
15483	Central Hudson Gas & Electric Co.	Oct. 31, 1951	10,962	10,962	Mar. 31, 1952	4,385	40	60
17314	Long Island Lighting Co.	Jan. 2, 1952	18,024	18,024	Mar. 14, 1952	9,913	55	90
17696	Niagara Mohawk Power Corp.	Jan. 28, 1952	280	194	July 14, 1952	78	40	
17925	do	Feb. 5, 1952	15,328	15,278	May 7, 1952	4,583	30	80
19645	Long Island Lighting Co.	Apr. 15, 1952	18,175	17,675	June 2, 1952	9,721	55	90
20117	Niagara Mohawk Power Co.	May 7, 1952	92	92	June 6, 1952	37	40	
20269	Rockland Light Power Co.	May 15, 1952	13,500	13,500	July 16, 1952	7,425	55	60
20270	do	do	555	555	July 18, 1952	222	40	
20271	do	do	2,330	2,327	July 15, 1952	1,280	55	18
20272	do	do	875	875	July 21, 1952	481	55	
20320	Niagara Mohawk Power Corp.	May 20, 1952	78	78	June 17, 1952	31	40	
20531	do	May 28, 1952	76	51	June 24, 1952	21	41	
20603	do	June 2, 1952	140	94	July 3, 1952	38	40	
21130	do	June 30, 1952	3,964	3,962	July 17, 1952	1,189	30	19
21565	do	July 21, 1952	101	100	Aug. 11, 1952	40	40	
22022	New York State Electric & Gas Corp.	Aug. 19, 1952	25,342	25,287	Mar. 6, 1953	11,379	45	108
23152	Niagara Mohawk Power Corp.	Nov. 6, 1952	4,275	4,275	Mar. 26, 1953	1,282	30	22
24431	New York State Electric & Gas Corp.	Feb. 10, 1953	1,847	1,837	Apr. 1, 1953	827	45	
25439	Niagara Mohawk Power Corp.	May 8, 1953	330	330	June 1, 1953	132	40	
25769	do	June 4, 1953	5,248	5,246	July 6, 1953	1,574	30	22
25770	do	do	4,522	4,500	Oct. 27, 1955	1,575	35	15
25771	do	do	4,830	4,815	do	1,685	35	28
26186	do	July 13, 1953	2,200	2,098	Aug. 7, 1953	629	30	
26424	do	Aug. 10, 1953	178	178	Sept. 22, 1953	71	40	
29562	do	May 12, 1955	1,393	1,354	July 19, 1955	542	40	
30089	New York State Electric & Gas Corp.	July 14, 1955	2,488	2,483	Aug. 15, 1955	1,117	45	
30406	Niagara Mohawk Power Corp.	Aug. 12, 1955	433	424	Dec. 12, 1955	170	40	
31149	do	Dec. 30, 1955	627	627	June 11, 1956	219	35	
31290	New York State Electric & Gas Corp.	Feb. 20, 1956	597	597	May 4, 1956	269	45	
	Total		440,995	433,463		165,617		2,177

NORTH CAROLINA

1392	Nantahala Power Co.	Jan. 10, 1951	$1,225	$1,127	Jan. 16, 1952	$733	65	6
2834	do	Feb. 14, 1951	886	218	Sept. 22, 1951	120	55	3
2835	do	do	172	172	Jan. 16, 1952	111	65	
11610	Carolina Power & Light Co.	June 22, 1951	9,250	9,250	Feb. 15, 1952	5,088	55	70
15963	Nantahala Power Co.	Dec. 20, 1951	2,355	2,355	Jan. 18, 1952	1,531	65	9
18550	Virginia Electric Power Co.	Feb. 28, 1952	1,200	1,183	Mar. 31, 1952	535	45	
18552	do	do	33,545	33,095	Aug. 3, 1953	21,512	65	100
19484	Nantahala Power Co.	Apr. 7, 1952	4,024	4,024	June 3, 1952	2,616	65	9
21128	Carolina Power & Light Co.	June 30, 1952	17,436	17,416	Oct. 8, 1952	11,320	65	100
23413	do	Nov. 24, 1952	13,175	13,175	Jan. 28, 1953	7,246	55	100
29557	do	May 12, 1955	17,925	17,803	July 21, 1955	11,571	65	125
30608	do	Oct. 4, 1955	22,500	22,450	Dec. 12, 1955	13,470	60	157
	Total		123,693	122,273		75,853		679

NORTH DAKOTA

26351	Montana Dakota Utilities Co.	July 30, 1953	$6,340	$6,080	Sept. 3, 1953	$3,040	50	25

OHIO

5284	Marietta Electric Co.	Mar. 21, 1951	$197	$197	June 22, 1951	$49	25	
5498	Cleveland Electric Illinois Co.	Mar. 22, 1951	13,935	13,935	Sept. 1, 1951	6,271	45	130
5463	Cincinnati Gas & Electric Co.	do	24,843	24,736	Dec. 28, 1951	8,658	35	100
5464	do	do	15,025	15,025	do	7,513	50	100
5899	Ohio Power Co.	Mar. 22, 1951	17,318	17,216	June 15, 1951	4,304	25	170
5902	do	Apr. 4, 1951	65,241	65,241	do	42,407	65	400
5025	do	do	5,052	5,019	do	2,259	45	
5031	do	do	14,394	14,320	do	9,308	65	
6358	do	Mar. 23, 1951	63	61	Mar. 14, 1952	18	30	
6360	do	do	208	208	Mar. 18, 1952	52	25	
9606	Cleveland Electric Illinois Co.	May 25, 1951	22	22	Sept. 2, 1955	7	30	
10449	Cincinnati Gas & Electric Co.	June 13, 1951	2,119	2,119	Apr. 14, 1952	1,377	65	
11601	Cleveland Electric Illuminating Co.	June 22, 1951	49,256	49,256	Sept. 2, 1955	27,091	55	303
12979	Ohio Edison Co.	July 21, 1951	32,120	31,879	Mar. 15, 1952	11,158	35	212
13842	Cleveland Electric Illuminating Co.	Aug. 17, 1951	589	589	Sept. 2, 1955	118	20	
13843	do	do	35	35	Mar. 17, 1952	9	25	
13844	do	do	27	27	Mar. 13, 1952	5	20	
13845	do	do	64	64	Sept. 2, 1955	13	20	
14068	Ohio Power Co.	Aug. 22, 1951	183	183	Feb. 18, 1952	73	40	
14704	Cincinnati Gas & Electric Co.	Sept. 28, 1951	20,420	20,385	Mar. 26, 1952	13,250	65	123
15701	Cleveland Electric Illuminating Co.	Nov. 8, 1951	606	606	Apr. 29, 1952	212	35	
16285	do	Nov. 15, 1951	28	28	Apr. 30, 1952	10	35	
16524	Ohio Power Co.	Dec. 13, 1951	61	61	Mar. 18, 1952	21	35	
16874	Cincinnati Gas & Electric Co.	Dec. 28, 1951	118	118	Apr. 30, 1952	47	40	

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OHIO—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
17278	Ohio Edison Co	Jan. 3, 1952	$47,749	$47,643	Mar. 31, 1952	$25,586	60	270
17812	Cleveland Electric Illuminating Co	Jan. 29, 1952	536	536	May 7, 1952	107	20	
18064	do	Feb. 7, 1952	51	51	Apr. 21, 1952	18	35	
18707	Ohio Power Co	Feb. 29, 1952	831	726	May 6, 1952	254	35	
18708	American Gas & Electric Service Corp	do	110	110	July 9, 1952	39	35	
18709	Ohio Power Co	do	602	581	July 15, 1952	233	40	
19064	Ohio Edison Co	Mar. 17, 1952	31	31	May 5, 1952	13	42	
20002	do	May 1, 1952	170	170	June 6, 1952	68	40	
20101	do	May 7, 1952	60	60	June 17, 1952	33	55	
20151	Ohio Power Co	May 9, 1952	316	316	June 10, 1952	126	40	
20152	Ohio Edison Co	May 12, 1952	2,061	2,048	do	614	30	
20156	do	do	764	751	June 25, 1952	225	30	
20692	Cleveland Electric Illuminating Co	June 5, 1952	183	183	Sept. 29, 1955	73	40	
20864	Ohio Power Co	June 20, 1952	344	344	July 7, 1952	189	55	
20971	Cleveland Electric Illuminating Co	June 23, 1952	29,312	28,709	Oct. 15, 1952	18,661	65	166
21056	Ohio Power Co	June 26, 1952	291	291	July 15, 1952	116	40	
22148	do	Aug. 26, 1952	357	345	Sept. 11, 1952	224	65	
22542	do	Sept. 24, 1952	946	810	Nov. 17, 1952	445	55	
23854	do	Dec. 18, 1952	245	245	Feb. 16, 1953	135	55	
24071	do	Dec. 31, 1952	3,464	3,464	June 25, 1953	2,251	65	
25231	do	Apr. 17, 1953	710	710	Apr. 24, 1953	390	55	
25503	Toledo Edison Co	May 11, 1953	28,412	28,412	June 8, 1953	18,468	65	125
25723	Ohio Power Co	June 2, 1953	14,891	10,944	July 8, 1953	3,830	35	120
25924	do	June 18, 1953	130	113	July 14, 1953	74	65	
26154	Ohio Power Co	July 9, 1953	1,455	1,146	Aug. 7, 1953	516	45	
26165	do	do	65,256	64,851	Aug. 25, 1953	42,153	65	200
26666	do	Sept. 15, 1953	3,862	3,862	Oct. 28, 1953	2,510	65	
27030	Cleveland Electric Illuminating Co	Nov. 2, 1953	342	342	Nov. 27, 1953	222	65	
28919	Ohio Power Co	Jan. 5, 1955	869	869	Apr. 7, 1955	391	45	
29472	Cleveland Electric Illuminating Co	May 4, 1955	1,342	1,332	June 14, 1955	866	65	
29915	Cincinnati Gas & Electric Co	June 29, 1955	23,343	23,343	Oct. 18, 1955	15,173	65	157
30285	Ohio Edison Co	Aug. 1, 1955	17,111	16,976	Dec. 15, 1955	5,942	35	90
30291	Cleveland Edison Illuminating Co	do	5,487	5,387	Nov. 9, 1955	3,502	65	
30370	Columbus Southern Ohio Electric Co	Aug. 9, 1955	30,015	30,015	Nov. 29, 1955	19,510	65	125
30405	Cleveland Electric Illuminating Co	Aug. 12, 1955	30,144	30,144	Nov. 1, 1955	19,593	65	200
30445	do	Aug. 19, 1955	7,630	6,775	Dec. 9, 1955	4,404	65	
30498	Ohio Power Co	Aug. 30, 1955	61,034	61,034	Nov. 29, 1955	36,620	60	450
30825	Cleveland Electric Illuminating Co	Nov. 29, 1955	5,672	5,672	Jan. 10, 1956	3,687	65	
30844	Ohio Power Co	Nov. 29, 1955	2,021	1,756	Feb. 2, 1956	1,142	65	
31020	do	Dec. 21, 1955	310	300	June 7, 1956	105	35	
31021	do	do	343	343	do	120	35	
31056	do	Dec. 27, 1955	533	533	do	187	35	
31127	do	Dec. 30, 1955	474	448	June 8, 1956	157	35	
31133	do	do	120	120	June 11, 1956	42	35	
31135	do	do	150	150	do	52	35	
31152	Ohio Edison Co	Dec. 29, 1955	76,980	46,151	June 24, 1956	16,153	35	170
32308	do	Feb. 25, 1957	2,524	2,524	Mar. 14, 1957	884	35	
32268	Ohio Power Co	Feb. 7, 1957	29,152	29,152	Mar. 26, 1957	10,076	50	
32223	Ohio Edison Co	Feb. 28, 1957	19,195	19,195	do	9,598	50	
32176	Cleveland Electric Illuminating Co	Dec. 26, 1956	27,471	27,471	do	13,735	50	
	Total		798,219	759,814		375,578		3,610
	OKLAHOMA							
15869	Public Service Company of Oklahoma	Nov. 6, 1951	$11,751	$11,751	June 20, 1952	$6,463	55	60
21737	do	July 31, 1952	9,008	8,974	Oct. 2, 1952	4,935	55	60
24237	Oklahoma Gas & Electric Co	Jan. 23, 1953	11,982	11,982	Apr. 22, 1953	7,788	65	105
29570	do	May 16, 1955	17,460	17,445	July 14, 1955	11,339	65	180
30905	do	Dec. 8, 1955	17,317	17,317	Feb. 14, 1956	11,256	65	150
31171	Public Service Company of Oklahoma	Dec. 31, 1955	48,719	48,719	Mar. 29, 1956	31,667	65	392
	Total		116,237	116,188		73,448		947
	OREGON							
1766	Portland General Electric Co	Jan. 22, 1951	$22,320	$22,260	Jan. 14, 1952	$14,469	65	103
12913	do	July 10, 1951	2,750	2,750	Dec. 7, 1951	1,375	50	15
18125	California Oregon Power Co	Feb. 11, 1952	37,820	36,873	May 14, 1952	23,963	65	193
24718	Portland General Electric Co	Mar. 3, 1953	4,300	4,294	Apr. 2, 1953	2,791	65	
30294	do	Aug. 1, 1955	4,250	4,250	Dec. 15, 1955	2,762	65	25
30295	do	do	13,300	13,300	Dec. 6, 1955	8,645	65	50
31080	California Oregon Power Co	Dec. 27, 1955	13,903	13,871	Feb. 29, 1956	9,016	65	80
	Total		99,143	97,598		63,021		471
	PENNSYLVANIA							
5005	Pennsylvania Power Co	Mar. 21, 1951	$13,207	$13,077	July 13, 1951	$4,577	35	85
6558	Pennsylvania Power & Light Co	Mar. 23, 1951	24,599	24,599	July 10, 1951	6,150	25	100
9637	Philadelphia Electric Co	May 17, 1951	45,000	44,200	Feb. 27, 1952	24,310	55	250
12042	do	June 14, 1951	2,520	2,520	Sept. 17, 1952	595	24	
12477	Pennsylvania Power & Light Co	June 25, 1951	36,907	36,907	Apr. 9, 1952	20,299	55	125
13627	do	Aug. 7, 1951	1,185	1,185	Mar. 19, 1952	415	35	
14438	Philadelphia Electric Co	Sept. 10, 1951	2,860	2,860	Feb. 27, 1952	1,573	55	
14998	do	Jan. 23, 1952	27,000	27,000	Mar. 26, 1952	14,850	55	150
15392	Pennsylvania Power & Light Co	Oct. 26, 1951	32,457	32,240	Apr. 30, 1952	14,494	45	133
16017	Pennsylvania Water Power Co	Oct. 31, 1951	1,193	1,193	Apr. 11, 1952	656	55	
16030	do	Nov. 1, 1951	13,591	13,591	Apr. 4, 1952	6,116	45	60
16211	West Penn Power Co	Nov. 26, 1951	20,332	19,023	July 22, 1952	9,512	50	125
16885	Pennsylvania Power Co	Dec. 28, 1951	58	58	June 23, 1952	17	30	
16886	do	do	80	80	Mar. 20, 1952	20	25	
16887	do	do	29	29	Apr. 30, 1952	12	40	
17147	West Penn Power Co	Jan. 2, 1952	669	664	Apr. 29, 1952	266	40	
17513	Philadelphia Electric Co	do	30,500	30,267	May 8, 1952	9,062	30	200

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

PENNSYLVANIA—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
17984	West Penn Power Co	Feb. 5, 1952	$558	$558	Apr. 3, 1952	$195	35	
20086	Pennsylvania Electric Co	May 6, 1952	39,876	39,776	July 15, 1952	20,483	51	260
20535	do	May 28, 1952	7,175	7,150	July 16, 1952	3,769	53	
20949	West Penn Power Co	June 19, 1952	1,491	1,491	July 24, 1952	671	45	
23288	Pennsylvania Power Co	Nov. 14, 1952	31	31	Jan. 15, 1953	11	35	
25219	do	Apr. 16, 1953	33	32	May 15, 1953	11	35	
25533	West Penn Power Co	May 13, 1953	580	565	July 6, 1953	226	40	
25543	Philadelphia Electric Co	May 14, 1953	8,466	7,685	July 3, 1953	2,305	30	
25728	West Penn Power Co	June 2, 1953	340	340	June 25, 1593	136	40	
26711	Pennsylvania Power & Light Co	Sept. 18, 1953	20,475	20,475	July 19, 1955	13,309	65	133
28380	West Penn Power Co	Aug. 19, 1954	373	368	May 8, 1956	129	35	
29911	Pennsylvania Power & Light Co	June 28, 1955	2,966	2,951	Oct. 20, 1955	1,918	65	
30331	West Penn Power Co	Aug. 3, 1955	26,346	26,260	Dec. 8, 1955	9,191	35	165
30399	Pennsylvania Power & Light Co	Aug. 10, 1955	4,210	4,210	do	2,736	65	
30484	Pennsylvania Power Co	Aug. 26, 1955	19,161	19,079	do	6,678	35	90
30720	West Penn Power Co	Nov. 2, 1955	1,747	1,747	Dec. 15, 1955	611	35	
31084	do	Dec. 27, 1955	690	690	Apr. 27, 1956	242	35	
31107	do	Dec. 29, 1955	475	475	do	166	35	
31116	do	Dec. 30, 1955	24,820	24,820	Feb. 14, 1956	13,651	55	165
31174	do	Dec. 27, 1955	485	485	May 4, 1956	170	35	
31175	do	do	400	400	May 17, 1956	140	35	
31176	do	do	530	525	May 3, 1956	184	35	
31179	do	Dec. 29, 1955	306	306	May 15, 1956	107	35	
31180	do	do	520	520	do	182	35	
	Total		414,241	410,347		190,145		2,031

SOUTH CAROLINA

7315	South Carolina Electric & Gas Co	Mar. 26, 1951	$8,371	$5,667	Feb. 29, 1952	$1,153	20	40
7516	do	do	260	260	do	52	20	
7518	do	do	1,254	1,254	do	251	20	
16329	do	Jan. 15, 1952	104	104	Mar. 19, 1952	21	20	
16892	South Carolina Generating Co	Dec. 28, 1951	24,103	24,048	Mar. 14, 1952	10,822	45	150
16893	South Carolina Electric & Gas Co	do	105	85	do	17	20	
16894	do	do	165	165	Feb. 29, 1952	33	20	
18804	do	Mar. 5, 1952	190	190	Jan. 6, 1953	95	50	
19288	do	Mar. 27, 1952	26	26	Apr. 29, 1952	10	40	
20754	do	June 9, 1952	225	225	July 16, 1952	101	45	
23365	do	Nov. 19, 1952	44	44	Jan. 5, 1953	20	45	
25827	South Carolina Generating Co	June 10, 1953	16,926	16,926	July 28, 1953	9,309	55	100
30956	South Carolina Electric & Gas Co	Dec. 13, 1955	34,571	34,571	Feb. 10, 1956	22,471	65	250
32112	do	Dec. 4, 1956	1,151	1,151	Feb. 6, 1957	633	55	
32113	South Carolina Generating Co	do	213	213	do	117	55	
	Total		87,708	84,919		45,105		540

SOUTH DAKOTA

6236	Northern States Power Co	Mar. 23, 1951	$3,320	$3,320	June 27, 1951	$830	25	20
22539	Black Hills Power & Light Co	Sept. 24, 1952	142	126	Nov. 12, 1952	71	56	
	Total		3,462	3,446		901		20

TENNESSEE

5930	Appalachian Electric Power Co	Apr. 4, 1951	$212	$212	June 15, 1951	$53	25	
20300	Knoxville Power Co	May 19, 1952	1,819	1,810	June 24, 1952	528	65	
30156	Kingsport Utilities, Inc	July 19, 1955	1,621	1,602	Oct. 20, 1955	1,041	65	
32293	Appalachian Electric Power Co	Feb. 19, 1957	760	760	Mar. 14, 1957	266	35	
	Total		4,412	4,384		1,888		0

TEXAS

5732	Southwestern Public Service Co	Mar. 22, 1951	$4,394	$4,394	June 27, 1951	$1,099	25	28
5733	do	do	264	264	do	66	25	
5734	do	do	217	217	do	54	25	
5886	do	do	16,779	16,510	Jan. 17, 1952	9,081	55	150
6383	West Texas Utilities Co	Mar. 23, 1951	141	141	Mar. 17, 1952	28	20	
12023	do	June 14, 1951	108	108	Mar. 18, 1952	22	20	
12892	El Paso Electric Co	July 9, 1951	465	444	Feb. 4, 1952	288	65	
15100	West Texas Utilities Co	Oct. 16, 1951	145	118	July 21, 1952	29	25	
15181	Central Power & Light Co	Oct. 19, 1951	5,231	5,231	May 22, 1952	2,092	40	30
15211	El Paso Electric Co	Oct. 24, 1951	1,591	1,575	Mar. 13, 1952	315	20	
15485	Southwestern Public Service Co	Oct. 31, 1951	7,127	7,093	May 8, 1952	3,901	55	50
15486	do	do	7,050	7,030	do	3,866	55	50
15593	West Texas Utilities Co	Oct. 27, 1951	4,400	4,375	May 29, 1952	2,406	55	30
15626	do	Oct. 30, 1951	3,954	3,954	do	2,175	55	30
16507	Texas Power & Light Co	Dec. 11, 1951	11,000	11,000	Apr. 22, 1952	6,050	55	60
17114	Milan Transmission Co	Jan. 7, 1952	1,000	1,000	May 20, 1952	850	85	
18209	Texas Electric Service Co	Feb. 14, 1952	7,500	7,500	Apr. 15, 1952	4,875	65	60
18210	do	do	15,000	14,167	Apr. 30, 1952	9,209	65	115
18256	Texas Power & Light Co	Feb. 15, 1952	2,599	2,599	Apr. 1, 1952	1,170	45	
18664	do	Feb. 29, 1952	12,650	12,650	Apr. 15, 1953	8,222	65	100
18675	do	do	3,912	3,912	do	2,543	65	
18767	Houston Lighting Power Co	Mar. 4, 1952	22,624	22,347	Apr. 14, 1952	13,308	60	200
18771	West Texas Utilities Co	do	914	914	June 13, 1952	366	40	5
18839	Southwestern Public Service Co	Mar. 5, 1952	1,209	1,209	May 7, 1952	665	55	
19054	Dallas Power & Light Co	Mar. 17, 1952	8,860	8,860	Apr. 15, 1952	5,759	65	60
19641	Gulf States Utility Co	Apr. 15, 1952	216	216	May 28, 1952	43	20	
20192	Southwestern Gas & Electric Co	May 13, 1952	6,887	6,884	July 10, 1952	3,786	55	40
20626	Southwestern Public Service Co	June 3, 1952	713	678	Jan. 9, 1953	203	30	
20627	do	do	756	756	July 18, 1952	416	55	

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

TEXAS—Continued

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
20664	Central Power & Light Co.	June 4, 1952	$185	$185	July 10, 1952	$102	55	
20847	do	June 13, 1952	231	231	July 7, 1952	81	35	
21597	West Texas Utility Co.	July 22, 1952	73	73	Aug. 15, 1952	40	55	
21599	do	do	101	101	Aug. 12, 1952	40	55	
21600	do	do	427	427	do	235	55	
22019	Central Power & Light Co.	Aug. 18, 1952	8,159	8,047	Nov. 26, 1952	3,621	45	60
22277	do	Sept. 4, 1952	1,529	1,447	Jan. 9, 1953	579	40	
22904	West Texas Utility Co.	Oct. 20, 1952	3,945	3,945	Feb. 20, 1953	2,170	55	30
23667	Central Power & Light Co.	Dec. 9, 1952	3,274	3,187	Feb. 2, 1953	1,275	40	
23958	Dallas Power & Light Co.	Dec. 30, 1952	11,100	11,100	Apr. 3, 1953	7,215	65	115
24205	Texas Power & Light Co.	Jan. 21, 1953	17,500	17,500	May 26, 1953	11,375	65	145
24300	do	Jan. 29, 1953	2,110	2,110	May 25, 1953	1,372	65	
24760	Southwestern Gas & Electric Co.	Feb. 27, 1953	8,610	8,610	Apr. 7, 1953	4,305	50	60
24837	Southwestern Public Service Co.	Mar. 13, 1953	12,850	12,850	May 12, 1953	7,067	55	110
24838	do	do	485	485	May 5, 1953	267	55	
24866	Houston Lighting & Power Co.	Mar. 17, 1953	16,300	16,070	May 21, 1953	10,445	65	125
24886	Southwestern Public Service Co.	do	371	371	May 4, 1953	204	55	
25445	West Texas Utilities Co.	May 5, 1953	816	816	July 3, 1953	245	30	5
25449	Central Power & Light Co.	do	6,927	6,927	June 29, 1953	3,810	35	60
25644	do	May 25, 1953	4,469	4,469	July 23, 1953	2,458	55	30
25818	Southwest Public Service Co.	June 9, 1953	565	565	July 10, 1953	311	55	
26724	Texas Electric Service Co.	Sept. 21, 1953	16,500	15,500	Oct. 14, 1955	10,075	65	165
29442	West Texas Utilities Co.	Sept. 29, 1955	137	112	June 2, 1955	62	55	
29507	Dallas Power & Light Co.	May 6, 1955	13,100	13,100	Nov. 9, 1955	8,515	65	125
29535	Houston Lighting & Power Co.	May 11, 1955	17,785	16,284	Oct. 14, 1955	8,956	55	156
29690	Texas Power & Light Co.	June 1, 1955	18,460	18,460	Oct. 18, 1955	11,999	65	155
29691	do	do	6,320	6,173	do	4,012	65	
30151	Texas Electric Service Co.	July 19, 1955	11,120	11,120	Oct. 20, 1955	7,228	65	
30230	Central Power & Light Co.	July 26, 1955	7,412	7,412	Mar. 15, 1956	4,077	55	60
30789	Houston Light & Power Co.	Nov. 16, 1955	14,390	14,390	Jan. 10, 1956	5,036	35	125
31077	Central Power & Light Co.	Dec. 27, 1955	1,710	1,710	Apr. 16, 1956	941	55	
31085	do	do	8,513	8,513	do	2,980	35	60
31093	do	do	450	450	July 29, 1956	248	55	
31094	do	do	494	494	Apr. 16, 1956	271	55	
31721	do	July 31, 1956	824	646	Aug. 24, 1956	226	35	
	Total		364,949	360,026		195,730		2,704

VIRGINIA

5928	Appalachian Electric Power Co.	June 4, 1951	$361	$361	June 18, 1951	$90	25	
5929	do	do	3,101	3,101	do	775	25	
5934	Virginia Electric Power Co.	Mar. 22, 1951	2,650	2,650	June 9, 1951	663	25	
5935	do	do	3,000	3,000	do	750	25	40
5936	do	do	9,862	9,200	do	2,300	25	60
5937	do	do	2,955	2,955	do	739	25	
5938	do	do	14,390	13,600	do	7,480	55	90
5939	do	do	2,200	2,200	do	1,210	55	
5941	do	do	17,300	17,100	do	9,405	55	90
5942	do	do	825	823	do	206	25	
6361	Applachian Electric Power Co.	Mar. 23, 1951	932	932	Mar. 14, 1952	280	30	
13040	American Gas & Electric Service Corp.	July 16, 1951	413	338	Mar. 17, 1952	84	25	
13075	Virginia Electric Power Co.	July 19, 1951	4,195	4,185	June 9, 1952	2,302	55	
13670	Appalachian Electric Power Co.	Aug. 9, 1951	601	508	Feb. 15, 1952	102	20	
15550	Northern Virginia Power Co.	Oct. 30, 1951	384	319	Apr. 28, 1952	64	20	
17288	Appalachian Electric Power Co.	Jan. 10, 1952	239	239	Mar. 31, 1952	48	20	
18544	Virginia Electric Power Co.	Feb. 28, 1952	60	60	do	33	55	
18545	do	do	170	170	do	76	45	
18546	do	do	1,300	1,300	June 25, 1952	585	45	
18547	do	do	14,500	14,500	Apr. 21, 1952	5,075	35	90
19145	Potomac Electric Power Co.	Mar. 21, 1952	16,000	16,000	Apr. 28, 1952	6,400	40	90
21866	Applachian Electric Power Co.	Aug. 7, 1952	209	209	Sept. 3, 1952	83	40	
23086	Virginia Electric Power Co.	Oct. 31, 1952	440	440	Nov. 28, 1952	198	45	
25451	do	May 5, 1953	15,200	15,200	June 16, 1953	5,320	35	100
25671	Potomac Electric Power Co.	May 27, 1953	14,000	14,000	July 28, 1953	5,600	40	90
26163	Appalachian Electric Power Co.	July 9, 1953	31,032	29,655	Sept. 28, 1954	19,282	65	200
26388	do	Aug. 4, 1953	3,268	3,268	Sept. 16, 1953	1,471	45	
29637	Virginia Electric Power Co.	May 23, 1955	750	650	Oct. 6, 1955	422	65	
29638	do	do	23,800	23,440	do	15,236	65	150
29692	do	June 1, 1955	21,500	21,500	Sept. 13, 1956	7,525	35	150
30797	do	Nov. 17, 1955	1,039	1,039	Jan. 10, 1956	623	60	
30798	do	do	23,800	23,800	do	14,280	60	150
30853	do	Dec. 2, 1955	629	627	Feb. 2, 1956	407	65	
30862	do	do	4,400	4,400	do	2,860	65	
30863	do	do	968	968	do	629	65	
30864	do	do	811	811	do	527	65	
30865	do	do	531	531	do	345	65	
30882	Appalachian Electric Power Co.	Dec. 6, 1955	720	720	Feb. 14, 1956	468	65	
30944	Virginia Electric Power Co.	Dec. 12, 1955	2,100	2,025	Mar. 23, 1956	1,316	65	
30976	Appalachian Electric Power Co.	Dec. 16, 1955	65,034	64,984	Feb. 29, 1956	42,239	65	450
31055	do	Dec. 27, 1955	967	967	May 1, 1956	338	35	
31125	do	Dec. 30, 1955	552	552	June 21, 1956	193	35	
31131	do	do	250	250	June 5, 1956	88	35	
31689	North Virginia Power Co.	July 16, 1956	530	530	Aug. 31, 1956	292	55	
	Total		308,178	304,117		153,409		1,750

UTAH

11907	Utah Power & Light Co.	June 29, 1951	$171	$171	Mar. 19, 1952	$68	40	
28468	do	Sept. 10, 1954	2,283	2,283	Jan. 3, 1955	1,826	80	
	Total		2,454	2,454		1,894		0

List by States of certificates of necessity issued for electric power facilities from the start of the program in 1950 through May 1, 1957—Con.

VERMONT

Tax amortization No.	Company	Date filed	Amount applied (thousands)	Amount certified (thousands)	Date certified	Amount amortized (thousands)	Percent certified	Kilowatts (thousands)
4907	Central Vermont Public Service Corp.	Mar. 20, 1951	$2,123	$1,988	July 20, 1951	$497	25	6
16184	do.	Nov. 26, 1951	2,300	2,300	Apr. 9, 1952	690	30	10
22085	Citizens Utilities Co.	Aug. 21, 1952	621	621	June 12, 1953	248	40	3
29404	do.	Apr. 22, 1955	87	87	June 2, 1955	35	40	
30555	do.	Sept. 14, 1955	400	400	Nov. 27, 1955	180	45	2
	Total		5,531	5,396		1,650		21

WASHINGTON

2617	Pacific Power & Light Co.	Feb. 9, 1951	$26,450	$26,170	June 9, 1961	$19,628	75	100
18860	Washington Water Power Co.	Mar. 6, 1952	155	143	Apr. 2, 1952	50	35	
30382	Pacific Power & Light Co.	Aug. 9, 1955	63,726	63,426	Dec. 8, 1955	41,227	65	303
31060	do.	Dec. 22, 1955	5,071	5,071	Apr. 9, 1956	3,296	65	50
	Total		95,402	94,810		64,201		453

WEST VIRGINIA

5275	Monongahela Power Co.	Mar. 21, 1951	$52	$52	June 22, 1951	$13	25	
5277	do.	do.	9,896	9,896	do.	2,474	25	75
5283	do.	do.	41	41	do.	10	25	
5898	Appalachian Electric Power Co.	Mar. 22, 1951	16,210	16,210	June 15, 1951	4,053	25	150
5901	do.	do.	61,511	60,987	do.	31,951	52	400
5927	do.	do.	2,814	2,814	do.	1,266	45	
7852	American Electric Service Co.	Apr. 4, 1951	231	231	Aug. 8, 1951	150	65	
7853	American Gas & Electric Service Corp.	do.	345	345	July 13, 1951	224	65	
12868	do.	July 2, 1951	119	119	Feb. 15, 1952	24	20	
14127	Potomac Edison Co.	Aug. 27, 1951	13,398	13,337	Mar. 26, 1952	5,335	40	60
14128	Monongahela Power Co.	do.	14,022	14,022	do.	5,609	40	60
14157	Appalachian Electric Power Co.	Aug. 29, 1951	184	184	May 7, 1952	65	35	
15054	American Gas & Electric Service Corp.	Oct. 11, 1951	89	89	Feb. 14, 1952	18	20	
15549	Potomac Light & Power Co.	Oct. 30, 1951	54	26	Apr. 30, 1952	5	20	
15594	Monongahela Power Co.	do.	128	119	May 7, 1952	48	40	
17512	Appalachian Electric Power Co.	Dec. 28, 1951	68	60	Mar. 31, 1952	24	40	
17655	Monongahela Power Co.	Jan. 24, 1952	44	38	May 7, 1952	15	40	
18706	Appalachian Electric Power Co.	Feb. 29, 1952	1,432	1,312	May 28, 1952	525	40	
18713	do.	do.	75	75	July 15, 1952	30	40	
18714	do.	Apr. 22, 1952	174	174	June 23, 1952	69	40	
20450	Potomac Light & Power Co.	May 23, 1952	1,646	1,223	June 26, 1952	611	50	
20520	Wheeling Electric Co.	May 27, 1952	97	92	July 2, 1952	32	35	
20650	West Penn Power Co.	June 4, 1952	234	234	do.	93	40	
20948	Monongahela Power Co.	June 19, 1952	17,082	16,682	July 18, 1952	7,507	45	125
21299	Wheeling Electric Co.	July 8, 1952	74	64	Aug. 1, 1952	22	35	
23187	do.	Nov. 7, 1952	472	466	Feb. 5, 1953	163	35	
23855	Appalachian Power Co.	Dec. 18, 1952	245	245	Feb. 16, 1953	135	55	
24069	do.	Dec. 31, 1952	8,335	8,215	June 4, 1953	5,340	65	
26567	Ohio Power Co.	Sept. 1, 1953	527	227	Oct. 28, 1953	102	45	
26568	Appalachian Power Co.	do.	410	176	do.	79	45	
27846	Wheeling Electric Co.	Apr. 13, 1954	485	485	Oct. 11, 1955	170	35	
28655	Monongahela Power Co.	Oct. 29, 1954	570	570	Mar. 29, 1955	256	45	
29219	Appalachian Electric Power Co.	Mar. 15, 1955	1,166	1,166	Apr. 13, 1955	758	65	
29733	Ohio Power Co.	June 7, 1955	284	284	Aug. 15, 1955	185	65	
29734	Appalachian Electric Power Co.	do.	1,059	1,059	do.	688	65	
30154	Indiana-Michigan Electric Co.	July 19, 1955	83,318	83,318	Oct. 14, 1955	54,156	65	450
30497	Appalachian Electric Power Co.	Aug. 30, 1955	71	71	Dec. 8, 1955	43	60	
30943	Potomac Edison Co.	Dec. 12, 1955	610	610	Apr. 9, 1956	335	55	
30952	Ohio Power Co.	Dec. 13, 1955	30,792	30,792	Feb. 14, 1956	20,015	65	225
30953	Wheeling Electric Co.	do.	1,995	1,995	do.	1,297	55	
31039	Monongahela Power Co.	Dec. 22, 1955	512	512	Feb. 27, 1956	179	35	
31040	do.	do.	490	490	Feb. 10, 1956	172	35	
31041	do.	do.	546	546	do.	191	35	
31042	do.	do.	294	294	Feb. 14, 1956	103	35	
31043	do.	do.	320	320	do.	112	35	
31044	do.	do.	53	53	do.	19	35	
31045	do.	do.	225	225	do.	79	35	
31046	do.	do.	171	171	Mar. 23, 1956	60	35	
31128	Appalachian Electric Power Co.	Dec. 30, 1955	300	300	June 8, 1956	105	35	
31132	do.	do.	554	554	June 7, 1956	194	35	
31690	Potomac Light & Power Co.	July 16, 1956	2,525	2,525	Aug. 31, 1956	1,389	55	
32129	Monongahela Power Co.	Dec. 7, 1956	271	271	Feb. 6, 1957	129	55	
	Total		276,620	274,366		146,627		1,545

WISCONSIN

10189	Wisconsin Electric Power Co.	June 7, 1951	$25,142	$25,142	Feb. 15, 1952	$8,800	35	120
14916	Lake Superior District Power Co.	Oct. 2, 1951	3,342	3,245	Mar. 18, 1952	973	30	20
16016	Wisconsin Power & Light Co.	Oct. 30, 1951	13,297	13,247	May 27, 1952	7,286	55	60
21547	do.	do.	3,802	3,795	Feb. 29, 1952	2,087	55	
22153	Wisconsin Electric Power Co.	Aug. 26, 1952	21,268	20,893	Dec. 23, 1952	8,157	40	120
24959	Northern States Power Co.	Mar. 23, 1953	1,565	1,565	May 6, 1953	626	40	
23805	Wisconsin Power & Light Co.	Dec. 16, 1952	11,000	11,000	Mar. 24, 1953	6,050	55	60
	Total		79,416	78,984		33,979		380

WYOMING

30383	Pacific Power & Light Co.	Aug. 9, 1955	$22,950	$22,950	Dec. 15, 1955	$14,918	65	100

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MURRAY. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to say, first, that I did not want a perfectly good argument to go on without having a chance to get into it. Secondly, I noticed there was a comment made to the effect that the Idaho Power Co. said this project would not cost the Government a dime. I think that is true. It has cost the Government $83 million. There is no dime involved, unless it is the cost of a special-delivery letter.

Also, I wish to say I think it is very well that the list of the utilities has been placed in the RECORD showing the companies that have had the privilege of tax writeoffs. It will be found that those companies have shared very generously in tax writeoffs, but there is a little difference between utilities that have to rely, for example, on steam production, or power from coal or oil or gas, and those that have hydroelectric plants, because a hydroelectric site such as on the Snake River or Hells Canyon is a God-given natural resource that belongs to the people, but an electric production unit that is built near Philadelphia or Detroit or New York City, where there is no hydroelectric facility, where there is no public-owned coal mine or gas well, is an entirely different proposition.

I am glad there was put into the RECORD the list of companies which have not had to pay taxes, because one way to reduce taxes is to have some people pay the taxes they ought to pay.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MANSFIELD. Sitting in the Chamber at the present time is the distinguished chairman of the Senate Finance Committee, who had requested that there be no further fast tax writeoffs until his committee had a chance to look into this matter. His distinguished colleague, the junior Senator from Virginia [Mr. ROBERTSON], who is on the Banking and Currency Committee, had made a similar request. So I think we should look into this matter.

As to the list which the Senator from Utah put into the RECORD, showing all the utilities which have received the fast tax writeoff, I think it was a good idea to put the list in the RECORD. I think people ought to know about it, and one way is to publicize it. I think the senior Senator from Montana did exactly the right thing in agreeing that the list of the Senator from Utah be printed in the RECORD.

Mr. MURRAY. Mr. President, I yield the floor.

INTEREST CHARGES ON CERTAIN DEPOSITS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 601) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund which were, to strike out all after the enacting clause and insert:

That section 4 (e) of the Civil Service Retirement Act, as amended, is amended by adding at the end thereof the following: "No interest shall be charged for any period of separation from the service which began before October 1, 1956."

SEC. 2. Section 403 of the Civil Service Retirement Act Amendments of 1956 (70 Stat. 760; 5 U. S. C. 2251, note) is amended by adding at the end thereof the following sentence: "The beginning date of the annuity of the surviving widow of any Member described in the immediately preceding sentence who shall have died on or after January 1, 1957, shall be the first day of the month in which such member shall have died or the first day of the month in which this sentence is enacted, whichever day occurs later.".

SEC. 3. The amendment made by the first section of this act shall take effect as of October 1, 1956.

And to amend the title so as to read: "An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes."

Mr. JOHNSTON of South Carolina. Mr. President, I move that the Senate concur in the amendments of the House.

Mr. WATKINS. Mr. President——

Mr. JOHNSTON of South Carolina. I have already cleared this with everybody having an interest. I cleared it with the Senator from California [Mr. KNOWLAND] and the Senator from Kansas [Mr. CARLSON].

Mr. WATKINS. The Senator desires to have that fact in the RECORD, that he has cleared this matter?

Mr. JOHNSTON of South Carolina. I have cleared it with the majority and with the minority, and also with the ranking minority member of the Committee on Post Office and Civil Service.

The bill was reported by the committee and passed by the Senate. When the bill went to the House, the House passed the bill but added an amendment relating to the survivorship benefits of widows of certain former Members of the House.

Mr. WATKINS. What is the effect of the amendment?

Mr. JOHNSTON of South Carolina. The amendment makes the monthly benefits available at once instead of at age 50. A similar change was made recently with respect to the survivalship benefits of certain former Members of the Senate. The effect of the amendment is to establish an equitable result.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. CARLSON. The amendment of the House would amend the bill the Senate passed setting the date of October 1, 1956, as it related to widows of Members of Congress who had passed away, and the fact that they did not have to attain the age of 50 or have minor children in order to receive these benefits.

As has been mentioned, for the widows of Members of Congress passing away after October 1, 1956, there would have been no question. The bill will affect only 1 or 2 persons. I sincerely hope it will be approved by the Senate.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from South Carolina.

The motion was agreed to.

CONSTRUCTION OF HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. CHURCH obtained the floor.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Oregon.

Mr. NEUBERGER. I know that the address about to be made will represent the first major address delivered by the distinguished junior Senator from Idaho during his career in the Senate, and I believe there should be a quorum call prior to its presentation. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. NEUBERGER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHURCH. I speak today with a heavy heart. I rise to urge the passage of the Hells Canyon bill, knowing that the position I must take is at odds with the viewpoint of many of my constituents in Idaho. This is the first occasion I have taken to speak at length on the floor of the Senate. Would that my cause were not torn by controversy at home so that I might feel strengthened in the knowledge that my advocacy today enjoyed the undivided support and general approbation of my beloved State.

But I must speak of facts, Mr. President, and it is a regrettable fact that the pending measure has divided the people of Idaho into hostile camps; it is a regrettable fact that a determined and resourceful indoctrination campaign has been waged against this bill, and many in my State have been taught to believe that the Hells Canyon Dam is a threat to Idaho. Fears have been cleverly exploited. Partisanship has been permitted to distort the real issues at stake. Groundless scare arguments have been relentlessly repeated. Indeed, Mr. President, some have been deluded to the point where they now assert that the future development of our great public rivers can safely be entrusted only to private interests.

Who will deny the effectiveness of this campaign? It has penetrated into the highest councils of the Government. It has broken the long tradition, honored from the days of Theodore Roosevelt, of bipartisan support for comprehensive Government development of our great rivers—a tradition that has served the people well and contributed much to the building of the West.

Mr. President, the mischief of this campaign is that it extends far beyond the proposed Hells Canyon Dam. The

bill before us is a battleground that has summoned forth all the special interests who would obstruct public development of our natural resources. This is the test case. The arguments now urged against the Hells Canyon Dam can be later urged with equal force against any proposed Government dam wherever it may be located. Should these arguments prevail, grave will be our injury, for much of our precious water will be wasted, and the future growth of the West itself imperiled. This is our last chance to undo the wrong now being worked in Hells Canyon. So I plead with the Senate, especially with my Republican colleagues across the aisle, to set aside partisan considerations and solemnly reappraise the arguments that have been urged upon us against this bill.

These arguments I would summarize as follows:

I. THE "CONGRESS OUGHT NOT TO MEDDLE" ARGUMENT

We are told, Mr. President, that Congress ought not to intervene in Hells Canyon, because the Federal Power Commission, after lengthy hearings, has approved the plan of the Idaho Power Co. for development of this crucial stretch of the Snake River; that this plan meets the test of comprehensive development imposed by the law, since the licenses issued to Idaho Power have been upheld by the courts.

I submit that this argument is misleading. It is at most a recital of past history. The issue before the Congress is very different from that which faced the Federal Power Commission or the courts. We must decide which is the best development for the people at the Hells Canyon site; whether it is a single high dam, as proposed in the pending bill, or the three lower dams, as provided in the licenses issued. No such decision confronted the Federal Power Commission. It was never called upon to choose between these alternative plans. When this administration ordered the Interior Department to withdraw from the proceedings before the Commission, back in May of 1953, its endorsement of the Hells Canyon Dam as an alternative to the plan offered by the Idaho Power Co., was likewise withdrawn. The only decision really left to the Commission was either to approve or reject the application of a private utility to build three power dams in the Hells Canyon.

To be sure, there are many of us who felt that the Commission ought to have rejected the application, since the law prescribed that the Commission should grant licenses only for dams best adapted to a comprehensive plan for improving or developing a waterway (see title 16 United States Code, section 803), and we had come to believe that the comprehensive plan adopted for the Columbia-Snake River Basin was that embraced by the historic 308 report of the Army engineers. Previously, this master plan had been adhered to, and it called for construction of a single, high dam in the Hells Canyon. However, the Commission determined that it was free to depart from any given master plan, and that it might issue valid licenses to the Idaho Power Co. The courts have now confirmed this determination by declaring lawful the licenses issued to the private utility. But neither the courts, nor the Commission, have, at any time, been called upon to decide between a high Government dam, of the kind contemplated in the bill now before the Senate, and the three dams licensed to be built by Idaho Power. Indeed, the Commission's own examiner, who presided over the extended hearings, expressly excluded the Hells Canyon Dam from consideration, upon the theory that Congress would not approve it, even though he found that * * * "the high dam would be dollar for dollar the better investment and the more nearly ideal development of the Middle Snake." (See page 55, opinion of Federal Power Commission examiner, William J. Costello, rendered May 6, 1955.)

So, Mr. President, it simply makes no sense to say that Congress ought not to substitute its judgment for that of the Federal Power Commission and the courts. We face an entirely different issue here. We alone have the opportunity of selecting between two alternative plans for the development of the Hells Canyon reach of the Snake River. Ours is the duty to choose that plan which best promotes the interests of the people.

II. THE SPARE-THE-TAXPAYER ARGUMENT

Mr. President, how often we have read, in expensive advertisements paid for by those of us who buy our electricity from private utilities, that the Idaho Power Co. should be allowed to build its three dams in the Hells Canyon, because these will be financed without any cost to the taxpayer. From the first days, this theme has figured large in the arguments of those who favor the private dams. The theme was stressed in the opening statement of Mr. Pat Parry, counsel for the Idaho Power Co., at the FPC hearings, on July 7, 1953, when he described the applicant's plan in these words:

> The overall project encompassed in the three plants is by no means a small one. The applicant is here before you asking the privilege of constructing, solely with its own money and without one cent of cost to the taxpayers of the United States, a great multipurpose project, along with an integrated hydroelectric project of large capacity.

It is plain that the Federal Power Commission was heavily influenced by this argument, for in its opinion No. 283, which accompanied its decision to issue licenses to the Idaho Power Co., there will be found the following statements:

> However, under existing law, these public purposes will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity.
>
> Development by applicant of the Hells Canyon reach of the Snake River would provide 1 million acre-feet of flood-control storage and the required streamflow regulation in aid of navigation on the lower river at no cost to the United States.

Mr. President, nearly 2 years before this opinion was rendered, the Idaho Power Co. had applied for rapid writeoff tax amortization certificates on these very projects. The certificates have now been issued, and the myth that the private dams in Hells Canyon will cost the taxpayers nothing is at last exposed. What will be the cost to the taxpayers for just 2 of the 3 private dams? I can cite no more authentic figures than those given to the Senate Antimonopoly Subcommittee, on May 31, 1957, by Russell C. Rainwater, chief accountant for the Federal Power Commission, the same agency, if you please, that earlier had given such easy assurances that the private dams would entail no cost whatever to the taxpayers of the country. Mr. Rainwater now testifies that the cost to the taxpayers on just 2 of these 3 private dams will be $83,595,827.

I ask, Mr. President, What it is that the taxpayers will buy with this immense public subsidy? A four-fifths part, as Mr. Rainwater computes it, of the Oxbow and Brownlee Dams? Oh, no, indeed! However large the price to the taxpayer, he will get nothing for it—not a single penstock or headgate—no interest at all in the dams, no return at all for his money. If this is not giveaway, what else could it be?

I am astonished at the effort made in the minority views to somehow gloss over this giveaway of tax money upon the theory that the private dams will generate electricity which may be useful for national defense purposes. Since when has this been an excuse for special tax privileges? The young men of the country who are drafted into our armed services each year and the women who volunteer are certainly useful to our national defense. We do not give them any tax concessions. Our farmers are producing food and fiber, just as useful as electricity in times of war for the sustained defense of our country. Yet we make no special tax concessions, on this account, to the farmers. What, may I ask, is not useful, in one way or another, to national defense? Precious little! How extraordinary, then, is this attempt to excuse an enormous tax concession by the artifice that electricity may be useful to national defense.

Yes, I am fully aware that the law permits the Office of Defense Mobilization to authorize rapid tax writeoff privileges for certain designated taxpayers. This law was first enacted during World War II, and reenacted during the Korean war, for the single purpose of encouraging the investment of risk capital in needed warplant expansion. Providing an inducement to investors who would risk their capital for uses specialized to the emergency needs of war was the public purpose sought to be served by this provision in the law. The peculiar wartime conditions that might have once justified a liberal application of this provision have long since disappeared. Moreover, as the distinguished Senator from Virginia [Mr. BYRD] has pointed out, these special tax privileges, in principle, ought never to have been extended to private utilities, because private utilities do not have the kind of problem that faces ordinary businesses in attracting risk capital. Private utilities are licensed to operate as monopolies, and are guaranteed their profits by law. To those apologists who have rationalized that, since other utilities have been granted such tax concessions in the past, the Idaho Power ought to get them now, a complete answer is readily found in the old axiom, "Two

wrongs do not make a right." Yet we need not rest content even with this answer. In the past, the standard for granting special writeoff privileges to private utilities has included the requirement that the project be one planned for the purpose of creating excess capacity in the company's system. Such has been the tenuous basis for relating these tax concessions to the public interest. But even this element is lacking in the Idaho Power case. Listen to the words of the administration's own Secretary of the Interior, Mr. Seaton, when he wrote to the Director of the Office of Defense Mobilization, on March 11, 1957, recommending against the granting of these special tax benefits:

In my view the record before the Commission is clear that the company has never established any basis of need for the financial assistance provided by accelerated tax amortization. Furthermore, I am convinced by the record that the hearings before the Federal Power Commission establish that these hydroelectric projects were not planned for the purpose of creating excess capacity in the company's system, which has been a critical factor in the granting of tax amortization certificates.

Accordingly, I recommend that you deny issuance of the accelerated tax amortization certificates requested by the Idaho Power Co.

Is it any wonder that the distinguished Senator from Virginia [Mr. BYRD] has branded the granting of these certificates an inexcusable act. Time and time again we have asked, What public interest is being served by this gigantic tax concession? We still wait for an answer. There is no answer. The country's taxpayers are being used, without excuse, to shoulder most of the cost for a private development of their own river in which they will not share.

III. THE FREE ENTERPRISE ARGUMENTS

Mr. President, perhaps the most familiar of all the arguments against the pending bill are those which seek sanctuary beneath the many-canopied tent of free enterprise. These are the arguments of greatest appeal to the dogmatists among us who believe in a doctrinaire approach to the solution of all public problems. This same doctrinaire approach has been the curse of European politics. Fortunately, we have largely escaped it here in America, having insisted upon realism in dealing with our problems. Faced with a given question, we have applied pragmatic tests in seeking its solution; we have asked ourselves, "What are the facts? How can this particular problem be solved in a way that will best serve the interests of the people at large?" Thus we have built a rich and mighty Nation, the inhabitants of which share in the general wealth more equitably than in any other country in the world. We should appraise the bill now before us in the same pragmatic way. But the objections voiced against this bill which bear the label free enterprise have been flaunted so incessantly before us, that it is necessary to pause and examine them.

One. The favor-free-enterprise-over-Government argument: Mr. President, the first argument in this particular category can be summed up in the familiar slogan, Government ought not to do for business what business can do for itself.

It was this argument which was voiced a few moments ago by the distinguished Senator from Utah. Insofar as this sentiment states a general principle, I have no quarrel with it. I would apply it even in the field of the generation and sale of hydroelectric power, where we permit water in our public rivers, belonging to the people at large, to be used by private companies for the generation of privately owned electricity to be sold for private gain. My views in this regard, I confess, are very moderate, as compared to those held by an illustrious predecessor of mine, once known to the country as the "Lion of Idaho," the late William E. Borah. He believed that our water power ought to be exclusively developed under public ownership. On September 19, 1918, Borah said on this floor:

Water power is monopolistic in its nature, and therefore lends itself to artificial monopoly. In determining upon a system of development this fact should not be forgotten * * *. It is sufficient that we know that in the very nature of things we are to have either a monopoly owned and controlled by the Government or public authority or owned and controlled by private interests tempered by supposed regulation. Some effective and drastic policy, therefore, of either public ownership or public control is undoubtedly elemental in the framing of any plan or scheme to deal with this subject matter. I am for public ownership and control. I have come to this conclusion after years of study rather slowly. But to my mind there is no alternative if we are going to dedicate this great beneficence to the people as a whole. (CONGRESSIONAL RECORD, September 20, 1918, p. 11438.)

I do not hold with Borah that private utilities should be denied the use of our rivers for generating their own power. To be sure, private utilities do not constitute free enterprise in the true sense of the term. They normally face no competition in the sale of electricity within the areas they serve. They are, rather, licensed monopolies. But I believe the rates they charge can be effectively regulated in the public interest, and I am persuaded that they will continue to generate and market the bulk of our electricity in the years to come.

By the same token, Mr. President, I do not hold with those who would put an end to the construction of Government dams where public power can be generated. Public power has a great role to play in the future of the Northwest. It is a key to progress there. For the Northwest is a land where men can still stretch; our mountains jut high into the sky; our rivers run fast and clear; we have canyons that cut, like a giant's trough, so deep that the river they channel lies in shadow through most of a summer day. And there are unique natural dam sites in these canyons which call for dams big enough to match their great dimensions. At these crucial sites, the Government must continue to build multipurpose storage dams of the type that will make maximum use of the potential to be found there. Such a site is Hells Canyon, the choicest undeveloped dam site left on the North American continent. If we permit its underdevelopment by the private dams now licensed to be built there, we shall send a flood of unstored water wasting to the sea.

Mr. President, whenever a controversy exists over a proposed dam, the first question to be asked is whether the dam is right for its site. The primary reason I favor the Hells Canyon Dam is that it is right for its site. If private interests proposed to build the Hells Canyon Dam, as was pointed out by the distinguished Senator from Washington, then it might be urged with relevance that construction by "free enterprise" should be preferred to construction by the Government. But this is not the case. Private interests propose to substitute lesser dams in place of the single high dam called for by the site. Thus the argument is rendered empty and senseless.

Why is it that the Idaho Power Co. did not propose to build the Hells Canyon Dam? I have been asked the question: If 1 high dam is preferable to 3 smaller dams, why did not the Idaho Power Co. propose to build such a dam? There should be no misunderstanding on this point.

The Hells Canyon Dam has dimensions to provide multipurpose benefits of a type that cannot be marketed. The high dam is designed to create greater storage for more effective flood control. This is a priceless benefit to the people, but there is no market for flood control. The larger reservoir can be utilized to improve navigation by better regulating the flow of the river downstream, but improved navigation represents a benefit for general use that cannot be sold.

The Idaho Power Co. is engaged in just one business—the sale of electricity for profit. A Hells Canyon Dam will not produce enough more electricity at its site, as compared to the total combined production of the three smaller dams, to justify the difference in cost for purposes of private investment.

Of course, the electricity produced at the dam site itself is just half the picture. A high Hells Canyon Dam, because of its larger storage capacity, can release water through the year in such a way as to firm up the flow of the river below it, so as to augment the power produced at the generators downstream. This is what makes the Hells Canyon Dam so prudent an investment for the Government, which can correlate its function with that of the Government's installed generator facilities downstream. Yet, for just the opposite reason, the Idaho Power Co. cannot justify the building of a Hells Canyon Dam, because that company has no generating facilities to be benefited downstream. The company must look to its own interests first—this Senate must look to the public interest first. We are not faced with a choice between Government or private construction of a given project. We are faced with a choice between two plans for the development of the vital Hells Canyon reach of the Snake River, a private plan of inadequate development that will waste a precious resource, or a public plan of full development that will assure the people that they

and their children after them shall have the maximum use and benefit of Hells Canyon.

First. The private-dams-are-taxable argument: Another tenet of these free enterprise arguments is that the private dams in Hells Canyon should be favored over a Government dam, because the Idaho Power Co. is a taxpayer, while the Government is not. Again, we are furnished an appealing package, but one empty of content when opened. The taxes paid by the Idaho Power Co. are really collected from its customers. Taxes are always actually borne by the ultimate consumer. In this case, the ratepayers from whom the company collects each month, pay Idaho Power's taxes to local, State, and National Governments. Accurately speaking, the Idaho Power Co. is a tax collector. Why should such a status entitle it to special favor in the development of our public rivers?

It is true, of course, that the two counties—Washington County in Idaho and Baker County in Oregon—will derive a windfall in ad valorem tax benefits, should the proposed private dams be built. Such tax consequences, if candidly examined, must be found inequitable, since all of the rate payers scattered throughout the entire area served by the company are compelled to pay the property tax assessed upon the dams, while the tax money itself is largely retained by the two counties in which the dams happen to be located.

Still, Mr. President, even if I were a resident of Washington County who concerned himself solely with the county's own best interests, I would prefer to see a Hells Canyon Dam built by the Government, on which no property tax could be imposed, than the three private dams now licensed. Anyone who has witnessed the vast pilgrimage of tourists who come each year to see Grand Coulee, Hoover, Bonneville, or Shasta will appreciate what a singular blessing these great dams are to the people who live in the gateway communities located nearby. Why, the Hells Canyon Dam, once built, would constitute a wonder of the modern world. From all parts of America, people would come in an endless cavalcade, to visit this spectacular dam arched against a mighty river at the bottom of the continent's deepest gorge. The influx of tourist money coming freely to the residents of Washington County would far outweigh, even in terms of local taxes ultimately to be realized, any windfall benefit from the ad valorem taxes assessed against the three private dams.

It matters not, Mr. President, from what perspective one views these tax arguments, they always add up to nothing. I later will cite figures to show how the great Government dams in Washington and Oregon have brought new wealth to the people of the Northwest, and how my own State has failed to share in this expansion. In the wake of these dams, new industry has come, fertile farmland has been reclaimed from the desert, and many new communities have sprung up where countless private businesses now flourish. Government dams like the one provided for in this bill have supplied a fresh horizon of new opportunities for free enterprise in the Northwest, a lucrative source for taxes to State and local governments many times over the limited revenues ever to be realized from the taxes on all the private dams combined.

Second. The private-dams-will-cost-less argument: Last among the free enterprise protests against the pending bill is the argument that the private dams should be favored because they will cost less to build than a Hells Canyon Dam. The comparative construction cost of the two plans for development is stressed, for example, in the minority views which sets the at-site cost for the Hells Canyon Dam and transmission system at $477 million, as compared to $154 million for the private dams, from which the minority concludes that private development is eminently justifiable from an economic standpoint. See table and text of committee report, pages 88 and 89.

Now I ask, Mr. President, when plans are drawn to build a dwelling house, who is most concerned about its cost? Naturally, the buyer. The same is true with the dams here in question. It matters not whether three private dams are built in Hells Canyon, or one Federal dam is built there. The same two groups of people will pay the bill in either case: the taxpayers at large, and the consumers who buy the electricity generated by the dams.

If the Hells Canyon Dam is built, all but $55 million of its total cost will be repaid to the Treasury, with interest, from power revenues. The $55 million represents that part of the total project cost allocated to flood control, navigation, and other nonreimbursable benefits.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. CHURCH. I am glad to yield.

Mr. MAGNUSON. I feel certain the Senator from Idaho will not mind having placed in the RECORD at this point recent figures, right up to date, as a matter of fact, as of June 1, 1957, showing the return of the power capital investment in the Columbia River Power System, compiled by the Bonneville Power Administration. They are the latest figures on the return, and they might be very interesting to some of us, including our friend, the distinguished senior Senator from Alabama [Mr. HILL], who participated in the establishment of the Bonneville project. Time goes fast. The Bonneville Dam is already 41 percent paid off, with interest, to the United States Government. The figures are very interesting.

Mr. CHURCH. I thank the Senator from Washington. I hope he will place the figures in the RECORD at this point in my remarks.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a table entitled, "Columbia River Power System, Return of Power Capital Investment," be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Columbia River power system—Return of power capital investment (operating projects only), June 30, 1956

Projects	Power capital investment [1]	Repaid as of June 30, 1956	Percent repaid	Net power investment [1]
Bonneville Power Administration	$412,098,423	$103,597,391	25.14	$308,501,032
Bonneville Dam	59,839,067	24,662,894	41.22	35,176,173
Columbia Basin	207,000,732	51,972,069	25.11	155,028,663
Hungry Horse	87,502,575	4,783,408	5.47	82,719,167
Albeni Falls	30,549,396	641,061	2.10	29,908,335
McNary	272,972,262	12,843,739	4.71	260,128,523
Detroit-Big Cliff	41,905,270	2,044,687	4.88	39,860,583
Lookout Point-Dexter	41,542,590	1,033,352	2.54	40,489,238
Chief Joseph	131,848,105	455,850	.35	131,392,255
Chandler	3,494,519	121,670	3.48	3,372,849
Total	1,286,752,939	202,176,121	15.68	1,086,576,818

[1] Exclusive of unexpended funds in U. S. Treasury.

Columbia River power system—Condensed summary of revenues and expenses (commercial power operations only)

	Fiscal year 1955 [1]	Fiscal year 1956	Cumulative total to June 30, 1956 [2]
Operating revenues	$52,066,482	$60,992,623	$462,805,892
Expenses of operation, maintenance, etc	13,101,399	14,865,909	123,526,606
Provision for depreciation	14,883,907	18,539,972	101,347,677
Interest expense	17,610,739	21,691,302	137,702,338
Miscellaneous deductions, net	(80,589)	(53,153)	1,483,664
Total deductions	45,515,456	55,043,211	364,060,285
Net revenues	6,551,026	5,949,412	98,745,607

[1] The data for 1955 have been adjusted from the figures previously reported to reflect accounting changes adopted by the General Accounting Office auditors in 1956 in order to restate results for 1955 on a basis comparable with 1956. The changes were of a bookkeeping nature affecting the cost accounts but they have no effect on the rate levels or payout accounts.

[2] The cumulative totals have been adjusted to reflect all accounting adjustments applicable to prior years' operations.

( ) Denotes increase.

Columbia River Power System—Source and disposition of revenue dollar (commercial power operations only), fiscal year 1956

SOURCE	
Aluminum industry, 32.96 percent	$20,098,110
Other industry, 13.42 percent	8,186,874
Publicly owned utilities, 31.98 percent	19,505,231
Privately owned utilities 19.67 percent	11,999,475
Other electric revenue, 1.97 percent	1,202,933
DISPOSITION	
Depreciation expense, 30.40 percent	18,539,972
Net revenue,[1] 9.75 percent	5,949,412
Operation and maintenance expense, 24.29 percent	14,811,937
Interest expense, 35.56 percent	21,691,302
Total revenue	60,992,623

[1] Before adjustments applicable to prior years.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. MORSE. Before I ask my question, I should like the Senator from Idaho to permit me to say that I have read his speech. Not only do I commend him for a fine speech, but without any disparagement of other speeches, I wish to say that I think it constitutes the keenest analysis of the Hells Canyon Dam issue which has ever been made on the floor of the Senate.

Mr. CHURCH. I thank the Senator from Oregon; he is very generous.

Mr. MORSE. I am perfectly willing to rest our case on the speech of the Senator from Idaho. I commend the Senator most highly not only for the grand job he is doing in behalf of the people of Idaho, Oregon, Washington, Montana, and other Western States, but also for the great work he is doing this afternoon in the interest of the history of natural-resource legislation for generations to come—for many decades to come.

Having said that, I wish to ask the Senator a question in regard to a statistic he just used. He pointed out that the Hells Canyon Dam will be paid for by revenues derived from the profits from power which will be generated and sold to the consumers, save and except for $55 million which will go to the so-called nonpower features of the dam, but which have great public benefits connected with them.

Is it not true, however, that when the Senator points out that all but $55 million of the cost of the dam will be paid for out of power revenues, that is figured, of course, on the present basis of considering the life of the dam, when we now know, as a matter of fact, that the estimates for the life of these dams are far too low, based upon the most recent figures of the Army engineers and the Bureau of Reclamation; that the dams will continue to produce profits for a great many years beyond the so-called payout period, on which present calculations are made?

Mr. CHURCH. The Senator from Oregon is absolutely correct, and I thank him for calling this matter to my attention.

These figures are based upon a 50-year payout period. But all experience indicates that a dam like the Hells Canyon Dam will be in operation not for 50 years, not for a century, but for numerous centuries.

In that long span of years, we will not only realize from power revenues the entire amount of the cost, but we will have a source of revenue to the Treasury of the United States which can be used for many, many public benefits in generations to come.

I thank the Senator for making that observation.

Mr. MORSE. I wanted to stress that point, because it is so often said that $55 million of the cost of this dam would not be paid off. I want the RECORD to be clear that I am satisfied, as one who has studied the matter for a period of years, that the Hells Canyon Dam will in all probability pay rich profits into the Treasury of the United States for a minimum of 150 years, and that it will pay into the Treasury, by way of profits to the taxpayers of the country, several times its total original cost.

Mr. CHURCH. In that conclusion I concur.

These benefits are very real, and they eminently justify an expenditure of public funds; but they do, in all honesty, represent a cost to the taxpayers.

But I should like to call the attention of the Senate to what will be the situation if this bill is not enacted. Even if we consider the project on the basis of a 50-year period, in the case of the Hells Canyon Dam the cost to the taxpayers for the nonreimbursable benefits will be $55 million. But if the pending bill is not enacted, and if the private dams are constructed in accordance with present financing plans, the cost to the Treasury in added interest charges resulting from the rapid tax writeoff privileges that have been awarded Idaho Power, will be $83½ million. This, too, in all honesty, represents a cost to the taxpayers.

Compare these two figures. Consider their startling significance. It is going to cost the American taxpayers $28.5 million more for the building of 2 dams which will belong to a private utility, than it will cost the taxpayers to build their own Hells Canyon Dam.

Mr. President, what about the electric rate payers who will bear the balance of the cost for either the Federal or the private dams? It matters not so much to the rate payers what the initial construction cost of either project may be. The bulk of the construction money is borrowed—either from the Treasury, if the Hells Canyon Dam is built; or from private sources at a higher interest rate, if the smaller dams are built. What matters to the rate payer—the consumer who will buy the electricity that will restore this borrowed money—is what the cost will be to him over the 50-year payout period for either project. Comparison of this cost to the consumers, who are the real parties in interest, is the only realistic basis for evaluating these alternative plans. In the case of the high dam, they will be paying for electricity which costs 2.7 mills per kilowatt-hour to produce; in the case of the lower dams, they will be paying for electricity which costs 6.69 mills to produce. (From the Federal Power Commission examiner's findings, as summarized on page 62 of Senate Report No. 324.)

It can be readily seen, therefore, where cost is concerned, that the Hells Canyon Dam is the best buy, when viewed either from the standpoint of the taxpayers at large, or from the standpoint of the customers to be served—the two groups that ultimately will bear the cost for the development of the Hells Canyon.

IV. THE WATER RIGHTS ARGUMENT

Mr. President, the arguments in opposition to a high dam at the Hells Canyon site, as we have seen, cannot withstand critical analysis. It is not surprising, therefore, that the interests in Idaho opposing public development have sought to substitute, in the place of rational argument, a cleverly planted scare. The scare is that the Hells Canyon Dam is a threat to the water rights of Idaho farmers. Listen to the reckless charges made on the editorial page of Idaho's largest daily newspaper:

> No Federal power dam in Idaho would give the first consideration to Idaho irrigation waters * * * water-wise, the high dam takes precedence over irrigation * * * if there is a low water year the Federal dam operates and the farmer watches his fields turn to desert. (Idaho Daily Statesman, June 30, 1956.)

In my State, where, in so many areas the right to use water alone gives land its value, the imagery of this language is poignant. It depicts the farmer, a solitary figure with a shovel, competing with a concrete colossus for his river water. His gaze is rigidly fixed upon the size of the dam, instead of the size of the river. The image is so compelling that it obscures the facts. Yet, the facts are available; they are uncontradicted; and they come from the most reliable source possible.

Mr. President, a watermaster's job is to know the river. It is to know everything about the river, from the beginning of measurements of flow to date, as appraised in the light of all other available data on climate, rainfall, and snow accumulation in the uplands that feed the river. Mr. Lynn Crandall has been watermaster on the Snake River since 1930, and intimately connected with its problems since 1910. He knows the river as no other man does; he is universally loved and respected; and he is completely independent. My colleagues who have heard him testify in previous years, on this and other measures, have told me that no witness commanded greater confidence, based upon qualifications, experience, and demonstrated reliability.

Mr. Crandall, after painstakingly setting forth all of the relevant facts, testified before the Senate subcommittee that the Snake River, in the driest years, carries plenty of water for the full use of the Hells Canyon Dam, even after allowances are made for all projected reclamation development upstream. This conclusion, Mr. President, was not premised upon the demands of our present irrigators alone. It was based on the additional water requirements for

1,300,000 new acres of land to be reclaimed for cultivation in Idaho by the year 2010 under conditions of optimum development.

The specter of insufficient water in the Snake River is totally without foundation in fact. It has been deliberately planted to create a groundless scare. It is a ruse. It is a monumental fraud.

But it is not necessary, Mr. President, to measure the water in the Snake River, to repudiate the absurd notion that the Government can usurp water rights, while the farmer watches his fields turn to desert. I think that Idaho farmers who presently own irrigated land know that their water rights are property rights. Our Government is one of law, and our highest law preserves property rights inviolate. The Constitution of the United States prohibits the taking of property for public use, save by "due process of law" and the payment of just compensation (see amendment V, Federal Constitution). There is no more danger that an established water right can be arbitrarily deprived an Idaho farmer, than his home or his tractor. All of his property is equally entitled to the protection of the same constitutional guaranty.

When those who raise this water scare are confronted with these fundamental constitutional facts, they shift ground. They say that they are really concerned, not about established water rights of appropriated water, but about the future upstream use of unappropriated water in the Snake River. They point to the provision in the Constitution which gives the Congress jurisdiction over navigable streams, and postulate that the Federal Government may choose to exercise its power over unappropriated water, contrary to State law, by giving a higher priority to its use for generating electricity than for new irrigation upstream. Such an argument is not applicable here, Mr. President; it is not applicable to the bill now before us, for this bill gives unrestricted protection, for both present and future users, to the priority rights of Idaho irrigators upstream. Section 2 of the bill reads:

> Notwithstanding the provisions of any other law, the operation of the Hells Canyon Dam shall not conflict with, and shall be subordinate to, present and future rights to the use of water for irrigation or other beneficial consumptive uses, whether now or hereafter existing, valid under State law, of the waters of the Snake River and its tributaries upstream from the dam and downstream.

This language is so plain that it should speak for itself. It extends into positive statutory enactment what has been the traditional Federal policy to promote reclamation in the West, by recognizing the priority of irrigation under State water law. Every thoughtful citizen knows that far from being an enemy of the farmers' water rights, Federal development has been the means for making these rights valuable.

Mr. ANDERSON. Mr. President, at this point will the Senator from Idaho yield?

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). Does the Senator from Idaho yield to the Senator from New Mexico?

Mr. CHURCH. I am happy to yield to the Senator from New Mexico.

Mr. ANDERSON. I think the statement the Senator from Idaho has just made is as fine a statement as can be made in this debate.

Mr. CHURCH. I thank the Senator from New Mexico.

Mr. ANDERSON. When it is stated that the Federal Government by some hocus-pocus is going to take away the water right of a single person in the State of Idaho, I think someone should ascertain whether the Federal Government has ever taken water rights from the people of the Nation, or whether it has helped make water rights possible.

I think inquiry should be made in the great State of Arizona, where the Salt River project was established, to ascertain whether the people of Arizona feel that any portion of their prosperity has been due to what the Federal Government did in connection with water rights; and inquiry should also be made in all the other States of the West; and a thorough check should be made to see whether the Federal Government has helped the people who lived along the streams and those who have come to live along the streams.

So I wish to congratulate the Senator from Idaho for stating the matter in so fine a way, and for setting forth what every thoughtful person knows, namely, that the Federal Government has not been an enemy of farmer water rights.

Mr. CHURCH. I thank the Senator. I wish to observe it would be strange, indeed, in a State like Idaho, where so many thousands of farmers draw their daily nourishment from Government reservoirs, if the people could ever believe the Government constituted some kind of threat to water rights. I thank the Senator for his contribution.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I am happy to yield to the Senator from Illinois.

Mr. DOUGLAS. Am I correct in understanding that the Snake River rises in the Grand Teton Mountains, then flows west for some distance, and then flows north to join the Columbia?

Mr. CHURCH. That is correct.

Mr. DOUGLAS. And that Hells Canyon is in the northern portion of the Snake River?

Mr. CHURCH. That is correct.

Mr. DOUGLAS. But irrigation from the Snake River is south and to the east of Hells Canyon, upstream?

Mr. CHURCH. Upstream; the Senator is absolutely correct.

Mr. DOUGLAS. And the irrigated districts upstream will be able to draw their water, as they do now, and Hells Canyon simply will get the residual water? Is that true?

Mr. CHURCH. The upstream farmers have the first use of the water, and the water that goes down the river to fill the Hells Canyon Dam will be water which is left after irrigators have made use of it.

Mr. DOUGLAS. Instead of the irrigators having the residual use of the water, Hells Canyon would?

Mr. CHURCH. Hells Canyon, because of its situation, because of its geography alone, will receive the residual water the irrigators will not use.

The thousands of Idaho farmers who draw their water each season from Government reservoirs ought to understand and appreciate that this is so. Still, the critics of this bill are unsatisfied. They say that no statute can be devised that can prevent some future Congress from changing its provisions. They argue that a compact is needed between the States of the Northwest, before upstream irrigators can be made secure as to their future claims upon unappropriated water in the river. A Columbia Basin compact is proposed. I have no objection to compacts between the States. If the States in the Northwest will adopt a compact, I will work for the enactment of consent legislation by the Congress. Presently, I am a cosponsor of a bill to grant Congressional consent to the Bear River compact between Idaho, Utah, and Wyoming. As to the Snake and Columbia Rivers, I think a compact might well prove helpful in ironing out the troubled feelings that have sometimes obstructed efficient development of the Columbia River.

The argument that we should oppose this bill because a compact has not been agreed to, or that we should suspend further construction of Government dams until the States enter into a compact, simply makes no sense. The protection afforded for the upstream development by the provision of this bill is just as good as the protection that could be conferred by any compact. Just as a future Congress could conceivably change its own law, so a future Congress could conceivably withdraw its consent to a compact. The power of the Congress over navigable streams derives from the Commerce Clause of the Constitution itself. It can neither be legislated nor contracted away. This is expressly recognized by the very terms of the proposed Columbia River Compact itself. Article VII–D reads:

> This compact shall become effective only if Federal law accepting and implementing the provisions of subdivision A of this article with respect to developments wholly or partly in downstream States constructed by or under the authority of the United States is enacted as part of the legislation giving the consent of the Congress to this compact and shall continue to be operative only while such law remains in effect.

This provision is a clear acceptance and admission by the drafters of the compact of the fact that the initial and continued effectiveness of the compact is dependent upon the will of the Congress. Even in the absence of such a provision in the compact, Supreme Court decisions leave no room for doubt concerning the fact that any interstate compact may be modified by inconsistent Federal legislation within the field of a delegated power. This principle has been accepted for over a century and a half, and I cite the case of *Wilson* v. *Mason* (1801), 1 Cr. 45, 91–92. In another case which has stood unchallenged for 100 years, the Supreme Court said:

> It is also urged that this act of Congress is void, for the reason that it is inconsist-

ent with the compact between the States of Virginia and Kentucky, at the time of the admission of the latter into the Union * * * which compact was assented to by Congress at the time of the admission of the State.

* * * The question here is, whether or not the compact can operate as a restriction upon the power of Congress under the Constitution to regulate commerce among the several States? Clearly not. Otherwise, Congress and two States would possess the power to modify and alter the Constitution itself. This is so plain that it is unnecessary to pursue the argument further. (*Pennsylvania* v. *Wheeling & Belmont Bridge Co.* (18 Howard 421, 344 (1856)).

I submit, Mr. President, that the law of the land, as established by our highest Court, makes it abundantly clear that the bill before us provides protection to existing and future water rights upstream on the Snake River fully as effective as could ever be provided by the proposed Columbia River Basin compact.

In reality, Mr. President, the question of whether we should build a Government dam or three private dams in Hells Canyon has no effect upon water rights at all. The construction of a Hells Canyon Dam would create no new power in the Federal Government over the water in the Snake River. Such power as the Federal Government may have stems from the Constitution itself. It is an inherent power that is neither enlarged when the Government builds a dam, wherever it may be located, nor diminished when the Government licenses a private utility to build a dam. In either case, this inherent power inures in the Government. The building of private utility dams in the Hells Canyon stretch of the Snake River under Government license does not limit in any way such power as the Constitution reposes in the Government over the water in Hells Canyon. The constitutional right of some future Congress to deal with that water is not abrogated. The Federal jurisdiction over the water in navigable streams stems from article I, section 8, clause 3, of the United States Constitution, the interstate commerce clause. A long line of decisions of the United States Supreme Court affirms that this clause authorizes Federal regulation of waterways, since commerce includes navigation (*Gilman* v. *Philadelphia* ((1866), 3. Wall. 713, 724.) It is the commerce clause of the Constiution, as interpreted by the Supreme Court, which supports the Congress in the right to develop hydroelectric power, and to sell it. The authority of the United States is as broad as the needs of commerce, and includes flood protection, watershed development, and recovery of the cost of improvements through the utilization of power (*Ashwander* v. *TVA* (297 U. S. 299).

It matters not whether this Federal power is exercised by construction of a Government dam, or whether it is exercised by authorizing a private utility to build a dam, under the provisions of a Federal license. All of the Federal power remains intact, one way or the other, and State law remains subordinate to the Federal jurisdiction. These cardinal principles of law were well set forth by the Idaho Power Co. itself, when it successfully disputed the attempt of the State of Oregon to interfere with the commencement of its construction of the Brownlee Dam in Hells Canyon without having first obtained a license from the State of Oregon.

Mr. YARBOROUGH. Mr. President, will the Senator yield for a question?

Mr. CHURCH. I am happy to yield to my good friend, the Senator from Texas.

Mr. YARBOROUGH. I wish to say first to the junior Senator from Idaho that I regard his as a great speech. Whether the junior Senator from Idaho stays in the Senate for 6 years or 60 years—and, in view of his youthful age, I believe the latter is possible—that he will have difficulty in making a greater speech than he is making today. It contains the most stimulating material concerning the great Northwest, and the Snake River, I have heard since reading the journals of Lewis and Clark when I was a boy.

I should like to refer to one figure mentioned, the figure that the American people are asked to give the Idaho Power Co. $83½ million. Is that the correct figure for the tax writeoff?

Mr. CHURCH. That figure is the figure supplied by the chief accountant of the Federal Power Commission itself.

Mr. YARBOROUGH. Is the junior Senator from Idaho conversant with the fact that since there are some 65 million or 70 million American wage earners and taxpayers the Idaho Power Co. is using the power of the Federal Government to stick its fingers into the pockets of the American taxpayers and take more than a dollar out of the pocket of each wage earner, if this grand steal they are trying to put over on the Snake River goes through?

Mr. CHURCH. I am well aware of that fact, and that is one reason why we have again and again asked how this tax concession is related to the public interest. All the arguments advanced do not focus upon that one question, because that concession cannot be related to the public interest.

It is not enough to say that other companies have received tax concessions, because the facts upon which other companies have received tax concessions are different from the facts in this instance.

Here we have a case of a tax writeoff certificate being granted long after the period of emergency, such as the Korean war, which once may have justified such writeoffs, has expired. Here we have a case where the administration's own Secretary of the Interior, Mr. Seaton, recommended against the tax writeoff, because he himself could not relate it to the public interest. Here we have a case where the Federal Power Commission, in granting the licenses, expressly says in its opinion that it is influenced in so doing by the fact that these private dams are going to cost the taxpayers of the country not a cent.

Yet in spite of all these things, and the recommendation of the Secretary of the Interior himself, we find the certificate issued to the Idaho Power Co., which will cost the taxpayers of the country $83½ million, which is more than the nonreimbursable cost to the taxpayers of the Hells Canyon Dam.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. CHURCH. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. I hope that some time, when the statement is loosely made that 900 corporations have gotten tax writeoff certificates on the same basis, the Senator will suggest that in each one of those instances there should be a showing that the Secretary of the Interior recommended against it. If anyone can find 900 times when the Secretary of the Interior has recommended against the granting of such a certificate, and 900 times when the Office of Defense Mobilization has acted contrary to the recommendation of that officer, then the cases would be comparable. If it cannot be shown that that has happened 900 times, then certainly something ought to be done about clearing up the mess that exists between those two agencies.

Mr. CHURCH. I agree wholeheartedly with the Senator. The distinguished Senator from New Mexico has made the type of observation which is in line with the typically lucid observations he makes on the floor of the Senate.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield to the Senator from Tennessee.

Mr. GORE. Is it not true that in addition to the vast and unconscionable tax benefit, to which the able Senator has referred in colloquy with the distinguished junior Senator from Texas, this utility concern, owned not by the people of Idaho and not by citizens of the Northwest, will be given a natural resource which belongs to all the people, which, despite the enormous benefits to which the junior Senator from Texas referred so eloquently, and to which the able junior Senator from Idaho referred so explicitly and eloquently, is worth vastly more?

Mr. CHURCH. Let me say to the Senator from Tennessee that he has put his finger on one of the reasons why so many people have become outraged. We felt that it was enough when the Federal Power Commission licensed the construction of private dams in the great Hells Canyon which underdeveloped the resource there, and wasted the water there. We thought it was enough when this public property was turned over to private interests for their use, for the purpose of generating electricity for their profit.

Mr. GORE. And thereby denying the people the right to bring about adequate development.

Mr. CHURCH. Yes; even though their electric potential would be smaller than the potential which would be realized from the high dam at Hells Canyon.

But after making this tremendous gift to the private utility, the administration came along a month or two ago and gave it a tax writeoff certificate, which would have the additional effect of imposing a cost on the Treasury of the United States of $83½ million. That was when I think the American people woke up to the fact that they were being sold out in Hells Canyon.

Mr. GORE. Mr. President, will the Senator further yield?

Mr. CHURCH. I yield.

Mr. GORE. We have often heard it said, if I may use a rustic adage, that if we give a calf enough rope he will hang himself.

The private-utility interests were not satisfied to fasten their grip for all time to come upon a resource which rightly belonged to the people, but they must have more. They must dig into the pockets of the taxpayers, and in so doing they have brought about a shocked realization on the part of Members of this body.

I stand with the distinguished junior Senator from Idaho, who is making such an eloquent and forceful speech, representing the interests of his people nd the interests of the Nation in fighting to the last to bring about proper and adequate development of this natural resource by the proper agencies.

Mr. CHURCH. I thank the Senator from Tennessee. Let me observe that I am not surprised that I have his assistance in this particular effort, because he is always to be found on the side of the people in any public dispute.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. NEUBERGER. As one of the Senator's colleagues in the Pacific Northwest, and as his seat mate in the Senate, I join other Senators who have commended him for the outstanding address he is delivering today. Because he and some of his colleagues have joined in discussion of the tax issue, I think it might be appropriate to read briefly into the RECORD several sentences which have appeared in advertisements by the private utilities, by which an effort was made to create public opinion in favor of relinquishing the great hydroelectric resource at Hells Canyon to the Idaho Power Co.

In May of 1952, the electric light and power companies, in behalf of the Idaho Power Co., sponsored an advertisement which appeared widely in many national magazines throughout the United States in reference to the proposed high dam at Hells Canyon—the high dam which the junior Senator from Idaho is advocating. The advertisement in 1952 contained this statement:

> This would be a needless expense, because the local electric light and power company already has offered to develop the power at no cost to American taxpayers.

The emphasis in my voice was not my own emphasis, but that of the utility companies which originated this advertisement, because they themselves have placed in italics in the advertisement the phrase "at no cost."

The same advertisement contains the following:

> If the local company does the job, the company and its investors will pay for it.

Four years later, in a further effort to anchor their grip on this priceless natural resource which the Almighty created in the Pacific Northwest, they sponsored another advertisement, which appeared in virtually every periodical of national circulation anywhere in the United States. In this advertisement they said:

> One of the many places where independent electric companies are saving you tax money is Hells Canyon, on the Oregon-Idaho border.

These statements appeared in national magazines, despite the facts which the distinguished Senator from Idaho and his colleagues from Texas, New Mexico, Tennessee, and other States have brought out on the floor, when they merely enunciated here the testimony of the Chief Accountant of the Federal Power Commission.

All I can say is that the authors of these advertisements, by which the Government of the United States was induced to surrender Hells Canyon, should know that there is even a greater field in the writing of fiction—by which some people have become immortal—and that they could certainly move very readily from the authorship of these advertisements into fiction writing. The true facts with regard to the rapid tax writeoffs have proved that these advertisements were not facts, but fiction.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HUMPHREY. I wish to commend the distinguished Senator from Idaho for the very fine presentation he is making. I apologize to him for not being able to be present throughout his address, but I shall remain in attendance as long as possible.

The comments of the Senator from Oregon are very interesting. Would that the advertisements here on display could appear in the CONGRESSIONAL RECORD.

These advertisements are in reply to one of our colleagues in the Senate, the Senator from Utah, in reference to the advertisements of the power companies. But there is a difference between these advertisements and fiction writing. The person who writes fiction with any degree of success usually is paid for it, and therefore pays taxes on his income. But this is the kind of fiction which relieves the private utility from paying taxes on income. Furthermore, this kind of fiction is a tax deductible item. Besides, it relieves the utility from paying any tax, in connection with which it might make use of a deductible item for tax purposes. It is really an amazing system.

I call attention to the fact that these items are tax-deductible, designed to provide a smokescreen, so that the power company—in this instance the Idaho Power Co.—will be able to get a $83 million tax writeoff, representing a saving to itself at public expense.

I pay my tribute to the Kefauver subcommittee and the associates of the senior Senator from Tennessee who dug out the information about the Idaho Power Co. in connection with the tax writeoff.

I remember when the senior Senator from Oregon [Mr. MORSE] first pointed out that a $17 million grab was involved. However, as the truth began to unfold, the figure became larger and larger, until it became a $83 million deal. It is something like the Dixon-Yates deal. Someone said it was "as clean as a hound's tooth." Someone else said, in reply, "What a hound, and what a tooth." Then we began to find out the truth about the case.

Mr. CHURCH. I thank the Senator from Minnesota. He can always be relied upon for an adroit and novel contribution to any debate. His contribution has been most stimulating and enlightening.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. SYMINGTON. I should also like to congratulate the able Senator from Idaho on his magnificent address today on this particular subject.

I should like to ask him a question. Shortly after the start of the Korean war, as Chairman of the National Security Resources Board, I approved the institution by the Government of the practice of accelerated amortization in certain cases, and the ruling in connection therewith. It was done to the extent of 100 percent to promote the prosecution of the Korean war and to stimulate active production in the steel industry and other industries in order that there might be a rapid expansion of our economy. It was done, not primarily, but entirely, on the basis of military necessity. It seems incredible that there should be any military requirement incident to a tax writeoff for the Idaho Power Co. I ask the distinguished Senator if he believes that there is some military requirement involved in this particular operation.

Mr. CHURCH. I reply to the able Senator from Missouri by saying that, as I have already observed in the course of my remarks this afternoon, the purpose which the rapid tax amortization law was meant to serve was the very purpose which the Senator pointed out, to attract risk capital for war plant expansion.

Certainly we cannot say that a private utility which operates as a legal monopoly and is guaranteed its profits under the law is faced with the kind of condition which might justify, at least in times of emergency, such a tax concession to the kind of company it was meant to serve. In this case, these ingredients are not present, and we cannot relate it to the public interest.

Mr. SYMINGTON. I agree with the distinguished Senator from Idaho that the law was not conceived to apply to a situation like this, inasmuch as nobody could say that this was a military requirement.

Let me ask the Senator this question: Does he have any thought as to why it was done? Is there any particular reason why it was done?

Mr. CHURCH. I shall be glad to yield to the Senator from New Mexico, if he wishes to answer that question.

Mr. ANDERSON. I will say to the Senator from Idaho that of course our able friend from Missouri is a very stanch and successful businessman. I think he would recognize the possibilities of this situation. The Idaho Power Co. had reached the point where it had to market its securities. The security market was, to say the very least, sticky. Government bonds were having trouble. The Government had to pay 3⅝ per-

cent on bonds that used to bear less than 1 percent interest.

The securities of the Idaho Power Co., particularly in view of the possibility of the construction at Hells Canyon Dam, were not too attractive. By a strange coincidence, about the time the Idaho Power Co. had to offer its securities on the market, a piece of sugar was passed to it. The piece of sugar was the granting of its tax amortization certificate.

While it is impossible to say what was in the minds of some people, it is not impossible to see what was in the minds of the individuals who were handling the transaction. All they did, in order to sweeten up the securities of the Idaho Power Co., which did not look very good, and were not very attractive, was to say, "We will give them this little piece of sugar of $83 million, which will be worth a great deal more to Idaho Power than $83 million." As the Government accountant said, it would be worth $300 million to them. That would sufficiently sweeten up the securities they wanted to sell.

I do not think anyone needs to go further than that. Anyone who has been in business, even overnight, knows enough about what he has to do, and what it is all about. I may say that I have been doing a little investing for a small insurance company with which I am connected, and I have the advice of good counsel. I employ a firm of very good financial advisers. They suggest to me the type of financial investments I should make in behalf of the little insurance company with which I am connected.

I know if they were to look at the way the Idaho Power Co. was to get this kind of little sugar, they would suggest to me that this might be a good bond to buy. It would not take too long to decide that when these two things came together there was an unseen hand that seemed to move along very well and knew exactly what to do at all times.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I shall be glad to yield again to the Senator from Missouri, but first I should like to make this comment. I should like to quote from a memorandum submitted by Mr. James P. Radigan, Jr., senior specialist in American law in the Library of Congress. He was asked the question whether or not in his opinion the certificate that had been granted to the Idaho Power Co. conformed with what has been heretofore regarded as the purposes the law was intended to serve. I wish to summarize his conclusion to the committee:

> To epitomize, while an exceedingly broad construction of the literal wording of the act might make it permissible to grant an accelerated amortization certificate to Idaho Power, such action seems contrary to the legislative purpose and spirit of the act, the two elements which should control its administration.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield.

Mr. SYMINGTON. Am I to understand that the distinguished Senator from Idaho agrees with the distinguished Senator from New Mexico that the administration has utilized a war measure in order to let this private power company more expeditiously sell its securities? Is that what the distinguished Senator from New Mexico believes?

Mr. CHURCH. Mr. President, would the Senator from New Mexico care to comment on that point?

Mr. ANDERSON. I said that the two things happened simultaneously. I said the matter of proof is very difficult. I merely called attention to the fact that by some peculiar circumstance right at the time the Idaho Power Co. needed money, here was Uncle Sam ready to dish it out. I do not know who caused it.

Mr. SYMINGTON. It was dished out at the expense of the taxpayers.

Mr. CHURCH. The Senator is correct.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHURCH. I am happy to yield.

Mr. HILL. The distinguished Senator from Oregon [Mr. NEUBERGER] called attention to misleading advertisements in connection with the Hells Canyon project on which the Senator from Idaho has so ably commented. I might say that we see these advertisements in magazines and other periodicals regularly in furtherance of the misleading and false propaganda that is being carried on. These advertisements in themselves constitute a tax upon the power consumers, because, of course, the cost of the advertisements is paid for by the power consumers. The cost is not only paid by the power consumers, but, we may be sure, the cost is pyramided by the utility companies in the tax refunds the companies themselves receive.

The Senator from Idaho will recall that a little while ago the distinguished senior Senator from Oregon [Mr. MORSE] said that he had read the address of the distinguished Senator from Idaho, and, although he had heard many fine addresses with respect to the Hells Canyon project, in his opinion this was the finest and ablest presentation of the case he had ever heard.

I wish to say that "praise from Sir Hubert is praise indeed." The distinguished Senator from Illinois [Mr. DOUGLAS] will agree that he and I have heard many fine and able addresses delivered by the distinguished senior Senator from Oregon [Mr. MORSE]. Therefore no one could accord higher praise to the address of the Senator from Idaho than could the senior Senator from Oregon. I fully agree, and I wish to congratulate the Senator from Idaho on his magnificent address and his brilliant presentation this afternoon.

Mr. CHURCH. Let me say to the distinguished Senator from Alabama that I am very much complimented by what he has said, and that the generosity of his remarks is exceeded only by the fact that they are actually undeserved. I very much appreciate them, nonetheless, and I appreciate also the highly complimentary remarks of the senior Senator from Oregon.

At the outset of this colloquy I was remarking that it matters not whether the Government dam is built in Hells Canyon or whether three private dams are built in the Hells Canyon under Government license for in either case the Federal Government's jurisdiction inures from the Constitution itself, and remains in Hells Canyon regardless of whether a public or a privately licensed dam is built there.

I was about to quote as authority for that proposition of law excerpts from the briefs of the Idaho Power Co. itself. I quote from the case that involved the Idaho Power Co. and the State of Oregon over the dispute as to whether the Idaho Power Co. had to obtain an Oregon license before it commenced construction of the Brownlee Dam, which involved Oregon territory.

Let me quote these propositions from the Idaho Power Co. brief:

> The State [Oregon] cannot prevent a licensee of the Federal Power Commission for a hydroelectric project from proceeding to construct such federally licensed project by requiring such licensee to first also obtain a license from the State. (From p. 6, respondent's answering brief, *State of Oregon* v. *Idaho Power Company*.)

And again:

> The Oregon Hydroelectric Act, insofar as it is inconsistent and in conflict with the Federal Power Act, is ineffective as against a licensee of the Federal Power Commission on navigable waters of the United States. State legislation manifestly inconsistent or in conflict with the exercise of rights granted by Federal statute cannot stand, and the State legislature cannot control and limit substantive rights granted by an act of Congress. (P. 8, respondent's answering brief, *State of Oregon* v. *Idaho Power Company*).

It seems clear, then, that the Federal power over the Snake River in Hells Canyon remains paramount, even though the private dams are built there. The Federal power, whatever it may be, floats on the river all the way to the sea. Those who fancy this power as a possible threat to future upstream diversions of the water in the Snake River are furnished no shield by private dams in Hells Canyon. The same Federal power will rest on top of them as it rests on the Government dams downstream.

The challenge we face in Idaho is to repudiate the counsel of foolish fear. Let us shake off its delusion. Let us awaken to the simple fact that there is nothing unique or sinister about the Hells Canyon Dam. It neither starts nor ends the building of Government dams downstream from the irrigated uplands of Idaho. Many have long been built. Others are now abuilding. The administration itself engages in double talk today about substitute dams at Pleasant Valley or Nez Perce to make up for the inadequate development now licensed for Hells Canyon. The time has come for the people of Idaho to cast off these groundless fears. Idaho has not, cannot, will not, put an end to the continued building of Government dams on the rivers of the Northwest. Then let us share their benefits. Let us cast off the blinders that have already frightened us out of 10 years' growth, and come abreast the rest of the West in the development of our great resources.

V. THE CASE FOR THE HELLS CANYON DAM

Mr. President, it has been my purpose to shed some light on the many arguments which have been advanced, with

varying degrees of logic and consistency, in objection to this bill. I have not attempted to analyze exhaustively every objection voiced against a Hells Canyon Dam, for some depart far from argument into the realm of fantasy. Although the water-rights question is not really posed by this bill, its special interest in my State, its cynical exploitation, and the confusion caused thereby required that it be given a most careful and thorough refutation, and that I have tried to do.

Now I wish to summarize affirmatively the principal reasons why I favor the passage of this bill:

First, the river. The Snake River belongs to the people. It is an important part of the great river system that drains the Northwest. Such a system can be wisely and efficiently developed only in accordance with an integrated, comprehensive plan.

The need for comprehensive development of our rivers was first envisioned by a celebrated Republican President, Theodore Roosevelt, in these statesmanlike words:

> Every stream should be used to its utmost. No stream can be so used unless such use is planned in advance. When such plans are made, we shall find that, instead of interfering, one use can often be made to assist another. Each river system, from its headwaters in the forest to its mouth on the coast, is a single unit and should be treated as such (S. Doc. 325, 60th Cong., 1st sess.).

There is no partisan flavor in the roster of great United States Senators identified with the fight for these principles—Newlands, of Nevada; Hiram Johnson, of California; George W. Norris, of Nebraska; the elder La Follette, of Wisconsin; Charles McNary, of Oregon; and William E. Borah, of my own State. These men all recognized that dams, once built, last not for decades, but for centuries, and that the partial utilization of a dam site thus constitutes the waste of a resource that must be borne by many generations.

The Hells Canyon reach of the Snake River forms the common boundary of Idaho and Oregon. Nature, in this remote and forbidding area of rugged mountain land, has contrived a wonderful combination of natural phenomena. The river is mighty. The canyon walls rise abruptly from both sides. The geology is ideal for a great storage dam. Indeed, Hells Canyon is the finest remaining undeveloped dam site on the North American Continent. If the high dam called for in the bill before us is not built there, 3,880,000 acre-feet of useful storage, vital to effective flood control, will be wasted. Even now, the administration is frantically casting about to find alternatives to recover the storage that will be lost through the underdevelopment now licensed for Hells Canyon. But there is no way to recover storage once lost. The river demands its price, and what is wasted can never be wholly recovered.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOUGLAS. Am I correct in my understanding that a large proportion of the approximately 18 million acre-feet, which I believe is the total figure for the Snake, is derived from melting snows in the Tetons and other mountains of that area?

Mr. CHURCH. The Senator is correct.

Mr. DOUGLAS. And that another portion comes from the spring rains?

Mr. CHURCH. That is so.

Mr. DOUGLAS. And that the major portion of the runoff of water, whether from melting snow or from rain, comes at approximately the same time in the year?

Mr. CHURCH. Generally it comes in the same season.

Mr. DOUGLAS. And that with a high dam, the runoff can be stored?

Mr. CHURCH. The storage dam would have the capacity for saving this runoff.

Mr. DOUGLAS. But if there are three low dams, then the water will go over the spillways of the lower dams; and then will not that be approximately at the season when the Columbia, to which the Snake is a tributary, will be close to its high-water mark?

Mr. CHURCH. Yes; that is correct.

Mr. DOUGLAS. The water, therefore, will go over successive spillways, instead of through the penstocks, on its way down to the sea, and will be wasted.

Mr. CHURCH. The water that is not stored, owing to the more limited storage capacity of the smaller dams, will not only pour over the dams, but will be wasted, unless it can be held back to be used throughout the course of the whole year.

Mr. DOUGLAS. As I think the Senator will develop in a minute or two, that water will not generate additional power in the dams farther downstream.

Mr. CHURCH. The Senator is quite accurate in his observation that the high dam, with its large storage capacity, could be used to much better effect to permit an even flow of the river throughout the year.

Mr. DOUGLAS. The water stored behind Hells Canyon could be released at other seasons of the year, when the rainfall was low.

Mr. CHURCH. Yes; that is so.

Mr. DOUGLAS. In that case, it would go through the successive penstocks of the dams farther downstream, and thus create additional power at each fall of the water.

Mr. CHURCH. That is what President Theodore Roosevelt meant when he said we must treat a river, from its sources in the mountains to its outlet into the sea, as one unit; and we must plan for its full, efficient development, because what is applied to one site will have an effect on the potential of other sites.

I thank the Senator from Illinois for his observation.

I do not know, Mr. President, whether the pending bill will pass; but if it fails to pass, I want it to be recorded, in my vote for this bill, that I registered my protest here to the wrong that will be done in Hells Canyon. The waste of a resource is a moral wrong. It is part of the irretrievable price the people will pay if we fail to build the Hells Canyon Dam.

Second, electricity. A natural dam site is as much a mighty resource as a forest, a coal mine, or an oil field. Like these, it provides a tremendous source of energy. Unlike these, however, the dam-site is an inexhaustible source that can furnish energy for as long as water flows from the mountains to the sea.

It is, consequently, a guiding principle of comprehensive development of our precious rivers, that each power dam we build be designed to generate the maximum amount of electricity from the water available for its use. To do less is to waste the water. We cannot afford to waste the water, for it is our only perpetual fuel. Every day we are consuming a staggering quantity of oil, coal, and natural gas. These fuels, once burned, are gone forever. Nor is it enough to say that we might replace them with nuclear energy. Grave problems of waste disposal, unresolved questions concerning possible risk to public health, and high costs, all obscure the extent to which the country will convert to nuclear power. I trust these problems will be solved, and I am confident that the cost of nuclear fuels will be reduced; but hydroelectric generators may well remain our best source of power, because falling water is free.

Mr. President, at this point I should like to observe and take recognition of the fact that there is present in the Senate Chamber my colleague from the other side of the Capitol Building, who represents so very well the people of the First Congressional District of Idaho, and who has long been associated with the fight for the full development of the Hells Canyon, Mrs. GRACIE PFOST. I am very happy that she has come here this afternoon to attend the delivery of my address.

Mr. MORSE. Mr. President, will the Senator from Idaho yield to me?

Mr. CHURCH. I am happy to yield to the Senator from Oregon.

Mr. MORSE. I should like to join my colleague from Idaho in expressing our appreciation at the attendance of Representative PFOST, who, in the State of Idaho, has done such a great job in defense of the Hells Canyon Dam project.

I should like to have the permission of my colleague, the Senator from Idaho, to call attention to the fact that Mr. Hells Canyon Dam, of Oregon, is also in the Chamber; I refer to Representative ULLMAN, from Baker, Oreg., who, in association with Mrs. PFOST and the Hells Canyon Dam Association and other groups, has done such a great job in my State for Hells Canyon.

Mr. CHURCH. I thank the Senator from Oregon for his remarks and for calling our attention to the fact that Representative ULLMAN is present in the Chamber.

Mr. SPARKMAN. Mr. President, will the Senator from Idaho yield to me?

Mr. CHURCH. I am happy to yield to the Senator from Alabama.

Mr. SPARKMAN. I wish to take this opportunity to express my appreciation to the able, distinguished, and young junior Senator from Idaho for the magnificent presentation he has been making this afternoon.

I must say that I was in favor of the Hells Canyon Dam before he began his speech. However, I rather feel that if I

had not been, I might have been converted by his speech. I certainly hope that many of our colleagues who are not able to be on the floor this afternoon to hear the speech delivered by the Senator from Idaho, will read it in the RECORD.

I am reminded of the words of Agrippa, who said to Paul, "Almost thou persuadeth me." I believe that if many of our colleagues will read and study the fine presentation now being made by the Senator from Idaho, they may be persuaded to support the program which he so well advances.

Mr. CHURCH. Mr. President, I am highly flattered by the generous remarks of the distinguished Senator from Alabama. I know of no Member of the Senate in whose judgment I have greater confidence or for whom I have greater regard; and I thank him for what he has said.

Mr. President, I was discussing the need to build at any given dam site a dam which will produce the maximum amount of electricity available from the water at the dam site, so the water is not wasted, because water constitutes our only perpetual fuel.

I believe that we owe it, if not to ourselves, then to our children and their children after them, to build dams that will give us the most electricity from the water available. The proposed Hells Canyon Dam will do this; the smaller dams licensed to be built in its place will not. The high dam in Hells Canyon will add 1,122,000 kilowatts of prime power to the Federal system, when all Federal projects, existing, under construction, or now authorized, are completed. The 3 Idaho Power dams will add only 680,000 kilowatts. This loss of 442,000 kilowatts of prime power is a part of the price the people will pay if the Hells Canyon Dam is not built (see charts III and IV of committee report, pages 49 and 50).

Third, electric rates. Mr. President, I represent a State that has all the potential of a young giant. Idaho has mighty resources, but it is starved for industry to put them to better use. Ours is still a "colonial economy." We ship raw products, but high freight rates prevent us from establishing many local industries. Since our fuel for industry is electricity, the best means at our disposal for ending our economic stalemate, is to secure for ourselves an abundance of cheap electricity for industrial use. This would seem plain.

Mr. NEUBERGER. Mr. President, at this point, will the Senator from Idaho yield?

Mr. CHURCH. I yield to the Senator from Oregon.

Mr. NEUBERGER. I have chosen to interrupt the outstanding speech being made by the Senator from Idaho because I know he has at heart a great concern for the future of his State.

As he has pointed out to us, his State has lagged behind in the case of the development of industries. I wonder whether he noted that only yesterday a great celebration was held in upstate New York because of the fact that the first industrial allocations of St. Lawrence Seaway power have been made by the Governor of the State of New York and by the New York Power Authority; and there, in the State of the Union which, I believe, has more industry than any other, a great emphasis was placed by the political leaders of both parties—those of both the Democratic Party and the Republican Party in the State of New York—on the fact that low-cost St. Lawrence Seaway power is to be used for new industries in that State.

It seems to me that the Senator from Idaho is rendering a most valuable service to his own State, which has been starved for industrial payrolls, when he emphasizes what low-cost Hells Canyon power could mean in terms of bringing new per capita income, new payrolls, and new sources of wealth to the State of Idaho.

In Oregon we need more low-cost power and more payrolls; but we have fared better than Idaho has, because we have had some of the power from the Bonneville system.

Mr. CHURCH. Mr. President, I thank the Senator from Oregon for his remarks. I wish to supplement what he has said by stating that I think it is a tragedy that what is given bipartisan support in New York and what was given bipartisan support in the case of the upper Colorado has become the object of bitter partisan recrimination, when it comes to the Hells Canyon. If the principles for which I speak here are valid in these other cases, they are valid in the case of the Hells Canyon Dam and the pending bill. It is true that cheap power has been a great blessing to the people of the States of the Northwest that have it; but my State of Idaho is the only one of the States of the Northwest that has failed to share it.

Mr. NEUBERGER. I want to say this to corroborate what the distinguished Senator from Idaho has pointed out. I myself have been in Idaho enough to know that there are prophets of gloom in his State who have claimed that cheap power will not bring industry to Idaho because of transportation difficulties. Five years ago Mrs. Neuberger and I stood at Kitimat, in northern British Columbia, which is from 800 to 1,000 miles north of Idaho, and saw being erected there in the vast subarctic wilderness a community which will soon have a population of 50,000 people, because of only 1 resource—2-mill electric power.

I know the Senator from Idaho is performing an inestimable service for his people in Idaho by trying to obtain for them low-cost power for industrial expansion.

Mr. CHURCH. I thank the Senator. I want to concur in what he has said, and to add only that the political leadership of my State, which has dominated Idaho these many years, has steadfastly refused to admit the importance of cheap power in the interests of the people and in the interest of my State's growth, prosperity, and development. So we have languished during the very years that industrial growth has spiraled upward next door to us, in Oregon and Washington, under the impetus of low-cost power furnished by Government dams.

The vital importance of low-cost power to all the States of the Northwest, and the key role it would play in their future development, was foreseen with prophetic clarity by that distinguished Senator, William E. Borah, who once represented Idaho in these Halls. Nearly 40 years ago he said on this floor:

> Our new States—
>
> Speaking now of the Northwest—
>
> far from the centers of population and of manufacture, have unlimited waterpower. Idaho, as I have stated, has 5,067,000 horsepower; Montana, 4,031,000; Oregon, 6,613,000; Washington, 8,447,000. What a world of wealth and what immeasurable possibilities are foreshadowed in these figures. It is the richest heritage that nature's God ever dedicated to a people. It will continue to serve those States and communities so long as the snows fall in the mountains and the waters flow to the sea. * * * We are naturally anxious to build up our new States. To do so we must use our natural resources in a way which will best enable us to compete with those more favorably situated with reference to large centers of population and industry. Cheap power will do much in this line. It will help to do for us what it has helped to do for Canada; that is, it will bring investment and business and enterprise. I repeat, there is no domestic question of such vital and lasting concern to us. (CONGRESSIONAL RECORD, September 19, 1918, p. 11443.)

What irony, Mr. President, that Oregon and Washington—yes, Montana, too—all the Northwest save Idaho—took heed of Borah's words. His own State alone was deaf to them. In the years that followed, great Government projects were located in each of these States that neighbored Idaho. Bonneville, Grand Coulee, Hungry Horse fed cheap power into the States of the Northwest that surrounded Idaho, and in the wake of the cheap power, came industry, enterprise, investment, and new wealth. But Idaho was forsaken by a leadership wedded to small plans for small tomorrows.

This is our dismal record, Mr. President. Is it any wonder that Idaho today is growing less than any other State in the West? Is it any wonder that Idaho has now become next to the poorest State in the West, with a per capita income nearly $400 a year under the average in Oregon, and more than $500 a year under the average in Washington? Is it any wonder, Mr. President, that I stand here on the floor of the Senate today and plead for the passage of this bill, for the sake of the people of my State? Here is the bill for which we have waited these many years. Here is the opportunity that has been so long denied us.

Section 3 (a) of this bill implicitly recognizes our need for an abundant supply of cheap power. It reads:

> In order to facilitate the development of the central and upper Snake River Basin, and also that of the downstream areas, the Hells Canyon Dam and powerplant and the Federal Columbia River power system shall be interconnected, and 500,000 kilowatts of firm power attributable to the Hells Canyon project, or such portion thereof as is required from time to time to meet loads under contracts made within this reservation, shall be made available for use in central and upper Snake River Basin and to all other parts of Idaho lying outside the central and upper Snake River Basin.

Mr. MORSE. Mr. President, will the Senator yield at that point?

Mr. CHURCH. I yield.

Mr. MORSE. The Senator knows I have been consistent and persistent in the inclusion of that section in this bill and in previous drafts of the Hells Canyon bills that I have offered in recent years in the Senate. As the Senator knows, I have also been criticized because of that reservation. Those who take a more provincial attitude, those who seem to think that the economy of a region can really be placed in watertight compartments in the form of State lines, seem to think that when that kind of a reservation is written into a bill, some way, somehow, its author is not representing the best interests of his State.

The Senator from Idaho knows the position I have taken on that question. I think it is of vital importance to the people of Oregon, to the people of Washington, to the people of Montana—yes; to the people of every State of the Union—that the State of Idaho be provided with a source of cheap power, so that industry can develop in that State, because, as the people of Idaho prosper, so do the people of my State and of Washington and of Montana and of States elsewhere in the Nation prosper.

We must grasp one concept in the full development of our river basins, and that is that as we develop the full economic potential of full river basins, we add to the wealth of the Nation as a whole.

I know of no section of the bill I am more proud of than the section the Senator from Idaho is now reading, because I think that section recognizes that those of us who authored and sponsored this bill recognized that, after all, the economy of our Nation is a totality, and that we cannot take a selfish, regional, or statewide attitude toward the development of the wealth of America. I want to see the people of Idaho have this reservoir of cheap power which the bill now under consideration seeks to afford them, and which this particular section seeks to reserve for them and, I may say, for the boundary section of my State which is in the river basin, which Representative ULLMAN so ably represents in the House of Representatives.

Mr. CHURCH. I thank the Senator, and I wish to observe only that his attitude toward this particular provision of the bill is in accord with his eminent sense of justice and also with the long-range view he takes of all public questions, for it certainly cannot be said of the Senator from Oregon that he is provincial in his attitude or in his outlook.

I should also like to observe that this block of power, this 500,000 kilowatts, is a block of power 1½ times as large as the total output of the entire Idaho Power system which presently serves most of Idaho. Imagine what a stimulant so large a block of cheap power, made available at a fraction of the rates that now prevail, would furnish my State for new industrial opportunities. Who would not benefit from it? Why, even the Idaho Power Co. itself would benefit from it, for this power would be sold in the wholesale market to industrial users, to electrical co-ops, to REA's, to communities with municipal power systems, and to private utilities for resale within the areas they serve.

It is time that all of Idaho should share in the benefits of low-cost electricity. If the Hells Canyon Dam is built, the electricity it will generate will cost about 2.7 mills per kilowatt, even after the Idaho Power Co. is fully compensated for the construction work it has done on the unfinished Brownlee Dam.

Mr. MORSE. Mr. President, will the Senator yield for one moment?

Mr. CHURCH. I yield.

Mr. MORSE. The Senator refers to the fact that even the Idaho Power Co. will benefit from this proposed generation of power, which causes me to say what I have said elsewhere, that if I were a stockholder of the Idaho Power Co. I would be strongly in favor of having a high dam at Hells Canyon, because it would provide cheap power which, under the pooling principle, would be available for purchase by the Idaho Power Co. itself, for redistribution to its own ratepayers. It would be, of course, under regulations to protect the people in regard to the rate they pay.

I have always been at a loss to understand how some of the stanchest proponents of what has been presumed to be the best interest of the Idaho Power Co. have missed this point, because as a stockholder, if I were one—I do not happen to be a stockholder of any corporation, because I simply do not have that kind of money—I would want this dam, because I think this dam would be a great economic asset to the Idaho Power Co. as well as to the people of the State of Idaho.

Mr. CHURCH. I thank the Senator for his observations.

If we permit these dams to be built, the substitute private dams, they will produce electricity at a cost of 6.69 mills. The Hells Canyon Dam will produce electricity at a cost of about 2.7 mills. So the difference of 4 mills will help keep the door closed to industry in Idaho. This is another part of the price the people will pay if the Hells Canyon bill fails to pass.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Illinois.

Mr. DOUGLAS. Is it not true that there are enormous phosphate deposits within relatively close range of the Hells Canyon Dam, namely, in western Montana, southern Idaho, Wyoming, and Utah?

Mr. CHURCH. There are large phosphate deposits, among the largest in the country, located in that area.

Mr. DOUGLAS. The largest in the world.

Mr. CHURCH. Yes. In all probability they are among the largest in the world.

Mr. DOUGLAS. Is it not true that to process the phosphate rock into triple superphosphate it will be necessary to have large amounts of power at low rates?

Mr. CHURCH. The availability of low-cost power would greatly stimulate production, because the production of phosphate depends on the consumption in the plants of tremendous quantities of electricity.

Mr. DOUGLAS. Is it not true that one of the best things TVA has done has been to develop triple superphosphate, which has improved the agriculture of that region?

Mr. CHURCH. Yes. That has been one of the series of great contributions the TVA has made to the whole area it has serviced.

Mr. DOUGLAS. Are there not similar opportunities in connection with Hells Canyon, in the further development of phosphate fertilizer there?

Mr. CHURCH. Yes, indeed. With respect to the phosphate possibilities, there are definite opportunities for further development.

I should like to say, in that connection, that the number of industries which might be attracted is as large as the imagination. There was a time, Mr. President, when the Grand Coulee Dam was being proposed, that the critics of that proposal laughed at it as being purely unrealistic. They said, "To whom are you going to sell the power; to the jackrabbits?" And those who listened to them laughed and applauded, because the question seemed so eminently sound.

The project was built, and in its wake came great industries to the Northwest. The problem ever since has been not where shall we find a market for the electricity, but how can we produce enough to keep abreast of the growing market?

Mr. DOUGLAS. The question of the added production of phosphate as a result of the Hells Canyon Dam, of course, has a direct advantage to the Midwest. The two chief farm crops of my State are corn and soybeans. Both take large quantities of phosphate from the soil. We are using up our phosphate at a very rapid rate. The fertilizers which our farmers have to buy are expensive. We need, in order to keep our agriculture going on a relatively fertile basis, large additional quantities of cheap phosphate.

Therefore, when people in Illinois ask me, "Why are you interested in Hells Canyon?" I say that first I am interested in it because it will increase the prosperity of the country, but, secondly, I am interested in it as a means of getting abundant and cheap phosphate fertilizer for the corn and soybean fields of Illinois.

Mr. CHURCH. I can only say in that connection that the cheap power made available through the construction of Hells Canyon Dam would not only stimulate further production of phosphate fertilizers but it would inevitably tend to reduce their cost to the farmers.

Mr. HUMPHREY. Mr. President, will the Senator yield at that point?

Mr. CHURCH. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I should like to have the RECORD show that I have received a number of telegrams, letters, and messages from people of the State of Minnesota, urging me to support the Hells Cayon Dam project. I have already told them, of course, that this support was given not only this year, but has been traditional. I have supported the development of the great resources

of the Snake River, the so-called Hells Canyon program, for many years.

I wish to say today that we in Minnesota feel very much the same as the Senator from Illinois has expressed. We look first upon this program as being for the general good and welfare of the United States.

I know the Senator has already reminded the Senate that in World War II, had it not been for the great public power projects, this country would have stood helpless before the onslaught of Hitler's Luftwaffe, because it was the public power projects that made possible the production of aluminum, and it was the production of aluminum needed for the bombers which made possible the bombers, and the bombers made it possible, at least in part, to destroy the enemy.

As the Senator from Illinois [Mr. DOUGLAS] has noted to me privately, it would have been impossible to have developed the atom bomb without the great resources of electrical energy.

I think the RECORD will show—and I wish I had it here with me today—that the private power companies all said in 1937, 1938, and 1939, that we had more electricity than we could use. They were fighting the same fight they are fighting now.

My position is clear. I am not against private power. As a matter of fact, private power has most of the generating capacity. It surely has most of the distribution systems. It sells between 80 and 90 percent of all electrical power, at least to the wholesale consumers. It seems to me that this project is in their interest, as the Senator has been pointing out.

Finally, I wish to say to the Senator that the State of Idaho, the Northwest, and the Nation are indeed fortunate to have an advocate of the quality, intelligence, persuasiveness, insight, and vision of the junior Senator from Idaho. It gratifies me and warms my heart to know that the junior Senator from Idaho is fighting for this cause, because it is a good cause, and it is a good man who speaks up at this time for a good cause. I commend him, and assure him of my unqualified support, just as the senior Senator from Oregon, the junior Senator from Oregon, and others who have fought the good fight have commended him.

Mr. CHURCH. I thank the Senator. I know of no one I would rather have on my side of the fight than the Senator from Minnesota.

Mr. HUMPHREY. I thank the Senator.

Mr. CHURCH. Returning to the statement of the reasons why I urge the Hells Canyon Dam.

Four. A prudent investment. Mr. President, the productivity of our Nation depends upon the harnessing of energy. In 1860, animals provided 79 percent of our energy, manpower accomplished 15 percent of the work, while the remaining 6 percent of our energy came from inanimate sources, such as coal, wood, and waterpower. By 1960, animals will do 1 percent, man 3 percent, and inanimate sources 96 percent. In one short century, inanimate sources have jumped from 6 percent to 96 percent—a direct measure of the increase in our material standard of living.

In this energy revolution, it is vital to remember that the Government's multiple-purpose dams in the Pacific Northwest, like the Hells Canyon Dam here proposed, have proved themselves exceptional investments. In many river basins of the country it is not unusual to find multiple-purpose dams where 90 percent of the cost of the project is charged to navigation or flood control, while power accounts for no more than 10 percent. The TVA has 40 percent of its cost allocated to flood control and navigation, and 60 percent to power.

Mr. GORE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. GORE. I point out to the able Senator that this formula was not originated by the TVA, but came about by Congressional enactment, after a careful study of the proportionate benefits to be derived.

Mr. CHURCH. I realize that that is so. My point is only to demonstrate that upon the geographical location of a power development will depend what part of it can be sensibly allocated to the various benefits which the dam provides.

But on the Columbia River, by way of contrast, the McNary Dam has only 8 percent of its cost charged to navigation and 92 percent to power.

The long-range public investment in the development of the Snake-Columbia River system, which offers more than three times the potential energy production of both the Colorado and the St. Lawrence Rivers combined, may have as much as 80 percent of the total cost reimbursable in power revenues. Eighty-five percent of the cost for the Hells Canyon Dam would be reimbursed to the Treasury, with interest, in power revenues.

We all are aware that the cost to the Government for the nonreimbursable benefits that are provided by a multiple-purpose dam may be fully justified in the public interest. Flood control may prove costly, but the improvement of channels and the protection of property achieved thereby represents a prudent investment of public money for which we expect no return in coin. In the same manner, the outlay of Government money for the improvement of navigation, although it is also a nonreimbursable expenditure, may be justified, for its purpose is to open water highways for the use and benefit of all the people. Similarly, the development of recreational facilities and the conservation of fish and wildlife resources are nonreimbursable expenditures, but investments, nonetheless, for the welfare of the people at large.

Fortunately, however, the great Columbia-Snake River system is not merely a gushing source for periodic floods; Hells Canyon is more than merely a factor for helping to furnish slack water navigation to Lewiston, Idaho; great as its potential for recreational benefits may be, these are among the lesser attributes of such sites as Hells Canyon. For in the Northwest, the great Snake-Columbia River system constitutes an asset of unique value. This asset cannot be permitted to lie idle, and must not be permitted to be underdeveloped. Here also we invest, but our investment can be measured in tangible terms; and when so measured, it becomes strikingly evident that it does not cost; it pays.

The multiple-purpose dams, built by the Government on the Columbia River have an enviable record for financial soundness, despite the high proportion of the total investment allocated to power. The revenues being realized are rapidly returning both capital and interest to the public treasury. For example, as of June 30, 1956, the Federal expenditure in the Columbia River power system was $1,283 million, of which power revenues have already repaid $202 million, plus $137 million in interest, to the Federal Treasury. This repayment is $77 million ahead of the schedule established by the law. I refer to the annual report of the Bonneville Power Administration, as of June 30, 1956.

The Hells Canyon Dam would add another great project to a system that has proven its capacity to pay for itself, even as it mightily contributes to the growth and prosperity of the region it serves. What better investment can be made in the future of the Northwest for the benefit of the whole country than that embodied in the building of the Hells Canyon Dam?

Five. Reclamation. Mr. President, I have sometimes thought that of all the fearless, venturesome pioneers who made the great trek west to build a new empire on the frontier, the most stalwart were those who settled short of the Pacific, in the highlands and deserts of the interior. These were the people who faced the hard task of creating fertility with their own hands. Singly at first, then by joint efforts, they diverted water from the creeks and rivers to irrigate fields nearby. These were people with faith in themselves, faith in their government, and faith in the future. When projects of larger dimensions were needed, these were the people who fought to establish the Federal Government's great program of reclamation in the West. In 1915, the lofty Arrowrock Dam was completed upriver from my home city of Boise, and my father's generation jubilantly laid claim to what was then the highest dam in all the world. So it was that reclamation opened the arid West. Water was lifted up from our rivers and spread upon the desert, and the desert was made to bloom.

Today, Mr. President, much of the economy of Idaho owes its life to reclamation. If we are to grow with the future, we must spread our water to desert land lying beyond the present limits of our irrigated valleys. But our low-cost reclamation projects have already been installed, and there is general agreement that irrigators alone cannot bear the whole cost of new projects. These projects await other sources of revenue to supplement what the irrigators can pay. What could be more proper than to make our rivers contribute to the development of the basin they

drain? Let it be the river's burden to help pay for the reclamation of the very land the river itself is made to nourish. Thus we may avoid the plight of having one day to plead with the populous East and South to subsidize with their tax money the further development of the arid West.

Government dams provide us with the means for escaping this stigma, for they can supply us with power revenues in aid of new reclamation. Slowly this realization is awakening the people of the West. On April 30 of this year, the Idaho Reclamation Association finally went on record, as the National Reclamation Association already had done, endorsing the principle that power revenues should be used in aid of irrigation.

The Hells Canyon bill now before us affirmatively includes irrigation as one of the beneficial objects of the legislation, and provides that the irrigation features of the Payette unit of the Mountain Home division might be treated as one project with the Hells Canyon Dam, for the purpose, among others, of providing for the application of project revenues to the return of reimbursable costs attributable to new irrigation, in accordance with the provisions of the Federal reclamation laws. The passage of this bill will greatly enhance the prospects for extensive new reclamation of fertile land in southern Idaho. By providing a huge new source of low-cost power, the Hells Canyon Dam could also make future public and private irrigation developments more economic by reducing the cost of pumping or spraying water onto the land.

By contrast, Mr. President, the alternative private dams offer no present stimulus to reclamation development, and no hope for future progress. This is another part of the price the people will pay if the Hells Canyon bill does not pass.

SUMMARY AND CONCLUSION

I have talked at length of our great river—of the earth's colossal conformation at Hells Canyon, creating a great site for flood control and power development; of the responsibility we face for developing that site, not only for today, but for the future stretching far ahead; of the uniqueness of hydroelectric energy in terms of our diminishing supplies of consumable fuels.

The issue that underlies this bill is as old as history and as broad as man's experience. All that we really have to sustain us, fundamentally, is the air, the soil, and the water. These are the elemental things of life. Civilizations that ill used the soil and the water, have quickly withered and died, for nature's penalty is inexorable. But proud and prosperous have been the civilizations that understood the Scripture:

> He sendeth the springs into the valleys, which run among the hills. * * * He causeth the grass to grow for the cattle, and herb for the service of man.

Those empires that wisely utilized the water endured the test of centuries. Ancient wells, aqueducts, and reservoirs, some still serviceable after two millennia attest to the lesson well learned.

Mr. President, this bill will put a wondrous water resource to wise and efficient use. It is a bill that serves no interest, save the people's interest. It is a good bill. It should pass.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. DOUGLAS. I congratulate the Senator from Idaho for his truly magnificent speech. I have heard a great many fine speeches on public power, and I am not indulging in any false flattery when I say that I think his is the very best analysis I have ever heard. It is extraordinarily able and fair, and at the same time eloquent. I hope it will be read by all our colleagues and by the people of the country.

I first heard the Senator from Idaho make a brief speech on the question of power in the concluding days of last December, when he was coming to Washington to serve in the Senate. I said at the time that it was the first occasion I had ever heard a brief and fascinating short speech on the subject of public power, a subject in which I have been interested almost all my life.

Today the Senator from Idaho has made a magnificent speech. He spoke for well over 3 hours, with many interruptions. I think he has written a chapter in the history of the struggle not only for Hells Canyon but for all the river valleys of the country.

Last December the Senator from Idaho was a Senator-elect with great promise; tonight he is a Senator with a great future.

Mr. CHURCH. I thank the Senator from Illinois from the bottom of my heart, because he is known throughout the country as one of the great Senators of the land.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. MORSE. As the author of the bill, I wish to associate myself with the remarks just made by the Senator from Illinois. I say to the majority leader that in my opinion the proponents of Hells Canyon have made their case. Their case is the great speech of the Senator from Idaho. So far as I am concerned, I am willing at any time to enter into a unanimous consent agreement to fix a time to vote, because I believe the proponents, through the Senator from Idaho, have made an unanswerable case.

Mr. CHURCH. I am very deeply indebted to the Senator from Oregon for his remarks.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. HUMPHREY. I would not want this moment to go by without joining my colleagues in thanking the Senator from Idaho—not merely commending, but thanking him—for his address.

I am very pleased to note that in the gallery today is the Senator's wife, who has listened to the marvelous presentation made by her great husband and great man.

As a Democrat I cannot help feel considerable pride in the Senator's presentation, and as a fellow citizen I feel that the country is just that much better off because of what has been said here today by the Senator from Idaho.

I notice that in the text of the speech the Senator from Idaho referred to one of the truly great men of the 20th century, the late William E. Borah, of Idaho. The junior Senator from Idaho [Mr. CHURCH] walks in the same footsteps, and carries in his heart the same spirit of service and dedication to his fellow man.

It is a great thing that Idaho has done for us. I, for one, want the people of Idaho to know that I will help them by voting for the bill, and in that way also help the people of Minnesota.

Mr. CHURCH. Mr. President, I thank the Senator from Minnesota very much. I want him to know how much I appreciate the observation that my wife is present today, because she has always been with me throughout the campaign and on all the eventful occasions of my life.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. CHURCH. I yield.

Mr. GOLDWATER. It may come as a surprise to my colleague from Idaho that one who is his adversary on the other side of the aisle should rise to compliment him on this occasion, even though the junior Senator from Arizona disagrees with the junior Senator from Idaho in nearly every paragraph and sentence of his speech. However, the junior Senator from Arizona would be remiss in his duty to his conscience if he did not commend the Senator from Idaho on the very able preparation and presentation of his speech.

Mr. CHURCH. I am very much indebted to the Senator from Arizona for his remarks. They reflect his well-known generous nature.

Mr. JOHNSON of Texas. Mr. President, will my young friend from Idaho yield to me?

Mr. CHURCH. I yield to the distinguished Senator from Texas.

Mr. JOHNSON of Texas. I wish to commend the junior Senator from Idaho for his good speech. I think it was a great speech. I do not know of any greater contribution that has been made to the debate in the field of conservation since I have been here than the contribution that my delightful friend from Idaho has made this evening.

The Senate has a great obligation to determine the most efficient and most economical and most prudent method of developing the great rivers of this country. No one could listen to the Senator's speech, or read it, without believing that the course of action outlined by the junior Senator from Idaho is the wise course, is the prudent course, and is the economical course to follow.

I may say to the Senator from Idaho that I have never had any abstract philosophy as to public or private power. I believe there is room in America for both. However, from the study I have made of this question, I believe that the wise course is to build the high dam at Hells Canyon. I expect to address myself briefly to that subject before we come to a vote on the bill.

I can assure the Senator that he will have my wholehearted support in his endeavor to conserve the resources of his State for all the people of that State and of the Nation.

Mr. CHURCH. Mr. President, I want the Senator from Texas to know that I deeply appreciate his remarks. I want the majority leader, in whom we all take so much pride, to know that his help in this matter is something which is appreciated not only by the junior Senator from Idaho, but by all the people of the Northwest. I thank him for his help.

Mr. NEUBERGER subsequently said: Mr. President, before today's session is concluded, I should like to note that I was pleased to have the privilege of presiding over the Senate during part of the time when the junior Senator from Idaho [Mr. CHURCH] delivered his very able address. It was his first major presentation in the Senate Chamber since he became a Member of the Senate, and certainly it was an auspicious beginning. If I had not then been in the Chair, I would have joined, at the conclusion of his address, my colleagues who commended him for his very fine presentation.

I ask unanimous consent that these remarks be printed with those of other Senators, at the conclusion of the remarks of the Senator from Idaho.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NEUBERGER. Mr. President, before we conclude today, I should like to call one matter to the attention of the Senator from Illinois [Mr. DIRKSEN]. Earlier today the Senator from Illinois and I discussed certain advertisements which have been placed by certain private utility companies in national magazines. The advertisements relate to the fact that the Hells Canyon Dam and the Idaho Power Co. dams are in controversy. I pointed out that the advertisements had been published in connection with the claim that the three private power-company dams will not cost the United States anything at all.

Mr. President, these advertisements have now been enlarged by a member of the staff of the Senate committee—I am not sure which one—and they have been placed in the rear of the Chamber. I hope the Senator from Illinois will have an opportunity to view them before the vote is taken.

VISIT TO THE SENATE TOMORROW BY PRIME MINISTER NOBUSUKE KISHI, OF JAPAN

Mr. JOHNSON of Texas. Mr. President, I desire to make an announcement for the information of the Senate.

Tomorrow at 12:30 p. m. the Prime Minister of Japan, the Honorable Nobusuke Kishi, will pay a visit to the Senate. I ask unanimous consent that at 12:30 it be in order for the Chair to declare a recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED SENATE PARTICIPATION IN THE LONDON DISARMAMENT TALKS

Mr. JOHNSON of Texas. Mr. President, there has been some discussion in the past few days of a State Department suggestion that the Senate designate some Members to attend the current disarmament talks in London.

I wish to advise my colleagues of the exact state of affairs as they are known to me and to make my position on the suggestion absolutely clear.

Presumably the State Department request is based upon the possibility that some kind of agreement may be reached which would be submitted to the Senate. In this eventuality, it would be helpful if Members of the Senate were available who had the benefit of an inside view of the discussions.

There is no question in my mind of the critical importance of the disarmament talks. The issue is the most important before the world today.

The question before us, however, is not the importance of the discussions, but the importance of having Senators, as observers, participate in them at this time.

Therefore, I have called upon the Secretary of State to ask the President to submit the request and to indicate the urgency which would require Senators to consider the matter in London instead of in Washington.

My position is based solely upon a desire to be certain that the Senate is performing its constitutional functions in a manner that best serves our Nation's interests. This raises a number of points which we must consider.

First, there is the need to cooperate responsibly with the Executive in shaping foreign policy.

Second, there is the need to maintain an independence of judgment that will insure that our consent to any treaty negotiated by the Executive will be more than a mere formality.

Third, we must weigh the extent to which the business of the Senate would be disrupted by the absence of some Senators during the consideration of important issues.

There is ample precedent for Senators to attend important international conferences. It grows out of the experiences of the Versailles Treaty, which was loaded with reservations by a party in opposition to the President which felt that it had not been adequately consulted.

During World War II, Secretary of State Cordell Hull worked with leading Members of this body. He felt that the Senate should have an opportunity to make its views known so they could be considered by the Executive in advance of commitments.

I am a strong advocate of continuing that tradition. The President and the Secretary of State will find, and should know already, that this Congress is consistently cooperative in the field of foreign policy.

This, of course, does not require senatorial attendance at every international conference. Since 1953, there have been at least 12 important international conferences which were not attended by Senators.

The most striking was the Geneva conference of chiefs of state in 1955.

I ask unanimous consent that the list of 12 be printed in the RECORD at the conclusion of my remarks.

There being no objection, the list was ordered to be printed in the RECORD.

(See exhibit 1.)

Mr. JOHNSON of Texas. Mr. President, if the President and the Secretary of State desire senatorial attendance at London, the Senate will respond. I would not, however, advocate the type of senatorial participation which might tend to usurp the Executive function of negotiating treaties.

Our Government is based on a system of checks and balances. One of the most important checks is that which requires the Senate to exercise an independent judgment on treaties negotiated by the Executive.

This check would become a mere formality if the Senate were committed in advance to approve a treaty that was negotiated.

The conduct of foreign policy is an Executive responsibility. I would not want to be placed in the position of intruding upon that responsibility.

There are also a number of disturbing implications involved in the possibility that the attendance of a number of Senators at an international conference could seriously interfere with the conduct of legislative business.

For the past several years, the distinguished minority leader and I have sought to discourage large-scale participation by the Senate in international conferences while the Senate is in session.

This is a Senate which is closely divided. It is extremely important that every Senator be present to cast his vote.

Of course, this is not an ironclad rule. Certainly, there are occasions when the destiny of this Nation rests on international negotiations.

This may well be one of those occasions. It is possible that historic agreements may be reached in London, and if so the Senate should have observers present—agents of our own choosing—who can bring us a firsthand report and enable us to discharge our obligations responsibly.

To discharge those obligations responsibly, the Senate must maintain its complete freedom to advise and consent to a treaty or to reject a treaty negotiated by the Executive.

Our Constitution does not provide for a parliamentary system. The Founding Fathers sought to set up checks and balances which were not contemplated in the parliamentary systems of Europe.

The London conference is facing up to a fundamental problem before the world today. It must, if possible, find ways and means to control the tests of atomic weapons and to reduce the tremendous burden of armaments.

Naturally we will cooperate with the Executive and within the framework of our Constitution.

That is the state of affairs as I know them at the present time.

If we receive a formal request from the President or the Secretary of State, I will consult my colleagues and attempt to work out arrangements which will be mutually satisfactory, and certainly in the national interest.

EXHIBIT 1

PARTIAL LIST OF MOST IMPORTANT INTERNATIONAL CONFERENCES SINCE 1953 AT WHICH THERE HAS BEEN NO SENATORIAL REPRESENTATION

July 10–14, 1953: Meeting of Foreign Ministers of France, United Kingdom, and United States. Agreed to invite the U. S. S. R. to a Big Four conference.

October 16–18, 1953: Meeting of Foreign Ministers of France, United Kingdom, and United States. Further discussion of a possible Big Four meeting.

December 4–7, 1953: Bermuda Conference of the heads of State of the United States, United Kingdom, and France.

January 25–February 18, 1954: Four-Power Conference in Berlin between the Foreign Ministers of the United Kingdom, France, the U. S. S. R., and the United States. Full discussion of European problems but no agreement was reached. First meeting of the Council of Foreign Ministers since 1949.

April 26–July 21, 1954: The Geneva Conference on Indochina and Korean problems. Armistice agreements relating to the Indochinese States were signed but not by the United States.

September 28–October 3, 1954: Nine-Power Conference in London. Preliminary agreement was reached on a substitute for the defeated EDC Treaty.

October 20–23, 1954: Paris Conference. Numerous agreements were signed including the Convention on Relations with the Republic of Germany and the protocol to the North Atlantic Treaty on the accession of Germany.

December 2, 1954: Mutual Defense Treaty with the Republic of China signed after months-long negotiations in T'ai-pei and Washington.

February 23–25, 1955: First meeting of the Southeast Asia Treaty Council.

May 15, 1955: Austrian State Treaty signed after several weeks of negotiations.

July 18–23, 1955: Geneva Conference of the Heads of State. First meeting of heads of State since Potsdam.

July 1956: Meetings of the heads of the American States at Panama.

Mr. DIRKSEN. Mr. President, will the Senator indulge me for a comment?

Mr. JOHNSON of Texas. Certainly.

Mr. DIRKSEN. It occurs to me that the emphasis has been that someone sit as an observer. To be an observer to represent the legislative branch, particularly the Senate, is one thing; to be a participant is another thing.

I suppose "participant" in this particular expression was used for lack of any other term.

But I think it was very carefully decided that whoever attended the conference on the part of the Senate should go only in the capacity of an observer, not as a participant in the deliberations. I think that is what was contemplated. I think the majority leader will agree in that general concept.

Mr. JOHNSON of Texas. I have not had an official reply to my suggestion that the President and the Secretary of State outline to me their conception of the role the Senate would play in the negotiations. I should think they would indicate the extent to which they felt it was feasible for the Senate to participate for study or observation, and the extent to which they felt it desirable to receive advice in the matter before the conference.

I have never felt that the legislative branch should usurp the functions of negotiation which are clearly the responsibility of the Chief Executive.

I, together with the minority leader, have made it abundantly clear on a number of occasions that we would welcome the opportunity for Senators to attend as observers, but not to act strictly as what might be called advisers or participants.

Mr. HUMPHREY. Mr. President——

Mr. JOHNSON of Texas. Mr. President, does my friend, the Senator from Minnesota, desire to ask a question on this subject?

Mr. HUMPHREY. No; I only wish to say that I am very appreciative of the Senator's statement. Let me suggest to our colleagues that he is one of a number of Senators who have been discussing the proposal to send Senators to the conference, as observers. I surely concur. However, I hope that will not in any way prevent those involved from discharging their senatorial duties, particularly in the case of the measure now before the Senate.

Mr. JOHNSON of Texas. I assure the Senator from Minnesota that I appreciate his remarks, as I do the concurrence of the distinguished acting minority leader.

Mr. President, I turn now to another subject.

The PRESIDING OFFICER (Mr. SYMINGTON in the chair). The Senator from Texas has the floor.

FIFTIETH ANNIVERSARY OF THE UNITED PRESS

Mr. JOHNSON of Texas. Mr. President, it is my understanding that tonight the not-so-ancient, but presumably honorable, order of the Downhold Club will celebrate, with appropriate ceremonies, the 50th anniversary of the United Press.

For the information of those who are unfamiliar with this organization, it is one of the largest in the United States. It is composed of United Press alumni who seem to have invaded every aspect of American life—including my staff.

I am told that the formal part of tonight's ceremonies will last an hour and two-fifths. Some members of the press gallery and of the Senate staff have expressed an interest in being present, and on time.

It is my hope that we can accommodate the members of the club by adjourning relatively early. Meanwhile, my congratulations to Chairman Bill Lawrence and his former employers of the United Press upon the anniversary.

I hope to see the members of the club tomorrow—bright eyed and fresh and ready to start upon another 50 years.

THE FLOODS IN SOUTHWESTERN MINNESOTA, AND THE VITALLY NEEDED FLOOD-CONTROL PROJECTS

Mr. HUMPHREY. Mr. President, I take the floor of the Senate at this time only because of a very dire emergency in my State and because in this manner I am able to call it to the attention of my colleagues, through their reading of the CONGRESSIONAL RECORD.

Mr. President, southwestern Minnesota, along the Minnesota River and its tributaries, has been hard hit by floods, particularly since the past weekend, when there were heavy rains which resulted in severe flooding. It is now estimated that the damage in and around the town of Marshall, Minn., alone will run into several millions of dollars. Just a few minutes ago I was informed that the damage in the case of this one community is now estimated at $7,500,000.

Some of the most promising crops in recent years have been ruined by these floods, which came suddenly, and are still inundating tremendous areas in Lyon County and neighboring Lincoln County. I am informed today that farm lands along the Minnesota River itself, between Montevideo and New Ulm, Minn.—in Yellow Medicine, Pennville, Brown, and Nicollet Counties—are under water for miles.

Since the first reports of these severe floods came to my attention on Monday of this week, I have been in constant touch with the Governor of Minnesota and local authorities, and also with the Federal agencies which are set up to render assistance under disaster conditions.

Mr. President, today, in fact, the Commissioner of Agriculture of Minnesota, the Honorable Byron Allen, came to Washington, to discuss these matters with me and with other Members of the Minnesota Congressional delegation. He is now seated in the Senate gallery.

Some of these agencies are by law prohibited from taking action to be of assistance until the President declares a state of emergency in the area. However, others—notably the Farmers Home Administration—can take action. On the authorization of the Secretary of Agriculture the Farmers Home Administration can institute a program of production emergency loans to farmers who have been washed out by floods. Thus far, the Farmers Home Administration has not acted to request this authority of the Secretary of Agriculture, nor has the Secretary of Agriculture directed the Farmers Home Administration to take action. But I am receiving from the Minnesota State Commissioner of Agriculture reports indicating that the damage is so severe as to make imperative the institution of such a program at once.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of my telegram of this afternoon to the Administrator of the Farmers Home Administration, urging that all possible speed be taken to de-

termine the need for an emergency-loan program in the counties of southwestern Minnesota affected by the floods of the past week.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KERMIT A. HANSEN,
Administrator, Farmers' Home Administration, United States Department of Agriculture, Washington, D. C.

Request you expedite survey being made of crop damage due to flooding in Lyon, Lincoln, Yellow Medicine, Redwood, Renville, Brown, Pipestone, Lac Qui Parle Counties and parts of Cottonwood and Murray Counties so that program of emergency loans under Public Law 38 can be instituted at earliest possible moment. Minnesota Department of Agriculture and local authorities indicate damage in many areas far in excess of ability of regular FHA loan program to handle, roughly estimated at upwards of $5 million, rural areas alone.

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, the recent flooding along the Minnesota River Basin underlines the urgent need for moving forward at once with a broad program of flood control for this area. Time and again, year after year, many hundreds of square miles of fertile cropland in the area—some of the most fertile in the world—is flooded and its crops destroyed by spring and summer floods. For many years I have been supporting the necessary appropriations to sustain the continuing flood-control survey of the Minnesota River, and of the urban areas in the Minnesota River Basin, being made by the Corps of Engineers.

The comprehensive report by the engineers is scheduled for completion and submission to the Congress during the fiscal year 1958.

In addition, from time to time, engineering reports concerning some of the local flood-protection projects which could be undertaken under the authority of section 212 of the 1950 Flood Control Act, have been submitted by the district and division engineers. One of these reports was made on the Redwood River, in the vicinity of Marshall, Minn.—now largely 3 feet under water. Mr. President, Marshall, Minn., is the city to which I referred a moment ago; and I am informed that at the present time there is between 3 and 4 feet of water over the entire area. This report of June 1955, indicated that the estimated Federal cost of $140,000 would be too high. In fact, at that time the Assistant Chief of Engineers told me, "The proposed plan of improvement has been found adequate from an engineering standpoint; however, the project economics appear questionable and the benefit-to-cost ratio is considered very marginal."

Well, Mr. President, $140,000 does not sound like a lot of money to me, when I hear that the damage in the urban area of Marshall, Minn., alone will amount to $7½ million, just from the damage of the last few days of flooding. Yet by that report from the Bureau of the Budget we were told that the Government of the United States simply cannot afford a project of this kind, because it would be too costly. I ask my colleagues to compare that statement, which was made a little more than 1 year ago, with what we predicted would happen if that flood-control project were not undertaken. I testified before the Congressional committees, and begged and pleaded with them for flood-control measures in this area.

I have expressed these views to the Corps of Engineers; and I have been assured that the engineers have full authority to undertake a resurvey of the Marshall area and the completion of a new interim report, and will do so if the necessary funds are made available.

I am informed that it will take $25,000 to make this interim report. Therefore, I am requesting the Senate Committee on Appropriations to consider favorably the inclusion of this amount in the appropriations bill for public works now before the committee. I have directed the appropriate communications to the chairman of the full committee and the chairman of the subcommittee. Certainly this is a very small amount to invest toward the solution of the problem caused by the floods which have descended with such disastrous results on the community of Marshall, Minn., and the other communities in southwestern Minnesota.

Mr. President, I am further informed that the waters in other parts of the State of Minnesota are also rising to dangerous heights.

Mr. President, more floods may afflict our people with further suffering and great loss. This situation can be alleviated by proper flood-control construction works. I am hopeful this plea will not go unnoticed.

Mr. President, I turn to another subject.

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

PEOPLE-TO-PEOPLE USE OF FOOD

Mr. HUMPHREY. Mr. President, earlier today I sent to the press gallery and made available a press release on the work of the voluntary agencies on surplus food disposal. This is a people-to-people use of food, and I wish to address myself for a few moments to the role of voluntary agencies in carrying out provisions of Public Law 480, dealing with the disposal of farm surplus commodities.

The role of voluntary agencies must not be overlooked in the legislative history of Public Law 480. I am convinced that the public is not fully aware of what has been accomplished under its authority—and, what is more, I do not think the public understands what more could be accomplished.

Mr. Theodore Gill, of the Christian Century, has used the words "history's housekeeping" to characterize the many ministries of relief, reconstruction, and interchurch aid which he viewed in Hong Kong recently. I think his phrase can serve to describe the work of all voluntary agencies everywhere:

> The uprooted and stateless, seeking refuge from tyranny * * * the naked and hungry, deprived of food and possessions by floods, earthquakes, and strife * * * the homeless, evicted from their lands by political upheaval and boundary disputes * * * the widows, orphans, and disabled who are constant reminders of what the wars of men have wrought on a populace * * * the sick and undernourished in many lands, condemned to lives of suffering and starvation.

These then are those helped by Public Law 480. It is to them that voluntary agencies, through their worldwide facilities, distributed nearly a billion and a quarter pounds of food last year as a gift of the American people.

There has developed between the voluntary agencies and the American Government a partnership that is undoubtedly without parallel or precedent either in scope of operations or value to the Free World. It is a method unique to Americans.

It is seldom that there prevails a happy circumstance whereby an abundance of surplus stocks and burdensome storage costs are diminished with proportionate expansion of understanding and good will, whereby an exchange is effected which in a sense translates material gifts into spiritual realities among people.

Thus are expressed the abiding concerns of the voluntary associations of Americans for the building of true brotherhood among peoples by people-to-people efforts; for the strengthening of the sense of personal worth among those disinherited and cast off by the world; for the reassertion of eternal values among those for whom all values have failed; for the sowing of peace among those anguished by violence, insecurity, and unending want.

The United States well can take pride in that it has used its vast storehouse of farm surplus commodities to help the lot of those tragic peoples of the world who by circumstance had to cut themselves away from home, family, friends, and country to seek freedom from fear—a freedom which we in the United States view as a God-given right and, too often, perhaps, take for granted.

As most of my colleagues know, Mr. President, I am at present conducting a series of hearings before the Committee on Agriculture and Forestry upon the entire subject of Public Law 480. It will be the committee's pleasure to hear representatives of voluntary agencies tell their experiences under the program at tomorrow morning's session. From advance information, I can tell Senators that most of the experiences will be good. Let me share some of the accomplishments of the voluntary agencies with my colleagues. As they hear their experiences, I am sure they will join with me in asserting that because of our devoted overseas representatives, and the denominational representatives in this country who spend many hours of time in consulting together on this cooperative ministry, our gifts have helped to bring new life and self-respect to many who despaired.

Out of America's vast storehouse of surplus commodities, owned or controlled by the United States Government,

farm surplus products were made available free to voluntary agencies for shipment to the hungry peoples of the world. Freight costs within the United States and ocean freight to many countries are paid entirely or in part by the Government. Foreign governments receive the food without charging duty, and pay international freight costs in some instances.

These voluntary agencies are visible expressions of great American traditions. They work ceaselessly around the world so that those who escaped from one bondage, at so great a cost to themselves, will not become victims of the bondage of starvation.

The very existence of voluntary agencies, and their activity in every corner of the Free World, bears witness everywhere to the reality of a free society, a society which permits and nurtures free associations formed by free men.

American voluntary agencies, including those supported by the three great faiths, have been in 78 countries and areas of the world, giving not only first aid, but planful care to the most dispossessed of humanity.

Mr. President, it was my privilege recently to make a fact-finding trip to parts of Europe and the Middle East for the Foreign Relations Committee, where I met with many government officials. And I learned something there about food. American food and fiber is vital to the very existence of millions of undernourished people, and it is the brightest ray of hope for building stronger economies and greater political stability in most of the countries I visited.

Voluntary agencies are working among the destitute exiled masses of South Vietnam, South Korea, Hong Kong, and Formosa, amid the wreckage in Port Said, in poverty-ridden Haiti, among the forlorn in the Middle East, amid the escapees who crowd into West Berlin, who were farmers, craftsmen, apprentices, and students yesterday, but who today live in damp, cold camps and ruined factories, and whose children die in large numbers.

Through the surplus program new hope is given to the widows of Pusan, to the refugees of Europe, to the tuberculosis patients in many lands, and to the schoolchildren in Jamaica.

Greece, long plagued by unproductive land and few resources, has been even harder hit in recent years by earthquakes in the south and central plains and by the lingering effects of war and civil strife which wiped out whole villages in the north. Assistance has also gone to orphanages, theological schools, and summer camps.

Supplies have gone to millions of victims of earthquakes and riots, and to thousands of cold and hungry in the mountains of Yugoslavia and northern Greece.

One of the values of voluntary agency programs, it seems to me, is the bridge between our people and the people of other lands even if our governments are, for one reason or another, cool to each other and withholding official dealings.

For example, Mr. President, while I was in Egypt, I learned that CARE's feeding program had been reaching 2.9 million people a day in that country—mostly to school children, through a lunch program which was bringing them into the schools. Unfortunately, that effort had to be reduced to food assistance to 100,000 people, when CARE's supplies were exhausted in September of last year, and repeated requests to replenish supplies have not been answered.

I note for the RECORD that I spoke to the President of the United States about this matter this morning. I hope out of the kindness of his heart and because of his responsibility as Chief Executive of this land he will see to it that the pleas and requests of the children are answered—children to whom we should look forward as being our friends in the days ahead—and that the plea and requests from the great organization known as CARE will be responded to favorably.

In many instances, voluntary agencies are meeting a segment of the population in foreign countries untouched by other governmental agencies, and that distribution at a local level is more likely to be accompanied by the expression of compassion and kindness which demonstrates the concern of America for their need, and the uplifting of their standard of life.

The Advisory Board on Foreign Aid daily receives letters of gratitude in various languages of people in many countries—letters not solicited or inspired by anyone, but spontaneous expressions, coming from the heart.

Despite these accomplishments, we know there is much yet to do, there are needs still to be met, and there are people who are awaiting our help. We know that what our farm surpluses have done is a bare fraction of what is required, and what can be done with some vision and the imagination to use it constructively for human good.

Yet we can take pride, Mr. President, in what has been accomplished. And it is in this spirit that I pay tribute to America's voluntary agencies.

Each of the agencies concur in the statement that the value of the surplus sharing program is tremendous. It is in keeping with the basic Christian ethic and is an unmistakable demonstration of a basic American ethic.

The type of aid represented by programs such as Public Law 480 is most helpful in humanizing and personalizing our concern for others. As Robert J. MacAlister, Executive Director of the International Rescue Committee, recently put it:

> In a world where Communist propaganda constantly paints a picture of a materialistic America, it is extremely important for sound political as well as humanitarian reasons that America clearly demonstrates that we have not forgotten others less fortunate.

On the matter of program performance, there seems to be agreement that the distribution has been on a non-discriminatory basis to those in greatest need. Machinery has been set up to avoid duplication, and the aid given through the agencies has not interfered with national or international economies. The agencies make every effort to assure that the American origin of the supplies is known to the recipient individuals and organizations overseas, and—perhaps most important of all—lives have been saved and hope renewed among dispossessed and uprooted people.

In a letter to the Advisory Committee on Voluntary Foreign Aid, on March 15, 1957, the Honorable Earl L. Butz, Assistant Secretary of Agriculture, said:

> The contributions which have been made by the American Voluntary Welfare Agencies in their distribution of surplus foods abroad have been very worthwhile and have materially assisted us in our care and management of CCC food stocks.

It should be noted that operation of the overseas free food distribution by the voluntary agencies is carried out in addition to their regular, on-going worldwide schedules of relief and rehabilitation, through which contributed and purchased foods, clothing, bedding, medicines and self-help supplies are furnished and through which are maintained continuing programs of resettlement, constructive development, and assistance for refugees, as well as support for orphanages and hospitals, tuberculosis and other health projects.

The American voluntary agencies have distributed more than 2 billion pounds of surplus commodities since 1954. If shipments continue at the present rate, the commodities shipped to 78 countries since 1954 will have exceeded the value of $1 billion by July.

These distribution plans could only have been carried out because of the great welfare and health channels that the agencies have long since established overseas.

Despite the magnitude of this greatest of food relief efforts, there are still many millions of impoverished and undernourished persons in need, far exceeding in number those now being ministered to in the overseas distribution process.

American overseas relief agencies of the Protestant, Roman Catholic, and Jewish faiths distributed more than 1,200,000,000 pounds of United States surplus foods free to destitute and hungry people abroad so far this fiscal year.

These supplies of America's stocks of surplus foods—cheese, powdered milk, beans, corn, rice, wheat, cornmeal, and flour—comprised more than 91 percent of all such surplus foods distributed by all American voluntary relief groups during the same period.

Other surplus stocks similarly distributed by nonreligious voluntary agencies amounted to 108 million pounds. Of this, the largest amount—nearly 102 million pounds—was distributed by CARE.

The American Council of Voluntary Agencies for Foreign Service is composed of 40 agencies registered and recognized by the United States Government. In all, the Commodity Credit Corporation released 1,300,000,000 pounds of food, valued at $123 million, for free distribution overseas by voluntary agencies during the 9 months of this fiscal year.

Because of the highly voluntary nature of their assistance both here and abroad, religious faith leaders report that the agencies achieve an extremely

high rate of distribution per dollar of cost, with much more than 200 pounds of food being given to relieve human misery for each dollar expended in their programs.

During the hearing tomorrow morning, I hope to bring out more fully the personal accounts of how this aid has contributed to our foreign relations. Permit me to cite some examples for Senators from information I already have received.

Take the case of Church World Services. Shipments in 1956 of commodities went to 34 countries in Europe, Asia, and other parts of the world. The shipment totaled almost 192 million pounds. To think of the processing of these goods, starting from the requests in the field, procurement from the Government, movement and marking at port for shipment overseas, shipping, receiving, and distribution, and when we think also that on the average 145 such shipments were made each month during 1956, it is truly an accomplishment of heroic proportions.

A very interesting note in a report of Church World Service comes from Japan. Since the inception in Japan of the surplus sharing programs and the previous similar activities of American agencies, the Japanese people are becoming increasingly aware of a compulsion within themselves to help those of their own people who are worse off. This is a new thing in Japanese life, and, to me, it seems quite significant.

Catholic Relief Services, which shipped 1½ billion pounds of food to 46 countries, said in a letter to me:

When Congress legislated Public Law 480, it performed a humanitarian task that every hour of every day throughout the year is making itself felt in country after country around the world. There has been concretely demonstrated the way, under a free society, that the agencies voluntarily supported by the people of the United States work side by side with the official representatives of the duly elected Government of the United States.

This pattern has stood out in so great a contrast to the activities of the totalitarians which submerge the individual under the veil of the all-powerful state and suppress the very type of agencies the growth of which our Government not only fosters but accepts in partnership. To those who would learn a lesson of the way of the West, this has been an illuminating concrete experience.

The vast distribution programs which Congress has fostered and encouraged through America's voluntary agencies have made possible an intelligent worthwhile use of America's food surpluses, have aided in the reduction of back-breaking storage costs which previously had been incurred year after year which constituted a drain on the taxpayer whose taxes had been used not only to acquire the foodstuffs but to meet mounting costs of storage, have resulted in widespread goodwill because of their direct impact upon the people of other countries as individuals in a manner sharply in contrast to government-to-government aid.

This last point—that of impact—may well be summed up on the remarks of our representative in India who wrote some months ago that the Communists had little trouble in making a propaganda case against the aid given through governmental channels but that they could find no way to cope with the effectiveness of the voluntary distributions because these gifts were freely given with no strings of any kind through counterpart agencies in their lands interested simply and solely in the welfare of the individual.

The Right Reverend Monsignor Edward E. Swanstrom, executive director of Catholic Relief Services, noted:

I have traveled several hundred thousand miles in the past 5 years conducting inspections of our distributions throughout the world. I have seen the surplus products of our Midwestern farms relieving misery in the heart of Pakistan; I have seen our sharing of the bounty of America's produce bring smiles of friendship to the faces of those in southern Italy who, in despair, had been flirting with communism; I have seen the incredulity with which these gifts from the people of America were first greeted in the Far East where the whole concept of aid to one's neighbor had not previously existed; I saw this incredulity replaced with confidence and appreciation when it became clear that these gifts were made available simply and purely from the desires of the American people to help their fellow men wherever in need; I have visited remote towns and villages in Spain to be told by almost every schoolchild in a most grateful way that the milk and cheese and butter which they had been receiving each day at noon in the schools were gifts from that great country across the sea—America.

There is no questioning the vast good which these programs, as now constituted, have done and can continue to do. Their supplementation through adequately financed self-help projects would bring nearer the day when many of the world's hungry will be able to feed themselves. It is to this day which all of us interested in peace and world stability must look.

I wish to concur in what Monsignor Swanstrom has said. I have seen the results of the program, and I pay tribute tonight to the great voluntary agencies for the wonderful, marvelous work they have been doing in terms of human welfare.

Franklin Clark Fry, president of the Lutheran World Relief, which has distributed supplementary food to more than 1,465,000 people in all parts of the world, commented:

By demonstrating their concern for the victims of war and other disasters through the Government-donated surplus commodities program carried on by the voluntary agencies, the American people are helping the indigenous governments to see and help the unfortunate among their citizens.

It would be wrong for us to leave refugees and other needy persons crushed, abandoned, hungry while we have the means to alleviate some of their suffering. It is right for us to share our blessing of abundance with the victims of want.

Hannah L. Goldberg, executive director of Hadassah, the Women's Zionist Organization of America, wrote to me:

We are convinced that the generous gifts of surplus food commodities by the United States has created much good-will for the United States in Israel and in those areas of the world which benefited from such gifts.

Israel, during recent years has absorbed large numbers of immigrants many of whom were in poor physical condition. The surplus food products were utilized to supplement the inadequate diet of these immigrants and other needy persons in Israel.

From our experience with the program we believe that its good effects could be immeasurably increased by giving the program a greater and assured continuity with long-term planning.

Every day of this year, CARE's American staffs overseas are able to provide supplementary rations of 5¼ million people. To make this possible, more than 54 million pounds of surplus, valued at $9 million has been shipped overseas through March of this current fiscal year.

Since inaugurating surplus food relief in 1951, CARE has shipped overseas about 340 million pounds of milk powder, butter, butter oil, cheese, egg powder, cottonseed oil, and shortening, rice, beans, flour, and cornmeal.

The American Mission to Greece reports as its accomplishments—directly connected with Public Law 480—the following:

First. The prevention of hunger among many who lack even their daily bread.

Second. The prevention of disease because of the very low resistance and undernourishment, especially among children and young people.

Third. It has created in the minds and hearts of multitudes of people a conscious realization that they are not without friends at the very moment when they are reaping the consequences of their sacrifices for the cause of freedom.

In the last 2 years alone, the Tolstoy Foundation, Inc., has distributed 550,000 pounds of butter, cheese, and milk powder to more than 8,500 needy persons in Europe and the Middle East. From this experience, the president of the group, Miss Alexandra Tolstoy, said:

In addition to providing vital food to supplement meager diets, the general American action has been received with sincere appreciation by the refugees whom we service as a specific measure of interest of the American people in the refugee himself.

From the camps in Austria and Germany and from the mud-bricked hovels in Iran came heartfelt words of appreciation for this attention. I cannot overestimate the tremendous psychological value inherent in Public Law 480 in establishing, maintaining, and strengthening good will toward the American people and the American Government.

The American Friends Service Committee notified me:

We believe this program of distribution through the voluntary agencies has been of inestimable value not only in relieving human need and suffering, but also in expressing the concern of the American people in a tangible and personal way divorced from any political considerations for millions of refugees and underprivileged people in other parts of the world.

We also believe that the expenses incurred by the United States Government in using these foodstuffs overseas through American voluntary agencies represent a good investment of taxpayers funds, particularly in light of resulting substantial savings in storage costs.

And, Mr. President, I believe they can base their observations on good experience: The American Friends have shipped more than 30 million pounds to 9 countries since 1950.

The American Jewish Joint Distribution Committee wrote me that the farm surplus commodities made available to them has been of immeasurable help in improving the health and well-being

of the needy, particularly children and young people of school age.

For instance, in Morocco, Tunisia, and Iran, they have set up infant feeding stations for the distribution of milk to mothers and babies. Lunches and midday milk are served to 62,000 children in schools and kindergartens in North Africa and the Middle East. They feel it is needless to point out the great value of the milk allocated to voluntary agencies, and they only wish it were made available the year around instead of on a seasonal basis.

Dr. Joseph B. Koncius, president of the United Lithuanian Relief Fund of America, visited all the camps of refugees in Germany and determined:

First. Without the aid of surplus foods, at least 30 percent or more of the refugees would be afflicted with tuberculosis.

Second. Food which was distributed was used immediately by the recipients, and in no cases were there any indications of the food being misused.

Third. Recipients are grateful to the United States Government and people for the aid they are receiving and asked me with tears in their eyes to express their appreciation.

The foreign service committee of the Assemblies of God reports that the overall effect of the distribution was excellent. The organization noted that in Korea and Hong Kong, for instance, the needs are still tremendous. It humbly reports that its program has barely brushed the surface of the great need. In true abiding spirit, they quickly add, however, that even this small part provided an additional bulwark against the onslaught of Communist ideology.

The report from the Romanian Welfare, Inc., is particularly inspiring. Only in operation since August of 1955, this group distributed 898,000 pounds of agricultural commodities, reaching approximately 5,000 Greek refugees from Romania. These people were—and most still are—living under incredibly poor conditions.

Romanian Welfare definitely feels that through the wide publicity it succeeded in giving to this operation, the United States not only made friends, but it is confident that it succeeded in preventing the spread of communism among the people helped, in a country which due to poverty, and the moral material devastation caused by the civil war, could easily become a hotbed for such doctrine.

While in Italy on my recent mission, I conferred with Adm. Robert Briscoe, Commander in Chief of Southern NATO Forces, at his headquarters in Naples. During our discussion of the defense situation in Italy, Greece, and Turkey—all under his NATO command—he mentioned the importance of food among supply problems.

At the same time, I conferred with Counselor Frances Deak, Chief of the Economic Section of the United States Embassy in Rome, who declared that the people-to-people program of the voluntary agencies had provided the best possible publicity for the fight against communism in Italy, and was "one of the best tools for winning friends in America." From a long-range viewpoint, he expressed the belief the relief feeding had far more value than just a giveaway, as it was improving nutritional habits that were going to result in future markets for our products. Mr. Deak was very adamant in his praise of these voluntary groups.

Therefore, Mr. President, I should like to emphasize by reiteration: The hearings before the Committee on Agriculture and Forestry which are now in process on Public Law 480 will survey the extent to which surplus agriculture products can be a bigger factor in our policy, will examine the effectiveness of the present program, and determine what can and should be done to do a better job.

The voluntary agency programs do and should carry the American humanitarian spirit abroad without any "political strings"; they offer a chance to get directly to the people in countries where for international policy reasons we as a country may not want to be directly helping the government of another country..

We must recognize, Mr. President, that voluntary agencies of the United States are filling a constructive foreign policy role which benefits our country far beyond just getting rid of some surplus commodities.

In fact, I am absolutely convinced that in many areas of the world it would be much better if we relied upon voluntary agencies for much of our programing in terms of the desires and objectives of the American people. That is particularly true in some of the most troubled areas in the world, such as the Middle East, Asia, and Africa, where the voluntary agencies have an approach to the people that is more intimate and helpful than any government has.

If our Government will increase and continue to assist the voluntary agencies, in their programs of food distribution, health, medical care, and education, much will be done to help make peace possible in the world.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, June 19, 1957, he presented to the President of the United States the following enrolled bills:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1008. An act for the relief of Col. Benjamin Axelroad;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antoine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

ADJOURNMENT TO 11 A. M. TOMORROW

Mr. HUMPHREY. Mr. President, in accordance with the previous order, I now move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 7 o'clock and 18 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until tomorrow, Thursday, June 20, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 19, 1957:

DIPLOMATIC AND FOREIGN SERVICE

H. Freeman Matthews, of the District of Columbia, a Foreign Service officer of the class of career ambassador, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Austria.

IN THE MARINE CORPS

Capt. Albert F. Schoepper, United States Marine Corps, for permanent appointment to the grade of major.

CONFIRMATIONS

Executive nominations confirmed by the by the Senate June 19, 1957:

COAST AND GEODETIC SURVEY

The following nominations for permanent appointment to the grades indicated in the Coast and Geodetic Survey subject to qualifications provided by law:

To be captains

Franklin R. Gossett
Ernest B. Lewey
John C. Mathisson

To be lieutenant commanders

Harley D. Nygren
Hubert W. Keith, Jr.

To be lieutenant

Howard A. Garcia

To be lieutenants (junior grade)

J. Frank May, Jr.
John H. Bennett

To be ensigns

Gerald D. Bradford John J. Vlastelicia, Jr.
Morris J. Rothenberg Gene A. Weir

HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 19, 1957

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Eternal and ever-blessed God, who art our light in darkness and our strength in times of trouble, again we feel the need of coming unto Thee in prayer.

We penitently confess that, in days of chaos and confusion, we find it very difficult to muster and maintain our courage and morale.

Give us the unfaltering confidence that there is a spiritual power in the universe working for righteousness and justice no matter how seemingly futile and fruitless our own human efforts may be.

Grant that we may believe and know that Thou hast placed at our disposal the inexhaustible resources of Thy grace and goodness and the guidance of Thy spirit.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONSTRUCTION OF MUNICIPAL SEWAGE TREATMENT PLANTS IN MICHIGAN

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, during the debates on the proposition of the participation of the Federal Government in the construction of municipal sewage plants, I stated that I thought the Federal participation would cause a delay and an increase in the cost of the plants.

I want to quote from none other than Lynn Baldwin, of Eaton Rapids, Mich., who is the chairman of the State water resources commission. This is a United Press dispatch:

> LUDINGTON.—Construction of municipal sewage treatment plants in Michigan would be faster and cheaper without Federal aid, Lynn Baldwin, of Eaton Rapids, yesterday told the closing session of the Michigan United Conservation Club's convention.
>
> Baldwin, chairman of the State water resources commission, said the $1,387,000 of Federal funds granted to Michigan cities and the possibility of an additional $50 million more has hindered programs because cities hope to qualify for the grants.
>
> "This fund tends to retard municipal construction, instead of accelerating it," he said. "Michigan pollution problems would be solved faster and cheaper without Federal aid."

This is from an authority in the State of Michigan who has control over these particular programs. In addition, he is an appointee, I assume, of the Democratic government of our State of Michigan.

SENATE SALAD LUNCHEON

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, Arizona, not unlike its neighboring State, California, is the source of much of the Nation's produce. The Arizona grapefruit, which will be served today in Senate salad, is probably the finest grapefruit to be found anywhere.

Arizona iceberg and romaine lettuce are also contributions of this State to the luncheon that is being given today in the Senate District of Columbia Committee room.

I hope that my colleagues will avail themselves of this opportunity to partake of the first Senate salad, to be served between 1 and 3 p. m. Mrs. America, the young lady from Arlington, Va., who last month was elected the Nation's top homemaker, will be there to serve you.

SECRETARY BENSON'S PROGRAM

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McCARTHY. Mr. Speaker, either before or after the speech to which my colleague from Minnesota referred in the remarks just made, the Secretary of Agriculture met with the Young Republicans in St. Paul, in my district. He held the meeting on the roof of the Lowry Hotel, in the moonlight. The newspaper report stated that his program was well received.

I would suggest to the Committee on Agriculture that they obtain a penthouse here in Washington and ask the Secretary to explain his program in the moonlight in the hope that they, too, might better understand it and then explain it to the other members of the House of Representatives.

DEMOCRATIC VICTORY IN 1960

Mr. CHRISTOPHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CHRISTOPHER. Mr. Speaker, I want to say to my colleagues on both sides of the aisle that on Monday I shall address the House for 40 minutes under a special order and shall take that occasion to discuss a statement made by President Eisenhower recently in Washington to the effect that a Democratic victory in 1960 would mean a return to the loose spending and fiscal irresponsibility of the New Deal and the Fair Deal. I want to discuss that statement in relation to the facts and the figures.

I invite anyone who cares to listen to be present.

COMMITTEE MEETING DURING GENERAL DEBATE IN THE HOUSE

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that the Subcommittee on Territories of the House Committee on Interior and Insular Affairs be permitted to sit during general debate in the House today.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE HONORABLE SINCLAIR WEEKS, SECRETARY OF COMMERCE

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I notice on the news ticker this morning that Secretary Weeks has been out in Chicago addressing a Republican meeting and spent most of his time in that address defending the President's budget and defending the Republicans, also in explaining the difference between a modern Republican and a New Deal Democrat. Finally he got a little bit exasperated and said:

> At least, we do not have any corruption in Washington at this time.

Mr. Speaker, I am glad to note his definition to the effect that if you get a conflict of interest contract on which you make a profit of $100,000 it is not corruption; as a matter of fact, under Mr. Weeks' administration, you get a medal for it.

THE HONORABLE GEORGE M. HUMPHREY, SECRETARY OF THE TREASURY

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, now that the Secretary of the Treasury, George H. Humphrey, is returning to private life as chairman of the board of the National Steel Corp., and in view of the repeated complaints he has made about rising inflation in this country, I hope that he will exercise the prerogatives of his office in private life and lead the fight against inflation by showing that through efficient operation the National Steel Corp. does not find it necessary to raise the price of its products.

COMMITTEE ON ARMED SERVICES

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I am pleased to announce that public hearings on H. R. 1108, less than an honorable discharge bills for men in the armed services will begin on Monday in the rooms of the Committee on the Armed Services of the Old House Office Building at 10 a. m. All House Members are invited to come.

On Monday we will only hear witnesses from the Defense Department. We wish the benefit of their report to date to us, before we proceed. On Wednesday, Thursday, and Friday, we will hear Members of Congress who desire to testify, as well as representatives of the various veteran groups and others. We invite all Members to be present each day. We regret we will have to limit time to 10 minutes each on account of the large number of witnesses.

You are all invited to come and participate in those hearings. Over 30 Members have filed companion bills and

we want you all to help make a joint study and conclusion of this important problem which Congress has not yet given legislative consideration to.

The special subcommittee appointed by Hon. CARL VINSON, has been holding executive committee meetings, making a studious preparation for these important hearings. We are unanimous that legislative statement of policy is essential and beneficial in fairness to several thousand military personnel and to our Military Establishment.

LEGISLATIVE PROPOSALS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, if it was my privilege to speak for the administration which, of course, it is not, I would like to suggest to our good friend from Ohio [Mr. HAYS] and the other gentlemen who found fault about some penthouse, that being in control of both branches of the Congress if they want to remedy the situation of which they each day complain why do they not send down some legislation to the President? You have not sent anything down there to remedy the fault to which you refer? The President has not hindered any effort—in fact you have made none to correct any conditions about which you each day speak. I do not recall any Republicans who were high in this administration having been sent to jail as were high ranking executives in a couple of previous Democratic administrations. What are you hollering about? Are you satisfied with the two Democrats the President recently appointed to high office? Are you complaining about them? They have so I understand taken office. If true to form you ought to be getting ready to lambast them.

Ike appointed them—how come you are not already critical? You seem to be slipping in your usual procedure.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 116]

Allen, Calif.	Celler	Kilburn
Ashley	Coudert	Krueger
Bailey	Dawson, Ill.	Loser
Baker	Flood	McConnell
Barden	Frelinghuysen	McIntosh
Beamer	Gwinn	Machrowicz
Bentley	Halleck	Mailliard
Blitch	Hardy	Moulder
Bowler	Hillings	Murray
Boykin	Holtzman	Norrell
Buckley	Jarman	Powell
Carnahan	Kearney	Rogers, Tex.
Sadlak	Teller	Williams, Miss.
Scherer	Tollefson	Zelenko
Taylor	Vursell	
Teague, Tex.	Walter	

The SPEAKER. On this rollcall, 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

HOUR OF MEETING JUNE 20

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PUBLIC WORKS APPROPRIATION BILL, FISCAL YEAR 1958

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior for the fiscal year ending June 30, 1958, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8090, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the gentleman from Missouri [Mr. CANNON] had 25 minutes remaining and the gentleman from Iowa [Mr. JENSEN] had 24 minutes remaining.

The gentleman from Pennsylvania [Mr. SAYLOR] had been recognized for 5 minutes and had consumed 1.

The Chair recognizes the gentleman from Pennsylvania for 4 minutes.

Mr. SAYLOR. Mr. Chairman, I am speaking against only one project that is in this act. It has to do with a dam in Pennsylvania with which I have been familiar since its original inception. In 1936 the Army engineers in the Pittsburgh office in the overall study of the Ohio River and drainage problems in their report recommended that there be built a number of dams on the Ohio and Allegheny Rivers and their tributaries. In the bill passed by the 74th Congress there is no description of the dam that is to be built on the Allegheny River. However, the district engineers' report shows they recommended to Congress that it enact legislation to build a dam for $9,847,000, to be built in accordance with existing law, one-third to be paid by the Federal Government, about $3 million; and $6 million to be paid by the local interests.

That dam was to have a capacity of 331,000 acre-feet, and the act which Congress passed said that that dam should not be built until the Army engineers together with the Department of the Interior worked out a satisfactory solution for the taking of the lands in the Indian reservations.

The following are excerpts from the 1936 report of Congress:

Requirements necessary for acquisition: In view of the foregoing history and particularly in view of the special legislation restricting alienation to persons other than Seneca Indians, the State of Pennsylvania by appropriate legislative act must of necessity authorize the purchase of the title in fee to the affected area of the Corn Planter Reservation or of the easement to flood the same from the present Indian owners.

The extinguishment of the Indian right of occupancy to the Allegheny Reservation will probably necessitate that an agreement be entered into with the Seneca Nation under the supervision of the Office of Indian Affairs and that by appropriate legislation Congress authorize or approve such agreement. Attention is invited to the excerpt from the Treaty of 1794 above set forth. In view thereof it is extremely doubtful that Congress would authorize the acquisition of the affected area of the Allegheny Indian Reservation until a voluntary agreement had been reached with the Seneca Nation. It is obvious that any agreement entered into by the Seneca Nation would of necessity contain provisions making it incumbent upon the United States to provide additional lands in New York State for said Nation to replace those taken.

It is possible that the Seneca Nation of Indians could be given by act of Congress authority to lease to the United States either the affected lands or an easement over the same. A leasehold interest would apparently obviate the necessity of any dealings with the Ogden Land Co. It is doubtful, however, whether such a leasehold interest would be satisfactory to the War Department inasmuch as fee simple title to the affected lands or to an easement over the same has always been required.

The record before the Appropriations Committee shows that the next year when the Army engineers came to Congress they had changed their original plans and they then called for a dam to cost $17 million and to be 3 times its former size. Congress took no action on that. I have shown it here as the bill which they came to Congress with and said it should cost the Federal Government $6,479,000 and the local interests should contribute $11,246,000.

The next time the Army engineers appeared before the House Appropriations Committee was after the Flood Control Act of 1938. They said they still wanted a dam 3 times as big as Congress had authorized and that it would now only cost $17 million but that it would be all charged to the Federal Government and the purpose is changed from flood control to one of multiple use.

The report of the National Resources Committee verifies this fact:

REPORT OF THE NATIONAL RESOURCES COMMITTEE

NATIONAL RESOURCES COMMITTEE,
Washington, April 11, 1939.

The honorable the SECRETARY OF WAR.

MY DEAR MR. SECRETARY: On March 10, 1939, you transmitted to me a report on a reexamination of the plans for the Allegheny Reservoir on Allegheny River, N. Y. and Pa., and informed me that the President requested that a review of that report be made by the National Resources Committee.

Our Water Resources Committee, representing the chief Federal agencies concerned with water use and control, has reviewed the report without attempting to assign any priority to the project, and now makes the following comments (the representative of the Chief of Engineers desired to be recorded as not voting upon the adoption of these comments, since they applied to a report on which the Chief of Engineers had already acted.

The Water Resources Committee notes that the report recommends investment of additional Federal funds to yield benefits from pollution abatement as well as from flood protection. This involves a departure from existing Federal policy. These additional benefits are:

1. Dilution of the pollution in the river channel below the reservoir.
2. Benefits to recreational use of the river.
3. Benefits to a metropolitan district in relieving or postponing the necessity for its making costly investment of its funds for additional water supply.
4. Benefits to individual water users through their relief from the costs to them as individuals arising from the use of waters not diluted at Federal cost.

The Water Resources Committee is in hearty accord with the principle of providing in the original plan of construction and operation of this reservoir for all feasible future multiple benefits, including pollution abatement and power production. Its comments apply solely to the question of equitable apportionment of the cost. Lack of full consideration in this instance of the benefits which are equitably chargeable to and which should be assessed against and guaranteed by local beneficiaries, might result in the establishment of a different precedent than that which heretofore has controlled Federal policy concerning Federal financial aid to improvements of municipal water supply and of pollution-abatement systems.

The Water Resources Committee therefore believes that prior to the provision for the proposed additional conservation storage in the Allegheny Reservoir, a determination should be made of the proportion of the cost thereof which properly should be allocated to benefits payable by local interests; and that negotiations should be initiated looking to such payments, in lieu of Federal assumption of such costs.

The report is returned to you herewith.

Sincerely yours,

HAROLD L. ICKES,
Chairman.

Notice the next change in 1941. In 1941 the Army engineers came before Congress with a completely new dam. The dam has now grown to 1,125,000 acre-feet. There was absolutely no comparable dam east of the Mississippi River and north of the Mason-Dixon line as far as size is concerned. It is the biggest dam that the Army engineers have ever proposed to build in the East and now the cost has risen to $35,700,000.

Let us look at what the Appropriations Committee has done this year in the pending bill. They have now come before you and asked you to appropriate in this bill the first million dollars for a dam which is more than 4 times the original size authorized by the Congress and which will cost, according to the Army engineers today, $101 million.

That growth is so fantastic it is almost impossible to believe, but I have asked the staff of the Appropriations Committee to check those figures for me, and they inform me those figures are correct. I can also say to you that there has never been a complete survey of the upper waters of the Allegheny drainage area. The Army engineers admit that they have never made a complete survey of this area. Rather, time after time, testimony has been presented by the Army Corps of Engineers to the effect that Kinzua and Kinzua alone is the dam to be built.

Mr. Chairman, this district of Pennsylvania is entitled to the same kind of engineering that the rest of the country gets, and an exhaustive research effort is mandatory before a final decision can be properly made.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Chairman, I wish to express appreciation to the chairman and members of the committee for having recognized the need of a 40-foot channel in the Delaware River between Philadelphia, Pa., and Trenton, N. J., and, for having recommended an appropriation of $9 million as a start on the project.

It is natural that there should be some disappointment in the fact that an appropriation of $16 million instead of $9 million has not been recommended. However, it is gratifying to realize that at last the need for a 40-foot channel between Philadelphia and Trenton is now acknowledged and an appropriation sufficient to make progress has been recommended.

The importance of this project to the economic welfare of the Delaware River Valley and the Nation as a whole cannot be overstated.

The rapid development of this area has made the Delaware River the most important waterway in the Nation. For upward to 60 miles there are located on either side of the river some of the greatest industries in the Nation. They have a worldwide reputation and give employment to thousands of workers. All of this has been accomplished in the last few years. The previous work accomplished in widening and deepening the channel has contributed greatly to this very desirable result.

However, the circumstances that now prevail demand not only a continuing of the present project but an expansion of it. This is a must if the Delaware Valley is to continue to be attractive to big industry.

Furthermore, it should be borne in mind that no harbor development has ever paid off in such a big way as that of the Delaware River. It has with each new expansion of its development brought new industry into being along its shores. These successful enterprises have returned in additional revenues to the Government more than the improvements have cost. Thus, it is a good business venture for the Government to spend large sums in the further development of the river. It will pay off in the future as it has in the past.

The project is so important and has such potential value in attracting new industries that it would justify in my opinion, even in this economy-minded Congress, an appropriation of at least $16 million for the next fiscal year. It is false economy to cut down this appropriation to $9 million. It would be good business for the Government to spend whatever is necessary to further and complete this worthy project. There never has been a Government expenditure of funds that was more justified than in this instance. We should not be penny wise and pound foolish. The desire for economy should not be applied to a paying proposition such as this. This would not be a wasteful appropriation, even if $16 million were appropriated this year as it would enable the work to proceed faster and bring returns in revenue at an earlier day, all of which would be beneficial to the Government Treasury. Economy should not be based on paying propositions such as this.

It is my hope that the fight will be continued in the Senate for a $16 million appropriation for next fiscal year. If granted it will be justified in the years ahead as having been a good investment by the Government. This is a project that undoubtedly would prove a substantial revenue gain to our Federal Treasury.

Mr. JENSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Chairman, it is with particular satisfaction today that I urge Members of this House to support the appropriation recommended by the committee for the continued orderly construction of the Upper Colorado River storage project, the single largest reclamation project ever authorized by Congress.

Originally the object of more misguided opposition than any other reclamation project ever considered by Congress, this project now entering its second year of actual construction has survived the acid test. The appropriation requested by President Eisenhower has been approved intact by the commendably economy-minded members of the Appropriations Committee in a year when economy has been the watchword. This fact in itself is ample testimony to economic feasibility of the project and its importance to the Nation as a whole.

The committee's wisdom in recommending the full amount requested for this project has been borne out by recent events. Since the conclusion of the Department's testimony on this project, the prime contract on Glen Canyon Dam has been let. The competition for this contract dispells any fear that continued orderly construction of this structure would create inflationary pressures. As a matter of record, the low bid was submitted by the reputable firm of Merrit-Chapman & Scott, of New York. The total contract price is $107.9 million—$27.6 million under engineer's estimates.

It is of extreme importance, not only to the people in the area but to the Federal Treasury, that the project be constructed as rapidly as possible. The water and power users in the area are committed to repay nearly 99 percent of the overall estimated $900 million cost of the development. In addition, interest is charged at 2⅞ percent against money advanced during the construction period of the power features. This rather unique repayment feature would

unduly penalize those committed to repay its cost unless the project is completed and operating at the earliest possible date. If its completion is delayed in the guise of temporary economy the piling up of interest due would threaten the economic feasibility of the entire development.

There is another important reason why the major storage dams provided in this project should be completed at the earliest possible date. Until this year, the Upper Basin drainage area has been experiencing a cycle of under normal precipitation for several years. Many experts now agree that this cycle is changing and they predict that there will be above average precipitation in the area during the coming years. Speedy construction of Navaho, Glen Canyon, and Flaming Gorge Dams can trap this moisture and store it for use during dry years to come. The above normal runoff also simplifies the problem of filling these reservoirs without interfering with power production at Hoover Dam or water use in the Lower Basin.

I would also like to commend the committee for earmarking appropriations as recommended in the report. Efficient production of power and maximum use of water requires the construction of a series of integrated reservoirs and dams. By providing for the concurrent construction of Flaming Gorge and Navaho Dams along with Glen Canyon, the committee has assured a basinwide development program. It has prevented any move to restrict this overall development to the construction of a single power dam at Glen Canyon.

I expect, Mr. Chairman, that every Member of this House has had an opportunity to visit Hoover Dam and the magnificent Lake Mead behind it. One cannot help but take pride in his country when viewing this magnificent monument to man's skill and determination to harness the power of nature for our Nation's betterment. The upper Colorado storage project with its magnificent dams and reservoirs will create another monument to the foresight of our Government in conserving our Nation's resources. This is the type of Federal investment that insures the growth and prosperity of this Nation.

Mr. JENSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. KEARNS].

Mr. KEARNS. Mr. Chairman, it was my privilege during the debate on the public-works appropriation bill—H. R. 8090—to request extension of my remarks in the RECORD.

I follow my distinguished colleague, the gentleman from Pennsylvania, the Honorable LEON GAVIN, in support of the Kinzua Dam. It seems to me that, in view of Pennsylvania's contribution to the overall cost of the Federal Government, it would be fitting for all of my colleagues on both sides of the aisle to be highly considerate of our needs in Pennsylvania.

My good colleague, Mr. GAVIN, represents a district where thousands of people have lost their homes on account of floods—we do not have the proper water table in Pennsylvania which we are trying to establish. Representative GAVIN has done well in his support of this project in this appropriation—and still more dams should be and will be built.

I am very, very sorry that my colleague, the gentleman from Pennsylvania, Congressman JOHN SAYLOR, takes exception to this project, and I would like to pass the word along that New York, New Jersey, Ohio, Indiana, Illinois, not to mention the solid South, stand together and personally, I cannot understand how a member of the delegation from Pennsylvania can take the floor and deny the potency of this project.

Mr. JENSEN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, two items in the bill under consideration are of interest to the people of the 15th District of Ohio which I represent. The first of these is Dillon Reservoir, located several miles above the city of Zanesville in Muskingum County on the Licking River. The Bureau of the Budget has requested $4 million for continuation of this project and the Appropriations Committee has recommended the same amount as being necessary for construction and continuation of the project through the next fiscal year.

By June of this year the project will stand about 36 percent completed. The funds authorized in this bill will carry the project to about 50 percent of completion.

The flood protection afforded the rich and populous Muskingum Valley by the Dillon Dam is considerable. With its completion, all of the major tributaries of the Muskingum River will have been brought under control. The need for this final link in flood control is understandable when it is pointed out that the Licking River empties into the Muskingum River in the heart of the business and industrial district of the city. Floods in recent years are grim reminders that until this tributary is controlled, Zanesville and the towns and villages that lie below it can not be assured of being free from danger. The benefit-cost ratio of this project is favorable. Considering the industrial development which has been accomplished in the past several years I am confident that the next decade will see the development of the industrial property in the valley which will greatly enhance this benefit to cost ratio.

Considering the need for this dam and the Federal investment which has been made already, it is my sincere hope that this House will confirm the actions of the Corps of Engineers, Bureau of the Budget and the Appropriations Committee by approving this portion of the bill. Nothing perhaps is so wasteful or uneconomic as an uncompleted dam. None of the benefits may be obtained until it is finished and serving the necessary purposes foreseen when it was authorized in 1938.

Next, I would like to direct my remarks to the Roseville flood-control project which is not a reservoir as in the case of Dillon, but is a project on the Moxahala Creek which contemplates widening, straightening, and deepening the creek channel involving relocation of short lengths of highways and railroad lines and several existing bridges and the construction of earth levees and a pumping station. In this manner, the Moxahala Creek would be able to carry off all of the excess waters caused by the greatest rainfall in the history of the area. At the present time the creek is a small, narrow, twisting, and sluggish stream incapable of handling even a moderately heavy rainfall. The damage of some of the floods in the past has been greater than the cost of this entire project. The cost is estimated to be $1,129,000. The Bureau of the Budget recommended a half million in order to get this project started. The Appropriations Committee has cut that figure to $426,000.

This project is a part of the comprehensive plan for flood control in the Ohio River Basin and was adopted by the Flood Control Act approved June 8, 1938. It provides for local contribution, and the citizens of the community have already expressed their willingness to cooperate by raising the funds through public subscription and additional tax levies. Funds have already been expended by the local community in reliance upon the plans of the Corps of Engineers and the anticipation that Congress would authorize sufficient funds for the Federal Government to carry out its part of the program. I sincerely hope that this House will approve the recommendation of the committee in appropriating funds for this project.

Mr. JENSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. Mr. Chairman, I take this time to call the attention of the committee to an amendment which I plan to offer later in the day to the bill at page 4, line 8, which will provide that all of the funds for advance planning on any new project which is approved in this bill, that has a cost-benefit ratio of less than 1.2 to 1 be eliminated as for new planning funds from the 1958 budget.

In the past it has been more or less a general rule with the Bureau of the Budget and also with the Subcommittee on Public Works of the Committee on Appropriations that every effort be made to eliminate the funds for advance planning on projects that have a cost-benefit ratio of less than 1.2 to 1.

In this particular bill there are funds made available totaling approximately $1 million for new planning starts on projects costing over $300 million, in which the cost-benefit ratio is less than 1.2 to 1.

I think it is important for the House to express itself by giving recognition to a fixed cost-benefit ratio figure. I shall propose that amendment as one of the amendments at page 4, line 8, when the bill is read for amendment later today.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. LAIRD. I yield to the chairman of the Appropriations Committee.

Mr. CANNON. Mr. Chairman, I simply want to say that I think there is a great deal of merit in the proposal

to be offered by the gentleman from Wisconsin [Mr. LAIRD].

Mr. LAIRD. I thank the chairman of the committee.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, it is not my intention to enter into the internecine struggle in Pennsylvania. When the Committee takes up the bill under the 5-minute rule, we shall meet that problem at that time.

Mr. Chairman, the Public Works Appropriation bill for fiscal year 1958 that is now before the committee recommends an appropriation of $814,813,023—this is a reduction of $61,639,977 or 7 percent below the budget estimates. Of the total amount recommended by the Appropriations Committee, $619,325,023 represents the water resources construction programs of the Corps of Engineers and the Bureau of Reclamation. There is no one in the Congress that will dispute the absolute necessity of a well-planned and well-developed water resources program. Such a program is indispensable to the growth and prosperity of our country. The preservation of the Nation's water resources and the continued development of such is an obligation that reposes in the Congress. And because the matter of maintaining an adequate water supply is one of transcendent importance today and particularly in the future, the Congress must approach this problem on the basis of what is best for our country. As the United States continues to grow in numbers of people and as the population continues to spread over the vast reaches of our land, it is essential that we appropriate wisely for the projects and the programs that make our Nation's growth in population and land use a little more easy to deal with.

The President recognized this fact when he called it to the attention of the Congress in his state of the Union message. And it is with this thought in mind, that the members of the Public Works Subcommittee on Appropriations entered upon the hearings that resulted in the bill that is now before us.

I am sure that I need not tell the Members that this was no easy task. It is ofttimes difficult to separate the wheat from the chaff—to determine what is feasible and meets the test of reasonableness and priority—what programs should be started now and what should be deferred—whether the benefit-to-cost ratio justifies an expenditure that will be paid for by the taxpayers of the country.

For these reasons, the committee met over a 2-month period listening to the Corps of Engineers and Bureau of Reclamation testimony and some 700 additional outside witnesses that was bound up into 3,784 pages of printed hearings.

Our action has been completely detailed in the report that is now before the Committee and was expanded in the debate that opened yesterday. It is all in the record and it would be repetitious for me to detail it further.

Mr. Chairman, I would like to direct the attention of the Committee to one phase of the report on page 12 titled "Local Cooperation." I quote:

> The committee is seriously concerned about the lack of local contribution on many of the local flood protection and harbor projects. It feels that where there is a major flood-control problem on the large interstate rivers that the Federal Government logically can assume the greater portion of the cost. On those projects that are intrastate and often of a strictly local origin and benefit, the local interests should rightfully provide a substantial portion of the costs of the projects. It is the intent of this committee to give more consideration to those projects where local interests are willing and able to make the proper contribution regardless of whether or not the authorization requires it.

I agree generally with the position taken by the committee on this matter. However, it should have been expanded to include navigation projects. I have little difficulty in justifying navigation projects on the great rivers and the main tributaries. But I disagree when it is contended that the Congress should have the responsibility of making all streams navigable. And that is the direction in which we are headed. I do not believe that under the commerce clause of the Constitution, nor was it ever the intent of Congress, that so many navigation projects as we are called upon to authorize and to appropriate for are justified. Navigation projects are paid for by all of the taxpayers all over the Nation. In a great many instances, little or no benefit inures to the taxpayer in regions outside of the project locale. In many instances there are adequate transportation facilities available via good highways or railroads. Under these circumstances, it does not seem fair to me that all of the Nation should bear the cost on these purely local projects. If the Congress continues or desires to continue in this direction, then consideration should be given to imposing a user's tax or some kind of fee on those who desire and use waterway transportation. I hope that the proper legislative committee will give some thought to this matter.

Mr. Chairman, in conclusion, I want to compliment my colleagues on this subcommittee for the work they put in on this bill. Particularly, do I single out the distinguished gentleman from Michigan [Mr. RABAUT] and the able Member, the gentleman from Pennsylvania [Mr. FENTON]. The gentleman from Michigan [Mr. RABAUT] occupied the post as chairman of this committee during most of the hearings. He handled the witnesses with courtesy, intelligence, and dispatch. He was kind, considerate, and gentlemanly throughout the lengthy hearings. It is easy to understand the high respect and esteem that he enjoys among all Members from every section. I tip my hat to my colleague, the gentleman from Pennsylvania, Dr. FENTON. Although this was his first year sitting on this committee, he handled himself like a veteran member. No one was more faithful in committee attendance than he or the gentleman from Michigan [Mr. RABAUT]. Dr. FENTON's interest in all the projects and his courteous examination of the witnesses adduced valuable and worthwhile information for the committee and the Congress.

NEW ENGLAND REGION

Mr. Chairman, I take great pride that the New England flood control program is now moving along with such rapidity. The disastrous floods of 1955, particularly in the Connecticut River Basin, served as a strong impetus to these badly needed projects. We all know that flash floods are the most frightening and in many instances the most damaging because of their suddenness and the meteorological phenomena bringing heavy rains that causes them. Nobody knows when they will strike. Meteorologists in both the United States Weather Bureau and in private agencies admitted, following the 1955 flash floods that devastated areas of Pennsylvania and western New England, that they could not have forecast the heavy rainfall that deluged these areas in a 24-hour period, causing mountain streams to overflow, quickly filling ponds and lakes, and forcefully spilling into already overswollen rivers.

There is only one way to prevent such a costly flooding and that is by comprehensive project planning such as we have here in the Connecticut River Basin. I toured through the damaged areas the day after the 1955 flood and know of the destruction that was wrought. As a member of the Appropriations Subcommittee on Public Works I have sat during countless days of hearings as testimony was presented by the Corps of Engineers on flood-control measures in the Connecticut River Basin and elsewhere in New England. And I am proud to say that the Congress last year appropriated more money for New England flood-control projects than at any time since the Federal Government began participating in such a program. And this bill will provide more money to advance projects such as Thomaston Reservoir in Connecticut, Barre Falls, Buffumville, East Brimfield, Hodges Village, Adams, North Adams, and Worcester in Massachusetts, Otter Brook Reservoir in New Hampshire, Woonsocket in Rhode Island, Ball Mountain, East Barre, North Springfield, and Townshend in Vermont. The flood-control reservoir at North Hartland, Vt., will be started. Planning will begin on flood-control projects at West Hill and Westville in Massachusetts. The appropriations for these projects totals nearly $24½ million. I am happy to report that the committee left these projects intact for fiscal 1958. This action again assures the New England area of adequate funds to continue toward the rapid completion of the Corps of Engineer's overall flood-protection program.

Mr. OSTERTAG. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from New York.

Mr. OSTERTAG. I take this opportunity to commend the gentleman on the fine statement he has made with regard to where we are going in this public works field and the principle of shared responsibility in connection with flood control and other projects.

Mr. BOLAND. I thank the gentleman.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Chairman and Members of the House, I am pleased to note that the Appropriations Committee has, in this pending bill, H. R. 8090, included very many important projects. Among these projects are several that are important to the district which I have the honor to represent.

I should first refer to the Greenup lock and dam which crosses the Ohio River just a few miles below my home city of Ironton, Ohio, and a short distance below the city of Greenup in the State of Kentucky. The Government has already spent several million dollars on this gigantic project, but it is, in fact, a gigantic project and, of course, it costs a great deal of money. In this bill the amount necessary to finish this project suggested by the Army engineers and the Committee on Public Works is $13,500,000. I feel sure that the Congress will authorize the appropriation of this amount of money because without the expenditure of this money other money which will have already been spent will be wasted. In other words, this money will be used to finish this important public project which will be of great benefit to many shippers who have millions of dollars invested in boats, rafts, and many different kinds of river conveyances. When this dam is finished it will establish a pool of water that will constantly be level and will carry thousands of tons of coal, oil, gasoline, timber, and farm products of all kinds produced there with a value of many millions of dollars.

I am glad to say that I was charman of the meeting that we held when we dedicated this dam at the beginning of its operations—that has been about 2 years ago. It will probably take another year to finish construction of this gigantic improvement, but I dare say that the increase in the tonnage of traffic on the river will be tremendous. In addition to increasing the shipments on the river which, I understand, now exceed shipments going through the Panama Canal, this dam will enable those big plants already located on the river to maneuver their boats much more advantageously than at present, and will also enable the boats to carry much greater tonnage than they would carry in shallow water. I am proud that I was able to take an active part in procuring this gigantic improvement, and I know that I shall never regret that because I feel that while the Government is spending considerable money on this work, the results will be that many people, even those who do not live on the river, will be benefited. Tonnage of traffic on the river will be increased many times over, all of which will be to the advantage of people, generally.

I am proud of the fact that I have had something to do with the promotion of improvements on the Ohio River ever since I have been a Member of Congress, and I can truthfully say that the improvements that I have encouraged have paid for themselves many times over.

I am glad that Catlettsburg is included in the list of those cities where Ohio River improvements will be established. Catlettsburg was founded many, many years ago, and is located at the mouth of Big Sandy River. This river has its source probably a hundred miles back in the mountains from which territory great quantities of coal have been and will continue to be taken, and likewise, great quantities of timber will also be taken. The improvement at Catlettsburg will pay for itself in a very few years, because the people in the territory to which I have referred will recognize this great improvement, and it will increase their shipments tremendously. Likewise, it will be of great benefit to shippers from other places who will be glad to send their shipments up into this new territory which will be opened up when Catlettsburg will have established shipping facilities.

It is expected that the total improvements at Catlettsburg, when completed, will amount to a total of $2 million. I am sure that this will be money well spent, and the people who will benefit thereby will also benefit in other territories, because those people will be able to get materials cheaper.

I am very glad that this committee has recommended construction of Markland lock and dam, which will be of great benefit to the people of Indiana, Kentucky, and Ohio. It is estimated that this dam will cost $9½ million. It will be a serviceable improvement because it will be located in the Ohio River below Cincinnati, which, as we all know, is a great inland city of a very large population, and with millions of dollars worth of wharves and shipping facilities. It will be located about 70 miles below Cincinnati. This will establish a large pool in front of Cincinnati and several miles below Cincinnati. We all know that the result of this will be great improvements in shipping facilities and a great increase in shipments.

About 30 miles above Cincinnati at New Richmond it is proposed to construct another dam which will be of great value to shippers of the whole country. This dam, when finished, will furnish a pool clear up to the Greenup Dam, which will be about 70 miles above the New Richmond Dam.

Therefore, with the new dam at Greenup establishing a pool for at least a hundred miles above Greenup, and with the new dams at Markland and New Richmond, there will be established a pool of approximately 200 miles below the Greenup Dam.

As a result of these three great improvements the Ohio River will have a flood stage for about 300 miles, and the traffic in the Ohio River will increase tremendously.

Mr. JENSEN. Mr. Chairman, I yield 4 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Chairman, yesterday I hoped that I would have 10 minutes to discuss certain items in the bill before us today. I appreciate the difficulty the Committee has in allocating the time of 2 hours on such an important bill. I appreciate the hard work the committee has done. I understand there are some 280 projects in this bill for flood control and public works so it has been hard to sort them out. I do want to direct the Committee's attention to two projects in Nebraska. Because I have but a few minutes I shall extend my remarks in the CONGRESSIONAL RECORD on both of these projects so you may have an opportunity to read them. The two projects I refer to are the Ainsworth irrigation project in Nebraska and the Farwell irrigation project. These projects both have the approval of the Bureau of the Budget and the Department of the Interior and were approved by the Congress last year. They were disapproved in this bill. I call your attention to the committee's report because I think some of the Bureau's witnesses did not make a very good presentation of the projects and it was necessary for the committee to take the action they did because they lacked information, they say this on page 14 of the report on the Bureau of Reclamation:

> During the course of the hearings, a number of the Bureau witnesses demonstrated an apparent lack of preparedness and an inexcusable unwillingness to provide factual and responsive answers to questions of the committee members. The committee expects and is fully entitled to prompt, comprehensive, and responsive answers. It does not expect to be put through the process of digging out facts piece by piece in a time-wasting and unnecessary process.

The only reason I think these projects were deleted from the bill is a lack of understanding of the testimony presented by the bureau's witnesses. I am sure this is true because the staff of the committee and the subcommittee in the report they made on the Ainsworth project, point out that the project will only pay back 30 percent and the rest of it comes from the Missouri River Basin revenues. I believe that is about correct. I would point out to you that the irrigation law has always provided that the farmers pay back what they can on the irrigation features. On the Farwell project, they say the irrigators pay back only about 40 percent. If that is true it makes this project one of the best in the 17 Western States. The Farwell unit has rich, deep soil, the water is ample—good people live on the land. The same is true on the Ainsworth project. I want to call your attention to 13 irrigation projects approved under the Missouri River Basin. The actual repayment on those projects is about 17 percent. Here are two top projects with a ratio of 2.16. They are among the best in the Missouri River Basin. The Farwell people have entered into a conservancy district where all the people in the town and on the project have joined together to help pay back on these projects. The people in Nebraska are a little confused and concerned because these two good projects are denied money to start construction. My colleagues, Congress has appropriated $355 million in 8 years for 197 projects in 46 foreign countries. Not one penny of that money is returned. They do not have to come before the Congress for a feasibility test. They simply get the money through the international foreign aid program and they spend it with no supervision. Within the last 60 days,

some lush contracts have been let for irrigation and drainage projects in Formosa, and in other eastern countries including Spain. The taxpayers of the country, and Nebraska included, helped to pay for these foreign projects. When Nebraska comes to Congress with a project that is approved by the Bureau of the Budget and approved by the Department of the Interior, they are refused. It is not easy to understand. The people of the Ainsworth and Farwell projects are puzzled. They are hurt. They have met every test required under legislative procedure. There is budget approval. The records support the facts that these two projects are far above the average in the Missouri River Basin. Funds invested in these reclamation projects are an investment in a growing, dynamic America. There is little flood-control money in these projects. Flood-control money is nonreimbursable. This loan of money is nonreimbursable. This loan of money will be paid back—most of it with interest. The semiarid country will blossom with new wealth—no longer will there be need of drought relief. I beg you, my colleagues, to give these two projects the green light. They are a good investment in America.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Chairman, first, I am anxious to commend and thank the able distinguished chairman and the committee for the very careful, painstaking attention, labor, and consideration which they have given to this bill, and particularly for the wise and important action they have taken in approving and submitting the various urgent projects in my district, State, and region.

I realize full well the delays occasioned by the requirements of routine procedures, which often are such a strain upon our patience when great need and urgency abide the event. But I am proud to state that by and large and with only one notable exception this year, which I trust may be satisfactorily disposed of before Congress adjourns, all essential programs in my district and State have been considered and favorably acted upon.

I am very hopeful that the Merrimack River project, in which my distinguished colleagues the gentlewoman from Massachusetts [Mrs. ROGERS] and the gentleman from Massachusetts [Mr. LANE] are particularly interested and for which our entire delegation is vitally concerned, may be approved in the near future.

There are a number of projects in my district, which the committee has carefully and favorably considered. These projects are designed to prevent future floods and already have been approved and planned by the engineers and are underway at various stages of completion. I think it may be pertinent at this time to outline them briefly and also to include at the end of my remarks a tabular chart showing the present status of Federal flood-control projects for central Massachusetts.

There are some operational difficulties presently being experienced with regard to some of these projects. At the East Brimfield Dam and Reservoir, which is designed to protect Southbridge, Mass., it would be necessary to relocate a Catholic cemetery and arrangements to this end have already been made by the engineers, and I believe these arrangements are agreeable to everyone concerned.

In another part of this project, there is an area or district where about 140 persons reside and the question of whether to relocate them or not is still pending. I believe that the able New England division engineer, Brig. Gen. A. K. Sibley, and his staff at Boston are now endeavoring to work out a satisfactory solution to this matter.

With respect to the Westville project, which is also designed to protect Southbridge, for which planning money is provided in this bill, this project will not for engineering reasons be started until the East Brimfield project is practically all completed.

When these two projects are finished, it is the belief of the engineers that the Southbridge district will be adequately and effectively protected against future floods and that, of course, is the objective of these projects.

At Barre Falls, Hodges Village, and Buffumville progress is being made and the work is proceeding practically on schedule. There have been some relocation problems connected with all of these projects but on the whole they are progressing satisfactorily.

As to West Hill, where planning money has also been granted, this project is in its early stages and will require considerable more study and adjustment before it can be launched since there are also relocation problems and some local difficulties involved.

I am endeavoring to the best of my ability to assist in working out proper solutions to all of these problems and the engineers are doing everything in their power to find the proper answers to the various problems that have been presented by individuals and municipalities.

These are the projects of distinct interest to central Massachusetts:

BARRE FALLS

Authorization for Barre Falls was provided by the Flood Control Act of 1941. The $2,060,000 project, located on the Ware River in Barre, calls for the construction of an earth and rock fill dam, 62 feet high and 885 feet long, with a reservoir capacity of 24,300 acre-feet. The concrete weir and chute spillway will have a discharge capacity of 16,300 cubic feet per second. Congress has appropriated $1,150,000 to date for this project. The $376,000 requested will permit the completion of the entire project in December 1957.

Three dikes have been completed, as well as clearing and stripping the dam site. Rock fill is now being placed on dikes 1 and 2. Grading for access roads is completed. Excavation has been completed throughout the intake channel, gate structure, conduit and outlet channel.

The $376,000 requested will be used to clear the reservoir area, complete the access road, complete the installation of permanent operating equipment and complete the dam.

BUFFUMVILLE

Authorization for Buffumville was provided by the Flood Control Act of 1941. The $2,900,000 project, located on the Little River in Charlton about 5 miles north of Webster, calls for the construction of a rolled earth fill dam, 66 feet high and 3,225 feet long, with a reservoir capacity of 11,300 acre-feet and a permanent pool of 1,400 acre-feet. The concrete overflow uncontrolled weir spillway will have a discharge capacity of 29,800 cubic feet per second. Congress has appropriated $1,683,000 to date for this project. The $1,117,000 requested will permit the completion of the entire project in June 1958.

Road relocations are about 54 percent completed. Relocation of electric, telephone, oil pipe, and gas lines is about 50 percent completed.

With the $1,117,000 requested, the Army engineers will initiate and complete the reservoir clearing, initiate and complete construction of permanent operating facilities, and complete the dam construction.

EAST BRIMFIELD

Authorization for East Brimfield was provided by the Flood Control Act of 1941. The $7,100,000 project, located on the Quinebaug River in Sturbridge, calls for the construction of an earth fill dam, 55 feet high and 520 feet long, with a reservoir capacity of 28,800 acre-feet and permanent pool of 1,200 acre-feet. The chute spillway will have a discharge capacity of 15,500 cubic feet per second. Congress has appropriated $840,000 to date for this project. Another $4,550,000 will be required to permit completion of the entire project by June 1959, after approval of this year's budget request of $1,500,000.

Land acquisition will be completed by June 1959, with closure of the dam scheduled in August 1958. Relocations of roads and public utilities will be completed in November 1958.

Preparation of the plans and specifications is nearly completed. Formal agreement for the relocation of the cemetery has been forwarded to the owners for execution. Negotiations for the relocation of route 20 are being conducted with the Commonwealth.

With the $1,500,000 requested, the engineers will initiate construction of the dam outlet works, begin construction of the permanent operating facilities, continue land acquisition, complete utility relocations, and complete State road relocation.

HODGES VILLAGE

Authorization for Hodges Village was provided by the Flood Control Act of 1941. The $5,300,000 project, located on the French River in Oxford, calls for the construction of an earth-fill dam, 55 feet high and 2,050 feet long, with a reservoir capacity of 12,800 acre feet. The spillway will have a discharge capacity of 25,800 cubic feet per second. Congress has appropriated $480,000 to date for this

project. Another $2,960,000 will be required to permit completion of the entire project by March 1959, after approval of this year's budget request of $1,860,000.

Land acquisition will be completed by February 1959, with closure of the dam scheduled in May 1958. Relocations of roads and public utilities will be completed in March 1959.

Plans and specifications for the dam and structures have been reviewed by the Chief of Engineers and are now undergoing final revision. Agreement on railroad relocations is expected to be submitted to the Chief of Engineers for final review in the near future.

With the $1,860,000, the Engineers will initiate construction of the dam, initiate construction of the permanent operating facilities, continue land acquisitions and complete the railroad relocation.

WORCESTER DIVERSION

Authorization for the Worcester diversion project was provided by the Flood Control Act of 1944. The $6,163,000 project, of which $5,670,000 will be the Federal share, extends from Leesville Pond in Worcester to the Blackstone River in Auburn and Millbury. It calls for the construction of a small control dam, an intake structure, a 16-foot circular, concrete-lined tunnel, 4,200 feet long, and an open-cut return channel, 11,300 feet long. Congress has appropriated $970,000 to date for this project. Another $3,200,000 will be required to permit completion of the entire project by November 1959, after approval of this year's budget request of $1,500,000.

The tunnel will be completed in October 1959, and the channel is scheduled for completion in November 1959.

Initial construction contract was advertised for bids on April 22. Negotiations with the New York, New Haven, and Hartford Railroad for an agreement on construction of a railroad bridge are expected to be completed for execution this month.

With the $1,500,000 requested, the engineers will continue construction of the channel and tunnel.

WEST HILL

Authorization for West Hill was provided by the Flood Control Act of 1944. The project, located on the West River in Upton and Uxbridge, calls for the construction of a rolled-fill earth dam and reservoir with a storage capacity of 11,900 acre-feet, equivalent to 8 inches of runoff from the drainage area. Estimated cost of the dam and reservoir is $3,360,000. Preconstruction planning is estimated at $233,000, of which $183,000 has been appropriated by Congress to date. The $50,000 requested will permit completion of the preconstruction planning in fiscal year 1958.

The design memorandum on West Hill is expected to be submitted to the Chief of Engineers in September 1957.

WESTVILLE

Authorization for Westville was provided by the Flood Control Act of 1941. The project, located on the Quinebaug River about 2 miles west of Southbridge, calls for the construction of a concrete dam and a reservoir with a storage capacity of 12,000 acre-feet. Estimated cost of the dam and reservoir is $6,550,000. Preconstruction planning is estimated at $320,000, of which $79,000 has been appropriated by Congress to date. The $100,000 requested will advance preconstruction planning to about 55 percent of completion in fiscal year 1958. Another $141,000 will be needed to complete preconstruction planning.

Construction of Westville will not be started until the companion East Brimfield project is well under construction.

SMALL PROJECTS

Several central Massachusetts communities are being considered for flood protection works under Public Law 785, 84th Congress. This law permits the engineers to spend up to $400,000 on any one project without specific Congressional authorization under changes voted in the flood laws in the last Congress.

Presently under review by the Chief of Engineers is the Ware project at an estimated cost of $400,000. When this review has been completed, provided the project is found to be economically justified and feasible from an engineering standpoint, the Ware project will be approved for construction during the 1957-58 fiscal year.

The engineers are also studying other problem areas in central Massachusetts, for which the design memorandums are being prepared by the New England division engineer. These contemplated projects include the North Nashua River at Fitchburg at an estimated cost of $375,000; the Quaboag River at West Brookfield at an estimated cost of $50,000; the Chicopee and Quaboag Rivers at Palmer—Three Rivers—at an estimated cost of $150,000, and the French River in Rochdale, Leicester, and Oxford at an estimated cost of $150,000.

The following tabulation presents the progress made to date on major flood control projects in central Massachusetts:

Federal flood control for central Massachusetts

Project	Federal costs	Appropriated to date	1957-58 budget request	Additional funds to complete	Completion date
Barre Falls	$2,060,000	$1,150,000	$376,000	None	December 1957.
Buffumville	2,900,000	1,683,000	1,117,000	None	June 1958.
East Brimfield	7,100,000	840,000	1,500,000	$4,550,000	June 1959.
Hodges Village	5,300,000	480,000	1,860,000	2,960,000	March 1959.
Worcester diversion	5,670,000	970,000	1,500,000	3,200,000	November 1959.
West Hill	[1] 3,360,000	183,000	50,000	(2)	(2)
Westville	[1] 6,550,000	79,000	100,000	(2)	(2)

[1] Estimated.
[2] Planning stage.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from New Mexico [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman, the Appropriations Committee has done a most thorough and understanding job in dealing with the public works appropriation bill, H. R. 8090. This is evidenced by the clarity and reasonableness of the report provided to the Members of the House. I would like to direct the attention of the committee, however, to an item on page 9 of that report that has reference to an appropriation of $545,000 for a flood-control project at Artesia, N. Mex., on the Pecos River. The committee recommends delaying appropriation for the project until a bond issue is undertaken by the city of Artesia in order to assure the local contribution in the amount of $180,000 for acquirement of necessary land, rights-of-way, easements, and to meet the obligations which the community has agreed to assume.

Since the issuance of the committee report, I have been advised by the mayor and other city authorities of Artesia that the city council has unanimously agreed to put this bonding proposal before the citizens at the first scheduled regular city election, next spring. This is the earliest time that such a proposal can be submitted under New Mexico law.

There is no question in my mind about approval by the citizens of Artesia because I have been advised by the city authorities, the chamber of commerce, and a great many individuals that the people are overwhelmingly in favor of such a bond issue.

That is a logical conclusion to reach because flash floods on the Pecos River in the past have taken several lives in Artesia and done property damage that reaches well into the millions of dollars. The city and the immediate area are always in imminent danger from these flash floods because of the mountainous terrain which is hit frequently by cloudbursts. The losses of life and property incurred from one of these flash floods are so great that it is merely good business for the people of this community to provide the necessary local funds. The Federal Government, of course, recognizes its obligation because the Pecos River is an interstate stream and a large amount of Federal property is situated along its course. This property also has suffered serious damage in the past.

In view of the assurance from the city of Artesia that this bond issue proposal will be submitted at the first opportunity afforded under State law, I suggest to the committee that this item be kept in this legislation, with the provision that the funds appropriated not be made available until the bond issue has been approved, has become effective, and the city of Artesia is in a position to make payment of the required $180,000. In that way, the project should not be unduly delayed and the Federal funds will be amply safeguarded.

I will deeply appreciate your consideration of this suggestion.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Chairman, I wish to express my appreciation, also the appreciation of those constituents who came up to appear before this committee, for the courtesy that was extended to us.

Mr. Chairman, I rise to discuss committee action on a very important project, the Intracoastal Waterway from Jacksonville to Miami, Fla.

The committee disallowed this project, I respectfully take issue with the committee's position and reasoning. I feel quite sure that on a thorough review of the facts and justifications for this project, it can be determined that it is well merited in the national public interest.

In House document No. 740 of the 79th Congress, 2d session, the report of the Board of Engineers for Rivers and Harbors, August 26, 1942, states as follows:

> The division engineer considers that deepening of the waterway to 12 feet is justified as war insurance. He points out that sugar from Cuba is being brought into Miami Harbor and Port Everglades and shipped to northern points by rail and believes that this, and commodities from Latin American countries, might well be transported northerly on the waterway. He considers the possible usefulness of the canal in event of a breakdown or shortage of land transportation facilities during the war period an important factor in its justification.

The Board of Engineers for Rivers and Harbors has had this to say:

> While the degree of future need for the waterway as a carrier of freight depends somewhat upon events which are not predictable at this time, the board concludes that its usefulness during normal times in addition to its prospective value during the war period clearly justifies immediate deepening to 12 feet.

I respectfully submit that the events which were not then predictable in 1942 have since taken place, and that the usefulness of the project during normal times has increased tremendously. The war usefulness has not diminished one iota.

The waterway traverses 11 counties. At the time of the original report in 1942, the population was 718,000. The total population is now 2 million.

The importance of the areas as manufacturing, industrial, and commercial value, has increased tremendously. The growth of business in this area has been phenomenal. I am confident that a current review of the economic benefits of this project would be extremely favorable. Furthermore, the military purposes stated in the original report have been increased and not decreased.

The original wartime purposes for which the project was authorized and approved still exist and are valid arguments today. In addition thereto, since that time, we have seen the east coast of Florida assume an invaluable position in the total defense effort of the United States.

At Jacksonville is a tremendous naval installation, both deep-water port and air base. It is one of the primary installations for the Navy on the east coast. Farther down the State is Cape Canaveral. This is the guided missile base for the Air Force. It is a major operation in the missile program and from it is operated the only down-range station available to the United States.

There are military installations at Miami; in addition to these, is the Strategic Air Base at Homestead, which is a very important segment of our national defense. Finally, there is Key West, Fla., which is perhaps the largest Navy installation in the country, the one place suitable for extended submarine operations.

The intracoastal waterway, if improved to the authorized depth of 12 feet and width of 125 feet, could serve in normal times and in wartimes these important military installations by a completely protected inland waterway route.

In summary, I conclude my statement by saying again that the facts and justifications which originally made for the approval of this project are as valid today as they were at the time they were made; but justifications have been vastly improved by usefulness of the project in peacetime and in wartime. Furthermore, work was started on the completion of this project in fiscal 1957 with the approval of the Bureau of the Budget for $200,000. This year, the Bureau of the Budget approved a request of $1,150,000. I respectfully submit that the request is proper and in order, is completely justified and I trust that it will be reconsidered by the conference committee on the House side and written into the final bill before being sent to the President for approval.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I wish to express my appreciation for myself and others of my colleagues for the fine work this committee has done and the courtesies they extended during their consideration of the bill.

I would like to call to the attention of the Members of the House a very worthwhile project which originally started in New Jersey and was authorized along the east coast to and through Miami, Fla. This is the Intracoastal Waterway. There remains a stub end of this project to be completed as it has now progressed from New Jersey down to Eau Gallie, Fla., but needs to be continued to Miami as was originally authorized. This inland, protected waterway needs a depth of 12 feet to handle the commercial barges now carrying thousands of tons of cargo to the fast growing lower east coast of Florida. Local interests in Florida have spent millions of dollars developing feeder channels and port facilities as a result of the original authorization.

To stop the project now, with only 175 miles left to complete the 12-foot channel, will curtail the benefits of water transportation along the entire Atlantic seaboard. Industries throughout the Eastern United States are paying high transportation costs to deliver their products to south Florida. Benefits in transportation costs will result from the completion of the 12-foot project from Trenton, N. J., to Miami.

The ports of the lower East Coast of Florida, including Fort Pierce, Palm Beach, Port Everglades in Fort Lauderdale, and Miami have a population of over 1½ million people to serve directly. In addition, the completion of this project would tie together the port of Jacksonville, Fla., with all of the other large ports of Florida, including the large port of Tampa, via the cross State waterway through St. Lucie Canal. The military installations within this area represent investments of several hundred millions of dollars and this inland waterway is a vital link of inside protected waterways away from the submarine menace as experienced during World War II.

The Appropriations Committee has not seen fit to recommend this project in its report under public works appropriation bill for fiscal 1958. Since the President, Secretary of the Army, Bureau of the Budget, and the United States Engineers have recommended this program, I wanted to call to the attention of my colleagues in the House that to eliminate this program is in my opinion not justified by the facts. Thank you.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. MCGOVERN].

Mr. MCGOVERN. Mr. Chairman, I want to take advantage of this opportunity to thank the members of the committee and particularly the gentleman from Michigan [Mr. RABAUT] for the kind consideration given to me and the witnesses from my State when we appeared before the committee.

There is one project contained in the bill now under consideration about which I wish to speak briefly. I am referring to the Oahe investigation project. The bill carries an item for this project of only $100,000. This is a small amount, numerically, but it is a project of tremendous importance to the people of the eastern half of the State of South Dakota. Some years ago at the time the Oahe Reservoir and Dam were begun on the Missouri River, the Bureau of Reclamation also initiated studies looking into the feasibility of irrigation benefits from this project. Recently an interim report was filed by the Bureau which demonstrates the economic feasibility of that project and which calls attention to the fact that an irrigation project of this kind would stabilize farm income in the area. It would also permit greater diversification of crops leading to the cutting down of the production of crops that are now in surplus. There are other benefits, including important additions to the industrial and municipal water supply of cities in the area, as well as improved wildlife and flood control.

In the President's current budget estimate the sum of $360,000 was requested for continuing the study of this project to determine whether or not the project was entirely feasible. It has been estimated by the Bureau that such study can be completed within the next 3 years. We felt that the request for $360,000 for the coming year was a modest one, and one which was essential to the successful continuance of the study. I would, therefore, like to ask the chairman of

the committee or someone designated by him if he would be willing to explain at this time why the committee cut the requested funds to something less than 30 percent of the amount requested in the budget?

Mr. CANNON. I may say to the gentleman from South Dakota in response to his inquiry that there is a feasibility report on this matter which the committee wishes to take up before we can be in a position to follow up this project.

Mr. McGOVERN. I take it, Mr. Chairman, this in no way casts doubt on the importance of continuing the study and that we can have reasonable assurances the study will go forward to completion?

Mr. BOLAND. Will the gentleman yield?

Mr. McGOVERN. I yield to the gentleman from Massachusetts, a member of the Public Works Subcommittee on Appropriations.

Mr. BOLAND. I want to say to the gentleman from South Dakota that the committee appreciated his deep and active interest in the Oahe Unit. The committee assures him that it will protect his interest and he need have little concern over the reduction that was made on this project. There is some matter of proper local cooperation with respect to the general overall Bureau of Reclamation's program in this area. One hundred thousand dollars has been allotted for the Oahe Unit in this bill. This amount preserves the project and when the difficulty mentioned is straightened out, I am sure that the project will move ahead speedily. Again, I want to congratulate and compliment the gentleman from South Dakota for his appearance and testimony before the committee. And particularly is this so in view of the fact that he is a new Member of this Congress. He indeed has shown an expert knowledge of his district and has rapidly grasped the initiative of pressing for projects that concern his people.

Mr. McGOVERN. I thank the gentleman.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Florida [Mr. CRAMER].

TAMPA HARBOR PROJECT

Mr. CRAMER. Mr. Chairman, for the third year the Appropriations Committee of the House has made recommendation to this body of funds for improvement of Tampa Harbor in the first district of Florida. In 1955 $977,000 was appropriated to begin this most worthy and needed project. In 1956 additional funds were granted in the amount of $4 million. In the bill of the committee for fiscal 1958 I am pleased that they have submitted the full amount of $2,250,000 as recommended by the United States Army engineers and included in the budget of the President to permit orderly and scheduled progress on deepining and widening of channels and turning basins.

I would take this opportunity to commend the deep understanding and thorough study given this project by the subcommittee on Rivers and Harbors and by the full Appropriations Committee of the House and its chairman [Mr. CANNON]. They have demonstrated clearly their full understanding of the proper position of the Federal Government in relation to the development of the waterways of the Nation. It is a pleasure to point out at this time that the Tampa Harbor project each year has presented to the committee a higher benefit-to-cost ratio and today this harbor qualifies as one of the most worthy in the entire country.

This project will, I am sure, meet with the approval of the House and I assure my colleagues of the outstanding worthiness and need of these developments for the entire State of Florida. We will happily see the first returns upon expenditure of these funds which will complete one usable segment for the commerce of the area.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. NORBLAD].

Mr. NORBLAD. Mr. Chairman, I want to compliment the committee on its approval of the Budget Bureau request for the full appropriation for the necessary funds to complete the work at the mouth of the Columbia River. These funds of one million plus added to the money previously expended there will be the necessary sums to give us for the time being, at least, the very necessary 48-foot bar.

There are two principal reasons for the work being done there. The first is the fact that the draft of ships built since World War II have been growing deeper and deeper and the existing bar was simply not able to handle many of these new and modern freighters.

The second is the fact that there are large swells on that particular bar and it cannot be compared with others where conditions are relatively mild. As a result the rise and fall of the ships passing over that bar is very considerable and it must accordingly be dredged to a depth adequate to compensate for this factor.

The present program will properly take care of these two conditions which I have described.

Mr. JENSEN. Mr. Chairman, I yield 3½ minutes to the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Chairman, I appreciate very much this time to be able to point out a project in my district that has been eliminated from the present bill. I have served now for four terms as a member of the Committee on Public Works of the House and I feel it is one of the most constructive committees we have because it is the committee that authorizes projects for the building of America. Naturally, the Committee on Appropriations of the House has the responsibility of appropriating money for the development of America and for the building of these projects.

The project I have reference to is in Middle Creek, Lake County. While the Bureau of the Budget recommended this project the committee saw fit to eliminate the money from this bill because of the fact that a district had to be formed to take care of the maintenance and the repair of the project. However, selfish interests entered into this matter and were able to defeat the two-thirds majority vote of the area which was necessary to form this district. A large majority of the people in the area voted for the project. The board of supervisors of the county in which this project is located adopted 100 percent a resolution to take over the responsibility of the maintenance of this project and by the 8th of July everything will have been taken care of to make this project meet the criteria of the committee.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. SCUDDER. I yield to the gentleman from Tennessee.

Mr. EVINS. I do not think it is a question of meeting the criteria of the committee. It is a question of the people of the gentleman's district voting against the project.

Mr. SCUDDER. That is right.

Mr. EVINS. An overwhelming number voted against the project and because it was a new start, it was not approved by the committee at this time.

Mr. SCUDDER. That is not altogether the fact. I sent a letter to the district and told the leaders of the opposition they were rendering a great disservice to their county for opposing this project. A handful of selfish people are trying to stop a program that is of great benefit to the entire area. The board of supervisors are 100 percent for this project. Over 50 percent of the property owners have signed a petition to the county supervisors to take over its maintenance.

Mr. EVINS. Is it not true that the people of the gentleman's district voted against the forming of the district?

Mr. SCUDDER. Yes; a majority voted for it, but they lacked the two-thirds majority necessary to form the district. A majority of the people were in favor of it. The board of supervisors are 100 percent for it. However, the same people brought an injunction against the board of supervisors. A judge was called in from the outside and decided in favor of the people of the county. I assure you it is only a handful of people who are trying to thwart this project.

Mr. Chairman, as a member of the Public Works Committee, I can state from experience that we are always glad to have our colleagues appear before us in the interest of projects they desire to be authorized.

I wish to thank the members of the Appropriations Committee for the courteous consideration they have always extended to me. When I appeared before them on May 17 in the interest of the Middle Creek flood-control project in Lake County, Calif., I advised that there was a problem in the formation of a local district to assume responsibility for maintenance and operation, after completion of the project.

On May 7 an election was held for the purpose of forming a local district. A substantial majority of the people voted for the formation of such a district; however, they were 60 votes short of the required two-thirds majority.

The House Appropriations Committee, on the basis of this election, deleted the $300,000 in initial construction funds for the project which had been programed for fiscal year 1958. Their language appears on page 8 of House Re-

port No. 552, to accompany H. R. 8090, public works appropriation bill for fiscal year 1958.

Immediately after the election, a move was initiated by landowners in the project area to request the Lake County Board of Supervisors to zone the area into the county flood-control and water-conservation district. Well over 50 percent of the landowners signed a petition making this request.

The board of supervisors, which is 100 percent in favor of the project, met on May 20 with the intent of complying with this request. However, some selfish interests filed an injunction, preventing the board from taking action. The injunction proceeding was brought before the Lake County Superior Court on June 5, and it was denied.

The board of supervisors proceeded with their action and on June 18 the clerk of the board, Thomas L. Garner, wired me as follows:

Lake County Board of Supervisors adopted resolution forming zone Middle Creek project June 17. Final hearing July 8. Assurance to be signed immediately July 8.

I realize that we are not in a position right now to offer an amendment to the public works appropriation bill, because final assurance will not be available until the 8th of July. But I desire to impress upon my colleagues that the county of Lake is taking appropriate steps to assure local maintenance and operation, in compliance with Public Law 780 of the 83d Congress, which authorized the project.

By the time the bill reaches the Senate, the question of local responsibility will be completely resolved. This would permit the budget request of $300,000 be restored, so that work can be started on this most worthy project to protect against the tragic floods that have caused terrific losses in the past.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the Delegate from Hawaii [Mr. BURNS].

Mr. BURNS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. BURNS of Hawaii. Mr. Chairman, the able and distinguished chairman and the capable and dedicated members of the Committee on Appropriations have been receiving well deserved tribute from their colleagues. I have examined the allocations made to Hawaii projects. The consideration given to Hawaii is most fair and just. We deeply appreciate this consideration.

It was my privilege to appear before the committee with two constituents who traveled more than 5,000 miles. The committee and its staff were most cordial and courteous. In the committee our presentations were received with interest and understanding as well as objectivity. The gracious courtesy extended my constituents was appreciated very much by them in their expressions to me. I thank the committee most sincerely on behalf of my constituents and personally for the kindnesses shown us.

Hawaii has had the privilege of visits by members of the committee who have made intensive investigations into our needs. As a result of these visits, Hawaii has been given very fair and just consideration. I take advantage of this opportunity to express Hawaii's heartfelt gratitude to the gentleman from Michigan [Mr. RABAUT], to the gentleman from Ohio [Mr. KIRWAN], and to the gentleman from South Carolina [Mr. RILEY], for the time and effort given to Hawaii, as a result of which grave and important needs have been met and will be met in the future. Hawaii appreciates very much the dedication and devotion to the public good demonstrated by these gentlemen in coming to Hawaii and conducting on-the-spot investigations. We welcome these visits and hope that we may have others.

In view of our present status as a Territory, Hawaii is very dependent upon the fairness and justness of the Members of Congress from the various States. Since we do not have the minimum representation each State has, the consideration given us in this bill demonstrates beyond any doubt the concern of the Committee on Appropriations for all of our people and for the strengthening of all parts that make up our Nation. Hawaii thanks them all from the bottom of our hearts.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Chairman, I want to add my support to the statement made by the gentleman from Pennsylvania [Mr. GAVIN] and also to state that the Pennsylvania delegation, with one exception, supports the committee report on the Allegheny Reservoir.

It is a very worthy project and is supported by all of the business interests, and outside of the gentleman from Pennsylvania [Mr. SAYLOR] I think I am safe in saying every elected official of this great industrial valley.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, before I appeal to the membership of this body to vote an increase for the further development and early completion of the Delaware River Channel between the cities of Philadelphia, Pa., and Trenton, N. J., I would first like to express my appreciation to the members of the Appropriations Committee for their untiring efforts. It was indeed gratifying to know at least the need for a 40-foot channel is now a recognized fact and that $9 million has been authorized for the coming fiscal year.

However, I am sorry to say, this amount is not sufficient to carry out the deepening operations next year to the 40-foot depth approved by the Congress several years ago, but would merely pay for a 35-foot interim depth channel as recommended by the President in his budget message.

In my testimony before the committee in May of this year I definitely pointed out that an allocation of $16,500,000 would be the bare minimum needed to maintain the channel on an efficient basis during the coming year. This figure was arrived at after a careful and complete study by the Corps of Engineers of the United States Army—and who should know better than these authorities the amount of money required to do a competent job?

Every conceivable argument has been presented in favor of this appropriation of $16,500,000. The channel's economic value to the Nation has been established. Its importance to world trade has been shown. The benefits the Delaware Valley will derive from a modern 40-foot channel have been enumerated. As a matter of fact, every citizen in our country will gain in one way or another through the improvement of this major, important waterway.

A few moments ago I said that every conceivable argument had been presented in favor of this appropriation. I would like to amend this statement now, because to me there is one very important factor that has been overlooked. The Delaware River Channel, in its present obsolete condition, has taken its toll in human lives to say nothing of the 169 vessels it has damaged. Back in 1955 a total of 120 accidents were reported on the channel and the total damage amounted to well over $13 million.

As recent as March 7 of this year a tanker-freighter collision occurred on the channel and more men lost their lives needlessly. This alone should be reason enough to authorize an increased appropriation of $7,500,000.

In closing, Mr. Chairman, I would like to urge that the $16.5 million needed for this project be substituted in lieu of the authorized $9 million. I believe everyone will agree with me this is the most provident and sensible way to bring into existence a safe and modern waterway that will benefit the Delaware Valley economically and protect our Nation in the case of a national emergency.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Chairman, I wish to express my very sincere thanks for the courtesy the chairman and the members of the committee extended to me. I am a new Member, but they gave me advice and counsel, and they were very courteous to the people of my district who appeared before their committee, and I wish to thank them for it.

Mr. JENSEN. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. OSTERTAG].

Mr. OSTERTAG. Mr. Chairman, I intend to support the amendment to strike out funds for the Allegheny Dam and Reservoir at Kinzua, Pa., and in view of the limited time accorded me in general debate, I expect to discuss this project under the 5-minute rule.

First of all, I want to emphasize that I am aware of the need for flood control on the upper Allegheny River and of various other needs for water in the Allegheny and Ohio River Basins. I am deeply sympathetic to those needs, for they are acute and, I might add, very legitimate, not only in the Ohio River Basin but throughout the country.

This project, however, would saddle on the taxpayers of the country the entire cost of a fantastically expensive project, with not 1 cent of contribution being required from the local interests who would be benefited. This is described as primarily a flood-control project, but it is, in fact, a multiple-purpose project involving water supply, pollution abatement, stream regulation, and industrial water supply. Consideration is even being given to hydroelectric power production.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I have only a few minutes.

Mr. GAVIN. Certainly the gentleman knows it is not a hydroelectric project; it is a flood-control project.

Mr. OSTERTAG. I realize that it has been advanced as a flood-control project, but the major benefits far exceed those of flood control, and I only said that consideration is even being given to hydroelectric power production.

Only a minor part of the benefits can properly be charged to flood control. If flood control were the major and governing objective of this project, a much smaller dam and reservoir would be ample, not only to protect the upstream communities such as Warren and the area so ably represented by the gentleman from Pennsylvania [Mr. GAVIN], but the metropolitan district of Pittsburgh as well. This is amply demonstrated in the records of the United States Geological Survey. Indeed there are a number of alternative proposals for achieving both flood contral and stream regulation in the area, but they have never been adequately studied or analyzed for cost and economic benefits. These alternatives should be fully studied before we are firmly bound to an expenditure that may well run upward of $150 million. As it stands, this project violates not 1, but 2 fundamentally important principles. It violates the principle of local financial participation in the cost of these multiple-purpose projects, and it violates some Indian treaty rights which are profoundly important to the moral stature of this Nation. I urge you not to approve this project until—and I say until—these highly questionable aspects have been ironed out.

Let me say a word about the costs of this project. We are asked today merely to appropriate $1 million to start construction, and once construction starts, there is no turning back, but rather the project must go on to completion with a total cost estimated by the Engineers to be $101 million. That is the estimate today. The record suggests that $101 million will by no means do the job, however. I say this because, in 1936, this was put forth as a modest little $6.5 million dam with approximately $11 million more in local costs for land acquisition and damages.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CANNON. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. OSTERTAG. I thank the gentleman. By 1941 the cost had risen to $35 million, with no local participation whatever. By 1948 the cost had jumped to $66 million. Last year it was $97.5 million and now, just a year later, it is estimated at $101 million. And mind you, not one dime of this is to be borne by local interests.

As long ago as 1939 the late Harold Ickes challenged the validity of this method of financing the dam. As chairman of the National Resources Committee at that time, he pointed out that it would provide not only flood control but an additional source of water supply for a metropolitan district, as well as benefits to pollution abatement for downstream communities, benefits to individual water users and recreational benefits. To charge all of these costs to the Federal Government, he said, would be a departure from existing policy, and he recommended that a determination of local responsibility be made. Yet today this is submitted as a 100 percent Federal project.

The fact is that the Appropriations Subcommittee on Public Works has itself disallowed several projects in this very bill because they did not provide for local participation.

We, who talk so much about the virtues of local responsibility as the muscle and sinew of representative government, have an opportunity in this proposal to practice what we preach; we should require that this project be restudied both for alternatives, and for a proper allocation of costs.

I said a moment ago that this proposal would also do violence to certain Indian treaty rights. Those rights exist; they have been repeatedly reaffirmed. They are justiciable. Make no mistake about it: If this project is approved, it will wind up in the courts, and on the basis of the record, it is difficult to see how the treaty rights of the Indians can be overridden.

The Allegheny Reservoir would flood some 9,000 acres of land in New York State which was granted to the Seneca Nation of Indians by a treaty of 1794 signed by the first President of this country, George Washington. The treaty guaranteed to the Indians the undisturbed use of their lands in perpetuity. The Indian reservation consists of a narrow strip, about 1.6 miles wide, running along the upper Allegheny River in New York State. The projected reservoir would flood virtually all of the habitable land in the reservation. Only the steep hillsides would remain. These cannot be farmed, they cannot be lived upon—for the Senecas are not cliffdwellers. In fact, the remaining land cannot even be reached, if this dam is built, for it will be inaccessible.

The Corps of Engineers is cognizant of the disastrous effect that the dam will have on the reservation. Their 1939 report says, and I quote:

> The extinguishment of the Indian right of occupancy of the Allegany Reservation will probably necessitate that an agreement be entered into with the Seneca Nation under the supervision of the Office of Indian Affairs, and that by appropriate legislation, Congress authorize or approve such an agreement.

Now, of course, no such agreement has ever been made, and no such legislation has ever been passed.

The Corps of Engineers further noted in its 1939 report the clear wording of the treaty of 1794, and pointed out that in 1871, Congress reaffirmed the validity of that treaty.

In view thereof—

The corps said, and again I am quoting from the report—

> it is extremely doubtful that Congress would authorize the acquisition of the affected area of the Allegany Indian Reservation until a voluntary agreement had been reached with the Seneca Nation. It is obvious that any such agreement entered into by the Seneca Nation would, of necessity contain provisions making it incumbent upon the United States to provide additional lands in New York State for said nation to replace those taken.

That is the end of the quote.

Have these conditions been fulfilled? On the contrary. There has been no voluntary agreement with the Senecas, or for that matter, any other kind of an agreement. There has been no legislation by Congress. Certainly no steps have been taken to compensate the Indians for the loss of their lands by the grant of additional lands.

The Senecas do not want to be recompensed with money. They want to be left undisturbed in the use and occupancy of their lands, as George Washington promised they would be, and as the Congress of 1871 and the Supreme Court on several occasions have reaffirmed they would be.

Yet under the legislation now before us, we are proposing to do by condemnation what is prohibited by treaty and by law. At a time when our Government places such high value on its pledged word that it is willing to turn over American boys to foreign courts for trial, because it is prescribed by treaty—we are proposing here, lightly and mindlessly, to ignore our solemnly pledged word to the American Indians. Surely we have a duty and an obligation to deal with the Senecas in good faith. If we reduce their treaty to a scrap of paper, what will our word be worth?

In closing, let me reemphasize this point; neither the Senecas nor others are opposed to the objectives envisioned in this project. Flood control is undoubtedly needed on the Allegheny as are the other water uses encompassed here. If a full and fair study of the alternatives proves conclusively that the high dam at Kinzua is the only way to meet these objectives, I am confident that the Indians as well as the other opponents will yield to necessity. But until that is done, we have neither moral nor economic justification for launching this costly, questionable project. I hope the amendment will be supported and the $1 million appropriation will be stricken out.

I might say that a Pennsylvania official expressed similar views concerning this project at one time. This man was Dr. Bogardus, secretary of forest and water resources of Pennsylvania. He said:

> It is perfectly obvious that if you say the Federal Government will bear the full cost of any flood control dam, you can logically include any dam that can be constructed for power, domestic water supply, or any-

thing else, because all of these dams have some elements of flood control.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Chairman, I wish to thank the able Chairman for granting me these few minutes of this valuable time. Also, I wish to add my words of appreciation and commendation to this most powerful of all committees of this great body, and I desire to pay particular tribute to the Subcommittee on Public Works which has, as one of our distinguished colleagues, who has just preceded me in this debate, has said, the control of the building of the interior of our great country.

I take this time largely to follow the questioning that I indulged in yesterday when the distinguished gentleman from Iowa had control of the time relative to the statement in the report which, in my opinion, is one of the most severe indictments against any bureau appearing before an Appropriations Committee. I should like to ask a member of the committee on my right just what justification the Bureau of Reclamation failed to make when they made their presentation before his great committee.

Mr. RABAUT. Mr. Chairman, I would say to the gentleman that he approached me on this subject yesterday. I have a list here of places in the hearings where that information can be found.

In part 1, departmental witnesses, on pages 71, 247, 268, 938, and 940. In part 2, departmental witnesses, pages 415, 424, 450, 451, 938, 940, and page 455.

That gives the information about which the gentleman is concerned, and also gives a recitation of the persons appearing and where their testimony may be found. It is notice to the House and to the public.

Mr. ASPINALL. As I understand, it was the failure of those representatives of the Bureau of Reclamation in the Department of the Interior to come up with the necessary justification for the amounts they asked for. Is that correct?

Mr. RABAUT. And using the funds at different times for other purposes.

Mr. ASPINALL. I understand that. It is in the report.

I thank the gentleman. Sometimes it is most difficult for Members of this great body to explain to the people whom they represent the failure of certain requests for funds for various authorized projects to be appropriated. With this explanation of the criticism, which I do not question but is justified, the Members are placed in a much better position.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I believe we have talked a little too much about this matter about which the gentleman is speaking. At least this can be said, that the people in charge of the Bureau of Reclamation are better qualified and more honest in their dealings with Congress than were the officers that were in charge of the Bureau of Reclamation when Michael Straus was the Chief of the Bureau of Reclamation. He told us in regard to many projects, "We are out of money." We had investigations made and found that they were not out of money. He had stopped a number of projects. When we went in and investigated, we found that he had given the committee much erroneous information. I do not defend the people in charge of the Bureau of Reclamation when they err, but it must be said that they are displaying a much better and more honest and cooperative attitude toward Congress than was displayed when Mr. Michael Straus was Chief of the Bureau of Reclamation.

Mr. ASPINALL. I am taking no exception to what the gentleman has to say at this time because it was not even in my mind. I am not approaching this from a partisan standpoint at all, but I am interested in the criticism that goes to the actions of any bureau. I remember it was one of my first obligations to come on this floor in 1949 and ask for an appropriation for the Forest Service, at which time those representing the Forest Service failed to justify before the great Committee on Appropriations their requests for funds. That was when we had to get funds to combat the epidemic of the spruce bark beetle.

Mr. Chairman, as the committee has under consideration the public works appropriation bill, I would like to take a few minutes of your time to tell the Paonia project story.

Under recent date, each of you received a letter on the Paonia project from the North Fork Conservancy District of Hotchkiss, Colo. This letter gave you a part of the story on this 21-year-old orphan. I can speak with personal knowledge dating back to the beginning of my service here in Congress in January of 1949. Actually, this subject was a matter of concern also to my predecessor, the late Robert Rockwell, who resided in the area of this project and before that of the late beloved, Edward T. Taylor, who was chairman of the Appropriations Committee of the House at the time of his death. Although this project has been of continuing concern during my service, this pales in comparison to the concern of those citizens of the area who have been wrestling with this problem for nearly a generation. I am constantly amazed at the patience, dedication, and perseverance of these people. They have suffered many discouraging setbacks, setbacks which would have discouraged lesser men or moved them to anger. However, if you will refer to your recent letter, you will find them making a calm and reasonable appeal for consideration. I am happy to stand here in support of so reasonable and necessary an appeal.

The North Fork area of the Gunnison River was originally settled about 1890. These early settlers carved farms from the then wilderness and provided irrigation facilities by their own effort. This was adequate for the area until about the 1930's when a combination of adverse economic developments and drought forced them to turn to the Federal Government for assistance in meeting the persistent problem of water shortage. I remind you that Federal activity to provide construction of a holdover reservoir began in 1936. The farmers of this area are still faced with the same adverse situation they had at that time. Surely it is time that their long effort for this legitimate end be rewarded with construction contemplated nearly 20 years ago.

The first report of the Bureau of Reclamation was issued in August of 1938. On the strength of this report, the Paonia project was authorized under reclamation law in March of 1939 by Presidential approval of a feasibility recommendation by the Secretary of Interior. Appropriations were provided in 1940 and in 1942. In 1940, it became obvious that the project plans had to be altered. These alterations were ready by June 1947 and may be found in Senate Document No. 61, 1st session, 80th Congress. Public Law 117 of the 80th Congress (61 Stat. 181), based on this report, authorized the construction of the Paonia project and funds under this authorization were provided later in 1948. The farmers of the area then approved and signed a repayment contract with the Department of Interior for the repayment of Federal moneys expended. In August 1948, bids were opened for construction of the Paonia project. However, due to cost increases not related to the project, all bids were found to be in excess of the $3,030,000 authorization. I might here note that the estimated cost of the project is now nearly $7 million. No one has gained from postponement. Construction of the whole project was found to be impossible. Rather than lose all gains possible under the authorization, the conservancy district and the bureau agreed to enlarge the Fire Mountain Canal. This single phase of the project was then initiated and completed. The farmers of the conservancy district are now obligated for the repayment of this feature although it has not materially increased their ability to repay. Nor has it provided any substantial increase in the necessary water supply. This increase in water supply can come only from construction of the holdover storage facilities of such size as to provide late season water. This was the pressing need in 1936. It is still the paramount need in 1957.

The Korean emergency forestalled further development of the Paonia project, although legislation for its reauthorization was introduced by me during this period. It was then decided that if this vital storage feature was to be built, in view of the cost increase, it would have to be tied to the Colorado River storage project and participating projects, so that surplus power revenues from the storage project could be applied to construction costs in excess of the water users ability to pay. This legislation, with the Paonia project listed as the most immediately needed participating project, was passed last year. It was understood by all concerned that funds for the completion of construction of the Paonia project would be included in the budget for fiscal 1958 so that such construction could actually begin in July of this year.

If events had proceeded as scheduled, I would not need to rise today to tell this story of continuing disappointment.

The program presented to the Congress last year clearly stated that two participating projects would be scheduled for construction this year. One was Paonia. Early reports this year in the Paonia project area, released by the Bureau promised that a budget request would be made and that construction would begin. Only when the President's budget was actually released did the people of the area discover that they had waited in vain.

Trying to discover just why last year's schedule did not become this year's program of action is devious and difficult. I must confess to you that I cannot state positively just where the Paonia project was cut down, but I know it once was in the Bureau of Reclamation budget recommendations. I know it did not survive the Budget Bureau's consistent opposition.

The immediate excuse given by the Bureau of the Budget was that the required resurvey of the project by the Department of Agriculture and the final report of the Bureau of Reclamation was not in hand during their consideration of the budget requests. I ask you in all seriousness, would a project under survey and study for 21 years now require a resurvey? The features of the project construction are virtually the same as those outlined in the Senate document of 1947 previously mentioned, they have been known for at least 10 years and the Department of Agriculture was a party to that 1947 study.

No, my friends, these surveys and reports, and I remind you that Agriculture's resurvey has been completed and is now in Washington, cannot explain the omission of the Paonia project. Nor can it be explained away on the ground that Paonia is a new start, it is as new as an automobile with running boards. It was first authorized in 1939, reauthorized in 1948, and again in 1956. A case can be made that economy prevents construction, but I ask you only to hold today's need for saving a sum of less than a million against the economic privation of this area. Here is a rural area of some few thousand souls far removed from the Nation's Capital. These people live on small farms or in two small communities. We are not talking of new land to be brought into production, this land has been under cultivation for some 50 years. For the last 20 years, however, at least 65 percent of the area has faced an annual water shortage of some degree—ranging from slight to complete. They have made every possible effort to take care of their own needs, but the crippling shortage of the water supply for consistent production so reduces their income that local resources are inadequate. Only a holdover reservoir will solve their problem. No doubt they would have given up long ago if for 21 years the carrot of water salvation had not dangled just over the horizon. It is time that such promise be funded with dollars and that these people be given the necessary boost, not only to repay an obligation they have already assumed for a project feature which gives them no value, but to go forward in the sure knowledge that they will have enough water to produce a crop each year.

Lastly, spring floods are now causing damage in this area—water is not only wasting away but causing waste. If the storage facility were constructed, this damage creating surplus could be caught and held and released in late summer to prevent crop failure.

Mr. JENSEN. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I thank the gentleman for yielding me time. A minute and a half is a very short time in which to make my plea for $600,000 for the Hopkinton-Everett flood dam in the Merrimack River Valley that goes through New Hampshire down through Massachusetts. It is not in this bill because, as I understand, there was no budget approval of it. The budget did not approve of it because it did not receive the notice of the compacts being signed and the Army engineers request for $850,000. Later, the Army engineers said that $600,000 would do the job that was necessary for planning the Hopkinton-Everett Dam, $100,000 for the purchase of land and the rest of it to use for planning in the Merrimack Valley.

Mr. RABAUT. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I will be very glad to yield. I understand that the gentleman from Michigan who made a great plea for this project and also the gentleman from Massachusetts [Mr. BOLAND] made a great fight for this project, and it was only turned down because there was no budget estimate. I understand the fight was very close.

Mr. RABAUT. New Hampshire only gave its concurrence recently and, furthermore, the President did not have it in his budget.

Mrs. ROGERS of Massachusetts. I realize that. The reason that New Hampshire did not agree earlier is they only have a session of the legislature every 2 years. It is a very great tragedy. A great deal of money will be lost not only to industries but there may be great loss of human life if the flood-control project does not go forward and if we do not put it in the bill this year. Furthermore, many lives have been lost in the past and much property damaged. If it does not go in this year, we will lose another year. I believe the other body will put it in and I am pleading ahead of time with this great Committee on Appropriations to agree to what I feel sure will be the action of the other body in including it in the bill. I refer to a speech I made yesterday for certain facts and figures, and on pages 9575–9576 I am inserting part 1 of the hearings on this bill, testimony of Members of Congress and the testimony of the Army engineers who say it is the No. 1 project for New England.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. JENSEN. Mr. Chairman, I yield the balance of the time, 5 minutes, to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I am not going to talk for any great length of time. I cannot say a great deal in 5 minutes, but I do want to say that the expenditures and appropriations for the purposes of this bill comparatively have gone up from a 1955 figure of $643 million to a 1958 figure of $814 million. It is a little lower than the other years in between, but it is almost $200 million—closer to $171 million—above the 1955 figure. The only way we are going to be able to save any money is by saving it. We are not going to save it by bringing in bills that are as big as this bill for this particular purpose. I do think if we would avoid providing funds for projects which have no good benefit-to-cost ratio that we would be in a far better position, and then we could take care of the things that need to be done without getting the bills up so everlastingly high. I am going to call attention to two items, which in my mind indicate that we have provided too much money. Consider for example this Allegheny River project which has been discussed here a little today. That project calls for a dam that would hold back 1,125,000 acre-feet of water. The only thing that could be justified would be a dam that would cost less than one-fifth of that amount and which would hold back something in the neighborhood of 15 to 20 million acre-feet of water because that amount of storage would absolutely take care of all the water which could flow down that river in a 3-day period at the location of this particular dam at the rate of 68,000 cubic feet per second.

The flow of this river is not so heavy that a great deal of damage would be done and I see nothing to warrant this additional cost.

The ratio of benefit to cost is very poor.

Then there is this Cumberland River project. I call your attention to page 139 of the hearings where the statement is made that if they wanted to build the dam necessary for navigation the benefit-to-cost ratio would be 1.89 to 1. But here they have—I do not know whether I should say fraudulently or mistakenly—figured the power they would get out of that plant at 7.12 mills per kilowatt when TVA and the private utilities are getting somewhere around 4.5 mills.

If the project were figured on a cost basis and on the facts that the Army engineers admitted on page 139, there would be no benefit-to-cost ratio at all. That kind of project we cannot undertake; and the job could be done for a great deal less than the $167 million budgeted for it.

Those are just a few illustrations. There are probably 25 items in this bill that have no benefit-to-cost ratio of as much as 1.20 to 1. On that situation there should be a very considerable reduction in this bill.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Chairman, I, too, wish to commend the Appropriations Committee and particularly the Public

Works Subcommittee thereof on their conscientious and arduous labors on the bill before us. Inevitably in legislation of this kind there is disappointment, but screening of projects must be accomplished and this committee has the duty of making such screening.

Without in any way criticizing the House committee, I wish to express the fond hope that the Senate committee will act more generously with respect to projects in which my constituents have a direct interest. In one instance the factual situation on which the House committee based its action may have changed at the time of the Senate action. In the other I disagree with the committee's conclusion on facts which are not subject to change.

I will refer first to the Success and Terminus Dams projects. These projects have had a somewhat long and disappointing history from the standpoint of speedy and adequate response to a flood-control need which is forever constant in the area of California which they will serve. They were authorized in 1944 with a joint total initial authorization only slightly in excess of $4,000,000. It was apparently recognized at that time that further authorizations would be necessary and would be granted because even with cost figures current at that time the sum was clearly inadequate for their final completion. Thereafter until 1956 only planning moneys were granted these projects in spite of the fact that there had been a recurrence of the floods which initially justified their authorization; however in 1955 we suffered disastrous floods which stimulated the corps to budget funds for construction money for both of these projects and through the generosity of the Appropriations Committee such funds were provided and steps immediately looking to construction have been taken.

In 1956 after the Appropriation Committee action I suggested to the corps that they needed additional authorizations. The corps responded promptly and the necessary authorizations were included in the omnibus public-works bill of 1956. Unfortunately this legislation was vetoed by the President. As a consequence the corps, the House Appropriations Committee, my constituents, and myself were confronted by the fact that 1957 appropriations in excess of $618,000 could be made only without prior authorization with the disability that they could be stricken on a point of order made by any one of the 435 Members of the House. The corps met this situation by recommending 1958 fiscal year appropriations of $5 million for Success Dam and $2,500,000 for Terminus Dam with amounts in excess of $618,000 subject to the proviso that they would be spent only when and if the additional authorizations were secured. The committee chose not to follow this procedure. Instead they appropriated the $618,000 and directed the corps to secure the remainder up to a total of $7,500,000 out of their fiscal 1958 unobligated reserves in the event the necessary authorizations were forthcoming. This action is understandable in the light of the authorization disability mentioned. It will be disappointing only in the event the corps does not possess the necessary unobligated reserves. This latter prospect is unlikely because ordinarily the corps has millions of dollars of unobligated reserves. I wish to thank the committee for providing a solution for a difficult question and hope and pray that the future does not depart from the past history of unobligated reserves. In my judgment we have no problem with respect to the needed authorizational authority. As I have indicated the situation confronting the Senate committee may be quite different from that confronting my colleagues because we are hopeful that an omnibus authorization bill will become law before their appropriation action.

I wish now to advert to a committee action which I feel to be in error—an action which I trust the Senate will correct on the basis of the same set of facts as confronted the House committee. The Bureau of Reclamation budget contained an item for the Central Valley project. From this item was struck the amount of $888,000 programed for the extension of laterals from the Friant-Kern distribution system to serve lands in the southern San Joaquin municipal utility district, pursuant to the public law program of repayable interest-free loans, for construction undertaken either by the district or by the Bureau on behalf of the district.

This district is currently receiving water from a Federal reclamation project—to wit, the Central Valley project—and is distributing the same through a system of laterals built under the Federal loan program. It seeks to serve additional lands within its boundaries. Such service will require additional laterals and an additional loan. The Bureau desires to make such loan but feels that it cannot without specific waiver of a continuing requirement written in a past appropriation bill that it make certain certification of a minimum quality of land and profitable irrigation. On the basis of its current land classification the Bureau feels it cannot make such certification; however, it urged the waiver on the basis that the entire district, which has a splendid record of repayment and adequate collateral base for repayment, was willing to underwrite the service for the small parcel of lands to be directly benefited by the additional laterals. The committee rejected the Bureau's acceptance of this equal but different assurance of repayment. I am hopeful that the Senate will accept it and that the House will concur. Failing in this I will seek to have a new land classification study made because the lands in question have been greatly improved and are being profitably farmed.

Mr. CANNON. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, on behalf of the official representatives of the county of Los Angeles and for myself, I want to thank the chairman of the committee, the gentleman from Missouri [Mr. CANNON], the members of the committee, and the able staff for their courteous and thorough consideration and treatment. To require complete justification of any project is always justified but particularly so today. The bill of the committee, as approved, has strong appeal as being fair and yet includes only those projects of proven need. The people of my district and the whole economy of the Los Angeles area will benefit, and all taxpayers will profit. We believe too that lives may yet be saved instead of lost because of the wisdom and vision of the committee.

Mr. CANNON. Mr. Chairman, I yield the remainder of my time to the distinguished gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, as an active member of the Public Works Subcommittee of the House Committee on Appropriations, I should at this time like to express my sincere thanks to the gentlemen of that group for their untiring efforts during the many long weeks that the now-pending public-works appropriations measure was under committee consideration.

Ladies and gentlemen of the House, your Appropriations Committee recommends to you this almost $815-million bill only after the most extensive and exhaustive consideration. Over a 2-month period the committee took testimony totaling 3,784 pages from representatives of the Corps of Engineers and the Department of the Interior, in addition to approximately 700 other witnesses, including over 200 Members of the House of Representatives and the Senate.

The public-works appropriation bill for 1958 includes funds primarily for the civil functions of the Department of the Army and the civil-works activities of the Corps of Engineers and the Department of the Interior. As proposed by the Bureau of the Budget requests for these agencies and their functions for the fiscal year 1958, which totaled $876,453,000, your committee recommends an appropriation of $814,813,023. That recommendation represents a 7-percent reduction in budget estimates, or $61,639,977, and a reduction of $52,521,977 below similar appropriations for the year 1957. Of the overall appropriation recommended by the committee, $619,325,023 is for water-resources construction programs and is to be allocated to 285 projects and activities. The budget estimate has not been exceeded for any project in the construction programs, primarily because of the urgent need for reducing the seriously inflated budget for fiscal 1958.

Now, Mr. Chairman, this particular appropriations measure often has been referred to as the "pork barrel" bill; that is, that on a trade or a you-scratch-my-back-and-I-will-rub-yours basis, the bill contains a little for everybody. Well now, just for sake of argument, let us assume that this bill is a barrel, and that it does contain pork, and that everybody does get his share of that pork.

At this point, let us open that barrel and just see what it is now or has contained.

Upon examination, I am sure you will find a piece of that so-called pork labeled Boulder Dam, another tagged the Tennessee Valley Authority, or flood control for the Mississippi River and its tributaries, or Bonneville power, or atomic energy, or Colorado River storage, or the St. Lawrence seaway. Although funds for atomic energy and TVA will be handled in separate legislation, they are nevertheless part of this country's great public works undertakings.

Mr. Chairman, at this point I include in the RECORD a list of rivers and harbors and flood-control projects covered in this bill which affect 43 States, plus Alaska and Hawaii:

State and project	Allocation	
	Planning	Construction
Alabama:		
Columbia lock and dam, Alabama and Georgia	$150,000	
Fort Gaines lock and dam, Alabama and Georgia		$6,600,000
Jackson lock and dam		1,700,000
Paint Rock River	30,000	
Warrior lock and dam		2,000,000
Alaska:		
Dry Pass	23,900	
Gastineau Channel	50,000	
Ketchikan Harbor		1,900,000
Kodiak Harbor		1,440,000
Arizona:		
Painted Rock Reservoir		2,841,000
Whitlow Ranch Reservoir	147,000	
Arkansas:		
Arkansas River and tributaries, Arkansas and Oklahoma (bank stabilization)	50,000	
Arkansas River and tributaries, Arkansas and Oklahoma (emergency bank stabilization and channel rectification)		1,300,000
Beaver Reservoir	250,000	
Bull Shoals Reservoir, Ark. and Mo. (addition of units 5 and 6)		110,000
Calion		210,000
Dardanelle lock and dam		800,000
Greers Ferry Reservoir		1,700,000
Ouachita and Black Rivers, Ark. and La	150,000	
Red River levees below Denison Dam, Ark., La. and Tex		300,000
Table Rock Reservoir, Ark. and Mo		17,000,000
California:		
American River levees		1,900,000
Black Butte Reservoir	179,000	
Carbon Canyon Dam and channel		800,000
Devil, East Twin, Warm, and Lytle Creeks		1,150,000
Los Angeles County drainage area		16,215,000
Lower San Joaquin River and tributaries		1,000,000
Playa del Rey Inlet and Harbor		600,000
Redondo Beach Harbor		2,620,000
Riverside		1,230,000
Russian River Reservoir		5,000,000
Sacramento River		3,000,000
Sacramento River (deepwater ship channel)		2,815,000
Sacramento River and major and minor tributaries (active units)		700,000
San Antonio and Chino Creeks		2,721,100
San Diego River and Mission Bay		1,100,000
San Joaquin River, Stockton deepwater channel		600,000
San Lorenzo Creek		1,000,000
San Lorenzo River		1,200,000
Santa Clara River	50,000	
Santa Maria River	75,000	
Success Reservoir		518,000
Terminus Reservoir		100,000
Truckee River and tributaries, California and Nevada. (See Nevada.)		
Connecticut: Thomaston Reservoir		$2,900,000
Delaware: Inland waterway, Delaware River to Chesapeake Bay, Del. and Md.: Summit Bridge		1,200,000
Florida:		
Central and southern Florida		5,226,000
St. Augustine Harbor		600,000
Tampa Harbor: 30-, 34-, and 36-foot channels		2,250,000
Georgia:		
Columbia lock and dam, Alabama and Georgia. (See Alabama.)		
Fort Gaines lock and dam, Alabama and Georgia. (See Alabama.)		
Savannah River below Augusta		835,000
Hawaii:		
Honolulu Harbor	$50,000	
Kawaihae Harbor		2,450,000
Idaho: Columbia River local protection: Weiser River	70,000	
Illinois:		
Alton	97,000	
Carlyle Reservoir	65,000	
East St. Louis and vicinity		800,000
Hunt and Lima Lake drainage district	85,000	
Illinois Waterway, Calumet-Sag: Channel—pt. I		6,000,000
Mississippi River between Missouri River and Minneapolis, Minn.: rectification of damages		65,000
Mississippi River between Ohio and Missouri Rivers, Ill. and Mo.: Regulating works		500,000
New Harmony bridge, Illinois and Indiana		405,000
Wabash RR. bridges at Meredosia and Valley City		350,000
Wilson, Wenkel, and Prairie du Pont drainage and levee district		600,000
Wood River drainage and levee district		550,000
Indiana:		
Lock and dam 41, Indiana and Kentucky. (See Kentucky.)		
Mansfield Reservoir		1,600,000
Markland lock and dam, Indiana, Kentucky, and Ohio		9,500,000
New Harmony bridge, Illinois and Indiana. (See Illinois.)		
Iowa:		
Coralville Reservoir		900,000
Iowa River, Flint Creek levee district No. 16	50,000	
Little Sioux River		2,000,000
Missouri River agricultural levee, Iowa, Kansas, Nebraska, and Missouri		3,300,000
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa. (See Nebraska.)		
Missouri River, Kansas City, Mo., to Sioux City, Iowa:		
Kansas City to Omaha		3,300,000
Omaha to Sioux City		6,600,000
Muscatine		320,000
Muscatine Island levee district and Muscatine-Louisa County drainage district No. 13	75,000	
Upper Iowa River		400,000
Kansas:		
Abilene		400,000
Council Grove Reservoir	125,000	
Missouri River agricultural levees, Iowa, Kansas, Nebraska, and Missouri. (See Iowa.)		
Ottawa		500,000
Pomona Reservoir	145,000	
Salina		500,000
Strawn Reservoir	125,000	
Topeka		1,500,000
Toronto Reservoir		4,700,000
Tuttle Creek Reservoir		10,000,000
Wichita and Valley Center		830,000
Kentucky:		
Barkley dam (lower Cumberland lock and dam), Kentucky and Tennessee		5,000,000
Buckhorn Reservoir		1,900,000
Catlettsburg		2,000,000
Greenup locks and dam, Kentucky and Ohio		13,500,000
Lock and dam 41, Indiana and Kentucky		4,000,000
Kentucky—Continued		
Markland locks and dam, Indiana, Kentucky, and Ohio. (See Indiana.)		
New Richmond lock and dam, Kentucky and Ohio	$175,000	
Nolin Reservoir	138,000	
No. 2 Barren Reservoir	50,000	
Rough River Reservoir and channels		$3,000,000
Louisiana:		
Amite River and tributaries		1,000,000
Gulf Intracoastal Waterway: Plaquemine-Morgan City alternate route		3,500,000
Mississippi River, Baton Rouge to Gulf of Mexico	240,000	
Mississippi River—Gulf outlet	375,000	
Ouachita and Black Rivers, Ark. and La. (See Arkansas.)		
Red River levees, below Denison Dam, Arkansas, Louisiana, and Texas. (See Arkansas.)		
Maryland:		
Cumberland, Md., and Ridgeley, W. Va		2,000,000
Inland Waterway, Delaware River to Chesapeake Bay, Del. and Md. (See Delaware.)		
Massachusetts:		
Adams		1,120,000
Barre Falls Reservoir		376,000
Boston Harbor: Extension to 40-foot anchorage		1,000,000
Buffumville Reservoir		1,117,000
East Brimfield Reservoir		1,500,000
Fall River Harbor		900,000
Hodges Village Reservoir		1,860,000
Mystic River: 35-foot channel		550,000
North Adams		3,607,000
West Hill Reservoir	50,000	
Westville Reservoir	100,000	
Weymouth Fore River		1,350,000
Worcester		1,500,000
Michigan:		
Battle Creek		2,000,000
Cheboygan River and Harbor		50,000
Great Lakes connecting channels		13,000,000
Harrisville Harbor		100,000
Houghton-Hancock Bridge		300,000
Saginaw River		475,000
St. Marys River, improvement of south canal		500,000
Whitefish Point Harbor		130,000
Minnesota:		
Mississippi River between Missouri River and Minneapolis, Minn., rectification of damages. (See Illinois.)		
St. Anthony Falls		550,000
Missouri:		
Bear Creek Reservoir	90,000	
Bull Shoals Reservoir, Ark. and Mo. (See Arkansas.)		
Cape Girardeau (reach No. 2 only)		1,300,000
Fabius River Drainage District	65,000	
Mississippi River between Ohio River and Missouri Rivers, Ill. and Mo. (See Illinois.)		
Missouri River, Kansas City to mouth		4,000,000
Missouri River, Kansas City, Mo. to Sioux City, Iowa. (See Iowa.)		
Pomme de Terre Reservoir		2,000,000
St. Louis	649,000	
Table Rock Reservoir, Ark. and Mo. (See Arkansas.)		
Montana:		
Fort Peck Dam (3d powerplant)		3,000,000
Miles City	56,000	
Nebraska:		
Missouri River agricultural levees, Iowa, Kansas, Nebraska and Missouri. (See Iowa.)		
Missouri River, Kenslers Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebr., and S. Dak		1,400,000
Nevada:		
Mathews Canyon Reservoir		463,000
Pine Canyon Reservoir		678,000
Truckee River and tributaries, California and Nevada	50,000	

State and project	Allocation	
	Planning	Construction
New Hampshire: Otter Brook Reservoir		$2,000,000
New Jersey:		
Delaware River, Philadelphia to Trenton (40-foot project), N. J. and Pa.		9,000,000
New York and New Jersey channels, New York and New Jersey		5,200,000
Staten Island Rapid Transit Bridge, New York and New Jersey. (See New York.)		
New Mexico:		
Abiquiu Reservoir		2,450,000
Albuquerque		750,000
Los Esteros-Alamogordo Reservoirs	$120,000	
Two Rivers Reservoir	70,000	
New York:		
Allegheny River Reservoir, Pa. and N. Y. (See Pennsylvania.)		
Barcelona Harbor		210,000
Endicott, Johnson City, and Vestal		1,400,000
Great Lakes-Hudson River Waterway		190,000
Jones Inlet		305,000
New York and New Jersey channels, New York and New Jersey. (See New Jersey.)		
Oswego Harbor, detached breakwaters		400,000
Staten Island Rapid Transit Bridge, New York and New Jersey		1,700,000
Wellsville		150,000
North Carolina: Atlantic Intracoastal Waterway, Masonboro Inlet		306,000
North Dakota:		
Garrison Reservoir		4,000,000
Lower Heart River		200,000
Ohio:		
Ashtabula Harbor		1,500,000
Dillon Reservoir		4,000,000
Greenup lock and dam, Kentucky and Ohio. (See Kentucky.)		
Markland lock and dam, Indiana, Kentucky and Ohio. (See Indiana.)		
New Cumberland locks and dam, Ohio and West Virginia		4,500,000
New Richmond lock and dam, Kentucky and Ohio. (See Kentucky.)		
Pike Island lock and dam, Ohio and West Virginia	50,000	
Roseville		426,800
Toledo Harbor (removal of center dike)		146,000
Oklahoma:		
Arkansas River and tributaries, Arkansas and Oklahoma. (See Arkansas.)		
Denison Reservoir, Tex. and Okla. (See Texas.)		
Eufaula Reservoir		5,200,000
Keystone Reservoir		3,100,000
Oolgah Reservoir		6,800,000
Oregon:		
Amazon Creek		446,000
Blue River Reservoir	100,000	
Chetco River		200,000
Columbia River at mouth, Oregon and Washington		1,150,000
Columbia River local protection: Umatilla River	16,000	
Cougar Reservoir		6,570,000
Green Peter Reservoir	225,000	
Hills Creek Reservoir		4,800,000
Holley Reservoir	100,000	
Lower Columbia River bank protection	40,000	
Lower Columbia River improvement to existing works: Multnomah Drainage District No. 1		500,000
Pendleton		400,000
Rogue River Harbor at Golden Beach	21,000	
The Dalles Dam, Oreg. and Wash.		19,000,000
Willamette River bank protection		300,000
Pennsylvania:		
Allegheny River Reservoir, Pa. and N. Y.		1,000,000
Bear Creek Reservoir		2,200,000
Bethlehem	100,000	
Bradford		800,000
Curwensville Reservoir	50,000	
Pennsylvania—Continued		
Dam 8, Monongahela River		$1,000,000
Delaware River, Philadelphia to Trenton. (See New Jersey.)		
Dyberry Reservoir		2,000,000
Kettle Creek Reservoir	$215,000	
Maxwell lock and dam, Monongahela River	50,000	
Prompton Reservoir		1,700,000
Stillwater Reservoir		2,000,000
Rhode Island: Woonsocket		1,750,000
South Dakota:		
Big Bend Reservoir	300,000	
Missouri River, Kensters Bend, Nebr., to Sioux City, Iowa (including Miners Bend), Iowa, Nebr., and S. Dak. (See Nebraska.)		
Oahe Reservoir		26,000,000
Sioux Falls		1,200,000
Tennessee:		
Barkley Dam, Ky. and Tenn. (See Kentucky.)		
Cheatham lock and dam		1,375,000
Lake City		340,000
Memphis, Wolf River and Nonconnah Creek		330,000
Old Hickory lock and dam		704,000
Texas:		
Brazos Island Harbor		1,000,000
Buffalo Bayou		2,900,000
Cooper Reservoir and Channel	275,000	
Corpus Christi Bridge		1,400,000
Denison Reservoir, Tex., and Oklahoma Highway Bridge at Willis Site		1,000,000
Ferrells Bridge Reservoir		3,294,000
Galveston Seawall		1,000,000
Houston Ship Channel		1,000,000
Port Aransas-Corpus Christi Waterway: 36-foot channel		1,000,000
Proctor Reservoir	100,000	
Red River levees below Denison Dam, Ark., La., and Tex. (See Arkansas.)		
Sabine-Neches Waterway		980,000
San Antonio Channel		500,000
Waco Reservoir	150,000	
Utah: Salt Lake City		300,000
Vermont:		
Ball Mountain Reservoir		1,300,000
East Barre Reservoir (modification)		600,000
North Hartland Reservoir		1,000,000
North Springfield Reservoir		1,300,000
Townshend Reservoir		1,200,000
Virginia:		
Norfolk Harbor: Widening 40-foot channel		1,750,000
Norfolk and Portsmouth Belt Line RR. bridge		300,000
Waterway coast of Virginia, Chesapeake Bay to Chincoteague Bay		352,000
Washington:		
Bellingham Harbor		1,078,000
Blaine Harbor		355,000
Chief Joseph Dam		4,900,000
Colfax	136,000	
Columbia River at Baker Bay		531,000
Columbia River at the mouth, Oregon and Washington. (See Oregon.)		
Columbia River local protection: Lower Cowlitz River	10,000	
Eagle Gorge Reservoir		8,000,000
Everett Harbor and Snohomish River		316,000
Grays Harbor and Chehalis River:		
(a) West Haven breakwater extension		291,000
(b) Bay City channel, West Haven Cove, breakwater and Point Chehalis levee		125,000
Ice Harbor lock and dam		18,500,000
Lower Columbia River levees at new locations: Washougal area	32,000	
Lower Monumental lock and dam	200,000	
Port Angeles Harbor		396,000
Shilshole Bay		1,780,000
The Dalles Dam, Oreg. and Wash. (See Oregon.)		
Willaps River and Harbor and Naselle River		555,000
West Virginia:		
Cumberland, Md. and Ridgeley, W. Va. (See Maryland.)		
Hildebrand lock and dam		5,300,000
West Virginia—Continued.		
New Cumberland lock and dam, Ohio and West Virginia. (See Ohio.)		
Pike Island lock and dam, Ohio and West Virginia. (See Ohio.)		
Summersville Reservoir	$225,000	
Sutton Reservoir		$8,000,000
Wyoming:		
Sheridan		200,000
Local protection projects not requiring specific legislation		3,000,000
Emergency bank protection		400,000
Snagging and clearing		600,000
Projects deferred for restudy	3,000	
Small authorized projects		3,000,000
Dredging projects (planning)	50,000	
Reduction for anticipated savings and slippages		−29,000,000
Total		413,868,900
Lower Columbia River fish sanctuary program (Fish and Wildlife Service)		1,600,000
Total construction, general	6,717,900	415,468,900 (422,186,800)

Forty-three States, plus Alaska and Hawaii. So you see, there is a little of this so-called pork for virtually everybody. Pork for the St. Augustine, Fla., Harbor; for the Louisiana-Mississippi Gulf outlet; for the Los Angeles County, Calif., drainage area; for the Chief Joseph Dam in Washington; for St. Anthony Falls in Minnesota; for the Otter Brook Reservoir in New Hampshire and the Allegheny River Reservoir in New York and Pennsylvania. These are just a few of the rivers and harbors and flood control improvements and projects that encircle and crisscross the Nation; just a few of the public works accomplishments that accrue to the benefit of all the people.

I say that if these projects are typical of what is to be found in that barrel—and, they are—then, let us build a bigger barrel so that we can fill it fuller of necessary, economically conceived, and executed programs for the betterment of all.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1958, for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, and for other purposes, namely.

Mr. HOLMES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to direct a question to the chairman of the Subcommittee on Public Works Appropriations and to call his attention to page 20 of the report under Bonneville Power Administration. You will note on page 20 of the report it states:

The Rocky Ford-Tacoma, and the Chief Joseph-Valley lines would set a precedent for wheeling non-Federal power long distances to integrate with the Bonneville grid. This is a major policy question and the committee takes the position that proposals such as these should have separate legislative authorization before appropriations are requested.

Following that statement in the report, I would like to call the attention of the chairman to the fact that under no circumstances could this set a precedent in relation to Bonneville Power Administration in the handling of power and I direct your attention to the fact that under the Priest Rapids Act, passed by this House in 1954, the Bonneville Act and the integration of the Rocky Reach project some wheeling of non-Federal generation by Bonneville Power Administration is essential. This does not set a precedent as Bonneville Power Administration has a number of previous contracts by which it wheels non-Federal power over Federal lines and non-Federal agencies wheel Federal power for Bonneville Power Administration over their lines. Therefore, for the life of me, I cannot see how this would set any precedent or be a policy change of any sort. I do bring it to the attention of the chairman of the subcommittee.

Mr. Chairman, I would also like to continue with the Rocky Ford-Tacoma line which is necessary for the transmission of power to the Puget Sound area. Three-fourths or more of the load of this line will be Federal power; the balance will be Priest Rapids generation and the line will be necessary by 1960. The Priest Rapids partnership project is underway and under construction now. In an arrangement with the Bonneville Power Administration throughout the Pacific Northwest there has been, as I said before, the wheeling of non-Federal power over Federal lines and non-Federal agencies wheel Federal power for Bonneville Power Administration over their lines. I cannot see what type of precedent this would set, and that is why I am raising the question in relation to the statement in the report.

Mr. CANNON. Mr. Chairman, in response to the gentleman's inquiry, this would establish a precedent for wheeling non-Federal power. That is a new program and is such an innovation, such an extension of jurisdiction, that it was considered unwise to take it up at this time.

Mr. HOLMES. Further discussing that matter, I would like to call your attention to check that matter in both the Priest Rapids Act, that passed the House, and in the Bonneville Power Administration Act, that has passed the House. I would like to remark that the reduction in relation to the Bonneville Power construction program to $5,685,000 may be a reduction that is warranted by the committee. I disagree with the committee; I think the money should have been granted. How the reduction can be declared a policy change or a new departure is beyond me.

Mr. CANNON. If the gentleman will consult the hearings he will find this question specifically discussed by the Administrator himself. It is a matter involving questions of major policy, something which could not be entered upon lightly or without some study and investigation. The question submitted, as stated in the hearings, is: Should the Federal Government stand the expense of transmission-line construction to make remote generation sites economically feasible for either private utilities or public utilities?

The committee decided that unquestionably that question should have exhaustive review before funds are appropriated.

Mr. HOLMES. I would like to close my remarks by saying that I definitely am in favor of this money that has been deleted from this bill for the construction of those lines; that they are necessary; that I have discussed the matter with officials of the Bonneville Power Administration; that I am quite familiar with the situation over years of experience in legislating in the Pacific Northwest and the wheeling of power in the Northwest power pool. I repeat, in direct reference to the Priest Rapids Act and the Bonneville Power Act, I cannot see where there is any precedent being set at all. If the move is made because they want to do it as an economy move, I disagree with that. If it is made on the basis of precedent and new policy, I cannot see that in either of the acts, the Priest Rapids Act or the Bonneville Power Act, it sets a new policy under any circumstances.

Mr. EDMONDSON. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to revise and extend my remarks and to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Chairman, the bill now before us provides a large sum of money for flood control in this country and I cannot find words strong enough to express my conviction that this bill must be passed.

The amount of money recommended by the Committee on Appropriations is far less than the administration proposal for mutual security, or so-called foreign aid.

In my section of the country, where a great flood disaster is now being experienced, the people are increasingly impatient with our Government which can find billions of dollars to spend on foreign programs and projects, and yet is reluctant to spend much smaller sums of money in meeting the disaster emergency needs of our own people here in the United States.

You are looking today at one Member of Congress who will not find it possible to vote for one nickel of foreign aid, even to the most friendly foreign power, unless this Congress and this administration act generously and quickly to meet the great flood disaster of 1957 in Oklahoma.

This statement is not made as either a threat or a warning, but as a simple statement of fact regarding the position of the people of the Second District in Oklahoma, and of their representative in this body.

We have in Oklahoma today, and throughout the Southwest, a flood disaster which has been with the people for nearly 7 weeks, and which comes close upon the heels of a great drought ranging from 5 to 7 years in duration.

On May 6 of this year, we already had flood damage in five States of more than $50 million.

Today I am confident that this figure exceeds a quarter of a billion dollars, and the floods are still in progress.

During the past 3½ weeks I have flown to Oklahoma three times to inspect damages and aid programs during the flood.

On Friday, May 24, I arrived shortly after the total flooding of a number of small towns in our State, and the partial evacuation of our second largest city, Tulsa. I reached my own home town of Muskogee in time to help evacuate a larger number of people, some of them in areas which never before had been flooded in my memory.

I returned to Washington to ask the Committee on Public Works for a special subcommittee to inspect the southwestern flood damage, and on May 29, returned with that subcommittee to Texas and Oklahoma. In a 4-day inspection we flew over 1,500,000 acres of flooded land in 4 States, and heard the estimate of Army engineers that flood damage in Oklahoma and Texas alone would exceed $100 million.

We also heard that more than $50 million of this damage could have been prevented by authorized flood-control projects had they been in operation. We observed at firsthand the failure of flood-control measures to do the job, when only a portion of the needed and authorized reservoirs and prevention measures have been completed.

We saw at firsthand the immediate and imperative need for the additional reservoirs that are provided in this bill, for additional surveys to meet problems where no projects have been authorized, and for a great acceleration of our upstream and watershed-control measures in each of these Southwestern States.

On June 1 we flew back to Washington, and I learned with disappointment that the subcommittee dealing with flood control had already marked up this bill, and the opportunity was not there to present to the committee this new information regarding our flood problems.

I can understand the position of this Committee, and I do not intend to offer amendments to any part of this bill, but I make this statement to enlist the understanding of this Committee, in the event that further action on these problems is taken in the other body.

This is a time of unparalleled emergency in our State.

Our Governor has described the current floods as the greatest disaster in the history of our State.

Last Saturday my colleague the gentleman from Oklahoma, the Honorable CARL ALBERT, was present with me at a hearing in Oklahoma upon the problems of the flood emergency.

The rains and the floods are still continuing, and some people were unable to get to the hearing because of flooded roads and washed-out bridges.

In this connection, civil-defense authorities told us that more than 150 bridges in our State have been destroyed or damaged by the raging waters, and the damage to our highway system is

measured in the millions of dollars. One of the last actions of our State legislature was the authorization of an additional 1-cent gasoline tax to help meet this flood-damage problem.

From the lips of the farmers and the small-business men of Oklahoma, we heard last Saturday the terrible story of their losses, of their discouragement, and also of their determination. We heard farmers who have lost six crops in a row and who have sold off their foundation herds, tell us they are determined to hold on to their land—and will be able to do so if this Government does not fail them in providing disaster assistance, and early action to prevent these terrible floods in the future.

From small-business men who have staked everything on the success of this year's destroyed crops, we heard the same urgent pleas for action now by our Government.

I do not believe it is conceivable that any member of this House would seriously consider a reduction in flood control measures in this disaster area, as we proceed with consideration of this bill. I find it more inconceivable that this House would cut back on urgently needed flood control measures in an area which today is feeling the full impact of a terrible flood.

Flood control legislation is not "pork barrel" legislation. It is action to prevent the suffering and distress of our Nation's people, and to build a stronger and safer America for future generations.

Let us give our full support to this bill, secure in the knowledge that when we do this, we are helping to build a better country for our children.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I am glad to yield to the gentleman from Tennessee.

Mr. EVINS. Mr. Chairman, I would say to the gentleman that I know that he has been most alert and active in behalf of the projects for Oklahoma. I certainly want to commend him. He has been most diligent. I must add that the committee has been generous in the providing of opportunities for his State. There is in this bill the Eufaula Reservoir which carries $5,200,000, which is in his State. There is the Keystone Reservoir, which carries $3,100,000. There is the Oologah Reservoir, which carries $6,800,000 and other projects which reach into Arkansas, Kansas, Texas, and other adjoining States. So the committee has been most generous in this bill with the State of Oklahoma. The gentleman's advocacy has materially contributed to this achievement.

Mr. EDMONDSON. I have no quarrel with this committee on the score of our projects. You were most considerate of our witnesses during the hearings, and have provided the full amount recommended by the Bureau of the Budget for each of our projects. My concern is with the future, and the possibility of reductions in the committee's recommendations, which I feel would be a great mistake.

Mr. BYRNE of Illinois. Mr. Chairman, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Illinois.

Mr. BYRNE of Illinois. Mr. Chairman, I would like to associate myself with the gentleman from Oklahoma in the remarks he has made as a member of the subcommittee to which he referred in his very fine statement. I attest, too, to the visual evidence that we were able to see by flying in planes as low as 500 feet over the territory outlined by the gentleman from Oklahoma. Accompanying that committee we had representatives of the Army Corps of Engineers and of the press, many in number, who reported factually many of the things that have been outlined by the gentleman from Oklahoma in a very able way. I think the people of the territory that we covered, Oklahoma, Texas, Arkansas and other States, need more assistance.

Mr. EDMONDSON. I thank my good friend from Illinois very much for those remarks and for his participation and his understanding during the hearings which were held.

Mr. GRAY. Mr. Chairman, would the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Illinois.

Mr. GRAY. I would like to take this opportunity of offering my congratulations to the gentleman for his fine statement. He is a very fine member of the Committee on Public Works and I know he knows what he is talking about. I should like to associate myself with him in the remarks he has made.

Mr. EDMONDSON. I thank my friend from Illinois.

Mr. FENTON. Mr. Chairman, I move to strike out the last word.

Mr. CURTIN. Mr. Chairman, will the gentleman yield?

Mr. FENTON. I yield to the gentleman.

Mr. CURTIN. I notice in the report of the committee that the Allentown, Pa., project is one for which funds have been disallowed. I wonder if the gentleman from the committee would clarify this for me.

Mr. FENTON. I would be very glad to. At page 279 of the hearings, part 2, Allentown is listed as being a new start. On the same page the gentleman will see, in the justifications, that the Allentown project is an integral unit of the Lehigh River Basin plan which also includes Bear Creek Reservoir and the local protective works at Bethlehem. We realize that both Bethlehem and Allentown are very vitally concerned about these particular projects. However, the policy of the committee is that there would be no new starts, if possible, this year. Allentown falls in that category. Bethlehem, on the other hand, is about to complete its investigations. So the two units, Allentown and Bethlehem, being contiguous, and practically being one town, you might say, we thought that since the key unit of that plan is the Bear Creek Reservoir, and the Bear Creek Reservoir, will, after this year, be some 30 percent completed, we could allow Allentown to go until next year, when the planning for construction of both Bethlehem and Allentown could be simultaneously considered.

Mr. CURTIN. Do I correctly understand, then, that the Bethlehem money is to provide funds to bring the planning up to date in Bethlehem, and that that planning has already been completed in Allentown; therefore, it was felt that no funds were needed in Allentown at this time, since it was ahead of Bethlehem in the planning feature of the joint plan?

Mr. FENTON. That is absolutely correct.

Mr. CURTIN. I thank the gentleman.

Mr. WRIGHT. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my remarks and to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, 3 weeks ago a special subcommitee of the House Committee on Public Works, to which the gentleman from Oklahoma [Mr. EDMONDSON] alluded in his remarks just a few moments ago, undertook to make a thorough and comprehensive investigation of the floods that have raged for 7 agonizing weeks through the Southwestern States.

Upon our return we attempted to gain permission to appear before the House Appropriations Committee but learned to our disappointment, that this committee had already completed its labors on this bill. Out of deference to the committee, we shall not offer any amendments to their bill on the floor of the House.

Some of the things that our subcommittee saw, however, were so stark and so painfully real that they need to be called to the attention of the Members of this House. Not only did they point up the need for the speediest possible completion of many of the projects contained in this bill, they revealed, in addition, the extremely critical and urgent need for early approval of additional survey funds, not contained in this bill, with which the Corps of Engineers may begin immediately to draft solutions for several glaring inadequacies in our present flood-control defenses.

There is an obvious requirement for at least $250,000 more to expedite new surveys, resurveys, and engineering studies made urgent by these floods in the Southwestern States. An effort will be made to incorporate such a provision in the other body. If this effort is successful, I believe it is important that the Members of this House understand the urgency of the need which dictates the wisdom of such a course.

THE HUMAN SIDE

In supplementing some of the conclusions the gentleman from Oklahoma has so ably presented to you, I should like to talk with you about some of the human aspects of these floods. Unless you view it at first hand, it is impossible to appreciate the terrible impact of such a sudden cataclysm.

The floods which struck the Southwest left little dramas of human tragedy scattered everywhere in their wake. In the Fort Worth-Dallas area, the disaster came with a stunning swiftness to drive more than 4,000 people from their homes. Many of these people watched their life's savings disappearing in an onrushing swirl of muddy water.

Before they had reached their destructive crest, the raging torrents in the Southwest had claimed more than twoscore lives, injured hundreds, destroyed businesses, isolated communities by wrecking highways and bridges, and rendered thousands homeless.

We saw whole towns in Texas and Oklahoma which had been completely inundated. At the hearing in Tulsa, we saw tough and weatherbeaten farmers choke up as they tried to explain to the committee the stifling effect of the deluge upon their hopes and their families' futures.

We saw residential areas in cities where homeowners had been forced to evacuate their homes 5 times in 5 consecutive weeks. Only a few had been able to save any of their furniture. The homes into which they had invested their savings and on which most of them still owe substantial sums will require extensive repairs if they are to be made habitable.

Deprived of any means to indemnify themselves against such a disaster, many of these people are wondering today if they can afford to take another risk, to try to pick up the pieces and start from scratch again. That is the human side of a flood.

THE ECONOMIC SIDE

There is also the economic side. The committee estimated that it had flown over 1,500,000 acres of flooded farmland. All the way from the headwaters of the Neosho River in Kansas to the Gulf of Mexico, the overburdened rivers were spilling out of their banks to make crops impossible for this year and to inflict permanent damages upon some of the best croplands.

In places the rivers had spread out for a width of 5 miles, cut new courses, and it was impossible to identify where the stream bed should have been.

By the most conservative estimation, we saw directly calculable damages which exceeded $135 million. This figure represents only those losses that you can immediately put your finger on. It does not include literal millions in indirect damages which cannot be calculated, but which are nonetheless real. It does not include weeks of valuable time lost by businesses and the resulting loss of production, from which the Government itself will suffer in foregone taxes.

The figure does not include the loss of wages to the workingman who loses time at his job, and the chain reaction which this brings about. It does not include the losses suffered by retailers through such a loss of wages, and through the retailer to the wholesaler and to the manufacturer. It includes none of that.

I agree with the gentleman from Oklahoma that the actual economic damage inflicted upon his State and mine would easily exceed a quarter of a billion dollars. The tragedy, the naked tragedy of it all was that a very major part of this staggering human and economic loss could have been prevented by flood control works now in the investigative and planning stages. Much of the damage would have been avoided by the completion of projects which are encompassed in this bill.

LESSONS OF THE FLOOD

These floods not only brought great damage and individual suffering. They also brought valuable lessons if we are keen enough to see them and smart enough to apply them.

The first, and most obvious, lesson is that flood control is an outstandingly good investment. Equally as dramatic as the millions of dollars in damage inflicted by the uncontrolled water were many more millions of dollars in damages prevented by existing flood control works throughout the area. Many dams and other structures totally paid for themselves in these six short weeks.

In dollars and cents, the losses thus avoided in Fort Worth and Dallas far outweigh the total cost of the projects which prevented the losses that otherwise assuredly would have occurred. The total flood control investment above the burgeoning residential areas of these two cities amounts to some $67 million. It is reliably estimated that, in 6 short weeks, the benign presence of these structures prevented economic losses which would have exceeded $76 million.

I want to lay one ghost here and now, once and, I hope, for all. Certain people have fallen into the habit of referring to legitimate flood-control programs as pork-barrel legislation. It is a glib but utterly meaningless phrase. It is probably the worst misnomer of an age given over to slick and easy slang expressions. Like an insurance policy, dams and levies and floodways are sound economics. You appreciate their value most when you don't have them.

Anybody who has seen the human side of a flood—anybody who has gone up and down the streets in a residential area, as I did in a motorboat, and seen the eerie spectacle of street signs just a few inches above water—anybody who has stepped off a motorboat onto the roof of a house, as I did, and has seen people standing there with stunned expressions on their faces, refusing rescue offers because they are loath to leave their homes even though their own personal safety is involved—anybody who has seen good American families herded, dripping wet, into temporary shelters, thinking of their losses for which there would be no restitution and against which they cannot indemnify themselves—anybody who has seen the human side of a flood never can call flood-control works pork-barrel legislation.

Mr. BURLESON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield.

Mr. BURLESON. May I compliment my able colleague on his splendid statement. I am sure the committee found, and the committee is well aware, as a result of their investigation, many places in the Southwest are now receiving funds from the Civil Defense Administration to make repairs and mend some of the serious damage occasioned by the recent floods. Whereas if action was taken to prevent such damage, it would amount to a sort of insurance and the cost would be a very cheap premium. The cost of a survey needed at this time in Abilene, Tex., in my congressional district, would be small compared to emergency funds coming from the Civil Defense. The proper and sensible thing to do is prevent damage instead of repair damage. Knowing the gentleman's diligence in these matters I am certain he agrees.

Mr. WRIGHT. I quite completely agree with the conclusion reached by my colleague, the gentleman from Texas. In that specific connection, the gentleman has spoken to me many times about the need for the completion of this survey at Abilene. The gentleman succeeded in having this survey authorized some years ago; yet funds have not been available for its completion. This points up the great need for this Congress to contrive somehow to reduce the time lag which is holding up so many such worthy projects.

Mr. BURLESON. Of course, these people whom the gentleman speaks of in the rural areas can hardly benefit from the Civil Defense contribution so far as the damages and losses they suffer as a result of their land being washed away and that sort of damage. They certainly need protection, too, and actions to prevent the rampages of floods is the only relief for them.

Mr. WRIGHT. There is no means by which they can benefit because their homes are too widely scattered in many cases for civil defense to help materially.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I will be delighted to yield to my distinguished colleague.

Mr. H. CARL ANDERSEN. I commend the gentleman from Oklahoma [Mr. EDMONDSON] and the gentleman from Texas [Mr. WRIGHT] for bringing to the committee this very lucid picture of what is happening today in relation to floods. We have the very same thing up in my district in southwestern Minnesota. Just the day before yesterday in one of my small cities of 5,000 people a flood resulted in about 3½ feet of water in the streets. A trucker was drowned near there and thousands of acres of farmland were swept clean of the corn and soybeans that had just started to come up.

Many areas of my district have been severely damaged by floods. One of the largest cities in my district, Marshall, Minn., has been almost completely under water with only a few high spots showing. The first onrush of water on the Redwood River swept away a dike built following the floods of 1950, and it is said the current flood was the worst flood in the history of that community. A Milwaukee Railroad passenger train was wrecked by a washout near Montevideo, Minn., and in my home county, Lincoln County, early reports said at least 17 bridges were out.

Damage has been extremely heavy and it will take days to calculate the total loss. As in all such tragedies, the

more fortunate people of the communities have been quick in lending a helping hand to their neighbors. Hundreds of flooded-out people have been taken into the homes of others. Farmers have come into town with their high-wheeled tractors to transport people and supplies through flooded streets. My people are doing what they can to help themselves and to help each other, but the damage is so great that they must have outside help.

These floods point up the urgent need for protective action wherever possible to prevent such disasters in the future. I have asked the Army engineers to give me as quickly as possible some preliminary estimates as to the funds needed to carry this work forward, and I am hopeful the other body will take appropriate action when this bill comes before them. We will surely know what is needed before they complete action on the bill.

I agree absolutely with the gentleman from Oklahoma and the gentleman from Texas that there should be some means of the Federal Government stepping in and doing more than we do today toward helping these people who have been ravaged by these floods. I noticed in the newspaper this morning an article which set me to thinking. It seems there is on the way up to the House a request, or there will be shortly, a request for approximately $100 million—and for what? For the further construction and launching of a satellite to shoot up into the stratosphere. Now so far as I am concerned a thing like that, as of today, is asinine when we have problems that we must face today in relation to floods in this Nation to help our own people. If we are going to squander $100 million to put a satellite up in the stratosphere to see whether we can beat Russia to it or not, why I think the time has come to get down to this good earth that God has given to us and do something for our own people. A man with a flooded farm, or place of business, or home can't get very excited over a little ball of metal floating around in the sky.

Mr. WRIGHT. I thank the gentleman for his contribution to this discussion. In that connection I should like to say this: The Government spends a great deal of money on a great many projects. I know that many of them are necessary. Much that is done under the framework of the mutual security program is vital to our national well-being. But a government which could not or would not take care of the genuinely legitimate needs of its own nation and its own people would be a bankrupt government from the standpoint of its moral obligations.

This is neither the time nor the hour to discuss the various aspects of mutual security. But I cannot help observing that this Government has been considering proposals to build dams and waterways for Middle Eastern governments. If we can do that, we can most assuredly build dams and floodways in Fort Worth and Dallas, on the Trinity and the Brazos, the Neches, the Red, and the Arkansas, in Texas and in Oklahoma, to protect our own people from this devastation from which they cannot protect themselves.

The floods have shown us many places where surveys should be quickly begun to draft the kind of protection which alone can insure against a recurrence of this catastrophe. Nothing can be gained by waiting.

We need to start now, this year, on these engineering surveys to begin this long, laborious process without which there can be no flood control. The need is urgent, and the time to start is now.

Mr. BURLESON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Chairman, the remarks of my distinguished colleague from Texas [Mr. WRIGHT] regarding the recent floods and damage resulting therefrom in Texas are certainly appreciated.

In 1953 the Public Works Committee of this House authorized a survey in and around Abilene, Tex., located in my congressional district, but thus far the Army engineers have not assigned a priority, which I believe is called programing.

Beginning in the latter part of April of this year, the city of Abilene, approximately 70,000 population, has undergone severe devastating floods. Several creeks flow into and out of the city in such a way that unless an answer is found to the problem, damage approaching catastrophic proportions will again eventually result.

Someone may ask why commercial, industrial, and residential property was placed in such a position whereby it would be subject to damage from floods during excessive rainfall. The answer in the case of Abilene, Tex., is simply that the city has grown tremendously in the last 15 years and by necessity has expanded over an area, which has subjected it to greater damage by reason of having more or less encompassed several small streams.

It is now to the point that an answer must be found, and it is definitely a flood control proposition. Even the layman's examination of the terrain would suggest that the area is not suitable for a project involving hydroelectric power, irrigation, recreation or any of the factors going into developments looking toward economic feasibility from that standpoint. It is, however, extremely serious and is a problem beyond the control or means of the local people or local government. This particular community is in urgent need of the advices of the Army engineers to find an answer to their problems. Thus far they have been unable to obtain such assistance.

As my colleague from Texas has pointed out, the Appropriations Committee handling these matters had concluded their hearings before we were able to present evidence of the tremendous damage occasioned by recent floods. We had no opportunity to appear before the committee to present our case and, therefore, use this opportunity of laying the predicate for what we hope may be successful action before this measure is finally presented to the President for approval.

Someone may ask why these matters had not been pressed continuously, but I say they have been pressed. They have been pressed with the Army engineers to give us a preliminary survey in accordance with the authorization passed in 1953, in order that we might be in a position to come before the Congress to appeal for assistance.

There are other localities in my congressional district which have also sustained severe damage during recent floods, and I hope the Army engineers will find it practical to also look at other areas, and that additional funds for these preliminary surveys may be sufficient to permit them to do so.

Mr. Chairman, the area of central west Texas which I represent happens to lie in a somewhat twilight zone, insofar as the jurisdiction is concerned, between the Army engineers, the Bureau of Reclamation, and has problems which cannot be feasibly met by other agencies dealing with flood control and water conservation, such as the upstream flood prevention mission assigned to the Department of Agriculture. Certain aspects of these problems are assigned to these various governmental agencies. For example, the Bureau of Reclamation places its emphasis on irrigation, which is not of specific interest to my area. It does not, for instance, meet the problem which surrounds the city of Abilene, Tex. Neither can the upstream flood prevention provision of law be entirely applied. Therefore, it is a matter of flood control, which is the primary mission of the Army engineers.

Mr. Chairman, I do not believe that any Member of this House can successfully challenge my efforts at economy. Those efforts have not just started lately under the tremendous pressure and drive to reduce the current budget. I think I have been consistent over the years in my demands for economy and my vote against those things which our people can do for themselves rather than have the Federal Government do it for them. As I have said a number of times on this floor, we all say we are for economy and then end our statement with the conjunction "but." To prevent floods and resulting damage from them, is economy. It is insurance. It is very much the same as insurance, since we never really realize what it is worth until it is needed.

As a matter of fact, Mr. Chairman, emergency funds from Civil Defense, to assist towns and localities in my congressional district following recent floods, would have several times paid for preliminary surveys which we now desperately need, and would have doubtless gone far toward solving the problem on a permanent basis. As it is, we sit and wait for the time it may happen again, and again request emergency assistance to put the pieces together again.

There is no question about the absolute necessity of remedying the problem which exists in the city of Abilene. It can be proved beyond a doubt; and it can further be proved that the local community itself cannot meet the situation.

With additional funds, which we hope may be granted before the final disposition of this measure, it will give the engineers funds to complete this survey along with a number of others urgently and desperately needed, and I hope our appeal will receive sympathetic understanding.

Mr. BUDGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply want to take a few moments to clarify the language contained on page 15 of the committee report. In that language the committee criticizes the Bureau of Reclamation for transfers of funds for investigation purposes. The committee says:

> A total of 22 investigations which were presented in the program last year were not allotted any funds. A total of 43 investigations which were not programed in the 1957 justifications have been allotted a total of $1,318,617.

Further down on page 15 of the committee report this statement is made:

> The proposed transfers of funds to resurvey the Pleasant Valley site on the Snake River in Idaho as contemplated in both the fiscal years 1957 and 1958 are disapproved.

I simply want to point out that the Pleasant Valley site is in exactly the same category as the other 42 projects mentioned earlier in the committee report, and it also was not included in the budget, nor was it presented to the committee for its consideration last year.

I did not want the Members to gain the impression that the Pleasant Valley project is in a different category than the other 42 which were previously mentioned in the report. A specific letter was written by the Department to the committee on this project, and that is why separate mention is made further down in the report on page 15.

Mr. BROOKS of Louisiana. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN. The gentleman from Louisiana is recognized for 10 minutes.

Mr. BROOKS of Louisiana. Mr. Chairman, I want to commend my colleagues from Oklahoma and Texas who have preceded me in telling you something about the conditions which exist in the southwestern part of the United States at the present time. They have given very graphic descriptions of the conditions in Oklahoma, Texas, and some of the other States.

I wanted to have the opportunity of accompanying that subcommittee, and I want publicly to thank the chairman of the subcommittee for having invited me to make that trip down into the Southwest. I was denied that opportunity because of urgent business here, and, furthermore, I realized that the time was too short to take up the subcommittee findings before the Appropriations Committee at this particular time to have an influence on this bill. But I did make a trip down into Louisiana, Mr. Chairman, and I went over the situation there. The scenes they have told you about in Texas and Oklahoma are all too true. The water that fell in Texas, Oklahoma, Arkansas, and parts of Colorado and New Mexico was water that found its way down into my own State of Louisiana. They referred to the tons of water falling out of the sky and dropping on the landscapes of Oklahoma, Texas, Colorado, New Mexico, and Arkansas. That simply meant problems to our people in Louisiana. It so happens that most of the rivers and large streams in the midcentral portion of the United States finally channel their water through the State of Louisiana.

Mr. Chairman, about 2 months ago—during the month of April, to be exact—the long 7-year drought in the Southwest was broken. Rains, delayed for many years, began to fall on Texas, Oklahoma, Colorado, and New Mexico. Accompanying these rains were thunderstorms and violent tornadoes. In some instances, 12 to 15 tornadoes per day took part in breaking a record period of drought in these areas; and with the tornadoes came a tremendous amount of rain. The rain reached such proportions as 12 to 13 inches for a 24-hour period.

At first these thunderstorms, and to some limited extent, these tornadoes, were welcomed. The parched land literally drank the moisture which had been denied it for many a year. Gradually the underground storage filled up and then more quickly the creeks, rivers, and the lakes and reservoirs also filled to capacity; and almost before they realized what was happening, the Southwest was in the midst of a record flood. A record drought was quickly transformed into a record flood.

The State of Louisiana, from whence I come, felt some of the effects of the drought; but nothing like those areas to the west and to the north of us. On the other hand, my State did not receive the unprecedented amount of rainfall which I referred to before in this speech; and I am especially glad to say that the Almighty spared us the fearful tornadoes and the appalling amount of damages and distress caused by them

All streams in the midcentral portion of the United States—speaking generally—drain through the State of Louisiana. Of course, there are exceptions to this statement, but I think the exception makes the rule. As a result, we found our rivers beginning to fill up with water being drained from areas far to the west and to the north of us. The Mississippi filled and for a time threatened a flood stage. On the other hand, the Red River and the Sabine River were forced to accept the bulk of this unprecedented rainfall and did their best to bring it safely to the Gulf without detruction to our people and our property.

Filled with water from west Texas and from parts of Oklahoma especially, the Red River, which flows through northwest Louisiana and central Louisiana began to reach flood stage; and early in May this river had reached levels far beyond flood levels. The levees seemed to have held fairly well in Louisiana where there were levees; but the backwater pushing up the tributaries of the Red River spread out and began to cover rich alluvial acres which had already been plowed and seeded for the spring and summer crops. The local people fought day and night to hold the main-line levees; but there was no way to protect themselves and their lands against the incursion of the backwater spreading out as the river reached a higher and higher level.

The Red River crested at Shreveport—my home, and the second city in Louisiana—early in May and began to recede. Rains and tornadoes continued in the Southwest and, as a result, a second rise of the river followed the first one; and by the middle of June—especially last week—the Red had again reached a crest equal to the previous one to all practical purposes. If anything, the second flood was far more destructive than the first one because of the fact that it kept the level of the water high for an extended period, and farmers and owners gave up the battle rather than face, for a long period of time, hopeless odds.

At the height of the first flood, we in the Red River Valley appealed to the President to declare this area in Louisiana to be a disaster area; and the President, after investigating this thoroughly, did so declare 10 parishes of my State, and largely of my district, to be disaster parishes. I have obtained figures from the Agriculture Stabilization Office located at Alexandria, La., to show the number of acres of land put under water by this flood. As of May 6, in the 10 disaster-designated parishes, 2,008 farms were flooded, 126,050 acres of cropland were under water, 131,000 acres of woodland suitable for range purposes were under water, and 44,860 acres of field crops were inundated. At the same time, according to the ASC, 83,360 head of livestock had to be moved to prevent drowning because of high water.

The situation on June 13 in the Red River Valley was much worse. By this time, 2,340 farms were under water according to the ASC. Inundated were 132,350 acres of cropland-pasture, 245,500 acres of woodland used for range purposes, and 53,460 acres of field crop lands. At the same time, 111,960 head of livestock had to be moved to find suitable pasture areas. The total of 397,850 acres, practically 400,000 acres, in the 10 disaster parishes in the Red River Valley on June 13 were under water and could not be used for productive purposes.

Although this record was prepared by the Agricultural Stabilization Conservation Service, it does not include tens of thousands of acres under water outside of these 10 stricken parishes. It also fails to include the hundreds of thousands of acres in the Sabine watershed which were at the same time under flood and the Sabine River reached out at places to become a half mile wide instead of a normal channel of 150 feet.

This report fails to show the damages sustained by our people. It is impossible to even estimate the damages sustained to a farm as a result of two successive floods, the one following the other, which keeps farm acreage under water for

weeks at a time. It is impossible to show the damages to the terracing and the drainage systems on the farms; it is impossible to show the damage to the timber on the covered acreage; it is impossible to show the destruction of the grasses on the pasture lands, and to a lesser extent it is impossible to show the damages to the crops and to the homes and barns and outhouses sustained from flood waters which are nonpartisan in their approach, sparing neither Republican nor Democrat. Only time will permit us to make a rough estimate of the damages; but I would certainly place these damages up to tens of millions of dollars.

Practically all of this damage was caused to our people by waters from other States passing through Louisiana. While our rains were heavy, we would have experienced no difficulty in accommodating the flood waters which fell upon our own lands. Our trouble arose solely from the heavy surge of the torrents coming from States to the north and to the west of us—and not from Louisiana.

The Army engineers have an interim flood control plan for the Red River Basin which was adopted in 1946. It is an excellent plan, and will work if put into effect. In fact, a small portion of the plan has already been constructed by the Army engineers, and I want to say that in every particular the plan of the engineers has worked well, insofar as it has been put into execution by construction. The engineer-project levees along the Red held firmly and caused no trouble where they were built. The trouble came from the fact that in many places on the Red there were no project levees to protect the alluvial lands. The reservoirs built by the Army engineers also did their job and did it well; but the number of such reservoirs and supporting dams was too few, and their size inadequate to handle this job of curbing the tons of restless and surging, muddy waters coming to our people from upstream.

During the first flood, the Denison Dam and Reservoir, built by our Army engineers some 225 miles upstream from Shreveport, worked well. The engineers started with what seemed like adequate storage space for the millions of acre-feet of water falling above the dam and rushing into Lake Texoma for storage. At frequent intervals, the engineers tried to release some of this water so as to provide storage space available for use following subsequent cloudbursts. In the first flood, it is estimated that proper handling of the storage on Lake Texoma reduced the level of the water at Shreveport by 3½ to 4 feet.

When the second flood came, it found the reservoir at Denison full. There was no storage space remaining to be used when an additional flood came rushing from upstream into the lake above the Denison Dam. As a result, the water topped the spillway by several feet and began to flood down into the Red River at the rate which reached 120,000 cubic feet per second. This is a terrific amount of water and, of course, no stream the size of Red River could hold such a load. This accounts for the flood in north and central Louisiana.

I think some restudy of the present flood-control facilities on Red River should be made. Such a restudy might be very helpful. On the other hand, the real need of the valley is for a speeding up of the program of flood control on Red River by the Congress. The interim flood-control plan, adopted in 1946, provided for the building of certain dams on the river. The Texarkana Dam has been constructed and is now in use, doing excellent work in these last floods. Work is now proceeding on the Ferrells Bridge Dam and Reservoir and this bill provides $3,294,000 for this purpose. No appropriations have yet been made for many of the recommended dams and reservoirs, although more than 10 years have elapsed since the plan was first approved and started. For instance, the Millwood Dam and Reservoir has not been started. The Hugo, Boswell, and Cooper Dams and Reservoirs, the new Mooringsport Dam, and other projects need immediate attention if we are to escape the continuation of these recurrent floods which come down upon us periodically.

About the only item in this bill before us which will be helpful in this emergency is the sum of $300,000 for bank and levee stabilization and channel improvement. This amount of money will help a little bit; but it is completely inadequate to meet the emergency needs of crumbling banks and damaged levees from Denison to the mouth of Red River. Actually, we in the valley who have borne the brunt of this struggle were in the hope that the committee would have allowed us the sum of $1 million for this purpose. It is needed and needed badly. In fairness to the committee, I wish to say that this flood came fairly recently, and I am told that the committee required that the Bureau of the Budget approve items for funds. Unfortunately, for us in the Red River Valley, the floodwaters did not seem to cooperate with the Bureau of the Budget, arriving too late to be considered by this agency of Government. The Appropriations Committee therefore did not consider an increase in this figure.

For a number of years, I have been urging funds to complete the planning and start work on the Overton Waterway. We have been able to obtain in the neighborhood of $400,000 for planning purposes, but recently we have been denied funds for this purpose and some opposition from one or two selfish railroads has reared itself against this appropriation. The Overton Waterway has, however, a definite flood control value which, the Army engineers at one time estimated at $1 million. Had plans gone forward for the construction of the waterway, portions of it today may have been usable for flood control purposes; and values up into the millions of dollars might have been saved from angry floodwaters by this waterway. Portions of Natchitoches Parish, La., especially, would have benefited greatly by this construction. I hope this committee will consider this matter in the future and allow substantial funds for the completion of the planning of this project.

Mr. Chairman, I do not wish to be colloquial about this matter. The entire Southwest has suffered damage by virtue of the recent floods. Texas, Oklahoma, and Arkansas are entitled to help. I will not presently go into the details of the situations in each State. Other and able speakers are here and will no doubt speak to you about conditions in these States. They, too, are entitled to aid from the Federal Government.

The President of the United States, operating under laws passed by this Congress, has declared whole areas of these States to be disaster areas. Some of the departments of government are moving to assist in these extremities. This assistance is of a temporary nature, and I will not take the time here to narrate the measures taken to help. What we need, however, are not temporary measures, but permanent constructive measures to provide the facilities to prevent the recurrence of such catastrophes as this falling upon the unsuspecting people who live, and work, and rear their families in the lower valley of the Red and are entitled to protection from floodwaters rising higher in the watershed.

Mr. Chairman, many of the Members of the Congress do not realize that the Red River is one of the longest rivers in North America. It takes to rise in the States of New Mexico and Colorado, and the river then meanders for some 1,200 to 1,300 miles to its confluence with Old River, some 12 miles from the great Mississippi. Millions of people live in the fertile valley of the Red and multiplied millions of dollars of weath are sprawled out along the valley, unprotected to a large measure from great catastrophes such as this. I hope that this Congress will not be unmindful of the suffering of our people in this great valley; but will move more quickly in an appropriate way to give protection to those who merit the attention of this Congress and appeal to you for assistance.

Mr. MACK of Washington. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to supplement briefly the remarks that were made earlier today by the gentleman from Washington [Mr. HOLMES] and the remarks that were made yesterday by the gentleman from Washington [Mr. MAGNUSON] relative to the Rocky Ford-Tacoma Bonneville powerline.

The purpose of this powerline is to wheel power from the Priest Rapids Dam now under construction in eastern Washington to the great consuming centers of power in western Washington. Prior to the 83d Congress, the Priest Rapids Dam was authorized as a Federal project to be constructed by the Federal Government. In the 83d Congress the gentlemen from Washington [Mr. HOLMES and Mr. MAGNUSON] introduced bills providing that the Priest Rapids Dam should be deauthorized as a Federal project in order to allow the Grant County Public Utility District, a publicly owned organization, and other public-utility districts in Washington State to spend $160 million to build a power dam at the Priest Rapids site.

I was the chairman of the subcommittee in the 83d Congress that held hearings on the Priest Rapids bill and reported it favorably to the House.

The local utilities agreed to spend all the money—the $160 million—required to build the Priest Rapids power installation. It was my understanding that the Bonneville Power Administration would wheel the power to consuming centers. Bonneville was the only agency equipped to do that, for it is the only one with distribution lines all over the Northwest. It was my understanding that Bonneville, for wheeling the power, would be paid rates that would result in its getting back every dollar, with interest, invested in any required powerlines and also rates that would pay for maintenance and operation of these lines. In other words, the taxpayers of the United States would not be out of pocket any money and, further, by local interests, instead of the Federal Government, building the power dams, would be saved investing money in the Priest Rapids power-generation development.

Bonneville's wheeling of the power will not lose money by doing so. It will make money. Dr. Pearl, Bonneville Administrator, tells me Bonneville will make or save $179,000 a year by wheeling this power.

I hope, when this bill goes to the Senate, that body will allow funds for this powerline and one other, so that Bonneville will have the lines required to wheel Priest Rapids and Rocky Reach Dam power to the great consuming areas of the Pacific Northwest. If the Senate does approve appropriations for these lines, I do hope the House conferees will review all of the evidence submitted on these powerline projects and ultimately agree that it is in the interest of efficiency and governmental economy to build the two powerlines that are essential to Federal wheeling of the power from these new dams, now under construction.

BONNEVILLE POWER ADMINISTRATION

The committee report on the Bonneville Power Administration recommends deletion of the Administration's Rocky Ford-Tacoma and Chief Joseph-Rocky Reach Valley lines. I fear that this recommendation represents a misunderstanding as to the need of the Government for these facilities and the advantages which would accrue to the Government by reason of their construction.

The Rocky Ford-Tacoma line, the first of the two lines to be scheduled for energization, will be an integral part of the Federal power system of the Pacific Northwest. It will be a main link between major Federal circuits east of the Cascades and equally important Federal circuits west of the Cascades. It is required to transport a part of the movement of power from generating plants on the eastern side of the mountains to the heavily populated, large load centers in the Puget Sound area. These load centers are served by the cities of Seattle and Tacoma, the Puget Sound Power & Light Co., and a number of public agencies.

Several high-voltage, high-capacity Federal lines already extend from eastern generating plants to the Puget Sound area. But these are not sufficient to transport the amount of power needed. Loadings on the present lines will increase to what engineers call the point of marginal stability by 1960–61 unless the Rocky Ford-Tacoma line is added. "Marginal stability" means that failure under fault conditions of any one of a combination of lines would cause all others to fail. Thus, without the Rocky Ford-Tacoma line, failure of any one of the vital present circuits would cause failure of all others, which would disrupt service over the entire area served by the western half of the power pool. Obviously electric power service to such a widespread and important area cannot be left on that kind of a basis.

But it is not only because the line is needed for service to the people of the Puget Sound area that I state it has been misunderstood. From a purely financial point of view, and in terms of dollars and cents, the line will be of advantage to the Government.

The annual cost of the Rocky Ford-Tacoma line will be in the neighborhood of $324,000 per year. By reason of the fact that the line will reduce losses in transit from generating plant to load center, power and reactive with a value of at least $410,000 per year will be saved. This alone represents a cost advantage to the Government of $86,000 per year in excess of the total line cost. Let me explain for a moment what is meant by transmission losses. Each transmission line can carry only a given amount of power with the greatest economy. If more than this amount is forced over the line, it becomes less efficient. Kilowatts which could otherwise be sold—and used to meet the needs of consumers—are wasted. Without the Rocky Ford-Tacoma line, loadings on the present circuits would be forced into this uneconomical, wasteful range.

In addition, however, to this $86,000 per year gain, is another direct gain to the Government which can be directly associated with the Rocky Ford-Tacoma facility. This gain arises from the portion of the Priest Rapids plant output which will be wheeled over the line on a reimbursable basis. The Government will collect approximately $93,000 annually for carrying this non-Federal power. This brings the total benefits to the Government in excess of its costs to $179,000 per year. Let me recapitulate this statement. In power and reactive losses the Government will save $410,000 per year. In wheeling revenues directly associated with the line, the Government will earn $93,000 per year. This is a total gain of $503,000 per year. But the Rocky Ford-Tacoma line will cost only $324,000 per year. Thus the dollar gain is $179,000 annually.

But even yet we do not have the entire picture with respect to the advantages accruing from this line. The line will carry only a portion of the Priest Rapids power output. Other facilities which are now either in service or under construction will transport the remainder. These facilities need not be expanded. In other words, the Federal system, by reason of what we call pooling, displacement and integration, can undertake this job of wheeling Priest Rapids power with no additional capacity other than a small part of the capacity of the Rocky Ford-Tacoma line. The total wheeling revenues to the Government for handling Priest Rapids power—for performing the vital service of delivering Priest Rapids power to the points where it will be used—will exceed three-quarters of a million dollars per year. This substantial revenue will not, of course, accrue to the Government unless the Rocky Ford-Tacoma line is approved, for it is an essential part of the wheeling plans.

By reason of the location of the Priest Rapids plant, wheeling of Priest Rapids power is of an additional particular advantage to the Government. This large generating plant is located in close proximity to a major load area of the Administration. This load area includes the vital Hanford atomic energy works. The Government is now supplying—and without Priest Rapids would have to continue to supply—this load area from Federal plants which are located many miles away. With Priest Rapids wheeling, they can be served from a nearby local source. Obviously it is a saving to reduce the number of miles over which power must be transmitted. This is a saving not only to the Government but also to the region itself. For in the same fashion that Priest Rapids power will serve Government loads as the nearest source, so will the Government in turn supply equivalent power to Priest Rapids purchasers from the nearest source.

Wheeling means that the output of the Priest Rapids plant will feed into the Federal system at the Bonneville Power Administration's Midway substation and that the Administration will in turn deliver equivalent amounts of power to the widely scattered purchasers of Grant County Public Utility District. By this step real efficiency and real integration of the power resources of the Government and of the Pacific Northwest are moved forward. Priest Rapids becomes a part of the Northwest power pool.

The Congress has heard many times on this floor the story of the advantages of the Northwest power pool. This pool performed a vital service in World War II and it is still performing a vital service. The key to the pool is integration, hydraulic and electrical. Integration means, quite simply, a linking together of the generating plants and the load centers by means of high capacity lines so that power will move freely from each generating plant to the closest load centers and so that plant operations may be coordinated to improve and to supplement each other. BPA's grid system in the Northwest is the "bulk carrier" which makes this integration possible. Non-Federal power projects, for efficiency, must be linked to this system and the system must be reinforced as necessary to make this possible.

I would like to emphasize to the Congress that wheeling service by the Government will be strictly on a cost basis. The Government will not subsidize non-Federal operations. Its charges for wheeling will be based upon its actual costs. While the Government can wheel at less cost than would arise from the construction of separate facilities to ac-

complish the same service, this difference in cost arises because of the advantages of integration and pooling.

The Priest Rapids plant is a major development on the main stem of the Columbia River. It is being financed entirely by a local agency of my State, the Grant County Public Utility District. This district, backed by purchase commitments from 12 different utilities of the Pacific Northwest, has undertaken complete financial responsibility for the generating plant. The district desires and is required by law to make a widespread distribution of the plant output. Its 12 customers represent both large and small distributors, publicly and privately owned, serving areas widely scattered throughout the region. The Federal transmission grid of the Northwest is the only transmission system which reaches into these scattered areas and which is capable at reasonable cost of carrying power to them.

I should like to refer once again to the great financial responsibility which the Grant County Public Utility District has undertaken with respect to financing the Priest Rapids plant and which the Chelan County Public Utility District is undertaking with respect to the Rocky Reach plant. Both of these public utility districts are agencies of my State of Washington and I am proud that they have been willing to endeavor to construct badly needed new generation capacity on a non-Federal basis. The investments which will be made nonfederally for these plants are counted in the hundreds of millions of dollars. This non-Federal action reduces the pressure on the Congress for new appropriations for the construction of Federal projects. Yet I say to you in all truth that the people of my State, and the people of the Pacific Northwest generally, cannot continue in their efforts to finance new hydroelectric projects unless we are willing to encourage them. We must encourage them by taking a reasonable responsibility for transmission when this is essential to the feasibility and economy of a project, or when it is essential to being able to achieve the maximum production of the project through integration, or when it is essential to fulfill requirements for widespread distribution of the project output. Investments required to be made by the Federal system to accomplish wheeling and thereby to encourage non-Federal generating plant construction are insignificant in light of the many times greater sums represented by the investments in the generating plants. In a region which faces an imminent power shortage, it is particularly important that such encouragement be given.

Before closing, I should like to comment that in my opinion the Bonneville Power Administration has clear-cut legal authority to enter into wheeling for the Priest Rapids and Rocky Reach plants under the Bonneville Project Act. The authority of the Bonneville Act is further supplemented in the case of Priest Rapids by the Priest Rapids Act. Therefore it seems quite clear to me that the Congress has before it no issue of legal authority.

In conclusion, therefore, I recommend and urge that the Rocky Ford-Tacoma and Chief Joseph-Rocky Reach-Valley lines be given favorable consideration. I further urge that the Congress recognize the necessity for and the advantages of the wheeling principle, which is so important to the preservation of the pooling and integration advantages demonstrated by the Northwest Power Pool.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to my colleague from Washington.

Mr. MAGNUSON. I would like to ask my colleague from the State of Washington if it is not true that the Bonneville Power Administration now is wheeling substantial quantities of non-Federal power?

Mr. MACK of Washington. It wheels power for private power companies, it wheels power for many of the public utility districts, it wheels power in many sections of our State and Oregon as it necessarily must, because the Bonneville Power Administration is the great distributor of power in the States of Oregon and Washington. No other organization has the distribution system to wheel power all over the vast area of these two States.

Mr. MAGNUSON. And it is completely beyond understanding how this report of the committee could say that this would establish a precedent.

Mr. MACK of Washington. It is to me.

Mr. MAGNUSON. Is it not true also that ultimately this transmission line would carry three-fourths of the capacity that would be utilized for Federal power and only one-fourth for the Priest Rapids power?

Mr. MACK of Washington. That is correct.

Mr. MAGNUSON. Priest Rapids power is not Federal power. It is public power, generated by a public agency?

Mr. MACK of Washington. That is correct.

Mr. MAGNUSON. And is it not also true that the wheeling is really done largely by displacement of certain power? There is no great mass movement of energy for a long distance. It is diverted from the Priest Rapids plant down to the atomic energy plant and replaced by Bonneville on the west side of the State to serve customers of the Priest Rapids Utility District.

Mr. MACK of Washington. That is a correct statement.

Mr. HOLMES. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Washington.

Mr. HOLMES. Is it not true also that the Bonneville Power Administration will receive payment for this wheeling that will not only pay for the wheeling, but enhance the Bonneville Power Administration from the standpoint of their own overhead and return to the agency a profit?

Mr. MACK of Washington. The engineers of the Bonneville Administration tell me that the Federal Government will obtain wheeling charges that will repay the Federal Government the cost of the line, the interest on the investment, operation and maintenance, and everything of that nature and still leave the Federal Government a profit of $179,000 a year over and above all costs of the line.

Mr. HOLMES. Mr. Chairman, I congratulate the gentleman on his statement.

Mr. PERKINS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, under the Comprehensive Flood Control Act of 1938, many reservoirs were authorized, including two on the Big Sandy River. I am speaking of the Fishtrap Reservoir and the Pound Reservoir in eastern Kentucky and southwestern Virginia. Heretofore the Corps of Engineers had stated that those reservoirs were not feasible. The budget was submitted before the disastrous flood hit eastern Kentucky on the 29th day of last January. That flood, according to an estimate of the Army engineers, brought about damage, at a conservative estimate, of more than $38 million to the Big Sandy River Valley alone; yet these two reservoirs would have prevented the major part of this flood damage.

Later, on May 13, 1957, General Persons of the Army engineers, in a letter to me stated that one of these projects has a cost-benefit favorable ratio of 1.97 to 1. The engineers state they can use $140,000 for planning purposes during the next fiscal year for each of these reservoirs.

That figure is for planning purposes only. However, in the same letter, General Persons stated that—

> The President has directed that our fiscal year 1958 expenditures, as estimated in his budget presented to the Congress, be considered as the maximum that can be made within the overall fiscal policies of the administration for that year. Since no funds are included in the budget for the Pound Reservoir, no funds can be utilized for this project and meet the administration's objectives.

I received similar correspondence on the Fishtrap Reservoir.

I am just wondering how long the Appropriations Committee will let a policy of this kind control, especially when it is shown beyond peradventure that if these reservoirs had been constructed prior to this year's disastrous floods, thousands of people would today have their lifetime savings which they lost; hundreds of businesses completely wiped out would be in existence today, and hundreds of lost homes would still be standing—yet, in the face of all this tangible, irrefutable evidence of suffering, of loss of life and property, they say approval of money requests for projects having a 2-to-1 favorable benefit-cost ratio cannot be given because it is contrary to administration policy.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GUBSER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I take this time to pay my compliments to the members of the distinguished Committee on Appropriations for the splendid work they have done on this bill. In my

opinion, it is one of the most statesmanlike presentations that I have seen in my 5 years as a Member of this body. I know that the press frequently refers to this bill as the "pork barrel bill." But, I can say on the basis of my personal experience that if you lift the cover off this one, there will be very little pork in it. I happen to be one of those who wanted a project in this bill, which was not included. I refer to the Pajaro River project in my district, a project which required $25,000 for investigation. There has been some flood-control work done on this river. The figures upon which those works were constructed were based on a flood which was exceeded by 100 percent in the December 1955 floods. That is the reason I came before the committee and requested $25,000 for the purpose of looking into this matter and determining whether or not new works were needed in the light of new figures which had been compiled after the most recent flood. The committee refused my request on the ground that it was not in the President's budget. I am willing to abide by that and I will not present an amendment to insert the $25,000 here in the House because every Member was treated alike whether he was Republican or Democratic and whether he came from the South or North or East or West. If the project was not in the budget, the committee did not include it. I want to commend them for that, but I tell them frankly that I shall try to have it inserted in the other body, but I shall not try here today.

Mr. TEAGUE of California. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield.

Mr. TEAGUE of California. I commend the gentleman on his very fine statement. As he well knows the Pajaro River runs a good many miles through his district and runs along the edge of my district. When it does flood, it is very unkindly to him but very kind to me because it floods in his direction rather than mine. But I would like to reassure the gentleman that I am available to assist him in any way possible in his efforts to get this project taken care of.

Mr. GUBSER. I thank the gentleman. He has always been a splendid teammate and I am sure that between us and with the assistance of our colleagues in the House and in the other body, the Pajaro River will be taken care of.

Mr. THOMSON of Wyoming. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to express my appreciation to the members of the Appropriations Committee and its staff for the courteous and attentive hearing given to myself and my constituents. I particularly appreciate this when one considers the monumental task that faced this committee in hearing over 700 witnesses and inquiring into 285 projects.

Mr. Chairman, I would like at this time to first direct a question to the gentleman from Iowa [Mr. JENSEN]. We who are most familiar and most directly concerned with the Flaming Gorge Dam in Utah are particularly concerned that construction of this dam proceed at least at the rate provided in the justification and as represented to the committee. To do this the $4,800,000 requested in the budget for this purpose must be made available. Because of talk from some quarters that these funds might not be used for this purpose, in appearing before the committee I asked that such funds of $4,800,000 be earmarked for the Flaming Gorge project.

In the committee report at page 19, I am pleased to note this proviso:

> The funds recommended for the projects and activities covered by this appropriation are distributed as follows: Flaming Gorge unit, Utah, $4,800,000.

Then it proceeds on down through the units in this category to the total of the full appropriation of $25,142,000.

The question I would like to ask is this: Does this earmark the sum of $4,800,000 of the appropriation for construction of the Flaming Gorge project?

Mr. JENSEN. My answer to the gentleman's question is "Yes." The committee placed this language in the report that the gentleman has just read, and which reads:

> The funds recommended for the projects and activities covered by this appropriation are distributed as follows:

Then it names the projects and the amounts which the committee has agreed to appropriate for each one of these projects. When that language and the figures are shown so plainly as they are in this report, the gentleman should be very happy because this is earmarking the figures for those specific projects and they cannot be changed unless changed on the floor of the House or in the Senate or in the conference, which I do not anticipate will happen because those projects are all good projects. I am sure that the gentleman and the people he represents in the great State of Wyoming should be and will be very happy with the appropriation made in this bill.

May I say, Mr. Chairman, that the gentleman who has the floor has endeared himself to the Members of Congress, and I can say that, I am sure, for those on both sides of the aisle, because the gentleman never asks for anything that is not fair, proper, and just. For that reason we have earmarked these funds so specifically for the gentleman and for the fine people he represents.

Mr. THOMSON of Wyoming. I thank the gentleman from Iowa.

Mr. DIXON. Mr. Chairman, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Utah.

Mr. DIXON. I wish to associate myself with the gentleman from Wyoming in expressing gratitude to this subcommittee and to the Appropriations Committee in general for their very splendid work. This illustrates the thoroughness by which they have operated in earmarking specifically for these projects as to what they are to get and clarifying exactly what is to be done. I also want to thank the gentleman from Iowa [Mr. JENSEN] and the other members of the committee for the courtesy shown our Governor and the representatives from our State who appeared before the committee, as well as for the thorough manner in which they have studied these different projects. The number of witnesses interviewed was tremendous. I assume that other members of the committee, being present, concur in this and that the funds are so earmarked.

I thank the gentleman from Iowa. I thank the committee for so earmarking these funds for this very important project.

Mr. THOMSON of Wyoming. Mr. Chairman, I assume that the other members of the committee, having heard the answer of the gentleman from Iowa, agree with him with respect to the effect of this language as included in the report. I am pleased that the committee has so earmarked the $4,800,000 for construction of the Flaming Gorge Dam. There certainly can be no doubt that that has been done and that such is not only the intention of the committee, but that it is the intention of the House in acting upon the bill.

Some of us are of the opinion that more money should have been allowed to provide for the most orderly and most economical construction of these projects. That such was not done is certainly not a criticism of the committee. The committee allowed the full budget requests for which we are most grateful, and which we also believe to be more than justified. As it has been stated, in no instance did the committee allow more than the amount requested in the budget, or allow for projects not requested.

I had hoped that plans would be complete so that construction could be commenced this year on the Seedskadee participating project in Wyoming, and on some of the other participating projects in other States. The funds requested to complete the advanced planning of these projects and for other advanced planning should be granted so as to permit an orderly construction program.

In the committee report it is stated with regard to the Shoshone extensions unit of Wyoming:

> At the time of the hearings the Bureau testified that the $500,000 budgeted for this project should be deleted since there is at the present time no local interest in it.

Mr. Chairman, I believe it would have been more accurate if the reason had been stated as a lack of unanimity of support for this project and a need for further information with regard to the availability of water and other factors. The official position of the State of Wyoming, as expressed by the Wyoming Natural Resource Board, the responsible agency, adopted after hearings were held at Cody, Wyo., on February 23, with respect to funds requested for construction of this project is as follows:

> Construction of the Oregon Basin division of the Shoshone extensions unit should not be undertaken until such time as further information in regard to the following matters are available:
>
> (a) Are the water users in the lower Greybull River Valley interested in obtaining a supplemental water supply under this proposed project?
>
> (b) Would this be the most economical means of providing a supplemental water

supply for the lower Greybull River Valley users? The answer to this should be available after information on costs of the proposed lower Sunshine Reservoir are available.

(c) Data in regard to the possibilities of providing a supplemental water supply to the Gooseberry Creek Basin under the proposed Oregon Basin project should be obtained.

I believe that that more correctly expresses the situation with regard to this project than does the testimony of the Bureau as recited in the committee report.

In the committee report, page 14, the committee criticizes the Bureau witnesses and their presentation of the projects, and in so doing refer to testimony on the Owl Creek unit in Wyoming. It is not my purpose to defend the Bureau. I am certainly of the opinion that they should give full, complete, and accurate information to the committee. I think this holds true as to any information that is requested of them by any Member of the House. I am interested, though, that this reference should not be interpreted as a reflection on the Owl Creek project in Hot Springs County, Wyo. This is a small project. The total cost of such is $3,756,300. It is, however, a project of great importance to the people who live on the lands to be served, and the people of the surrounding area. Many things have happened to delay this construction. I am pleased to say that the funds allowed in this bill will see the project virtually completed.

This is a project which supplies supplemental water to over 13,000 acres. As such it is critical. Without this supplemental water farming this land is not economical over the long pull. This has been particularly proved in the past few years when we experienced a substantial drought. In computing benefits, it may be assumed that a fraction of an adequate water supply will raise a proportionate share of the crops, but from my own observation of this area and others, I can certainly testify that such is not the fact. During the recent drought years when an inadequate water supply was available, no crops whatsoever were raised. This had a devastating effect, not only upon the farmers, but upon the surrounding communities.

This is one of the best of the Missouri Basin projects. The irrigators will pay a greater percentage of the cost, or, in other words, there will be less assistance from power than on any other project of the Missouri Basin constructed to date.

The final prime contract for construction of the dam has been let. The funds allowed in this bill will permit early construction. There is no question about drainage problems because the land has actually proven its susceptibility to irrigation. There will be no costs of operation during the development period, as the district will immediately assume operation of the project. It is a good project and will be of great benefit to the stability of the area, contributing to the economic well-being of the Nation. Time does not permit me going into this in further detail, but I did want the Members of this House to know that because of the mention of this project in the committee report and the criticism of the Bureau testimony with respect thereto, this should not be construed as a criticism of the project itself.

VERNAL AND PAONIA PROJECTS SHOULD BE CONSIDERED

Mr. DIXON. Mr. Chairman, the committee recommendation for $25,142,000 for upper Colorado project is a conservative one, in view of the fact that an appropriation of $33 million would be more economical than the $25,142,000; and also in view of the fact that nothing is in the recommended appropriation of $25,142,000 for the Vernal and Paonia projects. The detailed reports and plans for these projects had not reached the Department of Interior when the budget was drawn, but have since arrived. These two projects should have been included.

I am making no effort to amend the bill here, but I have testified before the Senate committee in the hope that at least $1½ million will be added. With the above exception, I urge approval of the committee recommendation plus the Vernal and Paonia for reasons as follows:

A. Developments since budget was made make an increase of budget request advisable, for example, Vernal and Paonia; detailed plans are now in hands of Department of Interior.

B. More than $13 million has been wisely spent on upper Colorado project.

C. Contracts have been let—nothing saved by delay. The wheels of progress are now turning. To stop them would gather rust and be more costly because contractors' overhead continues and they charge more where the job is on a stop-and-go basis.

D. The winning bid on the Glen Canyon Dam is a most favorable one. It was $108 million, or $27 million under the $135 million estimated—or about 25 percent saving. To interrupt this would be a sin.

E. The $25 million will not come out of the taxpayers' pockets. Almost every cent will come from the reclamation fund earmarked solely for reclamation and paid in by Colorado, New Mexico, Wyoming and Utah, the beneficiaries. These States paid in almost $25 million last year and due to land rentals, oil, mineral and gas leases will be paying in around $30 million a year by 1970.

F. This appropriation is a loan not a grant. For example, the entire $57 million cost of the Flaming Gorge Dam will be paid back and interest will be paid on $51 million. All but one-half of 1 percent of Glen Canyon Dam costs will be repaid. Interest will be paid on $281 million of the $298 million total.

G. While the costs will be considerably less than was expected when Congress authorized the project the benefits will be far greater than expected. For example, since Congressional authorization of the upper Colorado project, the Aneth oilfields in Colorado and Utah have made tremendous strikes of gas and oil and are estimated as being possibly one of the greatest fields on the hemisphere. The exploitation of this field will be aided by the upper Colorado project; also the recent development work on oil shales and rare minerals. A vast treasure chest will be unlocked and made available to the Nation.

Delay in appropriations will save nothing, cost more and put off the time when vast revenues will come pouring in through the sale of power from the huge dams, the opening of a vast storehouse of mineral wealth, new industry, more tax revenue and a transformation in the agriculture of counties that have been on drought relief.

At least $1⅕ million should be added for the Vernal and Paonia projects for reasons as follows:

The Vernal unit was not in the budget because at budgetmaking time the final draft and plans had not been completed. They have been completed since that time and are now in the hands of the Secretary of Interior and will reach the committee.

It will be an outright calamity if $500,000 to $750,000 is not appropriated for each unit to start the projects now. It will cost $6,875,000 to complete the Vernal unit. The area served is largely livestock and dairy, 122 miles from a railroad and cannot economically ship in feed grains. Records show that in the past 20 years there has not been a single year in which their lands have had an adequate water supply. Crop failures are common. Livestock people are being forced out of business as a result of drought conditions year after year. The reservoir would impound 40,500 acre-feet of water, bring in no new lands under cultivation but provide a supplemental water supply for 15,000 acres now partially burning up. It would provide 1,500 acre-feet of culinary water to Vernal, Maeser, and Naples and extend culinary water supply out into the surrounding rural areas.

The Vernal unit is economically sound; it was authorized by Congress in the upper Colorado bill, and the water so sorely needed is only being wasted downstream.

COLORADO RIVER WATER SUPPLY AMPLE FOR BOTH LOWER BASIN AND UPPER BASIN STATES

Mr. Chairman, questions which continue to be raised about the adequacy of the water supply for the Colorado storage project and participating projects authorized for construction by Public Law 485, 84th Congress, for which appropriation of funds is currently being sought, make it advisable for me to set the record straight.

On May 21, 1957, Utah's Governor, the Honorable George Dewey Clyde, was asked at the hearings of the committee the following question by Hon. LOUIS C. RABAUT, the committeeman from Michigan:

Mr. RABAUT. I want to ask you about the amount of water in the river. You feel that there will be plenty of water in the river now?

Governor CLYDE. Yes, sir. I am familiar with the characteristics of flow of the Colorado River over a period of 35 years, that having been my profession of a hydrologist and civil engineer. I am convinced the water is there. The regulation (of flow) is all that is required to make it available to the upper and lower users in the proportions fixed by the compact, according to their entitlements.

The Governor of Utah was formerly dean of the School of Engineering at

Utah State University. He knows water engineering from A to Z, and the Colorado drainage system in particular. He is an authority and one of the most reliable ones in this field.

Only this week I propounded Representative RABAUT's question to Mr. Ival V. Goslin, engineer-secretary of the Upper Colorado River Commission, which is the legal entity of the Upper Colorado Basin compact. Mr. Goslin's statement is exactly the same as Governor Clyde's statement, which is unequivocally "Yes; there is ample water." Mr. Goslin obtained his data from Geological Survey reports.

Careful studies of the streamflow records and other pertinent data on uses of water in the upper Colorado River Basin indicate the average annual flow of the Colorado River at Lee Ferry, Ariz.—the dividing point between the upper and lower basins—under virgin conditions which would have been 15 to 15½ million acre-feet during the 1896–1956 period. Virgin conditions or the virgin flow of the river refer to the amount of water that the river would have at the given point could it be reconstructed to the conditions which would prevail if the river were undepleted by the activities of man. The virgin flow is obtained by adding to the measured historic flow at the given point the estimated consumptive use of water above that point. Of the 15-plus million acre-feet total average annual flow, 7½ million acre-feet are apportional to the lower basin, and 7½ million acre-feet to the upper basin by the 1922 Colorado River compact. Projects which are already constructed and presently authorized projects in the upper Colorado River Basin will consumptively use about 2½ million acre-feet per year. There are, then, at least 5 million acre-feet of consumptive use per year still to be utilized in the upper basin States before full development of the water resources is attained under their 1922 compact apportionment.

A study of the streamflow characteristics on a periodical basis reveals the following facts:

The annual flows of the Colorado River are highly variable. During the 42-year period 1914–56 there were 12 years during which the measured historic flows at Lee Ferry have exceeded 16 million acre-feet. During this same period there were 12 years in which the annual discharge has been less than 10 million acre-feet. The virgin flows of the Colorado River at Lee Ferry have varied from a maximum of 24 million acre-feet in 1917 to a minimum of 5½ million acre-feet in 1934.

It is evident that the upper basin needs to provide reservoirs for storing water during years when it is in abundant supply and holding it for use in subsequent years when the supply is low. This holdover storage is needed not only to make possible the use of the 7½ million acre-feet apportioned by the 1922 compact, but also during some years to take care of present uses and uses by projects authorized in Public Law 485.

Every engineer and hydrologist who has studied the upper Colorado River has arrived at the conclusion that long-time cyclic carryover storage is essential in connection with the further development and utilization of the water resources. This is the conclusion of the Bureau of Reclamation. It is the conclusion of the engineering firm of Leeds, Hill & Jewett in their report, Depletion of Surface Water Supplies of Colorado West of the Continental Divide, prepared for the State of Colorado. It is also the conclusion of the Upper Colorado River Commission.

The period from 1914–30 was one of generally high flows. During this period, the Colorado River water supplies were adequate for the upper basin to meet the Lee Ferry delivery obligations, to provide the 7½ million acre-feet of consumptive use allocated to the upper basin and to furnish water to store in holdover reservoirs. During the 25-year period 1931–56 carryover storage water would have to be used 12 years to meet the Lee Ferry deliveries, present uses in the upper basin, and water uses of the newly authorized participating projects.

Also, during this period, the carryover storage water would have to be used 17 years to meet Lee Ferry deliveries and to provide a full 7½ million acre-feet for the upper basin. During the 1914–56 period, there would have been sufficient water available to meet the delivery at Lee Ferry and to permit a total annual consumptive use in the upper basin of 7½ million acre-feet, provided adequate holdover storage capacity were provided.

Now is the time to provide the necessary storage capacity in the upper basin of the Colorado River by constructing the authorized storage units of the Colorado River storage project. If the large reservoirs at Glen Canyon, Flaming Gorge, and Nacaho are to be constructed with a minimum of interference with established water needs, a large part of this necessary holdover capacity will be provided before much additional consumptive use development is made. Constructing holdover storage reservoirs as soon as possible is essential to permit filling of the inactive storage capacity in the bottom of the reservoirs without interfering with existing water rights. In addition, providing new reservoir storage capacity ahead of additional consumptive use developments will permit the initial filling of the reservoirs with minimum interference with existing irrigation and power installations.

Mr. Edwin G. Nielsen, Assistant Commissioner of the Bureau of Reclamation for Irrigation and Power, says today the average flow of the Colorado River from 1914 to 1945, as carefully measured, is 15,638,000 acre-feet. The upstream use is approximately 2½ million acre-feet which leaves an average of 13,138,000 acre-feet flow at Lee's Ferry. The actual measurement, however, is 13,719,000 acre-feet at Lee's Ferry, 7½ million acre-feet which the upper States guarantee to the lower basin States, plus 500,000 acre-feet evaporation from the dams when built, and there is an unused balance of 4,719,000 acre-feet still remaining for use of the upper basin States which would take 6 million acre-feet to supply the dead storage at Glen Canyon Dam, plus 1 million for dead storage at Flaming Gorge, or a total of 7 million acre-feet before the project will be in operation.

This amount of water would be supplied in 2 normal years or in 1 year like 1952 or almost in 1 year like we expect 1957 to be. In conclusion Commissioner Nielsen says: "You can see that there is plenty of water to play with, with a comfortable margin."

Mr. HAYS of Ohio. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Chairman, on yesterday there arrived in Washington from Europe and from Canada, forty-odd members of parliament from 12 of the NATO countries. Now, I cannot proscribe the rules of the House, and I do not intend to, to say where they are at this moment, but they are in town. They are being briefed at various places; the State Department, the Pentagon. They have been over in the other body. They were over there for lunch and were received on the floor. Tomorrow they will go to Norfolk to visit the US-CAN headquarters. I think it is worthwhile that we stop and notice something that we sometimes overlook, and that is the fact that the supreme command for the naval forces of NATO is here in the United States at Norfolk. These members of parliament from these 12 allied and friendly nations will be the guests at Norfolk tomorrow and Friday of Admiral Wright, the supreme commander of the Atlantic forces. I am sure that every Member of the House wishes to join with me in welcoming these distinguished guests, many of whom are the senior members of either the defense committee or the committee on foreign affairs of their parliaments, our friends and allies, to this all too brief visit to Washington and Norfolk.

Mr. BECKER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am very much interested in two paragraphs in the report of the Committee on Appropriations on this legislation. One is found on page 12. I am interested in it because as a member of the House Public Works Committee it has given us considerable concern, to me particularly. I refer to local cooperation, and on page 12 under that heading it states:

> The committee is seriously concerned about the lack of local contribution on many of the local flood protection and harbor projects. It feels that where there is a major flood-control problem on the large interstate rivers that the Federal Government logically can assume the greater portion of the cost. On those projects that are intrastate and often of a strictly local origin and benefit, the local interests should rightfully provide a substantial portion of the costs of the projects.

Now, the reason I express interest in that is because at the top of page 13 there is a paragraph that explains the reason therefor. It states:

> The committee was concerned to find that 22 completed local flood-protection projects

were not being maintained satisfactorily by local interests. This failure of certain localities to live up to their responsibilities under the law will be taken into account in consideration of future requests for appropriations for additional projects in these areas.

The reason I call that to your attention is simply this, that in many of the projects that come before us there is always the question of local contribution on the intrastate waters, and where there is little attempt at local contribution, then evidence is presented before the Committee on Appropriations that there is neglect of these projects, and there is little responsibility to maintain that which we get for nothing. There is little recognition that the taxpayers' money from all over the country is going into these projects, many of them of necessity. But, when we wipe out the local contribution, the localities, the communities and the States have little or no interest in maintaining those projects.

For my own part I want to compliment the Committee on Appropriations for putting this in bold type in the report, and I assure you, as a member of the Public Works Committee, that they have my support, because I have seen too many of these projects that have come before us recently in the present public works bill that we are working on now and trying to clean up so that the Committee on Appropriations can do a job with it. In the State of Connecticut only recently they have had tremendously bad floods. In that bill the budget is recommending a high or reasonably high local contribution.

While I want to see my friends in Connecticut get these projects, nevertheless, I do believe local contributions are vitally necessary.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I want to compliment the gentleman for his very fine statement. I am sure that the Committee on Appropriations and especially the Public Works Subcommittee henceforth will look with a jaundiced eye on projects in which there is little or no local contribution.

Mr. BECKER. I thank the gentleman from Iowa.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. BECKER. I yield to the gentleman from Michigan.

Mr. RABAUT. Mr. Chairman, I want to commend the gentleman and would like to say to the gentleman that the attitude he has expressed is the attitude of every member of the Subcommittee on Appropriations dealing with these funds.

Mr. BECKER. I thank the gentleman. I might say that in the bill before us at last there is provided the balance of the money for a project in my area known as Jones Inlet. We have laid out that money in my county over a period of many years, and I am glad the final recognition of it has come in this bill. I thank the committee for that recognition.

I hope that in the future my committee, in cooperation with the Committee on Appropriations, will look over these projects and recognize the fact, which I have experienced all my life, that when we contribute something to these projects, then we are going to see that they are maintained. It is a responsibility of these communities to see that these flood-control projects are maintained after we spend the money to do the work.

Mr. BOW. Mr. Chairman, I make the point of order that we are not proceeding in regular order, and I demand the regular order.

The CHAIRMAN. The regular order is now being followed. The gentleman does not state a point of order.

Mr. SIKES. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, I endorse the statements that have been made by my colleagues on the very fine work done by the distinguished members of the Subcommittee on Civil Functions. Theirs is indeed a most difficult assignment which they have handled courteously, carefully, and capably.

I presume that all of us are disappointed when projects on which we are seeking approval are not included. That certainly is not a reflection on the fine work this committee does. I recognize that the efforts to stay within budget limitations has played an important part in selection of the projects now included in this year's bill. I do not feel that this is always the best procedure. The Bureau of the Budget recognizes one set of standards; the Congress may wish to recognize others. The Bureau of the Budget undoubtedly reflects the thinking of the current administration, but the majority of the Congress is of another political faith and it is well within the range of probability that our projects suffer accordingly. I do not feel that the Congress should be tied to the recommendations of the Bureau of the Budget, nor do I consider the Bureau of the Budget infallible in its thinking and in its recommendations.

I have a particular interest in two small items which are not included in this bill. The House Committee on Public Works has authorized a review by the United States engineers of the proposed routing of the Intracoastal Waterway from Carrabelle to St. Marks. The present authorization is for the Crooked River route. I have requested that consideration be given to a change in the authorization via the Alligator Point route. The latter is 18 miles shorter and involves 1 highway bridge instead of 3. It would be much less expensive to dredge and, I believe, less expensive to maintain. The Intracoastal Waterway from Carrabelle to St. Marks has been authorized, but not constructed. The increasingly heavy flow of waterborne traffic into St. Marks requires that consideration be given to this matter.

The Committee on Public Works also has authorized a review of the channel needs of St. Marks, Fla., which is the eastern terminus of the Gulf Intracoastal Waterway. The present harbor at St. Marks is maintained at a depth of 6 feet and a width of 50 feet. A minimum of 12 feet by 200 feet is a necessity. In my statement before the subcommittee I pointed out that several hundred craft use this port each week, and the list includes oil barges, construction-material barges, commercial fishing vessels, and pleasure craft. Navigational aids are totally inadequate. As a result, the cargo craft and the larger commercial and sporting craft find it necessary to come and go only during daylight hours and when the tide is high.

The sum of $10,000 is needed for the necessary surveys which are a part of the reviews by the engineers.

I made an earnest appeal to the committee that these items be included even though they are unbudgeted.

I have a similar great interest in the channel improvement in the harbor at Port St. Joe, Fla. Although there is not a budget recommendation, I feel that it is a serious oversight not to include in this bill improvement for Port St. Joe Harbor in Florida. The present channel depth is 32 feet. A 35-foot channel was recommended by the United States engineers and authorized by the Congress. It will cost approximately $1⅓ million with a small additional maintenance cost.

According the the Government reports for the year 1955, there was handled through the port of Port St. Joe 1,909,032 tons of waterborne commerce. Port St. Joe was only outranked in Florida, in the amount of tonnage handled, by Tampa, Jacksonville, Port Everglades, and Miami.

The terminaling facilities at Port St. Joe for bunker C fuel oil is 275,000 barrels. Port St. Joe is the terminal for the southeastern pipeline and has terminaling facilities for 980,000 barrels of gasoline and light fuel oil. Terminating facilities are available for bunkering Navy and other type vessels. At the present time bunker C fuel oil is being delivered to Eglin Air Force Base and is also being furnished to the United States district engineers at Mobile for equipment at times when operating in this area.

The development of the Apalachicola-Chattahoochee Valley Waterway will make it possible to barge bunker C fuel oil from the terminaling facilities at Port St. Joe to various inland ports (including Fort Benning, Ga.) along this route. This additional potential business is estimated at 50,000 short tons annually.

St. Joe Paper Co. has recently completed, at a cost in excess of $500,000, a sheet-piling, concrete-topped bulkhead which will permit docking of tankers and other vessels with draft of 35 feet.

The Glidden Co. has installed a tall-oil plant in Port St. Joe, which will be in operation this month, with estimated production of 25,000 tons, a percentage of which will be exported in tankers.

The General Chemical Division of Allied Chemical & Dye Corp. is now erecting a liquid-alum plant in Port St. Joe which will necessitate the importation of bauxite.

With the approval of the United States engineers and the Coast Guard the E. I. du Pont Co. is now in the process of erecting facilities for handling explosives through the port of Port St. Joe.

These facilities will be made available to other companies producing and shipping explosives.

It is to be anticipated that the study now being made by a Government agency as to the suitability of various ports for handling explosives will show Port St. Joe to be one of the most acceptable ports on the gulf and will possibly have priority over other ports, in that it will already be handling explosives.

Thirty-seven feet depth over the bar and 35 feet depth in the channel will mean that several square miles of natural deep water in St. Joseph Bay will make accessible to the Navy a landlocked bay on the Gulf of Mexico in close proximity to Tyndal Field, Eglin Air Force Base, and Pensacola Air Base and would seem to add to the advantages to be gained by making the deep water of St. Joseph Bay accessible to the Navy.

Your attention is called to the fact that St. Joseph Bay and the harbor of Port St. Joe only have a diurnal tidal rise of 1.4 feet and do not enjoy the advantages of a tidal rise of 3 to 5 feet which prevails at all eastern seaboard ports and most of the gulf ports. Under extreme northerly wind conditions, we frequently experience a minus 3 feet below mean low tide.

With the recently created port authority it is to be anticipated that additional port and dockage facilities will be made available in the near future.

The present trend to the considerably larger ships makes it very important that this rapidly growing port have improved depth facilities.

Finally, Mr. Chairman, I wish to comment briefly on the very important central and southern Florida project. There has been question of the amount of local participation, although I hardly think there can be question of the importance of the project. Actually, I feel that it can clearly be shown that Florida is meeting its full part of the cost in that local interests are bearing a full 39 percent of the total project cost for the first phase of the central and southern Florida project.

The cost of the local flood-control district to date indicates that $23.4 million have been made available to this project to finance the requirements of local cooperation. Eleven million dollars of this amount came from general revenues of the State of Florida, the balance from an ad valorem tax levy on all real property in the 17 counties of the flood-control district.

When the project was started in January 1950 the works and assets of the old Everglades Drainage District were incorporated in the Federal-State plan. These included canals and rights-of-way which were actually usable in the project. These works, representing a significant start on the overall project in the Everglades and lower east coast area cost the taxpayers of Florida $18 million to construct. However, local interests are given no credit under project financing for this substantial contribution in the form of completed works.

In addition to the works included in the Federal-State plan, it is necessary that individual landowners and drainage districts provide on-the-land water-control works to regulate ground water elevations in the South Florida area. It is estimated that such on-the-land works in the Everglades agricultural area represent an expenditure by private land owners of approximately $24 million to date. Similarly, the landowners in the coastal areas in Palm Beach, Broward and Dade Counties have spent approximately $21 million to provide their needed water-control facilities to augment the works of the Federal-State project.

To summarize the activities of local interests to date, the following substantial contributions have been made:

Cash contributions	$23,400,000
Everglades Drainage District works	18,000,000
On-the-land water control	45,000,000
Total	86,400,000

From the foregoing it is apparent to me, and should be equally apparent to any unbiased observers that the citizens of Florida are bearing more than their fair share of the cost of this flood control and water-conservation project in central and southern Forida.

Assets of former works, 16 to 18 millions.
Costs incurred by local interests, 1949–57, $23,458,433.
Appropriated by Congress, $38,074,000.
Local budget, fiscal year 1958, $6,318,800.

Flood experience (Corps of Engineers)

	Damages	Savings
1947, last 9 months	$50,000,000	
1956, October	1,800,000	$10,825,000
1957, January	9,025,000	
10-year period:		
1947	59,000,000	
1948	49,800,000	
1949	4,000,000	
1950	2,400,000	
1951	2,500,000	
1952	9,000,000	
1953	20,000,000	13,000,000
1954		
1955		
1956	1,800,000	
1957	9,025,000	7,500,000
Total	157,525,000	20,500,000

This is a flood-control project of greatest importance. Very substantial benefits are anticipated and I believe the returns to the Federal Government in the development of the area and subsequently in taxes cannot fail to be many times the amount to be expended.

Mr. REED. Mr. Chairman, I move to strike the requisite number of words and ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. Mr. Chairman, I want to take this opportunity to thank the Committee on Appropriations in behalf of myself and my constituents for the wonderful work they have done for my district, especially in the field of flood control. If I had the time to outline what it has meant to some of my communities to be taken out of the danger of these annual floods, you would find it rather an inspiring picture.

Most of these flood projects, certainly in my district, have been self-liquidating. I know in 1 community 1 flood would have cost that community or that area $34 million, and that expense would have recurred with every flood.

We hear a great deal about pork barrel, and that sort of thing, but these projects are self-liquidating. I know of another community which I wish this Congress could see. I went through there at a time when the floodwaters were up to the second story of buildings, where the library was ruined and priceless books and other objects were destroyed. Today, after the big floods of 1956, they are not disturbed at all.

There is a project in this bill which I do not like to oppose and I am not here for the purpose of opposing it. It is with regard to what is known as the Kinzua Dam, in which my Pennsylvania colleagues are greatly interested. The trouble with this project is that it is going to displace something like 600 to 1,000 of my constituents. They are Seneca Indians. They are on the land by virtue of treaties executed back in 1794. This treaty was, of course, in behalf of the Six Nations of which they are a part.

I do not know how well you know some of these Indians. I have known my Indians for more than 50 years. I have known them well. I played against them in football. They have a unique record, as you people may not know. Many of them have gone to college, especially at the time of the Carlisle Indian football teams, with which some of you people may be familiar.

I happened to play against an Indian by the name of Bemis Pierce, a marvelous player, a fine man. I remember the time he came to our house for dinner. My children were small then, a little girl about 5 years old and a boy 6 years old. After dinner Bemis sat there in a rocking chair. We had taught our children to kiss us before they took their nap in the afternoon. I can see that little girl now, a redhead. She kissed her mother and then kissed me, and then she looked at this great brawny powerful Indian in the rocking chair, looked him over for half a minute, and then she walked over and climbed up in his lap and kissed him.

I wish your people could have seen the expression on his face. He knew that he was accepted, he knew that we had for a him a profound respect and consideration.

Later on, when the children were older, we were camping over in Allegheny State Park. An Indian moved in there and set up his tent and started making baskets. My son wandered over there. He was about 12 years old. In a little while I saw he was pounding a log with an axe. He kept pounding on it until I knew he must have blistered his hand. I walked over and introduced myself to the Indian. He said, "I know you. I played on the Carlisle team. My name is Hawley Pierce." I said, "I remember you very well, and your fine people, too. What has become of Bemis?" I said. He said, "He is out in California." I said, "Was he in the war?" "No," he said. I said, "Were you in the war?" "Yes, I was in the First World War," he said. "What division were you in?" "I was in the war 17 months before America got in," he said. "I went up into Canada and tried to enlist and they would not

take me because I was an American Indian, so I took a cattle ship and went to Ireland and joined an Irish brigade."

He got out a blanket and unrolled it and said, "I thought you might be interested in these things." He had every medal within the gift of the English Government for heroism except one, and there he had a letter from the War Department saying, "Send us your address and we will send you this medal."

That one man, the Indian Hawley Pierce, saved the lives of thousands of men. A great tribute was paid to these Seneca Indians in the war. They volunteered, they went over in the war, and they fought heroically. The English officers paid high tribute to them. The Seneca Indians are a high class of people.

They have lived on this land. They have the deep roots that we have in our homes. I want to see the Pennsylvania people have their flood control, but the only difficulty with this Kinzua Dam project is that we displace these Indians and their homes.

Then we will say, "Well, what difference does it make. They will get big pay. We will see that they get justice and equity." Justice is a fine word, but it is not the last word between man and man. To say, give every man his just wage and compensation is not the answer at all. Who pays a mother for a long night's vigilance, the father for his toil, the soldier for his wounds, the hero for giving up his life? Who paid Jesus for his agony, Whitman for his poetry, William Morris for his labors for social benefits?

If our work is not done for pay and compensation, what is it? It is love. We love our Indians up there. They are a high-class, law-abiding people. We cannot say, "Well, they are Indians; just move them off."

I remember being down in Johnstown, Pa., some years ago. That city is down in the valley, as you know. I was up on the high cliffs with a grown man. He pointed down to the city with pride and said to me, "You know, I was a small boy when the flood came. You see those monuments glistening in the sun over there? My people probably are buried there; the unidentified dead are buried there."

He said, "There were just a few of us young boys left. All of my family were wiped away. We sat down with other orphans and wondered whether we should go to Pittsburgh or some other city and try to get along. But, finally, we decided no. This is the place where we have lived. Our father and mother and brothers and sisters have lived here. Let us stay here. Every day of my life I have tried to contribute something to build up this city. Do you see that office building over there? I own that building. We have prospered. I love this city. We have helped to rebuild it."

Now that was a horrible experience when they had that flood that washed away that city. Yet, those people remained there and struggled on. But, my Indians cannot do that. Their land is going to be taken from them. Where are they going to go? You worry about refugees from abroad, but where are my Indians going? I believe there is an alternative to this plan for this dam. I am quite sure that there are several alternatives. I hope this Congress will think this thing over before they displace my splendid Indians for whom I have very great respect.

Mr. ROONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should first like to commend the distinguished gentleman from New York [Mr. REED] upon his highly interesting statement with regard to the Kinzua Dam construction project on the upper Allegheny River, which is provided for in the pending appropriation bill, H. R. 8090.

Shortly, the distinguished gentleman from New York [Mr. TABER] will offer an amendment to save the taxpayers $1 million by striking that sum, which is provided in the pending bill for the construction of the Kinzua Dam in conjunction with the Allegheny River Reservoir project, Pennsylvania and New York. I shall support this amendment, and in connection therewith I should like to bring to the attention of the Committee of the Whole a letter addressed to the Honorable CLARENCE CANNON, chairman, House Committee on Appropriations, under date June 5, 1957, by the National Wildlife Federation. I shall read it to you:

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., June 5, 1957.

Hon. CLARENCE CANNON,
Chairman, House Committee on Appropriations, House Office Building, Washington, D. C.

DEAR MR. CANNON: Your committee will shortly be marking up and reporting the public works bill, including 1958 appropriations for civil functions for the Corps of Engineers. We have been asked to present for your consideration the views of the Pennsylvania Federation of Sportsmen's Clubs with respect to the $1 million proposed in the budget for the commencing of the construction of the Kinzua Dam on the upper Allegheny River in Warren County, Pa. The Pennsylvania federation, an affiliate of the National Wildlife Federation, believes that this money should not be appropriated and that construction of the Kinzua Dam should not begin until a new and complete survey is made of alternative methods to prevent floods and achieve the purpose for which this project is proposed.

A resolution to this effect was adopted unanimously by the board of directors of the Pennsylvania federation at a meeting held March 29, 1957, at Harrisburg. A copy of that resolution is attached. We respectfully call it to your attention.

Sincerely yours,
NATIONAL WILDLIFE FEDERATION,
CHARLES H. CALLISON,
Conservation Director.

PENNSYLVANIA FEDERATION OF SPORTSMEN'S CLUBS—KINZUA DAM RESOLUTION

Whereas the Corps of Army Engineers have recommended the erection of a dam on the Allegheny River near Kinzua in Warren County and an appropriation for $1 million for initial construction cost is presently listed in the President's budget; and

Whereas the total cost of the dam will be more than $100 million; and

Whereas other adequate flood-prevention measures costing considerably less have not been studied by competent engineers; and

Whereas the said dam will destroy valuable recreational facilities; and

Whereas it will be necessary to break a treaty with the Seneca Indians if the said dam is erected: Now, therefore, be it

Resolved, That the PFSC oppose the erection of the proposed dam on the Allegheny River at Kinzua in Warren County until (1) a complete survey and appraisal of all alternative methods to prevent floods is completed; (2) it is determined that the proposed dam is economically justified; and (3) a public hearing is held before a Congressional committee: Now, therefore, be it

Resolved, That all Pennsylvania Congressmen and officials of the National Wildlife Federation be notified of our opposition to the $1 million appropriation or any other appropriation for this dam.

The distinguished Governor of the State of New York, His Excellency the Honorable Averell Harriman, is also interested in opposing the start of construction of this dam and in protecting the rights of the Seneca Indians' reservation lands. I shall read to you the following telegram which I received on Monday last from Governor Harriman:

ALBANY, N. Y.

Hon. JOHN J. ROONEY,
House Office Building,
Washington, D. C.:

I am advised that an amendment to strike from the Public Works Appropriation Bill $1 million to start the Allegany Reservoir project will come up on the floor of the House tomorrow or Wednesday. I hope you will support the amendment. The Seneca Indians have presented an impressive series of documents on an alternative proposal which has apparently not received careful study by the Corps of Engineers. Until that study is made there is no justification for going ahead with a plan that will deprive the Senecas of their reservation lands in violation of long-standing treaty rights.

AVERELL HARRIMAN.

While I realize that practically every Member here on the floor of the House has some project in which he is interested contained in the pending bill I do trust that support will be given to the amendment to be offered by the distinguished gentleman from New York [Mr. TABER].

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read as follows:

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by law; detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction); and not to exceed $1,600,000 for transfer to the Secretary of the Interior for conservation of fish and wildlife as authorized by law; to remain available until expended, $422,186,800: *Provided*, That funds appropriated herein may at the discretion and under the direction of the Chief of Engineers be used in payment to the accounts of the Confederated Tribes of the Yakima Reservation; the Confederated Tribes of the Warm Springs Reservation; the Confederated Tribes of the Umatilla Reservation; or other recognized Indian tribes, and

those individual Indians not enrolled in any recognized tribe, but who through domicile at or in the immediate vicinity of the reservoir and through custom and usage are found to have an equitable interest in the fishery, all of whose fishing rights and interests will be impaired by the Government incident to the construction, operation, or maintenance of The Dalles Dam, Columbia River, Washington and Oregon, and must be subordinated thereto by agreement or litigation: *Provided further,* That none of the funds appropriated in this act shall be used on the project "Missouri River, Kansas City to mouth," for any purpose other than bank stabilization work: *Provided further,* That not to exceed $3 million of the funds provided herein shall be available for the construction of small authorized projects selected by the Secretary of the Army the cost of which is not in excess of $400,000 and any such project shall be completed within the funds herein appropriated.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 4, line 8, strike out "$422,186,800" and insert in lieu thereof "$421,186,800"; and on page 5, line 7, insert "*Provided,* That none of the funds in this paragraph appropriated shall be used for the construction of the Allegheny River Reservoir in Pennsylvania and New York."

Mr. TABER. Mr. Chairman, this is an attempt to save a million dollars that to my mind will be utterly wasted; and the things that will be done with the money if the $101 million it involves is used will be a great deal worse than what we are being asked to do at this time.

You have heard what the gentleman from New York [Mr. REED], said about this reservoir when he spoke a moment ago, how he described the situation of the Indians in that place, how he told us that these Indians, 10,000 of them, as I understand, would be driven out of their homes if this project were put through in violation of a treaty that was made between the Indians and the United States.

The project itself is at the very least five times as big as it should be. If it were going to be a project at all it should not provide for more than 200,000 acre-feet of storage. The whole picture is this: The greatest flowage on record at the point of the dam site is in the neighborhood of 60,000 cubic feet per second. It would take 3 or 4 days to fill up the 200,000 acre-feet of storage.

To start with, this was to be used as a flood-control project. It now appears that it is not much of a flood-control job, because it is absolutely too big for that. The story has come to be that it is going to result in a control of the flowage of the Allegheny River down into the Ohio. That was not the first thought. There were four different stages under which they got up to this point in the size of the thing, and without any real merit for the work that the engineers did. We have had altogether too many projects up there by the engineers that absolutely could not be justified; and, frankly, I have felt and I think other people who have studied it have felt, that there was no reason for our going into this kind of project. If they want to come back with a project for a small storage at this site it undoubtedly could be considered; but for all that is involved here to be appropriated at this time is just another step in the low benefit ratio proposition that you get on these engineers projects.

I hope that the House of Representatives will accept this amendment and that it will be adopted.

Mr. FENTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. TABER].

Mr. Chairman, I regret, more than you can possibly know, that it becomes necessary for me to oppose this proposed amendment. However I must do so because of the preponderance of testimony developed in our hearings in favor of this reservoir.

I have attended all of the hearings on this particular project. In fact I have an almost perfect record for attendance at all of the hearings for this bill.

I listened to almost 800 witnesses on this bill. I therefore believe I am fair in stating that the testimony of the proponents for the Allegheny River Reservoir greatly outweighs the evidence of those opposed.

Now, the chief reason for opposition to this reservoir is because the Seneca Indians have a treaty dating back to, I believe, 1794, with the United States and they feel that this treaty should not be broken.

As a matter of fact they have resisted for years the construction of this dam and would not grant the engineers permission to make a survey, so much so that the engineers had to go to the Federal court for a decision in the matter.

Of course, if necessary, the Government could exercise the power of eminent domain.

I am sure that no one who is familiar with me will accuse me of not being willing to help our Indians.

Those of you who have served with me on the Interior subcommittee will attest to what I have at least tried to accomplish for them in their health programs and particularly in tuberculosis.

So I am not one of those who is determined to break a treaty.

Many treaties with Indians from all sections of our country have been changed, some of them having more at stake, if that were possible, than the Seneca Tribe in this instance.

I had the Library of Congress check on this for me and this is what they say:

INDIAN TRIBES WHO HAVE BENEFITED FROM DAM CONSTRUCTION

Flathead Indians of Montana: Receive compensation from a private company for use of dam site and flooding of reservation land.

Warm Spring Indians of Oregon: Receive compensation from a private company for use of dam site.

Fort Berthold Indians of North Dakota: Receive compensation from the Federal Government for flooding and other items, connected with dam construction.

Nez Perce Indians of Idaho, Warm Spring Indians of Oregon, Umatilla Indians of Oregon, Yakima Indians of Washington: Receive compensation from Federal Government for flooding of fishing sites at Celilo Falls on the Columbia and construction of Dalles Dam.

Wind River Indians of Wyoming: Receive compensation from Federal Government for inundation of reservation land, in connection with Boysen Dam.

Standing Rock Indians and Cheyenne River Indians of South Dakota: Compensation for Oahe Dam on Missouri River.

Lower Brule and Crow Creek Indians of South Dakota: Compensation for Randall Dam on Missouri River.

Fort Peck Indians of Montana: Compensation of Fort Peck Dam on Missouri River.

Crow Indians of Montana: Projected Yellowtail Dam to carry compensation.

The source of the information given by the Library of Congress is taken from the Office of Indian Affairs, Federal Power Commission, and Army engineers.

I am interested in saving life and preventing property damage.

The people of Pennsylvania towns below the proposed site of the Allegheny Reservoir have had many experiences from recurrent floods.

Surely we must recognize the rights of other Americans in those localities especially when our Indian friends can be recompensed by our Government.

This reservoir project is a unit of the comprehensive plan for flood control and other purposes in the Ohio River Basin and is the key unit in the reservoir system for the protection of the Allegheny Valley, the metropolitan area of Pittsburgh, and the upper Ohio Valley.

Now my interest stems from the fact that this comprehensive plan was authorized by Congress in the Flood Control Act of June 22, 1936, again in June 1938 and modified by the Flood Control Act of August 18, 1941.

Over 20 years of recurrent floods has seen, according to the testimony given us, the loss of 36 lives in 1936 and damages of $231,492,000 based on values at the time of flood occurrences—that is 1936 through 1956.

These damages and deaths occurred in the Allegheny Valley below the Allegheny Dam and in the Ohio Valley to the vicinity of Wheeling, W. Va.

It is estimated that on a basis of present-day values the damages would exceed $750 million.

With the construction of this reservoir it is estimated that the city of Warren would have a 100 percent protection. In the 1956 flood Warren had a 4.5 million dollar damage. It would also give substantial protection to Oil City and Franklin because it would control the upstream drainage from those towns.

This is one of a series of dams, to prevent a repetition of the 1936 disaster in the Allegheny and Ohio Valleys, of which 10 have already been constructed and to which no opposition was encountered.

Every phase of this project has been explored and studied and its economic justification has been proven.

For over 20 years the Corps of Engineers have been studying this project and alternative plans.

Every one of us concerned with projects in our own districts have to depend upon the Army engineers recommendations for those projects. They are the ones who, in my opinion, are best qualified to pass on the merits or demerits of a plan. Who are we to pass on a technical problem of engineering?

The opposition would have us believe that the witnesses they brought forth

during our hearings in favor of diverting the waters of the Allegheny into Lake Erie were original and the best method. Why bless your hearts that was proposed in 1928—almost 30 years ago—and was considered by the Army Engineers in their early studies of the Allegheny Basin and was discussed in an unpublished report prepared by the Pittsburgh District at that time.

The findings of that report and subsequent reports may be briefed as follows: diversion for flood-control purposes, only, is not economically justified; diversion for waterpower development would be of marginal justification; a major reservoir on the Allegheny River would be required in connection with any effective plan of diversion for flood control or power development; and the Allegheny Reservoir would not preclude the later development of waterpower by diversion.

So you can see that the diversion to Lake Erie proposition was given a great deal of study 30 years ago and many times since.

Now what other plan was considered? The Army engineers in their studies of this reservoir considered the construction of smaller reservoirs at the selected site and smaller alternative tributary reservoirs. Comparison of the cost of developing a large volume of storage capacity in the Allegheny Reservoir with small volumes located in several tributary reservoirs is illustrated by the present-day costs of existing projects such as Tionesta Creek and East Branch Clarion River Reservoirs, constructed by the Corps of Engineers on tributaries of the Allegheny River. Based on an analysis made last year, storage capacity for the Allegheny Reservoir was indicated to cost $87 per acre-foot, as compared with $106 and $115 for the Tionesta Creek and East Branch Clarion, respectively. To substitute storage capacity equivalent to that in the Allegheny Reservoir in a number of small reservoirs would be more costly and result in substantially less effective control of the floods.

The analyses I just gave you were given me by one of the finest engineers in our Army civil works program—Gen. J. L. Person, the Assistant Chief of Engineers for Civil Works.

General Person is very well qualified to give us his opinion on this reservoir. Before being promoted to his present position he was Chief Engineer for the Ohio Basin and is intimately familiar with all phases of flood protection in that area.

As far as I am concerned I shall take the advice of the fine Army engineer.

General Person says in summary:

Based on our studies of possible alternative measures, it appears that the Allegheny Reservoir as now planned provides the most practical solution of the flood problem in the Allegheny Basin. You may be assured that we are attempting to work closely with the Indians in order to arrive at mutually acceptable arrangements.

Mr. Chairman, and my colleagues, I sincerely hope that this amendment will be defeated.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in not to exceed 40 minutes, the last 5 of which are to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. H. CARL ANDERSEN. The unanimous consent request refers only to the pending amendment.

The CHAIRMAN. The pending amendment and all amendments to the pending amendment.

The Chair recognizes the gentleman from Pennsylvania [Mr. CORBETT].

Mr. CORBETT. Mr. Chairman, the pros and cons of this Allegheny River Reservoir have been pretty well discussed from the point of view of the immediate cost-benefit ratio and the like, and we have heard quite a little about the matter of the displacement of the Indians. I should like to address myself to a phase of the matter which I am sure has not been presented as yet. It has to do with the longtime cost-benefit ratio.

I am sure every Member of this body has heard of the Pittsburgh story. You have heard how that city, practically ruined by the great flood of 1936, has come back to be the boom city perhaps of the entire world, where we have skyscrapers going up, public improvements of all kinds, where we have a definite renaissance throughout the entire city of Pittsburgh. What is the reason for it? One of two reasons why the Equitable Life Insurance Co. and other billion-dollar investors were willing to come to Pittsburgh was that this Congress in its wisdom set up the great Allegheny-Monongahela flood-control program. The other reason of much lesser importance was smoke control.

I say to you right now that that metropolitan area which is advancing to this Government over a billion dollars a year in income tax money would not have existed in its progressive form if it had not been for the flood control program, of which this dam is one of the key dams. I would say to you that in the years ahead if this dam were not saving so much as $5,000 in actual damage, what it would result in psychologically in the development of the Allegheny River is just beyond imagination.

That river presently is in the beginning stages of becoming one of the greatest industrial regions in civilization, and this is the dam which will give the flood control protection, which will impound the water for that industrial use, which will eliminate the pollution of the Allegheny River, which will give the people along that entire 150 miles of stream an opportunity to develop it into an area of tremendous prosperity, that will pay for itself many, many times over without any thought whatsoever of the cost-benefit that may result in so many inches or feet of flood protection.

I would say to every Member of this Congress that the day is coming when we are going to have to harness every drop of water that falls in America and use it over and over and over. But this great river, the Allegheny, which helps form the Ohio, is in the process now of becoming just as great as I have indicated it will become. I would say to you that the United States Government will receive back in taxes 10 times as much as it pays for this most worthwhile project.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. SAYLOR].

Mr. SAYLOR. Mr. Chairman, I am delighted that I was just preceded by the gentleman from Pennsylvania [Mr. CORBETT], because he has pointed out just why a dam of this size should not be authorized.

The proponents of this large dam, which will be the largest dam erected by the Army engineers east of the Mississippi River and north of the Mason-Dixon line, use the flood of 1936 at Pittsburgh as the primary reason for its construction. Let us look at a chart of the 1936 flood at Pittsburgh and see what it discloses.

The highest flood of record on the Ohio River at Pittsburgh occurred March 18, 1936. The United States Geological Survey statistics show that on March 16, 1936, the mean flow at Pittsburgh was 100,000 cubic feet per second. This flow rose to 200,000 cubic feet per second by March 17. On March 18, 1936, it passed the flood stage of 210,000 cubic feet per second, and the flood crest of 574,000 cubic feet per second occurred between 10 and 12 p. m. on March 18, 1936. The daily mean flow of March 18, 1936, was 465,000 cubic feet per second. This flood stage lasted until March 21, 1936, when the waters receded to about 150,000 cubic feet per second.

During the same time, the Allegheny River at Kinzua gage shows that on March 16, 1936, the daily mean flow was 16,500 cubic feet per second; there was the same flow on March 17, 1936; on March 18, 1936, it rose to 16,900 cubic feet per second; on March 19, 1936, it rose to 21,100 cubic feet per second; and, on March 20, 1936, 2 days after the flood crest passed Pittsburgh, the Allegheny River at Kinzua gage reached its peak flow of 24,000 cubic feet per second.

Therefore, the Allegheny River, by the Government's own figures, contributed less than 4 percent to the floodwaters of Pittsburgh in the 1936 flood.

In other words, it contributed an infinitesimal amount of water to the flood in the Pittsburgh area. It is therefore apparent that the principal purpose of this dam is not flood control, but is a water-supply project—in fact, is so described in House Document No. 491 of the 83d Congress—and is a pollution-control project. Neither water supply nor pollution control is properly a responsibility of the Federal Government, and there should be, as required by law of this Congress, a contribution by the people in the area for that part of the dam not chargeable to flood control, navigation, fish and wildlife, and recreation.

Let me make this crystal clear. I am not opposing flood control. I am in favor of flood control, but where a project is

for other purposes, then that part not for flood control should be governed by the laws of the land and require local participation.

Now if this Congress means what it says, then that rule applies to the State of Pennsylvania as well as to the other 47 States. Let me request the other Members from Pennsylvania not to be afraid to look at this project merely because it is in our own State. I say to all the Members who come from Pennsylvania, let us have the moral courage to stand upon principle and say that we, as Members of Congress, having passed a law requiring local participation in multiple-purpose dams, expect that law to apply equally to all States and to all projects.

That, my colleagues, is one of the basic issues we must decide by our vote on this amendment.

I am happy to note that no one who has spoken on this bill or on this amendment has attempted to dispute the facts I presented to you under general debate. The reason is clear. They cannot because they are from the records of Congress and the Appropriations Committee hearings from 1936 to date.

The gentleman from Pennsylvania [Mr. HOLLAND] asked me today whether or not I ever read the report and survey that was conducted in 1907. I did. That project recommended a dam on the Allegheny River of 80,000 acre feet, to be used only for flood control. The dam that was authorized in 1936, with an increased safety factor, contained 331,000 acre feet which was 4 times the size of the dam recommended in 1907. This dam, also, was only to be used for flood control.

The dam which you are authorizing in this bill is 14 times the size of the dam recommended in 1907. It is not a flood-control project. It is a multiple-purpose project without the usual requirements of reimbursement for municipal and industrial water supply as specified by law. These facts are uncontroverted.

Another reason we should adopt this amendment is that construction of this dam will violate one of the oldest treaties of the United States and deprive the Seneca Nation their guaranteed treaty rights. The Pickering Treaty of November 11, 1794—Seventh United States Statutes at Large, page 44—should be fully respected:

> Now, the United States acknowledge all the land of the aforementioned boundaries to be the property of the Seneca Nation; and the United States will never claim the same, nor disturb the Seneca Nation * * * in the free use and enjoyment thereof; but it shall remain theirs until they choose to sell the same to the people of the United States, who have the right to purchase.

In explanation of the above wording, Timothy Pickering, the personal envoy of George Washington, explained to the Indians: "As long as the moon rises, the river flows, the grass is green and the sun shines," the Seneca Indian would remain undisturbed in his possession of this land.

The Seneca Nation has not chosen to sell their land to the "people of the United States," but instead they desire to keep the same and for years have been endeavoring to protect their rights, and their property.

As early as June 1938, the Seneca Nation of Indians made known their objections to the construction of a dam that would flood them from their homelands in violation of the express treaty guaranties given to them by Congress 163 years ago. In answer to that objection, the then Assistant to the Commissioner of Indian Affairs, by letter of June 18, 1938, stated:

> This matter was the subject of a conference held at Harrisburg on December 22, 1936, at which representatives of this officer were present. It was agreed that legislation by the States of New York and Pennsylvania and the Congress of the United States would be necessary to effectuate this project as originally planned. It was also suggested, however, as a possibility that another place might be found which would not involve the Indian lands. * * * The Indians may rest assured that every effort will be made to protect their interest.

During the intervening years, the Indians made known their opposition to this dam to the proper administrative authorities. In each instance, as in 1938, the Seneca Indian was given assurance that his interest would be protected; that an impartial and complete engineering survey and study would be made as to all possible solutions—only to find during these past 8 months, that contrary to the promises made, the surveys and studies were concentrated wholly on the construction of Kinzua Dam and the deprivation of his homeland.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to my colleague from Illinois.

Mr. COLLIER. The gentleman from Pennsylvania is an attorney. I know that his colleague from Pennsylvania [Mr. FENTON] remarked that the Government could in this instance have exercised the right of eminent domain in this project. Does the right of eminent domain supersede the supreme law of the land which in this case is a treaty?

Mr. SAYLOR. It does not. We just had our attention called to 40 people in the gallery from the legislative bodies of 12 friendly NATO countries. If we pass this bill and do not adopt this amendment, what we will actually be saying to those 40 people, to their legislative bodies, to their people—yes to all the nations of the world that a treaty with the United States which was signed by George Washington, our first President, does not mean anything and that we can break it. How can we ask these people from other nations to come here and enter into treaties and say that we are a nation that keeps our word. We accuse Russia of not keeping her word and her treaties, but by this very act, unless this amendment is adopted we are breaking a treaty that has existed since November 11, 1794. Yes, if this amendment is not adopted the Indian proverb will once again be proven, "The white man speaks with a forked tongue."

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. HOLLAND].

Mr. HOLLAND. Mr. Chairman, as a former member of the General Assembly of the Commonwealth of Pennsylvania, I am shocked to see a Representative from Pennsylvania, and from Johnstown particularly, come before this House and talk against flood control. In the session of 1935, the special session of 1936, and the session of 1937, the first effort to harness the floodwater of Pennsylvania was started, and I know that my colleagues, the gentlemen from Pennsylvania [Mr. FENTON and Mr. JAMES], who were members of the general assembly, will verify that the first project attempted was to save Johnstown from being destroyed a second time. The large steel corporation in the Johnstown area had suffered great losses in the 1936 floods and had halted all plans for expansion. They had also threatened to move their mills from the city of Johnstown. The general assembly approved legislation to build around Johnstown the greatest flood-control system that has ever been built around any city. Millions and millions of dollars, as much as is going to be spent on this dam, was spent building a dam and spillways to protect Johnstown. In the hearings on flood-control legislation, representatives from Johnstown appeared demanding help to save their city and their industries. Today we see a Representative from Johnstown, standing here in the House opposing flood control. To make possible this great flood-control project hundreds of homes had to be acquired. People were forced to evacuate their homes to build the dam for Johnstown. Now, the gentleman objects to this same method of acquiring land to protect all the people of Pennsylvania.

Mr. Chairman, the mayor of the city of Pittsburgh; the chairman of Allegheny Conference on Community Development, Mr. Park Martin; and the heads of all the industrial plants in the Allegheny and Monongahela great industrial valleys support the building of this dam.

Mr. Chairman, I ask that this amendment be defeated because I think you will agree with me that if the lives and property of the people of Pennsylvania are going to be saved from the ravages of flood the only way it is going to be achieved will be to carry out the entire program as originally planned by legislation. Then and only then will the fear of floods be ended.

The gentleman from New York [Mr. REED] says he fears that due to the size of this dam it will be used to generate hydroelectric power. This cannot be as there is a clause in the flood-control act of Pennsylvania providing that no dam can be used to generate electrical energy.

I ask you to defeat this amendment for the sake of those people in Pennsylvania who need this protection.

Mr. CORBETT. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. CORBETT. I would like to emphasize the last point the gentleman made, that in the agreement between the Commonwealth of Pennsylvania and the United States there was written indelibly the proviso that there would be no power projects in connection with the flood-control dams.

Mr. HOLLAND. I remember very distinctly, because the debate on this amendment caused the House to stay in session all night.

Mr. CORBETT. And you were the gentleman working on that particular feature.

Mr. HOLLAND. I certainly was.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. McCORMACK. I am thoroughly acquainted with this particular project. We have authorized and appropriated money for Boulder Dam, Trinity River, and projects all over the country, and I voted for them because I believed it was a disgrace to see the natural resources of our country going to waste. This is one of the most meritorious projects I know of, and I join with my friend from Pennsylvania, who is opposing this amendment in expressing the hope that it will be defeated.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HOLLAND. I yield.

Mr. FULTON. I am one of those people who has given the matter some thought. I support the inclusion of this project in the present budget program.

Mr. HOLLAND. I thank the gentleman. I might add, Mr. Chairman, that there is only one member of the entire Pennsylvania group, either Republican or Democrat, that is opposing the building of this dam, and knowing the consciousness of the people of his district about flood control, the gentleman is not speaking for them.

The CHAIRMAN. The gentleman from Minnesota [Mr. WIER] is recognized.

Mr. WIER. Mr. Chairman, this argument reminds me of another of these problems with which we are confronted in the construction of major dams: Our decision has to be as to whether we are going to drown the people below the dam or drown the people above the dam. I am reminded somewhat of the Tuttle Creek situation where it was either the people above the dam who were going to be drowned or the people below the dam.

Let me say at the outset that I am not at all acquainted with the situation in Pennsylvania, but I find myself here apparently in disagreement with many of my very good friends on both the Republican and Democratic sides.

I am tempted to vote for the amendment and do so because of my close association with many of the conservation organizations in my State and in my district which have mailed me a number of protests against this particular project.

In addition to that I am tempted to oppose it on the basis of my understanding of the Seneca Indian treaty. On these two questions I have formed some opinion, and I have let it be known to my constituents in the State of Minnesota, far removed, of course, from the particular project; nevertheless I have a responsibility to the conservation movement of that State, and I am usually led and guided by their decisions as to whether or not a project of this nature is inadvisable or whether it is one which can be favorably supported without great damage to present or future national parks or national resources.

So I want to make my position clear. I shall support the amendment on the basis of the information and the position of the conservation organizations of these United States as well as my respect for the treaty we have with the Seneca Indians of that particular territory.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, time will not permit me to cover this subject as thoroughly as I would like to cover it. However, I would like to call your attention to the fact that southwestern New York and northwestern Pennsylvania provides one of the greatest watersheds in the eastern part of the United States. The Allegheny River, contributing four-fifths of the flow, and the Monongahela River, one-fifth, join at Pittsburgh to form the Ohio River. In the spring and fall when these waters are at flood stage, this watershed contributes greatly to the devastating destructive floods which occur, not alone on the Allegheny, but on the Ohio and Mississippi Rivers as well. The question before us is whether or not we should harness these waters for useful purposes, both domestic and industrial, rather than permit the devastating, recurring floods which are periodically visited upon us.

I noted that in the recent Illinois flood 3,500 people were evacuated, 17 lives were lost, and the property damage will run into millions of dollars. This same thing, in my opinion, could happen in the Allegheny Valley, as it did in 1936, unless this project is constructed.

A number of people have suggested that further study and investigation of the project should be made.

This project was authorized by the Flood Control Acts of June 28, 1938, and August 18, 1941. Since these authorizations, the Corps of Engineers has thoroughly investigated all phases of flood control for the area; and numerous public hearings have been held, giving the interested people most directly affected a chance to express their views. However, little or no objection was heard until recently. So you can readily see that over a period of 20 years all interested persons have had every opportunity to be heard on this project.

After the devastating flood of 1936—with an estimated property damage of $728 million at present day price levels—and a loss of some 36 lives, the people in the Tri-State Area—Pennsylvania, Ohio, and West Virginia—became aroused that something must be done to afford relief from the destructive floods in the Allegheny Valley.

I want to call to the attention of the Members of the House the loss of lives from these floods. I quote from a letter from the district engineer, Colonel Sprague:

> However, our records show that for the 13-month period from March 17, 1936, through April 27, 1937 over 100 persons lost their lives due to three floods in the Pittsburgh District. Since that time we have been subjected to nine additional floods, and while our records are inconclusive, it would be a safe assumption that many more lives were lost due to these subsequent inundations.

After the 1936 flood a Tri-State Authority was organized, and a plan of development was determined upon. The overall flood protective plan was presented to the Congress, and in 1938 a program for construction of flood control dams within the Tri-State Area was authorized. Since 1938, some ten flood control reservoirs have been constructed in the Upper Ohio, Beaver, Allegheny, and Monongahela Basins. The following are among those completed: Tygart River, Youghiogheny River, Loyalhanna, Conemaugh, Crooked Creek, Mahoning Creek, East Branch Clarion River, Tionesta, Mosquito Creek, and Berlin—the latter two being in northwestern Ohio.

The key to the whole flood-control program is the one before you today—the Allegheny River Reservoir. It is the largest of these reservoirs yet to be constructed.

Every phase of this project has been carefully studied and thoroughly explored. Approximately $650,000 have been appropriated and expended for the project report, surveys, studies, plans, and specifications, over the past 15 or 20 years. This project has been reviewed by the United States Engineers from every possible angle over a long period of years and the project has been found to be economically justified.

One section of the report submitted to me by the district engineer, under date of February 5, 1957, states, and I quote:

> The best available summation of past flood damages in those portions of the Allegheny and upper Ohio River basins which would benefit from the Allegheny Reservoir is contained in Report on Allegheny-Monongahela Rivers and Tributaries completed by this office in October 1949. At the time of the report the average annual direct flood damages for the four major damage districts involved (Wheeling, Pittsburgh, New Kensington, and Kittanning) based on recurrence of natural flood stages of record and conditions and values as of June 1948 amounted to $10,034,000. At present-day price levels such direct damages would amount to approximately $15,600,000.

The most recent severe Allegheny River flood is that of March 1956. At that time, the city of Warren in my district was hit with an estimated property damage of $2,500,000. The Allegheny Reservoir would have been particularly effective in reducing the stage of this flood at various Allegheny River communities. For example, at Warren, where the highest flood stage since 1865 was experienced, the reservoir would have effected a 9.5-foot reduction to below flood stage in the Allegheny River. At Oil City and Franklin, the flood stage would have been reduced 4.6 feet; at Kittanning and New Kensington, 2.8 feet; at Pittsburgh, 2.5 feet; and at Wheeling, W. Va., 3 feet.

I have also been advised by the United States engineers that the total average annual benefits which would result from the Allegheny Reservoir are estimated—January 1957 price level—to amount to $4,971,000; broken down as follows: flood control, $4,093,000; acid control, $375,000; and organic-pollution control, $503,000.

Many proposals have been offered the United States engineers. One was proposed, studied, and rejected. As to the diversion proposals, I merely want to state that I cannot understand how any river that is flowing south could be diverted to flow north to empty into Lake Erie, unless there should be some magical engineering technique of which I am unaware. However, under no circumstances would we be interested in any diversion proposals to divert the excess water into Lake Erie as this water is needed for the domestic and industrial life of the Allegheny Valley, and the city of Pittsburgh with its 1½ million people. Our objective is to harness and retain the water for use in the Allegheny Valley and not divert it to Lake Erie.

Water is a precious commodity today; and I want to say to the House that we fully appreciate this great God-given natural resource we have in the Allegheny Valley—water.

It is essential that we conserve every drop of water we possibly can. In low periods of water in the summertime, the need for water in a great industrial valley such as the Allegheny becomes of paramount importance. And the same situation, I might say, exists in many other areas throughout the Nation. Another great industrial valley adjacent to the Allegheny is the Beaver-Mahoning, serving the Youngstown steel area. It, too, needs programs for conservation of the water supply for domestic and industrial purposes for the people in that valley.

Water. Water. It is the cry everywhere. Our population is continually growing—it is 170 million today—and in the years ahead we will require double the amount of water that is available today. In the Allegheny Valley alone, some several million people are dependent upon the waters of the Allegheny River. One and one-half million of these people are in the great metropolitan area of Pittsburgh, and in need of water for industrial and domestic uses.

The question is: Shall we harness and conserve these waters for useful domestic and industrial purposes, and other factors such as uniformity of stream flow and elimination of stream pollution; or shall we continue to permit the devastating floods—costing millions of dollars and loss of lives—which are periodically visited upon the Allegheny Valley.

I say to the Members of the House that this project has been authorized for almost 20 years. No opposition has been registered to any of the other 10 dams already constructed as a part of this program.

Every phase of the project has been explored and studied at a cost of hundreds of thousands of dollars, and its economic justification has been proven.

In my estimation it will be one of the greatest contributions that can be made for the conservation of water, elimination of destructive floods in the Allegheny and Ohio Valley, and for making available a water supply in perpetuity to the people of the Allegheny Valley and Pittsburgh It is a wise and sound investment of the American taxpayers' dollars.

I sincerely hope that this amendment will be rejected. This project will mean much to the future generations and to the growth and development of the great State of Pennsylvania which I am proud and honored to represent.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OSTERTAG.]

Mr. OSTERTAG. Mr. Chairman, I think we should bear in mind that the amendment offered by the gentleman from New York [Mr. TABER] to strike out the appropriation designed for this Allegheny Reservoir project, is primarily intended to postpone construction until alternatives have been explored and considered. As I said during general debate, we all recognize, I am sure, that there is a definite need for flood control in the upper Allegheny region of Warren and the district represented by the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield for a brief question.

Mr. GAVIN. Why oppose it if you say we need it?

Mr. OSTERTAG. As I said, there is need for flood control in the upper Allegheny and in the area of Pittsburgh. But, my friends, this project far exceeds flood control and the need for flood control. This project violates, as it is presently proposed, two very fundamental principles. First it violates the principle of requiring local participation in the cost of local benefits. It also violates a treaty entered into with the Seneca Indians, a treaty entered into as far back as 1794 and signed by our first President, George Washington.

Now, originally this project called for $6.5 million of Federal cost with $11 million of local interest and local cost. Today it is $101 million with 100 percent Federal responsibility. Originally, back in 1936, the estimated acre-feet were 331,000 acres of reservoir, and today the estimated acre-feet of destruction for the reservoir would be 1,125,000 acre-feet. The United States Geological Survey records show that 150,000 acre-feet will protect the upper Allegheny and the Pittsburgh area for flood control. That is one-sixth of the capacity proposed. In other words, this dam and reservoir project is six times as large as necessary. This Kinzua Dam would require a reservoir which under present plans would flood some 9,000 acres of the Indian reservation and it would, in addition, destroy some 20,000 acres of habitable land in the Indian reservation.

Now, as I mentioned before we who are opposing this project at the moment are not opposed to the idea of flood control. The point remains however, that there should be a resurvey; there should be a reconsideration of the alternatives to meet this problem of flood control in the area of Pittsburgh and Warren and at the same time preserve and protect the treaty and the agreement with our Indians of the Seneca Nation. No study, my friends, has ever been made of any of the alternatives, although stress has been laid as to the need under this proposed plan.

Mr. FENTON. Mr. Chairman, will the gentleman yield?

Mr. OSTERTAG. I yield to the gentleman from Pennsylvania.

Mr. FENTON. Throughout the hearings we asked those questions of the Army engineers as to the alternative plans they have considered, and I quoted some of them in the statement that I made.

Mr. OSTERTAG. There is no record or information available that any alternative other than this proposed plan has ever been considered. May I say that a smaller dam and smaller reservoir would give to the upper Allegheny and Pittsburgh areas the desired and necessary flood protection and at the same time adhere to the treaty in which this Nation guaranteed to the Indians the undisturbed use of their lands in perpetuity.

Let me reemphasize this point: Neither the Senecas nor others are opposed to the objectives envisioned in this project. Flood control is undoubtedly needed on the Allegheny as are the other water uses encompassed here. If a full and fair study of the alternatives proves conclusively that the high dam at Kinzua is the only way to meet these objectives, I am confident that the Indians as well as the other opponents will yield to necessity. But until that is done, we have neither moral nor economic justification for launching this costly, questionable project. I hope the amendment will be supported and the appropriation will be stricken out.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, this amendment has been offered to accomplish something in an effort to get the Corps of Army Engineers in shape so that they will do a good job. They have come in here with a proposal which is 5 or 6 times as large as possibly could be needed. The actual fact is that this is not the main reservoir on the Allegheny River and it cannot be. The fact of the matter is that in time of flood at Pittsburgh, the peak flowage at this particular point would provide only 4 percent of the water flowage in Pittsburgh, and probably that would be cut down because it is about 200 miles from the site of this dam to Pittsburgh. It is a long way because the river winds and twists a great deal.

These engineers have not gone at this job in the right way. In 1936 they came in with a proposal for $6.5 million. Now it is $101 million. In 1938 they came in with a proposal for $17,725,000. In 1941 they came in with a proposal for $35 million. They have gone up now to $101 million. The progress upwards alone demonstrates that they have not done a balanced job on the situation.

The percentage of overall flow in those rivers down at Pittsburgh shows that they could not get the results out of this dam that they have told us they could get. The flowage there is on an average of 3,500 feet a day. It would take 168 days with no discharge in the Allegheny from the dam to fill it. It is absolutely ridiculous that we should get into a dam of this size at this point. You could not

operate such a dam as this without maintaining a considerable amount of flowage and that means that it would take at least a year for this to fill up if you were just going to use it for the benefit of the downstream flowage. If it is going to be for the benefit of the downstream flowage there should be a local contribution of at least 75 percent because, as you have been told today, it is for the benefit of water supply down the river, and that sort of thing. There is not any excuse for us to do anything but to go along with this amendment.

I hope the committee will approve it.

The CHAIRMAN. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I feel day after day that I should judge not, that I be not judged. It is very easy to have ideas about things, and we may be wrong; but when we and our constituents are personally affected we are, naturally, tremendously interested.

I was very much touched by the very moving speech of the gentleman from New York [Mr. REED], about his Indians, and their devotion to his family and the people in his district. My colleague is so thoroughly fine, and the members of his family so fine I do not wonder that they are greatly beloved not only by the Indians but by the Congressman's constituents as well. And I realize the fine traits of the Indians. I know Mr. REED's Indians must be especially proud today for the battle he is waging for them.

My grandmother in Maine found an Indian one day sitting in the kitchen. He and his friends were very friendly and very kind. To follow the kindliness and the friendliness of the Indians through to the ultimate conclusion, I feel very sure that those Indians of my colleague would be willing to move their houses into another section of his district in order to protect human life. In one instance it is protecting the people's homes. In the other instance, in floods, people may well lose their lives. As you and I know, in the flood areas that often happens. Little children cannot be born properly and die because doctors cannot get to them. Older people die because of lack of care. Others are drowned. In one instance you are moving people's houses and their homes which can be replaced; in the other you are saving human life, which cannot be replaced.

The people in New Hampshire did not want to move for the Franklin Falls Dam. I went up to a hearing in the State House in New Hampshire. They said, "Mrs. ROGERS, who favors this dam, ought to stay at home." I was fighting for my people, fighting for the human lives not only in Massachusetts but also in New Hampshire, as well as for their property. I know the reason the New Hampshire legislature did not at first agree to the compact between Massachusetts and New Hampshire to give the approval to the building of the Hopkinson-Everett Dam was because the people did not want to move away. The Hopkinson-Everett Dam project was approved late in 1938 and authorized. The legislatures last year passed it. Both Massachusetts and New Hampshire approved the compact. There may be some opposition in New Hampshire from the people who do not want to move. But I believe they will now be helpful.

I was in Hurrican Diane from half past 12 to half past 6. The house was not in Massachusetts, but in a house I used in Maine. There were several persons there who were bailing water with me. I was not hurt, but two people had bad hearts, and it did hurt them. The property was saved, although damaged. My neighbors also suffered since losses inside and outside. The very high tide washed away their beach wall.

I ask that the House consider keeping this appropriation in the bill to save human life.

Mr. EBERHARTER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Chairman, I am very much in favor of the construction of the Allegheny River Reservoir project which is so badly needed to provide the keystone of the structure of our flood safety in Pittsburgh. This project is absolutely vital to the future safety and progress of one of the greatest industrial centers in America. It is a project that was recommended by the Corps of Engineers and approved by the Bureau of the Budget after much careful consideration had been given to alternative solutions to the flood-control problem in the Pittsburgh area. None of these other possible alternatives were deemed to be workable, and this single reservoir project was the one found most suitable to meet the needs.

This project has been thoroughly explored and reviewed by the United States engineers from every angle over a long period of years.

I hope that the many valid arguments that have been presented here this afternoon will convince the Members of the tremendous need for the Kinzua Dam and that this very essential project will be approved.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. RABAUT] to close debate.

Mr. RABAUT. My distinguished friend from New York [Mr. TABER] and he is my friend, said you could not fill this dam in 160 days. He must have forgotten about the time when Noah floated his ark. That was a 40-day proposition.

Last year, both the President and the Congress indicated their realization of the importance of the expeditious completion of this project. The original request in the President's budget was $100,000 for planning. After a more careful analysis of the need for this project the President sent a revised request for $384,000 to the Congress and this larger amount was appropriated so that sufficient planning could be done in 1957 to start construction in 1958.

This project will give almost complete flood protection to the cities, such as Warren and Oil City, that are immediately below the project and will give substantial protection to the city of Pittsburgh and further down the Ohio. To take a recent example, if this project had been in existence in March 1956, it would have prevented damages in just that one flood amounting to over $4½ million. To give an indication of the far-reaching benefits that will result from this project, it would reduce the flood crest in Pittsburgh, 200 miles downstream, by 2.7 feet if the flood of March 1913 should recur.

There have been many statistics used in an attempt to show that this reservoir is much larger than it needs to be or should be but the bare simple fact is that this reservoir would just be sufficient to contain 7.8 inches of runoff from the drainage area above the dam. It is not at all unreasonable to plan for such an eventuality. If Hurricane Hazel had moved just a little in the right direction, that amount of runoff would have occurred in 1955. Of course, we all know it is better to have no flood control dam at all than to have one that is too small and in constant danger of failing just at the time it is most needed.

There has also been much talk of violating a trust with the Indians who live in the reservoir area. It is true that these Indians have a guranteed title to this land but it is a rare project of this type where it is not necessary to take land from private citizens who have clear titles to their land and who would strongly prefer not to sell. If the Government's rights of eminent domain are rights that the Government should have and exercise for the good of the country, it is difficult to understand why they should be exercised in the case of lands owned by non-Indian citizens and not exercised in the case of Indian citizens. These Indians will be fully reimbursed for any lands taken for this reservoir.

There should be no doubt that this project is needed. Its benefit-cost ratio of 1.26 to 1 is good for a project of this magnitude. Furthermore, it is important that it be built without additional delay for every passing year sees new development in the reservoir area that will further increase the cost of acquisition of the necessary lands. The drainage area consists of 2,190 square miles located in New York and Pennsylvania. There are 640 acres to a square mile. The reservoir covers 21,000 acres. The Indian lands involved constitute 9,849 acres. The height of the dam is 167 feet 1,365 feet above sea level. The acreage is 21,000 for the entire reservoir area and the permanent pool is 3,500.

Mr. Chairman, I ask that this amendment be defeated.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired on the pending amendment.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 43, noes 122.

So the amendment was rejected.

The pro forma amendments were withdrawn.

Mr. LAIRD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LAIRD: On page 4, line 8, strike out "$422,186,800" and insert "$421,996,800"; and on page 5, line 7, strike out the period, insert a colon and the following: "*Provided further*, That none of the funds appropriated in this paragraph shall be used for advance planning on any new project with a cost-benefit ratio of less than 1.20 to 1.0."

Mr. LAIRD. Mr. Chairman, although I am a member of the Committee on Appropriations, I have not served on the subcommittee which considered this public works appropriation bill for fiscal year 1958. At the outset, I want to pay my respects to this subcommittee for an outstanding job in marking up this appropriation bill. The chairman of the subcommittee, the gentleman from Michigan [Mr. RABAUT], is one of the most conscientious members of the Appropriations Committee and spent many hours, days—yes, even weeks—in listening to the testimony of the many Government and outside witnesses. The gentleman from Iowa [Mr. JENSEN], the ranking minority member of the subcommittee, is very familiar with the many public works projects throughout the United States and has done his usual outstanding work on this subcommittee.

The amendment which I offer, Mr. Chairman, is an attempt to give some guidance as regards the approval of funds for new planning starts on the many authorized public works projects which are under the control and supervision of the Corps of Army Engineers. In the past there has been a more or less general rule applied by the Public Works Subcommittee to the effect that there should be no approval of projects under a benefit-cost ratio of 1.2 to 1. This year the Bureau of the Budget approved new advance planning starts on 8 authorized public works projects which have a benefit-cost ratio of less than 1.2 to 1. The Public Works Subcommittee and the full Appropriations Committee adopted a policy of not including in this bill any public works project which did not have the approval of the Bureau of the Budget. I do not feel that just because the Bureau of the Budget approves a particular new planning start that it is incumbent upon the Appropriations Committee to grant the funds for this advance planning.

Mr. Chairman, the amendment I have offered affects the advance planning money in the total amount of $990,000. Funds are provided in this bill for the advance planning on projects with a cost-benefit ratio of below 1.20 to 1, for the following projects:

The lower Monumental, in Washington, which has a cost-benefit ratio of 1.01 to 1, $200,000 is included in this bill for advanced planning on this project. The estimated cost of this project is $133 million.

Columbia lock and dam in Alabama and Georgia. The cost-benefit ratio is 1.03 to 1. The estimated cost of this project is $13,200,000, and the funds for advance planning in this bill are $120,000.

Pike Island lock and dam, in Kentucky and Ohio, have a cost-benefit ratio of 1.08 to 1. The total cost of the project is $66,900,000; and in this bill advance planning funds are appropriated in the amount of $50,000.

Weiser River, Idaho. The cost-benefit ratio is 1.11 to 1. The total estimated cost of the project is $2,740,000. The amount included in this budget for the fiscal year 1958 is $70,000.

Cooper Reservoir and Channel, Tex., Cost-benefit ratio is 1.13 to 1. Total cost of the project is $12,500,000. The amount of funds for advance planning, $275,000 included in this bill.

Maxwell lock and dam, Pennsylvania. Cost-benefit ratio is 1.17 to 1. Total estimated cost of this propect, $28,300,000. Amount included in this bill for advanced planning, $50,000.

The Pomona Reservoir, Kans., the cost-benefit ratio is 1.18 to 1 total cost of the project $14,100,000, amount for advance planning included in this bill for the project is $140,000.

The Arkansas River and tributaries, Arkansas and Oklahoma, cost-benefit ratio 1.19 to 1, total cost of the project, $60,914,000, amount included in this bill for advance planning, $50,000.

Mr. Chairman, it seems to me that the Bureau of the Budget has gone overboard and approved certain projects with a very low cost-benefit ratio while at the same time disapproving projects with higher cost-benefit ratio. It seems to me that the Congress should express itself on this particular matter and it is in keeping with this thought that I have offered the amendment to disallow the advance planning money on any new planning starts which do not have a cost-benefit ratio of 1.20 to 1 or better. Such criteria seems reasonable to me and should make the job of the Corps of Army Engineers and the Appropriations Committee much easier.

The Appropriations Committee has long felt that there should be some standard set as far as the cost-benefit ratio is concerned rather than using the pressure methods now employed to get Bureau of Budget approval for low cost-benefit projects.

The report of the committee in its language comments on the fact that local contributions should be increased and that the Congress should give greater consideration to those projects where there will be a greater local contribution than even required under current law. The subcommittee headed by the gentleman from Michigan [Mr. RABAUT] has suggested that consideration be given to the enactment of a requirement for a use charge for navigation waterways and facilities and that the local contribution be increased.

It is indeed proper and fitting this Congress itself should establish some criteria as far as approving these projects with cost-benefit ratio below 1.2. A cost-benefit ratio of 1.1 to 1 is a reasonable criteria to use. The only projects which will be affected are the projects which I have mentioned. The total estimated cost of these projects if carried to completion is $331,654,000. The amount of the reduction made by my amendment is $990,000 in fiscal year 1958.

I realize that my amendment will be opposed by any Member who feels that a project might be affected in his particular district with a questionable cost-benefit ratio in the future. I submit, however, that we must establish a sound basis for approving of projects and this is a step in that direction.

Mr. Chairman, I hope that my amendment will be adopted.

Mr. EVINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVINS. Mr. Chairman, we have heard many compliments today on the work of the committee. Now, we see the butcher knife and hatchet have been brought out. This amendment—the amendment of the gentleman from Wisconsin—would "gut," if not kill, the bill.

The amendment is ill-considered. It is unwise and certainly most unscientific. A project that will return dollar for dollar is certainly a good project.

The Barkley project on the Cumberland River has a cost-benefit cost ratio above that provided in this formula—but, according to some figures there are those who would reduce the Barkley project or cut it out altogether.

A similar amendment was defeated in the committee and the pending amendment should be defeated in the House.

The lower Cumberland, or Barkley project—named for a great Kentuckian and a great American—is a project which has been before the Congress and the committee for several years, and this is the third year that appropriations have been provided for its advancement.

Funds for this project were approved by the Public Works Subcommittee of the Appropriations Committee based on the advice and recommendations of the United States Corps of Engineers which has devoted considerable time and effort in the study of its economic feasibility and need. To date, the Congress has already appropriated $1,376,000 on this project and should it be delayed or deferred, this money will be lost as would the benefits to the public. The project is already under construction. It most certainly not only would be false economy to halt work on Barkley Dam at this late date, but it would also deprive thousands of our citizens from its multipurpose benefits.

Mr. Chairman, not only has this project been approved and recommended by the Corps of Engineers after long and detailed study, but the recommended $5 million was also approved by the Bureau of the Budget and proposed in the President's budget. It gained further approval by the Public Works Subcommittee and then again was approved by the full committee.

I must say again, in all candor, that I am surprised at Mr. TABER's last minute and belated protest to this needed and necessary project.

Barkley Dam is the last major dam needed in the full development of the Cumberland River. Completion of this

project will provide for the comprehensive utilization of the water resources of the Cumberland below Cheatham lock and dam. The navigation component of the project is of major importance since existing locks on the Cumberland River below Cheatham lock and dam are obsolete and do not provide for present needs. Some of the five crib-type dams to be replaced are more than 40 years old and the Corps of Engineers recommends that work on the Barkley Dam project should progress as rapidly as possible before serious navigation difficulties develop.

Completion of this dam will provide a dependable 9-foot navigation channel beyond Nashville to the upper reaches of the Cumberland. Because of the obsoleteness of the existing crib-type dams on this section of the river, most towing companies which are licensed to operate on the Cumberland River as common carriers have now discontinued operations pending modernization of navigation facilities. Many shipping firms have been forced to decline orders on numerous occasions because their products are now too large to be transported through the obsolete locks now in operation on the lower Cumberland. The Corps of Engineers estimate that with existing navigation structures, an increase of only 15 percent over current traffic would so congest the river and lockage facilities that additional traffic over this increase could not be handled. Since 1948, river traffic on the Cumberland has doubled, but with existing installations, it is reaching the point of diminishing returns; last year 2,800,000 tons of tonnage on Cumberland—348,262,000 ton-miles.

With the increased channel depth from 6 to 9 feet, after construction of Barkley Dam, and the better alinement of traffic, it is estimated that towing speeds can be increased from 5 to 9 miles an hour.

Another important feature of this project will be construction of a canal connecting Cumberland River with Kentucky Reservoir on the Tennessee River, which will allow an interchange of navigation traffic. The canal will also permit utilization of the flow of both rivers to the best advantage, not only for navigation, but for flood control and power production.

The construction of Barkley Dam will increase traffic on the Lower Cumberland, Tennessee and Ohio Rivers; reduce present maintenance and transportation costs; improve service because of fewer locks and greater channel depth; and, by means of the lock and the interconnecting canal, make alternate routes available for traffic on the three rivers.

Mr. Chairman, the navigation benefits alone will more than justify construction of the Barkley Dam project, without the substantial benefits assigned the flood control and power features of the project.

In addition to improved navigation, construction of Barkley Dam will provide additional and needed flood control, not only throughout the States of Kentucky and Tennessee, but also to other areas along the Ohio, Tennessee, and Mississippi Rivers. The State of Kentucky alone, only a few months ago suffered flood damage which totaled more than $50 million during the State's worst flood in its history.

During these floods in Kentucky, 11,946 families suffered losses; 6,648 families applied for public assistance; 12 persons were killed; 54 suffered major injuries, and 478 minor injuries; 431 homes were destroyed and 9,212 homes were damaged. Now I do not say that construction of Barkley Dam would have completely eliminated this loss of life and property, but it certainly would have curtailed damage to a great degree.

Flood control benefits of this project will be tremendous because of its location near the mouth of the Cumberland and Tennessee and its juxtaposition to the Ohio.

The United States Corps of Engineers report that positive reduction of peak flow on the Ohio and Mississippi Rivers can be obtained—that Barkley Dam can provide dependable reduction of 80,000 cubic feet per second on the peak flow on the Mississippi River at Cairo, and an average 50,000 cubic feet per second on other Ohio and Mississippi flood points. The Barkley Reservoir will contain more than 1,500,000 acre-feet of storage capacity which will give substantial flood control benefits.

Mr. Chairman, the generation of hydroelectric power at Barkley Dam will be a byproduct of the flood control and navigation features, but according to the Corps of Engineers, this power will be both economical and feasible.

The benefit-cost ratio of the power, navigation and flood control features of this project will be 1.23 to 1. The marketing of the power produced will be by the Southeastern Power Administration, the Government marketing agency for that region. Terms under which the power will be marketed are not known; however, in accordance with the provisions of the Flood Control Act of 1944, the power will be sold at a price sufficient to recover the costs of power production, including amortization of the capital investment allocated to power over a reasonable period of years.

Over 40 percent of the Government's investment in this project is chargeable to power, which means that not only the cost of the facilities provided specifically for power will be recovered through power revenues, but also part of the cost of the dam and other jointly used facilities, which serve flood control and navigation as well. This, in addition to the amount of power that will be produced on a fully reimbursable basis, power revenues will also reduce the investment the Federal Government would otherwise have to make to develop the project for flood control and navigation.

Mr. Chairman, this project is more than justified on its benefit-cost ratio of 1.23 to 1. Although I fully realize that this is not the highest benefit-cost ratio project included in this appropriations bill, but it is most certainly about average when compared with other approved projects.

As a matter of comparison, let me just give you the Corps of Engineers benefit-cost ratio on some of the other important and needed projects in this bill:

Whitlow Ranch Reservoir, Ariz.	1.2 to 1
Carlyle Reservoir, Ill.	1.2 to 1
Pamona Reservoir, Kans.	1.16 to 1
West Hill Reservoir, Mass.	1.2 to 1
St. Anthony Falls, Minn.	1.03 to 1
Two Rivers Reservoir, N. Mex.	1.22 to 1
Pike Island lock and dam in Ohio and West Virginia	1.08 to 1
Eufaula Reservoir, Okla.	1.19 to 1
Maxwell lock and dam in Pennsylvania	1.17 to 1
Cooper Reservoir and Channel, Tex.	1.13 to 1
Lower Monumental lock and dam in Washington	1.01 to 1

These projects are all needed and necessary and have been approved by the committee—they have my support and I do not point to these benefit-cost ratio figures in any sense to say that they are too low—they are not to low. These projects are all economically feasible and I point to these figures only to show that the Barkley Dam project is completely justified on an economic basis and that its benefit cost ratio is above or on an average with other projects contained in this bill.

Although recreational benefits are not included in the economic analysis for justification of this project, I would like to show that should recreational features be included in the benefit-cost ratio, the ratio would be boosted to 4.78 to 1. And even further than this, I am sure that my colleagues are aware of the tremendous impact recreational benefits have on the general economy of an area where a reservoir is built. The Barkley Dam reservoir will not only provide recreational facilities for citizens of Kentucky, but for citizens in surrounding States as well.

Mr. Chairman, I strongly urge that the committee's action be upheld in appropriating funds for the continuation of this needed and necessary project. Not only would it be false economy to halt the project at this time, but it would also deprive the citizens of a wide area of our Nation from the flood control, navigation and power benefits.

I join with my colleagues in urging that the Barkley Dam be continued and that funds recommended by the committee be approved and appropriated.

Mr. Chairman, I ask unanimous consent that a letter from Col. R. E. Smysen, division engineer for the Ohio division may be reproduced in the RECORD at this point.

The letter sets forth the numerous benefits of the Barkley project. The letter follows:

CORPS OF ENGINEERS,
UNITED STATES ARMY,
OFFICE OF THE DIVISION ENGINEER,
OHIO RIVER DIVISION,
Cincinnati, Ohio, May 3, 1957.

Representative JOE L. EVINS,
Member of Congress,
House of Representatives,
Washington, D. C.

DEAR MR. EVINS: As requested by you, I have reviewed the data which we prepared for Congress on Barkley lock and dam. As I see it, the most important points have to do with the justification of the three main features—navigation, flood control, power. I will summarize below the salient points.

Navigation: Construction of Barkley lock will complete the modernization of navigation facilities on the lower Cumberland River and provide dependable 9-foot navigation beyond Nashville to Carthage, Tenn. The canal connecting the pool of Barkley Dam with Kentucky Lake will facilitate interchange of traffic with the Tennessee River. In addition, an alternate route to the Ohio-Mississippi Waterway system will be provided should either Barkley lock or Kentucky lock subsequently be closed for repairs. Although traffic on the Cumberland River has increased to an estimated total of 2,877,589 tons in 1956, full development cannot commence until completion of Barkley. Not only are the existing locks below Cheatham lock obsolete and small, but also the limited 6-foot channel depth prevents barge and towboat operators from fully utilizing larger, more modern and efficient equipment. Until Barkley lock and dam is completed, the full benefits resulting from the investment in new facilities at Cheatham and Old Hickory locks and Dams cannot be realized.

Flood control: Barkley Dam has significant flood control benefits, primarily due to its location whereby positive reduction of peak flow on the Ohio and Mississippi Rivers can be obtained. The benefits are based on the capability to provide dependable reduction of 80,000 cubic feet per second on the peak flow of the project Mississippi River flood at Cairo, and an average of 50,000 cubic feet per second on other Ohio and Mississippi River floods.

Power: Generation of hydroelectric power at Barkley is economically and financially feasible. Based on values supplied by the Federal Power Commission, the current allocation of costs gives data as follows:

Purpose	Cost allocation	Annual charges	Annual benefits	Benefit-cost ratio
Power	$69,519,000	$4,174,000	$4,273,000	1.02
Navigation	43,552,000	1,773,000	3,352,000	1.89
Flood control	53,929,000	2,105,000	2,304,000	1.09
Total	167,000,000	8,052,000	9,929,000	1.23

The foregoing annual charges to power include not only complete amortization of all construction charges, maintenance, interest on investment, but also include taxes foregone. The detailed breakdown of these costs is:

First cost	$69,519,000
Investment (first cost plus interest during construction)	74,733,000
Annual charges:	
Investment charges	2,635,000
Operations and maintenance	317,000
Taxes foregone	1,222,000
Total annual costs	4,174,000

Insofar as out-of-pocket cost is concerned (excluding taxes foregone) the Government would have to receive revenue, at the rate of $2,952,000 annually. Based on a generation of 600 million kilowatt-hours, the average price per kilowatt-hour required to recover the costs allocated to power is 4.92 mills exclusive of marketing cost.

The actual marketing of the power will be by the Southeastern Power Administration. The terms under which the power will be marketed are not known; however, in accordance with the provisions of the Flood Control Act of 1944 the power will be sold at a price sufficient to recover the costs of power production, including amortization of the capital investment allocated to power over a reasonable period of years. Over 40 percent of the Government's investment in this project is chargeable to power, which means that not only the cost of the facilities provided specifically for power will be recovered through power revenues but also part of the cost of the dam and other jointly used facilities which serve flood control and navigation as well. Thus, in addition to the large amount of power that will be produced on a fully reimbursable basis, power revenues will also reduce the investment the Federal Government would otherwise have to make to develop the project for flood control and navigation.

The above paragraphs may not supply any data new to you, but I hope they may be helpful. If there is anything else you need, please let me know.

Sincerely,

R. E. SMYSER, Jr.,
Colonel, Corps of Engineers,
Division Engineer.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 5 minutes, 2 minutes to be allowed to the gentleman from Minnesota.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

Mr. GROSS. Mr. Chairman, I object.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 10 minutes, 2 minutes to be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, just a few short comments.

I feel, Mr. Chairman, that our committee has done a good job on this bill. We have held it down some $50 million below what has been expended this fiscal year. Now, much as I might be inclined to agree with the gentleman from Wisconsin, I must point out that his amendment is far reaching, and I certainly do not intend to agree to it at this time without having an opportunity to even have it considered in our Subcommittee on Appropriations, of which the gentleman is not a member.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I am opposed to this amendment as an unscientific and unrealistic approach to the problem of flood control.

Mr. Chairman, this amendment to eliminate planning money is also an opening wedge to invade the jurisdiction of the Public Works Committee, and to block future progress on some of our most important national programs.

I am personally concerned by the possible effect of this amendment on the Arkansas Basin development program, which means so much to Oklahoma and Arkansas.

Although only planning money is involved in the amendment, everyone knows that planning money is the very heart of basin development programs.

This amendment would interfere with urgently needed programs in 11 of the 48 States, at once. As a precedent, it would possibly sabotage equally needed programs in all 48 States, in the future.

I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Chairman, the amendment is a very appealing one. It sounds good but on careful analysis it may not prove as good as it, at first blush, sounds.

The House Committee on Public Works, not the Appropriations Committee, is the one charged with the responsibility of authorizing projects, of studying them to weigh whether they are economically feasible and desirable.

Change is always taking place in every river basin. The cost benefit ratio of today may not be the cost benefit ratio of tomorrow.

I am in favor of the general purpose that the gentleman from Wisconsin seeks with his amendment but certainly so technical an amendment should have more careful consideration than the few minutes allowed to debate it here on the floor of the House.

The purpose he seeks should be something that should be referred to the House Public Works committee for study.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Tennessee.

Mr. EVINS. I will say to the gentleman that a similar proposal was offered in the subcommittee and the full committee and it was defeated on both occasions.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, I join my colleagues in opposition to this amendment. I think it was very well stated by the gentleman from Oklahoma [Mr. EDMONDSON] and my good friend from Washington [Mr. MACK]. This requires pretty careful and thoughtful consideration. I think the gentlemen on the committee will agree that over and over and over again, regardless of whether the project is large or small, it requires a great amount of detailed and careful consideration, and this is an entirely unwarranted and too hasty a decision on a very basic fundamental policy matter, and I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. SMITH].

Mr. SMITH of Mississippi. Mr. Chairman, the amendment that the gentleman from Wisconsin offers, if it were adopted, would take away from one of the legislative committees of the House one of its major prerogatives. It is part of the general tendency that is developing from time to time to take away those prerogatives. I am glad to see that the majority of the committee do not go along with that idea. I think if the Committee on Appropriations were to act along this line, there would be considerable reaction among the Members in this effort to take away from the legislative committee their normal jurisdiction. This amendment, without any study or attempt to analyze the projects involved, is just a blanket effort to cash

in on some of the attention that is being given to it by those people who refer to it as a pork barrel and things of that nature. It is the soundest appropriation that we can make during the whole year.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I am opposed to this amendment.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Alabama.

Mr. ANDREWS. Mr. Chairman, I am opposed to this amendment. It is not a good amendment, in my opinion. For instance, there is one project on the Chattahoochee River that would be knocked out—that is, planning money. That dam is part of an entire project which does have a favorable cost ratio.

Mr. FORRESTER. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Chairman, I want to express my opposition to the proposed amendment and to say that I had the opportunity of watching the committee work on this particular appropriation. Never have I seen a committee more diligent or one which screened projects more than did this committee. I think it would be a shame to legislate upon the floor against them.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I am opposed to this amendment.

Mr. Chairman, the adoption of this amendment would destroy many fine and important projects in the planning stage. It would involve a very constructive and useful project in the district I have the honor to represent—the Cooper Dam and Reservoir. The $275,000, which this amendment would eliminate, is all that is necessary to complete the planning for the project. I consider this amendment as a very unrealistic and unreasonable approach. It is not an attempt to eliminate projects because they are lacking in merit; it is an effort to set up an unscientific standard or criterion for the purpose of eliminating this project and five others in the bill; it will probably affect more than these six projects.

The Cooper Dam and Reservoir will hold back the water that goes into Sulphur River and Red River and prevent destructive floods, property damage and loss of lives. In addition, the project is needed to furnish water for municipal, industrial and agricultural purposes.

The people in the area affected by this project are supporting it 100 percent. It embraces a large area where flood-control protection is urgently needed.

It is my sincere hope that this amendment will be voted down by an overwhelming vote.

Mr. HAYS of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Arkansas.

Mr. HAYS of Arkansas. Mr. Chairman, I hope the committee's action will be upheld and this amendment defeated.

The CHAIRMAN. The gentleman from Michigan [Mr. RABAUT] is recognized to close the debate on the pending amendment.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all Members be given permission to extend their remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SCRIVNER. Mr. Chairman, the amendment of the gentleman from Wisconsin [Mr. LAIRD] should be defeated.

Throughout the years this subcommittee has studiously investigated every project accepting or rejecting upon the merits as the committee sees them.

The Public Works Legislative Committee and this subcommittee have been studying these valleys and projects for years. They are thoroughly conversant with each. Each should be considered on its individual merits just as they have been in years past.

At this stage of proceedings who is to say that a project carrying a ratio of 1.18 as Pomona Reservoir should be written off—after the committee has approved. Especially this arbitrary amendment should not be adopted because the factors governing ratio vary from time to time and year to year.

Mr. SAUND. Mr. Chairman, I rise in opposition to the amendment.

This is not a wise way to cut this bill. It is to say that a project with a benefit-cost ratio of 1.2 is better than a project with a benefit-cost ratio of 1.19 to the extent that the latter project be eliminated. The methods of economic analysis and the ever-changing conditions in a given area do not permit arbitrary distinctions such as the amendment calls for.

The amendment is unfair on the basis of all that has been done before. It would deny many communities the life-saving benefits of flood control which other communities now enjoy just because of a difference of one-tenth of 1 point in a highly inexact formula.

The effect of the amendment cannot actually be assessed with respect to which projects it hits, since changes in benefit-cost ratios are constantly taking place.

Mr. RABAUT. Mr. Chairman, with respect to the projects in the planning stage the amendment will wipe out a number of projects for which the benefit-cost ratio is tentative until the planning is all completed. The ratios on many of these will actually go up as a result of additional planning.

It is impossible for the House to act intelligently on such an amendment unless it knows exactly what projects are involved. It is, of course, impossible to know exactly where this amendment will strike with respect to the 15 small authorized projects provided for or the 31 small flood-control projects included in the bill.

The gentleman names certain projects but the amendment is worded to cover possibly others. Unless these other unknown projects are included in his list, the amendment does not accomplish what he appears to be trying to do.

Mr. Chairman, I ask for a vote.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Wisconsin [Mr. LAIRD].

The amendment was rejected.

Mr. BYRD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BYRD. Mr. Chairman, the committee has provided a lump-sum appropriation of $8,900,000 for the 184 investigations programed in the budget justifications. I had intended to offer an amendment to add $45,000 to this item to permit a review by the United States Army Engineers of survey scope for flood control on the Guyandot River, West Virginia. In January of this year the areas along the Guyandot River suffered tremendous damage from floods and some lives were lost. Most of the area traversed by the main stream was designated as a "Major Disaster Area" by the President. I visited the flooded areas accompanied by Col. H. J. Skitmore, Huntington District, Corps of Engineers, and I have many photographs which will attest to the disastrous effect of the floods. There is no existing flood control project in the area, and the report of surveys submitted in 1931 in House Document No. 150, 72d Congress, 1st session, reported that no projects for flood control on the Guyandot River were economically justified at that time. However, an up-to-date study of flood control is now considered warranted by the Army engineers. During the first week of February I asked the House Committee on Public Works to approve a resolution authorizing a review of the report on the Guyandot River and tributaries published as House Document No. 150, 72d Congress, and the committee immediately requested a report from the Chief of Engineers. At this point I would like to include a letter which I addressed to the Honorable CLIFFORD DAVIS on February 27, requesting action on the resolution authorizing the Corps of Engineers to proceed with a review of the report:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 27, 1957.

The Honorable CLIFFORD DAVIS,
New House Office Building,
Washington, D. C.

DEAR MR. DAVIS: I just want to say again that I shall deeply appreciate any assistance you can give me toward expediting the approval by your committee of a resolution authorizing the Corps of Engineers to review a report of the survey submitted in 1931, House Document No. 150, 72d Congress, 1st Session, with respect to possible flood control measures in the Guyandot River Basin, West Virginia.

A recent flood of January 29, 1957, in the area of Logan, W. Va., and other areas along the Guyandot River caused considerable damage. I am confident that a current study of flood control in that portion of my Congressional district would be warranted.

Any assistance you can give me in this matter will be deeply appreciated by me.

With warm personal regards.

Sincerely yours,

ROBERT C. BYRD,
Member of Congress.

In the latter part of February a report was received from the Chief of Engineers by telephone, and a written report was addressed to the chairman of the House Committee on Public Works on March 15 by Col. Arthur C. Nauman, writing for the Chief of Engineers. The report was as follows:

REPORT OF THE CHIEF OF ENGINEERS

Mr. Chairman, Guyandot River, a tributary of the Ohio River, is located in southwestern West Virginia. It flows in a generally northwesterly direction for 166 miles draining a rugged mountainous basin of 1,671 square miles. There are no flood-control projects in the basin either completed or in a construction status; however, the authorized Mud River Reservoir is, at present, deferred for restudy because of its marginal economic justification. Local interests have requested that consideration be given to providing flood protection at a number of localities throughout the Guyandot River watershed. The flood of January 1957 caused major damage to developments in the basin. Three of the five counties traversed by the main stream are included in part of southern West Virginia designated as a "major disaster area" by the President following the destructive flood of January 1957. The flood problem is widespread, and a basinwide survey appears warranted to study practicable plan of flood control and protection. The proposed resolution would supplement the authority provided by a similar resolution adopted February 16, 1957, by the Committee on Public Works of the United States Senate for a review of the report on the Guyandot River and tributaries, West Virginia.

The estimated cost of a review of survey scope for flood control on the Guyandot River is $45,000.

I have no objection to approval of this review study.

For the Chief of Engineers:

ARTHUR C. NAUMAN,
Colonel, Corps of Engineers, Assistant Chief of Civil Works.

MARCH 15, 1957.

Mr. Chairman, the Committee on Public Works of the United States Senate has adopted a resolution authorizing a review of the report on the Guyandot River and tributaries. It would, therefore, be in order to amend the item in this bill to make it read $8,945,000 instead of $8,900,000. I have made several attempts to have the necessary moneys included, and I wish to insert in the RECORD a copy of my statement presented to the Subcommittee on Public Works of the House Committee on Appropriations, and I also wish at this point to include correspondence I addressed to the distinguished gentleman from Michigan [Mr. RABAUT] who acted as chairman of the subcommittee:

APRIL 16, 1957.

The Honorable LOUIS C. RABAUT,
New House Office Building,
Washington, D. C.

DEAR COLLEAGUE: Pursuant to your suggestion yesterday that I write you a letter explaining my request for an appropriation of $45,000 to permit the Army Engineers to make a study of the Guyandot River Basin (West Virginia), I am pleased to submit to your attention the following facts:

1. The Guyandot River, a tributary of the Ohio, is located in the southwestern part of West Virginia. It is 166 miles long and drains a mountainous area.

2. There is no existing flood control project in the area, and the report of surveys submitted in 1931 in House Document No. 150, 72d Congress, 1st session, reported that no projects for flood control on the Guyandot River were economically justified at that time.

3. The recent flood of January 29, 1957, in the area of Logan, W. Va., and other areas along the Guyandot River caused tremendous damage, and an up-to-date study of flood control is now considered warranted by the Army engineers.

4. The Committee on Public Works of the United States Senate has adopted a resolution authorizing a review of the report on the Guyandot River and tributaries in West Virginia published as House Document No. 150, 72d Congress.

5. The estimated cost of a review of survey scope is $45,000 according to information received from the United States Army Engineers.

It is my understanding that from 1 to 2 years would be needed for the proposed study by the Army engineers, and I hope that it will be possible for the necessary moneys to be provided during the present session so as to enable the Army engineers to proceed without delay. In view of the terrible devastating floods of January and February, I am confident that some kind of flood control measure will be recommended as a result of the proposed study and survey. The recent floods caused great damage and financial losses to owners of residential and business properties along the Guyandot River, and several persons lost their lives during the period of high waters. I have visited the area in the company of Col. H. J. Skidmore, Huntington District, Corps of Engineers, and I have several photographs which will attest to the disastrous effect of the flood.

If you wish me to supply your committee with information substantiating my request, I shall be delighted to do so.

With kindest regards.

Sincerely yours,

ROBERT C. BYRD,
Member of Congress.

I have had several discussions with the gentleman from Michigan about the matter, and he has been very sympathetic. The floods, of course, took place on January 29, which was after the budget had been prepared and submitted to the Congress. This circumstance made it very difficult, and virtually impossible, to have the necessary additional moneys added to the bill in committee. Consequently, as I have already stated, I gave careful consideration to the offering of an amendment at this time. After having talked with the House leadership and with various members of the committee, however, and realizing the temper of the House at this moment in respect of the matter of appropriations, I have come to the conclusion that it would probably injure the chances of ultimately getting the appropriation if an amendment were offered here and defeated. It is quite possible that the bill may be amended from another source, and were an amendment rejected here and now, the conferees of the House would be thereby bound to object to the addition of the necessary moneys. For this reason, I have taken the floor at this time to inform the House, and those who may later be selected as conferees, as to the necessity for an additional $45,000, the estimated cost of a review of survey scope for flood control on the Guyandot River Basin in West Virginia. I also want the House, and those who may act as conferees, to know that the United States Army Engineers have recommended such a survey. With this knowledge, a possible future area of disagreement between the two Houses may be resolved without difficulty.

I now wish to conclude by inserting in the RECORD my statement which was presented to the Subcommittee on Public Works Appropriations of the House Committee on Appropriations on May 7, 1957:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO SUBCOMMITTEE ON PUBLIC WORKS APPROPRIATIONS OF THE HOUSE COMMITTEE ON APPROPRIATIONS

I appreciate the opportunity to present this statement in support of my request that sufficient funds be appropriated for civil functions of the Department of the Army, so as to enable the Corps of Engineers to review the report on the Guyandot River, W. Va., which was House Document No. 150 of the 72d Congress, 1st session, and dated December 10, 1931. Specifically, I have reference to the item of $2,165,000 for flood-control studies which is included in the appropriation requested by the Corps of Engineers for general investigations.

For the reasons hereinafter set out, I respectfully recommend that the item of $2,165,000 be increased by $45,000, which, I understand, is the estimated cost of making the necessary review study of the 1931 report which was submitted to the Congress by the Chief of Engineers. The Committee on Public Works of the United States Senate has adopted a resolution authorizing such review.

The floods of January 1957 resulted in major damage to the areas traversed by the Guyandot River. The Guyandot, a tributary of the Ohio River, is located in southwestern West Virginia and flows in a generally northwesterly direction for 166 miles, draining a rugged, mountainous basin of 1,671 square miles. The damage to 3 of the 5 counties traversed by the Guyandot was so serious that these counties were included in that part of West Virginia designated a major disaster area by the President in his proclamation of January 31, 1957.

Since the disastrous flood damage occurred subsequent to the preparation of budget requests by the Corps of Engineers and, moreover, in view of the urgency for any necessary corrective measures to avoid a repetition of similar flood damage, it is suggested that the subcommittee give consideration to the advisability of recommending the inclusion of specific language in the legislation for the purpose of assuring the availability of funds for the purpose of such review study.

The 1931 report of the Chief of Engineers on the Guyandot River stated as follows:

"After due consideration of the above-mentioned reports, I concur in the recommendations of the Board of Engineers for Rivers and Harbors. Destructive floods do not occur on this river and irrigation is unnecessary. * * * I therefore report that the improvement of Guyandot River, W. Va., for navigation in connection with power development, the control of floods or the needs of irrigation, or any combination thereof, is not deemed advisable at the present time."

The recommendations contained in the above report, which was made over 25 years

ago, have been refuted by present conditions. Nonetheless, no action to prevent a recurrence of the January flood disaster can be planned prior to a review of the above report which, it has been estimated, will cost $45,000.

For the above reasons, I respectfully recommend that the amount of $2,165,000, requested for flood control studies, be increased by the sum of $45,000 in order to provide for review of House Document No. 150 of the 72d Congress.

Mr. NEAL. Mr. Chairman, will the gentleman yield?

Mr. BYRD. I yield to the gentleman from West Virginia.

Mr. NEAL. I should like to compliment my colleague from West Virginia on the effort he has made in behalf of appropriations for the study of this flood condition that exists in the Guyandot River. We have suffered at the headwaters of the Guyandot both in the State of West Virginia and in the flood areas in Kentucky just across the river to a very, very serious extent only during the last 12 months. This is a very, very important study. I thoroughly approve it, and I certainly would be very glad if the committee of conference could see fit to add this small amount to this fund for the study of this proposition.

Mr. BYRD. I thank the gentleman for his contribution.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word, in order to make a brief announcement for the benefit of my colleagues. As Members know, I like to keep them informed as soon as I can about the prospects of the program.

The Federal Construction Contract Procedures Act will not be considered this week. The chairman and the ranking minority Member asked me if it could be put over to next week, and I could do it very easily. That bill will not come up this week. I want to make a brief announcement. If the program which I announced last week is completed by Friday, we will then go over until Monday.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. H. CARL ANDERSEN. Will the gentleman inform me if it is the serious intention of the leadership to call up the bill H. R. 72.

Mr. McCORMACK. It is on the program, yes.

Mr. H. CARL ANDERSEN. I might say that that particular bill is very controversial and a group of us are determined to kill it if possible.

Mr. McCORMACK. The gentleman from Massachusetts as majority leader is simply trying to cooperate with the membership and to let them know if we dispose of the program that was announced last week by Friday, we will go over until Monday. Of course, I always have a flexible mind. I try to be constructively flexible. But, if the program is completed by Friday, then we will go over until Monday.

Mr. CANNON. Mr. Chairman, there are no further amendments at the desk. I have consulted with the ranking minority Member, and I now ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that all debate on the pending bill, and all amendments thereto, do now close.

Mr. VANIK and Mr. METCALF objected.

Mr. CANNON. Mr. Chairman, if I may modify my request, I ask unanimous consent that all debate on this bill, and all amendments thereto, close in 15 minutes.

Mr. VANIK. Mr. Chairman, I would have to object. I have an amendment.

Mr. TABER. Mr. Chairman, if any amendments are going to be offered, I think we ought to know that before we agree on closing debate.

Mr. CANNON. Mr. Chairman, I understand there are no amendments pending at the desk.

The CHAIRMAN. There are several Members on their feet indicating they have amendments to offer.

Mr. TABER. If there are any amendments that are going to be offered, I would want to reserve a few minutes.

Mr. VANIK. Mr. Chairman, I have an amendment. I object.

The CHAIRMAN. Objection is heard.

Mr. AVERY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not rise to ask for any items to be placed in this bill that are not in it, nor do I rise to oppose any items that have been recommended by the committee. Those of you who have been here for two or more years know that I probably have had as much personal experience with flood-control projects as anybody in the House, and particularly with one more commonly known as the Tuttle Creek project. And, I have several more in the planning stage. I have taken the floor to make this observation. It appears fairly clear to me that it is the intent of the Congress to proceed with the construction of numerous public-works projects over the domain of the United States. Since that is the case, I think it is the responsibility of this House to review the policy toward the people displaced by these various projects. I might add that little consideration is given to these people with reference to establishing the value of their property and toward their relocation and toward their overall economic and sociological problems. As long as we were just building one project a year, it is not a very serious proposition, but with the tempo that has now been reached in this program, it seems to me that it is highly important this whole philosophy of the treatment of displaced persons under the right of eminent domain of the Federal Government be reexamined. I wonder if the gentleman from Michigan can tell what, in his judgment, would be the proper treatment for a town that is surrendering its corporate entity as a result of one of these projects and which has a public indebtedness and bonds outstanding which were purchased in good faith. Who is going to be responsible for that indebtedness? Who would pay off those bonds?

Mr. RABAUT. It would not be under any proposition for the Appropriations Committee.

Mr. AVERY. I realize that. Proper jurisdiction would lie in the legislative committee. But the gentleman has worked on this matter.

Mr. RABAUT. I do not know that I fully understand the gentleman's question, but it would be a matter to be worked out with the people whose properties were wanted. I do not think it would revert to the Congress of the United States.

Mr. AVERY. Is the gentleman saying that the people are going to be displaced without compensation?

Mr. RABAUT. No; if they are going to be displaced by something the engineers intend to do—is that the gentleman's question?

Mr. AVERY. That was my question.

Mr. RABAUT. That is going to be taken into consideration. Nobody is going to be displaced without being adequately compensated.

Mr. AVERY. I did not believe the gentleman understood my question. It is what will be done in the case where there are public indebtedness bonds outstanding on the corporate community and the community is surrendering its corporate identity.

Mr. RABAUT. Any injustice done to a community that is moved or taken away because of some project of the Federal Government should be corrected and the people concerned should be reimbursed for the inconvenience and the losses they sustain.

Mr. AVERY. I certainly thank the gentleman for his statement.

Mr. BOLLING. Mr. Chairman, will the gentleman yield?

Mr. AVERY. I yield.

Mr. BOLLING. As the gentleman knows, I have always strongly supported these flood-control projects in the Kansas City area. I recognize and am entirely sympathetic with the problem faced by the gentleman from Kansas and which he has been working on. I know he has been working on legislation which he feels will give them a fair break in their displacement and I certainly am sympathetic with that objective.

Mr. AVERY. I appreciate the gentleman's sympathy, but can I depend upon his support when this legislation reaches the floor for a vote?

Mr. RABAUT. Mr. Chairman, if the gentleman will yield, I want to be sure my explanation to the gentleman was a proper answer to his inquiry.

Mr. AVERY. I think the gentleman's final response indicated that the gentleman understood my question.

Mr. RABAUT. I did not understand the gentleman's question at first.

Mr. AVERY. The gentleman's position is that people or communities who suffer any loss because they are displaced by one of these projects should be amply compensated.

Mr. RABAUT. That is correct.

Mr. AVERY. I thank the gentleman for his statement.

Mr. ENGLE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I desire to call the committee's attention to the language on page 17 of the committee report referring to the Corning Canal. I read the following:

> With respect to the Corning Canal distribution system the State Securities Commission has turned down a request for approval of a repayment contract because of the 160-acre limitation which it contained. The Bureau of Reclamation has no authority to execute contracts without this limitation and funds will not be needed for the Corning Canal until all legal questions are settled with respect to the 160-acre limitation.

I called the committee staff just prior to the time the bill was voted out and directed attention to the fact that the State Securities Commission of California had reversed its position and had approved the Corning Canal contract. However, these contracts have to go through 2 or 3 steps; one is that the contract has to be approved by the State Securities Commission; thereafter the contract has to be validated by the local superior court, and as a consequence this contract still has one hurdle to go over.

But I want to direct an inquiry to the gentleman from Michigan with respect to this matter in order that the record may be plain, and that is that the appropriation is held up on the Corning Canal because of the effect of the decision of the Supreme Court of California invalidating the 160-acre limitation rather than the action of the State Securities Commission which was reversed and the contract approved. I submit the question to the gentleman from Michigan as to the correctness of the facts in order that the RECORD will be clear on that point.

Mr. RABAUT. Mr. Chairman, the gentleman told me he was going to ask me about that and I am very happy to give him the information that the committee has.

The statement in the committee report on page 17 that the State Securities Commission had turned down the request for approval of the repayment contract on the Corning Canal was based on the testimony given by the Bureau of Reclamation on April 3, 1957.

It was not until after the full committee reported the bill that the Bureau advised the committee that the State Securities Commission had recently reconsidered a modification of the contract and had given its approval.

However, as stated in the committee report, the Bureau of Reclamation has no authority to execute contracts without the 160-acre limitation which has been set aside by the decision of the California State Supreme Court. Until settled, funds cannot be used for new work on the Corning Canal and therefore they have been deleted from the bill.

Mr. ENGLE. I thank the gentleman for his statement. It does correct the RECORD. I may add that the Corning Canal is about 90 percent complete. These people are perfectly willing to sign a contract with the 160-acre limitation in it. I hope that before long we can get ourselves out of the legal difficulties we are in there in California with reference to the 160-acre limitation and that the final 10 percent of the canal can be completed so that water service may be rendered to the people and the Federal Government commence to receive repayment of the money it has spent.

Mr. VANIK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. VANIK: On page 8, line 24, strike out "$113,046,223" and insert "$112,646,223."

Mr. VANIK. Mr. Chairman, the purpose of this amendment is to eliminate the allocation for the Little Wood River project, in southern Idaho, which is a new start this year.

The Little Wood River project was first authorized by the 84th Congress on the last day and almost the last hour of the second session by Public Law 993 approved August 6, 1956. The legislation last year authorized an appropriation of $1,880,000 plus such amounts as may be included in change of construction costs. We are now told that the Little Wood River project is going to cost $2,151,000 of which $400,000 will be allocated for expenditure in the next fiscal year.

We are spending millions of dollars for price-support programs. Last week, Secretary of Agriculture Benson said the dairy program was the most expensive of all our farm programs, currently costing $500 million a year. I am advised that the wheat price-support program costs only a little less than that.

Here is a project that is solely for the purpose of increasing production of the very agricultural commodities of which we have a surplus.

According to the letter from the Secretary of the Interior, about half of the land to be irrigated is devoted to forage crops and about one-third to grain. Completion of this project at a cost of $400,000 this year and at an ultimate cost of more than $2 million will bring about an anticipated yield of 5 more bushels of wheat per acre to add to our surplus.

According to the Secretary of the Interior—page 28:

> A considerable increase in dairying is expected if an adequate supply of late-season irrigation water becomes available for pasture. The numbers of cows milked are expected to increase by about 50 percent.

So if this bill passes, we are spending $400,000 to increase production of wheat and dairy products, prices of both of which we are spending other hundreds of millions of dollars to support.

I also am disturbed by the reference—page 27—to the fact that—

> A few large beef herds are maintained in conjunction with a few cattle feeding enterprises.

It may be that here we are appropriating money for only a few big operators.

During the debate on the appropriation bill for the Departments of Labor, and Health, Education, and Welfare, the gentleman from Idaho proposed amendments that would reduce the appropriations for the Department of Labor by $96,300; these amendments were approved. The gentleman from Idaho suggested that his purpose in submitting these amendments was to cut back expenditures in that Agency to the level of last year's budget.

A majority of the House agreed with him that we should not increase our expenditures for new positions in the Office of the Secretary of Labor, in the Office of the Solicitor to enforce the Fair Labor Standards Act and in the Bureau of Labor Standards. The gentleman from Idaho also sought to cut $136,000 from the Bureau of Veterans' Reemployment, in this case a majority of the House disagreed with him. He also attempted to reduce expenditures for the Bureau of Public Assistance by $100,000. That amendment was also rejected.

Here is an opportunity to save the money he sought to save by those amendments, to save the $236,000 and more besides and not embark on any new programs or new projects in the next fiscal year.

I cannot understand why, in a year of crop surpluses, we should be spending $400,000 for a new start on a project to increase these surpluses.

Meritorious as the project may be, it would appear that in view of the present national debt, the huge expenditures for defense and the rising interest rate here is a place where we can save a little money and postpone this project to some future time when we are not spending money to build up an agricultural surplus.

I cannot profess to qualify as an expert in the economics of the area, but I can read, and if I read correctly, this legislation seeks to appropriate $400,000 now as the down payment on a total bill of $2,151,000 of the taxpayers' money to expand the water-retaining capacity of a reservoir for the benefit of 80 farmers at a cost of $27,000 per farmer. The average net income for each farmer is reported at $1,770, and I presume that one-half of this net income found its way to the farmer from the Federal Treasury by way of soil bank payments or parity in some form or another. If we were to appropriate this sum of money as an outright gift to the 80 farmers, we could double their net income for the next 16 years.

It seems to me that the sum of money required is completely out of line with the benefits contemplated. This should really be a private bill for the benefit of 80 farmers.

Mr. RABAUT. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. Mr. Chairman, frankly this comes to me as a complete surprise. I do not know just what to say. I had not thought that there would be reprisals of this kind attempted because of my efforts to do what I thought was my duty to the people of my Congressional

district and of this Nation. And I say to the gentleman that those efforts in which I believe will be continued so long as I am privileged to be a Member of this body, action of this nature notwithstanding.

The record as to my efforts to obtain economy in the operation of the Federal Government is patently clear that those efforts have been diverted at all agencies and all activities and have never at any time been centered upon any particular agency or activity. In a nutshell, my philosophy diverts that economies be made wherever they can be made and as the House knows they have extended to all governmental activities.

However, I think that we ought to spend just a minute and a half to see what the Little Wood River project really is. To start with, it does not bring in one new acre of land. One feature is the flood-protection benefit to the people who live down below an existing dam and who have been living in threats of their lives and properties for some years. The second feature is the furnishing of supplemental irrigation water to farms that have been in the valley for many, many years.

Now, the project has a benefit to cost ratio as shown by the Department of 2.17 to 1, which is substantially higher than most of the projects that are called for in this bill. All the irrigation is 100 percent reimbursable to the Federal Government under the reclamation laws passed by this Congress some 55 years ago, and my recollection is that some 80 percent of the entire cost will be repaid to the Federal Treasury by the people in this little valley. Contrast that with the dozens and dozens of projects in this bill where there is very little if any local contribution.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. BUDGE. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Chairman, I am surprised that a spite action of this kind would take place on the floor of the House of Representatives. The gentleman from Idaho [Mr. BUDGE] has, when he thought they were justified, voted for millions and millions of dollars, hundreds of millions of dollars of worthy projects for every section of this country. To have someone offer a spite amendment such as this is beyond my understanding of good legislation.

The CHAIRMAN. The time of the gentleman from Idaho [Mr. BUDGE] has expired. The Chair recognizes the gentleman from California [Mr. SISK].

Mr. SISK. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from Montana [Mr. METCALF].

The CHAIRMAN. Without objection, the gentleman from Montana [Mr. METCALF] is recognized.

There was no objection.

Mr. METCALF. Mr. Chairman, I should like to continue along the line of the gentleman from California [Mr. SISK]. According to the Bureau of Reclamation, there are presently authorized 185 reclamation projects, many of which have been authorized since 1944 and on which work has not yet begun.

According to the Corps of Engineers, there are 29 multiple-purpose projects authorized, but not under construction, and the corps list does not include 1,170 other projects, among them channels, harbors, locks, dams, reservoirs, all authorized for construction, but projects on which the Committee on Appropriations has decided that they do not want to appropriate money or that they should not be started at this time.

A complete list follows:

AUTHORIZED PROJECTS, OR UNITS OF PROJECTS, NOT UNDER CONSTRUCTION

St. Margarita project; Canadian River project; Washita Basin (construction funds appropriated); Minidoka project, American Falls division (modification of authorization required for construction); Crooked River project; Little Wood River project; Wapinitia project, Juniper division; Washoe project.

MISSOURI RIVER BASIN UNITS

Yellowtail, Ainsworth, Farwell, Almena, East Bench, Garrison diversion, Glen Elder, Hardin, Kanapolis, Lavaca Flats, Oahe, Shoshone extensions, Abbey, Absaroka, Albion division, Alzada, Bald Ridge, Battlefield, Belle Fourche pumping, Benteen Flat, Bighorn, Bismarck, Blacktail, Bonanza, Bronco, Brush, Burnt Creek, Cartwright, Cedar Rapids division, Chestnut Valley, Cheyenne pumping, Clarkston, Cove No. 1, Cove No. 2, Cracker Box, Crazy Horse, Crazy Woman, Crow, Crow Creek Gravity, Crowheart, Culdesac, Diamond Ranch, Dunmore, DuNoir, Edgemont, Elm Coulee, Forsythe, Fort Hale, Fort Keogh, Fort Thompson, Gallatin, Glasgow Bench, Grass Rope, Great Falls, Greenwood, Haley, Hancock Flats, Hardscrabble, Hathaway, Hobson, Horsehead Flats, Hudson Bench, Hunter Mountain, Huntley No. 2, Huntley No. 3, Iron Nation, Kaycee, La Framboise, La Roche, Lewistown, Little Bighorn, Little Wind, Lower Powder units (28), Lyon, Madison, Manley, Marsh, Medicine Lake (north,) Medicine Lake (south), Mirage Flats extension, Missouri diversion, Moorhead, Muggins, Narrows, Nesson, Newlan, Nickwall, Mohle, North Republican, North Sanders, Oliver-Sanger, O'Neill, Orinoco, Painted Woods, Paintrock, Pease, Pierre, Pine Ridge, Portage, Red Rock, Rock Creek, Ross Fork, Rousseau, Saco Divide, Sadie Flat, Saugus-Calypso, Seven Mile Flat, Seven Sisters, Sheridan, Shoestring, Shoshoni, Shotgun, Sidney, Sitting Bull, South Bench, Square Butte, Stanford, Stipek, Sun extensions, Sunlight, Teton slope, Thief Creek, Tongue pumping, Tower, Townsend, Ucross, Ulm, Valley View, West Bench, Whitehall, Whitehorse Bench, Williston, Wilson (irrigation only), Winona, Wogansport, Wyola, Yankton, Yellow Bluff.

COLORADO RIVER STORAGE PROJECTS AND PARTICIPATING PROJECTS

Curecanti unit, Central Utah-Vernal, Emery County, Florida, Hammond, LaBarge, Paonia, Pine River extension, Seedskadee, Silt, Smith Fork, Lyman.

ACTIVE MULTIPLE-PURPOSE PROJECTS NOT UNDER CONSTRUCTION

Alabama: Jones Bluff Lock and Dam, Millers Ferry Lock and Dam.

Arkansas: Beaver Reservoir, Bull Shoals Reservoir.

Kentucky: Booneville Reservoir, Celina Dam.

Missouri: Stockton Reservoir.

Montana: Libby Reservoir.

Oklahoma: Denison Reservoir, Short Mountain Lock and Dam.

Oregon: Green Peter Reservoir, John Day Lock and Dam, Waldo Lake Tunnel.

South Dakota: Big Ben Reservoir.

Tennessee: Carthage Dam.

Texas: Belton Reservoir, Denison Reservoir.

Virginia: Gathright Reservoir and Falling Springs Reregulating Dam.

Washington: John Day Lock and Dam, Little Goose Lock and Dam, Lower Granite Lock and Dam, Loser Monumental Lock and Dam.

DEFERRED MULTIPLE-PURPOSE PROJECTS NOT UNDER CONSTRUCTION

Arkansas: Degray Reservoir.

Kentucky: Jessamine Creek Reservoir.

Tennessee: Stewarts Ferry Reservoir, Three Island Reservoir.

Virginia: Salem Church Reservoir.

INACTIVE MULTIPLE-PURPOSE PROJECTS NOT UNDER CONSTRUCTION

California: Table Mountain Reservoir.

Texas: Neches-Angelina Rivers Rockland Dam.

I think the gentleman from Idaho [Mr. BUDGE] should have his project tested by the same test that he establishes for other people's projects and by the same test that he established in the hearings of the committee. In those hearings he said, talking about a Columbia Basin project:

> In view of the present agricultural situation, where we do not need agricultural commodities right at this time, it seems to me that we ought to have the Bureau explore which of these projects could be deferred that are not now brought up to almost complete construction.

Here is a project that has not been brought up almost to complete construction. Here is a new start. This is the newest, the shiniest, the brightest, the last project that has been authorized of all those projects that I have mentioned and the project is not for flood control and not for relief downstream. It is purely an irrigation project involving irrigation for the 80 families that the gentleman from Ohio [Mr. VANIK] talked about.

The members of the Appropriation Committee this year have repeatedly said that there are going to be no new starts this year. This statement was reiterated during the discussion on this bill today. There was no authorized planning. Earlier today the gentleman from Idaho mentioned the language on page 15 of the report. One of the unauthorized investigations which drew comment from the chairman of the subcommittee was this project (see p. 271, pt. I, Hearings). No planning money has ever been authorized for this project. No warning that this newly authorized project was going to get clearance ahead of other authorized projects. It is a worthwhile project. I voted for it in the Interior and Insular Affairs Committee. But so are all these other projects worthwhile and many are more deserving than the one under discussion.

In response to a request from the House of Representatives, President Eisenhower on April 18 wrote the Speaker a letter on holding Federal costs and activities to a minimum. This was printed as House Document No. 155.

President Eisenhower strongly urged the House to improve the Federal budgetary situation by taking several steps. They included the following suggestions:

> Sixth, reject new projects not approved by all interested parties, including the affected States; provide, where appropriate, for more local participation in approved projects; and withhold authorization and

construction of all but urgently needed projects.

This is certainly not an urgently needed project.

It seems to me that since this Congress has passed the Small Projects Act to provide that projects of $10 million or less which could be sponsored by local participation, should be so sponsored. that we should defer this project and take a new look at it. The State of Idaho and the people of Idaho should come in under the Small Projects Act for the kind of local cooperation and participation that we have heard about a good deal today, the kind of local participation recommended by President Eisenhower.

Deferring this project does not mean that this project will not be built. It means that we can have local participation such as has been suggested many times today.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. SCUDDER].

Mr. SCUDDER. Mr. Chairman, I yield to the gentleman from Idaho [Mr. BUDGE].

Mr. BUDGE. I very much appreciate the gentleman's yielding to me.

Mr. Chairman, I simply wanted to make this further explanation as to the merits of this project. My State has been referred to here. It so happens that there is not one 5-cent piece in this bill for construction of an Army engineers project for the entire State of Idaho. The nearby States of Washington, Oregon, Utah, Colorado, Arizona, Nebraska, Wyoming and particularly Montana and California are all participating heavily in appropriations as is the State of Ohio in this bill, but there is not one 5-cent piece in here for the Corps of Army Engineers for construction in the entire State of Idaho.

I am nevertheless happy to see those projects come in other States because I think they will help the people of those areas, but I see absolutely no reason to delete a project which has the benefits of this project, and which have been so amply shown all the way through the history of the consideration of the project, simply because somebody does not like some of the recommendations which I have made and which I have made in honest and good conscience. If we commence legislating in that manner, which I know we will not, then the Congress will have reached the end of the road.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts, [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I hope this amendment will be defeated. The gentleman from Montana said this is one of the shiniest and newest projects. Well let me say this is one of the best projects we have offered to this committee. This is not in its entirety a new project. This is a new extension of an old project. It raises the reservoir from 12,000 acre feet to 30,000 acre feet. For what major purpose? For the major purpose of supplying flood control to the people who live downstream. That is the purpose for which this Public Works Subcommittee reported this particular project.

It seems to me if there is going to be any opposition to a project of this kind, those who oppose it have the responsibility of coming before the committee and not justifying the project itself. This was not done in this instance. There was no opposition to it.

I suspect one of the reasons why this project was singled out was because of the opposition the gentleman from Idaho gave you on some bills we have previously considered. That is not a good ground for knocking this project out. It is a good project. It has a good benefit-to-cost ratio. What difference does it make if it was authorized in the 84th Congress? This is not the first time we have had a project on the floor of recent authorization. That has happened many times during my service on the committee.

I hope this amendment is defeated, and defeated overwhelmingly.

The CHAIRMAN. All time on the pending amendment has expired.

The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. MILLER of Nebraska. Mr. Chairman, I move to strike out the last word and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Chairman, I rise to ask a question as to why a project was not placed in the bill, because it is a feasible project. I am not going to ask that it be put in, but I should like to ask some questions about the Ainsworth project and the Farwell projects in Nebraska.

According to the hearings, page 890, the Ainsworth project has a benefit ratio of 2.16 to 1, which is more than the average project in the 17 Western States. The Farwell project has according to the report a 40 percent payback by the irrigators.

I also notice in the report of the committee, on page 17, these words are used in connection with the Ainsworth project:

> The repayment contract requires only $8.82 per acre, leaving more than 70 percent of the total irrigation repayment allocation to be made up from Missouri River Basin power revenues. The committee continues to be concerned about the amount of irrigation repayment obligations being loaded on the income from the sale of power in the basin. In the case of this particular project the committee fails to understand why more favorable repayment contracts requiring a larger repayment on the part of the beneficiaries of irrigation cannot be arranged. This is a new construction start which can be delayed pending an examination of the possibility of an increase in the repayment by the irrigation beneficiaries.

I would call the attention of the committee to the fact that the average repayment in the Missouri River Basin on 13 projects is only 17 percent. This repayment is 30 percent. It is hard for me to understand why with that repayment record it should not have been included in this bill. On the Farwell project, the committee report shows the repayment is 40 percent. I am wondering what percentage the committee would require to get a project authorized and money appropriated for the start of construction. Both projects were approved by the Bureau of the Budget. The administration made a request for funds and they were denied. These are excellent projects—can some one on the Appropriation Committee tell me why the funds were denied?

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. H. CARL ANDERSEN. I might say to the chairman I have been a little disturbed over the fact that these two particular projects in the State of Nebraska were left out of the bill. Might I suggest that the gentleman direct his line of thinking to the gentleman on the other side, and I, for one, as a member of this subcommittee will give very serious consideration to this matter in conference.

Mr. MILLER of Nebraska. I will do that shortly. I know the committee worked hard and that the staff has worked hard on all projects in this bill. I know it is a big job to get these things adjusted, but here are two projects—with reference to one the committee says the irrigators pay back 30 percent and on the other they pay back 40 percent. The average is only 17 percent on 13 projects in the Missouri River Basin. The balance under reclamation law is paid out of nonreimbursable funds or from revenues from the Missouri River Basin project. I am just wondering what the committee might expect in the way of repayment so that these projects might go forward. Is there any comment from the gentleman from Michigan [Mr. RABAUT] or from the gentleman from Missouri [Mr. CANNON] in that respect? What do they expect of these people in the way of repayment?

Mr. RABAUT. Just as the gentleman said, I think the report reflects exactly the thinking of the committee, as the gentleman has just read from the report.

Mr. MILLER of Nebraska. Is 30 percent or 40 percent the right proportion?

Mr. RABAUT. Some of them are some way and some are another. This one is the way it is and this is our decision with reference to this particular situation. As the gentleman just said we have worked very hard on this, and I think this is one of the best reports I have ever seen in my 21 years in the Congress.

Mr. MILLER of Nebraska. I know the committee has worked hard, but you are human and can make mistakes. I know also you had some trouble with the Bureau's witnesses in getting information from them. I thought, perhaps, it was due to the fact that they did not give you the right information so that you could properly evaluate these two projects. These projects are far better than the average and they do have the approval of the Bureau of the Budget. The people in the area have met all legislative requirements. They want to go forward. The entire average repayment on the Missouri River Basin is only 17 percent and here are two projects—one for 30 percent and the other for 40 percent. What is wrong with them? I am looking for an answer.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. JENSEN. This is one of the things that happens. You know human beings have human frailties, regardless of whether they are Congressmen or not. I can understand, as I said yesterday, the concern that the gentleman has about these two projects being thrown out. I know considerable about the Ainsworth project, especially because I traveled over that project. It is a good project. I hope the gentleman will be successful in getting these two projects reinserted in the bill because as projects go they are above the average irrigation project.

Mr. MILLER of Nebraska. I thank the gentleman very much. I shall try to get these items inserted in the bill before the other body and feel certain when this is done, the conference committee will accept them.

Mr. CANNON. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks on the bill at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, the action of the Public Works Appropriation Committee in sharply reducing the investigations program of the Bureau of Reclamation is difficult to reconcile with the mounting concern throughout the Nation that our limited water supplies be wisely and efficiently utilized. The many Federal commissions, such as the Hoover Commission and the President's Advisory Committee on Water Resources Policy, and the several non-Federal groups, such as the National Rivers and Harbors Congress, the National Reclamation Association, and the Engineers Joint Council, have been firmly united in the view that the once abundant water resources of the Nation are now, in many areas, approaching saturation of use or are already over extended. These groups agree also that it is vital to future economic development that the remaining water supplies be conserved and put to their best use and that this can be assured only through thorough and intelligent planning. Each President of the United States over the past 2 decades has recognized this situation and has repeatedly called it to the attention of the Congress in his annual State of the Union address.

In the western half of the country the Bureau of Reclamation is the foremost agency of the Federal Government concerned with the control, conservation, and use of water. In view of the almost unanimous view of experts that greater rather than less planning effort is required, it is difficult indeed to understand or to justify a 25-percent cut in the planning activity of the Federal agency most concerned with the water problems in that portion of the Nation where water supply is most limited.

It is even more difficult to accept the wisdom of such an action in the face of the widespread droughts that have plagued significant areas of the West in the past few years. These droughts have been more severe than any heretofore recorded, and have caused serious economic privation. Although heavy rains of the last 2 months have relieved the drought in some areas, only the most persistent optimist would consider such relief anything but temporary. One of the foremost measures to combat droughts is through development of reclamation projects. These cannot be conceived, planned, and put into operation on short notice. Rather, it takes years of concentrated planning to provide for a normal Federal irrigation undertaking. It is not too soon now to start preparing for the next series of droughts which we can be certain will occur. This can hardly be done by severely cutting back the planning activities of the Bureau of Reclamation.

A 25-percent cut in the planning program of the Bureau for the next year can have serious consequences that may extend for years. It means a 25-percent reduction in an engineering force built up over many years and specifically trained in the field of water-resources development. With the fierce competition now prevalent for engineering talent, these highly trained specialists will be lost to the Federal Government and their later replacement will be difficult if not impossible.

The amount of money involved in the proposed cut, $2,432,000, is but a fraction of 1 percent of the funds covered by the entire bill. Yet, failure to appropriate these funds can seriously delay or deprive a major portion of the West of the opportunity to bolster its economic development through wise, adequately planned use of its water resources. Acceptance of this proposed reduction in the planning activities of the Bureau of Reclamation would be shortsighted economy at its worst. I strongly urge that the funds for this purpose requested by the President be restored.

Mr. ULLMAN. Mr. Chairman, I am not going to offer any amendments to the public-works appropriations bill now before the House. I refrain from doing so out of respect for the Appropriations Committee's judgment that projects not included in the budget bill not be approved.

However, I do want to express my considered opinion that in limiting its approval to projects in the budget, the House will be passing over several excellent projects of great importance to the Columbia River Basin.

I am fully cognizant of the country's desire to economize. But I feel that it is, indeed, false economy when we fail to grasp the untapped potentialities in the Pacific Northwest which are offered by these projects.

Mr. Chairman, in particular I want to express my concern over the failure of the public-works bill to include funds for initial construction work on the John Day Dam project. Past appropriations have been utilized to complete all planning required prior to initial construction. Construction of the John Day Dam would mean the ready availability of an additional 1,100,000 kilowatts of low-cost power. It would mean additional storage for flood control and irrigation and recreational benefits. And let us not forget that nearly all of the money appropriated by Congress for the John Day project would be returned to the Federal Treasury. Thus, failure to include funds for construction of the John Day Dam means that we are passing over an opportunity to make a sound and secure investment.

Equally important to the Pacific Northwest is the Vancouver to the Dalles ship channel. Previously authorized by Congress, the appropriation of funds for the dredging and expansion of this project would mean the opening of a vast industrial and agricultural empire in the Columbia River Basin. Navigation of oceangoing vessels would be made possible far inland. Again, failure to appropriate money for this project is false economy for it unnecessarily retards the development of a vast region of our Nation.

Finally, I wish to register my deep concern over the reduction in funds for the Bonneville Power Administration. The Bonneville Power Administration, after making deductions for the cost of transmission facilities and for other operating expenses, is still far ahead of schedule on its payout into the Federal Treasury. Thus, the funds involved in this cut are not actual costs to the taxpayers but are funds which would be fully realized out of power revenues obtained from the Bonneville system. I feel that this cut is, indeed, unwise as it will jeopardize the earning capacity of the Federal Bonneville system.

Mr. PORTER. Mr. Chairman, on behalf of the people of the Fourth Congressional District of Oregon I would like to bring to the attention of the House some important items in the bill under consideration.

First, and most important, is the amount recommended for the further preconstruction engineering and design of the Green Peter Dam project on the South Santiam River in Linn County. I still feel, as I told the committee earlier, that this project is in great need of sufficient funds to complete the preconstruction planning during the coming fiscal year. The Army engineers have said time and again that they could use $500,000 for this purpose during fiscal year 1958, an amount which would allow them to complete the planning and make the project ready for actual construction in fiscal year 1959. However, the administration and the Appropriations Committee have recommended an amount of only $225,000. This will surely put the entire project behind a full year in its expected date of completion, according to the Army engineers.

This is doubly tragic, since the area in which the dam is to be constructed suffers annual heavy flood damage because of the lack of this project. Part of the flood damage is the result of the fact that Detroit Dam has been completed on the North Santiam, keeping the flood in check along that stream, while the waters rush down the South Santiam and across the flood plain to the north into the lower levels of the other tributary. As long as this differential is allowed to continue, the situation will lead to further flood damage each year and will

not be corrected until Green Peter Dam is completed. An expenditure now of an additional $275,000 will mean, in the end, a full year in which this constant threat will not be present.

Another important item to be considered is the amount recommended for appropriation for examinations and surveys by the Army engineers. In one particular case, the budget and the committee recommendation includes no funds for a survey report which has been recommended by the Army engineers in connection with improvement of the Umpqua River from the mouth of the harbor to Reedsport, Oreg. This item would cost only $7,000 and has the full support of the engineers and of local interests. The survey itself was authorized in February of 1956. I believe the money for this survey report should be appropriated.

In another serious case, there was a mistake made, administratively, at the district level by the Corps of Engineers in regard to the amount of money required for a survey report on the Rogue River. This is a most important report, on which will be based the future construction to resolve the serious flood-control problems in the Rogue River Basin. The engineers originally thought they could complete the survey report with funds already appropriated, but found, after a preliminary survey, that additional funds would be required. This was determined too late to request the funds in the normal way for the fiscal year 1958 budget. Therefore, in order to keep this critical report from being delayed for a full year, I suggest that this requested additional appropriation of $44,000 be approved, despite its inclusion in the committee's recommendations.

Two other items deserve consideration. One is the Coos and Millicoma River project, which has been authorized, but for which the administration has not seen fit to request an appropriation. The Army engineers have said they are ready to begin planning of this project and could actually complete planning in the coming fiscal year with an appropriation of only $19,000. It seems unwise not to grant this small appropriation and get the planning under way, so that construction may be started in fiscal year 1959.

The other item is known as the Willamette River Basin bank-protection project, for which the administration has requested only $300,000 during the fiscal year 1958. The Army engineers have admitted that they have sufficient pledges of local participation from bank-protection districts so that a total amount of $800,000 in Federal funds could profitably be expended in the next fiscal year. I earnestly recommend that the House consider adding the $500,000 which will keep this important work from slipping still farther behind in its schedule. The project was originally authorized in 1936 and is still only about 52 percent complete.

In conclusion, let me say that I believe the committee has generally done a fine job on this complicated legislation. In the face of administration pressure to scuttle many of the fine programs begun by Congress, members of the committee refused to cut sharply into appropriation requests which had already been pared to the limit before coming to Congress.

Mr. DONOHUE. Mr. Chairman, I most sincerely hope that this public-works appropriations bill for fiscal year 1958 will be overwhelmingly approved by the House today.

I speak in particular appeal for the approval of the flood relief and protection projects included in this measure that are so vitally important to so many people throughout this country. I am, of course, quite naturally concerned for the extension of assistance in protection of the lives, safety, and physical properties of the people in my own area, while at the same time extending my deepest sympathy and full support to the people of the other sections of the country who well understand the tragedy of heavy loss of life and property destruction that follows in the wake of these terrible floods, hurricanes, and other disasters from uncontrolled elements.

I express the sentiments of the people of my area in extending our gratitude to the distinguished chairman and industrious members of the committee who have recommended the approval of $1,500,000 to begin actual construction of the Worcester, Mass., flood diversionary tunnel.

The people of my home city of Worcester and surrounding area are unfortunately only too well acquainted with the havoc that is wrought by raging floods.

It is an unpleasant experience to be an eyewitness to the tragedy that is visited upon a community, its people, and its property when roaring waters pour uncontrolled over bridges, and through the streets. We had this terrible experience in August of 1955 and, please God, with the completion of this tunnel it will never happen again.

The aftermath of such flood occurrence in loss of life, property damage, lost employment, and lost business is staggering to the imagination even in its effect upon an average community.

It is entirely beyond human imagination when we try to picture the amount of destruction of life and damage to property that has occurred so frequently, in recent years, in all the several States throughout the Nation. Financial losses, which can never be precisely measured, would unquestionably be up in the billions. We cannot, of course, even approach the placing of any material value upon the loss of life accompanying these tragedies.

Commonsense reflection makes it convincingly clear that the prevention and control problems of these natural disasters cannot be local or statewide but must be regional and national.

All of the people and communities who have so suffered very well appreciate that neither the individual victim nor the burdened State can alone or together survive and recover from the devastating impact of flood destruction.

They realize, as did this conscientious committee, the necessity of reasonable assistance being extended from the Federal Government to help them construct proper facilities to prevent the recurring damage and disaster of floods.

All the projects included in this bill have been thoroughly reviewed, for vital necessity and strict economic feasibility by the competent Corps of Army Engineers.

The evidence and testimony has been fully and carefully examined by the committee before whom it was my pleasure and duty to appear on several occasions with respect to the flood problems of my own area.

Assistance in the protection of the lives, safety, and property of American taxpayers, when they are unable to fully do it themselves, against uncontrollable natural disasters, is a primary responsibility of the Federal Government and is certainly a sound investment in the general welfare of our Nation. The evidence is clear; the vital need for assistance is obvious; the projects listed in this bill are certainly in the national interest. I earnestly hope and urge that the measure be approved without further extended debate.

May I also, Mr. Chairman, express my hope that this body will see fit, in the very near future, to approve a reasonable appropriation to initiate a Federal flood insurance program as was authorized here last year.

We all realize, as most of us emphasized at the time, that such a program is difficult to project but most of us were agreed, when we passed the authorization bill, that in the overall picture Federal assistance in these circumstances could best and most economically be handled through Federal participation in some type of insurance program. We all appreciated that the private insurance companies cannot be expected to undertake the full task and most individuals and businesses could not of themselves afford the premium cost.

This type of program admittedly will require long experiment and patient study, but in consideration of averting the enormous property losses and economic catastrophes that result from these natural disasters, the experiment would undoubtedly prove a wise investment for the good of all Americans. The expectation and pledge that we would try to assist our American citizens in this problem was contained in the authorization bill we passed. Let us then fulfill that pledge by providing a limited appropriation to begin the program at the earliest moment.

Mr. CANNON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House without amendment, with the recommendation that the bill be passed.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes, had directed him to report the bill back to the House with the recommendation that the bill do pass.

Mr. CANNON. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McBride, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2243. An act to amend the Atomic Energy Act of 1954, as amended, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7221) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 2, 5, and 16 and that the Senate recedes from its amendments numbered 15 and 17 to the above-entitled bill.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 57–13.

THE WATKINS DECISION

Mr. ROOSEVELT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, those few of us who stood firmly against the contempt resolution concerning Mr. Arthur Miller have been called many things, including pseudoleftwing liberals, Communist apologists, and other terms to attempt to discredit our views. Now that the Supreme Court of the United States has clearly and by a large majority sustained our viewpoint and pointed incisively to the path ahead, it must be hoped that instead of vituperation, the fundamental correctness of the Supreme Court's position will be accepted and followed.

Many editors from all parts of the country have applauded the words of the Chief Justice, and a review of the sources indicates that they come not from left-wing publications or even from so-called liberal publications, but from responsible editors to whom the rights of the individual under our Constitution and under our Republic are recognized as the basis of our continued success as a Nation.

I include below from the New York Times and the Washington Post and Times Herald, two such opinions:

[From the New York Times of Wednesday, June 19, 1957]

THE WATKINS DECISION

The opinion of Chief Justice Warren in the Watkins case is a major pronouncement of the Supreme Court on the rights of the individual citizen before investigating committees of the Congress.

What the Court has done in this long-awaited decision is to limit the scope of Congressional inquiry by requiring Congress to be more precise in defining the authority of its investigative committees than it has always been in the past, and by restricting the power of Congress to subject witnesses to vaguely defined fishing expeditions. Watkins, a labor organizer who fully admitted past cooperation with the Communist Party, was cited for contempt by the House Committee on Un-American Activities for refusing to testify concerning some former associates. The Court has now reversed his conviction on the ground that, in layman's language, the committee was engaged in unwarranted freewheeling, and its questions were not related with nearly sufficient precision and clarity to a specific legislative purpose.

Granting that "the power of the Congress to conduct investigations is inherent in the legislative process," the Chief Justice pointed out that every investigation "must be related to and in furtherance of a legitimate task of the Congress" and that "there is no Congressional power to expose for the sake of exposure."

Mr. Warren added that it is "unquestionably the duty of a citizen to cooperate with the Congress in its efforts to obtain the facts needed for intelligent legislative action"—an important point that the general tenor of the Watkins decision must not be allowed to obscure. The Court did not state that Watkins should under no circumstances reveal the names of his former associates. It did say that the committee's questioning was done in such a manner and in such a context that Watkins was "not accorded a fair opportunity to determine whether he was within his rights in refusing to answer, and his conviction is necessarily invalid" as a violation of due process.

The Court warned Congress to take "a measure of added care" in authorizing the use of the compulsory process—"a small price to pay if it serves to uphold the principles of limited, constitutional Government without obstructing the power of the Congress to inform itself." The Chief Justice's thoughtful and sensitive comments on the far-reaching effects and implications of some of the more notorious congressional investigations deserve wide reading. His opinion as a whole stands as another monument to the return of reason on the matter of civil rights and liberties in the United States.

[From the Washington Post and Times Herald of June 19, 1957

BLOW TO RANDOM INQUIRY

The Supreme Court on Monday powerfully reasserted its guardianship of individual liberty. This reassertion was especially needed and long overdue in regard to the excesses of certain Congressional investigating committees—most notably the House Committee on Un-American Activities. In reversing the conviction of John T. Watkins for contempt of Congress, the Court drew new and clearer boundaries for the application of Congressional investigating powers.

These boundaries might have been, and should have been, clarified a decade ago. In the Barsky case, decided by the United States Court of Appeals for the District of Columbia in 1948, Judge Henry Edgerton set forth in a dissenting opinion many of the same strictures against the Un-American Activities Committee's investigating methods that were made by Chief Justice Warren for the Supreme Court in the Watkins case—and made again, when Watkins was before them by Judges Edgerton and Bazelon. Had the Supreme Court consented to review the Barsky case, investigating practices might have been brought within proper limits and much injustice to individual witnesses avoided.

"We have no doubt," the Chief Justice said for the Supreme Court on Monday, "that there is no Congressional power to expose for the sake of exposure. The public is, of course, entitled to be informed concerning the workings of its Government. That cannot be inflated into a general power to expose where the predominant result can only be an invasion of the private rights of individuals." But from its very inception 20 years ago, the Un-American Activities Committee regarded exposure of individuals—and punishment of them through pitiless publicity—as its principal and primary function. In short, it aimed to punish by investigation what the Constitution forbids Congress to punish by legislation.

The power to investigate, however, is merely an adjunct of the power to legislate. "Clearly," as the Chief Justice put it, "an investigation is subject to the command that the Congress shall make no law abridging freedom of speech or press or assembly. While it is true that there is no statute to be reviewed, and that an investigation is not a law, nevertheless an investigation is part of lawmaking * * * Abuses of the investigative process may imperceptibly lead to abridgement of protected freedoms."

The Un-American Activities Committee has operated as a kind of roving satrapy, intruding into almost every aspect of American life, oblivious to any consideration of privacy and unfettered by any limitation in the House resolution which created it. Its jurisdiction is so vague, the Court concluded, that witnesses called before it have no means of determining whether the questions put to them have relevancy to any legitimate Congressional purpose. "Prosecution for contempt of Congress," Justice Frankfurter said in a concurring opinion, "presupposes an adequate opportunity for the defendant to have an awareness of the pertinency of the information that he has denied to Congress." There was plainly no such opportunity in the hearing given to Mr. Watkins.

The Court decision in no way strips Congress of its power to investigate. "The legislature is free to determine the kinds of data that should be collected," the Chief Justice pointed out. "It is only those investigations that are conducted by use of compulsory process that give rise to a need to protect the rights of individuals against illegal encroachment. That protection can be readily achieved through procedures which prevent the separation of power from responsibility and which provide the constitutional requisites of fairness for witnesses." The decision is a landmark in the long struggle to keep Americans free from oppressive and arbitrary governmental power.

WINNERS OF AMVETS MEMORIAL SCHOLARSHIPS

Mr. HALE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HALE. Mr. Speaker, I would like to call the attention of the House to the fact that yesterday afternoon seven young men and women who this year won AMVETS memorial scholarships, appeared in the gallery of the House.

One of the young ladies, Miss Judith Walsh, comes from my district in Portland, Maine. She is a graduate of the Portland High School and plans a career in social service work.

Day before yesterday, these young winners were presented trophies by President Eisenhower in ceremonies at the White House.

This group includes the highest scorers in the nationwide competitive examination given to select the AMVETS winners which totaled 15 this year.

These students have shown an awareness of the need this Nation has to develop human resources to the fullest. They include 3 who desire a career in science and research; 2 who wish to become teachers; and 2 who wish to enter social service and personnel work.

In presenting these scholarships AMVETS is doing a great service to the Nation by providing the means for more young people to obtain the training and knowledge they will need to become more valuable citizens in the future.

I regret that the debate on the conference report yesterday prevented my calling attention to the presence of these young people while they were actually present in the gallery.

NEW JERSEY MOURNS THE PASSING OF CHIEF JUSTICE ARTHUR T. VANDERBILT

Mrs. DWYER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mrs. DWYER. Mr. Speaker, this week New Jersey—and the Nation—suffered a great loss in the passing of Chief Justice Arthur T. Vanderbilt of New Jersey's Supreme Court.

Chief Justice Vanderbilt was an exceptional man in many ways.

He was the father of New Jersey's new judicial system, which is recognized as a model among all the States.

But, even above his successful crusade for court reforms, the influence of his intellect, his courage and his integrity was felt far beyond the boundaries of his home State.

In his lifetime, he achieved national distinction at the bar and on the bench. He was famed as an educator, as a writer on jurisprudence, as authority on judicial procedure and as a political leader helping shape State and national policies of the Republican Party.

He was former dean of the Law School of New York University, and he served as president of the American Bar Association—an honor accorded him 30 years ago by his fellow lawyers in recognition of his extraordinary talents.

Chief Justice Vanderbilt was interested in government reform as well as in the improvement of our courts.

He was still an unknown lawyer, earlier in this century, when he set out to fight a corrupt and discredited political machine in his home county of Essex. That fight lasted for more than 10 years, but in the end Arthur Vanderbilt drove the entrenched political machine from power.

As the Newark Evening News recalled in an editorial this week paying tribute to this great man, "He used his power to give Essex one of the best county governments in the Nation, outstanding for its honesty and efficiency; and in Trenton his representatives fought for the same policies, consistently opposing extravagance and increased tax burdens."

For many years, Mr. Vanderbilt crusaded against New Jersey's antiquated and cumbersome judicial system. It was a crusade beset with much opposition and many setbacks. But finally, with the adoption of a new State constitution, of which he was one of the chief architects, he was given the opportunity—through appointment as New Jersey's first chief justice under the new constitution—to put into practice the theories and principles for which he had fought.

The success of the new judicial system which he shaped is eloquent testimony to the soundness of his wisdom and vision. As a result of the court reforms he instituted, New Jersey today stands high among the States in the conduct of its judiciary system.

Throughout his life, Chief Justice Vanderbilt drove himself relentlessly, with a complete dedication to the things he believed in. Indeed, he was on his way to his desk last week when he was stricken.

This week, in the Christ Episcopal Church of Short Hills, N. J., where Chief Justice Vanderbilt had worshipped for more than three decades, hundreds of persons gathered to pay their last respects to this man who played so vital a role in his State's modern history.

I join with all the citizens of my State in an expression of grief over his death.

New Jersey and the Nation have lost a great legal mind; a man dedicated to the moral responsibilities of citizenship and the integrity of law.

It is tragic that Chief Justice Vanderbilt was not spared to continue his work. His accomplishments, however, will remain as shining and enduring monuments to his memory.

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE FIRST PUBLIC SINGING OF "AMERICA"

Mr. CURTIS of Massachusetts. Mr. Speaker, I ask unanimous consent of the immediate consideration of House Concurrent Resolution 196.

The Clerk read the House concurrent resolution, as follows:

Resolved by the House of Representatives (the Senate concurring):

Whereas the 4th day of July 1957 marks the 125th anniversary of the first public singing of the inspiring patriotic hymn "America" by a chorus of children in the Park Street Church, Boston, Mass., beside historic Boston Common; and

Whereas the hymn "America" was written by the Reverend Samuel Francis Smith in the town of Andover, Mass., February 1832; and

Whereas it is the sense of the Congress that this anniversary should be given due recognition because this hymn has touched the life of the Nation through the countless voices which have joined in singing "My country 'tis of thee": Therefore be it

Resolved, That this 125th anniversary of the first public singing of "America" be commended to all citizens for appropriate recognition during the week of June 30 through July 6, 1957, the "125th Anniversary of 'America' Week."

The SPEAKER. Is there objection to the present consideration of the House concurrent resolution?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and I shall not object, the gentleman from Massachusetts has cleared this matter with the leadership on both sides, also with members of the subcommittee of the Committee on the Judiciary as well as the chairman of the Committee on the Judiciary and the ranking member thereof. Is that correct?

Mr. CURTIS of Massachusetts. That is correct.

The SPEAKER. Is there objection to the present consideration of the House concurrent resolution?

There was no objection.

The House concurrent resolution was agreed to and a motion to reconsider was laid on the table.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CURTIS of Massachusetts. Mr. Speaker, "My country 'tis of thee" are words which have touched the life of the Nation through the countless voices which have joined in singing them. Those words are the unofficial lyrics which most often have brought the voice of our citizenship into patriotic chorus.

It is entirely fitting that the Congress should by resolution give recognition to the 125th anniversary of the first public singing of America.

Massachusetts and the 10th Congressional District are proud of the fact that this great patriotic hymn was first sung publicly on July 4, 1832, in the Park Street Church beside historic Boston Common.

EXTENSION OF PUBLIC LAW 480

Mr. ANFUSO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANFUSO. Mr. Speaker, sometime this week the House is going to have under consideration the extension of Public Law 480. I am heartily in favor of this act because it is one of the most humane, yet practical, pieces of legisla-

tion ever passed by Congress. It promotes the foreign policy of the United States by a wise sale or distribution of our surplus agricultural commodities; it helps to develop markets in foreign countries, satisfy hunger and deprivation, accumulate strategic and critical materials, and to discharge our own obligations abroad.

Certainly, Public Law 480 has had salutary effects throughout the world. It has demonstrated that we have tremendous resources with which to help friendly peoples and those desiring to be free. Great Britain, France, Italy, Greece, Turkey, and many others fall into this category.

ISRAEL

One of the most striking examples of how Public Law 480 can operate to the benefit of the United States and the country purchasing our surplus agricultural commodities is that of Israel. This law has been of considerable value to Israel. Agreements between the United States and Israel regarding the purchase of some of our surplus foods under Public Law 480 date from April 1955, and these agreements have been renewed several times since then.

I am sure it will interest many of my colleagues to know that in the 2 years 1955 and 1956 Israel purchased surplus commodities from us under title I of Public Law 480 in the amount of $51 million, most of it being wheat and feed grains. Specifically, Israel bought from us 257,847 tons of wheat, 214,886 tons of feed grains, 11,257 tons of beef, 1,249 tons of nonfat dry-milk solids, and various other commodities, including butter, vegetable oils, cotton, and tobacco.

The purchase of these commodities has proven of great importance to the economy of Israel. In the first place, it helped to establish minimum stocks of basic foods needed in Israel, whose population is growing constantly due to large-scale immigration. Second, our surplus commodities have helped raise the level of consumption of foods which were not readily available in Israel before and they have markedly improved the diet of the population, particularly the protein deficiency.

The result is that, because of Public Law 480, certain of our agricultural commodities have been introduced to the Israeli market, while the consumption of other United States commodities was substantially increased. This will undoubtedly have a long-range effect in developing a market in Israel for American agricultural products. For example, Israel used to purchase the bulk of its wheat from Canada, but now it obtains most of its wheat from the United States; and from the preference shown for our supplies, I feel certain Israel will from now on remain a good market for our wheat. To some extent, a similar market is developing there for our feed grains, butter, nonfat dry-milk solids and other products from the United States.

An interesting situation in Israel concerns butter. Many of the Israelis come from Europe, the Middle East, and north Africa, where they had developed a taste for sweet butter. In recent years, salted butter was introduced from America and the Israelis grew to like it so much that consumer demand in Israel now is for American butter, meaning our salted butter.

From these and similar experiences, it is quite probable that no other country has utilized Public Law 480 so well within the intention and framework of this law as has been done in Israel.

For the coming fiscal year, Israel has submitted a program in the neighborhood of some $50 million worth of surplus agricultural commodities, which it desires to purchase in this country. The program was submitted in April of this year, but to date no action has been taken on it pending the availability of funds and passage of the bill now under consideration to extend Public Law 480.

During the past year, as we all know, there have taken place important events on the international scene which brought about a new mass immigration into Israel. It is estimated that in 1957 Israel will receive at least 100,000 new immigrants, many of these coming from Egypt, from Hungary, and other countries behind the Iron Curtain. All of these people must be speedily integrated into the economy of Israel; they must be fed and clothed.

To help in this task, the Israeli Government desires to purchase from us during the coming year the following commodities: 250,000 tons of wheat; 240,000 tons of corn; 14,000 tons of beef; 10,000 tons of butter; 9,850 tons of nonfat dry-milk solids; and lesser quantities of cottonseed oil, tallow, cheese, beans, dried fruits, and so forth.

Finally, I want to refer to one other matter in connection with the Israeli program under Public Law 480. It is noteworthy that operation of this law has suffered to some extent from certain illegal activities of others. I have in mind the Arab blacklist of vessels serving Israeli ports, which is aimed against Israel's economy. As many of my colleagues well know, any vessel which calls at an Israeli port is immediately blacklisted by the Arab countries. This means, the vessel cannot call at the port of an Arab country and it is not permitted to pass through the Suez Canal by Egypt.

The result is that American shipowners are reluctant to charter vessels for shipment of commodities to Israel, except at premium rates. Consequently, charter rates are higher than usual, and under Public Law 480 the United States has to pay 50 percent of freight charges. Because of this illegal shipping situation resulting from the Arab blacklist, Israel is forced to set up larger programs and purchase more food commodities in order to have sufficient stockpiles to eliminate a hand-to-mouth dependence on a tight-shipping position.

Thus you see how important Public Law 480 is to Israel. What Member of Congress would deny help to that bastion of freedom in the Middle East? Yet the delay in extending the law has prevented the continuance of the program in Israel, because no agreement can be signed until the law is renewed.

SPAIN

And now, let us look briefly at what has been done in Spain with Public Law 480. As you know, Spain is strategically located in the Mediterranean and our air and Navy bases there are among the best security investments ever made by the American taxpayers. This has been certified by military experts and hailed as one of the greatest accomplishments of American diplomacy.

The agreements we have with Spain under Public Law 480 have helped the economy of that country and turned former hostile feelings to genuine friendship for our personnel stationed there. All of which insures the security of our military bases and magnifies our strength in the struggle against world communism. In this respect the efforts of Ambassador Areilza of Spain, who for many years has sought to promote friendly relations between our two countries, are noteworthy.

Let us now examine what can be done to win over to our cause the friendly people of Poland through the extension of Public Law 480. It is my honest conviction that providing food to the people of Poland at this time will have a greater effect on those people and on their attitude toward us than all our propaganda over the Voice of America and other mediums. This is a great struggle for the minds of men, so let us not miss another golden opportunity.

UNITED STATES LABELS ON SURPLUS FOODS

May I at this point call attention to a matter which should be watched carefully and promptly corrected where the abuse is practiced. I refer to the fact that in some areas abroad certain political opportunists rip off American labels from our surplus foods and substitute their own. This type of careless distribution has resulted in anti-Western and pro-Communist groups using American surpluses to build good will for themselves.

I believe that shipment of our supplies should be cut off for any country or agency which rips off our labels or fails to advise the beneficiaries that the food is a gift from the American people. In the struggle against communism abroad, it is imperative that the United States should receive full credit for its generosity.

And one other comment which I feel is very important. Our agricultural attachés in foreign lands are no longer attached to the State Department, as we all know. By an act of Congress, they are now directly responsible to the Secretary of Agriculture. It is my opinion that we should do everything in our power to make these men more efficient representatives of the United States and better salesmen of our agricultural surpluses.

AID TO POLAND

Now, I should like to refer briefly to the controversy which has arisen over the question of aid to Poland under Public Law 480, particularly the question whether we should regard Poland as a friendly or unfriendly nation because of its Communist government. We cannot declare by law a people to be unfriendly to us. Certainly that would be

untrue in the case of the Polish people, which has a long tradition of friendship for the American people.

In this particular case, it would be absolute folly on our part to close the door to the Polish people from ever becoming our friends, when we know that traditionally they are a freedom-loving people. Have we so quickly forgotten the great debt of gratitude which our country owes to men of Polish descent, such as those intrepid champions of human freedom like Gen. Casimir Pulaski and Gen. Thaddeus Kosciusko, who distinguished themselves during the American Revolution? Their very names are watchwords for liberty, and their deeds are part of the imperishable record of America's struggle for independence. They and many others of Polish descent, who have joined their destinies with those of America, have made tremendous contributions to the upbuilding of our country and its way of life.

The Polish nation, which has lived for nearly 1,000 years in spiritual, religious and cultural relationship with the Western nations, is now cut off from the West. Human liberty suffered a severe blow when Poland's independence was wiped out so ruthlessly, first by the Nazis, and later by the Communists. Nevertheless, the spirit of the Polish people remained indomitable. Their desire for human rights and justice, for democracy and religious freedom, is today stronger than ever. I, for one, have great faith in the Polish people and their destiny. I believe that a nation which has produced men with the courage and determination of Pulaski and Kosciusko will one day break the shackles of slavery and live once again in freedom under God.

In recent months the people of Poland, entirely unaided from the outside, made considerable strides forward in achieving some degree of freedom and reestablishing their links with the West. It is still not to the extent that we would like it to be, but let us not forget that Soviet Russia is a next-door neighbor and that Russian troops are stationed on Poland's borders. But even if there is only a tiny fire of freedom burning in Poland today—and I believe there are many such fires and they are not tiny—then we should kindle that fire and not let it die.

We must continue to give the Polish people hope, we must give them the fullest moral and spiritual support, but most of all we must give them physical sustenance in this crucial period. We must take into account that Poland must follow a careful and restrained policy so as not to jeopardize the little it has gained so far. Rash action in Hungary, which brought back Soviet armies and tanks, should be a lesson to us as it undoubtedly is to the Poles.

Poland urgently needs huge foreign credits and expansion of her foreign trade. The recent negotiations in Washington have shown that Poland needs, above all, food, raw materials, and certain commodities for her industry. Unless she obtains these, hunger and unemployment could lead to a disastrous situation which would be an invitation to Soviet intervention. Under the circumstances, it is no longer a question whether the present Polish Government is more friendly or less friendly. This is academic and impractical at the moment.

After the revolution of October 1956, when the Gomulka government came to power, we made a voluntary promise of aid to the Polish people. We must keep that promise. Failure to keep our promise to the Poles would only show to the rest of the world that American promises are meaningless and unreliable. In the long run, the loss would be ours, not only Poland's. Let us look at it this way: We are undertaking a gamble in Poland by supplying our agricultural commodities, but it is a risk well worth taking.

I think it is also important to note that Poland is not looking for grants from us. They want to purchase this food. They want to obtain enough wheat from us which would enable them to complete the decollectivization of their agriculture. In other words, the Poles are trying to set up a free market, and this will require considerable stockpiles to offset inflation. They also want to obtain enough cotton from us to keep their textile factories running and their people working. Both wheat and cotton are in abundant supply in this country, and we could hardly make better use of these commodities than in this instance.

If we can extend a helping hand to Poland at this time by enabling her to obtain some degree of economic security and less dependence on Russia, then we will have strengthened her hand and encouraged her to seek greater independence from Russia. Several years ago, we in this country talked of help to the satellite countries short of war. What better opportunity of aid short of war than this can we hope for? Or will we let this opportunity slip by, just as we did during the Hungarian revolt? Shall we refuse this aid now and push Poland further into the Russian orbit?

At this point I should like to inform my colleagues that Americans of Polish descent are strongly in support of aid to Poland, notwithstanding the fact that their ancestral home is governed by a Communist regime. Leading organizations and spokesmen of this group are urging support of legislation to aid Poland.

Mr. Speaker, I am inserting into the RECORD the text of a brief telegram I received from Mr. Charles Rozmarek, president of the Polish American Congress, as well as an earlier statement by the same organization on Why Poland Should Be Helped; also a brief telegram from the president and secretary of the Polish National Alliance of Brooklyn. Finally, I am putting into the RECORD a statement by Cardinal Wyszynski, of Poland, which was forwarded to me by Boleslaw Wierzbianski, president of the International Federation of Free Journalists.

WASHINGTON, D. C., *June 3, 1957.*

Hon. VICTOR ANFUSO,
House Office Building,
Washington, D. C.:

Opinion of Americans of Polish descent is undivided and enthusiastic in support of legislation which would enable aid in the form of credits to Poland. Urge you to be on the floor Tuesday, June 4, and oppose any amendment to the Agricultural Trade Development and Assistance Act which would prevent aid to the Polish nation which is gallantly striving to free itself from Moscow domination.

CHARLES ROZMAREK,
President, Polish American Congress.

WHY POLAND SHOULD BE HELPED—A STATEMENT BY THE POLISH AMERICAN CONGRESS

Since the October upheaval in Warsaw, when, in the wave of unrest and discontent of the population, Polish Communists recognized the urgency of needed economic and political reforms, American sympathy for Poland has been growing rapidly. From humanitarian and, to some extent, diplomatic views, at least 90 percent of American press and radio and television commentators favor technical and economic help for Poland. However, in this gratifying wave of sympathy for the Polish people, a sense of apprehension could be detected. One question is being frequently asked—whether, while helping Poland we would at the same time strengthen the Soviet Union and communism?

The answer to this question is an emphatic "no" for the following reasons:

1. The Polish people are painfully aware of the fact that Communist concepts of economy and industrial planning have brought them to the brink of disaster. The Communists themselves accepted this truth by retreating from such spheres of economic activities as the collectivization of farms which has been brought to a standstill, and complete socialization of small private enterprises which has been abandoned.

These two examples prove beyond doubt that the Polish people have forced Communists to a considerable retreat from stubborn entrenchment in Marxist-Leninist theories and practices. And this is only the beginning. Given more time, and moral as well as material support, the Poles will eventually go farther on the road to complete independence.

2. Polish national interests, historic evolvment as well as cultural and spiritual ties with western civilization clash with Communist designs for world domination. Polish implacable hostility toward communism in general and toward Russian colonialism in particular is a proven fact of history.

There is no danger—that by helping Poland economically we would be strengthening communism and the Soviet Union. On the contrary, stronger and more independent Poland would mean a gradual retreat of communism in central and East Europe and would effectively oppose Russian designs for conquest.

Another argument is being set forth even by people whose sympathy toward Poland is sincere, that there is a great risk involved in helping the Polish people now. They say that American aid for Poland would provoke Russian wrath against the Poles. They add that the Polish people have already aroused Russian antagonism to a breaking point.

Let us bear in mind, therefore, that the Poles are well aware of the risk. They are willing to take it. The very fact that they asked us for help instead of begging the Kremlin for handouts, proves beyond doubt that Poland wants to return to the western family of nations where her national birth placed her a thousand years ago. The Poles have already taken a risk by turning to the West. It should be evaluated as a calculated risk. They are risking far more in turning to us than we are risking in granting them help.

The stakes are high and worth the chance both for Poland and for the United States. In the long view of history—the Communist system of government forced on Poland by

the might of Russian Army, is only transitory. Poland as a nation successfully opposed Russification in the past and, with her boundless devotion to freedom and democracy, will emerge victorious from Communist oppression. But she needs our help and fully deserves to be helped in her hour of dire need.

Finally, some aspect of Poland's foreign policy are being used in arguments against a large scale help. We should remember that Poland's current foreign policy is not of her own choice. It has been linked to Russia with full consent and support of the Western powers at Yalta. Poland is not yet able to follow an independent course in foreign affairs. This can develop only in accordance with the amount of material and moral help that Poland could get from the West.

BROOKLYN, N. Y., *June 7, 1957.*

Hon. VICTOR L. ANFUSO,
House of Representatives,
Washington, D. C.:

Re your highly civic and humanitarian position in the matter of loan and aid for Poland we would like to express our sincere gratitude and deep appreciation. Your action is a proof that wherever the matter concerns rendering Samaritan aid for destitute nation which not of its own accord found itself under the influence of communism, it represents the true essence of American people, which through its entire history has been a symbol of beauty and nobleness. Your action is gaining even greater recognition by the people because it surpasses all small controversies of the people who only cause difficulty in securing the aid for Polish nation hiding under various frames of formalities.

CZESLAWA DURSKA,
President.
POLISH NATIONAL ALLIANCE,
OF BROOKLYN, U. S. A.,
JOSEPH A. GLOWACKI,
Secretary General.

INTERNATIONAL FEDERATION OF
FREE JOURNALISTS,
New York, N. Y., June 7, 1957.

Hon. VICTOR ANFUSO,
United States House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: Having observed your recent interest in connection with aid to Poland, I think that you may perhaps be interested in the attached text, a declaration by Cardinal Wyszynski to representatives of Americans of Polish origin when they visited Poland recently.

In his statement the Cardinal expresses the hope that Poland will not be denied Christian help.

Sincerely yours,
BOLESLAW WIERZBIANSKI.

STATEMENT BY CARDINAL WYSZYNSKI OF POLAND

(People in your press are also wondering whether help should be offered to Poland or not. When you look at your child, which is sick, do you stop to think whether you should help it or not? When you see your mother in distress do you pause to think it over, to consider whether it would be politically advisable for you to help her? Dearest children: Do not commit this terrible mistake of refusing, for various political fancies, of refusing assistance, bread and kindness to those, who are in such great need of assistance, bread and kindness. * * *)

And in this respect, my attitude may be very individual and different, but full of conviction and full of truth, as I trust and understand it. We stay here, and we want to stay here, we know the needs of the nation and we appeal for help for this nation. We beg, perhaps we sometimes do it in a manner highly humiliating to us; perhaps it is not correct to lower oneself to such an extent, to beg as humbly as that, for fear of endangering one's dignity. Let the politicians defend the prestige of the nation; let them defend their dignity as statesmen; it is sometimes their duty not to go beyond the bounds of national dignity.

But I am not a politician nor a statesman. I am simply a child of my nation and if the good of that nation demands that I humble myself, why then I shall humble myself regardless of all raison d'etat, of all political considerations. My policy in the first place is to feed the hungry, to clothe the naked, to give the poor a roof overhead. And let anyone, whoever and wherever he may be, judge me as he pleases, it is of no importance to me in this case. I am doing my duty, and so I say: Tell your sisters, tell your countrywomen, tell your daughters, tell your husbands that the primate of Poland on his knees, because it is not his duty to fight for his dignity, that he is begging you for help for the hungry, for the naked, for the sick, of whom there are very, very many in our land, and for the homeless.

It is none of our fault that every 10 or 20 years Poland is swept by a tempest of war which tears every stone from the heart of Polish soil, destroying the foundations of everything we have built. You have seen Warsaw, with what terrible toil it is being built. This is being built often at the price of hunger, at the price of some sacrificed pleasure, at the price perhaps of some rag to protect those who are at the mercy of gold. But it is being built all the same because it must be built, because we cannot live under the open sky, although God is so good. And when various nations constantly destroy our home, all we can do is to rebuild it and this we do calmly and with patience, and we shall continue to do so.

CONGRESSIONAL INVESTIGATION OF COMMUNISTS

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. JACKSON. Mr. Speaker, it is axiomatic that those who engage against the fiendish conspiracy known as communism offer themselves as targets of abuse, vilification, and unmitigated calumny. The history of the fight against the Red threat here in the United States records the names of many men of different faiths and political persuasions who have gone to death or bitter defeat either as a direct result of a dedicated struggle against the enslavement of free men, or in some way incidental to their battles.

International communism has won many spectacular victories over the laggard forces of free men since Marx and Engels joined in a Paris attic in 1848 to set down in written form the scattered and nebulous tenets of an old and revolutionary doctrine. The Communist Manifesto, the handiwork of the two, has constituted the guideline and the holy writ of a succession of tyrants determined to mold the minds and the wills of men in to the distorted and brutal shape of their own.

In this effort they have not been unsuccessful. Nearly a billion human beings, willing and reluctant, today live under the heel of a regime in which there is neither humility, decency, nor a fundamental concept of human ethics. The agents of the princes of Communist darkness are drawn from every country on the earth's surface, and with a single purpose they diligently strive to destroy their own governments and deliver their own blood brothers into the grip of their foreign masters. The Communist tie is tight, its demands insistent, and its discipline unyielding. When one voluntarily undertakes a pledge of allegiance to the worldwide conspiracy, he renounces his faith in God, his belief in his fellow man, and his hopes for anything beyond and above the crass materialism of the plotters. He becomes, absolute and without reservation, an instrument of Soviet doctrine and a Typhoid Mary of Soviet policy.

The military threat of the Soviet has been largely contained due to the effective countermeasures taken in concert by an aroused world. The processes of political infiltration of other governments has also been slowed by a new alertness and a new awareness of the nature of the threat and the methods and techniques used to achieve diplomatic coups. But the greatest and the most insidious weapon wielded so effectively in the past by the Lenins, the Stalins, and the Khrushchevs still functions behind the lines of the forces of freedom and within the capitals of the Free World.

The depredations and the treason of United States Communists need not be recounted here. They are well established and documented beyond the slightest question. Perhaps the extent to which Communists and their advertent and unwitting allies in this country sabotaged their own homeland will never be known fully, but enough is known of their activities to establish the fact that the deaths of thousands of American men can be placed squarely before the American agents of the Communist conspiracy. We know of the transfer of hundreds of military and diplomatic secrets to the agents of the Communist conspiracy abroad, but how many additional hundreds or thousands of secrets followed the same route through the same or other hands will probably never be known. Again, I stress the fact that the Communist, whatever the land of his birth, whatever his station in life, his education, his profession or occupation, is first and last one whose total allegiance, complete faith, and unalterable dedication is with the Soviet Union.

Monday, June 17, was truly black Monday for the American people. That day culminated in the Supreme Court of the United States a long series of events which served to completely nullify and vitiate the efforts of the Congress of the United States and of the FBI to seek out American agents of the conspiracy and to legislate on findings for and on behalf of the people of the United States and our security against the acts of traitors.

On Thursday, June 27, I shall speak here in the House in more detail on this subject of transcendal importance to the Congress, whose right to determine and to inquire has been directly challenged by the Supreme Court. In my opinion, and in the opinion of many others in the Congress, the present situation demands

the immediate and undivided attention of both Houses, unless we are to find ourselves stripped of constitutional authority to act in the face of acknowledged peril. I appreciate that many Members cannot be on the floor after a long day, but I do hope that all of the membership will take time to read my remarks, and will give earnest and thoughtful consideration to the problems which have arisen as the result of recent decisions in the Supreme Court.

A NEW BRICKER AMENDMENT

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, today I have introduced a new Bricker amendment, one that is as strong as the original Bricker amendment, although it presents an entirely different approach to the problem of executive agreements. The original Bricker amendment has been watered down so much to meet the objections of the President and the State Department that even if passed it would not prove an effective check upon the executive. The present Bricker amendment is a very poor substitute, in my opinion, for the original amendment submitted by Senator BRICKER.

In its original form the Bricker amendment stated, in effect, that all future executive agreements must be ratified by the Senate, the same as treaties, before having the full force and effect of law. The argument in support of the Bricker amendment is that if executive agreements are to have the force of law, if they are to supersede and take precedence over both Federal law and State law, then they should be ratified by the Senate, as treaties are required to be ratified, before going into effect.

Mr. Speaker, the Constitution gives the President the power to make treaties with foreign countries "by and with the advice and consent of the Senate provided two-thirds of the Senators present concur." Treaties when made become the supreme law of the land, superseding and taking precedence over all Federal laws and State laws.

President Roosevelt bypassed the treatymaking provision of the Constitution, and both President Truman and President Eisenhower followed his example. President Roosevelt substituted executive agreements for treaties, claiming they had all the effect of treaties; were as binding as treaties; but they did not require Senate ratification. The executive agreements made at Cairo, Teheran, Yalta, and Potsdam are examples. More recently the Geneva agreement and the Bermuda agreement are examples.

The results of these executive agreements are well known. They have been very disappointing, to say the least. There is not an informed person in the world today—outside the Iron Curtain—that would assert that those executive agreements were either well-considered or successful. The results of those agreements are the best evidence that they were ill-advised. Certainly the results demonstrate the need that all future executive agreements should receive the consideration and approval of the Congress before they become operative and binding upon the Nation.

Mr. Speaker, the amendment that I am introducing today simply states:

(a) No treaty shall have greater effect within the United States than if it were a law of the United States; and

(b) Any international agreement other than a treaty shall have effect within the United States only to the extent provided by a law of the United States.

My amendment, therefore, would require all executive agreements hereafter entered into by the President to be implemented by a law passed by the Congress before going into effect. That would mean all executive agreements would have to be submitted to both branches of Congress for consideration and approval before they could become operative.

Mr. Speaker, some form of the Bricker amendment, some effective curb upon the President in his dealings with foreign nations, is a legislative must. If we are to preserve our constitutional form of government, if we are to preserve the three branches of Government separate and independent; if we are to protect the future of our children—then we should insist that all future Executive agreements must be ratified by the Congress.

DISARMAMENT NEGOTIATIONS

Mr. MORANO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MORANO. Mr. Speaker, I am sure that I speak for many of my colleagues in the House when I say that I feel serious misgivings at the course which the negotiations in London with respect to disarmament appear to be taking. My criticism of the present negotiations does not imply in any way that I am not eagerly awaiting the day when effective disarmament can be attained. None of us wants to bequeath to his children and to their children in turn the military burden which our generation has been forced to carry and the necessity for living under the continual threat of atomic attack.

Nevertheless, there are two aspects of the present negotiations which cause me serious concern. First is a doubt that any agreement which can be reached will really produce disarmament on the part of the Soviet Union. All of us see the possibility that the Soviet leaders will enter into commitments which will not be observed and that we will find ourselves in a position that is both embarrassing and dangerous as a result.

My second concern is not with the ultimate agreement which may result, but with the events which are likely to occur during the course of negotiations. I am afraid that we will be embarking on a series of political setbacks for ourselves and other nations which are our friends, accompanied by propaganda victories for the Soviet Union.

So far there apparently are grounds for such fears. The Soviet Union appears to have come forward with a number of disarmament proposals which we were prepared to make, and has, in the eyes of many people, gotten credit for initiating them. It appears also that our principal negotiator has conducted affairs in such a manner as to create misunderstanding among our friends and allies.

I, for one, do not believe that it is possible for us to barter political or economic concessions on our part for disarmament on the part of the Soviet Union. The Soviet dictators will disarm only when they are convinced that it is in their interest to do so. I do not believe that we should ever enter into a bargain that if the Soviet Union will disarm we will not object to their continued occupation of the East Zone of Germany. I do not think we could count on any commitment which was obtained on that basis. I do not believe that the people of the United States will ever be willing to relax our interest in the rights of the people of the nations which have been the victims of past aggression in return for Soviet promises to limit its military power.

Mr. Speaker, it seems to me that the present negotiations have gotten off on the wrong track and that it would be best for us to start again.

YOUTH APPRECIATION WEEK

Mr. JONAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONAS. Mr. Speaker, I have today introduced a joint resolution requesting the President to designate the 7-day period beginning with the first Monday in November of each year as Youth Appreciation Week. The objectives of the youth appreciation program are stated in the preamble to the resolution, as follows:

In order to recognize the positive accomplishments and contributions of youth in the home, church, school, and community; to promote a more active participation of families in family affairs; to encourage civic organizations and other groups to show publicly their respect for the 95 percent of our youth who are good citizens; to encourage press, radio, and television to recognize youth through regular and special features and programs; to stimulate greater interest among people everywhere in providing wholesome recreational and social activities for the youth of our country; to illustrate the great influence religion has on the lives of young people and to encourage their active participation in religious activities; to encourage parents to rededicate themselves to the responsibilities of parenthood; and to encourage a greater interchange of

ideas between adults and youth leading to a broader understanding of each other's problems.

The idea of a youth appreciation program originated a few years ago in Charlotte, N. C. It quickly spread over our State and to other States. By 1956, it was so successful that it came to the attention of Optimist International, and that organization has adopted it as a special project for 1957. At the Optimist International convention in Philadelphia today, Youth Appreciation Week is having its worldwide sendoff.

From the enthusiastic reception this program has received in the several places it has been observed in the past, I am so convinced of its worth that I felt justified in offering the resolution requesting the President of the United States to proclaim the week as selected by Optimist International as Youth Appreciation Week. I think all of the communities in the country will welcome an official occasion when adults will take time out from their busy schedules, look around at their growing boys and girls and, as the Optimist slogan says, "Pat 'em on the back."

An official Youth Appreciation Week will give adults an opportunity to focus their attention on the constructive and worthwhile activities of the youth of our land who are not juvenile delinquents. The record shows that 95 percent of our young people are good citizens and are making outstanding contributions to home, church, school, and community. This high percentage of our youth who give us real cause for pride will thus receive some of the public attention that unfortunately is normally devoted to the 5 percent who are delinquent. Good behavior for the most part seems to be too dull and commonplace to catch public interest. The purpose of the resolution is to stimulate that interest and give the young people of our country who are good citizens the recognition they deserve.

The youth appreciation program originated in the mind of T. Earl Yarborough, a public-spirited citizen of Charlotte, N. C. He had driven his automobile on a winter's night to a remote mountain community where his Charlotte Optimist Club was sponsoring a club for a group of boys. It snowed that night, the roads were covered with dangerous ice, and the temperature fell to its lowest point of the year. Yet many youngsters walked several miles through the storm to attend a meeting that offered no prizes or fancy entertainment—only an opportunity for better living and a brighter future.

Driving back to Charlotte over the icy roads following this meeting, Mr. Yarborough determined to do something that would call attention to the achievements of youth. He reasoned that if the group of boys had spent the evening running wild, everybody would have been talking about it the next morning, and the newspapers would have prominently displayed the story. He thought to himself what an injustice it is that the reckless and criminal behavior of 5 percent of our young people receives more attention than the positive and constructive accomplishments of the 95 percent who are good citizens.

Several of Mr. Yarborough's friends joined in his plan to switch the spotlight from delinquency to decency. They enlisted the cooperation of other civic clubs in Charlotte and began observing a Youth Appreciation Day. Mr. Yarborough devoted his attention to selling the idea to other communities in our State, and the Governor joined in the movement by issuing a proclamation.

By 1956, the program had been so well received that Optimist International decided to adopt the idea as a special project for 1957.

"There is a need to dramatize decency instead of delinquency," Mr. Yarborough says, and he has proceeded to take positive action to inaugurate a movement to do just that. With Optimist International behind it, and with the added stimulation of a proclamation by the President, I believe this movement will be accepted throughout the country as a positive and constructive program.

Many adults think stern discipline is the only answer to the problem of juvenile delinquency. I do not discount the importance of discipline but am inclined to believe it should be mixed with a generous portion of understanding and confidence. A little praise occasionally for a job well done may pay big dividends.

"As the twig is bent so is the tree inclined."

SOIL-BANK PROGRAM AND ACREAGE RESERVE PROGRAM

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MARSHALL. Mr. Speaker, the Congress soon will be called upon to consider approval of more funds to continue the acreage reserve part of the soil-bank program beyond the present crop year. The situation in which we find ourselves is little short of amazing.

The Secretary of Agriculture opposed the soil-bank type of program when it was first suggested 2 years before he reluctantly adopted it. In recent weeks the Secretary has again raised questions about the wisdom of continuing the soil bank, particularly in his press conferences. And only last week in St. Paul he told the Minnesota Bankers Association:

> It might be possible to work out regulations which would be stiff enough really to control production. But the evidence of 25 years is that farmers do not want them. The Congress will not enact them, and even if they were enacted it would be difficult to enforce them.

Two days after the Secretary was saying controls would not work, the Administrator of Commodity Stabilization Service which handles the soil-bank program said in Kansas that the program had failed to control production. And while he said that controls stifle free enterprise, he suggested that it might be necessary to consider some form of cross-compliance—that is, stricter controls—in 1958.

During the same week the Administrator of the Soil Bank, Mr. Howard Doggett, raised questions about the advisability of the acreage-reserve program. I have here a clipping from the Minneapolis Star. It tells about a visit to the Capital of some prize-winning students, who had an interview with Mr. Doggett. The story says some of the students asked Mr. Doggett why it was the Secretary of Agriculture first opposed the soil bank and now advocates it. Mr. Doggett replied, and I quote from the Star:

> I think the Secretary has always felt that the soil bank is not the answer to all our farming problems. The acreage-reserve part of the soil bank is at best a temporary thing, although the conservation-reserve aspect probably will continue for a long time. Mr. Benson's interest is primarily in the conservation part of the program.

There were two reasons the soil-bank program was enacted into law. One was that farmers were faced with a cost-price squeeze and some plan was needed to provide them with additional funds. The other was to bring production in line with prospective markets.

Mr. Speaker, the fact that officials of the Department have themselves cast doubt on the effectiveness of the acreage reserve confirms the position the House has taken. This is that the acreage reserve has failed, that is is not serving the purpose for which it was authorized, and that it should therefore be limited to this crop year only.

The evidence of the June 10 crop report is eloquent in support of the House position. The June 10 crop report shows there will be no significant reduction in size of the wheat crop, if there is any reduction at all, despite the United States Department of Agriculture report that some 12½ million wheat acres have been signed up in the acreage reserve. The crop report indicates that the largest grain sorghum crop in history will be harvested this year; that the soybean crop will be larger even than the record-breaker of last year; that the corn crop, if it is reduced at all, will suffer more from wet weather which delayed getting the crop in than from any signup in the soil-bank acreage reserve. Members of my staff have talked with officials in the soil bank who feel it is time to recognize this program is a failure and shift to a more practical one.

I am one of the conferees who will meet soon with conferees from the other body to work out details of the agricultural appropriations bill. All of the information I have received is that this program has proved to be unworkable; that it has failed to serve the purpose for which Congress authorized it. I would appreciate it if the other Members would give me their views, since they are familiar with the situation in their respective States. If there are any Members who can show that this program has succeeded in controlling production, I would like to have the information.

THOMAS E. MURRAY

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, I was greatly disappointed in the failure of the administration to reappoint to the Atomic Energy Commission Mr. Thomas E. Murray. It would seem to me that our Nation could ill afford to lose the vast reservoir of knowledge that Mr. Murray has accumulated in his years of valuable service on this important Commission.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman means failure of the President to reappoint him.

Mr. PRICE. The gentleman is correct. I mean the failure of the President to reappoint Mr. Murray.

I think it is the first time that a member who was willing to continue his service on that Commission failed of reappointment. The country has suffered a great loss. I do not criticize in any way the gentlemen who have been selected to succeed Mr. Murray, but it would be impossible for either of them in a period of 2 or 3 years to begin to be of the value to the country that Mr. Murray has been over the past few years. The Commission should not become a yes-man commission.

In this connection I enclose the following editorial from the New York Journal-American of yesterday, and which I imagine will appear in all other Hearst newspapers:

MURRAY DUMPED

President Eisenhower's nomination Monday of a former official of the Truman regime to replace Thomas E. Murray on the Atomic Energy Commission is tantamount to dumping a man of exceptional ability and service for one whose competence is unknown.

Mr. Murray, whose term expires this month, is a Democrat and the only remaining appointee of former President Truman on this vitally important Commission. Both Democrats and Republicans have praised him as outstanding.

His one-man dissents from the views of AEC Chairman Lewis L. Strauss have on several impressive occasions proven right. It is no secret that he earned Mr. Strauss' disfavor.

Politics, plus this personal opposition, is woven through the situation. The President named John F. Floberg, former Assistant Navy Secretary for Air, and rated as a political independent, to succeed Mr. Murray; and a Truman Democrat, John S. Graham, to fill another vacancy caused by death.

Mr. Floberg may be a good man. But in a job like this a good man is not good enough, when there is available a person of the experience and stature of Mr. Murray. We don't think the Democrats will be placated, nor the American people pleased.

Senators on the Joint Congressional Atomic Committee, who will review the nominations, should give them a hard look. The AEC should not be allowed to become a yes-man echo of the views of Mr. Strauss.

THE LIVESTOCK AND POULTRY INDUSTRY

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, the meatpacking industry is so much a part of agriculture and its operations are so closely related to those of the livestock producers that congressional consideration of those problems should stay with the Committee on Agriculture.

In 1921 the Congress enacted the Packers and Stockyards Act, the primary purpose of which is to assure fair competition and trade practices in livestock marketing and in the meatpacking industry. The act safeguards farmers and ranchers against unfair practices in marketing their livestock and protects the packing industry and consumers against unfair business practices in the marketing of meats, poultry, and so forth.

The Packers and Stockyards Act provides that its administration be vested in the United States Department of Agriculture. The reasons for the Congress placing administration of the Packers and Stockyards Act with the Department of Agriculture in 1921 are even more valid today.

Livestock production is the largest and most important segment of agriculture from the standpoint of the number of farmers involved and the proportion of cash income derived from the sale of livestock. Meatpacking is one of the largest industries in the country. Consumers, too, are vitally interested in the livestock and meat industry because of the amount and value of meat they consume. Last year consumers spent about one-fifth of their food dollar for meats.

The Packers and Stockyards Act is a well-designed and integrated act encompassing the broad phases of the entire livestock and meat marketing function. Its provisions are interrelated and supplement each other.

The nature of the livestock and meat industry is such that a single broad legal authority is necessary, not only with respect to stockyards and the livestock marketing practices conducted there, but also with respect to any monopoly, unfair, deceptive, or otherwise discriminatory practices which might occur in the meat packing and marketing industries.

The close relationships between meat packing, merchandising, and the determination of prices for livestock and poultry make coordination of responsibilities for all phases of the livestock and meat industries essential to the maintenance of open competition. A division of this regulatory authority would seriously handicap accomplishment of the objectives of the act.

In recent years there has developed considerable decentralization in the livestock and meat packing operations in this country. The closely integrated nature of the meat industry and the intensified merchandising functions, particularly in the retailing of meat, have brought about the need for some clarification of the functions and responsibilities under the Packers and Stockyards Act.

Yet the basic reasons for and functions of the Packers and Stockyards Act remain as important today as in 1921 and enforcement of the act should be retained by the Department of Agriculture. The bill, H. R. 7743, which I have recently introduced, would provide this needed clarification. This bill has been referred to the Committee on Agriculture, and it is hoped that it will receive favorable action by our committee.

SUPREME COURT DECISIONS

Mr. FLYNT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FLYNT. Mr. Speaker, I respectfully call to the attention of the House three decisions read by the Supreme Court on Monday, June 17, 1957. Those cases were John Stewart Service against Dulles; Watkins against United States; and Connally et al. against United States. Within the next few days I shall have more to say in detail concerning these decisions, but for the time being I want to urge as many of my colleagues as possible to read these decisions and study their import.

The Watkins case is a direct slap at the integrity and the power of Congress. It restricts almost to the point of nullifying the power of congressional inquiry and the power to compel testimony where such testimony has heretofore been compellable. The Court intimated, if it did not indeed say, that contempt of Congress no longer stands on an equal level with contempt of court. In effect, the United States Supreme Court, the only Court specifically provided for in our Constitution and a part of the only branch of our Government the head of which is not elected by the people, has sought to discredit that branch of the Government which is closest to the people themselves, the Congress of the United States.

In the Connally decision the Court reversed the conviction and set free 5 of the 14 California Communist leaders convicted under the Smith Act and granted new trials to each of the other 9. Two of the Associate Justices went so far as to say that all 14 should be freed outright. We are to be grateful that there was a vigorous dissent in this case by Associate Justice Clark and that the decision of the Court was not unanimous. In this case—Connally et al. against United States—the Court ruled in effect that the Communist Party no longer advocates the overthrow of our form of government and our Government itself, and an analysis of this decision will indicate that they are laying the groundwork for judicial recognition of the Com-

munist conspiracy as a bona fide, legitimate political activity. With such a position I find myself in total disagreement.

In addition to the case of Connally et al. against United States, the Court rendered a similar decision in two other cases—Yates et al. against United States and Schneideman against United States.

Mr. Speaker, these decisions were all handed down last Monday, June 17, 1957. On early Tuesday morning I officially, as a Member of Congress, requested from the Court a copy of each of the decisions. Even though this request was as stated an official request and that fact was known at the time, I was told that it would be several days before I could be supplied with a copy. That may be technically correct, but it has been and shall continue to be my belief that when copies of official documents, which are public in their nature and are not classified for security purposes, are available in either the judicial or the executive branches, that they should be made immediately available to Members of Congress upon request.

Mr. Speaker, I shall go into a further discussion of these decisions and their effect upon our form of government within the next few days when more time shall be available.

THE GRADUATED INCOME TAX IN AMERICA

The SPEAKER. Under previous order of the House, the gentlewoman from New York [Mrs. ST. GEORGE] is recognized for 30 minutes.

Mrs. ST. GEORGE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tables.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. ST. GEORGE. Mr. Speaker, nearly 200 years ago there occurred in our country a revolution in the true sense of that word. It was a revolution because it changed men's thinking all over the world.

Today we are inclined to speak of the American Revolution as a fight for freedom, but that would have been nothing very new. Since the dawn of history the fight between slavery and freedom has gone on and will continue. It is an error to say that the world cannot long endure half slave and half free, because the world has so endured and that battle still continues with as much violence as ever.

No, Mr. Speaker, our Revolution was touched off, primarily because the men and women of that time had left the comforts and ease of a well regulated world to come out into the unknown and carve for themselves a living and perhaps even a fortune that they could control. Our Revolution was touched off by unjust tax laws. When we look at those laws today we can see that they were rather small excise taxes on a few staples, but they were imposed without the consent of the people themselves and the concept that no one can be taxed without his consent was born and triumphed in our Revolution, and changed the thinking of the world on that subject.

Until 1913 our country grew and prospered under a very light tax program, and until that year the graduated income tax, like the passport, was something the American citizen considered only fit for the benighted peoples of Europe and something that his country would never have to consider.

I have briefly, all too briefly, gone over our beginning and our past because I would like to remind this House of what a very far cry it is from that beginning, and also to bring to the attention of this House that again today there is a very real and a very deep stirring among the people we represent against our present tax laws, notably the graduated income tax.

We all realize, I think, that taxes will always be with us, but that does not mean that our tax laws are perfect or that they are not subject to change and to reform.

The income tax in this country has grown like Topsy, from very modest beginnings 50 years ago into a monster, and, like most monsters, it is stupid, expensive, unwieldy, and unjust. The original rate of normal tax on individuals was 1 percent; the exemption for a married person without dependents was $4,000; the surtax began at 1 percent on income above $20,000 and rose to a maximum of 6 percent on income above $500,000. The rate for corporations was a flat 1 percent of net income.

The income tax has existed in England since 1799, but this was a simple tax of so many pennies in the pound. The graduated income tax, the only comparison of interest to us today, is slightly older than our income-tax law, having been promulgated in 1910, when the late David Lloyd George was Chancellor of the Exchequer. He was the author of the measure and made the statement at the time of its passage and enactment into law:

> It (the tax) is no longer temporary, but the center and sheet anchor of our fiscal system.

This theory was extremely unpopular in many quarters in Great Britain, and the act at the time was highly unpopular. It was the great Gladstone, the outstanding progressive of his day, who had opposed the theory of graduation in the law as "tending toward communism."

The British pay an extremely high income tax, and their system is by no means perfect. Nevertheless, it compares favorably with our own, and for that reason I would like to examine the two systems because I believe that we can learn much from the British and the Canadians on this subject.

First, we must, it seems to me, define what we mean by income. At once we will find the basic difference, and possibly the root of our own trouble. We look up the word "income" in Webster's New Twentieth Century Dictionary, and this is what we get:

> That gain which proceeds from labor, business, or property of any kind; the produce of a farm; the rent of houses; the proceeds of professional business; the profits of commerce or of occupation; the interest of money or stock in funds; revenue; salary; generally applied to the gain of private persons; as, the annual income of a gentleman.

Oh, Mr. Speaker, what confusion can be, and is engendered, by this definition. How long winded, how subject to various and sundry interpretations. No wonder that our country is crawling with tax experts, and no wonder that no citizen can make out his own return with any confidence that he has clearly understood and correctly interpreted the tax form before him. No wonder that many of our citizens, who can ill afford it, pay lawyers to go over their tax returns and advise them.

Now, Mr. Speaker, let us look at the word "income" in the Oxford Universal Dictionary, and this is what we find:

> That which comes in as the periodical produce of one's work, business, lands, or investments (commonly expressed in terms of money); annual or periodical receipts accruing to a person or corporation.

Why, here we have something absolutely clear that a child can understand, that no amount of casuistry can shake or change. Of course, income is that which comes in as the periodical produce of one's work and investments and it is annual or periodical receipts accruing to a person or corporation.

No wonder that in Great Britain and Canada the citizenry are not being constantly handed into court for evasion or fake returns on their income taxes. As a matter of fact, such cases are practically unheard of in both countries. The income tax is not a method of punishing and getting criminals for every known crime in the book. Indeed, the difference in definition will explain many of the differences and account for many injustices in our own law.

In the Final Report of the Royal Commission on Taxation of Profits and Income for 1955, it says:

> Capital gains and losses are not true elements in net income as that term is usually understood. They are not regular or recurring or expected; but being sporadic and often unexpected are not treated by those enjoying or suffering them as spendable income (if gains) or as reductions in spendable income (if losses).

Here is a question never resolved in the United States and everlastingly subject to litigation and discussion.

To take a case that everyone is very familiar with, think of the money derived from prizes given out in the so-called quiz programs on radio and television. I do not believe any Members of Congress have ever won any of these prizes, but that is no reason why we should not note the gross injustice of classifying them as income. Of course they are nothing of the sort if we accept the correct definition of income. They are windfalls that happen once in a lifetime and are certainly at best capital gains. This example is given because it is so obvious and has received so much publicity; but we can all think of similar examples. Here again, in the United States, most winnings and prizes are taxable, though there are exceptions. In the United Kingdom, winnings and prizes are exempt.

Mr. Speaker, I would like at this point to place in the RECORD two comparative tables on rates of United States income tax on individuals and the rates of the United Kingdom income tax on individuals, as well as the rates of United Kingdom surtax on individuals:

Rates of United States income tax on individuals

Not over $2,000	20 percent.
$2,000 to $4,000	$400 plus 22 percent of excess over $2,000.
$4,000 to $6,000	$840 plus 26 percent of excess over $4,000.
$6,000 to $8,000	$1,360 plus 30 percent of excess over $6,000.
$8,000 to $10,000	$1,960 plus 34 percent of excess over $8,000.
$10,000 to $12,000	$2,640 plus 38 percent of excess over $10,000.
$12,000 to $14,000	$3,400 plus 43 percent of excess over $12,000.
$14,000 to $16,000	$4,260 plus 47 percent of excess over$14,000.
$16,000 to $18,000	$5,200 plus 50 percent of excess over $16,000.
$18,000 to $20,000	$6,200 plus 53 percent of excess over $18,000.
$20,000 to $22,000	$7,260 plus 56 percent of excess over $20,000.
$22,000 to $26,000	$8,380 plus 59 percent of excess over $22,000.
$26,000 to $32,000	$10,740 plus 62 percent of excess over $26,000.
$32,000 to $38,000	$14,460 plus 65 percent of excess over $32,000.
$38,000 to $44,000	$18,360 plus 69 percent of excess over $38,000.
$44,000 to $50,000	$22,500 plus 72 percent of excess over $44,000.
$50,000 to $60,000	$26,820 plus 75 percent of excess over $50,000.
$60,000 to $70,000	$34,320 plus 78 percent of excess over $60,000.
$70,000 to $80,000	$42,120 plus 81 percent of excess over $70,000.
$80,000 to $90,000	$50,220 plus 84 percent of excess over $80,000.
$90,000 to $100,000	$58,620 plus 87 percent of excess over $90,000.
$100,000 to $150,000	$67,320 plus 89 percent of excess over $100,000.
$150,000 to $200,000	$111,820 plus 90 percent of excess over $150,000.
Over $200,000	$156,820 plus 91 percent of excess over $200,000.

Rates of United Kingdom income tax on individuals

First $168	11.25 percent.
Next $420	23.75 percent.
Next $420	33.75 percent.
All over $988	42.50 percent (standard rate).

Rates of United Kingdom surtax on individuals

First $5,600	Nil.
$5,600 to $7,000	10.0 percent.
$7,000 to $8,400	12.5 percent.
$8,400 to $11,200	17.5 percent.
$11,200 to $14,000	22.5 percent.
$14,000 to $16,800	27.5 percent.
$16,800 to $22,400	32.5 percent.
$22,400 to $28,000	37.5 percent.
$28,000 to $33,600	42.5 percent.
$33,600 to $42,000	47.5 percent.
Over $42,000	50.0 percent.

It will be seen that here we find in the United States top bracket a tax rate of 91 percent; in the United Kingdom we have a top of 42.5 percent and a surtax rate of 50 percent.

Mr. Speaker, we all know that 91 percent is confiscation and that it has, and is, driving incomes subject to this percentage into tax exempt bonds and investments in Switzerland and into other methods of getting away from paying such a prohibitive proportion of income. In other cases these sources of income are drying up and it is a fact that if all the top income brackets were to be wiped off the books tomorrow this Government would get along just about as well as it does today. The amount contributed by the multimillionaire in the high income bracket is altogether negligible and the Government of the United States is supported by the citizens in the $2,000 to $8,000 income tax bracket. This is perhaps not good political speech material, but is the truth and most of our citizens realize it.

It is therefore quite obvious that a tax rate of over 50 percent of income leads simply to diminishing returns; it is hard and very expensive for the Government to collect; and it stultifies new enterprises and ambition.

Now we come to the question which it seems we must resolve: What is the income tax for, and how does it function in the United States of America?

We all know that the idea of the graduated income tax is the main cornerstone of Marxism and therefore communism. This is completely logical and proper, because if you claim as a basic fundamental philosophy of life and government that the citizen has a right to the fruits of his labor and to his possessions, acquired or inherited, communism not only cannot exist but becomes completely unworkable.

But we needed money, more than we were able to raise by the usual methods of taxation, in 1913. We were getting into world politics where the war clouds were gathering and where arms and munitions had to be bought and paid for, and so we started with a modest graduated income tax, that with more wars and more world politics has grown into what it is today.

Now, Mr. Speaker, there is no question that the income tax is here to stay, but may one ask, is it to be more than a measure to raise necessary revenue for the Nation's needs?

Today, to enforce and collect the income tax in this country, we have an army of Government employees who delve and dig in the records of the taxpayers at considerable expense to the Government, and for very small pickings indeed. Of course the upper bracket taxpayer not only pays his taxes in full, he usually overpays them, and he would indeed be a fool to do anything else, because through this method he receives his overpayment back, plus 6 percent, which is a pretty good rate of interest in any man's book.

Besides these agents, there is also an army of faceless informers. These individuals, who are carefully protected by the Bureau, go about suggesting that various persons or businesses be investigated. If something is turned up, they get 10 percent of the take; if nothing comes of it they are none the worse off. In the meantime, some individual or business has been harassed and put to considerable expense and mental anguish.

To all intents and purposes there is no statute of limitation applicable to income taxes. The minute the Internal Revenue starts digging into a tax return they can go on indefinitely in the hope of turning up what they are looking for, and it is quite conceivable that the Agency could actually go back to the year 1913 to correct or verify a return.

Apart from the morals involved in these procedures, they are extremely wasteful and expensive to the Government. It would doubtless be far better to let a few faulty or even dishonest returns get by than to spend the millions now being spent on investigations and checking past records, that in many instances are impossible to find. The informer system is, of course, repugnant to our whole philosophy of government and morals, and is a system borrowed lock, stock, and barrel from the Communists who have invented and perfected it.

In looking into this question of income-tax collections, we find that in Great Britain and Canada there seem to be none of these difficulties and that their income taxes are collected in an orderly manner with no court cases against delinquent taxpayers, to speak of. Is this because the British and Canadian citizenry are more honest than ourselves? I do not think so. It is because their law is simpler and therefore easier to handle. It is strictly for the raising of revenue, not to get at gangsters, murderers, dishonest politicians and assorted crooks. And, above all, it is not used to investigate the private lives and occupations of the citizens.

Another thing that greatly simplifies their collections is that what correspond to our certified public accountants known as chartered accountants, are empowered to review and sign any income-tax return. Once the return has been so signed the Government does not question it further. This saves the Government money, helps and saves the citizen money, and accomplishes the true objective and purpose of the income tax.

Mr. Speaker, we must reform our income-tax structure. As it stands today it is rapidly reaching the point of diminishing returns. It is costly to enforce. Finally, through its system of informers and the necessary army of agents to enforce it as it is today, it is un-American and unworthy of a free people. It contravenes one of the basic tenets of our law in that it presupposes the individual guilty until he has proved his innocence. And finally it is dangerous and a menace because it is used to ferret out and punish crimes which are in no way related to the taxing powers of the Federal Government. It therefore obstructs our inalienable right to life, liberty, and the pursuit of happiness.

Mr. OSTERTAG. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. OSTERTAG. I want to take this opportunity to commend the gentlewoman from New York for the outstanding address she has delivered here to the House in regard to our tax structure and particularly with regard to our income tax system. I hope the gentlewoman's remarks will carry weight with the appropriate committees of the House and with the administration and others concerned with the tax system. It will not be long before serious consideration will be given to the revision of our tax measures. What the gentlewoman has said should give them much food for thought as to such revision. I commend the gentlewoman for her contribution.

Mrs. ST. GEORGE. I thank my good friend and colleague from New York. I certainly appreciate his commendation and also his hope, which I share.

Mr. HOFFMAN. Mr. Speaker, will the gentlewoman yield?

Mrs. ST. GEORGE. I yield.

Mr. HOFFMAN. May I be permitted to join in the remarks just made by my very able colleague?

Mrs. ST. GEORGE. I thank my friend and colleague from Michigan.

USE OF THE WORD "CONGRESSIONAL"

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New Jersey [Mr. THOMPSON] is recognized for 1 hour.

SUGGESTED AMENDMENT OFFERED TO A MEASURE REGARDING CONGRESSIONAL QUARTERLY

Mr. THOMPSON of New Jersey. Mr. Speaker, I have seriously considered the two bills offered by the gentleman from Michigan [Mr. HOFFMAN] to bar from the mails certain publications having titles which convey the false impression that they are official publications of the United States Congress and to prohibit the use of the word "Congress' or "Congressional" as part of the title of any publication where the use of such word can reasonably convey the false impression that such publication is an official publication of the United States Congress.

The more I think about these two bills the more I am convinced that the gentleman from Michigan has called attention to a most serious and important problem.

My contribution to this important and timely matter would be to point out that these two bills deal with a far too limited part of the problem which arises from the unquestionably misleading use of names which, by long usage, surely import connections, or approbation, by official segments of our Government to the firms and businesses involved in such a way as to mislead the most perceptive citizen.

Take, for instance, the beverage known as Senators Club.

Even though this beverage by the quart or the fifth may never have been purchased by a Member of the other House it is my opinion—my curbstone opinion, that is—that the word "Senator" should never have been included in the name of this beverage.

The consumer, the buyer of goods and services, which all of us are, must often be under the impression when dealing with firms having certain words in their title, or when buying goods and services using these same words, that he is dealing with, or relying upon, a part of the Federal Government or purchasing items approved by it.

Nor should we be misled into placing too much reliance on such magazines as Editor and Publisher, the trade publication for the newspaper field.

I include here the following article and editorial from Editor & Publisher and an editorial from the Toledo Blade, Toledo, Ohio, of June 1, 1957, as part of my remarks:

[From Editor & Publisher of June 8, 1957]

SCHROTH SAYS CONGRESSIONAL QUARTERLY REPORT IS IMPARTIAL

WASHINGTON.—Representative CLARE E. HOFFMAN'S attempt to bar Congressional Quarterly reports from the mails (Editor & Publisher, June 1, p. 10), grows out of a politician's objection to having his voting record exposed, Thomas N. Schroth, Congressional Quarterly executive editor, declared this week.

The Congressman would also make it illegal for a private organization to use the name "Congressional."

Mr. Schroth maintained that Congressional Quarterly renders an impartial measurement of Congressional activity to the press and public. "As a Congressman votes," he said, "so is his record put down by the systematic methods designed over the years by Congressional Quarterly."

The editor suggested that Mr. HOFFMAN'S pique may be due to the fact his own record of rollcall votes shows that his support of the President's program "consistently has been among the lowest in Congress, his direct opposition to the President's program among the highest."

Republicans and Democrats alike, Mr. Schroth said, rely on Congressional Quarterly measurements.

"Congressional Quarterly," he said, "is proud of its statistical studies and their contribution to better reporting. The studies are the first successful attempt to show clearly what the men on Capitol Hill actually are doing. It's to be expected that some Congressmen do not like this, but editors, reporters and—even more important—newspaper readers do."

Mr. Schroth denied Representative HOFFMAN'S assertion that Congressional Quarterly lists absence as a vote against the President's program. He said Congressional Quarterly counts only "yea" and "nay" votes and divides the votes cast by a Member in agreement or in disagreement with the President's position by the total number of votes included in the tabulation.

[From Editor & Publisher of June 8, 1957]

WHAT'S IN A NAME?

Representative CLARE E. HOFFMAN goes too far in his political retaliation against Congressional Quarterly. The Congressman would have been within bounds if he had limited his attack to criticism of the publication which seems to upset him. But he stepped out of bounds when he introduced legislation to bar it from the mails and to prevent its use of the names "Congressional" or "Congress" simply because he doesn't approve of its methods.

In fact the proposals are a little ridiculous. Congressional Quarterly has been in business for more than 13 years and no one has questioned its right to report on Congressional activities and use that name prior to this time.

Congress has no vested right in either of those names. In the Washington telephone book there are 30 organizations listed under the name "Congress" and an additional 34 under the listing "Congressional." There is a monthly Congressional Digest published in Washington (with no official connection) and a Congress Weekly published in New York (by the American Jewish Congress). There are also the Congressional Information Bureau and the Congressional Film & TV Service in Washington. Does Representative HOFFMAN contend they shouldn't use the names either because they might imply some official connection?

We hope the Congressman doesn't contend that the voting records of Senators and Congressmen and the activities of Congress should not be reported and interpreted by anyone that chooses to do so.

[From the Toledo Blade, Toledo, Ohio, of June 1, 1957]

MORE THAN A NAME

In presenting a bill to bar fom the mails any publication bearing a name which conveys the false impression it is an official publication of the United States Congress, Republican Representative CLARE HOFFMAN, of Michigan, makes no bones about gunning for one particular periodical, the Congressional Quarterly. But the reason for his animus toward this digest, it is plain, derives from more than an objection to its name.

Congressional Quarterly is a reference and feature service subscribed to principally by newspapers of varied political position—Republican, Democratic, and Independent. It provides background information, statistics, and analysis dealing with the actions of Congress and its committees. Certainly none of these newspapers has the false impression that this rervice has any official connection with Congress nor are their politically literate readers likely to be misled as to the source of information provided by it.

Mr. HOFFMAN reveals a little more about the nature of his peeve when he asserts that Congressional Quarterly is spewing forth its pro-Democratic propaganda while it masquerades as a nonpartisan, objective source of information about the United States Congress. But competent editors of whatever political outlook are perfectly capable of detecting partisan propaganda without requiring an act of Congress to protect them. It is unlikely that even Democratic editors would pay out good money for a Democratic-slanted reference service much less those of Republican and Independent leanings. A propaganda bias in such a service would render it useless—a fact of which editors are probably more keenly conscious than is Representative HOFFMAN.

The information Congressional Quarterly contains usually speaks for itself—the voting records of individual Congressmen, their support of the President and their party, etc. How it is interpreted depends on the views of the interpreter. But Congressional Quarterly may be distressing some Congressmen merely by laying out the record so that it is somewhat easier for editors, the public, and other politicians to check on.

The United Press got into the act with this story which appeared in the Washington (Pa.) Observer:

HOFFMAN WANTS PROTECTION FOR WORD "CONGRESSIONAL"

(United Press story dated May 31, 1957, appearing in the Washington (Pa.) Observer)

WASHINGTON, May 29.—The Congressional Limited, Congress Variety Shop, and Congressional Roller Skating Rink better watch out.

Representative CLARE HOFFMAN, Republican, Michigan, wants to protect the words "Congress" and "Congressional" from being used by just anyone.

The Congressman introduced bills Tuesday that would ban use of "Congress" or "Congressional" in a publication title when that would convey the false impression that the publication is authorized by Congress. The bills also would ban the publications from the mails.

But that could be just the beginning. The Government already bans all commercial enterprises from implying they are Federal agencies by use of such titles as "United States" and "U. S." Congress might decide to extend the law to cover "Congress" and "Congressional." And what aobut such hallowed words as "Senator," "Senate," and "House"?

The Washington telephone book alone contains 64 listings under "Congress" and "Congressional" including the Library of Congress, which doesn't have to worry, and Eugene A. Congress, who might have to.

The listings include the Congress Barber Shop, Congress Beverage Co., Congress Heights Service Station, and Congressional Intelligence. The last listing is the name of a firm, not an editorial comment.

Then there are the listings under "Senate." They sandwich the United States Senate, also see United States Government, between Senate Delicatessen and a fellow named Sam Senator.

The House list is equally interesting. It includes House of Beauty, House of Beef, House of Prayer, House of Representatives also see United States Government, House of Spirits, House of the Good Shepherd, and Miss Werdna House.

Finally, there are the Washington Senators. But some baseball fans contend they need a change, anyway.

Considering all these matters, and confident that Editor & Publisher must somehow be biased, and must have some New Deal connections, and, at the very least, is undeniably New Deal in its sympathies—as can be plainly seen from the substance and tone of its June 8 editorial—and can, therefore, be totally ignored, I therefore, offer an amendment to the measures sponsored by the gentleman from Michigan, and trust that he will accept it in the spirit in which it is offered, to provide that it shall be illegal for any privately conducted enterprise to use as a part of its name those appellations calculated to convey the impression—obviously false—that such enterprise or enterprise or product or service has some connection with or authorization from any recognized agency of the United States Government or any of its departments or agencies or independent establishments.

I must confess I was shocked, when I got into this study I made, to find such a large number of the kind of listings in the Washington, D. C., telephone directory using the words "United States," "Congress," "Congressional, "President," "Presidential," "Senate," "Supreme Court," "Armed Forces," "Army," "Navy," "Marine Corps," "Air Force," "Coast Guard," and "Government."

Without exhausting the list of enterprises which thus, obviously, are misleading the public, including Members of this House, I am going to take a minute or two to list for your consideration some of the firms using words to which we must object.

Now, surely, anyone not familiar with the situation would suppose that these firms were managed by the Congress of the United States, or that the Congress had a financial interest in them.

This mistaken conception leads, in turn, no doubt, to the belief that the President's budget is more inflated that it really is.

Let us see how this works, for instance, in regard to the Congress Beverage Co., the Congress Barber Shop, the Congress Construction Corp., the Congress Hotel, the Congress Investment Corp., the Congressional Apartments, the Congressional Builders and Decorators Supply Co., Inc., the Congress Paint Manufacturing Co., Inc., the Congress Roofing Co., Inc., the Congress Theater, the Congress Development Corp., the Congress Variety Shop, the Congressional Beverages.

So far, there are two beverage companies, one barber shop, also construction, investment, development, and building supply companies involved, as well as two hotels, an apartment house, a variety shop, and a theater. This doesn't begin to exhaust the list, though it does exhaust me, somewhat.

Here, for the record, are the other firms which use the name "Congressional": Congressional Camera Center, Congressional Cemetery, Congressional Cleaners, Congressional Club, Congressional Country Club, Congressional Daily, Congressional Day Camp, Congressional Digest, Congressional Drug Store, Congressional Electric Co., Congressional Films & TV Services, Congressional Florists, Congressional Flying Service, Inc., Congressional Information Bureau, Congressional Insurance Co., Congressional Intelligence, Inc., Congressional Liquor Store, Congressional Lumber Co., Inc., Congressional Manor Sanitarium, Congressional Meeting Hall, Congressional Motors, Inc., Congressional Radio & TV Sales & Service, Congressional Roller Skating Rink, Congressional School, Congressional Shopping City, Congressional Tile Co., Congressional Trucking Co.

Undoubtedly, consideration must also be given to the Republican Capitol Hill Club, the Congressional Relaxitorium of famed restaurateur Mike Palm, as well as to such beverages as Senator's Club. There is, also, the matter of the United States Rubber Co., probably one of the better known companies in this area.

So, it would seem, not only the citizen buying goods and services, but the taxpayer, too, whose dollars support the Federal Government is misled as things stand at present.

Undoubtedly, the taxpayer, who is not able to take the time to make a profound study of the subject, is led to think that the Congress is in the cemetery business, the club business, is running drugstores, electric companies, liquor stores, insurance companies, a roller skating rink, a trucking business, a flower shop and so on.

That trucking business, at this time, is most unfortunate, for, in the mind of the harried taxpayer, the Congress is tied in or linked up with Dave Beck.

So, while the Federal Government is large, goodness knows, it is, undoubtedly, not nearly as large as many taxpayers and citizens surely must believe that it is.

My proposed amendment will aid in correcting a false impression which must be held by a large body of citizens, as to the extent of the enterprises in which the Federal Government is engaged.

With this in mind accordingly, I have developed the following amendment and commend it to the attention of the gentleman from Michigan:

Amendment to H. R. 7803 offered by Mr. Thompson of New Jersey; On page 2, strike out line 1 and all that follows and insert:

"SEC. 712. False advertising or misuse of name to indicate connection with the United States Government: It shall be unlawful to use the words 'United States,' 'Congress,' 'Congressional,' 'President,' 'presidential,' 'Senate,' 'Senator,' 'Supreme Court,' 'House of Representatives,' 'Armed Forces,' 'Army,' 'Navy,' 'Marine Corps,' 'Air Force,' 'Coast Guard,' 'Capitol Hill,' or 'Government,' or any combination or variation of those words, as a business or firm name, where the use of such words alone or with other words is reasonably calculated to convey the false impression that such business or firm has some connection with, or authorization from, the United States or any branch of the Government thereof, or any department or agency thereof, where such connection or authorization does not in fact exist.

"Whoever violates this section shall be fined not more than $1,000 or imprisoned not more than 1 year, or both."

(b) The analysis of such chapter 33 is amended by adding at the end thereof the following:

"SEC. 712. False advertising or misuse of name to indicate connection with the United States Government."

MORE ON THE PRESIDENT'S LEGISLATIVE PROGRAM

I took the floor on Wednesday, May 22, to discuss the President's legislative program and its lack of support by the so-called modern Republicans.

It was extremely interesting that the gentleman from New York [Mr. DEROUNIAN] took the floor immediately preceding me to launch an attack on the Congressional Quarterly.

The publisher of the Congressional Quarterly, we were informed, at one time, served with the Office of War Information under a Democratic administration.

This is supposed to be conclusive proof that the facts which the Congressional Quarterly cited were unquestionably wrong.

This attack upon Congressional Quarterly reminds me of the story of the old lawyer's advice to the novice just out of law school:

If the law is with you, talk about the law.

If the facts are with you, talk about the facts.

If the law and the facts are both against you, talk about your opponent.

Late in the evening of May 22 the gentleman from Montana [Mr. METCALF] was given the floor for half a minute and he asked a highly significant question.

That question and the reply for the Republican Party by the gentleman from New Jersey [Mr. FRELINGHUYSEN] was as follows:

Mr. METCALF. Mr. Speaker, will the gentleman yield?

Mr. DEROUNIAN. I yield to the gentleman for a half a minute.

Mr. METCALF. I wish either the gentleman from New Jersey [Mr. FREYLINGHUYSEN] or the gentleman from Wisconsin [Mr. LAIRD], one of those gentlemen who has been attacking the weighting of the Congressional Quarterly, would explain something to me, because I am interested in it, due to the fact that I am attacked at every election for not supporting the President and I am somewhat chagrined. Would the gentleman explain how we should weight these various rollcalls? How would you weight the difference between a rollcall on contribtuion to the World Health Organization and a rollcall in support of the President's Middle Eastern proposition?

Mr. FRELINGHUYSEN. I would say on that that I would certainly not myself make an effort at delivering a major speech on the basis of such thoroughly unreliable information which everybody should realize does not represent support or opposition to anybody.

Of course, it can readily be seen that the gentleman from New Jersey simply begged the question.

He did not answer the gentleman from Montana, nor, so far as I can find, has anyone else on the Republican side answered the question.

Attacking the Congressional Quarterly clearly is no answer.

You will be interested in the fact that I have found that the members of the Republican Party take an entirely different approach to this publication when they think it is politically expedient to do so.

I have been doing some research on this and in order to set the matter straight I am presenting here some statements showing what the Republicans have said at those times when it suited their purpose to rely on the Congressional Quarterly.

I want to say at this point, that it is very interesting to find Republicans taking out after the Congressional Quarterly as they did at the time of my speech on May 22 and as they have several times since.

And then, on other occasions, quoting the Congressional Quarterly favorably when it suited their purpose.

So, as I say, in order to set the matter straight here is what my research has turned up.

Consistency is a virtue, I think, and what I would say to my good friends on the other side of the aisle is that they should make up their minds on this matter and not continue to blow hot and cold on alternate days on such an important matter.

For good measure, here also are what editors of newspapers have said about the Congressional Quarterly. I must point out that they, as a rule, have been much more consistent in their support of the Congressional Quarterly.

Some occasions when Republicans cited the Congressional Quarterly to their advantage:

[From the Washington Post and Times Herald of September 28, 1956]

TRUTH SQUAD DEFENDS REPUBLICANS IN CONGRESS

KANSAS CITY, MO., September 27.—The Republican Congressional truth squad today rebutted charges made here last night by Democratic presidential nominee Adlai E. Stevenson that Republicans in Congress had failed to support President Eisenhower.

The truth squad, composed of Representatives WILLIAM WIDNALL, of New Jersey, and DONALD L. JACKSON, of California, called the charge "loose talk."

The Congressional Quarterly shows they said, "that Republicans supported Mr. Eisenhower 72 percent of the time on 99 rollcalls while the Democrats voted with the Administration only 48 percent."

Republican memo dated July 21, 1955, issued by the staff of the Republican Policy Committee, volume 1, No. 28, pages 2 and 3:

SURVEY SHOWS DEMOCRATS LAGGING ON PRESIDENT'S PROGRAM

The Congressional Quarterly, a private publication of Washington, D. C., specializing in Congressional affairs, reported July 15 another one of its running box scores on the President's batting average with the Democratic-controlled 84th Congress. Although Democratic leaders pledged cooperation with the President last January, they are certainly dragging their feet as Congress turns into the home stretch, the survey shows.

Of 200 Presidential requests for legislation between the opening of the session and June 29, the score looks like this:

Enacted into law, 52 (or 26 percent).
Still in process, 79 (or 39.5 percent).
Setback (but may be revived), 5.
Rejected, 5.
No action, 59.

PARTY SUPPORT

On a total of 69 rollcall votes (40 in the Senate and 29 in the House) in which President Eisenhower's proposals were in issue:

	In Congress as a whole	Senate	House
	Percent	*Percent*	*Percent*
Republican support	64	71	62
Democratic support	53	57	51

PARTY OPPOSITION

On the same 69 rollcalls, the measure of party opposition was:

	In Congress as a whole	Senate	House
	Percent	*Percent*	*Percent*
Republicans in opposition	23	15	26
Democrats in opposition	37	30	39

In other words, whether party performance is measured by support or opposition, Republicans in the 84th Congress to date have a better record of cooperation with the President than have the Democrats.

Republican memo dated August 18, 1955, volume 1, No. 32, page 7:

The Democratic-controlled 1st session of the 84th Congress caused President Eisenhower's batting average on his legislative program to drop to 0.463 from the sparkling average of 0.646 the previous Republican 84th Congress gave him in 1954, Congressional Quarterly weekly report reported August 12.

The publication, a private journal of Washington, D. C., which specializes in Congressional affairs, said the batting average compilation indicated the extent of Mr. Eisenhower's success with his requests to Congress.

Congressional Quarterly said it tabulated 207 Presidential requests to the recent session, including 31 requests resubmitted to the 84th Congress from the 83d Congress. Of this total, Congressional Quarterly said the 84th Congress approved 96, or 46.3 percent. On the other hand, the Republican-led 83d Congress received 232 legislative requests, and approved 150 for an average of 64.6 percent. The publication said only specific requests for legislative action by the President himself were used for the compilation.

Newsweek magazine said in its issue of August 15 that President Eisenhower's criticism of the Democratic Congress for failing to enact important parts of his program "underscored this fact: Of his 200 most important recommendations, only 52 were passed. The year before, with a Republican Congress, the President had got 150 of his 232 recommendations through."

Republican National Committee news release dated October 20, 1954:

EISENHOWER GOT 53 PERCENT BETTER COOPERATION FROM CONGRESS THAN TRUMAN DID

President Eisenhower got 53 percent better cooperation from Congress in enacting his proposals than Truman did during his administration.

Leonard W. Hall, chairman of the Republican National Committee, said that an analysis of a box score compiled by an independent and nonpartisan news service organization in Washington, the Congressional Quarterly, shows that as a leader Mr. Eisenhower did remarkably better with Congress than did his predecessor.

For the 6 years from 1947 to 1952, Mr. Truman got 42.9 percent of his proposals approved by Congress. Mr. Eisenhower did 53 percent better than that, getting 65.9 percent of his proposals adopted in the 2 years of the 83d Congress.

In considering the 64 key or major legislative projects proposed by the President to the Congress this year, the score is even better. President Eisenhower got 54 of these enacted into law, for a batting average of .840. The Congressional Quarterly tabulates all the proposals submitted by the President to Congress.

Mr. Hall pointed to the comparison as a convincing reason for electing a Republican House.

In Washington with Harold Lovre, volume 8, No. 29, dated August 2, 1956:

It's too early to evaluate the work of this Democratic-controlled Congress, but it can already be shown that much less support was given to President Eisenhower's legislative program than in the session ending 2 years ago. In 1953, under a Republican-controlled Congress, the President received 73 percent support and in 1954, 65 percent approval. Under the Democrats this fell to 46 percent in 1955 and probably will be around 35 to 40 percent this year. He was citing Congressional Quarterly figures.

Newsletter, Your Washington Review, by Congressman JERRY FORD (Republican, Michigan), August 23, 1956:

According to figures of the Congressional Quarterly the Democrat controlled 84th Congress backed President Eisenhower on 72 percent of the 192 rollcalls in both sessions that presented clear-cut tests of support for his views. In comparison, the Republican 83d Congress supported Ike's position on 164 or 83 percent of 198 rollcalls involving his legislative program in 1953 and 1954. According to this same nonpartisan digest my overall box score supporting President Eisenhower in the 84th Congress stood at 91 percent. In this last session which ended several weeks ago my Ike batting average was 94 percent.

Newsletter, memo by Congressman JOHN W. BYRNES (Republican, Wisconsin), July 31, 1956:

IKE SUPPORT

It is perhaps symptomatic of the President's popularity that one of the Democrat leadership's boast, as Congress adjourned, was that the Democrats had given Ike 75 percent of what he asked for. Unfortunately, this boast does not square with the compilation made by Congressional Quarterly, a nonpartisan reference service, which stated that the 84th approved 46.1 percent of the President's program, compared to 73 percent of Ike's program enacted by the Republican 83d Congress.

SUPPORT OF DEMOCRAT PROGRAM

In addition to judging the Congress on how well it supported Ike, the standard set by the Democrat majority itself can be used. Last November, Senator JOHNSON, Senate majority leader, proposed a 13-point "program with a heart"; 42.8 percent, or about half, of this program was enacted. Question: Will Democrats, who like to give Congresses a name, now call the 84th "the halfhearted Congress"?

Mr. Meade H. Alcorn, Jr., chairman, Republican National Committee, on Meet the Press, NBC television program, June 2, 1957:

Mr. ALCORN. One of the major issues will be the fact that we have seen, I think, a very unusual and a very unhappy spectacle during this Congress. Ninety-four percent of the President's program is still unacted upon and is still bottled up in Congress. And I think one of the issues, if not indeed

the major issue, will be that in 1958 in order to have an effective administration of the people's affairs—unless the people simply want a stalemate and I don't believe they do—the Executive should be entitled to have a Congress which will be at least in part sympathetic with the program of the party. In 1953 and 1954 when we had a Republican Congress, the President of the United States was successful in getting about 75 percent or 76 percent of his program through; in 1953 well over 60 percent; I think 65 percent in 1954. Then when we had a Democrat Congress come in in 1955 and 1956, the Congress gave him about 46 percent of his program. Now those figures don't lie and they demonstrate—(interruption).

These figures cited by Mr. Alcorn are taken from Congressional Quarterly tabulations.

Robert C. Crane, publisher, Elizabeth (N. J.) Daily Journal:

We find this material the best and most succinct reporting on the Washington scene, as well as the most educational material we can use in our columns.

Barry Bingham, editor, The Louisville (Ky.) Times, The Courier-Journal:

The Courier-Journal finds Congressional Quarterly news features a source of unusual and interesting material which is not available elsewhere. We believe it adds to the thought content of our paper.

J. Walter Greep, editorial writer, Lubbock (Tex.) Avalanche-Journal:

Since most editorials on present day topics require considerable research, your service renders a real service to the editorial writer.

Edward Lindsay, editor, Lindsay-Schaub Newspapers:

We find Congressional Quarterly material quite useful in our editorial pages, both daily and Sunday. In the main, it is not only factual and thorough, but well presented background material on major issues, along with a running reportorial job on the behavior of Congress not available in quite so usable a form elsewhere.

J. R. Wiggins, executive editor, the Washington Post and Times Herald:

We find the material from Congressional Quarterly extremely helpful and useful, not only for publication, but as background and reference.

Wright Bryan, editor, Cleveland (Ohio) Plain Dealer:

We use Congressional Quarterly primarily as reference material for our editorial writers and our Washington Bureau. Occasionally we publish some of your material as prepared by you.

Arden X. Pangborn, editor, Oregon Journal:

Congressional Quarterly not only provides us with innumerable exclusive news stories, many of them vitally important to our own Northwest area, but also offers an invaluable editorial page reference service.

Its completeness, accuracy, and impartiality insures its constant use.

John Whalen, editorial page editor, Mitchell (S. D.) the Daily Republic:

I think Congressional Quarterly is doing a bangup job of providing important background and other supplementary information on issues involving Congress and the executive branch. What's more, it is doing so in a fearless and unbiased manner. We use Congressional Quarterly largely as documentation in editorials but also occasionally run the articles as editorial page features.

Richard F. Pourade, editor, the San Diego Union:

The makeup of Congressional Quarterly enables us to break complex issues up into many parts so that the reader does not become confused with an intermingling of facts, opinions, controversy and debate. The reports are strictly objective and the arguments separated and well balanced.

Leslie Moore, executive editor, Worcester (Mass.) Telegram:

We find the Congressional Quarterly quite valuable. Our Telegram staff uses it regularly both for reference purposes and for background articles on the editorial page. The material is accurate and highly informative.

Robert G. Spivack, Washington Correspondent, New York Post:

I have found Congressional Quarterly the single most valuable service we get since I have been in the Washington Bureau of the New York Post. It's especially useful in preparing my column, "Watch on the Potomac." I can't calculate how many times I have referred to it or, for that matter, how much money it has saved my newspaper on research.

Reed Sarratt, executive editor, Winston-Salem (N. C.) Journal:

We find Congressional Quarterly material useful. We use it primarily in our editorial page department for reference purposes. We also print approximately half of the Congressional Quarterly news features.

James Osborn, editor and publisher, the Yuma Daily Sun:

I thought you would be interested in knowing that I have had quite a number of favorable comments on my use of Congressional Quarterly material. I use it from time to time in my page 1 column, Editor's Notebook.

Of course, we also use it to put the local or Arizona angle into features and editorials, too.

P. S.—Your special service of telegraphing the rollcall votes of the Arizona delegation we find is well worth the extra cost.

James R. Doran, editor, the Harrisburg (Pa.) Patriot-News:

We have found Congressional Quarterly to be invaluable for background and a gold mine of information political and otherwise.

Kenneth MacDonald, editor, the Des Moines Register and Tribune:

We find Congressional Quarterly valuable as an up-to-date reference work on Congressional voting, status of legislation, position of Congressional leaders on specific issues and other facts bearing on the legislative picture.

J. J. McManus, editor in chief, the Boston Post:

We use the Congressional Quarterly news features in both the daily and Sunday Posts and have for years. Even without the features, however, the Congressional Quarterly service would be invaluable because of the weekly reports, which provide a complete and well-indexed source of information on everything that happens in Congress. These reports have saved us from more than one printed boner when our library was unable to come up with the right answer.

WHAT PRESIDENT EISENHOWER SAID AT HIS WHITE HOUSE PRESS CONFERENCE

We have seen numerous Members from the Republican side saying different things on different days about Congressional Quarterly.

I would say to my Republican friends that it is not a matter of the Congressional Quarterly at all.

What is involved here is support or lack of support for the President's program—no more, no less.

What will the opposition do with articles from the New York Times and other publications which discuss the lack of Republican support for the President.

Are we to believe that this, too, is all a part of a Democratic-hatched plot?

Is anyone so gullible as to believe that these articles in stanch Republican newspapers and magazines are misinformed and uninformed?

For that matter, are we to believe that the President at his White House news conference does not know what he is talking about when he discusses the lack of support for his program in the Congress?

Let our critics explain the articles from the New York Times of May 23 by James Reston and W. H. Lawrence, which I include here.

For that matter, look at what transpired at the President's White House news conference on May 22, when the President replied to Robert J. Donovan, of the New York Herald Tribune, and W. H. Lawrence, of the New York Times.

All of you saw on the front page article in the New York Herald Tribune Monday morning, June 17, by Rowland Evans, Jr. The title, not by Congressional Quarterly, nor by me, but by this great Republican house organ is as follows: "President Presses Drive for Unity in Congress." I include this article as part of my remarks.

My Republican friends may argue that, after all, the New York Herald Tribune, the New York Times, and other publications are wordly journals smelling of the market place and inclined to be cynical.

I don't think that they are, anymore than I think Congressional Quarterly is politically biased and New Dealish.

So I give you this remarkable article from the Christian Science Monitor of Thursday, June 13, 1957.

The article was written by William H. Stringer, Chief of the Washington News Bureau of the Christian Science Monitor, and here is what Mr. Stringer says:

[From the Christian Science Monitor of June 13, 1957]

EISENHOWER TRIES SUASION ON BUDGET BALKY

(By William H. Stringer)

WASHINGTON.—At the White House they tell you:

"Wait and see. The President's battle for his budget and legislative program isn't over yet. Maybe the President didn't get into the fight too late after all. We may win out yet."

This could be wishful reasoning. So far, the presidential drive seems to have gotten results on the foreign-aid bill. Defense cuts are touch and go. Civil-rights legislation, the school bill, are in jeopardy. Yet budget cuts are biting as deep as first threats indicated.

EFFORTS STEPPED UP

But whatever the ultimate result, the White House has most certainly stepped up its drive to get Mr. Eisenhower's program through Congress. If one merely tabulated the number of phone calls to Capitol Hill, or

the number of lawmakers dined quietly at that executive restaurant inside the White House, the scope of the effort to persuade Congress would be apparent.

President Eisenhower is criticized for not working more with the rank-and-file when Congress bigwigs oppose him. It is argued that he should wield a bigger patronage club, should threaten recalcitrant legislators. But at the White House they contend that the drive is more powerful, more varied, than some critics know or would admit. For instance:

1. Of course Mr. Eisenhower works primarily with his GOP legislative leaders. There are the weekly breakfasts, the regular conferences, the presidential phone calls to Senator WILLIAM F. KNOWLAND and Representative JOSEPH W. MARTIN, Jr.

But many an evening, around 6 o'clock, the President will be found meeting with a group of Senators or Congressmen at the White House—a session not on the appointment calendar—to discuss this or that bill.

STRATEGY WEIGHED

The Congress leadership knows of these meetings, but cannot control them. Mr. Eisenhower turns on his friendly persuasion, and more than one lawmaker goes away with his opinions changed to favor the legislation under scrutiny.

2. The Eisenhower political team is giving careful thought how to deal with totally recalcitrant Republican Congressmen back in their own districts. Strategy is not wholly jelled yet, because GOP National Chairman Meade Alcorn is still new on the job. But it's planned to notify legislators whose voting record for Eisenhower is virtually nil that they'll definitely be opposed in 1958 or 1960.

Take a certain Midwest Congressman who has opposed the Eisenhower program and indeed the GPO platform of 1956 far more than he supported it. He would be quietly made aware that a rival Republican candidate for his seat is being built up for 1958. This would be delicate business, but it's under active consideration.

[From the New York Herald Tribune of June 17, 1957]

PRESIDENT PRESSES DRIVE FOR UNITY IN CONGRESS

(By Rowland Evans, Jr.)

WASHINGTON, June 16.—President Eisenhower is now fully engaged in a concentrated, personal campaign among Republican Members of Congress in behalf of his program that has no equal in recent political history.

It was understood from qualified sources today that the President means to do no less in the months ahead than exert his personality directly on virtually every Republican in Congress, those in both the Eisenhower and conservative wings of the party. He has always, of course, had intimate weekly contacts with the Republican leaders in both the Senate and House. These leaders are about equally split in political belief between orthodox and modern Republican thinking.

In the last 2 or 3 weeks, it was learned, the President has invited some 20 Republican Senators, in small groups of 3 or 4, to hour-long conversations with him in the White House. Secrecy has cloaked these intimate sessions. The Senate visitors do not appear on the White House official calling list. The meetings have taken place in late afternoon or early evening. Participants are asked not to discuss them.

The President, it was understood, means to carry his campaign through the entire Republican membership in the Senate. His technique among the more numerous Members of the House is to invite Republicans in groups of 40 to breakfast with him at the White House.

Other evidence of the President's unprecedented campaign to gain and retain the support of Congressional Republicans was a letter he wrote a week ago to a young California Republican, Representative CHARLES S. GUBSER. Mr. GUBSER, in a speech to the Republican State committee in California, had made the following assertion: "Some of our most faithful allies in the cause of promoting republicanism have contributed materially to what could be our downfall and what could also be the greatest landslide victory the Democratic Party has ever had."

The speech denounced "sniping criticism" against the President by the conservative Republican "Eisenhower wrecking crew." It said that "if modern republicanism becomes a nasty word, the word Republican will become obsolete."

After reading a copy of the speech, the President wrote Representative GUBSER: "A speech like yours on May 25 * * * is more heartening to me than perhaps you might realize. Always the easiest course in public affairs is fault-finding; the harder thing to do is to justify and explain and to correct misrepresentation.

"The harder course you have taken, and you have risen to the challenge, in my opinion, remarkably well. My conviction is that your approach is sound politically as well as sound factually, for I have yet to see solid facts stray far from good politics."

NEW INFLUENCE SEEN

The President has manifested his new role as active shepherd of the Republican flock in other ways. When Senator FREDERICK G. PAYNE, Republican, Maine, returned to the Capitol after a long illness, the President called him on the telephone to welcome him back. That might seem the most natural kindness in the world, but there are those who feel that in other days the President might not have felt such a responsibility.

Debate and voting in the House and Senate the past week show a level of Eisenhower support among the Republicans that seemed to be absent earlier in the session when his record peacetime budget was the fattest pitch in the ballpark. On final passage of the foreign-aid bill, only 8 Republicans voted against the new program, as opposed to 17 Democrats, including some whose political records show strong internationalist convictions. In the critical House vote rejecting the jury-trial amendment to the President's civil-rights bill, an estimated 40 or so Republicans left the Eisenhower fold. Previous estimates held that between 70 and 100 would support the Southern position.

NEW ENTHUSIASM

The prospect today is extraordinarily favorable to passage in this Congress, and probably in this session, of the civil-rights program. Although the Federal school-building program appears to be quite dead this year, enactment of civil-rights legislation would carry out a relatively substantial part of the Eisenhower program.

It is still too early to measure the full impact of the new and cozy Eisenhower campaign on either the party as a whole or the legislative program. What could be said is that the President has instilled a new enthusiasm among his strongest Congressional adherents to continue what up until very recently was a lonely and exposed fight. The Eisenhower Republicans have taken new heart, and they are hoping the President's efforts will attract new supporters and weaken the conservative opposition in his own party.

[From the New York Times of May 23, 1957]

(Excerpt from transcript of White House news conference, May 22, 1957)

Robert J. Donovan, of the New York Herald Tribune: "Mr. President, last week, sir, you were asked if you intended to punish Republican Members of Congress who didn't go along with your program. Leaving out the question, the concept of punishment, would you be more disposed to support those who do back your program and less disposed to back those who do not, next year?

Answer: "Well, if you want to make that statement within reasonable—and what I would call logical—grounds, I think it will be a pity if ever we tried to organize in this country political parties that are based upon slavish inherence to every detail and concept of government that can be advanced, because then you will have nothing but a whole group of splinter parties, probably 170 million political parties, as far as I can see. Therefore, each party should encompass a very great deal—I mean a very wide range—of political thinking.

"But, I do believe this: when a political party gets together and agrees upon a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it.

"I believe they should stick with it through thick and thin unless conditions so change that anyone would understand that some change would have to be made in this platform. So, I have no right and no desire to punish anybody. I just say this: I am committed to the support of people who believe, as I do, that the Republican platform of 1956 must be our political doctrine."

NOT "NAMBY-PAMBY"

W. L. Lawrence, of the New York Times: "Mr. President, to carry Mr. Donovan's question a step further, if I might, sir, in previous elections, both 1952 and 1956, you have always supported every Republican who was running for the Senate or the House without regard to their voting record. I am wondering whether that will continue to be your attitude in 1958, or whether you do have some degree of enthusiasm with which you support those who help you, and those who don't do anything for you?" [Laughter.]

Answer: "Now I hope that I will never be accused of being so namby-pamby that I don't have degrees of enthusiasm about people that stand with me and those that stand against me.

"Now, what I do want to make clear is this: I most earnestly believe that the Congress and the White House should be occupied and controlled by the same party, whenever this is humanly possible that this could be done, for the reason then you can fix responsibility."

[From the New York Times of May 23, 1957]

EISENHOWER BACKS FULL GOP SLATE—BUT FEELS MORE ENTHUSIASM FOR SUPPORTERS OF GOALS THAN FOR OTHERS IN 1958

(By W. H. Lawrence)

WASHINGTON, May 22.—President Eisenhower declared today that Republican Senators and House Members who backed his legislative program would get his enthusiastic backing for reelection.

But he pledged support, at the same time, to all Republican Senate and House nominees in 1958 without regard to their voting record on his legislative program.

"Now I hope that I will never be accused of being so namby-pamby that I don't have degrees of enthusiasm about people that stand with me and those that stand against me," the President said amid laughter.

He said it was important for the Republicans to control Congress as well as the White House, "and to that extent, of course, I am for whoever the Republicans of any particular State or district nominate.

"But when it comes down to who I am for enthusiastically, and who I am for merely because they are Republican, is a very wide difference," General Eisenhower declared.

KEEPS SWORD SHEATHED

By this answer at his news conference, the President once again refrained from using a political weapon some of his most ardent supporters think he ought to employ to command a greater degree of legislative support and party discipline. These men would have the President make room on his political coattails only for the Republicans who generally support the White House program.

He reiterated his statement of last week that he had no desire and no power to punish those of his own party who opposed his program. He said it would "be a pity if ever we tried to organize in this country political parties that are based upon slavish inherence to every detail and concept of government that can be advanced." Each party, he said, must encompass a wide range of political thinking.

"But I do believe this," he continued. "When a political party gets together and agrees upon a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it."

Once again, the President pledged to continue working to advance his legislative program by seeking to persuade individual legislators to back it. But again he declared his intention to respect the organization of the Congress, and not to deal with individuals behind the backs of anybody.

WON'T BE BLOCKED

At the same time, he made it clear he would not let the leadership veto any proposal he might have to seek votes of other legislators.

"If the leadership of Congress is definitely against a project in which I am interested," he went on, "I am not barred, and by no means do I ever expect anyone to try to bar me from seeing the individual Senators or Congressmen that I believe are sympathetic and can help. But the point is—you always go first to the leadership and notify them of what you are doing."

General Eisenhower declined an invitation to analyze the reasons why his smashing reelection victory in 1956 had not been followed by more general support for his program in this session of Congress. His questioner said recent public-opinion polls had shown that the President's popularity had fallen sharply.

"I believe that these so-called popularity curves tend to go up and down," he said. "This is the simple way I go about it; I made at least a limited campaign in 1956—at least limited as compared to 1952—and I took the Republican platform and I spoke for it and I made my pledges and promises to the people based on that platform.

"I intend to carry it out to the very best of my ability."

He said that all other Republicans who spoke in 1956 had accepted the platform at least implicitly if not explicitly and that those who disagreed with him now must put up something constructive in its stead.

[From the New York Times of May 23, 1957]

EISENHOWER FIRES BACK—A STUDY OF PRESIDENT'S INITIAL MOVES TO USE HIS POWER TO PRESS PROGRAM

(By James Reston)

WASHINGTON, May 22.—President Eisenhower has shown in the last 2 days what can be done when he mobilizes Presidential power and personal influence behind a legislative program.

In what have probably been the two most effective days of his second administration, he has regained the initiative over the opposition in his own and the Democratic Party. And he has done it merely by using instruments that have been available to him all along.

First of all, he has dominated the news. He is now, and always has been when he wanted to be, the principal source of news and information in the Nation.

This is a source of strength that he allowed to decline through the months of February, March, and April. And, as always happens, the vacuum was filled by his political opponents.

Second, he brought back to Washington for last night's television speech on mutual security the best speechwriter he has ever had—Emmet J. Hughes of the Time-Life-Fortune organization. Accordingly, this speech had bite and direction.

Third, he and his White House staff have been on the telephone with influential Members of Congress in the last week in a serious effort to pull the Republican Party together.

And, finally, today he used the Presidential news conference as it can and should be used: To inform, to follow up on major policy pronouncements, to clarify and to remind the Congress and the Nation that he does not intend to have his authority whittled away without a fight.

FOLLOWTHROUGH IMPORTANT

The question now is whether he will keep going. Both in golf and in politics, his backswing has always been better than his followthrough. Last week, he beefed up his first television address on his budget as a whole after alarmed warnings from the Republican House leader, JOSEPH W. MARTIN, Jr., of Massachusetts, and then minimized the whole performance by an I'm-not-mad-at-anybody attitude in his news conference.

Today, however, he followed through on last night's speech. Without abandoning his habit of avoiding personal criticism of his opponents, he made clear this morning that he is not going to treat his opponents precisely as he treats his supporters during next year's Congressional election campaign. And he promised a fight for his program.

This important change has not come about without a great deal of private and public pressure from individuals and institutions that have long been in his corner.

David Lawrence felt obliged this morning to remind him that, after all, he did have the power of veto over the Congress.

And Time magazine, which has not been his most severe critic in the last 4 years, remarked this week that his first television message was the closest thing to a political flop that Ike has ever had.

The surprising thing in all this is that it has taken the White House so long to turn around. The storm warnings have been up ever since the collapse of the administration's Middle East policy last winter.

OFF TO A BAD START

The Secretary of the Treasury, George M. Humphrey, rallied the budget-cutters against the President even before the big book had gone to Capitol Hill.

And the Democrats, starved for an effective issue, rushed into the breach in the unaccustomed role of defenders of the national economy.

Nevertheless, it was not until the President's best friends warned him that nice guys finish last in this kind of an executive-legislative struggle that he began to shift the emphasis this week.

Can he now maintain the initiative?

The feeling here is that he can if he will. The Democrats are divided and highly vulnerable to counterattack on the budget issue.

Even the most partisan of opponents have nothing to gain and the Nation has a lot to lose—by eroding the President's prestige 3 years and 8 months before the end of his term. And though his popularity may have suffered a little with the general public in the last few months, he is still the only political lion in the den.

RIGHT WING VULNERABLE

Even the right wing of his own party is highly vulnerable and leaderless. They maintained power only as a result of the President's personal popularity. They did not protest against a popular New Dealish Republican Party platform that was bound to be extremely expensive if its promises of collective security abroad and social security at home were to be redeemed.

And the President started reminding them of this platform in his news conference today.

Primarily his problem is one of articulation and political organization. He is not set up on a permanent basis to do the job of articulation. All his major political problems are highly complex—the budget, mutual security, defense policy.

All require vivid, and especially constant, exposition. But when he got in a jam this week, he had to summon Mr. Hughes from private life, and now that last night's speech is over, Mr. Hughes has gone away.

There is nothing in the present situation, however, to prevent him from mobilizing the articulate members of his party.

MORE NEWS CONFERENCES?

Men such as McGeorge Bundy, the Harvard dean, and William G. Saltonstall, the principal of Phillips-Exeter Academy, are not only devoted supporters of his administration, but also are in a position to mobilize like-minded Republicans in the universities and elsewhere. There are more of them than the White House realizes.

Nor is there anything in the Constitution that limits him to occasional news conferences. He can have, not two a month, but two a week if he likes, and he demonstrated today that when he wants to do it, he can be an effective advocate and keep his program from being overwhelmed on the front pages of the newspapers.

Finally, the record in Washington is full of evidence on how to organize administration support in the Congress. What General Eisenhower said last night about his so-called foreign aid bill is precisely what Franklin Roosevelt was saying about the lend-lease bill 16 years ago: namely, that the country could either provide a man and a gun or, alternately, provide the gun and let the allies provide the man.

The difference is that President Roosevelt organized his supporters in the Congress during the lend-lease debate. He established a system under which his backers on the Hill were in close liaison with the executive officials who had the facts.

ANSWERS WERE QUICK

And when damaging attacks were made on some aspect of that program, some administration supporter, selected in advance got on the phone at once for the effective facts and counterarguments.

Thus the debate was kept in balance under conditions that were much more adverse to the administration than those that pertain today.

Fortunately, these tasks of articulation and organization are not the kind of thing that puts too much physical strain on the President. He has come to enjoy the news conference. His gifts of personal persuasion with the legislators are still immense. And effective means of passing information quickly from the executive departments to the Hill can be arranged.

The point, therefore, is not whether the initiative can be maintained, but whether it will be maintained. And that is largely up to the President himself.

MEADE ALCORN CONCEDES EISENHOWER LOSS

After all the fuss about the accuracy or lack of accuracy of the figures in Congressional Quarterly I was astounded to find in the New York Times of June 3

a news story headed "Alcorn Concedes Eisenhower Loss."

The Times article jumps right into the middle of the argument and begins forthrightly in this way:

Meade Alcorn, chairman of the Republican National Committee, said today that it is not unusual for a second-term President to lose influence with members of his own party in Congress.

Mr. Alcorn, appearing on the National Broadcasting Co.'s television program Meet the Press, conceded under questioning that President Eisenhower might have undergone such a loss. But he said that the President's influence with the country, as distinct from Congress, was as great as ever.

I include this remarkable article here for the information of my colleagues. I say "remarkable" because we find the chairman of the Republican National Committee saying on television what the members of the President's party refuse to admit on the floor of this House.

I also include an article by George Dixon, a syndicated columnist, from the Washington Post and Times Herald of Thursday, May 30, 1957, entitled "Have Republicans Switched Horses Under Ike?" I include, too, an article from the Trentonian written by Lyle C. Wilson of United Press Association.

I include here, also, the lead editorial from the New York Sunday Times of June 2, 1957, which says in part:

President Eisenhower repeatedly makes the point that things would be better if both the Executive and the Congress were in the hands of the same party—naturally, he thinks the party should be Republican—so that there could be a focusing of responsibility. However valid in theory his argument may be, the split control between White House and Capitol does not afford a satisfactory explanation for the poor legislative record that has been rolled up thus far. Until recently the President has done little leading even of his own party.

[From the New York Times of June 3, 1957]

ALCORN CONCEDES EISENHOWER LOSS—SAYS DECLINE OF A PRESIDENT'S POLITICAL INFLUENCE IS NOT UNUSUAL IN A SECOND TERM

WASHINGTON, June 2.—Meade Alcorn, chairman of the Republican National Committee, said today that "it is not unusual" for a second-term President to lose influence with members of his own party in Congress.

Mr. Alcorn, appearing on the National Broadcasting Co.'s television program Meet the Press, conceded under questioning that President Eisenhower might have undergone such a loss. But he said that the President's influence with the country, as distinct from Congress was as great as ever.

The Republican leader brushed aside a statistical survey showing that on 20 major issues in this Congress the Democrats had supported the President far more consistently than the members of his own party.

He said that "when the chips are down," as in unsuccessful attempts in the House last week to restore cuts in the Defense Department budget, most Republicans voted with the President.

The key vote, on a motion to send the bill back to the Appropriations Committee and restore $313 million of the $2,500,000,000 cut by the committee, was 242 to 151. A total of 203 Democrats and 39 Republicans voted against restoring the funds and 140 Republicans and 11 Democrats voted to restore them.

SEES DIFFERENCES WHOLESOME

Mr. Alcorn denied that there had been any split in the Republican Party over the President's $71,800,000,000 budget for the fiscal year 1958, which begins July 1, 1957. But he admitted that in recent regional meetings over the country he had found "a widespread belief that the budget should be cut if it could be cut without endangering national security."

He termed this a "wholesome differences of opinion * * * that will ultimately result in a stronger Republican Party."

He said he did not believe that the Eisenhower budget would be a factor in the Congressional elections of 1958.

Mr. Alcorn refused to speculate on whether Vice President RICHARD M. NIXON, on the words of a questioner, "has it made" for the Presidential nomination in 1960. He said he had never discussed with President Eisenhower whether the President would take a hand in the selection of a nominee, but said he assumed the President "would make his influence felt."

He said he thought the results of the 1958 elections would "have a great deal to do with the nominee in 1960, and with whether he's successful or not."

[From the Washington Post and Times Herald of May 30, 1957]

HAVE REPUBLICANS SWITCHED HORSES UNDER IKE?

(By George Dixon)

House Republican leaders, who confer with President Eisenhower every Tuesday approached the White House for this week's meeting with a pious prayer on their lips that Ike had not seen the latest rundown sheet on their legislative performance. They came away temporarily relieved, at least. If the President had seen the form chart he made no mention of it.

A complete breakdown of the voting records of every Member of the House of Representatives has been made, however. It is enough to make Ike wonder if he hasn't secretly been unhorsed. He once declared he wouldn't change horses in midstream. The compilation should make him wonder if the GOP Congressmen didn't change horses on him, before he even saw the stream.

The horseplay is epitomized, by Mississippi. The six Ol' Miss' Representatives, all Democrats, have been voting as if they were Republicans.

They've been voting against the President.

The breakdown reveals that Congressmen who bellowed loudest in the last election campaigns, "Help me to help Ike," have been giving him the least help and that those who promised to fight him have been giving Ike the most support.

On every piece of legislation on which the White House has taken a position, Ike has had more support from the Democrats than the Republicans. There have been no exceptions.

The GOPsters talk about Eisenhower popularity, and "I Like Ike." Well—Franklin D. Roosevelt hit the bottom of his popularity with Congress after he tried to pack the Supreme Court, and Harry S. Truman lost popularity after a series of controversies in 1946. But at no time in their Presidency did either have less support from their party than Dwight D. Eisenhower is getting from his, right now.

It's beginning to seem as if "modern Republicanism" is still so new the GOP Congressmen haven't yet heard of it.

Let us take a few closeups: House Democratic Leader JOHN W. MCCORMACK, of Massachusetts, campaigned last year on the slogan, "Elect me to stop Ike." He has voted with the administration 95 percent of the time.

House Republican Leader JOSEPH W. MARTIN, JR., ran as an "I Like Ike"-er. He has voted with the White House 55 percent.

Of the 435 Members of the House, not 1 has gone all the way with Ike, but 7 have gone 95 percent. Six of these—MCCORMACK, MELVIN PRICE, of Illinois; CARL ALBERT, of Oklahoma; ROBERT E. JONES, of Alabama; CARL D. PERKINS, of Kentucky, and DANIEL J. FLOOD, of Pennsylvania—are Democrats. CHARLES WOLVERTON, of New Jersey, is the lone Republican.

There are two gentlemen named Bass in Congress. PERKINS BASS, a Republican from Presidential Assistant Sherman Adams' New Hampshire, voted with the White House 23 percent. Ross Bass, a Tennessee Democrat, voted with Ike twice as much.

The lone Republican from Texas, BRUCE ALGER, voted to uphold Ike only 9 percent of the time. WRIGHT PATMAN, the Texas Democrat, whose fiscal philosophy most differs from Ike's voted 82 percent for the President.

The Democratic whip (ALBERT, of Oklahoma) has supported Ike 95 percent. The Republican whip, LESLIE C. ARENDS, of Illinois, only 50 percent.

Ike's golfing pal, JACK WESTLAND, of Washington, the former national amateur links champ, went only 50 percent of the way with his fellow divot-digger.

But the blow that struck nearest home was this: Ike's own Congressman, in Gettysburg, Pa., S. WALTER STAUFFER, ditched his agrarian constituent on an average of every other vote.

[From the Trenton Trentonian of June 3, 1957]

THE PRESIDENT AND CONGRESS: EISENHOWER FAILS TO REGAIN PARTY COMMAND

(By Lyle C. Wilson)

Events are spelling out for President Eisenhower what it means to be a lame duck Chief Executive. He and his successors are barred by the Constitution from a third term.

What it means is this: The most widely supported President ever put in office by the voters is losing control of his party 7 months after his triumphant reelection.

Eisenhower moved urgently within recent weeks to regain party command. He made two television appeals to the voters for support in his budget battle with Congress. The first speech, dealing generally with the big new budget, seemed immediately to have missed the target.

The President's second speech was devoted to defense and foreign-aid spending, fields in which Eisenhower evidently feels a comforting self-confidence. Most politicians scored that speech as a direct hit.

White House press secretary James C. Hagerty shortly was telling questioners that Eisenhower's fan mail had been weighted heavily in favor of the President's appeal for defense and foreign-aid funds.

Hagerty made no such claim of approval after speech No. 1. It was assumed that Members of Congress also would hear from the home folk with blunt instructions to give Eisenhower the funds he sought. It seems not to have worked out that way.

The House of Representatives stood pat on its defense economies when the showdown votes came this week. The House clipped $2,565,275,000 from defense spending before sending the bill to the Senate by a vote of 394 to 1.

Mr. Eisenhower's loss of party control is not reflected adequately in the fact that only 39 House Republicans deserted him on an earlier key economy vote and that 140 Republicans stood firm. The President's role as party leader should be examined in the light of what he asked the House Republican leadership to undertake.

He asked the Republican Congressional leaders to move to restore to the defense bill $1,274,000,000 of the sums lopped off by the committee which sent the bill to the floor. House Republican leaders sought to

restore only about one-fourth of that sum—far less than Eisenhower had said was essential to the public safety.

By lowering their sights from the sum sought by Eisenhower to a much lesser sum, Republican House leaders believed they might hold the party line when the vote came. Had they come after the $1,274,000,000 as urged by Eisenhower, a great many more House Republicans unquestionably would have been recorded as voting for economy and against the Republican President.

[From the New York Times of June 2, 1957]

TWO MONTHS TO GO

The 85th Congress convened 5 months ago tomorrow; and as the legislators this week enter the sixth month of the present session, they have very little to show for it. There are only about 2 months to go before adjournment—2 months in which to build up a record of accomplishment that at the present time is almost nil, what there is being largely negative.

President Eisenhower repeatedly makes the point that things would be better if both the Executive and the Congress were in the hands of the same party—naturally, he thinks the party should be Republican—so that there could be a focusing of responsibility. However valid in theory his argument may be, the split control between White House and Capitol does not afford a satisfactory explanation for the poor legislative record that has been rolled up thus far. Until recently the President has done little leading even of his own party. * * *

Senate Republicans as a whole have given Mr. Eisenhower less than normal aid and comfort * * * the Democrats are visibly kicking up their heels as Majority Leader JOHNSON becomes less complaisant toward the President than formerly.

If the President expects to accomplish a considerable part of his program, he has to bear down much harder than he likes to do on his party associates at the Capitol. If he had been willing to use his vast personal popularity to win over a considerable segment of Republicans to his side, there is little doubt that there would have been enough Democratic votes at hand to give him a good deal of what he wants. The evidence is that he is beginning to put on the heat, particularly in the battle over the budget; but the big question now is whether such moves as he may make in this direction do not come too late.

At any rate, Congress hasn't done much during these last 5 months except to express horror over the size of the President's budget and then to hack away at it without much rhyme or reason while at the same time adding to prospective Federal expenditures by passing a few large-scale spending bills of its own. The Senate-approved rivers and harbors authorization, to the tune of $1.5 billion, is a case in point. It is now in the House, where one may not very realistically hope that it will either be drastically reduced or die altogether. Although the House has slashed its way through 11 major 1958 appropriation bills, the Senate hasn't yet passed a single one. Among the few bills of substantive importance that have been approved by both Houses of Congress in the 5 months of this session, there are the President's Mid-East program and the tax-extension bill, both of which went through in March, and the housing program, which still has to be ironed out in House-Senate conference.

An analysis made a few days ago by Congressional Quarterly news service shows that of the nearly 200 specific legislative requests made by the President this year, only 6.6 percent have been approved by Congress, 4 percent rejected and more than 40 percent have not been acted on at all, even in committee. This is not an impressive record, especially when one considers that some of the major projects in both party platforms are still waiting in the wings. Civil rights, due for House debate this week; mutual-aid school construction, immigration revision, atomic-energy treaty, Organization for Trade Cooperation, Alaska-Hawaii statehood, aid to small business, minimum wage, campaign spending and lobbying regulations, item veto, billboard control, Niagara power—these are a few subjects of more than ordinary interest that need the attention of Congress. Not one of them has been completed by either House and some of them haven't even been started.

THE REPUBLICAN SCHISM

What is really at stake here, then, is not the Congressional Quarterly at all, as I see it.

I believe it is what the President says it is, a question of support for the Republican platform.

As the President says:

When a political party gets together and agrees upon a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it. I believe they should stick with it through thick and thin.

And the President said:

Now I hope that I will never be accused of being so namby-pamby that I don't have degrees of enthusiasm about people that stand with me and those that stand against me.

The difficulty of healing the Republican schism is a difficult one, because it is practically impossible for anyone or any two in the Republican Party to agree on what the Republican Party stands for.

I would like to document this statement of mine with the following quotations from Republicans across the country and Members of the Congress as well.

Dwight Eisenhower, press conference, November 14, 1956:

It is a type of political philosophy that recognizes clearly the responsibility of the Federal Government to take the lead in making certain that the productivity of our great economic machine is distributed so that no one will suffer disaster, privation through no fault of his own.

Now, this covers the wide field of education and health and so on, but we believe likewise in the free-enterprise system. We believe that it is free enterprise that has brought these blessings to America.

Therefore, we are going to try our best to preserve that free enterprise, and put all of these problems in the hands of localities and the private enterprise of States wherever we can, because it happens that the great difference, as I see it, between myself and people of a philosophy that believes in centralized government is that I believe, to have this free enterprise healthy, you must have, first, integrity in your fiscal operations of the Government; second, you must preserve a sound dollar or all of our plans for social security and pensions for the aged fall by the wayside, they are no good; and thirdly, in this dispersion of power.

Meade Alcorn, GOP national chairman, Baltimore Sun, March 19, 1957:

Then what does modern Republicanism really mean? Couldn't it be described as dynamic conservativism? Couldn't it be described as Republicanism alive, vibrant, responsive, and aggressive? If this be true, then all of us are modern Republicans.

Clarence Buddington Kelland, former executive director of the GOP National Committee and national committeeman from Arizona, CONGRESSIONAL RECORD, March 19, 1957:

Shall the Republican Party drag along, pale, anemic, lifeless down the middle of the road? * * * Are we going to adopt this heresy known as new Republicanism? * * * New Republicanism betrays every historical tenet and principle of our Republican Party. * * * I repeat and emphasize that the first Eisenhower election was in no sense a Republican victory but a personal Eisenhower victory * * * indeed, it was a Republican defeat * * * a national emotional orgy deriving from a sort of paroxysm of impassioned enthusiasm for the personality of Mr. Eisenhower.

Gov. Goodwin Knight, U. S. News & World Report, May 3, 1957:

As a modern Republican, I like to feel that, if I had been living 100 years ago, I would have stood with Abraham Lincoln.

A "GOP Demosthenes," quoted by John O'Donnell, New York Daily News, February 19, 1957:

I'll be damned if I know what this modern Republicanism is, but I've got a 20-minute spot on a broadcast to explain it. Thank God it isn't a quiz program. Two years ago I got stuck with the job of telling the voters what Ike meant when he said we now had a party of "dynamic conservatism." That time I got trapped by having to answer questions. I like Ike, but I'd like to wring the necks of those smart boys who think up the labels and then take a runout powder when the going gets rough.

Representative JOHN TABER, of New York, U. S. News & World Report, May 3, 1957:

I do not know what a modern Republican is, but the difference between a modern Republican and one of the old-line Republicans is that a modern Republican does not think things out as carefully or as fully as the old-line Republicans used to.

Bertha Adkins, assistant chairman, GOP National Committee, Louisville Courier-Journal, May 11, 1957:

The Republican principles we've always had, being used to meet today's problems. There's nothing divisive about it.

New York Herald Tribune, November 9, 1956:

The challenge to the Republican Party is spelled out in boxcar letters. It is to reshape itself as a modern party, an Eisenhower Republican Party of ideas and popular appeal which seizes opportunity and responsibility.

Sacramento Bee, November 24, 1956:

Couched in such phrases the new Republicanism emerges as the old Republicanism altered only by forced acceptance of gains in the field of social responsibility established by the New Deal. * * * The real thinking of the present Republican leaders is represented by hard money, the starving of the Tennessee Valley Authority, the curtailment of Federal hydroelectric projects and a general rigging of tax laws and administrative agencies so big corporations get the lion's share of the pelf. The deviations in the present administration which depart from the more blatant and rampant "old guardism" are caused by acceptance of the inevitable.

Dwight Eisenhower, press conference, January 30, 1957:

Question. Would you spell out or define the difference between your philosophy of mod-

ern Republicanism and the so-called New or Fair Deal policies of the Democratic Party?

Answer. Well—and again I have done this, I assure you, before—but fundamentally the difference is this: I agree that there are many functions now performed by Government * * * that would have been unthinkable only as much as 50 years ago. * * * But this is what I say:

If we have respect for the kind of economy, for the institutions that have brought us to where we are today, with our productivity and our power, and our advance in every type of civilization on the intellectual, the educational, the health, physical, moral side, we will understand we must preserve the initiative of the people, which, in my opinion, means Government as close as possible to that person where he can take the maximum interest in it and influence it to the maximum degree.

If we don't have that kind of thing, he begins to say money comes from Washington or help comes from Washington free, and he wants more all the time, because it is coming from an outside source. Where he is paying all or part of that, he says, "Let's look at this with a jaundiced eye."

So the difference is this: I believe that, first of all, the Government must be honest fiscally. * * * I fail to find any such philosophy in what you called the New Deal. I believe in the decentralization of power geographically, back to the geographical units where it is best exercised, and finally, I believe in preserving the soundness of our money, in the interests of all of the people who are going to live on pensions and retired pay.

Representative CLARE HOFFMAN (Republican of Michigan), U. S. News & World Report, May 3, 1957:

Question. How would you define a modern Republican?

Answer. A New Deal internationalist.

Representative A. L. MILLER (Republican of Nebraska), U. S. News, May 3, 1957:

I would define a modern Republican as a free-wheeling, free spender who has surrendered his constructive conservatism to ride the current New Deal bandwagon.

Washington Post, April 17, 1957:

Eisenhower Republicanism is not necessarily modern Republicanism, Representative EDWIN H. MAY, Jr., of Connecticut told the Evening Political Study Group of the League of Republican Women of D. C. last night.

Roscoe Drummond, New York Herald Tribune, April 7, 1957:

The budget in its purposes and scope represents modern Republicanism in action.

Fletcher Knebel, Washington Star, March 22, 1957:

Modern Republican: A fellow who joins the New Deal 20 years late—then claims he invented it.

Indianapolis Star, November 25, 1956:

President Eisenhower recently outlined his views on what a modern Republican Party should stand for. His suggestions were, in our opinion, contradictory for they sought to expand the Federal Government's activities in the fields of health, education, welfare, highway construction and so on, while at the same time the President called for "dispersion of Federal power" and decentralization of governmental functions to protect free enterprise.

John O'Donnell, New York Daily News, February 13, 1957:

The decision of National Committee Chairman Alcorn's ghost writers to proclaim that the present Republican organization was a party of "inclusion" raised some eyebrows among the boys who looked the word up in their unabridged Congressional dictionaries. With a whoop of delight, they were circulating around Capitol Hill the Webster definition that Alcorn's "inclusion" means: "A foreign body, gaseous, liquid or solid, usually of minor size, inclosed in the mass of a mineral."

Dwight Eisenhower, press conference, January 23, 1957:

Well, I don't know where it (the leadership for a program toward modern Republicanism) originates. I don't know why anyone should be stopped from having a good idea and putting it into effect. Certainly I am going to stand for it with my full might, and I think that the major figures in the Republican Party, the vast majority of them, believe the same thing and, certainly, the chairman of the national committee has the responsibility.

Edgar Bundy, president of Abraham Lincoln National Republican Club, New York Post, February 10, 1957:

The challenge has been thrown out by modern Republicans and the battle is on. We shall lay plans to drive out of Washington the weak-kneed men in Congress who have surrendered Congressional prerogatives to the White House.

United Press dispatch, May 22, 1957:

Representative USHER L. BURDICK defined a modern Republican as a "yes man" who lets the Eisenhower administration do his thinking for him. The North Dakota Republican said the typical modern Republican "probably rode into Congress on the President's coattails and seeks further security by saying 'yes' to whatever he wants."

RICHARD M. NIXON, New York Times, May 15, 1957:

I should hope that all Republicans would want the party program geared to the problems of the modern age. I don't wish to divide Republicans into groups. The President's program is the program of the Republican Party.

Representative NOAH MASON, Republican, of Illinois, CONGRESSIONAL RECORD, January 31, 1957:

Ike's new Republicanism is a form of bribery, a program to buy votes with the voters' own money.

Meade Alcorn, Washington Post, February 13, 1957:

You wouldn't take a 1957 car, pull out the engine, and attach a horse to pull it, would you? Modern Republicanism is the engine that gives power, force and direction to a program designed to meet and solve the problems of today. We aren't changing the fundamental beliefs that were enunciated in Lincoln's day and continue to live today. We aren't uprooting one stone of the foundation that made our party great. But we are modernizing the superstructure.

Chicago Tribune, February 15, 1957:

It takes more than ballyhoo to sell something to the American people. You have to have a product, too. The product that Mr. Eisenhower and the palace guard are trying to foist on the public is underengineered and overpriced. The shell has been stretched until you can stick your finger through it. It's the worst gas eater ever put on the road. It's loaded with gadgets that the average driver will never find useful. And, worst of all, the design was stolen from last year's Democratic model. The original is still on the market. Selling modern Republicanism is like selling Japanese scotch in Edinburgh. The natives know better.

Roscoe Drummond, New York Herald Tribune, April 26, 1957:

It doesn't take fancy words to define modern Republicanism. Modern Republicanism is the 1956 Republican platform and it will be obsolete in 6 months only if the Republican Members of Congress make it obsolete by repudiating important parts of it.

George Rothwell Brown, in New York Journal-American, February 15, 1957:

To conservative Republicans of the old school it means the beginning of a new progressive movement similar to that of Theodore Roosevelt's in 1910 which wrecked the party in 1912.

Mrs. Robert Gunderson, GOP national committeewoman from South Dakota, Milwaukee Journal, May 15, 1957:

This phrase refers to persons not normally considered Republicans but who supported President Eisenhower in his two campaigns.

Meade Alcorn, New Orleans Item, April 8, 1957:

Modern Republicanism is the belief in an adherence to all of those traditional principles which have made our party great, but with one important added ingredient—a sense of mission.

Representative RICHARD M. SIMPSON, Republican of Pennsylvania, Cincinnati, Ohio, February 12, 1957:

The modern Republicanism in which I believe is the Republicanism of Lincoln and Taft.

Arthur Larson, U. S. News & World Report, May 3, 1957:

Modern Republicanism is simply Republicanism as it has been adapted under President Eisenhower's leadership to mid-twentieth-century responsibilities.

Chicago Tribune, February 5, 1957:

Modern Republicanism is in almost every aspect the welfare state. We shall spend and spend and spend, and tax and tax and tax, and everybody will be happy.

Secretary of Commerce Sinclair Weeks, CONGRESSIONAL RECORD, March 19, 1957:

Modern Republicanism is not something brand new, dreamed up recently. * * * Republican policies today are the expression of our party's great century-old principles, dressed in the clothing of this current age.

Dwight Eisenhower, press conference, May 15, 1957:

I thoroughly believe that any modern political philosophy that fails to study carefully the needs of the people today, not of 1860, of today, what do they need, by the complications that have arisen in our industrial life, in our economy, how are they going to get along, how are they going to take care of themselves in their old age, what happens if they are disabled and can't work for 5 months or so?

I believe the Federal Government cannot shut its eyes to these things, no matter how much it tries to work through States and get these responsibilities assumed by the States and the localities, it must assume some leadership.

I believe that unless a modern political group does look these problems in the face, and finds some reasonable solution, sticking as nearly as possible to the theory of the limited powers in the Central Government, then in the long run we are sunk,

and that, I say, I have become more and more convinced, as I see the amount of money grow and grow in that regard, and I believe, therefore, I am more conservative than otherwise since 1952.

Chicago Tribune, February 15, 1957:

Thomas J. Curran, Republican chairman of New York County (Manhattan) had pointed comment on the sales campaign for Mr. Eisenhower's gimmick. "We live in an age in which articulate press agents make inarticulate politicians talk like philosophers," he told members of the National Republican Club.

"What's in a name?" And they said that our friend from Michigan goes too far in his political retaliation against the Congressional Quarterly.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield right there?

Mr. THOMPSON of New Jersey. I yield.

Mr. HOFFMAN. No political retaliation at all. I did not even read the Congressional Quarterly to learn my standing. It was only when some of my colleagues called my attention to it and, of course, I pay no attention to it as far as making any decision as to how I should vote.

The thing I was concerned about, and the gentleman touched it, was when they advertise they are an authoritative publication and call it the Congressional Quarterly I think many people believe it is an official publication because we have the CONGRESSIONAL RECORD and we have many reports coming out of Congressional committees which are official.

Let me say this, I have no right, no one has the right to complain about what the other fellow is thinking or saying as long as the facts are not misrepresented, and even if each is entitled to express his opinion.

Mr. THOMPSON of New Jersey. Then the United Press got into the act with a story which appeared in the Washington, Pa., Observer May 31, in which it said, the lead was: "HOFFMAN Wants Protection for the Word 'Congressional.'"

Mr. CRAMER. Mr. Speaker, will the gentleman yield right there?

Mr. THOMPSON of New Jersey. I prefer not to yield until I have completed my statement.

Mr. CRAMER. But on the very matter touched by the gentleman from Michigan.

Mr. THOMPSON of New Jersey. I yield very briefly.

Mr. CRAMER. I would like to suggest to the gentleman that even the newspaper edited by the owner-publisher of the Congressional Quarterly also misleads the general public in accepting it as the official word of this Congress because it carried this article on the first page of the editorial section on May 11, 1957, by the owner-publisher, in the St. Petersburg Times, my hometown morning newspaper:

The extent of the Congressional revolt is demonstrated in the Congressional Quarterly survey of support of the President in the 85th Congress. It shows that so far in 1957 the Congress backed the President on 61 percent of the rollcall votes, while in the Democratic 84th Congress—ahead of the 1956 election—its score was 72 percent; and in the GOP 83d it stood at 83 percent.

So it is clearly evident that the title of this magazine is clearly intended to give the general public the impression that the Congressional Quarterly is the official word on how people vote in Congress.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. CRAMER. That demonstrates the problem that the gentleman from Michigan, my distinguished colleague [Mr. HOFFMAN], is interested in.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Minnesota.

Mr. McCARTHY. Unless we and the American people do have some independent evaluation of this kind, we and they would have to accept either what the Republicans said about their record in support of the President or what the Democrats said about their record in support of the President. Insofar as the public is concerned, it is clearly better to have an independent publication passing judgment than to have two partisan reports on the same question.

Mr. THOMPSON of New Jersey. I quite agree with the gentleman. The gentleman's point is very well taken. After all, the gentleman from Pennsylvania [Mr. SIMPSON] made an analysis. I think even he would not pretend his analysis was objective or nonpartisan any more than one which our distinguished leader [Mr. KIRWAN] would offer.

Mr. McCARTHY. I am sure that the gentleman agrees with me that the editors of the Congressional Quarterly must labor under a considerable disability in deciding which particular position of the President they are going to use as a standard, since his position on the same issue often varies from time to time.

Mr. THOMPSON of New Jersey. It is difficult, and I shall point out an example or two of that later.

Mr. McCARTHY. I remember the Republicans out our way before the 1952 elections were for a flexible price-support program.

Mr. THOMPSON of New Jersey. Yes.

Mr. McCARTHY. Suddenly they found that the President was for 90 percent support; they then turned around and supported the President. They went down the road with him; then in 1954 the President came out against 90 percent supports.

Mr. HOFFMAN. Mr. Speaker, I will have to ask that those words be taken down because the gentleman says "Republicans."

Mr. McCARTHY. The Republican candidates for Congress in the rural districts of the State of Minnesota. I was speaking of the State of Minnesota. This is the difficulty: First they were for flexible price supports and after the expression by the President in support of 90 percent, they came around to support him. They went down the road suporting him; then suddenly he veered off to 85 or 82½ percent.

Mr. THOMPSON of New Jersey. Would not the gentleman agree with the development of last year, for instance, the President's initial stand—or the initial stand of his spokesman—was one reflecting rigid principles and flexible supports; then it changed to a flexible principle and rigid supports.

Mr. McCARTHY. Then we got to the point where they were both flexible.

Mr. THOMPSON of New Jersey. Oh, yes. Now they are both fluid.

Mr. McCARTHY. I think that is about the story. There is the additional problem for the Quarterly editors; namely, that even when the President does not get what he likes, he generally likes what he gets, if from Republicans.

Mr. THOMPSON of New Jersey. I agree thoroughly with the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CURTIS of Missouri. I state, Mr. Speaker, that we are not proceeding in regular order. If the gentleman is going to yield to the gentleman from Minnesota, there should be a request of the Chair that he do yield. I have been trying to get the gentleman's attention and the Chair's attention to ask the gentleman to yield to me. Unless we follow the regular order, we cannot continue this.

Mr. THOMPSON of New Jersey. I will say to the gentleman——

Mr. CURTIS of Missouri. I am speaking to the Chair and I am asking that the regular order be followed. If the gentleman wants to yield to the gentleman from Minnesota and will not yield to the gentleman from Missouri, all right, but let us follow the orderly procedure.

The SPEAKER pro tempore (Mr. McGOVERN]. The gentleman's point is sustained. The gentleman from New Jersey will proceed in order.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I decline to yield at this time, but I am going to yield to the gentleman in a moment because he was courteous enough yesterday to yield to me.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. The point I wanted to make is this, that the Congressional Quarterly does not confine itself to the use of the term "Congressional" in its title. The point I was making—and, in fact, I think it shows what they are up to—is their use of the byline on their front page "The Authoritative Reference on Congress." So, it goes beyond this type of private enterprise that the gentleman was speaking of that used the term "Congressional."

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. CURTIS of Missouri. The reason I am bringing it up is that the two should be considered together. I might agree with the gentleman that we ought to do something in all areas where use is made of the name "Congressional," but in this particular case of the Congressional Quarterly, we are confronted with the title plus the use of a by-line "The Authoritative Reference on Congress."

Mr. THOMPSON of New Jersey. I thank the gentleman, and I will consider

that. I might point out that the phrase to which he has referred is in quotes. Now, where they quote it, I do not know.

Mr. CURTIS of Missouri. I think I am right in saying it is not in quotes.

Mr. THOMPSON of New Jersey. I will be glad to look into it with the gentleman.

Mr. CURTIS of Missouri. It is not in quotes. It is "The Authoritative reference on Congress." I put it in quotes when I used it in my speech, but it is just a straight out byline.

Mr. THOMPSON of New Jersey. I thank the gentleman.

Mr. CURTIS of Missouri. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CURTIS of Missouri. Mr. Speaker, I think the rules of the House should be obeyed as far as referring to Members of the other body is concerned. That can get into a ticklish point. I think the gentleman should refrain from such references.

The SPEAKER pro tempore. The gentleman will proceed in order.

Mr. THOMPSON of New Jersey. Republican Memo dated July 21, 1955.

Mr. CURTIS of Missouri. Mr. Speaker, I insist on the point of order with regard to references to the other body or Members of the other body.

Mr. THOMPSON of New Jersey. Mr. Speaker, may I address myself to the point of order?

The SPEAKER pro tempore. The Chair will hear the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. The quotation which I am about to give, and I certainly concede the point on the other matter, is from the Senate Republican policy committee. That is not an official body of the Congress of the United States any more than Old Senator Whisky is, and I trust that I can quote it.

Mr. CURTIS of Missouri. Mr. Speaker, if I may speak to the point of order, I think the reason for the ruling is a good one. I know I have insisted on it on occasions when my name was mentioned in the Senate, because I was not able to answer there nor was anyone in the Senate able to answer here. It was unfair. It creates a difficult situation in connection with the amity between the two bodies. The reason for the ruling there would apply to the specific case the gentleman is now embarking on.

Mr. McCARTHY. May I ask whether the gentleman from Missouri is referring to the remarks of the gentleman from New Jersey about the Senate Republican committee?

Mr. CURTIS of Missouri. I might say "Yes." Any reference to the Senate involving the action of the individual Members of the Senate should not come on this floor.

Mr. McCARTHY. The gentleman would not say that the Senate Republican committee was an official organ of the Senate?

Mr. CURTIS of Missouri. The rule of the House relates to reference to Senators. If you want to refer to a Republican political organization, that could be done.

Mr. McCARTHY. The gentleman would not object if we referred to the Republican Senate committee?

Mr. CURTIS of Missouri. I think the rules of the House refer to a reference to a Senator. I should like to see the debate go forward. I think the gentleman can make his point without referring to Members of the other body.

The SPEAKER pro tempore. The Chair would request to the gentleman from New Jersey that he not refer to any Member of the other body or to the body itself or any part of the body.

Mr. THOMPSON of New Jersey. Mr. Speaker, does the Chair consider that the Senate Republican policy committee is a part of the other body?

The SPEAKER pro tempore. Will the gentleman from New Jersey eliminate the word "Senate"?

Mr. THOMPSON of New Jersey. I thank the Speaker.

Mr. CRAMER. A point of order, Mr. Speaker. Does the ruling refer to other references preceding this point?

Mr. THOMPSON of New Jersey. Yes. Mr. Speaker, I ask unanimous consent that my references preceding this point to the Members of the other body all be deleted from the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. THOMPSON of New Jersey. I thank the gentleman and I appreciate the spirit in which the criticism is made.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. McCARTHY. I wonder if the gentleman would venture an opinion as to whether, in the event that Republican percentages compiled by the Congressional Quarterly show an improvement in the next issue of that publication, there would be similar protests from the Republican side, or even from the Democratic side?

Mr. THOMPSON of New Jersey. I would say this to my friend from Minnesota. Yes; I think there will be protests but they will be diminishtd because clearly under the procedures established by the Congressional Quarterly, the batting average of the Democrats is going to go down since the last capitulation.

Mr. McCARTHY. In other words, there will be some protests from some of the Republicans no matter what the record shows.

Mr. THOMPSON of New Jersey. Oh, yes.

Mr. McCARTHY. I think the gentleman might point out that the press has recently been pointing out that the Republicans have been giving more support to the President than they were giving him earlier in this session.

Mr. THOMPSON of New Jersey. Yes; I have an interesting relation of the history of that phenomenon, I might say, to follow.

Mr. McCARTHY. I wonder whether the gentleman would care to make an observation on the fact that this change in support came very shortly after he and a number of other Democrats sent a communication to the White House, informing whoever might have read it, that the President, if he was really interested in his program, did not really have to go to the American people or to the Democrats, but that it would be advisable for him to try to influence the Republican Members of Congress.

Mr. THOMPSON of New Jersey. I might say to the gentleman that we did send such a communication and that in response to it former Gov. Sherman Adams, the Presidential assistant, wrote each of us a very nice letter thanking us for our support, and asking that we continue it and saying that they intended to see into this thing.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield further?

Mr. THOMPSON of New Jersey. Yes.

Mr. McCARTHY. The gentleman will recall that some time after Mr. Sherman Adams read our message he spoke to the Republicans at Trenton, N. J.

Mr. THOMPSON of New Jersey. Yes; he did. That is my hometown.

Mr. McCARTHY. The burden of his speech was that unless the Republicans did support the President the Democrats might obtain some advantage. Was not that the burden of his speech?

Mr. THOMPSON of New Jersey. Yes; he said that very clearly, and he indicated that the incumbent of that particular district, who is myself, might very well be reelected, if he seeks reelection, if this continues.

Mr. McCARTHY. And following that first statement by Mr. Sherman Adams the President made a speech to the Republicans in which he indicated that the terrible thing about the failure of Republicans to support him was that this failure might result in a Democratic advantage.

Mr. THOMPSON of New Jersey. He did, and he pointed out to the Republicans that they have a platform which he considers a pledge and that they had better get behind it. We have particular reference and quotes from the President on this subject following here.

Mr. McCARTHY. I assume the gentleman is hoping as some of the rest of us are that the President will continue the breakfasts of ham and eggs for Republicans, that he will continue to call Republicans in Congress by their first names; since the press reports that these methods have moved the Republicans to their recent strong support of the President as we are approaching some of the really controversial pieces of legislation such as the foreign aid program.

Mr. THOMPSON of New Jersey. Yes, indeed, I hope he does; and I, and I know that you, and the gentleman from California [Mr. ROOSEVELT], the gentleman from Montana [Mr. METCALF] intend to do whatever we can to support the President's foreign aid program.

Mr. CURTIS of Missouri. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CURTIS of Missouri. I submit that in not inquiring if the gentleman will yield the rest of us are put to a disadvantage, and that has not been done. If he wants to ask a question he should first ask the gentleman to yield; otherwise we have this Amos and Andy performance that is going on. My point

of order is that the gentleman has not been proceeding in order, that there has not been a regular yielding, and it makes it impossible to gain the attention of the gentleman from New Jersey to ascertain if he will yield over on this side.

Mr. McCARTHY. I have no further requests to make of the gentleman from New Jersey. I appreciate his courtesy and the consideration of the Chair.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Following this point: I would hope that the gentleman from Missouri did not intend to characterize the gentleman from Minnesota or myself as Amos or Andy or either one.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield.

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. The performance was that, not you as individuals, but the performance was.

Mr. THOMPSON of New Jersey. Or it might have been an Alphonse-Gaston performance also.

Mr. CURTIS of Missouri. Certainly.

Mr. THOMPSON of New Jersey. Whether we have an Amos and Andy performance or an Alphonse-Gaston performance, I yield to my friend from Florida.

Mr. CRAMER. I was very much interested in the statement by the gentleman as to the support they gave the President. Will they continue that support of the President's program?

Mr. THOMPSON of New Jersey. Certainly, that part of the program we approve.

Mr. CRAMER. I would suggest to the gentleman——

Mr. THOMPSON of New Jersey. I yield further to the gentleman.

Mr. CRAMER. I would suggest to the gentleman that he go back and look at the record of the vote on the corn bill, and the bill with the national defense increased funds amendments, and many other votes that are included in the CONGRESSIONAL RECORD, the vote on the Patman resolution, also on House Resolution 190, a bill from the Democratic side saying that the President should send up a new budget in the opinion of the Democratic side.

If you are with the President, you support him. If you do not, you do not. I suggest the gentleman put in the RECORD the vote of those who signed the telegram on the issues I have mentioned, as an example, and such other issues as he might see fit to include. I submit that in each of these issues the majority of the signers of the telegram opposed the President's position.

Mr. THOMPSON of New Jersey. That already is in the RECORD, as the gentleman well knows, because all rollcalls are in the RECORD. It may be perfectly well for the Congressional Quarterly, before or after it changes its name, to list any of them. I would also say to the gentleman from Florida that we should include yesterday's vote on rollcall No. 115 in support of the score because the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN], said on page 9533 of the RECORD:

> It is one of the features of President Eisenhower's great humanitarian program to help the people. Floods and disasters respect neither individuals nor sections. They come unexpectedly to all people. We should all realize the necessity of doing something about this problem. Realizing the scope of recent disasters, the President would like to construct a program of aid. The President is in favor of this program.

The gentleman from Florida voted against that as did the gentleman from Missouri. Now, if the gentleman will permit, I should like to continue.

Mr. CRAMER. One point, if the gentleman will yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Florida.

Mr. CRAMER. I opposed the amendment partially because it would cost, eventually, $5 billion and the program has not been adequately developed. I would suggest to the gentleman there is no use trying to shift responsibility. The chairman of the committee and the majority membership of the Appropriations Committee disapproved the flood insurance item and that committee is in the hands of the gentleman's own party. It was their recommendation that we were voting upon and which I supported.

Mr. THOMPSON of New Jersey. I concede that it certainly was the recommendation of the chairman of the committee and of the subcommittee who were in opposition. This does not alter the fact it was the President's program that the minority leader voted for with Democratic votes which were cast in favor of that proposition against the chairman of the committee and of the subcommittee and but for the Republicans who voted against it, who should have supported their President, this Nation would have flood insurance today, and the gentleman knows it full well.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. The gentleman declines to yield until he gets further into these quotes. Then I will be delighted to yield to the gentleman.

Mr. Speaker, I might say I have to take a few seconds here and there to delete that word which we discussed a while ago.

A Republican memo dated August 18, 1955, says about the Congressional Quarterly:

> The publication of a private journal of Washington, D. C., which specializes in Congressional affairs said the box score was so and so and it tabulates that. I shall include this in the RECORD.

The Republican National Committee news release of October 20, 1944, headlines "Eisenhower Got 53 Percent Better Cooperation From Congress Than Truman Did."

Leonard Hall, chairman of the Republican National Committee, said:

> An analysis of the box score compiled by an independent nonpartisan news service organization in Washington, the Congressional Quarterly, shows that Mr. Eisenhower did remarkably better with Congress than did his predecessor.

He stated that the Congressional Quarterly tabulates all of the proposals submitted by the President to the Congress.

In Washington a former Member of the House, Mr. Lovre, said on August 2, 1956, that he had supported the President X number of times. I will include this in the RECORD.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. ROOSEVELT. Does not the gentleman think it is rather unfortunate politically to have the chairman of the Republican National Committee go up to New England, as he did yesterday, and accuse the Democratic Congress of refusing to vote a flood control program when, in effect, it was his own party that defeated it.

Mr. THOMPSON of New Jersey. I do, indeed. I think if Mr. Alcorn had been fair, presuming that he was really for flood insurance as the President was, that he would have laid the responsibility to the chairman of the committee, to the chairman of the subcommittee, Democrats, and to the Republicans and the Democrats who voted against it; absolutely.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. As one, incidentally, who voted against flood insurance, I would say that there was no question during the debate that the leadership, supplied on the Democratic side of the aisle was against it. Mr. MARTIN, the minority leader on the Republican side, was for it. I might state in regard to my own position—and it has a bearing on the issue of the Congressional Quarterly—that I always reserve and always have reserved the right of my own position as to the correctness of these measures. I have been able in the past to support the President overwhelmingly in a majority of the cases. But, the point at issue is not that so much but as to whether or not the Congressional Quarterly has abided by its own standards of selecting votes which show Presidential support, and I wish the gentleman would address himself to those specific things and not talk about collateral issues.

Mr. THOMPSON of New Jersey. I am not talking about collateral issues.

Mr. CURTIS of Missouri. I am talking about the 22 issues or 22 votes that the Congressional Quarterly used according to their standards, and I made the charge that they did not comply with their own standards.

Mr. THOMPSON of New Jersey. I regret saying this because I have great respect and affection for the gentleman from Missouri, but it is my considered opinion, having read everything that has been addressed to this subject since May 22, the gentleman's record, the record of his colleagues and that of my colleagues, having studied thoroughly the criteria applied by Congressional Quarterly, that they have indeed—and this has dis-

tressed me somewhat, too—not deviated from the standard which they have set. They are using the very same standard they used and which has been quoted by so many Members of the other body, this body, and your national committee.

And I might say to the gentleman that it is early in the ball game. If the gentleman will permit me to get on, we will have 15 minutes or so left to discuss this.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield for just one comment on that point?

Mr. THOMPSON of New Jersey. Yes.

Mr. CURTIS of Missouri. What I am saying is that the debate should confine itself to the very position the gentleman has taken, that they have abided by their own rules. I have detailed in the RECORD and in my speeches here that they have not abided by their own rules and that is what I would like to discuss. I wish the gentleman would discuss how he figures that they have abided by the rules.

Mr. THOMPSON of New Jersey. I figure they did on the basis which I have set out in my foregoing statement. I have studied it thoroughly. I have a portfolio of information and criteria and I might say to the gentleman that my primary objective today was twofold; first, to suggest amendments to the bills introduced by the gentleman from Michigan [Mr. HOFFMAN], and secondly, to demonstrate, as was my original intention on May 22d, the lack of support up till that time of the President's program as evidenced by the record.

Now, I have cited the Congressional Quarterly. I have faith, absolute faith in their criteria even though they showed that my support score was lower than that of most Republicans last year. I am citing this and other material to show that you, indeed—and I use "you" editorially——

Mr. CURTIS of Missouri. The gentleman may use it personally, if he wishes.

Mr. THOMPSON of New Jersey. On that side of the aisle, indeed, have not been up until a very recent date, supporting your President, your leader.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. For instance, 14 of the 22 votes were on 1 appropriation bill. I have written to the Congressional Quarterly and I have challenged them to come forward with evidence that indicates that the President of the United States took a position on those 14 points which, according to their rules of procedure, were proper test votes. The gentleman cannot point to it nor can they, nor can anyone else, because the President did not take any position on those 14 points.

Mr. THOMPSON of New Jersey. The gentleman from New Jersey [Mr. THOMPSON] can and if the gentleman from Missouri [Mr. CURTIS] will refrain from asking him to yield further, I shall attempt to do so.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. THOMPSON of New Jersey. I have here and I shall include as part of the RECORD testimonials to the Congressional Quarterly from some of the following newspapers:

Elizabeth (N. J.) Daily Journal, a Republican newspaper of my own State.

The Lubbock (Tex.) Avalanche Journal.

The Washington Post and Times Herald; the Cleveland Plain Dealer, the Oregon Journal; the San Diego Union; the Worcester (Mass.) Telegram; the Winston-Salem Journal; the Yuma Daily Sun; the Harrisburg Patriot-News; the Boston Post; and others.

We have seen numerous Members from the Republican side saying different things on different days about the Congressional Quarterly. I would say to my Republican friends that it is not a matter of the Congressional Quarterly at all. What is involved here is support or lack of support for the President's program, no more, no less.

What will the opposition do with the articles from the New York Times and other publications which discuss the matter of Republican support?

Do you gentlemen mean to tell me—and I shall extend at this point the rest of my remarks so that we will have time for colloquy, if you will give me about 2 more minutes—do you gentlemen mean to say that the President has not had to make an effort to stiffen support from the Republicans for his program? Do you mean to tell me, gentlemen, that the article in the Christian Science Monitor of June 13, 1957, entitled "Eisenhower Tries Suasion on Budget Balky," which I shall put in the RECORD, is an untrue article from a biased or partisan Democratic paper?

The New York Herald Tribune of June 17, 1957, said, "President presses drive for unity in Congress," referring to the schism in the Republican Party.

The New York Times' transcript of the President's news conference of May 22, 1957, in which Mr. Donovan, of the Herald Tribune, says:

> Mr. President, last week, sir, you were asked if you intended to punish Republican Members who did not go along with your program.

He goes on:

> The President said, "Well, if you want to make that statement within reasonable and what I would call logical grounds, I think it would be a pity if we tried to organize political parties based on slavish inherence to every detail."

He goes on to say:

> But I do believe this: When a political party gets together and agrees on a platform and that platform is presented to the American public as the political basis on which they are going to try to conduct the Government, if elected, they should remain true to it.

Mr. Lawrence of the New York Times asked the President a question and said:

> If I could take it one step further.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. Although the Congressional Quarterly came into the debate because the gentleman originally referred to it as his basic authority, I do not think there is any question but that there are areas of disagreement in the Republican Party. I would say this to the gentlemen on the other side who give all this advice about the split in the Republican Party that it is sort of like looking at the speck in your neighbor's eye when there is a plank in your own, in view of the basic division that exists between what we might call the southern Democrats and people like yourself who represent northern districts. I hope there is always room for disagreement, and public disagreement, within my party on various issues.

Mr. THOMPSON of New Jersey. I can assure the gentleman that his wish is going to be fulfilled.

Mr. CURTIS of Missouri. The issue is there. But I think what the gentleman from New Jersey and some of his colleagues fail to understand is that what some in the Republican Party have been standing for is some responsibility on the part of the Congress, and not to have a rubber stamp Congress such as we experienced in this country during the Roosevelt and the first part of the Truman administrations. The Congress should assume some of this burden as an independent arm of the Government. I think in this debate it is perfectly proper to point out these differences, and to add them up to see whether there is a fundamental difference between Republicans in the Republican Party, here in the House, for example.

I will put in the RECORD at the proper time an analysis of that because it is my opinion that actually the Republican Party, including our various groups running from the conservative to the liberal, is relatively close together, and any split you might anticipate, I am afraid the gentleman is not going to find occurring. I would suggest that he direct his attention to his own party if he wants to combat the unity of the Republican Party.

Mr. THOMPSON of New Jersey. Now the gentleman contradicts himself as he talks. He talks about the liberals and the conservatives and other groups within his own party, and then he ends up by saying it is unified. The gentleman is not serious in saying that there is a complete unanimity of thought on that side; is he?

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. No, I said that there was not, but I said it was a basic unity. The differences are aired, and when those differences are ironed out, I think you will find that the Republicans are pretty well all together and pretty well follow a definite philosophy—political and economic and social philosophy just as I submit the ADA Democrats follow one that is pretty different——

Mr. THOMPSON of New Jersey. I do not know what the gentleman means by an ADA Democrat. Would he define that?

Mr. CURTIS of Missouri. I will be glad to. The ADA as exemplified by some of the writings of Leon Keyserling on Economic Philosophy. The personnel composing the ADA follow that particular philosophy in their speeches. I think it is a very definite line of thinking. That is what I am referring to.

Mr. THOMPSON of New Jersey. But what is an ADA Democrat?

Mr. CURTIS of Missouri. I would say ADA Democrats are those who signed the much referred to telegram stating they support the President. These Congressmen tend to follow that line. There will be some deviation, but essentially the economic and social and political philosophy of Leon Keyserling, which is a perfectly respectable one, I want to state, much as I disagree with it, but they do follow that particular philosophy. That is what I mean.

Mr. THOMPSON of New Jersey. I think, as a matter of fact, the ADA is a perfectly respectable organization.

Mr. CURTIS of Missouri. I do, too.

Mr. THOMPSON of New Jersey. But I do not like to be tagged as an ADA Democrat or have my colleagues tagged in that way because I do not know what one is. The term is not definitive enough any more than "Modern Republican" is a definitive term. I had to delete reference made about the other body and, therefore, 20 or 30 definitions of modern republicanism have had to be deleted from this RECORD because of the rules of the House. But there are enough here to prove my point that there is no definitive thing as a modern Republican and, in my opinion, there is no such thing as an ADA Democrat although I must say that in many instances I have agreed with the ADA as well as differed in many instances from the ADA.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield.

Mr. CURTIS of Missouri. Number one, I want to agree with the gentleman with reference to his reference to modern Republican. I do not know what that definition means either although I have tried to follow it. I have tried to pinpoint what I mean by ADA because that is a definite organization of specific people. It consists of certain men who some of whom are well-recognized economists. I want to state for the RECORD that I regard the ADA as an organization, much as I disagree as I say with its economic and political thinking, consists of certain known economists, and I named one of them, Leon Kyserling, who have and expound a definite political, social, and economic philosophy. And I am suggesting that there is a definitive group, and I think the gentleman probably thinks along those lines.

Mr. THOMPSON of New Jersey. I do not know; I have never seen a compilation of the thinking of the ADA. I do know that from time to time I have agreed with them and have many times disagreed with them.

I have, as has the gentleman, respect for the ADA as an organization. I have respect for the National Association of Manufacturers, for the United States Chamber of Commerce, and I certainly agree that there seems to be some unanimity among the Republicans, but a lot of the time I doubt the unanimity here; it is not reflected in the House. On the floor yesterday we saw the minority leader [Mr. MARTIN] stand up and say "This is the President's program." The whip [Mr. ARENDS] voted against it. The unofficial whip, or assistant whip, or whatever the distinguished gentleman from Indiana's title may be [Mr. HALLECK], also voted against it.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. There might be unanimity here in this body but it is not by any means anything approaching unanimous support by the Republicans of the President's program and of the Republican national program.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Just a moment.

We are under no obligation here, any of us, to do anything more than the gentleman from Missouri has so well stated. He hopes that there will always be the right to act as an individual and that a Member can always follow his own conscience as a guide.

But I say this to the gentleman that if he—and I do not know that he did—endorsed the Republican Party platform, if he said: "I like Ike and I like everything Ike stands for" as my opponent did, he has the obligation to the people to carry out his campaign utterances.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. Having referred to the gentleman I yield to him.

Mr. CURTIS of Missouri. I certainly want to say that I did not support any person with unanimity. In my campaign I was happy to state that on the majority of the issues I did agree with the President, and did agree fundamentally; but there were certain things I disagreed with him on, and I still do.

Mr. THOMPSON of New Jersey. The gentleman from Missouri is not only a distinguished and outstanding Member but he is perfectly honest.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

(By unanimous consent, Mr. THOMPSON of New Jersey was allowed to proceed for 2 additional minutes.)

Mr. THOMPSON of New Jersey. I am certain that his constituents know that, and I mean in no way whatsoever to reflect on the gentleman.

Mr. CURTIS of Missouri. I thank the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. I now yield to the gentleman from Florida.

Mr. CRAMER. I was most interested in your remarks about the pertinency of some of these votes and I wish to ask the gentleman, in that he stated he has complete confidence in the Congressional Quarterly's standard; if that is the case I would like to address this question to the gentleman: Can you explain under that statement why the vote on the corn bill was included in the House score but not included in the Senate in that analysis?

Mr. THOMPSON of New Jersey. Has the Congressional Quarterly published as support or opposition the House vote on the corn bill?

Mr. CRAMER. Yes, they have; on the motion to recommit.

Mr. THOMPSON of New Jersey. Then I must say that I do not know the answer, but I have confidence that the House score which they published is accurate.

Mr. CRAMER. I do not question the accuracy of their tabulation but I do question their interpretation, this method of determining—is or is not a given vote for the President. Can the gentleman say conscientiously that there is any justification at all for eliminating the House roll call on Resolution 190 instructing the President to submit a new budget to the Congress? Would you not say that it was an anti-Eisenhower vote? There is not any question in the gentleman's mind about that, is there?

The SPEAKER pro tempore. The time of the gentleman from New Jersey has again expired.

(By unanimous consent, Mr. THOMPSON of New Jersey was allowed to proceed for 2 additional minutes.)

Mr. THOMPSON of New Jersey. The gentleman from Florida asks a question and makes a statement. The gentleman from New Jersey conscientiously believes everything that he says.

Mr. CRAMER. If the gentleman will yield I did not imply that he does not.

Mr. THOMPSON of New Jersey. Mr. Speaker, the gentleman from New Jersey conscientiously believes what he says and I am answering. The gentleman from New Jersey has this to say about that fact: That is one fact where there is doubt because of the President's response to the request of the Congress.

Mr. CRAMER. If the gentleman will yield on that point.

Mr. THOMPSON of New Jersey. I yield.

Mr. CRAMER. Just on that score, the Quarterly itself states that the basis of their determination is the President's position at the time the vote was taken.

The gentleman's position is based upon something subsequent. These are examples of some of the methods of arriving at a support score that cause me to question that tabulation.

Mr. THOMPSON of New Jersey. If that is an accurate statement, I say to the gentleman I hope that the Congressional Quarterly does list that vote as a support or opposition vote. Does the gentleman agree with me that the vote on flood insurance yesterday should be included on the same basis?

Mr. CRAMER. I would not deny it for a moment. I am happy to have it recorded. I voted in opposition.

Mr. THOMPSON of New Jersey. There is no fundamental disagreement here. I do hope that the poor beat up, downtrodden Congressional Quarterly is let alone except for the legislation which the gentleman from Michigan has introduced and which I propose to offer an amendment to. We have gotten up to the level we intended originally and from which we deviated. We have got-

ten it up to the level of a discussion of support or opposition to the President.

Mr. ROOSEVELT. Mr. Speaker, will the gentleman yield?

Mr. THOMPSON of New Jersey. I yield to the gentleman from California.

Mr. ROOSEVELT. I would like to say to the gentleman with respect to the vote on the request of the President in reference to the budget, that there can be no question but what that was a friendly vote for the President, in view of his answer in which he thanked the House for the request and in which he pointed out the area in which he thought the budget could be improved.

Mr. THOMPSON of New Jersey. Mr. Speaker, I thank the gentleman. That is precisely why I said to the gentleman from Florida that this is a difficult area.

The SPEAKER pro tempore. The time of the gentleman from New Jersey has expired.

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent that I may revise and extend my remarks, and also that those who have participated in this debate today may also have permission to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. VURSELL (at the request of Mr. ARENDS) for the balance of the week on account of official business.

To Mr. KRUEGER (at the request of Mr. ARENDS) on account of official business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. JACKSON for 1 hour on Thursday, June 27.

Mr. DAVIS of Georgia, that the special order he has for today be vacated and that he be permitted to address the House for 45 minutes tomorrow.

Mr. CHRISTOPHER for 40 minutes on Monday next

Mr. MILLER of California to vacate the special order he had for Friday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. BYRD and to include extraneous matter.

Mr. BOSCH.

Mr. NATCHER and to include editorials.

Mr. DAGUE and to include extraneous matter.

Mr. REED, to revise and extend the remarks he expects to make today in the Committee of the Whole on the bill H. R. 6090 and include a letter from the archeological organization of the State of New York.

Mr. MILLER of Nebraska in two instances.

Mr. ROGERS of Texas and to include related matter.

Mr. METCALF to revise and extend the remarks he made in the Committee of the Whole today and include a list of irrigation and reclamation projects not yet completed.

Mr. BYRD to revise and extend the remarks he made in the Committee of the Whole today and include related matter.

Mr. ALGER.

Mr. O'KONSKI in four instances and to include extraneous matter.

Mr. ROONEY (at the request of Mr. MCCORMACK) the remarks he made in the Committee of the Whole and to include extraneous matter.

Mr. KEOGH (at the request of Mr. MCCORMACK) and to include extraneous matter.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1454. An act for the relief of Jeffrey Charles Medworth; and

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 407. An act for the relief of Julian D. Dycaico;

S. 1008. An act for the relief of Col. Benjamin Axelroad;

S. 1034. An act to authorize and direct the Secretary of Agriculture to convey to the University of Missouri, for agricultural purposes, certain real property in Callaway County, Mo.;

S. 1179. An act for the relief of Harold George Jackson;

S. 1206. An act for the relief of Antonine Velleman; and

S. 1319. An act to renounce any right, title, and interest which the United States may have in certain lands in Montana.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1451. An act for the relief of Cecelia Vaccaro;

H. R. 1454. An act for the relief of Jeffrey Charles Medworth;

H. R. 1765. An act for the relief of Ellen G. Marinas;

H. R. 1837. An act for the relief of Elda Mondillo;

H. R. 6548. An act to amend the Universal Military Training and Service Act, as amended, as regards persons in the medical, dental, and allied specialist categories;

H. R. 7143. An act to amend the act of August 3, 1950, as amended, to continue in effect the provisions relating to the authorized personnel strengths of the Armed Forces;

H. R. 7505. An act to permit a retired officer of the Navy to be employed in a command status at Port Lyautey, Morocco;

H. J. Res. 185. Joint resolution to implement the convention between the United States of America and Norway, which entered into force on November 9, 1948, for disposition of the claim against the Government of the United States of America asserted by the Government of Norway on behalf of Christoffer Hannevig;

H. J. Res. 272. Joint resolution for the relief of certain aliens;

H. J. Res. 274. Joint resolution to waive the provision of section 212 (a) (9) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 289. Joint resolution to facilitate the admission into the United States of certain alien children; and

H. J. Res. 309. Joint resolution to waive provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens.

ADJOURNMENT

Mr. ROOSEVELT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 52 minutes p. m.) under its previous order, the House adjourned until Thursday, June 20, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

961. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

962. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

963. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of the orders granting the applications for permanent residence filed by the subjects pursuant to the Refugee Relief Act of 1953; to the Committee on the Judiciary.

964. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes"; to the Committee on Interior and Insular Affairs.

965. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation entitled "A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc"; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARRIS: Committee on Interstate and Foreign Commerce. S. 937. An act to amend section 4 of the Interstate Commerce Act, as amended; without amendment (Rept. No. 577). Referred to the Committee of the Whole House on the State of the Union.

Mr. BLATNIK: Committee on Public Works. S. 1054. An act to extend the times for commencing and completing the construction of a toll bridge across the Rainy River at or near Baudette, Minn.; with amendment (Rept. No. 578). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VINSON:

H. R. 8240. A bill to authorize certain construction at military installations, and for other purposes; to the Committee on Armed Services.

By Mr. ADAIR:

H. R. 8241. A bill to amend sections 542 (c) (6) and (7) of the Internal Revenue Code of 1954 relating to interest received by licensed personal finance companies and lending companies; to the Committee on Ways and Means.

By Mr. ANFUSO:

H. R. 8242. A bill to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in Italy; to the Committee on the Judiciary.

By Mr. BOSCH:

H. R. 8243. A bill to amend section 1733 of title 28, United States Code; to the Committee on the Judiciary.

By Mr. DAWSON of Illinois (by request):

H. R. 8244. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, regarding advertised and negotiated disposals of surplus property; to the Committee on Government Operations.

H. R. 8245. A bill to amend section 203 (c) of the Federal Property and Administrative Services Act of 1949 and to permit the exercise of options contained in certain leases of Government property; to the Committee on Government Operations.

H. R. 8246. A bill to further amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

H. R. 8247. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes; to the Committee on Government Operations.

By Mr. HOSMER:

H. R. 8248. A bill to amend title 35, United States Code, to permit the publication of patent applications, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H. R. 8249. A bill to cede to the State of Michigan civil and criminal jurisdiction over certain land situated within Fort Custer, Mich.; to the Committee on Armed Services.

By Mr. UDALL:

H. R. 8250. A bill to authorize the establishment of the Petrified Forest National Park, in the State of Arizona, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PRICE:

H. R. 8251. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. PRESTON:

H. R. 8252. A bill to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income tax laws take place; to the Committee on the Judiciary.

By Mr. WHARTON:

H. R. 8253. A bill to amend the Internal Revenue Code of 1954 to remove the existing maximum limitations on the amount of the deduction for medical expenses; to the Committee on Ways and Means.

By Mr. COLE:

H. R. 8254. A bill to provide for the appointment of representatives of the United States in the organs of the International Atomic Energy Agency, and to make other provisions with respect to the participation of the United States in that Agency, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. POWELL:

H. R. 8255. A bill to increase the amounts of authorized cash relief under the Panama Canal Cash Relief Act of July 8, 1937; to the Committee on Merchant Marine and Fisheries.

By Mr. SMITH of Virginia:

H. R. 8256. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes; to the Committee on the District of Columbia.

By Mr. DAWSON of Utah:

H. R. 8257. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

H. R. 8258. A bill to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MASON:

H. J. Res. 375. Joint resolution proposing an amendment to the Constitution relating to the legal effect of treaties and international agreements; to the Committee on the Judiciary.

By Mr. JONAS:

H. J. Res. 376. Joint resolution providing for the establishment of an annual Youth Appreciation Week; to the Committee on the Judiciary.

By Mr. RAY:

H. J. Res. 377. Joint resolution to extend the time limit for the Secretary of Commerce to sell certain war-built vessels for utilization on essential trade routes 3 and 4; to the Committee on Merchant Marine and Fisheries.

By Mr. CHAMBERLAIN:

H. J. Res. 378. Joint resolution designating the week beginning June 30, 1957, as National Safe Boating Week; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLLIER:

H. R. 8259. A bill for the relief of Mila Bozovich Jovancevich; to the Committee on the Judiciary.

By Mr. GORDON:

H. R. 8260. A bill for the relief of Stefan Okula; to the Committee on the Judiciary.

By Mr. JAMES:

H. R. 8261. A bill for the relief of Mrs. Serpuhi Klavuzoglu; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

290. By Mr. CRETELLA: Resolution of the New Haven Post No. 47, Inc., American Legion, on treatment of American prisoners in foreign jails; to the Committee on Foreign Affairs.

291. By the SPEAKER: Petition of the secretary, class of 1917 of Bryn Mawr College, Richmond, Va., petitioning consideration of their resolution with reference to the property of a classmate, Ryn Oyaizu, of Tokyo, Japan, which has been impounded under the Trading With the Enemy Act, and requesting that this injustice be rectified by passing appropriate legislation; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

No Rights for American GI's

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, we have frittered away $65 billion all over the world since 1945 worrying about the liberties of other people in other lands. But at the same time we take away the rights of American GI's serving in foreign lands.

We worry about trial by jury, the fifth amendment, bail, and other rights for Communists here in America but we give up those rights for GI's all over the world.

How Congress stands idly by while this is going on is something I will never understand. Let us take a look at this sad and strange development. Our leaders say that the Status of Forces Treaty is justified because it is reciprocal—that in giving up jurisdiction over our own soldiers, we acquired jurisdiction over foreign soldiers stationed here.

What every American ought to know is that American constitutional rights are not for sale or trade on any terms.

If the American Government acquired jurisdiction over 100 million foreigners

in exchange for sacrificing the constitutional rights of one American citizen, it would still be an immoral and unconstitutional deal.

The Status of Forces Treaty was a bad bargain for America—even if we ignore principles and make a factual comparison of what we gave with what we got.

There are no foreign troops stationed in America. Altogether, there may be in the United States as many as 15,000 foreigners who are here on some kind of military mission—as observers, experts, or special trainees. On the other hand, there are approximately 1 million American troops stationed abroad. Our troops are sent abroad to protect foreign nations. The foreign soldiers visiting in the United States are not here for our good.

In acquiring jurisdiction over 15,000 visiting foreigners, we nullified the constitutional rights of more than 1 million American soldiers.

Suppose 1 of the 15,000 foreigners does get in trouble here in the United States?

Whoever he is, wherever he's from, whatever he does, he gets the full protection of the American Constitution.

In America, any spy, subversive, or criminal of whatever kind is guaranteed a fair jury trial in open court. He can invoke the fifth amendment, refuse to testify, and heap abuse upon official representatives of our Government. But an American soldier who is drafted and forced to serve abroad can now be arrested on trumped-up charges by foreign police officers, tried in a foreign court, sentenced, and punished, without even having an American official present at his trial.

American soldiers, stationed in some 72 foreign nations, have been forced to give up their own careers, their own families, their own homes, to go abroad and serve the interests of foreign people. But this is not enough. They must also be deprived of their most precious constitutional rights in order to keep our foreign friends friendly.

An American soldier in trouble abroad is at the mercy of people whose language he may not speak, and who may hate him merely because he is an American.

He has no guaranty of a public trial, or even a trial by jury; no guaranty of freedom of speech; no protection against unreasonable searches and seizures; no protection against excessive bail or excessive fines; no presumption that he is innocent until he is proven guilty; no requirement that his guilt must be proven beyond reasonable doubt.

Families of servicemen protest that their relatives are subjected to indignities, suffering, and denial of their rights as American citizens in Iceland—where the biggest political party is the Communist party; where the second biggest newspaper in the nation is a Communist newspaper; and where anti-American feeling is bitter.

We have these status of forces agreements with Moslem countries, where the penalty for petty theft is to cut off the right hand of the offender.

American servicemen are subjected to abuse and injustice in France, where 1 out of every 4 public officials is a Communist.

In both Japan and France, it is customary for prosecutors who are not satisfied with sentences imposed on Americans, to appeal the case. This calls for a new trial, with new evidence; and it puts Americans in double jeopardy, subjecting them to more than one trial for the same offense. Such a thing is unconstitutional in the United States.

In Japan, the wheels of justice turn slowly. Criminal cases are frequently adjourned and interminably delayed; but the defendant—even though he may later turn out to be innocent—stays in jail until the verdict is finally in. What a shame on our Nation and a Congress which permits this.

No Taxes Required

EXTENSION OF REMARKS

OF

HON. WILLIAM H. NATCHER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. NATCHER. Mr. Speaker, a great many people in this country are concerned over the amounts requested in the 1958 budget for use in the operation of our Government. There are many persons who do not believe this budget is consistent with good government. They feel that in order to stabilize our economy and encourage its sound growth there must be a reduction in Federal spending. We all know that it costs considerably more to operate our Government now than at any time in its history. With approximately 59 cents of every dollar to be expended for major national security, the overall amount, of course, is much larger than one would have, in the past, ever dreamed of. But, in spite of the present-day situation, the various departments and agencies of the Government can be operated economically. Such economy cannot only be practiced by our Federal Government, but by the States and municipalities located therein. In many States of these United States prosperity is evidence by reason of economical administration of those in authority. A great many of our cities are managed, or operated, by citizens who give of their time and energy in order to practice economy and insure prosperity within their respective municipalities. In the Second Congressional District of Kentucky we have a small city with a population of 11,132, according to the 1950 census. The good people residing in this city—Madisonville, Ky.—for the third consecutive year will pay no property taxes or poll taxes. Here we have an unusual instance where taxes are not necessary due to the fact that the mayor, the city councilmen, and all city employees, operating in unison, are able to use the profits obtained from the municipally owned light and water departments to run the city. And here is exemplified economy with accompanying prosperity. It is clearly shown what can be accomplished by honest, civic-minded officials of a fine, progressive city.

Mr. Speaker, on June 11, 1957, there appeared an article in the Madisonville Messenger, of Madisonville, Ky., which I am sure the Members of this body will be interested in reading.

The article is as follows:

NO TAXES FOR THIRD YEAR HERE, COUNCIL RULES

Madisonville residents will pay no property taxes or poll taxes in 1957—the third straight year of exemptions for property owners here.

The city council last night passed an ordinance to that effect.

The ordinance reads, in effect: "an ad valorem tax of 'no' cents on property subject to taxation in Madisonville is levied for the year of 1957" and "no poll tax on male residents" for the year 1957.

The ordinance includes a paragraph which states: "There is also levied for the year 1957 a tax of 20 cents on each $100 of the fair cash value of shares of bank and trust companies for general city expenses."

MADE NEWS 3 YEARS AGO

The Madisonville city council made news all over the Nation 3 years ago when it passed an ordinance abolishing city taxes. Nineteen hundred and fifty-seven will be the third consecutive year that property owners here will not have to pay property or poll taxes.

The "no taxes" provision was one of the main talking points of the present city councilmen in their successful bid for renomination in last month's primary election.

In other council action last night:

City Treasurer Lamoine Barton submitted her report for the month ending May 31. It showed the city had a balance of $16,986.10 at the close of business at the end of last month.

Chief of Police W. H. Collins, in his report for last month, disclosed collections of fines and costs for May totaled $859.50.

Nine thousand five hundred dollars was transferred from the city's light and water department fund to the general fund.

The 2-week payroll, ending June 15, for city employees was allowed. Bills were approved and ordered paid.

J. Blake Timmons

EXTENSION OF REMARKS

OF

HON. WALTER ROGERS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. ROGERS of Texas. Mr. Speaker, it is with heavy heart that I report the demise of a notable and illustrious Texan. Amarillo and the Panhandle of Texas has lost a valuable and valiant citizen in the passing of J. Blake Timmons, judge of corporation court, who was struck down in his young manhood by a crushing illness. Only in the past few months has he been unable to carry on the duties of his office, and it is the marvel of his friends that he bore up so long in the face of his waning strength.

Judge Timmons was a man of high character and he had that fine quality of great courage and kindness of heart. He possessed in an extraordinary measure the confidence and devotion of his many friends and associates. He met his final test as he met all others. Whether in service of his country or in the everyday

trials of life, he could take it. His innate cheerfulness would not let him be cast down and he went bravely forward in the faith of a new and better life, and in the consolation of the infinite and eternal care of his Heavenly Father.

Justification of Farwell Irrigation District

EXTENSION OF REMARKS
OF
HON. A. L. MILLER
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. MILLER of Nebraska. Mr. Speaker, the appropriation bill for public works for fiscal year 1958 gives moneys for some 280 flood control and irrigation projects located all over the United States. I want to call the attention of the committee to a project in Nebraska known as the Farwell irrigation unit. This district consists of about 52,000 acres and is a part of the Sargent unit that is already under construction. It is a part of the Missouri River Basin development.

The Farwell project was authorized last year. A repayment contract was completed and accepted by the Department of Interior. The President included an item of $750,000 to start construction of the project. The Appropriation Committee has seen fit to eliminate this project and on page 18 of the report you will find their explanation.

I would point out to my colleagues that this is the only irrigation project in the Missouri River Basin that has a conservancy district which has been organized and was authorized to help with the ultimate repayment of the construction of the project. There is no hydroelectric development in the Farwell unit. It will tie in with the Sargent irrigation district which has already been started and in the end will irrigate a total of 68,700 acres.

The committee, in their report on the Farwell unit, complains that "the revenues of the Missouri River Basin project are expected to carry more than 60 percent of the repayment costs applicable to irrigation." Mr. Chairman, there are 13 projects in the 7 States making up the Missouri River Basin area. The average repayment of these irrigation projects is about 17 percent. They go as low as 8 percent repayment over a 50-year period. There is no project that reaches the repayment provisions of the Farwell project.

I would point out, Mr. Speaker, that the folks living in this district are in full accord with the irrigation project. There is no dissension. They have met all of the requirements placed on the project by the Legislative Committee, the Interior Department, and the Bureau of the Budget. It is indeed a little hard to understand why the project was not given the green light.

It is interesting to note that the United States in 8 years has spent under their foreign aid program $355,800,000 on 197 projects in 46 countries for irrigation, hydroelectric projects, and drainage projects. Indeed, several large contracts have been made in the last 60 days for additional projects in Formosa and Indonesia.

It seems to me we ought to remember that the funds invested in reclamation are an investment in America, an investment to meet the demands of this growing, dynamic country.

There has been some question raised about surplus crops being produced on irrigated land. In the case of the Farwell project some eight or nine thousand acres of wheat now being raised would be diverted to production of alfalfa and other forage crops.

I did want to remind my eastern colleagues that the farmers on irrigation projects are excellent, permanent customers for the manufactured products of the Eastern States.

Mr. Speaker, I have just received a telegram from the board of directors of the Farwell project. It reads as follows:

Apparently the House committee was critical of benefit-cost ratio but we do not understand why such criticism should be made at this time. The Farwell unit was justified by the Interior Secretary and was authorized by Congress on the basis of the total benefits that will accrue from its operation.

He found the benefit-cost ratio to be 1.88 to 1 for 100 years as the minimum useful life of the works. For a 50-year period the ratio was 1.45 to 1. As concerns repayment, our people have already signed repayment contracts as between the Farwell Irrigation District and the Loup Basin Reclamation District and the United States, pledging revenues from the reclamation district levy, and the full ability of the irrigators to pay for project operation and maintenance and toward the costs of construction.

We believe our returns toward project costs in this respect are more favorable than most projects today. This is true, especially considering that our project involves an unusually small amount of nonreimbursable costs—less than 4 percent—for flood control and fish and wildlife as shown in the report.

Platte and Loup Valleys in Nebraska have received only one small irrigation unit as a part of the Missouri River Basin project development, yet these valleys contain a large percentage of the basin in terms of land suitable for irrigation and of people who could and who have the right to be benefited through irrigation development.

Our people have noted the favorable action of the Budget Bureau recommending an appropriation of $750,000 to initiate construction of the unit at this time and have taken heart in knowing that all other agencies of the Government have also approved our project. They are now disappointed and rightly so in the action of the House Committee not to recommend the appropriation.

This telegram is signed by the directors of the Farwell Irrigation District.

Mr. Speaker, in conclusion let me repeat it is difficult for the folks in the Farwell Irrigation District to understand why the project was eliminated by the Appropriations Committee. I do not believe they are especially bitter or resentful but they are confused and actually hurt when they realize that this Congress in the last 8 years has spent more than $355 million on 197 irrigation, hydroelectric, and drainage projects in 46 countries and then refuses funds for a project that is really just an investment in the resources of the country, a project that pays back all of the money over a period of 50 years. Indeed, Mr. Chairman, in the last 60 days several lush contracts have been let for more irrigation and drainage in Formosa and some other eastern countries, including Spain. These projects in foreign countries pay back not one dime, nor do they have legislative approval, nor are they required to furnish feasibility reports, and yet the money is furnished by the taxpayers in America, including those in the Farwell unit.

The folks in the Farwell Irrigation District, both in the country and in the towns, have joined together to form a conservancy district. In other words, the people in town will help to carry on and pay for some of the charges on the irrigation costs. It is the only project of that type in the Missouri River Basin. The people in this area are honest, sincere, hard-working folks. It is an established community. All they need is water on their good land in order to make the area a real Garden of Eden. Mr. Chairman, it would be quite different had the project not had Department and budget approval. It would be quite different if the repayment charges would be less than those on the other projects. The project has a much higher ratio of repayment than the other 13 projects in the Missouri River Basin.

We hope to make a complete presentation to the other body and I feel certain that they will include the item in the appropriation bill. I trust a conference will take into consideration the facts that justify the Farwell Irrigation District.

Statement of Hon. Robert C. Byrd to House Committee on Post Office and Civil Service

EXTENSION OF REMARKS
OF
HON. ROBERT C. BYRD
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. BYRD. Mr. Speaker, I wish to direct to the attention of our colleagues the statement which I presented to the House Committee on Post Office and Civil Service in connection with the pending hearings to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department.

The statement follows:

STATEMENT OF HON. ROBERT C. BYRD PRESENTED TO THE HOUSE COMMITTEE ON POST OFFICE AND CIVIL SERVICE, JUNE 21, 1957

Mr. Chairman and members of the House Committee on Post Office and Civil Service, I appreciate this opportunity to present my views on the bill, H. R. 3605, which I introduced, "to increase the rates of basic compensation of officers and employees in the field service of the Post Office Department."

This bill is identical with the bill, H. R. 2474, that has been introduced by the distinguished chairman of your Subcommittee on Civil Service. I join with the gentleman from Louisiana [Mr. MORRISON] and other sponsors of this legislation in hope that this legislation can be speedily enacted. I

sincerely hope that the time element will not operate to defeat this worthy legislation, and I suggest to the committee that it need not do so. If, as I hope and expect, the committee proceeds promptly, I am confident that this legislation can and will be enacted. In an effort to make sure that action is taken at this session, I am one of those who signed the discharge petition presented by the gentleman from Louisiana [Mr. THOMPSON]. I hope the action of this committee will obviate the necessity for bringing the matter up under clause 4, rule XXVII.

It was not until just 2 years ago, 1955, that the first step was made by the Congress toward righting the antequated system of wage determination for postal employees. Prior to that, there were many instances in which the pay of postal workers was entirely unrelated to the requirements of their jobs. The 1955 legislation corrected some of those inequities. The 1955 law, however, did not provide postal workers with adequate pay so as to put them on an equal basis with comparable workers in industry.

Since 1939 the postal workers have steadily lost buying power, and that loss has never really been compensated. Postal workers from 1926 to 1945 had no pay increases, and the average postal salary during that period was $2,100. But the postal worker was much better off than he is today.

The National Federation of Post Office Clerks has assembled some extremely interesting figures from the reports of the Bureau of Labor Statistics of the Department of Labor. I am attaching these figures in the form of a table as a part of my remarks. The table showing the average weekly earnings of production workers in manufacturing industries by selected dates indicates that post-office clerks since 1939 have received wage increases amounting to 103.8 percent (barely matching the increase in the consumers price index) while the average increase received by a cross section of all industry amounted to 230 percent. The lowest third of private industry groups has received increases amounting to 188 percent from 1939 to date compared to increases of 103.8 percent for post-office clerks. Under the circumstances, it is not difficult to understand why the postal service is no longer able to attract and retain a sufficient number of efficient people. It could hardly be otherwise. If the Post Office Department is to be in a position to compete for the best available personnel, it must pay a going industrial wage rate, and, in my judgment, that can only be done by providing substantial salary increases at this time. I believe my bill, H. R. 3605, would accomplish that purpose.

The Congress had the pitiable plight of postal workers plainly laid before it in 1954 in the report of the Senate Committee on Post Office and Civil Service, which was made pursuant to Senate Resolution 46. That resolution provided for the appointment of an advisory council to explore the various fields of postal operations to see if certain specific conclusions might be reached which would be of help to the Post Office Department. The committee's report, which embodies the Council's study, offered 28 recommendations for consideration by the Congress as a possible means of eliminating the continuing deficit. One-third of these recommendations concerned poor personnel standards—and, mind you, that report was made in 1954. The report points up, among other things, the lack of qualifications standards for each category of positions, the lack of orientation and training courses, poor working conditions, so many substitute and temporary employees, and, above all, an out-of-date classification and pay structure.

In 1955 the postal workers asked for a pay increase of $800; however, the average obtained through Public Law 68 was about $340—less than half of the requested amount. The adjustment to that new salary schedule, if I recall correctly, resulted in a salary increase of about 2 percent.

In the past the Post Office Department enjoyed the pick of the crop in recruiting new employees. Today, however, with postal wages anywhere from 20 percent to 30 percent below the starting wage for unskilled labor in industry, the Post Office Department cannot recruit the most desirable people. Recently, my attention was called to a circular put out by a regional civil service examiner on the hiring of substitute clerks and city letter carriers. The circular lowers the age limit to 18 and 17 and permits recruiting from outside the territory served.

Considering the postal pay facts, it is easy to understand why it is becoming increasingly difficult—in many cases, impossible—for the postal service to attract and retain the necessary skilled, experienced workers to move the steadily growing flood of mail. Inability to compete with private industry for capable workers, the steadily deteriorating employee morale, and the inability to retain trained workers have already made widely felt inroads on good postal service. The situation grows steadily worse as prices climb and postal wages fall further and further behind. A pay increase for postal workers would benefit the public in that it would bring about an even better and more efficient postal service, secure savings in the Post Office Department because trained employees will stay in the postal service; prevent the heavy cost of continuously training new people, and serve as an incentive for able and intelligent people to enter and remain in the postal service.

During the Senate hearings on postal salary legislation, the General Counsel for the Post Office Department, in his testimony voicing the Department's objection to the proposed legislation, did not at any time express the opinion that postal salary increases were not justified. He was careful to avoid saying they were not needed and certainly did not even imply that they had not been earned. The entire burden of his statement had to do with the cost of the legislation rather than the need and justification. He referred to the report of the Director of the Bureau of the Budget which stated that legislation increasing generally the salaries of Federal employees was not within the program of the President. In testifying before the same Senate committee, the representative of the Bureau of the Budget and the new Chairman of the United States Civil Service Commission were likewise careful to avoid stating that increases were not justified or had not been earned. The Chairman of the Commission offered as a solution further study of the question. It seems to me that a continuing body, such as the Civil Service Commission, should be able, at almost a moment's notice, to provide a thorough analysis of the Federal pay structure. With only a single salary increase having been provided in the past 6 years, it it plain to me, and should be to any reasonable person, that the Federal pay structure is out of line. The Civil Service Commission should be among the first to realize that fact. Postal and Federal employees have been patient long enough. To ask them to wait longer while the Civil Service Commission, or someone appointed for that purpose, makes a study of their present unfortunate situation would only serve to compound an injustice. If the Civil Service Commission and the Post Office Department are unable at this late date to demonstrate that the wages currently being paid are equitable, if they are unable to demonstrate that immediate increases are not warranted, if they are unable to demonstrate at this time that salary increases are not necessary, then your committee certainly would be amply justified in assuming that they have no basis for their objection and should proceed promptly to report a salary bill.

In his budget message President Eisenhower stated:

"If our economy is to remain healthy, increases in wages and other labor benefits, negotiated by labor and management, must be reasonably related to improvements in productivity. Such increases are beneficial, for they provide wage earners with greater purchasing power."

In that same message, he made this further statement:

"In the Post Office Department, despite an 11-percent rise in the volume of mail in the 4 fiscal years, 1954 through 1957, the average employment will have increased only a little more than 3 percent."

Thus, by the President's own words, we can quickly determine that there has been a marked increase in productivity and that this increased productivity warrants a wage increase.

To oppose salary increases solely on the grounds of cost, after having granted increases in interest rates, puts the administration in the position of saying that money rather than man is worthy of its hire. I fail to notice any reluctance or hesitancy on the part of the administration to increase interest rates on the grounds of cost, and to me it comes as a shock to find that cost is the only objection to this legislation. I hope the committee will proceed promptly to report out the legislation here under consideration.

Average weekly earnings of production workers in manufacturing industries by selected dates, August 1939 to December 1956

Occupation group	August 1939	July 1951	March 1955	December 1955	December 1956	Percent above August 1939 average
Post-office clerks	$40.38	$78.27	$82.30	$80.77	$82.30	103.80
Agricultural machinery (except tractors)	25.49	71.58	81.19	83.64	84.93	233.18
Aircraft engines and parts	34.33	86.37	87.74	96.73	104.92	205.62
Automobiles	31.53	73.15	100.56	98.09	113.90	261.24
Blast furnaces, steel works, and rolling mills	29.99	77.93	91.25	102.01	107.57	258.68
Canning and preserving	15.98	49.20	56.24	57.83	61.72	286.23
Cigarettes	21.39	35.70	65.76	71.72	76.08	255.68
Bituminous-coal mining	24.61	73.58	91.88	105.73	115.33	368.63
Engines and turbines	27.94	76.62	88.13	95.40	100.32	259.05
Footwear (except rubber)	18.44	44.29	51.05	53.16	54.31	194.52
Rubber footwear	22.42	54.60	69.72	74.89	73.26	226.76
Leather; tanned, curried, and finished	24.77	50.29	71.60	75.48	76.42	208.51
Locomotives and parts	28.88	82.35	86.71	98.18	102.06	253.39
Machine tools	32.20	82.08	90.31	106.25	110.64	243.60
Malleable-iron foundries	24.75	69.53	82.96	86.93	86.07	247.75
Manufacturing	23.77	63.92	75.11	79.71	84.05	253.59
Malt liquors	36.84	81.25	97.20	98.50	104.28	183.06
Meat packing, wholesale	27.36	69.64	81.16	98.52	96.87	254.05
Petroleum refining	34.29	87.78	96.96	102.09	109.74	220.03
Primary smelting and refining of nonferrous metals	26.90	69.94	81.41	88.80	93.25	246.65
Paperboard containers and boxes	22.23	58.32	71.90	74.62	78.12	251.41
Pulp, paper, and paperboard mills	25.04	71.65	83.16	89.75	94.15	275.99
Class I railroads	31.77	71.15	80.64	82.12	90.61	185.20

Average weekly earnings of production workers in manufacturing industries by selected dates, August 1939 to December 1956—Continued

Occupation group	August 1939	July 1951	March 1955	December 1955	December 1956	Percent above August 1939 average
Railroad and streetcars	$27.14	$71.02	$83.03	$95.11	$97.11	257.44
Retail trade	23.41	52.07	57.42	58.71	59.83	155.14
Ship and boat building and repairing	31.28	70.70	82.76	86.15	94.30	201.47
Steel foundries	26.61	74.45	84.46	95.92	99.10	272.41
Synthetic fibers	25.43	63.20	74.89	77.36	79.38	212.11
Telephone	32.06	59.30	70.20	73.84	75.46	135.37
Tires and inner tubes	33.93	83.63	95.51	99.50	109.25	221.98
Tractors	30.35	75.26	87.14	91.24	92.63	205.20
Watches and clocks	21.92	57.74	67.15	71.56	71.76	227.37
Wholesale trades	29.79	64.31	75.76	79.56	83.84	181.43

Source: BLS, U. S. Department of Labor, Earnings and hours, table C-1.

THEN AND NOW: PERCENTAGE OF WAGE INCREASES, 1939–56

The facts

A comparison of the average weekly wage of post office clerks with the average weekly wage paid in 32 representative private industries as of August 1939 and December 1956.

In 1939 the average weekly wage of a post office clerk was above that of all employees in private industry. By 1956 the average wage of a post office clerk was almost $6 per week below the median wage in private industry and almost $21 per week below the wage of half of the representative group.

Source

Hours and gross earnings of production workers or nonsupervisory employees, Bureau of Labor Statistics, United States Department of Labor.

Recent Supreme Court Decisions Cause for Real Concern

EXTENSION OF REMARKS
OF
HON. ALBERT H. BOSCH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. BOSCH. Mr. Speaker, the recent decisions of our highest Court in the land should give real concern to the American people as well as to Members of Congress, the duly-elected representatives of the people.

It is inconceivable that the "men in the Ivory Tower" should be so impractical as to draw a protective cloak of respectability around those who would directly or indirectly destroy this Republic.

I cannot believe that the forefathers of our country ever intended that the first, fifth, or any other amendment to our Constitution should be used as a shield by those opposed to our way of life.

I believe these recent decisions, including the baring of FBI files, are bound to give a privileged sanctuary to those dedicated to the Communist conspiracy.

I am convinced, Mr. Speaker, that Congress must reassert its legislative authority or be charged with neglect of office in permitting another branch of government to dilute or negate acts of Congress.

I have today introduced legislation with reference to procedures, in court, in cases involving the disclosure of confidential reports or files in any civil or criminal proceeding.

Mr. Speaker, I trust this legislation will receive early consideration.

Cutting the Budget

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, Federal spending has reached such a high level that the people are finally protesting in no uncertain terms. Federal spending is more inflationary than any other factor in our economy. What good are social-security checks or veterans' pensions or retirement payments if inflation eats them up?

Recognizing this danger I have always voted to make cuts in the national budget. The record below shows how I have done so each year.

Budget cuts voted by O'Konski

Year:	Billions
1943	$4
1944	6
1945	5
1946	10
1947	8
1948	7
1949	5
1950	8
1951	6
1952	7
1953	15
1954	10
1955	7
1956	6
1957 (this year)	8

NATIONAL DEBT LIMIT INCREASES

In 15 years I voted for only one national debt limit increase. This was at the height of World War II in 1943. Since that time I have voted against three other national debt limit increases.

TAXES

In 15 years I have voted for only 1 tax increase. This was at the height of World War II. I voted for the one tax cut since. I feel a tax cut now is long overdue. I will vote for a bill that will raise tax exemptions from the present $600 per dependent to $1,000 per dependent. This is how any fair and substantial cut in taxes should be made. It should have been made years ago. The less the Government takes in taxes—the less it will spend.

The Late Judge Edward A. Richards

EXTENSION OF REMARKS
OF
HON. EUGENE J. KEOGH
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. KEOGH. Mr. Speaker, a lifelong resident of Brooklyn, Judge Edward A. Richards, was born in the old town of New Lots, now the Borough of Brooklyn, on March 3, 1879. He was a product of the New York educational system having been graduated from the Boys High School in Brooklyn, and from the New York University Law School with the degree of bachelor of laws. He was admitted to the bar in New York State in 1900. In 1907 he was elected justice of municipal court of the city of New York for a term of 10 years, and was reelected in November 1917. In the second year of his new term he resigned to become president of the East New York Savings Bank.

When he became president of the East New York Savings Bank the bank's assets totaled only $6 million, and there were only 8 employees. His success as president is attested to by the fact that the bank's assets at the time of his death in October 1956 were $530,207,231, and the employees numbered 337. He had served as a trustee of the bank since June 8, 1911.

Judge Richards was a member of the law firm of Richards, Smyth & Conway which later became Richards, Smyth & McGrath. He was also an instructor for 2 years in the law of torts at the Brooklyn Law School, St. Lawrence University. The National Association of Mutual Savings Banks honored him by election as its president from June 1925 until October 1926.

Judge Richards had been a member of the legislative committee of the savings banks association of the State for more than 25 years and served on many other committees of the State association. He was instrumental in having three important proposals of legislation passed, first, permitting savings banks to establish branches; second, permitting savings banks to install and operate safe deposit boxes, and third, permitting savings banks to operate school savings banks.

He was one of the chief advocates of life insurance for savings banks, and later became president of the Savings Banks Life Insurance Fund, which office he held for a number of years.

His active life was devoted to undertakings in many fields as is indicated by his membership in the Brooklyn Bar Association for more than 50 years, and a member of its judiciary committee for many years; the Lawyers Club of Brooklyn; the Bankers Club of Brooklyn; the Brooklyn Chamber of Commerce di-

rector for more than 25 years; the board of directors of the Brooklyn and Queens Young Men's Christian Association for more than 40 years, and vice president and trustee since 1947; the board of managers of the Highland Park Branch of the YMCA since 1909, and chairman of the board since 1914. He was a director and vice president of the Brooklyn Council of Boy Scouts and was chairman of their finance and campaign committees for several years. He was also a director of Brooklyn Chapter American Red Cross, Tyrian Lodge, No. 618 F. & A. M. for over 50 years; and master of the lodge for 2 years; and of the 22d Assembly District Regular Democratic Club. A devoted member of the Episcopal Church, he was senior warden of Trinity Episcopal Church of East New York for many years, prior to which he had been a vestryman or warden of former St. Clement's Church, Pennsylvania Avenue, Brooklyn for many years.

He was also a member of the executive committee and the standing committee of the Episcopal diocese of Long Island and a trustee of the estate belonging to the Episcopal diocese of Long Island, and of the Chapter Cathedral of the Incarnation in the diocese.

For a time he was the president of Concord Freeholders, Inc., comprised of 18 mutual savings banks in the State of New York, which built three 15-story apartment houses costing more than $5 million known as Concord Village, and was the president of Arlington Village Development Corp. comprised of 4 Brooklyn savings banks which built a $2 million garden housing project in East New York.

In 1956 Judge Richards was awarded the gold medal for most distinguished service for Brooklyn by the Downtown Brooklyn Association.

Inflation—One Easy Lesson

EXTENSION OF REMARKS
OF
HON. PAUL B. DAGUE
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. DAGUE. Mr. Speaker, the real picture of how inflation works is pointed up by the following example which appears as an advertisement in the June 21, 1957, issue of U. S. News & World Report:

You repair shoes, he pumps gasoline, I raise chickens. We sell to each other and to the man next door—a retired schoolteacher on a pension.

Somebody convinces me I can make just as much for less work so I raise fewer chickens but increase the price of those I do raise.

But you aren't going to repair more shoes in exchange for a chicken; he isn't going to give me more gasoline for a chicken. It's the same chicken; I haven't made it worth any more to you. So all you do is raise the price of repair work; he raises the price of gasoline. But the retired schoolteacher can't raise his pension; he just gives up chicken.

So all I've done is lose one customer, and traded dollars with the others.

If I had worked more efficiently (maybe invested in a mechanical brooder) I would have had more chickens to trade for more repair work and more gasoline, and by cutting costs and prices a bit, got two teachers as customers instead of none.

And more people could be enjoying chicken.

In the same issue of the same magazine there appear some very convincing data on who is to blame for the wage-price spiral.

Since 1950 pay for labor has increased 22 percent, while the worker's output has increased 11 percent, which can only result in an inflationary impact.

The industrialist has two things to consider; namely, accumulating reserves necessary to the repair, modernization, and expansion of his plant—which benefits labor—and the payment of a return to the stockholders who have invested in the plant. These investors, since the money they have invested represents the result of their labors, have as much right to increased earnings as do the employees. It is, therefore, significant that dividends paid to stockholders, in 6 years, dropped from 3.8 percent to 3.5 percent of national income. At the same time, industry's profits, after taxes and dividends, dropped from 3.4 percent to 2.1 percent. Recalling that in the same period labor increased its take by 22 percent, it is pretty clear that someone is talking through his hat when he denies that wage increases, unless they are geared to increased productivity, do not initiate the price spiral.

And then to return to the retired school teacher—to all of us who live on fixed incomes—how far does this crazy business go until we are all forced to stop eating chicken?

Herein, in my opinion, lie the seeds of our economic destruction.

Washington Report by Congressman Bruce Alger, Fifth District, Texas

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. ALGER. Mr. Speaker, each week I send a newsletter to my constituents, available to any who want to receive it and so indicate. This effort, like others, to inform the people is but a manifestation of my belief that government benefits and succeeds to the same degree that an informed public takes effective action. I believe in an informed electorate. I regret having overlooked placing each week's newsletter in the RECORD. From this date forward I shall do so.

The newsletter for June 8, 1957, follows:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas, June 8, 1957)

The civil rights bill, which protects or violates your civil rights, depending on your viewpoint, is now before us for a 2-week struggle. The battlelines were clearly defined by the vote on the rule, 290 to 117, which made consideration of the bill in order. Both heat and light will be generated over the merits of the bill itself. The South's acceptance of defeat is best evidenced by southern Congressmen's pinning their hopes on the right of trial by jury amendment. Existing States rights to trial by jury for criminal contempt cases have been eliminated by the bill's provision making the United States Government a party to each civil rights case, which automatically eliminates jury trial. The basic arguments in granting trial by jury are: For—jury trial is basic right of Americans and must be preserved; against—juries in South may not be impartial. Sectionalism (North versus South), incitement to race differences, and pure politics, where the Negro vote is sought, all conspire to fan prejudice and emotionalism, and obscure basic principles and the most intelligent solution to the problem. The 14-page bill, 60-page report, and 1,530 pages of hearings, provide the material for debate plus Members' own observations. Included is my testimony before the Judiciary Committee during study of the bill. Well—we'll see what develops—more next week.

A modern dilemma faces us in the arms race. In our defense effort through military strength, should we continue to develop and test atomic weapons with real danger to ourselves and future generations from fallout and radiation? Or should we agree to disarmament with the untrustworthy foe, thus risking the loss of the atomic race and our slavery or extinction? Is civilization's extinction threatened either way—one slower than the other? Are there, therefore, in view of the danger, just grounds for playing politics or for soul-searching, prayerful dedication with every ounce of intelligence to finding the answer. Is there an answer? There must be. What is it?

Another dilemma faces American citizens. Will we preserve traditional constitutional government or embrace socialism? Khrushchev gave his estimate this week: "United States will go socialist without Soviet action, and the grandchildren of Americans will live under socialism." He knows what many Americans do not—socialism and communism are economically quite the same—and that a free country can embrace socialism without intentionally planning it. Public housing, public power, farmer and citizen subsidization, progressive income tax, which takes from thrifty and gives to the thriftless or indigent—these and many others are socialist tenets, and they are now firmly entrenched in the United States economy, which has survived not because of, but in spite of them, much as a ship moves despite barnacles. Socialists, moreover, may agree not to use the word socialism, but rather New Deal, Fair Deal, or other modern terms calculated to appeal to apathetic or unaware citizens who unfortunately are more generous in their tax gifts to government than in their study of the course of their government. Labor has been the target to help socialism spread, and so we have leaders like Mr. Walter Reuther, who intentionally or not pleads for socialism, praising the big budget, condemning businessmen, and fostering brutal strikes (the Kohler plant, for example). Where is the point of no return between economic freedom and government regulation?

The ADA (Americans for Democratic Action) National Director Edward Hollander testified for natural-gas price control by government, and I saw socialism's exponent in the flesh. In my questioning him I learned: (1) He helped originate the ADA yardstick and graded the Congressmen (which for 2 years resulted in my receiving a zero); (2) he said ADA was against government price control, then contradicted himself, asking for gas-price control, and admitted also being for removal of government controls in 1953; (3) he proclaimed the insatiable greed of

oil companies and then admitted he owned stock in numerous oil and gas companies; (4) he could not differentiate between principles of socialism and ADA tenets.

The natural-gas hearings are over. There may now be a struggle in committee between those favoring the present complete government control by the FPC and those favoring partial or complete freeing of the independent gas producers from government regulation of price at the well head.

The Girard case, the American soldier who killed a Japanese woman while on duty, demonstrates again that our soldiers should always be under United States jurisdiction.

Case of Sp3c. William S. Girard

EXTENSION OF REMARKS
OF
HON. WILLIAM E. JENNER
OF INDIANA
IN THE SENATE OF THE UNITED STATES
Wednesday, June 19, 1957

Mr. JENNER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a release prepared by me on June 11 and my newsletter dated June 12, 1957, regarding the case of Sp3c. William S. Girard.

There being no objection, the release and newsletter were ordered to be printed in the RECORD, as follows:

RELEASE FROM THE OFFICE OF SENATOR WILLIAM E. JENNER, REPUBLICAN, OF INDIANA, JUNE 11, 1957

Senator WILLIAM E. JENNER, Republican, of Indiana, commenting on the press statement by Robert Dechert, General Counsel of the Defense Department, that GI William S. Girard enticed Naka Sakai closer into the firing range before he killed her, said:

"The important point in this case is not whether William S. Girard is innocent or guilty. That remains to be determined at the trial.

"The question is whether his constitutional rights have been forfeited by surrendering him to a Japanese court for trial instead of letting him be tried by a United States military court. This turns on the critical question whether he was engaged in the performance of his duties when the incident occurred.

"I am shocked and amazed that the General Counsel of the Defense Department would issue a statement to the press which gives substantial help to those who will prosecute this young American soldier.

"Mr. Dechert had no excuse for making any comment whatever on the guilt or innocence of Private Girard. That is the sole responsibility of the court which ultimately tries him.

"Mr. Dechert had no excuse whatever for making a statement on the evidence to be presented in any court proceeding, when he was not in court and not under oath. We do not tolerate trial by press conference in this country.

"Mr. Dechert, as counsel for the Defense Department, had no excuse for issuing voluntarily a derogatory statement about an American soldier, when that statement will certainly be used by the prosecution when he is on trial, perhaps for his life.

"Government agencies are supposed in this country to serve the people. Have our officials descended so low, in the struggle to have their way regardless of public opinion, that they would destroy the reputation and, perhaps, the life of an American soldier in order to win a contest over who is to have the most power in Government?"

NEWSLETTER FROM THE OFFICE OF WILLIAM E. JENNER, REPUBLICAN, INDIANA, JUNE 12, 1957

The case of William Girard in Japan has aroused American indignation about the status-of-forces treaties and agreements we have with over 42 nations.

At this time I think it is appropriate for me to review some of the important Senate debates on the rights of American servicemen.

Let's start with the background of the agreement we have with Japan.

Over 5 years ago, the Senate was asked to ratify the formal peace treaty with Japan, signed by 48 nations. At the time, Senator MARGARET CHASE SMITH, of Maine, and I, introduced four reservations to the treaty.

One of them read, in part:

"Nothing contained in this treaty shall be construed (a) to impose any limitations on the right of the United States as a sovereign power to exercise complete and unlimited control over its foreign policy, its Military Establishment, and its domestic concerns."

On March 20, 1952, the Senate debated our reservation and defeated it by a vote of 55 to 25.

During the same debate, Senator DIRKSEN reintroduced the same reservation as a new one, by omitting a part of mine which did not refer to United States sovereign power. That was the only way to bring the subject up for reconsideration after it had once been defeated.

During the discussion that followed, one of the Senators who opposed our reservation made the essential point that:

"In the administrative agreement which has been negotiated with Japan, when the question rises as to jurisdiction in the matter of persons who are accused of crime, possibly our own citizens, possibly our own soldiers, we agree to apply the same rule as the one we will agree to with respect to NATO countries, and it is contemplated, I believe, that we shall work out some agreement whereby they can be tried locally, certainly for certain specified offenses. If this reservation were agreed to, I am wondering whether it would not negate that effort, because it would certainly be a limitation upon our control of certain parts of our Military Establishment."

That was precisely why Senator SMITH, Senator DIRKSEN, and I wanted the reservation in—and if it had passed, William Girard would still be under the jurisdiction of the military courts.

But the reservation submitted by Senator DIRKSEN was defeated by a vote of 47 to 29.

Later that same day the Senate debated ratification of a security treaty between the United States and Japan.

Article III of that treaty reads:

"The conditions which shall govern the disposition of Armed Forces of the United States of America in and about Japan shall be determined by administrative agreements between the two governments."

I introduced a resolution, for Mrs. SMITH of Maine and myself, providing that no administrative agreement would be binding unless ratified by the Senate.

It read:

"Since Congress under the Constitution has the sole power to declare war and authorize the employment of the Armed Forces of the United States, any so-called administrative agreements under article III of this treaty relating to the right to dispose of the Armed Forces of the United States or any part of its Military Establishment in or about Japan shall not become binding on the United States unless ratified by the Senate as a treaty in accordance with article II, section 2 of the Constitution, or approved by the Congress by act or joint resolution specifically referring to such agreement or arrangement."

At the time I said:

"We are today signing a blank check, the amount of which we do not know. We cannot control our own forces. It is our responsibility to raise and maintain armies. It is not the responsibility of the Defense Department or the State Department. If we accept the treaty without this reservation, that is the situation in which we shall find ourselves. There is no policy involved; that is left to the administrative agreement.

"Here * * * is the tentative administrative agreement, containing several pages, closely typed. We are delegating our constitutional right—to whom? I do not know whether Mr. Acheson will send Jessup or Dean Rusk to work out the administrative details. I do not know whether the Defense Department will send a representative. I do not know whom Japan will appoint. * * * So I do not know who is going to conduct the negotiations, and I do not think any other Senators know."

I also said: "This is a shocking way for a great nation to conduct its governmental business. Under the American form of government, the executive department presents its agreements in clear, complete, and concise form. The Senate consents or withholds consent. A policy is established and the administrative problems are left to the Executive to be carried out."

The reservation was defeated by a vote of 45 to 22.

On July 15, 1953, the Senate ratified the NATO Status of Forces Agreement. Fourteen other Senators and I voted against it, because we felt it deprived the servicemen we send overseas of the full protection of the Constitution they are supposed to defend.

In the last session of Congress, I introduced a resolution, Senate Joint Resolution 94, asking that the President renegotiate article 7 of the NATO Status of Forces Treaty to provide for exclusive American jurisdiction over our servicemen stationed overseas. The treaty provides that any article in it can be renegotiated.

On June 20, 1956, I personally requested the Senate Foreign Relations Committee to hold hearings on my resolution. Copies of my 12-page statement can be obtained from my office on request.

I stated that if we are in the process of abandoning our Constitution, we shouldn't begin with our servicemen.

No action was taken by the committee last year, so I reintroduced the same resolution this year as Senate Joint Resolution 40. It was referred to the Foreign Relations Committee.

If you are interested in the resolution, I suggest that you write to Senator THEODORE F. GREEN, chairman of the Senate Foreign Relations Committee and request the committee to hold hearings on Senate Joint Resolution 40.

Mr. Farmer: Do You Know Your Son Is Worth Only $725 as a Soldier

EXTENSION OF REMARKS
OF
HON. ALVIN E. O'KONSKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, I wonder how many parents of servicemen

know that their unmarried son, if killed in the service, is worth only $725. Believe it or not, such is the case.

In the only economy act of last year the Congress struck out the $10,000 free life insurance. So, if your unmarried son is killed in the service, all the parents will get, if the mother's and father's combined income is over $2,400 per year, is 6 months' pay and $125 for the funeral.

So many billions have been given and are being given all over the world, the Government could not afford to keep up the $10,000 insurance policy on servicemen.

So, fathers and mothers, after you raise your boy to 18 and he goes into the service, the Government now expects you fathers and mothers to pay for his insurance. If you do not, the boy is not insured.

And get this, you will have a hard time buying this insurance for him. If he is in the Air Force, it is almost impossible. If you do get insurance, you will pay on the nose and good. Yes, mothers and fathers, if you have a boy in service, you better check on this or you are in for some heartbreaks.

Ainsworth Irrigation Project

EXTENSION OF REMARKS
OF

HON. A. L. MILLER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. MILLER of Nebraska. Mr. Speaker, yesterday, in general debate, I talked with Mr. JENSEN, a member of the committee, relative to the rather critical report on the Bureau of Reclamation which appears on page 14, and I quote a section of that report:

> During the course of the hearings, a number of the Bureau witnesses demonstrated an apparent lack of preparedness and an inexcusable unwillingness to provide factual and responsive answers to questions of the committee members. The committee expects and is fully entitled to prompt, comprehensive, and responsive answers. It does not expect to be put through the process of digging out facts piece by piece in a time-wasting and unnecessary process.

I also referred to the fact that two projects in the Fourth District of Nebraska had been eliminated from the appropriations bill.

I can understand that the committee must have a very difficult time in judging the merits of all projects that they must consider. There are some 280 flood control and irrigation projects in this bill. If the official witnesses from the Bureau of Reclamation were not prepared and did not give proper and comprehensive answers then it would be difficult to arrive at the feasibility of any one of these projects.

Now coming back to the two projects in Nebraska, I shall deal first with the Ainsworth project.

Mr. Speaker, the Ainsworth irrigation project is a part of the Missouri Basin plan and has been authorized for construction by Public Law 531 of the 84th Congress. This project has proven its feasibility and has been recommended by the Department of the Interior and was in the President's budget request to Congress.

The folks in this district have entered into repayment contracts that have been approved. The project has passed every test required by the Department of the Interior and the Bureau of the Budget and this year they asked for $1,100,000 to get construction started.

It is different than some projects in that there is very little flood control in its plans. As you know, flood control is nonreimbursable and in some projects it is quite a large sum.

Under reclamation law, the farmers receiving the water have agreed to pay back as much as they can under reclamation law. That has been reclamation law for many years.

The project consists of a dam built on the Snake River, known as Merritt Dam. There is ample water in the Snake River for the project. There is good soil and good people ready to utilize the water in this semiarid section.

Nebraska, in this area, has been visited with severe drought for several years. When the project is completed, it would relieve the drought situation and make this community a thriving, productive one because of the new security and new wealth created by the production of new crops from the irrigated area.

The Appropriations Committee for Public Works has seen fit to disallow the budget estimate of $1,100,000 to get this project started. They say this, in part:

> Testimony received by the committee indicates that an increase in income of $53.92 per acre will result through application of irrigation water to the land.

They further state:

> Repayment from the land is only about 30 percent, leaving 70 percent of the total repayment allocation to be made up from the Missouri River Basin power revenues.

The committee further says:

> They are concerned about the amount of irrigation repayment obligations being loaded on the income from the sale of power in the basin. In the case of this particular project the committee fails to understand why more favorable repayment contracts requiring a larger repayment on the part of the beneficiaries of irrigation cannot be arranged.

I would point out to the honorable committee that of all the projects in the Missouri River Basin, those in Montana, North Dakota, South Dakota, Wyoming, and Nebraska, that the average repayment by irrigated land is about 17 percent. In the project approved in the upper Colorado River Basin last year, the repayment from irrigated land is about 12 percent. Actually, the repayment of $8.82 per acre is more than that estimated by the Bureau of Reclamation.

The Bureau of Reclamation officials tell me that the repayment contracts for the Ainsworth and Farwell projects are among the best in the Missouri River Basin States. They point out that the Ainsworth project pays back 30 percent of the cost while the balance comes from the Missouri River Basin account. I think those figures are correct. But we do have some projects in the Missouri River Basin that the irrigators pay back as little as 10 percent. The balance being credited to flood control, fish and wildlife and from power revenue received from the basin.

There is little flood control in the Ainsworth project. I am sure my colleagues understand that when flood-control money is in an irrigation project it is not paid back.

Under reclamation law, the farmers pay back as much as they can. In the case of the Ainsworth project all moneys will be paid back over a period of 50 years. That part charged to power is paid back with interest.

I am making an appearance before the committee in the other body and I hope that when they put the moneys back in the bill for the Ainsworth project, the conferees will consider the facts relative to the Ainsworth project. Again I repeat that their report of the repayment of 30 percent is far above the average in the Missouri River Basin.

Of course, it is hard for the folks in the Ainsworth project to understand why the Committee on Appropriations disapproved their project since they have met all of the requirements made by the legislative committee, the Department of Interior, and the Bureau of the Budget. This includes a repayment contract.

I would point out to the committee, on pages 886 and 887 of the hearings that the benefit-cost ratio, as estimated by the Reclamation Bureau, was 1.62:1, and all other benefits in which the Corps of Engineers are figured into the benefit-cost ratio the testimony on page 887 shows it to be 1.5:1. The benefit-cost ratio of the Ainsworth project is listed on page 890 to be 2.16:1. In other words, the Ainsworth project, which had budget approval, has a better benefit-cost ratio than the average for the Missouri River Basin.

The people of the district can hardly understand the action of the committee because they have complied with all the legislative requests, including repayment contracts. The project was approved by the Department of the Interior and was in budget requests. There is ample water; there is good land and good people to work the land. Perhaps someone on the committee will be able to offer an explanation as to why this project has been refused. They should also tell Congress and the people what is necessary in order that it be approved.

The only conclusion I can reach is that the committee was unable to understand the merits of the project because of the poor showing made by the Bureau of Reclamation witnesses.

The people of the district will appear before the other body, along with Senators and Members of Congress, and it is our hope that a better presentation can be made and placed in the bill when considered by the other body. I am confident this will be done and when the bill comes back to conference the project will be given the green light.

Freedom's Open Door

EXTENSION OF REMARKS
OF
HON. EDWARD J. THYE
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Wednesday, June 19, 1957

Mr. THYE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a copy of an address which I delivered at Duluth, Minn., on June 16, 1957, before the Midsummer Festival of the Swedish-American League of Duluth. The address is entitled "Freedom's Open Door."

I also ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial on the same general subject, published in the St. Paul (Minn.) Pioneer Press of June 17, 1957.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

FREEDOM'S OPEN DOOR

(Address by Hon. EDWARD J. THYE, United States Senator from Minnesota, before the midsummer festival of the Swedish-American League of Duluth, Duluth, Minn., June 16, 1957)

Mr. Chairman, ladies and gentlemen, during my years of public service as Governor and United States Senator, I have always looked forward to my visits to the great port city of Duluth. Today I enjoy the special honor of participating in your annual Swedish-American midsummer festival. I have joined hands with Swedish Americans on numerous occasions in paying tribute to Sweden and her people.

Today in Duluth we recognize that within a short time Sweden will be brought into direct contact with Duluth as a result of the Saint Lawrence Seaway. Duluth stands on the threshold of a new and exciting era of history. The vast taconite industry has already sparked an atmosphere of expansion and development which holds great promise for years to come.

The same type of dedication to progress has made Sweden a great nation. Today the Swedish people enjoy their continued freedom; a high standard of living; and a posture of independence. At the same time, these people look back upon hundreds of years of continuous economic and industrial development.

I also know from conversations with people from Sweden, that they are proud of the close and friendly association of their nation with the United States. I also know that they are particularly proud of the great contributions which men and women of Swedish descent have made toward the development of our own great Nation. It is this type of people who came to Minnesota years ago and dedicated themselves to the transformation of a wilderness into a vigorous and prosperous State. All of this has been done in less than 100 years.

We must not forget that it was Sweden which was the first nation, not engaged in the Revolutionary War, which recognized the independence and equality of the United States. It was a Swede, John Hanson, who was first President of the United States in Congress assembled. It is also worthy of note that one of the very first permanent settlements in this country was a colony of Swedes on the shores of Delaware.

As we pay tribute to Sweden on this day, we can observe the leadership of Sweden in world affairs through the work of Dag Hammarskjold as Secretary General of the United Nations. It is this type of sensitivity to changing world conditions which sets Sweden apart as a nation dedicated to the cause of freedom and independence.

But there is another common bond which Duluth and its citizens enjoy with Sweden and her people. That is the activity of oceangoing trade. As I have said it is just a matter of months before Duluth will have direct access to world ports.

Trade and commercial intercourse between nations has always been a vital factor in the history of nations and in the lives of their people. There is no nation capable of sustaining itself completely without trade with other nations. The degree of dependency upon trade with foreign nations will vary with the different countries of the world. But every nation to a certain extent depends upon trade for its continued existence and progress.

Today, we live in a world sharply divided between free people; people dominated by Communist control; and people who are as yet uncommitted to either of the first two groups.

It is a paradox of our times that two of the leading issues today should be disarmament on the one hand and the development of nuclear weapons for war on the other hand.

The United States has taken the initiative at the current London talks on disarmament. For the first time in 10 years we have some reason to hope that we may be entering a period when the first step might be taken toward a genuine disarmament agreement. It is a source of pride and satisfaction to Minnesotans that one of its sons, Harold Stassen, has emerged as a dynamic and forceful spokesman for the entire free world on the subject of disarmament.

At the same time, the Congress of the United States is reviewing the hazard of nuclear testing of weapons for war and is engaged in studying a request for a $38 billion defense budget.

One can see by this set of circumstances that this is not the day for timid leadership. It is a day when we need all of the vigor and vision which was displayed in the fighting of the Revolutionary War and in the subsequent establishment of a great nation through the Declaration of Independence and the Constitution.

There is one issue which has emerged to tax all of our resources and initiative. That is the subject of trade with Red China and the Russian satellite countries by the nations of the free world.

Within the past 2 weeks, our ally Great Britain announced to the world that she was going to relax her restrictions against trade with Red China. Other nations of the free world have followed suit. This action was not taken in defiance of the United States, but as a matter of economic necessity. Once again it has been demonstrated that nations must open up channels of trade in order to gain economic and social progress. At the present time the United States follows a policy of no trade with Red China. However, at his press conference the other day the President stated that trade could not be permanently restricted and rejected. President Eisenhower realizes that we cannot forever succeed in keeping the avenues of trade with the China mainland closed.

The time has come when we must conduct an extensive and thorough reevaluation of our trade policy in Asia. I do not propose for a moment that we should all of a sudden throw open the doors of trade to Red China.

At the present time, Red China is holding eight American civilians. They refuse to release 4 Catholic missionaries, 2 American businessmen, and 2 Department of the Army civilians who crashed in North Korea.

In addition there are 450 American soldiers who were known to be alive after capture and who are held by Communist China. We have insisted on an accounting for each of them to determine their status. Communist China has not met our requests for information concerning these soldiers.

Until such time as Communist China has accounted for these people and is ready to negotiate their release, I submit that we should retain our policy of no trade with the Government of Red China.

However, I believe that with patience and through diplomatic negotiation that we may be able to obtain freedom for these people. Communist China must demonstrate by cooperation and action its good faith in dealing with our Government.

Therefore, I believe that the following five-point plan of action is needed in order for the United States to deal with the issue of trade with China:

1. The continued negotiation by our Government for the release of persons held by Red China.

2. A demonstration by Red China by deeds her willingness to negotiate in good faith with the free nations.

3. The admission of American newsmen into Red China.

4. A complete analysis and reappraisal of our trade policies in regard to Red China and Russian satellites.

5. Continued support through economic aid and assistance to our key Asian allies such as South Korea, Japan, Formosa, Thailand, Vietnam and others.

I realize that the success of this proposal depends upon the willingness of Communist China to open up doors to the outside world and to bury its deep seated antagonism to the spirit of freedom and independence.

The admission of newsmen to Red China would expose the economy and social life of the Chinese Communists to the Free World. We would be the recipients of a storehouse of valuable information. Communist China would be thrown into the spotlight of direct news reporting. Negotiations should be commenced immediately to allow American reporters to work in safety within the boundaries of Red China.

The Senate Interstate and Foreign Commerce Committee is about to begin extensive hearings into the subject of actual trade with Communist China. There is strong feeling in Congress that such a study is overdue.

After considerable thought and investigation of my own on this subject, I have come to the conclusion that such a review is a necessity.

Continued economic and technical assistance to our Asian allies is of utmost importance. Since 1950 we have delivered over $7 billion in aid to these nations.

The success of this program is dramatically illustrated by the accomplishments in Vietnam in the past 3 years. During these short 36 months that nation has been transformed from a war ravaged country into a strong anti-Communist stronghold. The economic progress and the improvement in the living standards of the Vietnamese people have caused many Asian leaders to examine closely the advantage which the free world has to offer.

One of the most important links with freedom in Asia is found in Japan today. Here is a nation which has been transformed from an enemy of the United States to a friend and ally in the short span of 15 years. Today Japan has a population of 90 million crowded into an area about the size of the State of Montana. Japan has very few natural resources. Only about 16 percent of the total land area is suitable for cultivation. Japan must import 20 percent of the food necessary to feed her people. In order to pay for these imports, Japan must export. She has few raw materials to export. Therefore, Japan must export finished goods and in order to do that she must import most of the raw materials necessary for their manufacture.

The merchandise trade deficit in 1956 was $729 million as compared with $461 million in 1955. Japan has experienced a sharp rise in the imports of textile materials, metal ores, scrap, mineral fuels, chemicals, and machinery.

Successful trade is a necessity for Japan. At the present time much of her trade is with the United States. However, historically, one of Japan's natural trade areas has been the China mainland. I do not propose to predict how long Japan can continue to avoid trade relations with Red China. This demonstrates again the importance of re-evaluating our own trade relations with the Communist regime in China.

We must maintain Japan as a strong and friendly ally in Asia. To do otherwise would be to court Communist aggression in this key area of the world.

Great Britain is faced with a situation similar to Japan's. It is an island nation of small land area and with a large concentrated population. History reveals that Great Britain's strength as a nation depends upon successful trade policy. Lacking in natural resources she must rely upon trade to receive the raw materials necessary to manufacture and produce items of export. To deny Great Britain the right to expand her trade would be to weaken our strongest ally in Europe both economically and as a world power in the battle against communism.

Today the people of the world stand in the twilight zone between annihilation and disarmament. They do not want to live in a world of tension and fear. They are asking for leadership which will carry them into an era of peace and independence. The United States as a leader of the free forces has demonstrated on numerous occasions that it is willing to cooperate in the development of a framework for a just peace.

We ask Russia and Communist-dominated countries to act in good faith and to demonstrate by constructive action that they are willing to accept disarmament and peace as the most urgent goals of our time. Red China must show to the world that she is responsible and reliable in her leadership. The first step in this direction can be taken by the release of American citizens and soldiers.

I know that the administration and the Congress will continue the type of leadership which will demonstrate again our dynamic role of a world leader dedicated to the opening of freedom's door to all peoples of the world.

[From the St. Paul (Minn.) Pioneer Press of June 17, 1957]

THYE REALISTIC IN VIEWS ON RED CHINA PROBLEM

Senator EDWARD J. THYE proposes a re-evaluation of some United States policies in Asia, including the matter of trade relations with Red China. His suggestions have much merit.

Great Britain and other western nations friendly to the United States have decided to permit trade with Red China on a similar basis as with Russia and her European satellites. President Eisenhower has stated that complete trade barriers against mainland China cannot be kept indefinitely by nations normally dependent upon international commerce.

In his address to the Swedish American League of Duluth Sunday, Senator THYE said that the present United States trade ban should be maintained until the Communist government has released all Americans still held prisoner. Meanwhile, he urges "a complete analysis and reappraisal of our trade policies in regard to Red China and Russian satellites." The inference is that if China shows good faith in the matter of prisoners, this country should be prepared to consider liberalizing commercial relations.

Senator THYE also gave strong support to admission of American correspondents to the Chinese mainland, which is refused by Secretary of State Dulles. On this matter both Minnesota Senators are in agreement, for Senator HUMPHREY has criticized the Dulles position for some time.

The general program put forward by Senator THYE is constructive and recognizes the realities of the Asian situation and of international trade. He points out that both Japan and Great Britain historically have helped support themselves by trade with the Chinese mainland. Policies which tend to weaken these allies may prove an aid to communism in the long run. As Senator THYE puts the case: "To deny Great Britain the right to expand her trade would be to weaken our strongest ally in Europe both economically and as a world power in the battle against communism."

Arguing the advantages of sending American reporters into Red China, Senator THYE says: "The admission of newsmen to Red China would expose the economy and social life of the Chinese Communists to the free world. We would be the recipients of a storehouse of valuable information."

This great advantage for the American cause continues to be lost through the obdurate and unrealistic attitude adopted by Secretary Dulles.

Why So Interested in Farmers' Welfare?

EXTENSION OF REMARKS

OF

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 19, 1957

Mr. O'KONSKI. Mr. Speaker, thousands of city folks often ask me how come I have such a deep interest in the farmers' welfare and security when my district is not predominately agricultural and a marginal farming area at most. Many of them wonder:

First, why I was the first Member of Congress to introduce a bill to include farmers under the social security program way back in 1943, my first term in Congress.

Second, why I always supported and still support 100 percent parity for farm products over any plan proposed thus far.

Third, why I voted against continuation of the new racket called mistakenly the soil bank program for large corporation farms.

Fourth, why I never vote on a basis of party line on farm bills but always vote for the best interest of the farmers, whether it is a Democratic or Republican bill.

Fifth, why I always go all out for support of the Farmers Home Administration, Rural Electrification Administration, and every other agency for rural progress.

Sixth, why my office has processed more than 5,000 loans to small family farms and goes all out to give any farmer who requests it a helping hand.

In answer I state that I understand the farm needs because the first 22 years of my life were spent on a small family farm. Except during schooling hours, the first 22 years of my life I worked on my father's farm.

From 7 years of age to 22 I did every type of farm work—milking cows by hand, plowing, seeding, haying, feeding chickens and hogs, butchering, threshing, hauling, and fertilizing. There is not any kind of farm job I did not do between 7 and 22 years of age. In fact, my entire family life has been centered on farming in which I have brothers engaged and now own the small family homestead farm on which my mother lives. This gives me a basis of interest and understanding of what farming is.

SOCIAL SECURITY

I never could understand why it took so long to get farmers under social security. During the war years when income was high it would have been a much better deal. In 1943 I introduced, my first term, a bill to bring farmers under social security. It took years to get it through. Each year the list of supporters grew—most of them introducing the same bill I introduced in 1943. We finally put it over but too late to help a lot of needy farmers.

ONE HUNDRED PERCENT OF PARITY ONLY ANSWER

I have always supported 100 percent of parity as the only answer to the farm problem—but with limitations. For instance, I do not feel that the Government should pay any subsidy, any parity or any aid of any kind to any farmers whose gross income is over $15,000 per year. Any farmer with that kind of gross income needs no subsidy or parity or Government aid of any nature.

The chief difficulty with the new soil bank program is that it helps the corporation farmer who needs no help and it does nothing for the small family farm. How can any intelligent person approve a program where the Government pays a corporation farmer from $40,000 to $60,000 under the new soil bank program. This is preposterous and wrong as wrong can be.

The 90 percent parity program which Benson junked cost the taxpayers less than half of what the new soil bank racket is costing the taxpayers. If we had adopted the surplus disposal plan, the food stamp plan, and an adequate school milk and school lunch program earlier, the 90 percent parity program would have done the job that needs to be done; especially so in the dairy industry.

As the program now stands, the agricultural program is costing the taxpayers twice as much as the 90 percent parity program—the corporation farms are draining the United States Treasury and the small family farmer gets nothing. What a farce.

I have no objection to the original soil conservation program which is available to the small family farm. This is a good program and I support it.

ONE HUNDRED THOUSAND CORPORATION FARMS CAUSING ALL THE TROUBLE

There are about 5 million farms in our Nation. Of these 100,000 are large corporation farms and 4,900,000 are small family farms. The new soil bank program is all for saving the 100,000 corporation farms and doing nothing for the 4,900,000 small family farms. The 100,000 large corporation farms get more money from the Treasury than the

4,900,000 family farms put together. There is no sense to such a program. It is unfair to the taxpayer and to the family type farmer.

The solution is simple. It is not the small family farm causing the surplus. It is the 100,000 large corporation farms who cause the surplus. Therefore, if we stop any subsidy or payments by the Government to these large corporation farms to grow what we do not need, we can save the small family farm. Who can justify paying a city gentleman farmer who turns his golf course over to the soil bank and collecting $45,000 from the Government? This is sheer nonsense. If we stop subsidies and parity payments to the large 100,000 corporation farms and those whose income is in excess of $15,000 we will have gone a long way in solving the surplus production problem.

TOO MUCH POLITICS IN FARM PLANS

The basic trouble in Washington on the farm problem is politics. Most Congressmen vote on a party basis on farm issues. Republicans fight a plan just because it is proposed by Democrats and vice versa. For instance, even after a year of failure of the new soil-bank program, I was asked to vote for it for another year because it was a Republican plan. This I could not do. Playing politics with the farmers' misery is sheer nonsense. I have never cast a vote on party lines. I ask only one question: Is it good or bad for the people of the Nation? I do not care whether it is a Republican or Democratic proposal. If it is good, I will vote for it; if it is bad, I will vote against it.

Years ago I proposed a food-stamp program for the aged, the veterans, the disabled, and the needy. But because it was first a Democratic plan the Republicans opposed it. This type of voting is no good for our people. I support the food-stamp plan because it is good for everyone, and will solve a lot of our surplus problem. It will cost far less than the new soil-bank racket now going on.

REA AND FHA

Any agency which really helps the family farmer always gets my wholehearted support. I would hate to see Wisconsin farmers without REA. They would still be milking by lanterns. I have always boosted REA because in the end it costs the taxpayers nothing and it has done more for farming than anything ever coming out of Washington.

FHA has also been a wonderful agency of help to farmers. Through my office alone more than 5,000 loans were processed for farmers. Any farmer needing my personal help to give him a boost in getting a loan always got it. Not once have I let any farmer down when he requested my help.

MY RECORD

In my 15 years in Congress not once did I ever vote against the interests of the family farmer. My work and vote has always been on his side. Whenever the farmer needed my help on social security, loan, draft, or needing his boy home because of some disaster in the family, I never let them down. Always I went to bat for them and in 95 percent of the cases with success. The small family farm is the greatest asset our Nation has. If we put him out of business the consumer and the taxpayer will pay a heavy price.

THIS IS NOT PRINTED OR MAILED AT GOVERNMENT EXPENSE

JUNE 19, 1957.

Hon. ARTHUR SUMMERFIELD,
The Postmaster General,
Post Office Department,
Washington, D. C.

MY DEAR POSTMASTER GENERAL: Enclosed is a sample reprint of the CONGRESSIONAL RECORD. I intend to mail out 100,000 copies of same. Realizing the huge deficit in the Postal Department, it is not my intention to further add to that deficit.

Under special permit available to any commercial enterprise, what would be the cost of mailing 100,000 of these reprints? Whatever the cost is I will make payment to the Post Office Department for that amount.

Since this is a reprint of the official RECORD, I am aware that I would not have to do this. But I will pay for this mailing at the regular going commercial rates so as not to add to the postal deficit.

Looking forward to hearing from you, I am,

Sincerely,

ALVIN E. O'KONSKI,
Congressman, 10th District of Wisconsin.

SENATE

THURSDAY, JUNE 20, 1957

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou, whose love passeth understanding, we are grateful for the unquenchable impulse toward Thee which Thou hast planted in our hearts, and for the winged desires and aspirations which disturb our lowest moods. From the fret and fever of the vexed world's problems, apart from the praise or blame of men, we would daily follow the path which leads to the quietness and confidence of Thy presence.

At this altar of prayer, our arrogance is rebuked and our pride of opinion is mocked as we confess that we but grope in the darkness. We see but as in a glass dimly. Our knowledge is partial, and our judgments fallible. Our pilgrim days upon the earth are a strange medley of hopes and fears, shadowed by sorrow, sparkling with joy, lifted up by gain and triumph, cast down by failure and loss. May it all find its true meaning in Thy eternal purpose for our being, and may there fall upon us now a sense of Thy kingdom, and of Thy power, and of Thy glory. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Journal of the proceedings of Wednesday, June 19, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 196) commemorating the week of June 30 through July 6, the 125th Anniversary of America Week, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil-service retirement and disability fund, and for other purposes; and

H. R. 7221. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

HOUSE BILL REFERRED

The bill (H. R. 8090) making appropriations for civil functions administered by the Department of the Army and certain agencies of the Department of the Interior, for the fiscal year ending June 30, 1958, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the Internal Security Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LEGISLATIVE PROGRAM

Mr. JOHNSON of Texas. Mr. President, under the order entered on yesterday, the Senate is to receive the Prime Minister of Japan. I should like to inquire what the parliamentary situa-

tion is. As I understand, the Chair is authorized to declare a recess at 12:30 p. m.

The VICE PRESIDENT. That is correct; the Chair is authorized to do so.

Mr. JOHNSON of Texas. Thereafter the Senate will reconvene, upon the call of the Chair. Is that correct?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. Mr. President, I wish all interested Senators to be present, so they may advance their viewpoints and protect their interests. I had hoped it might be possible—in view of our distinguished visitor—to have the discussion and the second reading of the civil rights bill after 12:30. However, I realize the morning-hour situation. Therefore, I shall suggest the absence of a quorum; and I express the hope that the aids of the Senate will notify the Members on both sides of the aisle, so that all of them may be present, because at the conclusion of the quorum call, we expect matters of general interest to come before the Senate.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside until the civil-rights matter is disposed of. I hope the Senate will give its consent to that request, because otherwise at 1 o'clock that procedure would be cut off. I believe it would be better for the Senate to take up this matter after the visit of the Prime Minister, rather than before.

I should like to obtain the consent of the Senate, following the recess during which the Prime Minister of Japan will be received, to have the unfinished business—the Hells Canyon Dam bill—temporarily laid aside, and to have the Senate proceed to the consideration of the civil-rights matter, and to continue to consider it until all the questions at issue on the matter of either referring the civil-rights bill to committee or placing it on the calendar are disposed of. At the conclusion of that procedure, the Senate would return to the consideration of the Hells Canyon Dam bill.

Mr. JOHNSTON of South Carolina. Mr. President, I think the passage of the Hells Canyon Dam bill, the unfinished business, is just as important as any other measure. For that reason, I object now.

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I should like to renew my request that following the visit of the Prime Minister of Japan, the unfinished business, the Hells Canyon bill, be temporarily laid aside until we dispose of the question of whether the civil rights bill should go to the calendar or the committee, and that the 1 o'clock provision be waived.

Mr. JOHNSTON of South Carolina. Mr. President, I desire to enter on the RECORD at this point, not my objection, since I am not going to object to the request as now worded by the majority leader, but my previous statement that I would object if the request were that the civil rights bill be completely disposed of. I do not object to the particular request now made. I also want it plainly understood that in stating that I thought the passage of the pending bill was important I did not mean to convey any idea that I am for or against the bill yet, but I was emphasizing it is just as important as the civil rights bill. I do not object to the request in the words now used by the majority leader.

The VICE PRESIDENT. Is there objection to the request? The Chair hears none, and it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that there be the usual morning hour, with statements limited to 3 minutes, until time for the Chair to declare a recess or time to recognize me so that I may suggest the absence of a quorum.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

REPORT OF COMMISSION ON INCREASED INDUSTRIAL USE OF AGRICULTURAL PRODUCTS

A letter from the Chairman and members of the President's appointed Bipartisan Commission on Increased Industrial Use of Agricultural Products, Washington, D. C., transmitting, pursuant to law, a report of that Commission (with an accompanying report); to the Committee on Agriculture and Forestry.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO IMPORT TAXES ON LEAD AND ZINC

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc (with an accompanying paper); to the Committee on Finance.

DEVELOPMENT OF MINERALS RESOURCES OF THE UNITED STATES

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to provide a program for the development of the minerals resources of the United States, its Territories and possessions by encouraging exploration for minerals and providing for payments as incentives for the production of certain minerals, and for other purposes (with an accompanying paper); to the Committee on Interior and Insular Affairs.

SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order suspending deportation in the case of Fritz Willy Reinhardt, together with a statement of the facts and pertinent provisions of law pertaining to the case, and the reason for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order granting the application for permanent residence filed by Nadina Dzirkalis, together with a statement of the facts and pertinent provisions of law as to the subject, and the reasons for granting the application (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIAL

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Agriculture and Forestry:

"Senate Concurrent Resolution 11

"Whereas the State of Louisiana and some 11 other States have suffered and are suffering irreparable damage from the imported Argentina fire ant (Solenopsis saevissima var richteri Forel), the Texas leaf cutting ant (Atta Texana or town ant) and other ants and pests; and

"Whereas these ants and pests have destroyed and are destroying millions of acres of farm land, are attacking cattle and are threatening the destruction of many miles of levees in which the Federal Government has a tremendous investment; and

"Whereas it is imperative that immediate action be taken to correct this serious situation; and

"Whereas the States involved have either appropriated funds for the purpose or are considering appropriating funds for this purpose, but additional money is needed to correct the situation; and

"Whereas the United States Congress has recognized the gravity of the problem by authorizing the United States Department of Agriculture to undertake a program for the eradication of these ants and pests; and

"Whereas Federal funds are needed immediately and urgently to assist the States in carrying out an extermination program of these ants and pests: Therefore, be it

"*Resolved by the Senate of the State of Louisiana, (the House of Representatives concurring)*, That the Congress of the United States be requested and urged to make Federal funds available to assist the States in carrying on a program of extermination of these ants and pests, and an appropriation be included in the pending appropriation bill now before the Senate; and be it further

"*Resolved*, That a copy of this resolution be sent to the President of the Senate of the United States, the Speaker of the United States House of Representatives, the Honorable ALLEN J. ELLENDER and the Honorable RUSSELL B. LONG, United States Senators from Louisiana, to the chairman of the Senate Finance Committee (Appropriations Committee), to the chairman of the House Appropriations Committee, and to the Secretary

of the United States Department of Agriculture.

"LETHER E. FRAZAR,
"Lieutenant Governor and President of the Senate.
"ROBT. RUEGLLE,
"Speaker of the House of Representatives."

Two resolutions of the Legislature of the State of Nebraska; to the Committee on Armed Services:

"Legislative Resolution 43

"Whereas the members of our armed forces serving abroad, their civilian components and the dependents of each, are now subject to the criminal jurisdiction of more than fifty countries in which they may be on duty, by reason of the NATO Status of Forces Treaty, the administrative agreement with Japan, and executive agreements with other nations; and

"Whereas these agreements penalize our servicemen for foreign service by depriving them of many of the rights granted by our Constitution, which they are sworn to defend; and

"Whereas it is impossible for any serviceman accused of transgression in a foreign country to receive a fair and impartial trial because of the varying systems of jurisprudence which make it impossible for him to receive the protection of all of the rights and guaranties which our Constitution gives to every citizen, and because of the prejudice and animosity sometimes existing against our men; and

"Whereas legislation has been introduced in both the Senate and the House of Representatives of the United States to direct the President to seek a modification of all such agreements so that the United States may regain exclusive jurisdiction over the members of its Armed Forces for all purposes or if such a modification is refused, then to terminate or denounce the agreements according to the terms of each: Now, therefore, be it

"Resolved by the Legislature of the State of Nebraska, That the members of this body deplore the arrangements now existing which make service in our Armed Forces abroad a hazard by depriving our servicemen, their civilian components and dependents of each, of the rights and guaranties of our Constitution when they are stationed in other lands; and be it further

"Resolved, That we respectfully urge the Congress of the United States to immediately enact the legislation now pending or similar legislation which will secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; and be it further

"Resolved, That copies of this resolution be sent to the President and the Vice President of the United States, to all Senators and Members of the House of Representatives of the United States, and filed with the clerk of the Senate and the Clerk of the House of Representatives.

"DWIGHT W. BURNEY,
"President of the Legislature.

"I Hugo F. Srb, hereby certify that the above is a true and correct copy of Legislative Resolution 43, which was passed by the Legislature of Nebraska in 68th regular session on the 12th day of June 1957.

"HUGO F. SRB,
"Clerk of the Legislature."

"Legislative Resolution 46

"Whereas there is now pending before the Congress of the United States, legislation including S. 2014, H. R. 7574, and H. R. 7642 which would change the method of computing the basic pay for members of the Armed Forces; and

"Whereas the Military Establishment is desperately in need of a means for attracting and retaining persons with scientific, professional, combat leadership, and management skills necessary to maintain a deterrent power during these times of advancing technology and threat of aggression; and

"Whereas the Armed Forces do not presently have the means to enter into competition for trained personnel urgently needed for the defense of this country, and a significant factor in their inability to do so is the inadequacy of the present compensation practices now in use; and

"Whereas the proposed changes in the military pay structure are based on merit rather than longevity, will bring military pay more in line with the pay standards of industry, will offer first termers greater reenlistment incentives, and will relate pay more closely to the actual contribution of the individual in the service; and

"Whereas the change in pay structure, such as that proposed in S. 2014, H. R. 7574, and H. R. 7642 has the support of the Strategic Air Command and the 15th Air Force, as well as many other military leaders and organizations: Now, therefore, be it

"Resolved by the members of the Nebraska Legislature in 68th session assembled,

"1. That the Legislature of the State of Nebraska respectfully memorializes the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014, H. R. 7574, and H. R. 7642.

"2. That the clerk of the legislature is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative from the State of Nebraska in the Congress of the United States.

"JOHN E. BEAVER,
"Speaker and Acting President of the Legislature."

"I, Hugo F. Srb, hereby certify that the above is a true and correct copy of Legislative Resolution 46, which was passed by the Legislature of Nebraska in 68th regular session on the 12th day of June, 1957.

"HUGO F. SRB,
"Clerk of the Legislature."

A resolution of the Legislature of the Virgin Islands; to the Committee on Interior and Insular Affairs:

"Bill 484

"Resolution to petition the Congress of the United States to provide for the continuation of the so-called double (ii) funds by amending section 28 (e) (ii) of the Revised Organic Act for the Virgin Islands

"Whereas there is a definite need to implement the 5-year, $10 million program, better known as the Governor Harwood program, which provided for the building of hospitals, schools, highways, sewers, and other essential public improvements in the Virgin Islands, which improvements during the past few years have contributed immensely to the health, well-being, and happiness of the people of the Virgin Islands; and

"Whereas these improvements while raising the standards of living of the people to a much higher level have substantially increased local governmental operational costs and maintenances of these many modern and improved facilities; and

"Whereas it is essential that certain revenue-producing public improvements be undertaken such as the development of water resources, airports, harbor improvements, and roads and highways, which will contribute toward the economic potential of the Virgin Islands to a point of self-sufficiency; and

"Whereas it is the expressed desire of the Legislature of the Virgin Islands to cooperate and work closely with the Department of Interior in developing a definite program for these essential public projects, and for the wise use of such funds: Now, therefore, be it

"Resolved and it is hereby resolved by the Legislature of the Virgin Islands,

"1. Petition is hereby made to the Congress of the United States to amend section 28 (e) (ii) of the Revised Organic Act for the Virgin Islands, Public Law 517, 83d Congress, approved July 22, 1954, to provide for the continuation of these (ii) funds beyond the June 30, 1956, limitation.

"2. That the funds be used exclusively for the development of revenue-producing public improvement projects such as water resources, harbor improvement, airport developments, roads and highways in accordance with a master plan to be developed and adopted jointly between the Government of the Virgin Islands and the Department of Interior.

"3. That copies of this resolution be sent to the President of the United States, President of the Senate, Speaker of the House, Secretary of Interior, chairman and members of the Senate and House Committees on Interior and Insular Affairs, and the Governor of the Virgin Islands.

"Thus passed by the Legislature of the Virgin Islands on June 4, 1957.

"Witness our hands and the seal of the Legislature of the Virgin Islands this 5th day of June A. D. 1957.

"AUBREY A. ANDUZE,
"President.
"JOHN D. MERWIN,
"Legislative Secretary.

SATURDAY CLOSING OF POST OFFICES—MEMORIAL

Mr. WILEY. Mr. President, I was glad to hear today from William Huffman, Jr., of the Wisconsin Rapids Daily Tribune, with regard to the serious problem presented to the Nation's daily newspapers by the prospective closing of post offices on Saturdays.

Mr. Huffman, speaking on behalf of the Daily Newspaper League of my State, points out the tremendous inconvenience which such closing would cause.

It is my earnest hope that the Saturday closings can be avoided, that sufficient appropriations will be available to cover this necessary Department function.

I should like to endorse, too, the two other propositions stated by the league. I, too, believe that we should determine that the post office is basically a service institution.

Naturally, I do not want to see enormous postal deficits, but I do want to see the concept that the post office exists basically to serve 170 million Americans.

And, secondly, I endorse the concept that there must be the most careful cost accounting so that we know precisely, by the most accurate yardsticks available, how much each class of mail is costing, with a minimum of guesswork and a maximum of accuracy.

I present the telegram from Mr. Huffman, and ask unanimous consent that it be printed in the RECORD, and be thereafter referred to the Committee on Post Office and Civil Service.

There being no objection, the telegram was referred to the Committee on Post Office and Civil Service, and ordered to be printed in the RECORD, as follows:

WISCONSIN RAPIDS, WIS.,
June 19, 1957.

Senator ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.:

The Wisconsin Daily Newspaper League opposes an anticipated decision by Postmaster General Summerfield to discontinue Saturday delivery of the mail. Refusal by the United States post office to perform this function would greatly inconvenience users and patrons of the mails. Combined with the proposed increases in postal rates, discontinuance of Saturday delivery would make even less sense. The Wisconsin Daily Newspaper League also believes: (1) a basic determination should be made as to whether the United States post office is a business or a service, and (2) a correct apportionment should be made for all United States post office costs, including correct apportionment of the costs of handling daily newspapers in second-class mail.

WILLIAM HUFFMAN, JR.,
President Wisconsin Daily Newspaper League.

ST. LAWRENCE SEAWAY COMMEMORATIVE STAMP—RESOLUTION

Mr. WILEY. Mr. President, I was pleased to receive from the Massena, N. Y., Chamber of Commerce, a resolution endorsing the idea of a first-class commemorative postage stamp to be issued jointly by the United States and Canada to commemorate the Great Lakes-St. Lawrence Seaway.

Massena, of course, is a center of seaway activity, and it is most natural that this significant proposal emanates from that fine community.

I present the resolution, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A Resolution Passed at a Meeting of the Massena Chamber of Commerce Board of Directors, Massena, N. Y., June 6, 1957

Whereas the St. Lawrence Seaway, a joint undertaking of the Governments of the United States and Canada is the greatest peacetime project ever attempted by two great nations; and

Whereas some sort of permanent memento to this unprecedented accomplishment would have incalculable value as a symbol of international cooperation and friendship; and

Whereas some action on the matter has already been taken by Congressman FRANK T. BOW, of Ohio, Lloyd C. Merriman, of Florida, the Post Office Department and the St. Lawrence Seaway Development Corp.: Be it therefore

Resolved, That the Massena Chamber of Commerce unanimously endorses the idea of a first-class postage commemorative seaway stamp to be issued jointly by the United States and Canada; and be it further

Resolved, That the Massena Chamber of Commerce continually assist in bringing this matter to the attention of all proper and responsible governmental officials so that the purpose of this resolution might be accomplished by June of 1959, the approximate date of the formal seaway opening.

DANIEL O. SHEETS,
President and Chairman of the Board.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MURRAY, from the Committee on Interior and Insular Affairs, without amendment:

S. 98. A bill to provide for the establishment and operation of a mining and metallurgical research establishment in the State of Minnesota (Rept. No. 474); and

H. R. 3477. An act relating to moneys received from mineral lands in Alaska (Rept. No. 475).

By Mr. HAYDEN, from the Committee on Appropriations, with amendments:

H. R. 5189. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1958, and for other purposes (Rept. No. 476).

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT

Mr. BYRD. Mr. President, from the Committee on Finance, I report favorably, with amendments, the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, and I submit a report (No. 473) thereon. I ask unanimous consent to file minority and supplemental views thereon, and ask that they be printed as a part of the report.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Virginia.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOUGLAS:

S. 2343. A bill for the relief of Nuvart Donikian;

S. 2344. A bill for the relief of Demetra Burtzos and her minor child, Theodore Burtzos;

S. 2345. A bill for the relief of Maria Marino Pappa;

S. 2346. A bill for the relief of Lucy Hedwig Schultz; and

S. 2347. A bill for the relief of Lilia Sanga (also known as Lydia Sanga) and Felicitas D. Tobias; to the Committee on the Judiciary.

By Mr. BEALL:

S. 2348. A bill to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes; to the Committee on the District of Columbia.

By Mr. MAGNUSON (by request):

S. 2349. A bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BEALL:

S. 2350. A bill for the relief of Ilona Pusztai; to the Committee on the Judiciary.

CONSERVATION OF FISHERY RESOURCES OF ALASKA

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes. I ask unanimous consent that a letter from the Assistant Secretary of the Interior, requesting the proposed legislation may be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2349) to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., June 14, 1957.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill to facilitate the conduct of fishing operations in the Territory of Alaska, to promote the conservation of fishery resources thereof, and for other purposes.

We shall appreciate the reference of this proposed bill to the appropriate committee for consideration. We recommend that it be enacted.

This proposed legislation contains four separate items relating to the conduct of fishing operations in the Territory of Alaska. As hereafter indicated, we feel that various provisions of the law now in effect with respect to fishing operations in Alaska require amendment. An explanation of the various items of the bill is as follows:

Subsection (a) of this proposed legislation provides that section 2 of the act of June 6, 1924 (43 Stat. 464, 465), relating to the escapement in certain instances of a portion of the salmon runs in the waters of Alaska shall be repealed. The provision that would be repealed by this subsection requires an escapement of 50 percent of the salmon runs in streams where weirs are operated, and declares the intent of Congress to be that the minimum escapement of salmon shall not be less than 50 percent of the run. This provision is too inflexible. Our experience indicates that an escapement of 50 percent may be wholly inadequate in some instances when the runs are small. It may be excessive and wasteful when the runs are large. Consequently, we believe that the circumstances in each case should govern the proportion of the escapement.

Subsection (b) of this proposed legislation would revise slightly the statutory provision that requires a weekly closed period of 36 hours concerning the taking of salmon in Alaska except certain prescribed methods. As revised, the exact time each week when the 36-hour closure would be effective would be left to regulation by the Secretary. The subsection provides that hereafter the regulation of the fishery and the establishment of closed periods shall be prescribed by the Secretary of the Interior consistent with the need of conservation of the fishery and the public interest therein.

Existing law provides for a 36-hour weekly closed period for all salmon fishing, except trolling, in the period from 6 p. m. Saturday to 6 a. m. of the Monday following. Weekly closed periods are an effective means of securing an escapement of some runs of salmon. The inflexibility of the existing provision, with reference to the hour of commencement, makes patrol costly and, at times, impossible or ineffectual.

Subsection (c) of this proposed legislation relates to the possession or disposal of fish taken in violation of law. Enforcement of the fishery laws in general is difficult and we believe that a provision of this type will facilitate such enforcement.

Existing law, and the regulations authorized thereby, relate primarily to the capture of fish. No penalties are provided by these statutes for anything but the illegal taking of fish, unless the resulting products are subsequently transported in interstate commerce which is extremely difficult and costly to control. We believe that illegal fishing itself could be more effectively controlled if the law also prohibited the possession of illegally caught fish.

Subsection (d) of this proposed legislation would amend section 4 of the act of June 26, 1906, as amended, for the protection and regulation of the fisheries of Alaska, so as to provide that hereafter it shall be unlawful to fish for, take, or kill, by any means, for sale or other commercial purposes, any salmon of any species in any of the creeks, streams, or rivers of Alaska, or within 500 yards of the mouth thereof, except that such limitation shall not be applicable to the Karluk, Ugashik, Yukon, and Kuskokwim Rivers. The effect of this proposed revision in the act of June 26, 1906, as amended, is to prohibit fishing inside the mouths of salmon streams by means of hand rod, spear, or gaff for commercial purposes. While of no consequence in 1924, when the salmon runs were in good condition and the price paid for fish was very low, these methods frequently are employed profitably today with serious damage to runs in particular streams.

The Bureau of the Budget has advised that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

ROSS LEFFLER,
Assistant Secretary of the Interior.

STATE DEPARTMENT COMMENTS ON WIDER USE OF INTERNATIONAL COURT OF JUSTICE

Mr. WILEY. Mr. President, recently one of my constituents wrote to me on a very important subject which well merits our thoughtful consideration in the field of international relations.

This constituent, in Wausau, Wis., recommended that the United States intensify its efforts to secure more frequent use of the excellent facilities available to it through the International Court of Justice.

I brought my constituent's letter to the attention of Mr. Loftus Becker, the newly confirmed Legal Adviser to the State Department. Mr. Becker promptly responded this morning, pointing out the Department's deep interest in this subject. He pointed up America's fine record in seeking greater use of the Court. He cited the fact that the big problem is, of course, encouraging the nations which are parties to a dispute to accept the jurisdiction of the Court. I believe that Mr. Becker's reply will be of interest to my colleagues. I ask unanimous consent that letter be printed at this point in the body of the RECORD.

In conclusion, I wish to say that I hope our Government will continue to bend its efforts toward this worthy goal so that law will rule in the world, rather than brute force or merely the overpowering economic and political strength of one nation as against a weaker nation.

I hope the United States will continue to set a worthy example, and that in all cases where the Court should have jurisdiction in disputes involving ourselves we will accept such jurisdiction in the interest of international harmony and sound relations.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
Washington, D. C., June 19, 1957.

Hon. ALEXANDER WILEY,
United States Senate.

DEAR SENATOR WILEY: I am writing in reply to your letter of June 14, 1957, which enclosed a letter and newspaper clipping sent to you by one of your constituents. He proposed a much larger use of the International Court of Justice, and the establishment of enforcement machinery to carry out the Court's decisions.

The Department of State fully agrees on the desirability of more frequent resort to this Court for the settlement of international legal disputes. The United States has been a party in two of the contentious cases which have been heard by the Court, and has participated—by the submission of a brief, the presentation of oral argument, or both—in all of the advisory opinion cases put before the Court. This Government has filed applications in several other contentious cases against governments causing loss or damage to this country in incidents involving the forcing down of United States aircraft. Unfortunately, none of the respondent governments in these cases has been willing to accept the Court's jurisdiction, with the result that it has been impossible to secure impartial adjudications on the merits.

We continue to work, however, for greater use of the International Court of Justice, and encourage other countries to submit their legal disputes to this Court in cases where other means of settlement seem unavailing. In both bilateral and multilateral treaties and other international agreements, provisions are now very often included for the resolution of questions of interpretation and application by the International Court of Justice.

At the same time, it must be recognized that not every international dispute is suited for judicial determination. Nonlegal disputes, on political or economic questions, cannot be dealt with effectively by a judicial tribunal. Among the problems mentioned by your constituent, it might be observed that some aspects of the Suez Canal question could appropriately be referred to the Court. Some of the other questions must be left to negotiation, with the assistance perhaps of mediation or of debate and recommendation in United Nations political bodies, such as the Security Council and the General Assembly.

He wrote also of the need for machinery to enforce the decisions of the International Court of Justice. Actually, article 94 in the Charter of the United Nations gives the Security Council the power to take whatever measures may be required for giving effect to judgments of the Court. There is, of course, the problem of the veto in the Security Council. However, it has been the general, though not universal, experience that once contending governments have submitted a legal dispute to impartial judicial determination they are prepared to abide by the decision and do in fact carry it out. It appears, therefore, that the principal difficulty today lies in obtaining jurisdiction rather than in enforcement. Jurisdiction can only be acquired by the Court through the grant of national governments.

The Department appreciates learning of your constituent's interest in this problem. As you have so aptly pointed out, greater use of the International Court of Justice by the community of nations is a matter of patient, longtime education.

Sincerely yours,

LOFTUS BECKER,
The Legal Adviser.

CONSTRUCTION WORK ON THE ST. LAWRENCE SEAWAY

Mr. WILEY. Mr. President, I should like to mention at this point in the RECORD that recently a group of business and industrial leaders of my State visited some of the construction work at the seaway. They made the trip under the auspices of the Milwaukee Association of Commerce.

I had hoped to accompany them on the trip because, from all the descriptions I have heard, the St. Lawrence Seaway construction job is one of the most awesome sights in the world to behold. It is a tremendous engineering undertaking, and folks generally may not realize all the enormous natural obstacles which had to be overcome.

The Milwaukee Journal has published several articles dealing with the reactions of some of the visitors to the seaway site.

I ask unanimous consent that several of the articles be printed at this point in the body of the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal of June 13, 1957]

MOUNTAIN OF STATISTICS AWES SEAWAY VISITORS—ACRE OF ROCK, EARTH 25 MILES HIGH IS PICTURED TO EXPLAIN PART OF PROJECT

(By Rod Van Every)

MASSENA, N. Y.—Imagine 1 acre of rock and earth piled 25 miles high.

Or a city lot piled 200 miles high.

Or maybe 70,000 trains, each hauling 100 freight cars, each car containing 60 tons.

Those were the kind of statistics that Milwaukee's businessmen tourists of the St. Lawrence seaway marveled at Wednesday.

The figures represent the combined excavation accomplished, under way, and to be undertaken by United States and Canadian agencies in building the new seaway and the electric power generating project between the Welland Canal and Montreal, Quebec.

USE CHARTERED BUSES

The actual total excavation, much of it by Wisconsin-made equipment, is 400 million tons, or 218 million cubic yards. Much of it is dry-land digging; the rest, underwater.

Statistics flew fast as the tourists joggled along in 2 chartered Greyhound buses from Montreal to Massena and on side jaunts from here. But they were taken in stride, as was a hot sun and fluffy sky.

On the way here, the view was of the Caughnawaga Reservation, near Montreal, populated by the Iroquois Indians, some of whom have waxed fat on the sale of land for seaway canals. Saved from the dynamite blasts and power shovels was their St. Francis Xavier Church, built in 1725, but rescued only by a scant 5 feet or so.

READY SINCE 1932

Between Lakes St. Francis and St. Louis, both actually only great widenings of the St. Lawrence, the Beauharnois Canal has lain ready for the deep seaway since 1932. Meanwhile, it brought great power to a downriver hydroelectric plant, now being enlarged.

The only project remaining was a pair of high-lift locks. Those are under construction but it hasn't been easy.

The Potsdam sandstone in the area is so abrasive that power shovel teeth last 1 crew shift and drill bits wear out every 8 hours as they nibble at a rate of 3 feet an hour. In use finally is a new, high-temperature jet piercer for drilling explosive holes at 30 feet an hour.

At Massena, headquarters of the American work in the International Rapids section, the Milwaukeeans' chests began to puff with pride.

WORKS INSPIRE PRIDE

The massive works—locks, canals, dikes, dams—made you proud of your Americans, even if Congress did drag its feet on seaway approval for many years; even if the Canadians are doing the bulk of the work.

The giant Eisenhower lock, in the middle of dry land, looks as if it would accept major ocean ships tomorrow. The work in progress was backfilling, 6 inches at a time and compacted, to support the high concrete walls against the water and ship pressures. The lock will contain half a million cubic yards of concrete, and Wednesday it was rising in "lifts" of 5 feet. There are not many more lifts to go.

At the Grass River lock, which someday may be renamed the Wiley-Dondero lock in honor of the two men who rammed the seaway bill through Congress, the work was further behind because of unusual soil conditions. But both will be ready to send ships into the canals, dug through pastures and forest lands, by the middle of next year.

FOURTEEN-FOOT DRAFT LIMIT

The ships, however, will have to pull no more than the present 14-foot draft because the Canadian seaway works won't be ready for 25½-foot drafts (on 27-foot depths) until early in the navigation season of 1959.

Another major project, carried out by Ontario and the State of New York, nearly brought cheers from the Milwaukee group. It was the massive power works which required flipping the roaring St. Lawrence River around in its course as if it were a boy's mud puddle stream. That was necessary to work in the dry. Cofferdams did it and are doing it.

They permitted the construction of half of the Long Sault Dam, and they now are serving to divert the rushing water so the other half can be completed; total length, 2,700 feet. The Long Sault is only a holding dam, flooding out the tumbling Long Sault Rapids, up to now a full block to any navigation.

Downstream is the 3,200-foot-long power generating dam, now about half completed. When its 63 million cubic yards of excavation and 4.2 million cubic feet of concrete pouring are completed, it will generate 2.2 million horsepower.

The Milwaukee visitors noted that the Americans used steel forms for concrete pouring; the Canadians, timber.

These dams will flood out thousands of acres, including valuable farmlands, cottage sites, whole islands, highways, railroads, and several communities, especially on the Canadian site of the international border. High earthen dikes prevent greater flooding and hold the pool to sufficient depth for big-ship navigation. When everything is in place and ready to go—power generation starts next year—the power pool will contain a half million acre-feet. It will require 3 days to fill it.

Before the tourists fly back to Milwaukee Thursday night, they will visit the Iroquois holding dam, lock, and canal, upstream near Lake Ontario; meander farther along the lovely banks of the St. Lawrence and lunch at the exclusive Thousand Island Club at Alexandria Bay, N. Y.

[From the Milwaukee Journal of June 11, 1957]

FORTY-FIVE WILL VIEW SEAWAY AREA—GO EAST BY PLANE

Forty-five business and industrial leaders and professional men stepped aboard a chartered 4-engine DC-4 Tuesday morning for a flight to Montreal, Quebec, and a three day tour of the St. Lawrence Seaway and power work in Canada and the United States.

The flight and tour is sponsored by the Milwaukee Association of Commerce.

In the 3 days, the group will inspect, from the air, the seaway work in the International Rapids section of the St. Lawrence River between Lake Ontario and Montreal, will be guests of the city of Montreal at a civic recognition dinner, tour by bus construction work in Canada and the State of New York and be dinner guests of the city of Massena, N. Y., and the Massena Chamber of Commerce. The group will return in the airliner Thursday night.

Many of the businessmen will see the equipment which their firms manufacture working on the massive project.

SUGGESTED BY OLSEN

"This trip will provide participants with a better knowledge of the significance and the magnitude of the seaway project," said Lester S. Olsen, association president and president of the Olsen Publishing Co. Olsen suggested the trip last November.

Harry C. Brockel, Milwaukee port director and a member of the advisory group of the Government corporation building the seaway, said the trip should help businessmen in preparing for new business generated by the deepened channels, canals and locks which will permit major ocean vessels to come to Milwaukee.

Making the trip in addition to Olsen and Brockel, are William M. Andrae, president of the Advance Boiler & Tank Co.; E. J. Mercer, general manager of the construction machinery division of the Allis-Chalmers Manufacturing Co.; Marshal L. Wilcox, vice president and general manager of P & V Atlas Maritime Corp.; August G. Barkow, president, August G. Barkow Manufacturing Co.; John C. DeLong, associate editor of Excavating Engineer, a trade publication of the Bucyrus-Erie Co.

Walter H. Stiemke, manager, Caterpillar Tractor Co.; Floyd J. Kops, of the law firm of Charne & Kops; Peter C. Foote, president, Cutler-Hammer International; Harold E. Hands, assistant cashier, First Wisconsin National Bank; Ray C. Fischer, president, Ray C. Fischer Co.; Harry G. Bethune, Jr., president, General Steamship Agencies.

Eugene P. Lawler, an account executive with Bert S. Gittins Advertising, Inc.; Gustav A. Trepte, president, Globe-Van Doorn Corp.; Robert D. Hughes, district manager, Grace Line; T. L. Hansen, president, Hansen Storage Co.; Joseph N. Hunt, president, Hunt Oil Co.; William C. Brice, Milwaukee works manager, International Harvester Co.; Norman L. Kuehn, board chairman, N. L. Kuehn Rubber Co.

OTHERS IN PARTY

Charles H. Tasker, assistant secretary-treasurer, Leedom O'Connor & Noyes Co.; John E. Hueser, general sales manager, Le Roi division of Westinghouse Air Brake Co.; Ebner F. Luetzow, board chairman, Luetzow Industries; John C. Lobb, executive vice president, Marine National Exchange Bank, Roger N. Christiansen, manager of the foreign trade department, Marshall & Ilsley Bank; Richard J. Murphy, account executive, Merrill Lynch, Pierce, Fenner & Beane.

Robert J. Miller, president, Miller Compressing Co.; Roy E. Hanson, president, Milprint Overseas Corp.; Joseph P. Cairnes, president, Milwaukee Braves; Wallace M. Hughes, publisher, Milwaukee Sentinel; Carl W. Moebius, Jr., vice president of sales, Moebius Printing Co.; B. T. Eagerton, vice president in charge of the international division, Nordberg Manufacturing Co.; John H. May, district sales manager, Northwest Orient Airlines.

Kingston Swallow, chairman of the board, Motor Castings Co.; Samuel H. Smith, president, Shore Realty & Insurance Co.; Dr. Ralph P. Sproule; George H. Mickow, president, West Shore Transport Co.; Willard T. Hansen, president, Wisconsin Independent Oil Co., and John A. Seramur, executive vice-president, Wisconsin Savings & Loan League; Joseph Johnson, Milwaukee Co.

From the Association of Commerce are Ray H. Weisbrod, executive vice president; David P. Howe, manager of the foreign trade division; Clarence J. Muth, manager of the air service division, and Alfred J. Hudson, manager of the membership division. Representing the city of Milwaukee and the harbor board are Martin E. Schreiber, president of the common council, and Brockel.

[From the Milwaukee Journal of June 14, 1957]

"NOTHING LIKE IT," SAY SEAWAY OBSERVERS—WEARY BUSINESSMEN RETURN HERE WITH NEW UNDERSTANDING OF VAST PROJECT

(By Rod Van Every)

Forty-seven weary but inspired Milwaukee businessmen roared into General Mitchell Field Thursday night after 3 days of touring the St. Lawrence Seaway and power projects by plane, by bus, by dusty foot.

They brought with them a new understanding of what all the fighting has been about for some 30 years. There was an evangelistic glint in their eyes that promised a longtime seaway selling job.

The Milwaukee tourists were not able to put their awe at the gigantic project into the clean, crisp words they use in their annual reports. But they need not have felt inadequate. Newspapermen on the trip also had trouble finding words to describe the seaway-power project.

The Milwaukeeans were able to muster only:

"Lordy, I didn't know."

"Never saw anything like it."

"Terrific."

"I wish the whole world could see this."

WORLD TO GET LOOK

In a matter of 2 years or so, much of the world—at least the shipping world—will get a look at one of the truly great engineering feats in the history of the world. Then, the $1,100,000,000 combined project will be producing electric power and will be open to major ships of the globe.

The Milwaukee group found two pictures at Massena, hub of the works in the International Rapids section of the St. Lawrence.

Downstream there were the hydroelectric plant, locks, and canals in various stages of construction.

Upstream a house, smack in the middle of the narrow road, served as a clear symbol of what is to come—flooding. Where the house once stood there will be 25 feet of water. Its owner was moving it to higher ground. Meanwhile it forced traffic, including the Milwaukeean's two chartered buses, to scurry for cover in farmers' driveways.

ALL TOPSY-TURVY

Everything is topsy-turvy in Massena. The tiny city has been inundated by well paid workmen. It is fringed by trailer camps. Its schools are jammed and its municipal facilities taxed to the twanging point. House moving is a small part of it.

When the last gate on the abuilding dams is closed, whole communities will be flooded out. Across the river, one of the Canadian villages of Iroquois—over which ships will soon sail—already has been moved 3 miles to high land. Some of Waddington, N. Y., will get wet.

Shipping sources tell the story of an old seaway pilot who had been taking his bearings for years on a red barn. One day he grounded his ship. Couldn't figure out why. Found that his familiar landmark had been moved a thousand feet.

The towering piles of rock and earth which the Milwaukeeans viewed were dikes to keep the power and navigation pool from breaking its bounds. Endlessly, the earth movers, trucks, and compactors rolled over them.

At the Iroquois holding dam, the tourists saw a project which will stabilize the whole of Lake Ontario, no little feat. Half of the dam has been completed and is sending 240,000 cubic feet a second of white water through its gates while work continues on the other half behind the protection of a temporary, earth-filled cofferdam.

Besides the Canadian's share of the Iroquois dam, the last lock between the St. Lawrence and Lake Ontario was ashaping. Near it, in fine contrast, was one of the 21 tiny locks in the present outdated canal system.

And, as if to salute the visitors, the German motorship *Scheersberg* entered the ancient lock as they watched. It is on its first voyage to Milwaukee to start Mediterranean service for the Ellerman Great Lakes line.

When the deep, 38,000-acre navigation pool is formed, the small ships often will be able to sail through the old Iroquois lock without locking through because its canal will usually be at lake level.

In the Thousand Islands section, where the mighty St. Lawrence rolls out of Lake Ontario, it appeared that every dredge on the Great Lakes was at work chawing out the rocky bottom. No wonder there is a dredge shortage elsewhere.

NEED OF FLOOD CONTROL AND WATER CONSERVATION PROJECTS

Mr. JOHNSON of Texas. Mr. President, the damage done by lack of water on the one hand and lack of control of water on the other has a two-edged bite. We have had that knowledge brought painfully to our attention in Texas recently.

For 8 years Texas suffered heavily from drought.

For 10 weeks this spring Texas suffered great loss from recurrent floods.

Let us examine the nature and extent of these losses. They are far-reaching.

COST OF THE DAMAGE

It is estimated that the last 5 years of drought cost Texas farm interests $2.7 billion.

Property damage done by the floods amounts to $70 million, according to the Army engineers.

But that is not by any means the full extent of the loss. During the 10 weeks of floods Texas lost some 25 million acre-feet of water into the Gulf of Mexico. If a value of only 5 cents per 1,000 gallons is placed on that water, the loss totals $375 million.

I can assure you, Mr. President, there are few municipalities, industries, or irrigation districts that would not be happy to pay a nickel per 1,000 gallons for water.

Mr. President, there is no way we could have prevented heavy loss from the long-continued drought. But effective basin developments could possibly have prevented one-fourth of the loss of $2.7 billion. That would have meant a saving of between five hundred and seven hundred million dollars.

There is no way we could have prevented some damage from the floods. But the Army engineers say the loss would have been cut in half at worst if flood-control projects authorized, but not yet built, had been in actual existence.

BIG JOB TO DO

There is no way we could have saved all the huge amount of water that poured into the gulf. But if we had built enough dams—in the right places—much of that water could have been retained for future use. We could have anticipated having some part of it available in some future time of drought.

Mr. President, these are the facts that impel me to press for action in building more flood-control and water-conservation projects.

We have lagged far behind in the construction of such projects. Those we have built are not sufficient to meet the present need. We have hardly begun on projects tailored to meet the vastly expanded need that is certain to arise in the future.

Mr. President, there is a tremendous job to do in this field. The Congress at this session should make a realistic start at doing it.

FINANCIAL CONDITION OF LATIN AMERICAN COUNTRIES

Mr. SMATHERS. Mr. President, in this period of great concern with fiscal problems and financial conditions, I think it is highly significant that there appeared in the New York Times, financial page of June 17, 1957, an excellent article on Latin American finances, entitled "Latin Defaults on Bonds Ending." The article explains that Latin American countries are now getting themselves into a fiscal and financial position where they are good credit risks, and they are building up the economy of their countries. The article may be, and I think it should be, of interest to Members of the Senate, and I therefore ask unanimous consent that it be printed at this point in the body of the RECORD. There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of June 17, 1957]

LATIN DEFAULTS ON BONDS ENDING—BOLIVIA TO RESUME PAYMENTS SOON—PROTECTIVE BODY BIG FACTOR IN SETTLEMENTS

(By Paul Hefferman)

Twenty years ago the phrase "foreign bond" was the badge of the lowest of estates. And of the discredited bonds, the lowest of the low were held to be those of most Latin American nations.

Vast defaults by Mexico before World War I had been followed in the 1930's by a succession of interest payment suspensions by other governments in Central and South America. At one time, 14 of the Latin American States were in default on obligations totaling $1,076,090,898.

This era of foreign bond defaults, at least for Latin America, is about over. The final chapter will be written July 1, when Bolivia will resume interest payments on $56,278,000 of bonds in default since 1931. Elsewhere, the defaulted external debts of foreign governments have been gradually rehabilitated, too, except among Communist nations and a scattering of other states, most of them dominated by Russia.

A suite of modest offices on the 16th floor of the Stone & Webster Building at 90 Broad Street for nearly 25 years, has been a witness repeatedly to the day of reckoning for defaulted debt. This space is the headquarters of the Foreign Bondholders Protective Council, a nonprofit organization set up in the 1930's to represent investors left stranded by the foreign government bond defaults.

One by one, the Latin-American debtor governments have come to terms in these offices with negotiators of the council. The first debt settlement was that of the Dominican Republic, in 1934. The biggest debtor was Brazil, which settled up $284,074,145 in 1943. The most recent negotiations—those affecting Bolivia—were completed last week.

Of more than $1 billion of Latin-American bonds restored to good standing, all but $273 million—Mexican debt—was rehabilitated through the efforts of the council. The negotiations with Mexico were carried on by the International Committee of Bankers on Mexico.

The chief negotiator for the council is Kenneth M. Spang, who has been actively identified with the debt settlement discussions since 1947. An economist, Mr. Spang has taught at Yale University and at Columbia University. He was executive vice president and secretary of the council from 1953 to 1956 and was elected its president last year.

The defaulted Latin-American debt has been only one of the concerns of Mr. Spang in recent years. For a long while the top problem was restoring to good standing more than 100 issues of defaulted bonds of the enemy nations of World War II—Germany, Japan, Italy and Austria.

The basis for the settlement of the German debt was made at an international conference in London in 1952. The council's negotiators were Mr. Spang and James Grafton Rogers, a former Assistant Secretary of State and a director of the council since 1936.

A MASTER PLAN

The London negotiations resulted in a master plan for the settlement of defaulted government bond issues totaling $219,309,600 that had been sold in the United States. It included the Dawes and Young loans, which are now on an interest-paying basis.

Counting the Latin-American and German settlement plans, the council has been responsible for negotiating the rehabilitation of $1,246,222,634 of foreign government bonds. This does not include many issues of foreign corporate dollar bonds—chiefly German—restored to good standing through the mediation of other negotiating bodies, notably the United States Committee for German Corporate Dollar Bonds, Inc.

The Foreign Bondholders Council came into being in 1933 after about one-third of the $10,032,204,916 of debt that foreign borrowers had incurred in the United States in the decade following World War I had gone into default.

Former President Herbert Hoover sought to have a public council for the protection of bondholders set up. But the Roosevelt administration decided not to establish the body and instead sponsored the formation

of a private corporate entity similar to long-established bodies serving such purposes in Great Britain, France, and other European nations.

CONCEPT STRENGTHENED

As time went on, the concept of a private nonprofit negotiating body operating independently of the Federal Government was strengthened. Today, bondholders' councils abroad are far more dependent on government policy in carrying on negotiations than the protective council here is.

J. Reuben Clark, a former Ambassador to Mexico, had a lot to do with the early work of the council and served as a director for 20 years until his retirement in 1953.

In its first years, the council paid its way largely from voluntary contributions of bondholders and financial institutions. It managed to get by until World War II, when it ran out of money. Thereafter it charged for its services.

The charge is one-fourth of 1 percent or less of the principal amount of each bond figuring in a settlement offer acceptance. This amounts to $2.50 or less for each $1,000 bond. The payment is deducted from the first payment made to the bondholder accepting the offer.

The council does not take bonds for deposit, nor does it represent bondholders directly as legal agents. Moreover, its negotiations and recommendations are related only to bonds issued or guaranteed by foreign governments, not to foreign bonds issued by private corporations.

UNFINISHED BUSINESS

The unfinished business now before the council has largely to do with a scattering of West German bond issues and with the continuing default of about $239,587,455 of dollar bonds of Russia and other Communist nations (including East German municipal and state governments), $56,204,828 of Yugoslavian Government bonds, and $36,377,000 of bonds of the Greek Government.

The founders of the council included two former Secretaries of the Treasury—Andrew W. Mellon and Ogden L. Mills—and Henry L. Stimson, a former Secretary of State.

Besides Mr. Spang, officers today are Harvey H. Bundy of Boston, a former Assistant Secretary of State; Dana G. Munro, director of the school of public and international affairs, Princeton University; John F. Meck, vice president and treasurer of Dartmouth College, and John C. Traphagen, chairman of the Bank of New York. These men are directors, too.

Other directors are Ray Atherton, former Ambassador to Canada; Laird Bell, partner in the Chicago law firm of Bell, Boyd, Marshall & Lloyd; Morrison Shafroth, partner in the Denver, Colo., law firm of Grant, Shafroth & Toll; Quincy Wright, professor of international law, University of Chicago, and James G. Rogers.

UNITED STATES RESPONSIBILITY TO HUNGARIAN REFUGEES

Mr. NEUBERGER. Mr. President, in the aftermath of the Red Army's ruthless suppression of the anti-Soviet revolt in Hungary last autumn, there was a surge of interest and sympathy among the American people for the fate of the thousands of Hungarian refugees who had fled to freedom across the Austrian border. Americans learned that there were hundreds of thousands of such refugees from Soviet terror. They knew that these refugees could not stay in camps in Austria, but hoped for the opportunity to build new lives in the free world. Hungarian families arrived in communities throughout our country. Vice President RICHARD M. NIXON made a well-publicized Christmas season visit to the refugee camps in Austria, and upon his return reported his recommendations of a widely expanded refugee program for the United States. From all this, most men and women in America probably retain the impression that the United States has been the leader in solving the problems of the mass flight from Hungary last winter, largely by generously and open-armedly welcoming the Hungarian refugees to our own country.

I wish to point out briefly today how false this impression is. I doubt that many Americans realize how much better a reception other smaller nations have given the Hungarian escapees, relatively speaking, than we have. As the traditional haven of the oppressed and persecuted from other lands, America actually has little cause for smug self-satisfaction in our record of accepting Hungarian refugees into our own country.

This is not to say that, individually, Americans have not been generous in their humanitarian response to the immediate needs of the people in the Austrian camps, for instance through such private American organizations as the International Rescue Committee, and individuals sending CARE packages. Americans have always responded generously toward meeting the concrete and immediate needs of human tragedy and misery. But so far as the long-range needs of new homes, new communities, and new opportunities for useful lives are concerned, we have lagged far behind the relative contribution of nations far smaller and less wealthy than the United States.

The Department of Justice announced some time ago that the United States is, for all major purposes, shutting down its program for accepting Hungarian refugees. Henceforth, admissions will be limited to persons with relatives in the United States and a few people possessing special skills badly needed in this country.

SMALLER NATIONS HAVE BEEN MORE HOSPITABLE THAN UNITED STATES

As of now, we have admitted about 32,000 Hungarians. In absolute numbers, this is more than any other single country except for Austria itself, Mr. President, but in proportion to our population and to our national wealth—and these are pertinent standards of comparison—we rank at the bottom of the list of the Western democracies which have extended the welcome of the free world to these escapees from Soviet tyranny. I ask unanimous consent to have printed in the RECORD at this point, Mr. President, a list of these nations, in alphabetical order, showing in round numbers the refugees accepted by each nation, and the proportion of refugees thus accepted relative to the population and to the annual national income of each receiving nation.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Country	Total refugees	Refugees per 100,000 population	Per $100,000,000 national income
Australia	8,700	61	61
Belgium	3,200	36	43
Canada	19,700	171	81
France	9,230	21	26
Germany (Federal Republic)	17,600	23	39
Israel	1,750	95	187
Netherlands	4,500	42	72
Sweden	5,750	70	63
Switzerland	10,300	208	192
United Kingdom	20,500	40	48
United States	31,850	18	9

Mr. NEUBERGER. Mr. President, probably in every nation—I know the mail Senators have received on this question show this for our own—some people are apprehensive of the immigration of large new groups of people with a foreign language and cultural background, because of the feared impact of such immigration on existing social and economic patterns. I invite Senators to study, in this light, the hospitality which other free democracies of Europe and the British Commonwealth, with far smaller populations and national incomes than ours, have offered the Hungarian refugees—and to compare it with our own. Let me cite a few examples.

Our northern neighbor, Canada, has accepted more than 5 times the proportion of Hungarian escapees, on a per-capita basis, than we have, and 9 times as many as we in proportion to national income.

Overcrowded Britain, many of whose people are themselves trying to emigrate, opened its doors to twice as many Hungarians as we, per capita, and five times as many compared to wealth. The proportion is even more flattering to the Netherlands, which also is faced with its own problem of overpopulation and emigration.

The best record has been made by tiny Switzerland, which has admitted over 20,000 Hungarians. With 6 times as many people per square mile as the United States, the Swiss have nevertheless been more hospitable than the United States by 11 times, relative to population, and 21 times relative to our respective wealth.

Austria, with an area of only 32,370 square miles—less than Maine's—and a population of 7 million, and itself only recently freed from Communist domination, has actually assimilated more refugees than the United States, with an area of 3,022,390 square miles and a population of 170 million. As many as 250,000 refugees from every eastern European nation, have poured into Austria in the last 2 years. We cannot expect Austria also to assume responsibility for the 33,000 Hungarians still in refugee camps there.

There are also almost 20,000 Hungarian refugees living behind barbed wire enclosures in Yugoslavia, whose future depends to a large degree on the

decisions which we make about American immigration policy.

UNITED STATES REPUTATION AT STAKE

Mr. President, there is inherent in this situation a certain irony which unfortunately lends iself to exploitation abroad at the expense of the United States. On the basis of relative population and wealth, the United States can be said to be at the bottom of the list in providing for the entry and settlement of the unfortunate men, women, and children in the Austrian refugee camps. Yet American-sponsored radio broadcasts, more than the actions of any other western nation, held out to the people of Hungary visions of freedom to keep alive their resistance to Soviet oppression, and which must have contributed to their willingness to rebel against it. Rightly or wrongly, many persons both among the Hungarians themselves and among other people abroad believe that the Hungarians' fight for freedom was actually encouraged by the Voice of America and Radio Free Europe, and that when it came, the United States backed down on its implied promises of help and support.

There can be no doubt that the escapees, in their camps, have looked to the United States for help at least with their own future fate, as long as we could not help them in their fight for freedom. We must not be surprised if the visible gap between our declarations and our performance, and the continuing uncertainty of our future immigration policy, has damaged our reputation in central Europe, which is not in our self-interest. I am told that doubts and rumors about our immigration policies, on top of the strains and stresses of life in these refugee camps following the tragedies of last autumn, are partly blamed for many of the 50 suicides which have been attempted or carried out in the past 6 months, and for the increasing rate of mental breakdowns in the camps. American relief agencies such as the Red Cross try hard to meet some of the problems in the camps. The International Rescue Committee, for instance, has started a school to help emotionally disturbed children and it maintains a mobile library of 1,500 volumes which regularly visits each camp.

But these agencies can only ameliorate the hardships of life under conditions which must necessarily be regarded as a temporary emergency situation. Only our Government can carry out American responsibilities for a more permanent solution.

Mr. President, I have recently received a letter from one of my Oregon constituents, who is presently a student at the University of Vienna, and who has devoted some of his time to work with the Hungarian refugees who have fled to Austria and entered these camps. I think this letter may be of interest to Senators, representing the views of one American who has been on the scene, and I ask unanimous consent to have the letter printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

VIENNA, AUSTRIA, *May 27, 1957.*

The Honorable RICHARD L. NEUBERGER,
United States Senate,
Washington, D.C.

DEAR MR. NEUBERGER: As an American citizen, a former GI, and now a student at the University of Vienna, I am keenly interested in the Senate's action toward the Hungarian refugees. And since I am a registered voter of Oregon, I wish to express what I know and have seen, as well as my opinions in this matter.

Having worked side by side with other students from all parts of the Free World in the refugee camps near Vienna and on the border, I can tell you that frankly I felt like putting my flag in my pocket. Why? Because, Mr. NEUBERGER, the American Government lost a lot of prestige. While small European countries sent medical supplies, foodstuffs, etc., we were continually asked: "Where is all the help the United States offered?"

Now that the emotion has passed, and publicity has faded into oblivion, the Hungarian refugee is a forgotten man. Here in Austria there are still 40,000 refugees, many of whom are students. They ask me: "Why won't the American Government allow us to study there?" Mr. NEUBERGER, I am ashamed at times, because I cannot answer this problem.

As a gesture the United States has accepted 31,500 refugees; now suddenly we won't accept any more. Do you realize, sir, that there are students here studying medicine, engineering—all of whom would be good citizens? These fellows have left their country, their families, in order to begin a new life in a Free World. Now they are here in Austria. Yes, they have a Rockefeller scholarship—until June. But what then? Must they forever run around in the uncertainty of not knowing what they shall do next semester?

Mr. NEUBERGER, since I understand that the refugee problem is so close to your heart, I beg of you to exercise your power in the Senate, and open the doors of the United States to these students who look to us, the United States, as a symbol of hope and security.

Very sincerely yours,

FREDERICK R. KING.

Mr. NEUBERGER. Mr. President, this large and rich country can well afford to absorb additional thousands of the unfortunate inhabitants of these Hungarian refugee camps in Austria. I know that there are people who think that our country has accepted such vast numbers of immigrants that they threaten the jobs of present Americans. This is a natural enough reaction, for example, from people in my own State, who are suffering the effects of economic recession and actual unemployment as a result of this administration's economic policies. Yet seen in perspective, such fears are unrealistic. Our national economy, based on mass-production and steadily rising standards of living, has benefited from our constantly expanding population. In the past decade, from January 1, 1947, to December 31, 1956, about 2,275,000 immigrants were admitted into the United States. But in the same decade, our population went from 144 million to 170 million, a gain of more than 25 million new Americans. Obviously, as far as the economic effects of such a vast population increase are concerned, immigration is a drop in the bucket. At the same time, our tradition of hospitality to refugees has throughout the whole history of our country been one of the best known and brightest symbols of America abroad. More than ever, we need to maintain this symbol bright and clear in the minds of men everywhere in the world today.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Northern Virginia Sun of Arlington, Va., dated May 22, 1957, pointing out our comparatively inadequate record with respect to the refugees from Hungary to the west, and excerpts from columns by Mr. Walter Lippmann, from the Washington Post and Times Herald of December 27, 1956, discussing Vice President NIXON'S visit to Austria last winter, and by Mr. David Lawrence, from the Washington Star of December 23, 1956.

There being no objection, the editorial and excerpts were ordered to be printed in the RECORD, as follows:

[From the Northern Virginia Sun of May 22, 1957]

CLOSING THE DOOR ON THE HUNGARIANS

Last week, the Justice Department announced that the United States is, in effect, shutting down its program for taking in Hungarian refugees. Henceforth, admissions will be limited to persons with relatives in the United States, and a few people with special skills.

We invite Sun readers to judge the announcement against the following facts and to draw their own conclusions.

1. The United States is the most populous and by far the richest Nation in the Western World. Yet, taking into consideration both our greater population and our enormous wealth, we rank not 1st or 2d, but 16th among western nations in the number of refugees we have taken in. (We have admitted 19 refugees per 100,000 of our population and only 9 per $100 million of income.)

2. Israel, whose generosity toward newcomers since birth in 1948 has made overpopulation her No. 1 problem, has admitted 5 times as many Hungarians as we, by population standards, and 21 times as many as we taking into account her lower income.

3. Switzerland, which has about 6 times as many people per square mile as the United States, has admitted 11 times as many Hungarians as we for her population, and 21 times as many as we for her wealth.

4. Our northern neighbor, Canada, has admitted 5 times as many as we for her population and 9 times as many for her income.

5. Most other countries have given Hungarian refugees permanent visas. We have let them in "on parole."

6. There are still 40,000 refugees from the Communist enslavement of Hungary in refugee camps in Austria waiting for some country to take them in.

[From the Washington Post and Times Herald of December 27, 1956]

HUNGARY AND THE VICE PRESIDENT

(By Walter Lippmann)

The question of whether the Vice President's trip to Austria was necessary will be answered when we see the dimensions of what the administration asks Congress to do for the refugees. The purpose of his visit was, it is evident, not so much to study the problem, which has been well studied, as to dramatize it, and to arouse American public opinion in favor of admitting more refugees and of appropriating and raising more money to care for them.

Mr. Nixon will have aroused great expectations, and we must hope that it will not be said that the mountain labored and brought forth a mouse.

This country can do a great deal more for the Hungarian refugees than it is doing today. There is a very big gap between our emotions and our actions. But at the very best we can provide for only a fraction of the refugees, and behind the refugees are the Hungarian people in Hungary itself. We have a duty to them if we can find a good effective way to do our duty.

[From the Washington Star of December 23, 1956]

NIXON JOURNEY IS HAILED—TRIP TO EUROPE CALLED INDICATION OF UNITED STATES SYMPATHY FOR REFUGEES

From the world of freedom to the fringes of the Soviet Empire, where the living effects of slavery and the brutality of the tyrant may be seen, went the personal representative of the President of the United States to hold aloft the torch of human liberty for all refugees and would-be refugees.

For Vice President NIXON, by his journey of more than 3,000 miles overseas to the heartland of Europe, has symbolized the whole spirit of America's feeling of sympathy for the oppressed behind the Iron Curtain. The origin of the trip is in itself a commentary on the need for wider understanding throughout America of the problems posed for this country by the steady stream of brave refugees who take their lives in their hands as they make a dash for liberty across the border.

It was Scott McLeod, director of the refugee program in the Department of State, who came forth in the first few days just after the Hungarian revolt broke out and suggested that 5,000 of the refugees be included in the quotas by interpreting broadly some of the provisions of existing law and cutting red tape. His idea was promptly endorsed here but when he noted shortly afterward the beginnings of some criticism from quarters which usually oppose any lifting of the immigration bars, Mr. McLeod thought the thing to do was to dramatize the facts of the problem. He urged upon Under Secretary Hoover that Vice President NIXON, who had made so many successful trips in recent months for the State Department should head up a special mission to Austria to render a report to the President on the whole subject. Mr. Hoover was enthusiastic about it and so was Secretary Dulles. Vice President NIXON was somewhat reluctant to make the journey and at first discouraged the idea. But President Eisenhower made the decision that Mr. NIXON should go at once.

What has the mission accomplished? Mr. NIXON knows from first-hand experience now what the refugee problem really is and can tell Members of Congress about it in detail. For it is not just a matter of how the refugees from Hungary alone shall be taken care of. It relates also to ways and means of securing admission to other countries for the 25,000 to 30,000 refugees from Czechoslovakia, Bulgaria, Rumania, Poland, Lithuania, Estonia, Latvia, and East Germany, many of whom have been languishing in community centers on this side of the Iron Curtain for a long time without a chance to begin a new life.

The whole refugee problem must be tackled anew by Congress. The United States cannot be expected to absorb all the escapees but can take care of a substantial number provided Congress will give its consent. Many of the refugees have relatives in America and will not become public charges. All of them are eager and willing to work. The addition of 30,000 to the working force of America, where labor shortages are beginning to show up in various parts of the country, is, in an overall sense, a mere trifle. Some of America's finest citizens have come from the very countries that the refugees are leaving in their bid for liberty.

How many persons living in comfort in the United States today realize what it means when a man makes a break for freedom? Sometimes he must leave a family behind. Sometimes he runs the risk of being shot down by border guards. He abandons all his possessions and, of course, cuts his ties with all relatives. It is a hardship the extremes of which are not easy to imagine, because so few Americans have actually had a similar experience.

But the United States has always held out a welcome sign to oppressed peoples. There was a time when no barriers of any kind to immigration existed. But economic factors in recent decades, especially during the period of depression here in the 1930's, led to laws that limit by quota the number who can come each year to America. In the main, these barriers will stay, because otherwise there would be a flood of immigration which would become a political issue of importance, with labor unions in the front rank of the opponents.

The emergency in central Europe, however, presents a different problem. It is one which the United Nations as a whole should tackle, and America will gladly do her part.

What Vice President NIXON saw on his mission will be told in due time to the American people, but he once again has shown his skill in handling a delicate problem of international relations. His report to the Nation now will be awaited with extraordinary interest.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. NEUBERGER. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. I should like to subscribe to the statement made by the Senator from Oregon. My belief is that our deeds do not correspond with the words which we utter, when we ask that people of those European nations who are inclined toward acceptance of our American way of life join with us. We were primarily responsible for the deeds of many Hungarians when they rose in insurrection against the tyranny and oppression of the Communist power.

Certainly, we accepted 31,000 of them. But to have done less would have been to cast even more odium upon our conduct.

There are many other refugees of nations in Europe upon whom we build our hopes for the retention of the freedom which we have, and its expansion throughout the world. We cannot urge them to accept our way of life and subscribe to our conduct and our philosophy, and then when, with great patriotism and fervor in the cause of liberty, they rise in insurrection, placing themselves upon the altar of sacrifice, by our conduct fail to give adequate recognition to their heroism.

While I speak upon the matter, may I suggest that there be no further delay in reporting to the Senate the bill which would amend the McCarran Act, so that the principles which we enunciate with great eloquence shall be made a reality and not mere "balderdash" by way of words?

I subscribe wholly to the words of the Senator from Oregon.

Mr. NEUBERGER. I thank the Senator from Ohio for supporting the plea which I have voiced very briefly on the Senate floor.

Three weeks ago I had the privilege of speaking to a very representative audience in the great city of Cleveland. On that occasion many people told me of the outstanding work done by the present junior Senator from Ohio while he was mayor of Cleveland and while he was Governor of the State of Ohio, in his endeavor to establish in his State and in our Nation a haven for some of the refugees persecuted abroad. I appreciate his support.

Mr. LAUSCHE. May I further state that I do not think establishing a haven means that we will completely open our doors. It is more a matter of doing justice and equity. America should be the haven for those who have become refugees, without a country and without a place in which to rest their tired heads. This is the land to which they have the right to come.

Mr. NEUBERGER. I might add that many of those people have become refugees because they have heard our overseas broadcasts urging them to rise against Soviet tyranny, which has implied some obligation upon our part.

CHAPTER 4. ALICE IN WONDERLAND DEFENSE PLANNING

Mr. SYMINGTON. Mr. President, herewith for the attention of my colleagues is chapter 4 of this Alice in Wonderland defense planning.

This chapter is an able and informative editorial written by Robert Hotz, editor of the McGraw-Hill publication, Aviation Week, and entitled "Facing Fiscal Facts."

The last sentence reads:

A nation whose national existence and foreign policy is based on the foundation of superior airpower is now being offered a choice of destroying that strength by the stroke of a Pentagon pen or facing up to the facts and paying the airpower bill in full.

Again, Mr. President, the Congress and the people have the right to ask, what does the President want?

Does he support his own telecasted recommendation last month to restore Air Force funds over $600 million—or does he support the more recent directive of his own Secretary of Defense which may result in reducing the Air Force funds over $4 billion?

The Senate is getting closer to voting on defense—and the Senate has the right to know before it votes.

Equally important, the people have the right to know—what does the President want?

Mr. President, I ask unanimous consent to have printed at this point in the RECORD this outstanding editorial, which appeared in the June 17 issue of Aviation Week.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FACING FISCAL FACTS

(By Robert Hotz)

After 2 years of financial legerdemain with its airpower budget the executive branch

of the Government has come to its day of reckoning. It is no longer possible to ignore the fiscal facts involved in the airpower program.

Main fact is simply that the Defense Department finds itself some $4 billion short of the funds required to finance the airpower force levels it has repeatedly promised the American people it would maintain. Now, it must either ask for an additional $4 billion to close this financial gap, or it must cut drastically both the quantity and quality of aerial weapons and the facilities required to support them in combat units.

VINDICATION FOR CRITICS

The chain of events precipitated by Defense Secretary Charles E. Wilson's memorandum of May 22 (Aviation Week June 10, p. 33) setting expenditure ceilings and ending the partial financing policy on major weapons procurement, has indicated clearly the validity of the charges made during the past 2 years that the airpower budgets proposed by the executive branch of the Government were grossly inadequate to support the strength levels promised. The current fiscal crisis in the Pentagon proves conclusively that the critics were right and the defenders of this airpower fiscal policy were either financially naive or deliberately deceptive.

When the day of financial reckoning finally arrived the administration was faced with a choice of finally making the drastic cutbacks in aerial weapons procurement that its critics had charged would be the inevitable result of its fiscal policies or asking for a rise in the authorized national debt level. It has chosen to make the cuts and retain the present debt level.

CUTBACK DETAILS

Thanks to a courageous and forceful memorandum by Air Force Secretary James H. Douglas the full impact of these cuts has been spelled out in unmistakable detail. According to the Douglas memorandum, the new administration fiscal policy would:

"Require major reprograming and reduction of fiscal year 1953 and prior procurement programs or a substantial supplemental appropriation. * * * If we are required to adhere to the expenditure objective for fiscal 1958 large scale terminations and stretch-out of contracts against these programs would be necessary. We would need to eliminate some $4 billion dollars of programed weapon systems in fiscal 1958 and prior programs."

Most important are the vital weapons system programs that would be stretched out dangerously close to the point of technical obsolescence. Secretary Douglas confirmed in his memorandum that the Boeing B–52 jet bomber and its KC–135 jet tanker, the Convair F–106 supersonic all-weather interceptor, the Republic F–105 Mach 2 fighter-bomber, the Lockheed F–104 Mach 2 interceptor and some missile schedules have already been either stretched out or cut back.

In addition it appears that the Convair B–58 supersonic bomber program would be in for a major cutback during fiscal 1958. Mr. Douglas also points out that no provision has been made for further financing of the Republic XF–103 dual cycle engined interceptor, the Bell Rascal air-to-ground supersonic missile, and the Navaho Mach 3 intercontinental ramjet missile.

And all advanced gas turbine powered transport development—so vital to the logistics of the intercontinental ballistic missile program, Strategic Air Command and the Army—has been chopped off because of lack of money.

THE COST OF ECONOMY

These large scale terminations and stretchouts of $4 billion in weapons contracts would cost close to $1 billion in termination costs alone for which not one single piece of hardware would be received. Close to a billion dollars would be washed down the drain in the name of economy.

It is clear from Secretary Douglas' detailed memorandum that the administration's proposed fiscal policies would cut the guts out of the current airpower program at a tremendous cost in wasted funds and in an infinitely more precious commodity—irreplaceable wasted time.

Even if adequate remedies were forthcoming in subsequent budgets, it would take years to recover from the technical and industrial effects of this current fiscal policy. These years could easily provide the interval during which the hard-driving Russian technology opened a significant gap of leadership in the air that would be disastrous for western policy.

What we have warned against for 2 years has finally come to pass, and American airpower is facing its gravest crisis. A nation whose national existence and foreign policy is based on the foundations of superior airpower is now being offered a choice of destroying that strength by the stroke of a Pentagon pen or facing up to the facts and paying the airpower bill in full.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SYMINGTON. I am glad to yield to the able Senator from Oregon.

Mr. MORSE. I wish to thank the Senator from Missouri for putting the editorial in the RECORD. He is performing a great service to the American people.

As the Senator knows, I am strongly in favor of building up America's defenses. As I pointed out in my opposition to the mutual-security bill, I am opposed to wasting military equipment on weak countries, when I think the equipment would get into the hands of our enemies in the first few hours of war.

Mr. SYMINGTON. I thank the Senator for his contribution.

SENATORIAL PARTICIPATION IN DISARMAMENT CONFERENCE

Mr. CASE of South Dakota. Mr. President, I should like to take a moment to applaud what is the apparent modification of the position taken by the majority leader with respect to representation of the Senate in the disarmament conference proceedings in London. I do so because it seems to me that beyond question the disarmament matter is the greatest issue which is before the nations of the world at the present time. All the other problems with which we wrestle, including those of budgets and those of preparedness, hinge and depend largely upon what may be the outcome of the conferences in London.

Under the constitutional responsibility of the Senate to give advice and consent to treaties, certainly nothing calls for application of that constitutional responsibility more than the subject of disarmament.

I recall that the great and lamented late Senator from Michigan, Mr. Vandenberg, was once quoted as saying when it came to giving advice to the Executive he always would prefer to be called in on the takeoff and not on the crash landing. That sentiment might apply in this instance. So I applaud the apparent decision of the distinguished majority leader and those associated with him—including, I assume, the minority leader—that representation will be provided at the conference if the President invites it.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield.

Mr. JOHNSON of Texas. The Senator states the situation correctly.

I also recall that the late Senator Vandenberg was requested by at least two Presidents, by letter and by personal request, to participate in rather important conferences. The late Senator said that he would be glad to do so if the President felt that there was sufficient urgency for him to do it.

Yesterday the majority leader restated the position which he had stated earlier, the week before, namely, that when and if the President of the United States, as the head of the executive department, feels that it is of sufficient urgency and is sufficiently desirable to call upon the Senate to supply representation at the disarmament conference, the Senate will be glad to take action immediately. I am sure the leadership will respond in the same spirit we have always responded in all matters affecting national policy and the foreign relations of this country.

Mr. CASE of South Dakota. The junior Senator from South Dakota was not present in the Chamber at the time the distinguished majority leader made his last statement, but he read it in the RECORD this morning; and because he read it in the RECORD this morning, he takes this occasion to applaud it.

Mr. JOHNSON of Texas. I thank the Senator. We have had some preliminary discussions with officials at the lower level in the State Department, but up to the present time the President has not indicated to the leadership that he would desire such a delegation. When and if he does, we shall take prompt action.

THE STATE OF THE NATION'S FINANCES

Mr. BUSH. Mr. President, when he appeared before the Senate Finance Committee for the first time, day before yesterday, the Secretary of the Treasury made a classic presentation justifying the policies of the Federal Reserve Board, which have been supported by this administration.

In the New York Times of today, there is an editorial in which the Secretary is highly commended for this presentation. I ask unanimous consent that this fine editorial be printed in the body of the RECORD at this point as a part of my remarks, for the information of other Senators and those who are reading the RECORD to keep up to date on this very vital issue which is before the Senate Finance Committee.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MR. HUMPHREY ATTACKS

Secretary of the Treasury Humphrey, called as the first witness before the Senate Finance Committee investigating the state of the Nation's finances, entered the hearing chamber presumptively as chief spokesman for the defense. When the first 2-hour ses-

sion was over one might have been excused for wondering whether the defending party was the administration, as represented by Mr. Humphrey, or the vociferous assortment of complainants who represented the administration's critics.

At the conclusion of the Secretary's appearance a number of members of the Finance Committee (the so-called Byrd committee) commented on his testimony. These observations, as might have been expected, didn't wander, in any given case, too far outside party lines. Typical of the reaction of Republican members of the committee was the observation by Senator CARLSON, of Kansas, that the Secretary of the Treasury destroyed every argument that the Democrats have.

This may have been a slight overstatement. But one thing is certain. Mr. Humphrey hadn't climbed into the ring merely with the intention of surviving in this encounter with his critics; he had entered the ring with the intention of carrying the fight to his opponents. He brought with him to the witness table a prepared statement of 50 pages, the reading of which occupied the entire 2 hours of the opening session. If, in the process, he didn't destroy every argument the opposition has raised, even his critics will concede, we think, that none was overlooked.

All the stock criticisms of the administration's fiscal and monetary policies were there, carefully cataloged—the loose, unsupported and frequently contradictory charges that we all have heard at one time or another in recent months. None was too ridiculous to rate recognition—a recognition which was followed promptly by refutation, and frequently statistical demolition.

Question: Had the Federal Reserve deliberately created a shortage of purchasing power? Answer: No. The supply of purchasing power had been increased by a larger amount in the past 4 years than in either of the two 4-year periods next preceding it, but a larger proportion of this had been provided out of savings than in either of the 2 previous periods.

Housing? We have built more homes in the past 4 years than in any corresponding previous period.

As to the influence of interest rates on housing costs, this has been only about one-fifth that resulting from other forms of building costs.

Business failures? The ratio of failures to new business births is below that of the preceding 4 years.

Were the banks the chief beneficiaries of tight money? If so, it doesn't appear in their profits record. Actually, the latter were lower in relation to bank capital than the average for the 8 years previous to 1953.

Inflation? Certainly the administration recognizes the danger of inflation. Otherwise it wouldn't be backing the Federal Reserve's policies of credit restraint. Stiff money rates obviously complicate the problems of Treasury financing (and it is a problem and not a crisis), but "if that is the price we have to pay to prevent * * * inflation, it will well justify the price."

As for charges that the administration's fiscal policies were ill conceived and mismanaged, that, thought Mr. Humphrey, was a strange charge to bring against an administration that had brought the budget under control, given the country three balanced budgets in succession for the first time in the memory of this generation, and had meanwhile made possible the largest tax reduction in the Nation's history.

The Secretary of the Treasury summed up: "There may be imperfections in our accomplishments, but there can be no serious doubt as to the propriety of our goals, the wisdom of our policies."

GROUP MESSAGE ON THE HOOVER REPORT

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a memorandum entitled "Group Message on the Hoover Report." A group has been meeting in the city this week. They are consistent supporters of the Hoover Commission efforts and reports. They met at the Shoreham Hotel in this city on June 18. They have presented a memorandum in which they say, "We seek the following objectives," which objectives are thereafter enumerated. Because of the very great interest in the recommendations of the Hoover Commission, I ask unanimous consent that this memorandum, together with the names of its signers, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

GROUP MESSAGE ON THE HOOVER REPORT, JUNE 19, 1957

We represent a group of private citizens who have assembled in Washington because we believe that certain of the bipartisan Hoover Commission's recommendations should be carried out without delay.

We have come to Washington for the specific purpose of reviewing and studying, with the expert assistance of specialists from both in and out of Government, Federal activities in which substantial improvements can be made and economies effected.

We come from 26 States, as follows: California, Colorado, Connecticut, District of Columbia, Florida, Georgia, Idaho, Illinois, Iowa, Kansas, Maryland, Massachusetts, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming.

The people of the United States have expressed in recent months a strong desire for Federal economy and a reduction in taxes. We come from many parts of the country and represent many organizations. We seek the following objectives:

1. Budgeting and accounting: Prompt House passage of H. R. 8002, which would cause the budget to be submitted on an annual accrued-expenditure basis. The Senate has already acted favorably and without dissent on a companion measure, S. 434.

2. Unifying common-use supply and service activities in the Department of Defense: Senate acceptance of the O'Mahoney-Chavez-Douglas amendment to H. R. 7665, the Department of Defense appropriation bill for 1958, which would establish a civilian-managed agency for this purpose; and House concurrence in such an amendment.

3. Unnecessary Government competition with private business: Prompt action on S. 1539 and H. R. 5826 which would affirm the policy of Congress to restrict and curtail unnecessary and competitive participation of the Federal Government in the field of private enterprise; and also S. 1394 and H. R. 5883 which would terminate gradually the Postal Savings System; and also on section 109 of S. 1534 and H. R. 5836 or alternatively H. R. 8108, which would render more realistic the charges of the parcel post as the Commission proposed.

4. Reorganization Act extension: Favorable House action on extending this important law under which the President can realine agencies of the executive branch. The Senate has already passed S. 1791.

5. Surplus property: Prompt action on S. 1540 and H. R. 4119 which would place overall policy responsibility for surplus property management in the General Services Administration.

6. Real property transactions: Prompt action on proposals to relax congressional clearance procedures. The pertinent House measures are H. R. 29 and H. R. 4442. No similar measures is yet before the Senate; and action is needed to secure its introduction there and passage.

7. Hidden subsidies: Prompt and favorable introduction of, and action on, the proposal for curtailing interest subsidies in certain Federal lending programs as set forth in Budget Director Brundage's letter of June 3 to Vice President Nixon and Speaker Rayburn.

8. Duplicating staffing: Prompt Senate action on S. 2294 and similar House action on H. R. 8091. The Hoover Commission called for "a clear delineation in the unjustifiable waste which results from duplicate military-civilian staffing." The Commission identified 16,000 such duplicate assignments, "representing an unnecessary payroll cost of more than $110 million per year."

9. Training: Favorable House action on proposals which would authorize Federal employees to be trained at public and private facilities. The Senate has already passed S. 385 which is under consideration in the House.

10. Administrative Court: Prompt Senate action on S. 2922 which would establish an Administrative Court of the United States to assure protection of the rights of citizens as guaranteed by the constitutional doctrine of separation of powers; and prompt House introduction and action upon a similar measure.

11. Medical services: Favorable action on S. 2293 and H. R. 2435 which would establish a Federal Advisory Council of Health to coordinate and develop basic policies for the diverse medical programs of the Federal Government; and

12. Civil service: Favorable action on S. 2290 and H. R. 8207 which would provide a system for establishing a flexible corps of highly competent, nonpolitical career administrators. Another Senate bill, S. 2291, would modernize civil-service methods and procedures to make careers in Government more attractive at all levels of Federal employment.

ATTENDEES, HOOVER REPORT BRIEFING SESSION, THE SHOREHAM, WASHINGTON, D. C., JUNE 18, 1957

(It should be recognized that all resolutions were approved by maority vote and express the sense of the meeting, but may not necessarily entail endorsement of all proposals by each attendee.)

Carter W. Atkins, executive director, Connecticut Public Expenditure Council, Inc., Hartford, Conn.

Everett P. Balch, chairman, legislation committee of Jockey Hollow Chapter, New Jersey Society, Sons of American Revolution, Mendham, N. J.

Harry S. Baxter, attorney, Atlanta, Ga.

Mr. and Mrs. Charles Dana Bennett, Vergennes, Vt.

Jess B. Bennett, assistant to the president, Braniff International Airways, Washnigton, D. C.

Joseph L. Borda, special executive assistant, National Association of Manufacturers, Washington, D. C.

Miss Sally Butler, legislative consultant, General Federation of Women's Clubs, Washington, D. C.

Keith A. Caldwell, Chicago South End Junior Chamber of Commerce, Chicago, Ill.

Raymond E. Coburn, director of research, Connecticut Chamber of Commerce, Hartford, Conn.

Dr. John H. Davis, Harvard School of Business, Cambridge, Mass.

Dr. James P. Dixon, commisisoner of health, Philadelphia, Pa.

George C. Dworshak, executive secretary, Chamber of Commerce of the Attleboros, Attleboro, Mass.

Raymond E. Edwards, executive secretary, Iowa Taxpayers' Association, Des Moines, Iowa.

J. Herbert Eichelberger, assistant to the president, Taxpayers' Federation of Illinois, Chicago, Ill.

Henry E. English, chairman of the board, Red Ball Motor Freight, Dallas, Tex.

Roy Erickson, Erickson Memorial Co., Denver, Colo.

Clarence Francis, chairman, Citizens' Committee for the Hoover Report, Bronxville, N. Y.

Bayne Freeland, public relations director, the Quaker Oats Co., Chicago, Ill.

Lyle E. Grace, president, Champaign County Farm Bureau, Illinois Agricultural Association, Urbana, Ill.

William C. Hambleton, State president, Conference of International Association of Machinists, East Alton, Ill.

Alfred L. Hammell, president, Railway Express Agency, New York, N. Y.

Walter Harnischfeger, president, Harnischfeger Corp., Milwaukee, Wis.

Mrs. Mame M. Higgins, National Council of Negro Women, Chicago, Ill.

Arthur L. Holland, president, Sun Star Milling Co., Boise, Idaho.

Frederic W. Hume, vice chairman, Florida Citizens Committee, Miami, Fla.

Seward H. Jacobi, director of Employers' Advisory Department, New Jersey State Chamber of Commerce, Newark, N. J.

Reed Larson, past national chairman, Government Affairs, United States Junior Chamber of Commerce, Wichita, Kans.

James T. Londrigan, State president, Illinois Young Democrats, Springfield, Ill.

Rodney W. Markley, manager, Washington office, Ford Motor Co., Washington, D. C.

Mrs. William T. Mason, president, the National Council of Negro Women, Washington, D. C.

William A. Mills, executive vice president, Empire State Chamber of Commerce, Albany, N. Y.

Blake T. Newton, Jr., president, Shenandoah Life Insurance Co., Roanoke, Va.

Mrs. Genevieve H. Oslund, legislation research director, General Federation of Women's Clubs, Washington, D. C.

James H. Parsons, special representative, Bloomington Kiwanis Club, Bloomington, Ill.

Harry P. Perkins, president, Perkins Bros. Co., Dallas, Tex.

Former Senator George L. Radcliffe, Fidelity & Deposit Co., Baltimore, Md.

Theron J. Rice, Chamber of Commerce of the United States, Washington, D. C.

Eugene F. Rinta, director of research, Council of State Chambers of Commerce, Washington, D. C.

Willis Sargent, attorney, Syracuse, N. Y.

Wallace H. Savage, attorney, Dallas, Tex.

F. E. Schuchman, president, Homestead Valve Manufacturing Co., Coraopolis, Pa.

Robert E. Simpson, secretary, Connecticut Chamber of Commerce, Hartford, Conn.

Mr. and Mrs. Joseph J. Spurr III, McLean, Va.

Dean Robert G. Storey, dean of Southern Methodist University Law School, Dallas, Tex.

Merle H. Tucker, president, radio station KGAK, Gallup, N. Mex.

Frank Upman, Jr., Washington, D. C.

Hamill Varner, The Quaker Oats Co., Winnetka, Ill.

Travis T. Wallace, president, Great American Reserve Insurance Co., Dallas, Tex.

Mrs. Donald L. Wetzell, State legislation chairman, Illinois Federation of Women's Clubs, Tampico, Ill.

(NOTE.—The above list of attendees includes only those who attended the first day's activities in connection with the briefing session; others are registered for the second day's session.)

COORDINATION BETWEEN FEDERAL LOAN PROGRAMS AND THE FISCAL AND CREDIT POLICIES OF THE FEDERAL GOVERNMENT

Mr. BUSH. Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point a letter addressed by the Director of the Bureau of the Budget, Percival F. Brundage, to the Speaker of the House of Representatives. The letter is dated June 3, 1957, and has to do with the hidden subsidies granted by the Government in the way of interest payments in various areas. Accompanying the letter is a copy of a draft of the bill which is recommended to deal with this situation. I ask that the letter and the draft of the bill be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter and draft of bill were ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 3, 1957.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I have the honor to submit for the consideration of the Congress a proposed bill "to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government."

The President in his letter to you of April 18, 1957, recommended as one of his proposed steps to improve the Federal budgetary situation, to "establish interest rates for Government loan programs that will induce private funds to participate in their financing and, at the least, require that such rates cover the borrowing costs of the Federal Government." This legislation is designed to carry out that recommendation.

The bill establishes two major policies applicable to all loan programs of the Federal Government. It requires each lending agency to pay interest on any future borrowing from the Treasury at a rate fixed by the Secretary of the Treasury, taking into consideration the current market rates of interest on Treasury obligations with maturities comparable to those of the loans made by the lending agency. It further requires each lending agency to charge interest on any future loans equal to at least the rate fixed by the Secretary of the Treasury, together with additional amounts sufficient to defray administrative expenses and probable losses to the extent that such additional charges are consistent with the purposes of the loan program. It will have no effect whatsoever on interest rates charged on outstanding loans or on interest rates paid to the Treasury on the funds necessary to finance these loans.

This legislation is necessary to modify the fixed statutory maximum interest rates on several lending programs established when interest costs were much lower than they are today. As the President pointed out in his message transmitting the 1958 budget, in order to obtain more consistency in the policies of Federal lending agencies, additional discretion is required over the interest rates charged. The proposed bill will provide the flexibility needed to permit the interest rates charged to reflect both the current costs of each lending program and the objectives it serves.

One of the basic purposes of the legislation is to assure that, insofar as consistent with the purposes of the lending programs, all of the costs involved shall be paid by the borrower who benefits from the loan. At present hidden subsidies exist in several programs. Removal or reduction of these subsidies will increase interest receipts of these programs and thus reduce their budgetary requirements. In addition, any increase in interest rates charged will encourage substitution of private financing and thus reduce Government expenditures. The most immediate effect on the budget will be from reduced disbursements on future loans. In later years, however, as more adequate interest is paid on a larger share of the outstanding loans, the major budget saving will accrue from this source.

By requiring all lending agencies to cover at least the interest cost incurred by the Government, the proposed legislation will reduce Government competition with private lenders, wherever private lenders provide comparable loans on reasonable terms. When private financial institutions are not able to make the type of loans required, moreover, it is only reasonable that the borrower should pay for the full cost of the credit he receives to the maximum extent possible, rather than to place an unnecessary burden on the taxpayer.

Sincerely yours,
PERCIVAL F. BRUNDAGE,
Director.

(Identical letter sent to the President of the Senate.)

A bill to insure greater consistency among Federal loan programs, to avoid hidden subsidies, and to achieve more effective coordination between Federal loan programs and the fiscal and credit policies of the Federal Government.

Be it enacted, etc., That notwithstanding any other provision of law (1) the interest rate on any loan hereafter made by the Treasury to any department or agency of the Federal Government to finance loans made by such department or agency shall be fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made by the department or agency, and (2) the interest rate on any loan hereafter made by any department or agency shall not be less than the rate the department or agency making the loan would pay if it borrowed from the Treasury at the time the interest rate on the loan is fixed, plus an additional amount deemed adequate to cover administrative expenses and probable losses to the extent consistent with the purposes of the loan program.

CONSERVATION AND DEVELOPMENT OF LAND AND WATER RESOURCES

Mr. MURRAY. Mr. President, on June 13, 1957, I addressed the Senate in connection with introduction of Senate Resolution 148. That resolution was sponsored by me jointly with the distinguished chairman of the Committee on Public Works [Mr. CHAVEZ] and 10 other Senators. Senate Resolution 148 deals with improvements in the procedures of the Senate for authorization of land and water resource projects. It is responsive to directions of the Senate set forth in Senate Resolution 281, 84th Congress.

Improvements in the authorization procedures are needed to provide essential information on which the Congress can make basic policy decisions in accordance with its responsibilities under the Constitution. As has been pointed

out a number of times, full information on projects proposed for authorization is especially necessary now because there is a tendency for the Congress to lose, in part, its direction of the program. In consequence of regulations of the Bureau of the Budget, reports of the executive agencies often do not conform with Congressional objectives. For that reason, full information on projects is sought as a means of assuring comprehensive development and utilization of the Nation's land and water resources.

A few days prior to introduction of Senate Resolution 148, the distinguished senior Senator from Oklahoma [Mr. KERR], made very telling comments on the same subject. In appearing before the House Committee on Public Works, relative to certain projects included in the Flood Control Act of 1957 (S. 497), the distinguished senior Senator from Oklahoma presented forceful exposition of the need for adoption of Senate Resolution 148 of which he is a cosponsor. These comments point up the whole problem so clearly that it would be desirable to include them in the record in their entirety. However, this would constitute a somewhat lengthy insertion. I ask unanimous consent for inclusion in the RECORD of at least the portions of the statement that bear directly on the general problems of authorization procedures.

I congratulate the able senior Senator from Oklahoma for his excellent statement.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Now, there are a number of things about this that I would like to discuss, if I may, Mr. Chairman. The project, as inserted in this bill by the Senate, was recommended and justified in one of the great historic documents in the record of water conservation by this Congress. In 1952 the Congress passed legislation setting up the Arkansas-White-Red River Basin Study Commission, having on it representatives of the eight States affected and of each of the Federal agencies affected, namely, the Department of Agriculture, through soil conservation, the Federal Power Commission, the Department of the Interior through reclamation, the Department of the Army through its great Corps of Engineers, the Public Health Service, and the Department of Commerce. That Commission spent 5 years under their authorization in developing their report on the total soil and water resources of those 2 great undeveloped basins, tributaries to the Mississippi River.

In that record is found a very comprehensive study, endorsement and recommendation of this project, as authorized by the Senate. It is true that that was in the days A-47, that is, before budget order A-47. I do not know what validity this committee attaches to A-47. I will say to you any resemblance between it and the bill which this committee sent to the Senate last year, which was before the subcommittee of which I was chairman, is purely coincidental. If this committee attaches any validity to A-47, it could not be discerned from the language of the bill that you sent to us.

I would remind this committee of this: That bill was passed by the Senate without deleting a single line which this committee had written into it, and the bill that came to you this year tracked the bill which you passed last year, and helped to rewrite in conference almost word for word. Under great pressure we reduced the authorization for the lower Mississippi. We took out one project, as I remember it, Dade County, Fla. We added a few, most of which had been approved and recommended by the Bureau of the Budget, and we passed it on the Senate floor and sent it back to you. A determined fight was made on the floor of the Senate against this bill by men who would permit the Bureau of the Budget of the executive department to write the legislation of this Congress.

I led the fight on the floor of the Senate for the bill as you had written it, rather than as it was attempted to be dictated by the Bureau of the Budget. There were two principal fights on this bill on the floor of the Senate. I want to say that the wrath of those who opposed it was addressed in part to this project, but in greater part to projects which had been put into this bill by your committee, Mr. Chairman, and preserved intact by the Senate committee, and delivered unscathed from the hands of those on the floor of the Senate who would have despoiled it. They made an effort to recommit the bill to the committee.

There was no other interpretation to their action but this, namely, that the committee would, under the instructions of the Senate, rewrite the bill in accordance with the mandate of the Bureau of the Budget.

The other fight on this bill on the floor of the Senate was against your section 205. We defended it with equal vigor and with equal success. Now, the distinguished general of the Corps of Engineers, in my judgment one of the ablest we have ever been blessed with, has presented to you the viewpoint of the principles of land enhancement and taxes foregone. I want to say to you that if the Congress ever recognizes the validity of those two principles as enunciated in that budget directive—in my judgment the abortive effort of one administration fully adopted and clasped to the bosom of another administration; it is bipartisan, gentlemen; it does not have the benefit of clergy, but I want to tell you that its parents are well-known and abundantly identified, and in my judgment they share the blame for it with equal ignominy—if we ever recognize the validity of the principle of taxes foregone and required reimbursement for land enhancement below flood-control project you will set back the program of land and water conservation in the United States of America by 50 years.

The great Theodore Roosevelt, when he called the original conference on conservation, attempted no such abortive effort as the imposition of the principle of taxes foregone and contribution for land enhancement. From that good day down until this, so far as I know, these principles have never been inflicted by the Congress upon the areas in which any great project has been built.

I do not know how much hydroelectric power there is in this country. I would like to ask my good friend, the Chief of Engineers, if he knows and if he can tell this committee how many of them are on the statute books today carrying the burden of the principle of taxes foregone.

General ITSCHNER. I do not know of any hydroelectric projects that are authorized today that have the provisions in it.

Senator KERR. And none of them that are built?

General ITSCHNER. And none of them built, I am sure.

Senator KERR. Is there any great flood-control project in this country or any project anywhere near approaching the capacity of this project that has in it the requirement of the principle of contribution by landowners below the reservoirs to make local contribution toward the cost of the reservoirs?

General ITSCHNER. I do not know of any projects, sir, that have such a provision.

Senator KERR. I want to say to you gentlemen of the committee that the day is here when our country needs an accelerated program of conservation of soil and water, rather than one upon which would be inflicted the crippling force of either or both of those principles. I know you can get as many estimates of the consumption of water by the American people as there are authorities making surveys, and there is certainly a justification for many of them. Some of them tell us in 1850 the average annual consumption of water per capita by the people of the United States was 50 gallons per day. They tell us that in 1950 it exceeded 1,000 gallons per capita per day.

The Public Health Service and others charged with responsibility in that regard tell us that in 1980 the per capita consumption requirements for water of the people of the United States will be 2,000 gallon per citizen per day. That is the kind of a dynamic economy, industrial and domestic, into which we move. It has taken this Nation that you and I regard as the strongest on the earth, 350 years to reach a population of 170 million people. At the present rate of increase that population will double in less than 40 years.

Electric consumption in the United States in 1956 was 16 times what it was in 1920; industrial engineers tell me that in 1980 it might be 16 times as much as it was in 1956.

Now, visualize those facts, together with this one: It has taken us 350 years to have an average annual productive capacity of $430 billion to $435 billion of goods and products annually. These same industrial engineers tell us we will have to develop an economy that can be able to do twice that in 35 years.

If that is to be the case, then we are going to have to speed up water conservation rather than slow it down. We are going to have to take the shackles off of it rather than putting manacles on it in the form of such mental monstrosities as taxes foregone and land enhancement contributions if we are going to meet the requirements of this increasing dynamic economy.

Now, the area at which you look, on the basis of information that comes to me, is a part of that in which is to be found today the greatest abundance of good, usable water, in conjunction with an equally abundant supply of low-cost fuel. There is admittedly and claimed, 50 billion tons of mineable coal in eastern Oklahoma and western Arkansas. Many engineers have estimated the amount at twice that. In the same area there are vast supplies of oil and gas, together with the greatest supply of unused fresh water to be found in this Nation in conjunction with such quantities of low-cost fuel.

Now, addressing myself to section (2), or subparagraph (2) on page 29, of S. 497, the Flood Control Act of 1957. This has to do with the incremental method of allocation with reference to power and water, I challenge any man on this committee—and this committee helped to write the Flood Control Act of 1944—to find in it justification for charging interest cost as an item in the reimbursement to the Federal Government of the cost of power in projects constructed by the Corps of Engineers. Put your legal counsel to work on it.

I want to say to you that that has the same parenthood as A-47. Rather than increasing the cost to the consumer of power from projects by the Corps of Engineers, by now inflicting upon them the effects of—general, what is the technical name of that new method of charging for power?

General ITSCHNER. The method that we use is the separable-costs-remaining-benefits method.

Senator KERR. Gentlemen, that is a technical phrase known only to engineers the effect of which I will tell you I have been trying to determine for years with only limited success. Should some member of this

committee at some time of great mental effort or lucid interval find an explanation of it, being a humble member of the Public Works Committee of the Senate of the United States who cannot, without undue strain, understand it, I would greatly appreciate your sharing it with me. It is a product of a directive of our agencies—the Federal Power Commission, the Department of the Interior and the Department of the Army. Is that correct, general?

General ITSCHNER. Yes, sir. The Department of the Interior, the Department of the Army, and the Federal Power Commission.

Senator KERR. Yes, sir. He named the same group in inverse order.

I want to say that I do not blame this great Chief of Engineers. Much as I admire him, I want to say I glory in the fact that I am neither a creature of nor in bondage to the Bureau of the Budget of either the Truman administration or the Eisenhower administration; and neither are you. Our great friend here is. Whatever he speaks to you is the light of that knowledge, whether stated or acknowledged. The principle which he named to you a few minutes ago, and which I will not tax your credulity with by trying to repeat it, is a product of administrative operation as a result of which the cost allocated to the power in any multiple-purpose project is increased. It is not based on statutory requirement, but the interest which they charge as a part of the cost that must be reimbursed to the Federal Government for the power included in multiple-purpose projects under the Corps of Engineers is a pure fabrication of the Department of the Interior. I have had them on the witness stand in front of committees where I had the opportunity to cross-examine them and they could not deny that it was a practice conceived in error and dedicated to fallacy, and now respected only because of its having been repeatedly perpetrated by them; because there is no more authorization in the law that I can find to charge interest to the power users from Corps of Engineers propects than there is to charge interest to landowners who use irrigation benefits from a Department of the Interior project. So when we seek to avoid the added cost of the separable-costs-remaining-benefits principle we are not trying to gain some new advantage, but we are trying to avoid a further disadvantage. That is the reason why the words "incremental costs" are in there, because on the basis of their own interpretation that means that the power users shall be required to reimburse the Federal Government for the cost of the power facilities only; and on the basis of their operation it will still be, and in this project it is contemplated to be, subject to the requirement to pay interest, which you and your branch of the Congress have never seen fit to validate by putting into any law. Then it would apply the same principle to the water user. He would pay the cost of that part of the reservoir used to store the water that he was to purchase, plus interest, over a period of 50 years, after which he would continue to pay it because it would continue to belong to the Federal Government.

Now, we put a provision in here to make it possible to provide storage space for water and to up the value of that added element we regard it as an item in figuring the cost-benefit ratio of a project. We put it into a project in a bill in the Senate last year and it was approved by the Bureau of the Budget almost in the form that we wrote it. It was approved by the Corps of Engineers and it was approved by the Department of the Interior and the Public Health Service.

I want to say to you gentlemen that in my judgment it is one of the most constructive things that have been added or included in a legislative bill that I know of. It came to you and you made some substantial changes in it. In conference we worked it out and we included it in our bill this year, Mr. Chairman, in the exact language that we approved of it in the conference last year as I remember it, and as it was approved by both Houses of the Congress last year, in form not greatly different—not greatly different from that approved by the departments of the executive branch of the Government.

Now we seek the favorable action of this committee on this project. It was unanimously approved by our Senate committee. In addition to the great justification that we believe there is for it I say to you again that in our action on your bill last year we honored it in its entirety. When this committee, representing this House of the Congress, brings to the Senate a bill of authorization in which are projects that you have studied and approved I want to tell you that you can count on the fingers of one hand in your future legislative career in my judgment the number that the Senate committee will delete from the bill.

I want to express my appreciation for your very gracious attention and this opportunity again, after an 11-year absence, to come before this committee and express myself on a matter which is of such profound importance to Oklahoma, Arkansas, Texas, and Louisiana. If there are any questions, Mr. Chairman, I will either try to answer them or I will adroitly evade them, or I will ask my source of information and knowledge here on my left hand to supply it in order that I might give it to you.

Mr. DAVIS. A magnificent presentation, Senator.

DEPRECIATION OF UNITED STATES GOVERNMENT BONDS

Mr. GORE. Mr. President, I regretfully invite the attention of the Senate to the fact that bonds of the United States Government reached new all-time lows yesterday. Twenty-one issues of United States bonds sank to new levels. This represented a loss in value to the bondholders on yesterday alone of $176,347,964. Under deliberate policies of the administration to push corporate profits and interest rates upward, one consequence is that the value of outstanding Government bonds goes down.

The consequences are more far reaching than this, however. They reach into every home, every factory, and onto every farm in the land. I call this disastrous trend to the attention of the Senate, and regret that it is necessary almost daily to point to new lows to which the bonds of our country are sinking.

Mr. KEFAUVER. Mr. President, will the Senator yield?

Mr. GORE. I yield to my colleague.

Mr. KEFAUVER. I should like to ask the Senator if our financial condition would not be better and if we would not have more money with which to meet the obligations of the Government if the granting of rapid tax amortization certificates to electric power companies, which have a guaranteed income, and which do not need any inducement in the way of subsidies to build facilities, were stopped by the administration, so that the utilities would pay the taxes they expected to pay when they secured their licenses from the Federal Power Commission.

Mr. GORE. The Secretary of the Treasury has testified before the Committee on Finance that the rapid amortization certificates represent a cost to the United States Treasury of some three billion dollars.

Mr. KEFAUVER. That is only up to 1956. Many more billions of dollars would have to be considered if the 50-year life of the facility were considered.

Mr. GORE. I have not calculated that loss. I have only cited the testimony of the Secretary of the Treasury.

The PRESIDING OFFICER. The time of the Senator from Tennessee has expired.

Mr. BENNETT. Mr. President, we have now had the daily message of gloom from our good friend, the Senator from Tennessee. I should like to address myself to the message given us yesterday by our colleague from Oklahoma [Mr. KERR]. He said, among other things, that the Government sends these bonds "into a jungle of financial manneuvering and speculation, saying they will neither own them nor respect them nor recognize them nor give them any value after the day they are born."

At that time I said I should like to recite a little history. The process of allowing Government bonds to operate in a free market was the program of every Secretary of the Treasury from Alexander Hamilton to Henry Morgenthau.

It was not until 1941, and for a period of a little less than 10 years thereafter, that the Federal Government, under a price-pegging arrangement with the Federal Reserve Board, guaranteed that the price of Government bonds would always be held at par or higher.

The arrangement under which the price was pegged was entered into between Henry Morgenthau and Marriner S. Eccles, the then head of the Federal Reserve Board. It was dissolved by Thomas McCabe and John Snyder in 1951, after a very difficult period when the Federal Reserve Board attempted to regain its independence.

Members of the Senate and of the House participated in that memorable situation in which the Federal Reserve Board regained its independence. It was done with the blessings of President Truman.

My colleague yesterday said something about there being almost a conspiracy which had created this sitution. I thought that today I would like to give this bit of history to identify the conspirators, and to show that all the present Secretary of the Treasury has done, and all the present head of the Federal Reserve Board has done, has been to continue to operate under that traditional arrangement. I should like to make another observation, Mr. President.

Mr. LONG. Mr. President, will the Senator yield?

Mr. BENNETT. I am sorry I cannot yield, because I do not have the time available. I am limited to 3 minutes.

My friend from Tennessee has suggested the amount by which all Government bonds shrank in book value or paper value. It is interesting to me to observe that only approximately $17 billion worth of marketable bonds are held by private ownership, in addition to the approximately $50 billion worth of bonds in the E and H category, which

are always redeemable in accordance with the schedule printed on their face.

Therefore, I do not believe that the effect of this decline reaches into every home in the United States.

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. MAGNUSON. Mr. President, I shall go into this subject matter a little later, but inasmuch as this discussion has developed on the floor, and reference has been made to a conspiracy, I should like to point out where the conspiracy is. There has just been completed in my State, by the Director of the Department of Agriculture, a survey of the interest farmers must pay on money they borrow in order to produce their crops under the present fiscal system of our country. The survey shows that they are paying from 6½ to 7 percent on their borrowed money.

The business administration department conducted the same kind of survey with respect to small business, and they found that small business is paying from 7½ to 8 percent for money. Home builders were shown by the same survey to be paying from 6 to 8 percent for money, when the discounts on the mortgages are considered.

Mr. GORE. That is an illustration of the practical effect of the policy pursued by the present administration.

Mr. MAGNUSON. Yes.

Mr. GORE. It was to such facts that I was referring when I said the consequences of the policy reach into every home and into every business and onto every farm in the United States.

Mr. MAGNUSON. That is certainly shown by the surveys which were conducted in the State of Washington.

Mr. GORE. I wonder whether the Senator from Washington has comparable figures for 4 years ago.

Mr. MAGNUSON. I shall try to get them. If I can, I shall be glad to put them in the RECORD.

MADE IN ST. PAUL WEEK

Mr. HUMPHREY. Mr. President, next week, in St. Paul, Minn., there will take place a significant event which speaks well for the spirit of all American industry today. It is an event designed to focus attention on the 250 manufacturers who produce their goods and services in the bustling, friendly city of St. Paul. Under the sponsorship of the Emporium Department Store, one of Minnesota's great retailers, these manufacturers will show their "togetherness" during a cooperative showcasing of their products known as Made in St. Paul Week.

It is worth noting that the diversity and the vitality of industry in this one city extends from food to Univac—from fashions to railroads and from calendars to Scotch tape. Working under the encompassing theme of a world of "togetherness," in people and industries, this group of industries is demonstrating how modern business, large and small, can benefit worker, management, stockholder, community, and Nation.

It is perhaps most interesting of all to realize that this entire idea was inspired by the word "togetherness"—the concept made famous by McCall's magazine. "Togetherness"—the interdependence of families, of States, of all the other varying forces which comprise our Nation—is a timely theme for this Fourth of July, for America was founded in a spirit of independence. But it is really interdependence—the underlying drive toward cooperation and "togetherness"—which keeps us strong. Whether it is made in St. Paul, or anywhere else in Minnesota or the rest of the United States, unity of purpose will lead to progress.

IDAHO POWER CO. AMORTIZATION CERTIFICATE

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement, a table of figures, and an explanatory statement of the table, all of which were prepared by Mr. Jacob Friedman, on the net result of the amortization certificate given the Idaho Power Co.

There being no objection, the statements and table were ordered to be printed in the RECORD, as follows:

IDAHO POWER CO.: DISCUSSION OF NECESSITY CERTIFICATE COVERING BROWNLEE DAM—ESTIMATED COST OF $67,138,000—CERTIFIED AT 65 PERCENT—ESTIMATED LIFE OF 50 YEARS

The attached schedule readily points out the joint advantages to both private industry and the Government under Necessity Certificates on the assumption that the company will be able to invest profitably its depreciation tax benefits at 6 percent annually for 50 years, the corporate tax rate will remain at 52 percent, a profitable operation will continue and the Government can borrow money at 3 percent.

The following conditions prevail relative to the certificate covering the cost of the proposed power developments at Brownlee by the Idaho Power Co. under the above assumptions:

(a) At the end of each of the first 5 years following completion of the facility, the Government wil borrow money at 3 percent to offset depreciation tax losses (or company depreciation tax benefits), which are in effect interest-free loans to the company.

(b) At the end of each of the last 45 years, the company depreciation tax loss (or Government tax gain) because of less than normal depreciation allowable, represents a repayment without interest to decrease the remaining balance of the interest-free loans. At the end of 50 years, such loans will be fully paid as the company depreciation tax benefits will equal Government depreciation tax gains.

(c) At the end of each year after the first, the Government receives income taxes equal to the company's profit rate of 6 percent multiplied by 52 percent or 3.12 percent of its cumulative depreciation tax benefits compounded annually at 2.88 percent (6 percent-52 percent x 6 percent), the company's net return after taxes on its investment at 6 percent. Moreover, while the loans (depreciation tax benefits) received by the company at the end of each of the first 5 years are interest-free, the Government realizes as income taxes a return of 3.12 percent on the basis of the current value of loans that have compounded at 2.88 percent annually rather than on the basis of the current value of interest-free loans.

(d) The net Government tax loss at the end of each of the first 5 years is equal to the company depreciation tax benefits less the excess of income taxes received in (c) above over the interest expense necessitated by Government borrowing at 3 percent.

(e) Each net Government tax gain from the end of the 6th year to the end of the 26th year is equal to the company depreciation tax loss plus the excess of income taxes received in (c) above over the interest expense necessitated by Government borrowing at 3 percent.

(f) Each net Government tax gain from the end of the 27th to 50th year is equal to the sum of the company depreciation tax loss, the gain from income taxes received in (c) above, and the interest at 3 percent on the cumulative net Government tax gain accrued to date that reduces Government borrowing to the extent of such net tax gain as it would not have existed in the absence of a certificate. During this period the net Government gains accelerate.

The company's benefits result from investing its cumulative depreciation tax benefits at a profit of 6 percent and compounding them annually at 2.88 percent (6 percent minus 52 percent times 6 percent) after payment of income taxes. Specifically, the gain to the Idaho Power Co. through the certification of the Brownlee Dam at the end of 50 years following construction is the interest of $25,756,000 that would have otherwise accrued without the benefit of the certificate as a net interest expense after deducting for income-tax purposes 52 percent of total interest annually due on loans equal to the depreciation tax benefits with the certificate at the end of each of the first 5 years. The value of such a gain at the completion of the construction project is $6,229,000, the amount of money invested at an annual profit rate of 6 percent, of which 3.12 percent (52 percent times 6 percent) of the profits will be returned to the Government as Federal income taxes and the remainder of 2.88 percent of the profits will be compounded, that will accrue to $25,756,000 at the end of 50 years.

The gain to the Government through the certification of the Brownlee Dam at the end of 50 years following construction is $30,407,000. This is due to an annual 3.12 percent return as income taxes on the investment of cumulative company depreciation tax benefits compounded annually at 2.88 percent and the excess of the annual savings of interest at 3 percent on the cumulative net Government tax gains after the end of the 26th year that the Government would have had to pay in the absence of a certificate over the annual interest at 3 percent on the cumulative net Government tax losses existing to the end of the 26th year that the Government had to pay because of the certificate. The value of such a gain at the completion of the construction project is $6,936,000, the amount of money invested at an interest rate of 3 percent compounded annually for 50 years that will accrue to $30,407,000.

The company's benefits are overstated as taxes other than Federal income due to the annual profitable investment of the company depreciation tax benefits have not been taken into consideration. This factor would also slightly offset the net Government gain. On the other hand, the net Government gain is understated as taxes due to the interest income of those individuals or organizations that loaned money at 3 percent to the Government are not taken into account.

The receipt of a necessity certificate is to no avail unless the certified facilities are utilized in a profitable manner. Accordingly, the necessity certificate program has encouraged the incentive and initiative of private industry to undertake a successful operation, which has made the United States the mightiest Nation. The additional plants with their complement of modern equipment, many of which would never have been built under normal conditions and others not built at the time needed by the Government, have provided necessary mobilization capacity, gainful employment, and have

generated considerable tax revenue in addition to the Government gains discussed above. In this particular case, an electric power development will attract many industries, which in turn will generate much additional tax revenue in behalf of the Government.

The above discussion points out that, if a necessity certificate should not have been granted to Idaho Power Co., it is not because of any cost to the Government.

JACOB FRIEDMAN,
Business and Engineering Consultant, Washington, D. C.

EXPLANATION OF CALCULATIONS

Column 1: This shows the end of the years following construction of the plant.

Column 2: This shows a schedule of depreciation by the sum-of-digits method normally allowable; 50/1,275×$67,138 or $2,633; 49/1,275×$67,138 or $2,580; etc.

Column 3: This shows the sum of accelerated depreciation for first 5 years, $67,138×65 percent×½ or $8,728, and normal depreciation allowable by sum-of-digits method, $67,138×35 percent×50/1,275 or $921, $67,138×35 percent×49/1,275 or $903, etc. For example, $8,728 plus $921 or $9,649 and $8,728 plus $903 or $9,631 are the entries on the first 2 lines. Only the normal depreciation is applicable after the first 5 years.

Column 4: On lines 1 through 5, each amount in column 2 is subtracted from corresponding amount in column 3. On lines 6 through 50, each amount in column 3 is subtracted from corresponding amount in column 2.

Column 5: Tax rate of 52 percent is multiplied by each corresponding amount in column 4.

Column 6: Each entry is the corresponding cumulative total of column 5. For lines 1 through 5, it is the entry in immediate line above plus entry on same line in column 5. For example, line 3 shows $11,000, which is $7,315 plus $3,685. For lines 6 through 50, it is the entry in immediate line above less entry on same line in column 5. For example, line 6 shows $17,621, which is $18,422 less $801. The last entry in the column is zero. This shows that the entire tax saving to the company through the necessity certificate in the first 5 years is recovered by the Government over the normal depreciation period.

Column 7: Multiply company tax benefits due to investment of depreciation benefits cumulated in immediate prior year (column 10) by 6 percent. For example, in the 8th year, $19,042×6 percent results in entry of $1,143.

Column 8: Tax rate of 52 percent is multiplied by each corresponding amount in column 7.

Column 9: Each amount in column 8 is subtracted from corresponding amount in column 7. This shows the investment return to the company after Federal taxes. Thus, the Government benefits more from the investment than the company. This return to the company does not take into account State taxes.

Column 10: Each entry is the corresponding cumulative total of columns 5 and 9 and is determined as follows:

(a) For the first 5 years, it is the entry on immediate line above plus entries on same line in columns 5 and 9. For example, in the 3d year, $7,420 plus $3,685 and $214 results in entry of $11,319.

(b) For the last 45 years, it is the entry on immediate line above plus entry on same line in column 9 less entry on same line in column 5. For example, in the eighth year, $19,042 plus $549 less $765 results in entry of $18,826.

Column 11: Multiply the cumulative total of the net Government loss or gain in immediate prior year as shown in column 13 by 3 percent, the rate at which the Government must borrow to compensate for loss of revenue or the rate at which the Government gains so that such borrowing is not necessary. For example, in the third year, the cumulative Government loss of $7,310 in second year is multiplied by 3 percent to obtain entry of $219. In the 30th year, the cumulative Government gain of $3,412 in 29th year is multiplied by 3 percent to obtain entry of $102.

Column 12: The net Government current loss or gain is determined as follows:

(a) On lines 1 through 5, subtract Government gain entered in column 8 from sum of Government losses entered in columns 5 and 11. For example, on line 4, subtract $353 from the sum of $3,702 and $329, which results in entry of $3,678.

(b) On lines 6 through 26, subtract Government loss entered in column 11 from sum of Government gains entered in columns 5 and 8. For example, on line 24, subtract $73 from sum of $481 and $536, which results in entry of $944.

(c) On lines 27 through 50, add entries in columns 5, 8, and 11. For example, on line 39, add $214, $609, and $400, which results in entry of $1,223.

Column 13: Each entry is the corresponding cumulative total of column 12 and is determined as follows:

(a) For lines 1 through 25, it is the entry on immediate line above less entry on same line in column 12. For example, on line 22, $4,285 less $923 results in entry of $3,362.

(b) For line 26, it is the entry on same line in column 12 less the entry on immediate line above, as $966 less $531 results in entry of $435.

(c) For lines 27 through 50, it is the entry on immediate line above, plus entry on same line in column 12. For example, on line 38, $12,140 plus $1,195 results in entry of $13,335.

JACOB FRIEDMAN,
Business and Engineering Consultant, Washington, D. C.

Idaho Power Co.: Schedule of tax benefits from necessity certificate covering Brownlee Dam

[In thousands]

Estimated cost of $67,138,000; certified at 65 percent; estimated life of 50 years

End of year	Allowable depreciation		Depreciation benefit (loss)	Company depreciation tax benefit (loss) or Government depreciation tax loss (gain)		Gain on investment of depreciation tax benefit at 6 percent			Cumulative company tax benefits due to investment	Cumulative net Government tax (loss) or gain at 3 percent	Net Government tax (loss) or gain	
	Normal (sum of digits)	Accelerated plus normal		Current	Cumulative	Before Federal income tax	Federal income taxes	After Federal income taxes			Current	Cumulative
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
1	$2,633	$9,649	$7,016	$3,648	$3,648				$3,648		($3,648)	($3,648)
2	2,580	9,631	7,051	3,667	7,315	$219	$114	$105	7,420	($109)	(3,662)	(7,310)
3	2,527	9,613	7,086	3,685	11,000	445	231	214	11,319	(219)	(3,673)	(10,983)
4	2,475	9,594	7,119	3,702	14,702	679	353	326	15,347	(329)	(3,678)	(14,661)
5	2,422	9,576	7,154	3,720	18,422	921	479	442	19,509	(440)	(3,681)	(18,342)
6	2,370	829	(1,541)	(801)	17,621	1,171	609	562	19,270	(550)	860	(17,482)
7	2,317	811	(1,506)	(783)	16,838	1,156	601	555	19,042	(524)	860	(16,622)
8	2,264	792	(1,472)	(765)	16,073	1,143	594	549	18,826	(499)	860	(15,762)
9	2,211	774	(1,437)	(747)	15,326	1,130	588	542	18,621	(473)	862	(14,900)
10	2,159	756	(1,403)	(730)	14,596	1,117	581	536	18,427	(447)	864	(14,036)
11	2,106	737	(1,369)	(712)	13,884	1,106	575	531	18,246	(421)	866	(13,170)
12	2,054	719	(1,335)	(694)	13,190	1,095	569	526	18,078	(395)	868	(12,302)
13	2,001	700	(1,301)	(677)	12,513	1,085	564	521	17,922	(369)	872	(11,430)
14	1,948	682	(1,266)	(658)	11,855	1,075	559	516	17,780	(343)	874	(10,556)
15	1,896	664	(1,232)	(641)	11,214	1,067	555	512	17,651	(317)	879	(9,677)
16	1,843	645	(1,198)	(623)	10,591	1,059	551	508	17,536	(290)	884	(8,793)
17	1,790	627	(1,163)	(605)	9,986	1,052	547	505	17,436	(264)	888	(7,905)
18	1,738	608	(1,130)	(588)	9,398	1,046	544	502	17,350	(237)	895	(7,010)
19	1,685	590	(1,095)	(570)	8,828	1,041	541	500	17,280	(210)	901	(6,109)
20	1,632	571	(1,061)	(552)	8,276	1,037	539	498	17,226	(183)	908	(5,201)
21	1,580	553	(1,027)	(534)	7,742	1,034	538	496	17,188	(156)	916	(4,285)
22	1,527	534	(993)	(516)	7,226	1,031	536	495	17,167	(129)	923	(3,362)
23	1,474	516	(958)	(498)	6,728	1,030	536	494	17,163	(101)	933	(2,429)
24	1,423	498	(925)	(481)	6,247	1,030	536	494	17,176	(73)	944	(1,485)
25	1,369	479	(890)	(463)	5,784	1,031	536	495	17,208	(45)	954	(531)
26	1,316	461	(855)	(445)	5,339	1,032	537	495	17,258	(16)	966	435
27	1,264	442	(822)	(428)	4,911	1,035	538	497	17,327	13	979	1,414
28	1,211	424	(787)	(409)	4,502	1,040	541	499	17,417	42	992	2,406
29	1,158	406	(752)	(391)	4,111	1,045	543	502	17,528	72	1,006	3,412
30	1,106	387	(719)	(374)	3,737	1,052	547	505	17,659	102	1,023	4,435
31	1,053	369	(684)	(356)	3,381	1,060	551	509	17,812	133	1,040	5,475
32	1,000	350	(650)	(338)	3,043	1,069	556	513	17,987	164	1,058	6,533
33	948	332	(616)	(320)	2,723	1,079	561	518	18,185	196	1,077	7,610
34	895	313	(582)	(303)	2,420	1,091	567	524	18,406	228	1,098	8,708
35	843	295	(548)	(285)	2,135	1,104	574	530	18,651	261	1,120	9,828

Idaho Power Co.: Schedule of tax benefits from necessity certificate covering Brownlee Dam—Continued

End of year	Allowable depreciation		Depreciation benefit (loss)	Company depreciation tax benefit (loss) or Government depreciation tax loss (gain)		Gain on investment of depreciation tax benefit at 6 percent			Cumulative company tax benefits due to investment	Cumulative net Government tax (loss) or gain at 3 percent	Net Government tax (loss) or gain	
	Normal (sum of digits)	Accelerated plus normal		Current	Cumulative	Before Federal income tax	Federal income taxes	After Federal income taxes			Current	Cumulative
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)
36	$790	$276	$(514)	$(267)	$1,868	$1,119	$582	$537	$18,921	$295	$1,144	$10,972
37	737	258	(479)	(249)	1,619	1,135	590	545	19,217	329	1,168	12,140
38	685	240	(445)	(231)	1,388	1,153	600	553	19,539	364	1,195	13,335
39	632	221	(411)	(214)	1,174	1,172	609	563	19,888	400	1,223	14,558
40	579	203	(376)	(195)	979	1,193	620	573	20,266	437	1,252	15,810
41	527	184	(343)	(178)	801	1,216	632	584	20,672	474	1,284	17,094
42	474	166	(308)	(160)	641	1,240	645	595	21,107	513	1,318	18,412
43	421	147	(274)	(142)	499	1,266	658	608	21,573	552	1,352	19,764
44	369	129	(240)	(125)	374	1,294	673	621	22,069	593	1,391	21,155
45	316	111	(205)	(107)	267	1,324	688	636	22,598	635	1,430	22,585
46	263	92	(171)	(89)	178	1,356	705	651	23,160	678	1,472	24,057
47	211	74	(137)	(71)	107	1,390	723	667	23,756	722	1,516	25,573
48	158	55	(103)	(54)	53	1,425	741	684	24,386	767	1,562	27,135
49	105	37	(68)	(35)	18	1,463	761	702	25,053	814	1,610	28,745
50	53	18	(35)	(18)	0	1,503	782	721	[1] 25,756	862	1,662	[2] 30,407
1,275	67,138	67,138	0	0								

[1] The value of $25,756,000 at the completion of the construction project is $6,229,000, the amount of money invested at an annual profit rate of 6 percent, of which 3.12 percent (52 percent×6 percent) of the profits will be returned to the Government as Federal income taxes and the remainder of 2.88 percent of the profits will be compounded, that will accrue to such an amount at the end of 50 years.

[2] The value of $30,407,000 at the completion of the construction project is $6,936,000, the amount of money invested at an interest rate of 3 percent compounded annually for 50 years that will accrue to such an amount.

The PRESIDING OFFICER. Is there further morning business?

CALL OF THE ROLL

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morton
Allott	Gore	Mundt
Anderson	Green	Murray
Barrett	Hayden	Neely
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Frear	McNamara	Young
Fulbright	Morse	

Mr. MANSFIELD. I announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES] and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

The PRESIDING OFFICER. A quorum is present.

APPOINTMENT OF COMMITTEE TO ESCORT PRIME MINISTER OF JAPAN TO THE SENATE CHAMBER

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the Chair may appoint a committee to escort the Prime Minister of Japan into the Senate Chamber at 12:30 p. m.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). Without objection, it is so ordered. The Chair appoints the majority leader, the Senator from Texas [Mr. JOHNSON]; the minority leader, the Senator from California [Mr. KNOWLAND]; the ranking majority member of the Committee on Foreign Relations, the Senator from Arkansas [Mr. FULBRIGHT]; the ranking minority member of the Committee on Foreign Relations, the Senator from Wisconsin [Mr. WILEY]; and the President pro tempore of the Senate, the Senator from Arizona [Mr. HAYDEN].

ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF FIRST PUBLIC SINGING OF "AMERICA"

Mr. SALTONSTALL. Mr. President, after consulting with both the acting majority leader and the acting minority leader, I ask unanimous consent that the Chair lay before the Senate, House Concurrent Resolution 196, which has just come over from the House. The concurrent resolution commemorates the 125th anniversary of the first public singing of the inspiring patriotic hymn America. I also ask unanimous consent that the Senate proceed to the consideration of the resolution.

The PRESIDING OFFICER. The Chair lays before the Senate, House Concurrent Resolution 196, which will be stated by title for the information of the Senate.

The CHIEF CLERK. A concurrent resolution (H. Con. Res. 196) to commemorate, on the 4th day of July 1957, the 125th anniversary of the first public singing of the inspiring patriotic hymn America, by a chorus of children in the Park Street Church, Boston, Mass., beside historic Boston Common.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SALTONSTALL. Mr President, I had prepared, and it was my intention to submit today, a concurrent resolution identical with the one which has just been laid before the Senate

Under the parliamentary practice of the Senate, however, the most expeditious way to bring the two Houses together and complete action on the matter is for the Senate to agree to the House concurrent resolution, and not consider the resolution I had proposed to submit.

I therefore move that the Senate agree to the concurrent resolution.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

The preamble was agreed to.

The concurrent resolution (H. Con. Res. 196), as agreed to, is as follows:

Resolved by the House of Representatives (the Senate concurring):

Whereas the 4th day of July 1957 marks the 125th anniversary of the first public singing of the inspiring patriotic hymn "America", by a chorus of children in the Park Street Church, Boston, Mass., beside historic Boston Common;

Whereas the hymn "America" was written by the Reverend Samuel Francis Smith in the town of Andover, Mass., February 1832; and

Whereas it is the sense of the Congress that this anniversary should be given due recognition because this hymn has touched the life of the Nation through the countless voices which have joined in singing "My Country 'tis of Thee": Therefore be it

Resolved, That this 125th anniversary of the first public singing of "America" be commended to all citizens for appropriate recognition during the week of June 30th through July 6, 1957, the "125th Anniversary of 'America' Week".

HELLS CANYON DAM

Mr. WATKINS. Mr. President, considerable water has gone past the Hells Canyon damsite since this proposal was

debated on the Senate floor about a year ago.

And considerable argumentation has poured forth from advocates on both sides of the issue, here on the floor and elsewhere during that same period.

However, after all the talking and the shouting is done, the fundamental issues on this legislation remain essentially as they were a year ago when the Senate voted against the proposition by a comfortable majority. In fact, in view of the present determination of the Congress to reduce unnecessary Federal spending, the odds appear to be more heavily weighted against S. 555 this year than they were against S. 1333 last year.

In view of the fact that the basic case against approval of this legislation was made last year, we of the opposition are content to stand upon the case made at that time. But we believe that the proponents of this measure are determined to rehash and rehash their rehashed arguments—and introduce some dazzling new diversions—so we of the opposition are prepared to answer them in kind, and to fight it out on this line if it takes all summer, if I may borrow a literary allusion without unduly alarming my colleagues who feel that we should be able to dispose of this measure in a few days.

These introductory remarks will be brief, however.

I merely wish to direct the attention of the Senate to some of the highlights of the case against the high dam. Details of these arguments are contained in the minority views expressed in Senate Report 324 on this measure. And supplementary material will be offered by my colleagues during the debate.

These, then, are the basic objections to approval of S. 555:

First. Authorization of this measure would represent a billion-dollar mistake that we cannot afford to make at this time.

In case some of my colleagues have not been listening closely, I said "a billion-dollar mistake."

If we authorize this measure, we commit the Federal Government to spend more than a half-billion dollars to accomplish little more physically than the partially completed privately financed project can do. In addition, we would subject the Federal Government to a possible additional loss of many additional millions of dollars which would have to be paid in indemnities to Idaho Power Co. for forcing them to abandon construction of a lawfully licensed Federal Power Commission project. Furthermore, the authorization of the high Federal dam would kill a private power development that would return $282 million to the Federal Treasury and another $200 million to State and local taxing units in Idaho and Oregon during the next 50 years. Does such action make good sense in these times when we are trying to reduce unnecessary Federal spending? Of course not.

Second. The approval of S. 555 would tend to dry up non-Federal participation in developing needed electric energy generation. Secretary Seaton has estimated that a total investment of $94 billion is needed to produce additional electric power during the next 20 years. This tremendous need—on top of the need for additional billions to develop our water resources—underscores the importance of contributing to a partnership effort of all Federal, State, and local governments and private enterprise in meeting our overwhelming needs for new sources of energy.

While I am speaking of this particular objection, I point out that to develop properly the Columbia River Basin and its tributaries it is estimated that an additional amount of at least $6 billion will be required.

I point out also that up to the present time the States of Washington and Oregon have received approximately one-fifth of the total amount of reclamation money spent for the whole United States, and that they have received approximately one-seventh of all the flood-control money which has been appropriated for use throughout the whole United States.

Third. Enactment of Senate bill would upset a unanimous decision of the Congress' own bipartisan power-regulatory agency, the Federal Power Commission, an agency created during the Wilson administration, and expanded during the Franklin D. Roosevelt administration, after the groundwork was laid for the program during President Theodore Roosevelt's administration. The deliberations of the Federal Power Commission on the Hells Canyon decision were the most extensive in the agency's history—extending over 2 years, and amassing 20,000 pages of testimony in 150 hearings days.

The PRESIDING OFFICER (Mr. ALLOTT in the chair). The Chair must remind the Senator from Utah that the Senate is still proceeding in the morning hour. The Senator from Utah has exceeded the 3-minute limitation.

Mr. JOHNSON of Texas. Mr. President, if no other Senators desire to speak during the morning hour, I ask unanimous consent that the unfinished business, the Hells Canyon Dam bill, be laid before the Senate.

The PRESIDING OFFICER. Without objection, that will be done.

The Chair now lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 555) to authorize the construction, operation, and maintenance of the Hells Canyon Dam on the Snake River between Idaho and Oregon, and for related purposes.

Mr. WATKINS. Mr. President, let me explain that I was trying to take advantage of the time which I thought otherwise would be wasted. I was not attempting to violate the rule.

Mr. JOHNSON of Texas. Mr. President, I appreciate the cooperation of the Senator from Utah. He never violates the rules.

The PRESIDING OFFICER. The Chair must state that in this instance, the violation was due to the negligence of the Chair.

Mr. WATKINS. Fourth, Mr. President, Senate bill 555 violates the precedent of congressional respect for States rights in water-resources legislation affecting the semiarid West. The State of Idaho feels that its future water rights are threatened by this proposal, and the downstream beneficiaries of this proposal have not agreed to an interstate compact to protect upstream rights. During my time in the Congress—approximately 10 years—I do not know of any other comparable proposed legislation which has been passed over the protest of a State which supplies the bulk of the water resource involved.

Mr. President, at this time let me point out that there is now before the Congress a bill to ratify a tristate compact between the States of Idaho, Utah, and Wyoming. It allocates the waters of the Bear River, which runs through all three of those States. The waters of the Colorado River have been allocated by compacts, beginning with one for the entire river, in 1922; and later the upper-basin States entered into a compact to allocate the waters of the upper division of the Colorado River among the States entitled to the water there. All that was done before serious consideration could be given to proposed legislation affecting the water of this entire river system. The Boulder Canyon Dam, or the Hoover Dam, and powerplant and related construction could not be proceeded with until a compact had been entered into; and the same was true of the upper division of the Colorado River. No legislation authorizing the full development of the upper-basin area could be enacted until the entering into of a compact which was ratified and approved not only by the States concerned, but also by the Congress. That has been the custom, and it should be the rule now.

Mr. BARRETT. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. Mr. President, I have only a few minutes. At the end of my remarks, if time remains before the taking of the recess, I shall be glad to yield.

Fifth. Power shortages are impending in the Pacific Northwest. In spite of this fact, and in spite of the fact that the two Idaho Power dams under construction can furnish a peaking supply of 464,000 kilowatts and a continuing supply of 288,000 kilowatts of power for the Northwest power pool during the entire winter shortage period, beginning in 1958, the proponents of the high Federal dam would have the work on those two dams stopped. This enforced shutdown of the partially finished project would delay delivery of needed power for the Northwest from that section of the Snake River at least until 1964.

Sixth. In spite of the fact that this bill is offered as a reclamation measure, S. 555 does not contribute a drop of water for irrigation, municipal, or industrial use in Idaho or elsewhere in the semiarid West.

Seventh. Based on expected average power production at the dam site, the three-dam project is eminently justifiable economically, and the additional generation at a high dam is but a small fraction of basin requirements. Furthermore, additional power and flood-control storage could be created at two sites already explored below the three-dam project area.

Eighth. Proponents of the high dam have offered no adequate estimate of the expected liability the Federal Govern-

ment would assume if the Congress halts construction on the lawfully licensed three-dam project. Furthermore, they have not shown what effect these tremendous potential costs could have on the findings of financial feasibility for this project. It is significant that the licensing procedures of the Federal Power Commission in the Hells Canyon decision have now been upheld twice by the United States Court of Appeals and twice by the United States Supreme Court.

Ninth. The high dam would help relieve only 5 percent of the average flood-control problem on the Columbia River, and only 9 percent of the record flood volume. The three-dam project, and the low Pleasant Valley dam under consideration, would solve 70 percent of this problem, at no expense to the Federal Government; and it is expected that other upstream storage would handle the remainder of the flood-control problem on this tributary, the Snake River. The high dam would do nothing to solve the flood-control problem on other, heavier flooding tributaries, which produce the real flood-control problem on the Columbia.

Tenth. Section 4 of Senate bill 555 provides for establishment of a Snake River project account, but does not specify how the account would operate. This omission has been noted in agency reports, but no corrective action has been taken.

Eleventh. Power from high Hells Canyon Dam that will cost 4 mills to generate and transmit will be sold for an average of 2.1 mills to industries, private utilities, and other prospective large-volume users of that power in the Pacific Northwest, if present Bonneville power rates are continued. I understand that the program is that they shall be continued.

Twelfth. Oregon and Washington, one-twenty-fourth of the 48 States, have received roughly one-seventh of the flood-control and navigation-construction funds, and one-fifth of the reclamation-construction funds appropriated for all the States. Enactment of this measure would entitle these two greatly favored States to an increased appropriation—above existing appropriations—of roughly $100 million a year for the next 6 years.

Thirteenth. Revenues from the high dam to support reclamation development in Idaho and eastern Oregon would not be available until at least 2014, and then only upon direct congressional authorization of participating projects. The 50-year license for the Federal Power Commission—licensed 3 dams will expire some 6 years earlier, at which time revenues from this project could be made available for water-resource development upon congressional authorization.

Fourteenth. General reclamation construction funds for the fiscal year 1958, were reduced in the House to $113 million These funds benefit all 17 Western States. If Senate bill 555 is approved, the Congress will be committed to spending an additional $100 million a year for the next 6 years for this single project, primarily to benefit power-users in the States of Washington and Oregon. Roughly 50 percent of the power produced will go to large industrial consumers. And, Mr. President, as I demonstrated last year, most of them will be getting it for less than the site cost of the power.

Fifteenth. By building the three private dams at Hells Canyon, the Idaho Power Co. is making it possible for the Federal Government to avoid spending more than one-half a billion dollars that it does not need to spend for a Federal project. In addition, the Idaho Power Co. is assuming heavy expenses which, under the Federal project, would be paid by all the country's taxpayers, namely: $48 million for flood control, navigation, and recreational allocations of capital costs, and $20 million in Federal operation and maintenance costs over 50 years. In addition, the private project will produce—note these figures carefully, Mr. President—$282 million in Federal tax revenues and $200 million in State-local tax revenues over the 50-year period. In return for these services, and the provisions of an assured supply of 288,000 kilowatts of needed surplus power for the Pacific Northwest power pool, beginning in 1958, the Federal Government granted the Idaho Power Co. a certificate for rapid tax amortization on a part of its new power-generating facilities.

This was not a loan or a reduction in taxes. It represented a deferral of taxes over a period of 5 years—and the period of 5 years begins after the plant has been built and is in operation 1 year—instead of a longer period of depreciation as provided in corporation income-tax laws. Similar concessions have been granted to 912 other electric utilities throughout the country and to more than 22,000 other industries since 1950. In spite of this tax deferral, Idaho Power Co. can still make a justifiable claim that it is constructing its three-dam project without cost to the Federal Government.

Sixteenth. Section 3 (c) of S. 555 directs the Secretary of the Interior to supply and transmit from the McNary Dam, many miles downstream, the necessary construction power for the high Hells Canyon Dam. The Secretary of the Army specifically objected to this requirement because "the purpose of this provision is not clear and might prove undesirable from an economic standpoint." This objection has not been refuted by the proponents of S. 555.

I have outlined in summary some of the principal, basic objections to the proposed legislation, which has been before the Congress 3 times and has been rejected 3 times. It has been before the Federal Communications Commission, where some of the longest hearings in history were held on it and about 20,000 pages of testimony were taken. The decision of the Power Commission was unanimous that the three-dam proposal of the Idaho Power Co. was in the interest of the country and was the best program for the comprehensive development of that river system. That being the case, it seems to me we should be careful, indeed, about approving a project of this kind, which would cost, in new expenditures, some $651 million to construct the dam and transmission facilities, pay interest on the money used for construction, and for all the additional items which would go into the project. In addition, we would give up other benefits of flood control, downstream navigation, and increased production in downstream powerplant, which we would have by reason of the Idaho Power Co. program. Approximately $1 billion is involved in the present pending legislation.

It seems to me that the Idaho Power Co. should go ahead with its plans, now that it has been legally licensed, after full consideration of its proposal by an arm of the Congress itself. It certainly does not seem wise to overrule and set aside the decision of our own agency, which was established by a law passed by Congress.

Mr. President, I yield the floor.

Mr. MANSFIELD. Mr. President, the issue of public power versus private power is again before the Senate. Once again the Senate is being asked to authorize the development of our natural resources which would be in the interests of the Nation with multipurpose benefits as opposed to development of a power site in the interests of a private utility with limited benefits.

The enactment of S. 555 is the last chance we have to fully develop one of the few remaining dam sites in the Nation. If we fail to meet this challenge and Congress does not authorize the Federal development of this multipurpose project, the numerous benefits that will be derived from a high dam on the Snake River will go by default.

When the Hells Canyon proposed legislation was defeated in the last session of Congress I felt that the people of the Northwest had been sold down the river and that the last opportunity to save this project had been lost. But in recent months, the turn of events has injected new life and enthusiasm into this effort. We now have one more chance, and it is the last opportunity to save this multipurpose project.

Hells Canyon is on the Snake River, a tributary of the Columbia River. It is the deepest gorge in the continent, falling 7,900 feet below its rim at one spot. It is the finest remaining undeveloped dam site. This site lends itself to a high dam which would produce more power, and at less than half the cost to consumer, and will make great use of the natural resources of the region. The administration's alternative is three small dams in this area of the Snake River already licensed by the Federal Power Commission to the Idaho Power Co.

The Idaho Power Co. has held title to the seldom used small powerplant at the Oxbow site in the middle stretch of the Snake River since 1936. The company gave no evidence of developing that site until 1947, when it filed an application for a preliminary permit with the Federal Power Commission. This filing was made after the first public hearings on a Federal Hells Canyon project had been announced.

Faced with growing popular support for the Hells Canyon project, the Idaho Power Co. in 1950 converted its application for a preliminary permit into an application for a license, and indicated that the Oxbow proposal might be a first step in a larger plan involving five run-of-river dams. The company characterized this 5-dam plan as the most comprehensive plan for development of the middle stretch of the Snake River.

Public support for the Hell's Canyon project continued to grow and the Idaho Power Co. again revised its plan, this time to include one reservoir plant and two run-of-river plants. This 3-dam plan the company has also characterized as the best plan for comprehensive development of that stretch of the river. Only in 1953, 8 years after it filed its original Oxbow application with the Federal Power Commission, and almost 40 years after it has acquired the old Oxbow plant, did the company press for immediate development of the Oxbow site.

On May 15, 1953, the company amended its filing and requested licenses for three dams. From that day forward the Idaho Power Co. has shown considerable impatience, boasting all the time that this would not cost the taxpayers a dime.

It only recently appeared that a reversal of this private development plan was beyond expectation, but the halls of Congress now echo a familiar ring, something akin to the Dixon-Yates deal.

A valuable tax amortization writeoff was very recently granted to the Idaho Power Co.—a company, incidently, incorporated in Augusta, Maine. This tax benefit was granted by the new director of the Office of Defense Mobilization, Mr. Gordon Gray, against the previous recommendations made by the Secretary of the Interior, Mr. Fred A. Seaton.

This action was immediately denounced by the Senate's distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD] as "utterly indefensible" and "a subsidy."

At this time I feel a brief comment on the matter of subsidies is in order. We still hear so much about subsidies being paid to farmers, but now the Director of ODM turns around and condones a subsidy payment amounting to $329.3 million for the Idaho Power Co. The entire Hells Canyon Dam would cost only $308.5 million.

As I just stated, one of the major reasons advanced for private development at Hells Canyon was that it would not cost the taxpayers; all expenses would be assumed by the company. But under the fast tax writeoff provision, it will cost the taxpayers lost taxes on what amounts to a $30.5 million, 50-year, interest-free loan.

The Secretary of the Treasury, George Humphrey, and the Secretary of the Interior, Fred Seaton, have both opposed this tax writeoff, but Mr. Gray refuses to reconsider the matter.

The Kefauver-O'Mahoney subcommittee have done a very thorough job of studying the circumstances surrounding this unusual grant to a private utility. It is quite apparent that at the very least there has been some very inept handling of the taxpayers' funds.

We have a private utility which considered a short time ago that a special depletion allowance was not good business, but they have now been granted what was originally a wartime financial incentive to build projects that were not useful in a peacetime economy.

The Idaho Power Co. has been granted by ODM a subsidy from the American taxpayers' pocketbook to finance what amounts to a sacrifice of the people's resources for its own gain.

Contrary to private-power spokesmen the construction of a high Hells Canyon project as proposed by the Corps of Engineers and built by the Federal Government will not cost the American taxpayers a cent. It has been proven over and over again that these multiple-purpose projects repay the total Federal investment with interest over a relatively short period of time, and eventually it will provide a profit for the Federal Government.

Hungry Horse Dam in western Montana is a standing example of the benefits of a Federal multipurpose development. Hungry Horse Dam has provided power for an area in short supply, it has expanded the tax base, it has brought in new industry, it provides flood control and irrigation and many recreational benefits and most important, it is at present ahead in its payments. All of these things we can duplicate at Hells Canyon with a high dam but not with three small dams.

A high Hells Canyon Dam and Reservoir will provide flood control through regulation of the Snake River and will protect property against flooding brought on by inadequate upstream storage facilities.

This multipurpose project is an integral part of the development plan of the Columbia River Basin. The farmers and ranchers in the Northwest will benefit because this project will provide the only low-cost power for the production of less expensive phosphate fertilizers from the great phosphate beds of southeast Idaho and Utah, which contain nearly two-thirds of the Nation's phosphate resources.

The completion of a high Hells Canyon will be most beneficial to the economic growth of the Pacific Northwest and will contribute to the national economy and the national defense.

The dam and reservoir provide for an expanded irrigation program in the area and will contribute to the completion of the 500-mile inland navigation on the Columbia and Snake Rivers.

Without the high Hells Canyon Dam and other such projects as Libby and Yellowtail Dams in Montana the Northwest faces severe shortage of hydroelectric power.

By every conceivable test, public power has been a success. It has brought comforts to farmers, jobs to workers, profits for businessmen. Equally important, it is paying for itself.

Under the administration's partnership approach to power development, a large portion of the income, instead of going to the Federal Government, would be preempted by the private power companies. The private power companies do pay taxes, but how does their tax load compare to the lower utility rates and the vast multipurpose benefits which would accrue from the Federal development of Hells Canyon.

Last week the Senate passed a $3.6 billion authorization bill for the foreign aid program. The administration has enthusiastically supported an even larger request, but they maintain their opposition to Federal development in this country. We spend billions abroad in foreign lands developing multipurpose projects such as the proposed TVA project on the Jordan River in the Middle East. "How about a little foreign aid at home?" is a question I hear from so many of my constituents. This line of thinking is stronger now than any year in the past.

Mr. President, it is indeed difficult to justify to these people the administration's financial backing of these large and small projects abroad, regardless of the merit, when the Federal Government refuses to construct Hells Canyon, Yellowtail Dam and similarly authorized projects. It is impossible to justify a multi-million-dollar subsidy to a private utility.

The basic issue before the Senate today is whether a public resource will be duly developed or whether a part of it will be wasted. I have always maintained that Federal development should supersede private development only where such action is in the better interests of the American people.

In other words, Mr. President, there is room for both public and private power in this country, but on a multiple-purpose basis, it is my belief that the Federal Government should undertake the project.

The development of Hells Canyon as a Federal high dam is in the interests of the vast majority of the American people.

The Senate has the facts before it—a high Hells Canyon dam is feasible, it is economical, its benefits are numerous, and the Congress is in a position to correct an intolerable situation.

An affirmative vote on S. 555 is a vote to save one of the Nation's greatest natural resources. A vote against S. 555 is a vote condoning the subsidization of a private utility for personal gain.

Mr. President, I yield the floor; and I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

VISIT TO THE SENATE BY HIS EXCELLENCY PRIME MINISTER NOBUSUKE KISHI OF JAPAN

The VICE PRESIDENT. The hour of 12:30 p. m. having arrived, under the previous order the Senate will stand in recess subject to the call of the Chair,

and the committee appointed to escort Prime Minister Kishi into the Chamber will retire to the Vice President's room.

Thereupon, at 12:30 o'clock p. m., the Senate took a recess, subject to the call of the Chair, the recess being under the order previously entered.

During the recess,

His Excellency Prime Minister Nobusuke Kishi of Japan, escorted by the committee, consisting of Mr. JOHNSON of Texas, Mr. KNOWLAND, Mr. FULBRIGHT, Mr. WILEY, and Mr. HAYDEN, and accompanied by His Excellency Koichiri Asakai, Ambassador of Japan to the United States; His Excellency Hirohide Ishida, Chief Cabinet Secretary—rank of Cabinet Minister; Mr. Niro Hoshijima, Supreme Adviser of the Government Party, signatory of the Japanese Peace Treaty, and for 37 years a member of the Japanese Diet; Senator Mrs. Shidzue Kato, represents the Opposition Party, elected with the largest majority in the country, member of the foreign relations committee of the senate; Senator Takeshi Togano, a member of the Opposition Party, formerly on the editorial staff of Asahi, the largest Japanese newspaper, circulation 4,300,000. His wife is a member of the lower house and a member of the foreign affairs committee; Ambassador Wiley Buchanan, Chief of Protocol; Douglas MacArthur II, United States Ambassador to Japan, preceded by the Secretary, Felton M. Johnston, and the Sergeant at Arms, Joseph C. Duke, entered the Chamber.

Prime Minister Kishi and the committee appointed by the Vice President proceeded to the seats assigned them immediately in front of the desk of the Vice President.

The other members of the party were escorted to the seats reserved for them on the floor of the Senate.

Mrs. Yukiko Sohma, daughter of Yukio Ozaki, who gave the cherry trees to Washington; Mr. Takasumi Mitsui; Mr. Ninomiya; and Miss Yomasawa were escorted to the seats reserved for them in the diplomatic gallery.

The Prime Minister was greeted by applause, Senators and their guests rising.

The VICE PRESIDENT. Members of the Senate and guests of the Senate, it is my high honor and privilege to present to you a man who is a courageous leader of his own people and of the free world, and one who is a loyal and great friend of the people of the United States, His Excellency the Prime Minister of Japan, Nobusuke Kishi. [Applause, Senators and their guests rising.]

ADDRESS BY HIS EXCELLENCY PRIME MINISTER NOBUSUKE KISHI OF JAPAN

(The Prime Minister addressed Members of the Senate in Japanese. His address was translated into English by an interpreter, Mr. Toshiro Shimanouchi, first secretary of the Japanese Embassy, as follows:)

I am deeply grateful for your warm reception and cordial welcome. You have accorded me a great honor today—the honor of speaking in this living citadel of democracy.

It has been a thrilling experience for me to drive up Capitol Hill to this time-honored hall. It is an inspiration to me to stand on this rostrum which has witnessed the evolution of the modern democratic process of government, thus providing the pattern for new democracies, including my own country. Today Japan is endeavoring with pride and resolution to consolidate the foundations of a truly democratic government. The whole effort of our nation is dedicated to this task, for we believe in the lofty principles of democracy—in the liberty and dignity of the individual.

It is because of our strong belief in democratic principles and ideals that Japan associates herself with the free nations of the world. We are ranged on the side of liberty, justice, and equality [applause], because there can be no true peace, no true security, no true progress nor true human happiness unless men and nations live by these principles. [Applause.]

In all our free world relations, our association with the United States is to us the most important. [Applause.] We are grateful to your country for the generous aid we have received since the war in restoring our shattered economy. We believe that our friendship, our mutual respect and trust, and our bonds of cooperation must ever be strong, especially in these times when tensions persist in many parts of the world. [Applause.]

International communism is now trying to win over Asia by exploiting the fervent spirit of nationalism of the Asian peoples and by appealing to their impatience to overcome poverty and privation. The Communists are trying to demonstrate that their way is the quicker way to develop underdeveloped economies and to raise living standards.

We firmly believe that they are wrong, and that the democratic method is the only way to serve the welfare and to promote the happiness of mankind. We must prove that we are right. [Applause.]

As the most advanced and industrialized nation in Asia, Japan has already shown that economic and social progress can be achieved without the Communist shortcut. We have already demonstrated that free enterprise serves human happiness and welfare in an honorable way with full respect for the dignity of man. It is my firm conviction that Japan, as a faithful member of the free world, has a useful and constructive role to play, particularly in Asia, where the free world faces the challenge of international communism. We are resolved to play that role. [Applause.]

I have come to this country at this time, in response to an invitation from your President, to have a frank exchange of views with the highest officials of your Government on a wide range of problems of mutual interest and concern as they affect our two countries and as they affect the world. I hope that our discussions, now in progress, will bear good fruit. From our talks there will emerge, I sincerely trust, a strong and enduring partnership that will open the door to a new era of Japanese-American relations.

Let me, in closing, express to you, and through you to the people of America, my high esteem and warm feelings of friendship, and my best wishes for the prosperity and happiness of your great Republic, the United States of America. [Applause, Senators and their guests rising.]

The VICE PRESIDENT. Mr. Prime Minister, I wish to express, on behalf of the Members of the Senate, our appreciation for your eloquent statement, and to extend, through you, to all the people of Japan our very best wishes for the years ahead.

Among the distinguished guests who are accompanying the Prime Minister today are three members of the Japanese Diet. I am sure that the Members of the Senate and our guests in the gallery would like to know them.

Mr. Niro Hoshijima. [Applause.]

Senator Mrs. Shidzue Kato. [Applause.]

Senator Takeshi Togano. [Applause.]

I might say that Senator Kato, according to the information that has been given me about the official party, has the distinction and honor of winning elections by the largest majority any member of the Japanese Senate has ever received. [Applause.]

The Ambassador from Japan to the United States, Koichiro Asakai. [Applause.]

Our Ambassador to Japan, Douglas MacArthur II. [Applause.]

In keeping with the custom of the Senate, Members of the Senate will have an opportunity to meet the Prime Minister and the distinguished visitors accompanying him. The Ambassador from Japan will stand with the Prime Minister in the well of the Senate to receive Senators.

The Senate will continue to stand in recess subject to the call of the Chair.

The Japanese Prime Minister and the Ambassador from Japan stood in front of the rostrum and were greeted individually by the Members of the Senate.

Following the informal reception, the Prime Minister of Japan and the distinguished visitors accompanying him were escorted from the Chamber.

At 1 o'clock and 3 minutes p. m., the Senate reassembled, when called to order by the Presiding Officer (Mr. FREAR in the chair).

LEAVE OF ABSENCE—ANNOUNCEMENT OF PAIR

Mr. CAPEHART. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate until next Tuesday morning.

I wish to announce that I have a pair with the Senator from Oklahoma [Mr. MONRONEY] on the Hells Canyon bill on any votes relating to the reference of H. R. 6127.

The PRESIDING OFFICER. Without objection, leave is granted.

THE CIVIL RIGHTS ACT OF 1957

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum;

and let me say that when the presence of a quorum is ascertained, it is expected that the Vice President will lay before the Senate the civil-rights bill. I want all Senators on both sides of the aisle to be notified. Let me say that at this time I see in the Chamber the Senator from Illinois [Mr. DOUGLAS]——

Mr. DOUGLAS. Yes; I am here.

Mr. JOHNSON of Texas. And I also see in the Chamber the Senator from Georgia [Mr. RUSSELL], the Senator from California [Mr. KNOWLAND], and the Senator from Minnesota [Mr. HUMPHREY], as well as a number of other Senators.

The PRESIDING OFFICER. The absence of a quorum having been suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morton
Allott	Gore	Mundt
Anderson	Green	Murray
Barrett	Hayden	Neely
Beall	Hennings	Neuberger
Bennett	Hickenlooper	O'Mahoney
Bible	Hill	Pastore
Bricker	Holland	Payne
Bush	Hruska	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Revercomb
Capehart	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Chavez	Kefauver	Smathers
Church	Kennedy	Smith, Maine
Clark	Kerr	Smith, N. J.
Cooper	Knowland	Sparkman
Cotton	Kuchel	Stennis
Curtis	Lausche	Symington
Dirksen	Long	Talmadge
Douglas	Magnuson	Thurmond
Dworshak	Malone	Thye
Eastland	Mansfield	Watkins
Ellender	Martin, Iowa	Wiley
Ervin	Martin, Pa.	Williams
Flanders	McClellan	Yarborough
Frear	McNamara	Young
Fulbright	Morse	

The VICE PRESIDENT. A quorum is present.

Under the order previously entered, the Chair lays before the Senate H. R. 6127 for a second reading.

Mr. JOHNSTON of South Carolina. Mr. President, I ask that it be read word by word and line by line, in order that everybody present, not only in the Senate but those outside the Senate, may hear what we are passing upon.

Mr. KNOWLAND. Mr. President——

The VICE PRESIDENT. The Senator from California.

Mr. KNOWLAND. I move that the bill be read by title and that the full text be printed immediately following the title.

Mr. RUSSELL and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. RUSSELL. Mr. President, a point of order.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California.

The Senator from Georgia will state his point of order.

Mr. RUSSELL. I address a parliamentary inquiry to the Chair. I am not particularly interested in having the bill read, because all the lawyers who have ever lived in Philadelphia would have to study it several days to know its implications; but I want to know under what rule a motion of this kind is in order when we are approaching the second reading of the bill.

Mr. KNOWLAND. Mr. President, as soon as the bill has been read the second time, either by title or in full, as the Senate may desire, it is my purpose to object to further proceedings on H. R. 6127 at the present time.

The VICE PRESIDENT. Under the rule, the bill is read by title the first and second time, unless the Senate otherwise orders. Consequently the motion of the Senator from California is designed to present that question, and the Senate by its vote may indicate whether it desires to have the bill read in full or read only by title.

Mr. RUSSELL. Mr. President, I inquire of the Chair, Is not that motion debatable?

The VICE PRESIDENT. The motion is not debatable.

Mr. RUSSELL. Under what rule does the Chair hold the motion is not debatable?

The VICE PRESIDENT. Under the rule that when the first and second reading are in order, such reading does not involve action on a bill.

Mr. RUSSELL. By way of parliamentary inquiry, I would be very happy if the Chair would read the rule under which he is now proceeding to entertain the motion, and the rule that it is not subject to debate. I think the Senate is at least entitled to have read the rule on which the Chair relies.

The VICE PRESIDENT. The Chair reads from paragraph 2 of rule XIV:

Provided, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

Mr. RUSSELL. Where does the rule provide the motion is not debatable?

The VICE PRESIDENT. That is the interpretation of the rule by the Chair.

Mr. RUSSELL. An interpretation by the Chair. Very well.

Mr. JOHNSTON of South Carolina. Mr. President——

The VICE PRESIDENT. The Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I made the motion, previous to the motion made by the Senator from California, that the bill be read word by word and line by line. What has become of my motion?

The VICE PRESIDENT. The Chair did not understand the Senator from South Carolina as having placed——

Mr. JOHNSTON of South Carolina. I made the motion that it be read. The RECORD will so show, I think.

Mr. KNOWLAND. Mr. President, I have no objection to the bill appearing in the RECORD. I thought by unanimous consent, since I assumed that the Members were familiar with the bill, some time could be saved; but I have no objection to the bill being read in full for its second reading, so long as I do not lose my right to the floor.

The VICE PRESIDENT. Is there objection to reading the bill in full? Without objection, the clerk will read the bill in full.

Mr. McNAMARA. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNAMARA. Was the Senator who claimed prior recognition recognized by the Chair to make the motion?

The VICE PRESIDENT. The Senator was recognized.

Mr. McNAMARA. I have no objection.

The VICE PRESIDENT. The clerk will read the bill.

The legislative clerk proceeded to read the bill the second time, as follows:

Be it enacted, etc.

PART I—ESTABLISHMENT OF THE COMMISSION ON CIVIL RIGHTS

SEC. 101. (a) There is created in the executive branch of the Government a Commission on Civil Rights (hereinafter called the "Commission").

(b) The Commission shall be composed of six members who shall be appointed by the President by and with the advice and consent of the Senate. Not more than three of the members shall at any one time be of the same political party.

(c) The President shall designate one of the members of the Commission as Chairman and one as Vice Chairman. The Vice Chairman shall act as Chairman in the absence or disability of the Chairman, or in the event of a vacancy in that office.

Mr. KNOWLAND. Mr. President, may we have order in the Chamber and in the galleries?

The VICE PRESIDENT. The Senate will be in order.

The clerk will proceed.

The legislative clerk resumed and concluded the reading of the bill, as follows:

(d) Any vacancy in the Commission shall not affect its powers and shall be filled in the same manner, and subject to the same limitation with respect to party affiliations as the original appointment was made.

(e) Four members of the Commission shall constitute a quorum.

Rules of procedure of the Commission

SEC. 102. (a) The Chairman or one designated by him to act as Chairman at a hearing of the Commission shall announce in an opening statement the subject of the hearing.

(b) A copy of the Commission's rules shall be made available to the witness before the Commission.

(c) Witnesses at the hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

(d) The Chairman or Acting Chairman may punish breaches of order and decorum and unprofessional ethics on the part of counsel, by censure and exclusion from the hearings.

(e) If the Commission determines that evidence or testimony at any hearing may tend to defame, degrade, or incriminate any person, it shall (1) receive such evidence or testimony in executive session; (2) afford such person an opportunity voluntarily to appear as a witness; and (3) receive and dispose of requests from such person to subpena additional witnesses.

(f) Except as provided in sections 102 and 105 (f) of this act, the Chairman shall receive and the Commission shall dispose of requests to subpena additional witnesses.

(g) No evidence or testimony taken in executive session may be released or used in public sessions without the consent of the Commission. Whoever releases or uses in public without the consent of the Commission evidence or testimony taken in executive session shall be fined not more than

$1,000, or imprisoned for not more than 1 year.

(h) In the discretion of the Commission, witnesses may submit brief and pertinent sworn statements in writing for inclusion in the record. The Commission is the sole judge of the pertinency of testimony and evidence adduced at its hearings.

(i) Upon payment of the cost thereof, a witness may obtain a transcript copy of his testimony given at a public session or, if given at an executive session, when authorized by the Commission.

(j) A witness attending any session of the Commission shall receive $4 for each day's attendance and for the time necessarily occupied in going to and returning from the same, and 8 cents per mile for going from and returning to his place of residence. Witnesses who attend at points so far removed from their respective residences as to prohibit return thereto from day to day shall be entitled to an additional allowance of $12 per day for expenses of subsistence, including the time necessarily occupied in going to and returning from the place of attendance. Mileage payments shall be tendered to the witness upon service of a subpena issued on behalf of the Commission or any subcommittee thereof.

(k) The Commission shall not issue any subpena for the attendance and testimony of witnesses or for the production of written or other matter which would require the presence of the party subpenaed at a hearing to be held outside of the State, wherein the witness is found or resides or transacts business.

Compensation of members of the Commission

SEC. 103. (a) Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive the sum of $50 per day for each day spent in the work of the Commission, shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

(b) Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be reimbursed for actual and necessary travel expenses, and shall receive a per diem allowance of $12 in lieu of actual expenses for subsistence, inclusive of fees or tips to porters and stewards.

Duties of the Commission

SEC. 104. (a) The Commission shall—

(1) investigate allegations in writing under oath or affirmation that certain citizens of the United States are being deprived of their right to vote and have that vote counted by reason of their color, race, religion, or national origin; which writing, under oath or affirmation, shall set forth the facts upon which such belief or beliefs are based;

(2) study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution; and

(3) appraise the laws and policies of the Federal Government with respect to equal protection of the laws under the Constitution.

(b) The Commission shall submit interim reports to the President at such times as either the Commission or the President shall deem desirable, and shall submit to the President a final and comprehensive report of its activities, findings, and recommendations not later than 2 years from the date of the enactment of this act.

(c) Sixty days after the submission of its final report and recommendations the Commission shall cease to exist.

Powers of the Commission

SEC. 105. (a) Within the limitations of its appropriations, the Commission may appoint a full-time staff director and such other personnel as it deems advisable, in accordance with the civil-service and classification laws, and may procure services as authorized by section 15 of the act of August 2, 1946 (60 Stat. 810; 5 U. S. C. 55a), but at rates for individuals not in excess of $50 per diem.

(b) The Commission may accept and utilize services of voluntary and uncompensated personnel and pay any such personnel actual and necessary traveling and subsistence expenses incurred while engaged in the work of the Commission (or, in lieu of subsistence, a per diem allowance at a rate not in excess of $12). Not more than 15 persons as authorized by this subsection shall be utilized at any one time.

(c) The Commission may constitute such advisory committees and may consult with governors, attorneys general, and other representatives of State and local governments, and private organizations, as it deems advisable.

(d) Members of the Commission, voluntary and uncompensated personnel whose services are accepted pursuant to subsection (b) of this section, and members of advisory committees constituted pursuant to subsection (c) of this section, shall be exempt from the operation of sections 281, 283, 284, 434, and 1914 of title 18 of the United States Code, and section 190 of the Revised Statutes (5 U. S. C. 99).

(e) All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(f) The Commission, or on the authorization of the Commission any subcommittee of 2 or more members, at least 1 of whom shall be of each major political party, may, for the purpose of carrying out the provisions of this act, hold such hearings and act at such times and places as the Commission or such authorized subcommittee may deem advisable. Subpenas for the attendance and testimony of witnesses or the production of written or other matter may be issued in accordance with the rules of the Commission as contained in section 102 (j) and (k) of this act, over the signature of the Chairman of the Commission or of such subcommittee, and may be served by any person designated by such Chairman.

(g) In case of contumacy or refusal to obey a subpena, any district court of the United States or the United States court of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof: *Provided*, That any person cited for an alleged contempt under this act shall be allowed to make his full defense by counsel learned in the law; and the court before which he is cited or tried, or some judge thereof, shall immediately, upon his request, assign to him such counsel, not exceeding two, as he may desire, who shall have free access to him at all reasonable hours. He shall be allowed, in his defense to make any proof that he can produce by lawful witnesses, and shall have the like process of the court to compel his witnesses to appear at his trial or hearing, as is usually granted to compel witnesses to appear on behalf of the prosecution. If such person shall be found by the court to be financially unable to provide for such counsel, it shall be the duty of the court to provide such counsel.

Appropriations

SEC. 106. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, so much as may be necessary to carry out the provisions of this act.

PART II—TO PROVIDE FOR AN ADDITIONAL ASSISTANT ATTORNEY GENERAL

SEC. 111. There shall be in the Department of Justice one additional Assistant Attorney General, who shall be appointed by the President, by and with the advice and consent of the Senate, who shall assist the Attorney General in the performance of his duties, and who shall receive compensation at the rate prescribed by law for other Assistant Attorneys General.

PART III—TO STRENGTHEN THE CIVIL RIGHTS STATUTES, AND FOR OTHER PURPOSES

SEC. 121. Section 1980 of the Revised Statutes (42 U. S. C. 1985) is amended by adding thereto two paragraphs to be designated "Fourth" and "Fifth" and to read as follows:

"Fourth. Whenever any persons have engaged or there are reasonable grounds to believe that any persons are about to engage in any acts or practices which would give rise to a cause of action pursuant to paragraphs First, Second, or Third, the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"Fifth. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the pary aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 122. Section 1343 of title 28, United States Code, is amended as follows:

(a) Amend the catch line of said section to read,

"Sec. 1343. Civil rights and elective franchise"

(b) Delete the period at the end of paragraph (3) and insert in lieu thereof a semicolon.

(c) Add a paragraph as follows:

"(4) To recover damages or to secure equitable or other relief under any act of Congress providing for the protection of civil rights, including the right to vote."

PART IV—TO PROVIDE MEANS OF FURTHER SECURING AND PROTECTING THE RIGHT TO VOTE

SEC. 131. Section 2004 of the Revised Statutes (42 U. S. C. 1971), is amended as follows:

(a) Amend the catch line of said section to read, "Voting rights."

(b) Designate its present text with the subsection symbol "(a)."

(c) Add, immediately following the present text, three new subsections to read as follows:

"(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, coerce, or attempt to intimidate, threaten, or coerce any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories or possessions, at any general, special,

or primary election held solely or in part for the purpose of selecting or electing any such candidate.

"(c) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice which would deprive any other person of any right or privilege secured by subsection (a) or (b), the Attorney General may institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order. In any proceeding hereunder the United States shall be liable for costs the same as a private person.

"(d) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether the party aggrieved shall have exhausted any administrative or other remedies that may be provided by law."

SEC. 141. This act may be cited as the "Civil Rights Act of 1957."

Mr. KNOWLAND and Mr. DOUGLAS addressed the Chair.

The VICE PRESIDENT. The Senator from California.

Mr. KNOWLAND. Mr. President, I desire to object to any further proceedings on House bill 6127 at the present time. I make that objection pursuant to rule XIV, subsection 4, of the Rules of the Senate.

Mr. RUSSELL. Mr. President, I make the point of order that the subsection of rule XIV on which the Senator from California relies is superseded and annulled by the Reorganization Act of 1946. I do not desire to go into this subject in any great detail. I do wish to read the section of the Reorganization Act which deals with this subject. This is the general authority contained in the act:

TITLE I—CHANGES IN RULES OF SENATE AND HOUSE

RULEMAKING POWER OF THE SENATE AND HOUSE

SEC. 101. The following sections of this title are enacted by the Congress:

(a) an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply; and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

That is the general authority. I submit to the Chair the fact that rule XXV, as it obtained prior to the Reorganization Act, contained the following language:

The following standing committees shall be appointed at the commencement of each Congress, with leave to report by bill or otherwise:

There was nothing in that rule as it existed prior to the Reorganization Act which was in conflict with rule XIV.

However when the Reorganization Act was passed, it specifically spelled out the terms under which the Senate should proceed. It described the jurisdiction of each of the committees, and, after naming the particular committee, inserted in the new rule language which was not in the old rule. There was a definite change in language. The following language was inserted:

to which committee shall be referred all proposed legislation, messages, petitions, memorials——

And so forth.

It then proceeds to describe the jurisdiction of each committee. In each instance the word "shall" is employed. When that is coupled with the general authority found in title I, there can be no question that it was made mandatory to refer bills to committees.

Mr. President, I further assert that a direct precedent was established by the Senate on May 4, 1948, when the Senate, by an overwhelming vote, upheld the validity of the contention that measures should be committed. At that time the Presiding Officer of the Senate was the distinguished Senator from Michigan, the Honorable Arthur Vandenberg. I may say, in passing, that I have served in the Senate under a number of Presiding Officers, but I have never known a fairer or more conscientious Presiding Officer than the late Senator Vandenberg. He ruled from the Chair his opinion of the rules without regard to his personal predilections with respect to any legislation.

Before submitting the question to the Senate, in the course of his discussion, Senator Vandenberg used this language:

This situation has never heretofore arisen. Therefore, we are making an entirely new precedent—a point which can be of very serious moment to the conduct of the business of the Senate. Therefore, the Chair proposes that the Senate shall settle the matter for itself.

When he submitted the issue to the Senate, he used this language:

The Senator from Arkansas raises a point of order that he is entitled under rule XIV of the Senate to exercise his priority of right to ask that after the second reading of the bill, which has just occurred, it shall go to the calendar.

The difference was that an intervening motion dealing with the Reorganization Act had been made, but the Senator from Arkansas asserted the same right the Senator from California [Mr. KNOWLAND] claims today, namely, that under this provision of rule XIV he was entitled to object to further proceedings and to have the bill sent to the calendar.

A long debate occurred on that question, because Senators generally recognized its importance. They realized that when in dealing with the committee system of the Senate we establish precedents which would impede that system, when there are available rules at all times under which the Senate can control its business, we would be delaying the ordinary processes of legislation.

There was a great deal of discussion with respect to the parliamentary situation before the Senate which would be designated by a court as obiter. The Reorganization Act was new.

The debate had run along for some time before it was even mentioned that rule XXV would require a mandatory reference of all proposed legislation, particularly that coming from the House. I wish to point out that this rule applies to both Senate and House bills, but the precedent was established on a bill that had come from the House, just as in the present instance the bill comes from the House.

The then Senator from Colorado, Mr. Millikin, one of the ablest men I have ever had the privilege of serving with in the Senate, was the first to bring to the attention of the Senate in that debate the fact that rule XXV, as contained in the Reorganization Act, superseded rule XIV. I will read a part of Senator Millikin's statement for the information of the Chair before the Chair makes his ruling.

The Senator from California [Mr. KNOWLAND] was speaking, and Mr. Millikin asked the Senator from California to yield. The Senator from California, with his customary courtesy, yielded to Mr. Millikin. Then Mr. Millikin said:

Mr. MILLIKIN. I should like to address an inquiry to the distinguished Senator from California. I was not present yesterday, and my question may duplicate questions which arose yesterday. If so, I am sorry to intrude on the time of the Senator.

I notice that section 101 (a) of the Reorganization Act states that the rules contemplated by it shall supersede other rules only to the extent that they are inconsistent therewith. The referral provision in section 102 with respect to each standing committee contains the following language:

"To which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:"

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. EASTLAND. Does the Senator have before him the Senate committee report explaining the meaning of section 101 of the Reorganization Act, to which he has referred?

Mr. RUSSELL. No; I do not have that at the moment.

Mr. EASTLAND. I should like to call to the attention of the distinguished Senator, Senate Report No. 1400, 79th Congress, 2d session, on S. 2177, the bill which was finally enacted as the Legislative Reorganization Act of 1946.

Referring to section 101, the rulemaking power of the Senate and the House, the report states:

Inasmuch as this title, as indicated, makes changes in the rules of the two Houses, it is provided in this section that these provisions are enacted as an exercise of the rulemaking power of the Senate and of the House of Representatives, respectively, and as such they shall be considered a part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules to the extent that they are inconsistent therewith. It is further provided that these provisions are enacted with full recognition of the constitutional right of either House to change such rules so far as relating to the procedures in such House at any time, in the same manner and to the same extent as in the case of any other rule of such House.

Further, the committee print of the report of the Joint Committee on Organization of the Congress, submitted by

Representative MONRONEY, who is now the distinguished junior Senator from Oklahoma, contains the identical statement in explanation of the House action in substituting language for the Senate bill as it had passed the Senate, and sets forth the language relating to section 101 as contained in the Senate report.

Mr. RUSSELL. Of course, that spells out and amplifies the express terms of the statute.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. RUSSELL. I would appreciate it if the Senator would indulge me for a moment.

Mr. DOUGLAS. The Senator has yielded to the Senator from Mississippi. I wonder whether he would be good enough to yield to me.

Mr. RUSSELL. On yesterday the distinguished Senator from Illinois did not do me the courtesy of yielding to me, even though he had mentioned my name several times in the debate. However, I shall yield to the Senator from Illinois.

Mr. DOUGLAS. I did in fact yield to the Senator from Georgia.

Mr. RUSSELL. Yes; and then the Senator proceeded to mention my name again, and then declined to yield further, as the RECORD will show.

Mr. DOUGLAS. Do I understand the Senator declines to yield to me?

Mr. RUSSELL. I yield to the Senator from Illinois.

Mr. DOUGLAS. I should like to ask the Senator from Georgia if section 101 (a) of the Reorganization Act does not provide, in part, as follows:

And such rules shall supersede other rules only to the extent that they are inconsistent therewith.

Mr. RUSSELL. Mr. President, I have just read that identical language. I suppose the Senator from Illinois——

Mr. DOUGLAS. I notice that the Senator was not very enthusiastic or emphatic in reading the latter part of it.

Mr. RUSSELL. I did read that specific language. I rely upon that language for the position I take, because the Senate, in construing it, established the precedent that this clause was inconsistent with rule XIV of the Senate.

Now I proceed to read from the discussion between the then Senator from Colorado, Mr. Millikin, and the Senator from California [Mr. KNOWLAND].

The Senator from Colorado said:

The distinguished Senator from Nebraska [Mr. Wherry] has pointed out section 137 of the Reorganization Act. I should like the opinion of the Senator from California as to whether or not the language which I have read supersedes other matters in the rules which might be in conflict.

That was the then Senator from Colorado, Mr. Millikin, propounding a question to the present senior Senator from California [Mr. KNOWLAND].

The Senator from California responded:

I think the Senator has posed a $64 question in that regard.

I might say that that was when we first had quiz programs, and $64 was as high as they went. They have now reached the astronomical proportions of, I think, $100,000 or more, I suppose that some of those who argue that rule XIV still stands would use that phenomenon as a justification.

I continue with the statement by the Senator from California [Mr. KNOWLAND]:

I think the Senator has posed a $64 question in that regard. I am not seeking to evade the question, because I think it is one to which the Senate must give very careful consideration at this time.

That was the present senior Senator from California [Mr. KNOWLAND] speaking. He continued:

So far as legislative procedure is concerned, I think there is very little doubt in the minds of most of us that if as a matter of common practice we prevent committees from considering legislation, we shall develop a great degree of legislative chaos. I call the attention of the able Senator from Colorado, however, to the fact that the Constitution itself gives to each House—I do not have the exact language before me now—the power to establish its own rules and procedures. The Legislative Reorganization Act, of course, is an act of both Houses of Congress. I assume that to that extent the Senate rules may be amended by that act; and if that be the case, that has the effect, as I think the Senator from Colorado will agree with me, of having the House participate in an amendment of the Senate rules, inasmuch as the bill was passed by both Houses of Congress.

Mr. Millikin——

I might interpolate to say that Mr. Millikin was not diverted. He said:

Mr. President, the Reorganization Act itself takes full recognition of that constitutional provision when it says, in section 101 (b):

"With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any rule of such House."

My point is that these rules supersede the previously existing rules to the extent that they have not been changed since and to the extent that there is conflict. These rules say without equivocation that all proposed legislation shall be referred to the respective committees, according to the jurisdiction outlined in the act.

Mr. KNOWLAND. Mr. President, I say to the Senator from Colorado that I think he has raised a very important point and one which I believe might very well be taken, namely, that inasmuch as the Reorganization Act came later than the particular rule referred to, the Reorganization Act, in effect, to that extent amended rule XIV.

Mr. President, those were the words of the Senator from California [Mr. KNOWLAND]. That is my contention at this hour, sustained by a proper construction of the rules, by a vote of 56 to 15 of the Senate, on the vote that followed.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. Yes; I am glad to yield.

Mr. KNOWLAND. At the request of the distinguished majority leader, all Senators have received a transcript of the full debate which took place at that time. I think, in fairness, that the entire colloquy between the distinguished Senator from Colorado and other Senators, and the Senator from California, should be kept in mind.

Mr. RUSSELL. I intend to continue reading.

Mr. KNOWLAND. I understand that; but I wish to make a statement at this time, if the Senator from Georgia will permit me. When I opened the debate, which the Senator from Colorado had interrupted, I said:

Mr. President, I do not intend to detain the Senate long. I think it should be perfectly clear, however, that my colleague, the senior Senator from California [Mr. Downey] should not be subject to any criticism for invoking a rule which is plainly a rule of the Senate, albeit it has apparently not been used for a considerable time.

At that time I mentioned that I was serving on the Committee on Rules. I closed my remarks, just before the Senator from Colorado interrupted me, by saying the following:

I sincerely hope that the able chairman of the Committee on Rules and Administration, the junior Senator from Illinois [Mr. BROOKS], will call a meeting of the committee at the earliest possible time so that we may correct this situation. However, so long as the rule exists as it is now written, the senior Senator from California—

Who was then Senator Downey—

was merely standing on his rights as a Member of the United States Senate.

Mr. RUSSELL. I remember the situation well. I was here on the floor of the Senate. I have always been interested in matters which pertain to the rules of the Senate. I was listening avidly to every word uttered in the debate.

The facts of the matter were that the situation was somewhat as it is here today. The Senate was discussing the tidelands bill, which went to the calendar. It was the tidelands oil bill. It was a highly controversial bill in Congress and throughout the country. A Senate bill at that time was locked up in the Senate Committee on the Judiciary. The proponents of the bill could not get a report from the Committee on the Judiciary.

So Senator Downey one morning, when nobody was particularly looking [laughter], took advantage of this rule to have the similar House bill placed on the calendar, and no point of order was raised. I was not on the floor at the time. No point of order was raised. The rule had been superseded by rule XXV, as found in the Reorganization Act, and there was quite a commotion here on the floor of the Senate. Very harsh words were spoken. I do not have them all here.

I remember the Senator from Vermont [Mr. AIKEN] said that he thought the procedure then invoked was one of the most highhanded, outrageous procedures ever attempted on the part of any Member of Congress, with reference to the action of getting the House tidelands bill bypassed around the Judiciary Committee, because the Senate bill could not be reported. He went further to say:

I cannot conceive of anyone attempting to bypass committee hearings, or do anything of that nature.

There was a great deal of debate which became rather acrimonious, because the tidelands oil bill was one that stirred

commotion in this body then, as the so-called civil-rights measures does now.

The then Senator from California, Mr. Downey, came into the Chamber. He naturally was tremendously interested in the passage of the tidelands oil bill. Senator Downey was the subject of rather vigorous attack on the part of the then Senator from New Hampshire, Mr. Tobey, and the Senator from Vermont [Mr. AIKEN], and other Senators, who complained that Senator Downey had bypassed the committee.

The Senator from California [Mr. KNOWLAND], as was meet and proper—he also was supporting the bill vigorously—entered into the debate with his accustomed vigor, to take some of the heat off Senator Downey.

Mr. KNOWLAND. From the other side of the aisle.

Mr. RUSSELL. Oh, no; the heat was generated by men on the Senator's side of the aisle, the Senator from Vermont [Mr. AIKEN] and the then Senator from New Hampshire, Mr. Tobey.

Mr. KNOWLAND. No; I meant that my colleague at that time was from the other side of the aisle.

Mr. RUSSELL. Oh, yes; the Senator from California [Mr. KNOWLAND] was trying to take the heat off his colleague for having bypassed the committee. No one had raised the point that rule XXV had come into existence, the rule which provides that bills shall be referred.

The Senator from California was defending his colleague under rule XIV, and the Senator had about concluded his comments when Senator Millikin rose and raised what the Senator from California properly called the $64 question. I must say the interruption by the then Senator from Colorado threw my distinguished friend from California into great confusion, because it cut the ground out from under the argument the Senator from California had made.

The bill had already gone to the calendar, and it was then too late for anyone to do anything about it except to debate a moot question. But the Senator from Colorado pursued the matter with the Senator from California. The Senator from California [Mr. KNOWLAND] said:

> Mr. President, I say to the Senator from Colorado that I think he has raised a very important point and one which I believe might very well be taken, namely, that inasmuch as the Reorganization Act came later than the particular rule referred to, the Reorganization Act, in effect, to that extent amended rule XIV.

That is what the Senate eventually held.

> Mr. MILLIKIN. If it did not, then there is no validity in the Reorganization Act.
>
> Mr. KNOWLAND. And if so, then certainly there is a conflict between the Reorganization Act, particularly the section 137, to which the Senator has referred, and the existing rules of the Senate.
>
> Mr. MILLIKIN. Section 137 fits in perfectly with the language which I have read, which makes it mandatory to refer bills to these committees.

Senator Millikin pursued the matter further, after some discussion, and said:

> Mr. President, I would object, because I think the Reorganization Act has already rendered that part of rule XIV inoperative, for the simple reason that the Reorganization Act says that all bills shall be referred to this, that, or the other committee, according to its jurisdiction.
>
> That provision conflicts with placing the bill on the Calendar, without referral.

Mr. President, that is not my statement; I want to make it clear that I am not here reading prepared remarks. Instead, I am reading what Senator Millikin, of Colorado, said, with the full Senate listening, prior to the time when the Senate proceeded to vote; and the vote was 56 to 15 to sustain the position of Senator Millikin of Colorado in making that statement.

I read further from the statement made by Senator Millikin:

> By the express language of the Reorganization Act, anything which conflicts with it shall be governed by its terms.

The Senator from Colorado, Mr. Millikin—and most of us here today had the privilege of serving in the Senate with him—was one of the truly greats with whom I have served in this body. He was forthright and fair, and he was a great parliamentarian. On that occasion he asserted—and undoubtedly his statement influenced the votes of many Senators—that the Reorganization Act was in conflict with and repealed, that provision of rule XIV.

The Senate then proceeded to vote; and the Senate voted that the Senator from Arkansas [Mr. FULBRIGHT] did not have a right to rely on rule XIV and have the bill go to the calendar; that, to the contrary, the bill had to be referred to a committee.

Mr. KNOWLAND. Mr. President, at this point will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. The Senator from Georgia has quoted the late Senator Vandenberg, of Michigan, then the distinguished President pro tempore of the Senate. But in order that the Senate may have the matter in its proper perspective, let me state that I think the fact is that 2 different issues arose—1, on the oleomargarine bill; and the other, on the so-called Downey precedent, which had occurred on the day prior to the debate from which the Senator from Georgia has quoted.

When we read in the CONGRESSIONAL RECORD, volume 94, part 4, page 5228 of May 4, we find that Senator Vandenberg, the President pro tempore, said this:

> The Chair would like to say he thinks there is no collision whatever between the precedent of yesterday—

The President pro tempore fully acknowledged that on the day before there was a Senate precedent, namely, the DOWNEY precedent on the tidelands bill—

> and the precedent of today. The Chair thinks that the tidelands bill was in a totally different parliamentary situation from the oleo bill, that there was no question of reference to a committee involved, no question of controversy regarding what committee had jurisdiction, that there was nothing of the sort involved, and that therefore paragraph 137 of the Legislative Reorganization Act was not even a part of the first precedent to which Senators have referred.

Mr. RUSSELL. Mr. President, that merely reiterates what I have just stated, namely, that the point or order was not raised in connection with the tidelands bill. Therefore it was no precedent. The point of order was raised in connection with the oleomargarine bill; and the late Senator Vandenberg, of Michigan, then the distinguished President pro tempore of the Senate, submitted the question to the Senate in the language I have just read. He was submitting to the Senate the question of whether the Senator from Arkansas [Mr. FULBRIGHT] was entitled, under rule XIV, to exercise his priority of right to ask that, after the second reading of the so-called oleomargarine bill—which had just occurred—it go to the calendar. That is the way he phrased it when he submitted it to the Senate; and the Senate proceeded to vote, and decided, by a vote of 56 to 15, that Senator MILLIKIN, of Colorado, was correct, and that the Senator from Arkansas had no rights under rule XIV, and that the bill should be referred to committee. That was the issue which was submitted and decided by the Senate.

Mr. KNOWLAND. Mr. President, will the Senator from Georgia yield again to me?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. That was on the basis that the priority claim had been raised by Senator Wherry, of Nebraska, who got the floor ahead of the Senator from Arkansas [Mr. FULBRIGHT], and at that time raised the question of reference to committee, which situation was different from the one which had occurred on the previous day, in relation to the tidelands bill. Therefore, the precedent in connection with the oleomargarine bill did not contradict or repeal or change—in my judgment, at least—the so-called Downey precedent or the precedent affecting the situation before the Senate today.

Mr. RUSSELL. Of course, the Senator from California is entitled to hold any opinion he desires. However, it so happens that at that time the Senator from California felt that the Senator from Arkansas had no right to exercise any priority under rule XIV to have the bill sent to the calendar. I do not say that is binding on the Senator from California at this time; no Senator is bound by what has occurred in the past; all of us exercise the right to change our minds. I frequently change my mind in regard to legislative matters. Some legislative matters have been pending in the Senate for years; and when such a matter comes up in one form, I may see it in one way; and when it comes up in another form, I may see it in another way. So I am not accusing the Senator from California of any inconsistency. After all, as Emerson said, consistency is the hobgoblin of small minds.

However, Mr. President, regardless of that, it is clear that the Senate should not reverse its position, simply because at this time some Senators may wish to

overthrow the rule and to adopt a new rule without following legal procedures. To do so would be to establish a very dangerous precedent.

Mr. CASE of South Dakota. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. I have had available a copy of the 1948 CONGRESSIONAL RECORD, ever since the question arose. Page 5239 of volume 94, part 4, of May 4, 1948, shows that the Senator from Arkansas [Mr. FULBRIGHT] said, toward the conclusion of his remarks:

Mr. President, I wish to propound a parliamentary inquiry in regard to this bill. As I understand, the Chair referred it to the Committee on Agriculture and Forestry.

I read further from the CONGRESSIONAL RECORD of May 4, 1948, at page 5239:

The PRESIDING OFFICER (Mr. YOUNG in the chair). That is correct. The bill was so referred.

Now I read from a point a little farther down in the same column on page 5239:

Mr. FULBRIGHT. Mr. President, I appeal, then, from the ruling of the Chair, and I request that the bill be referred to the Committee on Finance.

My reading of that portion of the RECORD suggested to me that the point at issue, or at least the point on which many of the Senators were voting, was whether the reference of the bill to the Committee on Agriculture and Forestry should stand; or whether the bill should be referred to the Committee on Finance, as the Senator from Arkansas [Mr. FULBRIGHT] requested, in connection with his appeal from the ruling of the Chair.

Mr. RUSSELL. Mr. President, I have dealt for many years with the junior Senator from South Dakota [Mr. CASE], but this is the first time I have ever seen him make so glaring a mistake. As a matter of fact, the Senate cast two votes. The first vote was on the question of whether the bill should be referred to committee. That is the vote I have been discussing. Thereafter, the Senate voted on the question of the committee to which the bill should be referred. The Senator from South Dakota is referring to the second procedure, after the Senate had determined that the Senator from Arkansas had no right under rule XIV to have the bill sent to the calendar. The Senator who was presiding over the Senate at that time said he would refer the bill to the Committee on Agriculture and Forestry; and there was considerable debate on the question of whether the bill should be referred to the Committee on Agriculture and Forestry or to the Committee on Finance; and Senators examined musty records of the past and referred to the action taken by the Senate over a period many years, in order to show whether the bill should be referred to the Committee on Agriculture and Forestry or to the Committee on Finance.

By means of the vote then taken—and at this time I do not remember the exact vote—it was determined that the bill would be referred to the Committee on Finance. But all that has nothing to do with the situation now before the Senate.

Mr. CASE of South Dakota. Except insofar as it might affect the votes of some Senators regarding the eventual vote to be taken on the bill.

Mr. RUSSELL. But none of that had developed when the Senate was considering the attempt of the Senator from Arkansas to have the oleomargarine bill placed on the calendar; and none of that has to do with the parliamentary determination which controls the situation existing in the Senate today.

Mr. FULBRIGHT. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. FULBRIGHT. Regarding the point made by the Senator from California [Mr. KNOWLAND], let me say I do not believe it is quite correct to say that the late Senator Wherry had raised that point prior to the time when I propounded to the President pro tempore the parliamentary inquiry regarding my rights under rule XIV.

Mr. RUSSELL. My recollection is and the RECORD will show, that the Senator from Arkansas had raised the question before Senator Wherry addressed the Chair.

Mr. FULBRIGHT. That is correct.

Mr. RUSSELL. The Presiding Officer did state that a question of jurisdiction had been raised; but later it developed that the question had been raised in discussion off the floor, between the Presiding Officer and Senator Wherry, and was not raised on the floor.

Mr. FULBRIGHT. That is the point I wished to make. The RECORD shows that it was not raised on the floor. The President pro tempore himself had mentioned it as a fact—referring to the discussion he had had off the floor, prior to the point where I propounded the parliamentary inquiry as to my rights under rule XIV.

Mr. RUSSELL. The Senator, of course, is correct. The question here involved was as clearly submitted then as it could possibly be. The question submitted was as to whether or not the Senator from Arkansas was entitled to exercise his right of priority under rule XIV. Only 15 Senators voted they thought he had that right.

Mr. President, I have discussed this matter in some detail because I feel a vital precedent may be established. I wish to point out again, as I did on yesterday, that this provision of rule XIV if it is still to stand, if we are to go back to it and repeal the Reorganization Act by implication in dealing with the rule question—will not be limited to bills that come to the Senate from the House of Representatives.

I ask Senators to get their rule books and look at the section of the rule on which the Senator from California relies. Every bill and every joint resolution introduced on leave, and every bill and joint resolution from the House of Representatives, will be affected. In other words, one Senator on this floor could prevent reference to committee of any bill introduced by any other Senator because there were enough votes to overthrow the precedent of 1948. It would mean any Senator who so desired, when another Senator introduced a bill, or a bill was messaged over from the House of Representatives, could rise and say, "Under my prerogatives, under the ruling of the Senate that occurred on June 20, 1957, I demand that this bill go to the calendar," and the bill would have to go to the calendar.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator yield, and if so, to whom?

Mr. RUSSELL. I yield first to the Senator from New Jersey. Then I shall be happy to yield to other Senators.

Mr. CASE of New Jersey. I thank the Senator for yielding to me. I raise this question because probably the Senate will be called upon to act on any ruling by the Chair, and I want to understand the ground on which the point is made.

It is my understanding from what I have heard, and I think I have heard all the Senator from Georgia has said today, that he makes his objection on the ground that rule XXV supersedes, and, being inconsistent with, nullifies rule XIV.

Mr. RUSSELL. That is the position I take. I think under the third section of the rule, rather than the fourth section, the bill should be referred to committee. The argument I am urging in the Senate today and relying upon is the equally established fact that the Reorganization Act repealed any rule of the Senate that was inconsistent with it, and that the Senate itself, by a vote of 56 to 15, declared this rule was inconsistent with the Reorganization Act.

Mr. CASE of New Jersey. I thank the Senator. May I ask him one more question?

Mr. RUSSELL. Certainly.

Mr. CASE of New Jersey. I have read rule XXV and the Reorganization Act which made that rule a part of the Senate rules. I find in it, under each heading, under each committee, specific items and specific matters which it is stated shall be referred to a particular committee. I do not find, and perhaps the Senator will tell me whether he has found, any statement that items not herein mentioned shall be referred to any particular committee, which suggests to me this is a list only of specific subjects, and does not purport to be a list of all subjects which might be the subject of legislation. Therefore, to the suggestion the Senator from Georgia makes that when the rule says "shall be referred," the bills shall be referred, I say perhaps this is merely directory language dealing only with the subjects specified.

Mr. RUSSELL. Of course, I heard the Senator from Illinois make that argument last evening.

Mr. CASE of New Jersey. I am sorry to repeat it now. Perhaps we have arrived at the same suggestion.

Mr. RUSSELL. The Senator from Illinois argued very earnestly and eloquently on yesterday that the word "shall" does not mean "shall"; that it merely refers to various types of legislation within a committee's jurisdiction. I do not agree with that construction of the language at all, and the Senate did not agree with it when it voted on the question in 1948.

Mr. CASE of New Jersey. I do not think the question then raised was a precedent for the one now raised, because the question was whether under the circumstances then existing a priority existed for the Senator from Arkansas, which was quite a different question from the one now being considered.

Mr. RUSSELL. When we get down to the matter of priorities, certainly one will not find that mentioned in any rule of the Senate.

Several Senators addressed the chair.

The VICE PRESIDENT. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I said I would next yield to the Senator from Arkansas, and I yield to him.

Mr. McCLELLAN. According to the able Senator's interpretation of the Reorganization Act, it supersedes section 4 of rule XIV. The Senate voted on that question at one time, and it has established one precedent on that particular issue. Is that correct?

Mr. RUSSELL. That is correct.

Mr. McCLELLAN. If the Senate reverses that precedent today by voting to place the civil-rights bill on the calendar, then the Senate will have two conflicting precedents on this question, will it not?

Mr. RUSSELL. The Chair has not yet ruled on this question, I may say to the distinguished Senator.

Mr. McCLELLAN. I mean if the Senate so holds.

Mr. RUSSELL. If it should be so held by the Senate, and that would be the final parliamentary interpretation placed by the whole Senate on this question, without regard to how the Chair might rule. It would mean that the rule did not mean what it did in 1948, and we would have a new rule applying to all cases of this kind, and, to borrow the language used by the Senator from California, it would lead to legislative chaos.

Mr. McCLELLAN. That suggests the next question I wanted to ask the Senator. If the position that the bill can go to the calendar and does not have to go to committee should be sustained today, as I understand the precedent, it would mean that any Senator, at any time, in the case of any bill, at the point of the second reading, could object to further proceeding, and have it placed on the calendar. Is that correct?

Mr. RUSSELL. I have undertaken to urge that argument as a reason why such a precedent should not be established.

Mr. McCLELLAN. If the Chair should so rule, the only way the Senate could overrule such a holding, following the precedent that may be established, would be to appeal to the Senate, and there could be an appeal every day to change the rule, for the convenience of any Member of this body, from day to day. Is that not what such a ruling would lead to?

Mr. RUSSELL. The Senator is correct. I greatly fear there is a disposition to play on the rules of the Senate just as one plays an accordion, and, when it comes to legislative matters such as the one before the Senate, pull out the accordion and strike one note, and when there is involved a different kind of bill which certain Senators favor, push the accordion in and strike another note. That, I might say, would be a rather unfortunate way to conduct a great legislative body which prides itself on being the greatest deliberative body in the world.

Mr. ANDERSON. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New Mexico. I may say I am speaking by sufferance of the Chair, because the Chair has not yet ruled.

Mr. ANDERSON. I think we all translate these problems in terms of our own situations. The Senator from Georgia and I are members of the Joint Committee on Atomic Energy, as is the able Senator from California [Mr. KNOWLAND].

On Tuesday the Senate ratified the International Atomic Energy Agency treaty. There was some talk about a proposal which was offered by the very able Senator from Ohio [Mr. BRICKER], to which I was greatly attached, I might say, but we were told that the proper place to put his proposal was on the implementation bill. The implementation bill will be before both the Senate and the House. If the House should act first, by some chance, not having had the benefit of the discussion and the very fine statement made by the Senator from Ohio [Mr. BRICKER], it might omit providing for what he was trying to achieve, and which I think might well be achieved, namely, give Congress some control over the subject. Since the implementation bill would not contain the provision, I would not normally be worried about it, because it would go to committee and we could make changes there. However, if the ruling now sought shall be applied, is it the interpretation of the Senator from Georgia that when the bill came from the House, if it did—and this is pure supposition—the bill could then be placed on the calendar of the Senate for immediate disposition?

Mr. RUSSELL. There is no question that any one Member of this body who might so desire could rise and say, "Under rule XIV and the precedent of the Senate established June 20, 1957, I object to further proceedings on the bill," and the Vice President, if the Senate should so vote, would be compelled to say, "The bill will go to the calendar."

Mr. ANDERSON. The Senator from Georgia realizes that the difficulty involved is that the provisions of the implementation bill must be based largely upon the treaty, and the treaty is the particular province of the Senate. The Senate has had the opportunity of discussion and debate on the treaty. When the bill comes from the House, would we be barred from holding the fort here? We would seem to need the privilege of considering the bill in committee before having it go to the calendar.

Mr. RUSSELL. If the Senate should, unfortunately, establish the precedent which is requested today by the Senator from California [Mr. KNOWLAND] and the Senator from Illinois [Mr. DOUGLAS], it matters not how important the proposed legislation might be or to what it related.

Ninety-five other Senators could be sitting here hoping the bill could go to a committee, but one Senator could say "No. Under this rule and this precedent I object to the further proceedings," and the bill would go to the calendar.

Mr. KNOWLAND. Mr. President, will the Senator yield at that point?

Mr. RUSSELL. I had promised the Senator from North Carolina [Mr. ERVIN] I would yield to him. Then I shall be happy to yield to the Senator from California.

Mr. ERVIN. Mr. President, I should like to ask the able and distinguished Senator from Georgia if this is not the situation in a nutshell: First, that the Reorganization Act provides that any of the former rules of the Senate, such as rule XIV, which are inconsistent with the Reorganization Act, are annulled?

Mr. RUSSELL. That is correct.

Mr. ERVIN. Then I will ask the Senator if this is not the situation, reduced to its simplest terms: That rule XIV, as construed by the distinguished Senator from California [Mr. KNOWLAND], says that the bill shall be placed on the calendar, and rule XXV says that the bill shall be referred to the committee.

Is not the provision of rule XXV that the bill shall be referred to the committee, absolutely inconsistent with the statement of rule XIV that the bill shall be placed on the calendar?

Mr. RUSSELL. I cannot conceive anything would be more inconsistent than the word "shall," with what it implies and connotes, when applied to this situation.

The able Senator from North Carolina has capsuled what I have been trying to say here for several minutes.

Mr. ERVIN. In my judgment, even one who can unscrew the inscrutable cannot wipe out that obvious inconsistency.

Mr. KNOWLAND and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. RUSSELL. I yield first to the Senator from California.

Mr. KNOWLAND. Mr. President, I am speaking, with the Senator's courtesy, to the point of order which he has raised.

Mr. RUSSELL. Mr. President, if the Senator from California is going to address himself to the point of order, I would prefer to yield first to the Senator from South Carolina, and then to yield the floor.

Mr. KNOWLAND. Very well.

Mr. RUSSELL. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I should like to ask the Senator from Georgia this question: Knowing that this particular ruling might go into effect, all the bills which come over from the House could be placed on the calendar and not go to committee. We have rules whereby certain members of certain committees are always appointed to act as conferees when bills go to conference. The Reorganization Act says that that should be the procedure. If the bill should not even go to a committee, who would be appointed conferees? Who would the committee members be?

Mr. RUSSELL. That demonstrates another element of the unbounded chaos which would result from placing any such strained construction on the rule.

Mr. STENNIS and Mr. JAVITS addressed the Chair.

The VICE PRESIDENT. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I yield first to the Senator from Mississippi.

Mr. STENNIS. Mr. President, a very sincere inquiry came to me. I will ask the Senator from Georgia if he has a copy of the House bill which has been sent to the Senate. I did not have a copy, and therefore I could not attempt to answer the question.

I called the document room of the Senate and they said none had been published. I called the document room of the Senate, and they said none had been printed; that it was customary that such bills be printed for the information of the Senate only after they had been referred to committee, which, incidentally, shows what the trend is.

I called the House document room, through one of my secretaries, and was unable to get a copy.

I did find a copy within the last 5 minutes, through the courtesy of the very obliging Senator from Illinois [Mr. DOUGLAS].

I illustrate by this recital that we are here called upon to pass a far-reaching bill—in effect, to pass partly upon the merits of it—when copies of it are not even available to the individual Members of the Senate merely for quick reading.

Mr. RUSSELL. I apprehend, Mr. President, that what the Senator from Mississippi has stated is likely to happen many times in the future, if the Senate upsets the precedent.

(Several Senators addressed the Chair.)

Mr. RUSSELL. I yield first to the Senator from Alabama [Mr. HILL].

Mr. HILL. Is it not true that if this precedent were established, as suggested by the Senator from California [Mr. KNOWLAND] and the Senator from Illinois [Mr. DOUGLAS], and the bill referred to by the Senator from New Mexico [Mr. ANDERSON] came to the Senate from the House and was placed on the calendar, on the request of 1 of the 96 Senators, the only way the bill could be sent to a committee, for any committee consideration, would be for a Senator to make a motion to take the bill from the calendar and to proceed to its consideration, to get that motion agreed, and then if that motion were finally agreed to—and of course it would be subject to debate and all that that entails—there would have to be another motion after the bill was before the Senate to commit the bill to the committee. Is that not correct? And that motion, of course, would be subject to debate.

Mr. RUSSELL. The Senator is correct. I undertook to urge that yesterday as one of the reasons why we should stand by our established rules, which provide that the Senate at all times has mastery of its committees, without adopting such a precedent as is proposed, which will confuse, and could lead almost to the destruction of the committee system, on which our whole legislative policy and system are based.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield to the Senator from New York.

Mr. JAVITS. There is one point which I have not heard the Senator discuss precisely, and I should like to submit a question to him. Taking into consideration the fact that the Chair has discretion to recognize a Senator before there is objection to referring a bill, does the Senator believe that that was the precedent in the Wherry case? Does the Senator not believe, therefore, that the action now sought would not be in cancellation of the Wherry precedent, because in this case the Chair, who had discretion, chose to exercise its discretion by recognizing the objector?

Mr. RUSSELL. Mr. President, I have never been impressed with the argument that a Senator was deprived of any substantial right he had as a representative of his sovereign State because he could not be recognized first by the Chair. I have never agreed with any inference that could be drawn from the discussion in the so-called oleomargarine case, that any Member of this body could be denied any substantial right he had merely because he could not obtain recognition from the Chair until after other Members had been recognized. If we ever adopt that kind of thesis in the Senate, we will be submitting the powers of Senators to the will of the Presiding Officer. Without regard to how much confidence we might have in him, I am not willing to ever put the Senate in that kind of position.

I recognize that the Chair has a right to exercise wide discretion in recognizing Senators. It has been customary since time immemorial to give precedence first to the majority leader and then the minority leader, and then to any other Senator.

When it is suggested that one Senator, merely because he might be in cahoots with the Chair, could be recognized first and then deprive 95 other Senators of their right to have a bill go to committee, merely because he challenges it on second reading, and says, "Send the bill to the calendar," I would never agree that is a proper interpretation of any Senate rule.

The only way to deny a Senator any right is by a motion to adjourn, which is not debatable, or a motion to table, which is not debatable. Such a motion requires a majority of the Senate. One Senator cannot deny 95 other Senators any rights under that process, but a majority of the Senate can do so by tabling or adjourning.

Mr. JAVITS. Is it not a fact, however, that if the bill is placed on the calendar, a majority of Senators present and voting—not 95—can send it to committee?

Mr. RUSSELL. They must first get it off the calendar by motion, and make it the unfinished business. Then they must make a motion to send it to committee. Both those motions are debatable.

If we are to adopt such a policy as has been proposed, and follow it day after day, the leadership of this body, whether on one side of the aisle or the other, will be hamstrung and hog-tied, and the Senate will be involved in a mystic maze of parliamentary procedure.

Mr. JAVITS. So, in effect, the Senator says that the question of recognition is immaterial, and that it makes no difference whether the Chair first recognizes the objector or not.

Mr. RUSSELL. Being recognized first sometimes give a Senator a little distinction, and perhaps a little publicity in the press, by reason of a slight precedence in making his statement or motion first. But I would never agree to the proposition that because 1 Senator was recognized first, he could deny 95 other Senators their rights.

Mr. JAVITS. Not even if the rule so provides?

Mr. RUSSELL. No. There is no rule that so provides. If there were such a rule, or if there had been such a rule so interpreted and enforced the Senate would long since have changed it. Even if rule XIV ever had such effect, it has been repealed by the Reorganization Act.

Mr. KNOWLAND. Mr. President, speaking on the point of order of the distinguished Senator from Georgia, his point apparently rests on the basis that the Reorganization Act of 1947, passed in 1946, superseded rule XIV, paragraph 4, which is now under discussion.

First of all, I think every Member of this body will agree that rule XIV, in all its separate categories, is one of the important rules of the Senate. It would certainly seem, under those circumstances, that, had there been any desire by the Senate to amend that rule by the Reorganization Act, it would have so stated in the Reorganization Act itself, or in the legislative history of the Reorganization Act. I submit that there is no language in the Reorganization Act, other than that to which the Senator from Georgia has referred, and there is no information in the legislative history of the Reorganization Act, which indicates that the Senate of the United States, and those who participated in the discussion had any intention or desire of amending rule XIV, section 4.

I submit further that in the Legislative Reorganization Act great pains were taken to point out that the Senate did not want this procedure used in the case of appropriation bills, because in that case specific language was included, providing that the Senate would not act on an appropriation bill until a committee report was available and had lain before the Senate for three days. The Senate clearly indicated in that case that it did not want rule XIV used.

I submit also that in the concurrent resolution under which the La Follette-Monroney Act was drafted, the following language is used:

> Nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedures, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House.

Yesterday I read into the RECORD citations from a number of cases. The able Senator from Illinois [Mr. DOUGLAS] read a number of letters showing that there is not a mandatory provision under rule XXV requiring that bills go to committee, because on a number of occasions a bill has not been automatically and mandatorily referred.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks citations from a number of cases which have occurred from time to time in the Senate, in which there was done precisely the same thing about which the Senator from Georgia has complained. There have been cases in which a House bill has come from the House to the Senate, and objection has been raised, under conditions somewhat similar to those in this case. Though the magnitude and the importance of the legislation may vary, upon objection the bill has gone to the calendar.

There being no objection, the citations were ordered to be printed in the RECORD, as follows:

H. P. MILLIGAN

The VICE PRESIDENT laid before the Senate the bill from the House of Representatives (H. R. 13440) for the relief of H. P. Milligan, which was read the first time by its title and the second time at length.

Mr. BLAINE. Mr. President, I ask that House bill 13440 be substituted for Senate bill 3866 and that the bill pass. It is before the Senate already.

Mr. REED of Pennsylvania. Mr. President, I object to that bill.

The VICE PRESIDENT. Objection is made, and under rule XIV the bill will be placed on the calendar. (May 29, 1928, 70–71, Journal, p. 576, RECORD, p. 10616.)

ADJUSTED-SERVICE CERTIFICATES

Mr. BARKLEY. Mr. President, when the soldiers' bonus loan bill came over from the House it was recognized by everyone in this body that no amendments should be placed upon the bill. Many of us desired to make the loans applicable to certificates regardless of their date. In his veto message the President criticized the omission of any provision making the loans applicable to certificates which had been issued within the last 2 years. I ask unanimous consent out of order to introduce a bill to correct that situation, and then I shall ask unanimous consent for its present consideration.

The VICE PRESIDENT. Let the bill be read.

The bill (S. 6269) relating to the making of loans to veterans upon their adjusted-service certificates was read the first time by its title, and the second time at length, as follows:

"Be it enacted, etc., That notwithstanding the provisions of section 502 (b) of the World War adjusted compensation act, as amended, prohibiting the making of loans to veterans upon their adjusted-service certificates prior to the expiration of 2 years after the date of the certificates, hereafter loans may be made upon such certificates in accordance with loan basis provided by law at any time after the date of issuance thereof."

Mr. SMOOT. Mr. President, I ask the Senator to let the bill go to the Finance Committee. I will get a report on it today. I should like to see just what the effect of it might be.

Mr. BARKLEY. I do not want to consent to a reference at this time because the committee is not in session and has not been called in session.

Mr. SMOOT. The committee was in session this morning and held a meeting, and the committee will be called together again.

Mr. BARKLEY. The committee was called in session to pass on nominations and not for legislative purposes.

Mr. SMOOT. It was for all purposes.

The VICE PRESIDENT. Objection is made to the request of the Senator from Kentucky.

Mr. BARKLEY. I desire to enter a motion to suspend the rules so as to consider and pass the bill.

The VICE PRESIDENT. The motion will be entered. (March 2, 1931, 71–73, RECORD, p. 6596.)

An objection to a request for the consideration of the bill having been interposed by Mr. Smoot,

Ordered, That the bill, under rule XIV, paragraph 4, be placed on the calendar. (March 2, 1931, 71–73, Journal, p. 309.)

The bill (S. 6269) relating to the making of loans to veterans upon their adjusted-service certificates was announced as next in order.

Mr. SMOOT. Mr. President, this bill was placed upon the calendar without going to a committee. I move that the bill be referred to the Committee on Finance.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Utah.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator from Utah will not do that. It is a very simple bill. It permits the veteran who has taken out his certificate within the last 2 years to apply for a loan upon his certificate just as others may do who took out their certificates 2 years or more ago. It would seem to me that the veteran who did not propose to put the Government to the expense of issuing a certificate is to be commended, even though he may now be in a position where he has to ask for the issuance of it, and he ought to be permitted to apply for a loan upon it.

Mr. SMOOT. But that is not all there is in the bill. I am quite sure if the Senator knew what it is he would not approve of it, as the committee did not approve of it this morning.

Mr. WALSH of Massachusetts. As I understood the Senator from Kentucky (Mr. Barkley), this is the only provision in the bill.

Mr. SMOOT. I do not want to discuss it now, but I shall object to its present consideration, anyway.

The PRESIDENT pro tempore. On objection, the bill will go over.

Mr. COPELAND. Mr. President, I hope the matter may be adjusted. The very thing the President was pleading for was relief of the needy veteran, and I find these veterans who delayed making application until this time are the very ones who are in need.

Mr. SMOOT. But that is not what the bill provides. When the bill comes before the Senate at the proper time I shall call the attention of the Senate to its provisions.

Mr. SMITH. Mr. President, may I ask the Senator from Utah what chance the bill has of coming before the Senate if it is not acted on now?

Mr. SMOOT. Even if it does not go to the committee I shall be obliged to object to the present consideration of the bill and that will settle it.

Mr. MCNARY and Mr. PHIPPS called for the regular order.

The PRESIDENT pro tempore. The regular order is demanded. The clerk will report the next bill on the calendar. (March 3, 1931, 71–73, RECORD, p. 6969.)

* * * * *

Mr. BARKLEY. Mr. President, I am informed that while I was temporarily absent from the Chamber the Senator from Utah (Mr. Smoot), the chairman of the Committee on Finance, presumed to make an adverse report on a bill that was not referred to the committee. On yesterday I introduced a bill that was not referred to the Finance Committee, but was allowed to remain on the Vice President's desk, where it now is. The Finance Committee had no jurisdiction to consider that bill because it was not referred to the committee, and if the committee has made any report on it it has done so without jurisdiction.

Mr. SMOOT. Mr. President, the Senator is wrong. The committee made no report upon it at all. When the calendar was called and his bill was reached I objected to its consideration. The Senator from New York spoke to me in relation to it, and asked me to withdraw my objection. I told him the reason why I could not do so. That is the history of the matter.

Mr. BARKLEY. I desire to enter a motion to proceed to the consideration of the bill.

The VICE PRESIDENT. That would displace the unfinished business, and is not in order under the unanimous consent agreement under which the Senate is operating.

Mr. BARKLEY. I desire to know what the parliamentary status of the bill is. On yesterday I introduced this bill and, on account of the shortness of time, it was not referred to the Committee on Finance but remained on the Vice President's desk. I entered a motion at that time which, under the rules, had to go over, to suspend the rules for the passage of the bill. On further investigation I find that it is not necessary to suspend the rules because the bill, not having been referred to the committee, but being on the Vice President's desk, it is in order to move to proceed to its consideration. I do not desire to interfere with conference reports, but I do not desire to be jockeyed into a position where I cannot move to consider the bill.

The VICE PRESIDENT. There was objection yesterday, as the Chair was advised, and under the rule the bill went to the calendar and was reached this morning. The Senator, when he can secure recognition, can move to proceed to the consideration of the bill, but a motion of that kind would displace the unfinished business which is now the conference report on the maternity bill.

Mr. BARKLEY. I do not desire to displace the conference report.

The VICE PRESIDENT. Later on the Senator may be recognized. (Mar. 3, 1931, 71–73, RECORD, pp. 6972–6973.)

RECONSTRUCTION FINANCE CORPORATION

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 7360) to provide emergency financing facilities for financial institutions, to aid in financing agriculture, commerce, and industry, and for other purposes, was read twice by its title.

Mr. WALCOTT. Mr. President, I request that the Senate proceed to the consideration of the bill just sent to the Senate from the House. I shall ask that all after the enacting clause of the bill be stricken out, and that Senate bill No. 1, to provide emergency financing facilities for banks and other financial institutions, and for other purposes, as it passed the Senate, be substituted in lieu thereof.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. BLAINE. Mr. President, reserving the right to object, I want to ascertain the situation in which we find this proposed legislation. I understand the House passed a House bill, that that bill has come to the Senate, and now the Senator from Connecticut is asking for the substitution of the Senate bill as passed by the Senate for the House bill.

The PRESIDENT pro tempore. That is not the way the Chair understands the request of the Senator from Connecticut. The Chair understands that the Senator from Connecticut asks for the present consideration of the bill just sent over from the House, and that in the regular course the bill be

amended by striking out and inserting, so that when the bill goes to conference the full text of both bills will be before the conference committee.

Mr. WALCOTT. That is correct.

Mr. BLAINE. Mr. President, it seems to me that this measure, carrying a prospective appropriation of $2 billion, should not be rushed through. I understand from the brief experience I have had in this body, that conference reports are usually unsatisfactory, and there is little opportunity for either branch of the Congress to overturn a conference report, so that the only way by which the Senate can mantain its full constitutional power with perfect freedom is to consider a bill when it comes from the other House in the regular course. In my own experience I have observed that that cannot be done through the method suggested by the Senator from Connecticut.

Therefore, Mr. President, I am constrained to object to the present consideration of the House bill just sent to the Senate.

The PRESIDENT pro tempore. The bill will go to the calendar. (January 16, 1932, 72–71, RECORD, p. 2114.)

Mr. KNOWLAND. There was the "terrible case" to which the distinguished Senator from Georgia has referred, in which a Senate bill might be introduced, and with respect to which a request might be made that it lie on the table. On objection it might go to the calendar.

Yesterday I read the colloquy which took place with our late esteemed friend from Kentucky, the distinguished Senator Barkley, of Kentucky, who later became Vice President of the United States and one of the most beloved figures in this Chamber. He also served his party as both majority and minority leader. He himself used that procedure, under the rules of the Senate, specifically, subsection 4 of rule XIV.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I will yield in a moment.

The procedure referred to does not leave matters in the hands of a single Senator. The most that can happen to a bill under those circumstances is that it will go to the Senate Calendar. The minority and the majority are amply protected by all the protection which the rules of the Senate afford. There is unlimited debate on a motion to take a bill from the calendar; unlimited debate on consideration of the bill itself; and unlimited debate on amendments, unless by unanimous consent the Senate should agree to limitation of time.

We are told what terrible things might happen if a committee were bypassed. I submit, Members of the Senate, that the procedure is well known. Let us take a bill on the calendar, either a Senate bill or a House bill. For example, take Senate bill 2161, introduced by the Senator from Arizona [Mr. GOLDWATER], a bill to amend the act of August 14, 1955. I assume it deals with reclamation matters. It comes from the Committee on Interior and Insular Affairs. So long as the Senate has no rule of germaneness, it would be possible for any Senator to rise on the floor of the Senate, and, as section 2 of that bill, offer the Hells Canyon bill as an amendment, or offer the civil-rights bill, or any other bill, as an amendment. So long as there is no rule of germaneness, that is entirely possible.

Normally, the Senate would not, and in my judgment should not, follow such procedure. But it would be a protection to every single Senator in bringing before the Senate a question of public policy, so that the representatives of the 48 States of the Union, 96 responsible Members of this body, might have an opportunity to vote as a legislative arm of the Government of the United States, a coequal branch of the Government of the United States, without being completely paralyzed in a situation in which the Representatives of the sovereign States of the Union would be entirely prevented from expressing themselves on a great matter of public and constitutional policy.

I said in 1948, and I now repeat, that I do not believe the Senate would normally follow such a procedure. The normal procedure is to go along with the established custom. However, I maintain that rule XIV, paragraph 4, is a protection to the Senate as an institution.

Under those circumstances, and without a single indication in the history of the Reorganization Act that there was a repeal of this very important rule, we cannot assume that the language which has been referred to does anything more than to provide that, when we have gotten by this point, and when it comes to the question whether a bill shall be referred or not, the bill shall be referred to the committee dealing with the particular subject matter involved in the bill.

I now yield to the Senator from Georgia.

Mr. RUSSELL. The Senator has passed the main question I wished to have clarified. The precedent to which he refers, involving Vice President Barkley, was made before the Reorganization Act had been enacted.

Mr. KNOWLAND. The Senator is correct, of course. The precedent he refers to was established on March 2, 1931. However, my point is that this is not an unusual procedure. The Senate did, time and time again, follow the procedure about which the Senator from Georgia had expressed great alarm. He now comes to the question, Did the Reorganization Act supersede rule XIV? He is certainly entitled to his contention, and I respect him for his judgment. But I also respectfully say to him that there is a great weight of opinion to the effect that under the circumstances we have outlined, an important rule such as rule XIV would not have been repealed, nullified, and made void by the Reorganization Act unless in the floor debate or in the legislative history it had been indicated that that is what the Senate intended to do.

I further submit, that subsequent to the Reorganization Act, which was passed in 1946 and became effective, under section 142 of that act, on January 2, 1947, the Downey precedent was established on May 3, 1948. I again reiterate for the information of the Senate, because I believe it to be important, that subsequent to the passage of the Reorganization Act, the then President pro tempore of the Senate, Mr. Vandenberg, made this statement, which I read from page 5169 of the RECORD of May 3, 1948:

> The PRESIDENT pro tempore. The bill has been read the second time; and, under rule XIV, paragraph 4—

He certainly did not think it had been repealed, because this occurred in 1948, after the passage and effective date of the Reorganization Act—

> under rule XIV, paragraph 4, objection to further proceedings results in placing the bill on the calendar instead of referring it to a committee. From the calendar any Senator at any time the bill is before the Senate for consideration can move to have it sent to the committee.

Then, on a subsequent day, when this matter was up, under a situation which is not a parallel situation, or a case in point with the so-called Downey precedent, the Chair made a ruling which I shall read. I may say that the occupant of the chair was the then Senator from Michigan. Some of us who are here were privileged to serve with him. I agree with the distinguished Senator from Georgia that he was an able presiding officer; that he knew the rules of the Senate; that he interpreted the rules according to what he believed the rules to be, and not by whim. This is what he said on the second day:

> The Chair would like to say he thinks there is no collision—

No collision—

> between the precedent of yesterday and the precedent of today. The Chair thinks that the tidelands bill was in a totally different parliamentary situation from the oleo bill, that there was no question of reference to a committee involved, no question of controversy regarding what committee had jurisdiction, that there was nothing of the sort involved, and that therefore paragraph 137 of the Legislative Reorganization Act was not even a part of the first precedent to which Senators have referred.

Mr. RUSSELL. Mr. President, will the Senator yield again?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. That completely sustains my position. The tidelands bill was in a totally different situation from the oleomargarine bill. That is what I say. There was no question of reference to a committee involved, and there was no question of any controversy regarding which committee had jurisdiction.

There was nothing of the sort involved. No point of order was raised. Therefore it was on an entirely different leg. No point of order was raised on the tidelands bill. That is what the President pro tempore, the then Senator from Michigan, was saying. That has been my argument and contention, that the so-called tidelands-Downey ruling does not constitute a precedent.

Mr. KNOWLAND. No; I think what the President pro tempore was pointing out was that had the situation on the previous day developed precisely as it developed on the second day, and had the question of committee reference come in ahead of the provisions under rule XIV, section 4, the decision then would have been the same in the Downey situation as in the oleo bill situation.

Mr. RUSSELL. I can only rely on the language used by the then President pro tempore. Will the Senator from California yield again?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. I am very much interested in this matter because the Senator from California exercises leadership in the Senate. He has said over and over again that what he proposes is a step which the Senate should not normally take. When does the Senator think it is in order to exercise rule XIV? If the Chair should rule with the Senator from California, and if the ruling is sustained by the Senate, does the Senator from California know of any criteria we may apply as to the "normal" following of a rule which ought to be available to every Senator?

Mr. KNOWLAND. The rule, of course, is available to every Senator on every day the Senate is in session. The Senator knows that as well as I do. What I am saying is that over the years the Senate, under its rules, follows certain procedures in accordance with them.

Sometimes the rules are strictly applied, and sometimes they are not. I mentioned yesterday the 3-minute rule in the morning hour. Normally no question is raised by a Senator if another Senator speaks for 5 or 10 minutes. However, it is certainly within the right of any Senator to ask for the regular order, and ask that the rule be applied.

Under normal circumstances the rule says that a Senator shall not speak more than twice on the same subject on the same legislative day. Normally no point of order is made in that connection, and Senators may speak 10 or 15 times on a subject.

However, when we come to an important legislative process——

Mr. RUSSELL. I have made a point of order. A point of order is pending now.

Mr. KNOWLAND. I am trying to finish my answer to the Senator. If after prolonged discussion it becomes obvious that time is being consumed only to prevent the Senate from taking action, and from functioning as a legislative body, in order to deny 96 Members of the Senate, the representatives of 48 States, an opportunity to vote on a question of public policy, the rules are strictly applied.

I see Senators every day in the week leave their seats and make speeches from the rear of the Chamber, or from the front of the Chamber. However, if prolonged discussion develops, and it is obvious it is being carried on for the purpose of obstruction, the rule is strictly applied that a Senator must stand at his desk and speak from there.

That is what I say, namely, that every Senator has his protection, and that a majority of the Senate always has its protection. A majority can determine that a bill shall go to committee.

Mr. RUSSELL. Mr. President, will the Senator yield one more time?

Mr. KNOWLAND. I yield.

Mr. RUSSELL. The distinguished Senator from New York [Mr. JAVITS] asked me my construction of rule XIV. If the Senator from New York will read the RECORD, when this issue was raised in 1948, he will find that I constantly said it was inconceivable to me that 1 Senator in the chair could deny 95 other Senators from having anything to do with the reference of a bill by sending it to the calendar.

I should like to ask the Senator from California a question. We hear from time to time a great hue and cry raised with respect to the cloture rule. I say if this rule be sustained, 1 Senator can apply cloture to the whole Senate by taking a bill out of its jurisdiction; and it seems to me that it is utterly inconsistent to argue that 1 Senator can deny the whole Senate jurisdiction if the other 95 Senators are panting and eager to act on a bill.

Mr. KNOWLAND. One Senator can do no such thing. One Senator cannot get a bill referred to a committee. One Senator cannot prevent a majority from referring a bill to a committee.

Mr. RUSSELL. He can deny the whole Senate the opportunity of doing anything on the bill.

Mr. KNOWLAND. On our unanimous consent calendar days, 1 Senator quite properly, under our procedure, by a single objection, even if the other 95 Senators favor a bill, can prevent consideration.

Mr. RUSSELL. This is cloture in reverse. It is one Senator putting cloture on the whole Senate.

Mr. KNOWLAND. I now yield to the Senator from Illinois for a question.

Mr. DOUGLAS. May I ask the Senator from California if the facts in the oleo case, which has been appealed to by the eminent Senator from Georgia, were not about like this: That the able Senator from Arkansas [Mr. FULBRIGHT] was seeking recognition of the Chair in order that the oleo bill might go to the calendar without referral to a committee; that the then Senator from Nebraska, Mr. Wherry, also was seeking recognition, in order to have the bill referred to the Committee on Agriculture and Forestry; that the Presiding Officer, who was Senator Vandenberg, of Michigan, recognized the Senator from Nebraska?

Is it not true that the Presiding Officer, at least twice in the debate, once in the beginning and once at the end, said that the sole issue involved was as to who was first recognized by the Chair to assert his rights under the rule?

Mr. KNOWLAND. I think the Senator from Illinois is correct.

If we actually look at the RECORD, we will find this situation. Unfortunately, several of the Senators who participated in the colloquy at that time are no longer with us, but the RECORD shows that Mr. Wherry obtained the floor. So he had the floor. At that point the Senator from Arkansas addressed the Chair for a parliamentary inquiry. From the language of the Chair, the only possible interpretation I can reach is that there had been some prior discussion with the Chair, so that the Chair had been informed that the question of the reference to a committee was to be raised, and Mr. Wherry had obtained the floor for the purpose of raising that issue.

The Senator from Arkansas indicated it appeared that the Chair himself was raising the issue. The Senator from Illinois, Mr. Lucas, who was the whip at that time, was in the Senate Chamber.

That is why I believe the language goes to an entirely different precedent, an entirely different case, from the one of the previous case, concerning the so-called Downey precedent.

Mr. BUSH. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. BUSH. I should like to address a question to the Senator from California. In the Constitution, article I, section 5, we read:

> Each House may determine the rules of its proceedings.

It has been contended this afternoon that the Reorganization Act of 1946 is a law which makes ineffectual or makes null and void rule XIV of the Senate rules.

Would it not seem that the Reorganization Act never was intended to do a thing of that kind, in the face of a perfectly clear provision of the Constitution, which provides that the Senate may make its own rules; and that, therefore, the contention that the Reorganization Act supersedes rule XIV would seem to have no force and effect at all?

Mr. KNOWLAND. I think the Senator has made a point. The Reorganization Act itself indicates that in certain respects the Rules of the Senate were to be changed. I suppose until that decision should be overturned by the courts, it would be assumed that the rules could be amended.

But I agree that the Senator from Connecticut has put his finger, again, on the point that the Senate never would have agreed to a basic change in an important rule like rule XIV by indirection.

Certainly there is nothing in the Reorganization Act, which, as the Senator from Connecticut has said, was participated in by the other body, which would change that rule.

Mr. BUSH. Is it not significant that the Senate, in view of the Reorganization Act, has not changed its rules, and therefore, as of today, at least, it does not apply, so far as the Senate's right to change its rules is concerned?

Mr. KNOWLAND. I agree completely. That was the point raised by the Senator from California when he was a good deal younger and less experienced in this body than he is now.

As a member of the Committee on Rules and Administration, I pleaded with the Senate, under the circumstances, that the rule existed, that it was applicable, and if there was any criticism of the rule, the Senate should have a change brought out and acted on, so that the Senate would know precisely what the intent and desire of the Senate was.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. JAVITS. I am glad the Senator from California has yielded to the Senators who have spoken thus far, and I thank him for yielding to me now.

This is a lawyer's argument. I think those who serve here who are lawyers ought to have some opportunity to help by expressing their views as to what the rule ought to be. I do not feel that the point of order ought to be overruled.

I ask the Senator this question: As I understand the fulcrum of the argument, it is whether or not an intervening action of the Chair was material. If the intervening action of the Chair is material, and after recognizing Senator Wherry, then it is no precedent; on the contrary, a precedent is now to be made. If, on the other hand, it is immaterial, then it is a precedent.

I should like to call the Senator's attention, therefore, to this point. It is said it does not matter whom the Chair recognizes; and the Chair, therefore, is treated as a kind of policeman who regulates traffic.

I interject to say that the Legislative Reorganization Act is an act of Congress and has exactly the same effect as the rules, because all it says is that the rule-making power of the House and Senate is to be exercised. It is simply another piece of paper.

Therefore, the rule of construction, as we lawyers know it, that two statutes must, if humanly possible, be construed together, applies in this instance.

As I read Rule VII of the Senate Manual, at page 15, it provides:

> The Presiding Officer may at any time lay, and it shall be in order at any time for a Senator to move to lay, before the Senate, any bill or other matter sent to the Senate by the President or the House of Representatives.

In short, the Presiding Officer has much greater powers than an individual Senator. He can lay a bill before the Senate. He needs no vote.

If a Senator chooses to do the same thing, he must make a motion and have a vote. So it strikes me that this is an exact analogy for rule XIV.

This is my question: Rule XIV, paragraph 3, provides:

> No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

It is charged that there will be great confusion if the objection of the Senator from California shall be sustained, and the bill shall go to the calendar. But is it not possible to construe the whole matter consistently in this way:

The Chair has the authority. The Chair can refer the bill. If objection is made that the bill cannot be placed on the calendar, the Chair can recognize any Senator to make a motion. The Chair can refer the bill and the Senate can sustain him on whether it goes to a committee or goes to the calendar.

The Chair is the Vice President, elected by all the people. He is the second officer of the Government. He is not an impotent figure. We have so provided in the rules. The rules say so. The rules give the Vice President the authority. There is no reason in the world why we should not sustain him in the exercise of his authority.

I ask the Senator from California if that is not the essential difference between the Downey precedent and the precedent sought to be adopted today?

Mr. KNOWLAND. I think there is strong merit in the contention which the Senator from New York has made in that regard. Of course, the question of recognition is one which actually comes before the Senate almost every day of the year. It makes quite a difference, for instance, in the normal legislative procedure.

I have seen many situations develop in my time in the Senate in which there have been hard fought contests.

Senators may not divide along party lines, but they divide on questions of legislation. The question becomes important as to whether the Senate shall continue in session, whether it shall recess, or whether it shall adjourn, depending on who is recognized. There is a certain priority. Motions can be made which will give quite an advantage to one group or another, or to one Senator or another, in connection with the making of a motion. But the rules themselves make such provision.

If I should move to adjourn, my motion would have priority over that of a Senator who might have obtained the floor an hour earlier, or 10 minutes earlier, and moved to recess. My motion that the Senate adjourn would displace his motion that the Senate take a recess; my motion would take precedence.

So our rules are filled with provisions which recognize the right of a Senator and the importance of certain priorities.

Mr. HUMPHREY. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. First of all, I wish to commend the Senator from California for the very able argument he has been making.

In examining the Legislative Reorganization Act—to which there has been much reference today—it should be noted—and I am sure the Senator from California has done so—that in that act, the rules which are amended or the rules which are changed are specifically noted.

Mr. KNOWLAND. I agree with the Senator from Minnesota.

Mr. HUMPHREY. For example, rule XXV, is amended; also rule XVI, relating to appropriation bills. The Senator from California referred to rule XVI of the Standing Rules of the Senate. The Legislative Reorganization Act is an act of Congress, and therefore it also refers to the rules of the House of Representatives; and it notes that rule X, rule XI, and rule XII of the Rules of the House of Representatives are amended.

In other words, when the Legislative Reorganization Act intended to repeal or amend rules, and there was a knowledgeable conflict within the minds of the Members of Congress who acted on the Legislative Reorganization Act, they did so specifically and directly, and not by inference.

The only leg anyone has to stand on to the contrary is the portion of the Legislative Reorganization Act which provides "and such rules shall supersede other rules only to the extent that they are inconsistent therewith."

That is the only way there can be any overruling of the old rules by inference.

Let us see whether that happens in the case of rule XIV and rule XXV. Rule XXV relates to the jurisdiction of committees in case a bill is referred to committee.

Mr. KNOWLAND. I think the Senator from Minnesota is quite correct.

Mr. HUMPHREY. Furthermore, rule XXV, which relates to the jurisdiction of Senate committees, provides, in the case of the Committee on Agriculture and Forestry, that it shall "consist of 15 Senators, to which committee shall be referred all proposed legislation." Meaning legislation proposed by Senators, because when we examine rule XIV, we find it does not refer to proposed legislation. Instead, in the fourth section or paragraph we find the words: "every bill and joint resolution of the House of Representatives."

The only possible part which could be in conflict with rule XXV would be the part to which the late Senator Barkley, of Kentucky, once referred, namely, a bill introduced in the Senate. At least, joint resolutions or bills or petitions which come from the House of Representatives are not legislation proposed by a Member of the Senate. I think this is a part of the general argument in reference to the validity of rule XIV.

In conclusion, let me say that it seems to me the Senator from Georgia does not base his case upon the validity or the legality of the rules. Instead, he bases it on the desirability of the rules.

Mr. KNOWLAND. And in that case the remedy is to go before the Committee on Rules and Administration and suggest that the rules be changed.

Mr. HUMPHREY. That is correct.

Furthermore, let me say, insofar as the desirability of a rule is concerned, that is pretty much determined by the frame of reference in which the rule is applied.

Here we see a frame of reference in which the civil rights proposed legislation has had hearings ad infinitum. The Government Printing Office has issued literally hundreds of hearings on proposed civil-rights legislation. Here, available in the law, is an extraordinary procedure for extraordinary conditions under extraordinary circumstances.

The argument made by those who oppose the use of rule XIV is that if it is used, there will be chaos. I submit that it was used as a part of the rules—unscathed, untouched, unamended—until the Reorganization Act became the law. And, Mr. President, believe me, the Founding Fathers had less chaos than we have. [Laughter]. Those who preceded us did quite well. The Legislative Reorganization Act dealt less with the substance of the rules than it did with the streamlining of the rules.

So I submit, most respectfully, that here is a rule which is still intact. If it had not been intact, those who wanted to amend it or change it would have so stated in the Legislative Reorganization Act, by the very nature of that act. Here is a rule which has against it the one question, "Is it desirable?" Its desirability must be determined in the light of the context of the situation. If it is a rule which, when applied in 1957, will result in legislative chaos, then I say the burden of proof is upon those who make the assertion, because as late as 1947—through two World Wars, and through the War Between the States, and through the Mexican War, and through the War of 1812, and in the first

days of this Republic—rule XIV applied, because it is a rule which was referred from Jefferson's Manual.

So where is the argument? The only argument is that some do not like the rule. I say that some Senators do not like rule XIV because the Senate has not had a chance to vote upon important proposed legislation. Every time some Member rises to argue the rules, he holds up the Senate Manual. However, Mr. President, the Senate Manual also contains the Constitution of the United States. I repeat, as I stated the other day, that the Constitution provides that a majority of the Senate shall constitute a quorum for doing business; and a majority can take a bill from the calendar and can refer it to committee; and once a bill is referred to committee, if it is not reported, a majority can discharge the committee from its further consideration, and a majority can act on a bill.

A majority is the central principle of democratic government. A majority is one of the principles which should guide the deliberations of this body. But the Senate has been denied the right to exercise the will of a majority.

I wish to join the Senator from California in what I consider to be a legitimate, honorable effort to obtain at least the right to decide, one way or the other, upon important legislative proposals.

Mr. KNOWLAND. I thank the Senator from Minnesota.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I should like to point out one thing to the Senator from California, and to obtain his comment. He has made a very able argument regarding the effect of rule XIV. He has said it does not give undue prerogatives to one Senator and the Presiding Officer. He said the bill would go to the calendar.

The Senator from Minnesota has just pointed out that if the bill goes to the calendar by the prerogative of one Senator, it can come off the calendar in 15 minutes by the action of a majority of the Senate. It can go to a committee. It can be acted upon for a third reading. So rule XIV does not give to one Senator any more prerogative than that given to a Senator whenever he requests unanimous consent for any purpose. Is that not correct?

Mr. KNOWLAND. I agree with the Senator from Massachusetts.

Mr. SALTONSTALL. I should like to make a further point, although the Senator from California may have made it during my enforced absence from the Chamber. In rule XIV, paragraph 3 clearly provides that a bill coming from the House of Representatives may be referred to committee.

Paragraph 4 of rule XIV is the one with which we are dealing. Certainly, in reading rule XIV as a whole, we must construe each of the paragraphs in relation to all the other paragraphs of the same rule. Thus, the rule makes perfectly clear that a bill may be referred to a committee, but that there is nothing compulsory about it. When a bill is referred, rule XXV applies—but not until then.

Mr. KNOWLAND. I quite agree with the distinguished Senator from Massachusetts; and he ably made that argument in 1948, as I recall.

Mr. HILL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield to the Senator from Alabama.

Mr. HILL. The Senator from Massachusetts said that if a bill went to the calendar, it could come off the calendar in 15 minutes. But we would have no assurance whatever that it would come off the calendar in 15 minutes, because it would be necessary to move that the bill be taken from the calendar and that the Senate proceed to consider the bill. Such a motion is debatable. It might be debated for 15 minutes or 15 hours or many more hours.

Mr. KNOWLAND. But that is the situation in the case of any bill on the calendar.

Mr. HILL. But, under the procedure of the Senate, bills on the calendar have received consideration by a committee. That is the point. Even though the motion to proceed to the consideration of the bill is finally agreed to, before the bill can be referred to committee, it is necessary to move that the bill be referred to committee; and that motion is debatable, not for 15 minutes or for 15 hours, but perhaps for much longer.

Mr. KNOWLAND. But that procedure is not interfered with in the slightest by the proceedings today.

Mr. HILL. But the Senator from Massachusetts said the bill could be reached in 15 minutes, and that is absolutely impossible.

Mr. KNOWLAND. Of course, if an attempt were to be made completely to obstruct the business of the Senate, that could be done any day of the year even in the case of a bill which had not been placed on the calendar or even as to a bill which was actually before the Senate. If the sole desire is obstructionism, the rules of the Senate permit it. But no Senator is deprived of any of his rights by the procedures which have been suggested, and they are in complete conformity with subsection 4 of rule XIV.

Mr. HILL. Not being deprived of that right, a Senator can debate the question for longer than 15 minutes.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. SALTONSTALL. I will say to my friend from Alabama, in reference to my suggestion of 15 minutes, that if there is an overwhelming desire on the part of a great majority of the Senate to take action it can be done reasonably quickly—in 15 minutes, an hour, or an hour and a half. If only one Senator is trying to hold up the Senate, the Senate can act in a comparatively short time, just as it can in connection with any action with respect to which the will of one Senator is opposed by that of 95 other Senators.

Several Senators addressed the Chair.

Mr. HENNINGS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Missouri will state it.

Mr. HENNINGS. I was about to enquire who had the floor, since the distinguished minority leader, the Senator from California, has taken his seat.

The VICE PRESIDENT. The Chair recognizes the Senator from Missouri.

Mr. HENNINGS. Mr. President, I am sure the Chair has been abundantly enlightened by the arguments made this afternoon, although I rather suspect the Chair has done considerable prior studying with respect to the ruling he will be called upon to make on this question.

Many arguments have been made and many points at issue have been covered, and there are, indeed, two sides to the controversy. I think the distinguished and able Senator from Georgia [Mr. RUSSELL] has presented his case in a lawyer-like fashion and, as befits him, without rancor, and certainly without recourse to personal references or personal recriminations against any other Member.

I wish to compliment, too, the Senator from California [Mr. KNOWLAND], the distinguished minority leader, upon his very able presentation of the issues in this matter.

I do not believe the Senator from Minnesota [Mr. HUMPHREY], in his interrogation of the minority leader, took note of the fact that rule XIV itself has indeed been amended twice. Subsection 5 of rule XIV, which appears on page 21 of the Senate Manual, was amended on January 17, 1947, and subsection 6, the last subsection of the rule we are now discussing—subsection 4 of that rule being the subject of this controversy—was also amended on January 17, 1947.

Prefatory to any material in the Senate Manual, I refer Senators to Senate Resolution 71—85th Congress—which I had the honor and duty of reporting, as chairman of the Committee on Rules and Administration. That resolution, which was agreed to by the Senate, as is set forth on page 2 of the Manual which every Senator has at his desk, provided:

Resolved, That the Committee on Rules and Administration be, and it is hereby, directed to prepare a revised edition of the Senate Rules and Manual for the use of the 85th Congress, that said Rules and Manual shall be printed as a Senate document.

And so on. That revised edition was printed and it contains rule XIV unchanged.

That being the case, and after having made some further study of the Standing Rules for Conducting Business in the Senate of the United States, I am of the firm opinion that rule XIV is in full force and effect. The Senate has the right to repeal it. The Senate has not repealed it. The Senate has not amended section 4 thereof. Certainly, the effect of it has not been superseded by rule XXV, which rule only describes the essential jurisdiction of the various standing committees.

The Legislative Reorganization Act was approved in 1946. The changes it effected in the Standing Rules of the Senate were first incorporated into the official Rules and Manual of the United States Senate for the 80th Congress. This document was prepared by the Committee on Rules and Administration, in compliance with Senate Resolu-

tion 86 of the 80th Congress, which directed that committee to prepare a revised edition of the Senate Rules and Manual. In that official publication of the Senate Rules no change was made in sections 3 or 4 of rule XIV, which form the basis of the current controversy. It is significant, however, that rule XXV was substantially changed pursuant to the pertinent provisions of the Legislative Reorganization Act.

In the subsequent editions of the Senate Rules and Manual—prepared in 1949, 1951, 1953, 1955, and 1957—there likewise was no change made in sections 3 or 4 of rule XIV.

Each of these official editions of the Senate Rules which have appeared since the passage of the Legislative Reorganization Act were prepared under the supervision of the Senate Committee on Rules and Administration. Each reflects the text of the Senate Rules as approved by that committee. I think it is abundantly clear and it is only logical to conclude, therefore, that, in the opinion of the Committee on Rules and Administration, as evidenced by its consistent approval of the text of rule XIV, the latter rule was not rescinded, modified, or amended in any respect by the Legislative Reorganization Act.

Rule XIV, section 4, provides a method for placing a House-passed bill—I emphasized a House-passed bill—on the Senate Calendar without reference of the bill to committee. Since there is no assurance that the Senate Committee on the Judiciary will ever report a civil-rights bill during this session, I have, with some reluctance, I confess, joined with several of my colleagues in indicating that we will use the provisions of Senate standing rule XIV to place the House-passed civil-rights measure, H. R. 6127, on the Senate Calendar. When I say "with some reluctance" I say that because I, too, believe in adherence to orderly and normal procedure. I believe in the use of the committee for consideration, insofar as that can be done effectively, diligently, and with reasonable speed and sincerity.

In saying that, I question not—and I wish to make this very clear—I question not the sincerity of the opponents of these measures. They are men of conviction. They are men of patriotism. They are men of character. I wish to make it very clear that there is nothing invidious in what I say with respect to any Senator's right to speak in committee or on the floor, or to avail himself of any rule which the Senate has laid down and provided for the conduct of its own business.

I had hoped, having lived with this matter for many months and indeed over some period of years, that it might not be ad hominem, might not be ad personam, and that it might be debated and discussed in a lawyerlike way by Members of the Senate, whether they be lawyers or not. I hope that we can discuss matters objectively, without personal recrimination, so that we can act in a manner measuring up to the dignity and standing which this body has before the world.

I am for this measure for a number or reasons, one of them being that I believe it is an important instrument of foreign policy. I believe, of course, not only in full justice to all citizens of the United States, as provided by the Constitution, but I believe that we must tell the Free World—indeed, the uncommitted nations of the world and even those committed now to the Communist bloc—that we of the United States of America do not judge men's right to full participation of first-class citizenship in these United States by the color of their skin or their place of national origin.

Mr. President, the Senate Committee on the Judiciary has been meeting for some considerable length of time on this subject in this Congress and in the preceding Congress. Of course, if the Committee on the Judiciary does not report a bill, as in this case it has not thus far so done, we will, by keeping the House bill on the calendar, have a bill upon which action can be taken during this session by the full Senate.

As one of the sponsors and one of the supporters of what I think is meaningful civil rights legislation, over the years; as chairman in the 84th Congress of the Senate Judiciary Subcommittee on Constitutional Rights, and as a member of the subcommittee in the Congress preceding that—which subcommittee had reported favorably four civil rights bills, only to see them die in the full Judiciary Committee; as a sponsor this year of four bills similar to those of the previous Congresses, to which I have referred; as Chairman of the Constitutional Rights Subcommittee in this Congress, which has held exhaustive public hearings this year on 15 civil rights proposals, and which favorably reported a bill to the full Committee on the Judiciary on March 19, 1957; and, Mr. President, of course, as a member of the Committee on the Judiciary, for which I have the greatest respect, and for whose members, my colleagues, I have the greatest respect, I have sought action on the merits of this proposed legislation, as have other Senators, to the end that a bill might be reported with expedition to the Senate, and full and fair debate and consideration could be given to this all-important, far-reaching subject. The eyes of the world are upon us, with results now incalculable, depending upon what we in the Senate do about this issue. It is a transcendently important question.

Mr. President, I think I can speak as one who has been somewhat close to this issue throughout the past few years. I say reluctantly, but frankly, that I believe there is presently no convincing assurance whatever that the Committee on the Judiciary will report a civil-rights bill in the near future.

To substantiate that statement, Mr. President, I wish to review for a moment my own experiences with civil rights in the Senate Committee on the Judiciary in the 84th Congress, and to date this year.

On February 23, 1956, the Subcommittee on Constitutional Rights, of which I happen to be chairman, favorably reported to the full Committee on the Judiciary three bills aimed at strengthening Federal protection of civil rights. That was last year, 1956, on the 23d day of February. It so happens that that day coincided with the funeral ceremonies of our late beloved and distinguished colleague, Harley M. Kilgore, who had been chairman of that committee.

We called a meeting that afternoon in my office and reported those measures to the full committee. I remind Senators that was February 23, 1956, a year and a half ago. These bills included S. 900, which would have made lynching a Federal offense; S. 903, which was aimed at protecting the voting rights of all citizens in Federal elections and primaries; and H. R. 5205, which would have protected members of the Armed Forces from bodily attack.

Shortly after we reported these three bills, the subcommittee also favorably reported S. 902, a bill to reorganize the Department of Justice so as to provide additional civil rights enforcement machinery. On March 4, 1956, the day after this latter bill was favorably reported, I publicly urged passage of all four of the bills so as—if I may take the liberty of quoting what I said at that time—to "bring about equality of citizenship in this country, without regard to race, color, religion, or ancestry of any citizen."

Then, on April 12, 1956, I placed in the CONGRESSIONAL RECORD a statement expressing my strong support for the bills and urging the administration's leaders and other to join in passing them.

Continuing with the chronological history of this proposed legislation, on April 24, 1956, the Judiciary Committee commenced hearings on all of the civil-rights bills then pending before it, and held hearings on 10 different days, extending over a period from April 24 to July 13. I attended and took an active part in many of these hearings, with the purpose of expediting them as much as possible so that the committee might report out the appropriate bills and thereby give the Senate an opportunity to vote on them. Despite the best efforts of some of us, however, the committee took no action on any of the civil-rights bills before Congress adjourned.

At this time I wish to pay the highest tribute to my distinguished and eminent friend, the senior Senator from Illinois [Mr. DOUGLAS], who also has borne the burden of this battle. He did so last summer, and he has again come to the forefront. We all recognize the sincerity of his motives, and we admire his outstanding ability.

On July 19, 1956, the distinguished Senator from Illinois and I made speeches on the floor of the Senate, calling attention to the few days remaining in the session during which the Senate could take action on civil-rights legislation. I urged that Senate action be taken immediately, as did the distinguished Senator from Illinois. And, in an attempt to prevent political partisanship from in any way helping to sound the death knell of civil-rights legislation in the 84th Congress, I threw my wholehearted support behind H. R. 627, the administration's civil-rights bill, even though some of us thought it was far too

weak. Despite its inadequacies, we preferred the administration's bill to nothing at all.

Finally, in a last-ditch attempt to get Senate action on civil rights, on July 27, 1956, Senator DOUGLAS, Senator Lehman, and I moved to discharge the Committee on the Judiciary from further consideration of H. R. 627. The three of us fought to the very last day of the session, but to no avail. The three of us did the best we could, but it was not nearly enough. The Senate adjourned without taking action.

On January 9, 1957, immediately after the beginning of the 85th Congress, I introduced in the Senate four bills, S. 427, S. 428, S. 429, and S. 468, which were identical to the four civil rights bills reported favorably the year before by the Subcommittee on Constitutional Rights, a standing subcommittee of the Committee on the Judiciary.

These bills, together with other civil-rights bills, were referred to the Committee on the Judiciary.

On January 22, 1957, at the regular meeting of the Judiciary Committee, I sought to have the committee set February 18, 1957, as the deadline for the termination of hearings on civil rights, and to vote on civil-rights legislation and report on it to the Senate not more than 1 week later. However, my motion to this effect was not acted upon at that time.

On January 26, 1957, the various civil-rights bills then pending before the Judiciary Committee—numbering 14 in all—were referred to the Subcommittee on Constitutional Rights for consideration.

On January 30, 1957, at a meeting of the Constitutional Rights Subcommittee, I presented to the subcommittee an omnibus bill which I had prepared and which contained what I felt were the best features of all the bills then under consideration, including the President's civil-rights program, the four bills I had introduced, and the bills of various other Senators which we thought were meritorious. At that time I moved that this omnibus bill be reported to the full Judiciary Committee without delay, but my motion was voted down. When the subcommittee then decided to hold public hearings on the civil-rights bills then before it, I proposed that such hearings be commenced February 12, and be limited to 2 weeks, with the subcommittee to act on the bills immediately thereafter. This motion, too, was defeated in the subcommittee.

Public hearings on civil rights were commenced by the Subcommittee on Constitutional Rights on February 14, 1957, and were terminated March 5, 1957, after 13 days of hearings which produced a record totaling 899 printed pages.

The extensive, full, and open hearings by the Subcommittee on Constitutional Rights, before which many witnesses appeared, included the Attorney General of the United States, the distinguished Senator from Pennsylvania [Mr. CLARK], the distinguished Senator from Illinois [Mr. DOUGLAS], and the distinguished junior Senator from Georgia [Mr. TALMADGE] among many others. There were also a number of other various distinguished witnesses, including a number of other distinguished Senators.

I ask unanimoust consent to have printed in the RECORD at this point as a part of my remarks a list of the witnesses who appeared and testified before that subcommittee.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

WITNESSES WHO TESTIFIED AT THE CIVIL RIGHTS HEARINGS OF THE CONSTITUTIONAL RIGHTS SUBCOMMITTEE, JUNE 19, 1957

One United States Representative testified: GEORGE R. HUDDLESTON, JR., Alabama.

Fourteen Senators testified or submitted statements: CLARK, of Pennsylvania; DIRKSEN, of Illinois; DOUGLAS, of Illinois; EASTLAND, of Mississippi; GOLDWATER, of Arizona; HUMPHREY, of Minnesota; IVES, of New York; JAVITS, of New York; NEUBERGER, of Oregon; SALTONSTALL, of Massachusetts; SPARKMAN, of Alabama; STENNIS, of Mississippi; TALMADGE, of Georgia; THURMOND, of South Carolina.

Two State senators: Hon. Sam Engelhardt, Jr., Alabama; John West, South Carolina.

Three State representatives: Robert E. McNair, South Carolina; Joseph O. Rogers, Jr., South Carolina; James Spruill, South Carolina.

Two governors appeared or sent representative: Georgia, Charles J. Bloch, representing the governor; Mississippi, James P. Coleman, governor.

The Attorney General of the United States, Herbert Brownell, Jr.

Two attorneys general: Eugene Cook, Georgia; George B. Patton, North Carolina.

Three assistant attorneys general: Robert Giles, North Carolina; Davis Grant, Texas; Dan R. McLeod, South Carolina.

Nineteen organizations were represented: Amalgamated Meat Cutters and Butcher Workmen of North America, AFL–CIO; American Baptist Convention; American Civil Liberties Union; American Council on Human Rights; American Jewish Committee, AFL–CIO; Unitarian Fellowship for Social Justice; Arlington County Women's Democratic Club; Organized Women Voters of Arlington County, Va.; Montgomery Improvement Association, Alabama; National Economic Council; Japanese American Citizens League; National Association for Advancement of Colored People; National Association of Social Workers; National Council of Churches of Christ in the United States; Textile Workers Union of America, AFL–CIO; United Automobile Workers, Aircraft and Agricultural Implement Workers of America, International Union; United Steel Workers Committee on Civil Rights; Women's International League for Peace and Freedom.

Mr. HENNINGS. After the hearing ended I made every effort to have the subcommittee vote out a civil-rights bill immediately, and after considerable debate and discussion, on March 19 the subcommittee did approve S. 83 for report to the full Committee on the Judiciary.

On March 21, just 2 days after S. 83 was reported to the Judiciary Committee, I introduced in the Senate S. 1658, a bill identical to the one then pending in the House of Representatives and later passed by the House. I introduced S. 1658 with the thought that at the appropriate time it could be substituted in the Judiciary Committee for S. 83, and action in the committee thereby would be speeded up considerably.

On March 23, 1957, I circulated among all the members of the Judiciary Committee a memorandum containing a detailed and documented rebuttal to the fallacious argument that the enactment of civil-rights legislation then under consideration by the committee would result in the denial of the right to a trial by jury.

On April 1, 1957, at the regular meeting of the Judiciary Committee, I made a motion that the committee should dispose of civil-rights legislation on or before April 15. However, I was unable to obtain a vote on this motion.

On April 8, 1957, I planned to renew my motion aimed at speedy action on civil-rights legislation in the Judiciary Committee, but there was not even a meeting of the committee that day because of a lack of a quorum.

I might add parenthetically that about a year ago this time questions arose with respect to those measures involving substantially the same objections as are now raised. At that time we finally obtained a quorum by agreement to vote on the nomination of Judge Sobeloff, but only with the understanding that we would not mention anything about civil rights.

To return to 1957, on April 15, the last meeting day of the Judiciary Committee before the Senate's Easter recess, I moved that S. 83, together with any amendments, be voted upon on May 6, 1957, and that that date be the terminal date for the consideration of civil-rights legislation in the committee. Again, the committee took no action on this motion.

On May 13, 1957, the day the Judiciary Committee next met, I tried to obtain approval of my motion that the committee meet every morning, and all day when the rules of the Senate permitted, and even in the evenings, if necessary, in order to vote on the question of reporting out civil-rights legislation by May 16, 1957. On that occasion, I was not even able to get the floor for the purpose of making such a motion.

During the latter part of May and the early part of June of this year, I became ill and necessarily was absent from several meetings of the Judiciary Committee. It was during that period—on June 3, to be precise—that the opponents of civil-rights legislation were able to muster enough support in the committee to add their crippling trial-by-jury amendment to S. 83, the bill under consideration.

Finally, during both of the past two meetings of the Judiciary Committee, on June 10, and June 17, I was unable even to get the floor in the committee to make any definitive motion or to take any other action to speed up consideration of the civil-rights legislation, which, by that time, had been the pending business before the committee for a very long time.

Mr. President, I do not want to labor this matter further. I should like to add, however, that it is reluctantly my conclusion, based on sad experience, that it is most unlikely that there will be on the part of our Committee on the Judiciary any attempt to act at this session on any bill protecting the voting rights of all Americans.

If I am mistaken—and I sincerely hope I am—and we are able to get such a bill out of the Committee on the Judiciary, I will be very much pleased and, indeed,

jubilant. We could then certainly proceed to act on such a Senate bill.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield to my able and distinguished friend from South Dakota.

Mr. CASE of South Dakota. Did the Senator from Missouri earlier in the debate hear the question asked by the Senator from Georgia [Mr. RUSSELL], of the Senator from California [Mr. KNOWLAND] as to what criteria would be used or what criteria should be used to determine when the provisions of section 4 of rule XIV should be invoked?

Mr. HENNINGS. I was on the floor, and I heard most of the discussion.

Mr. CASE of South Dakota. I may say that the recital the Senator from Missouri is giving now, of the history of the attempt he has made to get consideration of the civil-rights measure in committee, and the frustration he must feel as a result of the failure of the committee to report the bill might be suggested as one of the criteria by which a Member of the Senate might determine whether he wanted to invoke his rights under rule XIV.

Mr. HENNINGS. I might say to my good friend from South Dakota as I said earlier in my remarks that I had reluctantly done something that—with the one exception, last year—I had not done before, either in my 6 years of service in the House, or in my 7 years in the Senate, that is, to join in a movement or attempt to discharge a committee, especially a committee of which I happen to be a member, and again especially a committee for which I have such high respect.

But again, there we sat day after day and nothing emerged, and no progress was made. I have been living with this matter as chairman of a subcommittee of the Committee on the Judiciary. After all, there is a point beyond which human endurance and human tolerance sometimes cannot go.

Certainly it was not with any jubilation or any great satisfaction that I found that such a situation had arisen that I had to make a very hard choice. Having had to make it as a matter of principle, I believe I should stand by it.

I see presently no hope of any other way of getting a Senate bill, or, indeed, the House bill, before the Senate.

In conclusion, as a safeguard, I respectfully urge my colleagues to use rule XIV to keep the House bill on the calendar. Rule XIV has not been repealed, even though two sections of it have been amended and modified. Section 4 has been left untouched since the passage of the Reorganization Act, and it appears as a part of the rules in the Senate Manual; we should use it in this case.

Mr. KENNEDY, Mr. DOUGLAS, and Mr. JAVITS addressed the Chair.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Does the Senator yield; and if so, to whom?

Mr. HENNINGS. I yield first to the Senator from Massachusetts.

Mr. KENNEDY. The Senator from Missouri has indicated his reluctance to press for the discharge of a committee of which he is a member. Nevertheless, it is a procedure written into the rules of the Senate.

Mr. HENNINGS. Yes, indeed; the Senator is eminently correct.

Mr. KENNEDY. We are faced, on the other hand, with a procedure which even the proponents would admit is abnormal and seldom used. Would the Senator tell me why he feels it would be impossible to deal with this matter by a motion to discharge the committee, requiring, as such a motion would, a majority of the Senate, and why he feels that we should use the other procedure, if we are agreed that we would like to have the proposed legislation come before the Senate for consideration and decision? Why is it that he feels it is impossible to proceed under a discharge motion? Why is he reluctant to use that procedure?

Mr. HENNINGS. There are two alternatives. Does the Senator suggest that we use some other method?

Mr. KENNEDY. I think there is some ambiguity about the procedure which has been suggested, and there is no ambiguity about a discharge motion.

Mr. HENNINGS. In my judgment, I may say to my learned and distinguished friend from Massachusetts, I see no ambiguity in the method we are advocating. I realize that plausible-sounding and eloquent and moving arguments have been made on the other side. Similarly I have heard many moving arguments made in court, which enticed the imagination and sometimes stimulated thought. However, at the termination of the arguments I had still remained unconvinced, while admiring the substance, the presentation, and the eloquence of the lawyer on the other side who had made the arguments.

I feel that way about the criticism relating to use of rule XIV. I remain completely unconvinced. I see no ambiguity, I may say to my friend.

Mr. KENNEDY. Assuming that there are those who do see an ambiguity, what is the objection to a discharge procedure? Perhaps the Senator can explain that to me.

Mr. HENNINGS. Generally speaking, as a lawyer I am trained to take the direct course, to take what is available, to take what is at hand, and not to take the long way around. I know no other way. The law does not countenance doing a useless act, nor does it even require it. It has not occurred to me that that form of approach—a motion to discharge was as direct, or that it was as efficacious, and certainly not so expeditious, as following rule XIV.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HENNINGS. I am very glad to yield to the dintinguished Senator from New York.

Mr. JAVITS. First I should like to say to my subcommittee chairman that all of us hold him in great admiration and respect, and I certainly believe that he can very properly be dubbed the "Happy Warrier." He certainly has a great sense of humor.

Mr. HENNINGS. I thank my friend, the distinguished junior Senator from New York, the former attorney general of the Empire State, and an outstanding lawyer, for his tribute.

Mr. JAVITS. I should like to say, especially for the benefit of the Senator from Massachusetts, that there is a great difference between using the rule and a motion to discharge. If it is done by motion to discharge, the debate is subject to limitation only by means of cloture. We believe that under the procedure suggested, we have a more complete control. We have it here and now before us. The whole world is watching us, not only our country. This is the time to act.

Mr. HENNINGS. The Senator from New York is eminently correct. He has stated what I have tried to state in much better fashion and more concisely than I have been able to state it.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. HENNINGS. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. First, I should like to congratulate the Senator from Missouri for the magnificent work he has done both in committee and out of committee on this matter. I can sense on his part a feeling of relief that in his consideration of this issue he may be emerging from the dark gloom of the Judiciary Committee into the full sunlight of the Senate.

Mr. HENNINGS. We have, as we say in the Navy, a very "happy ship." We have a happy company in the committee. This is one matter on which we have met with some problems, and on which we are not finding, as we generally do, peace and harmony in all respects. However, we generally manage to agree on most matters, substantially. This is a matter on which there have been some expressions of contrary opinions. We respect those who take the other point of view.

Mr. DOUGLAS. I know that the Senator from Missouri, with his customary delicacy and gentlemanliness, desires to keep on good terms with his fellow members of the Judiciary Committee and to maintain, so to speak, his union card in that organization.

Mr. HENNINGS. I should say that that would apply to all Members of the Senate, so far as I am concerned. I would rather stay on good terms than be on bad terms with any Senator.

Mr. DOUGLAS. So would we all.

But has the Senator from New York not put his finger on a very vital point, namely, that if we were to try to discharge the Judiciary Committee on this bill, we would first have to move that the Senate proceed to the consideration of the resolution to discharge the committee. That would be subject to prolonged debate. If that occurred, we would have to invoke cloture. Under rule XXII as it is presently constituted, 64 affirmative votes would be required. Then the Senate would have to approve the motion to consider the resolution.

If we jumped that first cloture hurdle, which is a very high one, we would then have to jump another hurdle, namely, to pass the resolution to discharge the committee. Then we would have to go through the long debate once again; and once again it would be necessary to get

64 affirmative votes; and everyone who either voted against the proposal or was absent would be counted as voting "no." After this second cloture vote, the resolution to discharge would itself have to be passed.

Then if we jumped that hurdle, the committee would be discharged.

If we jumped the second hurdle, the bill would merely come to the calendar. In order to get it before the Senate, it would be necessary to move to consider it, and we would have a third hurdle to jump. Again, in case of prolonged debate 64 affirmative votes would be necessary for cloture on the motion to proceed to consider the bill.

Then, on the final passage of the bill, 64 votes would be needed again, the fourth time, to limit debate on the bill itself.

So under that procedure there would be four high hurdles. As it is now under the procedure proposed by the Senator from California, there are only two such hurdles.

Is it not proper to use the rules of the Senate to get affirmative action, to avoid at least two of these high hurdles, and at least to let the Senate consider a measure which has been so long delayed and kept off the Senate floor?

Mr. HENNINGS. I may say to my friend the learned Senator from Illinois, that it had never occurred to me as a lawyer—indeed, it had never occurred to me as a matter of logic, whether as a lawyer or otherwise—to take a circuitous and difficult course, a steeplechase, as the Senator from Illinois has well and colorfully characterized it; a course on which it is necessary to jump hurdles, make water jumps, run several miles, and "take" a few hedges along the way, all with the chance of ending like the caucus race in Alice in Wonderland. In that race everyone started when he pleased and stopped when he pleased. But, unlike Alice's tortoise race, no one would win a prize. So it never occurred to me to take any such action as that, because the other action—sending the House-passed bill to the calendar—is preferable, and the rules provide for it.

Why do a useless thing? There is a maxim of law which every young lawyer learns. It is Hornbook law. He learns it in his first year. The law does not require the doing of a useless thing. When the proper means are set forth, as in the Senate Manual or the Rules of the Senate, for the action which is here contemplated and advocated, why on earth should we undertake to find some other way which is not readily available?

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield.

Mr. KNOWLAND. I was in the Chamber when the distinguished junior Senator from Massachusetts [Mr. KENNEDY] propounded an inquiry. I had to step from the Chamber for a moment to answer a telephone call. It seems to me, in answer to his inquiry, why use this procedure rather than make a motion to discharge the committee, that, in addition to the very able argument which the Senator has made with regard to the matter, we have a rule which offers a direct method, and the rule is available, and its use is in conformity with Senate practice and precedent.

There is this additional factor: Assume there is to be unlimited debate, on the legislation now proposed. We would then have unlimited debate on the motion to discharge the committee. There would be unlimited debate on the motion to take up the bill, once the committee had been discharged from its consideration. There would be unlimited debate on the bill itself. There would be three steps. I do not want to use the term "filibuster" because I think there should be ample opportunity for discussion. But if ample discussion got beyond the subject matter and into abstraction, there would be three hurdles to get over, rather than two.

Mr. HENNINGS. The Senator is eminently correct. Certainly we can find a more euphemistic expression than the word "filibuster," because that is a very ugly word, and we sometimes like to pretend that a filibuster never happens. We hope that if we do not look too hard, it might go away.

It also seems to me, if I may be indulged for another moment, that rule XIV specifically and expressly as has been suggested earlier in the debate, provides for the handling of House-passed bills and joint resolutions. I read from the Senate Manual, page 20, the last three lines, and from the top of page 21, subsection 4 of rule XIV:

> Every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee shall, if objection be made to further proceeding thereon, be placed on the calendar.

It seems to me that that language is clear, explicit, and beyond cavil.

If there had been substantial sentiment, or had any Member of the Senate sought to have rule XIV or any section of it, repealed, he was at perfect liberty to make the effort. But that has not been done during the many years since the Reorganization Act became effective.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. HENNINGS. I yield for a question.

Mr. ERVIN. I observe that the able and distinguished Senator from Missouri made the same argument in connection with the bill which all of its proponents have made, namely, that it is a bill designed to secure voting rights. Does the distinguished Senator from Missouri say that that is the only thing which the bill accomplishes?

Mr. HENNINGS. No; it does a number of things. The Senator from North Carolina and I have served together on the subcommittee for many months—not many weeks, but many months—and he and I have discussed many phases of the bill.

Mr. ERVIN. If the bill were enacted, I ask the Senator from Missouri if the Attorney General of the United States, in his sole and uncontrolled discretion, could not bring suits in all the school districts of the United States to compel immediate integration in the public schools?

Mr. HENNINGS. I say to the learned Senator, who I may say has been a most eloquent and effective advocate of a proposition which I think, with all respect to him, is entirely fallacious, that his proposal of the so-called right of trial by jury in contempt proceedings has appeal—it has enormous appeal—because most Americans would say, "What? No trial by jury?"

But the Senator knows——

Mr. ERVIN. Will the Senator answer my question as to whether the bill, if enacted into law, will empower the Attorney General to bring suits at the expense of the taxpayers to integrate public schools?

Mr. HENNINGS. The Senator from North Carolina must be patient. I have yielded to him. I have been very patient toward him, and I have learned very much from him about King George III and about the many repressions visited upon the Colonies. I have learned about all the bogies under the bed which might befall the States of the late Confederacy, of which my late departed ancestors were all a part. We have heard about many things which might happen.

I suppose, indeed, that the President of the United States might even have the authority to send troops into the South, too.

Mr. ERVIN. Undoubtedly he would, under the bill.

Mr. HENNINGS. No; not under the terms of this bill itself. He might send troops there anyway under an old statute.

Mr. ERVIN. Under title 42, section 1993, he would have the power to send troops in to enforce decrees entered in suits under this bill if this bill should be enacted into law.

Mr. HENNINGS. Does the Senator suggest that the President could not send troops in now?

Mr. ERVIN. No; he cannot send them in in the proposed suits because the bill has not yet passed.

Mr. HENNINGS. No; not in these suits; but to enforce the law.

Mr. ERVIN. He could send them in to collect money judgments under title 42, section 1985, as it now exists.

But the Senator from Missouri has been kind enough to yield; will he be kind enough to answer my question?

Mr. HENNINGS. I will answer the Senator's question, if the Senator will be patient. The Senator has asked whether the Attorney General can, under the terms of—I assume he is discussing the commission, as a part of the bill——

Mr. ERVIN. I will ask the Senator if he does not know that the bill if enacted, would authorize the Attorney General of the United States to bring suits—at the expense of the public to require immediate integration of all public schools in every school district in the United States at the expense of the taxpayers.

Mr. HENNINGS. Of course, the Senator from North Carolina, as an able lawyer, well knows that first there has to be a showing of a violation. Does he not agree as to that?

Mr. ERVIN. That is not my question. My question is about what the Attorney General of the United States could do under the bill.

Mr. HENNINGS. But the Attorney General must act upon a predicate—as I

am sure the Senator from North Carolina fully realizes—namely, the predicate of some showing. The Attorney General of the United States has authority to have any Member of this body indicted for income-tax law violation, but first he must prove his case.

Mr. ERVIN. But the Attorney General cannot try us for any income-tax law violation without our having the right to require an indictment by a grand jury and without our having the right of trial by petit jury—rights which, under this bill, would be denied State and local officials and other Americans involved in civil-rights cases.

Mr. HENNINGS. Yes, inasmuch as the process under this bill is an injunctive process. The Senator from North Carolina and I have argued that matter over a period of some months, now.

Mr. ERVIN. Well, Mr. President——

Mr. EASTLAND. Mr. President——

The VICE PRESIDENT. Does the Senator from Missouri yield; and, if so, to whom?

Mr. HENNINGS. Mr. President, I should like to yield the floor, because we have had so many of these discussions for so many months, and we always wind up by going out of the same door through which we entered. However, I mean no discourtesy. I should like to accommodate my colleagues as long as I can.

Mr. ERVIN. Mr. President, I asked the distinguished Senator from Missouri to yield to me, so that I might ask him two questions, which are comparatively simple questions of law. I should like to have him answer them.

Mr. HENNINGS. The answer is "No." [Laughter.]

Mr. President, I was trying to explain—before I undertook to give the Senator from North Carolina an unequivocal answer; and I had contemplated giving him an answer, perhaps as a matter of exposition, although I had not contemplated being able to go so far as to convince the Senator.

Mr. ERVIN. Will the Senator from Missouri, as a lawyer, tell me whether the enactment of this bill, including part III, would empower the Attorney General of the United States to bring suits, at the expense of the taxpayers, to compel the integration of schools?

Mr. HENNINGS. Is that a rhetorical question?

Mr. ERVIN. No, it is not; it is a serious question.

Mr. HENNINGS. I think that, under certain conditions, the Attorney General might have that power.

Mr. ERVIN. The Senator and I have been in disagreement on this matter——

Mr. HENNINGS. But, happily, we have been in pleasant disagreement.

Mr. ERVIN. Yes, I have kept my saccharin disposition most of the time.

Mr. HENNINGS. The Senator from North Carolina has, indeed.

Mr. ERVIN. Notwithstanding the fact that the bill is predicated on the theory that the people of North Carolina, whom I have the honor to represent, would not, under the provisions of the bill, be entitled to the privileges which other people of the United States would enjoy.

But I should like to ask this question of the Senator from Missouri: If this bill were enacted by the Congress into law, would it not empower the Attorney General of the United States to litigate, at public expense, virtually all claims of virtually all aliens, citizens, and private corporations within the jurisdiction of the State in question, which would include any or all of the 48 States—that they have suffered intentional discrimination by the action of the State or local officials, taken under State statutes or municipal ordinances, or orders or regulations made under them, pertaining to elections; public education; business and trade; labor; charges, prices, and interest; railroads; motor carriers; telegraph companies; public warehouses and other public utilities; ad valorem, income, inheritance, license, and sales taxes; local public improvements; highways and streets; buildings; fish and game, the keeping of animals; civil remedies and procedures; crimes and criminal procedure; and all other matters committed by our system of government to State control?

Mr. HENNINGS. I observe that the Senator from North Carolina is reading from the minority views. I thought perhaps he was reading, instead, from the bill.

My answer to that question would be "No." [Laughter.]

Mr. ERVIN. Although I dislike to disagree with the distinguished Senator from Missouri, I would say that the proposed law provides to the contrary.

Mr. HENNINGS. The Senator from North Carolina and I have differed for a long time on these matters. I hope my point of view will be considered, if not as respectable as his own, at least somewhat respectable and predicated upon some consideration of the questions and the laws relating to this proposed legislation.

But however that may be, he and I have been, as I have said, in congenial disagreement for the many months during which we have been toiling—if not spinning—on this matter, since the beginning of this year.

Mr. ERVIN. I thank the Senator from Missouri for yielding.

Mr. HENNINGS. I have always appreciated the Senator's courtesy, his consideration, and his willingness to hear both sides of the case, as both of us have tried to do.

Mr. ERVIN. I regret that the Senator from Missouri does not agree with those who wrote the Declaration of Independence, that there should be a right of trial by jury.

Mr. HENNINGS. I am sorry to state that I believe the Senator from North Carolina is mistaken.

Mr. CARROLL. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. I yield.

Mr. CARROLL. Mr. President, after listening to the Senator from Missouri [Mr. HENNINGS] and the Senator from North Carolina [Mr. ERVIN]—both distinguished lawyers—present a very stimulating argument, I wish to say that I assume they have been discussing genially the provisions of a bill which might be proposed legislation to appear before this body.

Mr. HENNINGS. That is entirely correct.

Mr. CARROLL. Is it some of the proposed legislation which has been discussed before the Judiciary Committee?

Mr. HENNINGS. Yes, and I may say to my distinguished friend that both before the subcommittee, of which I happen to be the chairman, and which my friend, the Senator from North Carolina, is a most useful and distinguished member, and before the full Committee on the Judiciary, of which the distinguished senior Senator from the State of Mississippi [Mr. EASTLAND] is chairman, we have discussed virtually everything I should say from William Shakespeare to the Holy Bible, the history of England, the dynasties of Egypt, the War for Independence, the War for the Secession—as I like to call it, because none of my ancestors ever called it "The War Between the States," although all of them were southerners: and I think that is a term which has little validity—and we have come on down to the present day, and we have discussed the Attorney General and the President of the United States; we have discussed "shoes and ships and sealing wax." [Laughter.]

As for what we have not discussed—well, I doubt that we have discussed whether pigs have wings. [Laughter.]

But other than that, I imagine we have discussed, at one time or another, everything within the orbit of human interest and knowledge; and that discussion has been going on ever since February—almost weekly, as the Senator from North Carolina knows, and practically daily during these days and months, and also on many nights. In fact, I recall that on one Saturday afternoon the hearings lasted until 7 o'clock. They were held in the old Supreme Court Chamber, when the committee was hearing witnesses on the subject of this proposed legislation.

Mr. CARROLL. If I correctly understand the position of the distinguished Senator from Missouri, it is that unless the provisions of rule XIV are invoked, there will never be a determination of this issue. I understand that is the very purpose of bringing the proposed legislation before this great democratic body.

Mr. HENNINGS. In the course of my remarks I said that, unhappily, I despaired of there being any legislation of this sort coming from the committee. However, I continue to hope, because hope does spring eternal in the human breast, and sometimes the act follows the wish.

I also said that although this is my 13th year of service in either the Senate or the House of Representatives, only upon one occasion have I joined in a petition to discharge a committee. But, reluctantly, I must say that without some parliamentary maneuver I see no chance at this time of getting legislation before us in the absence of some convolution which we cannot now anticipate, unless some angel appears tonight and whispers some admonition to several of my distinguished colleagues, or perhaps exhorts them to do other than that which they have done. Other than that, I can presently see no chance whatever that such a bill will be reported from our Judiciary Committee.

Mr. ERVIN. Mr. President, if the Senator from Missouri will yield further to me, let me say that I can assure him that no angel will appear to anyone, to urge the reporting and consideration of this bill.

Mr. HENNINGS. Perhaps the Senator would prefer to have me say that some evil spirit might do so. [Laughter.]

Mr. KEFAUVER. Mr. President, will the Senator from Missouri yield to me?

Mr. HENNINGS. I yield.

Mr. KEFAUVER. I have the pleasure, Mr. President, of serving with the able Senator from Missouri on the Judiciary Committee. I believe I attended all the meetings, except one, when I was necessarily away.

Mr. HENNINGS. The Senator from Tennessee has been very faithful in his attendance. As I indicated, I, myself, had to be taken to the hospital, and I had to miss some of the meetings; and later, I shall miss some more, under doctor's orders.

Mr. KEFAUVER. I think the Senator knows that so far as I am concerned I should like to see the issue brought out by the Judiciary Committee, so it can be debated and presented.

Mr. HENNINGS. There would be no happier resolution of the matter than to have the Judiciary Committee report the bill. I agree with the Senator.

Mr. KEFAUVER. Amendments could be acted on by the Senate, and the bill could be acted on, on its merits.

For reasons to which I shall refer on my own time later, I have a great deal of misgivings about the procedure which has been suggested in the Senate today. I wanted to ask the Senator a question. It will take a constitutional two-thirds vote to pass the bill, in the final analysis. I think we all agree to that. If there is a two-thirds vote, and all the time elapses that has been talked about, in filing a motion to discharge the committee, and then bringing the bill up for consideration, I have been advised that with just two-thirds of the Senators present and voting the rules can be suspended, so that within a comparatively short time, if there really are two-thirds backing the measure, the bill can be gotten out of committee, even if the committee itself does not want to report the bill, and have action taken on it by the Senate.

Since there is going to have to be a two-thirds vote in order to pass the bill, all the steps the Senator has talked about, or many of them, could be bypassed by a suspension of the rules. Since the cloture rule provides for only 1-hour speeches by Senators who wish to debate the issue, it seems to me the matter could be handled on a discharge petition within a reasonably short time, without doing what I am afraid we may be doing if the Vice President sustains the position of the Senator from California and sets a precedent which will rise to give us a great deal of trouble in the years to come.

Mr. HENNINGS. I had not considered the Senator's suggested alternative. I am sure it must have some merit or the Senator would not have made the suggestion. I had hoped the Senate might proceed as I have indicated, because, in my judgment, it would be the most expeditious way of getting before the Senate the bill which has been passed by the House of Representatives.

I do not like to give curbstone opinions. I had not fully considered the Senator's suggestion. I know the Senator is extremely capable, and that he will present the matter effectively and in such a manner as to illuminate the subject. I should not like to commit myself to his suggested plan at this time.

Mr. President, I yield the floor.

Mr. CASE of South Dakota. Mr. President——

The VICE PRESIDENT. The Senator from South Dakota.

Mr. CASE of South Dakota. I desire to make a few observations, which I cannot flatter myself will be new to the occupant of the chair, and probably will not be new to Members of the Senate, but I offer them for their possible bearing on any ruling which the Chair may make and on any vote which may be taken, for in this current parliamentary clash we are witnessing one of the classic contests in the history of man's age-long struggle to have a voice in his government. I do not refer to the issues of the so-called civil-rights bill; I refer to the issue involved in the struggle over what rule shall govern the procedure under which the bill is handled.

I fear, Mr. President, that Members of the Senate may take positions with respect to the rules involved which will plague them on other occasions.

There is always a temptation to evaluate a rule in the light of what its application will do currently to a matter in which one is interested. In the long run, however, when the question at issue is the formulation or substantiation of a rule, we are always well advised to maintain the integrity of the purpose of rules in a parliamentary body. For I do not think, Mr. President, that anyone can deny this: The very purpose of parliamentary bodies is served only when rules protect the rights of minorities to be heard in those bodies.

Rules, Mr. President, are for the protection of minorities. Majorities, by their very nature, are their own protection. When one has the votes, he can ultimately have his way. Rules, however, guard truth against transient ignorance.

Mr. President, I served in the House of Representatives as a member of a minority when that minority was the smallest in membership in modern times. We were only 88 in a House of 435 Members. Under normal attendance, we did not have enough Members to compel a record vote on any measure. Yet, because we had a body of rules built up over the years to protect the rights of minorities, that minority in the 75th Congress, with scarcely 1 Member in 5, could and did get its division of time on all matters, could and did have fair committee representation, could and did get record votes when 1 Member would stand on his feet and object to a vote on the ground there was no quorum present. I, Mr. President, know the value of rules to a minority.

With that background, I assert today that if we had no rule XIV, we should enact such a rule, and should not hesitate to exercise it when the developments of a situation warranted its application.

Rule XIV, and particularly section 4 of that rule, is a rule designed to protect minorities, if any rule ever was. Without it, no minority could ever be insured a chance at free consideration of some measure opposed by a majority which might be a disappearing majority if the measure were subjected to the possibility of consideration.

Mr. President, I do not condemn or oppose the committee system. As a general proposition, the committee system should be employed to the maximum possibility. With the great volume of legislative matters with which a modern Congress must deal, committees are essential. But, Mr. President, without rule XIV no minority could ever bring to the stage of possible consideration on the Senate floor a bill which got into the hands of a determined adverse committee—that is, never, at least, except by the offering of it as an amendment or a substitute to a measure, where it might carry the handicap of being not germane and the burden of a committee's formal opposition. The argument, of course, could be made, that even if there were no rule of germaneness, this was not the appropriate time to consider the amendment.

Rule XIV, Mr. President, may not often be invoked. It has not often been invoked. But the fact that it is seldom used does not devaluate the rule. People do not always invoke the Bill of Rights in every transaction, but there the Bill of Rights stands as a guardian of a free people, ready when needed.

The value of a rule to protect a minority was never more clearly illustrated than in the House of Representatives the other day on this very civil-rights bill. As the bill came to final passage, one of those opposing the bill, one lone Member, stood in his place and demanded an engrossed copy of the bill and its amendments. Under the rules, that was his right. He stopped the proceedings scheduled for that night.

Overnight, the minority was able to find a Member who could claim priority in recognition and get a vote on the jury trial issue into the vote on recommital. It was a vote which was not expected to be provided. Had someone else claimed the right to recommital it would have been suggested he was opposed to passage of the bill. But this lone Member, by demanding an engrossed copy, protected the right of the minority to obtain a vote on the jury trial issue. The demand for an engrossed copy of a bill is a tactic seldom used in the House. But the rule stands, and is not degraded or devalued by infrequent use. It guards any minority.

In a similar way, Mr. President, rule XIV, and especially section 4, with its provision that a single Member can get a bill to the calendar, is a guardian of the rights of a minority in the Senate.

True, a majority can vote to commit the bill to a committee. True, a motion would be necessary to make the bill the pending business. But presence on the calendar is a protection to the minority to insure that opponents will not be able

to bottle up a bill in committee and prevent a vote on the Senate floor.

In this connection, Mr. President, I was amazed at the position taken by the able Senator from Oregon [Mr. MORSE], in abandoning his earlier position with reference to this matter. His argument that some time rule XIV might be employed to bring a vote on some matter unwanted by a minority was a strange bedfellow for his usual logic about the preservation of procedural rights. The able Senator knows that a majority in committee can always report a bill out of committee and bring it to a vote, if they desire.

Mr. President, a majority can always protect its views by the sheer application of its power as a majority. A minority must depend on the rules even to be heard. And the purpose of rule XIV, Mr. President, is to protect the rights of minorities. It should not be abandoned.

When the time comes for a ruling or an appeal from the ruling of the Chair, for I assume there will be an appeal whichever way the Chair may rule as to the precedence of recognition or the meaning and intent of rule XXV on reference to committees, I hope that Senators will remember the primary function of rules—the protection of minority rights by establishing dependable rules for parliamentary procedure—and in this instance vote to sustain rule XIV.

In my judgment, the intent and true meaning of rule XXV, as it was amended by the Reorganization Act, and as it has been since amended in subsequent enactments in each new Congress, where we fix the number of members on a committee and again repeat the recital of the jurisdiction of the committee, have been soundly stated by the distinguished minority leader [Mr. KNOWLAND], and by the able Senator from New Jersey [Mr. CASE]. They have pointed out that rule XXV is a rule to define jurisdiction of committees.

The purpose might have been more clearly expressed had the wording included the phrase "when referred," but the historical fact that such was the intent was made a part of legislative history when the Senator from Illinois [Mr. DOUGLAS] placed in the RECORD yesterday the letter from Mr. Galloway, the senior staff consultant on the Reorganization Act, of which rule XXV is a part.

I think that letter and the statements which have been made clearly demonstrate that rule XXV provides that when a bill is referred it shall be referred to the committee which has jurisdiction, and recites the different topics which are the descriptions of the jurisdiction of the committees.

In short, rule XXV is not a mandatory directive to refer bills, but a mandatory guide as to where bills shall be referred when they are referred. Rule XIV is the historical protection to every single Senator that there is a time in the reading of bills when he may ask that the bill go to the calendar, from which only a majority vote will send it to a committee and possibly deprive it of a chance for consideration on the floor of the Senate.

Mr. President, I am not deterred or startled by the suggestion of the able Senator from Georgia [Mr. RUSSELL] that the rule applies to bills and resolutions introduced de novo in the Senate itself, as well as to bills which may come from the other body. If we are to protect the right of an individual Member of the Senate to obtain his day in court, to see that the issue presented in his bill is at some time or other, placed on the calendar, where it can receive direct attention, the rule should apply to a bill introduced directly in the Senate or a bill coming from the other body.

This may be a rule which ought to be used sparingly. It is used sparingly. But the fact that it is used sparingly and only in extreme cases does not impair the value of the rule.

In fact, by the recital of the able Senator from Missouri [Mr. HENNINGS] this afternoon, we have heard a good example of the value of having such a rule, to insure that at some time or other a minority can bring its bill before the bar of the Senate.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of South Dakota. I yield to the Senator from New York.

Mr. JAVITS. I should like to compliment the Senator for making a typically careful and very well prepared analysis. I have heard the Senator many times in the other body, and I now have the privilege of hearing him in this Chamber. His presentation is quite significant. I think the Senator is making an extremely important point.

I should like to ask one question. The argument made by the very able and distinguished Senator from Georgia [Mr. RUSSELL] is that the referral of the bill to the committee is a protection for the minority or even for the individual Senator. Is it not rather the fact that the referral to the committee is a protection for the majority, so that it does not dash into something which it could dash into in an improvident way? It has the power to do so in the committee, anyway, but it can go over the matter and hear evidence, and give a much better show as to what it is all about and why the proposed legislation should be enacted.

Mr. CASE of South Dakota. The Senator is of course correct. Anyone who remembers how committees are constituted in the Senate and how the chairmen are selected knows that the committee system is an expression of majority rule. The chairmen of the committees of the Senate are elected by a majority vote of the Senate. Necessarily, the chairman has some responsibility in connection with the majority which has selected him.

Then, when the membership of a committee is selected, a majority of the members are assigned to the party which has a political majority. Obviously, the committee is a creature of the majority.

Mr. President, I hope that when Senators vote, they will vote for the protection of the rules of this great deliberative body in such a way as to make it forever the citadel of freedom for the expression of truth as it may be given to any Senator to see truth.

In closing, I give the Senate the words of Thomas Jefferson, when he sent to Dr. Benjamin Rush a syllabus of the moral doctrines of Jesus. Jefferson said:

> It behooves every man who values liberty of conscience for himself to resist invasions of it in the case of others, or their case may, by change of circumstances, become his own.

So, Mr. President, let us preserve the right of minorities to bring their bills to the bar of the Senate.

Mr. President, I yield the floor.

Mr. ALLOTT obtained the floor.

Mr. SCOTT. Mr. President, will the Senator yield?

The VICE PRESIDENT. Will the Senator from Colorado yield to the Senator from North Carolina for a unanimous-consent request?

Mr. ALLOTT. I am happy to yield.

CIVIL AFFAIRS MILITARY GOVERNMENT IN THE ATOMIC AGE

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD an address by the Honorable STROM THURMOND, United States Senator from the State of South Carolina and a brigadier general in the Army Reserves, before the Washington Chapter of the Military Government Association at the Officers' Club, Fort McNair, Washington, D. C., June 18, 1957.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CIVIL AFFAIRS MILITARY GOVERNMENT IN THE ATOMIC AGE

(Address of Hon. STROM THURMOND, of South Carolina, before Washington Chapter, Military Government Association, at Officers' Club, Fort McNair, Washington, D. C., June 18, 1957)

It is an honor to be invited here to address this distinguished gathering, and I have chosen as my subject Civil Affairs Military Government in the Atomic Age.

My observations and study of military operations lead me to believe that the basic principles and theory of war do not change materially, regardless of the age in which they take place.

As stated by Clausewitz, warfare has three main objectives:

1. To conquer and destroy the armed power of the enemy.

2. To take possession of his material and other sources of strength.

3. To gain public opinion.

These objectives may be summed up as the mission of the Army, which is "to defeat the enemy forces in land combat and gain control of the land and its people."

From the time the first wave of infantry penetrates enemy territory the commander is an occupier under the terms of international law and he immediately affects and is affected by the civilians in his area of combat. CAMG decisions must immediately be made, not only to conform to the obligations imposed by international law, not only to initiate CAMG programs that will facilitate the attainment of United States policy objectives, but also as an immediate means of directly supporting and facilitating his military operations.

His success in combat requires that he destroy the enemy force—and such force includes not only combat elements but the resources mobilized in their support, as well as the political agency that directs such force against him. This destruction is essential to the primary objective of winning a war. Reason, however, dictates that force must be applied with discrimination—that destruction must be measured and limited to

actual requirements of the hour—not necessarily massive or total.

The application of even such force as is required to win a war has a tremendous effect upon the civil population—and the affected civil population in turn can have a tremendous effect upon the commander's ability to continue the application of required force.

The commander's decision is influenced not only by the relative combat power of opposing forces but also by the characteristics of the area of operations. Accordingly, he makes decisions with respect to his responsibilities to a population by carefully weighing the CAMG estimate of the situation in conjunction with the estimates of his staff members dealing with personnel, intelligence, operations, and logistics.

This CAMG planning must be a constant, continuing operation in full coordination with other staff sections to determine the manner in which CAMG operations may best contribute to the overall mission, to insure the coordination of CAMG activities with tactical operations, and to insure the capability of the commander's CAMG operations to cope with the civilian problems caused by war.

As the scope of warfare enlarges with the appearance of weapons of increased destructiveness, the scope of the commander's CAMG responsibilities becomes correspondingly intensified. Modern military operations, even if carried out with discrimination, will create problems of unparalleled magnitude.

MILITARY CONCEPTS OF THE ATOMIC AGE

To cope with these problems on the atomic battlefield of the field army—for it is here that the battle is won by combat—let us examine some of the concepts which will apply. This search for maximum combat effectiveness is a continuing process and has a direct relation to CAMG.

First, in the atomic age the battlefield will be of much greater depth and width than ever before.

This consideration plus the fact that our own manpower available for control of these lands and populations therein will be limited, highlights the necessity for us to increase our effectiveness through developing CAMG technological proficiency to the maximum.

In the political science field it can be expected that research, valuable to CAMG, can be achieved not by only discovering unknown phenomena but by discovering new explorations of cause and consequences, in substitution for older views found to be erroneous or superstitious. For instance, it makes a great deal of difference in an individual's approach to a problem if he believes that wars are consciously intended human actions perpetrated by the actions of certain individuals or groups, or that wars are more the character of economic depressions—the resultant of human actions arising quite irrelevant to the conscious purposes of the participants.

Similarly, with respect to the development of new CAMG techniques, we realize that the systematic development of the "CAMG science" is in its infancy. Certain areas of research have been defined, and I am sure the Army is working on them. What new CAMG research fields remain to be uncovered is not known. However, undoubtedly large areas, currently unrecognized, will be defined. As in the past, it will be the responsibility of the United States Army CAMG School to "absorb" the results of both today's known and tomorrow's unknown research, by converting it into CAMG doctrine and usable training material applicable to the atomic battlefield.

The task ahead is a challenge which can and will be met, for our Army proposes to maintain technical superiority over our potential adversaries, and furnish our combat commanders with qualified CAMG personnel for use when accomplishments of extraordinary efficiency must be routine if we are to survive.

Second, basic combat units, under atomic conditions, will probably take the form of small integrated battle groups of all arms. They must be semi-independent, self-contained, and capable of operating over extended distances on a fluid battleground for prolonged periods with minimum control and support by higher headquarters.

Such tactics will call for a greater measure of self-sufficiency on the part of our commanders, their staffs, and their men than that to which we were accustomed. The demands on leadership due to such dispersal, while at the same time employing complex weapons systems, will require full utilization of the capabilities of the CAMG organization to assist in the accomplishment of the mission. This means the use of G–5 staff sections; deployment of CAMG units; the thorough education of officers and men in the role and capabilities of the CAMG organization; and making provision for carrying out CAMG functions in those lower echelons which are not authorized CAMG staff sections.

In this respect, it is significant to note that current CAMG doctrine is adaptable to the requirements of the atomic battlefield. It is not old; it has emerged since World War II and is derived from the lessons of history. It is expressed in FM–100–5, Operations; FM–101–5, Staff Officers Field Manual; FM–41–15, CAMG Units; and FM–41–10, CAMG Operations. The basic characteristics of this doctrine, pertaining to organization, are:

(a) Organization of CAMG units is not rigid, it is extremely flexible, being based on TOE 41–500R. This cellular type TOE provides the capability for organizing units with those functional specialists and CAMG officers necessitated by the requirements of the area in which deployed. These units may be adjusted to any size battle group to which they may be assigned, and may be adapted to whatever type transportation is required;

(b) CAMG units may be assigned to Army, corps, and divisions, in which case they are employed to give CAMG support to the command to which assigned;

(c) Decentralization of command authority (operational chain of command) over CAMG units is provided in a mobile or unsettled situation; thus the demands of dispersal can be met; and

(d) A primary function of the CAMG operation is maximum utilization of the resources of the area for the support of the combat forces; a necessary aid to battle groups operating over extended areas for prolonged periods.

Third, the staggered tactical formations of the atomic battlefield, dispersed in great depth, places heavy emphasis on reconnaissance and surveillance to cover void areas. There will be an even greater need for timely and accurate intelligence in order to reduce to a minimum all uncertainty regarding the enemy.

The vital place which CAMG intelligence can play in keeping the responsible combat commander informed of the political and economic effects of the population on courses of action open to him has been recognized, and it is incorporated in FM 101–5 as the CAMG estimate of the situation. The recently published FM 41–10, CAMG Operations, expands the chapter on CAMG intelligence. It covers the development of appropriate essential elements of information in the functional fields; collection agencies, both military and civilian; and, procedures for collection, evaluation, and dissemination of intelligence. A sample CAMG intelligence collection plan is included therein. The purpose is to develop a systematic procedure which will furnish the combat commander with the type of intelligence he needs regarding the people in his area. He will, thereby, be able to take action to preclude the economic, political, and governmental reactions of the population from erupting into threats to the security of his forces or the accomplishment of his mission.

With accent on dispersal, the surveillance of lightly held and unoccupied void areas presents even greater intelligence and security problems than anything we have previously faced. For some time it has been recognized that in the main factor for effectively gaining control over guerrilla forces is the restoration of law and order coupled with a basic economic stability. For lightly held areas, the task is primarily one of generating confidence among the population in the local government's ability and willingness to furnish protection. This is done by furnishing those government services (such as communications, employment, relief needs as necessary, etc.) including protection, so that when the guerrilla steals the farmer's pig the farmer, instead of being intimidated, will have the courage to report the incident.

Unoccupied void areas present a more difficult problem. This can be met by extension of local governmental influence into these areas. Studies relative to German experiences in World War II point up many of the problems pertinent to this situation. One of the most logical solutions is that of extending local public safety agency personnel and organization into the void area to act as a guerrilla and subversive force deterrent.

PROBLEMS OF THE ATOMIC BATTLEFIELD COMMANDER

Let us now turn our attention to the examination of some of the problems of an essentially civilian nature which inescapably confront a commander in the conduct of his operations on the atomic battlefield.

Civilians, in larger numbers perhaps than ever encountered before, will commonly suffer the effects of war in personal loss, injury, deprivation and lack of the barest essentials of life. They will not have the guidance, assistance, or control normally provided by the former local levels of government. Continuing damage will contribute to mass hysteria and tend to convert the previously normal populace into an uncontrolled mob; a multitude of scared, hurt, and disrupted people who seek only to flee further injury with whatever possessions as are intact, and obtain, by any means possible, that which is necessary to remain alive.

From the commander's point of view, what is the effect of the problems posed by these civilians on his combat operations? The answer is not hard to imagine. They clutter the roads and interfere with or prevent the essential movement of troops and supplies, and often are injected directly into the combat operation. They require amazing tonnages of military supplies merely to remain alive, and can compel a diversion of combat troops to protect lines of communications and supply installations. They can require a similar diversion of troops to neutralize guerrilla action, fomented by undetected enemy agents among them. They can do all this and more. They can all but stop a military operation in its tracks, unless proper action is taken to anticipate and plan in advance such CAMG controls, as a part of the military action, as will effectively counteract these otherwise probable conditions.

The commander's CAMG operations are not limited to civil control and relief. In coordination with CIC, civilians are screened to insure the detection of enemy agents and the prevention of sabotage and rear area disorders. Local civil defense and damage control activities are coordinated with those of United States forces. Steps are taken to enforce directives and maintain a condition of law and order among civilians. Public health and sanitation are kept under surveillance to insure the prevention of epi-

demic disease that might affect the combat effectiveness of our Armed Forces. Information media are exploited to inform the civil populace of the purposes and aims of United States effort, and to improve the relations between our forces and the people of the country with which we are at war. Resources of the country are mobilized in support of military requirements, as well as minimum essential civilian needs—and certainly not least, the extensive CAMG organization, functioning constantly at the grassroots level, constitutes an effective source of information and intelligence of importance to the combat effort.

HUMAN NATURE REMAINS THE SAME

To summarize, it is becoming increasingly apparent that, "although weapons change, human nature remains the same" is a fact which greatly increases the problem of the future combat commander.

Modern nuclear weapons and highly technical military forces require mobilization of the full industrial and resource potential of a nation involved in war. Even the threat of their use affects not only whole nations but international balances as well. Under such conditions, the combat commander must conduct his operations with full recognition of the effect upon the population involved and their political, economic, and governmental structures, if ultimate victory is, in fact, to be achieved.

Successful military commanders throughout history, such as Julius Caesar and Alexander, recognized the problem of controlling the populace and took measures appropriate to the stage of weapons development of their time to cope with it. On the other hand, outstanding examples of less fortunate military leaders who could not adapt are found in the experiences of Napoleon I and Hitler in their Russian campaigns.

As we look ahead to the atomic age, the combat commander's mission remains the same. The new elements introduced, however, are the vast numbers of human beings affected by the extent, and, when nuclear weapons are used, the intensity of the operation. Such conditions will demand the development and use of the most efficient CAMG organization which can be devised, in order to cope with the characteristics implicit in atomic warfare, which include:

Balance and flexibility in our Armed Forces.

A continuing need for conventional forces.

Necessity to be prepared to cope with aggression of varying forms.

Essentiality of the Army in gaining our postwar objectives.

Continuing search to insure maximum combat effectiveness.

Extreme mobility of self-contained battle groups which are deployed over wide areas in great depth.

Increased need for accurate intelligence and surveillance over unoccupied areas.

Forces which must be able to concentrate rapidly, attack hard, and disperse quickly.

Great reliance on air transport.

MEETING THE CAMG REQUIREMENTS

Some proposed measures for meeting the CAMG requirements of the atomic age are as follows:

1. G5 staff sections and CAMG units must be included in the combat commander's force. Military personnel throughout the services must be indoctrinated in the CAMG capabilities, in order to provide the balanced force needed to carry out the commander's mission.

2. The operational nature of CAMG must be reflected throughout military doctrine; the G3–G5 relationships must be understood by commanders and planners.

3. G5 (CAMG) representation should be established on Military Assistance Advisory Groups in order to develop a capability within indigenous armies to conduct CAMG operations.

4. Close liaison should be maintained between agencies concerned with our relations with other peoples, such as the Foreign Service, ICA, USIA, U. N., in order to make maximum use of techniques developed and smooth out transition of authority problems.

5. Development of an appreciation of the need of the field commander for clearly defined national objectives and policies.

6. Encouragement of the development of a viable doctrine to counteract Communist propaganda.

7. Making maximum use of the free intellectual and religious traditions of the United States in combating communism and gaining our postwar objectives.

8. Increasing CAMG personnel efficiency by—

(a) Maintaining a continuing research program in order to develop new techiques, procedures, testing criteria, and detection of new research areas.

(b) Placing emphasis during training on—

(1) The role of CAMG in combat operations; development of plans, orders, and annexes.

(2) Problem solving methods and techniques.

(3) Cultural and environmental factors affecting the relationship between our military and local governments and peoples.

(4) Procedures for allocating manpower and resources.

9. Emphasizing CAMG orientation in all branch service schools.

10. The problem of training CAMG personnel in area characteristics and language will be greatly magnified during the atomic age because of the wide areas of great depth which are contemplated. To meet this requirement area documentation will have to be kept current and extremely concise. Also, every effort will have to be made to designate early the areas of deployment in order that the language training requirements may be met.

11. It is essential that CAMG plans, units, and staff sections be included in all maneuvers and CPX's, in order that organizational and doctrinal developments within the Army may provide the combat commander of the future with the capability to handle his CAMG responsibilities.

12. Increased emphasis should be placed on CAMG intelligence training, including the estimate of the situation and intelligence collection plan.

13. The indigenous public safety organization should be extended throughout the unoccupied areas as far as practicable, to act as a guerrilla and subversive force deterrent.

14. Increased emphasis should be placed on refugee control in order to prevent interference with ground mobility.

In conclusion, the critical point of atomic warfare will hinge on the combat commander's ability to exploit the advantage gained from the use of the weapon. With the chaotic conditions envisioned, his ability to handle the multitudinous problems—technical, ideological, logistical—posed by the population among whom he is operating, may well spell the difference between his success or failure. It is for this task that CAMG is organized. It is a profound command responsibility. It behooves all of us to develop a better understanding within our Military Establishment of CAMG activities, and to implement the objectives in war and in peace.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 20, 1957, he presented to the President of the United States the enrolled bill (S. 601) relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes.

THE CIVIL RIGHTS ACT OF 1957

Mr. ALLOTT. Mr. President, it is with some reluctance, at this rather late hour and after such full discussion that I rise to discuss a subject which has been so well covered by so many able Members of this body, and particularly by so many able lawyers. I rise at this time only because I believe that I have at least one point, and perhaps two, to contribute to the discussion, which points, at least in my mind, are determinative of this question.

First of all, I wish to make it very clear that, in my mind, Members of the Senate should decide this question not upon any extraneous issue, but upon the basis of what the rules provide.

The civil-rights bill, which has held up proceedings for so long in the Judiciary Committee, and which has precipitated the impending decision concerning the rules of the Senate, is only the reason why we are directing and focusing our attention upon an interpretation of the rules today. But the decision of the Senate should not be made upon the basis of whether one believes in the civil-rights bill as written, or in any amended form, but it should be made upon the basis of the rules as they are today.

Lincoln once made a statement which has stayed with me and has impressed me very greatly. He said, "You will never get me to support a measure which I believe to be wrong, although by so doing I may accomplish that which I believe to be right."

So in this case I think it is our responsibility not to be misled by our own passions or prejudices, or our own beliefs with respect to the substance of legislation. Rather, as a truly objective lawyer would do, we should direct our attention to the subject matter.

There are three phases which have been discussed over and over again. They are paragraph 4 of rule XIV, rule XXV, and the Legislative Reorganization Act. I listened with great interest to the arguments of the Senator from North Carolina [Mr. ERVIN] earlier this afternoon in his colloquy with the senior senator from Georgia [Mr. RUSSELL]. I was impressed by the fact that he was trying to interpret these provisions in such a way that the Legislative Reorganization Act would come into focus.

To my mind this may not be done. If one were to look at the two rules in question, rule XIV and rule XXV, especially looking at rule XXV by itself, one might say that every bill must be referred to one of the committees of the Senate, because in each instance the language is "to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects."

The language applies to each committee, and in each instance the language is "shall be referred."

But I do not think it is necessary to go to the Legislative Reorganization Act.

Subparagraph 4 of rule XIV reads as follows:

Every bill and joint resolution reported from a committee, not having previously been read, shall be read once, and twice, if not objected to, on the same day, and placed

on the calendar in the order in which the same may be reported; and every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

The bill in question has had a second reading, in full.

What did our predecessors in this body mean when they adopted this rule? It is perfectly obvious that they could have meant only one thing. If they had meant what the opposition in this case tries to assume, the last part of subparagraph 4 would have read something like this: "And every bill and joint resolution introduced on leave, and every bill and joint resolution of the House of Representatives which shall have received a first and second reading shall be referred to an appropriate committee," or similar language.

It is very obvious that our forefathers had no intention of doing that, because if they had any qualities at all, they had the quality of being able to express themselves succinctly, directly, and clearly. They did not say that the bill must be or shall be reported to a committee. Instead of that they said:

And every bill and joint resolution of the House of Representatives which shall have received a first and second reading without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

The substance of my argument is that if our forefathers had meant that this bill must be referred to a committee, they were fully capable of saying that, after the first and second readings, it shall be referred to a committee. There is no such language. There is no such intent expressed anywhere in the language of subparagraph 4 of rule XIV.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ALLOTT. I am very happy to yield.

Mr. LAUSCHE. I put the question to the Senator because obviously he has given serious study to the language of paragraph 4 of rule XIV.

I am in complete agreement with his views that in the disposition of the question immediately before us a decision should be made in trying to determine what the true meaning of the language involved is.

I have been studying this language, while listening to the arguments which have been made with regard to paragraph 4, and I have concluded that certain conditions must prevail before the disposition of the measure can be made in accordance with the views of the Senator from California.

First, the bill must have been initiated and passed in the House.

Second, it must have been read a second time.

Mr. ALLOTT. In the Senate.

Mr. LAUSCHE. Yes. Third, an objection to further proceedings must have been raised. Fourth—and this is where I reach an impasse—the bill must not have been referred to a committee.

My inquiry is this. Who initiates the referral of a bill to a committee? How is it done? Does the reference of a bill to a committee lie solely within the discretion of the President of the Senate? If it does not lie solely within his discretion, how can a Senator initiate the proceeding to get it referred? In other words, my query is this: If truly one of the conditions under which this section becomes operative is that the bill shall not have been referred to a committee, what is the mode of operation of getting it referred to a committee?

Mr. ALLOTT. If I may answer that question—of course, the Parliamentarian would be the one who could best answer it—I would say that of course ordinarily the bill, upon being introduced, is not actually read twice—that, perhaps, may be called one of the fictions of legislative procedure—but it is the function of the Vice President or the Presiding Officer, to refer a bill to a committee, unless such reference is objected to. I believe an objection would lie, perhaps—although the Parliamentarian could best answer this point—to the referral of a bill to the wrong committee.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. ALLOTT. I should like first to complete my answer to the Senator from Ohio.

Mr. KUCHEL. My comment is on the very point that the Senator is now discussing.

Mr. ALLOTT. I am happy to yield.

Mr. KUCHEL. I agree with the conclusion the Senator has reached. However, I should like to say that in the same rule XIV, if he will look at subsection 2, there is contained the following language:

2. Every bill and joint resolution shall receive 3 readings previous to its passage, which readings shall be on 3 different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third: *Provided*, That the first or second reading of each bill may be by title only, unless the Senate in any case shall otherwise order.

3. No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

The significant language is, "after which it may be referred to a committee." That may answer the question of the Senator from Ohio. I wanted to add that to the discussion which has been generated by the able Senator from Colorado, because I think that is of additional persuasion, that rule XIV purports to cover every potential procedural problem with respect to a bill originated either in the House or in the Senate.

Mr. ALLOTT. I appreciate the remarks of the Senator from California, because I realize and believe that it adds considerably to the weight of the argument that I have been advancing.

Mr. LAUSCHE. I recognize the significance of the statement made by the Senator from California. The language the Senator has read states in a mandatory manner how the reading shall be dispensed with. However, I find nowhere any language which tells how the referral to a committee of a bill that has come over from the House shall be made. I recognize that the Senator from New York has a view on that question, and I listened intently to his explanation. I have been persuaded to a considerable degree as to the soundness of what he said, that when the bill has been initiated and passed in the House, and in compliance with the rule has had two readings in the Senate, when an objection has been made to further proceeding, it lies within the discretion of the President of the Senate to place it upon the calendar.

Mr. CASE of New Jersey and Mr. JOHNSTON of South Carolina addressed the Chair.

Mr. LAUSCHE. I do not propound my question in an argumentative way. I am trying to explore with my colleagues what the true meaning of the language is.

Mr. ALLOTT. The Senator from New Jersey has been on his feet for some time. I yield now to him.

Mr. CASE of New Jersey. I rise with considerable humility and due deference to my senior colleagues. However, I have thought a good deal about the question raised by the Senator from Ohio. I have thought considerably about it and quite deeply. It is my conclusion, based on all the rules of the Senate, that the answer is that the decision as to whether a bill shall be referred, and where it shall go, rests with the body of the Senate, either by majority vote or by acquiescence, in a particular proceeding and in a particular course of action which is being taken with the knowledge of the Senate, or by custom. I think, therefore, that the answer is that the decision rests with all of us by majority vote.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. As I see the situation which the Senator from Ohio raises, when a bill is introduced by a Senator, the Senator always says, "I introduce a bill, and I ask that it be appropriately referred." The Chair then says, "Without objection, it will be appropriately referred." There, unanimous consent has been given.

The Chair has been vested with the power of reference. If the Member disputes the reference, he has an opportunity to bring the matter up on motion to discharge committee A and have the bill referred to committee B, and then it depends on the whole body of the Senate.

Suppose that tomorrow I should rise and introduce a bill and ask that it be appropriately referred, and a Senator should object. In that case it is my view that the Chair would have to lay before the Senate the question of reference. At that point the bill which I introduced would have for all practical purposes been on the calendar. It would be before the Senate unless it was actually referred. That is the situation as I understand it.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JOHNSTON of South Carolina. I should like to propound a point of order in regard to the matter we are discussing

at this time. Is it or is it not true that when the Senate adopts and puts an interpretation upon a rule, it then becomes binding upon the Senate? Is that not the precedent we must then follow?

Mr. ALLOTT. I do not know whether the Senator is addressing his inquiry to me.

Mr. JOHNSTON of South Carolina. I will address it to the Senator or to the Presiding Officer; either one. I am making a point of order.

Mr. ALLOTT. If the Senator is making a point of order, or propounding a parliamentary inquiry, I believe the Presiding Officer should answer the question.

The VICE PRESIDENT. The Senator from Colorado has the floor, and the point of order is not in accordance with proper procedure and cannot now be entertained by the Chair.

Mr. JOHNSTON of South Carolina. I believe that every Senator realizes——

The VICE PRESIDENT. The Senator from Colorado has the floor.

Mr. JOHNSTON of South Carolina. Is it not true that when the Senate has voted and placed its interpretation upon a rule, it becomes a precedent in the Senate that we are supposed to follow?

Mr. ALLOTT. I should say that would be a precedent of the Senate, but I do not think we should follow a false precedent. I should like to continue my answer to the junior Senator from Ohio [Mr. LAUSCHE] which I had not completed.

Mr. SPARKMAN. Mr. President, will the Senator yield on the point made by the Senator from New York?

Mr. ALLOTT. I shall be glad to yield, of course.

Mr. SPARKMAN. As I understand the rule, there is no requirement of unanimous consent in order to have a bill appropriately referred, provided the bill is introduced in order. The unanimous consent request that is so often made on the floor is to introduce a bill out of order.

Mr. ALLOTT. I believe that is correct.

Mr. SPARKMAN. If a bill is introduced in order, it is automatically referred. It is referred without any suggestion as to whether there is objection.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ALLOTT. I yield.

Mr. JAVITS. The point is that a bill cannot be referred until it has been read twice. When a bill is passed up to the desk, it has not been read. Unanimous consent is therefore necessary only to get it to the second reading stage, so that it may be immediately referred. That was my point.

Mr. SPARKMAN. I would suggest to the Senator from New York that when he next offers a bill during the morning hour he make no reference to unanimous consent, and see what takes place.

Mr. ALLOTT. I shall continue my answer to the junior Senator from Ohio. I wish to comment on the question which has been raised.

While I would not by any stretch of the imagination assume to myself the parliamentary knowledge which belongs to the Parliamentarian, as well as to some of the Senators who have been Members of this body longer than I, and to my colleague from New York, I believe the power to refer lies in the control of the Senate.

To the question the Senator has propounded, I should like to say this, which I believe is conclusive in the matter. If the Senator himself were writing paragraph 4, and he included in the last part of it, after the semicolon a provision to the effect that every bill and joint resolution introduced in the Senate, and every bill and joint resolution which came over from the House, were immediately to go to a committee after having been read twice, would the Senator have said what this section provides, or would he have said that every bill which has received the first and second reading shall be referred to the appropriate committee?

I think the question is completely self-explanatory, because if that had been the intention of the writer of the rule, and if the Senator were writing it himself, it is perfectly obvious that he would not have employed any language that is even similar in the least degree to the language that is employed in the rule.

That is, I think, a very cogent point. I bring it up at this time because it seems to me that if it had been the intention of the writer or the writers of the rule that upon a second reading a bill must be referred to the appropriate committee immediately, they would have said so. But they did not say so. They employed completely different language. Therefore, the supposition is that they meant exactly what they said; namely, that after a bill has been read twice, if it is objected to, then it must be placed upon the calendar of the Senate.

Mr. LAUSCHE. If I had written the language essential to the subject under discussion, I think I might have written it in this way: "Every bill and joint resolution of the House of Representatives which shall have received a first and second reading, and which has not been referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar."

In my mind, there are four conditions which are a sine qua non. They must exist before the bill can be placed on the calendar. I see three of them clearly.

The measure under consideration is a bill initiated and passed in the House. It has had its first and second readings. An objection has been made to further proceeding. The bill has not been referred to a committee.

The impasse consists in trying to determine how the initiation is to be made. What is the modus operandi under which reference can be started?

Mr. ALLOTT. I do not know that I can answer adequately, but I will say in reply that we have had three different versions stated on the floor this afternoon. In my own humble judgment, the referral is done by the Vice President. But that would be subject to the objection of the Senate or the overruling of the Vice President by the Senate at any time.

Mr. LAUSCHE. The Senator from Massachusetts [Mr. SALTONSTALL] is in the Chamber at present. I observed in reading the record of what took place 9 years ago, that he had an interpretation of that question. I leaned rather heavily toward his thought. His thought was that at a certain point in the proceeding the question should be asked, shall this bill be referred to a committee?

I do not see in this language of the rule the clarity which has been ascribed to it by many other Senators.

Mr. ALLOTT. I agree with very much of what the junior Senator from Ohio has said. I think there is only one point of the proceedings at which the objection can be made.

It will be noted that when the senior Senator from California made the objection this afternoon, his language was very carefully couched, and he very carefully based it on subparagraph 4 of rule XIV.

Mr. President, I should like to conclude my remarks with one or two observations on allied matters. The objection has been made repeatedly that following the procedure proposed would result in the control of the Senate by one Senator. I think that simply is not so, because there are too many instances in the rules under which we operate by which one Senator can control a great many things.

For example, a few weeks ago, when the Senate was debating the Suez question, one Senator rose and said that he would object to any unanimous-consent agreement which limited the debate or limited the time for debate. He was perfectly within his right to do so. Ninety-five other Senators conformed to the objection which the one Senator raised at that time, and which he was entitled to raise.

I call attention to the fact that even as we sit here this afternoon, I was supposed to attend a committee meeting under the chairmanship of the Senator from Tennessee. I do not know whether that committee meeting has been held or not. I did not want to raise an objection to it. But it was within the power of the Senator from Colorado, and it was within the power of any other Senator, to prevent or to stop the sitting of any committee while the Senate was in session.

I could go on and on, because there are innumerable instances in which the objection of one Senator can stop the proceedings of the Senate.

Our rules are designed to protect the interests of the minority. I cannot help recalling a conversation I had with our former colleague, the great Senator from Colorado, Eugene Millikin, in connection with the cloture rule. He pointed out to me that while it might or might not be desirable to modify that rule at a given time, nevertheless, one of the great things about it was that the minority could never be shut off from having their say in a debate.

I might add one other good example. Under the rules of the Senate, as I understand them, a Senator may yield only for questions. If he yield the floor otherwise, I believe, under the rules strictly interpreted, he may lose his right to the floor. The Senator from California [Mr. KNOWLAND] has pointed out repeatedly in his debate how we bend our rules to provide flexibility during the ordinary course of debate. But if I

interpret the rules correctly, most of the colloquy today upon this matter would not have been within the rules of the Senate, and any Senator could have stopped the colloquy by objecting and insisting that the only purpose for which a Senator could yield was for a question.

Mr. President, I had not intended to speak at such great length, but the questions which have been propounded to me, in my opinion, have pointed up very adequately the fact that the language in rule XIV by itself is clear, without question of conflict with rule XXV or with the Legislative Reorganization Act, and that the only choice in this matter, it seems to me, is to place the bill on the calendar.

Mr. MORSE. Mr. President, I have listened very carefully to the statement on the matter which is before the Vice President of the United States for parliamentary determination, and I wish to comment on some of the observations which have been made on the floor of the Senate this afternoon.

First, I wish to say that the interesting doctrine enunciated by the Senator from South Dakota [Mr. CASE]—namely, that rules are not needed for the protection of majorities; but that, instead, rules are for the protection of minorities, and that only minorities need rules—is a most remarkable and novel one. In my judgment it is utterly unsound, because the entire history of procedure in the judicial process, in the legislative process, and in the executive process in our form of Government, is one of the development of rules for the protection of both majorities and minorities. Time and time again a majority needs the protection of fair procedure against a minority which, in the absence of those rules of procedure, could run roughshod over the majority. The cloture rule is a good example of the kind of procedural protection a majority has against an adamant minority. The purpose of the rules of procedure bears no relationship to majorities of minorities. Their purpose is to guarantee an orderly process of law and the maintenance of a system of law, in contrast with a government by men.

So I wish to discuss this matter from the standpoint of the history of the procedure we are being asked to overrule, by means of the extraordinary request made this afternoon.

I submit that custom and practice are also parts of the law, just as the mores of a people constitute a vital part of the culture of the people.

In this matter we—particularly those of us who classify ourselves as liberals—had better take a long look at the customs and practices of the Senate of the United States in the handling of proposed legislation coming to the Senate from the House of Representatives.

There has been an interesting debate by sincere Members regarding the history of rule XIV. In years gone by, some precedents have been made in cases of placing directly on the calendar of the Senate bills which have come to the Senate from the House of Representatives. But I would have the Senate keep in mind two things: First, that most of those instances did not involve major pieces of proposed legislation, great ones such as the one now before the Senate, which rocks the Nation; and, second, in those instances the time factor was very important.

In other words, when, toward the end of a session, the House of Representatives has acted on a measure of no great consequence, and when the committees have suspended their work for the remainder of the session, there may be agreement that a House bill will be placed on the Senate Calendar and will be considered by the Senate, while operating essentially as a Committee of the Whole. In such a case the Senate is turned into a Committee of the Whole insofar as that particular measure is concerned. But most of the instances when the Senate has turned itself into a Committee of the Whole have not involved an important piece of proposed legislation, such as the civil-rights bill, in regard to which the Senate, in my judgment, should have the benefit of the committee process, including the testimony of witnesses and an opportunity for the citizens of the country to appear before the committee and testify.

But is it to be suggested that citizens be allowed to come before the United States Senate, sitting as a Committee of the Whole and testify here in the Senate on the bill which is proposed to be placed directly on the Calendar of the Senate? It is said that the Judiciary Committee has had the matter of civil rights before it since February, in the form of a Senate bill. However, that bill is not the House bill. In the course of the debate it has been admitted that there are several differences between the bill the Senate Committee on the Judiciary has been considering and the bill which has come to the Senate from the House of Representatives. The House bill has never been before the Senate Committee on the Judiciary. There has never been an opportunity for witnesses to appear before the Senate Committee on the Judiciary and testify on the House bill.

RIGHT OF WITNESSES TO TESTIFY BEFORE COMMITTEES

The right to appear before a Congressional committee and testify is, as I have said, also a part of the democratic rights of the people of the United States. Certainly they have a right to appear before the Senate committee, and to present their views, and to have them recorded for the official transcript, when such a bill is considered by a Senate committee.

Furthermore we all know that sometimes when a House bill comes before one of our Senate committees it is very helpful in ironing out conflicting viewpoints within the committee. It is my hope that sending the House bill to the Senate Judiciary Committee may speed up a compromising of differences within the Judiciary Committee and produce action much faster in the Senate than will be the case if we create a lot of ill will among Senators by following the course of action based upon parliamentary expediency which is being proposed by many of my liberal friends in this attempt to keep the House bill from going to the Senate Judiciary Committee.

So I believe we are turning our backs not only on long-established custom in connection with the handling of House bills, but also on a very important check which the people of the United States are entitled to have preserved for their benefit. In my judgment, citizens across the land should be given an opportunity to appear at public hearings held by the Judiciary Committee of the Senate, and to testify there regarding the House bill, because that measure is vital, and it might very well be vital even to the tranquility of the Nation.

Mr. President, on the basis of any time clock before the Senate of the United States on June 20, 1957, I do not think there is justification for rushing the House bill to the Calendar of the Senate.

In the colloquy had the other day, I stated that if a majority of the members of the Senate are ready to vote to place the bill on the Calendar, a majority vote will be available at any time in connection with a motion to discharge the Judiciary Committee from the further consideration of the bill, whenever the Senate believes the committee is not carrying out its responsibilities, as a committee child of the Senate, to its parent. But in my judgment the House bill should be referred to the Judiciary Committee, for its due deliberations. And if the committee were to decide, if necessary, because of differences between that bill and other bills pending before the committee, that hearings should be held on the House bill, a reasonable time should be allowed for the hearings, before the Senate committee, on the House bill. That is in accordance with the customary practice and the customary procedure. It is a rather precious procedure, Mr. President. Senators are busy; they serve on various committees. As a result, they must rely to no small extent upon the studies and reports of the committees on which they do not serve.

When a civil-rights bill is on the Senate Calendar, I wish to know whether a Senate committee which has responsibility and jurisdiction over the subject matter has given due consideration to that particular bill.

I think we also need to be very frank about the background of the present controversy. There are differences of opinion regarding the course of action the Judiciary Committee has followed in handling the Senate bill on civil rights. This afternoon I listened to the Senator from Missouri [Mr. HENNINGS] give a chronological statement regarding what has happened in the Senate Judiciary Committee in connection with the handling of the Senate civil-rights bill. I thought he made a fairly good case for the making of a motion to discharge the committee from the further consideration of the bill. But certainly I do not think he made any case at all for circumventing the committee procedures and customs of the Senate regarding the handling of House bills in the ordinary cases, by having the House bill placed on the Senate Calendar, without first being referred to the Judiciary Committee.

The other day I said—and I repeat it now—that if the House bill is referred to the Senate Judiciary Committee, and if thereafter it can be shown that the Senate Judiciary Committee has followed dilatory practices or procedures in connection with the handling of the House bill, I myself will move that the committee be discharged from the further consideration of the bill. I think that is the course of action the Senate should follow. It is the course of action which I thought most of my liberal colleagues contemplated, and I was quite surprised when that course of action was not followed.

That leads me to state that I also believe we owe respect to the House of Representatives. In connection with a matter as vital as this one, I believe the House of Representatives is entitled to have the Senate pay sufficient respect to the deliberations of the House, at least to the extent of having the House bill referred to a Senate committee which will subject the bill and the deliberations of the House to study, and also, if necessary, will subject the House bill to further hearings.

I do not think Senators would particularly appreciate it if the House were to treat the Senate quite as summarily and cavalierly as I believe it is proposed that the Senate treat the House in connection with this matter.

"Oh, but," it is said, "this is the only way we can get a civil-rights bill before the Senate"; and, of course, I deny it. The discharge procedure which would be involved in following the procedure under rule VII of the Senate is perfectly clear. It can be followed by a majority vote in the Senate, and if we have the majority vote to put the House bill on the calendar without first going to the Judiciary Committee, we have the majority vote to discharge the committee.

"But, ah," it is said, "that means maybe we shall have three prolonged debates." Well, let us call them what they are—three filibusters. Mr. President, we shall have only one, when all is said and done. It might go over a little longer time or on a different time schedule if the discharge procedure were followed than if the procedure now being suggested were followed; but I would be very much surprised, Mr. President, if by following the proposed procedure we did not have a filibuster.

At least, Mr. President, the proposed procedure does not remove the possibility of a filibuster. With a bill as lengthy as this one, there is no mathematician in this body who can count enough figures that would read out the possibility of amendments to this bill, if men had the will and determination to propose the amendments.

I think I can speak with some authority on this subject, Mr. President, because I have participated in filibusters, and I have participated in debates breaking filibusters. I want to say that the threat of a filibuster does not bother me, if Members of the Senate have the will to break a filibuster. I want to say a filibuster conducted on a fair civil-rights bill involves a subject matter that ought to result in at least enough will in the Senate to break it. To say that if we follow the discharge procedure, we may have to deal with this matter three times, as the Senator from Missouri indicated in his able speech, but if we follow the proposed procedure of placing the House bill on the calendar, we may have to deal with it only once, does not mean it is going to save 1 hour of time.

PARLIAMENTARY EXPEDIENCY IS NO SYNONYM FOR LIBERALISM

I will tell the liberals what it is going to do. It is going to put the liberals in a position where, in my judgment, they will be rightly charged with parliamentary expediency; and I do not think we as liberals ought to resort to parliamentary expediency. As I said the other day, parliamentary expediency is no synonym for liberalism. To the contrary, we liberals, who so frequently are the spokesmen for and representatives of minority groups in America, ought to always lean over backward to see to it that we give our opposition the full benefit of fair procedure. The full benefit of fair procedure in this matter is the fair procedure of committee consideration on this bill and a reasonable time for the committee to report it to the Senate, in accordance with the customary, long-standing practice of the Senate. Then, Mr. President, let us stay in session as long as is necessary—this summer and fall, and into New Year's if necessary—to pass a fair civil-rights bill. That is a liberal challenge. It is a challenge to the liberals, Mr. President, to avoid parliamentary expediency. If we run roughshod over our opposition by putting this bill on the calendar it will be the first time since the Reorganization Act was passed in 1947, that a House bill was put on the Senate calendar over the objection of other Senators. We should not yield to the pressure of those individuals and groups that want us to adopt the "end justifies the means" rationalization for this parliamentary expediency.

So I direct my attention for a moment to the National Association for the Advancement of Colored People and to the Americans for Democratic Action, because I happen to be an honorary vice president—at least, I was for years and, as far as I know, I still am—of the National Association for the Advancement of Colored People. I also happen to be a vice president of the Americans for Democratic Action. Some of the officials of those two organizations have been very busy in recent hours trying to impress upon United States Senators that we ought to vote for this parliamentary shortcut.

I want to say to those two liberal organizations, "You are making a terrific mistake, because I do not know of any group that has more at stake in regard to fair procedure than have the colored people of America." The Supreme Court, I think, has demonstrated to them, in recent years and recent days, how important the precious guaranties of fair procedure happen to be to liberty and freedom for the individual in this country.

Oh, Mr. President, I say to the liberals, parliamentary expediency is not the road to travel. The Senator from South Dakota this afternoon—and I paraphrase his remarks—thought I had engaged in a great fallacy when in my speech the other day I argued that by following the course of action of putting the House bill on the calendar we are going to find ourselves, in the not too distant future, faced with the problem of bad proposals from the House going directly on the calendar. He seemed to think that was an unsound argument for me to make when I warned the liberals that they may very well endanger their best parliamentary interests by going along with this proposal of parliamentary expediency. Well, it is a realistic one, and time will prove how right I am, and I shall be waiting for the speeches of liberals when proposals will be made to put directly on the calendar, without benefit of committee hearings, right-to-work, gas, and other proposed legislation not in the interest of the people generally.

No; the precedent the Senate is adopting this afternoon is a two-edged sword. I believe in the committee procedures of the Senate. I believe the Judiciary Committee ought to be respected by the Senate and given an opportunity to act on the bill.

BELIEF IN COMMITTEE PROCEDURES

Mr. President, I wish to say this—and it is my last point—what the Senate really is being asked to do today on the floor of the Senate, in my judgment, is discipline a committee before the committee has had a chance to act on the bill. That is what this adds up to. I ask Senators to listen to their own arguments. They have been arguing in the Senate, in speech after speech, that the Judiciary Committee has not acted on the Senate bill, and therefore the Senate is not going to give the committee a chance to act on the House bill. Senators are walking out on their own committee procedure, and I do not believe in convicting anyone before he commits the crime.

I believe the Judiciary Committee ought to have the opportunity to consider the House bill, if Senators believe in the Senate committee procedure. If the Senate does believe in it, then let the motion to discharge the committee be made. Oh, I know, Mr. President, there are political overtones in the great issue before the Senate this afternoon. There are minority groups in this country, because the pressure on me shows it, that think the test of liberalism in the Senate this afternoon is whether a Senator votes to put the bill on the Senate Calendar. I want to say to the National Association for the Advancement of Colored People and I want to say to the ADA, "I think you are both wrong and I think you are proposing a great injury to sound civil-rights programs in the United States."

I am perfectly willing, Mr. President, to stand on my record as a liberal in favor of resolving all doubts in favor of the exercise of the full committee procedures of the Senate.

It has been admitted on the floor of the Senate by proponent after proponent that this procedural shortcut is

extraordinary. It certainly is extraordinary, Mr. President. It is remarkably extraordinary, and, Mr. President, it is a denial of the ordinary committee procedure of the Senate. It is a denial to the Senate of the benefit of the judgment of the Judiciary Committee on the House bill. At least, it denies to the Senate of the United States the benefit of giving the Judiciary Committee an opportunity to live up to its committee responsibilities.

That is my case, Mr. President.

Mr. HOLLAND. Mr. President, will the Senator yield for a question?

Mr. MORSE. I am not going to be diverted, Mr. President, by all the extraneous arguments that have entered into the debate. We have here a great issue. It is a momentous issue, which has many people in this country divided. I think we ought to say to the voters of America, "We resolve every doubt in favor of a procedure which will assure a thorough committee analysis of the bill, including the right of free citizens to testify on it before a Senate committee, before we put it up for a vote in the Senate of the United States."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Florida.

Mr. HOLLAND. Mr. President, first I congratulate warmly the distinguished Senator. He has made an able speech, and a speech not easy for him to make. He has my very high respect for the speech which he has just made.

Mr. President, I should like to ask my distinguished friend if he thinks there would have been great enthusiasm among the members of the liberal organizations he has mentioned, and whose views he has so ably represented on so many occasions, if, at the time the House of Representatives passed, under the fervor of a war feeling, a measure to draft some tens of thousands or hundreds of thousands of union members, who were striking at the time, one Senator had gotten up on the floor and said, "That measure must go on the calendar without the benefit of hearings or the giving of good people, liberals and others, a chance to be heard before the committee."

Mr. MORSE. The Senator is quite correct. My answer is that is why we ought to follow the committee hearing procedure.

I answer the Senator further by saying that by clear implication the Senator has pointed out why we ought to also be on guard against runaway majorities.

Mr. HOLLAND. Of course. Mr. President, will the Senator yield for another question?

Mr. MORSE. I yield.

Mr. HOLLAND. The Senator knows full well that if this measure takes the course similar measures have taken, for many Congresses, the ultimate question is going to be whether or not 64 Members of the Senate are willing to vote to close debate, and the Senator well knows that the only practical difference is between 2 clotures and 3 clotures, each of which involves a maximum of something like 72 hours of time, and not over that.

Mr. MORSE. The Senator is correct. And January 1 is far enough away to take care of the matter.

Mr. HOLLAND. Having that in mind, does the Senator not think it almost humorous to hear Senator after Senator rise to piously state that the reason for this proposed action and the reason for upholding it is so that the rights of a minority may be served?

Mr. MORSE. I will answer the Senator's question. I simply do not agree with their arguments.

Mr. HOLLAND. I thank the distinguished Senator and congratulate him for his courtesy and clarity.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Oregon yield; and if so, to whom?

Mr. MORSE. I yield to the Senator from Michigan [Mr. McNAMARA].

Mr. McNAMARA. Mr. President, I am impressed by the argument of the Senator, particularly as it appeals for the allotment of a reasonable amount of time during which the committee is expected to act. Does the Senator not agree that 5½ months is a reasonable length of time to consider a bill and hear witnesses pro and con, as to everything concerned with this phase of the civil-rights problem which is before us?

HOUSE BILL NOT BEFORE SENATE COMMITTEE

Mr. MORSE. I think it was more than ample time to consider the Senate bill, but the committee has not been considering the House bill.

Mr. McNAMARA. That is a fact. I ask, in my question, if the Senate bill does not contain all the things in the House bill, plus some others?

Mr. MORSE. I think what the Senator needs to keep in mind is that when there are two bills, a House bill and a Senate bill, with differences between the two bills. When the committee has to make a choice as to which bill is going to be reported, it may be very important to call in some expert witnesses and get their points of view with respect to the differences between the two bills. We do that on all other pieces of legislation. There is no reason why we should make an exception for civil-rights legislation.

If the Senator wants my judgment as to how long I think is a reasonable time for the committee to consider the bill in this case, in view of the chronology the Senator from Missouri [Mr. HENNINGS] gave us this afternoon, I think if we send this bill to the Committee on the Judiciary for 2 weeks, and the Committee on the Judiciary does not keep faith in 2 weeks, then we certainly shall have given them ample time, and we then should support a motion to discharge the committee.

Mr. KUCHEL and Mr. COOPER addressed the Chair.

The VICE PRESIDENT. Does the Senator yield; and, if so, to whom?

Mr. MORSE. When I have finished my discussion with the Senator from Michigan, I shall yield.

Mr. McNAMARA. I just wish to say that I thought the Senator agreed 5½ months was a reasonable time.

Mr. MORSE. I think it was too long for the Senate bill.

Mr. McNAMARA. I think if the Senator does agree, his argument falls.

Mr. MORSE. I think not at all, because the committee has not had the House bill before it 1 minute of that time.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from California.

Mr. KUCHEL. I should like to ask the Senator from Oregon if in his opinion it would be a violation of the rules of the Senate for a bill from the House of Representatives to be read twice and then be placed on the calendar.

Mr. MORSE. I think, considering the action taken in the 1948 case and the Reorganization Act of 1946, that rule XXV prevails, and it modified rule XIV to that extent.

Mr. KUCHEL. So, in the Senator's opinion, the Senate cannot effectively uphold a ruling, if it is made on that basis?

Mr. MORSE. In my opinion, rule XXV modified rule XIV. I said that the other day, but today I based my argument on the assumption that I thought I should give the benefit of the doubt, for the purpose of argument, to those who feel rule XIV stands unchanged. I made my argument today on the basis that even if one thinks rule XIV is unchanged, I think with a piece of major legislation such as this it is of vital importance to orderly process here in the Senate that we put major legislation, at least, through committee hearings.

Mr. COOPER. Mr. President, will the Senator yield?

Mr. MORSE. I yield to the Senator from Kentucky.

Mr. COOPER. Mr. President, I have not entered into this debate, the principal reason being that it involves a matter of interpretation of the rules, which can best be determined by those who have worked with the rules a long time and have practical knowledge of their application.

I have listened to this debate very carefully. I must say that the arguments which have been made against expediency are very persuasive. Knowing the great legal ability of the distinguished Senator from Oregon, I should like to ask him for advice on this question.

Mr. MORSE. Will the distinguished Senator speak a little louder, please?

Mr. COOPER. I say, knowing the great legal ability of the distinguished Senator from Oregon, I should like to ask him for advice on this question, because I would agree with the Senator on this point——

Mr. MORSE. I want to say to the Senator from Kentucky, I wish I had his legal ability.

DANGEROUS EXPEDIENT

Mr. COOPER. I thank the Senator. If an expedient is to be used in the decision of any great question such as the one before the Senate, I think it is a very dangerous thing to do and a very bad thing to do.

The Senator has said that he considers that the Reorganization Act, which went into effect in January 1947, repealed rule XIV. The Senator made

his argument on the theory and basis that the rule had been repealed.

An argument has been made by the distinguished Senator from Georgia [Mr. RUSSELL]. I arrived at the conclusion that he took the position, rather, that there was no other action to take than the reference of a bill to a committee.

I now invite attention to the wording of the rule. The rule says:

> Without being referred to a committee, shall, if objection be made to further proceeding thereon, be placed on the calendar.

Does the distinguished Senator believe that a motion could be made to refer to a committee, and then, if the entire body voted upon that motion and voted that it should not be referred to a committee but should be placed on the calendar, that that would be an action by this body which would remove from the procedure the opprobrium which the Senator has just discussed in his argument?

Mr. MORSE. I think we could amend our rules accordingly; but as they are presently worded, I do not think such procedure is provided for.

Mr. COOPER. The Senator from Ohio raised a question which has been raised in the debate today. If the wording "without being referred to a committee" implies that there is opportunity for the determination after a second reading, and after objection has been made, if there is opportunity for determination as to whether or not a bill shall be referred, that would mean, of course, that upon motion to refer, or not to refer, an opportunity would be given the entire body to vote. It seems to me that if that is possible under the rules, the argument that one Member can obstruct the procedure of the Senate would be removed.

Mr. MORSE. I would not want to render a curbstone opinion on that question. I should like to go back and restudy the precedents prior to the change of rule XIV in 1947 through the adoption of rule XXV, but I believe that in order to clarify the language we would need to amend the rule itself, along the lines which the Senator from Kentucky suggests; and if we are to keep rule XIV, I think it would be very desirable to add that kind of amendment to it.

Mr. COOPER. There is the argument—and it has been made here today by the Senator from Ohio and others—that the words "without being referred to a committee" implied that in every case in which objection is made there should be the opportunity for the entire body to vote upon the question as to whether or not the bill should be referred.

It seems to me that if that opportunity were given to the entire body, the argument with respect to the procedures of the Senate being determined by one man would be removed. It seems to me that the argument with respect to overturning a precedent would also be removed, because in every case in which objection was made the Senate would have opportunity to make a decision as to whether or not the bill should be referred.

Mr. MORSE. I would welcome such an addition to rule XIV. If we are to keep rule XIV, I think we certainly should protect the procedure by providing for some such procedure as the Senator has outlined.

Mr. COOPER. The point I make is whether or not, in the Senator's view, such a procedure is impossible.

Mr. MORSE. I believe that under the rule as worded at present, it is not provided for. There are not very many things that the Senate cannot do about changing its procedure and rules, by majority vote. I would not wish to decide the question until I conferred with the Parliamentarian.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. I was reminded by the colloquy between the senior Senator from Colorado and the senior Senator from Oregon of the proposal sent down under a previous Democratic administration, to draft striking railroad workers into the Armed Forces of the United States. I happened to be in the House of Representatives at that time. I do not recall offhand whether or not that question was referred to a committee in the House. I am quite certain, however, that if it was, the meeting was a matter of minutes only, and that there were no witnesses and no hearings to speak of; also that so far as voting on the measure over there was concerned, we did not even have the bill before us.

Unfortunately the House passed that measure, and it came to the Senate. At that time the distinguished Senator from Oregon was a Member of this body, as was the late distinguished Senator from Ohio, Senator Robert A. Taft. If I remember correctly, in the Senate an attempt was made to bypass the committee; but thanks to objections raised by Senator Taft and, I believe, the Senator from Oregon, after some debate on this floor the bill was referred to a committee, and the measure died in committee. Is that correct?

Mr. MORSE. The great Senator Taft of Ohio as I recall was the first man to speak out against that invasion of what many of us thought were very precious individual rights. We were convinced that a misuse of the draft was involved. I joined the Senator from Ohio, Mr. Taft, in his opposition to the proposal to draft strikers. That was when I made my unfortunate reference to the President of the United States, for which I later apologized.

I know what the history of that strike was. In fact, the surrender terms in that strike were written in my office, dictated by me at 8 or 9 o'clock one morning, and delivered to the White House by 10:30 the same morning. So I knew something of the history of that matter.

If the Senator from Montana will check the CONGRESSIONAL RECORD, he will find, I believe, that the Senator from Ohio protested the course of action which was proposed in the handling of the legislation that was proposed after the President recommended to the joint session of Congress that the railroad strikers be drafted.

Mr. MANSFIELD. Was the attempt made at that time to bypass the committee, and to bring a bill from the House directly to the floor of the Senate?

Mr. MORSE. I would have to check the RECORD. My recollection is that there was an attempt to take immediate Senate action without referral to a Senate committee, but I wish to check the RECORD. The question is easy of determination. I shall check the RECORD, and see to it that a statement is placed in the RECORD with regard to it.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

HIGHLY QUESTIONABLE LEGISLATIVE COURSE

Mr. KENNEDY. Even leaving out of consideration the Reorganization Act, does it not seem to the Senator, from reading rule XIV, particularly subparagraph 4, that it is intended to prevent precipitate action after the first and second reading, and that the whole intention of the four subsections is to provide for delay, and to provide that there shall not be action by a majority or a minority of Senators against the will of one Senator without Senate procedures being followed.

It seems to me there is no doubt that what was intended by subparagraph 4 of rule XIV was that if one Member objected, the bill should go to the calendar and lie over for a day. It could not have been intended that one Senator should be able to prevent a bill from going to a committee. Rather, the intention was to protect Senators, both individually and collectively, against action being taken on the three readings at one time without an intervening period.

If that is the legal interpretation of the section—it certainly is mine—I also stress the customs of the Senate, which the Senator from Oregon discussed. I think it would be disastrous for the Senate—conservatives and liberals alike—if we were to give credence to an interpretation of the rules which would permit one Senator to prevent important bills, whether they originated in the House or in the Senate, from being referred to the respective committees.

It seems to me that we are faced with making a choice between fighting out the question in connection with a discharge petition, if the Judiciary Committee does not act, and possibly having to enforce cloture 3 or 4 times, depending upon the decisions of the Parliamentarian and the Presiding Officer.

Mr. MORSE. I agree with the Senator.

Mr. KENNEDY. It seems to me we are faced with the choice of going through 3 or 4 clotures or doing it twice under the alternative procedure. So, in order to save ourselves from going through 1 extra cloture petition and procedure—and possibly 2, although, as the Senator says, we can do it easily if we have the votes—it is proposed to embark on a legislative course which is highly questionable. I cannot see any justification in connection with the proposed legislation, however important it may be, for giving up one of our maximum protections in order to save ourselves from

the mechanics of an extra cloture proceeding or two.

Mr. MORSE. I agree.

Mr. HUMPHREY. Mr. President, I have listened with keen interest to the comments which have been made by my colleagues. I have listened to them, I trust, with enlightment on this very important subject. I wish to say to the Senator from Oregon that I have the highest regard for his knowledge of the law, and for his intimate knowledge of the rules of the Senate, and for his dedication to sound procedures, and for his liberalism, which is second to none.

I say the same to the Senator from Massachusetts, and to any other Senator who may engage in this debate.

However, I feel that there is another point which needs to be stated, not original with me, but which must be reiterated, because this is not a question as to whether one is a liberal or a conservative; it is not a question whether one is for action or for inaction. Let me say that no one has yet denied that rule XIV is a valid rule. It is a rule in the rule book. It is there. It sets forth a legal procedure in the United States Senate. Rule XIV has been applied on other occasions. It is an extraordinary procedure, as has been indicated, for an unusual situation. But it is a procedure which is permitted under the rules of the Senate.

I said earlier today that one can argue as to whether it is desirable, and whether it is valid, but it is necessary to make up one's mind as to whether he will base his case on it.

I do not say it is the most desirable procedure, but I say it is a valid procedure. I further say that it is being used because for years the United States Senate has been the tomb, the graveyard, the burial ground of proposed civil-rights legislation.

No Senator has been more tolerant on this point than has the junior Senator from Minnesota. I remember last year, when I had to break with my dearest friends over a discharge petition. I was told, "This is no time to use a discharge petition. If you use a discharge petition to try to discharge the committee, you are going to interrupt consideration of important legislation." That was true. I responded to what I thought was a reasonable argument. I broke with friends. I took my fair share of abuse. I am perfectly willing to take the abuse, because when one engages in politics, that is a part of the price one must pay.

I have said to my friends that the time has come for the Senate to act on civil rights. I have said privately and publicly that I for one am through with delay, inaction, explanations, and procrastination. I am through with all the rationalizations which have been used.

Civil-rights bills were introduced on the first day of the first session of the 85th Congress. Civil-rights bills have been introduced by the half dozen or more. The very same civil-rights bill which passed the House of Representatives was introduced, word for word, in the Senate. That bill has been before the Senate Judiciary Committee for months. Bills similar to this were before the Judiciary Committee in the 84th Congress. Bills similar to this bill were before the Judiciary Committee in the 83d Congress, and in the 82d Congress. I know, because I sponsored them. They were word for word with this bill. We speak about the President's Commission on Civil Rights. That is just about as new as Ben Franklin's Almanac. I introduced that bill in 1949. It has not been acted upon.

Hearings? More hearings have been held on that bill and similar proposals than there are pebbles on the beach. We have had other civil-rights bills on the calendar.

I say most respectfully to my colleagues that on two occasions, at least, when I was a member of the Committee on Labor and Public Welfare, we spent months developing a bill called "Equality of Opportunity in Employment." It was a type of fair employment practices bill, giving to the States the authority to carry out the program, giving to the municipalities the authority to carry out the program, and taking away from the Federal Government complete supervision and giving to local and regional units an opportunity to administer it. Did it get anywhere? It got on the calendar. That is where it died.

I did not hear anyone say, "This is dangerous, because it got on the calendar." It got on the calendar through the committee. It got as far as the calendar, period.

I say to the Senate that those who are today arguing that the proposed procedure under rule XIV is unusual, and that it opens up a Pandora's box, do not come with very clean hands in terms of action on legislation in the field of civil rights.

Action has not taken place.

I have examined the rules. I am not one who engages in debates on Rules of the Senate. At least I do not do so ordinarily. I recognize that most of the rules are not applied too rigidly, but when we are faced with a difficult situation or controversy, the rules are applied rigidly and firmly and, I trust, always equitably. I might not like rule XIV if it were applied to a bill to which I personally was opposed. I am human. I have my prejudices. I have my likes and dislikes. It is entirely possible that if this rule were applied to a bill to which I had serious opposition I would argue against the use of the rule, saying many of the things which have been said here today, but that still would not mean that the rule was not valid.

I do not like some aspects of rule XXII. Let me say that before the present rule XXII was adopted it was necessary, apparently, to revise the former rule on cloture. Someone thought that it had a loophole in it, and that person thought about it and made it a reality. Therefore we tried to revise the rule on cloture. We adopted a compromise which was supposed to remedy a loophole. Instead, we built a tunnel in the rules of the Senate.

I have heard argument after argument made about how we ought to proceed through the Rules Committee. I have always argued that way myself. I think the Committee on Rules and Administration may at long last come forth with a rule. We have waited a long time. However, rule XXII has been a sacred cow. It has been a sacred monument. Rule XXII has denied a majority of the Senate, and even has denied a minority of the Senate on occasions, opportunity to obtain action.

Rule XIV was not repealed, according to my judgment, by the amendment to rule XXV. Rule XXV, as I said earlier, applies to the jurisdiction of committees. Rule XXV is explicitly set forth in the Reorganization Act, and it says if a bill relates to the certain items, it shall be referred to the Committee on Agriculture and Forestry, for example. The Legislative Reorganization Act does not say one word about repealing rule XIV. However, the Reorganization Act does say that rule XXV is amended. It says specifically that rule X of the House is amended, as is also rule XI and rule XII of the House.

I say to my friends in the Senate, who contend that rule XXV supersedes rule XIV that the burden of proof is indeed upon them. Of course, the rules which were changed by the Legislative Reorganization Act were changed specifically by direct reference, and not by innuendo or indirection. The only question one can ask is, Does rule XXV supersede rule XIV because the two are inconsistent?

I think the truth is that rule XIV stays intact.

There has been some argument made today that the procedure suggested would deny the Judiciary Committee judgment on the House bill.

Let us take a look at that argument. I repeat—and I believe the record will bear me out—that there is a bill before the committee upon which hearings have been held. It is a bill which is identical with the bill which was introduced in the House of Representatives, upon which hearings were held by the House committee and which was passed by the House. Has the Senate Committee on the Judiciary heard all the facts that ought to be heard on the so-called administration's civil-rights bill?

If there is any more evidence to be obtained, I wish somebody would bring it forth. Hearings, hearings, hearings, and hearings. Testimony at great length. The Committee on the Judiciary has not been denied the opportunity to make a judgment on any bill. The Committee on the Judiciary, I regret to say, has refused to make a judgment on a bill; it has not been denied the opportunity. It simply has not judged—and justice delayed, gentlemen, is justice denied. I repeat: Justice delayed is justice denied.

The rules have been used in the Judiciary Committee. The rules have been applied in the Judiciary Committee. I am not complaining about the fact that the committee has applied the rules. I am happy the committee has applied the rules. But I say to my friends who have applied the rules in the Judiciary Committee that some of us do not like it. The committee has been meticulous about the detail it has followed in the application of the rules, which has delayed action, but the committee has applied the rules. Now we are applying the rules. It is just that simple.

Someone may say, "Well, that does not seem to be very kind." I am not personal about this. This is not a matter of being kind; it is a matter of being fair. What is fair? To apply the law, as the law is written, with equity, with equal application, to friend and foe alike.

As I said earlier, the Judiciary Committee has prided itself upon a meticulous application of the rules, including the rule governing the ascertainment of a quorum, covering the necessity of the representative of a committee coming before the Senate and asking unanimous consent to have the right to meet, including the designation of the day upon which a committee meets, and the right of a member of the committee to interrogate witnesses. I am not complaining about that. It is simply a matter of record. I have heard members of the committee, including its distinguished chairman, say that not a rule of the committee has been abrogated.

I have even heard it said that one of the rules of the committee is that before any bill can be reported, the Attorney General or the Bureau of the Budget must give a cost analysis of what is involved in the bill. I believe that is a rule of the Committee on the Judiciary, if I am not mistaken. I believe the distinguished Senator from Wisconsin once asked that there be a rule in the committee that before bills were reported there be some estimate of what the cost would be. If I am wrong in my statement concerning the sponsorship of that request, I will correct the RECORD accordingly. But that is a rule of the committee, and that rule can be applied.

The Senate has rule XIV. Is the Committee on the Judiciary to be denied the right to pass judgment on the House bill? If no House bill had ever been before the committee—and I do not mean the number of the bill; I mean the substance—then the answer could be made; yes. But I submit to any reasonable person that the substance, the details, the articles, the provision, the penalties—every part of the House bill which is now lying on the desk of the Presiding Officer has been before the Committee on the Judiciary all year long.

Also, I may say most respectfully, there are hardly any secrets about what is in the bill.

I have also heard Senators say there need to be committee hearings on the bill. Committee hearings on the bill? Perhaps more hearings are needed. If so, and if it is the judgment of the United States Senate that there be more hearings, it takes only a quorum, a majority of the Senate, to get them. A majority of the Senate can get the bill off the calendar and have it sent to the committee, if the Senate feels there is a need for hearings.

I do not think anyone is being stampeded here. There are many Senators who have never shown any tendency to be stampeded about anything. They have shown themselves—and I say this respectfully—to be men of stature, of character, of stability, of sound judgment. They are not going to be stampeded. But if a majority of the Senate feel that a civil-rights bill which is placed on the calendar ought to go to committee, so that more information can be obtained on the subject, all that is necessary is to have a majority of the Senate so vote, and the bill will go to the committee.

I have been told that what we are doing is disciplining the committee before the committee has had a chance to act on the bill. No, I cannot agree with that. I do not think we are disciplining the Judiciary Committee. I think what we are saying to the Judiciary Committee is, "You have had not only months, you have had years, and you are unwilling to act, for some reason we cannot quite understand."

There is another procedure provided in the rules of the Senate, and that procedure undoubtedly was put there simply because of this very situation, but if the committee does not want to act, there is a way to get action.

Someone may say, "You can discharge the committee." If the Senate wants to discharge the committee, it can discharge the committee any time after it sends the bill to the committee. It is not necessary to wait 5 months. The Senate can discharge the committee the next day after it sends a bill to the committee.

Does it make the situation any more fair, simply because a committee is discharged?

When we talk about expediency or fairness, how do we judge? What is fair? That is fair which is right. What is right in this body? Right in this body is to permit every subject to have adequate explanaton and discussion, and ultimately to permit a majority to act one way or the other.

I have not been pressured by the NAACP or the ADA—not one bit. As a matter of fact, I have taken more heat from both organizations in recent months than have many other Members of the Senate. Maybe I have taken a lot of it because I have been their friend. Sometimes friends have a way of punishing one another.

I say to the National Association for the Advancement of Colored People that if their patience has run out, I can well understand why. Many of their fine members have suffered indignities which no American citizen should have to suffer. If the National Association for the Advancement of Colored People thinks rule XIV ought to be applied, I can understand why. That organization has been under severe attack, and that organization says the time is at hand for action; and this is a means to obtain action, not illegally, not by an irresponsible means, but by a legal, responsible means provided for in rule XIV of the Rules of the United States Senate.

So far as the ADA is concerned, I, too, am one of its officers. I think it is no secret that on occasion this great organization has seen fit to chastise me, and perhaps properly so. Perhaps I did not understand why at the moment, but their judgment undoubtedly was better than mine.

All I can say, as the Lord is my judge, is that not once has either organization written to me or telephoned to me within the last 3 months, much less the last 3 days, telling me what to do about the bill. What is more, if they had, I would have proceeded to do what I thought should be done anyhow. I have split with those organizations before, as has the Senator from Oregon, and we shall do it again, if we think we need to. After all, each of us has a vote here, and that vote is worth all the respect and trust one can give to it. But I do not want organizations to appear as if they were going to tell us what to do, particularly when those organizations have not told this Senator.

It was just suggested to me that I should mention the title of the bill and the number.

The number of the bill is H. R. 6127. What is it? It is:

> An act to provide means of further securing and protecting the civil rights of persons within the jurisdiction of the United States.

The bill has several titles.

> Part I—Establishment of the Commission on Civil Rights.

That, by the way, is a commission which many of my colleagues have sponsored in the Senate on other occasions. The next part of the bill is:

> Part II—To provide for an additional Assistant Attorney General.

He is to be appointed by the President, by and with the advice and consent of the Senate.

The next part of the bill is:

> Part III—To strengthen the civil-rights statutes, and for other purposes.

The next part of the bill is:

> Part IV—To provide means of further securing and protecting the right to vote.

Mr. President, I conclude on this theme. I have repeated it over and over again. There are two courses of action in the Senate, two courses, we might say, of argument. One group talks of Senate rules and trial by jury. That is one group. Their theme is Senate rules and trial by jury.

HUBERT HUMPHREY talks about the Constitution of the United States and the right to vote.

Both subjects are contained in this document, the Senate Manual. Senators can take their choice.

The Constitution of the United States is every bit as explicit as rule XIV or rule XXV. The Constitution is a pretty important document, and it is being violated. What does the Constitution provide? The amendments to the Constitution are much more sacred than are the rules of the Senate, because the rules of the Senate are only designed to effectuate the Constitution.

I read again what I read in the Senate on Monday of this week. The 15th amendment provides:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

I submit that this country is replete with evidence that the 15th amendment

is being violated. If it takes the application of rule XIV to make the 15th amendment become alive, then I am for applying rule XIV, because both are legal procedures in the United States Senate.

The 14th amendment is known as the due-process amendment. We have heard a great deal about due process in the Senate. I am in favor of due process in the Senate. But I am not in favor of illegal procedure in this body. I submit that due process under the Constitution of the United States is being denied to thousands of our citizens. Even if it is necessary to use rule XIV—which may not be as comfortable and charitable as the customary practices of this body—I am prepared to use it. I do not say that I like rule XIV as well as I like rule XXV. I do not. But I do not like the way the bills have been bottled up. On other occasions I have advocated that bills I disliked be taken from committee and placed on the calendar. If a majority of my colleagues wish to have this bill placed on the calendar, under rule XIV, and if then they decide to have the bill taken off the calendar, I shall respect their judgment.

But I submit that the time has arrived for the Members of the Senate literally to purge themselves of this block in their body politic—namely, the refusal to act on basic civil-rights proposals.

Mr. CLARK. Mr. President, will the Senator from Minnesota yield to me?

Mr. HUMPHREY. I yield.

Mr. CLARK. I have listened with great interest to the speech of the distinguished Senator from Minnesota. I wish to ask him whether I am correct in stating that rule XIV has been in effect in the Senate ever since the Senate was first organized.

Mr. HUMPHREY. I am informed by the Parliamentarian that it has been, in part. I am informed that section 4 came into the rule on January 16, 1877.

Mr. CLARK. However, is it not true that from the very first days of the Senate, it was the custom for the Senate from time to time to consider bills without having them referred to committee?

Mr. HUMPHREY. I believe that is true. On the other hand, I wish to say that the volume of legislative proposals we now have to handle literally compels the use of the committee system, except in an extraordinary situation in which it is found that the committee system does not function. In such a situation, there is more than one way to correct a committee system which does not function. One way is to discharge the committee from the further consideration of the bill. However, I submit that is not the only way. The other way to take care of such inaction by a committee is to invoke rule XIV.

Mr. CLARK. Does not the Senator from Minnesota agree that rule XIV or its predecessor has been used on countless occasions, since the earliest days of the Senate, in order to have bills considered without first being referred to a committee? Does not the Senator from Minnesota also agree that the distinguished Senator from Illinois [Mr. DOUGLAS] has previously listed for the RECORD innumerable instances in which that has been done?

Mr. HUMPHREY. I believe that is correct. But even if rule XIV had been used only once before, I still have no apologies for favoring its use now. I do not think it should be used all the time, any more than I believe that every time one has a stomach ache, he should have an operation. But when a severe stomach ache develops, and when the doctor states that the only way to save the patient's life is to have a surgical operation, there had better be an operation.

In the present case, the only way to obtain Senate action on civil-rights proposed legislation seems to be to make use of rule XIV. Incidentally, Mr. President, I do not say favorable action; I have no crystal ball to use, in order to learn how my colleagues will vote on this measure. I wish to see favorable action taken on civil rights proposed legislation; but certainly the Senate should at least have a chance to act, whether favorably or unfavorably.

However, in the case of civil-rights proposals, the fact is that the Senate has been denied an opportunity even to have the issue brought to the floor of the Senate. This is the first time the issue has been brought to the floor of the Senate for years; and now the Senate is arguing procedure, rather than substance.

Mr. CLARK. I wonder whether the Senator from Minnesota agrees with the distinguished Senator from Georgia, namely, that if rule XIV were to be invoked again, I understand that has been done many times in the past, legislative chaos would be created in this body.

Mr. HUMPHREY. Earlier today, when I stated that the Legislative Reorganization Act is of relatively new vintage—namely, 1948; and long before then we had rule XIV—I said that rule XIV has not resulted in chaos. It has not been abused. It did not destroy the committee system. It did not threaten free enterprise; it did not overthrow the Republic; it did not diminish democracy. It did not have all the political horns and hobgoblins we are now hearing about.

Mr. CLARK. I wonder whether the Senator from Minnesota will agree that if all bills were referred to committees, and if the committees acted with reasonable promptness on the bills and reported them to the calendar, it would not be necessary to invoke rule XIV, in order to enable the Senate to follow orderly procedure with reference to bills of the normal type.

Mr. HUMPHREY. I agree.

Furthermore, if rule XIV needs to be amended, that matter can be taken up with the Committee on Rules and Administration. But is it not interesting that although there has been a great deal of hassle and argument about the making of changes in other rules of the Senate, not until this civil-rights measure came along did we hear anything about the need for the making of a change in rule XIV. Many Members of the Senate are experts on the subject of its rules. However, during the more than 8 years that I have been a Member of the Senate never before have I heard Senators argue that rule XIV should be changed. There have been such arguments about rule XXII; but, despite them, rule XXII goes on forever, like Old Man River, the Mississippi; and rule XXII is still a part of the rules of the Senate.

Mr. CLARK. As a lawyer, it is very difficult for me to understand how it could be successfully contended before any judge that it was impossible to have both rule XXV and rule XIV construed together, or how it would be possible to reach what to me would be the incredible conclusion that the Legislative Reorganization Act repeals rule XIV, either in whole or in part. It seems clear to me that, instead, the two rules can easily be construed together.

Mr. President, if the Senator from Minnesota will yield a further minute to me, I should like to observe that in my judgment if it were now to be decided that section 4 of rule XIV is null and void, by reason of the Reorganization Act, then the Senate would have taken the unprecedented action of doing away with an unambiguous and often-used rule, which has constantly been in effect since the earliest days of this body. I hope the Senate will not do so.

Mr. HUMPHREY. Mr. President, I shall conclude by saying that there is now great concern about the procedures of the Senate. However, the Senate must realize that its procedures come into disrepute when they completely nullify the taking of action. The procedures which Senators should be worried about are those which make it impossible for the Senate to have an opportunity to act, or those which make it impossible for a majority of the Members of the Senate even to have an opportunity to vote on a measure of this sort. In the past, the procedures of the Senate have been abused, in the case of the civil-rights issue; and in my judgment it is not fitting and proper to put the civil-rights issue into another deep freeze, and then to have to blast it out by means of a motion to discharge the committee from the further consideration of the bill.

Mr. President, the majority leader has just said to me, "If you want to have action taken, I suggest that you desist now, and then we will get action."

Therefore, Mr. President, I shall desist.

Mr. JAVITS. Mr. President, I rise to take issue with Senators who state that the Senate should vote against the procedure or course of action proposed by the Senator from California [Mr. KNOWLAND]. Some Senators have stated that such procedure will not be liberal procedure. I wish to point out something that I have found in the course of my research on this matter.

Some Senators have stated that if the bill is not referred to committee, an illiberal procedure will have been followed. I wish to point out that the mother of parliaments does not refer many measures to committee; and especially—and perhaps there is very great significance in this case, as applied to the deliberations of the Senate—the mother of parliaments does not refer a measure to committee "where it is likely to be a pure formality."

It seems to me, Mr. President, that if anything has been demonstrated in the course of this debate, it is that a reference to a Senate committe of a civil-rights bill which has been passed by the House of Representatives is likely to be a mere formality, in that the bill will die there, as other civil-rights bills have died. On the other hand, I want this civil-rights bill to live, not to die.

It is a fact that the procedure we may employ in invoking rule XIV is unusual. Nevertheless, it is lawful. I think that point has been brought out during the debate. Rule XIV is being invoked because rule XXII has regularly been used in a way which is unusual, but lawful.

So, Mr. President, I think it is the course of liberalism not only to deliberate and to debate, but it is also the course of liberalism to decide. So I feel that in taking the position we are taking in reference to this matter, where we are trying to bring the Senate to the point of decision, it is just as liberal a point of view as is the right to deliberate, debate, and take a vote.

Finally, one thing this may very well do. I have no doubt we shall have a vote. I think it might interest my colleagues to see what the world thinks about this. We come into this Chamber and discuss questions back and forth, and sometimes lose sight of what is going on outside. I have in my hand a very interesting cartoon which appeared in the New York Daily Mirror. It shows two gentlemen, obviously Senators, arguing, the whole black and yellow world looking on. The words under the cartoon are, "The shouts heard 'round the world."

It seems to me if we do have a vote, and we probably shall have, at least one thing will be clear. It will show that the majority of the Senate wants to act on a civil-rights bill in this session. That is vitally important, and for this reason. I think those who would engage in protracted debate to such an extent as not to give the Senate an opportunity to vote on a civil-rights bill in this session would be doing it in the teeth of what has been one of their dearest arguments—that it is very necessary that they do debate, to prevent us from doing something we really do not want to do. I think it is high time we demonstrated, by a convincing majority, that we want to do it, and want to do it in this session.

Mr. DIRKSEN. Mr. President——

The VICE PRESIDENT. Did the Senator from Illinois wish to be recognized?

Mr. DIRKSEN. Yes.

The VICE PRESIDENT. The Senator from Illinois.

Mr. DIRKSEN. I shall be very brief. I doubt that anything can be contributed to this discussion unless it sounds in a personal experience. Some allusion has been made—and I address myself particularly to you, Mr. President—to whether or not rule XXV, one way or another, impaired or repealed rule XIV or any part of it.

I served on the Joint Committee on the Reorganization of Congress, which was organized in 1945. That joint committee consisted of 6 Members of the House and 6 Members of the Senate. Only one House Member who served on that committee is still in the House of Representatives. Three Members of the Senate who served on that committee are presently serving in the Senate. One was the Senator from Georgia [Mr. RUSSELL], one was the Senator from Oklahoma [Mr. MONRONEY], and the third was myself.

I recall, Mr. President, my interest in the concurrent resolution to provide for the reorganization of the legislative branch, and the difficulty we had in securing a hearing, in the first instance, on that resolution in the 79th Congress. There was a good deal of anxiety and fear, certainly in the House of Representatives, that the committee was going to tamper with the rules. There was a fear it was going to tamper with the procedure either in the House or in the Senate. It was as a result of that apprehension and anxiety that there was incorporated in the resolution, before it was considered on the floor of the House, the language which the minority leader read today to the Senate. That language was found in section 2, and it reads:

> That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendation with respect to the rules, parliamentary procedures, practices, and/or precedents of either House or the consideration of any matter on the floor of the House.

That was written into the concurrent resolution simply because of the anxiety that a good many Members entertained that the committee was going to tamper with the rules of procedure.

After 2 years of effort, first under the chairmanship of Senator Maloney, of Connecticut, and later under the chairmanship of the Senator from Wisconsin [Mr. La Follette], we finally brought forth the Legislative Reorganization Act, which contained a number of titles. One title dealt with tort claims. One dealt with bridge bills. One dealt with compensation and retirement pay of Members of Congress. One dealt with streamlining the committee organization of the House and Senate.

I think I attended my full share of the hearings, and I know the Senator from Georgia attended the hearings very diligently, but I must recite to the distinguished Senator from Georgia today that I have not the slightest recollection that there was any desire at any time, that there was ever any hope, or that there was ever any intimation that the Reorganization Act would bring about a modification of the rules except insofar as it was specifically done, and there was no intention of repealing any rule unless that was specifically done.

Mr. RUSSELL. Mr. President, the Senator has mentioned my name. I was a member of the reorganization committee.

Mr. DIRKSEN. That is correct.

Mr. RUSSELL. I was perhaps not so diligent in attending the hearings as other Members may have been, but I was reasonably diligent. My primary interest in serving on the committee, I am frank to say, was the question of the rules of the Senate. I had no desire to go on the committee, but at the insistence of the then Senator from Alabama, Mr. Bankhead, and the then Senator from Tennessee, Mr. McKellar, I did go on the committee. They thought I had some little familiarity with the rules of the Senate.

The Senator is correct in saying that the authorization for the committee did carry language that it was not authorized to touch a rule. When we got into the question of the rules, we had to come back and canvass the Senate to ascertain if there was any objection to going as far as we went with the rules. I would be less than frank if I did not say some of the concern of those who were interested in my service on the committee was lest rule XXII be amended to invoke a gag rule by a simple majority of Senators voting. I watched that phase of the proceedings very carefully. I did not understand, after we had written the rule, that we were doing anything that would impair the jurisdiction of the committees. Indeed, if anything caused us concern and trouble and research, it was spelling that out, and then going carefully over it to see that we had properly correlated, under the names of each committee, the questions over which they had jurisdiction.

If the Senator will recall, the bill went somewhat further with the Senate committee reorganization than it did with reorganization of committees of the House. The Senate Members spent hours in order to be sure every committee had its work properly described in the body of the rule. While there was no great issue—I do not recall it was ever mentioned—that the act was going to impinge on rule XIV or any other rule by name, we were concerned with the status-of-committee provision; and the Reorganization Act contains, in title I, the language that the title is written, "As an exercise of the rulemaking power," and if there is any conflict with the existing rules, the act shall stand in the stead of the existing rule.

Mr. DIRKSEN. Mr. President, while I was not a Member of the Senate at that time, I must say in all candor to my distinguished friend, the Senator from Georgia, that I have not the slightest recollection that rule XIV was ever mentioned.

Mr. RUSSELL. I did not state it was ever mentioned.

Mr. DIRKSEN. That is true.

Mr. RUSSELL. Nor was any other rule mentioned specifically by number in the discussion in the committee.

Mr. DIRKSEN. Where we modified rules, Mr. President, we specifically stated so.

Mr. RUSSELL. As to the House rules.

Mr. DIRKSEN. And also the Senate rules. When we modified a rule with respect to appropriations we said, "Rule XVI of the Senate rules shall be amended." When we modified rule XXV, we said specifically, "Rule XXV shall be amended." When we amended rule X of the House we recited specifically, in the Reorganization Act, "Rule X shall be amended." And the same was true with rule XI, and so on.

While the word "shall" was used as a referral word and appears in rule XXV, I think the plain fact of the matter is that nowhere in the English language

could we find a word to do what we wanted to do with respect to the jurisdiction of committees. We could not say "may," because then in every case there would have to be an interpretation or a determination as to whether a particular bill went to the Committee on Agriculture and Forestry, the Committee on Interior and Insular Affairs, the Committee on the Judiciary, or wherever it might go. We could not very well say "must." "Shall" was the only word in the English language to use. In employing that word there was no intent, insofar as I recall—and I must freely confess I am drawing in large part on memory—nor was there any desire with respect to the jurisdiction of committees, to modify or change any other rule of the Senate or of the House.

Mr. RUSSELL. Mr. President, the Senator from Illinois was a very distinguished Member of the House of Representatives at that time. I am sure he will agree, insofar as the rulemaking power was exercised in the Legislative Reorganization Act, that it was generally worked out as to the House rules by the Members of the House who served on the committee, and as to the Senate rules by the Members of the Senate who served on the committee.

Mr. DIRKSEN. That is very correct, I should say, but I would also say to my friend that I was a diligent member of the committee, and one could not serve for 2 whole years on that committee, first under Senator Maloney and then under Senator La Follette, day after day, week after week, without having some of the Senate rules rub off on him. One would have to offer a very passive resistance to the work of the committee not to receive some concept not only of the rules of the House of Representatives but of the Senate as well.

So, Mr. President, I simply offer these comments, as 1 of the 4 remaining members of a joint committee of the House and Senate, which was organized in 1945, which spent a long period of time in study, and which finally presented the Reorganization Act to the House and Senate. I have no recollection that there was any intent to modify a procedural rule of the Senate any more than there was to modify a procedural rule of the House. So with the greatest deference and respect to my esteemed and distinguished friend, the Senator from Georgia [Mr. RUSSELL] I do not believe that in his argument he was on good ground in contending that simply because there might have been a conflict, indirectly it might be indicated that some purpose, some sentiment, some language in rule XIV might have been modified. I could not share that conviction or that contention under any circumstances. I say it with the utmost of deference, but based entirely upon 2 years of experience with the joint committee which brought forth the Legislative Reorganization Act.

Mr. THURMOND. Mr. President, it is not often that I speak in the Senate, and then only briefly, but I should like to take this opportunity to associate myself with the remarks of the distinguished senior Senator from the State of Georgia [Mr. RUSSELL], a man who, incidentally, would make these United States a great President.

Mr. RUSSELL. I thank the Senator.

Mr. THURMOND. Mr. President, I think the Senator from Georgia has pointed out well the rule of the Senate and the precedent of the Senate in this instance. It is clear that the Legislative Reorganization Act amended the rule of the Senate, and that since that time the Senate has taken action on a question which is identical to the one before the Senate now. Therefore, we have an established precedent. It is now a question whether the Senate will upset that precedent or whether it will stand by it. I should like to see the United States Senate gain the reputation of standing by its decisions, which would be unlike the reputation of the United States Supreme Court.

We know what the Supreme Court is doing today. Only a short while ago they reversed a decision handed down last year. And almost every time they meet to hand down decisions the lawyers of the country wonder what the law is going to be. They feel unsafe in advising their clients. They do not know what the law is any more. It is unfortunate the Supreme Court does not follow the Latin legal phrase, stare decisis, which means to stand by previous decisions.

I hope that the United States Senate will stand by its previous decision, the precedent which it has already established in a case of this kind.

The distinguished Senator from Minnesota [Mr. HUMPHREY], I believe, said he introduced a civil-rights bill in 1949 and that is the last he has heard from it. That is fine. The country is better off.

I am wondering tonight, as I stand before the Senate, if this were not a civil-rights bill would we be considering this question? I am wondering if some persons have made up their minds that this bill must be passed, even if it means changing the procedure of the United States Senate?

I am wondering if they have arrived at the conclusion that the end justifies the means?

I hope the Senate will not upset its precedents. It would be a dangerous step, in my judgment, to do that. It would be dangerous, Mr. President, because important legislation comes before us. This is a bill of great importance, one of the most controversial bills, probably, that has ever come before this body. Are we going to bypass a committee and not let this bill go to the committee, where it can be considered?

There is a remedy for getting a bill out of a committee if the Senate feels the committee is holding it unduly. Why not follow that procedure? Why place this bill on the calendar immediately?

I again ask, if this were not a civil-rights bill would we be even considering the question we are considering on this occasion? I do not believe the end justifies the means or in following such a procedure as is proposed because if the Senate establishes such a precedent it will come back to haunt us in years to come.

Mr. President, there has been something said about majorities, and that the majority ought to rule. Majorities do not always rule. It is better that they do not always rule.

Our Constitution lays down the principle. If the President of the United States vetoes a bill, it takes a two-thirds vote of the Congress to override his veto. A majority does not control in that instance. Even though a considerable number above a majority might favor passing a bill, if the President of the United States should veto a bill it would take a two-thirds vote to override the veto and put the bill on the statute books.

If we attempt to amend the Constitution of the United States a majority does not rule. It takes two-thirds of both Houses of Congress to submit a Constitutional amendment to the States of the Nation, and it requires ratification by three-fourths of the State legislatures of the several States before an amendment becomes a part of the organic law of the land.

Majorities are sometimes safe, and sometimes not. But it is my prediction that this bill, if it is finally passed, will flare back into the faces of the very people for whose benefit it is intended.

Speaking of civil rights, the greatest civil rights the people of this country have are those which are contained in the Constitution. The Bill of Rights is the finest system of civil rights any citizen could desire. The Bill of Rights guarantees all the precious rights that have made this country the greatest nation on the face of the earth, with the highest standard of living; the Nation which has the highest income per capita of any nation in the world; a Nation which has the finest schools and the finest churches; a Nation which has more automobiles, more radios, more televisions, and a higher standard of living in every way than any other country in the world.

If all of these proposals are so imperative, how did our Nation make such progress? How did our citizens attain the heights they have attained? I say that the Constitution of the United States is the greatest civil-rights document that the people of this country could desire.

Mr. President, I shall not take more time. I congratulate the great Senator from Georgia [Mr. RUSSELL] for his presentation of this question.

I also commend the conclusion reached by the Senator from Oregon [Mr. MORSE] in his recommendation that the Senate should not bypass the committee, but should send the bill to the committee, where it can be considered line by line and paragraph by paragraph, to be followed by a recommendation by the committee to the Senate.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. RUSSELL. With great humility I wish to thank the Senator from South Carolina for his kind remarks about me.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. THURMOND. I yield.

Mr. MORSE. I appreciate the Senator's compliments.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morton
Allott	Gore	Mundt
Anderson	Hayden	Murray
Barrett	Hennings	Neuberger
Beall	Hickenlooper	O'Mahoney
Bennett	Hill	Pastore
Bible	Holland	Potter
Bricker	Hruska	Purtell
Bush	Humphrey	Revercomb
Butler	Ives	Robertson
Byrd	Jackson	Russell
Carlson	Javits	Saltonstall
Carroll	Jenner	Schoeppel
Case, N. J.	Johnson, Tex.	Scott
Case, S. Dak.	Johnston, S. C.	Smathers
Chavez	Kefauver	Smith, Maine
Church	Kennedy	Smith, N. J.
Clark	Kerr	Sparkman
Cooper	Knowland	Stennis
Cotton	Kuchel	Symington
Curtis	Lausche	Talmadge
Dirksen	Long	Thurmond
Douglas	Magnuson	Thye
Dworshak	Malone	Watkins
Eastland	Mansfield	Wiley
Ellender	Martin, Iowa	Williams
Ervin	Martin, Pa.	Yarborough
Flanders	McClellan	Young
Frear	McNamara	
Fulbright	Morse	

The VICE PRESIDENT. A quorum is present.

The question before the Senate is the point of order which has been raised by the Senator from Georgia [Mr. RUSSELL]. As the Senator from California [Mr. KNOWLAND] pointed out in the debate on a similar issue in 1948, two interpretations of the rules of the Senate are possible. In the opinion of the Chair the rules should be amended to clarify this question. Until this is done, it is the responsibility of the Chair to interpret the rules as fairly as possible.

If rule XXV is interpreted as requiring mandatory referral of all bills to the committee on which jurisdiction is conferred by the rule, it is directly in conflict with paragraph 4 of rule XIV, which clearly contemplates possible Senate action without referral to committee.

If this interpretation is accepted, it can logically be argued, as it has been argued today, that since rule XXV was adopted after rule XIV, it supersedes those provisions of rule XIV which are in conflict with it.

However, the Reorganization Act specifically provided, in section 101a, that the rules contemplated by it should supersede other rules only to the extent that they are inconsistent therewith. Since the act did not expressly amend rule XIV, as it did rules XXV and rule XVI, and since the legislative history of the act indicates no discussion of, and therefore no expressed intent to supersede rule XIV, it is the responsibility of the Chair to determine whether rule XXV can be interpreted in such a way that it will not be inconsistent with paragraph 4 of rule XIV.

The Chair believes that such an interpretation is both possible and reasonable. Rule XIV sets forth the procedure to be followed in referring bills to committee. On the other hand, rule XXV defines the jurisdiction of committees over bills when they are referred to committee.

The mandatory provisions of rule XXV can be interpreted, therefore, to be limited in their application to mean only that if a bill is to be referred to a committee at all, it shall be referred to the committee to which jurisdiction is assigned by the rule.

In the Chair's opinion, rule XXV does not require mandatory referral of all bills to committee, and, therefore, does not supersede paragraph 4 of rule XIV.

It does not follow, however, that if rule XXV does not require referral, an objection filed under rule XIV will automatically send the bill to the calendar without consideration being given to the question of referral.

It will be noted that the language of paragraph 4, rule XIV, provides that an objection to further proceedings is in order, not immediately after the second reading, but only after the bill shall have received second reading "without being referred to a committee."

This language must be read in conjunction with paragraph 3 of rule XIV, which provides that "no bill or joint resolution shall be committed or amended until it shall have been read twice, after which it may be referred to committee."

Both paragraphs 3 and 4 of rule XIV contemplate that before a Senator can, by objection following second reading of a bill, prevent any further proceedings, with the result that the bill is placed on the calendar, an opportunity should be afforded to the Sente to refer the bill to committee, if it so desires under paragraph 3 of rule XIV.

The Senate should not be denied, by the action of one Senator, the power to refer a bill to committee after second reading, which is conferred by paragraph 3 of rule XIV.

How can the right of the Senate to decide whether a bill should be referred to committee be protected?

In the opinion of the Chair, the following procedure, based on Senate precedents, accomplishes that objective.

In the absence of objection after second reading of a bill, it will, under the long-established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

If objection is made under paragraph 4 of rule XIV and a point of order is not raised against the objection, the bill will be placed on the calendar. This was the procedure which the Senate followed in the consideration of H. R. 5992, the Tidelands case.

The Senate, in effect, by failing to raise a point of order, waived its right to refer the bill to committee.

If when a Senator attempts to invoke paragraph 4, rule XIV, a point of order is raised on the ground that the bill should be referred to committee—and that is the practical effect of the point of order raised by the Senator from Georgia [Mr. RUSSELL]—the Chair can decide the point of order or submit it to the Senate for decision, as did the President pro tempore, Mr. Vandenberg, in 1948 in a similar case.

It is the Chair's opinion that the point of order is not well taken, but since the basic issue to be decided is not, in the final analysis, a procedural question but the substantive question "Should the bill be referred?" the Chair believes that the proper procedure is to submit the point of order to the Senate under rule XX. If the Senate sustains the point of order, the bill will then be referred to the committee designated by the provisions of rule XXV. This was the practical effect of the Senate's action on H. R. 2245, the oleomargarine bill.

If the point of order is overruled, the Senate will have expressed its will to the effect that the bill should not be referred to committee and the bill will go on the calendar pursuant to paragraph 4 of rule XIV.

In this way a bill can be placed on the calendar not as a matter of individual senatorial prerogative, but as a matter of majority policy arrived at after thorough consideration and debate on the point of order.

In making this ruling, the Chair emphasizes that the Senate in the final analysis has the power to make and amend its rules. Until paragraph 4 of rule XIV is expressly repealed or amended, the foregoing interpretation, in the opinion of the Chair, is the one which is best calculated to allow a majority of the Senate to express its will on the issue before it.

The Chair therefore submits to the Senate the question: Is the point of order of the Senator from Georgia well taken?

SEVERAL SENATORS. Vote! Vote!

Mr. KNOWLAND. Mr. President, may we have the yeas and nays on this question?

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, there was a good deal of disorder in the Chamber, which led me to believe that the Vice President's ruling did not clearly decide this point. Did the Vice President sustain the point of order, or did he overrule it?

The VICE PRESIDENT. The Chair indicated that in this instance, because the practical effect of voting on the point of order is a decision on a substantive matter, it was proper for the Chair to submit the question to the Senate, rather than have the Chair rule on it. The Chair indicated only that in his own opinion the point of order was not well taken, but he does not make a ruling on the point of order as such.

Mr. RUSSELL. I could not follow the Chair all the way through. Did the Chair refer to the action of the Senate on May 4, 1948, as to whether that constituted any precedent in this matter?

The VICE PRESIDENT. The Chair referred to those precedents, and the opinion which the Chair has rendered was designed, so far as possible, to reconcile the precedents with the procedure which the Chair outlined. The Chair agrees that it is difficult to do so, but it is the responsibility of the Chair to do so if it is possible.

Mr. RUSSELL. In other words, the Chair has submitted the point of order to the Senate for decision.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. If the point of order be sustained by the Senate under the ruling of the Chair, the bill will go to

the committee; and if the point of order be not sustained, it will go to the calendar. Is that correct?

The VICE PRESIDENT. The Senator is correct. That is the Chair's ruling.

Mr. RUSSELL. I have another parliamentary inquiry which I desire to address to the Chair. The discussion has centered around bills which come to the Senate from the House of Representatives and have received first and second reading. I should like to inquire of the distinguished Vice President if the decision would also apply equally to any bill or joint resolution introduced on leave in the Senate.

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. So that the precedent that we make as to whether a bill should be referred to a committee or should go to the calendar under circumstances of this kind will be a rule that will guide the Vice President in the future?

The VICE PRESIDENT. Will the Senator restate his question?

Mr. RUSSELL. If the point of order be not sustained by the Senate, did I properly understand the Chair to say that that would be a precedent which would guide the Chair in the future? In other words, if the point of order is not sustained and an objection is made to further proceedings after the second reading of a bill, then the Chair would hold that the bill go to the calendar?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. So the question is then submitted to the Senate to decide whether the precedent will be established of permitting the objection of a single Senator to carry a bill after its second reading to the calendar, rather than to have it go to committee, and that will apply in all cases to bills introduced in the Senate as well as to bills and resolutions messaged from the House of Representatives?

The VICE PRESIDENT. The Senator is correct.

Mr. RUSSELL. Mr. President, the Senate is about to make a very fateful decision. That decision will decide the procedures in this body until the rule either is amended, after action by the Committee on Rules and Administration, or is reversed by the action of the Senate itself.

The Vice President has apprised the Senate of the fact that if the point of order be not sustained, and if a bill were to come from the House dealing with the subject of, say, atomic energy, as was suggested by the Senator from New Mexico [Mr. ANDERSON] this afternoon, then a single objection after the second reading would cause the bill to bypass the Joint Committee on Atomic Energy and would send the bill to the calendar.

I wish all Senators to understand clearly that in voting on this question they are not simply voting as to whether the bill that is the instant subject of the controversy shall go to the committee or shall go to the calendar, but they are voting to establish a rule which the Vice President says will guide him during his tenure and until it is amended by proper procedures in the Committee on Rules and Administration, and in the Senate a rule which will say that one Senator can object after the second reading of a bill, and that the bill will go to the calendar.

If the Senate votes to sustain the point of order that has been submitted, then we will have the rule that the bill will be referred to the appropriate committee either under subsection 3 of rule XIV or under rule XXV of the Reorganization Act.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BUTLER. Is the Senator saying that we will make a new rule to govern each case?

Mr. RUSSELL. In my opinion, if the point of order is not sustained, we will make a new rule, because it was the decision of the Senate in 1948 that bills should be referred to committees. That was the rule under which the Senate had operated from 1948 until the question was raised in the instant case.

But the Vice President, very properly, very clearly, and very cogently, has stated that if the point of order be not sustained, then in the future bills which are introduced in the Senate and bills which come to the Senate from the House of Representatives may, after the second reading, by a single objection be placed upon the calendar, and that the committees thereby will be bypassed.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. CASE of New Jersey. I thank the Senator for yielding. I think a misunderstanding of the ruling of the Vice President exists in the mind of the Senator from Georgia. I say this with great deference, because it seems to me the Vice President very clearly in his ruling stated that the effect of our vote on the point of order raised by the Senator from Georgia was not merely a ruling on an interpretation of the rule, but rather a substantive decision that the bill in question should or should not go to committee, or should or should not go to the calendar.

I think it is wrong to infer from the ruling that the vote here taken would be a precedent in any way requiring all bills to which a single objection should be made after the second reading to be placed on the calendar.

I think under the ruling of the Vice President, the question on which we shall vote and decide is merely related to whether in this instance this bill shall go to a committee or go to the calendar.

Mr. RUSSELL. Oh, Senators have been trying to eat their cake and have it too as long as there has been a Senate; but no one has ever succeeded in doing it completely.

I propounded a parliamentary inquiry to the distinguished Vice President—and the record will so reveal—and he ruled, and properly so, because the rules of the Senate so hold, that if the point of order be not sustained, then in the future, as to bills introduced in the Senate and bills messaged to the Senate from the House, after the second reading a single objection would send them to the calendar.

Mr. CASE of New Jersey. It was because I understood the colloquy to be as I thought the Senator from Georgia has stated it, and because of my deep conviction that that involved a misunderstanding, that I raised the point I did, so that we might, if necessary, have a further clarification from the Vice President on this point.

Mr. RUSSELL. I shall be delighted to have the Vice President clarify it. The Vice President stated frankly, in his opinion, that there was no conflict, but that he was submitting the matter to the Senate now; and under every precedent we have ever had, if a point of order is not sustained, the Chair would be bound by that action in the future.

I submit that as a parliamentary inquiry to the Vice President.

The VICE PRESIDENT. The Chair's statement was in answer to a parliamentary inquiry, the effect of which was whether if an objection were made under paragraph 4 of rule XIV, bills introduced in the Senate on leave or bills coming over from the House could be put on the calendar; and the Chair indicated that that was the case.

However, the Chair clearly pointed out in his ruling—and the Chair understood that the Senator from New Jersey had that in mind—that in any case in the future other Senators, just as the Senator from Georgia did today, can, when a Senator objects under section 4 of rule XIV, raise a point of order.

When that point of order is raised, the Senate will have an opportunity to decide again if the Senate desires to refer the bill to committee.

Mr. RUSSELL. I regret that I was not able to follow the Vice President's argument; but under what rule would that be done?

The VICE PRESIDENT. The Chair believes that the statement he has made makes it quite clear that the procedure which has been outlined is a proper one; and the Chair also suggests that the Senator from Georgia himself has in effect invoked that rule today.

Mr. RUSSELL. I am not perfectly clear as to when the Senator from Georgia invoked that rule.

In my opinion, under subsection 3 of rule XIV bills would be committed, except by unanimous consent. But there is some difference in that construction from the construction I understand the Vice President has placed on it.

The VICE PRESIDENT. The Senator from Georgia raised the question on the opinion as expressed by the Chair, as to whether a bill should be referred to a committee, and the Chair indicated, in his opinion, that in the future a Senator may raise that objection, just as the Senator from Georgia did today, and that the Senate itself will decide whether under its rules the Senate, interpreting its rules, desires the bill to go to a committee, or whether it desires the provisions of rule XIV, paragraph 4, to operate.

The Chair believes that leaving that decision to the Senate is proper under the circumstances and is consistent with the Senate precedents.

Mr. RUSSELL. Then I will restate my understanding of the Vice President's ruling. I raised the parliamentary in-

quiry because I understood from the way the Vice President answered that he had agreed with my position.

Mr. CASE of New Jersey. I thank the Senator from Georgia.

Mr. RUSSELL. The Vice President by his ruling, rather than establishing any precedent here, as on this occasion, undertakes to establish a precedent that where rule XIV is invoked, and a point of order is made against it, the whole matter should be referred to the Senate for determination.

The VICE PRESIDENT. The Chair indicates that, in his opinion, in view of the present status of the rules, this procedure is the one best designed to carry out the intent of the rules and to effect the will of the Senate.

Of course, in the future, a future occupant of the Chair might not reach that conclusion. But this is the opinion of the current occupant of the Chair, and he believes it is a proper position.

Mr. KNOWLAND. At this point, Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. KNOWLAND. As I understand, the Senator from Georgia has raised a point of order. The Chair, under rule XX, section 2, reading as follows—

> The Presiding Officer may submit any question of order for the decision of the Senate—

Has submitted the point of order to the Senate; and, in effect, that gives the Senate control in the case of the question as to whether, if the point of order is sustained, the bill in question will be referred to committee. If the point of order is not sustained, the bill will go to the calendar.

The VICE PRESIDENT. Exactly.

Mr. RUSSELL. Of course that is wholly within the prerogatives of the Chair, and I do not complain that the Chair has submitted the question to the Senate. That is the course often followed when an interpretation of a rule is being made. But the interpretation which will be made in this case does not mean anything except insofar as it applies to this bill, as I understand the ruling made by the Vice President, because it will be necessary for the Senate to reinterpret it each time this situation arises.

The VICE PRESIDENT. The Senator from Georgia is correct.

Mr. RUSSELL. Then, Mr. President, I wish to point out that, in connection with the point of order, the question of whether the bill should be referred to committee is, of course, a debatable one. The Chair's ruling may result in a means of ridding the Senate of the very vexing question which plagues it now, but certainly it does not settle anything from a parliamentary standpoint. It only means that when the question is raised again, instead of having rule XXV apply and having the bill referred to committee, as the rule—according to my construction of it—provides, the Senate will embark on a prolonged debate as to whether the bill will go to the calendar or whether it will be referred to committee.

This ruling may extricate the Senate from the present difficulty, but it does not fix any guiding star or any lodestar for the Senate to follow in future years, because Senators will know that in any case in which there is raised the question of whether a bill shall go to the calendar, and not be referred to a committee, it will be likely, or even certain, that on that issue there will be debate which will include debate on the merits of the question, as has occurred in the present case—including debate on great constitutional issues and on various amendments to the Constitution; and all those matters will be discussed before the bill either will be referred to committee or will go to the calendar; and the Senate will have to thresh out the issue all over again when the bill is finally brought up for consideration. In such case, the Senate will be beating up again a lot of old straw, in my opinion; that will be the result unless the Senate sustains the point of order and sends the bill to the committee.

Mr. HOLLAND. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I am glad to yield to the Senator from Florida.

Mr. HOLLAND. As I understand the ruling made by the distinguished Vice President, in the event the point of order of the Senator from Georgia be not sustained, the following procedure would be established: In any subsequent case, when a Senate bill is introduced or when a House bill comes to the Senate, and when the second reading is reached, if a point of order is raised, a simple majority of one in the Senate—whether a majority of a bare quorum then present or a majority of a larger number—will have the power to work its will by withholding from committee consideration either the Senate bill or the House bill. Is that the way the Senator from Georgia understands the ruling the Vice President has made?

Mr. RUSSELL. There is no question about that. That was the final statement made by the Vice President in regard to his ruling.

Mr. HOLLAND. If that be the case, is not the Senator from Georgia of the opinion that such a ruling and such an enforcement of the ruling in the future would, of necessity, work the most sweeping changes in the practices and procedures of the Senate?

Mr. RUSSELL. Not only that, but it would be time consuming.

If the Chair had ruled—although I am delighted that the Chair did not do so—that section 4 meant what the Senator from Illinois [Mr. DOUGLAS], the Senator from California [Mr. KNOWLAND], and the Senator from Minnesota [Mr. HUMPHREY]—I do not wish to call the roll of the Senators who have taken that position; the ones I have named have been the most vigorous and the most active in that connection—have said it meant, the consumption of time would come at the other end of the calendar—in other words, at the time of the making of a motion that the bill be taken from the calendar and referred to committee.

This ruling by the Vice President means that the time will be consumed when the bill is brought up for consideration and when objection is made to further proceedings and when the roll is called on the question of whether the bill shall be referred to committee.

I do not think the Senate is making a great deal of progress as a result of the statement of the Chair that he would not be bound to do other than what he has done tonight, that is to say, to refer the question to the Senate again, under rule XX. That settles nothing and gives us no rule at all.

Mr. FREAR. Mr. President, will the Senator from Georgia yield for a question?

Mr. RUSSELL. I yield.

Mr. FREAR. From the interpretation placed by the Senator from Georgia on the decision made by the Chair, do I correctly understand that if the point of order is not sustained, and if the bill goes to the calendar, in the future when that happens, hearings such as those which have been held on the Hells Canyon Dam bill and other voluminous hearings would be held on the floor of the Senate, rather than in committee?

Mr. RUSSELL. They would have to be held on the floor of the Senate by hearsay; Senators would have to read the statements which the witnesses had made elsewhere. Of course, the Senate itself does not receive witnesses; but Senators could obtain statements from expert witnesses and could bring the statements into the Senate Chamber and could read them on the floor of the Senate, in order to make a record, instead of having the witnesses testify in committee, as is done in the normal course, under the regular procedure.

Mr. CASE of South Dakota. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. CASE of South Dakota. Will the Senator from Georgia restate his point of order?

Mr. RUSSELL. Yes, although I have already stated it, and we must be careful that we do not prolong this procedure unduly.

Mr. CASE of South Dakota. I should like to have the Senator from Georgia restate his point of order, as the foundation for a question I wish to ask.

Mr. RUSSELL. The point of order was that rule XXV of the Senate, requiring the reference of bills, supersedes and annuls paragraph 4 of rule XIV on which the Senator from California relied, and that the bill should have been referred by the Chair to the committee.

Mr. CASE of South Dakota. However, inasmuch as rule XXV has been modified or amended by the Legislative Reorganization Act——

Mr. RUSSELL. The act was substituted; the rule was not amended. That act struck out all the rule, and wrote a new rule.

Mr. CASE of South Dakota. Very well.

If the point of order of the Senator from Georgia be not sustained, in what respects would the procedures of the Senate differ from those prior to the enactment of the Legislative Reorganization Act? Was there chaos then?

Mr. RUSSELL. They would be different to this extent: They would be different because of the fact that since May 4, 1948, the Senate has been operating under a precedent which was established on that date—one in the establishment of which many distinguished Members of the Senate whom I see on the floor of the Senate tonight participated—namely, that rule XXV did obtain, and that the bill should go to committee.

The Senator from South Dakota has served in the Congress for a long time; I believe he was serving in Congress when I came here. He has been a Member of the Senate for a long time. He knows that the work of the Congress has multiplied during the past 20 years, and that it is now 2 or 3 times as great—in terms of the magnitude and the number of bills, and also in terms of the importance of the bills—as it was prior to the 100 days in 1933.

Mr. CASE of South Dakota. Earlier today I stated that I certainly favor the committee system, and I believe we need committees. But I still think we protect the right of a minority by recognizing the effect of rule XIV. If the point of order be not sustained, I do not see how the resultant procedure would differ essentially from the present procedure of the Senate. Rule XIV would still be in existence, as was the case before the Legislative Reorganization Act was enacted.

Mr. RUSSELL. I have an idea that from time to time it would be brought to the attention of the Senator from South Dakota, because objections would be made to the committee reference of bills after the second reading; and then, under this system, the Senate would decide what to do.

Mr. SALTONSTALL. Mr. President, will the Senator from Georgia yield to me?

Mr. RUSSELL. I yield.

Mr. SALTONSTALL. As I listened to the ruling the Chair made, it seemed to me to be as follows: Ordinarily a point of order is made on a procedural matter. However, in view of the Reorganization Act, and with rule XIV not specifically repealed or amended, a question is raised by the objection the Senator from California [Mr. KNOWLAND] made this afternoon. Although essentially it is a procedural question, and although the point of order was made on a procedural basis, the question becomes one of substance for the Senate to decide. Therefore, until the rule is either amended or repealed—as I think probably should be done—each case must be decided on its own merits, by raising a point of order.

Therefore, as I view the matter, I say to my good friend and colleague, the Senator from Georgia, if the Senate votes to overrule the point of order and to sustain the ruling of the Chair, I do not believe the Senate will be in a position any different from the position it has been in during the past 10 years.

Mr. RUSSELL. The Senator, of course, is entitled to hold to that opinion, although I must say when he voted in 1948 he voted that the Senator from Arkansas was not entitled to raise the question at all and that the oleomargarine bill should go to committee. He made some rather persuasive comments at that time. They appear in the RECORD of that day.

Mr. SALTONSTALL. I do not think my position is any different today.

Mr. RUSSELL. The Senator is making an exception.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RUSSELL. If the Senator will indulge me, other Senators may desire to debate the matter. I have stated my views rather fully. I am not going to restate them.

I desire to point out to the Senator from New Jersey that I was completely correct. I was sure of what I said. I asked the reporter for a copy of the colloquy. I asked the Vice President a question. Before I read it, I want to say this has always been the procedure in the past. If a matter of this kind was submitted to the Senate, it was not submitted on the basis that the Senate was going to pick and choose which bill would bypass a committee, but the rule should always be followed. If the point of order was valid, the Chair would refer the bill. If the point of order was not valid, the Chair could follow the procedure which the distinguished Senator from California has outlined.

I have received a transcript of the colloquy from the reporter——

Mr. CASE of New Jersey. I know what the Senator is going to read. I myself heard it. Undoubtedly, I think there was a misunderstanding of the question by the occupant of the Chair.

Mr. RUSSELL. The Senator from New Jersey has refreshed the Chair's recollection on the subject, but I want to read what the Chair said before his recollection was refreshed.

Here is the question I propounded:

> If the point of order be not sustained by the Senate, did I properly understand the Chair to say that that would be a precedent which would guide the Chair in the future? In other words, if the point of order is not sustained and an objection is made to further proceedings after the second reading of a bill, then the Chair would hold that the bill would go to the calendar?
>
> The VICE PRESIDENT. The Senator is correct.

The Chair may have misunderstood me, but I did not misunderstand the Chair. [Laughter.]

The VICE PRESIDENT. If the Senator will permit, the Senator will note the Chair was responding to the second part of the Senator's question, where the Senator asked if the objection—

Mr. RUSSELL. Here are the words.

The VICE PRESIDENT. The Chair realizes that when the Senator reads the entire inquiry, the Chair's response should not have been made in that way. The Chair intended to respond to the second part of the question.

Mr. RUSSELL. Let me read the second part of the question asked of the Chair, and see if the Chair will agree that we shall not be establishing a rule, but instead shall be establishing a stadium or arena for future debate:

> In other words, if the point of order is not sustained and an objection is made to further proceedings after the second reading of a bill, then the Chair would hold that the bill go to the calendar?

That is the second part of the question, and the Chair said:

> The Senator is correct.

The VICE PRESIDENT. If the point of order is not sustained, the Senator is correct; the bill goes to the calendar. That is the way the Chair understood the Senator.

Mr. RUSSELL. The Chair understood we were discussing the question whether it would be a precedent to guide the Chair in the future?

The VICE PRESIDENT. That was the ruling, and the Chair regrets he did not hear the first part of the question.

Mr. RUSSELL. So do I. I share the Chair's feeling.

The VICE PRESIDENT. If the Chair had heard it, he would not have said that.

Mr. RUSSELL. The ruling of the Chair does not do anything but throw the question into the arena of the Senate for discussion in every case when the question is raised. If the Chair is going to decide that way, it would have been better to have had a ruling that rule XIV was not affected by the Reorganization Act and the bill could go to the calendar. Under this proceeding, Senators will make motions and either endeavor to have bills placed on the calendar or make points of order not to do so, and the point will be debated. We have not clarified the matter.

In my opinion, under the situation, it would be the part of wisdom to stand by the original point of order made by the Senator from Georgia, and that is that under rule XXV bills coming from the House or introduced in the Senate should go to committee for consideration.

Mr. President, I do not desire to speak further. I do not know whether Senators desire to speak or not. Before Senators have a chance to make a decision on this question, I suggest the absence of a quorum.

Mr. HUMPHREY. Mr. President, will the Senator withhold the suggestion of the absence of a quorum?

Mr. RUSSELL. For what purpose?

Mr. HUMPHREY. I should like to address myself to this question.

Mr. RUSSELL. The Senator from Tennessee [Mr. KEFAUVER] was on his feet. If I am going to withhold the request, I should yield to him first, because the Senator from Tennessee was on his feet and the Senator from Minnesota was not.

Mr. President, I withhold the request for the time being. Apparently some Senators desire to discuss this important issue.

Mr. KEFAUVER. Mr. President, I have not, except in brief colloquy, discussed this matter or presented my views. All Senators present may have made up their minds, but I want the RECORD to show my opinion about the issue before the Senate. I am a member of the Judiciary Committee——

Mr. MANSFIELD. Mr. President, may we have order?

The VICE PRESIDENT. The Senate will be in order.

Mr. KEFAUVER. And I am, of course, familiar with the lengthy proceedings we have had in that committee in con-

nection with the civil-rights bill. Let me say, in the first place, I want the Members of the Senate to have a chance of considering a civil-rights bill, of discussing the amendments, and of debating it a reasonable length of time.

The VICE PRESIDENT. Will the Senator suspend? The Chair realizes the Senate would like to vote on this matter, and if we can have order, action may be expedited. The Senator is entitled to order, and the Senate will be in order.

Mr. KEFAUVER. In feeling that we can have a bill that really protects the right of people to vote, which I think all Americans want—the opportunity of everyone to vote without regard to race, color, or creed, and having that right protected—I hope we can get a bill that I may be able to support and that many who feel as I do can support.

I hope also we are not going to have lengthy filibusters in connection with this matter that will tie the Senate up all this session and perhaps part of next session. I believe in substantial debate and reasonable debate, but I want measures of this kind acted upon on their merits.

Mr. President, without doing violence to the rules of the Senate—I think if a point of order is not sustained that we will be doing violence to the rules of the Senate—there is a way which is just as expeditious, or almost so, as the shortcut which is being suggested here today, of getting this matter out of the Committee on the Judiciary, in the event the next meeting or two does not bring it out, without causing all the confusion and the chaos that is going to result from the sustaining of the ruling of the Chair, which the Chair has made. That way, of course, is a motion to discharge the Committee on the Judiciary. I wish to say that I think there has been dragging of feet in the Committee on the Judiciary. For a while, I thought we were making progress. We had amendments up for consideration, and we acted on some. Then we reached the point where we were not doing very much.

I should say that if on Monday, or the following Monday, the Committee on the Judiciary does not act one way or the other on the civil-rights bill, I would be willing to join in a motion to discharge the committee, and to vote for that motion.

I know it is said that that would add one more step, which might be filibustered, or that we might have a lengthy debate on it, but, Mr. President, in the final analysis I think everybody realizes that in order to get action on the civil-rights bill there is going to have to be a constitutional two-thirds majority which will be willing to cut off debate at some time or other. If there are two-thirds who are willing to do that—and I think there are in the Senate today two-thirds who probably would vote to close debate after a reasonable time—then there certainly are two-thirds of those who would be present and voting who would be willing to vote for a measure that would get the bill to the floor after it goes through the normal committee channels.

Two-thirds of those present and voting can suspend certain rules of the Senate. The bill, if it is brought from the Committee on the Judiciary, is supposed to lie on the table 1 day, but that rule can be suspended by a two-thirds vote. Other rules can be suspended.

I do not think the proponents of this measure will gain any time by following this unusual procedure and by causing the chaos which is going to result in the event the Vice President's ruling is sustained.

There may be some parliamentary discussion about this, but I have, for instance, had prepared a tentative resolution, just for the purpose of discussion, which would take the civil rights bill from committee and have it presented for consideration at the same time. I think a two-thirds vote would probably be able to accomplish that. That procedure would be no more lengthy in debate than the procedure which may be adopted here would require, and we would be holding intact the rules of the Senate, which have given protection against hasty action, and which certainly have been sustained by the Senate on one previous occasion.

We would then, at least, know where we were. As I understand what is going to happen if the Vice President's ruling is sustained, it will be that when any bill is introduced here, a Member can make objection to it being referred to a committee and it will go on the calendar. As to a bill coming from the House of Representatives, a Senator may make objection and the bill will be put on the calendar. If a point of order is made, debate will ensue, and the bill may be placed on the calendar by majority vote.

Mr. President, I can remember hasty actions that have been taken by the House of Representatives, which turned out to be unthoughtful legislation which was passed in the stress of emotion, where the rules of the Senate have provided a great protection to the Nation. I think it was in 1946, at a time of great provocation—I believe it was a railroad strike—when a bill was passed through the House of Representatives which would have literally put the railroad workers in the Army. It was passed at a time of great emotion, great stress, and great antagonism toward organized labor. The bill came over to the United States Senate, and there was a demand that it be immediately passed here in the Senate. I remember it was Senator Taft who said, "No, we have to have a little time for cooling off." He insisted that the bill be sent to the committee.

Mr. President, if at that time the Senate, in a period of emotion, could have immediately decided to place the bill on the calendar, and bring it up for consideration immediately, the Senate would not have had time to let the issue cool off and to let the country think about it. That is one of the great contributions the United States Senate has made to stability of Government in the United States.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. KEFAUVER. I yield to my distinguished colleague, the Senator from Washington.

Mr. MAGNUSON. I am wondering whether under the ruling tonight the example I am about to give, to point up what the distinguished Senator from Tennessee has said, would be possible. Would it be possible for me to introduce a bill, about which I was very enthusiastic, which I wished to have passed right away, and then, when the bill was given its second reading, for me to object to its referral to the committee, which might be to my own committee, and to have somebody make a point of order and have the Senate pass on the bill right then and there? Is it the understanding of the Senator from Tennessee that that would be possible?

Mr. KEFAUVER. I think the ruling would be it could be passed on right then and there.

Mr. MAGNUSON. If I found some of my colleagues in the committee, like my old friend, the Senator from Ohio, or some of the others, were not quite in sympathy with me, I could object to sending my own bill to the committee and have it placed on the Calendar, have a point of order made against it, and the Senate could debate it then and there and have a vote and decide it once and for all? Is that understanding correct?

Mr. KEFAUVER. That is substantially correct.

Mr. KENNEDY. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to the Senator from Massachusetts.

Mr. KENNEDY. Is it not possible, under the Vice President's ruling, to have unlimited debate on this question, and, even if cloture were finally put into effect on the bill, to have a Member introduce another bill and once again have unlimited debate? Therefore, we could stay in session week after week and month after month, not having an opportunity to dispose of a bill, with cloture always having to be provided, preventing a civil rights bill from finally being disposed of. Therefore it seems to me, when we are faced with that procedure on the one hand, and on the other hand we can wait for the Committee on the Judiciary to report a bill, or else adopt a discharge petition to force it, I do not think there is any question in my mind as to which will result in beneficial legislation sooner.

Mr. KEFAUVER. I think the Senator is correct. I believe the procedure here is placing two more steps that can be filibustered in the way of consideration of legislation. I think the Senator is correct. Instead of expediting legislation the procedure may develop in the future to be two steps more which would be subject to a filibuster.

Mr. MAGNUSON. Mr. President, will the Senator yield so that I may ask another question.

Mr. KEFAUVER. I yield to the Senator from Washington.

Mr. MAGNUSON. If the votes were available to sustain a ruling of the Chair in a particular case, such as I have mentioned, those votes would also be available, would they not, to discharge a committee? It is six one way and a half dozen the other.

Mr. KEFAUVER. The Senator is correct. If the votes were available in the one case, they would also be available to discharge the committee.

Mr. MAGNUSON. The votes of those who were sympathetic to the particular cause.

Mr. KEFAUVER. The votes of those who were sympathetic.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to my colleague from Mississippi.

Mr. STENNIS. My question to the Senator from Tennessee is along the line of his fine thinking.

Take the mutual security program, the so-called foreign aid bill, which passed the Senate recently. Was it not true that what gave it impetus was the fact that the Foreign Relations Committee took testimony on the subject and came forward with an almost unanimous recommendation? By contrast, suppose that bill had been stopped and sent to the calendar. Suppose there had been a vote upon the question, and it had been sent to the calendar. What chance would there have been to pass that bill without a committee hearing and recommendation? It would have been impossible, would it not?

Mr. KEFAUVER. The Senator is entirely correct. The only way Members of the Senate can legislate intelligently is to have the facts, ascertained from expert witnesses who appear before committees. Committees hear from members of the administration, as well as from other Senators who wish to state their views. In my opinion the mutual aid bill would not have passed the Senate if the proposed procedure had been followed, that is, allowing a majority to place the bill on the calendar, and take it from the calendar for consideration in the Senate, without hearings before the committee. I do not think the bill would have passed in any form which would have been satisfactory to those who favored such legislation, and it would not have been satisfactory to the administration.

This is what I am worrying about: There are in progress before a subcommittee of one of the standing committees of the Senate hearings dealing with labor-management relations. Mr. Beck and other labor leaders have been testifying. In the country there is tremendous antagonism on the part of a great many people toward organized labor. There is a great deal of excitement over the issue at the present time.

Many persons overlook the need for protecting the hard-earned rights of 15 million good American trade unionists. We receive letters urging the passage of right-to-work laws and other laws to penalize organized labor.

That is the situation which exists. When a bill comes to the Senate in the midst of that kind of heat, pressure, and emotion, and the people of the country are excited and are demanding someone's blood, that is the time when we need cool, calm, calculated consideration by a legislative committee. I do not see how we can function intelligently unless we operate in that manner. The Senate will lose its stabilizing influence in the Nation if we place it in the power of a majority of the Senate, in connection with any particular bill, to vote not to refer a bill to a committee. Under such procedure, in my opinion, the Senate would lose its traditional stabilizing influence, which it has always had by reason of calmly considering questions while at the same time giving witnesses an opportunity to testify, while passions are allowed to cool. If we were to place it in the power of a majority immediately to send a bill to the calendar, and then act upon it without the benefit of testimony before one of our legislative committees, in my opinion such action would substantially destroy the committee system of the Senate.

If a Senator has a bill which he is afraid to have considered by a committee, and he wishes to take some shortcut, and he has the necessary political support, particularly the support of the majority leader or the minority leader, he can have the bill placed on the Calendar, and then immediately brought up for consideration.

How are we to ascertain what is behind any particular legislation? How can we determine the sinister motives of certain people who may be pushing for the passage of certain legislation? How are we to develop the effects of legislation upon the people of the United States if we give a majority of the Senate the right immediately to act on a bill without consideration by any committee?

Committees have another great importance. Committees of the Congress, and particularly those of the Senate, have great influence in regulating the way the executive departments are operated. In the consideration of bills, administrators come before committees of Congress and tell what they are doing with various programs, and Members of Congress have the opportunity to express their opinions. We would lose a great deal of control over the administrative and executive branch of the government if we were to destroy or cripple our committee system.

Furthermore, the administrators are entitled to know the intent of Congress, and the reviews of Congress as to how laws should be administered. The reports of committees furnish them guidance and direction. All that will be gone if we destroy our committee system.

We all know that the courts of the United States, in looking to the intent of Congress in interpreting statutes, consider committee reports. They consider what is said by members of the committee in the debates, and particularly what is in the reports, as a guide in determining how the laws of Congress should be interpreted. That, too, would be gone.

Members of the Senate are faced with a serious decision, particularly when they have another alternative. They have the alternative of discharging the Judiciary Committee. If, by a week from Monday next, the Judiciary Committee has not acted upon this bill, I will vote to discharge the committee. I think we should have acted before this time; but merely because I am dissatisfied with what one committee may have done, that is no reason why we should establish a precedent which would harm the Nation and the work of the Senate.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. LONG. Does the Senator realize that if we were to adopt the device proposed here, it would offer to Senators who wish to defeat bills which must go to committees and be studied by committees opportunities to defeat such bills which do not exist at present?

Consider a bill such as the foreign aid bill. Suppose the Senator wished to oppose that bill. Suppose he did not want it passed. That is a bill which must be studied by the committee. A single Senator could start to debate the bill when it was introduced. He could object to a second reading, and, on that point, he could force the bill to the calendar, and debate a motion to take the bill from the calendar. So the proposed procedure would merely offer a device which does not exist at present, to allow one Senator to keep a bill from ever getting before a committee. Three or four Senators could continue to debate the motion to refer it. In such a case a cloture petition would be required to stop debate and get the bill before the committee.

Mr. DOUGLAS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. KEFAUVER. Let me respond to the Senator from Louisiana, and then I shall be glad to yield to my colleague from Illinois.

I feel that what the Senator from Louisiana says is correct. A Senator may have a bill which is really unsound, but which sounds plausible, and seems, on its face, to be a good bill. Unless we dig into the bill with the aid of the spotlight of committee inspection, we do not see the bad provisions in it.

Therefore, the effort of that Senator would be to keep the bill on the calendar and immediately get it up for consideration when he had a favorable situation. Or, the reverse of this situation could be used by Senators opposed to a bill. They could keep it out of committee by extended debates or the point of order against referring the bill, knowing that the Senate would not want to pass a complicated bill which had not had committee consideration. I think the Nation would be badly harmed. Certainly the work of the United States Senate would be impaired and impeded, and its effectiveness would be in a large measure destroyed if we were to cripple the committee system in this way.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. DOUGLAS. I should like to propound a parliamentary inquiry based upon the question raised by the Senator from Louisiana [Mr. LONG]. Prior to propounding the parliamentary inquiry, I should like to have Senators remember that the Senator from Louisiana, as I understand, said that these discussions, as to whether a bill would go on the calendar or to a committee, might be determinative. I should like to ask this question of the Chair.

The PRESIDING OFFICER (Mr. THYE in the chair). The Senate will be in order.

Mr. DOUGLAS. Is not a point of order subject to a motion to table?

The PRESIDING OFFICER. The Chair thinks it is.

Mr. DOUGLAS. Is that the ruling of the Chair?

The PRESIDING OFFICER. That is the ruling of the Chair.

Mr. LONG. Mr. President, will the Senator yield at that point?

Mr. DOUGLAS. Just a moment, please. I have submitted a parliamentary inquiry.

The PRESIDING OFFICER. Will the Senator restate his question.

Mr. DOUGLAS. Is a point of order subject to a motion to table?

Mr. KEFAUVER. Mr. President——

Mr. DOUGLAS. If submitted under rule XX, is a motion subject to a point of order?

Mr. STENNIS. Mr. President, a point of order. [Laughter.]

The VICE PRESIDENT. Rule XXII, paragraph 1, provides that when a question is pending, no motion shall be received but a motion to lay on the table, among others. There is a pending question before the Senate, namely, Is the point of order of the Senator from Georgia [Mr. RUSSELL] well taken? It is the opinion of the Chair that that is a question within the scope of the above rule, and that a motion to lay on the table is therefore in order.

Mr. DOUGLAS. So that the motion to table a point of order is in order in connection with the point of order raised by the Senator from Georgia; and in any similar situation in the future a motion to table would be in order?

Mr. LONG. Mr. President, will the Senator yield?

Mr. DOUGLAS. I am making a parliamentary inquiry.

The VICE PRESIDENT. At the appropriate time, when a Senator acquires the floor, a motion to lay on the table is in order when the question before the Senate is a point of order.

Mr. LONG. Mr. President, I should like——

The VICE PRESIDENT. The Senator from Tennessee has the floor.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. RUSSELL. I wish to make it perfectly clear that there is a rule, of course, that when a point of order to a ruling is pending, if a motion to table is made and the motion prevails, it is the sense that the point of order was not well taken, and the precedent would be established against the point of order. The Chair rules, as I understand, that where the Chair by his own action has submitted a point of order to the Senate for determination, that a motion to table would lie?

The VICE PRESIDENT. Under rule XXII, in the opinion of the Chair, that is a question to which a point of order would lie.

Mr. RUSSELL. When the motion is made, a Senator could protect himself by a point of order against a motion to table. Is that correct?

The VICE PRESIDENT. A Senator can always appeal from the decision of the Chair, if that is what the Senator from Georgia refers to.

Mr. LONG. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. LONG. I should like to have the Senator follow me on this point, and see if he can get across the second hurdle that I suggest. I am thinking of the awful precedent we would establish if the Senate does not sustain the point of order.

In this case many Senators want to put a bill on the calendar, but there are situations when a bill could not be passed and considered by the Senate unless it was first considered by a committee. Suppose a Senator objects to a bill and keeps that bill from committee. And suppose Senators want to get the measure into committee, knowing that it is absolutely necessary to have it studied by committee in order to have the bill passed. It may be a bill like the foreign-aid bill, or some other complicated and detailed bill that must be studied by a committee if it is to be passed upon by the whole Senate. In that event, a motion to table could not lie because the effect of that would be to put the bill on the calendar. If the point of order were debated at great length, there would be no way to cut off debate except by a successful cloture petition to get the bill in committee.

That being the case, it would be subject to unlimited debate.

I submit it is much better to have ourselves in a situation that will not plague us, but to get the bill into committee, rather than to plague the Senate with a ruling that will subject the Senate to interminable debate, if a group of Senators wished to keep a bill from getting into committee.

It makes much better sense to follow a procedure that has many remedies, either by discharging a committee, or by suspending the rules, if necessary, instead of leaving ourselves in an unprecedented mess, where a bill of a controversial nature can be introduced and where 1 or 2 Senators can keep that bill from reaching a committee, if it is the kind of bill that requires study.

The bill under discussion has been debated a great deal and has been considered many times. But how about controversial bills that will come up in the future, which must have study by a committee before it can be intelligently passed upon by the Senate? Do we want to subject ourselves to a situation where a single Senator or a small group of Senators can tie the Senate up interminably, without letting the bill be considered or let it go into committee?

Mr. KEFAUVER. I believe the situation would be that if a bill came from the House, or if a bill were introduced in the Senate and a point of order were made, and the bill sent to the calendar, the only way it could be taken off the calendar would be by motioning the bill up, which would be debatable, and there would ensue lengthy debate on the issue of whether to take up the bill.

Mr. LONG. A motion would have to be made to refer the bill to the committee.

Mr. KEFAUVER. That is correct.

Mr. LONG. And that would be a debatable question.

Mr. KEFAUVER. That motion would be debatable, if a group wanted to keep the bill from going to committee.

Mr. LONG. It would require a two-thirds majority to have the bill brought up for consideration, if a lengthy debate were waged against the bill, and it would again require a postponement to a subsequent day, with each Senator having additional time in which to debate the bill. Then a motion would have to be carried after debate to bring the bill up for consideration, and then a motion would have to be made to send it to committee, and that would be subject to a debate.

I submit that would plague the Senate, and could conceivably plague us indefinitely into the future. A motion to table in such a case would only accomplish what those who are opposing the bill were seeking to do in the first place, that is, get it on the calendar, without having it considered by the committee.

Mr. KEFAUVER. Mr. President, I think also that the history of the Reorganization Act is in favor of the interpretation that the Reorganization Act requires that bills be sent to committee. The Reorganization Act, of course, provides that they shall be referred to a committee. It does not say "if they are referred." It does not say that in the absence of something else, they shall be referred. It says that they shall be referred to the committee.

That is the interpretation which the Senate, by its vote, has placed upon it. This action today will leave us with no rule in this matter, as I see it. We do not know whether a bill will go to a committee. It will depend on what the Senate does in each individual case.

That is not the orderly way of doing business. It certainly will not expedite the judicious consideration of matters in committee. I think the Senate will be set back in its deliberative operations for many, many years if the position of the Chair is sustained.

Mr. HOLLAND. Mr. President, I shall detain the Senate but a few minutes. I remind the Senate that whatever we do on this vote will have very little application to the so-called civil-rights bill. Why? Because if the long debate develops, which is anticipated by all of us, the question will be, eventually, whether 64 Senators want to close debate. If they want to close it on one portion of the debate, of course, they will see it through.

The only difference between these two situations, so far as the civil-rights bill is concerned, is the difference between three clotures and two clotures. In the case of placing the bill on the calendar as is now being attempted, there would be only two clotures; one on the motion to take up, and then one on the action on the merits of the bill.

In the other case, there would be three clotures; first, on the motion to take up the resolution of discharge, and second, the motion to discharge the committee

and to make the bill the pending business, and then finally, third, the cloture on the merits of the bill. There would be 3 clotures as against 2. That is all the difference there is.

I have consulted with the parliamentarians, and I understand from them that there is no question about the fact that if the bill goes to the committee, there would first have to be a motion to take up the resolution to discharge the committee. That would require cloture. Then there would be the motion to discharge the committee, and there would also be included, of course, the factor of making the bill the pending business, which would require a two-thirds vote, but less than the vote on cloture. Then, again, there would be the final vote on the merits.

That is all the difference there is between the two ways of handling the situation, so far as the measure we have been talking about today, the civil-rights bill, is concerned.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. NEUBERGER. I have not spoken on this subject, but I should like to ask the Senator a question which occurs to me.

At least 15 to 20 times in the past 4 or 5 minutes which the distinguished Senator from Florida has been speaking he has referred to the necessity for cloture. Why is that necessary? Is it the determination of the opponents of the proposed legislation that they will not permit a vote on the bill unless debate is shut off arbitrarily by a vote of the Senate?

Mr. HOLLAND. I think the Senator from Oregon missed what I said before I first used the word cloture; that is, if the unlimited debate developed in this matter, which had heretofore given promise of developing, the situation I have just described would be the situation we would be in. The Senator from Oregon can judge for himself as to the degree of firmness of the opposition with which this measure will be faced.

The Senator from Florida does not predict what will happen; he only knows that so far as he is concerned he will oppose the measure in every reasonable and every legal way he can. The Senator from Florida, however, is one Senator who has voted for cloture when he thought things had gone far enough, and that was in the case of the atomic energy measure some 2 or 3 years ago.

Mr. NEUBERGER. Why should cloture be necessary at all?

Mr. HOLLAND. Cloture becomes necessary only when men are so determined in their opposition to certain proposed legislation, because they have a belief and a conviction that their area of the country will be disturbed beyond measure by the passage of such legislation, that they are willing to oppose it with all the vigor and strength they possess. As to whether that would occur in this case, the Senator from Oregon can reach his own conclusions.

The Senator from Florida has simply stated that if that situation develops in the way it has developed heretofore on this kind of measure, the only difference between one approach and the other in the Senate is the difference between 2 clotures and 3 clotures.

Mr. President, I call attention to the fact that if 64 Senators make up their minds that this measure, or any other, should be passed, they have it in their power, even with 3 clotures, to end debate in 9 days, because each cloture requires a waiting period of 2 days, then gives to each Senator who wants to be heard on the bill 1 hour, and then the vote takes place. So under no reasonable conception is more than 9 days involved.

The Senator from Florida has seen many instances when many more than 9 days have been used up in arguments, when no one even thought of cloture.

So the Senator from Florida is simply pointing out realistically to his distinguished friends who do not feel that they should sustain the point of order, what will be the result.

In the event the point of order is not sustained, the only difference will be a saving of 1 cloture. There will be 2 clotures instead of 3. But what is the other horn of the dilemma? If the point of order is sustained, there will be a rule in the Senate. What will that rule be? It will be that rule XXV has replaced paragraph 4 of rule XIV. Rule XXV states the provisions of the Reorganization Act which control, and the Senate will have so ruled.

By upholding the point of order, we will have a rule of stability; we will be able to transact business in an orderly manner. If the point of order be not sustained, there will be no rule, no stability, no assurance as to when measures can be considered or whether they will be considered. Why? Because, under the ruling of the able Vice President, if the point of order is not sustained, and the ruling of the Chair stands, it simply means that the Senate will be committed to a course under which on second reading of any bill, whether it be a Senate bill or a bill which comes over from the House, upon objection of one Senator, followed by the raising of a point of order, the Senate, by a majority vote of those present and constituting a quorum, can rule that the measure shall go to the calendar, so that it will never get to a committee. There is no question about it; that is what it means. It means that when 49 Senators are present and when a bill is introduced by any Senator, if 25 Senators have made up their minds not to let the bill go to a committee, their desire will prevail, and a simple majority of the smallest quorum possible will control the Senate.

To what lengths has the Senate gone that Senators should even think of having such a chaotic rule as we would have if the point of order should not be sustained. Each case would be considered separately.

Mr. President, I practiced law for a good many years. In an adjoining circuit to mine, there were two circuit judges who ruled differently in very serious matters of judicature. The rule was that the judges took cases in the order in which they were filed. The practice was that cases having odd numbers went to one judge, and cases having even numbers went to the other judge.

I have seen lawyers stand around waiting for the propitious moment to file their bills so that they would be certain to go to the judge who would rule the way they wanted the ruling to be made.

Mr. President, I do not want any such miserable practice to prevail in the Senate.

Yet I can visualize that Senators who are greatly devoted to a measure, and want it placed on the calendar, and want it brought up shortly thereafter, will be watching and waiting to see what other Senators are on the floor and what other Senators are not on the floor before introducing their bills. If such a chaotic situation exists, Senators will attempt to take advantage of it, merely to get bills in which they are interested supported by a temporary majority of a bare quorum, or a little more than a quorum, so as to have the bills go to the calendar. That is what will occur if the point of order is not sustained. There will be complete chaos. Instead of a rule of law, there will be a rule of cases, depending upon what Senators are present at a given time.

I can visualize that bills will be worn out from being carried around in Senators' pockets until the times comes when the membership of the Senate present in the Chamber suits their particular situation.

Mr. STENNIS. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. STENNIS. I wish to commend the Senator from Florida for his very fine statement, and especially for his plea for a rule.

With all due deference to the Vice President, I ask the Senator from Florida this question: Where did the Vice President leave the Senate by holding that questions relating to the reference of bills have to be passed on by this body? Where will that leave the committee system, except in exactly the way the Senator from Florida has pointed out?

It seems to me that those to whom we look primarily to carry on the committee system—namely, the chairmen of the committees and the ranking minority members of the committees—now should come to the defense of the committee system and should fight to keep it from being left in chaos and confusion.

I join the Senator from Florida in pleading for a rule and in pleading that the chairmen and the ranking minority members of the committees take the lead and close ranks in working to see to it that the Senate has a rule.

Mr. HOLLAND. I thank the Senator from Mississippi, who presided as the judge of a court of original jurisdiction long enough to know that there must be rules and laws, or else the whim of men will prevail—in this case, the whim of a majority of a bare quorum of the Senate, or of a little more than a quorum of the Senate, instead of the established rules of the Senate which have made the Senate the most stable body in the Government of this Nation, as the Senate was designed to be.

I have stated several times on the floor of the Senate, but I think it worth repeating, that I have read, not once, but at least 25 times, each and all of the Federalist Papers regarding what was intended by the Founding Fathers when the Government of the United States was established. Those papers of Jay, Madison, and Hamilton give the points of view of those three gentlemen, who should have known best what was intended when the Government of the United States was established. In those papers, the words "stability," "stabilize," or "stabilized"—depending on the connotation—are used five different times.

Mr. President, the Senate has had stability because it has operated under rules, and Senators have known what rules would be applied.

Mr. President, under the ruling of the able Vice President, the Senate will have a rule; but what will it be? It will be a rule requiring the submission—at a particular time, after the raising of a point of order—to the vote of a majority of the Senators then present, of each and every issue which arises in this particular field, whether it be when a Senator introduces a bill or when a messenger brings to the Senate a bill from the House of Representatives. Mr. President, how could there be greater instability, greater chaos, greater lack of order, greater loss of confidence insofar as the public is concerned, than to have such a procedure face the Senate an indefinite number of times in the future, as will be the case if the ruling made by the Vice President is sustained?

Mr. President, the point of order should be sustained; and the Senate should be given a fair rule, namely, that a bill will be referred to committee, if a point of order is raised.

Mr. LONG. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield.

Mr. LONG. I know many Senators have not realized the mischief involved in the rule which would be established if the point of order were not sustained.

Two years ago, it will be recalled, many Senators wished to have an amendment to the Sugar Act enacted into law. I believe that when that measure was finally passed by the Senate, the Senator from Illinois and the junior Senator from Arkansas were the only Members of the Senate who opposed it. But those two Senators, by delaying the sending of the bill to the committee during the first session of that Congress, were successful in preventing the passage of the bill at that session, because the Senate knew the bill was a complicated piece of proposed legislation, and the Senate knew it did not wish to act on such a measure without having it studied by the committee having jurisdiction of the subject and without having the benefit of the committee's judgment regarding that measure.

Mr. HOLLAND. I well remember that occasion.

Mr. LONG. Those two Senators, by preventing the reference of the bill to the committee, kept the bill from being passed at that session of Congress.

Now let us see the power that two Senators could have if the point of order were overruled and if the position taken by the minority leader were sustained.

In that event, suppose the same bill were to be introduced for the first time, and had not been considered by the committee. The Senate would have been busy, for the Senate has to consider a great many measures. In that situation, suppose that every time an attempt were made to advance the bill to a committee some Member objected and debated the motion until the Senate were forced to lay the matter aside. In that event, consideration of the bill by the committee would be impossible.

The only course then available would be to have the bill go to the calendar. In that event, every time an effort would be made to have the bill brought up for consideration by way of motion, the only motion that would not be debatable would be a motion to lay on the table the motion for consideration of the measure; and then the bill would have to go back to the calendar.

Thereafter, if an effort were made to have the bill referred to the committee, those two Senators would be able to delay for a considerable number of days the reference of the bill to committee; but if the bill were finally considered for reference to committee, a Senator could then debate the motion to commit the bill and would prevent committee consideration of the bill.

Let us suppose that finally a sufficient number of Senators succeeded in having a cloture petition presented, and succeeded in having cloture imposed—by means of the votes of 64 Senators—and finally succeeded in bringing the bill before the Senate.

Again it would be necessary to move that the bill be sent to committee, and again lengthy debate would be possible, and a second cloture petition would have to be submitted—all in an effort to have the bill referred to committee.

That situation could develop in connection with any controversial bill—for instance, in connection with the unfinished business of the Senate, the Hells Canyon Dam bill. A few Senators who were opposed to the bill would be able to make it impossible for the bill ever to be considered by the Senate, simply because when the bill was introduced, they could object to having the bill go to committee, and in that way they could prevent having the bill studied by the committee.

The Senate does not have time to consider bills which have not been studied by committees. The Senate cannot even find time to consider all the bills which have been studied by its committees.

I say that this situation would establish a legislative roadblock, if Senators wished to use it, in front of bills of merit which should be considered and acted on by the Senate. That would very definitely be the case, because although there are some bills which Senators might be willing to have passed without having them studied by committee or without having the committees take the testimony of witnesses, the great majority of the bills—approximately 90 or 95 percent of the measures, I would assume—are measures regarding which Senators would want the committees concerned to consider the views of expert witnesses and the views of the various executive departments of the Government, and to cross-examine the witnesses, in order to ascertain whether their views were sound.

Those are the things the Senate would deny itself, and that is the power which would be placed in the hands of one Senator or a few Members of the Senate, if the Senate were to vote for a rule by means of which a single Senator could debate a bill when it was introduced, and thus could keep the bill from being referred to a committee.

Mr. HOLLAND. Mr. President, the Senator from Louisiana has stated a powerful case in favor of sustaining the point of order.

Mr. COOPER. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. Mr. President, I shall yield to the Senator from Kentucky after I make two points.

First, since the distinguished Senator from Illinois has indicated that he may be disposed to make a motion to lay on the table the point of order, and since the distinguished Vice President has stated that such a motion would be in order, I wish to make it very plain that, as I see it, that would simply be a method of shortening the debate and of giving the Senate a chance to vote on the point of order, and nothing more or less than that. I hope it will be so regarded by all other Senators.

Second, I should like to say that throughout the debate the real liberals, of whom there are so many in the Senate, who seem to favor the other side of the issue, have no business on that side, because they are the very ones who would wish to defend the causes of citizens who might be hurt by a passionate outbreak of sentiment following some grave incident of one kind or another, and they would wish to see to it that such citizens would have any issues in which they were vitally concerned handled cautiously and patiently, in an effort to ascertain the facts.

I am delighted more than I can possibly state to find that not only the distinguished Senator from Oregon, who cast the die very early in this fight when he realized what was happening, but now also the distinguished Senator from Tennessee, have seen what is an undoubted truth, and that is that this monstrous thing, if once set up, not only will serve to bring grave disaster to the Senate, but will be more apt to militate against the very causes to which they are devoted than to help them.

I now yield to the Senator from Kentucky.

Mr. COOPER. I have listened to the Senator. I think he was correct when he outlined the steps which must be taken to bring the bill to a decision if it goes on the calendar. I know his concern that no trick, no device, no expediency be taken in a matter such as this. I may say I share that feeling, and stated it in the only other intervention I have made in this debate.

Mr. HOLLAND. I thank the Senator.

Mr. COOPER. I may be wrong, but I thought, as the Senator from Florida

outlined the long series of steps that must be followed to bring the action on the bill to a decision, he implied that in placing the bill on the calendar that perhaps was some expedient or trick which would be used if this ruling should be sustained.

Mr. HOLLAND. I make no such implication. I know only what my own attitude is on that.

Mr. COOPER. I should like to ask the Senator this question, however: If it be true that the rule is not repealed, by implication, by the Reorganization Act, does it not follow that all these steps, long and circuitous as they may be, are legal and rightful steps?

Mr. HOLLAND. If the Senator means by that the three debates without limitation, and the closing of those debates, to which the Senator from Florida referred in the case of recalling a bill from committee and taking it up and passing it, the Senator from Kentucky is correct.

Mr. COOPER. The Senator said if the ruling should be sustained, the Senate would be placed in chaos or turmoil.

Mr. HOLLAND. The Senator is correct.

Mr. COOPER. If the rule was not repealed by implication by the Reorganization Act, is it not true that all those steps are perfectly legal and perfectly proper steps under the rules of the Senate?

Mr. HOLLAND. If the rule was not repealed by implication, we might have had a different sort of ruling from the distinguished occupant of the chair than the one which he has handed down, which would not have left us in chaos. But we are not confronted with that possibility now. We are confronted with an actual ruling. What was the ruling? The ruling was that the distinguished Vice President had a personal idea about this matter, but his conviction was that in this case a question had developed which should be submitted to the Senate—the Senators then present—for determination by their vote. That is the meat of his ruling. So, if the point of order is not sustained, the ruling which will be in the records and precedents of the Senate will be that in each such case which arises—and, believe me, there will be many more of them arising if this rule of chaos is to be rule of the Senate—the question will have to be submitted to the Senate, provided an appropriate foundation has been laid, as was laid by the raising of the point of order this morning by the Senator from Georgia.

Mr. COOPER. In every case a decision could be made by the Senate itself. Is that correct?

Mr. HOLLAND. By the Members of the Senate who were present, whether their number was just 49 or the whole 96. By a simple majority of one, of the quorum present, the decision would be made, the decision depending upon the sentiment of the Members then present or a majority of the Members then present on the particular issue.

Mr. President, if there could be any surer way of plunging the Senate into utter chaos than that—without, in those cases, referring bills to committee, but instead handling them in the manner described—I do not know what it would be.

Mr. COOPER. I have laid my background for one question, because I know the Senator from Florida does not want to use or misuse the rules of the Senate——

Mr. HOLLAND. The Senator from Florida has not done so, and neither has the Senator from Kentucky.

Mr. COOPER. But I should like to ask the Senator from Florida this question and get his answer: If the rule was not repealed by implication by the Reorganization Act, then the procedure the Senator has outlined, distasteful though it may be, is perfectly legal and perfectly proper procedure, and it is not a trick and it is not an expedient. Am I correct?

Mr. HOLLAND. The Senator is correct in part. He does not point to the result. That result would be that there would be no fixed rule except that a simple majority of the Senate then present would decide each issue at that time, which means the Senate could call black white today, and call white black tomorrow, and then perhaps get on the right course in the next case. There would be no assurance as to how the Senate would function.

Mr. COOPER. The Senator argues that in every case a bill ought to go to committee. Is that correct?

Mr. HOLLAND. The Senator's feeling is that bills should go to committee except in those rare cases when the rule would be waived, when there is a sufficient sentiment for waiving the rule, so the Senate can follow the established, traditional course it has long followed.

I came to the Senate in September 1946. The Reorganization bill had been passed a few months before that. It became effective a few months after that. The Senator from Florida was in the Senate when it became effective, and was affected by it. The Senator from Florida heard the arguments which were made in extenso on the floor at that time. What were they? They were, in effect, that the business of the country had swollen so greatly that the old system which allowed Senators to be on 8, 9, or 10 committees should no longer be followed. It was loudly proclaimed that it was absolutely necessary to reform the practices of the Senate so as to allow each Senator to serve on two standing committees, and give him an opportunity to come to grips with the facts concerning the bills referred to those committees.

Not once, but time after time after time, it was brought out that that was a change which was necessitated by the loose practices and the impossibility of living up to the committee assignments and committee duties which had existed prior to that time.

Mr. President, the Senator from Florida does not think that the 79th Congress was joking when it passed the Reorganization Act. He knows we were not fooling in the 80th Congress when we reorganized the Congress. The Senator from Florida remembers with what pain some of the elder Senators gave up cherished assignments which they had held for many years, but they had to select two committees, and two only. What was the purpose of that? To assure the better functioning of the committee system of the Senate. That was the purpose of that part of the bill which applied to the Senate.

Mr. President, when Senators say that there is not any necessity for submitting any bill to a committee, either a Senate bill or a House bill, and that a loose procedure should be adopted, under which a simple majority of the Senate in attendance any given day can decide that any bill, Senate bill or House bill, will go directly to the calendar, without any study, that is an enormity of error, from my point of view. That is a completely destructive thing, Mr. President. Instead of building some constructive rule of conduct in the Senate, such a course would destroy and wipe out all or a large part of the good results we have achieved under the Reorganization Act.

Mr. NEUBERGER. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the Senator from Oregon.

Mr. NEUBERGER. Ever since this debate started there has been one essential fact I have not understood. I waited to ask a question about it until I heard the speech by the able Senator from Florida, because I respect his knowledge of American history.

Mr. HOLLAND. I thank the Senator.

Mr. NEUBERGER. Ever since this debate commenced it has been claimed by those who have made the point of order that they are the traditionalists, that they are the ones who represent the views of those who founded this country, that they go back to the Federalist papers, and that their position reverts back to the Founding Fathers who wanted the Senate to be the organ of stability in our Government. Yet their whole case rests on the one claim that rule XIV, which stems from Jefferson's Manual, was overruled by something that happened in 1946 or 1947. In one breath they say, "We are the traditionalists who want the Senate to be the balance wheel of stability." And in the next breath they say, "Something adopted in 1947 overruled Jefferson's Manual. Therefore, the Vice President is wrong in his ruling." Yet in all those years, prior to 1946 there has been chaos under rule XIV.

I do not understand that inconsistency, which has repeated here since this debate commenced.

Mr. HOLLAND. Mr. President, I shall be delighted to try to assist the Senator from Oregon in his understanding of the matter.

There has never been a contention by those who wish to see the Constitution preserved and wish to see the rules obeyed that the rules should never be changed. There has never been a contention that such acts as the Reorganization Act were not necessary.

Some of the finest traditionalists—if the Senator wishes to use that word—in the Senate were among the supporters of the Reorganization Act, because they thought it was needed. So if the Senator has gained any impression that those of us who are taking the position which the Senator from Florida is supporting

now desire no change and think that everything should be static, that we cannot dot any "i" or cross any "t," or otherwise accomplish any progress, the Senator is mistaken.

Mr. NEUBERGER. I thank the Senator.

Mr. HOLLAND. The Senator from Florida has supported these items of change and will continue to do so. All he is insisting is that the real, sound, fundamental objectives of those who founded the Senate shall never be lost sight of, because they have paid off handsomely throughout the history of this Nation.

What are those fundamentals? There are several that I can mention. One of them is that the large States and the small States shall each have 2 Senators, and they cannot be deprived of those 2 Senators except by their own consent and act. There are other things, with which the Senator from Oregon is fully familiar, because he is a keen student of history.

Mr. NEUBERGER. And which I would not do away with.

Mr. HOLLAND. The main objective is stability. The whole setup of the Senate was designed so that the Senate would not waver like a reed in the wind before the determination of the populace, who had all rushed in one direction on a certain issue, but instead would wait a little and see, and would consider all the multifarious things that come into the national scene.

Mr. President, I have always been proud to be a Member of the Senate, because I have sensed that here is where much of the stability of this Nation comes from. I do not wish to see the Senate, in any idle moment, pursuing an objective, supported by a majority, perhaps—such as the civil-rights bill—do something which is not necessary at all, simply to accomplish a purpose, while at the same time it is destroying the very foundation stones under the temple. That is what I have been trying to say to the Senator and to the Senate, with every bit of strength at my command, because I know that is what will be done if we establish a rule that is no rule; a rule that simply provides that each case shall be decided by the whim and caprice of the half-informed majority present, assuming that there is a quorum present.

Mr. DOUGLAS. Mr. President, will the Senator yield to me so that I may propound a parliamentary inquiry to the Chair, which involves certain points the Senator has developed or tried to develop during his address?

Mr. HOLLAND. I yield for the purpose of permitting the Senator to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. DOUGLAS. Mr. President, the Senator from Florida has said that the practical difference between putting the House bill on the calendar under rule XIV or moving to discharge the committee is merely the difference between 2 possible filibusters with 2 clotures and 3 possible filibusters with 3 clotures.

Mr. President, some of us have been examining this very issue very closely during these preceding days, and after an examination of the rules of the Senate and the precedents, we have come to the conclusion that the difference was not between 2 possible filibusters and 3 possible filibusters, if we moved to discharge the committee, but between 2 possible filibusters if the bill is put on the calendar and 4 possible filibusters if the bill is sent to the committee and we must then proceed to try to discharge the committee. With that as a preface I should like to propound the following parliamentary inquiry——

Mr. HOLLAND. Mr. President, will the Senator yield so that I may restate my position, so that he will understand it very clearly?

In the case of a bill upon the calendar, there are two proceedings to which cloture could be applied. One is a motion to take up and make the bill the pending order of business. The second is upon the passage of the bill.

In the case of a bill which is in committee—and this I have checked with the Parliamentarians today, and if I am not quoting them correctly, it is precisely the way I understood them—the cloture proceedings would be three in number. The first of them—after, of course, the filing of the motion to discharge the committee, which would take place in the morning hour, and which would have to lay over until the next day—would be when the point was reached where it was decided finally to take it up seriously, which would require a motion to take up the resolution of discharge. That is the first of the three.

The second would be accomplished by having the motion cover not only the discharge of the committee but also the making of the measure the pending business. The Senator from Florida stated that he was advised by the Parliamentarian that because of the inclusion of that factor a two-thirds vote would be required, but it would all be in one proceeding, and it is the second step that the Senator from Florida mentioned.

The third step, the same as in the case where the bill was on the calendar originally, is the passage upon the merits of the bill.

The Senator from Florida has been so informed in rather detailed discussions with the Parliamentarians during the day.

Now if the Senator from Illinois wishes to state his parliamentary inquiry, at least he understands what the statement of the Senator from Florida is.

Mr. DOUGLAS. I thank the Senator from Florida. Am I now permitted to propound this parliamentary inquiry to the Chair?

Mr. HOLLAND. I have yielded for that purpose.

Mr. DOUGLAS. I should like to ask the Chair this parliamentary inquiry: Let us assume that instead of keeping the House bill on the calendar, it is allowed to go to committee, and then assume that a motion is made to discharge the committee from the consideration of the bill, and that the motion to discharge is not disposed of in the morning hour when laid before the Senate. I assume that it then goes to the calendar.

The VICE PRESIDENT. The Senator is correct.

Mr. DOUGLAS. Then the motion to discharge would be on the calendar; and I ask the Chair if there would not be four possible filibusters and four requirements for cloture if the filibusters should take place: First, the motion to proceed to the consideration of the resolution to discharge. If a filibuster occurred, would not a 64-vote cloture be required?

Second, if that were carried, there would then come, would there not, a vote on the resolution to discharge the committee? And if a profound and prolonged filibuster occurred, another cloture motion would be necessary, which would have to be affirmatively voted for by 64 Members. If that carried, and the resolution to discharge were put into effect, I take it the bill would be placed on the calendar.

Mr. HOLLAND. Mr. President, the Senator has not followed the course outlined by the Senator from Florida.

Mr. DOUGLAS. Third, if the bill itself were on the calendar, would there not be two further steps? Would not a third step be a motion to proceed to the consideration of the bill, which would be subject to filibuster, which could be broken only by a 64-vote cloture? Then would there not be a vote on final passage, which would be subject to a fourth filibuster, which would require a 64-vote cloture to break?

Therefore I should like to propound to the Chair this inquiry: Whether, if the motion-to-discharge-the-committee route should be adopted, four filibusters would be possible—and I think in this instance they would be carried out—and would not four 64-vote clotures be required?

The VICE PRESIDENT. On the facts as presented by the Senator from Illinois——

Mr. STENNIS. Mr. President, may I address an inquiry to the Chair?

The VICE PRESIDENT. Let the Chair complete the reply to the Senator from Illinois.

On the facts presented by the Senator from Illinois, and under the procedure he suggests, four votes and four cloture petitions might be required.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HOLLAND. By the joinder of the second and third steps suggested in the course of procedure outlined by the Senator from Illinois—which, by the way, was the course suggested by the Senator from Florida—would not the number of 4 be reduced to 3, subject to one additional condition, and that is that the bill would have to be forced out of committee and become the pending business by a two-thirds vote, because waiver of a rule would be involved?

The VICE PRESIDENT. The Senator is suggesting, in other words, that steps two and three, namely, the vote on the resolution to discharge and the motion to proceed to the consideration, might be combined. The Parliamentarian, after his study of the precedents, informs the

Chair that that would not be in accordance with Senate custom. The Chair would be bound by the opinion of the Parliamentarian in this instance.

Mr. HOLLAND. All the Senator from Florida can say is that he submitted the tentative draft of a resolution which he now holds in his hand to the Assistant Parliamentarian, and he was advised to the contrary. He was told by the Assistant Parliamentarian that he was in touch with the Parliamentarian himself on this question.

The VICE PRESIDENT. The Chair understands that the Senator from Florida did make the statement on the basis of an opinion from the Assistant Parliamentarian. This, of course, explains the difference.

The Chair now is simply reporting to the Senate what further study by the Parliamentarian of the precedents has indicated. Under those circumstances the Chair believes that it would be proper to follow the advice of the Parliamentarian.

Mr. HOLLAND. That means, of course, that there is a difference of opinion between the Parliamentarian and his deputy. It also means that the Senator from Illinois, at most, would be confronted with 4, instead of 3 steps. It would not mean that the same 64 Senators who are willing to see this matter through could not put it through 4 procedures with just as much facility as they could put it through 3. Furthermore, it would add to the estimate of time the Senator from Florida made a while ago by 3 days, at the most, because the provision for cloture, which can be initiated by a relatively small number of Senators signing a petition and filing it, comes to a head in 2 days. Then each Senator who does not wish to close debate can speak and be heard for an hour. So 72 hours, or 3 days, ought to cover each phase of the procedure. It is entirely clear that at any time when there are 64 Members of the Senate who are determined to push something through, as against the opposition of 32, or less than 32, who feel otherwise, they have it in their full power to do so; and if they have the courage of their convictions they will do so.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. LONG. When certain Senators seek to deprive a great many people of the Nation of the right to trial by jury, of the right to confront their accuser, and the right to cross examine adverse testimony, would it not seem reasonable that they should be required to devote an extra 3 days' work in an effort to enact such legislation?

Mr. HOLLAND. It seems so to the Senator from Florida.

Mr. President, I apologize for having taken so much time. In closing, let me say that to uphold the point of order would give us a rule under which to operate. What is that rule? It is that rule XXV prevails, and overcomes paragraph 4 of rule XIV. It means that the Reorganization Act applies to this situation, and that there will be an end to this foolishness of attempts to send direct to the calendar measures introduced in the Senate or measures coming over from the House.

Failure to uphold that point of order would result in complete chaos, and leave it to the decision of a simple majority, of more than a quorum, on any measure which is brought up, to decide which course shall be followed with reference to the particular bill involved. Nothing could be more destructive of the stability of the Senate than that.

Mr. CASE of New Jersey. Mr. President, in my judgment the ruling of the Chair, or the opinion of the Chair on this issue, is thoughtful, clear, and right. Objection to the position of the Chair can be made only by those who believe that all bills must automatically go to committee, regardless of the will of the Senate. That is to say, regardless of the will of all but one Member of the Senate, they must go to committee automatically in all cases.

I do not agree that this would lead to chaos. It is not my understanding that in the first 158 years of the history of this great deliberative body chaos prevailed; and yet the situation which the Vice President has ruled now applies, applied throughout the entire 158-year period before rule XXV of the Senate rules was placed in the rules by the Legislative Reorganization Act.

It is not my recollection that that constituted an enormity or complete chaos, or that it was utterly destructive of the proper legislative process, as the Senator from Florida has so many times alleged. He was here for 1 year during that period. I should be surprised if he thought complete chaos existed during 1 year of his direct experience.

Such a suggestion represents a fear of majority opinion—a majority opinion of Members of the Senate, two of whom are chosen to represent each State.

Are we to trust anyone? Are we to trust ourselves? Does any Senator really believe that the Senate could be stampeded into action obstructive of the liberties of the people, because a majority has the power to determine whether or not a bill shall go to committee, and because we will not let one man refuse to permit a bill to go anywhere but to a committee?

This is quite ridiculous. As a matter of fact, the suggestions made by the Senator from Louisiana on this point seem to me to be absolutely without basis in anything contained in the ruling of the Chair. It would be impossible, under the ruling, to have 1 or 2 or 3 or 4 Members of the Senate determine what shall happen to a bill. The basis of the ruling of the Chair is that the majority of the Senate shall determine whether a bill goes to committee or is placed upon the calendar.

That is the procedure which applied in this body for 158 years. Will chaos result if we return to the procedure which existed in the time of Madison, in the time of Clay, in the time of Calhoun, and in the time of the giants who are so often mentioned by the very people who now raise the greatest objection to this ruling—the Jeremiahs who claim that chaos will result from returning to a situation that existed in the grand old days?

Beyond this, Mr. President, I wish to say that the ruling of the Chair is not only right in substance, but was the only one possible within the framework of the rules of the Senate. The Chair stated he was obliged, if possible, to reconcile in any reasonable way the rules of the Senate, so that each could be given a construction consistent with the continuous existence of the other rules. The ruling made by the Chair in regard to the 2 rules, rule XIV, paragraph 4, and rule XXV, is the only ruling by which these 2 rules could be construed as continuing and as consistent with each other.

Therefore, if complaint is made, I say let the complaint be made, not against the Chair, or the occupant of the chair who made the ruling, but against the rules of the Senate, which required, in my judgment, that this ruling be made. It is a ruling that is a statesmanlike ruling, and is the only ruling that could possibly be made if the rules were to be construed as both continuing and consistent.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. KUCHEL. Mr. President, I cannot tell my friends from New Jersey how delighted I am to listen to him. The President of the Senate was faced with a difficult legal question, a question that was not susceptible of easy interpretation. The Senate has rules. The President of the Senate, in interpreting those rules, was also required to determine the effect, if any, of the statute which Congress passed with respect to the rules of each House. Obviously there is a conflict. Obviously repeal by implication is not favored in the understanding of the law which prevails in this country. Therefore the President of the Senate was faced with a difficult legal question, and a difficult question of interpretation.

The President of the Senate in his clear and concise decision, by which he reconciled admirably two rules which apparently on their face were in conflict, performed an outstanding service as the Presiding Officer of the Senate. Thus the occupant of the chair did not hold that a single Member of the Senate could frustrate a majority and prevent a majority of the membership from making a decision which is, rightfully, its decision in the last analysis.

The Vice President, in the highest type of a strictly legal decision, first indicated the view that was his, namely, the interpretation which he placed upon the point of order made by the distinguished Senator from Georgia [Mr. RUSSELL], and then he said, "Let the majority of the membership of the Senate itself decide the question."

What is wrong with that?

We pass laws in each House by a majority of those present, and we speed them on their way to the White House. In my judgment, the decision is shorn of any personal predilection and is grounded in the best tradition of interpretation.

It was suggested a little while ago, while I sat here—if my friend from New Jersey will indulge me for a few more seconds——

Mr. CASE of New Jersey. Certainly.

Mr. KUCHEL. It was stated that the ruling would result in chaos.

Mr. President, my time in the Senate has been short. I have been here only 4 years. I have seen some chaos, though. I have seen some chaos when the rule of the majority was frustrated, when we were compelled to sit in our seats all day long and all night long, day in and day out. What a spectacle we made of parliamentary procedure before the people of the United States.

So I suggest, Mr. President, that rather than contribute to chaos, the President of the Senate did what he had to do, and what all of us ought to be ready now to stand up and vote for. For my part, there is no question about what I shall do. I shall vote in a fashion that will carry out the ruling of the Presiding Officer of the Senate. I shall vote to overrule the point of order which was made. I shall do so because, in my judgment, the interpretation given to rule XIV is fair and recognition is given to the responsibility of the Senate under the Reorganization Act. I congratulate the Vice President.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. JAVITS. I should like to associate myself with the views of both of my colleagues as to the merit of the ruling of the Chair and as to the action of the Chair, and I should like to call the attention of my colleague from New Jersey, who is one of the most distinguished lawyers in the Senate, to the fact that the Chair had no alternative. The Chair could not concoct recognition of a Member who will move to send the bill to committee. Therefore the Chair had only one possible alternative to follow, by submitting the matter to the Senate. It was the fair thing to do.

I should like to ask a question of my colleague from New Jersey. Are we not faced with this issue: Shall the majority control the conditions under which it will have a bill placed on the calendar, or shall the majority let a minority control those conditions? If we, the majority, do it now, we control the conditions, and if we wait for a discharge petition under rule XXII, we let the minority control the conditions under which we will place a bill on the calendar. Is that not the nub of the issue?

Mr. CASE of New Jersey. I believe that is the issue involved. In closing, let me say, on the merits of the question, that I believe the people of the country and the Members of the Senate really have a great deal more to fear from the abuse by our committees of their too-great power, including the power vested in the chairmen, insofar as the liberties of the people and the welfare of the people are concerned, than they have to fear from any bypassing of our committees. I believe we ought to look at this subject in its true perspective.

On the merits of the great issue of civil rights, there can, it seems to me, be only one answer, and likewise there can be only one answer when it comes to the merits of the fair and reasonable bill which, at long last, there seems to be a reasonable prospect of our enacting, after more than three-quarters of a century of effort with no success in legislation in this field, because of the very kind of opposition which so bitterly and to the last ditch makes its fight beginning, perhaps, tonight.

Mr. President, not only is the ruling right, but the obligation on the Members of the Senate responsibly to act upon the question which has been placed upon them so rightly by the presiding officer is equally clear.

Mr. ERVIN. Mr. President, as I understand the ruling of the Chair, it is this: Settle it among yourselves, boys; settle it among yourselves. [Laughter.]

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Goldwater	Morse
Allott	Gore	Morton
Anderson	Hayden	Mundt
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	O'Mahoney
Bible	Holland	Pastore
Bricker	Hruska	Potter
Bush	Humphrey	Purtell
Butler	Ives	Revercomb
Byrd	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Church	Kefauver	Smathers
Clark	Kennedy	Smith, Maine
Cooper	Kerr	Sparkman
Cotton	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Lausche	Talmadge
Douglas	Long	Thurmond
Dworshak	Magnuson	Thye
Eastland	Malone	Watkins
Ellender	Mansfield	Wiley
Ervin	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young

The VICE PRESIDENT. A quorum is present.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. As I understand, the question before the Senate is the point of order raised by the Senator from Georgia [Mr. RUSSELL].

The VICE PRESIDENT. The Senator from California is correct.

Mr. KNOWLAND. And the yeas and nays have been ordered?

The VICE PRESIDENT. The yeas and nays have been ordered.

Mr. KNOWLAND. As I understand, a vote " yea" is a vote to sustain the point of order and, in effect, to send the bill, H. R. 6127, to the committee.

The VICE PRESIDENT. If the point of order is sustained, the bill will go to the committee.

Mr. KNOWLAND. If the point of order is not sustained, the bill will go to the calendar under the objection previously raised.

The VICE PRESIDENT. Under the objection filed by the Senator from California.

The Chair recognizes the Senator from Oregon.

THE ISSUE BEFORE THE SENATE

Mr. MORSE. Mr. President, I wish to discuss briefly the ruling by the Vice President, because I respectfully point out to the Senate that we have been discussing the Vice President's ruling based upon an oral presentation without even having a copy of the ruling before us.

I happen to believe that from the point of view of the operation of the Senate, we are making very important history here tonight. In fact, I am not even sure that we ought to make any decision tonight on this issue until we have the Vice President's ruling before us and can study it at some length, because I think we ought to know the implications of the ruling, if it is a ruling, and its full impact upon the point of order which has been raised.

I think it is so important that, although it may not be a particularly popular thing to do, I propose, at least, to give my view of the Vice President's ruling, section by section. As I understand the ruling, the Vice President has not ruled on the procedural problem we have been debating all day, save and except to say that he thinks it ought to be ruled upon by the Senate itself.

I think there is some interesting obiter dictum in the statement of the Vice President; but I do not think that anywhere in the statement we have a ruling that is at all helpful to the Senate in determining the position it should take or the precedent it will make tonight. We are establishing a precedent.

The decision we make here tonight on this matter will, I think, live to haunt us if we vote to overrule the point of order raised by the Senator from Georgia [Mr. RUSSELL]. I think the Senator from Florida [Mr. HOLLAND] put it as crystally clear as it can be put. The Senator from Florida pointed out to the Senate, in his exceedingly able speech, that what can happen under the procedure which will be established in the Senate tonight, if we act, in effect, to overrule the Senator from Georgia [Mr. RUSSELL] and put the bill on the calendar, is that from now on, not only when bills and resolutions come over from the House, but also when they are introduced in the Senate, we can throw the Senate into a delaying and dilatory procedure that will cost us hours and days of time. Such a course will follow because some Senator can get up and object to a bill going to committee; and if he has any support at all, there can then be considerable discussion, which could last, theoretically, for days, on whether or not a motion to refer to committee should be adopted or not adopted.

I wish to have the attention of the committee chairmen and the attention of the ranking minority members of the committees. I say to them that if the Senate sustains the point of view of those who wish to overrule the point of order of the Senator from Georgia, in my judgment the power and the authority of each committee chairman and of the ranking minority member of each committee will be greatly weakened.

I would have the attention of the Senator from Virginia [Mr. BYRD], the chairman of the Finance Committee. I would have him keep in mind what would happen to his committee if, when some finance bill came to the Senate, a

considerable number of Members of the Senate decided they would circumvent the Finance Committee, by raising objection to having the bill referred to the committee. If they could wait until there was on the floor of the Senate a bare majority of a quorum of the Senate who happened to be of their point of view, then, under the procedure suggested as the one to be established as a precedent tonight, the Finance Committee would be kept from considering that proposed legislation.

Similarly, I should like to have the attention of the great senior Senator from Montana [Mr. MURRAY], the chairman of the Committee on Interior and Insular Affairs. I should like to have him consider the situation with respect to bills which normally are referred to his committee. Undoubtedly there are some Senators who would like to have some bills which normally would be referred to the Committee on Interior and Insular Affairs, kept from being the subjects of full and fair hearings by that committee. If objection were made to having such bills referred to the committee, then, under the procedure which I am satisfied would be established by the precedent which is proposed tonight in the Senate if the point of order raised by the Senator from Georgia were not sustained, the Interior Committee could be throttled.

Thus we can go down the line of the committees and their chairmen; and we can refer in similar fashion to the situation of the Committee on Agriculture and Forestry and its chairman, the Senator from Louisiana [Mr. ELLENDER]; and to the situation of the Committee on Banking and Currency and its Chairman, the Senator from Arkansas [Mr. FULBRIGHT].

Both the committee chairmen and the ranking minority members of the committees have a great obligation to the Senate to see to it that the committee system works properly.

In similar fashion I can refer to the situation of the Senator from Alabama [Mr. HILL], the chairman of the Committee on Labor and Public Welfare. Already in the debate there has been a discussion of some very controversial labor measures which may be pending before his committee during the present session of Congress. How would the Senator from Alabama like it if he had to fight, each time, to have such a bill referred to his committee, simply because a small group of Senators might wish to cause delay by making a fight of the sort that I have indicated will be possible if the point of order of the Senator from Georgia is overruled?

I repeat that if Senators wish to have a continuation of the Senate committee procedures which are based on the customs and traditions of the Senate, Senators should not join tonight in the taking of action which would do great damage to the customs and committee procedures of the Senate.

THE VICE PRESIDENT'S OPINION

However, Mr. President, as I read the ruling made by the Vice President, I say respectfully that I am very much in doubt, first, as to really what it means; and, second, if it holds some of the things I believe it holds, then nothing in the rules interpreted justifies the holdings.

So now I read the opinion:

> The question before the Senate is the point of order which has been raised by the Senator from Georgia [Mr. RUSSELL]. As the Senator from California [Mr. KNOWLAND] pointed out in the debate on a similar issue in 1948, two interpretations of the rules of the Senate are possible. In the opinion of the Chair, the rules should be amended to clarify this question.

That would have been a good place to stop, because I think we had better have some new rules in the Senate. But I do not think we should have here a document which might be interpreted as amounting to the establishment of new rules of the Senate. However, if this document means anything at all, I respectfully submit that it means that; and I do not propose that the President of the Senate or the Presiding Officer of the Senate be given the rulemaking power. The rulemaking power must continue to be vested in the Senate itself.

The Chair further said:

> Until this is done, it is the responsibility of the Chair to interpret the rules as fairly as possible.
>
> If rule XXV is interpreted as requiring mandatory referral of all bills to the committee on which jurisdiction is conferred by the rule, it is directly in conflict with paragraph 4 of rule XIV, which clearly contemplates possible Senate action without referral to committee.
>
> If this interpretation is accepted, it can logically be argued, as it has been argued today, that since rule XXV was adopted after rule XIV, it supersedes those provisions of rule XIV which are in conflict with it.

1948 PRECEDENT SUSTAINS POINT OF ORDER

Of course, the Reorganization Act was enacted subsequent to the adoption of rule XIV; and the Reorganization Act was interpreted by the Senate in 1948, in a specific case "on the nose," as we lawyers say—the so-called oleomargarine tax case. In that case the Senate decided, by its vote—as has been stated so many times in the course of this debate—that the bill should be referred to committee; and the bill was referred to committee.

In fact, let me digress from a discussion of the Vice President's ruling, in order to request for a moment the attention of the junior Senator from Montana [Mr. MANSFIELD]. Earlier today he raised a question as to what happened at the time of the railroad strike in 1946, at which time the President of the United States addressed a joint session of the Congress, and immediately thereafter there followed, on the floor of the Senate, the consideration of proposed legislation in that field. It so happened that on that particular day the Senate was in the midst of a debate on the Taft-Hartley bill, and was in the midst of the consideration of some amendments which, as the RECORD shows, were being offered in regard to the handling of so-called emergency disputes. In his speech to the joint session of Congress, the President of the United States recommended the enactment of legislation which would have the effect of drafting the strikers into the Army. A bill on that subject was immediately introduced in the House of Representatives. The then majority leader of the Senate, the great Alben Barkley, came to the floor of the Senate and immediately introduced in the Senate a bill carrying out the President's message. The majority leader requested the immediate consideration of the bill by the Senate without reference to committee. What did the Senate do? There was an emergency; a terrific war crisis was confronting the country. But the Senate sent the bill to committee.

Mr. President, I wish to say that if, in a situation such as that one, the Senate will hold fast to a position based on the importance of committee action, I know of no argument made in the course of this debate which would justify a failure on the part of the Senate to hold fast to its established committee procedure.

Mr. MANSFIELD. Mr. President, will the Senator from Oregon yield to me?

Mr. MORSE. I yield.

Mr. MANSFIELD. Will the Senator from Oregon tell the Senate what Senator then made the first and perhaps the strongest objection to the proposal not to refer that particular bill—which had not been printed for the use of either the House or the Senate—to the committee?

Mr. MORSE. It was the Senator from Ohio; as I stated this afternoon, it was the great Bob Taft who objected to immediate consideration, and who favored the committee procedure. He was a great parliamentarian. Let me say, in tribute to the memory of that great man, that he recognized the importance of protecting procedural safeguards in order to guarantee substantive rights.

I know of no matter in the legislative process more important than holding fast to procedural safeguards, so that substantive rights can be guaranteed.

Mr. MANSFIELD. Mr. President, will the Senator yield further?

Mr. MORSE. Yes.

Mr. MANSFIELD. Can the Senator tell the Senate what the position of the Senator from Oregon was on that occasion?

Mr. MORSE. Well, a considerable number of us took the same position that the Senator from Ohio took—a great many of us.

I want to stress that point because we have not only the 1948 oleomargarine case, which is a case on the nose, so to speak, but we have a great many other cases in the history of the Senate which justify our saying, as has been said so many times by so many in this debate, that the custom and the practice has been to send bills to committee. This custom and practice has grown up because we know the great importance of committee procedures and committee hearings and committee reports to maintaining a sound legislative process in the Senate. We depend on committees to do a large share of the legislative work of the Senate, and we pass judgment on the work of the committee by way of committee reports that come to us.

I have a great deal of sympathy for the point of view expressed by the Senator from Minnesota, who is one of the most able men I know, in or out of the

Senate. I know how exasperating it is for us to find ourselves in a position where we think that dilatory tactics are used and are being used in regard to civil rights legislation; but I think that is our fault. I think we have been too willing too many times to permit those dilatory tactics. I think, as I said earlier, if there is a majority vote to overrule the Senator from Georgia [Mr. RUSSELL] then there is a majority vote to discharge the committee.

As I said earlier, I do not care whether it is 1 cloture or 2 clotures or 3 clotures, or whatever the number might be; if we have the votes to apply cloture, then we have the votes to hold fast, and we can use it over a period of days. I think that we put ourselves in an exceptionally strong position with the public when we have exhausted all the procedural rights of the opposition, so that they cannot say that we have taken advantage of them to the slightest degree.

As I said earlier this afternoon, do not forget also that a majority has a terrific responsibility at all times to demonstrate procedural fairness. It is so important, in establishing a majority case, and getting a public acceptance of a majority case, that procedural fairness be established.

I do not mean, in these brief remarks I am going to make—because I want to direct most of them to the Vice President's ruling—to get into a discussion of the civil-rights issue itself. Let me tell Senators what I think we are seeing happen in this country. It may take some time longer, but I think we are seeing a growing recognition throughout the South of the importance of enacting fair civil-rights legislation.

Let me tell the Senate of an experience I had at a southern conference in Raleigh, N. C., not so many weeks ago. I went to Raleigh and talked on a legislative matter that is usually objected to on the grounds of States rights. I presented the point of view on States rights that Senators have heard me present on the floor many times. I said to this southern conference that I certainly would be intellectually cowardly if I came to Raleigh, N. C., and was not willing to discuss the issue in the same way I discussed it on the floor of the Senate.

I did so discuss it. The chairman of the meeting was the editor of a great Southern newspaper, who had introduced me. I shall never forget his reply to that audience. He said, in effect, "I think we will all agree that we are making great progress in the South as shown by this audience's response to the Senator from Oregon. It was a great response. I am not so sure that 5 years ago most of you would not have walked out."

Progress is being made in the South on civil rights, but I want to say what we do in the Senate tonight is going to have a terrific impact on the South, and if the impression is created that in the Senate of the United States a majority is willing to override a minority by not even letting a House bill of such vital importance to the South go to the Senate Judiciary Committee for a reasonable length of time, I think we will do the civil-rights cause in the South a great injury. That is what I think, because I think so many people recognize the relationship of fair procedure to substantive rights. That is why, Mr. President, I think we ought to resolve the doubts in favor of the committee procedure, and then make the fight to discharge the committee within a few days——

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. MORSE. In just a few seconds.

I think we ought to resolve the doubts in favor of the committee procedure, and then move to discharge the committee, and get a cloture vote and hold fast for as many cloture rollcalls as we have to have.

I now yield to the Senator from Illinois.

Mr. DOUGLAS. The Senator from Oregon is making a very eloquent defense for the committee system and committee procedure. I want to ask the Senator from Oregon if he thinks the committee system has worked when the committee has bottled up civil-rights legislation for nearly 2 years and, as the Senator from Missouri has said, gives every evidence of continuing to bottle it up. I think that the effect of what the Senator from Oregon is urging tonight would be to kill civil rights.

Mr. MORSE. Well, I do not think I have to even reply to that comment of the Senator from Illinois, because I will put my record on civil rights alongside that of the Senator from Illinois before any public jury and let them be the judge.

RULE XXV UNAMBIGUOUS; NO NEED TO GO BEHIND THE LANGUAGE

Mr. President, I want to go back to the ruling of the Vice President. He said:

However, the Reorganization Act specifically provided, in section 101a, that the rules contemplated by it should supersede other rules only to the extent that they are inconsistent therewith. Since the act did not expressly amend rule XIV, as it did rule XXV and rule XVI, and since the legislative history of the act indicates no discussion of, and therefore no expressed intent to supersede, rule XIV, it is the responsibility of the Chair to determine whether rule XXV can be interpreted in such a way that it will not be inconsistent with paragraph 4 of rule XIV.

Mr. President, there is a well-known rule of legislative construction, and that is that when a statute is unambiguous, when it is clear on its face, a court accepts the meaning of the language as written.

A court does not seek to find out what other meaning might be read into it if one made certain assumptions that are not raised at all by the language of the statute.

Rule XXV is quite unambiguous, Mr. President. There is nothing ambiguous about rule XXV. It makes perfectly clear where proposed civil liberties legislation should go. I think it is perfectly clear, as I said in answer to the Senator from California [Mr. KUCHEL] some little time ago, that rule XXV superseded rule XIV. It was adopted a later date than rule XIV. There is another rule of statutory construction followed by the courts, namely, that when a later statute provides for a procedure different or inconsistent with the procedure provided in a prior statute the procedure of the statute of the more recent date will control and prevail.

I am at a loss, Mr. President, to determine what there was that the Vice President thought he had to interpret about rule XXV. Its meaning is unambiguous. Its language is clear. The date of enactment was after rule XIV, and an interpretation of the Senate had been made of the rule by a rollcall vote of the Senate in 1948. I think those factors should have been binding in his decision.

But then he went on to say:

The Chair believes that such an interpretation is both possible and reasonable. Rule XIV sets forth the procedure to be followed in referring bills to committee. On the other hand, rule XXV defines the jurisdiction of committees over bills when they are referred to committee.

The mandatory provisions of rule XXV can be interpreted, therefore, to be limited in their application to mean only that if a bill is to be referred to a committee at all, it shall be referred to the committee to which jurisdiction is assigned by the rule.

In the Chair's opinion, rule XXV does not require mandatory referral of all bills to committee, and, therefore, does not supersede paragraph 4 of rule XIV.

I respectfully submit that is an example of an attempt at a rulemaking power on the part of the President of the Senate. There is no language in rule XXV, in my judgment, which is ambiguous in nature, which justifies the exercise of such rulemaking or rule-amending power as was attempted by the President of the Senate tonight.

VICE PRESIDENT'S INTERPRETATION GOES BEYOND RULE

Next he says:

It does not follow, however, that if rule XXV does not require referral, an objection filed under rule XIV will automatically send the bill to the calendar without consideration being given to the question of referral.

It will be noted that the language of paragraph 4, rule XIV, provides that an objection to further proceedings is in order, not immediately after the second reading, but only after the bill shall have received second reading "without being referred to a committee."

This language must be read in conjunction with paragraph 3 of rule XIV, which provides that "no bill or joint resolution shall be committed or amended until it shall have been read twice, after which it may be referred to committee."

Both paragraphs 3 and 4 of rule XIV contemplate that before a Senator can, by objection following second reading of a bill, prevent any further proceedings, with the result that the bill is placed on the calendar, an opportunity should be afforded to the Senate to refer the bill to committee, if it so desires.

Who says so? The rule does not. The Vice President says so. That is another exercise, Mr. President, in my judgment, of an attempt to exercise a rulemaking power upon the part of the Presiding Officer of the Senate, where there is not a word in the rule to justify the exercise of such a rulemaking power.

He goes on to say:

Under paragraph 3 of rule XIV:

"The Senate should not be denied, by the action of one Senator the power to refer a bill to committee after second reading, which is conferred by paragraph 3 of rule XIV."

But the rule does not support him. Mr. President, that is his amendment of the rule, by way of interpretation. It is not in the rule.

I do not propose, Mr. President, to vote to give the Vice President such rule-making power.

Then he goes on to say:

How can the right of the Senate to decide whether a bill should be referred to committee be protected?

In the opinion of the Chair, the following procedure, based on Senate precedents, accomplishes that objective:

In the absence of objection after second reading of a bill, it will, under the long established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

Which is a recognition of the point many of us have made about the influence of custom and tradition and historic policy in the Senate. I think we ought to be following it, Mr. President, in this case.

The Vice President says:

In the absence of objection after second reading of a bill, it will, under the long-established practice of the Senate, be immediately referred to the committee designated by the provisions of rule XXV.

If objection is made under paragraph 4 of rule XIV and a point of order is not raised against the objection, the bill will be placed on the calendar. This was the procedure which the Senate followed in the consideration of H. R. 5992, the Tidelands case.

The Senate, in effect, by failing to raise a point of order, waived its right to refer the bill to committee.

I do not think the Senate did any such thing. Mr. President, I will tell the Senate what I think happened in the tidelands case. Nobody knew what was going on. That happens very often, Mr. President, here in the Senate, when we get into these procedural matters. We are accustomed to having them handled without any great attention being paid to them.

I have read the RECORD as to what happened in the tidelands case, and it was not until some time later that same day when the oleomargarine case arose, that the Senate, I would say, became fully cognizant of what happened in the tidelands case. I do not think that the Senate was at all cognizant of the fact that it was waiving any rights. I do not think that the matter was given the same consideration that the problem received the moment the objection was raised in regard to the oleomargarine case.

The Vice President's opinion continues:

If when a Senator attempts to invoke paragraph 4, rule XIV, a point of order is raised on the ground that the bill should be referred to committee—and that is the practical effect of the point of order raised by the Senator from Georgia [Mr. RUSSELL]—the Chair can decide the point of order or submit it to the Senate for decision, as did the President pro tempore, Mr. Vandenberg, in 1948 in a similar case.

It is the Chair's opinion that the point of order is not well taken—

Of course, Mr. President, I digress from the opinion to say that it was certainly within the prerogative of the Vice President, to rule on the point of order. What did he do? He said:

It is the Chair's opinion that the point of order is not well taken, but since the basic issue to be decided is not, in the final analysis, a procedural question, but the substantive question—"Should the bill be referred?"—the Chair believes that the proper procedure is to submit the point of order to the Senate under rule XX.

Mr. President, this is an "on again" "off again" ruling. It is one of these sleight of hand "now you see it now you don't" rulings. It is a verbal mirage.

VICE PRESIDENT'S OPINION NOT A RULING

He gives it to us and then he takes it away from us. He says he thinks the point of order is not well taken, as a personal opinion and then he says however, he is going to let the Senate itself decide, and so we really get no ruling in fact. We get obiter dictum from the Chair in regard to what his personal view about it is, but then he passes the buck immediately to the Senate for the Senate's determination.

Then he goes on to say:

If the Senate sustains the point of order, the bill will then be referred to the committee designated by the provisions of rule XXV. This was the practical effect of the Senate's action on H. R. 2245, the oleomargarine bill.

May I respectfully say, what the Senate made very clear in the oleomargarine case was that the bill should go to committee. In my judgment in that action it passed on rule XXV, and the Senate's action in the oleomargarine case is the only voting precedent we have had on this problem since the Reorganization Act of 1946.

Then the Vice President says:

If the point of order is overruled, the Senate will have expressed its will to the effect that the bill should not be referred to committee and the bill will go on the calendar pursuant to paragraph 4 of rule XIV.

In this way a bill can be placed on the calendar not as a matter of individual senatorial prerogative, but as a matter of majority policy arrived at after thorough consideration and debate on the point of order.

In making this ruling—

I digress to say the only true ruling I can find in any of his language is the ruling that the Senate should make the ruling, after he gave his personal opinion about the possible relations of rules XXV and XIV, which he then withdrew.

In making this ruling the Chair emphasizes that the Senate in the final analysis has the power to make and amend its rules. Until paragraph 4 of rule XIV is expressly repealed or amended, the foregoing interpretation, in the opinion of the Chair, is the one which is best calculated to allow a majority of the Senate to express its will on the issue before it.

The Chair therefore submits to the Senate the question: Is the point of order of the Senator from Georgia well taken?

EFFECT OF OPINION: SENATE IS BACK WHERE IT STARTED

I respectfully say, Mr. President, after we get through all of the language of the Vice President we are exactly where we started. He has left it up to us. He has indicated, by way of suggestion, some courses that we might follow in amending the Senate rules.

I happen to hold the point of view that we ought to amend the Senate rules. I have held to the point of view consistently that we ought to amend rule XXII.

Senators will recall that 2 or 3 years ago, when we had our most recent discussion of rule XXII, I took the position it did not make any difference whether the Senate was a continuing body or was not a continuing body; I thought that was irrelevant as to the issue about rule XXII.

I thought rule XXII ought to be amended, so that we could get a cloture rule along the lines of the then Lehman proposal, the Douglas proposal, the Humphrey proposal, or the Morse proposal. Those proposals have been pending before the Senate for some years.

I am still in favor of amending rule XXII and some other rules, but I am not for establishing in the Senate tonight a parliamentary precedent which in my judgment might haunt us, and which I believe would greatly weaken committee procedure in this body.

I hope the committee chairman and the ranking Republican members of our committees will think a long time before they vote tonight to overrule the point of order of the Senator from Georgia.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BARRETT in the chair). The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

Aiken	Goldwater	Morse
Allott	Gore	Morton
Anderson	Hayden	Mundt
Barrett	Hennings	Murray
Beall	Hickenlooper	Neuberger
Bennett	Hill	O'Mahoney
Bible	Holland	Pastore
Bricker	Hruska	Potter
Bush	Humphrey	Purtell
Butler	Ives	Revercomb
Byrd	Jackson	Robertson
Carlson	Javits	Russell
Carroll	Jenner	Saltonstall
Case, N. J.	Johnson, Tex.	Schoeppel
Case, S. Dak.	Johnston, S. C.	Scott
Church	Kefauver	Smathers
Clark	Kennedy	Smith, Maine
Cooper	Kerr	Sparkman
Cotton	Knowland	Stennis
Curtis	Kuchel	Symington
Dirksen	Lausche	Talmadge
Douglas	Long	Thurmond
Dworshak	Magnuson	Thye
Eastland	Malone	Watkins
Ellender	Mansfield	Wiley
Ervin	Martin, Pa.	Williams
Frear	McClellan	Yarborough
Fulbright	McNamara	Young

The VICE PRESIDENT. A quorum is present.

The question is, Is the point of order of the Senator from Georgia [Mr. RUSSELL] well taken? On this question the yeas and nays have been ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Do I correctly understand that a yea vote means a vote to send the House bill to the committee, and a nay vote means to place the House bill on the calendar?

The VICE PRESIDENT. The effect of the vote would be as the Senator from Illinois has stated.

The Secretary will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Oklahoma [Mr. MONRONEY].

If present and voting, the Senator from Indiana would vote "nay" and the Senator from Oklahoma would vote "yea."

If present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from West Virginia [Mr. NEELY] would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. PAYNE], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from North Dakota [Mr. LANGER] would each vote "nay."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate and is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay" and the Senator from Oklahoma [Mr. MONRONEY] would vote "yea."

The Senator from New Jersey [Mr. SMITH] is necessarily absent, and, if present and voting, he would vote "nay."

The Senator from Iowa [Mr. MARTIN] and the Senator from Vermont [Mr. FLANDERS] are detained on official business. If present and voting, the Senator from Iowa [Mr. MARTIN] would vote "nay."

The result was announced—yeas 39, nays 45, as follows:

YEAS—39

Anderson	Johnson, Tex.	Murray
Bible	Johnston, S. C.	O'Mahoney
Byrd	Kefauver	Robertson
Eastland	Kennedy	Russell
Ellender	Kerr	Scott
Ervin	Lausche	Smathers
Frear	Long	Sparkman
Fulbright	Magnuson	Stennis
Goldwater	Malone	Talmadge
Gore	Mansfield	Thurmond
Hayden	McClellan	Williams
Hill	Morse	Yarborough
Holland	Mundt	Young

NAYS—45

Aiken	Cotton	Martin, Pa.
Allott	Curtis	McNamara
Barrett	Dirksen	Morton
Beall	Douglas	Neuberger
Bennett	Dworshak	Pastore
Bricker	Hennings	Potter
Bush	Hickenlooper	Purtell
Butler	Hruska	Revercomb
Carlson	Humphrey	Saltonstall
Carroll	Ives	Schoeppel
Case, N. J.	Jackson	Smith, Maine
Case, S. Dak.	Javits	Symington
Church	Jenner	Thye
Clark	Knowland	Watkins
Cooper	Kuchel	Wiley

NOT VOTING—11

Bridges	Green	Neely
Capehart	Langer	Payne
Chavez	Martin, Iowa	Smith, N. J.
Flanders	Monroney	

So Mr. RUSSELL's point of order was overruled.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the point of order was overruled.

Mr. KNOWLAND. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California [Mr. KNOWLAND], to lay on the table the motion of the Senator from Illinois [Mr. DIRKSEN].

Several Senators requested the yeas and nays.

The yeas and nays were ordered.

The VICE PRESIDENT. The yeas and nays are ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. AIKEN and Mr. ALLOTT voted in the affirmative when their names were called.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. May I ask the Chair to explain what a vote of "yea" will mean in this case?

The VICE PRESIDENT. A vote of "yea" is a vote to lay on the table the motion to reconsider.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Ohio will state it.

Mr. LAUSCHE. In the event the motion to lay on the table is agreed to, what will be the subsequent right of any Member of the Senate to ask that the bill be referred to a committee, if it is once placed on the calendar?

The VICE PRESIDENT. By unanimous consent, the bill may be referred to a committee.

Mr. LAUSCHE. By unanimous consent only?

The VICE PRESIDENT. Once the bill is taken up for consideration, any Senator may move to refer it to a committee, and that may be done by a majority vote.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Minnesota will state it.

Mr. HUMPHREY. Is it not possible, once the bill has been placed on the calendar, that any Senator may move that it be sent to committee?

The VICE PRESIDENT. The bill would have to be before the Senate.

Mr. HUMPHREY. Could not a Senator call up the bill on motion?

The VICE PRESIDENT. As the Chair has stated, when the bill is taken up and is before the Senate, a motion would be in order at any time to refer the bill to a committee.

Mr. HUMPHREY. I merely wanted to inquire whether any Senator's right to call up the bill by motion for consideration by the Senate will be denied by the procedure which we are following.

The VICE PRESIDENT. Not that the Chair can ascertain.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE of South Dakota. If the bill is placed on the calendar, and the calendar is called in the regular course of events, and when the bill is reached at that time, could any Senator move to refer the bill to committee?

The VICE PRESIDENT. If a Senator could gain recognition when the bill was called up, he could move to refer it to committee, unless a unanimous-consent agreement were in effect which covered only bills to which no objection had been made.

Mr. JOHNSTON of South Carolina. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Carolina will state it.

Mr. JOHNSTON of South Carolina. But it would be in order at any time for any Senator, when he got the floor, to move to refer the bill to committee; would it not?

The VICE PRESIDENT. Only if the bill was before the Senate. If the bill was not before the Senate, it would not come up on the calendar.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Is the yea-and-nay vote in progress?

The VICE PRESIDENT. The yea-and-nay vote has been ordered.

Mr. AIKEN. Mr. President, my name was called, and I voted "Yea."

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Georgia will state it.

Mr. RUSSELL. Does not all that has transpired here tonight entitle the senior Senator from California to a place among the major prophets because of his prophecy in 1948 that the adoption of this procedure would cause chaos, confusion, and delay?

The VICE PRESIDENT. As the Senator from Georgia, good parliamentarian that he is, is aware, that is not a parliamentary inquiry.

The yea-and-nay vote will proceed.

The legislative clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. I announce that the Senator from New Mexico [Mr. CHAVEZ], the Senator from Rhode Island [Mr. GREEN], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

I further announce that the Senator from Oklahoma [Mr. MONRONEY] is absent because of illness.

On this vote the Senator from Indiana [Mr. CAPEHART] is paired with the Senator from Oklahoma [Mr. MONRONEY].

If present and voting, the Senator from Indiana would vote "yea" and the Senator from Oklahoma would vote "nay."

If present and voting, the Senator from Rhode Island [Mr. GREEN] and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. PAYNE], and the Senator from North Dakota [Mr. LANGER] are absent because of illness.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from North Dakota [Mr. LANGER] would each vote "yea."

The Senator from Indiana [Mr. CAPEHART] is absent by leave of the Senate and is paired with the Senator from Oklahoma [Mr. MONRONEY]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "yea" and the Senator from Oklahoma [Mr. MONRONEY] would vote "nay."

The Senator from New Jersey [Mr. SMITH] is necessarily absent, and, if present and voting he would vote "yea."

The Senator from Vermont [Mr. FLANDERS] is detained on official business.

The result was announced—yeas 49, nays 36, as follows:

YEAS—49

Aiken	Dirksen	McNamara
Allott	Douglas	Morton
Barrett	Dworshak	Mundt
Beall	Goldwater	Neuberger
Bennett	Hennings	Pastore
Bricker	Hickenlooper	Potter
Bush	Hruska	Purtell
Butler	Humphrey	Revercomb
Carlson	Ives	Saltonstall
Carroll	Jackson	Schoeppel
Case, N. J.	Javits	Smith, Maine
Case, S. Dak.	Jenner	Symington
Church	Knowland	Thye
Clark	Kuchel	Watkins
Cooper	Lausche	Wiley
Cotton	Martin, Iowa	
Curtis	Martin, Pa.	

NAYS—36

Anderson	Johnson, Tex.	O'Mahoney
Bible	Johnston, S. C.	Robertson
Byrd	Kefauver	Russell
Eastland	Kennedy	Scott
Ellender	Kerr	Smathers
Ervin	Long	Sparkman
Frear	Magnuson	Stennis
Fulbright	Malone	Talmadge
Gore	Mansfield	Thurmond
Hayden	McClellan	Williams
Hill	Morse	Yarborough
Holland	Murray	Young

NOT VOTING—10

Bridges	Green	Payne
Capehart	Langer	Smith, N. J.
Chavez	Monroney	
Flanders	Neely	

So the motion to lay on the table was agreed to.

The VICE PRESIDENT. The bill (H. R. 6127) will be placed on the calendar.

LEAVE OF ABSENCE

Mr. HOLLAND. Mr. President, I ask unanimous consent that I may be excused from attendance on the sessions of the Senate until next Monday, because of a funeral I have to attend.

The VICE PRESIDENT. Without objection, leave is granted.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

Mr. JACKSON. Mr. President, in my discussion of S. 555, the bill to authorize a Federal high Hells Canyon Dam, I should like to emphasize one point at the outset: It is not yet too late to right the wrong at Hells Canyon.

The authority of Congress to override the decision of the Federal Power Commission on this or any other point has never been challenged, and it is not challenged now.

Furthermore, the Idaho Power Co. still has not progressed so far with its low Brownlee Dam that it would be physically impractical to proceed with a high Federal dam. While the Federal high dam and the privately owned small dams are, of course, mutually exclusive, I mean to suggest that the amount of work done by the Idaho Power Co. does not justify a demand that the Congress forego action on the proposed authorization.

For this, we can, in part, thank nature. Early this year, the Idaho Power Co.'s cofferdam system was flooded out—flooded out by the very river its engineers claim needs no control. Nature, itself, thus has helped delay the wasteful underdevelopment of this site, and has given us the additional time we need in which to act.

Costwise, we are not prohibited from righting this wrong, either. The question of compensation to the Idaho Power Co. for its expenditures is a matter to be settled in the courts. However, I refer my colleagues to the testimony of Joel Adamson, assistant director of Administration Management for the Bonneville Power Administration, to the effect that any fair sum set by the courts could be absorbed into the existing Bonneville rate structure without any increase at all.

I have talked of the wrong at Hells Canyon. The basic wrong, of course, is the Federal Power Commission's strictly political decision, unsupported by the facts, to license the Idaho Power Co. to build three low dams on the finest high dam site left in America. And even the Federal Power Commission has admitted there is little chance that the company will build more than two of its little dams.

It is a basic wrong for a number of compelling reasons. Most of these reasons were recited last year in the debate on Hells Canyon. I propose only to summarize them for the sake of the RECORD:

First. The high dam would provide 1.1 million kilowatt prime power—3 times the 325,000-kilowatt prime power of 2 low dams, and double the 505,000-kilowatt prime power of 3 low dams.

Second. The high-dam Federal power would be sold at approximately one-third the cost of low-dam private power.

Third. The high dam would provide nearly four times the storage of the low dams.

Fourth. The high dam would more than double the flood-control benefits of the low dams.

Fifth. The high dam would double the navigational benefits of the low dams.

Sixth. The high dam would attract twice as many tourists, and would provide double the recreational benefits.

Seventh. The high dam power revenue would help finance irrigation projects; the power revenue from the low dams would not.

Eighth. The high dam's low-cost power would stimulate the development of phosphate fertilizer and electroprocess industries; the low dams' high-cost power would not.

Ninth. The high dam would return five times as much taxes to the Federal Treasury as would the low dams—resulting from new industries and new payrolls that produce increased corporate- and personal-income taxes.

Tenth. The high dam power would create, annually, an estimated 70,000 new jobs and $700 million in new manufactured products in the region. The low dams would provide only for the private power company's normal load growth for 20 years, a result which would be provided at less cost to the company customers by the high dam.

The detailed testimony and evidence supporting these conclusions are to be found in the record of proceedings on the Hells Canyon Dam bill, including the findings of the Federal Power Commission's own examiner. I ask unanimous consent to have printed at this point in the RECORD the table from page 60 of the majority report on S. 555, for it provides basic statistical support for my conclusions.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Comparison of high Hells Canyon Dam with Idaho Power Co. dam plan

	Hells Canyon	3 dams	Oxbow and Brownlee only [1]
Height of dam (feet)	722	205, 395, 320	
Size of reservoir (acre-feet of usable capacity)	3,880,000	1,000,000	1,000,000
Power output (prime kilowatts)	1,122,000	505,000	325,000
Construction cost	$353,740,000	$175,766,000	$119,052,000
Annual cost of power at market	$28,567,000	$27,921,000	
Cost of power at market (mills per kilowatt-hour)	2.65	6.69	
Other benefits (annual):			
Flood control	$2,300,000	$1,000,000	
Navigation	$189,000 to $230,000	$108,000	
Recreation (number of annual visitors)	500,000 to 600,000	250,000 to 325,000	
Benefit-cost ratio	2.37 to 1	(2)	
Irrigation (availability of power revenues to subsidize)	Yes	No	

[1] Although the FPC license is for 3 projects, it provides no assurance that more than 2 will ever be constructed. At p. 20 of the Opinion and Order Issuing License the Commission stated:
"If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration."

[2] Examiner's figure, 0.91 to 1; Commission's figures, 1.29 to 1. (Annual value of power at market divided by annual cost of power at market.)

Mr. JACKSON. Actually, Mr. President, the case for the high dam has been understated. The conservative analysis made 9 years ago by the Federal agencies involved has been altered by time. Some benefits have been left out, some costs overstated, and some recent economies of construction not considered.

By way of example, 1,122,000 kilowatts of prime power is attributed to the high Hells Canyon Dam—686,000 at the site, 9,000 due to system integration, and 427,000 downstream. Yet the downstream power attributable to the high Hells Canyon has been limited to eight projects below Lewiston. Between Lewiston and Hells Canyon it is possible to obtain from dams at Nez Perce, Clarkston, and Asotin, 391,000 additional kilowatts that are directly attributable to the high Hells Canyon Dam. With full development of the stretch of the river between Lewiston and Hells Canyon, then, the power contribution of a high dam would be on the order of 1,500,000 kilowatts.

For accounting purposes, the high dam is credited with only a 50-year life. This is completely unrealistic. The Bureau of Reclamation uses 150 years to depreciate Hungry Horse Dam. TVA uses 100 years for depreciation of its dams. The Internal Revenue Service authorizes up to 150 years as the economic service life for dams. By using a more realistic service life for the high Hells Canyon Dam, we can double the benefit-cost ratio.

Then there is the matter of new economies—the collapsible steel forms, first used at Chief Joseph Dam, and the electric shovels used at The Dalles. The estimated cost of The Dalles Dam, for example, has been cut from $360 million to $270 million.

I have stated 10 reasons why the high dam is best; and I have sought to illustrate how, even in light of those 10 reasons, the case for the high dam remains understated.

There is an 11th point which I want to make: The high dam will cost the taxpayers far less than the low dam. This is my 11th point, which has achieved full public realization only at this 11th hour, because of the exposure of the fast tax writeoff granted to the Idaho Power Co.

Here is a company not satisfied to be given the finest dam site left in America to develop for private, guaranteed profit. It seeks to multiply the profit, at the expense of our taxpayers, by use of the fast tax writeoff.

We now have the testimony of the chief accountant of the Federal Power Commission that this fast tax writeoff will cost the American taxpayer $83 million.

The high dam will cost the American taxpayers only some $55 million—for the nonpower features of flood control, navigation, and so forth.

Like all our Federal multipurpose projects, the power features of the high dam—representing 85 percent of the cost—will be repaid to the Federal Treasury, with interest. Lest there be any doubts about the ability of our Federal projects to repay themselves, let me remind my colleagues that the Federal projects on the Columbia River system are presently $77 million ahead of schedule in repaying Uncle Sam.

When we talk about Federal financing of public power, we are talking about the temporary use of the Federal Government's credit. Once our Federal dams are paid for, with interest, at no cost to the taxpayers, except for the relatively small costs for nonpower benefits, these dams will belong to all our people. The power revenues after that time, except for the small percentage required to operate and maintain the dams, will go free and clear into the Treasury. They can be used for whatever purpose Congress may authorize—including cutting taxes.

So let us clear up, for once and for all, this nonsense about the "cost to the taxpayers" of a high dam.

And let us clear up, for once and all, the nonsense that the low dams of the Idaho Power Co. are not going to cost the taxpayer a cent.

The Idaho Power Co. has misled the taxpayer; it has misled the Federal Power Commission; it has misled the Congress.

I hold in my hand an advertisement which appeared in the Saturday Evening Post of May 26, 1956. It says:

> Three dams along the wild Snake River in Hells Canyon will * * * save you and other taxpayers $465 million.

A previous advertisement in the same magazine asked:

> Would you throw 357 million tax dollars into Hells Canyon?

And declared:

> The plan is to spend more than a third of a billion tax dollars to build a dam and hydroelectric plant on the Snake River along the Idaho-Oregon border. The site: Hells Canyon. This would be a needless expense, because the local electric light and power company already has offered to develop the power at no cost to American taxpayers.

And here is what the attorney for the Idaho Power Co. told the Federal Power Commission in his opening statement in support of the company's application to build the low dams at Hells Canyon:

> The applicant is here before you asking the privilege of constructing, solely with its own money, and without 1 cent of cost to the taxpayers of the United States, a great multipurpose project. * * *

Talk about fooling somebody. The FPC went for it hook, line, and sinker. Here is what the FPC order issuing a license to the Idaho Power Co. said about multipurpose benefits available at Hells Canyon:

> Under existing law, these public purposes will be realized without expense to the United States to the extent that the projects are constructed by a non-Federal entity.

Again, on May 6, 1955, in hearings before the Senate Interior and Insular Affairs Committee, the company attorney declared:

> We have here a private company providing great flood-control, navigation, and recreational benefits to the Nation, free of cost to the Nation, and without any request on the part of the company for contributions from the Federal Government.

Talk about misrepresentation. At the very time this statement was made, at the very moment save-the-taxpayer advertisements were running in a national magazine, the Idaho Power Co. had its application for a fast tax writeoff pending before the Office of Defense Mobilization. This is not news. More than a year ago I joined with colleagues in both the House and Senate from the Northwest States to oppose the application. And last July in the debate on Hells Canyon I said on the Senate floor:

> The figures purporting to show that the private development of Hells Canyon will return vast sums of money to the United States and State treasuries in taxes do not take into account the Idaho Power Co.'s pending application for a fast tax writeoff. This is sheer irony. The company bases its application for license on the grounds that it will pay large amounts of taxes into the Federal Treasury. With the license in hand, it immediately starts trying to avoid paying these taxes by applying for the fast tax writeoff benefits.

I should think any of my colleagues who were misled by this sort of misrepresentation would be pleased at this opportunity to right the wrong at Hells Canyon.

Misrepresentation aside, the low-dam scheme adds up to underdevelopment of a great public resource.

I say we cannot afford underdevelopment. Particularly, we cannot afford underdevelopment at a time when the Soviet Union is boasting it will catch up with us industrially by the mid-1970's. We no longer can afford to waste our resources—kilowatts or whatever—and stay ahead.

With my own eyes I have seen what the Russians are doing to build their industrial base so they can, perhaps, make good their boast to overtake us by the 1970's. I have seen with my own eyes the great new dam under construction at Stalingrad, on the Volga, which, when it is completed in 1960, will have a capacity of 2,300,000 kilowatts—300,000 kilowatts more than our own Grand Coulee Dam.

Although far behind us, today the Soviet Union is the second largest electricity producer in the world. Today Soviet power output still comes primarily from thermal stations, chiefly burning low-grade coal. But the change is to water power, in which the Soviets lead all other nations in potential. In 1940 the Soviet Union got only 10 percent of its electric power from hydroelectric projects; by 1950 it was getting 20 percent from hydro projects. The future is virtually unlimited.

Soviet production of electric energy grew from a half billion kilowatts in 1921 to 170 billion in 1955, and is expected to reach 320 billion in 1960, roughly half America's present output.

The dam I saw at Stalingrad is just 1 of some 40 great hydro projects reported underway in the U. S. S. R. This is the last big unit in Russia's great Volga project. This project will develop almost 5 million kilowatts of power. It will bring 10 million acres under irrigation.

In Siberia, the Soviets are building a new industrial empire around the power potential of the Angara River. Three

hundred and thirty rivers, large and small, feed Lake Baikal. Lake Baikal has more water reserves than the Baltic, and only one river flows out of it—the Angara. There are other big Siberian rivers—the Ob, Yenisei, Lena, and Amur. It has been said that if the 6 major rivers in Siberia were fully developed, alone they could produce 600 billion kilowatt-hours per year—more than 3 times present Soviet production, double the Kremlin's 1960 goal, and virtually equal to our own electric power output.

Two new power projects, Krasnoyarsk on the Yenisei and Bratsk on the Angara, are designed to have 3.2 million kilowatts capacity each—1½ times Grand Coulee. The several dams now under construction in Siberia are to be linked by high-tension lines similar to our Bonneville system, and within 15 years, if plans are successful, will be distributing between two hundred and fifty and three hundred billion kilowatt-hours per year throughout the new Siberian industrial empire.

The Russians understand multipurpose development, too. The first of the Angara dams is now underway. When completed, it will be the Soviet Union's third largest hydroelectric plant, after Kuibyshev and Stalingrad. It will bring close to realization a through waterway from Mongolia to the northern sea route along the Arctic Ocean. The first dam will raise the level of Lake Baikal by about 3 feet. This will make the river Selenga navigable from Lake Baikal to the Mongolian town of Sukhe Batur. From there, ships will be able to sail across the lake and along the Angara into the Yenisei, and farther on either to Archangel or Vladivostok. This will take a large load off the Siberian railway, among other considerations. Modern industry requires power. New plants to refine and manufacture aluminum, titanium, copper, zinc, tin, and other nonferrous metals reportedly will be concentrated in Siberia, near the source of raw materials—and power.

A moment ago I pointed out that by 1960 the Soviets hope to reach only half America's present power production. This is an unimportant figure, perhaps, unless we consider it in the light of two additional facts. The first is that the U. S. S. R.'s rate of expansion of electric power over a 6-year period, ending in 1954, was 125 percent, or more than double the United States rate. The second is that very little of Soviet power goes for rural electrification or household use.

Communist power programs are designed primarily to satisfy industrial needs. In this country perhaps two-thirds of our electric power goes for commercial and industrial purposes. In Communist countries the percentage is much higher.

It is likewise significant that the Soviet Union's sixth 5-year plan calls for a 10-percent increase in industrial employment, but a 50-percent increase in industrial productivity. Production and electric power—they go hand in hand.

Not just electric power, but Soviet steel, coal, and oil production is climbing as the Soviets seek to make good their boast to overtake us industrially by the 1970's. The United States Department of Commerce publication dated February 1957, on "Basic Data on the Economy of the U. S. S. R.," makes much of the gains the Soviet Union has registered in the bases for industrial expansion. I ask unanimous consent to insert in the RECORD at this point a table from the Commerce Department report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 6.—*Soviet industrial production, 1928–55*

Primary products	Unit	1928	1940	1950	1954	1955	1955 over 1928, percent
Electric power	Billion kilowatt-hours	5.0	48.3	91.2	150.6	170.1	3,402.0
Coal	Million metric tons	35.5	165.9	261.1	347.1	391.0	1,101.4
Petroleum	do	11.6	31.1	37.9	59.3	70.8	610.3
Pig iron	do	3.3	14.9	19.2	30.0	33.3	1,009.1
Steel	do	4.3	18.3	27.3	41.4	45.4	1,055.5
Cement	do	1.8	5.7	10.2	19.0	22.5	1,250.0
Industrial timber	Million cubic meters	36.0	117.9	161.0	205.8	214.0	594.4

Mr. JACKSON. Supplemental data issued March 1, 1957, by the Department of Commerce shows additional gains in electric power of 22 billion kilowatt hours between 1955 and 1956, from 170.1 billion kilowatt hours to 192 billion kilowatt hours an increase of 13 percent, of which 6 billion kilowatt hours was increased hydroelectric power. Coal production, incidentally, was up from 301.0 million metric tons to 429 million metric tons, an increase of 10 percent; petroleum was up from 70.8 to 83.8 million metric tons, or 18 percent; pig iron was up from 33.3 to 35.8 million metric tons, or 7 percent; steel was up from 45.4 to 48.6 million metric tons, or 7 percent; cement was up from 22.5 to 24.9 million metric tons, or 11 percent; and industrial timber was down from 214 to 204 million cubic meters, although official Soviet sources listed timber production up 4 percent.

The 1960 goals are much higher, but just this table is a reminder of what progress the Soviet Union has made. Thirty years ago Czarist Russia made none of its machine tools, manufactured no trucks or cars, had no chemical industry. One third of its people could not read or write. Today the Soviet Union has the H-Bomb and the Bison bomber and threatens to beat us in the race for the Intercontinental Ballistic Missile. The USSR may be turning out more machine tools than we are now, and by 1960 may be producing more atomic power than either the United States or Britain, or perhaps both.

Remarking on Soviet history, People's China, a leading Chinese newspaper, recently commented:

> The capitalist countries began with the development of light industry, and the process of industrialization took from 50 to 100 years. The Socialist industrialization of the Soviet Union on the contrary, began with the creation of a heavy industry and was successfully achieved in about 10 years.

The conservative American publication, Business Week, reported not too long ago that:

> It is quite possible that Communist China may make as big a splash in the world during the next 30 years as the Soviet Union has in the past 30!

In this connection I should like to call attention to the New York Times report April 10 of this year from Hong Kong that work has begun on the Sanmen Gorge reservoir and dam on the Yellow River in North China. It is the biggest of 46 to tame the river. Six hundred top engineers and technicians reportedly have been drafted from all over China to work on it. It will be completed in 1962, with generating capacity of 1,100,000 kilowatts.

China's 1962 goal is 40 to 43 million kilowatts, almost triple its 1957 goal.

And, perhaps of more than passing interest, the electric power production of Poland, Czechoslovakia, Hungary, Romania, and Bulgaria, which totaled only 19 billion kilowatt-hours in 1948, reportedly totaled 44 billion by the end of 1955, and was planned to exceed more than 76 billion by 1960.

I mention these facts not out of fear, but for the sake of perspective. There are people who take comfort from the fact we are so many years ahead of the Communist world in terms of steel production or oil production or capital goods—or water power. I remind my colleagues that the potential enemy is catching up at a rate that should concern us, for industrial might means military might. We no longer can afford to waste our resources and stay ahead in the race for industrial supremacy, which relates to military supremacy, and which gives us our margin of safety.

So when I appeal to my colleagues for their votes for the high Hells Canyon Dam, I do so out of consideration of the project as a future national resource. I am delighted at the prospect of additional jobs and new industries and expanded tax base that the high dam would give my region. But more important than that, strengthening the economy of the Pacific Northwest will strengthen the economy of the Nation. The fact is accepted beyond debate that we live in a complicated and interdependent economic system in which increased purchasing power in one section of the Nation inevitably benefits every other.

We do not now have the power we need for full economic growth, but by 1963–64 the shortage will be critical. Construction of the high dam would improve the region's short power supply. It would reaffirm the intent of Congress to continue orderly development of our resources in the public interest. It would stimulate growth in the region, tap mineral deposits, stimulate growth of the light metals industries. By strengthening our region it would strengthen our Nation.

Mr. President, we live in an energy revolution, and we need every kilowatt we can get. Cheap atomic power is still a long way off. Our power needs are growing from 9 to 12 percent per year—or 6 to 8 times as fast as our population is growing.

I have seen estimates that industrial electricity, which now averages 8 kilowatt-hours per man-hour, will jump 125 percent to 18 kilowatt-hours by 1970. The General Electric Co. has estimated that in the year 2000 we will use 20 times as much electricity as we used in 1950.

Applying that standard to my own Pacific Northwest, by 2000 we shall need about 100 million kilowatts of generating capacity. Gus Norwood, the able executive secretary of the Northwest Public Power Association, has figured this out to be equivalent to three Columbia Rivers, fully harnessed.

The equivalent of two will have to come from atomic energy, which by then will probably carry the base load. But hydro power will always be needed for premium peaking power.

To state the case another way, by the year 2000, just 43 years away, the Pacific Northwest will need about as much electricity as the entire United States used in 1950.

That means we will need everything private power companies can generate as well as every kilowatt we can get from the great multipurpose projects, which—and there is no argument on this point—can be undertaken only by the Federal Government.

Mr. President, I said last year in the Hells Canyon debate, and I want to repeat it now, that I have no quarrel with the private power companies, even though they are only regulated monopolies, given monopoly use of a natural resource and guaranteed 6 percent profit. In my own State they have performed an essential service. Today they are building dams which will generate new power for their consumers. Most of them are doing a proper job of developing projects which have power potential, but no multipurpose potential. They are not attempting to underdevelop, for private gain, a great multipurpose resource.

Underdevelopment, Mr. President, is wrong. It is a shameful waste of God-given resources. Further, Mr. President, we cannot afford underdevelopment of any of our resources and stay ahead or abreast of our enemies in a highly competitive world. We cannot afford underdevelopment of this particular site at the cost of fast tax writeoffs and lost opportunity for real competitive free enterprise which would take the low-cost Federal power to create new jobs and new products.

We can afford to have full development of the Hells Canyon site, as a multipurpose Federal project which will provide more flood control, more storage, more power, cheaper power, navigation benefits, which will finance irrigation, make possible development of new industries vital to our farmers and to national defense, ultimately bring five times as much new taxes into the Treasury, and still pay back, with interest, every cent borrowed with Federal credit to build the high dam.

If we are genuinely concerned with maintaining America's industrial leadership, stimulating new business, and saving the taxpayers dollars, let us get on with the job of building a Federal high Hells Canyon Dam.

Mr. MORSE. Mr. President, early today I sent to the press gallery a detailed release of my major speech on the Hells Canyon Dam issue. I feel that I must make that speech a matter of record before adjournment tonight, which I now propose to do, although, Mr. President, let me say, in my introduction, the case for Hells Canyon Dam, in my opinion, was made yesterday on the floor of the Senate by the great speech delivered by the junior Senator from Idaho [Mr. CHURCH].

I think it is particularly significant and symbolic, Mr. President, that in this debate on the Hells Canyon Dam issue this year the great speech we heard yesterday was delivered by the new Senator from Idaho, because in our debates in recent years we have not had a voice from Idaho on the floor of the Senate in support of Hells Canyon Dam.

Mr. JACKSON. Mr. President, will the Senator yield at that point?

Mr. MORSE. Yes, I yield.

Mr. JACKSON. I should like to join with my distinguished colleague from Oregon in what he has had to say with reference to the outstanding presentation made by the junior Senator from Idaho [Mr. CHURCH] on the subject of Hells Canyon Dam. I think it is one of the finest statements that have been made on this subject. Point by point, he has stated the affirmative case, and has decimated the arguments the opponents to Hells Canyon Dam have been making over a period of years.

I regret very much that I was not able to be on the floor when the distinguished junior Senator from Idaho spoke yesterday. I want to take this opportunity to congratulate him on an excellent presentation in his maiden speech in the United States Senate.

Mr. CHURCH. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield.

Mr. CHURCH. I express my thanks to the junior Senator from Washington for his very generous remarks, and I also thank the senior Senator from Oregon for the very flattering things he has had to say about my address of yesterday. I want both to know that I very much appreciate the complimentary remarks they have made, and I am hopeful, that all of us together can win the Hells Canyon Dam fight for the people, because this represents the last opportunity the Senate will have to undo the wrong which is presently being perpetrated in Hells Canyon.

Mr. MORSE. I want to say to the junior Senator from Idaho that I am so thrilled with the great speech he made yesterday, and the logic and comprehensiveness of it, that, as I said yesterday, I am willing to make it the major case of the proponents of Hells Canyon Dam. The Senator from Idaho, as a result of his speech, has made it necessary, so far as I see the problem, for me to make only an exceedingly brief speech of my own. I am sure even my opponents in this debate will be very appreciative to the junior Senator from Idaho for that result, if no other result was obtained from the speech.

I say that good naturedly, but now I speak seriously when I say the Junior Senator from Idaho did a magnificant job. I think he has made a speech that will do down in the history of United States Senate speeches on natural resources problems and that will live for decades in the history of the Senate and be referred to by students of conservation and power and river problems for many, many years to come.

Mr. MAGNUSON. Mr. President, I wonder if my friend, the Senator from Oregon, will yield to me?

Mr. MORSE. I yield to the Senator from Washington.

Mr. MAGNUSON. I did not have the opportunity last night to add my congratulations to the Senator from Idaho [Mr. CHURCH], and I should like to do so at this time. As the Senator from Oregon [Mr. MORSE] and I know, having been in this fight for so many years, and having uttered several thousand words on the subject, sometimes we reach the point where we become tired of hearing the sound of our own voices. The Senator from Idaho made a good, solid speech on the whole natural resources program, and I am sure it was very refreshing to the Senator from Oregon, as well as to me, to know that someone could put together such worthwhile comments on the merits of the case and meet the arguments of the opposition so well and so forcefully as the Senator from Idaho was able to do.

Mr. MORSE. It was not only refreshing, but very reassuring.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield to me?

Mr. MORSE. I am always delighted to yield to the majority leader.

Mr. JOHNSON of Texas. I ask the Senator to yield to me so that I may propound a unanimous-consent request, with the understanding that the Senator will not lose his right to the floor.

Mr. MORSE. I yield.

ORDER FOR ADJOURNMENT TO TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its deliberations today it stand in adjournment until 11 o'clock a. m., tomorrow.

The PRESIDING OFFICER (Mr. COOPER in the chair). Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. JOHNSON of Texas. Mr. President, I understand there will probably be less than an hour of discussion by the proponents of the Hells Canyon bill tomorrow. I am informed that perhaps there is 3 hours of discussion on the other side.

Mr. DIRKSEN. I believe that will be sufficient time, on this side.

Mr. JOHNSON of Texas. There are 2 or 3 hours of discussion on the other side. I hope, if the Senate convenes at 11 o'clock, and our colleagues can boil

down their speeches, that we can get a vote on this measure early in the day tomorrow. I do not want to have a night session, although, I think, with the calendar as full as it is—we added one bill to it today—we should have to try to dispose of these bills. The only way to dispose of them is to stay in session.

I wish to give notice of a night session, if that is necessary, and also a Saturday session, if that is necessary.

We have had reported the Interior Department appropriation bill. We will have the Defense Department appropriation bill reported next week.

The fiscal year is coming to an end. We have had less than a half dozen night sessions this entire session of Congress. We have had few, if any, Saturday sessions. The big workload, being sent to us by the House and brought to us by the various committees, is going to have to be taken care of by the Senate staying in session. It is going to be necessary, as I warned all Members, to have some Saturday sessions and to have some night sessions.

If we are able to take up the Hells Canyon bill at 11 o'clock in the morning, and our friends on this side can stay within their time commitment, we should be able to act on the bill tomorrow. The senior Senator from Washington [Mr. MAGNUSON] and the senior Senator from Oregon [Mr. MORSE] have indicated to me tonight that they thought the proponents of the bill would use only an hour. Is that a correct statement? Will the Senator confirm that for the RECORD?

Mr. MAGNUSON. I do not think it will require over an hour. The senior Senator from Oregon and the junior Senator from Oregon desire to make some remarks.

Mr. NEUBERGER. I assure the Senator from Washington that my speech will not take over 20 minutes, at the maximum, unless I am interrupted.

Mr. MAGNUSON. The Senator from Tennessee said he had a short speech of perhaps 20 minutes. The Senator from Washington will cut his speech to fit the occasion.

Mr. JOHNSON of Texas. My friend, the Senator from Illinois [Mr. DIRKSEN], has some indication of the number of speeches on his side. I understand there are 3 or 4.

Mr. DIRKSEN. I think the opponents will require 2 hours, or perhaps a little more.

Mr. JOHNSON of Texas. Mr. President, I desire to serve notice on all Senators that we expect to have a vote on this bill tomorrow. The acting minority leader has indicated the opponents need approximately 2 hours, and the proponents of the bill have indicated they desire 1 hour. That is 3 hours. If we give them twice as much as that, it would be 5 or 6 hours, and that should permit a vote sometime between 5 and 6 o'clock. I wish to give notice to that effect. If it is not possible to finish consideration by that time, I want to give notice of a night session tomorrow. If we are unable to conclude consideration tomorrow, I want to give notice of a Saturday session.

Mr. MORSE. Mr. President, I understand my friend, the Senator from Michigan [Mr. MCNAMARA] desires to have me yield to him for a minute, with the understanding that I shall not lose my right to the floor, although at this hour of the night I cannot imagine anyone challenging my right to the floor.

The PRESIDING OFFICER (Mr. CHURCH in the chair). The Senator from Michigan may proceed.

THE CIVIL RIGHTS ACT OF 1957

Mr. MCNAMARA. Mr. President, I thank the Senator from Oregon. I wish to add my name to the list of those who commend the beautiful job done by the present occupant of the chair, the junior Senator from Idaho [Mr. CHURCH], on yesterday. I am very sincere in that remark.

Mr. President, the Senate rule book is a very interesting and absorbing document. Over the years, it has been stained with tears, both real and hypocritical, because of the use to which some of these rules have been put.

We who proposed the use of rule XIV are castigated and accused of steering the Senate into chaos.

Yet, when we seek to alter rule XXII so that the work of the Senate cannot be thrown into chaos, we are likewise heaped with abuse.

I might suggest, Mr. President, that those who oppose our invoking of rule XIV, should be aware of another rule—one which does not appear in the Senate rule book. That is the Golden Rule.

"Do unto others as you would have them do unto you."

Mr. President, those who oppose civil rights have been throwing the rule book at us for years.

They exercise their privilege under the rules to stifle civil-rights legislation in committee. Then, should this legislation, by some miracle, ever reach the floor, we are threatened with filibuster tactics, permitted by rule XXII.

And even should a filibuster eventually be defeated, I am sure they have other rules that we never even heard of to further delay and befuddle.

And now, Mr. President, we attempt to exercise our rights under both the Golden Rule and the Senate rule book—and we are suddenly destroyers of the hallowed traditions of the Senate.

I accept this rule book and its importance to the orderly operations of the Senate. We must have rules of procedure, of course.

We are accused, through the use of rule XIV, of destroying the committee system.

I would say that for all practical purposes, the committee system is destroyed when legislation of this importance can be hung up in committee for 6 months.

But I submit, Mr. President, that the issue here is even more important than the Senate rule book.

The underlying concern here is that of the people of the United States.

We can talk for days, and we very well might, on the technicalities of the rules. Yet, that is a smokescreen, and we all know it.

The real guts of this matter, and I use the word advisedly, is the right of all the people of this country to move toward the day when they can wear the mantle of a first-class citizen.

The man who is deprived of his right to vote is singularly unimpressed with this "gobbledegook" over the Senate rules.

Those who say they are not concerned with the civil-rights legislation, itself but who allege they are only concerned with protecting the orderly and holy procedures of the Senate, do a disservice to the people of this country.

They are laying this smokescreen.

It is time we blow away these billowing, sooty clouds and get down to the basic issue—the rights of the people of the United States.

And I say, Mr. President, these rights are vastly more important than any rule of the Senate. The people at least have the right to hear this civil-rights legislation debated on its merits.

I thank the Senator.

HELLS CANYON DAM

The Senate resumed the consideration of the bill (S. 555) to authorize the construction of the Hells Canyon Dam on the Snake River, between Idaho and Oregon, and for related purposes.

FATEFUL DECISION AT HELLS CANYON

Mr. MORSE. Mr. President, in my major speech on the Hells Canyon Dam issue, which I shall give tonight, I wish to discuss the matter under the heading "Fateful Decision at Hells Canyon."

> When Pilate saw that he could prevail nothing, but that rather a tumult was made, he took water, and washed his hands before the multitude, saying, I am innocent of the blood of this just person: see ye to it. (Matthew 27: 24.)

This was the most classic and tragic statement of inaction in the face of evil written upon the record of mankind.

No man may absolve himself of the results of a decision which he has the power to make by washing his hands before the multitude and saying: see ye to it.

Let us each take these words to heart as we proceed to judgment on a fateful issue.

At the close of this debate there shall be decided whether the greatest remaining multipurpose dam site in the United States is to be wasted permanently through underdevelopment, or used to the full to curb savage floods, bring power to farms, industry, and homes, promote navigation, to water thousands of arid acres, and to create a recreational area for thousands of our citizens.

More than that is at stake. The Senate shall decide—each Senator shall cast his vote and thereby decide—whether the principles of conservation and natural resource use for the greatest good to the greatest number shall prevail or be sacrificed for the limited advantage of profit raiders.

Why has Hells Canyon created such a furor not only in my region but throughout the Nation? Why have hundreds of thousands of propaganda dollars been expended to persuade the people of all regions that inadequate private dams are to be preferred over full public development of an irreplaceable, invalu-

able natural resource? The answer is not hard to find.

The private utilities of this country have spent hundreds of thousands of dollars in advertisements such as the two which appear at the rear of the Senate Chamber because they have attempted at Hells Canyon to defeat the greatest threat to the monopoly they seek to perpetuate—comprehensive resource development.

In the name of Theodore Roosevelt, Gifford Pinchot, Norris, LaFollette, Borah, Hiram Johnson, and McNary, we who support full development at Hells Canyon plead for a return to the bipartisan program which they and their followers fought for with only one enduring purpose: The dedication of our natural resources to the public good.

Chief among the public needs in the river rich Columbia Basin is adequate flood control.

DESPERATE NEED FOR FLOOD CONTROL STORAGE

The Army "308" comprehensive report of 1948, confirmed in its essentials by independent Bureau of Reclamation studies, remains the best plan for Columbia River Basin development. It is to be recalled that the high dam at Hells Canyon was included in all the alternative best plans put forward in the 308 report and the studies that immediately followed.

This basin blueprint was designed to achieve maximum economic water resource development. A major goal of such development is flood control.

Man has all too short a memory. In March 1956, I sat in the Senate Interior hearing room and examined General Itschner, Assistant Chief of Engineers for Civil Works, on the Columbia Basin flood threat.

At that time he was assistant. Now he has been promoted, as you know, to the head of the corps.

When I raised the question of the flood threat posed by heavy snowpacks he replied:

> The situation is serious in the Columbia Basin, and it is also serious in the Snake Basin as part of the Columbia. (Hearings, Upper Columbia River Development, p. 89.)

He went on to confirm my information that the snowpacks were of the proportion that caused the 1894 flood, the greatest on record.

Immediately following, he, Senator NEUBERGER and I, had these exchanges:

> Senator MORSE. Are the Army engineers still of the opinion that Hells Canyon Dam would be valuable as a flood control dam?
>
> General ITSCHNER. There is no question that it would be valuable as a flood control storage dam, sir.
>
> Senator NEUBERGER. Along that line, as Senator MORSE said, I remember when the hearing was held about the suggestion for revising the height of John Day, I believe that General Foote did comment at that time that one of the reasons he was somewhat disturbed about a lesser quantity of storage at John Day was the fact that Hells Canyon had been diminished or seemed to be diminishing as a storage project. I remember quite definitely that General Foote was quoted to that general effect.
>
> General ITSCHNER. That certainly is true. It is of concern that we have lost storage at Hells Canyon, as it is at other places, like Priest Rapids where we have lost 2 million acre-feet. We gave up Glacier View in the beginning, but we wanted an alternative site for Glacier View, which has not been forthcoming. We are having the greatest of difficulties in getting additional storage any place in the basin.
>
> Senator MORSE. In your statement you say that possible Canadian storage, because of its remote location with respect to the major areas of flood damage in the United States, would not be as effective in controlling floods as most storage in the United States. Doesn't this make the preservation of storage at Hells Canyon all the more important, therefore?
>
> General ITSCHNER. The value of flood control storage increases with its proximity to the point that you desire to protect. Hells Canyon is close to the points which we desire to protect, which are in the Columbia River Basin beginning at McNary Dam, but largely downstream from The Dalles. So the closer it is the more effective it becomes.
>
> We actually use a factor to apply against flood-control storage in various reservoirs. Some of it is 100 percent effective. I think the Hells Canyon factor of remoteness would certainly be 100 percent.
>
> On the other hand, for Mica Creek and some of the other remote reservoirs, we would use a factor of perhaps 65 percent for remoteness.

The need for flood-control storage and the growing scarcity of adequate storage sites were also underscored by Secretary Seaton in his letter of February 14, 1957, to the Federal Power Commission. He wrote:

> Agencies of the Department of the Interior have been working closely with the Corps of Engineers in its current review of the main control plan for the Columbia River Basin. The current flood-control plan of the Corps of Engineers, published in House Document No. 531, 81st Congress, 2d session, indicates the need for about 4 million acre-feet of flood-control storage on the Snake River above Lewiston.
>
> The Brownlee development of the of the Idaho Power Co., now under construction, will provide about 1 million acre-feet of flood-control capacity. The Oxbow and Hells Canyon developments of the Idaho Power Co. will not provide significant quantities of such capacity, and the proposals of the Pacific Northwest Power Co. for the Pleasant Valley and Mountain Sheep developments would provide about 500,000 acre-feet.
>
> In the light of the need for development of additional flood-control capacity in the Snake River Basin, I instructed the Bureau of Reclamation in September 1956 to evaluate data available concerning the potentials of the Pleasant Valley site for the joint major purposes of flood control and power development * * *.

In his letter, Secretary Seaton admits what the advocates of high Hells Canyon Dam have said all along: It is imperative to obtain maximum flood-control storage in the Middle Snake but the Idaho Power Co. plan for the Hells Canyon stretch fails to provide adequate storage.

During the last 3 years, the Nation has been shocked and grieved by major floods in New England, the Southwest, and along the west coast.

The devastation and suffering of those floods wrung the hearts of every American. What would we have given to stop the floods once they were upon us? The instaneous answer is: Just about anything.

Why then can we not act with foresight to build a major flood barrier in the Columbia Basin—Hells Canyon? If a major flood should engulf the area, the generosity of our people would know no bounds. We can save tens of millions in property damage and incalculable suffering by building the high dam. It is not so dramatic, but it is less expensive and even more humane.

Floods will come to the Columbia Basin. Only this past winter a flood engulfed the Hells Canyon area itself and drowned out the Brownlee dam site. Could anything demonstrate the need more clearly?

As population grows, as industry grows, the Columbia flood plain is more densely settled.

It is not sensible to sacrifice the 4 million acre-feet of water storage that high Hells Canyon can provide to make way for the Idaho Power Co. projects with only 1 million acre-feet of storage—one-fourth the feasible storage. If the company is permitted to underdevelop the site, we shall lose at least 1.6 million acre-feet of flood-control storage.

Let me read some of the hard facts of flood control contained in the committee report:

> FLOOD CONTROL
>
> The goal of the main control plan is to reduce the worst flood of record to a limited-damage stage. This requires that the 1894 flow of 1,240,000 cubic feet per second at The Dalles be reduced to 800,000 cubic feet per second. Similarly, it was planned, by means of the main control-plan storage reservoirs, to reduce the 1948 flow at The Dalles from 1,010,000 cubic feet per second to 700,000 cubic feet.
>
> Testimony by the Corps of Engineers witness in the hearings on S. 555 indicated that at present there is available or under construction in the Columbia River Basin provision for less than 10 million of the 21 million acre-feet of storage required for control of the 1894 flood, including the 1 million to be provided by the Brownlee project. Of the additional minimum requirement of 11 million acre-feet, Hells Canyon would provide 1.6 million, according to the main control plan storage usage of House Document No. 531, or 14.5 percent of the additional requirement. Whether this figure is used, or the basic figure of 2.6 million acre-feet available at Hells Canyon comprising 12.4 percent of the total of 21 million required in the main control-plan routing of the 1894 flood, the conclusion is inescapable that Hells Canyon Dam is a vital component of the flood-control picture within the Columbia River Basin.
>
> There are no flood control substitutes for the storage of the high dam in Hells Canyon. Proposed alternative storage sites were planned for development in later stages of the comprehensive plan, and pressing them into service now is simply borrowing from the future, with no possibility of replacing the loss to the ultimate storage objective.

Potential flood losses equal, and before long will exceed, the entire cost of the high dam. Yet less than 15 percent of the dam's cost is attributable to flood control. It seems only prudent to make such a small investment to help prevent catastrophic losses which are sure to come if adequate flood control is not provided. As the committee report demonstrates, based upon the expert testimony of Government engineers, high Hells Canyon Dam is a crucial flood-control unit in the Corps of Engineers' main control plan.

ELECTRIC POWER FOR INDUSTRY, FARMING AND HOMES

It hardly need be demonstrated that the Pacific Northwest faces a power

shortage in the 1960's. The Columbia Basin contains 40 percent of the Nation's hydroelectric potential and 60 percent of the economically feasible hydroelectric potential.

The second great issue involved is: shall the full power of the Hells Canyon area be wasted for all time by permitting preemption of the area by the Idaho Power Co.'s inadequate dams?

Let me at the outset comment upon the FPC decision as it relates to power.

COMPANY PLAN WILL NET 2—NOT 3—DAMS

Throughout the FPC decision granting the Idaho Power Co. licenses in the Hells Canyon reach, the Commission compared the various benefits of the single, high Federal dam and the three Idaho Power dams. Even FPC did not claim the latter, all together, totaled the benefits of the high dam. But, even to come close for purposes of argument, the three dams were needed. That is why the comparison is always between the three company dams and the high dam. The FPC practically ignored the high dam's downstream power benefits in its decision and excluded them from its press release. Even that aside the 3-dam dodge is interesting—(see, for example, pages 16–17 of FPC decision).

The FPC, after resolving all of the doubts in favor of the 3-dam plan and licensing the 3-dam project, turned around and on page 20 of the decision stated:

> If a sufficient load does not develop to justify construction of low Hells Canyon within the time limits imposed in the license, the Commission may either extend the time for construction or terminate the license for that project, whichever is in the public interest at the time the matter is under consideration.

In effect, the FPC removed the third dam from the 3-dam project. Poor as the 3-dam plan is in comparison with the high dam, can you imagine how poor a showing a 2-dam project would make?

The third dam accounts for about one-third of the 3-dam plan's power. For example, finding No. 14 of the FPC Examiner gives these figures—page 35 of May 6, 1955, decision:

> (14) The initial powerplant capacities as proposed by the applicant for the three projects is as follows:

	Installed capacity (kilowatts)	Maximum peaking capacity (kilowatts)
Brownlee	360,400	414,400
Oxbow	151,000	173,600
Hells Canyon	272,000	312,800

Obviously, without little Hells Canyon Dam, the company plan is laughable. So, the FPC used it for purposes of comparison, found that it was almost as good as the high dam—even with more costly power—and then, without any reasoning to support the conclusion, found the 3-dam plan the best adapted project for basin development. (Finding 48.)

This amazing statement follows finding 47 which declares: "The three proposed power developments should be considered as a single project."

I submit that the evidence is clear on the face of the decision that the Commission, under Chairman Kuykendall, used the 3-dam plan for comparison only to achieve an appearance of plausibility, but in effect relieved the company of the burden of building the third dam for whose expensive power there is little or no expectation of a market.

In sharp contrast the high Hells Canyon Dam will provide a minimum of 1,122,000 kilowatts at site and downstream. It is the water storage superiority of high Hells Canyon over the company plan—a ratio of 4 to 1—which accounts for the downstream power benefits.

But that is a conservative estimate. Testimony before the Senate Interior Committee this year disclosed that up-to-date studies requested by the committee reveal that the high dam's at-site potential power capacity is even larger than originally planned.

Three Bureau of Reclamation engineers, in a letter dated March 14, 1957, informed the committee that instead of a 900,000-kilowatt capacity, the high dam could have at-site capacity of 1,250,000 kilowatts at a favorable benefit-to-cost ratio and only slight additional cost.

Moreover, it would be physically possible to install 1,500,000 kilowatts of capacity. Further studies would be required to confirm the design and cost of achieving that potential. Yet it is a reasonable possibility.

In other words, as originally designed, Hells Canyon, at site, was superior in power capacity to the company 3-dam plan, and all the more so when compared with the 2 dams that are probable.

We now know that high Hells Canyon can be built with at least one-third more capacity—and possibly as much as two-thirds more than originally planned.

POWER COSTS

Significantly the Federal Power Commission decision lacks a comparison of high dam and company power costs—although the latter are admittedly higher.

We need look no further than the Federal Power Commission examiner's findings of fact, which were not overruled, to find the comparison. He found that the high dam power would cost 2.7 mills per kilowatt-hour as compared with the 3 dams' 6.69 mills per kilowatt-hour—with even higher costs for Brownlee power alone.

Little wonder the Federal Power Commission examiner called the company power fancy priced. It would be so fancy priced that it would be of little use for industry, private industry which the region so badly needs.

For example in my testimony before the committee I said last March:

> The four Columbia Basin States of Oregon, Washington, Idaho, and Montana, are suffering, as they do each winter, from acute unemployment. According to the latest Department of Labor report on unemployment insurance—for the week ending February 16, 1957—Oregon and Idaho have the highest rates of unemployment in the country—10.8 percent and 10.4 percent, respectively. Montana has the fourth highest rate, 9.2 percent, and Washington is sixth with 8.8 percent.
>
> These States suffer from a chronic condition of seasonal unemployment directly related to the comparative lack of year-round industry.
>
> The situation in the State of Washington would be even more serious if it were not for the giant Boeing plant at Seattle, a plant which is sustained by low cost public power.

We desperately need industry for jobs and purchasing power, without which the Pacific Northwest will not make its maximum contribution to the economy of the Nation.

The unemployed of my State make poor customers for the products of other regions. The underemployed do not make their full contribution to the massive production of goods which is the hallmark of our free-enterprise system.

America needs an expanding market in the Pacific Northwest. And America needs the products which low-cost power alone would make possible.

INEXPENSIVE PHOSPHATE FERTILIZER FOR WESTERN AND MIDWEST FARMERS

A dramatic example are the virtually untapped phosphate beds of Idaho. Here are the facts as found by the Federal Power Commission examiner and not contradicted or overruled by the full Commission:

> The high dam project by providing power at low rates might be expected to stimulate large-scale development of the phosphate resources and large-scale expansion of fertilizer production. (Examiner's finding No. 159.)
>
> The three-dam plan would stimulate less phosphate development and less fertilizer production than the high dam project. (Examiner's finding No. 160.)

This means fertilizer to farmers in the Midwest and West at savings of $10 to $20 a ton.

At a time when farmers are struggling to escape the squeeze of high costs and low prices, this is a major consideration in favor of high Hells Canyon Dam.

"NO COST TO THE UNITED STATES"—THE PROPAGANDA BUBBLE IS BURST

Since 1953, the senior Senator from Washington and I have warned that the Idaho Power Co. propaganda that its inadequate projects would be built at no cost to the taxpayer was phony and untrue. That claim was carried into millions of American homes by the private utility multi-million-dollar advertising campaign. Two examples are posted in the rear of the Chamber for all to see.

In 1953, Senator MAGNUSON and I had no crystal ball. We knew a single fact—the Idaho Power Co. had filed for quick tax writeoff certificates for 2 of their 3 small dams—Brownlee and Oxbow.

We said then and have warned repeatedly since that the taxpayers would end up footing a large part of the bill for the Idaho Power Co. dams. Little attention was paid. When we said that the value to the company of the certificates would be about three times the cost of the company dams it sounded too preposterous for belief. When we said the taxpayers would be forced to put up millions of dollars of subsidy for the company we were not believed. But we stuck to our guns.

The senior Senator from Virginia was persuaded to look into the matter. His Joint Committee on Internal Revenue Taxation staff found out that the utility tax writeoff dodge ran into millions in subsidy. He called for a halt.

But the Idaho Power Co. apparently needed the certificates too badly and so in mid-April, the Office of Defense Mobilization granted quick tax writeoff certificates over the protest of many Members of Congress, who, in February 1956, filed detailed criticisms of the Interior and Office of Defense Mobilization memorandums recommending the certificates. The protest pointed out errors of fact in the memorandums. ODM Director Gray was so unfamiliar with the document that he was unaware of the fact that it requested a public hearing to settle the factual issues.

Secretary of Interior Seaton in March 1957 recommending against the certificates because their grant would be totally inconsistent with the company claim, echoed by its defenders in the administration and Congress, that the company projects would be built without cost to the United States Treasury.

In the course of the Kefauver subcommittee hearing, the chief accountant of FPC confirmed the predictions made by those of us who forewarned that the taxpayers would subsidize the Idaho Power small dams in large part.

In summary, he testified that in order to make up for the tax loss to the Treasury during the writeoff period and before the company repaid all the taxes over the 50-year depreciation period the Treasury would have to pay $83.5 million in additional interest payments.

He further testified that the value of the certificates to the company would be $339 million—or $10 million more than I said on April 29, 1957.

IDAHO WRITEOFF OUTSIDE POLICY OF LAW

Since 1953 I have pointed out that while utility-tax-writeoff certificates might be possible within the letter of the 1950 law, they violated the spirit and intent of the law.

On Tuesday the Kefauver subcommittee heard the testimony of an attorney on the staff of the Library of Congress.

It is so significant that I wish to read his statements into the RECORD.

STATEMENT OF JAMES P. RADIGAN, SENIOR SPECIALIST, LIBRARY OF CONGRESS

Mr. RADIGAN. Do you wish me to read it?

Senator KEFAUVER. Yes, sir.

Senator DIRKSEN. Will you first give me a little background about yourself?

Mr. RADIGAN. I have been working for the Legislative Reference Service since 1926 as an attorney.

Senator WILEY. You don't look that old, brother.

Mr. RADIGAN. We haven't been working hard enough. Previous to that I practiced law for 5 years here in the District. I was head of the American Law Division from the time it was created up until February 1955, when I moved overseas specialist. That is about it.

Senator WILEY. Married?

Mr. RADIGAN. Yes.

Senator WILEY. Wife, kids?

Mr. RADIGAN. Yes; residents of Washington.

Senator KEFAUVER. Did you graduate from a law school?

Mr. RADIGAN. Graduated from Georgetown, 1923.

Senator KEFAUVER. Have you had much experience in construing legislative intent and statutory enactment?

Mr. RADIGAN. I have been working on it since 1928 pretty much.

Senator KEFAUVER. Congress has been relying and Members of Congress upon your opinions?

Mr. RADIGAN. I have had requests from every Member here today.

Senator KEFAUVER. Unbiased; you have no interest in this matter at all?

Mr. RADIGAN. None whatever. It is just a matter of statutory construction as far as I am concerned.

Senator KEFAUVER. Very hurriedly read your opinion.

[Mr. RADIGAN. The words of the act (sec. 168 of the Internal Revenue Code of 1954) authorizing the issuance of accelerated amortization certificates for "emergency facilities" certified as "necessary in the interest of national defense" by an agency designated by the President, considered literally and separately from the known legislative purpose, might conceivably permit the issuance of such certificate to Idaho Power by the Office of Defense Mobilization.

Such a construction of the act, however, is certainly not the only nor necessarily the most logical one that might be made.

To arrive at such a construction requires stretching to the utmost, or disregarding entirely the cardinal rules of statutory construction applicable to this type of act.]

This act does not fall within the rule of statutory construction that where there is no ambiguity there is no room for construction, *United States* v. *Wiltberger* ((1820) 5 Wheat. 76); *Texas* v. *Chiles* ((1875) 21 Wall. 488); *Goodwin* v. *Colorado Mortgage Investment Co., of London* ((1884) 110 U. S. 1); *Yerke* v. *United States* ((1899) 173 U. S. 439); *United States* v. *Missouri P. R. Co.* ((1929) 278 U. S. 269), but rather under the rule that where there is ambiguity the character of the statute determines the type of construction, *United States* v. *Baltimore & O. S. W. R. Co.* ((1911) 22 U. S. 8).

In determining administrative powers the legislative purpose is the controlling element, *United States* v. *American Trucking Assn.* ((1940) 310 U. S. 534).

If there is more than one construction possible under a literal reading of the words of a statute, the one most consistent with the legislative purpose should be adopted, *United States* v. *Katz* ((1926) 271 U. S. 354).

The reason and spirit of the law should prevail, *Wilson* v. *Mason* ((1801) 1 Cr. 45); *United States* v. *Katz, supra*; *United States* v. *Kirby* ((1869) 7 Wall. 487).

Statutes should be construed so as not to lead to an absurd consequence, but so as to effectuate the legislative intention, *United States* v. *Kirby, supra*; *Oates* v. *First National Bank* ((1879) 100 U. S. 239; *Church of the Holy Trinity* v. *United States* ((1892) 143 U. S. 457); *Iau Ow Bew* v. *United States* ((1892) 144 U. S. 47); *United States* v. *Oregon and C. R. Co.* ((1896) 164 U. S. 526); *Hawaii* v. *Mankichi* ((1903) 190 U. S. 197); *Jacobson* v. *Massachusetts* ((1905) 197 U. S. 11); *Haggar* v. *Helvering* ((1940) 308 U. S. 389).

It is not proper to follow the literal meanings of the words of an act if to do so will lead to a variance with the policy of the legislation as a whole. *United States* v. *American Trucking Association*, supra.

There is no need to labor or to suppose that the administrators of this act were unaware of the fact that the necessity for the enactment of this act was the exhibited reluctance of business to build new emergency plants that might likely become wholly useless when the emergency period passed. See: *United States* v. *Allen-Bradley* ((1957) 1 L. ed. 2d 347). The 1950 act, under which the certificate was granted to Idaho Power is, for purposes under consideration here, the same as its predecessor 1940 act. In interpreting the latter, the court said the act was for the purpose of inducing private enterprise to aquire facilities for which they would have had no need, *Wickes Corp.* v. *United States* ((1952) 108 F. Supp. 616), or for inducing the immediate and large investment of private capital for construction of facilities for the production of materials vitally necessary, *Arkansas-Oklahoma Gas Co.* v. *Commissioner of Internal Revenue* ((1953) 201 F. 2d 98).

The Senate Committee on Finance, which inserted this provision in the Revenue Act of 1950, stated the provision had the same basic objectives as the 1940 act and was for the purpose of providing amortization for facilities of an emergency character. (See S. Rept. 2375 of 81st Cong., 2d sess., p. 58.)

To construe the words "emergency facilities necessary in the interest of national defense" as applicable to an electrical generating plant of permanent construction in an area where the existing and the future known demands for electrical energy (without the necessity of the continuance of the emergency) would justify its construction, requires a total disregard of the stated purpose and of the spirit of the act. The need for this generating plant, without the existence of the Korean situation or any other similar police action, is readily determinable from:

(1) The Annual Reports of the Activities of the Joint Committee on Defense Productions (H. Rept. 1097, 83d Cong., 2d sess.; H. Rept. 1, 84th Cong., 1st sess.; House Rept. 1669, 84th Cong., 2d sess.; House Rept. 1, 85th Cong., 1st sess); (2) Construction, Operation, and Maintenance of the Hells Canyon Dam, on the Snake River, between Idaho and Oregon (S. Rept. 324, 85th Cong., 1st sess.); (3) Rapid Amortization of Emergency Facilities (hearings before Senate Committee on Finance on S. 1795, 85th Cong., 1st sess.); (4) Public Works Appropriations for 1958, part 2 (hearings of House Appropriations Committees, 85th Cong., 1st sess.); and (5) a Report on 5-Year Amortization of Emergency Defense Facilities under section 168 of the Internal Revenue Code of 1954 (Committee print of Joint Committee on Internal Revenue Taxation, 1956).

[To epitomize—while an exceedingly broad construction of the literal wording of the act might make it permissible to grant an accelerated amortization certificate to Idaho Power, such action seems contrary to the legislative purpose and spirit of the act, the two elements which should control its administration.]

Senator KEFAUVER. That is your best judgment about this?

Mr. RADIGAN. Yes, sir.

THE FPC DECISION AND KUYKENDALL

Until recently apologists for the Hells Canyon giveaway have laid great stress upon the fact that the Federal Power Commission heard voluminous testimony and decided in favor of the Idaho Power Co. As I have already indicated, the FPC's Hells Canyon decision is questionable in the extreme.

ROLE OF CHAIRMAN KUYKENDALL

Let it be recalled that Kuykendall became Chairman of the Federal Power Commission in April 1953. Two weeks after he took office the Secretary of the Interior withdrew his predecessor's opposition to the Idaho Power Co.'s license application. Thereafter the FPC repeatedly made procedural rulings adverse to the high Hells Canyon advocates. The decision, itself, fails to set forth crucial findings of fact on such matters as the cost of power and downstream benefits of the high dam, to mention just two.

Just this week, the hearings on the renomination of Kuykendall as a member of the FPC and his conduct during the past 4 years have been put together and the pattern revealed is a shocking one. So for example, in 1954 before the Joint Committee on Atomic Energy he suppressed and withheld the fact that the Bureau of Law of the FPC had condemned the Dixon-Yates contract. He led the joint committee to believe that the Bureau of Law was not consulted. His testimony was given at a time when the joint committee was approaching a crucial vote on the Dixon-Yates case. I ask unanimous consent to put in the RECORD at this time the summary of that situation as presented by a release of Subcommittee No. 1 of the House Select Committee on Small Business.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SIGNIFICANT FACTS DEVELOPED IN THE HEARING HELD BEFORE SUBCOMMITTEE NO. 1 OF THE HOUSE SELECT COMMITTEE ON SMALL BUSINESS ON THURSDAY, JULY 28, 1955, IN THE EXAMINATION OF WITNESSES FROM THE FEDERAL POWER COMMISSION

I. Evidence relating to defects in the Dixon-Yates contract which was drafted and proposed prior to August 1954, disclosed that early in 1954 the Bureau of the Budget sought and secured help from the Federal Power Commission in connection with the drafting of the Dixon-Yates contract. The Federal Power Commission at that time was under the chairmanship of the Honorable Jerome Kuykendall, an Eisenhower appointee. In connection with that work on the Dixon-Yates contract, Francis L. Adams, Chief of the Federal Power Commission's Bureau of Power, in company with William F. McCandless, a representative of the Bureau of the Budget, visited the White House when the matter was being considered by the President. He stated that he was asked to accompany the Director of the Bureau of the Budget and Mr. McCandless and to sit in the hall outside of the President's office in case any technical questions that Mr. McCandless or others wished to direct to him while the President had this Dixon-Yates matter under consideration and discussion. (Transcript, pp. 829–830).

Thereafter Mr. Francis L. Adams of the Federal Power Commission and his assistant, Mr. Roberts, spent substantial time giving the Bureau of the Budget assistance on the Dixon-Yates matter. Much of the time that they gave to this matter was spent in the offices of the Bureau of the Budget. By August 23, 1954, the proposed contract for Dixon-Yates had been drafted and had been submitted to the Federal Power Commission for its study and report. In that connection, at the request of the Acting Chairman, Commissioner Digby, the Federal Power Commission's Bureau of Law was asked to review the draft of the contract and to state orally to the Federal Power Commission at a scheduled meeting for August 25, 1954, 'what, if any, questions the Bureau of Law had and the nature of the questions,' about the contract. (Transcript, pp. 864–865.)

Within that period of time between August 23 and August 25, 1954, by working strenuously and overtime, the Acting General Counsel, Mr. Lambert McAllister and Assistant General Counsel Howard E. Wahrenbrock made a study of the Dixon-Yates contract and presented memoranda of their comment thereon. In the meantime, the General Counsel of the Federal Power Commission, Mr. Willard W. Gatchell, returned to the city and received a call to appear before the Federal Power Commission in a meeting it held shortly after September 17, 1954, to discuss the Dixon-Yates contract. (Transcript, pp. 880–881). In that connection, he testified as follows:

"Mr. GATCHELL. * * * This came before the Bureau of Law. This Dixon-Yates contract came before the Bureau of Law through the Bureau of Power. And it happened to come at a time when I was out of the city on some business with the Commission, and so I knew nothing about it until I got back. I then saw both Mr. Wahrenbrock's and Mr. McAllister's memorandums, the ones that have been submitted here and received by the committee.

"These memorandums which were submitted by Mr. Wahrenbrock and Mr. McAllister were submitted at the request of the Bureau of Power. Ordinarily, when the Commission wants an opinion they ask the General Counsel for an opinion, which is prepared. And invariably the practice has been, as far as I know, without any exceptions, that these opinions then go to all members of the Commission and I have no reason to think that the two memorandums which were submitted, one by Mr. Wahrenbrock and one by Mr. McAllister did not likewise go to the members of the Commission.

"Mr. MACINTYRE (general counsel, Select Committee on Small Business). In the course of those discussions, did you inform them of the views of the Bureau of Law?

"Mr. GATCHELL. No, sir; I informed them of my views. And in my views, I, of course, took advantage of the study which had been made by Mr. Wahrenbrock and Mr. McAllister, because they are very fine technicians and both of them did a thorough job within the very limited time that they had.

"I was fortunate in having a little more time to study it. I raised all of the points that they raised, and quite a number of additional points myself. I raised those to the Commission."

In that connection the secretary of the Federal Power Commission, Leon M. Fuquay, also testified as follows (transcript, pp. 874–875):

"Mr. MACINTYRE. And you heard Mr. Wahrenbrock's testimony about having submitted to the secretary of the Commission copies of his memorandum on the Dixon-Yates contract?

"Mr. FUQUAY. Yes.

"Mr. MACINTYRE. And you heard him say that he passed that to the Secretary for distribution to the Commission?

"Mr. FUQUAY. Yes.

"Mr. MACINTYRE. Did you pass that on to the Commissioners, including the Chairman?

"Mr. FUQUAY. I would have no way to know that. I can only assume that I did. We don't keep the record of whether we did or we didn't. I assume the interoffice file would show perhaps a notation: 'Distributed to the Commission.' My girls usually do that. It is also perhaps possible that the agenda, if there was one on that date, would show that it was before them at the time.

"Mr. MACINTYRE. Would the record of the Federal Power Commission, the minutes of the Federal Power Commission, show whether or not the memorandum had been distributed and received by the Chairman?

"Mr. FUQUAY. The minutes would not. Agenda might show. The minutes only show what action took place.

"Mr. EVINS. Mr. Fuquay, would you address a letter to the counsel of the committee after examining your files, and tell us whether or not this memorandum was distributed to the Commission?

"Mr. FUQUAY. If I can ascertain that fact, I will be glad to do that.

"Mr. KUYKENDALL. I think I can clarify that point.

"Mr. EVINS. Proceed.

"Mr. KUYKENDALL. I saw Mr. Wahrenbrock's memorandum. We had it at the Commission meeting. I am sure all Commissioners had it. And we considered it and discussed it with him and with other members of the staff who were present."

Now what did the memorandums which had been prepared by Mr. McAllister and Mr. Wahrenbrock contain in the way of comment concerning the Dixon-Yates contract? In that connection the summary and concluding paragraphs of Mr. McAllister's opinion of those contracts are quoted as follows:

"I have never reviewed a power contract wherein each and every provision is written in such fashion that one party has an absolute veto right wherever any adjustment or change is indicated and no provision is made for the resolving of a dispute. The contract gives the impression that the generating company dictated the terms and conditions of the contract and either AEC was inept or without any right or opportunity to insist on relative provisions which would spell out the representative rights and circumstances under which an adjustment might be justified and provide for a resolution of any difference that might arise through an established form of negotiation or arbitration.

"The time which has been available for review of the contract from the standpoint of its provisions has been entirely inadequate. There are many provisions of the contract which could be specified in support of the statement that the contract is all one-sided but time would not permit the coordination and discussion of all such matters."

The concluding paragraph of Mr. Wahrenbrock's memorandums is as follows:

"Aside from minor questions of draftsmanship, the foregoing questions, arising from the limited and preliminary study which it has been possible to make, appear serious enough and numerous enough to cause grave apprehension that there are other questions and very substantial objections to the August 11 draft. It would seem reasonable to conclude that the immediate advantages from quick completion of the deal in these terms, to facilitate getting forward with certain parts of the construction before spring high water on the Mississippi, will be more than offset by the long-term substantial advantages to the Government of taking additional time to try to arrive at a better contract. And this is in addition to the grave question of legal authority for the contract under the Federal income tax provisions of section 165 (b) of the Atomic Energy Act of 1954 (enrolled)."

It is significant that the advice thus contained and set forth in Mr. McAllister's and Mr. Wahrenbrock's memoranda did not come to light so that they could be considered by the Members of Congress and others interested in the Dixon-Yates deal until Thursday, July 28, 1955.

In fact it appears that there was a concerted effort in the past to suppress the information contained in those memoranda. Let us recall the fact that at the time of the election in November 1954, frenzied efforts were being expended to have the Joint Committee on Atomic Energy of the Congress of the United States approve the Dixon-Yates deal prior to January 1, 1955, when the newly elected Democratic Congress would take control. Therefore, hearings were held on the matter by the AEC Joint Committee commencing November 4, 1954, just as the final election returns were being received.

During the course of those hearings on Friday, November 5, 1954, and at page 200 of the record of the hearings, Mr. Kuykendall, Chairman of the Federal Power Commission, an Eisenhower appointee, is reported to have testified as follows: (Transcript, page 878 of the hearings before Subcommittee No. 1 of the House Select Committee on Small Business, on Thursday, July 28, 1955.)

"Mr. KUYKENDALL. No, our lawyers were not called into this. Our Bureau of Power worked with the AEC and with the Bureau of the Budget and conferred with our Bureau of Accounts, Finance and Rates, which Mr. Smith heads. At a later stage, Mr. Smith and Mr. Adams participated in some staff conferences with AEC but our Bureau of Law did not. Then, when we got these requests from this committee and from AEC to give our opinion, we did not ask the Bureau of Law to get into the legal phases of it, because I thought that would simply be plowing the same ground, so to speak, that I knew the attorneys for AEC have plowed and the Attorney General. So, they were not asked to give us—wait a minute, I will take that back.

"Representative PRICE. I saw a press report to the effect that the general counsel had not given his approval.

"Mr. KUYKENDALL. We had not asked him for it, but the staff took the contract to him and started drawing him into it. I felt that it was unnecessary, and we said in our first letter to the AEC that our attorneys had not passed on it."

Why was it that Mr. Kuykendall so acted in keeping from Members of the Congress on that occasion the objections which he knew to exist to the Dixon-Yates contract? Was it something that fits into a pattern of what has been termed "cover up" of important facets of the Dixon-Yates matters such as, for example, the facts concerning the participation of Adolphe H. Wenzell of the First Boston Corporation, in negotiating the Dixon-Yates deal?

Mr. MORSE. Yesterday the Committee on Interstate Commerce received evidence, based on Kuykendall's own testimony, that as Chairman of the FPC he had entered into consultation with three representatives of industry in the drafting of a bill to remove Federal power control on natural-gas prices. Indeed, Kuykendall, in his testimony before the House Committee on Interstate and Foreign Commerce, said:

And I admonished those individuals that there should be no publicity about this, and there should be absolute secrecy. * * *

Kuykendall further testified that he did not confer with "alleged consumer groups." The principal question was that he did not confer with the committee composed of mayors of 200 large cities.

I ask unanimous consent to put in the RECORD portions of the transcript of the interrogation before the House Interstate and Commerce Committee as presented in the Senate hearings yesterday.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Congressman MACDONALD of Massachusetts. The actual questions and answers as appear in the reporter's transcript of the hearings [of the House committee] on the matter pertaining to what I am talking about follow. During the first day Mr. O'HARA was questioning Mr. Kuykendall and I asked Mr. O'HARA, cosponsor of the bill, to yield. I asked Mr. Kuykendall: "Do I understand that you say you were not consulted at all about this bill, or merely about the drafting of the bill?

"Commissioner KUYKENDALL. I was not consulted at all about this by anyone, that I can recall."

Later it came my turn to question Mr. Kuykendall and I said, "Sir, this morning there was some conversation about what part you had played in the formulation of H. R. 6790, which was introduced by Mr. O'HARA and Mr. HARRIS. Would you care to comment on your part, your role, in the formulation of this bill?

"Commissioner KUYKENDALL. Well, I commented this morning, and I will repeat it: I had no part in the formulation of this bill or any other bill.

"Mr. MACDONALD. If I were to say to you, sir, that it is common knowledge—or strike 'knowledge'—it is commonly reported, shall we say, that prior to the past Congressional and presidential elections, that you made it known to various segments of the industry that you wished they would get together to present to you a bill of this type so that you could make a report to the Director of the Bureau of the Budget, would I be saying something that was not correct?

"Commissioner KUYKENDALL. Yes, you would.

"Mr. MACDONALD. Then you categorically deny that you ever let any segment of the industry know that you were interested in their plans for the formulation of a new so-called gas bill?

"Commissioner KUYKENDALL. What happened was this, Mr. Macdonald: that while Congress was still in session last year, and after the Harris-Fulbright bill had been vetoed, Jerry Morgan at the White House contacted me and asked me if I, without saying anything to anybody, could prepare a draft of a bill which I thought would fulfill the requirements that the President had stated in his veto message. So I told him I would try to do that. I went to work on it all by myself, and I soon ran into many problems. So I talked to Mr. Morgan, explaining that I could not do it myself, and the only way I could think to get it done quickly would be to confer with some of the people who had opposed the bill. I said I would like to talk with Mr. Randall LeBoeuf, who had been the spokesman of the distributing companies that opposed the bill.

"Mr. MACDONALD. What is his official title?

"Commissioner KUYKENDALL. He is a lawyer in New York City. I think he is in the room here right now.

"I talked with Mr. LeBoeuf, and he was willing to lend any assistance he could. He, however, agreed that we probably should get some representative of the producers and some representative of the pipelines.

"So I selected two other lawyers. I asked Mr. Searles, who has been a spokesman here for the producing industry on the previous bill, and I selected a Mr. Tarver, who used to be an attorney some years ago, long before I was with the Federal Power Commission, on the Federal Power Commission staff, but who is very knowledgable about the Natural Gas Act and is now employed by one of the pipeline companies.

"Those gentlemen agreed that they would try to put together what they thought would be a good bill, and they did some work on it.

"In the meantime——

"Mr. MACDONALD. Did you see this bill while they were working on it?

"Commissioner KUYKENDALL. I don't think this bill was in existence.

"Mr. MACDONALD. You said they were working on a bill, not H. R. 6790, but a bill, and I am asking you if you saw that bill?

"Commissioner KUYKENDALL. I saw several drafts of things they had drawn. None of them, so far as I know, ever saw the light of day.

"Then, as you will recall, last year, the President vetoed the farm bill, and other things clogged up the Congressional Calendar, and it became quite clear to me that there would be no possibility of the administration sponsoring a gas bill, and I inquired of Mr. Morgan, and he later checked with me, and said that it was definitely out of the realm of possibility for this year.

"So I told these other three men I have mentioned that there was no chance of any bill coming up that year.

"In the meantime, I learned, and I have forgotten now from just whom, that Mr. Heyke——

"Mr. MACDONALD. Who is he?

"Commissioner KUYKENDALL. Mr. Heyke is president of the Brooklyn Union Gas Co., had instigated some conferences, not among lawyers, but among executives of the industry.

"Mr. MACDONALD. Each segment of the industry?

"Commissioner KUYKENDALL. Yes.

"And then later, Mr. Heyke came to me and said he had heard rumors about some lawyers drawing a gas bill, and he had started these conferences, he hoped they would be fruitful, and he requested that I defer to him and not have sort of a competing group going. And I acquiesced to that.

"Mr. MACDONALD. What time of the year was this conversation had?

"Commissioner KUYKENDALL. Oh, I don't know, perhaps around the time Congress adjourned, I am not sure.

"Mr. MACDONALD. August?

"Commissioner KUYKENDALL. And so I stepped out of the picture at that time, never called these three lawyers together again that I had talked with; but was aware of the fact, and was advised from time to time by Mr. Heyke or some of the other parties that he had gotten together, and generally of what they were trying to do.

"And Mr. HARRIS (that is Congressman HARRIS) mentioned that he had gotten ahold of a statement of principles. Well, I believe I received a copy of that.

"Mr. MACDONALD. A statement of principles from whom?

"Commissioner KUYKENDALL. I don't remember whether I got it from Mr. Jeyke or one of the others, from other segments of the industry, with whom he was conferring. But I took no part in that at all, but let them go their way with it.

"Mr. MACDONALD. And you say that is the last you had to do with those segments of the industry concerning a gas bill?

"Commissioner KUYKENDALL. Yes, except, as I said before, they reported to me now and then as a matter of courtesy. I remember one time they reported that they were just about at the end of their rope. They didn't think they could ever agree on anything.

"Mr. MACDONALD. What time of year was this?

"Commissioner KUYKENDALL. I don't recall. I didn't keep any record of it.

"Mr. MACDONALD. Was it during October and November preceding the election?

"Commissioner KUYKENDALL. I don't recall whether it was preceding or after that election.

"Mr. MACDONALD. And that is all the connection you have had with this bill?

"Commissioner KUYKENDALL. That is all; yes.

"Mr. MACDONALD. Well, sir, as I understand it, the bill under which you administer the act, the act which you administer, was put in for the protection of the consuming public of the United States; was it not?

"Commissioner KUYKENDALL. Yes.

"Mr. MACDONALD. And that, as such, your primary, if not sole duty, is to the consumers of the United States; is that not correct?

"Commissioner KUYKENDALL. Well, to the public interest, which embraces all segments of the country."

The CHAIRMAN. I might say to the Congressman that yesterday, in the testimony, there was some discussion by other witnesses and members of the committee on the basic purposes of the Federal Power Commission Act.

The preamble has been put in the record, which, of course, states that generally speaking, your assumption is correct that the act

was created to protect the public interest of the people.

Mr. MACDONALD. To continue the quotation:

"Mr. MACDONALD. Well, after elections are over, the public interest reverts to the people, the public interest is the consumers, because there are roughly 29 million consumers, and the number is going up all the time, as I understand it.

"Would you not say that your primary duty is to protect the people who use this gas, rather than those who produce it?

"Commissioner KUYKENDALL. Yes; and that is what I am endeavoring to do.

"Mr. MACDONALD. I would like to ask you this question: If, during the formulation of this bill which is now H. R. 6790, you did not call on any consumer group to find out how they felt about this matter and relied solely on only the three segments of the industry that had to gain from any such bill?

"Commissioner KUYKENDALL. Well, that is a loaded question.

"Mr. MACDONALD. It is not a loaded question.

"Commissioner KUYKENDALL. I don't know what the distributors had to gain.

"Mr. O'HARA. Let him answer that.

"Mr. HESELTON. I think he has a right to ask it.

"The CHAIRMAN. The gentleman may proceed in order.

"Mr. MACDONALD. I would just like to say this, sir: Any question that may seem adverse to you is not necessarily loaded, and I, as an impartial member of this committee, somewhat resent being told I am asking loaded questions when actually I am merely asking you why you did not consult with the people for whom the job that you occupy was created to protect the very people that you did not—at least as you yet have said—ever consult. And I am just asking you why.

"Now, that is not a loaded question.

"Commissioner KUYKENDALL. In the first place, I knew of no sufficient consumer groups to go to; and I wasn't going to groups. I went to three individuals, and I admonished those individuals that there should be no publicity about this, and there should be absolute secrecy, because I did not want any rumors started that there might be another gas bill during the last session of Congress.

"Furthermore, the pipeline group, and particularly the distributing group, were antagonistic to the producers, and were in, and had the same position on the matter as did the consumer, alleged consumer groups, that opposed the bill last time.

"That is why I went to Mr. LeBoeuf, who had been the spokesman, the chief spokesman, for the opposition to the previous bill.

"Mr. MACDONALD. I would just like to say that I think, under the circumstances, you acted wisely by acting in secret for the purposes you had in mind. But I repeat my question, for I have not had an answer to it yet. You have gone on about what you did, but you have said that you did not consult with any groups of consumers, because they appeared here 2 years ago when you were in the room and you listened to their testimony in opposition to the House bill.

"Commissioner KUYKENDALL. No; I did not consult with any consumer groups. I was consulting with lawyers.

"Mr. MACDONALD. Did you consult with any lawyers from a consumer group, of the mayors' association, for one, the mayors of 200 cities of the United States?

"Commissioner KUYKENDALL. No; I did not. I only consulted with these people I have mentioned.

"Mr. MACDONALD. Since the mayors of 200 large cities of the United States comprise, at least in theory, representation for millions of people, and millions of people who would be affected by this bill, I cannot quite understand why you did not, and I am asking for an explanation why you did not.

"Commissioner KUYKENDALL. This bill poses a question where the producers are one interest, and not only the consumers but the distributing companies and the pipeline companies were another interest.

"Many pipeline companies were not friendly to the bill last time.

"I got 3 extremely able men from those 3 segments of the industry, and I believe that among those the consumer interests were adequately represented.

"Mr. MACDONALD. Now, sir, I want to yield to my colleague, but I want to ask because I think this comes to the nub of it: You consulted with those three groups because you wanted a gas bill; is that not correct?

"Commissioner KUYKENDALL. Not groups; three individuals.

"Mr. MACDONALD. With 3 representatives of 3 segments of this industry. You, by virtue of consulting with them, were consulting with the industry, is that not correct, for the viewpoint of the segments which they represented?

"Commissioner KUYKENDALL. Yes, I chose one from each segment."

Mr. MORSE. This is the same Mr. Kuykendall who led the Federal Power Commission in its decision to grant licenses to the Idaho Power Co. to underdevelop the Hells Canyon reach of the Snake River.

RIGHTING THE WRONGS

It is not often given to men to have a second chance of righting a wrong. By a narrow margin the Senate defeated the high Hells Canyon bill last year.

But Congress and the public are older and wiser. The predictions of last year have come true. It has been demonstrated that the Idaho Power Co. has received undeserved favors to aid its weak cause. Its claims have been disproved. Its gulling of public and Congress has been revealed.

The high Hells Canyon Dam means a fresh start on meeting the pressing flood control and power problems of a potentially great region.

Let us build high Hells Canyon Dam. Let us develop this magnificent resource for the whole Nation.

Let it be said of the 85th Congress: bipartisan resource development was reborn by its decision to build this great structure and symbol of progress and plenty.

As I close this speech, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram which I received from Mr. Fred R. Russell, president, Local 9201, CWA, AFL–CIO, Portland, Oreg. He is president of the local chapter of the Communications Workers of America. He is in favor of Hells Canyon Dam.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KANSAS CITY, MO., *June 20, 1957.*

The Honorable Senator WAYNE MORSE,
Floor of the Senate, Washington, D. C.:

We regret that you are unable to attend our convention tomorrow. We understand the importance of your remaining in Washington. We give you our wholehearted support.

FRED R. RUSSELL,
President, Local 9201, CWA AFL–CIO.

Mr. MORSE. I also ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a telegram which I received from Kansas City today, from the convention of the Communication Workers of America and the Oregon delegates thereto.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

KANSAS CITY, MO., *June 20, 1957.*

The Honorable Senator WAYNE MORSE,
Floor of the Senate,
Washington, D. C.:

The 11th constitutional convention of the Communication Workers of America at Kansas City, Mo., today unanimously passed a resolution to prevent the continuation of the building of the two small dams by the Idaho Power Co. and work for the full development of our rivers by building a high dam at Hells Canyon on the Snake River.

Oregon delegates and members at the Communication Workers of America, AFL–CIO 11th annual convention: Fred R. Russell, James O. Manley, Bernice E. Jones, Wesley D. McDuffee, Buckley T. Strader, Theodore H. Sutton, William M. O'Kelly, R. G. Fisher, Ronald E. Hathaway, Lawrence A. Peterson, D. G. Ward, Ronald A. Halen, and Sheila T. Russell.

Mr. MORSE. Mr. President, I also ask to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Against Hells Canyon Wall" published in the June 18, 1957, issue of the St. Louis Post-Dispatch.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the St. Louis Post-Dispatch of June 18, 1957]

AGAINST HELLS CANYON WALL

As the Hells Canyon bill come to the floor of the Senate for debate and vote, one thing seems generally agreed. This will be the final back-to-the-wall stand to retain the richest remaining waterpower resource in the country for the people of the United States.

The opponents in Congress of a Federal project at Hells Canyon will have a lot to explain to the American public.

What they are opposing is maximum development of the great Snake River Gorge for electric-power production, flood control, irrigation benefits, and incentives to the manufacture of farm fertilizers from western phosphate ores.

What they are advocating is a limited development which will cost the American people as much electric power as the prime output from Bonneville Dam, nearly three-fourths the flood-control capacity of a maximum project, all the irrigation benefits, and all the incentives to phosphate-fertilizer production.

As a supreme irony, the proponents of this willful waste at Hells Canyon contend it will save the taxpayers money?

The opponents in Congress of full resource development at Hells Canyon are going to have a particularly hard time explaining to the people of the Pacific Northwest. That region, booming industrially, needs every kilowatt of power it can get. Its growth will be stunted with anything less than full development of its power resources.

The people of the Pacific Northwest are not going to understand how wasting a great block of power at Hells Canyon—how preventing it from ever being produced—is going to save them money.

The people of the United States as a whole are not going to understand how they can save money by giving the Idaho Power Co. a great natural resource on which the private utility expects to earn millions.

Idaho Power has not made the paradox any less paradoxical by the testimony of its president, T. E. Roach, to the Senate Judiciary Antimonopoly Subcommittee.

Mr. Roach said the tax treatment the Government has allowed his company on its projected dams at Hells Canyon will not take a single solitary penny away from the Federal Government.

Mr. Roach did not explain how his company is getting anything from the Government in the tax arrangement if the Government is not giving anything—or why, if Idaho Power is getting nothing, it went to so much trouble to get it. And Mr. Roach did not explain at all how his tax deferments square with the representation on which his company obtained licenses from the Federal Power Commission—that the projects would not cost the Government 1 cent.

Mr. Roach was still harder to follow on flood control. He said his company would supply, free of cost, flood control worth $1 million a year.

Presumably Mr. Roach based his contention on the trickle-down theory—that no matter how little a power dam and reservoir are operated in the interest of flood control, some flood control will result.

This is not always true, and sometimes it is the reverse of the truth. Sometimes a choice must be made between releasing water for control of expected floods, and keeping it for power production.

Did Mr. Roach mean he would choose a loss in power output in order to control a flood? We do not believe his stockholders would like to hear him say so.

And of course Mr. Roach does not say how he could compete with the flood control of a public dam having several times the reservoir capacity of his inadequate projects.

All told, the advocates of giveaway and throwaway at Hells Canyon are going to have much to explain. Let's listen carefully.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

POINT 4 PROGRAM FOR AMERICAN INDIANS—PETITION

Mr. HUMPHREY. Mr. President, not long ago I received from a lady in California a letter urging me to support Senate Concurrent Resolution 3, sponsored by the Senator from Montana [Mr. MURRAY], providing a point 4 program for American Indians.

I agree with everything that Mrs. Johnson, the writer of the letter, has to say; and I ask unanimous consent that the letter be printed in the RECORD, and appropriately referred.

There being no objection, the letter was referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

CLAREMONT, CALIF., *June 6, 1957.*

The Honorable HUBERT H. HUMPHREY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: Under the present administration, Indians are losing 500,000 acres annually. Commissioner Emmons was trying to arrange leases for one-third of the large Navaho Reservation. On another he had 7 real-estate agents and was trying to get 5 more. The present policy of relocating Indians, too often in city slums, is not right, as the majority are far from being prepared to cope with conditions into which they are thrust.

Indians are far too rapidly losing their subsoil wealth as well as timber on reservations, although it is the duty of the BIA to protect their interests. For these reasons, won't you please do your utmost to have Senate Concurrent Resolution 3, Senator MURRAY's bill for a point 4 program for Indians, passed immediately?

An additional reason is that more just treatment of Indians may partially counteract foreign peoples' ideas of us due to treatment of Negroes.

You can do untold good by getting the Senate to pass this legislation. Indians are a truly fine race and can be a valuable national asset. The BIA seems to be doing its best to make them a liability.

Very sincerely,

CLARA STURGES JOHNSON.

ADDITIONAL REPORTS OF A COMMITTEE

The following additional reports of a committee were submitted:

Mr. BIBLE. Mr. President, from the Committee on the District of Columbia, I report favorably, with an amendment, the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," and I submit a report (No. 477) thereon. I ask unanimous consent that the report be printed, together with minority views.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nevada.

Mr. BIBLE. Also, from the Committee on the District of Columbia, I report favorably, with an amendment, the bill (H. R. 6306) to amend the act entitled "An act authorizing and directing the Commissioners of the District of Columbia to construct two 4-lane bridges to replace the existing 14th Street or Highway Bridge across the Potomac River, and for other purposes," and I submit a report (No. 478) thereon.

The PRESIDING OFFICER. The report will be received, and the bill will be placed on the calendar.

ISSUANCE OF SPECIAL NONQUOTA VISAS TO ELIGIBLE ORPHANS—ADDITIONAL COSPONSOR OF BILL

Mr. NEUBERGER. Mr. President, I ask unanimous consent that the name of the junior Senator from Idaho [Mr. CHURCH] be added as an additional cosponsor of Senate bill 866, authorizing the issuance of not to exceed 10,000 special nonquota immigrant visas to eligible orphans. The Senator from Idaho has asked that his name be included as a cosponsor of the bill the next time it is printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in adjournment until 11 o'clock a. m. tomorrow, in accordance with the order previously entered.

The motion was agreed to; and (at 10 o'clock and 34 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until tomorrow, Friday, June 21, 1957, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate June 20, 1957:

COMPTROLLER OF CUSTOMS

Albert Cole, of Massachusetts, to be Comptroller of Customs with headquarters at Boston, Mass. (Reappointment.)

UNITED STATES ATTORNEYS

The following-named persons to the positions indicated:

Laughlin E. Waters, of California, to be United States attorney for the southern district of California for a term of 4 years. He is now serving in this office under an appointment which expires July 17, 1957.

George Harrold Carswell, of Florida, to be United States attorney for the northern district of Florida for a term of 4 years. He is now serving in this office under an appointment which expires July 1, 1957.

James W. Dorsey, of Georgia, to be United States attorney for the northern district of Georgia for a term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

Frank O. Evans, of Georgia, to be United States attorney for the middle district of Georgia for a term of 4 years. He is now serving in this office under an appointment which expired June 9, 1957.

Henry J. Cook, of Kentucky, to be United States attorney for the eastern district of Kentucky for a term of 4 years, vice Edwin R. Denney, resigned.

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 20, 1957

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, as we continue in the business of this new day, may we carry on without fear.

May our lives be blessed with that spirit of integrity which remains strong and steadfast in times of hardship and adversity, of trial and temptation.

Inspire us with the glad assurance that when we have conscientiously and honestly tried to do our very best, then we may confidently leave the issues in Thy hands.

Grant that we may appreciate and understand more fully that the measure of our faith and trust in Thee will be the measure of our courage and joy.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

A message from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who informed the House that on

the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On May 17, 1957:

H. R. 676. An act to authorize the city of Rock Hill, S. C., to acquire certain tribal lands on the Catawba Indian Reservation, S. C.

On May 21, 1957:

H. R. 2401. An act to provide for the reconveyance of certain land to the city of Spearfish, S. Dak.

On May 23, 1957:

H. R. 1544. An act to provide for the conveyance of certain real property of the United States situated in Cobb County, Ga., to the trustees of the Methodist Church, Acworth, Ga.

On May 27, 1957:

H. R. 4897. An act making appropriations for the Treasury and Post Office Departments and the Tax Court of the United States for the fiscal year ending June 30, 1958, and for other purposes.

On May 31, 1957:

H. R. 1400. An act for the relief of Mitsuko A. Hachita;

H. R. 1983. An act to provide for the conveyance of the reversionary interest of the United States in certain lands to the Clint Independent School District and the Fabens Independent School District in the State of Texas, or to either of them, and for other purposes;

H. R. 2781. An act to amend the act entitled "An act to authorize the Secretary of the Navy to enlarge existing water-supply facilities for the San Diego, Calif., area in order to insure the existence of an adequate water supply for naval installations and defense production plants in such area," approved October 11, 1951;

H. R. 4285. An act to authorize the sale of degaussing equipment by the Department of the Navy to the owners or operators of privately owned merchant ships of United States registry;

H. R. 5832. An act to increase the retired annuities of the civilian members of the teaching staffs of the United States Naval Academy and the United States Naval Postgraduate School; and

H. J. Res. 133. Joint resolution for the relief of certain spouses and minor children of citizens of the United States.

On June 1, 1957:

H. R. 2018. An act to permit any State of the United States or any political subdivision of any such State to purchase from the District of Columbia Reformatory at Lorton, Va., gun mountings and carriages for guns for use at historic sites and for museum display purposes; and

H. R. 2797. An act to amend title 10, United States Code, to authorize the Secretary of a military department to furnish stevedoring and terminal services and facilities to commercial steamship companies, and for other purposes.

On June 4, 1957:

H. R. 6454. An act to amend the act for the retirement of public-school teachers in the District of Columbia, and for other purposes.

On June 5, 1957:

H. R. 2146. An act to amend the Small Reclamation Projects Act of 1956;

H. R. 5788. An act making appropriations for the Executive Office of the President and sundry general Government agencies for the fiscal year ending June 30, 1958, and for other purposes;

H. J. Res. 247. Joint resolution for the relief of certain aliens.

On June 11, 1957:

H. R. 6871. An act making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1958, and for other purposes.

On June 13, 1957:

H. R. 790. An act to amend the Legislative Appropriation Act, 1955, with reference to official office expenses of Members of Congress;

H. R. 5110. An act to amend the Federal Property and Administrative Services Act of 1949, as amended, and for other purposes;

H. R. 6700. An act making appropriations for the Department of Commerce and related agencies for the fiscal year ending June 30, 1958, and for other purposes; and

H. R. 7234. An act to fix the responsibilities of certifying officers and disbursing officer of the Library of Congress.

On June 17, 1957:

H. R. 53. An act to consolidate into one act, and to simplify and make more uniform, the laws administered by the Veterans' Administration relating to compensation, pension, hospitalization, and burial benefits, and to consolidate into one act the laws pertaining to the administration of the laws administered by the Veterans' Administration;

H. R. 2493. An act to authorize the Secretary of the Interior to permit the construction of a bridge and road across Chincoteague National Wildlife Refuge, and for other purposes; and

H. R. 4136. An act to extend the period within which Export-Import Bank of Washington may make loans.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund.

FEDERAL LOTTERY BILL AS A MEANS TO REDUCE TAXES

Mr. FINO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, in the past week, very discouraging news has come to Mr. and Mrs. American Taxpayer. The hard-pressed wage earners who spend nearly one-third of their working day to pay their taxes have been dealt another severe blow.

The taxpayers in this country have been told by our fiscal experts that all hopes for tax relief this year are gone. Little hope is held for even next year. Practically all of these economists who have testified before the Senate-House Economic Subcommittee have ruled out a tax reduction during a time of rising Government spending. This, to say the least, is the most disheartening news for our overburdened taxpayers to swallow—especially, when there is little chance of cutting Federal spending in the future.

Mr. Speaker, we can still brighten our taxpayers' hope for a tax cut if we are sincere in our desire to bring relief to our people. If the Members of this Congress would banish hypocrisy and display intestinal fortitude by voting for my National Lottery Bill, we can lighten this unconscionable tax burden from the shoulders of our American wage-earners.

Mr. Speaker, for years I have urged the adoption of a national lottery because of the tremendous revenue that can be legally tapped. I am convinced that a Government controlled and regulated lottery will bring into the treasury $10 billion a year which can well provide a tax cut for everyone.

If the Members of this Congress will remove the blinders and open their eyes to this painless and voluntary form of taxation we will not only solve our national fiscal problems but provide, in addition, sorely needed tax relief for our American taxpayers.

Mr. Speaker, now is the time for action—now is the time to make our tax-relief dream a reality. A recent news poll taken in every section of the country and from people in every income bracket showed that 59 percent of those interviewed favor my Federal lottery bill as a means to reduce taxes.

Mr. Speaker, the American taxpayers want a tax reduction now and we can give it to them if we demonstrate the same kind of courage that our forefathers showed when they ran lotteries to raise the funds necessary to carry on their fight for independence and in their struggle to build up this land of ours.

EXCISE TAX TECHNICAL CHANGES ACT OF 1957

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 270 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, and all points of order against the bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. DELANEY. Mr. Speaker, I yield one-half of my time to the gentleman from Ohio [Mr. BROWN], and at this time

I yield myself such time as I may consume.

Mr. Speaker, House Resolution 270 provides for the consideration of H. R. 7125, reported unanimously from the Committee on Ways and Means.

House Resolution 270 provides for a closed rule and 2 hours of general debate. All points of order against the bill are waived and only amendments offered by direction of the Committee on Ways and Means are in order. Such amendments are not subject to amendment.

H. R. 7125 provides for a revision of the technical and administrative provisions of the Internal Revenue Code relating to Federal excise taxes. The Committee on Ways and Means and its Subcommittee on Excise Taxes have worked on this revision for almost 2 years.

Title I of the bill is the first overall technical revision of the general excise tax provisions since 1932. Numerous changes are made in retailers', manufacturers', and similar types of excise taxes. The provisions relating to the communication and documentary stamp taxes, and the credit and refund provisions have been rewritten.

Title II is concerned with the provisions of the code relating to taxes on distilled spirits, wines, beer, tobacco products and firearms. It provides for a system for the payment of tobacco taxes by returns rather than by stamps, and also contains a provision advancing the due date for the payment of the special occupational taxes in the case of alcoholic beverages.

It is estimated that the annual loss of revenue as a result of this bill, if enacted, will be less than $15 million. The bill is primarily concerned with changes in the law to correct excise-tax inequities, clarify the law, and improve the administration thereof.

I urge the adoption of this resolution so the House may proceed to the consideration of H. R. 7125.

Mr. BROWN of Ohio. Mr. Speaker, the gentleman from New York [Mr. DELANEY] has very ably and adequately explained the purpose and content of this resolution, which would make in order the consideration, under a closed rule, waiving points of order, the bill H. R. 7125 which, as many of the Members will notice, is a very complicated and very comprehensive document containing a great deal of technical material and technical changes in our Internal Revenue Laws as worked out by the Committee on Ways and Means and approved unanimously by the membership of that committee.

Mr. Speaker, I have no requests for time and I yield back the balance of my time.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. COOPER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the RECORD prior to the passage of the bill; also that all Members of the House desiring to do so may have 5 legislative days within which to extend their remarks on this bill.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Tennessee.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 7125, with Mr. DELANEY in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. COOPER. Mr. Chairman, I yield myself 10 minutes, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, H. R. 7125 has required almost 2 years of concentrated work. It merits the endorsement and support of every Member of this House, for it will greatly benefit citizens all over the country by correcting numerous inequities and deficiencies in the field of excise taxes, at the cost of a very modest net revenue loss, estimated to be $15 million annually. This small cost is particularly impressive when we realize that excise taxes produce $10 billion in revenues.

H. R. 7125 is entitled, "A bill to make technical changes in the Federal excise-tax laws, and for other purposes." This title is aptly descriptive of the intent of the proposed legislation, but does not fully show the broad scope of the numerous technical and administrative improvements that will be achieved by its enactment. Time does not permit a detailed exposition of the many changes, but in a moment I will point out, in summary fashion, the more significant provisions. Some idea of the range and extent of the measure is indicated by the fact that the bill contains 429 pages of statutory changes, while the committee report explaining the reasons for, and the purposes and technical effects of, the provisions requires 212 pages.

Many of the recommended changes are the result of extended public hearings held at intervals in 1955 and 1956. The great public interest shown in this subject is illustrated by the published transcripts of the hearings, which comprise four volumes, containing nearly 2,200 pages of public testimony.

The bill is divided into two principal parts, designated as title I and title II. Title I contains the first overall technical revision of the general excise-tax provisions since 1932, the year when many of these provisions were adopted. It also contains numerous changes in virtually all classes of miscellaneous excise taxes. The basic objectives of the changes were to eliminate inequities, discriminations, and competitive disparities and to achieve a greater degree of certainty and simplicity.

One example of discrimination that exists today results from granting exemption to public schools on their purchases of articles subject to either retailers or manufacturers excise taxes, while not extending such an exemption to nonprofit private schools. The bill corrects this by providing an exemption from these taxes on articles purchased by nonprofit educational organizations that meet certain existing income tax exemption requirements. The bill also extends a similar exemption to payments for services or facilities that otherwise would be subject to the taxes imposed on communications or the taxes on the transportation of property or persons.

A measure of competitive equality is provided for manufacturers selling taxable articles at retail and to retailers under certain conditions. Under existing law, manufacturers' excise taxes that are based on sales prices are levied on the actual prices for which articles are sold, except in the case of sales at retail or sales not at arms length. In these instances a tax base may be set which often is lower in the first instance and higher in the second, in an effort to achieve some measure of equality with normal types of sales. The bill provides a downward adjustment in tax base for sales to retailers and provides a generally lower base than at present in the case of sales at retail.

Instances of competitive discrimination corrected in the bill are illustrated by additions to and deletions from the list of articles specifically subjected to a manufacturers excise tax under the general category of electric, gas, and oil appliances, and that of radio and television sets, phonographs, and so forth.

A typical inequity in present law relates to the tax on leases of articles subject to a manufacturers' excise tax. Except in the case of certain utility trailers, the law requires the tax to be paid on all payments received from leases. This frequently results in more tax being ultimately paid on leased articles than is paid when the same article is sold. The bill corrects this disparity by limiting the tax on leased articles to the amount of tax due when the same article is sold by the same manufacturer at retail.

The exemption from retailers' excise tax now permitted for clock movements sold with control or regulatory devices, such as thermostats, is extended by the bill to apply to complete clocks that are parts of, or replacements for, such devices.

The various sections of present law providing for certain types of exemptions from manufacturers' excise taxes are consolidated in the bill and made as simple and uniform as possible.

The bill will relieve a manufacturer from tax liability on sales where he in good faith accepts a certification by the purchaser that the article will be used in accordance with the stated eligible

exempt purpose, thus preventing what would be a manifestly unfair assertion of tax because of the acts of other persons of which he had no knowledge and over which he had no control.

In the case of the taxes on precious and semiprecious stones and on luggage, the listing of articles subject to tax is made quite specific to provide greater certainty.

Under present law, places that cater to young people by offering snacks and light nonalcoholic refreshments along with space for dancing to mechanical music are subjected to the cabaret tax of 20 percent on their receipts. Many feel that such milk bars were not intended to be taxed as cabarets. The bill exempts them from the cabaret tax.

Similar relief is extended to boys clubs and other nonprofit organizations by exempting them from the occupational tax on bowling alleys and billard and pool tables providing no charge is made for their use.

The bill makes several changes in the tax on club dues. One of these provides a more equitable basis for payment of dues tax on life memberships than now is available. Another provision will exempt dues paid for the construction or reconstruction of a club facility. This exemption will not be extended, however, to initiation fees or amounts paid for the purchase of land or already existing facilities. In the case of nonprofit swimming pools or nonprofit swimming clubs of the community or neighborhood type, however, exemption will be provided both for dues and initiation fees.

The sections of the Internal Revenue Code pertaining to the communications tax have been completely rewritten in the bill to provide more practicable rules and definitions. In addition, certain changes will be made in present exemptions to eliminate various discriminations.

An exemption from the tax on the transportation of persons is provided by present law for automotive taxes. To provide equality of treatment, the bill extends a similar exemption to air taxis.

Exemption from the tax on the transportation of property by ferryboat is provided by the bill, thus ending the present discrimination in favor of tunnels and bridges, and eliminating many administrative problems.

The artificial and unrealistic distinctions that exist because of the present basis for documentary stamp tax on stock issuance is remedied by imposing a tax of 10 cents on each $100—or major fraction—of the actual value of the stock issued, without regard to whether the stock is par or no par. Further equality is provided by imposing the tax on the total stock issued in a day rather than on each individual transaction.

A similar imbalance exists on sales or transfers of stock because of the present basis of the transfer tax. As in the case of the issuance tax, the transfer tax is to be computed on the actual value of the stock transferred without regard to whether it is par or no par. The rate of 4 cents per $100—or major fraction—of the actual value is expected to produce approximately the same revenue yield as the present base but in a much more equitable fashion.

The bill contains several other documentary stamp tax amendments that will result in fairer treatment and will prevent unwarranted excessive or double taxation in certain instances.

Provision is made for assertion of the wagering tax against runners or agents who receive wagers but do not disclose the required information about their principals.

In rewriting the important credit and refund sections of present law, provision for new types of credits and refunds is made to correspond with new exemptions provided elsewhere in the bill, such as that for nonprofit educational organizations. In addition, certain inequities are corrected.

Turning now to title II of the bill, you will see that it is concerned with the provisions of the Internal Revenue Code relating to the taxes on distilled spirits, wines, beer, tobacco products, and firearms. The provisions relating to distilled spirits have been completely rewritten, incorporating a general technical revision, the first since shortly after the Civil War. In addition, the occupational tax provisions relating to wholesale and retail dealers in alcoholic beverages have been revised. The sections of the law relating to wines, beer, and tobacco products were changed and modified at the time of the enactment of the 1954 code, but the bill makes some further limited changes in the case of the taxes on these products.

In general, the purposes of the changes in distilled spirits are to modernize the laws and to provide greater uniformity. In addition, they are intended to facilitate utilization of plans and equipment for national emergency purposes, to eliminate artificial statutory distinctions between similar operations, and to establish a more efficient system of liquor tax administration.

The bill permits the classification of a distilled spirits operation as being one single functional unit, thus creating substantial simplification in qualifying requirements and in operating procedures.

Many distillers have substantial stocks of older age spirits. If the present 8-year limitation on the bonding period of such spirits were not changed, these distillers would suffer severe financial hardship through being required to pay tax on stocks which many feel it would be impossible to sell without glutting the market. To prevent this, the bill extends the present bonding period to 20 years and permits limited commingling of spirits of different ages with the end product taking the age of the youngest spirits mingled for purposes of determining the expiration of the bonding period.

Under present law, no recovery is permitted of tax paid on distilled spirits which are subsequently lost in the course of rectifying and bottling by permitting such refunds or credit within certain limitations. It also makes available refunds or credits of tax paid on distilled spirits which are later found to be unsuitable for the purpose for which they were withdrawn, if the distilled spirits are destroyed or in some cases returned to bonded premises and reprocessed. Comparable credit and refund provisions for beer are provided.

Mr. Chairman, the provisions I have mentioned are only some highlights of the many beneficial provisions in the bill. As indicated by their general characteristics, the bill was not intended to, and does not, deal with the general question of excise tax rates or the desirability of adding or deleting entire tax categories. I realize that many Members of this House are understandably concerned over matters in these general areas. Later, separate consideration of these subjects is contemplated by the Subcommittee on Excise Taxes and the Committee on Ways and Means.

The public hearings referred to, and studies made in connection with them, showed that some of the existing excise tax provisions were outmoded. Others had created considerable confusion and uncertainty on the part of taxpayers and the administrative agencies. Still others, as has been seen, have resulted in inequities. A vast amount of work has gone into these findings and the recommendations contained in the bill are the result. In fact, it has not been possible to include in this bill all of the technical and administrative changes that probably should be made. The additional points of this nature are currently under consideration. In the meantime, though, the provisions of this bill will strengthen the existing Federal excise tax structure, in that they will substantially increase the fairness and equity of the present excise tax laws, and will improve their administration. The benefits to be gained by the many taxpayers directly affected and by the people in general should be made available to them as soon as possible.

I am deeply gratified that this bill has been a bipartisan accomplishment, and that the favorable reporting of it by the Committee on Ways and Means has been unanimous. I urge the House to approve the measure in similar fashion.

Mr. REED. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I support the bill, H. R. 7125, that is before this distinguished committee today and join my esteemed colleague, the gentleman from Tennessee [Mr. COOPER], in urging the membership to support the enactment of this measure. The title of the bill is descriptive of its content. It is called the Excise Tax Technical Changes Act of 1957. That is exactly what the bill does. It is a technical revision of our Federal excise-tax structure.

I will not endeavor to provide a detailed explanation of the bill at this time. The subcommittee hearings and the committee report accompanying the legislation are available and can be referred to by the Members having an interest in a specific aspect of this legislation.

H. R. 7125 is intended to improve the technical simplicity and administrative certainty with respect to the applicability of certain excises. The bill accomplishes these changes at what we are told is a minimum revenue loss. There are many other improvements and

changes that could be made in the excise provisions of our Federal tax law, but, for the most part, these changes would entail somewhat greater revenue loss.

It will be recalled that at the time the Congress was working on the Internal Revenue Code of 1954 it was necessary that we omit making a substantive revision of the excise tax provisions of the code because of the time limitation that was necessarily imposed on our endeavors. It will also be recalled that the Congress did accomplish substantial reductions in excise tax rates in 1954. H. R. 7125 is not an excise tax rate reduction bill. It is merely a revision of the technical and administrative provisions of the excise-tax law which constitutes the first such revision of the general excise tax provisions since 1932. The bill contains numerous changes pertinent to the miscellaneous excise taxes and rather basic changes in the area of the communications taxes and the documentary stamp taxes. In addition, the credit and refund provisions have been entirely rewritten. Title II of the bill relates to the provision of the code concerning the taxes on alcoholic beverages, tobacco products, and firearms.

It is to be expected that the changes contemplated by the bill will be of benefit to the taxpayers directly affected by the tax and that some of the provisions of the bill will be of general interest to the American people. The membership of this committee should support this legislation in the interest of improving our Federal excise tax structure. Accordingly, Mr. Chairman, at this time I urge my colleagues to vote in favor of passage of H. R. 7125.

Mr. Chairman, I might remark that one thing we have to remember when we require a great deal of revenue is that Great Britain placed quite a bit of emphasis on income from excise taxes. One reason why she did not suffer so severely during the depression as we did is that the excise taxes will hold up during a depression while the income tax will vanish into thin air. We have been through that experience. In spite of the fact we would like to eliminate many of the excise taxes, as a matter of fact, sound fiscal policy requires that we raise an appropriate share of the total revenue from excise taxes.

Mr. COOPER. Mr. Chairman, I yield 15 minutes to the chairman of the subcommittee and author of the bill, the gentleman from Rhode Island [Mr. FORAND].

Mr. FORAND. Mr. Chairman, my two colleagues who have preceded me, the distinguished chairman of the Committee on Ways and Means [Mr. COOPER] and the also distinguished ranking Republican member of that committee [Mr. REED] have gone into some detail as to what is contained in this bill now before us. I am going to try to avoid repetition and for that reason I am just speaking from notes and not from a manuscript.

Mr. Chairman, I do want to call your attention to the fact that while the bill H. R. 7125 contains 429 pages, it is only the first step in the revision of the excise tax code. Our committee has worked diligently for practically 2 years now, as has been said before, to try, for the first time in 25 years, to produce a major revision of the excise tax code which had become so complicated that even the men in the department charged with the responsibility of administering the law were unable to agree among themselves as to the meaning of several of its sections. In fact, because of the very nature of excise taxes not being considered as a major revenue-producing part of the code—that is, the revenue for our expenses—by employees of the Internal Revenue Service, the excise-tax schedule has been considered sort of an orphan child and for that reason has been neglected in more ways than one.

It is true that in 1954 we had a major revision of the entire tax code, with the exception of the excise-tax schedule, that required the Bureau of Internal Revenue to rewrite many of its rules and regulations, with the result that the orphan child was neglected again to the point that today if a corporation or an individual wants to go into the department-store business, for instance, where they handle thousands of items, and they go to the Bureau of Internal Revenue seeking light, wanting to know which items are subject to the tax and which are not, the best information they can get is a copy of the rules and regulations of 1941, which, of course, leaves them up in the air, because these are outdated.

Now, when the representatives of the Bureau of Internal Revenue were before our committee, the committee members questioned them as to why that was so, and we were told then that they had to devote their time to new regulations based on the 1954 code; that they did not have the personnel necessary to assign to the excise-tax section, in addition the regular staff they had. I inquired whether or not a request had been made for additional personnel. First I was told: No, no request had been made. Then later on it was said that a few new employees had been requested but it was difficult to get men experienced in the excise-tax field to do the work. This work, of course, being technical, as it is, requires experts. So, it was suggested to the Department that perhaps the best thing for them to do was to seek personnel in the lower levels and promote those who had been gaining experience right along so that they would have the experts handy.

When our committee first started to work on this technical and difficult bill, the committee felt certain that we would have a great deal of help from the Treasury Department tax officials, the Internal Revenue Service, the staff of the Joint Committee on Internal Revenue, and the staff of the Ways and Means Committee. It was thought that we would have the viewpoint of the administration and we would have the viewpoint of the Congress, but we would not actually have the viewpoint of the consumer, the taxpayer. For that reason the committee set out to hire some experts from the outside. It was a difficult task getting qualified men to come in and do this work, because most of the people engaged in tax work, it appears, are very familiar with income tax, corporate tax, inheritance tax, gift tax, and and so forth, but very few specialize in excise tax except men employed by some of the private concerns in this country. But, we were fortunate in getting three such experts. And, they are so humble; they do not want to be called experts, but I say they are, and we are very thankful because they brought a new viewpoint before the committee. While all of the staffs worked together, and every member of every staff that worked for us deserves commendation and congratulation, there was always that difference of viewpoint to the extent that when the staffs reported to the committee, instead of getting a unanimous report, we got reports from three different groups, and then the committee itself made the decision as to what should be adopted, and that is what you have before you now.

Now, I realize how technical this material is, and for that reason our committee insisted that the report that we would file on the bill would be a comprehensive one.

I invite the Members of the House to look at this report. You will find in every section explanations of what the present law is, what the changes are, and what the effect will be. So, if there are any questions in your minds regarding the items contained in H. R. 7125, if you will just take the trouble, you will find the answer and you will find it in good, easy-to-read English.

Now, in addition to what we are doing in this bill, I believe that all should know that, as a result of the studies and of the conferences held with the Department officials, a great deal has been accomplished that will never appear on paper. Many of our suggestions for improvement in the bureau relative to excise taxes have been adopted. More are under consideration, and we have periodically requested the Internal Revenue Service to give us a report of progress. We are keeping tab on the improvements as they are being made.

Now, the documents which I hold in my hand seem bulky. They are the result of the hearings held by our committee. And, right here I want to pay tribute to the members who served with me on the subcommittee for giving up so much of their time after Congress adjourned in 1955 and again after Congress adjourned in 1956. Like every other Member of this House, each and every one of us would have liked to be home, in our own districts, but we realized the importance of the work we were doing. We realized that excise taxes touch everybody directly or indirectly. We felt that we were rendering a service that the taxpayers of the country would appreciate and for that reason willingly gave up the time that we felt we should have spent at home to be here in Washington, working on this very, very important material.

It has been said before that this was just the beginning. I can assure you that it is only the beginning. When we started this work 2 years ago, I asked the legislative counsel's office how long it would take for them to draft a bill

based upon the report that we made in April of 1956, and I was told then that it would take at least 2 years to write up the draft of a bill encompassing the recommendations that were in this report. I could not believe it. But I assure you, Mr. Chairman, I believe it now because I have seen it; and the legislative counsel's office also deserves tremendous commendation, a real pat on the back, because they have done an excellent job.

They found, when they started to draft this bill, that they had no guideposts, that they had to start practically from scratch. And if any of you are interested in reading technical matter I invite you to spend a few of your evenings going through this bill. I think it will put you to sleep in a very short time; that is how dry it is.

We brought in our first report in April of 1956, then a second report in December of 1956. In fact, we had difficulty getting under the wire, getting our report to the Printing Office in time so that it would still be a part of the 84th Congress. But in addition to that, there has been prepared already a summary of excise-tax points and problems warranting further study. That was due to the fact that in June of last year I introduced a bill, H. R. 12298. All of us on the committee realized then that that bill would not even be considered by the House, but we believed in fairness and justice to the people who pay the taxes and to those interested in excise taxes that we should give them something to look at which represented the thoughts in the minds of the committee as to the changes that we planned to recommend.

I issued a press release inviting all who were interested in excise taxes to study the material in that bill so that they would be able to come before the committee in the fall—and they did last November in large numbers—and give us the benefit of their study. In other words, we were working on the theory that what we wanted to do was as good a job as could be done, and for that reason we limited ourselves more or less to the points that were incorporated in this first bill introduced in order to bring this bill to the floor here today. Other material, other suggestions offered to us are to be studied in the future, but it was our thought that if we could get at least this portion of the revision through the House this year it would get over to the other end of the Capitol where we hope it will be acted upon without delay. We hope that at least this much of a change will be put into effect during this Congress and thus bring a great relief to many people and make the administration of the Excise Tax Code so much simpler, so much easier.

Mr. REED. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, just as I left Mr. REED's desk he said I could have more than 5 minutes if I wanted it. I do not know whether I want more than 5 minutes, but I would like to have as much time as necessary to say what I think of this important legislation. This is indeed very important legislation. Practically every person in the country is interested directly or indirectly in this proposed legislation. It involves millions upon millions of dollars every year. Still it is not anything brandnew. It is not unusual in that respect. But it is general. The country is so big we have to have lots of money. We have to go in every direction in order to get it.

Here is one thing I observed in the conduct of the committee in the preparation of this legislation. I never saw such big, broad legislation handled in such a fine way. In other words, anybody in the country who had a complaint had an opportunity to come in and present it to the committee.

I want to compliment the chairman of the subcommittee on which I served. That is, the subcommittee of which Mr. FORAND acted as chairman. He took a great interest in this matter. I can say for him that everybody and anybody in the whole country, who wanted to, could come in and tell his story.

Then we would see to it that the person on the other side of the subject would have his chance to come in and tell his story.

So I say this to you that as one of your servants, we worked on this matter ceaselessly and without any politics or any favoritism, but for the best interests of the country and the best interests of all the people.

The Ways and Means Committee divided into 2 groups, and 1 group was to give consideration to the excise taxes and the other group was to give attention to Internal Revenue taxation. This word "excises" is a comparatively new word in the field of taxation. We have been using it for only about 10 years. But what does "excises" mean? What does it include? It includes all the usual commodities we use. It is a great, broad, wide subject. We have taken it up, and with very good results.

The 25 members of the Committee on Ways and Means and a whole lot of assistants, and the Treasury, which has a whole lot of assistants, tried these different plans out. We heard them day in and day out, and finally we voted out this bill that we are passing on today. We have brought to you the very best we could do, and now I, for one, recommend its passage.

We had to do something about the tax situation. We had to change the situation somewhat. .We have changed these excise taxes. I think you will find that after this law goes into effect that you and your constituents will be much better satisfied. They will know better what to expect and you will be more able to answer their questions when the time comes, because you can say this was the work of 25 men who had worked at it assiduously, with probably 30 or 40 or maybe 50 of the best experts in the country.

Of course I am going to vote for this bill and am going to vote for it with pleasure, because I feel that we, the members of the Ways and Means Committee, have given this task our very best attention. I do want to say to all of you that I think you can go back home to your constituents and say, "While this bill might be faulty in some respects, it is not willfully faulty in any respect."

Again I say to you, my colleagues, that this is one of the most important pieces of legislation that we have been called upon to consider. It deals with practically all the commodities with which we deal. It will bring into the Public Treasury millions of dollars which we must have if our great country can continue to do great things.

I shall support this measure because our great country needs it.

Mr. COOPER. Mr. Chairman, I yield 15 minutes to a member of the subcommittee, the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, no one who has had an opportunity to have anything whatever to do with the pending bill would be doing justice to the tremendous amount of work it represents, if he did not pay his respects to our distinguished and congenial chairman of the subcommittee, the gentleman from Rhode Island [Mr. FORAND] whose masterly skill and patience with which we are all familiar, has stood him in good stead on many occasions. I, too, would like to include for well-deserved plaudits the obviously unselfish and devoted work of the staffs of the full Committee on Ways and Means, the Subcommittee on Excises, the Joint Committee on Internal Revenue Taxation, the Treasury Department and the Internal Revenue Service. If I have omitted anyone to whom well-deserved plaudits are due that omission is, of course, accidental and not by design.

The pending bill, as has been said in several instances before now, is a good bill and one deserving the support of the membership of the House. What I should like to call to your attention is one provision in title II of the bill.

Title II of H. R. 7125 is generally good legislation, and is highly desirable from the viewpoint of both government and industry. It represents the first revision since the 1860's of the laws under which the alcoholic beverage industry is operated.

This proposed revision has been under study by the Ways and Means Committee and the Treasury Department for a number of years. During this period representatives of the industry have cooperated fully with both branches of the Government in this joint effort. Considerable progress was made during the 83d Congress, but time did not permit completion of the job at that time.

I quote from House Report No. 1337, 83d Congress, 2d session, Report of the Committee on Ways and Means to accompany H. R. 8300, a bill to revise the internal revenue laws of the United States, dated March 9, 1954:

> Page 95, article (or section) XXXIII paragraph C: "Due to a lack of time the revision of the distilled spirits provisions was more limited than in the case of the provisions relating to the other alcoholic beverage and tobacco taxes. In view of this, at the direction of your committee an Alcohol Tax Survey Committee of the Treasury Department is now working with a committee of the distilled spirits industry to consider further changes for submission to the next Congress."

Again in the 84th Congress time and a heavy calendar did not permit the

completion of this revision by the committee.

During the 84th Congress a subcommittee was appointed to consider this proposed code revision. Under the chairmanship of the gentleman from Rhode Island [Mr. FORAND] this subcommittee held extensive hearings, culminating in this present bill, H. R. 7125.

Title II of this bill pertains exclusively to the distilled spirits and tobacco industries. In the main it is noncontroversial. However, so that the record may be clear, and in the hope that a serious inequity may be corrected before the bill becomes a law, I direct your attention to that part of the legislation pertaining to the bonding period for distilled spirits.

Under the present law, distilled spirits must be removed from bonded warehouses at the end of 8 years, and the Federal excise tax of $10.50 per gallon paid at the time of withdrawal. This bill, H. R. 7125, would extend that bonding period from 8 to 20 years for existing stocks as well as future production. This is retroactive legislation. It means that some distillers who have manufactured their products under the present law will be discriminated against, because they do not have large stocks of spirits approaching the 8-year age.

One relatively small segment of the industry is seeking to take competitive advantage over the others because it happens to have accumulated large amounts of spirits which under this proposed law they will be able to retain in bond and, in future years, offer the public those spirits with a greater age. Whether older age makes for better quality is a disputed fact.

It has long been the policy of the Congress in amending laws, and the Treasury Department in promulgating regulations, to avoid any retroactive effects which would create competitive advantages. Illustrative of Congressional policy in this respect is the legislative history of the bonding period which has been amended twice since its enactment in 1868. The amendments adopted in 1878 and 1894 provided for temporary compensatory penalties on existing stocks held in bond for a period longer than the previously existing bonding period. In taking such action the Congress deliberately avoided the retroactive competitive advantages which are inherent in this proposed bill.

The distilled spirits industry is unique in that it must produce today for an estimated market of 4, 6, or 8 years hence. Each distiller is entitled to know, in planning his operations on the basis of existing laws and regulations at the time of production, that he will not be subjected to the threat of financial disaster by changes of a retroactive nature, which would favor any segment of the industry which, either by design or through circumstances, did not plan its operations in a prudent manner.

In a report to the chairman of the Committee on Ways and Means, dated December 31, 1956, the Honorable AIME J. FORAND, chairman of the Subcommittee on Excise Taxes, which held extended hearings before the introduction of H. R. 12298—84th Congress, the predecessor of the pending bill, H. R. 7125—had this to say in regard to the proposed bonding period extension:

> However, as a result of evidence adduced during public hearings, the subcommittee feels that it is necessary to call the attention of the committee to the fact that a substantial segment of the industry is not satisfied with the bonding period provisions of H. R. 12298. This segment of industry feels that enactment of the presently proposed solution to the bonding period problem, that is, extension of the bonding period for 20 years for existing stocks and future production as well, and at the same time for the mingling of older whiskies with younger whiskies to obtain relief from the bonding limitation, will result in a serious competitive disadvantage for persons who do not hold large stocks of distilled spirits which are nearing 8 years of age.
>
> The segment of the industry not satisfied with the bonding period provision in the bill proposes as an alternate solution that (a) the commingling of older whiskies with younger whiskies be permitted, with the older whiskies taking the age of the younger for bonding limitation and labeling purposes, (b) as an alternative to the commingly treatment, but as to existing stocks only, the retention of the distilled spirits in bond beyond the present 8-year period be allowed with a gage at the end of the 8 years and taxpayment at the time of withdrawal on the basis of the 8-year gage, and (c) as to future stocks only, the principle of unlimited bonding be adopted.

Mr. Chairman, it is my sincere belief that the solution suggested and which I have just read is the only fair solution to an obviously difficult problem. It is a solution that is consonant with the long-established policy and practice of the Congress with respect to the retroactivity of any suggested proposals of law. It is my prediction that before this pending bill, as worthwhile a piece of legislation as it is, is enacted into law the solution which must be appraised by all reasonable men as the fairest will have been included.

Mr. JENKINS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Chairman, I am in favor of the bill now before us. If I may ask your indulgence, however, I would like to speak about another matter which was presented to this House some time ago by the Committee on Ways and Means. I refer to the bill, H. R. 6191, relating to the application of the Social Security Act and the provision that we included in that bill which would make it possible for a veteran receiving service disability compensation to receive that compensation and also receive the disability benefits provided by this Congress in 1956 under the old-age and survivors' insurance system.

In the social security amendment of 1956 we provided for disability insurance benefits in a limited area. We also provided, because at that time we felt we should start this system on a limited basis, that any such benefit that might be payable under this system would be reduced by the amount of any periodic disability payment that an individual received under any other Federal program or under a State workmen's compensation law.

It came to our attention this year that this limitation produced a situation whereby a person receiving a disability compensation from the Veterans' Administration would in many cases not be eligible at all for the disability insurance benefits under the social security system, even though the disabilities may have arisen out of entirely different situations or circumstances, and even though the person may have been contributing for a great length of time under the social security system by paying the social security tax. When this matter came to the committee's attention we acted to remove this limitation by an amendment to the bill, H. R. 6191.

I call this situation to the attention of the House only because information which I have just received is that in another body the House bill, H. R. 6191, has been reported with this particular item deleted with the explanation: We should wait and see what experience we have under the old-age and survivors' insurance disability provision before we make any changes in the 1956 act."

I would suggest, Mr. Chairman, that the present state of the law is most unjust and inequitable as it relates to veterans who are receiving and are entitled to receive disability compensation. It is my understanding that disability benefits under the old-age and survivors insurance system will become payable the first of next month, July. If we delay in correcting this situation, it means that those veterans will not be able to obtain disability benefits under the old-age and survivors insurance system. They will either have their benefits reduced or eliminated completely.

Mr. Chairman, I would hope that action will be taken either in the other body to preserve the amendment that was put in the bill by the Ways and Means Committee and approved by this House or at least that our conferees will stand by the position of the House when the bill reaches that stage. It would seem to me, if experience is needed, they might better experiment and see what the experience would be with the amendment proposed by the House and then act, if action is necessary, rather wait and see what the experience is under the provisions of the Social Security Amendments of 1956 without making the change. I would say, Mr. Chairman, in justice to those veterans who may be entitled to both benefits, that this amendment should be adopted in the other body and it should be sent to the President for his approval.

Mr. COOPER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. MCCARTHY].

Mr. MCCARTHY. Mr. Chairman, when the preliminary action on the question of excise-tax rates was taken by the Ways and Means Committee, it was decided that the principal work of this subcommittee and the committee action following its report should be on technical changes, although, incidentally, some rate changes have been effected. A subcommittee, made up principally of the same people who worked so hard on this bill, is now authorized to consider the question of rate changes. As you know, there is widespread interest in a reduction of the excise tax on transportation,

particularly the transportation of property. There has been widespread advocacy of the reduction of the cabaret tax, of certain admission taxes, and other special excise taxes.

The committee is aware of the particular difficulties and, in some cases, of the inequities that exist in the present incidence of excise tax rates. The position taken by the Treasury Department for the most part has been one of opposition to excise tax rate changes on two grounds, principally: one, the loss of the revenue involved; and the other, that by reducing some excise tax rates we might establish other inequities. The committee for the most part has tried to stand by this position of the Treasury, but in doing so it is embarrassing to receive communications advising us that the Secretary of Labor, Mr. Mitchell, for example, in a public statement affecting the musicians union has come out for the removal of the cabaret tax.

EXTRACT FROM RADIO INTERVIEW OVER STATION WTIC, HARTFORD, MONDAY, MAY 20—PRINCIPALS: SECRETARY OF LABOR JAMES MITCHELL, REPRESENTATIVE EDWIN H. MAY, JR., REPUBLICAN, CONNECTICUT

Mr. MAY. Well, you know, interestingly enough, we have some people in the musicians union back home who have been unable to get employment—but necessarily because of age, though—but because of this cabaret tax—and I know that that particular segment of labor would be interested in your viewpoints on legislation to repeal that tax.

Mr. MITCHELL. I think that the cabaret tax (so-called—and it really is not a cabaret tax in the sense that we look at it) is discriminatory legislation and I think that it should be repealed, because it is not conducive to employment in the musicians' field.

Mr. MAY. I know you mentioned that you discussed that with Secretary Humphrey and so forth. * * * I see now that our time is almost up, Mr. Secretary. I'd like to thank you very much, for being on the program, and I'm sure the people enjoyed hearing from you.

Following that announcement I assumed that perhaps the administration had changed its position and communicated with the Treasury Department. The answer that I received from the Treasury Department after the Secretary of Labor had made a public speech in which he recommended that this excise tax be repealed was this:

TREASURY DEPARTMENT,
Washington, May 29, 1957.

Hon. EUGENE J. MCCARTHY,
House of Representatives,
Washington, D. C.

DEAR MR. MCCARTHY: This is in reply to your letter of May 28 to Secretary Humphrey, enclosing a release of May 21 from the American Federation of Musicians which referred to a statement by Secretary of Labor, James P. Mitchell, concerning the cabaret tax.

I understand that Secretary Mitchell's comment referred to what he would recommend when tax reduction becomes possible. Various departments and agencies within the executive branch of the Government doubtless consider different forms of tax reduction to be of particular importance. The Treasury Department has no predetermined position as to what form of reduction it would recommend. Recommendations for reduction will be made on the basis of all the facts existing at the time, taking account of all the various proposals from different sources inside and outside the Government.

Sincerely yours,

DAN THROOP SMITH,
Deputy to the Secretary.

So, thus, the Secretary of Labor has made public statements encouraging taxpayers to expect a tax reduction while the Treasury has been telling the committee that they are opposed to this tax reduction.

In somewhat similar vein, recently, the Vice President made a speech which was widely publicized in this country. He said the Congress should give serious consideration to granting a tax credit to people for money which was spent for educational purposes. A number of Members of Congress have sponsored legislation to accomplish that purpose. This is the position which the Treasury takes on legislation which recommends that very thing that the Vice President spoke for. The Acting Secretary of the Treasury replied to my inquiry and said:

TREASURY DEPARTMENT,
Washington, July 7, 1955.

Hon. JERE COOPER,
Chairman, Committee on Ways and Means, House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: Reference is made to your request for the Department's views on H. R. 4621 and H. R. 5429, bills "to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education."

These bills would provide a tax credit against individual income-tax liability equal to 30 percent of amounts paid for tuition to institutions of higher education, but not in excess of the amount of tax liability before this credit. H. R. 4621 would place no dollar limitation on the amount of the credit, while H. R. 5429 would limit it to $450 per year with respect to each student, without limitation on the number of credits allowed each taxpayer. The two bills differ in a number of other less-important respects.

These bills are intended to facilitate college attendance by reducing the net cost of college tuition. The question whether there is need for Government assistance in this area is outside the purview of this Department, and this report relates only to the question whether such assistance should take the form of a tax concession in the event that it becomes public policy to encourage enrollment in institutions of higher education.

The amount of assistance granted under these bills in connection with college tuition depends on the cost of tuition in the individual case, the number of students the taxpayer is sending to college, and the size of the taxpayer's tax liability before the credit. Those whose tax liabilities are less than the potential tax credit and those who have no income-tax liability would derive correspondingly less or no benefit. Since the tax value of the credit would bear no necessary relationship to the financial assistance required to enable the taxpayer to send a person to college, the program would necessarily be less efficient in terms of cost to the Government than if such assistance were granted as a direct subsidy, independent of the tax system.

Enactment of this legislation would reduce annual income tax revenues by an estimated $150 million. The ultimate revenue cost would probably be higher because if these bills were enacted, it would be difficult to confine the Government assistance to college tuition. A variety of related proposals have already been offered to your committee, including proposals for the deduction of: (1) college expenses, including tuition, room and board, (2) tuition paid to private secondary schools, and (3) educational expenses incurred by teachers or other professional persons for advanced occupational training.

The proposed legislation has important implications for the fairness of the income tax as well, since it would introduce an adjustment for an essentially personal expenditure. To the extent possible, income tax liability should be based on the taxpayer's net income and his family status without reference to his personal expenditures. Every departure from this principle reduces the amount of income subject to taxation, necessitating higher income tax rates generally than would otherwise be required to produce a given amount of tax revenue.

In view of the foregoing considerations, the Department strongly recommends against enactment of H. R. 4621 or H. R. 5429.

The Director, Bureau of the Budget, has advised the Treasury Department that there is no objection to the presentation of this report.

Sincerely yours,

DAVID W. KENDALL,
Acting Secretary of the Treasury.

The same time as the Vice President is making a public speech urging that Congress give serious attention to this kind of legislation the Treasury Department is recommending strongly against the passage of any similar legislation.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman.

Mr. BYRNES of Wisconsin. I wonder if the gentleman would put into the RECORD as part of his remarks the full report from the Department, so that all Members of the House would have complete information?

Mr. McCARTHY. I would be glad to put in the full report.

Mr. FRELINGHUYSEN. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman.

Mr. FRELINGHUYSEN. As the gentleman may know I, too, have a bill which would provide a tax credit to those who are paying for education for our young people. But I wonder if the gentleman's position is that because the Treasury Department reports adversely on a bill, that Congress may not hold hearings or consider actively the pros and cons of the question. It may be that the Department of the Treasury could be convinced that there are policy considerations which would override their normal conservatism in matters of this sort. The gentleman is not saying necessarily that because the Treasury Department is opposed to it that Congress is unable to take a look at a question of this kind?

Mr. McCARTHY. I have not said that. I said that it makes it difficult for us, if we accept the basic arguments of the Treasury Department in regard to the state of the Federal budget and their position with regard to tax cuts, to have the Vice President or someone else in the Cabinet make public speeches advocating what the Treasury Department is opposing.

Mr. KARSTEN. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Missouri.

Mr. KARSTEN. In view of all these conflicting statements, I was wondering whether that was part of the Republican workshop brainstorming program. Perhaps the gentleman can tell us about that.

Mr. McCARTHY. I do not know whether I want to get into that. I did note that in the program of the Young Republicans Conference now in progress, they do have a workshop on brainstorming listed. As I recall, brainstorming is a technique whereby a number of people sit down together and everyone is supposed to speak then under leadership, irresponsibly. They do not say that. They say without any inhibitions. Each is to say the first thing that comes to his mind. I believe the technique was developed by Batten, Barton, Durstine and Osborn. Under the rules no one is supposed to have any negative thoughts and none that are judgmental. This creates some difficulty, but in any case the expressions are supposed to be positive thoughts. Whether a workshop is needed to study this at the Young Republican Federation is a question. I think they could just make a case study of the activities of some members of the administration.

Mr. MASON. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Illinois.

Mr. MASON. To get back to the subject under consideration, the question that was raised as to whether the Congress and the committee could act and do act and do conduct hearings on tax matters that have been reported unfavorably from the Treasury, I would think the gentleman would want to call the attention of the House to the fact that our committee does act, does conduct hearings, and does sometimes even report favorably on bills that have been reported unfavorably by the Treasury and the departments.

Mr. McCARTHY. The gentleman is quite right. I would be quite willing to join with him in doing that very thing more often.

Mr. REED. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM of Iowa. Mr. Chairman, the committee report, on page 1, states that the bill now before us "is primarily concerned with technical and administrative changes designed to correct excise-tax inequities and competition disparities."

I was surprised, therefore, to learn from a good Iowa concern, the Maytag Co., that enactment of the bill in its present form would create for that company a competition disparity of grave proportions.

Section 115 provides that appliance manufacturers may use as an excise tax base the highest price they charge wholesale distributors, when they sell appliances directly to retailers. Now, all of Maytag's principal competitors sell primarily either to wholesale distributors or retailers. But Maytag sells also to a third group, called primary dealers. These are wholesalers who do not perform all the functions—especially in advertising and promotion—which a wholesale distributor normally performs. Hence, Maytag's price to this class is considerably higher than Maytag and its competitors charge regular wholesale distributors. It follows, then, that Maytag will have to pay a higher tax than will its competitors in sales to retailers, and thus will be placed at a competitive disadvantage. The company estimates this disadvantage at $1.025 per clothes dryer—an important amount in a highly competitive industry.

I understand that the entire industry asked the committee to base the tax on the lowest price to wholesalers, but that the Treasury objected on the ground of revenue loss. I also understand that this loss would be small in the appliance industry.

In behalf of the Maytag Co., as the last of the large independent home laundry manufacturers, I urge the committee to offer the necessary amendment to correct this inequity.

Mr. COOPER. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN. Mr. Chairman, it was my privilege to serve as a member of the reconstituted Subcommittee on Excise Taxes. The subcommittee held extensive hearings last fall and thoroughly reviewed the work of the original subcommittee. We had before us the omnibus tax bill, H. R. 12298, which was introduced during the closing days of the last session. This bill has been brought up to date and is presented today in the form of H. R. 7125.

I should like to take this occasion to compliment the distinguished chairman of the subcommittee, the gentleman from Rhode Island, for the capable and fair manner in which he conducted the hearings. At best, the subject of excise taxes is a difficult and complex one. We were fortunate to have as our chairman one of the outstanding experts on taxation. I know the other members of the subcommittee share the same feelings for the gentleman from Rhode Island.

The bill, I believe, is the best that can be devised under present circumstances. Many of us had hoped to go into the matter of rates and take some action in the pending legislation to lessen the oppressive burden of taxation in the excise-tax field. But the present fiscal situation of our country is such that the Secretary of the Treasury felt compelled to state that "no general tax reduction should be considered at the present time." The Secretary's representative who testified at length before the Excise Tax Subcommittee on various matters under consideration stated repeatedly that the Treasury would oppose any changes in our excise-tax laws which resulted in any substantial loss of revenue.

This means tax reduction will have to wait. To attempt tax reduction now under the present high-interest, high-budget, high-debt policy of the Republican administration might result in further increasing the national debt. A look at the recent history of the national debt is revealing. Following the close of World War II and the astronomical costs attendant upon that victorious endeavor, our national debt reached a peak in 1946 of $279.2 billion. During the last Democratic administration, this was reduced, so that by 1953, when the present Republican administration took over, the debt was $266.1 billion, or a reduction from the peak of over $13 billion. This also included the period of the Korean conflict and the high cost of that action.

The record shows that the Republican administration of President Eisenhower, in contrast, not only has not reduced the debt but has increased it. Thus, while the debt stood at $266.1 billion on June 30, 1953, it had advanced to $272.7 billion by June 30, 1956, or an increase of $6.6 billion in 3 years. As of March 31, 1957, it stood at $274.9 billion, or a total increase of $8.8 billion.

One of the planks in the Republican platform calls for "gradual reduction of the national debt." It has been so gradual that we are moving at a rather high rate of speed in the opposite direction.

Now, what has been the record of the Republican administration in the handling and management of the national debt? Five years ago, some 25.3 percent of the debt matured in 1 to 5 years, while today 31.2 percent matures in 1 to 5 years. This means more short-term debt comes up sooner for refinancing, at higher interest rates.

Also 5 years ago about 17.2 percent matured in 5 to 10 years, while today this figure is 12.5 percent, which is evidence of further deterioration. We know that in its recent refunding operation the Treasury had to pay extremely high rates, and even then could not refund all issues which came due.

What about the costs of handling the debt? It is a matter of common knowledge that the taxpayers are now having to pay higher and higher rates of interest on our huge national debt. According to figures compiled by the Library of Congress, there has been a rise of 10.6 percent in the computed annual interest rate on the total public debt from 1952 to 1956. This, however, does not reveal the entire story. This same study shows increases up to 55 percent in the cost of marketable security issues, which is the really significant area of our total debt insofar as the competition for money is concerned.

These figures present a startling and grave picture which should be of concern to all Americans. In the few short years of the Republican administration our debt has increased; it has been badly mishandled; and the cost of it has increased tremendously.

The conservative Wall Street Journal, in commenting on the situation, has said that "The plain, simple and incontrovertable fact is that the Government of the United States is in a fiscal mess." And another financial publication, Barrons, has charged, among other things,

that "While the Nation remains as solvent as ever, debt-management policy has come perilously close to bankruptcy."

Recognizing this extremely serious situation with which we are now confronted, a committee of the other body has recently embarked upon a study of our fiscal and financial policies and programs. It is my hope that this study will result in recommendations to clean up this "fiscal mess" of which the Wall Street Journal speaks. When that is accomplished, we can again start to make reductions in our national debt, and begin to plan for needed tax reductions for the American people.

Mr. COOPER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. Under the rule, the bill is considered as having been read for amendment.

No amendments are in order to the bill except the amendments offered by direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means, I offer a committee amendment which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. COOPER: Page 50, line 13, strike out all that follows "miles." down through line 20, and insert "For purposes of this section, the term 'premises,' when used with respect to any refinery, plant, terminal, or facility, means only the tract of land on or over which such refinery, plant, terminal, or facility is located; and if any refinery, plant, terminal, or facility is located on or over more than one tract of land, each such tract shall be considered a separate premises. In the case of any such tract of land, the term 'premises' does not include any easement or right-of-way to or from such tract of land."

Mr. COOPER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, present law provides an exemption from the tax on the transportation of oil by pipeline for any movement within the premises of a refinery, bulk plant, terminal, or gasoline plant, if such movement is not a continuation of a taxable transportation. Section 136 of H. R. 7125 expands and clarifies this exemption by extending it to two kinds of movements in addition to the existing type. These are movements, first, between 2 units of a refinery located on separate premises; and second, between 1 premises on which is located a refinery, bulk plant, terminal, or gasoline plant, and a separate premises on which is located storage, loading or unloading, or other usual facilities which constitute an integral part of the refinery, plant, or terminal. Exemption for these two types of movements is limited to instances where the distance between the separate premises is 25 miles or less.

The term "premises" is defined in section 136 as meaning only the tract of land on which is located the refinery, plant, terminal, or unit thereof. The bill specifies that the term does not include any easement or right-of-way to or from such tract of land.

In addition to pipelines situated entirely on dry land, there are pipelines that extend from a point on dry land to a point in or over a body of water. One example is a pipeline extending 25 miles or less from a refinery, plant, or terminal located on an ocean shore to a terminus over the ocean surface at which are located facilities for loading oil on vessels. In this example, permission for the construction and maintenance of the pipeline and the loading facilities over the water would have been granted, in the form of an easement or right-of-way, by the State having sovereignity over the waters involved. Some concern has been expressed that the present language in section 136 of the bill might not permit exemption for transportation under these circumstances.

The committee's intention was and is to make exemption from the tax available in such cases. The committee amendment makes it clear that no distinction is contemplated between refineries, plants, terminals, or facilities located on dry land and those constructed in or over water. The amendment also emphasizes the fact that the only easement or right-of-way meant to be excluded from the definition of the term premises is one that goes to or from a tract of land on which is located a refinery, plant, terminal, or facility. If the tract of land itself is occupied by virtue of an easement or right-of-way, such tract of land is to constitute a "premises."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, I offer another committee amendment which is at the Clerk's desk.

The Clerk read as follows:

On page 102, line 14, strike out "(H)" and insert "(G)."

The amendment was agreed to.

Mr. COOPER. By direction of the Committee on Ways and Means, I offer another committee amendment which is at the Clerk's desk.

The Clerk read as follows:

Page 103, after line 24, insert:

"SEC. 164. Payments with respect to gasoline used for certain nonhighway purposes or by local transit systems.

"(a) In general: Section 6421 (c) (payments with respect to gasoline used for certain nonhighway purposes or for local transit systems) is amended to read as follows:

"'(c) Time for filing claims; period covered.—

"'(1) General rule: Except as provided in paragraph (2), not more than one claim may be filed under subsection (a), and not more than one claim may be filed under subsection (b), by any person with respect to gasoline used during the 1-year period ending on June 30 of any year. No claim shall be allowed under this paragraph with respect to any 1-year period unless filed on or before September 30 of the year in which such 1-year period ends.

"'(2) Exception: If $1,000 or more is payable under this section to any person with respect to gasoline used during a calendar quarter, a claim may be filed under this section by such person with respect to gasoline used during such quarter. No claim filed under this paragraph shall be allowed unless filed on or before the last day of the first calendar quarter following the calendar quarter for which the claim is filed.'

"(b) Effective date: The amendment made by subsection (a) shall apply only with respect to claims the last day for the filing of which occurs after the effective date specified in section 1 (c) of this act."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point on the amendment just adopted.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXPLANATION OF COMMITTEE AMENDMENT TO H. R. 7125 PROVIDING FOR QUARTERLY REFUNDS TO USERS OF GASOLINE FOR NONHIGHWAY PURPOSES AND FOR LOCAL TRANSIT SYSTEMS

Mr. COOPER. Mr. Chairman, present law imposes a manufacturers excise tax of 3 cents a gallon on gasoline. One cent of this amount was added by the Highway Revenue Act of 1956. It was not the intention of that legislation to retain the additional 1-cent tax on gasoline that was used for certain nonhighway purposes, or in local transit service—subject to certain limitations. Accordingly, provision was made for refund, without interest, of the extra 1 cent per gallon directly to the ultimate purchaser of gasoline so used. Persons entitled to these refunds are permitted by the statute to file only one claim for each fiscal year ending June 30.

The committee believes that more frequent refunds should be available to large volume users in this category, so that the moneys to which they are entitled will be more readily available for use by them as working capital. To accomplish this, the committee amendment retains the present yearly refund arrangement in section 6421 (c) of the Internal Revenue Code, but adds a provision permitting a claim to be filed for a calendar quarter by any ultimate purchaser who is entitled to a refund of $1,000 or more with respect to gasoline used during such quarter for qualifying nonhighway or local transit purposes. Limiting quarterly refunds to claimants in this category will avoid the considerable administrative problems that would be created if they were made available to all persons eligible for refunds.

Under the amendment, eligibility for filing a quarterly claim is to be determined with respect to each separate calendar quarter. If an ultimate purchaser uses gasoline for both nonhighway and local transit purposes, his right to file a quarterly claim is to be determined by the aggregate amount refundable to him for the quarter. For a quarterly claim to be allowed it must be filed on or before the end of the following quarter. If this time limit is not met, the refund for the quarter still can be included in one claim filed at the close of the fiscal year ending June 30, along with any quarters for which the claimant's refund is less than $1,000.

Under the effective date provision of the amendment, quarterly claims may be

filed only if the last day for the filing of them occurs after the general effective date of the bill, which is the first day of the first calendar quarter which begins more than 60 days after the date of enactment. For example, if the bill were to become law at some point between August 2, 1957, and November 1, 1957, the effective date would be January 1, 1958. The earliest quarter for which a claim could be filed would be the quarter ending December 31, 1957, because the last day for filing that claim would fall after January 1, 1958.

This amendment is not expected to have any revenue effect.

Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: Page 104, line 1, strike out "SEC. 164." and insert "SEC. 165."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: Page 107, line 4, strike out "SEC. 165." and insert "SEC. 166."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: On page 151, line 11, strike out "manufacturing" and insert "manufacturer."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COOPER: On page 240, line 15, strike out "2516" and insert "5216."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, by direction of the Committee on Ways and Means I offer another committee amendment.

Amendment offered by Mr. COOPER: On page 243, line 19, strike out "(7)" and insert "(c) (6)."

The amendment was agreed to.

Mr. COOPER. Mr. Chairman, there are no further committee amendments to be offered to the pending bill.

Mr. LECOMPTE. Mr. Chairman, the committee report, on page 1, states that the bill now before us "is primarily concerned with technical and administrative changes designed to correct excise-tax inequities and competition disparities."

I was surprised, therefore, to learn from my constituent, the Maytag Co., that enactment of the bill in its present form would create for that company a "competition disparity" of grave proportions.

Section 115 provides that appliance manufacturers may use as an excise-tax base the highest price they charge wholesale distributors, when they sell appliances directly to retailers. Now, all of Maytag's principal competitors sell primarily either to wholesale distributors or retailers. But this company sells also to a third group, called primary dealers. These are wholesalers who do not perform all the functions—especially in advertising and promotion—which a wholesale distributor normally performs. Hence, Maytag's price to this class is considerably higher than this company and its competitors charge regular wholesale distributors. It follows, then, that Maytag will have to pay a higher tax than will its competitors in sales to retailers, and thus will be placed at a competitive disadvantage. The company estimates this disadvantage at $1.025 per clothes dryer—an important amount in a highly competitive industry.

I understand that the entire industry asked the committee to base the tax on the lowest price to wholesalers, but that the Treasury objected on the ground of revenue loss. I also understand that this loss would be small in the appliance industry.

In behalf of the Maytag Co., both as my constituent and as the last of the large "independent" home-laundry manufacturers, I urge the committee to offer the necessary amendment to correct this inequity.

Mr. RHODES of Pennsylvania. Mr. Chairman, I rise in support of H. R. 7125 for the purpose of discussing one particular section of the bill in which I am very much interested. First, I would like to commend the distinguished chairman of the Excise Tax Subcommittee, the gentleman from Rhode Island [Mr. FORAND], the able members of the subcommittee and the full committee, and their capable staff members who have worked so diligently on this complex excise tax bill.

Mr. Chairman, I refer now to the section 132 (b) of H. R. 7125 entitled "Nonprofit Swimming Facilities." This section amends section 4243 of the Internal Revenue Code of 1954 by exempting amounts paid as dues and initiation fees to neighborhood nonprofit swimming pool organizations from the 20-percent Federal excise tax on "social, athletic, or sporting clubs" under section 4241 of the code. This provision is an amended version of my bill H. R. 10113, 84th Congress, which I introduced on March 21, 1956. The bill was also sponsored in the last Congress by the gentleman from Maryland [Mr. LANKFORD] and the gentleman from Virginia [Mr. BROYHILL].

The Internal Revenue Service held that payments of dues and fees to these private nonprofit swimming pool organizations was subject to the 20-percent excise tax. It is my feeling that these groups, because of their many unique and beneficial services to the community, were not intended to be taxed within the definition of "social, athletic, or sporting clubs." The bill which I introduced was intended to grant these nonprofit groups statutory exemption from the 20-percent tax, as is now enjoyed by certain fraternal societies, orders and associations under section 4243 of the Internal Revenue Code of 1954.

Neighborhood nonprofit swimming pool associations have become increasingly popular in recent years in many parts of the country. These organizations serve many useful community purposes in providing healthful recreational outlets for our children, young people, and their parents. They furnish, on a privately financed nonprofit basis, recreational facilities which many local communities have been unable to supply because of burdensome tax levels resulting from the need for new schools, sewers, streets, parking lots, and other improvements which usually take priority over recreational facilities. I am convinced that these neighborhood swimming pools can do much to lessen juvenile delinquency by providing recreational opportunities near home where children and parents alike can enjoy themselves.

Experience has shown that the 20-percent Federal excise tax is a distinct handicap in the solicitation of members and in the financing of these swimming pool projects in many areas. I feel that these projects are worth while and that an excise tax exemption would provide the needed incentive to assist many more local group to build their own swimming pool facilities.

My original bill, as amended by the Forand subcommittee, was included in H. R. 12298, the omnibus excise tax measure introduced last July by the gentleman from Rhode Island [Mr. FORAND]. Hearings on this omnibus bill were held last fall. Witnesses representing nonprofit swimming pool organizations testified in favor of this provision of the bill. They described to the subcommittee the objectives, recreational values, financing arrangements, and operating procedures of their groups. Many other swimming pool organizations filed statements and resolutions with the subcommittee, in support of the tax-exemption proposal. The subcommittee and full committee recommended the adoption of this provision to encourage the construction of nonprofit swimming pools throughout the country. It is my understanding that there was no opposition to this proposal in either the subcommittee or the full committee.

Meanwhile, Judge W. Calvin Chesnut, of the Federal District Court for the District of Maryland, handed down a decision on May 14, 1957, which is closely related to this section of H. R. 7125. The case involved a suit against the Government to recover the excise tax paid by a couple of initiation fees for membership in a private nonprofit neighborhood swimming pool association located in Rockville, Md. Judge Chesnut ruled that amounts paid to the nonprofit swimming pool organization are exempt from the 20-percent Federal excise tax under section 4241 of the Internal Revenue Code of 1954. He held that such groups are not, in effect, "social, athletic, or sporting clubs or organizations," and directed a refund of the tax to the plaintiffs.

Mr. Chairman, I was naturally pleased with Judge Chesnut's decision because of the relief it affords persons who have already paid the excise tax on dues and fees for membership in nonprofit swimming pool associations. It also recognizes the principle that this tax was

never intended to be applied to these groups. I still feel, however, that the statutory exemption of these nonprofit swimming pool organizations should be written into law, as is provided for in H. R. 7125. This is not intended to impair in any way the right of those persons who have already paid the excise tax under section 4241 to file for refunds from the Internal Revenue Service on the basis of Judge Chesnut's decision. The language of section 132 (b) of H. R. 7125 merely reaffirms the intent of Congress that dues and fees, paid to such organizations on and after the effective date provided, shall not be subject to the 20-percent excise tax.

Mr. Chairman, it is my hope that the Government attorneys will not appeal the decision rendered by Judge Chesnut in this case. I feel that the decision is sound, equitable, and in the public interest and trust that the action of the House in adopting this statutory exemption provision for neighborhood nonprofit swimming pool organizations will make an appeal of the decision less likely.

Mr. FERNÓS-ISERN. Mr. Chairman, under leave to extend my remarks in the RECORD, I wish to clarify my position as the representative of and spokesman for the Commonwealth of Puerto Rico in the Congress of the United States, concerning certain sections of H. R. 7125, which refer to Puerto Rico specifically.

First, I refer to section 5064 (d) of the bill, which makes the provisions of section 5064 applicable to Puerto Rico, with respect to distilled spirits, wines, rectified products and beer of Puerto Rican manufacture brought into the United States and lost or rendered unmarketable or condemned, as a result of a major disaster as determined by the President, under the act of September 30, 1950—42 United States Code, 1855. The Commonwealth of Puerto Rico is the recipient of the taxes paid on such distilled spirits, wines, rectified products and beer of Puerto Rican manufacture, and the Commonwealth of Puerto Rico evidently should be willing to reimburse the taxpayers in cases where the distilled spirits, wines, rectified products, and beer, upon which such taxes have been paid, are rendered unmarketable, or have been condemned as a result of a major disaster. The Commonwealth recognizes this obligation completely. As a matter of fact, the Commonwealth of Puerto Rico has recently adopted legislation to authorize the Secretary of the Treasury of Puerto Rico to make payments equivalent to the taxes paid on distilled spirits, wines, rectified products, and beer of Puerto Rican manufacture, shipped to the United States and lost, rendered unsalable, or condemned by reason of a major disaster, including disasters in 1954. Below I am including the text of that law.

May I suggest, then, that it is unnecessary that such taxpayers be reimbursed by the Federal Treasury, even though the Treasury be reimbursed from moneys collected for Puerto Rico by a delegate of the Federal Treasury stationed in Puerto Rico. For the taxes to be refunded are collected in Puerto Rico before shipment of the taxable merchandise to the mainland, and the collections are supposed to be covered into the Treasury of Puerto Rico. Under section 5064, the delegate of the United States Treasury is being directed to deduct from his collections in order to reimburse the United States Treasury.

Second, I refer to section 5314 of H. R. 7125, which makes applicable to Puerto Rico the provisions of chapter 51 of the Internal Revenue Code. The application to Puerto Rico of this chapter of the code appears to be in conflict with section 9 of the Puerto Rico Federal Relations Act, as continued by section 4 of Public Law 600 of the 81st Congress. Public Law 600, 81st Congress, was enacted in the nature of a compact with the people of Puerto Rico. Section 9 of the Puerto Rico Federal Relations Act provides that internal-revenue laws of the United States shall not apply in Puerto Rico.

It is true that the provisions of section 5314 of H. R. 7125 are intended to facilitate the shipment of denatured alcohol from Puerto Rico to the mainland. The expenses incurred by the Treasury of the United States, in the application of this part of the Internal Revenue Code to Puerto Rico, are to be reimbursed by the Treasury of Puerto Rico. I am most agreeable that Puerto Rico pay these expenses.

But because of the apparent conflict aforementioned, there is a strong possibility that undesirable lawsuits and other legal complications may arise. In order to dissolve such conflicts and, at the same time, attain the objectives which have motivated the extension of this part of the Internal Revenue Code to Puerto Rico, I have introduced H. R. 6043, which is now pending before the Ways and Means Committee and which may soon be reported on by the Treasury Department. I hope that when the time comes for this latter bill to be considered, there will be a meeting of the minds and a formula found for attaining the common objectives of all concerned in this matter without real or apparent legal conflict.

House Bill 274

An act to authorize the Secretary of the Treasury of Puerto Rico to make payments equivalent to the taxes paid on distilled spirits, wines, rectified products and beer of Puerto Rican manufacture shipped to the United States and lost, rendered unsalable, or seized, by reason of a major disaster, including disasters occurred in the United States in the year 1954.

Be it enacted, etc.—

SECTION 1. (a) When the President of the United States shall determine under Public Law 875 of the 81st Congress, approved September 30, 1950, that a major disaster, as defined in said act, has occurred in any area of the United States, the Secretary of the Treasury shall pay, without interest, a sum equivalent to the amount of the taxes paid or determined on distilled spirits, wines, rectified products and beer of Puerto Rican manufacture shipped to the United States and lost, rendered unsalable, or seized by a duly authorized officer by reason of a disaster occurred in said area in the United States, if said distilled spirits, wines, rectified products or beer were held for sale on the date of such disaster. The payments authorized by this section shall be made to the person possessing said distilled spirits, wines, rectified products or beer for sale at the time of such disaster.

(b) No claim shall be granted under this section unless (1) the same has been filed within 6 months from the date the President of the United States made the determination that the disaster referred to in subdivision (a) of this section occurred; and (2) the claimant furnishes evidence, to the satisfaction of the Secretary of the Treasury, to the effect that—

(A) he has not been compensated by insurance or otherwise for the tax paid on the distilled spirits, wines, rectified products, or beer covered by the claim; and

(B) he is entitled to the payment authorized by this section.

Claims made under the provisions of this section shall be processed according to the regulations the Secretary of the Treasury may prescribe.

(c) Whenever the Secretary of the Treasury shall make any payment within the scope of the powers vested on him by this section with regard to the tax on distilled spirits, wines, rectified products, or beer seized by a duly authorized officer, or rendered unsalable, said distilled spirits, wines, rectified products or beer shall be destroyed under the supervision required by the Secretary, unless said distilled spirits, wines, rectified products or beer have been already destroyed under supervision satisfactory to the Secretary.

SEC. 2. The provisions of this act shall also apply to those distilled spirits, wines, rectified products and beer of Puerto Rican manufacture shipped to the United States and lost, destroyed as unsalable, or seized, as a result of the hurricanes that swept part of the United States territory in the year 1954, and to which refers Public Law 363 of the 84th Congress, approved August 11, 1955, except that (1) claims made under the provisions of this section with regard to taxes paid or determined on distilled spirits, wines, rectified products or beer shall be filed with the Secretary of the Treasury within 90 days from the date of the taking effect of this act; and (2) the payments shall be made to (a) the person who held for sale the distilled spirits, wines, rectified products or beer at the time of the disaster; or (b) to any distiller, rectifier, manufacturer or dealer who has restored to the person holding for sale said products at the time of the disaster the complete equivalent of the distilled spirits, wines, rectified products, or beer so lost, rendered unsalable, or seized, without having received any compensation, payment or credit whatsoever with regard to the tax levied on said distilled spirits, wines, rectified products or beer.

SEC. 3. The Secretary of the Treasury is hereby authorized to prescribe the regulations necessary for the enforcement of this act.

SEC. 4. For the purposes of this act, the terms "Secretary" and "Secretary of the Treasury" shall mean the Secretary of the Treasury of the Commonwealth of Puerto Rico.

SEC. 5. This act shall take effect on the date of its approval.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DELANEY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, pursuant to House Resolution 270, he reported the same back to

the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

POST OFFICE DEPARTMENT SUPPLEMENTAL APPROPRIATIONS, 1958

Mr. GARY, from the Committee on Appropriations, reported the joint resolution (H. J. Res. 379, Rept. No. 579) making supplemental appropriations for the Post Office Department for 1958, which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. CANFIELD reserved all points of order on the joint resolution.

Mr. GARY. Mr. Speaker, I ask unanimous consent that it may be in order to consider this resolution on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

SUSPENSIONS IN ORDER ON MONDAY, JUNE 24

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to recognize on Monday next Members to suspend the rules on certain bills.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution No. 274 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That during the consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, all points of order against the bill are hereby waived.

CALL OF THE HOUSE

Mr. CURTIS of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 117]

Ayres	Farbstein	Robeson, Va.
Bailey	Fisher	Sadlak
Barden	Healey	Scherer
Baumhart	Hillings	Taylor
Beamer	Holifield	Teller
Blatnik	Holtzman	Thompson, N. J.
Blitch	Kearney	Vursell
Bowler	Keeney	Walter
Buckley	Krueger	Wharton
Celler	LeCompte	Widnall
Coudert	McConnell	Williams, Miss.
Dawson, Ill.	McIntosh	Wilson, Calif.
Devereux	Machrowicz	Zelenko
Dorn, S. C.	Murray	
Edmondson	Powell	

The SPEAKER. On this rollcall, 386 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield.

Mr. McCORMACK. Mr. Speaker, I simply want to remind the Members that at 2:30 p. m. this afternoon, a distinguished visitor to our country, the Prime Minister of Japan, will be the guest of the House. I urge all Members to keep the hour in mind so that they will be in the Chamber at 2:30 p. m.

Mr. MADDEN. Mr. Speaker, this resolution is merely a continuation of the full debate which took place last week on the bill H. R. 6794. The resolution merely calls for the waiving of all points of order on this legislation.

Mr. Speaker, I have no requests for time on this side and I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as the gentleman from Indiana so ably explained, House Resolution 274 makes in order the further consideration of the bill, H. R. 6974, under a rule that waives all points of order against the bill. The bill, H. R. 6974, as many of you will recall, was before the House a week or 10 days ago, at which time a point of order was made against it on the ground it was an appropriation bill and had not been cleared by the Committee on Appropriations. The measure was then withdrawn from the floor and a rule was applied for, granted waiving points of order. H. R. 6974, would extend the Agricultural Trade Development and Assistance Act of 1954 and would increase from $3 billion to $4 billion the amount that could be expended for shipment and sale of surplus food and commodities abroad. It would also increase, in title II, the amount of money to be used for relief purposes for needy persons, both here and abroad, from $500 million to $800 million.

I have requests for time on this side. Does the gentleman from Indiana have any such requests?

Mr. MADDEN. No; I do not.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Speaker, it has been pointed out what the issue is going to be in this particular bill. It is a rather simple one to grasp. It is a question of fiscal responsibility. As a matter of fact, as I tried to point out in the debate on this bill last week, if we do not do something about tying down these counterpart funds which will be generated in this bill in some fashion, the Congress is just going to lose complete control, as we already have, over these expenditures.

The bill as it presently will come before us in effect will bypass the Foreign Affairs Committee as far as authorization of these particular projects is concerned, it will bypass the Appropriations Committee as far as going into the details of how these moneys should be appropriated for the various items that you will find in the committee report on page 8.

Looking at these items on page 8 you will see that they are the identical type of items that come before the House under the foreign aid authorization bill and will be coming before the House in the next week or two under the foreign-aid appropriation bill. It actually makes something of a mockery of both the Foreign Affairs Committee and the Appropriations Committee in trying to get hold of and gain a grasp of what is being done in the name of the foreign aid program.

It is my understanding that an amendment will be offered which will try to tie these down to normal Congressional procedure.

I want to emphasize this basic point for the Members who are on the Committee on Agriculture: This is in no sense an attempt to interfere with the disposal of these surplus agricultural products abroad. I am just as anxious as any Member of this House to see that disposal programs go forward. I think, however, the argument that was used during general debate on this bill that tying down the expenditure of counterpart funds that have been generated would interfere with the disposal program, is specious. In other words, the argument was advanced that in order to dispose of agricultural surpluses you had to make some sort of contract or understanding with the country that was going to take them, that the funds were to be used for the building of schools in that country, for example, or possibly a student exchange program, and so forth, and that if you did not have the immediate authority at that very time to go ahead and do it, it might interfere with the disposal of agricultural surpluses.

As a matter of fact, that is not so. I hope the membership will listen to what I have to say, for we are talking about an additional billion dollars, a billion dollars that is going to be spent in foreign aid. I think the House and the committee have been quite concerned about this entire subject of foreign expenditures. Next week or the week following when we will have the foreign-aid appropriation

bill upon the floor we are going to be wasting our breath, I submit, unless we do something about subjecting these funds that will be generated into counterpart funds to the same type of control that we presently have over the normal expenditures of our Federal funds.

Incidentally, in a recent hearing before our Joint Economic Committee Mr. Brundage, the Director of the Bureau of the Budget, and the Secretary of the Treasury, Mr. Humphrey, appeared before us. I asked them the question: "What control does the Bureau of the Budget have over these counterpart funds that are generated through the disposal of these agricultural surpluses?" And he said in effect: "While it does not come up under our normal budgeting processes, we do pay some attention to it."

I suggested at that time to him that it ought to come in under the regular budgetary control.

I asked the Secretary of the Treasury in the reporting and in the estimates of expenditures of our Federal funds whether or not the Treasury Department listed the expenditures of counterpart funds, and he said: "No, it is not listed." He said in effect: "We do not have the same control over it because some of these funds are deposited in foreign countries in banks designated. But I say in some instances, though, some funds are deposited in banks not designated by the Treasury Department." This is a real serious question of fiscal responsibility and it is something that I hope the House will pay serious attention to. In my judgment, unless we do pay this attention, I again say that we will be just wasting our breath in the coming weeks when we start discussing the details of the foreign-aid appropriation bill.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Texas.

Mr. ALGER. I would like to commend the gentleman and to associate myself with his remarks.

Mr. CURTIS of Missouri. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I am opposed to this rule but certainly not opposed to the principle contained in the legislation which will relieve us of our surplus farm products. I think the purpose of the bill is excellent, I think it can be used, but, certainly, to bring in a rule now to prevent the points of order that were raised when the bill was before us seems to me not the way to legislate.

You will note on page 8 of the report—we discussed this during general debate before—that here are funds for the International Exchange Program of $17 million. Just a few days ago this House passed the regular appropriations bill and we granted the exchange program, as I recall it, something over $22 million. Now, within a few days comes this bill, over which the Appropriations Committee has no control, that gives them an additional $17 million. You also have here "translation and publication" involving a million dollars plus. There again in a regular appropriation bill passed just a few days ago, this House worked its will upon the amount of money that should be used for this purpose. The House reduced the budget request from $144 million to $106 million, then in conference it was cut down further. So the Congress has worked its will. But here under this pending bill, with no control whatsoever by the Appropriations Committee, these additional funds can be allocated to the various agencies. There is another one for information and education, $7,400,000.

Mr. ROONEY. Mr. Speaker, will the distinguished gentleman yield?

Mr. BOW. I yield to the gentleman from New York.

Mr. ROONEY. I should like to inform the distinguished gentleman from Ohio and the Members of the House with regard to the very matters that the distinguished gentleman from Ohio is now discussing that I have prepared an amendment which is acceptable to the Chairman and the Committee on Agriculture, requiring the United States Information Agency and the Department of State to come before the Appropriations Committees of both bodies and justify their requests for the expenditure of Public Law 480 funds.

Mr. BOW. I will say to the distinguished gentleman from New York, who is chairman of the subcommittee, that under this bill and the report thereto a house for the attaché of the Agriculture Department could be built. Does the gentleman's amendment cover that, so that the committee will be consulted with reference to this housing abroad?

Mr. ROONEY. The amendment I propose will not cover exactly that. On that proposition I offered an amendment to this very bill on June 4 last which was defeated by a division vote of 103 to 45. I did my best. Now, I am trying to salvage whatever I can for the Congress and taxpayers out of the morass.

Mr. BOW. I should like to say to the House here we have a bill with all of these funds where attaché housing abroad can be built with these funds. We do not know what kind of housing they are going to build. It may outdo the Ambassador. All of these foreign building operations are controlled, and we appropriate each year a certain amount for foreign buildings.

Mr. ROONEY. I am confident that no Government agency, including the Department of Agriculture, would attempt to start a program with regard to housing such as was mentioned in the report of the committee on the pending bill after reading the debate in connection with this bill. I would be utterly amazed if anyone would have the audacity to go ahead with such a program.

Mr. BOW. I will say to the gentleman that is true, and I am surprised here to see an amount of over a million dollars that can be used for that purpose without any control. We do not know what these funds are going to be used for.

On this matter of housing and the making of these contracts, and I will use foreign buildings as an example, in our appropriations we allowed $18 million of foreign currencies for these buildings abroad. Those currencies have been generated by agreements such as these. The control of the use of the funds does not affect in any manner the making of the agreements. I think there was confusion here several weeks ago that by having this control by the Committee on Appropriations we were attempting to control the type of contracts that could be made with these countries. That is not the fact. The Appropriations Committee would not in any way affect the contracts that could be made for the disposal of this property. The Appropriations Committee in all of these other instances is concerned only with the manner in which the counterpart funds or the foreign currencies are used.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from North Carolina.

Mr. COOLEY. I just wanted to ask the gentleman if he does not realize that the President of the United States is charged with the responsibility of carrying out the authorizations in existing law. Last week we referred to this bill as some sort of an appropriation bill. Actually, it is not an appropriation bill at all. I think the gentleman is apprehensive about something that is not at all likely to happen.

Mr. BOW. If the gentleman did not feel it was an appropriation bill, why did the gentleman ask that the Committee rise?

Mr. COOLEY. I made it perfectly clear at the time that I had every indication to believe that the Parliamentarian and the Chair would at that time have sustained the point of order, but I still maintain that the Parliamentarian was wrong in his views. This is not an appropriation bill, and in my own time I will give the House the benefit of certain information regarding the manner in which these transactions are finally consummated. I did say also that the language we used in the bill with reference to the possible building of some houses or buying of some houses for our attachés was probably ill advised. We put it in the report because it is only an indication by the committee of some advantageous use that the money could be applied to.

Mr. BOW. I say to the gentleman that that is the one concern that some of us had; that there may be other ill advised uses, not by the Department of Agriculture but perhaps other departments. May I ask the gentleman who will control these funds and determine where they will be put?

Mr. COOLEY. The President of the United States, in the first instance; the Bureau of the Budget has its say-so about it; the Secretary of Agriculture to whom certain authority has been delegated by the President would also have some authority in the matter; the Secretary of State.

Mr. BOW. May I ask this: If the Bureau of the Budget is going to have some authority in this mater, what objection can the gentleman have to the Committee on Appropriations of the House having control of these funds as they do in all other cases where these pro-

grams are made and these funds are used? What is the objection?

Mr. COOLEY. I have broad objections to it. It is incompatible with the very genesis of the act itself. The act itself is not an appropriation bill, never has been, and never will be. It authorizes your President and mine to exercise certain authority granted him.

Mr. SCHENCK. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Ohio.

Mr. SCHENCK. Mr. Speaker, I am very much in favor of this type of legislation for the disposal of surplus food and also to help our friends. At the same time I want to associate myself very clearly with the gentleman from Ohio [Mr. Bow] in that these counterpart funds should be completely and carefully and fully controlled, as the gentleman has suggested.

Mr. BOW. I thank the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, when people talk about this bill and about controlling funds, they are talking, apparently, about an appropriation. That is not the purpose of this act. The purpose of this act is to sell produce and not get the proceeds of those funds and put them in the hands of the Committee on Appropriations. It would not be possible to initiate these agreements if that is what you intend to do.

Those who are for a trade program to sell agricultural products, they had better be on one side, and those who are for making this an appropriation bill should get on the other so that there will be no doubt about where you stand.

I want to say that the purpose of this act, when we first drew it, was for the sale of agricultural produce, and this bill was drawn consistent with that purpose in mind. I have lived with this thing from the time it was first initiated, and I think I know something about the purposes of the act. But, if you are going to put an amendment on here to put these counterpart funds under the control of the Committee on Appropriations, you might just as well repeal this law. You cannot start out, if you have had any experience with or talked to any of these countries about purchasing agricultural products with that kind of thought in mind. They are not interested in coming back to an Appropriations Committee to make an agreement. Many of these countries in the very beginning, may I say, have to rig their own currencies, in effect. They have to build up the volume of their currencies on the books, so to speak, in order to take advantage of this agricultural trade program. That is what many of those countries are faced with. They are not going to do it if they have to depend upon an Appropriations Committee to say that the agreement is approved. The President of the United States cannot make contracts nor the Department of State nor the Department of Agriculture if they have to come back to the Appropriations Committee finally to get an appropriation.

Mr. Speaker, let me say this to my colleagues. I do not think there is any way by which you can take this bill and take the resulting funds therefrom and put them back in an Appropriations Committee if you are going to accomplish the purpose for which this act was set up. Those of you who are interested and really want to sell agriculture produce, I think, are going to have to take this act as it is presently written.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. CURTIS of Missouri. I wish the gentleman had spent more time developing why you cannot make these contracts, because I think the gentleman has not presented an accurate picture of what transpires in negotiating for or expending counterpart funds abroad. I might say further that if that is the basic issue, why did not the Committee on Agriculture develop that point? That is the very issue that is involved here. I do not think this can possibly interfere with the orderly disposal of surplus products.

Mr. SPRINGER. That is the point upon which the gentleman and I are in disagreement. I have talked to these countries. I know how these agreements are entered into. Once you start the kind of program the gentleman mentions, you could not sell any more agricultural produce, I can assure you of that. At least I will say that it would be severely curtailed.

Mr. MORANO. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. MORANO. The gentleman has made a very forceful statement with which I agree. I would like to ask the gentleman whether or not any attempt was made previously to put this under the control of the Committee on Appropriations, when this bill was before us?

Mr. SPRINGER. I will say this. I heard all the debate and I do not recall anything like that that was brought up the other day. I will not say that it was not, but I just do not recall it, but I am pretty sure that it was not.

Mr. MORANO. If the argument that is made lies against it today, it should have been valid when we had the matter up before.

Mr. SPRINGER. What we are actually doing, in effect, is transferring Commodity Credit produce for the purpose of making a sale. In effect, that is what you are doing. I think it is the position of the committee and the chairman that you do not have a genuine appropriation in this particular instance.

Mr. MORANO. In effect what the gentleman is saying is that if this amendment is tacked onto this bill, there is going to be no program for the sale of surplus agricultural products.

Mr. SPRINGER. I do not see how there could be. I have talked to these countries. I do not think they would be interested, because we have had some difficulty in selling to those countries even under the present arrangements. I know that they are not going to wait until the Appropriations Committee determines whether or not this is the kind of thing they are going to allow.

In the second place if you take the contracts back to the Appropriations Committee, they can refuse to appropriate this money and reject all these agreements.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. DELANEY. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Minnesota.

Mr. JUDD. Perhaps it might help to remind ourselves these countries do not have to buy these surplus commodities of ours. They buy them with their money. They will buy only if the currency they pay for them will be used in their country for purposes they approve. Under the arrangement that is proposed, we would take the money that they paid voluntarily to buy our goods and we would determine just how their currency was to be spent in their country. These countries simply will not buy as much of our surpluses under those circumstances. A country is willing to buy, for example, $10 million worth of surplus commodities, with the understanding, in the negotiations, that $2 million of the currency paid—rupees or yen, or whatever it is—is to be used for a certain purpose in that country; $4 million of it is to be used for certain other purposes in their country, and so forth. If the executive branch of our country cannot make an agreement with them, so that they know in advance what their currency is to be used for, even though we own it, having gotten it in exchange for our commodities, they are not going to buy our goods; that is all there is to it.

Mr. SPRINGER. May I say that the gentleman from Minnesota [Mr. JUDD] has hit it. We approach these countries, let me say that. They are not approaching us. We are approaching them in an attempt to sell. This is a part of the agreement entered into by the President, that these funds shall be spent in the manner prescribed. That is the principal inducement to the country to purchase those goods.

Let me say this to those gentlemen who are so interested in there being an appropriation. If you want later on under foreign aid to come in here and say that we are going to take into consideration what has been done under Public Law 480 and therefore we feel that foreign aid in other fields having to do with nonmilitary assistance should be reduced, that is your business. Maybe it ought to be reduced in the light of what Public Law 480 is doing. That is your own business, and maybe there is some justification for that, but do not interfere with this program which is working well now. If you feel there must be a reduction and you want to control it, then do it through the foreign-aid field, where you have the appropriation entirely under your control, and not cripple this program.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from North Carolina.

Mr. COOLEY. The Appropriations Committee is fully aware of what use is made of these counterpart funds. I have here in my hand a statement indicating exactly how the money has been used, and I will put it in the RECORD for the benefit of those who are not aware of it:

PUBLIC LAW 480

Title I of Public Law 480 authorizes the President to carry out a program for the sale of United States surplus agricultural commodities under agreements with friendly nations or organizations of friendly nations. In negotiating agreements, the President is required to (1) take reasonable precautions to safeguard usual United States marketings and assure that such sales will not disrupt world prices of agricultural commodities; (2) assure the use of private trade channels to the maximum extent practicable; (3) use the program to develop and expand continuous market demand abroad for agricultural commodities, with appropriate emphasis on underdeveloped and new market areas; (4) secure commitments that the commodities sold for foreign currencies will not be reexported except with specific approval; and (5) afford any friendly nation maximum opportunity to purchase United States surplus agricultural commodities, taking into consideration the objectives of the law.

The law provides that Commodity Credit Corporation funds shall be used to finance the sales and authorizes appropriations to reimburse CCC for its costs, including the acquisition cost of price-support commodities from CCC stocks which may be shipped under the program.

The President is authorized to enter into agreements with friendly nations or organizations of nations to use foreign-currency proceeds for one or more of the following purposes: (1) Development of new markets for United States agricultural commodities; (2) purchase of strategic and critical materials for the supplemental United States stockpile; (3) procurement of military supplies for the common defense; (4) financing the purchase of goods or services for other friendly nations; (5) promotion of balanced economic development and trade; (6) payment of United States obligations abroad; (7) loans to promote economic development and multilateral trade; (8) financing international educational exchange activities; (9) financing the translation, publication, and distribution of books and periodicals abroad in an amount not in excess of $5 million in any fiscal year; or (10) assisting United States sponsored colleges and institutions abroad.

The act generally authorizes the use of foreign currencies for these purposes without regard to section 1415 of the Supplemental Appropriation Act. Section 1415 provides that foreign currencies held by the United States may be used only as authorized in appropriation acts. However, the act does provide that at least 10 percent of the foreign currencies and any use of the proceeds for nonmilitary grants to foreign countries are subject to section 1415 unless that requirement is waived by the President. About 20 percent of the currencies are being held subject to section 1415 and are being sold to the various United States Government agencies for appropriated dollars which are returned to the Commodity Credit Corporation. To the extent the Corporation is not reimbursed by other agencies, the act authorizes an appropriation to make payment to CCC in an amount not in excess of $3 billion for the Corporation's investment in commodities used under the program including processing, packaging, transportation and handling costs, and for costs incurred in financing the exportation of commodities.

No transaction may be undertaken under title I after June 30, 1957, except as required to carry out agreements entered into before that time.

DELEGATION OF AUTHORITY

Executive Order 10560 delegates authority vested in the President for administration of Public Law 480. Primary responsibility for foreign currency sales is assigned the Secretary of Agriculture and to him are delegated all functions conferred upon the President by title I of the act which are not delegated elsewhere by the order. Some of these more important delegations to other departments include: Department of State—the negotiation and signing of agreements with foreign countries; Bureau of the Budget—the function of allocating and apportioning foreign currency to be used for each of the purposes authorized under the act and authority to waive the requirement that appropriated funds be used to cover grants and not less than 10 percent of the foreign currencies acquired; International Cooperation Administration—the determination of the manner in which foreign currency loans are to be made for economic development and promotion of multilateral trade.

The order also assigns to the different departments and agencies responsibility for the use of foreign currencies acquired under title I. The most important of these include: (1) Department of Agriculture—for agricultural market development; (2) Department of Defense—for currencies used to procure military supplies for the common defense; (3) International Cooperation Administration—for currencies used in making loans to promote economic development and multilateral trade; (4) all agencies having appropriated funds which may be used in foreign activities—for use of currencies which accrue for the payment of United States obligations abroad; and (5) Department of State—for international educational exchange activities, the publication of books and periodicals, and assistance to United States schools and colleges abroad. The Treasury Department has issued regulations governing the purchase, custody, deposit, transfer, and sale of foreign currencies received under title I sales.

INTERAGENCY RELATIONSHIPS

Public Law 480 is a complex law combining different purposes, affecting many aspects of domestic and foreign economic policy and involving activities of several departments and agencies. These facts made it imperative that the administration of the program be effectively coordinated. Accordingly, by direction of the President an Interagency Committee on Agricultural Surplus Disposal has been established "to assist the agencies concerned in bringing into harmonious action consistent with the overall policy objectives of the Government, the various agricultural disposal activities vested in them by, or assigned to them pursuant to, the act." This committee is chaired by a representative of the White House and includes as members senior officials of the Departments of Agriculture, Commerce, Treasury, and State, International Cooperation Administration, and Bureau of the Budget.

The President also asked the Secretary of Agriculture "to assure the effective coordination of day-to-day operations through appropriate interagency relationships." To achieve such coordination, the Secretary of Agriculture established a staff committee under the chairmanship of an Assistant Administrator of the Foreign Agricultural Service of the Department of Agriculture, and consisting of staff-level representatives of agencies on the Interagency Committee on Agricultural Surplus Disposal, as well as representatives of the Department of Defense, Office of Defense Mobilization, and Export-Import Bank. This Staff Committee is responsible for consideration of specific proposals for foreign-currency sales and for working out the provisions of agreements.

DEVELOPMENT AND NEGOTIATION OF AGREEMENTS

The safeguards and standards contained in the law necessitate careful planning of country programs. In many cases foreign governments have requested programs from the United States Government. However, the Department of Agriculture and other agencies of the United States Government have often developed programs and initiated informal discussions. In the initial stages, the two most important factors in the development of programs are the proposed commodity composition and foreign-currency uses. Frequently, informal discussions on these two points precede the start of formal negotiations.

Utilizing the service and experience of other agencies represented on the Interagency Staff Committee, the Department of Agriculture takes the lead in the review and final development of proposed country programs. For each country program an analysis is prepared indicating a suggested commodity composition and foreign currency use program. Also, negotiating instructions and a draft agreement are prepared. The proposed programs are submitted to the Interagency Staff Committee for review and approval. In the event of disagreement, any member has the right of appeal to the policy-level committee chaired by a representative of the White House.

After approval by the Staff Committee, formal negotiations begin. Most of the negotiations take place in foreign capitals. The United States Ambassador is responsible for such negotiations. However, in most cases a team under his direction, including the agricultural attaché and a representative of the ICA mission, conduct the negotiations leading to signing of agreements. In some instances negotiations are carried out in Washington by an interagency team headed by the Department of State with representatives of the foreign government concerned.

The agreements generally follow a standard format, and usually include (1) the value and kinds of commodities to be financed; (2) the period during which the commodities will be taken; (3) provisions to protect against transshipment of commodities to other countries without specific approval and to prevent increased shipments to unfriendly nations; (4) provisions to safeguard the usual marketings of the United States; (5) the exchange rate at which commodities will be paid for in local currency and the method by which foreign currency payments will be made to designated United States accounts; and (6) the division of the currency which will accrue among the several purposes authorized under the act.

It is apparent that the foreign governments in negotiating agreements are especially interested in the amount of currency they will obtain for uses of special interest to themselves, such as loans for economic development. They are also interested in the exchange rate at which they will have to pay for the commodities. Finally, for some countries our provisions to protect the usual marketings of the United States often result in prolonged negotiations. There have been a few agreements where foreign governments have been prepared to sign agreements and permit the United States to utilize all foreign currency proceeds for any use authorized under the law. These have been the exception rather than the rule and have usually occurred in those countries where uses which would return dollars to the Commodity Credit Corporation are limited by the size of United States Government operations in the country. In most cases, however, the use to be made of foreign currency is the heart of the whole nego-

tiation. Many countries are persuaded to take commodities from the United States for their own currency because they receive loans badly needed for economic development which further their general development programs. If negotiators were unable to tell them what particular use would be made of the currency, most of the countries would not sign agreements.

DOLLAR FINANCING AND FOREIGN CURRENCY PAYMENTS

After the government-to-government agreements are signed, the importing country applies to the Foreign Agricultural Service for purchase authorizations which provide for the dollar financing of the commodity sales and specify the conditions under which such financing will be made available. Public announcements are made when agreements are signed and purchase authorizations are issued. Since United States Government funds are used to finance title I sales, certain controls have been established.

The government of the importing country designates certain banks in the importing country and in the United States to participate in the program. The Commodity Credit Corporation issues letters of commitment to the designated United States bank in the amounts requested by the government of the importing country. Each letter of commitment names the designated foreign bank as well as the United States bank and constitutes a commitment by the CCC to reimburse the United States bank for payments made under letters of credit for the account of the foreign bank in connection with export sales under the purchase authorization.

The foreign importer who may be a private importer or in some cases an agency of the foreign government makes contracts with United States exporters and applies to their own designated local bank for letters of credit in favor of the United States exporter. These letters of credit are paid through designated banks in the United States holding a CCC letter of commitment which names the designated foreign bank.

The United States bank pays dollars to the United States exporter against a draft and shipping documents in the usual manner. However, instead of calling on the designated foreign bank for payment of such dollar amounts, the United States bank obtains reimbursement from the Commodity Credit Corporation.

The foreign bank then pays the value of the sale, after receiving shipping documents, by depositing local currency to the account of the United States Government rather than crediting dollars to the account of the designated United States bank. The amount of payment is determined by the amount of dollar disbursement for commodities and for transportation costs made by the designated United States bank at the rate of exchange specified in the country-to-country agreement. In general the United States is paid in foreign currency at the same rates at which the importer would purchase dollar exchange from his bank in his own currency. Payments are made at the exchange rate in effect on the day when the dollars are disbursed by the United States bank.

Deposits of foreign currency are required promptly upon receipt of notice of each dollar disbursement. The deposits are made to the account of the United States Disbursement Officer in the Embassy who reports monthly on these accounts to the Treasury Department. Dollar disbursements are also summarized monthly by the Commodity Credit Corporation and compared with deposits reported to the Treasury. In the event of discrepancies, the Foreign Agricultural Service takes action through the Embassy to correct any shortages in deposits. In general, there is a timelag between dollar disbursements by United States banks and the deposits of foreign currency by designated foreign banks because of the time required to transmit documents to foreign banks. However, despite this lag, most foreign currency payments are being made promptly. As of March 31, 1957, dollar disbursements totaled $1,172,000,000. On the same date the United States disbursement officers had reported to the Treasury Department deposits totaling $1,044,000,000.

CONTROL OF FOREIGN CURRENCY

The basic decision with regard to the use of foreign currency proceeds is made during the course of the negotiation of the agreement. This is the determination of what share of the proceeds will be used for purposes of particular interest to the purchasing country, usually a development loan, and what share will be used for purposes of interest to the United States. Most sales agreements do not further specify the division of the sales proceeds beyond an indication in the agreement of which of the various purposes included in section 104 of the act the United States share may be used.

Responsibility for designating the uses of foreign currencies in greater detail has been given by the Executive order to the Director, Bureau of the Budget. He carries out this responsibility by formally allocating foreign currencies to using agencies on their request. The allocations are made for purposes authorized by section 104 of Public Law 480 and permitted by the sales agreement.

The most frequent allocation is to the Treasury for sale of sales proceeds to any agency for any purpose for which dollars have been appropriated to that agency. These allocations to Treasury are always subject to section 1415 of the Supplemental Appropriation Act of 1953. They are requested by the Fiscal Assistant Secretary of the Treasury on the basis of regular reports received from the disbursing officers in the field of deposits into the Public Law 480 collection accounts and of the status of other Treasury foreign currency accounts available for sale.

Since all agencies which need foreign currencies to carry out overseas operations are required by Treasury regulation to inquire at the Treasury concerning the availability of Government-owned foreign currencies for their purpose and are further required to use Government-owned currencies in preference to purchasing currencies in the open market with dollars, there is an effective system for insuring that available Government-owned foreign currencies do not sit idle while appropriated dollars are needlessly used to purchase additional currencies of the same kind. There is a continuing informal check between staff of the Bureau and of the Treasury with regard to status of deposits and whether they may be released for Treasury sale or are committed by the sales agreement for other purposes. In the absence of such commitments Treasury requirements for sales to the agencies are given priority over other uses in both amount and timing.

Experience has demonstrated that the allocation of sales proceeds to the ICA for development loans is an unnecessary step. The commitment that there is to be a loan and as to amount is always explicit in the sales agreement contingent on the fulfillment of that agreement. Both the Bureau of the Budget and the ICA, so far as loans under section 104 (g) are concerned, found that the formal allocation added nothing and frequently made an unnecessary delay in the process of further programing and formalizing the loan to the country. For these reasons a modified wording was introduced into the Executive order in May 1957 which eliminates the requirement for an allocation of sales proceeds for loan purposes. This use, however, remains subject to apportionment, the procedure by which the Budget Bureau releases appropriated or other funds to an agency on a quarterly project or other agreed basis. The ICA may not draw foreign currencies from the Public Law 480 deposit account until they have been apportioned. Normally, the Bureau does not apportion sales proceeds for loan purposes until it is clear that the conditions of the sales agreement are being met and that the share of sales proceeds slated for United States use is or very soon will be available in full. Apportionments of available deposits are requested by the ICA after agreement has been reached with the borrowing country on the terms and uses of the loan.

Use of sales proceeds for the other two purposes which are generally of primary interest to the purchasing country, i. e., development grants under section 104 (e), and military assistance under section 104 (c), is also always decided at the time of the negotiation of the sales agreement. These two uses clearly raised questions of overlap with and expansion of the mutual-security program which are reviewed within the Government at that time. Since the ICA has not been willing to use mutual-security funds to purchase foreign currencies for development grants under section 104 (e), a waiver of the requirement in the law that such use be subject to 1415 has been required in each case. Such waivers have been requested and approved only twice—in the case of the 1955 sales agreement with Greece and the 1956 agreement with India—and in each case waiver was requested by the Secretary of State and issued by the Director of the Bureau of the Budget before conclusion of the sales agreement. While grants under section 104 (c) do not require a waiver, they are considered in the Bureau of the Budget, the ICA, and the Department of Defense in connection with available mutual-security funds and the needs for financial assistance to the military programs of our allies. The ICA and the Bureau of the Budget take account of funds available for the mutual-security purposes under sections 104 (c), (e), and (g) of Public Law 480 when screening subsequent mutual-security program requirements.

At the time of the consideration in the interagency staff committee of a proposed sales agreement, there is usually an informal indication from participating agencies of their anticipated needs for a share of the proceeds of the agreement for market development, section 104 (a); stockpiling, 104 (b); educational exchange, 104 (h); publication of books, 104 (i); or assistance to American-sponsored schools and community centers, 104 (j). In addition, the Department of Defense may indicate an interest in a share of the proceeds for military housing under sections 104 (f) or (c) as authorized in Public Law 166 or for a use under section 104 (c), such as a joint mapping project in Latin America, which has the effect of expanding a mutual-defense activity of a kind for which appropriated funds are available. At this stage these agency indications are informal and tentative and are subject to committee action and approval only to the extent that there is objection to any agency request or that the sum of the request exceeds the share of proceeds available for United States use without regard to section 1415. Since the agencies have generally been moderate in their request the latter is usually not the case. Subsequently, the requesting agencies develop more explicit programs for the use of sales proceeds and submit an allocation request to the Bureau of the Budget. This request is similar in purpose and in form to a budget request and receives the same screening and analysis in the Bureau as that given the request for appropriated funds. This analysis is normally carried out by the same staff that work on the agency's dollar budget. Usually hearings are held, at which agency representatives explain and justify their request in detail.

In the case of moneys requested under section 104 (h) for the Fulbright exchange program the allocation request is normally for sufficient funds to finance a 3-year program. They are apportioned, however, on an annual basis in conjunction with the budgeting and apportionment of dollars appropriated for the program. Public Law 480 funds are requested for this purpose only in areas where proceeds from the sale of surplus war goods are no longer available.

The availability of substantial foreign currency sums for market development abroad has presented the Department of Agriculture with new opportunities and has necessitated an essentially experimental approach in this area. Since it was clear that the Congress desired to generate a new program in this area the Bureau initially allocated to the Department the sums requested by it to provide a basis for program development. Now that some experience has been developed the Department is being requested to develop a fuller program justification for additional requests and to present reasonable evidence that the proposed expenditures will, in fact, result in expanded markets for American agriculture.

While provision has been included in a number of sales agreements for the use of part of the proceeds for USIA book programs under section 104 (l) or for assistance to schools or community centers under section 104 (j), the process of collecting adequate data from the field on which to base allocation requests has proved to be a long one. There have as yet been no allocations under either of these sections.

While it is inherently difficult to relate the use of foreign currencies without regard to section 1415 to the normal budget appropriations process, the Budget Bureau has attempted to do this to the extent possible and has insisted that full information on the use of currencies be available to the Congress. A general information schedule showing the nonappropriated uses of Public Law 480 currencies during the fiscal years 1956 through 1958 is included in the budget document. In addition, several of the agencies have discussed the relationship between the use of these currencies and their dollar programs extensively during the course of appropriation hearings.

Mr. BROWN of Ohio. Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOFFMAN] for a unanimous-consent request.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the remarks I made on the floor yesterday that were not printed in the RECORD may be printed in the RECORD of today following the adoption of the rule.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Speaker, this a very important matter. I listened with great care to the remarks made by the gentleman from Missouri [Mr. CURTIS]. I agree with him that this matter of fiscal responsibility and Congressional control over public funds is a basic matter.

In many other ways the executive branch of the Government has eluded Congressional control and regulations and we are losing the constitutional authority that we ought to exercise for the benefit of the people of the country.

In this connection I call attention to the report of the Hardy committee, Report No. 449, 85th Congress, filed with the House on May 15, 1957, entitled "Review of the Budget Formulation and Presentation Practices of the International Cooperation Administration."

The Hardy committee was concerned that the International Cooperation Administration in making its request for authority before the Foreign Affairs Committee and for funds before the Appropriations Committee was very vague and uncertain in the presentation and the representations of what they intended to do with the authority and the money if they were granted by Congress. That vagueness made it impossible for our Committee on International Operations to review the performance of the agency, because it had made no promise against which you could judge performance.

I call attention to the discussion of this very subject, Public Law 480, on pages 13 and 14 of the committee report. I believe that discussion, showing the lack of information given to the Foreign Affairs Committee and the Appropriations Committee with respect to the anticipated use of counterpart funds arising from Public Law 480, amply demonstrates that in this instance we in Congress have lost control over public funds. I think the House ought to consider this matter very, very seriously.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield.

Mr. HARDY. It seems to me the point the gentleman is making is an unusually good point and has not been developed. Under Public Law 480, there is not any way in the world that anyone can tell how the funds have been used. Congress has no control whatever over them because the executive department is permitted to make the contracts. There is no way that anybody can tell what has been done with the money after they have spent it under the agreements. I have reviewed the breakdown that the gentleman from North Carolina proposes to put in the RECORD, but the figures do not mean anything. I defy anybody to find out for what purposes these funds are being used. They have a statement here "Loans for multilateral trade and economic development $1,164.7 million." But there is no breakdown of that and nobody in the Congress has any breakdown for it. If you ask the departments about it, you will not find out what has been done. The gentleman knows, I am sure, that a lot of these funds have been used to pay for host country participation in technical assistance programs. So they have taken the money generated by our agricultural commodities. There are a good many cases where these funds have been used for purposes which certainly the Congress knew nothing about, and it is very doubtful whether the Congress would approve. Actually, my own point of view is that if these funds are going to be used in this manner, then the foreign aid program ought to be reduced by the amount of these funds.

Mr. MEADER. That is exactly what we said in the report. If these funds are taken into account in setting up their program, then why is not the dollar appropriation reduced by the amount of these funds?

Mr. MADDEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

DEMOCRAT HARMONY MICHIGAN'S FLIGHT

Mr. HOFFMAN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order in an effort to compliment the Democratic Party.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, this letter from which I read is dated May 28 last. It comes to me from a very, very dear personal friend who works effectively in the Congressional and other elections. He writes:

It is unfortunate for all of us that our interparty squabbles spill over into the newspapers where they are blown up into such proportions.

I might say insofar as I am concerned, I go down the middle of the road.

However, we should all work toward one particular goal and that is the election of Republicans no matter what office they are running for and no matter what their political beliefs may be. The constant bickering and fighting that goes on within the party is the one point that discourages me more than anything else.

Naturally, I have no part in that.

Let me read:

I have yet to see in the newspapers any public disagreement in the Democratic Party in the State of Michigan although I am certain they have as many divergent elements as we have. Insofar as the general public is concerned they present a solid and united front.

Mr. Speaker, opposition political unity in Michigan is due in part to the fact that the CIO and the Reuthers have taken the Democratic Party organization over. Reuther and his buddies strike with an iron and ruthless hand—and do not—will not brook opposition. Unfortunately in view of the tax plans of Governor Williams and Reuther's attitude toward business, management, and industry, all of whom he seems to hate, he and Soapy are, in a way, driving industry out of Michigan. But the Lord, if no one else, will take care of us—will, as it were, "temper the wind to the shorn lamb."

Industry is taking a look at other States. Listen to this editorial from the Detroit Free Press of June 18—yesterday—always friendly to labor:

I read:

THE BASIC ATTRACTION—WHEN INDUSTRY LOOKS AT OHIO

We were particularly impressed by a couple of observations made by Miller Hollingsworth of the Free Press staff who has been writing a series of articles on Ohio industry. Hollingsworth has been comparing the climate for business in our sister State with that which exists in Michigan.

Discussing the expansion of Michigan's automotive industry into Ohio, Hollingsworth stated that "other industries have been really jumping in this huge State, with its fondness for big business and lenient tax policy toward the producers."

Again, referring to Ohio, Gov. C. William O'Neill, he says: "He (O'Neill) has no apologies for Ohio's soft tax policy toward big business. Certainly, he implies it will get no tougher than the present one-tenth of 1 percent of the value of a company allotted to Ohio."

Those two statements, we believe, explain rather clearly why Ohio may enjoy a competitive advantage over Michigan as far as industry is concerned.

First of all, the attitude toward business in Ohio, if these statements are valid expressions of the feeling there, is one of friendliness. Business is not only welcome. It is regarded as a partner, to be given equal consideration with other elements.

Unfortunately, that impression does not apply universally in Michigan.

The alliance between the Democratic administration in Lansing, and the big labor leadership has, in many instances, created an atmosphere of hostility against business. Politics has had a tendency to supplant sound economic principles.

There is an attitude on the part of State officialdom, derived from labor dogma, that business and industry are inherent enemies of the working people; that business should bear a disproportionate part of the tax burden regardless of the effect on jobs.

As far as industry is concerned, there is the feeling that in any controversy, labor will get the preferred treatment and industry will be held up as the villain, regardless of where the right lies or where impartial justice should be applied.

Whether oppressive taxes are the determining factor in industry expanding outside of Michigan is still a moot question, despite evidence that such is the case.

But the climate generated for political purposes, which marks industry as always bad and labor as abused, oppressed, and something to be favored first and at all costs, may have an equally important effect on discouraging growth and expansion in Michigan.

On the other point, made by Governor O'Neill, Ohio industry enjoys an advantage over Michigan by being sure where it stands.

It has what almost amounts to a guaranty that it will not be soaked with new or higher taxes by a labor-political alliance. Industry in Ohio apparently has a sense of security both for the present and the future and can plan accordingly.

Were that attempted in Michigan, we would surely hear that industry was getting preferred treatment at the expense of the workingman, the farmer, and the consumer.

Yet we can't help but wonder how the worker, the farmer, and the consumer fare in Ohio under a benign arrangement which encourages industry.

We strongly suspect they are doing as well as in Michigan—their taxes suggest they are—and, in addition, the resultant attraction of industry to their State offers new job opportunities and greater prosperity for all.

"Soapy" would tax corporations to death. Reuther would force them out of business by hiking wages and fringe benefits so high they cannot sell their products. Just why Reuther appears to hate employers so much is beyond understanding. Without them there would be no jobs—no unions.

But back to the point made by my friend—that all is harmonious in the Democratic Party in Michigan.

I call the attention of my friend and of the Republican Members of the House to the fact that at the last State Democratic convention Prentiss Brown, a former distinguished Member of this House, likewise one of the most able and efficient Members of the Senate, Michigan's one time and a long time highway commissioner, a wonderful man, had some differences with certain elements of his party. Why, over what, I cannot say, other than that he was probably right. Prentiss walked out. The Democrats do have some troubles, even in Michigan, although this gentleman does not seem to be aware of it.

Permit me to mention another instance. I recall the gentleman from the northern peninsula who was here at one time before our colleague John Bennett came down. Frank Hook, a very, very active Member on the Democratic side. He has been having trouble up in the northern peninsula with the Democratic organization. And Frank as you will remember, is, always was, a man with convictions. Now, I cannot say, I do not know why our Republican troubles always get on the front page. Certainly I do not contribute to them in any way. However when self-anointed leaders attempt to purge me out of a party to which I belong there will be some slight protest. When they kick me around all I do is yelp a little bit about their decree. I have voted with the party more often than some of Ike's advisers, that is, when I can discover just what it is they want. There is hardly a day when there is anything going on, a vote that might become controversial, that I do not go to my distinguished leader, the gentleman from Massachusetts [Mr. MARTIN], or our distinguished whip, the gentleman from Illinois [Mr. ARENDS], or the gentleman from Indiana, and ask them what the party position may be.

I noticed the other day on the Democratic side I saw the Speaker, Mr. RAYBURN, walking down on a teller vote with one group and then I saw the Democratic leader, JOHN MCCORMACK, walking down with the other group. The issue was a bitter one, but they both stayed in the party, there was no demand from either that the other get out.

Now, I want to appeal to my friends on the Republican side, instead of trying to kick some of us old reactionary conservatives out every time you get an idea, why do you not do like the Democrats do? They are charitable. They just bide their time and think that some day some of us old fellows will die off and then we will be out of the way.

It is a fact that as some of the Ike people insist, the world moves on, times change, new ideas and policies must be adopted. It is just as true that the world is round, still swings in space. The Ike boys cannot win without the other factions of the party. A faction tied to no man or group, a faction which votes the ticket on election day come heat or high water.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; I yield to the distinguished gentleman who gets a rating of 95 percent in the Quarterly as a supporter of the President. I do not know how he does it; he must be a miracle man; I do not know.

Mr. McCORMACK. The gentleman from Michigan says he confers with the Republican leader; I wonder has the gentleman had any calls from the White House directly or indirectly?

Mr. HOFFMAN. There are two questions in one. That is a lawyer's trick, getting an answer yes or no to both. Direct from the White House, from the President? The answer is, no. Why should he call me if his advisers are worth a tinker's darn and my convictions are of any interest he knows my position. His advisers know I have never failed to endeavor to help them when, as so often happens they are so unjustly attacked by a House Democratic committee. He asks do I confer; first, it depends who is on the floor. If Mr. HALLECK is on the floor and Mr. MARTIN is not I ask Mr. HALLECK. True to the procedure, if Mr. MARTIN is on the floor I ask him first. Now about factions in the majority party. When I see the Speaker leading one group up the aisle on a teller vote, Members voting yea, and the gentleman from Massachusetts [Mr. MCCORMACK] leading another group down the same aisle in a nay vote on the same question it is difficult for a fellow with no more intellect than I have to figure out what is going on—just why the apparent split. But one thing I do know, that is that they have sense enough so that neither tries to kick the other out of the party.

Now, to come to the other question; what was it about? The White House.

Mr. McCORMACK. The White House.

Mr. HOFFMAN. The last time I was down there I think was about 4 years ago when the Republicans came in, and they did send word to me to come down because I happened to be chairman of the Committee on Government Operations. The gentleman and I have been on that committee for a long, long time. They called me down, and we all sat around and, after quite a long while, I asked: "What about the Committee on Government Operations?" Anything for that committee. By the way, Joe McCarthy was there. It is the last time, I guess, that either one of us was there.

So after we sat there for quite a while I said: "What have you for the Committee on Government Operations?" They said "Nothing." So I thought the conference was over. I did not wait but came on back up here on the Hill. Then someone called up from down there and asked the office if I wasn't going to have lunch with them. The office reported that I did not know I had been invited or was expected to stay to lunch. I went down because I thought they had something for me to do. I am always willing and gratified and honored to do anything, even run errands.

If they call me up again, if I cannot go, I will ask them to send the lunch up.

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H. R. 6974, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on June 4, the Clerk had concluded the reading of the bill. The bill is open for amendment. Are there any amendments?

Mr. ROONEY. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. ROONEY: On page 1, after line 10, insert: "In the first proviso contained in section 104, after the words "subsection (f)" and before the word "and" insert: 'And for financing international educational exchange activities under subsection (h) and for financing the translation, publication, and distribution of books and periodicals under subsection (l).'"

Mr. ROONEY. Mr. Chairman, I understand that this amendment is perfectly agreeable to the Chairman and the House Agriculture Committtee and will be accepted by the committee. In substance it provides that with regard to Public 480 funds the Department of State and the USIA must appear before the Committees on Appropriations of the House and Senate and justify the use of any funds generated under this program.

Mr. COOLEY. Mr. Chairman, will the gentleman yield.

Mr. ROONEY. I yield.

Mr. COOLEY. Mr. Chairman, as chairman of the House Committee on Agriculture, I am perfectly willing to accept the amendment, but I am not authorized by the committee to accept the amendment because the committee has not considered it. But I see no objection to the amendment at all, and I hope the amendment will be adopted.

Mr. ROONEY. I thank the distinguished gentleman from North Carolina.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. JUDD. I just want to be sure of one point. This does not forbid the use of these funds for such purposes but only requires them to go to the Committee on Appropriations for authorization or approval before they can be used for these purposes.

Mr. COOLEY. The gentleman is entirely correct.

Mr. MORANO. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. MORANO. Is there any limit on the amount of funds that must be expended before they are required to come back to the Committee on Appropriations?

Mr. COOLEY. No. The entire fund is turned over to the President who is authorized to use the funds in accordance with the agreements. The funds come about as a result of the agreements we have with foreign countries.

Mr. MORANO. It does not say how much?

Mr. COOLEY. Yes, we put a limit on it and proposed to increase the amount of $3 billion by $1 billion additional.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. HARDY. I would like to inquire as to how the rest of the membership of the House are going to be informed as to what is proposed to be done.

Mr. COOLEY. What does the gentleman mean when he says "What is proposed to be done"? In what way?

Mr. HARDY. I am talking about the report that goes to the Committee on Appropriations and whether that information is going to be made available to the rest of the House.

Mr. ROONEY. May I explain this to the gentleman from Virginia by referring to just one program, the international exchange program. This amendment would take the two programs, the Public Law 480 and regular programs, and place them in one spot so they would be required to come before the Appropriations Committees and justify the entire program. At the present time international exchange activities are financed out of Public Law 480 funds as well as by direct appropriations to the Department of State.

This amendment would channel both funds into one stream whereby they will be required to justify exactly what they propose to do. Then, when the Appropriations Committee of the House hears the testimony and brings the bill out on the floor of the House the committee will state what is to be done with funds from the Public Law 480 program and present the package to the House for its consideration.

Mr. HARDY. That is the point I wanted to be sure about, that it is presented to the House so the House will have an opportunity to act on it and that it will not simply be an act of the Appropriations Committee itself.

Mr. ROONEY. Just exactly so. In the final analysis, the House will make the decision.

Mr. HARDY. That brings up another question. The other matter I wanted to raise has do to with 480 funds used for the military housing program in Europe. There is supposed to be something over $50 million of Public Law 480 funds going into military housing.

Mr. ROONEY. This pending amendment, I may say to the distinguished gentleman from Virginia, unfortunately, does not encompass that program at all.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. COOLEY. Does the gentleman from Virginia object to using surplus agricultural commodities to pay for necessary military housing abroad?

Mr. HARDY. Certainly not; and I do not object to selling these commodities; I think it ought to be done. But I think Congress ought to know what is being done and that knowledge should not be confined to the Committee on Agriculture or the Committee on Appropriations.

Mr. COOLEY. If I may say so, the Committee on Agriculture has nothing to do with the negotiations which are made.

Mr. HARDY. Who does?

Mr. COOLEY. The President of the United States; and the House voted that into the law that we are now trying to recall. We gave him the authority to do that and he has been doing it.

Mr. HARDY. That is exactly what I have been complaining about. I think it is time Congress got back some of its responsibility.

Mr. ROONEY. If the gentleman from Virginia will vote for my amendment we will get some of it back, I submit.

Mr. HARDY. I will tell the gentleman that I will vote for his amendment.

Mr. COOLEY. Well, the gentleman and I are together on that.

Mr. ROONEY. With regard to the colloquy had between the gentleman from Connecticut [Mr. MORANO] and the gentleman from North Carolina [Mr. COOLEY] in which something was said or inquired about a limit on the amount of funds that must be expended before they are required to come back to the Committee on Appropriations, my amendment provides that none of these Public Law 480 funds may be expended by the President or the administration for financing international educational exchange activities and for financing the translation, publication, and distribution of books and periodicals or for USIA unless section 1415 of the Supplemental Appropriation Act, 1953, is strictly adhered to.

Mr. CURTIS of Missouri. Mr. Chairman, I offer a substitute amendment.

The Clerk read as follows:

Amendment offered by Mr. CURTIS of Missouri as a substitute for the amendment offered by Mr. ROONEY: In the proviso contained in section 104 before the words "subsection (a)" insert: "And for financing any program set forth in this bill."

Mr. CURTIS of Missouri. Mr. Chairman, this simply makes the Rooney amendment all inclusive instead of limiting it to the three purposes designated in his amendment.

On page 8 of the committee report you will see set out in table 3 the various purposes listed for which these counterpart funds that are generated may be spent. You will notice that they are in very general terms.

The sole purpose of my amendment is to make all of these expenditures of counterpart funds subject to the Appropriations Committee.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Virginia.

Mr. HARDY. I just want to be sure I understand the gentleman's amendment. I understood the amendment offered by the gentleman from New York applied to only a limited portion of the funds that would be generated under this legislation.

Mr. CURTIS of Missouri. I regret to say that my amendment is subject to the same limitation.

Mr. HARDY. If the gentleman would broaden it so as to cover all of the funds which are contained in the bill I would feel better about it.

Mr. CURTIS of Missouri. I may say to the gentleman that I had thought the Appropriations Committee itself was going to prepare such a broad amendment. I regret to say that such an amendment has not been prepared, so I am broadening the Rooney amendment as best I can in the limited time I have

and wanting the amendment to be accurate.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from New York.

Mr. ROONEY. I should like to briefly explain my position in regard to this. When we had this pending bill on the floor previously, I believe it was on June 4th last, at which time the present speaker, the gentleman from New York made a point of order to the entire bill, that point of order was made following the rejection by a vote of 103 to 45, of an amendment offered by the gentleman from New York which was similar to the pending substitute offered by the gentleman from Missouri. Having been defeated in that effort on June 4th last, I am now in the position where I am willing to settle for what I can get and to salvage as much control by the Congress and taxpayers as I can.

Mr. CURTIS of Missouri. I appreciate the position of the gentleman from New York and I commend him for the fight he has conducted. I am hoping that since that debate the House has had an opportunity to think about this a little more and to understand the full extent of what we have been doing in the past and what we should be doing at the present time. It may be that the House is not yet ready to take over, as I call it, its responsibilities, fiscal responsibilities, in these areas.

I want to direct my attention to what I have termed the specious argument of the proponents of this bill who say this will interfere with the disposal of these agricultural products. As I stated previously, I am the last one who would want to interfere with that program because I happen to feel that the trouble that is generated in our agricultural economy today is largely the result of these large surpluses and any program that we can get within reason that will further the disposition of these agricultural surpluses will be to the benefit of agriculture generally. But I submit that any understanding of the authorization and appropriation procedure for any subject would indicate that this could not possibly interfere with the contracts that we are talking about that might be entered into with a foreign country. Any time the Committee on Appropriations appropriates money that may be spent the agency that has that money then goes out and lets contracts. It has ample authority to let a contract and to write the details and work the thing out. There is no limitation on the power of an executive agency to contract and to work out the deal necessary under any appropriation. To argue that it is just shows a lack of understanding of the appropriation procedures of the House. For the life of me, I cannot understand such an argument and if there were any validity to such an argument why was that not discussed and presented in the Committee on Agriculture hearings or report? Certainly, to anyone experienced with Federal appropriations it is clear that could not be the effect.

Mr. COOLEY. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I am for the Rooney amendment and I am surprised to note that apparently so many Members of the House seem to have forgotten the original purposes of this law. The House and the Congress certainly are fully aware of the importance of the subject we are now discussing. This business of subjecting these appropriations, these transfers and these expenditures to the scrutiny of the Appropriations Committee is not anything new. You would think that somebody has just made a great discovery.

The fact is that in the law itself, section 104, we refer to section 1415 of the Supplemental Appropriations Act of 1953 and that act subjects to the scrutiny of the Appropriations Committee all transactions involving currencies and credit.

Now, section 4 says:

> Notwithstanding section 1415 of the supplemental act of 1953 or any other provision of law, the President may use or enter into agreements with friendly nations or organizations of nations to use the foreign currencies which accrue under this act for one or more of the following purposes.

And then it enumerates the purposes for which the President can use the funds. Then there is a proviso which the gentleman from New York [Mr. ROONEY] seeks to amend. The proviso reads as follows:

> *Provided, however,* That section 1415 of the Supplemental Appropriation Act of 1953 shall apply to all foreign currencies used for grants under subsections (d) and (e) and for payment of necessary obligations involving grants under subsection (f) and to not less than 10 per centum of the foreign currencies which accrue under this title: *Provided, however,* The President is authorized to waive such applicability of section 1415 in any case where he determines that it would be inappropriate or inconsistent with the purposes of this act.

Certainly we knew what we were doing when we adopted the law. Now, this is no new discovery made by any of you gentlemen who have apparently restudied the law which has been operation and which has operated so well and so successfully in past years.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. RABAUT. I have not restudied it or anything, but some years ago I was instrumental in putting section 1415 into the law. Now, why is it that you want it waived? All it does is ask for an accounting.

Mr. COOLEY. It has already been waived.

Mr. RABAUT. Why was it ever waived?

Mr. COOLEY. I do not know.

Mr. RABAUT. Did the department give any excuse for waiving it?

Mr. COOLEY. There are a thousand reasons why it was waived.

Mr. RABAUT. Well, give me some of them.

Mr. COOLEY. In the first place, here we are with our warehouses bulging with food and fiber running out of our ears, and we decided, in deliberate fashion, to use these commodities to aid the people of other lands and at the same time not only to build up friendship but to build up the economies of other countries. And, we had great confidence in the President of the United States, and we gave him the authority—this is not any appropriation act, I reiterate that—we gave him the authority to use these commodities in certain ways; that is, he could sell them for dollars; he could sell them for foreign currencies; he could exchange them for strategic materials; he could make grants; he could make loans. And, we also added specifically the things that the President could do, and he has done that. And, I stand here as a Democrat still reiterating that I have faith in the President, and I am proud of the fact that this program has been remarkably free from skulduggery and crookedness; at least, I have not heard of any. And, if anybody has any complaint to level at the way the program has been administered, let him stand up now and say so.

I do want to say this for the Administrator. When this bill was being considered in our committee, the committee room was packed and jammed with people who came there to testify in behalf of an extension. Before closing the hearing I asked the question: Is there a single witness here now who wants to appear in opposition to this law or who wants to offer an amendment to this law? Not one stood up and not one came forward. Now, if the gentleman from Missouri wants to say that he is opposed to the act, I yield to him for the purpose of saying so.

Mr. CURTIS of Missouri. I am not rising in opposition to the act. As I have already stated, I think the act is a sound one and a good one, with this exception. I do rise in answer to your challenge as to whether or not this money has been spent wisely.

Mr. COOLEY. I have not said it was spent wisely. I said it was spent like Congress intended it should be spent.

Mr. CURTIS of Missouri. I do not think Congress intended it should be spent unwisely. I think Congress intended that it should be spent wisely and economically. And, I submit the whole trouble with these foreign-aid programs comes from the fact that there has been so much unwise and uneconomical spending that the people are aroused and want the Congress to look into the matter.

Mr. COOLEY. The gentleman is now making a speech.

Mr. CURTIS of Missouri. I am answering the gentleman's question.

Mr. COOLEY. What is the question?

Mr. CURTIS of Missouri. Your question was: Is anyone willing to rise and say this money was not spent wisely?

Mr. COOLEY. I did not ask any such question as that. I asked if there was anybody opposed to the bill, let him rise and say so.

Mr. CURTIS of Missouri. I just say to the gentleman he should read his words again.

Mr. COOLEY. If I did, I will strike it out of this RECORD, that all of the money has been spent wisely and well spent. I said the President has, in remarkable fashion, carried out the intent and the purpose of this act. If you can point out one variation from the authority——

Mr. BASS of Tennessee. The gentleman said crookedness and skulduggery.

Mr. COOLEY. I said that it was free from crookedness and skulduggery, so far as I know and so far as the members of the committee know.

Mr. CURTIS of Missouri. If the gentleman will yield further, perhaps we can agree on this point. So far as the disposal of agricultural products is concerned, that has been good, but I have not been directing my attention to that. I have said that that part of the program, in my judgment, is excellent and in no way do I want to interfere with that.

Mr. COOLEY. Let me say to my friend that he is not only interfering with it, but he is going absolutely to destroy this program.

Mr. CURTIS of Missouri. That is the issue that the gentleman ought to discuss.

Mr. COOLEY. I am going to discuss the issue right now. If the gentleman's amendment is adopted, you might as well scuttle this whole program and do away with it.

Mr. CURTIS of Missouri. Why?

Mr. COOLEY. I will tell you why. The President is charged by the act with the responsibility of negotiating these agreements in good faith with these foreign governments, working out the details of these complicated contracts. Under the proposed amendment, then he would have to bring them back and submit them to the Committee on Appropriations. Then the Committee on Appropriations could veto the agreement or amend the agreement or modify it. Then it would have to be brought back to the floor of the Louse and then it would have to be taken over to the other body. That is exactly what would happen. Does that leave the President much authority to make an agreement? And that is what the gentleman from New York [Mr. ROONEY] wants done with the items with which he is dealing; and with those items I am in agreement.

Mr. CURTIS of Missouri. Will the gentleman yield further?

Mr. COOLEY. I want to talk about the amendment of the gentleman from New York. That amendment would amend the section that I just read a moment ago. Actually it is a proviso, and we can live with this amended proviso. But if you subject these thirty- or forty-odd international agreements to the scrutiny of the committees of Congress, of the House and of the Senate, you know and I know that no more agreements would be consummated; you know and I know that no more surplus commodities would be disposed of.

You say maybe that you do not agree with me. There is one item dealing with exchange students and information. We have already taken care of that. There are certain obligations in the proviso and I think the House should be willing to include the 2 items that the gentleman from New York [Mr. ROONEY] has in mind because it is easy to see that if you have 2 or 3 committees appropriating funds for exchange programs or information programs you might very well have duplication.

Here we do provide in this bill that section 1415 of the act of 1953 shall apply to all foreign currencies used for grants under subsections (d) and (e) and for payment of United States obligations involving grants under subsection (f) and to not less than 10 percent of the foreign currencies which accrue under this title.

Now we know what these funds are to be used for; it is not a detailed breakdown, but it shows what has become of $2,079,000,000. It shows that for the common defense we have spent through the use of these currencies the equivalent of $241,012,000; for the payment of United States obligations abroad the equivalent of $515 million plus.

The gentleman from Virginia complained that it has not been broken down into detail. I will say to the gentleman that if he wants any detailed information why does he not request it be furnished to him by the Department?

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. HARDY. To start with, I do not think that the list the gentleman has there says that those funds have been used for those purposes. They say that it is planned to use it for those purposes.

Mr. COOLEY. Both used or planned to be used.

Mr. HARDY. There is a great deal of difference, I will say to the gentleman, between the two. I would like to ask the gentleman if he can tell the Committee how much in terms of counterpart dollar equivalent still is available and unexpended as of now.

Mr. COOLEY. I am not certain, but I think a very small part of it is unobligated. I cannot understand what all this excitement is about at the last minute when we have been talking about Public Law 480 for 2 or 3 years and now certain gentlemen come in and complain that we do not have this broken down in detail. To break it down into detail as the gentleman desires it, we would have to furnish him with copies of all the numerous contracts that have been entered into with all of these governments. I can get those for him. I have some of them here with me.

Mr. HARDY. Let me make this observation: I will say to the gentleman that the reason I am in here discussing the matter now is that in recent months I have had an opportunity to do a little study on the application of funds generated by Public Law 480. This is the first time the bill has been before the House since then.

Mr. COOLEY. It has been before our committee.

Mr. HARDY. Of course it has. Is the gentleman attempting to stand up in this House and say we have not made any mistakes?

Mr. COOLEY. I have not said that.

Mr. HARDY. We have made mistakes when we have voted on legislation; and, frankly, I think we could have improved this legislation.

Mr. COOLEY. I do not see how the gentleman can read into my remarks the fact that I have said that all of this money was well and wisely spent, nor have I said that no mistakes have been made. But I do say it comes with ill grace when the gentleman from Virginia comes to the floor of the House and wants to subject all of these agreements to the scrutiny of Congress and the scrutiny of the committees of Congress after the program has operated so well so far.

We are building military housing in France right now, and we are paying for it largely with the surplus commodities we have in our storage warehouses. Would you rather use dollars or would you rather use commodities? I prefer to use these commodities. They have had some three-way transactions, triangular transactions involving two or more countries. In that way we have gotten rid of some of the surplus commodities, and in exchange for them we have gotten some advantages which inure to the mutual benefit of all of the people of this country and the security of our people.

To adopt this amendment will be fatal to this program.

Mr. ANFUSO. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I am perfectly in accord with the amendment offered by my distinguished colleague from New York [Mr. ROONEY] because it simply corrects a situation which should be corrected and makes the operation of the law that much simpler. I am unalterably opposed, however, to the substitute amendment because in effect it would destroy Public Law 480.

One thing that some of the proponents of this amendment have failed to realize is the basic purpose of Public Law 480. Right in the beginning of the act we say that Public Law 480 is adopted to make maximum efficient use of surplus agricultural commodities in furtherance of the farm policy of the United States. That is the thing we must bear in mind when we discuss any amendments to this act. We passed a law, a very good law, a law which has won for us many friends throughout the world. We placed certain limitations in that law. We said just how our counterpart funds were to be used. We placed the best interests of the United States into all of those limitations.

Mr. FEIGHAN. Mr. Chairman, will the gentleman yield?

Mr. ANFUSO. I yield to the gentleman from Ohio.

Mr. FEIGHAN. The gentleman feels that in furtherance of our foreign policy it is advisable for Congress to support Communist regimes which do not represent the will of the people but rather represent the dictates of the Kremlin?

Mr. ANFUSO. I certainly do not. I intend to touch upon that in a moment, but for the time being let me say that the person best equipped to make an agreement in relation to other countries, whether we like it or not, is the President of the United States. He alone has

adequate information. Certainly no Member of Congress and no committee of Congress can legislate for the United States and can make an agreement which will be satisfactory to the world and to these particular countries.

For that reason, I have examined many agreements which were signed under Public Law 480. I noticed a little difference in all of them. Our agreement with India was a little bit different. Our agreement with Israel was a little bit different. The agreement we recently signed with Poland was a little bit different. I think that is what the gentleman from Ohio had in mind in this agreement with Poland. Am I correct about that?

Mr. FEIGHAN. Yes. I expect to take the floor for a few minutes to discuss it.

Mr. ANFUSO. I intend to discuss that and I welcome this opportunity to discuss that very phase. There is no one who has done more to oppose communism than the person now addressing you. I have fought communism in war and in peace to the utmost of my ability. No doubt many others have done much to fight communism, but certainly I have never shied away from doing my share in that respect. Surely I would never in the slightest way do anything to help communism. When you are dealing with Poland, however, you are not aiding communism; on the contrary, I feel you are helping to destroy communism because the people of Poland have been bred and born in freedom.

Mr. ROONEY. Mr. Chairman, will the distinguished gentleman yield?

Mr. ANFUSO. I yield.

Mr. ROONEY. I certainly agree with that statement and wish to commend the gentleman from New York for making it. I am in thorough accord with his conclusion with regard to Poland and the valiant Polish people and shall support the proposed sale and loan to the deserving Polish people under the provisions of the surplus agricultural commodities program. However, I want it understood that my mind has not changed with regard to Tito and his Red atheistic dictatorship in Yugoslavia. I opposed the first Yugoslav loan almost 10 years ago and have since each year consistently opposed all military and economic aid to his Communist regime.

Mr. COOLEY. Mr. Chairman, will the gentleman yield for an observation?

Mr. ANFUSO. I yield.

Mr. COOLEY. In connection with the limitation of the use of the funds and the present situation that the administration is in, I would like to read from this letter from the Department of State. It is one short paragraph:

> You will note that the text of an agreement for the sale to Poland of some $46 million of agricultural commodities was drawn up during the discussion but will not be signed at this time. Signature of this agreement would commit funds which still await authorization by the Congress in the pending bill, H. R. 6974, to extend the Agricultural Trade Development and Assistance Act.

That clearly indicates they have run out of funds at this point.

Mr. ANFUSO. Mr. Chairman, I would like to read a brief statement. When we talk about communism and what others feel about communism, let me tell you that one of the greatest victims of communism in Poland, without a doubt, was Cardinal Wyszynski. I would like to read to you an excerpt from a statement he recently made to American reporters. This is what Cardinal Wyszynski said:

> People in your press are also wondering whether help should be offered to Poland or not. When you look at your child, which is sick, do you stop to think whether you should help it or not? When you see your mother in distress do you pause to think it over, to consider whether it would be politically advisable for you to help her? Dearest children: Do not commit this terrible mistake of refusing, for various political fancies, of refusing assistance, bread, and kindness to those who are in such great need of assistance, bread, and kindness.

May I say that this is wholly in the spirit of the Polish people.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield?

Mr. ANFUSO. I only have another half minute, but I cannot deny my colleague, the gentlewoman from New York, some of that time.

Mrs. KELLY of New York. I thank the gentleman. If the gentleman is so interested in these surpluses being given to the Polish people, why does he not introduce a resolution to give a certain amount of surpluses to the Polish people. In that way we can be sure that the Polish people will receive these surpluses.

Mr. ANFUSO. May I say to my very distinguished colleague from New York, who is a most able legislator and who I know is sincere in everything she says and does, that the agreement which we signed with Poland does exactly that. We have provided in that agreement not only for the sales of surpluses which will give us the necessary money to use counterpart funds in that country, but we have also provided that our charitable agencies, such as the National Catholic Welfare Conference, can work in Poland.

Mrs. KELLY of New York. That is not correct. The terms of the sale of surpluses to the Gomulka government forbid such distribution by any agency and even prohibit any check on the distribution. It was my Subcommittee on Europe of Foreign Affairs Committee which heard the terms of the negotiations. I will support a gift of surpluses to the Polish people to be distributed by any charitable agency, but this does not do that. Have you seen all the agreements?

Mr. ANFUSO. Yes, I have.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent Mr. ANFUSO was permitted to continue for 2 additional minutes.)

Mr. ANFUSO. I have received the copy of the agreement from the State Department. I have seen the release made by the State Department, and I now want to quote from the release of the Polish economic delegation. They issued a statement which to me was extremely interesting and showed their willingness to cooperate. I want to read to you the last two paragraphs:

> 4. I am convinced that apart from the economic negotiations which have just been completed, public opinion in both countries received with satisfaction the news that voluntary aid organizations, as for instance CARE and American Relief for Poland, will be able to resume their activities with respect to Poland.
>
> 5. The recently published decision of the Polish Government's reducing or abolishing customs duties in Poland for most goods sent in gift parcels from abroad will greatly facilitate this form of assistance given by Poles living all over the world, especially in the United States, to their relatives in Poland.

I do not know whether you get the significance of that, but it is now permitted for Poles throughout America to send gift parcels free, duty free, into Poland direct, which will be a person-to-person deal. It will indicate to those Polish people how we feel here in America, how people of Polish extraction feel and, particularly, that America remains the land of freedom.

Mrs. KELLY of New York. Mr. Chairman, will the gentleman yield further?

Mr. ANFUSO. If I had time I would be glad to.

Mrs. KELLY of New York. I will take my own time.

Mr. ANFUSO. I thank the gentlewoman.

To me this is a very fine piece of legislation and I think it will be the best investment the United States has ever made.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and the substitute close in 30 minutes.

Mr. BOW. Mr. Chairman, I object.

Mr. HILL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I hesitate to make any remarks on this bill extending Public Law 480. We had, I thought, a fairly thorough discussion of this piece of legislation some 2 weeks ago, but I would like to associate myself with the gentleman from New York [Mr. ANFUSO], a member of our committee. While he represents a consumer area, he also represents agriculture, because all the consuming areas live on the products of agriculture.

Let me say I am one who thinks absolutely that this is the finest program for the disposal of surplus agricultural products that has been proposed by any Congress. To me this carries with it the germ of the solution of the farm surplus problem.

The question, I think, bases itself on one simple fact: Do you want to turn the farm machinery off that produces these surplus crops, and bankrupt the farmer; or would you rather do some real tough, hard work at the top in the matter of the disposal of surpluses?

This House has now decided that the job is the disposal of surpluses, and we have had all this study made by the Committee on Agriculture.

Another thing that must be remembered in agricultural production is fear of what might happen should we have extensive droughts in this country similar to what some of us have experienced in the West in the last few years.

Mr. Chairman, with a population of over 170 million people in these United States, a general drought over the entire country would certainly place us in a bad situation. That is what might

happen unless you support in some way or somehow the disposition of our surpluses when we have them. Our committee decided that there were three ways to do this. You could barter them away, you could trade them. You could trade them for currency, or you could give them away in distressed areas of whatsoever nature, domestic or foreign. Of course, we decided as a Congress we would do it through the Department of Agriculture, by way of Public Law 480.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Did not the gentleman overlook the first way, which is to sell them for dollars?

Mr. HILL. I did not overlook that for a minute. I did not think it was necessary to mention that. You cannot sell for dollars in foreign countries, and the gentleman knows that better than I do. You could no more sell the surplus wheat or cotton for dollars than you could fly to the moon with a model T Ford. What we must do is to dispose of these surpluses at the best advantage, and we must put all of our power behind disposing of them.

One of the ways to dispose of them would be to trade these surpluses for the money of other countries. If you were to attempt to trade on the basis of the dollar, you will get no trade. Our committee decided, and the House supported us, and rightly so, that we would trade for the currency of the other countries under whatever the plan might be and that the other country would accept, even to the extent of trading for the currency of more than one country in a 2- or 3-way trade. We could use even 2 or 3 countries in the disposition of thousands and thousands of dollars worth of surplus farm products every day, not only by the amount of money we spend for storage but through destruction of the article itself on account of deterioration.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from North Carolina.

Mr. COOLEY. We have received information to the effect that since the inception of the program we have had 87 agreements and that these agreements have been with 30 countries. Does not the gentleman agree with me that if we adopt the substitute we might as well disband the program entirely?

Mr. HILL. Certainly. I am sure the amendment was offered in the very best of faith, but we are pleading with you this afternoon to help in disposing of our surpluses so that we can go along and keep our farm machinery in motion and still continue to produce surpluses.

As a member of the Committee on Agriculture and I say that anyone who gets up in the well of this House and finds fault with the surpluses that the God-given power of production has given us is doing a great disservice to the country, a disservice that cannot be repaired. That is a factual statement. We should be happy that we have surplus wheat, we should be happy that we have surplus fats and oils. Incidentally fats and oils have not been mentioned, yet the Secretary of Agriculture has done the finest job in the disposition of fats and oils of any surplus product. It has not been mentioned. Why? Because fats and oil deteriorate faster than other farm products. He has also done a great job in the disposition of butter. I mention that only to indicate that we must spend our time disposing of our surpluses.

Mr. Chairman, I shall go along with the amendment offered by the gentleman from New York [Mr. ROONEY] but let us not go further than that. I plead with you this afternoon with all the sincerity at my command that the farmer is in a perilous situation. Listen to the cottongrowers who appear before our committee; come over there and listen to the wheat producers who appear before our committee. Let us not this afternoon cripple the finest program for the disposition of farm surpluses that has ever been proposed to this Congress. I hope you will be cautious in accepting amendments that would destroy the very basis of the act that we are discussing and which has been doing a great job in the disposition of all surpluses through the Department of Agriculture in a very magnificent and excellent manner.

Mr. POAGE. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am afraid we have gotten off to chasing rabbits when we have big game involved this afternoon. We are discussing one of the most important of the agricultural programs that we have ever had before us and one of the very few that has been working. The question has been raised whether we are going to continue a program that has been successful, a program that has moved agricultural commodities. Those who have been sniping at this program have said, "Oh, yes; I am in favor of it but." These "butters" are just about butting out of the law the one great agricultural disposal program that has worked.

This Public Law 480 has moved a whole lot of agricultural commodities. It has not hurt anybody. It is moving surplus more cheaply than any other of our export programs have been moving them. We have got some programs that run into tremendous amounts of money now. We are moving cotton, we are moving wheat, and we are moving some other commodities at tremendous prices. Do you know, we are putting an export subsidy of 80 to 90 cents on every bushel of wheat moving out of the United States? Do you know we are putting an export subsidy of $71 for every bale of cotton that is moving out of the United States except through Public Law 480?

Why should we come in here and find some tricky reason for opposing a program that has been so successful? We are told we are stepping on somebody's jurisdiction. We find more evidence that somebody is afraid that their committee is going to be overlooked; somebody who is afraid that the legislation is not going to be referred to them. Well, now, I do not care who it is referred to as long as you carry on the program. But, it is an agricultural program and it seems logical that it should come out of the Committee on Agriculture, and when the program was expiring, it seemed logical that the Committee on Agriculture should be the one to extend it. And, that is what the Speaker thought, for he sent the bill to the Committee on Agriculture. That is what the Parliamentarian thought, because he approved sending the bill to the Committee on Agriculture and not somewhere else.

This bill does not make any appropriations. Oh, no; Mr. WHITTEN's committee had to make an appropriation and you did make one to start out with. You are providing the money for the Commodity Credit Corporation, to acquire these commodities. That was an appropriation. You made an appropriation, and you cannot appropriate the same money 3 or 4 times.

All we have done in this connection is that we have used money that came out of the Committee on Appropriations. It was for $3 billion. We have had the appropriation. The committee has appropriated the money in the regular order. We have spent that money just as the Committee on Appropriations said it should be spent, to support prices and to buy these commodities, and the United States Government acquired title to these commodities. Having acquired title to them and having no domestic market for them and finding that we can only subsidize them in export at fantastic figures, we thought that it would be sound to sell these commodities to people who could buy them with their own currencies. But, people cannot buy American commodities simply by giving their own currencies with no limitation upon the use of that currency. That is the point so many of us overlook.

We are inclined to think of this simply in terms of the individual. If I owe a debt, I have no right to tell the creditor how he shall spend the money that I pay him. No. But, it oftentimes makes a difference as an individual if you are making a deal with somebody else how he is going to use the property or how he is going to collect his debt. So, these nations that buy from us under Public Law 480 pay the full price. They do not buy at bargain rates. They are paying the full world market price in their currencies.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

Mr. HARDY. Mr. Chairman, reserving the right to object, we have extended time for every one of the members of the committee, and then we have the chairman of the committee propose to shut off debate. I would just like to have a little understanding that if we are going to have 5 minutes time, I withdraw my objection. I would like to take 5 minutes on this side.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BASS of New Hampshire. I object, Mr. Chairman.

Mr. BOW. Mr. Chairman, I rise in support of the substitute.

Mr. Chairman, first I want to address my remarks to the gentleman from Illinois [Mr. SPRINGER] who has spoken on this bill and said that we are going to ruin it if we insist upon the Appropriations Committee passing on these agreements. That is the last thing that happens in these agreements. The Appropriations Committee does not pass on the agreements. They have nothing to do with the making of the agreements. The only thing that is done is, after these funds are generated by the agreements, after the whole thing has been accomplished, after your deal is over, then the manner in which the funds are used comes to the Appropriations Committee for approval.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman briefly.

Mr. SPRINGER. It is the question of bringing them back to the Committee on Appropriations.

Mr. BOW. But not for the approval of the agreements at all. That has never been done. We do this in every appropriation that has to do with counterpart funds; that is, we do not consider the agreements themselves, but we consider the use of the funds generated under the agreements.

I want to say to the gentleman from Texas [Mr. POAGE], who accuses some of of us of being selfish in this program, of trying to ruin the program by what we are doing that I am interested in the program and that I believe in it. I will say to the gentleman from Texas that I am interested particularly because of my dairy people. My dairy people are considered in this program. Oh, yes, in the worldwide markets for dairy products, which I represent, there is $25 million in this program. But I am looking at the chart, and for tobacco, although for my dairy products there is only $25 million, for the United Kingdom alone, for tobacco, there is $27 million. And for cotton $377 million, while for my dairy products there is $25 million. Selfish? For rice, $142 million; and for my dairy products $25 million.

I say to the gentleman from Texas that I am sincere when I say that I believe in this program. And if I thought that this amendment would ruin this program I would not support it. But knowing the manner in which these things are handled by the Committee on Appropriations, knowing that we have nothing to do whatsoever with the making of the contract or the disposal of the goods—I do not believe it will affect the contracts in any manner whatsoever but will protect us from the misuse of the counterpart funds which are generated under them.

You are going to have one bill come to the floor of this House before long concerning which I believe many Members of this House are going to be glad that the Committee on Appropriations gives consideration to the use of the counterpart funds. In that, one country being involved, there is an item turning over to an organization within the United States, for the use of a private organization, certain counterpart funds.

Mr. Chairman, I say to you again that I appreciate the $25 million for my dairy products; and I am sure that the rice and the cotton and the tobacco people and the fats-and-oils people with their large sums are also appreciative of this law. I shall support it. But I think we ought to check on the use of these funds generated under the contracts, not the contracts themselves.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. BASS of Tennessee. The gentleman says that this amendment would not interfere with the making of the contract.

Mr. BOW. Yes.

Mr. BASS of Tennessee. The very heart of the program is in the making of the contract wherein we agree to certain uses of the money before the country involved can afford to spend the money for our surplus commodities.

Mr. BOW. I do not know whether the gentleman has read any of these agreements or not.

Mr. BASS of Tennessee. Yes; I have.

Mr. BOW. The agreements provide that the funds shall be used for educational, scientific, cultural programs, and so forth.

Mr. BASS of Tennessee. Yes; I know that.

Mr. BOW. But they do not spell out the specific instance in which these funds shall be used, but merely refer to the large field in which they may be used. That is the way the contracts are written. We are limited to them. When it comes before the committee, if they are in that field, we are limited to that and we cannot have these funds used any place else. But I think the gentleman will agree with me when some of these bills come before you that you will find that there are certain times that these funds are used for purposes within the agreement which are not in the best interests of the United States.

Mr. BASS of Tennessee. But the country buying the surplus commodities could not afford to spend their currencies and make purchases unless they were assured before making the agreement where the money was going to be spent.

Mr. BOW. Does the gentleman mean on these specific projects?

Mr. BASS of Tennessee. On the specific projects.

Mr. BOW. Is that in the contracts?

Mr. BASS of Tennessee. It is in the agreement of purchase.

Mr. BOW. The agreement of purchase covers a broad range.

Mr. FEIGHAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, any proposal to give aid to or sell agricultural products to the satellite countries raises a number of basic policy questions. Among them is our relationship to the people of those unhappy countries and how that relationship might be effected by the giving of such aid. Another is our relationship to the Communist regimes which control and exploit the people of those countries and what effect our giving aid might have upon the stability and tenure of those Communist regimes.

It is a well-accepted fact that we want to do everything possible to help the people who are held within the ruthless grip of communism and where feasible, to lift some of the heavy burden which has been placed upon them by the Russian leaders of the Communist conspiracy. Up until a few years ago, our basic policy had been to seek a return of individual liberty and national independence for each of those countries without any strings attached to that policy. Somewhat recently, however, that policy has been watered down by the present administration through its support of evolution, peaceful coexistence, and turning its back upon the patriots of Hungary who determined that revolution was the only way they could get rid of their exploiters. Since the Hungarian revolution and the great disappointment our inability to act has brought to all the people behind the Iron Curtain, great care must be taken to measure every Government activity that would conceivably affect those people. Now more than ever before the people behind the Iron Curtain will be watching with intense interest our every move in order to determine whether all hope for political assistance from the Free World has been lost.

On the question of our relationship with the regimes behind the Communist Iron Curtain, we must make it clear to the people they enslave and exploit that we only tolerate such Communist regimes in order to keep a lifeline into the people. If we do anything which helps the regimes stabilize their position or which takes the pressure off any regime, we will, in effect, be telling the enslaved people behind the Iron Curtain that the leaders of our Government have entered into a status quo agreement with the Russians whereby the Russians will be allowed to keep under their domination all the countries within the Communist empire. If we fail to take precautions in this respect, we can severely damage the hopes and aspirations of those millions of people who were once free and independent and who today are suffering martyrdom for the cause of freedom.

It is for these reasons that I oppose aid to the so-called satellites merely for the sake of giving aid. But for these same reasons, I strongly favor aid to those countries provided it is conditional aid. By "conditional aid" I mean using our surplus agricultural commodities as a means of strengthening our bond of friendship with the people under Communist domination and weakening the control of the Communist regimes which today prevent those countries from being bona fide members of the family of nations. As an example of the conditions which should attach to any aid to the satellite people, I urge the following:

First. We must not allow any of our surplus food to be sold to the people of any Communist regime. To do so will only revive the economies of those countries and thereby strengthen the hand of the Communist regime. And food that we give to those Communist regimes must be distributed without charge to all the people without any discrimination whatever.

Second. If surplus cotton is to be given or bartered with the Communist regimes, a restriction should be put upon the end use of the products produced from our surplus cotton. Our surplus cotton must be turned exclusively into the manufacture of clothing and other household articles needed by the people of the satellite countries. None of the manufactured products should be sold for export. Obviously no military garments or equipment should be manufactured with our surplus cotton.

Third. United States observers must be permitted into each recipient country and given free access to all areas of that country. I would prefer that Americans who trace their origins back to the recipient country and who have a fluency in that language be chosen as observers. Such an arrangement would go a very long way toward preventing favoritism and manipulation by the Communist regime and in any case provide a reasonable means for the American people to know whether or not the people of the recipient countries really benefited from our surplus agricultural commodities.

Too much has been said about the possibility of splitting off the Communist regime of the so-called satellite states from their Russian masters. There has been too much theorizing on this subject and a seeming refusal on the part of some of our policymakers to face up to the hard, cold facts. If, as is claimed, the Communist regimes in the satellite states want their independence from Moscow and want to ease the burden of the people they exploit, then there should be no objection on their part to the very simple conditions which I recommend be attached. If, on the other hand, the Communist regimes refuse to accept these conditions, a clear test case will have been made and the responsibility for keeping American aid from the oppressed people behind the Iron Curtain will be squarely placed. It is about time that we had a real test on the so-called breakoff policy before support of such a policy breaks us.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FEIGHAN. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

Mr. BASS of New Hampshire. Mr. Chairman, I object.

Mr. SPRINGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. BECKER. Mr. Chairman, a point of order. What are we discussing at the present time, the substitute amendment or the general provisions of the bill?

The CHAIRMAN. The pending amendment is a substitute amendment offered by the gentleman from Missouri [Mr. CURTIS] to the amendment offered by the gentleman from New York [Mr. ROONEY].

Mr. BECKER. Then, may we proceed in order, Mr. Chairman.

The CHAIRMAN. The Committee is proceeding in order.

Mr. BECKER. I have heard a general discussion of the bill, but not on the provisions of the substitute amendment.

The CHAIRMAN. The Chair assumes that gentlemen have been speaking in order since there was no objection.

The Chair recognizes the gentleman from Illinois.

Mr. SPRINGER. Mr. Chairman, I can assure the House that I will stay directly on the point involved. I think we have gone far afield. An amendment was introduced by the gentleman from New York [Mr. ROONEY] which limited these funds in two items. The amendment introduced by the gentleman from Missouri [Mr. CURTIS] would have limited all of these funds and return the counterpart funds contained in this bill to the Committee on Appropriations before any expenditure could be made. I think there has been this misapprehension by those who are seeking to put this back in the Committee on Appropriations after it has already been appropriated once, and that is that they are assuming this is foreign aid or foreign assistance. It is not. This bill is an agricultural trade development bill and that is the title of it. That is what it means. And that is the character of the program in the past 3 years it has been in effect. If we attempt to cripple this law with all kinds of limitations as to how this money may be spent and by providing that the Chief Executive may not enter into these agreements except, in effect, after he comes back to the Board of Directors and gets the approval of the Board of Directors, you can see just how far we would get with the sale of these surplus goods overseas.

If any of you have ever had any business experience, you know full well that if you went out on the circuit to sell goods and you said, "Now I cannot make this sale to you, but our Board of Directors is going to meet again next January and I will have to get their approval of this sale and I will come back to you then with the goods." You can see just how far you would get with the sale. It is just that simple. These contracts are being executed every month even when this Congress is not in session. These agreements are being entered into in anticipation of delivery months later. It is just not feasible to do what the Members who have introduced these amendments are seeking to do. It is not good from our own standpoint for agricultural trade development and it is not good business, in my opinion.

Do not, however, attempt to cripple this act here and now.

In addition to that, it is my understanding that the Appropriations Committee has taken into consideration this program in making appropriations for foreign aid. So may I say that what they hope to do is, in effect, being accomplished under the foreign-aid program in that that program is being limited in anticipation of what is being sold under this program.

There seems to be a further assumption on the part of people who have been discussing the Curtis amendment that foreigners are rushing over here eagerly trying to get these goods. We have made very few sales that way. Actually, we have been in the market trying to sell these goods. Further limitations will make the program ineffective. It will certainly do a great deal of harm, and, to say the least, this program will be severely curtailed if you adopt the Curtis amendment.

As for the Rooney amendment, I cannot see that it will hurt the program substantially. I am in favor of the Rooney amendment and am going to vote for it. The Committee on Agriculture has given me some reasons why the Rooney amendment should be supported, and I am going to support it; but to apply the broad provisions contained in this substitute amendment would do this program irreparable harm.

Mr. RABAUT. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the gentleman from Illinois [Mr. SPRINGER] said "it is just as simple as this." I am going to tell you just exactly how simple it is. This House is just trying to get back where it belongs. It was in 1952 that the Committee on Appropriations discovered that the expenditure of these counterpart funds in Europe and all over the world, funds belonging to the United States, was not accountable to anybody. We had a conference about it in the Deficiency Subcommittee at that time and I introduced the amendment that is sought to be set aside here today. The amendment is now known as section 1415 of the Supplemental Appropriation Act, 1953. I want you to listen to the reading of this simple amendment:

> SEC. 1415. Foreign credits owed to or owned by the United States Treasury will not be available for expenditure by agencies of the United States after June 30, 1953, except as may be provided for annually in appropriation acts and appropriations for the utilization of such credits for purposes authorized by law are hereby authorized to be included in general appropriation acts.

What does it mean? It means that this money is going to be handled like any other money that belongs to the United States.

These amendments should be adopted to make these moneys just as accountable as any other money that belongs to the United States. All this talk about the security of other people and so on is not the real issue. This money is the money of the United States Government and should not be handled loosely by a half dozen different agencies all over the world.

There is no need for argument. This money belongs to Uncle Sam; it is his money. If it is spent, we want it accounted for; we want to know where it is going. We are willing to spend it. We are not against this program and we do not want anybody to say: So you are against the expenditure of money for this person or that group or some other group behind the Iron Curtain. That is not so at all. All we want is respect for the things that we have done in order to protect the funds of the American taxpayer.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from Virginia.

Mr. HARDY. As I understand it, if we pass the simple extension act as it now is, there will be a waiver with respect to that provision the gentleman has been discussing?

Mr. RABAUT. That is what it is. It says, in effect, "We wish to waive section 1415."

Mr. HARDY. If the Rooney amendment is approved, to what extent will that waiver apply?

Mr. RABAUT. The Rooney amendment only applies to 2 purposes of section 104 of Public Law 480. The amendment offered by the gentleman from Missouri is designed to make section 1415 applicable to all purposes covered in section 104. We should pass the amendment to take care of every one of them.

Mr. HARDY. May I ask the gentleman, to what extent would the amendment of the gentleman from Missouri interfere with the development of these program contracts?

Mr. RABAUT. It would not interfere to any extent at all unless you want to say: Go out and spend it, never mind getting advance approval of Congress for the use of the currencies generated.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. RABAUT. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is the gentleman saying that these funds do not come under the scrutiny of the Appropriations Committee? Here it is in the budget.

Mr. RABAUT. They do not come under the scrutiny of the Appropriations Committee as it was intended by this House under section 1415 because you have the language right in there waiving that requirement.

Mr. COOLEY. It says "notwithstanding—"

Mr. RABAUT. "Notwithstanding." That is what I do not like. All the other arguments do not affect me but I do not want to bypass a fiscal control that the House has agreed to.

Mr. COOLEY. Is not the gentleman charged with the responsibility of knowing what is in the budget?

Mr. RABAUT. That is why we have section 1415 in the law and that is why I do not like it when you say "notwithstanding."

Mr. COOLEY. I am not saying that. I am asking the gentleman about the budget.

Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. McCORMACK, having assumed the Chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes had come to no resolution thereon.

COMMITTEE TO ESCORT THE PRIME MINISTER OF JAPAN INTO THE CHAMBER OF THE HOUSE

The SPEAKER pro tempore (Mr. McCORMACK). The Chair appoints as members of the Committee to escort the Prime Minister of Japan into the Chamber the gentleman from Massachusetts [Mr. McCORMACK], the gentleman from Massachusetts [Mr. MARTIN], the gentleman from Illinois [Mr. GORDON], and the gentleman from Illinois [Mr. CHIPERFIELD].

RECESS

The SPEAKER pro tempore. The House will stand in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 28 minutes p. m.), the House stood in recess subject to the call of the Chair.

VISIT OF HIS EXCELLENCY NOBUSUKE KISHI, PRIME MINISTER OF JAPAN

During the recess the following occurred:

The Doorkeeper (at 2 o'clock and 35 minutes p. m.) announced His Excellency Nobusuke Kishi, Prime Minister of Japan.

The Prime Minister of Japan, escorted by the committee of Representatives, entered the Hall of the House of Representatives and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the House of Representatives, it gives me great pleasure and I deem it a high privilege to have the opportunity of presenting to you the representative of a great, and a free people, a people who are friendly to the people of the United States; and in that friendship we respond with all the depth of its meaning.

I take pleasure in presenting to you the Prime Minister of Japan.

The PRIME MINISTER. Mr. Speaker and Honorable Members of the House of Representatives, I am deeply grateful for your warm reception and cordial welcome. You have accorded me a great honor today—the honor of speaking in this living citadel of democracy.

It has been a thrilling experience for me to drive up Capitol Hill to this time-honored Hall. It is an inspiration to me to stand on this rostrum which has witnessed the evolution of the modern democratic process of government, thus providing the pattern for new democracies, including my own country. Today Japan is endeavoring with pride and resolution to consolidate the foundations of a truly democratic government. The whole effort of our nation is dedicated to this task, for we believe in the lofty principles of democracy—in the liberty and dignity of the individual. [Applause.]

It is because of our strong belief in democratic principles and ideals that Japan associates herself with the free nations of the world. We are ranged on the side of liberty, justice and equality, because there can be no true peace, no true security, no true progress nor true human happiness unless men and nations live by these principles. [Applause.]

In all our free world relations, our association with the United States is to us the most important. We are grateful to your country for the generous aid we have received since the war in restoring our shattered economy. We believe that our friendship, our mutual respect and trust, and our bonds of cooperation must ever be strong, especially in these times when tensions persist in many parts of the world. [Applause.]

International communism is now trying to win over Asia by exploiting the fervent spirit of nationalism of the Asian peoples and by appealing to their impatience to overcome poverty and privation. The Communists are trying to demonstrate that their way is the quicker way to develop underdeveloped economies and to raise living standards.

We firmly believe that they are wrong [applause], and that the democratic method is the only way to serve the welfare and to promote the happiness of mankind. We must prove that we are right. [Applause.]

As the most advanced and industrialized nation in Asia, Japan has already shown that economic and social progress can be achieved without the Communist short cut. We have already demonstrated that free enterprise serves human happiness and welfare in an honorable way with full respect for the dignity of man. [Applause.] It is my firm conviction that Japan, as a faithful member of the free world, has a useful and constructive role to play, particularly in Asia, where the Free World faces the challenge of international communism. We are resolved to play that role. [Applause.]

I have come to this country at this time, in response to an invitation from your President, to have a frank exchange of views with the highest officials of your Government on a wide range of problems of mutual interest and concern as they affect our two countries and as they affect the world. I hope that our discussions, now in progress, will bear good fruit. [Applause.] From our talks there will emerge, I sincerely trust, a strong and enduring partnership that will open the door to a new era of Japanese-American relations.

Let me, in closing, express to you, and through you to the people of America, my high esteem and warm feelings of friendship, and my best wishes for the prosperity and happiness of your great Republic, the United States of America. [Applause, the Members rising.]

AFTER RECESS

The recess having expired at 3 o'clock p. m., the House was called to order by the Speaker.

PRINTING OF PROCEEDINGS HAD DURING THE RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

Mr. COOLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the

State of the Union for the further consideration of the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes.

The motion was agreed to; accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 6974, with Mr. HAYS of Arkansas in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose there was pending the amendment offered by the gentleman from New York [Mr. ROONEY], and the substitute offered by the gentleman from Missouri [Mr. CURTIS]. Without objection, the Clerk will again report the amendment and the substitute.

There was no objection.

The Clerk again reported the amendment and the substitute.

The CHAIRMAN. The Chair had recognized the gentleman from Virginia [Mr. HARDY] when the Committee rose.

Mr. HARDY. Mr. Chairman, I move to strike out the last word.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HARDY. Briefly.

Mr. CURTIS of Missouri. I would like to have the gentleman yield for the purpose of getting a unanimous-consent request to withdraw the substitute and offer another substitute. I think I can explain in my own time why it simplifies the matter, but it is exactly the same thing we have been talking about.

Mr. HARDY. I wonder if the gentleman could withhold the reading of it and just get unanimous consent to withdraw his substitute.

Mr. CURTIS of Missouri. Mr. Chairman, I ask unanimous consent to withdraw the substitute previously offered.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman yield for that purpose?

Mr. HARDY. I hope it will not last long.

Mr. GROSS. I hope the gentleman will yield. If unanimous consent is secured, that would automatically take the gentleman from Virginia off the floor, would it not, because he has obtained time to speak on the pending substitute.

The CHAIRMAN. What the gentleman from Missouri requests could be accomplished without taking the gentleman from Virginia off the floor.

Mr. GROSS. And that unanimous consent be granted that the gentleman would not be deprived of the floor?

The CHAIRMAN. Yes. The gentleman is correct.

Mr. GROSS. And only under that condition?

The CHAIRMAN. The gentleman is correct. It would require unanimous consent.

Mr. CURTIS of Missouri. I would add that to my unanimous consent request.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. SPRINGER. Mr. Chairman, reserving the right to object, is it in order to have the substitute to be offered by the gentleman from Missouri read so that we would know what is in it? Is it in order to have it read?

Mr. HARDY. Mr. Chairman, I hate to have to decline to yield further.

The CHAIRMAN. The Chair feels that the gentleman from Virginia should be given the privilege to proceed before further proceedings are had to yield or not to yield. There is a parliamentary problem here, and the Chair does not want to take the gentleman off his feet.

Mr. HARDY. I thank the Chairman. I would like to ask the gentleman from Missouri to withhold his request until after I have finished.

Mr. Chairman, I want to clarify my own position with respect to this legislation in support of the amendment offered by the gentleman from New York [Mr. ROONEY] unless we have a substitute which will be more suitable.

First of all, with respect to Public Law 480 I would like to say that I supported that legislation. I think it is desirable legislation. I have supported it in times past and I think we ought to continue the legislation. That does not mean, Mr. Chairman, that the legislation is perfect and cannot be improved. I feel just a little put out that the gentleman from North Carolina [Mr. COOLEY], makes the suggestion, makes the bold statement that it comes with poor grace that I should make any suggestion that the legislation can be improved.

Mr. Chairman, when the measure was up before I did not know quite as much about the way it was going to work as I have since learned. I think maybe I should say to the House that I know a little bit more about the operations of Public Law 480 than that which has to do purely with the 3-cornered proposition with respect to military housing.

In our studies by the Subcommittee on International Operations, of which I have the privilege of being chairman, we tried to make some analysis of the foreign-aid program and the manner in which budgets were presented. We issued a report on our findings. Included in our consideration were some facets of the Public Law 480 proposition. We tried our best to find out what funds had been available in countries where our foreign-aid program is operating under Public Law 480. We tried to find out the purposes for which those funds had been expended.

Mr. Chairman, I must say that our efforts were certainly not as productive as they should have been and on page 179 of the hearings of our committee there is a report submitted by the ICA purporting to respond to criticisms made by the General Accounting Office of the manner in which the International Cooperation Administration handled Public Law 480 funds. I sent a copy of our report to the chairman of the Committee on Agriculture. I called attention, I think, to the report which we had issued. He might not have had an opportunity to read that particular part of our hearings.

Virtually all of the information we have been able to get on use of these funds has been expressed in the most general terms.

There are two phases of the matter that we are discussing here today. One is the development of the programs. Of course, there can be a lot of debate as to whether the President should have complete authority to develop programs as he does. That is not the aspect of the matter that I am talking about at the moment. However, I should mention the fact that the first time I had occasion to raise any question about the operations of this program, I made inquiry about the programs carried out in one specific country with respect to the sale of wheat. There was approximately $25 million in each of two programs under Public Law 480 going on simultaneously with approximately $25 million as a foreign-aid grant, under the mutual-security program. Those three were going on simultaneously. One of the $25 million Public Law 480 programs carried a provision in the agreement that 90 percent of the funds generated under that program would be deposited in banks of the recipient country for the stabilization of the economy of that country; 10 percent of the funds would be deposited in banks of that country for the use of the United States Government for United States purposes.

The second of Public Law 480 agreements in that same country going on at the same time provided that 100 percent of the funds would be for the use of the recipient country for the stabilization of its economy. Maybe we ought to review the making of these agreements, but that is not the thing that I am talking about now.

We ought to have better control over the agreements but, after making the agreements the 10 percent certainly should be subject to some control by the Congress as to the purpose for which it is expended. I contend that with respect to such amounts in whatever country they are generated there should be some detailed reporting to this Congress and we ought to know what happens to them.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

(By unanimous consent, at the request of Mr. COOLEY, Mr. HARDY was permitted to proceed for 3 additional minutes.)

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Iowa.

Mr. GROSS. I have had the opportunity to read the report submitted by the gentleman's committee. I certainly can recommend it to the other Members of the House. The gentleman did an excellent job. I want to compliment him and his committee.

Mr. HARDY. I thank the gentleman very much.

It was not my purpose, Mr. Chairman, to espouse the cause of any particular committee. I realize there has been a little bit of this question of committee jurisdiction that has entered into this debate. I am not the least bit concerned with that, but I am concerned that we should be advised about, and have some control over, the use of every dollar of foreign currency that has been generated under Public Law 480. I defy the gentleman from North Carolina or any member of his committee to find out as of now the purposes for which these funds have been used. He can get generalities, but

the gentleman cannot find out in detail the real purposes for which they have been used.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from North Carolina.

Mr. COOLEY. I am not going to argue the point with the gentleman at all. I agree with him that Congress should have the full benefit of all information that can possibly be made available. What I have said in the midst of our own committee is that we have received no complaints about this program. We asked for complaints and asked for opposition, but we received no complaints and heard no opposition.

I want to make one other statement. The gentleman is on the Committee on Armed Services. One big item involved here is the military housing item. It is now just about to start. My understanding is that the gentleman's committee knew all about this million-dollar item and approved it.

Mr. HARDY. I not only serve on the Committee on Armed Services; I serve on a subcommittee that has jurisdiction over that particular subject; but I must say to the gentleman that the information we have thus far has not been entirely adequate. I think we will eventually get it. But I must say that with respect to all these funds we could certainly use a little bit better information than we are getting now. The legislation ought to provide requirements to that effect.

Mr. COOLEY. I am anxious for the gentleman to have full and detailed information, but we are confused about two things. The gentleman is talking about details with reference to the use of all these funds. I am talking about one item, the military housing item. I understood that the gentleman's committee approved that transaction.

Mr. HARDY. That is correct. We approved it, but when the project was first submitted we did not have adequate information and we asked for some more. On this project I think we will find out what we need to know.

Mr. COOLEY. I hope the gentleman is successful. If there is anything I can do to help him, I shall be glad to do it.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The gentleman's point is that he wants the legislative committees of the House having jurisdiction over these programs, such as the Armed Services Committee and the Foreign Affairs Committee, to have adequate information?

Mr. HARDY. Let me correct the gentleman. No. I am not concerned only about the legislative committees having adequate information. I am concerned that every Member of this Congress have information to justify his own actions. I think we have depended too much on the committees to carry the ball entirely. For the gentleman from North Carolina to say, "Our committee has approved this legislation and it is up to the rest of you to follow," or for the Foreign Affairs Committee to say, "Our committee has approved this legislation and the rest of you should blindly follow us," or for any other committee to do this I think is a great mistake and ought not to be done. Certainly it does not justify me.

Mr. FULTON. Does not the gentleman think the legislative committees that have jurisdiction of these particular matters should be advised as well as the Appropriations Committee?

Mr. HARDY. Of course they ought to be advised.

Mr. CURTIS of Missouri. Mr. Chairman, I ask unanimous consent that I be permitted to withdraw my substitute amendment and offer a substitute for it.

Mr. COOLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. COOLEY. If the unanimous-consent request the gentleman has now submitted is granted, would his amendment be a substitute?

The CHAIRMAN. It is offered as a substitute.

Mr. COOLEY. But it is at a different place in the bill from where the Rooney amendment was offered.

The CHAIRMAN. The Chair suggests that the amendment be reported.

The Clerk will report the substitute amendment offered by the gentleman from Missouri.

The Clerk read as follows:

Substitute amendment offered by Mr. CURTIS of Missouri for the amendment offered by Mr. ROONEY: Strike out the initial clause of section 104 "Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, or any other provision of law," and strike out the two proviso clauses of section 104.

Mr. COOLEY. Mr. Chairman, I reserve a point of order against the amendment.

Mr. FULTON. Mr. Chairman, reserving the right to object, I do so because I feel that the surplus agricultural disposal program has been successful under Public Law 480 and because I feel I must oppose any amendment that would severely limit or change the program. I must object to the unanimous consent request.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FULTON. I yield.

Mr. CURTIS of Missouri. I might state, as I have explained, that this is only to simplify the procedure here. I can offer this amendment at a later time, and I am simply trying to submit it here to simplify matters. The gentleman gains nothing, I might state.

Mr. FULTON. I must say this. When an amendment would effectively destroy the setting up of programs abroad and limit them, I must object to it because this program has been so successful. I must object.

The CHAIRMAN. Objection is heard.

Mr. KNOX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. COOLEY. Mr. Chairman, perhaps we can come to an agreement to limit the time for debate. I ask unanimous consent that all debate on the pending amendment, and all amendments thereto, close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KNOX. Mr. Chairman and members of the committee, I hope that I may briefly have your attention. What I have to say today possibly has in the past affected you or it may affect you in the future. I regret that I must take this time to bring to your attention a misuse of the authority which has been vested in certain employees of the House of Representatives, the doorkeepers. On May 28, 1957, I issued 17 cards, gallery passes, to constituents of mine who had traveled a thousand miles to come to Washington, D. C. These constituents requested that they have the opportunity to see their Nation's Congress in action. I issued the passes to them. They were admitted to No. 4 gallery in this section on my right here and without reason or cause they were ejected from the gallery after sitting there for 20 minutes. I have discussed this affront with the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK] who said that he did not believe that such an occurrence could happen in the United States House of Representatives. I informed the gentleman that it not only could happen but that it had happened. The gentleman from Massachusetts asked me to take it up with Mr. Miller, the Doorkeeper. I did as suggested by the majority leader. Mr. Miller in turn referred to his subordinate, Mr. Louis Della-Camera, who is in charge of the gallery section in which my constituents were seated. The doorkeepers assured me I would have a letter of apology for the abuse that was given to the people to whom I had given the cards to enter the gallery. This promise of apology was given some 2 weeks ago and to date there has not been any sign of a letter of apology forthcoming for the discourteous treatment which my constituents received from the House employees involved.

Now, I would like to know what this gallery card which I hold in my hand means? What is its import. These cards are sent to every Member of the House. Have you read the printing on the back of the card? It reads:

This visitor's pass for the 85th Congress will be honored at the House Gallery doors for the entire 85th Congress except on joint session days or unless otherwise advised.

Mr. Chairman, I think it is about time this House took cognizance of the treatment that your constituents and my constituents are receiving from these certain House employees—people we have put in positions of trust.

They have officiously abused the authority we have delegated to them, and I think it is about time there were appropriate changes made as far as these employees are concerned who have irresponsibly betrayed the faith we have vested in them.

Their action is a direct violation of the terms of the pass card. If my signature on that card is no good, then your signature on that card is similarly no good.

I direct this matter to your attention because it constitutes a gross violation of delegated responsibility and a deliberate usurpation of congressional prerogatives by appointed House employees.

I am surprised that Mr. Miller, the Doorkeeper of this House, compounded the affront by breaking his word when he told me there would be a letter of apology forthcoming so that I could transmit it to my constituents affected. I have not received that letter to date. I have noted many days when people from foreign countries and privileged guests have come into these galleries and have never been molested in any way or asked to leave. When our good American children come to Washington, D. C., to visit the Capitol and are treated with officious disrespect by certain employees of the House, that is something I will not tolerate.

I hope the majority leadership of this House takes cognizance of this abuse of delegated authority and acts to assure that the people who have violated the pass cards are properly dealt with.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield.

Mr. HOFFMAN. If there are lobbyists here, they can come in and stay all day.

Mr. KNOX. Yes; lobbyists can stay all day if they want to; they are never molested.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Actually I have had dealings for 13 years with these men who watch the gallery doors and have always found them courteous.

I must say I know Fishbait Miller, know what a fine fellow he is, and I have never seen any discourtesy on his part.

I would like to ask the gentleman whether this was a specific instance or a repeated instance, and was there any good reason why they were asked to leave? Were the other galleries filled, or how did they explain the thing?

Mr. KNOX. The only excuse given to me was that the Doorkeeper wanted to rotate them because other people were waiting.

Mr. FULTON. That might be a good excuse to me.

Mr. KNOX. It is not a good excuse to me. They should not be treated in this manner. The Doorkeeper made no effort to notify my office of his intention to violate the terms of the passes I had given to my constituents.

Mr. FULTON. If other people were waiting outside——

Mr. KNOX. Sir, you are taking up my time.

Mr. FULTON. I am speaking for Fishbait Miller.

Mr. KNOX. I am not going to stand for Mr. Miller abusing my constituents or any other Member's constituents.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KNOX. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. The Chair will advise the gentleman from Michigan that the time has been fixed by unanimous consent.

Mr. SIEMINSKI. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 1 minute.

The CHAIRMAN. According to the request submitted by the gentleman from North Carolina, debate was limited to 30 minutes.

Mr. SIEMINSKI. I ask for this extension of time inasmuch as Mr. Miller cannot speak for himself.

Mr. FULTON. Mr. Chairman, I ask unanimous consent to yield 1 minute of my time to the gentleman from Michigan.

Mr. HOFFMAN. Mr. Chairman, I object to that request because I am entitled to recognition under that same division of time, and that is 2 minutes, is it not?

The CHAIRMAN. Yes.

Mr. HOFFMAN. I want recognition.

Mr. FULTON. Mr. Chairman, I would like to yield——

Mr. HOFFMAN. Will you wait until I get through?

Mr. Chairman, I want recognition so I can yield to the gentleman part of my time.

The CHAIRMAN. The Chair recognized the gentleman from Pennsylvania and he has yielded to the gentleman from Michigan.

Mr. FULTON. Mr. Chairman, may I say to the Chair that I did not yield to the gentleman from Michigan [Mr. HOFFMAN]. I do not know whether he realized that when he was speaking. I yielded to the other gentleman from Michigan.

Mr. LONG. Mr. Chairman, what is the parliamentary situation at this moment? And does it take a unanimous consent request to be carried out?

The CHAIRMAN. The gentleman from Pennsylvania has the floor. He was recognized by the Chair for 2 minutes. He was on the list, under the unanimous consent agreement, and he now yields to the gentleman from Michigan [Mr. KNOX].

Mr. SIEMINSKI. Mr. Chairman, will the gentleman yield?

Mr. KNOX. I yield to the gentleman from New Jersey.

Mr. SIEMINSKI. Mr. Chairman, inasmuch as Mr. Miller cannot speak for himself on the floor of the House may I say that I have known him for 7 years. I do not think anything deliberate was meant and I am sure that if there were many schoolchildren here that day it was merely a question of seeing that all of them, whether they came 2 miles, 2,000 miles or 3,000 miles, had a chance to witness some of the proceedings.

On behalf of Mr. Miller. I would like to say that I am sure he is sorry, and for whatever reason there is, that no letter has come to the gentleman, I am sure no offense was meant to the gentleman or to the children of his district or to the children or constituents of any of us here. It is merely a question of promptness and efficiency and to enable those who come to see the proceedings of the House to have the opportunity to do so, which may be once in a lifetime.

While there are only 700 to 800 seats in the gallery, the following might be pertinent:

Four surveys have been made this year at different intervals to find out just how many people visited the galleries during a given period—3½ hours—and it was found out that those school groups, the guided tours, the people who had been issued cards and those visitors brought to the galleries by the Members of Congress, averaged out to a total of 8,500 per survey.

This visit took place during the visit of an official from one of our friendly countries and certain rules had to be laid down contrary to the usual daily use of the galleries.

Mr. KNOX. I appreciate the efforts of the gentleman from New Jersey to explain the manifestation of discourtesy on the part of these House employees that is apparently at issue here. However, I would suggest that in his efforts to condone this action he is not familar with the facts. The fact is that my constituents were ejected from the gallery in derogation of the terms of the pass by which they had gained admittance at a time when there was no visiting official from a foreign country present in the House of Representatives. There was no special rules for admittance in the galleries in effect at that time.

My constituents were ejected at 1: 30 p. m., on May 28, and an examination of the CONGRESSIONAL RECORD for that date will clearly indicate that no official representative of a foreign country was in attendance in the House of Representatives at that time. The fact is that the foreign dignitary visited the House of Representatives at 12:30 p. m., and briefly addressed the House for a period of not to exceed 20 minutes. My constituents entered the gallery only after the House had recessed following the completion of the visit by the foreign dignitary.

Another fact directly bearing on this matter is found in the established practice followed with respect to visitors' admittance in the galleries. Rotation of visitors is observed in galleries 1, 10, and 11, which are used for tour purposes and the time spent in those galleries is controlled by the guides in charge of the groups. My constituents were seated in gallery 4 where there is no rotation of spectators.

The considered efforts of my colleague from New Jersey to express an apology in behalf of Doorkeep Miller is appreciated but does little to safeguard the membership of the House from such indiscretions and from abuse of authority on the part of the Doorkeeper's office.

The Doorkeeper's disregard of the prerogatives of Members of Congress and the Doorkeeper's disregard of the considerate treatment of our constituents is the Doorkeeper's own doing. He must answer to me and to my constituents for his indiscretion in this instance. His continued failure to do so exemplifies his indifference to the responsibilities of his office and typifies the attitude

he brings to the performance of his official duties.

Mr. Chairman, I should like to offer for the RECORD the following names of my constituents who were discourteously treated:

Lorraine Baur, Gary Boldrey, Elaine Cadieux, Lyle Carter, Elaine Compeau, Robert Davis, Bruce Fisher, Sharon Hamilton, Neil Hoeft, Owen Keegan, Kenneth LeFleche, Francis Ranger, William Smart, Deanna Snow, Duane Stevens, and Mr. and Mrs. William Green.

These were the individuals who were ordered to leave the gallery and who carried a pass with my signature. To these valued constituents I apologize for the discourteous treatment they received at the hands of the House employees involved.

Mr. FULTON. I concede that when the gentleman's constituents did get back home they may have been upset about it. They may not have known the real reason. I believe a gentleman previously speaking pointed out that there is a rotation system and after these people have been in the gallery for a certain time they are often escorted out of the end and corner galleries. I see it every day. I have had my people up there, including young people from schools, and when the time came I told them it was time to go so that another group could be let in. I said to them, "I guess it is our time to go."

May I say that being Doorkeeper to the House of Representatives is not an easy job and Fishbait Miller does an excellent job.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. McGOVERN].

Mr. McGOVERN. Mr. Chairman, there is no problem that is of any greater interest to me than the problem of using America's agricultural abundance for constructive purposes.

I have never accepted the view which regards food surpluses as an evil. At a time when millions of Americans are subsisting on inadequated diets and when most of the inhabitants of the globe are hungry, it is shortsighted for us to wring our hands over surplus food production in the United States.

There is no American asset which the Soviet Union eyes with greater envy than our agricultural production. Does anyone seriously believe that Russia would regard surplus food production as a liability.

I am firmly convinced that we have no more effective instrument in the struggle for a peaceful world than American food. That is why I am in favor of Public Law 480 and other programs designed to place agricultural surpluses in the hands of hungry people abroad.

I am disturbed, therefore, by an article appearing in the June 19, 1957, issue of the Wall Street Journal under the byline of Mr. James Reynolds. This article calls attention to a recent decision by the Department of Agriculture which has blocked a program of valuable aid to farmers and metal producers.

Under this program authorized by Congress in 1949, the Commodity Credit Corporation has disposed of approximately $1 billion of farm surplus which have been bartered for metals produced in foreign countries. The program has also helped support the price of metals because metals secured by barter are kept off the market in Government stockpiles.

The barter program, as reported by Mr. Reynolds, has had the support not only of the Congress, but also President Eisenhower, the Secretary of Interior, and the Secretary of State, as well as farm supporters.

I find it hard to understand why the Department of Agriculture saw fit last month to block further operations under the barter program.

I believe that the Members of Congress will be interested in reading the entire Wall Street Journal article, and I am, therefore, including the article at this point:

CROP SWAPPING—FARM CHIEFS SEEM SURE TO REVERSE THEMSELVES, RELAX CURBS ON BARTER—MORE SURPLUS FOR MINERALS DEALS URGED BY EXPORTERS, FARMERS, CABINET MEMBERS—FIGHT MAY FLARE TOMORROW

(By James A. Reynolds)

WASHINGTON.—Under pressure from inside and outside the official family, Uncle Sam's farm chiefs are unhappily bracing themselves for an about-face on their recent decision to cut back a program of significant aid to farmers and to metal producers.

The program involves the barter of this country's farm surpluses for minerals produced abroad. It tends to cut farm gluts, and because minerals received by barter are locked off the market in Government stockpiles, barter tends to prop metal prices. In the past few years, nearly $1 billion worth of barter contracts have been signed. In recent months, as Government stockpile purchases have slackened, barter has been the biggest support under lead and zinc prices, metal men agree.

Although this program doesn't quite provide something for everybody, it does enjoy wide popularity. Farmers and metal producers who stand to gain from barter are naturally all for it; so are their official friends in Washington. Exporters are speaking up strongly in behalf of barter, since some of them now do most of their business this way under contract with Uncle Sam. Many foreign lands benefit from the program, so the State Department favors barter.

SHARP CURBS ADOPTED

Late last month, after a brief suspension, the Agriculture Department, which runs barter, slapped sharp restrictions on the program. "The rules were designed to kill off barter," says one official frankly. The announced reason for curtailment was fear of displacing more desirable export sales for cash. But officials also believed they were being forced to support metal prices as well as farm prices. They were leery of possible windfall-type scandals under the old rules. And they figured Congress' economy drive would trim barter funds anyway.

Now lead and zinc prices are falling and insiders predict it may be only a matter of weeks before barter rules are relaxed. "I see signs that we'll be forced to back down," says one farm official "I don't think the department can stand up under the pressure."

The pressure may be exerted as high as the Cabinet level. Interior Secretary Seaton praises the barter idea and hints he'll go to Farm Chief Benson or even the White House if he decides that's the only way "to save lead and zinc producers from disaster." President Eisenhower himself is on record in favor of barter. "A long-range expansion of barter is inevitable," Mr. Seaton argues. "It makes too much sense to trade a bushel of wheat for pounds of minerals." He adds: "I expect some action on the barter front soon."

Another high Interior Department official bitterly claims the Agriculture Department is sacrificing the domestic mining industry on what he calls "the mere assumption" barter is displacing cash sales.

ARGUING FOR BARTER

State Department men, too, are reported arguing for barter revival. When the recent curtailment was proposed, the diplomats warned of ill effects on United States foreign relations. Now, they say, foreigners believe the barter restrictions, along with the new long-range minerals policy, which includes proposed lead and zinc import duties, mean Uncle Sam is withdrawing a price support for world lead and zinc and, at the same time, offering to support domestic lead and zinc at the expense of foreign producers.

The behind-the-scenes fight may break into the open tomorrow at Senate Agriculture Committee hearings on surplus-crop-disposal programs. Key committee members who have privately voiced sympathy for exporters' complaints against barter curtailment are expected to snipe at the farm agency's new rules. These farm State Senators generally favor barter as a glut cutter, and committee member SYMINGTON, the Missouri Democrat, represents metal mining as well as farm areas.

"I think you'll soon see some shaking up of the Agriculture Department barter regulations," one committee member confidently predicts.

The Department is particularly sensitive to criticism of traders who help dispose of farm surpluses abroad, and the traders are hopping mad over the new barter rules. One farm official reports receiving 75 protest telegrams from disgruntled exporters in a single day.

What's more, the mining industry, once apathetic to barter, is starting to clamor for large-scale resumption of crops-for-minerals swapping. And the Nation's lead and zinc producers have banded together in a new committee, headquartered here, to lobby for more Government aid.

PRESSURE MAY GROW

If anything, the pressures may grow in time to come. Some administration officials predict further drops in lead and zinc prices unless the Government acts. And a farm official figures farm exports will drop this fall as Western Europe and Argentina, which have been Uncle Sam's best customers, harvest bumper crops. An export drop, he figures, would give the Agriculture Department a good excuse for an about-face on barter.

What form would a relaxation of the rules take? Farm officials naturally won't say, but present straws in the wind suggest easing of two major restrictions in the regulations announced last month. Under one of these new provisions, contractors in most barter deals must prove that the importing country would not take the farm surplus commodity if it had to pay in dollars.

"How can you prove it?" complains one barter contractor, Charles A. Cogliandro, president of Calabrian Co., Inc., of New York City. This rule alone, he claims, kills barter entirely. He says it gives the Agriculture Department the power of God over the program.

And a farm official confides: "We can't furnish such proof ourselves. So I don't see how traders can be expected to do so." He adds there's no proof, but only strong assumptions, that barter deals have cut into cash sales of United States surpluses abroad.

The other major curb that may come up for relaxation involves processing of the materials acquired through barter. Under the new rules, such materials must be both produced and processed abroad; formerly, they

had to be produced overseas but could be smelted in this country.

The American Mining Congress, the mining industry's trade organization, noting that a substantial part of all lead and zinc barter transactions has involved United States smelted products, singles out this restriction for denunciation. And barter contractors say facilities just aren't available abroad to process some materials

One other new rule seems unlikely to be scrapped, since it is designed to prevent windfall-type scandals. It works like this: Normally a contractor gets rid of the surplus crop before he delivers minerals to the Government; such delivery may not be made for up to 2 years. In the meantime, under the old rules, he had interest-free use of the money from the crop sales. But the new regulations require contractors to pay interest to Uncle Sam. Evidence in Agriculture Department hands indicates some of these funds have been used for purposes far removed from the barter program

Barter is handled through United States contractors who export farm commodities from stocks held by the Commodity Credit Corporation, Uncle Sam's surplus warehouseman. The contractors then repay the CCC with imported lead, zinc, and other strategic materials which are on the agency's barter shopping list. The minerals may or may not come from the country that takes the farm commodities. It's up to the contractor to dispose of the crops abroad and use the proceeds to buy the strategic materials he must deliver to the CCC.

AUTHORIZED IN 1949

Crops-for-minerals swapping was authorized by Congress in 1949 and started in 1950, but didn't amount to much until 1954. Since then, however, CCC has been making barter deals at a better than $300 million-a-year clip—or was, until the program was throttled down. To date, the total value of the CCC's barter contracts tops $975 million, with lead and zinc making up $112 million of the total. Significantly, $76 million of these lead and zinc deals have been added just since last summer. Other materials on the barter shopping list include antimony, bauxite, chromite, manganese, and selenium.

The CCC tries to unload minerals acquired through barter on one of the Nation's stockpiles. Some minerals go into the so-called strategic stockpile, and the Office of Defense Mobilization foots the bill. More often bartered goods go into a supplemental of price-propping stockpile, and the CCC must go directly to Congress for repayment.

The current budget furor is a direct cause of barter's curtailment. The CCC is holding nearly $350 million worth of minerals it wants to put into stockpiles. But the lawmakers trimmed O. D. M.'s mineral-buying money, and clearly indicated they wouldn't look with favor on CCC requests for reimbursement.

The difficulty involved in disposing of minerals is a major reason why farm officials are arguing for straight crop sales for cash. "Cash sales get rid of our surpluses without a lot of falderal," one official contends. "When crop exports are at a record high, as they are now, it's likely that a good portion will move for dollars."

Barter's backers might overcome most of the CCC's objections to the program if they could induce Congress to widen the agency's outlets for its metal. Congress could do this either by increasing the ODM's mineral-buying money or by granting CCC requests for reimburement. The outlook for either action is dubious.

But, regardless of Congress' position, barter's backers hold that the CCC is better off holding minerals than crops.

They figure 10,000 tons of wheat with an export price of $600,000 costs $67,200 a year just to store. But this wheat could be traded, say, for $600,000 worth of cadmium, which would require annual storage costs of only $2,500.

Interior Secretary Seaton notes that a mineral such as cadmium is nonperishable and can be cheaply stored for years. Crops, on the other hand, spoil sooner or later. The Secretary also notes that new crops can be grown each year, but the world's crop of lead, zinc, and other minerals can be harvested only once.

POOH-POOHS CLAIMS

Mr. Seaton pooh-poohs claims of some industry spokesmen that barter actually does more for foreign producers than United States miners.

"I am not aware that barter has unduly encouraged foreign production," he declares. And an aide says, "Even if it has, so what?" This official contends the object is to push domestic-mineral prices higher, and if this is accomplished it makes little difference whether foreign output is stimulated.

"Barter is a terrific instrumentality to keep prices up," this man opines. "It can be used, not only to help the lead and zinc industry, but also to prop domestic mining of tungsten and other metals."

Mr. Seaton, while heartily espousing barter, believes other relief is on the way for the hard-pressed lead and zinc industry. Zinc's price has sagged to 11 cents a pound, while lead has dropped to 14 cents—both the lowest prices since 1954.

Although few observers agree with him, Mr. Seaton insists Congress will pass the administration's long-range minerals program this session. This program recommends, among other things, import duties designed to guarantee a 16-cent price for lead and 14 cents for zinc.

The Secretary also refuses to go along with published reports that lead and zinc stockpiling is due to end this year. He discloses a high-level administration conference will soon determine the future of stockpile purchases of lead, zinc, and other metals. He holds out hope the policymakers will decide to go on buying lead and zinc until prices firm up.

Meanwhile, a so-called Emergency Lead-Zinc Committee has sprung up to put heat on Congress and the administration to bolster the industry. Head of the committee is Charles E. Schwab of Bunker Hill Co. (formerly Bunker Hill & Sullivan Mining & Concentrating Co.), Kellogg, Idaho. A spokesman says the committee represents practically 100 percent of the Nation's lead and zinc producers and will advocate Government props to insure 17-cent lead and 14½-cent zinc—a more liberal program, in other words, than the administration favors.

"We approve the theory of the administration's program," one spokesman says, "but we want to strengthen the underpinning. Higher import duties than the administration proposes are needed to stifle the terrific inflow of foreign lead and zinc."

But this industry spokesman also sees barter as an effective stopgap to help clean up surplus stocks of lead and zinc which he says "are overhanging the market." He points to the sag in lead and zinc prices when barter was suspended as evidence of the program's value.

"We certainly saw the reaction as soon as the barter props were pulled," he comments.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, I think no one familiar with operations under this program can deny that some grave difficulties have arisen under it, and in some instances the local currencies have been used by our own Government agencies for purposes that have not been approved or even considered by any committee of the House, either legislative or appropriations committee. That ought to be corrected. But, I do not believe that the kind of blanket amendment offered by the gentleman from Missouri, which would block all uses of these foreign currencies under agreements entered into by the President, is a wise thing to do. It is not the right way to handle the problem. It requires a much more careful study by the committees most familiar with this program. The Committee on Foreign Affairs, where the use of surplus commodities in lieu of dollars in our foreign-aid program originated, is considering it in the next few days.

One thing I am afraid of is that under the Curtis amendment we might really knock out about half of the sales of surpluses, injuring both our agricultural economy and our mutual security program. If you will look at page 8 of the committee report, you will find an example of what I mean. Here is the largest sale, to India, amounting to $360 million over a 3-year period. Now, what are the rupees received to be used for? If you look at about the 6th column, $234 million worth of rupees that the Indians paid to buy these commodities, is to be used, under the agreement for loans to India for developing multilateral trade and economic development. Now, what is economic development? That is for the construction, maybe, of dams, dynamos, highways, or hospitals or other projects that will strengthen India's economy or increase her production. India is willing to pay her rupees to buy these American commodities that she needs, with the understanding that substantial portions of those rupees will be loaned to India for important development projects in her country to strengthen her and, we believe, also strengthen the Free World's security in that part of the world.

At the bottom of that column on page 8 you will find that 56 percent of all the local currencies we have received from sale of surpluses have gone for this sort of loan program. If we require that every single yen or rupee or whatever it may be, that we receive is to come back to the Appropriations Committee regardless of our agreement with the other country, then I fear pretty close to 56 percent of the American surplus commodities that those countries are now buying would not be bought. It would cut our Public Law 480 program in two. Therefore I do not believe that we ought to adopt without further examination this amendment of the gentleman from Missouri.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I was anxious to take this time because I want to call the attention of the gentleman from Minnesota to the fact that item (f) is already exempted from the exemption.

Mr. JUDD. I am talking about (g).

Mr. CURTIS of Missouri. (f) is the one you read off. I do not know whether you meant (g). (f) is listed.

Mr. JUDD. I meant 104 (g).

Mr. CURTIS of Missouri. I thought you were reading (f). Incidentally, section 104 starts out by saying these 10 items of expenditure for foreign affairs are exempted from the regular appropriation procedures. Then there is an exemption to the exemption listing 3 of the 10 items. Mr. ROONEY's amendment adds 3 more, making 6. My amendment added 4 more, making a total of 10. All I was doing with the amendment I sought to substitute instead of saying these 10 are exempt and then saying later that these 10 are exempt from the exemption, is simply to wipe out the basic exemption from the appropriation procedures in the first place. That, in effect, is what is done by my original substitute.

Now, all this talk about hurting the disposal program obviously is not correct, because three of these items are already subject to the Committee on Appropriations, items (d), (e), (f), and items (h), (i), (j), which the gentleman from New York [Mr. ROONEY] wants to add on in his amendment are not found objectionable because it is agreed that his amendment will be accepted. Now, why not go the whole way and exempt items (a), (b), (c), and (g), the only four items remaining not subject to the appropriations procedure? What is so sacred about item (a) "to help develop new markets for United States agricultural commodities on a mutually benefiting basis." Or about item (b) "to purchase or contract to purchase strategic and critical materials, within the applicable terms of strategic and critical materials, Stockpile Act, and so forth," (c) "to procure military equipment, materials, facilities, and services for the common defense," or (g) "for loans to promote multilateral trade and economic development, and so forth," that exempt them from the appropriations procedures? Are these 4 items so different for the 6 now going through regular appropriation procedures that the basic program will be altered by bringing about this uniformity? An examination shows quite clearly that there is no real difference. All of this emphasizes the point I have made throughout the debate that subjecting the items for which the counterpart funds may be spent to the regular appropriation procedure will in no sense interfere with the contracts for disposing of our agricultural surplus.

My point is that the whole program, of course, should be subject to the Appropriations Committee procedure and it is not going to hurt or alter the program at all. One thing that will be altered is that the Congress will know for a change what these foreign aid programs are going to spend in counterpart funds as we now know what funds which come directly from the United States Treasury are spent for.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, I believe there is more common ground here between these two points of view than we realize. All of us want the closest possible scrutiny of every dime expended by the Government, whether it is American dollars or foreign currency. And I honestly believe there is actually more supervision than some may think, or at least as much as the Congress can reasonably exercise.

I have here in my hand an agreement negotiated with Austria and article 1 shows what we are trading them: Wheat, feed grains, cotton, tobacco, lard, canned and dried fruit—$22 million. Article 2 shows that the first $5.8 million is to go to help develop new markets for United States agricultural commodities; $2 million of it is to go to the purchase or contract for the purchase in Austria of materials under section 104 (d). The third part of it $14½ million for loans to the Federal Government of Austria to promote their economic development.

I should like to ask a member of the Committee on Agriculture whether this is a typical specimen agreement.

Mr. POAGE. I think it is fair to say that that is rather a typical agreement.

Mr. BROWN of Missouri. In this instance, two-thirds of it is going for loans to the Federal Government of Austria. Now the administration of these loans must be handled by the President and his Cabinet, just as we in Congress appropriate money to the Small Business Administration to negotiate loans to small businesses and have to rely on the Small Business Administration to approve or disapprove each individual loan. Congress cannot review each one and approve or disapprove it.

I do not know how far Congress can go in the matter of actually handling details of supervision. Surely, we have to assume that the executive department will work at the job and watch the money, and I think Congress must get reports on how it is spent. Do we get a report or does Congress ever have a chance to see just what these loans are that are made?

Mr. POAGE. Yes, we have a chance to see what they are. They are loans that are made to these governments and the effect is that the Government buys on credit as well as for foreign currencies, although I think in the Austrian agreement, as is true in many agreements, it is provided that there shall be repayment of the loan in American dollars.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. MEADER].

Mr. TABER. Mr. Chairman, will the gentleman yield to me for a suggestion?

Mr. MEADER. I should be glad to yield to the gentleman.

Mr. TABER. It seems to me that these counterpart funds ought to be under the control of the Congress. I hope the amendment offered by the gentleman from Missouri [Mr. CURTIS] will prevail. I think it is important.

Mr. MEADER. I thank the gentleman for that statement.

Mr. Chairman, I should like to have the attention of the chairman of the Committee on Agriculture, if I may, to make an inquiry. The gentleman has said that these agricultural surpluses cannot be sold to foreign governments on a straight sale for their currency, but in addition to selling for their currency we must agree in advance what we are going to do with the proceeds of that sale; is that correct?

Mr. COOLEY. I think that is substantially correct.

Mr. MEADER. Just what testimony was taken by the Committee on Agriculture from the Department of State or anybody in charge of this program that we would be unsuccessful in trying to sell these surplus commodities for foreign currencies in a straight sale, with the United States owning the currencies and disposing of them as we saw fit?

Mr. COOLEY. The law requires the administration first to determine that ordinary private trade transactions will not be interfered with and that the commodities going to any recipient country shall be over and above the normal consumption of such commodities from the American market.

We certainly could not make those determinations and I do not think a committee of Congress could make them with as much accuracy or precision as someone in a department of the executive branch of the Government.

Mr. MEADER. That is not quite an answer to my question. I am asking what evidence there was before the Committee on Agriculture that in these sales for foreign currency authorized by Public Law 480 we could not make a straight sale and just get the currency without going further and making an agreement with the Government as to how we were going to spend the money, before we ever got it.

Mr. COOLEY. That depends on the negotiations the President conducts. The twofold purpose of the act is to get rid of the currencies and at the same time help the economies of foreign countries.

Mr. MEADER. I hope someone will answer that question.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Chairman, it is rather unusual to meet opposition when we have a good program that has been working—I think most people are fairly satisfied with it, and we are only asking to extend the program—and I think it is unfortunate, but in view of their past actions it is understandable, that some of the Members on my left do not trust the President to make these negotiations. I think that is one of the reasons why this amendment has been offered. They do not trust the President.

I think before we start trying to have the investigation and the notice of where all of these funds go we might start with the general foreign-aid bill rather than this bill, which authorizes the sale of agricultural commodities for foreign currencies, the use of which obviates the necessity of our appropriating dollars. We are using these funds for the purpose of carrying on some work in those countries for which we would be appropriating dollars if we did not use these funds. In any sale like this you can always make a better deal and probably sell more of those commodities if you are in a position to do a little trading, a little bargaining there. I say it is better to do it in that instance than just to throw

the funds loose when you are appropriating dollars. I am in favor of and want to see us account for every penny of this money. Particularly, do I want to see the counterpart funds accounted for. But let us begin in the big foreign-aid bill and tie that down before we start to destroy this program which has worked so well.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I am not naive enough to believe this program, although I support it, will contribute in an effective way to a solution of the serious economic agricultural problem in this country. I can see no reason in the world why there should not be a checkup in every possible way by Congress on the spending of counterpart funds in foreign countries.

I want to recall to you again that 3 or 4 years ago someone in this Government authorized the turning over of approximately $1 billion in counterpart funds to the British Government for the purpose of retiring their debt, and about the same time another $400 million for the production of aircraft in Great Britain. Who authorized the turning over of those funds? I have never seen any publicity on it. I am surprised that the Foreign Affairs Committee has not dug into it. That happened, incidentally, at a time when Anthony Eden was apparently having a tough time getting himself elected to office in Great Britain.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Yes. The gentleman from Minnesota mentioned counterpart funds in India. I wonder whether any of our counterpart funds in that country are being used to pay for a steel mill reportedly being constructed in India by Russia?

Mr. JUDD. No; I can assure the gentleman that is not being done. But to get back to the gentleman's question of whether sometimes our counterpart funds have been used to help retire a country's debt, that is true, and it was very successful. For example, in Italy they were having dangerous inflation.

Mr. GROSS. Who authorized the turning over of a billion dollars in counterpart funds?

Mr. JUDD. I am not familiar with such a transaction, but if it was done, it was done by the President, under authority specifically granted in the legislation, using the agencies set up to try to stabilize the economies and the currencies of our allies. The most useful thing to do was to take that surplus currency in Italy and retire it, even burn it. It helped stabilize the Italian lira, instead of its going sky high. That was the best use we could make of that counterpart.

Mr. GROSS. I have no doubt that our counterpart funds were also used to help the British embark on all-out trade programs with the Communist countries. You can call that useful if you want to.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HAGEN].

Mr. HAGEN. Mr. Chairman, I would like to commend the chairman of the committee on his presentation and on the report which accompanies the bill.

Mr. Chairman, I wish to endorse the value of this legislation to our American farm community as a proper method of handling surplus production in a noncompetitive manner and its value to our foreign policy as an economical method of strengthening our allies and making new friends.

I am particularly interested in the question of the scope of this program in terms of definition of the kinds of commodities which we will dispose of hereunder. As a member of the House Agriculture Committee I heard testimony on this subject during consideration of this legislation and participated in discussion of the same during open and closed hearings on this bill. It was the conclusion of this committee that the disposal operations were not intended to be limited only to those agricultural products which were held in fee or under some security arrangement by the Commodity Credit Corporation. Rather the program would be used with respect to any farm commodity which was in surplus supply in this country by any reasonable definition and with respect to which such disposal would reasonably tend to develop new and expanded commercial markets abroad. It was stated that disposal operations of such broad character would result in the kind of permanent expansion of our foreign trade which would solidify our position in the world of nations.

The report of the committee—Report No. 432—accompanying H. R. 6974 verifies the foregoing conclusions.

At page 10 of the report, under the heading "Construction of the Act," the statement is made:

> What are these benefits sought to be achieved? One need look no further than the title of the act itself to discover the first, and in the opinion of this committee, the most important tangible benefit Congress had in mind: Development abroad of new and expanded commercial markets for American agricultural products.

Again on page 11 of the report reference is made to this question under the subject caption "Development of New Markets." Here the statement is made:

> It appears to the committee that the effectuation of the policy of Congress with respect to market development under Public Law 480 will require not only the allocation of a greater portion of available foreign currencies to this purpose but also the use of those funds in additional ways, and a more liberal interpretation by the Secretary of Agriculture of commodities available for sale under title I.

At a later point on page 11 of the report the statement is made:

> The objective of developing new markets and future profitable trade in United States agricultural commodities and their products can be furthered also by making available to other countries—as contemplated by the general purposes of Public Law 480—commodities and products of a type which might reasonably be expected to find a substantial volume of profitable commercial demand in the country to which they are sent. Effectively to stimulate and facilitate foreign trade in these commodities and products and to further the policy of Congress as declared by Section 2 of the act necessitates full recognition by the Secretary of Agriculture and other administrative officials of the intent of Congress to make any surplus agricultural commodity as defined in the act eligible for sale under the authority of the act, whether or not the Commodity Credit Corporation owns or has acquired stocks of such commodities under price support programs.

At page 13 of the report under the caption "Fruit and Other Commodities" additional evidence for my conclusions is found in the statement:

> The committee also concurs in the position of the Senate committee with respect to the application of title I to fruit and other commodities as expressed on pages 4 and 5 of Senate Report No. 188. The committee believes that substantial market potential exists for many non-CCC inventory items such as poultry and dairy products and other livestock products. This measure will permit the undertaking or the continuation of programs such as the poultry program which was started in Germany last year and has already demonstrated possibilities for establishing entirely new markets which never before existed for United States agricultural products.

I will conclude by explaining the committee reference at the bottom of page 11 of the report to the statute's definition of surplus agricultural commodity. Section 103 of the Agricultural Trade Development and Assistance Act defines such surplus agricultural commodity to mean:

> Any agricultural commodity or product thereof, class, kind, type, or other specification thereof, produced in the United States, either privately or publicly owned, which is or may be reasonably expected to be in excess of domestic requirements, adequate carryover, and anticipated exports for dollars, as determined by the Secretary of Agriculture.

On the basis of our discussion in the committee I conclude that this definition does not require any inquiry into the question of whether or not the commodity commands a prescribed parity price in the domestic market as a condition of Public Law 480 eligibility. Rather the question is purely one of surplus supply in excess of domestic requirements and anticipated foreign sales plus a reasonable carryover. If this definition is applied in this fashion the 480 program—as it should be applied—will apply to commodities which now have straitjacket parity formulas for participation in marketing order and marketing agreement programs. I am certain that this was the intent of our committee and will be the intent of this Congress with the passage of this legislation. It is obvious that no parity criteria would apply to a definition which refers to commodities which may be reasonably expected to be in surplus.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. HARVEY. Mr. Chairman, I ask unanimous consent that the time allotted to me may be used by the gentleman from Illinois [Mr. SPRINGER].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Chairman, I thank the gentleman from Indiana [Mr. HARVEY] for his courtesy.

I would like to ask my colleagues here how many times do we have to march up the hill and down? May I say for those whose recollection is not too long that so far as the effect of the amendment is concerned, we had exactly the same amendment before us when we debated this bill last week. It is exactly the same amendment as far as the effect is concerned as the gentleman from New York [Mr. ROONEY] presented. Let me talk just a second about the amendment which my distinguished colleague, the gentleman from Missouri intends to introduce. It is in different language, but it is exactly the same amendment so far as the effect is concerned as the one the gentleman from New York [Mr. ROONEY] introduced last week. It is exactly the same in effect as the amendment which is now pending as an amendment to the amendment of the gentleman from New York [Mr. ROONEY] today.

Mr. CURTIS of Missouri. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield for a question.

Mr. CURTIS of Missouri. I simply want to confirm what the gentleman is saying. It is true that the purport of this amendment is just as the gentleman has stated. It is the amendment that the gentleman from New York [Mr. ROONEY] offered and it was debated before.

Mr. SPRINGER. But the point is this amendment was decisively defeated last week. We talked about this, as I recall, for some three hours. The amendment which is now pending, as an amendment to the amendment offered by the gentleman from New York [Mr. ROONEY] and the amendment which the gentleman from Missouri intends to introduce has exactly the same effect as the amendment pending now. So I want to be sure the Members understand what these amendments are about. I talked with the parliamentarian and I might say to my distinguished colleague from Missouri that I had intended to object to both amendments, but I am informed that because the wording is different it is not possible for me to object to the amendments as being the same ones that we have already gone over before. I want to tell you what the parliamentary situation is so that you will have an understanding of what his amendments are about.

I would like to answer the inquiry of the gentleman from Michigan [Mr. MEADER] as to why we just cannot take these foreign currencies and do what we want with them. When we enter into these agreements—take India as an example, when the administrator of the foreign service program under this law, talked with the Government of India a few years ago, India did not want to enter into any agreement with us because it created expansion of their currency. In order to keep their currency stabilized, the expansion which was created had to be controlled and the expenditures had to be in such a way that they would not be a threat of inflation to the Government of India. That is one reason and one example that I can give to you as to why these countries have to know how this money is going to be spent. If we were to take a large sum of money and enter into contracts with other countries to use those currencies in competition with their own trade—and, there are any number of things that we could do, we could buy arms and we could do many things—that would be a threat to their economy. They realize that. But, we were able to enter into a contract so that the moneys which were generated as a result of this, that is the number of rupees, and the expansion of their country, was not a danger to their economy and there was no threat of inflation. As you well know, inflation has been the big problem in India ever since the British left India.

May I just talk for a second about the matter raised by the gentleman from Iowa [Mr. GROSS] and that is the checkup on the expenditures. I hope that the House understands that the gentleman from North Carolina, the chairman of this committee, has explained and has read from the budget facts which indicate that there is a checkup of these funds. I think I am right in that; am I not, Mr. Chairman?

Mr. COOLEY. I believe the gentleman is correct.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan, [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I yield my time back to the Chair.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I want to try to clear up 1 or 2 misapprehensions.

In the first place with regard to this money we are talking about, most of it is not counterpart funds at all. It does not become counterpart funds until after somebody pays it back to the United States. For a long time the United States has got somebody else's currency. That is the very reason that we cannot accept this Curtis amendment, because it is not a matter of dealing with money that has been paid back; it is an entirely different matter. We are faced with the question of whether or not we are going to require that the Appropriations Committee must pass on every item of every agreement before the agreement is made.

We have already accepted the Rooney amendment which will authorize us through the Appropriations Committee to appropriate the money after it comes into the Treasury.

The Curtis amendment would keep us from making agreements with these foreign countries. It is not simply the matter of goods; it is not even the fact that we take their currency in payment; it is the fact that we enable them to make an agreement with us whereby we commit ourselves as to how we will use that money over a substantial period of time, which has enabled us to make as many sales as we have.

As the gentleman from Illinois so well pointed out a few moments ago, no nation on earth can afford to let some foreign power hold a large block of its own currency without submitting itself directly to the complete economic control of the power holding its currency; and that is what the Curtis amendment would require. It would require that foreign currency be under the complete control of the Appropriations Committee here in the House. We must either require the purchasing country to turn over its currency without any assurance as to how the Appropriations Committee will spend it, or we must admit that the Appropriations Committee would be a part of the negotiating process.

This bill as it has been in operation for the last 3 years allows the President of the United States to enter into agreements with these foreign countries as to the purpose for which we will use those foreign currencies, and the biggest part of it has been used to make loans back to those same countries. Those loans are made in foreign currencies, but about three-quarters of them are repayable in American dollars. It is when we get the dollars back that they come under the control of the Appropriations Committee; and we want them to then come under the control of the Appropriations Committee.

The Curtis amendment should not be in the bill.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY] to close debate.

Mr. COOLEY. Mr. Chairman, after all of this brilliant debate, I would like to call the attention of the members of the committee to this language in the budget message:

> Foreign currencies, generated by the sale of agricultural surplus commodities under title I of the Agricultural Trade Development and Assistance Act of 1954, may be allocated to the Department of Defense to finance the construction of housing for our military personnel and families stationed abroad. The Department of Defense will pay the Commodity Credit Corporation in dollars, as authorized by Public Law 161, approved July 15, 1955, from appropriations otherwise available to pay quarters allowances to military personnel occupying the housing, for the foreign currencies used to provide this housing.

How could it possibly be said by Members of the House that Armed Services Committee or the Appropriations Committee are not aware of this expenditure of money? Here are the estimates in dollars and cents presented in the budget in the manner of all budget estimates. It is estimated that in the year 1958 we will use $67,532,143 for military housing and other direct defense purposes abroad; in 1957 we will use about $71 million.

Furthermore, after all of this controversy about what this money is used for, here in the budget are items set forth on page 1156 of the budget: Foreign currency information schedules: Foreign Agricultural Service, General Services Administration, Interservice Activities, Defense Department, mutual security program, State Department and United States Information Agency.

Mr. Chairman, all of this is public information and is available in the budget for the fiscal year 1958 and if any Member is anxious to obtain the information it is available in this document.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Pennsylvania.

Mr. FULTON. Actually under the provisions of the statute any department of government that uses the money generated under this program must pay into the Commodity Credit Corporation the amount they are saving in their own appropriations. So it is really under the Appropriations Committee.

Mr. COOLEY. The gentleman is correct.

The CHAIRMAN. All time has expired. The question is on the substitute amendment offered by the gentleman from Missouri [Mr. CURTIS] to the amendment offered by the gentleman from New York [Mr. ROONEY].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. ROONEY].

The amendment was agreed to.

Mr. THOMPSON of Louisiana. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. THOMPSON of Louisiana: Page 2, following line 3, add the following new section:

"SEC. 2. The Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Commodity Credit Corporation is authorized, on such terms and under such regulations as the Secretary may deem in the public interest, to donate raw cotton, and mattress ticking, sheeting, and blanketing made of cotton, to such State, Federal, or private agency or agencies as may be designated by the proper State or Federal authority and approved by the Secretary, for use in the United States in assisting needy persons, and in charitable institutions, including hospitals, to the extent that needy persons are served.

"'(b) The Secretary, before making any donations under this act, shall obtain such assurances as he deems necessary that—

"'(1) such raw cotton and such cotton products will be used by the recipient agency in a program under which such cotton and cotton products will be processed into finished mattresses, sheets, and blankets and distributed among needy persons,

"'(2) the recipients of such raw cotton and such cotton products will not diminish their normal expenditures for cotton and such cotton products by reason of such donation.

"'(c) (1) In order to facilitate the appropriate disposal of such raw cotton and cotton products, the Secretary may from time to time announce the quantity thereof which will be available for distribution.

"'(2) The Commodity Credit Corporation may pay, with respect to cotton and cotton products disposed of under this act, the cost of acquiring such commodities (unless procured from the stocks of such Corporation), and the cost of reprocessing, packaging, transporting, handling, and other charges accruing up to the time of their delivery to a Federal agency or to the designated State or private agency.

"'(3) For the purposes of this act, the terms "State" and "United States" include the District of Columbia, Puerto Rico, and each Territory or possession of the United States.'"

Mr. AUGUST H. ANDRESEN. Mr. Chairman, a point of order.

The CHAIRMAN The gentleman will state it.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I make the point of order against the amendment that it is not germane to any part of this bill. This bill reads "To extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes." The bill that we are considering here deals strictly with foreign countries of the world in developing export markets for surplus agricultural products and providing for assistance to those countries. Now, I cannot read into this bill or into existing law any authority for our Government to deal with commodities and purposes indicated in the amendment proposed by the gentleman from Louisiana. Therefore I make the point of order against the amendment.

Mr. THOMPSON of Louisiana. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Yes.

Mr. THOMPSON of Louisiana. This amendment creates a new section in the bill under consideration, and I have been told from what I think is competent authority that it is germane to the intent of the bill. And I might add my own belief that if it applies, as the gentleman contends, to the foreign aspects under Public Law 480, then certainly I think it is germane to hand over some of these commodities where it will do some good in our own country.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I might say to the gentleman that we had that very point up before the Committee on Agriculture. It is receiving sympathetic consideration. We are now distributing our surpluses to people in need throughout the United States, milk, dairy products, for school lunches, hospitals, and to needy people.

Mr. THOMPSON of Louisiana. I know of the gentleman's great work in this matter, and my amendment is an attempt to expedite that great work.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to the gentleman from North Carolina.

Mr. COOLEY. I would like to say that the bill we have before us, H. R. 6974, is a bill to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, and the first division states that the Agricultural Trade Development and Assistance Act of 1954, as amended, is amended as follows. Now, I understand the gentleman proposes to further amend the Agricultural Trade Development and Assistance Act of 1954. While the act already provides that food and feed might be made available under certain circumstances, you now are seeking to provide that fiber might be made available to charity and other needy persons within the continental limits of the United States.

Mr. THOMPSON of Louisiana. That is merely one commodity in addition.

Mr. COOLEY. And that is added to the feed and the seed or whatever else we have in surplus.

Mr. THOMPSON of Louisiana. The gentleman is correct.

Mr. COOLEY. I submit, Mr. Chairman, though I am not authorized to speak for the committee, it seems to me that the gentleman's amendment is entirely germane and in order and meritorious, and I personally would like to see it adopted.

Mr. FULTON. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. Yes.

Mr. FULTON. Title II and title III of the original act specifically provide that there is to be distributed among the needy people through charitable institutions and various other institutions in the United States agricultural commodities. Cotton is certainly an agricultural commodity. It comes within the general purview of the act on distribution both at home and abroad, and this particular legislation is to cover the basic act on the distribution end. So I believe the gentleman is completely in order, and I agree with the chairman of the Committee on Agriculture.

The CHAIRMAN (Mr. HAYS of Arkansas). The Chair is prepared to rule.

The act which the bill proposes to amend and extend contains a provision relating to the subject matter and, as pointed out, is sufficiently broad and does cover the material offered in this amendment. The language is specific that notwithstanding the foregoing the Corporation on such terms and conditions as the Secretary may deem in the public interest shall make available any farm commodity or product thereof owned or controlled by it in relieving distress.

The Chair holds the amendment is germane and overrules the point of order.

Mr. THOMPSON of Louisiana. Mr. Chairman, I shall not burden this Committee in explaining this amendment. It explains itself. The mere reading of it by the Clerk tells you what it does.

The great Committee on Agriculture has labored long this year and for many years past in trying to make proper disposition of what we have in surplus in this country, and in foreign lands to help our State Department in our relations with friendly countries.

I think no one would be in disagreement with extending that type of charity to our people here at home where a great need exists, even in my district and perhaps yours. I hope it does not exist in yours any more than it does in mine, but I have seen over the years so many of our families at home who read about the great generosity of Uncle Sam overseas who are actually in trouble and in need of these things that we call basic and fundamental to a decent standard of living.

This is just as important to these poor, indigent people as the distribution of food which is in surplus. This concerns sheeting and mattresses and cotton for the purpose of making mattresses, which would not only help to reduce our surpluses but we would also do this great good that I know can be done in many areas of our country where the need exists.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to the gentleman.

Mr. FULTON. May I compliment the gentleman on his amendent; because, if we are going to be fair, cotton should be included along with other surplus agricultural products included in Public Law 480. I might say to the gentleman, that we have 611,000 needy people in Pennsylvania who are receiving free surplus food from the Federal Government. It has been a fine program as far as our cities and towns in Pennsylvania are concerned.

Mr. THOMPSON of Louisiana. I thank the gentleman.

Mr. GATHINGS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield.

Mr. GATHINGS. Mr. Chairman, I compliment the gentleman on his amendment. This amendment was presented to our Committee on Agriculture last Saturday. The gentleman did a splendid job. I trust the amendment will be agreed to.

Mr. THOMPSON of Louisiana. I thank the gentleman. I would ask the chairman of the great Agricultural Committee if he would accept the amendment.

Mr. COOLEY. Personally I am very much in favor of the amendment and hope it will be adopted. And I hope the Secretary will provide a very worthwhile program pursuant to the provisions of the amendment.

Mr. LONG. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield to my colleague.

Mr. LONG. Mr. Chairman, I would like to compliment my colleague from Louisiana on the amendment he has offered and associate myself with him in the remarks he has just made, and say that I am very much in favor of the amendment.

Mr. THOMPSON of Louisiana. I thank the gentleman.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Louisiana. I yield.

Mr. POAGE. I want to ask the gentleman if he does not apply to cotton exactly the same principle that we applied last year in the Bailey bill to wheat and to corn, which are edible commodities? We apply in the gentleman's amendment the same principle to cotton.

Mr. THOMPSON of Louisiana. That is correct. It serves as great a purpose as food does in many cases.

Mr. POAGE. Exactly. This Congress last year authorized the Commodity Credit Corporation to pay the expenses of processing foods into a form that would be usable in the kitchen and authorized the CCC to pay the expense of processing cotton into forms usable in the home. The purpose is exactly identical and it should be easy to further the program of using these surpluses for our American people.

Mr. THOMPSON of Louisiana. I am asking the committee not to indulge me, but to help the needy people in our country, by going along with this amendment.

Mrs. SULLIVAN. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Louisiana.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN, of Missouri, as an amendment to the amendment offered by Mr. THOMPSON of Louisiana:

Page 2, after line 3, insert:

"SEC. 2. Title III of such act is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Secretary of Agriculture (in this section referred to as the "Secretary") is hereby authorized and directed to promulgate and put into operation, as quickly as possible, a program to distribute to needy persons in the United States through a food stamp system a portion of the surpluses of food commodities acquired and being stored by the Federal Government by reason of its price-support operations or other purchase programs.

"'(b) In carrying out such program, the Secretary shall—

"'(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"'(2) issue, or cause to be issued, pursuant to section 3, food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"'(3) distribute surplus food in packaged or other convenient form on the local level at such places as he may determine;

"'(4) establish standards under which, pursuant to section 3, the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"'(5) consult the Secretary of Health, Education, and Welfare and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure achievement of the goals outlined in the first section of this act; and

"'(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this act.

"'(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency, to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3).

"'(d) Surplus food distributed under this act shall be in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons by a State or any political subdivision thereof.

"'(e) In any one calendar year the Secretary is authorized to distribute surplus food under this act of a value of up to $1 billion, based on the cost to the Federal Government of acquiring, storing, and handling such food.

"'(f) The distribution of surplus food to needy persons in the United States under this act shall be in place of distribution to such needy persons under section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U. S. C., sec. 612c), as amended, and section 416 of the Agricultural Act of 1949, as amended: *Provided, however*, That nothing in this act shall affect distribution of surplus food presently provided for in such sections other than to needy persons as defined in section 7 of this act.

"'(g) For the purposes of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"'(h) The Secretary, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within 6 months after the date of enactment of this act, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this act to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this act by reason of section 7 of this act.

"'(i) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.'"

Mrs. SULLIVAN (interrupting the reading of the amendment). Mr. Chairman, I ask unanimous consent that the amendment be considered as read, because the wording of this amendment was in a bill I introduced, H. R. 949, and hearings have been held in the committee on that bill.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

Mr. HOEVEN. Mr. Chairman, I make the point of order against the amendment that it is not germane to the subject under discussion. It imposes upon the Secretary of Agriculture new duties not contemplated in this act, and sets up a plan entirely extraneous and foreign to the subject matter of this bill.

Mrs. SULLIVAN. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will hear the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Chairman, I have been advised I will probably have to bow to the point of order, but before doing so I should like to say that while this amendment may not perhaps be germane from a strictly technical application of the rules of the House, it certainly was not dragged out of thin air and it is certainly relevant. It amends the law of 1954 which incorporates the present program for the distribution of surplus food to needy persons in this country. While it is true that the present bill contains provisions dealing only with the foreign distribution of this surplus, it is relevant, I think, and practical on this question of feeding our own hungry in this country.

May I ask the gentleman from Iowa to reserve his point of order until he has heard my statement?

Mr. HOEVEN. I reserve the point of order, Mr. Chairman.

Mrs. SULLIVAN. Mr. Chairman, my amendment consists, almost verbatim, of my bill H. R. 949, to establish a food stamp plan for the distribution of up to $1 billion in surplus food a year to needy persons in this country.

Most of the Members, I believe, are generally familiar with my bill, since I have been pressing here for it for more than 3 years and have enlisted the active support and cosponsorship of numerous Members of the House and several Members of the Senate. Hearings on this bill, or on various versions or approximations of it, have been held at various times before both Agriculture Committees and also, in connection with the social security program, before the House Ways and Means and the Senate Finance Committees.

So this amendment which I submit today is not some new and unfamiliar proposal. The committee knows all about this idea. It has studied it several times. But it has failed to act on it.

I think the time is now here when we can no longer remain idle or silent over the desperate plight of millions of our own American citizens who are not now receiving adequate diets—who do not—who simply do not—get enough to eat.

These are primarily the people on any form of public assistance—those on general assistance administered by the various States, and those on any of the joint Federal-State programs for old age assistance, aid to the blind, aid to dependent children, and so on.

These people are hungry in the midst of plenty. Statistically, our country was never so prosperous. Yet we have at least 5 million Americans who go to bed at night hungry, dieting not to lose weight but because they cannot afford enough food.

And the food is here, in mountainous piles. The warehouses bulge with it. Our Government is desperate to give it away as fast as possible.

But all the emphasis is on giving it away abroad, as this bill provides.

Yes; we do distribute some of it to needy persons in this country. But the program under which it is distributed here is tragically inadequate. Some States and the District of Columbia do not participate in it at all; others find it so horribly expensive to distribute the food under the program of the Department of Agriculture now in effect that they say it costs them more to distribute this surplus to some of their needy than the food itself is worth.

If we can use this food to feed needy persons all over the world, then I say we can also spare some of it, and afford the cost of distributing some of it, to every needy American.

I am speaking now of the certified cases of need, those on public welfare. There are many in every State. We are not getting this food to most of those needy. I repeat that we are not under the present program helping most needy in most States.

In some States, vast quantities are handed out to all who register for it, depending upon size of family and the amount of income. In others, some of this food goes just to a few families, comparatively, in areas of excessive joblessness.

Mr. COOLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield.

Mr. COOLEY. I would just like to point out according to the record I have here, you have 10,366 dependent people receiving aid in the State of Missouri and the State of Mississippi has 257,869. I wonder why under the law, and since the food is now available, why is it that the needy people are not receiving it at the present time?

Mrs. SULLIVAN. Because it is so terrifically expensive for many of the States to participate and to distribute it. You mentioned that in Missouri we have 10,000 who are receiving aid. That is true, but we have 232,000 who are on the relief rolls and who are getting none of it.

Mr. COOLEY. Are they not eligible for relief and are they not eligible to receive these commodities?

Mrs. SULLIVAN. No, because in order to be eligible they have to be in distressed areas, and the State government has to ask for these commodities and distribute them.

Mr. COOLEY. I agree with the gentlewoman. I notice on the same chart that I hold in my hand that my own State of North Carolina is not even participating in the program at all. I know we have some needy people in the State of North Carolina. Just why are we not participating, I am not quite sure. But, apparently, the State of Missouri is participating and I wonder why it is that they cannot participate on a broader scale.

Mrs. SULLIVAN. Because they cannot afford to do it. That is the answer that I repeat to the gentleman.

Mr. COOLEY. In other words, the distribution of the commodities is the problem.

Mrs. SULLIVAN. That is right.

Mr. COOLEY. I would like to say that I am thoroughly in sympathy with what the lovely lady is trying to do, and I would be very glad to work on legislation dealing with that problem before our Committee on Agriculture. I know you have legislation pending there, but I doubt the propriety of it in this bill.

Mr. FULTON. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I am glad to yield to the gentleman.

Mr. FULTON. May I say to the chairman of the Committee on Agriculture that the gentlewoman from Missouri has a real point because we, in Pennsylvania, went down to the Secretary of Agriculture and set programs up. But the real trouble is that while the Department of Agriculture is willing to ship it in, and while they have to store it anyhow at its source point, they will not pay the local storage expenses. The real trouble is that neither the Secretary of Agriculture nor the Department of Agriculture will help pay the storage costs on delivery to the distribution points. So in many cases it stays there for 2 weeks or 3 weeks or a month. There is where the cost which the gentlewoman from Missouri points out have to be borne by the local agencies and cannot be taken care of in their budget. Why cannot there be by the Department of Agriculture local storage points put, for example, in Missouri at Federal expense, and in Pennsylvania, because we, in Pittsburgh, are closing the program for the same reason that the gentlewoman cites.

Mr. COOLEY. I would like to point out that in the State of Pennsylvania you have 611,000.

Mr. FULTON. Yes 611,000.

Mr. COOLEY. In the State of Pennsylvania you have 611,000 and that is twice as many people as they have on relief in Puerto Rico.

Mr. FULTON. Yes. I do not see any reason in the world why the Department of Agriculture cannot arrange to have all of these foods stored in the area where they are being consumed.

Mrs. SULLIVAN. May I point out to the gentleman from Pennsylvania that you have 611,000 who are receiving surplus food now, but you have 215,000 who are on the relief rolls, but that does not mean that these people on the relief rolls are getting this food.

Mr. FULTON. It does, because in Pennsylvania we give it to the department of public assistance on certification, as well as by local boards which are set up by the citizens on a voluntary basis. We have worked with our labor unions and have a very fine program worked out for Pennsylvania. As the chairman of the Committee on Agriculture points out, if the Secretary of Agriculture can set up local storage points at points other than the origination of the surplus, then they can be distributed without extra cost to the Government of the United States.

I do not see why it cannot be done. I compliment the gentlewoman from Missouri.

Mrs. SULLIVAN. In conclusion, I wish to call the Chair's attention, on the matter of germaneness, to the reference in Cannon's Precedents, volume 8, section 2941:

> An act continuing and reenacting an existing law is subject to amendment modifying the provisions of the law carried in the act.
>
> The Committee overruling the decision of the Chair held that an amendment germane to existing law is germane to a bill proposing its reenactment.

I submit that reference to the Chair for its consideration.

Mrs. KELLY of New York. The gentlewoman does not concede the point of order, does she?

Mrs. SULLIVAN. No; I do not.

Mr. BROWN of Missouri. Mr. Chairman, may I be heard briefly on the point of order?

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. BROWN of Missouri. Mr. Chairman, I see very little difference in principle here between amending this act to provide foodstuffs for needy persons and the amendment offered by the gentleman who proposed the amendment to provide cotton products for needy people. It seems to me the principle is the same in both cases, and foodstuffs are in much more total surplus than cotton in this country. In the development of trade and assistance in agricultural products surely foodstuffs deserve greater consideration.

The CHAIRMAN (Mr. HAYS of Arkansas). The Chair is prepared to rule.

The Chair calls attention to the fact that the amendment offered by the gentlewoman from Missouri is offered as an amendment to the pending amendment

offered by the gentleman from Louisiana and that that amendment is confined to cotton. The amendment offered by the gentlewoman from Missouri goes beyond that and includes other commodities, and for that reason would not be germane as an amendment to the amendment.

The Chair has not weighed the other matters that were mentioned by the gentlewoman, but it seems to the Chair that the arguments advanced and the points mentioned would be made perhaps in connection with an amendment to the bill. As an amendment to the amendment, however, the Chair is constrained to hold that since the amendment is limited to cotton and the amendment to the amendment includes other foodstuffs it would not be in order.

Mrs. SULLIVAN. Then, Mr. Chairman, I ask unanimous consent to withdraw this amendment to the amendment offered by the gentleman from Louisiana, and offer my amendment at a later time.

The CHAIRMAN. The parliamentary situation is that the amendment has been declared out of order. It is not pending and could not be offered until the other amendment is disposed of.

The question is on the amendment offered by the gentleman from Louisiana.

The question was taken; and on a division (demanded by Mr. AUGUST H. ANDRESEN) there were—ayes 71, noes 61.

Mr. HOEVEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. THOMPSON of Louisiana and Mr. HOEVEN.

The Committee again divided, and the tellers reported that there were—ayes 95, noes 85.

So the amendment was agreed to.

Mr. WHITTEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I voted for the amendment that just passed, but I would like to point out, once again, certain basic facts to the membership of this body. That amendment sounds good. I voted for it, but really it will be of very little benefit to the indigent, nationwide, and it will do very little, if anything, to meet our cotton problem.

But, I take this floor once again, because of the line of debate that has always come up with Public Law 480 and point out the fact that for a number of years that while our Government had complete authority to sell commodities the Government owned, in world trade at competitive prices, the Department of Agriculture refused to use such authority. For many years we followed such a course, holding our commodities above world markets, paying storage, while other countries sold their products. During that same period, through Public Law 480 and before that through other foreign-aid programs, we were giving away the commodities we would not sell for dollars. That policy caused the huge buildup of commodities in our Government's hands.

The membership is familiar with the course we had to take of finally demanding that these commodities be offered for sale for dollars. Our committee finally having to set up a sales organization in the CCC and we went so far as to say orally we would not recommend funds to control acreage on any commodity we refused to sell.

As a result we started offering Government stocks for sale for dollars in world trade. Sales have been tremendous. Last January for the first time we offered cotton for sale in world trade at competitive prices, and to date we have sold 8 million bales of cotton. Now, it is true that the books show we did not recover all the money we had invested, much of which was storage costs while we would not sell, but we did recover about 80 percent of our investment. Make no mistake under this bill, you give cotton away under Public Law 480, and it costs you a full $1 for each $1 worth of cotton the Government owns. Under the sales program you lose not more than one-third of the investment and many times less. This program is good but only if it is in addition to normal sales. Let us see what we have done through sales. Since we started selling commodities before giving them away, the Department of Agriculture sold last year $2.6 billion of commodities for cash. It is estimated under the present sales program that we will sell something like $3.9 billion worth of commodities for cash in this year.

Now, why do I make this point?

I am afraid the Department may once again return to giveaway instead of sales. Not only would the taxpayers lose but so would the farmers.

The answer to the farm problem is not getting rid of surpluses. The answer, as I see it, is in regaining our markets, and we can regain the markets only as we sell competitively for dollars through normal channels. We can never regain markets if we let Public Law 480 be substituted for normal sales through regular channels.

Now, as to this cotton amendment just adopted, here is the record as of today. Notwithstanding the fact that we have sold 8 million bales of cotton for cash, notwithstanding the fact that we are down to a carryover of about 6 million bales, notwithstanding the fact that we are now entitled to additional acreage in the new year, because supplies will be under that level, the Department is dragging its feet on getting out the catalog to show what cotton we have for sale so that the buyers can buy our cotton for export to foreign markets.

Because of this neglect we will lose the sale of thousands of times more cotton by this delay in getting out the catalog so that the buyers can buy our cotton across the counter for dollars, than that amendment will provide and further, you lose much more in gain for our farmers than you could expect to help under this giveaway under Public Law 480. I say that it is ridiculous for us to make the argument that Public Law 480, and the giveaway, is the answer to our farm problem, though it can help if held as an additional means of meeting the problems largely caused by holding our production off world markets.

Believe me, I supported this bill; but if this bill and this giveaway for foreign currencies and then turning around and giving them the currency, which means a dollar's worth lost for a dollar invested, is to be once again substituted for sales through normal channels where we get at least two-thirds of our money back—if that is the purpose, then I think it would be better to defeat this bill.

The authors of the bill, the chairman of the committee insists that it is their intent that this act be used in addition to normal sales and I am glad that they have made that statement, because I know they mean it. But I would point out again that for at least 5 years we held our commodities off world markets, away from normal channels for dollars and were using various foreign aid and giveaway type programs in substitution. Now the sales program is working and I hope that the debate here indicating that this bill is so very important—and I agree that it is important—will not be taken by the Department as an excuse to return to the old policy of holding our commodities off world markets and thereby holding up the world price but letting somebody else have the market while they increase their acreage as we reduce ours.

Mr. HILL. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentleman.

Mr. HILL. Mr. Chairman, I go along with the gentleman from Mississippi 100 percent. We should be putting our pressure on the sale of surplus products, but here is a demonstration where the gentleman says himself that he voted for cotton. Cotton, as we put it into this bill, has no place in this legislation, because you are going to delay Public Law 480 and the first thing you know we will not have a program of 480 at all. I do not see any reason why we should put that amendment onto this bill.

The CHAIRMAN. The time of the gentleman from Mississippi [Mr. WHITTEN] has expired.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. HILL. The point I make is this. Is there any reason why we should clutter up this bill with this particular crop, cotton?

Mr. WHITTEN. I did not see and do not see any great benefit in the amendment. On the other hand if all the commodities of which the Commodity Credit Corporation has a supply, which are basic, are being given to foreign countries for foreign currencies, and then we turn around and give them the currencies, it is almost indefendable to say that you are not willing to do the same thing for the indigent people of the United States.

Again, there is going to be precious little relief as a result of this amendment and there is going to be practically no relief to your cotton situation. As I pointed out, because of the delay in getting out the catalog, so that those who want to buy cotton and are ready to buy it, and who have proven they are ready, would have the opportunity to buy; it will cost us a thousand times more in benefits by not going at it in the proper

way, than we can get under this bill, giving away our products.

Mr. Chairman, the answer to the farm problem is not just to get rid of the surpluses. You could burn them up and you would be in the same predicament in a short time. The answer is to regain your markets and you can regain your markets only as you sell competitively. And I hope that the Department will not take the debate here which points out how essential this bill is as any evidence that they should quit selling commodities in world trade for dollars. May I repeat again—and do not misunderstand me—anything that you get rid of under Public Law 480, you lose every dollar you have invested in it. But for this supply that we have sold through normal channels for dollars; at least we have regained about two-thirds of our investment and you regain your markets. There can be no question as to the choice between the wisdom of selling through normal channels for dollars as against giving such commodities under Public Law 480.

May I say again, Mr. Chairman, the great need for agriculture is to regain our markets and it will not come from Public Law 480 or any other giveaway program, but through sales through normal channels at competitive prices for dollars.

Mr. ALGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I simply take this time to express my amazement and disappointment, to say that I am appalled at the fact that the United States Government considers it is its role to give away food. I merely want to express my distaste for this provision of law 480 and I speak, I believe, for the people of my district. In fact, it is unconstitutional. I cannot understand why the Federal Government should take the taxpayers' money and then turn around and give the money away. I myself cannot differentiate between that and socialism, even though we may be helping needy people.

I yield to the gentleman from Illinois.

Mr. MASON. I should like to propound a very profound question to the gentleman from Pennsylvania and the gentlewoman from Missouri, who say Uncle Sam now is handing out freely these foodstuffs to the needy but the States where it is handed out must provide the vehicle by which it is distributed, and that costs the States money, so they want Uncle Sam not only to hand out the foodstuffs free but they want the States to be relieved from paying for the handing out of the food. They want Uncle Sam not only to take it to them but then to distribute it for them. I say that that is expecting a bit too much from feeble Uncle Sam, who is $276 billion in debt, while a good many of the States are not too much in debt.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield to the gentleman from Pennsylvania.

Mr. FULTON. The gentleman from Illinois is misinformed on the Federal surplus agricultural distribution program, because the States and the local agencies have methods set up for distribution of the surplus foods at their own expense. For example, in Allegheny County, where Pittsburgh is located, we have voluntary citizens' committees who perform that service free and without pay; our local government agencies on various levels supply personnel and trucks as well as local storage and distribution centers. The trouble is something different. It is that the Agriculture Department, because it is not set up for quick local distribution, sends the foods in bulk at times when the local authorities must store the bulk surpluses in warehouses at the points of distribution. These storage costs are expensive and not a usual budget item of the local authorities and voluntary agencies.

My comment is this: The Agriculture Department of the United States Government should have a policy for the storage of United States agriculture surplus products not simply at the point of origin of the surpluses, but should likewise have some of those storage facilities at the points where they might be distributed in the United States. It would then cost the Agriculture Department no more money because it has to store them someplace or another, and by statute the Agriculture Department already pays the cost of processing, packaging, and transportation costs to the points of distribution by local agencies. But there is an insufficiently broad policy of just storing these surplus agricultural products, for example, only where the corn comes in or where the wheat comes in or where the various other surplus crops come into the hands of the Commodity Credit Corporation.

The Federal Government might just as well have agriculture storage points in various distribution districts, because we people pay the taxes, too, for this $5 billion agricultural program, and likewise we pay the high storage prices that Congress has voted for under the price-support programs. So when we in Pittsburgh and western Pennsylvania are paying over $1 billion a year in Federal taxes, maybe when we have some needy people with no purchasing power, the Federal Government in all justice should take care of this surplus-storage problem in a manner that will not cost us extra expense. This local storage program near the point of distribution is agreed to by the chairman of the Agriculture Committee, the gentleman from North Carolina [Mr. COOLEY], whom I compliment for his understanding of this serious problem that holds back the United States distribution of these agricultural surpluses to needy people.

It will cost the Federal Government little more money, because the Federal Government already pays under statute the storage and the transporation costs to the points of distribution under the various State programs.

Mr. ALGER. I had not planned to speak further on this. I would only say this: I heartily disagree with the gentleman in his views. Further, it is my understanding that many of the people get food throughout this country that are not needy persons. I question the administration of the program in that regard. I understand local agencies have even solicited people saying, "Food is coming from Uncle Sam, come and get yours." I understand, and though I could be wrong, I mention this to the gentleman from Mississippi, that the wealthiest county in Mississippi is now receiving a great share of this food.

I also want to protest that I do not believe cotton should be given away by Uncle Sam, either.

Mr. SMITH of Mississippi. Mr. Chairman, will the gentleman yield?

Mr. ALGER. I yield.

Mr. SMITH of Mississippi. The food going into Mississippi, I assure the gentleman, is going to people who are very needy. By any comparison they will be found to be as needy as any of those seeking assistance under the plan in other States.

Mr. ALGER. I assure the gentleman I did not mean just to single out Mississippi. To conclude, Mr. Chairman, I do not believe it the role of Government to feed and clothe us. Neither do I believe it sufficient cause to compare it to giving food away to other countries. This is not the role of Federal Government either, using taxpayers' money. I cannot see the difference of this program from socialism.

I believe there are other ways to care for our needy, through local charity and local and State government. If Government's role is appropriately established.

Pages 13 and 14 of the report document my disapproval wherein 39 States are listed as getting all this Federal food. This is not in the proper sphere of our Federal Government.

Mrs. SULLIVAN. Mr. Chairman, I offer the amendment which I offered previously.

The Clerk read as follows:

Amendment offered by Mrs. SULLIVAN: Page 2, after line 3, insert:

"SEC. 2. Title III of such act is amended by adding at the end thereof the following new section:

"'SEC. 306. (a) The Secretary of Agriculture (in this section referred to as the "Secretary") is hereby authorized and directed to promulgate and put into operation, as quickly as possible, a program to distribute to needy persons in the United States through a food stamp system a portion of the surpluses of food commodities acquired and being stored by the Federal Government by reason of its price-support operations or other purchase programs.

"'(b) In carrying out such program, the Secretary shall—

"'(1) distribute surplus food made available by the Secretary for distribution under this program only when requested to do so by a State or political subdivision thereof;

"'(2) issue, or cause to be issued, pursuant to section 3, food stamps redeemable by eligible needy persons for such types and quantities of surplus food as the Secretary shall determine;

"'(3) distribute surplus food in packaged or other convenient form on the local level at such places as he may determine;

"'(4) establish standards under which, pursuant to section 3, the welfare authorities of any State or political subdivision thereof may participate in the food stamp plan for the distribution of surplus foods to the needy;

"'(5) consult the Secretary of Health, Education, and Welfare, and the Secretary of Labor, in establishing standards for eligibility for surplus foods and in the conduct of the program generally to assure

achievement of the goals outlined in the first section of this act; and

"'(6) make such other rules and regulations as he may deem necessary to carry out the purpose of this act.

"'(c) The Secretary shall issue, to each welfare department or equivalent agency of a State or political subdivision requesting the distribution of surplus food under section 2 (1), food stamps for each kind of surplus food to be distributed, in amounts based on the total amount of surplus food to be distributed and on the total number of needy persons in the various States and political subdivisions eligible to receive such food. The food stamps shall be issued by each such welfare department or equivalent agency to needy persons receiving welfare assistance, or in need of welfare assistance but ineligible because of State or local law, and shall be redeemable by such needy persons at local distribution points to be determined by the Secretary under section 2 (3).

"'(d) Surplus food distributed under this act shall be in addition to, and not in place of, any welfare assistance (financial or otherwise) granted needy persons by a State or any political subdivision thereof.

"'(e) In any one calendar year the Secretary is authorized to distribute surplus food under this act of a value of up to $1,000,000,000, based on the cost to the Federal Government of acquiring, storing, and handling such food.

"'(f) The distribution of surplus food to needy persons in the United States under this act shall be in place of distribution to such needy persons under section 32 of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes," approved August 24, 1935 (7 U. S. C., sec. 612c), as amended, and section 416 of the Agricultural Act of 1949, as amended: *Provided, however,* That nothing in this act shall affect distribution of surplus food presently provided for in such sections other than to needy persons as defined in section 7 of this act.

"'(g) For the purpose of this act, a needy person is anyone receiving welfare assistance (financial or otherwise) from the welfare department or equivalent agency of any State or political subdivision thereof, or who is, in the opinion of such agency or agencies, in need of welfare assistance but is ineligible to receive it because of State or local law.

"'(h) The Secretary, in consultation with the Secretary of Health, Education, and Welfare and the Secretary of Labor, shall make a study of, and shall report to Congress within 6 months after the date of enactment of this act, on the feasibility of, the costs of, and the problems involved in, extending the scope of the food stamp plan established by this act to include persons receiving unemployment compensation, receiving old-age and survivors insurance (social security) pensions, and other low-income groups not eligible to receive food stamps under this act by reason of section 7 of this act.

"'(i) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the purposes of this act.

Mrs. SULLIVAN. Mr. Chairman, many of the Members heard my remarks previously when I attempted to amend the amendment of the gentleman from Louisiana [Mr. THOMPSON]. I do not want to go back and repeat all of the statements I made at that time in connection with my proposed amendment for a food stamp plan.

But it will be recalled, Mr. Chairman, that I was interrupted for a colloquy with the distinguished Chairman of the Committee on Agriculture, and other Members, and I did not finish my speech. So I will just pick up where I left off at that time.

I pointed out that some of our States presently participate in the plan for distribution of surplus food to needy citizens and that other States do not, and that the method and manner of participation and the standards vary widely as between States.

I would like to make this point clear about our present distribution system: feeding the hungry is secondary under this whole program to dumping surpluses. I think it is time we recovered our sense of values on this matter and put at the top the need to help those who are hungry rather than to find the quickest route to dumping the largest amount of surplus with the least amount of effort or expense.

Since this act was passed in 1954, we have been dumping or giving away about a billion dollars worth of food a year overseas. I say giveaway even though in some instances the other countries put up currency of their own for it. We then use that currency largely—not entirely but largely—on development programs within each country to help the people of that country. I have no objection to that giveaway.

But I do object, bitterly, to the miserly, narrowminded, pinchpenny, cruel and heartless position of this administration that we cannot afford—we cannot afford, they tell us—to spend a similar amount in helping our own needy through a food stamp plan.

I am not proposing a new, $1 billion a year expenditure. I am proposing that we use up to $1 billion of this food a year—food already in Government ownership—and distribute it among our own needy, just as we do under this bill abroad. The $1 billion limitation applies not only to the original cost of the food, but also to the cost of storing and handling it. So it would mean less than $1 billion in actual foodstuffs going to hungry, needy Americans.

We ship that much abroad each year under this giveaway, and even, in many cases, pay the shipping costs out of American dollars.

Yet we are told, we cannot afford to distribute this food on an intelligent basis to our own needy.

The food-stamp plan is the only practical one for getting some of this food to every American family in need of it. The eligibility requirements are simple but clearcut. There could be no chiseling. There would be no possibility of scandal in giving away surplus to those who can afford to buy.

Mr. Chairman, the bill before us amends a law which also provides for the present system of distribution of surplus food to the needy in this country. That is in title III of the present act. My amendment would revise title III to provide for a food-stamp plan.

Let those Members who know of no needy persons in their districts—who do not believe there are Americans unable to afford decent and nourishing food—vote against this amendment if they like. But those of us who come from urban areas particularly know that the need exists and is not being met.

How often do we have to read of children scavenging in garbage cans to get enough to eat before we will act to establish a food-stamp plan?

Let us solve this problem now.

I ask the chairman of the committee if he will accept this amendment.

Mr. COOLEY. Mr. Chairman, while I am not authorized, unfortunately, to accept the amendment, I wonder if the gentlewoman would be willing to eliminate the word "directed" and let the amendment read that the Secretary is authorized to promulgate the program. That would leave it entirely in his discretion and, if he thought he could do it feasibly, he would; otherwise, he would not. If he did not do it, you could blame him for not doing it. I personally am in sympathy with what the gentlewoman is proposing to do. As an individual Member of the Congress, I will vote for it, but I cannot bind any member of the committee. Every member of the committee is free to speak for himself.

Mrs. SULLIVAN. Then, Mr. Chairman, I ask for a vote on my amendment.

Mr. COOLEY. And will not the gentlewoman agree to eliminate the word "directed"?

Mrs. SULLIVAN. I am sorry I cannot agree to that.

Mr. FULTON. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield.

Mr. FULTON. I would ask that the gentlewoman come before the Committee on Agriculture rather than have the whole problem voted on here on the spur of the moment.

Mrs. SULLIVAN. May I tell the gentleman from Pennsylvania that this matter has been before the Committee on Agriculture in hearings before that committee on three different occasions and it has been thoroughly discussed and testimony has been received and it has been considered in the committee. If you want to have a food-stamp plan enacted, this bill appears to provide the best opportunity.

Mr. HILL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is exactly the same situation as we had with reference to cotton. I assure you I am not opposed to this program, but I certainly am opposed to putting it on this bill this afternoon. What we are trying to do, it seems to me, that would-be friends of this program are trying to amend the bill so that it will go down the sewer and we will be here until we adjourn with no legislation. The other body has already passed this extension. I hope the gentlewoman will withdraw her amendment. I know that the chairman of our Committee on Agriculture, as he said before, will call hearings. The Committee on Agriculture is always in session and the gentlewoman can have time to state her proposition, and I am sure we would give this problem every consideration.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. COOLEY. I know my good friend does not want to characterize this program as trash.

Mr. HILL. I did not say the program was that. I said that is what you are trying to do with this bill.

Mr. COOLEY. You said that it was being loaded down with trash.

This amendment offered by the gentlewoman from Missouri is not trying to kill the bill. The gentlewoman is honestly for the bill and for her amendment as well. While I agree with you that primarily this is the function of our committee.

Mr. HILL. Would not the gentleman agree with me that it has no place in this bill whatsoever.

Mr. COOLEY. The gentlewoman has found a very good place for it, if the gentleman will vote for it and approve it.

Mr. HILL. That is exactly it. I am not about to vote for it. I was not opposed to the cotton bill, but I did not vote for it either. There is no place for it. We have had no hearings on this matter.

Mr. COOLEY. Yes, we have had hearings on it in a previous session.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. FULTON. May I join with the gentleman from Colorado in asking the gentlewoman to withdraw her amendment at this point because I think it will hurt the program that she is speaking about. There are many people here who think this is not the place for it and that it will hurt the Public Law 480 program which is the disposition of agricultural surpluses.

Mrs. SULLIVAN. If the gentleman from Pennsylvania will permit me, I will state that I have tried since 1954 to get action on this particular thing and I think this is just as important as it is to feed the hungry people abroad.

Mr. HILL. Mr. Chairman, I have the floor.

Mrs. SULLIVAN. I beg the gentleman's pardon.

The CHAIRMAN. Does the gentleman yield?

Mr. HILL. I will let the gentlewoman finish her remarks.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield that I may finish?

Mr. HILL. I yield.

Mrs. SULLIVAN. I think it is just as important to feed the hungry on our own relief rolls as it is to feed those abroad. I have been in favor, and I will always be in favor, of sending this food and selling it abroad.

Mr. HILL. The very fact the gentlewoman could not get through the Agriculture Committee in times gone by is sufficient proof that we should not take time this afternoon discussing this amendment.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield to the gentleman from Illinois.

Mr. ARENDS. Just let me say that some Members of the House are sincerely interested in getting through Public Law 480. If the rest of the Members are interested in seeing this bill go through they better take notice of what they are trying to do to this program now, or it will run into some trouble.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment of the gentlewoman from Missouri [Mrs. SULLIVAN] whom I salute as a true humanitarian and as one who offers wise and beneficial legislation.

Mr. Chairman, I want to make it very clear that I have voted for a lot of these giveaways and for a lot of money for a lot of foreigners who often neither thank us nor appreciate our help, but I want the membership of this House to know right here and now that I am getting tired of hearing a lot of Members of Congress trying to argue why we should not make some slight provision for our own people.

Remember, we tax our consumers to keep the price of these foods high enough that many of these same consumers cannot afford enough to eat. Let us give these people some help—now.

What is the situation in my own city of Detroit? Right now we have 100,000 people out of work. In the State of Michigan we have 192,000 people out of work. We have thousands of others on minimum or lower income. Other cities and States face similar problems. Twelve million people today in America live on subsistence level or lower.

I want to tell you that the food program that the Department of Agriculture has had for the past few years just is not a program of disposal of this food to these needy people.

I have been in contact with the Secretary of Agriculture on this thing for some time and I happen to know a little bit about it. Every time you inquire about the program it has been changed, it is modified, the qualifications which a person has to have so far as income is concerned are raised, and the amount of food a person can get is reduced, the kinds of food a person can get are reduced in number; the amount of food an individual can get at any one time is reduced in amount or it is increased to the point where an individual cannot use it or store it on his own behalf. The packaging and conditions under which this food is presently disposed of to needy are embarrassing, and are made so difficult and costly as to be virtually impossible for the people who really need them. Worse than this, the financial level fixed for needy to qualify prevents many from receiving any benefits whatsoever. The result is that our poor cannot get a decent meal while we have granaries bursting with food.

We are not trying to kill this program, as one gentleman speaking on the other side of the aisle has said. I have consistently voted for this and other programs which helped our friends around the world. We are merely trying to see to it that in giving away a lot of these products we think a little more of our own people; that we care for our own hungry, our own needy, our own aged, our pensioners, our unemployed, our retirees.

What does this amendment do? It does not hurt Public Law 480 at all, but it does tell the Secretary of Agriculture, command him, to work out a program which will make it easier for us to take care of our old folks, which will make it easier for us to take care of our needy, which will make it easier for us to take care of our sick and of our retirees and those who are out of work. This country is sitting on a mountain of food bigger than this Capitol. We have $11 billion worth of food rotting. Let us feed our hungry with it.

If you vote against this amendment and if you vote to take this out of this bill I hope you will recall it at election time when you come to report to your people, and I hope if you do not someone else can recall it for your people, so they can recall it for you when they vote at the polls.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield.

Mr. FULTON. Some of us in Congress have had quite a bit of experience with these United States programs of local distribution of surplus food and agriculture products. I was one of those Congressmen who set up the program now feeding 611,000 people in the State of Pennsylvania. In Michigan you have 192,000 persons on the program in a similar state, so you are really not using Public Law 480 authority as much as you should and can. Why do you not work out a program with the Secretary of Agriculture to expand your program, which you can do under present legislation? But to come in here and put a complicated amendment such as this on a marketing bill of this nature will only hurt the bill and will not be effective. I can tell you that in Pittsburgh and the United States generally, the distribution program is already working well under Public Law 480, and there is no reason why it should not work as well in Michigan as it does in Pennsylvania.

Mr. DINGELL. It may be working well in Pennsylvania, but it is not working well in Michigan; it is not reaching the needy and the unemployed in our State.

Mr. FULTON. Why is not your State government working on it? In Pennsylvania we have three times the program you have in Michigan; in Pennsylvania we have 611,000 persons assisted and you have only 192,000 persons. What is the reason?

Mr. DINGELL. I will tell you why: Because the Secretary of Agriculture is constantly and consistently doing things to make this program unworkable in the State of Michigan. He has raised the income requirements, he has reduced the amount of food to be allowed to the program, and to the individual. He has changed the amount of food that any individual can get. The result is that our State government cannot cover more than that number although we have constantly tried to relieve our hungry. If we are going to be humanitarian with a bunch of people over across the ocean, we can start right here at home. I keep recalling the maxim that charity begins at home. Much of the cost of this program will be lost in the vast charge to the taxpayer of just storing the food, which exceeds $1 million per day, which will be reduced very substantially by helping feed our hungry.

Mrs. SULLIVAN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I would like to ask the gentleman from Pennsylvania this question: Did he not say a while ago that Pennsylvania was going to have to stop this because of the excessive cost?

Mr. FULTON. Various Members, both Republicans and Democrats, have some cities and towns where they do not have the budgetary capacity in the current year to pay the storage costs. So this program is probably going to be curtailed somewhat. But it could be done with the Federal Government having local storage and distribution points in the State. We Republicans have cooperated on our Federal surplus food distribution program in Pennsylvania across party lines with a Democratic Governor and administration in power. It is a good program for the United States taxpayers and for the needy people in Pennsylvania.

Mr. HOEVEN. Mr. Chairman, I rise in opposition to the pending amendment.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close 10 minutes after the gentleman concludes his remarks.

Mr. LONG. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONG. How much does that give each one standing?

The CHAIRMAN. Ten minutes divided among 7 Members.

Mr. LONG. Mr. Chairman, I object.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close 15 minutes after the conclusion of the gentleman's remarks.

The CHAIRMAN. Is there objection to the modified request?

There was no objection.

Mr. HOEVEN. Mr. Chairman, it is high time that the committee pull itself up by its own bootstraps and see what is going on. At this session of the Congress the administration has presented three major agricultural bills.

The first one was the emergency corn bill, which was scuttled by our friends on the right. The second was the bill authorizing appropriations for the soil bank, which was scuttled by our friends on the right. Now we are witnessing the scuttling of the extension of Public Law 480 by an effort to load it down with amendments which they know very well will not be approved by the President of the United States.

I am not here to argue the merits or demerits of the food-stamp plan. The fact is such a bill has been pending in the Committee on Agriculture since the first of the year. I am amazed to find the chairman of the Committee on Agriculture practically conceding that the Sullivan amendment is germane, as he did concede that the cotton amendment was germane. It seems to me we are confronted here with another scuttling operation. The amendment proposed by the gentlewoman from Missouri has a great deal of merit, but, as I said, I am not debating the merit or demerit of it. There is a great deal of merit in the food-stamp plan. Only fragmentary hearings have been held by the Committee on Agriculture. If my good chairman and other Members on his side are so interested why has not the bill been presented to the Committee on Agriculture for further hearings and attention? They have the votes to report out any bill.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from North Carolina.

Mr. COOLEY. I want to make it perfectly clear that I have not any authority to accept the gentlewoman's amendment and I have not accepted it. I am in sympathy with what she is trying to do. The gentleman knows we have been trying to do this in our committee in season and out of season and that we directed the Department of Agriculture to make a study of the matter, which has come to nothing.

Mr. HOEVEN. The chairman is displaying no interest in protecting his bill.

Mr. COOLEY. It has been protected very well.

Mr. HOEVEN. The chairman knows that accepting his amendment or having it adopted is going to scuttle the bill.

Mr. COOLEY. I have not accepted this or any other amendment. I voted for the other amendment and I have no apologies for it.

Mr. HOEVEN. You should protect the committee bill.

Mr. COOLEY. Personally, I did not have any objection to the cotton amendment, but that is my right as an individual Member.

Mr. HOEVEN. The members of the committee have heard the debate and can judge for themselves what is going on.

Mr. ARENDS. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Illinois.

Mr. ARENDS. What position does the chairman of the committee intend to take on this amendment? Does he intend to oppose the amendment?

Mr. COOLEY. I do not intend to speak in opposition to it and I will vote as I see fit when the time comes to vote. I assume some member of the committee will speak in opposition to it.

Mr. ARENDS. I was hoping that the gentleman from North Carolina would speak in opposition to it.

Mr. HOEVEN. I want to say in closing that the committee bill is an administration proposal. It is a program which is working out well; one of the programs that is paying dividends. I urge you to vote down the amendment offered by the gentlewoman from Missouri and vote for the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. COAD].

Mr. COAD. Mr. Chairman, I know that Public Law 480 is a measure which has from the beginning been an instrumental measure in reducing the agricultural surpluses of our land. In its present form this measure is directed only to contract relations and agreements with foreign lands. The amendment offered by the gentlewoman from Missouri [Mrs. SULLIVAN] will create a food-stamp plan to give the indigent of our country a workable program to receive the benefits of some of this surplus. No one is saying that this is not going to be a costly program to the American taxpayer but it certainly will not be any more costly than the present programs of surplus disposal.

Now this is only the second time in which I have taken part in debate in this House regarding any farm legislation. But I have observed a good number of measures presented here this year related to agricultural subjects and whenever there are measures offered which will be forward looking and which help people who cannot help themselves that there are those on the other side of the aisle who strenuously argue that the measure should be defeated. Here is a program which will benefit millions of persons in this country by giving them food and clothing—and at the same time using a mountain of surplus stocks on which we pay storage. This food-stamp plan will do a double duty.

But now comes the hue and cry that to amend this bill to provide this further program would be an attempt to scuttle the entire bill. I am for Public Law 480 in every sense of the word. I am for selling our commodities to foreign countries for their own currency and I am for this food-stamp plan which will also benefit our own home people. There is the heavy indication here that to amend this bill in any degree would render the measure so that it will not be acceptable to the administration. But in spite of this I add my voice to the many others who give support to this program.

If we have been sent here by the people we represent to formulate a program which is good for our people, good for America and good for our friends around the world—then we should do it. But do we have to go around dotting every i and crossing every t in strict conformity to the administration? If this is so then we are here simply as a rubber stamp Congress, and I never came here to be a rubber stamp and I am not going to be today.

Now, if we can reduce our surpluses as we have been able to do through Public Law 480, we should continue this program. And if we believe that we can make this program more effective and help our people here at home at the same time, then I feel we should do so. And, let me remind you that there are at least 12 million people in this land of ours who are living on a bare subsistence diet.

The adoption of this food-stamp amendment would make this not only a surplus disposal program but would also make it a humanitarian program. And, I think it comes with very poor grace for this program to be labeled a "trash" as one of the Members has stated. It is a good program for it essentially helps people and at the same time we will maintain every workable provision which

has worked in the reduction of our surpluses in the past.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. McINTIRE].

Mr. McINTIRE. Mr. Chairman, I simply want to say that the Committee on Agriculture has considered this bill which is before the committee today in a very orderly procedure. As one member of the committee I shall be perfectly happy to consider the amendment offered by the gentlewoman from Missouri in committee in the most objective manner possible. I do feel that the amendment is meritorious in that it deserves our consideration, but it has not been up for hearing in this Congress. It has been up in other sessions in other Congresses. However, it is a very far-reaching approach to the system of distribution, and I would like to assure the gentlewoman from Missouri that on a call of the committee for appropriate and extensive and detailed hearings in order that we may know the full impact of this legislation, as one member of the committee I would like to analyze it very objectively. But, I do think that it is inappropriate at this time, because it needs much more analysis in order that it can be worked out constructively.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield to the gentleman from Pennsylvania.

Mr. FULTON. I would like to ask a question of a member of the Committee on Agriculture, and I think it is one that should be asked. When there is a broad stamp plan to be adopted such as this of the gentlewoman, how much will it cost? Has there been any estimate of cost as to how many hundreds of millions we are getting into?

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. McINTIRE. I yield.

Mr. HARVEY. Apropos the question of the gentleman from Pennsylvania [Mr. FULTON], I think that is the most important factor to consider in this proposed amendment. There is no estimate of the cost. We have tried to evaluate that in the past, what the cost would be. But I think it would certainly be untimely to add such an amendment at this time when it is beyond the best guess of any of us as to what the cost would be.

Mr. McINTIRE. I thank the gentleman. I urge the defeat of this amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Chairman, I have supported every foreign-aid program that has been sent up here by this administration. I have voted for some cuts in committee, but when the bill was finally worked out by the committee I have supported the program on the floor.

I would like to tell you what one of the nations which is a recipient of surplus commodities under Public Law 480 is doing. I do not want to mention the name because I do not want to embarrass anyone. But they give out stamps to families that have children under 16 years of age. A certain number of stamps is given for each child and they can buy a quart of milk a day for each child and pay approximately 3½ cents a quart for it. The Government makes up the difference through the stamp.

If we can afford to—and apparently we can—if we can afford to make more than $2 billion worth of commodities available under Public Law 480 to others, certainly we ought to be able to make these commodities available to the people in this country, who need them, and under an orderly procedure.

I think probably a stamp plan is the most orderly procedure you can get because you have some kind of an accurate control over who gets the commodity. In addition to that, you operate through the storekeeper and in the smaller towns of the country through the small, individual businessman. You do not have the Government taking his customers to some warehouse and taking them away from him, but you have the plan operating through his store.

Finally I would like to say that I think it comes with poor grace from anyone on my left to accuse the Democrats of scuttling the farm program when for the past 4 years Mr. Benson has been spending most of his time scuttling the farmers.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. BROWN].

Mr. BROWN of Missouri. Mr. Chairman, I feel that the purpose of Public Law 480 is to get better use of the worthless farm surpluses that we are accumulating. I think the first place where we should try to use them is here at home. Maybe you do not get the mail that I get, but sometimes when I read these letters from these people who are on the public assistance rolls back home, drawing $55 a month—and you know and I know that they cannot begin to live on that—I wonder what we are doing putting a lock and key on these food surpluses and denying them to Americans who need them. Even Mr. Benson approves of sending surpluses overseas. Why cannot we utilize some of them to help our people here at home, too?

That is the first principle that is involved here. The second principle that has been brought up is the matter of cost. Surely, we have much of the cost already invested in the products. Cheese and milk products in storage, doing nobody any good at the moment. Why cannot they be distributed? And if you believe that the amendment of the gentelwoman is not a polished gem of perfection, surely it can be polished and perfected in administration. As broad as it is, and with the leeway that is left to the Secretary of Agriculture, surely the Secretary should be able to figure out some kind of plan on the 1-cent sale idea, where a person may purchase a quart of milk and get a stamp for so much more milk. That would not interfere with the normal channels of trade and would increase the utilization of the product. Certainly if the Secretary of Agriculture is worthy of being a Secretary of Agriculture he has the imagination to figure out the details.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Missouri. I have only a short time; I cannot yield.

Mr. FULTON. That is an illegal program the gentleman is suggesting.

Mr. BROWN of Missouri. Under the gentlewoman's proposal I think it can be designed and is not illegal.

Mr. FULTON. You cannot use those tie-in sales. You will be violating the law of the land. You cannot tell the Secretary of Agriculture to do what the average citizen cannot do. You will get him arrested.

Mr. BROWN of Missouri. The 1-cent sales on soap, and so forth, have been used all over this country.

Mr. FULTON. This is an authorization to get free food. If you buy something else and tell the Secretary of Agriculture to go into the stores of this country and make the tie-up for these poor people who have no purchasing power, you have really got it.

Mr. BROWN of Missouri. What did I say? I said with the purchase of a quart of milk you might get a stamp for an extra quart of milk. If that is illegal under the statutes of the United States, the soap companies are violating the law every day in every store of the country.

The third principle involved here is a new and different approach at helping the farmer. This would direct some of our agricultural efforts toward expanding demand rather than devote all efforts to cutting back, cutting back, constantly struggling to decrease production.

This amendment will not cost as much as the soil bank, and I submit it will help twice as many people: The farmers and the hard-pressed people who sorely need the food.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. LONG].

Mr. LONG. Mr. Chairman, I am really somewhat amused today. I think back at the election when I heard all the Democrats and Republicans all over the country telling how they loved the poor people and how they wanted to feed, clothe and look after them. They were crying crocodile tears about the poor people of this country. Then, we come here today and want to feed a few of them and we find more reasons not to feed them than we can find food to feed them with.

I see no reason why we cannot use a little of this food that we have here at home. Why we cannot feed some of the poor people in my district and your district with some of the butter and other commodities that are being stored. I cannot understand why, unless it is this, and I just wonder if maybe some of you on the left can answer this question. Have you worked up through this program a program where you have so many people, bureaucrats, on the payroll that you are afraid you will get rid of the commodities and you will not have jobs for your friends? Is that the reason? There must be some good reason why you would deny hungry people all over this country some of the food that is stored. We are paying for storage on these surplus items that our hungry people could be consuming. By the time we have disposed of the surplus food for dollars,

the storage will have eaten up all the dollars so that program is a complete loss. Wouldn't you rather feed our hungry people than to lose it entirely?

For 4 long months the water has been over much of the cultivable land of the 8th Congressional District of Louisiana. I do not know how much longer it is going to be there. My constituents are wiring and writing me day after day, "Can't you in some way let us use the land we have in the soil bank in order that we can raise just a little food or graze our cattle on it?" Some of the land is out of water, but no, you cannot plant a peanut on it, you cannot plant any peas, you cannot plant any cabbage, you cannot use it for any purpose at all. Then, there is the land that has been allotted to cotton that is now under water. There will not be time to plant cotton on that land this year, and when the water recedes, the land cannot be planted in vegetables or feed without having the cotton allotment cut for next year.

What kind of a program is this? Let us take care of our own people before giving more to foreign countries.

The CHAIRMAN. The Chair recognizes the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, I should just like to say a short word. As I recall, in handling this bill in our committee, I heard our chairman when the committee room was fairly full of people ask if there was anyone who wished to speak against this bill, and not one single soul arose.

We were talking about this bill, the extension of Public Law 480. Now, why can we not go back to the original bill that we introduced and passed unanimously out of our committee, and not try to put these amendments on it? Let us not discuss whether they are good or whether they are bad or otherwise. Let us just pass the bill. The reason I say that is that time is of the essence. We should pass Public Law 480 without any longer delay.

I yield to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. It has been said before, and very effectively I think, and I am inclined to think it ought to be said again that the bill before us coming from the Committee on Agriculture provides for a simple extension of Public Law 480 dealing with certain problems having to do with agriculture and agricultural surpluses. To me it would be the height of irresponsibility to jeopardize a program that is working by writing in on the floor of the House, before committee action has been had, a whole new program. As the gentleman said, possibly it is good and possibly it is not good, but it certainly would be irresponsible to try to legislate in that fashion. If the program is as good as those who speak for it claim it is, then there should be no trouble at all in getting consideration for it before the proper committee and getting a bill reported with whatever amendments are deemed desirable and bringing such a bill to the floor of the House in the proper manner for consideration and determination. To my mind, it would be a great mistake to adopt this amendment at this time.

Mr. FULTON. Mr. Chairman, will the gentleman yield?

Mr. HILL. I yield.

Mr. FULTON. Actually, to answer the gentleman from Louisiana, might I ask are there not 3,400,000 people getting this surplus food in the United States and in the gentleman's own State of Louisiana there are 177,000 people getting it, and they are not even up to the State of Mississippi where they have 257,000 people under the program. So there is something wrong according to the gentleman's own statement, if they are not utilizing the Public Law 480 program.

Mr. HILL. Let us not get into that question because maybe there is something wrong in the gentleman's State of Louisiana according to his idea when they voted last fall, but to my way of thinking they all voted correctly down there. But let us not get this bill any further into politics. What I would like to see done is to pass the bill as is and get it over to the other body. If there is anything wrong, the conference committee can certainly take the time to iron out the difficulties.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, I yield to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I want to say in behalf of the Committee on Agriculture that we have had hearings on this food-stamp program. The majority of the committee felt that the program was not adequately worked out in sufficient detail for us to put our stamp of approval on it. That does not mean that I or any other member of the committee is opposed to a food-stamp program if it can be worked out so that it is practical.

But, it seems to me quite visionary to assume that the Federal Government is not going to be out anything on this food-stamp program except some surplus commodities. The very figures that all of us have been quoting for the last few years, to the effect that the farmers' part of the consumer's food basket has gone down from 54 cents to, I believe, 39 cents out of every dollar, means that the Federal Government would have to put up about $2 for every $1 invested in surplus commodities, or, in other words, would have to put up $2 for every $1 you spend for surplus commodities or for every dollar's worth of surplus commodities that you moved or got rid of. So you spend about $3 to move $1 worth of surplus commodities under this program. Now it may be worth that, but there have not been enough details presented to the committee. As one member of the committee, I am deeply interested in the passage of the bill before us extending Public Law 480, which I think has been the most successful of all of the agricultural disposal programs. It seems to me no matter how laudable the objective of some other kind of disposal proposal may be, if it definitely jeopardizes the possibility of securing the extension of a program that we know is working and which we know is doing some good, it would be the height of folly to try to use the proven program simply as a means of carrying through something that we do not know will work, something which the committee itself cannot recommend to the Congress, and something which we feel is extremely doubtful as to details no matter how meritorious it may be if we could work out the details.

This amendment has not even been read. How can any Member say that he is satisfied that it is practicable? Its objective is admittedly good, but will it work? And, if it will work, what will it cost? I cannot conscientiously support even so worthy an objective until I know lots more about its practical effect than we know about this plan.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mrs. SULLIVAN and Mr. AUGUST H. ANDRESEN.

The Committee divided and the tellers reported that there were—ayes 89, noes 128.

So the amendment was rejected.

Mrs. KELLY of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. KELLY of New York: On page 2, line 4, insert: "(4) section 107 of such act is hereby amended by striking out the period at the end thereof and inserting 'at any time since 1950 unless the Congress by concurrent resolution determines it to be a friendly nation.'"

Mrs. KELLY of New York. Mr. Chairman, my amendment is not aimed at any one particular country. Its purpose is plain, clear, and uninvolved—namely, to retain within the Congress the judgment as to what nation or area dominated by world communism at any time since 1950, is nevertheless a friendly nation.

I have given much thought and study to this amendment. It is my hope that all Members of Congress will also consider it very carefully in making their decisions. That is all I ask. I would be remiss in my duty if I did not give the representatives of the free, independent people of the United States the opportunity to make this decision. Their decision will be a basic one, because it will be based on their belief and faith in the absolute principles upon which our country is founded, or it will be based on their belief in and support for expediency.

To the history of the Agricultural Trade Development and Assistance Act—Public Law 480, 83d Congress, 2d session—I must refer briefly. In 1954, the Congress adopted my amendment to this law thereby defining friendly nations. This amendment prohibits the sale of agricultural surpluses to certain nations—the U. S. S. R. and those nations under Soviet domination or controlled by Communist organizations.

By clause 1 of section 107 of Public Law 480, Congress has already exercised its judgment with respect to the U. S. S. R. and has declared that the U. S. S. R. is not a friendly nation. My amendment to H. R. 6974 will revise clause 2 of

existing legislation so as again, with respect to other nations, leave the choice with the Congress on any determination of what constitutes a friendly nation.

Secretary Dulles, in speaking for the President late in 1956, made the determination that Poland is not now dominated or controlled by the U. S. S. R., and accordingly qualifies as a friendly nation within the meaning of section 107 of the Agricultural Trade Development and Assistance Act of 1954, as amended. I insert at this point a letter from the Department of State advising the Congress that Poland is a friendly nation:

DECEMBER 28, 1956.

The HONORABLE WALTER F. GEORGE,
Chairman, Committee on Foreign Relations, United States Senate.

DEAR MR. CHAIRMAN: As you know, following the developments in Poland last October, the President stated that, to help freedom-loving people, such as the Polish people, would add strength to the security and peace of the Free World. The executive branch is considering various measures, within the framework of existing legislation, which would contribute to the achievement of these objectives.

Poland has indicated a desire to purchase a number of items, including certain agricultural products, a number of which are in surplus. Following a reexamination of executive branch policy, it has been decided to allow surplus agricultural commodities to be exported for dollars at world-market prices to eastern European countries (except the Soviet Union) on a selective basis in the national interest. Accordingly, it has been determined that surplus agricultural commodities may be sold to Poland for dollars at world-market prices.

The Secretary has also determined on the basis of a careful examination of the Polish situation since October 1956, that Poland is not now dominated or controlled by the U. S. S. R., and accordingly qualifies as a friendly nation within the meaning of section 107 of the Agricultural Trade Development and Assistance Act of 1954, as amended, (Public Law 480, 83d Cong., 2d sess.). He intends to inform the Secretary of Agriculture that Poland is eligible for title I and title III, Public Law 480 transactions. The Secretary has taken his decision on the basis of the current situation and all the evidence available to him. He recognizes, of course, that important new developments are taking place in Eastern Europe and that the future course of events may alter this situation.

Accordingly, these events will be followed closely and the validity of the current appraisal will be kept constantly under review.

Sincerely yours,

ROBERT C. HILL,
Assistant Secretary.

The Secretary of State used this determination and involved us in negotiations with Poland. Full details of the negotiations are unknown not only to the American people, but to most of the Members of Congress. It is true that on Friday of last week the secret terms of the agreements between the Polish representatives and the United States representatives were signed. These negotiations do not deal alone with the sale of agricultural surpluses. Believe me—these negotiations are more far-reaching. I feel that if we are to enter into negotiations with Poland or with any other country, the Congress should be given the facts first. The release accompanying the signing of the Polish agreements places special emphasis on the passage of this bill, H. R. 6974, to complete the full negotiations of the sale of $47 million of agricultural surpuses to the Polish Government. But, nowhere does it mention the total amount of money involved in the entire agreement. As chairman of the Subcommittee on Europe—and it was to this committee the State Department reported these negotiations—I know what I am talking about.

Have we forgotten that we are engaged in a sinister, cold war with a ruthless and diabolically clever enemy who is ready to exploit our kindness, our humanity, our decency, our adherence to treaties, and our adherence to the pledged word? The enemy is slick and subtle in his guile. To counteract such an enemy requires the full positive force of the Congress of the United States in conjunction with the executive branch. We should not lightly yield the great power and force which we in the Congress possess, for if we do, we shall fail the American people and the rest of the Free World at a time in our history when none of us can afford another failure.

There are those who cry "the Polish aid program will be wrecked by this amendment." I suspect it is the Department of State which has been stirring up a storm over my amendment. You see, they wish to retain absolute discretion within themselves to determine which nation or area is a friendly nation. Maybe Red China. Recent developments should give us pause for great fear on this score. Recognition of Red China—admission of her representatives to represent China in the United Nations—trade with Red China—surplus agricultural commodities to Red China. Red China—a friendly nation.

Or, perhaps the State Department would like to consider Syria a friendly nation. Or North Vietnam. Or North Korea. The State Department desires this discretion without Congressional interference. On the other hand, they distrust the Congress in the use of its discretion. I say that if they are not willing to rely on the judgment of the Congress to make a determination, then they must be aware for once of the sentiment of the American people which is opposed to dealing with Communist nations and the Communist government of captive peoples.

If the State Department is concerned over aid to the Polish people, why do they not have a resolution introduced giving $50 million worth of agricultural surpluses to the Polish people? In this manner and by this method, we would supervise the distribution. I am sure the American people would prefer this if they realized that it costs $3 billion to move $1 billion worth of these surpluses to foreign nations. The Committee on Agriculture, on page 10 of their report on this bill, admits—and I quote—"It is an emergency law designed for the sole purpose of making the best of a bad situation by providing for the disposal of agricultural surpluses in a manner which will return some benefit—if possible, a permanent benefit—to the United States."

The State Department admits the expediency of this transaction by saying—in the letter to which I have previously referred—and I quote:

He [the Secretary of State] recognizes, of course, that important new developments are taking place in Eastern Europe and that the future course of events may alter this situation.

The procedure set forth in my amendment is straightforward and direct. The Congress, by concurrent resolution, adopted by both Houses of Congress, and necessarily by both sides of the aisle, would be enabled to make the determination which I feel only the representatives of the American people should make. A determination of this kind affects the American people so vitally, and our foreign policy so basically, that I feel only the Congress should make it. Let me point out that the Congress of the United States makes many important and vital decisions and determinations with respect to our foreign policy. It does this usually after the most careful examination and investigation and after thorough questioning of executive department witnesses and after independent staff and committee examinations. The determination of the Congress will not be an arbitrary one. I fail to see, therefore, how anyone can validly object to my amendment. An objection or a vote against my amendment surely is tantamount to saying to the American people "We, your elected representatives, do not consider that dealings with Communist countries are any of our business and we are perfectly willing to rely on the gentlemen in the State Department."

The issue here is not the Congress versus the executive branch of our Government. The issue here is, Shall it be the executive branch in conjunction with the Congress or just the executive branch alone making a vital determination.

My amendment gives each one of you an opportunity to reaffirm your faith in the American people and in their elected representatives to do the right thing and to exercise commonsense on behalf of our national security and best interests.

If my proposed amendment to H. R. 6974 is adopted, Public Law 480 will then read:

SEC. 107. As used in this Act, "friendly nation means any country other than (1) the U. S. S. R., or (2) any nation or area dominated or controlled by the foreign government or foreign organization controlling the world Communist movement at any time since 1950, unless the Congress, by Concurrent Resolution determines it to be a friendly nation.

I have been asked why I have used the words "at any time since 1950". It is because, to many people, that was about the year when the imperialistic designs of Soviet Russia blossomed forth into full bloom.

My amendment will preserve the prerogative of Congress to make sure that legislation is not bypassed.

The decision on the distribution of agricultural surpluses will remain in Congress—where it belongs.

The people of the United States should decide. The decision should be by elected representatives of the American people when dealing with Communist-dominated countries.

A vote against this amendment would be a vote against the commonsense of Congress.

Do you fear your own judgment? Do you fear your own commonsense? If you do, you will vote against my amendment.

Mr. Chairman, I feel it is necessary at this point to refer briefly to some of the remarks that were made at the time of the debate on the rule on this bill. I would like to say in answer to the gentleman from Texas [Mr. POAGE] that I am not chasing rabbits in this situation. I am hunting big game; I am chasing Communists.

Now, how did Poland become involved in this agricultural bill? The Secretary of State made the decision that Poland was a friendly nation and thereby qualified Poland under Public Law 480. I do not believe that any person in this House would now say that Poland is not dominated by Moscow. I feel the Secretary bypassed the determination of Congress expressed in this act and thereby involved us in the negotiations with Poland. I do feel that it is our duty and our responsibility to express our views by means of a concurrent resolution. I also would like to say that the negotiations with the representative of Poland which involve us went much further than just agricultural commodities. There are few Members of Congress who know the secret negotiations. In the discussion on this bill today there has been much emphasis on how the accrued money accumulated in foreign currency can be spent. There has been the argument that military housing could be built such as is being built in other countries where this money has accrued. Military housing for whom, I ask. Soviet troops? We Members of Congress are aware of these secret negotiations, but we do not know the agreements, and I believe that if we are to be participants in any negotiations with any country which has been and is now possibly dominated by Moscow, we should deal with that issue directly on the floor of this House. The real issue involved is whether we should relieve the responsibility of the Communist Government of the captive people of Poland by bearing the responsibility of the failure of the Communist economic theory.

Therefore, Mr. Chairman, I feel that my amendment is very important to this bill.

Mr. BENTLEY. Mr. Chairman, will the gentlewoman yield?

Mrs. KELLY of New York. I yield to the gentleman from Michigan.

Mr. BENTLEY. I merely wanted to say to the gentlewoman that this is one Member who does not believe that Poland is dominated by Moscow at the present time. However, when I am recognized, I will deal with that.

The CHAIRMAN. The time of the gentlewoman from New York has expired.

Mr. FLOOD. Mr. Chairman, I ask unanimous consent that the lady be permitted to proceed for 30 additional seconds.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. FLOOD. Mr. Chairman, I must concur in what my friend from Michigan has said, that under no circumstances could I agree with the attractive and distinguished lady from New York [Mrs. KELLY] that Poland or the Polish people are dominated by the Soviets.

The CHAIRMAN. The time of the gentlewoman from New York has again expired.

Mr. COOLEY. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HAYS of Arkansas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 6974) to extend the Agricultural Trade Development and Assistance Act of 1954, and for other purposes, had come to no resolution thereon.

THE PARTY OF EBENEZER SCROOGE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I rise to pin the tail on the elephant. I ask the attention of the very distinguished gentleman from Massachusetts, the minority leader [Mr. MARTIN], who is present on the floor, standing there by the committee table on the minority side of the aisle.

I challenge him to deny to me and to the American people so the American people can tell who is the party of Ebenezer Scrooge, and which party is willing to spend money overseas but not willing to spend it here at home on our hungry and needy. I ask the distinguished minority leader if he dare deny at this time the fact that only one Member of the minority party, the Republican Party, and I salute that one lonesome Member, the gentleman from Pennsylvania [Mr. SAYLOR], who went through the teller line with us Democrats, when we were trying to get the poor and the unemployed, the aged, and the needy of this country, some relief, by enacting a food-stamp plan to dispose of this vast surplus of food, which we propose to send overseas by the legislation on the floor.

Will the gentleman from Massachusetts, or any other Member of the minority, Republican Party, deny that my statement is correct and true? I challenge them to deny that every other Republican Member, but that one exception present, voted against the food-stamp plan offered by the gentlelady from Missouri [Mrs. SULLIVAN]. I ask the distinguished minority leader to deny that the Republican Party, to paraphrase its distinguished leader the President, is liberal and humanitarian in principle and tight and stingy with money and the hungry of this country.

The SPEAKER. The time of the gentleman from Michigan has expired.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight tonight to file a conference report on the District of Columbia appropriation bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

INVESTIGATION AND STUDY OF CERTAIN DISTRICT OF COLUMBIA ACTIVITIES

Mr. BOLLING (on behalf of Mr. TRIMBLE) from the Committee on Rules reported the following privileged resolution (H. Res. 251, Rept. No. 589), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study of the following:

(1) The operation, administration, and enforcement of the District of Columbia Public Works Act of 1954;

(2) The operation, administration, and enforcement of the District of Columbia Revenue Act of 1956; and

(3) The organization, management, operation, and administration of the Department of Public Health of the District of Columbia (including but not limited to the District of Columbia General Hospital).

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, exclusive of any Territory, Commonwealth, or possession thereof, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

With the following amendments:

Page 1, line 3, strike out "and directed."

Page 2, line 5, strike out "is in session,".

Page 2, line 10, change the semicolon to a period, strike the balance of line 10 and all of lines 11, 12, and line 13 through the word "House."

AMENDING SMALL BUSINESS ACT OF 1953

Mr. BOLLING (on behalf of Mr. O'NEILL) from the Committee on Rules, reported the following privileged resolution (H. Res. 283, Rept. No. 590), which

was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7963) to amend the Small Business Act of 1953, as amended. After general debate, which shall be confined to the bill and continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Mr. BOLLING, from the Committee on Rules, reported the following privileged resolution (H. Res. 284, Rept. No. 591), which was referred to the House Calendar and ordered to be printed.

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 5728) to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowing, of the St. Lawrence Seaway Development Corporation. After general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. BOLLING. Mr. Speaker, on behalf of the gentleman from California [Mr. ROOSEVELT], I ask unanimous consent that he may insert his remarks at this point in the RECORD and include the reprinting of material previously inserted by him in the RECORD in two instances.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, in the RECORD of June 18, 1957, my colleague, the Honorable GORDON H. SCHERER, inserted certain remarks of his own and a statement of his on page 9581. My colleague complains that I have subtly violated, in his words, the rules of the House by implying criticism of my distinguished friend and colleague from California, the Honorable CLYDE DOYLE.

The gentleman from Ohio has, of course, not subtly or indirectly, but instead, directly done the things of which he complains.

After discussing the matter with Mr. DOYLE, and to include all of the facts which the gentleman from Ohio conveniently omitted, I wish to point out that my insertion in the RECORD of March 29, 1957, never in any way mentioned the name of Mr. DOYLE. The resolution of the California State Bar Association did not in any way complain of Mr. DOYLE, but did complain regarding the subcommittee counsel. And further, to make sure that no one could misinterpret the California State Bar Association's resolution, I took pains to insert in the daily RECORD of April 8, 1957, on page A2771, a letter from the president of the association specifically denying that its complaint was directed toward Mr. DOYLE. I am including, by unanimous consent, both insertions, that my colleagues may judge for themselves the accuracy of my statements.

My colleague from Ohio most certainly has every right to his opinion and I do not impugn his motives or his patriotism in any manner. I trust that he and others who thinks as he does will do likewise for those of us who have different points of view.

COMMITTEE ON UN-AMERICAN ACTIVITIES

(Mr. ROOSEVELT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include a resolution by the California State Bar Association.)

Mr. ROOSEVELT. Mr. Speaker, I have recently received a resolution of the California Bar Association condemning the tactics of a subcommittee of the Committee on Un-American Activities at a recent public hearing held in Los Angeles, Calif., to investigate opposition to the McCarran-Walter Immigration Act.

The character of these charges, which relate to the mistreatment and ridiculing of the attorneys for witnesses present, is so grave that I am sincerely considering introducing a resolution to amend the rules of the House to transfer the functions of the Committee on Un-American Activities to the Committee on the Judiciary.

It is essential that Congressional committees be in the forefront of those who would preserve all those guaranties of individual liberty and guards against Government tyranny that are written in the Constitution. The right to counsel is one of the most important of these rights.

Mr. Speaker, at this point I include the resolution of the State bar of California, adopted by its board of governors on March 15, 1957:

"Through press reports and communications from several members of the bar the attention of the board of governors of the State bar of California has been called to incidents occurring at a recent public hearing in Los Angeles, Calif., of a subcommittee of the Committee on Un-American Activities, the House of Representatives, United States Congress. The board has reviewed a reporter's transcript of that hearing and has heard a tape recording of the proceedings. The announced purpose of the hearing was to investigate opposition to the McCarran-Walter Immigration Act.

"From the transcript and recording, the following facts appear:

"1. Several witnesses were interrogated by the committee's counsel as to whether they were or ever had been members of the Communist Party.

"2. Each of the witnesses was represented by counsel.

"3. Counsel appearing for the witnesses were not permitted to address the committee or to make objections to the manner in which the proceeding was being conducted; but counsel were repeatedly told that 'their sole and exclusive right was to advise their clients.'

"4. Several witnesses were asked if they knew as a Communist one of the lawyers appearing. That lawyer, apparently, was not one of the witnesses whom the committee intended to call and interrogate.

"5. The interrogation of one witness was interrupted so as to permit the hearing of the testimony of an undercover member of the Communist Party. This undercover member, in response to a question put by the committee's counsel calling for such an answer, testified that she knew one of the attorneys appearing for another witness as a Communist. Thereafter the attorney so identified was referred by the committee's counsel as 'comrade.'

"6. Counsel who insisted on making an objection for the record were ejected from the hearing room.

"7. Counsel appearing for the witnesses were insistent upon their position and upon their right to make appropriate objections. They were not, however, disrespectful, unruly, or boisterous.

"This Board has heretofore affirmed that the right of a person to counsel requires public acceptance of the correlative right of a lawyer to represent and defend, in accordance with the standards of ethics of the bar, any client without having imputed to him his client's reputation, views, or character. A similar affirmation has been made by the American Bar Association.

"The right to be represented by counsel necessarily involves freedom of choice on the part of the client. Conduct on the part of any tribunal before whom a lawyer is entitled or permitted to appear, which attacks a lawyer's reputation or otherwise subjects him to obnoxious personal consequences, inevitably deters lawyers from accepting employment to appear before such tribunals. Thus the right to independent counsel of the client's own choice is seriously impaired.

"It is the duty of every lawyer, to the faithful discharge of which he takes an oath, to abstain from all offensive personality.

"In the opinion of the board of governors the proceedings of the committee and the conduct of the committee's counsel, to which reference is made above, were improper and lacking in the dignity and impartiality which should govern the conduct of agencies of the United States; they resulted in grossly offensive personality directed at counsel for witnesses; and they were of such a character as to pose a threat to the right to appear by counsel and to the proper independence of the bar: It is, therefore,

"*Resolved*, That copies of this statement be transmitted to the Speaker of the House of Representatives of the United States; to the chairman and the counsel of the House Committee on Un-American Activities; and to each Congressman and Senator from the State of California; it is further

"*Resolved*, That a copy of this statement be transmitted to the president of the American Bar Association with the request that the matter be appropriately considered by that association with the end in view of formulating proposals to the Congress for a system of committee procedure which will adequately protect the rights of witnesses and of counsel appearing for witnesses.

"I hereby certify that the foregoing is a full, true, and correct copy of statement unanimously adopted by the board of governors of the State bar of California, 13 members then being present, on March 15, 1957.

"JACK A. HAYES,
"Secretary, State Bar of California."

COMMITTEE ON UN-AMERICAN ACTIVITIES

(Extension of remarks of Hon. JAMES ROOSEVELT, of California, in the House of Representatives, Friday, April 5, 1957)

Mr. ROOSEVELT. Mr. Speaker, in view of my insertion in the CONGRESSIONAL RECORD of March 29, 1957, it gives me pleasure to insert the following letter addressed to the Honorable CLYDE DOYLE, a copy of which has been sent to me.

I am sure that my colleagues will be glad to know of the attitude of the California State bar as expressed by their president, Mr. Joseph A. Ball:

THE STATE BAR OF CALIFORNIA,
OFFICE OF THE PRESIDENT,
Long Beach, April 2, 1957.

Hon. CLYDE DOYLE,
House of Representatives,
House Office Building,
Washington, D.C.

DEAR CLYDE: The resolution of the board of governors of the State bar of California stated that "the proceedings of the committee and the committee's conduct were improper and lacking in dignity and impartiality which should govern the conduct of agencies of the United States; they resulted in grossly offensive personality directed at counsel for witnesses." This statement was not directed at any statement made by you as chairman of the Subcommittee on Un-American Activities of the House of Representatives. The board was particularly concerned with the questions asked by Richard Arens, who bears the title of staff director and who was acting counsel for the committee and the remarks made by committee members directed toward counsel for certain witnesses. The record does not disclose that you, as chairman, directed offensive or insulting remarks to anyone at the hearing.

Cordially,

JOSEPH A. BALL,
President.

ROCHAMBEAU MEMORIAL BRIDGE

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 768) to designate the east 14th Street Highway Bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the east 14th Street Highway Bridge over the Potomac River from a point near 14th Street in the District of Columbia to a point in Virginia shall be known and designated hereafter as the Rochambeau Memorial Bridge. Any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the Rochambeau Memorial Bridge.

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to designate the east 14th Street Highway Bridge over the Potomac River from a point near 14th Street in the District of Columbia, to a point in Virginia, as the Rochambeau Memorial Bridge. After enactment of this legislation, any law, regulation, map, document, record, or other paper of the United States in which such bridge is referred to shall be held to refer to such bridge as the Rochambeau Memorial Bridge.

The year 1956 was the 175th anniversary of the year in which Lt. Gen. Jean-Baptiste Donatien de Vimeau Count de Rochambeau crossed the Potomac River near the site of the present bridge on his way to aid General Washington's forces at what was to be the Battle of Yorktown.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOUR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

TIME TO CURB THE SUPREME COURT

The SPEAKER. Under previous order of the House, the gentleman from Georgia [Mr. DAVIS] is recognized for 45 minutes.

Mr. DAVIS of Georgia. Mr. Speaker, it is commonplace to say that every generation, at least in modern times, has always considered its own era as one of the most critical in history. Many of us feel that we have been living in a continuing state of crisis ever since World War I broke out in Europe in 1914. And our own country, at least since the depression of 1930, has gone from one crisis to another.

Scare words and alarms pelt down on us like rain. Strontium 90—radioactive fallout—superhydrogen bombs—even deadlier cobalt bombs—worldwide radiation peril—new intercontinental guided missiles with atomic warheads which can blast whole cities from the map. To listen to the scareheads of the newspapers and sensational magazine articles we live from day to day under a deadly cloud of new scientific horrors.

The human mind is fearfully and wonderfully constructed. It can absorb just so much alarming and worrisome news before a countermechanism automatically in sheer self-protection switches on apathy and benumbing indifference. I therefore fully realize that I work under a handicap when I try to call the attention of the Members of this House to a far deadlier peril to our continued existence as a free and self-governing people than all the grisly mass-extinction weapons our scientists are working to perfect. I refer to what a great American, a great Senator, and a great Democrat—Pat McCarran of Nevada—once called "the stealthy and silent supersession of State functions" by the United States Supreme Court.

For over a century and a half our Supreme Court enjoyed a public esteem and respect which equalled if it did not exceed that given to other branches of our Government. While an occasional decision might have aroused public criticism because it affected sectional, partisan, or class interests, it nevertheless was sound law. During those years the Supreme Court refused to trifle or tinker with the Constitution. Whatever may have been the personal philosophies of the Justices, the Court respected the law, followed the law and stated the law.

During that time the Supreme Court generally was above politics and the philosophy of the spoils system that "to the victor belongs the spoils." Sociological experimentation, like economic and social tinkering, it left severely alone.

Foreign students of government have generally conceded that our Supreme Court was a most unique institution in government. Indeed, no other nation that I know of has ever developed over a period of 150 years a high court of last resort beyond the reach of the executive arm of the governent comparable to our United States Supreme Court. I hardly need add that this unique institution was able to maintain its exalted position entirely because our Presidents since George Washington, with a few exceptions, appointed as justices only outstanding members of the legal profession.

You will recall that President Roosevelt's plan to pack the Supreme Court met with ignominious and deserved failure. However, the passage of time and death brought about what all the power of the presidential office failed to accomplish. As vacancies occurred they were filled not with men deeply versed in our constitutional law but justices who by their decisions demonstrate that they are actuated by other interests and concerns—largely of a sociological reform bias.

In fact, we now have Supreme Court Justices whose records and backgrounds reflect only the most casual acquaintance with Constitutional law. On the other hand, in a number of decisions the present Supreme Court has shown a high degree of legal adroitness in deftly evading a ruling on the critical issue at law and finding some picayune little technicality for remanding or reversing. Such evasion, while it may be clever or even highly ingenious, is unworthy of a true Supreme Court. A case which illustrates this statement is *Communist Party v. Subversive Activities Control Board* (351 U.S. 115).

Look at the essential facts in this truly astounding case. Congress enacted the Internal Security Act in 1950. This law set up the Subversive Activities Control Board before which the Attorney General of the United States presented evidence that the Communist Party of the United States was in fact a Communist-action organization as defined by statute.

The Subversive Activities Control Board held extensive and unhurried hearings over a period of 18 months or more. The Department of Justice brought before the Subversive Activities Control Board a long list of highly competent and trustworthy witnesses and authorities. Many of them had been top-ranking officers of the Communist conspiracy in this country. The transcript of this voluminous testimony

makes a stack 8 feet high. There followed then the usual Communist delaying tactics. The years passed and slowly, the recommended decision by the Subversive Activities Control Board crawled at snail's pace through the lower courts to the United States Supreme Court. After a long period of incubation that august body handed down its ridiculous decision that—the testimony of three of the Government's witnesses was tainted or questionable. The Subversive Activities Control Board could either start the whole dreary 7 years process all over again, or eliminate what six Justices were pleased to call possibly tainted testimony.

Three Justices—Clark, Reed, and Minton—dissented, pointing out that the Supreme Court "refuses to pass on the important questions relating to the constitutionality of the Internal Security Act of 1950, a bulwark of the Congressional program to combat the menace of world communism. Believing that the Court here disregards its plain responsibility and duty to decide these important constitutional questions."—Minority decision in No. 48, October term, 1956.

Justice Clark went further, and declared:

> I have not found any case in the history of the Court where important constitutional issues have been avoided on such a pretext. * * * In this case the motion itself was wholly inadequate, and even if the testimony of all three challenged witnesses were omitted from the record the result could not have been different. * * * The only purpose of this procedural maneuver is to gain additional time before the order to register can become effective. This proceeding has dragged out for many years now, and the function of the Board remains suspended, and the Congressional purpose frustrated at the most critical time in world history.

So we have the Supreme Court laboriously wading through all of the testimony before the Subversive Activities Control Board, making a pile 8 feet high, finding that a very small part of the testimony may be tainted, but then avoiding completely the issue of whether the Subversive Activities Control Board is legally constituted or whether the act setting it up is constitutional.

Bear in mind that in this case no individual stood in jeopardy of loss of life, liberty, or property. All this solicitude was for an alien-controlled organization found guilty of having "been a satellite of the Soviet Union since its inception," and merely being directed to register with the Department of Justice. Small wonder that men charged with the responsibility of making our country secure against internal subversion and with exposing and combating communism lapse into despair and hopelessness when faced with such Supreme Court decisions as this one.

One swallow does not make a summer and one or two capricious and frivolous decisions by the highest Court in this country do not make a pattern. However, we now have a long and unbroken chain of such decisions going back over the years, all concerned with the Communist question. The Supreme Court's steady and insidious erosion of all protective safeguards against subversion, if not arrested by the Congress, will prove far deadlier to our security and future than the hydrogen and atomic bombs.

I want to note in passing that the United States Government over a period of 20 years spent hundreds of thousands of dollars trying to have one obnoxious alien Communist—Harry Bridges—deported, without success. Bridges has been convicted of fraud in denying Communist Party membership in attempting to obtain United States citizenship. He had also been convicted and ordered deported on the grounds that he had belonged to organizations advocating the overthrow of our Government by force and violence.

Harry Bridges is still with us and still maintains his iron grip on west-coast and Hawaiian shipping as far as the docks and loading of ships is concerned. Every time that a case involving him reached the Supreme Court, that Court found some way to reverse lower court convictions.

Judith Coplon worked in an extremely sensitive branch of the Department of Justice dealing with counter-intelligence against Soviet spies and American Communists. She was shadowed by FBI men and was observed handing over confidential documents to a Soviet spy, Valentin Gubichev, attached to the United Nations as an engineer. She was duly convicted of espionage. Two juries, two trial judges, and two appellate courts found her guilty, yet Judith Coplon went off scot free thanks to the Supreme Court of the United States. It reversed two lower courts because, first, her arrest without a warrant was illegal and hence the packet of papers taken from her was not properly introduced as evidence; second, the court erred in refusing to let her lawyers look at records of phone taps made by the FBI; and, third, the lower court had erred in refusing to let defense counsel pursue a line of questioning as to whether the original tapping of her phone was secured by information other than phonetapping. Soviet spy Judith Coplon was never brought to trial again although there was no doubt that her guilt was plain.

In a very similar case—*Gorin* v. *United States* (312 U. S. 19) in 1941 the Supreme Court affirmed the convictions of a Soviet spy, M. N. Gorin, and a naval intelligence investigator named Salich. Salich illegally abstracted confidential Government reports and transferred them to Gorin. Salich was sentenced to 6 years, and Gorin to 4 and both fined $10,000. The Supreme Court of 1941 was a different court composed of justices who did not search for minute technicalities in order to give a Soviet spy every possible legal loophole to escape just punishment.

Let us now consider the Steve Nelson cases. Nelson, born Mesarosh in Yugoslavia, is about the closest anyone could possibly come to a prototype hardcore, veteran, international Communist. Mesarosh, alias "Nelson," was a ruthless, top commissar in the International Brigade—Communist—in Spain. The House Committee on Un-American Activities has extensive information on "Nelson" linking him to Soviet espionage in connection with the atomic bomb. That committee released a 30-page report on Nelson setting forth his entire record as far back as 1949. It is worth noting that Nelson entered this country illegally in 1920.

After a lifetime of sinister Communist activity against this country Nelson was finally indicted and brought to trial by the State of Pennsylvania under a State sedition statute. He was convicted in 1952 and sentenced to 20 years' imprisonment. His appeal reached the United States Supreme Court in 1954. The attorneys general of a number of other States concerned with the same problem of administering their sedition and anti-Communist laws filed an extremely well-reasoned brief amici curiae.

By a majority of 6 to 3, Chief Justice Warren writing the opinion, the Supreme Court ruled that it knew better than the Congress just what the intent was of the latter when it passed the Smith Act of 1940. Six men decided that:

> Looking to all of them in the aggregate, the conclusion is inescapable that Congress has intended to occupy the field of sedition. Taken as a whole, they evince a Congressional plan which makes it reasonable to determine that no room has been left for the States to supplement it. Therefore, a State sedition statute is superseded regardless of whether it purports to supplement the Federal law (350 U. S. 497).

Here the Supreme Court added clairvoyance to usurpation of legislative powers. It now knows better than the Congress just what the latter had in mind when it passes a law even though it spells out in plain English just what the intent of the law is.

Let us next consider very briefly the Emspak, Quinn, and Bart cases. Here again, the Supreme Court demonstrated solicitude for Communists in trouble with the law rather than narrow issues at stake in the law. Some 8 years ago three Communists, Julius Emspak, Philip Abraham Bart, and Thomas Quinn refused to answer a list of questions about Communist affiliations and activities before the House Committee on Un-American Activities. After the usual long delays preceding trials they were finally all convicted and sentenced to prison terms.

All three of them took their appeals to the Supreme Court—now well established in the Communist mind as a safe refuge and snug harbor for Communists in trouble with the law. Two years ago in *Emspak* v. *United States* (349 U. S. 190); *Quinn* v. *United States* (349 U. S. 155); and *Bart* v. *United States* (349 U. S. 219), the Supreme Court ruled that all three had validly invoked constitutional guaranties against self-incrimination when they had appeared before the House committee. It set aside their contempt of Congress convictions. The Daily Worker exulted once more that communism had achieved another victory in the Supreme Court.

Another case is that of Prof. Harry Slochower, of Brooklyn (N. Y.) College. Slochower had been identified as a Communist, using the party name of Flint, by the Rapp-Coudert committee of New York State as far back as 1940. He had

openly contributed material under his right name to a long list of Communist publications. Slochower also had been connected with at least six or more known Communist Party front organizations. Twelve years elapsed and in 1952 Professor Slochower was called before the Senate Internal Security Subcommittee investigating subversive infiltration in the educational field. He invoked the fifth amendment and was a contumacious and hostile witness.

Section 903 of the New York City Charter calls for the automatic dismissal of any city employee who pleads the fifth amendment on any legitimate question propounded to him by a competent board or agency of the State of New York. Dr. Slochower in due time was summoned before a board of the New York City Board of Education and he again invoked the fifth amendment when asked whether or not he had ever been a Communist. The New York State Court of Appeals upheld section 903 and Slochower's dismissal.

The Brooklyn College professor took his case to the United States Supreme Court, and in view of that Court's cumulative record in such cases, no doubt with a feeling of considerable assurance. He was not mistaken. In the now celebrated 5 to 4 decision, *Slochower* v. *Board of Education of New York* (350 U. S. 551, 1956), the Supreme Court ruled that such summary dismissal violated the due process clause of the Constitution, and that the provision of the charter of New York under which he had been discharged was unconstitutional. I need hardly point out that this decision likewise struck down State and municipal statutes all over the United States which have as their objective protection of their governments and educational systems from subversive and seditious teachers and employees. The Daily Worker hailed this decision with front page headlines.

Professor Slochower also had reason to be grateful to the Justices who rendered this extraordinary decision. His total legal costs were estimated to be in excess of $1,000—the Supreme Court's decision meant his reinstatement with full back pay of $39,633.78 plus about $2,500 interest, plus his court costs. So the taxpayers of New York paid Professor Slochower well over $42,000 for doing nothing. He was again dismissed after 11 days for administrative reasons safely outside the jurisdiction of the Supreme Court. What the cost of this whole long drawn out process over a period of years to rid the New York school system of one Communist finally totaled, I cannot say. It must have run into many tens of thousands of dollars.

Far more important than the senseless waste of money and time on this preposterous case is the coldly calculated destruction of States' rights and subdivisions thereof to govern themselves and regulate their own affairs as guaranteed by the forgotten 10th amendment. What this case boiled down to was that a local school board may no longer fire a Communist teacher without benefit of the United States Supreme Court.

Early this year, the Supreme Court freed three underground Communists from serving richly deserved prison terms. I refer to the so-called harboring case of Shirley Kremen, Sidney Steinberg, and Samuel Coleman. In 1949 Robert Thompson, New York State chairman of the Communist Party, was indicted and tried with 10 other top Communists for violation of the Smith Act. He jumped $20,000 bail and disappeared in 1951 before he could be sentenced. The FBI spent over 2 years of expensive search for Thompson and three other fugitive Communists.

Government men finally tracked him down in 1953, hiding in a cabin in a remote and almost inaccessible part of the Sierra Nevada Mountains in California. With Thompson, the FBI men found another fugitive, Sidney Steinberg, who had fled after indictment but before trial. The FBI had warrants for Thompson and Steinberg. They obviously could not know whether there were other persons involved in hiding these two Communists until they caught them.

After keeping the isolated cabin under observation for 24 hours, the FBI men closed the net and caught not only their two badly wanted fugitives but an unknown man and woman. Both naturally refused to identify themselves. A careful search was made of the cabin and, after compiling an inventory, a number of documents and objects were removed to the FBI office in San Francisco, 200 miles away. Here the true identity of Mrs. Kremen and Samuel Coleman was finally established and they were subsequently indicted for harboring two known fugitives from the law. Coleman received a 3-year sentence and Mrs. Kremen a 1-year sentence. They appealed to the Supreme Court.

By a 6-to-2 majority, the High Court reversed their convictions and ordered new trials on the grounds that—

> The seizure of the entire contents of the house and its removal some 200 miles for the purpose of examination is beyond the sanction of any of our cases. While the evidence seized from the persons of the petitioners might have been legally admissible, the introduction against each of the petitioners of some items seized in the house in the manner aforesaid rendered the guilty verdicts illegal.

I regard this as legal quibbling.

Our present Supreme Court has developed a hypercritical faculty for finding microscopic flaws in the cases of convicted Communists. No matter how carefully and meticulously a Communist case is passed with kid gloves through the lower courts, our present Supreme Court can be trusted to find what it is pleased to call a reversible error. This is accomplished, of course, by the pattern the Supreme Court has established of usurping legislative functions, and changing the law and amending the Constitution at will.

The Court handed down, just 2 weeks ago, another extraordinary and far-reaching decision—the Clinton Jencks decision. This case was thoroughly covered in the press. Seven Justices ordered a new trial for a New Mexican Communist convicted of falsely swearing he had never been a Communist in connection with a Taft-Hartley affidavit. The reversal was based on the specious argument that the Government at the trial had not made FBI reports available to the defense.

In fact, the defense had not even asked to see the documents in question—it had merely asked that the judge examine them first to determine whether or not they should be made available to Jencks' lawyers. Justice Clark was the lone dissenter. He stated:

> Unless the Congress changes the rule announced by the Court today, those intelligence agencies of our Government engaged in law enforcement may as well close up shop for the Court has opened their files to the criminal and thus afforded him a Roman holiday for rummaging through confidential information as well as vital national secrets. This may well be a reasonable rule in State prosecutions where none of the problems of foreign relations, espionage, sabotage, subversive activities, counterfeiting, internal security, national defense, and the like exist, but any person conversant with Federal Government activities and problems will quickly recognize that it opens up a veritable Pandora's box of troubles. And all in the name of justice. For eightscore years now our Federal judicial administration has gotten along without it and today that administration enjoys the highest rank in the world.

This decision will lead to utter chaos in the Federal courts as lawyers can readily appreciate. It may upset and nullify the Government's 7-year effort to compel the Communist Party to register its membership and finances with the Department of Justice as required by the Internal Security Act of 1950. The Government will be forced to drop narcotics and other criminal cases if it believes that the defendants' lawyer will demand to see confidential Government reports. The Washington News quoted "one of the Government's budget law-enforcement officers as having said:

> In 25 years of law enforcement I have never seen a court decision at any level or in any jurisdiction cause so much turmoil.

We come now to the cases of Rudolph Schware and Raphael Konigsberg. Here again, I will confine my remarks to the briefest of general summaries and comment. Schware had been turned down by the New Mexico Supreme Court on appeal from a refusal by that State's Board of Bar Examiners to admit him to the bar. Schware admitted having been a Communist prior to 1940, to have been arrested in several instances of labor violence, and to having used aliases. On the other hand, he had a good war record and claims to have broken completely with the Communist conspiracy.

The simple fact remains that here again is a question of States' rights and of each State's bar to determine the eligibility of its own membership. Justices Black, Whittaker, Brennan, Douglas, Burton, and Chief Justice Warren reversed and remanded the Schware case, thus extending the long arm of the Supreme Court into every bar examination board in the country, and taking from the bar and the courts of 48 States the right to determine qualifications of members of the bar.

Konigsberg v. *State Bar of California* (25 LW 4231) of May 6 of this year has

to be read to be appreciated. The majority opinion was written by Justice Black with Chief Justice Warren, and Justices Douglas, Brennan, Whittaker, Black, and Burton concurring. Konigsberg refused to tell the California Committee of Bar Examiners whether he had ever been a Communist, pleading constitutional privilege.

The majority held that "even if it be assumed that Konigsberg was a member of the Communist Party in 1941, the mere fact of membership would not support an inference that he did not have good moral character." The decision then went on to say that—

> It may be, although there is no evidence in the record before us to that effect, that some members of the party were involved in illegal or disloyal activities, but the petitioner cannot be swept into this group solely on the basis of his alleged membership in that party.

Here is another invasion of the right of each State to determine and set its own fitness qualifications for membership in the bar.

The Supreme Court's decisions of last Monday are still reverberating through the press and the halls of Congress. Again there is rejoicing wherever Communists and traitors to this country gather. I have confined myself today only to Supreme Court decisions protecting and coddling sworn enemies of our country. And I have selected only a few out of several dozen such cases. I have avoided and left for another day any reference to an equally long list of infamous decisions calculated to still further whittle down and destroy our already deeply compromised States rights; nor have I had time to refer even briefly to a long list of decisions concentrating more power into the hands of the executive branch or usurping legislative powers by the Supreme Court.

IS THERE A REMEDY?

The decisions of last Monday have deeply stirred the country. I am preparing and intend to introduce specific bills to meet this objectionable action by the Supreme Court. A constitutional amendment will also have to be prepared which will effectively curb the Supreme Court in its wild orgy of usurpation of power and destruction of States' rights.

Finally, there is the obvious and fairly simple procedure of a Commission on Constitutional Law set up by joint Congressional action. I am preparing a bill to create such a commission. The Commission on Government Security which is just about to wind up its affairs and issue its report next Sunday is example of what I have in mind. Or, we might follow the general example of S. 3608 calling for the establishment of a Joint Congressional Commission on Fundamental Farm Policy.

The commission which I envision would consist of 7 to 15 of the country's outstanding constitutional lawyers. Past presidents of the American Bar Association, retired justices of State Supreme Courts, distinguished and outstanding Appellate jurists would give the Congress a wide field from which to select.

The ever-encroaching power of the Supreme Court which President Jefferson warned against in 1824 must be curbed. The executive arm has far outgrown in power that of the legislative but it can at least in some small degree be restrained by the Congress' control of the purse strings and by the Supreme Court. The acts and powers of Congress, as we all know only too well, can be curbed and, indeed, countermanded by the Supreme Court and circumvented by the executive.

This, I submit, is the crisis of our times. This, and not total atomic war, is the deadly threat to our very existence. This, and most intelligent Americans are beginning to see it, is the one problem which if allowed to continue will most surely spell the end of our Republic.

Mr. FLYNT. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. FLYNT. I wish to congratulate my colleague from Georgia [Mr. DAVIS] on his presentation and on bringing to the attention of the House of Representatives the series of decisions recently handed down by the Supreme Court, and giving to us the benefit of his analysis of that entire line of decisions.

With permission of the gentleman from Georgia I would like to say that the supply of cases in which the Supreme Court of the United States as presently constituted, at least the majority of that Court, has favored and espoused possibly not the Communist cause but at least has turned loose and reversed convictions of convicted Communists, that supply of cases is apparently inexhaustible.

On Monday last, the 17th day of June, 1957, the Supreme Court of the United States handed down a large number of decisions in which they reversed convictions of convicted Communists and, in effect, impaired the power of Congress to continue Congressional investigations.

The gentleman from Georgia [Mr. DAVIS] referred specifically to and made a very fine analysis of the Steve Nelson case in which the Supreme Court of the United States reversed the conviction in the State courts of Pennsylvania of a Communist and a seditionist by the name of Steve Nelson.

I wish to call to the attention of the gentleman and of this House the decision handed down on Monday last in Cases Nos. 6, 7, and 8, October term, 1956, the cases of Yates et al, and Schneiderman, and others against the United States, in which the majority—and I am glad to report that this was not a unanimous decision—but the majority of the Court again put the stamp of approval on the activities of the Communist Party in this country and, for all intents and purposes, declared that the Communist conspiracy, the underlying and illegal conspiracy, is rather, according to the view of the majority of the Court today, a bona fide, legitimate, and respectable political activity within the United States of America.

I wish to call attention, if I may, to the dissenting opinion by Associate Justice Clark; and at this point, Mr. Speaker, I ask unanimous consent to have included in the RECORD as part of my own remarks at this point the dissenting opinion of Mr. Justice Clark in cases Nos. 6, 7, and 8, October term, 1956.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The decision referred to follows:

SUPREME COURT OF THE UNITED STATES—NOS. 6, 7, AND 8, OCTOBER TERM, 1956.—OLETA O'CONNOR YATES, HENRY STEINBERG, LORETTA STARVUS STACK, ET AL., PETITIONERS, *v.* UNITED STATES OF AMERICA—WILLIAM SCHNEIDERMAN, PETITIONER, *v.* UNITED STATES OF AMERICA—AL RICHMOND AND PHILIP MARSHALL CONNELLY, PETITIONERS, *v.* UNITED STATES OF AMERICA—ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT—JUNE 17, 1957

Mr. Justice Clark, dissenting.

The petitioners, principal organizers, and leaders of the Communist Party in California, have been convicted for a conspiracy covering the period 1940–51. They were engaged in this conspiracy with the defendants in *Dennis* v. *United States* (341 U. S. 494 (1951)). The Dennis defendants, named as coconspirators but not indicted with the defendants here, were convicted in New York under the former conspiracy provisions of the Smith Act (54 Stat. 671, 18 U. S. C. (1946 ed.), sec. 11). They have served or are now serving prison terms as a result of their convictions.

The conspiracy charged here is the same as in Dennis, except that here it is geared to California conditions, and brought, for the period 1948–51, under the general conspiracy statute (18 U. S. C., sec. 371), rather than the old conspiracy section of the Smith Act. The indictment charges petitioners with a conspiracy to violate two sections of the Smith Act, as recodified in title 18, United States Code, section 2385, by knowingly and willfully (1) teaching and advocating the violent overthrow of the Government of the United States, and (2) organizing in California through the creation of groups, cells, schools, assemblies of persons, and the like, the Communist Party, a society which teaches or advocates violent overthrow of the Government.

The conspiracy includes the same group of defendants as in the Dennis case though petitioners here occupied a lower echelon in the party hierarchy. They, nevertheless, served in the same army and were engaged in the same mission. The convictions here were based upon evidence closely paralleling that adduced in Dennis and in *United States* v. *Flynn* (216 F. 2d 354 (C. A. 2d Cir. 1954)), both of which resulted in convictions. This Court laid down in Dennis the principles governing such prosecutions and they were closely adhered to here, although the nature of the two cases did not permit identical handling.

I would affirm the convictions. However, the Court has freed five of the convicted petitioners and ordered new trials for the remaining nine. As to the five, it says that the evidence is "clearly insufficient." I agree with the Court of Appeals, the District Court, and the jury that the evidence showed guilt beyond a reasonable doubt.[1]

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[1] Petitioners Richmond, Connelly, Kusnitz, Steinberg, and Spector are set free.

Richmond at the time of his indictment had for many years been the editor in chief of the Daily People's World, the official organ of the Party on the west coast. He had joined the party in 1931 and received his indoctrination in Communist technique at the offices of the Daily Worker, the official party paper on the east coast. In 1937 he was chosen by the party's central committee to be managing editor of the Daily People's World and was transferred to California.

It paralleled that in Dennis and Flynn and was equally as strong. In any event, this Court should not acquit anyone here. In its long history I find in no case in which an acquittal has been ordered by this Court solely on the facts. It is somewhat late to start in now usurping the function of the jury, especially where new trials are to be held covering the same charges. It may be—although after today's opinion it is somewhat doubtful—that under the new theories announced by the Court for Smith Act prosecutions sufficient evidence might be available on remand. To say the least, the Government should have an opportunity to present its evidence under these changed conditions.

I cannot agree that half of the indictment against the remaining nine petitioners should be quashed as barred by the statute of limitations. I agree with my Brother Burton that the Court has incorrectly interpreted the term organize as used in the Smith Act. The Court concludes that the plain words of the act,[2] "Whoever organizes or helps, or attempts to organize any society, group, or assembly of persons" embodies only those "acts entering into the creation of a new organization." As applied to the Communist Party, the Court holds that it refers only to the reconstitution of the party in 1945 and a part of the prosecution here is, therefore, barred by the 3-year statute of limitations. This construction frustrates the purpose of the Congress for the act was passed in 1940 primarily to curb the growing strength and activity of the party.[3] Under such an interpretation all prosecution would have been barred at the very time of the adoption of the act for the party was formed in 1919. If the Congress had been concerned with the initial establishment of the party it would not have used the words "helps or attempts," nor the phrase "group or assembly of persons." It was concerned with the new Communist fronts, cells, schools, and other groups, as well as assemblies of persons, which were being created nearly every day under the aegis of the party to carry on its purposes. This is what the indictment here charges and the proof shows beyond doubt was in fact done. The decision today prevents for all time any prosecution of party members under this subparagraph of the act.

While the holding of the Court requires a reversal of the case and a retrial, the Court very properly considers the instructions given by the trial judge. I do not agree with the conclusion of the Court regarding the instructions, but I am highly pleased to see that it disposes of this problem so that on the new trial instructions will be given that will at least meet the views of the Court. I have studied the section of the opinion concerning the instructions and frankly its "artillery of words" leaves me confused as to why the majority concludes that the charge as given was insufficient. I thought that Dennis merely held that a charge was sufficient where it requires a finding that "the party advocates the theory that there is a duty and necessity to overthrow the Government by force and violence * * * not as a prophetic insight or as a bit of * * * speculation, but as a program for winning adherents and as a policy to be translated into action" as soon as the circumstances permit. 341 U. S., at 546–547 (concurring opinion). I notice, however, that to the majority—

"The essence of the Dennis holding was that indoctrination of a group in preparation for future violent action, as well as exhortation to immediate action, by advocacy found to be directed to 'action for the accomplishment' of forcible overthrow, to violence 'as a rule or principle of action,' and employing 'language of incitement,' id., at 511–512, is not constitutionally protected when the group is of sufficient size and cohesiveness, is sufficiently oriented toward action, and other circumstances are such as reasonably to justify apprehension that action will occur."

I have read this statement over and over but do not seem to grasp its meaning for I see no resemblance between it and what the respected Chief Justice wrote in Dennis, nor do I find any such theory in the concurring opinions. As I see it, the trial judge charged in essence all that was required under the Dennis opinions, whether one takes the view of the Chief Justice or of those concurring in the judgment. Apparently what disturbs the Court now is that the trial judge here did not give the Dennis charge although both the prosecution and the defense asked that it be given. Since he refused to grant these requests I suppose the majority feels that there must be some difference between the two charges, else the one that was given in Dennis would have been followed here. While there may be some distinctions between the charges, as I view them they are without material difference. I find, as the majority intimates, that the distinctions are too subtle and difficult to grasp.

However, in view of the fact that the case must be retried, regardless of the disposition made here on the charges, I see no reason to engage in what becomes nothing more than an exercise in semantics with the majority about this phase of the case. Certainly if I had been sitting at the trial I would have given the Dennis charge, not because I consider it any more correct, but simply because it had the stamp of approval of this Court. Perhaps this approach is too practical. But I am sure the trial judge realizes now that practicality often pays.

I should perhaps add that I am in agreement with the Court in its holding that petitioner Schneiderman can find no aid from the doctrine of collateral estoppel.

Mr. FLYNT. Mr. Speaker, it is evidently clear from the skillful language of Mr. Associate Justice Clark in his vigorous dissent in the Yates et al. and Schneiderman cases, that he realizes the impending threat by this Communist conspiracy upon our entire way of life. Mr. Justice Clark in his opinion which appears above, stated in unmistakable terms that it was never the intent of the Congress of the United States to preempt

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From 1946 through 1948 he regularly attended secret meetings of the State and county boards of the party, admission to which was by identification from a special list of party members prepared by the party chairman or its security chief. Party strategy was mapped out at "very secret meetings" attended by Richmond and the core of the party machinery, including at least seven of the petitioners here. Richmond served on a special committee to help develop "preconvention discussion" with petitioner Yates; he represented the State committee at the 1950 convention; he addressed many party meetings preaching the "vanguard role" of the party and the importance of the People's World in the Communist movement; and his articles in the paper urged the "Leninist and Marxist approach."

Connelly, a party member since at least 1938, was the Los Angeles editor of the People's World. During the mobilization effort early in World War II he devoted his efforts to "building up sentiment against * * * the war effort" among steel, aircraft, and shipyard workers. He attended the same secret meetings attended by Richmond.

There can be no question that the proof sustained the charges against Richmond and Connelly in the conspiracy. Their newspaper was the conduit through which the party announced its aims, policies, and decisions, sought its funds, and recruited its members. It is the height of naivete to claim that the People's World does not publish appeals to its readers to follow party dictrine in seeking the overthrow of the Governmetn by force, but it is stark reality to conclude that such a publication provides an incomparable means of promoting the party's aim of forcible seizure when the time is ripe.

Petitioner Spector has been active in the California Party since the early 1930's. He taught "Marxism-Leninism" in party schools and was "division organizer" in Los Angeles County. He attended "underground meetings" with petitioners Lambert, Dobbs, Healy, Carlson, and Schneiderman. The witness Rosser testified that these meetings were "so hid that you couldn't get to them unless you were invited and taken there." In 1946 he "conducted classes" for party members in Hollywood, and in 1947 as a member of a committee of three party officials examined the witness Russell, a student in one of his classes, on charges of being a party "police spy."

Petitioner Kusnitz, following an organizational indoctrination period in New York City, became a party leader in California in 1946, served as "section organizer," and later as "organizational secretary" in Los Angeles. Her position was directly below that of the local chairman in party hierarchy. She attended many secret meetings and was present at a party meeting with petitioner Yates when Yates advocated the necessity of "Soviet support" and "Marxist-Leninist training" as a means of bringing about the Soviet "type of government * * * all over the world." She contributed articles to Communist publications and was very active in the "regrouping of * * * clubs into smaller units"; conducting a "six session leadership training seminar"; carrying on campaigns for subscriptions to the People's World; and leading the "party building drive" for the recruitment of members.

Petitioner Henry Steinberg, active in the Young Communist League, and associated with the party since 1936, was the "educational director." He took part in the creation of the program for the party's training schools in Los Angeles County. His "education department" sponsored several meetings, one honoring the 25th anniversary of the death of Lenin. He worked with petitioner Schneiderman, the party chairman in California, attended meetings regularly, was active in circulation drives for the People's World and was the principal speaker at many meetings.

[2] 18 U. S. C., sec. 2385.

[3] Congressman McCORMACK's remarks on the floor of the House of Representatives on July 29, 1930, during the debate on the Smith Act reflect the underlying purpose behind that act. He stated, inter alia:

"We all know that the Communist movement has as its ultimate objective the overthrow of government by force and violence or by any means, legal or illegal, or a combination of both. That testimony was indisputably produced before the special committee of which I was chairman, and came from the lips not of those who gave hearsay testimany, but of the actual official records of the Communist Party of the United States, presented to our committee by the executive secretary of the Communist Party and the leader of the Communist Party in the United States, Earl Browder. * * * Therefore, a Communist is one who intends knowingly or willfully to participate in any actions, legal or illegal, or a combination of both, that will bring about the ultimate overthrow of our Government. He is the one we are aiming at * * *" [Emphasis added.] 84 CONGRESSIONAL RECORD 10454. See also hearing from Subcommittee No. 3 of the House Committee on the Judiciary on H. R. 5138, 76th Cong., 1st sess. 84.

the field of sedition cases and thenceforth to prohibit the States from also enacting antisedition and antisubversive statutes.

I want to quote, if I may, at this time, the language of our distinguished majority leader, the gentleman from Massachusetts, whose own language appearing in the CONGRESSIONAL RECORD of July 29, 1939, emphasizes clearly his own feeling at that time, and I am sure his feeling today that the Congress of the United States in passing the Smith Act did not intend to preempt that field. Quoting Mr. MCCORMACK, the gentleman from Massachusetts said among other things the following:

> We all know that the Communist movement has as its ultimate objective the overthrow of the Government by force and violence or by any means, legal or illegal, or a combination of both. That testimony was indisputably produced before the special committee of which I was chairman and not by those who give hearsay testimony, but from the actual official records of the Communist Party of the United States presented to our committee by the executive secretary of the Communist Party and the leader of the Communist Party in the United States, Earl Browder.
>
> Therefore the Communist Party is one that intends knowingly or willfully to participate in any action, legal or illegal, or a combination of both, that will bring about the ultimate overthrow of our Government.

In this dissenting opinion of Mr. Justice Clark he very carefully and clearly states that he feels that it is not the intention of the courts of this country, State or Federal, to usurp the powers of the jury to determine the facts in criminal cases.

Mr. Speaker, I most respectfully urge that each Member of this House read carefully and clearly the dissenting opinion of Mr. Justice Clark which appears above and to reason carefully the warning which he is sounding at this time that we may in our official capacities, as well as in our role as a private citizen of the United States dedicated to uphold, protect, defend and preserve the Constitution of the United States and our way of life.

Mr. Speaker, at this time I would like also to call attention to case No. 261 of the Supreme Court of the United States, October Term, 1956, known as the Watkins case, in which case also Mr. Justice Clark dissented.

Mr. Speaker, I ask unanimous consent to have included at this point as a part of my remarks the dissenting opinion of Mr. Justice Clark in the Watkins case.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The opinion referred to follows:

SUPREME COURT OF THE UNITED STATES—No. 261, OCTOBER TERM, 1956—JOHN T. WATKINS, PETITIONER, *v.* UNITED STATES OF AMERICA—ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT—JUNE 17, 1957.

Mr. Justice Clark, dissenting.

As I see it the chief fault in the majority opinion is its mischievous curbing of the informing function of the Congress. While I am not versed in its procedures, my experience in the executive branch of the Government leads me to believe that the requirements laid down in the opinion for the operation of the committee system of inquiry are both unnecessary and unworkable. It is my purpose to first discuss this phase of the opinion and then record my views on the merits of Watkins' case.

I

It may be that at times the House Committee on Un-American Activities has, as the Court says, "conceived of its task in the grand view of its name." And, perhaps, as the Court indicates, the rules of conduct placed upon the committee by the House admit of individual abuse and unfairness. But that is none of our affair. So long as the object of a legislative inquiry is legitimate and the questions propounded are pertinent thereto, it is not for the courts to interfere with the committee system of inquiry. To hold otherwise would be an infringement on the power given the Congress to inform itself, and thus a trespass upon the fundamental American principle of separation of powers. The majority has substituted the judiciary as the grand inquisitor and supervisor of Congressional investigations. It has never been so.

II

Legislative committees to inquire into facts or conditions for assurance of the public welfare or to determine the need for legislative action have grown in importance with the complexity of government. The investigation that gave rise to this prosecution is of the latter type. Since many matters requiring statutory action lie in the domain of the specialist or are unknown without testimony from informed witnesses, the need for information has brought about legislative inquiries that have used the compulsion of the subpena to lay bare needed facts and a statute, title 2 United States Code, section 192 here involved, to punish recalcitrant witnesses. The propriety of investigations has long been recognized and rarely curbed by the courts, though constitutional limitations on the investigatory powers are admitted.[1] The use of legislative committees to secure information follows the example of the people from whom our legislative system is derived. The British method has variations from that of the United States but fundamentally serves the same purpose—the enlightenment of Parliament for the better performance of its duties. There are standing committees to carry on the routine work, royal commissions to grapple with important social or economic problems, and special tribunals of inquiry for some alleged offense in government.[2] Our Congress has since its beginning used the committee system to inform itself. It has been estimated that over 600 investigations have been conducted since the first Congress. They are "a necessary and appropriate attribute of the power to legislate" *McGrain* v. *Daugherty* (273 U. S. 135, 175 (1927)).

The Court indicates that in this case the source of the trouble lies in the "tremendous latitude" given the Un-American Activities Committee in the Legislative Reorganization Act.[3] It finds that the committee "is allowed, in essence, to define its own authority, [and] to choose the direction and focus of its activities." This, of course, is largely true of all committees within their respective spheres. And, while it is necessary that the "charter," as the opinion calls the enabling resolution, "spell out [its] jurisdiction and purpose," that must necessarily be in more or less general terms. An examination of the enabling resolutions of other committees reveals the extent to which this is true.

Permanent or standing committees of both Houses have been given power in exceedingly broad terms. For example, the Committees on the Armed Services have jurisdiction over "Common defense generally";[4] the Committees on Interstate and Foreign Commerce have jurisdiction over "Interstate and foreign commerce generally";[5] and the Committees on Appropriation have jurisdiction over "Appropriation of the revenue for the support of the Government."[6] Perhaps even more important for purposes of comparison are the broad authorizations given to select or special committees established by the Congress from time to time. Such committees have been "authorized and directed" to make full and complete studies "of whether organized crime utilizes the facilities of interstate commerce or otherwise operates in interstate commerce";[7] "of * * *

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[1] *United States* v. *Rumely* (345 U. S. 41 (1953)); *Sinclair* v. *United States* (279 U. S. 263 (1929)); *Reed* v. *County Commissioners* (277 U. S. 376 (1928)); *McGrain* v. *Daugherty* (273 U. S. 135 (1927)); Landis, Constitutional Limitations on the Congressional Power of Investigation, 40 Harv. L. Rev. 153 (1926)).

[2] Symposium on Congressional Investigations, 18 U. of Chi. L. Rev. 421, Finer, The British System, 532, 554, 561 (1951).

[3] The committee originated in 1938 under H. Res. 282, 75th Cong., 3d sess., 83 CONGRESSIONAL RECORD 7568, and was patterned after a resolution of 1934 authorizing the investigation of Nazi propaganda H. Res. 198, 73d Cong., 2d sess., 78 CONGRESSIONAL RECORD 4934. The resolution read much the same as the present authority of the committee which is quoted below. By a succession of House Resolutions (H. Res. 26, 76th Cong., 1st sess., 84 CONGRESSIONAL RECORD 1098; H. Res. 321, 76th Cong., 3d sess., 86 CONGRESSIONAL RECORD 572; H. Res. 90, 77th Cong., 1st sess., 87 CONGRESSIONAL RECORD 886; H. Res. 420, 77th Cong., 2d sess., 88 CONGRESSIONAL RECORD 2282; H. Res. 65, 78th Cong., 1st sess., 89 CONGRESSIONAL RECORD 795) the committee continued in existence until in 1945, by amendment of the House Rules, it was made a standing committee. Ninety-first CONGRESSIONAL RECORD 10, 15. The Legislative Reorganization Act of 1946 retained it as one of the standing committees and provided:

"All proposed legislation, messages, petitions, memorials, and other matters relating to the subjects listed under the standing committees named below shall be referred to such committees, respectively: * * *

"(q) * * * (2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of Government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation." 60 Stat. 828.

The committee is authorized to sit and act at any time, anywhere in the United States and to require the attendance of witnesses and the production of books and papers. A resolution of the 83d Congress adopted the rules of the previous Congresses as amended by the Legislative Reorganization Act of 1946. H. Res. 5, 83d Cong., 1st sess., CONGRESSIONAL RECORD, vol. 99, pt. 1, pp. 15, 16, 18, 24.

[4] 60 Stat. 815, 824.

[5] 60 Stat. 817, 826.

[6] 60 Stat. 815, 824.

[7] Senate Resolution 202, 81st Cong., 2d sess., in pertinent part provides:

"authorized and directed to make a full and complete study and investigation of

all lobbying activities intended to influence, encourage, promote, or retard legislation";[8] "to determine the extent to which current literature * * * containing immoral, [or] obscene * * * matter, or placing improper emphasis on crime * * * are being made available to the people of the United States * * *";[9] and "of the extent to which criminal or other improper practices * * * are, or have been, engaged in the field of labor-management relations * * * to the detriment of the interests of the public."[10] Surely these authorizations permit the committees even more "tremendous latitude" than the charter of the Un-American Activities Committee. Yet no one has suggested that the powers granted were too broad. To restrain and limit the breadth of investigative power of this committee necessitates the similar handling of all other committees. The resulting restraint imposed on the committee system appears to cripple the system beyond workability.

The Court finds fault with the use made of compulsory process, power for the use of which is granted the Committee in the Reorganization Act. While the Court finds that the Congress is free "to determine the kinds of data" it wishes its committees to collect, this has lead through the abuse of process the Court says, to an encroachment on individual rights. To my mind this indicates a lack of understanding of the problems facing such committees. I am sure that the committees would welcome voluntary disclosure. It would simplify and relieve their burden considerably if the parties involved in investigations would come forward with a frank willingness to cooperate. But everyday experience shows this just does not happen. One needs only to read the newspapers to know that the Congress could gather little data unless its committees had, unfettered, the power of subpena. In fact, Watkins himself could not be found for appearance at the first hearing and it was only by subpena that he attended the second. The Court generalizes on this crucial problem saying "added care on the part of the House and the Senate in authorizing the use of compulsory process and by their committees in exercising that power would suffice." It does not say how this added care could be applied in practice; however, there are many implications since the opinion warns that procedures which prevent the separation of power from responsibility would be necessary along with constitutional requisites of fairness for witnesses. The power and responsibility for the investigations are, of course, in the House where the proceeding is initiated. But the investigating job itself can only be done through the use of committees. They must have the power to force compliance with their requirements. If the rule requires that this power be retained in the full House then investigations will be so cumbrous that their conduct will be a practical impossibility. As to fairness for witnesses there is nothing in the record showing any abuse of Watkins. If anything, the committee was abused by his recalcitrance.

While ambiguity prevents exactness (and there is "vice in vagueness" the majority reminds), the sweep of the opinion seems to be that "preliminary control" of the Committee must be exercised. The Court says a witness' protected freedoms cannot "be placed in danger in the absence of a clear determination by the House or the Senate that a particular inquiry is justified by a specific legislative need." Frankly, I do not see how any such procedure as "preliminary control" can be effected in either House of the Congress. What will be controlled preliminarily? The plans of the investigation, the necessity of calling certain witnesses, the questions to be asked, the details of subpenas duces tecum, etc.? As it is now, Congress is hard pressed to find sufficient time to fully debate and adopt all needed legislation. The Court asserts that "the Congress has practically abandoned its original practice of utilizing the coercive sanction of contempt proceedings at the bar of the House." This was to be expected. It may be that back in the twenties and thirties Congress could spare the time to conduct contempt hearings, but that appears impossible now. The Court places a greater burden in the conduct of contempt cases before the courts than it does before "the bar of the House." It cites with approval cases of contempt tried before a House of the Congress where no more safeguards were present than we find here. In contempt prosecutions before a court, however, the majority places an investigative hearing on a par with a criminal trial, requiring that "knowledge of the subject to which the interrogation is deemed pertinent * * * must be available [to the witness] with the same degree of explicitness and clarity that the due process clause requires in the expression of any element of a criminal offense." I know of no such claim ever being made before. Such a requirement has never been thought applicable to investigations and is wholly out of place when related to the informing functions of the Congress. See Frankfurter, Hands Off The Investigations, 38 New Republic, May 21, 1924, page 329, 65 CONGRESSIONAL RECORD, 9080–9082. The Congress does not have the facts at the time of the investigation for it is the facts that are being sought. In a criminal trial the investigation has been completed and all of the facts are at hand. The informing function of the Congress is in effect "a study by the Government of circumstances which seem to call for study in the public interest." See Black, Inside a Senate Investigation, 172 Harpers magazine, February 1936, pages 275, 278. In the conduct of such a proceeding it is impossible to be as explicit and exact as in a criminal prosecution. If the Court is saying that its new rule does not apply to contempt cases tried before the bar of the House affected, it may well lead to trial of all contempt cases before the bar of the whole House in order to avoid the restrictions of the rule. But this will not promote the result desired by the majority. Summary treatment, at best, could be provided before the whole House because of the time factor, and such treatment would necessarily deprive the witness of many of the safeguards in the present procedures. On review here the majority might then find fault with that procedure.

III

Coming to the merits of Watkins' case, the Court reverses the judgment because: (1) The subject matter of the inquiry was not "made to appear with undisputable clarity" either through its charter or by the chairman at the time of the hearing, and, therefore, Watkins was deprived of a clear understanding of "the manner in which the propounded questions [were] pertinent thereto"; (2) the present committee system of inquiry of the House, as practiced by the Un-American Activities Committee, does not provide adequate safeguards for the protection of the constitutional right of free speech. I subscribe to neither conclusion.

Watkins had been an active leader in the labor movement for many years and had been identified by two previous witnesses at the committee's hearing in Chicago as a member of the Communist Party. There can be no question that he was fully informed of the subject matter of the inquiry. His testimony reveals a complete knowledge and understanding of the hearings at Chicago. There the chairman had announced that the committee had been directed "to ascertain the extent and success of subversive activities directed against these United States [and] on the basis of these investigations and hearings * * * [report] its findings to the Congress and [make] recommendations * * * for new legislation." He pointed to the various laws that had been enacted as a result of committee recommendations. He stated that "The Congress has also referred to the House Committee on Un-American Activities a bill which would amend the National Security Act of 1950" which, if made law, would restrict the availability of the Labor Act to unions not "in fact Communist-controlled action groups." The chairman went on to say that "It cannot be said that subversive infiltration has had a greater nor a lesser success in infiltrating this important area. The hearings today are the culmination of an investigation. * * * Every witness who has been subpenaed to appear before the committee here in Chicago * * * [is] known to possess information which will assist the committee in performing its directed function to the Congress of the United States."

A subpena had issued for Watkins to appear at the Chicago hearings but he was not served. After Watkins was served the hearing in question was held in Washington, D. C. Reference at this hearing was made to the one conducted in Chicago. Watkins came before the committee with a carefully prepared statement. He denied certain testimony of the previous witnesses and declared

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whether organized crime utilizes the facilities of interstate commerce or otherwise operates in interstate commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations by which such utilization is being made, what facilities are being used, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of law of the United States or the laws of any State: *Provided, however,* That nothing contained herein shall authorize (1) the recommendation of any change in the laws of the several States relative to gambling, or (2) any possible interference with the rights of the several States to prohibit, legalize, or in any way regulate gambling within their borders."

[8] House Resolution 298, 81st Cong., 1st sess., in pertinent part provides:

"authorized and directed to conduct a study and investigation of (1) all lobbying activities intended to influence, encourage, promote, or retard legislation; and (2) all activities of agencies of the Federal Government intended to influence, encourage, promote, or retard legislation."

[9] House Resolution 596, 82d Cong., 2d sess., in pertinent part provides:

"authorized and directed to conduct a full and complete investigation and study (1) to determine the extent to which current literature—books, magazines, an comic books—containing immoral, obscene, or otherwise offensive matter, or placing improper emphasis on crime, violence, and corruption, are being made available to the people of the United States through the United States mails and otherwise; and (2) to determine the adequacy of existing law to prevent the publication and distribution of books containing immoral, offensive, and other undesirable matter."

[10] Senate Resolution 74, 85th Cong., 1st sess.:

"authorized and directed to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor-management relations or in groups or organizations of employees or employers to the detriment of the interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities."

that he had never been a "card-carrying member" of the party. He admitted that for the period 1942–47 he "cooperated with the Communist Party * * * participated in Communists activities * * * made contributions * * * attended caucuses at [his union's] convention at which Communist Party officials were present * * * [and] freely cooperated with the Communist Party." This indicated that for a 5-year period he, a union official, was cooperating closely with the Communist Party, even permitting its officials to attend union caucuses. For the last 2 years of his liaison the party had publicly thrown off its cloak of a political party. It was a reconstituted, militant group known to be dedicated to the overthrow of our Government by force and violence. In this setting the committee attempted to have Watkins identify 30 persons, most of whom were connected with labor unions in some way. While one "operated a beauty parlor" and another was "a watchmaker," they may well have been "drops" or other functionaries in the program of cooperation between the union and the party. It is a non sequitur for the Court to say that since "almost a quarter of the persons on the list are not labor people, the inference becomes strong that the subject before the subcommittee was not defined in terms of communism in labor." I submit that the opposite is true.

IV

I think the committee here was acting entirely within its scope and that the purpose of its inquiry was set out with "undisputable clarity." In the first place, the authorizing language of the Reorganization Act [11] must be read as a whole, not dissected. It authorized investigation into subversive activity, its extent, character, objects, and diffusion. While the language might have been more explicit than using such words as "un-American," or phrases like "principle of the form of government," still these are fairly well understood terms. We must construe them to give them meaning if we can. Our cases indicate that rather than finding fault with the use of words or phrases, we are bound to presume that the action of the legislative body in granting authority to the committee was with a legitimate object "if (the action) is capable of being so construed." *People ex rel. McDonald* v. *Keeler* (99 N. Y. 463, 487 (1885)), as quoted and approved in *McGrain* v. *Daugherty, supra,* at 178. Before we can deny the authority "it must be obvious that" the committee has "exceeded the bounds of legislative power." *Tenney* v. *Brandhove* (341 U. S. 367, 378 (1951)). The fact that the committee has often been attacked has caused close scrutiny of its acts by the House as a whole and the House has repeatedly given the committee its approval. "Power" and "responsibility" have not been separated. But the record in this case does not stop here. It shows that at the hearings involving Watkins, the chairman made statements explaining the functions of the committee.[12] And, furthermore, Watkins' action at the hearing clearly reveals that he was well acquainted with the purpose of the hearing. It was to investigate Communist infiltration into his union. This certainly falls within the grant of authority from the Reorganization Act and the House has had ample opportunity to limit the investigative scope of the committee if it feels that the committee has exceeded its legitimate bounds.

The Court makes much of petitioner's claim of exposure for exposure's sake and strikes at the purposes of the committee through this catch phrase. But we are bound to accept as the purpose of the committee that stated in the Reorganization Act together with the statements of the chairman at the hearings involved here. Nothing was said of exposure. The statements of a single Congressman cannot transform the real purpose of the committee into something not authorized by the parent resolution. See *United States* v. *Rumely* (345 U. S. 41 (1953)); *Sinclair* v. *United States* (279 U. S. 263, 290, 295 (1929)). The Court indicates that the questions propounded were asked for exposure's sake and had no pertinency to the inquiry. It appears to me that they were entirely pertinent to the announced purpose of the committee's inquiry. Undoubtedly Congress has the power to inquire into the subjects of communism and the Communist Party. *American Communications Assn.* v. *Douds* (339 U. S. 382 (1950)). As a corollary of the Congressional power to inquire into such subject matter, the Congress, through its committees, can legitimately seek to identify individual members of the party. *Barsky* v. *United States* (167 F. 2d 241 (1948)), certiorari denied (334 U. S. 843). See also *Lawson* v. *United States* (176 F. 2d 49, 52–53 (1949)), certiorari denied (339 U. S. 934); *United States* v. *Josephson* (165 F. 2d 82, 90–92 (1947) certiorari denied, 333 U. S. 838).

The pertinency of the questions is highlighted by the need for the Congress to know the extent of infiltration of communism in labor unions. This technique of infiltration was that used in bringing the downfall of countries formerly free but now still remaining behind the Iron Curtain. The Douds case illustrates that the party is not an ordinary political party and has not been at least since 1945. Association with its officials is not an ordinary association. Nor does it matter that the questions related to the past. Influence of past associations often linger on as was clearly shown in the instance of the witness Matusow and others. The techniques used in the infiltration which admittedly existed here, might well be used again in the future. If the parties about whom Watkins was interrogated were Communists and collaborated with him, as a prior witness indicated, an entirely new area of investigation might have been opened up. Watkins' silence prevented the committee from learning this information which could have been vital to its future investigation. The committee was likewise entitled to elicit testimony showing the truth or falsity of the prior testimony of the witnesses who had involved Watkins and the union with collaboration with the party. If the testimony was untrue a false picture of the relationship between the union and the party leaders would have resulted. For these reasons there were ample indications of the pertinency of the questions.

The Court condemns the long-established and long-recognized committee system of inquiry of the House because it raises serious questions concerning the protection it affords to constitutional rights. It concludes that compelling a witness to reveal his "beliefs, expressions or associations" impinges upon first amendment rights. The system of inquiry, it says, must "insure that the Congress does not unjustifiably encroach upon an individual's right to privacy nor abridge his liberty of speech, press, religion or assembly." In effect the Court honors Watkins' claim of a "right to silence" which brings all inquiries, as we know, to a "dead end." I do not see how any first amendment rights were endangered here. There is nothing in the first amendment that provides the guaranties Watkins claims. That amendment was designed to prevent attempts by law to curtail freedom of speech. *Whitney* v. *California* (274 U. S. 357, 375 (1927)). It forbids Congress from making any law "abridging the freedom of speech, or of the press." It guarantees Watkins' right to join any organization and make any speech that does not have an intent to incite to crime. *Dennis* v. *United States* (341 U. S. 494 (1951)). But Watkins was asked if he knew named individuals and whether they were Communists. He refused to answer on the ground that his rights were being abridged. What he was actually seeking to do was to protect his former associates, not himself, from embarrassment. He had already admitted his own involvement. He sought to vindicate the rights, if any, of his associates. It is settled that one cannot invoke the constitutional rights of another. *Tileston* v. *Ullman* (318 U. S. 44, 46 (1943)).

As already indicated, even if Watkins' associates were on the stand they could not decline to disclose their Communist connections on first amendment grounds. While there may be no restraint by the Government of one's beliefs, the right of free belief has never been extended to include the withholding of knowledge of past events or transactions. There is no general privilege of silence. The first amendment does not make speech or silence permissible to a person in such measure as he chooses. Watkins has here exercised his own choice as to when he talks, what questions he answers, and when he remains silent. A witness is not given such a choice by the amendment. Remote and indirect disadvantages such as public stigma, scorn, and obloquy may be related to the first amendment, but they are not enough to block investigation. The Congress has recognized this since 1862, when it first adopted the contempt section, R. S. section 103, as amended, title 2, United States Code, section 193, declaring that no witness before a Congressional committee may refuse to testify "upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous." See also *McGrain* v. *Daugherty, supra,* at 179–180; *United States* v. *Josephson* (165 F. 2d 82, 89 (1947), certiorari denied, 333 U. S. 838). See also Report on Congressional Investigations, Association of the Bar of the City of New York, 1948, pages 3–4.

We do not have in this case unauthorized, arbitrary, or unreasonable inquiries and disclosures with respect to a witness' personal and private affairs so ably and properly denounced in the Sinclair case, supra, at 291–292. This inquiry is far different from the cases relied upon by the Court. There is no analogy to the case of Richard Thompson [13] involving the sermons of clergymen. It is not Floyd's [14] case involving criticism of the royal family. There is no resemblance to John Wilkes' struggle for a seat in Parliament. It is not Briggs [15] where

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[11] See note 3, supra.

[12] See ante, at 9–10. See also the statement by Congressman Velde, chairman of the Committee on Un-American Activities, April 23, 1954, at Washington, D. C., where Mr. Velde stated, inter alia: "This committee is set up by the House of Representatives to investigate subversion and subversive propaganda and to report to the House of Representatives for the purpose of remedial legislation.

"The House of Representatives has by a very clear majority, a large large majority, directed us to engage in that type of work, and so we do, as a committee of the House of Representatives, have the authority, the jurisdiction, to ask you concerning your activities in the Communist Party, concerning your knowledge of any other persons who are members of the Communist Party or who have been members of the Communist Party, and so, Mr. Watkins, you are directed to answer the question propounded to you by counsel."

[13] *Proceedings against Richard Thompson,* 8 How. St. Tr. 2 (1680).

[14] See 1 De Lolme, The Rise and Progress of the English Constitution, 1838, at 347–348.

[15] *Briggs* v. *MacKellar* (2 Abb. Pr. 30, 65 (N. Y. Common Pleas 1855)).

the prosecutor sought to develop the national origin of policemen. It is not Kilbourn [16] involving a private real estate pool. Nor is it Quinn,[17] Emspak,[18] or Bart,[19] involving the fifth amendment. It is not Rumely [20] involving the interpretation of a lobbying statute. Nor is this "a new kind of Congressional inquiry unknown in prior periods of American history * * * [i. e.] a broad scale intrusion into the lives and affairs of private citizens." As I see it only the setting is different. It involves new faces and new issues brought about by new situations which the Congress feels it is necessary to control in the public interest. The difficulties of getting information are identical if not more difficult. Like authority to that always used by the Congress is employed here and in the same manner so far as Congressional procedures are concerned. We should afford to Congress the presumption that it takes every precaution possible to avoid unnecessary damage to reputations. Some committees have codes of procedure, and others use the executive hearing technique to this end. The record in this case shows no conduct on the part of the Un-American Activities Committee that justifies condemnation. That there may have been such occasions is not for us to consider here. Nor should we permit its past transgressions, if any, to lead to the rigid restraint of all Congressional committees. To carry on its heavy responsibility the compulsion of truth that does not incriminate is not only necessary to the Congress but is permitted within the limits of the Constitution.

Mr. FLYNT. Mr. Speaker, I call attention to the following words which appear above:

It may be that at times the House Committee on Un-American Activities has, as the Court says, "conceived of its task in the grand view of its name." And, perhaps, as the Court indicates, the rules of conduct placed upon the committee by the House admit of individual abuse and unfairness. But that is none of our affair. So long as the object of a legislative inquiry is legitimate and the questions propounded are pertinent thereto, it is not for the courts to interfere with the committee system of inquiry. To hold otherwise would be an infringement on the power given the Congress to inform itself, and thus a trespass upon the fundamental American principle of separation of powers. The majority has substituted the judiciary as the grand inquisitor and supervisor of Congressional investigations. It has never been so.

Mr. Speaker, it is evident and it is clear that unless some action is taken to curb and check the unwarranted abuses of the Anglo-American system of jurisprudence by the present majority of the Supreme Court of the United States, they will gradually or precipitously devastate and shatter our Constitution, our laws, our statutes, the Congress of the United States, indeed our very Nation itself.

Mr. DAVIS of Georgia. Mr. Speaker, I know of the great interest of the distinguished gentleman from Georgia in the preservation of constitutional government. I thank him for his remarks and his contribution.

Mr. ANDREWS. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Alabama.

Mr. ANDREWS. I want to congratulate the gentleman for the fine statement he has made and to assure him that I agree with him 100 percent. I have said many times, and I repeat, I fear more the Supreme Court of the United States as presently constituted than I do Russia.

The gentleman mentioned the case of the Communist Party against the Subversive Activities Control Board. I would like to say that within a day or two after that case was announced, an attorney for the Justice Department made this statement which was in a Washington paper. He said that the reversal of that case was the greatest victory the Communist Party had won in the last 10 years.

Now, does the gentleman know of a single case of any importance that a Communist has lost before the Supreme Court in the last 5 years?

Mr. DAVIS of Georgia. It seems that if there is one thing well settled, it is that a Communist cannot lose a case in the United States Supreme Court.

Mr. ANDREWS. Well, I think a study of the decisions of the past few years will substantiate the correctness of that statement. The gentleman mentioned the 2 bar association cases, 1 from California and the other from New Mexico. Is it the opinion of the gentleman that in those decisions the right of the States to regulate the practice of law in the States has been abolished?

Mr. DAVIS of Georgia. Let me say this: The effect of these decisions is that the bar associations and the courts of the States under those decisions no longer may regulate and designate the qualifications of those who are to be admitted to the bar.

Mr. ANDREWS. Well, that was the impression I had from reading the two decisions. Also, it opens up the legal profession to Communists; is that not right?

Mr. DAVIS of Georgia. I agree with the gentleman. That is correct.

Mr. ANDREWS. Does the gentleman not think that the legal profession would be a fine place, so far as Communists are concerned, to place one of their numbers?

Mr. DAVIS of Georgia. I can think of no more dangerous place for a Communist to be.

Mr. ANDREWS. Well, again I want to congratulate the gentleman and assure him that I will support any bill he will bring out here to try to regulate and curb the dangerous trend of the present Supreme Court.

Mr. DAVIS of Georgia. I thank the gentleman.

Mr. KITCHIN. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from North Carolina.

Mr. KITCHIN. I want to add my endorsement to every comment the gentleman from Georgia has made concerning a very, very vital subject. I think one comment should be made and, as a freshman in this House, I can make it with impugnity, being inexperienced, as I am, in matters of this nature, but I think it is a shame that the entire membership of the House did not hear Judge DAVIS' fine speech today. I certainly would say that it is a commentary that should be widely spread to the people of this country through the channels of the CONGRESSIONAL RECORD. I want to again congratulate the gentleman and tell him that he has my wholehearted support in any move that will be directed toward curbing this usurpation of power that the Supreme Court is now on the march to do as far as this Congress is concerned.

Mr. DAVIS of George. I thank the gentleman.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. LANHAM. I want to say to my colleague from Georgia that I regret that I was called from the floor and did not get to hear all of his address. I just want to say that I, too, am terribly disturbed about the tendency of the Supreme Court to usurp the powers of the Congress and to attempt to amend the Constitution. These recent decisions, I think, have alarmed every lawyer, or should alarm every lawyer in America.

Mr. Speaker, I would like at this time to include as part of my remarks an article by Dr. W. H. Lewis, of Rome, Ga., dated August 25, 1956.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The article reads as follows:

ROME, GA., *August 25, 1956.*

Below are the first three paragraphs of an article entitled "Judicial Encroachment" appearing 116 years ago in the United States magazine published in 1850. These paragraphs are so explicit, so correct, and so prophetic, that they apply today and could very well be broadcast across the land.

W. H. LEWIS, M. D.

"The tendency of all governments to encroach on their constitutional limits, and to transcend the powers with which they were originally gifted, has so often been shown, that it has passed into an axiom, and the question now is, not whether the tendency exists, but how far it is left unchecked? The necessity for placing the strongest restraints on this expansive principle, was very apparent to the Convention which produced our National Constitution, and they have, it would seem, effectually guarded against executive encroachment, and, probably, sufficiently against that of the legislative department. But their caution seems either to have exhausted itself at this point, or to have been completely lulled to sleep, and the third of the great branches of our government stands alone in its irresponsibility, almost wholly devoid of those evidences of careful caution which are so thickly strewn around the executive and legislature. The result has been in exact accordance with what was to be expected from universal experience of the effect of placing unrestricted power in the hands of any body of men, or giving them a position above all practicable restraints. While the other two great departments of government have remained within the constitutional limits, prescribed for them, the judiciary has gradually enlarged its power, and extended

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[16] *Kilbourn* v. *Thompson* (103 U. S. 168 (1881)).

[17] *Quinn* v. *United States* (349 U. S. 155 (1955)).

[18] *Emspak* v. *United States* (349 U. S. 190 (1955)).

[19] *Bart* v. *United States* (349 U. S. 219 (1955)).

[20] *United States* v. *Rumely* (345 U. S. 41 (1953)).

its jurisdiction, with a velocity increasing with its progress, until those who truly love the Constitution are at a loss to know where to look for a remedy.

"There is, in truth, more danger in judicial encroachment than in any other kind. The executive and legislature are constantly and wholly before the people. Every act and deed of theirs is exposed to the comments of hundreds and thousands of jealous witnesses. Any infraction of the Constitution on the part of either of them, or any transgression on the constitutional limits of their power, would be instantly met by a cry of indignation rising up from one end of the land to the other, and such a lesson would be administered to the offending party as would be likely to create considerable disinclination, on the part of others, to follow in such footsteps. This is not so with the judiciary. They are little thought of by the people at large, and seldom or never come before them in an official capacity. Their action takes place, in a quiet form, in a retired courtroom, under the eyes of few except the members of a profession, which, as a general thing, has always been in favor of strengthening the hands of government; a profession of which they are but the higher portion, and from the ranks of which their successors must be taken. Above all, the subject of their action, although involving the dearest rights of every individual, is surrounded with a language, and forms, so technical, so unintelligible to the uninitiated, and looked upon by most people with so much dread, that any attempt to explain a legal question is almost certain to drive one's hearers out of earshot. In short, while encroachment by any other branch of government is bold, open, and daring, that effected by the judiciary is covert, noiseless, unknown; and as people find their rights vanishing one by one, they are more likely to think they have been lost by the fault of those whose duty it was to legislate for their protection, than to attribute the result of their plight by legislating them out of existence.

"The judiciary in this country has been treated with a degree of respect which is extended to no other department of government. They have been looked upon with a sort of awful reverence; few have been willing to examine their course with a view to discover whether or no they have conducted themselves properly; and any one who gravely attempts to censure them is looked upon, by some people, as a madman or something worse. It is of little importance, to our present purpose, whether this consideration has been merited or not. We are free to admit that the character of the Federal judiciary is, generally, very high. But if, from mistaken views, they have arrived at wrong conclusions, the weight of their personal and professional character only tends to increase the influence of error, and makes it more necessary that the process, by which such results have been reached, should be stripped of all its technicalities, and laid, in a simple form, before the people at large, who are best entitled to understand it."

This article is truly prophetic and everything that was prophesied with reference to the attempt of the Supreme Court to dominate our entire Government has come to pass in our day. I think it would be most interesting to the Members of Congress to read this article that was written so long ago. I commend the gentleman again for his splendid statement and will be glad to cooperate in any way in an effort to do something to restrain the Court in its headlong dash toward the destruction of our constitutional Government.

The SPEAKER pro tempore. The time of the gentleman from Georgia [Mr. DAVIS] has again expired.

Mr. SELDEN. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SELDEN. Mr. Speaker, will the gentleman from Georgia yield to me?

Mr. DAVIS of Georgia. I am glad to yield to the gentleman from Alabama.

Mr. SELDEN. Mr. Speaker, I would like to commend my friend, the gentleman from Georgia [Mr. DAVIS] for the excellent statement he has made. I trust that many will have an opportunity to read his very fine address in the RECORD.

My colleague from Georgia knows that for a number of years the Supreme Court has held that when Congress passes a law on any subject, it intends that all State laws on that subject be superseded. This rule of law recognizing exclusive Federal jurisdiction in all cases is now having rather iniquitous results. The Steve Nelson case, which was referred to earlier, is an example. In that case, a Communist was convicted and sentenced under the sedition laws of Pennsylvania. The Supreme Court held that Nelson was illegally convicted because the Smith Sedition Act, passed by Congress, preempted the field of sedition and deprived the States of all jurisdiction in that field.

Let me illustrate how a recent United States Supreme Court decision affected my own State of Alabama. For the purpose of protecting our own citizens, the State of Alabama sought to inspect the product of the Cloverleaf Co. This company was engaged in the renovation of butter, some of which was shipped in interstate commerce and subject to inspection under the Federal Pure Food and Drug Act. The Supreme Court in the case of the Cloverleaf Co. against Patterson held that since Congress had enacted the pure food and drug law, it had assumed entire jurisdiction over the subject and the States were powerless to enforce their laws for the protection of the health of their citizens.

As we all know, in recent years, Congress has legislated on a variety and multitude of subjects. As a result, if the Supreme Court continues to follow this doctrine, it will be only a matter of time before the States will be deprived of practically all powers and sovereignty in the enactment and enforcement of laws for the protection of the health and welfare of their local citizens.

Realizing these dangers, I joined with Representative HOWARD W. SMITH of Virginia on the first day of the present session, in introducing identical bills that would modify this doctrine. This proposed legislation, if it is enacted into law, will permit concurrent jurisdiction in order that the State law, where not in conflict with the Federal act, also can be enforced in the State courts for the protection of the State and of its citizens.

Mr. Speaker, there is urgent need for the enactment of legislation of this type. These bills are in the Committee on the Judiciary. I trust that in the very near future the Judiciary Committee will see fit to hold hearings on this important legislation.

Mr. DAVIS of Georgia. I concur heartily and thank the gentleman for his contribution.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. EDMONDSON, for 2 days, on account of official business.

To Mr. BOW of Ohio (at the request of Mr. MARTIN), for Friday, June 21, 1957, on account of official business.

SPECIAL ORDER GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ABERNETHY, for 1 hour, on Monday next.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MADDEN and to include an article.

Mr. BARING (at the request of Mr. BOLLING) and to include extraneous matter.

Mr. CELLER.

Mr. COLLIER (at the request of Mr. BALDWIN) and to include extraneous matter.

Mr. SAYLOR and to include extraneous matter.

Mr. MCGOVERN to include an article in his remarks made today on the extension of Public Law 480.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 7221. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 601. An act relating to the charging of interest on deposits to the credit of the civil service retirement and disability fund, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 7221. An act making supplemental appropriations for the fiscal year ending June 30, 1957, and for other purposes.

ADJOURNMENT

Mr. WHITENER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 41 minutes p. m.), under its previous order, the House adjourned until tomorrow, Friday, June 21, 1957, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

966. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order suspending deportation in the case of Fritz Willy Reinhardt, pursuant to Public Law 863, 80th Congress; to the Committee on the Judiciary.

967. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of the order granting the application for permanent residence filed by Nadina Dzirkalis, pursuant to the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

968. A letter from the Comptroller General of the United States, transmitting a report on the audit of the Rural Electrification Administration, Department of Agriculture, for the fiscal year ended June 30, 1956; to the Committee on Government Operations.

969. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation entitled "A bill to amend the Government Corporation Control Act, as amended"; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARY: Committee on Appropriations. House Joint Resolution 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes; without amendment (Rept. No. 579). Referred to the Committee of the Whole House on the State of the Union.

Mr. PORTER: Committee on Post Office and Civil Service. H. R. 7910. A bill to revise the laws relating to the handling of short paid and undeliverable mail, and for other purposes; with amendment (Rept. No. 580). Referred to the Committee of the Whole House on the State of the Union.

Mr. SANTANGELO: Committee on Post Office and Civil Service. H. R. 7907. A bill relating to contracts for the conduct of contract postal stations, and for other purposes; without amendment (Rept. No. 581). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 1576. An act to exempt the sale of materials for certain war memorials in the District of Columbia from the District of Columbia Sales Tax Act; without amendment (Rept. No. 585). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7785. A bill to provide for the appointment of an additional judge for the Juvenile Court of the District of Columbia; with amendment (Rept. No. 586). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7835. A bill to increase the authorization for appropriations for the Hospital Center and facilities in the District of Columbia, and for other purposes; without amendment (Rept. No. 587). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 8256. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to exclude social-security benefits and to provide additional exemptions for age and blindness, and to exempt from personal property taxation in the District of Columbia boats used solely for pleasure purposes, and for other purposes; without amendment (Rept. No. 588). Referred to the Committee of the Whole House on the State of the Union.

Mr. TRIMBLE: Committee on Rules. House Resolution 251. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the operation, administration, and enforcement of the District of Columbia Public Works Act of 1954, the District of Columbia Revenue Act of 1956, and the organization, management, operation, and administration of the District of Columbia Department of Public Health; with amendment (Rept. No. 589). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 283. Resolution for the consideration of H. R. 7963, a bill to amend the Small Business Act of 1953, as amended; without amendment (Rept. No. 590). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 284. Resolution for consideration of H. R. 5728, a bill to clarify the general powers, increase the borrowing authority, and authorize the deferment of interest payments on borrowings of the St. Lawrence Seaway Development Corporation; without amendment (Rept. No. 590). Referred to the House Calendar.

Mr. RABAUT: Committee of Conference. House Resolution 6500. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1958, and for other purposes. (Rept. No. 592). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. S. 1264. An act to exempt from taxation certain property of the National Trust for Historic Preservation in the United States in the District of Columbia; without amendment (Rept. No. 582). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. S. 1586. An act to eliminate the financial limitation on real and personal estate holdings of the American Historical Association and to exempt from taxation certain property of such association in the District of Columbia; without amendment (Rept. No. 583). Referred to the Committee of the Whole House.

Mr. McMILLAN: Committee on the District of Columbia. H. R. 7409. A bill to provide for the conveyance of certain real property in the District of Columbia to the Association of the Oldest Inhabitants of the District of Columbia; with amendment (Rept. No. 584). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNETT of Michigan:

H. R. 8262. A bill to amend title II of the Social Security Act so as to permit the State of Michigan to provide for the extension of the insurance system established by such title to service performed by certain policemen and firemen in such State; to the Committee on Ways and Means.

By Mr. BROYHILL:

H. R. 8263. A bill to make the Policemen and Firemen's Retirement and Disability Act amendments of 1957 applicable to retired former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, and the United States Secret Service; and to their widows, widowers, and children; to the Committee on the District of Columbia.

By Mr. EBERHARTER:

H. R. 8264. A bill to amend the public assistance provisions of the Social Security Act to include Guam as a State to which Federal assistance may be extended thereunder; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H. R. 8265. A bill to amend the Internal Revenue Code of 1954 to impose import taxes on lead and zinc; to the Committee on Ways and Means.

By Mrs. GREEN of Oregon:

H. R. 8266. A bill to promote the welfare of the people by authorizing the appropriation of funds to assist the States and Territories in the further development of their programs of general university extension education; to the Committee on Education and Labor.

By Mr. LANE:

H. R. 8267. A bill to create an independent establishment to be known as the Consumers Protective Bureau, and for other purposes; to the Committee on Government Operations.

By Mr. McCORMACK:

H. R. 8268. A bill to amend section 512 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. PORTER:

H. R. 8269. A bill to prohibit further testing by explosion of nuclear devices so long as all other countries refrain from exploding such devices; to the Joint Committee on Atomic Energy.

By Mr. MORRIS:

H. R. 8270. A bill to authorize the construction, operation, and maintenance of the Canton project, Oklahoma, by the Secretary of the Interior; to the Committee on Interior and Insular Affairs.

By Mr. BARING:

H. R. 8271. A bill to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor; to the Committee on Interior and Insular Affairs.

H. R. 8272. A bill to stimulate the production of certain strategic and critical minerals, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MORRISON:

H. R. 8273. A bill to amend title II of the Social Security Act to include Louisiana among the States which may obtain social security coverage, under State agreement, for State and local policemen and firemen; to the Committee on Ways and Means.

By Mrs. GRANAHAN:

H. R. 8274. A bill providing that there shall be equal pay for equal work for women; to the Committee on Education and Labor.

By Mr. RHODES of Pennsylvania:

H. R. 8275. A bill to amend the act of October 30, 1951, with respect to certain second-class mail rates; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H. R. 8276. A bill to amend title II of the Social Security Act to eliminate the requirement that a woman be married to an insured individual for at least 3 years in order to qualify for wife's insurance benefits; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 8277. A bill to amend the Clayton and Robinson-Patman Acts to include the sale of services by independent contractors; to the Committee on the Judiciary.

By Mr. KING:

H. R. 8278. A bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such State; to the Committee on Interior and Insular Affairs.

By Mr. GARY:

H. J. Res. 379. Joint resolution making supplemental appropriations for the Post Office Department for the fiscal year 1958, and for other purposes.

By Mr. CEDERBERG:

H. J. Res. 380. Joint resolution designating the week beginning June 30, 1957, as National Safe Boating Week; to the Committee on the Judiciary.

By Mr. BRAY:

H. J. Res. 381. Joint resolution to establish a commission to investigate the utilization of the radio and television frequencies allocated to the agencies and instrumentalities of the Federal Government; to the Committee on Interstate and Foreign Commerce.

By Mr. OSTERTAG:

H. J. Res. 382. Joint resolution granting the consent and approval of Congress to an amendment of the agreement between the States of Vermont and New York relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Public Works.

By Mr. SCOTT of Pennsylvania:

H. Res. 282. Resolution to provide equal access for all news media before proceedings of the House; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the Speaker: Memorial of the Legislature of the State of Louisiana, memorializing the President and the Congress of the United States requesting that Federal funds be made available to assist the States in carrying on a program for exterminating certain ants and pests; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to take favorable action to revise the existing pay structure now in use in the Armed Forces along the lines proposed in S. 2014, H. R. 7574, and H. R. 7642; to the Committee on Armed Services.

Also, memorial of the Legislature of the State of Nebraska, memorializing the President and the Congress of the United States to enact legislation which will secure a modification or denunciation of the provisions of the NATO Status of Forces Treaty and all other agreements which surrender to foreign nations criminal jurisdiction over our servicemen; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States transmitting copies of certain joint resolutions, and Act 255, enacted by the Legislature of the Territory of Hawaii in its regular session of 1957; to the Committee on Interior and Insular Affairs.

Also, memorial of the Legislature of the Virgin Islands, memorializing the President and the Congress of the United States to provide for the continuation of the so-called double I funds by amending section 28 (e) (ii) of the Revised Organic Act for the Virgin Islands; to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H. R. 8279. A bill for the relief of Newton D. Cantwell; to the Committee on the Judiciary.

By Mr. DONOHUE:

H. R. 8280. A bill for the relief of Mrs. Alberta S. Rozanski; to the Committee on the Judiciary.

H. R. 8281. A bill for the relief of Paul Nelson; to the Committee on the Judiciary.

H. R. 8282. A bill for the relief of James E. Driscoll; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 8283. A bill to provide for the renewal of design patent numbered D-168,296, relating to an ash tray design; to the Committee on the Judiciary.

By Mr. FINO:

H. R. 8284. A bill for the relief of Innocenza Guarascio; to the Committee on the Judiciary.

By Mr. KEAN:

H. R. 8285. A bill for the relief of Idel Volkman; to the Committee on the Judiciary.

By Mrs. KEE:

H. R. 8286. A bill for the relief of Mrs. W. L. Taylor; to the Committee on the Judiciary.

By Mr. McDONOUGH (by request):

H. R. 8287. A bill for the relief of Mrs. Chana Isacsohn and Bracha Isacsohn; to the Committee on the Judiciary.

H. R. 8288. A bill for the relief of Rabbi Yehuda Isacsohn; to the Committee on the Judiciary.

By Mr. McFALL:

H. R. 8289. A bill for the relief of Vito Fontana; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Opposition To Recognition of Red China by the United States

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1957

Mr. SAYLOR. Mr. Speaker, the internationalists are urging that the United States follow the British trade example, deserting the Nationalist Government on Formosa and welcoming the Communist Chinese into the world of nations, with full recognition.

I do not agree that "recognition is inevitable, so let us do it now," because I am thoroughly convinced that to do so would be a serious mistake in our foreign policy, now and in the future.

I am inserting in the RECORD a letter which I have written to the chairman of the Senate Interstate and Foreign Commerce Committee, and an editorial which appeared in the June 15 edition of the Johnstown Tribune-Democrat.

The letter and editorial follow:

JUNE 19, 1957.

Hon. WARREN G. MAGNUSON,

Chairman, Committee on Interstate and Foreign Commerce, The United States Senate, Washington, D. C.

DEAR SENATOR MAGNUSON: As Representative of Pennsylvania's 22d Congressional District, I submit this statement in opposition to any change in the official policy of the United States Government with respect to the total embargo on trade with Communist China.

I remind the committee that in the military prisons of this country there are today a number of military men convicted of cooperating with Red China during the period of their captivity by that renegade government. There has been no change in the political or philosophical makeup of that government. It is comprised of the same tyrants who were responsible for the invasion of South Korea, who drove captured American soldiers like despised beasts across the Yalu River into the illegitimately acquired territory beyond the Manchurian border, who tortured our men and boys without respect for the rules of war or the laws of God or man, who even today are holding more than 400 American soldiers, if they have not already put them to death by the sword or through starvation and disease.

These are the brigands with whom the State Department suggests that we do business. The abrupt about-face prompts the question of whether that has been brainwashing carried out right under the American flag in recent months. The fact that Great Britain has decided to widen its commercial channels with Red China is not a satisfactory answer, for the British merchant ships were conducting trade with that country at the very time that our men and boys were dying on Korean soil.

I implore your Committee to do everything in its power to uphold the American tradition of refusing to trade with the enemy under any circumstances. To open avenues of trade between the United States and Red China would serve to the advantage of the enemy alone. It would aid in building up that country's industrial potential, in return for which the United States could expect the greatest opium-smuggling effort in history as a means of obtaining our dollars.

The material disadvantages to the United States are obvious, but that consideration cannot be the determining factor. Any breakdown in the trade embargo with Red China would be a surrender to the forces of evil and would decimate the symbol of Uncle Sam as a moral leader in this confused world.

Sincerely,

JOHN P. SAYLOR,
Member of Congress.

MAO MINIMIZES BUT CAN'T DENY MURDERS

Mao Tse-tung's speeches of last February and March have come to light, in which the Chinese Communist dictator admitted that security forces of his regime liquidated—a less brutal word to describe the brutal fact of murder—800,000 enemies of the people between the Communist takeover in 1949 and 1954.

Heretofore the number of Chinese dissidents murdered by the Communists has been estimated as up to 20 million, with 10 million a probable average of the informed guesses. In huge China, with a present population of almost 600 million, either number could disappear without marked effect on the country. And it is safe to assume that Mao would make his own estimate as low as he thought he could get away with, without seeming ridiculous.

Since 1954, Mao is quoted as saying, "We are no longer using methods of terror," and instead have substituted "persuasion and education." The reports which have leaked out of China suggest that these words also conceal some extremely brutal facts. The stories told by our servicemen who were captured during the Korean war indicate that the persuasion used on Chinese must have been pretty intense.

Mao dealt with many subjects in his speeches, which were obviously designed to paint his regime in as favorable light as possible. He announced a new doctrine of "Let 100 flowers bloom," or "Let 100 schools of thought contend"; but those who take this to mean they can argue with the Communists would do well to think twice, or they are likely to end up as cut flowers.

The mere fact that it has taken months for such a major speech to emerge from hidden China itself indicates the nature of the regime with which, according to some schools of thought, the West can resume normal relations. The fact is, and probably will remain for a long time, that this is an absolute despotism over the Chinese people, which will suffer no genuine expression of popular will. And we discover daily in the reports from Korea that it will pay no attention to honor in its relationship with the West.

It suits the Chinese dictatorship now to pretend that it wants to become a respected member of the family of nations—without, of course, giving up its usurped place in Korea or abandoning its subversion throughout Asia. When there is some tangible evidence that the Chinese Communists have changed their brutal nature, it might be worth considering a change in America's relationship with them.

Until that time, however, any indication that this country is watering down its hostility to the things Mao and his Communists represent can only do harm to the anti-Communist cause in Asia, and make our friends there wonder if they, too, shouldn't start dickering with the Communists in Peiping.

Administration's Long-Range Mineral Policy Not Effective

EXTENSION OF REMARKS
OF
HON. WALTER S. BARING
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. BARING. Mr. Speaker, the amount of thought, economic skill, and knowledge of the domestic-mining industry that has been put into the new administration long-range mineral policy is well illustrated by the recommendation on copper which reads:

Copper has not been included in view of the continuing good price and the fact that a 2-cent excise tax comes into effect when the price falls below 24 cents. The current rate of domestic production is expanding, and the market situation is stable under current conditions.

Secretary of the Interior Seaton delivered this dictum to the Senate Interior Committee on June 4, 1957. At this time, the copper prices were beginning to fall and already had dropped from a high in early 1957 of over 55 cents per pound for electrolytic copper in New York to 31.288 cents per pound on June 6, 1957, and then on June 19 in London, the price was 27½ cents. Domestic mining companies have already started to curtail production, and at least one large company has been forced to a 5-day week rather than lay off men, the New York price now having dropped to 29 cents as of today.

Since the original Copper Tariff Act was passed with the 24 cents peril point, it has been pointed out by representatives of the copper industry that because of rising costs, the peril point now should be at least 30 cents per pound and the tariff or excise tax restored to at least 4 cents when the price falls below the peril point.

One of the principal mining unions points out in discussing the Seaton-Wormser program:

The situation in copper, while not yet as serious as that in lead and zinc, also contains many dangerous possibilities. A 30-percent drop in the price of copper in the past year, plus the accumulation of world stocks, in the face of rising supplies, similarly threatens the future life of many United States mines.

The statement continues:

The present administration's failure to project effective remedies for the now critical situation of the United States nonferrous metals industry places the issue squarely before Congress. Drastic remedies are now required to prevent what could develop into a collapse of an essential United States industry.

So much for the Secretary's knowledge of the needs of the domestic producers of one metal. "Continuous good price" and "stable market"—poppycock. And most of his reasons for not doing anything for a long list of other minerals are about as valid.

Changing the Pattern in Supplemental Appropriations

EXTENSION OF REMARKS
OF
HON. HAROLD R. COLLIER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. COLLIER. Mr. Speaker, the action of the House of Representatives in defeating the Third Supplemental Appropriations Bill on Tuesday was a source of some encouragement to me and I trust it was to millions of Americans who feel that the budget cuts effected by the Congress were made only because they are politically fashionable.

It is common knowledge that authorities on our national economy and fiscal policies have sneeringly questioned the sincerity of the Members of Congress in voting appropriation reductions. Yes, and many of these experts, journalists and commentators have termed the action "budget cuts for home consumption" or "for political show." Certainly the pattern and backlog spending and constant approval of supplemental and deficiency appropriations in the past have justified their mockery of the economy motives of many Members of this House in the past 2 decades.

And so, Mr. Speaker, I would like to feel that the action taken by the House in not only rejecting this appropriation bill, but in also voting down legislation that proposed to put the Federal Government in the insurance business, will be consistent with the action which will be taken on future supplemental and deficiency appropriation bills. We will, undoubtedly, be confronted by this oft-repeated situation, that of being asked to spend beyond the sums provided in original bills which were pared by this body.

By consistent and determined action in not yielding to demands for more money, we can serve notice on Members of the other body, department heads and their under secretaries, and all those who might otherwise fall into the category of bureaucrats, that we intend to hold the line. We will, at the same time, confound the mass of economists and experts who have pointed to the economy efforts of the House as political maneuvers rather than as a sincere effort to slash the cost of government.

I, for one, did not particularly like an article which appeared in the local press recently calling attention to the budget cuts voted by the Congress as a means of staging a political exhibition for the appeasement of the folks back home. Past performances, however, certainly gave the author of this article every right to this conclusion. Now we have an opportunity to change this attitude. The author of the particular article to which I refer noted that budget items cut in March and April are restored by means of supplemental and deficiency appropriation requests. So frequently in the past, Congress has rubberstamped these requests from the executive departments. Hence, when the various department heads and their top-ranking assistants observe this pattern, it is natural that they assume that when Congress says, "No," it means "Maybe," and when Congress says "Maybe," it merely means, "Wait a while and you will get your money but not right now while the voters are looking."

Well, Mr. Speaker, I hope that Tuesday the Members of this House who voted to defeat the third supplemental appropriations bill, in doing so served notice that assumption must no longer prevail.

I took particular pleasure in the action we took on the proposed tungsten subsidy request for $20 million. Now, under this tungsten stockpiling program, we

have managed to accumulate a 6-year supply of tungsten at a magnanimous 48 percent above the regular market price. This is a 6-war-year supply. Used at normal rate of consumption, it is estimated that this supply of tungsten will last us—if not another ounce of the expensive metal is produced—until 1984.

This in itself is ridiculous. But there are even more weird facets to this situation. For instance, 10 percent of the entire program is distributed among the 682 so-called small producers while 90 percent of the money goes to a handful of others.

The purpose—if there could have been any purpose to a measure such as this—was allegedly to help the small producer of tungsten. It obviously did not nor would it accomplish this purpose.

This tungsten measure was admittedly a subsidy program. It was brought before us at a hearing of the Interior and Insular Affairs Committee, and its proponents had difficulty explaining the measure away. In fact, always when an outright subsidy is proposed, those who propose it find it extremely difficult to explain for the general good of the people rather than a special few why they are making this effort. Their explanations always ring just a little hollow. Even those receiving the subsidy must find it a little difficult to explain to themselves whence came this manna.

And when the proponents of these subsidies can dig up a reasonable explanation for them—such as wartime stockpiling of tungsten—the subsidies, Federal aid programs and Federal giveaways have a tendency to outlive their usefulness as well as their creators. Once on the books, it is hard to tear these subsidy programs away from the Federal charge account.

Wartime taxes have continued because wartime programs have been resuscitated when it would have been kinder to let them die, and, in some cases, kinder still to have strangled them. When many of these Federal subsidy programs are faced with the reality of natural death, there are those who come racing forth with the pulmotor of the Federal Treasury to revive the patient who would be better off if laid to final rest. In most cases the mourners would be few indeed.

The tungsten program we voted down Tuesday was certainly one of these attempts to revive the patient for a few additional years of lush life at the expense of the already heavily laden American taxpayer. In my estimation no such future programs should be undertaken in view of the demands of the taxpayer for relief from this sort of thing, and in view of the already monstrous $270 billion debt.

What we did Tuesday, then, was in its own small way a refutation of the old law that what Congress refuses to give today, will be gladly donated tomorrow, when the voter and taxpayer is looking the other way.

It should be carefully noted by the Cabinet officers and their underlings as a warning of things to come. For the first time in a decade it appears that Congress is in no mood to trifle with the taxpayer's pocketbook. We have been dipping into his wallet too often, he is tired of it.

May the department heads come to the full understanding that what we are cutting now, will remain cut. In the past the Cabinet officer has looked at his sliced budget, apparently murmured that it is the way the ball bounces, and bided his time. In March of the next year he sends a little note up to the Hill and tells us, quite calmly, quite blatantly, that he has spent all his money, and he needs more. And, Congress has so often obliged him and abetted him in this winking at the law. We obligingly introduce and pass 1, 2, or 3 emergency supplemental appropriations bills. Then on April 15, the American taxpayer sadly accepts the tab while the national debt remains at its astronomical level.

We have made a good beginning in the House; we have this year received more cooperation than usual from the other body. Now, we must drive home to everyone in the executive departments that we are not fooling either ourselves or the taxpayer. We cannot afford the luxury of so many supplemental appropriations while our Government and our people are so deeply in hock.

Television Broadcasting Industry

EXTENSION OF REMARKS
OF
HON. EMANUEL CELLER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address delivered by me before the Federal Communications Bar Association, at the Washington Hotel, Washington, D. C., Thursday, June 20, 1957:

I am very happy to have the opportunity to discuss with you today the hearings of our House Antitrust Subcommittee and the subcommittee's report on the television broadcasting industry. It is, of course, not possible, in the few minutes that I have, to go into all the matters which were covered. I shall limit myself, therefore, to outlining a few of the problems posed by the investigation which are of particular interest to you as members of the Federal Communications bar.

At the outset, let me point out that the Antitrust Subcommittee's television inquiry originated in its lengthy hearings in 1955 on current antitrust problems posed by new forces active in the economy. In the course of these hearings, disturbing testimony was presented that Federal regulatory agencies, including the Federal Communications Commission, not only had become unduly industry minded, but had, contrary to antitrust principles, sanctioned and fostered excessive economic concentration in industries subject to their jurisdiction.

This testimony, so far as the Federal Communications Commission and television broadcasting were concerned, was particularly disquieting since there is no field in which antitrust objectives assume greater significance. It is hardly necessary to point out that monopolistic control of television broadcasting would enable a handful of individuals to convert the public airwaves into a medium for force feeding the American viewing public with handpicked opinions and programs. It would mark the end of hoped-for multiplicity of independent local outlets devoted to the discussion of local issues and the development of local talent. And it would negate the fundamental principle that mass communications in a democratic society call for the widest dissemination of information from diverse and antagonistic sources.

In these circumstances, the antitrust subcommittee concluded that it was of crucial importance to examine closely into various facets of this industry, and into the manner in which the Federal Communications Commission has exercised its regulatory responsibility in the public interest. To this end, the committee staff conducted an extensive preliminary investigation which included interviews with numerous persons associated with the industry, careful analysis of testimony before other congressional committees dealing with broadcasting matters; and thorough examination of the files of the Federal Communications Commission and of the industry. I am happy to say that the committee received excellent cooperation from the industry and from the Federal Communications Commission in connection with the inquiry.

Thereafter the committee conducted extensive hearings in June, July, and September of 1956, in the course of which it received testimony from members of the Federal Communications Commission, the president of each of the television networks, the past and present heads of the Antitrust Division of the Department of Justice and many other persons familiar with various aspects of television. It was on the basis of the record made in the course of these hearings that the subcommittee issued its report on June 10.

What are some of the important conclusions flowing from this investigation?

To me a matter of most serious concern is that the Federal Communications Commission has failed to perform its statutory obligations adequately, that it has not infrequently failed to conform its regulatory activities to the letter and spirit of the antitrust laws; and that it has, for many years, fumbled the vital problem of station outlets and frequency allocations. What is more—and this should be especially disturbing to members of this bar—the committee found that the Commission has been unduly informal in its relationships with members of the industry. In fact, for many years such an air of informality has surrounded the Commission's adjudicatory process that members of the Commission have repeatedly discussed with interested parties the merits of pending cases. It is needless for me to point out that such practices by members of a quasi-judicial agency are clearly repugnant to fundamental principles and tread dangerously close to, if they do not transgress, the outer limits of due process of laws.

It is inconceivable that members of this specialized bar association will tolerate continuation of this situation, which is so inconsistent with order and fairness. I am confident that you will assist in the formulation of procedures necessary to assure that the Commission will act as a truly quasi-judicial body.

As a first step, it is imperative for the Commission promptly to adopt a code of ethics that will prohibit further ex parte discussions of pending issues between Commission personnel and litigants and restore due process to its adjudicative process. I recognize that adoption of such a code will not in and of itself solve the basic problem of effective broadcaster regulation. What is required is appointment to the Commission

of persons dedicated to serving the public interest. In my opinion there has never been a greater need for qualified personnel in the Federal Communications Commission, both at the staff and the Commission level. For a number of years the Federal Communications Commission has simply not measured up to the standard of public service required to inspire public confidence.

In the exercise of its licensing function, for example, the Federal Communications Commission has a unique opportunity and responsibility for protecting the public interest in a competitive broadcasting industry by closely scrutinizing both the nature of the transactions underlying license applications and the antitrust background of the applicants. The Commission's official policies recognize and assert that responsibility. Yet in practice the Commission has on several occasions subordinated the public interest in these respects. The NBC-Westinghouse station exchange of 1955 is a case in point. In that case, NBC persuaded Westinghouse to give up valuable Philadelphia stations in exchange for NBC's Cleveland stations plus $3 million. The Commission had reports from its staff expressing concern over the concentration and overlap of NBC coverage which would result from this transaction. It had detailed information from its staff reporting that Westinghouse was reluctant to surrender its Philadelphia outlets and may have been coerced to agree, or face possible loss of NBC network affiliation in several cities. Nevertheless, the Commission approved the exchange without a hearing, without giving specific consideration to the antitrust backgrounds of the various participants and without maintaining adequate liaison with the Antitrust Division of the Department of Justice, to whose attention it had specifically called the case, and which had been investigating the transaction.

The NBC-Westinghouse case is not an isolated example. A recent decision by the Commission affecting the Boston area again highlights the Commission's disregard of antitrust principles in its licensing process. In that case one of the applicants already owned newspapers and radio stations which were dominant in the area and was controlled by persons who had frequently run afoul of the antitrust laws in the past. Parenthetically, it was rated by the Commission's chief hearing examiner as tied for last place below two other applicants. The Commission awarded this applicant the license over all competitors notwithstanding the Commission's avowed policy of favoring diversity of ownership of mass communications media and of considering a history of antitrust violations in licensing proceedings. Let me emphasize that decisions of this nature shatter competition in the mass communications field.

The Antitrust Subcommittee did not investigate this transaction because it had completed its hearings before the Commission acted. However, it is to be hoped that the House Commerce Subcommittee on Legislative Oversight, which was recently established, will investigate the Commission's handling of this matter.

In yet another field, the area of frequency allocations, the Commission has proved incapable of correcting the chronic and critical station shortage which is one major obstacle to achievement of a nationwide competitive system. Although the Commission repeatedly declared the use of UHF to be essential to such a system, for many years it not only failed effectively to encourage UHF development, but until recently, its every action further strengthened and entrenched VHF. As a result UHF stations face an impossible competitive situation due largely to the absence of all-channel set circulation. After 12 years, the situation still cries out for constructive solution.

In a related area the Commission has been remiss in failing to bring to a conclusion either of the two long-pending proceedings that bear on the difficulties of rural television stations that are not in the A. T. & T. transmission system in obtaining network programs for live broadcast at reasonable transmission rates. One of these proceedings, initiated in 1954, seeks permission to construct and operate private relay facilities whenever the cost of American Telephone & Telegraph services is disproportionate. The other, which has been pending since 1948, is a formal investigation of American Telephone and Telegraph common carrier charges for network transmission services. In view of the importance of these proceedings to the achievement of national objectives for broadcasting, the length of time which they have been permitted to drag on is unconscionable.

Turning to the problems of concentration in the industry, the committee's study revealed that CBS and NBC today occupy a dominant position in television broadcasting, accounting for over 40 percent of the entire television broadcast business. By virture of that dominant position, these two networks, using spectrum frequencies that are a precious natural resource belonging to all the people, exercise vast influence and determine in large measure what the American people may see and hear on their television sets. It must not be overlooked, however, that they have done much that is in the public interest. Thus they have engaged in extensive pioneering activities, assumed large financial risks and brought to the public programs of great popular appeal. These factors explain in part their present dominance. There are other factors too which have contributed to the present concentration in CBS and NBC. These include physical considerations such as the natural limitation of frequency space which prevents unrestricted entry into broadcasting, and shortage of station facilities that has been aggravated by faulty frequency allocations. Various practices that have had a detrimental effect on competition have also, however, contributed to the present economic concentration in the control of television broadcasting. These practices include option time, must-buy, first call arrangements, possible tie-in of network time sales to the sale of programs in which the networks have a financial interest, quantity discounts granted by networks to large advertisers in the sale of time, multiple station ownership by networks, long-term exclusive network talent contracts, and broad caster activities in the field of music.

I would stress that the Federal Communications Commission and the Department of Justice have ample statutory authority to correct virtually all the foregoing restrictive practices. In this context, the solution does not lie in the enactment of extensive new legislation at this time but rather in the exercise by the Government agencies of authority which they have already been provided by the Congress. Only if the agencies fail to carry out their responsibilities will appropriate legislative proposals have to be considered by the Congress.

There is, however, one area where additional legislation is now required so as to amend section 2 of the Robinson-Patman Act and section 3 of the Clayton Act. In the sale of time, the networks allow advertisers a variety of quantity discounts which run as high as 25 percent and which are not related to any cost saving. Such discriminatory discounts in the sale of goods would constitute violations of the Robinson-Patman Act. However, since the act is not applicable to the sale of services, the large network advertiser can obtain a competitive advantage solely because of superior mass purchasing ability. This is true notwithstanding there is no distinction in principle between a discrimination in the sale of goods and in the sale of services. Similarly, section 3 of the Clayton Act which bans certain tie-in arrangements is not applicable where services are involved. To plug these loopholes, I have introduced a bill today to amend the Robinson-Patman and Clayton Acts so as to make them applicable not only to the sale of commodities but also to the sale of services by independent contractors.

In respect of the other recommendations, I think the past record of the Antitrust Subcommittee demonstrates that its reports are not issued merely to be filed. On the contrary, it is the policy of the committee to keep a watchful eye on the steps taken to carry out committee recommendations. In this connection I may mention the effectiveness of past recommendations of the committee with respect to such matters as conflicts of interest cases; adoption of a code of ethics by the Department of Justice; employment of WOC's; measures to improve enforcement of the Celler-Kefauver Antimerger Act and other antitrust statutes; activities of the Civil Aeronautics Board in respect to policies concerning a general passenger fare investigation, and the licensing of travel agents.

In accordance with its policy, the subcommittee has made formal request to the Federal Communications Commission and the Antitrust Division for detailed progress reports as to steps these agencies undertake to carry out each of the committee's recommendations pertaining to television broadcasting. Beyond this, the committee will continue to scrutinize carefully the manner in which the Commission and the Antitrust Division carry out these recommendations and implement the congressional policy of a nationwide competitive system of broadcasting. The public interest requires no less.

Graver Tank & Manufacturing Co.—Centennial Anniversary

EXTENSION OF REMARKS
OF
HON. RAY. J. MADDEN
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Thursday, June 20, 1957

Mr. MADDEN. Mr. Speaker, Indiana's great industrial Calumet region, located in the northwest corner of Indiana, on the shores of Lake Michigan, is indeed proud of its honor to be ranked as the most concentrated and progressive industrial center in the United States. Three of the Nation's major steel mills are located in Indiana's First Congressional District. All major oil companies have offices or plants within the borders of this area. Several hundred other industries and manufacturing plants, both large and small, have located here in order to enjoy the unlimited water, rail, air, and truck transportation facilities in the center of the great Midwest.

The Graver Tank & Manufacturing Co. of East Chicago, is one of the major industries in Lake County, Ind., which has reached the position of leadership in its industrial field over the last century.

Today I wish to call to the attention of Members of Congress, some of the history of the Graver Tank & Manufacturing Co. which this year celebrates its centennial anniversary.

The growth of Graver Tank since 1857 exemplifies the courage and endeavor of the men who have assumed leadership in the industrial progress of the United States. A leader in the field of tank production, Graver Tank has supplied the oil industry with storage units since the discovery of oil in 1859 and has witnessed and served the many extensions and expansions of that industry since that time.

While an expanding firm in an expanding economy is not an incident of note, reviewing the economic history of the United States over the past 100 years brings to mind the times the American economic system has suffered financial misfortunes.

However, the inherent strength of the country and the legitimacy of our system of economy during these times of financial disaster becomes evident in the stability of companies such as Graver Tank. Firmly believing that the economy was not doomed, these many young producers, in a young country, held fast to original standards and helped avert a complete collapse of American industry.

Graver has assumed leadership during its 100-year history. A pioneer industry of the Calumet area, Graver Tank was the first manufacturing plant to discover the physical assets of northern Indiana as a great production center. Now, more steel is fabricated in this area than anywhere else in the world.

We salute a successful area inhabited by a resourceful population—men like William Graver, who founded Graver Tank & Manufacturing Co., at the age of 15; men like Edward N. Gosselin, who guided its growth in the final decades of Graver Tank's first century of craftsmanship now being celebrated throughout the country by Graver's 4,000 employees.

The petroleum industry and Graver Tank grew up together. The storage of petroleum and petroleum products has presented problems ever since the first discovery of oil, and Graver Tank—2 years senior to the oil industry—has always been ready to provide workable answers to these storage problems.

In 1857, 15-year-old William Graver joined with his half brother, Michael, in a little iron plate business which has, 100 years later, grown into a national organization with plants in Indiana, Delaware, Oklahoma, Texas, and California.

Two years after the start of this little backyard shop in Pittsburgh, oil was discovered in western Pennsylvania. Almost overnight, the Graver shop became a regular supplier of tankage. The Graver brothers, trained to old-world standards of workmanship by their father, a boilermaker who had emigrated from Germany, early gained a reputation for craftsmanship that has stood untarnished for a century.

Relying on native ingenuity to solve problems, the infant industry of tank-building flourished with the oil industry.

However, this stream of prosperity and success was suddenly dashed by the great panic of 1883. The steel mills along the Allegheny were dark, and business was at a standstill. William Graver was hard hit, but he decided to leave his many ties with Pennsylvania and make a fresh start in the West.

Chicago was a thriving city, largely rebuilt after the great fire, and offering a diversity of industry—grain, packing plants, railroads and steel mills—attractive to a tank builder bent on success. William Graver bought a small lot on Chicago's South Side and moved his family from Pittsburgh to its newly adopted locale.

Still, business was not easy to find and he turned his hand to whatever metalworking was available. Wheelbarrows had a ready market and Graver supplied them for a while. Soon he had orders for lard tanks from a meat packing house and William Graver was back with the product of his choice.

Storage tanks at that time were made of heavy boilerplate of the same thickness throughout the tank structure. It was William Graver's theory that in a vertical tank, since the pressures were less in the upper sections, these could be made of lighter plate. Although this theory had been successfully demonstrated by Graver-built oil tanks in Pennsylvania, no one in the Middlewest would accept the idea. Finally Graver Tank took an order for four large linseed oil tanks of this type of construction. The tanks were erected and when tests were completely successful, a new design in storage tanks was established—the first of Graver's many contributions to tank-building technology. After oil was discovered in Ohio, the Midwestern demand for tankage became acute. When Graver Tank received an order for a large battery of 35,000-barrel tanks, William Graver moved his plant to Lima in order to handle this and other jobs on the spot. He retained his Chicago shop, but put most of his equipment on flatcars and set up new quarters at Lima. Work there continued from 1886 to 1888.

At a time propitious to return to Chicago, William Graver was persuaded by Gen. Joseph Thatcher Torrence to locate in East Chicago, Ind. The area was then only an expanse of sand dunes and sloughs, but Graver had the foresight to envision the potential of the area. Graver thus became the first industry in the great Calumet area, perhaps now the greatest concentration of heavy industry in the world.

In 1910 William Graver retired, leaving the administration of the Graver Tank Works to his five sons.

At this time Graver Tank boasted two frame buildings housing a powerplant, a machine shop and fabricating shops, a warehouse, and a riveting yard and shed. Steel plate had replaced wrought-iron plates and, consequently, larger plates could be handled.

In the next 20 years Graver erected another assembly department, and new shops were equipped with overhead cranes. These new facilities enabled the company to meet the demands of increasing business from new oilfields in Oklahoma, Louisiana, Arkansas, and Texas.

Progress in tank-fabricating methods partially outmoded the use of riveting. Acetylene welding in small-tank construction and, by 1930, electric welding became fairly standard procedures in the shops and on some field work. The industry and Graver Tank kept pace with American endeavor as a whole.

In 1930 Edward N. Gosselin assumed the presidency of the Graver corporation.

Gradual expansion followed, marked by new plants in Delaware, Oklahoma, California, and Texas. Welding procedures became specialized, modern steel buildings with efficient handling facilities replaced the wooden factories, and new office buildings were erected. Assets and volume grew.

The Graver Tank story could, in effect, be called the boilermaker story. It is a story of a boy just 15 who wanted to get into the mainstream of American life and was successful. It is the story of his industrious sons and daughters who have perpetuated his name, his skill, and his high standards. It is an American story which has been recorded in other industrial fields.

These industrial pioneers have contributed greatly to win for the Nation its position as leader of the world.